



## City of Lake Stevens Vision Statement



*By 2030, we are a sustainable community around the lake with a vibrant economy, unsurpassed infrastructure and exceptional quality of life.*

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### CITY COUNCIL REGULAR MEETING AGENDA Lake Stevens School District Educational Service Center (Admin. Bldg.) 12309 22<sup>nd</sup> Street NE, Lake Stevens

Monday, July 14, 2014 – 7:00 p.m.

**NOTE:** **WORKSHOP ON VOUCHERS AT 6:45 P.M.**

**CALL TO ORDER:** 7:00 P.M.  
Pledge of Allegiance

**ROLL CALL:**

**GUEST BUSINESS:**

<b>CONSENT AGENDA:</b>	*A Approve 2014 vouchers	Barb
	*B Approve Council regular meeting minutes of June 23, 2014	Barb
	*C 2014 Budget Amendment #2 – Ordinance No. 912	Barb

<b>ACTION ITEMS:</b>	*A Agency Data Sharing Agreement - DOR	Barb
	*B Community Center HVAC Replacement – Bid Award	Mick
	*C 2014 Pavement Overlay – Approval of Final Contract Amount and Final Acceptance of Project	Mick
	*D Authorization of Department of Corrections for Work Project Services	Mick

<b>DISCUSSION ITEMS</b>	*A Development Frontage Improvement Requirement – LSMC § 14.56.170	Mick
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**COUNCIL PERSON'S BUSINESS**

**MAYOR'S BUSINESS**

**STAFF REPORTS**

**EXECUTIVE SESSION**

**ADJOURN**

* ITEMS ATTACHED	** ITEMS PREVIOUSLY DISTRIBUTED	# ITEMS TO BE DISTRIBUTED
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**THE PUBLIC IS INVITED TO ATTEND**

**Special Needs**

*The City of Lake Stevens strives to provide accessible opportunities for individuals with disabilities. Please contact Steve Edin, City of Lake Stevens ADA Coordinator, (425) 377-3227, at least five business days prior to any City meeting or event if any accommodations are needed. For TDD users, please use the state's toll-free relay service, (800) 833-6384, and ask the operator to dial the City of Lake Stevens City Hall number.*

**NOTICE:**

**All proceedings of this meeting are audio recorded, except Executive Sessions**

**BLANKET VOUCHER APPROVAL  
 2014**

We, the undersigned Council members of the City of Lake Stevens, Snohomish County, Washington, do hereby certify that the merchandise or services hereinafter specified have been received and that the following vouchers have been approved for payment:

Payroll Direct Deposits	7/1/2014	\$120,489.58
Payroll Checks	37051-37053	\$5,314.08
Tax Deposit(s)	7/1/2014	\$47,410.22
Electronic Funds Transfers	ACH	\$157,810.30
Claims	37054-37127	\$464,745.24
Void Checks		
<b>Total Vouchers Approved:</b>		<b>\$795,769.42</b>

**This 14th day of July 2014:**

\_\_\_\_\_  
 Mayor

\_\_\_\_\_  
 Councilmember

\_\_\_\_\_  
 Finance Director

\_\_\_\_\_  
 Councilmember

\_\_\_\_\_  
 Councilmember

\_\_\_\_\_  
 Councilmember



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**Accounts Payable Checks and EFTs for period of 06/24/2014 to 07/14/2014**

Invoice	AccountCode	Account Description	Item Description	Amount	
<b>AFLAC</b>			<b>Check 0</b>	<b>6/27/2014</b>	<b>\$1,495.80</b>
326780	001-000-284-00-00-00	Payroll Liability Other	PR Batch 00002.06.2014 Aflac After Tax	\$374.56	
326780	001-000-284-00-00-00	Payroll Liability Other	PR Batch 00002.06.2014 Aflac PreTax	\$373.34	
326780	001-000-284-00-00-00	Payroll Liability Other	PR Batch 00001.06.2014 Aflac AfterTax	\$374.56	
326780	001-000-284-00-00-00	Payroll Liability Other	PR Batch 00001.06.2014 Aflac PreTax	\$373.34	
<b>Assoc of Washington Cities EFT</b>			<b>Check 0</b>	<b>7/14/2014</b>	<b>\$84,146.81</b>
July	001-000-283-00-00-00	Payroll Liability Medical	Medical Premiums - Employee Paid Portion	\$4,334.17	
July	001-002-513-11-20-00	AD-Benefits	Medical Premiums - Employer Paid Portion	\$1,169.24	
July	001-003-514-20-20-00	CC-Benefits	Medical Premiums - Employer Paid Portion	\$1,483.95	
July	001-004-514-23-20-00	FI-Benefits	Medical Premiums - Employer Paid Portion	\$938.27	
July	001-005-518-10-20-00	HR-Benefits	Medical Premiums - Employer Paid Portion	\$574.41	
July	001-006-518-80-20-00	IT-Benefits	Medical Premiums - Employer Paid Portion	\$2,757.74	
July	001-007-558-50-20-00	PL-Benefits	Medical Premiums - Employer Paid Portion	\$4,062.72	
July	001-007-559-30-20-00	PB-Benefits	Medical Premiums - Employer Paid Portion	\$3,165.47	
July	001-008-521-20-20-00	LE-Benefits	Medical Premiums - Employer Paid Portion	\$45,888.04	
July	001-010-576-80-20-00	PK-Benefits	Medical Premiums - Employer Paid Portion	\$173.85	
July	001-013-518-30-20-00	GG-Benefits	Medical Premiums - Employer Paid Portion	\$233.71	
July	101-016-542-30-20-00	ST-Benefits	Medical Premiums - Employer Paid Portion	\$9,559.98	
July	401-070-535-10-20-00	SE-Benefits	Medical Premiums - Employer Paid Portion	\$1,003.16	
July	410-016-531-10-20-00	SW-Benefits	Medical Premiums - Employer Paid Portion	\$8,802.10	
<b>Dept of Retirement PERS LEOFF</b>			<b>Check 0</b>	<b>6/27/2014</b>	<b>\$55,418.75</b>
June 16-30	001-000-282-00-00-00	Payroll Liability Retirement	PR Batch 00002.06.2014 Deferred Comp State Deduction	\$2,005.00	
June 16-30	001-000-282-00-00-00	Payroll Liability Retirement	PR Batch 00001.06.2014 Deferred Comp State Deduction	\$155.00	

Invoice	AccountCode	Account Description	Item Description	Amount
June/MayOT	001-000-282-00-00-00	Payroll Liability Retirement	June 2014 Employee/Employer contributions to PERS/LEOFF plans	\$53,258.75
<b>Dept of Revenue</b>			<b>Check 0</b>	<b>6/27/2014</b>
13527345	001-004-514-23-31-00	FI-Office Supplies	May 2014 Excise Use Taxes	\$51.60
13527345	001-008-521-20-31-01	LE-Operating Costs	May 2014 Excise Use Taxes	\$61.59
13527345	001-008-521-21-31-00	LE-Boating Operating	May 2014 Excise Use Taxes	\$50.57
13527345	001-012-572-20-48-00	CS-Library-Repair & Maint.	May 2014 Excise Use Taxes	\$378.72
13527345	001-013-518-90-49-06	GG-Excise Tax	May 2014 Excise Taxes	\$174.65
13527345	410-016-531-10-44-00	SW-Excise Taxes	May 2014 Excise Taxes	\$9,495.02
13527345	520-008-594-21-63-00	Capital Equipment	May 2014 Excise Use Taxes	\$119.53
<b>Nationwide Retirement Solution</b>			<b>Check 0</b>	<b>6/27/2014</b>
June 16-30	001-000-282-00-00-00	Payroll Liability Retirement	PR Batch 00002.06.2014 Deferred Comp Nationwide Ded	\$1,150.00
<b>Standard Insurance Company</b>			<b>Check 0</b>	<b>6/27/2014</b>
July	001-000-284-00-00-00	Payroll Liability Other	PR Batch 00002.06.2014 Disability Insurance Deduction	\$104.50
July	001-002-513-11-20-00	AD-Benefits	Disability Insurance Employer Portion	\$67.74
July	001-003-514-20-20-00	CC-Benefits	Disability Insurance Employer Portion	\$97.61
July	001-004-514-23-20-00	FI-Benefits	Disability Insurance Employer Portion	\$122.52
July	001-005-518-10-20-00	HR-Benefits	Disability Insurance Employer Portion	\$78.54
July	001-006-518-80-20-00	IT-Benefits	Disability Insurance Employer Portion	\$158.44
July	001-007-558-50-20-00	PL-Benefits	Disability Insurance Employer Portion	\$284.27
July	001-007-559-30-20-00	PB-Benefits	Disability Insurance Employer Portion	\$223.33
July	001-008-521-20-20-00	LE-Benefits	Disability Insurance Employer Portion	\$2,475.63
July	001-010-576-80-20-00	PK-Benefits	Disability Insurance Employer Portion	\$10.59
July	001-013-518-30-20-00	GG-Benefits	Disability Insurance Employer Portion	\$15.64
July	101-016-542-30-20-00	ST-Benefits	Disability Insurance Employer Portion	\$607.72
July	401-070-535-10-20-00	SE-Benefits	Disability Insurance Employer Portion	\$74.62

Invoice	AccountCode	Account Description	Item Description	Amount
July	410-016-531-10-20-00	SW-Benefits	Disability Insurance Employer Portion	\$543.65
<b>Washington State Support Registry</b>			<b>Check 0</b>	<b>6/27/2014</b>
7/1/14 Paydate	001-000-284-00-00-00	Payroll Liability Other	PR Batch 00002.06.2014 Child Support	\$402.46
<b>EFTPS Electronic Federal Tax Pmt System</b>			<b>Check 0</b>	<b>6/27/2014</b>
7/1/14 Paydate	001-000-281-00-00-00	Payroll Liability Taxes	PR Batch 00002.06.2014 Medicare Employer Portion	\$2,576.74
7/1/14 Paydate	001-000-281-00-00-00	Payroll Liability Taxes	PR Batch 00002.06.2014 FICA Employee Portion	\$11,017.74
7/1/14 Paydate	001-000-281-00-00-00	Payroll Liability Taxes	PR Batch 00002.06.2014 Medicare Employee Portion	\$2,576.74
7/1/14 Paydate	001-000-281-00-00-00	Payroll Liability Taxes	PR Batch 00002.06.2014 FICA Employer Portion	\$11,017.74
7/1/14 Paydate	001-000-281-00-00-00	Payroll Liability Taxes	PR Batch 00002.06.2014 Federal Income Tax	\$20,221.26
<b>Lake Stevens Police Guild</b>			<b>Check 37054</b>	<b>6/27/2014</b>
June 16-30	001-000-284-00-00-00	Payroll Liability Other	PR Batch 00002.06.2014 Guild Initiation Fees	\$25.00
June 16-30	001-000-284-00-00-00	Payroll Liability Other	PR Batch 00002.06.2014 WACOPS Deduction	\$110.00
June 16-30	001-000-284-00-00-00	Payroll Liability Other	PR Batch 00002.06.2014 Police Guild Deduction	\$923.00
<b>Teamsters Local No 763</b>			<b>Check 37055</b>	<b>6/27/2014</b>
June	001-000-284-00-00-00	Payroll Liability Other	PR Batch 00002.06.2014 Teamster Union Dues	\$277.00
June	001-000-284-00-00-00	Payroll Liability Other	PR Batch 00001.06.2014 Teamster Union Dues	\$277.00
<b>United Way of Snohomish Co</b>			<b>Check 37056</b>	<b>6/27/2014</b>
June	001-000-284-00-00-00	Payroll Liability Other	PR Batch 00002.06.2014 United Way	\$115.84
June	001-000-284-00-00-00	Payroll Liability Other	PR Batch 00001.06.2014 United Way	\$115.84
<b>Washington Teamsters Welfare Trust</b>			<b>Check 37057</b>	<b>6/27/2014</b>
08/2014	001-010-576-80-20-00	PK-Benefits	Teamsters Dental Premiums	\$8.72
08/2014	001-013-518-30-20-00	GG-Benefits	Teamsters Dental Premiums	\$13.09
08/2014	101-016-542-30-20-00	ST-Benefits	Teamsters Dental Premiums	\$630.31
08/2014	401-070-535-10-20-00	SE-Benefits	Teamsters Dental Premiums	\$26.17
08/2014	410-016-531-10-20-00	SW-Benefits	Teamsters Dental Premiums	\$630.31

