

**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.*

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

**Tuesday, September 27, 2016 – 6:00 p.m.**

2017 Budget Study Session

Barb

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

**Tuesday, September 27, 2016 – 7:00 p.m.**

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

- CALL TO ORDER:** 7:00 P.M. Mayor
- PLEDGE OF ALLEGIANCE** Council President
- ROLL CALL:**
- APPROVAL OF AGENDA:** Council President
- EMPLOYEE APPRECIATION:** Mayor
- OATH OF OFFICE** Mayor
- EMPLOYEE RECOGNITION** Ron
- GUEST BUSINESS:**
- COUNCIL BUSINESS:** Council President
- MAYOR’S BUSINESS:**
- CITY DEPARTMENT REPORT:** Update
- CONSENT AGENDA:**
  - \*A Approve 2016 Vouchers Barb
  - \*B Approve City Council Regular Meeting Minutes of September 13, 2016 Barb
  - \*C Approve Extension of Agreement with Property Disposition Services John

**Lake Stevens City Council Regular Meeting Agenda**

**September 27, 2016**

- \*D Authorize Mayor to Execute Letter of Engagement with Ogden Murphy re Small Cellular Facility Consortium Russ
- \*E Approve Reclassification of Civil Engineer Position to Engineer Senior Level Mary
- \*F Approve Adjustment to Salary Schedule for Human Resources Director Mary
- \*G Approve Reclassification of One Part-Time Cashier-Receptionist to Office Assistant Barb

**PUBLIC HEARINGS:**

PUBLIC HEARING FORMAT:

1. Open Public Hearing
2. Staff presentation
3. Council’s questions of staff
4. Proponent’s comments
5. Comments from the audience
6. Close public comments portion of hearing
7. Discussion by City Council
8. Re-open public comment portion of the hearing for additional comments (optional)
9. Close Hearing
10. COUNCIL ACTION:
  - a. Approve
  - b. Deny
  - c. Continue

- \*A. Public Hearing and First and Final Reading of Ordinance 964 re Floodplain Code Amendments Melissa

**ACTION ITEMS:**

- \*A 2016 Pavement Overlay Final Project Acceptance Adam
- \*B Approve Concession Agreement with Papa’s Woodfire Pizza Jeanie
- \*C Amendment to Professional Services Agreement with Crandall Arambula re Scope of Work Russ

**DISCUSSION ITEM:**

- \*A Annexation Strategy Plan Russ

**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**



CITY DEPARTMENT REPORT  
September 27, 2016 CITY COUNCIL MEETING

**Planning Department**

**Current Planning / Building**

- Staff has instituted a small project review program to expedite approvals of minor projects
- Staff is finalizing a new basic plan review policy and a preferred consultant program
- 8 public hearings were held for school additions, a rezone and variance
- Public meetings were held for a new subdivision and Design Review meeting for schools and subdivisions
- 24 building permits issued in last 30 days / 15 – 20 building inspections per day
- 10 new land use permits applied for in last 30 days
- Staff attending PermitTrax software training

**Long Range Planning**

- Staff is preparing for a public hearing on the 2016 Comprehensive Plan Update
- Staff will be meeting with the Planning / Economic Development Subcommittee on proposed additions to the 2016 Work Plan
- DT Plan is moving ahead – well over 100 people attended the meetings throughout the day on September 7, 2016
- I attended the Planning Director's conference in Chelan that focused on leadership, team building, hiring practices, best planning practices and case law updates

**Code Enforcement**

- The inspectors are moving forward with several code enforcement actions including clearing a back log of complaints

**Parks**

- A second public meeting for Cavalero Park was held on September 12<sup>th</sup> – three skate park designs were reviewed and discussed / the next public meeting will be held in November to review a final concept
- Staff is waiting on a landscape plan from Amec Foster for the restoration of Lundeen Park / staff has developed a concept for fence revisions, and is preparing a drainage and irrigation plan / Rotary will be painting the picnic structure to match the VIC
- Staff will be included information in a Frontier Heights HOA mailing about transferring Frontier Height Park / Plans are being developed for a community meeting to reach a mutual park plan layout and develop election strategies
- Parks and Recreation subcommittee has recommended beginning Phase 1 of the Eagle Ridge Park Master Plan
- The Livers have deeded a section of property to the City to expand the Hartford Road trailhead by approximately 300 feet

**Economic Development**

- Staff is working on a surplus property strategy that will be brought to Council for review
- Staff is continuing to coordinate with a food concession for Lundeen Park

### **Police Department**

- Chief Dyer started Monday September 19<sup>th</sup>
- Met with Officer Schedler at the Academy
- Public Safety Committee meeting September 22<sup>nd</sup>
- Attended Snohomish County Sheriff and Police Chief's Association Meeting
- Acclimating to the Department
- Met with Snohomish County Sheriff, Chiefs' Templeman, Smith, Ventura, City Attorney, City Prosecutor, City Public Defender, Marysville Court Administrator

### **Public Works Department**

- Mechanic position status – the City has received nearly 60 applications with a very good response of what appear to be qualified applicants. Interviews are expected to occur in early October. The City has invited the Fire District to assist with the interview. The Fire District has expressed an interest in co-locating with the City in an effort to help share resources, such as equipment and to lend assistance. Talks are starting and a proposal is likely to be prepared and presented before the Public Works sub-committee for consideration and a recommendation.
- Hartford Trail Head – a special thanks goes out to John Liver, owner of the mini-storage facility south of the trail head, for donating a dedication of land to provide additional land to be used for a bench or table. The land is about 300 square feet in area. Mr. Liver has been very supportive of this action by the City.
- 36<sup>th</sup> Street NE Bridge – if all goes well with the weather, Marshbank is expecting to start on the bridge on the 26<sup>th</sup> September and complete the work so that his bridge can be fully reopened in October.
- Boat Launch Status – The State is in review of the City's JARPA to allow for temporary repairs until the launch gets replaced in 2018. It is expected that this will be approved so that the north ramp can continue to remain open. It is hoped that approval will be received in the next few weeks so that repairs can commence quickly.
- SR9/SR 204 Speed reduction – Staff continues to meet with the State on the City's request for speed reductions on both roads. From recent conversation, the State is strongly considering a speed reduction on SR 92 but has reservations on a speed reduction on SR 9. They are open to looking at the speed in the Lake Stevens Center as part of the SR 9/SR 204 project. It is hoped that a decision will be reached before the end of this year with the State.
- Lake Drive at SR 92 – The State is in support of restricting this access onto and off of Lake Drive to a right in-right out only movement. This would be a safety improvement. The issue needed to be resolved is how to restrict this movement safely. The reason is that the City is requesting a physical barrier in the form of a center line curbing. The State agrees that this is needed but has concerns that the high speed of 55 mph could create another safety issue.

### **Human Resources Department**

- Equipment Mechanic recruitment closed last Friday. Director Monken and myself are reviewing the applications.
- Human Resources and the Wellness Committee are actively recruiting employees to participate in the annual WebMD Health Questionnaire. 50% participation by employees is one of the requirements to maintain our status as a WellCity.
- Planning is underway for the 2016 Employee Benefits Fair to be held on October 19, 2016.
- The City is holding an "all hands" meeting with non-union staff on Monday, October 3, 2016 to discuss the new AWC Healthfirst 250 plan and the new VEBA program.

- Mary Swenson and H.R. met with Brian Riehs from Gallagher VEBA on September 20<sup>th</sup> to begin the process for an employee VEBA benefit option.
- H.R. has completed the hazardous chemical inventory of the Public Works shop and will be moving on to the Police Department in the coming weeks.



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**BLANKET VOUCHER APPROVAL  
 2016**

Payroll Direct Deposits	<b>9/15/2016</b>	<b>\$174,578.37</b>
Payroll Checks	<b>41099-41101</b>	<b>\$5,494.15</b>
Tax Deposit(s)	<b>9/15/2016</b>	<b>\$73,809.16</b>
Electronic Funds Transfers	<b>ACH</b>	<b>\$8,124.97</b>
Claims	<b>41102-41192</b>	<b>\$527,263.16</b>
Void Checks		
<b>Total Vouchers Approved:</b>		<b>\$789,269.81</b>

**This 27th day of September 2016:**

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment or a contractual obligation, and that the claim is a just, due and unpaid obligation against the City of Lake Stevens, and that I am authorized to authenticate and certify to said claim.

\_\_\_\_\_  
 Finance Director/Auditing Officer

\_\_\_\_\_  
 Mayor

We, the undersigned Council members of the City of Lake Stevens, Snohomish County, Washington, do hereby approve for payment of the above mentioned claims:

\_\_\_\_\_  
 Councilmember



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## Checks to be Approved for 9/9/2016 to 9/22/2016

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	Check Total		
Ace Hardware	41104							<b>Check Total</b>	<b>\$552.76</b>
		9/22/2016	51798	101-016-542-64-31-00	ST-Traffic Control - Supply	Concrete Mix for Solar speed limit sign	\$204.30		
			51816	101-016-542-64-31-00	ST-Traffic Control - Supply	Traffic calming device	\$154.05		
			51855	001-008-521-20-31-01	LE-Operating Costs	Keys	\$9.77		
			51900	101-016-544-90-31-02	ST-Operating Cost	Marking Paint	\$40.78		
			51947	001-010-576-80-31-00	PK-Operating Costs	Blower attachments	\$8.24		
				101-016-544-90-31-02	ST-Operating Cost	Blower attachments	\$8.25		
				410-016-531-10-31-02	SW-Operating Costs	Blower attachments	\$8.25		
			51949	001-012-575-50-31-00	CS-Community Center-Ops	Picture hanging strips	\$9.78		
			51955	001-008-521-20-31-01	LE-Operating Costs	Equipment for Citizen Patrol Car	\$45.69		
			51998	101-016-544-90-31-02	ST-Operating Cost	Measuring tape/lighters/paracord	\$42.98		
			52013	101-016-544-90-31-02	ST-Operating Cost	Velcro to attach fire extinguishers	\$6.53		
				410-016-531-10-31-02	SW-Operating Costs	Velcro to attach fire extinguishers	\$6.53		
52024	001-010-576-80-31-00		PK-Operating Costs	Blade edger	\$7.61				
ACES	41105							<b>Check Total</b>	<b>\$329.00</b>
		9/22/2016	11955VM	001-005-517-60-31-00	HR-Safety Program	Safety Mtg: Emergency Plan	\$74.78		
				101-016-517-60-31-00	ST-Safety Program	Safety Mtg: Emergency Plan	\$127.11		
				410-016-517-60-31-00	SW-Safety Program	Safety Mtg: Emergency Plan	\$127.11		
Alexander Printing	41106							<b>Check Total</b>	<b>\$109.20</b>
		9/22/2016	48171	001-004-514-23-31-00	FI-Office Supplies	Business cards - Roundy	\$27.30		
			48279	001-007-558-50-31-01	PL-Operating Costs	Business cards - Roth	\$27.30		
				001-007-559-30-31-01	PB-Operating Cost	Business cards - Farmer	\$27.30		
				001-010-576-80-31-00	PK-Operating Costs	Business cards - Haugen	\$27.30		
Alliance 2020	41107								<b>Check Total</b>
		9/22/2016	550184	001-008-521-20-41-00	LE-Professional Services	Credit check - new employee	\$21.00		
Alpine Fire and Safety Sys Inc	41108							<b>Check Total</b>	<b>\$113.29</b>
		9/22/2016	30175	001-008-521-20-31-01	LE-Operating Costs	First aid supplies	\$113.29		
Amec Foster Wheeler Environmental Inc	41109							<b>Check Total</b>	<b>\$2,495.77</b>
		9/22/2016	\$22721771	001-010-576-80-41-00	PK-Professional Services	Lundeen Park Tree Plan	\$2,495.77		
Aquafest	41110							<b>Check Total</b>	<b>\$2,625.00</b>
		9/22/2016	816	001-012-573-90-31-00	CS-Community Activity-Aquafest	Aquafest 2016 Half Cost of Services	\$2,625.00		



## Checks to be Approved for 9/9/2016 to 9/22/2016

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	Check Total	
Vernon Barton	41111						<b>Check Total</b>	<b>\$168.33</b>
		9/22/2016	8477	001-008-521-21-48-00	LE-Boating Repair & Maint	Repair broken port side window on Patrol Boat	\$168.33	
Bio Clean Inc	41112						<b>Check Total</b>	<b>\$277.70</b>
		9/22/2016	7354	001-008-521-20-41-00	LE-Professional Services	Decontamination of bio hazard in patrol vehicle	\$277.70	
BLR	41113						<b>Check Total</b>	<b>\$479.00</b>
		9/22/2016	17049536-R4	001-005-518-10-49-00	HR-Miscellaneous	Washington Employment Law Newsletter	\$479.00	
Business Card	41114						<b>Check Total</b>	<b>\$6,481.46</b>
		9/22/2016	0568 9/16	001-004-514-23-31-00	FI-Office Supplies	Mitel phones	\$22.00	
				001-007-558-50-31-01	PL-Operating Costs	Mitel phones	\$44.00	
				001-007-558-50-41-03	PL-Advertising	Postcard mailer: Skyline NOPH	\$66.95	
					PL-Advertising	Postcard mailer: Sunnycrest NOPH	\$9.55	
					PL-Advertising	Postcard mailer-LUA2016-0034 Autumn Crest	\$8.50	
					PL-Advertising	Postcard mailer-LUA2016-0102 LSSD Lake Drive	\$63.51	
					PL-Advertising	Postcard mailer-LUA2016-0113	\$64.83	
					PL-Advertising	Postcard mailer: Glenwood	\$49.03	
					PL-Advertising	Postcard mailer: Hillcrest	\$106.42	
					PL-Advertising	Postcard mailer:LUA2016-0093 Highland list	\$49.03	
					PL-Advertising	Postcard mailer: Mt Pilchuck	\$94.04	
					PL-Advertising	Postcard mailer-LUA2016-0110 Liengood	\$11.94	
				001-007-558-50-42-00	PL-Communication	Postage to Hearing Examiner	\$24.00	
				001-007-558-50-49-01	PL-Staff Development	2016 WA City & County Planning Directors Conference - Wright	\$325.00	
			0597 9/16	001-008-521-20-31-01	LE-Operating Costs	Softball for Guns & Hoses	\$11.89	
				001-008-521-20-43-00	LE-Travel & Meetings	Beverages for Arson Investigation	\$26.71	
			6863 9/16	001-008-521-21-43-00	LE-Boating-Travel	Meals during trip to Oregon re: new boat at NorthRiver Plant	\$74.47	
			7638 9/16	001-008-521-20-31-01	LE-Operating Costs	Badge	\$12.56	
			8026 9/16	001-007-558-50-43-00	PL-Travel & Mtgs	ICSC- San Diego- Ashe - Meal	\$47.46	
		PL-Travel & Mtgs	ICSC- San Diego- Ashe - Baggage fees		\$25.00			
		PL-Travel & Mtgs	ICSC- San Diego- Ashe - Trolley		\$10.00			
		PL-Travel & Mtgs	ICSC- San Diego- Ashe - Taxi		\$20.90			
		PL-Travel & Mtgs	ICSC- San Diego- Ashe - Parking		\$53.00			
		001-007-558-70-41-00	PL-Economic Devel		Economic Alliance Meeting	\$20.00		



Checks to be Approved for 9/9/2016 to 9/22/2016

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	
Business Card	41114	9/22/2016	8060 9/16	001-007-558-50-31-01	PL-Operating Costs	Hand Cart	\$58.90
				001-007-559-30-31-01	PB-Operating Cost	Hand Cart	\$58.90
				001-012-572-20-31-00	CS-Library-Office & Operating	Library Safety items-RAB Lighting	\$197.11
					CS-Library-Office & Operating	Library Safety items-Secure Key Cabinet	\$38.96
					CS-Library-Office & Operating	Library Safety items-Vent Fans & Lights	\$72.54
				001-012-575-50-31-00	CS-Community Center-Ops	Hoover WindTunnel Vacuum cleaner filter kit	\$14.99
					CS-Community Center-Ops	Door signs at Community Center	\$28.97
					CS-Community Center-Ops	Dustpan & Lobby Broom combo	\$22.60
					CS-Community Center-Ops	Compliance Signs - Smoking Prohibited	\$32.00
					CS-Community Center-Ops	Hoover WindTunnel Vacuum cleaner	\$107.81
					CS-Community Center-Ops	Folding chairs for Community Center	\$720.40
					CS-Community Center-Ops	Vacuum Cleaner belts	\$4.79
				101-016-544-90-31-02	ST-Operating Cost	Hand Cart	\$58.91
					ST-Operating Cost	Phone case & Holster	\$6.66
				410-016-531-10-31-02	SW-Operating Costs	Phone case & Holster	\$6.65
					SW-Operating Costs	Hand Cart	\$58.91
			410-016-531-10-49-01	SW-Staff Development	2016 WALPA Conference - Goad	\$160.00	
			8877 9/16	001-008-521-20-26-00	LE-Clothing	Cap - Michael	\$35.93
				001-008-521-20-31-01	LE-Operating Costs	ID Card Maker	\$67.69
					LE-Operating Costs	DYMO Labelwriter Labels	\$14.67
					LE-Operating Costs	DYMO Labelwriter	\$108.89
					LE-Operating Costs	Badges	\$97.73
				001-008-521-20-31-04	LE - Donation Exp - Other	Wireless 14MP Camera	\$435.59
					LE - Donation Exp - Other	Ammo for Explorer Academy	\$105.88
					LE - Donation Exp - Other	Explorer Boots	\$97.00
					LE - Donation Exp - Other	Explorer Uniforms	\$215.34
					LE - Donation Exp - Other	Explorer Academy Scholarship	\$120.00
				001-008-521-20-43-00	LE-Travel & Meetings	Training travel to Oregon-Hotel-Smith/Vanderwalker	\$807.03
					LE-Travel & Meetings	Training travel - Aukerman - Hotel	\$454.00
					LE-Travel & Meetings	Training travel - J Anderson - Hotel	\$454.00
					LE-Travel & Meetings	Training travel - Hingtgen - Hotel	\$454.00
				001-008-521-22-31-00	LE- Investigation Ops Costs	Pick n Pluck Foam	\$27.58



## Checks to be Approved for 9/9/2016 to 9/22/2016

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc		
Business Card	41114	9/22/2016	9185 9/16	001-001-513-10-43-00	Executive - Travel & Mtgs	Coffee for Hwy 2 Trestle meeting	\$34.74	
				001-005-518-10-49-00	HR-Miscellaneous	Federal Labor Law Poster	\$16.50	
				101-016-542-30-41-01	ST-Advertising	Help wanted ad - Mechanic	\$45.00	
<b>Check Total</b>							<b>\$38.18</b>	
Carquest Auto Parts Store	41115	9/22/2016	2421-245727	001-007-559-30-31-01	PB-Operating Cost	Flex Beam Blade PW22	\$21.66	
			2421-246036	001-010-576-80-31-00	PK-Operating Costs	V Belt for PW29	\$16.52	
			<b>Check Total</b>					
CDW Government Inc	41116	9/22/2016	FFB3891	510-006-518-80-49-00	License Renewal - Annual Maint	Firewall software renewal	\$388.03	
			<b>Check Total</b>					
Cemex Inc	41117	9/22/2016	9434026000	410-016-531-10-31-02	SW-Operating Costs	Asphalt-Storm project on 26th St NE	\$507.92	
			<b>Check Total</b>					
City of Marysville	41118	9/22/2016	16-015	001-013-512-50-41-00	GG-Municipal Court Fees	Court Citations August 2016	\$10,260.38	
			<b>Check Total</b>					
Co Op Supply	41119	9/22/2016	612954/4	001-010-576-80-31-00	PK-Operating Costs	All purpose pasture seed	\$76.22	
			<b>Check Total</b>					
Code Publishing Co Inc	41120	9/22/2016	54269	001-003-514-20-41-00	CC-Professional Services	Municipal Code update ords 955/963/965-970	\$1,215.98	
			<b>Check Total</b>					
Comcast	41121	9/22/2016	0808840 8/16	001-010-576-80-42-00	PK-Communication	Internet services - City Shop	\$25.40	
				101-016-543-30-42-00	ST-Communications	Internet services - City Shop	\$25.39	
				410-016-531-10-42-00	SW-Communications	Internet services - City Shop	\$25.39	
	<b>Check Total</b>							<b>\$151.32</b>
	41122	9/22/2016	0827887 8/16	101-016-542-64-47-00	ST-Traffic Control -Utility	Traffic Control Modem	\$151.32	
							<b>Check Total</b>	
	41123	9/22/2016	0991976 8/16	001-012-557-30-40-01	CS - VIC Utilities	Internet services - VIC	\$136.18	
<b>Check Total</b>							<b>\$2,428.99</b>	
Comdata Corporation	41124	9/22/2016	20255422	001-008-521-20-32-00	LE-Fuel	Fuel	\$2,428.99	
			<b>Check Total</b>					
Cory De Jong and Sons Inc	41125	9/22/2016	L256983	001-010-576-80-31-00	PK-Operating Costs	Plays chips for playground	\$100.46	
			L256986	001-010-576-80-31-00	PK-Operating Costs	Bark for parks	\$240.12	
			L258547	001-010-576-80-31-00	PK-Operating Costs	Bark for parks	\$301.38	



