

## ***City of Lake Stevens Vision Statement***

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

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

**Tuesday February 27, 2018 – 6:00 p.m.**

Joint Meeting with Parks Board:

- (1) 2018 Work Program (10 minutes)
- (2) Overview of Current Parks Projects (10 minutes)
- (3) West Lake Stevens Trail Master Plan (10 minutes)
- (4) Open Discussion (10 minutes)

Russ

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

**Tuesday, February 27, 2018 – 7:00 p.m.**

**NOTE:**

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

<b>CALL TO ORDER:</b>	7:00 P.M.	Mayor
<b>PLEDGE OF ALLEGIANCE</b>		Council President
<b>ROLL CALL</b>		
<b>APPROVAL OF AGENDA</b>		Council President
<b>GUEST BUSINESS</b>	U.S. Marshall: Administer Oath of Office to Corp. Michael Hingtgen	
<b>CITIZEN COMMENTS</b>		
<b>COUNCIL BUSINESS</b>		Council President
<b>MAYOR'S BUSINESS</b>		
<b>CITY DEPARTMENT REPORT</b>	Update	
<b>CONSENT AGENDA:</b>	*A Approve 2018 Vouchers *B Approve January 19-20, 2018 City Council Special Meeting/Retreat Minutes	Barb Kathy

**Lake Stevens City Council Regular Meeting Agenda**

**February 27, 2018**

	*C Approve February 6, 2018 City Council Workshop Meeting Minutes	Kathy
	*D Approve February 13, 2018 City Council-Planning Commission Joint Meeting Minutes	Kathy
	*E Approve Planning Commission Long Range Work Program	Josh
	*F Approve Resolution 2018-09 re Authorizing Investment in Local Government Investment Pool	Barb
<b>ACTION ITEMS:</b>	*G Fiber Lease Agreement	Troy
	*H Stevens Vista Final Plat Acceptance	Russ/Melissa
	*I Approve Interlocal Agreement with Marysville re Soper Hill	Russ
<b>DISCUSSION ITEMS:</b>	*J Code Amendment re Authority for Final Plat Approval	Josh
	*K Council Rules of Procedure	Gene
	*L Public Works Organizational Structure – New Position Request	Teri
	*M 2017 Final Budget Update	Barb
	*N 2018 Budget Amendment No. 1	Barb
	*O Procurement Policy	Barb
<b>EXECUTIVE SESSION:</b>	Collective Bargaining	Teri

**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 Human Resources, City of Lake Stevens ADA Coordinator, (425) 334-1012, 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  
**2018**

Payroll Direct Deposits	2/15/2018	\$203,992.73
Payroll Checks	<b>44568-44569</b>	\$4,582.97
Tax Deposit(s)	2/15/2018	\$76,053.61
Electronic Funds Transfers	ACH	\$14,238.43
Claims	<b>44570-44675</b>	\$271,125.53
Void Checks	<b>44317, 44380, 44438, 44476, 44561, 44432</b>	<b>(\$8,743.65)</b>
Total Vouchers Approved:		<b>\$561,249.62</b>

**This 22nd day of February 2018:**

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

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Finance Director/Auditing Officer

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Mayor

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

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Councilmember



February 27th, 2018

**City Expenditures by Type on this voucher packet**

Personnel Costs	\$ 208,576	37%
Payroll Federal Taxes	\$ 76,054	14%
Employer paid Benefits - By Check	\$ 6,957	1%
Employee paid benefits - By Payroll	\$ 11,076	2%
Supplies	\$ 38,772	7%
Professional Services *	\$ 139,506	25%
Intergovernmental Services **	\$ 52,174	9%
Capital	\$ 36,880	7%
Debt Payments	\$ -	0%
Void Check	\$ (8,744)	-2%
<b>Total</b>	<b>\$561,249.62</b>	<b>100%</b>

**Large Purchases**

\* \$19,197 - Legal Services - General

\*\* \$29,799 - Dispatch Services



## Checks to be Approved for 2/9/2018 to 2/22/2018

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	Check Total	
Accela Inc	44575	2/22/2018	INV-ACC34262	001-004-514-23-41-00	FI-Professional Service	SaaS - Cash Receipts Import	\$1,935.25	
			INV-ACC37351	510-006-594-18-64-00	Capital - Purch Computer Equip	SaaS - Lasserfiche Attachment Integration	\$2,587.46	
Ace Hardware	44576	2/22/2018	57673	001-008-521-20-31-02	LE-Minor Equipment	Easy Fire Stapler	\$28.30	
57813			101-016-544-90-31-02	ST-Operating Cost	Picture hanger	\$2.28		
			410-016-531-10-31-02	SW-Operating Costs	Picture hanger	\$2.27		
57901			001-010-576-80-31-00	PK-Operating Costs	Blue chalk powder/reel chalkline	\$9.89		
57909			101-016-544-90-31-02	ST-Operating Cost	Toilet bolts	\$4.89		
			410-016-531-10-31-02	SW-Operating Costs	Toilet bolts	\$4.89		
57913			001-008-521-20-31-02	LE-Minor Equipment	Calk/zip ties/toilet bolt set	\$17.39		
57932			101-016-544-90-31-02	ST-Operating Cost	Keys	\$15.46		
			410-016-531-10-31-02	SW-Operating Costs	Keys	\$15.46		
57944			101-016-544-90-31-02	ST-Operating Cost	Gloves - Cold Hands	\$14.15		
57947			101-016-544-90-31-02	ST-Operating Cost	Infrared Pocket Thermostat	\$27.22		
			410-016-531-10-31-02	SW-Operating Costs	Infrared Pocket Thermostat	\$27.22		
57950			101-016-544-90-31-02	ST-Operating Cost	Smoke Alarm	\$9.25		
			410-016-531-10-31-02	SW-Operating Costs	Smoke Alarm	\$9.25		
57963			101-016-544-90-31-02	ST-Operating Cost	Vacuum bags	\$12.52		
			410-016-531-10-31-02	SW-Operating Costs	Vacuum bags	\$12.52		
57976			101-016-544-90-31-02	ST-Operating Cost	Mineral spirits/All weather memos	\$22.30		
			410-016-531-10-31-02	SW-Operating Costs	Mineral spirits/All weather memos	\$22.31		
57987			001-012-569-00-31-00	CS-Aging Services-Supplies	Fasteners	\$0.78		
57996			001-010-576-80-31-00	PK-Operating Costs	Measuring tape/Paint marker/Poly Film	\$101.90		
Advance Auto Parts	44577	2/22/2018	2421-271340	101-015-543-30-31-00	ME - Operating Costs	Light bulb for PW63	\$6.63	
410-015-531-10-31-00				ME - Operating Costs	Light bulb for PW63	\$6.63		
2421-271506			101-015-543-30-31-00	ME - Operating Costs	Door handle for PW60	\$57.71		
			410-015-531-10-31-00	ME - Operating Costs	Door handle for PW60	\$57.71		
2421-271716			101-015-543-30-31-00	ME - Operating Costs	Battery & Gloves	\$75.20		
			410-015-531-10-31-00	ME - Operating Costs	Battery & Gloves	\$75.19		
2421-271750			101-015-543-30-31-00	ME - Operating Costs	Breaker Bars	\$19.01		



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Advance Auto Parts	44577	2/22/2018	2421-271750	410-015-531-10-31-00	ME - Operating Costs	Breaker Bars	\$19.01
			2421-271753	101-015-543-30-31-00	ME - Operating Costs	Breaker Bar	\$38.02
				410-015-531-10-31-00	ME - Operating Costs	Breaker Bar	\$38.01
			2421-271767	410-015-531-10-31-00	ME - Operating Costs	Fuel Filters PW26	\$31.37
			2421-271791	410-015-531-10-31-00	ME - Operating Costs	Fuel Pump PW26	\$43.18
			2421-271795	410-015-531-10-31-00	ME - Operating Costs	Fuel Filter PW26	\$14.90
			2421-271865	101-015-543-30-31-00	ME - Operating Costs	Grease tubes for fleet	\$45.63
				410-015-531-10-31-00	ME - Operating Costs	Grease tubes for fleet	\$45.63
			2421-271888	101-015-543-30-31-00	ME - Operating Costs	Washer fluid for fleet	\$11.43
				410-015-531-10-31-00	ME - Operating Costs	Washer fluid for fleet	\$11.44
			2421-271893	001-006-518-80-48-00	IT-Repair & Maintenance	ME-Headlights for PW44	\$8.47
Advantage Building Services	44578	2/22/2018	3549			Check Total	\$793.25
				001-007-558-50-41-00	PL-Professional Servic	Janitorial Services	\$30.00
				001-007-559-30-41-00	PB-Professional Srv	Janitorial Services	\$30.00
				001-008-521-20-41-01	LE-Proessional Serv-Fixed	Janitorial Services	\$315.00
				001-010-576-80-41-00	PK-Professional Services	Janitorial Services	\$20.00
				001-012-575-50-41-00	CS-Community Center - Cleaning	Janitorial Services	\$120.00
				001-013-518-20-41-00	GG-Professional Service	Janitorial Services	\$280.00
				101-016-542-30-41-02	ST-Professional Service	Janitorial Services	\$20.00
				410-016-531-10-41-01	SW-Professional Services	Janitorial Services	\$20.00
				621-000-389-20-00-05	Retainage -Public Bldg Maint	Retainage-Advantage svcs	(\$41.75)
Agency 360	44579	2/22/2018	INV-1171	001-008-521-20-31-02	LE-Minor Equipment	Check Total	\$2,197.00
						Agency360 Platform Platform Basic subscription/hosting	\$2,197.00
Amazon Capital Services	44580	2/22/2018				Check Total	\$266.05
						Se-Kure Domes & Mirrors ONV-90-18 Quarter Dome Mirror	\$31.53
						Tough Condenser Microphone Hard Case	\$33.67
						Rechargeable Li-ion Batteries for Panasonic	\$46.71
						Sylvania 9005L Headlight Bulb	\$23.84
						Sylvania H11 Basic Halogen Headlight Bulb	\$18.80



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Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	
Amazon Capital Services	44580	2/22/2018	1Q1V-VVQRM-R166	001-008-521-20-31-02	LE-Minor Equipment	Tough Condenser Microphone Hard Case	\$52.98
			1QRL-WTWL-HRR7	001-008-521-20-31-00	LE-Office Supplies	Febreze One Fabric/Air Freshener	\$24.09
			1WJ9-1MNK-91I4	001-008-521-20-31-02	LE-Minor Equipment	Winco 18/0 Stainless Steel Dinner Spoons	\$34.43
Jennifer Anderson	44581	2/22/2018	020717	001-008-521-20-43-00	LE-Travel & Per Diem	Check Total \$22.00	
						Perdiem-Washington Safety Summit-Tacoma-J Anderson	\$22.00
Automotive Rentals	44582	2/22/2018	021218	001-000-321-99-00-00	Bus. Lic - Other	Refund of duplicate payment	\$25.00
						Check Total \$25.00	
James Barnes	44583	2/22/2018	021018	001-008-521-20-43-00	LE-Travel & Per Diem	Check Total \$148.00	
						PerDiem-NAFTO Conference-Burien-Barnes	\$148.00
Jeffrey Beazizo	44584	2/22/2018	020518	001-008-521-20-43-00	LE-Travel & Per Diem	Check Total \$95.00	
						PerDiem-Use of Force-Arlington WA-Beazizo	\$95.00
Gene Brazel	44585	2/22/2018	022118	001-002-513-11-43-00	AD-Travel & Meetings	Check Total \$310.50	
						PerDiem-NLC Conf-DC-Brazel	\$310.50
Ron Brooks	44586	2/22/2018	020518	001-008-521-20-43-00	LE-Travel & Per Diem	Check Total \$95.00	
						PerDiem-Use of Force-Arlington WA-R Brooks	\$95.00
Business Card	44587	2/22/2018	1923 0218	001-006-518-80-48-00	IT-Repair & Maintenance	PCI-Express SATA RAID Controller for D5003289	\$1,222.00
					IT-Repair & Maintenance	IGB memory for StoneFly	\$163.00
				510-006-518-80-31-00	Purchase Computer Equipment	DNF RAID Certified 500GB 3Gb Hard Disk	\$150.31
					Purchase Computer Equipment	Microsoft Surface Dock/DVDs	\$218.69
			2956 0218	001-008-521-20-31-04	LE - Donation Exp - Other	Trauma first aid supplies	\$156.78
				001-008-521-20-32-00	LE-Fuel	Fuel	\$50.40
			4517 0218	001-005-517-60-31-00	HR-Safety Program	Defibrilator	\$59.88
				001-005-518-10-31-00	HR-Office Supplies	Labor Law Poster Frames	\$179.52
				001-005-518-10-42-00	HR-Communications	Postage	\$49.40
				001-006-518-80-31-00	IT-Office Supplies	Standing mat - Pena	\$98.00
				101-016-544-90-31-02	ST-Operating Cost	Standing mat-A Wells	\$32.12
				410-016-531-10-31-02	SW-Operating Costs	Standing mat-A Wells	\$32.12
			5187 0218	001-007-558-50-43-00	PL-Travel & Mtgs	Economic Forecast presented by Banner Bank	\$40.00
			5428 0218	001-008-521-20-43-01	LE-Business Meetings	Meal-Death Investigation mtg	\$53.80



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Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	
Business Card	44587	2/22/2018	6863 0218	001-008-521-20-31-02	LE-Minor Equipment	Headlight for PT62	\$11.75
					LE-Minor Equipment	Returned vacuum	(\$272.24)
			7280 0218	001-008-521-20-31-02	LE-Business Meetings	Meal-Death Investigation	\$17.37
					001-008-521-40-49-01	LE-Registration Fees	Registration fee-CLI-Spokane-R Brooks
			7638 0218	001-008-521-20-31-02	LE-Minor Equipment	Dry clean event tablecloths	\$30.00
					LE-Minor Equipment	Photo prop	\$15.76
				001-008-521-20-31-02	LE-Minor Equipment	Managing the investigative Unit/White Board	\$50.54
					LE-Minor Equipment	Dry cleaning uniform	\$46.28
			7988 0218	001-013-518-20-31-00	LE-Minor Equipment	Wash Criminal Justice Comm BLEA	\$34.43
					LE-Minor Equipment	Blood Tox Tests	\$44.09
			001-013-594-18-60-02	001-013-594-18-60-02	GG-Operating	Refrigerator Water Filter	\$53.22
					GG - City Hall Demo	Corten Steel Trough Planters	\$2,156.16
					GG - City Hall Demo	Gold Standard Sliding Room Signs	\$348.94
					GG - City Hall Demo	Signs for Conference rooms	\$311.95
			101-016-542-30-41-01	101-016-542-30-41-01	ST-Advertising	Postcard mailing - Callow Rd	\$48.82
				101-016-542-30-49-01	ST-Staff Development	Flagging Certification	\$340.00
					ST-Staff Development	Flagger training	\$12.50
					ST-Staff Development	Flagging Certification-T Mann	\$42.50
			410-016-531-10-31-02	ST-Staff Development	Flagging certification-Waltz	\$85.00	
				ST-Staff Development	Wastewater Collection certification-Durpos	\$10.00	
				410-016-531-10-31-02	ST-Operating Cost	Stabila Level w/Case	\$157.15
					SW-Operating Costs	Stabila Level w/Case	\$157.15
			410-016-531-10-49-01	410-016-531-10-49-01	SW-Staff Development	Flagger training	\$12.50
					SW-Staff Development	Flagging Certification-T Mann	\$42.50
					SW-Staff Development	Wastewater Collection certification-Durpos	\$10.00
			410-016-531-50-31-16	DOE - Capacity Exp 17-19	Drain markers for catch basins		\$518.17
			8232 0218	001-001-511-60-43-00	Legislative - Travel & Mtgs	Jan 2018 SCC Meeting-Gailey/Welch	\$70.00
					Legislative - Travel & Mtgs	Jan 2018 SCC Meeting-McDaniel	\$35.00
					Legislative - Travel & Mtgs	Hotel-AWC City Action Days-Daughtry	\$356.36
					Legislative - Travel & Mtgs	Hotel-AWC City Action Days-Hilt	\$356.36
					Legislative - Travel & Mtgs	Refund Hotel reservation - Daughtry	(\$605.00)
					Legislative - Travel & Mtgs	Hotel-AWC City Action Days-Petershagen	\$356.36



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Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	
Business Card	44587	2/22/2018	8232 0218	001-001-511-60-43-00	Legislative - Travel & Mtgs	Hotel-AWC City Action Days-Welch	\$400.68
					Legislative - Travel & Mtgs	Airfare-WLC Conference-DC-Gailey	\$477.61
					Legislative - Travel & Mtgs	Water for City Council mtg	\$7.61
					Legislative - Travel & Mtgs	Hotel-AWC City Action Days-McDaniel	\$356.36
					Legislative - Travel & Mtgs	Hotel-AWC City Action Days-Tageant	\$356.36
				001-001-511-60-49-02	Legislative-C.C.Retreat	Fuel to CC Retreat	\$19.06
					Legislative-C.C.Retreat	Jan 2018 SCC Meeting-Daughtry	\$35.00
					Legislative-C.C.Retreat	Facility rental - City Council Retreat	\$2,136.64
				001-001-513-10-43-00	Executive - Travel & Mtgs	Jan 2018 SCC Meeting-Spencer	\$35.00
				001-002-513-11-43-00	AD-Travel & Meetings	MAG Meeting	\$11.64
					AD-Travel & Meetings	Parking-AWC City Action Days-Brazel	\$5.30
					AD-Travel & Meetings	Hotel-AWC City Action Days-Brazel	\$200.34
				001-002-513-11-49-00	AD-Staff Development	Wastewater Collection Certification - Brazel	\$20.00
				001-003-514-20-43-00	CC-Travel & Meetings	Hotel-Laserfiche-Seatac-Pugh	\$107.53
				001-013-518-20-31-00	GG-Operating	Solicitor background check	\$12.00
				001-013-518-20-32-00	GG-Fuel	Fuel PW41	\$24.13
			8484 0218	001-007-558-50-41-03	PL-Advertising	Postcard mailing-NOA	\$21.25
					PL-Advertising	Postcard mailing-LUA2018-0005	\$26.56
					PL-Advertising	Postcard Mailing-Bonneville Pilchuck	\$12.11
				001-007-558-50-43-00	PL-Travel & Mtgs	Parking-Sno Co Garage	\$3.00
				001-007-558-50-49-01	PL-Staff Development	Registration-Arts & Heritage Day-Meis	\$10.00
					PL-Staff Development	2018 WABO Annual Education Institute-Meyers	\$250.00
				001-007-559-30-49-01	PB-Staff Development	2018 WABO Annual Education Institute-Farmer	\$250.00
			8877 0218	001-008-521-20-41-00	LE-Professional Services	Database Searches	\$54.45
				001-008-521-20-43-00	LE-Travel & Per Diem	Airfare-Crimes Against Children Conf-Dallas TX-Parnell	\$391.90
					LE-Travel & Per Diem	Pkg-Laserfiche Conf-Anaheim CA-J Uber	\$3.00
					LE-Travel & Per Diem	Meal-Laserfiche Conf-Anaheim CA-J Uber	\$14.63
					LE-Travel & Per Diem	Parking to pickup employee at airport	\$2.00
					LE-Travel & Per Diem	Hotel-FBI LEEDA SLI training-Spokane-Miner	\$564.40
					LE-Travel & Per Diem	Hotel credit-FBI LEEDA-Spokane-Miner	(\$20.00)
				001-008-521-21-31-00	LE-Boating Minor Equipment	Brochure holder	\$30.18
				001-008-521-40-49-01	LE-Registration Fees	Fred Pryor seminars registration	\$199.00



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Business Card	44587	2/22/2018	9438 0218	001-008-521-40-49-01	LE-Registration Fees	Registration-Traffic Safety Conf 2018-Kennewick WA-Barnes	\$106.49
			9455 0218	001-008-521-20-31-01	LE-Fixed Minor Equipment	4 shelf steel freestanding mobile cabinet in Black	\$509.07
					LE-Fixed Minor Equipment	Student Pistol/laser activated shot reporter	\$550.00
				001-008-521-20-31-02	LE-Minor Equipment	MSA Safety Works canisters	\$258.47
				001-008-521-20-41-01	LE-Proessional Serv-Fixed	Service/monitoring for Game Camera	\$9.99
				001-008-521-40-49-01	LE-Registration Fees	Reg-FBI LEEDA-CLI-Spokane WA-Beazizo	\$650.00
					LE-Registration Fees	Reg-UTM Force on Force-Canby OR-Beazizo	\$643.73
CDW Government Inc	44588	2/22/2018	LMX1008	510-006-518-80-31-00	Purchase Computer Equipment	CISCO Meraki MR33 Wireless	\$560.84
			LNR9750	510-006-518-80-49-00	License Renewal - Annual Maint	Gov Adobe Acrobat	\$6,098.40
							Check Total \$6,659.24
Central Welding Supply	44589	2/22/2018	RN01181008	001-010-576-80-31-00	PK-Operating Costs	Argon Gas	\$5.57
				101-016-544-90-31-02	ST-Operating Cost	Argon Gas	\$5.58
				410-016-531-10-31-02	SW-Operating Costs	Argon Gas	\$5.58
							Check Total \$16.73
Chicago Title	44590	2/22/2018	021218	302-010-594-76-60-00	PM - Park Acquisition	Williams Condemnation Updated Title Report	\$3,339.34
CIC Valuation Group Inc	44591	2/22/2018	17-3098	001-013-518-20-41-00	GG-Professional Service	Appraisal services December 2017	\$5,500.00
City of Everett	44592	2/22/2018	I18000247	001-008-554-30-51-00	LE-Animal Control	Animal control services	\$289.00
City of Marysville	44593	2/22/2018	18-001	001-013-512-50-41-00	GG-Municipal Court Fees	Court Citations January 2018	\$14,196.23
Clerk of the Court	44594	2/22/2018	021418	301-016-544-40-41-00	Street Op - P&D - 20th St SE	Gary & Eileen Petersen Case # 17-2-12046-31	\$900.00
				021418b	Street Op - P&D - 20th St SE	G&E Petersen Family LLC Case # 17-2-12046-31	\$27,200.00
							Check Total \$28,100.00
Co Op Supply	44595	2/22/2018	616355/4	301-016-595-30-60-03	T11 - 24th St & 91st Extension	Straw Bales	\$104.46
			616378/4	301-016-595-30-60-03	T11 - 24th St & 91st Extension	Straw Bales	\$69.65
			616385/4	301-016-595-30-60-03	T11 - 24th St & 91st Extension	Straw Bales	\$104.46
			616386/4	301-016-595-30-60-03	T11 - 24th St & 91st Extension	Straw Bales	\$104.46
			616388/4	301-016-595-30-60-03	T11 - 24th St & 91st Extension	Straw Bales	\$104.46
							Check Total \$696.41



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Co Op Supply	44595	2/22/2018	616393/4	301-016-595-30-60-03	T11 - 24th St & 91st Extension	Straw Bales	\$104.46
			616398/4	301-016-595-30-60-03	T11 - 24th St & 91st Extension	Straw Bales	\$104.46
Code 4 Public Safety Education Assoc	44596						
		2/22/2018	13817	001-008-521-40-49-01	LE-Registration Fees	Training-Front Desk Safety & Security-J Anderson/Fox	\$198.00
Code Publishing Co Inc	44597						
		2/22/2018	58947	001-003-514-20-41-00	CC-Professional Services	Annual Web Fees/Hosting	\$350.00
			59071	001-003-514-20-41-00	CC-Professional Services	Ordinances 1002/1010/1014/1015	\$2,524.25
Comcast	44598						
		2/22/2018	0808840 0118	001-010-576-80-42-00	PK-Communication	Internet services - City Shop	\$32.06
				101-016-543-30-42-00	ST-Communications	Internet services - City Shop	\$32.06
				410-016-531-10-42-00	SW-Communications	Internet services - City Shop	\$32.06
	44599						
		2/22/2018	0991976 0118	001-013-518-20-42-00	GG-Communication	Internet services - VIC	\$146.18
	44600						
		2/22/2018	1012996 0118	101-016-542-64-47-00	ST-Traffic Control -Utility	Traffic Signal Control	\$161.18
Comdata Corporation	44601						
		2/22/2018	20290387	001-013-518-20-32-00	GG-Fuel	Fuel	\$83.44
				101-016-542-30-32-00	ST-Fuel	Fuel	\$625.29
				410-016-531-10-32-00	SW-Fuel	Fuel	\$625.29
		20290912		001-008-521-20-32-00	LE-Fuel	Fuel	\$3,649.83
Crystal Springs	44602						
		2/22/2018	5249844020118	001-007-558-50-31-01	PL-Operating Costs	Bottled water	\$66.09
				001-007-559-30-31-01	PB-Operating Cost	Bottled water	\$43.38
				001-013-518-20-31-00	GG-Operating	Bottled water	\$43.38
				101-016-544-90-31-02	ST-Operating Cost	Bottled water	\$65.62
				410-016-531-10-31-02	SW-Operating Costs	Bottled water	\$65.62
	44603						
		2/22/2018	16015194020318	001-008-521-50-30-00	LE-Facilities Supplies	Bottled water	\$139.64
Daily Journal of Commerce Inc	44604						
		2/22/2018	3333340	101-016-542-30-41-01	ST-Advertising	Main Street RFQ	\$55.20
			3333448	301-016-595-30-60-02	Main Street Project 1	RFQ-Main Street Design	\$55.20