Invoice	AccountCode	Account Description	Item Description	Amount	
<b>Ableman Rebecca</b>			<b>Check 37058</b>	<b>7/14/2014</b>	<b>\$299.90</b>
April 2014	001-000-284-00-00-00	Payroll Liability Other	Section 125 Med Reimbursement	\$299.90	
<b>Ace Hardware</b>			<b>Check 37059</b>	<b>7/14/2014</b>	<b>\$239.87</b>
42651	001-008-521-20-31-01	LE-Operating Costs	Toilet handle	\$20.06	
42588	001-008-521-20-31-01	LE-Operating Costs	Cleaner and car wax	\$34.15	
42717	001-010-576-80-31-00	PK-Operating Costs	Rope to hang Music in the Park banner	\$33.01	
42575	001-012-572-20-31-00	CS-Library-Office & Operating	Light bulbs at senior center	\$19.53	
42660	001-012-572-20-31-00	CS-Library-Office & Operating	Sand paper for library door	\$5.41	
42694	101-016-544-90-31-02	ST-Operating Cost	Parts for trailer repair	\$58.01	
42660	101-016-544-90-31-02	ST-Operating Cost	Palm sander	\$27.15	
42600	101-016-544-90-31-02	ST-Operating Cost	Lumber crayon	\$15.41	
42660	410-016-531-10-31-02	SW-Operating Costs	Palm sander	\$27.14	
<b>Advantage Building Services</b>			<b>Check 37060</b>	<b>7/14/2014</b>	<b>\$651.71</b>
14-0324	001-007-558-50-41-00	PL-Professional Servic	Janitorial services	\$27.31	
14-0324	001-007-559-30-41-00	PB-Professional Srv	Janitorial services	\$27.31	
14-0324	001-008-521-20-41-00	LE-Professional Services	Janitorial services	\$285.00	
14-0324	001-010-576-80-41-00	PK-Professional Services	Janitorial services	\$18.20	
14-0324	001-012-575-50-41-00	CS-Community Center - Cleaning	Janitorial services	\$109.25	
14-0324	001-013-518-20-41-00	GG-Professional Service	Janitorial services	\$148.20	
14-0324	101-016-542-30-41-02	ST-Professional Service	Janitorial services	\$18.21	
14-0324	410-016-531-10-41-01	SW-Professional Services	Janitorial services	\$18.23	
<b>Alexander Printing</b>			<b>Check 37061</b>	<b>7/14/2014</b>	<b>\$43.68</b>
38898	001-001-511-60-31-00	Legislative - Operating Costs	Business cards - Sam Low	\$43.68	
<b>Anderson Jennifer</b>			<b>Check 37062</b>	<b>7/14/2014</b>	<b>\$416.66</b>
July 2014	001-000-284-00-00-00	Payroll Liability Other	Section 125 Dependent care reimb	\$416.66	
<b>Assoc of Washington Cities</b>			<b>Check 37063</b>	<b>7/14/2014</b>	<b>\$450.00</b>

Invoice	AccountCode	Account Description	Item Description	Amount
2317	001-001-511-60-49-01	Legislative - Prof. Developmen	2014 Annual Conference AWC	\$450.00
<b>Berk Consulting Inc</b>			<b>Check 37064</b>	<b>7/14/2014</b>
7743-05-14	001-007-558-70-41-00	PL-Economic Devel	Services for April and May 2014	\$1,266.25
<b>Bills Blueprint</b>			<b>Check 37065</b>	<b>7/14/2014</b>
491117	001-007-558-50-49-02	PL-Printing and Bindin	Dynasty Homes Construction Plans	\$18.24
<b>Bitco Software LLC</b>			<b>Check 37066</b>	<b>7/14/2014</b>
575	001-007-558-50-41-02	PL-Software Maint.	Annual Maint fee - PermitTrax	\$5,430.00
<b>Blumenthal Uniforms</b>			<b>Check 37067</b>	<b>7/14/2014</b>
60828-01	001-008-521-20-26-00	LE-Clothing	Patrol Jacket - Wells	\$404.26
<b>Bratwear</b>			<b>Check 37068</b>	<b>7/14/2014</b>
11831	001-008-521-20-26-00	LE-Clothing	Jumpsuit - Rutherford	\$527.25
<b>Carquest Auto Parts Store</b>			<b>Check 37069</b>	<b>7/14/2014</b>
2421-207468	001-010-576-80-31-00	PK-Operating Costs	Alternator for PW14	\$60.38
2421-207468	101-016-544-90-31-02	ST-Operating Cost	Alternator for PW14	\$60.38
<b>Causeforce</b>			<b>Check 37070</b>	<b>7/14/2014</b>
SPE2014-0006	001-000-386-00-00-01	Refundable Customer Deposits	Refund Recycle Container Deposit	\$60.00
<b>City of Everett</b>			<b>Check 37071</b>	<b>7/14/2014</b>
I14001322	001-008-554-30-51-00	LE-Environmental-Animal Contro	Animal Shelter services for May 2014	\$930.00
I14001341	410-016-531-10-41-01	SW-Professional Services	Lab Analysis	\$240.00
<b>City of Lake Stevens</b>			<b>Check 37072</b>	<b>7/14/2014</b>
14-0324	001-007-558-50-41-00	PL-Professional Servic	Retainange-Advantage Bldg Svc	\$1.44
14-0324	001-007-559-30-41-00	PB-Professional Srv	Retainange-Advantage Bldg Svc	\$1.44
14-0324	001-008-521-20-41-00	LE-Professional Services	Retainange-Advantage Bldg Svc	\$15.00
14-0324	001-010-576-80-41-00	PK-Professional Services	Retainange-Advantage Bldg Svc	\$0.96
14-0324	001-012-575-50-41-00	CS-Community Center - Cleaning	Retainange-Advantage Bldg Svc	\$5.75

Invoice	AccountCode	Account Description	Item Description	Amount	
14-0324	001-013-518-20-41-00	GG-Professional Service	Retainange-Advantage Bldg Svc	\$7.80	
14-0324	101-016-542-30-41-02	ST-Professional Service	Retainange-Advantage Bldg Svc	\$0.96	
14-0324	410-016-531-10-41-01	SW-Professional Services	Retainange-Advantage Bldg Svc	\$0.95	
<b>City of Lake Stevens</b>			<b>Check 37073</b>	<b>7/14/2014</b>	<b>\$17,010.31</b>
Pay Est 1	101-016-542-30-41-00	ST-Overlays	Retainage - Granite Construction	\$17,010.31	
<b>City of Marysville</b>			<b>Check 37074</b>	<b>7/14/2014</b>	<b>\$19,408.31</b>
POLIN11-0423	001-008-523-60-51-00	LE-Jail	Prisoner Housing May 2014	\$14,143.31	
POLIN11-0431	001-008-523-60-51-00	LE-Jail	Prisoner Housing SCORE May 2014	\$5,265.00	
<b>Co Op Supply</b>			<b>Check 37075</b>	<b>7/14/2014</b>	<b>\$46.11</b>
606716	101-016-542-64-31-00	ST-Traffic Control - Supply	Propane	\$46.11	
<b>Comcast</b>			<b>Check 37076</b>	<b>7/14/2014</b>	<b>\$129.26</b>
06/14 0443150	001-002-513-11-42-00	AD-Communications	Internet services - All City	\$2.59	
06/14 0443150	001-003-514-20-42-00	CC-Communications	Internet services - All City	\$7.76	
06/14 0443150	001-004-514-23-42-00	FI-Communications	Internet services - All City	\$5.17	
06/14 0443150	001-005-518-10-42-00	HR-Communications	Internet services - All City	\$2.59	
06/14 0443150	001-006-518-80-42-00	IT-Communications	Internet services - All City	\$5.17	
06/14 0443150	001-007-558-50-42-00	PL-Communication	Internet services - All City	\$20.68	
06/14 0443150	001-008-521-20-42-00	LE-Communication	Internet services - All City	\$74.97	
06/14 0443150	001-010-576-80-42-00	PK-Communication	Internet services - All City	\$3.45	
06/14 0443150	101-016-543-30-42-00	ST-Communications	Internet services - All City	\$3.45	
06/14 0443150	410-016-531-10-42-00	SW-Communications	Internet services - All City	\$3.43	
<b>Comcast</b>			<b>Check 37077</b>	<b>7/14/2014</b>	<b>\$120.80</b>
06/14 0827887	101-016-542-64-47-00	ST-Traffic Control -Utility	Traffic signal control	\$120.80	
<b>Comcast</b>			<b>Check 37078</b>	<b>7/14/2014</b>	<b>\$85.71</b>
06/14 0808840	001-010-576-80-42-00	PK-Communcation	Internet services - City Shop	\$28.57	
06/14 0808840	101-016-543-30-42-00	ST-Communications	Internet services - City Shop	\$28.57	
06/14 0808840	410-016-531-10-42-00	SW-Communications	Internet services - City Shop	\$28.57	

Invoice	AccountCode	Account Description	Item Description	Amount	
<b>Comcast</b>			<b>Check 37079</b>	<b>7/14/2014</b>	<b>\$85.71</b>
06/14 0810218	001-008-521-20-42-00	LE-Communication	Internet services - Evidence room		\$85.71
<b>ConfirmdeliveryCom</b>			<b>Check 37080</b>	<b>7/14/2014</b>	<b>\$125.25</b>
05314555	001-008-521-20-42-00	LE-Communication	Passport mailing supplies		\$125.25
<b>Corporate Office Supply</b>			<b>Check 37081</b>	<b>7/14/2014</b>	<b>\$592.67</b>
152009i	001-003-514-20-31-00	CC-Office Supply	Scissors		\$3.03
151966i	001-003-514-20-31-00	CC-Office Supply	Toner-planner-scissors-post its-notary public book		\$115.94
151436i	001-008-521-20-31-00	LE-Office Supplies	Folder-staples-pressboard covers-phone cord		\$190.46
151633i	001-012-575-50-31-00	CS-Community Center-Ops	Paper towels for Community Center		\$7.55
151633i	001-013-518-20-31-00	GG-Operating	Paper-Scissors-Hanging folders		\$246.42
151656i	001-013-518-20-31-00	GG-Operating	Tape Cartridges		\$29.27
<b>D R Horton</b>			<b>Check 37082</b>	<b>7/14/2014</b>	<b>\$553.20</b>
BLD2014 213-218	301-000-345-86-10-00	Traffic Mitigation - SEPA	Refund Bldg permit overpayment BLD2014 213-218		\$553.20
<b>Dataquest LLC</b>			<b>Check 37083</b>	<b>7/14/2014</b>	<b>\$200.50</b>
20140630	001-005-518-10-41-00	HR-Professional Services	Pre Employment Screening		\$200.50
<b>Economy Fence Center</b>			<b>Check 37084</b>	<b>7/14/2014</b>	<b>\$5,837.25</b>
0023177-IN	101-016-544-90-31-02	ST-Operating Cost	Fence for dispersion system		\$2,918.63
0023177-IN	410-016-531-10-31-02	SW-Operating Costs	Fence for dispersion system		\$2,918.62
<b>Epic Events and Promotion Inc</b>			<b>Check 37085</b>	<b>7/14/2014</b>	<b>\$2,172.00</b>
932	001-012-573-20-31-00	CS-Arts Commission	Outdoor Cinema Svcs August 2014		\$2,172.00
<b>Feldman and Lee</b>			<b>Check 37086</b>	<b>7/14/2014</b>	<b>\$6,982.50</b>
June 2014	001-011-515-91-41-00	LG-General Indigent Defense	Public Defender services		\$6,982.50
<b>Granite Construction Co</b>			<b>Check 37087</b>	<b>7/14/2014</b>	<b>\$323,195.87</b>
Pay Est 1	101-016-542-30-41-00	ST-Overlays	Overlays - 20th Street SE		\$122,438.08
Pay Est 1	406-070-535-10-48-00	SR - R&M (I/I)	Overlays - 20th Street SE		\$200,757.79
<b>HB Jaeger Co LLC</b>			<b>Check 37088</b>	<b>7/14/2014</b>	<b>\$1,038.33</b>