## Checks to be Approved for 9/9/2016 to 9/22/2016

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	Check Total					
Crystal and Sierra Springs	41126	9/22/2016	5249844090116	001-007-558-50-31-01	PL-Operating Costs	Bottled Water	\$22.36					
				001-007-559-30-31-01	PB-Operating Cost	Bottled Water	\$22.36					
				001-013-518-20-31-00	GG-Operating	Bottled Water	\$89.43					
				101-016-544-90-31-02	ST-Operating Cost	Bottled Water	\$138.00					
				410-016-531-10-31-02	SW-Operating Costs	Bottled Water	\$138.00					
											<b>Check Total</b>	<b>\$410.15</b>
Dataquest LLC	41127	9/22/2016	20160831	001-005-518-10-41-00	HR-Professional Services	Background check - new hire	\$67.50					
											<b>Check Total</b>	<b>\$67.50</b>
Day Wireless Systems	41128	9/22/2016	420040	001-008-521-20-26-00	LE-Clothing	Remote speaker mic - Parnell	\$107.02					
											<b>Check Total</b>	<b>\$107.02</b>
Dept of Licensing	0	9/22/2016	1803-1904	633-008-586-00-00-00	Gun Permit - State Remittance	Weapons Permits	\$1,248.00					
											<b>Check Total</b>	<b>\$1,248.00</b>
				001-003-514-20-49-00	CC-Miscellaneous	Renewal of Notary License - Pugh	\$30.00					
Dept of Retirement (Deferred Comp)	0	9/22/2016	09/15/16	001-000-282-00-00-00	Payroll Liability Retirement	Employee Portion-State Deferre	\$2,475.00					
											<b>Check Total</b>	<b>\$2,475.00</b>
Dept of Revenue	0	9/22/2016	8/2016	001-003-514-20-31-00	CC-Office Supply	August 2016 UseTaxes	\$13.79					
				001-008-521-20-26-00	LE-Clothing	August 2016 UseTaxes	\$86.78					
				001-008-521-20-31-01	LE-Operating Costs	August 2016 UseTaxes	\$10.68					
				001-013-518-90-49-06	GG-Excise Tax	August 2016 Excise Taxes	\$360.35					
				101-016-542-64-31-00	ST-Traffic Control - Supply	August 2016 UseTaxes	\$590.07					
				410-016-531-10-44-00	SW-Excise Taxes	August 2016 Excise Taxes	\$1,612.84					
											<b>Check Total</b>	<b>\$2,674.51</b>
Dicks Towing Inc	41130	9/22/2016	157585	001-008-521-80-40-01	LE - Evidence Impound	Evidence towing case # 2016-16623	\$125.58					
				157910	101-016-544-90-31-02	ST-Operating Cost	Towing disabled PW20 to county shop	\$125.58				
				160991	001-008-521-20-31-01	LE-Operating Costs	Towing disabled PT55 to City shop	\$125.58				
											<b>Check Total</b>	<b>\$376.74</b>
Electronic Federal Tax Pmt System EFTPS	0	9/22/2016	09/15/16	001-000-281-00-00-00	Payroll Liability Taxes	Federal Payroll Taxes	\$73,809.16					
											<b>Check Total</b>	<b>\$73,809.16</b>
Electronic Business Machines	41131	9/22/2016	AR48489	001-008-521-20-48-00	LE-Repair & Maintenance Equip	Copy machine repair & maintenance	\$205.15					
											<b>Check Total</b>	<b>\$540.61</b>



## Checks to be Approved for 9/9/2016 to 9/22/2016

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc		
<b>Electronic Business Machines</b>	<b>41131</b>	9/22/2016	AR49515	001-010-576-80-48-00	PK-Repair & Maintenance	Copy machine repair & maintenance	\$3.78	
				101-016-542-30-48-00	ST-Repair & Maintenance	Copy machine repair & maintenance	\$3.79	
				410-016-531-10-48-00	SW-Repairs & Maintenance	Copy machine repair & maintenance	\$3.79	
			AR49743	001-013-518-20-48-00	GG-Repair & Maintenance	Copy machine repair & maintenance	\$324.10	
<b>Everett Safe and Lock Inc</b>	<b>41132</b>	<b>Check Total</b>						<b>\$687.73</b>
		9/22/2016	100265	101-016-544-90-31-02	ST-Operating Cost	Keys for new employees	\$18.84	
				410-016-531-10-31-02	SW-Operating Costs	Keys for new employees	\$18.83	
		S49385	001-012-572-20-31-00	CS-Library-Office & Operating	Keys & Locks for Library & Community Center	\$77.26		
			001-012-575-50-31-00	CS-Community Center-Ops	Keys & Locks for Library & Community Center	\$77.26		
		S49391	001-012-572-20-31-00	CS-Library-Office & Operating	Keys & Locks for Library & Community Center	\$41.98		
			001-012-575-50-31-00	CS-Community Center-Ops	Keys & Locks for Library & Community Center	\$41.99		
		S49651	001-012-572-20-31-00	CS-Library-Office & Operating	Keys & Locks for Library & Community Center	\$205.79		
			001-012-575-50-31-00	CS-Community Center-Ops	Keys & Locks for Library & Community Center	\$205.78		
<b>Everett Stamp Works</b>	<b>41133</b>	<b>Check Total</b>						<b>\$244.24</b>
		9/22/2016	19512	001-003-514-20-31-00	CC-Office Supply	Nameplate-Pugh	\$22.41	
				001-004-514-23-31-00	FI-Office Supplies	Nameplate-Roundy	\$22.41	
				001-007-558-50-31-01	PL-Operating Costs	Nameplates-Place/Roth/Haugen/Ehmen/Wright	\$109.51	
				001-007-559-30-31-01	PB-Operating Cost	Nameplates-Sniffen/Farmer/Williamson	\$41.07	
		19514	001-007-558-50-31-01	PL-Operating Costs	Stamp for Planning Board meetings	\$31.47		
		19536	001-007-559-30-31-01	PB-Operating Cost	Nameplate - Sniffen	\$17.37		
		<b>Gall LLC</b>	<b>41134</b>	<b>Check Total</b>				
9/22/2016	005937395			001-008-521-20-26-00	LE-Clothing	Five section Bar w/center characters	\$244.37	
	005969888			001-008-521-20-26-00	LE-Clothing	Five section bar w/center characters	\$122.18	
	005969890			001-008-521-20-26-00	LE-Clothing	Trousers/hat/cap - Dyer	\$163.96	
<b>Grainger</b>	<b>41135</b>	<b>Check Total</b>						<b>\$377.58</b>
		9/22/2016	9216753625	001-010-576-80-31-00	PK-Operating Costs	Broadcast Spreader	\$377.58	
<b>Group Health Coop</b>	<b>41136</b>	<b>Check Total</b>						<b>\$671.00</b>
		9/22/2016	70755629	001-008-521-20-41-00	LE-Professional Services	Medical tests - new hire	\$671.00	
<b>HB Jaeger Co LLC</b>	<b>41137</b>	<b>Check Total</b>						<b>\$601.68</b>
		9/22/2016	176650/1	410-016-531-10-31-02	SW-Operating Costs	PVC & coupler	\$25.98	
			176702/1	001-010-576-80-31-00	PK-Operating Costs	Trash Rack	\$128.38	
101-016-544-90-31-02	ST-Operating Cost			Trash Rack	\$128.37			



## Checks to be Approved for 9/9/2016 to 9/22/2016

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc		
HB Jaeger Co LLC	41137	9/22/2016	176702/1	410-016-531-10-31-02	SW-Operating Costs	Trash Rack	\$128.37	
			176703/1	410-016-531-10-31-02	SW-Operating Costs	Shear gate valve	\$190.58	
ISOsource	41138						<b>Check Total</b>	<b>\$2,195.50</b>
		9/22/2016	CW194483	001-006-518-80-41-00	IT-Professional Services	IT Consulting	\$2,195.50	
J Thayer Company Inc	41139						<b>Check Total</b>	<b>\$845.87</b>
		9/22/2016	1074444-0	001-008-521-20-31-00	LE-Office Supplies	700mb CD	\$234.79	
			1076725-0	001-008-521-20-31-00	LE-Office Supplies	Pens	\$90.82	
			1076902-0	001-008-521-20-31-00	LE-Office Supplies	Office chair	\$272.21	
			1078398-0	001-004-514-23-31-00	FI-Office Supplies	Index cards	\$3.68	
				001-013-518-20-31-00	GG-Operating	Paper/Staples/light bulbs	\$244.37	
Joy A Burke Copywriting Services	41140						<b>Check Total</b>	<b>\$2,250.00</b>
		9/22/2016	Initial Pmt	001-013-518-20-41-00	GG-Professional Service	Website Editing - Project commencement	\$2,250.00	
Kamins Construction Inc	41141						<b>Check Total</b>	<b>\$204,657.03</b>
		9/22/2016	2	309-016-595-61-63-01	Sidewalk Construction	91st Avenue SE Sidewalk	\$204,657.03	
Kroesens Uniforms	41142						<b>Check Total</b>	<b>\$62.89</b>
		9/22/2016	34352-3	001-008-521-20-26-00	LE-Clothing	Trousers - LeBlanc	\$62.89	
Lake Industries LLC	41143						<b>Check Total</b>	<b>\$543.73</b>
		9/22/2016	270383	101-016-544-90-31-02	ST-Operating Cost	1 1/4 Minus Crushed Rock	\$51.87	
				410-016-531-10-31-02	SW-Operating Costs	1 1/4 Minus Crushed Rock	\$51.86	
			31611		101-016-544-90-31-02	ST-Operating Cost	Fill Hauled by the yard	\$20.00
					410-016-531-10-31-02	SW-Operating Costs	Fill Hauled by the yard	\$20.00
			31622		101-016-544-90-31-02	ST-Operating Cost	Fill Hauled by the yard	\$20.00
					410-016-531-10-31-02	SW-Operating Costs	Fill Hauled by the yard	\$20.00
			31625		101-016-544-90-31-02	ST-Operating Cost	Fill Hauled by the yard	\$60.00
					410-016-531-10-31-02	SW-Operating Costs	Fill Hauled by the yard	\$60.00
			31633		101-016-544-90-31-02	ST-Operating Cost	Fill Hauled by the yard	\$20.00
					410-016-531-10-31-02	SW-Operating Costs	Fill Hauled by the yard	\$20.00
			31642		101-016-544-90-31-02	ST-Operating Cost	Fill Hauled by the yard	\$40.00
					410-016-531-10-31-02	SW-Operating Costs	Fill Hauled by the yard	\$40.00
			31644		101-016-544-90-31-02	ST-Operating Cost	Fill Hauled by the yard	\$60.00
					410-016-531-10-31-02	SW-Operating Costs	Fill Hauled by the yard	\$60.00



## Checks to be Approved for 9/9/2016 to 9/22/2016

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	Check Total		
Lake Stevens Mini Mart	41144							<b>Check Total</b>	<b>\$627.77</b>
		9/22/2016	August 2016	001-007-559-30-32-00	PB-Fuel	Fuel	\$150.96		
				001-008-521-20-32-00	LE-Fuel	Fuel	\$45.79		
				001-008-521-21-32-00	LE-Boating-Fuel	Fuel	\$396.57		
				001-013-518-20-32-00	GG-Fuel	Fuel	\$34.45		
Lake Stevens Police Guild	41145							<b>Check Total</b>	<b>\$1,028.00</b>
		9/22/2016	09/15/16	001-000-284-00-00-00	Payroll Liability Other	Employee Paid Union Dues	\$1,028.00		
Lake Stevens School District	41146							<b>Check Total</b>	<b>\$9,074.14</b>
		9/22/2016	1298	001-007-558-50-32-00	PL-Fuel	Fuel	\$5.72		
				001-007-559-30-32-00	PB-Fuel	Fuel	\$136.01		
				001-010-576-80-32-00	PK-Fuel Costs	Fuel	\$104.30		
				001-013-518-20-32-00	GG-Fuel	Fuel	\$5.72		
				101-016-542-30-32-00	ST-Fuel	Fuel	\$1,255.91		
				410-016-531-10-32-00	SW-Fuel	Fuel	\$1,438.62		
			1310	001-008-521-20-32-00	LE-Fuel	Fuel	\$5,127.86		
			2101	001-013-518-30-41-01	GG-Advertising	2016-2017 LSSD Calendar Ad	\$1,000.00		
Lake Stevens Sewer District	41147							<b>Check Total</b>	<b>\$996.00</b>
		9/22/2016	09/2016	001-008-521-50-47-00	LE-Utilities	Utilities - Sewer	\$166.00		
				001-010-576-80-47-00	PK-Utilities	Utilities - Sewer	\$166.00		
				001-012-572-20-47-00	CS-Library-Utilities	Utilities - Sewer	\$83.00		
				001-013-518-20-47-00	GG-Utilities	Utilities - Sewer	\$498.00		
				101-016-543-50-47-00	ST-Utilities	Utilities - Sewer	\$83.00		
Lemay Mobile Shredding	41148							<b>Check Total</b>	<b>\$18.60</b>
		9/22/2016	4491182	001-008-521-20-31-01	LE-Operating Costs	Shredding services	\$13.95		
			4491183	001-013-518-20-31-00	GG-Operating	Shredding services	\$4.65		
Morgan Sound Inc	41149							<b>Check Total</b>	<b>\$122.87</b>
		9/22/2016	MSI87049	001-012-573-20-31-00	CS-Arts Commission	Supercable Mic for Music on the Lake	\$122.87		
NADCP	41150							<b>Check Total</b>	<b>\$60.00</b>
		9/22/2016	2016-2017	001-008-521-20-49-00	LE-Dues & Memberships	2016-2017 membership - David Carter	\$60.00		
Nationwide Retirement Solution	0							<b>Check Total</b>	<b>\$1,325.00</b>
		9/22/2016	09/15/16	001-000-282-00-00-00	Payroll Liability Retirement	Employee Portion-Nationwide	\$1,325.00		



## Checks to be Approved for 9/9/2016 to 9/22/2016

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	Check Total	
Northshore Paving Inc	41151						<b>Check Total</b>	<b>\$98,706.20</b>
		9/22/2016	2016-2	101-016-542-30-41-00	ST-Overlays	2016 Pavement Overlay	\$103,901.26	
				621-000-386-00-00-01	Retainage - Street Project	Retainage - Northshore Paving	(\$5,195.06)	
Northwest Assessment Services PLLC	41152						<b>Check Total</b>	<b>\$400.00</b>
		9/22/2016	1670	001-008-521-20-41-00	LE-Professional Services	Psychological Evaluation for new employee	\$400.00	
Office of The State Treasurer	41153						<b>Check Total</b>	<b>\$10,778.39</b>
		9/22/2016	Aug 2016	633-000-586-00-00-15	Vehicle License Fraud Account	August 2016 State Court Fees	\$27.98	
				633-007-586-00-00-02	Building - State Bl	August 2016 State Court Fees	\$279.00	
				633-008-586-00-00-03	Public Safety And Ed. 1986	August 2016 State Court Fees	\$4,892.61	
				633-008-586-00-00-04	Public Safety And Education	August 2016 State Court Fees	\$2,894.83	
				633-008-586-00-00-05	Judicial Information System-Ci	August 2016 State Court Fees	\$1,393.82	
				633-008-586-00-00-08	Trauma Care	August 2016 State Court Fees	\$421.87	
				633-008-586-00-00-09	School Zone Safety	August 2016 State Court Fees	\$49.63	
				633-008-586-00-00-10	Public Safety Ed #3	August 2016 State Court Fees	\$126.56	
				633-008-586-00-00-11	Auto Theft Prevention	August 2016 State Court Fees	\$603.10	
				633-008-586-00-00-12	HWY Safety Act	August 2016 State Court Fees	\$16.63	
				633-008-586-00-00-13	Death Inv Acct	August 2016 State Court Fees	\$10.83	
633-008-586-00-00-14	WSP Highway Acct			August 2016 State Court Fees	\$61.53			
Outcomes by Levy LLC	41154						<b>Check Total</b>	<b>\$5,494.82</b>
		9/22/2016	2016-08-LS	001-013-511-20-41-02	GG-Advisory Srv - Lobbying	Legislative/Regulatory Consulting - August 2016	\$5,494.82	
PACLAB	41155						<b>Check Total</b>	<b>\$62.00</b>
		9/22/2016	LSPD 9/16	001-008-521-20-31-01	LE-Operating Costs	Blood Drawing fee - evidence	\$62.00	
Kristen Parnell	41156						<b>Check Total</b>	<b>\$44.00</b>
		9/22/2016	8/16 req	001-008-521-20-43-00	LE-Travel & Meetings	Training - Meals - Parnell	\$44.00	
Pertee Engineering Inc	41157						<b>Check Total</b>	<b>\$21,722.76</b>
		9/22/2016	20120176.001-16	301-016-544-40-41-00	Street Op - Planning -Design	20th Street SE Phase II-Segment 1	\$2,741.91	
			20160093.000-5	101-016-542-30-41-02	ST-Professional Service	2016 Grant Writing Assistance	\$18,980.85	
Pilchuck Veterinary Hospital	41158						<b>Check Total</b>	<b>\$334.50</b>
		9/22/2016	99790	001-008-554-30-51-00	LE-Environmental-Animal Contro	Animal exam & treatment services	\$334.50	
Pitney Bowes	41159						<b>Check Total</b>	<b>\$112.48</b>
		9/22/2016	3301347059	001-010-576-80-45-00	PK-Equipment Rental	Postage machine rental	\$112.48	



## Checks to be Approved for 9/9/2016 to 9/22/2016

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	Check Total	
Positive Promotions	41160						<b>Check Total</b>	<b>\$1,597.60</b>
		9/22/2016	05552375	001-008-521-20-31-00	LE-Office Supplies	Promotional products	\$1,597.60	
Prothman Company	41161						<b>Check Total</b>	<b>\$28,972.76</b>
		9/22/2016	2016-5593	001-002-513-11-41-00	AD-Professional Services	Consulting Services - Swenson	\$4,294.66	
				101-016-542-30-41-02	ST-Professional Service	Consulting Services - Swenson	\$870.54	
				401-070-535-10-41-00	SE-Professional Service	Consulting Services - Swenson	\$58.04	
				410-016-531-10-41-01	SW-Professional Services	Consulting Services - Swenson	\$580.36	
			2016-5598	001-008-521-20-41-00	LE-Professional Services	Consulting services - Krusey - 8/13-8/26/16	\$8,132.88	
			2016-5605	001-002-513-11-41-00	AD-Professional Services	City Administrator search	\$4,810.00	
				101-016-542-30-41-02	ST-Professional Service	City Administrator search	\$975.00	
				401-070-535-10-41-00	SE-Professional Service	City Administrator search	\$65.00	
				410-016-531-10-41-01	SW-Professional Services	City Administrator search	\$650.00	
	2016-5615	001-008-521-20-41-00	LE-Professional Services	Police Chief background check	\$8,536.28			
Public Safety Testing Inc	41162						<b>Check Total</b>	<b>\$793.44</b>
		9/22/2016	PSTI16-565	001-008-521-20-41-00	LE-Professional Services	Background Investigation & report - new hire	\$793.44	
Puget Sound Energy	41163						<b>Check Total</b>	<b>\$35.09</b>
		9/22/2016	9/16 24316495	001-010-576-80-47-00	PK-Utilities	Utilities - Natural Gas	\$11.70	
				101-016-543-50-47-00	ST-Utilities	Utilities - Natural Gas	\$11.70	
				410-016-531-10-47-00	SW-Utilities	Utilities - Natural Gas	\$11.69	
			41164					
9/22/2016	9/16 3723810	001-008-521-50-47-00		LE-Utilities	Utilities - Natural Gas	\$76.49		
Kathleen Pugh	41165						<b>Check Total</b>	<b>\$129.65</b>
		9/22/2016	9/15/16 req	001-003-514-20-43-00	CC-Travel & Meetings	Training-Meals/Mileage-Pugh	\$129.65	
Republic Services 197	41166						<b>Check Total</b>	<b>\$2,816.08</b>
		9/22/2016	0197-001992654	001-010-576-80-31-00	PK-Operating Costs	Dumpster svcs - Lundeen Park	\$248.30	
				001-010-576-80-45-00	PK-Equipment Rental	Dumpster rental - Lundeen Park	\$13.64	
		0197-001992830	001-010-576-80-31-00	PK-Operating Costs	Dumpster services - City Shop	\$803.28		
			101-016-542-30-45-00	ST-Rentals-Leases	Dumpster Rental - City Shop	\$7.90		
			101-016-544-90-31-02	ST-Operating Cost	Dumpster services - City Shop	\$803.29		
			410-016-531-10-31-02	SW-Operating Costs	Dumpster services - City Shop	\$803.29		
			410-016-531-10-45-00	SW-Equipment Rental	Dumpster Rental - City Shop	\$7.90		



## Checks to be Approved for 9/9/2016 to 9/22/2016

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc		
Republic Services 197	41166	9/22/2016	0197-001993403	001-013-518-20-31-00	GG-Operating	Dumpster services - City Hall	\$112.28	
				001-013-518-20-45-00	GG-Equipment Rental	Dumpster rental - City Hall	\$16.20	
Robinson Noble	41167	<b>Check Total</b>						<b>\$10,253.90</b>
		9/22/2016	16-727	101-016-595-61-64-41	ST - Cap - Grade Road	Geotechnical consultation-Grade Road Embankment Repair	\$10,253.90	
Greg Rockenbach	41168	<b>Check Total</b>						<b>\$28.29</b>
		9/22/2016	8312016.1	001-010-576-80-31-00	PK-Operating Costs	Caddis Suspenders - Anderson	\$9.43	
				101-016-544-90-31-02	ST-Operating Cost	Caddis Suspenders - Anderson	\$9.43	
				410-016-531-10-31-02	SW-Operating Costs	Caddis Suspenders - Anderson	\$9.43	
Seattle Pump and Equipment	41169	<b>Check Total</b>						<b>\$268.21</b>
		9/22/2016	16-4860	101-016-544-90-31-02	ST-Operating Cost	Electronic thottle switch	\$134.11	
				410-016-531-10-31-02	SW-Operating Costs	Electronic thottle switch	\$134.10	
Sirchie Acquisition Company LLC	41170	<b>Check Total</b>						<b>\$1,383.52</b>
		9/22/2016	0268295-IN	001-008-521-20-31-01	LE-Operating Costs	Spit Sock hood/latex gloves	\$738.04	
			0268783-IN	001-008-521-22-31-00	LE- Investigation Ops Costs	Fingerprinting supplies	\$421.13	
			0270254-IN	001-008-521-20-31-01	LE-Operating Costs	Latex gloves	\$224.35	
Snohomish County PUD	41171	<b>Check Total</b>						<b>\$14,844.36</b>
		9/22/2016	104527599	001-013-518-20-47-00	GG-Utilities	200206019 City Hall	\$205.99	
			104527600	001-012-572-20-47-00	CS-Library-Utilities	200206977 Library	\$232.67	
				001-013-518-20-47-00	GG-Utilities	200206977 Library water meter	\$89.17	
			107866149	001-010-576-80-47-00	PK-Utilities	200748721 Parks	\$48.40	
			111172989	001-013-518-20-47-00	GG-Utilities	201783685 Annex	\$65.34	
			111175627	101-016-542-63-47-00	ST-Lighting - Utilities	200363505 Traffic Signal	\$68.67	
			114497617	101-016-542-63-47-00	ST-Lighting - Utilities	205338056 SR92 Roundabout at113th	\$54.81	
			117807122	001-013-518-20-47-00	GG-Utilities	200321172 Permit Center	\$96.05	
			117812911	101-016-542-63-47-00	ST-Lighting - Utilities	202342622 Street Lights	\$69.41	
			121127917	001-012-575-50-47-00	CS-Community Center-Utilities	200860922 Community Center	\$226.48	
			121128973	001-013-518-20-47-00	GG-Utilities	200245215 Family Center	\$137.05	
			127744323	001-010-576-80-47-00	PK-Utilities	201513934 Parks	\$15.58	
			127744546	101-016-542-63-47-00	ST-Lighting - Utilities	201595113 Street Lights	\$261.74	
			127746668	101-016-542-63-47-00	ST-Lighting - Utilities	201860178 Traffic Signal	\$142.89	
127749969	101-016-542-63-47-00	ST-Lighting - Utilities	200178218 Traffic Signal	\$174.05				