## Checks to be Approved for 2/9/2018 to 2/22/2018

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	Check Total	
Dept of Retirement (Deferred Comp)	0						Check Total	\$2,845.00
		2/15/2018	021518	001-000-282-00-00-00	Payroll Liability Retirement	Employee Portion-State Deferre		\$2,845.00
Dept of Revenue	0						Check Total	\$1,698.97
		2/22/2018	Jan2017	001-013-518-90-49-06	GG-Excise Tax	Excise Taxes January 2018		\$356.13
				410-016-531-10-44-00	SW-Excise Taxes	Excise Taxes January 2018		\$1,342.84
Drivers License Guide Co	44605						Check Total	\$29.95
		2/22/2018	730282	001-008-521-20-31-02	LE-Minor Equipment	2018 ID Checking Guide		\$29.95
Electronic Federal Tax Pmt System EFTPS	0						Check Total	\$76,053.61
		2/15/2018	021518	001-000-281-00-00-00	Payroll Liability Taxes	Federal Payroll Taxes		\$76,053.61
Electronic Business Machines	44606						Check Total	\$849.22
		2/22/2018	AR91872	001-007-558-50-48-00	PL-Repairs & Maint.	Copier Maintenance & Repair		\$12.41
				001-007-559-30-48-00	PB-Repair & Maintenance	Copier Maintenance & Repair		\$12.41
				101-016-542-30-48-00	ST-Repair & Maintenance	Copier Maintenance & Repair		\$12.41
				410-016-531-10-48-00	SW-Repairs & Maintenance	Copier Maintenance & Repair		\$12.40
			AR92321	001-013-518-20-48-00	GG-Repair & Maintenance	Copier Maintenance & Repair		\$799.59
Everett Hydraulics	44607						Check Total	\$1,317.50
		2/22/2018	0000025656	101-016-542-30-48-00	ST-Repair & Maintenance	Hydraulic Cylinder PW30		\$1,317.50
Brandon Fiske	44608						Check Total	\$95.00
		2/22/2018	013118	001-008-521-20-43-00	LE-Travel & Per Diem	PerDiem-Use of Force-Arlington WA-Fiske		\$95.00
Freightliner NW	44609						Check Total	\$131.30
		2/22/2018	PC302035468:02	101-015-543-30-31-00	ME - Operating Costs	Fuel Filter PW65		\$131.30
Brett Gailey	44610						Check Total	\$379.50
		2/22/2018	022118	001-001-511-60-43-00	Legislative - Travel & Mtgs	PerDiem-NLC Conf-DC-Gailey		\$379.50
Government Computer Sales	44611						Check Total	\$17,074.43
		2/22/2018	83004	510-006-518-80-31-00	Purchase Computer Equipment	Dell 16GB Certified Memory Module		\$1,770.71
			83013	510-006-594-18-64-00	Capital - Purch Computer Equip	Dell PowerEdge R730xd Server		\$15,303.72
Grainger	44612						Check Total	\$965.00
		2/22/2018	9682746475	001-010-576-80-31-00	PK-Operating Costs	Chain saw chaps/oil/rope		\$107.94
				101-016-544-90-31-02	ST-Operating Cost	Chain saw chaps/oil/rope		\$107.94
				410-016-531-10-31-02	SW-Operating Costs	Chain saw chaps/oil/rope		\$107.94
			9685727381	001-013-518-20-31-00	GG-Operating	Electric Strike for new City Hall South Door		\$255.85



## Checks to be Approved for 2/9/2018 to 2/22/2018

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	
Grainger	44612	2/22/2018	9690400396	101-016-544-90-31-02	ST-Operating Cost	Barricade Tape/Bathroom cleaner	\$81.36
				410-016-531-10-31-02	SW-Operating Costs	Barricade Tape/Bathroom cleaner	\$81.35
				9691416433	001-013-518-20-31-00	GG-Operating	2 Smart Pac III for new City Hall South Door
Granite Construction Supply	44613	2/22/2018	262_00070819	101-016-544-90-31-02	ST-Operating Cost	Chainsaw chaps/shovel/probe/putty knife/oil/signs	\$345.51
				410-016-531-10-31-02	SW-Operating Costs	Chainsaw chaps/shovel/probe/putty knife/oil/signs	\$345.51
			262_00070820	001-010-576-80-31-01	PK-Ops-Clothing	T-shirts - Ervin	\$19.01
				101-016-542-90-31-01	ST-Clothing	T-shirts - Ervin	\$19.00
				410-016-531-10-31-00	SW-Clothing	T-shirts - Ervin	\$19.00
			262_00070827	101-016-544-90-31-02	ST-Operating Cost	Sign-Vegetation Management	\$105.31
							Check Total \$853.34
HB Jaeger Co LLC	44614	2/22/2018	196417/1	410-016-531-10-31-02	SW-Operating Costs	PVC fittings	\$31.32
			196628/1	303-016-595-30-60-02	T11 - 24th ST & 91st Extension	Silt fencing	\$1,126.16
							Check Total \$1,157.48
Kurt Hilt	44615	2/22/2018	022118	001-001-511-60-43-00	Legislative - Travel & Mtgs	PerDiem-NLC Conf-DC-Hilt	\$310.50
Michael Hingtgen	44616	2/22/2018	011818	001-008-521-20-43-00	LE-Travel & Per Diem	PerDiem-UTM Force on Force-Canby OR-Hingtgen	\$203.00
Home Depot	44617	2/22/2018	1015887	001-010-576-80-31-00	PK-Operating Costs	City Hall Benches	\$182.01
			8011944	302-010-594-76-61-02	PM - Lundeen Park Capital	Lumber for Lundeen park outlook	\$178.27
							Check Total \$360.28
HSA Bank	44570	2/15/2018	021518	001-000-284-00-00-00	Payroll Liability Other	Employee Health Savings Contributions	\$149.00
Impact Power Technologies LLC	44618	2/22/2018	10226	001-008-521-20-31-01	LE-Fixed Minor Equipment	Rechargeable Li Poly Battery for Motorola APX radio	\$884.11
Iron Mountain Quarry LLC	44619	2/22/2018	0273249	301-016-595-30-60-03	T11 - 24th St & 91st Extension	Rock- 21st & 91st retention pond	\$3,312.87
			0273281	301-016-595-30-60-03	T11 - 24th St & 91st Extension	Rock- 21st & 91st retention pond	\$2,855.10
							Check Total \$6,167.97
J Thayer Company Inc	44620	2/22/2018	1217385-0	001-007-558-50-31-01	PL-Operating Costs	Janitorial Supplies	\$22.42
				001-008-521-20-31-01	LE-Fixed Minor Equipment	Janitorial Supplies	\$98.07
				001-010-576-80-31-00	PK-Operating Costs	Janitorial Supplies	\$50.44
							Check Total \$1,488.07



## Checks to be Approved for 2/9/2018 to 2/22/2018

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	
J Thayer Company Inc	44620	2/22/2018	1217385-0	001-012-575-50-41-00	CS-Community Center - Cleaning	Janitorial Supplies	\$30.82
				001-013-518-20-31-00	GG-Operating	Janitorial Supplies	\$28.02
				101-016-544-90-31-02	ST-Operating Cost	Janitorial Supplies	\$25.22
				410-016-531-10-31-02	SW-Operating Costs	Janitorial Supplies	\$25.22
			1220090-0	001-008-521-20-31-00	LE-Office Supplies	Markers	\$6.07
			1220800-0	001-008-521-20-31-00	LE-Office Supplies	Pens	\$95.04
			1220981-0	001-007-558-50-31-00	PL-Office Supplies	Paper/printer ribbon	\$49.58
				001-007-559-30-31-00	PB-Office Supplies	Paper/printer ribbon	\$49.58
			1221255-0	001-008-521-20-31-00	LE-Office Supplies	File jackets/paper clips	\$554.17
			1221940-0	001-007-558-50-31-00	PL-Office Supplies	Folders	\$71.85
			1224824-0	001-003-514-20-31-00	CC-Office Supply	Organizer/report jackets	\$75.20
				001-004-514-23-31-00	FI-Office Supplies	Pocket files	\$29.54
				001-013-518-20-31-00	GG-Operating	Tissue/Wall clock/staplers	\$276.83
Jamie Kim PS Inc	44621	2/22/2018				Check Total	\$60.00
			6Z0814216	001-011-515-91-41-00	LG-General Indigent Defense	Public Defender services	\$30.00
			6Z1091181	001-011-515-91-41-00	LG-General Indigent Defense	Public Defender services	\$30.00
Komatsu Financial	44622	2/22/2018	777-0093662-000	530-016-594-48-60-01	Sales Tax on Capital Lease	Check Total	\$3,050.59
					Komatsu		\$3,050.59
KPG Inc PS	44623	2/22/2018	1-14518	101-016-542-70-31-01	Citywide Beautification Implem	Check Total	\$6,194.50
					Beautification Plan Professional services		\$6,194.50
Lake Industries LLC	44624	2/22/2018	275123	410-016-531-10-31-02	SW-Operating Costs	Check Total	\$98.59
					Cobbles - E Lake Shore		\$98.59
Lake Stevens Chamber of Commerce	44625	2/22/2018	MAR2018	001-013-518-90-49-01	GG-Chamber of Commerce	Check Total	\$1,500.00
					March 2018 Contributions for VIC		\$1,500.00
Lake Stevens Police Guild	44571	2/15/2018	021518	001-000-284-00-00-00	Payroll Liability Other	Check Total	\$1,084.00
					Employee Paid Union Dues		\$1,084.00
Lake Stevens School District	44626	2/22/2018	0017180079	001-007-559-30-32-00	PB-Fuel	Check Total	\$8,649.97
				001-008-521-20-32-00	LE-Fuel		\$196.84
				001-010-576-80-32-00	PK-Fuel Costs		\$5,228.30
				101-016-542-30-32-00	ST-Fuel		\$49.03
							\$1,373.61



## Checks to be Approved for 2/9/2018 to 2/22/2018

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	
Lake Stevens School District	44626	2/22/2018	0017180079	410-016-531-10-32-00	SW-Fuel	Fuel	\$1,802.19
Lake Stevens Sewer District	44627	2/22/2018	012018	001-008-521-50-47-00	LE-Facility Utilities	Sewer - N Lakeshore Dr	\$86.00
					LE-Facility Utilities	Sewer - Police Station	\$86.00
				001-010-576-80-47-00	PK-Utilities	Sewer - Lundeen Park	\$172.00
				001-012-572-20-47-00	CS-Library-Utilities	Sewer - Library	\$86.00
				001-013-518-20-47-00	GG-Utilities	Sewer - Permit Center	\$86.00
					GG-Utilities	Sewer - Family Center	\$86.00
					GG-Utilities	Sewer - City Hall	\$172.00
					GG-Utilities	Sewer - Vacant Houses 20th St SE	\$86.00
				101-016-543-50-47-00	ST-Utilities	Sewer - 99th Ave SE Property	\$86.00
Lasting Impressions Inc	44628						Check Total \$10.91
		2/22/2018	35379	001-008-521-20-31-02	LE-Minor Equipment	Collar embroidery	\$10.91
Lemay Mobile Shredding	44629	2/22/2018	4553099	001-008-521-20-41-01	LE-Proessional Serv-Fixed	Shredding services	\$9.66
				4553100	001-013-518-20-41-00	GG-Professional Service	\$18.71
							Check Total \$28.37
Les Schwab Tire Center	44630	2/22/2018	40200372584	101-016-542-30-48-00	ST-Repair & Maintenance	Tires and mount PW40	\$1,216.76
				410-016-531-10-48-00	SW-Repairs & Maintenance	Tires and mount PW40	\$1,216.76
			40200375707	101-016-542-30-48-00	ST-Repair & Maintenance	Installation of CAM Kit & Alignment PW60	\$81.65
				410-016-531-10-48-00	SW-Repairs & Maintenance	Installation of CAM Kit & Alignment PW60	\$81.64
							Check Total \$2,596.81
LN Curtis & Sons	44631	2/22/2018	INV157335	001-008-521-20-31-02	LE-Minor Equipment	Hobble W/D-Ring	\$100.66
				001-008-521-20-31-02	LE-Minor Equipment	Nik Test-Sodium Nitroprusside	\$105.96
				001-008-521-20-31-02	LE-Minor Equipment	Dark Navy Stryke Pants - Brooks	\$97.86
				001-008-521-20-31-02	LE-Minor Equipment	Corporal Chevron-Beazizo	\$56.10
				001-008-521-20-31-02	LE-Minor Equipment	Badge clip - R Brooks	\$19.69
							Check Total \$380.27
Joshua Machen	44632	2/22/2018	020518	001-007-558-50-43-00	PL-Travel & Mtgs	PerDiem-Dept of Ecology-Tukwilla WA-Machen	\$22.00
					PL-Travel & Mtgs	PerDiem-Small Cell Consortium-Puyallup WA-Machen	\$19.00



## Checks to be Approved for 2/9/2018 to 2/22/2018

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	Check Total	
Helen Meis	44633	2/22/2018	020918	001-007-558-50-43-00	PL-Travel & Mtgs	Hotel/PerDiem/Mileage-Heritage Capital Grant-Olympia WA-Meis	\$299.70	
Robert Miner	44634	2/22/2018	020618	001-008-521-20-43-00	LE-Travel & Per Diem	PerDiem-Background Investigations-Bothell WA-Miner	\$44.00	
NAFTO	44635	2/22/2018	4105	001-008-521-40-49-01	LE-Registration Fees	NAFTO State Conference-Barnes/Christensen	\$260.00	
Nationwide Retirement Solution	0	2/15/2018	021518	001-000-282-00-00-00	Payroll Liability Retirement	Employee Portion-Nationwide	\$2,927.06	
New York Life EFT	0	2/22/2018	DEC2017	001-002-513-11-20-00	AD-Benefits	Life/Disability Insurance Premiums	\$52.99	
				001-003-514-20-20-00	CC-Benefits	Life/Disability Insurance Premiums	\$67.54	
				001-004-514-23-20-00	FI-Benefits	Life/Disability Insurance Premiums	\$117.66	
				001-005-518-10-20-00	HR-Benefits	Life/Disability Insurance Premiums	\$48.77	
				001-006-518-80-20-00	IT-Benefits	Life/Disability Insurance Premiums	\$83.90	
				001-007-558-50-20-00	PL-Benefits	Life/Disability Insurance Premiums	\$328.46	
				001-007-559-30-20-00	PB-Benefits	Life/Disability Insurance Premiums	\$133.95	
				001-008-521-20-20-00	LE-Benefits	Life/Disability Insurance Premiums	\$1,381.31	
				001-010-576-80-20-00	PK-Benefits	Life/Disability Insurance Premiums	\$124.47	
				001-013-518-30-20-00	GG-Benefits	Life/Disability Insurance Premiums	\$42.57	
				101-016-542-30-20-00	ST-Benefits	Life/Disability Insurance Premiums	\$458.95	
				401-070-535-10-20-00	SE-Benefits	Life/Disability Insurance Premiums	\$6.22	
				410-016-531-10-20-00	SW-Benefits	Life/Disability Insurance Premiums	\$429.42	
			JAN2018	001-002-513-11-20-00	AD-Benefits	Life/Disability Insurance Premiums	\$52.99	
				001-003-514-20-20-00	CC-Benefits	Life/Disability Insurance Premiums	\$67.54	
				001-004-514-23-20-00	FI-Benefits	Life/Disability Insurance Premiums	\$117.66	
				001-005-518-10-20-00	HR-Benefits	Life/Disability Insurance Premiums	\$48.77	
				001-006-518-80-20-00	IT-Benefits	Life/Disability Insurance Premiums	\$83.90	
				001-007-558-50-20-00	PL-Benefits	Life/Disability Insurance Premiums	\$328.46	
				001-007-559-30-20-00	PB-Benefits	Life/Disability Insurance Premiums	\$133.95	
				001-008-521-20-20-00	LE-Benefits	Life/Disability Insurance Premiums	\$1,427.08	
				001-010-576-80-20-00	PK-Benefits	Life/Disability Insurance Premiums	\$125.04	



## Checks to be Approved for 2/9/2018 to 2/22/2018

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	
New York Life EFT	0	2/22/2018	JAN2018	001-013-518-30-20-00	GG-Benefits	Life/Disability Insurance Premiums	\$42.86
				101-016-542-30-20-00	ST-Benefits	Life/Disability Insurance Premiums	\$461.52
				401-070-535-10-20-00	SE-Benefits	Life/Disability Insurance Premiums	\$6.22
				410-016-531-10-20-00	SW-Benefits	Life/Disability Insurance Premiums	\$431.70
North Sound Hose Fittings Inc	44636	2/22/2018	N001406			<b>Check Total</b>	<b>\$78.30</b>
				101-015-543-30-31-00	ME - Operating Costs	Hydraulic Hose - PW70 TrackHoe	\$39.15
				410-015-531-10-31-00	ME - Operating Costs	Hydraulic Hose - PW70 TrackHoe	\$39.15
O Reilly Auto Parts	44637	2/22/2018	2960-395407	101-015-543-30-31-00	ME - Operating Costs	Antifreeze fleet vehicles	\$5.05
				410-015-531-10-31-00	ME - Operating Costs	Antifreeze fleet vehicles	\$5.05
			2960-403879	001-008-521-20-31-02	LE-Minor Equipment	Headlight PT65	\$14.00
			2960-405005	101-016-544-90-31-02	ST-Operating Cost	Heat Gun	\$10.89
				410-016-531-10-31-02	SW-Operating Costs	Heat Gun	\$10.88
			2960-405078	410-015-531-10-31-00	ME - Operating Costs	Fuel Pump-PW26 Vactor	\$70.77
						<b>Check Total</b>	<b>\$116.64</b>
Office of The State Treasurer	44638	2/22/2018	JAN2018			<b>Check Total</b>	<b>\$21,330.78</b>
				633-000-589-30-00-03	State Building Permit Remit	January 2018 State Court Fees	\$270.00
				633-000-589-30-00-04	Vehicle License Fraud Account	January 2018 State Court Fees	\$74.05
				633-000-589-30-00-07	Public Safety And Ed. 1986	January 2018 State Court Fees	\$9,750.87
				633-000-589-30-00-08	Public Safety And Education	January 2018 State Court Fees	\$5,752.55
				633-000-589-30-00-09	Judicial Information System-Ci	January 2018 State Court Fees	\$2,939.69
				633-000-589-30-00-12	Trauma Care	January 2018 State Court Fees	\$903.06
				633-000-589-30-00-13	School Zone Safety	January 2018 State Court Fees	\$96.50
				633-000-589-30-00-14	Public Safety Ed #3	January 2018 State Court Fees	\$97.75
				633-000-589-30-00-15	Auto Theft Prevention	January 2018 State Court Fees	\$1,284.12
				633-000-589-30-00-16	HWY Safety Act	January 2018 State Court Fees	\$63.48
				633-000-589-30-00-17	Death Inv Acct	January 2018 State Court Fees	\$14.79
				633-000-589-30-00-18	WSP Highway Acct	January 2018 State Court Fees	\$83.92
Outcomes by Levy LLC	44639	2/22/2018	2018-01-LS	001-013-511-70-40-00	Lobbying Services	Legislative/Regulatory Consulting for January 2018	\$4,910.96
Thomas F Ovens	44640	2/22/2018	Christensen	001-008-521-40-49-01	LE-Registration Fees	Registration-Sergeants Academy-Corporal Christensen	\$795.00



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Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	Check Total	
Pacific Logging LLC	44641	2/22/2018	22521	302-010-594-76-61-02	PM - Lundeen Park Capital	Hauling of excavator for Lundeen Restoration	\$700.00	
Kristen Parnell	44642	2/22/2018	013018	001-008-521-20-43-00	LE-Travel & Per Diem	PerDiem-Bloodstain Analysis training-Kennewick WA-Parnell	\$321.00	
Perteet Inc	44643	2/22/2018	20120176.001-32	301-016-544-40-41-00	Street Op - P&D - 20th St SE	20th Street SE PhaseII-Segment 1 Design	\$1,354.81	
Gary Petershagen	44644	2/22/2018	022118	001-001-511-60-43-00	Legislative - Travel & Mtgs	PerDiem-NLC Conf-DC-Petershagen	\$241.50	
Puget Sound Energy	44645	2/22/2018	24316495 0218	001-010-576-80-47-00	PK-Utilities	Natural Gas - City Shop	\$112.60	
				101-016-543-50-47-00	ST-Utilities	Natural Gas - City Shop	\$112.60	
				410-016-531-10-47-00	SW-Utilities	Natural Gas - City Shop	\$112.61	
	44646	2/22/2018	3723810 0218	001-008-521-50-47-00	LE-Facility Utilities	Natural Gas - N Lake Shore	\$182.51	
Republic Services 197	44647	2/22/2018	0197-002219116	001-010-576-80-31-00	PK-Operating Costs	Dumpster services - City Shop	\$248.46	
				101-016-542-30-45-00	ST-Rentals-Leases	Dumpster Rental - City Shop	\$116.62	
				101-016-544-90-31-02	ST-Operating Cost	Dumpster services - City Shop	\$248.47	
				410-016-531-10-31-02	SW-Operating Costs	Dumpster services - City Shop	\$248.47	
				410-016-531-10-45-00	SW-Equipment Rental	Dumpster Rental - City Shop	\$116.62	
	44648	2/22/2018	0197-002218940	001-010-576-80-31-00	PK-Operating Costs	Dumpster svcs - Lundeen Park	\$443.76	
				001-010-576-80-45-00	PK-Equipment Rental	Dumpster rental - Lundeen Park	\$21.04	
	44649	2/22/2018	0197-002219762	001-013-518-20-31-00	GG-Operating	Dumpster services - City Hall	\$118.49	
				001-013-518-20-45-00	GG-Equipment Rental	Dumpster rental - City Hall	\$16.20	
Right On Heating & Sheet Metal Inc	44650	2/22/2018	23320	001-012-575-50-48-00	CS-Community Center - R & M	HVAC services-Community Center	\$762.30	
SCCFOA	44572	2/15/2018	022218	001-003-514-20-49-02	CC-Staff Development	SCCFOA mtg-Public Records	\$90.00	
				001-004-514-23-49-01	FI-Staff Development	SCCFOA mtg-Public Records	\$20.00	



