



CITY OF COVINGTON
CITY COUNCIL SPECIAL MEETING AGENDA – 6:40 P.M.
CITY COUNCIL REGULAR MEETING AGENDA
www.covingtonwa.gov

Tuesday, October 24, 2017
7:00 p.m.

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

Council will interview a Youth Council applicant at 6:40 p.m.

CALL CITY COUNCIL REGULAR MEETING TO ORDER

ROLL CALL/PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

PUBLIC COMMUNICATION - NONE

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

APPROVE CONSENT AGENDA

- C-1. Minutes: May 24, 2017 Tri City Joint Meeting and July 25, 2017 Meeting (Scott)
- C-2. Vouchers (Hendrickson)
- C-3. Authorize City Manager to Execute 2018-2019 South County Area Transportation Board Agreement and Adopt Operating Procedures Revision (Vondran)
- C-4. Accept Detention Pond Restoration Project (Vondran)
- C-5. Adopt Ordinance Amending Covington Municipal Code 18.25.100, 18.30.040 and 18.85.020 Related to the Removal of Mineral Zoning District Designation and Associated Zoning Regulations and Development Standards for Mineral Zone and Mineral Extraction Activities (Mueller)
- C-6. Adopt Ordinance Repealing Section 18.47.20, Definitions in Covington Municipal Code Chapter 18.47, Protection and Preservation of Landmarks, Landmark Sites and Districts; and Repeal Two Definitions in Sections 18.20.597 Historic Resources and 18.20.598 Historic Resource Inventory of the Covington Municipal Code (Mueller)

REPORTS OF COMMISSIONS

- Human Services Chair Leslie Hamada: September 14 site visit; October 12 meeting canceled
- Arts Chair Ed White: October 12 meeting
- Parks & Recreation Chair Laura Morrissey: October 18 meeting
- Youth Council: August 15, September 19, and October 17 meetings
- Planning: Both September and October meetings canceled
- Economic Development Council Chair Josh Lyons: September 28 meeting

PUBLIC HEARINGS

1. Receive Public Testimony and Presentation from Staff Regarding 2018 Revenue Sources and Possible Increase in Property Tax Revenues (Hendrickson)
2. Receive Public Testimony and Consider Ordinance Extending Interim Sign Code Regulations (Hart)

NEW BUSINESS

3. Consider Appointment to the Youth Council (Council)
4. Consider New Procedure and Template for City Manager Evaluation (Beaufreere)

FUTURE AGENDA ITEMS**COUNCIL/STAFF COMMENTS**

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

EXECUTIVE SESSION – if needed**ADJOURN**

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

Consent Agenda Item C-1

Covington City Council Meeting

Date: October 24, 2017

SUBJECT: APPROVAL OF MINUTES: MAY 24, 2017 SPECIAL MEETING – TRI CITIES
JOINT MEETING MINUTES AND JULY 25, 2017 CITY COUNCIL REGULAR
MEETING MINUTES

RECOMMENDED BY: Sharon G. Scott, City Clerk

ATTACHMENT(S): Proposed Minutes

PREPARED BY: Joan Michaud, Senior Deputy City Clerk

EXPLANATION:

ALTERNATIVES:

FISCAL IMPACT:

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

**Councilmember _____ moves, Councilmember _____
seconds, to approve the May 24, 2017 Special Meeting – Tri Cities
Joint Meeting Minutes and July 25, 2017 City Council Regular
Meeting Minutes.**

**City of Black Diamond/City of Covington/City of Maple Valley
Special Meeting - Joint City Council Meeting Minutes
Wednesday, May 24, 2017**

CALL TO ORDER/PLEDGE OF ALLEGIANCE:

Black Diamond Mayor Carol Benson called the Special Meeting – Joint City Council Meeting to order on Wednesday, May 24, 2017, at 7:00 p.m. in the City of Covington Council Chambers, 16720 SE 271st Street, Suite 100, Covington, Washington.

BLACK DIAMOND COUNCILMEMBERS PRESENT:

Mayor Carol Benson, Tamie Deady, Janie Edelman, and Pat Pepper.

Absent: Mayor Pro Tem Erika Morgan and Brian Weber

COVINGTON COUNCILMEMBERS PRESENT:

Mayor Jeff Wagner, Mayor Pro Tem Sean Smith, Marlla Mhoon, Margaret Harto, Joseph Cimaomo, Jr., and Fran Hollums.

Absent: Mark Lanza.

MAPLE VALLEY COUNCILMEMBERS PRESENT:

Mayor Sean P. Kelly, Deputy Mayor Dana Parnello, Bill Allison, Les Burberry, Erin Weaver, Megan Sheridan, and Linda Johnson.

ITEMS FOR JOINT COUNCIL DISCUSSION:

1. King County Councilmember Reagan Dunn provided an update on King County.
2. Updates from Cities (Black Diamond, Covington, and Maple Valley). The City Managers of Covington and Maple Valley and Mayor Benson provided updates.
- 3a. Homelessness Issue in SE King County. Community Development Director Richard Hart reported on encampments, and Mayor Pro Tem Parnello reported on mental health.
- 3b. Regional Trail Planning – Long-Term Schedule. King County staff Kevin Brown and Jean White provided an update on regional trails and asked for consensus to move forward with the current project including paved trails. The three Councils concurred to move forward.
- 3c. Public Safety – What’s Trending in the Three Communities. Chief McCurdy, Chief D.J. Nesel and Chief Jamey Kibblinger reported on public safety and trends.
- 3d. Emergency Preparedness. City Clerk Shaunna Lee Rice and Public Works Programs Supervisor Shellie Bates reported and asked for consensus to hold a tri city table top exercise in 2018. The three Councils concurred.

3e. Transportation. Councilmember Les Burberry reported on the Transportation Improvement Mobility Enterprise (TIME).

Mayor Benson provided closing remarks.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 9:36 p.m.

Prepared by:

Submitted by:

Joan Michaud
Senior Deputy City Clerk

Sharon Scott
City Clerk

**City of Covington
Special & Regular City Council Meeting Minutes
Tuesday, July 25, 2017**

INTERVIEWS– 5:40-7:00 P.M.:

The Council conducted interviews for the Economic Development Council, Planning Commission, Human Services Commission, and Parks & Recreation Commission. Applicants interviewed included Ruby Shrestha, Elizabeth Porter, Kaitlin Jenkins, and John Lively.

The Regular Meeting of the City Council of the City of Covington was called to order in the City Council Chambers, 16720 SE 271st Street, Suite 100, Covington, Washington, Tuesday, July 25, 2017, at 7:03 p.m., with Mayor Pro Tem Smith presiding.

COUNCILMEMBERS PRESENT:

Joe Cimaomo, Margaret Harto, Fran Hollums, Mark Lanza, Marlla Mhoon, and Sean Smith.

COUNCILMEMBERS ABSENT:

Jeff Wagner.

Council Action: Councilmember Harto moved and Councilmember Hollums seconded to excuse Mayor Wagner. Vote: 6-0. Motion carried.

STAFF PRESENT:

Regan Bolli, City Manager; Andrew McCurdy, Covington Police Chief; Ethan Newton, Parks & Recreation Director; Don Vondran, Public Works Director; Richard Hart, Community Development Director; Rob Hendrickson, Finance Director; Kathy Hardy, City Attorney; Salina Lyons, Principal Planner; Ben Parrish, Surface Water Management Program Coordinator; and Sharon Scott, City Clerk/Executive Assistant.

Mayor Pro Tem Smith opened the meeting with the Pledge of Allegiance.

APPROVAL OF AGENDA:

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

PUBLIC COMMUNICATION:

- Lobbyist Briahna Murray provided an End of Session Update.

PUBLIC COMMENT:

Mayor Pro Tem Smith called for public comments.

Steve Pand, Covington resident, advocated for Agenda Item No. 4, awarding a contract for Covington Community Park Phase 2, and requested Council to build the project out as designed.

Laura Morrissey, Covington resident, also advocated for the Covington Community Park Phase 2 contract.

Bryan Higgins, Covington resident, also advocated for the Covington Community Park Phase 2 contract.

There being no further comments, Mayor Pro Tem Smith closed the public comment period.

APPROVE CONSENT AGENDA:

C-1. Minutes: May 9, 2017 City Council Regular Meeting Minutes.

C-2. Vouchers: Vouchers #36024-36094, including ACH payments in the amount of \$288,476.41, dated July 7, 2017; and Paylocity Payroll Vouchers #1007062815-#1007062829 inclusive, plus employee direct deposits and wire transfers, in the amount of \$201,420.84, dated June 30, 2017.

C-3. Authorize 2018-2022 Interlocal Agreement with Regional Animal Services of King County.

C-4. Authorize an Agreement for Services with R.E. Sides Landscaping for Detention Pond Restoration.

Council Action: Councilmember Harto moved and Councilmember Mhoon seconded to approve the Consent Agenda. Vote: 6-0. Motion carried.

REPORTS OF COMMISSIONS:

Human Services Commission – Chair Leslie Hamada reported on the May 11 site visit, June 8 meeting, and July 13 site visit.

Arts Commission – no report.

Parks & Recreation Commission – Chair Laura Morrissey reported on the July 19 park tour.

Planning Commission – Vice Chair Chele Dimmett reported on the June 1, June 15, July 6, and July 20 meetings.

Youth Council – Alex Markovich reported on the June 27 and July 18 meetings.

Economic Development Council – no report; next meeting July 27.

NEW BUSINESS:

1. Consider Appointment to Parks & Recreation Commission.

Council Action: Councilmember Mhoon moved and Councilmember Harto seconded to appoint John Lively to fill Position No. 6 on the Parks & Recreation Commission with a youth term expiring January 31, 2018. Vote: 6-0. Motion carried.

2. Consider Appointment to Human Services Commission.

Council Action: Councilmember Harto moved and Councilmember Hollums seconded to appoint Kaitlin Jenkins to fill adult Position No. 7 on the Human Services Commission with a term expiring March 31, 2019. Vote: 6-0. Motion carried.

3. Discuss and Consider Interlocal Agreement with Puget Sound Regional Fire Authority; Consider Ordinance Adopting the Puget Sound Regional Fire Authority’s Six-Year Capital Facilities Improvement Update; Consider Ordinance Establishing a New Chapter 19.50 to Adopt Fire Impact Fees; and Consider a Resolution Amending Resolution No. 2016-20 to Establish the Fire Impact Fee.

Principal Planner Salina Lyons and Fire Marshal Larry Rabel gave the presentation on this item.

Council Action: Councilmember Cimaomo moved and Councilmember Lanza seconded to authorize the City Manager to execute an Interlocal Agreement with Puget Sound Regional Fire Authority, in substantial form as presented in the Agenda Packet as Attachment 1, for the collection, distribution, and expenditures of fire impact fees. Vote: 6-0. Motion carried.

ORDINANCE NO. 07-2017

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINGTON, KING COUNTY, WASHINGTON, ADOPTING THE PUGET SOUND REGIONAL FIRE AUTHORITY SIX-YEAR CAPITAL FACILITIES IMPROVEMENT UPDATE FOR 2016-2021 BY REFERENCE IN THE 2015-2035 COMPREHENSIVE PLAN.

Council Action: Councilmember Mhoon moved and Councilmember Hollums seconded to adopt Ordinance No. 07-2017, in substantial form as presented in the Agenda Packet as Attachment 2, to reference the Puget Sound Regional Fire Authority’s Six-Year Capital Facilities Update in the City’s 2015-2035 Comprehensive Plan. Vote: 6-0. Motion carried.

ORDINANCE NO. 08-2017

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINGTON, KING COUNTY, WASHINGTON, RELATING TO FIRE IMPACT FEES, ADDING A NEW CHAPTER 19.50 TO TITLE 19 OF THE COVINGTON MUNICIPAL CODE TO ADOPT FIRE IMPACT FEES, AND MINOR AMENDMENTS TO SELECT SECTIONS OF CHAPTERS 18.20, 19.10 AND 19.20 OF THE COVINGTON MUNICIPAL CODE, TO IMPLEMENT CHAPTER 19.50 AND ESTABLISHING AN EFFECTIVE DATE FOR COLLECTING FIRE IMPACT FEES.

Council Action: Councilmember Hollums moved and Councilmember Mhoon seconded to adopt Ordinance No. 08-2017, in substantial form as presented in the Agenda Packet as Attachment 3, adding a new Chapter 19.50 to Title 19 of the Covington Municipal Code and adopting minor related amendments to Chapter 18.20, 19.10, and 19.20 to implement the Fire Impact Fee Program. Vote: 6-0. Motion carried.

RESOLUTION NO. 2017-06

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COVINGTON, KING COUNTY, WASHINGTON, AMENDING RESOLUTION NO. 2016-20 TO ADOPT FIRE IMPACT FEE SCHEDULE AND ASSOCIATED ADMINISTRATIVE FEE.

Council Action: Councilmember Mhoon moved and Councilmember Cimaomo seconded to amend Resolution No. 2016-20 to establish the Fire Impact Fee and associated administrative fee for the collection of fire impact fees. Vote: 6-0. Motion carried.

4. Consider Awarding Construction Contract for Covington Community Park Phase 2 (CIP 1010).

Parks & Recreation Director Ethan Newton gave the staff report on this item.

Councilmembers provided comments and asked questions, and staff provided responses.

Council Action: Councilmember Harto moved and Councilmember Mhoon seconded to award the contract for the Covington Community Park Phase 2 Project to Tapani, Inc. as the lowest responsive and responsible bidder in the amount of \$7,074,879.87 and to authorize the City Manager to execute an agreement with Tapani, Inc. for the same. Vote: 6-0. Motion carried.

5. Report on Critical Area Mitigation Sites and Long-Term Maintenance Program.

Principal Planner Salina Lyons and Surface Water Management Program Coordinator gave the presentation on this item.

Councilmembers provided comments and asked questions, and staff provided responses.

6. Strategic Plan Action Items Update.

City Manager Regan Bolli gave the staff report on this item.

Councilmembers provided comments and asked questions, and Mr. Bolli provided responses.

Council Action: Councilmember Harto moved and Councilmember Mhoon seconded to adopt the 2018-2020 Strategic Plan as presented. Vote: 6-0. Motion carried.

FUTURE AGENDA ITEMS:

Councilmembers reviewed future agenda items.

COUNCIL/STAFF COMMENTS:

Councilmembers and staff made comments.

PUBLIC COMMENT:

Mayor Pro Tem Smith called for public comments.

Sheryl Ward, Covington resident, thanked Council for appointing John Lively to the Parks & Recreation Commission.

John Lively, Covington resident, thanked Council for his appointment to the Parks & Recreation Commission.

There being no further comments, Mayor Pro Tem Smith closed the public comment period.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 9:34 p.m.

Prepared by:

Submitted by:

Joan Michaud
Senior Deputy City Clerk

Sharon Scott
City Clerk

Consent Agenda Item C-2

Covington City Council Meeting

Date: October 24, 2017

SUBJECT: APPROVAL OF VOUCHERS

RECOMMENDED BY: Rob Hendrickson, Finance Director

ATTACHMENT(S): Vouchers: Vouchers #36480 - #36530, including ACH payments in the amount of \$1,379,891.28, dated October 13, 2017; and Paylocity Payroll Vouchers #1007516122 - #1007516139 inclusive, plus employee direct deposits and wire transfers, in the amount of \$195,056.71, dated October 06, 2017.

PREPARED BY: Casey Parker, Senior Accountant

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

Councilmember _____ moves, Councilmember _____ seconds, to approve for payment Vouchers: Vouchers #36480 - #36530, including ACH payments in the amount of \$1,379,891.28, dated October 13, 2017; and Paylocity Payroll Vouchers #1007516122 - #1007516139 inclusive, plus employee direct deposits and wire transfers, in the amount of \$195,056.71, dated October 06, 2017.

Consent Agenda Item C-3

Covington City Council Meeting

Date: October 24, 2017

SUBJECT: AUTHORIZE THE CITY MANAGER TO EXECUTE THE 2018 – 2019 SOUTH COUNTY AREA TRANSPORTATION BOARD (SCATBd) AGREEMENT AND ADOPT OPERATING PROCEDURES REVISION

RECOMMENDED BY: Don Vondran, Public Works Director

ATTACHMENT(S):

1. South County Area Transportation Board Agreement
2. South County Area Transportation Board Operating Procedures

PREPARED BY: Don Vondran, PE, Public Works Director

EXPLANATION:

The South County Area Transportation Board (SCATBd) was formed in 1992 by King County, WSDOT and the South King County cities of Auburn, Des Moines, Kent, Renton, Tukwila, SeaTac, Burien, Federal Way, Algona, Pacific, Milton, Normandy Park, Enumclaw, and Black Diamond. The City of Covington and several other agencies joined later. The Board was formed to serve as a central forum for solving transportation issues affecting the South County area jurisdictions. The City of Covington has been an active member since 2000.

The purpose of this Agreement is to recognize the South County Area Transportation Board as the transportation board for the south King County area to share information, build consensus, and provide advice on plans, programs, policies and priorities for countywide, regional, state and federal transportation decisions. There are not a lot of substantive changes to the core agreement as Enumclaw and Milton were added to the signature block and the duration of the agreement was modified. Procedures were slightly modified to further specify the roles of the Board, to more clearly identify Sound Transit voting rights, and lastly defining quorum requirements for full voting members.

This agreement shall remain in effect until December 31, 2019 provided that unless terminated earlier in accordance with Section 9.0, this Agreement shall be automatically extended upon the same terms or conditions for another term commencing January 1, 2020 and ending no later than December 31, 2021.

ALTERNATIVES:

Not extend the agreement and terminate participation in SCATBd.

FISCAL IMPACT:

Annual membership dues of \$100.00 per year associated with SCATBd membership.

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

**Council member _____ moves, Council member _____
seconds, to authorize the City Manager to execute the 2018-2019 Agreement
for the South County Area Transportation Board (SCATBd).**

REVIEWED BY: City Manager, City Attorney, Finance Director

South County Area Transportation Board Agreement

ATTACHMENT 1

Parties to Agreement

- City of Algona
- City of Auburn
- City of Black Diamond
- City of Burien
- City of Covington
- City of Des Moines
- City of Enumclaw
- City of Federal Way
- City of Kent
- City of Maple Valley
- City of Milton
- City of Normandy Park
- City of Pacific
- City of Renton
- City of SeaTac
- City of Tukwila
- Muckleshoot Indian Tribe
- King County

Transmitted to parties for approval and signature on _____.

THIS AGREEMENT is made and entered into by and among the CITY OF ALGONA, hereafter called “Algona”; the CITY OF AUBURN, hereafter called “Auburn”; the CITY OF BLACK DIAMOND, hereafter called “Black Diamond”; the CITY OF BURIEN, hereafter called “Burien”; the CITY OF COVINGTON, hereafter called “Covington”; the CITY OF DES MOINES, hereafter called “Des Moines”; the CITY OF ENUMCLAW, hereafter called “Enumclaw”; the CITY OF FEDERAL WAY, hereafter called “Federal Way”; the CITY OF KENT, hereafter called “Kent”; the CITY OF MAPLE VALLEY, hereafter called “Maple Valley”; the CITY OF MILTON, hereafter called “Milton”; the CITY OF NORMANDY PARK, hereafter called “Normandy Park”; the CITY OF PACIFIC, hereafter called “Pacific”; the CITY OF RENTON, hereafter called “Renton”; the CITY OF SEATAC, hereafter called “SeaTac”; the CITY OF TUKWILA, hereafter called “Tukwila”; the MUCKLESHOOT INDIAN TRIBE; and KING COUNTY, a legal subdivision of the State of Washington, hereafter called “King County” as members of the South County Area Transportation Board.

WHEREAS, the parties to this agreement recognize that multi-jurisdictional transportation planning and coordinated transportation plans benefit their citizens; and

WHEREAS, the South County Area Transportation Board has served as the central forum for information sharing, consensus building, and coordination to develop recommendations for transportation policies, projects and programs for the south King County area;

NOW THEREFORE, in consideration of the mutual covenants contained herein, the parties hereto agree as follows:

1.0 Purpose of this Agreement

The purpose of this Agreement is to recognize the South County Area Transportation Board as the transportation board for the south King County area to share information, build consensus, and provide advice on plans, programs, policies and priorities for countywide, regional, state and federal transportation decisions.

2.0 Members and Voting

Members shall have full voting rights, limited voting rights or shall be non-voting members, as follows:

2.1 Members with Full Voting Rights: Only jurisdictions which are signatories to this agreement shall have full voting rights on all of the following issues before the South County Area Transportation Board, unless otherwise noted, including:

1. Administrative issues, such additional members and use of dues
2. Recommendations to Sound Transit on policies and capital and service plans and implementation.
3. Recommendations to King County on Metro Transit planning, development and implementation of products and services.
4. Identification of projects for the regional competition, if prescribed by the process approved by the King County caucus of the Transportation Policy Board.
5. Recommendations to WSDOT on policies, programs and projects.
6. Recommendations to the PSRC on plans, policies, programs and projects such as Transportation 2040 updates and regional funding policies, strategies or programs.
7. Input to the State Legislature and committees and commissions established by the Legislature on transportation policy, budget and priorities and legislative proposals and studies.
8. Recommendations to the federal delegation on federal legislation including reauthorization and funding priorities and other transportation-related programs.

