

City of Lake Stevens Mission Statement



The City of Lake Stevens' mission is not only to preserve the natural beauty that attracted so many of its citizens, but to enhance and harmonize with the environment to accommodate new people who desire to live here. Through shared, active participation among Citizen, Mayor, Council, and City Staff, we commit ourselves to quality living for this and future generations.

Growth in our community is inevitable. The City will pursue an active plan on how, when, and where it shall occur to properly plan for needed services, ensure public safety, and maintain the unique ambience that is Lake Stevens.



CITY COUNCIL REGULAR MEETING AGENDA
Lake Stevens School District Educational Service Center (Admin. Bldg.)
12309 22nd Street NE, Lake Stevens
Monday, January 9, 2012 - 7:00 p.m.

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

CALL TO ORDER: 7:00 p.m.
Pledge of Allegiance

ROLL CALL:

GUEST BUSINESS:

OATHS OF OFFICE: A. Oaths of Office for Mayor Vern Little and Councilmembers Suzanne Quigley, John Spencer and Todd Welch.

CONSENT AGENDA: *A. Approve December 2011 vouchers. Barb
*B. Approve January 2012 vouchers. Barb
*C. Approve Revised Professional Services Agreement for Child Interviewing Specialist Services with Dawson Place. Randy

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 the 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 consideration of Ordinance No. 867, extending the moratorium temporarily restricting dispensaries and collective gardens relating to medical marijuana. Russ

Lake Stevens City Council Regular Meeting Agenda

January 9, 2012

- ACTION ITEMS:**
- *A. Approve minutes of November 28, 2011 regular Council meeting. Norma
 - *B. Approve minutes of December 12, 2011 regular Council meeting. Norma
 - *C. First and final reading of Ordinance No.868, collection agency. Barb
 - *D. Approve contract with Evergreen Professional Recoveries as collection agency. Barb

- DISCUSSION ITEMS:**
- *A. SEPA code amendments update. Russ
 - *B. Lake Stevens Center Subarea Plan Draft Environmental Impact Statement briefing. Becky/
Russ
 - *C. Boards/Commission liaison assignments.

COUNCIL PERSON'S BUSINESS:

MAYOR'S BUSINESS:

STAFF REPORTS:

INFORMATION ITEMS:

- EXECUTIVE SESSION:**
- A. Potential litigation.

ADJOURN:

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

Special Needs

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

NOTICE:

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

**BLANKET VOUCHER APPROVAL
 2011**

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

Payroll Direct Deposits	905137-905262	\$252,869.03
Payroll Checks	32797, 32801-32802	\$4,904.05
Claims	32798-32899, 32909-32910	\$210,571.12
Electronic Funds Transfers	404-407	\$14,521.92
Void Checks	32746, 32717, 32781	(\$359.33)
Tax Deposit(s)	12/15/2011, 12/30/2011	\$86,158.84
Total Vouchers Approved:		\$568,665.63

This 9th day of January 2012:

 Mayor

 Councilmember

 Finance Director

 Councilmember

 Councilmember

 Councilmember



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Direct Deposit Register

14-Dec-2011

Wells Fargo - AP

Lake Stevens

Direct Deposits to Accounts

14-Dec-2011	<u>Vendor</u>	<u>Source</u>	<u>Amount</u>	<u>Draft#</u>	<u>Bank Name</u>	<u>Transit</u>	<u>Account</u>
9362	Department of Revenue	C	\$9,886.67	404	Wells Fargo	121000248	4159656917
Total:			\$9,886.67		Count:	1.00	

Direct Deposit Summary

<i>Type</i>	<i>Count</i>	<i>Total</i>
C	1	\$9,886.67

Pre-Note Transactions

Direct Deposit Register

16-Dec-2011

Wells Fargo - AP

Lake Stevens

Direct Deposits to Accounts

16-Dec-2011	<u>Vendor</u>	<u>Source</u>	<u>Amount</u>	<u>Draft#</u>	<u>Bank Name</u>	<u>Transit</u>	<u>Account</u>
9407	Department of Retirement (Pers	C	\$3,358.50	405	Wells Fargo	121000248	4159656917
9408	NATIONWIDE RETIREMENT SOL	C	\$848.25	406	Wells Fargo	121000248	4159656917
9405	Wash State Support Registry	C	\$428.50	407	Wells Fargo	121000248	4159656917
Total:			\$4,635.25		Count:	3.00	

Direct Deposit Summary

<u>Type</u>	<u>Count</u>	<u>Total</u>
C	3	\$4,635.25

Pre-Note Transactions

Detail Check Register

16-Dec-11

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
32798	16-Dec-11	969	Business Card		\$3,904.71
12/11 1056			Supplies/Travel/Ec Dev	\$462.00	\$0.00
					\$462.00
001003511104300			Executive - Travel & Mtgs	\$135.00	
001003513104300			Administration - Travel & Mtgs	\$135.00	
001007558804111			Planning-Economic Development	\$70.26	
001013519903100			General Government - Operating	\$53.58	
101016542003102			Street Fund Operating Costs	\$68.16	
12/11 1324			Staff Dev/Travel	\$988.00	\$0.00
					\$988.00
001004514234901			Finance - Staff Development	\$425.00	
001007558004300			Planning - Travel & Mtgs	\$3.00	
001007558400001			Planning - Staff Development	\$560.00	
12/11 1411			Travel	\$57.00	\$0.00
					\$57.00
001008521004300			Law Enforce - Travel & Mtgs	\$57.00	
12/11 4949			Travel/Postage	\$424.59	\$0.00
					\$424.59
001008521004200			Law Enforcement - Communicatio	\$410.00	
001008521004300			Law Enforce - Travel & Mtgs	\$14.59	
12/11 5242			Travel	\$270.00	\$0.00
					\$270.00
001001511604300			Legislative - Travel & Mtgs	\$270.00	
12/11 7750			Clothing/R&M/Communication	\$942.87	\$0.00
					\$942.87
001007558004200			Planning - Communication	\$163.90	
001010576804800			Parks - Repair & Maintenance	\$714.09	
101016542002600			Street Fund - Clothing	\$32.44	
410016542402600			Storm Water-Clothing	\$32.44	
12/11 8109			Supplies/Travel	\$760.25	\$0.00
					\$760.25
001008521003100			Law Enforcement - Office Suppl	\$108.90	
001008521003104			Law Enforcement-Operating Cost	\$501.62	
001008521004300			Law Enforce - Travel & Mtgs	\$149.73	
32799	16-Dec-11	12785	IIMC-RECERTIFICATION PROGRAM		\$135.00
8957			Annual Recertification	\$135.00	\$0.00
					\$135.00
001003514104900			City Clerks-Miscellaneous	\$135.00	
32800	16-Dec-11	12751	LAKE STEVENS POLICE GUILD		\$876.00
12/15/11			Union Dues	\$876.00	\$0.00
					\$876.00
001000281000000			Payroll Liabilities	\$876.00	
Total Of Checks:					\$4,915.71

Detail Check Register

04-Jan-12

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount
32803	30-Dec-11	13535	Lexipol LLC	\$2,450.00
6318			LE policy manual updates	\$2,450.00
001008521004101			Prof Serv-Lexipool	\$2,450.00
Total Of Checks:				\$2,450.00

Detail Check Register

04-Jan-12

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
32804	04-Jan-12	13152	Quest Technologies		\$362.90
280466		Calibrator		\$362.90	\$0.00
		001008521004800	Law Enforcement - Repair & Mai	\$362.90	
Total Of Checks:					\$362.90

Detail Check Register

04-Jan-12

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount
32805	31-Dec-11	13328	ACES	\$329.00
8473		Safety mtg		\$329.00
001003517620000		Admin. Safety program		\$77.64
101016517620000		safety program		\$146.08
410016517620000		safety program		\$105.28
Total Of Checks:				\$329.00

Detail Check Register

05-Jan-12

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount		
32806	09-Jan-12	13328	ACES			\$720.00
8463			Confined Space Training	\$720.00	\$0.00	\$720.00
			001003517620000 Admin. Safety program	\$54.90		
			101016517620000 safety program	\$104.58		
			101016542004300 Street Fund - Travel & Mtgs	\$240.50		
			410016517620000 safety program	\$79.52		
			410016542404300 Storm Water - Travel & Mtgs	\$240.50		
32807	09-Jan-12	12540	ALLIED WASTE SERVICES #197			\$343.84
0197-001412777			Dumpster services	\$343.84	\$0.00	\$343.84
			101016542003102 Street Fund Operating Costs	\$164.82		
			101016542004500 Street Fund - Rentals/Leases	\$7.10		
			410016542403102 Storm Water - Operating Costs	\$164.82		
			410016542404501 Storm Water - Equipment Rental	\$7.10		
32808	09-Jan-12	12540	ALLIED WASTE SERVICES #197			\$247.00
0197-001412537			Dumpster services	\$247.00	\$0.00	\$247.00
			001010576803100 Parks - Operating Costs	\$234.74		
			001010576804500 Parks - Equipment Rental	\$12.26		
32809	09-Jan-12	12540	ALLIED WASTE SERVICES #197			\$102.58
0197-001413188			Dumpster services	\$102.58	\$0.00	\$102.58
			001013519903100 General Government - Operating	\$90.25		
			001013519904500 General Government-Equip Renta	\$12.33		
32810	09-Jan-12	12949	ALPINE FIRE & SAFETY SYS INC			\$56.15
575191			First aid supplies	\$56.15	\$0.00	\$56.15
			001008521003104 Law Enforcement-Operating Cost	\$56.15		
32811	09-Jan-12	13401	Angel Transport and Towing			\$112.40
0151			Towing	\$112.40	\$0.00	\$112.40
			001008521004800 Law Enforcement - Repair & Mai	\$112.40		
32812	09-Jan-12	13089	Associated Underwater Services			\$2,468.10
4228			Aerator repair	\$2,468.10	\$0.00	\$2,468.10
			410016542406200 Storm Water - Aerator Repairs	\$2,468.10		
32813	09-Jan-12	12187	AUCKLAND ENTERPRISES			\$1,400.00
540			Danger tree removal NGPA	\$1,400.00	\$0.00	\$1,400.00
			001010576804800 Parks - Repair & Maintenance	\$1,400.00		
32814	09-Jan-12	179	Blumenthal Uniforms			\$531.27
894016-80			Anderson Shoes	(\$134.61)	\$0.00	(\$134.61)

Detail Check Register

05-Jan-12

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
001008521002600			Law Enforcment Clothing	(\$134.61)	
905077			Patches	\$228.06	\$0.00 \$228.06
001008521002600			Law Enforcment Clothing	\$228.06	
912979			Anderson uniform pants	\$130.30	\$0.00 \$130.30
001008521002600			Law Enforcment Clothing	\$130.30	
912979-01			Pants - anderson	\$76.01	\$0.00 \$76.01
001008521002600			Law Enforcment Clothing	\$76.01	
913683			Brown uniform pants & belt	\$90.07	\$0.00 \$90.07
001008521002600			Law Enforcment Clothing	\$90.07	
913685			Boots Smith	\$141.44	\$0.00 \$141.44
001008521002600			Law Enforcment Clothing	\$141.44	
32815	09-Jan-12	11952	Carquest Auto Parts Store		\$12.10
2421-168776			Wiper blade	\$12.10	\$0.00 \$12.10
410016542404800			Storm Water - Repairs & Maint.	\$12.10	
32816	09-Jan-12	13855	Cindy Moore		\$64.00
12/15/11			Recording Document cost	\$64.00	\$0.00 \$64.00
001007558003200			Planning-Operating Costs	\$64.00	
32817	09-Jan-12	274	City of Everett		\$175.00
111003653			Lab analysis	\$175.00	\$0.00 \$175.00
410016542404101			Storm Water - Professional Ser	\$175.00	
32818	09-Jan-12	12004	CITY OF MARYSVILLE		\$29,091.85
11-021			Citations November 2011	\$7,252.00	\$0.00 \$7,252.00
001013512500001			Municipal Court Fees	\$7,252.00	
11-023			Citations December 2011	\$10,245.68	\$0.00 \$10,245.68
001013512500001			Municipal Court Fees	\$10,245.68	
5849			Hwy 9 prof svcs	\$437.50	\$0.00 \$437.50
001013519904100			General Government - Professio	\$437.50	
POLIN11-0128			Prisoner medical Nov 2011	\$200.00	\$0.00 \$200.00

Detail Check Register

05-Jan-12

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
001008523005100			Law Enforcement - Jail	\$200.00	
POLIN12-003			Prisoner Housing Dec 2011	\$10,956.67	\$0.00 \$10,956.67
001008523005100			Law Enforcement - Jail	\$10,956.67	
32819	09-Jan-12	13030	COMCAST		\$116.90
12/1 0827887			Traffic Signal Control	\$116.90	\$0.00 \$116.90
101016542640000			Street Fund - Traffic Control	\$116.90	
32820	09-Jan-12	13030	COMCAST		\$98.95
12/11 0443150			Communications Internet	\$98.95	\$0.00 \$98.95
001003513104200			Administration-Communications	\$1.98	
001003514104200			City Clerks-Communications	\$5.94	
001003516104200			Human Resources-Communications	\$1.98	
001003518104200			IT Dept-Communications	\$3.96	
001004514234200			Finance - Communications	\$3.96	
001007558004200			Planning - Communication	\$15.83	
001008521004200			Law Enforcement - Communicatio	\$57.39	
001010576804200			Parks - Communication	\$2.64	
101016542004200			Street Fund - Communications	\$2.64	
410016542404200			Storm Water - Communications	\$2.63	
32821	09-Jan-12	13030	COMCAST		\$81.90
12/11 0808840			Internet - shop	\$81.90	\$0.00 \$81.90
101016542004200			Street Fund - Communications	\$40.95	
410016542404200			Storm Water - Communications	\$40.95	
32822	09-Jan-12	13030	COMCAST		\$81.90
12/11 0810218			Internet - Evidence room	\$81.90	\$0.00 \$81.90
001008521004200			Law Enforcement - Communicatio	\$81.90	
32823	09-Jan-12	13030	COMCAST		\$71.67
12/11 0692756			Internet - Market PL Station	\$71.67	\$0.00 \$71.67
001008521004200			Law Enforcement - Communicatio	\$71.67	
32824	09-Jan-12	91	Corporate Office Supply		\$2,191.96
123411i			calendar/folders/lables/pens	\$162.55	\$0.00 \$162.55
001007558003100			Planning - Office Supplies	\$162.55	
123485i			Supplies	\$356.47	\$0.00 \$356.47
001008521003100			Law Enforcement - Office Suppl	\$356.47	
1234941			supplies	\$478.38	\$0.00 \$478.38

Detail Check Register

05-Jan-12

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
001003513103100			Administration - Office Supply	\$42.99	
001004514233100			Finance - Office Supplies	\$132.47	
001013519903100			General Government - Operating	\$302.92	
123667			Binder	(\$26.55)	\$0.00 (\$26.55)
101016542003101			Street Fund Office Supplies	(\$26.55)	
123768i			supplies	\$269.06	\$0.00 \$269.06
410016542403101			Storm Water - Office Supplies	\$269.06	
123889i			laminating pouches	\$129.18	\$0.00 \$129.18
410016542403101			Storm Water - Office Supplies	\$129.18	
124001i			pens/binders/clips/postits	\$421.22	\$0.00 \$421.22
001008521003100			Law Enforcement - Office Suppl	\$421.22	
124069i			Toner	\$401.65	\$0.00 \$401.65
001008521003100			Law Enforcement - Office Suppl	\$401.65	
32825	09-Jan-12	91	Corporate Office Supply		\$486.29
1235151			Supplies	\$82.32	\$0.00 \$82.32
001008521003100			Law Enforcement - Office Suppl	\$82.32	
123522i			expandable folders	\$112.87	\$0.00 \$112.87
001008521003100			Law Enforcement - Office Suppl	\$112.87	
123548			stamps	\$60.74	\$0.00 \$60.74
001008521003100			Law Enforcement - Office Suppl	\$60.74	
123616i			Binder	\$47.97	\$0.00 \$47.97
001007558003100			Planning - Office Supplies	\$47.97	
123707			self inking stamp	\$26.01	\$0.00 \$26.01
001008521003100			Law Enforcement - Office Suppl	\$26.01	
123781i			Pens	\$30.19	\$0.00 \$30.19
410016542403101			Storm Water - Office Supplies	\$30.19	
123951i			Desk organizer	\$80.13	\$0.00 \$80.13
001008521003100			Law Enforcement - Office Suppl	\$80.13	
124043i			Ink/wall rack/envelopes	\$46.06	\$0.00 \$46.06

Detail Check Register

05-Jan-12

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
001008521003100			Law Enforcement - Office Suppl	\$46.06	
32826	09-Jan-12	91	Corporate Office Supply		\$16.24
123516i			supplies	\$16.24	\$0.00
001013519903100			General Government - Operating	\$16.24	
32827	09-Jan-12	13196	Correctional Industries		\$1,132.86
WINV312167			Decals	\$48.68	\$0.00
101016542004800			Street Fund - Repair & Mainten	\$48.68	
WINV312168			Street Signs	\$1,084.18	\$0.00
101016542640000			Street Fund - Traffic Control	\$1,084.18	
32828	09-Jan-12	9386	Crystal and Sierra Springs		\$243.73
5249844 120111			Bottled water	\$243.73	\$0.00
001007559003101			Building Department - Operatin	\$43.05	
001008521003104			Law Enforcement-Operating Cost	\$71.55	
001013519904900			General Government - Miscellan	\$43.05	
101016542003102			Street Fund Operating Costs	\$43.05	
410016542403102			Storm Water - Operating Costs	\$43.03	
32829	09-Jan-12	13027	DEPARTMENT OF LICENSING		\$165.00
14780-14793			Weapons permits	\$165.00	\$0.00
633008586000000			Gun Permit - State Remittance	\$165.00	
32830	09-Jan-12	13027	DEPARTMENT OF LICENSING		\$126.00
14794-14800			Weapons permits	\$126.00	\$0.00
633008586000000			Gun Permit - State Remittance	\$126.00	
32831	09-Jan-12	12800	DEPT OF CORRECTIONS		\$202.41
MCC4591 1111			Maintenance	\$202.41	\$0.00
101016542004800			Street Fund - Repair & Mainten	\$101.21	
410016542404800			Storm Water - Repairs & Maint.	\$101.20	
32832	09-Jan-12	13428	Dicks Towing		\$327.60
124387			Towing	\$327.60	\$0.00
410016531503104			DOE-G1100060 SW Capacity Exp	\$327.60	
32833	09-Jan-12	456	Dunlap Industrial Hardware		\$191.64
1271821-01			overalls	\$98.23	\$0.00
101016542002600			Street Fund - Clothing	\$49.12	
410016542402600			Storm Water-Clothing	\$49.11	
1272292-01			Slings	\$93.41	\$0.00

Detail Check Register

05-Jan-12

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
101016542003102			Street Fund Operating Costs	\$93.41	
32834	09-Jan-12	473	Electronic Business Machines		\$2,661.67
071328			Copier maint	\$386.53	\$0.00
001007558004800			Planning - Repairs & Maint.	\$193.26	
101016542004800			Street Fund - Repair & Mainten	\$193.27	
071373			Copier maint	\$135.13	\$0.00
001008521004800			Law Enforcement - Repair & Mai	\$135.13	
071747			copier maintenance	\$130.91	\$0.00
001007558004800			Planning - Repairs & Maint.	\$65.45	
101016542004800			Street Fund - Repair & Mainten	\$65.46	
40419A			Copier side paper deck	\$2,009.10	\$0.00
001008521006400			Law Enforcement - Capital Outl	\$2,009.10	
32835	09-Jan-12	505	Everett Stamp Works		\$38.88
4864			nameplates	\$38.88	\$0.00
001001511603100			Legislative - Operating Costs	\$14.06	
001010575304900			Arts Commission	\$24.82	
32836	09-Jan-12	13390	Evergreen State Heat		\$506.63
17750			HVAC Maint	\$506.63	\$0.00
001007558004800			Planning - Repairs & Maint.	\$50.66	
001008521004800			Law Enforcement - Repair & Mai	\$101.33	
001013519904800			General Government - Repair/Ma	\$101.33	
001013555504800			Community Center - Repair & M	\$101.33	
001013555506400			New Senior Center	\$101.33	
101016542004800			Street Fund - Repair & Mainten	\$25.33	
410016542404800			Storm Water - Repairs & Maint.	\$25.32	
32837	09-Jan-12	13468	Feldman & Lee		\$5,250.00
12/31/11			Public Defender	\$5,250.00	\$0.00
001013512800000			Court Appointed Attorney Fees	\$5,250.00	
32838	09-Jan-12	549	Foster Press		\$97.76
28719			shipping labels	\$97.76	\$0.00
101016542003101			Street Fund Office Supplies	\$97.76	
32839	09-Jan-12	550	Foster, Pepper and Shefelman		\$373.95
40248-69			Prof svcs	\$373.95	\$0.00
001005515204100			Legal - Professional Service	\$373.95	

Detail Check Register

05-Jan-12

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
32840	09-Jan-12	13764	Frontier		\$60.24
12/11 104448759303		Communications		\$60.24	\$0.00
001013519904200		General Government - Communica		\$20.08	
101016542004200		Street Fund - Communications		\$20.08	
410016542404200		Storm Water - Communications		\$20.08	
32841	09-Jan-12	12393	GLENS RENTAL SALES & SERVICE		\$173.76
S3413		trash rack hoses		\$173.76	\$0.00
410016531503104		DOE-G1100060 SW Capacity Exp		\$173.76	
32842	09-Jan-12	13010	Grainger		\$223.20
9714555183		Gloves		\$62.90	\$0.00
001010576804800		Parks - Repair & Maintenance		\$62.90	
9715366663		Non Skid tape for floating dock		\$160.30	\$0.00
001010576804800		Parks - Repair & Maintenance		\$160.30	
32843	09-Jan-12	13785	Group Health Coop		\$130.00
64003166		Employment physicals		\$130.00	\$0.00
101016542004100		Street Fund - Professional Ser		\$65.00	
410016542404101		Storm Water - Professional Ser		\$65.00	
32844	09-Jan-12	13500	HB Jaeger Co LLC		\$3,574.34
126557/1		460 feet of 12 N12 pipe		\$2,897.45	\$0.00
410016542404800		Storm Water - Repairs & Maint.		\$2,897.45	
126558/1		Storm drainage improvements		\$296.79	\$0.00
410016531503104		DOE-G1100060 SW Capacity Exp		\$296.79	
126572-1		Bee hve trash rack for alder rd		\$380.10	\$0.00
410016542404800		Storm Water - Repairs & Maint.		\$380.10	
32845	09-Jan-12	673	Home Depot		\$584.61
3141145		shed for air compressor		\$434.80	\$0.00
101016543504802		Facilities R&M (City Shop)		\$434.80	
4056088		light bulbs		\$67.33	\$0.00
001013519903100		General Government - Operating		\$67.33	
5055832		light bulbs and plumbing		\$82.48	\$0.00
410016542404800		Storm Water - Repairs & Maint.		\$82.48	
32846	09-Jan-12	13509	Industrial Supply, Inc		\$283.79

Detail Check Register

05-Jan-12

Lake Stevens

Check No	Check Date	VendorNo	Vendor		Check Amount	
489485			Safety supplies	\$283.79	\$0.00	\$283.79
410016542403101			Storm Water - Office Supplies	\$283.79		
32847	09-Jan-12	13232	Integra Telecom, Inc			\$879.77
9098702			communications	\$879.77	\$0.00	\$879.77
001003513104200			Administration-Communications	\$6.64		
001003514104200			City Clerks-Communications	\$7.75		
001003516104200			Human Resources-Communications	\$7.19		
001003518104200			IT Dept-Communications	\$18.81		
001004514234200			Finance - Communications	\$14.94		
001007558004200			Planning - Communication	\$55.23		
001007559004200			Building Department - Communci	\$36.87		
001008521004200			Law Enforcement - Communicatio	\$141.78		
001010575304200			Historical - Communications	\$36.87		
001013519904200			General Government - Communica	\$273.95		
001013555504200			Community Center-Communication	\$36.87		
101016542004200			Street Fund - Communications	\$120.26		
410016542404200			Storm Water - Communications	\$122.61		
32848	09-Jan-12	13327	Jennifer Anderson			\$195.00
12/30/11			Dep Care reimb 12/1-12/31/11	\$195.00	\$0.00	\$195.00
001000281000000			Payroll Liabilities	\$195.00		
32849	09-Jan-12	13863	Johns Cleaning Service			\$62.09
742			Uniform cleaning	\$62.09	\$0.00	\$62.09
001008521002600			Law Enforcment Clothing	\$62.09		
32850	09-Jan-12	13279	KCDA Purchasing Coop			\$1,172.89
3540472			Paper & Cleaning supplies	\$1,172.89	\$0.00	\$1,172.89
101016542004800			Street Fund - Repair & Mainten	\$586.45		
410016542404800			Storm Water - Repairs & Maint.	\$586.44		
32851	09-Jan-12	812	Kesselring Gun Shop			\$445.88
31368			Gun Buyback - Barnes	\$445.88	\$0.00	\$445.88
001008521003105			Operating-Staff Purchases	\$445.88		
32852	09-Jan-12	626	Lake Stevens Chamber of Commer			\$20.00
2637			Member mtg	\$20.00	\$0.00	\$20.00
001008521004300			Law Enforce - Travel & Mtgs	\$20.00		
32853	09-Jan-12	852	Lake Stevens Journal			\$445.55
76397			Advertising - legal	\$73.70	\$0.00	\$73.70

Detail Check Register

05-Jan-12

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
001013514304400			General Government - Advertisin	\$73.70	
76398			Advertising - legal	\$77.05	\$0.00
001007558004400			Planning - Advertising	\$77.05	
76475			Advertising - legal	\$23.45	\$0.00
001013514304400			General Government - Advertisin	\$23.45	
76476			Advertising - legal	\$46.90	\$0.00
001007558004400			Planning - Advertising	\$46.90	
76521			Advertising - legal	\$46.90	\$0.00
001007558004400			Planning - Advertising	\$46.90	
76522			Advertising - legal	\$103.85	\$0.00
001007558004400			Planning - Advertising	\$103.85	
76523			Advertising - legal	\$73.70	\$0.00
001007558004400			Planning - Advertising	\$73.70	
32854	09-Jan-12	854	Lake Stevens Mini Mart		\$9.00
112311			Fuel	\$9.00	\$0.00
001008521003200			Law Enforcement - Fuel	\$9.00	
32855	09-Jan-12	12751	LAKE STEVENS POLICE GUILD		\$876.00
12/2011			Union Dues	\$876.00	\$0.00
001000281000000			Payroll Liabilities	\$876.00	
32856	09-Jan-12	12841	Law Offices of Weed, Graafstra		\$9,484.50
96			Prof serv ices	\$9,484.50	\$0.00
001005515204100			Legal - Professional Service	\$5,690.70	
101016542004100			Street Fund - Professional Ser	\$2,845.35	
410016542404101			Storm Water - Professional Ser	\$948.45	
32857	09-Jan-12	12603	LES SCHWAB TIRE CENTER		\$172.62
40200018583			Brake Repairs	\$93.12	\$0.00
410016542404800			Storm Water - Repairs & Maint.	\$93.12	
40200020602			Flat repair	\$79.50	\$0.00
101016542004800			Street Fund - Repair & Mainten	\$39.75	
410016542404800			Storm Water - Repairs & Maint.	\$39.75	
32858	09-Jan-12	13404	LexisNexis		\$54.30