## Checks to be Approved for 2/9/2018 to 2/22/2018

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	
SCCFOA	44572	2/15/2018	022218	001-008-521-40-49-01	LE-Registration Fees	SCCFOA mtg-Public Records	\$50.00
Sirchie Acquisition Company LLC	44651					Check Total	\$147.77
		2/22/2018	0334729-IN	001-008-521-20-31-02	LE-Minor Equipment	Latent Print Kit	\$147.77
Snohomish County 911	44652					Check Total	\$29,799.49
		2/22/2018	129	001-008-528-00-51-00	LE-Snopac Dispatch	Dispatch Services	\$29,799.49
Snohomish County PUD	44653					Check Total	\$18,868.40
		2/22/2018	100334060	101-016-542-63-47-00	ST-Lighting - Utilities	202624367 Street Lights	\$10,795.85
			104828721	001-008-521-50-47-00	LE-Facility Utilities	200558690 Police N Lakeshore Drive	\$146.57
			108154047	001-013-518-20-47-00	GG-Utilities	200245215 Family Center	\$255.35
			108155591	001-010-576-80-47-00	PK-Utilities	200748721 Parks	\$61.17
			111459797	001-013-518-20-47-00	GG-Utilities	201783685 Annex	\$668.27
			114772256	001-012-575-50-47-00	CS-Community Center-Utilities	200860922 Community Center	\$623.02
			114773161	001-010-576-80-47-00	PK-Utilities	201513934 Parks	\$34.59
			118085859	101-016-542-63-47-00	ST-Lighting - Utilities	201973682 Street Lights	\$46.93
		121409418	001-012-572-20-47-00	CS-Library-Utilities	200206977 Library		\$733.82
			001-013-518-20-47-00	GG-Utilities	200206977 Library water meter		\$136.29
		124727668	101-016-542-63-47-00	ST-Lighting - Utilities	201860178 Traffic Signal		\$186.01
		124727944	001-013-518-20-47-00	GG-Utilities	201956075 War Memorial		\$27.92
		124728773	001-012-575-30-47-00	CS-Historical-Utilities	202289237 Museum		\$111.18
			001-012-575-51-47-00	CS-Grimm House Expenses	202289237 Grimm House		\$111.18
		137834466	101-016-542-63-47-00	ST-Lighting - Utilities	203582010 Street Lights		\$103.46
		141144479	001-010-576-80-47-00	PK-Utilities	202513354 Park lighting		\$18.14
		144473794	001-010-576-80-47-00	PK-Utilities	203203245 Lundeen Restrooms		\$932.77
		147764948	101-016-542-63-47-00	ST-Lighting - Utilities	203730189 Traffic Signal		\$88.76
		147764950	101-016-542-63-47-00	ST-Lighting - Utilities	203731153 Traffic Signal		\$113.05
		151061952	001-012-557-30-40-01	CS - VIC Utilities	205395999 Visitor Center		\$269.96
		151064239	101-016-542-63-47-00	ST-Lighting - Utilities	204719074 Catherine Creek Bridge lights		\$22.68
		154315696	101-016-542-63-47-00	ST-Lighting - Utilities	201595113 Street Lights		\$231.90
		157514092	001-010-576-80-47-00	PK-Utilities	203531959 Mobile at 2424 Soper Hill Rd		\$39.07
		163927228	001-013-518-20-47-00	GG-Utilities	221412273 New City Hall		\$202.74
		167169913	101-016-542-63-47-00	ST-Lighting - Utilities	202988481 Street Lights		\$226.21



## Checks to be Approved for 2/9/2018 to 2/22/2018

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	
Snohomish County PUD	44653	2/22/2018	167170959	101-016-542-63-47-00	ST-Lighting - Utilities	202648101 Street Lights - Soper Hill Annexation	\$1,264.08
			167171015	101-016-542-63-47-00	ST-Lighting - Utilities	202670725 Street Lights	\$1,239.49
			167172750	101-016-542-63-47-00	ST-Lighting - Utilities	203115522 Street Light meter	\$177.94
Snohomish County Tourism Bureau	44654						Check Total \$800.00
		2/22/2018	LS2018	001-013-518-90-49-03	GG-Visitor Center - SnoCo Contr	2018 Sno Co Visitor Information Center Program	\$800.00
Snohomish County Treasurer	44655						Check Total \$334.40
		2/22/2018	JAN2018	633-000-589-30-00-06	Crime Victims Compensation	January 2018 Crime Victims Compensation	\$334.40
Sound Publishing Inc	44656						Check Total \$773.72
		2/22/2018	EDH794127	001-013-518-30-41-01	GG-Advertising	Ordinance 1011/1012/1013/1016 Res 2018-003	\$111.92
			EDH794128	001-007-558-50-41-03	PL-Advertising	LUA2018-005 Saysala Final Plat	\$105.04
			EDH794680	001-007-558-50-41-03	PL-Advertising	LUA2018-0018 LS Access Renovation	\$103.32
			EDH794687	001-007-558-50-41-03	PL-Advertising	LUA2016-0201 Soper Hill ROW Vacation	\$196.32
			EDH794959	001-007-558-50-41-03	PL-Advertising	LUA2017-0151 PH Pellerin Annexation	\$110.32
			EDH795152	301-016-595-30-60-02	Main Street Project 1	RFQ Main Street design	\$24.20
			EDH795159	304-016-595-30-60-04	Frontier Village/4th Project	RFQ New Access Rd 4th St NE to Frontier Village	\$24.20
			EDH795459	001-013-518-30-41-01	GG-Advertising	Parks Board & Arts Commission Joint meeting	\$29.36
			EDH795463	001-013-518-30-41-01	GG-Advertising	Arts Commission 2/14/18 meeting cancelled	\$24.20
			EDH795465	001-013-518-30-41-01	GG-Advertising	City Council/Planning Commission Joint meeting	\$44.84
Sound Safety Products Co Inc	44657						Check Total \$287.33
		2/22/2018	181174/1	001-010-576-80-31-01	PK-Ops-Clothing	Lime T Shirts/Lime Hoodies	\$95.77
				101-016-542-90-31-01	ST-Clothing	Lime T Shirts/Lime Hoodies	\$95.78
				410-016-531-10-31-00	SW-Clothing	Lime T Shirts/Lime Hoodies	\$95.78
Sound Security Inc	44658						Check Total \$1,380.00
		2/22/2018	878141	001-013-518-20-41-00	GG-Professional Service	Access/Hold up monitoring Feb 2018	\$570.87
				880027	001-013-594-18-60-02	GG - City Hall Demo	\$809.13
John Spencer	44659						Check Total \$310.50
		2/22/2018	022118	001-001-513-10-43-00	Executive - Travel & Mtgs	PerDiem-NLC Conf-DC-Spencer	\$310.50
Stericycle Inc	44660						Check Total \$10.36
		2/22/2018	3004145624	001-008-521-20-41-01	LE-Proessional Serv-Fixed	Hazardous Waste Disposal	\$10.36
StormWind LLC	44661						Check Total \$3,990.00
		2/22/2018	19690	001-006-518-80-49-01	IT-Staff Development	Ultimate Access training-T Stevens/Pena	\$3,990.00



## Checks to be Approved for 2/9/2018 to 2/22/2018

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	Check Total	\$
Robert Summers	44662						Check Total	\$95.00
		2/22/2018	013018	001-008-521-20-43-00	LE-Travel & Per Diem	PerDiem-Use of Force-Arlington WA-Summers		\$95.00
Tacoma Screw Products Inc	44663						Check Total	\$1,207.20
		2/22/2018	18186152	101-016-544-90-31-02	ST-Operating Cost	Anchor shackles		\$338.31
				410-016-531-10-31-02	SW-Operating Costs	Anchor shackles		\$338.32
			18189819	101-016-544-90-31-02	ST-Operating Cost	Anchors/washers/bolts/nitrile gloves bits/caution tape/screws		\$265.29
				410-016-531-10-31-02	SW-Operating Costs	Anchors/washers/bolts/nitrile gloves bits/caution tape/screws		\$265.28
Marcus Tageant	44664						Check Total	\$2,789.18
		2/22/2018	022018	001-001-511-60-43-00	Legislative - Travel & Mtgs	Mileage-AWC and City Summit		\$168.00
					Legislative - Travel & Mtgs	Airfare-NLC-Tageant/Hilt		\$1,115.22
				001-001-511-60-49-02	Legislative-C.C.Retreat	Mileage-Council Retreat		\$80.24
				001-001-513-10-43-00	Executive - Travel & Mtgs	Airfare-NLC-Spencer		\$557.61
				001-002-513-11-43-00	AD-Travel & Meetings	Airfare-NLC-Brazel		\$557.61
			022118	001-001-511-60-43-00	Legislative - Travel & Mtgs	PerDiem-NLC Conf-DC-Tageant		\$310.50
ULINE	44665						Check Total	\$653.60
		2/22/2018	94437823	101-016-544-90-31-02	ST-Operating Cost	HotHands/Flexible Delineator Posts/55 Gallon gray domes		\$653.60
UPS	44666						Check Total	\$43.42
		2/22/2018	74Y42058	001-008-521-20-42-00	LE-Communication	Evidence shipping		\$43.42
Craig Valvick	44667						Check Total	\$95.00
		2/22/2018	013018	001-008-521-20-43-00	LE-Travel & Per Diem	PerDiem-Use of Force-Arlington WA-Valvick		\$95.00
Vantagepoint Transfer Agents - 108991	44573						Check Total	\$352.81
		2/15/2018	021518	001-000-282-00-00-00	Payroll Liability Retirement	ICMA Deferred Comp - Employer Contribution		\$352.81
Vantagepoint Transfer Agents - 307428	44574						Check Total	\$767.00
		2/15/2018	021518	001-000-282-00-00-00	Payroll Liability Retirement	ICMA Deferred Comp - Employee Contribution		\$767.00
Steve Warbis	44668						Check Total	\$321.00
		2/22/2018	013018	001-008-521-20-43-00	LE-Travel & Per Diem	PerDiem-Bloodstain Analysis-Kennewick WA-Warbis		\$321.00
Washington State Dept of Enterprise Svcs	44669						Check Total	\$122.51
		2/22/2018	73172000	001-008-521-20-31-00	LE-Office Supplies	Business cards-Hingtgen/Wells/Miner		\$122.51



## Checks to be Approved for 2/9/2018 to 2/22/2018

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	Check Total	\$420.00
Washington State Patrol	44670	2/22/2018	I18005183	633-000-589-30-00-10	Gun Permit - FBI Remittance	Weapons permit background checks		\$420.00
Washington State Support Registry	0	2/15/2018	021518	001-000-284-00-00-00	Payroll Liability Other	Employee Paid Child Support		\$163.50
Washington Tractor	44671	2/22/2018	1444562	001-010-576-80-31-00	PK-Operating Costs	Oil/oil filter/v belt/mower blade PW34		\$107.39
			1466753	001-010-576-80-31-00	PK-Operating Costs	Mower blade PW25		\$59.96
			1466758	001-010-576-80-31-00	PK-Operating Costs	Oil filter/v belt/mower blade PW38		\$258.60
			1467108	001-015-576-80-31-00	ME - Operating Costs	Tractor parts PW25		\$57.57
				101-015-543-30-31-00	ME - Operating Costs	Tractor parts PW25		\$57.57
				410-015-531-10-31-00	ME - Operating Costs	Tractor parts PW25		\$57.58
Weed Graafstra & Associates Inc	44672	2/22/2018	172	001-011-515-30-41-00	LG-Professional Service	Legal services - General Matters		\$19,196.75
Neil Chad Wells	44673	2/22/2018	013118	001-008-521-20-43-00	LE-Travel & Per Diem	PerDiem-Use of Force-Arlington WA-C Wells		\$95.00
Western Conference of Teamsters Pension Trust	44674	2/22/2018	020118	001-000-282-00-00-00	Payroll Liability Retirement	Employee Contributions - Teamster Pension		\$3,140.54
WPTA	44675	2/22/2018	1304284909768 49	001-004-514-23-49-00	FI-Miscellaneous	2018 WPTA Membership fees-B Stevens/J Roundy		\$80.00
<b>Total</b>								<b>\$361,417.57</b>

**CITY OF LAKE STEVENS**  
**CITY COUNCIL SPECIAL MEETING/RETREAT MINUTES**  
Friday, January 19, 2018 and Saturday, January 20, 2018  
9565 Semiahmoo Parkway, Blaine, WA 98230

CALL TO ORDER: 9:00 a.m. by Mayor John Spencer

COUNCILMEMBERS PRESENT: Kim Daughtry, Gary Petershagen, Kurt Hilt, Todd Welch, Rauchel McDaniel, Brett Gailey and Marcus Tageant

COUNCILMEMBERS ABSENT: None.

STAFF MEMBERS PRESENT: City Administrator Gene Brazel, Finance Director/City Clerk Barb Stevens, Human Resources Director Teri Wright, Community Development Director Russ Wright, Public Works Director Eric Durpos

OTHERS: Grant Weed, City Attorney (1/19/2018, 10:00 a.m. – 1:00 p.m.); Patrick McCourt, Citizen

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Mayor Spencer convened the meeting at 9:30 a.m. for the purpose of conducting a special meeting/retreat to discuss city business as summarized below, with no action to take place.

City Administrator Brazel provided the Week's Wrap Up verbally.

In response to the Mayor's question, Council provided the following list of outcomes they would like to see from this retreat:

1. Downtown Strategy/ Historical Society, facility leases, service club agreements
2. Improved Communication to citizens & Council
3. Council liaisons
4. Council Procedures, Boards & Commissions
5. Subcommittees vs workshops
6. New City Hall as it relates to Chapel Hill and downtown masterplan
7. Council Rules and Procedures
8. Land Use Capacity, UGA, Buildable Lands

Mayor Spencer shared his list of outcomes as follows:

1. Mitigation Fees
2. Land for Food Bank
3. Downtown Strategy
4. Sidewalks
5. Sewer District
6. Police Department/City Hall
7. Parks Department
8. Capital Priorities
9. Annexation Strategy

**2017 Budget Recap / 2018 Budget Overview:** Finance Director Stevens provided a recap of the 2017 Budget followed with an overview of the 2018 Budget. Also discussed were financing options for projects and facilities.

**Sewer District Unification:** Mayor Spencer provided an update on the Sewer District Unification utilizing a PowerPoint presentation. It was also discussed that it might be beneficial for the Mayor to meet with Sewer District staff in the future to answer any questions they may have of the City.

**2018 Capital Project Overview:** There was a brief discussion regarding the intersection of SR204 and 91<sup>st</sup> Street, and how this should be included in the 2018 Capital Ask. Council requested to see project level information for the 4<sup>th</sup> Street NE intersection improvement. Additionally, Council would like to see projects added to the City Web site and Facebook for better communication in the community.

**Comprehensive Plan Update:** Director Wright facilitated Community Development discussions. Council discussed hiring a consultant to take a deeper look at the City's buildable lands inventory. Council would also like to continue looking at a property swap with the Fire Department. Council discussed that they would like the Historical Society to have a stronger presence such as outreach or possibly extended hours or a web site. This is tied to the expansion of North Cove Park and the downtown revitalization. Council would like to discuss with Snolsle the possibility of going multi-story on their proposed new facility to make way for community meeting rooms. The election approach on annexations was discussed, and Council would like to begin this process.

The meeting was recessed at 5:00 p.m.

The meeting was reconvened at 8:00 a.m. on January 20, 2018.

**Transportation:** Public Works Director Eric Durpos provided an overview of the following projects: Proposed 24<sup>th</sup> Street SE and 91<sup>st</sup> Street, 20<sup>th</sup> Street SE, 91<sup>st</sup> Street Roundabout, Main Street Design, Village Way, and 16<sup>th</sup> Street SE/20<sup>th</sup> Street multi-use path. Council would like staff to review the City's Public Works Standards to ensure that the City can require overlay of roads when they are cut by utilities or developers to avoid a patchwork roadway.

There was discussion about reaching out to City of Monroe to support the entire SR2 corridor, including the Trestle. The concept was to discuss this matter at the next Mayor's breakfast on February 15, 2018. Additionally, Council would like to attend the US 2 Trestle meetings.

Council requested to see the tentative timeline for Cavelero Park. Additionally, Council would like to see an updated timeline for all projects and have it posted on the City's web page.

**Parks:** Directors Wright and Durpos facilitated this discussion which included Eagle Ridge, Cavelero, Lundein, North Cove and Frontier Heights Parks and the 20<sup>th</sup> Street SE Ballfields. Discussion included installing benches that are designed for people to sit on rather than lay down on. Also discussed was Council's desire to have an interconnected trail under the powerlines, and to add this concept to the Trail Master Plan. This project could include property and right-of-way acquisition. There was also discussion about discontinuing the Design Review Board and utilizing the current members in a different capacity as the City grows.

**Storm Water Overview:**

Directors Durpos and Wright led the discussion which included the decent facility and how a joint facility could be beneficial. Also discussed was that an update of inventory and condition, including maintenance of facilities needs to be completed so that rates can be reviewed. Council would like to see how Lake Stevens compares rate-wise to surrounding cities. There was also a suggestion to engage OTAK and look at their scope of work, as well as a review of the regional storm water pond proposed on 20<sup>th</sup> Street SE, and a suggestion to look at the City assuming the maintenance responsibility for private storm water systems.

**Sidewalk Overview:**

Directors Durpos and Wright led this discussion. Council would like an active sidewalk program and supports a mix of in-house labor and contracts to gain the most productivity. Council requested staff bring a proposed program back that would include labor and equipment costs and an estimated cost per foot. Additionally, they would like a suggested project list for 2018.

**Facilities Overview:**

Directors Durpos and Wright facilitated this discussion which included the new Police Department located at Chapel Hill, possibly leveling the existing Police Department, the Public Works shop building remodel, the demolition of houses on 20<sup>th</sup> Street SE and the future Community Center. Also discussed was the Civic Center/Conference Center design and location.

**Parking Lot Items:**

A number of topics were discussed, including looking at (1) how taking home city vehicles may or may not affect the current parking deficiency, (2) the possibility of the future library at Chapel Hill being multi-story to provide public meeting space, and the possibility of cost sharing for meeting space, (3) studying what it would take to onboard a full Parks & Recreation department, (4) review of the VIC, including possible uses and lease revenue, (5) review of the Chamber lease including benefits and ways to have a stronger presence, (6) review of the rowing club lease and benefits to the community, (7) implementation of a dashboard or app for Councilmembers to receive better notifications, (8) an update of the City web site, (9) an update of the City calendar, (10) review of the grant funds awarded to the Civic Center (\$3.1 million) and to the Food Bank (\$300,000) and update to the Mayor and Food Bank.

**Legislative Priorities:**

Board and Commission applicant interviews were discussed, and Councilmembers would like to be more involved with this process. There was consensus that three councilmembers would participate as part of the interview panel.

Following discussion there was consensus to do away with the subcommittee meetings and move to a workshop format, with workshops to be held as needed, and on Mondays if possible. Council also discussed ensuring that the time of office for the Council President is fixed in the Council Rules of Procedure. Also discussed was that Councilmembers' participation as board and commission liaisons should be observatory only. Council would like to look at City representation on the Parks Board, and also ensure there is language in all board and commission rules regarding attendance.

Upcoming Workshop topics include (1) Mitigation Fee Review, (2) 20<sup>th</sup> Street SE Property Values and a possible land trade with the Fire Department; and (3) Purchasing Policy.

Attached for reference is a document: Council Retreat Followup / Take Aways.

**Adjourn.**

The special meeting/retreat was adjourned at 12:00 p.m.

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John Spencer, Mayor

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Kathy Pugh, Deputy City Clerk

**COUNCIL RETREAT FOLLOWUP / TAKE AWAYS:**

**Communication Improvements:**

1. Add projects to web site and Facebook for better communication with community
2. Historical Society website/stronger public outreach
3. Reach out to Monroe re supporting the entire SR2 corridor, including the Trestle –  
Added to 2/1/2018 Mayor's Breakfast agenda
4. Council attendance at US 2 Trestle meetings
5. Implementation of a dashboard/app for better communication/notification for councilmembers
6. Update City web site
7. Update City calendar
8. Inclusion of 3 Councilmembers on boards/commissions interviews – Completed

**Council Asks:**

1. Include SR204 and 91st Street in 2018 Capital Budget Ask – Completed 1/31/2018
2. Project level information for the 4th Street NE intersection improvement
3. Staff review of Public Works Standards to ensure City can require overlay of roads when streets are cut by utilities or developers
4. Cavelero Park timeline – provided by email 2/1/2018
5. Interconnected Trail under powerlines, related to parks/add to Trail Master Plan
6. Discontinue DRB
7. Stormwater rates comparison – provided by email 1/22/2018
8. Active sidewalk program, with report on labor and equipment costs including estimated per foot cost, and suggested 2018 project list
9. Review of Chamber lease including benefits & how to have a stronger presence –  
Mayor/Administrator met with Chamber 1/31/2018
10. Review of VIC possible uses & revenue
11. Review of Rowing Club lease/benefits to community
12. Review of Grant funds award to Civic Center & Food Bank; report back to Mayor and Food Bank — email sent 1/23/2018
13. End subcommittee meetings and have a workshop on as needed basis, preferably on Monday
14. Ensure that Council President term is fixed in Rules of Procedure – Rules of Procedure provide for one year term with elections at first meeting each year
15. Attendance requirements for Board & Commission members – LSMC sets out attendance requirements for Planning Commission, Parks Board, Veterans Commission and Library Board; attendance requirement set out in Arts Commission Rules of Procedure; Civil Service Commission meets as needed so probably not applicable; Design Review Board to be disbanded.
16. Council Liaisons to Board & Commission – Spectator capacity only
17. Retain consultant for buildable lands inventory (includes wetlands report)
18. Annexation by election

**Possibilities:**

1. Engage OTAK to review regional storm water pond proposed at 20th Street SE
2. Consider assuming maintenance responsibility for private storm water systems
3. How taking home city vehicles affects current parking deficiency
4. Consider Chapel Hill Library being multi story to provide for more meeting rooms
5. Studying what it would take to onboard Parks & Recreation Department



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

Tuesday, February 6, 2018

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

**CALL TO ORDER:** 7:00 p.m. by Council President Tageant

**ELECTED OFFICIALS PRESENT:** Mayor John Spencer and Councilmembers Marcus Tageant, Kim Daughtry, Gary Petershagen, Kurt Hilt, Todd Welch, Rauchel McDaniel and Brett Gailey

**ELECTED OFFICIALS ABSENT:** None.

**STAFF MEMBERS PRESENT:** City Administrator Gene Brazel, Community Development Director Russ Wright, City Clerk Kathy Pugh, Police Chief John Dyer

**OTHERS:**

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**Updated City Council Rules of Procedure:** City Administrator Brazel provided an overview of the changes to the updated Council Rules of Procedure and explained per diem travel reimbursement, and how the Travel Policy works. The Travel Policy will be removed from the procedures as it is a stand-alone policy. Following discussion there was concurrence that up to three councilmembers will participate in boards and commissions interviews. This would include the appointed liaison and two councilmembers who are appointed to participate in the interview process at the beginning of each year. There was consensus that Councilmembers Petershagen and McDaniel will be appointed for this purpose for 2018.

**Downtown EIS:** Director Wright presented a PowerPoint and reviewed the SEPA review process, including the timeline, saying this will allow for review of impacts and potential impacts. Director Wright also reviewed the proposed three alternatives and said that Council may select one of the alternatives presented or a hybrid alternative. The proposed three alternatives were reviewed and discussed in detail. Discussion included how traffic flows will work, particularly with respect to accessing the boat launch, shifting of the City's gateway to SR 92/Grade Road, what the downtown area might look like, including with a conference center facility and new commercial development, and where parking could be located and how it will work with the three proposed alternatives. Council expressed concern with balancing parking with new commercial development and the limited amount of land available to accommodate both parking and business.

Director Wright reviewed various residential density schemes and what types of buildings would accommodate them. He then reviewed Commercial Low Growth and Commercial High Growth scenarios and how they might look in the downtown area. Mayor Spencer suggested it would be prudent to lean toward higher intensity growth to capture vitality that would support the downtown area. Discussion ensued on the difficulties of building in the downtown area due to wetlands and density concerns, and what will attract builders to build in the downtown area.

It was clarified that the EIS will be published in March, and Council's recommendation on a preferred alternative would be made at the next Council meeting. The preferred alternative will set the EIS.

There was consensus to move forward with the higher density alternative.

**Proposed New Human Resources/Administrative Support Position:** Administrator Brazel reviewed a proposed new position that would provide 75% support for Human Resources and 25% support for Mayor/Executive. The position was discussed at length and Council requested that at least 10% of the position provide support to Council with communication and scheduling.

**Council Representatives for Sewer Utility Advisory Board and Boards and Commissions**

**Interviews:** Administrator Brazel said that a Utility Advisory Board is being created to assist with the assumption process, and will operate as an oversight committee. Members will be two Sewer Commissioners and two City Councilmembers. The request is that Council appoint two members to participate on this committee. There was a recommendation that Councilmembers Tageant and Petershagen will serve in this capacity. This will be brought back on the Consent Agenda for vote at the next Council meeting.

Mayor Spencer updated that the Assumption Agreement is being targeted for completion by the end of the year, and there will be additional changes occurring over time, such as transfer of assets.

At the retreat, Council requested that up to three Councilmembers participate with candidate interviews for boards and commissions. Staff suggested that the Council liaison for each board and commission be one of those members, and that Council select two additional councilmembers to participate with interviews. There was agreement that Councilmembers McDaniel and Gailey be selected to sit on the interviews, and this will be brought on the Consent Agenda for vote at the next Council meeting. Councilmember Daughtry said he would like to be the third councilmember on the Veterans Commission.