## Checks to be Approved for 9/9/2016 to 9/22/2016

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	
Snohomish County PUD	41171	9/22/2016	131053086	001-010-576-80-47-00	PK-Utilities	203531959 Mobile at 2424 Soper Hill Rd	\$39.71
			131053783	001-013-518-20-47-00	GG-Utilities	201956075 War Memorial	\$21.35
			131053852	101-016-542-63-47-00	ST-Lighting - Utilities	201973682 Street Lights	\$44.73
			140866049	001-010-576-80-47-00	PK-Utilities	202513354 Park lighting	\$16.66
			147482979	101-016-542-63-47-00	ST-Lighting - Utilities	204719074 Catherine Creek Bridge lights	\$21.42
			150766747	001-012-575-30-47-00	CS-Historical-Utilities	202289237 Museum	\$8.37
				001-012-575-51-47-00	CS-Grimm House Expenses	202289237 Grimm House	\$8.38
			150773242	101-016-542-63-47-00	ST-Lighting - Utilities	205320781 SR92 Roundabout at 99th	\$46.38
			154024608	101-016-542-63-47-00	ST-Lighting - Utilities	202648705 Street Lights	\$47.74
			157213782	101-016-542-63-47-00	ST-Lighting - Utilities	202988481 Street Lights	\$174.62
			157216518	101-016-542-63-47-00	ST-Lighting - Utilities	203115522 Street Light meter	\$138.63
			166895405	101-016-542-63-47-00	ST-Lighting - Utilities	202624367 Street Lights	\$10,139.98
			166895470	101-016-542-63-47-00	ST-Lighting - Utilities	202648101 Street Lights - Soper Hill Annexation	\$1,066.97
166895529	101-016-542-63-47-00	ST-Lighting - Utilities	202670725 Street Lights	\$1,181.12			
Snohomish County PW V	41172	<b>Check Total</b>					<b>\$6,743.84</b>
		9/22/2016	1000416970	001-008-521-20-48-00	LE-Repair & Maintenance Equip	Vehicle repair & maintenance	\$6,743.84
Snohomish County Sherrifs Office	41173	<b>Check Total</b>					<b>\$5,943.84</b>
		9/22/2016	2016-3329	001-008-523-60-51-00	LE-Jail	Prisoner housing July 2016	\$5,898.01
			2016-3350	001-008-523-60-51-00	LE-Jail	Prisoner medical July 2016	\$45.83
Snohomish County Treasurer	41174	<b>Check Total</b>					<b>\$182.52</b>
		9/22/2016	Aug 2016	633-008-586-00-00-01	Crime Victims Compensation	August 2016 Crime Victims Compensation	\$182.52
Snopac	41175	<b>Check Total</b>					<b>\$26,017.48</b>
		9/22/2016	8492	001-008-528-00-51-00	LE-Snopac Dispatch	Dispatch Services	\$26,017.48
Sound Publishing Inc	41176	<b>Check Total</b>					<b>\$752.52</b>
		9/22/2016	7706787	101-016-542-30-41-01	ST-Advertising	Help wanted - Equipment Mechanic	\$237.50
				410-016-531-10-41-05	SW-Advertising	Help wanted - Equipment Mechanic	\$237.50
			EDH716551	001-007-558-50-41-03	PL-Advertising	LSSC Public Hearing	\$72.48
			EDH718149	001-007-558-50-41-03	PL-Advertising	Special Meeting - Joint Planning Comm & Citizens	\$43.12
			EDH718633	001-007-558-50-41-03	PL-Advertising	LUA2016-0093-0098 Conditional Use Permits	\$123.96
			EDH718719	001-007-558-50-41-03	PL-Advertising	Park Board Mtg-Cavelero Park Master Plan	\$37.96
Staples	41177	<b>Check Total</b>					<b>\$2,727.84</b>
		9/22/2016	3312610706	001-012-575-50-31-00	CS-Community Center-Ops	Tables for Community Center	\$2,727.84



## Checks to be Approved for 9/9/2016 to 9/22/2016

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	Check Total	
Stericycle Inc	41178						<b>Check Total</b>	<b>\$10.36</b>
		9/22/2016	3003554774	001-008-521-20-41-00	LE-Professional Services	Hazardous waste disposal	\$10.36	
Steuber Distributing Co	41179						<b>Check Total</b>	<b>\$451.51</b>
		9/22/2016	2827125	410-016-531-10-31-02	SW-Operating Costs	Jute Staples/Cedar shakes	\$72.50	
			2827518	001-010-576-80-31-03	PK-Lundeen-Op Costs	Fertilizer	\$189.51	
				001-010-576-80-31-04	PK-North Cove Park Ops	Fertilizer	\$189.50	
Robert Stowe	41180						<b>Check Total</b>	<b>\$2,665.00</b>
		9/22/2016	2-July	001-007-558-70-41-00	PL-Economic Devel	Downtown Planning project	\$2,665.00	
Taser International	41181						<b>Check Total</b>	<b>\$5,978.50</b>
		9/22/2016	SI1450226	001-008-521-20-48-00	LE-Repair & Maintenance Equip	Taser annual maintenance	\$5,978.50	
Terra Services Inc	41182						<b>Check Total</b>	<b>\$4,198.56</b>
		9/22/2016	16-12349	001-007-559-30-41-00	PB-Professional Srv	Temporary professional services-Leave Coverage	\$820.51	
				101-016-542-30-41-02	ST-Professional Service	Temporary professional services-Leave Coverage	\$234.43	
				410-016-531-10-41-01	SW-Professional Services	Temporary professional services-Leave Coverage	\$117.22	
		16-12750	001-007-559-30-41-00	PB-Professional Srv	Temporary professional services-Leave Coverage	\$1,025.64		
			001-010-576-80-41-00	PK-Professional Services	Temporary professional services-Leave Coverage	\$156.12		
			001-013-518-20-41-00	GG-Professional Service	Temporary professional services-Leave Coverage	\$156.12		
			101-016-542-30-41-02	ST-Professional Service	Temporary professional services-Leave Coverage	\$917.52		
			410-016-531-10-41-01	SW-Professional Services	Temporary professional services-Leave Coverage	\$771.00		
The Seattle Times	41183						<b>Check Total</b>	<b>\$200.00</b>
		9/22/2016	671554	101-016-542-30-41-01	ST-Advertising	Help Wanted - Equipment Mechanic	\$100.00	
				410-016-531-10-41-05	SW-Advertising	Help Wanted - Equipment Mechanic	\$100.00	
Tribune	41184						<b>Check Total</b>	<b>\$306.66</b>
		9/22/2016	773064.03	101-016-542-30-41-01	ST-Advertising	Help Wanted - Equipment Mechanic	\$153.33	
				410-016-531-10-41-05	SW-Advertising	Help Wanted - Equipment Mechanic	\$153.33	
ULINE	41185						<b>Check Total</b>	<b>\$143.60</b>
		9/22/2016	79654974	001-008-521-20-31-01	LE-Operating Costs	Sharps Container	\$143.60	
UPS	41186						<b>Check Total</b>	<b>\$49.59</b>
		9/22/2016	74Y2366	001-008-521-20-42-00	LE-Communication	Evidence shipping	\$21.74	
			74Y42356	001-008-521-20-42-00	LE-Communication	Evidence shipping	\$27.85	



## Checks to be Approved for 9/9/2016 to 9/22/2016

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	Check Total	
US Bank St Paul	41102						<b>Check Total</b>	<b>\$300.00</b>
		9/13/2016	4362338	210-000-592-75-85-00	2008 Bond Fees	Admin Fees 7/2016-6/2017 Serries 2008A Bonds	\$300.00	
US Postal Service	41187						<b>Check Total</b>	<b>\$140.00</b>
		9/22/2016	2016-2017	001-013-518-20-31-00	GG-Operating	Post Office Box rental 2016-2017	\$140.00	
Verizon Northwest	41188						<b>Check Total</b>	<b>\$2,866.05</b>
		9/22/2016	9770870186	001-001-513-10-42-00	Executive - Communication	Wireless phone service	\$70.61	
				001-002-513-11-42-00	AD-Communications	Wireless phone service	\$101.81	
				001-003-514-20-42-00	CC-Communications	Wireless phone service	\$55.44	
				001-005-518-10-42-00	HR-Communications	Wireless phone service	\$52.61	
				001-006-518-80-42-00	IT-Communications	Wireless phone service	\$180.25	
				001-007-558-50-42-00	PL-Communication	Wireless phone service	\$170.85	
				001-007-559-30-42-00	PB-Communication	Wireless phone service	\$183.00	
				001-008-521-20-42-00	LE-Communication	Wireless phone service	\$1,562.26	
				001-010-576-80-42-00	PK-Communication	Wireless phone service	\$163.07	
101-016-543-30-42-00	ST-Communications			Wireless phone service	\$163.07			
410-016-531-10-42-00	SW-Communications	Wireless phone service	\$163.08					
Washington Dept of Fish & Wildlife	41103						<b>Check Total</b>	<b>\$150.00</b>
		9/13/2016	Boat Ramp	001-010-576-80-31-00	PK-Operating Costs	JARPA permit fee for Boat Ramp Repair	\$150.00	
Washington State Patrol	41189						<b>Check Total</b>	<b>\$400.75</b>
		9/22/2016	117001508	001-005-518-10-41-00	HR-Professional Services	New hire background checks	\$12.00	
633-008-586-00-00-06	Gun Permit - FBI Remittance			Weapons permits background checks	\$388.75			
Washington State Support Registry	0						<b>Check Total</b>	<b>\$402.46</b>
		9/22/2016	09/15/16	001-000-284-00-00-00	Payroll Liability Other	Employee Paid Child Support	\$402.46	
Washington Tractor	41190						<b>Check Total</b>	<b>\$869.75</b>
		9/22/2016	1092874	001-010-576-80-48-00	PK-Repair & Maintenance	Repair on PW38	\$869.75	
Russel Wright	41191						<b>Check Total</b>	<b>\$39.88</b>
		9/22/2016	9/9/16 req	001-012-557-30-40-01	CS - VIC Utilities	Phone for VIC	\$39.88	
Zachor and Thomas Inc PS	41192						<b>Check Total</b>	<b>\$10,569.36</b>
		9/22/2016	667	001-011-515-30-41-01	PG-Prosecutor Fees	Prosecutor fees - August 2016	\$10,569.36	
<b>Total</b>							<b>\$609,197.29</b>	

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

Tuesday, September 13, 2016  
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 John Spencer

ELECTED OFFICIALS PRESENT: Mayor John Spencer, Councilmembers Kim Daughtry, Sam Low, Kurt Hilt, Todd Welch, Rauchel McDaniel, Kathy Holder, Marcus Tageant

ELECTED OFFICIALS ABSENT: None

STAFF MEMBERS PRESENT: Interim City Administrator Mary Swenson, Finance Director/City Clerk Barb Stevens, Public Works Director Mick Monken, Interim Police Chief Ralph Krusey, Human Resources Director Steve Edin, Deputy City Clerk Kathy Pugh, City Attorney Grant Weed; Police Records Specialist Kathy Starkenburg, Cashier/Receptionist Kira Hiester, Senior Accountant Josh Roundy, Associate Planner Dillon Roth, Parks and Recreation Coordinator Jim Haugen,

OTHERS: Tonya Christoffersen with the Lake Stevens Lions Club; Paris Apodaca, Amanda Mabe, Snohomish Health District Staff Jeff Ketchel, Environmental Health Director, Heather Thomas, Public & Government Affairs Manager, Kevin Plemel, Environmental Health Manager, Chris Stringer, Food Safety Program Supervisor and Katie Curtis, Public Health Emergency Preparedness & Response Supervisor

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**Pledge of Allegiance:** Council President Sam Low introduced Tonya Christoffersen from the Lake Stevens Lions Club, who led the Pledge of Allegiance.

**Roll Call:** All present.

**Approval of Agenda:** Council President Low announced that (A) Vouchers will be removed from the Consent Agenda and considered separately.

**MOTION:** Moved by Councilmember Hilt, seconded by Councilmember Daughtry, to approve the Agenda with the noted change to the Consent Agenda. On vote the motion carried (7-0-0-0).

**Volunteer Appreciation:** Mayor Spencer then recognized Paris Apodaca, Whitney Partlow and Amanda Mabe, Lake Stevens School District High School students who volunteered their time for Music on the Lake by assisting with the setup and takedown of the sound equipment and also with sound production. Mayor Spencer presented Paris and Amanda with Certificates of Appreciation.

Mayor Spencer recognized and thanked Diana Hale for her time and dedication in designing and installing the landscaping in the “Fish Roundabout” and presented her with a Certificate of Appreciation.

**Employee Appreciation:** Mayor Spencer recognized Rod Pena for single-handedly supporting the IT Department during Troy Stevens’ absence and presented him with a Certificate of Merit.

**New Employee Introductions:** Finance Director/City Clerk Stevens introduced Cashier-Receptionist Kira Hiester and Senior Accountant Josh Roundy.

Human Resources Director Steve Edin introduced Associate Planner Dillon Roth, and Parks and Recreation Coordinator Jim Haugen.

Police Chief Ralph Krusey introduced Records Specialist Kathy Starkenburg.

**Guest Business:** Snohomish Health District Environmental Health Director Jeff Ketchel, Heather Thomas, Public and Government Affairs Manager, Kevin Plemel, Environmental Health Manager, Chris Stringer, Food Safety Program Supervisor and Katie Curtis, Public Health Emergency Preparedness & Response Supervisor were introduced.

Mr. Ketchel reviewed the 20<sup>th</sup> Century goals and achievements of the Health District and the new challenges and goals facing the Health Districts in the 21<sup>st</sup> Century.

Ms. Thomas discussed the opioid epidemic including how widespread the epidemic is, the difficulties of addressing it and the Health District’s goals for addressing it.

Mr. Ketchel commented the Health District’s goals for providing services and resources are not attainable given its current financial situation. He said the district is currently using reserves to balance its budget, and that the Health District does not have any taxing authority. Mr. Ketchel said that the Health District has developed a multi-faceted approach for identifying new funding resources, including requesting cities to make a \$2 per capita contribution to the Health District. The Health District wants to have relationships with the cities it serves, and plans to offer programs that are tailored to each specific city making a contribution.

There was agreement that Council address its questions to the Health District at the conclusion of the meeting.

Debbie Knowles, 2715 122<sup>nd</sup> Court NE, Lake Stevens requested the City spray her trees due to infestation by tent army worms, and expressed concern with the worsening car break-ins occurring during the night, particularly in the area known as Lake Stevens Circle.

**Council Business:**

- Kim Daughtry: Downtown Subarea Plan meetings, Cavelero Skateboard Park meeting, Planning & Economic Development Subcommittee Meeting.
- Sam Low: Downtown Subarea Planning Meeting, Cavelero Park Skateboard Park Meeting, Parks Subcommittee, Grade Road tour, interview with King 5 re Heroin/Opioid Forum coming up on September 15.
- Kurt Hilt: Downtown Subarea Planning Meeting; Snohomish Health District.

- Todd Welch: No report.
- Rauchel McDaniel: Fire Commission Meeting, Public Works Subcommittee/Planning Commission Meeting, Downtown Subarea Planning Meeting, Budget Subcommittee.
- Kathy Holder: Downtown Subarea Executive Committee, Parks Subcommittee, Parks Board Special Meeting re Cavelero Park Skate Park; Economic Development Subcommittee.
- Marcus Tageant: Budget and Economic Development subcommittees, Downtown Subarea Planning Meeting.

**Mayor's Business:** Subarea Planning – is requesting that consultants do at least 2-3 more alternatives to provide a broader range of ideas for consideration, Mayor's proposed budget will be presented September 27, met with Snohomish Mayor Karen Guzak on various topics including public health and annexation in the area of SR9 and US2, formerly known as the "RUTA" area, City Administrator search update.

**City Department Report.**

- Public Works Director Monken: Grade Road Update, 36<sup>th</sup> Street Bridge repair update, traffic radar sign (locations).
- Human Resources Director Edin: Equipment mechanic hiring process update, police oral boards, meeting with VEBA representative re employee benefits, employee benefit fair in October.
- Interim Public Safety Director Krusey: Opioid forum September 15 at Cavelero, Citizens Patrol, Citizens Academy, Officer Carter being recognized at the Fall Boating Conference with the Recreational Boat Safety Education Merit Award, Chief Dyer's arrival September 19; said this is his last Council meeting and thanked everyone for their support, and said the Police Department is staffed with dedicated people.
- Economic Development Coordinator Ashe: Distributed a "leave behind" marketing piece that was prepared for use by Red Propeller to assist with marketing the 20<sup>th</sup> Street SE corridor to developers, and they have also prepared a PowerPoint presentation and a web site for marketing; attended the International Council of Shopping Centers Western Regional Dealmaking Conference in San Diego and accomplished some very good networking with commercial developers.

**MOTION TO APPROVE VOUCHERS:** Council President Low moved, Councilmember Daughtry seconded, to approve the August 19-September 9, 2016 Vouchers [Payroll Direct Deposits of \$157,176.69, Payroll Check Nos. 40982-40985 totaling \$6,324.38, Tax Deposits of \$62,594.95, Electronic Funds Transfers (ACH) totaling \$287,313.78, Claims Check Nos. 40969-40981, 40986-41098 totaling \$777,380.54, Void Checks No. 40624 in the amount of \$999.16, Total Vouchers Approved: \$1,289,791.18].

Councilmember McDaniel questioned the cost of the two videos produced by Abe Martinez. Councilmember McDaniel added she believes the cost is high and she is not comfortable with that amount for two videos.

Mayor Spencer responded that one video was for Lundeen Park and the new activities there, and the other video was for boating safety. The cost includes the videography, script preparation, interviews, preparation of narrative, and video production. Mayor Spencer said that detailed information on the cost will be provided to Councilmembers.

Mayor Spencer added that the only other video he envisions in the future is video produced in conjunction with the Downtown Subarea Planning, which cost will be invoiced through the Consultant. This will be brought forward as an amendment to the consultant's professional services contract.

Councilmember Tageant agreed with Councilmember McDaniel's concerns.

VOTE: On vote the motion to approve the Vouchers carried (7-0-0-0).

**Consent Agenda:**

MOTION: Moved by Councilmember Hilt, seconded by Councilmember Welch, to (A) [Removed]; (B) approve City Council Regular Meeting Minutes of August 23, 2016; (C) approve Prothman Contract for Police Chief Background Check; (D) approve Professional Services Agreement with Outcomes by Levy; (E) approve Teamsters Collective Bargaining Agreement; (F) approve Resolution 2016-15 re: Adoption of Snohomish County Revised Hazard Mitigation Plan; (G) award Contract to AquaTechnex for Alum Treatment; (H) authorize Interlocal Agreement with Snohomish County re Surface Water Management Billing; (I) approve Ordinance 971, Amendment to LSMC 11.04.060 Surface Water Management. On vote the motion carried (7-0-0-0).

**Action Items:**

**Resolution 2016-16 Declaring an Emergency and Authorizing Repair of City Boat Launch:**

Public Works Director presented the staff report and reviewed that the boat launch was damaged in August when a vehicle launching a watercraft accidentally rolled off the southern ramp and into the water, requiring it to be towed out of the lake. Since that time the City has determined the south launch is unsafe for public use and it is closed; the north launch is breaking down with the heavier use it is receiving. The Department of Fish & Wildlife determined the south launch is beyond repair and requires replacement. Approval of the emergency resolution will accelerate the permitting process with the State for repair of the north ramp.

MOTION: Moved by Councilmember Daughtry, seconded by Councilmember Low, to adopt Resolution 2016-16 declaring an emergency exists with the City Boat Launch for public safety and authorize staff to proceed with permitting and performance of temporary repairs of the north ramp. On vote the motion carried (7-0-0-0).

**Aerator Removal Evaluation Professional Service Agreement Supplement No. 1:**

Director Monken presented the staff report and said that since Council approval of the Professional Services Agreement at the August 23, 2016 Council meeting, the contractor, CRUX, realized they would be required to provide Errors and Omissions liability insurance, which cost was not included in their initial proposal. This is a pass through cost that would normally be included in the contractor's estimate for work performed, and is necessary to protect the City from exposure to liability, which may arise from professional errors or omissions in the services performed by CRUX under the Professional Services Agreement. Director Monken then responded to Councilmembers' questions and noted that they was the only bidder.

MOTION: Moved by Councilmember Holder, seconded by Councilmember Hilt, to authorize the Mayor to execute a Professional Service Agreement Supplemental No. 1 with CRUX Diving & Salvage, Inc., in the amount of \$3,726.65, to cover Errors and Omissions Liability insurance for

the evaluation of the Lake Stevens Aerator for future removal. On vote the motion carried (7-0-0-0).

