

**AGENDA**  
**CITY OF STEVENSON COUNCIL MEETING**  
**May 18, 2023**  
**6:00 PM, City Hall and Remote**

Call-in numbers 253-215-8782, 669-900-6833, 346-248-7799, 312-626-6799, 929-205-6099 or 301-715-8592, Meeting ID 889 7550 7011, Zoom link <https://us02web.zoom.us/j/88975507011> or via YouTube at <https://www.youtube.com/channel/UC4k9bA0IEEvsF6PSoDwjJvA/>

---

Items with an asterisk (\*) have been added or modified after the initial draft publication of the Agenda.

**1. CALL TO ORDER/PRESENTATION TO THE FLAG:** Mayor to call the meeting to order, lead the group in reciting the pledge of allegiance and conduct roll call.

**2. PUBLIC COMMENTS:** *[This is an opportunity for members of the audience to address the Council. If you wish to address the Council, please sign in to be recognized by the Mayor. Comments are limited to three minutes per speaker. The Mayor may extend or further limit these time periods at his discretion. The Mayor may allow citizens to comment on individual agenda items outside of the public comment period at his discretion. Please submit written comments to City Hall in person at 7121 E. Loop Rd, via mail to PO Box 371, Stevenson, WA 98648 or via email to leana@ci.stevenson.wa.us by noon the day of the meeting for inclusion in the council packet.]*

**3. CHANGES TO THE AGENDA:** *[The Mayor may add agenda items or take agenda items out of order with the concurrence of the majority of the Council].*

- a) \*5/16 changes include:
- Updated Sheriff's Report with Adopted State Legislation (item 5a)
  - Added CIP Staff Memo and Report (item 7b)
  - Added Staff Memo to Sewer Plant Update (item 8a)
  - Added Housing Programs Report (item 10f)
  - Addition of Vouchers (item 12a)
  - Revised Annual Financial Report-Schedule 9 (item 9b)
- b) \*\*5/17 changes include:
- Removed Pool Update Presentation (item 6a)
  - Added Mayoral Proclamation for Main Street Week (item 9d)
- c) \*\*\*5/18 changes include:
- Added Mayoral Proclamation for Main Street Week (item 9e)

**4. CONSENT AGENDA:** The following items are presented for Council approval. *[Consent agenda items are intended to be passed by a single motion to approve all listed actions. If discussion of an individual item is requested by a Council member, that item should be removed from the*

*consent agenda and considered separately after approval of the remaining consent agenda items.]*

- a) **Liquor License Renewal** - Walking Man Brewing, LLC
- b) **Liquor License Renewal** - The Kellogg Group, LLC (Clark and Lewie's)
- c) **Approve Lodging for Labor Relations Institute** - Leana Kinley attended the Association of Washington Cities Labor Relations Institute in Yakima on May 3rd and stayed two nights. The negotiated rate for the conference is \$120 per night, higher than the \$98 per diem rate. Council approval would be for the higher rate of \$120 per night for the conference.
- d) **Minutes** of April 20th regular council meeting and the April 27th special council meeting.

MOTION: To approve consent agenda items a-d.

#### **5. SHERIFF'S OFFICE REPORT:**

- a) **\*Sheriff's Report** - The Skamania County Sheriff's report for activity within Stevenson city limits for the prior month is presented for council review. The State Legislature adopted 2E2SSB 5536 Controlled Substances on May 16th. There is no longer a need for the City to adopt an ordinance. Undersheriff Tracy Wyckoff will be present for any questions. The original documents are still included in the packet and the discussion on a possible local fix to correct a gap in the law regarding drug possession and use as an outcome of the WA State Supreme Court ruling in State vs. Blake, 197 W.2d 170 (2021) is no longer necessary. Information from the Association of Washington Cities, the WA Association of Sheriffs & Police Chiefs, MRSC, and draft ordinances are included for council review and discussion.

#### **6. PRESENTATIONS FROM OUTSIDE AGENCIES:**

- a) **\*\*Stevenson Community Pool** - Representatives from the Skamania County Metropolitan Parks District No. 1 will update City Council on recent Pool activities at the June 15th Council Meeting.

#### **7. PUBLIC HEARINGS:**

- a) **Transportation Improvement Program** - City staff presents the six-year Transportation Improvement Program (TIP) for public input and council review. This is the first of two scheduled public hearings for the annual TIP update.
- b) **\*Capital Improvement Program Update** - City Administrator Leana Kinley presents the Capital Improvement Program Update for public comment and council discussion. This is the first of two scheduled Public Hearings.

## 8. SITUATION UPDATES:

- a) **\*Sewer Plant Update** - Staff will present an update on the Stevenson Wastewater System and Compliance Schedule.

## 9. COUNCIL BUSINESS:

- a) **Set Date for August Council Meeting** - The policy has been to change the council meeting in August to the second Thursday to avoid conflict with Fair events. There is a workshop scheduled for August 24th which can be used to catch up on any additional Accounts Payable or items needing discussion ahead of the September 21st regular council meeting.

MOTION: To set the date of August 10th for the August regular city council meeting.

- b) **\*Review 2022 Annual Financial Report** - City Administrator Leana Kinley presents the 2022 Annual Financial report for council review and discussion. Schedule 9, the Schedule of Liabilities, has been updated to reflect payments received versus reimbursements requested for ongoing loans based on confirmation from the State Auditor's office.

- c) **Shoreline Public Access Plan** - Community Development Director Ben Shumaker presents the attached presentation from The Watershed Company on the status of the Shoreline Access project. A final plan will be presented for council approval at the June meeting.

- d) **\*\*Approve Proclamation Recognizing Main Street Week 2023** - Mayor Scott Anderson presents proclamation 2023-01 recognizing June 11th-17th as Main Street Week for council consideration.

MOTION: To approve proclamation 2023-01 recognizing June 11th-17th as Main Street Week.

- e) **\*\*\*Approve Proclamation Recognizing National Pride Month 2023** - Mayor Scott Anderson presents proclamation 2023-02 recognizing the month of June as National Pride Month for council consideration. There will be a Pride picnic and march on June 17th from 10am-1pm hosted by the Skamania County Women's Council.

MOTION: To approve proclamation 2023-02 recognizing the month of June as National Pride Month.

## 10. INFORMATION ITEMS:

- a) **Financial Report** - The Treasurer's Report and year-to-date revenues and expenses through the prior month are presented for council review.
- b) **Planning Commission Minutes** - Minutes are attached from the Planning Commission meeting for the prior month.

- c) **Contracts Awarded Administratively** - The report on contracts, purchases and change orders over \$10,000 approved administratively over the past month is attached.
- d) **Stormwater Utility** - A Staff Memo is included to address the topic brought up at the January 19th meeting and where follow-up was set to be at the May 18th council meeting.
- e) **Candidate Filing Week May 15-19** - There are three city council positions on the November ballot. Information about the election and running for elected office is enclosed in the packet.
- f) **\*Housing Programs Report** - The report for the prior month on housing services provided by Washington Gorge Action Programs in Skamania County is enclosed for council information.

**11. CITY ADMINISTRATOR AND STAFF REPORTS:**

- a) Ben Shumaker, Community Development Director
- b) Carolyn Sourek, Public Works Director
- c) Leana Kinley, City Administrator

**12. VOUCHER APPROVAL:**

- a) \*April 2023 payroll, and May 2023 AP checks have been audited and are presented for approval. April payroll checks 16880 thru 16883 total \$125,119.04 which includes EFT payments. May 2023 AP checks 16884 thru 16941 total \$988,790.17, which includes EFT payments. The AP check register with fund transaction summary is attached for review.

MOTION: To approve the vouchers as presented.

**13. MAYOR AND COUNCIL REPORTS:**

**14. ISSUES FOR THE NEXT MEETING:** *[This provides Council Members an opportunity to focus the Mayor and Staff's attention on issues they would like to have addressed at the next council meeting.]*

**15. ADJOURNMENT** - Mayor will adjourn the meeting.

=====

**UPCOMING MEETINGS AND EVENTS:**

- Monday, May 29, Memorial Day, City Offices Closed
- Monday, June 12, 6pm Planning Commission Meeting
- Thursday, June 15, 6pm Regular Council Meeting
  - Second 6-Year TIP Update Public Hearing
  - Second CIP Update Public Hearing

**MINUTES**  
**CITY OF STEVENSON COUNCIL MEETING**  
**April 27, 2023**  
**6:00 PM, City Hall and Remote**

---

**1. CALL TO ORDER:** Mayor Anderson called the meeting to order at 6pm and conducted roll call.

PRESENT: Councilmembers Dave Cox, Kristy McCaskell, Michael D. Johnson, David Wyatt, Public Works Director Carolyn Sourek, Community Development Director Ben Shumaker, City Administrator Leana Kinley

ABSENT: Councilmember Paul Hendricks

**2. PUBLIC COMMENTS:** None.

**3. COUNCIL BUSINESS:**

a) **Review and Discuss Strategic Plan for 2024 Budget** - City Administrator Leana Kinley presented the current strategic plan status for aiding the discussion of the strategic plan and goals for the 2024 budget cycle. A review of the meeting minutes from May 27-28, 2022 and July 7, 2022 (found online at <https://www.ci.stevenson.wa.us/meetings>) reflect the decision making steps which occurred to get to the current plan.

Council and staff reviewed the strategic plan and discussed ways to prioritize or remove items on the plan to add other items. Overall council looks to staff for guidance on the timing of the projects and if timelines need to be shifted, they are supportive. The wastewater projects are taking up a lot of time and they should be wrapped up by the end of next year. There are also a lot of process improvement projects, such as a work order system, GIS, revised Engineering Standards and new building permitting software, which will be wrapped up by the end of the year. The consensus was to continue to stay the course with no changes to the strategic plan. Items on the wish list for when things can be added include the Fireworks Discussion, Stormwater Utility creation, Relocating Public Works, becoming a Certified Local Government through the Department of Historic and Archeological Preservation, and reviewing sewer connection distance requirements.

**4. ADJOURNMENT** – Mayor Anderson adjourned the meeting at 7:21pm.

---

Scott Anderson, Mayor

Date

**MINUTES**  
**CITY OF STEVENSON COUNCIL MEETING**  
**April 20, 2023**  
**6:00 PM, City Hall and Remote**

---

1. **CALL TO ORDER/PRESENTATION TO THE FLAG:** Mayor Anderson called the meeting to order at 6:00 p.m., led the group in reciting the pledge of allegiance and conducted roll call.

**Elected officials in attendance:** Mayor Scott Anderson; Councilmembers Paul Hendricks, Dave Cox, Michael Johnson, Kristy McCaskell, David Wyatt.

**Staff attending:** City Administrator Leana Kinley; Community Development Director Ben Shumaker; City Attorney Robert Muth

**Public attending:** None.

**Guests in attendance:** Skamania County Chamber of Commerce Executive Director Angie Waiss; Skamania County Undersheriff Tracy Wyckoff.

2. **PUBLIC COMMENTS:** None.

3. **CHANGES TO THE AGENDA:**

- a) 4/19 changes included:  
-Added Discuss Letter of Support for Regional EPA Grant (item 9d)  
-Added MCEDD CEDS Project Ranking List (item 10e)  
-Added Housing Programs Report (item 10f)  
-Addition of Vouchers (item 12a)

4. **CONSENT AGENDA:** The following items were presented for Council approval.

- a) **Liquor License Renewals** - Columbia Gorge Interpretive Center, Fraternal Order of Eagles Aerie, The Stevenson Farmers' Market, 54/40 Brewing Company, Rock Creek Tavern
- b) **Water Adjustment** - Moon River Home & Living (meter No. 105600) requested a water adjustment of \$32.09 for a water leak which they have since repaired.
- c) **Minutes** of March 16, 2023 City Council Meeting.

**MOTION** to approve consent agenda items a-c was made by **Councilmember Hendricks**, seconded by **Councilmember Wyatt**.

Voting aye: **Councilmembers Johnson, Cox, McCaskell, Hendricks, Wyatt**.

**5. PRESENTATIONS FROM OUTSIDE AGENCIES:**

- a) **Skamania County Chamber of Commerce** - Executive Director Angie Waiss provided an update on recent events and activities. She highlighted items on tourism promotion, upcoming events, the Chamber's Government Affairs Committee and an economy focused town hall gathering with the Washington Business Association.

**6. PUBLIC HEARINGS:**

- a) **Commercial Wastewater Moratorium - City Administrator Leana Kinley** presented resolution 2023-408 adopting the findings of fact related to the moratorium extension and ordinance 2023-1194 extending a wastewater moratorium on sewer connections with BOD5 discharge character above 2,000 mg/L or loading greater than 5 percent of the wastewater treatment plant design loading rate that will impact the BOD5 or TSS load on the wastewater treatment plant for public comment and council consideration.

**Public Hearing opened at 6:08**

**Public comments:** None received.

**Public Hearing closed at 6:11**

**MOTION** to approve resolution 2023-408 adopting the findings of fact related to the moratorium extension on commercial connections was made by **Councilmember McCaskell**, seconded by **Councilmember Johnson**.

Voting aye: **Councilmembers Johnson, Cox, McCaskell, Hendricks, Wyatt.**

**MOTION** to approve ordinance 2023-1194 extending the wastewater moratorium on connections with BOD5 discharge character above 2,000 mg/L or loading greater than 5 percent of the wastewater treatment plant design loading rate that will impact the BOD5 or TSS load on the wastewater treatment plant was made by **Councilmember McCaskell**, seconded by **Councilmember Johnson**.

Voting aye: **Councilmembers Johnson, Cox, McCaskell, Hendricks, Wyatt.**

**7. SITUATION UPDATES:**

- a) **Sewer Plant Update** - Staff presented an update on the Stevenson Wastewater System and Compliance Schedule. City Administrator Kinley shared she is working on the procurement checklist required to get \$2.5M in funds awarded to the city from an EPA grant.

**8. UNFINISHED BUSINESS:**

- a) **Parking Regulations - First Reading** - Staff has been working on updates to the city's code regarding parking (SMC 10.08 Loading Zones and 10.12 Parking Prohibited in

Certain Areas) based on community feedback, changing requirements, and street maintenance. **Community Development Director Ben Shumaker** presented a staff memo and ordinance for council consideration. He stated it was a first viewing of the changes and welcomed feedback by Councilmembers. The updates will also serve to modernize the code and remove any redundancies.

**Mayor Anderson** declared the agreed consensus was to carry on with the work.

## 9. COUNCIL BUSINESS:

- a) **Approve Environmental Mitigation Agreement - City Administrator Kinley**, on behalf of **Public Works Director Carolyn Sourek**, presented the environmental mitigation agreement regarding a lateral sewer line along Fir Street for discussion and council consideration. **City Attorney Muth** requested a dollar amount be specified in the motion.

**MOTION** to approve the environmental mitigation agreement with Jim Stringfellow and Sheri Terjeson to connect the lateral sewer line to the Fir Street mainline at a cost not to exceed \$12K was made by **Councilmember Hendricks**, seconded by **Councilmember McCaskell**.

Voting aye: **Councilmembers Johnson, Cox, McCaskell, Hendricks, Wyatt**.

- b) **Hearings Examiner Contract - City Administrator Leana Kinley** presented and explained a contract with Joe Turner for Hearing Examiner services for council consideration. The previous contract expired on December 31, 2022 and had a rate of \$175 per hour, which was unchanged since 2015. The contract presented increases the rate to \$215 per hour, based on the Portland area CPI. There are no current referrals for a Hearing Examiner and the contract is for the maximum term of three years. The costs for the Hearings Examiner are split 50/50 with the appellant. There have been only 3 instances of using the services in the recent past.

**MOTION** to approve the contract with Joe Turner for Hearing Examiner Services as presented was made by **Councilmember Johnson**, seconded by **Councilmember Cox**.

Voting aye: **Councilmembers Johnson, Cox, McCaskell, Hendricks, Wyatt**.

- c) **Approve Interlocal Agreement for the Solid Waste Plan - On behalf of Public Works Director Carolyn Sourek, City Administrator Leana Kinley** presented the interlocal agreement between Skamania County, the City of Stevenson and the City of North Bonneville for the preparation of a comprehensive solid waste management plan and moderate risk waste plan for council consideration.

**MOTION** to approve the interlocal agreement between Skamania County, the City of Stevenson and the City of North Bonneville for the preparation of a comprehensive solid waste management plan and moderate risk waste plan was made by **Councilmember Wyatt**, seconded by **Councilmember McCaskell**.

Voting aye: **Councilmembers Johnson, Cox, McCaskell, Hendricks, Wyatt**.



- d) **\*Discuss Letter of Support for Regional EPA Grant** - City Administrator Leana Kinley presented information regarding a letter of support for a regional application for the EPA Climate Pollution Reduction Grant for council discussion. A copy of the email with more information about the grant as well as a template for a letter of support are enclosed.

**10. INFORMATION ITEMS: The following items were presented for Council review.**

- a) **The Skamania County Sheriff's** report for activity within Stevenson city limits for the prior month. Undersheriff Tracy Wyckoff provided a new document that provided additional details on the Sheriff's service calls within Stevenson. **Councilmember Cox** suggested moving the Sheriff's report to an earlier time in the meeting. Several Councilmembers requested additional enforcement of speeding violations in city limits.
- b) **Financial Report** - The Treasurer's Report, year-to-date revenues and expenses through the prior month, and the quarterly report are presented for council review.
- c) **Planning Commission Minutes** - from the Planning Commission meeting for the prior month.
- d) **Contracts Awarded Administratively** - The report on contracts, purchases and change orders over \$10,000 approved administratively over the past month is attached.

**11. CITY ADMINISTRATOR AND STAFF REPORTS:**

- a) **Ben Shumaker, Community Development Director** provided the following update:
  - i) He detailed current broadband projects that are coming forward with support from federal, state and local agencies. The intent is to determine service gaps and then encourage local ISP providers to expand services in rural areas.
  - ii) Development of an Annexation policy has been delayed. Further work will take place this summer.
  - iii) The Shoreline Access Plan is moving forward. A public meeting in February was well attended. Nine potential projects were identified. A public Charette format meeting is planned for April 19<sup>th</sup>, 2023 to gather additional public comments.
- b) **Leana Kinley, City Administrator** provided updates on various city projects as outlined in the Public Works Director's report in the council packet.
  - i) She highlighted a number of Public Works employee achievements: Bill Sexton, John Dexter and Carson Whitney passed their Cross Connection Control Specialist tests and Devon Groom passed his WWTP0 II test.
  - ii) A grant is being sought to replace the Rock Creek Bridge. Feasibility of the Columbia Avenue realignment project is under review.
  - iii) Councilmembers were reminded election filing dates are open May 15<sup>th</sup>-19<sup>th</sup>

**12. VOUCHER APPROVAL:**

- a) \*March 2023 payroll, and April 2023 AP checks were audited and were presented for approval. March payroll checks 16812 thru 16814 total \$131,266.26 included EFT

payments. April 2023 AP checks 16786 thru 16811 and 16815 thru 16879 total \$1,106,233.83, which included EFT payments. The AP check register with fund transaction summary was attached for review.

**MOTION** to approve the vouchers as presented was made by **Councilmember Hendricks**, seconded by **Councilmember Johnson**.

Voting aye: **Councilmembers Johnson, Cox, McCaskell, Hendricks, Wyatt**.

**13. MAYOR AND COUNCIL REPORTS:**

- a) The mayor provided a letter of support from the city as requested by the county in support of federal funding for new radios/communication infrastructure.
- b) The City of Stevenson submitted a request through the Federal Legislature for \$1.5M for the Cascade Ave project.

**14. ISSUES FOR THE NEXT MEETING:**

- a) An update on the Stevenson pool was requested.

**15. ADJOURNMENT - Mayor Anderson** adjourned the meeting at 7:12.

---

Scott Anderson, Mayor

Date



*Summer N. Scheyer*  
**SHERIFF**

**OFFICE OF THE SKAMANIA COUNTY**

**SHERIFF**

PO Box 790  
200 Vancouver Ave.  
Stevenson WA 98648  
Phone (509)427-9490  
Fax (509)427-4369  
[www.skamaniasheriff.com](http://www.skamaniasheriff.com)  
[scso@co.skamania.wa.us](mailto:scso@co.skamania.wa.us)

*Tracy Wyckoff*  
*Undersheriff*

*Jason Fritz*  
*Chief of Corrections*

*Steve Minnis*  
*Chief Civil Deputy*

April 2023

City of Stevenson

Service Hours

Calls/Patrol

473 Hrs.

7 Court Hrs.

Stev

05/02/23  
11:12

Skamania County Sheriff's Office  
Incident Audit Report

5059  
Page: 1

Incident#	Nature of Incident	Offense Code	Loctn Code	Disposition
23-02080	Medical	AMAS	21	Transferred to Other A
23-02081	Welfare Check	WELF	21	INFORMATION
23-02096	Traffic Stop	TOFF	21	CLEARED DRIVER WARNING
23-02104	Traffic Stop	TOFF	21	CLEARED DRIVER WARNING
23-02115	Citizen Assist	CITA	21	Cleared Adlt Exception
23-02119	Information	INFO	21	INFORMATION
23-02120	Medical	AMAS	21	Transferred to Other A
23-02124	Traffic Stop	TOFF	21	CLEARED DRIVER WARNING
23-02127	Traffic Stop	TOFF	21	CLEARED DRIVER WARNING
23-02142	Threatening	INFO	21	Investigation Complete
23-02154	Assault IV	INFO	21	Investigation Complete
23-02157	Medical	AMAS	21	Transferred to Other A
23-02158	Traffic Stop	TOFF	21	CLEARED DRIVER WARNING
23-02164	Suspicious	SUSP	21	Settled By Contact
23-02173	Threatening	THRE	21	Unfounded
23-02181	Harrassment.	HARR	21	Settled By Contact
23-02182	Medical	AMAS	21	Transferred to Other A
23-02207	Assault IV	ASIM	21	Cleared Adlt Exception
23-02211	Citizen Dispute	CDIS	21	Cleared Adlt Exception
23-02212	Traffic Stop	TOFF	21	Investigation Complete
23-02214	Wanted Person	WANT	21	Cleared Adult Arrest
23-02217	Medical	AMAS	21	Transferred to Other A
23-02218	PI Collision	TAPI	21	INFORMATION
23-02221	Trespassing	TRES	21	Cleared Adlt Exception
23-02222	Disorderly	DCON	21	Cleared Adlt Exception
23-02225	Welfare Check	WELF	21	INFORMATION
23-02234	Traffic Stop	TOFF	21	Investigation Complete
23-02239	Dead Body	DBOD	21	INFORMATION
23-02257	Shooting	SHOO	21	Unfounded
23-02259	Eluding - Att	TOFF	21	Cleared Adlt Exception
23-02264	Medical	AMAS	21	Ambulance Service Prov
23-02266	Found Property	LFPR	21	Active
23-02270	Citizen Assist	CITA	21	Active
23-02273	VIN Inspection	VIIN	21	Settled By Contact
23-02277	Theft Prop Oth	TPOT	21	Settled By Contact
23-02279	Citizen Assist	CITA	21	Settled By Contact
23-02281	Traffic Stop		21	Active
23-02282	Traffic Stop	TOFF	21	CLEARED DRIVER CITED
23-02284	Disorderly	DCON	21	Inactive
23-02289	Found Property	LFPR	21	Settled By Contact
23-02291	Fraud	FRAU	21	Settled By Contact
23-02292	Vio Court Order	VICO	21	Active
23-02297	Drug Referral	CSPO	21	Cleared Adult Arrest
23-02299	Traffic Stop		21	CLEARED DRIVER WARNING
23-02300	Residential Ala	ALRA	21	Settled By Contact
23-02301	Suspicious	SUSP	21	Inactive
23-02302	Eluding - Att	RIPO	21	UNABLE TO LOCATE
23-02304	Traffic Stop	TOFF	21	Cleared Adult Arrest
23-02314	Traffic Stop	TOFF	21	CLEARED DRIVER WARNING
23-02324	Traffic Stop	TOFF	21	CLEARED DRIVER WARNING
23-02325	Carprowl	CARP	21	Cleared Adlt Exception
23-02326	Mental Subject	MENT	21	INFORMATION
23-02327	Suspicious	SUSP	21	Investigation Complete
23-02329	Medical	AMAS	21	Transferred to Other A
23-02335	Information	INFO	21	INFORMATION

05/02/23  
11:12

Skamania County Sheriff's Office  
Incident Audit Report

5059  
Page: 2

Incident#	Nature of Incident	Offense Code	Loctn Code	Disposition
23-02339	Req Traff Enf	INFO	21	INFORMATION
23-02341	Theft Prop Oth	TPOT	21	Investigation Complete
23-02344	Viscious Animal	INFO	21	INFORMATION
23-02350	Domestic Viol	CDIS	21	Cleared Adlt Exception
23-02352	Assault Other	ASIM	21	Investigation Complete
23-02360	Citizen Dispute	CITA	21	UNABLE TO LOCATE
23-02389	Medical	AMAS	21	Transferred to Other A
23-02419	Threatening	THRE	21	INFORMATION
23-02422	VIN Inspection	VIIN	21	Cleared Adlt Exception
23-02427	Theft Prop Oth	TPBC	21	Settled By Contact
23-02428	Theft Prop Oth	TPBD	21	Investigation Complete
23-02437	Medical	AMAS	21	Response/No Transport
23-02441	DUI	DUI	21	Cleared Adult Arrest
23-02443	Patrol Request	PATR	21	Cleared Adlt Exception
23-02444	Burg Bus Unl En	BNUE	21	Cleared Adlt Exception
23-02461	Suicide Threat	SUIT	21	Active
23-02466	Theft Prop Oth	TPOT	21	Investigation Complete
23-02469	911 Transfer	911T	21	Transferred to Other A
23-02473	Medical	AMAS	21	Transferred to Other A
23-02480	Traffic Stop	TOFF	21	CLEARED DRIVER WARNING
23-02499	Medical	AMAS	21	Active
23-02507	DUI	DUI	21	Cleared Adlt Exception
23-02514	Suspicious	SUSP	21	UNABLE TO LOCATE
23-02520	Wanted Person	WANT	21	UNABLE TO LOCATE
23-02523	Traffic Stop	TOFF	21	CLEARED DRIVER WARNING
23-02527	Medical	AMAS	21	Transferred to Other A
23-02532	Theft-Automobil	TVAU	21	Cleared Adlt Exception
23-02550	Medical	AMAS	21	Ambulance Service Prov
23-02556	Harrassment.	HARR	21	Cleared Adlt Exception
23-02558	Harrassment.	HARR	21	Settled By Contact
23-02574	Theft Prop Oth	TPVP	21	Investigation Complete
23-02596	Citizen Assist	CITA	21	Settled By Contact
23-02604	Medical	AMAS	21	Transferred to Other A
23-02606	Found Property	LFPR	21	Cleared Adlt Exception
23-02608	Citizen Dispute	CDIS	21	Settled By Contact
23-02616	Trespassing	TRES	21	Cleared Adlt Exception
23-02618	Medical	AMAS	21	Transferred to Other A
23-02619	Medical	AMAS	21	Transferred to Other A
23-02620	Juvenile Prob	JUVP	21	Inactive
23-02644	Medical	AMAS	21	Transferred to Other A
23-02650	Traffic Stop	TOFF	21	CLEARED DRIVER WARNING
23-02671	Req Traff Enf	RTEN	21	INFORMATION
23-02674	Juvenile Prob	JUVP	21	Cleared Juve Exception
23-02675	Medical	AMAS	21	Transferred to Other A
23-02680	Parking Problem	PARK	21	Cleared Adlt Exception
23-02682	Traffic Stop	TOFF	21	CLEARED DRIVER WARNING
23-02683	Disorderly	DCON	21	Cleared Adlt Exception
23-02684	Citizen Assist	CITA	21	Cleared Adlt Exception
23-02695	Medical	AMAS	21	Transferred to Other A
23-02703	Harrassment.	HARR	21	INFORMATION
23-02710	Dog Call	ANDC	21	INFORMATION
23-02712	Medical	AMAS	21	Transferred to Other A
23-02720	Medical	INFO	21	INFORMATION
23-02726	Medical	AMAS	21	Transferred to Other A
23-02734	Welfare Check	WELF	21	Cleared Adlt Exception

05/02/23  
11:12

Skamania County Sheriff's Office  
Incident Audit Report

5059  
Page: 3

Incident#	Nature of Incident	Offense Code	Loctn Code	Disposition
23-02741	Found Property	LFPR	21	INFORMATION

Total Incidents: 111

Report includes:

All dates reported between `00:00:00 04/01/23` and `00:00:00 05/01/23`

All agencies matching `SCSO`

All nature of incidents

All offenses observed

All offenses reported

All offense codes

All dispositions

All responsible officers

All locations matching `21`

\*\*\* End of Report /tmp/rptsSm0tS-rplwiar.rl\_4 \*\*\*

## Advocacy

Published on May 03, 2023

# Governor announces May 16 special session to pass drug possession bill

**Contact:** [Candice Bock](#), [Lindsey Hueer](#), [Katherine Walton](#)

The Governor announced this week that the Legislature will meet for a special session starting on May 16 with the intent to pass a new drug possession law before the current law expires on July 1.

This week the AWC Board Legislative Steering Committee met to formalize a position. The committee voted to:

- Support a *Blake* response approach that includes making possession of an illegal drug a gross misdemeanor while focusing on diversion options that encourage individuals to participate in treatment programs in lieu of criminal penalties.
- Support legislation that is clear and implementable for cities and preserves local prosecutorial and judicial discretion and avoids being overly ridged and prescriptive. The language of any new law must be workable for local prosecutors and law enforcement. The provisions regarding diversion programs need to allow for local discretion and factors around availability and capacity of diversion options.

## How did we get here?

In 2021, the Supreme Court determined that the statute that penalized possession of a controlled substance was unconstitutional because it lacked the requirement that a person “knowingly” possessed the substance. During the 2021 session, the Legislature passed [SB 5476](#) to provide a temporary solution to the ruling; that bill expires July 1, 2023.

The Senate passed their proposed fix, [SB 5536](#), at the beginning of March. The bill would have made possession of counterfeit and controlled substances a gross misdemeanor but incentivized treatment throughout the process ([read more about the Senate version of the bill](#)). Though it needed some minor

### Related content

## Meet your lobbyists

Meet the AWC



The House significantly changed the bill including making possession a simple misdemeanor, adding an additional charge of “use” of drugs in a public place without adequately defining “use,” and establishing a complex web of diversion and treatment requirements that would have been difficult, if not impossible, to actually implement ([read more](#) about the House changes). The Senate refused to accept the changes made by the House, sending the bill into a conference committee. The conference committee met and submitted their report on the second-to-last day of session.

The conference committee version was largely similar to the House-enacted version, though it made knowing possession, and knowing possession and use, of a controlled substance or counterfeit substance a gross misdemeanor. Overall, the version of the bill that the conference committee developed was consistent with AWC’s policy position of a criminal penalty for drug possession with a focus on diverting people into treatment. Where our concerns arose was in the technical construct of the bill and ability to implement the bill in a functional way. We had heard concerns from city attorneys as well as county prosecutors that the way the bill was drafted could make it too difficult to successfully implement, effectively making it impossible to bring a criminal case and use the diversion process to get people to accept treatment.

While AWC had concerns about the conference committee report, there are no opportunities to amend a conference committee report; each chamber must vote the bill up or down as it stands. AWC neither supported nor opposed the bill, though some cities publicly opposed it. Ultimately, the conference committee report did not have enough support within the House and we understand that it potentially would not have passed the Senate, either, even if it had been passed by the House.

In the end, the bill faced opposition from some Democrats who didn’t support criminalization of drug possession (or at least not making it a gross misdemeanor) and from Republicans who felt the bill was unworkable. The result was a bill that couldn’t pass the House and not enough time left Sunday night to come back and try again.

The current law expires July 1 and without state action, cities will need to decide whether or not to adopt local ordinances creating a criminal penalty for drug possession. AWC has expressed to legislative leadership that time is of the essence as it can take several weeks of work and public notice for a City Council to enact a local ordinance.

On the final day of the legislative session, the House voted against the



Legislators back to Olympia to pass a law on drug possession before the current law expires July 1. Some cities have already begun passing their own drug possession laws in anticipation of the deadline. AWC has continued to meet with Legislators to advocate for a Blake response approach that includes making possession of an illegal drug a gross misdemeanor while focusing on diversion options that encourage individuals to participate in treatment programs in lieu of criminal penalties.

Advocacy    Public safety & criminal justice

## Recent articles

---

[Back to Advocacy news by category](#)



Thursday, May 4, 2023

Honorable Members of the House and Senate,

On behalf of the Washington Association of Sheriffs and Police Chiefs (WASPC), I write again to respectfully request that the Legislature enact meaningful legislation to address the drug crisis in Washington. While we were clear that we did not support the conference report on SB 5536, we continue to believe that state legislation is the most effective and appropriate means to address this crisis. We look forward to working with you, in a bipartisan fashion, to enact meaningful legislation.

Working from the SB 5536 conference report, we offer the following amendments that would enable us to have some level of confidence in addressing our state's drug crisis. While there are additional provisions that trouble us, we recognize the need for the Legislature to come together in a bipartisan manner to reach agreement.

#### **Fix public use language**

The Washington Association of Prosecuting Attorneys and multiple city attorneys have identified clear failings in the language related to the newly created crime of "public use" of drugs. While we do not yet understand why the Legislature seeks to create this new offense, if it is to be created, we insist that it be enforceable. As drafted, our legal advisors have real concerns that both the underlying possession and the newly created public use offenses would be unenforceable and unprosecutable. Both the Association of Washington Cities and the Washington Association of Prosecuting Attorneys have offered language to fix these deficiencies. **We strongly request that the Legislature adopt their recommended fixes or strike language creating the new "public use" crime.**

#### **Modify drug paraphernalia provisions**

The conference report defines drug paraphernalia as "public health supplies" and specifically allows the distribution of "smoking equipment." We find no transparency in pretending that drug paraphernalia are "public health supplies" and no public health value in distributing smoking equipment. **We strongly request that the Legislature strike "or use of public health supplies, including, but not limited to," and "smoking equipment."**

#### **Remove provisions allowing public health agencies to test drugs**

While we recognize the rationale behind removing testing and analyzing equipment from the definition of drug paraphernalia, we find no value in authorizing public health agencies to perform quality assurance tests for illegal drugs. **We respectfully request that the Legislature strike any language authorizing public health and syringe service program staff taking samples and testing drugs.**

#### **Remove state preemption on drug paraphernalia regulation**

The Legislature should not require local governments to do nothing to combat the drug crisis in our state. While the Legislature has chosen to not regulate possession of drug paraphernalia, many local governments have, and the Legislature should not preempt that authority. **We strongly request that the Legislature strike any preemption on drug paraphernalia.**

### **Recognize separation of powers in granting diversions**

Prosecutors decide whether a person is charged with a crime, and prosecutors decide when a diversion program is to be offered. The Legislature should not grant or require diversions without the consent of the prosecutor. **We strongly request that the diversion language clearly recognize that the court cannot grant a diversion without the consent of the prosecutor.**

### **Require SUD assessments (pretrial diversion and post-conviction vacation) to be performed by licensed behavioral health agencies**

Determining whether a defendant has a substance use disorder and recommending programming and treatment is a fundamental piece of addressing the drug crisis. We find no provisions in the SB 5536 conference report establishing qualifications for those performing the assessments. **We strongly request that language be included to require that pretrial diversion assessments and post-conviction vacation assessments be conducted by a behavioral health agency licensed by the Department of Health.**

### **Require pretrial diversion program participants to complete treatment and programming as recommended by their SUD assessment**

We find value in pretrial diversion and post-conviction probation programs for those caught with drugs. Completing SUD treatment is a far more desirable outcome than simple incarceration. It is not satisfactory to substantially comply with treatment for 12 months – participants need to successfully complete all treatment and programming as recommended by their SUD assessment. **We strongly request that successful completion of pretrial diversion be defined as successful completion of all treatment and programming.**

### **Require SUD treatment programs (both pretrial diversion and post-conviction vacation) to utilize state certified SUD treatment providers**

We must recognize that not all SUD treatment providers are legitimate, and that those charged with possession and assessed with an SUD are entitled to quality treatment programs. **We strongly request that pretrial diversion programs and post-conviction vacation petitions only recognize SUD treatment programs licensed, certified, and/or accredited by the Department of Health.**

### **Clarify authority for prosecutor to seek termination of pretrial diversion**

As written, the SB 5536 conference report appears to only allow a prosecutor to make a motion to terminate pretrial diversion if the treatment program asserts that the defendant is not substantially complying with the recommended treatment. Recognizing that treatment providers have a financial incentive to retain participants in their program and that behavior unrelated to the treatment program could appropriately terminate a pretrial diversion (such as a new possession charge, a felony conviction, an offense reflecting a propensity for violence, etc), prosecutors need clear authority to seek termination of diversion wherever appropriate. **We strongly request that the diversion language be clarified to allow a prosecutor to make a motion for termination from pretrial diversion for any reason the prosecutor deems appropriate.**

### **Include post-conviction provisions from SB 5467**

While we appreciate and support pretrial diversion opportunities for those charged with simple possession, we continue to believe that the absence of post-conviction provisions is a lost opportunity. SB 5536, both as amended by the House and in the conference report, leave those who fail treatment sitting in jail. We strongly believe that the criminal justice system should be a fulcrum to get these individuals into treatment so they can be well. SB 5467, and SB 5536 as it

passed the Senate, included provisions to increase the incentive for defendants to successfully complete treatment through the imposition of clear and uniform minimum sentences for those who do not successfully complete treatment. Indeed, mandatory minimums are used here as a strategy to keep people out of jail and get them into treatment. **We respectfully request that the post-conviction provisions of SB 5467 be incorporated.**

**Amend RCW 10.31.110 to restore requirement that treatment providers notify law enforcement if the person abandons treatment**

As passed the Senate, SB 5536 also amended RCW 10.31.110 to strike language that was inserted with the passage of SB 5476 in 2021. The 2021 amendments allowed treatment providers to not notify law enforcement when a diversion participant violates the terms of their diversion and/or is no longer participating in services. **We respectfully request that the proposed amendments to RCW 10.31.110 be included to ensure that law enforcement is notified if/when a person violated the terms of their diversion or abandons a diversion program.**

**Strike any reference to “safe consumption sites”**

Section 26 (3)(b) of the SB 5536 conference report specifically references “safe consumption sites” (page 37, line 11). **We strongly request that any reference to safe consumption sites be removed.**

**Amend definition of “harm reduction”**

While we recognize and support some interpretations of “harm reduction” we adamantly oppose the interpretation that “harm reduction” includes helping people use drugs. **We strongly request that the definition of “harm reduction” be amended to state that harm reduction programs must advance the goal of ending the illegal use of drugs.**

**Require ‘sight and sound barriers’ at Recovery Residences**

The plain language of the SB 5536 conference report states that Recovery Residences are “for individuals who are waiting for treatment or who have returned to use and need a place to stay while negotiating a return to stable housing.” While we recognize that both of these populations are deserving of services, we must not allow “those who have returned to use” to erode the progress of those “who are waiting for treatment.” **We respectfully request that language be included to require Recovery Residences to maintain ‘sight and sound barriers’ between the two populations.**

**Require ‘sight and sound barriers’ at Health Engagement Hubs**

We recognize that, if appropriately implemented, Health Engagement Hubs may be helpful in combatting the drug crisis – for both youth and adults. We fear, however, that youth at Health Engagement Hubs may be prime targets for trafficking and other dangerous activities. **We respectfully request that language be included to require Health Engagement Hubs to maintain ‘sight and sound barriers’ between youth and any adults except service providers and their parent or guardian.**

**Increase appropriation for Arrest and Jail Alternative Program**

We have been proud of the success of our Arrest and Jail Alternatives (AJA) Program, and appreciate that this program is cited nineteen times in the SB 5536 conference report. We note, however, that sufficient funding has been provided to operate only 3 AJA sites. While we appreciate that the conference report provides an additional \$3.6M for this program, that amount is half of what was requested to expand capacity at the current AJA sites and establish new AJA sites – before any

consideration of the pretrial diversion program requirements created in the conference report. **We respectfully request that the appropriation for the Arrest and Jail Alternatives Program be increased to an amount sufficient to fulfill the expectations created in this bill.**

We are happy to provide bill language that reflects the provisions that we have requested in this letter. If you would like our recommendations provided in bill language format, please contact me at [james@waspc.org](mailto:james@waspc.org) or (253) 376-8492.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "James McMahan", with a long horizontal flourish extending to the right.

James McMahan  
Policy Director



- [Contact Us](#)
- [Partners](#)
- [Rosters](#)





[Home](#) > [Explore Topics](#) > [Public Safety](#) > [Drug Use and Possession Ordinances](#)

more

## Drug Use and Possession Ordinances

This page provides examples of city and county ordinances prohibiting drug possession and public drug use in Washington State, in response to *State v. Blake* (2021) and the 2023 failure of a bill that would have created a long-term statewide approach.

We will be updating this page with other information and examples as needed.

On this Page [hide] ▲

[Overview](#)

[Examples of City and County Ordinances](#)

### Overview

One of the surprises of the 2023 legislative session was that the legislature did not adopt a long-term replacement for the current laws prohibiting public drug use and possession that are currently set to expire on July 1, 2023. The current state laws were adopted as a temporary measure response to the *State v. Blake* case, which is summarized in a [March 2021 MRSC blog article](#). The expectation was that long-term legislation would be adopted in the 2023 regular session, but the bill was voted down in the closing hours of the session.

On May 2, 2023, [Governor Inslee announced](#) that he will call a special session of the legislature to address this issue to start on May 16. In the meantime, many Washington cities and counties have adopted or are

[Back to top](#)

considering local ordinances to address prohibition of drug use and possession in the event the special session does not result in legislation that takes effect on July 1, 2023.

---

## Examples of City and County Ordinances

Some cities and counties adopted ordinances prior to the end of the legislative session due to concerns about the effectiveness of the state legislation enacted in response to the *Blake* case. At least some of those local governments have indicated they will rely on those ordinances after July 1, 2023 if state legislation is not adopted. Other cities and counties are adopting ordinances now to ensure that there are local regulations in effect on July 1, 2023 if necessary.

MRSC is providing representative examples of such ordinances on this page for informational purposes but does not endorse or make any representations about the legality of any ordinance. Regulation of drug use and possession raises complex policy and legal issues which must be decided at the local level.

### Cities

- [Bellingham Ordinance No. 2023-04-009](#) (April 10, 2023) – Makes it a misdemeanor to knowingly use a controlled substance in public places without a prescription; section sunsets in two years. “Public place” is defined in [BMC Sec. 10.08.010](#). Law enforcement/prosecutor are encouraged to divert cases to substance abuse treatment services.
- [Kent Ordinance 4461](#) (May 2, 2023) – Repeals and reenacts chapter on drug and alcohol possession. Use or possession of controlled substances in public is gross misdemeanor; possession of drug paraphernalia is misdemeanor. Creates alternative deferred prosecution program to provide additional treatment options.
- [Lakewood Ordinance No. 782](#) (March 20, 2023) – Adds section to the municipal code making it unlawful to intentionally use any dangerous drug in a public place or to knowingly dump, throw, deposit, or discharge onto the ground or into any body of water any dangerous drug or drug paraphernalia.
- [Lynnwood Municipal Code Ch. 10.42](#) (February 13, 2023) – *Use of Drugs in Public*. Makes it a misdemeanor for any person to intentionally use a controlled substance in a public place unless it has been lawfully prescribed.
- [Richland Municipal Code Chapter 9.09](#) (January 17, 2023) – Makes it a misdemeanor to use a dangerous drug in a public place.
- [Sumner Municipal Code Sec. 9.16.045](#) (2021) – Possession or use of dangerous drugs is prohibited; violation is a gross misdemeanor.

### Counties

[Back to top](#)

- [Chelan County Code Chapter 7.34](#) (2021) – *Controlled Substances*. Knowing possession of controlled substances is a misdemeanor.
- [Grant County Ordinance No. 21-020-CC](#) (2021) – Makes it a gross misdemeanor to knowingly possess a controlled substance, with exception of legal marijuana possession and valid prescriptions.
- [Snohomish County Draft Ordinance No. 23-XXX](#) (2023; not yet adopted) – Makes the possession or public use of controlled or counterfeit substances or legend drugs illegal. Note: this is a draft ordinance. We will update with final ordinance when/if passed by the Snohomish County Council.

Last Modified: May 03, 2023

## Sample Documents

## Topics

## Stay Informed

[Subscribe to E-Newsletters](#)

[MRSC Insight Blog](#)

---

## Related Services



[www.mrscrosters.org](http://www.mrscrosters.org)

Follow us:

© 2023 Municipal Research and Services Center of Washington (MRSC). All rights reserved. [Privacy & Terms](#).



## **DRAFT MODEL CONTROLLED SUBSTANCE POSSESSION LAW**

### **New Section in Skagit County Code, Chapter 9**

#### **9.xx.010 Definitions**

(1) "Controlled substance" means a drug, substance, or immediate precursor included in Schedules I through V as set forth in federal or state laws, or federal or commission rules, but does not include hemp or industrial hemp as defined in RCW 15.140.020.

(2) "Drug paraphernalia" means all equipment, products, and materials of any kind which are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance.

(3) "Public place" includes streets and alleys of incorporated cities and towns; state or county or township highways or roads; buildings and grounds used for school purposes; public dance halls and grounds adjacent thereto; those parts of establishments where beer may be sold under this title, soft drink establishments, public buildings, public meeting halls, lobbies, halls and dining rooms of hotels, restaurants, theaters, stores, garages and filling stations which are open to and are generally used by the public and to which the public is permitted to have unrestricted access; railroad trains, stages, and other public conveyances of all kinds and character, and the depots and waiting rooms used in conjunction therewith which are open to unrestricted use and access by the public; publicly owned bathing beaches, parks, and/or playgrounds; and all other places of like or similar nature to which the general public has unrestricted right of access, and which are generally used by the public.

#### **9.XX.020 Unlawful Possession or Use of a Controlled Substance.**

(1) It is unlawful for any person to knowingly possess a controlled substance unless the substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of their professional practice, or except as otherwise authorized by this chapter.

(2) It is unlawful for any individual to knowingly use a controlled substance in a public place. Use of a controlled substance includes, but is not limited to, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance.

(2) Except as provided within this Chapter, any person who violates this section is guilty of a gross misdemeanor subject to the penalties of 9.XX.050.

#### **9.XX.030 Drug Paraphernalia**

(1) It is unlawful for any individual to knowingly use drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, or prepare a controlled substance other than cannabis.

(2) It is unlawful for any person to deliver, possess with intent to deliver, or manufacture with intent to deliver drug paraphernalia, knowing, or under circumstances where one reasonably should know, that it will be used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, or prepare a controlled substance other than cannabis.

(3) Any person eighteen years of age or over who violates this section by delivering drug paraphernalia to a person under eighteen years of age who is at least three years their junior is guilty of a gross misdemeanor.

(4) It is unlawful for any person to place in any newspaper, magazine, handbill, or other publication any advertisement, knowing, or under circumstances where one reasonably should know, that the purpose of the advertisement, in whole or in part, is to promote the sale of objects designed or intended for use as drug paraphernalia. Any person who violates this subsection is guilty of a misdemeanor.

(5) Except as provided within this Chapter, any person who violates this section is guilty of a gross misdemeanor subject to the penalties of 9.XX.050.

#### **9.XX.040 Possession of Cannabis**

(1) The knowing possession, by a person twenty-one years of age or older, of useable cannabis, cannabis concentrates, or cannabis-infused products in amounts that do not exceed those set forth in RCW 69.50.360(3) is not a violation of this section, this chapter, or any other provision of the Skagit County Code.

(2) The knowing possession of cannabis, useable cannabis, cannabis concentrates, and cannabis-infused products being physically transported or delivered within the state, in amounts not exceeding those that may be established under RCW 69.50.385(3), by a licensed employee of a common carrier when performing the duties authorized in accordance with RCW 69.50.382 and 69.50.385, is not a violation of this section, this chapter, or any other provision of Washington state law.

(3)(a) The delivery by a person twenty-one years of age or older to one or more persons twenty-one years of age or older, during a single twenty-four hour period, for noncommercial purposes and not conditioned upon or done in connection with the provision or receipt of financial consideration, of any of the following cannabis products, is not a violation of this section, this chapter, or any other provision of the Skagit County Code:

- (i) One-half ounce of useable cannabis;
- (ii) Eight ounces of cannabis-infused product in solid form;
- (iii) Thirty-six ounces of cannabis-infused product in liquid form; or
- (iv) Three and one-half grams of cannabis concentrates.

(b) The act of delivering cannabis or a cannabis product as authorized under this subsection must meet one of the following requirements:

- (i) The delivery must be done in a location outside of the view of general public and in a nonpublic place; or
- (ii) The cannabis or cannabis product must be in the original packaging as purchased from the cannabis retailer.

(4) The knowing possession by a qualifying patient or designated provider of cannabis concentrates, useable cannabis, cannabis-infused products, or plants in accordance with chapter 69.51A RCW is not a violation of this section, this chapter, or any other provision of the Skagit County Code.

### **9.XX.050 Possession of Marijuana Under Twenty-One**

(1) No person under twenty-one years of age may knowingly possess, manufacture, sell, or distribute cannabis, cannabis-infused products, or cannabis concentrates, regardless of THC concentration. This does not include qualifying patients with a valid authorization as defined in this chapter.

(2) Except as provided within this Chapter, any person who violates this section is guilty of a misdemeanor subject to the penalties of 9.XX.060.

### **9.XX.060 Penalties**

(1)(a) Any person violating 9.XX.020 or 9.XX.030 or any provision thereof shall be deemed guilty of a gross misdemeanor and upon conviction thereof shall be punished by a fine not exceeding five thousand dollars (\$5,000.00) or imprisonment in the County Jail for not more than one (1) year or both such fine and imprisonment. There shall be a mandatory prohibition condition on the use or possession of alcohol, marijuana, or non-prescribed controlled substance during any period of probation.

(b) Subject to the provision of 9.xx.070, any person violating 9.XX.020 shall be subject to the following mandatory penalties:

(c) Upon a first conviction shall be subject to a minimum fourteen (14) days in-custody, a minimum term of probation of twelve (12) months, and any other mandatory penalties as prescribed within this Chapter.

(d) Upon a second or subsequent conviction shall be subject to a minimum thirty (30) days in-custody, a minimum term of probation of twenty-four (24) months, and any other mandatory penalties as prescribed within this Chapter.

(2) Any person violation 9.XX.050 or any provision thereof shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding five thousand dollars (\$5,000.00) or imprisonment in the County Jail for not more than one (1) year or both such fine and imprisonment. There shall be a mandatory prohibition condition on the use or possession of alcohol, marijuana, or non-prescribed controlled substance during any period of probation.

(3)(a) A sentence for a person violating 9.XX.020, 9.XX.030, or 9.XX.050 shall include a chemical dependency evaluation and any recommended treatment from a licensed treatment provider.

(b) An individual who fails to get a chemical dependency evaluation within sixty (60) days of sentencing shall be subject to a mandatory probation sanction of ten (10) days in-custody.

(c) An individual who fails to successfully complete chemical dependency treatment by thirty (30) days prior to the end of their probationary period shall be subject to a mandatory probation sanction of thirty (30) days.

(i) The mandatory probationary sanction shall not apply to any individual who has had no violations of probation, has been in full compliance with chemical dependency treatment, and whose probationary period expires prior to the anticipated completion date of their chemical dependency treatment.

(4) An individual convicted of violating 9.XX.020, 9.XX.030, or 9.XX.050 and while on probation is found on probable cause to have consumed alcohol or used a controlled substance or committed a new

alcohol or controlled substance related offense within this State shall be subject to a mandatory probation sanction of thirty (30) days.

(5) The court may impose other interim probation sanctions for failure to comply with probation.

#### **9.XX.070 Diversion Option**

(1) Prior to an individual charged with violating 9.XX.020, 9.XX.030, or 9.XX.050 entering a plea of guilty or being found guilty following a trial, they may enter into a diversion program supervised by the probation department upon written consent of the prosecuting authority.

(2) To enter a diversion program, an individual must agree in writing to the following terms and conditions:

(a) An acknowledgment of their rights;

(b) an acknowledgment and waiver of the right to testify, the right to a speedy trial, the right to call witnesses to testify, the right to present evidence in their defense, and the right to a jury trial;

(c) a stipulation to the admissibility and sufficiency of the facts contained in the written police report to support a finding of guilty; and

(d) an acknowledgment that the statement will be entered and used to support a finding of guilty if the court finds cause to revoke the order granting diversion; and

(3) Prior to entering a defendant into a diversion under this section, the court shall provide the defendant and the defendant's counsel with the following information:

(a) A full description of the procedures for diversion;

(b) A general explanation of the roles and authority of the probation department, the prosecuting attorney, arrest and jail alternative program or , and the court in the process;

(c) A clear statement that upon the defendant's successful completion of diversion, as specified in subsection (5) of this section, and motion of the defendant, prosecuting attorney, court, or probation department, the court must dismiss the charge or charges against the defendant;

(d) A clear statement that if the defendant has not made substantial progress with treatment or services provided that are appropriate to the defendant's circumstances or, if applicable, community service, the prosecuting attorney may make a motion to terminate diversion and schedule further proceedings;

(e) An explanation of criminal record retention and disposition resulting from participation in diversion and the defendant's rights relative to answering questions about their arrest and diversion following successful completion; and

(f) A clear statement that under federal law it is unlawful for any person who is an unlawful user of or addicted to any controlled substance to ship or transport in interstate or foreign commerce, or possess in or affecting commerce, any firearm or ammunition, or to receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce.

(4) Upon defendant acknowledging and waiving any rights as specific in subsection (2) of this section and being advised by the court of their rights as specified in subsection (3) of this statute, the court shall enter the defendant into the diversion program. The admission to the diversion program requires approval of the prosecuting authority of the jurisdiction where the crime is charged.

(a) A defendant who has entered a diversion program shall not be subject to any mandatory minimum jail sentence as prescribed in this chapter, unless they do not successfully complete the terms of diversion.

(b) The court may impose interim sanctions on defendants in the diversion program for not following the conditions as set forth in their diversion agreement.

(i) Any interim sanctions shall not qualify as credit towards any mandatory minimum sentence if the defendant does not successfully complete diversion.

(5) For a defendant to successfully complete diversion they must complete the following:

(a) A chemical dependency evaluation from a Washington State approved provider;

(b) Any recommended chemical dependency treatment or services, to include at a minimum intensive outpatient treatment or services;

(c) Having 12 months of substantial compliance with the assessment and recommended treatment or services and progress toward recovery goals as reflected by written status updates or by successfully completing the recommended treatment or services, whichever occurs first; or

(d) If the chemical dependency evaluation did not include a recommendation at a minimum for intensive outpatient treatment for treatment or services, the defendant successfully completes diversion by completing alcohol and drug information school and community service as described in subsection (6) of this section and submitting proof of completion to the court.

(6) If the chemical dependency evaluation recommends treatment or services less than intensive outpatient treatment, the defendant must instead complete, at a minimum, alcohol and drug information school and an amount of community service as determined by the court, not to exceed 120 hours of community service, in order to complete diversion.

(7) Upon successful completion of diversion, the case shall be dismissed with prejudice with no penalties imposed.

(8) An individual who has participated in a diversion program may enter a second or subsequent diversion program for new charges, provided that the charges arose after completion of the previous diversion program.

(a) A defendant who is already participating in a diversion program may be terminated and sentenced accordingly if they are charged with a new crime with a finding of probable cause and after the ability to have a hearing under this chapter.

(i) If an individual is discharged from a diversion program under this subsection, they may enter diversion on the new charge under this chapter.

**CITY OF STANWOOD  
WASHINGTON**

**ORDINANCE NO. 1516**

**AN ORDINANCE OF THE CITY OF STANWOOD, WASHINGTON, AMENDING STANWOOD MUNICIPAL CODE (SMC) TITLE 9, PUBLIC PEACE, SAFETY AND WELFARE, AND SMC TITLE 5, BUSINESS LICENSES AND REGULATIONS, AND CREATING A NEW SMC TITLE 6, PARKS AND PUBLIC PLACES, AND ESTABLISHING SEVERABILITY AND AN EFFECTIVE DATE.**

WHEREAS, the City of Stanwood has begun a process to comprehensively update its municipal code to conform to current law and practice; and

WHEREAS, the purpose of this code amendment is to eliminate conflicts, improve clarity and overall function of the municipal code, and reflect current city and best practices; and

WHEREAS, amendments to Title 9, Public Peace, Safety and Welfare include deleting existing Title 9 in its entirety and adopting new provisions that contain the laws and regulations enforced by the Stanwood Police Department, including but not limited to: Anticipatory Offenses, Offenses against Persons, Property, Public Morals, Public Order, Juveniles, Domestic Violence Violations, and Substance Abuse, Trespass, Fireworks and Park Rules; and

WHEREAS, the amendment updates the code to be more consistent with contemporary language and terms; and

WHEREAS RCW 35A.11.020 authorizes the City of Stanwood to create misdemeanors and gross misdemeanors, but requires the punishment for any criminal ordinance to be the same as the punishment provided in state law for the same crime; and

WHEREAS adoption of state misdemeanors and gross misdemeanors by reference harmonizes local offenses with statewide laws and avoids potential state preemption; and

WHEREAS persons using controlled substances can become addicted to such substances resulting in negative physical and mental health consequences and damage to family and personal relationships; and

WHEREAS the use of controlled substances without a prescription and the supervision of a medical professional can result in physical injury or death and exacerbates mental health conditions, is more likely to result in addiction, and is correlated with criminal behavior; and

WHEREAS the City has taken steps to address these problems through teaming police officers with social workers and mental health professionals and the municipal court's therapeutic Community Court Program; and

WHEREAS state law now requires that persons subject to arrest for possession of a controlled substance be referred to assessment and services in lieu of arrest at least twice before he or she may be arrested; and

WHEREAS prior to 2021, former RCW 69.50.4013 made possession of a controlled substance in violation of the Uniform Controlled Substances Act a felony; and

WHEREAS in *State v. Blake*, 197 W.2d 170 (2021), the Washington State Supreme Court found former RCW 69.50.4013 unconstitutional because the felony statute did not include a *mens rea* element, i.e., a requirement that the defendant knowingly possessed the controlled substance; and

WHEREAS in response to *Blake*, the State Legislature adopted RCW 69.50.4013 during its 2021 legislative session, which temporarily amended the law to add a knowledge requirement, make possession a misdemeanor rather than a felony, and via RCW 10.31.115, require law enforcement to twice refer offenders to voluntary drug treatment before from arresting or charging someone for unlawful possession of a controlled substance; and

WHEREAS the state referral requirement has resulted in increased use of controlled substances in public; and

WHEREAS no state law addresses the use of controlled substances in public; and

WHEREAS RCW 69.50.4013, making drug possession a misdemeanor, is set to expire July 1;

WHEREAS the State Legislature has adjourned its 2023 session without taking action to extend the drug possession statute, RCW 69.50.4013;

WHEREAS RCW 69.50.608 declares that the State of Washington fully occupies and preempts the entire field of setting penalties for violations of the Uniform Controlled Substances Act, and allows cities to enact laws only if consistent with RCW chapter 69.50 and requires the same penalties as provided by state law; and

WHEREAS the use of controlled substances in public increases public disorder, negatively affects children and youth, and normalizes the use of controlled substances without a prescription; and

WHEREAS prohibiting the possession of controlled substances, and the use of controlled substances in public, will enhance public health and safety; and

WHEREAS the City also desires to minimize the public health and safety risks posed by discarded needles and other drug paraphernalia; and

WHEREAS some edits to the fireworks chapter of Title 5 are required to migrate relevant offenses to Title 9; and

WHEREAS Parks regulations are generally punished only by civil infractions and should properly be organized in a new title for Parks and Public Places; and

WHEREAS, the City of Stanwood SEPA Responsible Official has reviewed the proposed amendments to the Stanwood Municipal Code, determined that the amendments are categorically exempt from SEPA, and memorialized those conclusions under file number 230040; and

WHEREAS, the Stanwood Advisory Group reviewed the ordinance scoping memo and draft ordinance at their January 18, 2023 and March 15, 2023 meetings respectively, and has recommended that the City Council adopt the ordinance as presented; and

WHEREAS, the Stanwood Planning Commission reviewed the ordinance scoping memo and draft ordinance at their February 13, 2023 and March 13, 2023 meetings respectively and has recommended that the City Council adopt the ordinance as presented; and

WHEREAS, the Stanwood Council Community Development Committee reviewed the ordinance scoping memo and draft ordinance at their February 2, 2023 and March 2, 2023 meetings respectively, and has recommended that the City Council adopt the ordinance as presented; and

WHEREAS, the City Council held a public meeting and first reading of the draft code amendment on May 11, 2023, a second reading on May 25, 2023, and accepted public comment; and

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF STANWOOD, WASHINGTON, DOES ORDAIN AS FOLLOWS:**

**Section 1.** Stanwood Municipal Code Title 6, Parks and Public Places, is created to read as shown in Exhibit A.

**Section 2.** Stanwood Municipal Code Title 9, Public Peace, Morals and Safety, is repealed in its entirety and replaced with the new Title 9, Public Peace, Safety, and Welfare shown in Exhibit B attached to this ordinance and incorporated herein by reference as if set forth in full.

**Section 3.** Stanwood Municipal Code Sections 5.04.050, License Required and 5.04.060, Sale Purchase, Use and Discharge Dates and House, is repealed.

**Section 4.** Severability. The various parts, sections and clauses of this ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

**Section 5.** Authority to Make Necessary Corrections. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance including, but not limited to, the correction of scrivener's clerical errors, references, ordinance numbers, section/subsection numbers and any references thereto.

**Section 6.** Effective Date. This Ordinance shall take effect five days after its passage and publication as required by law.

PASSED and APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2023.

CITY OF STANWOOD:



\_\_\_\_\_  
Sid Roberts, Mayor

Attest:

\_\_\_\_\_  
Lisa Sokolik, City Clerk

Approved as to Form:

\_\_\_\_\_  
Nikki Thompson, City Attorney

Date of Publication: \_\_\_\_\_

Effective Date: \_\_\_\_\_

# EXHIBIT A

<b>Title 6 Parks and Public Places</b> .....	<b>5</b>
<b>Chapter 6.40 Park Usage</b> .....	<b>5</b>
6.40.010 Applicability .....	5
6.40.020 Definitions .....	5
6.40.030 Use of Parks.....	5
6.40.040 General Rules.....	6
6.40.050 Speed Limits .....	6
6.40.060 Closed Areas.....	7
6.40.070 Smoking and Vaping.....	7
6.40.080 Damage to Parks and Park Facilities.....	7

## Title 6 Parks and Public Places

### Chapter 6.40 Park Usage

**i** Based on existing SMC 9.40 regarding park regulations.

#### 6.40.010 Applicability

This chapter applies to all parks owned and operated by the City of Stanwood.

#### 6.40.020 Definitions


"Director" means the director of Public Works or the director's designee.


"Park" means any park owned or operated by the City of Stanwood.


#### 6.40.030 Use of Parks

Consistent with SMC Chapter 9.50, use of city parks is conditioned upon compliance with the rules in this chapter and SMC 9.50.040.


## 6.40.040 General Rules

 This chapter organizes types of rules by subject and class of civil infraction. Each section has a single class of infraction for violations. If you want to prescribe a different class of infraction for a violation, let's move that rule to its own section.


 For reference, each class of infraction is set by statute and also includes substantial statutory assessments:  
class 1: \$250  
class 2: \$125  
class 3: \$50  
class 4: \$25

 The rules that follow are based on existing SMC 9.40.010.


(1) Within the boundaries of any park owned or operated by the City of Stanwood, it is unlawful to:

 Options include fixed hours, dusk till dawn, or the text below (sunset + 1 hour and sunrise - 1 hour). Police Chief prefers a construction that allows seasonal flexibility. Deleted "camp or remain overnight," as it is included in the hourly prohibition.

- (a) be present in any park, or park any vehicle in any park, between one hour after sunset and one hour before sunrise except with written permission of the Director;
- (b) possess or consume any alcoholic beverage except within a permitted beer garden;
- (c) permit any dog to be off-leash except in designated off-leash areas;
- (d) knowingly causes a horse to be upon park premises;
- (e) operate, stop, park, or leave a motor vehicle, including any motorcycle or motor-driven cycle, any place in the park, except on a driveway or parking area;
- (f) engages in the sale of any merchandise or services, or operate any concession, without authorization from a special event permit issued under Chapter 5.06 SMC or a temporary use permit issued under SMC Title 17;

 Deleted "engage in any disorderly conduct proscribed by a city ordinance" because that is now covered by SMC 9.50.


(g) use park facilities without paying any applicable user fee adopted by city council resolution.

 Existing SMC 9.40.040 Violations uses the Class B infraction system defined in existing SMC Title 13 that we propose to eliminate. Converting the Class B infraction to a Class 3 civil infraction would carry the same \$50 penalty, plus statutory assessments.

(2) A violation of this section is a class 3 civil infraction.

## 6.40.050 Speed Limits

- (1) The Director may set speed limits for roads, paths, and parking lots in City parks applicable to all vehicles.
- (2) It is unlawful to operate any vehicle, including any bicycle, in excess of the posted speed limits.

 The City could set different penalties for bicycles vs cars.

(3) A violation of this section is a class 3 civil infraction.

#### **6.40.060 Closed Areas**

(1) The Director may close any section of a park at any time by posting notice in the closed section.

(2) It is unlawful for a person to enter or remain in a closed section of a park without written permission from the Director.

(3) A violation of this section is a class 3 civil infraction.

#### **6.40.070 Smoking and Vaping.**

(1) It is unlawful to smoke within any city park.

(2) It is unlawful to vape or carry any active vaping device within any city park.

(3) A violation of this section is a class 4 civil infraction.

#### **6.40.080 Damage to Parks and Park Facilities**

(1) It is unlawful to:

(a) build any fire within the park except in a designated area;

(b) cut, remove, or damage any flower, tree, shrub, or other landscaping;

(c) mutilate, deface, injure, damage, or molest any building installation, personal property, or equipment;  
or

(d) scatters any litter, including broken glass, waste or discarded paper or waste of any kind, in the park, except in receptacles provided for that purpose.

(2) A violation of this section is a class 1 civil infraction.