Detail Check Register

05-Jan-12

Lake Stevens

Check No	Check Date	VendorNo	Vendor		Check Amount	
1420700-20111031			Data search	\$54.30	\$0.00	\$54.30
001008521004100			Law Enforcement - Professional	\$54.30		
32859	09-Jan-12	12215	LOWES COMPANIES			\$363.73
12/11 99001778135			supplies	\$363.73	\$0.00	\$363.73
001010576804800			Parks - Repair & Maintenance	\$79.33		
001012572503100			Library - Office And Operating	\$42.33		
001013519903100			General Government - Operating	\$171.12		
001013555506400			New Senior Center	\$54.58		
101016542004800			Street Fund - Repair & Mainten	\$16.37		
32860	09-Jan-12	13345	Macks Towing			\$115.12
54538			Towing	\$115.12	\$0.00	\$115.12
001008521004800			Law Enforcement - Repair & Mai	\$115.12		
32861	09-Jan-12	13167	Makers Architecture & Urban De			\$3,082.96
0927-16			Prof services-Shoreline	\$3,082.96	\$0.00	\$3,082.96
001007558904902			DOE - Shoreline Grant Expenses	\$3,082.96		
32862	09-Jan-12	13774	Maltby Container & Recycling			\$315.00
21588			Dump fees	\$315.00	\$0.00	\$315.00
001010576803100			Parks - Operating Costs	\$315.00		
32863	09-Jan-12	12498	MARYSVILLE PRINTING			\$283.06
10667			Seisure forms	\$283.06	\$0.00	\$283.06
001008521003100			Law Enforcement - Office Suppl	\$283.06		
32864	09-Jan-12	12684	NORTHWEST CASCADE INC.			\$218.00
1-393891			Equipment rental	\$218.00	\$0.00	\$218.00
001010576804500			Parks - Equipment Rental	\$218.00		
32865	09-Jan-12	1091	Office Of The State Treasurer			\$13,238.77
12/2011			Dec 2011 State Court Fees	\$13,238.77	\$0.00	\$13,238.77

Detail Check Register

05-Jan-12

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
633008559005100			Building Department - State BI	\$27.00	
633008589000003			Public Safety And Ed. (1986 As	\$6,027.79	
633008589000004			Public Safety And Education	\$3,768.42	
633008589000005			Judicial Information System-Ci	\$1,500.10	
633008589000008			Trauma Care	\$590.74	
633008589000009			school zone safety	\$192.97	
633008589000010			Public Safety Ed #3	\$147.24	
633008589000011			Auto Theft Prevention	\$833.53	
633008589000012			HWY Safety Act	\$3.30	
633008589000013			Death Inv Acct	\$22.15	
633008589000014			WSP Highway Acct	\$125.53	
32866	09-Jan-12	1066	PERTEET ENGINEERING, INC.		\$862.40
20110012.000-1			Prof sevices	\$862.40	\$0.00
001007558004107			Planning-CA - Developer Reimb	\$862.40	
32867	09-Jan-12	9333	Petty Cash Account (N. Scott)		\$101.23
12.31.11			Refund petty cash account	\$101.23	\$0.00
001007558003200			Planning-Operating Costs	\$77.00	
001008521003104			Law Enforcement-Operating Cost	\$10.00	
001013519903100			General Government - Operating	\$6.83	
410016542404200			Storm Water - Communications	\$7.40	
32868	09-Jan-12	1140	PLATT ELECTRIC SUPPLY		\$279.34
872175			Light bulbs	\$87.23	\$0.00
001008521004800			Law Enforcement - Repair & Mai	\$87.23	
878234			Ventilator/coils	\$172.11	\$0.00
001013555506400			New Senior Center	\$172.11	
885221			Ventilator	(\$85.87)	\$0.00
001013555506400			New Senior Center	(\$85.87)	
885281			restroom fans Senior center	\$105.87	\$0.00
001013555506400			New Senior Center	\$105.87	
32869	09-Jan-12	12520	PUBLIC SAFETY TESTING		\$425.00
2012-4300			Q4.2011 Recruiting assistance	\$425.00	\$0.00
001003516904100			Civil Service - Professional S	\$425.00	
32870	09-Jan-12	11869	PUGET SOUND ENERGY		\$475.33
12/08/11			Utilities - gas	\$245.62	\$0.00

Detail Check Register

05-Jan-12

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
001010576804700			Parks - Utilities	\$81.87	
101016542004700			Street Fund - Utilities	\$81.87	
410016542404701			Storm Water Utilities	\$81.88	
12/8/11			Utilities - gas	\$229.71	\$0.00
					\$229.71
001010576804700			Parks - Utilities	\$76.57	
101016542004700			Street Fund - Utilities	\$76.57	
410016542404701			Storm Water Utilities	\$76.57	
32871	09-Jan-12	13304	Purchase Power		\$420.00
12/11 80009000183197			Postage	\$420.00	\$0.00
					\$420.00
001007558004200			Planning - Communication	\$71.89	
001008521004200			Law Enforcement - Communicatio	\$4.76	
001013519904200			General Government - Communica	\$331.14	
101016542004200			Street Fund - Communications	\$6.11	
410016542404200			Storm Water - Communications	\$6.10	
32872	09-Jan-12	13378	Qualified Targets		\$148.46
21102995			Academy Target	\$148.46	\$0.00
					\$148.46
001008521003104			Law Enforcement-Operating Cost	\$148.46	
32873	09-Jan-12	13556	Seams Sew Fitting		\$78.19
1044			uniform alterations	\$78.19	\$0.00
					\$78.19
001008521002600			Law Enforcment Clothing	\$78.19	
32874	09-Jan-12	13842	Shannon & Wilson Inc		\$5,203.15
85767			Prof services	\$5,203.15	\$0.00
					\$5,203.15
101016595616440			36th Street Bridge Repair	\$5,203.15	
32875	09-Jan-12	13905	Sherryl Brongil		\$597.30
Refund C11-3292			Refund case #C11-3292	\$597.30	\$0.00
					\$597.30
001008521004100			Law Enforcement - Professional	\$597.30	
32876	09-Jan-12	12722	SHRED-it WESTERN WASHINGTON		\$49.50
101140147			shredding services	\$49.50	\$0.00
					\$49.50
001008521003104			Law Enforcement-Operating Cost	\$49.50	
32877	09-Jan-12	12346	SNOHOMISH COUNTY AUDITOR		\$6,020.93
S-1111-8			Nov 2011 election cost	\$6,020.93	\$0.00
					\$6,020.93
001001511805100			General Government-Elections C	\$6,020.93	
32878	09-Jan-12	1379	Snohomish County Human Service		\$1,495.59
I000292445			Q3.2011 Liquour Excise Taxes	\$1,495.59	\$0.00
					\$1,495.59

Detail Check Register

05-Jan-12

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
001013567005100			General Government - Alcoholis	\$1,495.59	
32879	09-Jan-12	1382	Snohomish County Public Works	\$15,796.89	
I000289780			Repair & Maint	\$14,637.05	\$0.00 \$14,637.05
001008521004800			Law Enforcement - Repair & Mai	\$6,493.73	
101016542004800			Street Fund - Repair & Mainten	\$3,243.02	
410016531503104			DOE-G1100060 SW Capacity Exp	\$1,657.28	
410016542404800			Storm Water - Repairs & Maint.	\$3,243.02	
I000292424			Signal repair	\$1,159.84	\$0.00 \$1,159.84
101016542004800			Street Fund - Repair & Mainten	\$1,159.84	
32880	09-Jan-12	12961	SNOHOMISH COUNTY PUD	\$2,159.34	
113776639			Utilities - electric	\$157.42	\$0.00 \$157.42
410016542404700			Storm Water-Aerat. Utilities	\$157.42	
117100954			Utilities - electric	\$371.87	\$0.00 \$371.87
101016542630000			Street Fund - Street Lighting	\$371.87	
120413322			Utilities - electric	\$165.41	\$0.00 \$165.41
101016542630000			Street Fund - Street Lighting	\$165.41	
120415190			Utilities - electric	\$428.24	\$0.00 \$428.24
101016542630000			Street Fund - Street Lighting	\$428.24	
127052718			Utilities - electric	\$299.12	\$0.00 \$299.12
001010576804700			Parks - Utilities	\$99.71	
101016542004700			Street Fund - Utilities	\$99.71	
410016542404701			Storm Water Utilities	\$99.70	
127056785			Utilities - electric	\$483.75	\$0.00 \$483.75
101016542630000			Street Fund - Street Lighting	\$483.75	
130365427			Utilities - electric	\$90.81	\$0.00 \$90.81
101016542630000			Street Fund - Street Lighting	\$90.81	
130366678			Utilities - electric	\$162.72	\$0.00 \$162.72
101016542630000			Street Fund - Street Lighting	\$162.72	
32881	09-Jan-12	12961	SNOHOMISH COUNTY PUD	\$110.72	
140227315			Utilities - electric	\$43.88	\$0.00 \$43.88
001010576804700			Parks - Utilities	\$43.88	

Detail Check Register

05-Jan-12

Lake Stevens

Check No	Check Date	VendorNo	Vendor		Check Amount
150174629			Utilities - electric	\$66.84	\$66.84
001010576804700			Parks - Utilities	\$66.84	
32882	09-Jan-12	13807	Snohomish County PUD		\$300.00
2011 01182011201-06			Fill Station permit	\$300.00	\$300.00
101016542003102			Street Fund Operating Costs	\$300.00	
32883	09-Jan-12	1388	Snohomish County Treasurer		\$267.23
12/2011			Dec 2011 Crime Victims comp	\$267.23	\$267.23
633008589000001			Crime Victims Compensation	\$267.23	
32884	09-Jan-12	1419	State Auditors Office		\$585.20
L91131			Audit Services	\$585.20	\$585.20
001004514234100			Finance - Professional Service	\$585.20	
32885	09-Jan-12	12579	SUMMIT LAW GROUP		\$1,425.00
54512			Prof services	\$1,425.00	\$1,425.00
001005515204100			Legal - Professional Service	\$1,425.00	
32886	09-Jan-12	13175	Tab Northwest		\$2,462.20
2069473			Case files	\$2,462.20	\$2,462.20
001008521003100			Law Enforcement - Office Suppl	\$2,462.20	
32887	09-Jan-12	13891	Tacoma Screw Products Inc		\$392.31
10249832			supplies	\$85.36	\$85.36
001010576804800			Parks - Repair & Maintenance	\$85.36	
10251077			supplies	\$99.59	\$99.59
101016542004800			Street Fund - Repair & Mainten	\$99.59	
10257213			Hardware	\$99.85	\$99.85
001010576804800			Parks - Repair & Maintenance	\$99.85	
16010980			Nylon wire terminals	\$107.51	\$107.51
101016542004800			Street Fund - Repair & Mainten	\$53.76	
410016542404800			Storm Water - Repairs & Maint.	\$53.75	
32888	09-Jan-12	11787	Teamsters Local No. 763		\$524.00
12/2011			Union Dues	\$524.00	\$524.00
001000281000000			Payroll Liabilities	\$524.00	
32889	09-Jan-12	13821	Terminix Commercial		\$59.73

Detail Check Register

05-Jan-12

Lake Stevens

Check No	Check Date	VendorNo	Vendor		Check Amount
309998952			Pest control Eagle Ridge	\$59.73	\$59.73
001010576803100			Parks - Operating Costs	\$59.73	
32890	09-Jan-12	13580	The Wide Format Company		\$658.48
53829			Service Call plotter	\$658.48	\$658.48
101016542004800			Street Fund - Repair & Mainten	\$329.24	
410016531503104			DOE-G1100060 SW Capacity Exp	\$329.24	
32891	09-Jan-12	11788	United Way of Snohomish Co.		\$257.68
12/11			Employee Contributions	\$257.68	\$257.68
001000281000000			Payroll Liabilities	\$257.68	
32892	09-Jan-12	13045	UPS		\$59.52
74Y42511			Evidence shipping	\$37.26	\$37.26
001008521004200			Law Enforcement - Communicatio	\$37.26	
74Y42521			Evidence shipping	\$22.26	\$22.26
001008521004200			Law Enforcement - Communicatio	\$22.26	
32893	09-Jan-12	12158	VERIZON NORTHWEST		\$2,540.46
1042604355			Communications	\$2,540.46	\$2,540.46
001003511104200			Executive - Communication	\$58.43	
001003513104200			Administration-Communications	\$89.64	
001003514104200			City Clerks-Communications	\$34.77	
001003516104200			Human Resources-Communications	\$57.56	
001003518104200			IT Dept-Communications	\$115.12	
001007558004200			Planning - Communication	\$148.13	
001008521004200			Law Enforcement - Communicatio	\$1,428.55	
001010576804200			Parks - Communication	\$202.75	
101016542004200			Street Fund - Communications	\$202.75	
410016542404200			Storm Water - Communications	\$202.76	
32894	09-Jan-12	1579	VILLAGE ACE HARDWARE		\$1,772.56
12/31/11			Supplies	\$1,772.56	\$1,772.56

Detail Check Register

05-Jan-12

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
001008521004800			Law Enforcement - Repair & Mai	\$90.78	
001010576804800			Parks - Repair & Maintenance	\$254.05	
001012572504800			Library - Repair & Maint.	\$22.80	
001013519904800			General Government - Repair/Ma	\$16.34	
001013555506400			New Senior Center	\$51.43	
101016542003102			Street Fund Operating Costs	\$115.38	
101016542004800			Street Fund - Repair & Mainten	\$83.06	
101016542640000			Street Fund - Traffic Control	\$30.93	
101016542660000			Street Fund - Snow & Ice Contr	\$875.21	
410016542403102			Storm Water - Operating Costs	\$115.35	
410016542404800			Storm Water - Repairs & Maint.	\$117.23	
32895	09-Jan-12	13055	Washington St. Dept of Printin		\$188.91
59849			Business Cards	\$188.91	\$0.00
001008521003100			Law Enforcement - Office Suppl	\$188.91	
32896	09-Jan-12	12761	WASHINGTON STATE PATROL		\$423.50
I12004164			Background checks weapons permit	\$423.50	\$0.00
633008589000006			Gun Permit - FBI Remittance	\$423.50	
32897	09-Jan-12	13843	Weinman Consulting LLC		\$40,704.14
No 9 20th St			Professional Svcs 20th St	\$18,604.83	\$0.00
001007558804111			Planning-Economic Development	\$18,604.83	
No 9 LSC			Professional Svcs LSC	\$22,099.31	\$0.00
001007558804111			Planning-Economic Development	\$22,099.31	
32898	09-Jan-12	12845	ZACHOR & THOMAS, INC. P.S.		\$7,166.25
512			Prosecutor services	\$7,166.25	\$0.00
001013515210000			Prosecutor fees	\$7,166.25	
Total Of Checks:					\$180,262.95

Detail Check Register

05-Jan-12

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
32899	09-Jan-12	13757	Comdata Corporation		\$10,296.24
20160057	Fuel			\$8,128.83	\$0.00
001008521003200	Law Enforcement - Fuel			\$8,128.83	
20160058	Fuel			\$2,167.41	\$0.00
001003518103200	IT - Fuel			\$37.79	
001007559003101	Building Department - Operatin			\$96.99	
101016542003200	Street Fund - Fuel			\$1,016.32	
410016542403200	Storm Water - Fuel			\$1,016.31	
Total Of Checks:					\$10,296.24

Detail Check Register

05-Jan-12

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount		
32909	09-Jan-12	13689	TaxCalcUSA			\$66.87
10825-814			W2s and 1099 for 2011	\$66.87	\$0.00	\$66.87
001004514233100			Finance - Office Supplies	\$66.87		
Total Of Checks:						\$66.87

Detail Check Register

05-Jan-12

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
32910	09-Jan-12	13715	Sno Co Sherrifs Office		\$11,887.45
2011-922			Prisoner Housing Snoco Dec 2011	\$11,887.45	\$0.00 \$11,887.45
001008523005100			Law Enforcement - Jail	\$11,887.45	
Total Of Checks:					\$11,887.45



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**BLANKET VOUCHER APPROVAL
 2012**

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

Payroll Direct Deposits		
Payroll Checks		
Claims	32900-32908	\$266,772.70
Electronic Funds Transfers	408-413	\$137,156.18
Void Checks		
Tax Deposit(s)		
Total Vouchers Approved:		\$403,928.88

This 9th day of January 2012:

 Mayor

 Councilmember

 Finance Director

 Councilmember

 Councilmember

 Councilmember



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Direct Deposit Register

04-Jan-2012

Wells Fargo - AP

Lake Stevens

Direct Deposits to Accounts

04-Jan-2012	<u>Vendor</u>	<u>Source</u>	<u>Amount</u>	<u>Draft#</u>	<u>Bank Name</u>	<u>Transit</u>	<u>Account</u>
12112	AFLAC	C	\$1,354.38	408	Wells Fargo	121000248	4159656917
101	Assoc. Of Washington Cities	C	\$80,506.13	409	Wells Fargo	121000248	4159656917
9407	Department of Retirement (Pers	C	\$49,053.07	410	Wells Fargo	121000248	4159656917
9408	NATIONWIDE RETIREMENT SOL	C	\$848.25	411	Wells Fargo	121000248	4159656917
1418	Standard Insurance Company	C	\$4,965.85	412	Wells Fargo	121000248	4159656917
9405	Wash State Support Registry	C	\$428.50	413	Wells Fargo	121000248	4159656917
Total:			\$137,156.18		Count:	6.00	

Direct Deposit Summary

<i>Type</i>	<i>Count</i>	<i>Total</i>
C	6	\$137,156.18

Pre-Note Transactions

Detail Check Register

05-Jan-12

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
32900	09-Jan-12	105	Assoc. Of Washington Cities		\$19,084.00
2012		2012 membership		\$19,084.00	\$0.00 \$19,084.00
001013519904904		General Government - A.W.C.		\$19,084.00	
32901	09-Jan-12	13897	Econo Heat Inc		\$8,310.11
112335-091210		Recycled Oil Furnace		\$8,310.11	\$0.00 \$8,310.11
101016543504802		Facilities R&M (City Shop)		\$8,310.11	
32902	09-Jan-12	13140	emGovPower		\$3,000.00
846		2012 software support		\$3,000.00	\$0.00 \$3,000.00
001004514234800		Finance - Fin. Software Maint		\$2,100.00	
101016542004105		Computer Software - Support		\$450.00	
410016542404104		Computer Software - Support		\$450.00	
32903	09-Jan-12	626	Lake Stevens Chamber of Commer		\$120.00
2640		2012 mbr mtgs		\$120.00	\$0.00 \$120.00
001003513104300		Administration - Travel & Mtgs		\$60.00	
001008521004300		Law Enforce - Travel & Mtgs		\$60.00	
32904	09-Jan-12	852	Lake Stevens Journal		\$94.00
2012 City Hall		2012 subscription - City Hall		\$47.00	\$0.00 \$47.00
001013519903100		General Government - Operating		\$47.00	
2012 PD		2012 subscription - Police Dept		\$47.00	\$0.00 \$47.00
001008521003104		Law Enforcement-Operating Cost		\$47.00	
32905	09-Jan-12	13711	New Chapter Cleaning		\$665.95
1112		Janitorial Services		\$665.95	\$0.00 \$665.95
001007558004100		Planning - Professional Servic		\$21.86	
001007559004100		Building Department - Professi		\$21.85	
001008521004100		Law Enforcement - Professional		\$381.90	
001013519904100		General Government - Professio		\$109.25	
001013555504100		Community Center - Cleaning		\$87.40	
101016542004100		Street Fund - Professional Ser		\$21.85	
410016542404101		Storm Water - Professional Ser		\$21.84	
32906	09-Jan-12	1177	Puget Sound Clean Air Agency		\$3,179.25
12-0565		Q1.2012 clean air assessment		\$3,179.25	\$0.00 \$3,179.25
001013531705100		General Government - Air Pollu		\$3,179.25	
32907	09-Jan-12	13458	The Bank of New York		\$603.39
111-1500813		2012 Admin fee		\$300.82	\$0.00 \$300.82
210000592208576		2008 Bond Fees		\$300.82	

Detail Check Register

05-Jan-12

Lake Stevens

Check No	Check Date	VendorNo	Vendor		Check Amount
111-1500814	2012	Admin fee		\$302.57	\$302.57
206008592208576		Pol Bldg Bond Fees		\$302.57	
32908	09-Jan-12	1585	WA Cities Insurance Authority		\$231,716.00
1057		2012 Liability /Program Assessment		\$231,716.00	\$231,716.00
001004514234600		Finance - Insurance		\$122.00	
001008521004600		Law Enforcement - Insurance		\$154,542.00	
001010576804600		Parks - Insurance		\$3,030.00	
001013519904600		General Government - Insurance		\$21,388.00	
101016542004600		Street Fund - Insurance		\$7,848.00	
410016542404600		Storm Water - Insurance		\$44,786.00	
Total Of Checks:					\$266,772.70



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LAKE STEVENS CITY COUNCIL
STAFF REPORT

Council Agenda Date: 1/09/12

Subject: Amendment to cost (Exhibit B) of Professional Services Agreement for Child Interview Specialist Services "Dawson Place"

Contact Person/Department: Chief Randy W. Celori **Total Budget Impact:** \$7178.24

RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL: Authorize the Mayor to sign the Professional Services Agreement for Child Interview Specialist Services with the increased cost of \$109.33.

SUMMARY/BACKGROUND:

On December 12, 2011 The City Council authorized the Mayor to sign the Professional Services Agreement for Child Interview Specialist Services with Dawson Place. The cost for this service at the time the agreement was authorized by the City Council was \$7068.91. On December 21, 2011, I was notified that the City of Brier withdrew from the agreement. As a result of Brier withdrawing, it increased all the other participating agencies cost proportionate to their previous usage rate. Lake Stevens cost increased from \$7068.91 to \$7178.24, an increase of \$109.33.

Dawson Place Child Advocacy Center is a not for profit comprehensive multidisciplinary team serving child victims of sexual or physical abuse in Snohomish County, Washington. Law enforcement, child protective services, medical, victim advocacy, prosecution, and mental health agencies all work together to provide the best possible services to children and their families victimized by sexual or physical abuse.

Children and families benefit from having a single point of contact with many agencies in one place. Intervention and treatment in child abuse cases is strengthened as a result of having many disciplines working together toward common goals, which include support and services for the child and holding offenders accountable.

Dawson Place has agreed to provide a trained professional Child Interview Specialist to participating jurisdictions. It is in the best interest of all participating jurisdictions, including Lake Stevens to utilize a professional Child Interview Specialist when conducting interviews of children subjected to child abuse and other crimes where children are victims or witnesses.

APPLICABLE CITY POLICIES:

BUDGET IMPACT:

The cost of \$7068.91 for the Child Interview Specialist was anticipated for 2012 and included in Law Enforcement–Professional Services 2012 budget. The increase of \$109.33 is not expected to have a significant impact on this budget.

ATTACHMENTS:

- ▶ Exhibit A: Professional Services Agreement Exhibit B (Without the City of Brier)
- ▶ Exhibit B: Professional Services Agreement Exhibit B (Original)
- ▶ Exhibit C: Professional Services Agreement for Child Interview Specialist Services “Dawson Place”

Salary / Benefits	\$62,273.13
Operating Expenses	
Computers	\$2,000.00
Equipment Maintenance	\$500.00
Supplies / Training	\$3,000.00
Office Space	\$16,000.00
Total	\$83,773.13

Participating Jurisdiction	2% of Salary	Number of Interviews	Cost Based On Use (\$257.9470 per interview)	Total
Arlington Police Department	\$1,245.46	9	\$2,321.52	\$3,566.99
Bothell Police Department	\$1,245.46	4	\$1,031.79	\$2,277.25
Edmonds Police Department	\$1,245.46	10	\$2,579.47	\$3,824.93
Everett Police Department	\$1,245.46	53	\$13,671.19	\$14,916.65
Granite Falls Police Department	\$1,245.46	2	\$515.89	\$1,761.36
Lake Stevens Police Department	\$1,245.46	23	\$5,932.78	\$7,178.24
Lynnwood Police Department	\$1,245.46	11	\$2,837.42	\$4,082.88
Marysville Police Department	\$1,245.46	38	\$9,801.99	\$11,047.45
Mill Creek Police Department	\$1,245.46	12	\$3,095.36	\$4,340.83
Mukilteo Police Department	\$1,245.46	2	\$515.89	\$1,761.36
Snohomish County Sheriff**	\$1,245.46	91	\$23,473.18	\$24,718.64
Snohomish Police Department	\$1,245.46	7	\$1,805.63	\$3,051.09
Stillaguamish Tribal Police	\$1,245.46	0	\$0.00	\$1,245.46
Total	\$16,191.01	262	\$67,582.11	\$83,773.13

* 2013 and 2014 Expenses and amounts due from each Participating Jurisdiction to be determined at a later date.

** The total amount due from the Snohomish County Sheriff's Department includes \$8,286.05 for interview services, plus the \$16,000 due for Office Space, listed above.

Exhibit B

Without Brier

EXHIBIT A

Salary / Benefits	\$62,273.12
Operating Expenses	
Computers	\$2,000.00
Equipment Maintenance	\$500.00
Supplies / Training	\$3,000.00
Office Space	\$16,000.00
Total	\$83,773.12

Participating Jurisdiction	2% of Salary	Number of Interviews	Cost Based On Use (\$253.1933 per interview)	Total
Arlington Police Department	\$1,245.46	9	\$2,278.74	\$3,524.20
Brier Police Department	\$1,245.46	0	\$0.00	\$1,245.46
Bothell Police Department	\$1,245.46	4	\$1,012.77	\$2,258.24
Edmonds Police Department	\$1,245.46	10	\$2,531.93	\$3,777.40
Everett Police Department	\$1,245.46	53	\$13,419.24	\$14,664.71
Granite Falls Police Department	\$1,245.46	2	\$506.39	\$1,751.85
Lake Stevens Police Department	\$1,245.46	23	\$5,823.45	\$7,068.91
Lynnwood Police Department	\$1,245.46	11	\$2,785.13	\$4,030.59
Marysville Police Department	\$1,245.46	38	\$9,621.35	\$10,866.81
Mill Creek Police Department	\$1,245.46	12	\$3,038.32	\$4,283.78
Mukilteo Police Department	\$1,245.46	2	\$506.39	\$1,751.85
Snohomish County Sheriff**	\$1,245.46	91	\$23,040.59	\$24,286.05
Snohomish Police Department	\$1,245.46	7	\$1,772.35	\$3,017.82
Stillaguamish Tribal Police	\$1,245.46	0	\$0.00	\$1,245.46
Total	\$17,436.47	262	\$66,336.64	\$83,773.12

* 2013 and 2014 Expenses and amounts due from each Participating Jurisdiction to be determined at a later date.

** The total amount due from the Snohomish County Sheriff's Department includes \$8,286.05 for interview services, plus the \$16,000 due for Office Space, listed above.

Exhibit B

EXHIBIT B

PROFESSIONAL SERVICES AGREEMENT FOR CHILD INTERVIEW SPECIALIST SERVICES

This Professional Services Agreement For Child Interview Specialist Services (this "Agreement") is made and entered into as of this _____ day of _____, 2011, by and among Snohomish County Child Advocacy Center d/b/a Dawson Place, a duly registered Washington non-profit corporation ("**DAWSON PLACE**") and Snohomish County, a political subdivision of the State of Washington, the City of Arlington, a municipal corporation of the State of Washington, the City of Bothell, a municipal corporation of the State of Washington, the City of Lake Stevens, a municipal corporation of the State of Washington, the City of Lynnwood, a municipal corporation of the State of Washington, the City of Marysville, a municipal corporation of the State of Washington, the City of Granite Falls, a municipal corporation of the State of Washington, the City of Edmonds, a municipal corporation of the State of Washington, the City of Mill Creek, a municipal corporation of the State of Washington, the City of Everett, a municipal corporation of the State of Washington, the City of Mukilteo, a municipal corporation of the State of Washington, the City of Snohomish, a municipal corporation of the State of Washington, the City of Brier, a municipal corporation of the State of Washington, and the Stillaguamish Tribe of Indians (all such county, municipal and tribal entities collectively, the "**PARTICIPATING JURISDICTIONS**").

WITNESSETH:

WHEREAS, it is in the best interest of the **PARTICIPATING JURISDICTIONS** to utilize professional Child Interview Specialist (hereinafter referred to as "**CIS**") services to facilitate investigations of child abuse and other crimes wherein children are victims or witnesses; and

WHEREAS, **DAWSON PLACE** has agreed to provide trained professional **CIS Services** to the **PARTICIPATING JURISDICTIONS** for investigations;

NOW, THEREFORE, in consideration of the mutual promises and covenants set forth below, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1.0 TERM

The term of this Agreement (the "**Term**") shall commence on January 1, 2012 (the "**Commencement Date**"), and shall expire on December 31, 2014 (the "**Expiration Date**"); **PROVIDED**, however, that Snohomish County's obligations are contingent upon local legislative appropriation of the necessary funds for this specific purpose in accordance with the Snohomish County Charter and applicable law.