**Discussion Items:**

**Small Cellular Facility Consortium:** City Attorney Grant Weed presented the staff report and said staff is bringing this to Council's attention at this time for their information. Attorney Weed said that a company named Mobilitie has approached Lake Stevens and other jurisdictions about entering the Puget Sound Market for the development of small cellular facilities that may include data transmission lines, small cellular antennae and related equipment, all with new technologies. Other cellular companies such as AT&T and Verizon may have similar plans. A number of issues have arisen regarding this proposal and the law firm of Ogden Murphy Wallace has coordinated a consortium of cities to address many of the legal and technical issues that have and are surfacing. Staff is seeking direction from Council and recommending that the City join the consortium. Attorney Weed reviewed what the City would receive as a member of the consortium and how the legal fees are structured, and he also recommended that the City update its municipal code to address the new technologies on the market.

City Administrator Swenson added that Mobilitie has been talking with Community Development Director Wright.

Attorney Weed and City Administrator Swenson then responded to Councilmembers' questions.

Councilmember Low commented that he doesn't believe that citizens want large cellphone towers on their properties and through the city.

Mayor Spencer said that his wife and daughter work in the telecommunications field and that they were involved with siting of 75-80% of the cell towers in western Washington, and commented that it is difficult to oppose these companies, but that they can be regulated.

Council directed this be brought back in two weeks for consideration of joining the consortium.

**Snohomish Health District Follow-up:** Mr. Ketchel and Ms. Thomas responded to questions posed by Councilmembers related to statistics on how many persons successfully utilize services related to opioid treatment, and proactive steps such as teaching the dangers of both legal and illegal opioid use in the schools. Council commented that if the City makes a per capital donation to the Health District it wants to ensure that it receives services directed to meeting Lake Stevens' needs.

**Executive Session:** Mayor Spencer announced an executive session for 14 minutes to discuss real property acquisition beginning at 8:46 p.m. and ending at 9:00 p.m., with no action to follow.

**Adjourn:**

Moved by Councilmember Low, seconded by Councilmember Tageant, to adjourn the meeting at 9:01 p.m. On vote the motion carried (7-0-0-0).

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John Spencer, Mayor

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Barb Stevens, Finance Director/City Clerk



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LAKE STEVENS CITY COUNCIL  
**STAFF REPORT**

**Council Agenda**

**Date:** September 27, 2016

**Subject:** Property Disposition Services Agreement (PropertyRoom.com, Inc.)

**Contact Person/Department:** John Dyer, Chief of Police

**Budget Impact:** N/A

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**RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:** **Approve a 2 year extension to the Asset Disposition Services Agreement with Property Disposition Services (PropertyRoom.com, Inc.)**

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**SUMMARY/BACKGROUND:**

The Policed Department maintains evidence and a property room to store items collected during arrests, investigations, as well as surrendered and found property. Once cases are closed or adjudicated by the courts, the Police Department releases the property in accordance with state law, the Lake Stevens Municipal Code and the City's established policies and procedures that govern the disposal of property.

PropertyRoom.com, Inc. is a web-based auction company that auctions excess property collected by law enforcement agencies. The cost to utilize their service for our agency is a 3% processing fee plus 50-85% of the final sales price, depending on the item sold and other fees associated with handling the item(s). The City has been using PropertyRoom.com, Inc. since 2005 and has a good history with the company and no issues. They pick up the property from our Police Department and handle everything associated with the transaction of the items with the third party.

The City's current agreement with PropertyRoom.com was entered into in December 2014 and expires on December 17, 2014. The agreement may be extended by written notice to the contractor. It is staff's recommendation to extend the contract for a period of two years. PropertyRoom.com is agreeable to the two-year extension with an expiration date of December 31, 2018.

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**APPLICABLE CITY POLICIES:** N/A

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**BUDGET IMPACT:** N/A

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**ATTACHMENTS:** None



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LAKE STEVENS CITY COUNCIL  
**STAFF REPORT**

**Council Agenda**                      September 27 ,2016  
**Date:** \_\_\_\_\_

**Subject:** Small Cellular Facility Consortium

<b>Contact</b>	Russ Wright / Mary Swenson	<b>Budget</b>	\$15,000
<b>Person/Department:</b>	Planning & Community Development / Administration	<b>Impact:</b>	

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

1. **Authorize Mayor to execute Letter of Engagement with Ogden Murphy Wallace to join the Small Cellular Facility Consortium; and**
  2. **Authorize a budget not to exceed \$15,000 for associated costs with joining the consortium.**
- 

**SUMMARY/BACKGROUND:** A company named Mobilitie has approached the city of Lake Stevens and multiple other jurisdictions in the tri-county area about entering the Puget Sound market. In 2015, Mobilitie identified itself as a “utility company that designs, builds, operates, and maintains telecommunications infrastructure solutions...” Mobilitie represents a new technology for developing small cellular facilities that may include installation of data transmission lines, small cellular antennae, new poles and related equipment in city rights of way. We understand the focus of its business model is to provide a data stream infrastructure that can fill gaps in cellular and network coverage and data streams by providing multiple small cellular arrays located on utility poles in the right-of-way. One initial stated goal of the company was to develop a “hybrid transport network” often referred to as a “backhaul” system that transports data for telecommunication carriers. Other cellular companies including AT&T and Verizon may also have plans to deploy similar technology.

Several issues have surfaced locally and regionally when considering these new hybrid transport networks or small cellular facility companies. The largest issue is that jurisdictions are not sure how to categorize these companies i.e., are they a utility or telecommunication company and are these companies subject to franchise agreements and fees. Other issues will relate to the siting of facilities, potential need for installing new poles of greater height, including the possibility of residential areas, to complete data infrastructure and the need for screening. We are told that Mobilitie may wish to receive a blanket permit or a master approval in each jurisdiction. This may be an efficient approach, but it may limit local land use controls in the process. An evaluation of existing code provisions will be necessary to determine whether the issues and possible impacts to the city rights of way and streetscape, presented by the proposed technology, are adequately addressed.

Ogden Murphy Wallace (OMW) has coordinated a consortium of cities to address many of the legal and technical questions posed above. About 15 cities have joined the consortium, with about another five cities considering joining. The benefit of joining the consortium is that there will be a uniform approach implemented throughout the tri-county area and there will be upfront legal review and technical expertise provided from OMW on local, state or federal regulations. The consortium has already developed a robust application form to provide adequate information to enable each city to evaluate the scope of services, new

infrastructure, and financial implications with associated right-of-way / franchise agreements. Next steps will be to develop a model ordinance for participating jurisdictions.

Each new city that joins the consortium is charged \$6,000 to join the group. After joining, each jurisdiction would pay a proportionate share - roughly 5% of ongoing legal fees - estimated to be \$5,000 – \$10,000 per city. The more cities that join the lower ongoing costs will be. The city can recover a portion of this investment from an application fee/deposit if adopted in the city's fees resolution. Local legal review costs incurred to negotiate use agreements and prepare other documents would also diminish significantly.

Staff is recommending: 1) City Council authorize the Mayor to execute a letter of engagement for legal services and technical assistance by joining a multi-city consortium for the purpose of developing a model master use agreement and/or ordinance, lease/franchise agreement and ongoing legal support for the implementation of small cellular facility regulations at a future meeting; and 2) Authorize a budget not to exceed \$15,000 for costs incurred as a joining member.

**ATTACHED:** Letter of Engagement

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**BUDGET IMPACT: Not to exceed \$15,000.**

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OGDEN MURPHY WALLACE, PLLC  
901 FIFTH AVENUE, SUITE 3500  
SEATTLE, WA 98164-2008

T 206.447.7000  
F 206.447.0215

OMWLAW.COM

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SEP 16 2016  
SEP 16 2016  
WGA, INC., Fezana@omwlaw.com

Elana R. Zana  
206.442.1308

**COPY**

September 9, 2016

VIA US MAIL AND EMAIL

Mary Swenson, Interim City Administrator  
City of Lake Stevens  
1812 Main Street  
P.O. Box 257  
Lake Stevens, WA 98258

Re: Mobilite/RW Legal Advice Consortium

Dear Ms. Swenson:

As you are aware, a number of cities within the Puget Sound area have been approached by Mobilite for a franchise/master right of way permit related to Mobilite's proposed build-out of their facilities. In addition, Mobilite has requested the ability to place poles within the rights of way and has described a wireless backhaul service that is different than other telecommunications providers in the area. Considering the large number of cities affected by Mobilite's request for a franchise/master right of way permit, Ogden Murphy Wallace, P.L.L.C. is forming a consortium of cities to analyze, draft and negotiate Mobilite's request. Based on conversations with other cities, the consortium currently consists of the following cities: Mountlake Terrace, Kent, Bellevue, Redmond, Kirkland, Mukilteo, Spokane Valley, Puyallup, Gig Harbor, Ellensburg, Renton, Issaquah, Mount Vernon, Walla Walla, Bremerton, Richland, and possibly Oak Harbor, Snohomish, Tukwila, Shoreline, Bothell, Stanwood and Lake Stevens.

W. Scott Snyder, Elana Zana and Daniel Kenny will be the principal attorneys leading the consortium. We will keep you apprised of the progress in the matter and unless otherwise directed by the City of Lake Stevens, Grant Weed will be our primary point of contact.

Potential Conflict of Interest Waiver

Our Rules of Professional Conduct (the State standards governing our ethical obligations) discourage us from representing a consortium of cities unless you each consent after full disclosure. A risk of common representation is that a future conflict between the parties could arise. In the event of a future conflict, Ogden Murphy Wallace will withdraw from further representation of those cities in this matter. Obviously, we will at all times take reasonable steps to safeguard the confidentiality of all of your communications and documents.

Mary Swenson, Interim City Administrator

**September 9, 2016**

Page 2

We do not believe that our ability to represent your city in connection with this matter will be adversely affected by our representation of the other jurisdictions. We will, however, be happy to discuss any reservations that you may have regarding these matters.

This joint representation agreement does not preclude the individual representation of a city when addressing a concern unique to that specific city or where the city wishes to take actions independently of the others. Examples could include different procedures in city codes, attendance at a council meeting, or providing counsel on legal issues specific to a city. We will keep you informed of the progress with Mobilitie as well as decision points. You may at any point decide to continue independently of the consortium.

#### Legal Fees

The primary advantage of joint representation is that you will most likely save time and legal fees in having one set of lawyers analyze, draft and negotiate with Mobilitie. Additionally, the costs associated with the joint representation would be equally split between the participating cities. We estimate that Lake Stevens' current proportional share would be about 5%, which would decrease with the addition of new cities. In addition, a "buy in" of Six Thousand Dollars (\$6,000) will be charged to reflect work done to date. This amount will be applied to the bills of current members. Should future members join, Lake Stevens will similarly receive a portion of new member's "buy ins". Upon finalizing the consortium participants we will send you a spreadsheet with a breakdown of the percentage split for each city. This spreadsheet is subject to change based on the entrance of new cities, or the decision by a city to no longer participate in the consortium. We will send an update on any change in the distribution of the costs.

The fees associated with consortium representation will be as follows:

\$450/hour for W. Scott Snyder

\$400/hour for Elana Zana

\$300/hour for Daniel Kenny

As stated above, these fees will be divided between all participating cities, so each city will only be charged a portion of this billing rate per hour. We will update you as cities join or withdraw from the consortium. Services performed by other attorneys at our firm on behalf of the consortium will be charged at billing rates between \$300- \$500, depending on the attorney. Services specific to your city, and for which your city is solely responsible, will be charged at the following rates:

\$320/hour for members

\$205/ hour for associates

We will bill you on a regular basis, normally each month, for all the time spent on your project and for other costs incurred relating to our work on your behalf. The activities for which our time will be billed will include: conference time, whether in person or on the telephone; document preparation and revision; negotiations; correspondence; staff or attorney supervision; factual and legal research and

Mary Swenson, Interim City Administrator

**September 9, 2016**

Page 3

analysis; travel on your behalf; and other matters directly pertinent to and related to your matters handled by our firm. Some of our costs include an allocation for administrative services that is shared among the firm's clients. Typical of the costs for which you will be billed would be: filing fees; delivery fees; computer assisted legal research; copying; charges of outside experts and consultants; and travel.

**Supervising Attorney and Assistance**

As supervising attorneys, I and Scott will be responsible for seeing that the work is carried out in an efficient and economical manner. We may be assisted by other attorneys and legal assistants in our office. They are all bound to you by the same duties of loyalty and confidentiality that bind us.

**Terms of Engagement**

In our representation of clients, we think it is critical that our clients and the firm share the same understanding of the attorney-client relationship. To that end, you will find enclosed a copy of our Terms of Engagement. The Terms of Engagement describes more particularly how we will serve you. This engagement letter and the Terms of Engagement set forth our agreement with you. Please review both carefully and let me know whether you have any questions or comments regarding our relationship.

**Other Matters**

The provisions of this letter and the attached Terms of Engagement shall apply to any other work or matter for which you engage us, except to the extent contingent fees or flat fees are otherwise agreed upon.

We appreciate your expression of confidence in Ogden Murphy Wallace, P.L.L.C. and would like to assure you that we will do our best to provide you with high quality legal services. If you have any questions or concerns during the course of our relationship, we encourage you to raise them with me or our Managing Member, Geoff Bridgeman or our Client Services Member, Karen Sutherland.

Please indicate your consent to waive the potential conflict of interest and engage Ogden Murphy Wallace to represent the City of Lake Stevens by signing below and returning it to me (in the alternative, you may respond via e-mail). Please contact me if you have any questions. We look forward to working with you.

Very truly yours,

OGDEN MURPHY WALLACE, P.L.L.C.



Elana R. Zana

ERZ:ivs

cc: Mayor John Spencer- City of Lake Stevens  
Grant Weed - Weed Graafstra & Associates, Inc., P.S.  
Accounting Department - Ogden Murphy Wallace, PLLC

Mary Swenson, Interim City Administrator  
**September 9, 2016**  
Page 4

CONSENTED TO THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2016.

CITY OF LAKE STEVENS

---

By: Mary Swenson  
Its: Interim City Administrator

**OGDEN MURPHY WALLACE, P.L.L.C.  
TERMS OF ENGAGEMENT**

**General Rates**

The usual basis for determining our fees is the time expended by attorneys, paralegals and legal assistants of the firm. The rates for our services may change from time to time without notice, usually in September. Our current rate schedule is always available upon request. Whenever it is appropriate, we will use associate attorneys, law clerks or legal assistants in our office to keep your costs as low as possible.

**Other Factors in Rates**

Although time expended and costs incurred are usually the sole basis for determining our fees, by mutual agreement billings to you for legal services may, in some instances, be based on a more comprehensive evaluation of the reasonable value of the firm's services. The firm is committed to charging reasonable fees for its services. In certain situations, factors other than the amount of time required will have a significant bearing on the reasonable value of the services performed. Such factors include: the novelty and complexity of the questions involved; the skill required to provide proper legal representation; familiarity with the specific areas of law involved; the preclusion of other engagements caused by your work; the magnitude of the matter; the results achieved; customary fees for similar legal services; time limitations imposed by you or by circumstances; and the extent to which office forms and procedures have produced a high quality product efficiently.

In circumstances where our fees will be based on or include factors other than our normal hourly charges and costs, we will notify you promptly and prior to proceeding. Any basic document fee which we may charge in your business matters has been and will be set in light of these various factors.

**Billing Fees and Costs**

We will bill you on a regular basis, normally each month, for all the time spent on your project and for other costs incurred relating to our work or on your behalf. The activities for which our time will be billed will include: conference time, whether in person or on the telephone; document preparation and revision; negotiations; correspondence; staff or attorney supervision; factual and legal research and analysis; travel on your behalf; and other matters directly pertinent to and related to your business and/or litigation matters handled by our firm. Typical of the costs for which you will be billed would be: filing fees; delivery fees; computer assisted legal research; copying; long distance telephone charges; charges of outside experts and consultants; and travel.

**Payment; Interest**

You agree to make payment within thirty (30) days of receipt of our monthly statement. Outstanding balances that are not paid when due will accrue interest at the rate of one percent compounded monthly from the date of invoice until paid.

### Advance Fee Deposit

New clients are usually requested to provide an advance fee deposit to the firm. The advance fee deposit is placed in a trust account as described below, and fees and expenses for legal services are then charged against the account. Paying an advance fee deposit does not relieve the client's obligation to pay monthly invoices. If an invoice remains unpaid, the firm reserves the right to apply the advance fee deposit to the unpaid balance and require an additional advance fee deposit before commencing further work. At the conclusion of our legal representation or at such time as the deposit is unnecessary, the remaining balance or an appropriate part of it will be returned to you.

### Trust Deposits

All trust deposits from you will be held in a client trust account. By court rule in Washington, funds deposited to a trust account are subject to IOLTA (Interest on Lawyers Trust Account) participation in a pooled trust account. The exception is when the deposit is large enough to earn interest in excess of bank and administrative costs, and you request that it be held in a separate account, in which case the interest earned will be added to the deposit for your benefit and will be taxable income to you. IOLTA funds are used to support law-related charitable and educational activities.

### Termination

You may terminate our representation at any time, with or without cause, by notifying us. Upon such action, all fees and expenses incurred before the termination are due to the firm. If such termination occurs, your original papers will be returned to you promptly upon receipt of payment for outstanding fees and costs. If you wish to have a copy of your file at the conclusion of our representation, we will provide it to you at the current copy rate per page then in effect at this firm.

### Estimates

You may, from time to time, ask us for estimates of our fees and expenses either in whole or in part. We are hesitant to give estimates because of their potential inaccuracy. However, if you require it, and if we do provide you with such estimates, they will be based upon our professional judgment, but always with a clear understanding that it is not a maximum or fixed fee quotation. We cannot guarantee that the actual fees and expenses will be at or below the estimates because of factors outside the control of the firm.

### Confidentiality and Electronic Communications

We owe a duty of confidentiality to all of our clients. Accordingly, you acknowledge that we will not be required to disclose to you, or to use on your behalf, any information in our possession with respect to which we owe a duty of confidentiality to another current or former client. In addition, unless you advise us to use some other form of communication, we intend to use various communications devices in the normal course (which may include wired or wireless e-mail, cellular telephones, voice over Internet and electronic data/document web sites) to communicate with and send or make available documents to you and others. Absent special arrangements or circumstances, we do not employ encryption technologies in our electronic communications. Although there is some security risk with the current technology, we believe the benefits from using this technology outweigh the risk of accidental

disclosure. By signing this letter, you consent to the use of these communication methods without encryption.

#### **Dispute Resolution**

If you disagree with the amount of our fee, please take up the question with your principal attorney contact or with the firm's managing member. Typically such disagreements are resolved to the satisfaction of both sides with little inconvenience or formality. Any disputes relating to these Terms of Engagement or the accompanying engagement letter (collectively this "agreement") or the amount of legal fees related thereto, will be submitted to arbitration through the American Arbitration Association (the "AAA") in Seattle, Washington, according to its then-effective rules, and Ogden Murphy Wallace, P.L.L.C. and you agree to be bound by the results of such arbitration. Arbitration expenses shall be borne equally by the parties. In the event of non-payment such that we have to pursue collection of your account, you agree to pay the costs of collecting the debt, including court costs and fees, and a reasonable attorney's fee.

#### **Withdrawal**

We reserve the right to withdraw from representing you if, for any reason, our fees are not timely paid in accordance with this agreement, or for any other appropriate cause.

#### **Disclaimer**

You acknowledge that we have made no guarantees regarding the disposition, outcome, or results of your legal or business matters, and all expressions we have made relevant thereto are only our opinions as lawyers based upon the information available to us at the time. Our beginning work on your behalf will constitute your acceptance of this agreement unless we receive a written objection from you within fourteen (14) days of the date of the accompanying engagement letter.

#### **Conclusion**

Thank you for retaining our firm. We look forward to working with you.



OGDEN MURPHY WALLACE, PLLC  
901 FIFTH AVENUE, SUITE 3500  
SEATTLE, WA 98164-2008

T 206.447.7000  
F 206.447.0215

OMWLAW.COM

September 9, 2016

City of Lake Stevens  
c/o Mary Swenson, Interim City Administrator  
1812 Main Street  
P.O. Box 257  
Lake Stevens, WA 98258

**BUY IN FEE DEPOSIT FOR MOBILITIE/ ROW USE AUTHORIZATION CONSORTIUM**

	<u>Amount</u>
<u>Buy In Fee Deposit</u>	\$6,000.00

**Payment due upon receipt of invoice.  
Please return this copy with your remittance.**



LAKE STEVENS CITY COUNCIL  
**STAFF REPORT**

**Council Agenda Date:** September 27, 2016

**Subject:** Reclassification of Civil Engineer to Senior Engineer

**Contact Person/Department:** Mary Swenson/Administration      **Budget Impact:** \$11,697.00

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**RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:** **Approve the reclassification and salary range of the Civil Engineer position to Senior Engineer.**

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**SUMMARY/BACKGROUND:** Due to increased responsibilities and the needs of the Public Works Department, Public Works Director Monken and Interim City Administrator Swenson determined that the current Civil Engineer position be reclassified to Senior Engineer effective October 1, 2016. Proposed salary range for this reclassification is \$6,579.43 - \$8,311.86 per month. Director Stevens will include the budget impact figures in the next budget amendment.

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**APPLICABLE CITY POLICIES:** 2016 City of Lake Stevens Annual Budget

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**BUDGET IMPACT:** \$11,697.00 Annually (Estimated Annual Salary = \$82,111.32 from \$70,414.32)

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**ATTACHMENTS:**

- ▶ Exhibit A: Engineering Salary Survey
- ▶ Exhibit B:
- ▶ Exhibit C:

City of Lake Stevens  
 Civil Engineer

**2016 - Engineer Journey Level**

City	Low	High
Bonney Lake	\$ 5,386.00	\$ 7,002.00
Camas	\$ 5,442.00	\$ 6,498.00
Des Moines	\$ 6,147.00	\$ 7,472.00
Kenmore	\$ 5,693.00	\$ 7,862.00
Maple Valley	\$ -	\$ -
Mill Creek	\$ -	\$ -
Mountlake Terrace	\$ -	\$ -
Oak Harbor	\$ 5,868.00	\$ 7,216.00
Average:	\$ 5,707.20	\$ 7,210.00

Lake Stevens                                 \$ 5,762.00   \$ 7,330.00

**2016 - Engineer Senior Level**

City	Low	High
Bonney Lake	\$ 7,150.00	\$ 8,851.00
Camas	\$ 6,498.00	\$ 7,759.00
Des Moines	\$ 7,408.00	\$ 9,004.00
Kenmore	\$ 6,235.00	\$ 8,610.00
Maple Valley	\$ 5,886.00	\$ 7,755.00
Mill Creek		
Mountlake Terrace	\$ 6,654.00	\$ 8,319.00
Oak Harbor	\$ 6,225.00	\$ 7,885.00
Average:	\$ 6,579.43	\$ 8,311.86



LAKE STEVENS CITY COUNCIL  
**STAFF REPORT**

**Council Agenda Date:** September 27, 2016

**Subject:** Reclassification of Human Resources Director Salary Range

**Contact Person/Department:** Mary Swenson/Administration      **Budget Impact:** \$7,680.00

---

**RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:** **Approve the reclassification of the Human Resources Director salary range.**

---

**SUMMARY/BACKGROUND:** Due to increased responsibilities of the Human Resources Director and to be consistent with other City Director salaries, Interim City Administrator Swenson determined that the Human Resources Director position salary range be reclassified to \$7,093.67 - \$8,780.00 per month effective October 1, 2016. Director Stevens will include the budget impact figures in the next budget amendment.