Invoice	AccountCode	Account Description	Item Description	Amount
149184/1	101-016-544-90-31-02	ST-Operating Cost	Woven weed barrier	\$692.22
149406/1	101-016-544-90-31-02	ST-Operating Cost	Weed barrier for Lundeen roundabouts	\$346.11
<b>Johns Cleaning Service</b>			<b>Check 37089</b>	<b>7/14/2014</b>
1381	001-008-521-20-26-00	LE-Clothing	Uniform cleaning	\$162.55
<b>KCDA Purchasing Coop</b>			<b>Check 37090</b>	<b>7/14/2014</b>
3808458	001-007-558-50-31-01	PL-Operating Costs	Garbage can liners	\$89.03
3808458	001-008-521-20-31-01	LE-Operating Costs	Garbage can liners	\$403.66
3608621	001-010-576-80-31-00	PK-Operating Costs	2640/548738/RMA	(\$123.21)
3603726	001-010-576-80-31-00	PK-Operating Costs	2640/548738/RMA	(\$66.21)
3808458	001-010-576-80-31-03	PK-Lundeen-Op Costs	Garbage can liners	\$211.40
3808458	001-012-575-50-31-00	CS-Community Center-Ops	Garbage can liners	\$133.52
3808458	001-013-518-20-31-00	GG-Operating	Garbage can liners	\$118.36
3603726	101-016-544-90-31-02	ST-Operating Cost	2640/548738/RMA	(\$66.21)
3808458	101-016-544-90-31-02	ST-Operating Cost	Garbage can liners	\$106.73
3608621	101-016-544-90-31-02	ST-Operating Cost	2640/548738/RMA	(\$123.21)
3808458	410-016-531-10-31-02	SW-Operating Costs	Garbage can liners	\$100.66
<b>Kottsick Todd</b>			<b>Check 37091</b>	<b>7/14/2014</b>
May 30 stmt	410-016-531-50-31-08	DOE FY14 Milfoil Grant	Re-imburse for water usage during milfoil treatment	\$28.62
<b>Lake Industries LLC</b>			<b>Check 37092</b>	<b>7/14/2014</b>
28088	101-016-544-90-31-02	ST-Operating Cost	Fill hauled in by the yard	\$80.00
263873	101-016-544-90-31-02	ST-Operating Cost	Cobble rock for Lundeen Roundabouts	\$340.19
263913	101-016-544-90-31-02	ST-Operating Cost	Cobble rock for Lundeen Roundabouts	\$364.31
263902	101-016-544-90-31-02	ST-Operating Cost	Cobble rock for Lundeen Roundabouts	\$118.82
28072	101-016-544-90-31-02	ST-Operating Cost	Fill hauled in by the yard	\$20.00
28084	101-016-544-90-31-02	ST-Operating Cost	Fill hauled in by the yard	\$30.00
28074	101-016-544-90-31-02	ST-Operating Cost	Fill hauled in by the yard	\$80.00

Invoice	AccountCode	Account Description	Item Description	Amount	
28079	101-016-544-90-31-02	ST-Operating Cost	Fill hauled in by the yard	\$80.00	
263843	101-016-544-90-31-02	ST-Operating Cost	Cobble rock for Lundeen Roundabouts	\$255.96	
263855	101-016-544-90-31-02	ST-Operating Cost	Cobble rock for Lundeen Roundabouts	\$340.65	
263939	101-016-544-90-31-02	ST-Operating Cost	Cobble rock for Lundeen roundabouts	\$387.32	
28084	410-016-531-10-31-02	SW-Operating Costs	Fill hauled in by the yard	\$30.00	
28072	410-016-531-10-31-02	SW-Operating Costs	Fill hauled in by the yard	\$20.00	
28079	410-016-531-10-31-02	SW-Operating Costs	Fill hauled in by the yard	\$80.00	
28074	410-016-531-10-31-02	SW-Operating Costs	Fill hauled in by the yard	\$80.00	
28088	410-016-531-10-31-02	SW-Operating Costs	Fill hauled in by the yard	\$80.00	
<b>Lake Stevens Journal</b>			<b>Check 37093</b>	<b>7/14/2014</b>	<b>\$67.00</b>
1407	001-007-558-50-41-03	PL-Advertising	Public Notice-Where will LS be in 2035	\$67.00	
<b>Lake Stevens School District</b>			<b>Check 37094</b>	<b>7/14/2014</b>	<b>\$539.50</b>
1-2014	001-001-511-60-45-01	Legislative - Rentals	Council mtgs Jan - May 2014	\$502.00	
1-2014	001-007-558-61-43-00	PL-Commision - Travel & Mtgs	Planning Commission mtg May 7	\$37.50	
<b>LEIRA</b>			<b>Check 37095</b>	<b>7/14/2014</b>	<b>\$275.00</b>
Michaelson	001-008-521-40-49-01	LE-Staff Development	LEIRA 2014 Training - Michaelson	\$50.00	
Anderson	001-008-521-40-49-01	LE-Staff Development	LEIRA 2014 Training - Anderson	\$175.00	
Brooks	001-008-521-40-49-01	LE-Staff Development	LEIRA 2014 Training - Brooks	\$50.00	
<b>Les Schwab Tire Center</b>			<b>Check 37096</b>	<b>7/14/2014</b>	<b>\$28.97</b>
40200163626	101-016-544-90-31-02	ST-Operating Cost	Flat repair	\$21.18	
40200163048	101-016-544-90-31-02	ST-Operating Cost	Tire repair	\$7.79	
<b>McCarthy Paul</b>			<b>Check 37097</b>	<b>7/14/2014</b>	<b>\$500.00</b>
July 17	001-012-573-20-31-00	CS-Arts Commission	July 17 Music on the Lake	\$500.00	
<b>Michael &amp; Alexander PLLC</b>			<b>Check 37098</b>	<b>7/14/2014</b>	<b>\$40.30</b>
12672	001-008-521-20-41-02	LE-Professional Srv-Legal	Legal services June 2014	\$40.30	
<b>Monroe Correctional Complex</b>			<b>Check 37099</b>	<b>7/14/2014</b>	<b>\$436.54</b>
MCC1405.046	001-008-521-20-48-00	LE-Repair & Maintenance	Work Crew	\$51.70	

Invoice	AccountCode	Account Description	Item Description	Amount	
MCC1405.046	001-010-576-80-48-00	PK-Repair & Maintenance	Work Crew	\$72.89	
MCC1405.046	101-016-542-30-48-00	ST-Repair & Maintenance	Work Crew	\$102.17	
MCC1405.046	410-016-531-10-48-00	SW-Repairs & Maintenance	Work Crew	\$209.78	
<b>Norpoint Shooting and Tactical</b>			<b>Check 37100</b>	<b>7/14/2014</b>	<b>\$16.29</b>
20148	001-008-521-40-49-01	LE-Staff Development	Shooting lane charge	\$16.29	
<b>Northwest Cascade Inc</b>			<b>Check 37101</b>	<b>7/14/2014</b>	<b>\$240.00</b>
1-945344	001-010-576-80-45-00	PK-Equipment Rental	Honey Bucket rental - Boat launch	\$80.00	
1-945112	001-010-576-80-45-00	PK-Equipment Rental	Honey Bucket rental - boat launch	\$80.00	
1-941329	001-010-576-80-45-00	PK-Equipment Rental	Honey Bucket rental - Swim beach	\$80.00	
<b>Peace of Mind Office Support</b>			<b>Check 37102</b>	<b>7/14/2014</b>	<b>\$104.00</b>
6/23 mtg	001-003-514-20-41-00	CC-Professional Services	6/23 City Council minutes	\$104.00	
<b>Petty Cash Account</b>			<b>Check 37103</b>	<b>7/14/2014</b>	<b>\$16.95</b>
7/1 req	001-013-518-20-42-00	GG-Communication	Priority Mail postage	\$16.95	
<b>Puget Sound Clean Air Agency</b>			<b>Check 37104</b>	<b>7/14/2014</b>	<b>\$3,192.25</b>
Q3.2014	001-013-553-70-51-00	GG-Air Pollution	2014 Clean Air Assessment	\$3,192.25	
<b>Purchase Power</b>			<b>Check 37105</b>	<b>7/14/2014</b>	<b>\$350.00</b>
6/24/14	001-007-558-50-42-00	PL-Communication	Postage	\$56.64	
6/24/14	001-013-518-20-42-00	GG-Communication	Postage	\$262.32	
6/24/14	101-016-543-30-42-00	ST-Communications	Postage	\$15.52	
6/24/14	410-016-531-10-42-00	SW-Communications	Postage	\$15.52	
<b>Quadrant Homes</b>			<b>Check 37106</b>	<b>7/14/2014</b>	<b>\$1,250.11</b>
ck17671	001-000-322-10-00-00	Building Permits	Refund overpayment of permit BLD2014-0250	\$1,250.11	
<b>Republic Services 197</b>			<b>Check 37107</b>	<b>7/14/2014</b>	<b>\$357.04</b>
001723172	101-016-542-30-45-00	ST-Rentals-Leases	Dumpster services - City Shop	\$7.65	
001723172	101-016-544-90-31-02	ST-Operating Cost	Dumpster services - City Shop	\$170.87	
001723172	410-016-531-10-31-02	SW-Operating Costs	Dumpster services - City Shop	\$170.87	

Invoice	AccountCode	Account Description	Item Description	Amount
001723172	410-016-531-10-45-00	SW-Equipment Rental	Dumpster services - City Shop	\$7.65
<b>Republic Services 197</b>			<b>Check 37108</b>	<b>7/14/2014</b>
				<b>\$269.58</b>
001722990	001-010-576-80-31-00	PK-Operating Costs	Dumpster services - Lundeen Park	\$256.38
001722990	001-010-576-80-45-00	PK-Equipment Rental	Dumpster services - Lundeen Park	\$13.20
<b>Republic Services 197</b>			<b>Check 37109</b>	<b>7/14/2014</b>
				<b>\$122.81</b>
001723764	001-013-518-20-31-00	GG-Operating	Dumpster services - City Hall	\$108.66
001723764	001-013-518-20-45-00	GG-Equipment Rental	Dumpster services - City Hall	\$14.15
<b>Shred It Western Washington</b>			<b>Check 37110</b>	<b>7/14/2014</b>
				<b>\$55.44</b>
9403794944	001-008-521-20-31-01	LE-Operating Costs	Shredding services	\$55.44
<b>Sirchie Finger Print</b>			<b>Check 37111</b>	<b>7/14/2014</b>
				<b>\$268.32</b>
0168588-IN	001-008-521-20-31-01	LE-Operating Costs	Fingerprinting supplies	\$268.32
<b>Snohomish County Parks and Recreation</b>			<b>Check 37112</b>	<b>7/14/2014</b>
				<b>\$228.00</b>
1000357705	001-007-558-70-41-00	PL-Economic Devel	Permit # 092906-0003	\$228.00
<b>Snohomish County PUD</b>			<b>Check 37113</b>	<b>7/14/2014</b>
				<b>\$3,182.00</b>
107494811	001-010-576-80-47-00	PK-Utilities	203599006	\$38.56
107500729	001-010-576-80-47-00	PK-Utilities	203531959	\$71.24
120769733	101-016-542-63-47-00	ST-Lighting - Utilities	202670725	\$1,128.33
107494811	101-016-542-63-47-00	ST-Lighting - Utilities	203599006	\$38.56
143842542	101-016-542-63-47-00	ST-Lighting - Utilities	202648101	\$1,011.47
124082525	101-016-542-63-47-00	ST-Lighting - Utilities	202988481	\$310.09
160157779	101-016-542-63-47-00	ST-Lighting - Utilities	204719074	\$16.57
150437177	101-016-542-63-47-00	ST-Lighting - Utilities	201595113	\$331.19
114132553	101-016-542-63-47-00	ST-Lighting - Utilities	201973682	\$43.12
107494811	410-016-531-10-47-00	SW-Utilities	203599006	\$38.57
130699840	410-016-531-20-47-00	SW-Aerator Utilities	202150405	\$154.30
<b>Snohomish County PW S</b>			<b>Check 37114</b>	<b>7/14/2014</b>
				<b>\$31,228.86</b>
1000359070	101-016-542-64-48-00	ST-Traffic Control - R&M	Overlays	\$444.64

Invoice	AccountCode	Account Description	Item Description	Amount
1000358689	410-016-531-10-51-00	SW-Customer Billing	2014 Annual service fee-Stormwater billing	\$30,784.22
<b>Snohomish County PW V</b>			<b>Check 37115</b>	<b>7/14/2014</b>
				<b>\$15,990.44</b>
1000358756	001-008-521-20-48-00	LE-Repair & Maintenance	Vehicle and radio repair	\$11,570.13
1000358756	101-016-542-30-48-00	ST-Repair & Maintenance	Vehicle repair	\$1,677.87
1000358756	101-016-542-64-48-00	ST-Traffic Control - R&M	Sign repair	\$1,064.57
1000358756	410-016-531-10-48-00	SW-Repairs & Maintenance	Vehicle repair	\$1,677.87
<b>Sonsray Machinery LLC</b>			<b>Check 37116</b>	<b>7/14/2014</b>
				<b>\$88.48</b>
732548	101-016-544-90-31-02	ST-Operating Cost	Filters	\$88.48
<b>Sound Publishing Inc</b>			<b>Check 37117</b>	<b>7/14/2014</b>
				<b>\$330.60</b>
EDH569292	001-007-558-50-41-03	PL-Advertising	LUA2014-0038 Huber Cond Use permit	\$96.32
EDH572258	001-007-558-50-41-03	PL-Advertising	Public Notice-Road closure for Run or Dye 5K	\$36.24
EDH572082	001-007-558-50-41-03	PL-Advertising	SPE2014-0007 Aquafest 2014	\$77.40
EDH571005	001-007-558-50-41-03	PL-Advertising	SPE2014-0004 Run or Dye 5K	\$68.92
EDH566589	001-007-558-50-41-03	PL-Advertising	Public Hearing Notice-Comprehensive Plan	\$51.72
<b>Speedway Towing</b>			<b>Check 37118</b>	<b>7/14/2014</b>
				<b>\$162.11</b>
14174	001-008-521-20-31-01	LE-Operating Costs	Evidence towing Case 14-01499	\$162.11
<b>Springbrook Software Inc</b>			<b>Check 37119</b>	<b>7/14/2014</b>
				<b>\$595.00</b>
Conference	001-004-514-23-49-01	FI-Staff Development	2014 Springbrook Client Conference - Norris	\$595.00
<b>Summit Law Group</b>			<b>Check 37120</b>	<b>7/14/2014</b>
				<b>\$450.00</b>
68039	101-016-543-30-41-01	ST-Prof Srv - Legal	Professional services-Teamsters bargaining	\$225.00
68039	410-016-531-10-41-01	SW-Professional Services	Professional services-Teamsters bargaining	\$225.00
<b>Tacoma Screw Products Inc</b>			<b>Check 37121</b>	<b>7/14/2014</b>
				<b>\$425.50</b>
30541014	001-010-576-80-31-00	PK-Operating Costs	Protective gloves	\$26.86
30537382	101-016-544-90-31-02	ST-Operating Cost	Safety glasses and Anchor shakles	\$27.25
30538036	101-016-544-90-31-02	ST-Operating Cost	Anchor shakles and bushings	\$39.53
30541014	101-016-544-90-31-02	ST-Operating Cost	Protective gloves	\$26.87
30534173	101-016-544-90-31-02	ST-Operating Cost	Strobe light for TMA trailer	\$250.87