2.0 SERVICES TO BE PERFORMED

- 2.1 DAWSON PLACE shall provide CIS services to the PARTICIPATING JURISDICTIONS on an as needed basis during the term of this Agreement. All cases of PARTICIPATING JURISDICTIONS will be given equal priority.
- 2.2 "CIS Services" include the following:
 - 2.2.1 Interview child victims of sexual assault and physical abuse as requested.
 - 2.2.2 Document interviews; maintain detailed records of all interviews and statistics.
 - 2.2.3 Assist detectives on assigned cases working with victim's family.
 - 2.2.4 Assist investigators in interviewing victims and witnesses of other crimes involving children as requested; conduct courtesy interviews for police agencies in other states; work with interpreters to gather information from disabled children; interview children and adults who are developmentally delayed and/or physically disabled as requested.
 - 2.2.5 Testify in court as requested; provide agencies with a DVD of the interviews; provide assistance to the Prosecuting Attorney's Office, as requested for child interview DVD transcriptions.
 - 2.2.6 Provide training to public and to detectives on child sex abuse issues.
 - 2.2.7 Network with community agencies to maintain compatible working relationships.
- 2.3 DAWSON PLACE shall provide a quarterly report to the PARTICIPATING JURISDICTIONS that summarizes CIS Services performed on the PARTICIPATING JURISDICTIONS' behalf during the previous quarter.

3.0 DAWSON PLACE OBLIGATIONS

- 3.1 DAWSON PLACE shall provide a CIS to the PARTICIPATING JURISDICTIONS.
- 3.2 DAWSON PLACE shall be responsible for coordinating daily operations related to the provision of CIS Services pursuant to this Agreement.
- 3.3 CIS interviews will be conducted at DAWSON PLACE, located at 1509 California Street, Everett, WA 98201, unless another location is agreed to by the PARTICIPATING JURISDICTIONS and DAWSON PLACE.

- 3.4 DAWSON PLACE shall ensure that any professional providing CIS Services pursuant to this Agreement has completed all required training.
- 3.5 DAWSON PLACE shall provide all equipment and training necessary to support the CIS Services, consistent with recognized and recommended practices within the field. Nothing in this section shall restrict the ability of the parties to mutually agree to changes in equipment or training necessary to maintain best practices, or to informally agree to share equipment or training costs in unforeseen circumstances.
- 3.6 All products of interviews conducted under this Agreement, which includes original recordings (audio and video), reports and statements, will be promptly provided to and remain under the control of the PARTICIPATING JURISDICTION that requested the interview.
- 3.7 DAWSON PLACE agrees that any professional who is providing CIS services pursuant to this Agreement shall not be considered for any purpose to be an employee or agent of any PARTICIPATING JURISDICTION.
- 3.8 SICK LEAVE TEMPORARY REPLACEMENT. If CIS Services are not available due to illness or injury for longer than ten (10) days, DAWSON PLACE shall make arrangements for temporary replacement CIS Services beginning on the eleventh (11th) work day until such time as regular CIS Services resume.
- 3.9 DISCIPLINARY TEMPORARY REPLACEMENT. If CIS Services are not available due to disciplinary action for a period in excess of one (1) work day, DAWSON PLACE shall make arrangements for replacement CIS Services during the remaining term of the discipline.
- 3.10 TEMPORARY REPLACEMENT; UNPLANNED OR ANNUAL LEAVE. If CIS Services are not available due to annual leave or any unplanned reason for a period of ten (10) consecutive work days, DAWSON PLACE shall make arrangements for replacement CIS Services beginning on the eleventh (11th) work day until such time as regular CIS Services resume.
- 3.11 TEMPORARY REPLACEMENT; PLANNED ABSENCE. If CIS Services are not available because of any pre-planned reason other than annual leave (example: attendance at a long term work-related training), for a period in excess of ten (10) consecutive work days, DAWSON PLACE shall make arrangements for replacement CIS Services beginning on the first day of the planned absence.

4.0 PARTICIPATING JURISDICTION OBLIGATIONS

- 4.1 After the items referenced in Section 3.6 above are provided to a PARTICIPATING JURISDICTION, it shall be the sole responsibility of that

PARTICIPATING JURISDICTION to properly secure, maintain, distribute, transcribe or dispose of said items. DAWSON PLACE may maintain a working copy of all CIS recordings, reports and/or documents. Each PARTICIPATING JURISDICTION acknowledges that transcriptions of audio/video CIS interviews are frequently required by the Prosecuting Attorney, the Defense or the Court, and each PARTICIPATING JURISDICTION agrees to complete any required transcribing of CIS interviews conducted under this Agreement.

- 4.2 A PARTICIPATING JURISDICTION shall attend and observe CIS interviews that the PARTICIPATING JURISDICTION requests, and shall control, maintain and retain the original DVD recording of such CIS interviews for evidentiary purposes, and shall be solely liable for third party arrest, prosecution and evidentiary issues, such as admissibility arising from or as a result of the interview contents of the DVD. The PARTICIPATING JURISDICTION shall indemnify and hold harmless DAWSON PLACE for such liability.
- 4.3 The PARTICIPATING JURISDICTIONS will coordinate scheduling interviews conducted under this Agreement with DAWSON PLACE.
- 4.4 In consideration of DAWSON PLACE providing the CIS Services as set forth in Section 2.0 and 3.0 herein, the PARTICIPATING JURISDICTIONS will pay DAWSON PLACE as set forth in Section 6.0.

5.0 INTENTIONALLY OMITTED

6.0 COMPENSATION, INVOICING AND PAYMENT

- 6.1 The PARTICIPATING JURISDICTIONS agree to pay the following amounts to DAWSON PLACE for providing CIS services set forth in this Agreement:

6.1.1 In consideration for the CIS Services provided by DAWSON PLACE from January 1, 2012 to December 31, 2012, the PARTICIPATING JURISDICTIONS shall, upon receipt of invoices in accordance with this Section 6, collectively pay to DAWSON PLACE a total amount of eighty three thousand seven hundred seventy three dollars (\$83,773.00).

6.1.2 In consideration for the CIS Services provided by DAWSON PLACE from January 1, 2013 to December 31, 2013, the PARTICIPATING JURISDICTIONS shall, upon receipt of invoices in accordance with this Section 6, collectively pay to DAWSON PLACE a total amount to be determined at a later date, but which will equal the total amount due for 2012 plus an increase in that amount equal to 100% of the June to June Seattle, Tacoma, Bremerton CPI-W published in June 2012, but not to exceed 3%.

6.1.3 In consideration for the CIS Services provided by DAWSON PLACE from January 1, 2014 to December 31, 2014, the PARTICIPATING JURISDICTIONS shall, upon receipt of invoices in accordance with this Section 6, collectively pay to DAWSON PLACE a total amount to be determined at a later date, but which will equal the total amount due for 2013 plus an increase in that amount equal to 100% of the June to June Seattle, Tacoma, Bremerton CPI-W published in June 2013, but not to exceed 3%.

6.2 Each PARTICIPATING JURISDICTION'S portion of the amount due to DAWSON PLACE will be calculated and paid as follows:

6.2.1 Payments due for 2012 are set forth in Exhibit B to the Interlocal Agreement Establishing Cooperative Financial Support for Dawson Place of even date herewith, attached hereto. Each PARTICIPATING JURISDICTION shall pay 2% of the base salary, plus a portion of the remaining amount due, calculated based on the number of interviews performed for each PARTICIPATING JURISDICTION during the previous year. Payments due for 2013 and 2014 will be calculated at a later date, and will be based on the provisions of Section 6.1, above, and the number of interviews performed for each PARTICIPATING JURISDICTION the previous year. While the payments due from each PARTICIPATING JURISDICTION will be calculated based on the number of interviews performed for them during the previous year, the payments made are intended to cover the costs of the work performed during the current year. It is anticipated that Exhibit B will be updated when the 2013 and 2014 costs are calculated, and may also be updated from time to time if and when the makeup of the PARTICIPATING JURISDICTIONS changes. Such an update, when made in accordance with this Section 6.1, is a clerical update to Exhibit B and is not an amendment to this Agreement.

6.2.2 In order to receive payment under this Section 6, DAWSON PLACE shall submit an invoice to each PARTICIPATING JURISDICTION each quarter, which invoice shall contain that PARTICIPATING JURISDICTION'S portion of the amount due to DAWSON PLACE for the CIS Services provided under this Agreement, as set forth in Exhibit B. Each PARTICIPATING JURISDICTION shall pay its invoice in full, within thirty (30) days after the PARTICIPATING JURISDICTION receives same. Should a PARTICIPATING JURISDICTION object to all or any portion of any invoice, the PARTICIPATING JURISDICTION shall notify DAWSON PLACE of its objection in writing within twenty (20) days after receiving the invoice at issue. Invoices shall be mailed to the persons specified in Exhibit A to this Agreement.

6.3 DAWSON PLACE agrees that payment of the sums listed in Sections 6.1 constitute full compensation for services provided under this Agreement and Dawson Place may, at its discretion, use such funds for all CIS Service-related costs incurred. Should a professional who is providing CIS Services pursuant to this Agreement be required to travel out of Snohomish County for work on a PARTICIPATING JURISDICTION investigation or to testify in court on behalf of a case, all travel costs, including conveyance, lodging and per diem, shall be paid by the requesting PARTICIPATING JURISDICTION. In order to be eligible for reimbursement, all travel must be pre-approved by that PARTICIPATING JURISDICTION and reimbursement for travel will not exceed that PARTICIPATING JURISDICTION'S reimbursement rates.

7.0 DIRECTION AND CONTROL

DAWSON PLACE agrees that DAWSON PLACE will perform the services under this Agreement as an independent contractor and not as an agent, employee, or servant of the any PARTICIPATING JURISDICTION. The parties agree that DAWSON PLACE is not entitled to any benefits or rights enjoyed by employees of any PARTICIPATING JURISDICTION. DAWSON PLACE specifically has the right to direct and control DAWSON PLACE'S own activities in providing the agreed services in accordance with the specifications set out in this Agreement. The PARTICIPATING JURISDICTIONS shall only have the right to ensure performance. Nothing in this Agreement shall be construed to render the parties partners or joint venturers.

8.0 REMOVAL/REPLACEMENT OF CIS

Notwithstanding anything to the contrary contained elsewhere in this Agreement, the PARTICIPATING JURISDICTIONS shall have the right, at any time during the Term, to demand removal of the professional performing CIS Services under this Agreement. In order to exercise this right, the PARTICIPATING JURISDICTIONS must deliver to DAWSON PLACE a written notice, signed by authorized representatives of PARTICIPATING JURISDICTIONS that have collectively paid at least 50% of amounts paid to DAWSON PLACE since the effective date of this Agreement, demanding that DAWSON PLACE remove the professional providing CIS Services under this Agreement and outlining the basis for such demand ("Demand for Removal"). Within fifteen (15) days of receiving such Demand for Removal, DAWSON PLACE shall remove the individual performing CIS Services under this Agreement.

Within fifteen (15) days of removal of the professional providing CIS Services under this Section, DAWSON PLACE shall make arrangements for replacement CIS Services to be provided to the PARTICIPATING JURISDICTIONS. If CIS Services are not replaced within thirty (30) days after the date on which DAWSON PLACE received the Demand for Removal, then this Agreement shall automatically terminate.

9.0 HOLD HARMLESS

Each party to this Agreement shall save, indemnify, defend and hold every other party and its agents, employees and contractors harmless from and against any and all costs, liabilities, suits, losses, damages, claims, expenses, penalties or charges, including, without limitation, reasonable attorneys' fees and disbursements, that the other parties may incur or pay out by reason of any accidents, damages or injuries to persons or property, including claims by third parties or employees against which the parties would otherwise be immune under Title 51 RCW or other law, arising from the performance of this Agreement, but only to the extent the same are caused by any negligent or wrongful act of the indemnifying party.

The provisions of this Section 9.0 shall survive the expiration or earlier termination of this Agreement.

10.0 WITHDRAWAL

Any PARTICIPATING JURISDICTION may withdraw from participation in this Agreement effective January 1st for any reason or for no reason by providing written notice of such withdrawal to all parties no later than November 1st of the preceding calendar year. Withdrawal shall not affect the rights of the PARTICIPATING JURISDICTIONS under any other section or paragraph herein.

If after November 1st there are fewer than five (5) PARTICIPATING JURISDICTIONS that have not given notice of withdrawal, then the PARTICIPATING JURISDICTIONS that have not given notice of withdrawal shall meet no later than November 15th. At the meeting, these PARTICIPATING JURISDICTIONS will have another option to withdraw from the Agreement effective January 1st, which may be exercised by giving notice of withdrawal at the meeting. If by the end of the meeting no PARTICIPATING JURISDICTION desires to remain in the Agreement, then this Agreement may be terminated effective January 1st by delivery of written notice to DAWSON PLACE no later than December 1st.

11.0 INSURANCE REQUIREMENTS

DAWSON PLACE shall obtain and maintain continuously during the Term of this Agreement the following insurance:

Commercial General Liability Insurance with a minimum limit of \$1,000,000 per occurrence, \$2,000,000 general aggregate, and endorsed to include all PARTICIPATING JURISDICTIONS and their officers, elected officials, agents, and employees as an additional insured with respect to the work performed for the PARTICIPATING JURISDICTIONS. Insurance shall be written on ISO occurrence form CG 00 01 or a substitute form providing equivalent coverage.

Workers' Compensation Coverage as required by the Industrial Insurance laws of the State of Washington. DAWSON PLACE'S obligation shall extend to all personnel performing work on behalf of DAWSON PLACE pursuant to this

Agreement and must be obtained before performing any work under this Agreement. The PARTICIPATING JURISDICTIONS will not be responsible for payment of workers' compensation premiums or for any other claim or benefit for any individuals performing work on behalf of DAWSON PLACE that might arise under the Washington State Industrial Insurance laws.

Professional Technical Liability insurance appropriate to the CIS's profession with limits of \$1,000,000 per claim and \$1,000,000 policy aggregate limit.

12.0 DISPUTES

In the event of a dispute between the parties that cannot be resolved to each party's satisfaction, the issue shall be submitted to mediation through the Snohomish County Dispute Resolution Center. All parties agree to utilize this process prior to the institution of any legal action to enforce the terms and conditions of this Agreement. The cost of mediation shall be borne equally by the parties.

13.0 RECORDS

DAWSON PLACE shall maintain adequate records to support billings for services set forth in this Agreement. Said records shall be maintained for a period of six (6) years after completion of this Agreement. The PARTICIPATING JURISDICTIONS or their authorized representatives shall have access, during normal working hours, to any DAWSON PLACE books, documents, papers or records, which relate to this Agreement.

14.0 CONFIDENTIALITY

DAWSON PLACE shall not disclose, transfer, sell or otherwise release any client information gained by reason of performance under this Agreement to any person or entity. DAWSON PLACE may use such information solely for the purposes necessary to meet the requirements under this Agreement.

15.0 PUBLIC DISCLOSURE LAWS

The parties acknowledge, agree and understand that the county and municipal PARTICIPATING JURISDICTIONS are public agencies subject to certain disclosure laws, including, but not limited to Washington's Public Records Act, chapter 42.56 RCW. Each party understands that records related to this Agreement and DAWSON PLACE's performance of Services under this Agreement may be subject to disclosure pursuant to the Public Records Act or other similar law. In order to comply with disclosure laws, a PARTICIPATING JURISDICTION may require records generated pursuant to this Agreement from DAWSON PLACE. DAWSON PLACE covenants that it shall cooperate with the PARTICIPATING JURISDICTIONS in the event records generated pursuant to this Agreement are requested. DAWSON PLACE agrees to provide such records to the PARTICIPATING JURISDICTION in a timely manner and in a format requested by the PARTICIPATING JURISDICTION, so long as it is reasonably feasible to provide such records in the format requested.

16.0 LEGAL REQUIREMENTS

All parties shall comply with all applicable federal, state and local laws in performing their duties under this Agreement.

17.0 APPLICABLE LAW AND VENUE

This Agreement shall be construed under the laws of the State of Washington. Venue of any legal action brought to enforce any of the terms and conditions of this Agreement shall be Snohomish County, Washington.

18.0 NON-DISCRIMINATION

DAWSON PLACE shall comply with the Snohomish County Human Rights Ordinance, Chapter 2.460 SCC, which is incorporated herein by this reference. Execution of this Agreement constitutes a certification by DAWSON PLACE of its compliance with the requirements of Chapter 2.460 SCC. If DAWSON PLACE is found to have violated this provision, or furnished false or misleading information in an investigation or proceeding conducted pursuant to Chapter 2.460 SCC, this Agreement may be subject to a declaration of default and termination at the County's discretion. This provision shall not affect DAWSON PLACE'S obligations under other federal, state, or local laws against discrimination.

19.0 PREVAILING PARTY ATTORNEY'S FEES

In any legal action brought to enforce any of the terms and conditions of this Agreement, the prevailing party in said legal action shall be entitled to reasonable attorney's fees and costs incurred.

20.0 INDEPENDENT CONTRACTOR

DAWSON PLACE agrees that any professional providing CIS Services under this Agreement shall not be considered for any purpose an agent, employee, or servant of any PARTICIPATING JURISDICTION. The parties agree that professionals providing CIS Services under this Agreement are not entitled to any benefits or rights enjoyed by employees of the PARTICIPATING JURISDICTIONS. DAWSON PLACE specifically has the right to direct and control the activities of any professional providing the agreed CIS Services in accordance with the specifications set out in this Agreement. The PARTICIPATING JURISDICTIONS shall only have the right to ensure performance.

21.0 NOTICE

Any notice to be given to a PARTICIPATING JURISDICTION under this Agreement shall be either mailed or personally delivered to the Notice Address shown in Exhibit A.

Any notice to DAWSON PLACE shall be mailed or personally delivered to:

Dawson Place Child Advocacy Center
1509 California Street

Everett, WA 98201

Any party may, by reasonable written notice to the other parties, designate a different contact person, or otherwise alter its contact information for the giving of notices. All notices shall be deemed given on the day each such notice is personally delivered, transmitted by facsimile (with evidence of receipt), or delivered by overnight courier service, or on the third business day following the day such notice is mailed if mailed in accordance with this Section. Exhibit A may be updated from time to time to reflect current addresses. Such an update, when made in accordance with this Section 21, is a clerical update to Exhibit A and is not an amendment to this Agreement.

22.0 AMENDMENT

The parties reserve the right to amend this Agreement in the future from time to time as may be mutually agreed upon. No such amendment shall be effective unless written and signed with the same formality of this Agreement.

23.0 ENTIRE AGREEMENT

This Agreement constitutes the whole and entire agreement among the parties as to CIS Services and no other understandings, oral or otherwise, regarding CIS Services shall be deemed to exist or bind the parties

24.0 SEVERABILITY

If any part of this Agreement is unenforceable for any reason the remainder of the Agreement shall remain in full force and effect.

25.0 EXECUTION OF MULTIPLE ORIGINAL COUNTERPARTS

This Agreement may be reproduced in any number of original counterparts. Each party need sign only one counterpart and when the signature pages are all assembled with one original counterpart, that compilation constitutes a fully executed and effective agreement among all the PARTICIPATING JURISDICTIONS.

26.0 WARRANTY OF AUTHORITY

Each of the signatories hereto warrants and represents that he or she is competent and authorized to enter into this Agreement on behalf of the party for whom he or she purports to sign this Agreement.

IN WITNESS WHEREOF the PARTICIPATING JURISDICTIONS and DAWSON PLACE have executed this Agreement as of the date first above written.

DAWSON PLACE

By: _____
Mary Wahl, Executive Director
As Approved by Dawson Place Board of
Directors through Resolution
Dated _____.

CITY OF LAKE STEVENS

By: _____
Title: _____
Dated: _____

ATTEST:

By: _____
City Clerk
Dated: _____

APPROVED AS TO FORM:

By: _____
City Attorney
Dated: _____

EXHIBIT A

PARTICIPATING JURISDICTION	INVOICE ADDRESS	NOTICE ADDRESS
Snohomish County	Snohomish County Sheriff's Office Attn: Jill Iversen 3000 Rockefeller Ave M/S 606 Everett, WA 98201	Snohomish County Sheriff's Office Attn: Jeff Miller 3000 Rockefeller Ave M/S 606 Everett, WA 98201
Stillaguamish Police	Chief Joe Orford Stillaguamish Police Department 22714 6 th Ave NE Arlington, WA 98223	Chief Joe Orford Stillaguamish Police Department 22714 6 th Ave NE Arlington, WA 98223
City of Arlington	Debbie Strotz City of Arlington Finance Dept. 238 N. Olympic Arlington, WA 98223	Chief Nelson Beazley City of Arlington Police Department 110 E. Third St. Arlington, WA 98223
City of Bothell	Captain Drew Nielsen Bothell Police Department 18410 101 st Ave NE Bothell, WA 98011	Captain Drew Nielsen Bothell Police Department 18410 101 st Ave NE Bothell, WA 98011
City of Lake Stevens	Finance Director City of Lake Stevens P.O. Box 259 Lake Stevens, WA 98258	Chief of Police City of Lake Stevens 2211 Grade Road Lake Stevens, WA 98258
City of Lynnwood	Administrative Assistant to Chief of Police Lynnwood Police Department P.O. Box 5008 Lynnwood, WA 98046-5008	Deputy Chief Investigations/Services Lynnwood Police Department P.O. Box 5008 Lynnwood, WA 98046-5008
City of Marysville	Margaret Vanderwalker Marysville Police Department 1635 Grove Street Marysville, WA 98270	Commander Ralph Krusey Marysville Police Department 1635 Grove Street Marysville, WA 98270
City of Granite Falls	Chief Dennis Taylor Granite Falls Police Department 205 S. Granite Avenue P.O. Box 64 Granite Falls, WA 98252	Chief Dennis Taylor Granite Falls Police Department 205 S. Granite Avenue P.O. Box 64 Granite Falls, WA 98252
City of Edmonds	Marlene Eager Edmonds Police Department 250 5 th Ave. N. Edmonds, WA 98020	Gerry Gannon, Assistant Chief Edmonds Police Department 250 5 th Ave. N. Edmonds, WA 98020
City of Mill Creek	Jodie Gunderson City of Mill Creek Finance Department 15728 Main St. Mill Creek, WA 98012	Det. Sgt. Kate Hamilton Mill Creek Police Department 15728 Main St. Mill Creek, WA 98012
City of Everett	Tracey Versteeg Everett Police Department 3002 Wetmore Avenue Everett, WA 98201	Deputy Chief Mike Campbell Everett Police Department 3002 Wetmore Avenue Everett, WA 98201

City of Mukilteo	Mukilteo Police Department 10500 47 th Pl. W Mukilteo, WA 98275	Chief Rex Caldwell Mukilteo Police Department 10500 47 th Pl. W Mukilteo, WA 98275
City of Snohomish	Chief John Turner City of Snohomish PD 230 Maple Avenue Snohomish, WA 98290	Chief John Turner City of Snohomish PD 230 Maple Avenue Snohomish, WA 98290
City of Brier	Mickie Halverson Support Services Supervisor Brier Police Department 2901 228 th St. SW Brier, WA 98036	Chief Donald E. Lane Brier Police Department 2901 228 th St. SW Brier, WA 98036

Salary / Benefits	\$62,273.13
Operating Expenses	
Computers	\$2,000.00
Equipment Maintenance	\$500.00
Supplies / Training	\$3,000.00
Office Space	\$16,000.00
Total	\$83,773.13

Participating Jurisdiction	2% of Salary	Number of Interviews	Cost Based On Use (\$257,9470 per interview)	Total
Arlington Police Department	\$1,245.46	9	\$2,321.52	\$3,566.99
Bothell Police Department	\$1,245.46	4	\$1,031.79	\$2,277.25
Edmonds Police Department	\$1,245.46	10	\$2,579.47	\$3,824.93
Everett Police Department	\$1,245.46	53	\$13,671.19	\$14,916.65
Granite Falls Police Department	\$1,245.46	2	\$515.89	\$1,761.36
Lake Stevens Police Department	\$1,245.46	23	\$5,932.78	\$7,178.24
Lynnwood Police Department	\$1,245.46	11	\$2,837.42	\$4,082.88
Marysville Police Department	\$1,245.46	38	\$9,801.99	\$11,047.45
Mill Creek Police Department	\$1,245.46	12	\$3,095.36	\$4,340.83
Mukilteo Police Department	\$1,245.46	2	\$515.89	\$1,761.36
Snohomish County Sheriff**	\$1,245.46	91	\$23,473.18	\$24,718.64
Snohomish Police Department	\$1,245.46	7	\$1,805.63	\$3,051.09
Stillaguamish Tribal Police	\$1,245.46	0	\$0.00	\$1,245.46
Total	\$16,191.01	262	\$67,582.11	\$83,773.13

* 2013 and 2014 Expenses and amounts due from each Participating Jurisdiction to be determined at a later date.

** The total amount due from the Snohomish County Sheriff's Department includes \$8,286.05 for interview services, plus the \$16,000 due for Office Space, listed above.

Exhibit B



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LAKE STEVENS CITY COUNCIL
STAFF REPORT

Council Agenda Date: January 9, 2012

Subject: Medical Marijuana / Cannabis Moratorium (Ordinance No. 867)

Contact Person/Department: Russ Wright, Planning &
Community Development

Budget Impact: none

RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL: Hold a public hearing on January 9, 2012 on Ordinance No. 867 amending Ordinance No. 858 and extending the moratorium prohibiting the establishment of medical marijuana / cannabis dispensaries and collective gardens for an additional six (6) months.

SUMMARY:

Pursuant to RCW 36.70A.390, the Lake Stevens City Council adopted a six-month moratorium (Ordinance No. 858) July 11, 2011, temporarily restricting the establishment of medical marijuana / cannabis facilities and held a public hearing. Ordinance No. 858 expires January 11, 2012. Staff is requesting an additional six-month moratorium to allow additional time to develop permanent regulations.

To remain compliant with RCW 36.70A.390 and extend the moratorium an additional public hearing is required. The scope of the public hearing is limited to public comment on the moratorium extension restricting the establishment of collective gardens and dispensaries. The larger issue related to the use of medical marijuana / cannabis is beyond the scope of this public hearing.

BACKGROUND AND FINDINGS:

In 1998, Washington voters passed Initiative 692, the Medical Marijuana Act, which allows qualifying patients suffering terminal or debilitating medical conditions to use medical marijuana (cannabis) to treat medical conditions. The State Legislature recently passed ESSB 5073, in part, to address the proliferation of medical cannabis dispensaries. The legislation adopted regulations related to the legal possession and distribution of medical cannabis by qualifying patients and designated providers. The Legislature envisioned that the regulations would include provisions for state licensing and distribution through dispensaries and collective gardens for medical cannabis. On April 29, 2011, Governor Gregoire issued a partial veto of ESSB 5073 based on legal opinion from the US Attorney's office that found portions of the bill would conflict with federal drug law and consequently puts producers and approving officials in jeopardy of prosecution. The Governor vetoed sections dealing with the state licensing of production and licensed dispensing of medical cannabis. This means dispensaries are illegal because the sale of cannabis is illegal and therefore cities cannot issue business licenses for them. Further, dispensaries cannot become "grandfathered"; as only legal uses can benefit from nonconforming use rights.

The codified portions of ESSB 5073 allow qualified patients and designated providers to create and participate in collective gardens to produce medical cannabis. A qualifying patient is a Washington resident 18 or older, with a diagnosed terminal or debilitating medical condition, who may benefit from

the medical use of cannabis, as advised by a health care professional. A copy of the patient's proof of identity must be available at the collective garden. The following state rules apply to collective gardens:

- 10 qualifying patients may participate in a single garden;
- 15 plants per patient, up to a maximum of 45 plants in a single garden; and
- 24 ounces of usable medical cannabis per patient, up to a total of 72 ounces at a single garden.

ESSB 5073 provides limited land use guidance for regulating collective gardens other than explicitly stating cities may impose regulations, as they deem necessary. Following the Governor's veto, producers cannot presumably sell cannabis through dispensaries; therefore, cities cannot require a business license or collect taxes. The City recognizes that Governor Gregoire's veto of certain sections of ESSB 5073 presently precludes the lawful establishment and operation of medical cannabis dispensaries; however, it is likely that future legislation may authorize such dispensaries; therefore, it is prudent that the City of Lake Stevens consider such uses at this time. Long-term, the City could outright prohibit the formation of medical cannabis dispensaries and/or collective gardens, allow them with no regulations, or allow them with established zoning regulations.