2.2 Members with Limited Voting Rights: The South County Area Transportation Board may add members with limited voting rights on the issues such as those listed below by unanimous vote of the parties to this agreement in attendance at a regular meeting.

1. Recommendations to WSDOT on policies, programs and projects.
2. Recommendations to the PSRC on plans, policies, programs and projects such as Transportation 2040 updates and regional funding policies, strategies or programs.
3. Input to the State Legislature and committees and commissions established by the Legislature on transportation policy, budget and priorities and legislative proposals and studies.
4. Recommendations to the federal delegation on federal legislation including reauthorization and funding priorities and other transportation-related programs.

2.2(a) Such members and voting rights, if any, shall be listed in operating procedures to be adopted by the South County Area Transportation Board.

2.3 Non-Voting Members: The South County Area Transportation Board may add non-voting members by unanimous vote of the parties to this agreement in attendance at a regular meeting. The South County Area Transportation Board may remove non-voting members by a unanimous vote of the parties to the agreement at a regular meeting.

2.3(a) Such members shall be included in operating procedures to be adopted by the South County Area Transportation Board.

3.0 Representation and Conduct

3.1 Representation of city and county members shall be as follows:

Full Voting Members	Number of Representatives
City of Algona	1
City of Auburn	1
City of Black Diamond	1
City of Burien	1
City of Covington	1
City of Des Moines	1
City of Enumclaw	1
City of Federal Way	1
City of Kent	1
City of Maple Valley	1
City of Milton	1
City of Normandy Park	1
City of Pacific	<u>1</u>
City of Renton	1
City of SeaTac	1
City of Tukwila	1
Muckleshoot Indian Tribe	1
King County	3

3.2 Elected officials shall be appointed to the South County Area Transportation Board by their cities and counties for a one-year term. King County representation shall be a maximum of two Councilmembers and the King County Executive.

3.3 Each city or county participating member may appoint an alternate for a one-year term. Designated alternates may vote in place of designated voting representatives in the absence of the designated representative.

4.0 Operating Procedures

4.1 The South County Area Transportation Board shall adopt operating procedures to specify limited voting members and non-voting members, if any, dues for limited and non-voting members, if any, and operational issues such as election of officers, formation of subcommittees and rules of order. A chair and vice-chair shall be elected per the operating procedures and shall be responsible for setting meeting agenda, running meetings and any other activities identified in the operating procedures.

5.0 Lead Agency

5.1 King County will be the Lead Agency for receipt and disbursement of funds collected through annual dues, and general administrative and program support for the South County Area Transportation Board. King County assumes wage and benefit costs of its staff performing Lead Agency responsibilities to the extent that King County appropriates such funds. The Lead Agency, in its sole discretion, shall determine the level of staffing available based upon funding.

5.2 Lead Agency responsibilities may be limited to: maintaining the South County Area Transportation Board membership rosters and distribution lists; arranging for Board meetings, including scheduling, agendas and rooms; collecting, administering and disbursing Board dues; providing Board meeting support to the chair and vice chair; attending Board meetings; and preparing Board meeting summaries.

6.0 Financing and Cost Sharing Guidelines

6.1 **Yearly Dues:** The South County Area Transportation Board members shall pay a minimum of \$100.00 per full voting representatives in annual dues to remain members in good standing. The Lead Agency will bill annually at the end of each year, and dues are to be paid within ninety days after receipt of the invoice. Members not in good standing shall lose voting rights until the required dues are paid. Additional dues above \$100.00, and any dues required by limited or non-voting members, will be determined by the South County Area Transportation Board as prescribed in the operating procedures. Revenue from dues shall be used for special events, public education, or other expenses authorized by the South County Area Transportation Board. The designated Lead Agency shall not be required to pay yearly dues.

6.2 **Annual Review of Financing:** The South County Area Transportation Board shall determine by June 30 of each year whether additional annual dues above \$100.00 per voting representatives will be required of the South County Area Transportation Board member jurisdictions for the following year.

6.3 **Additional financial contributions:** If additional financial contributions beyond an increase in dues are determined to be necessary, costs shall be shared among all voting members, with an option for King County to recuse itself from further financial obligations. Recused members may not vote on determining the additional financial contribution or uses for the additional funds.

6.4 **Modification to Agreement Required:** If additional funds are determined to be necessary, a modification to this agreement specifying cost-sharing, purpose, scope of work, administration, collection and disbursement of funds and other details is required in order to obligate a member jurisdiction to funding participation.

7.0 Withdrawal of a Party from this Agreement

Each party, for its convenience and without cause or for any reason whatsoever, may withdraw from participation in this Agreement by providing written notice, sent certified mail, return receipt required, to the chair of the South County Area Transportation Board at least thirty (30) days in advance of the effective date of the withdrawal. A withdrawing party shall not be entitled to a refund of any payments to the South County Area Transportation Board and shall pay any dues required to be paid under this Agreement for costs which had been obligated prior to the effective date of the withdrawal. All obligations other than dues cease upon withdrawal.

Each party's funding to perform its obligations under the Agreement, beyond the current appropriation year, is conditional upon appropriation by the party's governing body of sufficient funds. Should such an appropriation not be approved for a future year, a party may exercise its right to withdraw from the Agreement.

8.0 Duration

This Agreement shall take effect upon being duly adopted by the governing bodies of all parties and executed by the authorized representatives of all parties. This Agreement shall remain in effect until December 31, 2019, provided that unless terminated earlier in accordance with Section 9.0, this Agreement shall be automatically extended upon the same terms or conditions for another term commencing January 1, 2020 and ending no later than December 31, 2021.

~~This Agreement shall take effect upon being duly adopted by the governing bodies of all parties and executed by the authorized representatives of all parties. This Agreement shall remain in effect until December 31, 2015, provided that unless terminated earlier in accordance with Section 9.0, this Agreement shall be automatically extended upon the same terms or conditions for another term commencing January 1, 2016 and ending no later than December 31, 2017.~~

9.0 Termination

All parties to this Agreement must agree to terminate this Agreement in order for such termination to be effective. If all parties desire to terminate this Agreement, they shall execute a Statement of Termination. Upon termination, no party shall be required to make any additional contributions. Any remaining funds shall be refunded to the parties to this Agreement according to Section 11.0.

10.0 Real and Personal Property

The acquisition of real property is not anticipated under this Agreement. Any personal property acquired pursuant to this Agreement shall be held by the Lead Agency. In the event this Agreement expires or is terminated in accordance with Section 8.0 or 9.0, any personal property other than cash shall remain with the Lead Agency.

11.0 Return of Funds

At such time as this Agreement expires without being extended or revised, or is terminated in accordance with Section 9.0, any unexpended and uncommitted funds shall be distributed proportionately to those parties to this Agreement at the time of termination based on each party's percentage share of the total balance at the time of termination.

12.0 Filing

This Agreement shall be filed with the King County Department of Records and Elections.

13.0 Legal Relations

13.1 The parties shall comply with all applicable state and federal laws and regulations.

13.2 This Agreement is solely for the benefit of the parties hereto and gives no right to any other party. No joint venture or partnership is formed as a result of this Agreement. No employees or agents of one party or any of its contractors or subcontractors shall be deemed, or represent themselves to be, employees of any other party.

13.3 Each party shall defend, indemnify and hold harmless the other party and all of its officials, employees, principals and agents from all claims, demands, suits, actions, and liability of any kind whatsoever which arise out of, are connected with, or are incident to any negligent acts of the first party, its contractor, and/or employees, agents, and representatives in performing the first party's obligations under this Agreement. The parties agree that their obligations under this paragraph extend to claims made against one party by the other party's own employees. For this purpose, the parties, by mutual negotiation, hereby waive any immunity that, as respects the other party only, would otherwise be available against such claims under the industrial insurance provisions of RCW Title 51. In the event

either party incurs attorney's fees, costs or other legal expenses to enforce the provisions of this section, against the other party, all such fees, costs and expenses shall be recoverable by the prevailing party.

13.4 The provisions of this Section shall survive and remain applicable to each of the parties notwithstanding any termination or expiration of this Agreement and notwithstanding a party's withdrawal from this Agreement.

14.0 Entirety and Modifications

14.1 This Agreement merges and supersedes all prior negotiations, representations and agreements between the parties relating to the subject matter hereof and constitutes the entire agreement between the parties.

14.2 This Agreement may be modified or extended only by written instrument signed by all the parties hereto.

15.0 Counterparts

The signature pages of this Agreement may be executed in any number of counterparts, each of which shall be an original. For purposes of this Agreement, a duly authorized electronic signature constitutes an original signature.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be signed and delivered by its duly authorized officer or representative as of the date set forth below its signature.

City of Algona _____ City of Auburn _____ City of Black Diamond _____

By: _____

By: _____

By: _____

Date: August 29, 2013

Date: August 5, 2013

Date: August 16, 2013

City of Burien _____ City of Covington _____ City of Des Moines _____

By: _____

By: _____

By: _____

Date: October 9, 2013

Date: August 28, 2013

Date: September 5, 2013

City of Federal Way _____ City of Kent _____ City of Maple Valley _____

Suzette Cooke

Debra D. Whitman

By: see attached

By: _____

By: _____

Date: _____

Date: September 3, 2013

Date: September 3, 2013

City of Normandy Park

City of Pacific

City of Renton

Glen Abramoff

Samuel Guis

By: _____

By: _____

By: see attached

Date: September 10, 2013

Date: August 14, 2013

Date: _____

City of SeaTac

City of Tukwila

Muckleshoot Indian Tribe

Todd Curtis

Joan Haggart

By: _____

By: _____

By: *Viggo*

Date: August 27, 2013

Date: August 8, 2013

Date: 8-9-13

King County

By: _____

Date: _____

City of Algona

City of Auburn

City of Black Diamond

By: _____

By: _____

By: _____

Date: _____ Date: _____ Date: _____

City of Burien City of Covington City of Des Moines

By: _____ By: _____ By: _____

Date: _____ Date: _____ Date: _____

City of Federal Way City of Kent City of Maple Valley

By: _____ By: _____ By: _____

Date: _____ Date: _____ Date: _____

City of Normandy Park City of Pacific City of Renton

By: _____ By: _____ By: _____

Date: _____ Date: _____ Date: _____

City of SeaTac City of Tukwila Muckleshoot Indian Tribe

By: _____ By: _____ By: _____

Date: _____ Date: _____ Date: _____

King County

City of Enumclaw

City of Milton

By: _____

By: _____

By: _____

Date: _____

Date: _____

Date: _____

**SOUTH COUNTY AREA TRANSPORTATION BOARD (SCATBd)
OPERATING PROCEDURES**

Revised ~~November, 2013~~ September 28, 2017

The purpose of these procedures is to guide the conduct of business of the South County Area Transportation Board (SCATBd) and its subcommittees ~~Technical Advisory Committee (TAC)~~. These procedures shall be reviewed and revised annually as needed.

I. SOUTH COUNTY AREA TRANSPORTATION BOARD (SCATBd)

A. Mission:

The Board shall serve as a South County forum for information sharing, consensus building, and coordination to resolve transportation issues, identify priorities, make recommendations, and promote transportation plans and programs that benefit the South County area. (*Mission Statement adopted January 16, 1996*)

B. Goals:

(*Goals adopted July 19th, 1994, and subsequently amended*)

~~Goal 1: ——— Develop and promote a transportation system that will provide personal mobility choices for South County residents consistent with the transportation goals of the Growth Management Act and;~~

~~Goal 2:~~ Develop and promote intermodal transportation and related actions that accommodate economic development, through integrated, efficient movement of people, freight and goods, within the South County and contiguous areas.

C. Role:

The SCATBd is the forum established for the South King County area at which elected officials may provide input into local, regional, state and federal transportation-related issues or any other related issues as the members determine, including, but not limited to, the following:-

A. Recommendations for Federal and State transportation legislation, regional project identification, and Countywide project selection

B. Development and changes to the King County Metro Strategic Plan for Public Transportation and implementation of transit service priorities

C. Recommendations to Sound Transit on its plans and implementation of projects and services, consistent with the principle of subarea equity and other financial policies.

D. Coordination with the Eastside Transportation Partnership and the SeaShore Transportation Forum on national, state, countywide and regional transportation issues.

E. Other transportation related issues as the members determine.

D. Membership and Voting:

Membership shall be extended to the following local jurisdictions and agencies. The Board shall operate by consensus whenever possible, but in those matters requiring a vote, voting shall be assigned as indicated below:

The voting members of SCATBd and their voting rights shall be as follows:

Full Voting Members	Number of Reps.	Voting Rights				
		Membership and Dues ¹	Sound Transit ²	Metro Transit ³	Regional Competition ⁴	Other ⁵
City of Algona	1	Yes	Yes	Yes	Yes	Yes
City of Auburn	1	Yes	Yes	Yes	Yes	Yes
City of Black Diamond	1	Yes	Yes No	Yes	Yes	Yes
City of Burien	1	Yes	Yes	Yes	Yes	Yes
City of Covington	1	Yes	Yes	Yes	Yes	Yes
City of Des Moines	1	Yes	Yes	Yes	Yes	Yes
City of Enumclaw	1	Yes	Yes No	Yes	Yes	Yes
City of Federal Way	1	Yes	Yes	Yes	Yes	Yes
City of Kent	1	Yes	Yes	Yes	Yes	Yes
City of Maple Valley	1	Yes	Yes	Yes	Yes	Yes
City of Milton	1	Yes	Yes	Yes	Yes	Yes
City of Normandy Park	1	Yes	Yes	Yes	Yes	Yes
City of Renton ⁶	1	Yes	No	Yes	Yes*	Yes
City of SeaTac	1	Yes	Yes	Yes	Yes	Yes
City of Tukwila	1	Yes	Yes	Yes	Yes	Yes
City of Pacific	1	Yes	Yes	Yes	Yes	Yes
Muckleshoot Indian Tribe	1	Yes	Yes	Yes	Yes	Yes
King County	3 ⁷	Yes	Yes	Yes	Yes	Yes

~~The limited voting members of SCATBd and their voting rights shall be as follows:~~

Limited Voting Members	Number of Reps.	Voting Rights				
		Membership and Dues	Sound Transit	Metro Transit	Regional Competition	Other
Pierce County	1	No	No	No	No	Yes

The non-voting members of SCATBd shall be as follows:

Non-Voting Member	Number of Representatives
Pierce Transit	1
Port of Seattle	1
Port of Tacoma	1
Puget Sound Regional Council	1
South Sound Chambers of Commerce Coalition	1

¹Administrative issues, such additional members and use of dues

² Recommendations to Sound Transit on policies and capital and service plans and implementation

³ Recommendations to King County Metro Transit on policies and capital and service plans and implementation

⁴ Identification of projects for the regional competition, if prescribed by process approved by the King County caucus of the Transportation Policy Board (*projects in Renton south of the Cedar River)

⁵ Other recommendations including

- Recommendations to WSDOT on policies, programs and projects.
- Recommendations to the PSRC on plans, policies, programs and projects such as the Transportation 2040 update and regional funding policies, strategies or programs.
- Input to the State Legislature and committees and commissions established by the Legislature on transportation policy, budget and priorities and legislative proposals and studies.
- Recommendations to the federal delegation on federal legislation including reauthorization and funding priorities and other transportation-related programs.

⁶ Renton is currently authorized to vote on Sound Transit matters only under the Eastside subarea, through the Eastside Transportation Partnership.

⁷ King County has three representatives: two King County Councilmembers and the King County Executive

Sound Transit	1
Washington State Department of Transportation	1
<u>Pierce County</u>	<u>1</u>

Other ~~limited voting and~~ non-voting members may be added as the Board determines. Each ~~limited voting and~~ non-voting member should appoint one representative and one alternate to the Board. ~~The limited voting member designated alternate may vote in place of designated limited voting representatives in the absence of the designated limited voting representative.~~

E. Officers:

1. Chair: Responsible for 1) conducting and ensuring fair opportunity for discussion, 2) signing correspondence and speaking on behalf of SCATBd, 3) providing direction on agenda preparation.
2. Vice-Chair: Responsible to act as chair in his/her absence.
3. Term of Office: One year from January. Elections in December, nominations in November.
4. Officers must be elected officials.

F. Meeting Schedule:

The regular meeting date for SCATBd shall be the third Tuesday of the month, from 9:00 a.m. to 11:00 a.m. The meeting location shall be held at an appropriate location within South King County. The agenda package shall be distributed in advance of the meeting. Adjustments to the regular meeting schedule and meeting location shall occur as needed.

G. Board Actions Require a Quorum of Full Voting Members:

1. **A quorum is:** 50 percent plus 1 full voting members.
2. **Type of Actions Board Can Take:** The Board may undertake activities consistent with its purpose and shall prepare an annual calendar work program for the following year for submittal to its member jurisdictions by January 31 of each year, to be sent out to members periodically for feedback and updates.-
3. **Type of Actions Board Cannot Take:** ~~The Board cannot take action to approve/disapprove or adopt any position on behalf of member jurisdictions/agencies without authorization to do so from those jurisdictions.~~ In issuing communication or statements, the Board will act on behalf of the entire region represented by South County Area Transportation Board and not on it should be made clear that the Board is not acting on behalf of individual its member jurisdictions/agencies.
4. **Schedule for Action Items:** Action items will be presented at one meeting and acted on at a second meeting unless three-quarters of the voting Board members present agree that the circumstances require action to be taken at that time PROVIDED that there is a quorum of voting members (at least 50 percent plus one).
5. **Minority Statements:** Any individual full voting Board member or limited voting member shall have the right at the time of the vote to request that a statement of a minority position be included in Board communications or otherwise distributed with an approved Board statement.

H. Subcommittees of the Board:

Subcommittees of the Board shall be established as needed, such as a legislative priorities committee or Technical Advisory Committee.

~~II. TECHNICAL ADVISORY COMMITTEE~~

~~A. Purpose:~~

~~The TAC shall provide technical assistance as requested by the Board and shall advise the Board on emergent transportation issues for the Board's consideration including regional project identification and countywide project selection.~~

~~B. Membership:~~

~~Each SCATBd member (full, limited, or non-voting member) shall appoint an appropriate representative to the Technical Advisory Committee (TAC).~~

~~C. Meeting Schedule:~~

~~The TAC shall meet when requested by the Board to provide technical assistance and advise on emergent transportation issues.~~

~~III. II. MEETING PROCEDURES OTHER~~

~~A. Standard Agenda:~~

~~The SCATBd agenda shall follow this standard format unless unusual circumstances require a different arrangement.~~

~~1. Call to Order~~

~~2. Approval of Minutes~~

~~3. Report of the Chair, Vice Chair, transportation agencies and organizations~~

~~4. Major Agenda Topics~~

~~5. Communications and Public Comment~~

~~6. Good of the Order~~

~~1. Call to Order~~

~~2. Approval of Minutes~~

~~3. Report of the Chair~~

~~4. Communications and Citizens' Requests to Comment~~

~~5. Major Agenda Topics~~

~~B. Robert's Rules of Order:~~

~~The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the convention in all cases to which they are applicable and in which they are not inconsistent with the South County Area Transportation Board Interlocal Agreement and these operating procedures.~~

~~B.C. Audience Comments during Meetings:~~

~~At the Chair's discretion, comments may be taken from the audience. The Chair should call on audience members wishing to make comments. SCATBd members can ask to have audience members speak. Audience comments should be limited to two minutes.~~

~~C.D. Distribution of Materials:~~

Letters and documents may be distributed with the agenda at the direction of the Chair as authorized by the policies and procedures of the jurisdiction providing staff support.

D.E. Citizen Involvement:

Interested citizen groups shall be placed on the distribution list for Board meetings to ensure that those groups are kept informed of Board activities.

Consent Agenda Item C-4

Covington City Council Meeting

Date: October 24, 2017

SUBJECT: ACCEPTANCE OF THE DETENTION POND RESTORATION PROJECT

RECOMMENDED BY: Don Vondran, Public Works Director

ATTACHMENT(S):

1. Final Contract Voucher Certificate
2. Notice of Completion of Public Works Contract

PREPARED BY: Robert Lindskov, City Engineer

EXPLANATION:

On June 29, 2017, the city advertised a call for bids for the Detention Pond Restoration Project. An informal bid opening for the project occurred on July 13, 2017. The project was awarded to R. E. Sides Landscaping on July 25, 2017.

The project was fully funded with Surface Water Management Funds. The final construction bid was \$32,254.20 and the contract was awarded and not to exceed \$35,000. The 2017 budgeted amount for this activity was \$59,858. The final construction cost for this work was \$31,928.40.

Physical completion of the project work was completed on October 13, 2017. City staff deems the project work to have been satisfactorily completed and recommends that the council accept the project as complete.

FISCAL IMPACT:

The project was completed under budget. The breakdown of the Revenue and Expenditures are as follows:

SWM Funds Allocated for Construction Contract	\$35,000
Construction Contract Costs	<u>\$31,928</u>
Under Budget	\$3,072

CITY COUNCIL ACTION: Ordinance Resolution Motion Other

Council member _____ moves, Council member _____ seconds, to authorize acceptance of the Detention Pond Restoration Project completed as of October 13, 2017.