Invoice	AccountCode	Account Description	Item Description	Amount
30541014	410-016-531-10-31-02	SW-Operating Costs	Protective gloves	\$26.87
30537382	410-016-531-10-31-02	SW-Operating Costs	Safety glasses and Anchor shakles	\$27.25
<b>Taser International</b>			<b>Check 37122</b>	<b>7/14/2014</b>
				<b>\$4,906.82</b>
SI1362020	001-008-521-20-31-01	LE-Operating Costs	2 Tasers and Replacement cartridges	\$4,906.82
<b>Tire Distribution System Inc</b>			<b>Check 37123</b>	<b>7/14/2014</b>
				<b>\$879.88</b>
801-22783	101-016-542-30-48-00	ST-Repair & Maintenance	Tires for PW11	\$879.88
<b>Top Notch Towing</b>			<b>Check 37124</b>	<b>7/14/2014</b>
				<b>\$325.80</b>
11642	001-008-521-20-31-01	LE-Operating Costs	Evidence towing Case 14-1371	\$325.80
<b>Verizon Northwest</b>			<b>Check 37125</b>	<b>7/14/2014</b>
				<b>\$2,387.14</b>
471507126-00001	001-001-513-10-42-00	Executive - Communication	Wireless phone and data services	\$82.29
471507126-00001	001-002-513-11-42-00	AD-Communications	Wireless phone and data services	\$83.69
471507126-00001	001-003-514-20-42-00	CC-Communications	Wireless phone and data services	\$17.02
471507126-00001	001-005-518-10-42-00	HR-Communications	Wireless phone and data services	\$52.27
471507126-00001	001-006-518-80-42-00	IT-Communications	Wireless phone and data services	\$232.54
471507126-00001	001-007-558-50-42-00	PL-Communication	Wireless phone and data services	\$82.29
471507126-00001	001-007-559-30-42-00	PB-Communication	Wireless phone and data services	\$129.35
471507126-00001	001-008-521-20-42-00	LE-Communication	Wireless phone and data services	\$1,344.03
471507126-00001	001-010-576-80-42-00	PK-Communication	Wireless phone and data services	\$121.22
471507126-00001	101-016-543-30-42-00	ST-Communications	Wireless phone and data services	\$121.22
471507126-00001	410-016-531-10-42-00	SW-Communications	Wireless phone and data services	\$121.22

Invoice	AccountCode	Account Description	Item Description	Amount	
<b>Washington State Patrol</b>			<b>Check 37126</b>	<b>7/14/2014</b>	<b>\$10.00</b>
I14009223	001-003-514-20-41-00	CC-Professional Services	Solicitors background checks		\$10.00
<b>Watch Systems</b>			<b>Check 37127</b>	<b>7/14/2014</b>	<b>\$192.63</b>
23195	001-008-521-20-42-00	LE-Communication	Community sex offender notification mailing		\$192.63
<b>Total Disbursements</b>					<b>\$669,965.76</b>

**CITY OF LAKE STEVENS  
REGULAR CITY COUNCIL MEETING MINUTES**

Monday, June 23, 2014

Lake Stevens School District Educational Service Center (Admin. Bldg.)  
12309 22<sup>nd</sup> Street N.E., Lake Stevens

CALL TO ORDER: 7:00 p.m. by Mayor Vern Little

COUNCILMEMBERS PRESENT: Kim Daughtry, Marcus Tageant, Kathy Holder,  
Todd Welch, John Spencer, Sam Low

COUNCILMEMBERS ABSENT: Suzanne Quigley

STAFF MEMBERS PRESENT: City Administrator Jan Berg, Planning Director  
Becky Ableman, Finance Director Barb Stevens,  
Public Works Director Mick Monken, Interim Police  
Chief Dan Lorentzen, Human Resources Director  
Steve Edin, City Attorney Thom Graafstra, Deputy  
City Clerk Kathy Pugh, Permit Specialist Jennifer  
Thomas, Senior Planner Sally Payne, Building  
Inspector/Code Enforcement Officer Eric Carter,  
Officer Chad Wells, Officer Andy Thor, Deb Smith

OTHERS: None

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**Excused Absence.** Motion made by Councilmember Tageant, seconded by Councilmember Spencer, to excuse Councilmember Quigley. Motion carried unanimously (6-0-0-1).

**Guest Business.**

Greg Prince, 11023 18<sup>th</sup> Street NE, Lake Stevens, WA, expressed concerns about a proposed development at 11022 18<sup>th</sup> Street NE.

**New Employee Introductions.** The following employees were introduced: Senior Planner Sally Payne, Permit Specialist Jennifer Thomas, Building Inspector/Code Enforcement Officer Eric Carter, Deputy City Clerk Kathy Pugh, and Officer Chad Wells. Seven explorers were also introduced.

**Recognition.** Sharon "Sammie" Thurber was recognized for her outstanding service to the Planning Commission.

**Consent Agenda.**

**MOTION:** Councilmember Tageant moved, Councilmember Daughtry seconded, to approve the Consent Agenda (A. Approve 2014 Vouchers [Payroll Direct Deposits 6/13/2014 for \$140,696.08, Payroll Checks 36987-36988 for \$4,568.50, Tax Deposit(s) 6/18/2014 for \$59,304.46, Electronic Funds Transfers ACH for \$3,402.46, Claims 36989-

37050 for \$106,566.68, Total Vouchers Approved: \$314,538.18], B. Approve Council Regular Meeting Minutes for June 9, 2014) Motion passed unanimously (6-0-0-1).

### **Public Hearing.**

**2014 Comprehensive Plan Docket Ratification – Resolution 2014-3 (continued from 6/9/2014 meeting).** Finance Director/City Clerk Barb Stevens reopened the public hearing at 7:15 p.m. Planning Director Becky Ableman presented the Staff Report reviewing the 2014 Comprehensive Plan Docket. The recommended action was for the Council to approve Resolution 2014-03 which would establish five different amendments for the 2014 Docket. Each of these was reviewed. Public comments were solicited. There were none.

**MOTION:** Councilmember Low moved, Councilmember Spencer seconded, closing the public comments portion of the hearing at 7:18 p.m. Motion passed unanimously (6-0-0-1).

**MOTION:** Council President Daughtry moved, Councilmember Tageant seconded, to approve the 2014 Comprehensive Plan Docket Ratification Resolution 2014-3. Motion passed unanimously (6-0-0-1).

### **Action Items:**

#### **Planning Commission Appointment**

**MOTION:** Councilmember Spencer moved, Councilmember Holder seconded, to approve the appointment of Mirza Avdic to the Planning Commission. Motion passed unanimously (6-0-0-1).

#### **Arts Commission Appointments**

**MOTION:** Council President Daughtry moved, Councilmember Welch seconded, to approve the appointment of Kristin Hunt, Robert Cruickshank, and Eileen Tietze to the Arts Commission. Motion passed unanimously (6-0-0-1).

**Aquafest Alcohol in the Park.** Planning Director Ableman reviewed the annual request to allow alcohol in the park during Aquafest at the VIP booth on Saturday, July 26 for invited guests only to honor some of the sponsors. She explained this is similar to previous years.

**MOTION:** Councilmember Welch moved, Councilmember Tageant seconded, to approve the Aquafest Committee's request to serve beer and wine in the VIP booth during 2014 Aquafest. Motion passed unanimously (6-0-0-1).

**Second Amendment to ILA re Interjurisdictional Housing.** Director Ableman explained that this would add the City of Stanwood to the Alliance for Housing Affordability.

**MOTION:** Councilmember Holder moved, Councilmember Spencer seconded, to approve the Second Amendment to the ILA regarding Interjurisdictional Housing and adding the City of Stanwood to the Alliance. Motion passed unanimously (6-0-0-1).

**ILA – Regional Drug and Gang Task Force.** Interim Police Chief Dan Lorentzen reviewed the ILA with the Snohomish Regional Drug and Gang Task Force and recommended support of the ILA. There was some discussion about the current and planned strategy to address drug and gang issues in the City including more of a focus on elementary education and regional efforts.

**MOTION:** Councilmember Welch moved, Councilmember Low seconded, to authorize the Mayor to sign the ILA regarding the Regional Drug and Gang Task Force. Motion passed unanimously (6-0-0-1).

**Discussion Items:**

**2014 – Budget Amendment – ORD 912.** Finance Director Barb Stevens reviewed Budget Amendment #2 which includes a staffing position change in the Public Works Department. Questions and answers followed regarding the duties and qualification of the position. There was consensus to add this to the Consent Agenda at an upcoming meeting.

**Mowing.** Councilmember Low said he has been contacted by citizens about tall grass in certain areas of the city. Mayor Little discussed the City's approach to resolving this issue including the hiring of seasonal parks workers and possibly authorizing overtime for public works staff. He urged citizens to contact the Public Works department directly for areas concerning safety or sight distance.

**Executive Session.** Council recessed at 7:59 into Executive Session for 30 minutes from 8:02 until 8:31 to discuss one item regarding litigation with legal counsel with no action following.

**Adjourn.**

**MOTION:** Councilmember Welch moved, Councilmember Tageant seconded, to adjourn the meeting at 8:32 p.m. Motion passed unanimously (6-0-0-1)

\_\_\_\_\_  
Vern Little, Mayor

\_\_\_\_\_  
Barb Stevens, Finance Dir./City Clerk



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LAKE STEVENS CITY COUNCIL  
**STAFF REPORT**

**Council Agenda Date:** July 14, 2014

**Subject:** 2014 Budget Amendment #2

**Contact Person/Department:** Barb Stevens - Finance      **Budget Impact:** Yes

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**RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:**

Approve Ordinance No. 912 Amending Budget Ordinance No. 904 for Creation and Elimination of Staffing Positions

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**SUMMARY/BACKGROUND:**

Throughout the year the City Council authorizes various purchase requests and agreements. At the time of authorization, the budget impact is presented to the Council as part of the information required in order for the Council to make an informed decision. The budget amendment follows to adjust the specific line items that will be affected by purchase or contract award. Detailed explanations of the changes requested are described below:

***No changes have been made since presented to Council on June 23, 2014.***

The following changes to budgeted staff positions are recommended:

Public Works

- Eliminate: 1 Engineering Technician
- Add: 1 Civil Engineer

Recently, one Engineering Technician position became vacant. Through review of departmental needs, the Public Works Director recommended an elimination of this position in exchange for a Civil Engineer position.

The salary and benefits related to this position are split between the Street and Surface Water Funds. The 2014 net change is an increase in expenditures of approximately \$1,300. This amendment affects the Street Fund and the Surface Water Fund.

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**APPLICABLE CITY POLICIES:**

In accordance with the Financial Management Policies, Budget Themes and Policies, and the Revised Code of Washington, changes in the adopted budget must be brought before the City Council.

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**BUDGET IMPACT:**

The budget ordinance will amend the beginning and ending balances, and revenues and expenditures in the funds set forth in the ordinance and the staffing positions as outlined in the Organizational Chart.

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**ATTACHMENTS:**

- ▶ Ordinance 912
- ▶ Exhibit B: Amended Organizational Chart
- ▶ Attachment A: Technical Staff Replacement Proposal
- ▶ Attachment B: Job Description - Civil Engineer
- ▶ Attachment C: 2014 Salary Survey & Cost Difference

**CITY OF LAKE STEVENS  
 LAKE STEVENS, WASHINGTON  
 ORDINANCE NO. 912**

AN ORDINANCE OF THE CITY OF LAKE STEVENS, WASHINGTON, AMENDING THE 2014 BUDGET AS SET FORTH IN ORDINANCE NO. 904 CONCERNING FUND BALANCES AND EXPENDITURES FOR VARIOUS FUND BALANCES FOR THE YEAR 2014.