# EXHIBIT B

<b>Chapter 9.02 General Provisions</b> .....	<b>9</b>
9.02.010 Applicability .....	9
9.02.020 Definitions .....	10
9.02.030 General Provisions.....	10
9.02.040 Adoption by reference.....	10
9.02.050 Restitution .....	10
9.02.060 Severability .....	10
<b>Chapter 9.08 Anticipatory Offenses</b> .....	<b>10</b>
9.08.010 Adoption by reference.....	10
<b>Chapter 9.10 Offenses against Persons</b> .....	<b>11</b>
9.10.010 Adoption by reference.....	11
<b>Chapter 9.12 Offenses against Property</b> .....	<b>12</b>
9.12.010 Adoption by reference.....	12
<b>Chapter 9.14 Offenses against Public Morals</b> .....	<b>13</b>
9.14.010 Adoption by reference.....	13
<b>Chapter 9.16 Offenses against Public Order</b> .....	<b>14</b>
9.16.010 Adoption by reference.....	14
9.16.020 Aiming or discharging weapons.....	15
<b>Chapter 9.18 Offenses against Juveniles</b> .....	<b>16</b>
9.18.010 Adoption by reference.....	16
9.18.020 Leaving children unattended in parked automobile .....	17
<b>Chapter 9.20 Domestic Violence Violations and Orders</b> .....	<b>17</b>
9.20.010 Adoption by reference.....	17
<b>Chapter 9.22 Substance Abuse</b> .....	<b>18</b>
9.22.010 Adoption by reference.....	18
9.22.020 Possession of Drug Paraphernalia.....	19
9.22.030 Use of a Controlled Substance in a Public Place .....	19
9.22.040 Unlawful Deposit of Controlled Substances and Drug Paraphernalia .....	20
9.22.050 Possession of Controlled Substances [effective July 1, 2023] .....	20
<b>Chapter 9.42 Fireworks</b> .....	<b>21</b>
9.42.010 Adoption by reference.....	21
9.42.020 Purchase and Sales.....	21
9.42.030 Use and Discharge.....	21
<b>Chapter 9.50 Conduct and Trespass from City Property</b> .....	<b>22</b>
9.50.010 Purpose and policy .....	22

9.50.020 Applicability. ....	22
9.50.030 Definitions. ....	23
9.50.040 Prohibited conduct.....	23
9.50.050 Authority to issue trespass warnings – Service. ....	24
9.50.060 Content of trespass warning. ....	24
9.50.070 Duration of exclusion.....	24
9.50.080 Review procedure. ....	25
9.50.090 Permitted entry notwithstanding warning. ....	26
9.50.100 Violation – Penalty. ....	26

## Title 9 Public Peace, Safety, and Welfare

- i** This title is based on the existing SMC Title 9, Public Peace, Morals, and Safety.
- i** We have slightly renamed this title to be more consistent with contemporary language and other jurisdictions’ codes. Other jurisdictions frequently name this title their “Criminal Code” or “Penal Code” however we disfavor that because other code chapters will likely also include criminal provisions.
- i** This title is intended for general criminal provisions. Other provisions through the SMC may also include criminal penalties (e.g., traffic regulations in Title 10, health/sanitation in Title 7, animals in Title 8).
- i** Many existing chapters of SMC Title 9 have been reorganized into the new chapter structure. See the December 2022 scoping memo for details.
- i** Generally, this title seeks to incorporate by reference criminal state law provisions and avoid re-inventing the wheel in description of offenses.
- i** Why is it important to locally adopt these laws? Because RCW 3.50.100 provides that fees imposed by municipal court for the violation of any municipal ordinances are deposited in the city's general fund.

**u** The City attorney has recommended that existing chapter 9.50 Public Nuisance and Disturbance Noises be moved to Title 7, Health and Sanitation. Noise is frequently characterized as a health issue, so it may make sense to place it in Title 7, but noise also certainly disturbs the peace, and could be left in Title 9, which is also a common practice. We need a decision on organization of this chapter soon because the readoption of Title 9 as constructed below will replace chapter 9.50.

### Chapter 9.02 General Provisions

- i** This is a new chapter for some important universal provisions.

#### 9.02.010 Applicability

This chapter applies to the entirety of SMC Title 9.

### **9.02.020 Definitions**

The provisions of RCW 9A.04.110 Definitions as presently constituted or hereinafter amended are adopted by reference.

### **9.02.030 General Provisions**

- (1) The provision of a criminal penalty for any unlawful act does not preclude the City's use of civil remedies.
- (2) Where not otherwise specified, a violation of the Stanwood Municipal Code that is categorized as a crime is to be considered a misdemeanor.

**i** The following subsection replaces existing SMC Chapter 9.25 Emergency Response Cost Recovery and increases the recovery amount from \$1000 to \$2500.

- (3) It is the policy of the City of Stanwood to exercise the provisions of RCW 38.52.430 to recover the expenses of emergency response where that response is related to a person's intoxication by drugs or alcohol.

### **9.02.040 Adoption by reference**

The following provisions of the Revised Code of Washington as presently constituted or hereinafter amended are adopted by reference:

- RCW 9.01.110 Omission, when not punishable.
- RCW 9A.04.060 Common law to supplement statutes.
- RCW 9A.04.070 Who amenable to criminal statutes.
- RCW 9A.04.090 Application of general provisions of code.

### **9.02.050 Restitution**

The municipal court may require any defendant convicted under this code, or any person subject to a civil infraction per RCW 7.80.120, to make restitution.

### **9.02.060 Severability**

If any section, sentence, clause, or phrase of this title is held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality may not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this title.

## **Chapter 9.08 Anticipatory Offenses**

**i** The following adopted sections make any attempt, solicitation, and conspiracy for all Class C felonies prosecutable by the City as gross misdemeanors.

### **9.08.010 Adoption by reference**

The following provisions of the Revised Code of Washington as presently constituted or hereinafter amended are adopted by reference:

- RCW 9A.28.020 Criminal attempt.
- RCW 9A.28.030 Criminal solicitation.
- RCW 9A.28.040 Criminal conspiracy.

## Chapter 9.10 Offenses against Persons

**i** This chapter replaces existing SMC 9.04 Assault and most of existing SMC 9.20 Disorderly Conduct.

### 9.10.010 Adoption by reference

The following provisions of the Revised Code of Washington as presently constituted or hereinafter amended are adopted by reference:

RCW 9.61.230 Telephone harassment.

RCW 9.61.240 Telephone harassment - Permitting telephone to be used.

RCW 9.61.250 Telephone harassment - Offense, where committed.

RCW 9A.36.041 Assault in the fourth degree.

RCW 9A.36.050 Reckless endangerment.

RCW 9A.36.070 Coercion.

RCW 9A.36.160 Failing to summon assistance.

RCW 9A.36.161 Failing to summon assistance—Penalty.

RCW 9A.44.010 Definitions.

RCW 9A.44.115 Voyeurism.

RCW 9A.44.170 Custodial sexual misconduct in the second degree.

RCW 9A.46.020 Definition—Penalties.

RCW 9A.46.030 Place where committed.

RCW 9A.46.040 Court ordered requirements upon person charged with crime – Violation.

RCW 9A.46.080 Order restricting contact – Violation.

RCW 9A.46.110 Stalking.

RCW 9A.49.030 Unlawful discharge of a laser in the second degree.

RCW 9A.86.010 Disclosing intimate images.

RCW 9A.90.120 Cyber harassment.

RCW 9A.90.130 Cyberstalking.



## Chapter 9.12 Offenses against Property

**i** This chapter replaces existing SMC 9.12 Crimes Against Property.

### 9.12.010 Adoption by reference

The following provisions of the Revised Code of Washington as presently constituted or hereinafter amended are adopted by reference:

RCW 9A.48.010 Definitions.

RCW 9A.48.050 Reckless burning in the second degree.

RCW 9A.48.060 Reckless burning – Defense.

RCW 9A.48.090 Malicious mischief in the third degree.

RCW 9A.48.100 Malicious mischief - "Physical damage" defined.

RCW 9A.48.105 Criminal street gang tagging and graffiti.

RCW 9A.52.010 Definitions.

RCW 9A.52.060 Making or having burglar tools.

RCW 9A.52.070 Criminal trespass in the first degree.

RCW 9A.52.080 Criminal trespass in the second degree.

RCW 9A.52.090 Criminal trespass – Defenses.

RCW 9A.52.100 Vehicle prowling in the second degree.

RCW 9A.52.105 Removal of unauthorized persons - Declaration - Liability - Rights.

RCW 9A.52.115 Removal of unauthorized persons - Declaration form - Penalty for false swearing.

RCW 9A.56.010 Definitions.

RCW 9A.56.020 Theft - Definition, defense.

RCW 9A.56.050 Theft in the third degree.

RCW 9A.56.060 Unlawful issuance of checks or drafts.

RCW 9A.56.063 Making or possessing motor vehicle theft tools.

RCW 9A.56.096 Theft of rental, leased, lease-purchase, or loaned property.

RCW 9A.56.140 Possessing stolen property - Definition - Presumption.

RCW 9A.56.170 Possessing stolen property in the third degree.

RCW 9A.56.180 Obscuring the identity of a machine.

RCW 9A.56.220 Theft of subscription services.

RCW 9A.56.240 Forfeiture and disposal of device used to commit violation.

RCW 9A.56.270 Shopping cart theft.

RCW 9A.56.330 Possession of another's identification.

RCW 9A.56.410 Metal property deception.

RCW 9A.61.010 Definitions.

RCW 9A.61.020 Defrauding a public utility.

RCW 9A.61.050 Defrauding a public utility in the third degree.

RCW 9A.61.060 Restitution and costs.

RCW 9A.90.030 Definitions.

RCW 9A.90.50 Computer trespass in the second degree.

RCW 9A.90.070 Spoofing.

RCW 9A.90.090 Electronic data tampering in the second degree.

**i** The following section addresses catalytic converter theft.

RCW 19.290.010 Definitions.

RCW 19.290.100 Scrap metal license—Penalties.

## Chapter 9.14 Offenses against Public Morals

**i** This chapter replaces existing AMC 9.28 Houses of Prostitution.

### 9.14.010 Adoption by reference

The following provisions of the Revised Code of Washington as presently constituted or hereinafter amended are adopted by reference:

RCW 9A.42.010 Definitions.

RCW 9A.42.035 Criminal mistreatment third degree.

RCW 9A.42.037 Criminal mistreatment fourth degree.

RCW 9A.42.039 Arresting officer, notification by.

RCW 9A.42.050 Defense of financial inability.

RCW 9A.42.080 Abandonment of a dependent person in the third degree - Exception.

RCW 9A.42.090 Abandonment of a dependent person - Defense.

RCW 9A.42.110 Leaving a child in the care of a sex offender.

RCW 9A.44.130 Registration of sex offender.

RCW 9A.44.132 Failure to register as a sex offender or kidnapping offender – Refusal to provide DNA.

RCW 9A.88.010 Indecent exposure.

RCW 9A.88.030 Prostitution.

RCW 9A.88.040 Prosecution for prostitution under RCW 9A.88.030 - Affirmative defense.

RCW 9A.88.050 Prostitution - Sex of parties immaterial - No defense.

RCW 9A.88.090 Permitting prostitution.

RCW 9A.88.110 Patronizing a prostitute.

RCW 66.44.090 Acting without a license.

RCW 66.44.100 Opening or consuming liquor in public place —Penalty.

RCW 66.44.130 Sales of liquor by drink or bottle.

RCW 66.44.150 Buying liquor illegally.

RCW 66.44.180 General penalties —Jurisdiction for violations.

RCW 66.44.270 Furnishing liquor to minors.

RCW 66.44.290 Minor purchasing or attempting to purchase liquor - Penalty.

RCW 66.44.325 Unlawful transfer to minor of age identification.

RCW 66.44.328 Preparation or acquisition and supply to persons under age twenty-one of facsimile of official identification card - Penalty.

RCW 66.44.380 Powdered alcohol.

## Chapter 9.16 Offenses against Public Order

### 9.16.010 Adoption by reference

The following provisions of the Revised Code of Washington as presently constituted or hereinafter amended are adopted by reference:

RCW 9.41.010 Definitions.

RCW 9.41.050 Carrying firearms.

RCW 9.41.060 Exceptions to restrictions on carrying firearms.

RCW 9.41.250 Dangerous weapons - Penalty.

**i** Note the following RCW requires the City to post signs providing notice of the restriction on possession of firearms.

RCW 9.41.305 Open carry of weapons prohibited on state capitol grounds and municipal buildings.

RCW 9.40.100 Tampering with fire alarm or firefighting equipment.

RCW 9A.50.020 Interfering with access to health care.

RCW 9A.60.045 Criminal impersonation in the second degree.

RCW 9A.60.050 False certification.

RCW 9A.72.040 False Swearing.

RCW 9A.72.060 Perjury and False Swearing - Retraction.

RCW 9A.72.150 Tampering with physical evidence.

RCW 9A.76.020 Obstructing a law enforcement officer.

RCW 9A.76.030 Refusing to summon aid for a peace officer.

RCW 9A.76.040 Resisting arrest.

RCW 9A.76.050 Rendering criminal assistance - Definition of term.

RCW 9A.76.060 Relative defined.

RCW 9A.76.080 Rendering criminal assistance in the second degree.

RCW 9A.76.090 Rendering criminal assistance in the third degree.

RCW 9A.76.100 Compounding.

RCW 9A.76.130 Escape.

RCW 9A.76.160 Introducing contraband in the third degree.

RCW 9A.76.170 Bail jumping.

RCW 9A.76.175 Making a false or misleading statement to a public servant.

RCW 9A.76.190 Failure to appear or surrender - Affirmative defense - Penalty.

RCW 9A.84.010 Criminal mischief.

RCW 9A.84.020 Failure to disperse.

RCW 9A.84.030 Disorderly conduct.

RCW 9A.84.040 False reporting.

### **9.16.020 Aiming or discharging weapons.**

**i** This section replaces SMC 9.20.110, Discharge of Firearms, and is expanded to include additional weapons and aiming such weapons, and removes regulation of fireworks (which is handled elsewhere).

(1) It is unlawful for any person to:

(a) aim any firearm, whether loaded or not, at or toward any human being;

(b) willfully discharge any firearm;

(c) willfully discharge an air gun, bow and arrow, sling shot, or like weapon in any place where persons or property might be unreasonably endangered thereby, whether or not injury or damage results.

- (2) This section does not apply to:
- (a) police officers while in the discharge of their lawful duties;
  - (b) persons exercising the right specified in RCW 9A.16.020;
  - (c) persons continuing with best farm management practices currently in existence, including, but not limited to, the slaughtering or humane destruction of livestock or wildlife, or the hazing of wildlife or wildfowl in conformance with the requirements of the Washington State Fish and Wildlife Department, the U.S. Department of Agriculture, and the United States Fish and Wildlife Service;
  - (d) persons discharging firearms loaded with blank cartridges for signal or ceremonial purposes in any athletic or sports event, recognized public event, any public ceremonial functions such as military funeral salutes, or by any memorial or military organizations or service groups for ceremonial purposes.
- (3) A violation of this section is a misdemeanor.

#### **9.16.040 Pedestrian Interference.**

- (1) It is unlawful to, in a public place:
- (a) obstruct pedestrian traffic; or
  - (b) aggressively beg.
- (2) Definitions. The following definitions apply to this section:
- (a) "Aggressively begs" means to beg with intent to intimidate another person into giving money or goods.
  - (b) "Beg" means to ask for money or goods as a charity, whether by words, or other means.
  - (c) "Intimidate" means to coerce or frighten into submission or obedience.
  - (d) "Obstruct pedestrian traffic" means to intentionally walk, stand, sit, lie, or place an object in such a manner as to block passage by another person, or to require another person to take evasive action to avoid physical contact. Acts authorized as an exercise of one's constitutional right to picket or to legally protest, and acts authorized pursuant to permits issued by the city do not constitute obstruction of pedestrian traffic.
  - (e) "Public place" means the area generally visible to public view and includes alleys, bridges, buildings, driveways, parking lots, parks, plazas, sidewalks, streets, and trails open to the general public, including those that serve food or drink or provide entertainment, and the doorways and entrances to buildings or dwellings and the grounds enclosing them.
- (3) A violation of this section is a class 2 civil infraction.

## **Chapter 9.18 Offenses against Juveniles**

### **9.18.010 Adoption by reference**

The following provisions of the Revised Code of Washington as presently constituted or hereinafter amended are adopted by reference:

RCW 9.68A.011 Definitions.

RCW 9.68A.090 Communicating with a minor for immoral purpose.

RCW 9.68A.103 Permitting commercial sexual abuse of a minor - Penalty - Consent of minor does not constitute defense.

RCW 9.68A.150 Allowing minor on the premises of a live erotic performance.

RCW 9.69.100 Duty of witness of offense against minor or any violent offense .

RCW 9A.44.096 Sexual misconduct with a minor in the second degree .

RCW 13.32A.080 Harboring a minor.

**i** RCW 26.28.080 regarding sales of tobacco to a minor includes vapor products.

RCW 26.28.080 Selling or giving tobacco to a minor.

RCW 70.345.010 Definitions.

RCW 70.345.030 License required [for sale of vapor products].

RCW 70.345.100 Product tastings—Requirements—Penalty.

RCW 70.345.140 Purchase or possession [of vapor products] by persons under eighteen .

### **9.18.020 Leaving children unattended in parked automobile**

**i** RCW 9.91.060 governs leaving children unattended in parked automobile, but only while the adult enters a tavern. This section mirrors that provision without the restrictive clause. Note that RCW 46.61.685, in the traffic code that is adopted by Title 10, governs leaving children unattended in standing vehicle with motor running.

- (1) It is unlawful for a person having the care and custody, whether temporary or permanent, of minor children under the age of twelve years, to leave such children in a parked automobile unattended by an adult.
- (2) A violation of this section is a misdemeanor.

## **Chapter 9.20 Domestic Violence Violations and Orders**

### **9.20.010 Adoption by reference**

The following provisions of the Revised Code of Washington as presently constituted or hereinafter amended are adopted by reference:

RCW 7.105.010 Definitions.

RCW 7.105.450 Enforcement and penalties – Other than antiharassment protection orders and extreme risk protection orders.

RCW 7.105.455 Enforcement and penalties – Antiharassment protection orders.

RCW 7.105.460 Enforcement and penalties – Extreme risk protection orders – False petitions.

RCW 7.105.465 Enforcement and penalties – Knowledge of order.

RCW 7.105.470 Enforcement - Prosecutor assistance.

RCW 9.41.040 Unlawful possession of firearms – Ownership, possession by certain persons.

RCW 9.41.800 Surrender of weapons or licenses – Prohibition on future possession or licensing.

RCW 9.41.810 Violation – Penalty.

RCW 9A.36.150 Interfering with the reporting of domestic violence.

RCW 9A.40.010 Definitions.

RCW 9A.40.070 Custodial interference in the second degree.

RCW 9A.40.080 Custodial interference – Assessment of costs – Defense – Consent defense, restricted.

RCW 10.99.020 Definitions.

RCW 10.99.040 Duties of court – No contact order.

RCW 10.99.045 Appearances by defendant – Defendant's history – No-contact order.

RCW 10.99.050 Victim contact – Restriction, prohibition – Violation, penalties – Written order – Procedures.

RCW 10.99.055 Enforcement of orders.

RCW 10.99.070 Liability of peace officers.

RCW 26.09.300 Restraining orders – Notice – Refusal to comply – Arrest – Penalty – Defense.

## **Chapter 9.22 Substance Abuse**

### **9.22.010 Adoption by reference**

The following provisions of the Revised Code of Washington as presently constituted or hereinafter amended are adopted by reference:

RCW 9.47A.010 Definition.

RCW 9.47A.020 Unlawful inhalation - Exception.

RCW 9.47A.030 Possession of certain substances prohibited, when.

RCW 9.47A.040 Sale of certain substances prohibited, when.

RCW 9.47A.050 Penalty.

RCW 69.38.010 "Poison" defined.

RCW 69.38.040 Inspection of poison register - Penalty for failure to maintain register.

RCW 69.38.050 False representation—Penalty.

RCW 69.38.060 Manufacturers and sellers of poisons—License required—Penalty.

RCW 69.41.010 Definitions.

RCW 69.41.030 Legend drug without prescription or order prohibited—Exceptions—Penalty.

RCW 69.41.350 Steroid—Penalties.

RCW 69.50.101 Definitions.

RCW 69.50.412 Prohibited acts: E—Penalties.

RCW 69.50.445 Cannabis in view of general public or public place —Penalty.

RCW 69.50.4011 Counterfeit substances—Penalties.

RCW 69.50.4013 Possession of controlled substance —Penalty.

RCW 69.50.4014 Possession of forty grams or less of cannabis —Penalty.

### 9.22.020 Possession of Drug Paraphernalia

**i** This section replaces existing SMC Chapter 9.22 Drug Paraphernalia Restrictions.

**i** Note that the *use* of drug paraphernalia is prohibited by RCW 69.50.412, incorporated by reference above.

- (1) It is unlawful to possess “drug paraphernalia,” as defined in RCW 69.50.102, for any purpose related to any controlled substance other than cannabis.
- (2) A violation of this section is a misdemeanor.

### 9.22.030 Use of a Controlled Substance in a Public Place

**i** This is a new section that addresses a gap in the state statutory drug framework. This section is similar to those most recently adopted by Anacortes and Bellingham, and previously Marysville, Richland, and others. Note the definition of “controlled substance” in RCW 69.50.101 (incorporated by reference above) excludes hemp/cannabis.

**i** Note that a bill in the Legislature in this session may contain a state law adoption of this same crime, which would pre-empt this section and necessitate its repeal.

- (1) It is unlawful to intentionally use a controlled substance in a public place, except as now or hereafter authorized or expressly permitted by the laws of the state or except upon written or oral order or prescription of a physician, surgeon, dentist, or other medical professional licensed to practice in the state and legally authorized to prescribe controlled substances.
- (2) Definitions. For the purpose of this section:
  - (a) "Public place" means an area generally visible to public view, including without limitation any place where the public has a right of access, including establishments or conveyances to which the public is invited and their associated parking lots, parking structures, walkways, doorways, entrances, and restrooms.
  - (b) "Use" means any effort taken in furtherance of an attempt to inject, ingest, inhale, or otherwise introduce a dangerous drug into the human body.
- (3) A violation of this section is a gross misdemeanor.



## 9.22.040 Unlawful Deposit of Controlled Substances and Drug Paraphernalia

**i** This is a new section that also may provide some utility for drug enforcement, and is similar to Richland's ordinance.

- (1) It is unlawful for any person to knowingly dump, throw, deposit, or discharge onto the ground or into any body of water, any controlled substance or drug paraphernalia.
- (2) A violation of this section is a misdemeanor.

## 9.22.050 Possession of Controlled Substances [effective July 1, 2023]

**i** This section is proposed to adopt the provisions of RCW 69.50.4013 to provide a criminal penalty for drug possession starting July 1, 2023, when RCW 69.50.4013 is scheduled to expire. This section makes possession a gross misdemeanor, consistent with the latest version of SB 5536, which the Legislature declined to adopt before it adjourned this session.

**i** It's possible that the Legislature may meet in special session to amend RCW 69.50.4013 before July 1; if so, the City should remove this from the ordinance or, if already adopted by then, amend the code to remove it.

**i** Note that the City's adoption does not include the treatment referral requirement in RCW 10.31.115, which doesn't expire but would become ineffective after expiration of RCW 69.50.4013.

- (1) It is unlawful for any person to knowingly possess a controlled substance unless the substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of his or her professional practice, or except as otherwise authorized by Chapter 69.50 RCW.
- (2) Exceptions.
  - (a) The possession, by a person 21 years of age or older, of useable cannabis, cannabis concentrates, or cannabis-infused products in amounts that do not exceed those set forth in RCW 69.50.360(3) is not a violation of this section.
  - (b) The delivery by a person 21 years of age or older to one or more persons 21 years of age or older, during a single 24-hour period, for noncommercial purposes and not conditioned upon or done in connection with the provision or receipt of financial consideration, of any of the following cannabis products, is not a violation of this section:
    - (i) One-half ounce of useable cannabis;
    - (ii) Eight ounces of cannabis-infused product in solid form;
    - (iii) 36 ounces of cannabis-infused product in liquid form; or
    - (iv) Three and one-half grams of cannabis concentrates.
  - (v) The act of delivering cannabis or a cannabis product as authorized under this subsection must meet one of the following requirements:
  - (vi) The delivery must be done in a location outside of the view of general public and in a nonpublic place; or
  - (vii) The cannabis or cannabis product must be in the original packaging as purchased from the cannabis retailer.
- (c) No person under 21 years of age may possess, manufacture, sell, or distribute cannabis, cannabis-infused products, or cannabis concentrates, regardless of THC concentration. This does not include qualifying patients with a valid authorization.

- (d) The possession by a qualifying patient or designated provider of cannabis concentrates, useable cannabis, cannabis-infused products, or plants in accordance with chapter 69.51A RCW is not a violation of this section.
- (3) A violation of this section is a gross misdemeanor.
- (4) This section is effective July 1, 2023.

## Chapter 9.42 Fireworks

**i** This chapter will supplant some portions of SMC Chapter 5.04 which governs permits for display fireworks so that police enforcement of fireworks violations are contained in Title 9, while the regulations and procedures regarding fireworks permits are contained in Title 5.

### 9.42.010 Adoption by reference

The following provisions of the Revised Code of Washington as presently constituted or hereinafter amended are adopted by reference:

- RCW 70.77.485 Unlawful possession of fireworks—Penalties.
- RCW 70.77.488 Unlawful [reckless] discharge or use of fireworks—Penalty.
- RCW 70.77.510 Unlawful sales or transfers of display fireworks—Penalty.
- RCW 70.77.515 Unlawful sales or transfers of consumer fireworks—Penalty.
- RCW 70.77.520 Unlawful to permit fire nuisance where fireworks kept—Penalty.
- RCW 70.77.540 Penalty.
- RCW 70.77.545 Violation a separate, continuing offense.

### 9.42.020 Purchase and Sales.

- (1) It is unlawful to sell or purchase consumer fireworks within the City of Stanwood except during the following times:
  - (a) from 12:00 noon to 11:00 p.m. on June 28;
  - (b) from 9:00 a.m. to 11:00 p.m. on each day from June 29 through July 4;
  - (c) from 9:00 a.m. to 9:00 p.m. on July 5; and
  - (d) from 12:00 noon to 11:00 p.m. on each day from December 27 through December 31.
- (2) It is unlawful to sell fireworks without a valid license issued per SMC Chapter 5.04.
- (3) A violation of this section is a class 1 civil infraction.

### 9.42.030 Use and Discharge.

- (1) It is unlawful to use or discharge consumer fireworks within the City of Stanwood except during the following times:
  - (a) from 12:00 noon to 11:00 p.m. on June 28
  - (b) from 9:00 a.m. to 11:00 p.m. on each day from June 29 to July 3
  - (c) from 9:00 a.m. to 12:00 midnight on July 4;

- (d) from 9:00 a.m. to 11:00 p.m. on July 5;
  - (e) from 6:00 p.m. on December 31 until 1:00 a.m. on January 1 of the subsequent year.
- (2) This section does not apply to a public display of fireworks licensed per SMC Chapter 5.04.
- (3) A violation of this section is a class 2 civil infraction.

## Chapter 9.50 Conduct and Trespass from City Property

**i** People that behave dangerously, illegally, or threateningly may need to be trespassed from city property. To protect the due process rights of those people, it's important to adopt a code of conduct, procedures, graduated exclusion periods, and appeal provisions. This chapter is based on similar code chapters from Port Townsend and Anacortes.

### 9.50.010 Purpose and policy.


- (1) The purpose of this chapter is to:
- (a) Adopt a legally sound process for being able to exclude from city property persons whose behavior is dangerous, unsafe, illegal, or unreasonably disruptive to other users;
  - (b) Define the process for issuance of trespass warnings and their content; and
  - (c) Provide procedures for a recipient of a trespass warning to promptly appeal the warning to protect their right to engage in legitimate activities protected by the state and federal constitutions.
- (2) This chapter is enacted as an exercise of the city's authority to protect and preserve the public health, safety, and welfare under Article XI, Section 11 of the Washington State Constitution.
- (3) This chapter is intended to be enforced to emphasize voluntary compliance with laws and city rules and so that inadvertent minor violations of this section can be corrected without resorting to a trespass warning.

### 9.50.020 Applicability.

- (1) This chapter applies to behavior on all real property in the City of Stanwood owned or leased by the City of Stanwood, including real property that the city owns or operates in common with another jurisdiction, including but not limited to:
- (a) Municipal buildings, including City Hall;
  - (b) Parks, trails, and other open spaces;
  - (c) Public Works water and wastewater treatment facility;
  - (d) Reservoirs, water tanks, pump stations, lift stations;
  - (e) Police station and annex building;
  - (f) North County Regional Fire Authority fire stations when used by city staff or elected officials;
  - (g) Stanwood Camano School District Building when used for official Council or City meetings;
  - (h) Stanwood library;
  - (i) Public restrooms;
  - (j) City owned public parking lots; and
  - (k) City owned detention ponds and vaults.

(2) This chapter does not apply to public streets and sidewalks.

### 9.50.030 Definitions.

 See note about the person designated to hear appeals below.

“Police Chief” means the Chief of the City of Stanwood Police Department or other person designated by the Chief to perform the duties described in this chapter.

“Trespass warning” means a document informing the recipient that they are prohibited from entering a specified place for a specified period of time, consistent with the requirements of this chapter.

### 9.50.040 Prohibited conduct.

- (1) The following behavior is prohibited by this chapter in the places to which this chapter applies:
- (a) Dangerous Behavior. Any behavior that creates an imminent and unreasonable risk of injury or harm to either persons or property of another or the actor.
  - (b) Illegal Behavior. Any behavior that is prohibited by the laws of the United States, Washington State, Snohomish County, or the city including, but not limited to, any of the following types of behavior:
    - (i) Threatening another person by communicating either directly or indirectly to another person the intent to cause bodily injury in the future to the person threatened or to any other person;
    - (ii) Selling or using alcohol or drugs;
    - (iii) Threatening or harassing behavior (e.g., fighting or threatening to fight, brandishing a weapon, stalking, verbally threatening to harm others or their property);
    - (iv) Assaulting staff or other patrons;
    - (v) Urination or defecation other than in facilities intended for that function;
    - (vi) Sexual misconduct or harassment (e.g., indecent exposure, offensive touching, sexual acts);
    - (vii) Vandalism or placing graffiti;
    - (viii) Starting a fire in an undesignated area.
  - (c) Unreasonably Disruptive Behavior. Any behavior that, in consideration of the nature, scope, use and purpose of the city property in question, unreasonably interferes with others’ use and enjoyment of city property, including but not limited to:
    - (i) Use of unreasonably hostile or aggressive language or gestures; or
    - (ii) Unreasonably loud vocal expression or unreasonably boisterous physical behavior; or
    - (iii) Using electronic or other communication devices in a manner that is unreasonably disruptive to others; or
    - (iv) Unreasonably interfering with the free passage of staff or patrons in or on public property; or
    - (v) Behavior that is unreasonably inconsistent with the normal use for which the publicly owned property was designed and intended to be used (e.g., engaging in loud conversation in a library setting);
    - (vi) Violation of the posted rules of the city property in question.
- (2) Exception. Any constitutionally protected action or speech is excluded from the prohibited conduct described in this section.

**9.50.050 Authority to issue trespass warnings – Service.**

- (1) Officers of the city Police Department are authorized to issue a trespass warning to any person who the officer has probable cause to believe has violated SMC 9.50.040.
- (2) The warning may be based upon observation by a police officer or a city employee or may be based upon a civilian report that would ordinarily be relied upon by police officers in the determination of probable cause.
- (3) The person need not be charged, tried, or convicted of any crime or infraction for the trespass warning to be issued or be effective.
- (4) Trespass warnings may be served upon the person subject to the warning using one of the following methods:
  - (a) First-class mail to the person at the person’s last known address;
  - (b) Personally; or
  - (c) If the person cannot be located by one of the first two methods after a diligent search, by publication in a newspaper of general circulation.
- (5) Service is effective:
  - (a) On the date the notice is personally received;
  - (b) In the case of service by mail, three days after the notice is mailed; or
  - (c) In the case of service by publication, 15 days after publication.
- (6) The trespass warning becomes effective, and the duration starts to run, upon the effective date of service.

**9.50.060 Content of trespass warning.**


- (1) The trespass warning must be in writing and contain:
  - (a) The date of issuance;
  - (b) A description of the behavior that is the basis for the trespass warning;
  - (c) The place(s) of exclusion consistent with subsection (2) of this section;
  - (d) The length of exclusion consistent with SMC 9.50.070;
  - (e) The signature of the issuing police officer;
  - (f) A description of the consequences for failure to comply consistent with SMC 9.50.100.
- (2) A trespass warning for a place or places may not prohibit access to another place or places that are unrelated to or not a part of the place where the conduct that is the subject of the trespass warning occurred.

**9.50.070 Duration of exclusion.**

- (1) An officer who issues a trespass warning under this Chapter must determine a duration of exclusion consistent with this section.
- (2) If the person subject to the trespass warning:
  - (a) Has not been excluded from City property by a trespass warning issued within one year prior to the violation, then the warning may exclude the person for a period not exceeding 7 days.
  - (b) Has been the subject of only one prior trespass warning issued within one year prior to the current violation, then the warning may exclude the person up to 90 days.

- (c) Has been the subject of two or more prior trespass warnings issued within one year prior to the current violation, then the warning may exclude the person up to one year.

### 9.50.080 Review procedure.

 Note this review could alternatively be performed by the City Administrator, as it is in Port Townsend's code.

- (1) For good cause, the Police Chief may rescind, shorten, or modify a trespass warning consistent with this section.
  - (a) A written request for review of a trespass warning must be delivered to the Police Chief no later than seven business days after it is issued.
  - (b) The Police Chief must hold a review hearing on the decision within one week of receipt of a request for review of a trespass warning.
  - (c) The Police Chief must notify the person subject to the warning of the date, time, and place, telephone number or electronic means at or by which the review will be conducted.
  - (d) The review decision must be communicated no later than five business days following the review.
  - (e) The review decision must inform the person subject to the warning of the right to seek judicial review of the decision and that the time frame for seeking judicial review runs from the date of service of the written decision.
- (2) For purposes of this section, "good cause" to rescind, shorten, or modify a trespass warning must be found where any of the following are true:
  - (a) The person subject to the warning demonstrates by a preponderance of the evidence that his or her conduct was intended to be expressive conduct protected by the First Amendment;
  - (b) The person subject to the warning was not given warning that the conduct in question was subject to a trespass warning;
  - (c) The trespass warning was based solely upon the statement of a third party, was not observed personally by the issuing officer or a city employee, would not ordinarily be relied upon by police officers in the determination of probable cause, and the person subject to the warning claims that he or she did not commit the action for which he or she was warned; or
  - (d) Reasonable minds could differ on the question of whether the conduct in question was unreasonably disruptive to others on the same property at the same time.
- (3) At the review hearing, the violation must be proved by a preponderance of the evidence to uphold the trespass warning. The Police Chief may consider a sworn report or declaration from the officer who issued the trespass warning or upon whose observation the trespass warning was based, without further evidentiary foundation, as prima facie evidence that the person committed the violation as described. The Police Chief may consider information that would not be admissible under the evidence rules in a court of law but that the Police Chief considers relevant and trustworthy. If the warning was issued because of the alleged violation of any criminal law, the person need not be charged, tried, or convicted for the warning to be upheld.
- (4) The decision of the Police Chief constitutes the city's final decision. A person seeking judicial review of the city's final decision must file an application for a writ of review in Superior Court within 15 days of receipt of the city's final decision.
- (5) The trespass warning remains in effect during the pendency of any administrative or judicial proceeding.

- (6) No determination of facts made by the Police Chief may have any collateral estoppel effect on a subsequent criminal prosecution or civil proceeding and may not preclude litigation of those same facts in a subsequent criminal prosecution or civil proceeding.

**9.50.090 Permitted entry notwithstanding warning.**

- (1) The Police Chief may, upon request, authorize a person who has received a trespass warning in accordance with this chapter to enter city property to exercise his or her First Amendment rights or to conduct government business if there is no other reasonable alternative location to exercise such rights or conduct such business. Authorization must be in writing and specify the duration of the authorization and any conditions thereof, which may include a requirement that the person be escorted by a police officer.
- (2) The Police Chief must issue a decision on a request for entry onto public property by the recipient of a trespass warning during a period of exclusion no later than 48 hours after receipt of the request.

**9.50.100 Violation – Penalty.**

- (1) Any person who is found on city or other publicly owned property in violation of a trespass warning issued in accordance with this chapter may be arrested for criminal trespass as defined in Chapter 9A.52 RCW and incorporated by reference into this title, except as otherwise provided in this section.
- (2) This chapter does not supplant the city's ability to enforce any other section of the Stanwood Municipal Code regulating behavior on public property or the city's ability to pursue other civil or criminal remedies and penalties.
- (3) A city employee who becomes aware of a violation of a trespass warning issued in accordance with this chapter is expected to notify the Police Department.

CITY OF MARYSVILLE  
Marysville, Washington

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF MARYSVILLE AMENDING CHAPTER 6.27 OF THE MUNICIPAL CODE IN REGARD TO THE USE OF CONTROLLED SUBSTANCES IN PUBLIC PLACES.**

WHEREAS, the use of controlled substances without a prescription and the supervision of a medical professional can result in physical injury or death; and

WHEREAS, the use of controlled substances without a prescription and the supervision of a medical professional often exacerbates mental health conditions; and

WHEREAS, using controlled substances can alter a person's brain or brain chemistry with negative health consequences; and

WHEREAS, persons using controlled substances can become addicted to such substances resulting in negative physical and mental health consequences and damage to family and personal relationships; and

WHEREAS, the use of controlled substances without a prescription or medical supervision is more likely to result in addiction; and

WHEREAS, the use of controlled substances without a prescription is positively correlated with criminal behavior; and

WHEREAS, the City has taken steps to address these problems through teaming police officers with social workers and mental health professionals and the municipal court's Mental Health Alternatives Program; and

WHEREAS, state law now requires that persons subject to arrest for possession of a controlled substance be referred to assessment and services in lieu of arrest at least twice before he or she may be arrested; and

WHEREAS, this state requirement has resulted in increased use of controlled substances in public; and

WHEREAS, the use of controlled substances in public increases public disorder and the negative effects of using controlled substances without a prescription; and

WHEREAS, the use of controlled substances in public negatively affects children and youth and normalizes the use of controlled substances without a prescription; and



WHEREAS, the use of alcohol and marijuana by persons of legal age is prohibited in public; and

WHEREAS, prohibiting the use of controlled substances in public will enhance public health and safety; and

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

SECTION 1. A new section 6.27.022 is added to the municipal code as set forth in Exhibit A.

SECTION 2. Section 6.27.025 of the municipal code is amended as set forth in Exhibit B.

SECTION 3. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

SECTION 4. Upon approval by the city attorney, the city clerk or the code reviser are authorized to make necessary corrections to this ordinance, including scrivener’s errors or clerical mistakes; references to other local, state, or federal laws, rules, or regulations; or numbering or referencing of ordinances or their sections and subsections.

SECTION 5. Effective Date. This ordinance shall become effective five days after the date of its publication by summary.

PASSED by the City Council and APPROVED by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

CITY OF MARYSVILLE

By \_\_\_\_\_  
JON NEHRING, MAYOR

Attest:

By \_\_\_\_\_  
\_\_\_\_\_, DEPUTY CITY CLERK

Approved as to form:

By \_\_\_\_\_  
JON WALKER, CITY ATTORNEY

Date of publication: \_\_\_\_\_

Effective Date (5 days after publication): \_\_\_\_\_

# EXHIBIT A

## **6.27.022 Use of a Controlled Substance in a Public Place.**

1. It is unlawful for any person to knowingly use a controlled substance in a public place unless the controlled substance has been lawfully prescribed to the person using it.
2. “Use” means any effort taken in furtherance of an attempt to inject, ingest, inhale or otherwise introduce a controlled substance into the human body.
3. “Public place” means an area generally visible to public view, and includes streets, sidewalks, bridges, alleys, plazas, parks, driveways, parking lots, automobiles (whether moving or not), and buildings open to the public, and doorways, windows, drive-up windows, and entrances to buildings or dwellings that are visible to public view.
4. Use of a controlled substance in a public place is a misdemeanor.

# EXHIBIT B

## **6.27.025 Offer of referral.**

When a police officer has probable cause that a person has committed the crime of possession of a counterfeit substance, possession of a controlled substance, possession of 40 grams or less of marijuana, possession of a legend drug, or possession of drug paraphernalia, the officer will offer a referral to assessment and services in the manner provided by RCW 10.31.115. When a police officer has probable cause that a person has committed the crime of use of a controlled substance in a public place, the officer may, but is not required to offer a referral and is authorized to book the person into jail regardless of whether that person has previously been offered a referral.

CITY OF MARYSVILLE  
Marysville, Washington

ORDINANCE NO. 3179

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MARYSVILLE, WASHINGTON, AMENDING CHAPTER 6.27 OF THE MUNICIPAL CODE AND CRIMINALIZING THE POSSESSION OF A CONTROLLED SUBSTANCE WITHOUT A PRESCRIPTION.**

WHEREAS, the use of controlled substances without a prescription and the supervision of a medical professional can result in physical injury or death; and

WHEREAS, the use of controlled substances without a prescription and the supervision of a medical professional often exacerbates mental health conditions; and

WHEREAS, using controlled substances can alter a person's brain or brain chemistry with negative health consequences; and

WHEREAS, persons using controlled substances can become addicted to such substances resulting in negative physical and mental health consequences and damage to family and personal relationships; and

WHEREAS, the use of controlled substances without a prescription or medical supervision is more likely to result in addiction; and

WHEREAS, the use of controlled substances without a prescription is positively correlated with criminal behavior; and

WHEREAS, the City has taken steps to address these problems through teaming police officers with social workers and mental health professionals and the municipal court's Mental Health Alternatives Program; and

WHEREAS, public health officials in Snohomish County have linked an increase in opioid deaths and the use of naloxone to prevent overdoses with the continuing COVID-19 pandemic; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court held in the case of State v. Blake, No. 96873-0, that RCW 69.50.4013(1) – the statute that criminalized the possession of a controlled substance without a prescription – exceeds the state's police power and violates the due process clauses of the state and federal constitutions; and

WHEREAS, the Supreme Court's ruling has the effect of eliminating any criminal penalties for the possession of a controlled substance without a prescription; and

WHEREAS, the Supreme Court's ruling also eliminates the authority of police officers to arrest persons possessing a controlled substance without a prescription or obtaining search warrants to search for controlled substances possessed without a prescription; and

WHEREAS, the lack of criminal penalties for the possession of controlled substances without a prescription will immediately result in an increase in the negative health and safety consequences associated with the use of controlled substances without a prescription; and

WHEREAS, the lack of enforcement authority of the police will interfere with the City's initiatives to address addiction and criminal activity associated with the use of controlled substances without a prescription by eliminating incentives for individuals to enter treatment or obtain necessary social services; and

WHEREAS, the effect of eliminating criminal penalties and police authority in regard to the possession and use of controlled substances without a prescription will have an immediate, direct, and negative impact on the health, safety, and welfare of the City's inhabitants; and

WHEREAS, this is a public emergency ordinance necessary for the protection of public health and public safety, and should be effective upon adoption.

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

SECTION 1. The Recitals set forth above are adopted as findings of fact in support of this emergency ordinance.

SECTION 2. Chapter 6.27 of the municipal code is amended as set forth in Exhibit A.


SECTION 3. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.


SECTION 4. Upon approval by the city attorney, the city clerk or the code reviser are authorized to make necessary corrections to this ordinance, including scrivener's errors or clerical mistakes; references to other local, state, or federal laws, rules, or regulations; or numbering or referencing of ordinances or their sections and subsections.


SECTION 5. Effective Date. This ordinance is necessary for the protection of public health and public safety, and is effective upon adoption.

PASSED by the City Council and APPROVED by the Mayor this 8<sup>th</sup> day of March, 2021.

CITY OF MARYSVILLE

By   
JON NEHRING, MAYOR

Attest:  
By   
Tina Brock, DEPUTY CITY CLERK

Approved as to form:  
By , Esq.  
JON WALKER, CITY ATTORNEY

Date of publication: 03/12/2021  
Effective Date: 03/08/2021

# EXHIBIT A

## **6.27.010 Statutes incorporated by reference.**

The following statutes regarding controlled substances and drug paraphernalia are incorporated by reference:

RCW

<u>9.47A.010</u>	Definition.
<u>9.47A.020</u>	Unlawful inhalation – Exception.
<u>9.47A.030</u>	Possession of certain substances prohibited, when.
<u>9.47A.040</u>	Sale of certain substances prohibited, when.
<u>9.47A.050</u>	Penalty.
<u>69.41.010</u>	Definitions of legend drugs.
<u>69.41.030</u>	Possession of a legend drug unlawful.
<u>69.41.060</u>	Search and seizure.
<u>69.50.101</u>	Definitions.
<u>69.50.102</u>	Definitions.
<u>69.50.201</u>	Authority to control.
<u>69.50.202</u>	Nomenclature.
<u>69.50.204</u>	<del>Schedule I. Marijuana defined as a controlled substance.</del>
<u>69.50.206</u>	<del>Schedule II.</del>
<u>69.50.208</u>	<del>Schedule III.</del>
<u>69.50.210</u>	<del>Schedule IV.</del>
<u>69.50.212</u>	<del>Schedule V.</del>
<u>69.50.214</u>	<del>Controlled substance analog.</del>
<u>69.50.401</u>	<del>(e) Possession of 40 grams or less of marijuana prohibited.</del>
<u>69.50.412</u>	Prohibited acts and penalties regarding drug paraphernalia.
<u>69.50.425</u>	Minimum imprisonment.
<u>69.50.505</u>	Forfeiture of controlled substances and drug paraphernalia, and equipment and vehicles associated therewith.

## **NEW SECTION. 6.27.030**

(1) It is unlawful for any person to knowingly possess a controlled substance or to possess a controlled substance with intent to use it, unless the substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of his or her professional practice, or except as otherwise authorized by chapter 69.50 RCW.

(2) Any person who violates this section is guilty of a gross misdemeanor punishable by up to 364 days in jail and a \$5,000 fine.

(3)(a) The possession, by a person twenty-one years of age or older, of useable marijuana, marijuana concentrates, or marijuana-infused products in amounts that do not exceed those set forth in RCW 69.50.360(3) is not a violation of this section or this chapter.

(b) The possession of marijuana, useable marijuana, marijuana concentrates, and marijuana-infused products being physically transported or delivered within the state, in amounts not exceeding



those that may be established under RCW 69.50.385(3), by a licensed employee of a common carrier when performing the duties authorized in accordance with RCW 69.50.382 and 69.50.385, is not a violation of this section or this chapter.

(c) The possession by a qualifying patient or designated provider of marijuana concentrates, useable marijuana, marijuana-infused products, or plants in accordance with chapter 69.51A RCW is not a violation of this section or this chapter.

(d) It is unlawful for a person under twenty-one years of age to knowingly possess or possess with intent to use marijuana, marijuana-infused products, or marijuana concentrates, regardless of THC concentration. This does not include qualifying patients with a valid authorization. Violation of this subsection is a misdemeanor punishable by up to 90 days in jail and a \$1,000 fine.

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

**ORDINANCE**

**SECTION 1.** - *Repealer - Ch. 9.12 KCC.* Chapter 9.12 of the Kent City Code, entitled "Narcotics and Barbiturates", is repealed in its entirety.

**SECTION 2.** - *Amendment - New Ch. 9.12 KCC.* The Kent City Code is amended to add a new Chapter 9.12, entitled "Drug and Alcohol Possession", as follows:

**CHAPTER 9.12  
DRUG AND ALCOHOL POSSESSION**

**Sec. 9.12.010. Purpose.** Substance abuse is taking an increasing toll on the health and safety of our community. The purpose of this chapter is to help those suffering from addiction find a path to treatment through our municipal court system, and to hold accountable those unwilling to seek treatment for the harm caused to our community. If an individual is charged with a crime under this chapter and they comply with their recommended substance use disorder treatment program, their criminal charge will be dismissed and no conviction will result. If an individual fails to comply with their treatment program and they are later convicted of the charge after being found noncompliant by the court, they will still have the opportunity to have their conviction vacated if they comply with their recommended treatment program. The Kent City Council intends that incarceration be utilized as a sanction only when an individual fails to comply with their recommended treatment program or other conditions imposed by the court.

**Sec. 9.12.020. Definitions.** For purposes of this section, the following terms or words shall be interpreted as follows:

A. *Controlled substance* means any controlled substance classified in Schedule I, II, III, or IV of Chapter 69.50 RCW, excluding cannabis, as it now exists or shall hereafter be added to, deleted from, modified, or amended.

B. *Counterfeit controlled substance* means a controlled substance that is falsely labeled so as to appear to have been legitimately manufactured or distributed.

C. *Drug paraphernalia* has the same meaning as provided for in RCW 69.50.102, which statute is adopted by this reference, as currently enacted and hereafter amended or recodified from time to time.

D. *Legend drug* means any drug which is required by state law or regulation of the pharmacy quality assurance commission to be dispensed on prescription only or is restricted to use by practitioners only.

E. *Public place* means an area generally visible to public view and includes without limitation any place where the public has a right of access, which includes without limitation sidewalks, parking lots and parking garages, streets, alleys, highways, or roads; public buildings and grounds, including schools, parks, playgrounds, and meeting halls; establishments to which the public is invited including restaurants, theaters, stores, gas stations, meeting halls, lobbies, halls and dining rooms of hotels, bars, taverns, pubs, or establishments where beer or soft drinks may be sold, and their associated parking lots, parking structures, walkways, doorways, and entrances; railroad trains, light rail facilities, buses, and other public conveyances of all kinds and character, and their associated stations and

platforms used in conjunction therewith which are open to unrestricted use and access by the public; and all other places of like or similar nature.

F. *Use* means actual use or a substantial step taken that evidences an intent to inject, ingest, inhale, or otherwise introduce a controlled substance into the human body.

**Sec. 9.12.030. Controlled substances—Possession or use in public—Penalty.**

A. *Possession*. It is unlawful for any person to knowingly possess a controlled substance unless the controlled substance has been lawfully prescribed to the person possessing it.

B. *Public use*. It is unlawful for any person to intentionally use a controlled substance in a public place unless the controlled substance has been lawfully prescribed to the person using it.

C. *Exception*. It shall not be a violation of this section if the person possesses a controlled substance prescribed to another person for whom the person is a legal guardian and the controlled substance is possessed in the container in which it was originally dispensed.

D. *Penalty*. A violation of this section is punishable as a gross misdemeanor.

**Sec. 9.12.040. Legend drugs—Possession or use in public—Penalty.**

A. *Possession*. It is unlawful for any person to knowingly possess any legend drug unless the legend drug has been lawfully prescribed to the person possessing it.

B. *Public use.* It is unlawful for any person to intentionally use a legend drug in a public place unless the legend drug has been lawfully prescribed to the person using it.

C. *Exception.* It shall not be a violation of this section if the person possesses a legend drug prescribed to another person for whom the person is a legal guardian and the legend drug is possessed in the container in which it was originally dispensed.

D. *Penalty.* A violation of this section is punishable as a gross misdemeanor.

**Sec. 9.12.050. Counterfeit controlled substances—Possession or use in public—Penalty.**

A. *Possession.* It is unlawful for any person to knowingly possess a counterfeit controlled substance.

B. *Public use.* It is unlawful for any person to intentionally use a counterfeit controlled substance in a public place.

C. *Penalty.* A violation of this section is punishable as a gross misdemeanor.

**Sec. 9.12.060. Possession of drug paraphernalia.** It is unlawful for any person to knowingly possess drug paraphernalia, other than that drug paraphernalia associated with the lawful possession and use of cannabis. A violation of this section is punishable as a misdemeanor.

**Sec. 9.12.070. Minor in possession of alcohol.** It is unlawful for any person under the age of twenty-one years to knowingly possess,

consume, or otherwise acquire any liquor. A violation of this subsection is punishable as a gross misdemeanor.

**Sec. 9.12.080. Unlawful deposit of dangerous drugs and drug paraphernalia.** It shall be unlawful for any person to knowingly dump, throw, deposit, or discharge onto the ground or into any body of water any controlled substance, counterfeit controlled substance, or legend drug, or any drug paraphernalia. A violation of this section is punishable as a misdemeanor.

**Sec. 9.12.090. Alternative deferred prosecution program.** In lieu of the process provided for under Ch. 10.05 RCW, an individual charged with a crime under this chapter may petition the court to have that charge considered under the alternative deferred prosecution program provided for by this section.

A. *Petition—Eligibility.* An individual charged with a crime under this chapter may petition the court to be considered for this alternative deferred prosecution program. The petition may include, upon agreement of the parties, multiple charges that are pending at the time the petition is filed, which may be consolidated into a single program. However, this alternative deferred prosecution program is not available for any offense under Title 46 RCW, any domestic violence offense, or any offense under Chapter 9A.42 RCW, which offenses may only be petitioned for under the deferred prosecution program procedures provided for in Ch. 10.05 RCW. Misdemeanor charges that result from the county declining to file felony charges for the sale, delivery, or possession with an intent to deliver controlled substances, counterfeit controlled substances, or legend drugs, are not eligible for this alternative deferred prosecution program, unless the parties otherwise agree.

The petition shall be filed with the court at least three court days prior to the date set for trial but, upon a written motion and affidavit establishing good cause for the delay and failure to comply with this section, the court may waive this requirement subject to the defendant's reimbursement to the court of the witness fees and expenses due for subpoenaed witnesses who have appeared on the date set for trial.

B. Statement of availability. At the time of arraignment an individual charged with an offense under this chapter may be given a statement by the court that explains the availability, operation, and effects of this alternative deferred prosecution program.

C. Requirements of petition—Rights of petitioner—Court findings.

1. In the petition, the petitioner shall allege under oath that the wrongful conduct charged is the result of or was caused by a substance use disorder for which the individual is in need of treatment and unless treated the probability of future recurrence is great, along with a statement that the individual agrees to pay the cost of a diagnosis and treatment of the alleged problem or problems, if financially able to do so. The petition shall also contain a case history and written assessment prepared by an approved substance use disorder treatment program as designated in chapter 71.24 RCW.

2. Before entry of an order deferring prosecution, a petitioner shall be advised of their right as an accused and execute, as a condition of receiving treatment, a statement that contains the following:

- a. An acknowledgment of their rights;
- b. An acknowledgment and waiver of the right to testify, the right to a speedy trial, the right to call witnesses to testify, the right to present evidence in their defense, and the right to a jury trial;

c. A stipulation to the admissibility and sufficiency of the facts contained in the written police report;

d. An acknowledgment that the statement will be entered and used to support a finding of guilty, if the court finds cause to revoke the order granting deferred prosecution;

e. An agreement to sign a release of information allowing the program provider to share information with the court, defense counsel, and the prosecutor, subject to the condition that information learned shall be used only to determine the individual's compliance with treatment approved through this alternative deferred prosecution program and not for prosecution of a criminal offense; and

f. An acknowledgment that the individual may opt out of this alternative deferred prosecution program at their first review hearing and have their criminal case sent back to pre-trial status. The petitioner shall also be advised that they may, if they proceed to trial and are found guilty, be allowed to seek suspension of some or all of the fines and incarceration that may be ordered upon the condition that they seek treatment and, further, that they may seek treatment from public and private agencies at any time without regard to whether or not they are found guilty of the offense charged. They shall also be advised that the court will not accept a petition for deferred prosecution from an individual who: (i) sincerely believes that they are innocent of the charges; or (ii) sincerely believes that they did not, in fact, suffer from a substance use disorder.

3. Before entering an order deferring prosecution, the court shall make specific findings that:

a. The petitioner has stipulated to the admissibility and sufficiency of the facts as contained in the written police report;



b. The petitioner has acknowledged the admissibility of the stipulated facts in any criminal hearing on the underlying offense or offenses held subsequent to revocation of the order granting deferred prosecution;

c. The petitioner has acknowledged and waived the right to testify, the right to a speedy trial, the right to call witnesses to testify, the right to present evidence in their defense, and the right to a jury trial; and

d. The petitioner's statements were made knowingly and voluntarily.

Such findings shall be included in the order granting deferred prosecution.

D. Investigation and examination. The program to which such individual is referred shall conduct an investigation and examination to determine:

1. Whether the individual suffers from the problem described;
2. Whether the problem is such that if not treated there is a probability that similar misconduct will occur in the future;
3. Whether extensive and long term treatment is required;
4. Whether effective treatment for the individual's problem is available; and
5. Whether the individual is amenable to treatment.

E. Report to court—Recommended treatment plan—Commitment to provide treatment.

1. The program shall make a written report to the court stating its findings and recommendations after the examination required by KCC 9.12.090(E). If its findings and recommendations support treatment, it shall also recommend a treatment or service plan setting out:

- a. The type;
- b. Nature;
- c. Length;

- d. A treatment or service time schedule; and
- e. Approximate cost of the treatment.

2. The report with the treatment or service plan shall be filed with the court and a copy given to the petitioner and petitioner's counsel. A copy of the treatment or service plan shall be given to the prosecutor by petitioner's counsel. The evaluation facility making the written report shall append to the report a commitment by the treatment program that it will provide the treatment in accordance with this section. If the individual is monitored by the court's probation department, the facility or the service provider shall agree to provide the court with a statement every three months for the first year and every six months for the second year regarding (a) the petitioner's cooperation with the treatment proposed, and (b) the petitioner's progress or failure in treatment. If the individual is not monitored by the court's probation department, such statements must be filed with the court, along with a copy sent to the prosecutor and defense attorney, every month or as the court may otherwise order. These statements shall be made as a declaration by the individual who is personally responsible for providing the treatment or services.

F. Procedure upon approval of plan. If the report recommends treatment, the court shall examine the treatment plan. If the court approves the plan and the petitioner agrees to comply with its terms and conditions and agrees to pay the cost thereof, if able to do so, or arrange for the treatment, an entry shall be made upon the individual's court docket showing that the individual has been accepted for deferred prosecution under this alternative program. A copy of the treatment plan shall be filed with the court.

G. When treatment rejected. When treatment is either not recommended or not approved by the judge, or the petitioner declines to accept the

treatment plan, the charge shall proceed through the criminal justice system in regular course.

H. Evidence, uses, and admissibility. If the petition is not approved or is withdrawn before approval, evidence pertaining to or resulting from the petition and/or investigation is inadmissible in any trial on the charges, but shall be available for use after a conviction in determining a sentence.

I. Procedure upon breach of treatment plan. If a petitioner, who has been accepted for a deferred prosecution, fails, or neglects to carry out and fulfill any term or condition of the petitioner's treatment plan, the facility, center, institution, or agency administering the treatment shall immediately report such breach to the court, the prosecutor, and the petitioner or petitioner's attorney of record, together with its recommendation. The court upon receiving such a report shall hold a hearing to determine whether the petitioner should be removed from the deferred prosecution program. At the hearing, evidence shall be taken of the petitioner's alleged failure to comply with the treatment plan and the petitioner shall have the right to present evidence on their own behalf. The court shall either order that the petitioner continue on the treatment plan or be removed from deferred prosecution. If removed from deferred prosecution, the court shall enter judgment pursuant to KCC 9.12.090(C).

J. Conviction of similar offense. If a petitioner is subsequently convicted of a similar offense that was committed while the petitioner was in a deferred prosecution program, upon notice the court may remove the petitioner's docket from the deferred prosecution file, and if removed, shall enter judgment pursuant to KCC 9.12.090(C).

K. Trial delay not grounds for dismissal. Delay in bringing a case to trial caused by a petitioner requesting deferred prosecution as provided for in this section shall not be grounds for dismissal.

L. Dismissal of charges. Following proof to the court that the petitioner has complied with the conditions imposed by the court following successful completion of the recommended treatment program, but not before two years following entry of the order of deferred prosecution pursuant to a petition brought under KCC 9.12.090, or earlier upon agreement of the parties, the court shall dismiss the charges pending against the petitioner.

M. Services provided for indigent defendants. If an individual is indigent and has sufficiently demonstrated to the court that they are unable to pay the cost of any program of treatment, including costs to provide investigation, examination, report and a treatment plan, those costs may be eligible for payment using available funds appropriated by the City or the state for that purpose.

N. Conditions of granting.

1. As a condition of granting a deferred prosecution petition, the court may order the petitioner to make restitution and to pay costs as defined in RCW 10.01.160.

2. To help ensure continued sobriety and reduce the likelihood of re-offense, the court may order reasonable conditions during the period of the deferred prosecution including, but not limited to, attendance at self-help recovery support groups for substance use disorders, complete abstinence from alcohol and all nonprescribed mind-altering drugs, periodic urinalysis or breath analysis, and maintaining law-abiding behavior. The court may terminate the deferred prosecution program upon violation of any term or condition provided for in the deferred prosecution order.

O. Minimum program requirements. A deferred prosecution program shall be for a two-year period and shall include, but not be limited to, the following requirements:

1. Total abstinence from alcohol and all other nonprescribed mind-altering drugs;

2. Participation in an intensive inpatient or intensive outpatient program in a state-approved substance use disorder treatment program;

3. Participation in a minimum of two meetings per week of a self-help recovery support group, as determined by the assessing agency, for the duration of the treatment program;

4. Participation in a self-help recovery support group, as determined by the assessing agency, from the date of court approval of the plan to entry into intensive treatment;

5. Not less than weekly approved outpatient counseling, group or individual, for a minimum of six months following the intensive phase of treatment;

6. Not less than monthly outpatient contact, group or individual, for the remainder of the two-year deferred prosecution period;

7. The decision to include the use of prescribed drugs to treat a substance use disorder, including but not limited to disulfiram, methadone, buprenorphine, and naltrexone, as a condition of treatment shall be reserved to the treating facility and the petitioner's physician;

8. All treatment within the purview of this section shall occur within or be approved by a state-approved substance use disorder treatment program as described in Chapter 71.24 RCW;

9. Signature of the petitioner agreeing to the terms and conditions of the treatment program.

P. Appeal of deferred prosecution order. The prosecutor may appeal an order granting deferred prosecution if the evaluation facility fails to provide the information required in KCC 9.12.090(E) and KCC 9.12.090(F), if the petitioner has been referred to the facility for treatment. If an appeal on such basis is successful, the trial court may consider the use of another treatment program.

Q. Supervision as condition—Levy of assessment. As a condition of granting a deferred prosecution, the court may order supervision of the petitioner by the probation department during the period of deferral and may levy a monthly assessment upon the petitioner as provided in KCC 9.12.090(M), to the extent the petitioner is able to pay the assessment.

**Sec. 9.12.100. No objection to deferred sentence following revoked deferred prosecution.** If an individual declines the alternative deferred prosecution program created through this chapter, a deferred prosecution program as provided for in Chapter 10.05 RCW, or a deferred prosecution program under this chapter or Chapter 10.05 RCW is revoked due to noncompliance, the city will not object to the individual being granted a deferred sentence conditioned on compliance with a state-approved substance use disorder treatment program.

**Sec. 9.12.110. Vacation of conviction.** If a person convicted of an offense under this chapter is ordered by the court to complete a substance use disorder treatment program, the city will not object to the court vacating the individual's conviction(s) if the person successfully completes the court-approved treatment program and they file proof of such completion with the court. Vacation shall include all convictions for offenses under this chapter that were entered at the time the individual completed the court-approved substance use disorder treatment program.

**SECTION 3.** – Adoptions by Reference. A true and correct copy of RCW 69.50.102 adopted and incorporated by reference in Section 2 of this ordinance is attached as Exhibit A.

**SECTION 4.** – Severability. If any one or more section, subsection, or sentence of this ordinance is held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance and the same shall remain in full force and effect.

**SECTION 5.** – Savings. The existing Chapter 9.12 of the Kent City Code, which is repealed and replaced by this ordinance, shall remain in full force and effect until the effective date of this ordinance.

**SECTION 6.** – Corrections by City Clerk or Code Reviser. Upon approval of the city attorney, the city clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; ordinance, section, or subsection numbering; or references to other local, state, or federal laws, codes, rules, or regulations.

**SECTION 7.** – Effective Date. This ordinance shall take effect and be in force at 12:01 a.m. on July 1, 2023, which date is at least thirty days from and after its passage. Until that date, the existing provisions of Chapter 9.12 KCC shall remain in effect.

\_\_\_\_\_  
DANA RALPH, MAYOR

\_\_\_\_\_  
Date Approved

ATTEST:

\_\_\_\_\_  
KIMBERLEY A. KOMOTO, CITY CLERK

\_\_\_\_\_  
Date Adopted

\_\_\_\_\_  
Date Published

APPROVED AS TO FORM:

\_\_\_\_\_  
TAMMY WHITE, CITY ATTORNEY



## EXHIBIT A

**RCW 69.50.102 Drug paraphernalia—Definitions.** (a) As used in this chapter, "drug paraphernalia" means all equipment, products, and materials of any kind which are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance. It includes, but is not limited to:

(1) Kits used, intended for use, or designed for use in planting, propagating, cultivating, growing, or harvesting of any species of plant which is a controlled substance or from which a controlled substance can be derived;

(2) Kits used, intended for use, or designed for use in manufacturing, compounding, converting, producing, processing, or preparing controlled substances;

(3) Isomerization devices used, intended for use, or designed for use in increasing the potency of any species of plant which is a controlled substance;

(4) Testing equipment used, intended for use, or designed for use in identifying or in analyzing the strength, effectiveness, or purity of controlled substances;

(5) Scales and balances used, intended for use, or designed for use in weighing or measuring controlled substances;

(6) Diluents and adulterants, such as quinine hydrochloride, mannitol, mannite, dextrose, and lactose, used, intended for use, or designed for use in cutting controlled substances;

(7) Separation gins and sifters used, intended for use, or designed for use in removing twigs and seeds from, or in otherwise cleaning or refining, cannabis;

(8) Blenders, bowls, containers, spoons, and mixing devices used, intended for use, or designed for use in compounding controlled substances;

(9) Capsules, balloons, envelopes, and other containers used, intended for use, or designed for use in packaging small quantities of controlled substances;

(10) Containers and other objects used, intended for use, or designed for use in storing or concealing controlled substances;

(11) Hypodermic syringes, needles, and other objects used, intended for use, or designed for use in parenterally injecting controlled substances into the human body;

(12) Objects used, intended for use, or designed for use in ingesting, inhaling, or otherwise introducing cannabis, cocaine, hashish, or hashish oil into the human body, such as:

(i) Metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes with or without screens, permanent screens, hashish heads, or punctured metal bowls;

(ii) Water pipes;

(iii) Carburetion tubes and devices;

(iv) Smoking and carburetion masks;

(v) Roach clips: Meaning objects used to hold burning material, such as a cannabis cigarette, that has become too small or too short to be held in the hand;

(vi) Miniature cocaine spoons, and cocaine vials;

(vii) Chamber pipes;

(viii) Carburetor pipes;

- (ix) Electric pipes;
- (x) Air-driven pipes;
- (xi) Chillums;
- (xii) Bongs; and
- (xiii) Ice pipes or chillers.

(b) In determining whether an object is drug paraphernalia under this section, a court or other authority should consider, in addition to all other logically relevant factors, the following:

- (1) Statements by an owner or by anyone in control of the object concerning its use;
- (2) Prior convictions, if any, of an owner, or of anyone in control of the object, under any state or federal law relating to any controlled substance;
- (3) The proximity of the object, in time and space, to a direct violation of this chapter;
- (4) The proximity of the object to controlled substances;
- (5) The existence of any residue of controlled substances on the object;
- (6) Direct or circumstantial evidence of the intent of an owner, or of anyone in control of the object, to deliver it to persons whom he or she knows, or should reasonably know, intend to use the object to facilitate a violation of this chapter; the innocence of an owner, or of anyone in control of the object, as to a direct violation of this chapter shall not prevent a finding that the object is intended or designed for use as drug paraphernalia;
- (7) Instructions, oral or written, provided with the object concerning its use;
- (8) Descriptive materials accompanying the object which explain or depict its use;
- (9) National and local advertising concerning its use;
- (10) The manner in which the object is displayed for sale;
- (11) Whether the owner, or anyone in control of the object, is a legitimate supplier of like or related items to the community, such as a licensed distributor or dealer of tobacco products;
- (12) Direct or circumstantial evidence of the ratio of sales of the object(s) to the total sales of the business enterprise;
- (13) The existence and scope of legitimate uses for the object in the community; and
- (14) Expert testimony concerning its use. [2022 c 16 § 52; 2012 c 117 § 366; 1981 c 48 § 1.]

**Intent—Finding—2022 c 16:** See note following RCW 69.50.101.

**Severability—1981 c 48:** "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1981 c 48 § 4.]

ORDINANCE NO. \_\_\_\_\_

An Ordinance concerning the unauthorized use and possession of controlled substances, counterfeit substances or legend drugs; amending section 10.60.030 and creating a new Chapter 10.76 of the Spokane Municipal Code.