REVIEWED BY: City Manager, City Attorney, Finance Director



NOTICE OF COMPLETION OF PUBLIC WORKS CONTRACT

Date: _____ Contractor's UBI Number: _____

Name & Mailing Address of Public Agency
UBI Number: _____

Department Use Only
Assigned to: _____
Date Assigned: _____

Notice is hereby given relative to the completion of contract or project described below

Project Name	Contract Number	Job Order Contracting <input type="checkbox"/> Yes <input type="checkbox"/> No
Description of Work Done/Include Jobsite Address(es)		
Federally funded transportation project? <input type="checkbox"/> Yes <input type="checkbox"/> No (if yes, provide Contract Bond Statement below)		
Contractor's Name	E-mail Address	Affidavit ID*
Contractor Address		Telephone #
If Retainage is not withheld, please select one of the following and List Surety's Name & Bond Number. <input type="checkbox"/> Retainage Bond <input type="checkbox"/> Contract/Payment bond (valid for federally funded transportation projects)		
Name:		Bond Number:
Date Contract Awarded	Date Work Commenced	Date Work Completed
Date Work Accepted		
Were Subcontractors used on this project? If so, please complete Addendum A. <input type="checkbox"/> Yes <input type="checkbox"/> No		
Affidavit ID* - No L&I release will be granted until all affidavits are listed.		

Contract Amount	\$ _____	Liquidated Damages \$	_____
Additions (+)	\$ _____	Amount Disbursed \$	_____
Reductions (-)	\$ _____	Amount Retained \$	_____
Sub-Total	\$ _____		
Amount of Sales Tax _____			
(If various rates apply, please send a breakdown)	\$ _____		
TOTAL	\$ _____	TOTAL	\$ _____

NOTE: These two totals must be equal

Comments:

Note: The Disbursing Officer must submit this completed notice immediately after acceptance of the work done under this contract.
 NO PAYMENT SHALL BE MADE FROM RETAINED FUNDS until receipt of all release certificates.
Submitting Form: Please submit the completed form by email to all three agencies below.

Contact Name: _____ Title: _____
 Email Address: _____ Phone Number: _____

 <p>Department of Revenue Public Works Section (360) 704-5650 PWC@dor.wa.gov</p>	 <p>Washington State Department of Labor & Industries Contract Release (855) 545-8163, option # 4 ContractRelease@LNI.WA.GOV</p>	 <p>Employment Security Department Registration, Inquiry, Standards & Coordination Unit (360) 902-9450 publicworks@esd.wa.gov</p>
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Consent Agenda Item C-5

Covington City Council Meeting

Date: October 24, 2017

SUBJECT: AMENDING COVINGTON MUNICIPAL CODE SECTION 18.25.100, 18.30.040 AND 18.85.020 RELATED TO THE REMOVAL OF THE MINERAL ZONING DISTRICT DESIGNATION AND ASSOCIATED ZONING REGULATIONS AND DEVELOPMENT STANDARDS FOR THE MINERAL ZONE AND MINERAL EXTRACTION ACTIVITIES

RECOMMENDED BY: Ann Mueller

ATTACHMENT(S):

1. Proposed Ordinance to amending CMC 18.25.100, 18.30.040 and 18.85.020

PREPARED BY: Ann Mueller, Senior Planner

EXPLANATION:

On September 26, 2017, the City Council adopted Ordinance 11-2017 with the intent to fully remove the Mineral(M) zoning designation and any associated zoning regulations or development standards for the Mineral zone or mineral extraction activities from CMC Title 18 for consistency with the city's Comprehensive Plan. During the process of codifying the approved ordinance, it was noted that two tables (CMC 18.25.100 and 18.30.040) that had not been listed in Ordinance 11-2017 contain a column with the "M" symbol that needs to be deleted. A cross reference to the now deleted CMC 18.60 was also found in CMC 18.85.020(1) and should be deleted. These were a staff oversight that are corrected with the attached ordinance.

ALTERNATIVES:

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

FISCAL IMPACT:

No fiscal impact.

CITY COUNCIL ACTION: Ordinance Resolution Motion Other

Council member _____ moves, Council member _____ seconds, to adopt an Ordinance relating to the removal of the Mineral zoning designation from Covington Municipal Code 18.25.100 and 18.30.040 and associated amendments to 18.85.020(1).

REVIEWED BY: City Manager; City Attorney.

ORDINANCE NO. 15-2017

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINGTON, KING COUNTY, WASHINGTON AMENDING THE COVINGTON MUNICIPAL CODE TITLE 18 ZONING CODE TO REMOVE DEVELOPMENT REGULATIONS AND STANDARDS ASSOCIATED WITH MINERAL USES THAT WERE OVERLOOKED IN ORDINANCE 11-2017.

WHEREAS, Chapter 35A.63 of the Revised Code of Washington (RCW) empowers the City of Covington to enact land use and zoning regulations including mineral extraction development standards; and

WHEREAS, these amendments to Covington’s Zoning Code were discussed by Planning Commission at their August 3, 2017 meeting; and

WHEREAS, on August 17, 2017 the Planning Commission held a duly noticed public hearing and considered the amendments to the Zoning Code CMC Title 18 and forwarded a recommendation to approve to the City Council; and

WHEREAS, on September 26, 2017 the City Council adopted Ordinance 11-2017 removing the mineral zoning designation and intending to remove all associated development regulations and standards associated with mineral uses in the city; and

WHEREAS, Ordinance 11-2017 omitted removing the Mineral zoning designation from permitted use charts in several sections of Title 18 that were intended to be removed but were erroneously overlooked; and

WHEREAS, the proposed amendments are consistent with the goals, objectives, and policies of the City of Covington’s comprehensive plan; and

WHEREAS, the City Council, upon review of the facts, findings and recommendations of the Planning Commission and after reviewing information provided by city staff, find that all applicable and substantive requirements of the law have been met, that the adoption of this ordinance promotes the public health, safety and general welfare of the community, and that the adoption of this ordinance serves the public interest.

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

Section 1. CMC 18.25.100 Amended. Covington Municipal Code Section 18.25.100 A. is hereby amended to delete the “M” symbol and column from Table A.

Section 2. CMC 18.30.040 Amended. Covington Municipal Code Section 18.30.040 is hereby amended as follows:

18.30.040 A. Delete the term “Resource” and the “M” symbol and the associated column from Table A.

18.30.040 B.(6) Development Condition (6) is deleted in its entirety.

Section 3. CMC 18.85.020(1) Amended. Covington Municipal Code Section 18.85.020(1) is hereby amended as follows:

(1) ~~With the exception of nonconforming extractive operations identified in Chapter 18.60 CMC,~~ All nonconformances shall be subject to the provisions of this chapter.

Section 4. Severability. If any provision of this ordinance, or ordinance modified by it, is determined to be invalid or unenforceable for any reason, the remaining provisions of this ordinance and ordinances and/or resolutions modified by it shall remain in force and effect.

Section 5. Corrections. Upon approval of the city attorney, the city clerk and/or code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state, or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

Section 6. Effective Date. This ordinance shall be in full force and effect five (5) days after publication in the city's newspaper of record. A summary of this ordinance may be published in lieu of publishing the ordinance in its entirety.

PASSED BY THE CITY COUNCIL OF THE CITY OF COVINGTON, WASHINGTON, at a regular meeting thereof on the 24th day of October, 2017 and signed in authentication of its passage.

Mayor Jeff Wagner

ATTESTED:

Sharon Scott, City Clerk

PUBLISHED: October 27, 2017

EFFECTIVE: November 1, 2017

APPROVED AS TO FORM:

Kathy Hardy, City Attorney

Consent Agenda Item C-6

Covington City Council Meeting

Date: October 24, 2017

SUBJECT: REPEALING DEFINITIONS THAT WERE INADVERTENTLY NOT REPEALED AS PART OF ORDINANCE 14-2017 RELATED TO AMENDMENTS TO COVINGTON MUNICIPAL CODE (CMC) CHAPTER 18.47, PROTECTION AND PRESERVATION OF LANDMARKS, LANDMARK SITES AND DISTRICTS; AND REPEALING TWO DEFINITIONS IN CMC 18.20 DEFINITIONS

RECOMMENDED BY: Ann Mueller, Senior Planner

ATTACHMENT(S):

1. Proposed Ordinance repealing CMC 18.20.597 & 18.20.598 and CMC 18.47.020.

PREPARED BY: Ann Mueller, Senior Planner

EXPLANATION:

On September 26, 2017, the City Council adopted Ordinance 14-2017 which amended the Covington Municipal Code (CMC) Chapter 18.47 to adopt King County Code (KCC) related to the process and criteria for the designation of Landmarks and added a new Chapter to Title 2 related to the designation of a Landmarks Commission in the city.

After approval of those amendments, Ordinance 14-2017 was sent to Code Publishing for codification to update the city's code online. As part of that process, it was noted that the existing Definitions section, CMC 18.47.020, had not been listed to be repealed as it should have been. Ordinance 14-2017 adopted KCC definitions related to Landmark designation so there is no need to retain CMC 18.47.020. There are also two definitions in CMC 18.20 that are no longer necessary and cross reference to sections of CMC 18.47 that have been deleted and replaced.

Attachment 1 is the proposed Ordinance, which includes the repeal of CMC sections 18.20.597, 18.20.598 and CMC 18.47.20 which will correct their omission from Ord. 14-2017.

ALTERNATIVES:

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

FISCAL IMPACT: None

CITY COUNCIL ACTION: Ordinance Resolution Motion Other

Council member _____ moves, Council member _____ seconds, to adopt an ordinance to repeal Section 18.47.20 Definitions in the Covington Municipal Code Chapter 18.47, Protection and Preservation of Landmarks, Landmark Sites and Districts; and to repeal the two definitions included in Sections 18.20.597 Historic Resources and 18.20.598 Historic Resource Inventory of the Covington Municipal Code.

REVIEWED BY: City Manager; City Attorney.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINGTON, KING COUNTY, WASHINGTON RELATING TO LANDMARK DESIGNATION AND PROTECTION, REPEALING COVINGTON MUNICIPAL CODE SECTION 18.47.020 DEFINITIONS AND 18.20.597 HISTORIC RESOURCES AND 18.20.598 HISTORIC RESOURCE INVENTORY THAT WERE OMITTED FROM ORDINANCE 14-2017.

WHEREAS, historic preservation fosters civic pride in the beauty and accomplishments of the past and improves the economic vitality of our communities; and

WHEREAS, the Covington Planning Commission held a public hearing August 17, 2017 on amendments to Covington Municipal Code Chapter 18.47 to adopt King County regulations that would allow the city to enter into an interlocal agreement with King County Historic Preservation Program to process any applications for Landmark Status within the City of Covington; and

WHEREAS, on September 26, 2017, the City Council adopted Ordinance 14-2017 amending Covington Municipal Code Chapter 18.47 and Resolution 2017-12 authorizing the City Manager to enter into an Interlocal Agreement with King County for Landmark Designation and Preservation Services; and

WHEREAS, the repealing of Covington Municipal Code Section 18.47.020 Definitions in Ordinance 14-2017 was inadvertently omitted; and

WHEREAS, furthermore two definitions and cross-references were not deleted in Ordinance 14-2017 that should have been; and

WHEREAS, it is in the public interest that the jurisdictions cooperate to provide efficient and cost-effective landmark designation and protection;

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

Section 1. Repeal. Section 18.47.020 Definitions of the Covington Municipal Code is repealed in its entirety.

Section 2. Repeal. The following Sections of the Covington Municipal Code are repealed.

18.20.597 Historic resource.

~~“Historic resource” means a district, site, building, structure or object significant in national, State or local history, architecture, archaeology, and culture.~~

18.20.598 Historic resource inventory.

~~“Historic resource inventory” means an organized compilation of information on historic resources considered to be potentially significant according to the criteria listed in CMC 18.47.040(1). The historic resource inventory is kept on file by the historic preservation officer~~

~~and is updated from time to time to include newly eligible resources and to reflect changes to resources.~~

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

Section 4. Corrections. Upon approval of the city attorney, the city clerk and/or code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state, or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

Section 5. Effective Date. This ordinance shall be in full force and effect five (5) days after publication in the city's newspaper of record. A summary of this ordinance may be published in lieu of publishing the ordinance in its entirety.

PASSED BY THE CITY COUNCIL OF THE CITY OF COVINGTON, WASHINGTON, at a regular meeting thereof on the 24th day of October, 2017 and signed in authentication of its passage.

Mayor Jeff Wagner

PUBLISHED: October 27, 2017
EFFECTIVE: November 1, 2017

ATTESTED:

Sharon Scott
City Clerk

APPROVED AS TO FORM:

Kathy Hardy
City Attorney

Agenda Item 1
Covington City Council Meeting
Date: October 24, 2017

SUBJECT: PRELIMINARY PUBLIC HEARING TO RECEIVE TESTIMONY FROM THE PUBLIC AND PRESENTATION FROM STAFF REGARDING 2018 REVENUE SOURCES AND POSSIBLE INCREASE IN PROPERTY TAX REVENUES

ATTACHMENT(S):

1. Description of 2018 Revenue Sources
2. Property Tax Worksheet

**COUNCILMEMBERS AND STAFF: PLEASE REMEMBER TO BRING YOUR
PRELIMINARY 2018 BUDGET WORKBOOK BINDERS TO THE MEETING.
THANK YOU!**

RECOMMENDED BY: Rob Hendrickson, Finance Director

EXPLANATION:

This public hearing is required under state law (RCW 84.55.120) to consider possible increases in property tax revenues and to review other revenue sources that support the City's general fund. The Finance Director will review the history of Covington's revenue collections, the current year's collections, and 2018's revenue projections.

This hearing, mandated by law, should focus on the City's revenue sources and potential adjustments to property tax revenues. The deadline for setting 2018 property tax levies for cities in King County is November 30, 2017.

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

ALTERNATIVES:

N/A

FISCAL IMPACT:

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

NO COUNCIL ACTION REQUIRED AT THIS MEETING



DESCRIPTION OF 2018 REVENUE SOURCES

This summary describes each of the major revenue sources that appear in the 2018 budget by category. Budget amounts are based on the best available information at the time of budget preparation.

Beginning Fund Balance

All Funds

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

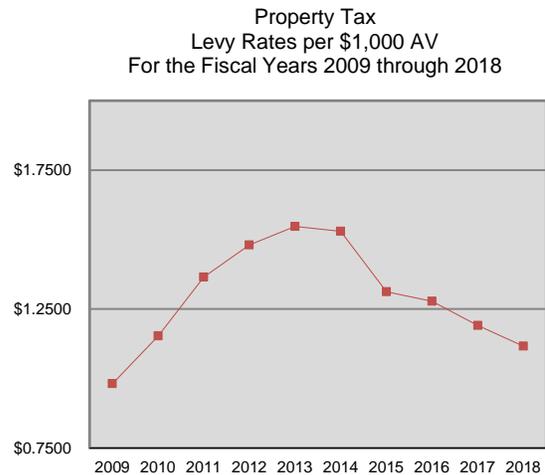
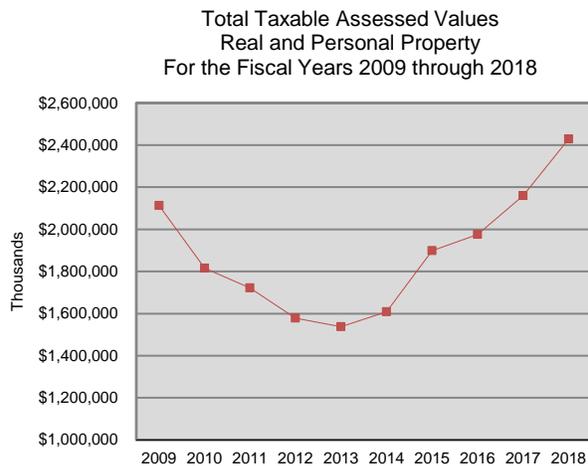
TAXES

Property Taxes

General Fund

Property taxes are one of the largest and most stable sources of revenue for the City. The City has budgeted, as state law limits allow, a levy increase of 101%. An increment for new construction is also added to this amount. The estimated levy for 2018 is \$2,713,284. The taxable assessed valuation (AV) is \$2,428,930,853 which includes \$47,816,984 in new construction. The estimated levy rate is \$1.11707/\$1,000 AV.

Total assessed value has increased 11.1% from 2017 to 2018.



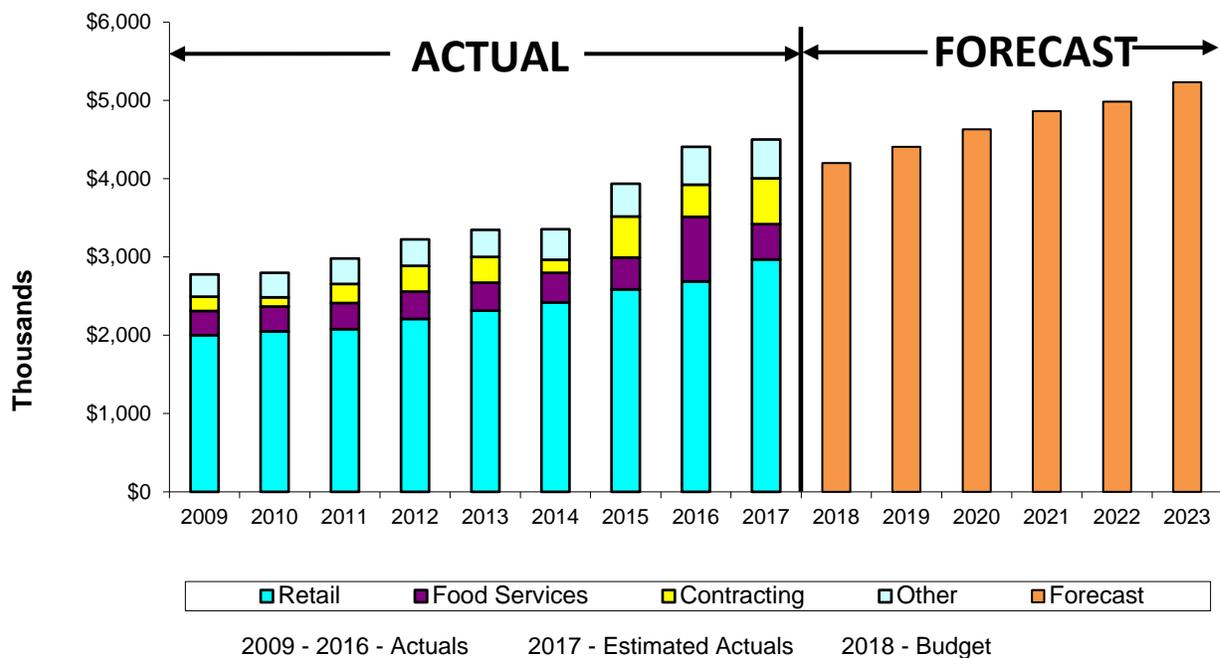
Sales Taxes

General Fund

Sales taxes are subject to fluctuation from year to year due to changes in the economy and the buying habits of consumers. Sales tax is distributed monthly to the City and is based on sales from two months previous. Revenues for 2018 are estimated at \$4,200,000 which is an increase of 7.7% from the 2016 budget. The total sales tax of 8.6% is distributed among public agencies as follows:

Sales Tax Distribution	
Agency	Tax Rate
State of Washington	6.500%
City of Covington Regular Rate	0.425%
City of Covington Optional Rate	0.500%
City of Covington Criminal Justice	0.001%
King County/METRO	0.900%
King County	0.075%
King County Criminal Justice Levy	0.099%
King County Mental Health	<u>0.100%</u>
Total Sales Tax Rate	<u>8.600%</u>

Sales Tax by Classifications
For the Fiscal Years 2009 through 2023

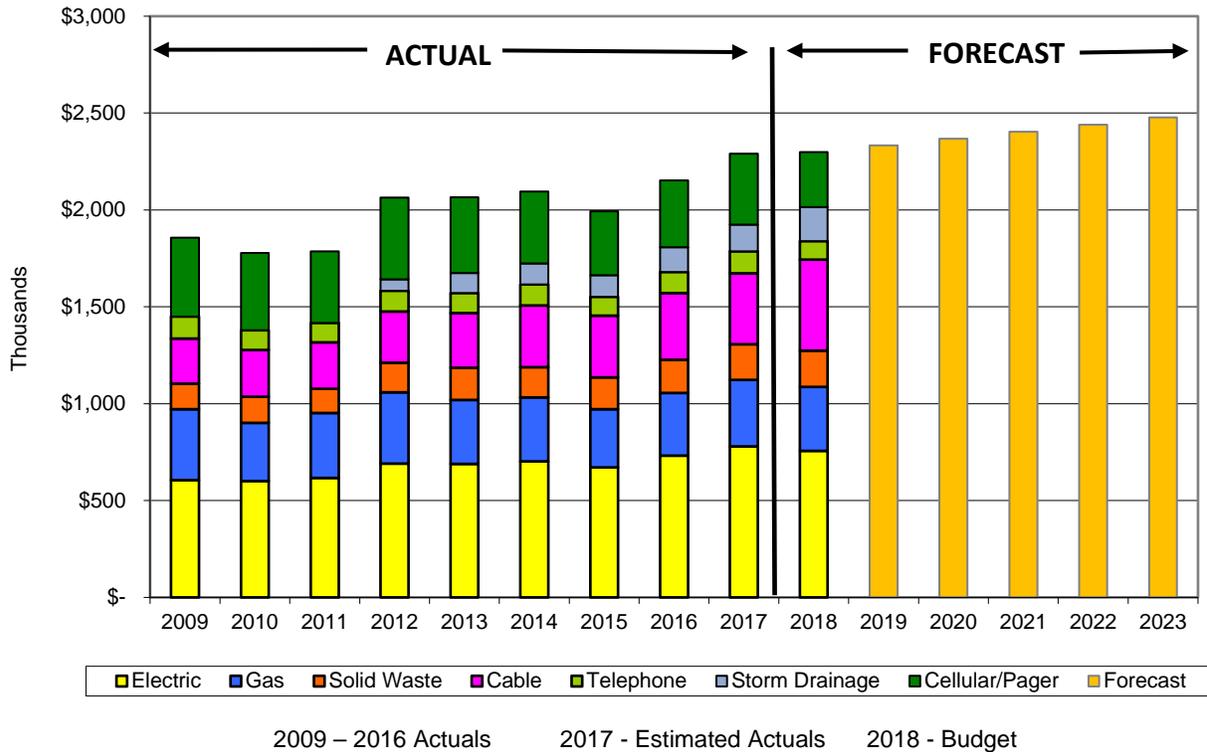


Utility Taxes

General Fund

Utility taxes are imposed on utilities such as electricity, natural gas, solid waste, cable, telephones, storm drainage, and cellular phones. In 2016, the City increased the rate for solid waste, cable, and storm drainage to 8%, while electricity, natural gas, telephones, and cellular phones remain at 6%. The new rate took effect March 1, 2016. Revenues for 2018 are estimated at \$2,298,980.