---

**APPLICABLE CITY POLICIES:** 2016 City of Lake Stevens Annual Budget

---

**BUDGET IMPACT:** **\$7,680.00 Annually (Estimated Annual Salary = \$105,360.00 from \$97,680.00)**

---

**ATTACHMENTS:**

- ▶ Exhibit A: Human Resources Director Salary Survey
- ▶ Exhibit B:
- ▶ Exhibit C:

City of Lake Stevens  
Human Resource Director

2016

City	0.025	Low	High
Bonney Lake	\$ 6,793.00	\$ 8,408.00	
Camas	\$ 8,302.00	\$ 9,914.00	
Des Moines	\$ 7,408.00	\$ 9,004.00	
Kenmore	\$ -	\$ -	
Maple Valley	\$ 6,464.00	\$ 8,105.00	
Mill Creek	\$ 6,162.00	\$ 8,108.00	
Mountlake Terrace	\$ -	\$ -	
Oak Harbor	\$ 7,433.00	\$ 9,141.00	
Average:	\$ 7,093.67	\$ 8,780.00	
Lake Stevens:	\$ 6,534.00	\$ 8,140.00	



LAKE STEVENS CITY COUNCIL  
**STAFF REPORT**

**Council Agenda**  
**Date:** September 27, 2016

**Subject:** Office Assistant Classification

**Contact Person/Department:** Barb Stevens, Finance Director/ City Clerk      **Budget Impact:** \$150/month – approximately

**RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL: Approve a reclassification of one of the part-time Cashier-Receptionist Positions to Part-Time Office Assistant**

**SUMMARY/BACKGROUND:**

The City currently has a Cashier-Receptionist position that is staffed by two half-time employees who share the position. Due to changing staffing needs and workloads Staff is recommending that one of the positions be reclassified to a part-time Office Assistant position. In addition to being responsible for Cashier-Receptionist duties this position would be responsible for providing assistance to the City Clerk’s office including assisting with various meetings and related duties in support of the City Council and the City’s Boards and Commissions, including packet assembly, posting and distribution, assisting with the records management process for ordinances, resolutions, policies and other related documents and schedules, preparation of meeting minutes and other related duties.

Below is the salary range for both the Receptionist/Cashier position and the proposed Office Assistant position:

Receptionist/Cashier	\$3,057	\$3,194	\$3,331	\$3,470	\$3,607	\$3,744	\$3,882
Office Assistant	\$3,327	\$3,480	\$3,633	\$3,787	\$3,940	\$4,093	\$4,246

Because the proposed position is a half time position the change in budget is very minimal at approximately \$150 per month.

The Finance Committee has reviewed this proposal.

**APPLICABLE CITY POLICIES:** N/A

**BUDGET IMPACT:** Approximately \$150/month

**ATTACHMENTS:**

- ▶ Exhibit A: Position Description

EXHIBIT A

**CITY OF LAKE STEVENS  
POSITION DESCRIPTION**

<b>POSITION TITLE:</b>	Office Assistant
<b>DEPARTMENT:</b>	Finance Department/City Clerk’s Office
<b>CLASSIFICATION:</b>	Non-Union/Non-Exempt
<b>EFFECTIVE DATE:</b>	September 1, 2016

**POSITION PURPOSE:**

This position provides administrative and secretarial support to the City Clerk and Deputy City Clerk. This position performs a variety of routine to complex clerical duties and support services to the City Clerk’s office and reception area.

**SUPERVISION RECEIVED:\***

**SUPERVISION EXERCISED:\***

- o Works under the direct supervision of the Finance Director/City Clerk.
- o None.

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

- Serve as the City Hall Receptionist/Cashier;
- Provide support to the City Clerk’s office with various meetings and duties;
- Assist with the creation and maintenance of shared calendars for City meetings and events;
- Assist with facility rentals and use permits, including but not limited to the Community Center and Lundeen Park;
- Assist with the organization and preparation of board/commission and City Council agenda packets, including preparing and coordinating material from city departments;
- Assist with the preparation and posting of a variety of legal notices in compliance with all State and local laws; assist in the placement of advertisements for the City Clerk’s office;
- Assist with the maintenance of the records management process for ordinances, resolutions, policies, agreements and other related documents and schedules;

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

- Assist with the preparation and recording of minutes from board and commission meetings that accurately reflect meeting proceedings for official filing and timely distribution as needed;
- Provide clerical support for a variety of committees;
- Record various City documents with other entities as needed;
- Assist with the recruitment process for open vacancies on various Boards and Commissions;
- Process mail including sorting and distribution to other City facilities;
- 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 Performs copying, keyboarding, filing and related support services for Finance and Administration as assigned.

### **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. Maybe required to work beyond normal working hours to attend evening and weekend meetings.

### **QUALIFICATIONS:**

#### **Education, Training and Experience Guidelines**

- High School diploma or G.E.D; college level course work in secretarial science, administration, or related program;
- Two years related experience and / or training; or 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:**

- General office practices and procedures, including but not limited to the general operation of various City departments;
- Basic records retention procedures in the State of Washington.

**Ability to:**

- Operate and understand numerous software programs with proficiency, including but not limited to word processing, data management and spreadsheet applications;
- Accurately use a ten-key pad and keyboard 40 words per minute;
- Establish and maintain effective working relationship 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 to its customers; and
- Organize, file, retrieve and purge various department records.

**LICENSE OR CERTIFICATE REQUIREMENTS:**

Valid Washington State drivers license may be required.

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 ACKNOWLEDGMENT

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
DATE



LAKE STEVENS CITY COUNCIL  
**STAFF REPORT**

**Council Date:** **Agenda** September 27, 2016

**Subject:** Amendments to Floodplain Regulations (LUA2016-0084)

**Contact Person/Department:** Melissa Place, Planning & Community Development **Budget Impact:** None

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

1. Public Hearing and First and Final Reading for Ordinance 964 related to the municipal code amendments for floodplain regulations (LUA2016-0084).
2. **Motion to approve Ordinance 964:** An ordinance of the City of Lake Stevens, amending the Lake Stevens Municipal Code Section 14.08 Entitled “Basic Definitions and Interpretations” and Section 14.64 Entitled “Special Flood Hazard Areas, Drainage, and Erosion”

**SUMMARY:**

Public Hearing and First and Final Reading of Ordinance 964 (**Exhibit 1**) related to the the municipal code amendments for floodplain regulations (LUA2016-0084).

**BACKGROUND/HISTORY:**

In 2015 a Community Assistance Visit (CAV) was conducted by the Department of Ecology (DOE) with City staff and representatives from the Federal Emergency Management Agency (FEMA) and National Marine Fisheries Service (NMFS). DOE summarized their findings from the 2015 visit into the CAV Report. Their findings highlighted two main areas where the City’s municipal code and/or review of floodplain permits contained deficiencies. The City is determined to resolve the deficiencies and close the CAV Report by way of 1) Submitting documentation to DOE to address questions related to two land use cases as discussed in the report (documentation has been submitted and is pending review by DOE) and 2) Processing code amendments to the Lake Stevens Municipal Code (LSMC) as recommended by DOE in the report.

Ordinance 964 including the proposed municipal code amendments is attached as **Exhibit 1**. The Lake Stevens Planning Commission held a Public Hearing on July 6, 2016 to consider the modified language for LSMC 14.08 and 14.64 and review staff’s recommendation. The Planning Commission recommended approval of the proposed floodplain code amendments. The Planning Commission’s recommendation to the City Council is included in **Exhibit 1**.

**CONCLUSIONS:**

The Planning Commission has found the proposed municipal code amendments to be consistent with LSMC 14.16C.075(f) and has submitted a recommendation (**Exhibit 1**) to the City Council of the proposal based on the findings and conclusions contained in the staff report (**Exhibit 2**).

**APPLICABLE CITY POLICIES:** Chapters 14.08 and 14.64 of the Lake Stevens Municipal Code

**BUDGET IMPACT:** There is not a budget impact.

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**EXHIBITS (attached):**

**Exhibit 1 – Ordinance 964, with exhibits including the Planning Commission Recommendation**

**Exhibit 2 – Staff Report to the Planning Commission**

# EXHIBIT 1

## CITY OF LAKE STEVENS LAKE STEVENS, WASHINGTON

### ORDINANCE NO. 964

**AN ORDINANCE OF THE CITY OF LAKE STEVENS, WASHINGTON AMENDING LAKE STEVENS MUNICIPAL CODE SECTION 14.08.010 ENTITLED “DEFINITIONS OF BASIC TERMS” TO ADD AND AMEND DEFINITIONS; AND AMENDING CHAPTER 14.64 ENTITLED “SPECIAL FLOOD HAZARD AREAS, DRAINAGE, AND EROSION” SECTIONS 14.64.005, 14.64.020 AND 14.64.050; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE**

**WHEREAS**, In 2015 the Federal Emergency Management Agency (FEMA) conducted an audit of the regulations of the City of Lake Stevens governing development in the Special Flood Hazard Areas contained in chapter 14.08 and chapter 14.64 of the Lake Stevens Municipal Code (LSMC) and the City’s procedures for review of flood plain development permits, and

**WHEREAS**, the audit identified areas where the City’s municipal code and review of floodplain development permits contained deficiencies related to compliance with the Endangered Species Act (ESA); and.

**WHEREAS**, the amendments to chapter 14.08 and chapter 14.64 as set forth herein in Section 2, implement updates to the City’s existing floodplain regulations recommended in the 2015 Federal Emergency Management Agency (FEMA) audit for consistency with the ESA; and

**WHEREAS**, Section 14.16C.075 of the Lake Stevens Municipal Code (LSMC) sets forth the process for land use code amendments; and

**WHEREAS**, the City of Lake Stevens SEPA Responsible Official issued a Determination of Non-significance (DNS) for the proposed code amendments on June 10, 2016; and

**WHEREAS**, the City requested expedited review from the Department of Commerce on June 8, 2016 and the Department of Commerce granted expedited review on June 27, 2016; and

**WHEREAS**, the Lake Stevens Planning Commission conducted a duly noticed open-record public hearing on July 6, 2016 to consider the proposed code amendments; and

**WHEREAS**, the Lake Stevens Planning Commission has provided the City Council with a recommendation of approval for the proposed amendments; and

**WHEREAS**, the above referenced recommendation was based on Findings and Conclusions recommended by city staff and adopted by the Lake Stevens Planning Commission on July 6, 2016 in support of the code amendments; and

**WHEREAS**, the City Council reviewed and considered the Planning Commission’s findings, conclusions, and recommendation at an open record public hearing on September 27, 2016; and

**WHEREAS**, the City Council conducted a public hearing on September 27, 2016 to consider the proposed amendments; and

**WHEREAS**, the City finds that the proposed code amendments are consistent with the decision criteria found in LSMC 14.16C.075 (f);

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKE STEVENS DOES HEREBY ORDAIN AS FOLLOWS:**

**Section 1.** Findings. The City Council hereby adopts the above recitals as findings in support of the code amendments effectuated by this ordinance. The City Council also adopts the Findings and Conclusions recommended by the Lake Stevens Planning Commission attached hereto as **Exhibit A**, dated July 6, 2016 in support of said amendment.

**Section 2.** LSMC Section 14.08.010 is amended to add and amend the definitions as follows - all other provisions of Section 14.08.010 remain in effect and unchanged:

**14.08.010 Definitions of Basic Terms.**

Appeal (Definition related to flood permits only). A request for a review of the interpretation of any provision of this ordinance or a request for a variance.

Start of Construction (Definition related to flood permits only). Includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Substantial Improvement (Definition related to flood permits only). Means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either:

1. Before the improvement or repair is started; or
2. If the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

The term can exclude:

1. Any project for improvement of a structure to correct pre-cited existing violations of state or local health, sanitary, or safety code specifications which have previously identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or

2. Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

~~Substantial Improvement. Any repair, reconstruction, rehabilitation, addition, replacement, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures that have incurred "substantial damage," regardless of the actual repair work performed. The term does not include any project for improvement of a structure to correct existing violations of State or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions in relationship to Chapter 14.64, Part I, and Chapter 14.88, Part V.~~

**Section 3.** LSMC Section 14.64.005 entitled Basis for Establishing Special Flood Hazard Areas, is hereby amended to read follows:

**14.64.005 Basis for Establishing Special Flood Hazard Areas.**

The City hereby adopts by reference the special flood hazard areas identified by the Federal Emergency Management Agency (FEMA) in its most current scientific Flood Insurance Study for Snohomish County, Washington, and incorporated areas dated November 8, 1999, and any revisions thereto, with the current accompanying Flood Insurance Rate Map (FIRM), and any revisions thereto, and declare the same to be a part of the Lake Stevens Municipal Code. The Flood Insurance Study is on file in the Planning and Community Development Department. (Ord. 860, Sec. 4 (Exh. 2), 2011)

**Section 4.** LSMC Section 14.64.020 entitled Administrative Procedures, is hereby amended to read follows:

**14.64.020 Administrative Procedures.**

(a) The City shall require a floodplain development permit before construction and/or development begins within the regulatory floodplain.

(b) The City shall review all development permits to determine that all necessary permits have been obtained from those Federal, State, or local governmental agencies from which prior approval is required, provided, the primary responsibility to identify and obtain required permits shall remain with the developer, and the City shall have no liability to the developer should it fail to identify any other permit that is determined to be required by the agency administering such permit.

(c) For all new or substantially improved floodproofed nonresidential structures where base flood elevation data is provided through the FIS, FIRM, or as required in LSMC 14.64.015(d):

(1) Obtain and record the elevation (in relation to mean sea level) to which the structure was floodproofed,

(2) Maintain the floodproofing certifications required in LSMC 14.64.045(c).

(d) Where elevation data is not available either through the Flood Insurance Study, FIRM, or

from another authoritative source (Section 4.3-2), applications for building permits shall be reviewed to assure that proposed construction will be reasonably safe from flooding. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs of past flooding, etc., where available. Failure to elevate at least two feet above the highest adjacent grade in these zones may result in higher insurance rates.

~~(b)~~(e) Applicants shall submit a floodplain development permit, on forms furnished by the City, and shall submit one or more site plans, drawn to scale, including, but not limited to, the following:

- (1) The nature, location, dimensions, and elevations of the property in question;
- (2) Names and location of all lakes, water bodies, waterways and drainage facilities within 300 feet of the site;
- (3) The elevations of the 10-, 50-, 100-, and 500-year floods, where the data are available;
- (4) The boundaries of the regulatory floodplain, special flood hazard area, floodway, riparian habitat zone, and channel migration area, as appropriate;
- (5) The proposed drainage system including, but not limited to, storm sewers, overland flow paths, detention facilities and roads;
- (6) Existing and proposed structures, fill, pavement and other impervious surfaces, and sites for storage of materials;
- (7) Critical areas per Chapter [14.88](#); and
- (8) Existing native vegetation and proposed revegetation.

~~(e)~~(f) The applicant must record a notice on title that the property contains land within the regulatory floodplain including special flood hazard areas and protected areas, as applicable, before the City issues the floodplain development permit. (~~Ord. 860, Sec. 4 (Exh. 2), 2011~~)

(g) The City shall notify adjacent communities and the Department of Ecology prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.

(h) The City shall require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.

**Section 6.** LSMC Section 14.64.050 entitled Special Provisions for Subdivisions, is hereby amended to read follows:

**14.64.050 Special Provisions for Subdivisions.**

- (a) This section applies to all subdivision proposals including but not limited to subdivisions,

short subdivisions, planned developments, and binding site plans per Chapter [14.18](#).

- (b) All proposals shall be consistent with the need to minimize flood damage.
- (c) All proposals shall have utilities and facilities, such as sewer, gas, electrical, and water systems, located and constructed to minimize or eliminate flood damage.
- (d) All proposals shall provide adequate drainage to reduce exposure to flood damage.
- (e) Wherever possible, all proposals shall provide at least one access road connected to land outside the regulatory floodplain with the surface of the road at or above the flood protection elevation.
- (f) Where base flood elevation data has not been provided or is not available from another authorized source, it shall be generated for subdivision proposals and other proposed developments which contain at least 50 lots or 5 acres (whichever is less).

~~(f)~~(g) The final recorded plat, short plat, or binding site plan shall include a note that a portion of the property contains land within the regulatory floodplain including special flood hazard areas and protected areas, as applicable. (Ord. 860, Sec. 4 (Exh. 2), 2011)

**Section 7.** Transmittal to Department of Commerce. Pursuant to RCW 36.70A.106, this ordinance shall be transmitted to the Washington State Department of Commerce.

**Section 8.** Severability. If any section, clause, phrase, or term of this ordinance is held for any reason to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance, and the remaining portions shall be in full force and effect.

**Section 9.** 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 full force five days after the date of publication.

**PASSED** by the City Council of the City of Lake Stevens this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
John Spencer, Mayor

ATTEST/AUTHENTICATION:

\_\_\_\_\_  
Kathleen Pugh, Deputy City Clerk

APPROVED AS TO FORM:

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Grant K. Weed, City Attorney

First Reading: September 27, 2016  
Published: September 30, 2016  
Effective Date: October 4, 2016



## City of Lake Stevens Planning Commission

Date: July 6, 2016

**FINDINGS AND CONCLUSIONS:****1. Compliance with selected Land Use Goals of the Comprehensive Plan**

- Land Use Goal 4.1, Policy 4.1.1 – The city will continue to prioritize the protection of wetlands, streams and creeks, lakes and ponds, aquifer recharge areas, geologically hazardous areas (e.g., steep slopes and erosion areas), significant trees, fish and wildlife habitat areas and corridors, cultural resources, and frequently flooded areas through land use policies, regulations and decisions based on best available information and in coordination with state and regional priorities. Land Use Goal 4.3 – Economic development: attain the highest level of economic well-being possible for all citizens in Lake Stevens through the achievement of a stable and diversified economy offering a wide variety of employment opportunities
- Land Use Goal 4.1, Policy 4.1.15 – Encourage and support the retention of natural open spaces or land uses which maintain hydrologic function and are at low risk to property damage from floodwaters within frequently flooded areas.
- Environment and Natural Resource Goal 4.3, Policy 4.3.2 – Ensure compatibility of land uses with topography, geology, soil suitability, surface water, ground water, frequently flooded areas, wetlands, climate and vegetation and wildlife.
- Environment and Natural Resource Goal 4.3, Policy 4.3.4 – Permit development, fill, or encroachments in floodways, frequently flooded areas, highly erodible areas and other critical areas using Best Management Practices (BMP's) and Best Available Science (BAS).
- Environment and Natural Resource Goal 4.3, Policy 4.3.7 – Support the restoration of degraded shorelines and other critical areas to help minimize erosion, sedimentation and flooding.
- Environment and Natural Resource Goal 4.3, Policy 4.3.8 – Protect natural drainage systems and courses associated with floodways, floodplains, or other areas subject to flooding.

**Conclusions – The proposed code amendments are consistent with several Land Use and Environment and Natural Resource goals.**

**2. Compliance with the State Environmental Policy Act (SEPA)(Chapter 97-11 WAC and Title 16 LSMC)**

- Staff prepared an environmental checklist for the proposed code revisions, dated June 6, 2016 (**Exhibit 2**).
- The SEPA official issued a Determination of Nonsignificance on June 10, 2016 (**Exhibit 3**).
- The city did not receive any comments or appeals related to the SEPA determination.

**Conclusions – The proposed code amendments have met local and state SEPA requirements.**

**3. Compliance with the Growth Management Act (RCW 36.70A.106)**

- The city requested expedited review from the Department of Commerce on June 8, 2016 (**Exhibit 4a**).
- The Department of Commerce sent a letter of acknowledgment on June 8, 2016 (**Exhibit 4b**).
- Staff will file the final ordinance with the Department of Commerce within 10 days of City

Council action.

**Conclusions – The proposed code amendments have met Growth Management Act requirements.**

**4. *Public Notice and Comments (Exhibit 5)***

- The city published a notice of SEPA determination in the Everett Herald on June 10, 2016.
- The city published a notice of Public Hearing in the Everett Herald on June 22<sup>nd</sup> and June 29<sup>th</sup>, 2016.
- The city notified interested parties of the SEPA DNS and public hearing on June 10, 2016.

**Conclusions – The City has met public notice requirements per Chapter 14.16B LSMC.**



Lake Stevens City Council  
1812 Main Street  
Lake Stevens, WA 98258

SUBJECT: Planning Commission Recommendation on a Proposed Ordinance titled:

AN ORDINANCE OF THE CITY OF LAKE STEVENS, WASHINGTON AMENDING LAKE STEVENS MUNICIPAL CODE SECTION 14.08 ENTITLED "BASIC DEFINITIONS AND INTERPRETATIONS" AND SECTION 14.64 ENTITLED "SPECIAL FLOOD HAZARD AREAS, DRAINAGE, AND EROSION" (LUA2016-0084)

Dear Council Members:

The Lake Stevens Planning Commission held a public hearing on July 6, 2016, to consider proposed amendments to the Lake Stevens Municipal Code pertaining to the city's existing floodplain regulations. The proposed changes incorporate the recommendations from a 2015 Federal Emergency Management Agency (FEMA) audit for consistency with the Endangered Species Act (ESA).