WHEREAS, the City of Lake Stevens adopted the 2014 budget pursuant to Ordinance No. 904; and

WHEREAS, the City of Lake Stevens will incur expenditures in categories and amounts other than anticipated in the adopted 2014 budget;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKE STEVENS DO ORDAIN AS FOLLOWS:

SECTION 1. The 2014 budget, as adopted in Ordinance No. 904, is hereby amended as follows:

<i>Fund</i>	<i>Description</i>	<i>Current Budget</i>	<i>Amended Budget</i>	<i>Amount of Inc/(Dec)</i>	<i>ExpRev</i>
101 - Street	Expenditures	\$1,894,919	\$1,895,569	\$650	Exp.
101 - Street	Ending Fund Balance	\$3,101,508	\$3,100,858	(\$650)	EndBal.
410 - Storm & Surface Water	Expenditures	\$1,304,884	\$1,305,534	\$650	Exp.
410 - Storm & Surface Water	Ending Fund Balance	\$1,404,801	\$1,404,151	(\$650)	EndBal.

SECTION 2. Except as set forth above, all other provisions of Ordinance 904 shall remain in full force, unchanged.

SECTION 3. Effective Date and Publication. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall take effect and be in force five (5) days after the date of publication.

PASSED by the City Council of the City of Lake Stevens this 14th day of July, 2014.

\_\_\_\_\_  
 Vern Little, Mayor

ATTEST/AUTHENTICATION:

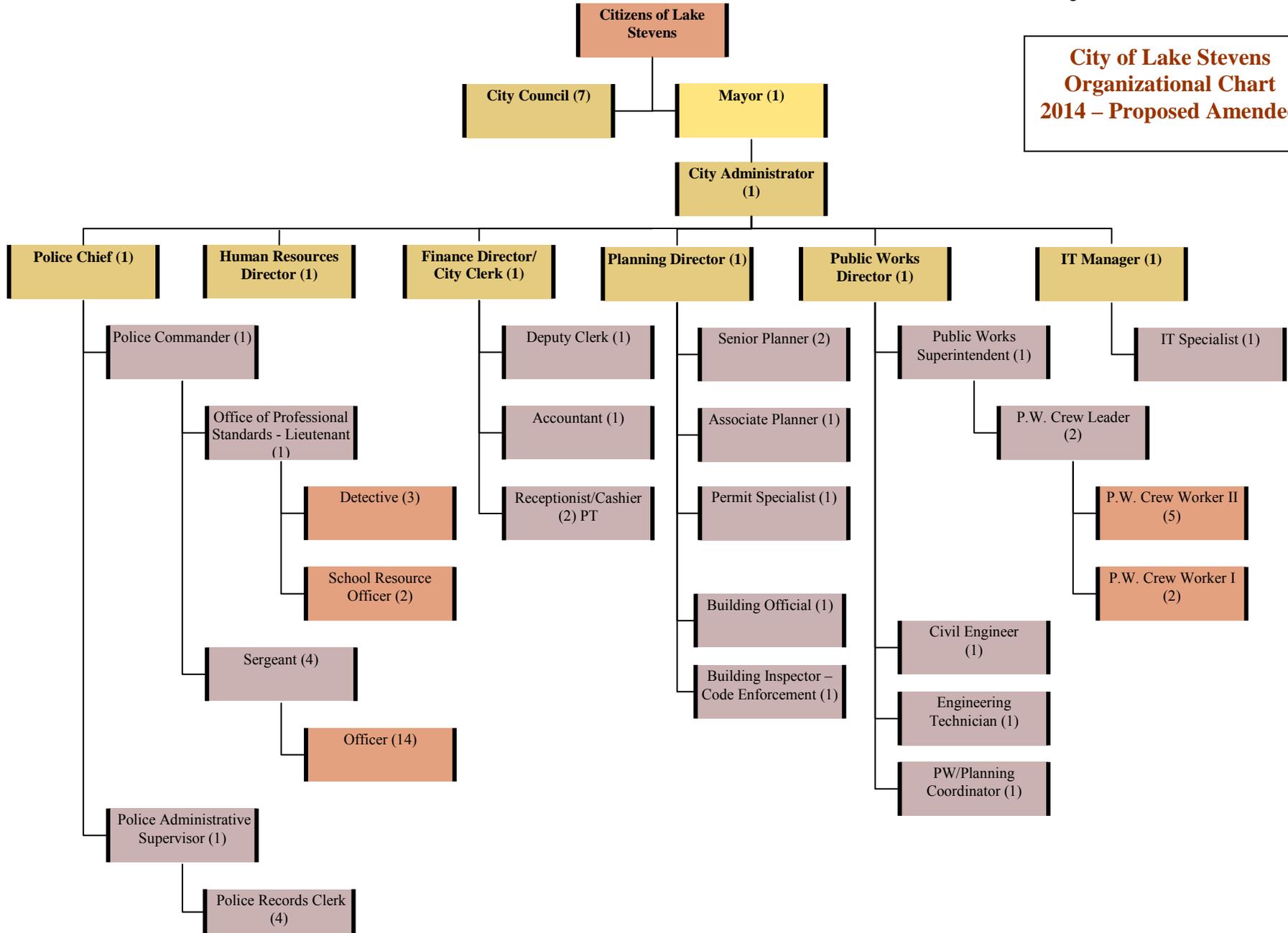
\_\_\_\_\_  
 Barb Stevens, Finance Director/City Clerk

APPROVED AS TO FORM:

First and Final Reading: July 14, 2014  
 Published:  
 Effective:

\_\_\_\_\_  
 Grant Weed, City Attorney

**City of Lake Stevens  
Organizational Chart  
2014 – Proposed Amended**





## MEMORANDUM

To: Jan Berg, City Administrator  
From: Mick Monken, Public Works Director/City Engineer  
Date: 14 May 2014  
Subject: Technical Staff Replacement Proposal

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With the departure of one of the Engineering Technician position on 18<sup>th</sup> June, I am requesting that this position be replaced with an engineer level position. The proposal is that this would be an assistant to the Public Works Director/City Engineer (PWD/CE) at an engineer level that could provide a higher level of service and responsibility than that of an Engineering Technician. The intent of this proposed position is to provide the engineering levels needs for development, internal support, community engineer services, long range comprehensive transportation planning, and to provide engineering coverage in the absence of PWD/CE.

Some of the typical duties would be:

- Working directly with developers and providing support for planning related to private development for adherence to the City's Codes and Standards.
- Preparing contracts for services and projects.
- Performing engineering analysis and studies such as traffic warrants, geotechnical areas, and capital needs.
- Assist in the development and update of the City's traffic short and long range planning and cost estimate development and revisions.
- Perform interpretations and provide recommendation on City policy on engineering design and construction standards.
- Perform development and or maintenance of plans: ie: ADA Transition Plan, Pavement Management Plan, City EDDS, Sign Reflectivity, Traffic Sign Management Program, Pedestrian Safety Plan, Roadway Channelization and pavement marking management plan, Sidewalk Plan, Parks Facility inventory Plan, Traffic Model plan.
- Performing Traffic Modeling for support to Land Use, Police, Engineering forecasting, and marketing future development

- Perform investigation on new procedures, processes, equipment, or materials.
- Advises the City Engineer regarding the review comments on specific projects.
- Manage assigned contracts.

This proposed position is expected to raise the level of service of the department by providing higher skill set than the current position and also relieve the Director's position of some of the responsibilities that require an engineer level response.

In the big picture of staffing needs, I expect that the higher skill set and the authority to make engineering decisions will help to make staff services more efficient.

## CITY OF LAKE STEVENS POSITION DESCRIPTION

<b>POSITION TITLE:</b>	Civil Engineer
<b>DEPARTMENT:</b>	Public Works
<b>CLASSIFICATION:</b>	Non-Union/Exempt
<b>EFFECTIVE DATE:</b>	June 23, 2014

### **POSITION PURPOSE:**

This is professional level work at the advanced level. Responsibilities involve project development and implementation (including grant and permit applications, utility and agency coordination; design; preparation of plans, specifications and cost estimates; contract administration, and construction inspection), developer plans and site review, developer data research on engineering methods and design, engineering analysis, traffic warrants, development of engineering level reports and memorandums, assist in emergency events, technical support for field crew operations, and other functions as assigned. The work is performed with limited supervision, and the employee has relative independence and latitude for exercising independent judgment and initiative within the scope of oral and written instructions and established policies, guidelines, and procedures. Work involves performance of technical and sometimes complex tasks to provide engineering support for Public Works projects and programs and for development review to ensure technical congruence and compliance with current codes and criteria.

### **SUPERVISION RECEIVED:\***

- o Works under the supervision of the Public Works Director.

### **SUPERVISION EXERCISED:\***

- o None.

### **ESSENTIAL DUTIES AND RESPONSIBILITIES-** Essential duties and responsibilities may include, but are not limited to, the following:

- o Undertake a wide variety of simple to complex projects including but not limited to: preparing bid specifications, designing, inspection , reviewing permit applications, and Prepares and reviews a wide variety of maps and technical drawings.
- o Respond to inquiries from developers and the general public regarding requirements for making utility connections, use of the public right-of-way, location of utility easements, and public works requirements.

\* See "City of Lake Stevens, Administrative Organization" in the HR Policy and Procedures Manual.

- o Research a variety of technical and administrative subjects related to public works and prepare reports and recommendations.
- o Organize, maintain and retrieve department engineering files, including but not limited to as-builts, maps and reports.
- o Conduct preliminary and construction plan review of new development proposals for consistency with City codes, policies and design standards.
- o Coordinates engineering programs and projects and provide technical support with other City departments.
- o The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.

**PERIPHERAL DUTIES:**

- o Assists the Public Works Director in preparing the department's annual operating budget recommendations.
- o Perform neighborhood meetings with residents, as needed

**PHYSICAL DEMANDS AND WORK ENVIRONMENT:**

Please see the attached questionnaire for position specific physical requirements and typical working conditions. The physical demands and work environment characteristics described in the attached form are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disability to perform the essential functions. Traveling is required. Evening or variable hours to attend meetings is required.

**QUALIFICATIONS:**

**Education, Training and Experience Guidelines**

- ✓ Graduation from a four-year college or university with a degree in Civil Engineering or related field;
- ✓ Two year civil engineering experience required;
- ✓ Skills in Drainage and Transportation required;
- ✓ AutoCAD experience desired; and
- ✓ Any combination of education and experience, which provides the applicant with the desired skills, knowledge and ability required to perform the job, may be substituted for these qualifications. Examples of these skills include:

**Knowledge of:**

- ✓ Public works construction principles and practices;
- ✓ Basic civil engineering principles; and
- ✓ Current construction methods and associated costs.

**Ability to:**

- ✓ Perform a wide variety of technical design work, including preparation of plans, engineering drawings, and maps, including but not limited to the computer applications such as Computer Aided Drafting (CAD), word processing, spreadsheet, data-base, and G.I.S.
- ✓ Establish and maintain effective working relationships with the general public, elected and appointed officials and City employees. Maintain a customer service orientation, be courteous and diplomatic in the exchange of information and present a positive image of the City in a variety of circumstances.
- ✓ Communicate effectively, both orally and in writing.
- ✓ Interpret engineering plans, survey notes and legal descriptions.
- ✓ Perform civil engineering computations, either manually or with the aid of a computer or calculator.
- ✓ Perform research and analysis on complex engineering, environmental or water resources issues.

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**LICENSES OR CERTIFICATE REQUIREMENTS**

- ✓ Valid Washington State Driver's License required;
- ✓ Engineering in Training (EIT) preferred.

This position description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

\_\_\_\_\_  
EMPLOYEE ACKNOWLEDGEMENT

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
/ /

Position Title: Civil Engineer

Attachment B  
 Date: June 6, 2014

**➤ PHYSICAL REQUIREMENTS**

**How much on-the-job time is spent on the following physical activities? Check the appropriate boxes below:**

Activity	Amount of time (see descriptions at bottom of page)				
	Never	Seldom	Occasional	Frequent	Constant
Stand	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Walk	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Use hands to finger, handle, or feel	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Reach with hands and arms	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Climb or balance	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stoop, kneel, crouch, or crawl	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Talk or hear	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Taste or smell	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**➤ Does this job require that weight be lifted or force be exerted? Check the appropriate boxes below:**

Activity	Amount of time (see descriptions at bottom of page)				
	Never	Seldom	Occasional	Frequent	Constant
<b>Lift, push, pull or carry</b>					
Up to 10 pounds	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Up to 25 pounds	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Up to 50 pounds	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Up to 100 pounds	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
More than 100 pounds	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**➤ Does this job have any special vision requirements? Check all that apply:**

- Close vision (clear vision at 20 inches or less)
- Distance vision (clear vision at 20 feet or more)
- Color vision (ability to identify and distinguish colors)
- Peripheral vision (ability to observe up and down or to the left and right while eyes are fixed on a given point)
- Depth perception (three-dimensional vision, ability to judge distances and spatial relationships)
- Ability to adjust focus (ability to adjust the eye to bring an object into sharp focus)
- No special vision requirements

**➤ Note the specific job duties that require the physical demands selected above:**

Perform fine adjustments on instruments such as Auto Level, Theolite, and measuring devices.