Utility Tax by Classification
For the Fiscal Years 2009 Through 2023



Criminal Justice Sales Tax

General Fund

King County levies an optional 0.1% sales tax to support criminal justice programs, under authority granted by the State. This optional tax, collected by the State, is distributed as follows: 10% to the County, and the remainder to cities and towns on the basis of population. The 2018 estimate of \$495,000 is based on inflation and population growth. This tax is distributed monthly to cities.

Real Estate Excise Tax (REET)

Real Estate Excise Tax Funds

The real estate excise tax is levied on all sales of real estate. The state levies this tax at the rate of 1.28%. The City has also authorized a locally imposed tax of 0.5%, in two 0.25% increments, replacing that tax formerly levied by King County. Both increments must be spent for local capital improvements, identified under the capital facilities plan element of the City’s Comprehensive Plan. The amount of tax collected depends totally upon real estate sales activity for residential and non-residential, including new construction and economic fluctuations. The 2018 estimates are based on estimated changes in real estate prices, new residential development increases, and new non-residential development increases. Distribution occurs on the 10th of each month to cities in King County. The 2018 revenue estimate is \$700,000.

Transportation Benefit District Vehicle Fee

Street Fund

In 2016, the City adopted a \$20 vehicle license fee. The sole purpose of the funds are to provide, construct, and fund transportation improvements within the City. The fee took effect in May 2016. The 2018 revenue estimate is \$310,000.

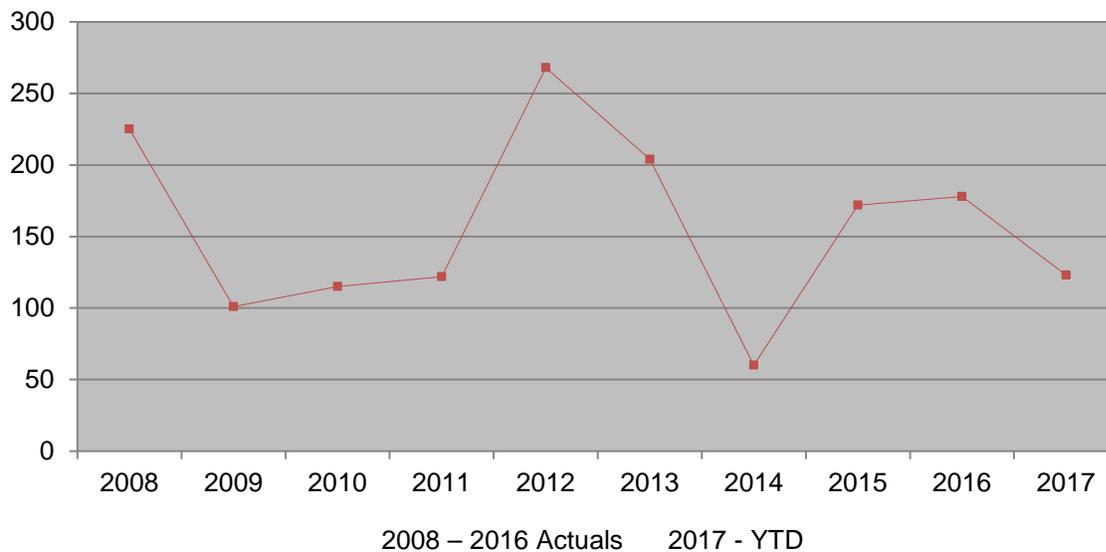
LICENSES AND PERMITS

Building, Permits, Misc.

Development Services Fund

Licenses and permit activities are user fees derived from various regulatory activities of the City. Building permit revenues are based on staff estimates and are applied to the Development Services Fund. In 2018, \$512,470 is estimated based on 53 new single family permits, anticipated commercial fees, and land use revenues. A fee of \$60 is collected for business licenses from those businesses that conduct activities within the City. This fee is collected annually and is also applied to the Development Services Fund. The 2018 revenue estimate for this license fee is \$95,000. For 2018, all other permits and licenses such as sign permits and peddler’s permits are estimated at \$7,120.

Number of Building Permits Issued
For Fiscal Years 2008 Through 2017



Cable TV Franchise

Street Fund

Cable TV franchise fees, which are applied to the Street Fund, are based on population growth. For 2018, the estimated fees are \$268,000.

Solid Waste Administration

General Fund

In 2013, the City entered into a contract with Republic Services. For 2018, the estimated revenue is \$79,360.

INTERGOVERNMENTAL/STATE SHARED REVENUE

Liquor Excise Tax

General Fund

The 2018 estimate of \$97,660 is based on the City's population and per capita estimates provided by Municipal Research Services Center. This money is distributed quarterly.

Liquor Board Profits

General Fund

The State is now collecting revenue in the form of license fees from distributors and retailers. A portion of these "liquor profits" come to the City. To be eligible to receive this revenue along with Liquor Excise Taxes, a city must devote at least 2% of its distribution to support an approved alcoholism or drug addiction program, as well as enhanced public safety programs. The 2018 estimate of \$164,560 is based on estimates provided by Municipal Research Services Center. This money is distributed quarterly beginning in March.

Motor Vehicle Fuel Tax

Street Fund

State law provides that the State-levied tax on gasoline be shared with cities and towns. Of the base tax amount of 23 cents per gallon, 6.92% is redistributed to cities and towns to be used for street maintenance as well as construction, improvement, chip sealing, seal coating, and repair of arterial highways and city streets. These funds will be deposited in the Street Fund and used for the described purposes. Estimates are based on the City's population and per capita estimates provided by Municipal Research Services Center. This tax is distributed on the last day of the month. For 2018, we are estimating \$430,000.

Criminal Justice Shared Revenues

General Fund

Municipal Criminal Justice Funding has shifted from application based to a per capita distribution. Estimates are based on the City's population and per capita estimates provided by Municipal Research Services Center. For 2018, we are estimating \$59,190.

Recycling Grants

General Fund

The City partners with King County and the State of Washington in an effort to encourage recycling. The City offers events in the spring and fall of every year. Costs for these events are reimbursed to the City through the grant process. For 2018, we estimate being awarded \$50,677.

CHARGES FOR SERVICES

Interfund Service Payments/Overhead

General Fund

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

The interfund service payment is for each fund's share of the assistance they receive from the Executive, Finance, Legal, and Human Resource offices. The 2018 budget is estimated at \$813,402.

Land Use/Inspection/Engineering Fees

Development Services Fund

These fees are collected for services related to the issuance of permits for both residential and commercial aspects of construction or capital improvements, and for services related to the review of plans for compliance with aspects of the various codes. Fees are generally collected at a level estimated to recover the cost of the service. The 2018 budget for these fees is estimated at \$495,850.

Parks User Fees

General Fund

These fees are collected for services related to the Aquatic Center, Athletics, and Recreation programs. Athletics includes programs such as baseball, soccer, flag football, and volleyball. The 2018 revenues are estimated at \$910,400.

Surface Water Management Fees

Surface Water Management Fund

These fees are collected on developed properties within the City to maintain storm and surface water runoff in the City. These dedicated fees provide for things such as maintenance, repair, and construction of storm water facilities. The 2018 budget is estimated at \$2,199,750.

FINES AND FORFEITURES

District Court, False Alarm, and Miscellaneous Fines

General Fund

The City is entitled to money received in payment of fines, forfeitures, fees, costs and penalties associated with enforcement of local ordinances. Based on current collections we are estimating \$97,730 in revenue for 2018. In 2018, the City will again be utilizing King County for its court services through an interlocal agreement. As part of the agreement, King County receives 100% of revenues collected which offset providing the City court services.

MISCELLANEOUS

Technology Surcharge

General Fund

These fees are collected for services related to the issuance of permits for both residential and commercial aspects of construction. The estimate for 2018 is \$34,000.

Parks User Fees

General Fund

These miscellaneous fees are collected for locker rentals, pool rentals, concessions, etc. The 2018 revenues are estimated at \$99,910.

Interest Income

All Funds

The City will receive interest on cash balances through investment of public funds as allowed by law. The amount received will vary with interest rates, types and duration of investments, and the amount of cash available for investment during any particular budget year. The overall 2018 estimate of \$123,000 is based on annualized 2017 data, economic outlook, and the assumption that fund balances available for investing will be at 2017 levels.

**City of Covington
Estimated Property Tax
2018**

ATTACHMENT 2

2017 Levy Amount=	\$	2,629,839
x 1.0%		26,298
Increase in utility value		-
Plus: New Construction		57,147
Plus: Annexation Levy		-
Relevy for prior year refunds		-
2018 Property Tax Levy	\$	<u>2,713,284</u>

Assessed Valuation \$ 2,428,930,853

2018 Estimated Levy Rate= \$ 1.11707

EXAMPLE	
Home value	Tax Amount
\$ 361,644	= \$ 404

	2017		2018		% change
Assessed Value	\$ 2,191,464,609.00		\$ 2,428,930,853.00		10.8360%
Tax Levy	\$ 2,632,046.00		\$ 2,713,284.39		3.09%
Levy Rate	\$ 1.19565		\$ 1.11707		-6.57%
Home value	\$ 398,999.00		\$ 442,234.37		10.84%
Tax Assessment	\$ 477.06		\$ 494.01		3.55%

Agenda Item 2

Covington City Council Meeting

Date: October 24, 2017

SUBJECT: PUBLIC HEARING, RECEIVE COMMENTS, AND CONSIDER ORDINANCE ON CONTINUING INTERIM ZONING REGULATIONS IN COVINGTON MUNICIPAL CODE (CMC) TITLE 18.55 REGARDING TEMPORARY AND PERMANENT SIGNS.

RECOMMENDED BY: Richard Hart, Community Development Director
Kathy Hardy, City Attorney

ATTACHMENT(S):

1. Proposed ordinance continuing interim zoning regulations for temporary and permanent signs for six months.
2. Interim regulations governing temporary and permanent signs in CMC 18.55.

PREPARED BY: Richard Hart, Community Development Director
Brian Bykonen, Associate Planner & Code Enforcement Officer

EXPLANATION:

Background

City staff has been working on the revisions to our sign code since 2015. In 2015, the US Supreme Court issued a decision in *Reed v Town of Gilbert*, a suburban city in the Phoenix, Arizona metropolitan area, that has provided new guidance for all cities and counties across the country regarding sign regulation. At question is the major issue of content-neutrality of local jurisdiction's sign regulations. City staff held several study sessions with the city council in 2015 to develop the goals, objectives, and purpose of new sign regulations, which is an important step required by the Supreme Court decision to lay the framework for content-neutral sign regulations. City staff has also held several discussion sessions with the Planning Commission to review progress on the proposed sign code revisions. City staff also held a discussion with the city council on October 11, 2016, to review the proposed interim sign code regulations for both temporary and permanent signs.

On October 25, 2016, the city council adopted interim sign code regulations for six months that were content-neutral and addressed the specific points of temporary signs, as they were the major issue involved with the Supreme Court decision of *Reed v Town of Gilbert*. Since October 2016, city staff has been working on specific revisions to the interim sign code that relate to permitting temporary real estate signs. In addition, the Planning Commission held several work sessions and a public open house during the months of June, July, and August, meeting with representatives of the real estate community to develop options for governing temporary real estate signs.

Continued Work on Interim Regulations

During the six months that the interim regulations have been in effect from May until November 2017, city staff has been diligently working on the best approach to handle temporary real estate

signs in the permanent sign regulations, including research of how other cities are addressing this issue.

City staff and the Planning Commission have conducted an extensive public outreach program to involve a variety of interest groups, provide education on the proposed regulations, and listen to feedback on the specific provisions governing signs. The City Attorney is also having discussions with legal staff at the Municipal Research Services Center (MRSC) and other cities developing their content neutral sign code regulations in compliance with *Reed v Town of Gilbert*. We will not be able to complete the permanent sign code regulations by November 9, 2017, when the existing interim regulations expire. Thus, the city council must now extend the interim regulations.

Public Hearing and Discussion of Interim Sign Regulations

The accompanying attachment of the existing interim sign code regulations is the version that will be in effect for an additional six months until May 9, 2018, unless the interim regulations are extended or until permanent regulations are adopted earlier. The intent of tonight’s meeting is to hold a public hearing on extending the existing interim regulations, take public comments, and consider the ordinance continuing the interim sign regulations.

FISCAL IMPACT:

Staff time to respond to inquiries and administer and enforce the interim sign regulations.

CITY COUNCIL ACTION: X Ordinance Resolution Motion Other

Councilmember _____ moves, and councilmember _____ seconds, to pass an ordinance, in substantial form as that presented, to continue the interim sign regulations for an additional six months for both temporary and permanent signs until May 9, 2018.

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

ORDINANCE NO. 17--2017

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINGTON, WASHINGTON, RELATING TO TEMPORARY AND PERMANENT SIGNS; CONTINUING INTERIM ZONING REGULATIONS FOR TEMPORARY AND PERMANENT SIGNS; ADMINISTRATION, PERMITTING, AND ENFORCEMENT IN THE COVINGTON MUNICIPAL CODE (CMC) CHAPTER 18.55; ADOPTING FINDINGS OF FACT; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, in 2015 the US Supreme Court issued a decision in *Reed v. Town of Gilbert* that has provided guidance for all cities and counties in revising and updating their sign codes; and

WHEREAS, the planning commission and city council have discussed the issue of revising the city's existing sign code provisions to meet the guidelines of *Reed v. Town of Gilbert*; and

WHEREAS, city staff has held several study sessions with the city council to develop goals, objectives, and purpose of new sign regulations, which is an important step required by the Supreme Court decision to lay the framework for content neutral signs; and

WHEREAS, city staff has also held several discussions and work sessions with both the city council and planning commission to review progress on the proposed sign code revisions to CMC Title 18.55; and

WHEREAS, city staff and the planning commission held several study sessions and a public open house with stakeholders and the real estate community concerning temporary signs in June, July and August 2017, and discussed a variety of approaches to handle regulation of temporary signs; and

WHEREAS, interim sign code regulations have been in place for six months, and the city desires to continue the interim regulations to allow for additional research and drafting of final sign regulations governing both temporary and permanent signs in the City of Covington before holding a final public hearing on such permanent sign regulations; and

WHEREAS, the city deems it in the public interest to continue interim zoning regulations for a period of six months to investigate this issue further, draft final regulations, and hold a formal public hearing to obtain public input and comment; and

WHEREAS, RCW 35A.63.220 and RCW 36.70A.390 authorize the city to adopt interim land use regulations and official controls, and the Covington City Council deems it to be in the public interest to adopt the regulations set forth in this ordinance under this authority; and

WHEREAS, the interim zoning regulations were adopted in November 2016, and extended an additional six months on May 9, 2017, expiring on November 9, 2017; and

WHEREAS, city staff desires to extend the interim regulations for temporary and permanent signs an additional six months until May 9, 2018; and

WHEREAS, a public hearing was held on the regulations set forth in this ordinance on October 24, 2017, and the council has weighed the testimony received; and

WHEREAS, during the six months after the continuation of the interim zoning regulations, city staff and the planning commission will conduct further research and public outreach and hold a formal public hearing on the proposed permanent sign code regulations and make a final recommendation to the city council for adoption based upon public outreach, public hearing, and public comments; and

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

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

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

Section 2. Interim Regulations Established. Notwithstanding the existing provisions of the Covington Municipal Code, the city hereby continues the following interim zoning regulations for both temporary and permanent signs, as defined herein, and are the sole means of establishing temporary and permanent signs within the city as provided in Exhibit A.

Section 3. Work Plan. City staff is hereby directed to implement a reasonable work plan to continue to conduct research on sign regulations drafted by other cities in the state, to draft final permanent sign code regulations, hold the required public hearing before the planning commission, and make a final recommendation to the city council. Staff is directed to review existing laws and regulations applicable to temporary and permanent signs and to monitor federal and state court cases related to *Reed v. Town of Gilbert*. Staff is also encouraged to review and consider the experiences of other jurisdictions dealing with similar sign code regulations.

Section 4. Conflict. In the event there is a conflict between the provisions of this ordinance and any other city ordinance, the provisions of this ordinance shall control.

Section 5. Severability. Should any section, paragraph, sentence, clause, or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 6. Corrections. Upon the approval of the City Attorney, the City Clerk is authorized to make any necessary corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any reference thereto.

Section 7. Effective Date. This ordinance shall be in full effect on November 9, 2017, which is more than five (5) days after publication in the City's newspaper of record. A summary of this ordinance may be published in lieu of publishing the ordinance in its entirety.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF COVINGTON,
WASHINGTON, at a regular meeting thereof this 24th day of October, 2017.

Mayor Jeff Wagner

EFFECTIVE: November 9, 2017

PUBLISHED: October 27, 2017

ATTESTED:

Sharon Scott, City Clerk

APPROVED AS TO FORM:

Kathy Hardy, City Attorney

**CHAPTER 18.55
SIGNS**

PART I: GENERAL PROVISIONS

- 18.55.010 Intent and purpose.**
- 18.55.020 Applicability and exclusions.**
- 18.55.030 Interpretation.**
- 18.55.040 Definitions.**

18.55.010 Intent and purpose.

(1) Intent. Signs have a strong visual impact on the character and quality of the community. As a prominent part of the scenery, they attract or repel the viewing public, affect the safety of vehicular traffic, and their suitability or appropriateness helps to set the tone for the community. Because the City relies upon its physical setting and beauty to attract commerce, aesthetic considerations assume economic value. It is the intent of the City, through this chapter, to protect and enhance both the City’s residential character and its economic base through the provision of appropriate and aesthetic signage. In addition, it is the intent of the City to limit the size, type, and location of signs in order to minimize their distracting effect on drivers and thereby improve traffic safety.

(2) Purpose. The purpose of this chapter is to promote the public health, safety, and welfare through a comprehensive system of reasonable, effective, consistent, content-neutral, and nondiscriminatory sign standards and requirements. This chapter has also been adopted to:

- (a) Promote and accomplish the goals, policies, and objectives of the City’s comprehensive plan and Zoning Code, and the city council’s vision, mission, and goals statement;
- (b) Provide minimum standards in order to safeguard life, health, property, and public welfare, and promote traffic safety by controlling the design, quality of materials, construction, illumination, size, location, and maintenance of signs and sign structures and discouraging excessive numbers of signs;
- (c) Recognize free speech rights by regulating signs in a content-neutral manner;
- (d) Promote the free flow of traffic and protect pedestrians and motorists from injury and property damage caused by or which may be fully or partially attributable to cluttered, distracting, and/or

illegible signage;

- (e) Promote a positive visual image of the City and protect the beauty of the City's built environment by encouraging signs that are compatible with the architectural style, characteristics, and scale of the building to which they may be attached; appropriate to the size of the subject property and amount of street frontage adjacent to the subject property; and compatible with adjacent buildings and businesses;
- (f) Protect property values, the local economy, and the quality of life by preserving and enhancing the appearance of the City's streetscape;
- (g) Provide consistent sign design standards;
- (h) Protect and encourage creative and innovative approaches to signage and signs that are of a quality design, pleasing in appearance, and are appropriate in size, materials, and illumination to the surrounding neighborhood or commercial district;
- (i) Provide an improved visual environment for the citizens of and visitors to the City;
- (j) Adopt clear, understandable regulations which will assure equal protection and fair treatment under the law through consistent application of the regulations and consistent enforcement of this chapter;
- (k) Balance both public and private business needs with the specific objectives of creating a community with an unmatched quality of life and strong focus on economic well-being, aesthetics, community and family, the environment, and public infrastructure;
- (l) Support and enhance the economic well-being of all businesses within the City and, in particular, recognize the needs of all businesses to identify their premises and advertise their products and services;
- (m) Recognize that the aesthetic value of the total environment affects economic values and that an unrestricted proliferation of signs can and does detract from the economic value of the community; and
- (n) Prohibit the use of billboard signs by recognizing that billboards affect the aesthetic value of the community, thereby reducing property values, and impact traffic safety because of the distraction that is created by large signage along public rights-of-way.