**Adjourn:**

There being no further business, the meeting was adjourned at 8:37 p.m.

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John Spencer, Mayor

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Kathy Pugh, City Clerk

**CITY OF LAKE STEVENS  
CITY COUNCIL JOINT MEETING WITH PLANNING COMMISSION  
MEETING MINUTES**

Tuesday, February 13, 2018

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

CALL TO ORDER: 6:06 p.m. by Mayor John Spencer

ELECTED OFFICIALS PRESENT: Councilmembers Kim Daughtry, Gary Petershagen, Kurt Hilt (6:07 PM), Rauchel McDaniel, Brett Gailey and Marcus Tageant

ELECTED OFFICIALS ABSENT: Todd Welch

PLANNING COMMISSIONERS  
PRESENT: Janice Huxford, Tracey Trout, Vicki Oslund, Jennifer Davis and Karim Ali,

PLANNING COMMISSIONERS  
ABSENT: Linda Hoult

STAFF MEMBERS PRESENT: City Administrator Gene Brazel, Finance Director Barb Stevens, Community Development Director Russ Wright, Police Chief John Dyer, City Clerk Kathy Pugh, Economic Development Coordinator Jeanie Ashe, Permit Coordinator Jennie Fenrich, Senior Planner Josh Machen

OTHERS:

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The meeting was called to order at 6:02 p.m. by Mayor Spencer

Director Wright provided an overview of the evening.

Commissioner Huxford introduced the members of the Planning Commission. She said the Planning Commission is currently short one member and they are looking forward to having the vacancy filled. Commissioner Huxford also commented the commission is proud of its 2017 accomplishments and is looking forward to the goals and challenges for 2018.

**2018 Work Program:** Senior Planner Machen distributed a proposed work program for 2018 and said that the Planning Commission and staff are looking for direction on the priorities, including whether any of them need to be reordered.

Responding to Councilmember McDaniel's question, Planner Machen clarified that the City would keep its High Urban Residential (HUR) zone, and would add a new zone called Compact Residential (CR). The CR zone is in the City's Comprehensive Plan, but it is not in the Zoning Code. Director Wright added that for areas currently in the urban growth area, the CR zone would increase the density. The CR zoning could be utilized within the current city limits but the thought process is to apply a CR zone to annexation areas. He added that lot sizes would be larger than the current lot size, but not as large as a rural lot.

Councilmember Petershagen asked about the reference to the Design Review Board and said that Council determined to do away with that board. Planner Machen replied this requires a code amendment, and Director Wright added that staff is working on tools to make design review an administrative process.

Commissioner Trout commented on the lake depth and asked how the increase in impervious surfaces from 40% to 60% impacts lake levels, roads and other infrastructure. Planner Machen replied that in theory with adoption of the 2012-2014 Stormwater Manual new development will not discharge any more water than what would be discharged from properties in an unaltered state. He added that not only new development needs to be compliant, but that existing infrastructure has high runoff that is discharged straight into the lake, and Council has identified this needs to be addressed.

Commissioner Huxford asked regarding the timeline for the Zoning Code section of the work program, and Director Wright explained these are placeholders and can be changed.

Planner Machen said in response to Councilmember Gailey's question, that an interim ordinance was passed late last year that prohibits safe injection sites. Planner Machen explained that this will need to go to the Planning Commission to complete the formal public process. There was consensus of Council to move this ordinance forward.

Responding to Councilmember Gailey's question regarding Temporary Encampments under the Zoning Code section, Director Wright explained that a WCIA audit found that Lake Stevens does not have regulations for Temporary Encampments and needs to put these in place. Following discussion it was decided to shift Temporary Encampments to the first quarter, and shift HUR and proposed zoning designations to the third quarter.

Councilmember Daughtry asked about city codes for tiny homes. Director Wright said this might fit under the accessory dwellings code if it were updated, or that innovative housing regulations might also apply. Discussion ensued, and Director Wright commented this can become a mobility issue if a tiny home is built on a chassis.

Councilmember McDaniel noted that the Planning Commissioners are volunteers and thanked them for their time.

**Recap of City Council Retreat:** Responding to Commissioner Huxford's question, Mayor Spencer explained that the process for filling the vacancy on the Planning Commission is underway. Commissioner Huxford said it has been helpful to have Council representation at the Planning Commission meetings as it provides continuity.

Administrator Brazel provided a recap of the City Council's recent retreat and said that a priority is to improve and fix problems with communications. Transportation projects were reviewed, including discussion about Highway 2 and utilizing a more global approach to improvements by partnering with Monroe, Snohomish and Sultan to press for improvements. Administrator Brazel reviewed the pending capital projects, noting they primarily consist of transportation and park improvements, particularly to Lundein Park and Cavelero Park. Also discussed were Public Works standards for road cuts, discontinuing the Design Review Board and utilizing the current members in another manner and the sidewalk program, with safe sidewalks for schools being a priority.

Regarding sidewalks, Director Wright commented there are areas the City can leverage tools such as multi-use, grants and safe pathways to promote sidewalk programs.

Administrator Brazel continued that the Council also discussed strengthening the relationship with the Chamber of Commerce, various city facility leases including with the Historical Society, Grimm House and Rowing Club. Specifically discussed was making new leases for one year to allow for the North Cove Park redevelopment. Administrator Brazel continued, saying that Council determined to move away from subcommittees, and instead will hold a workshop once a month as needed for in-depth discussion. Administrator Brazel said the Council also discussed attendance requirements and preparation for Boards and Commission members, as well as training opportunities for these volunteers. The Chapel Hill site was discussed, and there was discussion on how to on-board a Parks & Recreation Department.

Commissioner Huxford likes the increased communication, and appreciated the Rules & Regulations that were presented at the last Planning Commission meeting.

Returning to the work program, Commissioner Davis suggested moving consideration of the safe injection sites up for consideration in tandem with the encampment issue. Director Wright reviewed the ways to move forward for safe injection sites are take a wait and see approach or move forward with an outright ban. There was consensus to move forward with an outright ban.

Administrator Brazel reviewed the role of the Council liaison to boards and commissions is to be a resource to collect information and share it back to Council. Liaisons are not attending meetings to engage with boards and commissions.

Councilmember Daughtry said board and commission members have an important job and it is not the Council's role to sway the decision of the board, but to make a decision following the board's or commission's recommendation.

Mayor Spencer turned the conversation to annexations, and said that Council did discuss the petition vs. election processes of annexation with regard to the Urban Growth Area, and is in favor of moving forward with the election process. This will be brought forward to Council for a final decision.

**Puget Sound Regional Council Vision 2050:** Director Wright Russ said the Puget Sound Regional Council's Vision 2050 program is important as it impacts how the Planning Commission and City move forward. He reviewed the previous methodology used and said that it was an ineffective methodology for cities in Snohomish County. The group Snohomish County Tomorrow, and specifically the Planning Advisory Committee, has made early recommendations to the Steering Committee of the Puget Sound Regional Council, to use a methodology that is more specific to the environment and needs of cities in Snohomish County, and that establishes goals that are achievable.

Commissioner Davis commented it is important to communicate with the community as the community needs to understand the mandates.

**Adjourn:**

There being no further business the meeting was adjourned at 6:58 p.m.

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John Spencer, Mayor

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Kathy Pugh, City Clerk



LAKE STEVENS CITY COUNCIL  
STAFF REPORT

**Council Agenda Date:** February 27, 2018

**Subject:** Approval of Long Range Work Plan for 2018

**Contact** Joshua Machen, AICP  
**Person/Department:** Senior Planner

**Budget** Specific projects  
**Impact:** as approved by Council

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

The recommended action is for the City Council to accept the 2018 Long-Range Planning Work Program as modified during the City Council/Planning Commission Work Shop on February 13, 2018.

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**BACKGROUND:**

City Council reviews the long-range work plan annually. The 2018 work program primarily includes the Planning Commission's 2018 long range work plan.

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**DISCUSSION:**

During the City Council/Planning Commission Work Shop on February 13, 2018, staff presented the long range workplan for 2018. At that meeting, there were recommendations that the work plan be modified to address Supervised Drug Consumption Facilities in the first quarter along with Temporary Encampments and to push the discussion on Zoning Designations within the UGA's and changes to the HUR zone and creation of the Compact Residential Zone until the fourth quarter.

Staff has made these changes in the work plan and now request City Council approval.

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**APPLICABLE CITY POLICIES:**

Council gives the Planning Commission direction on work activities as an advisory body.

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**BUDGET IMPACT:**

Direct budget impacts will require project specific funding to be approved by the Council as needed.

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**ATTACHMENTS:**

**A – 2018 Master Schedule**

# Attachment A

<b>Lake Stevens 2018 Long Range Work Program</b>				
<b>Code Amendments</b>	<b>1<sup>st</sup> quarter</b>	<b>2<sup>nd</sup> quarter</b>	<b>3<sup>rd</sup> quarter</b>	<b>4<sup>th</sup> quarter</b>
<b><i>Environment (carry over)</i></b>				
1. Critical Areas -update		PC / CC	PC / CC	
<b><i>Zoning Code (carry over)</i></b>				
1. Wireless Facilities		PC	CC	
2. Model Homes	PC	CC		
3. Temporary Encampments	PC		CC	
4. Content Based Sign Code			PC	CC
5. Safe Injection Sites	PC	CC		
<b><i>Zoning Code (new)</i></b>				
1. HUR / Compact Residential Zone-changes		PC		CC
2. Private Roads		PC	CC	
3. Downtown Subarea Code Amendments	PC	CC		
4. Accessory Dwellings		PC	CC	
5. Design Review		PC	CC	
<b><i>Process</i></b>				
1. Proposed Zoning Designation within the UGA's			PC	CC
2. Final Plats (Delegating Administrative Approval Authority)	PC	CC		
3. Code Clean-up (fences, sight triangle, etc)		PC	CC	
<b><i>Comprehensive Plan</i></b>				
1. Annual Docket		PC	CC	
a. Land Use Element				
b. Capital Facilities Element				
2. SMP -Mandated periodic review update			PC	CC
3. Buildable Lands / RUTA Analysis		PC	PC/CC	CC

1st Quarter January through March

2nd Quarter April through June

3rd Quarter July through September

4th Quarter October through December



LAKE STEVENS CITY COUNCIL  
**STAFF REPORT**

**Council Date:** \_\_\_\_\_  
**Agenda** February 13, 2018

**Subject:** Resolution 2018-09 Local Government Investment Pool

**Contact Person/Department:** \_\_\_\_\_  
Barb Stevens/ Finance Director **Budget Impact:** N/A

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

Approve Resolution 2018-09 Authorizing Investment in the Local Government Investment Pool (LGIP)

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**SUMMARY:**

This resolution designates Barb Stevens, Finance Director, as the “authorized individual” to authorize amendments, changes, or alterations to the LGIP Transaction Forms (“form”). The form authorizes individual access to the investment pool system to make deposits and withdrawals for the City. All deposits and withdrawals are transferred to and from the City’s main bank account.

The updated form which includes continued authorization for Barb Stevens, will also add authorization for Josh Roundy, Senior Accountant, and Gene Brazel, City Administrator. This form will supersede the previous form with included the previous City Administrator and Human Resource Director as authorized users.

**BACKGROUND:**

The Local Government Investment Pool (LGIP) is a voluntary investment vehicle operated by the State Treasurer. Over 530 local governments have participated in the pool since it was started in 1986, pursuant to RCW 43.250.

The LGIP lets local governments use the State Treasurer's resources to safely invest their funds while enjoying the economies of scale available from a pooled fund investment portfolio.

The City has utilized this investment vehicle since 1986 and continues to do so because of the safety and liquidity of funds.

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**APPLICABLE CITY POLICIES:**

RCW 43.250 Investment of Local Government Funds

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**BUDGET IMPACT:**

None

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**ATTACHMENTS:**

- Exhibit A: Resolution 2018-09

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

**RESOLUTION NO. 2018-09**

**A RESOLUTION AUTHORIZING INVESTMENT OF CITY OF LAKE STEVENS MONIES IN THE LOCAL GOVERNMENT INVESTMENT POOL.**

WHEREAS, pursuant to Chapter 294, Laws of 1986, the Legislature created a trust fund to be known as the public funds investment account (commonly referred to as the Local Government Investment Pool (LGIP)) for the contribution and withdrawal of money by an authorized governmental entity for purposes of investment by the Office of the State Treasurer; and

WHEREAS, from time to time it may be advantageous to the authorized governmental entity, City of Lake Stevens, the “governmental entity”, to contribute funds available for investment in the LGIP; and

WHEREAS, the investment strategy for the LGIP is set forth in its policies and procedures; and

WHEREAS, any contributions or withdrawals to or from the LGIP made on behalf of the City of Lake Stevens shall be first duly authorized by the Lake Stevens City Council, the “governing body” or any designee of the governing body pursuant to this resolution, or a subsequent resolution; and

WHEREAS the City of Lake Stevens will cause to be filed a certified copy of said resolution with the Office of the State Treasurer; and

WHEREAS, the City of Lake Stevens did adopt Resolution 2014-1 on February 10, 2014 approving the LGIP Authorization Form as completed by then-City Administrator Jan Berg; and

WHEREAS, the Lake Stevens City Council wishes to change and update its designee for purposes of making contributions and withdrawals of funds from the LGIP; and

WHEREAS the City of Lake Stevens or any designee appointed by the City Council with authority to contribute or withdraw funds of the governmental entity has received and read a copy of the prospectus and understands the risks and limitations of investing in the LGIP; and

WHEREAS, the City Council attests by the authorization set forth and signature of the Mayor that it is duly authorized and empowered to enter into this agreement, to direct the contribution or withdrawal of governmental entity monies, and to delegate certain authority to make adjustments to the incorporated transactional forms, to the individuals designated herein.

NOW THEREFORE, BE IT RESOLVED that the Lake Stevens City Council does hereby repeal Resolution 2014-1 for the reason that it is replaced by this Resolution.

BE IT FURTHER RESOLVED that the City Council does hereby authorize the contribution and withdrawal of governmental entity monies in the LGIP in the manner prescribed by law, rule, and prospectus.

BE IT FURTHER RESOLVED that the City Council has approved the Local Government Investment Pool Transaction Authorization Form (Form) as completed by Finance Director Barbara Stevens and incorporates said form into this resolution by reference and does hereby attest to its accuracy.

BE IT FURTHER RESOLVED that the City Council designates and delegates to Barbara Stevens, Finance Director, the “authorized individual” to authorize all amendments, changes, or alterations to the Form or any other documentation including the designation of other individuals to make contributions and withdrawals on behalf of the City of Lake Stevens.

BE IT FURTHER RESOLVED that this delegation ends upon the written notice, by any method set forth in the prospectus, of the City Council that the authorized individual has been terminated or that his or her delegation has been revoked. The Office of the State Treasurer will rely solely on the City Council to provide notice of such revocation and is entitled to rely on the authorized individual’s instructions until such time as said notice has been provided.

BE IT FURTHER RESOLVED that the Form as incorporated into this Resolution or hereafter amended by delegated authority, or any other documentation signed or otherwise approved by the authorized individual shall remain in effect after revocation of the authorized individual’s delegated authority, except to the extent that the authorized individual whose delegation has been terminated shall not be permitted to make further withdrawals or contributions to the LGIP on behalf of the City of Lake Stevens. No amendments, changes, or alterations shall be made to the Form or any other documentation until the City passes a new resolution naming a new authorized individual; and

BE IT FURTHER RESOLVED that the City Council or its designee acknowledges that it has received, read, and understood the prospectus as provided by the Office of the State Treasurer. In addition, the City Council agrees that a copy of the prospectus will be provided to any person delegated or otherwise authorized to make contributions or withdrawals into or out of the LGIP and that said individuals will be required to read the prospectus prior to making any withdrawals or contributions or any further withdrawals or contributions if authorizations are already in place.

PASSED AND ADOPTED by the City Council of the City of Lake Stevens, Washington on this 27<sup>th</sup> day of February 2018.

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John Spencer, Mayor

ATTEST:

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Kathy Pugh, City Clerk

APPROVED AS TO FORM:

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Grant K. Weed, City Attorney



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LAKE STEVENS CITY COUNCIL  
**STAFF REPORT**

**Council Agenda**

**Date:** February 27, 2018

**Subject:** Wave Broadband Dark Fiber Order – City Hall to County Datacenter

<b>Contact</b>	Troy Stevens / ITD	<b>Budget</b>	\$7,452/year
<b>Person/Department:</b>		<b>Impact:</b>	\$621/month

---

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

Approve Dark Fiber Order from Wave Broadband LLC

**SUMMARY/BACKGROUND:**

The current network design the City is connected to is the datacenter through the Police building. This current design poses problems during frequent power outages during severe weather conditions. To resolve this and provide increased network resiliency an additional lease fiber connection from City Hall to the County datacenter is required. Attached are drawing of the current and proposed network. The ITD will be moving our current main firewall and internet/phone services to the County datacenter to limit the impact on our user base in the event the Police Department loses power, the addition of a lease fiber connection from City Hall directly to the County datacenter will only increase our networks resiliency.

**APPLICABLE CITY POLICIES:**

**BUDGET IMPACT:** \$7,452/year or \$621/month (Note cost of lost productivity due to power outage could offset this)

**ATTACHMENTS:**

- Exhibit A: "First Amendment to Dark Fiber Order"
- Exhibit B: "Current Network Diagram 2/1/18"
- Exhibit C: "Proposed Additional Fiber Connection from City Hall to County Datacenter"

**EXHIBIT A**  
**FIRST AMENDMENT**  
**TO**  
**DARK FIBER ORDER**

This First Amendment to Dark Fiber Order (this “First Amendment”) is entered into as of the date of last signature below (the “Effective Date”), by and between WAVE BUSINESS SOLUTIONS, LLC, a Washington limited liability company (“Provider”), and the CITY OF LAKE STEVENS, a Washington municipal corporation (“Customer”).

**BACKGROUND**

**A.** Provider and Customer are the parties to that certain Master Services Agreement between Provider and Customer dated October 17, 2014 (the “MSA”), pursuant to which Customer may elect to order from Provider certain telecommunications services, including, high speed Internet access, data transport, telephone, dark fiber, and other related services.

**B.** As contemplated by the MSA, Provider and Customer entered into that certain Dark Fiber Order dated October 27, 2017 (the “Original Order”), pursuant to which Customer receives from Provider one (1) strand of single mode dark fiber connecting the following two (2) locations to Customer’s hub site located at the Snohomish County Data Center, 3000 Rockefeller Avenue, Everett, Washington 98201: (i) the Lake Stevens Police Department, 2211 Grade Road, Lake Stevens, Washington 98258; and (ii) Lake Stevens Public Works, 2306 – 131<sup>st</sup> Avenue NE, Lake Stevens, Washington 98258.

**C.** Customer now desires to add a third Fiber Route to the Services Customer receives pursuant to the Original Order, all as more fully described below.

**D.** All capitalized terms used but not defined in this First Amendment shall have the meanings given to them MSA or the Original Order, as applicable.

**AGREEMENT**

**Section 1: Addition of New Fiber Route.** Provider shall add the following Fiber Route to the Services received by Customer pursuant to the Original Order:

Fiber Route Identifier	Location A End Point	Location Z End Point	Description of Fiber	NRC	MRC
City Hall Fiber Route	Snohomish County Data Center 3000 Rockefeller Avenue Everett, WA 98201	Lake Stevens City Hall 1812 Main Street Lake Stevens, WA 98258	1 strand single mode dark fiber	\$0	\$570

Billing for the City Hall Fiber Route shall commence once the City Hall Fiber Route has been installed, tested and is available for Customer’s use.

**Section 2: Ratification.** Except as expressly amended by this First Amendment, the Original Order remains in full force and effect in accordance with its terms and is hereby ratified and affirmed by the parties.

**Section 3: Miscellaneous.** This First Amendment may be executed in multiple counterparts, each of which shall constitute an original, and all of which shall constitute one and the same instrument. Any executed documents sent to one party by the other party in portable document format (pdf) images via email will be considered the same as an original document.

*[Signatures on following page.]*

The submission of this First Amendment to Customer by Provider does not constitute an offer. Instead, this First Amendment will become effective only when both parties have signed it. The date this First Amendment is signed by the last party to sign it (as indicated by the date associated with that party's signature) will be deemed the Effective Date of this First Amendment.

**CUSTOMER:**

CITY OF LAKE STEVENS

By \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

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

**PROVIDER:**

WAVE BUSINESS SOLUTIONS, LLC

By \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

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

*[The remainder of this page is intentionally left blank.]*



## EXHIBIT B

Current City Network Diagram  
2/1/18.

Concern: City Hall connects to the primary data center through the Police Department. All City buildings are not protected by backup power which when we have power outages affecting the PD all sites are down.

Solution: Move primary firewall and internet/phone services to the County data center and add additional leased fiber connecting City Hall to the County data center.