The six-month moratorium extension will provide staff additional time to research and prepare draft zoning regulations for the production and/or distribution of medical cannabis in dispensaries and/or collective gardens for City Council's consideration, before any interested parties seeks to establish such facilities. The extension is appropriate, as the State Legislature will likely revisit the issues surrounding medical cannabis during the 2012 legislative session. Because collective gardens are currently the only legal way for most qualifying patients to obtain medical cannabis, they have the potential to become very popular in the near future. Therefore, imposing some zoning regulations on them is advisable. Types of zoning regulation that staff may propose include:

- Limiting garden locations to certain zoning districts;
- Requiring gardens to be indoor gardens only;
- Requiring minimum spacing between gardens;
- Requiring minimum distances from schools, daycares and other similar uses; and
- Requiring a permit for establishing the garden.

The process to establish permanent zoning regulations will require Planning Commission review, a public hearing, and a recommendation to the City Council.

APPLICABLE CITY POLICIES: Chapters 14.40 Permissible Uses of the Lake Stevens Municipal Code (LSMC)

BUDGET IMPACT: There is no immediate budget effect other than staff and attorney time; however, the City may need to look at permitting fees in the future.

ATTACHMENTS:

1. Ordinance 867

**CITY OF LAKE STEVENS
Lake Stevens, Washington**

ORDINANCE NO. 867

AN INTERIM ORDINANCE OF THE CITY OF LAKE STEVENS, WASHINGTON, ADOPTING AN EXTENSION OF A MORATORIUM ON THE ESTABLISHMENT OF MEDICAL MARIJUANA/CANNABIS DISPENSARIES, COLLECTIVE GARDENS AND THE LICENSING AND PERMITTING THEREOF; DEFINING “MEDICAL MARIJUANA/CANNABIS DISPENSARY”; PROVIDING FOR A PUBLIC HEARING; REFERRING THE MATTER TO THE PLANNING COMMISSION FOR REVIEW; ESTABLISHING AN EFFECTIVE DATE; AMENDING ORDINANCE 858 AND PROVIDING THAT THE EXTENDED MORATORIUM WILL EXPIRE SIX (6) MONTHS FROM THE DATE OF ADOPTION.

WHEREAS, Initiative Measure No. 692, approved November 3, 1998, created an affirmative defense for “qualifying patients” to the charge of possession of marijuana/cannabis; and

WHEREAS, the initiative and current Chapter 69.51A RCW are clear that nothing in its provisions are to be “construed to supersede Washington state law prohibiting the acquisition, possession, manufacture, sale or use of marijuana/cannabis for non-medical purposes”; and

WHEREAS, the Washington State Department of Health opines that it is “not legal to buy or sell” medical marijuana/cannabis and further opines that “the law [Chapter 69.51.A RCW] does not allow dispensaries,” leaving enforcement to local officials; and

WHEREAS, the City Council finds that the sale of marijuana/cannabis, no matter how designated by dispensaries, is prohibited by federal and state law; and

WHEREAS, ESSB 5073 – Chapter 181, Laws of 2011 (“the bill”) was adopted with a partial veto of the Governor becomes effective July 22, 2011; and

WHEREAS, Governor Gregoire vetoed 36 of the 58 provisions of ESSB 5073 and this has created considerable uncertainties and ambiguities regarding the meaning and enforcement of the bill; and

WHEREAS, Section 404 of the bill effectively eliminates medical marijuana/cannabis dispensaries as a legally viable model of operation under State law; and

WHEREAS, Section 403 of the bill provides that qualifying patients may create and participate in collective gardens for the purpose of producing, processing, transporting and delivering cannabis for medical use subject to compliance with specific statutory conditions; and

WHEREAS, the City acknowledges the right of qualified health care professionals to prescribe the medical use of marijuana/cannabis as well as the right of patients to designate a “designated provider” who can “provide” rather than sell marijuana/cannabis to “only one patient at any one time”; and

WHEREAS, the City Council finds that the secondary impacts associated with marijuana/cannabis dispensaries and collective gardens include but are not limited to the invasion of the business, burglary and robbery associated with the cash and drugs maintained on the site; and

WHEREAS, pursuant to Section 1102 of the bill and under their general zoning and police powers cities are authorized to adopt and enforce zoning requirements, business licensing requirements, health and safety requirements and business taxes on the production, processing or dispensing of cannabis or cannabis products; and

WHEREAS, the City currently has no zoning, licensing, and/or permitting requirements and/or regulations that address the medical marijuana/cannabis collective gardens; and

WHEREAS, marijuana/cannabis remains a Schedule I drug under the federal Controlled Substances Act (“CSA”) and is considered by the federal authorities to be a drug with no medical value, and its manufacture, distribution and/or possession are a violation of federal law; and

WHEREAS, there appears to be a conflict between state and federal law concerning the legal status of marijuana/cannabis and its manufacture, distribution, use and possession; and

WHEREAS, on or about November 30, 2011, Washington State Governor Christine Gregoire and Rhode Island State Governor Lincoln Chaffee petitioned the United States Drug Enforcement Administration (DEA) to reclassify marijuana/cannabis as a Schedule II drug that has therapeutic value and that should be treated as a prescription drug; and

WHEREAS, reclassification of marijuana/cannabis as a Schedule II drug by DEA would allow marijuana/cannabis to be prescribed by physicians with restrictions and dispensed by pharmacies, and would potentially eliminate the current legal and planning dilemma Lake Stevens and other Washington cities and towns are currently struggling with concerning regulation, permitting and licensing issues surrounding medical marijuana/cannabis; and

WHEREAS, a number of initiatives have been filed with the Washington State Secretary of State that if adopted would change the legal framework concerning medical marijuana/cannabis once again; and

WHEREAS, it is anticipated that the State Legislature may again revisit the issues surrounding medical marijuana/cannabis during the 2012 legislative session; and

WHEREAS, on July 5, 2011, the City Council passed Ordinance No. 858 that imposed a six (6) month moratorium on the establishment of medical marijuana/cannabis dispensaries, collective gardens and the licensing and permitting thereof; and

WHEREAS, Ordinance No. 858 expires January 11, 2012; and

WHEREAS, given the many complications, uncertainties and impacts that exist and that are described above, additional time is necessary to engage in a meaningful planning process related to the development of regulations that address zoning, licensing and/or permitting of medical marijuana/cannabis and the impacts thereof; and

WHEREAS, a public hearing was held on January 9, 2012, before Lake Stevens City Council; and

WHEREAS, the City Council finds it is in the best interest of the City of Lake Stevens and its citizens to extend the moratorium regarding the establishment of medical marijuana/cannabis collective gardens and the licensing and permitting thereof for an additional six (6) month period;

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

Section 1. The above “Whereas” clauses constitute findings of fact in support of the moratorium established by this Ordinance and said findings are fully incorporated into this Ordinance.

Section 2. Pursuant to the provisions of RCW 36.70A.390, the zoning moratorium established by Ordinance 858 in the City of Lake Stevens that prohibits licensing, permitting, establishment, maintenance or continuation of any use consisting of or including the sale, provision and/or dispensing of medical marijuana/cannabis to more than one person, the establishment of a medical marijuana/cannabis dispensary or creation of or participation in a “collective garden” as referenced and defined in Section 403 of ESSB 5073 – Chapter 181, Laws of 2011, is hereby extended for an additional six (6) month period from the date of expiration of Ordinance 858 and the findings, terms and conditions of Ordinance 858 and those set forth herein are incorporated herein by this reference, and Ordinance 858 is hereby amended consistent herewith.

Section 3. “Medical marijuana/cannabis dispensary” is hereby defined as any person, business, corporation, partnership, joint venture, organization, association and/or other entity which: 1) sells, provides and/or otherwise dispenses marijuana/cannabis to more than one “qualifying patient” in any thirty (60) day period or to any person who does not meet the definition of “qualifying patient” under the terms of Chapter 69.51A RCW, and/or 2) maintains and/or possesses more than one sixty (60) day supply of marijuana/cannabis for one qualifying patient at any time. The receipt of cash or other legal tender in exchange for, contemporaneously with or immediately following the delivery of marijuana/cannabis to a qualifying patient shall be presumed to be a sale. Any person, business, corporation, partnership, joint venture, organization, association and/ or entity which sells, provides and/or otherwise dispenses marijuana/cannabis to more than one qualifying patient in any sixty (60) day period should be presumed to be a “medical marijuana/cannabis dispensary.”

Section 4. Medical marijuana/cannabis dispensaries and collective gardens are hereby designated as prohibited uses in the City of Lake Stevens, and in accordance with the provisions of RCW 35A.82.020, no business license, permit, zoning or development approval shall be issued to be a medical marijuana/cannabis dispensary or collective garden.

Section 5. This Ordinance shall be referred to the Lake Stevens Planning Commission for its review and recommendation for potential inclusion in the zoning and/or business and tax ordinances of the City of Lake Stevens.

Section 6. Ordinance to be Transmitted to Department. Pursuant to RCW 36.70A.106, a copy of this interim Ordinance shall be transmitted to the Washington State Department of Commerce.

Section 7. Severability. If any section, clause, and/or phrase of this Ordinance is held invalid by a court of competent jurisdiction, such invalidity and/or unconstitutionality shall not affect the validity and/or constitutionality of any other section, clause and/or phrase of the Ordinance.

Section 8. Effective Date. This Ordinance shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title, PROVIDED, HOWEVER, that unless

extended by the act of the Lake Stevens City Council, this Ordinance shall automatically expire six (6) months following its adoption.

ADOPTED by the City Council and **APPROVED** by the Mayor this 9th day of January 2012.

CITY OF LAKE STEVENS

By: _____
Vern Little, Mayor

ATTEST/AUTHENTICATED:

By: _____
Norma Scott, City Clerk/Admin. Asst.

APPROVED AS TO FORM:

By: _____
Grant K. Weed, City Attorney

Date of Publication: _____

Effective Date: _____

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

Monday, November 28, 2011
Lake Stevens School District Educational Service Center (Admin. Building)
12309 22nd Street N.E. Lake Stevens

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

COUNCILMEMBERS PRESENT: Mark Somers, Suzanne Quigley, Kathy Holder, Kim Daughtry, Marcus Tageant, Neal Dooley and John Spencer

COUNCILMEMBERS ABSENT:

STAFF MEMBERS PRESENT: City Administrator Jan Berg, City Attorney Paul McMurray, Planning Director Becky Ableman, Finance Director/Treasurer Barb Lowe, Human Resource Director Steve Edin, Police Chief Randy Celori, Principal Planner Karen Watkins and Office Assistant Carin Hinman

OTHERS: Yevonne Noel, Holly Forbis, Todd Welch, Rich Meitzner, Tom Matlack, Bruce Morton, Gigi Burke, Sam Rodabough, and Joe Burcar from Department of Ecology

Guest Business. None

Consent Agenda. Councilmember Holder moved to approve the Consent Agenda items (A. Approve November vouchers: Claims 32649-32710 in the amount of \$121,990.14, Electronic Funds Transfers 394-397 in the amount of \$6,997.71 and Void check 32588 in the amount of \$180.00 for total vouchers of \$128,807.85 and B. Approve minutes of November 14, 2011 regular Council meeting), seconded by Councilmember Daughtry; motion carried unanimously. (7-0-0-0)

Confirm Appointments to Arts Commission. Mayor Little introduced new appointees Holly Forbis and Yevonne Noel and noted one Arts Commission position is still open.

MOTION: Councilmember Somers moved to appoint Yevonne Noel and Holly Forbis, seconded by Councilmember Quigley; motion carried unanimously. (7-0-0-0)

Executive Session. Mayor Little noted an executive session will be held at the end of tonight's meeting.

Public Hearing and fourth and final reading of Ordinance No. 856 adoption of the Shoreline Master Program and associated documents. Mayor Little read the public hearing procedure. Planning Director Ableman reviewed the proposed amendments based on Ecology's November 12, 2011 email and proposed revisions listed in the November 28, 2011 Staff Report. Included in the staff report were: staff drafted amendments to the Shoreline Master Program (SMP); Appendix B Section 6.D.F (3) on buffer functions to wetlands, information that was requested by staff to the City Attorney on the Shoreline Management Act and its purposes; email from resident Bruce Morton pertaining to covered moorage roofs and over water lighting;

email from lakefront property owner Karol Kottsick regarding the provisions for existing development; and email from Sam Rodabough and citizens group regarding comments on the draft SMP, lake edge wetlands, shoreline setbacks, mitigation sequencing and covered moorage.

Planning Director Ableman reviewed the following Department of Ecology's comments on: covered moorage, side-yard additions, shoreline stabilization, repair, maintenance and replacement, over-water structures, new piers, shoreline use policies, residential development, and definitions for accessory use, existing uses and water-dependant use. With each of DOE's comments is a proposed revision to the SMP.

In the critical area regulations, Appendix B, Planning Director Ableman requested Council change verbiage from "critical area regulations for shoreline jurisdictions" to "critical area regulations within shoreline jurisdictions" throughout the document.

Planning Director Ableman noted that in the Ecology comments under Covered Moorage, the word "boathouse" should read "covered moorages."

Councilmember Daughtry stated that previous public testimony requested allowing flat roof covered moorage but the SMP provision reads "only a peaked roof, allow any type roof except flat".

Public comments.

Rick Meitzner, Resident, 10404 Sandy Beach Drive, commented that he understands that the Fisheries Department has the final say on an HPA (Hydraulics Permit Application) regarding whether a sleeve can be used on a piling and if they require mitigation. He hopes the City would not include language that would prevent this. Also Mr. Meitzner asked that the attorney for Save Our Shorelines (SOS) be given more than three minutes for public testimony since many individuals donated money for him to be their spokesman and would be willing to give him their three minutes.

Tom Matlack, Resident, 2504 112th Drive NE, thanked everyone for all their hard work on the SMP. Mr. Matlack questioned if there is a public comment period before Department of Ecology (DOE). Mr. Burcar from DOE responded yes. Also will the document that goes to DOE be on the City's web site? Mayor Little responded yes.

Bruce Morton, Resident, 11222 Vernon Road, commented about the reason for the restriction for flat roofs and why they are not desired. The reasons given were flat roofs can be extensions, can go vertical and can block views, can facilitate jumping into the lake from high heights and is not safe. If the goal is to not block views, a flat roof is the best option. It will block off less than a peaked roof especially when you don't specify the maximum pitch. The 8.5 foot limit takes care of the railings and extensions. Chairs and tables wouldn't be put on a flat roof because they would be blown into the lake. Concerns about blocking views are self regulating because the person whose view is affected the most is the homeowner themselves. He believes that disputes between neighbors about blocked views are best handled between the neighbors themselves. With a maximum height of 8.5 feet, peaked roofs will not be difficult to jump off.

He stated he cannot believe that one to two minutes of lighting on the water is dangerous to fish. He'd like the regulation to only apply to continuous lighting because a motion sensor light is very useful for safety, security and pest control. He has a motion sensor light on his dock and it only activates periodically, and it only activates for one to two minutes. They have had things stolen from their boat at night and the motion sensor light helps for security purposes.

Sam Rodabough, Save Our Shorelines (SOS) – Lake Stevens Attorney, 11100 NE 8th Street, Suite 750, Bellevue, commented he represents SOS, a non-profit group of residents that own property on Lake Stevens. He reviewed the following issues:

(1) **wetland buffer issue**: it is his understanding that a compromise was struck today dealing with Ecology. He's seen that language, it's not perfect, but it is largely acceptable. He would recommend Council take action on that.

(2) **setback issues**: it is currently drafted in the SMP as a 60 foot standard setback that is really a 50 foot lake setback in the 10 foot building setback. For existing structures that are closer than 60 feet, the setback stops at the face of the structure; and we are allowing a limited one time side yard expansion of up to 200 square feet. His clients are proposing that for those structures that are closer to 60 feet, the setback actually be at line parallel to the face of the existing structure so that side yard expansions are considered conforming. They would be subject to all standard limitations on development. There are side yard setbacks, there are impervious surface limitations and there may even be view corridors under public access regulations and a side yard typically doesn't provide an ecological benefit, so we don't understand why we are limiting this to 200 feet. Moreover the 200 feet came from a provision that he had drafted in the City of Sammamish where the shoreline inventory shows properties are much more highly constrained than here on Lake Stevens. A 200 foot one time expansion is probably not going to be enough for a lot of large properties, especially if you're trying to expand a kitchen or other living area that are typically oriented towards the water on waterfront development. So they're asking to allow the setback to be in line parallel to the face of the existing structure so that they will have unlimited expansion subject to all of our standard development constraints. He explained if that's not acceptable, set some different higher limit on the one time expansion. They're suggesting having 600 square feet that can still be subject to no net loss so there's no need to go back to the consultant to ask what's acceptable; each individual development would have to prove that it would result in no net loss of shoreline ecological functions.

(3) **mitigation sequencing**: his proposed language is nearly verbatim language that was approved by Mr. Burcar in the City of Sammamish, but Council has not discussed it.

(4) **covered moorage**: he talked with City staff today about an internal consistency regarding a small issue on covered moorage, which staff supported and asked that those be approved.

(5) **last minute changes recommended from Ecology on the docks**: He prefers Council send the document to Ecology as is on docks rather than making those last minute changes such as changing regulations to not allow in-kind replacement, limiting the width within 30 feet of the ordinary high water mark.

Gigi Burke, Resident, 920 East Lakeshore Drive, thanked the Council for meeting and listening to them and being open minded to their ideas and their attorney. She stated we take this very personally because it is our home and our group has accepted and spent a lot of money which puts a certain amount of pressure on them to get results.

No further public comment was heard.

MOTION: Councilmember Spencer moved to close the public comment portion of the hearing, seconded by Councilmember Dooley; motion carried unanimously. (7-0-0-0)

Mayor Little called for a vote on whether to allow flat roof covered moorage and the vote was five for no flat roof and two for flat roof.

Council agreed to the addition of "The structure shall be located at least 30 feet waterward from the OHWM" on Page 61 of the SMP.

MOTION: Councilmember Spencer stated with respect to the 1, 2, 3 on covered moorage ("Proposed Revision" listed under "Proposed Amendments Based on Ecology's 11-21-11 email", Page 379 of Council Agenda), moved we adopt the recommended language with proposed revisions, seconded by Councilmember Somers; motion carried unanimously. (7-0-0-0)

MOTION: Councilmember Spencer moved to allow up to 600 square feet side in side yard setbacks provided mitigation sequencing is applied, seconded by Councilmember Dooley; motion carried unanimously. (7-0-0-0)

MOTION: Councilmember Daughtry moved to approve the maintenance and repair related to exemptions throughout the document, seconded by Councilmember Spencer; motion carried unanimously. (7-0-0-0)

MOTION: Councilmember Holder moved to approve that soft stabilization structures be preferred over hybrid structures, seconded by Councilmember Spencer; motion carried unanimously. (7-0-0-0)

MOTION: Councilmember Quigley moved to change the language in repair, maintenance and replacement, that primary use be added, seconded by Councilmember Somers; motion carried unanimously. (7-0-0-0)

MOTION: Councilmember Holder moved to change requirements on piers, docks, floats, and walkways to make it a maximum of 6 foot width to accommodate ADA, seconded by Councilmember Spencer; motion unanimously carried. (7-0-0-0)

MOTION: Councilmember Spencer moved to approve alternative compliance revisions to the elements which Department of Fish and Wildlife review as part of a Hydraulic Permit approval, seconded by Councilmember Tageant; motion carried unanimously. (7-0-0-0)

MOTION: Councilmember Spencer moved on private non-commercial piers to remove the width exception for new piers, seconded by Councilmember Somers; motion carried unanimously. (7-0-0-0)

MOTION: Councilmember Quigley moved to leave as written Shoreline Use provisions for replacement docks to further work with DOE for comment, seconded by Councilmember Daughtry; motion carried unanimously. (7-0-0-0)

MOTION: Councilmember Quigley moved to change single family homes as a preferred use consistent with WAC Language, seconded by Councilmember Daughtry; motion carried unanimously. (7-0-0-0)

MOTION: Councilmember Somers moved to eliminate the examples from Accessory Use definitions, seconded by Councilmember Daughtry; motion carried unanimously. (7-0-0-0)

MOTION: Councilmember Somers moved to remove Existing Uses definition, seconded by Councilmember Daughtry; motion carried unanimously. (7-0-0-0)

MOTION: Councilmember Holder moved to modify the definition of water-dependant use by deleting "but are not limited to", seconded by Councilmember Somers; motion carried unanimously. (7-0-0-0)

MOTION: Councilmember Daughtry moved to change from the staff drafted amendment to remove Appendix B, Section 6(D)(3) related to pre-existing wetlands buffer per WAC, seconded by Councilmember Holder; motion carried unanimously. (7-0-0-0)

MOTION: Councilmember Daughtry moved to strike provision that docks may not be maintained by placing PVC pipe around old pilings, seconded by Councilmember Tageant; motion carried unanimously. (7-0-0-0)

MOTION: Councilmember Quigley moved to change maximum length of docks from 200 feet to 150 feet, seconded by Councilmember Dooley; motion carried unanimously. (7-0-0-0)

MOTION: Council member Daughtry moved to only require continuous lights to require hooding, seconded by Councilmember Quigley; motion carried unanimously. (7-0-0-0)

MOTION: Councilmember Dooley moved to approve fourth and final reading of Ordinance No. 856 with Council approved changes subject to updates to cumulative impacts analysis and no net loss report to reflect amendments, seconded by Councilmember Tageant; motion carried unanimously. (7-0-0-0)

Public hearing and second and final reading of Ordinance 865, 2012 proposed budget.

Finance Director/Treasurer Lowe reviewed the Six-Year General Fund forecast, 2012 Budget Focus, General Fund Reserve Balance, Budget and Future Forecast Revenues, General Revenue and Expenditure Fund assumptions, Capital/Project requests, staff levels, General Fund proposed expenditures, and Public Works Funds. Liquor Board profits affected by I-1183 were reviewed.

Public comments:

Bruce Morton, Resident, 11222 Vernon Road, suggested the City cut expenses by looking at the biggest items first which would be the request for two patrol cars at \$36,000 each. This could be cut to one patrol car saving \$36,000. In addition, the City could save \$25,000 by not demolishing the Eagle Ridge house and just leave it as is.

Lake Stevens City Council Regular Meeting Minutes

November 28, 2011

Todd Welch, Resident, 1727 94th Drive SE, stated with Initiative I-1133 there is a 27% tax for the new liquor sales to last two or three years and then would be reduced to 24%. So there is still revenue from the 27% new tax on the liquor sales.

No further public comment was heard.

MOTION: Councilmember Spencer moved to close the public comment portion of the hearing, seconded by Councilmember Dooley; motion carried unanimously. (7-0-0-0)

MOTION: Councilmember Spencer moved to close the public hearing, seconded by Councilmember Somers; motion carried unanimously. (7-0-0-0)

MOTION: Councilmember Somers moved to accept the second and final reading of Ordinance No. 865, seconded by Councilmember Tageant; motion carried unanimously. (7-0-0-0)

Public Hearing and first reading of Ordinance No. 862, 2011 Comprehensive Plan amendment. Principal Planner Watkins noted the Ordinance includes the text amendments reviewed at the prior workshop. The City received comments from two people. One comment was regarding the Parks Element where trails in the Constitution Hill area were not included. Eagle Ridge Park was included because we have a Master Plan for that Park. Major updates will be made next year to the Parks Element. The second comment was on the roads. We did make changes to Table 6-2, Exhibit B Street inventory, by adding proposed revisions to 20th 26th 27th 86th through 89th.

Public Comments. None

MOTION: Councilmember Holder moved to close public comment portion, seconded by Councilmember Somers; motion carried unanimously. (7-0-0-0)

MOTION: Councilmember Somers moved to close the public hearing, seconded by Councilmember Spencer; motion carried unanimously. (7-0-0-0)

MOTION: Councilmember Somers moved to approve 2011 Comprehensive Plan amendments first and final reading of Ordinance No. 862, seconded by Councilmember Tageant; motion carried unanimously. (7-0-0-0)

Executive Session. Mayor Little called for a five minute executive session on potential litigation at 9:48 p.m. After a five minute recess the executive session began at 9:53 p.m. and ended at 9:58 p.m.

Adjourn. 9:58 p.m.

Vern Little, Mayor

Carin Hinman, Office Assistant

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

Monday, December 12, 2011
Lake Stevens School District Educational Service Center (Admin. Bldg.)
12309 22nd Street N.E. Lake Stevens

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

COUNCILMEMBERS PRESENT: Mark Somers, Suzanne Quigley, Kathy Holder, Kim Daughtry, Neal Dooley and John Spencer

COUNCILMEMBERS ABSENT: Marcus Tageant

STAFF MEMBERS PRESENT: City Administrator Jan Berg, City Attorney Cheryl Beyer, Planning Director Becky Ableman, Finance Director/Treasurer Barb Lowe, Human Resource Director Steve Edin, Principal Planner Karen Watkins, Police Chief Randy Celori, and City Clerk/Admin. Asst. Norma Scott

OTHERS:

Excused Absence. Councilmember Spencer moved to excuse Councilmember Tageant, seconded by Councilmember Daughtry; motion carried unanimously. (6-0-0-1)

Guest Business. None

Recognition. Mayor Little thanked Mark Somers with a certificate of appreciation for his four years of service on the City Council.

Consent Agenda. Councilmembers Daughtry and Quigley questionable some motions in the November 28 minutes regarding covered moorage. Consensus of Council was to have the Clerk review the audio tapes and have the minutes brought back to the next regular meeting.

MOTION: Councilmember Daughtry moved to approve the December vouchers (Payroll Direct Deposits 905070-905136 for \$175,589.64, Payroll Checks 32711-32712 for \$2,555.67, Claims 32713-32796 for \$248,749.49, Electronic Funds Transfers 398-403 for \$130,644.53, Tax Deposit 12.11.11 for \$68,321.25 for total vouchers approved \$625,860.58), seconded by Councilmember Holder; motion carried unanimously. (6-0-0-1)

Public Hearing and consideration of first and final reading of Ordinance No. 866, Comprehensive Plan update relating to the Shoreline Master Program (SMP). City Clerk Scott read the public hearing procedure. Principal Planner Watkins reported the SMP ordinance has been provided to DOE and will be added to the City's web page this week. There are no changes to Ordinance No. 866 since the last meeting. The ordinance has been reviewed by the City Attorney. Ms. Watkins reviewed the four amendments. How to implement the plan will take place in the next 4-6 months.

Councilmember Somers noted on Section 10.6.11 the word "native" should be added to vegetation.

Public comments. None

MOTION: Councilmember Somers moved to close the public comment portion, seconded by Councilmember Spencer; motion carried unanimously. (6-0-0-1)

Discussion followed on developing a public education plan for use of pesticides and vegetation landscaping.

MOTION: Councilmember Spencer moved to close the public hearing, seconded by Councilmember Daughtry; motion carried unanimously. (6-0-0-1)

MOTION: Councilmember Holder moved for first and final reading of Ordinance No. 866 with amendment to 10.6.11 adding native to vegetation, seconded by Councilmember Dooley; motion carried unanimously. (6-0-0-1)

Approve minutes of November 21, 2011 special Council meeting. Councilmember Daughtry noted one change to the minutes, the word grading should read grating under Patricia Perry's comments.

MOTION: Councilmember Somers moved to approve the minutes of November 21 special Council meeting, seconded by Councilmember Daughtry; motion carried with Councilmember Dooley abstaining. (5-0-1-1)

Approve City Attorney Retainer Agreement with Weed, Graafstra and Benson, Inc. P.S. City Administrator Berg commented it is still less expensive to pay for periodic hourly average rate instead of increasing the monthly hours. This contract stays with the current 35 hours/month.

MOTION: Councilmember Quigley moved to authorize the Mayor to sign City Attorney Retainer Agreement for 2012 with Weed, Graafstra and Benson, seconded by Councilmember Dooley; motion carried unanimously. (6-0-0-1)

Approve Washington State Purchasing Cooperative Agreement Amendment No. 1 with the Office of State Procurement. Finance Director Lowe stated this agreement encourages cities to do cooperative purchasing which meets bid requirements. The cost is the same cost for each year - \$1,000.

MOTION: Councilmember Spencer moved to authorize the Mayor to sign Washington State Purchasing Cooperative Agreement Amendment No. 1 with the Office of State Purchasing, seconded by Councilmember Somers; motion carried unanimously. (6-0-0-1)

Approve Marysville Municipal Court Agreement Amendment No. 6. Police Chief Celori noted the City has partnered with the City of Marysville since 1999 for Municipal Court Services. This amendment extends the agreement to 2012 and allows for automatic renewals of one year periods. There is a 180 notice to terminate and no increase in fees.