18.55.020 Applicability and exclusions.

(1) Applicability. This chapter applies to all signs within the jurisdictional limits of the City that are visible from any right-of-way or public place, regardless of the type or nature.

(2) Exclusions. The following are exempted from the regulations and requirements of this chapter, but may be subject to regulation under other portions of the CMC:

- (a) Signs that are not visible from any public right-of-way, public place, or another property.
- (b) Signs inside a building; however, signs inside windows are not exempt.
- (c) Signs required by local, state, or federal law if the sign is no more than thirty-two square feet (32 sq. ft.) in area or is painted directly on pavement. Such signs include, but are not limited to, building addresses, development review or construction review public notices, and commercial parking facility posting.
- (d) Signs installed by the City, county, state, or federal governmental agency for the protection of the public health, safety, and general welfare, including, but not limited to, the following:
 - (i) Emergency and warning signs necessary for public safety or civil defense;
 - (ii) Traffic and/or wayfinding signs erected and maintained by an authorized public agency;
 - (iii) Signs required to be displayed by law;
 - (iv) Signs showing the location of public facilities; and
 - (v) Any sign, posting, notice, or similar sign placed by or required by a governmental agency in carrying out its responsibility to protect the public health, safety, and general welfare.
- (e) Any sign on a vehicle, unless such vehicle is regularly parked in any prominently visible location from public right-of-way or other public space for the primary purpose of attracting public attention to the sign, which is prohibited pursuant to CMC 18.55.050.
- (f) Public art, as defined by CMC 18.55.040.

18.55.030 Interpretation.

- (a) This chapter is not intended to, and shall not be interpreted to, restrict speech based on its content, viewpoint, or message.
- (b) Any classification of signs in this chapter which purports to permit speech because of the type of sign or identity of the sign user, or otherwise, shall be interpreted to allow either commercial or non-commercial speech on the sign.

- (c) No part of this chapter shall be construed to favor commercial speech over non-commercial speech.

18.55.040 Definitions.

The following words, terms, and phrases, when used in this chapter shall have meanings ascribed to them in this section, except where the context clearly indicates a different meaning. Any word, term, or phrase used in this chapter that is not defined in this section shall have the meaning ascribed to it in Chapter 18.20 CMC. Any word, term, or phrase used in this chapter that is not defined in this section or Chapter 18.20 CMC shall have their normal dictionary meaning:

- (1) “Abandoned sign” means any sign remaining in place after such sign has not been maintained, or if the activity conducted on the subject property ceases, for one hundred and eighty (180) or more consecutive days.
- (2) “Administrator” means the City Manager or his/her designee.
- (3) “Animated sign” means any sign, or any portion of the sign, affected by the movement of air or other atmospheric or mechanical means, or uses natural or artificial changes of lighting, to depict action or create a special effect or scene. Animated signs include, but are not limited to, pennants, streamers, balloons, search lights, spinners, and propellers. Changeable copy signs and electronic changeable copy signs are not considered animated signs for the purposes of this chapter.
- (4) “Awning or canopy sign” means a nonelectric sign that is printed on, painted on, or attached to the vertical surface or flap of an awning or canopy.
- (5) “Banner” means a sign composed of flexible material, such as fabric, pliable plastic or other similar non-rigid material, with no enclosing framework or electrical components and that is supported or anchored on two (2) or more edges or at all four (4) corners, or along either one (1) edge or two (2) corners with weights installed that reduce the reaction of the sign to wind.
- (6) “Building-mounted signs” means any sign attached to the face of a building, including, without limitation, wall signs, marquee signs, under canopy signs, and projecting signs.
- (7) “Canopy sign.” See “awning or canopy sign.”
- (8) “Changeable copy sign” means a sign with copy that can be changed or altered by manual, electric, electromechanical, or electronic means and without changing or altering the sign frame, sign supports, or electrical parts. A sign on which the copy changes more than eight (8) times in a twenty-four (24) hour period shall be considered an electronic changeable copy sign, and not a changeable copy sign, for the purposes of this chapter.
- (9) “Copy” means the graphic content of a sign surface, including, but not limited to, graphics, letters, numbers, figures, symbols, and trademarks.

(10) “Electric sign” means a sign or sign structure in which electrical wiring, connections, or fixtures are used.

(11) “Electronic changeable copy sign” means an electronically activated sign with copy that is changed, either in whole or in part, more than eight (8) times in a twenty-four (24) hour period by means of electronic programming.

(12) “Exposed building face” means the building exterior wall of a single occupant building or the building exterior wall of an individual tenant’s leased space in a multi-tenant complex, viewed as a vertical plane between the finished grade and the ridge of a pitched roof above it (e.g. top of parapet, etc.). This vertical plane will be used to calculate the sign area for building-mounted signs. In the case of an interior business without a separate exterior entrance, the exposed building face will be the vertical plane of the entrance wall measured between the floor and ceiling. As an option, for those businesses having oblique walls, the exposed building face is that area between the finish grade and the ridge or top of parapet that is shown on the elevation drawing submitted with the required drawings for a building permit.

(13) “Facade” means the entire building face, including the parapet.

(14) “Flag” means any piece of cloth of individual size, color, and design, hoisted on a pole permanent affixed to the ground or displayed via a pole bracket permanently affixed to a building. If any single dimension of a flag is more than three times (3x) greater than any other single dimension, for the purposes of this chapter such flag is classified and regulated as a banner, regardless of how it is anchored or supported.

(15) “Flashing sign” means an electric sign or any portion of an electric sign that changes light intensity in sudden transitory bursts, or switches on and off in a constant pattern (e.g. strobe lights). Changeable copy signs and electronic changeable copy signs are not considered flashing signs for the purposes of this chapter.

(16) “Freestanding sign” means a sign on a frame, pole, or other support structure that is not attached to any building.

(17) “Frontage, building” means the length of an outside building wall.

(18) “Frontage, property” means the length of the property line along the public right-of-way on which it borders.

(19) “Graffiti” means an inscription of symbols, works, or pictures by painting, spray painting, or other means of defacing public or private property.

(20) “Government sign” means any temporary or permanent sign erected and maintained by the City or any special purpose district, school district, county, state, or federal government or agency, including, without limitation, traffic signs, directional signs, warning signs, informational signs, and signs displaying

a public service message.

(21) “Height” means the vertical distance measured from the highest point of the sign to either the grade of the adjacent street or the surface grade beneath the sign, whichever is less.

(22) “Illuminated sign” means a sign with an artificial light source incorporated internally or externally for illuminating the sign.

(23) “Inflatable sign” means any object enlarged or inflated which floats, is tethered in the air, is activated by air or moving gas, or is located on the ground or on a building with or without copy or other graphic. These signs include large single displays or a display of smaller inflatable items, such as balloons, connected in some fashion to create a larger display.

(24) “Kiosk” means a freestanding sign, which may have a round shape or which may have two (2) or more faces.

(25) “Lawn sign” means a freestanding sign made of lightweight materials such as cardboard or vinyl that is supported by a frame, pole, or other support structure placed directly in the ground without foundation or other anchor.

(26) “Maintenance” means the cleaning, painting, and minor repair of a sign in a manner that does not alter the basic copy, design, or structure of the sign.

(27) “Marquee sign” means any sign attached to or supported by a marquee, which is a permanent roof-like projecting structure attached to a building.

(28) “Monument sign (ground sign)” means a freestanding sign having the appearance of a solid base of landscape construction materials such as brick, stucco, stonework, textured wood, tile, or textured concrete that are harmonious with the materials of the primary structure on the subject property.

(29) “Multi-tenant complex” means a complex containing two (2) or more uses or businesses.

(30) “Neon (outline tubing) sign” means a sign consisting of glass tubing, filled with neon gas, or other similar gas, which glows when electric current is sent through it.

(31) “Nonconforming sign” means any sign that was constructed, erected, and maintained in conformance with all King County or City of Covington rules and regulations in effect at the time of establishment and no longer conforms to the rules and regulations of this chapter.

- (32) "Person" means any individual, corporation, association, firm, partnership, or other legal entity.
- (33) "Pedestal sign" means freestanding signs supported permanently upon the ground by one or more solid bases, which base or bases shall be of a width equal to or greater than fifty percent (50%) of the sign width.
- (34) "Pole or pylon signs" means freestanding signs supported permanently upon the ground by poles or braces and not attached to any building.
- (35) "Portable sign" means a sign that is not permanently affixed and is designed for or capable of being moved, except those signs explicitly designed for people to carry on their persons or that are permanently affixed to motor vehicles. Portable signs include, but are not limited to, A-frame signs, portable reader boards, and similar signs.
- (36) "Projecting sign" means a sign, other than a flat wall sign, which is attached to and projects from a building wall or other structure not specifically designed to support the sign.
- (37) "Public art" means original artwork which is accessible to the public and/or public employees and has been approved as public art by the City.
- (38) "Right-of-way" means land owned, dedicated, or conveyed to the public and used primarily for the movement of vehicles, wheelchair, and pedestrian traffic; and land privately owned and used primarily for the movement of vehicles, wheelchair, and pedestrian traffic, so long as such privately owned land has been constructed in compliance with all applicable laws and standards for a public right-of-way.
- (39) "Roadway" means the portion of a street that is improved for motor vehicular or bicycle travel. Roadway includes vehicle travel lanes and on-street parking areas. Roadway does not include area devoted to curbs, parking strips, or sidewalks.
- (40) "Roof sign" means any sign erected above the eaves or on the roof of a building or structure.
- (41) "Rotating sign" means a sign that revolves on a fixed axis.
- (42) "Sign" means any medium, including structural and component parts, that is used or intended to be used to attract attention to the subject matter for advertising, identification, or informative purposes. The scope of the term 'sign' does not depend on the content of the message or image conveyed.
- (43) "Sign area" means the entire area of a sign on which copy is placed, excluding the sign's structure, architectural embellishments, and framework. Sign area is calculated by measuring the perimeter enclosing the extreme limits of the module or sign face containing the copy; provided, however, that separated copy using a canopy, awning, or wall as the background and is without added decoration or change in the canopy, awning, or wall shall have a sign area calculated by measuring the

perimeter enclosing separate copy and totaling the square footage of all such perimeters included as part of the sign.

(44) “Sign face” means the area of a sign on which the copy is placed.

(45) “Temporary sign” means a sign placed on a structure or the ground for a specifically limited period of time as provided in CMC 18.55.140 – 200.

(46) “Tenant space” means a portion of a structure occupied by a single commercial lease holder with its own public entrance from the exterior of the building or through a shared lobby, atrium, mall, or hallway and separated from other tenant spaces by walls.

(47) “Vacant lot” means any parcel of land that is without a primary use or structure.

(48) “Wall sign” means either a sign applied with paint or similar substance on the surface of a wall or a sign with no copy on the sides or edges and attached essentially parallel to and extending not more than twenty-four (24) inches from the wall of a building.

(49) “Window signs” mean all signs located inside and affixed to a window and intended to be viewed from the exterior of the structure.

PART II: ADMINISTRATION

18.55.050	Prohibited signs.
18.55.060	Sign permits—Exemptions.
18.55.070	Sign permits—Temporary signs on commercial properties.
18.55.080	Reserved.
18.55.090	Sign permits—Permanent signs.
18.55.100	Sign variances.
18.55.110	Maintenance; removal.
18.55.120	Nonconforming signs.
18.55.130	Compliance and enforcement.

18.55.050 Prohibited signs.

Unless otherwise provided for in this chapter, no person shall erect, alter, maintain, or relocate any of the following signs in the City and such existing signs must be removed:

- (1) Animated signs. Any animated sign as defined in CMC 18.55.040, except as permitted under CMC 18.55.140 - .200.
- (2) Flashing signs. Any flashing sign as defined in CMC 18.55.040, except as permitted under CMC 18.55.140 - .200.
- (3) Inflatable signs. Any inflatable sign as defined in CMC 18.55.040, except as permitted under CMC 18.55.140 - .200.
- (4) Rotating signs. Any rotating sign as defined in CMC 18.55.040, except as permitted under CMC 18.55.140 - .200.
- (5) Nuisance signs. Any signs which emits smoke, visible particles, odors, and/or sound, except that speakers in signs on the premises of a drive-through facility shall be allowed.
- (6) Hazardous signs. Any sign that is dangerous or confusing to motorists and pedestrians on the public right-of-way, including any sign which by its color, wording, design, location, or illumination resembles or conflicts with any official traffic control device or which otherwise impedes the safe and efficient flow of traffic.
- (7) Impediment to access. No sign may impede free ingress and egress from any door, window, or exit way required by building and fire regulations.
- (8) Permanent signs on vacant lots. No permanent sign shall be located on a vacant lot, parcel, or easement. No permanent sign shall be located on a lot, parcel, or easement as the principal use of that lot, parcel, or easement. Signs may only be established as an accessory use to a principally permitted use.

- (9) Certain portable signs. Portable signs on wheels (trailer signs) and outdoor electric portable signs.
- (10) Abandoned signs. Abandoned signs as defined by CMC 18.55.040.
- (11) Certain locations within ROW and public property. Signs on or within medians, roundabouts, utility poles, lampposts, traffic poles and signals, and street trees in the right-of-way or on or within other public property or structures, except as allowed pursuant to CMC 18.55.190.
- (12) Certain parked vehicles. Signs placed on or painted on a motor vehicle or trailer parked with the primary purpose of providing signs not otherwise allowed by this chapter.
- (13) Signs without proper permit. Signs erected, constructed, or structurally altered that are required to have a permit for such action and that were erected, constructed, or altered without obtaining a permit for such action.

18.55.060 Sign permits—Exemptions.

The following signs, and activities relating to signs, are exempt from the permitting requirements of this chapter:

- (1) Changes to the face or copy of changeable copy signs, digital signs, and electronic copy signs, provided such changes do not change the material or appearance of the sign as originally permitted by the City.
- (2) The normal repair and maintenance of conforming or legal nonconforming signs.
- (3) Temporary signs meeting the requirements in this chapter, except for those required to be permitted pursuant to CMC 18.55.070.
- (4) Any signs required to be posted pursuant to the Covington Municipal Code or any other local, state, or federal regulation.
- (5) Any sign on a vehicle, unless such vehicle sign is prohibited pursuant to CMC 18.55.050.

18.55.070 Sign permits—Temporary signs on commercial properties.

- (1) Permit Required. No person shall erect, alter, or relocate any temporary sign allowed on a commercial property without first receiving an approved temporary sign permit from the City pursuant to the requirements herein.
- (2) Review Type. The review and approval of temporary sign permits is a Type I land use decision that shall be processed pursuant to Chapter 14.30 CMC, as amended.

(3) Application. Applications for temporary sign permits shall be submitted to the City on forms provided by the City.

(4) Fee. The applicable permit application fee, pursuant to the City's current fee schedule in effect at the time of application, shall be paid upon submission of each temporary sign permit application.

18.55.080 Reserved.

18.55.090 Sign permits—Permanent signs.

(1) Permit Required. Except as provided for under CMC 18.55.060, no person shall erect, alter, or relocate any permanent sign without first receiving an approved sign permit from the City pursuant to the requirements herein.

(2) Review Type. The review and approval of permanent sign permits is a Type H land use decision that shall be processed pursuant to Chapter 14.30 CMC, as amended.

(3) Application Requirements. A complete permit application for permanent signs shall consist of the following:

- (a) Application form. A completed permanent sign permit application shall be submitted on a form provided by the City. If the applicant is not the property owner, then the property owner must be identified and the application must include an affidavit from the property owner, verifying that the property owner has given permission to the applicant for the submission of the sign permit application and for the installation/posting of the sign on the property owner's property.
- (b) Building elevation/site plan. Signs proposed to be mounted on a building require a building elevation drawn to scale that specifies the location of the sign and drawings or photographs that show the scale of the sign in context with the building. Freestanding signs require a site plan indicating the proposed sign location as it relates to property lines, adjacent streets, and adjacent buildings.
- (c) Scaled design drawing. A colored rendering or scaled drawing, including dimensions of all sign faces, and descriptions of materials to be used, including color samples.
- (d) Scaled installation drawing. A scaled drawing that includes the sign description, proposed materials, size, weight, manner of construction, and method of attachment, including all hardware necessary for proper sign installation.
- (e) Lighting. A drawing indicating the location and fixture type of all exterior lighting for the proposed sign. The drawing shall specify wattage and bulb type to ensure compatibility with the lighting standards in this chapter.

(f) Fees. The applicable permit application fee, pursuant to the City's current fee resolution in effect at the time of application, shall be paid upon submission of the sign permit.

(4) Criteria for Approval. Sign permit applications shall be reviewed by the Community Development Director for consistency with the standards in this chapter, according to the sign type and all other applicable regulations. A sign permit shall not be issued unless the Director makes findings that the criteria applicable to each sign type, as well as the general standards in this chapter, are satisfied. Sign permit applications shall be reviewed by the Building Official for consistency with the Building Code.

(5) Notice of Final Decision. The Director shall issue a Notice of Decision incorporating the decision on the sign permit application not more than one hundred and twenty (120) days after issuance of the Determination of Completeness for the same application.

(6) Expiration of Permit. A permanent sign approved under a permanent sign permit must be installed within one hundred and eighty days (180) days of issuance of the permit or the permanent sign permit will expire. No sign may be erected if a sign permit has expired.

18.55.100 Sign variances.

(1) Approval Required. A variance may be granted from the strict application of the regulations in this chapter which apply to:

- (a) sign placement on a parcel or building frontage;
- (b) sign area; or
- (c) sign height, as regulated in this chapter.

A variance may not be granted to allow any prohibited signs or prohibited sign features, as included in CMC 18.55.050, or for any other purpose not listed in this subsection (1).

(2) Review Type. Sign variances under this section shall be processed as a Type II land use decision pursuant to the procedures as set forth in Chapter 14.30 CMC, as amended.

(3) Need for Sign Permit; Consolidation of Processing. A sign variance application may be submitted before or concurrent with the associated sign permit application. No sign permit application requiring a variance for issuance will be processed without a sign variance application.

(4) Application Requirements. A complete sign variance application shall consist of the following:

- (a) Application form. A completed sign variance application on a form provided by the City. If the applicant is not the property owner, then the property owner must be identified and the application must include an affidavit from the property owner verifying that the property owner has given permission to the applicant for the submission of the sign variance application and for

the installation/posting of the sign on the property owner's property.

- (b) Sign Permit Application. A sign permit application pursuant to CMC 18.55.090; provided, that the applicant may submit a variance application without a sign permit application as provided in subsection (2) above.
 - (c) A narrative report which describes the requested variance in detail. The report shall identify all sections of this chapter from which the applicant is requesting a variance, as well as the nature and extent of the variance.
 - (d) The narrative report shall also include the applicant's description of the manner in which the sign variance satisfies all the variance criteria in subsection (5) below.
 - (e) Fees. The applicable permit application fee, pursuant to the City's current fee schedule in effect at the time of application, shall be paid upon submission of the variance application.
- (5) Criteria for Approval. To approve any sign variance, the Director must make written findings to show that all of the following criteria have been met:
- (a) The request for a sign variance is due to unusual conditions pertaining to sign visibility needs for a specific building or lot; and
 - (b) The sign will not create a hazard; and
 - (c) The sign will not violate any state statute or any City Code provision (other than the provisions identified in this chapter relating to signs); and
 - (d) The sign will not negatively affect adjacent property; and
 - (e) The sign will be in keeping with the general character of the surrounding area and the granting of the variance would not result in an alteration of the essential character of the surrounding area; and
 - (f) The proposed variance is consistent with the purposes and intent of the Zoning Code and the purposes of this chapter; and
 - (g) The variance is consistent with the City's comprehensive plan; and
 - (h) The applicant has established that there are practical difficulties in complying with the provision(s) of this chapter and that the proposed sign is a reasonable use of the property (economic considerations alone do not constitute practical difficulties); and

- (i) The plight of the applicant is due to circumstances unique to the property, which were not created by the applicant or landowner; and
- (j) The variance will not permit any sign or use that is not allowed in the zoning district where the affected land is located, nor will it allow any sign or sign feature prohibited under CMC 18.55.050.

(6) Notice of Final Decision. The Director shall issue a Notice of Decision incorporating the decision on the variance application not more than one hundred and twenty (120) days after issuance of the Determination of Complete Application.