**Section 1.** A new Chapter 10.76 of the Spokane Municipal Code is created as follows:

**Chapter 10.76**

**Use and Possession of Controlled or Counterfeit Substances or Legend Drugs**

Sections:

- 10.76.010 Definitions
- 10.76.020 Unlawful possession of controlled, counterfeit substances or legend drug.
- 10.76.030 Permissible possession of cannabis.
- 10.76.040 Possession of less than 40 grams of cannabis.
- 10.76.050 Unlawful use of a controlled or counterfeit substance in a public place.
- 10.76.060 Penalty
- 10.76.070 Enforcement
- 10.76.080 Case Resolution

**Section 10.76.010 Definitions.**

The following definitions are applicable in this chapter:

1. "Controlled substance" means a drug, substance, or immediate precursor included in Schedules I through V as set forth in federal or state laws, or federal or commission rules, but does not include hemp or industrial hemp as defined in RCW 15.140.020.
2. "Counterfeit substance" means a controlled substance which, or the container or labeling of which, without authorization, bears the trademark, trade name, or other identifying mark, imprint, number, or device, or any likeness thereof, of a manufacturer, distributor, or dispenser other than the person or persons who in fact manufactured, distributed, or dispensed such substance and which thereby falsely purports or is represented to be the product of, or to have been distributed by, such other manufacturer, distributor, or dispenser.
3. "Legend drug" means any drugs which are required by state law or regulation of the pharmacy quality assurance commission to be dispensed on prescription only or are restricted to use by practitioners only and shall include controlled substances in Schedules II through V of chapter 69.50 RCW.
4. "Practitioner" has the same definition as in RCW 69.50.101.
5. "Public place" means an area generally visible to public view, and includes streets,

sidewalks, bridges, alleys, plazas, parks, driveways, parking lots, automobiles (whether moving or not), and buildings open to the public, and doorways, windows, drive-up windows, and entrances to buildings or dwellings that are visible to public view.

6. "Use" means any effort taken in furtherance of an attempt to inject, ingest, inhale, or otherwise introduce a controlled or counterfeit substance or legend drug into the human body.

**Section 10.76.020 Unlawful possession of controlled or counterfeit substances or legend drug.**

Except as otherwise authorized by Chapter 69.50 RCW, it is unlawful for any person:

1. to knowingly possess a controlled substance unless the substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of his or her professional practice;
2. to knowingly possess a counterfeit substance; or
3. to knowingly possess a legend drug, except upon the order or prescription of an authorized medical practitioner as provided in RCW 69.41.030.

**Section 10.76.030 Permissible possession of cannabis.**

1. It is not a violation of this chapter for an individual twenty-one years of age or older to possess cannabis, useable cannabis, cannabis concentrates or cannabis infused products in amounts that do not exceed those listed in RCW 69.50.360(3).
2. It is not a violation of this chapter for an individual to possess medical cannabis in accordance with chapters 69.50 or 69.51A RCW.
3. It is not a violation of this chapter for an individual to possess cannabis pursuant to a valid license issued by the Washington State Liquor and Cannabis Control Board.

**Section 10.76.040 Possession of less than 40 grams of cannabis.**

Except as otherwise provided in Chapter 69.50 RCW, knowing possession of less than 40 grams of cannabis or knowing possession of cannabis, cannabis-infused product or cannabis concentrates, regardless of THC concentration, by an individual under the age of twenty-one years, is a misdemeanor.

**Section 10.76.050 Unlawful use of a controlled or counterfeit substance in a public place.**

It is unlawful for any person to knowingly use a controlled or counterfeit substance or legend drug in a public place, unless the substance was obtained directly from, or pursuant to, a

valid prescription or order of a practitioner while acting in the course of his or her professional practice. The existence of a valid prescription is an affirmative defense, provable by a preponderance of the evidence.

### **Section 10.76.060 Penalty**

Until July 1, 2023, all violations of this chapter are punishable as a misdemeanor. Beginning on July 1, 2023, any person who violates this chapter is guilty of a gross misdemeanor, except as provided in section 10.76.040.

### **Section 10.76.070 Enforcement**

1. Unless otherwise subject to custodial arrest under RCW 10.31.100, individuals subject to enforcement under this section shall be cited and released rather than being booked into jail.
2. For individuals cited under this section, law enforcement officers shall seize all controlled substances and related drug paraphernalia and place those items onto property to ensure that all evidence is preserved and available for further testing.
3. As an alternative to arrest, citation or referral to the prosecutor, law enforcement may offer a referral to assessment, treatment and other community resources.

### **Section 10.76.080 Case Resolution**

Case resolution and sentencing under this section should address the underlying addiction. The prosecutor is therefore encouraged to resolve cases charged under this section in a manner that will most effectively advance the defendant's stabilization and recovery. Nothing in this section prevents the prosecutor from offering pretrial diversion or another alternative to prosecution, such as a stipulated order of continuance or deferred prosecution as the mechanism to ensure the defendant receives an assessment, treatment or other services.

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

**Section 3.** Upon approval by the city attorney, the city clerk is authorized to make necessary corrections to this ordinance, including scrivener's errors or clerical mistakes; references to other local, state, or federal laws, rules, or regulations; or numbering or referencing of ordinances or their sections and subsections.

**Section 4.** Emergency Clause. The City Council declares that an urgency and emergency exists such that this ordinance is needed for the immediate preservation of the public peace, health, or safety, and/or for the immediate support of City government

and its existing public institutions, and that because of such need, this ordinance shall be effective immediately under Section 19 of the City Charter, upon the affirmative vote of one more than a majority of the City Council.

PASSED by the City Council on \_\_\_\_\_

\_\_\_\_\_  
Council President

Attest:

Approved as to form:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Effective Date

**E2SSB 5536 - S AMD 470**  
By Senator Robinson

ADOPTED 05/16/2023

1 Strike everything after the enacting clause and insert the  
2 following:

3 **"Part I - Prohibiting Knowing Possession of a Controlled Substance,**  
4 **Counterfeit Substance, or Legend Drug**

5 **Sec. 1.** RCW 69.50.4011 and 2003 c 53 s 332 are each amended to  
6 read as follows:

7 (1) Except as authorized by this chapter, it is unlawful for any  
8 person to ~~((create, deliver, or possess a counterfeit substance))~~:

9 (a) Create or deliver a counterfeit substance;

10 (b) Knowingly possess a counterfeit substance; or

11 (c) Knowingly use a counterfeit substance in a public place.

12 (2) Any person who violates subsection (1)(a) of this section  
13 with respect to:

14 (a) A counterfeit substance classified in Schedule I or II which  
15 is a narcotic drug, or flunitrazepam classified in Schedule IV, is  
16 guilty of a class B felony and upon conviction may be imprisoned for  
17 not more than ~~((ten))~~ 10 years, fined not more than ~~((twenty-five~~  
18 ~~thousand dollars))~~ \$25,000, or both;

19 (b) A counterfeit substance which is methamphetamine, is guilty  
20 of a class B felony and upon conviction may be imprisoned for not  
21 more than ~~((ten))~~ 10 years, fined not more than ~~((twenty-five~~  
22 ~~thousand dollars))~~ \$25,000, or both;

23 (c) Any other counterfeit substance classified in Schedule I, II,  
24 or III, is guilty of a class C felony punishable according to chapter  
25 9A.20 RCW;

26 (d) A counterfeit substance classified in Schedule IV, except  
27 flunitrazepam, is guilty of a class C felony punishable according to  
28 chapter 9A.20 RCW;

29 (e) A counterfeit substance classified in Schedule V, is guilty  
30 of a class C felony punishable according to chapter 9A.20 RCW.

1 (3) (a) A violation of subsection (1) (b) or (c) of this section is  
2 a gross misdemeanor punishable by imprisonment of up to 180 days, or  
3 by a fine of not more than \$1,000, or by both such imprisonment and  
4 fine, however, if the defendant has two or more prior convictions  
5 under subsection (1) (b) or (c) of this section occurring after the  
6 effective date of this section, a violation of subsection (1) (b) or  
7 (c) of this section is punishable by imprisonment for up to 364 days,  
8 or by a fine of not more than \$1,000, or by both such imprisonment  
9 and fine. The prosecutor is encouraged to divert such cases for  
10 assessment, treatment, or other services.

11 (b) No person may be charged under both subsection (1) (b) and (c)  
12 of this section relating to the same course of conduct.

13 (c) In lieu of jail booking and referral to the prosecutor, law  
14 enforcement is encouraged to offer a referral to assessment and  
15 services available under RCW 10.31.110 or other program or entity  
16 responsible for receiving referrals in lieu of legal system  
17 involvement, which may include, but are not limited to, arrest and  
18 jail alternative programs established under RCW 36.28A.450, law  
19 enforcement assisted diversion programs established under RCW  
20 71.24.589, and the recovery navigator program established under RCW  
21 71.24.115.

22 (4) For the purposes of this section, "public place" has the same  
23 meaning as defined in RCW 66.04.010, but the exclusions in RCW  
24 66.04.011 do not apply.

25 (5) For the purposes of this section, "use a counterfeit  
26 substance" means to introduce the substance into the human body by  
27 injection, inhalation, ingestion, or any other means.

28 **Sec. 2.** RCW 69.50.4013 and 2022 c 16 s 86 are each amended to  
29 read as follows:

30 (1) (~~1~~) Except as otherwise authorized by this chapter, it is  
31 unlawful for any person to:

32 (a) Knowingly possess a controlled substance unless the substance  
33 was obtained directly from, or pursuant to, a valid prescription or  
34 order of a practitioner while acting in the course of his or her  
35 professional practice (~~, or except as otherwise authorized by this~~  
36 chapter)); or

37 (b) Knowingly use a controlled substance in a public place,  
38 unless the substance was obtained directly from, or pursuant to, a



1 valid prescription or order of a practitioner while acting in the  
2 course of his or her professional practice.

3 (2) (a) Except as provided in RCW 69.50.4014 or 69.50.445, ((any  
4 person who violates this section is guilty of a class C felony  
5 punishable under chapter 9A.20 RCW)) a violation of subsection (1)(a)  
6 or (b) of this section is a gross misdemeanor punishable by  
7 imprisonment of up to 180 days in jail, or by a fine of not more than  
8 \$1,000, or by both such imprisonment and fine, however, if the  
9 defendant has two or more prior convictions under subsection (1)(a)  
10 or (b) of this section occurring after the effective date of this  
11 section, a violation of subsection (1)(a) or (b) of this section is  
12 punishable by imprisonment for up to 364 days, or by a fine of not  
13 more than \$1,000, or by both such imprisonment and fine. The  
14 prosecutor is encouraged to divert such cases for assessment,  
15 treatment, or other services.

16 (b) No person may be charged under both subsection (1)(a) and (b)  
17 of this section relating to the same course of conduct.

18 (c) In lieu of jail booking and referral to the prosecutor, law  
19 enforcement is encouraged to offer a referral to assessment and  
20 services available under RCW 10.31.110 or other program or entity  
21 responsible for receiving referrals in lieu of legal system  
22 involvement, which may include, but are not limited to, arrest and  
23 jail alternative programs established under RCW 36.28A.450, law  
24 enforcement assisted diversion programs established under RCW  
25 71.24.589, and the recovery navigator program established under RCW  
26 71.24.115.

27 (3) (a) The possession, by a person (~~twenty-one~~) 21 years of age  
28 or older, of useable cannabis, cannabis concentrates, or cannabis-  
29 infused products in amounts that do not exceed those set forth in RCW  
30 69.50.360(3) is not a violation of this section, this chapter, or any  
31 other provision of Washington state law.

32 (b) The possession of cannabis, useable cannabis, cannabis  
33 concentrates, and cannabis-infused products being physically  
34 transported or delivered within the state, in amounts not exceeding  
35 those that may be established under RCW 69.50.385(3), by a licensed  
36 employee of a common carrier when performing the duties authorized in  
37 accordance with RCW 69.50.382 and 69.50.385, is not a violation of  
38 this section, this chapter, or any other provision of Washington  
39 state law.

1 (4) (a) The delivery by a person (~~(twenty-one)~~) 21 years of age or  
2 older to one or more persons (~~(twenty-one)~~) 21 years of age or older,  
3 during a single (~~(twenty-four)~~) 24 hour period, for noncommercial  
4 purposes and not conditioned upon or done in connection with the  
5 provision or receipt of financial consideration, of any of the  
6 following cannabis products, is not a violation of this section, this  
7 chapter, or any other provisions of Washington state law:

8 (i) One-half ounce of useable cannabis;

9 (ii) Eight ounces of cannabis-infused product in solid form;

10 (iii) (~~(Thirty-six)~~) 36 ounces of cannabis-infused product in  
11 liquid form; or

12 (iv) Three and one-half grams of cannabis concentrates.

13 (b) The act of delivering cannabis or a cannabis product as  
14 authorized under this subsection (4) must meet one of the following  
15 requirements:

16 (i) The delivery must be done in a location outside of the view  
17 of general public and in a nonpublic place; or

18 (ii) The cannabis or cannabis product must be in the original  
19 packaging as purchased from the cannabis retailer.

20 (5) No person under (~~(twenty-one)~~) 21 years of age may  
21 (~~(possess,)~~) manufacture, sell, (~~(or)~~) distribute, or knowingly  
22 possess cannabis, cannabis-infused products, or cannabis  
23 concentrates, regardless of THC concentration. This does not include  
24 qualifying patients with a valid authorization.

25 (6) The possession by a qualifying patient or designated provider  
26 of cannabis concentrates, useable cannabis, cannabis-infused  
27 products, or plants in accordance with chapter 69.51A RCW is not a  
28 violation of this section, this chapter, or any other provision of  
29 Washington state law.

30 (7) For the purposes of this section, "public place" has the same  
31 meaning as defined in RCW 66.04.010, but the exclusions in RCW  
32 66.04.011 do not apply.

33 (8) For the purposes of this section, "use a controlled  
34 substance" means to introduce the substance into the human body by  
35 injection, inhalation, ingestion, or any other means.

36 **Sec. 3.** RCW 69.50.4014 and 2022 c 16 s 88 are each amended to  
37 read as follows:

38 (1) Except as provided in RCW 69.50.401(2)(c) or as otherwise  
39 authorized by this chapter, any person found guilty of knowin

1 possession of (~~forty~~) 40 grams or less of cannabis is guilty of a  
2 misdemeanor. The prosecutor is encouraged to divert cases under this  
3 section for assessment, treatment, or other services.

4 (2) In lieu of jail booking and referral to the prosecutor, law  
5 enforcement is encouraged to offer a referral to assessment and  
6 services available under RCW 10.31.110 or other program or entity  
7 responsible for receiving referrals in lieu of legal system  
8 involvement, which may include, but are not limited to, arrest and  
9 jail alternative programs established under RCW 36.28A.450, law  
10 enforcement assisted diversion programs established under RCW  
11 71.24.589, and the recovery navigator program established under RCW  
12 71.24.115.

13 **Sec. 4.** RCW 69.41.030 and 2020 c 80 s 41 are each amended to  
14 read as follows:

15 (1) It shall be unlawful for any person to sell(~~7~~) or deliver  
16 any legend drug, or knowingly possess any legend drug, or knowingly  
17 use any legend drug in a public place, except upon the order or  
18 prescription of a physician under chapter 18.71 RCW, an osteopathic  
19 physician and surgeon under chapter 18.57 RCW, an optometrist  
20 licensed under chapter 18.53 RCW who is certified by the optometry  
21 board under RCW 18.53.010, a dentist under chapter 18.32 RCW, a  
22 podiatric physician and surgeon under chapter 18.22 RCW, a  
23 veterinarian under chapter 18.92 RCW, a commissioned medical or  
24 dental officer in the United States armed forces or public health  
25 service in the discharge of his or her official duties, a duly  
26 licensed physician or dentist employed by the veterans administration  
27 in the discharge of his or her official duties, a registered nurse or  
28 advanced registered nurse practitioner under chapter 18.79 RCW when  
29 authorized by the nursing care quality assurance commission, a  
30 pharmacist licensed under chapter 18.64 RCW to the extent permitted  
31 by drug therapy guidelines or protocols established under RCW  
32 18.64.011 and authorized by the commission and approved by a  
33 practitioner authorized to prescribe drugs, a physician assistant  
34 under chapter 18.71A RCW when authorized by the Washington medical  
35 commission, or any of the following professionals in any province of  
36 Canada that shares a common border with the state of Washington or in  
37 any state of the United States: A physician licensed to practice  
38 medicine and surgery or a physician licensed to practice osteopathic  
39 medicine and surgery, a dentist licensed to practice dentistry,

1 podiatric physician and surgeon licensed to practice podiatric  
2 medicine and surgery, a licensed advanced registered nurse  
3 practitioner, a licensed physician assistant, or a veterinarian  
4 licensed to practice veterinary medicine: PROVIDED, HOWEVER, That the  
5 above provisions shall not apply to sale, delivery, or possession by  
6 drug wholesalers or drug manufacturers, or their agents or employees,  
7 or to any practitioner acting within the scope of his or her license,  
8 or to a common or contract carrier or warehouse operator, or any  
9 employee thereof, whose possession of any legend drug is in the usual  
10 course of business or employment: PROVIDED FURTHER, That nothing in  
11 this chapter or chapter 18.64 RCW shall prevent a family planning  
12 clinic that is under contract with the health care authority from  
13 selling, delivering, possessing, and dispensing commercially  
14 prepackaged oral contraceptives prescribed by authorized, licensed  
15 health care practitioners: PROVIDED FURTHER, That nothing in this  
16 chapter prohibits possession or delivery of legend drugs by an  
17 authorized collector or other person participating in the operation  
18 of a drug take-back program authorized in chapter 69.48 RCW.

19 (2) (a) A violation of this section involving the sale, delivery,  
20 or possession with intent to sell or deliver is a class B felony  
21 punishable according to chapter 9A.20 RCW.

22 (b) A violation of this section involving knowing possession is a  
23 misdemeanor. The prosecutor is encouraged to divert such cases for  
24 assessment, treatment, or other services.

25 (c) A violation of this section involving knowing use in a public  
26 place is a misdemeanor. The prosecutor is encouraged to divert such  
27 cases for assessment, treatment, or other services.

28 (d) No person may be charged with both knowing possession and  
29 knowing use in a public place under this section relating to the same  
30 course of conduct.

31 (e) In lieu of jail booking and referral to the prosecutor for a  
32 violation of this section involving knowing possession, or knowing  
33 use in a public place, law enforcement is encouraged to offer a  
34 referral to assessment and services available under RCW 10.31.110 or  
35 other program or entity responsible for receiving referrals in lieu  
36 of legal system involvement, which may include, but are not limited  
37 to, arrest and jail alternative programs established under RCW  
38 36.28A.450, law enforcement assisted diversion programs established  
39 under RCW 71.24.589, and the recovery navigator program established  
40 under RCW 71.24.115.

1       (3) For the purposes of this section, "public place" has the same  
2 meaning as defined in RCW 66.04.010, but the exclusions in RCW  
3 66.04.011 do not apply.

4       (4) For the purposes of this section, "use any legend drug" means  
5 to introduce the drug into the human body by injection, inhalation,  
6 ingestion, or any other means.

7       **Sec. 5.** RCW 69.50.509 and 1987 c 202 s 228 are each amended to  
8 read as follows:

9       If, upon the sworn complaint of any person, it shall be made to  
10 appear to any judge of the superior court, district court, or  
11 municipal court that there is probable cause to believe that any  
12 controlled substance is being used, manufactured, sold, bartered,  
13 exchanged, administered, dispensed, delivered, distributed, produced,  
14 knowingly possessed, given away, furnished or otherwise disposed of  
15 or kept in violation of the provisions of this chapter, such judge  
16 shall, with or without the approval of the prosecuting attorney,  
17 issue a warrant directed to any law enforcement officer of the state,  
18 commanding him or her to search the premises designated and described  
19 in such complaint and warrant, and to seize all controlled substances  
20 there found, together with the vessels in which they are contained,  
21 and all implements, furniture and fixtures used or kept for the  
22 illegal manufacture, sale, barter, exchange, administering,  
23 dispensing, delivering, distributing, producing, possessing, giving  
24 away, furnishing or otherwise disposing of such controlled  
25 substances, and to safely keep the same, and to make a return of said  
26 warrant within three days, showing all acts and things done  
27 thereunder, with a particular statement of all articles seized and  
28 the name of the person or persons in whose possession the same were  
29 found, if any, and if no person be found in the possession of said  
30 articles, the returns shall so state. The provisions of RCW 10.31.030  
31 as now or hereafter amended shall apply to actions taken pursuant to  
32 this chapter.

33       NEW SECTION. **Sec. 6.** A new section is added to chapter 43.43  
34 RCW to read as follows:

35       Subject to the availability of funds appropriated for this  
36 specific purpose, the Washington state patrol bureau of forensic  
37 laboratory services shall aim to complete the necessary analysis for  
38 any evidence submitted for a suspected violation of RCW 69.50.4011(1)

1 (b) or (c), 69.50.4013, 69.50.4014, or 69.41.030(2) (b) or (c) within  
2 45 days of receipt of the request for analysis.

3 The Washington state patrol bureau of forensic laboratory  
4 services' failure to comply with this section shall not constitute  
5 grounds for dismissal of a criminal charge.

6 **Part II - Relating to Drug Paraphernalia**

7 **Sec. 7.** RCW 69.50.4121 and 2022 c 16 s 92 are each amended to  
8 read as follows:

9 (1) Every person who sells (~~(or gives,)~~) or permits to be sold  
10 (~~(or given)~~) to any person any drug paraphernalia in any form commits  
11 a class I civil infraction under chapter 7.80 RCW. For purposes of  
12 this subsection, "drug paraphernalia" means all equipment, products,  
13 and materials of any kind which are used, intended for use, or  
14 designed for use in planting, propagating, cultivating, growing,  
15 harvesting, manufacturing, compounding, converting, producing,  
16 processing, preparing, (~~(testing, — analyzing,)~~) packaging,  
17 repackaging, storing, containing, concealing, injecting, ingesting,  
18 inhaling, or otherwise introducing into the human body a controlled  
19 substance other than cannabis. Drug paraphernalia includes, but is  
20 not limited to objects used, intended for use, or designed for use in  
21 ingesting, inhaling, or otherwise introducing cocaine into the human  
22 body, such as:

23 (a) Metal, wooden, acrylic, glass, stone, plastic, or ceramic  
24 pipes with or without screens, permanent screens, hashish heads, or  
25 punctured metal bowls;

26 (b) Water pipes;

27 (c) Carburetion tubes and devices;

28 (d) Smoking and carburetion masks;

29 (e) Miniature cocaine spoons and cocaine vials;

30 (f) Chamber pipes;

31 (g) Carburetor pipes;

32 (h) Electric pipes;

33 (i) Air-driven pipes; and

34 (j) Ice pipes or chillers.

35 (2) It shall be no defense to a prosecution for a violation of  
36 this section that the person acted, or was believed by the defendant  
37 to act, as agent or representative of another.

1 (3) Nothing in subsection (1) of this section prohibits (~~legal~~)  
2 distribution (~~of injection~~) or use of public health supplies  
3 including, but not limited to, syringe equipment, smoking equipment,  
4 or drug testing equipment, through public health (~~and~~) programs,  
5 community-based HIV prevention programs, outreach, shelter, and  
6 housing programs, and pharmacies. Public health and syringe service  
7 program staff taking samples of substances and using drug testing  
8 equipment for the purpose of analyzing the composition of the  
9 substances or detecting the presence of certain substances are acting  
10 legally and are exempt from arrest and prosecution under RCW  
11 69.50.4011(1) (b) or (c), 69.50.4013, 69.50.4014, or 69.41.030(2) (b)  
12 or (c).

13 NEW SECTION. Sec. 8. A new section is added to chapter 69.50  
14 RCW to read as follows:

15 (1) The state of Washington hereby fully occupies and preempts  
16 the entire field of drug paraphernalia regulation within the  
17 boundaries of the state including regulation of the use, selling,  
18 giving, delivery, and possession of drug paraphernalia, except as  
19 provided in subsection (2) of this section. Cities, towns, and  
20 counties or other municipalities may enact only those laws and  
21 ordinances relating to drug paraphernalia that are specifically  
22 authorized by state law and are consistent with this chapter. Such  
23 local ordinances must have the same penalty as provided for by state  
24 law. Local laws and ordinances that are inconsistent with, more  
25 restrictive than, or exceed the requirements of state law may not be  
26 enacted and are preempted and repealed, regardless of the nature of  
27 the code, charter, or home rule status of such city, town, county, or  
28 municipality.

29 (2) Nothing in this chapter shall be construed to prohibit cities  
30 or counties from enacting laws or ordinances relating to the  
31 establishment or regulation of harm reduction services concerning  
32 drug paraphernalia.

33 **Part III - Providing Opportunities for Pretrial Diversion Pursuant to**  
34 **RCW 71.24.115, 36.28A.450, and 71.24.589 and Vacating Convictions**

35 NEW SECTION. Sec. 9. A new section is added to chapter 69.50  
36 RCW to read as follows:

1 (1) Nothing in this section prevents the defendant, with the  
2 consent of the prosecuting attorney as required by RCW 2.30.030, from  
3 seeking to resolve charges under RCW 69.50.4011(1) (b) or (c),  
4 69.50.4013, 69.50.4014, or 69.41.030(2) (b) or (c) through available  
5 therapeutic courts or other alternatives to prosecution including,  
6 but not limited to, a stipulated order of continuance or deferred  
7 prosecution. Nothing in this section prevents the defendant or the  
8 prosecuting attorney from seeking or agreeing to, or the court from  
9 ordering, any other resolution of charges or terms of supervision  
10 that suit the circumstances of the defendant's situation and advance  
11 stabilization, recovery, crime reduction, and justice.

12 (2) In any jurisdiction with a recovery navigator program  
13 established under RCW 71.24.115, an arrest and jail alternative  
14 program established under RCW 36.28A.450, or a law enforcement  
15 assisted diversion program established under RCW 71.24.589, any  
16 defendant charged with a violation of RCW 69.50.4011(1) (b) or (c),  
17 69.50.4013, 69.50.4014, or 69.41.030(2) (b) or (c) may make a motion  
18 to participate in pretrial diversion and agree to waive his or her  
19 right to a speedy trial if the motion is granted, subject to the  
20 following:

21 (a) In any case where the defendant is only charged with a  
22 violation of RCW 69.50.4011(1) (b) or (c), 69.50.4013, 69.50.4014, or  
23 69.41.030(2) (b) or (c), and the defendant has not been convicted of  
24 any offenses committed after the effective date of this section, the  
25 court shall grant the motion, continue the hearing, and refer the  
26 defendant to a recovery navigator program established under RCW  
27 71.24.115, an arrest and jail alternative program established under  
28 RCW 36.28A.450, or a law enforcement assisted diversion program  
29 established under RCW 71.24.589.

30 (b) In any case where the defendant does not meet the criteria  
31 described in (a) of this subsection, the court may grant the motion,  
32 continue the hearing, and refer the defendant to a recovery navigator  
33 program established under RCW 71.24.115, an arrest and jail  
34 alternative program established under RCW 36.28A.450, or a law  
35 enforcement assisted diversion program established under RCW  
36 71.24.589.

37 (c) In all cases, the court may not grant the motion unless the  
38 prosecuting attorney consents to the defendant's participation in  
39 pretrial diversion. The prosecuting attorney is strongly encouraged  
40 to agree to diversion in any case where the defendant is only charged



1 with a violation of RCW 69.50.4011(1) (b) or (c), 69.50.4013,  
2 69.50.4014, or 69.41.030(2) (b) or (c). The prosecuting attorney may  
3 divert additional charges related to substance use disorder for  
4 nonfelony offenses that are not crimes against persons.

5 (3) Prior to granting the defendant's motion to participate in  
6 pretrial diversion under this section, the court shall provide the  
7 defendant and the defendant's counsel with the following information:

8 (a) A full description of the procedures for pretrial diversion;

9 (b) A general explanation of the roles and authority of the  
10 probation department, the prosecuting attorney, the recovery  
11 navigator program under RCW 71.24.115, arrest and jail alternative  
12 program under RCW 36.28A.450, or law enforcement assisted diversion  
13 program under RCW 71.24.589, and the court in the process;

14 (c) A clear statement that the court may grant pretrial diversion  
15 with respect to any offense under RCW 69.50.4011(1) (b) or (c),  
16 69.50.4013, 69.50.4014, or 69.41.030(2) (b) or (c) that is charged,  
17 provided that the defendant pleads not guilty to the charge or  
18 charges and waives his or her right to a speedy trial, and that upon  
19 the defendant's successful completion of pretrial diversion, as  
20 specified in subsection (11) of this section, and motion of the  
21 defendant, prosecuting attorney, court, or probation department, the  
22 court must dismiss the charge or charges against the defendant;

23 (d) A clear statement that if the defendant has not made  
24 substantial progress with treatment or services provided that are  
25 appropriate to the defendant's circumstances or, if applicable,  
26 community service, the prosecuting attorney may make a motion to  
27 terminate pretrial diversion and schedule further proceedings as  
28 otherwise provided in this section;

29 (e) An explanation of criminal record retention and disposition  
30 resulting from participation in pretrial diversion and the  
31 defendant's rights relative to answering questions about his or her  
32 arrest and pretrial diversion following successful completion; and

33 (f) A clear statement that under federal law it is unlawful for  
34 any person who is an unlawful user of or addicted to any controlled  
35 substance to ship or transport in interstate or foreign commerce, or  
36 possess in or affecting commerce, any firearm or ammunition, or to  
37 receive any firearm or ammunition which has been shipped or  
38 transported in interstate or foreign commerce.

39 (4) If the court grants the defendant's motion to participate in  
40 pretrial diversion under this section, the recovery navigator program

1 established under RCW 71.24.115, the arrest and jail alternative  
2 program established under RCW 36.28A.450, or the law enforcement  
3 assisted diversion program established under RCW 71.24.589, shall  
4 provide the court written confirmation of completion of the  
5 assessment and a statement indicating the defendant's enrollment or  
6 referral to any specific service or program. The confirmation and  
7 statement of the recovery navigator program established under RCW  
8 71.24.115, the arrest and jail alternative program established under  
9 RCW 36.28A.450, or the law enforcement assisted diversion program  
10 established under RCW 71.24.589 shall be filed under seal with the  
11 court, and a copy shall be given to the prosecuting attorney,  
12 defendant, and defendant's counsel. The confirmation and statement  
13 are confidential and exempt from disclosure under chapter 42.56 RCW.  
14 The court shall endeavor to avoid public discussion of the  
15 circumstances, history, or diagnoses that could stigmatize the  
16 defendant.

17 (5) Subject to the availability of funds appropriated for this  
18 specific purpose, the assessment and recommended treatment or  
19 services must be provided at no cost for defendants who have been  
20 found to be indigent by the court.

21 (6) If the assessment conducted by the recovery navigator program  
22 established under RCW 71.24.115, the arrest and jail alternative  
23 program established under RCW 36.28A.450, or the law enforcement  
24 assisted diversion program established under RCW 71.24.589 includes a  
25 referral to any treatment or services, the recovery navigator program  
26 established under RCW 71.24.115, the arrest and jail alternative  
27 program established under RCW 36.28A.450, the law enforcement  
28 assisted diversion program established under RCW 71.24.589, or  
29 service provider shall provide the court with regular written status  
30 updates on the defendant's progress on a schedule acceptable to the  
31 court. The updates must be provided at least monthly and be filed  
32 under seal with the court, with copies given to the prosecuting  
33 attorney, defendant, and defendant's counsel. The updates and their  
34 copies are confidential and exempt from disclosure under chapter  
35 42.56 RCW. The court shall endeavor to avoid public discussion of the  
36 circumstances, history, or diagnoses that could stigmatize the  
37 defendant.

38 (7) If the assessment conducted by the recovery navigator program  
39 established under RCW 71.24.115, the arrest and jail alternative  
40 program established under RCW 36.28A.450, or the law enforcement

1 assisted diversion program established under RCW 71.24.589 does not  
2 recommend any treatment or services, the defendant must instead  
3 complete an amount of community service as determined by the court,  
4 but not to exceed 120 hours of community service, in order to  
5 complete pretrial diversion.

6 (8) Admissions made by the individual in the course of receiving  
7 services from the recovery navigator program established under RCW  
8 71.24.115, the arrest and jail alternative program established under  
9 RCW 36.28A.450, or the law enforcement assisted diversion program  
10 established under RCW 71.24.589 may not be used against the  
11 individual in the prosecution's case in chief.

12 (9) A defendant's participation in pretrial diversion under this  
13 section does not constitute a conviction, a stipulation to facts, or  
14 an admission of guilt for any purpose.

15 (10) If it appears to the prosecuting attorney that the defendant  
16 is not substantially complying with the recommended treatment or  
17 services as reflected by a written status update, the prosecuting  
18 attorney may make a motion for termination from pretrial diversion.

19 (a) After notice to the defendant, the court must hold a hearing  
20 to determine whether pretrial diversion shall be terminated.

21 (b) Before the hearing, the defendant and the defendant's counsel  
22 shall be advised of the nature of the alleged noncompliance and  
23 provided discovery of evidence supporting the allegation, including  
24 names and contact information of witnesses.

25 (c) At the hearing, the court must consider the following  
26 factors:

27 (i) The nature of the alleged noncompliance; and

28 (ii) Any other mitigating circumstances, including, but not  
29 limited to, the defendant's efforts and due diligence, the  
30 availability of services in the geographic area, and the treatment  
31 and services offered to the defendant.

32 (d) If the court finds the defendant is not substantially  
33 complying with the recommended treatment or services and thereafter  
34 terminates pretrial diversion, it shall state the grounds for its  
35 decision succinctly in the record and provide the prosecuting  
36 attorney, the defendant, and the defendant's counsel with a written  
37 order.

38 (11) If the defendant successfully completes pretrial diversion,  
39 including in one of the following ways, the charge or charges under

1 RCW 69.50.4011(1) (b) or (c), 69.50.4013, 69.50.4014, or 69.41.030(2)  
2 (b) or (c) must be dismissed:

3 (a) If the assessment prepared by the recovery navigator program,  
4 arrest and jail alternative program, or law enforcement assisted  
5 diversion program included a recommendation for treatment or  
6 services, the defendant successfully completes pretrial diversion  
7 either by having 12 months of substantial compliance with the  
8 assessment and recommended treatment or services and progress toward  
9 recovery goals as reflected by the written status updates or by  
10 successfully completing the recommended treatment or services,  
11 whichever occurs first; or

12 (b) If the assessment prepared by the recovery navigator program,  
13 arrest and jail alternative program, or law enforcement assisted  
14 diversion program did not include a recommendation for treatment or  
15 services, the defendant successfully completes pretrial diversion by  
16 completing the community service described in subsection (7) of this  
17 section and submitting proof of completion to the court.

18 (12) Beginning January 1, 2025, the recovery navigator programs  
19 established under RCW 71.24.115, arrest and jail alternative programs  
20 established under RCW 36.28A.450, and law enforcement assisted  
21 diversion programs established under RCW 71.24.589 shall input data  
22 and information in the data integration platform under section 22 of  
23 this act for each case where the defendant participates in pretrial  
24 diversion under this section, including but not limited to the  
25 following:

26 (a) Whether the pretrial diversion was terminated or was  
27 successfully completed and resulted in a dismissal;

28 (b) The race, ethnicity, gender, gender expression or identity,  
29 disability status, and age of the defendant; and

30 (c) Any other appropriate data and information as determined by  
31 the health care authority.

32 NEW SECTION. **Sec. 10.** A new section is added to chapter 69.50  
33 RCW to read as follows:

34 When sentencing an individual for a violation of RCW  
35 69.50.4011(1) (b) or (c), 69.50.4013, 69.50.4014, or 69.41.030(2) (b)  
36 or (c), the court is encouraged to utilize any other resolution of  
37 the charges or terms of supervision that suit the circumstances of  
38 the defendant's situation and advance stabilization, recovery, crime  
39 reduction, and justice.

1       **Sec. 11.** RCW 9.96.060 and 2022 c 16 s 7 are each amended to read  
2 as follows:

3       (1) When vacating a conviction under this section, the court  
4 effectuates the vacation by: (a)(i) Permitting the applicant to  
5 withdraw the applicant's plea of guilty and to enter a plea of not  
6 guilty; or (ii) if the applicant has been convicted after a plea of  
7 not guilty, the court setting aside the verdict of guilty; and (b)  
8 the court dismissing the information, indictment, complaint, or  
9 citation against the applicant and vacating the judgment and  
10 sentence.

11       (2) Every person convicted of a misdemeanor or gross misdemeanor  
12 offense may apply to the sentencing court for a vacation of the  
13 applicant's record of conviction for the offense. If the court finds  
14 the applicant meets the requirements of this subsection, the court  
15 may in its discretion vacate the record of conviction. Except as  
16 provided in subsections (3), (4), ~~((and))~~ (5), and (6) of this  
17 section, an applicant may not have the record of conviction for a  
18 misdemeanor or gross misdemeanor offense vacated if any one of the  
19 following is present:

20       (a) The applicant has not completed all of the terms of the  
21 sentence for the offense;

22       (b) There are any criminal charges against the applicant pending  
23 in any court of this state or another state, or in any federal or  
24 tribal court, at the time of application;

25       (c) The offense was a violent offense as defined in RCW 9.94A.030  
26 or an attempt to commit a violent offense;

27       (d) The offense was a violation of RCW 46.61.502 (driving while  
28 under the influence), 46.61.504 (actual physical control while under  
29 the influence), 9.91.020 (operating a railroad, etc. while  
30 intoxicated), or the offense is considered a "prior offense" under  
31 RCW 46.61.5055 and the applicant has had a subsequent alcohol or drug  
32 violation within ten years of the date of arrest for the prior  
33 offense or less than ten years has elapsed since the date of the  
34 arrest for the prior offense;

35       (e) The offense was any misdemeanor or gross misdemeanor  
36 violation, including attempt, of chapter 9.68 RCW (obscenity and  
37 pornography), chapter 9.68A RCW (sexual exploitation of children), or  
38 chapter 9A.44 RCW (sex offenses), except for failure to register as a  
39 sex offender under RCW 9A.44.132;

1 (f) The applicant was convicted of a misdemeanor or gross  
2 misdemeanor offense as defined in RCW 10.99.020, or the court  
3 determines after a review of the court file that the offense was  
4 committed by one family or household member against another or by one  
5 intimate partner against another, or the court, after considering the  
6 damage to person or property that resulted in the conviction, any  
7 prior convictions for crimes defined in RCW 10.99.020, or for  
8 comparable offenses in another state or in federal court, and the  
9 totality of the records under review by the court regarding the  
10 conviction being considered for vacation, determines that the offense  
11 involved domestic violence, and any one of the following factors  
12 exist:

13 (i) The applicant has not provided written notification of the  
14 vacation petition to the prosecuting attorney's office that  
15 prosecuted the offense for which vacation is sought, or has not  
16 provided that notification to the court;

17 (ii) The applicant has two or more domestic violence convictions  
18 stemming from different incidents. For purposes of this subsection,  
19 however, if the current application is for more than one conviction  
20 that arose out of a single incident, none of those convictions counts  
21 as a previous conviction;

22 (iii) The applicant has signed an affidavit under penalty of  
23 perjury affirming that the applicant has not previously had a  
24 conviction for a domestic violence offense, and a criminal history  
25 check reveals that the applicant has had such a conviction; or

26 (iv) Less than five years have elapsed since the person completed  
27 the terms of the original conditions of the sentence, including any  
28 financial obligations and successful completion of any treatment  
29 ordered as a condition of sentencing;

30 (g) For any offense other than those described in (f) of this  
31 subsection, less than three years have passed since the person  
32 completed the terms of the sentence, including any financial  
33 obligations;

34 (h) The offender has been convicted of a new crime in this state,  
35 another state, or federal or tribal court in the three years prior to  
36 the vacation application; or

37 (i) The applicant is currently restrained by a domestic violence  
38 protection order, a no-contact order, an antiharassment order, or a  
39 civil restraining order which restrains one party from contacting the  
40 other party or was previously restrained by such an order and wa

1 found to have committed one or more violations of the order in the  
2 five years prior to the vacation application.

3 (3) If the applicant is a victim of sex trafficking,  
4 prostitution, or commercial sexual abuse of a minor; sexual assault;  
5 or domestic violence as defined in RCW 9.94A.030, or the prosecutor  
6 applies on behalf of the state, the sentencing court may vacate the  
7 record of conviction if the application satisfies the requirements of  
8 RCW 9.96.080. When preparing or filing the petition, the prosecutor  
9 is not deemed to be providing legal advice or legal assistance on  
10 behalf of the victim, but is fulfilling an administrative function on  
11 behalf of the state in order to further their responsibility to seek  
12 to reform and improve the administration of criminal justice. A  
13 record of conviction vacated using the process in RCW 9.96.080 is  
14 subject to subsections (~~((6) and~~) (7) and (8) of this section.

15 (4) Every person convicted prior to January 1, 1975, of violating  
16 any statute or rule regarding the regulation of fishing activities,  
17 including, but not limited to, RCW 75.08.260, 75.12.060, 75.12.070,  
18 75.12.160, 77.16.020, 77.16.030, 77.16.040, 77.16.060, and 77.16.240  
19 who claimed to be exercising a treaty Indian fishing right, may apply  
20 to the sentencing court for vacation of the applicant's record of the  
21 misdemeanor, gross misdemeanor, or felony conviction for the offense.  
22 If the person is deceased, a member of the person's family or an  
23 official representative of the tribe of which the person was a member  
24 may apply to the court on behalf of the deceased person.  
25 Notwithstanding the requirements of RCW 9.94A.640, the court shall  
26 vacate the record of conviction if:

27 (a) The applicant is a member of a tribe that may exercise treaty  
28 Indian fishing rights at the location where the offense occurred; and

29 (b) The state has been enjoined from taking enforcement action of  
30 the statute or rule to the extent that it interferes with a treaty  
31 Indian fishing right as determined under *United States v. Washington*,  
32 384 F. Supp. 312 (W.D. Wash. 1974), or *Sohappy v. Smith*, 302 F. Supp.  
33 899 (D. Oregon 1969), and any posttrial orders of those courts, or  
34 any other state supreme court or federal court decision.

35 (5) Every person convicted of a misdemeanor cannabis offense, who  
36 was (~~(twenty-one)~~) 21 years of age or older at the time of the  
37 offense, may apply to the sentencing court for a vacation of the  
38 applicant's record of conviction for the offense. A misdemeanor  
39 cannabis offense includes, but is not limited to: Any offense under  
40 RCW 69.50.4014, from July 1, 2004, onward, and its predecessor

1 statutes, including RCW 69.50.401(e), from March 21, 1979, to July 1,  
2 2004, and RCW 69.50.401(d), from May 21, 1971, to March 21, 1979, and  
3 any offense under an equivalent municipal ordinance. If an applicant  
4 qualifies under this subsection, the court shall vacate the record of  
5 conviction.

6 (6) If a person convicted of violating RCW 69.50.4011(1) (b) or  
7 (c), 69.50.4013, 69.50.4014, or 69.41.030(2) (b) or (c) completes a  
8 substance use disorder program and files proof of completion with the  
9 court, or obtains an assessment from a recovery navigator program  
10 established under RCW 71.24.115, an arrest and jail alternative  
11 program established under RCW 36.28A.450, or a law enforcement  
12 assisted diversion program established under RCW 71.24.589, and has  
13 six months of substantial compliance with recommended treatment or  
14 services and progress toward recovery goals as reflected by a written  
15 status update, upon verification the court must vacate the conviction  
16 or convictions.

17 (7) A person who is a family member of a homicide victim may  
18 apply to the sentencing court on the behalf of the victim for  
19 vacation of the victim's record of conviction for prostitution under  
20 RCW 9A.88.030. If an applicant qualifies under this subsection, the  
21 court shall vacate the victim's record of conviction.

22 ~~((7))~~ (8)(a) Except as provided in (c) of this subsection, once  
23 the court vacates a record of conviction under this section, the  
24 person shall be released from all penalties and disabilities  
25 resulting from the offense and the fact that the person has been  
26 convicted of the offense shall not be included in the person's  
27 criminal history for purposes of determining a sentence in any  
28 subsequent conviction. For all purposes, including responding to  
29 questions on employment or housing applications, a person whose  
30 conviction has been vacated under this section may state that he or  
31 she has never been convicted of that crime. However, nothing in this  
32 section affects the requirements for restoring a right to possess a  
33 firearm under RCW 9.41.040. Except as provided in (b) of this  
34 subsection, nothing in this section affects or prevents the use of an  
35 offender's prior conviction in a later criminal prosecution.

36 (b) When a court vacates a record of domestic violence as defined  
37 in RCW 10.99.020 under this section, the state may not use the  
38 vacated conviction in a later criminal prosecution unless the  
39 conviction was for: (i) Violating the provisions of a restraining  
40 order, no-contact order, or protection order restraining or enjoinin



1 the person or restraining the person from going on to the grounds of  
2 or entering a residence, workplace, school, or day care, or  
3 prohibiting the person from knowingly coming within, or knowingly  
4 remaining within, a specified distance of a location, a protected  
5 party's person, or a protected party's vehicle (RCW 10.99.040,  
6 10.99.050, 26.09.300, 26.26B.050, 26.44.063, 26.44.150, or 26.52.070,  
7 or any of the former RCW 26.50.060, 26.50.070, 26.50.130, and  
8 74.34.145); (ii) stalking (RCW 9A.46.110); or (iii) a domestic  
9 violence protection order or vulnerable adult protection order  
10 entered under chapter 7.105 RCW. A vacated conviction under this  
11 section is not considered a conviction of such an offense for the  
12 purposes of 27 C.F.R. 478.11.

13 (c) A conviction vacated on or after July 28, 2019, qualifies as  
14 a prior conviction for the purpose of charging a present recidivist  
15 offense as defined in RCW 9.94A.030 occurring on or after July 28,  
16 2019.

17 (~~(8)~~) (9) The clerk of the court in which the vacation order is  
18 entered shall immediately transmit the order vacating the conviction  
19 to the Washington state patrol identification section and to the  
20 local police agency, if any, which holds criminal history information  
21 for the person who is the subject of the conviction. The Washington  
22 state patrol and any such local police agency shall immediately  
23 update their records to reflect the vacation of the conviction, and  
24 shall transmit the order vacating the conviction to the federal  
25 bureau of investigation. A conviction that has been vacated under  
26 this section may not be disseminated or disclosed by the state patrol  
27 or local law enforcement agency to any person, except other criminal  
28 justice enforcement agencies.

29 (~~(9)~~) (10) For the purposes of this section, "cannabis" has the  
30 meaning provided in RCW 69.50.101.

#### 31 **Part IV - Opioid Treatment Rural Access and Expansion**

32 **Sec. 12.** RCW 36.70A.200 and 2021 c 265 s 2 are each amended to  
33 read as follows:

34 (1)(a) The comprehensive plan of each county and city that is  
35 planning under RCW 36.70A.040 shall include a process for identifying  
36 and siting essential public facilities. Essential public facilities  
37 include those facilities that are typically difficult to site, such  
38 as airports, state education facilities and state or regional

1 transportation facilities as defined in RCW 47.06.140, regional  
2 transit authority facilities as defined in RCW 81.112.020, state and  
3 local correctional facilities, solid waste handling facilities,  
4 opioid treatment programs including both mobile and fixed-site  
5 medication units, recovery residences, harm reduction programs  
6 excluding safe injection sites, and inpatient facilities including  
7 substance ((abuse)) use disorder treatment facilities, mental health  
8 facilities, group homes, community facilities as defined in RCW  
9 72.05.020, and secure community transition facilities as defined in  
10 RCW 71.09.020.

11 (b) Unless a facility is expressly listed in (a) of this  
12 subsection, essential public facilities do not include facilities  
13 that are operated by a private entity in which persons are detained  
14 in custody under process of law pending the outcome of legal  
15 proceedings but are not used for punishment, correction, counseling,  
16 or rehabilitation following the conviction of a criminal offense.  
17 Facilities included under this subsection (1)(b) shall not include  
18 facilities detaining persons under RCW 71.09.020 ((+6) or (15)) (7)  
19 or (16) or chapter 10.77 or 71.05 RCW.

20 (c) The department of children, youth, and families may not  
21 attempt to site new community facilities as defined in RCW 72.05.020  
22 east of the crest of the Cascade mountain range unless there is an  
23 equal or greater number of sited community facilities as defined in  
24 RCW 72.05.020 on the western side of the crest of the Cascade  
25 mountain range.

26 (d) For the purpose of this section, "harm reduction programs"  
27 means programs that emphasize working directly with people who use  
28 drugs to prevent overdose and infectious disease transmission,  
29 improve the physical, mental, and social well-being of those served,  
30 and offer low threshold options for accessing substance use disorder  
31 treatment and other services.

32 (2) Each county and city planning under RCW 36.70A.040 shall, not  
33 later than September 1, 2002, establish a process, or amend its  
34 existing process, for identifying and siting essential public  
35 facilities and adopt or amend its development regulations as  
36 necessary to provide for the siting of secure community transition  
37 facilities consistent with statutory requirements applicable to these  
38 facilities.

39 (3) Any city or county not planning under RCW 36.70A.040 shall,  
40 not later than September 1, 2002, establish a process for siting

1 secure community transition facilities and adopt or amend its  
2 development regulations as necessary to provide for the siting of  
3 such facilities consistent with statutory requirements applicable to  
4 these facilities.

5 (4) The office of financial management shall maintain a list of  
6 those essential state public facilities that are required or likely  
7 to be built within the next six years. The office of financial  
8 management may at any time add facilities to the list.

9 (5) No local comprehensive plan or development regulation may  
10 preclude the siting of essential public facilities.

11 (6) No person may bring a cause of action for civil damages based  
12 on the good faith actions of any county or city to provide for the  
13 siting of secure community transition facilities in accordance with  
14 this section and with the requirements of chapter 12, Laws of 2001  
15 2nd sp. sess. For purposes of this subsection, "person" includes, but  
16 is not limited to, any individual, agency as defined in RCW  
17 42.17A.005, corporation, partnership, association, and limited  
18 liability entity.

19 (7) Counties or cities siting facilities pursuant to subsection  
20 (2) or (3) of this section shall comply with RCW 71.09.341.

21 (8) The failure of a county or city to act by the deadlines  
22 established in subsections (2) and (3) of this section is not:

23 (a) A condition that would disqualify the county or city for  
24 grants, loans, or pledges under RCW 43.155.070 or 70A.135.070;

25 (b) A consideration for grants or loans provided under RCW  
26 43.17.250(3); or

27 (c) A basis for any petition under RCW 36.70A.280 or for any  
28 private cause of action.

29 **Sec. 13.** RCW 71.24.589 and 2019 c 314 s 29 are each amended to  
30 read as follows:

31 (1) Subject to funds appropriated by the legislature, the  
32 authority shall (~~implement a pilot project~~) administer a grant  
33 program for law enforcement assisted diversion which shall adhere to  
34 law enforcement assisted diversion core principles recognized by the  
35 law enforcement assisted diversion national support bureau, the  
36 efficacy of which have been demonstrated in peer-reviewed research  
37 studies.

38 (2) (~~Under the pilot project, the~~) The authority must partner  
39 with the law enforcement assisted diversion national support bureau

1 to award (~~(a contract)~~) contracts, subject to appropriation, for  
2 (~~(two or more geographic areas)~~) jurisdictions in the state of  
3 Washington for law enforcement assisted diversion. Cities, counties,  
4 and tribes (~~(may compete for participation in a pilot project)~~),  
5 subdivisions thereof, public development authorities, and community-  
6 based organizations demonstrating support from necessary public  
7 partners, may serve as the lead agency applying for funding. Funds  
8 may be used to scale existing projects, and to invite additional  
9 jurisdictions to launch law enforcement assisted diversion programs.

10 (3) The (~~(pilot projects)~~) program must provide for securing  
11 comprehensive technical assistance from law enforcement assisted  
12 diversion implementation experts to develop and implement a law  
13 enforcement assisted diversion program (~~(in the pilot project's~~  
14 ~~geographic areas)~~) in a way that ensures fidelity to the research-  
15 based law enforcement assisted diversion model. Sufficient funds must  
16 be allocated from grant program funds to secure technical assistance  
17 for the authority and for the implementing jurisdictions.

18 (4) The key elements of a law enforcement assisted diversion  
19 (~~(pilot project)~~) program must include:

20 (a) Long-term case management for individuals with substance use  
21 disorders;

22 (b) Facilitation and coordination with community resources  
23 focusing on overdose prevention;

24 (c) Facilitation and coordination with community resources  
25 focused on the prevention of infectious disease transmission;

26 (d) Facilitation and coordination with community resources  
27 providing physical and behavioral health services;

28 (e) Facilitation and coordination with community resources  
29 providing medications for the treatment of substance use disorders;

30 (f) Facilitation and coordination with community resources  
31 focusing on housing, employment, and public assistance;

32 (g) (~~(Twenty-four)~~) 24 hours per day and seven days per week  
33 response to law enforcement for arrest diversions; and

34 (h) Prosecutorial support for diversion services.

35 (5) No civil liability may be imposed by any court on the state  
36 or its officers or employees, an appointed or elected official,  
37 public employee, public agency as defined in RCW 4.24.470,  
38 combination of units of government and its employees as provided in  
39 RCW 36.28A.010, nonprofit community-based organization, tribal  
40 government entity, tribal organization, or urban Indian organization

1 based on the administration of a law enforcement assisted diversion  
2 program or activities carried out within the purview of a grant  
3 received under this program except upon proof of bad faith or gross  
4 negligence.

5 **Sec. 14.** RCW 71.24.590 and 2019 c 314 s 30 are each amended to  
6 read as follows:

7 (1) When making a decision on an application for licensing or  
8 certification of ((a)) an opioid treatment program, the department  
9 shall:

10 (a) Consult with the county legislative authorities in the area  
11 in which an applicant proposes to locate a program and the city  
12 legislative authority in any city in which an applicant proposes to  
13 locate a program;

14 (b) License or certify only programs that will be sited in  
15 accordance with the appropriate county or city land use ordinances.  
16 Counties and cities may require conditional use permits with  
17 reasonable conditions for the siting of programs only to the extent  
18 that such reasonable conditional use requirements applied to opioid  
19 treatment programs are similarly applied to other essential public  
20 facilities and health care settings. Pursuant to RCW 36.70A.200, no  
21 local comprehensive plan or development regulation may preclude the  
22 siting of essential public facilities;

23 (c) Not discriminate in its licensing or certification decision  
24 on the basis of the corporate structure of the applicant;

25 (d) Consider the size of the population in need of treatment in  
26 the area in which the program would be located and license or certify  
27 only applicants whose programs meet the necessary treatment needs of  
28 that population;

29 (e) Consider the availability of other certified opioid treatment  
30 programs near the area in which the applicant proposes to locate the  
31 program;

32 (f) Consider the transportation systems that would provide  
33 service to the program and whether the systems will provide  
34 reasonable opportunities to access the program for persons in need of  
35 treatment;

36 (g) Consider whether the applicant has, or has demonstrated in  
37 the past, the capability to provide the appropriate services to  
38 assist the persons who utilize the program in meeting goals  
39 established by the legislature in RCW 71.24.585. The department shall

1 prioritize licensing or certification to applicants who have  
2 demonstrated such capability and are able to measure their success in  
3 meeting such outcomes;

4 ~~(h) ((Hold one public hearing in the community in which the  
5 facility is proposed to be located. The hearing shall be held at a  
6 time and location that are most likely to permit the largest number  
7 of interested persons to attend and present testimony. The department  
8 shall notify all appropriate media outlets of the time, date, and  
9 location of the hearing at least three weeks in advance of the  
10 hearing))~~ Provide public notice to all appropriate media outlets in  
11 the community in which the facility is proposed to be located that  
12 states the applicant is proposing a facility in that community.

13 (2) ((A)) No city or county legislative authority may impose a  
14 maximum capacity for ((a)) an opioid treatment program ~~((of not less  
15 than three hundred fifty participants if necessary to address  
16 specific local conditions cited by the county))~~.

17 (3) A program applying for licensing or certification from the  
18 department and a program applying for a contract from a state agency  
19 that has been denied the licensing or certification or contract shall  
20 be provided with a written notice specifying the rationale and  
21 reasons for the denial.

22 (4) Opioid treatment programs may order, possess, dispense, and  
23 administer medications approved by the United States food and drug  
24 administration for the treatment of opioid use disorder, alcohol use  
25 disorder, tobacco use disorder, and reversal of opioid overdose. For  
26 an opioid treatment program to order, possess, and dispense any other  
27 legend drug, including controlled substances, the opioid treatment  
28 program must obtain additional licensure as required by the  
29 department, except for patient-owned medications.

30 (5) Opioid treatment programs may accept, possess, and administer  
31 patient-owned medications.

32 (6) Registered nurses and licensed practical nurses may dispense  
33 up to a ~~((thirty-one))~~ 31 day supply of medications approved by the  
34 United States food and drug administration for the treatment of  
35 opioid use disorder to patients of the opioid treatment program,  
36 under an order or prescription and in compliance with 42 C.F.R. Sec.  
37 8.12.

38 (7) A mobile or fixed-site medication unit may be established as  
39 part of a licensed opioid treatment program.

1       (8) For the purpose of this chapter, "opioid treatment program"  
2 means a program that:

3       (a) Engages in the treatment of opioid use disorder with  
4 medications approved by the United States food and drug  
5 administration for the treatment of opioid use disorder and reversal  
6 of opioid overdose, including methadone; and

7       (b) Provides a comprehensive range of medical and rehabilitative  
8 services.

9       NEW SECTION.   **Sec. 15.** A new section is added to chapter 43.330  
10 RCW to read as follows:

11       (1) Subject to funds appropriated for this specific purpose, a  
12 program is established in the department to fund the construction  
13 costs necessary to start up substance use disorder treatment and  
14 services programs and recovery housing in regions of the state that  
15 currently lack access to such programs.

16       (2) This funding must be used to increase the number of substance  
17 use disorder treatment and services programs and recovery housing in  
18 underserved areas such as central and eastern Washington and rural  
19 areas.

20       NEW SECTION.   **Sec. 16.** RCW 10.31.115 (Drug possession—Referral  
21 to assessment and services) and 2021 c 311 s 13 are each repealed.

22       **Part V - Funding, Promotion, and Training for Recovery Residences**

23       NEW SECTION.   **Sec. 17.** A new section is added to chapter 71.24  
24 RCW to read as follows:

25       Subject to the availability of funds appropriated for this  
26 specific purpose, the authority shall:

27       (1) Make sufficient funding available to support establishment of  
28 an adequate and equitable stock of recovery residences in each region  
29 of the state;

30       (2) Establish a voucher program to allow accredited recovery  
31 housing operators to hold bed space for individuals who are waiting  
32 for treatment;

33       (3) Conduct outreach to underserved and rural areas to support  
34 the development of recovery housing, including adequate resources for  
35 women, LGBTQIA+ communities, Black, indigenous, and other people of  
36 color communities, immigrant communities, and youth; and

1 (4) Develop a training for housing providers by January 1, 2024,  
2 to assist them with providing appropriate service to LGBTQIA+  
3 communities, Black, indigenous, and other people of color  
4 communities, and immigrant communities, including consideration of  
5 topics like harassment, communication, antiracism, diversity, and  
6 gender affirming behavior, and ensure applicants for grants or loans  
7 related to recovery residences receive access to the training.

8 **Sec. 18.** RCW 84.36.043 and 1998 c 174 s 1 are each amended to  
9 read as follows:

10 (1) The real and personal property used by a nonprofit  
11 organization in providing emergency or transitional housing for low-  
12 income homeless persons as defined in RCW 35.21.685 or 36.32.415 or  
13 victims of domestic violence who are homeless for personal safety  
14 reasons is exempt from taxation if:

15 (a) The charge, if any, for the housing does not exceed the  
16 actual cost of operating and maintaining the housing; and

17 (b) (i) The property is owned by the nonprofit organization; or

18 (ii) The property is rented or leased by the nonprofit  
19 organization and the benefit of the exemption inures to the nonprofit  
20 organization.

21 (2) The real and personal property used by a nonprofit  
22 organization in maintaining an approved recovery residence registered  
23 under RCW 41.05.760 is exempt from taxation if:

24 (a) The charge for the housing does not exceed the actual cost of  
25 operating and maintaining the housing; and

26 (b) (i) The property is owned by the nonprofit organization; or

27 (ii) The property is rented or leased by the nonprofit  
28 organization and the benefit of the exemption inures to the nonprofit  
29 organization.

30 (3) As used in this section:

31 (a) "Homeless" means persons, including families, who, on one  
32 particular day or night, do not have decent and safe shelter nor  
33 sufficient funds to purchase or rent a place to stay.

34 (b) "Emergency housing" means a project that provides housing and  
35 supportive services to homeless persons or families for up to sixty  
36 days.

37 (c) "Transitional housing" means a project that provides housing  
38 and supportive services to homeless persons or families for up to two



1 years and that has as its purpose facilitating the movement of  
2 homeless persons and families into independent living.

3 ~~((3))~~ (d) "Recovery residence" has the same meaning as under  
4 RCW 41.05.760.

5 (4) The exemption in subsection (2) of this section applies to  
6 taxes levied for collection in calendar years 2024 through 2033.

7 (5) This exemption is subject to the administrative provisions  
8 contained in RCW 84.36.800 through 84.36.865.

9 NEW SECTION. Sec. 19. (1) This section is the tax preference  
10 performance statement for the tax preference contained in section 18,  
11 chapter . . ., Laws of 2023 (section 18 of this act). This  
12 performance statement is only intended to be used for subsequent  
13 evaluation of the tax preference. It is not intended to create a  
14 private right of action by any party or to be used to determine  
15 eligibility for preferential tax treatment.

16 (2) The legislature categorizes this tax preference as one  
17 intended to provide tax relief for certain businesses or individuals,  
18 as indicated in RCW 82.32.808(2)(e).

19 (3) By exempting property used by nonprofit organizations  
20 maintaining approved recovery residences, it is the legislature's  
21 specific public policy objective to maximize funding for recovery  
22 residences to the extent possible, thereby increasing availability of  
23 such residences.

24 (4) To measure the effectiveness of the tax exemption provided in  
25 section 18 of this act in achieving the specific public policy  
26 objectives described in subsection (3) of this section, the joint  
27 legislative audit and review committee must evaluate:

28 (a) Annual changes in the total number of parcels qualifying for  
29 the exemption under section 18 of this act;

30 (b) The amount of annual property tax relief resulting from the  
31 tax exemption under section 18 of this act;

32 (c) The average annual number of people housed at recovery  
33 residences located on property qualifying for the exemption under  
34 section 18 of this act;

35 (d) The annualized amount charged for housing at recovery  
36 residences located on property qualifying for the exemption under  
37 section 18 of this act and the annualized estimated increase in the  
38 charge for housing if the properties had not been eligible for the  
39 exemption; and

1 (e) The annual amount of expenditures by nonprofits to maintain  
2 recovery residences located on property qualifying for the exemption  
3 under section 18 of this act.

4 (5) The legislature intends to extend the expiration date of the  
5 property tax exemption under section 18 of this act if the review by  
6 the joint legislative audit and review committee finds that:

7 (a) The number of properties qualifying for the exemption under  
8 section 18 of this act has increased;

9 (b) The number of individuals using recovery housing located on  
10 property qualifying for the exemption under section 18 of this act  
11 has increased; and

12 (c) The amount charged for recovery housing is reasonably  
13 consistent with the actual cost of operating and maintaining the  
14 housing.

15 (6) In order to obtain the data necessary to perform the review  
16 in subsection (4) of this section, the joint legislative audit and  
17 review committee may refer to:

18 (a) Initial applications for the tax exemption under section 18  
19 of this act as approved by the department of revenue under RCW  
20 84.36.815;

21 (b) Annual financial statements prepared by nonprofit entities  
22 claiming the tax exemption under section 18 of this act;

23 (c) Filings with the federal government to maintain federal tax  
24 exempt status by nonprofit organizations claiming the tax exemption  
25 under section 18 of this act; and

26 (d) Any other data necessary for the evaluation under subsection  
27 (4) of this section.

28 **Part VI – Training for Parents of Children with Substance Use Disorder**  
29 **and Caseworkers Within the Department of Children, Youth, and**  
30 **Families**

31 NEW SECTION. **Sec. 20.** A new section is added to chapter 71.24  
32 RCW to read as follows:

33 (1) The authority, in consultation with the department of  
34 children, youth, and families, shall develop a training for parents  
35 of adolescents and transition age youth with substance use disorders  
36 by June 30, 2024, which training must build on and be consistent and  
37 compatible with existing training developed by the authority for

1 families impacted by substance use disorder, and addressing the  
2 following:

3 (a) Science and education related to substance use disorders and  
4 recovery;

5 (b) Adaptive and functional communication strategies for  
6 communication with a loved one about their substance use disorder,  
7 including positive communication skills and strategies to influence  
8 motivation and behavioral change;

9 (c) Self-care and means of obtaining support;

10 (d) Means to obtain opioid overdose reversal medication when  
11 appropriate and instruction on proper use; and

12 (e) Suicide prevention.

13 (2) The authority and the department of children, youth, and  
14 families shall make this training publicly available, and the  
15 department of children, youth, and families must promote the training  
16 to licensed foster parents and caregivers, including any tribally  
17 licensed foster parents and tribal caregivers.

18 NEW SECTION. **Sec. 21.** A new section is added to chapter 43.216  
19 RCW to read as follows:

20 The department shall provide opioid overdose reversal medication  
21 and training in the use of such medication to all department staff  
22 whose job duties require in-person service or case management for  
23 child welfare or juvenile rehabilitation clients.

24 **Part VII – Recovery Navigator Programs**

25 NEW SECTION. **Sec. 22.** A new section is added to chapter 71.24  
26 RCW to read as follows:

27 (1) The authority must develop and implement a data integration  
28 platform by June 30, 2025, to support recovery navigator programs,  
29 law enforcement assisted diversion programs, arrest and jail  
30 alternative programs, and similar diversion efforts. The data  
31 integration platform shall:

32 (a) Serve as a statewide common database available for tracking  
33 diversion efforts across the state;

34 (b) Serve as a data collection and management tool for  
35 practitioners, allowing practitioners to input data and information  
36 relating to the utilization and outcomes of pretrial diversions,

1 including whether such diversions were terminated, were successfully  
2 completed and resulted in dismissal, or are still ongoing;

3 (c) Assist in standardizing definitions and practices; and

4 (d) Track pretrial diversion participants by race, ethnicity,  
5 gender, gender expression or identity, disability status, and age.

6 (2) If possible, the authority must leverage and interact with  
7 existing platforms already in use in efforts funded by the authority.  
8 The authority must establish a quality assurance process for  
9 behavioral health administrative services organizations and employ  
10 data validation for fields in the data collection workbook. The  
11 authority must engage and consult with the law enforcement assisted  
12 diversion national support bureau on data integration approaches,  
13 platforms, quality assurance protocols, and validation practices.

14 (3) Information submitted to the data integration platform is  
15 exempt from public disclosure requirements under chapter 42.56 RCW.