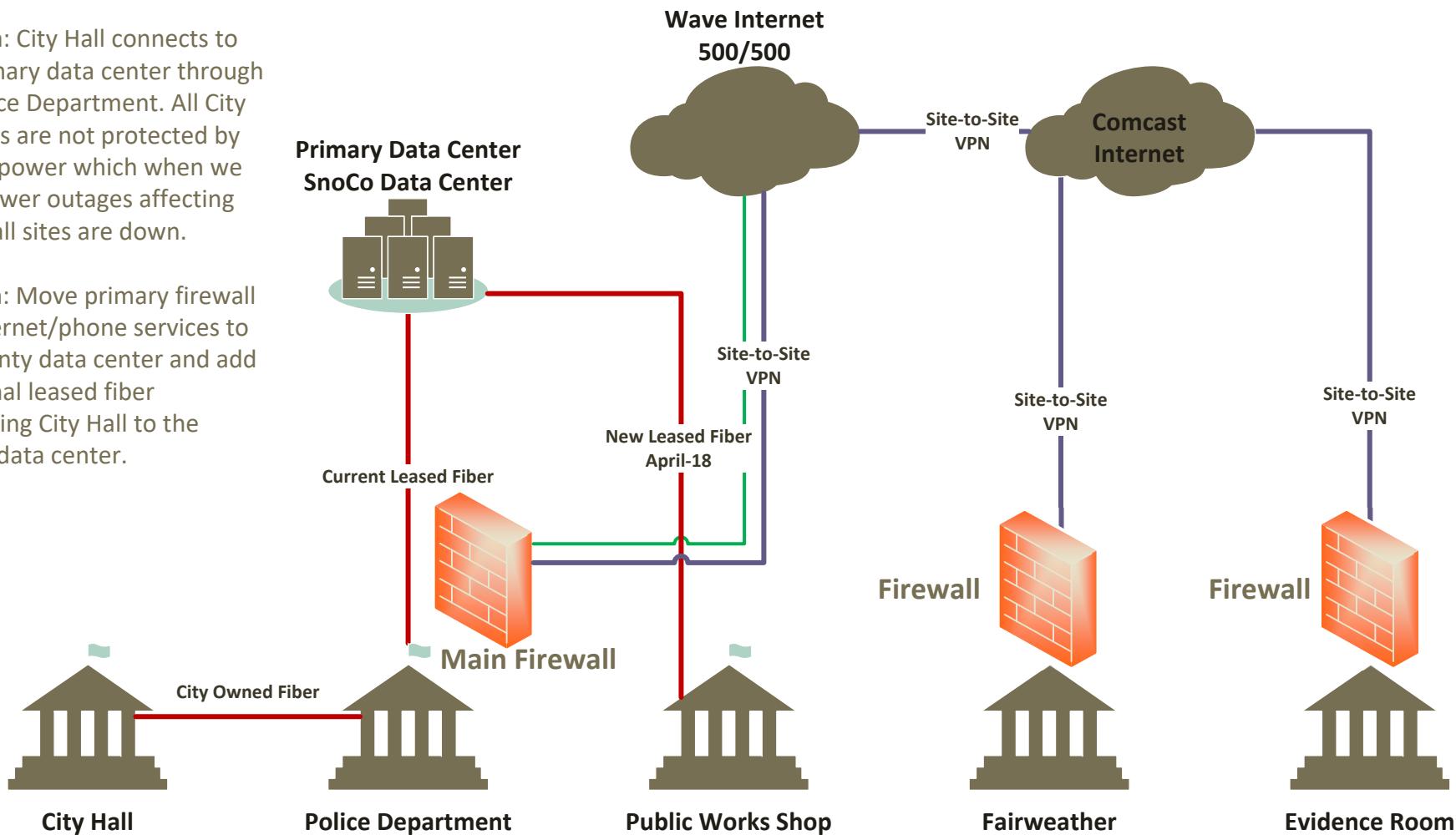
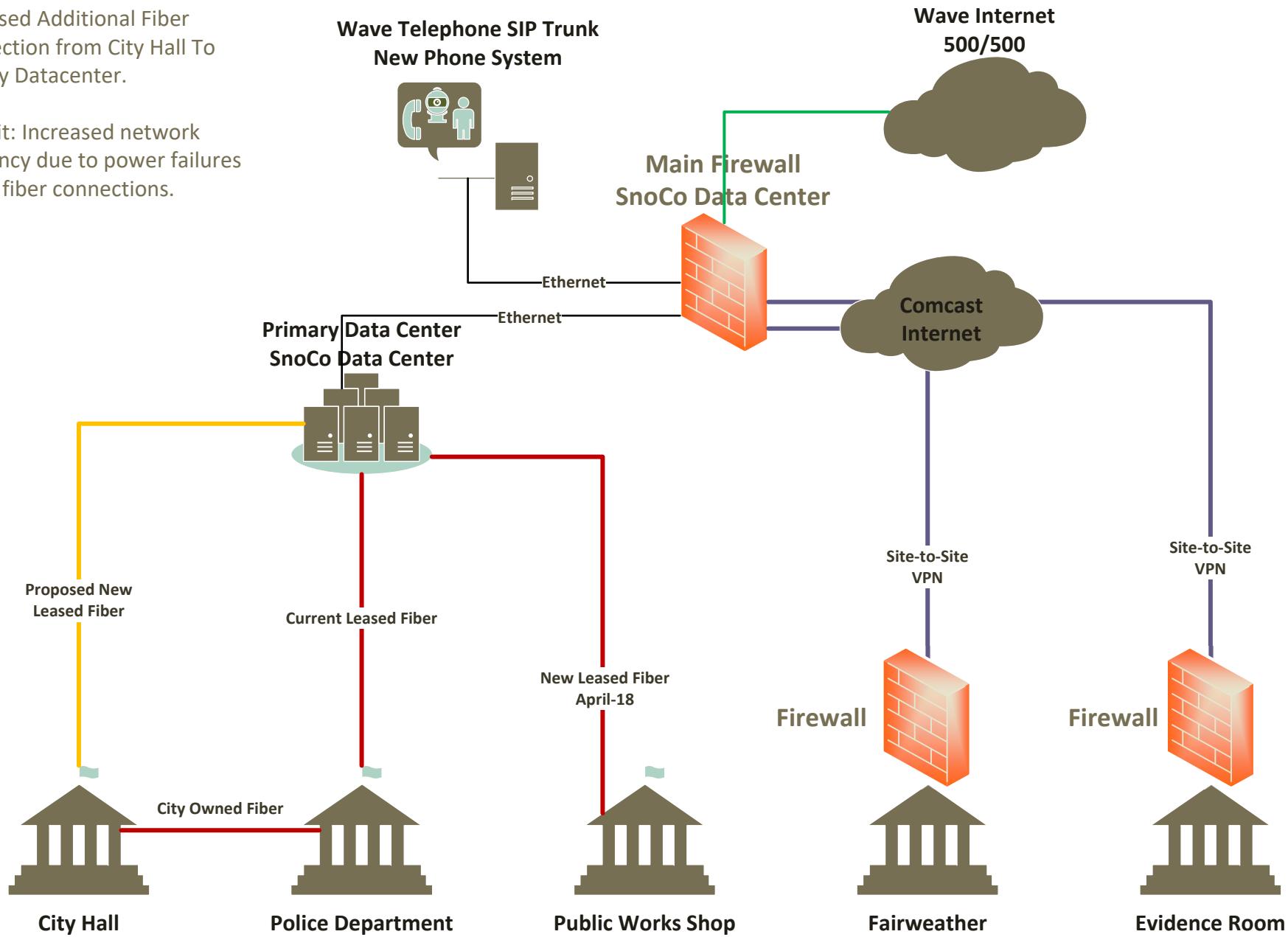


EXHIBIT C

Proposed Additional Fiber Connection from City Hall To County Datacenter.

Benefit: Increased network resiliency due to power failures or cut fiber connections.





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LAKE STEVENS CITY COUNCIL

**STAFF REPORT**

**Council Agenda Date:** February 27, 2018

**Subject:** Final Plat – Stevens Vista Subdivision (LUA2018-0022)

**Contact Person/Department:** Russell Wright /Melissa Place - Planning Dept. **Budget Impact:** N/A

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

1. **ACTION:** Hold a public meeting pursuant to LSMC 14.18.035(a); and
2. **MOTION:** Accept the Stevens Vista subdivision and associated right-of-way dedication (LUA2018-0022) by motion.

---

**SUMMARY:** Public meeting and City Council acceptance of the final plat and associated right-of-way dedication for the Stevens Vista Subdivision – a proposed 23-lot residential subdivision.

**BACKGROUND:** Final Plats are Type V Quasi-Judicial decisions per Table 14.16A-I. City Council accepts final plats, following a public meeting and dedication of right-of-way, when the subdivision's proponent has met municipal requirements for preliminary plats (Chapter 14.18 LSMC), completed applicable conditions of approval and met the requirements of Chapter 58.17 RCW.

The city determined the proposal qualifies as a Planned Action and additional SEPA review is not required. The city issued a Planned Action Certificate on November 25, 2016. The Design Review Board recommended approval of the project on December 14, 2016. The Hearing Examiner approved the preliminary plat on March 7, 2017. The city approved an early fill and grade permit on February 6, 2017. Construction plans for the project were approved on May 11, 2017. The city approved one EDDS deviation to allow for a narrower right-of-way on 1<sup>st</sup> Pl NE so that the stormwater vault would be constructed on private property. The city received a pre-application for early review of the final plat on August 25, 2017 at which time staff, partner agencies and the city's surveying consultant reviewed and commented on the final project drawings and reports. The city received the application for final plat on February 5, 2018 (**Exhibit 1**) and the final plat has addressed the pre-application review comments.

**CONCLUSIONS:** Planning and Community Development have prepared a final subdivision recommendation for City Council's review and consideration along with the final plat map (**Exhibit 2**). Staff concludes the final subdivision meets the requirements of the Lake Stevens Municipal Code, conditions of approval and the requirements of Chapter 58.17 RCW (Subdivisions-Dedications).

1. The city has confirmed that all required improvements for subdivision approval have been installed, are pending installation or are financially secured as approved by the Public Works Director and the Community Development Director or designees.
2. The proposed subdivision documents submitted to the city of Lake Stevens meet all requirements of the preliminary plat approval (LUA2016-0145) and the city's standards for final plat approval (LUA2018-0022).
3. The subdivision, as proposed, is consistent with all applicable requirements, permit processing procedures and other applicable codes including public noticing (**Exhibits 3 and 4**).

## RECOMMENDATION & CONDITIONS

The Planning and Community Development Department recommends **APPROVAL**, of the Final Plat for the Stevens Vista Subdivision along with dedication of right-of-way as shown in **Exhibit 2**, subject to the listed conditions:

1. The proponent or successor shall receive traffic mitigation credits in exchange for constructing off-site frontage improvements along 99<sup>th</sup> Ave NE.
2. The proponent or successor shall record the approved subdivision (final plat) as depicted in **Exhibit 2** within 12 months of this approval – all recording fees shall be the obligation of the subdivision proponent.
3. The proponent or successor shall provide conformed copies of the approved final plat to the city of Lake Stevens after recording with Snohomish County.
4. The proponent or successor must complete all remaining items under the terms of the accepted financial securities in place including final paving, landscaping, and maintenance obligations.
5. The proponent or successor must comply with any federal, state, or local statutes, ordinances, or regulations applicable to this project. Failure to meet or maintain strict compliance with these regulations and conditions shall be grounds for revocation of this permit.

---

**APPLICABLE CITY POLICIES:** Chapter 14.18 LSMC - Subdivisions, Boundary Line Adjustments and Binding Site Plans and Chapter 14.16B LSMC

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**BUDGET IMPACT:** None at the time of subdivision; however, the city will collect impact fees for schools, parks, and traffic when building permits are issued.

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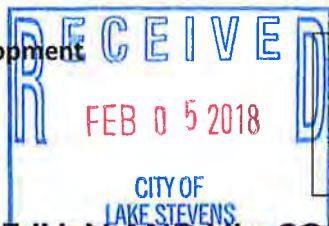
## EXHIBIT LIST:

1. Stevens Vista Final Plat Application, received February 5, 2018
2. Stevens Vista Final Plat Map
3. Notice of Public Meeting
4. Affidavit of Notice

## EXHIBIT 1

**Planning and Community Development**

1812 Main Street, P O Box 257  
Lake Stevens WA 98258  
Phone Number (425) 377-3235

**To Be Completed By Staff**Date of Application: 05Staff Initials: JDPermit Number: LUA 2018-0022**TYPE IV, V AND VI - COUNCIL DECISIONS  
LAND USE DEVELOPMENT APPLICATION****CHECK ONE****TYPE IV – Quasi-judicial**

- Essential Public Facility
- Planned Neighborhood Development
- Rezone – Site Specific Zoning Map Amendment
- Secure Community Transition Facility
- Type IV Other:  
\_\_\_\_\_

**TYPE V – Quasi-judicial**

- Final Plats
- Plat Alterations
- Plat Vacations
- Right-of-Way Vacations
- Type V Other:  
\_\_\_\_\_

**TYPE VI – Legislative**

- Comprehensive Plan Amendment, Map and Text
- Development Agreements
- Land Use Code Amendments
- Rezones – Area Wide Zoning Map Amendments
- Type VI Other:  
\_\_\_\_\_

**ARE ANY LOWER LEVEL PERMITS REQUIRED? Yes  No  Describe: \_\_\_\_\_**

<b>Property Information</b>	Site Address: 57 101st AVE NE		
	Assessor Parcel No: 00493400600804		Area of property
	Land Use Designation: HUR		Zoning: HUR
	Number of Buildings on Site/: 0		Number to be Retained: 0
	Existing Impervious Surface Area: 0		Proposed Impervious Surface Area: 3.02 AC
<b>Applicant</b>	Name/Company: Darin Huseby/Stevens Vista, LLC		
	Address: 13110 NE 177th PL #228		City/State/Zip: Woodinville, WA 98072
	Phone: 425-626-0972		Applicants relationship to owner: Owner
	Fax:		Email: Darin@husebyhomes.com
<b>Primary Contact</b>	Name/Company: Same as above		
	Address:		City/State/Zip:
	Phone:		Email:
	Fax:		

Property Owner	Name/Company: Same as above				
	Address:		City/State/Zip:		
	Phone:		Email:		
	Fax:				
Project Description	Grading Quantities		Cut: 10000 CY	Fill: 7500 CY	
	Proposed project/land use (attach additional sheets if necessary):				
	Final Plat for the preliminary plat of Chapel 5				
Building Information	Gross Floor Area of Existing and Proposed Buildings:				
	Bldg 1:	Bldg: 2	Bldg 3:	Bldg 4:	Bldg 5:
	Gross Floor Area by Use of Buildings (please describe use as well as floor area):				
	Use 1:				
	Use 2:				
	Use3:				
Use4:					

**You may not begin any activity** based on this application until a decision, including the resolution of any appeal, has been made. Conditions or restrictions may be placed on your permit if it is approved. After the City has acted on your application, you will receive notice of the outcome. If an appeal is filed, you may not begin any work until the appeal is settled. You may also need approvals from other agencies; please check this before beginning any activity.

This application expires 180 days after the last date that additional information is requested (LSMC 14316A.245)

If you suspect that your site contains a stream or wetland or is adjacent to a lake, you may need a permit from the state or federal government.

I DECLARE UNDER PENALTY OF THE PERJURY LAWS THAT THE INFORMATION I HAVE PROVIDED ON THIS APPLICATION IS TRUE, CORRECT AND COMPLETE.

  
\_\_\_\_\_  
Signature of Property Owner/Agent

  
\_\_\_\_\_  
Date of Application

By affixing my signature I certify that I am the legal owner of the property for which this application is issued or an authorized agent of the owner.



**Planning and Community Development**  
1812 Main Street, P O Box 257  
Lake Stevens WA 98258  
Phone Number (425) 377-3235

**To be completed by staff**

Date of Application: \_\_\_\_\_

Staff Initials: \_\_\_\_\_

Permit Number: \_\_\_\_\_

**STATEMENT OF OWNERSHIP/APPLICANT AUTHORITY**

I certify or declare under penalty of perjury under the laws of the state of Washington that:

1. This application is authorized by the all the land owners with authority to bind the land/property;
2. That the developer is operating under the landowner's authority;
3. That the developer and/or landowner is either an individual or a duly formed and qualified corporation, partnership, or other legal entity; and
4. That the person signing all applications or other legal documents is authorized by the legal entity and/or landowner to do so; and
5. That the application and submittals are true and correct to the best of my information.

**Applicant**

Signature:

Name: Darin Huseby/Stevens Vista, LLC

Address: 13110 NE 177th PL Suite 228  
Woodinville, WA 98072

Phone: 425-626-0972

Email address: darin@husebyhomes.com

**Property Owner(s)**

Signature:

Name: Darin Huseby/Stevens Vista, LLC

Address: 13110 NE 177th PL Suite 228  
Woodinville, WA 98072

Phone: 425-626-0972

Email address: darin@husebyhomes.com

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Email address: \_\_\_\_\_

## **NOTE ON ENTERING PROPERTY**

The City of Lake Stevens may enter onto the property, which is the subject of this application during the hours of 7:00 a.m. to 5:00 p.m., Monday – Friday, for the sole purpose of inspecting the limited area of the property, which is necessary to process this application. In the event the City determines that such an inspection is necessary during a different time or day, the City employees or agents will contact applicant verbally or in writing at least 24 hours before entering.

## LEGAL DESCRIPTION



## DRAINAGE FACILITY MAINTENANCE COVENANT

WE, THE OWNERS AND CONTRACT PURCHASERS OF THE LANDS HEREIN PLATTED (GRANTOR), AGREE THAT THE OBLIGATIONS OF GRANTOR SHALL INURE TO THE BENEFIT OF AND BE BINDING UPON THE HEIRS, SUCCESSORS, AND ASSIGNS. GRANTOR AGREES THAT THIS COVENANT TOUCHES AND CONCERN THE LAND DESCRIBED HEREIN AND SHALL RUN WITH THE LAND.

GRANTOR BY EXECUTION OF THIS COVENANT ACKNOWLEDGES THAT THE BENEFITS OF THIS COVENANT INURE TO GRANTOR, DOWNSTREAM PROPERTY OWNERS, AND THE GENERAL PUBLIC, AND THAT THE CITY OF LAKE STEVENS (CITY) AS THIRD-PARTY BENEFICIARY OF THIS COVENANT HAS THE RIGHT, BUT NOT THE OBLIGATION, TO ENFORCE THIS COVENANT ON BEHALF OF DOWNSTREAM PROPERTY OWNERS AND THE GENERAL PUBLIC. CITY REQUIRES THIS COVENANT TO PROTECT PRIVATE AND PUBLIC PROPERTY, PRIVATE AND PUBLIC DRAINAGE INFRASTRUCTURE, AND NATURAL RESOURCES OF DOWNSTREAM PROPERTY OWNERS AND THE GENERAL PUBLIC.

GRANTOR, IN CONSIDERATION OF THE APPROVAL OF THIS SUBDIVISION, HEREBY COVENANTS TO PERFORM REGULAR MAINTENANCE UPON THE DRAINAGE FACILITIES INSTALLED, OR TO BE INSTALLED, UPON GRANTOR'S PROPERTY. REGULAR MAINTENANCE SHALL INCLUDE, AT A MINIMUM, ANNUAL INSPECTION OF THE STORM WATER DRAINAGE SYSTEM. AS APPLICABLE, THE SYSTEM SHALL INCLUDE THE STORM WATER CONVEYANCE SYSTEM PIPES, DITCHES, SWALES, AND CATCH BASINS; STORM WATER FLOW REGULATION SYSTEM DETENTION PONDS, VAULTS, PIPES, RETENTION PONDS, FLOW REGULATION AND CONTROL STRUCTURES; INFILTRATION SYSTEMS AND WATER QUALITY CONTROL SYSTEM.

THE SCOPE OF THIS COVENANT AND RIGHT OF ENTRY SHALL BE ADEQUATE TO PROVIDE FOR THE ACCESS, INSPECTION, AND MAINTENANCE OF THE STORM WATER DRAINAGE SYSTEM, AND SHALL BE SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:

1. CITY SHALL HAVE THE PERPETUAL RIGHT OF ENTRY ACROSS ADJACENT LANDS OF THE GRANTOR FOR PURPOSES OF INSPECTING, AUDITING, OR CONDUCTING REQUIRED MAINTENANCE OF THE DRAINAGE FACILITY.
2. IF CITY INSPECTION DETERMINES THAT MAINTENANCE IS NOT PERFORMED, CITY SHALL ENDEAVOR TO PROVIDE GRANTOR REASONABLE ADVANCE NOTIFICATION OF THE NEED TO PERFORM THE MAINTENANCE AND A REASONABLE OPPORTUNITY FOR GRANTOR TO PERFORM IT. IN THE EVENT THAT GRANTOR FAILS TO COMPLETE THE REQUIRED MAINTENANCE WITHIN A REASONABLE TIME PERIOD, CITY SHALL HAVE THE RIGHT TO PERFORM OR CONTRACT WITH OTHERS TO PERFORM IT AT THE SOLE EXPENSE OF THE GRANTOR. IF CITY IN ITS SOLE DISCRETION DETERMINES THAT AN IMMINENT OR PRESENT DANGER EXISTS, REQUIRED MAINTENANCE AND/OR REPAIR MAY BEGIN IMMEDIATELY AT GRANTOR'S EXPENSE WITHOUT PRIOR NOTICE TO GRANTOR. IN SUCH EVENT, CITY SHALL PROVIDE GRANTOR WITH A WRITTEN STATEMENT AND ACCOUNTING OF ALL WORK PERFORMED AND THE FEES, CHARGES, AND EXPENSES INCURRED IN MAKING SUCH REPAIRS. GRANTOR SHALL AGREE TO REIMBURSE CITY OR PAY CITY'S VENDORS DIRECTLY FOR ALL REASONABLE FEES, CHARGES, AND EXPENSES IDENTIFIED IN CITY'S STATEMENT.
3. IF CITY IS REQUIRED TO ACT AS A RESULT OF GRANTOR'S FAILURE TO COMPLY WITH THIS COVENANT, CITY MAY REMOVE ANY OBSTRUCTIONS AND/OR INTERFERENCES THAT IN THE SOLE OPINION OF CITY IMPAIR THE OPERATION OF THE DRAINAGE FACILITY OR THE MAINTENANCE THEREOF. GRANTOR AGREES TO HOLD CITY, ITS OFFICERS, EMPLOYEES, AND AGENTS HARMLESS FROM ANY AND ALL CLAIMS, ACTIONS, SUITS, LIABILITY, LOSS, EXPENSES, DAMAGES AND JUDGMENTS OF ANY NATURE WHATSOEVER, INCLUDING COSTS AND ATTORNEY'S FEES, INCURRED BY THE REMOVAL OF VEGETATION OR PHYSICAL INTERFERENCE FROM THE DRAINAGE FACILITY.
4. WHEN EXERCISING THE MAINTENANCE PROVISIONS OF THE COVENANT, IN THE EVENT OF NONPAYMENT, CITY MAY BRING SUIT TO RECOVER SUCH COSTS, INCLUDING ATTORNEY'S FEES, AND UPON OBTAINING A JUDGMENT, SUCH AMOUNT SHALL BECOME A LIEN AGAINST THE PROPERTY OF GRANTOR AS PROVIDED IN RCW 4.56.190.
5. GRANTOR COVENANTS THAT ALL OF THE OWNERS, CONTRACT PURCHASERS AND LIEN HOLDERS OF THE PROPERTY DESCRIBED HEREIN HAVE SIGNED THE DEDICATION AND/OR DECLARATION OF THIS SUBDIVISION, THAT THEY HAVE THE RIGHT TO GRANT THIS COVENANT ON THE PROPERTY, AND THAT THE TITLE TO THE PROPERTY IS FREE AND CLEAR OF ANY ENCUMBRANCES WHICH WOULD INTERFERE WITH THE ABILITY TO GRANT THIS COVENANT.
6. A 10' X 25' DRAINAGE EASEMENT LOCATED ON LOT 22 AS SHOWN HEREON, IS HEREBY RESERVED FOR AND GRANTED FOR THE CONSTRUCTION AND MAINTENANCE OF THE CONTROL STRUCTURE FOR TRACT 999. TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH PURPOSES. THIS EASEMENT SHALL BE FREE FROM ALL OTHER STRUCTURES, SUCH AS COVERED PARKING, DECKS OVERHANGS, SHEDS, ETC., WHICH INTERFERE WITH MAINTENANCE AND REPAIR RESPONSIBILITIES.

## SIDEWALK EASEMENT

AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE CITY OF LAKE STEVENS OVER, UNDER AND UPON AREAS INDICATED IN DETAIL'S A & B AS SHOWN ON SHEET 3 OF 3. TO BUILD AND MAINTAIN A PUBLIC SIDEWALK FOR THE PURPOSE OF SERVING THIS SUBDIVISION AND OTHER PROPERTY. TOGETHER WITH THE RIGHT TO ENTER UPON LOTS 1 & 16 AT ALL TIMES FOR THE PURPOSE HEREIN STATED.

## DETENTION SYSTEM CONDITIONS OF APPROVAL

DETENTION SYSTEM CONDITIONS OF APPROVAL MUST BE MET AND ARE ON FILE IN THE CITY OF LAKE STEVENS ENGINEERING DEPARTMENT UNDER LUA2017-003B.

## 10 FOOT FRONTAGE UTILITY EASEMENT

AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO ALL UTILITIES SERVING THE SUBJECT PLAT AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, UNDER AND UPON THE EXTERIOR TEN (10) FEET PARALLEL WITH AND ADJOINING THE STREET FRONTAGE OF ALL LOTS, TRACTS AND COMMON AREAS IN WHICH TO INSTALL, LAY, CONSTRUCT, RENEW, OPERATE AND MAINTAIN UNDERGROUND CONDUITS, CABLES, PIPES AND WIRES WITH NECESSARY FACILITIES AND OTHER EQUIPMENT FOR THE PURPOSE OF SERVING THIS SUBDIVISION AND OTHER PROPERTY WITH ELECTRICITY, TELEPHONE, GAS, TELEVISION CABLE, AND OTHER UTILITY SERVICES, TOGETHER WITH THE RIGHT TO ENTER UPON THE LOTS, TRACTS AND COMMON AREAS AT ALL TIMES FOR THE PURPOSE HEREIN STATED.