<b>N: Never (not at all)</b>	<b>S: Seldom (0-10%)</b>	<b>O: Occasional (11-33% of the time)</b>
	<b>F: Frequent (34%-66% of the time)</b>	<b>C: Constant (67%-100% of the time)</b>

**WORK ENVIRONMENT**

**How much exposure to the following environmental conditions does this job require? Show the amount of time by checking the appropriate boxes below:**

Environmental Conditions	Amount of time (see descriptions at bottom of page)				
	Never	Seldom	Occasional	Frequent	Constant
Wet or humid conditions	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Work near moving mechanical parts	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Work in high, precarious places	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fumes or airborne particles	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Toxic or caustic chemicals	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Outdoor weather conditions	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Extreme cold (non-weather)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Extreme heat (non-weather)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Risk of electrical shock	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Work with explosives	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Risk of radiation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vibration	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**➤ How much noise is typical for the work environment of this job? Check the appropriate level below:**

- Very quiet conditions (examples: forest trail, isolation booth for hearing test)
- Quiet conditions (examples: library, private office)
- Moderate noise (examples: business office with computers and printers, light traffic)
- Loud noise (examples: metal can manufacturing department, large earth-moving equipment)
- Very loud noise (examples: jack hammer work, front row at rock concert)

**➤ Note the specific job duties that are affected by the environmental conditions:**

Responding to developer and general public in the field; Code review in the field; providing technical support to other departments associated with field investigation; in the field analysis and studies; construction inspection; assisting field staff.

QUESTIONNAIRE PREPARED BY:

Name: Mick Monken                      Date: 9 June 2014  
 Title: Director of Public Works

<b>N: Never (not at all)</b>	<b>S: Seldom (0-10%)</b>	<b>O: Occasional (11-33% of the time)</b>
	<b>F: Frequent (34%-66% of the time)</b>	<b>C: Constant (67%-100% of the time)</b>

6/18/2014

City of Lake Stevens  
 Salary Survey Results  
 2014

City	2014 COLA	New Engineering Position	
		Low	High
Bonney Lake	2.00%	\$ 5,120	\$ 6,737
Camas	3.00%	\$ 5,154	\$ 6,154
Des Moines	NS - Based on Union	\$ 5,683	\$ 6,907
Kenmore	1.20%		
Maple Valley	1.00%		
Mill Creek	1.02%		
Mountlake Terrace	0.00%		
Oak Harbor	0.00%	\$ 5,748	\$ 7,069
Average:		\$ 5,426	\$ 6,717
<b>RECOMMENDED SALARY:</b>		<b>\$ 5,425</b>	<b>\$ 6,715</b>

	A	B	C	D	E	F	G
Civil Engineer	5,425	5,640	5,855	6,070	6,285	6,500	6,715
New Engr. Tech	4,480	4,679	4,878	5,077	5,275	5,474	5,673
Current Engr. Tech					5,594	5,789	5,996

Engin. Tech	E	F	G	2014	2015
	5594	5789	5996	\$ 68,103.00	\$ 72,618.09
6%	5275	5474	5673	\$ 64,295.00	\$ 68,683.49
Approved				\$ 68,103.00	\$ 70,503.00

Civil Eng.	A	B	C	D	E	F	G	2014	2015
	5,425	5640	5855	6070	6285	6500	6715	\$ 35,130.00	\$ 73,696.50
Total Annual Salary Increase								\$ 1,078.50	\$ 3,193.50
0.1686	Total Increase including FICA/Medicare/PERS							\$ 1,260.34	\$ 3,731.92



LAKE STEVENS CITY COUNCIL  
**STAFF REPORT**

**Council Agenda Date:** July 14, 2014

**Subject:** Agency Data Sharing Agreement - DOR

**Contact Person/Department:** Barb Stevens - Finance Dir/City Clerk **Budget Impact:** N/A

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**RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:**

Authorize the Mayor to enter into the Agency Data Sharing Agreement with the Washington State Department of Revenue.

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**SUMMARY/BACKGROUND:**

The purpose of this Data Sharing Agreement is to establish the terms under which the Washington State Department of Revenue (DOR) and the City may voluntarily share business license and sales tax information for official purposes. Sales tax and business licensing information collected by the DOR is necessary of the City to conduct business. Because much of this data is considered confidential, Tax and License Confidentiality Affidavits are also required to be signed by staff in order to receive the data. Nothing in this Agreement requires either party to share requested information of any kind or for any purpose.

The current agreement updates standard contract language from the previous version signed in 2005.

**APPLICABLE CITY POLICIES:**

RCW 82.32.330(3)(e) or (3)(h) and LSMC 3.28.040

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**BUDGET IMPACT:**

N/A

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**ATTACHMENTS:**

- ▶ Exhibit A: Agency Data Sharing Agreement

## AGENCY DATA SHARING AGREEMENT

### I. Parties and Contact Information

	<b>State of Washington Department of Revenue</b>	<b>City of Lake Stevens</b>
<b>Mailing Address</b>	PO Box 47478 Olympia, WA 98504-7478	PO Box 257 Lake Stevens, WA 98258
<b>Delivery Address</b>	6500 Linderson Way SW, Ste 102 Tumwater, WA 98501	1812 Main St. Lake Stevens, WA 98258
<b>Contract Manager:</b>	Sandra Yuen Phone: (360) 705-6620 FAX: (360) 705-6655 E-Mail: <a href="mailto:SandraY@dor.wa.gov">SandraY@dor.wa.gov</a>	City Clerk Phone: (425)334-1012 FAX: (425)334-0835 bstevens@lakestevenswa.gov

### II. Purpose and Authority

The purpose of this Data Sharing Agreement (“Agreement”) is to establish the terms under which the parties may voluntarily share information of the types identified below for tax enforcement and other official purposes pursuant to RCW 82.32.330(3)(e) or (3)(h), as applicable, and LSMC 3.28.040. Nothing in this Agreement requires either party to share requested information of any kind or for any purpose.

### III. Attachment

This Agreement includes the following attachment, which is to be considered part of this Agreement for all purposes:

Exhibit A Tax and License Confidentiality Affidavit

### IV. Information Types

The stand-alone term “Information,” when capitalized, is used throughout this Agreement to mean all types of information identified below, collectively.

- A. **“Non-confidential Information”**: Any information which may legally be shared with the public without restriction.
- B. **“Confidential Information”**: Any information, except Confidential Tax Information, that may legally be shared between the parties and is personal or proprietary in nature, or is exempt from public disclosure under Chapter 42.56 RCW, or other state or federal law. “Confidential Information” includes, but is not limited to, Personal Information as defined in RCW 42.56.230 and RCW 42.56.590(5).

For purposes of this agreement, Confidential Information is limited to taxpayers located within your jurisdiction or those who conduct business within your jurisdiction. The Department will, to the best of its ability, use the mailing address, physical location, or reported retail sales activity to identify the taxpayers.

- C. **“Confidential Tax Information”**: Any information identifiable to a specific taxpayer protected by RCW 82.32.330, including, but not limited to, a taxpayer’s identity, income, assets, liabilities, tax payments, or actual or possible tax liabilities. Confidential Tax Information protected by RCW 82.32.330 is classified as, at least, Category 3 data under Washington’s OCIO Standards No. 141.10.

For purposes of this agreement, Confidential Tax Information is limited to taxpayers located within your jurisdiction or those who conduct business within your jurisdiction. The Department will, to the best of its ability, use the mailing address, physical location, or reported retail sales activity to identify the taxpayers.

#### **V. Requesting, Receiving, and Accessing Information**

The requesting party is responsible for ensuring that only persons authorized under this section are able to request, receive, and access each type of Information from the other party.

- A. **Non- confidential Information**: Any employee or agent authorized by the receiving party may request, receive, and access Non-confidential Information.
- B. **Confidential Information**: Any employee or agent authorized by the receiving party may request, receive, and access Confidential Information.
- C. **Confidential Tax Information**: Only employees who have been authorized by the receiving party and have signed the Tax and License Confidentiality Affidavit, attached at Exhibit A, may request, receive, and access Confidential Tax Information.
- D. **Authorization**: Each Contract Manager will provide the other party with a regularly updated list of persons authorized to request, receive, and access Confidential Information and Confidential Tax Information. DOR will not disclose Confidential Tax

Information to any person or party without a signed Tax and License Confidentiality Affidavit.

#### **VI. Information Format**

Each party will make good faith efforts to accommodate format preferences of the other party (e.g., hard copy, electronic data, CD ROM, secure file transfer, etc.), but nothing in this Agreement requires either party to provide Information in any particular format.

#### **VII. Permitted Uses**

Information received under this Agreement may be used for official purposes only.

#### **VIII. Confidentiality and Security of Confidential Information and Confidential Tax Information**

- A. **Confidentiality:** Each party agrees for itself, its employees, and agents to keep confidential and secure from unauthorized use, access, or disclosure all Confidential Information and Confidential Tax Information received under this Agreement.
- B. **Ensuring Security:** Each party must establish and implement physical, electronic, and managerial policies, procedures, and safeguards to ensure the security of all Confidential Information or Confidential Tax Information received under this Agreement.
- C. **Electronic Security:** Each party's electronic security policies, procedures, and safeguards must be at least as stringent as those set forth in the Washington Office of the Chief Information Officer Policy No. 141 and Standard No. 141.10, as amended from time to time, and herein incorporated by reference.
- D. **Proof of Security.** Each party reserves the right to monitor, audit, or investigate the use of Confidential Information and Confidential Tax Information and the adequacy of security measures taken to protect such Information. Each party agrees to provide information or proof of its security policies, procedures, and safeguards upon reasonable request of the other party.

#### **IX. Limits and Requirements for Disclosure**

- A. **Disclosure to Non-Parties:** Confidential Tax Information shall not be disclosed to non-parties, unless such disclosure is expressly permitted by RCW 82.32.330. Neither party may disclose Confidential Information received under this Agreement to non-parties except: 1) as permitted by RCW 42.56, 2) as required by judicial proceeding, or 3) as expressly authorized by the other party in writing or in this Agreement.

- B. **Notice of Disclosure to Non-Parties:** Before Confidential Information received under this Agreement may be disclosed to any non-party, the disclosing party must provide timely written notice at least two weeks before disclosure to allow the other party to seek a court order enjoining disclosure, if necessary.

**X. Unauthorized Use or Disclosure**

If Information received by a party under this Agreement is used, accessed, or disclosed in violation of this Agreement, including use, access, or disclosure by a non-party, the following terms apply:

- A. **Notification.** A party must notify the other in writing as soon as practicable, but no later than three working days, after determining a material violation of the disclosure or use provisions has occurred. Nothing in this Agreement relieves either party of any additional notice obligations under RCW 42.56.590.
- B. **Indemnification.** The city shall, to the extent allowed by law, indemnify and hold the Department harmless from any loss or damages, including consequential damages such as public relations costs, arising out of the use, access, or disclosure of Information in violation of this Agreement.
- C. **Disclosure by Other Party.** A party's obligations under Section X.B. do not apply to the extent that any use, access, or disclosure of Information in violation of this Agreement was through the fault of the other party.

**XI. Ownership and Retention of Information**

Records and other documents, in any medium, furnished by one party to the other will remain the property of the furnishing party absent a written agreement to the contrary. The parties agree that except as provided in Section XII, below, a party receiving Information under this Agreement may retain the Information in accordance with the receiving party's electronic information and document retention policies, as applicable.

**XII. Return or Destruction of Confidential Information and Confidential Tax Information**

- A. **Return or Destruction for Violation:** A party may, at any time, require the return or destruction of all Confidential Information or Confidential Tax Information provided to the other party during the term of this Agreement if Confidential Information or Confidential Tax Information in the possession of the receiving party has been disclosed, accessed, or used, or is at substantial risk of disclosure, access, or use, in violation of the terms of this Agreement.
- B. **Request for Return or Destruction.** Any request for return or destruction of Information must be in writing and provide a reasonable time for compliance. A party

may request certification in writing that all copies of the Information have been returned or destroyed.

**XIII. Not a Service Agreement**

Neither party is obligated to provide services or is entitled to compensation under this Agreement.

**XIV. Term and Termination**

This Agreement is effective on the date of the last signature of the parties and will remain in effect for five (5) years. The parties may enter into five (5) year extensions thereafter. Either party may terminate this Agreement at any time for any reason on fifteen (15) days written notice to the other party.

**XV. Mediation and Arbitration**

The parties may resolve any dispute according to the specific dispute resolution provisions of this Agreement or by any other informal means. The parties agree to participate in good faith mediation to resolve any disputes relating to this Agreement that are not otherwise resolved prior to any action in court.