Commissioners in attendance for the July 6, 2016 meeting were Tom Matlack, Tracey Trout, Linda Hoult, Gary Petershagen, and Vicky Oslund.

Planning and Community Development presented the proposed amendment on July 6, 2016.

**JULY 6, 2016**

Public Testimony.  
None.

PLANNING COMMISSION RECOMMENDATION

Commissioner Matlack made a motion to forward a recommendation of approval of the update to the city's existing floodplain regulations (LSMC 14.08 and 14.64) and to provide a severability clause in the ordinance to City Council.

MAIN MOTION

Commissioner Hoult made a motion to forward a recommendation of approval of the code amendment to City Council. Commissioner Oslund 2<sup>nd</sup>, motion carried 5-0.

MAIN MOTION PASSED

5 FOR (Matlack, Trout, Hoult, Petershagen, and Oslund)  
0 AGAINST ( ), 0 ABSTENTIONS ( ).

City Council is asked to schedule a public hearing and adopt the Planning Commission recommendations. The Planning Commission Findings and Conclusions are attached to this letter.

Respectfully submitted,

  
\_\_\_\_\_, Chairman  
LAKE STEVENS PLANNING COMMISSION

## City of Lake Stevens Planning Commission

Planning Commission Public Hearing

Date: **July 6, 2016**

Subject: **Amendments to the City of Lake Stevens Floodplain Regulations LUA2016-0084**

Contact Person/Department: **Russ Wright**, Community Development Director / **Melissa Place**, Senior Planner

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**SUMMARY:**

Amendments to the City of Lake Stevens Floodplain regulations as recommended by an audit in 2015.

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**ACTION REQUESTED OF PLANNING COMMISSION:**

Hold a public hearing and forward a recommendation to the City Council.

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**BACKGROUND/DISCUSSION:**

In 2015 a Community Assistance Visit (CAV) was conducted by the Department of Ecology (DOE) with City staff and representatives from the Federal Emergency Management Agency (FEMA) and National Marine Fisheries Service (NMFS). DOE summarized their findings from the 2015 visit into the CAV Report. Their findings highlighted two main areas where the City's municipal code and/or review of floodplain permits contained deficiencies. The City is determined to resolve the deficiencies and close the CAV Report by way of 1) Submitting documentation to DOE to address questions related to two land use cases as discussed in the report (documentation has been submitted and is pending review by DOE) and 2) Processing code amendments to the Lake Stevens Municipal Code (LSMC) as recommended by DOE in the report.

At the last briefing on this topic on May 4, 2016, staff reviewed the draft work plan and schedule for the project and provided copies of the draft code amendments (**Attachment 1**) for consideration and feedback. Since then staff has issued a SEPA DNS (**Attachment 2**), sent the proposed amendments out for agency review and asked for expedited review from the Department of Commerce. DOE reviewed the draft code changes and had one comment, requesting that a severability clause be either codified or included in the ordinance. The city is including the severability clause in the ordinance. The proposed regulations are consistent with the changes requested in the 2015 CAV Report.

**FINDINGS AND CONCLUSIONS:****1. Compliance with selected Land Use Goals of the Comprehensive Plan**

- Land Use Goal 4.1, Policy 4.1.1 – The city will continue to prioritize the protection of wetlands, streams and creeks, lakes and ponds, aquifer recharge areas, geologically hazardous areas (e.g., steep slopes and erosion areas), significant trees, fish and wildlife habitat areas and corridors, cultural resources, and frequently flooded areas through land use policies, regulations and decisions based on best available information and in coordination with state and regional priorities. Land Use Goal 4.3 – Economic development: attain the highest level of economic well-

being possible for all citizens in Lake Stevens through the achievement of a stable and diversified economy offering a wide variety of employment opportunities

- Land Use Goal 4.1, Policy 4.1.15 – Encourage and support the retention of natural open spaces or land uses which maintain hydrologic function and are at low risk to property damage from floodwaters within frequently flooded areas.
- Environment and Natural Resource Goal 4.3, Policy 4.3.2 – Ensure compatibility of land uses with topography, geology, soil suitability, surface water, ground water, frequently flooded areas, wetlands, climate and vegetation and wildlife.
- Environment and Natural Resource Goal 4.3, Policy 4.3.4 – Permit development, fill, or encroachments in floodways, frequently flooded areas, highly erodible areas and other critical areas using Best Management Practices (BMP's) and Best Available Science (BAS).
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- Environment and Natural Resource Goal 4.3, Policy 4.3.8 – Protect natural drainage systems and courses associated with floodways, floodplains, or other areas subject to flooding.

**Conclusions – The proposed code amendments are consistent with several Land Use and Environment and Natural Resource goals.**

**2. Compliance with the State Environmental Policy Act (SEPA)(Chapter 97-11 WAC and Title 16 LSMC)**

- Staff prepared an environmental checklist for the proposed code revisions, dated June 6, 2016 (**Exhibit 2**).
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- The city did not receive any comments or appeals related to the SEPA determination.

**Conclusions – The proposed code amendments have met local and state SEPA requirements.**

**3. Compliance with the Growth Management Act (RCW 36.70A.106)**

- The city requested expedited review from the Department of Commerce on June 8, 2016 (**Exhibit 4a**).
- The Department of Commerce sent a letter of acknowledgment on June 8, 2016 (**Exhibit 4b**).
- Staff will file the final ordinance with the Department of Commerce within 10 days of City Council action.

**Conclusions – The proposed code amendments have met Growth Management Act requirements.**

**4. Public Notice and Comments (Exhibit 5)**

- The city published a notice of SEPA determination in the Everett Herald on June 10, 2016.
- The city published a notice of Public Hearing in the Everett Herald on June 22<sup>nd</sup> and June 29<sup>th</sup>, 2016.
- The city notified interested parties of the SEPA DNS and public hearing on June 10, 2016.

**Conclusions – The City has met public notice requirements per Chapter 14.16B LSMC.**

**RECOMMENDATION: Forward a recommendation to the City Council to APPROVE the proposed amendments to the floodplain regulations (LUA2016-0084).**

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**ATTACHMENTS:**

1. Draft Code Amendments
2. SEPA Checklist
3. DNS
4. Commerce Review
  - a. Review Request
  - b. Letter of Acknowledgement
  - c. Email granting expedited review
5. Public Noticing

## Chapter 14.08

# BASIC DEFINITIONS AND INTERPRETATIONS

Sections:

[14.08.010](#) Definitions of Basic Terms

### 14.08.010 Definitions of Basic Terms.

Appeal (Definition related to flood permits only). A request for a review of the interpretation of any provision of this ordinance or a request for a variance.

Start of Construction (Definition related to flood permits only). Includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Substantial Improvement (Definition related to flood permits only). Means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either:

1. Before the improvement or repair is started; or
2. If the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

The term can exclude:

1. Any project for improvement of a structure to correct pre-cited existing violations of state or local health, sanitary, or safety code specifications which have previously identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or

2. Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

~~Any repair, reconstruction, rehabilitation, addition, replacement, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the “start of construction” of the improvement. This term includes structures that have incurred “substantial damage,” regardless of the actual repair work performed. The term does not include any project for improvement of a structure to correct existing violations of State or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions in relationship to Chapter 14.64, Part I, and Chapter 14.88, Part V.~~

## Chapter 14.64

# SPECIAL FLOOD HAZARD AREAS, DRAINAGE, AND EROSION

Sections:

Part I. Special Flood Hazard Areas and Regulatory Floodplain

[14.64.005](#) Basis for Establishing Special Flood Hazard Areas

[14.64.020](#) Administrative Procedures

[14.64.050](#) Special Provisions for Subdivisions

### **14.64.005 Basis for Establishing Special Flood Hazard Areas.**

The City hereby adopts by reference the special flood hazard areas identified by the Federal Emergency Management Agency (FEMA) in its most current scientific Flood Insurance Study for Snohomish County, Washington, and incorporated areas dated November 8, 1999, and any revisions thereto, with the current accompanying Flood Insurance Rate Map (FIRM), and any revisions thereto, and declare the same to be a part of the Lake Stevens Municipal Code. The Flood Insurance Study is on file in the Planning and Community Development Department. (Ord. 860, Sec. 4 (Exh. 2), 2011)

### **14.64.020 Administrative Procedures.**

(a) The City shall require a floodplain development permit before construction and/or development begins within the regulatory floodplain.

(b) The City shall review all development permits to determine that all necessary permits have been obtained from those Federal, State, or local governmental agencies from which prior approval is required.

(c) For all new or substantially improved floodproofed nonresidential structures where base flood elevation data is provided through the FIS, FIRM, or as required in LSMC 14.64.015(d):

- i. Obtain and record the elevation (in relation to mean sea level) to which the structure was floodproofed.
- ii. Maintain the floodproofing certifications required in LSMC 14.64.045(c).

(d) Where elevation data is not available either through the Flood Insurance Study, FIRM, or from another authoritative source (Section 4.3-2), applications for building permits shall be reviewed to assure that proposed construction will be reasonably safe from flooding. The test of reasonableness is a local judgment and includes use of historical data, high water marks,

photographs of past flooding, etc., where available. Failure to elevate at least two feet above the highest adjacent grade in these zones may result in higher insurance rates.

(be) Applicants shall submit a floodplain development permit, on forms furnished by the City, and shall submit one or more site plans, drawn to scale, including, but not limited to, the following:

- (1) The nature, location, dimensions, and elevations of the property in question;
- (2) Names and location of all lakes, water bodies, waterways and drainage facilities within 300 feet of the site;
- (3) The elevations of the 10-, 50-, 100-, and 500-year floods, where the data are available;
- (4) The boundaries of the regulatory floodplain, special flood hazard area, floodway, riparian habitat zone, and channel migration area, as appropriate;
- (5) The proposed drainage system including, but not limited to, storm sewers, overland flow paths, detention facilities and roads;
- (6) Existing and proposed structures, fill, pavement and other impervious surfaces, and sites for storage of materials;
- (7) Critical areas per Chapter [14.88](#); and
- (8) Existing native vegetation and proposed revegetation.

(fe) The applicant must record a notice on title that the property contains land within the regulatory floodplain including special flood hazard areas and protected areas, as applicable, before the City issues the floodplain development permit.

(g) The City shall notify adjacent communities and the Department of Ecology prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.

(h) The City shall require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished. (Ord. 860, Sec. 4 (Exh. 2), 2011)

#### **14.64.050 Special Provisions for Subdivisions.**

- (a) This section applies to all subdivision proposals including but not limited to subdivisions, short subdivisions, planned developments, and binding site plans per Chapter [14.18](#).
- (b) All proposals shall be consistent with the need to minimize flood damage.

(c) All proposals shall have utilities and facilities, such as sewer, gas, electrical, and water systems, located and constructed to minimize or eliminate flood damage.

(d) All proposals shall provide adequate drainage to reduce exposure to flood damage.

(e) Wherever possible, all proposals shall provide at least one access road connected to land outside the regulatory floodplain with the surface of the road at or above the flood protection elevation.

(f) Where base flood elevation data has not been provided or is not available from another authorized source, it shall be generated for subdivision proposals and other proposed developments which contain at least 50 lots or 5 acres (whichever is less).

(g) The final recorded plat, short plat, or binding site plan shall include a note that a portion of the property contains land within the regulatory floodplain including special flood hazard areas and protected areas, as applicable. (Ord. 860, Sec. 4 (Exh. 2), 2011)



CITY OF LAKE STEVENS  
PLANNING AND COMMUNITY DEVELOPMENT  
PO BOX 257, LAKE STEVENS, WA 98258  
PHONE: (425) 377-3235 / FAX: (425) 212-3327

## **SEPA ENVIRONMENTAL CHECKLIST** *UPDATED 2014*

### ***Purpose of checklist:***

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

### ***Instructions for applicants:***

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

### ***Instructions for Lead Agencies:***

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

### ***Use of checklist for nonproject proposals:***

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

**A. BACKGROUND**

1. Name of proposed project, if applicable:  
Amendments to the City of Lake Stevens Municipal Code – Floodplain Regulations

2. Name of applicant:  
City of Lake Stevens

3. Address and phone number of applicant and contact person:  
Melissa Place, Associate Planner  
City of Lake Stevens  
1812 Main Street / PO Box 257  
Lake Stevens, WA 98258  
  
(425) 377 - 3229

4. Date checklist prepared:  
June 6, 2016

5. Agency requesting checklist: **City of Lake Stevens**

6. Proposed timing or schedule (including phasing, if applicable):  
  
SEPA Determination: June 10, 2016  
Dates listed below are tentative and subject to change:  
Planning Commission Public Hearing: July 6, 2016  
City Council Public Hearing (1<sup>st</sup> Reading and Adoption): July 12, 2016

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.  
  
Not at this time

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.  
  
Federal Emergency Management Agency (FEMA), Department of Ecology (DOE), and National Marine Fisheries Service (NMFS) Community Assistance Visit (CAV) letter dated March 16, 2015.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.  
  
The City has miscellaneous residential permits under review vested to the current floodplain regulations on Lake Stevens. After adoption, new development will follow the updated

regulations.

10. List any government approvals or permits that will be needed for your proposal, if known.

City Council approval and Department of Commerce review

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

The City of Lake Stevens is proposing amendments to Chapter 14.64 and 14.08 of the Lake Stevens Municipal Code. The proposed code amendments to LSMC 14.08 *Definitions* and Chapter 14.64 *Special Flood Hazard Areas and Regulatory Floodplain* are an update to the city's existing floodplain regulations that incorporate proposed changes from a 2015 FEMA audit for consistency with the Endangered Species Act (ESA). The proposed amendments affect properties abutting Lake Stevens and a portion of Catherine Creek inside city limits.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The amendments affect properties abutting Lake Stevens and portions of Catherine Creek, inside city limits, identified on the FIRM maps as Special Flood Hazard Area, Zone A.

## **B. ENVIRONMENTAL ELEMENTS**

### **1. Earth**

- a. General description of the site (circle one): Flat, rolling, hilly, steep slopes, mountainous, other:

The City of Lake Stevens' topography includes steep slopes, ravines, hilly and some flat land areas.

- b. What is the steepest slope on the site (approximate percent slope)?

Not applicable – This nonproject action affects all properties located within Special Flood Hazard Areas.

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any

agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

The city contains the following soil series:

- Tokul gravelly loam
- Mukilteo Muck
- Everett gravelly sandy loam
- Norma loam
- Urban Land
- Disturbed/Fill
- Winston gravelly loam
- Bellingham silty clay loam
- McKenna gravelly silt loam
- Rober silt loam
- Pastik silt loam
- Terric Medisaprist

The soils around Lake Stevens are primarily Tokul series with small areas of disturbed fill, Terric Medisaprist and Kitsap series. The soils around Catherine Creek are primarily Tokul series with smaller areas of Everett and Norma series.

d. Are there surface indications or history of unstable soils in the immediate vicinity?

yes       no

If so, describe.

The Land Capability Classification from the USDA Web Soil Survey shows soil types ranging from 2e to 7e. This index rates the suitability of soil for cultivation. This means some soil types in the city are potentially unstable depending on site conditions, such as soil depth, water content and may be susceptible to erosion without proper soil management. The Tokul, Winston, and Paskit series are most susceptible to erosion. The Bellingham, McKenna, and Pilchuck series may be unstable with excessive water.

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

Not applicable, this is a Non-project action

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

Not applicable, this is a Non-project action

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Not applicable, this is a Non-project action

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

Not applicable, this is a Non-project action

## 2. Air

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

Not applicable, this is a Non-project action

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

Not applicable, this is a Non-project action

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:

Not applicable, this is a Non-project action

## 3. Water

- a. Surface Water:

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names.

yes  no

If appropriate, state what stream or river it flows into.

The City of Lake Stevens has several bodies of water including Lake Stevens, Catherine Creek, Stevens Creek, Lundeen Creek, Stitch Lake and associated wetland complexes. Catherine Creek flows into Little Pilchuck Creek.

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

Not applicable, this is a Non-project action

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

Not applicable, this is a Non-project action

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

Not applicable, this is a Non-project action

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

yes  no

If so, note location on the site plan.

The proposed regulations affect properties within Special Flood Hazard Area Zone A, depicted on the FIRMs for Lake Stevens, WA.

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

Not applicable, this is a Non-project action

b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

Not applicable, this is a Non-project action

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

Not applicable, this is a Non-project action

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Not applicable, this is a Non-project action. However, many streams exist in the city and UGA that run into Lake Stevens and Catherine Creek eventually into the Little Pilchuck Creek. The storm drains collect water and discharge into various ditches and streams and eventually reach the lake or the Pilchuck River.

- 2) Could waste materials enter ground or surface waters? If so, generally describe.

Not applicable, this is a Non-project action

- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

Not applicable, this is a Non-project action

- d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

Not applicable, this is a Non-project action

#### 4. Plants

- a. Check the types of vegetation found on the site:

The following vegetation types are found within the boundaries of the City of Lake Stevens:

- Deciduous tree: alder, maple, aspen, other
- Evergreen tree: fir, cedar, pine, other
- Shrubs
- Grass
- Pasture
- Crop or grain
- Wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- Water plants: water lily, eelgrass, milfoil, other
- Other types of vegetation

- b. What kind and amount of vegetation will be removed or altered?

Not applicable, this is a Non-project action

- c. List threatened and endangered species known to be on or near the site.

Not applicable, this is a Non-project action

- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

Not applicable, this is a Non-project action

- e. List all noxious weeds and invasive species known to be on or near the site.

Himalayan Blackberry, Holly and English Ivy are known to be present within the boundaries of the City of Lake Stevens. Other noxious weeds or invasive species may be present on a case-by-case basis.

## 5. Animals

- a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. Examples include:

Birds: hawk, heron, eagle, songbirds, other: various picidae species, various corvidae species, various waterfowl species

Mammals: deer, bear, elk, beaver, other: raccoons, opossums, rodents

Fish: bass, salmon, trout, herring, shellfish, other: sculpin and stickleback

- b. List any threatened and endangered species known to be on or near the site.

- Lake Stevens - Puget Sound Coho salmon (*O. Kisutch*) – Federal Species of Concern, and State Priority Species
- Streams - Puget Sound Steelhead (*O. mykiss*) – Federal Threatened Species
- Streams - Bull Trout (*S. Confluentus*) – Federal Threatened Species

- c. Is the site part of a migration route? If so, explain.

yes  no

If so, explain.

The City of Lake Stevens is located within the Pacific flyway and salmonid migratory routes.

- d. Proposed measures to preserve or enhance wildlife, if any:

Not applicable, this is a Non-project action. However, the proposed regulations protect wildlife and habitat and comply with the Endangered Species Act.

- e. List any invasive animal species known to be on or near the site.

Grey squirrels are the only known invasive animal species within the boundaries of the City of Lake Stevens.

## 6. Energy and natural resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Not applicable, this is a Non-project action

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

Not applicable, this is a Non-project action

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

Not applicable, this is a Non-project action

## 7. Environmental health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

Not applicable, this is a Non-project action

- 1) Describe any known or possible contamination at the site from present or past uses.

Not applicable, this is a Non-project action

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

Not applicable, this is a Non-project action

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

Not applicable, this is a Non-project action

- 4) Describe special emergency services that might be required.

Not applicable, this is a Non-project action

- 5) Proposed measures to reduce or control environmental health hazards, if any:

Not applicable, this is a Non-project action

**b. Noise**

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

Not applicable, this is a Non-project action

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

Not applicable, this is a Non-project action

- 3) Proposed measures to reduce or control noise impacts, if any:

Not applicable, this is a Non-project action

**8. Land and shoreline use**

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

The city of Lake Stevens includes a variety of urban land uses including residential, commercial, office, industrial and public.

- b. Has the project site been used as working farmlands or working forest lands?

yes  no

If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

Some parcels within the city of Lake Stevens were likely used for agriculture in the past. Currently, some larger parcels include fruit trees and may still have farm animals. This is a non-project action and no farmland or forest land of long-term commercial significance exist within the city boundaries of Lake Stevens, therefore no tax status conversion is expected.

- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

Not applicable, this is a Non-project action

- c. Describe any structures on the site.

There are a mix of residential, public, and commercial buildings within the City of Lake Stevens. There are docks and other types of in-water structures on Lake Stevens.

- d. Will any structures be demolished? If so, what?

Not applicable, this is a Non-project action. Demolition may occur at the time of development.

- e. What is the current zoning classification of the site?

Zoning districts around the lake, in the city, include Waterfront Residential (WR), Public/Semi-Public (PSP), and Local Business (LB). Zoning districts around Catherine Creek, in the city, include Light Industrial (LI), Urban Residential (UR) and Public/Semi-Public.

- f. What is the current comprehensive plan designation of the site?

Comprehensive Planning Designations around the lake, in the city, include Medium Density Residential (MDR), Public/Semi-Public (PSP) and Local Commercial (LC). Comprehensive Planning Designations along Catherine Creek, in the city, include Light Industrial (LI), Medium Density Residential (MDR) and Public/Semi-Public (PSP).

- g. If applicable, what is the current shoreline master program designation of the site?

The city's Shoreline Master Program has the following Environment Designations: Aquatic, Natural, High Intensity, Urban Conservancy, and Shoreline Residential.

- h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

yes  no

The proposed regulations amend the current floodplain regulations to better protect ESA species and their habitats and functions. The city of Lake Stevens includes a variety of critical areas including streams, wetlands, fish and wildlife habitat conservation areas, flood hazard areas and geologically hazardous areas.

- i. Approximately how many people would reside or work in the completed project?

Not applicable, this is a Non-project action

- j. Approximately how many people would the completed project displace?

Not applicable, this is a Non-project action

- k. Proposed measures to avoid or reduce displacement impacts, if any:

Not applicable, this is a Non-project action

- L. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

The proposed regulations will be consistent with the city's existing critical area, shoreline, and zoning regulations as well as FEMA regulations and the Endangered Species Act.

- m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any:

There are no agricultural or forest lands of long-term commercial significance located within the city boundaries of Lake Stevens.