MOTION: Councilmember Holder moved for the 6th Amendment to the Interlocal Agreement for Municipal Court Services with the City of Marysville and City of Lake Stevens, seconded by Councilmember Quigley; motion carried unanimously. (6-0-0-1)

Approve Professional Services Agreement for Child Interviewing Specialist Services with Dawson Place.

Police Chief Celori reported the agreement is for one child interview specialist. County Prosecutor Mark Roe prefers a non-police officer do the interviews. Dawson Place is located in downtown Everett. Normally age 12 and under child abuse cases will have a specialist do the interviewing. The specialist will be employed by Compass Health. The cost is based off of 2% of the base salary of the specialist and is shared with various other jurisdictions' and Snohomish County. The cost will be adjusted each year according to usage by the City. The 2012 budget impact is \$7,068.91

MOTION: Councilmember Spencer moved to authorize the Mayor to sign Professional Services Agreement for Child Interviewing Specialist Services with Dawson Place, seconded by Councilmember Somers; motion carried unanimously. (6-0-0-1)

Approve Lake Stevens aerator pump motor repair contract award with Rogers Machinery Co.

Public Works Director Monken commented in September the aerator pump went out, which was toward the end of aeration season. The pump had internal burning but is rebuildable. They received six bids and Rogers Machinery was low bidder. The \$13,036.55 includes contingency fund of \$3,000. The motor did reach its life expectancy. The work will be completed in January.

MOTION: Councilmember Somers moved to award and approve a contract with Rogers Machinery Company Inc. to perform the services to remove, rebuild, and reinstall the pump motor for the Lake Stevens aerator for an amount of \$10,036.55 plus authorize a contingency fund of \$3,000, seconded by Councilmember Daughtry; motion carried unanimously. (6-0-0-1)

Approve City Shop waste oil heater unit purchase with Econo Heat Inc. Public Works Director Monken looked at different types of heating sources and chose oil because it's a green system and 60% cheaper than next lowest cost which is gas. The Bus Barn and Fire District will give us oil. The heater is very efficient and will use multiple sources of fuel. The cost is \$8,310 and includes heating pipes without installation and is in this year's budget. Public Works will complete the installation.

MOTION: Councilmember Dooley moved to approve purchase of a waste oil heating unit from Econo Heat Inc for an amount of \$8,310.11, seconded by Councilmember Quigley; motion carried unanimously. (6-0-0-1)

Designate Dianne White, City of Stanwood, as our representative to the Board of Health.

Mayor Little mentioned Dianne White is the Mayor of Stanwood and a pharmacist.

MOTION: Councilmember Holder moved to approve the Mayor to retain Mayor Dianne White from City of Stanwood as our representative to the Board of Health, seconded by Councilmember Daughtry; motion carried unanimously. (6-0-0-1)

Council Person's Business: Councilmembers reported on the following meetings: Holder – Fire District Commissioners elected Dan Lorentzen chair and Vern Foster Vice-Chair and volunteered at the Navy party at the High School; Quigley – thanked staff on the great outcome on the audit and will not be at the January 9 meeting; Somers – attended State Auditor exit meeting and City received letter from State Auditor Brian Sonntag congratulating the City on no findings in last fifteen years, Arts Commission – new board members for coming year, Park

Board had bi-monthly meeting, and Dickens Fair and Food Bank were very successful; Spencer – met the Commodore of the USS Lincoln; and Daughtry - Snohomish County and Cities elections, Community Transit Board, PSRC Transportation, attended Highway 9 Coalition and SCCIT.

Mayor's Business: Mayor Little reported on the Auditor exit meeting, DECCA class proclamation, and Real Heroes breakfast with the Red Cross.

Staff Reports: Staff reported on the following: City Administrator Berg – congratulated Councilmember Daughtry for business of the year, Today in America highlighting Lake Stevens will go into production March-April; Planning Director Ableman – in January will propose a 6-month moratorium extension regarding marijuana, ready to issue draft Environmental Statement on subarea, January 12 will identify the impacts of the alternatives, PSRC certified City Comp Plan, and SEPA chapter is being updated; Finance Director/Treasurer Lowe – auditors letter is a great thing; Public Works Director/Engineer Monken – received \$12,000 grant for safer routes which will pay for flashing lights at Sunnycrest Elementary; Police Chief Celori – two bank robberies in Lake Stevens; and Human Resource Director Edin – working on 2012 well city application.

December 19 and 27, 2011 Council meetings are cancelled.

Adjourn. Councilmember holder moved to adjourn at 8:07 p.m., seconded by Councilmember Somers; motion carried unanimously. (6-0-0-1)

Vern Little, Mayor

Norma J. Scott, City Clerk/Admin. Asst



LAKE STEVENS CITY COUNCIL
STAFF REPORT

Council Agenda Date: January 9, 2012

Subject: Use of Collection Agencies

Contact Person/Department: Barb Lowe/ Finance Director **Budget Impact:** N/A

RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:

Approve Ordinance 868 Related to the Collection of Public Debts Owed to the City.

SUMMARY/BACKGROUND:

The City has not used the services of a collection agency in the past. This ordinance authorizes the City to retain a collection agency in order to pursue otherwise uncollectible debts. As such, the ordinance also establishes the required procedures for notification of the debtor, and establishes collection fees.

Per statute, the City may add a reasonable fee, payable by the debtor, to the outstanding debt for the collection agency fees incurred. This allows the City to collect the entire principal amount of debt owed, without incurring additional costs to the City. The maximum contingent fee set by statute is 50% of the first \$100,000 of unpaid debt, and up to 35% of the debt over \$100,000.

We have reviewed the qualifications and costs of numerous collection agencies with fees ranging from 25% to 50%, and will be recommending an agency that requires only 25% contingency fee. The City has currently set the contingency fee by ordinance at 25% as not to overburden those in debt to the City.

APPLICABLE CITY POLICIES:

RCW 19.16.500 authorizes the City to retain collection agencies for the purpose of collecting public debts owed by any person.

BUDGET IMPACT:

N/A

ATTACHMENTS:

- ▶ Exhibit A: Ordinance 868
- ▶ Exhibit B:
- ▶ Exhibit C:

CITY OF LAKE STEVENS
LAKE STEVENS, WASHINGTON

ORDINANCE NO. 868

AN ORDINANCE OF THE CITY OF LAKE STEVENS, CREATING A NEW LAKE STEVENS MUNICIPAL CODE CHAPTER 3.45, ENTITLED “PUBLIC DEBT AND USE OF COLLECTION AGENCIES”, TO TITLE 3, RELATED TO COLLECTION OF PUBLIC DEBTS OWED TO THE CITY; TO ESTABLISH COLLECTION PROCEDURES AND FEES; TO PROVIDE FOR SEVERABILITY AND EFFECTIVE DATE.

WHEREAS, the Revised Code of Washington 19.16.500, authorizes the City to retain, by written contract, collection agencies licensed under this chapter, for the purpose of collecting public debts owed by any person; and

WHEREAS, the City may add a reasonable fee, payable by the debtor, to the outstanding debt for the collection agency fee incurred or to be incurred.

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

SECTION 1 -, Lake Stevens Municipal Code Chapter 3.45, entitled “PUBLIC DEBT AND USE OF COLLECTION AGENCIES”, is hereby adopted as follows:

Chapter 3.45

PUBLIC DEBT AND USE OF COLLECTION AGENCIES

Sections:

- 3.45.010 Authority
- 3.45.020 Collection Agency Use Procedures.
- 3.45.030 Establishment of Collection Fees
- 3.45.040 Delinquency Fees

3.45.010 Authority

The Director of Finance, or authorized representative, shall have the authority to refer delinquent public debts and accounts to an agency for collection and / or to write off public debts and accounts that have been determined by the director that there is no cost-effective means of collecting the public debt or account.

3.45.020 Collection Agency Use Procedures

In addition to other remedies for collecting amounts owed to the City, the City may retain, by written contract, the services of a licensed collection agency to collect public debts owed by any person pursuant to the procedures set forth in this chapter. If the City retains a collection agency to collect public debts owed to the City, a fee, payable by the debtor, shall be added to the

outstanding debt for the collection agency fee incurred.

- A. Before assigning a debt to a collection agency, the City must have evidence that the City sent the debtor a written bill for the debt amount.
- B. If a debt amount owed to the City is not paid within sixty (60) days of the date on which the amount becomes due, the director of finance may send a written notice, by regular or certified mail, to the debtor's last known address according to the City's records. The written notice shall state the amount owed to the City, the amount of any applicable interest and penalties, that the City may assign the debt to a collection agency for collection if the amount owed, together with any applicable interest and penalties, is not paid in full within thirty (30) days of the date of the written notice. The written notice shall also state that if the City assigns the debt to a collection agency, the City shall charge the debtor a fee to be added to the outstanding debt for the collection agency fee incurred or to be incurred as provided in this chapter.
- C. If the amount owed to the City, together with applicable interest and penalties, is not paid in full within thirty (30) days of the date of the written notice as provided in subsection (B) of this section, the City may assign the debt to a collection agency to collect the outstanding debt, together with any applicable interest, penalties and the collection agency service fee.
- D. Collection agencies assigned debts under this chapter shall have only those remedies and powers which would be available to them as assignees of private creditors.

3.45.030 Establishment of Collection Fees

There are hereby established fees to cover the additional costs to collect overdue amounts to the City. Such fees shall include but not be limited to the additional direct costs of pursuing delinquent collection including such things as direct costs, obtaining the services of a collection agency, administrative charges incurred in creating and maintaining each past due account receivable.

- A. A fee equal to the amount of additional collection efforts, up to the statutory limitations in place at that time, shall be added to the original outstanding debt due to the City.
- B. A collection fee of twenty-five percent (25%) shall be added to the original outstanding debt due to the City on each account turned over to the collection agency to cover the costs of administering and maintaining the collection program within the City.

3.45.040 Delinquency Fees

The collection fees are in addition to and do not replace any delinquency fees established within any section of the municipal code. Collection fees will be added after any delinquency fees have been applied to the original outstanding debt due to the City.

SECTION 2 - SEVERABILITY. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance, or the application of the provision to other persons or circumstances, shall not be affected, and to this end the provisions of this ordinance are declared to be severable.

SECTION 3 - EFFECTIVE DATE. This ordinance shall take effect from and after the date of passage and five (5) days after its publication as required by law.

PASSED by the CITY COUNCIL and APPROVED by the MAYOR this 9th day of January 2012.

Vern Little, Mayor

ATTEST:

Norma J. Scott, City Clerk

APPROVED AS TO FORM:

Grant Weed, City Attorney



LAKE STEVENS CITY COUNCIL
STAFF REPORT

Council Agenda Date: January 9, 2012

Subject: Collection Services Agreement with Evergreen Professional Recoveries, Inc.

Contact Person/Department: Barb Lowe/ Finance Director **Budget Impact:** N/A

RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:

Authorize the Mayor to sign the professional services agreement with Evergreen Professional Services, Inc. for debt collection services.

SUMMARY/BACKGROUND:

The City wishes to pursue the collection of various outstanding debts. These debt balances range from under \$200 for animal shelter billings to thousands of dollars in developer reimbursements for planning and engineering services performed. The majority of the City's outstanding balances are considered small.

The City has not used the services of a collection agency in the past, and as such, multiple companies were researched and four proposals were reviewed. The reviews were based on various factors including experience with municipalities, customer satisfaction, assignment and reporting capabilities, and collection fees.

Based on our review, staff is recommending entering into an agreement with Evergreen Professional Recoveries, Inc. (Evergreen) for debt collection services. Evergreen's clients include medical facilities such as Group Health and Providence, as well as the Cities of Everett, Lynnwood, Tukwila, and North Bend. Evergreen's collection fee is the lowest of all of the companies reviewed at 25% of the debt owed. This is important to minimize the burden on those that owe the City, which in most cases are people who live and/or work in Lake Stevens. In addition, Evergreen has a Small Balance Collection Strategy which includes a team of collectors who work solely on balances under \$500, which ensures these debts are worked as diligently as large debt balances.

APPLICABLE CITY POLICIES:

RCW 19.16.500 authorizes the City to retain collection agencies for the purpose of collecting public debts. Ordinance 868 authorizes the assignment of delinquent debts to a collection agency, and establishes procedures for notification and applicable fees.

BUDGET IMPACT:

N/A

ATTACHMENTS:

- ▶ Exhibit A: Agreement for Collection Services – Evergreen Professional Recoveries, Inc.



EVERGREEN PROFESSIONAL RECOVERIES, INC.

12100 NE 195th St. #325 Bothell, WA 98011

877-591-7747

AGREEMENT FOR COLLECTION SERVICES

EVERGREEN PROFESSIONAL RECOVERIES, INC., herein after referred to as “Evergreen” a Washington State Corporation and THE CITY OF LAKE STEVENS herein referred to as “Client”, a Municipal Corporation agree that the accounts placed for collection with Evergreen are subject to the terms and conditions of the following agreement between parties:

1. Collection activities shall be in compliance with federal, state and local laws or regulations and the Fair Debt Collection Practices Act (F.D.C.P.A.), and be courteous and businesslike, consistent with the image and reputation of the Client.
2. Collection made by Evergreen of Client’s accounts will be deposited immediately in a separate trust account maintained for that purpose as required by law.
3. All collections made by Evergreen of Client’s accounts will be remitted to the Client less Evergreen’s collection fee on the fifteenth (15) day of the following month of collections. Any funds received within the last five (5) days of the month will be held in trust and remitted on the fifteenth (15) of the 2nd month after collections.

Evergreen will prepare a monthly remittance statement containing names, account numbers, date payment was received by Evergreen or Client, gross amounts of collections, and amount due Client. Collection fees that are due to Evergreen on any statement to the Client are due payable in full upon receipt of the statement by Client.
4. Client agrees to promptly forward to Evergreen any and all direct payments received on accounts placed for collection with Evergreen.
5. Primary Placement- In accordance with RCW 19.16.500, Evergreen will add 25% of the principal assigned amount to reflect the collection fee for Primary placement account referral. 25% of each payment then received by Evergreen or directly reported by the client will be applied to the collection fee with the remaining 75% applied to the principal assigned by the Client. This is applicable to all voluntary payments received.



EVERGREEN PROFESSIONAL RECOVERIES, INC.

12100 NE 195th St. #325 Bothell, WA 98011

877-591-7747

6. Evergreen will not institute civil legal action on any Client account without requesting and receiving Client's written authorization to do so. Thereafter, Evergreen shall have full authority to demand, settle, compromise, reassign and/or sue the claim in its own name, subject to the following:

(a) All litigation shall be conducted in the name of and under the control of Evergreen Professional Recoveries, Inc. Under no circumstances shall Evergreen name Client as a party Plaintiff in any litigation. It is understood and agreed that Evergreen Professional Recoveries, Inc., is acting on its own behalf on all collection activity and not as an agent of Client.

(b) Subject to Paragraph (c) Evergreen shall advance all costs of litigation and recover the same from the debtor. Provided, that if Client fails to appear at any scheduled trials and hearings after proper notification by Evergreen and the suit is dismissed with or without prejudice, Client agrees to reimburse Evergreen for filing fees, service fees, and attorney fees charged to or incurred by Evergreen.

(c) Evergreen assumes all costs for any legal activity up to \$500.00. During the course of litigation, should Client's case prove to exceed \$500.00 in fees, Evergreen will seek permission from Client to continue litigation and compensate Collector for additional hours of their attorneys time at the rate of \$100.00 per hour.

(d) Should Client decide for any reason to cease any legal action after it has been commenced, Client shall pay Evergreen all of its legal costs and attorneys fees incurred, together with the collection fee specified in Paragraph 5 above.

7. Evergreen is authorized to file any and all bankruptcy creditor claims for Client. However, nothing herein shall obligate Evergreen to pursue any additional action in bankruptcy court.

8. Evergreen will not forward any accounts to an affiliate out of state agency without Client's written authorization to do so.

9. Evergreen agrees that assigned accounts may be cancelled by Client without charge of the voluntary collection rate only if the debt is paid prior to the listing date, assigned in error, or due to bankruptcy or death of the debtor. The voluntary collection rate will be charged for any and all other accounts canceled unless otherwise agreed by Evergreen.



EVERGREEN PROFESSIONAL RECOVERIES, INC.

12100 NE 195th St. #325 Bothell, WA 98011 877-591-7747

10. Client shall have the right, upon reasonable notice to Evergreen and at reasonable times to inspect Evergreen's records relating to accounts Client has placed with Evergreen to insure compliance with this agreement.

11. In the event suit is filed as result of any dispute arising from this agreement, the prevailing party shall be entitled to recover its costs and expenses including its reasonable attorney fees.

12. Evergreen hereby agrees to defend and indemnify Client and to hold Client harmless from and against all damage, costs, loss and expense, including reasonable attorney's fees, directly resulting from Evergreen's collection activity under this agreement. Provided, however, the Client hereby warrants and guarantees that the information furnished to Evergreen, including but not limited to, the identity of the debtor, any other information about the debtor, the debtor's eligibility for repayment exemption, the balance of the account and the payments and credits due shall be accurate. Evergreen shall have no obligation to indemnify or hold Client harmless in the event of error in such information. Client agrees to defend and indemnify Evergreen, its officers, directors, servants, agents and attorneys, and to hold Evergreen harmless from and against all damage, costs, loss and expense, including reasonable attorney's fees, arising from errors or omissions in connection with such information furnished by Client to Evergreen. Client further agrees to indemnify Evergreen, its officers, directors, servants, agents and attorneys, and to hold them harmless from and against all damages, costs, loss and expenses, including reasonable attorney's fees that may arise out of the acts of the agents or employees of the Client. Evergreen and Client hereby expressly disclaim responsibility for any other damages, whether special, incidental or consequential.

13. INSURANCE

(a) **Minimum Limits of Insurance.**

Evergreen shall procure, and maintain for the duration of the Agreement, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work and services hereunder by Evergreen, its agents, representatives, employees or subcontractors. Evergreen shall, before commencing work under this agreement, file with the City certificates of insurance coverage to be kept in force continuously during this agreement, and during all work performed pursuant to all short form agreements, in a form acceptable to the City.



EVERGREEN PROFESSIONAL RECOVERIES, INC.

12100 NE 195th St. #325 Bothell, WA 98011 877-591-7747

Said certificates shall name the City, its officers, elected officials, agents and/or employees as an additional named insured with respect to all coverages except professional liability insurance and workers' compensation. The minimum insurance requirements shall be as follows:

- (1) Comprehensive General Liability. \$1,000,000 combined single limit per occurrence for bodily injury personal injury and property damage; \$2,000,000 general aggregate.
- (2) Workers' Compensation. Workers' compensation limits as required by the Workers' Compensation Act of Washington;

(b) Endorsement. In the event that Evergreen receives notice (written, electronic or otherwise) that any of the above required insurance coverage is being cancelled and/or terminated, the Consultant shall immediately (within forty-eight (48) hours) provide written notification of such cancellation/termination to the City.

(c) Insurance shall be Primary. The Evergreen's insurance coverage shall be primary insurance as respect the City. Any insurance, self-insurance, or insurance pool coverage maintained by the City shall be excess of the Evergreen's insurance and shall not contribute with it.

(d) No Limitation. Evergreen's maintenance of insurance as required by this Agreement shall not be construed to limit the liability of Evergreen to the coverage provided by such insurance or otherwise limit the recourse to any remedy available at law or in equity.

14. This agreement may be terminated by either party upon thirty (30) days written notice. Client agrees that Evergreen may continue to collect monies on those accounts for which a present payment schedule with the debtor (hereinafter "retained accounts"). All retained accounts shall continue subject to the same terms and conditions of this Agreement.



EVERGREEN PROFESSIONAL RECOVERIES, INC.

12100 NE 195th St. #325 Bothell, WA 98011 877-591-7747

15. The provisions of this agreement shall override any past agreement(s) entered into by and between Evergreen and Client.

Dated this 9th day of January, 2012 by their duly authorized and empowered representatives.

EVERGREEN PROFESSIONAL RECOVERIES, INC.

Monica Severtsen

Name: Monica Severtsen

Title: President

THE CITY OF LAKE STEVENS

Vern Little, Mayor

ATTEST:

Norma J. Scott, City Clerk

APPROVED AS TO FORM:

Grant K. Weed, City Attorney



LAKE STEVENS CITY COUNCIL
STAFF REPORT

Council Agenda Date: January 9, 2012

Subject: SEPA Code Update LS2011-8

Contact Person/Department: Russ Wright, Planning &
Community Development

Budget Impact: none

RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL: This is an introduction only – no action is required at this time.

SUMMARY:

The City is proposing to update its local State Environmental Policy Act (SEPA) regulations to be consistent with the SEPA model ordinance and authorize the use of Planned Actions.

BACKGROUND AND FINDINGS:

The City adopted its SEPA policies in 1992, which have remained largely unchanged. Several sections are inconsistent with the current state regulations. The scope of the project is an update to the City's SEPA regulations (Title 16 LSMC) to ensure consistency with state requirements and authorize the use of Planned Actions. The proposed revisions are predominately procedural and conform to the SEPA rules of Chapter 197-11 of the Washington Administrative Code (WAC). The major proposed changes include removing outdated sections and inserting new sections for consistency with the model ordinance.

The Planning Commission reviewed and commented on an earlier draft. Staff incorporated their changes into the current draft. The Planning Commission will hold a public hearing on the draft regulations on February 01, 2012. Following the public hearing, the Planning Commission will provide a recommendation to City Council. Staff has tentatively scheduled a public hearing with City Council for February 13, 2012.

The City has issued a Determination of Non-Significance for the project and forwarded the draft regulations to affected agencies for review.

APPLICABLE CITY POLICIES: Title 16 LSMC SEPA Procedures and Policies

BUDGET IMPACT: There is no immediate budget effect other than staff and attorney time; however, the City may need to look at permitting fees in the future.

ATTACHMENTS:

1. Draft Regulations

Title 16 SEPA Procedures and Policies

Chapter 16.40 SEPA

16.40.010 Authority.

The city of Lake Stevens adopts this chapter under the State Environmental Policy Act (SEPA), Revised Code of Washington (RCW) 43.21C.120, and the SEPA rules, Washington Administrative Code (WAC) 197-11-904. This ordinance contains this city's SEPA procedures and policies, which must be used in conjunction with Chapter 197-11 WAC.

16.40.015 Policy.

The city adopts the following section of Chapter 197-11 WAC section by reference.

197-11-030 Policy

16.40.020 General requirements.

This section contains the basic requirements that apply to the SEPA process. The city adopts the following sections of Chapter 197-11 WAC by reference.

197-11-040 Definitions.

197-11-050 Lead agency.

197-11-055 Timing of the SEPA process.

197-11-060 Content of environmental review.

197-11-070 Limitations on action during SEPA process.

197-11-080 Incomplete or unavailable information.

197-11-090 Supporting documents.

197-11-100 Information required of applicants.

197-11-158 GMA project review – reliance on existing plans, laws, and regulations.

197-11-210 SEPA/GMA integration.

197-11-220 SEPA/GMA definitions.

197-11-228 Overall SEPA/GMA integration procedures.

197-11-230 Timing of an integrated GMA/SEPA process.

197-11-232 SEPA/GMA integration procedures for preliminary planning, environmental analysis, and expanded scoping.

197-11-235 Documents.

197-11-250 SEPA/Model Toxics Control Act integration.

197-11-253 SEPA lead agency for MTCA actions.

197-11-256 Preliminary evaluation.

197-11-259 Determination of Nonsignificance for MTCA remedial actions.

197-11-262 Determination of Significance and EIS for MTCA remedial actions.

197-11-265 Early Scoping for MTCA remedial actions.

197-11-268 MTCA interim actions.

16.40.025 Designation of responsible official.

- (a) For those proposals for which the city is the lead agency, the responsible official shall be the Planning and Community Development Director or designee.
- (b) For all proposals for which the city is the lead agency, the responsible official shall make the threshold determination, supervise scoping and preparation of any required environmental impact statement (EIS), and perform any other functions assigned to the "lead agency" or "responsible official" by those sections of the SEPA rules adopted by reference in WAC 173-806-020, as identified in Section 16.40.020.
- (c) The city shall retain all documents required by the SEPA rules (Chapter 197-11 WAC) and make them available in accordance with Chapter 42.17 RCW.

16.40.030 Lead agency determination and responsibilities

- (a) When receiving an application for or initiating a proposal that involves a nonexempt action, the city shall determine the lead agency for that proposal under WAC 197-11-050, 197-11-253, and 197-11-922 through 197-11-940; unless the lead agency has been previously determined or the city is aware that another department or agency is in the process of determining the lead agency.
- (b) When the city is not the lead agency for a proposal, the city shall use and consider, as appropriate, either the DNS or the final EIS of the lead agency in making decisions on the proposal. The city shall not prepare or require preparation of a DNS or EIS in addition to that prepared by the lead agency, unless required under WAC 197-11-600. In some cases, the city may conduct supplemental environmental review under WAC 197-11-600.
- (c) If the city receives a lead agency determination made by another agency that appears inconsistent with the criteria of WAC 197-11-253 or 197-11-922 through 197-11-940, it may object to the determination. Any objection must be made to the agency originally making the determination and resolved within fifteen days of receipt of the determination, or the city must petition the Department of Ecology for a lead agency determination under WAC 197-11-946 within the fifteen-day time period.
- (d) The city, by decisions of the responsible official, can make agreements as to lead agency status or share lead agency duties for a proposal under WAC 197-11-942 and 197-11-944.
- (e) In making a lead agency determination for a private project, the city shall require sufficient information from the applicant to identify which other agencies have jurisdiction over the proposal.
- (f) When the city is lead agency for a Model Toxics Control Act (MTCA) remedial action, the city shall provide the Department of Ecology an opportunity, under WAC 197-11-253(5), to review the environmental documents prior to public notice being provided. If the SEPA and MTCA documents are issued together with one public comment period, under WAC 197-11-253(6), the city shall decide jointly with the Department of Ecology who receives the comment letters and how copies of the comment letters will be distributed to the other agency.

16.40.035 Transfer of lead agency status to a state agency

For any proposal for a private project where the city would be the lead agency and for which one or more state agencies have jurisdiction, the city's responsible official may elect to transfer the lead agency duties to a state agency. The state agency with jurisdiction appearing first on the priority listing in WAC 197-11-936 shall be the lead agency and the city shall be an agency with jurisdiction. To transfer lead agency duties, the city's responsible official must transmit a notice of the transfer with any available relevant information, on the proposal, to the appropriate state agency with jurisdiction. The city's responsible official shall also give notice of the transfer to the private applicant and any other agencies with jurisdiction over the proposal.

16.40.040 Additional timing considerations.

- (a) For nonexempt proposals, the DNS or final EIS for the proposal shall accompany the city's staff recommendation to any appropriate advisory body.
- (b) If the city's only action on a proposal is a decision on a building permit or other license, not subject to the notice of application requirements of RCW 36.70B.110 or LSMC 14.16A.225, but that requires detailed project plans and specifications, the applicant may request in writing that the city conduct environmental review prior to submission of the detailed plans and specifications.

16.40.045 Categorical exemptions and threshold determinations.

This section contains information for deciding whether a proposal has a “probable significant, adverse environmental impact,” requiring an environmental impact statement (EIS) to be prepared. This section also contains rules for evaluating the impacts of proposals not requiring an EIS. The city adopts the following sections of Chapter 197-11 WAC by reference.

- 197-11-300 Purpose of this part.
- 197-11-305 Categorical exemptions.
- 197-11-310 Threshold determination required.
- 197-11-315 Environmental checklist.
- 197-11-330 Threshold determination process.
- 197-11-335 Additional information.
- 197-11-340 Determination of nonsignificance (DNS).
- 197-11-350 Mitigated DNS.
- 197-11-355 Optional DNS process.
- 197-11-360 Determination of significance (DS)/invitation of scoping.
- 197-11-390 Effect of threshold determination.

16.40.050 Categorical exemptions.

- (a) The city adopts by reference the following sections of Chapter 197-11 WAC regarding categorical exemptions:

- 197-11-800 Categorical exemptions.
- 197-11-880 Emergencies.
- 197-11-890 Petitioning Department of Ecology to change exemptions.

- (b) Under WAC [197-11-800\(1\)\(a\)](#) and (c), the city may raise categorical exemption levels for certain types of minor new construction described in WAC 197-11-800(1)(b). Local conditions, including zoning or other land use plans or regulations, implemented by ordinance, shall support any raised categorical exemption level. If the city increases any categorical exemptions levels, they shall send these to the Department of Ecology. The maximum level that any such category exemption may be raised is specified in WAC 197-11-800(1)(c).

