



# BUCKLEY CITY COUNCIL AGENDA

Tuesday, March 26, 2024, at 6:00 P.M.

Multi-Purpose Center, 811 Main Street

Next Ordinance #06-24, Next Resolution #24-03, Next Agenda Bill #24-019

Or Via Zoom:

<https://us02web.zoom.us/j/83366597529?pwd=N2hMTmh5eEZ4TGpJd2dpbFp0cnkvdz09>

Call-in Number: 253-215-8782

Meeting ID: 833 6659 7529 Meeting Passcode: 863441

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## A. CALL TO ORDER

1. Pledge of Allegiance
2. Roll call
3. Agenda Modifications
4. Announcements, Appointments and Presentations

## B. PUBLIC COMMENTS - *Time Limit of Three Minutes* (Citizens wishing to speak are Encouraged to sign up at City Hall by Wednesday prior to the Council Meeting)

## C. COMMITTEE REPORTS

1. Mayor's Report Burkett
2. Development Services, Transportation & Utilities Arsanto
3. Council Member Comments & Good of the Order

## D. CONSENT AGENDA

- a. Engineering Services Proposal for Spruce Street Improvements Design
- b. Approve City Council Minutes of November 14, 2023

## E. REGULAR AGENDA

### 1. ORDINANCE

- a. ORD No. \_\_\_\_-24: Adopting the 2024 Stormwater Management Program

### 2. NEW BUSINESS

- a. Employment Agreement - Asst. Police Chief Northam

## F. STAFF REPORTS

1. City Administrator Update
2. Development Projects Update
3. EMS Levy Lid Lift

## G. PUBLIC COMMENTS - *Time Limit of Three Minutes*

## **B. PUBLIC COMMENTS**

## **C. COMMITTEE REPORTS**

## **D. CONSENT AGENDA**



# CITY COUNCIL AGENDA BILL

City of Buckley  
PO Box 1960  
Buckley, WA 98321

ITEM INFORMATION			
<b>SUBJECT:</b>  <b>Engineering Services Proposal for Design of Spruce Street Improvements Project</b>	<b>Agenda Date: March 26, 2024</b>		<b>AB24-019</b>
	Department/Committee/Individual	Created	Reviewed
	Mayor		
	City Administrator		
	City Attorney		
	City Engineer	X	
	City Clerk		X
	Finance Dept		
	Building Official		
	Fire Dept		
	Parks & Recreation		
	Building & Planning		
Cost Impact: \$152,100.00	Police Dept		
Fund Source: Fund 102 (\$50,600.00), Fund 405 (\$40,000.00), Fund 406 (\$30,500.00), Fund 408 (\$31,000.00)	Municipal Court		
Timeline: ASAP	PW/Utilities	X	
<b>Staff Contact:</b> Chris Banks or Dom Miller			
<b>Attachments:</b> Letter dated March 7, 2024.			
<b>SUMMARY STATEMENT:</b> This is an Engineering Services Proposal for design of the Spruce Street Improvements Project. Project is from Mason Avenue to Main Street and includes road, storm, sewer and water.			
COMMITTEE REVIEW AND RECOMMENDATION: NA			
RECOMMENDED ACTION: <b>Move to Approve the Engineering Services Proposal for Design of the Spruce Street Improvements Project.</b>			
RECORD OF COUNCIL ACTION			
Meeting Date	Action	Vote	



March 7, 2024

Ms. Courtney Brunell  
City Administrator  
City of Buckley  
P.O. Box 1960  
Buckley, Washington 98321

SUBJECT: ENGINEERING SERVICES PROPOSAL FOR SPRUCE STREET  
IMPROVEMENTS DESIGN  
CITY OF BUCKLEY, PIERCE COUNTY, WASHINGTON  
G&O #24204.00

Dear Ms. Brunell:

Gray & Osborne has developed this Proposal to provide design engineering services for the Spruce Street Improvements.

The attached Exhibit A defines the Scope of Work for the design of the road, storm, sewer and water projects of Spruce Street from Mason Avenue to Main Street. The attached Exhibit B includes a breakdown of hours and fees for this work. The estimated cost for completing the Scope of Work is \$152,100.

Thank you for the opportunity to provide this Proposal. Should you concur with this Engineering Services Proposal, please execute the authorization on the following page and return a copy of this transmittal to me.

Sincerely,

GRAY & OSBORNE, INC.

Dominic J. Miller, P.E.

DJM/sp

cc: Mr. Chris Banks, Public Works Director, City of Buckley



Ms. Courtney Brunell  
March 7, 2024  
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**CITY OF BUCKLEY – DESIGN ENGINEERING SERVICES FOR  
SPRUCE STREET IMPROVEMENTS PROJECT**

Gray & Osborne, Inc. is hereby authorized to proceed with the engineering services as noted herein and under the terms and conditions of our current General Engineering Services Contract dated September 14, 2011, for a cost not to exceed \$152,100 as noted herein without further specific written and additional authorization from the City.

\_\_\_\_\_  
Name (Print)

\_\_\_\_\_  
Title

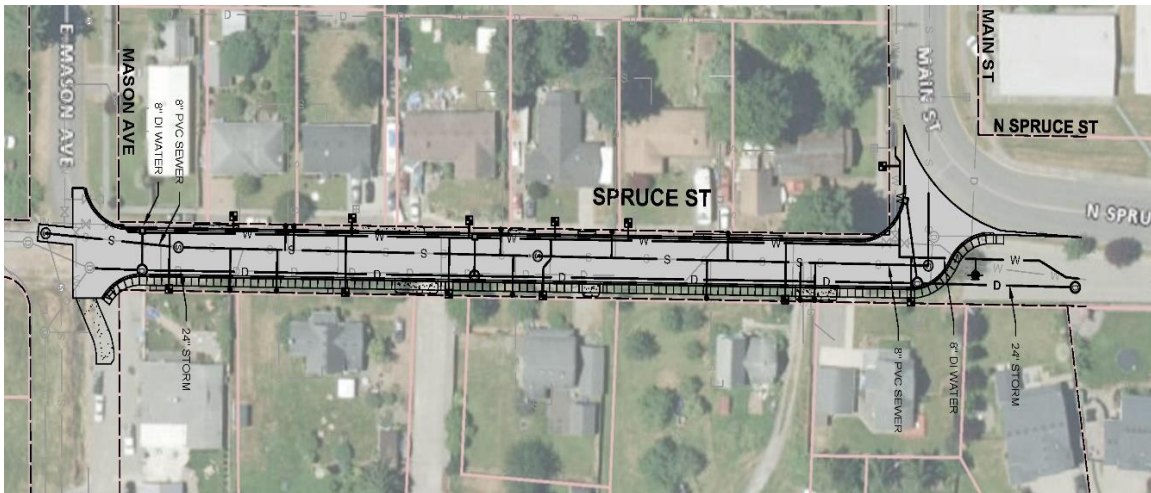
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Signature

\_\_\_\_\_  
Date

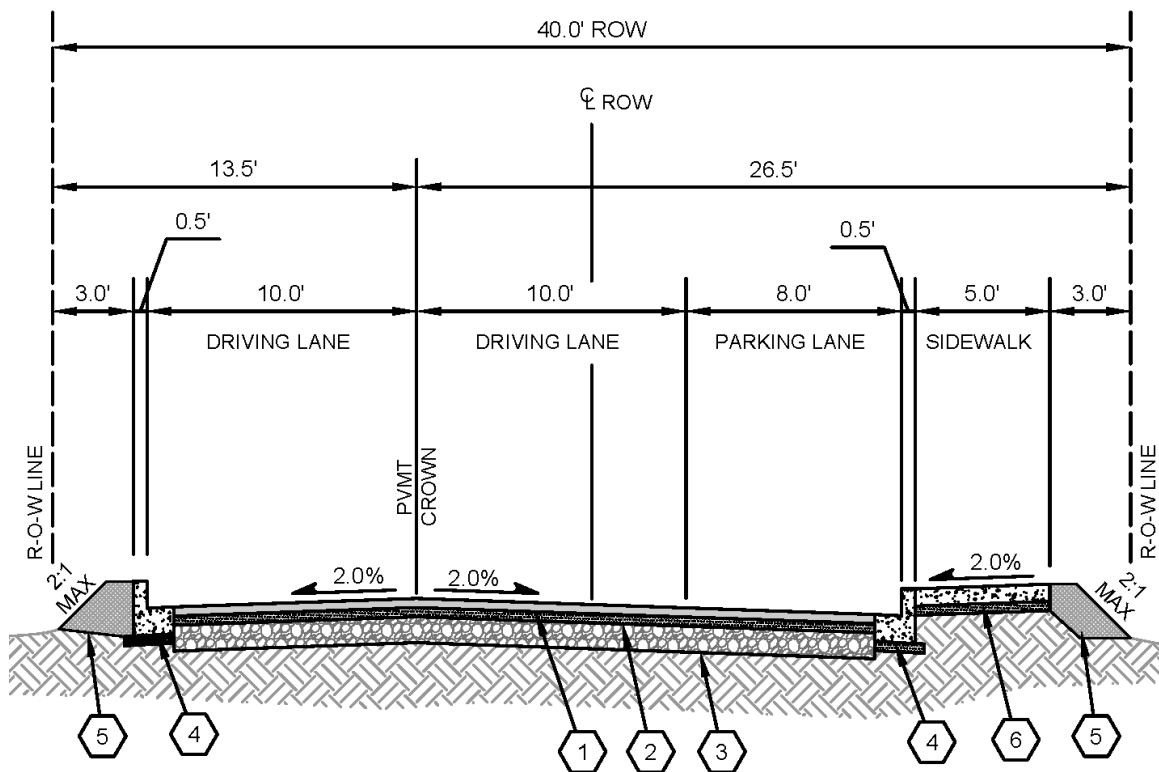
**EXHIBIT A**  
**SCOPE OF WORK**  
**CITY OF BUCKLEY**  
**SPRUCE STREET IMPROVEMENTS**  
**(EAST MASON AVENUE TO MAIN STREET)**

**PROJECT OVERVIEW**

The City of Buckley plans to complete its Spruce Street Improvement (East Mason Avenue to Main Street), to include 8-inch diameter ductile iron water main with new fire hydrants and water service replacement, 8-inch diameter PVC sanitary sewer main to include new manholes and side sewer replacement, 24-inch diameter storm drain trunkline and storm catch basins with lateral pipe lines, and road improvements. The road improvements include pavement widening and reconstruction for two travel lanes and one parking lane, the addition of curb and gutter on both sides of the road, the addition of cement concrete sidewalk on the east side of the road, driveway grading, and a marked pedestrian crossing at the Main Street intersection. See the project limits exhibit and typical cross section below.







The City has requested a Scope of Work for Engineering Services to design the Spruce Street Improvements.

The estimated construction cost of the proposed project is \$1,300,000. This Scope of Work includes Engineering Services through the design portion of the project only. The design work is anticipated to be completed by end of 2024, to allow for construction to proceed in the Spring of 2025.

More specifically, the work will include the following Tasks.

## DESIGN

### Task 1 – Project Management and Oversight

Objective: Provide overall project management and oversight of the project work by the Principal-in-Charge and Project Manager.

- A. Provide overall project management and oversight services, to include the following.
  - Procure sufficient staff resources to dedicate to the project.

- Prepare and execute Subconsultant Contracts.
  - Manage Subconsultant work.
  - Manage and control project budget and schedule.
  - Manage and provide monthly Progress Reports and invoices.
- B. Coordinate responses and incorporate City review comments on design submittals.

## **Task 2 – Surveying and Mapping**

Objective: Establish vertical and horizontal control on City-approved datum, and acquire topographic survey of features suitable to support the design and mapping of the project corridor. Identify existing right-of-way lines on Spruce Street, within the project limits, and all intersection public rights-of-way. Establish the approximate Property lines based on existing assessor maps.

- A. Research and acquire public records of survey, plat maps, assessor maps, and related survey data, as may be available from public Agencies (Pierce County and City).
- B. Establish vertical and horizontal control for survey and mapping at a scale of 1"=20' horizontal and 1"=5' vertical. Datum will be per City standards/requirements. Coordinate survey work with City Public Works Department. Provide (set or establish) a minimum of two survey control points for vertical and horizontal control within project area.
- C. Perform topographical survey of project corridor to include profiling (to right-of-way) of adjacent driveways. Acquire topographical data (including paint marks furnished by locates within right-of-way for mapping and design purposes). Acquire topographical data at all street intersection "legs." Topographical data shall include surface grades, pavement edges, surface utilities (visually obvious during site survey), utility structures, hydrants, valves, fences, mailboxes, walls, ditches and culverts, major trees and significant landscaping, walkways, major grade breaks, and any other pertinent physical features, found in the project area deemed necessary to adequately map the project area for the purpose of designing a project of this nature.

- D. Map survey data and show pertinent topographical features and existing right-of-way of Spruce Street (within project limits). The map shall be suitable for use in preparing the Project Plans.

#### Assumptions

1. City may elect to notify abutting Property Owners within the project corridor and alert them of our survey work. The City will be provided an opportunity to notify Property Owners and the City shall give be given a 10-day minimum notice prior to commencing survey onsite.
2. Access onto private properties will not be prevented in order to acquire the data previously described. Where access is denied, this data shall not be acquired or mapped. It is assumed that survey can be performed on a continuous basis and not piecemealed due to multiple site visits caused by Property Owners preventing access.
3. The development and/or recording of a “Record of Survey” is not required or included in this Scope of Work.
4. City-approved horizontal and vertical control/datum is available and accessible within 1/4 mile of the project site.
5. It is the intent of the survey and mapping efforts to record and map all pertinent physical features and topography in order to facilitate the design of the project as currently contemplated. Existing utilities abandoned, or “private” utilities that are buried on the site, or unknowingly connecting to existing “public systems” will not be shown unless they are discovered during the course of design (record drawings, potholing, unearthed, etc.).
6. No right-of-way acquisition, to include Title Reports, appraisals, appraisal reviews, market research, legal descriptions, deeds, negotiations or Conveyance Documents are included in this Scope of Work.

#### **Task 3 – Utility Data Acquisition**

Objective: Obtain record drawings and map information from the Utility Companies known to provide services in the project corridor. Request design locates from the utility locate service.

- A. Provide written requests for all Utility Companies known to provide utility service in the project area.

- B. Review data provided by Utility Companies and incorporate into design products and future phases of the project, as may be applicable.
- C. Request utility design locates.

#### **Task 4 – Geotechnical Investigation**

Objective: Obtain geotechnical information and recommendations regarding subsurface information for utility trenches and pavement reconstruction.