(7) Expiration of Variance. If the sign variance is approved, the sign identified in the variance must be installed within one hundred and eighty (180) days or the variance will expire. No sign may be erected if there is no sign permit for the sign, or if the variance or the sign permit has expired.

18.55.110 Maintenance; removal.

(1) Maintenance Required.

- (a) It is unlawful for any owner of record, lessor, lessee, manager, or other person having lawful possession or control over a building, structure, or parcel of land to fail to maintain any signs on the building, structure, or parcel in compliance with this chapter and any other applicable provisions of the Covington Municipal Code. Failure to maintain a sign constitutes a violation of this chapter and shall be subject to enforcement under the enforcement provisions of this chapter.
- (b) All signs, whether or not in existence prior to adoption of this chapter, shall be maintained and kept in good repair and in a safe condition at all times. Maintenance of a sign shall include, but is not limited to, periodic cleaning, replacement of flickering, burned out or broken light bulbs or fixtures, repair or replacement of any faded, peeled, cracked, or otherwise damaged or broken parts of a sign, and any other activity necessary to restore the sign so that it continues to comply with the requirements and contents of the sign permit issued for its installation, if required, and the provisions of this chapter.

(2) Removal.

- (a) Every person maintaining a sign must, upon vacating the premises where a sign is maintained, remove or cause to be removed said sign within one hundred and eighty (180) days from the date of vacating the premises. When the Director determines that said sign has not been removed within said period, the Director shall remedy and enforce said violation in accordance with the enforcement provisions of this chapter.

- (b) Any vacant and/or unused sign support structures, angle irons, sign poles, or other remnants of old signs which are currently not in use, or are not proposed for immediate reuse by a sign permit application for a permitted sign, shall be removed.
- (c) In addition to the remedies in Chapter 1.30 CMC, the Director shall have the authority to require the repair, maintenance, or removal of any sign or sign structure which has become dilapidated or represents a hazard to the safety, health, or welfare of the public, at the cost of the sign and/or property owner.
- (d) Any sign posted in violation of this chapter on public property or on public rights-of-way shall be subject to summary removal by the City.
- (e) Any person responsible for any sign posting made in violation of this chapter shall be liable to the City for the costs incurred by the City in removal thereof and, in event of failure to pay, for billing and collection charges, including interest and reasonable attorneys' fees.

18.55.120 Nonconforming signs.

- (1) Legally Nonconforming. Except as otherwise provided in this section, signs in existence on the effective date of the ordinance codified in this chapter which do not conform to the provisions of this chapter but which were constructed, erected, or maintained in full compliance with previous regulations will be regarded as legal and nonconforming.
- (2) Compliance Required. Signs in existence on the effective date of the ordinance codified in this chapter that do not comply with provisions regulating any signs prohibited pursuant to CMC 18.55.050 shall be immediately made to comply with the provisions of this chapter or be abated in accordance with the procedure established in Chapter 1.30 CMC.
- (3) Sign Face Change. A sign face or copy change on a nonconforming sign is not allowed when the affected property and sign structure have been abandoned pursuant to CMC 18.55.040.
- (4) Repair; Restoration. Any part of a sign or sign structure may be repaired as normal maintenance, or restored to a safe condition, without loss of legal nonconforming status. Damage from acts of nature or vandalism to a nonconforming sign will keep its nonconforming status if the cost of the repair is less than fifty percent (50%) of the cost of replacing the nonconforming sign with a conforming sign; provided that the replacement sign must be restored to the original design or a more conforming design.
- (5) Alterations; Relocation; Replacement. Except for as provided herein, any legally nonconforming sign that is structurally altered, relocated, or replaced must immediately be brought into compliance with all applicable provisions of this chapter.
- (6) Expansion or Change of Use. Any legally nonconforming sign on non-residential property must be brought into conformance with all applicable provisions of this chapter prior to any expansion or

change in use which requires a site review or conditional use permit. No building permits for new construction may be issued until compliance with this provision is assured.

(7) Hazardous signs. Any legally nonconforming sign or sign structure on private property, which, as a consequence, is a hazard to life and property, or which by its condition or location presents an immediate and serious danger to the public, must be removed or otherwise brought into compliance with this chapter pursuant to the enforcement provisions of this chapter.

(8) Variances. Variances may be granted using the variance procedure of this chapter to alleviate unusual hardships or extraordinary circumstances which exist in bringing nonconforming signs into conformity.

18.55.130 Compliance and enforcement.

(1) Compliance with Other Codes. All signs erected or altered under this chapter must comply with all applicable federal, state, and local regulations relating to signs, including, without limitation, the provisions of this chapter and the International Building Code. If any provision of this chapter is found to conflict with any Code provision of the City, or any other federal, state, or local regulation, the provision that establishes the more restrictive standard shall prevail.

(2) Inspection. The Director is empowered to enter or inspect any building, structure, or premises in the City upon which any sign is located for inspection of the sign, its structural and electrical connections, and to ensure compliance with the provisions of this chapter. Such inspections shall be carried out during business hours, unless an emergency exists.

(3) Bond. The City may require a bond to ensure compliance with any aspect of this chapter.

(4) Violation – Penalty.

(a) It is a violation of this chapter for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, or maintain any sign or sign structure in the City, or cause or permit the same to be done, contrary to the provisions of this chapter.

(b) Each day any person allows a violation of this chapter to continue shall be considered a separate offense.

(c) Whenever the City has determined that a violation of this chapter has occurred or is occurring, the City shall remedy said violation as follows:

(i) The first violation of this chapter within a 12-month period shall be a civil infraction punishable by a monetary penalty in the amount of \$100.00, not including statutory assessments;

(ii) The second violation of this chapter within a 12-month period shall be a civil infraction punishable by a monetary penalty in the amount of \$200.00, not including statutory

assessments;

- (iii) The third or any successive violation of this chapter within a 12-month period shall be a misdemeanor, punishable by up to a \$1,000 fine and/or imprisonment for up to ninety (90) days.
 - (d) Any sign or sign structure that is erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted, demolished, equipped, used, or maintained in violation of this chapter is declared to be a public nuisance.
 - (e) All signs abated by the City shall be available for recovery by the owner of said sign for a period of fourteen (14) calendar days and upon payment of the costs of removal and storage, if any, after which time the sign will be destroyed. The City shall not be responsible for damages or loss incurred during removal and/or storage of any sign.
- (5) Additional Remedies. In addition to the other remedies provided by this chapter, the City may abate said public nuisance or seek any other equitable relief authorized by the Chapter 1.30 CMC and the laws and regulations of the State of Washington.
- (6) Joint and Several Liability. The property owner(s) and each tenant or occupant shall be jointly and severally liable for violations of and penalties imposed pursuant to this chapter.

PART III: REGULATIONS FOR TEMPORARY SIGNS

- 18.55.140** Temporary signs—General regulations.
- 18.55.150** Temporary signs—Residential properties.
- 18.55.160** Temporary signs—Mixed use properties.
- 18.55.170** Temporary signs—Institutional properties.
- 18.55.180** Temporary signs—Commercial properties.
- 18.55.190** Temporary signs—ROW and public spaces.
- 18.55.200** Temporary signs—Other properties.

18.55.140 Temporary signs—General regulations.

The following provisions apply to all temporary signs placed within the City:

- (1) Sign placement. All temporary signs must be placed totally within the site / property pursuant to the requirements of this chapter, except when allowed to extend into the right-of-way by this chapter.
- (2) Materials; construction. Temporary signs may be made of any durable material, provided that the temporary sign otherwise conforms to the requirements of this chapter. A temporary sign may be of rigid or non-rigid construction.
- (3) Features.
 - (a) Lighted signs. Temporary signs that have either internal or external illumination shall not be displayed from the hours of 11 p.m. to 8 a.m.
 - (b) Audio. Sound generated by any temporary sign shall be regulated and enforced pursuant to the City's noise control provisions under Chapter 8.20 CMC.
- (4) Prohibited placement. In addition to the limitations on the placement of temporary signs within the public right-of-way pursuant to CMC 18.55.180, except as otherwise provided for in this chapter, temporary signs are prohibited from being located in the following places:
 - (a) No temporary sign may be placed on a roof of a building or structure.
 - (b) No temporary sign may be placed on fences.
 - (c) No temporary sign shall be so located to physically obstruct any door or exit from a building.
 - (d) No temporary sign shall be located to be hazardous to a motorist's or pedestrian's ingress and egress from buildings or parking areas.
 - (e) No temporary sign shall be in the sight-distance triangle pursuant to the City's Design and Construction Standards adopted pursuant to Chapter 12.60 CMC, or in any other area which

may obstruct the vision of motorists to create a safety hazard.

- (f) Temporary signs shall not be placed within the required setback area from the property line, which shall be not less than five feet (5 ft.) from the property line in residential zones and not less than three feet (3 ft.) from the property line in all other zones. The distance between a sign and a property line shall be measured along a straight line representing the shortest distance between the sign and the property line.

18.55.150 Temporary signs—Residential properties.

Except as otherwise provided for in this chapter, temporary signs on residential properties are allowed pursuant to the following regulations:

- (1) Non-commercial. All temporary signs on residential properties shall only display non-commercial copy.
- (2) Sign types; construction; materials. There is no restriction on the type of temporary sign (i.e. the sign construction or materials used) allowed on residential properties, if all other regulations and provisions of this chapter are met.
- (3) Quantity. There is no restriction on the number of temporary signs allowed on residential properties.
- (4) Size.
 - (a) Temporary freestanding signs. No temporary freestanding sign shall be greater than twelve (12) square feet in size, with no sign face exceeding six (6) square feet.
 - (b) Building-mounted signs. Building-mounted temporary signs attached flush to the face of the building:
 - (i) shall not have a maximum height, provided that no sign shall extend beyond the roofline of the building; and
 - (ii) in aggregate (i.e. the total of all building-mounted temporary signs) shall not cover more than twenty percent (20%) of the building's facade.
 - (c) Window signs. Temporary signs placed on the inside of windows shall, in aggregate, not exceed fifty percent (50%) of the area of the window on which they are displayed.
 - (d) The size requirements of this section shall not apply to a flag(s) placed on a permanent flagpole or bracket.

(5) Temporary signs in parking strip. Temporary signs may be placed in the parking strip or landscaped or unimproved right-of-way directly adjacent to a residential property pursuant to the following:

- (a) No more than three (3) temporary signs are allowed. For residential properties actively for sale or lease, one (1) of the three (3) temporary signs may be a commercial sign;
- (b) No temporary sign may be greater than four feet (4 ft.) in height; and
- (c) The approval of the property owner of said adjacent property must be given.

18.55.160 Temporary signs—Mixed use properties.

(1) Residential uses. Residential uses on mixed-use properties shall be subject to the temporary sign regulations pursuant to CMC 18.55.150.

(2) Commercial uses. Commercial uses on mixed-use properties shall be subject to the temporary sign regulations pursuant to CMC 18.55.180.

18.55.170 Temporary signs—Institutional properties.

Except as otherwise provided for in this chapter, temporary signs on institutional properties are allowed pursuant to the following regulations:

(1) Non-commercial. All temporary signs on institutional properties shall display only non-commercial copy.

(2) Sign types; construction; materials. There is no restriction on the type of temporary sign (i.e. the sign construction or materials used) allowed on institutional properties, if all other regulations and provisions of this chapter are met.

(3) Quantity.

(a) Banners. One (1) temporary banner sign is allowed per each five hundred feet (500 ft.) of street frontage, not to exceed four (4) banners per property. Temporary banners may be placed on fences on the property.

(b) All other temporary signs. There is no restriction on the number of all other temporary signs allowed on institutional properties.

(4) Size.

(a) Banners. Banners shall not be greater than five feet (5 ft.) in height, unless attached to the face of the primary structure on the property, in which case there is no maximum height restriction so long as the banner does not extend above the roofline of the building. Any banner shall not

be larger than a total of thirty-two square feet (32 sq. ft.) in size.

- (b) All other temporary signs displayed on an institutional property shall each not be greater than three feet (3 ft.) in height and shall not be greater than six square feet (6 sq. ft.) in size.
- (c) Window signs. Temporary signs placed on windows shall, in aggregate, not exceed fifty percent (50%) of the area of the window on which they are displayed.
- (d) The size requirements of this section shall not apply to a flag(s) placed on a permanent flagpole or bracket.

18.55.180 Temporary signs—Commercial properties.

Except as otherwise provided for in this chapter, all temporary signs placed on commercial properties shall conform to the following provisions:

- (1) Permit Required. All temporary signs placed on commercial properties must be permitted by the City pursuant to CMC 18.55.070.
- (2) Commercial and non-commercial signs. Temporary signs on commercial properties may be commercial or non-commercial in their messaging.
- (3) Features.
 - (a) No temporary sign on a commercial property may have direct or internal illumination.
 - (b) Changing image sign features and electronic elements are prohibited.
- (4) Banners. Temporary banner signs on commercial properties shall be limited to the following:
 - (a) Quantity.
 - (i) One (1) temporary banner sign is allowed per tenant space on the property.
 - (ii) The property owner (or landlord), if not also a tenant, may be allowed one (1) temporary banner sign.
 - (b) Size. The maximum size of a banner shall be thirty-two square feet (32 sq. ft.).
 - (c) Placement. A banner shall be attached to the face of the building and may not extend above the roofline.
 - (d) Duration. Each tenant space, or the property owner pursuant to subsection (4)(a)(ii) above shall be allowed to display a temporary banner for no more than a total of one hundred and twenty (120) days in a calendar year.

- (5) Portable signs.
 - (a) Quantity. One (1) temporary portable sign is allowed per tenant space on the property.
 - (b) Size. The sign shall be no more than eight square feet (8 sq. ft.) in size. Only one side of a portable sign will be counted. No single sign face shall be greater than four feet (4 ft.) in height.
 - (c) Placement. Portable signs must be placed entirely on private property and directly adjacent to the tenant space for which the portable sign permit was issued.
 - (d) Duration. Portable signs may be placed from dawn to dusk, 365 days a year.
- (6) Window signs.
 - (a) Temporary signs placed on the inside of windows shall, in aggregate, not exceed fifty percent (50%) of the area of the window on which they are displayed.
 - (b) A permit is not required for temporary interior window signs.
- (7) Temporary freestanding sign. Where a commercial property, either in whole or in part, is actively listed for sale or lease, one (1) additional temporary freestanding sign for each street frontage on the site is allowed pursuant to the following:
 - (a) The sign shall be no more than thirty-two square feet (32 sq. ft.) in area. Temporary freestanding signs may have an additional face up to thirty-two square feet (32 sq. ft.) in size if the angle between the sign faces is less than ninety (90) degrees;
 - (b) The sign must be placed totally on private property; and
 - (c) The permit for such a temporary sign shall expire, and the sign must be immediately removed, upon the deactivation, sale, or lease of any listed property or tenant space.

18.55.190 Temporary signs—ROW and public spaces.

- (1) Right-of-way. Except as prohibited pursuant to POMC 18.55.050, temporary signs may be placed in the right-of-way if they meet all the following standards:

(a) Non-Commercial Copy. All temporary signs in public right-of-way shall only display non-commercial copy.

~~(a)~~(b) Only temporary lawn signs are allowed;

~~(b)~~(c) The sign must be placed entirely outside of the roadway;

~~(c)~~(d) _____ The sign must not be placed in medians, traffic islands, roundabouts, or other areas within the roadway;

~~(d)~~(e) _____ The sign must not obstruct pedestrian or wheelchair access to the sidewalk;

~~(e)~~(f) _____ The sign must not be placed in parking spaces, pedestrian pathways, or bicycle paths;

~~(f)~~(g) _____ The sign must be placed entirely outside of the sight-distance-triangle of a right-of-way corner, curb-cut, or drive entrance pursuant to the City's Design and Construction Standards adopted under Chapter 12.60 CMC. Where no curb exists, the sign must be placed outside the roadway at least five feet (5 ft.) from the edge of the roadway.

~~(g)~~(h) _____ The sign shall be no larger than six square feet (6 sq. ft.) in size with no sign face taller than three feet (3 ft.); and

~~(h)~~(i) _____ The sign must remain portable and may not be attached or anchored in any way to trees or to public property including, but not limited to, utility or light poles, parking meters, fences, or pavement.

(2) Public spaces. Temporary signs shall not be placed in any public park, trail, open space, or other public space, except for those signs placed by the City. All temporary signs in public spaces shall only display non-commercial copy.

18.55.200 Temporary signs—Other properties.

Properties with primary uses other than those regulated under CMC 18.55.150 (Residential properties), 18.55.170 (Institutional properties); 18.55.180 (Commercial properties), or 18.55.190 (ROW) shall be subject to the temporary sign regulations in CMC 18.55.180 (Commercial properties).

PART IV: PERMANENT SIGNS—REGULATIONS

- 18.55.210** Permanent signs—Structural components.
- 18.55.220** Permanent signs—Placement.
- 18.55.230** Permanent signs—Design criteria.
- 18.55.240** Permanent signs—Residential properties.
- 18.55.250** Permanent signs—Town center.
- 18.55.260** Permanent signs—Nonresidential properties—Freestanding signs.
- 18.55.270** Permanent signs—Nonresidential properties—Building-mounted signs.

18.55.205 Permanent signs—Applicability of regulations.

Sections 18.55.210 to 18.55.230 of this chapter shall apply to all permanent signs within the City.

18.55.210 Permanent signs—Structural components.

To the maximum extent possible, signs should be constructed and installed so that angle irons, guy wires, braces, and other structural elements are not visible. This limitation does not apply to structural elements that are an integral part of the overall design such as decorative metal or wood.

18.55.220 Permanent signs—Placement.

- (1) Obstructing and hazardous placement prohibited. No sign shall be so located to physically obstruct any door or exit from a building. No sign shall be located to be hazardous to a motorist's or pedestrian's ingress and egress from buildings or parking areas.
- (2) Sight distance triangle. No sign shall be in the triangular area(s) measured 15 feet by 15 feet where a driveway enters onto a street, or in any other area which may obstruct the vision of motorists to create a safety hazard. Additionally, all signs are subject to the current City of Covington Design and Construction Standards regarding sight distances, pursuant to CMC 12.60, as amended.
- (3) Sign Setback Requirements. The required setback from the property lines for all signs shall be not less than five (5) feet from the property line in residential zones and not less than three (3) feet from the property line in all other zones.
- (4) Setback and Distance Measurements. The following guidelines shall be used to determine compliance with setback and distance measurements:
 - (a) The distance between two signs shall be measured along a straight horizontal line that represents the shortest distance between the two signs.
 - (b) The distance between a sign and a property line shall be measured along a straight line representing the shortest distance between the sign and the property line.

18.55.230 Permanent signs—Design criteria.

- (1) Sign Base. The base of the sign must be done in landscape construction materials such as brick, stucco, stonework, textured wood, tile, or textured concrete, or materials that are harmonious with the character of the primary structures on the property and subject to the Director's approval. No visible gap shall be allowed between the sign base and the finished grade.
- (2) Sign Face. The color, shape, material, and other architectural details of the sign face must be consistent with the character of the primary structure.
- (3) Landscaping around freestanding signs. To improve overall appearance of the sign and to reduce the risk of motor vehicles hitting the sign or supports of the sign, an area adjacent to the base of each freestanding sign must be landscaped equal to the sign area; provided, however, that the City will not require more than 200 square feet of landscaped area. This landscaping must include vegetation and may include other materials and components such as brick or concrete bases as evidenced in plazas, patios and other pedestrian areas, planter boxes, pole covers, or decorative framing.
- (4) Illumination. No sign may contain or utilize any of the following (does not apply to neon signage):
 - (a) Any exposed incandescent lamp with wattage more than 25 watts.
 - (b) Any exposed incandescent lamp with an internal or external reflector.
 - (c) Any continuous or sequential flashing device or operation.
 - (d) Except for electronic changeable copy signs, any incandescent lamp inside an internally lighted sign.
 - (e) External light sources directed towards or shining on vehicular or pedestrian traffic or on a street.
 - (f) Internally lighted signs using 800-milliamp or larger ballasts if the lamps are spaced closer than twelve (12) inches on center.
 - (g) Internally lighted signs using 425-milliamp or larger ballasts if the lamps are spaced closer than six (6) inches on center.
- (5) Design consistency. Where more than one sign is allowed for a property, all signs for that property shall be consistent in design, style, color, and method of illumination.

18.55.240 Permanent signs—Residential properties.

(1) Generally. No sign permit shall be issued for any permanent sign in a residential zone unless such sign complies with the sign type, maximum number, maximum sign area, maximum height, location, duration, and all other allowances and limitations for those uses as required by this chapter.

(2) Properties issued a business license. On residential properties for which the City has issued a valid City business license for home occupation or home industry, one (1) permanent sign is allowed pursuant to the following:

- (a) The sign must be a wall sign placed on the façade of the primary structure; the sign may be of a commercial or non-commercial nature.
- (b) The maximum sign size shall not be greater than four (4) square feet in size.
- (c) Where a sign placed on the building's façade cannot be seen from a public street due to the distance the building is setback from the street, the Director may approve an alternative sign size, type, or location.
- (d) The sign shall not cover or obscure important architectural details of a building, such as stair railings, windows, doors, decorative louvers, or similar elements, intended to be decorative features of a building design.
- (e) The sign must appear to be a secondary feature of the building façade.
- (f) The sign shall not project above the roofline of the exposed building face to which it is attached.
- (g) The sign shall be installed to appear flush-mounted.
- (h) Illumination is not allowed.