16.40.055 Use of exemptions.

- (a) When the city receives an application or request for a proposed project or non-project action, the responsible official shall determine if the action is properly defined per WAC 197-11-060 and categorically exempt per WAC 197-11-800. The determination that a proposal is exempt shall be final and not subject to administrative review. If a proposal is exempt, none of the procedural requirements

of this chapter applies to the proposal. The city shall not require completion of an environmental checklist for an exempt proposal.

- (b) If a proposed project or non-project action includes both exempt and nonexempt actions, the city may authorize exempt actions prior to compliance with the procedural requirements of this chapter, except that The city shall not authorize:
 - (1) Any nonexempt action;
 - (2) Any action that would have an adverse environmental impact; or
 - (3) Any action that would limit the choice of alternatives.

14.64.060 Environmental checklist.

- (a) A project proponent shall submit a completed environmental checklist (or a copy), substantially in the form provided in WAC 197-11-960 or as hereafter amended, when they submit a permit application, license, certificate, or other project proposal not specifically exempted in this chapter. The city shall use the completed environmental checklist to determine the lead agency and, if the city is the lead agency, for making the threshold determination.
- (b) The city will not require an environmental checklist when the city and applicant agree that an EIS is required; another agency, acting as lead agency, has prepared its own EIS for a public proposal; or when the proposed project or non-project action qualifies as a planned action, pursuant to subsection 14.64.060(e) of this section.
- (c) For private proposals, the city will require the applicant to complete the environmental checklist and the city will provide assistance as necessary, for example the city may provide relevant, available technical information to the private applicant; or notify them if material provided is inaccurate.
- (d) For city proposals, the department initiating the proposal shall complete the environmental checklist for that proposal.
- (e) For projects submitted as planned actions under WAC 197-11-164, the city shall use its existing environmental checklist form or may modify the environmental checklist form as provided in WAC 197-11-315. The modified environmental checklist form may be prepared and adopted along with the planned action ordinance, or developed after adoption of the planned action ordinance. In either case, the city must send the Department of Ecology the modified environmental checklist form to allow the Department at least a thirty-day review of the form prior to its use.

16.40.065 Mitigated DNS.

- (a) As provided in this section and in WAC 197-11-350, the responsible official may issue a DNS based on conditions attached to the proposal by the responsible official or on changes to, or clarifications of, the proposal made by the applicant.
- (b) An applicant may request in writing early notice of whether a DS is likely under WAC 197-11-350. The request must:
 - (1) Follow submission of a permit application and environmental checklist for a nonexempt proposal for which the department is lead agency; and
 - (2) Precede the city's actual threshold determination for the proposal.
- (c) The responsible official should respond to the request for early notice within fourteen (14) days in conformance with the timing requirements found in LSMC 14.16A.230. The response shall:
 - (1) Be written;
 - (2) State whether the city currently considers issuance of a DS likely and, if so, indicate the general or specific area(s) of concern that is/are leading the city to consider a DS; and

- (3) State that the applicant may change or clarify the proposal to mitigate the indicated impacts, revising the environmental checklist and/or permit application as necessary to reflect the changes or clarifications.
- (d) The city should assist the applicant with identification of impacts to the extent necessary to formulate mitigation measures.
- (e) When an applicant submits a changed or clarified proposal, along with a revised or amended environmental checklist, the city shall base its threshold determination on the changed or clarified proposal.
 - (1) If the city indicated specific mitigation measures in its response to the request for early notice, and the applicant changed or clarified the proposal to include those specific mitigation measures, the city shall issue and circulate a DNS under WAC 197-11-340(2).
 - (2) If the city indicated areas of concern, but did not indicate specific mitigation measures that would allow it to issue a DNS, the city shall make the threshold determination, issuing a DNS or DS as appropriate.
 - (3) The applicant's proposed mitigation measures (clarifications, changes or conditions) must be in writing and must be specific. For example, proposals to "control noise" or "prevent stormwater runoff" are inadequate, whereas proposals to "muffle machinery to X decibel" or "construct 200-foot stormwater retention pond at Y location" are adequate.
 - (4) Mitigation measures, which justify issuance of a mitigated DNS, may be incorporated in the DNS by reference to agency staff reports, studies or other documents.
- (f) A mitigated DNS is issued under WAC 197-11-340(2), requiring a fourteen (14) day comment period in conformance with the timing requirements found in LSMC 14.16A.230.
- (g) The city shall deem mitigation measures incorporated in the mitigated DNS conditions of approval of the permit decision and enforce them in the same manner as any term or condition of the permit.
- (h) The city's written response, under section 16.40.065(b) is not a determination of significance. In addition, preliminary discussion of clarifications or changes to a proposal, as opposed to a written request for early notice, shall not bind the city to consider the clarifications or changes in its threshold determination.

16.40.070 Environmental Impact Statement.

This section contains the rules for preparing environmental impact statements. The city adopts the following sections of Chapter 197-11 WAC by reference.

- 197-11-400 Purpose of EIS.
- 197-11-402 General requirements.
- 197-11-405 EIS types.
- 197-11-406 EIS timing.
- 197-11-408 Scoping.
- 197-11-410 Expanded scoping.
- 197-11-420 EIS preparation.
- 197-11-425 Style and size.
- 197-11-430 Format.
- 197-11-435 Cover letter or memo.
- 197-11-440 EIS contents.

- 197-11-442 Contents of EIS on Nonproject Proposals.
- 197-11-443 EIS contents when prior Nonproject EIS.
- 197-11-444 Elements of the environment.
- 197-11-448 Relationship of EIS to other considerations.
- 197-11-450 Cost-benefit analysis.
- 197-11-455 Issuance of DEIS.
- 197-11-460 Issuance of FEIS.

16.40.075 Preparation of EIS – Additional considerations

- (a) Preparation of draft and final EISs (DEIS and FEIS) and draft and final supplemental EISs (SEIS) is the responsibility of the Planning and Community Development Department under the direction of the responsible official. Before the city issues an EIS, the responsible official shall be satisfied that, the EIS complies with this chapter and Chapter 197-11 WAC.
- (b) City staff, the applicant, or a consultant selected by the city or the applicant shall prepare the DEIS and FEIS or draft and final SEIS. If the responsible official requires an EIS for a proposal and determines that someone other than the city will prepare the EIS, the responsible official shall notify the applicant immediately after completion of the threshold determination. The responsible official shall also notify the applicant of the city's procedure for EIS preparation, including approval of the DEIS and FEIS prior to distribution.
- (c) The city may require an applicant to provide information the city does not possess, including but not limited to specific investigations and reports, that the responsible official deems necessary to prepare the DEIS and/or FEIS. The applicant shall be responsible for the costs and expense of providing such information.

16.40.080 Commenting.

This section contains rules for consulting, commenting, and responding to environmental documents, under SEPA, including rules for public notices and hearings. The city adopts the following sections of Chapter WAC 197-11 by reference.

- 197-11-500 Purpose of this part.
- 197-11-502 Inviting comment.
- 197-11-504 Availability and cost of environmental documents.
- 197-11-508 SEPA register.
- 197-11-510 Public notice.
- 197-11-535 Public hearings and meetings.
- 197-11-545 Effect of no comment.
- 197-11-550 Specificity of comments.
- 197-11-560 FEIS responses to comments.
- 197-11-570 Consultant agency costs to assist lead agency.

16.40.085 Public notice.

- (a) Whenever possible, the city shall integrate the public notice required under this section with existing notice procedures pursuant to LSMC 14.16A.225 and Chapter 14.16B LSMC.

- (b) Whenever the city issues a DNS under WAC 197-11-340(2) or a DS under WAC 197-11-360(3), the city shall give public notice as follows:
 - (1) If public notice is required for a nonexempt permit application, the notice shall state whether the city has issued a DS or DNS and when comments are due.
 - (2) If an environmental document is issued concurrently with a notice of application, the public notice requirements in RCW 36.70B.110(4) and Chapter LSMC 14.16A.225 will suffice to meet the SEPA public notice requirements in WAC 197-11-510(1).
 - (3) If no public notice is otherwise required for the permit application or approval, the city shall give notice of the DNS or DS by:
 - (i) Posting the property, for site-specific proposals;
 - (ii) Publishing notice in a newspaper of general circulation in the county, city, or general area where the proposal is located; and
 - (iii) Notifying public or private groups, which have expressed interest in this proposal or in the type of proposal under consideration.
 - (4) Whenever the city issues a DS under WAC 197-11-360(3), the city shall state the scoping procedure for the proposal in the DS as required in WAC 197-11-408, and provide public notice pursuant to LSMC 14.16A.225 and Chapter 14.16B LSMC.
- (c) If a DNS is issued using the optional DNS process, the public notice requirements for a notice of application in RCW 36.70B.110(4), supplemented by the requirements in WAC 197-11-355, will suffice to meet the SEPA public notice requirements in WAC 197-11-510 (1)(b).
- (d) Whenever the city issues a DEIS under WAC 197-11-455(5) or a SEIS under WAC 197-11-620, notice of the availability of those documents shall be given by:
 - (1) Indicating the availability of the DEIS in any public notice required for a nonexempt permit application or approval;
 - (2) Posting the property for site-specific proposals;
 - (3) Publishing notice in a newspaper of general circulation in the county, city, or general area where the proposal is located; and
 - (4) Notifying public or private groups which have expressed interest in a proposal or in the type of proposal being considered;
- (e) Public notice for projects that qualify as planned actions shall be tied to the underlying permit as specified in WAC 197-11-172(3) and notice provided pursuant to LSMC 14.16A.225 and Chapter 14.16B LSMC.
- (f) The city may require an applicant to complete the public notice requirements for the applicant's proposal at his or her expense.

16.40.090 Designation of official to perform consulted agency responsibilities for the city.

- (a) The responsible official or designee shall be responsible for preparation of written comments for the city in response to a consultation request prior to a threshold determination, participation in scoping, and reviewing a DEIS.
- (b) The responsible official or designee shall be responsible for the city's compliance with WAC 197-11-550 whenever the city is a consulted agency and is authorized to develop operating procedures that will ensure that responses to consultation requests are prepared in a timely fashion and include data from all appropriate departments of the city.

16.40.095 Using and supplementing existing environmental documents.

This section contains rules for using and supplementing existing environmental documents prepared under SEPA or National Environmental Policy Act (NEPA) for the city's own environmental compliance. The city adopts the following sections of Chapter 197-11 WAC by reference.

- 197-11-164 Planned actions – Definition and criteria.
- 197-11-168 Ordinances or resolutions designating planned actions – Procedures for adoption.
- 197-11-172 Planned actions – Project review.
- 197-11-600 When to use existing environmental documents.
- 197-11-610 Use of NEPA documents.
- 197-11-620 Supplemental Environmental Impact Statement – Procedures.
- 197-11-625 Addenda procedures.
- 197-11-630 Adoption procedures.
- 197-11-635 Incorporation by reference procedures.
- 197-11-640 Combining documents.

16.40.100 SEPA and agency decisions.

This section contains rules and policies for SEPA's substantive authority, such as decisions to mitigate or reject proposals because of SEPA. This part also contains procedures for appealing SEPA determinations to agencies or the courts. The city adopts the following sections of Chapter 197-11 WAC by reference.

- 197-11-650 Purpose of this part.
- 197-11-655 Implementation.
- 197-11-660 Substantive authority and mitigation.
- 197-11-680 Appeals.

16.40.105 Substantive authority

- (a) The policies and goals set forth in this chapter are supplementary to those in the existing policies and regulations of the city of Lake Stevens.
- (b) The city may attach conditions to a permit or approval for a proposal so long as:
 - (1) Such conditions are necessary to mitigate specific probable adverse environmental impacts identified in environmental documents prepared pursuant to this chapter; and
 - (2) Such conditions are in writing;
 - (3) The mitigation measures included in such conditions are reasonable and capable of being accomplished;
 - (4) The city has considered whether other local, state, or federal mitigation measures applied to the proposal are sufficient to mitigate the identified impacts; and
 - (5) Such conditions are based on one or more policies in subsection (d) of this section and cited in the permit or other decision document.
- (c) The city may deny a permit or approval for a proposal on the basis of SEPA so long as:
 - (1) A finding is made that approving the proposal would result in probable significant adverse environmental impacts that are identified in a FEIS or final SEIS prepared pursuant to this chapter;
 - (2) A finding is made that there are no reasonable mitigation measures capable of being accomplished that are sufficient to mitigate the identified impact(s); and

- (3) The denial is based on one or more policies identified in subsection (d) of this section and identified in writing in the decision document.
- (d) The city designates and adopts by reference the following policies as the basis for the city's exercise of authority pursuant to this section:
 - (1) The city shall use all practicable means, consistent with other essential considerations of state policy, to improve and coordinate plans, functions, programs, and resources to the end that the state and its citizens may:
 - (i) Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;
 - (ii) Assure for all people of Washington safe, healthful, productive, and aesthetically and culturally pleasing surroundings;
 - (iii) Attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, and/or other undesirable and unintended consequences;
 - (iv) Preserve important historic, cultural, and natural aspects of our national heritage;
 - (v) Maintain, wherever possible, an environment which supports diversity and variety of individual choice;
 - (vi) Achieve a balance between population and resource use, which will permit high standards of living and a wide sharing of life's amenities; and
 - (vii) Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.
 - (2) The city recognizes that each person has a fundamental and inalienable right to a healthful environment and that each person has a responsibility to contribute to the preservation and enhancement of the environment.
 - (3) The city adopts by reference the policies in the following city documents as now or hereafter amended:
 - (i) The Lakes Stevens Comprehensive Plan, including without limitation all individual elements, subarea plans, capital plans, supporting documents, and any standards, plans, policies, and other materials incorporated by reference into the comprehensive plan;
 - (ii) The Lake Stevens Municipal Code and supporting documents including without limitation all supporting documents, standards, plans, policies, and other materials incorporated by reference into the municipal code; and
 - (iii) The Lake Stevens Engineering Design and Development Standards.

16.40.110 Appeals.

- (a) The city establishes the following appeal procedures under RCW 43.21C.075 and WAC 197-11-680.
 - (1) The city will process appeals according to the procedures found in LSMC 14.16A.265 and Chapter 14.16B LSMC.
 - (2) For any appeal under this section, the city's record shall consist of the following:
 - (i) Findings and conclusions;
 - (ii) Written documents;
 - (iii) Testimony under oath; and

- (iv) A taped or written transcript.
- (3) The city may require the appellant to provide an electronic transcript.
- (4) The procedural determination by the city's responsible official shall carry substantial weight in any appeal proceeding.
- (b) The city shall give official notice, under WAC 197-11-680(5), whenever it issues a permit or approval for which a statute or ordinance establishes a time limit for commencing judicial appeal.

16.400.115 General definitions

This part contains uniform usage and definitions of terms under SEPA. The city adopts the following sections of Chapter 197-11 WAC by reference, as supplemented by WAC 173-806-030.

- 197-11-700 Definitions.
- 197-11-702 Act.
- 197-11-704 Action.
- 197-11-706 Addendum.
- 197-11-708 Adoption.
- 197-11-710 Affected tribe.
- 197-11-712 Affecting.
- 197-11-714 Agency.
- 197-11-716 Applicant.
- 197-11-718 Built environment.
- 197-11-720 Categorical exemption.
- 197-11-721 Closed record appeal.
- 197-11-722 Consolidated appeal.
- 197-11-724 Consulted agency.
- 197-11-726 Cost benefit analysis.
- 197-11-728 County/city.
- 197-11-730 Decision maker.
- 197-11-732 Department.
- 197-11-734 Determination of nonsignificance (DNS).
- 197-11-736 Determination of significance (DS).
- 197-11-738 EIS.
- 197-11-740 Environment.
- 197-11-742 Environmental checklist.
- 197-11-744 Environmental document.
- 197-11-746 Environmental review.
- 197-11-750 Expanded scoping.
- 197-11-752 Impacts.
- 197-11-754 Incorporated by reference.
- 197-11-756 Lands covered by water.

197-11-758	Lead agency.
197-11-760	License.
197-11-762	Local agency.
197-11-764	Major action.
197-11-766	Mitigated DNS.
197-11-768	Mitigation.
197-11-770	Natural environment.
197-11-772	NEPA.
197-11-774	Nonproject.
197-11-775	Open record hearing.
197-11-776	Phased review.
197-11-778	Preparation.
197-11-780	Private project.
197-11-782	Probable.
197-11-784	Proposal.
197-11-786	Reasonable alternative.
197-11-788	Responsible official.
197-11-790	SEPA.
197-11-792	Scope.
197-11-793	Scoping.
197-11-794	Significant.
197-11-796	State agency.
197-11-797	Threshold determination.
197-11-799	Underlying governmental action.

16.40.120 Additional definitions.

(a) In addition to those definitions contained within WAC [197-11-700](#) through [197-11-799](#), when used in this Chapter, the following terms shall have the following meanings unless the context indicates otherwise:

- (1) "SEPA Rules" means Chapter [197-11](#) WAC adopted by the Department of Ecology.
- (2) "Early notice" means the city's response to an applicant stating whether it considers issuance of a determination of significance likely for the applicant's proposal (mitigated determination of nonsignificance (DNS) procedures).

16.40.125 Agency compliance

This section contains rules for agency compliance with SEPA, including rules for charging fees under the SEPA process, designating categorical exemptions that do not apply within critical areas, listing agencies with environmental expertise, selecting the lead agency, and applying these rules to current agency activities. The city adopts the following sections of Chapter 197-11 WAC by reference.

197-11-900	Purpose of this part.
197-11-902	Agency SEPA policies.

- 197-11-916 Application to ongoing action.
- 197-11-920 Agencies with environmental expertise.
- 197-11-922 Lead agency rules.
- 197-11-924 Determining lead agency.
- 197-11-926 Lead agency for governmental proposals.
- 197-11-928 Lead agency for public and private proposals.
- 197-11-930 Lead agency for private projects with one-agency jurisdiction.
- 197-11-932 Lead agency for private projects requiring licenses from more than one agency, when one of the agencies is a county/city.
- 197-11-934 Lead agency for private projects requiring licenses from a local agency, not a county/city; and one or more state agencies.
- 197-11-936 Lead agency for private projects requiring licenses from more than one state agency.
- 197-11-938 Lead agency for specific proposals.
- 197-11-940 Transfer lead agency status to a state agency.
- 197-11-942 Agreements on lead agency status.
- 197-11-944 Agreements on division of lead agency disputes.
- 197-11-946 DOE resolution of lead agency disputes.
- 197-11-948 Assumption of lead agency status.

16.40.130 Critical areas.

(a) All categorical exemptions listed in WAC 197-11-800 apply whether or not a proposal is located wholly or partially within a critical area. The city shall treat proposals located wholly or partially within critical areas no differently than other proposals under this chapter. The city shall not automatically require a threshold determination or EIS for a proposal merely because it is located wholly or partially within a critical area.

(1) The scope of environmental review of actions within these areas shall be limited to:

- (i) Documenting whether the proposal is consistent with the requirements of Chapter 14.88 LSMC; and
- (ii) Evaluating potentially significant impacts on the critical area resources not adequately addressed by GMA planning documents and development regulations, if any, including any additional mitigation measures needed to protect the critical areas in order to achieve consistency with SEPA and with other applicable environmental review laws.

16.40.140 Fees.

The city shall require fees as set forth by resolution for its activities in accordance with provisions of this chapter. The City Council may amend fees at any time by resolution.

16.44.145 Forms.

The city adopts the following forms and sections of Chapter 197-11 WAC by reference.

- 197-11-960 Environmental checklist.
- 197-11-965 Adoption notice.
- 197-11-970 Determination of nonsignificance (DNS).

- 197-11-980 Determination of significance and scoping notice (DS).
- 197-11-985 Notice of assumption of lead agency status.
- 197-11-990 Notice of action.

16.40.155 Severability.

If any provision of this title or its application to any person or circumstance is held invalid, the remainder of this title or the application of the provision to other persons or circumstances shall not be affected.

Title 14 Land Use Code

Chapter 14.16B Types of Land Use Review

14.16B.230 Minimum Comment Period.

- (c) If early SEPA review is requested, as described in Section ~~((16.08.015))~~ 16.40.065(b), the Planning Director shall combine the notice of application and DNS comment periods. When a final DNS is issued, there is no additional comment period.

14.16B.320 Minimum Comment Period

- (c) If the early SEPA review is requested, as described in Section ~~((16.08.015))~~, the notice of application and DNS comment periods shall be combined. When a final DNS is issued, there is no additional comment period.

14.16B.420 Minimum Comment Period.

- (c) If the early SEPA review is requested, as described in Section ~~((16.08.015))~~ 16.40.065(b), the notice of application and DNS comment periods shall be combined. When a final DNS is issued, there is no additional comment period.

14.16B.520 Minimum Comment Period

- (c) If the early SEPA review is requested, as described in Section ~~((16.08.015))~~ 16.40.065(b), the notice of application and DNS comment periods shall be combined. When a final DNS is issued, there is no additional comment period.

14.16B.330 Environmental Review.

Environmental review includes a threshold determination pursuant to Chapter [16.40 LSMC](#), SEPA Procedures and Policies. Early SEPA review may be issued with the notice of application pursuant to Section ~~((16.08.015))~~ 16.40.065(b).

14.16B.430 Environmental Review.

Environmental review includes a threshold determination pursuant to Chapter [16.40 LSMC](#), SEPA Procedures and Policies. Early SEPA review may be issued with the notice of application pursuant to Section ~~((16.08.015))~~ 16.40.065(b).

14.16B.530 Environmental Review.

Environmental review includes a threshold determination pursuant to Chapter 16.40 LSMC, SEPA Procedures and Policies. Early SEPA review may be issued with the notice of application pursuant to Section ~~((16.08.015))~~ 16.40.065(b).



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LAKE STEVENS CITY COUNCIL
STAFF REPORT

Council Agenda Date: January 9, 2012

Subject: Draft EIS Land Use Alternatives

Contact Person/Department: Russ Wright, Senior Planner
 Rebecca Ableman, Director of
 Planning & Community
 Development

Budget Impact: Existing
 Contract for
 Consultant
 Services

RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL: No Council action needed at this time.

SUMMARY:

Lake Stevens Center Draft Environmental Impact Statement (DEIS) update and discussion

BACKGROUND/HISTORY:

Since, the last Council briefing (September 26, 2012), staff has issued the Draft Environmental Impact Statement (DEIS) for the Lake Stevens Center and distributed it to affected agencies, tribes and organizations. Staff and the consultant team have completed a rough draft of the Lake Stevens Center Subarea Plan. The DEIS covers the existing conditions, land use alternatives, impacts, and mitigation measures for planning consideration, while the Subarea Plan describes the specific Goals and Policies for implementation. The purpose of tonight’s meeting is to introduce the DEIS. Substantive discussions on the alternatives and impacts will follow the end of the comment period (February 10, 2012).

The alternatives presented in the Draft EIS consider varying levels of growth and place different emphases on commercial or residential land uses. There is not a preferred alternative at this time. The table below summarizes the land use assumptions for the alternatives.

Alternative	Retail (Gross Sq. Ft)	Office (Gross Sq. Ft)	Housing Units
Alternative 1 – No Action	50,000-60,000	30,000-40,000	100-120
Alternative 2 – Center Revitalization	140,000-150,000	140,000-150,000	180-200
Alternative 3 – Retail & Residential Emphasis	140,000-150,000	100,000-120,000	500-600

The Draft EIS considers the following broad areas of environmental concern: Earth; Stormwater; Water Resources; Plants & Animals; Air Quality; Land Use; Population, Housing, & Employment; Aesthetics; Transportation; Public Services; and Utilities.

The DEIS did not predict significant environmental impacts, that is outcomes that cannot be corrected through reasonable, targeted mitigation measures, such as new regulations and policies or capital improvements. The most significant issues relate to traffic impacts and public services. Specially, traffic models predict that congestion will increase with all alternatives. The need for increased public services, facilities, & utilities will increase proportionately to increases in population and development.

The plan objectives encourage increased economic development, guiding future growth at higher densities within a designated center, revitalizing the area, and enhancing the quality of development.

The next steps include a public meeting on January 12, 2012 to discuss the DEIS land use alternatives and impacts. After the end of the comment period, Council will determine a preferred alternative on February 21, 2012, which could be any of the draft alternatives or combinations thereof. After Council identifies a preferred alternative, staff and the consultant team will begin work on the Lake Stevens Center Final EIS and Subarea Plan for action in spring 2012. To implement the subarea plan the City will need to take the following actions:

1. Adopt a subarea plan, pursuant to the Revised Code of Washington (RCW) 36.70A.080, which will amend and become an element of the Lake Stevens Comprehensive Plan;
2. Amend the zoning map to rezone properties consistent with the subarea plan;
3. Revise the zoning code to amend or adopt new classifications, development standards and/or design guidelines;
4. Amend the Comprehensive Plan's Transportation Element and Capital Facilities Element to address infrastructure needs required to support planned growth in the subarea; and
5. Adopt an ordinance designating the subarea as a Planned Action, pursuant to the State Environmental Policy Act (SEPA, RCW 43.21C.031) and the SEPA Rules (Washington Administrative Code (WAC, 197-11-164), for purposes of future environmental review and permitting.

APPLICABLE CITY POLICIES: Subarea plan to the Comprehensive Plan pursuant to RCW 36.70A.080 (Growth Management Policy Act – Optional Elements) and Environmental Impact Statements pursuant to WAC 197-11, Part Four and Chapter 16.16 LSMC (State Environmental Policy Act - Environmental Impact Statements)

BUDGET IMPACT: There is no immediate budget effect; the subarea planning and environmental review process is subject to an existing contract for services.

ATTACHMENTS:

1. DEIS Summary

1. SUMMARY

1.1 PROPOSED ACTION & ALTERNATIVES

Legislative Actions

The City of Lake Stevens will consider the following actions and approvals for the Lake Stevens Center Subarea:

1. Adopting a subarea plan, pursuant to the Revised Code of Washington (RCW) 36.70A.080, which will amend and become an element of the Lake Stevens Comprehensive Plan;
2. Amending the zoning map to rezone properties consistent with the subarea plan;
3. Revising the zoning code to amend or adopt new classifications, development standards and/or design guidelines;
4. Amending the Comprehensive Plan's Transportation Element and Capital Facilities Element to address infrastructure needs required to support planned growth in the subarea; and
5. Adopting an ordinance designating the subarea as a Planned Action, pursuant to the State Environmental Policy Act (SEPA, RCW 43.21C.031) and the SEPA Rules (Washington Administrative Code (WAC, 197-11-164), for purposes of future environmental review and permitting.

Study Area

The City of Lake Stevens is located in Snohomish County, approximately six miles east of downtown Everett. The Lake Stevens Center Subarea, shown in Figure 2-1, is comprised of approximately 359 acres of land centered on the SR-9/SR-204 intersection. The study area extends to Lundeen Park Way on the north and west, 2nd Street SE on the south, and Springbrook Road, 98th Drive and 103rd Ave NE on the east. The subarea was annexed into the City in 2009.

Proposal Objectives

The objectives for the Lake Stevens Center Subarea Plan are based on policies in the Lake Stevens Comprehensive Plan and the opportunities identified in the *Economic Assessment Report* and *Retail Forecast and Leakage Analysis*. The objectives provide a basis for developing and evaluating subarea plan alternatives.

1. Promote economic development and balanced jobs and housing.
2. Transform the area into a regional center with anchor retail, a greater array of restaurants, visitor lodging, family-oriented entertainment and public spaces.
3. Recognize and strengthen Lake Stevens Center as an important crossroad for commerce for communities along SR-9.

4. Redevelop existing commercial and retail land uses from auto-oriented, strip commercial retail to a village-like environment that meets the need of people who live in Lake Stevens and the surrounding area.
5. Encourage infill, greater intensity and redevelopment where older buildings have outlived their economic life and look for opportunities to upgrade older properties into places where people can live as well as conduct business.
6. Develop mixed-use nodes to anchor local shops, restaurants, and larger retail chains utilized by the local and regional community.
7. Incorporate mixed-use residential buildings with ground-floor retail or office that allow people to work within walking distance of their home.
8. Provide a variety of professional services and offices that cater to the needs of local residents.
9. Promote the creation of a traditional “main street” along 91st Avenue NE that features pedestrian-oriented land uses and street amenities (e.g., benches, trash and streetlights) and street trees.
10. Achieve a mixture of jobs, goods and services, housing and recreation that combines urban development with an abundance of natural features and open space
11. Retrofit major streets and intersections to improve circulation and provide distinctive landscaping and lighting to create a welcoming entry to the community.
12. Upgrade the transportation network to ensure that multiple modes of travel have effective circulation and access to destinations.
13. Enhance the appearance of streets, sidewalks, sites, and buildings through the development of effective development regulations, guidelines, and standards.
14. Protect important environmental resources.
15. Strengthen attributes that reflect Lake Stevens as a distinct, unified community.
16. Create an incentive for redevelopment through a SEPA Planned Action.