- A. Site Reconnaissance: Perform a site reconnaissance including a visual inspection of the site conditions. During the reconnaissance, PanGEO, Inc. (PanGEO) will mark test boring locations (see Item B, below) for utility locates.
- B. Subsurface Explorations: PanGEO will drill two 30-foot-deep and two 5-foot-deep test borings through the existing pavement along the alignment. Standard Penetration Tests will be performed at 2 and 1/2-foot and 5-foot intervals in each test boring to obtain soil samples, and to estimate the density of the existing site soils along the alignment. Prior to drilling, we will prepare a Site Plan showing the approximate locations of the proposed test borings. These locations will be marked in the field during our site reconnaissance, and we will notify the One-Call Center for utility locates. The test borings will be backfilled and patched the same day. Excessive soil cuttings from the test borings will be removed from the site, assuming that the site soils are not contaminated. PanGEO will provide traffic control during explorations, if needed.
- C. Groundwater Monitoring: Install nominal 2-inch diameter piezometers in the 30-foot-deep test borings to monitor groundwater levels. Data loggers will be installed in the piezometers to provide near-continuous groundwater level monitoring. PanGEO will budget for two trips to retrieve the data.
- D. Laboratory Tests: Laboratory tests may be conducted on representative soil samples. The tests may include moisture content and grain size distribution. The test results will aid in soil classification, and will be used to determine the engineering properties of the soil.
- E. Meetings: Attend meetings with project team members to discuss PanGEO's findings and design approach.

- F. Engineering and Report: Perform appropriate engineering analysis based on the results of our field exploration program. A Draft Report will be prepared and submitted to the project team, and the Report will be finalized after PanGEO receives review comments from the project team. The Report will summarize the results of PanGEO's Geotechnical Study, and in general will include the following.
- A site map showing the approximate test boring locations.
  - Summary description of the existing pavement thickness, subsurface conditions, a subsurface profile, and summary boring logs.
  - Pavement design recommendations to rehabilitate or reconstruct the existing pavements. Options considered will include conventional hot mix asphalt on crushed rock base and full-depth reclamation, and the potential use of cement treated base. We assume that traffic data will be provided to PanGEO for pavement design and analysis.
  - Recommendations and considerations for trenching, shoring, and dewatering.
  - Earthwork recommendations including the suitability of the site soils as structural fill or trench backfill, subgrade preparation, temporary excavation, control of groundwater (if needed), and general earthwork discussions.
- G. Post Report Consultation: Provide additional consultation on an as-needed basis, such as assisting the project team with Specifications.

### **Task 5 – Permitting**

- Objective: Prepare SEPA Checklist applications and obtain City right-of-way and Land Disturbing Activity Permits, as applicable. An Ecology Construction Stormwater Permit is not anticipated to be required. A Cultural Investigation is not anticipated to be required.
- A. Prepare Draft SEPA Checklist and send to the City for review.
- B. Incorporate City comments and prepare the Final Draft of the SEPA Checklist.

- C. Prepare Right-of Way Permit and Land Disturbing Activity Permit, as required.

#### **Task 6 – Design Plans**

Objective: Prepare 50 Percent and 90 Percent Draft Design Plans in City-approved format to include title sheet, legend, location and vicinity maps, Plan and Profile Sheets, cross-sections, special notes, special details, etc.

#### **Task 7 – Design Specifications**

Objective: Prepare Draft Project Specifications in Washington State Department of Transportation format, current edition. Include Proposal, Contract, and Bonding Forms for Agency review.

#### **Task 8 – Cost Estimates**

Objective: Calculate Bid Quantities and prepare Construction Cost Estimates.

#### **Task 9 – Bid Documents**

Objective: Prepare Final Design Plans and Specifications for use as Bid Documents suitable for bidding, award, and construction of the project. Specifications will be prepared in Washington State Department of Transportation format, adhering to City codes and State guidelines where, and when applicable. Plans shall be prepared in City-approved format to include Plan and Profile Sheets and special details.

#### **Task 10 – Bid and Award Services**

Objective: Provide bid and award services.

- A. Distribution of Bid Documents to Contractors and Plan centers will be accomplished through the Gray & Osborne website.
- B. Response to Contractor inquiries and preparation of Addenda, as necessary.
- C. Review of Bids, preparation of bid tabulation, and preparation of an Award Recommendation Letter.

### **Task 11 – Quality Assurance/Quality Control**

- A. Oversee two, in-house, quality assurance/quality control meetings at Gray & Osborne’s office during the course of the design project. The meetings will include senior project staff, selected design team members, and City staff (as required and/or desired).
- B. Ensure incorporation of relevant recommendations and suggestions into Bid/Construction Documents resulting from quality assurance/quality control reviews.

### **BUDGET**

The maximum amount payable to the Engineer for completion of work associated with this Scope of Work, including contingencies, salaries, overhead, direct non-salary costs, net fee, is set forth in the attached Exhibit B. This amount will not be exceeded without prior written authorization of the City.

### **DELIVERABLES**

At the conclusion of the design effort and during the course of the project, as applicable, the Engineer will deliver to the City the following documents.

- 1. A pdf of the Half-Scale Plans, Cost Estimates, and Project Specifications at 50 Percent and 90 Percent Design effort levels.
- 2. A pdf of the Draft and Final Geotechnical Report.
- 3. A word doc file of the Draft and Final SEPA Checklist.
- 4. A pdf set of Final Bid Documents, Plans, and Specifications.

## EXHIBIT B

### ENGINEERING SERVICES SCOPE AND ESTIMATED COST

#### *City of Buckley - Spruce Street Improvements*

Tasks	Principal/ Project Manager Hours	Project Engineer Hours	Engineer-in- Training Hours	AutoCAD Technician Hours	Professional Land Surveyor Hours	Survey Crew Hours
1 Project Management and Oversight	12					
2 Surveying and Mapping	4	8	12	16	12	32
3 Utility Data Acquisition	2	6	12			
4 Geotechnical Investigation**	2	4				
5 Permitting	2	6	12			
6 Design Plans	24	80	80	128		
7 Design Specifications	16	24	16			
8 Cost Estimates	8	16	12			
9 Bid Documents	12	24	24	48		
10 Bid and Award Services	6	8	4	4		
11 Quality Assurance/Quality Control	12	24	16			
Hour Estimate:	100	200	188	196	12	32
Estimated Fully Burdened Billing Rate:	\$240	\$192	\$142	\$123	\$204	\$280
Fully Burdened Labor Cost:	\$24,000	\$38,400	\$26,696	\$24,108	\$2,448	\$8,960

Subtotal Fully Burdened Labor Cost: \$ 124,612

Direct Non-Salary Cost:

Mileage & Expenses (Mileage @ current IRS rate) \$ 630

Subconsultant:

\*\*Geotechnical (PanGEO, Inc.) \$ 24,416

Subconsultant Overhead (10%) \$ 2,442

**TOTAL ESTIMATED COST \$ 152,100**

\* Actual labor cost will be based on each employees actual rate, estimated rates are for determining total estimated cost only. Fully burdened rates include direct salary cost, overhead and profit.



**City Council  
November 14, 2023**

Mayor Burkett called the regularly scheduled meeting to order at 6:00 PM.

Upon roll call the following members were present: Smith, Rose, Burbank, Green, and Anderson

Also present were: City Administrator Brunell, Finance Director Hines, Fire Chief Skogen, Asst. Fire Chief Olson, Court Administrator Cash, Senior Center Coordinator Mickelson, Police Records Clerk Burkett, Police Chief Alfano, City Engineer Miller, and City Clerk Percival.

Council member Green moved to excuse Council member Arsanto and Council member Tremblay. Council member Smith seconded the motion. Motion carried.

Mayor Burkett asked if there were any other additions, deletions, or changes to the agenda.

**Council member Smith moved to approve the agenda as presented. Council member Green seconded the motion. Motion carried.**

**ANNOUNCEMENTS, APPOINTMENTS, AND PRESENTATIONS**

**East Pierce Interlocal Coalition for Emergency Management** – Fire Chief Skogen introduced Pad Donovan from the East Pierce Interlocal Coalition for Emergency Management. Mr. Donovan provided some brief updates and stated that the emergency management plan is being worked on right now and will be submitted to the State by December 31<sup>st</sup>.

**CITIZEN PARTICIPATION**

None.

**COMMITTEE REPORTS**

**Mayor's Report:**

Mayor Burkett shared that annual tree lighting is being held on November 25<sup>th</sup>. He also shared that Gene Rawson had been chosen as the 2024 Bull of the Woods for the log show so be sure to congratulate him if you see him.

### **Administration, Finance & Public Safety:**

Council member Smith shared that the Committee met on November 13<sup>th</sup>. He shared that the City is facing a 21.2% increase in insurance. Management is working with Local 302 to develop a one-year contract extension. The police department will be getting a lateral hire at the beginning of December. The City currently contracts with South Sound 911 and they are proposing a three times increase to access the system through the radio. The City of Buckley is currently the last City in Pierce County that has a contract with AMR and they are proposing double what is currently charged. Chief Skogen shared that they are exploring other options.

### **Community Services:**

Council member Green shared that the Committee met on November 6<sup>th</sup> via Zoom. They had Meagan Rhodes present to discuss the Hometown market feedback. She shared that they are considering moving it to Tuesday nights. They also received a parks update from Director Snodgrass and a Building and Planning update from City Administrator Brunell.

### **CONSENT AGENDA**

**Council Member Burbank moved to approve the Consent Agenda. Council member Rose seconded the motion. Motion carried.**

- a. Adopt Senior Advisory Commission workplan
- b. Adopt Citizen Advisory Commission workplan
- c. Interpreter Reimbursement Grant Contract with AOC
- d. Approve Minutes of June 13, 2023, City Council Meeting
- e. Claims and Payroll

Payroll check numbers 40577 through 40603 in the amount of \$120,273.80 and ACH Payroll in the amount of \$412,112.72 for October 10, 2023, through October 23, 2023. Claim check numbers 66762 through 66809 in the amount of \$120,255.12 for October 10, 2023, through October 23, 2023. Claim check numbers 66810 through 66953 in the amount of \$634,567.68 for October 24, 2023, through November 13, 2023 are hereby approved and ordered paid this 14<sup>th</sup> day of November 2023.

### **REGULAR AGENDA**

#### **2024 Preliminary Budget Public Hearing**

**Mayor Burkett convened the Public Hearing at 6:21 PM.**

**Finance Director Hines gave a brief presentation on the 2024 Preliminary Budget.**

Upon no public comment, Mayor Burkett closed the Public Hearing and reconvened the Council meeting at 6:32 PM.

**Interlocal Agreement with Central Pierce Fire and Rescue for EMT School Services**

Council member Burbank moved to Approve the Interlocal Agreement with Central Pierce Fire and Rescue for EMT School Services. Council member Green seconded the motion. Motion carried.

**STAFF REPORTS**

**City Administrator Update** – City Administrator Brunell shared that staff wants to share more information on the 2024 budget.

Chief Skogen shared that the changes with AMR are unfortunate, and our goal is to not have any loss in ambulance service so we will do whatever is most cost-effective for the citizens. They are looking at options and will share that information with Council.

Finance Director Hines gave a brief presentation on additional potential revenue options. She shared that there is \$140,000-145,000 that could be reallocated to the general fund. City Administrator Brunell asked Council if they would like to have a Study Session to discuss this further. Council agreed they would like to have a Study Session next week to discuss.

**CITIZEN PARTICIPATION**

None.

Council member Rose moved to adjourn. Council member Green seconded the motion. Motion carried.

With nothing further, the meeting was adjourned at 6:44 PM.

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Mayor

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City Administrator

Prepared by: Treva Percival, City Clerk

## **E. REGULAR AGENDA**



# CITY COUNCIL AGENDA BILL

City of Buckley  
PO Box 1960  
Buckley, WA 98321

ITEM INFORMATION			
<b>SUBJECT:</b>  <b>ORD No. ____-24: Adopting a New 2024 Phase II NPDES Stormwater Management Program</b>	<b>Agenda Date: March 26,2024</b>		<b>AB24-020</b>
	Department/Committee/Individual	Created	Reviewed
	Mayor		X
	City Administrator		X
	City Attorney		X
	City Engineer		X
	City Clerk		X
	Finance Dept		
	Building Official		
	Fire Dept		
	Parks & Recreation		
	Building & Planning		
	Police Dept		
	Municipal Court		
	PW/Utilities	X	
<b>Cost Impact:</b> NA <b>Fund Source:</b> NA <b>Timeline:</b> 2024			
<b>Staff Contact:</b> Public Works Director, Chris Banks			
<b>Attachments:</b> Stormwater Management Program (SWMP) and Ordinance			
<p>SUMMARY STATEMENT: On August 1, 2019, Washington State DOE issued a Western Washington phase II municipal stormwater permits. The Phase II permit for Western Washington covers at least 80 cities and five counties. Department of Ecology determined that the City of Buckley was to be included under this Stormwater Phase II NPDES Permit coverage. Phase II permits requires stormwater managers to develop a new “revised” Stormwater Management Plan that is a “forward only” looking document that describes what the City will do ( not what was done in the past) during the this permit phase. Phase II municipal permits require that permittees develop and annually update a Stormwater Management Program (SWMP) document to submit with the annual report. City staff along with the assistance from engineers from Gray &amp; Osborne have modified the City’s previously adopted SWMP to meet the criteria established by Ecology and ensure compliance with the Phase II NPDES.</p>			
<b>COMMITTEE REVIEW AND RECOMMENDATION:</b> Development Services Committee meeting.			
<b>RECOMMENDED ACTION:</b> <b>MOVE to Approve Ordinance No. 06-24 Adopting a New 2024 City of Buckley Phase II NPDES Stormwater Management Program.</b>			
RECORD OF COUNCIL ACTION			
Meeting Date	Action	Vote	

# City of Buckley



## Stormwater Management Program



**2024**

## 1.0 INTRODUCTION

This document has been prepared to satisfy the Western Washington Phase II Municipal Stormwater Permit (Permit) requirement for the continued development and updating of the Stormwater Management Program (SWMP). The purpose of the SWMP is to reduce the discharge of pollutants from the municipal stormwater system to the maximum extent practicable and to protect water quality.

The National Pollutant Discharge Elimination System (NPDES) Permit is a federal permit that regulates stormwater and wastewater discharges to waters of the State. While it is a federal permit, the regulatory authority was delegated to the Washington State Department of Ecology (Ecology). In response, Ecology developed and issued the Western Washington Phase II Municipal Stormwater Permit. The Permit was issued by Ecology on January 17, 2007, 2013 and 2019. The current permit was issued August 1, 2019, and will be in effect until July 31, 2024. It is the intent of this SWMP to recognize the current permit requirements and to plan for these requirements where appropriate.