18.55.250 Permanent signs—Town Center.

Permanent sign construction and design standards in Chapter 18.31 CMC for the Town Center (TC) zoning district shall be applied to all permanent signs within the Town Center zone. Where any other standards in this chapter may conflict with Chapter 18.31 CMC, the standards contained in Chapter 18.31 CMC shall control.

18.55.260 Permanent signs—Nonresidential properties—Freestanding signs.

Except as provided for in CMC 18.55.250, all nonresidential properties shall be designated as either qualifying for a high profile, medium profile, or low profile freestanding sign based upon the following criteria:

- (1) Freestanding signs—High profile.

- (a) A commercial property meeting all the following criteria is allowed a high-profile freestanding sign:
- (i) A zoning designation of GC (General Commercial) or MC (Mixed Commercial);
 - (ii) A minimum of 250 feet of frontage on one public right-of-way;
 - (iii) Multi-use complex; and
 - (iv) A minimum site of fifteen (15) acres.
- (b) Sign Types. The following sign types are allowed for freestanding high-profile signs:
- (i) Pedestal signs;
 - (ii) Monument signs; and
 - (iii) Kiosks.
- (c) Sign Features. The following sign features are allowed for freestanding high-profile signs:
- (i) Any high-profile sign may be an electrical sign, an illuminated sign, and/or a neon sign.
 - (ii) The sign features for pedestal or monument sign may include electronic changeable copy signs and/or changeable copy signs.
- (d) Sign Height. A freestanding high-profile sign shall not exceed the following maximum heights:
- (i) Pedestal or monument signs: Twelve feet (12 ft.)
 - (ii) Kiosk sign: Six feet (6 ft.), unless the sign is set back a minimum of fifty feet (50 ft.) from any public right-of-way, in which case it may be ten feet (10 ft.).
- (e) Sign Area. A freestanding high profile sign shall not exceed the following maximum sign areas:
- (i) Pedestal or monument signs: 160 square feet for the total of all sign faces with no one face exceeding 80 square feet.
 - (ii) Kiosk signs: 15 square feet per sign face.
- (f) Number of Signs. A property qualifying for a freestanding high profile sign may have the following maximum number of signs:
- (i) Pedestal or monument signs: one sign unless the property has an additional 500 feet of street frontage for a total of 750 feet of aggregate frontage on any public right-of-way,

in which case the property will be allowed one additional high profile sign, not to exceed a maximum of two such signs per property. In addition, two monument signs are allowed per entrance from a public right-of-way, not to exceed five feet (5 ft.) in height; and

(ii) Kiosk signs: one sign per property frontage.

(2) Freestanding signs—Medium profile.

(a) Criteria. Except as provided for in CMC 18.55.250, a property that does not qualify for a freestanding high profile sign pursuant to Subsection (1) of this section or is zoned I (industrial), M (mineral), MHO (Mixed Housing/Office), or some other zoning designation other than those identified in Subsection (1) above is allowed a medium profile freestanding sign.

(b) Sign Type. The following sign types are allowed for a freestanding medium profile sign:

(i) Pedestal signs; and

(ii) Monument signs.

(c) Sign Features. The following sign features are allowed for freestanding high-profile signs:

(i) Any medium profile sign may be an electrical sign, an illuminated sign, and/or a neon sign.

(ii) The sign features for pedestal or monument sign may include electronic changeable copy and/or changeable copy signs.

(b) Sign Height.

(i) The height of a freestanding medium profile sign shall be calculated at the rate of 0.75 feet of sign height for every ten (10) lineal feet of frontage on a public right-of-way; provided, however, that sign height shall be calculated at the rate of one and one-half feet in height for every ten (10) lineal feet of frontage on a public right-of-way for any multi-tenant complex.

(ii) Sign height shall not exceed twelve (12) feet and every applicant is entitled to a minimum height of five (5) feet.

(b) Sign Area.

(i) For any multi-tenant complex, sign area will be calculated at the rate of two (2) square feet per lineal foot of building frontage on a public right-of-way not to exceed a maximum sign area of 128 square feet for the total of all sign faces on each permitted

sign with no one sign face exceeding 64 square feet.

- (ii) For all other uses, sign area allowed for medium profile signs shall be calculated at the rate of one (1) square foot per lineal foot of frontage on a public right-of-way not to exceed a maximum sign area of 80 square feet for the total of all sign faces on each permitted sign with no one sign face exceeding 40 square feet.
- (iii) Notwithstanding the foregoing sign area calculations, every applicant is entitled to a minimum sign area of 50 square feet for the total of all sign faces with no one sign face exceeding 25 square feet.

(b) Number of Signs. A property qualifying for a freestanding medium profile sign may have the following maximum number of signs:

- (i) Pedestal or monument sign: one per street frontage.
- (ii) Kiosk sign: one per property frontage.

(2) Freestanding signs—Low profile.

(a) Criteria. A property located in the NC (Neighborhood Commercial) or CC (Community Commercial) zones is allowed a low-profile freestanding sign.

(b) Sign Type. The following sign types are allowed for a freestanding low profile sign:

- (i) Pedestal signs; and
- (ii) Monument signs.

(c) Sign Features. Any freestanding low profile sign may be an electrical sign, an illuminated sign, and/or a neon sign.

(d) Sign Height. A freestanding low profile sign shall not exceed the following maximum heights:

- (i) Pedestal or monument signs: five (5) feet.
- (ii) Kiosks: six (6) feet unless the sign is set back a minimum of 50 feet from any public right-of-way, in which case it may be ten (10) feet.

(e) Sign Area.

- (i) Pedestal or monument signs: sign area allowed for a low-profile sign shall be calculated at the rate of one (1) square foot per lineal foot of building frontage on a public right-of-way; provided, however, that a low-profile sign shall not exceed a maximum sign area of

80 square feet for the total of all sign faces on each permitted sign with no one sign face exceeding 40 square feet.

- (ii) Every applicant is entitled to a minimum sign area of 50 square feet for the total of all sign faces with no one sign face exceeding 25 square feet.

(f) Number of Signs. A property qualifying for a low-profile sign may have the following maximum number of signs:

- (i) Pedestal or monument signs: one sign per frontage on a public right-of-way.

(3) Combined sign package for adjacent property owners. The owners of two or more properties that abut or are separated only by a vehicular access easement or tract may propose a combined sign package to the City. The City will review and decide upon a combined sign package by reviewing the proposal as if the combined parcels were one development. The City may approve the combined sign package if it will provide more coordinated, effective, and efficient signs. The allowable sign area, sign type, sign height, and number of signs will be determined as if the applicants were one multi-tenant complex.

18.55.270 Permanent signs—Nonresidential properties—Building-mounted signs.

Except as provided for in CMC 18.55.260, all nonresidential properties shall be allowed permanent building-mounted signs pursuant to the following criteria:

(1) Sign Types. The following may be building-mounted signs and are allowed in all nonresidential zoning districts:

- (a) Awning or canopy signs;
- (b) Changeable copy signs;
- (c) Electronic changeable copy signs;
- (d) Marquee signs;
- (e) Window signs;
- (f) Projecting signs; and
- (g) Wall-mounted signs.

(2) Sign Features. Any building-mounted sign may be an electrical sign, an illuminated sign, and/or a neon sign.

(3) Sign Height. No sign shall project above the roofline of the exposed building face to which it is attached.

(4) Sign Area. Except as otherwise provided for in this section, the total sign area of building-mounted signs for each business or tenant, excluding under canopy signs, shall not exceed fifteen (15) percent of the exposed building face to which it is attached; provided, however, that no individual sign shall exceed a sign area of 240 square feet and every applicant is entitled to a minimum sign area of 30 square feet.

(5) Number of Signs.

(a) The number of building-mounted signs allowed each user is dependent on upon the surface are of the largest single exposed building face of the building as follows:

Largest Exposed Building Face	Maximum Number of Signs
Less than 999 square feet	2
1,000 – 2,999 square feet	3
3,000 – 3,999 square feet	4
4,000 and over square feet	5

(b) Primary uses with more than one business (i.e., grocery store with a banking facility, cleaner, etc.), which must obtain a business license and without a separate entrance, are allowed one sign for each different business in addition to the number allowed above. The area of such additional signage must not exceed fifteen (15) percent of the exterior wall of the separate business.

(c) An applicant is not allowed to transfer sign area calculated pursuant to this section from one building face to another but can move allotted signs from one building face to another.

(d) Each business or use may be allowed under canopy signs in addition to the other allowed building-mounted signs subject to the size and separation requirements set forth in CMC Title 18.

(6) Window signs.

(a) Permanent window signs in buildings with nonresidential uses are limited to painted or vinyl cut-out materials, or a neon signs constructed with or without a solid or opaque background.

(b) Permanent signs with solid backgrounds are not allowed in windows to ensure maximum light and visibility through windows.

SUBJECT: CONSIDER APPOINTMENT TO YOUTH COUNCIL

RECOMMENDED BY: Regan Bolli, City Manager

ATTACHMENTS:

1. Resolution No. 2016-19 Creating Youth Council
2. Resolution No. 2017-09 Establishing a Set Number of Members
3. Application provided separately.

PREPARED BY: Sharon Scott, City Clerk

EXPLANATION:

Council adopted Resolution No. 2016-19 creating a Youth Council on October 25, 2016 and amended that resolution on September 12, 2017 with Resolution No. 2017-09 to establish a set number of 15 members. The Youth Council currently consists of two adult leaders and eight youth members.

Council interviewed Fayth Njenga on October 24, 2017.

ALTERNATIVES:

Not appoint at this time and direct staff to continue to advertise for additional applicants to be considered for the Youth Council.

CITY COUNCIL ACTION: Ordinance Resolution Motion Other

Councilmember _____ moves, Councilmember _____ seconds, to appoint _____ to fill Position No. 9 on the Youth Council with a term expiring October 31, 2018.

REVIEWED BY: Recreation Specialist, City Clerk, City Manager

RESOLUTION NO. 2016-19

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COVINGTON, KING COUNTY, WASHINGTON, ESTABLISHING A YOUTH COUNCIL

WHEREAS, it is important and beneficial to all residents of the City of Covington (the “City”) to foster involvement of the community’s youth in the process of government and the ideals of public service; and

WHEREAS, it is desirable to expand the City’s connections to the community; and

WHEREAS, it is desirable to increase the number of volunteers who help the City achieve its goals; and

WHEREAS, it is important to obtain community input on key issues facing the City;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF COVINGTON, WASHINGTON, hereby resolves as follows:

Section 1. Covington Youth Council Established. The Covington City Council hereby establishes the Covington Youth Council, which shall be referred to as the “Youth Council”. The city manager shall designate appropriate city staff to advise and provide administrative assistance to the Youth Council leaders and members.

Section 2. Purpose. The purpose of the Youth Council shall be as follows:

- 2.1. Involve youth in local government.
- 2.2. Increase volunteerism among youth in civic affairs.
- 2.3. Increase communication with youth in the Covington community.
- 2.4. Involve youth in planning youth activities for the Covington community.
- 2.5. Serve as an advisory body to the City Council on matters dealing with youth in the Covington community.

Section 3. Adult Leader Positions. The Youth Council shall be guided and mentored by at least two (2) non-voting adult leaders. The adult leader positions shall be appointed and fulfilled pursuant to the following:

- 3.1 **Appointment. Notice of Vacancies.** Unless otherwise directed by the council, the city clerk’s office shall advertise notice of vacant positions so that any interested and qualified individual may submit an application.

3.2 Applicant Interviews and Appointment. The city council will endeavor to interview all applicants for an available position; provided that the mayor and mayor pro tem may limit the number of applicants interviewed by the council as a whole when the gross number of applicants is so large as to be an undue burden on the council's schedule.

- All interviews for available positions shall be scheduled at either a special or committee of the whole council meeting. For the purpose of any special or committee of the whole council meeting in which interviews are the only agenda item, the council may proceed with calling the meeting to order and conducting said interviews so long as three (3) or more council members are present.
- The council shall also interview applicants seeking reappointment for the same position, unless otherwise determined by a majority of the council.
- Appointments will be made during a regularly scheduled council meeting.
- Upon appointment, new appointees will receive a briefing by city staff regarding the duties and responsibilities of the members of the Covington Youth Council.

3.1. Appointment; Term. The City Council, by majority vote, shall appoint at least two (2) adult leaders to the Youth Council. Upon establishment of the Youth Council, all adult leader positions shall be initially appointed for a two-year term. Thereafter, upon the expiration or vacancy of an adult position, the City Council, by majority vote, shall appoint individuals to the adult leader positions in staggered-length terms to be determined by the City Council (e.g. one adult leader position assigned to a one-year term and the other adult leader position assigned to a two-year term; or, one adult leader position assigned to a two-year term and the other adult leader position assigned to a three-year term, etc.).

3.2. Removal. The City Council may remove an adult leader from their position at any time without reason upon a majority vote of the council.

Section 4. Youth Council Members. Voting members of the Youth Council shall be appointed and serve pursuant to the following:

4.1. Selection and Appointment. The city clerk's office shall advertise notice of vacant positions so that any interested and qualified individual may submit an application. Applicants shall be interviewed by the City Council and the adult leaders. The City Council shall make the final decision on appointments.

4.2. Member Criteria. Youth Council members shall be between the ages of fifteen (15) and eighteen (18) at the time of selection and reside or attend school within the City of Covington or a 3-mile radius of the City of Covington city limits.

4.3. Term. Selected Youth Council members shall each serve for a term of one (1) year. There is no limit on the number of terms a Youth Council member may apply for and be appointed to.

4.4. Removal. The City Council, by majority vote, may remove a member of the Youth Council at any time without reason. The City Council may take such action only upon the recommendation of all adult leaders.

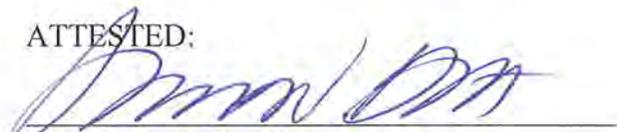
Section 5. Organization and Rules. The Youth Council shall recommend such rules for governing its procedures as it deems necessary or advisable to the City Council for approval and shall keep a record of its proceedings, which record shall be a public record. The Youth Council shall hold regular meetings at least once every two (2) months and, pursuant to Section 8.0 of the Covington City Council Policies and Procedures, shall comply with the requirements of the Open Public Meetings Act (RCW 42.30).

ADOPTED by the City Council of the City of Covington, Washington, in open and regular session this 25th day of October, 2016, and signed in authentication thereof.



JEFF WAGNER, MAYOR

ATTESTED:



Sharon Scott, City Clerk

APPROVED AS TO FORM:



Sara Springer, City Attorney

RESOLUTION NO. 2017-09

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COVINGTON, KING COUNTY, WASHINGTON, AMENDING RESOLUTION NO. 2016-19, SECTION 4.3. TO ESTABLISH A SET NUMBER OF MEMBERS

WHEREAS, it is important and beneficial to all residents of the City of Covington (the “City”) to foster involvement of the community’s youth in the process of government and the ideals of public service; and

WHEREAS, it is desirable to expand the City’s connections to the community; and

WHEREAS, it is desirable to increase the number of volunteers who help the City achieve its goals; and

WHEREAS, it is important to obtain community input on key issues facing the City;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF COVINGTON, WASHINGTON, hereby resolves as follows:

Section 1. Covington Youth Council Established. The Covington City Council hereby establishes the Covington Youth Council, which shall be referred to as the “Youth Council”. The city manager shall designate appropriate city staff to advise and provide administrative assistance to the Youth Council leaders and members.

Section 2. Purpose. The purpose of the Youth Council shall be as follows:

- 2.1.** Involve youth in local government.
- 2.2.** Increase volunteerism among youth in civic affairs.
- 2.3.** Increase communication with youth in the Covington community.
- 2.4.** Involve youth in planning youth activities for the Covington community.
- 2.5.** Serve as an advisory body to the City Council on matters dealing with youth in the Covington community.

Section 3. Adult Leader Positions. The Youth Council shall be guided and mentored by at least two (2) non-voting adult leaders. The adult leader positions shall be appointed and fulfilled pursuant to the following:

3.1 Appointment. Notice of Vacancies. Unless otherwise directed by the council, the city clerk's office shall advertise notice of vacant positions so that any interested and qualified individual may submit an application.

3.2 Applicant Interviews and Appointment. The city council will endeavor to interview all applicants for an available position; provided that the mayor and mayor pro tem may limit the number of applicants interviewed by the council as a whole when the gross number of applicants is so large as to be an undue burden on the council's schedule.

- All interviews for available positions shall be scheduled at either a special or committee of the whole council meeting. For the purpose of any special or committee of the whole council meeting in which interviews are the only agenda item, the council may proceed with calling the meeting to order and conducting said interviews so long as three (3) or more council members are present.
- The council shall also interview applicants seeking reappointment for the same position, unless otherwise determined by a majority of the council.
- Appointments will be made during a regularly scheduled council meeting.
- Upon appointment, new appointees will receive a briefing by city staff regarding the duties and responsibilities of the members of the Covington Youth Council.

3.1. Appointment; Term. The City Council, by majority vote, shall appoint at least two (2) adult leaders to the Youth Council. Upon establishment of the Youth Council, all adult leader positions shall be initially appointed for a two-year term. Thereafter, upon the expiration or vacancy of an adult position, the City Council, by majority vote, shall appoint individuals to the adult leader positions in staggered-length terms to be determined by the City Council (e.g. one adult leader position assigned to a one-year term and the other adult leader position assigned to a two-year term; or, one adult leader position assigned to a two-year term and the other adult leader position assigned to a three-year term, etc.).

3.2. Removal. The City Council may remove an adult leader from their position at any time without reason upon a majority vote of the council.

Section 4. Youth Council Members. Voting members of the Youth Council shall be appointed and serve pursuant to the following:

4.1. Selection and Appointment. The city clerk's office shall advertise notice of vacant positions so that any interested and qualified individual may submit an application.

Applicants shall be interviewed by the City Council and the adult leaders. The City Council shall make the final decision on appointments.

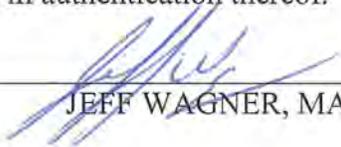
4.2. Member Criteria. Youth Council members shall be between the ages of fifteen (15) and eighteen (18) at the time of selection and reside or attend school within the City of Covington or a 3-mile radius of the City of Covington city limits.

4.3. Number of Members - Terms. The Covington Youth Council shall consist of *a maximum* of 15 members. Selected Youth Council members shall each serve for a term of one (1) year. There is no limit on the number of terms a Youth Council member may apply for and be appointed to.

4.4. Removal. The City Council, by majority vote, may remove a member of the Youth Council at any time without reason. The City Council may take such action only upon the recommendation of all adult leaders.

Section 5. Organization and Rules. The Youth Council shall recommend such rules for governing its procedures as it deems necessary or advisable to the City Council for approval and shall keep a record of its proceedings, which record shall be a public record. The Youth Council shall hold regular meetings at least once every two (2) months and, pursuant to Section 8.0 of the Covington City Council Policies and Procedures, shall comply with the requirements of the Open Public Meetings Act (RCW 42.30).

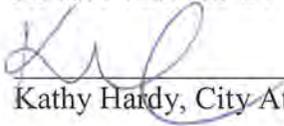
ADOPTED by the City Council of the City of Covington, Washington, in open and regular session this 12th day of September 2017, and signed in authentication thereof.



JEFF WAGNER, MAYOR

ATTESTED:


Sharon Scott, City Clerk

APPROVED AS TO FORM:


Kathy Hardy, City Attorney

Agenda Item 4

Covington City Council Meeting

Date: October 24, 2017

SUBJECT: CONSIDER NEW PROCEDURE AND TEMPLATE FOR CITY MANAGER EVALUATION.

RECOMMENDED BY: City Manager

ATTACHMENT (S):

1. New “City Manager Evaluation Procedure” containing new City Manager Performance Evaluation template
2. Formerly used “City Manager Performance Evaluation” template

PREPARED BY: Noreen Beaufrere, Personnel Manager

EXPLANATION:

In 2017, at the direction of the City Manager, the Personnel Manager created a new Employee Evaluation template for City employees. The targeted purposes were to further streamline the evaluation process; tie performance more closely to City goals and new core values; and encourage increased, more meaningful dialogue between the supervisor and employee.

Accordingly, the Personnel Manager also updated the City Manager’s Performance Evaluation template. The updates take into account the Council's comments regarding a section of the existing template that Council felt challenged to accurately rate, due to their lack of exposure to the subject matter. The updated template also incorporates current terminology and more appropriately addresses job description duties by requiring ratings only for broader categories covering multiple criteria. This template is included in a newly-created formal procedure, provided here as Attachment 1. The new procedure allows for increased communication on City achievements by allowing the City Manager’s attendance at the beginning of the Executive Session scheduled for completing the City Manager's evaluation, so that she/he may verbally address questions or topics that the Councilmembers have earlier provided to the Personnel Manager.