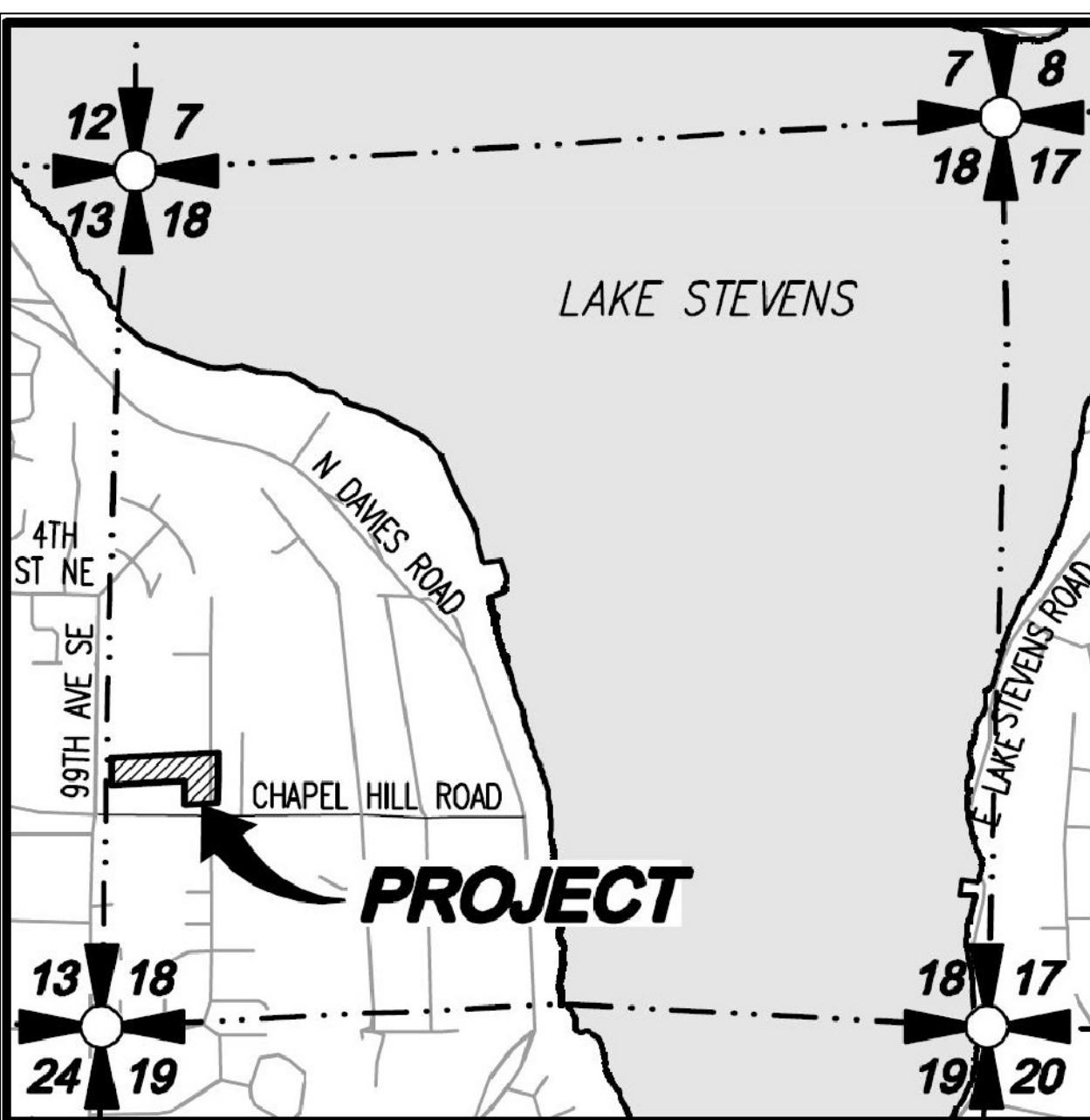
## LAKE STEVENS SEWER DISTRICT EASEMENT PROVISIONS

- 1). A 15' WIDE SEWER EASEMENT WITHIN THE ROAD DEDICATION IS HEREBY GRANTED AND CONVEYED TO THE LAKE STEVENS SEWER DISTRICT.

## LEGAL DESCRIPTION

PARCELS A, B AND D OF SURVEY RECORDED UNDER AUDITOR'S FILE NO. 8807285001, BEING A PORTION OF LOTS 7, 8, 9 AND 10, BLOCK 6, REPLAT OF LAKE STEVENS SUMMER HOME TRACTS, EXCEPTING BLOCKS 1, 2, 8, 9, 14 AND 15, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 9 OF PLATS, PAGE 66, RECORDS OF SNOHOMISH COUNTY, WASHINGTON.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.



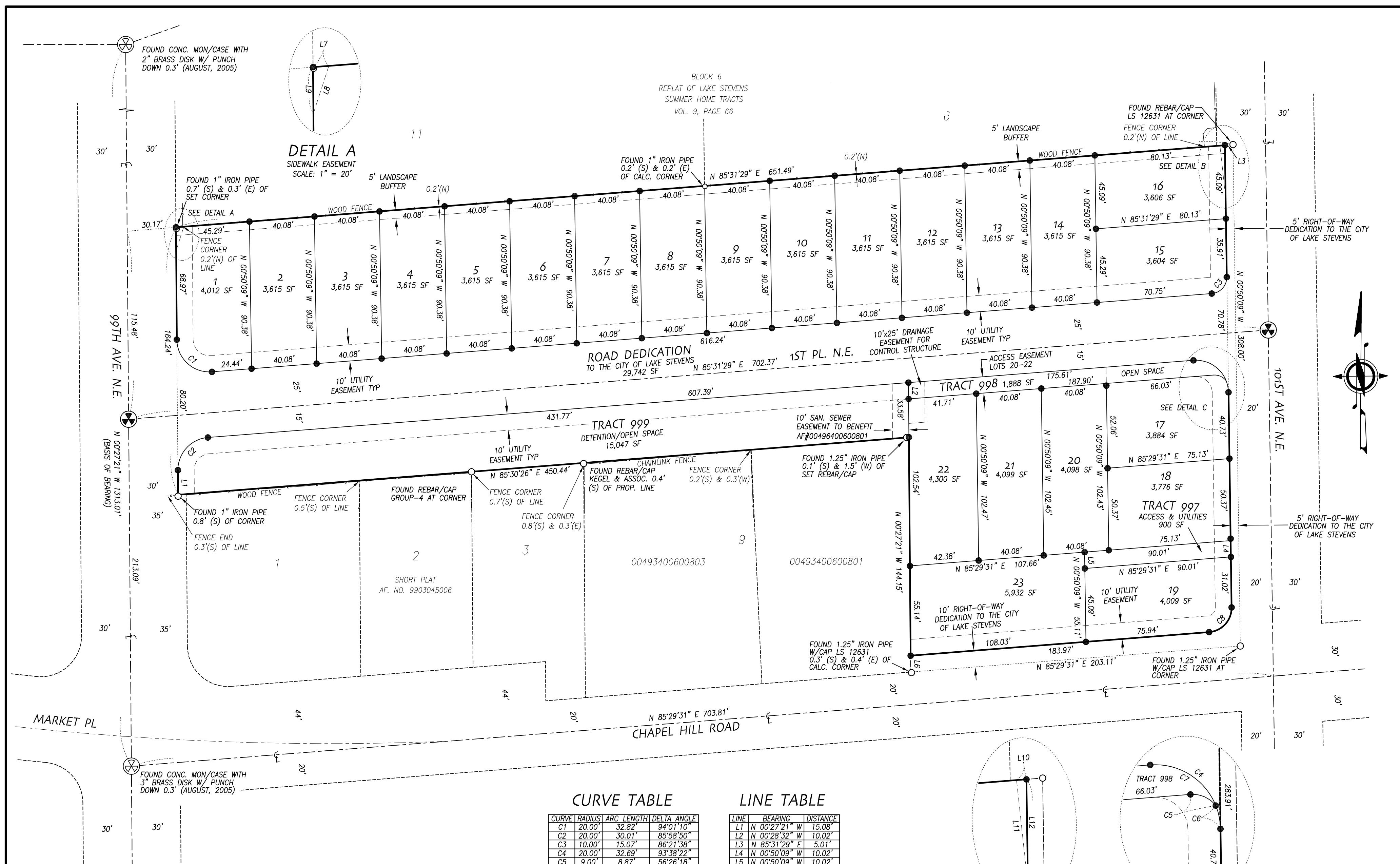
VICINITY MAP  
NOT TO SCALE

A.F. NO. \_\_\_\_\_

SHEET  
2 of 3

Pacific Coast Surveys, Inc.		PLAT OF STEVENS VISTA		
		LUA2018-022		
		NW 1/4, SW 1/4, SEC.18, T.29N., R.6E., W.M.		
DRAWN BY DP	DATE 2.15.18	DRAWING FILE NAME 171333fpm.DWG	SCALE	JOB NO. 17-1333





## *EQUIPMENT & PROCEDURES*

**METHOD OF SURVEY:**  
SURVEY PERFORMED BY FIELD TRAVERSE

**INSTRUMENTATION:**  
LEICA TCRA 1205 & TCRP 1201 ROBOTIC ELECTRONIC TOTAL STATION

**PRECISION:**  
MEETS OR EXCEEDS STATE STANDARDS WAC 332-130-090

**BASIS OF BEARING:**  
THE MONUMENTED CENTERLINE OF 99TH A  
AS THE BEARING OF N 00°27'21" W.

## LEGEND

- SET 1/2" X 24" REBAR W/CAP STAMPED "L.S. 37532"
- EXISTING REBAR W/CAP, AS NOTED
- SET PROPERTY LINE STAKES
- ☒ SET NAIL AND WASHER STAMPED "LS 37536"
- ✗ EXISTING NAIL AND WASHER AS NOTED
- SET CASED CONCRETE MONUMENT AS NOTED
- FOUND CASED CONCRETE MONUMENT AS NOTED
- £ RIGHT OF WAY CENTERLINE

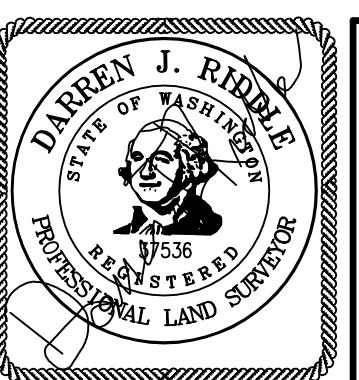
## CURVE TABLE

CURVE	RADIUS	ARC LENGTH	DELTA ANGLE
C1	20.00'	32.82'	94°01'10"
C2	20.00'	30.01'	85°58'50"
C3	10.00'	15.07'	86°21'38"
C4	20.00'	32.69'	93°38'22"
C5	9.00'	8.87'	56°26'18"
C6	20.00'	7.34'	21°01'25"
C7	20.00'	25.35'	72°36'57"
C8	15.00'	22.60'	86°19'10"

## LINE TABLE

LINE	BEARING	DISTANCE
L1	N 00°27'21" W	15.08'
L2	N 00°28'32" W	10.02'
L3	N 85°31'29" E	5.01'
L4	N 00°50'09" W	10.02'
L5	N 00°50'09" W	10.02'
L6	N 00°27'21" W	10.03'
L7	N 85°31'29" E	4.87'
L8	N 17°58'45" E	15.35'
L9	N 00°27'21" W	14.22'
L10	N 85°31'29" E	3.04'
L11	N 06°11'16" W	32.49'
L12	N 00°50'09" W	32.54'

SCALE: 1" = 40



**Pacific Coast Surveys, Inc.**  
LAND SURVEYING & MAPPING  
P.O. BOX 13619  
MILL CREEK, WA 98082  
PH. 425.508.4951 FAX 425.357.3577  
[www.PCSurveys.net](http://www.PCSurveys.net)

A.F. NO.

PLAT OF  
*'ENS VISTA*

LUA2018-022

PH. 425.508.4951 FAX 425.357.3577  
[www.PCSurveys.net](http://www.PCSurveys.net)

DRAWN BY	DATE	DRAWING FILE NAME	SCALE	JOB NO.
DP	2.15.18	171333fpm.DWG	1"=40'	17-1333

## EXHIBIT 3



# CITY OF LAKE STEVENS NOTICE OF PUBLIC MEETING Final Subdivision

**PROJECT NAME/ FILE NUMBER:** Stevens Vista Final Plat / LUA2018-0022

**APPLICANT:** Darin Huseby/Stevens Vista, LLC

**PROJECT LOCATION:** 57 101<sup>st</sup> Ave NE, Lake Stevens, WA 98258 /  
APN# 00493400600701, 00493400600702, and  
00493400600804

**DATE OF APPLICATION:** February 5, 2018

**NOTICE OF PUBLIC MEETING ISSUED:** February 12, 2018

**DATE/TIME OF PUBLIC MEETING:** **Tuesday, February 27, 2018 at 7:00 PM**

**HEARING LOCATION:** Lake Stevens School District Educational Service Center  
(Administration Building)  
12309 22<sup>nd</sup> Street NE  
Lake Stevens, WA 98258

**PROPOSED PROJECT DESCRIPTION:**

- Creation of a 23-lot plat in the High Urban Residential Zone on a 3.14-acre site, accessed from 99<sup>th</sup> Ave NE and 101<sup>st</sup> Ave NE;
- Plat Approval Background- The City issued a Planned Action Determination on November 25, 2016. The Lake Stevens Hearing Examiner issued a decision of approval on March 7, 2017;
- The application for Final Plat approval was received on February 5, 2018 and determined to be complete at the time of submittal. The applicant has submitted the necessary financial securities and installed all required improvements prior to final plat approval; and
- Final Plat / Type V Decision - The Lake Stevens City Council will consider acceptance of the subdivision at a public meeting scheduled for Tuesday, February 27<sup>th</sup>, 2018 at 7 pm at the Lake Stevens School District Educational Service Center.

**PUBLIC REVIEW AND COMMENT:**

Interested parties may submit written comments before the February 27<sup>th</sup>, 2018 meeting or testify at the public meeting. Comments can be submitted to City Hall, Attn: Melissa Place, PO Box 257, Lake Stevens, WA 98258 or by email at [mplace@lakestevenswa.gov](mailto:mplace@lakestevenswa.gov). Persons who submit written or oral testimony may appeal the decision.

The project file, including the site map and project narrative is available for review at the Permit Center, located behind City Hall, Monday-Friday 9:00 am- 4:00. Limited materials are available at:  
<http://www.ci.lake-stevens.wa.us/index.aspx?nid=380>

For additional information please contact the Department of Community Development at 425-377-3223.



## **CITY OF LAKE STEVENS NOTICE OF PUBLIC MEETING Final Subdivision**

***It is the City's goal to comply with the American with Disabilities Act. The City offers its assistance to anyone with special needs, including the provision of TDD services.***

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Distribution:      Applicant  
                        Posted at City Hall, Subject Property and Website  
                        Mailed to property Owners within 300 feet of project site  
                        Published in Everett Herald

## EXHIBIT 4



### AFFIDAVIT OF NOTICE

Project Name: Stevens Vista Final Plat

Project Number: LUA 2018 - 0022

<u>Place Posted</u>	<u>Date Posted</u>	<u>Signature</u>
1. Property	<u>2/8/18</u>	<u>Dcnl</u>
2. City Hall	<u>2/9/18</u>	<u>Dcnl</u>
3. Planning	<u>2/9/18</u>	<u>Dcnl</u>
4. Everett Herald	<u>2/12/18</u>	<u>Dcnl</u>
5. Mailings	<u>2/9/18</u>	<u>Dcnl</u>
6. Website	<u>2/12/18</u>	<u>Dcnl</u>



LAKE STEVENS CITY COUNCIL  
**STAFF REPORT**

**Council Agenda Date:** February 27, 2018

**Subject:** Soper Hill Road ILA - Discussion

<b>Contact</b>	Russ Wright, Community Dev. Director	<b>Budget Impact:</b>	N/A
<b>Person/Department:</b>			

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**RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:** Approve ILA with Marysville and authorize the Mayor to sign.

**SUMMARY/BACKGROUND:** City staff briefed Council in August and November about its coordination with the city of Marysville to develop an Interlocal Agreement (ILA) that would allow Marysville to improve two intersections (83<sup>rd</sup> Ave NE and 87 Ave NE) onto Soper Hill Road. The project has resulted from new and future development projects in Marysville seeking access to Soper Hill Road in Lake Stevens as a through connection. To date, the draft ILA addresses several main points:

1. Basic requirements of the ILA that would establish parameters and designees;
2. Effective date, which would follow execution by each Council;
3. Description of projects that would include new intersections at 83rd Ave NE and 87 Ave NE along with frontage and capacity improvements along Soper Hill Road;
4. Responsibilities of each jurisdiction and private developers;
5. Design, construction, maintenance and access; and
6. Indemnification, insurance requirement, dispute resolution, duration, etc.

Marysville would be the applicant to construct the 83<sup>rd</sup> Ave NE intersection and a future private developer would be responsible to apply for and construct the intersection at 87<sup>th</sup> Ave NE. Private developers would be responsible for frontage and capacity improvements to Soper Hill Road. These intersections would be transferred to Lake Stevens after acceptance.

The Mayors and City Administrators for the two cities have discussed next steps and recommend that Lake Stevens and Marysville negotiate a second agreement or addendum to address the potential effect of increased traffic from Marysville projects on Lake Stevens roads and potential mitigation strategies. The attorneys for both city's have reviewed the proposed agreement.

Staff is requesting that Council authorize the Mayor to sign the ILA as drafted subject to minor revisions.

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**APPLICABLE CITY POLICIES:**

**Lake Stevens Engineering, Design and Development Standards**

**Interlocal Cooperation Act, Chapter 39.34 RCW**

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**BUDGET IMPACT:** No immediate budget impacts have been addressed

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## **INTERLOCAL AGREEMENT BETWEEN THE CITY OF MARYSVILLE AND THE CITY OF LAKE STEVENS REGARDING IMPROVEMENTS TO SOPER HILL ROAD**

This Agreement is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20172018, and is entered into by and between the City of Marysville, a municipal corporation under the laws of the state of Washington, (“Marysville”) and the City of Lake Stevens, a municipal corporation under the laws of the state of Washington (“Lake Stevens”), collectively referred to as the “parties.”

Whereas, the jurisdictional boundaries of Marysville and Lake Stevens meet along the northern boundary of the Soper Hill Road right-of-way, with the whole of Soper Hill Road, from the 8000 block east to State Route 9, being located within the jurisdictional boundaries of Lake Stevens; and

Whereas, future development in the Soper Hill Road area, largely within Marysville, and resulting traffic impacts may cause several Soper Hill Road intersections to fall below adequate levels of service for the cities of Marysville and Lake Stevens and Marysville; and

Whereas, Marysville and Lake Stevens agree that future growth within Marysville will necessitate traffic control improvements at several specific intersections within Lake Stevens to maintain adequate levels of service and wish to define general standards for the Soper Hill Road corridor and the manner in which those improvements will be designed and constructed; and

Whereas, Marysville and Lake Stevens have the authority to enter into this Agreement pursuant to and in accordance with the State Interlocal Cooperation Act, Chapter 39.34 RCW;

Now, therefore, in consideration of the mutual promises herein, the parties agree that:

**1. Requirements of the Interlocal Cooperation Act.**

- a. Purpose of Agreement. This Agreement is authorized by and entered into pursuant to the Interlocal Cooperation Act, Chapter 39.34 RCW. The purpose and intent of this Agreement is for Marysville and Lake Stevens to work together effectively and efficiently to accomplish the “Soper Hill Projects,” as defined in Section 3 of this Agreement. This Agreement establishes the responsibilities of Marysville and Lake Stevens for the planning, design, and construction of the Soper Hill Projects. Lake Stevens will cooperate with Marysville and Marysville will cooperate with Lake Stevens to the extent reasonably necessary to accomplish the Soper Hill Projects.
- b. No Separate Entity. The parties agree that no separate legal or administrative entities are necessary to carry out this Agreement.

- c. **Ownership of Property.** Except as expressly provided to the contrary in this Agreement, any real or personal property used or acquired by either party in connection with its performance under this Agreement will remain the sole property of such party and the other party shall have no interest therein.
- d. **Administrators.** Each party to this Agreement shall designate an individual (an "Administrator"), who may be designated by title or position, to oversee and administer such party's participation in this Agreement. The parties' initial Administrators shall be the following individuals:

Marysville's Initial Administrator:	Lake Steven's Initial Administrator:
Chief Administrative Officer Gloria Hirashima 1049 State Avenue Marysville, WA 98270	City Administrator Gene Brazel 1812 Main St. P.O. Box 257 Lake Stevens, WA 98258

Either party may change its Administrator at any time by delivering written notice of such party's new Administrator to the other party.

2. **Effective Date.** This Agreement shall take effect upon being authorized for execution by the City Council of each party, fully executed by the mayor for each party, and being (a) filed with the Snohomish County Auditor or (b) being posted on either Marysville's or Lake Stevens's city website.

3. **Soper Hill Projects.** Soper Hill Road is an important east-west minor arterial forming a portion of the jurisdictional boundary between Marysville and Lake Stevens. Continued development in the area will necessitate improvements to the Soper Hill Road corridor.

- a. Road Segments. The parties agree to the following conceptual layouts for the identified road segments, all as represented in the attached Exhibit A:
  - i. Soper Hill Road West of 83rd Avenue NE. Two eleven foot wide eleven-foot-wide travel lanes, five foot wide five-foot wide bike lanes, five-foot wide planters, and five foot-wide sidewalks.
  - ii. Soper Hill Road Between 83rd Avenue NE and 87th Avenue NE. Two eleven foot wide eleven-foot-wide travel lanes and a twelve-foot wide center turn lane, five-foot wide bicycle lanes, and a road buffer accommodating a meandering sidewalk and variable width planters (to match existing development on the south side). Alternatively, a

twelve-foot-wide shared used path and variable width planter on the north side may be provided in lieu of dedicated bicycle lanes.

iii. Soper Hill Road Between 87th Avenue NE and Highway 9. Five eleven foot eleven-foot travel lanes (two westbound and three eastbound) at Highway 9 tapering to three eleven foot eleven-foot travel lanes (two westbound and one eastbound) at 87th Avenue NE. On the north side, a twelve foot twelve-foot shared use path and five foot planters. On the south side, the existing improvements with the possibility of adding a five foot five-foot bike lane or widening of the existing sidewalk to a shared use path.

a.b. Traffic Control at 83rd Avenue NE and 87th Avenue NE. The parties anticipate two roadway traffic control improvement projects including the installation of two urban compact traffic control roundabouts and associated improvements including curb and gutter, sidewalks, and drainage improvements at the intersections of 83rd Avenue NE and Soper Hill Road (the “83rd Project”) and 87th Avenue NE and Soper Hill Road (the “87th Project”). Collectively, the 83rd Project and 87th Project constitute the “Soper Hill Projects.” As more fully detailed below and as shown in Exhibit A, the parties intend that the Soper Hill Projects will be substantially similar in their design and that Marysville will design, permit, and construct the 83rd Project and that a developer will design and construct the 87th Project with Lake Stevens permitting the 87th Project. Lake Stevens will be the permitting agency and the lead agency for SEPA purposes on the Soper Hill Projects, within Lake Stevens’ corporate jurisdictional boundaries.

b.c. Marysville’s Responsibilities for the 83rd Project. With regard to the 83rd Project, Marysville, by and through its officials, officers, employees, and agents, agrees to:

i. Obtain Lead Agency. Pursuant to WAC 197-11-926(1), Marysville will serve as the lead agency on the 83rd Project for purposes of SEPA.

ii.i. Permits. Marysville is responsible for obtaining and processing all required permits from Lake Stevens, including but not limited to construction plan approval, grading permit approval, environmental review, including issuance of a SEPA threshold determination, and right-of-way permit approval, pursuant to the transfer, assignment, and delegation of permitting authority contained in Section 3.b.i., below. The 83rd Project will be designed, permitted, and constructed in consistent with Lake Stevens’ ordinances and Engineering Design and Development Standards and consistent with the design and construction of the 87th Project, the same manner as Marysville would design, permit, and construct any roadway traffic control improvement project located within the jurisdictional boundaries of Marysville. Marysville will comply with all applicable laws, rules, and regulations associated with said application and issuance of required permits and defense of all permitting decisions and any appeal thereof.

iii.ii. **Grant of Access.** Marysville will obtain permission and written right-of-entry on, over, under, above, and through private property if, in the reasonable judgment of Marysville's Engineer, access is necessary for designing or constructing the 83rd Project. Lake Stevens will reasonably assist Marysville to obtain permission and right-of-entry on, over, under, above, and through private property located within the jurisdictional boundaries of Lake Stevens as may be necessary from time to time. Any right-of-way, right of entry, or other real property interest that may need to be acquired by fee or easement will be the responsibility of Marysville and any private real property rights acquired by Marysville for the projects will be conveyed to Lake Stevens for properties located within Lake Stevens' boundaries.

iv.iii. **Project Design.** All aspects of the 83rd Project will be designed in compliance with federal law and regulations and pursuant to Lake Stevens' Marysville ordinances and Marysville's Engineering Design and Development Standards. Marysville will consult with Lake Stevens regarding the design of the 83rd Project and to the extent warranted and practicable will incorporate Lake Stevens's design standards and aesthetics. Final design will be subject to Lake Stevens' ~~s~~ written approval or permit approval, which shall not be unreasonably withheld.

v.iv. **Sub-Contracting.** Marysville may, in its sole discretion, hire one or more consultants, sub-consultants, contractors, and/or sub-contractors to perform some or all of the design or construction of the 83rd Project.

v.v. **Timeline.** Marysville will complete design, permitting, and construction of the 83rd Project within two years of the effective date of this Agreement.

vii.vi. **Conveyance.** Within ninety (90) days following the later of (1) completion of construction of the 83rd Project, (2) final acceptance of the 83rd Project, or (3) resolution of all claims against retainage for the 83rd Project, Marysville will convey the 83rd Project, and any and all acquired interests in real property and improvements associated therewith and located within Lake Stevens, to Lake Stevens by bill of sale. The 83rd Project will be free of all liens and encumbrances at the time of conveyance.

e.d. **Lake Stevens' Responsibilities for the 83rd Project.** With regard to the 83rd Project, Lake Stevens, by and through its officials, officers, employees, and agents, agrees to:

i. Lead Agency. Pursuant to WAC 197-11-926(1), Lake Stevens will serve as the lead agency on the 83rd Project for purposes of SEPA.

ii. Transfer of Permit Authority. Lake Stevens transfers, assigns, and delegates all will act as the permitting authority related to the 83rd Project and associated improvements to Marysville, including but not limited to construction plan approval,

grading permit approval, environmental review, issuance of a SEPA threshold determination, and right-of-way permit approval.

ii.iii. Cooperation. Lake Stevens agrees to cooperate with Marysville as may be necessary from time to time in designing and constructing the 83rd Project.

iii.iv. Grant of Access. Lake Stevens grants Marysville, its officials, officers, employees, and agents, for the purposes of designing and constructing the 83rd Project pursuant to this Agreement, permission and right-of-entry on, over, under, above, and through those Lake Stevens rights-of-way that are necessary in the design or construction of the 83rd Project. The terms and conditions of such access shall be pursuant to a right-of-way permit issued by Lake Stevens.