All municipalities affected by the permit must create and implement a SWMP which addresses the following required program elements:

- Stormwater Planning
- Public Education and Outreach
- Public Involvement and Participation
- MS4 Mapping and Documentation
- Illicit Discharge Detection and Elimination (IDDE)
- Controlling Run-Off from New Development, Redevelopment and Construction Sites
- Operations and Maintenance
- Source Control Program for Existing Development
- Total Maximum Daily Loads (TMDLs), if applicable to the jurisdiction

The City of Buckley SWMP will be updated annually and submitted with the City's Annual Report to Ecology. The City of Buckley is posting this document on the City website so it can be reviewed by the public. Comments on the SWMP can be made by submitting comments in writing to City of Buckley. Comments can be delivered or mailed to City of Buckley, PO Box 1960, 933 Main Street, Buckley, WA 98321 ATTN: Chris Banks, Public Works Director. Email comments may be sent to: [cbanks@cityofbuckley.com](mailto:cbanks@cityofbuckley.com).

## 2.0 STORMWATER PROGRAM COORDINATION

The following section describes general requirements related to the Permit under Section S5.A of the Permit.

### 2.1 Permit Requirements

- Each permittee shall prepare written documentation of the Stormwater Management Program (SWMP), called the SWMP Plan. The plan shall be updated at least annually for submittal with the City's annual reports to Ecology. The SWMP Plan shall be written to inform the public of the planned SWMP activities for the upcoming calendar year.

- The SWMP shall include an ongoing program for gathering, tracking, maintaining, and using information to evaluate SWMP development, implementation, and permit compliance and to set priorities.
  - Track the cost or estimated cost of development and implementation of each component of the SWMP.
- The SWMP shall include coordination mechanisms among departments within each jurisdiction to eliminate barriers to compliance with the Permit. A written description of internal coordination mechanisms shall be included in the Annual Report.

## 2.2 Planned Activities

Future activities planned to meet the Stormwater Program Coordination requirement of the permit are listed in Table 2-1.

**Table 2-1**

### **Planned Activities for Stormwater Program Coordination**

<b>Task ID</b>	<b>Task Description</b>	<b>Schedule</b>
<b>Overall Planning Related Events</b>		
SPC-1	Hold regular internal status meetings on NPDES Permit compliance with Public Works Staff and Engineering Consultant. Public works staff include the Public Works Director, Supervisor and maintenance personnel. The meetings will consist of assigning roles to staff/consultant for tasks to be completed over the next 3 months. These meetings will also be a check in for listing the monthly construction related inspections, plan reviews, O&M inspections, and spills. This meeting will also include discussing code barriers (i.e. LID policies, O&M related) and/or improvements that need to be made on an occasional basis. These meetings will be documented and will serve as a tracking method to ensure permit compliance. Costs associated with the program will be tracked in the City's accounting software.	Ongoing, Monthly
SPC-2	Prepare SWMP Plan to discuss planned activities necessary to provide permit compliance for the upcoming year(s)	January, Annually
SPC-3	Prepare/Review list of internal coordination mechanisms describing how departments are inter-related in terms of meeting permit conditions (i.e.	February, Annually



Task ID	Task Description	Schedule
	planning department reviews development plans, police departments helps observe for IDDE, etc.)	
SPC-4	Staff or consultant to attend NPDES Permit Coordinators Forum Meetings and document attendance	Ongoing, Every other month
SPC-5	Staff or consultant to attend STORM Meetings and document attendance	Ongoing, Quarterly

## 3.0 STORMWATER PLANNING

The following section describes the Permit requirements related to Stormwater Planning and the planned activities the City intends to conduct to meet these requirements.

### 3.1 Permit Requirements

The 2019 Permit (Section S5.C.1) requires the City to:

- By August 1, 2020, each Permittee shall convene an inter-disciplinary team to inform and assist in the development, progress, and influence of this program.
- Coordination with long-range plan updates.
  - Each Permittee shall describe how stormwater management needs and protection/improvement of receiving water health are (or are not) informing the planning update processes and influencing policies and implementation strategies in their jurisdiction. The report shall describe the water quality and watershed protection policies, strategies, codes, and other measures intended to protect and improve local receiving water health through planning, or taking into account stormwater management needs or limitations.
- On or before March 31, 2021, the Permittee shall respond to the series of Stormwater Planning Annual Report questions to describe how anticipated stormwater impacts on water quality were addressed, if at all, during the 2013-2019 permit term in updates to the Comprehensive Plan (or equivalent) and in other locally initiated or state-mandated, long-range land use plans that are used to accommodate growth or transportation.
- On or before January 1, 2023, the Permittee shall submit a report responding to the same questions included above, to describe how water quality is being addressed, if at all, during this permit term in updates to the Comprehensive Plan (or equivalent) and in other locally initiated or state-mandated, long-range land use plans that are used to accommodate growth or transportation.
- Low impact development code-related requirements.

- Permittees shall continue to require LID Principles and LID BMPs when updating, revising, and developing new local development-related codes, rules, standards, or other enforceable documents, as needed.
- Annually, each Permittee shall assess and document any newly identified administrative or regulatory barriers to implementation of LID Principles or LID BMPs since local codes were updated in accordance with the 2013 Permit, and the measures developed to address the barriers. If applicable, the report shall describe mechanisms adopted to encourage or require implementation of LID principles or LID BMPs.
- Stormwater Management Action Planning (SMAP).
  - Permittees shall conduct a similar process and consider the range of issues outlined in the *Stormwater Management Action Planning Guidance* (Ecology, 2019; Publication 19-10-010). Permittees may rely on another jurisdiction to meet all or part of SMAP requirements at a watershed-scale, provided a SMAP is completed for at least one priority catchment located within the Permittee's jurisdiction.
  - *Receiving Water Assessment*. Permittees shall document and assess existing information related to their local receiving waters and contributing area conditions to identify which receiving waters are most likely to benefit from stormwater management planning.
    - By March 31, 2022, Permittees shall submit a watershed inventory and include a brief description of the relative conditions of the receiving waters and the contributing areas. The watershed inventory shall be submitted as a table with each receiving water name, its total watershed area, the percent of the total watershed area that is in the Permittee's jurisdiction, and the findings of the stormwater management influence assessment for each basin. Indicate which receiving waters will be included in the S5.C.1.d.ii prioritization process. Include a map of the delineated basins with references to the watershed inventory table.
      - Identify which basins are expected to have a relatively low Stormwater Management Influence for SMAP. See the guidance document for definition and description of this assessment.
      - Basins having relatively low expected Stormwater Management Influence for SMAP do not need to be included in S5.C.1.d.ii-iii (Receiving Water Prioritization and the SMAP).
  - *Receiving Water Prioritization*. Informed by the assessment of receiving water conditions in (i), above, and other local and regional information, Permittees shall develop and implement a prioritization method and process to determine which receiving waters will receive the most benefit from implementation of stormwater facility retrofits, tailored implementation of SWMP actions, and other land/development management actions (different than the existing new and redevelopment requirements). The retrofits and actions shall be designed to: 1) conserve, protect, or restore receiving waters through stormwater and land management strategies that act as water quality management tools, 2) reduce

pollutant loading, and 3) address hydrologic impacts from existing development as well as planned for and expected future buildout conditions.

- No later than June 30, 2022, document the prioritized and ranked list of receiving waters.
  - The Permittee shall document the priority ranking process used to identify high priority receiving waters. The Permittee may reference existing local watershed management plan(s) as source(s) of information or rationale for the prioritization.
  - The ranking process shall include the identification of high priority catchment area(s) for focus of the Stormwater Management Action Plan (SMAP) in (iii), below.
- Stormwater Management Action Plan (SMAP).
    - No later than March 31, 2023, Permittees shall develop a SMAP for at least one high priority catchment area from the Receiving Water Prioritization, above, that identifies all of the following:
      - A description of the stormwater facility retrofits needed for the area, including the BMP types and preferred locations.
      - Land management/development strategies and/or actions identified for water quality management.
      - Targeted, enhanced, or customized implementation of stormwater management actions related to permit sections within S5, including:
        - IDDE field screening,
        - Prioritization of Source Control inspections,
        - O&M inspections or enhanced maintenance, or
        - Public Education and Outreach behavior change programs.
- Identified actions shall support other specifically identified stormwater management strategies and actions for the basin overall, or for the catchment area in particular.
- If applicable, identification of changes needed to local long-range plans, to address SMAP priorities.
  - A proposed implementation schedule and budget sources for:
    - Short-term actions (*i.e.*, actions to be accomplished within six years), and

- Long-term actions (*i.e.*, actions to be accomplished within seven to 20 years).
- A process and schedule to provide future assessment and feedback to improve the planning process and implementation of procedures or projects.

### 3.2 Planned Activities

Future activities planned to meet the Stormwater Planning requirement of the permit are listed in Table 3-1.

**Table 3-1**

#### **Planned Activities for Stormwater Planning**

<b>Task ID</b>	<b>Task Description</b>	<b>Schedule</b>
<b>LID Code-Related Requirements</b>		
SP-LID-1	Continue to require LID principles/BMPs when updating codes. Review City code every 3 years to ensure LID language is implemented where appropriate ( <i>i.e.</i> land use, stormwater management, critical areas sections, grading).	Beginning 2024, every 3 years
SP-LID-2	In a report, assess/document newly identified administrative or regulatory barriers to implementing LID (since 2013); List measures developed to address the barriers; Describe mechanisms adopted to encourage LID (if applicable)	Annually - By March 31 <sup>st</sup>

## 4.0 PUBLIC EDUCATION AND OUTREACH PROGRAM

The following section describes the Permit requirements related to Public Education and Outreach and the planned activities the City intends to conduct to meet these requirements.

### 4.1 Permit Requirements

The 2019 Permit (Section S5.C.2) requires the City to:

- Each Permittee shall implement an education and outreach program for the area served by the MS4. The program design shall be based on local water quality information and target audience characteristics to identify high priority target audiences, subject areas, and/or BMPs. Based on the target audience's demographic, the Permittee shall consider delivering its selected messages in language(s) other than English, as appropriate to the target audience.

- **General awareness.** To build general awareness, Permittees shall annually select at a minimum one target audience and one subject area from what is listed below:
  - *Target audiences:* General public (including overburdened communities, or school age children) or businesses (including home-based, or mobile businesses). Subject areas:
    - General impacts of stormwater on surface waters, including impacts from impervious surfaces.
    - Low impact development (LID) principles and LID BMPs.
  - *Target audiences:* Engineers, contractors, developers, or land use planners. Subject areas:
    - Technical standards for stormwater site and erosion control plans.
    - LID principles and LID BMPs.
    - Stormwater treatment and flow control BMPs/facilities
  - Permittees shall provide subject area information to the target audience on an ongoing or strategic schedule.
- **Behavior change.** To affect behavior change, Permittees shall select, at a minimum, one target audience and one BMP.
  - *Target Audiences:* Residents, landscapers, property managers/owners, developers, school age children, or businesses (including home-based or mobile businesses).
  - *BMPs:*
    - Use and storage of: pesticides, fertilizers, and/or other household chemicals.
    - Use and storage of: automotive chemicals, hazardous cleaning supplies, carwash soaps, and/or other hazardous materials.
    - Prevention of illicit discharges.
    - Yard care techniques protective of water quality.
    - Carpet cleaning.
    - Repair and maintenance BMPs for: vehicles, equipment, and/or home/buildings.
    - Pet waste management and disposal.
    - LID Principles and LID BMPs.
    - Stormwater facility maintenance, including LID facilities.
    - Dumpster and trash compactor maintenance.
    - Litter and debris prevention.
    - Sediment and erosion control.
    - (Audience specific) Source control BMPs (refer to S5.C.8).

- (Audience specific) Locally-important, municipal stormwater-related subject area.
- No later than July 1, 2020, each Permittee shall conduct a new evaluation of the effectiveness of an ongoing behavior change campaign (required under S5.C.1.a.ii and S5.C.1.c of the 2013 Permit). Permittees shall document lessons learned and recommendations for which option to select from S5.C.2.a.ii.(c). Permittees that develop a strategy for a new audience and different BMP may forgo this evaluation if it will not add value to the overall behavior change program.
- Based on the recommendation from the evaluation listed above, by February 1, 2021, each Permittee shall follow social marketing practices and methods, similar to community-based social marketing, and develop a campaign that is tailored to the community, including development of a program evaluation plan. Each Permittee shall:
  - Develop a strategy and schedule to more effectively implement the existing campaign; or
  - Develop a strategy and schedule to expand the existing campaign to a new target audience or BMPs; or
  - Develop a strategy and schedule for a new target audience and BMP behavior change campaign.
- No later than April 1, 2021, begin to implement the strategy above.
- No later than March 31, 2024, evaluate and report on:
  - The changes in understanding and adoption of targeted behaviors resulting from the implementation of the strategy; and
  - Any planned or recommended changes to the campaign in order to be more effective; describe the strategies and process to achieve the results.
- Permittees shall use results of the evaluation to continue to direct effective methods and implementation of the ongoing behavior change program.
- Stewardship. Each Permittee shall provide and advertise stewardship opportunities and/or partner with existing organizations (including non-permittees) to encourage residents to participate in activities or events planned and organized within the community, such as: stream teams, storm drain marking, volunteer monitoring, riparian plantings, and education activities.

## 4.2 Planned Activities

Future activities planned to meet the Public Education and Outreach requirement of the permit are listed in Table 4-1.

**Table 4-1**

**Planned Activities for Public Education and Outreach Program**

<b>Task ID</b>	<b>Task Description</b>	<b>Schedule</b>
EDUC-1	Provide stewardship opportunities on City's website (Conservation District Events, other storm related community events); Document opportunities advertised.	Ongoing
EDUC-2	Provide general stormwater education on City's website such as LID guidance, car wash brochure, and stormwater maintenance tips (document); Future topics may include proper pet waste disposal, spill prevention, fertilizer use, wetlands and the impact these have on stormwater	OngoingReview/Revise each January
EDUC-3	Select "general public" as the audience and "general stormwater education" to focus education on for general awareness.	OngoingCheck pet waste bags every 2 weeks during park checks
EDUC-4	Work on educating businesses on general stormwater BMPs such as providing a restaurant BMP brochure on the City's website.	Ongoing
EDUC-9	<p>The City will work with the regional Dumpster Outreach Group whose purpose is to ensure dumpster lids are being closed so as to minimize the transmittance of pollutants downstream. The group will analyze the data collected on the lid closing status to determine the effectiveness of the campaign. The evaluation will include benefits of the program as well as recommended revisions.</p> <p>Once a year, the City will do follow-up inspections of the dumpsters to determine the effectiveness of the campaign. Staff will drive to the dumpster locations to observe 1) whether lid is closed and 2) condition of posters/stickers related to the campaign</p>	<p>Annually (Inspection of dumpsters)</p> <p>Final Assessment by March 31, 2024</p>

## 5.0 PUBLIC INVOLVEMENT AND PARTICIPATION PROGRAM

The following section describes the Permit requirements related to Public Involvement and Participation and the planned activities the City intends to conduct to meet these requirements.