16 **Sec. 23.** RCW 42.56.360 and 2020 c 323 s 2 are each amended to  
17 read as follows:

18 (1) The following health care information is exempt from  
19 disclosure under this chapter:

20 (a) Information obtained by the pharmacy quality assurance  
21 commission as provided in RCW 69.45.090;

22 (b) Information obtained by the pharmacy quality assurance  
23 commission or the department of health and its representatives as  
24 provided in RCW 69.41.044, 69.41.280, and 18.64.420;

25 (c) Information and documents created specifically for, and  
26 collected and maintained by a quality improvement committee under RCW  
27 43.70.510, 70.230.080, or 70.41.200, or by a peer review committee  
28 under RCW 4.24.250, or by a quality assurance committee pursuant to  
29 RCW 74.42.640 or 18.20.390, or by a hospital, as defined in RCW  
30 43.70.056, for reporting of health care-associated infections under  
31 RCW 43.70.056, a notification of an incident under RCW 70.56.040(5),  
32 and reports regarding adverse events under RCW 70.56.020(2)(b),  
33 regardless of which agency is in possession of the information and  
34 documents;

35 (d)(i) Proprietary financial and commercial information that the  
36 submitting entity, with review by the department of health,  
37 specifically identifies at the time it is submitted and that is  
38 provided to or obtained by the department of health in connection

1 with an application for, or the supervision of, an antitrust  
2 exemption sought by the submitting entity under RCW 43.72.310;

3 (ii) If a request for such information is received, the  
4 submitting entity must be notified of the request. Within ten  
5 business days of receipt of the notice, the submitting entity shall  
6 provide a written statement of the continuing need for  
7 confidentiality, which shall be provided to the requester. Upon  
8 receipt of such notice, the department of health shall continue to  
9 treat information designated under this subsection (1)(d) as exempt  
10 from disclosure;

11 (iii) If the requester initiates an action to compel disclosure  
12 under this chapter, the submitting entity must be joined as a party  
13 to demonstrate the continuing need for confidentiality;

14 (e) Records of the entity obtained in an action under RCW  
15 18.71.300 through 18.71.340;

16 (f) Complaints filed under chapter 18.130 RCW after July 27,  
17 1997, to the extent provided in RCW 18.130.095(1);

18 (g) Information obtained by the department of health under  
19 chapter 70.225 RCW;

20 (h) Information collected by the department of health under  
21 chapter 70.245 RCW except as provided in RCW 70.245.150;

22 (i) Cardiac and stroke system performance data submitted to  
23 national, state, or local data collection systems under RCW  
24 70.168.150(2)(b);

25 (j) All documents, including completed forms, received pursuant  
26 to a wellness program under RCW 41.04.362, but not statistical  
27 reports that do not identify an individual;

28 (k) Data and information exempt from disclosure under RCW  
29 43.371.040; (~~and~~)

30 (l) Medical information contained in files and records of members  
31 of retirement plans administered by the department of retirement  
32 systems or the law enforcement officers' and firefighters' plan 2  
33 retirement board, as provided to the department of retirement systems  
34 under RCW 41.04.830; and

35 (m) Data submitted to the data integration platform under section  
36 22 of this act.

37 (2) Chapter 70.02 RCW applies to public inspection and copying of  
38 health care information of patients.

1 (3) (a) Documents related to infant mortality reviews conducted  
2 pursuant to RCW 70.05.170 are exempt from disclosure as provided for  
3 in RCW 70.05.170(3).

4 (b) (i) If an agency provides copies of public records to another  
5 agency that are exempt from public disclosure under this subsection  
6 (3), those records remain exempt to the same extent the records were  
7 exempt in the possession of the originating entity.

8 (ii) For notice purposes only, agencies providing exempt records  
9 under this subsection (3) to other agencies may mark any exempt  
10 records as "exempt" so that the receiving agency is aware of the  
11 exemption, however whether or not a record is marked exempt does not  
12 affect whether the record is actually exempt from disclosure.

13 (4) Information and documents related to maternal mortality  
14 reviews conducted pursuant to RCW 70.54.450 are confidential and  
15 exempt from public inspection and copying.

16 NEW SECTION. **Sec. 24.** A new section is added to chapter 71.24  
17 RCW to read as follows:

18 (1) The authority shall contract with the Washington state  
19 institute for public policy to conduct a study of the long-term  
20 effectiveness of the recovery navigator programs under RCW 71.24.115  
21 and law enforcement assisted diversion programs under RCW 71.24.589  
22 implemented in Washington state, with reports due by June 30, 2028,  
23 June 30, 2033, and June 30, 2038, and an assessment as described  
24 under subsection (2) of this section. The Washington state institute  
25 for public policy shall collaborate with the authority and the  
26 substance use recovery services advisory committee under RCW  
27 71.24.546 on the topic of data collection and to determine the  
28 parameters of the report, which shall include:

29 (a) Recidivism rates for recovery navigator and law enforcement  
30 assisted diversion program participants, including a comparison  
31 between individuals who did and did not use the pretrial diversion  
32 program under section 9 of this act, and outcomes for these  
33 individuals;

34 (b) Trends or disparities in utilization of the recovery  
35 navigator and LEAD programs and outcomes based on race, ethnicity,  
36 gender, gender expression or identity, disability status, age, and  
37 other appropriate characteristics; and

1 (c) Recommendations, if any, for modification and improvement of  
2 the recovery navigator program or law enforcement assisted diversion  
3 programs.

4 (2)(a) The Washington state institute for public policy shall, in  
5 consultation with the authority and other key stakeholders, conduct a  
6 descriptive assessment of the current status of statewide recovery  
7 navigator programs and the degree to which the implementation of  
8 these programs reflects fidelity to the core principles of the law  
9 enforcement assisted diversion program as established by the law  
10 enforcement assisted diversion national support bureau in its toolkit  
11 as it existed on July 1, 2023, which shall include:

12 (i) The results of the law enforcement assisted diversion  
13 standards fidelity index analysis, conducted by an independent  
14 research scientist with expertise in law enforcement assisted  
15 diversion evaluation, including findings with respect to each  
16 standard assessed, for each recovery navigator program, in each  
17 behavioral health administrative services organization region;

18 (ii) Reports on utilization of technical support from the law  
19 enforcement assisted diversion national support bureau by recovery  
20 navigator program contractors, the authority, and behavioral health  
21 administrative services organizations; and

22 (iii) Barriers to achieving fidelity to core principles.

23 (b) The report shall also describe law enforcement assisted  
24 diversion programs in Washington state that are not affiliated with  
25 recovery navigator programs.

26 (c) The report may include recommendations for changes to  
27 recovery navigator programs reported by recovery navigator program  
28 administrators, stakeholders, or participants.

29 (d) The authority, behavioral health administrative services  
30 organizations, and other recovery navigator program administrators  
31 shall cooperate with the institute in making this assessment.

32 (e) The institute shall submit this assessment to the governor  
33 and relevant committees of the legislature by June 30, 2024.

34 (3) The authority shall cooperate with the Washington state  
35 institute for public policy to provide data for the assessment and  
36 reports under this section.

37 (4) The authority must establish an expedited preapproval process  
38 by August 1, 2023, that allows requests for the use of data to be  
39 forwarded to the Washington state institutional review board without  
40 delay when the request is made by the Washington state institute for

1 public policy for the purpose of completing a study that has been  
2 directed by the legislature.

3 **Sec. 25.** RCW 71.24.115 and 2021 c 311 s 2 are each amended to  
4 read as follows:

5 (1) Each behavioral health administrative services organization  
6 shall establish ~~((a))~~ recovery navigator ~~((program))~~ programs with  
7 the goal of providing law enforcement and other criminal legal system  
8 personnel with a credible alternative to further legal system  
9 involvement for criminal activity that stems from unmet behavioral  
10 health needs or poverty. The programs shall work to improve community  
11 health and safety by reducing individuals' involvement with the  
12 criminal legal system through the use of specific human services  
13 tools and in coordination with community input. Each program must  
14 include a dedicated project manager and be governed by a policy  
15 coordinating group comprised, in alignment with the core principles,  
16 of local executive and legislative officials, public safety agencies,  
17 including police and prosecutors, and civil rights, public defense,  
18 and human services organizations.

19 (2) The recovery navigator programs shall be organized on a scale  
20 that permits meaningful engagement, collaboration, and coordination  
21 with local law enforcement and municipal agencies through the policy  
22 coordinating groups. The ~~((program))~~ programs shall provide

23 community-based outreach, intake, assessment, and connection to  
24 services and, as appropriate, long-term intensive case management and  
25 recovery coaching services, to youth and adults with substance use  
26 disorder, including for persons with co-occurring substance use  
27 disorders and mental health conditions, who are referred to the  
28 program from diverse sources and shall facilitate and coordinate  
29 connections to a broad range of community resources for youth and  
30 adults with substance use disorder, including treatment and recovery  
31 support services. Recovery navigator programs must serve and  
32 prioritize individuals who are actually or potentially exposed to the  
33 criminal legal system with respect to unlawful behavior connected to  
34 substance use or other behavioral health issues.

35 ~~((2—The))~~ (3) By June 30, 2024, the authority shall  
36 ~~((establish))~~ revise its uniform program standards for behavioral  
37 health administrative services organizations to follow in the design  
38 of their recovery navigator programs to achieve fidelity with the  
39 core principles. The uniform program standards must be modeled upon



1 the components of the law enforcement assisted diversion program and  
2 address project management, field engagement, biopsychosocial  
3 assessment, intensive case management and care coordination,  
4 stabilization housing when available and appropriate, and, as  
5 necessary, legal system coordination for participants' legal cases  
6 that may precede or follow referral to the program. The uniform  
7 program standards must incorporate the law enforcement assisted  
8 diversion framework for diversion at multiple points of engagement  
9 with the criminal legal system, including prearrest, prebooking,  
10 prefiling, and for ongoing case conferencing with law enforcement,  
11 prosecutors, community stakeholders, and program case managers. The  
12 authority must adopt the uniform program standards from the  
13 components of the law enforcement assisted diversion program to  
14 accommodate an expanded population of persons with substance use  
15 disorders, including persons with co-occurring substance use  
16 disorders and mental health conditions, ~~((and allow))~~ provide for  
17 referrals from a broad range of sources, and require prioritization  
18 of those who are or likely will be exposed to the criminal legal  
19 system related to their behavioral health challenges. In addition to  
20 accepting referrals from law enforcement and courts of limited  
21 jurisdiction, the uniform program standards must provide guidance for  
22 accepting referrals on behalf of persons with substance use  
23 disorders, including persons with co-occurring substance use  
24 disorders and mental health conditions, from various sources  
25 including, but not limited to, self-referral, family members of the  
26 individual, emergency department personnel, persons engaged with  
27 serving homeless persons, including those living unsheltered or in  
28 encampments, fire department personnel, emergency medical service  
29 personnel, community-based organizations, members of the business  
30 community, harm reduction program personnel, faith-based organization  
31 staff, and other sources within the criminal legal system, ~~((as~~  
32 ~~outlined))~~ so that individuals are engaged as early as possible  
33 within the sequential intercept model. In developing response time  
34 requirements within the statewide program standards, the authority  
35 shall require, subject to the availability of amounts appropriated  
36 for this specific purpose, that responses to referrals from law  
37 enforcement occur immediately for in-custody referrals and shall  
38 strive for rapid response times to other appropriate settings such as  
39 emergency departments and courts of limited jurisdiction.

1        ~~((3))~~ (4) Subject to the availability of amounts appropriated  
2 for this specific purpose, the authority shall provide funding to  
3 each behavioral health administrative services organization for the  
4 ~~((development of its))~~ continuation of and, as required by this  
5 section, the revisions to and reorganization of the recovery  
6 navigator ~~((program))~~ programs they fund. Before receiving funding  
7 for implementation and ongoing administration, each behavioral health  
8 administrative services organization must submit a program plan that  
9 demonstrates the ability to fully comply with statewide program  
10 standards. The authority shall establish a schedule for the regular  
11 review of recovery navigator programs funded by behavioral health  
12 administrative services ~~((organizations' programs))~~ organizations.  
13 The authority shall arrange for technical assistance to be provided  
14 by the LEAD national support bureau to all behavioral health  
15 administrative services organizations, the authority, contracted  
16 providers, and independent stakeholders and partners, such as  
17 prosecuting attorneys and law enforcement.

18        ~~((4))~~ (5) Each behavioral health administrative services  
19 organization must have a substance use disorder regional  
20 administrator for its recovery navigator program. The regional  
21 administrator shall be responsible for assuring compliance with  
22 program standards, including staffing standards. Each recovery  
23 navigator program must maintain a sufficient number of appropriately  
24 trained personnel for providing intake and referral services,  
25 conducting comprehensive biopsychosocial assessments, providing  
26 intensive case management services, and making warm handoffs to  
27 treatment and recovery support services along the continuum of care.  
28 Program staff must include people with lived experience with  
29 substance use disorder to the extent possible. The substance use  
30 disorder regional administrator must assure that staff who are  
31 conducting intake and referral services and field assessments are  
32 paid a livable and competitive wage and have appropriate initial  
33 training and receive continuing education.

34        ~~((5))~~ (6) Each recovery navigator program must submit quarterly  
35 reports to the authority with information identified by the authority  
36 and the substance use recovery services advisory committee. The  
37 reports must be provided to the substance use recovery services  
38 advisory committee for discussion at meetings following the  
39 submission of the reports.

1 (7) No civil liability may be imposed by any court on the state  
2 or its officers or employees, an appointed or elected official,  
3 public employee, public agency as defined in RCW 4.24.470,  
4 combination of units of government and its employees as provided in  
5 RCW 36.28A.010, nonprofit community-based organization, tribal  
6 government entity, tribal organization, or urban Indian organization,  
7 based on the administration of a recovery navigator program except  
8 upon proof of bad faith or gross negligence.

9 (8) For the purposes of this section, the term "core principles"  
10 means the core principles of a law enforcement assisted diversion  
11 program, as established by the law enforcement assisted diversion  
12 national support bureau in its toolkit, as it existed on July 1,  
13 2023.

14 **Part VIII - Establishing a Pilot Program for Health Engagement Hubs**

15 NEW SECTION. Sec. 26. A new section is added to chapter 71.24  
16 RCW to read as follows:

17 (1)(a) The authority shall implement a pilot program for health  
18 engagement hubs by August 1, 2024. The pilot program will test the  
19 functionality and operability of health engagement hubs, including  
20 whether and how to incorporate and build on existing medical, harm  
21 reduction, treatment, and social services in order to create an all-  
22 in-one location where people who use drugs can access such services.

23 (b) Subject to amounts appropriated, the authority shall  
24 establish pilot programs on at least two sites, with one site located  
25 in an urban area and one located in a rural area.

26 (c) The authority shall report on the pilot program results,  
27 including recommendations for expansion, and rules and payment  
28 structures, to the legislature no later than August 1, 2026.

29 (2) The authority shall develop payment structures for health  
30 engagement hubs by June 30, 2024. Subject to the availability of  
31 funds appropriated for this purpose, and to the extent allowed under  
32 federal law, the authority shall direct medicaid managed care  
33 organizations to adopt a value-based bundled payment methodology in  
34 contracts with health engagement hubs and other opioid treatment  
35 providers. The authority shall not implement this requirement in  
36 managed care contracts unless expressly authorized by the  
37 legislature.

38 (3) A health engagement hub is intended to:

1 (a) Serve as an all-in-one location where people 18 years of age  
2 or older who use drugs can access a range of medical, harm reduction,  
3 treatment, and social services;

4 (b) Be affiliated with existing syringe service programs,  
5 federally qualified health centers, community health centers,  
6 overdose prevention sites, safe consumption sites, patient-centered  
7 medical homes, tribal behavioral health programs, peer run  
8 organizations such as clubhouses, services for unhoused people,  
9 supportive housing, and opioid treatment programs including mobile  
10 and fixed-site medication units established under an opioid treatment  
11 program, or other appropriate entity;

12 (c) Provide referrals or access to methadone and other  
13 medications for opioid use disorder;

14 (d) Function as a patient-centered medical home by offering high-  
15 quality, cost-effective patient-centered care, including wound care;

16 (e) Provide harm reduction services and supplies; and

17 (f) Provide linkage to housing, transportation, and other support  
18 services.

## 19 **Part IX - Education and Employment Pathways**

20 NEW SECTION. **Sec. 27.** A new section is added to chapter 71.24  
21 RCW to read as follows:

22 Subject to funding provided for this specific purpose, the  
23 authority shall establish a grant program for providers of  
24 employment, education, training, certification, and other supportive  
25 programs designed to provide persons recovering from a substance use  
26 disorder with employment and education opportunities. The grant  
27 program shall employ a low-barrier application and give priority to  
28 programs that engage with black, indigenous, persons of color, and  
29 other historically underserved communities.

## 30 **Part X - Providing a Statewide Directory of Recovery Services**

31 NEW SECTION. **Sec. 28.** A new section is added to chapter 71.24  
32 RCW to read as follows:

33 Subject to funding provided for this specific purpose, the  
34 authority must collaborate with the department and the department of  
35 social and health services to expand the Washington recovery helpline  
36 and the recovery readiness asset tool to provide a dynamical

1 updated statewide behavioral health treatment and recovery support  
2 services mapping tool that includes a robust resource database for  
3 those seeking services and a referral system to be incorporated  
4 within the locator tool to help facilitate the connection between an  
5 individual and a facility that is currently accepting new referrals.  
6 The tool must include dual interface capability, one for public  
7 access and one for internal use and management.

8 **Part XI - Investing Adequately in Statewide Diversion Services**

9 NEW SECTION. **Sec. 29.** The appropriations in this section are  
10 provided to the department of health and are subject to the following  
11 conditions and limitations:

12 The following sums, or so much thereof as may be necessary, are  
13 each appropriated: \$47,000 from the state general fund-local for the  
14 fiscal biennium ending June 30, 2025; and \$13,000 from the health  
15 professions account for the fiscal biennium ending June 30, 2025. The  
16 amounts in this section are provided solely for the department of  
17 health to adopt rules related to mobile medication units and conduct  
18 inspections for such units under RCW 71.24.590.

19 NEW SECTION. **Sec. 30.** The appropriations in this section are  
20 provided to the department of revenue and are subject to the  
21 following conditions and limitations:

22 The following sums, or so much thereof as may be necessary, are  
23 each appropriated: \$594,000 from the state general fund for the  
24 fiscal year ending June 30, 2024; and \$140,000 from the state general  
25 fund for the fiscal year ending June 30, 2025. The amounts in this  
26 section are provided solely for the department of revenue to  
27 administer the recovery residence tax exemption created in RCW  
28 84.36.043.

29 NEW SECTION. **Sec. 31.** The appropriation in this section is  
30 provided to the joint legislative audit and review committee and is  
31 subject to the following conditions and limitations:

32 The sum of \$23,000, or as much thereof as may be necessary, is  
33 appropriated for the fiscal biennium ending June 30, 2025, from the  
34 performance audits of government account. The amount in this section  
35 is provided solely for the purposes of conducting a tax preference

1 review of the property tax exemption for recovery residences under  
2 RCW 84.36.043.

3 NEW SECTION. **Sec. 32.** The appropriation in this section is  
4 provided to the Washington state patrol and is subject to the  
5 following conditions and limitations:

6 The following sums, or so much thereof as may be necessary, are  
7 each appropriated: \$813,000 from the state general fund for the  
8 fiscal year ending June 30, 2024; and \$450,000 from the state general  
9 fund for the fiscal year ending June 30, 2025. The amounts in this  
10 section are provided solely to support the Washington state patrol  
11 bureau of forensic laboratory services in completing the necessary  
12 analysis for any evidence submitted for a suspected violation of RCW  
13 69.50.4011(1)(b), 69.50.4013, or 69.41.030 within 45 days of receipt  
14 of the request for analysis.

15 NEW SECTION. **Sec. 33.** The appropriations in this section are  
16 provided to the state health care authority and are subject to the  
17 following conditions and limitations:

18 (1) The following sums, or so much thereof as may be necessary,  
19 are each appropriated: \$3,600,000 from the opioid abatement  
20 settlement account for the fiscal biennium ending June 30, 2025;  
21 \$700,000 from the state general fund for the fiscal year ending June  
22 30, 2024; and \$700,000 from the state general fund for the fiscal  
23 year ending June 30, 2025. The amounts in this subsection are  
24 provided solely for the purposes of maintaining a memorandum of  
25 understanding with the criminal justice training commission to  
26 provide ongoing funding for community grants under RCW 36.28A.450.

27 (2) The following sums, or so much thereof as may be necessary,  
28 are each appropriated: \$3,783,000 from the opioid abatement  
29 settlement account for the fiscal biennium ending June 30, 2025; and  
30 \$3,810,000 from the general fund-federal for the fiscal biennium  
31 ending June 30, 2025. The amounts in this subsection are provided  
32 solely for the administration of this act.

33 (3) The following sums, or so much thereof as may be necessary,  
34 are each appropriated: \$1,000,000 from the state general fund for the  
35 fiscal year ending June 30, 2024; and \$1,000,000 from the state  
36 general fund for the fiscal year ending June 30, 2025. The amounts in  
37 this subsection are provided solely for the authority to award grants  
38 to crisis services providers to establish and expand 23-hour crisis

1 relief center capacity. It is the intent of the legislature that  
2 grants are awarded to an equivalent number of providers to the west  
3 and the east of the Cascade mountains. The authority must consider  
4 the geographic distribution of proposed grant applicants and the  
5 regional need for 23-hour crisis relief centers when awarding grant  
6 funds.

7 (4) The sum of \$4,000,000, or as much thereof as may be  
8 necessary, is appropriated for the fiscal biennium ending June 30,  
9 2025, from the opioid abatement settlement account. The amount in  
10 this subsection is provided solely for the authority to establish a  
11 health engagement hub pilot program to include both urban and rural  
12 locations under section 26 of this act.

13 (5) The sum of \$3,768,000, or as much thereof as may be  
14 necessary, is appropriated for the fiscal biennium ending June 30,  
15 2025, from the opioid abatement settlement account. The amount in  
16 this subsection is provided solely for the authority to increase the  
17 number of mobile methadone units operated by existing opioid  
18 treatment providers, increase the number of opioid treatment provider  
19 fixed medication units operated by existing opioid treatment  
20 providers, and to expand opioid treatment programs with a  
21 prioritization for rural areas.

22 (6) The sum of \$5,242,000, or as much thereof as may be  
23 necessary, is appropriated for the fiscal biennium ending June 30,  
24 2025, from the opioid abatement settlement account. The amount in  
25 this subsection is provided solely for the authority to provide  
26 grants to providers of employment and educational services to  
27 individuals with substance use disorder under section 27 of this act.

28 (7) The following sums, or so much thereof as may be necessary,  
29 are each appropriated: \$750,000 from the state general fund for the  
30 fiscal year ending June 30, 2024; \$750,000 from the state general  
31 fund for the fiscal year ending June 30, 2025; and \$500,000 from the  
32 opioid abatement settlement account for the fiscal biennium ending  
33 June 30, 2025. The amounts in this subsection are provided solely for  
34 the authority to provide grants to support substance use disorder  
35 family navigator programs.

36 (8) The following sums, or so much thereof as may be necessary,  
37 are each appropriated: \$3,750,000 from the state general fund for the  
38 fiscal year ending June 30, 2024; and \$3,750,000 from the state  
39 general fund for the fiscal year ending June 30, 2025. The amounts in  
40 this subsection are provided solely for the authority to provide

1 short-term housing vouchers for individuals with substance use  
2 disorders, with a focus on providing such resources to people in the  
3 five most populous counties of the state.

4 (9) The following sums, or so much thereof as may be necessary,  
5 are each appropriated: \$2,000,000 from the state general fund for the  
6 fiscal year ending June 30, 2024; and \$2,000,000 from the state  
7 general fund for the fiscal year ending June 30, 2025. The amounts in  
8 this subsection are provided solely for the authority to provide  
9 grants for the operational costs of new staffed recovery residences  
10 which serve individuals with substance use disorders who require more  
11 support than a level 1 recovery residence, with a focus on providing  
12 grants to recovery residences which serve individuals in the five  
13 most populous counties of the state.

14 (10) The following sums, or so much thereof as may be necessary,  
15 are each appropriated: \$1,000,000 from the state general fund for the  
16 fiscal year ending June 30, 2024; and \$1,000,000 from the state  
17 general fund for the fiscal year ending June 30, 2025. The amounts in  
18 this subsection are provided solely for the authority to support the  
19 provision of behavioral health co-responder services on nonlaw  
20 enforcement emergency medical response teams.

21 (11) The following sums, or so much thereof as may be necessary,  
22 are each appropriated: \$250,000 from the state general fund for the  
23 fiscal year ending June 30, 2024; and \$250,000 from the state general  
24 fund for the fiscal year ending June 30, 2025. The amounts in this  
25 subsection are provided solely for the authority to continue and  
26 increase a contract for services funded in section 215(127), chapter  
27 297, Laws of 2022 (ESSB 5693) to provide information and support  
28 related to safe housing and support services for youth exiting  
29 inpatient mental health and/or substance use disorder facilities to  
30 stakeholders, inpatient treatment facilities, young people, and other  
31 community providers that serve unaccompanied youth and young adults.

32 (12) The following sums, or so much thereof as may be necessary,  
33 are each appropriated: \$2,500,000 from the state general fund for the  
34 fiscal year ending June 30, 2024; and \$2,500,000 from the state  
35 general fund for the fiscal year ending June 30, 2025. The amounts in  
36 this subsection are provided solely for the authority to award  
37 contracts through the grant program for law enforcement assisted  
38 diversion under RCW 71.24.589.



1        NEW SECTION.    **Sec. 34.**    The appropriations in this section are  
2 provided to the department of commerce and are subject to the  
3 following conditions and limitations:

4        The following sums, or so much thereof as may be necessary, are  
5 each appropriated: \$1,500,000 from the state general fund for the  
6 fiscal year ending June 30, 2024; and \$1,500,000 from the state  
7 general fund for the fiscal year ending June 30, 2025. The amounts in  
8 this section are provided solely for the office of homeless youth to  
9 administer a competitive grant process to award funding to licensed  
10 youth shelters, HOPE centers, and crisis residential centers to  
11 provide behavioral health support services, including substance use  
12 disorder services, for youth in crisis, and to increase funding for  
13 current grantees.

14       NEW SECTION.    **Sec. 35.**    The appropriations in this section are  
15 provided to the office of public defense and are subject to the  
16 following conditions and limitations:

17       The following sums, or so much thereof as may be necessary, are  
18 each appropriated: \$3,000,000 from the state general fund for the  
19 fiscal year ending June 30, 2024; and \$6,000,000 from the state  
20 general fund for the fiscal year ending June 30, 2025. The amounts in  
21 this section are provided solely for the purpose of section 39 of  
22 this act.

23       **Part XII – Streamlining Substance Use Disorder Treatment Assessments**

24       NEW SECTION.    **Sec. 36.**    A new section is added to chapter 71.24  
25 RCW to read as follows:

26       (1) The authority shall convene a work group to recommend changes  
27 to systems, policies, and processes related to intake, screening, and  
28 assessment for substance use disorder services, with the goal to  
29 broaden the workforce capable of administering substance use disorder  
30 assessments and to make the assessment process as brief as possible,  
31 including only what is necessary to manage utilization and initiate  
32 care. The assessment shall be low barrier, person-centered, and  
33 amenable to administration in diverse health care settings and by a  
34 range of health care professionals. The assessment shall consider the  
35 person's self-identified needs and preferences when evaluating  
36 direction of treatment and may include different components based on  
37 the setting, context, and past experience with the client.

1 (2) The work group must include care providers, payors, people  
2 who use drugs, individuals in recovery from substance use disorder,  
3 and other individuals recommended by the authority. The work group  
4 shall present its recommendations to the governor and appropriate  
5 committees of the legislature by December 1, 2024.

6 **Sec. 37.** RCW 18.64.600 and 2020 c 244 s 2 are each amended to  
7 read as follows:

8 (1) The license of location for a pharmacy licensed under this  
9 chapter may be extended to a remote dispensing site where technology  
10 is used to dispense medications (~~(approved by the United States food~~  
11 ~~and drug administration)~~) used for the treatment of opioid use  
12 disorder or its symptoms.

13 (2) In order for a pharmacy to use remote dispensing sites, a  
14 pharmacy must register each separate remote dispensing site with the  
15 commission.

16 (3) The commission shall adopt rules that establish minimum  
17 standards for remote dispensing sites registered under this section.  
18 The minimum standards shall address who may retrieve medications for  
19 opioid use disorder stored in or at a remote dispensing site pursuant  
20 to a valid prescription or chart order. The minimum standards must  
21 require the pharmacy be responsible for stocking and maintaining a  
22 perpetual inventory of the medications for opioid use disorder stored  
23 in or at the registered remote dispensing site. The dispensing  
24 technology may be owned by either the pharmacy or the registered  
25 remote dispensing site.

26 (4) The secretary may adopt rules to establish a reasonable fee  
27 for obtaining and renewing a registration issued under this section.

28 (5) The registration issued under this section will be considered  
29 as part of the pharmacy license issued under RCW 18.64.043. If the  
30 underlying pharmacy license is not active, then the registration  
31 shall be considered inoperable by operation of law.

32 **Part XIII - Health Care Authority Comprehensive Data Reporting**  
33 **Requirements**

34 NEW SECTION. **Sec. 38.** A new section is added to chapter 71.24  
35 RCW to read as follows:

36 (1) The authority is responsible for providing regular  
37 assessments of the prevalence of substance use disorders and

1 interactions of persons with substance use disorder with service  
2 providers, nonprofit service providers, first responders, health care  
3 facilities, and law enforcement agencies. Beginning in 2026, the  
4 annual report required in subsection (3)(a) of this section shall  
5 include a comprehensive assessment of the information described in  
6 this subsection for the prior calendar year.

7 (2)(a) The authority shall identify the types and sources of data  
8 necessary to implement the appropriate means and methods of gathering  
9 data to provide the information required in subsection (1) of this  
10 section.

11 (b) The authority must provide a preliminary inventory report to  
12 the governor and the legislature by December 1, 2023, and a final  
13 inventory report by December 1, 2024. The reports must:

14 (i) Identify existing types and sources of data available to the  
15 authority to provide the information required in subsection (1) of  
16 this section and what data are necessary but currently unavailable to  
17 the authority;

18 (ii) Include recommendations for new data connections, new data-  
19 sharing authority, and sources of data that are necessary to provide  
20 the information required in subsection (1) of this section; and

21 (iii) Include recommendations, including any necessary  
22 legislation, regarding the development of reporting mechanisms  
23 between the authority and service providers, nonprofit service  
24 providers, health care facilities, law enforcement agencies, and  
25 other state agencies to gather the information required in subsection  
26 (1) of this section.

27 (3)(a) Beginning July 1, 2024, and each July 1st thereafter until  
28 July 1, 2028, the authority shall provide an implementation report to  
29 the governor and the legislature regarding recovery residences,  
30 recovery navigator programs, the health engagement pilot programs,  
31 and the law enforcement assisted diversion grants program. The report  
32 shall include:

33 (i) The number of contracts awarded to law enforcement assisted  
34 diversion programs, including the amount awarded in the contract, and  
35 the names and service locations of contract recipients;

36 (ii) The location of recovery residences, recovery navigator  
37 programs, health engagement hub pilot programs, and law enforcement  
38 assisted diversion programs;

1 (iii) The scope and nature of services provided by recovery  
2 navigator programs, health engagement hub pilot programs, and law  
3 enforcement assisted diversion programs;

4 (iv) The number of individuals served by recovery residences,  
5 recovery navigator programs, health engagement hub pilot programs,  
6 and law enforcement assisted diversion programs;

7 (v) If known, demographic data concerning the utilization of  
8 these services by overburdened and underrepresented communities; and

9 (vi) The number of grants awarded to providers of employment,  
10 education, training, certification, and other supportive programs,  
11 including the amount awarded in each grant and the names of provider  
12 grant recipients, as provided for in section 27 of this act.

13 (b) The data obtained by the authority under this section shall  
14 be integrated with the Washington state institute for public policy  
15 report under section 24 of this act.

16 (4) Beginning in the July 1, 2027, report in subsection (3)(a) of  
17 this section, the authority shall provide:

18 (a) The results and effectiveness of the authority's  
19 collaboration with the department of health and the department of  
20 social and health services to expand the Washington recovery helpline  
21 and recovery readiness asset tool to provide a dynamically updated  
22 statewide behavioral health treatment and recovery support services  
23 mapping tool, including the results and effectiveness with respect to  
24 overburdened and underrepresented communities, in accordance with  
25 section 28 of this act;

26 (b) The results and effectiveness of the authority's development  
27 and implementation of a data integration platform to support recovery  
28 navigator programs and to serve as a common database available for  
29 diversion efforts across the state, including the results and  
30 effectiveness with respect to overburdened and underrepresented  
31 communities, as provided in section 22 of this act;

32 (c) The effectiveness and outcomes of training developed and  
33 provided by the authority in consultation with the department of  
34 children, youth, and families, as provided in section 20 of this act;  
35 and

36 (d) The effectiveness and outcomes of training developed by the  
37 authority for housing providers, as provided in section 17(4) of this  
38 act.



1        NEW SECTION.    **Sec. 43.**    If any provision of this act or its  
2 application to any person or circumstance is held invalid, the  
3 remainder of the act or the application of the provision to other  
4 persons or circumstances is not affected."

**E2SSB 5536 - S AMD 470**  
By Senator Robinson

**ADOPTED 05/16/2023**

5        On page 1, line 4 of the title, after "paraphernalia;" strike the  
6 remainder of the title and insert "amending RCW 69.50.4011,  
7 69.50.4013, 69.50.4014, 69.41.030, 69.50.509, 69.50.4121, 9.96.060,  
8 36.70A.200, 71.24.589, 71.24.590, 10.31.110, and 84.36.043; amending  
9 2021 c 311 s 29 (uncodified); adding a new section to chapter 43.43  
10 RCW; adding new sections to chapter 69.50 RCW; adding a new section  
11 to chapter 43.330 RCW; adding a new section to chapter 26.12 RCW;  
12 adding new sections to chapter 71.24 RCW; adding new sections to  
13 chapter 43.216 RCW; adding a new section to chapter 2.70 RCW;  
14 creating new sections; repealing RCW 10.31.115; prescribing  
15 penalties; making appropriations; providing effective dates; and  
16 declaring an emergency."

EFFECT: (1) Adds gross misdemeanor offenses prohibiting knowing use of a controlled or counterfeit substance in a public place and defines use to mean introduction of the substance into the human body by injection, inhalation, ingestion, or any other means.

(2) Fixes the penalty for the gross misdemeanor offenses of knowing possession or use of a controlled or counterfeit substance as up to 180 days in jail, a \$1,000 fine, or both, or 364 days in jail, a \$1,000 fine, or both if the defendant has two or more prior convictions for the same offense occurring after July 1, 2023.

(3) Clarifies no person may be charged with both possession and use of a controlled or counterfeit substance related to the same course of conduct.

(4) Removes requirement for the court to advise the defendant of the availability of pretrial diversion programs.

(5) Extends and makes permanent the misdemeanor classification for possession of a legend drug and adds misdemeanor offense for use of a legend drug in a public place.

(6) Provides that the prohibition on selling or permitting the sale of drug paraphernalia does not apply to distribution of certain supplies by outreach, shelter, and housing programs.

(7) Provides that the state occupies and preempts the field of drug paraphernalia regulation, however cities or counties may still enact laws or ordinances relating to the establishment or regulation of harm reduction services concerning drug paraphernalia.

(8) Clarifies the creation of the pretrial diversion under the bill will not prevent the parties to a drug possession or public use

case from seeking to resolve the case through any other alternative to prosecution, such as therapeutic courts, deferred prosecutions, or stipulated orders of continuances.

(9) Modifies provisions related to pretrial diversions (PTD) for applicable drug offenses, including by:

- Expanding the circumstances when PTD is available to include when a person is charged with knowing use of a controlled substance, counterfeit substance, or legend drug in a public place;
- Encouraging prosecuting attorneys to divert cases meeting certain criteria;
- Requiring the prosecutor consent to the defendant's participation in PTD prior to the court granting the motion;
- Clarifying that PTD must utilize either the Recovery Navigator Programs (RNP), Law Enforcement Assisted Diversion (LEAD) programs, or Arrest and Jail Alternative (AJA) programs available in the relevant jurisdiction;
- Requiring the RNP, LEAD, or AJA program to provide the court written confirmation of completion of the assessment and a statement indicating the defendant's enrollment or referral to any specific services and, if the assessment includes a referral to specific services, regular written status updates at least monthly;
- Exempting the written report and updates and their copies from disclosure under the public records act;
- Providing that if the applicable program's written report does not recommend any treatment or services, the defendant must instead complete up to 120 hours of community service;
- Specifying specific procedures for a hearing on a motion for termination from pretrial diversion, including certain factors that the court must consider;
- Requiring the RNP, LEAD, and AJA programs, beginning January 1, 2025, to input certain data and information about applicable cases in the health care authority's (HCA) data integration platform; and
- Providing that the defendant successfully completes pretrial diversion by having 12 months of substantial compliance with assessment and recommended treatment or services and progress toward recovery goals as reflected by a written status update from the applicable program or by successfully completing the recommended treatment or services, whichever occurs first, or, if no treatment or services were recommended by the applicable program, by completing the community service and submitting proof of completion to the court.

(10) Eliminates the provisions directing specific sentencing requirements for applicable drug offense convictions based on the defendant's willingness to comply with certain agreed conditions of probation, and instead encourages the court, when sentencing an individual for an applicable drug offense, to utilize any other resolution that suits the circumstance of the defendant's situation and advances stabilization, recovery, crime reduction, and justice.

(11) Requires the court to vacate a conviction for an applicable drug offense if the defendant either completes a substance use disorder program and files proof with the court or enrolls with a RNP, LEAD, or AJA program and substantially complies with recommended treatment or services for six months.

(12) Provides that harm reduction programs include programs that offer low threshold options for accessing SUD treatment and other services, rather than other health care services.

(13) Requires DOH to provide public notice to appropriate media outlets in a community when an applicant proposes to site an opiate treatment program in the community, instead of requiring DOH to hold a public hearing.

(14) Requires the Department of Commerce, subject to the availability of funds, to fund the construction costs of SUD treatment and services programs and recovery housing, rather than SUD treatment programs.

(15) Removes requirement for courts to provide counsel for certain parents or guardians in a parenting plan or child custody proceeding.

(16) Eliminates requirement for HCA to expand a revolving fund program to make loans or grants available for recovery residence operators to use for necessary capital expenses.

(17) Removes requirement for HCA to establish a voucher program for individuals who have returned to use and need a place to stay while negotiating a return to stable housing.

(18) Expands requirement for HCA to develop a training for housing providers to help them provide appropriate service to include Black, indigenous, and or people of color communities and immigrant communities in addition to LGBTQIA+ communities.

(19) Specifies HCA that the training for parents of youth with substance use disorders must be for parents of youth aged 13 and up, build on and be consistent and compatible with existing training developed by HCA for families impacted by SUDs, and include suicide prevention.

(20) Requires the DCYF to provide opioid overdose reversal medication and training to DCYF staff whose job duties require in person service or case management for child welfare or juvenile rehabilitation clients, rather than to persons who may contact individuals experiencing overdose.

(21) Extends the date for HCA to develop a data integration platform to serve as a common database for diversion efforts by one year from June 30, 2024, to June 30, 2025, adds specifications such as the capacity for practitioners to input data relating to RNPs, LEAD programs, AJA programs, and similar diversion efforts and tracking diversion participants by race, ethnicity, gender, gender expression or identity, disability status, and age, requires HCA to engage and consult with the LEAD National Support Bureau, and exempts data submitted to the data integration platform from public disclosure requirements under the Public Disclosure Act.

(22) Expands the long-term effectiveness study of RNPs by the Washington State Institute for Public Policy (WSIPP) to include LEAD programs and to include a descriptive assessment of the current status of RNPs and LEAD programs to be submitted by June 30, 2024.

(23) Modifies RNPs by defining the goal of RNPs to provide a credible alternative to further legal system involvement for criminal activity that stems from unmet behavioral health needs or poverty, requiring them to be organized on a scale that permits meaningful engagement with local law enforcement and municipal agencies through policy coordinating groups, expanding LEAD Bureau technical assistance to HCA, contracted providers, and independent stakeholders and partners such as prosecutors and law enforcement, and requiring HCA to revise its RNP program standards by June 30, 2024, to achieve fidelity with the core principles of the LEAD program.

(24) Establishes protection from civil liability for the state and other entities based on administration of an RNP except based on proof of bad faith or gross negligence.

(25) Reduces the scope of the health engagement hubs to a pilot program exclusively for adults to be implemented by HCA by August 1, 2024, with at least two sites subject to appropriation, one located in an urban area and one in a rural area, with the development of payment structures by June 30, 2024, and a report to the Legislature by August 1, 2026.



(26) Expands the grant program to provide persons recovering from SUDs with employment opportunities to include education opportunities.

(27) Replaces the specific appropriations provided in the underlying bill with the following (amounts from state general fund unless otherwise noted):

- \$47,000 from the state general fund, and \$13,000 from the health professions account, for DOH to adopt rules related to mobile medication units and conduct inspections for such units;

- \$734,000 for the Department of Revenue to administer the recovery residence tax exemption;

- \$23,000 from the performance audits of government account for the Joint Legislative Audit and Review Committee to conduct a tax preference review of the property tax exemption for recovery residences;

- \$1.263 million for the Washington State Patrol to analyze evidence submitted for suspected drug possession offenses;

- \$3.6 million from the Opioid Abatement Settlement Account and \$1.4 million for HCA to maintain a memorandum of understanding with the Criminal Justice Training Commission to provide ongoing funding for community grants;

- \$3.783 million from the opioid abatement settlement, and \$3.810 million from the general fund—federal, for HCA's administration of this act;

- \$2 million for HCA to award grants to crisis services providers to establish and expand 23-hour crisis relief center capacity;

- \$4 million from the Opioid Abatement Settlement Account for HCA to establish a health engagement hub pilot program in both urban and rural locations;

- \$3.768 million from the Opioid Abatement Settlement Account for HCA to increase the number of mobile methadone units operated by existing opioid treatment providers, increase the number of opioid treatment provider fixed medication units operated by existing opioid treatment providers, and expand opioid treatment programs with a prioritization for rural areas;

- \$5.242 million from the Opioid Abatement Settlement Account for HCA to provide grants to providers of employment and educational services for individuals with SUDs;

- \$500,000 from the Opioid Abatement Settlement Account, and \$1.5 million for HCA to provide grants to support SUD family navigator programs;

- \$7.5 million for HCA to provide short-term housing vouchers for individuals with substance use disorder, with a focus on resources for people in the state's five most populous counties;

- \$4 million for HCA to provide grants for the operational costs of certain recovery residences, with a focus on recovery residences which serve individuals in the state's five most populous counties;

- \$2 million for HCA to support the provision of behavioral health co-responder services on nonlaw enforcement emergency medical response teams;

- \$500,000 for HCA to continue and increase contracting services to provide information and support on safe housing and support services for youth;

- \$5 million for HCA to award contracts through the LEAD grant program;

- \$3 million for the Department of Commerce to administer a competitive grant process through the Office of Homeless Youth to award funding to certain entities that provide behavioral health support services for youth in crisis; and

• \$9 million for the Office of Public Defense to provide reimbursement of eligible expenses or contract directly with indigent defense providers for consultation and presentations services for indigent adults charged with applicable drug offenses in courts of limited jurisdiction, in counties with a population of 500,000 or less and cities with a population of 200,000 or less.

(28) Allows remote dispensing sites to dispense medications used for the treatment of the symptoms of opioid use disorder using technology owned by either the pharmacy or the remote dispensing site and removes the express requirement that such medications be approved by the United States food and drug administration.

(29) Establishes requirements for HCA to provide an annual report from July 1, 2024, through July 1, 2028, with additional reports on December 1, 2023, and December 1, 2024, including an assessment of the prevalence of SUDs and the interactions of persons with SUD with service providers, first responders, and health facilities; data relating to recovery residences, RNPs, LEAD grants, and health engagement hubs; and beginning in 2027 the results and effectiveness of specified initiatives included in this act.

(30) Allows the Office of Public Defense subject to appropriation to reimburse courts of limited jurisdiction in counties with a population of 500,000 or less or in cities with a population of 200,000 or less for public defense costs related to possession or public use of a controlled substance, counterfeit substance, or legend drug.

(31) Adds a severability clause.

(32) Eliminates the intent section.

--- END ---



# *City of Stevenson*

## Public Works Department

(509)427-5970

7121 E Loop Road, PO Box 371  
Stevenson, Washington 98648

**TO:** City Council

**FROM:** Carolyn Sourek, Public Works Director and Leana Kinley, City Administrator

**DATE:** 5/18/23

**SUBJECT:** 6-Year Transportation Improvement Program (TIP)

---

### **Executive Summary:**

This is the annual review of all street improvement projects planned in the city limits. Projects represent those already in progress through grants and those identified through an evaluation process. The list is used to meet requirements for grant funding applications. There are two public hearings held and the final list is required to be adopted by July 1<sup>st</sup> of each year. This is the first public hearing for the 2024-2029 Transportation Improvement Program. There will be a second Public Hearing at the June 15<sup>th</sup> City Council meeting. More workshops can take place if necessary.

### **Overview:**

All Cities, Towns, and Counties are required to adopt a 6-year Transportation Improvement Program. Elements of the program should contain fiscally constrained projects for the first four years, and projects of regional significance shall be submitted to the Regional Transportation Planning Organization (RTPO) for inclusion in their respective TIP's, where applicable. The RTPO then submits their regional TIP to Washington State Department of Transportation (WSDOT) for inclusion into the Statewide Transportation Improvement Program (STIP).

The transportation projects that are listed in the TIP go through a process in which the City of Stevenson uses a prioritization system to determine which road systems will be upgraded/rebuilt and in what order. Road projects may not always take place in order of prioritization due to funding eligibility and grant program criteria. The City Council has the ultimate say in which projects are approved and the order in which these projects will be completed. The projects reflected are a continuation of those in process, recommendations from the transportation study and others identified through an evaluation process based on citizen input and infrastructure condition.

The list presented last year was a departure from prior years in that it included a list of only those projects the city could realistically tackle in 6 years rather than a list of all projects for the foreseeable future. This year's list is a further refinement of the process. The street budget cannot support all projects listed if the prior year's TIP were rolled over. A copy of that list and a rough estimate of the city's portion of the costs is included as exhibit A.

Staff reviewed the projects and a second list, exhibit B, contains only projects which would be eligible for grants. This list limits the activities to existing resources. What is not listed are any projects where internal resources may be used. This would also descope the paving of gravel roads to city standards and staff would work to surface the gravel roads in a manner that is within the budget yet may not meet city standards.



# *City of Stevenson*

## Public Works Department

(509)427-5970

7121 E Loop Road, PO Box 371  
Stevenson, Washington 98648

The difference between the two options is the level of service provided to the community. To have better roads to city standards, more resources (revenues-taxes/fees) need to be put towards the effort. Options include-creating a Transportation Benefit District and implement a vehicle licensing fee up to \$20 and/or implement a sales tax up to .1%, implement an internal utility tax on the water and sewer utilities, or establish a stormwater utility fund to cover a portion of the costs from the Street Fund (more information on this in the Information section of the council packet).

### **Action Needed:**

Review lists presented, provide feedback, ask questions, add what is missing, help brainstorm the updated TIP and determine whether a special workshop is desired (and set a date if necessary) for revisions at the June 15<sup>th</sup> council meeting.

<b>Project Name</b>	<b>Year of Completion</b>	<b>Cost</b>	<b>City Cost</b>	<b>Funding Source</b>
Bulldog-School Kanaka Intersection	2024	\$50,000	\$0	SRTS
Roselawn Ave Overlay	2024	\$165,000	\$8,250	TIB
First Street	2024	\$884,186	\$117,712	TAP, TIB
Loop Rd.-Columbia to E. C/L	2025	\$1,173,000	\$58,650	TIB
Ash Alley-Gravel	2025	\$550,000	\$550,000	City
Cascade Avenue Utility Upgrades-Street Only	2025	\$328,800	\$0	.09 Funds
Frank Johns Sidewalk (Loop-Second)	2026	\$1,500,000	\$225,000	TIB, City, Multiple
Lasher to School (SRTS)	2026	\$2,300,000	\$345,000	TIB, SRTS, CDS, City, Mix
School Street Grind and Inlay	2026	\$550,000	\$27,500	TIB
Columbia Avenue Realignment	2026	\$800,000	\$120,000	TIB, City, Commerce, Mix
Holly Street-Gravel	2026	\$95,000	\$95,000	City
Kanaka Creek Underpass-Gravel	2028	\$550,000	\$27,500	TIB
Rock Creek Bridge	2028	\$15,500,000	\$0	WSDOT
W-SR-14 and Rock Creek Improvements	2028	\$700,000	\$35,000	TIB
East SR-14 Improvements-Low Phase	2029	\$390,000	\$19,500	TIB
West SR-14 Improvements-Low Phase	2029	\$390,000	\$19,500	TIB
Maple Alameda-Gravel	2029	\$95,000	\$95,000	City
Gropper Park Loop-Gravel	2029	\$95,000	\$95,000	City
H&H Avenue-Gravel	2029	\$95,000	\$95,000	City
Del Ray Avenue-Gravel	2029	\$95,000	\$0	SRTS
Leavens Improvements	2030	\$550,000	\$27,500	TIB

**Total City Cost-All Projects:**

**\$1,961,112**

<b>Row Labels</b>	<b>Sum of City Cost</b>
2024	\$ 125,962
2025	\$ 608,650
2026	\$ 812,500
2028	\$ 62,500
2029	\$ 324,000
2030	\$ 27,500
<b>Grand Total</b>	<b>\$ 1,961,112</b>

<b>Project Name</b>	<b>Year of Completion</b>	<b>Cost</b>	<b>City Cost</b>	<b>Funding Source</b>
Bulldog-School Kanaka Intersection	2024	\$50,000	\$0	SRTS
Roselawn Ave Overlay	2024	\$165,000	\$8,250	TIB
First Street	2024	\$884,186	\$117,712	TAP, TIB
Loop Rd.-Columbia to E. C/L	2025	\$1,173,000	\$58,650	TIB
Cascade Avenue Utility Upgrades-Street Only	2025	\$328,800	\$0	.09 Funds
Frank Johns Sidewalk (Loop-Second)	2026	\$1,500,000	\$225,000	TIB, City, Multiple
Lasher to School (SRTS)	2026	\$2,300,000	\$345,000	TIB, SRTS, CDS, City, Mix
Columbia Avenue Realignment	2026	\$800,000	\$120,000	TIB, City, Commerce, Mix
School Street Grind and Inlay	2026	\$550,000	\$27,500	TIB
Kanaka Creek Underpass-Gravel	2028	\$550,000	\$27,500	TIB
Rock Creek Bridge	2028	\$15,500,000	\$0	WSDOT
W-SR-14 and Rock Creek Improvements	2028	\$700,000	\$35,000	TIB
East SR-14 Improvements-Low Phase	2029	\$390,000	\$19,500	TIB
West SR-14 Improvements-Low Phase	2029	\$390,000	\$19,500	TIB
Del Ray Avenue-Gravel	2029	\$95,000	\$0	SRTS
Leavens Improvements	2030	\$550,000	\$27,500	TIB

**Total City Cost-All Projects:**

**\$1,031,112**

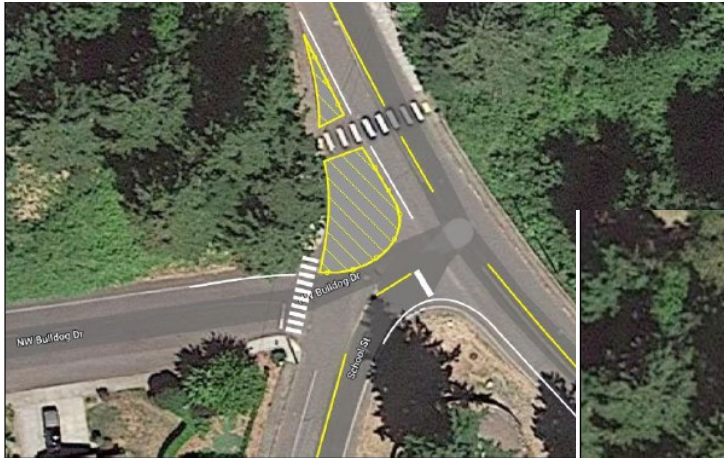
Row Labels	Sum of City Cost
2024	\$ 125,962
2025	\$ 58,650
2026	\$ 717,500
2028	\$ 62,500
2029	\$ 39,000
2030	\$ 27,500
<b>Grand Total</b>	<b>\$ 1,031,112</b>



# Bulldog-School-Kanaka Intersection

## Description:

Revises the intersection of Kanaka Creek Drive at School Street and Bulldog Drive by extending the northwest corner using striping and flexible post delineators (\$20k option in yellow stripes) or in concrete and adding a pedestrian crossing median island (\$50k option in solid red).



**TIP Year:** 2024(all)

**Project Type:** Improvement

**Project Cost:** \$50k

**Funding:** 100% City

**Average Priority Score from Workshop:** 3.7 (mid-high)

## Workshop Comment Summary:

- Need to plan for permanent solution-\$50k not short term for \$20k
- Safety for young drivers.
- \$50k option
- Like more permanent \$50k
- Agree
- Yes, lower priority
- Slowing down cars at that intersection is a good idea. Bus barn is on Bulldog-what do bus drivers think? Not sure about median.



# Roselawn Avenue Overlay

**Description:**

This project will overlay Roselawn Avenue from the intersection with Willard Street east to McKinley Street.

Additional stormwater and sidewalk improvements are planned and will be addressed later.



**TIP Year:** 2024 (const)    **Project Type:** Maintenance    **Project Cost:** \$165k    **Funding:** 95% Grant

**Average Priority Score from Workshop:** 2.4 (mid-low)

**Comment Summary:** None.





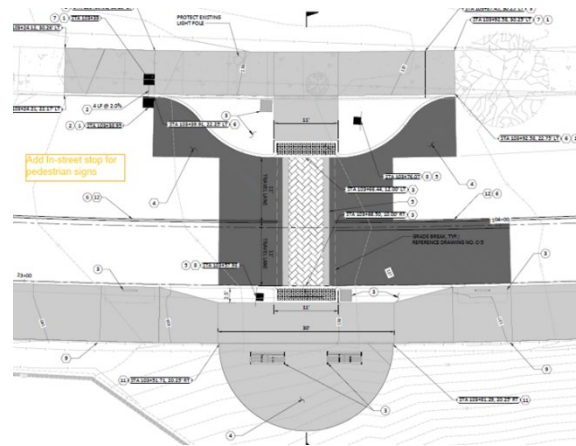
# First Street Overlook

## Description:

Project consists of crosswalk striping, vegetated curb extensions, new sidewalk, pedestrian overlook, path connecting to existing waterfront path and streetscaping.

The City spent \$166k on the design phase preparing for construction in 2021 when it was discovered WSDOT still owned the First Street right of way. This was paid for with partial grant funds and, due to the delay, the construction portion of those funds were lost. If the project is not constructed by January 1, 2030, those funds would need to be paid back (\$133k).

The City has applied for grant funds through the state (TIB) to construct the project in 2023. If that grant is not successful, we will apply to the original federal program (TAP) and construction would take place in 2024. More information on the project, the right of way issue and complete plans are on the city's website at <https://www.ci.stevenson.wa.us/publicworks/project/first-street-overlook>.



**TIP Year:** 2023 (const)    **Project Type:** Improvement    **Project Cost:** \$800k    **Funding:** 100% Grant

**Average Priority Score from Workshop:** 1.2 (low)

## Workshop Comment Summary:

- Concerned with number of people who would use this pathway.
- Narrowing streets can make it unsafe for folks to open their car doors. 2nd street as an example.
- Not great views looking down at RR and private backyards.
- Another place to send trail money.
- Like the traffic calming aspect
- What is the value add versus the cost of this project. Safety concern for vehicle pedestrian conflicts. Recommend passing or delaying for higher priority projects.
- Hold off. Low priority. Money better spent elsewhere.
- Overlook to nowhere. Scrap the plan. Waste of \$\$\$. Does not overlook anything the city should be proud of. Much better options for viewing. Traffic calming on the wrong side of road, should be eastbound.
- Traffic is fastest. Narrows road, extends sidewalk, traffic calming



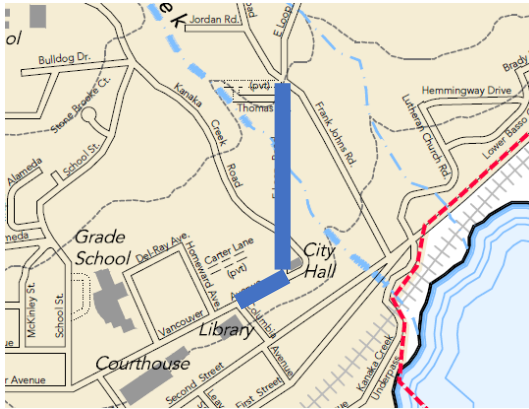
# Loop Road Storm, Grind and Inlay

## Description:

This project will repair the failing stormwater system (pictures below), grind and inlay the south-bound lane from the intersection with Columbia north to Frank Johns Road.

The sewer infrastructure extension will be completed this year (Main D Extension project).

Water infrastructure improvements to remove a section of AC pipe and address valve clusters will be completed prior to this project (2022 water infrastructure project).



**TIP Year:** 2023 (const) **Project Type:** Maintenance

**Project Cost:** \$390k

**Funding:** 95% Grant

**Average Priority Score from Workshop:** 3.1 (mid)

## Comment Summary:

- Finish what's been started
- Finish recent work



# Paving Gravel Roads

## Description:

*Option A:* Maintains the goal to improve the safety and provide a minimum level of service standard for all city streets, focusing on gravel roads.

- The city's 1972 Austin Grader has been excised as it has exceeded its useful life with a cracked engine and brake failure. Replacement cost and frequency of use were factors in the decision to remove it from the fleet without immediate plans in the equipment management plan for replacement. Any future grading will require a private contract or be included with the other maintenance requests to Skamania County. Road condition improvement and maintenance request for remaining gravel streets, moving forward, will take more time to address, due to the reliance on others for support.
- This option addresses absent or failing infrastructure and will provide all city residents with a minimum level of service.
- To advance this goal, the proposed project for 2023 begins transitioning the eight currently gravel roads by evaluation, designing to a minimum standard, and producing cost estimates for each road.
- The first road proposed to be paved is Lakeview, followed by Ash Alley (downtown core), Holly Street (requested by Cemetery District) and the Kanaka Underpass (to address ongoing maintenance concerns). The remaining streets are to be constructed in later years of this TIP.
- Maintaining all eight currently gravel roads on the TIP allows the city to acquire additional right of way as part of a short plat (SMC 16.02.210(A)), if necessary.

*Option B:* Does not further the city goal of identifying and progressing a minimum safety and operational standard for currently owned city streets.

- Streets listed for improvement have only been requested by neighboring property owners or users. The timing of design and construction of improvements remain the same as Option A.
  - Ash Alley
  - Holly Street
  - Kanaka Creek Underpass
  - Lakeview Road

**TIP Year:** 2023-8 (all)    **Project Type:** Improvement    **Project Cost:** \$815k(all)    **Funding:** 100% City

**Average Priority Score from Workshop:** Scored by individual projects.

## Workshop Comment Summary:

- Start downtown. Move outwards.
- Prioritize on residences and safety.
- Set aside budget for this project as a whole. Figure out priorities as infrastructure needs develop.
- Consider public benefit.
- Consider how to develop the policy to complete this project. Keep it open enough to address specific situations.
- Move Forward
- High Priority
- Low Priority
- Yes. Start downtown and move outward as time and \$ allow.



# Paving Gravel Roads

## Ash Alley (between Russell and Seymore) (.08 miles)

Currently there are multiple infill commercial developments proposed between First and Second street. As part of these projects, we anticipate public infrastructure improvements will be required. By combining improvements into one contract or a series of contracts within a short timeframe, we take advantage of potential cost savings as well as consistent aging of the infrastructure. Ash Alley is a secondary access for 6 residences as well as multiple commercial properties. It is tied for second longest section of unpaved roadway in the city, 0.08 miles. A stormwater catchment basin concern has been recently corrected and the urgency to address this alley is lessened.



Upper Left-Ash Alley at Seymore intersection looking east.

Above-Mid-Ash Alley looking west.

Lower Left-Ash Alley looking east at intersection with Russell.

**TIP Year:** 2024 (const) **Project Type:** Improvement

**Project Cost:** \$95k

**Funding:** 100% City

**Average Priority Score from Workshop:** 3.4 (mid)

### Workshop Comment Summary:

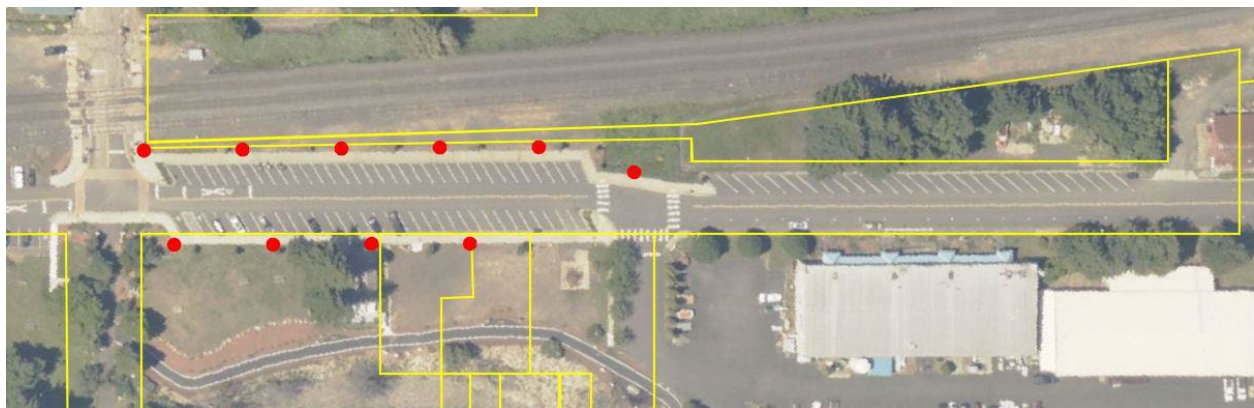
- Near downtown and government buildings
- Downtown/near government offices
- Business activity increase



# Cascade Avenue Improv.

## Description:

This project is to upsize the city's sewer line along Cascade Avenue to meet the needs of existing users, replace the AC waterline, and add additional lighting and landscaping along the north side of Cascade Avenue as indicated in the photo below for increased safety and to protect the sidewalk infrastructure.



**TIP Year:** 2024 (const)    **Project Type:** Improvement    **Street Portion Project Cost:** \$328,800 Total  
**Project Cost:** \$2,231,800    **Funding (Street):** 100% Grant

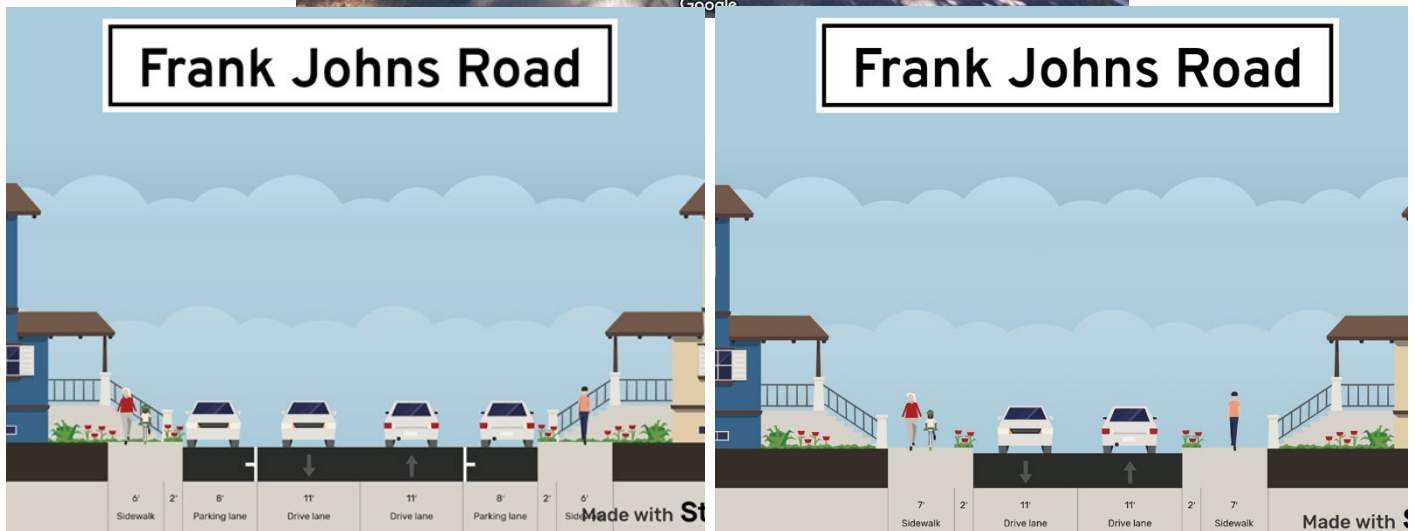


# Frank Johns Sidewalk

## Description:

The city is working with residents along lower Frank Johns Road to improve pedestrian accessibility. This project was identified as early as 2006 and traffic has continued to increase along this corridor.

Concepts are currently being evaluated, engineering is proposed to start in 2024, and construction estimated to break ground in 2026. This project will include water system improvements, identified as a need in the 2017 water system plan update.



**TIP Year:** 2024-6 (all)    **Project Type:** Improvement    **Project Cost:** \$475k    **Funding:** 95% Grant

**Average Priority Score from Workshop:** 3.7 (mid-high)

## Workshop Comment Summary:

- Move this up in priority. Bump above any changes to Kanaka Underpass. Start sooner.
- Yes, lower priority. Fix bigger safety issues first.
- Move this in priority and start sooner.



# School St. Grind and Inlay

## Description:

This project will grind and inlay School Street from the intersection with Hot Springs Alameda north to Kanaka Creek Road.

Water infrastructure improvements to remove a section of AC pipe and address an area of multiple water leaks will be completed prior to this project (2023 planned water infrastructure project).

Additional waterline improvements along lower School Street are planned and that section of street, outside of the safe routes to school project, will be addressed later.



**TIP Year:** 2024 (const)   **Project Type:** Maintenance   **Project Cost:** \$440k   **Funding:** 95% Grant

**Average Priority Score from Workshop:** 4.2 (high)

## Comment Summary:

- Heavy traveled roads.

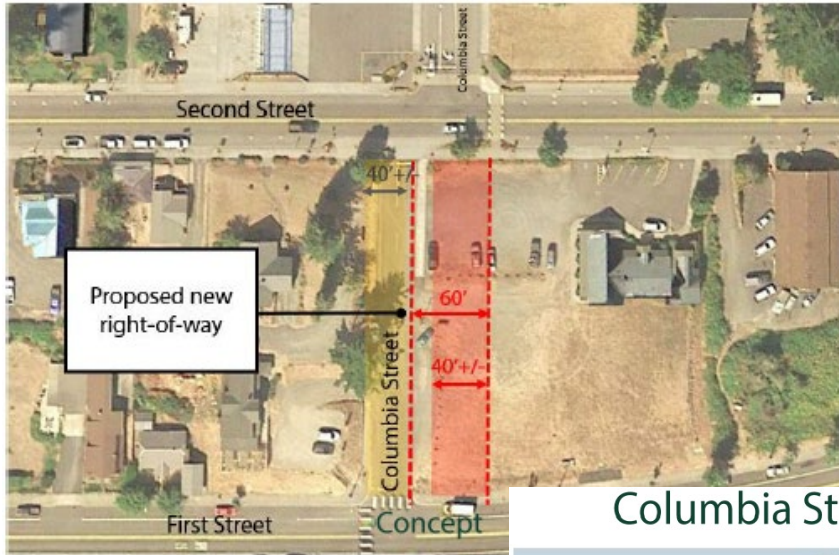


# Columbia Realignment

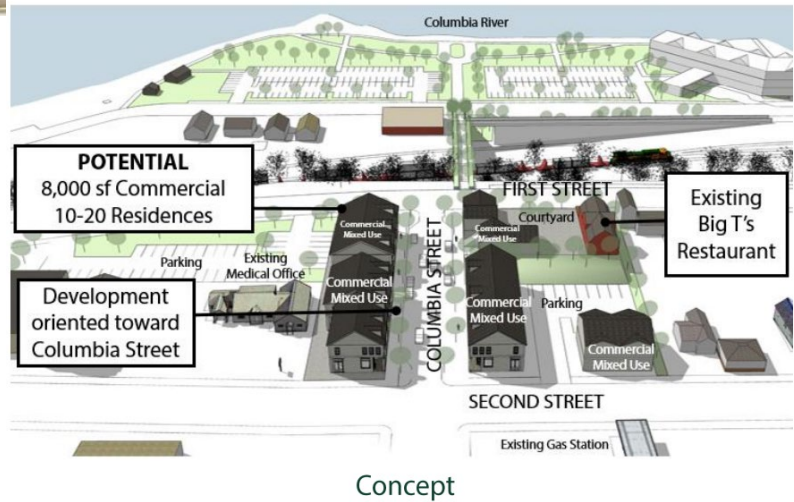
## Description:

This project consists of a 2-lane asphalt roadway flanked by unconnected sections of sidewalk. Improvement of this corridor is intended as a catalyst project as outlined in the 2019 Downtown Plan. More information on this project can be found on the city website at <https://www.ci.stevenson.wa.us/planning/project/columbia-realignment>.