At any time, either party may initiate formal mediation by providing written request to the other party setting forth a brief description of the dispute and a proposed mediator. If the parties cannot agree upon a mediator within ten (10) Working Days after receipt of the written request for mediation, the parties shall use a mediation service that selects the mediator for the parties. Each party shall be responsible for one-half of the mediation fees, if any, and its own costs and attorneys' fees. Nothing in this Agreement shall be construed to limit the parties' choice of a mutually acceptable alternative resolution method, such as a dispute hearing, dispute resolution board, or arbitration.

**XVI. Miscellaneous Terms**

- A. **Governing Law and Venue.** This Agreement shall be governed by the laws of the State of Washington. Any action arising out of this Agreement must be commenced in Thurston County, Washington.
- B. **Interpretation.** This Agreement shall be interpreted to the extent possible in a manner consistent with all applicable laws and not strictly for or against either party.
- C. **Severability.** If any term of this Agreement shall be finally adjudicated by a court of competent jurisdiction to be unenforceable, the remainder of this Agreement will remain in full force and effect.

- D. **Survival.** Terms of this Agreement, which by their nature would continue beyond termination, will survive termination of this Agreement for any reason, including without limitation, terms in Sections VIII.A, VIII.B, and X.B.
- E. **No Waiver.** The failure of either party to enforce any term in any one or more instance will not be construed as a waiver of a future right to insist upon strict performance of the term.
- F. **No third party beneficiaries.** This Agreement is for the benefit of the parties and their successors and may not be enforced by any non-party.
- G. **Amendments.** No amendment to this Agreement is enforceable unless made in writing signed by personnel authorized to bind the party against whom enforcement is sought.
- H. **Notice.** Any notice required by this Agreement is effective only if provided in writing to the Contract Manager designated in Section I. Notice by email is acceptable.
- I. **Merger and integration.** This Agreement contains all the terms and conditions agreed upon by the parties. No other understandings, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or to bind any of the parties.
- J. **Legislative Changes.** The parties intend this Agreement to remain effective in the event of legislative change to authority cited above. The provisions of this Agreement shall be deemed to change in a manner that is consistent with any changes to cited authority, provided that the change is consistent with the manifest intent of this Agreement and does not conflict with any express provisions. Any such change to this Agreement shall be effective on the effective date of the change in authority.

Signed in counterparts, effective as of the date of the final signature of the parties below:

State of Washington  
Department of Revenue

City of Lake Stevens

\_\_\_\_\_  
Vikki Smith (Date)  
Deputy Director

\_\_\_\_\_  
Vern Little (Date)  
Mayor

TEMPLATE APPROVED AS TO FORM ONLY

Approved as to Form

On file  
\_\_\_\_\_  
Assistant Attorney General

\_\_\_\_\_  
Grant K. Weed, City Attorney



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LAKE STEVENS CITY COUNCIL  
**STAFF REPORT**

**Council Agenda Date:** 14 July 2014

**Subject:** Community Center HVAC Replacement – Award of Bid

<b>Contact</b>	Mick Monken	<b>Budget Impact:</b>	\$9,545.94
<b>Person/Department:</b>	<u>Director of Public Works</u>		

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**RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:** Award the bid and authorize the Mayor to execute a contract for the Community Center HVAC Replacement to Morgan Mechanical Inc. for an amount of \$9,545.94

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**SUMMARY/BACKGROUND:** The Community Center HVAC replacement was included in the 2014 budget in the amount of \$10,000. This is for a complete removal and replacement of the roof mounted unit and the control thermostat. Last year the Community Center air conditioner stopped operating and repairs were made. Due to the age of the unit, estimated over 20 years old, the repair was considered temporary until a replacement could be installed. Shortly after the repairs were completed, the air conditioner stopped again and is currently not operational.

Bids were called for in June of this year and 5 were received. The results of the bids are included in Exhibit A. Morgan Mechanical was the low bidder. Morgan Mechanical is out of Edmonds.

Per the contract, the work is to be completed no later than 30 days following the notice to proceed.

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**APPLICABLE CITY POLICIES:**

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**BUDGET IMPACT: \$9,545.94**

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**ATTACHMENTS:**

- ▶ Exhibit A: Bid Summary

EXHIBIT A

**BID SUMMARY**  
**Community Center HVAC Replacement**

Bidder	Amount (includes WSST)
<b>Morgan Mechanical</b>	<b>\$9,545.94</b>
Sno Valley Process Solutions, Inc.	\$9,798.70
Pacific Air Control	\$11,559.38
Tru Mechanical	\$12,708.70
Aqua Rec's Inc.	\$14,540.45
<i>Engineer's Estimate</i>	<i>\$10,000.00</i>



LAKE STEVENS CITY COUNCIL  
**STAFF REPORT**

**Council Agenda Date:** 14 July 2014

**Subject:** 2014 Pavement Overlay – Approval of Final Contract Amount and Final Acceptance of Project

**Contact** Mick Monken **Budget Impact:** \$340,206.18  
**Person/Department:** Public Works

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**RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:** Approve the final contract amount of \$340,206.18 and authorize final project acceptance of the work performed by Granite Construction Company for the 2014 Pavement Overlay project.

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**SUMMARY/BACKGROUND:** On 12 May 2014 the City Council authorized the award of the 2014 Pavement Overlay to Granite Construction Company for a total contract amount of \$371,590.36. Granite was issued the Notice to Proceed in early June 2014. Paving was performed on 20<sup>th</sup> Street SE, between 79<sup>th</sup> and 88<sup>th</sup> Avenue SE, and on 20<sup>th</sup> Street NE from Pilchuck Elementary School to the Centennial Trail. This project was started the first week after public school let out and completed in 4 days. The final contract payment due for the work came in at \$340,206.18.

The project came in \$31,384.18 below the original approved contract amount. These savings were due in large part because no changed conditions were discovered. The second cost savings was that there were no unexpected conditions, such as sub-soil failures, discovered during the planing (pavement grinding) along either street. There was one change order issued for this project. Change Order 1 was to perform the placement of a pavement reinforcement fabric in some localized distressed areas on 20<sup>th</sup> Street SE. The Change Order came to \$3,138.50 and is included in the final contract amount.

The approval of this action will begin the closeout process for this project.

There will be some additional worked required to be performed with some utility adjustments. This was not part of this contract and will be taken out of the \$50,000 authorized contingency balance.

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**APPLICABLE CITY POLICIES:** City Council must provide final acceptance of capital projects.

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**BUDGET IMPACT:** The total cost of the project is \$340,206.18 which is within the original Council authorized budget of \$371,590.36.

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**ATTACHMENTS:**

- ▶ Exhibit A: Final Pay Estimate

EXHIBIT A

City of Lake Stevens  
**2014 Pavement Overlay**  
**Pay Summary Report**

Contractor Granite Construction



Pay Estimate No 1  
 Billing Period: 16 June 14 through 25 June 14  
 Lake Stevens Contract: 14001  
 Rev: 27 June 2014  
 BASE BID

#	Item	Std BI #	Qty	Unit	Unit Price	Contract Amount	Previous Quantities Billed	Current Period Quantities	Quantities Billed to Date	Current Period Amount	Total Paid to Date
1	Mobilization		1	LS	30,000.00	30,000.00	-	1.00	1.00	30,000.00	30,000.00
2	Temporary Traffic Control	6971	1	LS	39,000.00	39,000.00	-	1.00	1.00	39,000.00	39,000.00
3	Planing Bituminous Pavement	5711	21,333	SY	2.00	42,666.00	-	21,333.00	21,333.00	42,666.00	42,666.00
4	TESC (inlet protection as directed)	NA	44	EA	24.00	1,056.00	-	44.00	44.00	1,056.00	1,056.00
5	HMA Cl. 1/2 in PG 64-22	5767	2,489	Tons	84.00	209,076.00	-	2,421.58	2,421.58	203,412.72	203,412.72
6	Temp Pavement Marking	6888	1	LS	3,500.00	3,500.00	-	1.00	1.00	3,500.00	3,500.00
7	4" Paint Line	6806	16,642	LF	0.28	4,659.76	-	16,589.00	16,589.00	4,644.92	4,644.92
8	6" Thermoplastic Line	6828	298	LF	3.00	894.00	-	472.00	472.00	1,416.00	1,416.00
9	Thermoplastic Stop Bar	6859	318	SF	5.00	1,590.00	-	435.00	435.00	2,175.00	2,175.00
10	Thermoplastic Cross Walk	6857	860	SF	5.00	4,300.00	-	740.00	740.00	3,700.00	3,700.00
11	Raised Pavement Markers	6884	10	Hund	416.00	3,993.60	-	8.19	8.19	3,407.04	3,407.04
12	Thermoplastic Arrows	6833	9	EA	95.00	855.00	-	22.00	22.00	2,090.00	2,090.00
13	Force Account		10	FA	30,000.00	30,000.00	-	-	-	-	-
	CO #1 - PetroMat							3,138.50	3,138.50	3,138.50	3,138.50
<b>ORIGINAL CONTRACT AMOUNT</b>						<b>371,590.36</b>	<b>TOTAL DUE THIS PERIOD</b>			<b>340,206.18</b>	<b>340,206.18</b>
Current Contract Amount						371,590.36					
<b>RETAINAGE THIS PERIOD (5%)</b>										<b>17,010.31</b>	
<b>TOTAL PAYMENT THIS PERIOD</b>										<b>323,195.87</b>	

Reviewed by:   
 City of Lake Stevens - Construction Manager

Date: 27 June 14

Approved by:   
 Granite Construction

Date: 6/27/14

Approved by:   
 City of Lake Stevens - City Engineer

Date: 27 June 14





LAKE STEVENS CITY COUNCIL  
**STAFF REPORT**

**Council Agenda Date:** 14 July 2014

**Subject:** Authorization of Department of Corrections For Work Project Services

<b>Contact Person/ Department:</b>	<u>Mick Monken Public Works</u>	<b>Budget Impact:</b>	<u>\$12,000 estimated</u>
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**RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:** **Authorize the Mayor to sign the Department of Corrections Class IV Work Service Agreement for July 2014-2015**

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**SUMMARY/BACKGROUND:** Over the past few years, the City has been using the services of Washington State Department of Corrections (DOC) to perform vegetation removal, liter cleanup work, and general cleaning services in street right-of-ways, storm facilities, and parks. This has consisted of low skill level tasks. The annual cost for this has ranged between \$5,200 and \$12,000.

Priority service that the DOC has been performing has been storm pond maintenance. The pond maintenance has been performed to meet requirements of the City's National Pollutant Discharge Elimination System (NPDES) permit. With the recent annexation this service area has significantly increased. Another significant service area has been weeding parks and landscaped public areas.

This is a very cost effective service. The DOC crew size typically consists of 7 workers and a Correctional Officer. Occasionally the crew size varies between 7 to 10 workers. The cost to the City per DOC crew member is approximately \$4.50 per hour which includes an hourly rate and overhead. Overhead consists of a vehicle, personal safety equipment, and a Correction Officer. The typical daily cost is estimated to be in the range of \$350 to \$450 or approximately \$45 per day per worker.

Funding for this program is paid from repairs and maintenance in the Street, Surface Water and Park Department funds. The \$12,000 estimated for 2014 is based on the past year's expenditures and projected work. The approval of this action allows the City to have a working agreement with the DOC but does not have a set expenditure contractual limit. This allows the City to use the DOC for non-planned activities, such as an emergency, without having to amend the agreement.

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**APPLICABLE CITY POLICIES:** Requirement of the City NPDES permit.

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**BUDGET IMPACT:** **\$12,000 estimated limit divided between Street, Surface Water, and Parks funds. Budget can be increased based on project specific tasks.**

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**ATTACHMENTS:**

- ▶ Exhibit A: Copy of DOC Service Agreement July 2014-2015

**EXHIBIT A**

WASHINGTON STATE DEPARTMENT OF CORRECTIONS

**Monroe Correctional Complex PO Box 888 Monroe, WA 98272-0888**

**CLASS IV Work Project Description – Local Government Entity**

**Contract Number:** CDCI 4591

**Employer:** City of Lake Stevens, a unit of local government.

**Employer Contact:** Monte Ervin **Phone:** 425-563-3513 **Email:** Mervin@ci.lake-stevens.wa.us

**Department Contact** Kari Styles **Phone:** 360-794-2631 **Email:** kastyles@doc1.wa.gov

**Work Project Description:** DOC will provide offender work crews who will do general labor for the employer.

**Crew:** Each crew will consist of 7-10 minimum custody offenders.

**Project Location:** Lake Stevens City Limits

**Project Period (One year maximum):** July 1, 2014 through June 30, 2015

**Projected Number of Work Crew Hours:** Dependent upon work needing to be done, crews work a 10 hour day from departure of facility to return.

**Work Hours:** Crews will arrive at approximately 0800 a.m. and depart at 1600 p.m.

**Special Payment Terms – (At current state rates.)**

1. Employer will pay DOC a gratuity of \$ 1.10 per hour for each offender providing services.
2. Employer will pay DOC \$ 0.57 per mile for transporting offenders to and from the work site.
3. DOC, on behalf of Employer, will pay \$ 0.34 per offender/per hour for state industrial insurance premiums.