## 5.1 Permit Requirements

The 2019 Permit (Section S5.C.3) requires the City to:

- Permittees shall create opportunities for the public, including overburdened communities, to participate in the decision-making processes involving the development, implementation and update of the Permittee's SMAP and SWMP.
- Each Permittee shall post on their website their SWMP Plan and the annual report, required under S9.A, no later than May 31 each year. All other submittals shall be available to the public upon request.

## 5.2 Planned Activities

Future activities planned to meet the Public Involvement and Participation requirement of the permit are listed in Table 5-1.

**Table 5-1**

### **Planned Activities for Public Involvement and Participation**

<b>Task ID</b>	<b>Task Description</b>	<b>Schedule</b>
PI-1	Hold public meeting on the Annual SWMP via the City Council; The topic is placed on the agenda which is advertised on the City's website. There is then a public discussion period where the public can comment on the SWMP if they chose.	By February (each year)
PI-2	Post final SWMP and Annual Report to City Website	By April 30th (each year)
PI-3	Post final SWMP in City Hall.	By April 30 <sup>th</sup> (each year)
PI-4	Post public opportunities to get involved on City website (i.e. links to Conservation District, Pierce County, Dept. of Ecology, etc.); Document opportunities advertised and provide with Annual Report.	Ongoing

## 6.0 MS4 MAPPING AND DOCUMENTATION

The following section describes the Permit requirements related to MS4 Mapping and Documentation and the planned activities the City intends to conduct to meet these requirements.



## 6.1 Permit Requirements

The 2019 Permit (Section S5.C.4) requires the City to:

- *Ongoing Mapping*: Each Permittee shall maintain mapping data for the features listed below:
  - Known MS4 outfalls and known MS4 discharge points.
  - Receiving waters, other than groundwater.
  - Stormwater treatment and flow control BMPs/facilities owned or operated by the Permittee.
  - Geographic areas served by the Permittee's MS4 that do not discharge stormwater to surface waters.
  - Tributary conveyances to all known outfalls and discharge points with a 24-inch nominal diameter or larger, or an equivalent cross-sectional area for non-pipe systems. The following features or attributes (or both) shall be mapped:
    - Tributary conveyance type, material, and size where known.
    - Associated drainage areas.
    - Land use.
  - Connections between the MS4 owned or operated by the Permittee and other municipalities or public entities.
  - All connections to the MS4 authorized or allowed by the Permittee after February 16, 2007.
- *New Mapping*: Each Permittee shall:
  - No later than January 1, 2020, begin to collect size and material for all known MS4 outfalls during normal course of business (e.g. during field screening, inspection, or maintenance) and update records.
  - No later than August 1, 2023, complete mapping of all known connections from the MS4 to a privately owned stormwater system.
- No later than August 1, 2021, the required format for mapping is electronic (e.g. Geographic Information System, CAD drawings, or other software that can map and store points, lines, polygons, and associated attributes), with fully described mapping standards.
- To the extent consistent with national security laws and directives, each Permittee shall make available to Ecology, upon request, available maps depicting the information required above.
- Upon request, and to the extent appropriate, Permittees shall provide mapping information to federally recognized Indian Tribes, municipalities, and other

Permittees. This Permit does not preclude Permittees from recovering reasonable costs associated with fulfilling mapping information requests by federally recognized Indian Tribes, municipalities, and other Permittees.

## 6.2 Planned Activities

Future activities planned to meet the MS4 Mapping and Documentation requirement of the permit are listed in Table 6-1.

**Table 6-1**

### **Planned Activities for MS4 Mapping and Documentation**

<b>Task ID</b>	<b>Task Description</b>	<b>Schedule</b>
MAP-1	Maintain stormwater basemap in electronic format	Ongoing, as development occurs
MAP-2	During normal business, document size and material for all known outfalls and update map. Submit list of these outfalls with Annual Report	Ongoing
MAP-3	Complete mapping of all known connections from the MS4 to a privately owned storm system.	Ongoing, as development occurs

## 7.0 ILLICIT DISCHARGE DETECTION AND ELIMINATION

The following section describes the Permit requirements related to Illicit Discharge Detection and Elimination (IDDE) and the planned activities the City intends to conduct to meet these requirements.

### 7.1 Permit Requirements

The 2019 Permit (Section S5.C.5) requires the City to:

- The program shall include procedures for reporting and correcting or removing illicit connections, spills and other illicit discharges when they are suspected or identified. The program shall also include procedures for addressing pollutants entering the MS4 from an interconnected, adjoining MS4.

Illicit connections and illicit discharges must be identified through, but not limited to: field screening, inspections, complaints/reports, construction inspections, maintenance inspections, source control inspections, and/or monitoring information, as appropriate.

- Permittees shall inform public employees, businesses, and the general public of hazards associated with illicit discharges and improper disposal of waste.
- Each Permittee shall implement an ordinance or other regulatory mechanism to effectively prohibit non-stormwater, illicit discharges into the Permittee's MS4 to the maximum extent allowable under state and federal law.
  - Allowable Discharges: The regulatory mechanism does **not** need to prohibit the following categories of non-stormwater discharges:
    - Diverted stream flows
    - Rising groundwaters
    - Uncontaminated groundwater infiltration (as defined at 40 CFR 35.2005(b)(20))
    - Uncontaminated pumped groundwater
    - Foundation drains
    - Air conditioning condensation
    - Irrigation water from agricultural sources that is commingled with urban stormwater
    - Springs
    - Uncontaminated water from crawl space pumps
    - Footing drains
    - Flows from riparian habitats and wetlands
    - Non-stormwater discharges authorized by another NPDES or state waste discharge permit
    - Discharges from emergency firefighting activities in accordance with S2 Authorized Discharges
- Conditionally Allowable Discharges: The regulatory mechanism may allow the following categories of non-stormwater discharges only if the stated conditions are met:
  - Discharges from potable water sources, including but not limited to water line flushing, hyperchlorinated water line flushing, fire hydrant system flushing, and pipeline hydrostatic test water. Planned discharges shall be dechlorinated to a total residual chlorine concentration of 0.1 ppm or less, pH-adjusted, if necessary, and volumetrically and velocity controlled to prevent re-suspension of sediments in the MS4.
  - Discharges from lawn watering and other irrigation runoff. These discharges shall be minimized through, at a minimum, public education activities and water conservation efforts.
  - Dechlorinated swimming pool, spa and hot tub discharges. The discharges shall be dechlorinated to a total residual chlorine concentration of 0.1 ppm or less, pH-adjusted and reoxygenized if necessary, volumetrically and

velocity controlled to prevent re-suspension of sediments in the MS4. Discharges shall be thermally controlled to prevent an increase in temperature of the receiving water. Swimming pool cleaning wastewater and filter backwash shall not be discharged to the MS4.

- Street and sidewalk wash water, water used to control dust, and routine external building washdown that does not use detergents. The Permittee shall reduce these discharges through, at a minimum, public education activities and/or water conservation efforts. To avoid washing pollutants into the MS4, Permittees shall minimize the amount of street wash and dust control water used.
- Other non-stormwater discharges. The discharges shall be in compliance with the requirements of a pollution prevention plan reviewed by the Permittee, which addresses control of such discharges.
- The Permittee shall further address any category of discharges above if the discharges are identified as significant sources of pollutants to waters of the State.
- The ordinance or other regulatory mechanism shall include escalating enforcement procedures and actions.
- Each Permittee shall implement an ongoing program designed to detect and identify non-stormwater discharges and illicit connections into the Permittee's MS4. The program shall include the following components:
  - Procedures for conducting investigations of the Permittee's MS4, including field screening and methods for identifying potential sources. These procedures may also include source control inspections.

The Permittee shall implement a field screening methodology appropriate to the characteristics of the MS4 and water quality concerns. Screening for illicit connections may be conducted using *Illicit Connection and Illicit Discharge Field Screening and Source Tracing Guidance Manual* (Herrera Environmental Consultants, Inc.; May 2013), or another methodology of comparable or improved effectiveness. The Permittee shall document the field screening methodology in the Annual Report.

- All Permittees shall complete field screening for an average of 12% of the MS4 each year. Permittees shall annually track total percentage of the MS4 screened beginning August 1, 2019.
- A publicly listed and publicized hotline or other telephone number for public reporting of spills and other illicit discharges.

- An ongoing training program for all municipal field staff, who, as part of their normal job responsibilities, might come into contact with or otherwise observe an illicit discharge and/or illicit connection to the MS4, on the identification of an illicit discharge and/or connection, and on the proper procedures for reporting and responding to the illicit discharge and/or connection. Follow-up training shall be provided as needed to address changes in procedures, techniques, requirements, or staffing. Permittees shall document and maintain records of the trainings provided and the staff trained.
- Each Permittee shall implement an ongoing program designed to address illicit discharges, including spills and illicit connections, into the Permittee's MS4. The program shall include:
  - Procedures for characterizing the nature of, and potential public or environmental threat posed by, any illicit discharges found by or reported to the Permittee. Procedures shall address the evaluation of whether the discharge must be immediately contained and steps to be taken for containment of the discharge.
  - Procedures for tracing the source of an illicit discharge; including visual inspections, and when necessary, opening manholes, using mobile cameras, collecting and analyzing water samples, and/or other detailed inspection procedures.
  - Procedures for eliminating the discharge, including notification of appropriate authorities (including owners or operators of interconnected MS4s); notification of the property owner; technical assistance; follow-up inspections; and use of the compliance strategy developed pursuant to S5.C.5.c.iv, including escalating enforcement and legal actions if the discharge is not eliminated.
  - Compliance with the provisions in (i), (ii), and (iii), above, shall be achieved by meeting the following timelines:
    - Immediately respond to all illicit discharges, including spills, which are determined to constitute a threat to human health, welfare, or the environment, consistent with General Condition G3.
    - Investigate (or refer to the appropriate agency with the authority to act) within 7 days, on average, any complaints, reports, or monitoring information that indicates a potential illicit discharge.
    - Initiate an investigation within 21 days of any report or discovery of a suspected illicit connection to determine the source of the connection, the nature and volume of discharge through the connection, and the party responsible for the connection.

- Upon confirmation of an illicit connection, use the compliance strategy in a documented effort to eliminate the illicit connection within 6 months. All known illicit connections to the MS4 shall be eliminated.
- Permittees shall train staff who are responsible for identification, investigation, termination, cleanup, and reporting of illicit discharges, including spills, and illicit connections, to conduct these activities. Follow-up training shall be provided as needed to address changes in procedures, techniques, requirements or staffing. Permittees shall document and maintain records of the training provided and the staff trained.
- Recordkeeping: Each Permittee shall track and maintain records of the activities conducted to meet the requirements of this Section. In the Annual Report, each Permittee shall submit data for the illicit discharges, spills and illicit connections including those that were found by, reported to, or investigated by the Permittee during the previous calendar year. The data shall include the information specified in Appendix 12 and WQWebIDDE. Each Permittee may either use their own system or WQWebIDDE for recording this data. Final submittals shall follow the instructions, timelines, and format as described in Appendix 12.

## **7.2 Planned Activities**

Future activities planned to meet the Illicit Discharge and Detection and Elimination requirement of the permit are listed in Table 7-1.

**Table 7-1**  
**Planned Activities for Illicit Discharge Detection and Elimination**

<b>Task ID</b>	<b>Task Description</b>	<b>Schedule</b>
IDDE-1	Maintain IDDE program for reporting, correcting and/or removing illicit connections or spills. Document issues identified through field screening, inspections, complaints/reports, construction inspections, maintenance inspections, source control inspections and/or monitoring. Maintain documented procedures for addressing illicit discharges/connections.	Ongoing
IDDE-2	<b>For spills:</b> <ul style="list-style-type: none"> <li>Per Section G3, provide notice to Ecology and other spill response authorities within 24 hours of knowledge of a discharge/spill that is <u>a threat to human health, welfare or the environment</u>.</li> <li>Per Section S4.F.1., within 30 days, write a letter to Ecology of the incident, identifying the water quality violation.</li> <li>Document <u>any</u> spill/discharge or illicit connection to Ecology's online WQWebIDDE.</li> </ul>	As needed
IDDE-3	Provide general public with information related to IDDE including hotline on City website. List actions in Annual Report.	Ongoing
IDDE-4	Implement/Review ordinance to prohibit illicit discharges including escalating enforcement actions.	Ongoing
IDDE-5	Continue to use the <i>Illicit Connection and Illicit Discharge Field Screening and Source Tracing Guidance Manual</i> for field screening. Cite this source in Annual Report.	Ongoing
IDDE-6	Field Screen average of 12% of system for IDDE each year (Maintain records of which areas have been field screened and date inspected). This is typically done through cb inspections.	12% of total system (annually); New cycle due Aug. 1, 2025
IDDE-7	Maintain hotline for reporting spills/illicit discharges; Document all calls and within the Annual Report, note how the hotline was advertised.	Ongoing
IDDE-8	Renew IDDE training for field staff and public employees; IDDE training may be done by an outside class, educational videos, or by qualified City personnel. The IDDE training shall include a summary of the City's IDDE reference manual (latest <i>IC-ID Field Screening and Source Tracing Guidance Manual</i> ) including discussions on field screening techniques, indicators, source tracing methodologies and appropriate contact personnel. Track each training session with names of employees, their positions, and date.	November 2024
IDDE-9	Include WQWebIDDE report with Annual Report	March 31 <sup>st</sup> , annually

## **8.0 CONTROLLING RUNOFF FROM NEW DEVELOPMENT, REDEVELOPMENT, AND CONSTRUCTION SITES**

The following section describes the Permit requirements related to controlling runoff from new development, redevelopment and construction sites. It also describes the planned activities the City intends to conduct to meet these requirements.