The project is currently in the feasibility stage through a \$200k grant with the Department of Ecology.



## Columbia Street Catalyst Project



**TIP Year:** 2025-7 (all)    **Project Type:** Improvement    **Project Cost:** \$1.8M    **Funding:** 85% Grant

**Average Priority Score from Workshop:** 2.6 (mid-low)

### Workshop Comment Summary:

- Can help with safety and overall vision.
- Close road to create parking. Dog park in open area versus moving road.
- Yes, high priority, dangerous intersection.





# *Paving Gravel Roads*

## **Holly Street (.05 miles)**

Holly Street is the access to Iman Cemetery. There are undeveloped lots on the east side of the street which may have alternative access on H&H Avenue when developed.



**TIP Year:** 2025 (const)    **Project Type:** Improvement    **Project Cost:** \$95k    **Funding:** 100% City

**Average Priority Score from Workshop:** 1.8 (low)

### **Workshop Comment Summary:**

- Less Residents
- Single lane-existing chip seal

### **Additional Comments Received:**

“The Cemetery District is in favor of Holly Street being paved, preferably two lanes wide to accommodate public access to the Iman Cemetery as well as the adjoining lots.”



# Paving Gravel Roads

## Kanaka Creek Underpass (.15 miles)

The longest of the City’s gravel streets (at double the length of the next longest) is 0.15 miles. Roadway surface condition was also evaluated (compared to others) and existing geometry, as it relates to safety. The street that rose to the top as a priority for improvement was Kanaka Creek underpass (aka Cascade Avenue).

The feasibility of reconstruction and realignment of Cascade Avenue to current city standards is being evaluated, however, given the other stakeholders (BNSF and environmental regulators), both planning and construction would take considerable time and expense.

### Geometric deficiencies:

- Width (12 ft vs. 22 ft)
- Radius (25 ft vs. 165 ft)
- Sight Distance (210 ft req)

### Current Safety Concerns:

- Pedestrian/vehicle conflicts
- Vehicle/vehicle conflicts
- Vehicle/EMS conflicts



**TIP Year:** 2027 (const)    **Project Type:** Improvement    **Project Cost:** \$100k    **Funding:** 100% City

**Average Priority Score from Workshop:** 4 (mid-high)

### **Workshop Comment Summary:**

- Safety
- Needs maintenance & potholes fixed. Because of access issue should be high priority to get drivable by all vehicles.
- Safety for residents and workers to get out if railroad crossing is blocked.
- Pave only no rebuild required

### **Additional Comments Received:**

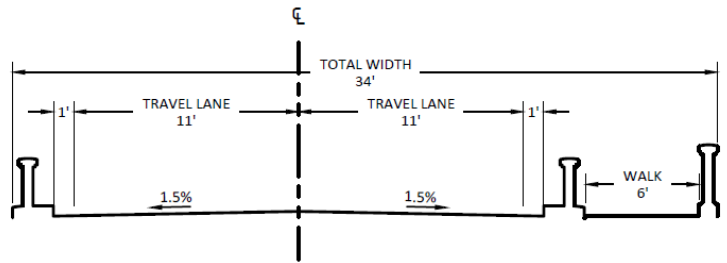
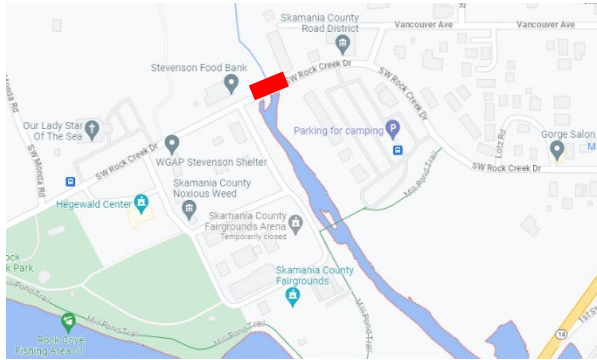
A petition was submitted to the city and as of 6/14/22 the summarized results are on the next page. The detailed comments are included as part of the record.



# Rock Creek Bridge Replacement

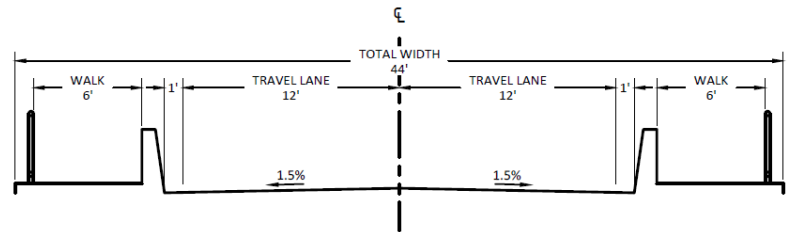
## Description:

This project will replace Rock Creek Bridge (2<sup>nd</sup> bridge), a 102-year-old, load-restricted, scour critical bridge with either a single or multi-span bridge. The new bridge will be 10 feet wider to meet City standards, provide safer pedestrian, and bicycle facilities. The existing bridge is experiencing aggradation and sees frequent log jams and flooding. Reducing or eliminating substructure elements (piers and pilings) in the channel would improve the hydraulic performance.



**EXISTING SECTION**

INFORMATIONAL ONLY



**PROPOSED SECTION**

N.T.S.



**TIP Year:** 2023 (const)    **Project Type:** Improvement    **Project Cost:** \$15.7M    **Funding:** 100% Grant



# Lasher to School St - SRTS

## Description:

This project adds a sidewalk to the north side of upper Lasher Street, and a crossing with flashing beacons at the intersection of School Street and the Stevenson Elementary School entrance. The application for a Safe Routes to School (SRTS) grant (\$800k limit for 100% grant) was submitted on June 6<sup>th</sup> and we expect to hear back on the project ranking by the end of the year. Grants are awarded in the summer of 2023.

Additional improvements will be included in funding applications for additional stormwater, street and sidewalk infrastructure for lower Lasher and the south side of Jefferson Avenue. These will be applied for after the SRTS grant is received.

### Lasher Street to Stevenson Elementary (Phase 1) 2022 Concept-Level SRTS Grant Proposal Details



**TIP Year:** 2023-2024 (all) **Project Type:** Improvements **Project Cost:** \$950k **Funding:** 85% Grant

**Average Priority Score from Workshop:** 4.6 (high)

## Workshop Comment Summary:

- Question/concerns about delineators getting ran over by new drivers.
- Gave high scores for kids and safety.
- Should be a high priority.
- Crosswalk at school entrance is the most important item in this TIP. Should be raised.
- 100% state funding
- Heavy traveled roads
- Recommend prioritizing this project.
- Yes, protect the children.
- Looks good! Coordinate with the school district on the option they want.

## Additional Comments Received:

"I am writing to you about the proposed sidewalk along Lasher and Jefferson. First, let me thank you for communicating the plan with city residents using the postal mailer.



## *Lasher to School St - SRTS*

I am a home owner and full time city resident on the corner of Jefferson and Lasher. I fully support the sidewalk proposal.

Along with providing safe walking for school children, many of us in the neighborhood walk these streets for exercise and would also benefit from sidewalk access.

As a city resident directly impacted by the proposal, I would like to know if the city would consider additional project requirements:

1. Garbage cans located along Lasher, Vancouver and Jefferson.
2. Plastic bag dispensers for dog owners to use to clean up after their dogs.
3. Speed bump along Lasher.

There is a lot of garbage along Lasher and at the intersection of Vancouver Ave and Lasher. I pick it up monthly. The garbage never stops.

There is also a tremendous amount of dog feces on the east side of Lasher between Vancouver and Jefferson. My neighbors have been picking this up as the feces finds it's way onto the road. With a new sidewalk, if current behavior persists, the sidewalk will be a mess.

And finally, Lasher is a bit of a speedway. Those of us who live next to or along Lasher are keenly aware of this. A speed bump similar to what exists on Rock Creek Dr at the intersection of Skamania Lodge would be very much appreciated.

Given the construction requirements to put in sidewalk, curb and gutter, new storm drains, etc., this is a perfect opportunity to address these other issues that are present in this area at little cost to the overall project, but big impact to those in the immediate vicinity."



# W-SR-14 and Rock Creek Improvements

## Description:

Construct an eastbound acceleration lane on SR-14 (left photo below) or construct a westbound right-turn deceleration lane on SR-14 at Rock Creek Drive (right photo below).



**TIP Year:** 2026-7(all)    **Project Type:** Improvement    **Project Cost:** \$700k    **Funding:** 95% Grant

**Average Priority Score from Workshop:** 2.5 (mid-low)

## Workshop Comment Summary:

- Not convinced acceleration lanes or other improvements would be appropriate for the issues/accidents. Seems like there should be plenty of sight distance. Adding signage and using lower MPH to control.
- Accel lane seems too long.
- Lane should be turning to allow folks to turn at Rock Creek - center turn lane.
- Adequate signage prior to the Rock Creek turn for the Lodge/Interpretive Center/Fair - industrial looking.
- Unless shorter rt turn lane only, west bound
- West bound
- Do the alternate plan-veggie & sign
- Acceleration lane westbound-good! Westbound turn lane onto Rock Creek-Good! Eastbound acceleration lane not needed.
- Westbound
- Longish right turn lane
- Agree with this proposal [right turn lane]-wouldn't this be Wash DOT?
- Low priority, outside of town?
- Why would this be a city project? Good idea.



# East SR-14 Improvements-Low Phase

## Description:

Relocate retaining wall 8 to 10 ft north of current location and regrade and landscape the property adjacent to the sidewalk to improve sight lines. Add a 1 to 2 ft wide ribbon median with post delineators in the gore between SR-14 and First Street to prevent the illegal northbound left-turn movements from SW Cascade Avenue/Kanaka Creek Underpass.



**TIP Year:** 2027-8(all)    **Project Type:** Improvement    **Project Cost:** \$390k    **Funding:** 95% Grant

**Average Priority Score from Workshop:** 3 (mid)

## Workshop Comment Summary:

- Westbound turn lane
- Focus on roundabout
- Agree-move above Kanaka project. Start sooner
- Wash DOT?
- Yes, dangerous intersection. No good sidewalks.
- I like moving the sidewalk.



# West SR-14 Improvements-Low Phase

## Description:

Convert to 3-lane cross-section on SR-14 (Second Street) between First Street and SW Rock Creek Drive. This project is expected to be a combination of roadway widening and restriping. Adding the center lane would provide the opportunity to include a median island refuge at the crosswalk east of SW Rock Creek Drive.



**TIP Year:** 2027-8(all)    **Project Type:** Improvement    **Project Cost:** \$390k    **Funding:** 95% Grant

**Average Priority Score from Workshop:** 3 (mid)

### Workshop Comment Summary:

- Do need some help with this intersection
- ?

### Additional Comments Received:

“Concerning the intersection on West End.

I drive that every day, turning from Rock Creek Dr onto SR-14 going East.

Rarely do I have a car in front of me and never is it an issue turning cross traffic and heading east.

So I wonder, why are we proposing a major road construction effort to build a round about?

Does a road engineer think is a fun thing to do?

Do have Taxpayer money we don't know what to do with?

Because it “might” be a problem 20 years from now?

I'm all for improving this wonderful city but let us put or funds towards projects that would make Stevenson a better place, not projects that are disruptive and solve a problem we don't have. We can always improve the intersection if and when it becomes a bottle neck.”





# Paving Gravel Roads

## Maple Alameda (.08 miles)

There are multiple reasons Maple Alameda should be considered priority in the 6 year TIP. Tied for second longest section of unpaved roadway, at 0.08 miles, Maple Alameda is a primary access (currently) for 3 residences. It is also a secondary access for 2 residences. There are multiple buildable lots for which Maple Alameda is the primary access and property owners have indicated a desire for development. Lastly, the Catholic Church reservoir is one of the City's water reservoirs. Adequate access should be provided for this valuable and critical public asset.



**TIP Year:** 2028 (const)    **Project Type:** Improvement    **Project Cost:** \$95k    **Funding:** 100% City

**Average Priority Score from Workshop:** 2.9 (mid)

**Workshop Comment Summary:**

- Have more properties (developed)
- 2<sup>nd</sup> most residents



# Paving Gravel Roads

## Gropper Park Loop (.08 miles)

This road provides access to two residential properties, and surrounds Gropper Park. The photos below were taken before the sidewalks were installed along Gropper.



**TIP Year:** 2028 (const)    **Project Type:** Improvement    **Project Cost:** \$95k    **Funding:** 100% City

**Average Priority Score from Workshop:** 2.3 (mid-low)

### Workshop Comment Summary:

- 2<sup>nd</sup> most residents
- Property access only



# Paving Gravel Roads

## H&H Avenue (.05 miles)

H&H Avenue serves 1 developed property and multiple undeveloped properties.



**TIP Year:** 2028 (const)   **Project Type:** Improvement   **Project Cost:** \$95k   **Funding:** 100% City

**Average Priority Score from Workshop:** 1.8 (low)

### Workshop Comment Summary:

- Less Residents
- Single residence at this time

### Additional Comments Received:

“I’ve mentioned it before, but in case I don’t get to the meeting, I prefer not to have H H Ave. paved, although I’m only one voice for the street.”



# Paving Gravel Roads

## Del Rey (.02 miles)

This section of Del Rey serves two developed properties and provides access to multiple undeveloped properties.



Above – Del Rey (east) looking west

Above – Del Rey (west) looking west

**TIP Year:** 2028 (const) **Project Type:** Improvement **Project Cost:** \$95k **Funding:** 100% City

**Average Priority Score from Workshop:** 1.1 (low)

### Workshop Comment Summary:

- Not convinced this is a good use of City resources. Landowners on either end do not want this paved.
- Traffic engineer wrote a memo/report on this street. People may think this is a through street and it is not. GPS thinks it is a street and sends people down it.
- Residents do not want a road there.
- No one seems to want this road paved
- Residents don't want it paved
- Unless property is developed

### Additional Comments Received:

Written comments have been received from four individuals, owning two lots abutting Del Rey, opposing paving the road, and a verbal comment was received from an additional property owner adjacent to the road opposing paving the road. The written comments are included in the packet as well as their engineer's report on the matter.



# *Paving Gravel Roads*

## SUMMARY

Total Commenters	148
Total Written Comments	114
Number of Comments saying "what" should happen to the road	36
Maintain/Repair	19
Grade	3
"Improve", generally	6
Mirrors at Underpass	2
Limit SR 14 Speed	2
Pave	1
Improve Underpass	2
Sign	1
Number of Comments saying "why" the road should remain open	71
Safety (including evacuation & first responders)	42
Evacuation Need	8
First Responder Access	7
Livability/Inconvenience	29



# Leavens Overlay

## Description:

Leavens Street between First and Second will need leveling, grind and inlay to improve the road surface conditions. Sidewalk and stormwater improvements are also needed. Prior to this work, water/sewer utilities will need to be assessed to support current and potential development and utilities may need to be relocated underground. The plan is to match mid and lower Russell Avenue when completed.



**TIP Year:** 2028(all)      **Project Type:** Improvement      **Project Cost:** \$225k      **Funding:** 95% Grant

**Average Priority Score from Workshop:** 3.6 (mid)

### Workshop Comment Summary:

- Important to maintain
- Low priority
- Improving downtown streets and alleys should be a high priority.



# *City of Stevenson*

*Leana Kinley, City Administrator*

Phone (509)427-5970  
FAX (509) 427-8202

7121 E Loop Road, PO Box 371  
Stevenson, Washington 98648

To: City Council  
From: Leana Kinley, City Administrator  
RE: 2024 CIP Update  
Meeting Date: May 18, 2023

## **Executive Summary:**

The City adopted its first Capital Improvement Plan on September 15, 2022. As part of the adoption, the council will review and revise the CIP annually. Since Transportation projects are a component of Capital projects, the review is timed to coincide with the state mandated timeline for the TIP update.

## **Overview:**

The attached CIP list reflects projects in process and priorities identified in the Strategic Plan. This is a rough draft and the timing of projects will need to be discussed and revised.

## **Action Needed:**

Review lists presented, provide feedback, ask questions, add what is missing, help brainstorm the updated CIP and determine whether a special workshop is desired (and set a date if necessary) for revisions at the June 15<sup>th</sup> council meeting.







# City of Stevenson

Phone (509)427-5970  
FAX (509) 427-8202

7121 E Loop Road, PO Box 371  
Stevenson, Washington 98648

To: Stevenson City Council  
From: Carolyn Sourek, Public Works Director  
RE: Sewer Plant Update  
Meeting Date: May 18, 2023

## **Executive Summary:**

This is an overview of items staff have been working on over the past month in line with the direction council gave to staff.

## **Overview of Items:**

The plant continues to operate within its permit limits for total suspended solids (TSS), biochemical oxygen demand (BOD), and bacteria for its effluent. Clarifier 2 was drained for the season and the interior will receive maintenance this summer.

The WWTP Plant Upgrade project contractor, Stellar J, has completed the majority of larger basin pours and has begun backfilling. There remains a few repairs to be completed on the anoxic basin. The contractor has begun to shift their focus to the lab building renovations and running the labyrinth of conveyance lines within the WWTP site footprint. The City has decided to go with a more economic approach for vac truck dumping – details are forthcoming.

Additional training was provided for operation of the Rock Creek Pump Station and 2021 Collection System Improvements Project has only three minor items to be completed to close the project.

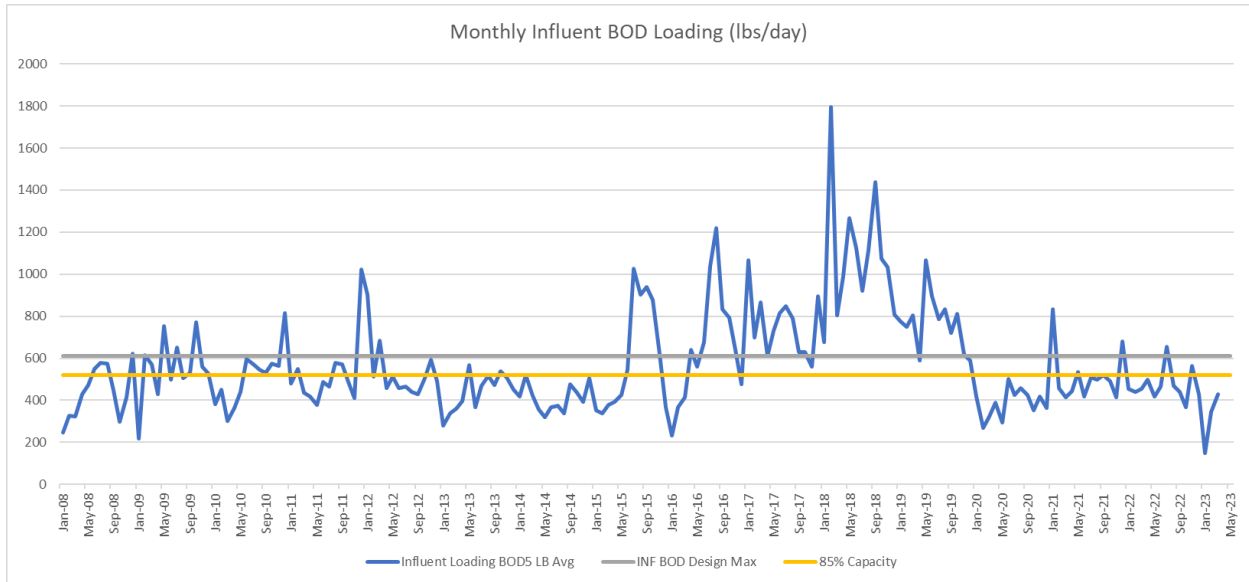
The 99.9% design plans for the Kanaka, Cascade, and Fairgrounds pump stations have been received, reviewed, and returned to the consultant engineers. Advertisement is still expected in June. The City hopes to procure some equipment in advance of the contract award to reduce potential lead time impacts.

The City continues to seek funding for the Cascade Ave Utility Improvements project and hopes to construct in 2024.

Great news! The fish WERE SPOTTED! They were just waiting for some sunshine.

## **Plant Operations:**

The average monthly Influent BOD load since 2008 is in the chart below.



The current permit limit for Influent is 612 lbs/day and the current upgrades in the adopted General Sewer Plan call for a design max monthly BOD loading of 1,611 lbs/day.

**Funding:**

The \$2.5M in direct federal appropriations requested spring of 2021 is moving forward. The application has been submitted and we are waiting for EPA review and a contract. As soon as the process is completed, we can be reimbursed for the work. Due to the increased cost for the WWTP project, the \$2.5M in funds will allow us to hold off on requesting additional loan funds as long as possible.

	Budget	Loan	Forgivable Principal	Grant
WW Upgrades Design	2,000,000	960,000	400,000	
WW Collection System Upgrades	5,100,000	873,000		4,125,000
WW Treatment Plant Construction	12,100,000	8,700,000	900,000	2,500,000
Main D Extension	300,000	270,000	30,000	
<b>Totals:</b>	<b>19,500,000</b>	<b>10,803,000</b>	<b>1,330,000</b>	<b>6,625,000</b>
Amount of Funding:	41% Grant and Forgivable Principal			
Loan terms:	DOE Loan 1: 2.0% interest, 20-years, \$61k est. annual payment DOE Loan 2: 1.5% interest, 30-years, \$375k est. annual payment USDA Loan: 1.375% interest, 40-years, \$29k est. annual payment			

**Action Needed:**

None.

## CITY OF STEVENSON

## SCHEDULE 01 REVENUES

Detail of Revenues & Other Sources  
For Year Ending: December 31, 2022

## 001 General Expense Fund

## BAS EL OB LA

308 31 00 0030	ARPA-Beginning Balance	223,677.00
308 51 00 0010	General Reserve-Beginning Cash	332,314.62
308 51 00 0020	Fire Res-Beginning Cash	1,607,765.44
308.00	TOTAL BEGINNING CASH & INVESTMENTS	2,163,757.06
332 92 10 0000	DOC-ARPA Distribution	223,676.00
332.00	TOTAL FEDERAL ENTITLEMENTS, IMPACT PAYMENTS AND IN-LIEU TAX	223,676.00
330.00	TOTAL	223,676.00
361 11 00 0010	General Res-Interest	2,944.13
361 11 00 0020	Fire Res-Interest	17,820.69
361.00	TOTAL INTEREST AND OTHER EARNINGS	20,764.82
360.00	TOTAL	20,764.82
397 02 00 0001	Fire Res-Transfer In From General Fund	25,000.00
397.00	TOTAL TRANSFERS-IN	25,000.00
390.00	TOTAL	25,000.00
300.00	TOTAL RESOURCES	2,433,197.88

CITY OF STEVENSON

SCHEDULE 01 EXPENDITURES

Detail of Expenditures & Other Uses  
 For Year Ending: December 31, 2022

001 General Expense Fund

---

BAS EL

---

594.35	Sewer Utilities	
64	Machinery & Equipment	149,040.00
594.00	TOTAL CAPITAL EXPENDITURES/EXPENSES	<u>149,040.00</u>
590.00		<u>149,040.00</u>
500.00	TOTAL EXPENDITURES AND OTHER FINANCING USES	<u>149,040.00</u>
508.21		0.00
508.31		349,448.13
508.41		0.00
508.51		2,019,258.70
508.91		<u>1,455,966.39</u>
		<u>3,824,673.22</u>

Detail of Revenues & Other Sources  
For Year Ending: December 31, 2022

100 Street Fund

---

BAS EL OB LA

---

300.00 TOTAL RESOURCES

---

0.00

Detail of Expenditures & Other Uses  
For Year Ending: December 31, 2022

100 Street Fund

---

BAS EL

---

500.00 TOTAL EXPENDITURES AND OTHER FINANCING USES	0.00
508.21	0.00
508.31	0.00
508.41	0.00
508.51	76,059.75
508.91	0.00
	<hr/>
	76,059.75

Detail of Revenues & Other Sources  
For Year Ending: December 31, 2022

103 Tourism Promo & Develop Fund

---

BAS EL OB LA

---

300.00 TOTAL RESOURCES

---

0.00

Detail of Expenditures & Other Uses  
For Year Ending: December 31, 2022

103 Tourism Promo & Develop Fund

---

BAS EL

---

500.00 TOTAL EXPENDITURES AND OTHER FINANCING USES	0.00
508.21	0.00
508.31	1,104,606.79
508.41	0.00
508.51	0.00
508.91	0.00
	<hr/>
	1,104,606.79



Detail of Revenues & Other Sources  
For Year Ending: December 31, 2022

105 Affordable Housing Fund

---

BAS EL OB LA

---

300.00 TOTAL RESOURCES

---

0.00

Detail of Expenditures & Other Uses  
For Year Ending: December 31, 2022

105 Affordable Housing Fund

---

BAS EL

---

500.00 TOTAL EXPENDITURES AND OTHER FINANCING USES	0.00
508.21	0.00
508.31	12,435.11
508.41	0.00
508.51	0.00
508.91	0.00
	<hr/>
	12,435.11

Detail of Revenues & Other Sources  
For Year Ending: December 31, 2022

107 HEALing SCARS Fund

---

BAS EL OB LA

---

300.00 TOTAL RESOURCES

---

0.00

Detail of Expenditures & Other Uses  
For Year Ending: December 31, 2022

107 HEALing SCARS Fund

---

BAS EL

---

500.00 TOTAL EXPENDITURES AND OTHER FINANCING USES	0.00
508.21	0.00
508.31	0.00
508.41	10,190.57
508.51	0.00
508.91	0.00
	<hr/>
	10,190.57

Detail of Revenues & Other Sources  
For Year Ending: December 31, 2022

300 Capital Improvement Fund

---

BAS EL OB LA

---

300.00 TOTAL RESOURCES

---

0.00

Detail of Expenditures & Other Uses  
For Year Ending: December 31, 2022

300 Capital Improvement Fund

---

BAS EL

---

500.00 TOTAL EXPENDITURES AND OTHER FINANCING USES	0.00
508.21	0.00
508.31	210,190.20
508.41	0.00
508.51	0.00
508.91	0.00
	<hr/>
	210,190.20

Detail of Revenues & Other Sources  
For Year Ending: December 31, 2022

309 Russell Ave

---

BAS EL OB LA

---

300.00 TOTAL RESOURCES

---

0.00

Detail of Expenditures & Other Uses  
 For Year Ending: December 31, 2022

309 Russell Ave

---

BAS EL

---

500.00 TOTAL EXPENDITURES AND OTHER FINANCING USES	0.00
508.21	0.00
508.31	0.00
508.41	0.00
508.51	0.00
508.91	0.00
	<u>0.00</u>



Detail of Revenues & Other Sources  
For Year Ending: December 31, 2022

311 First Street

---

BAS EL OB LA

---

300.00 TOTAL RESOURCES

---

0.00

Detail of Expenditures & Other Uses  
For Year Ending: December 31, 2022

311 First Street

---

BAS EL

---

500.00 TOTAL EXPENDITURES AND OTHER FINANCING USES	0.00
508.21	0.00
508.31	0.00
508.41	0.00
508.51	0.00
508.91	0.00
	<hr/>
	0.00

Detail of Revenues & Other Sources  
For Year Ending: December 31, 2022

312 Columbia Ave

---

BAS EL OB LA

---

300.00 TOTAL RESOURCES

---

0.00

Detail of Expenditures & Other Uses  
For Year Ending: December 31, 2022

312 Columbia Ave

---

BAS EL

---

500.00 TOTAL EXPENDITURES AND OTHER FINANCING USES	0.00
508.21	0.00
508.31	0.00
508.41	0.00
508.51	0.00
508.91	-63,287.48
	<u>-63,287.48</u>

## CITY OF STEVENSON

## SCHEDULE 01 REVENUES

Detail of Revenues & Other Sources  
For Year Ending: December 31, 2022

## 400 Water/Sewer Fund

## BAS EL OB LA

308 31 00 0406	WWSLAR Beginning Cash	43,558.00
308 31 00 0408	WW Debt Reserve Beg. Balance	61,191.00
308 51 00 0410	WW Sys Upgrades Beg Cash & Invest.	-194,712.15
308.00	TOTAL BEGINNING CASH & INVESTMENTS	-89,963.15
331 11 00 0000	EDA Grant-WW Coll. Sys. Upgrades	1,783,025.47
331.00	TOTAL DIRECT FEDERAL GRANTS	1,783,025.47
330.00	TOTAL	1,783,025.47
391 20 00 0000	USDA RDA Bond Proceeds-WW Coll. Sys. Upgrades	160,741.55
391 90 00 0410	DOE Construction Loan	2,741,847.63
391.00	TOTAL PROCEEDS OF LONG-TERM DEBT	2,902,589.18
397 05 00 0410	Transfer In from Water/Sewer Fund	421,807.98
397 10 00 0406	WWSLA-Transfers In	21,779.00
397.00	TOTAL TRANSFERS-IN	443,586.98
390.00	TOTAL	3,346,176.16
300.00	TOTAL RESOURCES	5,039,238.48

CITY OF STEVENSON

SCHEDULE 01 EXPENDITURES

Detail of Expenditures & Other Uses  
 For Year Ending: December 31, 2022

400 Water/Sewer Fund

---

BAS EL

---

592.35	Sewer Utilities	
83	Interest On Long-Term External Debt	905.02
		<hr/>
592.00	TOTAL INTEREST AND OTHER DEBT SERVICE COSTS	905.02
594.35	Sewer Utilities	
31	Office & Operating Supplies	290,169.74
41	Professional Services	5,790,874.43
49	Miscellaneous	9,941.00
		<hr/>
594.00	TOTAL CAPITAL EXPENDITURES/EXPENSES	6,090,985.17
590.00		<hr/> 6,091,890.19
500.00	TOTAL EXPENDITURES AND OTHER FINANCING USES	<hr/> 6,091,890.19
508.21		0.00
508.31		126,528.00
508.41		0.00
508.51		779,783.52
508.91		0.00
		<hr/> 906,311.52

Detail of Revenues & Other Sources  
For Year Ending: December 31, 2022

500 Equipment Service Fund

---

BAS EL OB LA

---

300.00 TOTAL RESOURCES

---

0.00

Detail of Expenditures & Other Uses  
For Year Ending: December 31, 2022

500 Equipment Service Fund

---

BAS EL

---

500.00 TOTAL EXPENDITURES AND OTHER FINANCING USES	0.00
508.21	0.00
508.31	0.00
508.41	0.00
508.51	157,566.54
508.91	0.00
	<hr/>
	157,566.54



Detail of Revenues & Other Sources  
For Year Ending: December 31, 2022

630 Stevenson Municipal Court

---

BAS EL OB LA

---

300.00 TOTAL RESOURCES

---

0.00

CITY OF STEVENSON

SCHEDULE 01 EXPENDITURES

Detail of Expenditures & Other Uses  
For Year Ending: December 31, 2022

630 Stevenson Municipal Court

---

BAS EL

---

500.00 TOTAL EXPENDITURES AND OTHER FINANCING USES	0.00
508.21	0.00
508.31	0.00
508.41	0.00
508.51	0.00
508.91	0.00
	<hr/>
	0.00

City Of Stevenson

STATEMENT C-4

FOR COMPARISON USE ONLY, NOT FOR FILING

For Year Ending: December 31, 2022

1 Of 4

BARS CODE		Total For All Funds	001 - General Expense Fund	100 - Street Fund
		Total Amount	Actual Amount	Actual Amount
<b>Beginning Cash and Investments</b>				
308.21	Nonspendable	0.00	0.00	0.00
308.31	Restricted	1,335,521.76	274,812.13	0.00
308.41	Committed	0.00	0.00	0.00
308.51	Assigned	3,967,444.46	1,973,493.88	316,457.10
308.91	Unassigned	1,047,784.22	1,047,784.22	0.00
388/588	Net Adjustments	0.00	0.00	0.00
<b>Revenues</b>				
310	Taxes	2,328,625.10	1,067,928.52	516,441.22
320	Licenses and Permits	6,633.25	5,683.25	950.00
330	Intergovernmental Revenues	3,018,532.48	353,014.29	43,519.35
340	Charges for Goods and Services	2,640,294.93	342,042.96	0.00
350	Fines and Penalties	12,900.72	12,900.72	0.00
360	Miscellaneous Revenues	308,847.96	36,237.65	3,380.27
<b>Total Revenues:</b>		<b>8,315,834.44</b>	<b>1,817,807.39</b>	<b>564,290.84</b>
<b>Expenditures</b>				
510	General Government	477,716.32	477,716.32	0.00
520	Public Safety	270,428.23	270,428.23	0.00
530	Utilities	1,618,446.72	0.00	0.00
540	Transportation	740,945.84	0.00	603,343.22
550	Natural and Economic Environment	277,720.02	277,720.02	0.00
560	Social Services	20,452.18	20,215.64	236.54
570	Culture and Recreation	458,240.35	79,814.82	0.00
<b>Total Expenditures:</b>		<b>3,863,949.66</b>	<b>1,125,895.03</b>	<b>603,579.76</b>
<b>Excess (Deficiency) Revenues over Expenditures:</b>		<b>4,451,884.78</b>	<b>691,912.36</b>	<b>(39,288.92)</b>
<b>Other Increases</b>				
391-393, 596	Debt Proceeds	2,902,589.18	0.00	0.00
397	Transfers-In	53,771.80	0.00	24,820.09
385	Special or Extraordinary Items	0.00	0.00	0.00
386,389	Custodial Activities	0.00	0.00	0.00
381,382,395,398	Other Increases	14,395.59	0.00	543.09
<b>Total Other Increases</b>		<b>2,970,756.57</b>	<b>0.00</b>	<b>25,363.18</b>
<b>Other Decreases</b>				
594-595	Capital Expenditures	6,740,847.95	163,329.37	197,519.90
591-593	Debt Service	740,025.82	0.00	0.00
597	Transfers-Out	53,771.80	0.00	28,951.71
586, 589	Custodial Activities	0.00	0.00	0.00
585	Special or Extraordinary Items	0.00	0.00	0.00
580,596,599	Other Decreases	0.00	0.00	0.00
<b>Total Other Decreases</b>		<b>7,534,645.57</b>	<b>163,329.37</b>	<b>226,471.61</b>
<b>Increase (Decrease) in Cash and Investments</b>		<b>(112,004.22)</b>	<b>528,582.99</b>	<b>(240,397.35)</b>
<b>Ending Cash and Investments</b>				
508.21	Nonspendable	0.00	0.00	0.00
508.31	Restricted	1,803,208.23	349,448.13	0.00
508.41	Committed	10,190.57	0.00	0.00
508.51	Assigned	3,032,668.51	2,019,258.70	76,059.75
508.91	Unassigned	1,392,678.91	1,455,966.39	0.00
<b>Total Ending Cash and Investments</b>		<b>6,238,746.22</b>	<b>3,824,673.22</b>	<b>76,059.75</b>

The accompanying notes are an integral part of this Statement

City Of Stevenson

STATEMENT C-4

FOR COMPARISON USE ONLY, NOT FOR FILING

For Year Ending: December 31, 2022

2 Of 4

BARS CODE		103 - Tourism Promo & Develop Fund	105 - Affordable Housing Fund	107 - HEALing SCARS Fund
		Actual Amount	Actual Amount	Actual Amount
<b>Beginning Cash and Investments</b>				
308.21	Nonspendable	0.00	0.00	0.00
308.31	Restricted	797,780.48	6,376.16	0.00
308.41	Committed	0.00	0.00	0.00
308.51	Assigned	0.00	0.00	0.00
308.91	Unassigned	0.00	0.00	0.00
388/588	Net Adjustments	0.00	0.00	0.00
<b>Revenues</b>				
310	Taxes	682,141.62	6,058.95	0.00
320	Licenses and Permits	0.00	0.00	0.00
330	Intergovernmental Revenues	0.00	0.00	0.00
340	Charges for Goods and Services	0.00	0.00	0.00
350	Fines and Penalties	0.00	0.00	0.00
360	Miscellaneous Revenues	8,945.15	0.00	10,190.57
Total Revenues:		691,086.77	6,058.95	10,190.57
<b>Expenditures</b>				
510	General Government	0.00	0.00	0.00
520	Public Safety	0.00	0.00	0.00
530	Utilities	0.00	0.00	0.00
540	Transportation	0.00	0.00	0.00
550	Natural and Economic Environment	0.00	0.00	0.00
560	Social Services	0.00	0.00	0.00
570	Culture and Recreation	378,425.53	0.00	0.00
Total Expenditures:		378,425.53	0.00	0.00
Excess (Deficiency) Revenues over Expenditures:		312,661.24	6,058.95	10,190.57
<b>Other Increases</b>				
391-393, 596	Debt Proceeds	0.00	0.00	0.00
397	Transfers-In	0.00	0.00	0.00
385	Special or Extraordinary Items	0.00	0.00	0.00
386,389	Custodial Activities	0.00	0.00	0.00
381,382,395,398	Other Increases	0.00	0.00	0.00
Total Other Increases		0.00	0.00	0.00
<b>Other Decreases</b>				
594-595	Capital Expenditures	5,834.93	0.00	0.00
591-593	Debt Service	0.00	0.00	0.00
597	Transfers-Out	0.00	0.00	0.00
586, 589	Custodial Activities	0.00	0.00	0.00
585	Special or Extraordinary Items	0.00	0.00	0.00
580,596,599	Other Decreases	0.00	0.00	0.00
Total Other Decreases		5,834.93	0.00	0.00
Increase (Decrease) in Cash and Investments		306,826.31	6,058.95	10,190.57
<b>Ending Cash and Investments</b>				
508.21	Nonspendable	0.00	0.00	0.00
508.31	Restricted	1,104,606.79	12,435.11	0.00
508.41	Committed	0.00	0.00	10,190.57
508.51	Assigned	0.00	0.00	0.00
508.91	Unassigned	0.00	0.00	0.00
Total Ending Cash and Investments		1,104,606.79	12,435.11	10,190.57

The accompanying notes are an integral part of this Statement

City Of Stevenson

STATEMENT C-4

FOR COMPARISON USE ONLY, NOT FOR FILING

For Year Ending: December 31, 2022

3 Of 4

BARS CODE		300 - Capital	309 - Russell Ave	311 - First Street
		Improvement Fund		
		Actual Amount	Actual Amount	Actual Amount
<b>Beginning Cash and Investments</b>				
308.21	Nonspendable	0.00	0.00	0.00
308.31	Restricted	151,803.99	0.00	0.00
308.41	Committed	0.00	0.00	0.00
308.51	Assigned	0.00	0.00	0.00
308.91	Unassigned	0.00	0.00	0.00
388/588	Net Adjustments	0.00	0.00	0.00
<b>Revenues</b>				
310	Taxes	56,054.79	0.00	0.00
320	Licenses and Permits	0.00	0.00	0.00
330	Intergovernmental Revenues	0.00	24,820.09	0.00
340	Charges for Goods and Services	0.00	0.00	0.00
350	Fines and Penalties	0.00	0.00	0.00
360	Miscellaneous Revenues	2,331.42	0.00	0.00
	<b>Total Revenues:</b>	<b>58,386.21</b>	<b>24,820.09</b>	<b>0.00</b>
<b>Expenditures</b>				
510	General Government	0.00	0.00	0.00
520	Public Safety	0.00	0.00	0.00
530	Utilities	0.00	0.00	0.00
540	Transportation	0.00	0.00	0.00
550	Natural and Economic Environment	0.00	0.00	0.00
560	Social Services	0.00	0.00	0.00
570	Culture and Recreation	0.00	0.00	0.00
	<b>Total Expenditures:</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
	<b>Excess (Deficiency) Revenues over Expenditures:</b>	<b>58,386.21</b>	<b>24,820.09</b>	<b>0.00</b>
<b>Other Increases</b>				
391-393, 596	Debt Proceeds	0.00	0.00	0.00
397	Transfers-In	0.00	0.00	28,951.71
385	Special or Extraordinary Items	0.00	0.00	0.00
386,389	Custodial Activities	0.00	0.00	0.00
381,382,395,398	Other Increases	0.00	0.00	0.00
	<b>Total Other Increases</b>	<b>0.00</b>	<b>0.00</b>	<b>28,951.71</b>
<b>Other Decreases</b>				
594-595	Capital Expenditures	0.00	0.00	28,951.71
591-593	Debt Service	0.00	0.00	0.00
597	Transfers-Out	0.00	24,820.09	0.00
586, 589	Custodial Activities	0.00	0.00	0.00
585	Special or Extraordinary Items	0.00	0.00	0.00
580,596,599	Other Decreases	0.00	0.00	0.00
	<b>Total Other Decreases</b>	<b>0.00</b>	<b>24,820.09</b>	<b>28,951.71</b>
	<b>Increase (Decrease) in Cash and Investments</b>	<b>58,386.21</b>	<b>0.00</b>	<b>0.00</b>
<b>Ending Cash and Investments</b>				
508.21	Nonspendable	0.00	0.00	0.00
508.31	Restricted	210,190.20	0.00	0.00
508.41	Committed	0.00	0.00	0.00
508.51	Assigned	0.00	0.00	0.00
508.91	Unassigned	0.00	0.00	0.00
	<b>Total Ending Cash and Investments</b>	<b>210,190.20</b>	<b>0.00</b>	<b>0.00</b>

The accompanying notes are an integral part of this Statement

City Of Stevenson

STATEMENT C-4

FOR COMPARISON USE ONLY, NOT FOR FILING

For Year Ending: December 31, 2022

4 Of 4

BARS CODE		312 - Columbia Ave	400 - Water/Sewer Fund	500 - Equipment Service Fund
		Actual Amount	Actual Amount	Actual Amount
<b>Beginning Cash and Investments</b>				
308.21	Nonspendable	0.00	0.00	0.00
308.31	Restricted	0.00	104,749.00	0.00
308.41	Committed	0.00	0.00	0.00
308.51	Assigned	0.00	1,473,726.59	203,766.89
308.91	Unassigned	0.00	0.00	0.00
388/588	Net Adjustments	0.00	0.00	0.00
<b>Revenues</b>				
310	Taxes	0.00	0.00	0.00
320	Licenses and Permits	0.00	0.00	0.00
330	Intergovernmental Revenues	54,382.75	2,542,796.00	0.00
340	Charges for Goods and Services	0.00	2,114,559.19	183,692.78
350	Fines and Penalties	0.00	0.00	0.00
360	Miscellaneous Revenues	0.00	245,533.86	2,229.04
<b>Total Revenues:</b>		<b>54,382.75</b>	<b>4,902,889.05</b>	<b>185,921.82</b>
<b>Expenditures</b>				
510	General Government	0.00	0.00	0.00
520	Public Safety	0.00	0.00	0.00
530	Utilities	0.00	1,618,446.72	0.00
540	Transportation	0.00	0.00	137,602.62
550	Natural and Economic Environment	0.00	0.00	0.00
560	Social Services	0.00	0.00	0.00
570	Culture and Recreation	0.00	0.00	0.00
<b>Total Expenditures:</b>		<b>0.00</b>	<b>1,618,446.72</b>	<b>137,602.62</b>
<b>Excess (Deficiency) Revenues over Expenditures:</b>		<b>54,382.75</b>	<b>3,284,442.33</b>	<b>48,319.20</b>
<b>Other Increases</b>				
391-393, 596	Debt Proceeds	0.00	2,902,589.18	0.00
397	Transfers-In	0.00	0.00	0.00
385	Special or Extraordinary Items	0.00	0.00	0.00
386,389	Custodial Activities	0.00	0.00	0.00
381,382,395,398	Other Increases	0.00	0.00	13,852.50
<b>Total Other Increases</b>		<b>0.00</b>	<b>2,902,589.18</b>	<b>13,852.50</b>
<b>Other Decreases</b>				
594-595	Capital Expenditures	117,670.23	6,119,169.76	108,372.05
591-593	Debt Service	0.00	740,025.82	0.00
597	Transfers-Out	0.00	0.00	0.00
586, 589	Custodial Activities	0.00	0.00	0.00
585	Special or Extraordinary Items	0.00	0.00	0.00
580,596,599	Other Decreases	0.00	0.00	0.00
<b>Total Other Decreases</b>		<b>117,670.23</b>	<b>6,859,195.58</b>	<b>108,372.05</b>
<b>Increase (Decrease) in Cash and Investments</b>		<b>(63,287.48)</b>	<b>(672,164.07)</b>	<b>(46,200.35)</b>
<b>Ending Cash and Investments</b>				
508.21	Nonspendable	0.00	0.00	0.00
508.31	Restricted	0.00	126,528.00	0.00
508.41	Committed	0.00	0.00	0.00
508.51	Assigned	0.00	779,783.52	157,566.54
508.91	Unassigned	(63,287.48)	0.00	0.00
<b>Total Ending Cash and Investments</b>		<b>(63,287.48)</b>	<b>906,311.52</b>	<b>157,566.54</b>

The accompanying notes are an integral part of this Statement

City Of Stevenson

STATEMENT C-5

FOR COMPARISON USE ONLY, NOT FOR FILING

For Year Ending: December 31, 2022

1 Of 1

BARS CODE		Total For All Funds	630 - Stevenson Municipal Court	
		Total Amount	Actual Amount	Actual Amount
308	Beginning Cash and Investments	0.00	0.00	0.00
388/588	Net Adjustments	0.00	0.00	0.00
310 - 360	Revenues	0.00	0.00	0.00
370 - 390	Other Increases	8,247.43	8,247.43	0.00
510 - 570	Expenditures	0.00	0.00	0.00
580 - 590	Other Decreases	8,247.43	8,247.43	0.00
	Increase (Decrease) in Cash and Investments	0.00	0.00	0.00
508	Ending Cash and Investments:	0.00	0.00	0.00

*The accompanying notes are an integral part of this Statement*

**City of Stevenson  
Schedule of Liabilities  
For the Year Ended December 31, 2022**

ID. No.	Description	Due Date	Beginning Balance	Additions	Reductions	Ending Balance
<b>Revenue and Other (non G.O.) Debt/Liabilities</b>						
252.11	PWTF Loan, Water System Upgrade	6/1/2026	116,368	-	23,274	93,094
252.11	USDA RD Loan, Sewer Outfall	12/20/2033	296,179	-	24,694	271,485
252.11	DOE SRF Loan	12/30/2041	1,352,438	-	572,536	779,902
252.11	SMART Water Meters	4/1/2030	278,667	-	62,826	215,841
252.11	DOE WWTP SRF Loan	1/1/2044	-	2,741,848	-	2,741,848
252.11	USDA RD Loan, Coll. Sys. Improv.	1/1/2044	-	160,742	-	160,742
264.30	State Retirement System		62,185	72,189	-	134,374
259.12	Sick Leave Buyout		2,742	-	1,249	1,493
259.12	Vacation Accrual		36,703	8,662	-	45,365
<b>Total Revenue and Other (non G.O.) Debt/Liabilities:</b>			<b>2,145,282</b>	<b>2,983,441</b>	<b>684,579</b>	<b>4,444,144</b>
<b>Total Liabilities:</b>			<b>2,145,282</b>	<b>2,983,441</b>	<b>684,579</b>	<b>4,444,144</b>



**City of Stevenson**  
**Schedule of Expenditures of State Financial Assistance**  
**For the Year Ended December 31, 2022**

State Agency Name	Program Title	Identification Number	Total
State Grant from Department of Ecology	Integrated Planning Grant	TCPIPG-1921-StevPW-00028	117,670
State Grant from Department of Ecology	Shoreline Access Grant	SEASMPC-2123-StevPW-00029	13,984
		<b>Sub-Total:</b>	<b>131,654</b>
		<b>Total State Grants Expended:</b>	<b>131,654</b>

**City of Stevenson**  
**Schedule of Expenditures of Federal Awards**  
**For the Year Ended December 31, 2022**

Federal Agency (Pass-Through Agency)	Federal Program	ALN Number	Other Award Number	Expenditures			Passed through to Subrecipients	Note
				From Pass- Through Awards	From Direct Awards	Total		
RURAL UTILITIES SERVICE, AGRICULTURE, DEPARTMENT OF	Water and Waste Disposal Systems for Rural Communities	10.760		-	160,742	160,742	-	1,2,3, 4
<b>Economic Development Cluster</b>								
ECONOMIC DEVELOPMENT ADMINISTRATION, COMMERCE, DEPARTMENT OF	Economic Adjustment Assistance	11.307		-	1,864,314	1,864,314	-	1,2,4
<b>Total Economic Development Cluster:</b>				<b>-</b>	<b>1,864,314</b>	<b>1,864,314</b>	<b>-</b>	
ASSISTANT SECRETARY FOR COMMUNITY PLANNING AND DEVELOPMENT, HOUSING AND URBAN DEVELOPMENT, DEPARTMENT OF (via Department of Commerce)	Community Development Block Grants/State's program and Non-Entitlement Grants in Hawaii	14.228	18-62210-037	92,758	-	92,758	92,758	1,2,4
DEPARTMENTAL OFFICES, TREASURY, DEPARTMENT OF THE (via Department of Commerce)	CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS	21.027	91-6001512	149,040	-	149,040	-	1,2,4
<b>Clean Water State Revolving Fund Cluster</b>								
ENVIRONMENTAL PROTECTION AGENCY, ENVIRONMENTAL PROTECTION AGENCY (via Department of Ecology)	Clean Water State Revolving Fund	66.458	WQC-2022- StevPW-00028	3,382,627	-	3,382,627	-	1,2,4, 5
<b>Total Clean Water State Revolving Fund Cluster:</b>				<b>3,382,627</b>	<b>-</b>	<b>3,382,627</b>	<b>-</b>	
<b>Total Federal Awards Expended:</b>				<b>3,624,425</b>	<b>2,025,056</b>	<b>5,649,481</b>	<b>92,758</b>	

The accompanying notes are an integral part of this schedule.

## City of Stevenson

### Notes to the Schedule of Expenditures of Federal Awards For the Year Ended December 31, 2022

#### Note 1 – Basis of Accounting

This Schedule is prepared on the same basis of accounting as the City's financial statements. The City uses the cash basis of accounting as described in the Cash Basis Budgeting, Accounting and Reporting System (BARS) manual published by the State Auditor's Office.

#### Note 2 – Federal De Minimis Indirect Cost Rate

The City has not elected to use the 10-percent de minimis indirect cost rate allowed under the Uniform Guidance.

#### Note 3 – Federal Loans

The city was approved by the USDA Rural Utilities Service to receive a loan totaling \$873,000 to construct improvements to its sewer collection system. Interim loan financing was received for the construction period. The amount listed for this loan includes the beginning of the period loan balance plus proceeds used during the year. The balance owing at the end of the period is \$160,741.55.

Both current and prior year loans are reported on the city's Schedule of Liabilities.

#### Note 4 – Program Costs

The amounts shown as current year expenditures represent only the federal award portion of the program costs. Entire program costs, including the city's portion, are more than shown. Such expenditures are recognized following the cost principles contained in Title 2 U.S. Code of Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, wherein certain types of expenditures are not allowable or are limited as to reimbursement.

#### Note 5 – Prior Year Costs

The amounts shown for the Clean Water State Revolving Fund includes \$35,827.15 of prior year expenses included on the report for the year ending December 31, 2021, where reimbursement was requested in year ending December 31, 2022. This minor change is reflected in this note and the 2021 report will not be updated.

**City of Stevenson**  
**(County/City/District)**

**Local Government Risk Assumption**  
**For the Year Ended December 31, 2022**

1. Self-Insurance Program Manager: Leana Kinley
2. Manager Phone: 509-427-5970
3. Manager Email: [leana@ci.stevenson.wa.us](mailto:leana@ci.stevenson.wa.us)
4. How do you insure property and liability risks, if at all?
  - a. Formal self-insurance program for some or all perils/risks
  - b. **Belong to a public entity risk pool**
  - c. Purchase private insurance
  - d. Retain risk internally without a self-insurance program (i.e., risk assumption)
5. How do you provide health and welfare insurance (e.g., medical, dental, prescription drug, and/or vision benefits) to employees, if at all?
  - a. Self-insure some or all benefits
  - b. **Belong to a public entity risk pool**
  - c. All benefits provided by health insurance company or HMO
  - d. Not applicable – no such benefits offered
6. How do you insure unemployment compensation benefits, if any?
  - a. **Self-insured (“Reimbursable”)**
  - b. Belong to a public entity risk pool
  - c. Pay taxes to the Department of Employment Security (“Taxable”)
  - d. Not applicable – no employees
7. How do you insure workers compensation benefits, if any?
  - a. Self-insured (“Reimbursable”)
  - b. Belong to a public entity risk pool
  - c. **Pay premiums to the Department of Labor and Industries**
  - d. Not applicable – no employees
8. How do you participate in the Washington Paid Family & Medical Leave Program?
  - a. Self-insured (“Voluntary Plan”) for one or both program benefits
  - b. **Pay premiums to the State’s program for both benefits**

**If the local government DID NOT answer (a) to any of the above questions, then there is no need to complete the rest of this schedule.**

**If the local government answered (a) to any of the above questions, then answer the rest of the form in relation to the government's self-insured risks and copy the table below as needed.**

	<b><u>Please list the title of the self-insurance program or type of risk covered by self-insurance:</u></b>				
	<i>Unemployment</i>	<i>Program/Risk 2</i>	<i>Program/Risk 3</i>	<i>Program/Risk 4</i>	<i>Program/Risk 5</i>
Self-Insurance as a <i>formal</i> program?	<b><u>Yes</u></b>				
If yes, do other governments participate?	<b><u>No</u></b>				
If yes, please list participating governments.					
Self-Insure as part of a joint program?	<b><u>No</u></b>				
Does a Third-Party Administer manage claims?	<b><u>Yes</u></b>				
If no, does an employee or official reconcile claims payments to the information in the claims management software or other records of approved claims? (Not applicable for self-insured unemployment compensation.)					
Has program had a claims audit in last three years?	<b><u>No</u></b>				
Are program resources sufficient to cover expenses?	<b><u>Yes</u></b>				
Does an actuary estimate program liability?	<b><u>No</u></b>				
Number of claims paid during the period?	<b><u>2</u></b>				
Total amount of paid claims during the period?	<b><u>\$7,054.38</u></b>				
Total amount of recoveries during the period?	<b><u>\$0</u></b>				

Provide any other information necessary to explain answers to the Schedule 21 questions above.

**SCHEDULE SUMMARY OF BANK RECONCILIATION**

For the Fiscal Year ended December 31, 2022

[CASH BARS Schedule 06 Instructions Link](#)

FROM BANK STATEMENTS						
Bank & Investment Account name  (1)	Beginning Bank Balance  (2)	Deposits		Withdrawals		Ending Bank Balance  (7)
		Receipts  (3)	Inter-bank transfers In  (4)	Disbursements  (5)	Inter-bank transfers out  (6)	
1 - Checking	\$ 1,314,893	\$ 9,704,711	\$ 672,328	\$ 9,747,708	\$ 1,000,000	\$ 944,223
5 - LGIP	\$ 3,273,323	\$ 59,879	\$ 1,000,000	\$ -	\$ 200,000	\$ 4,133,201
6 - US Bank Safekeeping	\$ 1,915,465	\$ -	\$ -	\$ -	\$ -	\$ 1,915,465
10 - Xpress Bill Pay	\$ 32,232	\$ 468,092	\$ -	\$ 1,365	\$ 434,000	\$ 64,959
11 - Cash Drawer	\$ 100	\$ -	\$ -	\$ -	\$ -	\$ 100
12 - Petty Cash	\$ 400	\$ -	\$ -	\$ -	\$ -	\$ 400
20 - Pacific Premier (Formerly Opus)	\$ 71,951	\$ 82	\$ -	\$ 33,706	\$ 38,328	\$ -
<b>Bank Totals</b>	<b>\$ 6,608,364</b>	<b>\$ 10,232,763</b>	<b>\$ 1,672,328</b>	<b>\$ 9,782,779</b>	<b>\$ 1,672,328</b>	<b>\$ 7,058,349</b>

Check Figure
OK
OK
OK
OK
OK
OK
OK
OK

RECONCILING ITEMS					
Beginning Deposits in Transit (8)	\$ 1,507	\$ (1,507)			
Year-end Deposits in Transit (9)		\$ 975			\$ 975
Beginning Outstanding & Open Period Items (10)	\$ (259,120)			\$ (259,120)	
Year-end Outstanding & Open Period Items (11)				\$ 820,577	\$ (820,577)
NSF Checks (12)		\$ -		\$ -	
Cancellation of unredeemed checks/warrants (13)					
Interfund transactions (14)		\$ 53,772		\$ 53,772	
Netted Transactions (15)		\$ 989,889		\$ 989,889	
Authorized balance of revolving, petty cash and change funds (16)					
Other Reconciling Items, net (17)	\$ -	\$ 20,311		\$ 20,311	
<b>Reconciling Items Totals</b>	<b>\$ (257,613)</b>	<b>\$ 1,063,440</b>		<b>\$ 1,625,429</b>	<b>\$ (819,602)</b>

Check Figure
OK
OK
OK
OK
OK
OK
OK
OK

FROM GENERAL LEDGER					
	Beginning Cash & Investment Balance  (19)	Revenues & Other Increases  (20)		Expenditures & Other Decreases  (21)	Ending Cash & Investment Balance  (22)
<b>C4/C5 or Trial Balance Totals (18)</b>	<b>\$ 6,350,750</b>	<b>\$ 11,294,838</b>		<b>\$ 11,406,843</b>	<b>\$ 6,238,746</b>
<b>Unreconciled Variance (23)</b>	<b>\$ -</b>	<b>\$ 1,365</b>		<b>\$ 1,365</b>	<b>\$ -</b>

OK
----

**City of Stevenson**  
**Notes to the Financial Statements**  
**For the year ended December 31, 2022**

**Note 1 - Summary of Significant Accounting Policies**

The City of Stevenson was incorporated on December 2, 1907 and operates under the laws of the state of Washington applicable to a non-charter code City with a mayor-council form of government. The City is a general-purpose local government and provides public safety, fire prevention, street maintenance, planning, parks maintenance, water and sewer, municipal court, health and social services and general administrative services.

The City reports financial activity in accordance with the *Cash Basis Budgeting, Accounting and Reporting System* (BARS) Manual prescribed by the State Auditor's Office under the authority of Washington State law, Chapter 43.09 RCW. This manual prescribes a financial reporting framework that differs from generally accepted accounting principles (GAAP) in the following manner:

- Financial transactions are recognized on a cash basis of accounting as described below.
- Component units are required to be disclosed, but are not included in the financial statements (see *Notes to the Financial Statements*).
- Government-wide statements, as defined in GAAP, are not presented.
- All funds are presented, rather than a focus on major funds.
- The *Schedule of Liabilities* is required to be presented with the financial statements as supplementary information.
- Supplementary information required by GAAP is not presented.
- Ending balances are presented using classifications that are similar to the ending balance classification in GAAP.

**A. Fund Accounting**

Financial transactions of the government are reported in individual funds. Each fund uses a separate set of self-balancing accounts that comprises its cash and investments, revenues and expenditures. The government's resources are allocated to and accounted for in individual funds depending on their intended purpose. Each fund is reported as a separate column in the financial statements, except for fiduciary funds, which are presented by fund types. The total column is presented as "memo only" because any interfund activities are not eliminated. The following fund types are used:

**GOVERNMENTAL FUND TYPES:**

**General Fund**

This fund is the primary operating fund of the government. It accounts for all financial resources except those required or elected to be accounted for in another fund.

**Special Revenue Funds**

These funds account for specific revenue sources that are restricted or committed to expenditures for specified purposes of the government. The City uses three Special Revenue Funds: A Street Fund, a Tourism Promotion Fund (Lodging tax fund) and an Affordable Housing Fund.

**Capital Projects Funds**

These funds account for financial resources which are restricted, committed, or assigned for the acquisition or construction of capital facilities or other capital assets. The City uses one primary Capital Projects Fund with separate capital projects funds for each major project.

PROPRIETARY FUND TYPES:

Enterprise Funds

These funds account for operations that provide goods or services to the general public and are supported primarily through user charges. The City uses one Enterprise Fund, the combined Water/Sewer Fund.

Internal Service Funds

These funds account for operations that provide goods or services to other departments or funds of the government on a cost reimbursement basis. The City uses one Internal Service Fund, the Equipment Service Fund.

FIDUCIARY FUND TYPES:

Fiduciary funds account for assets held by the government in a trustee capacity or as a custodian on behalf of others.

Custodial Funds

These funds are used to account assets that the government holds on behalf of others in a custodial capacity. The City uses one Custodial Fund for Municipal Court Activities which are passed through to the state or other agencies.

B. Basis of Accounting and Measurement Focus

Financial statements are prepared using the cash basis of accounting and measurement focus. Revenues are recognized when cash is received, and expenditures are recognized when paid.

In accordance with state law the City also recognizes expenditures paid during twenty days after the close of the fiscal year for claims incurred during the previous period.

C. Cash and Investments

See Note 4 - *Deposits and Investments*.

D. Capital Assets

Capital assets are assets with an initial individual cost of more than \$5,000 and an estimated useful life in excess of one year. Capital assets and inventory are recorded as capital expenditures when purchased.

E. Compensated Absences

Vacation leave may be accumulated up to 30 days and is payable upon separation or retirement. Sick leave may be accumulated up to 1,440 hours. Upon separation after 25 years or retirement employees do receive payment for unused sick leave at the rate of 25% of the total remaining balance. Payments are recognized as expenditures when paid.

F. Long-Term Debt

See Note 6 – *Long Term Debt*.

G. Restricted and Committed Portion of Ending Cash and Investments

Beginning and Ending Cash and Investments are reported as restricted or committed when it is subject to restrictions on use imposed by external parties or due to internal commitments established by City Council. When expenditures that meet restrictions are incurred, the City intends to use the most restricted resources first.



Restrictions and commitments of Ending Cash and Investments consist of:

- General Fund – The primary source of revenue is America Rescue Plan Act (ARPA) funds, reserved in accordance with the Act, followed by unclaimed property, which is reserved in accordance with RCW 63.29 and a private pass-through grant for the Park Plaza Project.
- Tourism Promotion Fund – The primary source of revenue is lodging tax receipts, which are reserved for tourism promotion activities per state law (RCW 67.28.1816)
- Affordable Housing Fund – The primary source of revenue is the sales tax credit authorized in 2019 by SHB 1406, which is reserved for affordable housing activities per state law (RCW 82.14.540)
- Capital Improvement Fund – The primary source of revenue is the Real Estate Excise Tax (REET), which is reserved for certain types of capital improvements per state law (RCW 82.46.010)
- HEALing SCARS Fund – The primary sources of revenue for this fund are environmental mitigation donations, which were authorized in the 2022 budget in anticipation of the commitment established by Stevenson Resolution 2023-402 adopted on January 19<sup>th</sup>, 2023.
- Water/Sewer Fund – Balances required as part of USDA loans the City has incurred.

**Note 2 - Budget Compliance**

The City adopts annual appropriated budgets for 14 funds, for a total of 9 funds when rolled up. These budgets are appropriated at the fund level. The budget constitutes the legal authority for expenditures at that level. Annual appropriations for these funds lapse at the fiscal year end.

Annual appropriated budgets are adopted on the same basis of accounting as used for financial reporting.

The appropriated and actual expenditures for the legally adopted budgets were as follow:

Fund/Department	Final Appropriated Amount	Actual Expenditures	Variance
001 - General Expense Fund	1,417,657.36	1,289,224.40	128,432.96
100 - Street Fund	818,528.80	830,051.37	-11,522.57
103-Tourism Promo& Develop Fund	641,771.70	384,260.46	257,511.24
300 - Capital Improvement	30,000.00	0	30,000.00
309 - Russell Ave	24,820.09	24820.09	0
311 - First Street	50,000.00	28,951.71	21,048.29
312 – Columbia Ave	200,000.00	117,670.23	82,329.77
400 - Water/Sewer Fund			
Water/Sewer Fund	2,687,555.34	2,385,752.11	301,803.23
Wastewater System	10,667,070.00	6,091,890.19	4,575,179.81
Total 400 - Water/Sewer	13,354,625.34	8,477,642.30	4,876,983.04
500 - Equipment Service	293,408.17	245,974.67	47,433.50

Budgeted amounts are authorized to be transferred between departments within any fund/object classes within departments; however, any revisions that alter the total expenditures of a fund, or that affect the number of authorized employee positions, salary ranges, hours, or other conditions of employment must be approved by the City’s legislative body.

For reporting purposes, the Water System Improvements Fund was rolled into the Water/Sewer Fund.

Interfund activity between managerial funds for transactions such as transfers and loans has been eliminated in the consolidation of the financials.

The Street Fund exceeded budgeted expenses due to costs associated with an abnormally severe storm that occurred during December.

**Note 3 – Deposits and Investments**

Investments are reported at original cost. Deposits and investments by type at December 31, 2022 are as follows:

Type of deposit or investment	City’s own deposits and investments	Total
Bank deposits	\$190,080	\$190,080
Local Government Investment Pool	4,133,201	4,133,201
U.S. Government securities	1,915,465	1,915,465
<b>Total</b>	<b>\$6,238,746</b>	<b>\$6,238,746</b>

It is the City’s policy to invest all temporary cash surpluses. The interest on these investments is prorated to the various funds.

Investments in the State Local Government Investment Pool (LGIP)

The City is a voluntary participant in the Local Government Investment Pool, an external investment pool operated by the Washington State Treasurer. The pool is not rated and not registered with the SEC. Rather, oversight is provided by the State Finance Committee in accordance with Chapter 43.250 RCW. Investments in the LGIP are reported at amortized cost, which is the same as the value of the pool per share. The LGIP does not impose any restrictions on participant withdrawals.

The Office of the State Treasurer prepares a stand-alone financial report for the pool. A copy of the report is available from the Office of the State Treasurer, PO Box 40200, Olympia, Washington 98504-0200, online at [www.tre.wa.gov](http://www.tre.wa.gov).

Custodial Credit Risk

Custodial credit risk for deposits is the risk that, in event of a failure of a depository financial institution, the City would not be able to recover deposits or would not be able to recover collateral securities that are in possession of an outside party. The City’s deposits and certificates of deposit are mostly covered by federal depository insurance (FDIC) or by collateral held in a multiple financial institution collateral pool administered by the Washington Public Deposit Protection Commission (PDPC).

All investments are insured, registered or held by the City or its agent in the government’s name.

Intergovernmental Loans

In March of 2022, the City loaned the Stevenson Community Pool District \$40,000 to be paid back over two years at 2% interest. On December 15, 2022, the City forgave \$25,000 of this loan.

**Note 4 – Environmental and Certain Asset Retirement Liabilities**

The City owns 1 well located on city owned property. The life of the well is perpetual due to its use as an emergency water source on an intermittent basis. There are currently no decommissioning requirements.