Subarea Alternatives

The EIS considers three alternatives, which involve different amounts, types and intensities of growth within the subarea, as summarized in Table 1-1. Assumptions about future growth are based on a review of historical land use patterns, adopted forecasts, projects currently under review, and emerging economic development strategies. Land use for the alternatives is illustrated in Figures 2-2, 2-3 and 2-4, contained in Chapter 2.

Table 1-1. Summary of Growth Assumptions for Alternatives

Alternative	Retail (Gross Sq. Ft)	Office (Gross Sq. Ft)	Housing Units (dwelling units)
Alternative 1 – No Action	50,000-60,000 gsf	30,000-40,000 gsf	100-120 du's
Alternative 2 – Center Revitalization	140,000-150,000 gsf	140,000-150,000 gsf	180-200 du's
Alternative 3 – Retail & Residential Emphasis	140,000-150,000 gsf	100,000-120,000 gsf	500-600 du's

The EIS alternatives all envision Lake Stevens Center redeveloping over time as a concentrated, high intensity retail center. None of the alternatives is preferred at this time. The City is using the integrated SEPA/GMA process described below to help craft and select a preferred alternative which will be proposed for adoption. The selected alternative may combine elements of the various EIS alternatives, and will be identified in the Final EIS.

Alternative 1 – No Action

The *No Action Alternative*, a mandatory element of every EIS, assumes that the City will not adopt a subarea plan for Lake Stevens Center. It does not mean that growth or redevelopment will not occur in the subarea. Rather, existing zoning and land use designations will continue to apply; any changes to land use would result from project-specific applications, which could include requests for Comprehensive Plan or zoning amendments. The City would not adopt plans, policies or development regulations to emphasize revitalization of the subarea under this alternative. No significant redevelopment of the Frontier Village shopping center and surrounding areas is assumed to occur, which would limit the economic development of the City. Similarly, no significant infrastructure improvements would occur in the subarea, beyond those identified in the adopted Capital Facilities Plan. However, to address congestion, pedestrian mobility, access and safety issues, the City and/or WSDOT will implement near-term and long-term transportation improvements in the subarea under any alternative.

Alternative 2 – Center Revitalization

Alternative 2 would plan for the revitalization of Lake Stevens Center, with an emphasis on retail and office growth. Future residential development would be primarily multifamily. The general land use pattern would consist of a commercial core, smaller commercial and mixed-use areas, and transit-oriented development. Building height and scale would range from two to five stories, depending on location and the nature of the dominant use.

The most intensive commercial development (retail and services) would occur on both the eastern and western sides of SR-9. A portion of 91st Ave. NE, south of the SR-9/SR-204 intersection, could be developed as a commercial “main street.” with a mix of retail, office and multifamily residential development along the street. Several areas for multifamily development would be designated adjacent to the commercial center. A transit-oriented development (TOD) -- including a mix of retail, services and multifamily -- could be located south of Market Place, near the existing Transit Center. No changes in land use would occur for existing single-family residential areas in the northern and western portions of the subarea adjacent to the transmission line corridor.

The City, special purpose districts, and developers would provide new and upgraded utility infrastructure (sewer, water, and drainage/stormwater) to support planned growth. The City would also encourage the development of park facilities and a multiuse trail in the powerline corridor. *Alternative 2* includes the same potential program of near-term and long-term transportation improvements identified for the *No Action Alternative*.

New and amended development regulations will address the mix, density, scale and form of planned development. This could include new zoning classifications and development standards and design guidelines. To mitigate growth related impacts, a transportation impact fee program will be considered to help address subarea transportation needs, along with other techniques to help finance improvements.

The Lake Stevens Center subarea would be designated as a Planned Action, which would encourage economic development and streamline SEPA review for projects that are consistent with the subarea plan and the EIS.

Alternative 3 – Retail and Residential Emphasis

The overall land use pattern for *Alternative 3* is similar to that of *Alternative 2*. It includes a mix of retail and office development similar to *Alternative 2*, but with a greater emphasis on housing and a reduction in office development. The major differences are a larger mixed-use area north of the SR-9/SR-204 intersection and the redesignation of an existing single-family area to multifamily. As with *Alternative 2*, new transit-oriented mixed-use development, including multifamily housing would be located near the existing Transit Center. “Gateways” would be established at the boundaries of the subarea, along SR-9, 91st Ave. NE and SR-204.

Similar to *Alternative 2*, new and upgraded utility infrastructure (sewer, water drainage) would be provided to support planned growth. The City would also encourage development of park facilities and a multiuse trail adjacent to the powerlines. *Alternative 3* includes the same potential program of near-term and long-term transportation improvements identified for the *No Action Alternative*.

New and amended development regulations will address the mix, density, scale and form of development. This could include new zoning classifications and requirements along with area-specific design guidelines and standards. A transportation impact fee program would also be considered to help address subarea transportation needs, along with other techniques to help finance improvements.

The subarea would be designated as a Planned Action, which would encourage economic development and facilitate SEPA review for projects that are consistent with the subarea plan and the EIS.

1.2 PLANNED ACTION & ENVIRONMENTAL REVIEW PROCESS

Planned Action

A Planned Action is a tool that cities can use to provide regulatory certainty and encourage economic development. This tool is permitted by state law (RCW 43.21C.031 and WAC 197-11-164), and operates by performing up-front SEPA review for a subarea plan and/or specific geographic area to streamline SEPA review for subsequent projects that are consistent with the plan. A Planned Action is designated by ordinance following preparation of an Environmental Impact Statement (EIS); the EIS evaluates the impacts of planned growth and identifies mitigation measures the City will require of the development.

Environmental Review Process

SEPA/GMA Integration. State Rules for implementing the State Environmental Policy Act (SEPA), authorize cities to combine the planning requirements of the Growth Management Act GMA with the environmental review requirements of SEPA in their planning processes (WAC 197-11-210). The goal of this “integration” is to ensure that consideration of environmental issues is an integral part of local planning, that it occurs early in the process, and that informed public involvement occurs. The integration rules provide flexibility regarding the timing of SEPA review and the format of planning and SEPA documents.

The City is developing a subarea plan for the Lake Stevens Center concurrently with the Planned Action EIS. This approach will generate environmental information early in the planning process, and allow decision makers to make planning decisions – including identification of a preferred alternative – using this information.

Prior Environmental Review. In 2006, the City prepared an integrated EIS for its 10-year Comprehensive Plan Update, which extended the planning horizon and population projections for the Comprehensive Plan. The EIS to the Comprehensive Plan identified the general (programmatic) impacts to the natural and built environment associated with the additional incremental growth. The EIS also identified a range of programmatic actions – including changes to policies and development regulations – that could

mitigate potential impacts. The 2025 population and employment targets evaluated in the EIS are still the basis for City planning and for *Alternative 1* of this EIS.

Scope of Environmental Review

The City initiated the SEPA process for the Lake Stevens Center in June 2011, by issuing a determination of significance (DS), indicating that an environmental impact statement would be prepared, and requesting comments on the scope of the EIS. A public scoping meeting was held on July 14, 2011. The scoping comment period was open from June 28 to July 22, 2011. Based on its review of comments received and other available information, the City identified the following topics for discussion in the EIS:

- **Natural Environment**
 - Earth* – soils, geologically hazardous areas
 - Water* – wetlands, streams and groundwater
 - Plants & Animals* – wildlife, habitat and fisheries
- **Air** – air quality and greenhouse gas emissions
- **Land Shoreline Use** – land use patterns, consistency with adopted plans & polices, population, housing and employment
- **Aesthetics/Light & Glare** – changes to visual character and impacts to views
- **Transportation** – vehicular and pedestrian movement, traffic congestion, parking, and public transit
- **Public Services** – police, fire, schools, parks and recreation
- **Utilities** – sewer, water, drainage and stormwater

1.3 SUMMARY OF IMPACTS

Table 1-2, which follows, summarizes of the impacts of the EIS alternatives. The summary statements are based on the analysis in Chapter 3 of the Draft EIS, and are intended to be brief and selective. The reader is directed to the complete analysis for more detailed information.

Table 1-2. Summary of Impacts

Alternative 1 – No Action	Alternative 2	Alternative 3
Natural Environment	Natural Environment	Natural Environment
<p><i>Earth</i></p> <ul style="list-style-type: none"> • Clearing and grading could cause some erosion. • Limited impacts due to existing degree of development, and small amount of vacant land. <p><i>Geologically Hazardous Areas</i></p> <ul style="list-style-type: none"> • Less than one acre of geologic hazards; no significant impacts are anticipated. <p><i>Water Resources</i></p> <ul style="list-style-type: none"> • Aquifer sensitivity of subarea is “low” and no designated recharge areas or wellhead protection areas are present. No significant impacts to groundwater are anticipated. • An incremental increase in impervious surface from redevelopment would increase runoff to surface water bodies. <p><i>Wetlands</i></p> <ul style="list-style-type: none"> • Redevelopment could affect wetlands and buffers, but impacts would be limited by adopted regulations. <p><i>Flooding</i></p> <ul style="list-style-type: none"> • No flooding impacts would occur. <p><i>Wildlife/Habitat</i></p> <ul style="list-style-type: none"> • Incremental reduction in vegetation and further fragmentation of remaining habitat. • No significant impacts to threatened, endangered or 	<p><i>Earth</i></p> <ul style="list-style-type: none"> • Clearing and grading could cause some erosion. • Limited impacts due to existing degree of development, and small amount of vacant land. <p><i>Geologically Hazardous Areas</i></p> <ul style="list-style-type: none"> • Less than one acre of geologic hazards; no significant impacts are anticipated. <p><i>Water Resources</i></p> <ul style="list-style-type: none"> • Aquifer sensitivity of subarea is “low” and no designated recharge areas or wellhead protection areas are present. No significant impacts are anticipated. • Increased open space and landscaping would reduce incremental increase in impervious surfaces. <p><i>Wetlands</i></p> <ul style="list-style-type: none"> • Redevelopment could affect wetlands and buffers, but impacts would be limited by adopted regulations. <p><i>Flooding</i></p> <ul style="list-style-type: none"> • No flooding impacts would occur. <p><i>Wildlife/Habitat</i></p> <ul style="list-style-type: none"> • Incremental reduction in vegetation and further fragmentation of remaining habitat. Increased open space and landscaping per subarea 	<p><i>Earth</i></p> <ul style="list-style-type: none"> • Clearing and grading could cause some erosion. • Limited impacts due to existing degree of development, and small amount of vacant land. <p><i>Geologically Hazardous Areas</i></p> <ul style="list-style-type: none"> • Less than one acre of geologic hazards; no significant impacts are anticipated. <p><i>Water Resources</i></p> <ul style="list-style-type: none"> • Aquifer sensitivity of subarea is “low” and no designated recharge areas or wellhead protection areas are present. No significant impacts are anticipated. • Increased open space and landscaping would reduce incremental increase in impervious surfaces. <p><i>Wetlands</i></p> <ul style="list-style-type: none"> • Redevelopment could affect wetlands and buffers, but impacts would be limited by adopted regulations. <p><i>Flooding</i></p> <ul style="list-style-type: none"> • No flooding impacts would occur. <p><i>Wildlife/Habitat</i></p> <ul style="list-style-type: none"> • Incremental reduction in vegetation and further fragmentation of remaining habitat. Increased open space and landscaping per subarea

Alternative 1 – No Action	Alternative 2	Alternative 3
<p>candidate species would occur.</p> <ul style="list-style-type: none"> No significant impacts to fish would occur. 	<p>plan and regulations would reduce impacts compared to No Action.</p> <ul style="list-style-type: none"> No significant impacts to threatened, endangered or candidate species would occur. No significant impacts to fish would occur. 	<p>plan and regulations would reduce impacts compared to No Action.</p> <ul style="list-style-type: none"> No significant impacts to threatened, endangered or candidate species would occur. No significant impacts to fish would occur.
Air	Air	Air
<p><i>Air Quality</i> <u>Construction Impacts</u></p> <ul style="list-style-type: none"> Dust from construction activities would contribute to ambient concentrations of suspended particulate matter Construction would require the use of heavy trucks and smaller equipment such as generators and compressors. These engines would emit air pollutants that would slightly degrade local air quality. Some phases of construction would cause odors detectable to some people in the area. This would be particularly true during paving operations using asphalt. Such odors from paving operations would be short term. <p><u>Operational Impacts</u></p> <ul style="list-style-type: none"> Based on projected traffic with <i>any alternative</i>, under existing (2011) or future conditions (2025), and assuming a background CO concentration of 3 ppm, WASIST model-calculated CO concentrations are less than the ambient air quality standards for CO. No significant impacts to ambient air quality are likely due to the subarea plan alternatives. 	<p><i>Air Quality</i> <u>Construction Impacts</u></p> <ul style="list-style-type: none"> Dust from construction activities would contribute to ambient concentrations of suspended particulate matter Construction would require the use of heavy trucks and smaller equipment such as generators and compressors. These engines would emit air pollutants that would slightly degrade local air quality. Some phases of construction would cause odors detectable to some people in the area. This would be particularly true during paving operations using asphalt. Such odors from paving operations would be short term. <p><u>Operational Impacts</u></p> <ul style="list-style-type: none"> Based on projected traffic with <i>any alternative</i>, under existing (2011) or future conditions (2025), and assuming a background CO concentration of 3 ppm, WASIST model-calculated CO concentrations are less than the ambient air quality standards for CO. No significant impacts to ambient air quality are likely due to the subarea plan alternatives. 	<p><i>Air Quality</i> <u>Construction Impacts</u></p> <ul style="list-style-type: none"> Dust from construction activities would contribute to ambient concentrations of suspended particulate matter Construction would require the use of heavy trucks and smaller equipment such as generators and compressors. These engines would emit air pollutants that would slightly degrade local air quality. Some phases of construction would cause odors detectable to some people in the area. This would be particularly true during paving operations using asphalt. Such odors from paving operations would be short term. <p><u>Operational Impacts</u></p> <ul style="list-style-type: none"> Based on projected traffic with <i>any alternative</i>, under existing (2011) or future conditions (2025), and assuming a background CO concentration of 3 ppm, WASIST model-calculated CO concentrations are less than the ambient air quality standards for CO. No significant impacts to ambient air quality are likely due to the subarea plan alternatives.

Alternative 1 – No Action	Alternative 2	Alternative 3
<p><i>Greenhouse Gas Emissions</i></p> <ul style="list-style-type: none"> The No Action Alternative would result in lower total GHG emissions than <i>Alternative 2</i> or <i>Alternative 3</i>, but would have higher GHG emissions per service area population. The overall significance of this impact at the subarea level is uncertain. 	<p><i>Greenhouse Gas Emissions</i></p> <ul style="list-style-type: none"> <i>Alternative 2</i> would result in the highest total GHG emissions, but would have lower emissions per service area population compared to existing conditions. The overall significance of this impact at the subarea level is uncertain. 	<p><i>Greenhouse Gas Emissions</i></p> <ul style="list-style-type: none"> <i>Alternative 3</i> would result in the highest total GHG emissions, but would have the lowest GHG emissions per service area population. The overall significance of this impact at the subarea level is uncertain.
Land Use	Land Use	Land Use
<ul style="list-style-type: none"> Growth would be modest and would occur primarily through redevelopment. Some existing uses could be displaced. Construction would cause short-term impacts such as dust, noise, and temporary interruptions in access. The existing mix, intensity and form of development would continue. Development would occur lot-by-lot, controlled by existing zoning and without the guidance of a subarea plan. Design standards would not be adopted and existing character would continue. Gross residential density would increase from 2.4 dwelling units (d.u.) per acre to approximately 2.7 du. per acre. Potential for land use conflicts exists due to broad range of permitted uses. 	<ul style="list-style-type: none"> Growth would be more substantial than for <i>No Action</i>, and would have a focus on office and retail uses. Growth would occur primarily through redevelopment; some existing uses could be displaced. Construction would cause short-term impacts, including dust, noise, and temporary interruptions in access. The land use pattern would include more mixed-use and mid-rise buildings, and development would be guided to various nodes through a plan; new zoning regulations, design guidelines and standards would positively influence development character. Gross residential density would increase from 2.4 d.u. per acre to approximately 2.9 d.u. per acre. Land uses would be guided to identified activity nodes; uses within the activity nodes would generally be 	<ul style="list-style-type: none"> Growth would be more substantial than for <i>No Action</i>, and would emphasize retail growth and increased multifamily residential land uses. Growth would occur primarily through redevelopment. Some existing uses could be displaced, including some single-family development in the northern portion of the subarea. Construction would cause short-term impacts, including dust, noise, and temporary interruptions in access. The land use pattern would include more mixed-use and mid-rise buildings, and development would be guided to various nodes of activity through a plan; new zoning regulations, design guidelines and standards would positively influence development character. Gross residential density would increase from 2.4 d.u. per acre to approximately 4 d.u. per acre Land uses would be guided to identified activity nodes would generally be complementary in

Alternative 1 – No Action	Alternative 2	Alternative 3
<ul style="list-style-type: none"> • Employment opportunities and the mix of goods and services would not change significantly. Existing leakage of spending outside the City would continue, with consequent loss of potential revenues. • Without adoption of subarea plans for Lake Stevens Center and 20th Street SE, growth would be less focused in designated centers. 	<p>complementary in character and no significant land use conflicts are anticipated.</p> <ul style="list-style-type: none"> • Center would be upgraded and revitalized to attract additional jobs and to capture market leakage. • Adoption of subarea plans for Lake Stevens Center and 20th Street SE together would help focus growth in designated centers, consistent with the Comprehensive Plan and regional growth policies. 	<p>character and no significant land use conflicts are anticipated.</p> <ul style="list-style-type: none"> • Center would be upgraded and revitalized to attract additional jobs and to capture market leakage. • Adoption of subarea plans for Lake Stevens Center and 20th Street SE together would help focus growth in designated centers, consistent with the Comprehensive Plan and regional growth policies.
Population, Housing & Employment	Population, Housing & Employment	Population, Housing & Employment
<p><i>Population</i></p> <ul style="list-style-type: none"> • Population increase of 290-350 from existing over 20 years; within City’s 2025 population target. <p><i>Housing</i></p> <ul style="list-style-type: none"> • Housing increase of 100-200 units. <p><i>Employment</i></p> <ul style="list-style-type: none"> • Increase of 190-240 jobs over 20 years. 	<p><i>Population</i></p> <ul style="list-style-type: none"> • Population increase of 520-575 from existing; within City’s 2025 population target. <p><i>Housing</i></p> <ul style="list-style-type: none"> • Housing increase of 180-200 units from existing. <p><i>Employment</i></p> <ul style="list-style-type: none"> • Greatest focus on employment uses, and increase of 700-750 jobs. 	<p><i>Population</i></p> <ul style="list-style-type: none"> • Population increase of 1,440-1,720 from existing; within City’s 2025 population target. <p><i>Housing</i></p> <ul style="list-style-type: none"> • Greater emphasis on housing, with increase of 500-600 units from existing. • Potential redevelopment of existing relatively affordable single-family area in northwestern portion of subarea. <p><i>Employment</i></p> <ul style="list-style-type: none"> • More balance between housing and employment uses, with Increase of 580-660 jobs.
Aesthetics	Aesthetics	Aesthetics
<p><i>Visual Character</i></p> <ul style="list-style-type: none"> • Existing character would not change significantly. No new regulations or design guidelines/standards would 	<p><i>Visual Character</i></p> <ul style="list-style-type: none"> • Design guidelines and standards would be adopted and would help establish consistent 	<p><i>Visual Character</i></p> <ul style="list-style-type: none"> • Impacts would be the same as Alternative 2.

Alternative 1 – No Action	Alternative 2	Alternative 3
<p>be adopted to influence design. No design consistency.</p> <p><i>Views</i></p> <ul style="list-style-type: none"> No significant impacts to views, which are limited. <p><i>Light & Glare</i></p> <ul style="list-style-type: none"> Increase in lighting, but no significant impacts are anticipated. 	<p>approach to design of sites, streetscape, landscaping and lighting.</p> <p><i>Views</i></p> <ul style="list-style-type: none"> Impacts would be the same as No Action. Potential to locate parks and open space to capture views, and to protect view corridors through design review. <p><i>Light & Glare</i></p> <ul style="list-style-type: none"> Increase in lighting, but no significant impacts are anticipated. Lighting design would be addressed in design guidelines and standards. 	<p><i>Views</i></p> <ul style="list-style-type: none"> Impacts would be the same as No Action. Potential to locate parks and open space to capture views, and to protect view corridors through design review. <p><i>Light & Glare</i></p> <ul style="list-style-type: none"> Increase in lighting, but no significant impacts are anticipated. Lighting design would be addressed in design guidelines and standards.
Transportation	Transportation	Transportation
<p><i>Roadway Operations</i></p> <p>Level of Service (LOS) would be degraded at the following intersections during the PM peak hour:</p> <ul style="list-style-type: none"> SR-9 and Lundeen Parkway (LOS F); Vernon Road and N Davies Road (LOS F); Safeway Driveway and N. Davies Road (LOS D); SR-9 and SR-204 (LOS F); SR-9 and 4th Street SE (LOS F); 91st Avenue SE and SR-204 (LOS F); and Market Place and SR-9 (LOS F). <ul style="list-style-type: none"> During the AM peak hour, the intersection of SR-9 and SR-204 would operate at LOS D, compared to LOS C at present. <p><i>Pedestrian and Bicycle System</i></p>	<p><i>Roadway Operations</i></p> <p>Level of Service (LOS) would be degraded at the following intersections during the PM peak hour:</p> <ul style="list-style-type: none"> SR-9 and Lundeen Parkway (LOS F); Vernon Road and N Davies Road (LOS F); Safeway Driveway and N. Davies Road (LOS E); SR-9 and SR-204 (LOS F); SR-9 and 4th Street SE (LOS F); 91st Avenue SE and SR-204 (LOS F); Market Place and SR-9 (LOS F); Market Place and SR-204 (LOS D); Market Place and 91st Avenue SE (LOS D); <ul style="list-style-type: none"> During the AM peak hour, the intersection of SR-9 and SR-204 would operate at LOS D, compared to LOS C at present. <p><i>Pedestrian and Bicycle System</i></p>	<p><i>Roadway Operations</i></p> <p>Level of Service (LOS) would be degraded at the following intersections during the PM peak hour:</p> <ul style="list-style-type: none"> SR-9 and Lundeen Parkway (LOS F); Vernon Road and N Davies Road (LOS F); Safeway Driveway and N. Davies Road (LOS F); SR-9 and SR-204 (LOS F); SR-9 and 4th Street SE (LOS F); 91st Avenue SE and SR-204 (LOS F); Market Place and SR-9 (LOS F); Market Place and SR-204 (LOS D); Market Place and 91st Avenue SE (LOS D); <ul style="list-style-type: none"> During the AM peak hour, the intersection of SR-9 and SR-204 would operate at LOS D; compared to LOS C at present. <p><i>Pedestrian and Bicycle System</i></p>

Alternative 1 – No Action	Alternative 2	Alternative 3
<ul style="list-style-type: none"> The <i>No Action Alternative</i> is not anticipated to interfere with any existing or planned pedestrian or bicycle facilities. Overall traffic growth would result in more pedestrian and bicycle interactions. <p><i>Transit</i></p> <ul style="list-style-type: none"> No transit routes are expected to be adversely affected. Vehicle operations may be slower due to increased traffic congestion. 	<ul style="list-style-type: none"> <i>Alternative 2</i> is not anticipated to interfere with any existing or planned pedestrian or bicycle facilities. Proposed improvements (new bicycle lanes, sidewalks, landscaping, and off-street trails) would substantially improve the quality of the pedestrian and bicycle system when compared to the <i>No Action Alternative</i>. <p><i>Transit</i></p> <ul style="list-style-type: none"> Similar to No Action. 	<ul style="list-style-type: none"> <i>Alternative 3</i> is not anticipated to interfere with any existing or planned pedestrian or bicycle facilities. Proposed improvements (new bicycle lanes, sidewalks, landscaping, and off-street trails) would substantially improve the quality of the pedestrian and bicycle system when compared to the <i>No Action Alternative</i>. <p><i>Transit</i></p> <ul style="list-style-type: none"> Similar to No Action.
Public Services	Public Services	Public Services
<ul style="list-style-type: none"> Public service impacts would generally be proportional to population increase. <p><i>Police Service</i></p> <ul style="list-style-type: none"> Calls for service would increase. Need for .39-.47 additional officers per adopted level of service, and additional equipment and facility space. Needs are addressed in the adopted CIP. <p><i>Fire & EMS</i></p> <ul style="list-style-type: none"> Calls for service would increase, generating need for additional firefighters and equipment. A ladder truck would be required for any development above 2 stories. 	<ul style="list-style-type: none"> Public service impacts would generally be proportional to population increase. <p><i>Police Service</i></p> <ul style="list-style-type: none"> Calls for service would increase. Need for .69-.77 additional officers per adopted level of service, and additional equipment and facility space. Needs are addressed in the adopted CIP. <p><i>Fire & EMS</i></p> <ul style="list-style-type: none"> Calls for service would increase, generating need for additional firefighters and equipment. A ladder truck would be required for any development above 2 stories. Response times could be reduced for a more concentrated, higher 	<ul style="list-style-type: none"> Public service impacts would generally be proportional to population increase. <p><i>Police Service</i></p> <ul style="list-style-type: none"> Calls for service would increase. Need for 1.92-2.29 additional officers per adopted level of service, and additional equipment and facility space. Needs are addressed in the adopted CIP. <p><i>Fire & EMS</i></p> <ul style="list-style-type: none"> Calls for service would increase, generating need for additional firefighters and equipment. A ladder truck would be required for any development above 2 stories. Response times could be reduced for a more concentrated, higher

Alternative 1 – No Action	Alternative 2	Alternative 3
<p><i>Schools</i></p> <ul style="list-style-type: none"> Housing growth could generate between 5.3 and 10.6 additional students, depending on the type, number and size of housing units. Growth is addressed in school district’s CFP. Construction could have temporary impacts for school bus routes. <p><i>Parks & Recreation</i></p> <ul style="list-style-type: none"> Subarea growth would require between 2.2 and 2.6 acres of park land, based on the City’s adopted LOS. 	<p>density development pattern.</p> <p><i>Schools</i></p> <ul style="list-style-type: none"> Housing growth could generate between 9.6 and 10.6 additional students, depending on the type, number and size of housing units. Growth is addressed in school district’s CFP. Construction could have temporary impacts for school bus routes. <p><i>Parks & Recreation</i></p> <ul style="list-style-type: none"> Subarea growth would require between 3.9 and 4/3 acres of park land based on the City’s adopted LOS. The utility corridor could provide locations for 8-10 acres of public trails. New residential and commercial areas could provide additional parks and open spaces. 	<p>density development pattern.</p> <p><i>Schools</i></p> <ul style="list-style-type: none"> Housing growth could generate between 26.6 and 31.2 additional students, depending on the type, number and size of housing units. Growth is addressed in school district’s CFP. Construction could have temporary impacts for school bus routes. <p><i>Parks & Recreation</i></p> <ul style="list-style-type: none"> Subarea growth would require between 10.8 and 12.9 acres of park land based on the City’s adopted LOS. The utility corridor could provide locations for 8-10 acres of public trails. New residential and commercial areas could provide additional parks and open spaces.
Utilities	Utilities	Utilities
<p><i>Stormwater & Drainage</i></p> <ul style="list-style-type: none"> The subarea is primarily developed, but some limited increases in impervious surface and clearing and resulting increases in stormwater runoff would occur in conjunction with redevelopment. The City would review development proposals and apply its adopted stormwater regulations to ensure that no significant impacts occur. <p><i>Water</i></p> <ul style="list-style-type: none"> Projected increase in water demand from development (160-195 equivalent) 	<p><i>Stormwater & Drainage</i></p> <ul style="list-style-type: none"> The subarea is primarily developed, but some limited increases in impervious surface and clearing and resulting increases in stormwater runoff would occur in conjunction with redevelopment. The City would review development proposals and apply its adopted stormwater regulations to ensure that no significant impacts occur. <p><i>Water</i></p> <ul style="list-style-type: none"> Projected increase in water demand from development (399-435 equivalent) 	<p><i>Stormwater & Drainage</i></p> <ul style="list-style-type: none"> The subarea is primarily developed, but some limited increases in impervious surface and clearing and resulting increases in stormwater runoff would occur in conjunction with redevelopment. The City would review development proposals and apply its adopted stormwater regulations to ensure that no significant impacts occur. <p><i>Water</i></p> <ul style="list-style-type: none"> Projected increase in water demand from development (399-435 equivalent)

Alternative 1 – No Action	Alternative 2	Alternative 3
<p>residential units/30,000-37,000 gallons per day) represents 2.6% of available water supply. No significant impact would occur.</p> <ul style="list-style-type: none"> Planned improvements in 2012 and 2018 would provide sufficient water storage; increase in required storage would not result in significant impacts to the system. No deficiencies in the water distribution system would occur. Some upgrading of fire flow conveyance systems (pipes) could be required in specific areas, depending on the type and intensity of development. Project-specific needs would be determined by the City, PUD and Fire Marshall in conjunction with development review. <p><i>Sewer</i></p> <ul style="list-style-type: none"> Growth would increase the demand for sewerage collection and treatment, but are within the capacity of the existing and planned system; no significant impacts would occur. A planned upgrade of the Vernon Road Trunk line could need to occur sooner than currently programmed. 	<p>residential units/75,000-81,850 gallons per day) represents 5.9% of available water supply. No significant impact would occur.</p> <ul style="list-style-type: none"> Planned improvements in 2012 and 2018 would provide sufficient water storage; increase in required storage would not result in significant impacts to the system. No deficiencies in the water distribution system would occur. Some upgrading of fire flow conveyance systems (pipes) could be required in specific areas, depending on the type and intensity of development. Project-specific needs would be determined by the City, PUD and Fire Marshall in conjunction with development review. <p><i>Sewer</i></p> <ul style="list-style-type: none"> Growth would increase sewerage flows and loadings (94%-113%) but are within the capacity of the existing and planned treatment system; no significant impacts would occur. A planned upgrade of the Vernon Road Trunk line could need to occur sooner than currently programmed. 	<p>residential units/75,000-81,850 gallons per day) represents 5.9% of available water supply. No significant impact would occur.</p> <ul style="list-style-type: none"> Planned improvements in 2012 and 2018 would provide sufficient water storage; increase in required storage would not result in significant impacts to the system. No deficiencies in the water distribution system would occur. Some upgrading of fire flow conveyance systems (pipes) could be required in specific areas, depending on the type and intensity of development. Project-specific needs would be determined by the City, PUD and Fire Marshall in conjunction with development review. <p><i>Sewer</i></p> <ul style="list-style-type: none"> Growth would increase sewerage flows and loadings (353%-361%) but are within the capacity of the existing and planned system; no significant impacts would occur. A planned upgrade of the Vernon Road Trunk line could need to occur sooner than currently programmed.