### **8.1 Permit Requirements**

The 2019 Permit (Section S5.C.6) requires the City to:

- Implement an ordinance or other enforceable mechanism that addresses runoff from new development, redevelopment, and construction site projects.
- Each Permittee shall adopt and make effective a local program, no later than June 30, 2022, that meets the requirements of S5.C.6.b(i) through (iii), below, and shall apply to all applications submitted:
  - On or after July 1, 2022.
  - Prior to January 1, 2017, that have not started construction by January 1, 2022.
  - Prior to July 1, 2022, that have not started construction by July 1, 2027.
- The ordinance or other enforceable mechanism shall include, at a minimum:
  - The Minimum Requirements, thresholds, and definitions in Appendix 1, or the 2013 Appendix 1 amended to include the changes identified in Appendix 10, or Phase I program approved by Ecology and amended to include Appendix 10, for new development, redevelopment, and construction sites. Adjustment and variance criteria equivalent to those in Appendix 1 shall be included. More stringent requirements may be used, and/or certain requirements may be tailored to local circumstances through the use of Ecology-approved basin plans or other similar water quality and quantity planning efforts. Such local requirements and thresholds shall provide equal protection of receiving waters and equal levels of pollutant control to those provided in Appendix 1.
  - The local requirements shall include the following requirements, limitations, and criteria that, when used to implement the minimum requirements in Appendix 1 (or program approved by Ecology under the 2019 Phase I Permit) will protect water quality, reduce the discharge of



pollutants to the MEP, and satisfy the State requirement under Chapter 90.48 RCW to apply AKART prior to discharge:

- Site planning requirements
- BMP selection criteria
- BMP design criteria
- BMP infeasibility criteria
- LID competing needs criteria
- BMP limitations

Permittees shall document how the criteria and requirements will protect water quality, reduce the discharge of pollutants to the MEP, and satisfy State AKART requirements.

Permittees who choose to use the requirements, limitations, and criteria, above, in the *Stormwater Management Manual for Western Washington*, or a Phase I program approved by Ecology, may cite this choice as their sole documentation to meet this requirement.

- The legal authority, through the approval process for new development and redevelopment, to inspect and enforce maintenance standards for private stormwater facilities approved under the provisions of this Section that discharge to the Permittee's MS4.
- The program shall include a permitting process with site plan review, inspection and enforcement capability to meet the standards listed in (i) through (iv) below, for both private and public projects, using qualified personnel (as defined in *Definitions and Acronyms*). At a minimum, this program shall be applied to all sites that meet the minimum thresholds adopted pursuant to what is listed above.
  - Review of all stormwater site plans for proposed development activities.
  - Inspect, prior to clearing and construction, all permitted development sites that have a high potential for sediment transport as determined through plan review based on definitions and requirements in Appendix 7 – *Determining Construction Site Sediment Damage Potential*. As an alternative to evaluating each site according to Appendix 7, Permittees may choose to inspect all construction sites that meet the minimum thresholds adopted pursuant to S5.C.6.b.i, above.
  - Inspect all permitted development sites during construction to verify proper installation and maintenance of required erosion and sediment controls. Enforce as necessary based on the inspection.
  - Each Permittee shall manage maintenance activities to inspect all stormwater treatment and flow control BMPs/facilities, and catch basins, in new residential developments every six months, until 90% of the lots

are constructed (or when construction has stopped and the site is fully stabilized), to identify maintenance needs and enforce compliance with maintenance standards as needed.

- Inspect all permitted development sites upon completion of construction and prior to final approval or occupancy to ensure proper installation of permanent stormwater facilities. Verify that a maintenance plan is completed and responsibility for maintenance is assigned for stormwater treatment and flow control BMPs/facilities. Enforce as necessary based on the inspection.
  - Compliance with the inspection requirements in (ii) through (v), above, shall be determined by the presence and records of an established inspection program designed to inspect all sites. Compliance during this permit term shall be determined by achieving at least 80% of required inspections. The inspections may be combined with other inspections provided they are performed using qualified personnel.
  - The program shall include a procedure for keeping records of inspections and enforcement actions by staff, including inspection reports, warning letters, notices of violations, and other enforcement records. Records of maintenance inspections and maintenance activities shall be maintained.
  - An enforcement strategy shall be implemented to respond to issues of non-compliance.
- The program shall make available, as applicable, the link to the electronic *Construction Stormwater General Permit* Notice of Intent (NOI) form for construction activity and, as applicable, a link to the electronic *Industrial Stormwater General Permit* NOI form for industrial activity to representatives of proposed new development and redevelopment. Permittees shall continue to enforce local ordinances controlling runoff from sites that are also covered by stormwater permits issued by Ecology.
  - Each Permittee shall ensure that all staff whose primary job duties are implementing the program to control stormwater runoff from new development, redevelopment, and construction sites, including permitting, plan review, construction site inspections, and enforcement, are trained to conduct these activities. Follow-up training must be provided as needed to address changes in procedures, techniques or staffing. Permittees shall document and maintain records of the training provided and the staff trained.

## 8.2 Planned Activities

Future activities planned to meet the Control Runoff from New Development, Redevelopment and Construction Sites requirement of the permit are listed in Table 8-1.

**Table 8-1**

**Planned Activities for Controlling Runoff from New Development, Redevelopment and Construction Sites**

<b>Task ID</b>	<b>Task Description</b>	<b>Schedule</b>
CTRL-1	Maintain ordinance that addresses runoff from new development, redevelopment and construction site projects including the adoption of Appendix 1 of the Permit (which includes adoption of the Stormwater Management Manual for Western Washington); Cite code reference in Annual Report	Ongoing
CTRL-2	Maintain ordinance ensuring that maintenance standards for private stormwater facilities are necessary and should be documented and reviewed during the plan review process	Ongoing
CTRL-3	Review site plans for compliance with City Code (Keep track of number of site plans reviewed)	Ongoing
CTRL-4	Inspect construction sites prior to and during construction for erosion control (Maintain inspection records; see CTRL-6).	Ongoing
CTRL-5	Provide post construction inspections prior to approval for compliance with City Code and to verify a maintenance plan is in place. (Maintain inspection records; see CTRL-6).	Ongoing
CTRL-6	Maintain records of inspections (Include name of inspector, date, findings, warning letters, notices of violations, enforcement actions).	Ongoing <i>(Need to complete 80% of scheduled inspections)</i>
CTRL-7	Make available (via website and developer checklist) the electronic links to Ecology's Construction Stormwater General Permit Notice of Intent and the Industrial Stormwater General Permit Notice of Intent to developers.	Ongoing
CTRL-8	Train staff in the site plan review process, inspections, and enforcement. Training shall include specifics on how to apply the latest Department of Ecology <i>Stormwater Management Manual for Western</i>	Ongoing/New Hires

<b>Task ID</b>	<b>Task Description</b>	<b>Schedule</b>
	<i>Washington</i> as well as appropriate communication methods needed with developers. Onsite inspections and enforcement shall be provided by qualified City personnel and/or appropriate Certified Erosion and Sediment Control Lead (CESCL) classes. Maintain records of this training and names of staff trained.	

## 9.0 OPERATIONS AND MAINTENANCE

The following section describes the Permit requirements related to the City's stormwater operation and maintenance practices. It also describes the planned activities the City intends to conduct to meet these requirements.

### 9.1 Permit Requirements

The 2019 Permit (Section S5.C.7) requires the City to:

- Each Permittee shall implement maintenance standards that are as protective, or more protective, of facility function than those specified in the *Stormwater Management Manual for Western Washington* or a Phase I program approved by Ecology. For facilities which do not have maintenance standards, the Permittee shall develop a maintenance standard. No later than June 30, 2022, Permittees shall update their maintenance standards as necessary to meet the requirements of this Section.
  - The purpose of the maintenance standard is to determine if maintenance is required. The maintenance standard is not a measure of the facility's required condition at all times between inspections. Exceeding the maintenance standard between inspections and/or maintenance is not a permit violation.
  - Unless there are circumstances beyond the Permittee's control, when an inspection identifies an exceedance of the maintenance standard, maintenance shall be performed:
    - Within 1 year for typical maintenance of facilities, except catch basins.
    - Within 6 months for catch basins.
    - Within 2 years for maintenance that requires capital construction of less than \$25,000.

Circumstances beyond the Permittee's control include denial or delay of access by property owners, denial or delay of necessary permit approvals, and unexpected reallocations of maintenance staff to perform emergency work. For each exceedance of the required timeframe, the Permittee shall document the circumstances and how they were beyond their control.
- Maintenance of stormwater facilities regulated by the Permittee
  - The program shall include provisions to verify adequate long-term O&M of stormwater treatment and flow control BMPs/facilities that are permitted and constructed pursuant to S.5.C.6.c and shall be maintained in accordance with S5.C.7.a.

The provisions shall include:

- Implementation of an ordinance or other enforceable mechanism that:
  - Clearly identifies the party responsible for maintenance in accordance with maintenance standards established under S5.C.7.a.
  - Requires inspection of facilities in accordance with the requirements in (b), below.
  - Establishes enforcement procedures.
- Annual inspections of all stormwater treatment and flow control BMPs/facilities that discharge to the MS4 and were permitted by the Permittee according to S5.C.6.c, including those permitted in accordance with requirements adopted pursuant to the 2007-2019 Ecology municipal stormwater permits, unless there are maintenance records to justify a different frequency.

Permittees may reduce the inspection frequency based on maintenance records of double the length of time of the proposed inspection frequency. In the absence of maintenance records, the Permittee may substitute written statements to document a specific less frequent inspection schedule. Written statements shall be based on actual inspection and maintenance experience and shall be certified in accordance with G19 – *Certification and Signature*.

- Compliance with the inspection requirements in (b), above, shall be determined by the presence and records of an established inspection program designed to inspect all facilities, and achieving at least 80% of required inspections.
  - The program shall include a procedure for keeping records of inspections and enforcement actions by staff, including inspection reports, warning letters, notices of violations, and other enforcement records. Records of maintenance inspections and maintenance activities shall be maintained.
- Maintenance of stormwater facilities owned or operated by the Permittee.
    - Each Permittee shall implement a program to annually inspect all municipally owned or operated stormwater treatment and flow control BMPs/facilities, and taking appropriate maintenance actions in accordance with the adopted maintenance standards.

Permittees may reduce the inspection frequency based on maintenance records of double the length of time of the proposed inspection frequency. In the absence of maintenance records, the Permittee may substitute written statements to document a specific less frequent inspection

schedule. Written statements shall be based on actual inspection and maintenance experience and shall be certified in accordance with G19 – *Certification and Signature*.

- Each Permittee shall spot check potentially damaged stormwater treatment and flow control BMPs/facilities after major storm events (24 hour storm event with a 10 year or greater recurrence interval). If spot checks indicate widespread damage/maintenance needs, inspect all stormwater treatment and flow control BMPs/facilities that may be affected. Conduct repairs or take appropriate maintenance action in accordance with maintenance standards established above, based on the results of the inspections.
- Each Permittee shall inspect all catch basins and inlets owned or operated by the Permittee every two years. Clean catch basins if the inspection indicates cleaning is needed to comply with maintenance standards established in the *Stormwater Management Manual for Western Washington*. Decant water shall be disposed of in accordance with Appendix 6 –*Street Waste Disposal*.

The following alternatives to the standard approach of inspecting all catch basins every two years may be applied to all or portions of the system:

- The catch basin inspection schedule of every two years may be changed as appropriate to meet the maintenance standards based on maintenance records of double the length of time of the proposed inspection frequency. In the absence of maintenance records for catch basins, the Permittee may substitute written statements to document a specific, less frequent inspection schedule. Written statements shall be based on actual inspection and maintenance experiences and shall be certified in accordance with G19 –*Certification and Signature*.
- Inspections every two years may be conducted on a basis whereby 25% of catch basins and inlets within each circuit are inspected to identify maintenance needs. Include an inspection of the catch basin immediately upstream of any MS4 outfall, discharge point, or connections to public or private storm systems, if applicable. Clean all catch basins within a given circuit for which the inspection indicates cleaning is needed to comply with maintenance standards established under S5.C.7.a, above.
- The Permittee may clean all pipes, ditches, and catch basins and inlets within a circuit once during the permit term. Circuits selected for this alternative must drain to a single point.

- Compliance with the inspection requirements in S5.C.7.c.i-iii, above, shall be determined by the presence of an established inspection program achieving at least 95% of required inspections.
- Implement practices, policies, and procedures to reduce stormwater impacts associated with runoff from all lands owned or maintained by the Permittee, and road maintenance activities under the functional control of the Permittee. No later than December 31, 2022, document the practices, policies, and procedures. Lands owned or maintained by the Permittee include, but are not limited to: streets, parking lots, roads, highways, buildings, parks, open space, road right-of-ways, maintenance yards, and stormwater treatment and flow control BMPs/facilities.

The following activities shall be addressed:

- Pipe cleaning
- Cleaning of culverts that convey stormwater in ditch systems
- Ditch maintenance
- Street cleaning
- Road repair and resurfacing, including pavement grinding
- Snow and ice control
- Utility installation
- Pavement striping maintenance
- Maintaining roadside areas, including vegetation management
- Dust control
- Application of fertilizers, pesticides, and herbicides according to the instructions for their use, including reducing nutrients and pesticides using alternatives that minimize environmental impacts
- Sediment and erosion control
- Landscape maintenance and vegetation disposal
- Trash and pet waste management
- Building exterior cleaning and maintenance
- Implement an ongoing training program for employees of the Permittee whose primary construction, operations, or maintenance job functions may impact stormwater quality. The training program shall address the importance of protecting water quality, operation and maintenance standards, inspection procedures, relevant SWPPPs, selecting appropriate BMPs, ways to perform their job activities to prevent or minimize impacts to water quality, and procedures for reporting water quality concerns. Follow-up training shall be provided as needed to address changes in procedures, techniques, requirements, or staffing. Permittees shall document and maintain records of training provided. The staff training records to be kept include dates, activities or course descriptions, and names and positions of staff in attendance.
- Implement a Stormwater Pollution Prevention Plan (SWPPP) for all heavy equipment maintenance or storage yards, and material storage facilities owned or



operated by the Permittee in areas subject to this Permit that are not required to have coverage under the *Industrial Stormwater General Permit* or another NPDES permit that authorizes stormwater discharges associated with the activity. As necessary, update SWPPPs no later than December 31, 2022, to include the following information. At a minimum, the SWPPP shall include:

- A detailed description of the operational and structural BMPs in use at the facility and a schedule for implementation of additional BMPs when needed. BMPs selected must be consistent with the *Stormwater Management Manual for Western Washington*, or a Phase I program approved by Ecology. The SWPPP must be updated as needed to maintain relevancy with the facility.
- At minimum, annual inspections of the facility, including visual observations of discharges, to evaluate the effectiveness of the BMPs, identify maintenance needs, and determine if additional or different BMPs are needed. The results of these inspections must be documented in an inspection report or check list.
- An inventory of the materials and equipment stored on-site, and the activities conducted at the facility which may be exposed to precipitation or runoff and could result in stormwater pollution.
- A site map showing the facility's stormwater drainage, discharge points, and areas of potential pollutant exposure.
- A plan for preventing and responding to spills at the facility which could result in an illicit discharge.
- Maintain records of the activities conducted to meet the requirements of this Section.

## 9.2 Planned Activities

Future activities planned to meet the Municipal Operations and Maintenance requirement of the permit are listed in Table 9-1.