4.e. Marysville and Lake Stevens Responsibilities for Developer Construction of the 87th Project. With regard to the 87th Project, Marysville and Lake Stevens, by and through their officials, officers, employees, and agents, agree:

- i. Developer Construction. The partiesMarysville anticipates that a developer will locate within Marysville, in the vicinity ofnear 87th Avenue NE and Soper Hill Road, and that such a development will trigger the need for the 87th Project.
- ii. Analysis of Development. Upon receiving a complete application for a development in the vicinity of 87th Avenue NE and Soper Hill Road that Marysville believes will trigger the need for the 87th Project, Marysville will provide Lake Stevens a notice of application and a timely opportunity for review, comment, staff consultation, and where applicable, participation in Marysville's development review and approval process. Marysville, in consultation with Lake Stevens, may either independently study the traffic impacts of a proposed development or may rely on a traffic impact study submitted by the applicant. Marysville may require the applicant to prepare a traffic impact study and may request such supplemental information and analysis as Marysville determines is necessary.
- iii. Conditioning of Development. If Marysville determines that the development will trigger the need for the 87th Project, Marysville will condition the development upon construction of the 87th Project and conveyance of the 87th Project to Lake Stevens by a bill of sale.
- iv. Permits. The developer will be required to obtain the necessary permits and approvals from Lake Stevens pursuant to the Lake Stevens Municipal Code. Lake Stevens will act as the permitting authority for the 87th Project and, pursuant to WAC 197-11-926(1), will serve as the lead agency for purposes of SEPA on the 87th Project.

- v. **Development Standards.** Marysville and Lake Stevens agree that the 87th Project will be designed and constructed ~~eonsistently consistent~~ with Lake Stevens' ordinances and Engineering Design and Development Standards and consistent with the design and construction of the 83rd Project. ~~To the extent necessary to support approval of the 87th Project in a form substantially similar to the 83rd Project, Lake Stevens adopts Marysville's Engineering Design and Development Standards.~~
- vi. **Cooperation.** To the extent necessary, Marysville and Lake Stevens will coordinate to assure that the 87th Project is designed, permitted, and constructed in a form substantially similar to the 83rd Project.
- vii. **Conveyance.** Following the developer's construction of the 87th Project, portions of the project shall be conveyed by the developer to Lake Stevens in accordance with the Lake Stevens Municipal Code and the Lake Stevens Engineering Design and Development Standards.

#### **3.4. Maintenance of the Soper Hill Projects.**

- a. **83rd Project.** During construction of the 83rd Project, and until such time as this Agreement expires or is terminated, Marysville will be responsible for the maintenance and repair of all improvements of the 83rd Project including the roadway, curb, gutter, sidewalks, and ~~stormwater~~storm water drainage improvements, but excluding pavement overlays.
- b. **87th Project.**
  - i. Prior to conveyance to Lake Stevens, and in accordance with the Lake Stevens Municipal Code and the Lake Stevens Engineering Design and Development Standards, the developer shall be responsible for maintenance of the 87th Project.
  - ii. In accordance with the Lake Stevens Municipal Code and the Lake Stevens Engineering Design and Development Standards, Lake Stevens shall assure that any necessary maintenance or repair of the 87th Project is completed by the developer, or by Lake Stevens with resort to available bonds, prior to conveyance of the improvements to Lake Stevens.
  - iii. Upon conveyance of all or any portion of the 87th Project improvements to Lake Stevens, Lake Stevens may, within ninety (90) days, provide written notice to Marysville of the conveyance. The written notice must identify the specific improvements conveyed to Lake Stevens (the "Noticed Improvements"). Thereafter, and until such time as this Agreement expires or is terminated, Marysville will be

responsible for the maintenance and repair of the Noticed Improvements, excluding pavement overlays.

#### **4.5. Access to Soper Hill Road.**

- a. Marysville and Lake Stevens shall retain all permitting authority with regard to right-of-way use permits allowing access onto Soper Hill Road within their respective jurisdictions.
- b. The parties agree that one right-in- or right-in-right-out access point onto Soper Hill Road may be located between State Route 9 and 87th Avenue NE and at least one right in-right out access point along with emergency only access required by the Fire District onto Soper Hill Road may be located between 87th Avenue NE and 83rd Avenue NE, generally aligning with 86th-85th Drive NE. An additional access point for emergency access only, as required by the Fire District, may also be located between 87th Avenue NE and 83rd Avenue NE for the subdivision known as Belle Haven.
- c. The access points in Marysville will be designed, constructed, and approved in compliance with Marysville ordinances and Marysville's Engineering Design and Development Standards. This includes the location and spacing of the access points relative to existing intersections and other access points and the nature of the access point (right-in-right-out, full access, etc.). Marysville will consult with Lake Stevens regarding the design and location of the Soper Hill Road access points and to the greatest extent practicable will incorporate Lake Stevens's design standards and aesthetics in its permitting decision.

#### **6. Coordination of Future Growth. Marysville is committed to assuring that future growth in the area of the Soper Hill Projects does not unduly burden Lake Stevens.**

Density. Lake Stevens desires to have future development within Marysville, in the area of the Soper Hill Projects, occur at densities similar to those found in Lake Stevens' Campus Park development, which is located adjacent to the Soper Hill Projects. Existing Marysville zoning allows slightly higher density. To the extent Marysville seeks to modify underlying zoning within the East Sunnyside/Whiskey Ridge Subarea in a manner that further increases density, Marysville will provide Lake Stevens notice of the possible modifications and reasonably attempt to address concerns raised by Lake Stevens.

- a. Traffic. Marysville will continue to consider the traffic impacts of potential development within Marysville and condition such developments upon mitigation of traffic impacts as provided in the Marysville Municipal Code. Marysville and Lake Stevens agree to explore opportunities to receive proportionate mitigation from projects that impact Lake Stevens.

**Commented [RW1]:** Lake Stevens has not asked for common density, rather we would like to explore proportionate mitigation from projects that impact Lake Stevens's roads within an area of influence.

Stevens's roads within an area of influence as a separate agreement or addendum to this ILA.

- b. Parks. Marysville is committed to providing recreational opportunities in the area of the Soper Hill Projects. Marysville plans to construct a trail system along the road corridor that is currently Densmore Road. Marysville is continuing to coordinate on a large trail system around the Qwuloolt Estuary. A pedestrian / multi-purpose trail is being developed going north and south within the electrical utility corridor between 79th Ave NE and 83rd Ave NE to serve the area and to connect to the regional trail system. This trail will go north from Soper Hill Road to connect with other trails north. Most subdivisions are being approved and developed with amenities such as playground equipment- and recreational areas for their residents. Additionally, Marysville will continue to identify and consider areas for possible parks in the area of the Soper Hill Projects.
- c. Schools. Both Marysville and Lake Stevens are committed to supporting quality school facilities. Marysville regularly adopts the Lake Stevens School District's Capital Facilities Plan as a sub-element of the Public Facilities and Services Element of the Marysville Comprehensive Plan. This allows Marysville to collect impact fees to fund the Lake Stevens School District's necessary capital facility improvements and assure that future developments in the area of the Soper Hill Projects bear the cost of facilities necessitated by that future development. Marysville will continue to coordinate with the Lake Stevens School District to address the District's needs for capital facilities improvements.

#### **5.7. Indemnification/Hold Harmless.**

- a. Marysville's Indemnification of Lake Stevens. Marysville shall protect, hold harmless, indemnify, and defend, at its own expense, Lake Stevens, its elected and appointed officials, officers, employees, and agents, from any loss or claim for damages of any nature whatsoever arising out of Marysville's performance of this Agreement, including claims by Marysville's own employees or third parties, except for (1) those damages caused solely by the negligence or misconduct of Lake Stevens, its elected and appointed officials, officers, employees, or agents or (2) any breach or Default (as such term is defined in Section 1011.a. below) by Marysville under this Agreement.
- b. Lake Stevens's Indemnification of Marysville. Lake Stevens shall protect, hold harmless, indemnify, and defend, at its own expense, Marysville, its elected and appointed officials, officers, employees, and agents, from any loss or claim for damages of any nature whatsoever arising out of Lake Stevens's performance of this Agreement, including claims by Lake Stevens's own employees or third parties, except for (1) those damages caused solely by the negligence or misconduct of Marysville, its elected and appointed

officials, officers, employees, or agents or (2) any breach or Default (as such term is defined in Section 101.a. below) by Lake Stevens under this Agreement.

- c. Waiver of Immunity Under Industrial Insurance Act. The indemnification provisions of Section 67.a. and Section 67.b. above are specifically intended to constitute a waiver of each party's immunity under Washington's Industrial Insurance Act, Title 51 RCW, as respects the other party only, and only to the extent necessary to provide the indemnified party with a full and complete indemnity of claims made by the indemnitor's employees. The parties acknowledge that these provisions were specifically negotiated and agreed upon by them.
- d. Survival. The provisions of this Section 6-7 shall survive the expiration or earlier termination of this Agreement.

**6.8. Insurance.** Each party shall maintain its own insurance and-and/or self-insurance (including membership in a self-insured pool) for its liabilities from damages to property and or injuries to persons arising out of its activities associated with this Agreement as it deems reasonably appropriate and prudent. The maintenance of, or lack thereof of insurance and/or self-insurance (including membership in a self-insured pool) shall not limit either party's indemnification obligations under Section 67.

**7.9. Duration.** This Agreement shall continue in force and effect until the earliest occurrence of:

- a. Marysville has constructed the 83rd Project and conveyed it to Lake Stevens and a developer has constructed the 87th Project and conveyed it to Lake Stevens and thereafter Lake Stevens provides Marysville written notice that Lake Stevens no longer wishes for Marysville to provide maintenance of the Soper Hill Projects as provided in this Agreement.
- b. Fifteen (15) years from the date this Agreement is effective.

**8.10. Compliance with Laws.** Each party, in performing its obligations under this Agreement, shall comply with all applicable federal, state, and local laws, regulations, and rules.

**9.11. Default and Remedies.**

- a. Default. If either party fails to perform any act or obligation required to be performed by it hereunder, the other party shall deliver written notice of such failure to the non-performing party. The non-performing party shall have thirty (30) days after receipt of such notice in which to correct its failure to perform the act or obligation at issue, after which time it shall be in default ("Default") under this Agreement; provided, however, that if the non-performance is of a type that could not reasonably be cured within said thirty (30) day period, then the non-performing party shall not be in Default if it

commences cure within said thirty (30) day period and thereafter diligently pursues cure to completion.

- b. **Remedies.** In the event of a party's Default under this Agreement, then after giving notice and an opportunity to cure pursuant to Section [4011](#).a., above, the non-Defaulting party shall have the right to exercise any or all rights and remedies available to it in law or equity.

**10.12. Dispute Resolution.** The parties agree that any dispute, claim, or controversy arising out of or relating to this Agreement will first be discussed between the parties' Administrators. Thereafter and except as herein provided, no civil action with respect to any dispute, claim, or controversy arising out of or relating to this Agreement may be commenced until the dispute, claim, or controversy has been submitted to a mutually agreed upon mediator. The parties agree that they will participate in the mediation in good faith, and that they will share equally in its costs. Each party shall be responsible for the costs of its own legal representation. Either party may seek equitable relief prior to the mediation process, but only to preserve the status quo pending the completion of that process.

**11.13. Relationship to Existing Laws and Statutes.** This Agreement in no way modifies or supersedes existing state laws and statutes. In meeting the commitments encompassed in this Agreement, all parties will comply with all applicable state or local laws. Marysville and Lake Stevens will retain the ultimate authority for land use and development decisions within their respective jurisdictions. By executing this Agreement, Marysville and Lake Stevens do not intend to abrogate the decision-making responsibility or police powers vested in them by law.

**12.14. Notices.** All notices required to be given by any party to the other party under this Agreement shall be in writing and shall be delivered either in person, by United States mail, or by electronic mail (email) to the applicable Administrator. Notice delivered in person shall be deemed given when accepted by the recipient. Notice by United States mail shall be deemed given as of the date the same is deposited in the United States mail, postage prepaid, and addressed to the Administrator, or their designee, at the addresses set forth in Section 1.d. of this Agreement. Notice delivered by email shall be deemed given as of the date and time received by the recipient.

**13.15. Miscellaneous.**

- a. **Entire Agreement; Amendment.** This Agreement constitutes the entire agreement between the parties regarding the subject matter hereof and supersedes any and all prior oral or written agreements between the parties regarding the subject matter contained herein. This Agreement may not be modified or amended in any manner except by a

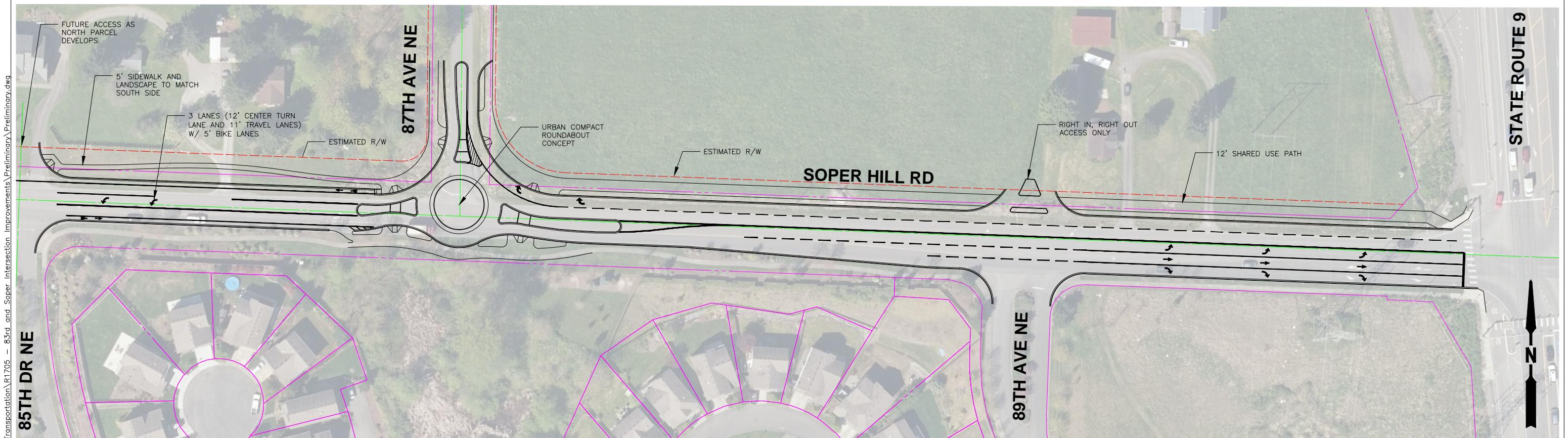
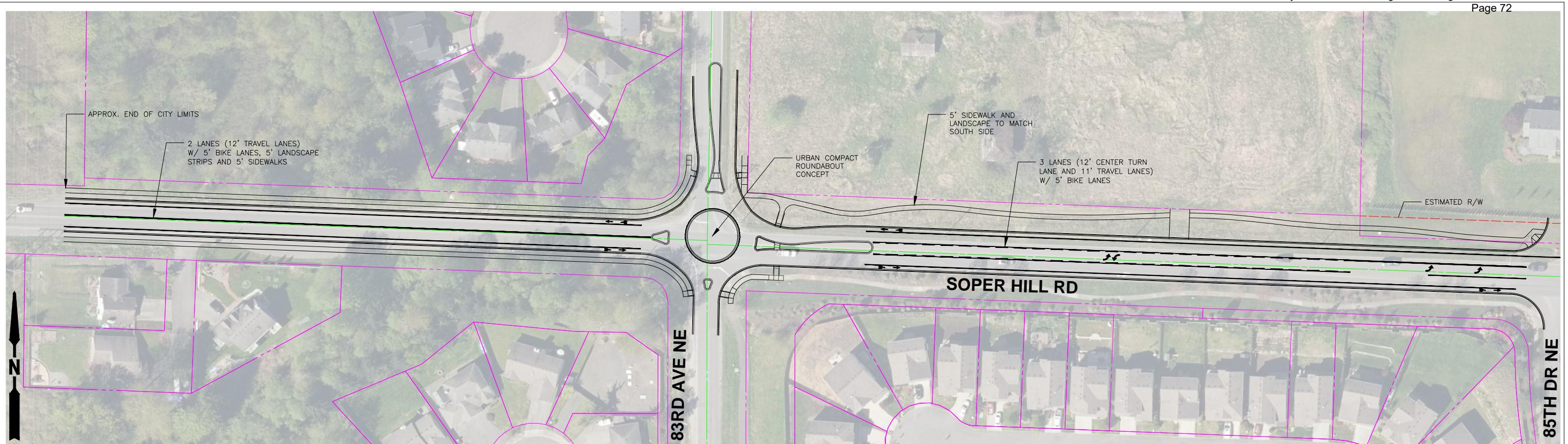
written document approved by the city council of each party and signed by the mayor of both parties.

- b. Governing Law and Venue. This Agreement shall be governed by and enforced in accordance with the laws of the State of Washington. The venue of any action arising out of this Agreement shall be the Superior Court of the State of Washington, in and for Snohomish County.
- c. Interpretation. This Agreement and each of the terms and provisions of it are deemed to have been explicitly negotiated by the parties and the language in all parts of this Agreement shall, in all cases, be construed according to its fair meaning and not strictly for or against either of the parties hereto. The captions and headings in this Agreement are used only for convenience and are not intended to affect the interpretation of the provisions of this Agreement. This Agreement shall be construed so that wherever applicable the use of the singular number shall include the plural number, and vice versa, and the use of any gender shall be applicable to all genders.
- d. Severability. If any provision of this Agreement or the application thereof to any person or circumstance shall, for any reason and to any extent, be found invalid or unenforceable, the remainder of this Agreement and the application of that provision to other persons or circumstances shall not be affected thereby, but shall instead continue in full force and effect, to the extent permitted by law.
- e. No Waiver. A party's forbearance or delay in exercising any right or remedy with respect to a Default by the other party under this Agreement shall not constitute a waiver of the Default at issue. Nor shall a waiver by either party of any particular Default constitute a waiver of any other Default or any similar future Default.
- f. No Assignment. This Agreement shall not be assigned, either in whole or in part, by either party without the express written consent of the other party, which may be granted or withheld in such party's sole discretion. Any attempt to assign this Agreement in violation of the preceding sentence shall be null and void and shall constitute a Default under this Agreement.
- g. 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.
- h. No Joint Venture. Nothing contained in this Agreement shall be construed as creating any type or manner of partnership, joint venture, or other joint enterprise between the parties.

- i. No Third Party Beneficiaries. This Agreement and each and every provision thereof are for the sole benefit of Marysville and Lake Stevens. No other persons or parties shall be deemed to have any rights in, under, or to this Agreement.
- j. Execution in Counterparts. This Agreement may be executed in two or more counterparts, each of which shall constitute an original and all of which shall constitute one and the same Agreement.

In witness whereof, the parties have executed this Agreement as of the last date written below.

CITY OF MARYSVILLE	CITY OF LAKE STEVENS
By: _____ Jon Nehring, Mayor	By: _____ John Spencer, Mayor
Attested/Authenticated:  April O'Brien, Deputy City Clerk	Attested/Authenticated:  Barb Stevens, City Clerk
Approved as to form:  Jon Walker, City Attorney	Approved as to form:  Grant Weed, City Attorney



50' 0 50' 100'  
SCALE IN FEET

## SOPER HILL RD (west of 83rd Ave NE to SR 9) CONCEPTUAL PLAN



Staff Report  
City of Lake Stevens City  
Council

Briefing  
Date: **February 27, 2018**

Subject: **LUA2018-0007:** City initiated code amendment changing the approval authority for final plats from the City Council to the Planning and Public Works Directors.

Contact Person/Department: Joshua Machen, *Senior Planner* / Russ Wright, *Community Development Director*

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**SUMMARY:** In accordance with Senate Bill 5674 (Attachment A), approval authority for final plats for short and long subdivisions may be delegated to administrative personnel through legislative action. To streamline the permit review process, the proposed changes to the municipal code would shift the approval authority and responsibility from the City Council to the Directors of Planning and Community Development and Public Works (Attachments B & C).

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**ACTION REQUESTED OF CITY COUNCIL:**

Recommend that the Planning Commission consider the proposed code changes, hold a public hearing and make a recommendation to the Council.

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**BACKGROUND / HISTORY:**

Until Senate Bill 5674 was signed into law, the granting of final subdivision approval had to be done by the local legislative body. This was somewhat problematic because all building, site, and environmental issues are dealt with at the preliminary approval stage, which is reviewed by staff and granted by the Hearing Examiner.

By the time a preliminary plat is approved, all building and environmental issues are resolved, and the public has had multiple opportunities to review, comment on the proposal and participate in a public hearing. At the final plat approval stage, the process is essentially administrative. Therefore, staff is recommending changes to the code to allow streamlining of the final plat process by granting administrative approval authority of subdivisions to be held by the Directors of Planning and Community Development and Public Works.

The attached flow chart explains the review and public participation process for preliminary plat approvals. (Attachment D).

These code amendments are exempt from SEPA review under categorical exemption WAC197-11-800 (19).

**(19). Procedural actions.** The proposal, amendment or adoption of legislation, rules, regulations, resolutions or ordinances, or of any plan or program shall be exempt if they are:

(a) Relating solely to governmental procedures, and containing no substantive standards respecting use or modification of the environment.

The Planning Commission was briefed on this code change on February 7, 2018. The Planning Commission asked that the City Council be briefed on the changes before setting a public hearing date.

**Attachments**

- A      Senate Bill 5674
- B.     Draft Code Changes Related to Final Plat Approvals
- C.     Draft Code Change to acceptance of Sewer extensions related to final plats.
- D.     Subdivision Process Flow Chart

## Attachment A

### CERTIFICATION OF ENROLLMENT

#### SENATE BILL 5674

65th Legislature  
2017 Regular Session

Passed by the Senate March 3, 2017  
Yea 44 Nays 0

#### CERTIFICATE

I, Hunter G. Goodman, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5674** as passed by Senate and the House of Representatives on the dates hereon set forth.

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**President of the Senate**

Passed by the House April 12, 2017  
Yea 55 Nays 43

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**Secretary**

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**Speaker of the House of Representatives**  
Approved

FILED

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**Governor of the State of Washington**

**Secretary of State  
State of Washington**

**SENATE BILL 5674**

Passed Legislature - 2017 Regular Session

**State of Washington**

**65th Legislature**

**2017 Regular Session**

**By** Senators Palumbo and Fain

Read first time 02/02/17. Referred to Committee on Local Government.

1       AN ACT Relating to the final approval of subdivisions of land;  
2 and amending RCW 58.17.100, 58.17.170, and 58.17.190.

3       BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4       **Sec. 1.** RCW 58.17.100 and 1995 c 347 s 428 are each amended to  
5 read as follows:

6       If a city, town or county has established a planning commission  
7 or planning agency in accordance with state law or local charter,  
8 such commission or agency shall review all preliminary plats and make  
9 recommendations thereon to the city, town or county legislative body  
10 to assure conformance of the proposed subdivision to the general  
11 purposes of the comprehensive plan and to planning standards and  
12 specifications as adopted by the city, town or county. Reports of the  
13 planning commission or agency shall be advisory only: PROVIDED, That  
14 the legislative body of the city, town or county may, by ordinance,  
15 assign to such commission or agency, or any department official or  
16 group of officials, such administrative functions, powers and duties  
17 as may be appropriate, including the holding of hearings, and  
18 recommendations for approval or disapproval of preliminary plats of  
19 proposed subdivisions.