## 9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

Not applicable, this is a Non-project action

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

Not applicable, this is a Non-project action

- c. Proposed measures to reduce or control housing impacts, if any:

Not applicable, this is a Non-project action

## 10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

Not applicable, this is a Non-project action

- b. What views in the immediate vicinity would be altered or obstructed?

Not applicable, this is a Non-project action

- c. Proposed measures to reduce or control aesthetic impacts, if any:

Not applicable, this is a Non-project action

## 11. Light and glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

Not applicable, this is a Non-project action

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

Not applicable, this is a Non-project action

- c. What existing off-site sources of light or glare may affect your proposal?

Not applicable, this is a Non-project action

- d. Proposed measures to reduce or control light and glare impacts, if any:

Not applicable, this is a Non-project action

## 12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?

The City of Lake Stevens includes a variety of recreational facilities including the lake, city and county parks, schools, athletic fields, and the Centennial Trail.

- b. Would the proposed project displace any existing recreational uses? If so, describe.

Not applicable, this is a Non-project action

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

Not applicable, this is a Non-project action

## 13. Historic and cultural preservation

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe.

The WA Dept. of Archaeology and Historic Preservation database shows two historical properties adjacent to Lake Stevens including the Grimm House a nationally registered historic place.

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

Not applicable, this is a Non-project action

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

Not applicable, this is a Non-project action.

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

Not applicable, this is a Non-project action

#### 14. **Transportation**

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

The city of Lake Stevens includes several major roads including highways SR-9, SR-92, and SR-204. Major roads through the city include Vernon, Lundeen Parkways, 20th Street NE and 20th Street SE.

- b. Is the site or affected geographic area currently served by public transit?

yes  no

If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

Community Transit of Snohomish County provides transit service to select areas of Lake Stevens.

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

Not applicable, this is a Non-project action

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

Not applicable, this is a Non-project action

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

Not applicable, this is a Non-project action

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

Not applicable, this is a Non-project action

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

Not applicable, this is a Non-project action

- h. Proposed measures to reduce or control transportation impacts, if any:

Not applicable, this is a Non-project action

#### 15. Public services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

Not applicable, this is a Non-project action

- b. Proposed measures to reduce or control direct impacts on public services, if any.

Not applicable, this is a Non-project action

#### 16. Utilities

- a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other:

Electricity

Natural gas

Water

Refuse service

Telephone

Sanitary sewer

Septic system

Other (list)

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

Not applicable, this is a Non-project action

**C. SIGNATURE**

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: Melissa Place

Name of signee: Melissa Place

Position and Agency/Organization: Associate Planner - City of Lake Stevens

Date Submitted: 6/7/16

#### D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The proposal is not likely to increase discharge to water; air emissions; production, storage, or release of toxic or hazardous substances, or production of noise. As noted, the proposed code amendments update the city's existing floodplain regulations and incorporate elements from the FEMA CAV Report to ensure consistency with the ESA.

Proposed measures to avoid or reduce such increases are:

The proposed regulations help protect ecological functions and address specific mitigation for possible development impacts.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

The proposal is not likely to affect plants, animals, fish, or marine life as the current floodplain is highly developed. The proposed regulations will ensure consistency with the FEMA Model Ordinance and the Endangered Species Act; therefore, the new regulations will provide increased protection for plants, animals, fish, or marine life.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

The proposed regulations are intended to positively impact plants, animals, fish, or marine life by protecting and increasing the quality of habitat.

3. How would the proposal be likely to deplete energy or natural resources?

The proposal is not likely to deplete energy sources. All new development would be subject to the International Energy Code and all municipal code requirements.

Proposed measures to protect or conserve energy and natural resources are:

Any proposed development will be required to comply with applicable regulations to protect or conserve energy and natural resources.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

The proposal aims to better protect floodplains and endangered species habitat.

Proposed measures to protect such resources or to avoid or reduce impacts are:

Prior to development, projects will be required to follow all applicable federal, state, and local regulations to protect critical areas and cultural resources.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

As noted, the proposed code amendments update the city's existing floodplain regulations and incorporate elements from the FEMA model ordinance to ensure consistency with the Endangered Species Act.

Proposed measures to avoid or reduce shoreline and land use impacts are:

Any future development proposals within the special flood hazard area of Lake Stevens will be required to comply with the City's floodplain regulations.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

The proposal is not likely to increase demands on transportation or public services and utilities.

Proposed measures to reduce or respond to such demand(s) are:

Any future development proposals will be required to submit a traffic impact analysis report and comply with applicable transportation, public service and utility requirements.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The proposal creates no known conflicts with local, state, or federal law. It is consistent with the City of Lake Stevens Comprehensive Plan, Shoreline Master Program, Snohomish County Countywide Planning Policies, and the Growth Management Act. Additionally, the proposed code amendments will comply with the Endangered Species, FEMA Model Ordinance, and Washington State Shoreline Management Act.

## ATTACHMENT 3



# SEPA DETERMINATION OF NONSIGNIFICANCE

**Issuance Date:** June 10, 2016

**Project Name (No.):** City of Lake Stevens Floodplain Regulations Update

**Proponent:** City of Lake Stevens

**Applicant:** City of Lake Stevens  
1812 Main Street / P.O. Box 257  
Lake Stevens, WA 98258

**Description of Proposal:** The City of Lake Stevens is proposing amendments to Chapter 14.64 and 14.08 of the Lake Stevens Municipal Code. The proposed code amendments to LSMC 14.08 *Definitions* and Chapter 14.64 *Special Flood Hazard Areas and Regulatory Floodplain* are an update to the city's existing floodplain regulations that incorporate proposed changes from a 2015 FEMA audit for consistency with the Endangered Species Act (ESA). The proposed amendments affect properties abutting Lake Stevens and a portion of Catherine Creek inside city limits.

**Project Location (including street address, if any):** Within City Limits of Lake Stevens

**Contact Person:** Melissa Place, Associate Planner

**Phone:** (425) 377-3229

**Threshold Determination:** The City of Lake Stevens, acting as lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request. This DNS is issued under 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date of issuance.

**SEPA Responsible Official:**

  
\_\_\_\_\_  
Russ Wright, Community Development Director, City of Lake Stevens

**Comments on the Threshold Determination:** If you would like to comment on this Threshold Determination, your written comments should be sent to the address below by **June 24, 2016** (14 days from issuance). The Responsible Official may incorporate any substantial comments into the DNS. If the DNS is substantially modified, it will be reissued for further public review.

**Appeals:** You may appeal this determination of non-significance by submitting an appeal to the address below no later than 5:00 PM, **June 24, 2016** (14 days from issuance). The appeal must be in written form, contain a concise statement of the matter being appealed and the basic rationale for the appeal. A fee is required per the City's Fee Resolution. Please note that failure to file a timely and complete appeal shall constitute a waiver of all rights to an administrative appeal under City code. All comments or appeals are to be directed to City Hall, P.O. Box 257, Lake Stevens WA, 98258, Attn: Russ Wright.

ATTACHMENT 4a



**Department of Commerce**  
 Innovation is in our nature.

**Notice of Proposed Amendment**  
 Request for Expedited Review

Pursuant to RCW 36.70A.106(3)(b), the following jurisdiction provides notice of a proposed development regulation amendment and requests expedited state agency review under the Growth Management Act.

***Under statute, proposed amendments to comprehensive plans are not eligible for expedited review. The expedited review period is 10 business days (14 calendar days).***

*(If needed, you may expand this form and the fields below, but please try to keep the entire form under two pages in length.)*

<b>Jurisdiction:</b>	City of Lake Stevens
<b>Mailing Address:</b>	1812 Main Street Lake Stevens, WA 98258
<b>Date:</b>	6/8/2016

<b>Contact Name:</b>	Melissa Place
<b>Title/Position:</b>	Associate Planner
<b>Phone Number:</b>	(425) 377-3229
<b>E-mail Address:</b>	mplace@lakestevenswa.gov

<b>Brief Description of the Proposed/Draft Development Regulations Amendment:</b> <i>(40 words or less)</i>	<i>The City of Lake Stevens is proposing amendments to Chapter 14.64 and 14.08 of the Lake Stevens Municipal Code. The proposed code amendments to LSMC 14.08 Definitions and Chapter 14.64 Special Flood Hazard Areas and Regulatory Floodplain are an update to the city's existing floodplain regulations that incorporate proposed changes from a 2015 FEMA audit for consistency with the Endangered Species Act (ESA). The proposed amendments affect properties abutting Lake Stevens and a portion of Catherine Creek inside city limits.</i>
<b>Is this action part of the scheduled review and update?</b> <i>GMA requires review every 8 years under <a href="#">RCW 36.70A.130(4)-(6)</a>.</i>	Yes: ___ No: <u>X</u>
<b>Public Hearing Date:</b>	Planning Board/Commission: July 6, 2016 Council/County Commission: July 12, 2016

<b>Proposed Adoption Date:</b>	July 12, 2016
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**REQUIRED:** Attach or include a copy the proposed amendment text or document(s).  
**We do not accept a website hyperlink requiring us to retrieve external documents.**  
**Jurisdictions must submit the actual document(s) to Commerce.** If you experience difficulty, please contact [reviewteam@commerce.wa.gov](mailto:reviewteam@commerce.wa.gov).



STATE OF WASHINGTON

## DEPARTMENT OF COMMERCE

1011 Plum Street SE • PO Box 42525 • Olympia, Washington 98504-2525 • (360) 725-4000  
[www.commerce.wa.gov](http://www.commerce.wa.gov)

June 8, 2016

Melissa Place  
Associate Planner  
City of Lake Stevens  
1812 Main Street  
Post Office 257  
Lake Stevens, Washington 98258-0257

Dear Ms. Place:

Thank you for sending the Washington State Department of Commerce (Commerce) the following materials as required under RCW 36.70A.106. Please keep this letter as documentation that you have met this procedural requirement.

**City of Lake Stevens - Proposed amendments to Chapter 14.64 and 14.08 of the Lake Stevens Municipal Code. The proposed code amendments to LSMC 14.08 Definitions and Chapter 14.64 Special Flood Hazard Areas and Regulatory Floodplain are an update to the city's existing floodplain regulations that incorporate proposed changes from a 2015 FEMA audit for consistency with the Endangered Species Act (ESA). The proposed amendments affect properties abutting Lake Stevens and a portion of Catherine Creek inside city limits. These materials were received on June 08, 2016 and processed with the material ID # 22487. Expedited Review is requested under RCW 36.70A.106(3)(b).**

If this submitted material is an adopted amendment, then please keep this letter as documentation that you have met the procedural requirement under RCW 36.70A.106.

If you have submitted this material as a draft amendment requesting expedited review, then we have forwarded a copy of this notice to other state agencies for expedited review and comment. If one or more state agencies indicate that they will be commenting, then Commerce may deny expedited review and the standard 60-day review period will end on August 07, 2016. Commerce will notify you by e-mail regarding of approval or denial of your expedited review request. If approved for expedited review, then final adoption may occur no earlier than June 22, 2016. Please remember to submit the final adopted amendment to Commerce within ten (10) days of adoption.

If you have any questions, please contact Growth Management Services at [reviewteam@commerce.wa.gov](mailto:reviewteam@commerce.wa.gov), or call Dave Andersen (509) 434-4491.

Sincerely,

Review Team  
Growth Management Services

**From:** [COM GMU Review Team](#)  
**To:** [Melissa Place](#)  
**Cc:** [Andersen, Dave \(COM\)](#)  
**Subject:** 22487, City of Lake Stevens, Expedited Review Granted, DevRegs  
**Date:** Monday, June 27, 2016 7:17:00 AM

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Dear Ms. Place:

The City of Lake Stevens has been granted expedited review for the: Proposed amendments to Chapter 14.64 and 14.08 of the Lake Stevens Municipal Code. The proposed code amendments to LSMC 14.08 Definitions and Chapter 14.64 Special Flood Hazard Areas and Regulatory Floodplain are an update to the city's existing floodplain regulations that incorporate proposed changes from a 2015 FEMA audit for consistency with the Endangered Species Act (ESA). The proposed amendments affect properties abutting Lake Stevens and a portion of Catherine Creek inside city limits. This proposal was submitted for the required state agency review under RCW 36.70A.106.

As of receipt of this email, the City of Lake Stevens has met the Growth Management Act notice to state agency requirements in RCW 36.70A.106 for this submittal. For the purpose of documentation, please keep this email as confirmation.

If you have any questions, please contact [reviewteam@commerce.wa.gov](mailto:reviewteam@commerce.wa.gov)

Thank you.

Review Team, Growth Management Services  
Department of Commerce  
P.O. Box 42525  
Olympia WA 98504-2525

## ATTACHMENT 5



# NOTICE OF PUBLIC HEARING Lake Stevens Planning Commission

## **Land Use Regulations Related to Floodplain Development**

The Lake Stevens Planning Commission is scheduled to conduct a public hearing on July 6, 2015 at 7:00 PM to consider the proposed regulations for revisions to the city's floodplain regulations (LUA2016-0084) at the Lake Stevens Community Center (1808 Main Street). ADA information may be found at [www.lakestevenswa.gov](http://www.lakestevenswa.gov).

The scope of the project is to amend land use regulations, as part of the Lake Stevens Municipal Code, which resolve the deficiencies found by a 2015 Community Assistance Visit Report by the Department of Ecology (DOE) and representatives from the Federal Emergency Management Agency (FEMA) and National Marine Fisheries Service (NMFS).

The proposed revisions to the floodplain regulations are available at the Permit Center and on the city's website ([www.lakestevenswa.gov](http://www.lakestevenswa.gov)).

Interested Parties can direct questions or provide written comments to the Department of Planning and Community Development Attn: Melissa Place at 1812 Main Street (PO Box 257), Lake Stevens, WA 98258 or by calling (425) 377-3229, prior to the hearing. Public testimony on the proposed regulations may be submitted orally at the hearing.

**From:** Melissa Place  
**To:** "CED@arlingtonwa.gov"; "dkoenig@marysvillewa.gov"; "agemmer@marysvillewa.gov"; "cholland@marysvillewa.gov"; "dennison@snohomishwa.gov"; "eldem@ci.snohomish.wa.us"; "M.McCrary@co.snohomish.wa.us"; "misty.terry@snoco.org"; "cindy@snoqualmiation.com"; "ryoung@tulaliptribes-nsn.gov"; "kfinley@tulaliptribes-nsn.gov"; "knelson@tulaliptribes-nsn.gov"; "reviewteam@commerce.wa.gov"; "Kate.Tourtellot@commtrans.org"; "dahp.separeview@dahp.wa.gov"; "efheintz@doc1.wa.gov"; "Kelly.Cooper@doh.wa.gov"; "kmclain@agr.wa.gov"; "sepacenter@dnr.wa.gov"; "separegister@ecy.wa.gov"; "sposner@utc.wa.gov"; "Reichgott.Christine@epamail.epa.gov"; "randy.kline@parks.wa.gov"; "info@psp.wa.gov"; "imiller@psrc.org"; "Terri.Sinclair-Olson@dshs.wa.gov"; "marane.a.brenne@usace.army.mil"; "brockdwb@dfw.wa.gov"; "sepadesk@dfw.wa.gov"; "Jamie.Bails@dfw.wa.gov"; "Ramin.Pazooki@wsdot.wa.gov"; "RodmanS@wsdot.wa.gov"; "John\_Warrick@cable.comcast.com"; "info@snoedc.org"; "rockinw1@frontier.com"; "kristin@futurewise.org"; "rmarshall@lsfire.org"; Robert Stanton; "jdix@lkstevenssewer.org"; "mbowers@lkstevenssewer.org"; "tchristoffersen@lkstevenssewer.org"; "jbaisch@lkstevenssewer.org"; "superintendents\_office@msvl.k12.wa.us"; "mpattison@MBAKS.COM"; "david.matulich@pse.com"; "mewicklund@snopud.com"; "mgstevens@snopud.com"; "kplemel@shd.snohomish.wa.gov"; "paul.sjunnesen@sno.wednet.edu"; "David.Radabaugh@ecy.wa.gov"  
**Subject:** SEPA DNS for Code Amendments to Lake Steven's Floodplain Regulations  
**Date:** Friday, June 10, 2016 9:40:00 AM  
**Attachments:** [image001.png](#)  
[FEMA2016\\_SEPA\\_Non-Project\\_Checklist.pdf](#)  
[FEMA2016\\_SEPA\\_DNS.pdf](#)

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Good morning,

The City of Lake Stevens is processing code amendments to its floodplain regulations as recommended by DOE in a 2015 CAV Report. Please find a DNS and SEPA checklist attached. Please review these materials and notify me if you have any questions or comments concerning this project.

Thank you in advance for your review, and please don't hesitate to contact me if I can provide additional information.

Sincerely, Melissa

Melissa Place, Associate Planner

**City of Lake Stevens | Planning & Community Development**

1812 Main Street | PO Box 257

Lake Stevens, WA 98258-0257

425.377.3229 | [mplace@lakestevenswa.gov](mailto:mplace@lakestevenswa.gov)





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LAKE STEVENS CITY COUNCIL  
**STAFF REPORT**

**Council Agenda Date:** 27 Sept. 2016

**Subject:** 16001 – 2016 Pavement Overlay Project Acceptance

**Contact / Department:** Adam Emerson, Public Works      **Budget Impact:** \$350,108.29

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**RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:** Authorize final project acceptance of the work performed by Northshore Paving, Inc. for the 2016 Pavement Overlay project.

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**SUMMARY/BACKGROUND:** On 12 April 2016, Council awarded Northshore Paving, Inc. the contract for the city's 2016 Pavement Overlay project. The authorized construction budget was \$291,610.75 with an administrative contingency of \$108,389.25 for a total project budget of \$400,000.00. The work, which was completed in August 2016, meets the intent of the contract and was performed on schedule. This Council action will final the project and begin the 45 day lien period requirement.

The final construction cost is \$350,108.29. This is \$48,891.71 below the Council approved project budget which includes the contingency. The overlay work included paving Old Hartford Road, 28<sup>th</sup> Street NE (Old Hartford to North Machias Road), a portion of 20<sup>th</sup> Street SE (east of Cavelero Road), Hartford Trailhead connection, and Lundeen Park additional parking.

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**APPLICABLE CITY POLICIES:**

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**BUDGET IMPACT: \$350,108.29**

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**ATTACHMENTS:**

- ▶ Exhibit A: Final Quantity & Pay Estimate

EXHIBIT A - Final Pay Estimate



City of Lake Stevens  
 2016 Pavement Overlay  
 Pay Estimate: 2  
 Billing Period: 8/01/2016 - 8/31/2016  
 Prepared By: Adam Emerson, E.I.T.  
 Date: 8/31/2016  
 Base Bid

Contractor:  
 Northshore Paving, Inc  
 PO Box 1813  
 Bothell, WA 98041

Bid Item	Description	Unit	Est Qty	Unit Price	Contract Total	Previous Quantities Billed	Current Period Quantities	Quantity Billed to date	Current Period Earned	Total Project Earned	Notes
1	Mobilization	LS	1	\$ 15,500.00	\$ 15,500.00	0.96	0.10	1.00	\$ 1,550.00	\$ 15,500.00	
2	Temporary Traffic Control	LS	1	\$ 15,975.00	\$ 15,975.00	0.66	0.40	1.00	\$ 6,390.00	\$ 15,975.00	
3	Variable Message Boards	EA	3	\$ 1,350.00	\$ 4,050.00	3.00	0.00	3.00	\$ 0.00	\$ 4,050.00	
4	Erosion/Pollution Control	LS	1	\$ 850.00	\$ 850.00	1.00	0.00	1.00	\$ 0.00	\$ 850.00	
5	Planning Bituminous Pavement	SY	680	\$ 12.75	\$ 8,670.00	10/16.00	0.00	102.60	\$ 1,307.50	\$ 13,081.50	
6	GlassGrid CG-50 (Spec)	TON	100	\$ 6.85	\$ 685.00	5807.00	0.00	5807.00	\$ 39,777.95	\$ 39,777.95	
7	HMA for Preleveling CI 1/2 PG 64-22	TON	800	\$ 105.45	\$ 84,360.00	462.67	0.00	462.67	\$ 48,788.55	\$ 48,788.55	
8	HMA CI 1/2 PG 64-22	TON	800	\$ 77.30	\$ 61,840.00	216.62	0.00	216.62	\$ 16,750.00	\$ 61,840.00	
9	Temporary Pavement Marking	LS	1	\$ 750.00	\$ 750.00	1.00	0.00	1.00	\$ 0.00	\$ 750.00	
10	Paint Line	LF	8000	\$ 0.40	\$ 3,200.00	0.00	8101.00	8101.00	\$ 3,240.40	\$ 3,240.40	
11	Plastic Stop Line	SF	205	\$ 8.50	\$ 1,742.50	0.00	170.00	170.00	\$ 1,445.00	\$ 1,445.00	
12	Plastic Crosswalk	SF	280	\$ 3.95	\$ 1,106.00	0.00	300.00	300.00	\$ 1,185.00	\$ 1,185.00	
13	Raised Pavement Markers	HUND	3	\$ 550.00	\$ 1,650.00	0.00	3.00	3.00	\$ 1,705.00	\$ 1,705.00	
14	Permanent Signing	LS	1	\$ 750.00	\$ 750.00	0.00	0.00	0.00	\$ 0.00	\$ 750.00	Removed from project
15	RRFB	EA	1	\$ 15,980.00	\$ 15,980.00	0.00	1.00	1.00	\$ 15,980.00	\$ 15,980.00	
16	Obectable Warning Panels	LF	30	\$ 150.00	\$ 4,500.00	0.00	0.00	0.00	\$ 0.00	\$ 4,500.00	Removed from project
17	Utility Adjustments	EA	2	\$ 500.00	\$ 1,000.00	0.00	2.00	2.00	\$ 1,000.00	\$ 1,000.00	
18	Stormbasin Frame Adjustment	FC	1	\$ 500.00	\$ 500.00	0.00	1.00	1.00	\$ 500.00	\$ 500.00	
19	Force Account	HR	3	\$ 300.00	\$ 900.00	0.00	3.00	3.00	\$ 900.00	\$ 900.00	
CO #2	Evergreen Sanitation Grading	LS	1	\$ 5,930.27	\$ 5,930.27	0.00	1.00	1.00	\$ 5,930.27	\$ 5,930.27	Force Account
CO #3	Aggregate Shoulders & Driveaway Work	LS	1	\$ 21,480.00	\$ 21,480.00	0.00	1.00	1.00	\$ 21,480.00	\$ 21,480.00	Force Account
CO #1	Lundeen Park Preparation & Paving	LS	1	\$ 21,480.00	\$ 21,480.00	0.00	1.00	1.00	\$ 21,480.00	\$ 21,480.00	Force Account
Alternate Bid 1											
1	Mobilization	LS	1	\$ 4,750.00	\$ 4,750.00	0.90	0.10	1.00	\$ 475.00	\$ 4,750.00	
2	Temporary Traffic Control	LS	1	\$ 8,895.00	\$ 8,895.00	0.60	0.40	1.00	\$ 3,558.00	\$ 8,895.00	
3	Variable Message Boards	EA	2	\$ 1,350.00	\$ 2,700.00	0.00	0.00	0.00	\$ 0.00	\$ 2,700.00	
4	Planning Bituminous Pavement	SY	90	\$ 34.30	\$ 3,087.00	251.00	0.00	251.00	\$ 0.00	\$ 3,087.00	
5	GlassGrid CG-50 (Spec)	SY	2025	\$ 7.85	\$ 15,896.25	0.00	2080.00	2080.00	\$ 16,328.00	\$ 16,328.00	
6	HMA for Preleveling CI 1/2 PG 64-22	TON	30	\$ 176.00	\$ 5,280.00	135.75	0.00	135.75	\$ 23,892.00	\$ 23,892.00	
7	HMA CI 1/2 PG 64-22	TON	230	\$ 87.00	\$ 20,010.00	0.00	233.47	233.47	\$ 20,311.89	\$ 20,311.89	
8	Temporary Pavement Marking	LS	1	\$ 750.00	\$ 750.00	1.00	0.00	1.00	\$ 0.00	\$ 750.00	
9	Paint Line	LF	2200	\$ 0.40	\$ 880.00	0.00	2323.00	2323.00	\$ 929.20	\$ 929.20	
10	Plastic Stop Line	SF	70	\$ 8.50	\$ 595.00	0.00	46.00	46.00	\$ 391.00	\$ 391.00	
11	Raised Pavement Markers	HUND	1	\$ 550.00	\$ 550.00	0.00	0.55	0.55	\$ 302.50	\$ 302.50	
12	Plastic Traffic Arrow	EA	2	\$ 150.00	\$ 300.00	0.00	2.00	2.00	\$ 300.00	\$ 300.00	
Alternate Bid 2											
1	Mobilization	LS	1	\$ 850.00	\$ 850.00	1.00	0.00	1.00	\$ 0.00	\$ 850.00	
2	Temporary Traffic Control	LS	1	\$ 750.00	\$ 750.00	1.00	0.00	1.00	\$ 0.00	\$ 750.00	
3	HMA CI 1/2 PG 64-22	TON	21	\$ 200.00	\$ 4,200.00	91.20	0.00	91.20	\$ 31.20	\$ 4,200.00	
4	Permanent Signing	LS	1	\$ 500.00	\$ 500.00	0.00	0.00	0.00	\$ 0.00	\$ 500.00	None. Installed by City
Total Earned this Pay Estimate \$ 103,901.26 Rebalance this Pay Estimate (5%) \$ 5,195.06 Total Due this Pay Estimate \$ 98,706.20 Total Earned this Project \$ 350,108.29 Rebalance this Project (5%) \$ 17,505.41 Total Due this Project \$ 332,602.87											