**Table 9-1**

### **Planned Activities for Municipal Operations and Maintenance**

<b>Task ID</b>	<b>Task Description</b>	<b>Schedule</b>
O&M-1	Maintain records of inspections and maintenance activities. List number of stormwater treatment and flow control facilities that 1) are located in the City,	Ongoing

Task ID	Task Description	Schedule
	2) were inspected and 3) were maintained in Annual Report.	
O&M-2	<p>Provide annual inspections of all public stormwater treatment and flow control BMPs/facilities.</p> <ul style="list-style-type: none"> <li>▪ Maintain inspection records; see O&amp;M-1.</li> <li>▪ Document if a reduced inspection frequency is used.</li> <li>▪ If inspection reveals that a maintenance standard is not being maintained, need to perform maintenance: <ul style="list-style-type: none"> <li>○ within 1 year (all facilities except public catch basins)</li> <li>○ within 6 months (public catch basins) or</li> <li>○ within 2 years (maintenance that requires capital construction of less than \$25,000).</li> </ul> </li> <li>▪ Document when/if maintenance standard could not be met on time and attach to Annual Report.</li> </ul>	Ongoing
O&M-3	<p>Provide annual inspections of all private stormwater treatment and flow control BMPs/facilities.</p> <p>Document results/enforcements and provide follow-up inspections as needed. Any maintenance activity shall be recorded.</p>	Ongoing
O&M-4 / CTRL-2	Maintain ordinance identifying responsible party for maintaining private flow control and water quality facilities and that allows inspection and enforcement of maintenance standards of these facilities	Ongoing
O&M-5	Spot check treatment and flow control facilities/BMPs and repair if necessary.	After 24-hour/10-year storms (Ongoing)
O&M-6	<p>Train staff in O&amp;M operations (reference City's <i>Water Quality BMP Practices O&amp;M for Publicly Owned Property</i>), inspection procedures, reporting water quality concerns, SWPPPs, and on efforts to reduce pollutants to runoff. Maintain records of this training, names/positions of staff trained and dates training was held. Resources for training classes may be found at:</p> <ul style="list-style-type: none"> <li>• <a href="https://www.wastormwatercenter.org/permit-assistance/municipal/municipal-events/">https://www.wastormwatercenter.org/permit-assistance/municipal/municipal-events/</a></li> <li>• <a href="https://www.wastormwatercenter.org/permit-assistance/municipal/permit-assistance-2/ic-id/">https://www.wastormwatercenter.org/permit-assistance/municipal/permit-assistance-2/ic-id/</a></li> </ul>	Ongoing/New Hires

Task ID	Task Description	Schedule
	<ul style="list-style-type: none"> <li><a href="https://ecoss.org/projects/municipal-stormwater/">https://ecoss.org/projects/municipal-stormwater/</a></li> </ul>	
O&M-7	Inspect catch basins and inlets; If catch basins are to be inspected in Jan – Aug 2024, prioritize the Mason St. Basin to meet intent of SMAP. The total number of cbs, how many inspected and how many cleaned will be documented in the City’s asset tracking software and noted within the Annual Report.	<p>Typically inspect 50% annually <i>(all cbs to be inspected every 2 years; new cycle due Aug. 1, 2025);</i></p> <p>For Jan – Aug 2024 – minimum 12% <i>(unless IDDE goal of 12% is achieved through outfall inspections)</i></p>

## 10.0 SOURCE CONTROL PROGRAM FOR EXISTING DEVELOPMENT

The following section describes the Permit requirements related to the Source Control Program for Existing Development and the planned activities the City intends to conduct to meet these requirements.

### 10.1 Permit Requirements

The 2019 Permit (Section S5.C.8) requires the City to:

- The Permittee shall implement a program to prevent and reduce pollutants in runoff from areas that discharge to the MS4. The program shall include:
  - Application of operational source control BMPs, and if necessary, structural source control BMPs or treatment BMPs/facilities, or both, to pollution generating sources associated with existing land uses and activities.
  - Inspections of pollutant generating sources at publicly and privately owned institutional, commercial and industrial sites to enforce implementation of required BMPs to control pollution discharging into the MS4.
  - Application and enforcement of local ordinances at sites, identified pursuant to S5.C.8.b.ii, including sites with discharges authorized by a separate NPDES permit.
  - Permittees that are in compliance with the terms of this Permit will not be held liable by Ecology for water quality standard violations or receiving

water impacts caused by industries and other Permittees covered, or which should be covered under an NPDES permit issued by Ecology.

- Practices to reduce polluted runoff from the application of pesticides, herbicides, and fertilizers from the sites identified in the inventory.

- **Minimum performance measures:**

- No later than August 1, 2022, Permittees shall adopt and make effective an ordinance(s), or other enforceable documents, requiring the application of source control BMPs for pollutant generating sources associated with existing land uses and activities (see Appendix 8 to identify pollutant generating sources).

The requirements of this subsection are met by using the source control BMPs in the SWMMWW, or a Phase I Program approved by Ecology. In cases where the manual(s) lack guidance for a specific source of pollutants, the Permittee shall work with the owner/operator to implement or adapt BMPs based on the best professional judgement of the Permittee.

Applicable operational source control BMPs shall be required for all pollutant generating sources. Structural source control BMPs, or treatment BMPs/facilities, or both, shall be required for pollutant generating sources if operational source control BMPs do not prevent illicit discharges or violations of surface water, groundwater, or sediment management standards because of inadequate stormwater controls. Implementation of source control requirements may be done through education and technical assistance programs, provided that formal enforcement authority is available to the Permittee and is used as determined necessary by the Permittee, in accordance with S5.C.8.b.iv, below.

- No later than August 1, 2022, the Permittees shall establish an inventory that identifies publicly and privately owned institutional, commercial, and industrial sites which have the potential to generate pollutants to the MS4. The inventory shall include:
  - Businesses and/or sites identified based on the presence of activities that are pollutant generating (refer to Appendix 8).
  - Other pollutant generating sources, based on complaint response, such as: home-based businesses and multi-family sites.
- No later than January 1, 2023, Permittees shall implement an inspection program for sites identified pursuant to S5.C.8.b.ii, above.
  - All identified sites with a business address shall be provided information about activities that may generate pollutants and the

source control requirements applicable to those activities. This information shall be provided by mail, telephone, electronic communications, or in person. This information may be provided all at one time or spread out over the permit term to allow for tailoring and distribution of the information during site inspections.

- The Permittee shall annually complete the number of inspections equal to 20% of the businesses and/or sites listed in their source control inventory to assess BMP effectiveness and compliance with source control requirements. The Permittee may count follow-up compliance inspections at the same site toward the 20% inspection rate. The Permittee may select which sites to inspect each year and is not required to inspect 100% of sites over a 5-year period. Sites may be prioritized for inspection based on their land use category, potential for pollution generation, proximity to receiving waters, or to address an identified pollution problem within a specific geographic area or sub-basin.
  - Each Permittee shall inspect 100% of sites identified through credible complaints.
  - Permittees may count inspections conducted based on complaints, or when the property owner denies entry, to the 20% inspection rate.
- No later than January 1, 2023, each Permittee shall implement a progressive enforcement policy that requires sites to comply with stormwater requirements within a reasonable time period as specified below:
    - If the Permittee determines, through inspections or otherwise, that a site has failed to adequately implement required BMPs, the Permittee shall take appropriate follow-up action(s), which may include phone calls, reminder letters, emails, or follow-up inspections.
    - When a Permittee determines that a site has failed to adequately implement BMPs after a follow-up inspection(s), the Permittee shall take enforcement action as established through authority in its municipal codes or ordinances, or through the judicial system.
    - Each Permittee shall maintain records, including documentation of each site visit, inspection reports, warning letters, notices of violations, and other enforcement records, demonstrating an effort to bring sites into compliance. Each Permittee shall also maintain

records of sites that are not inspected because the property owner denies entry.

- A Permittee may refer non-emergency violations of local ordinances to Ecology, provided, the Permittee also makes a documented effort of progressive enforcement. At a minimum, a Permittee's enforcement effort shall include documentation of inspections and warning letters or notices of violation.
- Permittees shall train staff who are responsible for implementing the source control program to conduct these activities. The ongoing training program shall cover the legal authority for source control, source control BMPs and their proper application, inspection protocols, lessons learned, typical cases, and enforcement procedures. Follow-up training shall be provided as needed to address changes in procedures, techniques, requirements, or staff. Permittees shall document and maintain records of the training provided and the staff trained.

## 10.2 Planned Activities

Future activities planned to meet the Source Control Program requirement of the permit are listed in Table 10-1.

**Table 10-1**

### **Planned Activities for Business Source Control Inspection**

<b>Task ID</b>	<b>Task Description</b>	<b>Schedule</b>
BUS-3	Implement business source control inspection program including education (via mail/phone/in-person) about source control BMPs. Document all inspections (including follow-ups) with business category, number of times inspected and if enforcement actions were taken in a single list. Include this list with the Annual Report. Also, document records of sites where the owner denies entry.	Annually inspect 20% of inventory ( <i>follow-up inspections, complaints and denied entries can count toward the 20%</i> )
BUS-4	Inspect all complaint-based businesses for pollution generating sources and installed BMPs.	Ongoing
BUS-6	Train staff on conducting business source control inspections including inspection protocols, lessons learned, and enforcement procedures.	Ongoing/New Hires

## 11.0 COMPLIANCE WITH TOTAL MAXIMUM DAILY LOAD (TMDL) REQUIREMENTS

The following section describes the Permit requirements related to the City's participation associated with the Buckley River Tributaries' Total Maximum Daily Load (TMDL). It also describes the planned activities the City intends to conduct to meet these requirements.

### 11.1 Permit Requirements

The 2019 Permit (Appendix 2) requires the City to:

- Designate areas discharging via the MS4 to Spiketon Creek as high priority areas for illicit discharge detection and elimination. Complete IDDE screening for bacteria sources in 100% of these sub-basins July 31, 2024, and implement the schedules and activities identified in S5.C.5 of the Western Washington Phase II Permit, in response to any illicit discharges found. Investigation must include activities for both the dry season (May through September) and the wet season (October through April). The results of all bacterial screening conducted in these sub-basins shall be included in the annual reports submitted to Ecology.

### 11.2 Planned Activities

Future activities planned to meet the TMDL requirement of the permit are listed in Table 11-1.

**Table 11-1**

**Planned Activities for TMDL Requirements**

<b>Task ID</b>	<b>Task Description</b>	<b>Schedule</b>
TMDL-1/ IDDE-6	Prioritize IDDE inspections (Task IDDE-6) for discharges to Spiketon Creek higher than other locations throughout the City.	Ongoing <i>(Volunteer monitoring annually)</i>

## 12.0 MONITORING

The following section describes the Permit requirements related to monitoring. It also describes the planned activities the City intends to conduct to meet these requirements.

## 12.1 Permit Requirements

The 2019 Permit (Section S8) requires the City to:

- Describe any monitoring related studies conducted throughout the year in the Annual Report.
- Reporting involved with the Regional Stormwater Management Program is not necessary as part of the Annual Report. The regional program includes status and trends monitoring, stormwater management program effectiveness studies, and source identification/diagnostic monitoring.

## 12.2 Planned Activities

Future activities planned to meet the monitoring requirement of the permit are listed in Table 12-1.

**Table 12-1**

### **Planned Activities for Monitoring Requirements**

<b>Task ID</b>	<b>Task Description</b>	<b>Schedule</b>
MON-1	Opt into Regional Stormwater Management Program by paying the following fee categories: <ul style="list-style-type: none"><li>• Status and Trends Monitoring</li><li>• Stormwater Program Effectiveness</li><li>• Source Identification and Diagnostic Monitoring</li></ul>	Aug. 15 <sup>th</sup> , each year

## 13.0 REPORTING REQUIREMENTS

The following section describes the Permit requirements related to reporting. It also describes the planned activities the City intends to conduct to meet these requirements.

### 13.1 Permit Requirements

The 2019 Permit (Section S9) requires the City to:

- Submit an Annual Report by March 31<sup>st</sup> of each year. The report will include:
  - Copy of the current SWMP
  - Annual Report Form (per Ecology)
  - Attachments (summaries, descriptions, reports, etc.)
  - Certification and signature



- Notice if the City is relying on another entity to assist with permit requirements
- Notification of any annexations, incorporations or jurisdictional boundary changes
- Keep all records related to the permit and the SWMP for at least five years.
- All records related to the permit shall be available to the public at reasonable times during business hours.

### 13.2 Planned Activities

Future activities planned to meet the monitoring requirement of the permit are listed in Table 13-1.

**Table 13-1**

**Planned Activities for Reporting Requirements**

<b>Task ID</b>	<b>Task Description</b>	<b>Schedule</b>
REP-1	Submit Annual Report	March 31 <sup>st</sup> , each year
REP-2 / TMDL-1	Include TMDL Summary with Annual Report	March 31 <sup>st</sup> , each year
REP-3	Attach letters notifying Ecology of relying on another entity to satisfy one or more permit obligations.	March 31 <sup>st</sup> , each year

## 14.0 COMPLIANCE WITH UNDERGROUND INJECTION CONTROL (UIC) WELL PROGRAM REQUIREMENTS

The UIC Program rule, chapter 173-218 WAC, is the regulatory authority for underground injection control wells in Washington. This section describes the requirements of the UIC well program.

### 14.1 UIC Program Requirements

To use the presumptive approach to meet UIC program rule authorization for municipal Class V UIC wells, jurisdictions have the option of applying the Stormwater Management Program (SWMP) that complies with their MS4 Permit to the areas served by their municipal UIC wells.

The requirements include:

- Register all UIC wells, existing (in use before February 3, 2006) and new, with Ecology.
- Complete well assessment for all existing wells in use prior to February 3, 2006.
- Site, design, construct, operate, and maintain new UIC wells according to the specifications throughout the 2019 Stormwater Management Manual for Western Washington (SWMMWW) Section I-4 Underground Injection Wells
- Fulfill source control and O&M requirements for both new and existing UIC wells by:
  - O&M according to the specifications of SWMMWW Section I-4.
  - Source control activities (including targeted education and outreach) that are well-suited for land uses associated with the UIC wells and to the specifications in the SWMMWW.
  - Provide illicit discharge detection and elimination (IDDE) programs in areas served by the UIC wells to prevent pet waste and control other sources of pathogens.

## 14.2 Current Activities

The City of Buckley currently has no municipal Class V UIC wells. If constructed, they will meet the requirements of the UIC Program by applying the SWMP to the entire MS4, including areas served by UIC facilities.