1.4 MITIGATION MEASURES

1.4.1 Natural Environment

Earth

Applicable Regulations and Commitments

- ***Geological Assessments Required:*** The City's critical area regulations require a geological assessment for any development proposal within 200 feet of a designated geologically hazardous area. Geological assessments must contain an analysis of the potential impacts to geologically hazardous areas resulting from the proposed development and identify appropriate mitigation measures to protect development and the geologically hazardous area (LSMC 14.88.630).
- ***Native Growth Protection Area:*** LSMC 14.88.670 requires developers to place geologically hazardous areas not approved for alteration and their buffers in a native growth protection area; lawfully altered geologically hazardous areas are subject to a covenant of notification and indemnification/hold harmless agreement.
- ***Erosion Control Measures Required:*** LSMC 14.64.130 requires the implementation of sedimentation and erosion control measures for any development that would entail land disturbance. The Public Works Director must review and approve erosion control plans.

Additional Mitigation Measures

- None required

Water Resources

Applicable Regulations and Commitments

- ***Stormwater Management:*** The City's municipal code requires the use of natural drainage systems to the extent feasible in order to preserve natural topography (LSMC 14.64.100). The Code also requires all new stormwater drainage systems to be constructed in accordance with the requirements of the Department of Ecology's *2005 Stormwater Management Manual for Western Washington* (LSMC 11.06.020 and LSMC 14.64.140). Rigorous permit review and continued implementation of the City's stormwater management codes will promote sound development and redevelopment policies; continued protection of water quality in the City's lakes, streams and wetlands habitats and groundwater recharge; property protection from increased runoff; and the promotion of low impact development (LID) strategies that reduce impervious surface and stormwater runoff.

- **NPDES Phase II Municipal Stormwater Permit:** The Western Washington Phase II Municipal Stormwater Permit was issued in 2007 to implement the requirements of the Clean Water Act and the National Pollutant Discharge Elimination System as codified in Sections 11.06.020 and 14.64.140 of the City's municipal code. Local jurisdictions covered under the permit, including the City of Lake Stevens, are required to develop a stormwater management program designed to reduce the discharge of pollutants and protect water quality. In accordance with the requirements of the permit, the City of Lake Stevens has adopted a stormwater management plan focused on public education and outreach, detection and elimination of illicit stormwater discharge, controlling runoff generated by new development activities, and prevention of pollution resulting from municipal activities. Continued implementation of the measures contained in the stormwater management program would reduce pollutant loading and improve water quality in the City's lakes, streams and wetlands.
- **Critical Areas Regulations:** As described in the impact analysis, the City and study area contain varied critical areas, including wetlands and streams. Under all alternatives, future development will be subject to the adopted critical areas regulations found in Chapter 14.88 LSMC, including all applicable mitigation requirements and mitigation sequencing procedures. In particular, wetland mitigation is required to take the form of in-kind replacement of the impacted wetland functions and values; replacement wetlands must adhere to the design requirements of LSMC 14.88.840, including performance standards and mitigation ratios.

Additional Mitigation Measures

- **Stormwater Detention:** For properties adjacent to identified wetlands and associated buffers, new development and redevelopment shall not result in an increased rate of runoff from the site to the wetland. To prevent alteration of established hydrologic wetland processes, the municipal code requires stormwater to be either detained or infiltrated onsite.
- **Low Impact Development (LID):** The City should consider providing incentives in the subarea plan and new development regulations to encourage the use of LID techniques to reduce stormwater impacts.
- **Critical Areas:** More detailed analysis -- including full delineation, classification and function assessment -- will be required in conjunction with development permitting for future projects that occur on sites containing critical areas.
- **Wetland Mitigation Banking:** LSMC 14.88.840 allows the use of credits from an approved wetland mitigation bank to compensate for unavoidable impacts to wetlands. The City should investigate the potential for either establishing a

mitigation bank for the study area to address potential wetland impacts that may occur under any of the alternatives, or coordinate with an established mitigation bank within the watershed, such as the Narbeck Wetland Sanctuary at Paine Field, to obtain a pool of credits for future development. Per LSMC 14.88.840(a)(5), projects using mitigation bank credits must be consistent with the replacement ratios specified in the mitigation bank's certification. If mitigation credits are not available and establishment of a separate mitigation bank is not feasible, the City could encourage preservation and enhancement of these areas in exchange for increased development potential in other portions of the site or subarea.

Plants & Animals

Applicable Regulations and Commitments

- **Tree Retention:** The City's land use code requires every development to retain significant trees and stands of trees that occur on the development site unless such retention would create an unreasonable burden on the developer or create a safety hazard. The code requires that significant trees removed as part of a development project be replaced. This code also requires retained and replanted trees be protected during construction.
- **Critical Areas Regulations:** Future development in the study area, under all alternatives, has the potential to adversely affect plants and animals through clearing of vegetated areas. However, the City's critical areas regulations will protect wetlands, riparian areas, and other critical areas that provide habitat for plants and animals, by limiting the activities allowed within the critical area and establishing appropriate protective buffers and mitigation strategies for unavoidable impacts.

1.4.2 Air

Air Quality

Mitigation During Construction

Although significant air quality impacts from construction are not anticipated with any of the alternatives, construction contractors would be required to comply with all relevant federal, state, and local air quality rules. In addition, implementation of best management practices would also reduce emissions related to the construction phase of the project. Possible management practices for reducing the potential for air quality impacts during construction include measures for reducing both exhaust emissions and fugitive dust. The Washington Associated General Contractors brochure *Guide to Handling Fugitive Dust from Construction Projects* and the PSCAA suggest a number of methods for controlling dust and reducing the potential exposure of people to emissions from diesel equipment. A list of some possible control measures that could be implemented to reduce potential air quality impacts from construction activities follows:

- Use only equipment and trucks that are maintained in optimal operational condition;
- Require all off-road equipment to have emission reduction equipment (i.e., require participation in Puget Sound Region Diesel Solutions, a program designed to reduce air pollution from diesel, by project sponsors and contractors);
- Use bio diesel or other lower-emission fuels for vehicles and equipment;
- Use car-pooling or other trip-reduction strategies for construction workers;
- Implement restrictions on construction truck and other vehicle idling (i.e., limit idling to a maximum of 5 minutes);
- Spray exposed soil with water or other suppressant to reduce emissions of PM and deposition of particulate matter;
- Pave or use gravel on staging areas and roads that would be exposed for long periods;
- Cover all trucks transporting materials, wetting materials in trucks, or providing adequate freeboard (space from the top of the material to the top of the truck bed), to reduce PM emissions and deposition during transport;
- Provide wheel washers to remove particulate matter that would otherwise be carried off site by vehicles to decrease deposition of particulate matter on area roadways;
- Remove particulate matter deposited on paved, public roads, sidewalks, and bicycle and pedestrian paths to reduce mud and dust; sweep and wash streets continuously to reduce emissions;
- Cover dirt, gravel, and debris piles as needed to reduce dust and wind-blown debris; and
- Stage construction to minimize overall transportation system congestion and delays to reduce regional emissions of pollutants during construction.

Mitigation During Operation

The air quality analysis indicates that the alternatives would not result in any significant adverse air quality impacts in the study area. Consequently, no operational impact mitigation measures are warranted or proposed.

Greenhouse Gas Emissions

Some or all of the following strategies for reducing GHG could be implemented:

- Adopt green building standards for new development (e.g., LEED silver or better);

- Adopt a mandatory commute trip reduction program for all employers in the Lake Stevens Center subarea. This commute trip reduction program could include the establishment of the following:
 - Mode split goals
 - Mode split monitoring program
 - Mode split goal implementation program
 - Transportation management agency which provides resources for employers such as carpool matching, vanpool/transit information, and a guaranteed ride home program;
- In conjunction with a commute trip reduction program, expand transit options such as the Community Transit vanpool program or new fixed route bus service; and
- Implement efficient transportation design standards including the use of roundabouts and LED street lighting and area lighting where appropriate.

1.4.3 Land Use

Many of the land use changes identified in the foregoing analysis – including increased density/intensity and a greater diversification and mix of land uses – are not considered adverse impacts. The change in the subarea’s land use pattern would be incremental and does not require mitigation.

Potential land use conflicts, such as between proximate land uses of different intensity, can be avoided or otherwise mitigated through the application of new development regulations and design guidelines and standards that ensure appropriate land uses along with adequate buffering and transitions between different abutting land uses. For example, height and bulk limits and setback requirements in zoning regulations could be tailored to address these potential conflicts. Landscaping requirements can also help to buffer and screen land uses of dissimilar intensity or scale. Design guidelines and standards would also require approaches to site planning and building design, which reduce a range of potential impacts, such as shadows, noise and visual incongruities. These techniques are an integral aspect of implementing the subarea plan.

1.4.4 Population, Housing & Employment

Population

No significant adverse impacts have been identified and no mitigation is necessary.

Housing

No significant adverse impacts have been identified and no mitigation is necessary.

Employment

No significant adverse impacts have been identified and no mitigation is necessary.

1.4.5 Aesthetics, Light & Glare

Mitigation measures to address impacts to visual character and to preserve views include a combination of existing development regulations and new implementation measures identified in the *Draft Lake Stevens Center Subarea Plan*.

Visual Character

- **Development Regulations:** New zoning regulations in combination with specific design guidelines and standards would be adopted to implement the subarea plan. Regulations would address appropriate uses, height, setbacks, and similar development parameters. The code could also include incentives, such as bonuses in height or intensity, in exchange for incorporating a menu of public amenities in new development. Existing landscaping standards would be modified to create the desired character for development sites, roads, and sidewalks and trails. Existing tree protection/replacement requirements could be modified to ensure the subarea maintains a desirable amount of vegetative cover.
- **Design Guidelines and Standards:** Design guidelines and standards would be adopted to ensure future development achieves a cohesive visual character and high-quality site planning, building design, lighting and signage.

Views

- **Park & Open Space Planning:** The City will be updating its *Parks & Open Space Plan* to address needs created by planned growth in Lake Stevens Center. In conjunction with this planning, the City may identify new parks or open space areas that provide views of landscape features, as discussed above, and determine that these views should not be obstructed from specified viewpoints. New development in some portions of the subarea may also create public spaces to provide open views of the landscape.
- **Design Guidelines and Standards:** In coordination with planning new parks and open spaces and identifying potential viewpoints, the City could consider adopting guidelines and standards that identify when and how site plans or building design should be modified to protect views from parks and other public spaces.

Light & Glare

- **Development Regulations:** The City should consider adopting “dark sky” regulations to minimize lighting increases and night glow in the subarea.

- **Design Guidelines and Standards:** Design guidelines and standards would be adopted to implement the subarea plan, and could provide guidance on avoiding light spillage, glare and shadow impacts through site planning, building design and landscaping. The guidelines and standards would specifically address lighting and signage.

1.4.6 Transportation

Mitigation for transportation impacts includes a combination of adopted regulatory programs, modification of LOS standards, intersection specific projects, and programmatic actions.

Concurrency

The Growth Management Act (GMA) includes provisions, generally referred to as “concurrency,” to ensure that sufficient public facilities are available for new development. Local jurisdictions must also set level of service (LOS) standards to measure a project’s impact potential. If the trips generated by a development will cause a facility to fall below the adopted LOS standard, the local government may deny permits for the project, change the LOS standard to allow the development, or modify the land use. Existing City regulations incorporate this provision.

Level of Service Threshold

Current regulations require intersections to maintain LOS C; however, maintaining LOS C conditions at all the intersections in the study area would be financially prohibitive. It is recommended that the City amend its threshold for signalized intersections in designated centers/mixed-use areas and strive to meet a LOS E standard. However, based on the discretion of the public works director, intersections that are built to their ultimate size would be allowed to operate at LOS F conditions as long as other programmatic mitigation measures to reduce trip generation are implemented.

For uncontrolled and unsignalized intersections, it is recommended that an intersection be considered deficient if it falls below LOS E operations *and* meets a signal warrant. This level of service is more realistic to maintain, is consistent with the Comprehensive Plan, and is in line with the typical traffic activity seen in economically vibrant areas.

Location-Specific Mitigation Measures

SR-9 Corridor

Impacted intersections along SR-9 are under the jurisdiction of WSDOT; roadway and intersection improvements would be addressed in the *SR-9 Corridor Planning Study* or *SR-9 Route Development Plan*. A coordinated approach along SR-9 is essential, rather than simply moving the bottleneck to a different location.

The City Stevens should enter into an interlocal agreement with WSDOT, similar to many other jurisdictions in Snohomish County, which could address coordination related to permitting, funding, and sharing of traffic impact fees.

Frontier Village Access: Vernon Road/N Davies Road and Safeway Driveway/N Davies Road Intersections

A new access plan would address the following:

- Vernon Road potentially vacated between N Davies Road and SR 204;
- Shopping center/Safeway N. Davies driveway converted to a public road from N. Davies Road to 7th Place NE;
- The intersection of N. Davies Road and the Safeway Driveway would operate as a single-lane mini-roundabout;
- The old intersection at Vernon Road/N. Davies Road could potentially be realigned to a curve or would operate as a single-lane mini-roundabout; and
- The intersection of 7th Place NE and the Safeway N. Davies Driveway would be reconfigured; alternative designs are identified for 91st Avenue NE and SR-204.

Additional Mitigation Measures

In addition to the capacity enhancing projects described above, it is recommended that the City of Lake Stevens explore the potential for other programmatic mitigation measures.

Traffic Impact Fees

To generate the funds necessary to implement the mitigation measures described above, and to help address identified impacts, it is recommended that a traffic impact fee be established, as authorized by RCW 82.02.050. This fee could be exclusive to the Lake Stevens Center area, or could be part of a citywide impact fee program. An interlocal agreement with WSDOT could allow a sharing of fee revenues to help construct needed improvements.

Transportation Benefit District

Formation of a Transportation Benefit District (TBD), as authorized by RCW 36.73.120, is another approach that could be used to help finance transportation improvements. Formation of a TBD would enable the City to assess additional fees and charges within the district, including a supplemental sales tax. A TBD could apply citywide or specific to Lake Stevens Center, and could be used in conjunction with a traffic impact fee.

Transportation Demand Management

Transportation demand management (TDM) strategies include mandatory commute trip reduction programs and enhanced transit service. These measures have been proven to be effective at reducing trip generation.

1.4.7 Public Services

Under all alternatives, development would be subject to adopted development regulations, which require emergency access, fire suppression systems, and school and park impact mitigation fees to offset impacts to these services. *Alternative 2* and *Alternative 3* could incorporate the following additional measures:

- During construction, implement security measures such as onsite lighting, fencing, onsite surveillance, etc. to reduce potential criminal activity.
- Construct a well-designed internal street system that provides fast and efficient police, fire and emergency vehicle access to all areas of the subarea.
- Develop streets, sidewalks, walkways, bicycle and pedestrian paths and public spaces designed to promote public safety and visibility for residents, employees, site visitors and police.
- Design all parking areas and public spaces with specially designed no-glare security lighting to provide for security.
- Include incentives in revised development regulations for providing public spaces in new development.
- Begin a planning process to identify additional park space within the subarea. Identify land that is suitable for acquisition, and investigate the potential for acquiring easements within the utility corridor.
- The School District could recalculate school mitigation fees to include upgrades to local schools to meet the needs of the new students.
- The City should review its adopted level of service standards and consider regional averages for service, the experience of comparable cities, and local needs.

1.4.8 Utilities

Drainage

Applicable Regulations and Commitments

- **City of Lake Stevens Stormwater Ordinance:** Chapter 11.06 and Chapter 14.64 (Part II) of the Lake Stevens Municipal Code adopt the *Department of Ecology's 2005 Stormwater Management Manual for Western Washington*. Any project that meets or exceeds the thresholds defined in the manual for new impervious area, drainage system modifications, or redevelopment is subject to City review and permit approval.

- **Ecology Stormwater Manual Adopted:** The City has adopted the *Department of Ecology's 2005 Stormwater Management Manual for Western Washington* as its minimum design standard for stormwater infrastructure. All development meeting the minimum thresholds is required to design associated stormwater infrastructure to be consistent with these standards.
- **Low Impact Development Encouraged:** The City's stormwater ordinance states that Low Impact Development solutions, as defined and listed in the LID Technical Guidance Manual for Puget Sound, are acceptable and encouraged alternative standards for management of stormwater.

Additional Mitigation Measures

- **Permitting Incentives for Low Impact Development:** To reduce the need for new stormwater conveyance infrastructure and protect water quality, the City should incentivize the use of LID techniques for onsite stormwater treatment and detention for appropriate projects. Incentives could include expedited development permit review or reduced permit fees.

Water

Applicable Regulations and Commitments

- **Supply Upgrades:** Snohomish County PUD's *2011 Water System Plan* identifies necessary capital improvements to provide adequate water supply for the next 20 years. Planned and budgeted supply improvements include conversion of the system's two emergency groundwater wells to a full-time source, increasing system supply by approximately 1.2 MG per day.
- **Storage Upgrades:** The PUD's *2011 Water System Plan* identifies the following planned and budgeted capital improvements to storage capacity:
 - Walker Hill Booster Zone Intertie: Eliminates dead storage in the Walker Hill tanks, making this water available to the Lake Stevens 500 zone for emergency use. (2012)
 - Getchell Reservoir: New 9.2 MG reservoir serving the Lake Stevens 500 pressure zone.
- **Distribution Upgrades:** The PUD's ongoing water main replacement program annually evaluates aging pipes for replacement with a focus on the replacement of galvanized iron/steel and asbestos cement pipes.

Additional Mitigation Measures

- **Joint Planning with Snohomish County PUD:** Upon adoption of a preferred alternative, the City should consult with Snohomish County PUD to establish a joint planning process for capital improvements necessary to serve anticipated development in the subarea.
- **Design Review for Fire Flow:** The City and developers would coordinate development permit application with Snohomish County PUD and the Lake

Stevens Fire Marshal to determine fire flow requirements based on project design. Upgrades to existing lines would be coordinated with Snohomish County PUD. Installation of new water lines adequate to provide required fire flows would be the responsibility of the developer and/or the City, as follows.

- 12-inch pipes and 3000 gpm for commercial areas, possibly multifamily;
- 8-inch pipes and 1500 gpm for existing residential areas; and an
- Intermediate value for other areas, for example 10-inch pipe with 2000 gpm.

Sewer

Applicable Regulations and Commitments

- **Planned Capital Improvements:** As described in the impact analysis, the Lake Stevens Sewer District adopted updates to its Comprehensive Plan in 2007 and 2010, describing the capital improvements planned for the near future, including several pipeline expansions, decommissioning of several lift stations, pump upgrades, and construction of a new wastewater treatment plant. These improvements are designed to relieve existing system deficiencies and create the capacity necessary to serve future development.

Additional Mitigation Measures

- **Joint Planning with Lake Stevens Sewer District:** Upon adoption of a preferred alternative, the City should consult with the Lake Stevens Sewer District to establish a joint planning process for capital improvements necessary to serve anticipated development in the subarea, including new wastewater collection infrastructure and future expansions to the new treatment plant that may be necessary to accept projected flows from development under the subarea plan.
- **Design Review for Wastewater Flows and Loads:** Because planned improvements to the wastewater system will be implemented in phases over several years, the Planned Action should establish size thresholds for new development that, when met or exceeded, would require developers to initiate consultation with Lake Stevens Sewer District. Consultation would confirm that projected wastewater flows and loads from any proposed project would not exceed the treatment or conveyance capacity of the wastewater system existing at that time.

1.5 SIGNIFICANT UNAVOIDABLE ADVERSE IMPACTS

1.5.1 Natural Environment

All alternatives could result in additional development within the subarea, thereby increasing the level of impervious surface and reducing vegetated areas. Additional

development within the study area is also anticipated to generate increased stormwater runoff that must be detained or treated before discharge to surface water. With application of the City's adopted regulations regarding critical areas, stormwater, and tree retention, as well as proposed mitigation measures, no significant unavoidable adverse impacts to the natural environment are anticipated.

1.5.2 Air

Air Quality

No significant unavoidable adverse impacts would occur.

Greenhouse Gas Emissions

GHG emissions would increase with any land use alternative considered for the subarea. Information is currently lacking, however, upon which to base a conclusion about the significance of the increased GHG emissions on climate change and the broader environment. Similarly, the potential for additional regulatory action at the state and local level in the future indicates that such impacts may not be unavoidable.

1.5.3 Land Use

The land use pattern of the subarea would change significantly to accomplish the objectives of *Alternative 2* or *Alternative 3*. This would result in the subarea becoming more urbanized and intensively developed, with a greater mix of uses, and would experience a significant increase in employment uses and population relative to the *No Action Alternative*. This change, while significant, is not considered to be adverse.

1.5.4 Population, Housing & Employment

While population growth is unavoidable, it is not necessarily an adverse impact. No significant unavoidable adverse impacts would occur. Similarly, employment growth is not considered to be an adverse impact, but is an unavoidable effect of successful implementation of the subarea alternatives.

1.5.5 Aesthetics, Light & Glare

Visual Character

The visual character of the subarea would change significantly over time as a result of growth and development. The direction of change would be from a primarily single-family residential area with large lots to an area that includes a mixed-use employment district alongside residential neighborhoods. It would become more densely developed and urban in character with taller, larger scale buildings. This change could be considered adverse by some viewers and positive by others, but this change is an unavoidable consequence of implementing the subarea plan.

Views

Some existing views to the west from locations in the western portion of the subarea could be partially or completely obstructed by future development. View blockage could

be mitigated through use of new development regulations, however, so this impact is not considered unavoidable. The subarea plan, and future planning for parks and open spaces, would focus on identifying future public spaces from which views would be protected through design guidelines and standards.

Light & Glare

Lighting will increase but will be controlled through development regulations and design guidelines and standards. No significant unavoidable adverse impacts are anticipated.

1.5.6 Transportation

Traffic congestion will increase under any alternative and this impact is unavoidable. Increased traffic volumes caused by *Alternative 2* and *Alternative 3* would lead to increased delay along SR-9. Since WSDOT has not yet defined its plan to improve traffic conditions along SR-9, specific mitigation measures cannot be identified. Given that WSDOT is actively planning to improve the SR-9 corridor and some level of mitigation is possible (although full improvement to provide LOS D conditions is unlikely because of the high costs), impacts are not necessarily inevitable or entirely unavoidable.

1.5.7 Public Services

Demand for public services would increase incrementally in conjunction with the additional population and commercial growth expected to locate in the subarea. Any additional needs would be addressed in the City's Capital Facilities Plan and are not unavoidable.

1.5.8 Utilities

All alternatives are anticipated to result in additional development within the subarea, thereby increasing demand for water, sewer, and drainage services. An increase in population and employment in the study area could exacerbate existing water and wastewater system deficiencies and increase demand for services beyond the capacity of existing infrastructure in some limited areas. However, with application of mitigation measures, which include both regulatory measures and planned capital improvements, no significant unavoidable adverse impacts are anticipated.

1.6 BENEFITS & DISADVANTAGES OF DELAYING THE PROPOSED ACTION

Subarea planning is an element of the City's deliberate strategy to grow and diversify the local economy. Benefits of the proposed action, and the objectives of the subarea plan, include attracting additional retail and services, providing increased employment opportunities, and concentrating growth in a mixed-use center. From an economic development perspective, the proposal seeks to attract a greater amount of regional employment to the City and decrease market leakage by increasing local retail opportunities; the subarea plan and planned action designation would help to create an attractive environment and incentives for development.

Delaying the proposed subarea plan would be equivalent to implementing the *No Action* alternative, and would result in these benefits being postponed or potentially lost. Growth in the City would also be relatively more dispersed and less concentrated in centers. At the same time, lower levels of growth would create lower demand for public services and capital facilities.

1.7 ISSUES TO BE RESOLVED

Major issues to be resolved by the City in selecting a preferred alternative include determining the appropriate types, intensity and overall magnitude of development that is appropriate in the subarea, and how this could change the existing character of the area. Some existing uses, including housing, could be displaced. In addition, increased growth will affect the cost, timing and ability to fund necessary public services and capital improvements.

REPRESENTATIVES TO BOARDS/COMMISSIONS - 2011

Board/Commission	Date	Time	Location	Council Representative	Alternate
Arts Commission	2 nd and 4 th Wednesday (attend once a month)	6:30 p.m.	Community Center	Mark Somers	Neal Dooley
Department of Emergency Management	Monthly – every two months Call 258-6461 for mtg. dates	12:00	Paine Field	Vern Little	Randy Celori
Economic Development				To be assigned	
Family Center	1 st Tuesday monthly & 3 rd Wednesday every other month (different locations)	4:00 p.m.	Family Center	Kim Daughtry	Kathy Holder
Fire District #8	1 st & 3 rd Thursday	9:30 a.m.	04 99th Ave. NE, Everett	Kathy Holder	Kim Daughtry
Highway 9				Vern Little	
Library Board	1 st Thursday (Quarterly)	4:30 p.m.	Community Center	Marcus Tageant	Mark Somers
Park Board	4 th Tuesday	6:00 p.m.	Community Center	Mark Somers	Neal Dooley
Retreat Committee	As needed			Council President	Council Vice-President
SCCIT	Monthly		Varies	Kim Daughtry	
Senior Board	2 nd Wednesday	9:30 a.m.	Senior Center	Jan Berg	Kathy Holder
Sewer Utility Subcommittee	2 nd Monday	4:00 p.m.	Sewer District Office	Mayor, Holder, Spencer, Dooley	
Snohomish Co. Tomorrow	4 th Wednesday	6:00 p.m.	Everett Senior Center	Vern Little	Council President



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