Approvals:  
 Recommended By: Adam Emerson, E.I.T. Date: 9/6/2016  
 Endorsed By: Darrell Anderson (Contractor) Date: 9-6-2016  
 Approval By: Rick Mcken, P.E. (PW Director) Date: 6 Sept 16



LAKE STEVENS CITY COUNCIL  
**STAFF REPORT**

**Council Agenda**      September 27, 2016  
**Date:** \_\_\_\_\_

**Subject:** Food Truck Concession – Papa’s Wood Fired Pizza

**Contact**                      Jeanie Ashe, Economic Development      **Budget**                      None  
**Person/Department:** \_\_\_\_\_ **Impact:** \_\_\_\_\_

**RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:** **Grant Mayor Spencer the authority to sign a Property Use and Concession Agreement with Papa’s Wood Fired Pizza upon submittal of a complete Concessionaire Packet including a certificate of insurance, Lake Stevens business license, and Snohomish Health District Temporary Food Service Permit**

**SUMMARY/BACKGROUND:** Papa’s Wood Fired Pizza has been in business for several years serving specialty pizzas at local events, weddings, Warm Beach Lights of Christmas, San Juan Fair and the Machias Market. Their current location at South Machias Road is no longer available and staff is working with the small business to provide a short-term solution at Lundeen Park.

Papa’s Wood Fired Pizza has submitted a Business Plan to the City for the purpose of operating a food truck at Lundeen Park. Their plan is to be operational Friday, Saturday, and Sunday, from 11 a.m. – 7 p.m. starting October 7, 2016 and ending December 18, 2016. The Visitor Information Center parking is the proposed site for its access to water, electricity and visibility.

Prior to opening staff needs to coordinate on a final location, approve a site plan and coordinate with affected partner agencies

**APPLICABLE CITY POLICIES:**

**BUDGET IMPACT:** **The city will receive lease payments consistent with the adopted fees resolution.**

**ATTACHMENTS:** **None**



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LAKE STEVENS CITY COUNCIL  
**STAFF REPORT**

**Council Agenda**      September 27, 2016  
**Date:** \_\_\_\_\_

**Subject:** Crandall Arambula Professional Services Contract

<b>Contact</b>	Russ Wright,	<b>Budget</b>	Economic
<b>Person/Department:</b>	<u>Community Development Director</u>	<b>Impact:</b>	<u>Development</u>

---

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

Authorize the Mayor to execute a supplemental agreement to the Professional Service Agreement, for the Downtown Subarea Plan, not to exceed \$11,000 with Crandall Arambula.

---

**SUMMARY/BACKGROUND:**

Staff is requesting that Council authorize the Mayor to execute a supplemental agreement to the Professional Services Agreement. The supplemental agreement would cover videography services, performed by North Sound Productions as a sub-consultant to Crandall Arambula, to film public meetings, conduct interviews and document the public process for the downtown plan. Videos will act as another outreach tool to engage community interest in the project and to share information with those community members not able to attend public meetings. The budget for videography services will not exceed \$10,000.

Staff is also asking for a correction to the original agreement that set a budget for the project at \$300,000, which should have been valued \$301,000 for completion of the subarea plan.

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**APPLICABLE CITY POLICIES:** Comprehensive Plan

---

**BUDGET IMPACT:** Expenditure of Downtown Subarea, Park Mitigation and Civic Center Appropriation Funds for Professional Services

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**ATTACHMENTS:**  
Supplemental Agreement

**SUPPLEMENTAL AGREEMENT  
TO PROFESSIONAL SERVICES AGREEMENT  
BETWEEN CITY OF LAKE STEVENS AND  
CRANDALL ARAMBULA, PC FOR CONSULTANT SERVICES**

This Supplemental Agreement No. \_\_\_\_ is made and entered into on the \_\_\_\_ day of October, 2016, between the City of Lake Stevens, hereinafter called the "City" and Crandall Arambula, PC, an Oregon Professional Services Corporation, hereinafter called the "Consultant."

WITNESSETH THAT:

WHEREAS, the parties hereto have previously entered into an Agreement for development of the Lake Stevens Subarea Plan and EIS/Planned Action Ordinance, hereinafter called the "Project," said Agreement being dated insert date; and

WHEREAS, both parties desire to supplement said Agreement, by expanding the Scope of Services to provide for developing public information video content about the Downtown Subarea Plan and to amend the total amount payable for this Agreement, and

WHEREAS, the parties wish to amend Paragraph IV.1 Payments (a) to reflect the correct amount of the bid contained in the Response to Request for Proposal,

NOW THEREFORE, in consideration of the terms, conditions, covenants and performance contained herein or attached and incorporated, and made a part hereof, the parties hereto agree as follows:

Each and every provision of the Original Agreement for Professional Services dated date of original PSA, shall remain in full force and effect, except as modified in the following sections:

1. Article II of the Original Agreement, "SCOPE OF SERVICES", shall be supplemented to include the Scope of Services as described in Exhibit A attached hereto and by this reference made part of this Supplemental Agreement No. 1 to original Professional Services Agreement. dated July 14, 2016.
2. Article IV of the Original Agreement, "OBLIGATIONS OF THE CITY", Paragraph IV.1 Payments, Section (a), the second sentence is amended to include the additional Consultant fee of \$10,000.00 and to include a correction to the original amount agreed to be paid in the amount of \$1,000.00 and shall read as follows: "In no event shall total payment under this agreement exceed \$311,000.00."

The Total Amount payable to the Consultant is summarized as follows:

Original Agreement	\$300,000.00
Supplemental Agreement No.1	\$10,000.00
Correction to Paragraph IV.1 Payments (a)	\$1,000.00
 Grand Total	 \$311,000.00

IN WITNESS WHEREOF, the parties hereto have executed this SUPPLEMENTAL AGREEMENT

NO. 1 as of the day and year first above written.

CITY OF LAKE STEVENS

CRANDALL ARAMBULA, PC

By: \_\_\_\_\_  
John Spencer, Mayor

By: \_\_\_\_\_  
\_\_\_\_\_  
*Printed Name & Title*

ATTEST/AUTHENTICATED

By: \_\_\_\_\_  
Kathy Pugh, Deputy City Clerk

APPROVED AS TO FORM:

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

# EXHIBIT A TO SUPPLEMENT ORIGINAL AGREEMENT

## STATEMENT OF WORK Lake Stevens Subarea Plan and EIS/Planned Action Ordinance Video Documentation Services

### A. PROJECT MANAGEMENT TEAM (“PMT”)

<p><b>Consultant – Crandall Arambula</b> Project Manager-Don Arambula 520 SW Yamhill Street, Roof Suite 4 Portland, OR 97204</p>	<p>darambulal@ca-city.com 503.417.7879</p>
<p><b>City of Lake Stevens,</b> City Project Manager- Russ Wright, Community Development Director 1812 Main Street, Suite A Lake Stevens, WA 98258-0257</p>	<p>rwright@lakestevenswa.gov 425.212.3315</p>

### B. SUBAREA PLAN PROJECT AREA AND OUTREACH SERVICES OBJECTIVES

#### Project Area

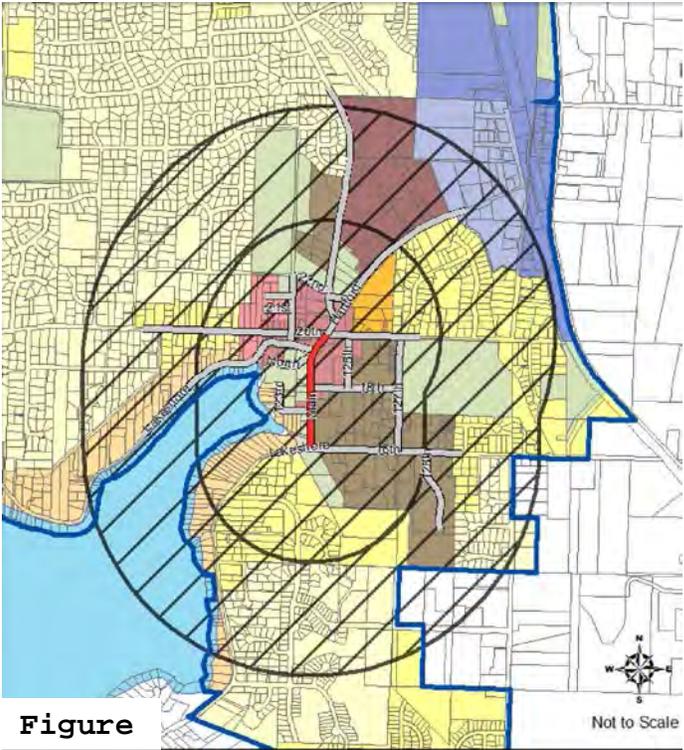
See Figure 1- Current Downtown Lake Stevens Zoning Map

The downtown area is approximately 200 acres and is roughly centered at the intersections of 20th Street NE, Main Street and Hartford Drive NE. The area is characterized primarily by low-intensity commercial and residential development on small to medium-sized parcels. The historic town center adjacent to the northwestern tip of the lake includes the city’s current municipal buildings spread over a few sites, a small commercially zoned area and a larger residential area.

#### Services Objectives

**Produce videos to support the subarea plan development and provide content for the SAP website and associated social media platforms**

During the initial phases, it is critical that the city and Crandall Arambula receive (and be seen receiving) sufficient public input to make informed decisions. Transparency is key to the process since broad public support will be required for political success. Experience in Lake Stevens has



Figure

shown that creating widely available video content can dramatically increase citizen awareness, encourage public comment, and be a means to document the process for the future.

## **C. WORK TASKS AND DELIVERABLES**

### **Video Documentation Services**

NorthSound Productions will serve as the project's video documentarian and will document the Lake Stevens Subarea Plan process through video capture and/or audio from participants at public meetings, interviews with project consultants, city officials and others, to show how ideas and diverse opinions are being used to help shape the preliminary, refined, and preferred Downtown Subarea Plan concepts.

**Task 1.1 Capture video documenting solicitation of public comment.** NorthSound Productions will attend and capture video and/or audio from participants in public meetings, focusing primarily on short interviews while also recording some of the general meeting material. By gathering both early and later stage comments of several individuals (from both the committee members and the general public) a progression of understanding or a building of consensus over time will be showcased.

Deliverables: Audio and video collection is ongoing until completion of committee meetings—footage used in subsequent videos

**Task 1.2 Produce an initial video showcasing the 1<sup>st</sup> Public Meeting(s) and initial results of surveys.** NorthSound Productions will highlight the 1<sup>st</sup> public meeting to illustrate the transparent nature of this campaign and to document public input. Unless advised otherwise, NSP would not provide too much in the way of specific plans, but rather show how a range of ideas and desires for the community that are being gathered for consideration.

Deliverables: 3-7 minute video for use online and @ public meetings

**Task 1.3 Produce a video detailing the process of developing preliminary redevelopment concepts and the public response at the 2<sup>nd</sup> Public meeting.** This is the first video with alternative concepts revealed to the public; those to be shown at the 2nd public meeting. Depending on input from CA, this may include either a voiceover with detailed graphic overviews, or a staged presentation by a knowledgeable official and/or consultant. NorthSound Productions will produce footage gathered from the 2nd public meeting as well as interviews, to show how a range of CA alternatives respond to the community goals and public identified preference for alternatives to be refined

Deliverables: Video length depends on content

**Task 1.4 Produce a video describing the refinement process and revealing the refined redevelopment concepts.** NorthSound Productions will produce a piece containing the refined plans to be revealed at the 3rd public meeting. Depending on counsel from CA, it is anticipated this to be either a voiceover with detailed graphic overviews, or a staged presentation by a knowledgeable official and/or consultant. NorthSound Productions will produce footage gathered from the 3<sup>rd</sup> public meeting as well as interviews identifying community response to the refined concepts

Deliverables: 3-7 minute video for use online and @ public meetings

**Task 1.5 Produce a video revealing the “preferred” redevelopment concepts and draft Subarea Plan to Council** NorthSound Productions will produce a video that will contain the preferred concepts and draft Subarea Area Plan to be revealed at the Council adoption meeting. Depending on counsel from CA, I anticipate this to be either a voiceover with detailed graphic overviews, or a staged presentation by a knowledgeable official and/or consultant.

Deliverables: Video length depends on content

**D. LUMP SUM PER DELIVERABLE AND PROJECT SCHEDULE**

TASK	CONSULTANT DELIVERABLES	LUMP SUM PER DELIVERABLE AMOUNT	COMPLETION
Task 1.1 Capture Video Public Comment		----	Ongoing
Task 1.2 Produce Initial Video Showcasing Results		----	Late Sept. 2016
Task 1.3 Produce a Video Detailing the Concepts Process		----	Late Nov. Early Dec. 2016
Task 1.4 Produce a Video Describing the Refinement Process		----	Mid Feb. 2016
Task 1.5 Produce a Video Revealing the ‘Preferred’ Redevelopment Concepts and Draft Subarea Plan to Council		----	Mid June 2016
<b>Not to Exceed Total</b>		<b>\$ 10,000</b>	

**E. BILLING RATES**

<b>NorthSound Productions</b>		
Abe Martinez	Documentary Production	\$60/hr

- Approximate cost per video will be \$1,200 - \$2,000 depending on complexity of production
- Total number of videos created for the project will be 5 to 8 depending on the determined needs of the city and Crandall Arambula. Note that this depends partly on availability of total budget and partly on maximizing captured and created material. In many cases, a higher number of videos can keep the price per unit down.
- The general hourly production rate is set at \$60.00 per hour. However, since captured and created media will necessarily flow into subsequent productions, final hourly costs will be spread out over the course of the project and billed at a fixed rate per video. Any additional production using this material, but outside this scope of work, may be billed at the hourly rate.
- Cost for entire project not to exceed a total of \$10,000



LAKE STEVENS CITY COUNCIL  
**STAFF REPORT**

**Council Agenda Date:** September 27, 2016

**Subject:** Annexation Update

<b>Contact</b>	Russ Wright	<b>Budget</b>	none
<b>Person/Department:</b>	Community Development Director	<b>Impact:</b>	

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

The purpose of tonight’s meeting is to discuss an annexation strategy for the remaining UGA.

**DISCUSSION:**

Small pockets and one larger unincorporated area comprise the remainder of the Lake Stevens Urban Growth Area (UGA) with an area of 2,192 acres (3.4 square miles) including the lake. Most of the remaining unincorporated area is zoned for residential use (approximately 1,175 acres) with a smaller amount (nearly 86 acres) zoned for industrial and commercial uses. City Council has discussed a renewed interest in evaluating annexation of some of these areas.

Some of the issues to be considered as part of an annexation study include evaluation of statistical data, preparation of maps, analysis of existing public services (e.g., police, fire, water service, sewer, garbage disposal, street maintenance, street lighting, stormwater, planning, building inspection, parks and recreation and library services), urban service needs, special purpose districts, and cost of service and revenue estimates.

There are several mechanisms available under Washington State law to annex properties into city limits that are suitable to different situations. In all cases, the City Council must accept or initiate the request and the Boundary Review Board must approve the boundaries of the territory proposed for annexation. A list and description of the primary methods follows:

1. **Election Method, Initiated By 10% Petition** – an annexation election of unincorporated territory initiated by a petition signed by 10 percent of voters living in the area to be annexed, who voted in the last election. City Council accepts the petition by passing a resolution. Next, the petition is filed with County to start election process.
2. **Election Method, Initiated by Resolution** – an annexation election of unincorporated territory initiated by the City Council enacting a resolution.
3. **Sixty Percent Petition Annexation Method** – petition annexation initiated by written notice of owners representing at least 60 percent of the property value territory proposed for annexation, to the City Council, of its intention to commence annexation proceedings.
4. **Alternative Petition Annexation Method** – petition annexation initiated by written notice of 10 percent or more of the residents of the area to be annexed, or by owners of not less than 10 percent of the acreage of this area, to the City Council, of its intention to commence annexation proceedings.
5. **Annexation for Municipal Purposes** – annexation of territory outside the city limits for municipal purposes, regardless of whether the territory is contiguous to the annexing city. The property to be annexed must be owned by the city or all of the owners of the property must give their written consent to the annexation. The annexation requires enactment of an ordinance by majority vote of the city council.

6. **Annexation of Unincorporated Islands** – abbreviated procedure to annex unincorporated islands or pockets of property containing less than 175 acres or any sized residential area having at least 80 percent of its boundaries contiguous to a city planning under the Growth Management Act (GMA) initiated by resolution of the legislative body and subject to a public hearing.
7. **Alternative Unincorporated Island-Interlocal Method of Annexation (ILA)** – abbreviated procedure to annex unincorporated islands having at least 60 percent of its boundaries contiguous to a city planning subject to “buildable lands” review initiated by resolution of the legislative body. This method requires joint or separate hearings by the county and city and execution on an ILA.

Attached is a draft annexation schedule that includes areas, method of annexation and potential timing for council’s discussion. Timing depends on community sponsors for petitions or if the city initiates through interlocal or annexation. Staff will bring back a formal resolution updating the city’s annexation plan and begin initiating annexations. The attached maps show remaining unincorporated areas in the Lake Stevens UGA that are available for annexation. These maps also show existing and proposed zoning. The goal would be to zone properties in a manner reflective of actual lot sizes or equivalent lot sizes. In the large southern area, it may be necessary to increase zoning density including the creation of a new intermediate zoning between 5,550 and 6,000 square feet.

Annexation ID	Annexation Areas	Acres	Methods	Timing
Northern				
Area 1	Northeastern Industrial	App. 16	Election or Petition	Initiate Winter 2016
Area 2	Machias Industrial	App. 60	Election or Petition	Initiate Fall 2016
Area 3	Pilchuck / Bonneville	App. 70	Election or Petition Bonneville Field - Municipal	Initiate Spring 2017
Area 4	131 <sup>st</sup> Ave NE	App. 36	Interlocal Annexation	Initiate Fall 2016
Southern				
Area 5	East Lake	App. 400 acres	Election or Petition	TBD
Area 6	South Lake Stevens Road	App. 300 acres	Election or Petition	TBD
Area 7	20 <sup>th</sup> Street SE	App. 300 acres	Election or Petition	TBD
West				
Area 8	West Lake Stevens	App. 5 acres	Election or Petition	TBD

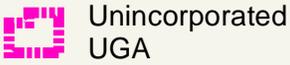
The annexation resolution will identify pre-zoning, available utilities and the approximate number of parcels in each area. Next steps will be contacting major property owners to identify partners in the areas and distributing a fact sheet and annexation notice to affected owners in northeastern areas. The city in cooperation with partner agencies will conduct a financial / service analysis related to annexing properties in the southeastern area.



September 2016



# Potential Annexation Areas



## Land Status

- No Change or Replacement
- Open Space
- Partially-Used or Redevelopable
- Pending
- Vacant

Not to Scale