**Table 14-1**

### Planned Activities for UIC Well Reporting Requirements

Task ID	Task Description	Schedule
UIC-1	For new UIC wells, registration forms are submitted 60 days prior to construction to allow for a full review of the application by Ecology and the City. All UIC wells will comply with the siting design, and treatment requirements through either the presumptive approach or the demonstrative approach.	Ongoing/As needed
UIC-2	The City will provide operations and maintenance of all UIC wells per the specifications in SWMMWW I-4.11	As needed
UIC-3	The City's Source Control Program will target pollution generating sources that potentially contribute storm runoff to the UIC wells. The City will inspect 100% of source control complaints utilizing BMP educational materials and illicit discharge violations as needed	Ongoing

<b>Task ID</b>	<b>Task Description</b>	<b>Schedule</b>
UIC-4	The City's Municipal Code 14.30 outlines storm water management regulations and provides a mechanism to take enforcement actions for any code violations	Ongoing
UIC-5 / IDDE-1	The City implements an IDDE program to promote no other liquids other than stormwater to drain to UIC wells and to reduce potential pollutants in stormwater in general	Ongoing
UIC-6 / IDDE-3	The City's general public education program helps to identify and correct sources of stormwater pollution. Sampling results are used to identify and eliminate the sources of pollution. Staff also investigate any spill complaints and address them with best management practices as appropriate in a timely manner.	Ongoing
UIC-7 / BUS-3	Continue to implement Source Control and IDDE programs to identify and correct any potential sources of pollution.	Ongoing

**CITY OF BUCKLEY, WASHINGTON**

**ORDINANCE NO. \_\_\_\_- 24**

**AN ORDINANCE OF THE CITY OF BUCKLEY, PIERCE COUNTY, WASHINGTON,  
ADOPTING A NEW 2024 CITY OF BUCKLEY PHASE II NPDES STORMWATER  
MANAGEMENT PROGRAM.**

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**WHEREAS**, the Federal Environmental Protection Agencies phase II regulations went into effect in early 2003 and apply to all regulated small municipal separate storm sewer systems; and

**WHEREAS**, on August 1, 2019 Washington State Department of Ecology (Ecology) issued a Western Washington phase II municipal stormwater permits. The Phase II permit for Western Washington covers at least 80 cities and five counties; and

**WHEREAS**, Ecology determined that the City of Buckley was to be included under this Stormwater Phase II NPDES Permit coverage; and

**WHEREAS**, the newly reissued Phase II permit requires that each municipality meet the requirements of their NPDES permit. Each municipality's permit for discharging stormwater is designed to reduce the discharge of pollutants, protect water quality, and meet the requirements of the Clean Water Act.

**WHEREAS**, the newly reissued Phase II permits requires stormwater managers to develop a new “revised” *Stormwater Management Plan (SWMP)* that is a “forward only” looking document that describes what the City will do (not what was done in the past) during the next permit phase.

**WHEREAS**, the Phase II municipal permits require that permittees develop—and annually update—a Stormwater Management Program (SWMP) document to submit with the annual report; and

**WHEREAS**, City staff with assistance from engineers from Gray & Osborne have modified the City’s previously adopted SWMP to meet the criteria established by Ecology and ensure compliance with the Phase II NPDES; and

**WHEREAS**, the City Council desires to adopt the newly revised 2024 Stormwater Management Program to comply with the Ecology Phase II NPDES Stormwater Permit requirements;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BUCKLEY, PIERCE COUNTY,**

**WASHINGTON, DO ORDAIN AS FOLLOWS:**

**Section 1.** The City of Buckley 2023 Stormwater Management Program is hereby repealed and replaced with the Phase II NPDES 2024 Stormwater Management Program, attached as Exhibit A and incorporated by this reference as if set forth in full.

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

**Section 3.** Effective Date. A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

Passed by the City Council on the 26th day of March 2024.

\_\_\_\_\_  
Mayor Beau Burkett

Attest:

\_\_\_\_\_  
Treva Percival, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Phil Olbrechts, City Attorney

PUBLISHED: \_\_\_\_\_, 2024

EFFECTIVE: \_\_\_\_\_, 2024



# CITY COUNCIL AGENDA BILL

City of Buckley  
PO Box 1960  
Buckley, WA 98321

ITEM INFORMATION			
<b>SUBJECT:</b>  <b>Authorization to Renew Employment Agreement between the City of Buckley and Assistant Police Chief Mike Northam</b>	<b>Agenda Date: March 26, 2024</b>		<b>AB24-021</b>
	Department/Committee/Individual	Created	Reviewed
	Mayor		
	City Administrator	X	X
	City Attorney		
	City Engineer		
	City Clerk		X
	Finance Dept		
	Building Official		
	Fire Dept		X
	Parks & Recreation		
	Police Dept		
	Municipal Court		
PW/Utilities			
<b>Staff Contact: Courtney Brunell, City Administrator</b>			
<b>Attachments:</b>			
<p><b>SUMMARY STATEMENT:</b> The Assistant Police Chief's current contract was drafted in 2014. Since, changes in the salary scale for positions represented under the Police Guild resulted in represented positions having higher earning potential than the Assistant Police Chief role. The revised agreement now includes provisions for the Assistant Chief to receive longevity, certification and FTO pay, all of which contribute to the existing compression between represented and non-represented salaries. In addition, the position's salary is being adjusted based on a market analysis that found that the position was underpaid compared to local and small city comps.</p> <p>To keep the earnings for the Assistant Chief at market rate, the recommended salary for the position is R10 Step H.</p>			
<b>COMMITTEE REVIEW AND RECOMMENDATION: Admin/ Finance/ Public Safety- 3/11/24- recommended approval</b>			
<b>RECOMMENDED ACTION: Move to Approve the Employment Agreement between the City of Buckley and Michael Northam for the position of Assistant Police Chief.</b>			
RECORD OF COUNCIL ACTION			
Meeting Date	Action	Vote	

# **EMPLOYMENT AGREEMENT BETWEEN THE CITY OF BUCKLEY, WASHINGTON AND MICHAEL NORTHAM**

THIS AGREEMENT, is made this 1<sup>st</sup> day of March, 2024, by and between the City of Buckley (hereinafter referred to as the “Employer”), and Michael Northam (hereinafter referred to as the “Employee”).

WHEREAS, the City of Buckley is a non-charter, optional municipal code city organized under the Mayor-Council form of government; and

WHEREAS, the City desires to renew the contract entered into on May 1, 2014 to employ Sgt. Michael Northam in the position of Assistant Police Chief; and

WHEREAS, the agreement entered into on May 1, 2014, memorialized the terms of the promotion/employment through an employment contract that provides the employee with the same benefits as other “covered” department employees and reiterates the Civil Service policy that allows the employee to revert back to a “covered” position under certain conditions;

NOW, THEREFORE, in consideration of the mutual benefits to be derived, the parties agree as follows:

## **TERMS**

1. Commencement of Services. The Employer agrees to employ/promote Michael Northam as its Assistant Police Chief, and Michael Northam agrees to serve as the Assistant Police Chief in accordance with the terms and conditions of this Agreement.

2. Term. The Employee shall commence performing services as required under this Agreement effective March 1, 2024, and shall continue employment in this position until terminated under the provisions of this Agreement, Promotion, or for Retirement from the City, whichever comes first.

3. Duties. Employee will serve as the Assistant Police Chief for the City of Buckley, Washington performing the duties that have been established by the parties over the existing course of employment. Such duties shall include, but shall not be limited to, duties assigned by the Police Chief, filling in for the Police Chief in his/her absence, and those specified within the City adopted position description, Buckley Civil Service Rules and those that are expressly defined by Washington State statute.

4. Executive. The Employee acknowledges that he is an administrative, executive or professional employee within the meaning of the Fair Labor Standards Act or comparable state laws, and as such is not entitled to overtime pay for hours in excess of

forty (40) hours per week.

5. Civil Service. All parties acknowledge that Civil Service Rules apply to the position of Assistant Police Chief; Employee may elect to retain the right to discipline or dismissal only for cause and related rights under RCW 41.12.080 and RCW 41.12.090 and the corresponding provisions of the Buckley Civil Service Commission rules and regulations.

In the event that the Assistant Police Chief position is eliminated in the future for budgetary, reorganization, or other reasons other than just cause, the Employee may return to his last held civil service position within the department at the top step of the salary range for said position.

6. Annual Compensation. Employee shall be compensated pursuant to the adopted exempt employee salary scale. Employee shall be compensated at Range 10, Step H of the salary scale, which is listed at \$11,254 per month, which shall be paid in accordance with procedures for other employees of the City classified as exempt under the Fair Labor Standards Act ("FLSA") (29 U.S.C. 201 et seq.). Employee shall be eligible for subsequent pay increases subject to the adopted City Salary Ordinance.

7. Benefits. The Employee shall receive the same longevity, FTO, certification pay, medical benefits, vacation accrual, holiday scheduling, and sick leave as those employees covered under the most current Bargaining Unit Agreement between the City and Buckley Police Officers. Except for those listed above, the Employee shall be entitled to all other benefits that are granted to other full-time employees of the City in accordance with the City's Personnel Policy.

8. Applicable Law. This Agreement shall be governed by the laws of the State of Washington. In case of a dispute arising out of this Agreement, the venue of any lawsuit shall be Pierce County, Washington.

9. Attorney's fees. If any action, arbitration or mediation is commenced to enforce any of the provisions of this Agreement or resolve any disputes arising out of this Agreement, the prevailing party shall, in addition to other remedies, be entitled to recover its reasonable attorney's fees.

10. Dispute Resolution. In the event a dispute arises, the parties agree to submit the dispute to alternate dispute resolution prior to commencing arbitration or litigation.

11. Entire Agreement. This Agreement constitutes the entire agreement between the parties, and both parties acknowledge that there are no other agreements, oral or otherwise, that have not been fully set forth in the text of this Agreement. However, in addition to this Agreement the Assistant Police Chief shall also be subject to the personnel policies of the City of Buckley to the extent they do not conflict with this Agreement.

12. Presumption of Drafting. All parties agree that they have had the opportunity to



have the Agreement reviewed with counsel so there shall be no presumption of drafting.

13. Modification. The parties agree that this Agreement can be amended or modified only with the written concurrence of both parties.

14. Notices. Any notice required to be given under this Agreement shall be delivered or mailed to the following parties at the following addresses:

City of Buckley  
Office of the Mayor  
P.O. Box 1960  
Buckley, WA 98321

Assistant Police Chief  
Michael Northam  
P.O. Box 335  
Carbonado, WA 98323

Notices may be delivered either personally to the addressee, or may be deposited in the United States mail, postage prepaid, to the address set forth above. Any notice so posted in the United States mail shall be deemed received three (3) days after the date of mailing.

DATED this \_\_\_\_\_ day of March, 2024.

**CITY OF BUCKLEY**

**ASSISTANT POLICE CHIEF**

By \_\_\_\_\_  
Major Beau Burkett

By \_\_\_\_\_  
Michael Northam

## **F. STAFF REPORTS**

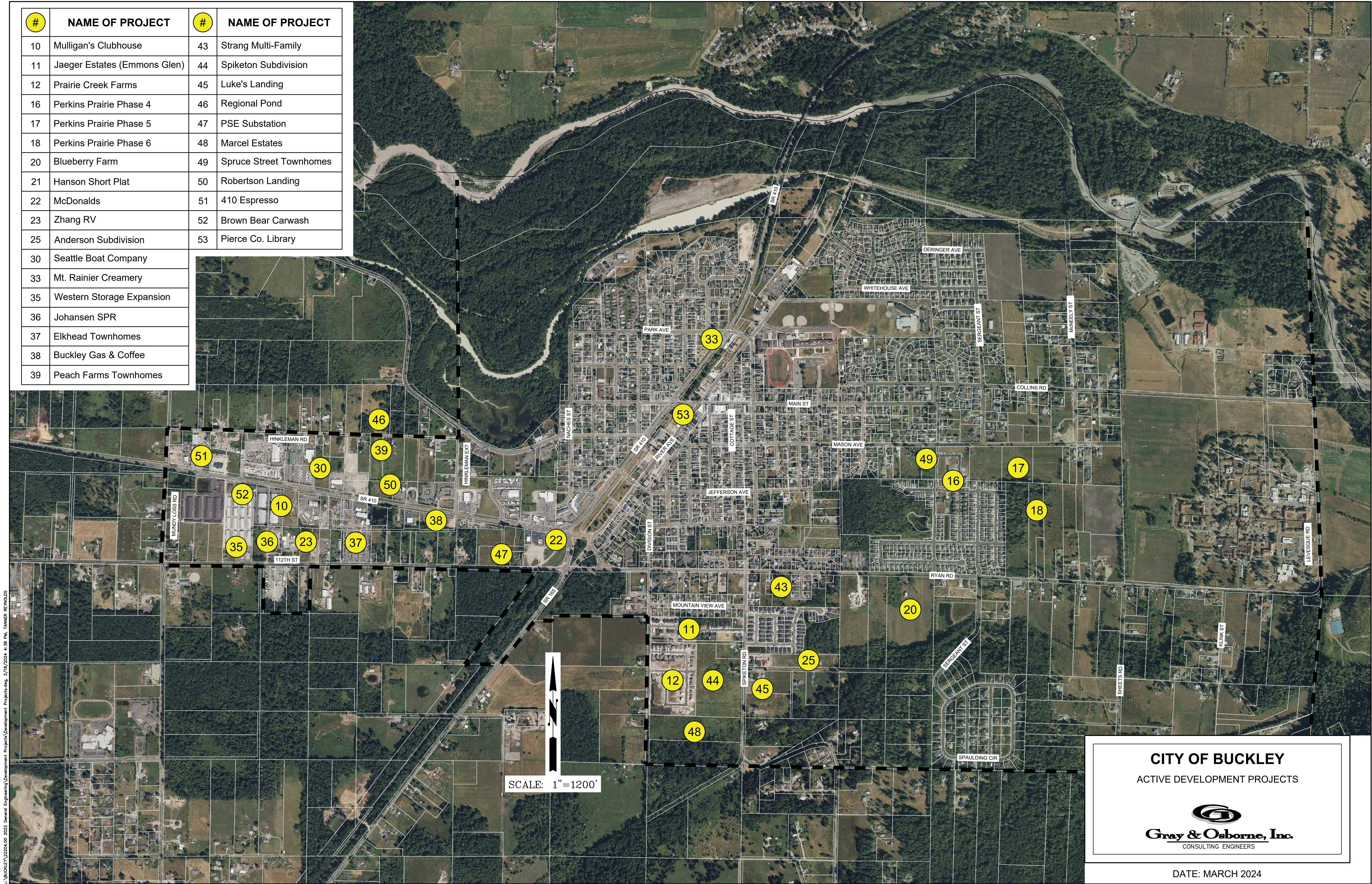
Project Name/Development Map #	Project Number	Project Status	Project Summary
#10 Mulligans Clubhouse	CUP-23-0002	Hearing was March 12.	Private club in existing building.
#11 Jeager Estates (Emmons Glen)	SUB-18-0001	Completed.	31-unit single family residential.
#12 Prairie Creek Farms	SUB-17-0001	Completed.	70-unit single family residential.
#16 Perkins Prairie Phase 4	SUB-19-0001	Almost done, several houses left.	44-unit single family residential.
#17 Perkins Prairie Phase 5	SUB-22-0004	Waiting on applicant.	57-unit single family residential.
#18 Perkins Prairie Phase 6	SUB-19-0003	Waiting on applicant.	100-unit single family residential.
#20 Blueberry Farms	SUB-19-0002 CUP-22-0001	Waiting on applicant.	68-lot single-family residential & duplexes
#22 McDonald's	SPR-22-0009	Pre-construction meeting required.	McDonald's fast food restaurant.
#23 Zhang RV	SPR-23-0002	Hearing was March 12.	Covered RV storage facility.
#25 Anderson Subdivision	SUB-23-0003	Pre-con meeting held, ready for construction.	17-unit single-family residential.
#30 Seattle Boat Company	SPR-22-0002	Applicant is pursuing bids.	Indoor boat storage facility.
#33 Mt. Rainer Creamery	SPR-21-0003	Under construction. Need to look at landscaping.	Creamery retail outlet.
#35 Western Storage Expansion	SPR-20-0005	Civil Review.	Expansion of existing self-storage facility.
#36 Johansen SPR	SPR-22-0001	Civil Review – bonds and storm plan.	Contractor yard.
#37 Elkhead Townhomes	SPR-21-0005	Under Civil Review.	28-unit townhome development.
#38 Buckley Gas and Coffee	SPR-22-0003	Waiting for applicant submittal.	Gas station and drive-thru coffee stand.