**Note 5 – Leases**

After a thorough review, the City has determined it does not have any lease activity to disclose for 2022.

**Note 6 – Long-Term Debt** (formerly Debt Service Requirements)

The accompanying Schedule of Liabilities provides more details of the outstanding debt and liabilities of the city and summarizes the city’s debt transactions for year ended December 31, 2022.

The debt service requirements for revenue bonds, public works and private loans are as follows:

Year	Principal	Interest	Total
2023	113,964	22,712	136,675
2024	116,245	20,230	136,475
2025	118,584	18,151	136,735
2026	120,984	16,019	137,003
2027	100,172	12,865	113,037
2028 – 2032	384,022	36,899	420,920
2033 - 2037	216,704	15,596	232,300
2038-2042	189,647	4,335	193,982
<b>Total</b>	<b>\$1,360,322</b>	<b>\$146,807</b>	<b>\$1,507,127</b>

The city also has a loan for the construction of Wastewater System Upgrades through the Washington State Department of Ecology it will be drawing on through 2024. The total loan of \$9,936,000 contains \$931,946 of forgivable principal. Through 2022, the city has drawn \$3,382,627 against the loan. The term of the loan is 30 years at 1.5% interest.

The city has also secured a loan through USDA Rural Development it will be drawing on through 2024. The loan is for \$873,000 towards wastewater collection system improvements. As of 2022, the city has drawn \$160,742 against the loan. The term of the loan is 40 years at 1.375% interest. This project is expected to be complete in 2024.

Assets Pledged as Collateral for Debt

The following debt is secured by assets that are pledged as collateral:

Debt	Asset
2020 Opus Loan	City Water Meters

## Note 7 – Pension Plans

### A. State Sponsored Pension Plans

Substantially all City’s full-time and qualifying part-time employees participate in the following statewide retirement systems administered by the Washington State Department of Retirement Systems (DRS), under cost-sharing, multiple-employer public employee defined benefit and defined contribution retirement plans PERS.

The State Legislature establishes, and amends, laws pertaining to the creation and administration of all public retirement systems.

The Department of Retirement Systems, a department within the primary government of the State of Washington, issues a publicly available Annual Comprehensive Financial Report (ACFR) that includes financial statements and required supplementary information for each plan. The DRS ACFR may be obtained by writing to:

Department of Retirement Systems  
Communications Unit  
P.O. Box 48380  
Olympia, WA 98540-8380

Also, the DRS ACFR may be downloaded from the DRS website at [www.drs.wa.gov](http://www.drs.wa.gov).

The City also participates in the Volunteer Fire Fighters’ and Reserve Officers’ Relief and Pension Fund (VFFRPF) administered by the State Board for Volunteer Fire Fighters and Reserve Officers. Detailed information about the plan is included in the State of Washington ACFR available from the Office of Financial Management website at [www.ofm.wa.gov](http://www.ofm.wa.gov).

At June 30, 2022 (the measurement date of the plans), the City’s proportionate share of the collective net pension liabilities, as reported on the Schedule of Liabilities, was as follows:

Plan	Employer Contributions	Allocation %	Liability (Asset)
PERS 1	\$29,580	0.004826%	\$134,374
PERS 2/3	\$50,708	0.006312%	(\$234,098)
VFFRPF	\$ 540	0.28%	(\$80,270.12)

## Note 8 - Property Tax

The county treasurer acts as an agent to collect property tax levied in the county for all taxing authorities. Collections are distributed after the end of each month.

Property tax revenues are recognized when cash is received by City. Delinquent taxes are considered fully collectible because a lien affixes to the property after tax is levied.

The City’s regular levy for the year 2022 was \$1.76563421 per \$1,000 on an assessed valuation of \$296,213,114 for a total regular levy of \$523,004.

## Note 9 – Risk Management

The City of Stevenson is a member of the Washington Cities Insurance Authority (WCIA). Utilizing Chapter 48.62 RCW (self-insurance regulation) and Chapter 39.34 RCW (Interlocal Cooperation Act), nine cities originally formed WCIA on January 1, 1981. WCIA was created for the purpose of providing a pooling mechanism for jointly purchasing insurance, jointly self-insuring, and / or jointly contracting for risk management services. WCIA has a total of 166 members.

New members initially contract for a three-year term, and thereafter automatically renew on an annual basis. A one-year withdrawal notice is required before membership can be terminated. Termination does not relieve a former member from its unresolved loss history incurred during membership.

Liability coverage is written on an occurrence basis, without deductibles. Coverage includes general, automobile, police, errors or omissions, stop gap, employment practices, prior wrongful acts, and employee benefits liability. Limits are \$4 million per occurrence in the self-insured layer, and \$16 million in limits above the self-insured layer is provided by reinsurance. Total limits are \$20 million per occurrence subject to aggregates and sublimits. The Board of Directors determines the limits and terms of coverage annually.

All Members are provided a separate cyber risk policy and premises pollution liability coverage group purchased by WCIA. The cyber risk policy provides coverage and separate limits for security & privacy, event management, and cyber extortion, with limits up to \$1 million and subject to member deductibles, sublimits, and a \$5 million pool aggregate. Premises pollution liability provides Members with a \$2 million incident limit and \$10 million pool aggregate subject to a \$100,000 per incident Member deductible.

Insurance for property, automobile physical damage, fidelity, inland marine, and equipment breakdown coverage are purchased on a group basis. Various deductibles apply by type of coverage. Property coverage is self-funded from the members' deductible to \$750,000, for all perils other than flood and earthquake, and insured above that to \$400 million per occurrence subject to aggregates and sublimits. Automobile physical damage coverage is self-funded from the members' deductible to \$250,000 and insured above that to \$100 million per occurrence subject to aggregates and sublimits.

In-house services include risk management consultation, loss control field services, and claims and litigation administration. WCIA contracts for certain claims investigations, consultants for personnel and land use issues, insurance brokerage, actuarial, and lobbyist services.

WCIA is fully funded by its members, who make annual assessments on a prospectively rated basis, as determined by an outside, independent actuary. The assessment covers loss, loss adjustment, reinsurance and other administrative expenses. As outlined in the interlocal, WCIA retains the right to additionally assess the membership for any funding shortfall.

An investment committee, using investment brokers, produces additional revenue by investment of WCIA's assets in financial instruments which comply with all State guidelines.

A Board of Directors governs WCIA, which is comprised of one designated representative from each member. The Board elects an Executive Committee and appoints a Treasurer to provide general policy direction for the organization. The WCIA Executive Director reports to the Executive Committee and is responsible for conducting the day to day operations of WCIA.

## **Note 10 – Health & Welfare**

The City of Stevenson is a member of the Association of Washington Cities Employee Benefit Trust Health Care Program (AWC Trust HCP). Chapter 48.62 RCW provides that two or more local government entities may, by Interlocal agreement under Chapter 39.34 RCW, form together or join a pool or organization for the joint purchasing of insurance, and/or joint self-insurance, to the same extent that they may individually purchase insurance, or self-insure.

An agreement to form a pooling arrangement was made pursuant to the provisions of Chapter 39.34 RCW, the Interlocal Cooperation Act. The AWC Trust HCP was formed on January 1, 2014 when participating cities, towns, and non-city entities of the AWC Employee Benefit Trust in the State of Washington joined together by signing an Interlocal Governmental Agreement to jointly self-insure certain health benefit plans and programs for participating employees, their covered dependents and other beneficiaries through a designated account within the Trust.

As of December 31, 2022, 262 cities/towns/non-city entities participate and have enrollment in the AWC Trust HCP.

The AWC Trust HCP allows members to establish a program of joint insurance and provides health and welfare services to all participating members.

In April 2020, the Board of Trustees adopted a large employer policy, requiring newly enrolling groups with 600 or more employees to submit medical claims experience data in order to receive a quote for medical coverage. Outside of this, the AWC Trust HCP pools claims without regard to individual member experience. The pool is actuarially rated each year with the assumption of projected claims run-out for all current members.

The AWC Trust HCP includes medical, dental and vision insurance through the following carriers: Kaiser Foundation Health Plan of Washington, Kaiser Foundation Health Plan of Washington Options, Inc., Regence BlueShield, Asuris Northwest Health, Delta Dental of Washington, Willamette Dental Group, and Vision Service Plan. Eligible members are cities and towns within the state of Washington. Non-city entities (public agency, public corporation, intergovernmental agency, or political subdivision within the state of Washington) are eligible to apply for coverage into the AWC Trust HCP, submitting application to the Board of Trustees for review as required in the Trust Agreement.

Participating employers pay monthly premiums to the AWC Trust HCP. The AWC Trust HCP is responsible for payment of all covered claims. In 2022, the AWC Trust HCP purchased medical stop loss insurance for Regence/Asuris and Kaiser plans at an Individual Stop Loss (ISL) of \$1.5 million through United States Fire Insurance Company. The aggregate policy is for 200% of expected medical claims.

Participating employers contract to remain in the AWC Trust HCP for a minimum of three years. Participating employers with over 250 employees must provide written notice of termination of all coverage a minimum of 12 months in advance of the termination date, and participating employers with under 250 employees must provide written notice of termination of all coverage a minimum of 6 months in advance of termination date. When all coverage is being terminated, termination will only occur on December 31. Participating employers terminating a group or line of coverage must notify the AWC Trust HCP a minimum of 60 days prior to termination. A participating employer's termination will not obligate that member to past debts, or further contributions to the AWC Trust HCP. Similarly, the terminating member forfeits all rights and interest to the AWC Trust HCP Account.

The operations of the Health Care Program are managed by the Board of Trustees or its delegates. The Board of Trustees is comprised of four regionally elected officials from Trust member cities or towns, the Employee Benefit Advisory Committee Chair and Vice Chair, and two appointed individuals from the AWC Board of Directors, who are from Trust member cities or towns. The Trustees or its appointed delegates review and analyze Health Care Program related matters and make operational decisions regarding premium contributions, reserves, plan options and benefits in compliance with Chapter 48.62 RCW. The Board of Trustees has decision authority consistent with the Trust Agreement, Health Care Program policies, Chapter 48.62 RCW and Chapter 200-110-WAC.

The accounting records of the AWC Trust HCP are maintained in accordance with methods prescribed by the State Auditor's office under the authority of Chapter 43.09 RCW. The AWC Trust HCP also follows applicable accounting standards established by the Governmental Accounting Standards Board ("GASB"). In 2018, the retiree medical plan subsidy was eliminated, and is noted as such in the report for the fiscal year ending December 31, 2018. Year-end financial reporting is done on an accrual basis and submitted to the Office of the State Auditor as required by Chapter 200-110 WAC. The audit report for the AWC Trust HCP is available from the Washington State Auditor's office.

### **Note 11 – Significant Obligation**

On July 6, 2017 the City of Stevenson was put under an Administrative Order related to the operation of its Wastewater Treatment Plant. The Order required construction of improvements to the Plant. The City received a notice of compliance for the Administrative Order on January 5, 2023 as Plant construction began on May 13, 2022 and will be substantially complete on August 13, 2023. The current contractual obligation for the construction totals \$12,876,432. The City has received a loan through the Department of Ecology in the amount of \$9,936,000, with \$931,946 in forgivable principal, and an EPA Community Grant in the amount of \$2,500,000. The sewer rates and system development charges have increased, and will continue to do so, in order to meet the increased debt obligations. The City is undergoing a rate study to confirm adequate resources to support the increased debt and operation costs of the upgraded plant.

**CITY OF STEVENSON, WASHINGTON  
PLANNING COMMISSION AGENDA ITEM**

**AGENDA TITLE:** Integrated Shoreline Public Access and Trails Plan – Charrette findings  
**DEPARTMENT:** Community Development  
**PRESENTED BY:** Alex Capron, AICP, Senior Planner - DCG/Watershed

**PROJECT UPDATE**

As the 2<sup>nd</sup> public involvement meeting for the Stevenson Integrated Shoreline Public Access and Trails Plan, the City conducted an in-person design charrette on April 19<sup>th</sup>, from 5-7:30pm at the Stevenson Community Library. The intent of this meeting was to help prioritize five shoreline projects from a total of nine possible shoreline access projects, as well as take feedback and priorities within certain individual projects. The meeting was well attended, with approximately 25 participants arriving throughout the evening (see Figure 1).



Figure 1 - April 19 2023 Proposed Projects Charrette

These nine projects were developed from an array of sources, including GIS analysis, existing long-range planning documents, community input from the first open house and a follow-up



stakeholder meeting between the City and upper Rock Creek property owners in February 2023. Projects (1-9) are summarized below:

1. Invest in online presence to make shoreline recreational opportunities more accessible.
2. SW Rock Creek Drive pedestrian improvements to enhance connection between waterfront and Rock Cove shorelines
3. Enhance pedestrian connections to waterfront west end between Rock Cove and waterfront
4. Enhance pedestrian connections to waterfront east end (adjacent to Kanaka Creek)
5. Create public access to lower Rock Creek
6. Create public pedestrian access to Rock Creek lower falls
7. Create public pedestrian access to Rock Creek upper falls
8. Rock Cove shoreline trail easement and stream enhancement (abutting mouth of Foster Creek)
9. Explore partnership with Columbia Gorge Interpretive Center for shoreline access

Further, a 2<sup>nd</sup> stakeholder meeting took place at the County Fairgrounds with County staff just before the charrette to better understand County future potential fairground projects in shoreline jurisdiction, and how this planning process can help facilitate and align with that effort. Shoreline restoration - including invasive species, non-native tree removal and native white oak and shoreline plantings were discussed, in-tandem with a formalized non-motorized boat launch near the Hegewald Center as near-term County projects discussed during this stakeholder meeting.

## CHARRETTE RESULTS

For the charrette itself, respondents had the opportunity to impact the nine initial identified projects in two meaningful ways:

1. Money exercise. Each attendee was given five \$1,000 bills to allocate to one, five or several projects between the nine. One participant also dedicated their \$5K to a separate restoration project not included amongst the nine. Results are summarized below:
  - Project 7 (Rock Creek path via County land to Rock Creek Falls): \$21K
  - Project 2 (SW Rock Creek Dr pedestrian improvements: enhancing connection between waterfront and Rock Cove shorelines): \$19K
  - Project 3 (Enhance pedestrian connections to waterfront west end): \$12K
  - Project 4 (Enhance pedestrian connections to waterfront east end): \$11K
  - Project 9 (Explore partnership with Columbia Gorge Interpretive Center for shoreline access): \$10K

Other projects were also “funded” as part of this exercise and will be included in the

report, but may have less of a focus regarding refined cost estimates and design analysis. These include project #6 (\$8K, pedestrian access to lower Rock Creek Falls), participant-offered project to fund aquatic invasive species management (\$5K), project #8 (\$4K, Rock Cove shoreline trail easement and stream enhancement), project #5 (\$4K, create public access to lower Rock Creek and creek bank enhancement), and project #1 (invest in online presence for shoreline public access amenities).

2. Dot stickers. All participants were able to help influence a particular alternative and show favored alternatives within several different projects. For example, Project #2 contained three different alternatives the City can consider when pursuing grant funding (see Figure 2 below).

**2 SW Rock Creek Drive pedestrian improvements: enhance connection between waterfront & Rock Cove shorelines**

**Objective Analysis:**  
There is a gap in shoreline access opportunities between the waterfront and Rock Cove, as well as a break in a potential continuous shoreline trail. There are physical challenges and ownership constraints to making an immediate connection along the shoreline. SW Rock Creek Drive contains a pedestrian pathway connecting the two shoreline access areas. Currently this key corridor includes crosswalks and a continuous sidewalk on one side of the street with different degrees of pedestrian-vehicle separation.

**Alignment with Long-Range Planning:**  
Multiple planning documents commissioned and adopted by the city have identified SW Rock Creek Drive as the primary route to connect pedestrians and cyclists between the waterfront, Rock Cove, and beyond, namely the 1991 Stevenson, Washington Pedestrian and Bicycle Links, Walker & Macy and 2012 Stevenson Wayfinding Master Plan by Rock Cove Design. Signage and street improvements have been recommended. As a result of these master planning recommendations, sidewalks on both sides of the street have been proposed previously.

**Community Support:**  
Multiple residents expressed the desire to have a continuous shoreline trail along the Columbia River, Rock Cove and beyond. More specifically, many comments addressed the gap between the Waterfront Trail and Rock Cove Trail, two primary shoreline destinations in the city. Related to this consensus was a desire to strengthen neighborhood connections to the shoreline. An enhanced and protected pathway would contribute to a strengthened connection between two prominent trails.

**Existing Conditions**

**Enhancement Options**

Satisfies Shoreline Public Access and Trail Plan Goal:  
Increase public access to publicly owned areas of the shorelines (RCW 90.58.020(5))

**a Improve Wayfinding:** Add on-the-ground wayfinding to clarify the connection between the waterfront and Rock Cove. The City of Stevenson Wayfinding Master Plan has guidelines for the installation of pavement markers. Markers could use the plan's Artisan Medallion graphics created for each area. Markers or paint can be added to the existing sidewalk.

**b Improve Pedestrian Experience:** Add sidewalk to south side of SW Rock Creek Drive, maintain parked car lanes on both sides, and add landscape strip to one side of the street only. This option can be combined with wayfinding improvements.

**c Protected Multi-Use Trail:** Add multi-use paved trail to one side of SW Rock Creek Drive with a wide landscape buffer. This option has the most emphasis on pedestrian safety and allows for heavy use including bicyclists. A sidewalk and parked car lane remain on the opposite side of the street.

**\* NOTE FOR YOUR FAVORITE STREET OPTION**

**Orange way finding Dan Ayres already in place**

**NO MORE SIGNAGE KEEPING TRAIL FEELS RURAL CHARACTER - PEOPLE WHO LIVE HERE CRAVE IT**

**Legend**

- 1 SW Rock Creek Drive with 60-ft ROW
- Start of Rock Cove Trail Segment
- Existing Continuous Sidewalk (North side of SW Rock Creek Drive Only)
- Existing Striping for On-Street Parking
- Existing Fire Hydrant
- End of Sidewalk on South Side of SW Rock Creek Drive
- Existing City Standard Decorative Lamp Post
- Existing Crosswalk
- Begin Mill Pond Trail

**City of Stevenson | 2 | Line Public A**

**STEVENSON D.C.G. WATERSHED**

Figure 2 - April 19 2023 Proposed Projects Charrette – Project #2 dot exercise

Here, participants prefer options #1 (enacting City Wayfinding Plan between City park property at intersection of SW Rock Creek Dr and Highway 14 to the Mill Pond Trail entrance) and #2 (placing sidewalk on north end of street between each destination).

Project #9 also gained significant interest with this dot exercise (see Figure 3).

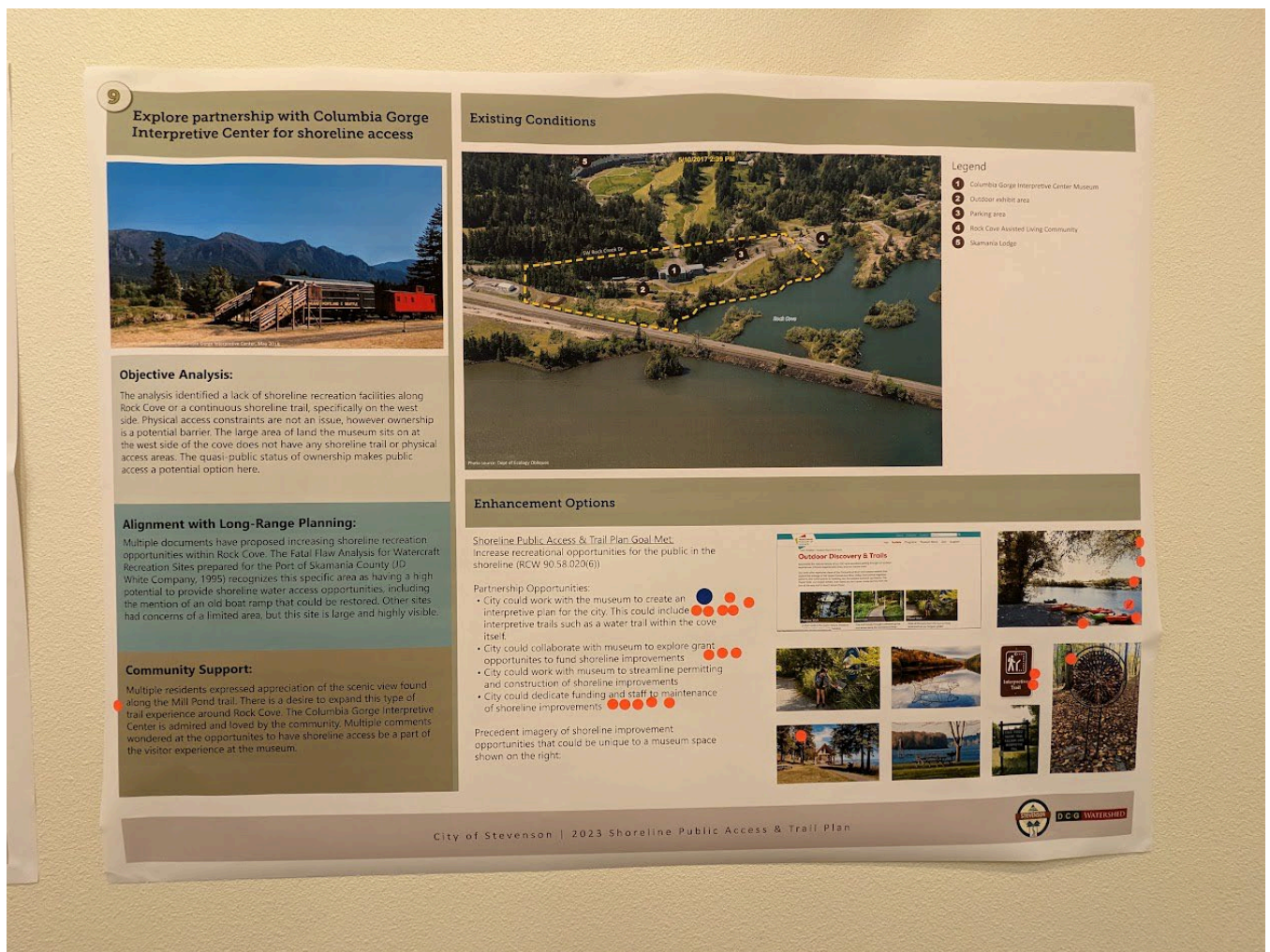


Figure 3 - April 19 2023 Proposed Projects Charrette – Project #9 dot exercise

Here, participants placed a heavy emphasis on providing an interpretive trail as a collaborative effort between City and Museum, exploring grant opportunities for non-motorized water access improvements.

## NEXT STEPS

Following this charrette and initial findings found within, the City and consultant will finalize the plan, including project background, goals and objectives, project analysis methodology potential funding sources, permitting implications, and a project description and matrix for all nine projects (plus the County fairgrounds and participant-volunteered project), at a high level. A special focus on more refined design concepts and initial cost estimates will be conducted for the five prioritized projects identified during the charrette. With the Ecology grant expiring June 30<sup>th</sup> 2023, the vast majority of this remaining report work will occur this month, May 2023.

A presentation to City Council as part of their June meeting will allow council members and the public to view the completed plan, overall project timeline and accomplishments, as well as next steps towards implementation via grant funding. Councilmember Wyatt, Mayor Anderson, (along with Planning Commissioner Ray) have been involved as the project steering committee from the start to ensure a smooth transition towards plan adoption. This plan may also identify

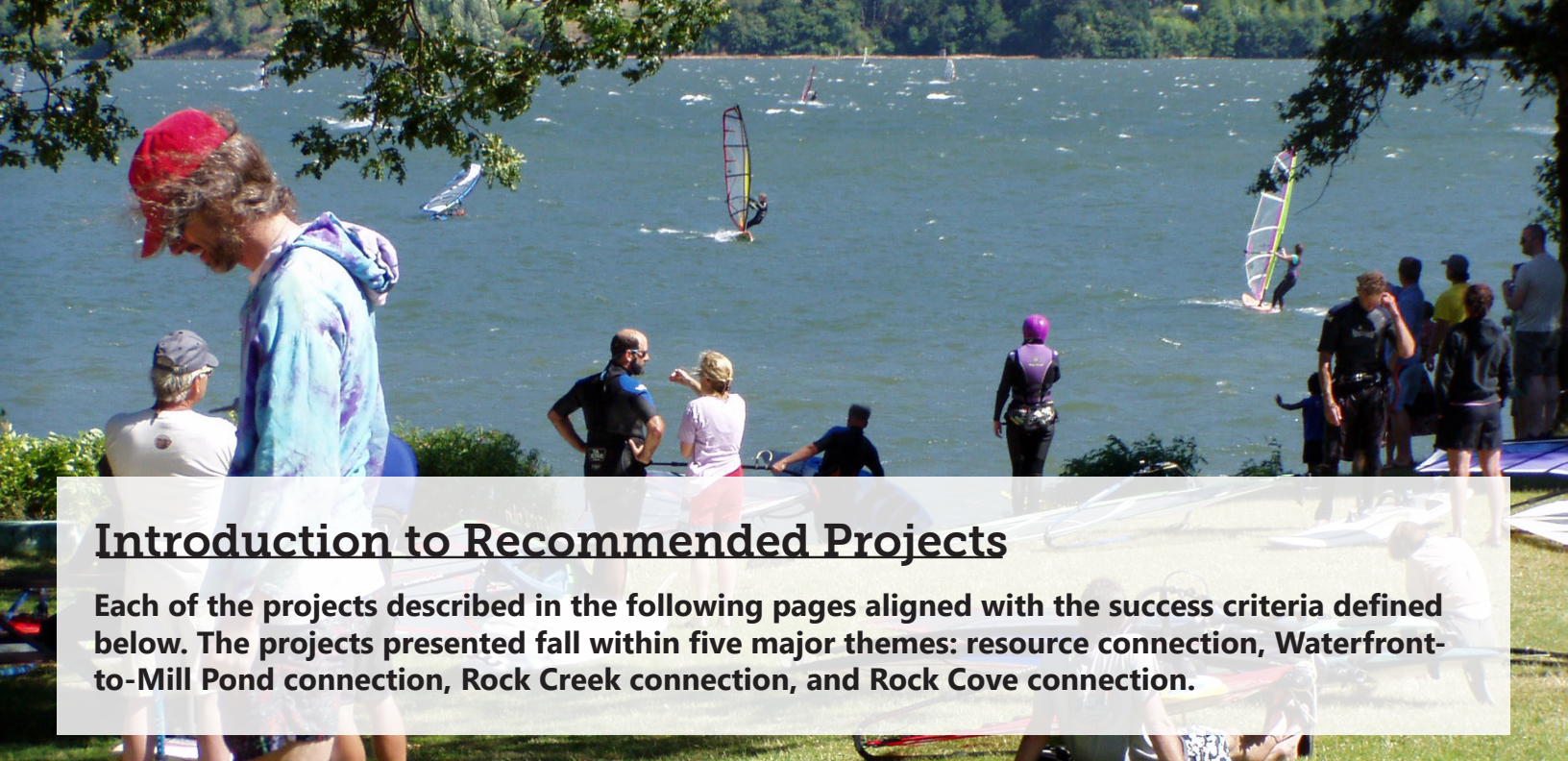
future possible SMP amendments -as necessary- to better align with these proposed projects, to be brought before Ecology (as well as City officials) for consideration after the June 30<sup>th</sup> grant deadline.

## ATTACHMENTS

Presentation boards for nine potential shoreline public access trails: [https://dcgwatershed-my.sharepoint.com/:b:/p/acapron/EVHAhxxWoCNOh9fCSh0MVplBsJWzM\\_gRlFvCrK\\_4Y13Y9g?e=uO3KOj](https://dcgwatershed-my.sharepoint.com/:b:/p/acapron/EVHAhxxWoCNOh9fCSh0MVplBsJWzM_gRlFvCrK_4Y13Y9g?e=uO3KOj)

## SCHEDULE

- Project Kick-off (October 2023)
- Public Engagement Plan (January 2023)
- Public Meeting #1 Open House (February 2023)
- Planning Commission Meeting - April 10<sup>th</sup>, 2023
- Public Meeting #2 Charrette April 19<sup>th</sup>, 2023
- **Planning Commission Meeting – May 8<sup>th</sup>, 2023**
- City Council Meeting – June 15<sup>th</sup>, 2023
- Ecology grant closes – June 30<sup>th</sup>, 2023



## **Introduction to Recommended Projects**

Each of the projects described in the following pages aligned with the success criteria defined below. The projects presented fall within five major themes: resource connection, Waterfront-to-Mill Pond connection, Rock Creek connection, and Rock Cove connection.

### **Success Criteria for Shoreline Access & Trail Enhancement Projects**

#### **Objective Analysis:**

A digital geospatial analysis was conducted to examine connectivity and natural, physical, and experiential factors within the shoreline jurisdiction. Factors were scored according to different criteria indicating suitability for incorporation into the city's trails network. Features representing obstacles or barriers to trail use or construction, such as steep slopes or major roadways, were scored as low suitability. And features representing benefits or value to trail use or construction, such as scenic or experiential character or close connectivity to existing trails, were scored highly. The result is an objective scoring identifying priority links and nodes for trail development.

#### **Alignment with Long-Range Planning:**

The City of Stevenson has many long-range planning documents that guide the city's growth, development, and management of critical resources. Several plans, such as the SMP and Downtown Plan, are authored by the city; while other documents are contributed by key stakeholders, such as the Port. Together, these documents represent substantial investment and long-term study into the community's specific needs and issues. As part of the trail plan, a review of applicable planning documents was performed to identify past and present recommendations relevant to shoreline trail and recreation planning.

#### **Community Support:**

Community support is demonstrated by data collected through the public outreach and engagement process. Specific activities conducted to support the shoreline recreational planning effort included a promotional campaign and direct outreach to stakeholders representing a wide array of interest. Visitors, residents, property and business owners, as well as interested agencies and organizations were invited to participate in informational sessions about the planning effort and feedback exercises, such as surveys and workshops. Feedback was compiled and analyzed to identify key recommendations yielded from community input.

# Legend

- Primary routes related to shoreline access
- Primary downtown pedestrian network
- Existing shoreline trails and amenities
- Existing pedestiran experience on or along shoreline on sidewalk
- Missing pedestrian connection
- Informal seasonal trail along creek
- Future desired trail
- Neighborhood flow into downtown

**ROCK CREEK CONNECTION:**

**P**

**WATERFRONT CONNECTION:**

**P**

**ROCK COVE CONNECTION:**

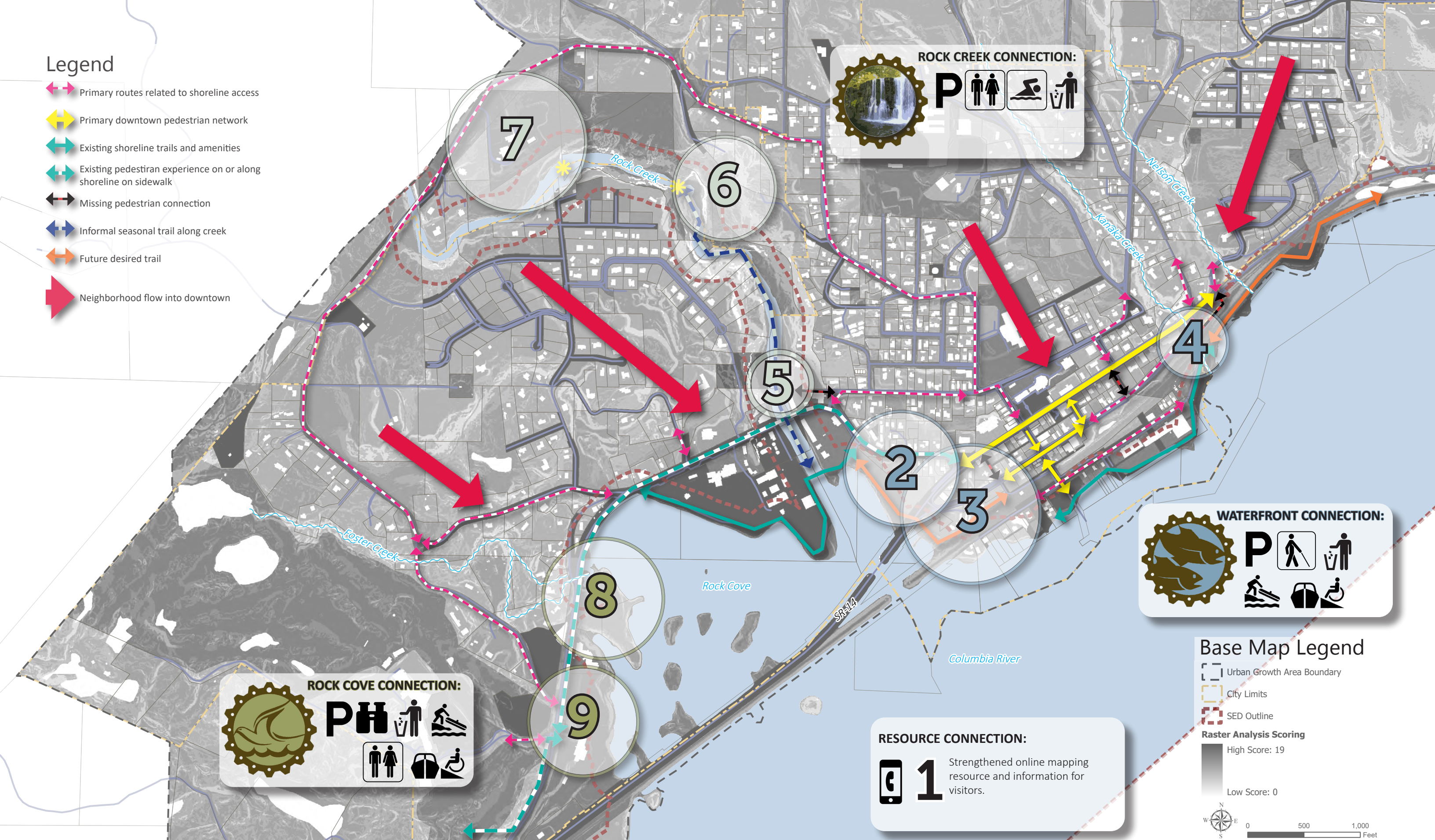
**PH**

**RESOURCE CONNECTION:**

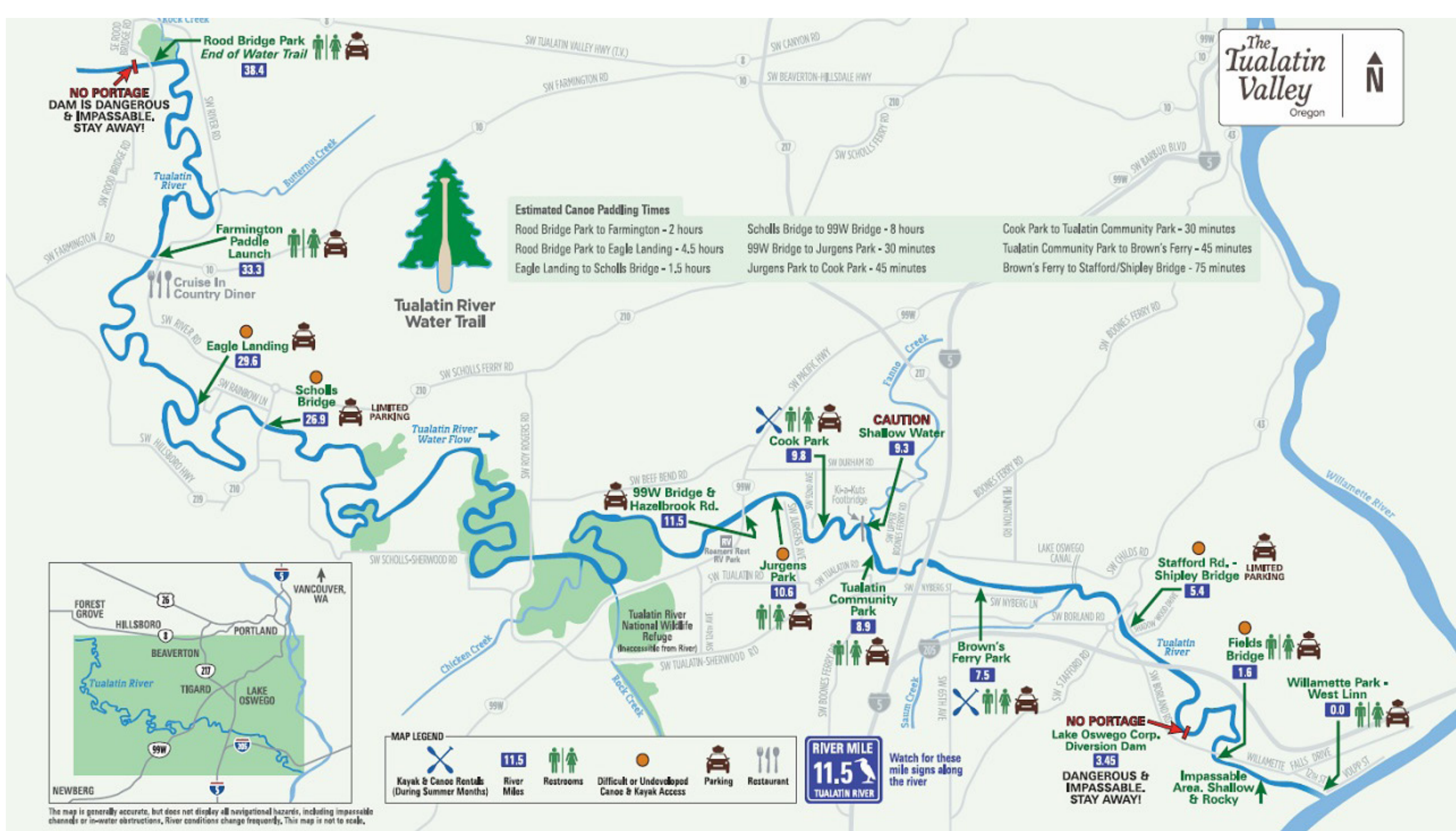
**1** Strengthened online mapping resource and information for visitors.

## Base Map Legend

- Urban Growth Area Boundary
  - City Limits
  - SED Outline
  - Raster Analysis Scoring
    - High Score: 19
    - Low Score: 0
- 



# Invest in online presence to make shoreline recreational opportunities more accessible



## Objective Analysis:

The recreational opportunities analysis revealed a gap that can limit public shoreline access. Specifically, it revealed the lack of a single resource for verified and up-to-date information on recreational opportunities and amenities. While information is published separately across many sources, including recreational opportunity providers and informal user forums, information was found to be incomplete, conflicting, or incorrect.

## Alignment with Long-Range Planning:

A review of planning documents yielded many project ideas and recommendations as well as planning tools for processes or incentives to move plans forward. Many of the projects included outreach and utilized online surveys and communication. No previous plan however has addressed the opportunity to make information about existing opportunities more accessible online. The current city parks website includes only city-owned and maintained parks.

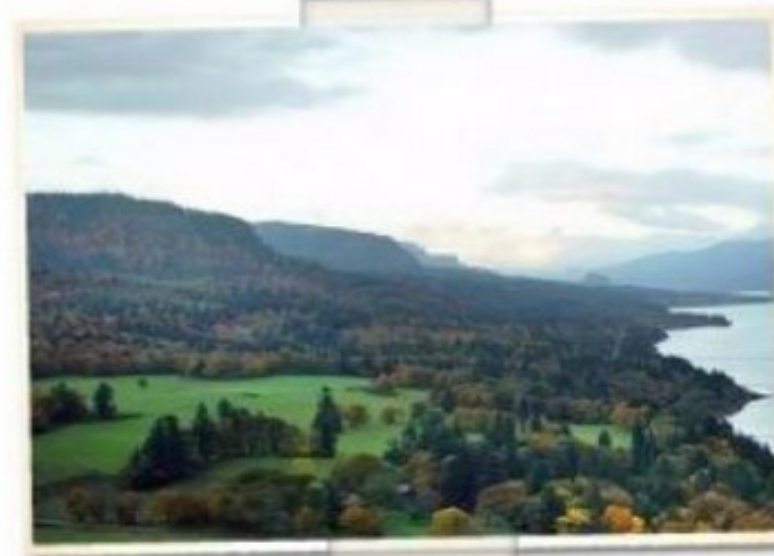
## Community Support:

Members of the community have expressed frustration over visitors acting on incorrect information they found online. Public trespass through private property to access Rock creek is an example. Regardless of signage on site, visitors are led on by online descriptions. Neighbors would like to redirect trespassers, but currently have no resource to direct them to. Other public comments included support of a webpage that included amenities, as well as rules and regulations.

# Existing Conditions

## Visit Stevenson

On the banks of the scenic Columbia River, the city of Stevenson is your launch pad to the Washington side of the Gorge. Just 45 minutes from Portland or Vancouver, and three and a half hours from Seattle, Stevenson is perfect to visit for the day, the weekend or an extended vacation.



A stroll along the Rock Cove pathway or the Columbia River waterfront is a great way to take in our surroundings. Downtown Stevenson is home to unique shops, art galleries, and restaurants. Not to mention our award-winning local brewpub.

Just up the hill from downtown is the Columbia Gorge Interpretive Center Museum. Venture back in time. View the cataclysmic formation of the Gorge and artifacts from Native American tribes and early settlers in the area.

Stevenson is in the heart of the Columbia River Gorge National Scenic Area. And there's even more to discover in the Gifford Pinchot National Forest to the north. Explore the eastern entrance to Mount St. Helens or the spectacular Lewis River Valley.

In Stevenson, there's something for everyone. Head off on your favorite outdoor activity, or try something new. Perhaps just sit at Bob's Beach and watch the colorful sails of windsurfers and kiteboarders as they harness the powerful winds of the Columbia Gorge. Heck, while you're at it, break out the laptop and harness the power of Stevenson's free Wi-Fi.

## Community

Jobs in the City

Library

Schools

Start a Business

Utilities

Visit Stevenson

Driving Directions

History

Interpretive Center Museum

Local Weather

Public Art

Public Transportation

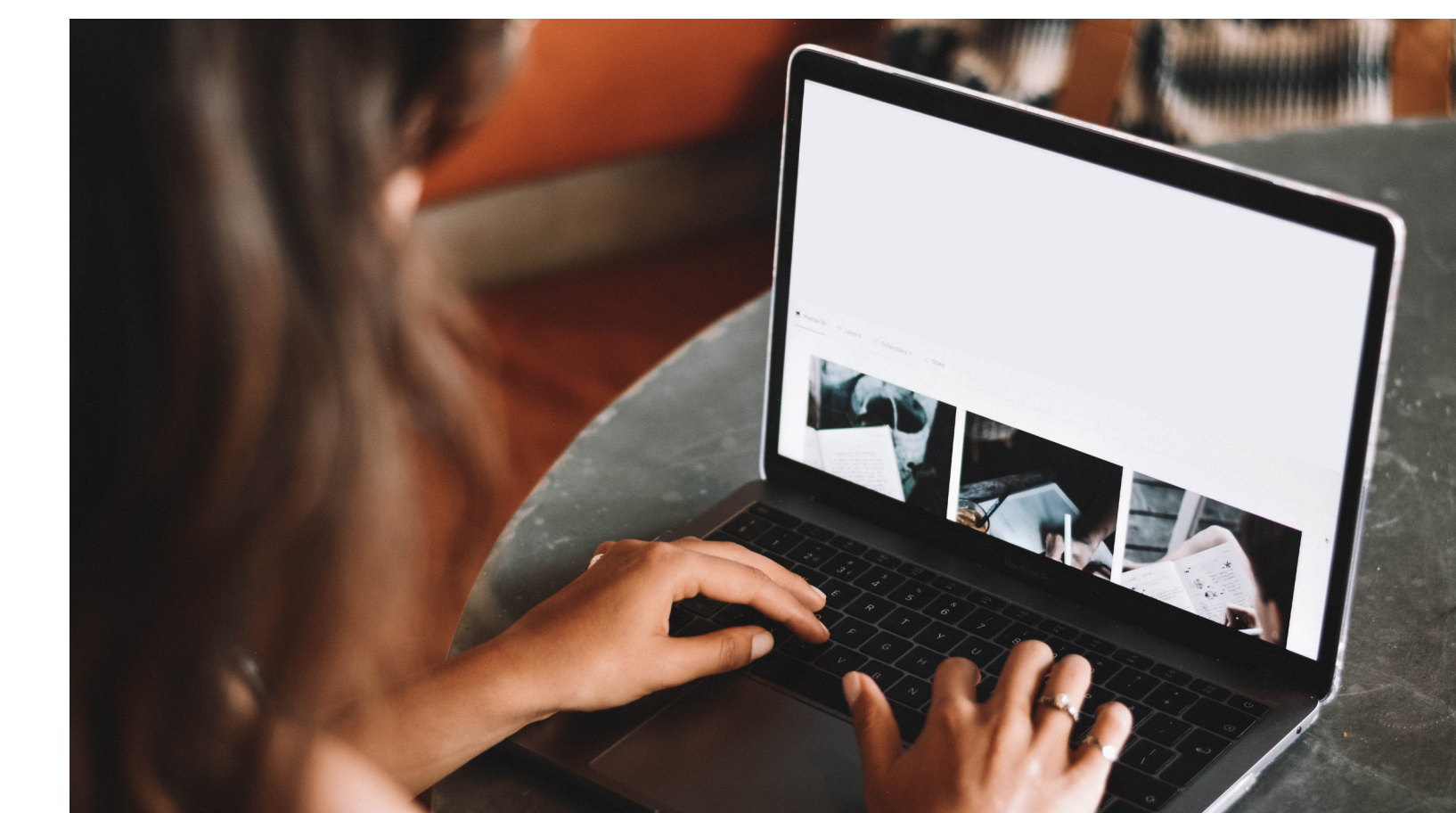


## Contact Information

City Hall  
7121 E. Loop Road  
Stevenson, WA 98648

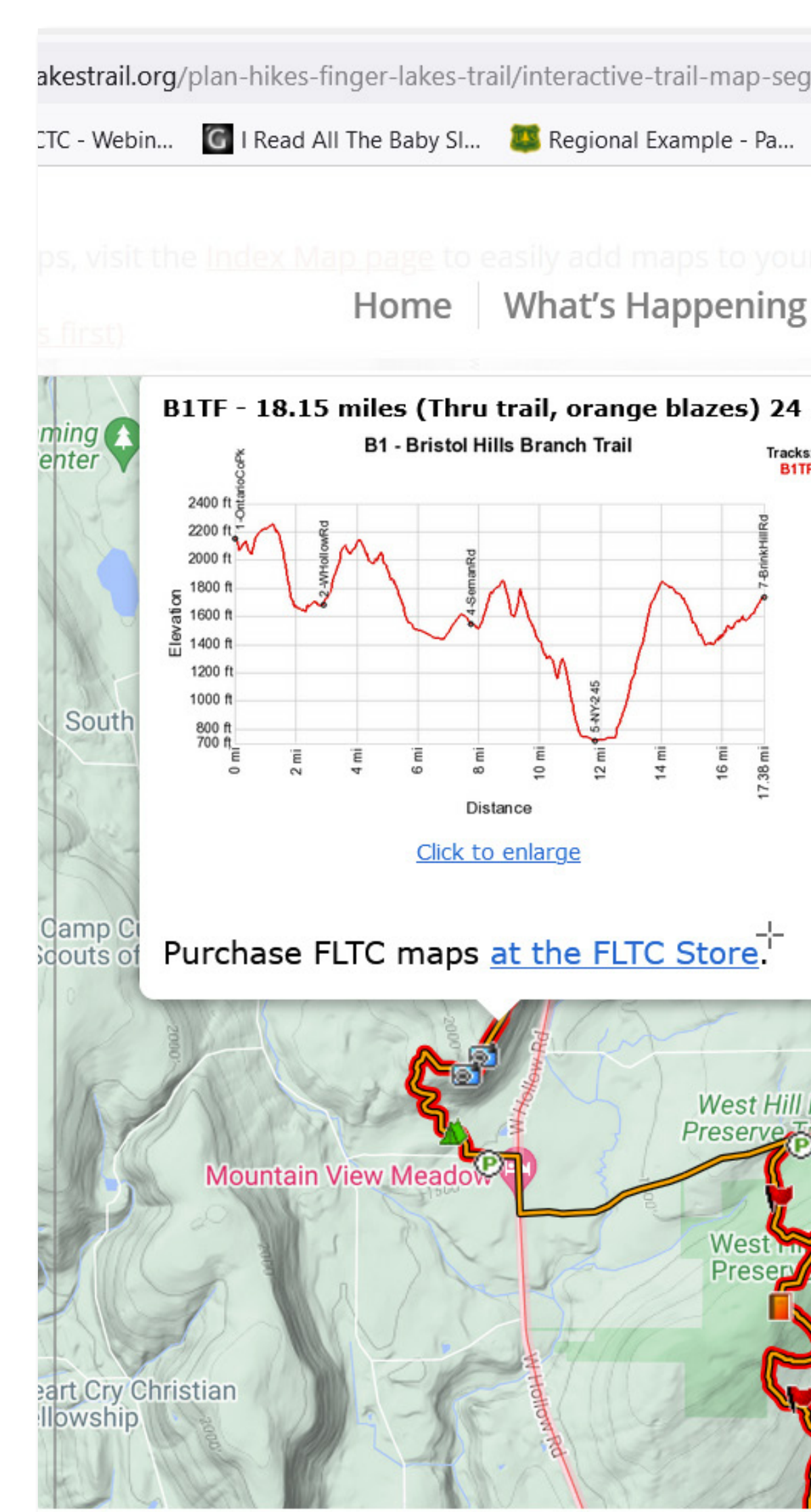
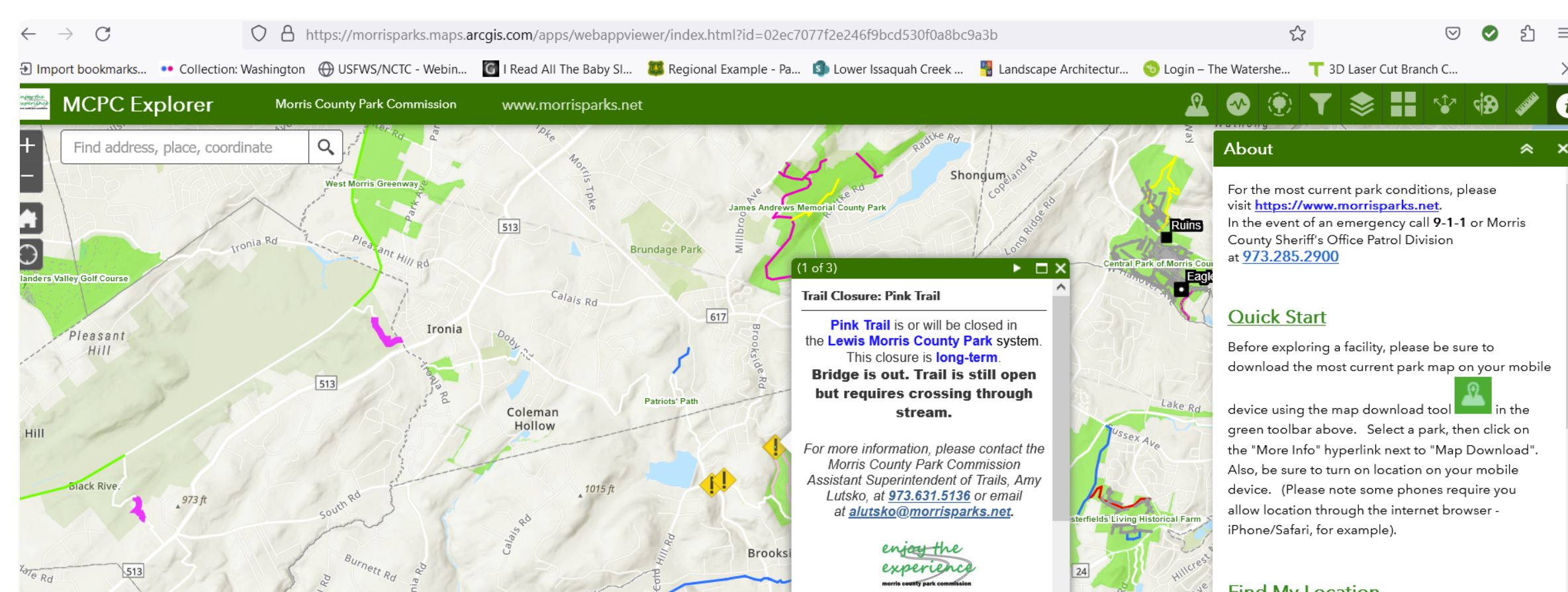
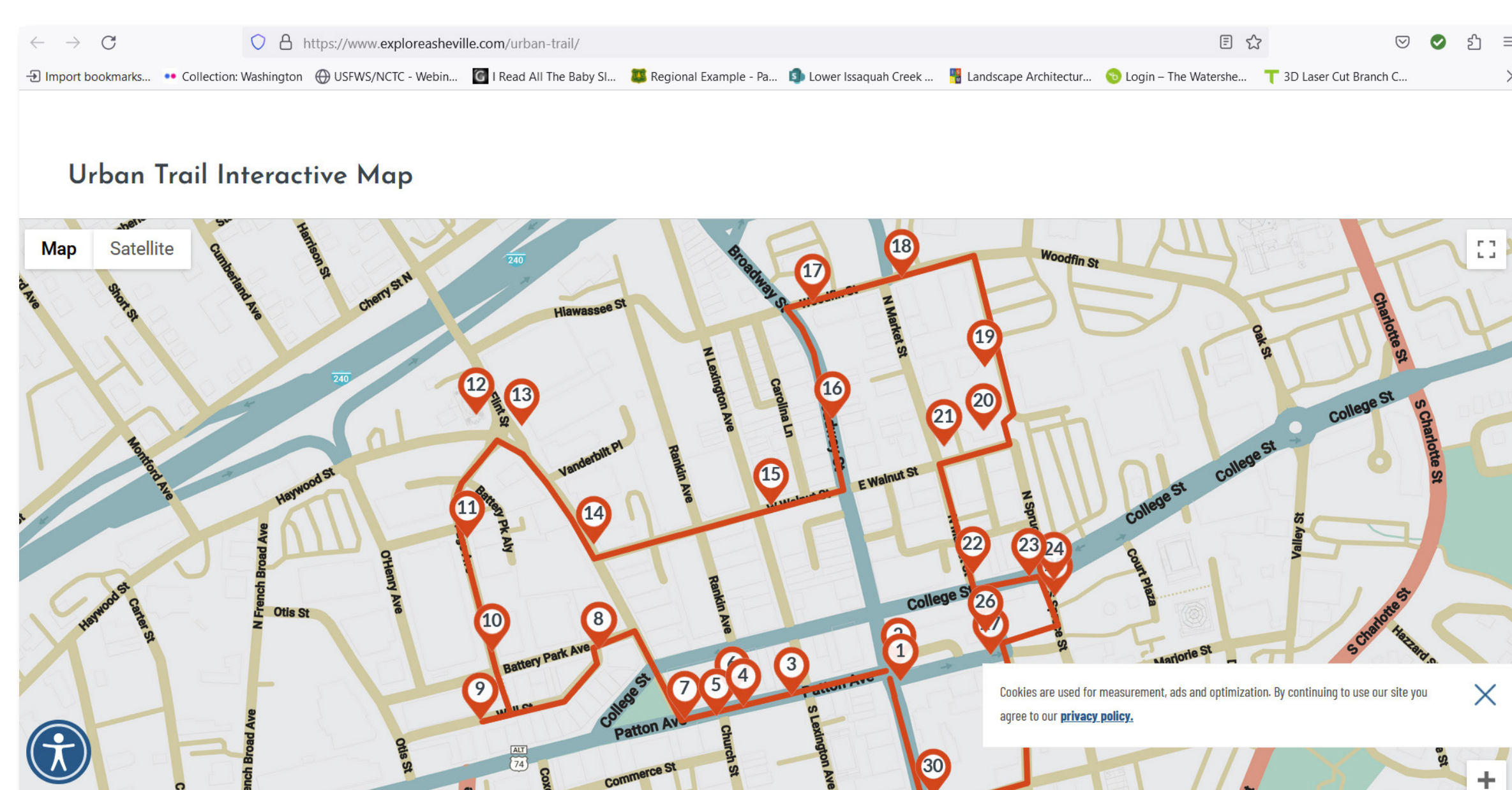
Mailing Address

The city's current website provides visitor information under the 'Visit Stevenson' tab; however, it lacks any information about shoreline recreational use and amenities on the Columbia River, Rock Cove, and Rock Creek.



Residents and visitors increasingly rely on internet resources for information about recreational amenities and opportunities. Land managers, like agencies and municipalities, often provide reliable and current information. When an official source is absent or hard to find, second-hand information is shared through informal sources, like message boards and recreational user forums.

# Enhancement Options



The city could enhance its existing website by adding a button to 'Explore the shore' that leads users to shoreline recreation opportunities, events and activities, including non-city-owned public access options.

The website could provide information to direct and guide recreational visitors, such as by providing directions to public shoreline access points and parking, while directing visitors away from private, inaccessible, or sensitive areas. Content could be updated easily to feature seasonal or timely content, such as wildlife migration or invasive species alerts. Rules and regulations related to shoreline recreation could also be described.

Images on the left show various examples of interactive maps hosted by cities and non-profit organizations. These maps allow users to see not only the overall extent of and connections between recreation opportunities, but also to find out more detail about individual trails or amenities.

## 2 SW Rock Creek Drive pedestrian improvements: enhance connection between waterfront & Rock Cove shorelines



### Objective Analysis:

There is a gap in shoreline access opportunities between the waterfront and Rock Cove, as well as a break in a potential continuous shoreline trail. There are physical challenges and ownership constraints to making an immediate connection along the shoreline. SW Rock Creek Drive contains a pedestrian pathway connecting the two shoreline access areas. Currently this key corridor includes crosswalks and a continuous sidewalk on one side of the street with different degrees of pedestrian-vehicle separation.

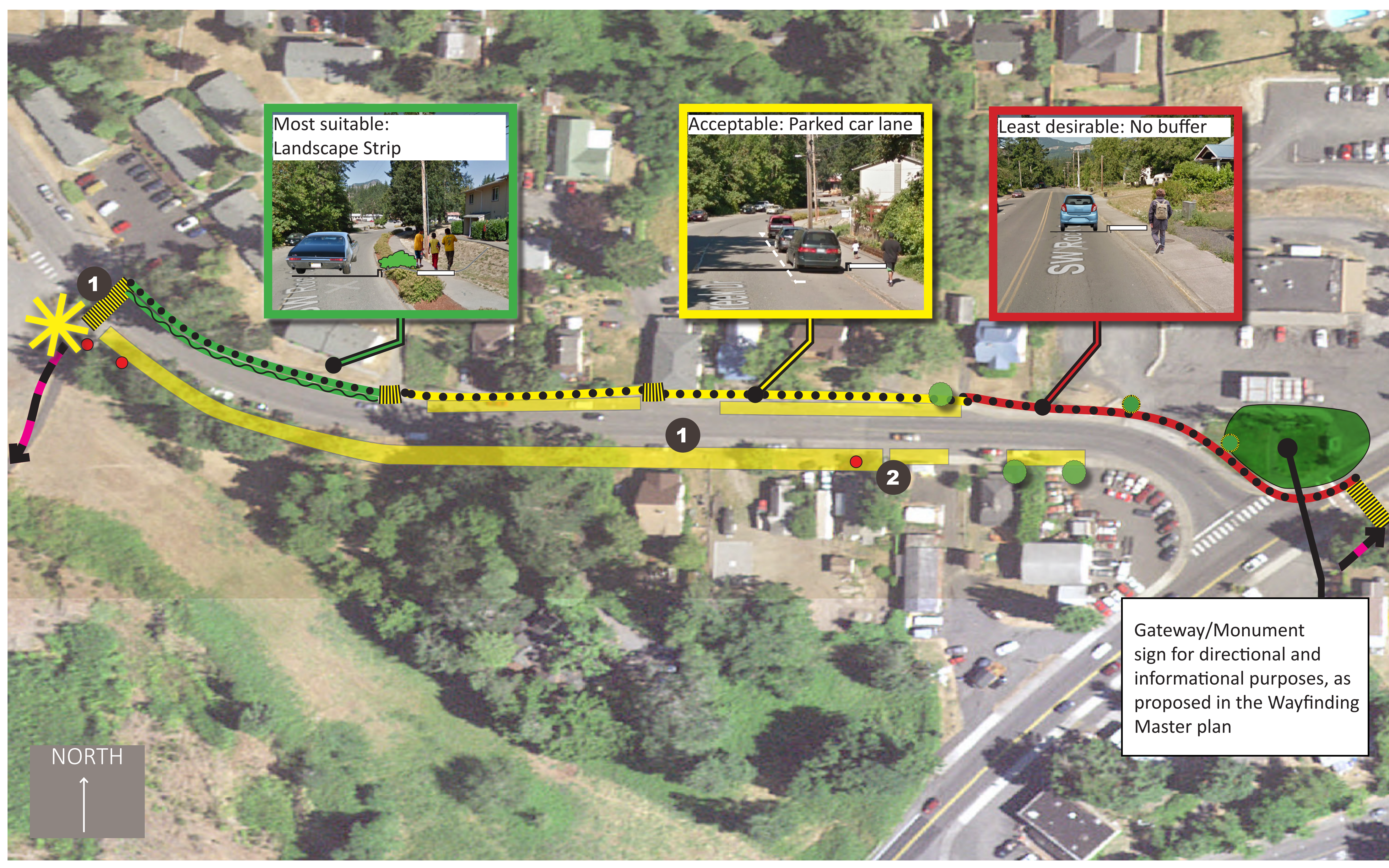
### Alignment with Long-Range Planning:

Multiple planning documents commissioned and adopted by the city have identified SW Rock Creek Drive as the primary route to connect pedestrians and cyclists between the waterfront, Rock Cove, and beyond, namely the 1991 Stevenson, Washington Pedestrian and Bicycle Links, Walker & Macy and 2012 Stevenson Wayfinding Master Plan by Rock Cove Design. Signage and street improvements have been recommended. As a result of these master planning recommendations, sidewalks on both sides of the street have been proposed previously.

### Community Support:

Multiple residents expressed the desire to have a continuous shoreline trail along the Columbia River, Rock Cove and beyond. More specifically, many comments addressed the gap between the Waterfront Trail and Rock Cove Trail, two primary shoreline destinations in the city. Related to this consensus was a desire to strengthen neighborhood connections to the shoreline. An enhanced and protected pathway would contribute to a strengthened connection between two prominent trails.

## Existing Conditions



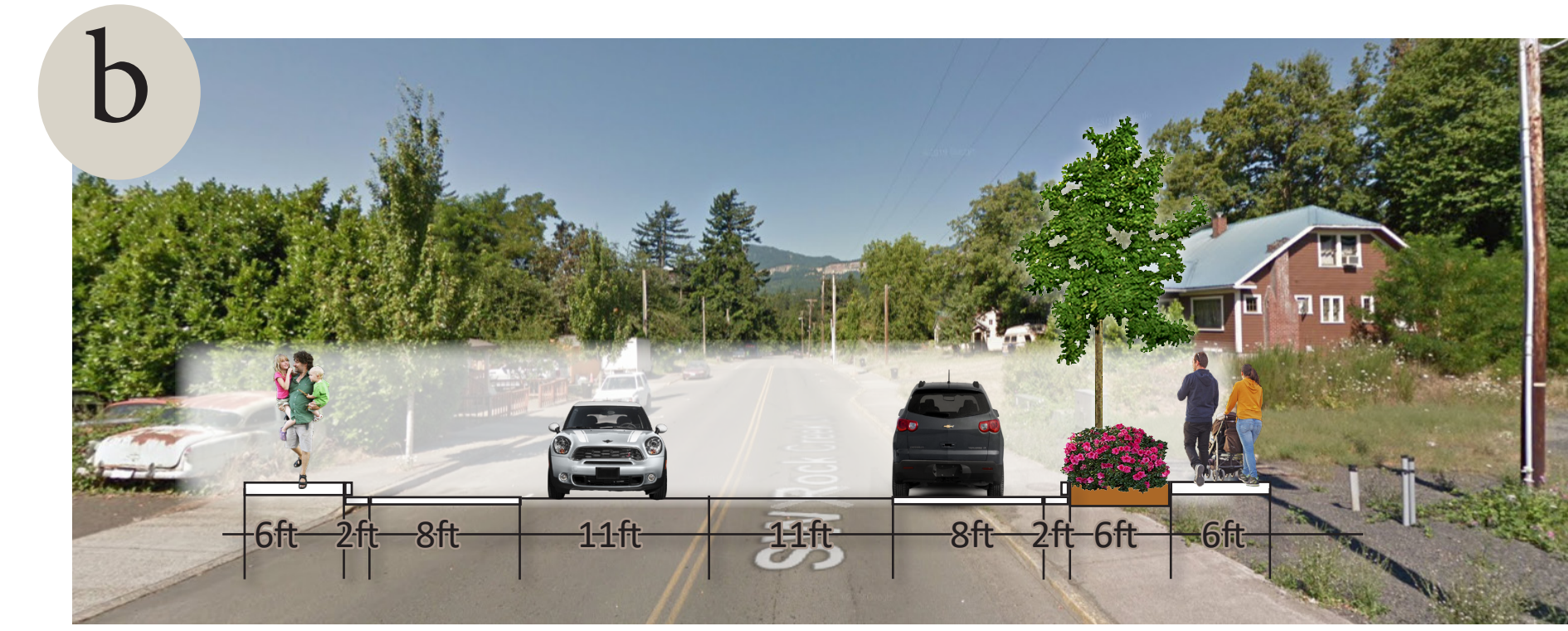
- Legend**
- 1 SW Rock Creek Drive with 60-ft ROW
  - Start of Rock Cove Trail Segment
  - Existing Continuous Sidewalk (North side of SW Rock Creek Drive Only)
  - Existing Striping for On-Street Parking
  - Existing Fire Hydrant
  - 2 End of Sidewalk on South Side of SW Rock Creek Drive
  - Existing City Standard Decorative Lamp Post
  - Existing Crosswalk
  - Begin Mill Pond Trail

## Enhancement Options

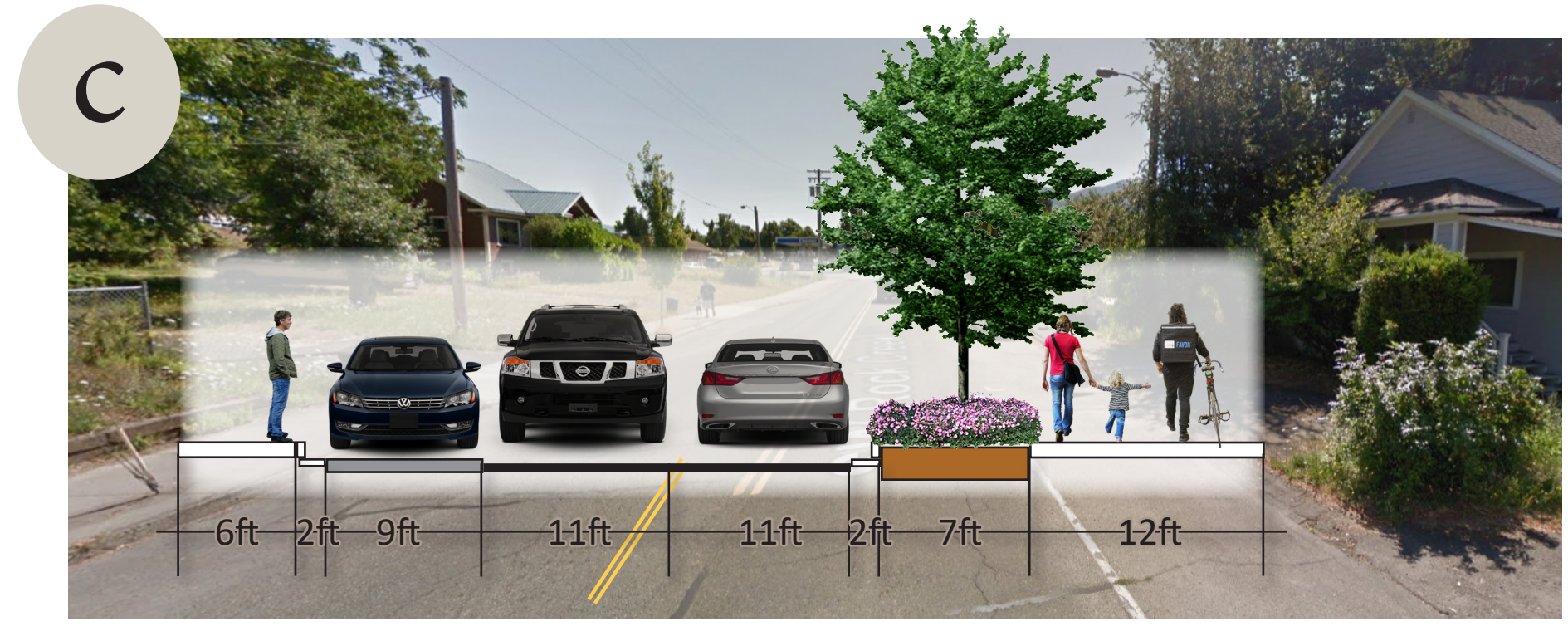
Satisfies Shoreline Public Access and Trail Plan Goal:  
Increase public access to publicly owned areas of the shorelines (RCW 90.58.020(5))



**Improve Wayfinding:** Add on-the-ground wayfinding to clarify the connection between the waterfront and Rock Cove. The City of Stevenson Wayfinding Master Plan has guidelines for the installation of pavement markers. Markers could use the plan's Artisan Medallion graphics created for each area. Markers or paint can be added to the existing sidewalk.