Lastly, this procedure provides an option for the City Manager to schedule a follow-up Executive Session, but only if the City Manager feels the consensus evaluation presented to her/him contains a rating based on misinterpreted or incorrect information.

It is intended that this new procedure and template will not only make the evaluation process easier for Councilmembers, but also increase the interaction between the City Manager and all Councilmembers during the evaluation process, thereby making the process more productive and meaningful for all.

ALTERNATIVES:

1. Direct the Personnel Manager to make additional changes to the new City Manager Evaluation procedure and/or template.
2. Continue to use the City Manager's former and unchanged evaluation template.

FISCAL IMPACT:

No fiscal impact will result from either utilizing an updated City Manager's Performance Evaluation template or continuing to use the former template.

CITY COUNCIL ACTION: ____ Ordinance ____ Resolution ____ Motion ____ Other

Councilmember _____ moves and Councilmember _____ seconds, to approve the new City Manager Evaluation procedure and template.

REVIEWED BY: Finance Director, City Attorney, City Manager



Procedure

SUBJECT: City Manager Evaluation Procedure		
Department/Division: Executive/Personnel	Page 1 of 9 Pages	PROCEDURE NO. HR-19.0
APPROVED BY: City Council	EFFECTIVE DATE: October 24, 2017	SUPERSEDES: N/A

NOTICE: The contents of this procedure should in no manner be considered as a contract of employment. This procedure is subject to change and modification as deemed necessary. Any provision of this procedure will be superseded if in conflict with any provision of a valid and effective federal or state law.

PURPOSE:

The City Council for the City of Covington understands that a formal, annual evaluation process for the City Manager is an important tool in establishing and maintaining effective relations between the City Council and the City Manager. A regular, formal evaluation process offers an opportunity for the Councilmembers to collectively discuss and clarify previous performance with the City Manager and subsequently reach consensus on how effectively the City Manager is accomplishing the goals established by the City Council and how she/he is carrying out their responsibilities in key performance areas. While evaluations are normally conducted initially at the 6-month mark of a City Manager’s employment and annually thereafter, a performance evaluation may be requested by a consensus decision of the City Council at any time.

Specifically, the evaluation should serve the following needs:

- (A) Allow for discussion between the City Manager and the City Council to clarify achievements during the evaluation period.
- (B) Allow for discussion among the Councilmembers of the City Manager's areas of strength and those needing reinforcement, as demonstrated by performance during the evaluation period. The objective will be to provide positive feedback to the City Manager for areas that have been handled well and to clarify areas where the City Manager could become more effective.
- (C) If necessary, allow for clarification and further explanation of performance by the City Manager if she/he feels the consensus evaluation is, in any area, based on miscommunication or misinterpretation of performance or achievements during the evaluation period.

PROCEDURE:

While a new City Manager will normally be evaluated at the 6-month point after the start of their position, the contract established between the City Manager and the City will call out the exact timing of the initial evaluation. Thereafter, the annual evaluation will be completed the month prior to the month of the anniversary of the City Manager’s start date. If the anniversary of the City Manager’s start date does not closely coincide with the calendar year, the first annual evaluation will be scheduled so it reasonably coincides with the end of the calendar year in order to efficiently assess annual citywide achievements in a timely manner that coincides with all City staff evaluations.

The steps to accomplish either the initial evaluation and/or the annual evaluation are as follows:

1. An Executive Session to review the performance of the City Manager will be placed on a regular Council Meeting agenda.
2. Approximately 5-6 weeks prior to the scheduled Executive Session to review the performance of the City Manager, the City Manager will provide the Personnel Manager with one memorandum for the initial evaluation (as outlined in “a,” only, below), or two memoranda for subsequent annual evaluations, as follows:
 - a.) The first memorandum will contain a list of achievement during the evaluation period.
 - b.) The second memorandum will contain explanation of the progress made toward each of three Merit Goals assigned specifically to the City Manager within the first quarter of every calendar year.
3. The Personnel Manager will prepare a cover memorandum to the City Council, with the City Manager's memoranda provided in step 2, above, as attachments. The Personnel Manager’s memorandum will explain the Councilmember’s responsibilities in individually assessing the City Manager’s performance and the timeline of the steps to complete the evaluation. It will also contain a “City Manager Performance Evaluation” form similar to that shown in Attachment A to this procedure. The only difference is that it will be tailored to an individual completing the form, rather than in “Consensus” format and, as such, will not include page 6 of the Attachment A form, which addresses compensation. Compensation will be collectively discussed by the Councilmembers at the conclusion of the Executive Session.

The Personnel Manager’s memorandum will also request each Councilmember provide the Personnel Manager, via e-mail, with any questions or topics that they would like to discuss with the City Manager at the beginning of the Executive Session scheduled to evaluate the City Manager’s performance. These questions or topics shall be provided to the Personnel Manager two weeks prior to the scheduled Executive Session. This will help ensure that the Councilmembers have the most complete and accurate information for reaching consensus performance ratings.

4. The Personnel Manager will provide a summary list of the questions or topics received from the Councilmembers to the City Manager as soon as the list is compiled.
5. At the start of the scheduled Executive Session, the City Manager will come prepared to discuss those questions or topics that have been provided to her/him by the Personnel Manager, as well as any additional questions that may come up as a result of that discussion. Once the discussion with the City Manager has concluded to the Council’s satisfaction, the City Manager will leave the Executive Session, and the City Council will proceed to reach consensus ratings for the criteria listed within the Attachment A evaluation form.
6. The Mayor, and possibly also the Mayor Pro Tem, will schedule a date/time to meet with the City Manager to convey the consensus evaluation. If, following this meeting, the City Manager feels additional clarification should be provided to the City Council so that they may reconsider any of the consensus ratings, the City Manager will request that a follow-up Executive Session be scheduled for such purpose.

7. Once the City Manager’s evaluation has been finalized—either with or without a follow-up Executive Session, if and as determined to be necessary—the Mayor will provide the Personnel Manager with the consensus evaluation form that will contain the decisions made regarding compensation. As required, the Personnel Manager will generate the Personnel Action Form and acquire the Mayor’s signature so that the Finance Department may implement the selected compensation actions.

ATTACHMENTS:

Attachment (A) – *Final (Consensus) City Manager Performance Evaluation*



Please rate the city manager using the following scale:

<u>Rating</u>	<u>Description</u>
5	Outstanding - Substantially exceeds Council's expectations
4	Exceptional - Generally exceeds Council's expectations
3	Satisfactory - Meets Council's expectations
2	Borderline - Requires Improvement
1	Unacceptable - Unsatisfactory performance

I. City Council Relations		
<p>Promptly responds to Council requests for information. Works well with Council to ensure adequate information is available prior to meetings. Maintains availability and is willing to meet with Council members individually. Carries out directives of the body as a whole, as opposed to those of any one member or minority group. Disseminates complete and accurate information equally to all members in a timely manner. Responds well to requests, advice, and constructive criticism.</p>	Rating	Council Consensus Comments:

II. Policy Execution		
<p>Implements Council actions in accordance with the intent of Council and in accordance with applicable law. Supports the actions of the Council after a decision has been reached, both inside and outside the organization. Understands, supports, and enforces local government's laws, policies, and ordinances. Offers workable alternatives to Council for changes in law or policy when an existing policy or ordinance is no longer practical.</p>	Rating	Council Consensus Comments:

COMPENSATION

PLEASE CHECK ALL THAT APPLY:

Approved for SALARY INCREASE:

Next Step in salary range (Effective Date: _____)

Other: _____
(Effective Date: _____)

Approved for ALTERNATIVE COMPENSATION:

Total of _____ 8-hr.Management Leave Days

Additional one-time City contribution to 457 Deferred Comp Plan - \$ _____

Other: _____

(Effective Date: _____)

Other: _____

(Effective Date: _____)

No changes at this time

Mayor's Signature: _____ Date: _____



SCORING SCALE FOR ALL SECTIONS

WEAK		STRONG		
1	2	3	4	5

I. LEADERSHIP CRITERIA

A. Leadership with Council:

- 1) Maintains consistent availability to Council.
- 2) Works with Council Members to facilitate their thoughts and ideas into cohesive policy development.
- 3) Possesses the ability to recognize Council direction, despite possible differences from his own advice or views, and successfully executes their policy or directive.
- 4) Effectively facilitates key projects, such as the annual budget and goal-setting processes.
- 5) Ensures Council Members are thoroughly informed in a timely manner of key plans and activities of the City and staff through City Manager reports, memoranda, and personal briefings.
- 6) Follows up promptly on Council requests for information or action without having to be reminded.
- 7) Ensures that all Council Members receive information on an equal basis.
- 8) Agenda items and supporting documents are appropriate and brought to Council in sufficient time for deliberations.
- 9) Council meeting packets are relatively free of errors and omissions.

SECTION I.A AVERAGE (AVERAGE FROM PERFORMANCE EVALUATION WORKSHEETS)

Comments on Leadership with Council: _____

B. Leadership with Employees:

- 1) Effectively motivates and gains employees' confidence and respect through demonstrated performance and decision making.
- 2) Mentors department heads to assist in further developing or maintaining their performance standards.
- 3) Guides staff so they work together as a team toward common objectives.
- 4) Delegates responsibilities, and directs work activities of staff so they effectively accomplish City goals.
- 5) Effectively cross-communicates between the department heads and Council.

SECTION I.B AVERAGE (AVERAGE FROM PERFORMANCE EVALUATION WORKSHEETS)

Comments on Leadership with Employees: _____

C. Leadership in the Community:

- 1) Is respected within the City and makes a positive overall impression by conveying professionalism through respect, courtesy and sensitivity to the public.
- 2) Thinks and behaves in a manner that reflects an attitude that client (Council, staff, or citizen) perceptions and satisfactions are key.
- 3) Represents the Council's positions and policies accurately and effectively to the public, ensuring Council is given sufficient and appropriate credit.
- 4) Provides an effective level of responsive and vital customer service, including timely follow through on citizen requests, disputes and complaints.
- 5) Has generated overall community satisfaction with the City's administrative and service obligations.
- 6) Maintains visibility and identity in the community through an appropriate level of involvement and communication with community organizations and businesses.

SECTION I.C AVERAGE (AVERAGE FROM PERFORMANCE EVALUATION WORKSHEETS)	
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Comments on Leadership in the Community: _____

D. Leadership with Other Governmental Entities and News Media:

- 1) Establishes and maintains a liaison with other governmental jurisdictions, especially with regard to those areas of service that improve or enhance the City's programs.
- 2) Maintains effective communications with other governmental jurisdictions with which the City is involved or interfaces.
- 3) Skillfully and favorably represents the City to the press, radio and television. Often anticipates sensitive topics that may eventually reach the media and initiates communication to minimize potential negative impact to the City.

SECTION I.D AVERAGE (AVERAGE FROM PERFORMANCE EVALUATION WORKSHEETS)	
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Comments on Leadership with Other Governmental Entities and News Media: _____

II. ORGANIZATIONAL MANAGEMENT CRITERIA

A. General:

- 1) Ensures that staff provides timely and objective policy information for Council to consider, and manages the staff to implement Council policy decisions.
- 2) Effectively plans and organizes work resulting either from policies adopted by the City Council or direction given by the City Council, and ensures it is carried out in a timely manner.
- 3) Oversees on-going programs and services to the City to ensure continued effectiveness, as well as ensuring implementation of new programs adopted by the City Council.
- 4) Ensures organized responses to public requests and complaints, as well as to concerns brought to the attention of staff by the City Council.

SECTION II.A AVERAGE (AVERAGE FROM PERFORMANCE EVALUATION WORKSHEETS)

Comments on General Management: _____

B. Fiscal:

- 1) Possesses sufficient knowledge of financial matters.
- 2) Manages the financial resources of the City to ensure the City maintains a sound financial condition and continues to receive clean audits from the State Auditor’s Office.
- 3) Has a good approach to the budget preparation and review processes.
- 4) Effectively aids the Council in developing a realistic budget that meets the Council’s goals.
- 5) Sees to it that the budget is submitted on time.
- 6) Effective in controlling costs through the economic utilization of manpower, materials, and equipment.
- 7) Provides sufficient information on the current financial status of the City.
- 8) Communicates concerns in a timely manner to the Council regarding issues that may significantly affect the City fiscally in the foreseeable future.
- 9) Oversees the various capital projects of the City to ensure that they are accomplished on time and within budget.

SECTION II.B AVERAGE (AVERAGE FROM PERFORMANCE EVALUATION WORKSHEETS)

Comments on Fiscal Management: _____

III. KNOWLEDGE & ADVICE CRITERIA

- 1) Possesses adequate knowledge of municipal affairs.
- 2) High quality analysis normally accompanies recommendations.
- 3) Considers alternatives before making recommendations.
- 4) Plans ahead, anticipates needs, and recognizes potential problems.
- 5) Has a good sense of timing when bringing issues to the Council for action.

SECTION III AVERAGE (AVERAGE FROM PERFORMANCE EVALUATION WORKSHEETS)

Comments on Knowledge & Advice: _____

IV. PRODUCTIVITY AND QUALITY CRITERIA

- 1) Council’s decisions and directions are implemented and accomplished.
- 2) Invests sufficient time and effort in performing to your expectations.
- 3) Develops and carries out short- and long-term action plans.
- 4) Sets appropriate priorities in work plan and utilization of time.
- 5) Organizes or assigns work so that it is performed efficiently and effectively.
- 6) Pays sufficient attention to detail to avoid error or having things “slip through the cracks”.
- 7) Able to analyze problems or issues to identify causes, reasons, and implications.

SECTION IV AVERAGE (AVERAGE FROM PERFORMANCE EVALUATION WORKSHEETS)

Comments on Productivity and Quality: _____

V. COMMUNICATION CRITERIA

- 1) Skilled at verbal and written communications—they are thoughtful, clear, and to the point.
- 2) Skilled at listening and isolating key points or issues.
- 3) Easy to talk to.
- 4) Shows sensitivity to the concerns of others.

SECTION V AVERAGE (AVERAGE FROM PERFORMANCE EVALUATION WORKSHEETS)

Comments on Communication: _____

VI. INDIVIDUAL QUALITIES

- 1) Personality is generally well-suited to effectively perform his or her duties.
- 2) Creative, anticipative and innovative when dealing with issues, problems and unusual situations.
- 3) Decision-making process indicates fairness and impartiality and is based on logic and reason.
- 4) Remains flexible, objective and receptive to suggestions and new ideas or change; able to alter his or her approach to fit new situations.
- 5) Effectively mediates and resolves problems, even under strained and unpleasant conditions.
- 6) Universally applies common sense, tact and diplomacy.
- 7) Self-confident; accepts criticism.
- 8) Able to cope with stress; maintains self control and composure, even under pressure.
- 9) Displays interest and enthusiasm in performing his duties.
- 10) Demonstrates integrity, loyalty and honesty.
- 11) Generally creates or encourages an atmosphere in which employees can enjoy working for the City.

SECTION VI AVERAGE (AVERAGE FROM PERFORMANCE EVALUATION WORKSHEETS)

Comments on Individual Qualities: _____

VII. ACCOMPLISHMENTS

This section will be completed in accordance with the information contained in the City Manager’s memorandum to the Personnel Manager. The Personnel Manager has provided it to the Council Members for their reference in completing this evaluation.

SECTION VII AVERAGE (AVERAGE FROM PERFORMANCE EVALUATION WORKSHEETS)	
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Comments on Accomplishments: _____

SCORING & COMMENTS SUMMARY

SCORING SUMMARY		AVG. SCORES
SECTION		
I. Leadership:	A. w/Council	
	B. w/Employees	
	C. w/Community	
	D. w/Govt Entities & Media	
II. Organizational Mgt:	A. General	
	B. Fiscal	
	C. Personnel	
	D. Community & Economic Dev	
III. Knowledge & Advice		
IV. Productivity & Quality		
V. Communication		
VI. Individual Qualities		
VII. Accomplishments		
Grand Total of Average Scores		
Overall Average Score (Grand Total of Average Scores divided by 13)		

Overall Summary Comments: _____

COMPENSATION

PLEASE CHECK ALL THAT APPLY:

Approved for SALARY INCREASE:

Next Step in salary range (Effective Date: _____)

Other: _____
(Effective Date: _____)

Approved for ALTERNATIVE COMPENSATION:

ICMA Annual Conference & Related Expenses

Total of _____ 8-hr. Management Leave Days

Additional one-time City contribution to 457 Deferred Comp Plan - \$ _____

Other: _____

(Effective Date: _____)

Other: _____

(Effective Date: _____)

No changes at this time

Mayor's Signature: _____ Date: _____

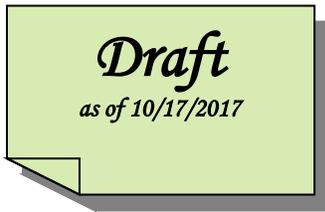
DISCUSSION OF FUTURE AGENDA ITEMS:

**8:00 a.m., Saturday, October 28, 2017 – Special Meeting
Budget Workshop**

**6:00 p.m., Tuesday, November 14, 2017 - Special Meeting
Joint Study Session with the Human Services Commission**

7:00 p.m., Tuesday, November 14, 2017 - Regular Meeting

(Draft Agendas Attached)



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

Saturday, October 28, 2017 – 8:00 a.m.
(Council & Leadership Team Breakfast beginning @ 7:30 a.m.)

GENERAL INFORMATION:

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

CALL CITY COUNCIL WORKSHOP TO ORDER

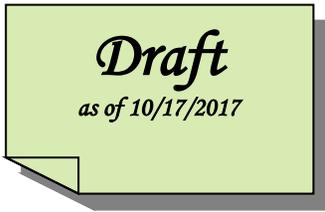
APPROVAL OF AGENDA

ITEM(S) FOR DISCUSSION

1. Department 2018 Budget Presentations
 - Executive (Bolli)
 - Finance (Hendrickson)
 - Police (McCurdy)
 - Community Development (Hart)
 - Public Works (Vondran)
 - Parks & Recreation (Newton)
2. Review Budget Forecast (Hendrickson)
3. Review Budget Strategies (Bolli)
3. Discuss Budget Presentations (Council)

ADJOURN

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



**CITY OF COVINGTON
SPECIAL MEETING AGENDA
CITY COUNCIL JOINT STUDY SESSION WITH HUMAN SERVICES COMMISSION**
Council Chambers – 16720 SE 271st Street, Suite 100, Covington
www.covingtonwa.gov

Tuesday, November 14, 2017 – 6:00 p.m.

GENERAL INFORMATION:

The study session is an informal meeting involving discussion between and among the City Council, Commissioners, and city staff regarding policy issues. Study sessions may involve presentations, feedback, brainstorming, etc., regarding further work to be done by the staff on key policy matters.

CALL CITY COUNCIL JOINT STUDY SESSION TO ORDER

APPROVAL OF AGENDA

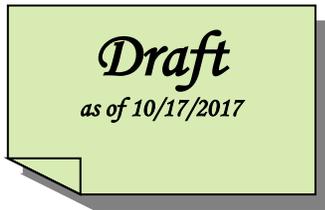
ITEM(S) FOR DISCUSSION

1. Open Discussion Regarding Human Services Funding
2. Announcement About Upcoming Events in Mid-March
3. Any Council Concerns, Suggestions, and Vision Regarding the Human Services Commission

ADJOURN

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

****Note* A Regular Council meeting will follow at approximately 7:00 p.m.***



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

Tuesday, November 14, 2017
7:00 p.m.

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

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

CALL CITY COUNCIL REGULAR MEETING TO ORDER

ROLL CALL/PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

PUBLIC COMMUNICATION - NONE

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

APPROVE CONSENT AGENDA

- C-1. Minutes: August 22, 2017 Meeting; September 12, 2017 Special Meeting; September 12, 2017 Regular Meeting; September 26, 2017 Regular Meeting; October 10, Meeting; October 24, 2017 Special Meeting; and October 24, 2017 Regular Meeting (Scott)
- C-2. Vouchers (Hendrickson)
- C-3. Approve Ordinance Amending Covington Municipal Code Title 18 Related to Adequacy of Water and Sewer (Mueller)

PUBLIC HEARINGS

- 1. Receive Public Testimony and Consider Ordinance Regarding Kent School District's Six Year Capital Facilities Plan and School Impact Fees (Hart)
- 2. Receive Public Testimony Regarding Proposed Fiscal Year 2018 Budget (Hendrickson)

NEW BUSINESS

- 3. Jenkins Creek Park Master Plan Update – Second of Three Updates (The Watershed Company)
- 4. Consider Resolution Amending 2017 Development & Building Permit Fees & Administrative Fees (Hart)
- 5. Consider Resolution Regarding Surface Water Management Rates (Vondran)
- 6. Consider Resolution Banning Community Health Engagement Locations (Supervised Injection Sites) (Bolli)
- 7. Consider 2018 Legislative Agenda (Bolli)

FUTURE AGENDA ITEMS

COUNCIL/STAFF COMMENTS

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

EXECUTIVE SESSION – if needed

ADJOURN

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