**Personal Protective Equipment provided by DOC:** Hard hats, goggles, hearing and eye protection and work boots will be provided by DOC.

**Tools and Equipment provided by Employer:** Tools will be solely provided by the employer.

**Additional Terms:** Crews may be held in or recalled early for facility needs at any time. Crews may also be held in or redirected in the event of a natural disaster; i.e. fire, earthquake, or flood.

**CITY OF LAKE STEVENS, EMPLOYER**

**DEPARTMENT OF CORRECTIONS**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature of Superintendent

\_\_\_\_\_  
Title

\_\_\_\_\_  
Institution

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date



LAKE STEVENS CITY COUNCIL  
**STAFF REPORT**

**Council Agenda Date:** 14 July 2014

**Subject:** Development Frontage Improvement Requirement – LSMC § 14.56.170

**Contact** Mick Monken **Budget Impact:** NA  
**Person/Department:** Public Works

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**RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:** Discussion Item – Staff is seeking direction on the Draft Municipal Code new development frontage improvement requirements. Staff is also seeking Council's confirmation that dedication of right-of-way to the City, outside of a formal plat, can be accepted administratively.

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**SUMMARY/BACKGROUND:** With development picking up, the City is seeing a steady increase in small development. It is becoming increasingly common that the developers of these sites are disputing and/or protesting the City requirement to perform frontage improvements. The reasoning is typically that there are no sidewalks to connect with on either side of the site. The current code (LSMC § 14.56.170) requires all development to perform frontage improvements with very limited staff discretion to allow a deviation from this requirement.

On 24<sup>th</sup> March 2014, staff presented this to the City Council for discussion and direction. It was the consensus of the Council that there are situations, such as when there is no sidewalk in the close proximity of a new single-family development, where the installation of sidewalk with a single-family development didn't seem needed. Furthermore, Council members commented that staff should have more discretion to allow for variation to this requirement. Staff was directed by the Council to propose a revised code that would address these two areas.

To make the code changes, staff proposes a complete code revision. The intent is to make the code easy to follow which includes: definition of what frontage improvement consists of; defined guidelines for single-family units; and legal language covering State, Federal, and appeal processes. Because this is a rewrite, a copy of the Current LSMC is provided (Exhibit A). The proposed code is included in Exhibit B with a decision flow chart in Exhibit C.

In brief the proposed code:

- Requires all development to dedicate, as needed, frontage right-of-way
- Requires all development to perform frontage with exceptions considered only for single family and duplex residential units
- Defines four (4) exceptions to deviate from current frontage for single family and duplex units as:
  - (i) There are no existing sidewalks within 200 feet of the property on either side;
  - (ii) Construction of frontage improvements will adversely impact critical areas that cannot be adequately mitigated in accordance with LSMC § 14.88 or the State Environmental Policy Act pursuant to LSMC Title 16;
  - (iii) A safety issue is created by constructing the frontage improvements;
  - (iv) A public roadway improvement project is scheduled and fully funded for construction and said improvements include the adjacent site frontage.
- General statement on State and Federal law.
- Identify Appeal section of code.

The flow chart provided would be an administrative guideline that could be provided to developers.

It is important to understand that the City's current policy, as adopted in the Comprehensive Plan and existing code, is to require the frontage improvements for any development so that eventually, there will be fully connected sidewalks. If the fronting property owner does not construct the improvements, the responsibility falls to the greater public to fund the missing infrastructure. A change in this policy accepts this infrastructure deficiency as a public obligation or assumes that a lengthy and expensive process of forming a Local Improvement District to fund the improvements will occur.

Staff is seeking direction from the Council on this proposal. If staff is directed to proceed with this proposal, the public process will begin. This process is expected to take up to four months to complete before it is brought back before the City Council for consideration for adoption.

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Regarding right-of-way dedication: there are essentially two mechanisms to gain public right-of-way.

1. **Dedication** of rights-of-way which functions as an easement for the public use; and
2. Right-of-way acquired through fee simple title and executed through a **deed**, typically preferred for major thoroughfares and/or significant arterials.

As a matter of practice, the City has administratively accepted dedication of right-of-way. Council approves dedication in formal plats (subdivisions) as required by state law. Since current code and the proposed code do not specifically address these processes, Staff is seeking confirmation that Council would like Staff to continue the current practice. Acceptance of real property through deeds would continue to require Council approval.

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**ATTACHMENTS:**

- ▶ Exhibit A: Current Lake Stevens Municipal Code Section § 14.56.170
- ▶ Exhibit B: Proposed Lake Stevens Municipal Code Section § 14.56.170
- ▶ Exhibit C: Flow Chart of Proposed Lake Stevens Municipal Code Section 14.56.170

EXHIBIT A  
CURRENT CODE

**14.56.170 Right-of-Way Improvements and Dedication to Precede Development or Building.**

(a) No land use or building permit shall be issued by the City unless or until the right-of-way improvements upon which the same abuts are deemed fully improved to the standards of the right-of-way classification as specified in Section [14.56.010](#) and the City's Transportation Plan and offered for dedication to the public.

(b) Resurfacing of an existing public street to its centerline shall not be required for a single-family or a single duplex development.

(c) Right-of-way improvements shall be completed as follows, except as provided in subsection (d) of this section:

(1) Major subdivisions and short subdivisions: prior to recording the final plat.

(2) Construction of a dwelling unit, business, commercial or industrial building within any 12-month period, which exceeds 50 percent of the assessed value of the existing building on the property: prior to occupancy.

(3) Development of a mobile home park or sites with multiple buildings under common ownership: prior to occupancy.

(4) Any change in the use classification of an existing building or structure on the property: prior to occupancy.

(d) The Public Works Director may deem subsection (a) of this section fulfilled under the below-listed circumstances. It shall be at the Public Works Director's discretion, based on knowledge of upcoming projects in the vicinity, safety issues, or sound engineering judgment, as to which method shall be allowed or not allowed. Improvements may be deemed fully installed:

(1) Where the rights-of-way are already improved to their classification standards and dedicated to the City.

(2) Where the City chooses to purchase rights-of-way and install the improvements. However, under no circumstances is the City obligated to do this.

(3) Where the applicant, understanding that the land use or building permit sought cannot be issued until the improvements are deemed installed by the Public Works Director, installs the improvements himself at his own cost and offers the rights-of-way to the public.

(4) Where the applicant has dedicated the rights-of-way to the public and provided a surety bond ensuring that the improvements shall be installed within one year. Said warranty bond shall meet the requirements of Chapter 14.16A.180 (Security Mechanisms).

(5) If subsections (d)(1) through (4) of this section are deemed infeasible by the Public Works Director: Where the applicant has dedicated the rights-of-way to the public and elected to pay to the City a fee in lieu of improvements. In such circumstances said monies would be maintained in an account to be used specifically for transportation improvements. The properties contributing to these improvements cannot be subject to any future local improvement district for those improvements being paid for.

(6) If subsections (d)(1) through (5) of this section are deemed infeasible by the Public Works Director: Where the applicant has dedicated the rights-of-way to the public, and provided a recorded covenant power of attorney to the City in support of a petition local improvement district (hereinafter referred to as "LID covenant") for construction of right-of-way improvements, together with all necessary appurtenances. Forms for the LID covenant shall be provided by the City and approved by the City Attorney. (Ord. 811, Sec. 57, 2010; Ord. 796, Sec. 19, 2009; Ord. 501, Sec. 12, 1995)

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## EXHIBIT B PROPOSED REVISED CODE

### 14.56.170 Right-of-Way Dedication and Frontage Improvements.

Right-of-way dedication to the public and frontage improvements are required for all new development unless the applicant or property owner shows the project qualifies for the exceptions described in this section. No building permit shall be issued for development until right-of-way dedication and frontage improvement requirements have been satisfied.

(b) Right-of-way width. The width of right-of-way dedication shall be determined in accordance with the roadway classifications defined in Chapter 14.56 LSMC, the Comprehensive Plan and the classification standards with the adopted Engineering Design and Development Standards (EDDS). Existing right-of-way widths matching or exceeding the current standards shall satisfy the width requirement. A reduction of right-of-way dedication width may be considered under the following conditions:

(1) Where critical areas or their buffers as defined in Chapter 14.88 LSMC exist within the proposed dedication area; or

(2) The dedication would deny reasonable economic use of the property under the standards of this Title. The applicant or property owner must demonstrate the following to receive a reduction in right-of-way width dedication requirements:

- (i) The basic allowed land uses cannot reasonably be accomplished; and
- (ii) A reduction in the size, scope, configuration, density or consideration of alternative designs as proposed will not accomplish the project as allowed under existing land use regulations; and
- (iii) In cases where the applicant has rejected alternatives to the project as proposed due to other constraints such as zoning or parcel size, the applicant must show there has been a reasonable attempt to remove or accommodate such constraints.

The application or property owner pursuing a reduction in right-of-way dedication width must use the Deviation process specified in LSMC 14.56.135. Supporting documentation and applicable application fees shall be submitted with the Deviation request.

(c) Frontage Improvements Required. Frontage improvements are required to be installed along the abutting public street frontage of the property to be developed. Resurfacing an existing public street to its centerline shall not be required for single-family or duplex development.

(1) "Frontage improvements" used in this section as defined in the City's adopted EDDS refer to the construction, reconstruction or repair of the following facilities along public rights-of-way abutting a property being developed:

- (i) Curbs, gutters, and sidewalks;
- (ii) Planter strip (or tree wells);
- (iii) Underground storm drainage and other utility facilities;
- (iv) Resurfacing of the existing public street to the centerline; and
- (v) Construction of new street within dedicated unopened right-of-way.

(2) Frontage improvements shall be constructed for the following new development:

- (i) Subdivisions and short subdivisions;
- (ii) Multifamily developments;
- (iii) Binding site plans;
- (iv) All other residential projects unless expressly exempt pursuant to subsection (3) or a waiver is granted in accordance with subsection (5);
- (v) Commercial projects;
- (vi) Municipal or agency building projects and
- (vii) Industrial projects.

(3) Frontage requirements related to the construction of a single-family or duplex dwelling unit shall be considered completed provided the following exceptions apply:

## DRAFT

(i) An existing lot in an existing single-family subdivision, short plat, or binding site plan where the lots are fully developed and frontage improvements were constructed to the standards in effect at the time of final plat recording; or

(ii) A new single family residence on an existing lot or replacement of an existing single family residence where there are no frontage improvements meeting city standards constructed within 200 feet of the lot or improvements identified through an approved subdivision and potential exists for future development.

(4) The granting of an exception or waiver as outlined in subsection (3) or subsection (5) of this section does not waive the property owner's requirement to dedicate right-of-way as established in this section.

(5) The Public Works Director may waive or modify the requirement to construct frontage improvements for new development when the applicant or property owner demonstrates that at least one of the following conditions exist and the owner of the new development either executes a no-protest agreement to form a Local Improvement District or pays a fee in lieu of constructing frontage improvements as approved by the Public Works Director or designee:

(i) There are no existing sidewalks within 200 feet of the property on either side;

(ii) Construction of frontage improvements will adversely impact critical areas that cannot be adequately mitigated in accordance with LSMC 14.88 or the State Environmental Policy Act pursuant to LSMC Title 16;

(iii) A safety issue is created by constructing the frontage improvements;

(iv) A public roadway improvement project is scheduled and fully funded for construction and said improvements include the adjacent site frontage.

The applicant or property owner shall apply for a waiver using the Deviation process specified in LSMC 14.56.135. The application shall address how the criteria set forth in 14.56.135(c) and how the applicable conditions in this subsection above apply to the project. Any supporting documentation and applicable application fees shall be submitted with the Deviation request.

(d) Dedication of Right-of Way. Dedication of right-of-way is required to be executed prior to building permit issuance or final project approval. For Subdivisions, Short Subdivisions and Binding Site Plans the dedication shall be required on the final recording documents. For projects that are not part of a subdivision of land, the applicant shall submit the required executed documents on forms provided by the City. The City shall record the documents upon obtaining the appropriate City signatures and the applicant or property owner pays the recording fees.

(e) Acceptance of Frontage Improvements. The Public Works Director or designee may approve an extension for the completion of the improvements for up to one year if the Public Works Director or designee receives a surety bond ensuring the timely completion of the improvements. Said surety bond shall meet the requirements set forth in Section 14.16A.180 (Security Mechanisms).

(f) State or Federal Law. Where an applicant demonstrates under applicable State or Federal law that the required dedication or improvements are unlawful, the Public Works Director or designee, to the extent the obligation is unlawful, shall not require the dedication or improvements required by this section as a condition of final acceptance or of building permit issuance.

(g) Appeal of Director Decision. Any appeal of the Director or designee's determination shall be processed using the appeal processes specified for the underlying application pursuant to LSMC14.16A.265.

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**ATTACHMENT C  
LSMC 14.56.170 – Process Flow Chart**