**Improve Pedestrian Experience:** Add sidewalk to south side of SW Rock Creek Drive, maintain parked car lanes on both sides, and add landscape strip to one side of the street. This option can be combined with wayfinding improvements.



**Protected Multi-Use Trail:** Add multi-use paved trail to one side of SW Rock Creek Drive with a wide landscape buffer. This option has the most emphasis on pedestrian safety and allows for heavy use including bicyclists. A sidewalk and parked car lane remain on the opposite side of the street.



3

### Enhance pedestrian connections to waterfront west end



#### Objective Analysis:

(An image showing current shoreline amenities and access on the west side of the waterfront, near the terminus of Russell Ave.) Private ownership and a lack of right-of-way parcels limits public shoreline access near the terminus of Russell Ave. Physical challenges of the site could be mitigated during design. The railroad and State Route 14 are significant barriers to a safe pedestrian crossing experience.

#### Alignment with Long-Range Planning:

Recent planning documents, including a vision for downtown, have focused on linking Rock Creek shorelines through downtown to the Columbia River waterfront. One concept included an extension of Rock Creek Drive south towards the waterfront. This connection would meet Comprehensive Plan Transportation & Circulation Goal 7.4 to “develop a plan for safe and convenient alternative forms of transportation, such as bikeways, walkways, and pathways.”

#### Community Support:

A continuous shoreline trail between the waterfront and Rock Cove is highly desired by the public. The current connection is through downtown, however many comments expressed support for a multi-modal trail and additional shoreline access opportunities in the area between the two existing trails.

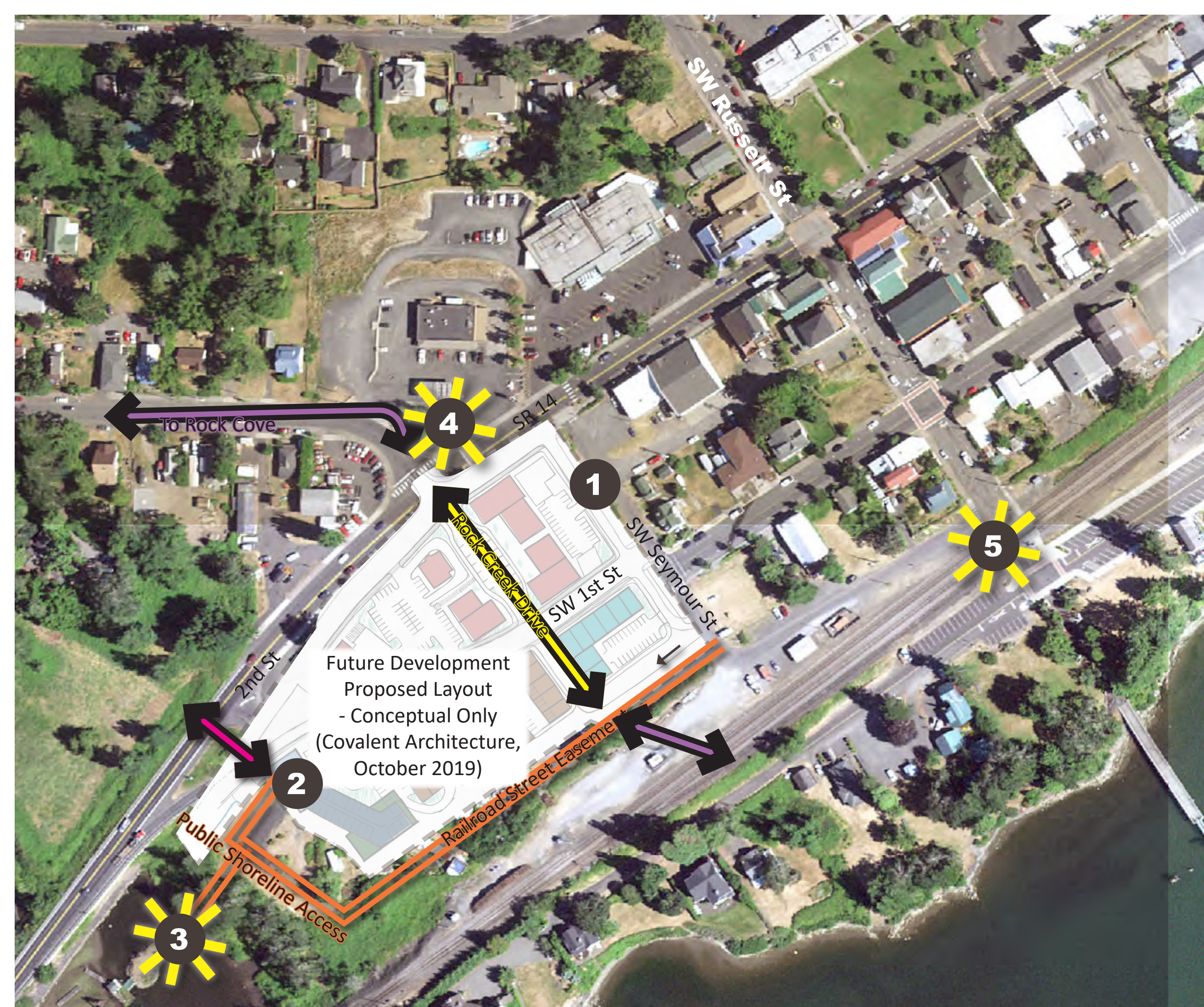
### Existing Conditions



#### Legend

- 1 Western end of waterfront public pedestrian access area
- Existing pedestrian connection to Rock Cove shoreline trail and amenities
- Gateway to Waterfront public shoreline access area
- Private land and gap in public shoreline access and amenities, and connection to Rock Cove shoreline trail

### Enhancement Options



#### Legend

- Proposed Railroad Street Public Access easement to connect to shoreline
- Example of one concept plan for future development of the west end of the waterfront
- Recommended extension of SW Rock Creek Drive through to 1st Street and Railroad Street with future development
- Recommended location for public access to shoreline and /or shoreline recreational amenity
- Proposed public water access via easement
- Gateway Park and pedestrian access to Rock Cove shoreline trail
- Gateway to central Waterfront public shoreline access area
- Future consideration of public trail extension via easement under SR-14 and BNSF Railroad

Shoreline Public Access & Trail Plan Goal Met: Increase recreational opportunities for the public in the shoreline (RCW 90.58.020(6))

#### Sequence of Effort:

- City coordinates with developers to understand opportunities for easement for public shoreline access
- City works with developers to streamline permitting and construction of shoreline improvements
- City dedicates funding and staff to maintenance of shoreline improvements

## Enhance pedestrian connections to waterfront east end



### Objective Analysis:

The analysis identified gap between public trails and amenities along the waterfront and the east end of the city. An existing railroad underpass provides an opportunity for connection across the railroad right-of-way, but it lacks pedestrian safety measures. Currently, the underpass consists of a gravel and asphalt road that is informally shared by both vehicles and pedestrians. The road ends at SR-14 where there are no sidewalks or crosswalks.

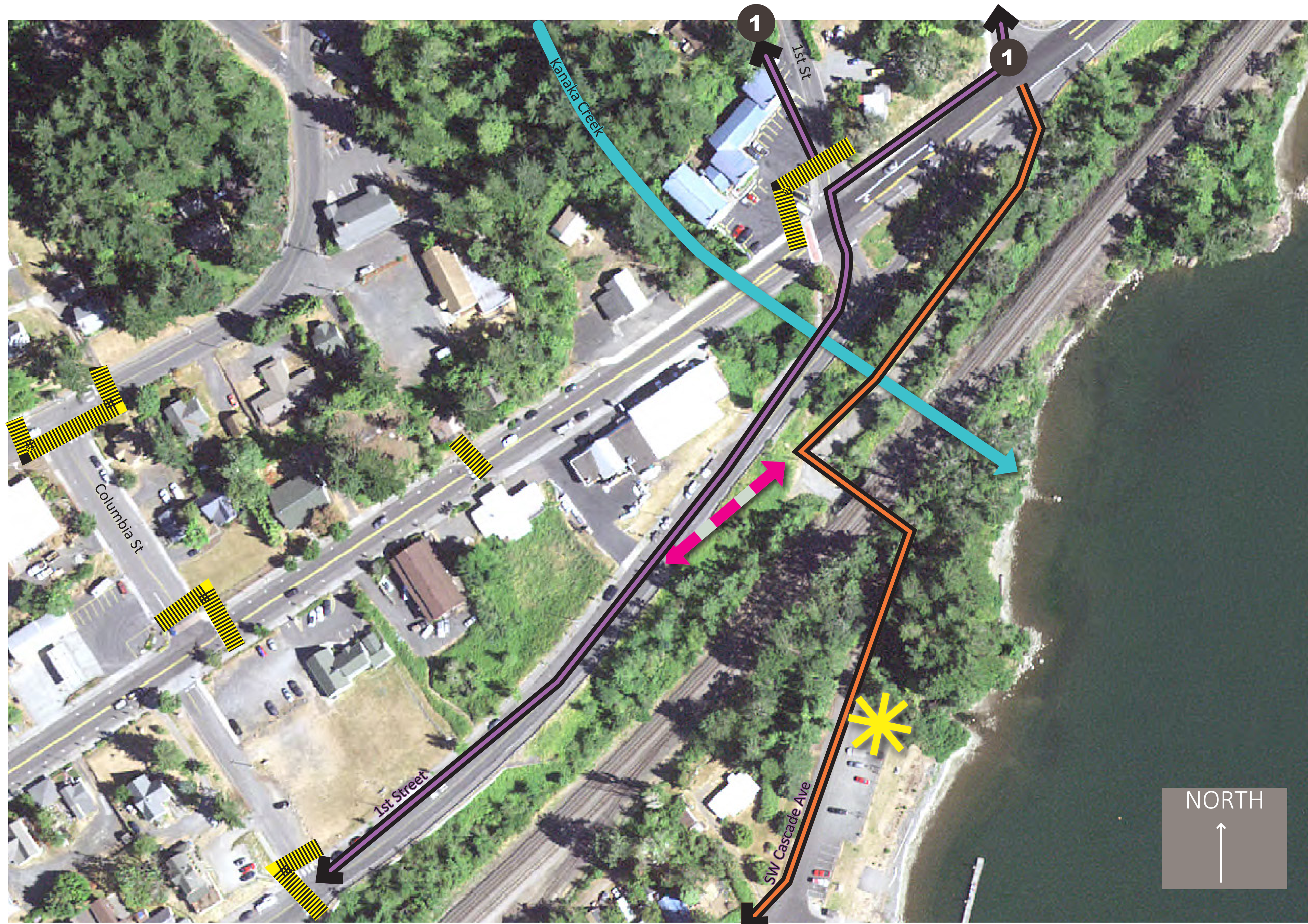
### Alignment with Long-Range Planning:

In the past 30 years, many public planning documents have proposed improvements to connect to the east side of the waterfront. Multiple projects have recommended improvements to Columbia Street and 1st Street to enhance pedestrian safety and increase connectivity. A 75% design construction document set for 1st Street acknowledges an existing informal path connection to the underpass and shoreline. Further, the culvert at 1st Street and Kanaka Creek is a known fish barrier.

### Community Support:

Multiple residents expressed the desire to have safer and improved access to the waterfront and waterfront trail from the east side of the city. Residents admitted they often crossed SR 14 outside of the crosswalk, climbing over guard rails to get to the shoreline. Beyond the large area of new housing already under development, demand for new homes and redevelopment of existing homes is expected to increase over time.

## Existing Conditions



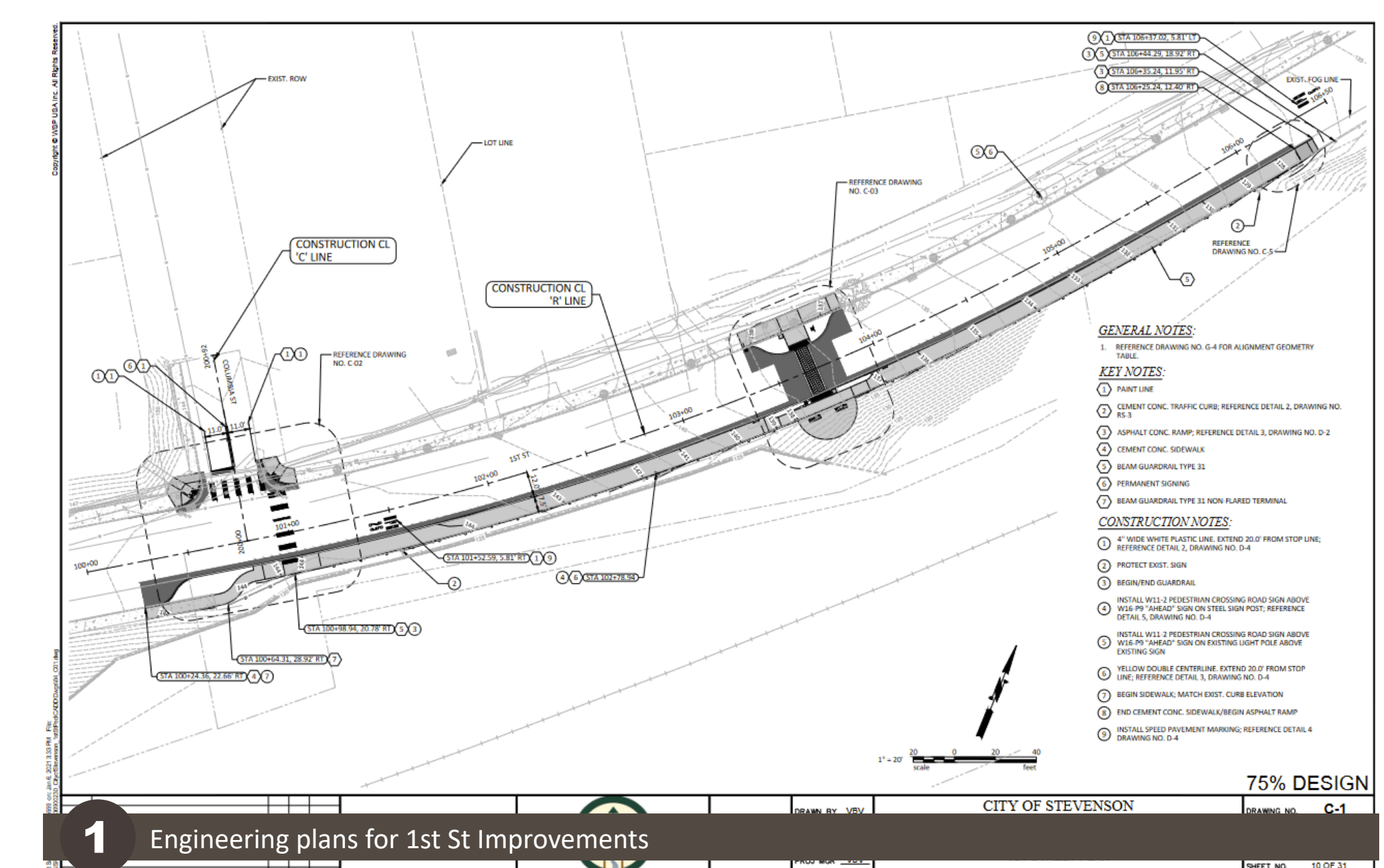
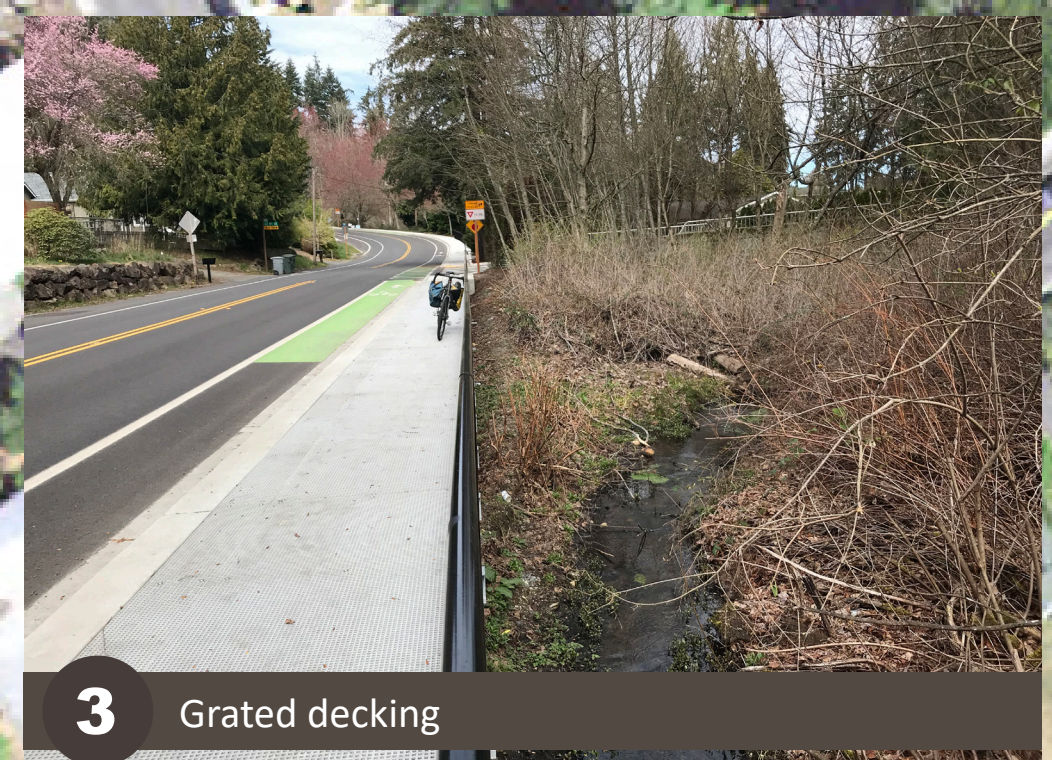
### Legend

- Eastern end of waterfront public pedestrian access area and Cascade Boat Launch
- Existing informal pedestrian connection via railroad underpass
- Informal dirt trail between asphalt road and 1st street guardrail
- Section of 1st St has sidewalk on north side only
- Existing crosswalks
- Two main roads connecting eastside neighborhoods to the shoreline

## Enhancement Options



**Shoreline Public Access & Trail Plan Goal Met:** Increase recreational opportunities for the public in the shoreline (RCW 90.58.020(6))



### Legend

- Eastern end of waterfront public pedestrian access area and Cascade Boat Launch.
- Pedestrian improvements to Kanaka Creek Underpass. Add signage to warn drivers to 'share the road' with pedestrians. Also, future environmental study adding pedestrian improvements (see grated decking example #3) adjacent to existing roadway.
- Formalize dirt path into paved pedestrian connection to 1st street once sidewalks are constructed on the south side.
- Continue and implement existing 1st street improvements project, expanding scope to include trail connection, including grated decking trail adjacent to existing gravel roadway over Kanaka Creek.
- Commission study to create safe pedestrian crossing between SW Cascade Ave and Lutheran Church Rd across SR14.

# Create public access to lower Rock Creek



## Objective Analysis:

The analysis of shoreline jurisdiction within this reach found that the banks of the lower reach were physically less steep than the upper reach. An inventory of known recreational use found a gap in public areas to access lower Rock Creek and found recreational features to be lacking. In addition, the analysis identified an opportunity to provide public access on the small city-owned parcel adjacent to Rock Creek in the lower reach.

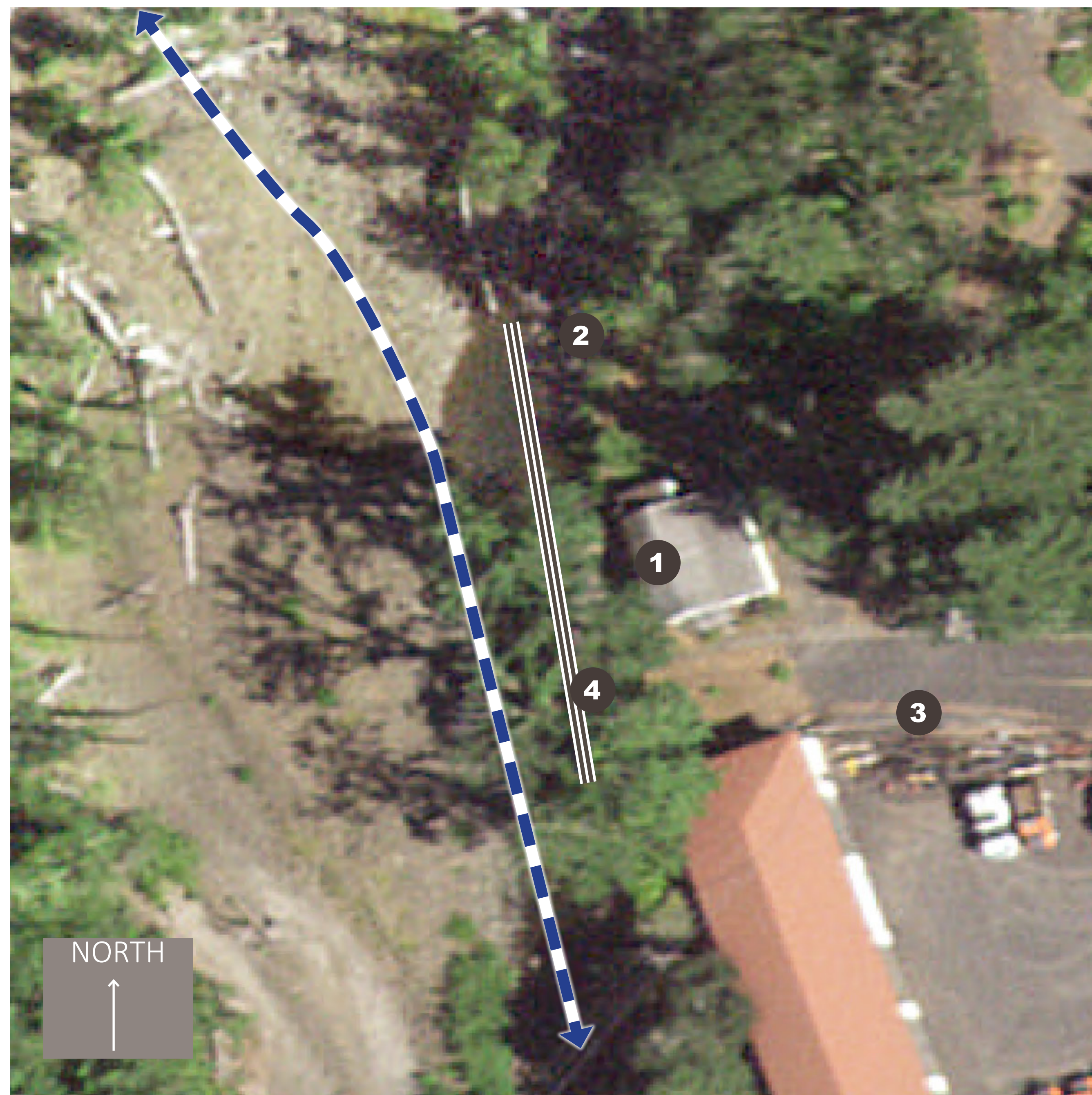
## Alignment with Long-Range Planning:

Multiple planning documents commissioned and adopted by the city have discussed the need to access rock creek as well as the lack of safe public access and trespass concerns. The 2018 shoreline restoration plan identifies two separate projects in this parcel. The first is 'r.8 Vancouver avenue house removal' and the second is 'r.13 Vancouver avenue stormwater outfall replacement project'. The untreated stormwater outfall drains a large portion of the city's residential core. Further, the city may consider a future bridge project at this location as it assesses the rock creek drive bridge replacement (SMP Restoration Plan Project R.8).

## Community Support:

Multiple residents expressed the desire for access to Rock Creek to see the waterfalls. When asked how they get to the falls now, many described walking up the creek channel in the summer time at low water levels. The creek can be accessed at the mouth then sightseers continue walking along the west bank toward the first falls.. Residents stressed that the current situation fails to combat misleading information found online that promotes trespassing through private property. They want a formal public access point.

## Existing Conditions



### Legend

- 1 Existing city-owned parcel with abandoned residence  
Entire creekside of parcel is armored. This is the only section of armoring on the east bank of the entire creek.
- 2 Mostly open site apart from creekside trees  
Street end location adjacent to county parcel with no sidewalks on either side of this section
- 3 Untreated stormwater outfalls directly into creek.
- 4 Informal 'water trail'

## Enhancement Options



### Project meets/achieves the following Goals:

- Increase public access to publicly owned areas of the shorelines (RCW 90.58.020(5))
- Increase recreational opportunities for the public in the shoreline (RCW 90.58.020(6))
- Alleviate trailhead congestion, trash accumulation, trespass, and other neighborhood impacts at informal and/or poorly planned shoreline access areas.



### Legend

- 1 Remove armoring and soften shoreline to allow ramped access down to creek
- 2 Beach/picnic area
- 3 Picnic tables over crushed rock pad
- 4 Crushed rock parking stalls for maintenance/ accessible parking
- Connect pedestrians to site from SW Rock
- Creek with sidewalks and wayfinding tools
- Roadside swale or other means to daylight and treat stormwater
- Informal 'water trail' leads to Lower Falls to the north and Rock Cove to the south

## Create public pedestrian access to Rock Creek lower falls



### Objective Analysis:

Public access to the upper reaches of Rock Creek is complicated by both significant physical barriers and lack of public land. The area is heavily encumbered with geohazards such as landslides and steep slopes. An inventory of use found a gap in public areas to access Rock Creek and found it lacking in recreational features. In addition, the Piper Landslide in 2006 dramatically changed the landscape adjacent to the falls making it undesirable for structures. The future development potential of this area is unclear.

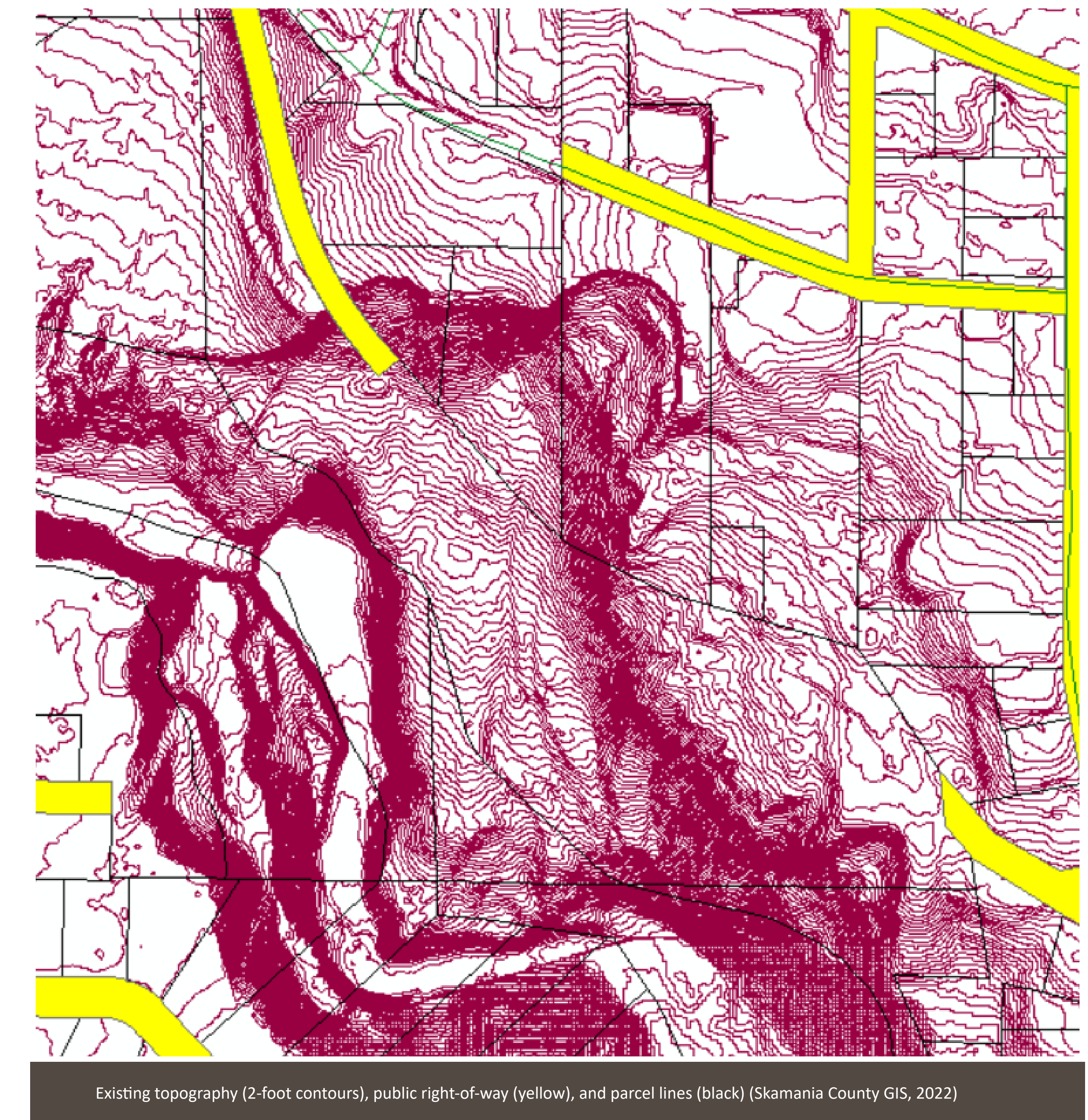
### Alignment with Long-Range Planning:

Multiple planning documents have discussed the need to access Rock Creek. The majority of the remediation proposed and implemented by WDNR and the Port of Skamania County in response to the landslide in this area focused on dredging, protecting existing bridges, and restoring shoreline along the Columbia River. No restoration has been proposed within the privately owned parcels of the slide area itself.

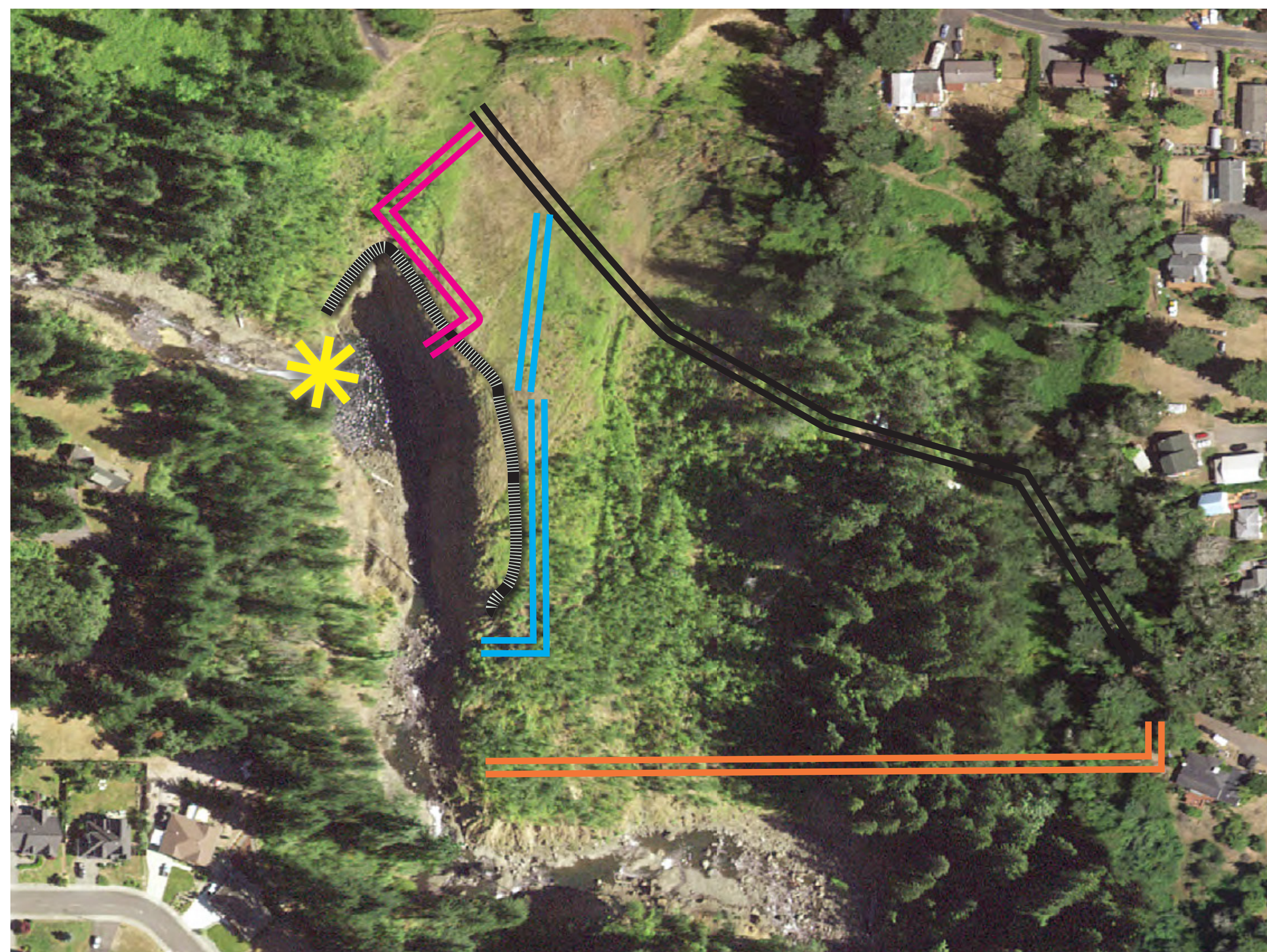
### Community Support:

Multiple residents expressed the desire to have access to Rock Creek to see the waterfalls. When asked how the falls are accessed now, many described walking up the creek channel in the summer time or walking through county-owned land to the north. Residents also felt that abundant online information about the falls has undermined their desire to keep access informal and restricted to local residents.

## Existing Conditions



## Enhancement Options



### Legend

- Approximate location of lower falls
- Potential trail easement linking Piper Road with Cazare Ln
- Easement option 1
- Easement option 2
- Easement option 3
- Cliff

### Shoreline Public Access & Trail Plan Goal Met:

- Increase public access to publicly owned areas of the shorelines (RCW 90.58.020(5))
- Increase recreational opportunities for the public in the shoreline (RCW 90.58.020(6))
- Alleviate trailhead congestion, trash accumulation, trespass, and other neighborhood impacts at informal and/or poorly planned shoreline access areas.
- Provide continuous public access (SMP 4.6)

### Sequence of Effort:

1. City coordinates with private landowners to understand opportunities for easement purchase
2. City pursues grants to fund studies and design plans to construct shoreline access trail and signage in addition to vegetation restoration within easement
3. City maintains trail and access area (trash removal, trail maintenance, disturbance calls).

## Create public pedestrian access to Rock Creek upper falls



Photo source: Facebook.com (Pat Kolberg, Oct 2021)

### Objective Analysis:

The upper reaches of Rock Creek are difficult to access both physically as well as publically. A substantial portion of the creek is bordered by private property, however county-owned land is located north of the popular falls. In general the creek is bordered by steep banks, however sections of accessible slopes are present. There is overlap in these accessible areas with county-owned land within the City's Urban Growth Area (UGA).

### Alignment with Long-Range Planning:

The SMP adopted by the City discusses the need to access Rock Creek with SMP Policy 4.6.2(1) that describes the objective to have continuous public pedestrian access along the shoreline (including the creek). It also addresses the need to consider private property rights, public safety, and navigational rights when providing public access (SMP Policy 4.6.2(4)).

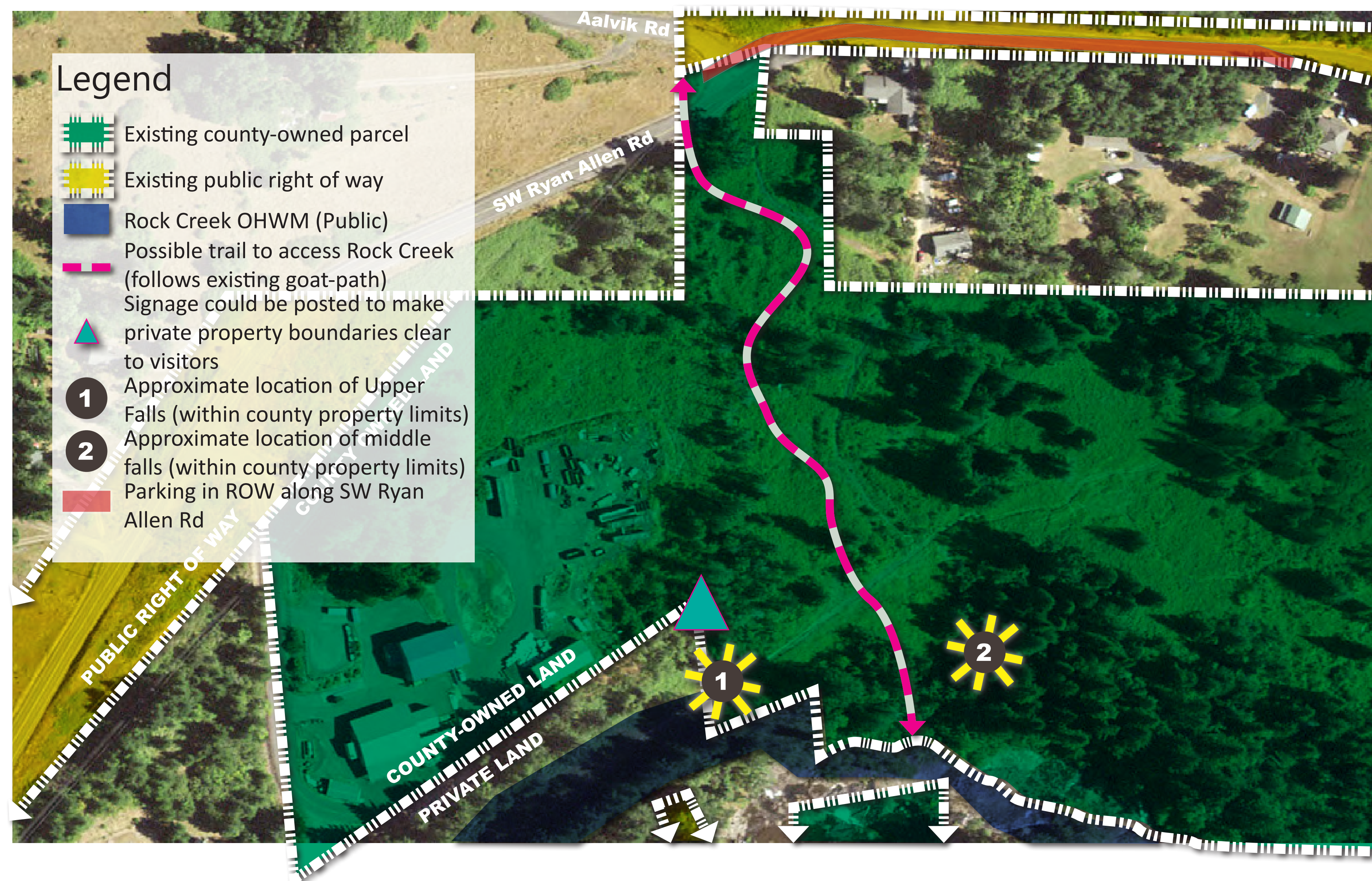
### Community Support:

Multiple residents expressed the desire to have both physical and visual access to upper Rock Creek and the waterfalls. Clearly depicted, safe, and public access is desired in order to prevent private trespassing, and protect this treasured amenity for future generations. Formal access could prevent trampling, concentrate impacts, and allow for trash pick-up.

## Existing Conditions



## Enhancement Options



### Shoreline Public Access & Trail Plan Goal Met:

- Increase public access to publicly owned areas of the shorelines (RCW 90.58.020(5))
- Increase recreational opportunities for the public in the shoreline (RCW 90.58.020(6))
- Alleviate trailhead congestion, trash accumulation, trespass, and other neighborhood impacts at informal and/or poorly planned shoreline access areas.

### Sequence of Opportunities:

1. City coordinates with County to understand opportunities for ownership or easement or collaboration on shared use.
2. City works with County to pursue grants for construction of shoreline access trail and signage through a developers agreement or other tool.
3. City collaborates with County to maintain trail and access area (trash removal, trail maintenance, disturbance calls).

## Rock Cove shoreline trail easement extension and enhancement



Photo source: Google Maps StreetView, July 2018

### Objective Analysis:

Around Rock Cove there is a trail and informal shoreline access on the eastern half of the cove only. The county owned fairgrounds have a shoreline trail that transitions onto the SW Rock Creek Drive sidewalk. This sidewalk serves as an extension of the Mill Pond Trail and runs adjacent to suitable vacant and under-utilized land on the shoreline, including the Columbia Gorge Interpretive Center. It also passes Foster Creek which empties into Rock Cove via an outfall.

### Alignment with Long-Range Planning:

Multiple planning documents have proposed increasing shoreline recreation opportunities within Rock Cove. The Fatal Flaw Analysis for Watercraft Recreation Sites prepared for the Port of Skamania County (JD White Company, 1995) recognizes this specific area as having a high potential to provide shoreline water access opportunities, including the old Mill Site on the west side. Since this area was heavily impacted previously, less mature native vegetation is present.

### Community Support:

Multiple residents expressed appreciation of the Mill Pond trail. There is a desire to expand this type of trail experience further around Rock Cove, as well as provide amenities similar to the Columbia River waterfront. More specifically, many comments discuss bird watching and the unique experience of kayaking or other non-motorized boating within the quiet of the cove as compared to the larger Columbia River. There is currently no official hand-carry launch or water access points on the cove.

## Existing Conditions



## Enhancement Options



**Shoreline Public Access & Trail Plan Goal Met:** Increase recreational opportunities for the public in the shoreline (RCW 90.58.020(6))

### Sequence of Opportunities:

1. Starting with SMP Restoration Plan Project R.6 - Foster Creek Culvert Replacement project, city determines budget for shoreline enhancement options
2. City conducts public outreach to determine which enhancement options to prioritize
3. City constructs shoreline recreation facilities
4. City maintains shoreline access area(s)

### Legend

- Existing culvert and outlet for Foster Creek, a fish-bearing stream. Potential for restoration at the outlet into the cove.
- 1 Opportunity to build a formal hand-carry launch with amenities like a boat wash station to combat invasive aquatic vegetation
- 2 Site could provide some parking and picnic area for day-use.



2 Water trailhead with boat wash station

### Explore partnership with Columbia Gorge Interpretive Center for shoreline access



Photo source: Googlemaps.com, Columbia Gorge Interpretive Center, May 2018

#### Objective Analysis:

The analysis identified a lack of shoreline recreation facilities along Rock Cove or a continuous shoreline trail, specifically on the west side. Physical access constraints are not an issue, however ownership is a potential barrier. The large area of land the museum sits on at the west side of the cove does not have any shoreline trail or physical access areas. The quasi-public status of ownership makes public access a potential option here.

#### Alignment with Long-Range Planning:

Multiple documents have proposed increasing shoreline recreation opportunities within Rock Cove. The Fatal Flaw Analysis for Watercraft Recreation Sites prepared for the Port of Skamania County (JD White Company, 1995) recognizes this specific area as having a high potential to provide shoreline water access opportunities, including the mention of an old boat ramp that could be restored. Other sites had concerns of a limited area, but this site is large and highly visible.

#### Community Support:

Multiple residents expressed appreciation of the scenic view found along the Mill Pond trail. There is a desire to expand this type of trail experience around Rock Cove. The Columbia Gorge Interpretive Center is admired and loved by the community. Multiple comments wondered at the opportunities to have shoreline access be a part of the visitor experience at the museum.

### Existing Conditions

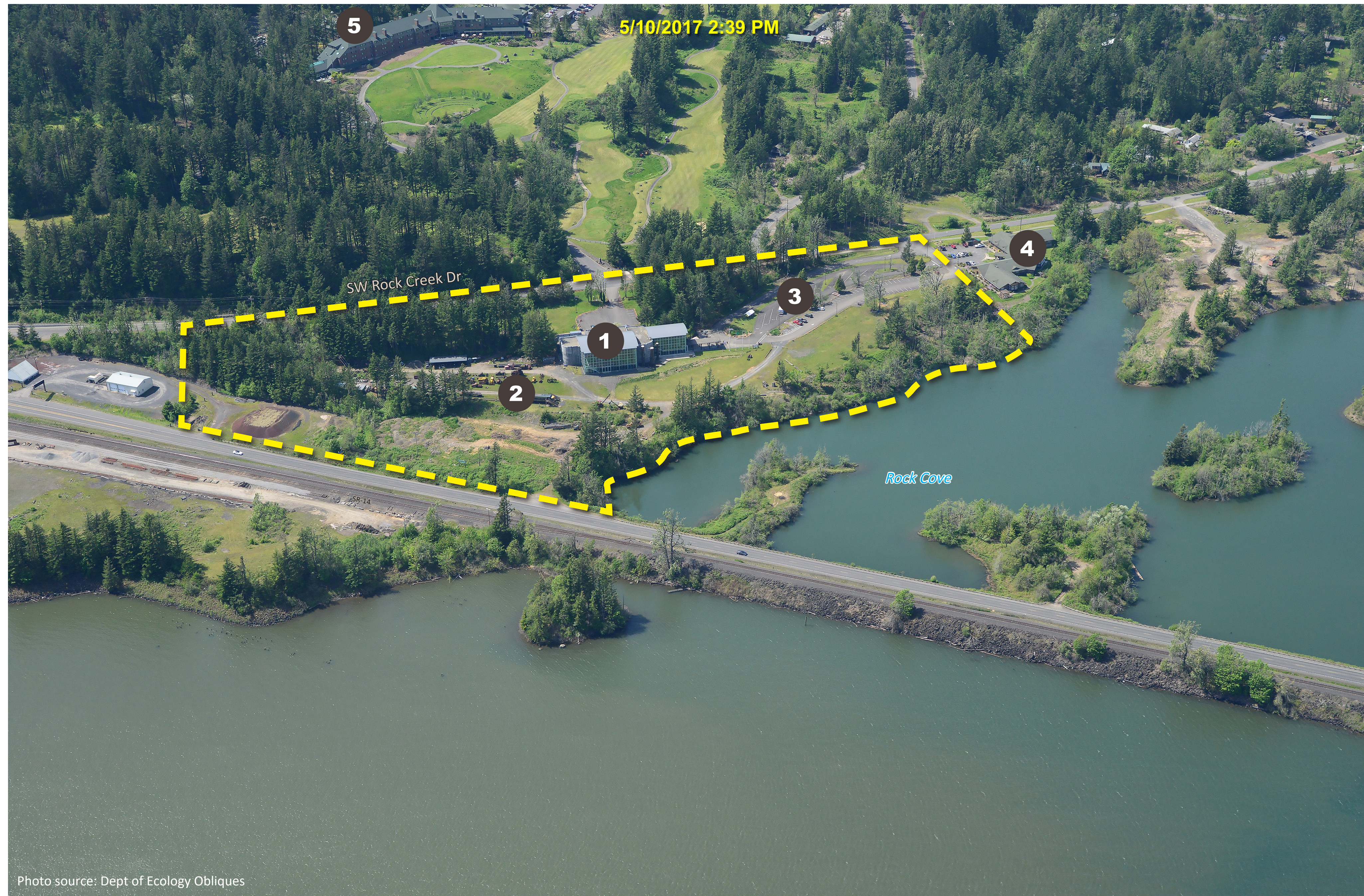


Photo source: Dept of Ecology Obliques

#### Legend

- 1 Columbia Gorge Interpretive Center Museum
- 2 Outdoor exhibit area
- 3 Parking area
- 4 Rock Cove Assisted Living Community
- 5 Skamania Lodge

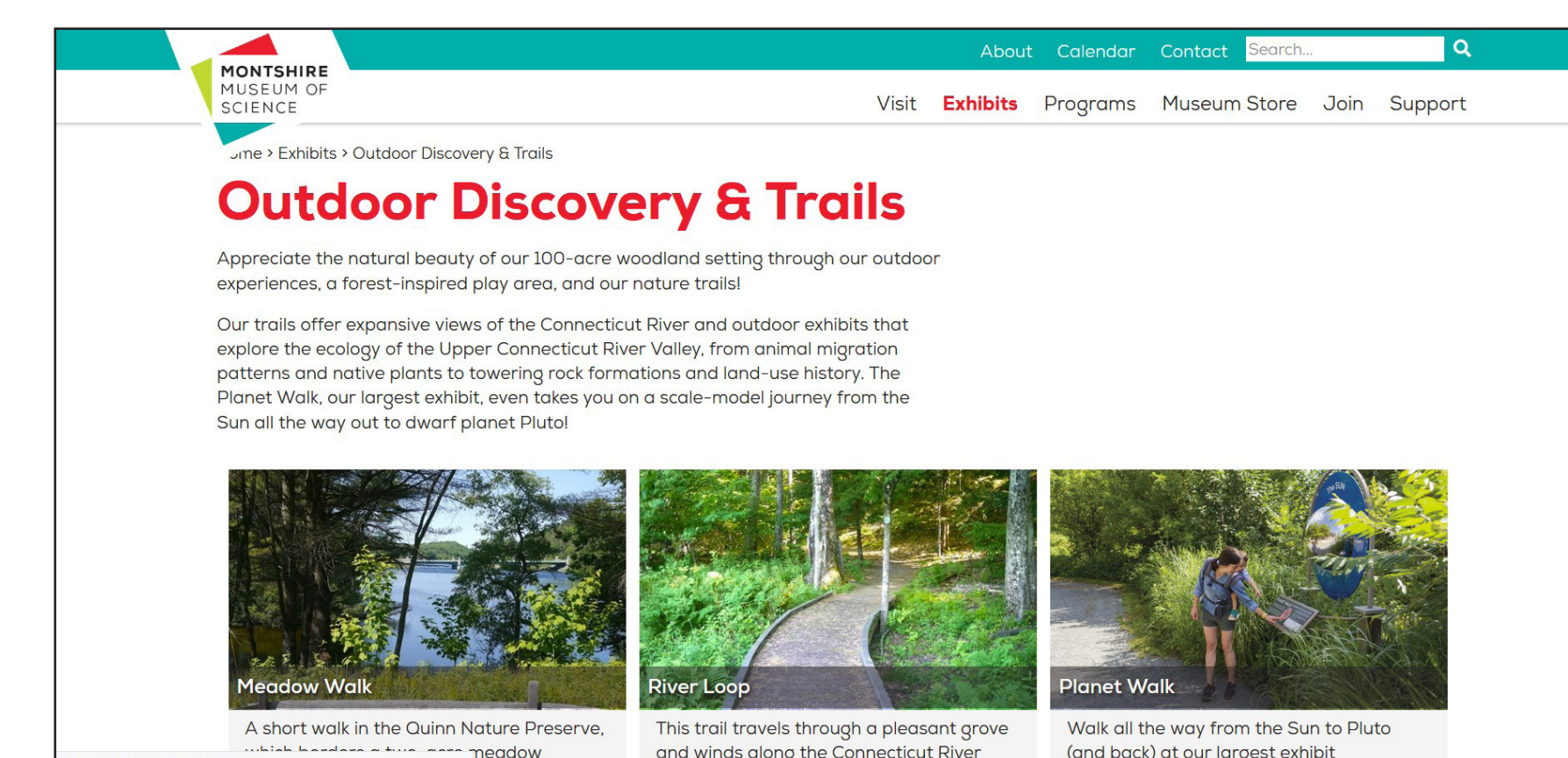
### Enhancement Options

**Shoreline Public Access & Trail Plan Goal Met:**  
Increase recreational opportunities for the public in the shoreline (RCW 90.58.020(6))

#### Partnership Opportunities:

- City could work with the museum to create an interpretive plan for the city. This could include interpretive trails such as a water trail within the cove itself.
- City could collaborate with museum to explore grant opportunities to fund shoreline improvements
- City could work with museum to streamline permitting and construction of shoreline improvements
- City could dedicate funding and staff to maintenance of shoreline improvements

Precedent imagery of shoreline improvement opportunities that could be unique to a museum space shown on the right:





# *City of Stevenson*

## **Main Street Week Mayoral Proclamation – 2023-01**

**WHEREAS**, downtowns and main streets are the heart of our communities across Washington state and a testament to the resilience of our small businesses; and

**WHEREAS**, the Washington State Main Street Program is a statewide effort to help main street businesses, revitalize downtowns, foster local pride and maintain community character while enhancing livability; and

**WHEREAS**, designated Washington Main Street Communities represent, as a group, the second largest private sector employers in the state, supporting over 65,000 jobs in nearly 7,000 businesses that generate nearly \$10 billion in revenue annually; and

**WHEREAS**, Stevenson is a designated Washington Main Street Community since 2019, operated by the non-profit Stevenson Downtown Association and its volunteer Board of Directors; and

**WHEREAS**, the Stevenson Downtown Association partners with organizations and community members to implement an award winning downtown Main Street revitalization program including the Stevenson Sreatery, Stevenson Farmers Market, Spruce Up Stevenson, Bricks & Clicks Grants, Downtown Holiday Lighting, Plaid Friday, Stevenson Sandwich Smackdown, promotional activities, community volunteerism, and more; and

**WHEREAS**, downtown Stevenson is home to 70 businesses, including 5 new businesses in 2022, and the Stevenson Downtown Association has awarded 35 Bricks & Clicks Grants to downtown businesses and property owners since 2020 to improve the downtown experience;

**WHEREAS**, community volunteers gave 1206 hours to Stevenson Main Street projects and programs in 2022, an investment of time worth \$36,120;

**NOW, THEREFORE**, I, Scott Anderson, Mayor of the City of Stevenson, do hereby proclaim June 11-17, 2023 as

### **Main Street Week**

and encourage the people of Stevenson and area residents to join with Main Street communities across the state of Washington and recognize this special observance.

Signed on this 18<sup>th</sup> day of May, 2023

Mayor Scott Anderson





# *City of Stevenson*

## **National Pride Month Mayoral Proclamation – 2023-02**

**WHEREAS**, June is recognized as National Pride Month—a time to honor the history of the LGBTQ+ liberation movement and to support the rights of all citizens to experience equality and freedom from discrimination; and

**WHEREAS**, it is evident that we must stand together, united, to advance acceptance and pave the way for a more inclusive and safer future for all; and

**WHEREAS**, this nation was founded on the principle that all human beings are born free and equal in dignity and rights, and together as a community we need to embrace this principle and work to eliminate prejudice everywhere it exists; and

**WHEREAS**, it is essential to acknowledge that the need for education and awareness remains vital to end discrimination and prejudice; and

**WHEREAS**, celebrating Pride Month encourages the spread of awareness and provides support and advocacy for our LGBTQ+ community, and is an opportunity to take action and engage in dialogue to strengthen alliances, build acceptance and advance equal rights.

**WHEREAS**, The Skamania County Council on Domestic Violence and Sexual Assault (SCCDVSA) is committed to supporting visibility, dignity and equality for the LGBTQ+ population in our community; and

**NOW THEREFORE**, I, the Mayor of Stevenson join Skamania County Council on Domestic Violence and Sexual Assault (SCCDVSA) in proclaiming that we stand by the LGBTQ+ community, their loved ones, and allies throughout the country in this fight for equality. We are committed to eliminating discrimination and hereby proclaim the month of June as

### **NATIONAL PRIDE MONTH**

in Stevenson, Washington; and we urge all individuals and communities to join us in this special observance.

Signed on this 18<sup>th</sup> day of May, 2023

Mayor Scott Anderson

2023 BUDGET POSITION

City Of Stevenson

Time: 11:54:05 Date: 05/12/2023

Page: 1

001 General Expense Fund Months: 01 To: 04

Revenues	Amt Budgeted	Revenues	Remaining	
100 Unreserved	1,457,189.47	1,457,189.47	0.00	100.0%
102 Unemployment Reserve	33,413.82	33,413.82	0.00	100.0%
104 Custodial Reserve	51,135.13	51,135.13	0.00	100.0%
<b>308 Beginning Balances</b>	<b>1,541,738.42</b>	<b>1,541,738.42</b>	<b>0.00</b>	<b>100.0%</b>
311 Property Tax	546,401.90	71,463.84	474,938.06	13.1%
313 Sales Tax	328,000.00	124,020.13	203,979.87	37.8%
316 Utility Tax	32,000.00	31,606.29	393.71	98.8%
317 Other Tax	16,000.00	9,056.53	6,943.47	56.6%
<b>310 Taxes</b>	<b>922,401.90</b>	<b>236,146.79</b>	<b>686,255.11</b>	<b>25.6%</b>
321 Licenses	2,900.00	1,856.66	1,043.34	64.0%
322 Permits	0.00	46.00	(46.00)	0.0%
<b>320 Licenses &amp; Permits</b>	<b>2,900.00</b>	<b>1,902.66</b>	<b>997.34</b>	<b>65.6%</b>
000	19,800.00	2,689.01	17,110.99	13.6%
330 Grants	52,000.00	13,983.75	38,016.25	26.9%
335 State Shared	11,000.00	0.00	11,000.00	0.0%
336 State Entitlements, Impact Payments & Taxe	18,653.42	6,954.93	11,698.49	37.3%
<b>330 Intergovernmental Revenues</b>	<b>101,453.42</b>	<b>23,627.69</b>	<b>77,825.73</b>	<b>23.3%</b>
341 Admin, Printing & Probation Fees	280,014.81	1,281.71	278,733.10	0.5%
342 Fire District 2	32,700.00	8,428.09	24,271.91	25.8%
345 Planning	4,500.00	11,043.98	(6,543.98)	245.4%
376 Parks	0.00	10,497.20	(10,497.20)	0.0%
<b>340 Charges For Goods &amp; Services</b>	<b>317,214.81</b>	<b>31,250.98</b>	<b>285,963.83</b>	<b>9.9%</b>
350 Fines & Penalties	12,700.00	2,159.80	10,540.20	17.0%
360 Interest & Other Earnings	8,000.00	14,365.88	(6,365.88)	179.6%
<b>Fund Revenues:</b>	<b>2,906,408.55</b>	<b>1,851,192.22</b>	<b>1,055,216.33</b>	<b>63.7%</b>
Expenditures	Amt Budgeted	Expenditures	Remaining	
511 Legislative	37,000.00	5,555.54	31,444.46	15.0%
512 Judicial	60,510.00	16,687.92	43,822.08	27.6%
513 Executive	147,076.60	44,431.51	102,645.09	30.2%
514 Financial, Recording & Elections	137,200.54	45,761.97	91,438.57	33.4%
515 Legal Services	16,500.00	5,920.00	10,580.00	35.9%
517 Employee Benefit Programs	10,525.00	933.68	9,591.32	8.9%
518 Centralized Services	176,723.32	55,732.83	120,990.49	31.5%
521 Law Enforcement	228,846.03	72,949.52	155,896.51	31.9%
202 Fire Department	105,207.50	17,016.74	88,190.76	16.2%
203 Fire District 2	30,750.00	(31.69)	30,781.69	0.1%
<b>522 Fire Control</b>	<b>135,957.50</b>	<b>16,985.05</b>	<b>118,972.45</b>	<b>12.5%</b>
528 Dispatch Services	6,000.00	3,229.71	2,770.29	53.8%
551 Public Housing Services	0.00	0.00	0.00	0.0%
553 Conservation	500.00	438.75	61.25	87.8%
000	0.00	310.00	(310.00)	0.0%
550 Building	15,000.00	412.00	14,588.00	2.8%

2023 BUDGET POSITION

City Of Stevenson

Time: 11:54:05 Date: 05/12/2023

Page: 2

001 General Expense Fund Months: 01 To: 04

Expenditures	Amt Budgeted	Expenditures	Remaining	
<b>558 Planning &amp; Community Devel</b>				
560 Planning	284,855.00	74,610.20	210,244.80	26.2%
570 Economic Development	27,685.00	0.00	27,685.00	0.0%
<b>558 Planning &amp; Community Devel</b>	<b>327,540.00</b>	<b>75,332.20</b>	<b>252,207.80</b>	<b>23.0%</b>
562 Public Health	10,000.00	0.00	10,000.00	0.0%
565 Welfare	10,000.00	0.00	10,000.00	0.0%
566 Substance Abuse	150.00	51.37	98.63	34.2%
573 Cultural & Community Activities	500.00	36.90	463.10	7.4%
576 Park Facilities	57,700.00	19,022.10	38,677.90	33.0%
580 Non Expenditures	0.00	(502.91)	502.91	0.0%
597 Interfund Transfers	175,000.00	0.00	175,000.00	0.0%
100 Unreserved	1,284,130.43	0.00	1,284,130.43	0.0%
102 Unemployment Reserve	33,414.00	0.00	33,414.00	0.0%
104 Custodial Reserve	51,135.13	0.00	51,135.13	0.0%
<b>999 Ending Balance</b>	<b>1,368,679.56</b>	<b>0.00</b>	<b>1,368,679.56</b>	<b>0.0%</b>
<b>Fund Expenditures:</b>	<b>2,906,408.55</b>	<b>362,566.14</b>	<b>2,543,842.41</b>	<b>12.5%</b>
<b>Fund Excess/(Deficit):</b>	<b>0.00</b>	<b>1,488,626.08</b>		

2023 BUDGET POSITION

City Of Stevenson

Time: 11:54:05 Date: 05/12/2023

Page: 3

010 General Reserve Fund Months: 01 To: 04

Revenues	Amt Budgeted	Revenues	Remaining	
308 Beginning Balances	335,258.75	335,258.75	0.00	100.0%
360 Interest & Other Earnings	0.00	2,320.54	(2,320.54)	0.0%
<b>Fund Revenues:</b>	<b>335,258.75</b>	<b>337,579.29</b>	<b>(2,320.54)</b>	<b>100.7%</b>
Expenditures	Amt Budgeted	Expenditures	Remaining	
999 Ending Balance	335,258.75	0.00	335,258.75	0.0%
<b>Fund Expenditures:</b>	<b>335,258.75</b>	<b>0.00</b>	<b>335,258.75</b>	<b>0.0%</b>
<b>Fund Excess/(Deficit):</b>	<b>0.00</b>	<b>337,579.29</b>		

2023 BUDGET POSITION

City Of Stevenson

Time: 11:54:05 Date: 05/12/2023

Page: 4

020 Fire Reserve Fund		Months: 01 To: 04			
Revenues	Amt Budgeted	Revenues	Remaining		
308 Beginning Balances	1,650,586.13	1,650,586.13	0.00	100.0%	
360 Interest & Other Earnings	0.00	15,880.44	(15,880.44)	0.0%	
397 Interfund Transfers	25,000.00	0.00	25,000.00	0.0%	
<b>Fund Revenues:</b>	<b>1,675,586.13</b>	<b>1,666,466.57</b>	<b>9,119.56</b>	<b>99.5%</b>	
Expenditures	Amt Budgeted	Expenditures	Remaining		
999 Ending Balance	1,675,586.13	0.00	1,675,586.13	0.0%	
<b>Fund Expenditures:</b>	<b>1,675,586.13</b>	<b>0.00</b>	<b>1,675,586.13</b>	<b>0.0%</b>	
<b>Fund Excess/(Deficit):</b>	<b>0.00</b>	<b>1,666,466.57</b>			

2023 BUDGET POSITION

City Of Stevenson

Time: 11:54:05 Date: 05/12/2023

Page: 5

030 ARPA Months: 01 To: 04

Revenues	Amt Budgeted	Revenues	Remaining	
308 Beginning Balances	298,313.00	298,313.00	0.00	100.0%
330 Intergovernmental Revenues	0.00	0.00	0.00	0.0%
<b>Fund Revenues:</b>	<b>298,313.00</b>	<b>298,313.00</b>	<b>0.00</b>	<b>100.0%</b>
Expenditures	Amt Budgeted	Expenditures	Remaining	
999 Ending Balance	298,313.00	0.00	298,313.00	0.0%
<b>Fund Expenditures:</b>	<b>298,313.00</b>	<b>0.00</b>	<b>298,313.00</b>	<b>0.0%</b>
<b>Fund Excess/(Deficit):</b>	<b>0.00</b>	<b>298,313.00</b>		

2023 BUDGET POSITION

City Of Stevenson

Time: 11:54:05 Date: 05/12/2023

Page: 6

100 Street Fund		Months: 01 To: 04		
Revenues	Amt Budgeted	Revenues	Remaining	
308 Beginning Balances	75,740.56	75,740.56	0.00	100.0%
310 Taxes	418,000.00	125,506.28	292,493.72	30.0%
320 Licenses & Permits	600.00	335.00	265.00	55.8%
330 Intergovernmental Revenues	723,324.50	11,964.17	711,360.33	1.7%
360 Interest & Other Earnings	0.00	865.55	(865.55)	0.0%
390 Other Financing Sources	0.00	0.00	0.00	0.0%
397 Interfund Transfers	150,000.00	0.00	150,000.00	0.0%
<b>Fund Revenues:</b>	<b>1,367,665.06</b>	<b>214,411.56</b>	<b>1,153,253.50</b>	<b>15.7%</b>
Expenditures	Amt Budgeted	Expenditures	Remaining	
542 Streets - Maintenance	572,066.06	90,617.95	481,448.11	15.8%
543 Streets Admin & Overhead	121,582.50	38,145.92	83,436.58	31.4%
544 Road & Street Operations	25,000.00	1,998.81	23,001.19	8.0%
566 Substance Abuse	0.00	59.25	(59.25)	0.0%
594 Capital Expenditures	566,047.00	2,556.75	563,490.25	0.5%
597 Interfund Transfers	0.00	0.00	0.00	0.0%
999 Ending Balance	82,969.50	0.00	82,969.50	0.0%
<b>Fund Expenditures:</b>	<b>1,367,665.06</b>	<b>133,378.68</b>	<b>1,234,286.38</b>	<b>9.8%</b>
<b>Fund Excess/(Deficit):</b>	<b>0.00</b>	<b>81,032.88</b>		