#39 Peach Farms Townhomes	SUB-22-0006	Under Civil Review	111-unit townhome development
#43 Strang Multi-Family	SPR-19-0001	Pre-con held, waiting on applicant.	20-unit townhome development.
#44 Spiketon Subdivision	SUB-23-0001	Hearing scheduled for April 9.	76-unit single family residential.
#45 Luke's Landing	SUB-22-0001	Under Construction.	31-unit single family residential.
#46 Regional Pond	MISC-23-0003	Waiting on applicant/county.	Regional storm pond tied to other developments.
#47 PSE Substation	SPR-21-0002	Under construction.	New PSE substation.
#48 Marcel Estates	SUB-22-0002	Waiting for applicant submittal.	30-unit single family residential.
#49 Spruce Street Townhomes	SPR-22-0005	Under Civil Review.	18-unit townhome development.
#50 Robertson Landing	SPR-21-0004/BSP-21-0001	Waiting for applicant submittal.	Multi-use commercial development.
#51 410 Espresso	SPR-22-0007	Under Civil Review.	Drive-thru coffee stand.
#52 Brown Bear Carwash	BC-23-0009	Needs civil approval and pre-con meeting.	Expansion of existing car wash facility.
#53 Pierce Co. Library	LDA-23-0003	Under construction.	Remediation of contaminated soil.



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#	NAME OF PROJECT	#	NAME OF PROJECT
10	Mulligan's Clubhouse	43	Strang Multi-Family
11	Jaeger Estates (Emmons Glen)	44	Spiketon Subdivision
12	Prairie Creek Farms	45	Luke's Landing
16	Perkins Prairie Phase 4	46	Regional Pond
17	Perkins Prairie Phase 5	47	PSE Substation
18	Perkins Prairie Phase 6	48	Marcel Estates
20	Blueberry Farm	49	Spruce Street Townhomes
21	Hanson Short Plat	50	Robertson Landing
22	McDonalds	51	410 Espresso
23	Zhang RV	52	Brown Bear Carwash
25	Anderson Subdivision	53	Pierce Co. Library
30	Seattle Boat Company		
33	Mt. Rainier Creamery		
35	Western Storage Expansion		
36	Johansen SPR		
37	Elkhead Townhomes		
38	Buckley Gas & Coffee		
39	Peach Farms Townhomes		







## Memo

**To:** Mayor and City Council  
**From:** Courtney Brunell, City Administrator and Sandi Hines, Finance Director  
**Date:** March 26, 2024  
**Re:** **EMS Levy Lid Lift**

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### Background:

As part of the 2024 Budget development discussions, several revenue tools were presented to the Council that would generate additional resources to maintain existing service levels. One such tool was a property tax levy lid lift for the EMS levy that funds the emergency medical services provided by the Fire Department. Through Council deliberations, direction was given to staff to pursue a levy lid lift for the EMS property tax levy in order to generate additional resources to hire an additional firefighter and support the reallocation of existing staff from the General Fund to the EMS Fund, thus freeing up General Fund resources for other City services.

### Information:

The City currently has a permanent EMS levy that was voted as permanent several years ago. The EMS levy for 2024 will generate revenue of \$334,822, at a rate of \$0.29776/\$1,000 of assessed valuation (AV). The statutory maximum rate for an EMS levy is \$0.50/\$1,000 AV. With the City's rate at only \$0.29776, there is capacity of \$225,586 in revenue if the rate were at the legal maximum rate of \$0.50 using the current AV. This additional revenue capacity provides an estimate of how much additional revenue the City would receive if an EMS levy lid lift ballot measure to reset the City's rate to \$0.50/\$1,000 AV would be approved by the voters in 2024. The City would start receiving the additional revenue in 2025.

A levy lid lift can be a single year lift or multi-year lift. A single year lift resets the rate, in this case to \$0.50, for the tax year it is approved for and then can only grow at the legal limit of 1% per year thereafter. A multi-year lift allows the City to reset the rate to \$0.50 for the first year and then establish the amount of increase, or "lift", to be received for up to 5 additional years. Based on previous discussion and direction from the Council, staff are following the requirements for a multi-year lift.

A levy lid lift comes with specific election and ballot measure requirements. A multi-year levy lid lift can only be placed on a primary or general election ballot. In order to make the August 2024 Primary election, May 3, 2024, is the last day to file a resolution. The primary election is scheduled for August 6, 2024. Property tax levy lid lifts only require a simple majority to pass.

An item related to the ballot measure are the pro and con committees. For each ballot measure that will appear in the voters' pamphlet, RCW 29A.32.280 requires the legislative body (City Council) to formally appoint two committees no later than the resolution filing deadline (May 3, 2024 for the August primary election):

A **"pro" committee** of no more than three people to prepare arguments advocating for the measure's approval. This committee must consist of people known to favor the measure.

A **"con" committee** of no more than three people to prepare arguments against the measure. Whenever possible, this committee must consist of people known to oppose the measure.

The statements submitted by the pro and con committees will appear in the local voters' pamphlet. Some counties allow each committee to read the opposing committee's submitted statement and provide a short rebuttal statement that will also appear in the voters' pamphlet. The word limits, deadlines, use of rebuttal statements, and any other requirements are determined by each county's election rules (RCW 29A.32.230).

An important component of the multi-year lift ballot measure is the ballot title as it is limited to specific wording and number of words. The statute states that the multi-year lift ballot measure must:

- State the total levy duration (number of years).
- If permanent, state that it is permanent or that the dollar amount of the levy will be used for the purpose of computing the limitations for subsequent levies.
- State the maximum tax *rate* to be collected in the first year (for example, \$.50 per \$1,000 AV).
- State the *limit factor* to be used for all subsequent years (stated as an annual percent increase or inflation index). The amounts do not need to be the same for each year.
- State the exemption for senior citizens and persons with disabilities under RCW 84.36.381, if the jurisdiction wishes to exempt these individuals.

The ballot measure *cannot* state the maximum levy *rate* for subsequent years after the first year.

With the Council's direction of a permanent multi-year lift decided, the next two decisions involve the number of years to lift the levy and the limit factor for any years beyond year 1 of the levy lid lift:

#### Number of Years

The first year of the levy lid lift will generate the most significant amount of additional revenue as the levy rate will reset from the current rate of \$0.29776/\$1,000 AV to \$0.50/\$1,000 AV. For any subsequent year to be lifted, an annual percent increase will be used to calculate the additional levy dollars to be received. Once the levy lift ends, the levy amount will once again be subject to the 1% limit factor. As demonstrated in the forecasts presented to Council last year, the 1% limit factor does not provide sufficient revenue to keep up with inflation costs. For this reason, staff are recommending a 6-year levy lid lift. Year 1 will reset the EMS levy rate to \$0.50/\$1,000 AV and the remaining 5 years will increase by a percentage rate or inflation measure index as decided by Council.

#### Years 2-6 Limit Factor

Year 1 of the levy lid lift is the only year that the Council will set the levy rate and in subsequent years the levy lift will set the percent increase that the levy amount (tax revenue generated) will grow. Years 2-6 will function like a regular levy in that the ballot measure is setting the tax revenue to be received and the levy rate will be a product of the math based on the City's AV. This makes it difficult to predict what percent increase to include in the ballot measure for years 2-6 as there are several factors affecting the levy, including inflation and how

fast/slow the City's AV increases. Many cities tie the limit factor for years 2-6 to an inflation index such as the CPI-U for Seattle, Tacoma, Bellevue (BLS). The following chart shows the CPI-U BLS for the last several years:

**Table A. Seattle-Tacoma-Bellevue, WA, CPI-U 2-month and 12-month percent changes, all items index, not seasonally adjusted**

	2020		2021		2022		2023		2024	
Month	2-month	12-month	2-month	12-month	2-month	12-month	2-month	12-month	2-month	12-month
February	1.0	2.5	1.2	1.7	1.7	8.1	1.4	8.0	1.2	4.3
April	-0.6	1.3	1.1	3.4	2.1	9.1	1.0	6.9		
June	0.2	0.9	2.2	5.5	3.2	10.1	1.0	4.6		
August	1.4	1.6	1.1	5.2	0.0	9.0	0.8	5.4		
October	-0.1	2.1	1.1	6.5	1.0	8.9	0.4	4.8		
December	-0.4	1.4	0.6	7.6	0.1	8.4	-0.3	4.4		

Using this inflation index as the measure to tie future year levy amount lift increases to is one option. This would in theory keep revenue increases tied to the amount of expenditure increases being experienced. Other options would be to set the limit factor to a specific percentage increase each year. This would be difficult to predict and may over collect or under collect to where the economy is at each year. The following tables illustrate some examples of how much revenue would be generated and what the levy rate changes to based on the various options for the limit factor in years 2-6.

**Table B - CPI Increase of 5% and AV Increase of 5% Per Year**

Assumptions	2025	2026	2027	2028	2029	2030
CPI-U (BLS)	N/A	5.00%	5.00%	5.00%	5.00%	5.00%
AV - 5% increase/yr	1,176,855,997	1,235,698,797	1,297,483,736	1,362,357,923	1,430,475,819	1,501,999,610
Levy Rate	0.50000000	0.50000000	0.50000000	0.50000000	0.50000000	0.50000000
Levy Amount	588,428	617,849	648,742	681,179	715,238	751,000
\$ Increase over prior yr	253,606	29,421	30,892	32,437	34,059	35,762

Table B illustrates that with an increase in the CPI and AV both equal to 5%, the levy rate is maintained at \$0.50/\$1,000 AV.

**Table C - CPI Increase of 5% and AV Increase of 10% Per Year**

Assumptions	2025	2026	2027	2028	2029	2030
CPI-U (BLS)	N/A	5.00%	5.00%	5.00%	5.00%	5.00%
AV - 5% increase/yr	1,232,896,759	1,356,186,434	1,491,805,078	1,640,985,586	1,805,084,144	1,985,592,559
Levy Rate	0.50000000	0.47727273	0.45557851	0.43487040	0.41510356	0.39623522
Levy Amount	616,448	647,271	679,634	713,616	749,297	786,762
\$ Increase over prior yr	281,627	30,822	32,364	33,982	35,681	37,465

Table C illustrates that as the AV increases more than the limit factor (CPI of 5%), the EMS levy rate decreases over time. The levy amount (tax revenue received) continues to increase based on the CPI limit factor but the levy rate declines. In the future, the City may need to go out for another lid lift to capture the full capacity of the allowable \$0.50/\$1,000 AV to fund the desired level of service.

In looking at the history of the City's AV, an increase of 10% per year (as used in Table C) is a more reasonable assumption. The table on the following page shows the City's AV history for the past 15 years.



**Table 3 – City AV History**

Tax Year	New Construction Valuation	Property Valuation	Total Assessed Valuation	Total Assessed Val. Change from Prior Year	
				\$\$	%
2010	9,281,572	418,305,191	427,586,763	(26,173,819)	-5.8%
2011	9,581,402	372,013,776	381,595,178	(45,991,585)	-10.8%
2012	1,226,500	365,470,656	366,697,156	(14,898,022)	-3.9%
2013	2,873,843	316,041,139	318,914,982	(47,782,174)	-13.0%
2014	5,824,012	322,388,401	328,212,413	9,297,431	2.9%
2015	5,843,815	342,379,280	348,223,095	20,010,682	6.1%
2016	5,960,403	378,434,356	384,394,759	36,171,664	10.4%
2017	11,770,266	436,931,172	448,701,438	64,306,679	16.7%
2018	20,178,861	498,790,442	518,969,303	70,267,865	15.7%
2019	22,800,906	569,047,000	591,847,906	72,878,603	14.0%
2020	34,041,800	662,497,220	696,539,020	104,691,114	17.7%
2021	30,663,215	734,210,785	764,874,000	68,334,980	9.8%
2022	34,595,600	861,199,209	895,794,809	130,920,809	17.1%
2023	54,719,713	1,048,804,396	1,103,524,109	207,729,300	23.2%
2024	42,135,700	1,078,679,535	1,120,815,235	17,291,126	1.6%

**Conclusion and Council Direction:**

Based on the CPI and City AV trends, staff are recommending a 6-year levy lid lift and use of the CPI-U BLS in the ballot measure as the limit factor for years 2-6.

Options for Council Direction:

- Number of Years – 2-, 3-, 4-, 5-, or 6-year levy lid lift
- Limit Factor Increase:
  - Flat percentage per year (same for all years)
  - Flat percentage per year (varying percentages)
  - Tied to CPI-U BLS (or other CPI measure)

**Next Steps:**

April 2, 2024 (Study Session) – Draft EMS Levy Lid Lift Resolution for Council discussion

April 9, 2024 (Council Meeting) – Council action on EMS Levy Lid Lift Resolution

May 3, 2024 – Lid Lift Resolution due to Pierce County

No later than May 3, 2024 – Council appoint members of the Pro/Con Committees