2023 BUDGET POSITION

City Of Stevenson

Time: 11:54:05 Date: 05/12/2023

Page: 7

103 Tourism Promo & Develop Fund Months: 01 To: 04

Revenues	Amt Budgeted	Revenues	Remaining	
308 Beginning Balances	1,104,606.79	1,104,606.79	0.00	100.0%
310 Taxes	473,000.00	135,012.64	337,987.36	28.5%
360 Interest & Other Earnings	0.00	10,604.98	(10,604.98)	0.0%
<b>Fund Revenues:</b>	<b>1,577,606.79</b>	<b>1,250,224.41</b>	<b>327,382.38</b>	<b>79.2%</b>
Expenditures	Amt Budgeted	Expenditures	Remaining	
573 Cultural & Community Activities	432,628.27	40,647.28	391,980.99	9.4%
594 Capital Expenditures	282,000.00	0.00	282,000.00	0.0%
999 Ending Balance	862,978.52	0.00	862,978.52	0.0%
<b>Fund Expenditures:</b>	<b>1,577,606.79</b>	<b>40,647.28</b>	<b>1,536,959.51</b>	<b>2.6%</b>
<b>Fund Excess/(Deficit):</b>	<b>0.00</b>	<b>1,209,577.13</b>		



2023 BUDGET POSITION

City Of Stevenson

Time: 11:54:05 Date: 05/12/2023

Page: 8

105 Affordable Housing Fund Months: 01 To: 04

Revenues	Amt Budgeted	Revenues	Remaining	
308 Beginning Balances	12,435.11	12,435.11	0.00	100.0%
310 Taxes	5,000.00	348.63	4,651.37	7.0%
<b>Fund Revenues:</b>	<b>17,435.11</b>	<b>12,783.74</b>	<b>4,651.37</b>	<b>73.3%</b>
Expenditures	Amt Budgeted	Expenditures	Remaining	
999 Ending Balance	17,435.11	0.00	17,435.11	0.0%
<b>Fund Expenditures:</b>	<b>17,435.11</b>	<b>0.00</b>	<b>17,435.11</b>	<b>0.0%</b>
<b>Fund Excess/(Deficit):</b>	<b>0.00</b>	<b>12,783.74</b>		

2023 BUDGET POSITION

City Of Stevenson

Time: 11:54:05 Date: 05/12/2023

Page: 9

107 HEALing SCARS Fund Months: 01 To: 04

Revenues	Amt Budgeted	Revenues	Remaining	
308 Beginning Balances	10,190.57	10,190.57	0.00	100.0%
360 Interest & Other Earnings	0.00	0.00	0.00	0.0%
<b>Fund Revenues:</b>	<b>10,190.57</b>	<b>10,190.57</b>	<b>0.00</b>	<b>100.0%</b>
Expenditures	Amt Budgeted	Expenditures	Remaining	
999 Ending Balance	10,190.57	0.00	10,190.57	0.0%
<b>Fund Expenditures:</b>	<b>10,190.57</b>	<b>0.00</b>	<b>10,190.57</b>	<b>0.0%</b>
<b>Fund Excess/(Deficit):</b>	<b>0.00</b>	<b>10,190.57</b>		

2023 BUDGET POSITION

City Of Stevenson

Time: 11:54:05 Date: 05/12/2023

Page: 10

300 Capital Improvement Fund		Months: 01 To: 04		
Revenues	Amt Budgeted	Revenues	Remaining	
308 Beginning Balances	210,190.20	210,190.20	0.00	100.0%
310 Taxes	20,000.00	10,635.07	9,364.93	53.2%
360 Interest & Other Earnings	0.00	2,509.33	(2,509.33)	0.0%
<b>Fund Revenues:</b>	<b>230,190.20</b>	<b>223,334.60</b>	<b>6,855.60</b>	<b>97.0%</b>
Expenditures	Amt Budgeted	Expenditures	Remaining	
597 Interfund Transfers	0.00	0.00	0.00	0.0%
999 Ending Balance	230,190.20	0.00	230,190.20	0.0%
<b>Fund Expenditures:</b>	<b>230,190.20</b>	<b>0.00</b>	<b>230,190.20</b>	<b>0.0%</b>
<b>Fund Excess/(Deficit):</b>	<b>0.00</b>	<b>223,334.60</b>		

2023 BUDGET POSITION

City Of Stevenson

Time: 11:54:05 Date: 05/12/2023

Page: 11

311 First Street		Months: 01 To: 04			
Revenues	Amt Budgeted	Revenues	Remaining		
308 Beginning Balances	0.00	0.00	0.00	0.0%	
330 Intergovernmental Revenues	0.00	0.00	0.00	0.0%	
397 Interfund Transfers	0.00	0.00	0.00	0.0%	
<b>Fund Revenues:</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.0%</b>	
Expenditures	Amt Budgeted	Expenditures	Remaining		
594 Capital Expenditures	0.00	0.00	0.00	0.0%	
999 Ending Balance	0.00	0.00	0.00	0.0%	
<b>Fund Expenditures:</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.0%</b>	
<b>Fund Excess/(Deficit):</b>	<b>0.00</b>	<b>0.00</b>			

2023 BUDGET POSITION

City Of Stevenson

Time: 11:54:05 Date: 05/12/2023

Page: 12

312 Columbia Ave		Months: 01 To: 04		
Revenues	Amt Budgeted	Revenues	Remaining	
308 Beginning Balances	(63,287.48)	(63,287.48)	0.00	100.0%
330 Intergovernmental Revenues	145,617.25	71,091.85	74,525.40	48.8%
<b>Fund Revenues:</b>	<b>82,329.77</b>	<b>7,804.37</b>	<b>74,525.40</b>	<b>9.5%</b>
Expenditures	Amt Budgeted	Expenditures	Remaining	
594 Capital Expenditures	82,329.77	27,680.62	54,649.15	33.6%
999 Ending Balance	0.00	0.00	0.00	0.0%
<b>Fund Expenditures:</b>	<b>82,329.77</b>	<b>27,680.62</b>	<b>54,649.15</b>	<b>33.6%</b>
<b>Fund Excess/(Deficit):</b>	<b>0.00</b>	<b>(19,876.25)</b>		

2023 BUDGET POSITION

City Of Stevenson

Time: 11:54:05 Date: 05/12/2023

Page: 13

400 Water/Sewer Fund		Months: 01 To: 04			
Revenues	Amt Budgeted	Revenues	Remaining		
400 Water/Sewer	1,151,234.64	1,151,234.64	0.00	100.0%	
401 Water	631,301.09	631,301.09	0.00	100.0%	
402 Sewer	175,778.18	175,778.18	0.00	100.0%	
<b>308 Beginning Balances</b>	<b>1,958,313.91</b>	<b>1,958,313.91</b>	<b>0.00</b>	<b>100.0%</b>	
343 Water	761,675.00	247,273.85	514,401.15	32.5%	
344 Sewer	1,322,308.13	452,820.83	869,487.30	34.2%	
<b>340 Charges For Goods &amp; Services</b>	<b>2,083,983.13</b>	<b>700,094.68</b>	<b>1,383,888.45</b>	<b>33.6%</b>	
343 Water	46,674.00	77,387.00	(30,713.00)	165.8%	
344 Sewer	56,532.00	31,343.00	25,189.00	55.4%	
400 Water/Sewer	4,000.00	18,398.22	(14,398.22)	460.0%	
<b>360 Interest &amp; Other Earnings</b>	<b>107,206.00</b>	<b>127,128.22</b>	<b>(19,922.22)</b>	<b>118.6%</b>	
380 Non Revenues	0.00	0.00	0.00	0.0%	
<b>Fund Revenues:</b>	<b>4,149,503.04</b>	<b>2,785,536.81</b>	<b>1,363,966.23</b>	<b>67.1%</b>	
Expenditures	Amt Budgeted	Expenditures	Remaining		
534 Water Utilities	876,312.89	270,480.50	605,832.39	30.9%	
535 Sewer	1,117,448.58	289,807.03	827,641.55	25.9%	
534 Water	60,854.54	18,079.54	42,775.00	29.7%	
535 Sewer	82,249.20	0.00	82,249.20	0.0%	
<b>591 Debt Service</b>	<b>143,103.74</b>	<b>18,079.54</b>	<b>125,024.20</b>	<b>12.6%</b>	
534 Water	272,160.00	18,434.81	253,725.19	6.8%	
535 Sewer	0.00	2,108.00	(2,108.00)	0.0%	
<b>594 Capital Expenditures</b>	<b>272,160.00</b>	<b>20,542.81</b>	<b>251,617.19</b>	<b>7.5%</b>	
597 Interfund Transfers	421,779.00	0.00	421,779.00	0.0%	
400 Water/Sewer	670,413.56	0.00	670,413.56	0.0%	
401 Water	415,975.09	0.00	415,975.09	0.0%	
402 Sewer	232,310.18	0.00	232,310.18	0.0%	
<b>999 Ending Balance</b>	<b>1,318,698.83</b>	<b>0.00</b>	<b>1,318,698.83</b>	<b>0.0%</b>	
<b>Fund Expenditures:</b>	<b>4,149,503.04</b>	<b>598,909.88</b>	<b>3,550,593.16</b>	<b>14.4%</b>	
<b>Fund Excess/(Deficit):</b>	<b>0.00</b>	<b>2,186,626.93</b>			

2023 BUDGET POSITION

City Of Stevenson

Time: 11:54:05 Date: 05/12/2023

Page: 14

406 Wastewater Short Lived Asset Res. Fund Months: 01 To: 04

Revenues	Amt Budgeted	Revenues	Remaining	
308 Beginning Balances	65,337.00	65,337.00	0.00	100.0%
397 Interfund Transfers	21,779.00	0.00	21,779.00	0.0%
<b>Fund Revenues:</b>	<b>87,116.00</b>	<b>65,337.00</b>	<b>21,779.00</b>	<b>75.0%</b>
Expenditures	Amt Budgeted	Expenditures	Remaining	
999 Ending Balance	87,116.00	0.00	87,116.00	0.0%
<b>Fund Expenditures:</b>	<b>87,116.00</b>	<b>0.00</b>	<b>87,116.00</b>	<b>0.0%</b>
<b>Fund Excess/(Deficit):</b>	<b>0.00</b>	<b>65,337.00</b>		

2023 BUDGET POSITION

City Of Stevenson

Time: 11:54:05 Date: 05/12/2023

Page: 15

408 Wastewater Debt Reserve Fund Months: 01 To: 04

Revenues	Amt Budgeted	Revenues	Remaining	
308 Beginning Balances	61,191.00	61,191.00	0.00	100.0%
397 Interfund Transfers	0.00	0.00	0.00	0.0%
<b>Fund Revenues:</b>	<b>61,191.00</b>	<b>61,191.00</b>	<b>0.00</b>	<b>100.0%</b>
Expenditures	Amt Budgeted	Expenditures	Remaining	
999 Ending Balance	61,191.00	0.00	61,191.00	0.0%
<b>Fund Expenditures:</b>	<b>61,191.00</b>	<b>0.00</b>	<b>61,191.00</b>	<b>0.0%</b>
<b>Fund Excess/(Deficit):</b>	<b>0.00</b>	<b>61,191.00</b>		



## 2023 BUDGET POSITION

City Of Stevenson

Time: 11:54:05 Date: 05/12/2023

Page: 16

410 Wastewater System Upgrades Months: 01 To: 04

Revenues	Amt Budgeted	Revenues	Remaining	
308 Beginning Balances	(1,179,179.71)	(1,179,179.71)	0.00	100.0%
330 Intergovernmental Revenues	5,028,740.07	0.00	5,028,740.07	0.0%
390 Other Financing Sources	9,637,369.64	3,283,311.86	6,354,057.78	34.1%
397 Interfund Transfers	400,000.00	0.00	400,000.00	0.0%
<b>Fund Revenues:</b>	<b>13,886,930.00</b>	<b>2,104,132.15</b>	<b>11,782,797.85</b>	<b>15.2%</b>
Expenditures	Amt Budgeted	Expenditures	Remaining	
592 Debt Service - Interest Costs	0.00	0.00	0.00	0.0%
594 Capital Expenditures	13,886,930.00	3,237,159.59	10,649,770.41	23.3%
999 Ending Balance	0.00	0.00	0.00	0.0%
<b>Fund Expenditures:</b>	<b>13,886,930.00</b>	<b>3,237,159.59</b>	<b>10,649,770.41</b>	<b>23.3%</b>
<b>Fund Excess/(Deficit):</b>	<b>0.00</b>	<b>(1,133,027.44)</b>		

2023 BUDGET POSITION

City Of Stevenson

Time: 11:54:05 Date: 05/12/2023

Page: 17

500 Equipment Service Fund			Months: 01 To: 04	
Revenues	Amt Budgeted	Revenues	Remaining	
308 Beginning Balances	157,311.97	157,311.97	0.00	100.0%
340 Charges For Goods & Services	175,000.00	50,765.68	124,234.32	29.0%
360 Interest & Other Earnings	0.00	1,276.75	(1,276.75)	0.0%
390 Other Financing Sources	0.00	0.00	0.00	0.0%
<b>Fund Revenues:</b>	<b>332,311.97</b>	<b>209,354.40</b>	<b>122,957.57</b>	<b>63.0%</b>
Expenditures	Amt Budgeted	Expenditures	Remaining	
548 Public Works - Centralized Services	141,544.23	50,912.56	90,631.67	36.0%
594 Capital Expenditures	100,000.00	91,666.66	8,333.34	91.7%
999 Ending Balance	90,767.74	0.00	90,767.74	0.0%
<b>Fund Expenditures:</b>	<b>332,311.97</b>	<b>142,579.22</b>	<b>189,732.75</b>	<b>42.9%</b>
<b>Fund Excess/(Deficit):</b>	<b>0.00</b>	<b>66,775.18</b>		

2023 BUDGET POSITION

City Of Stevenson

Time: 11:54:05 Date: 05/12/2023

Page: 18

630 Stevenson Municipal Court		Months: 01 To: 04			
Revenues	Amt Budgeted	Revenues	Remaining		
308 Beginning Balances	0.00	0.00	0.00	0.0%	
380 Non Revenues	0.00	1,372.37	(1,372.37)	0.0%	
<b>Fund Revenues:</b>	<b>0.00</b>	<b>1,372.37</b>	<b>(1,372.37)</b>	<b>0.0%</b>	
Expenditures	Amt Budgeted	Expenditures	Remaining		
580 Non Expenditures	0.00	1,372.37	(1,372.37)	0.0%	
999 Ending Balance	0.00	0.00	0.00	0.0%	
<b>Fund Expenditures:</b>	<b>0.00</b>	<b>1,372.37</b>	<b>(1,372.37)</b>	<b>0.0%</b>	
<b>Fund Excess/(Deficit):</b>	<b>0.00</b>	<b>0.00</b>			

## 2023 BUDGET POSITION TOTALS

City Of Stevenson

Months: 01 To: 04

Time: 11:54:05 Date: 05/12/2023

Page: 19

Fund	Revenue Budgeted	Received		Expense Budgeted	Spent	
001 General Expense Fund	2,906,408.55	1,851,192.22	63.7%	2,906,408.55	362,566.14	12%
010 General Reserve Fund	335,258.75	337,579.29	100.7%	335,258.75	0.00	0%
020 Fire Reserve Fund	1,675,586.13	1,666,466.57	99.5%	1,675,586.13	0.00	0%
030 ARPA	298,313.00	298,313.00	100.0%	298,313.00	0.00	0%
100 Street Fund	1,367,665.06	214,411.56	15.7%	1,367,665.06	133,378.68	10%
103 Tourism Promo & Develop Fund	1,577,606.79	1,250,224.41	79.2%	1,577,606.79	40,647.28	3%
105 Affordable Housing Fund	17,435.11	12,783.74	73.3%	17,435.11	0.00	0%
107 HEALing SCARS Fund	10,190.57	10,190.57	100.0%	10,190.57	0.00	0%
300 Capital Improvement Fund	230,190.20	223,334.60	97.0%	230,190.20	0.00	0%
311 First Street	0.00	0.00	0.0%	0.00	0.00	0%
312 Columbia Ave	82,329.77	7,804.37	9.5%	82,329.77	27,680.62	34%
400 Water/Sewer Fund	4,149,503.04	2,785,536.81	67.1%	4,149,503.04	598,909.88	14%
406 Wastewater Short Lived Asset Res	87,116.00	65,337.00	75.0%	87,116.00	0.00	0%
408 Wastewater Debt Reserve Fund	61,191.00	61,191.00	100.0%	61,191.00	0.00	0%
410 Wastewater System Upgrades	13,886,930.00	2,104,132.15	15.2%	13,886,930.00	3,237,159.59	23%
500 Equipment Service Fund	332,311.97	209,354.40	63.0%	332,311.97	142,579.22	43%
630 Stevenson Municipal Court	0.00	1,372.37	0.0%	0.00	1,372.37	0%
	<u>27,018,035.94</u>	<u>11,099,224.06</u>	<u>41.1%</u>	<u>27,018,035.94</u>	<u>4,544,293.78</u>	<u>16.8%</u>

# TREASURER'S REPORT

## Fund Totals

City Of Stevenson

Time: 15:12:56 Date: 05/12/2023

04/01/2023 To: 04/30/2023

Page: 1

Fund	Previous Balance	Revenue	Expenditures	Ending Balance	Claims Clearing	Payroll Clearing	Outstanding Deposits	Adjusted Ending Balance
001 General Expense Fund	1,464,114.17	95,204.41	70,692.50	1,488,626.08	3,545.31	10,974.97	0.00	1,503,146.36
010 General Reserve Fund	337,030.39	548.90		337,579.29	0.00	0.00	0.00	337,579.29
020 Fire Reserve Fund	1,662,327.76	4,138.81		1,666,466.57	0.00	0.00	0.00	1,666,466.57
030 ARPA	298,313.00	0.00		298,313.00	0.00	0.00	0.00	298,313.00
100 Street Fund	78,041.27	29,674.53	26,682.92	81,032.88	419.24	1,449.75	0.00	82,901.87
103 Tourism Promo & Develop Fund	1,186,497.33	36,019.46	12,939.66	1,209,577.13	5,000.00	12.79	0.00	1,214,589.92
105 Affordable Housing Fund	12,783.74	0.00		12,783.74	0.00	0.00	0.00	12,783.74
107 HEALing SCARS Fund	10,190.57	0.00		10,190.57	0.00	0.00	0.00	10,190.57
300 Capital Improvement Fund	219,377.44	3,957.16		223,334.60	0.00	0.00	0.00	223,334.60
312 Columbia Ave	-16,597.50	0.00	3,278.75	-19,876.25	0.00	0.00	0.00	-19,876.25
400 Water/Sewer Fund	2,073,426.31	268,090.48	154,889.86	2,186,626.93	1,335.22	4,330.52	-2,350.00	2,189,942.67
406 Wastewater Short Lived Asset Res. Fund	65,337.00	0.00		65,337.00	0.00	0.00	0.00	65,337.00
408 Wastewater Debt Reserve Fund	61,191.00	0.00		61,191.00	0.00	0.00	0.00	61,191.00
410 Wastewater System Upgrades	-293,618.10	0.00	839,409.34	-1,133,027.44	113,039.77	0.00	0.00	-1,019,987.67
500 Equipment Service Fund	94,880.25	278.44	28,383.51	66,775.18	0.00	267.40	0.00	67,042.58
630 Stevenson Municipal Court	0.00	533.52	533.52	0.00	0.00	0.00	0.00	0.00
	7,253,294.63	438,445.71	1,136,810.06	6,554,930.28	123,339.54	17,035.43	-2,350.00	6,692,955.25

# TREASURER'S REPORT

## Account Totals

City Of Stevenson

04/01/2023 To: 04/30/2023

Time: 15:12:56 Date: 05/12/2023

Page: 2

Cash Accounts		Beg Balance	Deposits	Withdrawals	Ending	Outstanding Rec	Outstanding Exp	Adj Balance
1	Checking	634,209.24	1,080,112.13	1,147,127.10	567,194.27	-946.18	140,374.97	706,623.06
10	Xpress Bill Pay	28,156.82	35,775.20	35,000.00	28,932.02	-1,403.82	0.00	27,528.20
11	Cash Drawer	100.00	0.00	0.00	100.00	0.00	0.00	100.00
12	Petty Cash	400.00	0.00	0.00	400.00	0.00	0.00	400.00
Total Cash:		662,866.06	1,115,887.33	1,182,127.10	596,626.29	-2,350.00	140,374.97	734,651.26
Investment Accounts		Beg Balance	Deposits	Withdrawals	Ending	Outstanding Rec	Outstanding Exp	Adj Balance
5	LGIP	4,674,964.02	17,875.42	650,000.00	4,042,839.44	0.00	0.00	4,042,839.44
6	US Bank Safekeeping	1,915,464.55	0.00	0.00	1,915,464.55	0.00	0.00	1,915,464.55
Total Investments:		6,590,428.57	17,875.42	650,000.00	5,958,303.99	0.00	0.00	5,958,303.99
		7,253,294.63	1,133,762.75	1,832,127.10	6,554,930.28	-2,350.00	140,374.97	6,692,955.25

TREASURER'S REPORT  
Fund Investments By Account

City Of Stevenson

Time: 15:12:56 Date: 05/12/2023  
Page: 3

04/01/2023 To: 04/30/2023

Fund Totals:	Previous Balance	Purchases	Interest	Total Investments	Liquidated	Ending Balance
001 000 General Expense Fund	981,016.71	30,000.00	3,751.06	33,751.06		1,014,767.77
010 000 General Reserve Fund	124,022.87		474.22	474.22		124,497.09
020 000 Fire Reserve Fund	1,023,832.95		3,914.78	3,914.78		1,027,747.73
100 000 Street Fund	22,253.36		85.09	85.09		22,338.45
103 000 Tourism Promo & Develop Fund	781,443.45		2,987.97	2,987.97		784,431.42
300 000 Capital Improvement Fund	176,202.28		673.74	673.74		176,876.02
400 000 Water/Sewer Fund	1,494,310.90		5,713.72	5,713.72	650,000.00	850,024.62
500 000 Equipment Service Fund	71,881.50		274.84	274.84	30,000.00	42,156.34
5 - LGIP	4,674,964.02	30,000.00	17,875.42	47,875.42	680,000.00	4,042,839.44
001 000 General Expense Fund	426,045.00					426,045.00
010 000 General Reserve Fund	211,908.38					211,908.38
020 000 Fire Reserve Fund	635,725.10					635,725.10
103 000 Tourism Promo & Develop Fund	320,417.69					320,417.69
300 000 Capital Improvement Fund	25,549.13					25,549.13
400 000 Water/Sewer Fund	285,600.57					285,600.57
500 000 Equipment Service Fund	10,218.68					10,218.68
6 - US Bank Safekeeping	1,915,464.55	0.00	0.00			1,915,464.55
	6,590,428.57	30,000.00	17,875.42	47,875.42	680,000.00	5,958,303.99

# TREASURER'S REPORT

## Fund Investment Totals

City Of Stevenson

04/01/2023 To: 04/30/2023

Time: 15:12:56 Date: 05/12/2023

Page: 4

Fund Totals:	Previous Balance	Purchases	Interest	Ttl Investments	Liquidated	Investment Bal	Available Cash
001 General Expense Fund	1,407,061.71	30,000.00	3,751.06	33,751.06		1,440,812.77	47,813.31
010 General Reserve Fund	335,931.25		474.22	474.22		336,405.47	1,173.82
020 Fire Reserve Fund	1,659,558.05		3,914.78	3,914.78		1,663,472.83	2,993.74
030 ARPA						0.00	298,313.00
100 Street Fund	22,253.36		85.09	85.09		22,338.45	58,694.43
103 Tourism Promo & Develop Fund	1,101,861.14		2,987.97	2,987.97		1,104,849.11	104,728.02
105 Affordable Housing Fund						0.00	12,783.74
107 HEALing SCARS Fund						0.00	10,190.57
300 Capital Improvement Fund	201,751.41		673.74	673.74		202,425.15	20,909.45
312 Columbia Ave						0.00	-19,876.25
400 Water/Sewer Fund	1,779,911.47		5,713.72	5,713.72	650,000.00	1,135,625.19	1,051,001.74
406 Wastewater Short Lived Asset Res. Fund						0.00	65,337.00
408 Wastewater Debt Reserve Fund						0.00	61,191.00
410 Wastewater System Upgrades						0.00	-1,133,027.44
500 Equipment Service Fund	82,100.18		274.84	274.84	30,000.00	52,375.02	14,400.16
	6,590,428.57	30,000.00	17,875.42	47,875.42	680,000.00	5,958,303.99	596,626.29

Ending fund balance (Page 1) - Investment balance = Available cash.

6,554,930.28



# TREASURER'S REPORT

## Outstanding Vouchers

04/01/2023 To: 04/30/2023

As Of: 04/30/2023 Date: 05/12/2023

Time: 15:12:56 Page: 5

City Of Stevenson

Year	Trans#	Date	Type	Acct#	War#	Vendor	Amount	Memo
2023	1076	04/27/2023	Util Pay	1		Xpress Billpay	329.18	Xpress Import - CC - 04-27-2023__daily_batch.csv
2023	1085	04/30/2023	Util Pay	1		Xpress Billpay	463.50	Xpress Import - CC - 04-28-2023__daily_batch.csv
2023	1086	04/30/2023	Util Pay	1		Xpress Billpay	153.50	Xpress Import - CC - 04-29-2023__daily_batch.csv
Receipts Outstanding:							<u>946.18</u>	
2023	1069	04/28/2023	Payroll	1	EFT	Department of Retirement Systems	15,103.39	Pay Cycle(s) 04/30/2023 To 04/30/2023 - PERS2; Pay Cycle(s) 04/30/2023 To 04/30/2023 - DCP
2023	1068	04/28/2023	Payroll	1	EFT	Colonial Life	110.97	Pay Cycle(s) 04/30/2023 To 04/30/2023 - Disability; Pay Cycle(s) 04/30/2023 To 04/30/2023 - Life Insurance
2023	1072	04/28/2023	Payroll	1	EFT	State of WA Dept of Social & Health Serv	738.43	Pay Cycle(s) 04/30/2023 To 04/30/2023 - WA Child Support
2023	1071	04/28/2023	Payroll	1	EFT	HRA VEBA Trust Contributions	600.00	Pay Cycle(s) 04/30/2023 To 04/30/2023 - HRA VEBA
2022	3076	12/08/2022	Payroll	1	16491	Adam M Johnston	138.52	2022 Volunteer FF Pay
2022	3319	12/31/2022	Claims	1	16584	Skamania Lawyer PLLC	635.00	December 2022 Statement
2023	591	03/16/2023	Claims	1	16724	Benjamin Shumaker	43.08	Armpads for Office Chair
2023	651	03/16/2023	Claims	1	16782	Skamania County Auditor	206.50	Quitclaim Deed filing for First Street Turnback (TB 4-0063)
2023	653	03/16/2023	Claims	1	16784	Skamania County Treasurer	10.00	Quitclaim Deed filing for First Street Turnback (TB 4-0063)
2023	944	04/20/2023	Claims	1	16824	CGTA	5,000.00	Reissuance of Ck #16591 for "2022 Regional Tourism Advancement
2023	947	04/20/2023	Claims	1	16827	CenturyLink	153.47	April 2023 WWTP Phone Service; April 2023 Kanaka Creek Transfer Station
2023	950	04/20/2023	Claims	1	16830	Class 5	315.06	May 2023 Monthly Phone Service; May 2023 Fax Service
2023	953	04/20/2023	Claims	1	16833	Columbia River Disposal	202.74	March 2023 Garbage Service
2023	964	04/20/2023	Claims	1	16844	Lakeside Equipment Corporation	113,039.77	Grit Removal Equipment
2023	979	04/20/2023	Claims	1	16859	Skamania County District Court	1,004.83	2022 Jury Management Costs
2023	981	04/20/2023	Claims	1	16861	Skamania County Prosecutor	1,500.00	April 2023 Remittance
2023	987	04/20/2023	Claims	1	16867	StreetScan Inc	716.00	GIS - Valve Cans
2023	990	04/20/2023	Claims	1	16870	US Bank Safekeeping	30.00	March 2023 US Bank Safekeeping Fees
2023	993	04/20/2023	Claims	1	16873	USA Bluebook	361.14	Repair Kit for Water Treatment Plant
2023	996	04/20/2023	Claims	1	16876	Waste Connections Vancouver District 2	46.95	March 2023 Shredder Cart Service
2023	998	04/20/2023	Claims	1	16878	Carson J Whitney	75.00	Fuel Reimbursement-Cross Connection Training
2023	1053	04/30/2023	Payroll	1	16880	Michael D Johnson	137.65	PP 04.01.23-04.30.23
2023	1056	04/30/2023	Payroll	1	16881	Kristy A McCaskell	137.65	PP 04.01.23-04.30.23

# TREASURER'S REPORT

## Outstanding Vouchers

04/01/2023 To: 04/30/2023

As Of: 04/30/2023 Date: 05/12/2023

Time: 15:12:56 Page: 6

City Of Stevenson

Year	Trans#	Date	Type	Acct#	War#	Vendor	Amount	Memo
2023	1074	04/28/2023	Payroll	1	16883	WGAP Washington Gorge Action Program	68.82	Pay Cycle(s) 04/30/2023 To 04/30/2023 - Food Bank
							140,374.97	
2023	1077	04/27/2023	Util Pay	10		Xpress Billpay	1,001.33	Xpress Import - EFT - 04-27-2023__daily_batch.csv
2023	1078	04/27/2023	Util Pay	10		Xpress Billpay	157.00	Xpress Import - iPay - 04-27-2023__daily_batch.csv
2023	1087	04/30/2023	Util Pay	10		Xpress Billpay	129.57	Xpress Import - EFT - 04-29-2023__daily_batch.csv
2023	1088	04/30/2023	Util Pay	10		Xpress Billpay	115.92	Xpress Import - EFT - 04-30-2023__daily_batch.csv
							1,403.82	
Receipts Outstanding:							1,403.82	
							140,374.97	

Fund	Claims	Payroll	Total
001 General Expense Fund	3,545.31	10,974.97	14,520.28
100 Street Fund	419.24	1,449.75	1,868.99
103 Tourism Promo & Develop Fund	5,000.00	12.79	5,012.79
400 Water/Sewer Fund	1,335.22	4,330.52	5,665.74
410 Wastewater System Upgrades	113,039.77	0.00	113,039.77
500 Equipment Service Fund	0.00	267.40	267.40
	123,339.54	17,035.43	140,374.97

TREASURER'S REPORT

Signature Page

City Of Stevenson

04/01/2023 To: 04/30/2023

Time: 15:12:56 Date: 05/12/2023

Page: 7

---

We the undersigned officers for the City of Stevenson have reviewed the foregoing report and acknowledge that to the best of our knowledge this report is accurate and true:

Signed: \_\_\_\_\_ Signed: \_\_\_\_\_  
City Administrator / Date Deputy Clerk-Treasurer / Date

**The Planning Commission Meeting**

**for March 13, 2023 is**

**CANCELLED**

**The next Regular Meeting**

**is April 10, 2023**

**at 6:00 PM**

**DRAFT Minutes**  
**Stevenson Planning Commission Meeting**

**Monday, April 10, 2023**

**6:00 PM**

**Planning Commission Chair Jeff Breckel** called the meeting to order at 6:00 p.m.

**MEMBERS PRESENT**

Planning Commission Chair **Jeff Breckel**, **Commissioners Auguste Zettler, Davy Ray, Charles Hales, Anne Keesee**

**STAFF PRESENT**

**Community Development Director Ben Shumaker, Planning & Public Works Assistant Tiffany Andersen**

**GUESTS PRESENT**

Carolyn Sourek, Stevenson Public Works Director; Alex Capron, DCG/The Watershed Company

**PUBLIC PRESENT**

Mary Repar, Mike Beck

**A. Preliminary Matters**

1. **Public Comment Expectations**     **Breckel** asked **Shumaker** to provide participants information on providing public comments. Shumaker explained the tools to use for remote participants: \*6 to mute/unmute & \*9 to raise hand. Commenters must raise their hand and be acknowledged by the Chair. Individual comments may be limited to 3 minutes.
2. **Public Comment Period** (For items not located elsewhere on the agenda)
  - >Repar talked about design standards and rural character and housing affordability.
  - >Beck provided comments on Community Land Trusts.This led to a discussion by Commissioners regarding establishment and enforcement of design standards and housing cost drivers.
3. **February 13<sup>th</sup>, 2023 Minutes**     **MOTION** to approve the minutes from the February 13<sup>th</sup>, 2023 Planning Commission Meeting as presented was made by **Hales**, seconded by **Zettler**. (Note: the March 13<sup>th</sup>, 2023 meeting was cancelled.)
  - **Voting aye: Breckel, Ray, Zettler, Hales, Keesee.**

**B. New Business**

4. **Conditional Use Permit: CUP2023-01 Cascade Pump Station**
  - a. **Appearance of Fairness Doctrine: Shumaker** explained and administered the Appearance of Fairness Doctrine. The Appearance of Fairness Doctrine is a rule of law requiring government decision-makers to conduct non-court hearings and proceedings in a way that is fair, impartial

and unbiased in both appearance and fact. Any conflicts of interest must be disclosed to ensure fairness and impartiality. Disclosures include any financial interest in the final outcome, any outside (ex-parte) communications made with any party of interest or anything else that could be construed as a conflict or affects any decision making. Decision makers can be challenged by applicants regarding any perceived conflicts of interest.

Upon questioning, none of the Planning Commissioners disclosed any ex-parte communications concerning the application, and none reported any financial conflicts or other matters that would impede a fair and impartial decision. **Hales** disclosed his stepdaughter is the Public Works Director in Stevenson and explained it would not affect his ability to impartially review the application and that his part of the decision would be fair and impartial. There were no challenges by the applicant or the public.

**b. Presentation by Staff: Shumaker** referenced the written staff report for details on the application for the Cascade Wastewater Pump Station. The reason for the construction, location, relevant zoning information and more was included. He noted no shoreline approval was needed. Other permits are in process for additional work. Issuance of a Conditional Use Permit would allow modifications to the existing use.

**c. Presentation by Applicant: Sourek** provided further information on the reason for the upgrade and modernization work on the Cascade Pump Station. Safety, age, efficiency and aesthetics were cited as concerns. She noted the city is under an administrative order from the Department of Ecology to improve it's wastewater treatment program.

**d. Public Hearing. Breckel** opened the public hearing at 6:39.

>Repar commented on the need to ensure any critical areas are not impacted and on carbon offsets for the project.

**Breckel** closed the public hearing at 6:44.

**e. Commission Deliberation: Breckel** stated the Pump Station project appears to be climate change neutral.

**f. Decision:**

**MOTION** to approve CUP permit findings was made by **Ray**, seconded by **Zettler**.

- **Voting aye: Breckel, Zettler, Keesee, Ray, Hales**

Following the vote, Commissioners and staff shared thoughts on the impact of carbon offsets on future projects.

## 5. Short Plat Review:

### SP2023-01 Knudsen Short Plat

**Shumaker** introduced a proposed 2-lot short plat dividing property at 390 NW Chesser Road in the City's R1 Single-Family Residential District. The tax lot number is 03-07-36-1-3-2900-00. The property is currently developed with a single-family detached dwelling and residential outbuilding. Two lots

are proposed for use as single-family residential. The proposal involves City water and sewer service. He recommended the Planning Commission bypass its review of the short plat and entrust the decision on the application to the Land Division Administrator.

**BY CONSENSUS**, the Planning Commission chose not to comment.

**6. Short Plat Review:**

**SP2023-02 Richard-Steeves Short Plat**

**Shumaker** introduced a proposed 2-lot short plat dividing property at 390 NW Kanaka Creek Road in the City’s R1 Single-Family Residential District. The tax lot number is 03-07-36-1-4-2090-00. The property is currently developed with a single-family detached dwelling and residential outbuilding. Two lots are proposed for use as single-family residential. The proposal involves City water and is currently served by septic. He noted the Public Works Department recommended both lots connect to the sewer system when it becomes available and participate in the cost of the sewer extension. He then recommended the Planning Commission bypass its review of the short plat and entrust the decision on the application to the Land Division Administrator.

**BY CONSENSUS**, the Planning Commission decided not to comment.

**7. Updating Public Comment Expectations: Considering additions to the current agenda content**

Following a brief discussion on setting clear expectations, it was agreed to include the following language in the agenda regarding public comment expectations: “Disruptive individuals may be required to leave the meeting. Persistent disruptions may result in the meeting being recessed and continued at a later date.”

**Old Business**

[NOTE: To accommodate the invited guest, item #8 was discussed prior to item #5.]

**8. Shoreline Public Access: Presentation from The Watershed Company**

**Capron** summarized the work and timeline regarding the integrated shoreline access & trails plan. Throughout the plan the City prioritizes continuous public pedestrian/walking access along the shorelines and shorelands of the Columbia River, Rock Creek and Rock Cove, within both City limits and the City’s urban growth area (SMP Public Access policy 4.6.2(1)). Shoreline jurisdiction roughly encompasses all water bodies within City limits, including 200 feet landward the Ordinary High Water Mark. One goal is to have planning-level documentation, geographic and site analysis, and public input used to develop a set of prioritized shoreline projects for future grant funding applications.

He discussed some public involvement activities including positive attendance and participation at the February 23<sup>rd</sup> public meeting and good feedback obtained from an online survey. He discussed an upcoming charette planned for April 19<sup>th</sup> in Stevenson. Nine potential projects will be presented at four stations for public comments. Suggestions on increasing public participation were offered.

Planning Commissioners discussed public and private access, additional trail possibilities, and maintaining Stevenson’s river town and/or rural character. Capron was thanked for his work. He will attend the May 8th, 2023 Planning Commission meeting with more information and results from the April 19th, 2023 meeting.

**9. Subcommittee Reports      Downtown Parking, Annexation Policy**

**Hales** reported on the Annexation Subcommittee. He noted plans to work on the issue over the summer, and expressed appreciation for the maps he has been sent.

**Keesee** reported on Downtown Parking. She met briefly with Shumaker and will meet again soon to develop a parking usage study to be done in July 2023 to assess summer parking demand. A prior usage study was done in September 2021.

**Discussion**

**10. Staff & Commission Reports      Broadband.** Rural areas lacking high speed internet are getting more attention. Separate projects are being funded through Washington State and the federal government to determine best ways to provide services through local providers. Skamania County, Mid-Columbia Economic Development District and Washington State University are serving as partners.

**East Loop Road Water & Street Project.** The water lines along the east end of Loop Road are being replaced. Resurfacing of the road will take place when the project is completed.

**Water Treatment Plant.** Construction is active, will continue as completion timeline has been set back due to supply chain delays. The administrative order from the Department of Ecology has been lifted due to progress. At the April 2023 City Council Meeting the Mayor and City Council will be reconsidering the moratorium previously enacted on commercial hookups.

**11. Thought of the Month      Rural Urbanism.** <https://www.cnu.org/publicsquare/2023/03/30/rural-urbanist-towns-contradiction-orfuture>

**Parking Reform Network.** <https://parkingreform.org/resources/parking-lot-map/>

>Repar announced the Grange will hold its annual Plant and Seed Swap on April 22nd at the Stevenson Library from 10 a.m. to 2 p.m.

**Breckel** observed the dynamics of city of Roslyn may offer insight based on the changes it is facing. New residents are moving in and long-term residents are unhappy with changes occurring.

**Adjournment**

**MOTION** to adjourn at 8:03 p.m. was made by **Zettler**, seconded by **Keesee**. No objections.

Minutes recorded by Johanna Roe.



Contracts and/or Change Orders awarded above \$10,000  
from April 15th thru May 12th

Date	Contractor	Amount	Total Contract	Description of service
2/24/2023	Wallis Engineering	30,496.00	717,277.24	CO #2 for the Wastewater Collection System upgrades project for completing city permitting requirements and generator procurement.*missed when reporting in March.
5/5/2022	Crestline Construction	20,581.47	380,850.90	CO #3 Difference for Main D project. Initial CO information submitted at May 19, 2022 council meeting for \$12,432.89 for removal of oversaturated material in trench.
5/6/2022	Crestline Construction	73,426.63	454,277.53	CO #5 Difference for Main D project. Initial CO information submitted at June 16, 2022 council meeting for \$21,925.57 for additional pavement from increased trenching.
4/27/2023	Precision Concrete Cutting	10,251.72	10,251.72	Concrete cutting to remove trip hazards from sidewalk throughout the city. Reimbursable through grant provided by WCIA (Liability Insurance)



# City of Stevenson

Leana Kinley, City Administrator

Phone (509)427-5970  
FAX (509) 427-8202

7121 E Loop Road, PO Box 371  
Stevenson, Washington 98648

To: City Council  
From: Leana Kinley, City Administrator  
RE: Stormwater Utility Creation  
Meeting Date: May 18, 2023

## **Executive Summary:**

At the January 19, 2023 council meeting, Chuck Oldfield brought up the issue of detention ponds no longer being maintained by the Angel Heights and Hidden Ridge Home Owners Associations as they have dissolved. The request was for the city to take over the ownership and maintenance of the ponds and assess a fee to the related properties. This was discussed and was to be placed on the May 18<sup>th</sup> agenda for discussion when the Public Works Director was back from leave. Council discussed the topic at the April 27<sup>th</sup> special meeting regarding the strategic plan review and decided to leave it as a wish list item until more capacity can be identified.

## **Overview:**

### *Background*

At the January 19, 2023 council meeting, Chuck Oldfield brought up the issue of detention ponds no longer being maintained by the Angel Heights and Hidden Ridge Home Owners Associations as they have dissolved. The request was for the city to take over the ownership and maintenance of the ponds and assess a fee to the related properties. This equates to establishing a city-wide stormwater utility and involves:

- Identification of assets and capital projects costs.
- Identification of ongoing maintenance costs.
- A rate study to determine a fair rate to charge all property owners, city-wide.
- Public engagement and notification of changes proposed.

Overall Timeframe: 1-2 Years

Time Involvement: Medium (40-75%)

The O&M and Capital costs for Stormwater over the past 4 years are below:

	2019	2020	2021	2022
Storm O&M	19,500.47	34,678.64	27,005.49	24,257.62
Storm Capital	-	-	50,097.64	191,199.00

The system is aging, and costs will increase as portions of the system fail. It is identified as a wish list item and may be added to the Strategic Plan as other priority projects are completed.

## **Action Needed:**

None at this time.

# Elections: Dates to remember



## 2023 election cycle:

**May 1:** First day mail-in candidate filings are accepted

**May 15:** First day of official Candidate Filing Week (Online and in-person candidate filing begins)

**May 19:** Last day to file for office

**May 22:** Last day to withdraw candidacy

**May 26:** Last day to submit necessary materials for voters' pamphlet

**August 1:** Primary election

**November 7:** General election

## Need resources for people running for elected office?

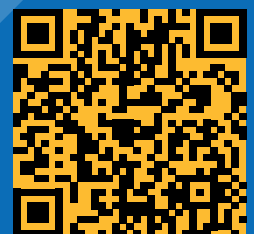
Find them on AWC's website:



## Save the date! Saturday, December 9 AWC's Elected Officials Essentials | Online

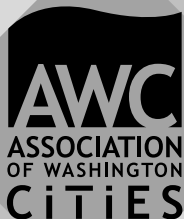
This training is for newly elected mayors, councilmembers, and those currently in office. The workshop meets an important training requirement for elected officials and covers important information about roles and responsibilities, along with basic legal obligations and liabilities. Must be an elected official to attend.

Watch AWC's website for more information. Registration opens in the fall!



# So you want to be an elected official...

Practical information for  
people running for office in  
Washington's cities and towns





## **Why are you running for election to a local office?**

This is a question that every candidate will be asked – and a question that every candidate must carefully consider.

Most often, people run for office because they are deeply committed to their city or town and want to influence the community's direction. At times, people run because they are passionate about a single issue or problem. A single controversy – such as a land use or zoning decision – could dominate an entire election campaign.

But once the election is over, things change. Candidates who have won an election based on their position on a single issue soon discover that they are responsible for a much broader array of challenges. The platform they ran on may not even be on the council's agenda. Getting it placed there will only be possible if they are willing and able to work cooperatively with other members of the council, many of whom will have their own issues to champion.

In order to be effective, elected officials must work as part of a team to establish a shared vision for the future, develop goals and plans that make that future possible, and work with their colleagues and constituents to enact the local policies and laws that will ultimately lead to accomplishment.

Holding a public office is an act of service to the public – that is, service to all the residents of a city or town, not just those who share your views or those who voted for you. It is a challenge that requires every office holder to rise above the fray, to reach beyond comfort zones, and to work with others with whom they may have significant differences.

Rising to that challenge is what makes democracy work. It's what makes shaping our shared future possible. It's what others have done before us. And it's what has made our cities and towns places we can be proud of.



# Working as part of a team

---

Getting elected as a councilmember or mayor brings a special status. It also comes with the obligation to look beyond yourself and cultivate the qualities of collaboration, teamwork, and civility.

Elected officials set the tone for the civic life of their community. When elected officials demonstrate how to differ with one another respectfully, find principled compromises, and focus on the common good, community members often will too. When elected officials get mired in blame, recrimination, or division, civic progress can grind to a halt, and the city's sense of common purpose can fracture.

To govern well, elected leaders must help each other and the public stay focused on the future and on the common good. That can be an uphill struggle when the passions of the moment lead to demands for instant solutions, or when there is a deep division over a single issue that threatens to push longer-term problems aside. There will always be occasions when elected officials differ among themselves. But the mark of leadership is the ability to handle those differences in ways that move the agenda forward, build trust, and create a civic culture of mutual respect that makes progress possible.

---

When elected officials get mired in blame, recrimination, or division, civic progress can grind to a halt.





# Roles and responsibilities

Cities provide services that are vital to community health, safety, and economic activity. While specific city-provided services may vary, most cities provide public safety, land use and planning, parks, and public works such as street maintenance and construction, water, sewer, and/or stormwater management. Understanding the role of elected officials is critical to ensure proper planning, oversight, and delivery.

## Policymaking vs. administration

Councils are legislative bodies – that is, they are elected to make major policy decisions and pass budgets. The basic job of councilmembers is to find the balance among themselves that represents the best interests of the majority of residents, while respecting the rights of all.

Councilmembers make policies, but mayors (in mayor-council cities) and city managers (in council-manager cities) are responsible for their implementation and administration. Learning the difference between these two key functions – policymaking and administration – and respecting the boundaries between them is critical to a well-run government.

The separation of powers between legislative and administrative functions serves not only as a check on the exercise of authority between the two branches of local government, but also as a way to promote their efficient day-to-day operation and staff direction.

## Understanding your city's form of government and classification

Different cities have different forms of government. The most common form of government is the mayor-council form. This form consists of an elected mayor (elected at-large) who serves as the city's chief executive officer and a council (elected either at-large or from districts) that is responsible for formulating and adopting policies. In mayor-council cities, a professional administrator may assist the mayor with day-to-day operations.

## Cities by classification & form

Class	Mayor-council	Council-manager	Total
First	6	4	10
Second	5	0	5
Town	68	0	68
Code	147	50	197
N/A	1	0	1
<b>Total</b>	<b>227</b>	<b>54</b>	<b>281</b>

The second most common form of city government is the council-manager form. The council-manager form consists of an elected council, which is responsible for policymaking, and a professional city manager (appointed by the council) who is responsible for administration. The city manager is accountable to the council and is responsible for implementing the council's policies. Although mayors in council-manager cities have no administrative or executive duties, they do serve as the chair of the council and often play a prominent political leadership role.

It is also important to know your city's classification – first class city, second class city, town, or code city. Many state laws differ depending upon the classification, such as the specific powers and responsibilities of a mayor.

First class and code cities have broad home rule powers granted in both the state constitution and statute. Cities may determine their structure and regulate under their police powers, as long as they do not conflict with the state constitution or laws. In Washington, more than 200 code and first class cities have broad home rule powers and have been granted all powers available to other classes of cities.

## **The third branch**

Cities can choose to run their own municipal courts or contract with the county or another city to provide court services. Approximately one-third of cities run their own courts with elected or appointed judges. Full-time judges are elected. Part-time judges are either appointed by the mayor (mayor-council cities) or the manager (council-manager cities), and may be subject to council confirmation. Although the city council may determine the court's budget, the judge is responsible for running the court, including supervising court staff, and is not subject to council or executive oversight.

## **Working with other jurisdictions**

City elected officials' jobs don't stop at the city limits. The city's streets must connect with county roads and state highways. Similarly, cities must work with other jurisdictions and many levels of government to achieve collective goals. In some cases, this can involve complex, technical inter-jurisdictional agreements for services such as public safety, sewage treatment, or other utilities.

Cities must abide by state and federal laws and regulations, and can benefit from state and federal funding programs. There may also be special purpose districts for fire protection, ports, transit, sewer and water, cemeteries, libraries, and a host of other specific functions that interact with city government. Residents have the right to expect that these relationships are well-managed, efficient, and collaborative—and it's up to elected officials to make this happen.

## **Celebrating community achievements and promoting civic pride**

City elected officials also serve as champions for civic achievement. By appearing at ribbon-cutting ceremonies, participating in charity events, and attending celebrations of student achievement, elected officials bring recognition and attention to the values of civic engagement and individual accomplishment. This might not be in the elected leader's official job description, but it is an important part of how elected leaders can bring out the best in their communities and strengthen the traditions that build civic pride.

## Ethics

You may think of yourself as an ethical and law-abiding person, but that may not be enough to keep you on the right side of the law once you are elected. There are specific laws and high ethical standards of conduct for elected officials, and becoming thoroughly informed about them is important.

All city officials must abide by strict laws regarding ethics in government. These laws aim to prevent favoritism and ensure that elected officials are truly serving the public rather than reaping personal benefits from their positions.

State laws that city elected officials must abide by include:

**No special privileges** – Elected officials must pay the same fees for permits or services as any other resident. They cannot receive or give any special privileges, discounts, or exemptions or use any city resources for private purposes. For example, a city official cannot borrow a city pickup truck for the weekend or arrange for it to be used by a friend or relative.

## **No gifts or rewards from private**

**sources** – Elected officials may not receive gifts that are in any way connected to their public service. For instance, if a councilmember votes for a specific project and a constituent sends a thank you gift of tickets to a concert or game, the tickets must be returned.

## **No disclosure of confidential**

**information** – Elected officials may not disclose confidential information or use it for personal gain. This means that you may not accept a job or engage in a business that might require you to disclose confidential information you gained from your city position.

**No conflicts of interest** – Elected officials may not have any financial interest in any public contracts made through their office with the city they serve. This includes contracts for employment, sales, leases, and purchases. (There are limited exceptions to this rule in small cities with a population under 10,000.)

In addition, elected officials may not vote on any matter that would have a personal direct financial impact on them. This prohibition does not include matters that have a general impact, such as taxes or utility rates.

Conflicts of interest can also include “remote” interests – interests that would not personally benefit you, but might benefit people or organizations with whom you have a special relationship. For instance, if you are on the governing board of a nonprofit organization seeking a contract with the city, you must disclose your interest and you may not vote on that contract or attempt to influence the votes of others.

### **Open public meetings**

The Open Public Meetings Act (OPMA) requires that all council meetings (and meetings of planning commissions, library boards, and other public bodies) be open to the public, except under special circumstances, such as discussing a lawsuit, a confidential personnel issue, or a real estate transaction.

This also means that elected officials cannot meet informally and make decisions out of the public eye.

Whenever a quorum of the council is present, city business cannot be the topic of discussion unless the public has been notified and the meeting is open to them.

If this act is violated, there may be personal penalties for the elected officials involved. In addition, any final action that is taken in a meeting which did not comply with the Open Public Meetings Act is null and void.

### **Public access to records**

The Public Records Act (PRA) gives any person full access to a wide range of information about how government does business. Most information relating to the conduct of government that is prepared, owned, used, or retained by a city is presumed to be a public record that must be made available to the public for inspection and copying. This includes papers, photos, maps, videos, and electronic records (such as email, text messages, and social networking sites). It also includes reports that are prepared for government by hired contractors.

All cities must make these records available for everyone. There are a limited number of exemptions from disclosure for some personnel records and other confidential matters.

### **Required OPMA and PRA training**

Under the Open Government Trainings Act, every elected local or statewide official that is also a member of a “governing body,” must receive both open public meetings and records trainings. This must occur no later than 90 days after taking the oath of office or assuming duties. “Refresher” training must occur at intervals of no more than four years.

## **Adopting a city budget**

One of the most challenging tasks for local elected officials is developing and adopting annual city budgets. They can be complex and technical documents that are important expressions of a city's vision, values, priorities, and strategic goals. Budgets are also a tool for evaluating past performance, as elected leaders and staff make note of what was accomplished in the past year and how actual costs compared to estimated projections.

Mastering the budget process can be a steep learning curve for newly-elected leaders. There are guiding state laws about the timing and content of city budgets. Once in office, elected officials soon find that the budget is such an important policy document that they can't be effective unless they fully understand it, and can explain it to their constituents.

---

Budgets are important expressions of a city's vision, values, priorities, and strategic goals.

## **Comprehensive planning, growth management, and environmental protection**

Every city needs to plan for growth in order to provide a healthy future for its residents. Cities adopt comprehensive plans that spell out a specific vision for how the city will develop, while protecting critical natural resources and open space. Engaging the community in the process of developing a comprehensive plan ensures that everyone works together to create a shared vision for the future, and that everyone takes part in the work of achieving it.

Twenty-nine counties and the cities within them are required to or have chosen to create plans that conform to the state Growth Management Act (GMA). Once adopted, a city's comprehensive plan is used to guide decisions about zoning, subdivisions, and other regulatory matters. Local codes can create incentives for the kind of growth a city wants by providing such things as density bonuses for projects that provide affordable housing or preserve natural areas.

State and federal environmental laws and regulations also affect local comprehensive planning, because they require protection of certain natural resources such as clean drinking water and critical wildlife habitat. Learning about these laws and how they affect your city is an important part of an elected leader's job.

Keeping the comprehensive plan in mind – and keeping it in the public eye – ensures that the city stays focused on creating the future residents want for the next generation and beyond.



# Publications and resources

---

## Publications

You can find many materials, publications, and other resources online. Below are a few highlighted publications that may be of value to you even before becoming an elected leader.

### **Association of Washington Cities, wacities.org**

- *Mayor & Councilmember Handbook*
- *Small City Resource Manual: A guide for Washington's small cities and towns*

### **Municipal Research and Services Center, mrsc.org**

- *Getting Into Office: Being Elected or Appointed into Office in Washington Counties, Cities and Towns, and Special Districts*
- *Knowing the Territory: Basic Legal Guidelines for Washington City, County, and Special District Officials*

## Training opportunities

After getting elected, there are regional workshops, statewide conferences, and eLearning opportunities to help you learn important laws and hone skills to become a more effective leader.

Highlighted trainings include:

- **OPMA and PRA eLearnings**  
AWC and MRSC have two eLearnings available 24/7: Open Public Meetings Act and Public Records Act

## Certificate of Municipal Leadership

AWC's Certificate of Municipal Leadership (CML) program recognizes mayors and councilmembers for accomplishing training in five core areas:

- Roles, responsibilities, and legal requirements
- Public sector resource management
- Community planning and development
- Effective local leadership
- Diversity, equity, and inclusion





The Association of Washington Cities (AWC) serves its members through advocacy, education, and services. Founded in 1933, AWC is a private, nonprofit, nonpartisan corporation that represents Washington's 281 cities and towns before the state legislature, the state executive branch, and with regulatory agencies. AWC also provides training, data and publications, and services such as the AWC Employee Benefit Trust, AWC Risk Management Service Agency, AWC Workers' Comp Retro, AWC Drug and Alcohol Consortium, AWC GIS Consortium, and AWC JobNet.

Promoting communication between cities and towns and developing broad public understanding of the important roles of cities and towns is part of our vision.

Association of Washington Cities  
[wacities.org](http://wacities.org)

Copyright © 2023 by Association of Washington Cities  
All rights reserved.

**Washington Gorge Action Programs**  
**Skamania County Housing Programs**  
 May-2023  
 Submitted by Curt Gray

**Rental Assistance**

**Outputs**

	Apr
Number of households served	10
Number of individuals within those households	16
Total Number of bed nights provided	480

**Housing and Essential Needs**

**Outputs**

	Apr
Number of individuals served with Housing/Utilities	4
Number of individuals served with Essential Needs	3
Total Number of bed nights provided	120

**Permanent Support Housing**

	Apr
Number of individuals obtained employment	0
Number of individuals increasing their income	0
Number of individuals retained employment for 90 days or more	0
Number of HH removed Barriers that hindered individuals in obtaining job	0
Number of HH moved into affordable permanent housing	0
Number of HH Received referral to mainstream resources	2
Number of individuals completed Life Skills meeting	2
Number of individuals denied services	4

**Outputs PSH**

	Apr
Number of households served	4
Number of individuals within those households	4

**Shelter**

The shelter is open to individuals and families who are homeless. They are required to look for permanent housing during their stay.

**Outputs**

	Apr
Number of households served	4
Number of individuals within those households	4
Total Number of bed nights provided	120

**Total Outcomes for all Programs**

	Apr
Number of individuals obtained employment	1
Number of individuals increasing their income	1
Number of individuals retained employment for 90 days or more	1
Number of HH removed Barriers that hindered individuals in obtaining job	1
Number of HH moved into affordable permanent housing	0
Number of HH Received referral to mainstream resources	14
Number of individuals completed Life Skills meeting	17
Number of individuals denied services	4

**Success Stories**

April 2023:

1. No COVID outbreaks in our shelters
2. One (1) client obtained independent permanent housing
3. One (1) shelter resident maintained employment
4. One (1) shelter resident obtained employment





## May 2023 Board Report

### Skamania County Housing Programs

Submitted by Curt Gray, Director, Skamania County Housing Programs

As an introduction to the monthly report we routinely submit, I'm including this narrative to provide additional insight. Data reported is for the month of April.

- **Rental Assistance:**

First-time requests for rental assistance are given priority.

In addition to the rental assistance for all programs that is reported for April, assistance has been provided to pay rents that were in arrears for months other than the reporting month. In the month of April, ten (10) households comprising a total of sixteen (16) individuals were served providing an additional 1410 bed-nights of assistance.

- **Denial of Services:**

Four (4) households requesting rent assistance in April were denied. Two (2) households had previously received significant rental assistance in prior months and reached the maximum benefit. Two (2) households did not qualify for rental assistance.

# CHECK REGISTER

City Of Stevenson

Time: 15:45:23 Date: 05/16/2023

04/21/2023 To: 05/18/2023

Page: 1

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
1024	04/25/2023	Claims	1	EFT	Employment Security Dept.	908.68	Q1/2023 - UI Benefit Charges
1209	05/18/2023	Claims	1	EFT	Department of Revenue	7,390.24	April 2023 Taxes
1210	05/18/2023	Claims	1	16884	Aramark Uniform Services	101.76	April 2023 Statement
1211	05/18/2023	Claims	1	16885	Avista Utilities	599.24	April 2023 Statement
1212	05/18/2023	Claims	1	16886	BSK Associates	1,714.50	April 2023 Statement; April 2023 Statement
1213	05/18/2023	Claims	1	16887	Bell Design Company Inc	3,655.00	Engineering Standards Update
1214	05/18/2023	Claims	1	16888	Cashmere Valley Bank	1,382.69	Loan #120002019 Interest Payment
1215	05/18/2023	Claims	1	16889	CenturyLink	148.33	May 2023 Kanaka Creek Transfer Station; May 2023 WWTP Phone Service
1216	05/18/2023	Claims	1	16890	Centurylink Comm Inc	45.92	April 2023 WWTP Long Distance
1217	05/18/2023	Claims	1	16891	City of Hood River	13,047.93	1st Qtr 2023 Sludge Hauling
1218	05/18/2023	Claims	1	16892	City of Stevenson	4,644.64	April 2023 Statement; April 2023 Statement; April 2023 Statement; April 2023 Statement; April 2023 Statement; April 2022 Statement; April 2023 Statement; Ap
1219	05/18/2023	Claims	1	16893	Columbia Hardware Inc	629.30	April 2023 Statement
1220	05/18/2023	Claims	1	16894	Columbia River Disposal	204.54	April 2023 Garbage Service
1221	05/18/2023	Claims	1	16895	Dbaclassy Glass Daniel W Bentrup	400.00	Window Cleaning
1222	05/18/2023	Claims	1	16896	Day Wireless Systems Day Management Corporation	440.00	Install Radio Into New City Truck
1223	05/18/2023	Claims	1	16897	DeVaul Publishing	189.00	Legal Ad-Notice of Special Meeting; Legal Ad-Ordinance No. 2023-1194 Adoption; Legal Ad: Public Hearing on TIP/CIP; Legal Ad: Public Hearing on TIP/CIP
1224	05/18/2023	Claims	1	16898	Denali Water Solutions LLC	5,704.00	April 2023 Sludge Hauling
1225	05/18/2023	Claims	1	16899	Department of Ecology-Cashiering Unit	24,789.60	May 2023 Payment for WWTP Design Loan WQC-2019-StevPW-00044
1226	05/18/2023	Claims	1	16900	Jonathon D Dexter	104.00	Reimbursement for Cross Connection Control Exam
1227	05/18/2023	Claims	1	16901	Financial Consulting Solutions Group Inc	5,160.00	Water/Sewer/SDC Rate Study
1228	05/18/2023	Claims	1	16902	Flo Analytics	3,541.25	On-call GIS Services
1229	05/18/2023	Claims	1	16903	Gorge Auto Parts Inc	634.58	April 2023 Statement
1230	05/18/2023	Claims	1	16904	Grayling Engineers	11,026.68	Cascade Avenue Utility Improvements; 2022 Waterline Replacements
1231	05/18/2023	Claims	1	16905	Gregory Scott Cheney	250.00	May 2023 Statement
1232	05/18/2023	Claims	1	16906	Devon L. Groom	11.40	Difference for Mileage Rate Increase in March
1233	05/18/2023	Claims	1	16907	H2Oregon	25.41	Drinking Water Dispenser for WWTP; Drinking Water for WWTP
1234	05/18/2023	Claims	1	16908	Harper Houf Peterson Righellis	12,467.52	Gravel Road Imp & Rock Creek Bridge
1235	05/18/2023	Claims	1	16909	Kamstrup Water Metering LLC	2,107.33	Kamstrup Hosted Solutions
1236	05/18/2023	Claims	1	16910	Kilmer, Voorhees & Laurick P.C.	2,675.00	April 2023 Statement
1237	05/18/2023	Claims	1	16911	Kimball Midwest	362.98	E/S Supplies & Marking Paint; Safety Supplies
1238	05/18/2023	Claims	1	16912	Leana V Kinley	266.85	Travel Reimbursement-Labor Relations Institute
1239	05/18/2023	Claims	1	16913	Main Street - Singh	1,812.34	April 2023 Statement

# CHECK REGISTER

City Of Stevenson

Time: 15:45:23 Date: 05/16/2023

04/21/2023 To: 05/18/2023

Page: 2

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
1240	05/18/2023	Claims	1	16914	Maul Foster Alongi	8,356.25	Columbia Avenue Realignment
1241	05/18/2023	Claims	1	16915	Northwest Graphic Works LLC	518.10	Hats & T-Shirts for Crew
1242	05/18/2023	Claims	1	16916	Odyssey Contracting LLC	139,104.07	Loop Road Waterline
1243	05/18/2023	Claims	1	16917	Office of State Treasurer-Cash Mgmt Di	692.63	May 2023 Remittance
1244	05/18/2023	Claims	1	16918	One Call Concepts Inc	21.40	April 2023 Locates-20
1245	05/18/2023	Claims	1	16919	PUD No 1 of Skamania County	8,793.33	April 2023 Statement; April 2023 Statement; April 2023 Statement; April 2023 Statement; April 2023 Statement; April 2023 Statement
1246	05/18/2023	Claims	1	16920	Petty Cash	289.57	April 2023 Statement
1247	05/18/2023	Claims	1	16921	Print It! Inc	96.93	City Logo Magnets for Carolyn's Personal Truck
1248	05/18/2023	Claims	1	16922	Pumptech Inc	30,274.27	RAS Pumps for WWTP
1249	05/18/2023	Claims	1	16923	QCL Inc	350.00	Annual & Baseline Audiogram
1250	05/18/2023	Claims	1	16924	RADCOMP Technologies	3,058.39	Monthly Contract for May
1251	05/18/2023	Claims	1	16925	Ricoh USA Inc	53.30	April 2023 Copies
1252	05/18/2023	Claims	1	16926	Sea-Western Inc	9,077.90	Turnout Gear
1253	05/18/2023	Claims	1	16927	Skamania County Chamber of Commerce	19,021.58	April 2023 Chamber
1254	05/18/2023	Claims	1	16928	Skamania County Probation	357.48	April 2023 Probation Costs
1255	05/18/2023	Claims	1	16929	Skamania County Prosecutor	1,500.00	May 2023 Remittance
1256	05/18/2023	Claims	1	16930	Skamania County Treasurer	19,770.70	May 2023 Remittance; May 2023 Remittance
1257	05/18/2023	Claims	1	16931	Stellar J Corporation	526,235.59	WWTP Improvements-Progress Pay #10
1258	05/18/2023	Claims	1	16932	The Watershed Company	31,808.81	Stevenson SMP Public Access Plan; Shoreline & Access Trails Plan
1259	05/18/2023	Claims	1	16933	Timothy Charles Shell	7,604.57	April 2023 On-call Contract Administration; April Development Review; Engineering Standards Update
1260	05/18/2023	Claims	1	16934	US Bank Safekeeping	30.00	April 2023 US Bank Safekeeping Fees
1261	05/18/2023	Claims	1	16935	US Bank Voyager Fleet Systems	587.24	April 2023 Statement
1262	05/18/2023	Claims	1	16936	US Bank	5,777.08	April 2023 Card #1 Credit Card Statement; April 2023 Card #2 Credit Card Statement
1263	05/18/2023	Claims	1	16937	Verizon Wireless	111.62	April 2023 Cell Phone Charges
1264	05/18/2023	Claims	1	16938	Wallis Engineering PLLC	67,692.51	2021 WW Collection System Upgrades; WWTP Improvements Bidding & Construction
1265	05/18/2023	Claims	1	16939	Waste Connections Vancouver District 2	46.95	April 2023 Shredder Cart Service
1266	05/18/2023	Claims	1	16940	Wave Division Holdings LLC	552.61	May 2023 City Hall Internet Service; New Internet Service to the Water Treatment Plant; May 2023 WWTP Phone Service; May 2023 Firehall Internet
1267	05/18/2023	Claims	1	16941	Wayne Martin	566.58	Reimbursement for FD Equipment Rental

001 General Expense Fund	71,432.09
100 Street Fund	21,152.80
103 Tourism Promo & Develop Fund	19,174.50
312 Columbia Ave	8,356.25
400 Water/Sewer Fund	266,323.72
410 Wastewater System Upgrades	595,310.79
500 Equipment Service Fund	6,334.36



CHECK REGISTER

City Of Stevenson

Time: 15:45:23 Date: 05/16/2023

04/21/2023 To: 05/18/2023

Page: 3

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
			630 Stevenson Municipal Court			705.66	
						<u>988,790.17</u>	Claims: 988,790.17

CERTIFICATION: I, the undersigned do hereby certify under penalty of perjury, that the materials have been furnished, the services rendered or the labor performed as described herein, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and that the claim is a just, due and unpaid obligation against the City of Stevenson, and that I am authorized to authenticate and certify to said claim.

Clerk Treasurer: \_\_\_\_\_ Date: \_\_\_\_\_

Claims Vouchers Reviewed By:

Signed: \_\_\_\_\_

Signed: \_\_\_\_\_

Signed: \_\_\_\_\_

Auditing Committee (Councilmembers or Mayor)