20       Such recommendation shall be submitted to the legislative body  
21 not later than fourteen days following action by the hearing body.

1 Upon receipt of the recommendation on any preliminary plat the  
2 legislative body shall at its next public meeting set the date for  
3 the public meeting where it shall consider the recommendations of the  
4 hearing body and may adopt or reject the recommendations of such  
5 hearing body based on the record established at the public hearing.  
6 If, after considering the matter at a public meeting, the legislative  
7 body deems a change in the planning commission's or planning agency's  
8 recommendation approving or disapproving any preliminary plat is  
9 necessary, the legislative body shall adopt its own recommendations  
10 and approve or disapprove the preliminary plat.

11 Every decision or recommendation made under this section shall be  
12 in writing and shall include findings of fact and conclusions to  
13 support the decision or recommendation.

14 A record of all public meetings and public hearings shall be kept  
15 by the appropriate city, town or county authority and shall be open  
16 to public inspection.

17 Sole authority to ((~~approve final plats, and to~~)) adopt or amend  
18 platting ordinances shall reside in the legislative bodies. The  
legislative authorities of cities, towns, and counties may by  
ordinance delegate final plat approval to an established planning  
commission or agency, or to such other administrative personnel in  
accordance with state law or local charter.

23 **Sec. 2.** RCW 58.17.170 and 2013 c 16 s 2 are each amended to read  
24 as follows:

25 (1) When the legislative body of the city, town, or county, or  
26 such other agency as authorized by RCW 58.17.100, finds that the  
27 subdivision proposed for final plat approval conforms to all terms of  
28 the preliminary plat approval, and that said subdivision meets the  
29 requirements of this chapter, other applicable state laws, and any  
30 local ordinances adopted under this chapter which were in effect at  
31 the time of preliminary plat approval, it shall suitably inscribe and  
32 execute its written approval on the face of the plat. The original of  
33 said final plat shall be filed for record with the county auditor.  
34 One reproducible copy shall be furnished to the city, town, or county  
35 engineer. One paper copy shall be filed with the county assessor.  
36 Paper copies shall be provided to such other agencies as may be  
37 required by ordinance.

38 (2)(a) Except as provided by (b) of this subsection, any lots in  
39 a final plat filed for record shall be a valid land use

1 notwithstanding any change in zoning laws for a period of seven years  
2 from the date of filing if the date of filing is on or before  
3 December 31, 2014, and for a period of five years from the date of  
4 filing if the date of filing is on or after January 1, 2015.

5 (b) Any lots in a final plat filed for record shall be a valid  
6 land use notwithstanding any change in zoning laws for a period of  
7 ten years from the date of filing if the project is not subject to  
8 requirements adopted under chapter 90.58 RCW and the date of filing  
9 is on or before December 31, 2007.

10 (3)(a) Except as provided by (b) of this subsection, a  
11 subdivision shall be governed by the terms of approval of the final  
12 plat, and the statutes, ordinances, and regulations in effect at the  
13 time of approval under RCW 58.17.150 (1) and (3) for a period of  
14 seven years after final plat approval if the date of final plat  
15 approval is on or before December 31, 2014, and for a period of five  
16 years after final plat approval if the date of final plat approval is  
17 on or after January 1, 2015, unless the legislative body finds that a  
18 change in conditions creates a serious threat to the public health or  
19 safety in the subdivision.

20 (b) A subdivision shall be governed by the terms of approval of  
21 the final plat, and the statutes, ordinances, and regulations in  
22 effect at the time of approval under RCW 58.17.150 (1) and (3) for a  
23 period of ten years after final plat approval if the project is not  
24 subject to requirements adopted under chapter 90.58 RCW and the date  
25 of final plat approval is on or before December 31, 2007, unless the  
26 legislative body finds that a change in conditions creates a serious  
27 threat to the public health or safety in the subdivision.

28 **Sec. 3.** RCW 58.17.190 and 1969 ex.s. c 271 s 19 are each amended  
29 to read as follows:

30 The county auditor shall refuse to accept any plat for filing  
31 until approval of the plat has been given by the appropriate  
32 legislative body, or such other agency as authorized by RCW  
33 58.17.100. Should a plat or dedication be filed without such  
34 approval, the prosecuting attorney of the county in which the plat is  
35 filed shall apply for a writ of mandate in the name of and on behalf  
36 of the legislative body required to approve same, directing the

1 auditor and assessor to remove from their files or records the  
2 unapproved plat, or dedication of record.

--- END ---

## Final Plat Approval Authority Code Amendment

### 14.18.035 Approval of Final Plats.

(a) ~~Short Final~~ plats ~~for long and short subdivisions~~ are approved by the Planning and Public Works Directors. ~~Final plats for long subdivisions are to be approved by City Council following a public meeting.~~ Final plats shall be approved if it is found that the requirements of preliminary plat, including applicable conditions of approval, have been met, and the requirements of Chapter [58.17](#) RCW have been met.

(b) The final plat submitted for recording shall be drawn in waterproof ink on a sheet made of material that will be acceptable to the Snohomish County Auditor's Office for recording purposes, and having dimensions of 18 inches by 24 inches.

(c) When more than one sheet is required to include the entire subdivision, all sheets shall be made of the same size and shall show appropriate match marks on each sheet and appropriate references to other sheets of the subdivision. The scale of the plat shall be at one inch equals not more than 50 feet.

(d) The applicant shall also provide all final plat maps and engineered as-builts in digital form. Files shall be submitted in “\*.dwg” or other AutoCad-compatible format approved by Public Works. (Ord. 811, Sec. 5 (Exh. 4), 2010)

### Part V. Type V Review - Quasi-Judicial, City Council Decisions

#### 14.16B.505 Purpose.

A Type V process is a quasi-judicial review and decision made by the City Council. Staff makes a recommendation to the City Council. Depending on the application, staff may conduct a public meeting to obtain public input. The City Council shall hold a public hearing on the application prior to making a decision; ~~except for final plats, only a public meeting is held by the Council.~~ Public notification is provided at the application, public hearing, and decision stages of application review. There is no opportunity for an administrative appeal. Appeals of City Council decisions are made to Snohomish County superior court. The purpose of this part is to provide the necessary steps for permit approvals requiring Type V review. (Ord. 903, Sec. 14, 2013; Ord. 811, Sec. 3 (Exh. 2), 2010)

#### 14.16B.525 Public Meetings.

A public meeting is required for all Type V applications pursuant to Section [14.16A.260](#). Staff may require the applicant to participate in the meeting to inform citizens about the proposal. If a public meeting is planned, it shall be held as early in the review process as possible for Type V applications. Notice of the public meeting shall be provided in the same manner as required for notice of the application. The public meeting notice will be combined with the notice of application whenever possible. ~~Council action for a final plat is a public meeting rather than a public hearing.~~ (Ord. 903, Sec. 15, 2013; Ord. 811, Sec. 3 (Exh. 2), 2010)

**14.16B.540 Notice of City Council Public Hearing.**

(a) Public notice of the date of the City Council public hearing, ~~or for final plats a public meeting~~, at which the City Council will consider the application shall be published in a newspaper of general circulation. The public hearing shall be scheduled no sooner than 10 days following the date of publication of the notice. If a determination of significance was issued by the SEPA responsible official, the notice of staff recommendation shall state whether an EIS or supplemental EIS was prepared or whether existing environmental documents were adopted. The notice of the City Council meeting shall also include the notice of the availability of the staff recommendation.

**14.16B.545 City Council Decision.**

(a) Within five days of a decision, the Planning Director shall transmit to the City Council a copy of the department file on the application including all written comments received prior to the City Council meeting and information reviewed by or relied upon by staff. The file shall also include information to verify that the requirements for notice to the public (notice of application, notice of public hearing, and notice of SEPA determination) have been met.

(b) Any person may participate in the City Council public hearing, ~~or public meeting for final plats~~, on staff recommendation by submitting written comments to the Department of Planning and Community Development prior to the hearing or by submitting written comments or making oral comments at the hearing.

**Table 14.16A-I: Classification of Permits and Decisions**

Type of Review	Land Use Actions and Permits	Recommendation By	Public Hearing Prior to Decision	Permit-Issuing Authority	Administrative Appeal Body & Hearing
TYPE I Administrative without Public Notice	<ul style="list-style-type: none"><li>• Administrative Design Review</li><li>• Administrative Deviation</li><li>• Administrative Modifications</li><li>• Boundary Line Adjustments</li><li>• Change of Use</li></ul>	None	None	Department director or designee	Hearing Examiner, except shoreline permits to State Shoreline Hearings Board, & Open Record

	<ul style="list-style-type: none"><li>• Code Interpretations</li><li>• Events</li><li>• <u>Final Plats (short and long subdivisions)</u></li><li>• Floodplain Development Permits</li><li>• Grading Permit</li><li>• Home Occupations</li><li>• Master Sign Program</li><li>• Reasonable Use Exceptions</li><li>• Shoreline Exemptions</li><li>• Signs</li><li>• Temporary Uses</li></ul>				
TYPE II Administrative with Public Notice	<ul style="list-style-type: none"><li>• Administrative Conditional Use (formerly Special Use)</li><li>• Administrative Variance</li><li>• Binding Site Plans</li><li>• Planned Action Certification</li><li>• SEPA Review (early or when not combined with another permit or</li></ul>	None	None	Planning Director or designee	Hearing Examiner, except shoreline permits to State Shoreline Hearings Board, & Open Record

	<p>required for a Type I permit)</p> <ul style="list-style-type: none"> <li>• Shoreline Substantial Developments</li> <li>• Short Plats - Preliminary <del>or Final</del></li> <li>• Short Plat Alterations</li> <li>• Short Plat Vacations</li> <li>• Site Plan Reviews</li> </ul>				
TYPE III Quasi-Judicial, Hearing Examiner	<ul style="list-style-type: none"> <li>• Conditional Uses</li> <li>• Preliminary Plats</li> <li>• Shoreline Conditional Uses</li> <li>• Shoreline Variances</li> <li>• Variances</li> </ul>	Design Review Board (if required)	Open Record	Hearing Examiner	Superior Court, except shoreline permits to State Shoreline Hearings Board, & Closed Record
TYPE IV Quasi-Judicial, City Council with Hearing Examiner Recommendation	<ul style="list-style-type: none"> <li>• Essential Public Facilities</li> <li>• Planned Neighborhood Developments</li> <li>• Rezone - Site-Specific Zoning Map Amendments</li> <li>• Secure Community Transition Facilities</li> </ul>	Hearing Examiner with Open Record Hearing	Closed Record	City Council	None, appeal to Superior Court
TYPE V Quasi-Judicial, City Council	<del>• Final Plats</del> <ul style="list-style-type: none"> <li>• Plat Alterations</li> <li>• Plat Vacations</li> </ul>	Design Review Board (if required)	Open Record <del>*Public</del>	City Council	None, appeal to Superior Court

	• Right-of-Way Vacations		meeting only for Final Plats		
TYPE VI Legislative, City Council with Planning Commission Recommendation	<ul style="list-style-type: none"><li>• Comprehensive Plan Amendments, Map &amp; Text</li><li>• Development Agreements</li><li>• Land Use Code Amendments</li><li>• Rezones - Area-Wide Zoning Map Amendments</li></ul>	Planning Commission with Open Record Hearing	Open Record	City Council	Growth Management Hearings Board & Closed Record

(e) Associated Land Use Determinations. Associated land use determinations are decisions that need to be made as part of another land use action or permit review, as set forth in Table 14.16A-II. Each type of determination has a separate review process determined by the Planning Director or Public Works Director, except design review, which is reviewed pursuant to Section [14.16C.050](#).

## Chapter 6.08 SEWER ADMINISTRATION

### 6.08.020 Developer's Contracts.

#### 15. FINAL ACCEPTANCE

The City agrees to accept title to the Project extension, subject to the terms herein, when all work has been completed and when the City has made final inspection and given approval of the system as having been completed in accordance with the plans and specifications. Final acceptance of said Project extension shall be by action of the City Council, except when such extension is part of a final plat, which shall be accepted by the Public Works Director, and shall only occur after City receipt of a completed and executed bill of sale, maintenance bond, easements and all other documents required pursuant to this Agreement, payment in full of all fees and charges, and execution of any applicable Utility Reimbursement Agreement.

# Attachment D

## SUBDIVISION PROCESS





LAKE STEVENS CITY COUNCIL  
**STAFF REPORT**

**Council**  
**Agenda Date:** February 27, 2018

**Subject:** Resolution 2018-08 Adopting Updated Council Rules of Procedure

**Contact**  
**Person/Department:** Gene Brazel, City Administrator      **Budget**  
**Impact:** N/A

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**RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL: For Discussion and Direction:**  
**Resolution 2018-08 Adopting Updated Council Rules of Procedure**

**SUMMARY/BACKGROUND:** Over the years the City Council has established Rules of Procedure guiding the conduct of City Council business. Rules of Procedure were first adopted in 1995 when Resolution 1995-11 established rules of procedure for excused absences. In 1997, the Council adopted Resolution 1997 establishing Council Procedures to provide for the efficient conduct of business. Over the years, Council has reviewed and discussed the Council Procedures including in 1998, 2003 and in 2006 when the current Council Procedures were adopted by motion. Since that time, the Council Procedures have not been updated.

At the February 13, 2018 Staff brought forward Resolution 2018-08 repealing previous resolutions and Council Procedures, and adopting updated Council Procedures which reflect the City Council's current procedural practices.

Council discussed the process for extending meetings beyond 9:00 p.m., and there was consensus to add language to paragraph 2.2 indicating that the Presiding Officer will ask for a motion to extend the meeting at 8:00 p.m. if it appears the meeting will run long. That change has been made.

Council requested clarification as to whether the City Administrator is responsible for taking minutes at City Council Retreat meetings. By way of clarification, a retreat is a Special Meeting. Section 10.3 provides that the Clerk or designee will attend Regular and Special meetings and be responsible for keeping the minutes.

Finally, Council discussed at their recent Retreat that they would like to be more involved in the interviews of candidates for Boards and Commissions vacancies. This was again discussed at the February 6<sup>th</sup> Council Workshop and Council determined they would like to have three Council representatives participate in interviews of boards and commissions candidates.

**Interview/Appointment Process:**

Pursuant to LSMC 2 Administration and Personnel, appointments to Boards and Commissions are made by the Mayor. Only appointment to the Veterans Commission requires confirmation by the Council. It is the City Attorney's recommendation that the Mayor make the appointments, without confirmation except in cases where City Code requires confirmation.

Currently, candidates are interviewed by the Board/Commission Chair, the Council liaison, assigned staff and the Mayor. It was suggested that adding two more Council members to an interview panel that would

then consist of six persons for a volunteer position, could be overwhelming to candidates and that perhaps it would be better to have an initial interview with a panel consisting of the Board/Commission Chair, the Council liaison, the Mayor and assigned staff. This could be followed by a second interview conducted by a panel consisting of the three councilmembers, who would then make a recommendation to the Mayor for appointment.

Appointees would still be invited to Council meetings to be introduced and to receive an Oath of Office.

Proposed language for this change is contained in Section 19.

If Council is in agreement with these changes, Staff would bring Resolution 2018-08 back for a vote on the Consent Agenda at the March 6, 2018 Special Meeting.

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**APPLICABLE CITY POLICIES:**

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**BUDGET IMPACT:**

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**ATTACHMENTS:**

- Exhibit A: Resolution 2018-08

**CITY OF LAKE STEVENS  
LAKE STEVENS, WASHINGTON  
RESOLUTION NO. 2018-08**

**A RESOLUTION OF THE CITY OF LAKE STEVENS,  
WASHINGTON, ADOPTING UPDATED COUNCIL RULES OF  
PROCEDURE.**

**WHEREAS**, Council Procedures provide the framework for conducting City Council business efficiently and in accordance with applicable state laws; and

**WHEREAS**, on September 11, 1995 the City Council adopted Resolution 1995-11 establishing procedures for excused absences of members of the Lake Stevens City Council in accordance with applicable state law; and

**WHEREAS**, on March 10, 1997 the City Council adopted Resolution 1997-3, adopting Council Procedures to provide for the efficient conducting of City Council business in accordance with applicable state laws; and

**WHEREAS**, the City Council has reviewed and discussed Council Procedures at various meetings over the years, including October 5, 1998, July 28, 2003, January 10, 2006 and January 23, 2006; and

**WHEREAS**, the City Council adopted by motion Council Procedures at its November 24, 2003 City Council meeting, and most recently at its July 10, 2006 City Council meeting; and

**WHEREAS**, the City Council wishes to amend and update its Council Procedures to reflect current practices and applicable state law,

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKE STEVENS,  
WASHINGTON, DOES RESOLVE AS FOLLOWS:**

**Section 1.** Resolutions 1995-11 establishing procedures for excused absences of City Council members, 1997-3 adopting Council Procedures, and Council Procedures adopted by motion on July 10, 2006 are hereby repealed.

**Section 2.** The Council Procedures dated February 13, 2018, attached as Attachment A, are hereby adopted as the procedures the City Council will follow in conducting its business.

**Section 3.** This resolution shall take effect and be in full force upon passage and signature.

PASSED by the City Council of the City of Lake Stevens this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

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John Spencer, Mayor

ATTEST:

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Kathy Pugh, City Clerk

APPROVED AS TO FORM:

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Grant K. Weed, City Attorney



# **COUNCIL PROCEDURES**

**ADOPTED**

**February 27, 2018**

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## SECTION 1. AUTHORITY

1.1 Pursuant to RCW 35A.12.120, and other applicable law, the Lake Stevens City Council hereby establishes the following rules for the conduct of Council meetings, proceedings and business. These rules shall be in effect upon adoption by the Council and until such time as they are amended or new rules adopted in the manner provided by these rules.

## SECTION 2. COUNCIL MEETINGS

### 2.1 TYPES OF MEETINGS:

1. Regular - the Council meeting held as set by Ordinance.
2. Workshop – the Council meeting held as set by Ordinance.
3. Special - any Council meeting other than the Regular Council meeting. Notice shall be given at least 24 hours in advance. A Special Council meeting may be scheduled by the Mayor, Council President, City Administrator or at the request of not less than 4 Councilmembers.
4. Emergency - a Special Council meeting called without the 24-hour notice. An Emergency meeting deals with an emergency involving injury or damage to persons or property or the likelihood of such injury or damage, when time requirements of a 24-hour notice would make notice impractical and increase the likelihood of such injury or damage. Emergency meetings may be called by the City Administrator, the Mayor or Council President with the consent of not less than 4 Councilmembers. The minutes will indicate the reason for the emergency.

2.2 The time and day of Council's regular meetings shall be set by ordinance and will be held at the location set by ordinance unless otherwise publicly announced.

Regular Council meeting times shall be set by ordinance and will normally adjourn no later than 9:00 p.m., unless pending business must be concluded. Extensions beyond 9 p.m. shall require passage of a motion by Council. At 8:00 p.m. the Presiding Officer will ask for a motion to extend the meeting if it appears the meeting will go beyond 9:00 p.m.

2.3 Council's Workshop Sessions will be scheduled as special meetings and may be held, when needed, as follows: From the hour of 7:00 p.m. and will adjourn no later than the hour of 9:00 p.m., on the first and third Tuesdays, of each month. To continue past this time of adjournment, passage of a motion by a majority of the Council will be required. Alternatively, Workshop Sessions may be scheduled immediately preceding a Regular Council meeting, with the start time to be determined based on the agenda, but in no event earlier than 5:00 p.m., and ending no later than 6:45 p.m. Council workshops may also be scheduled on other dates and times by special meeting notice.

Special Workshop sessions may be called by the Mayor, City Administrator, Council President or by three (3) or more Councilmembers.

Workshop Sessions will be informal meetings for the purpose of reviewing forthcoming programs, receiving progress reports on current programs or projects, or receiving other similar information. The Council President, Council Vice-President and City Staff will determine on-going dedicated schedules for regular workshop sessions.

No final decisions will be made at a Workshop Session. Decisions on workshop matters will be scheduled for a Regular or Special Council meeting.

- 2.4 Information will be available to the public at each meeting stating a summary of the Rules of Procedure.
- 2.5 Staff/consultants will provide brief information and respond to questions by Councilmembers or as requested by the City Administrator or Presiding Officer.
- 2.6 Citizen comment/public hearing sign-ups will be available at each regular Council meeting.
- 2.7 All regular, workshop and special meetings will be electronically recorded.

The City Clerk will keep an account of all proceedings of the Council in accordance with the statutory requirements, and proceedings will be entered into a minute book constituting the official record of the Council.

City Council meeting minutes will not be revised without a majority affirmative vote of the Council at a regularly scheduled Council meeting.

#### 2.8 ORDER OF REGULAR COUNCIL MEETING AGENDA:

1. Call Meeting To Order:

The Presiding Officer calls the meeting to order.

2. Pledge of Allegiance:

The Council President or designee leads the flag salute.

3. Roll Call:

The Council President will announce the attendance of Councilmembers and indicate any Councilmember who is not in attendance. The Council shall approve excused absences by vote. The official meeting minutes will always reflect the vote count on each action item.

4. Approval of Agenda:

The Council President, with the concurrence of the Councilmembers, may take agenda items out of order or add or remove agenda items.

5. Citizen Comments:

Members of the audience may comment on items relating to any matter not on the meeting agenda under Citizen Comments. Unless this rule is waived by motion of the Council, each speaker will be limited to three minutes to make their comments.

Council may, at its discretion, allow citizen comment on individual agenda items at times during any regularly scheduled City Council meeting after the item is introduced for Council but prior to Council discussion. The Presiding Officer will limit the amount of time permitted for each speaker to three minutes, until all persons have had an opportunity to speak. These agenda items include, but are not limited to, ordinances, resolutions and Council Business issues. Public testimony will be taken during Council's consideration of quasi-judicial matters.

6. Guest Business:

Persons or organizations invited or requesting to speak to the Council on specific identified topics will be scheduled under Guest Business. Guest speakers will not be restricted to a limited amount of time for speaking unless requested by Council at the time of the meeting.

7. Council Business:

Councilmembers may report on any Board/Commission meetings or significant activities or any other matter pertaining to City business since the last meeting. Subcommittee chairpersons will report on the activities of their respective subcommittees.

8. Mayor's Business:

Under Mayor's Business the Mayor usually addresses significant activities since the last meeting and items not previously discussed, such as future meetings of interest to the Council.

9. City Department Report:

City staff updates the Council on current issues or items of Council interest.

10. Consent Agenda:

Consent Agenda items are considered to be routine, non-controversial, or are items which have previously been studied and reviewed so as to not require additional discussion or debate. Such items may be approved by a single motion. Items on the Consent Agenda may include but are not limited to, minutes, resolutions and ordinances discussed at a previous City Council or Committee meeting, and previously authorized agreements. Any Councilmember may remove any item from the Consent Agenda for separate discussion and action.

11. Public Hearing:

Citizens may comment on public hearing items. The Presiding Officer may limit the amount of time permitted each speaker until all persons have had an opportunity to speak. Further testimony from those who have spoken may be allowed at the discretion of the Presiding Officer. The public hearing will be continued to another date to take additional testimony when the existing available time is not sufficient or as determined by the Council.

At the Public Hearing, staff's presentation is to give background and frame the issues for the Council and audience.

During public comment or public testimony, Council shall refrain from interactive exchanges with the audience. Council requests for clarification from audience should occur prior to the closure of the public portion of the hearing. Staff may be asked clarifying questions by Council during Council deliberations.

12. Action Items:

a. Proclamations:

A Proclamation is defined as an official announcement made by either the City Council or the Mayor.

b. Introduction and First Reading of Ordinances:

Discussion and debate by the City Council will be held at this time. Councilmembers shall decide whether to amend the ordinance, direct staff to further review the ordinance, or approve placing the ordinance on the Consent Agenda or as a separate agenda topic for second or third reading at an upcoming Regular Council meeting for enactment as an enforceable City law. The number of ordinance readings shall be considered item by item.

c. Resolutions:

A resolution is adoption of a City policy, practice or decision.

d. Other:

Any contract, agreement, or other form of business that requires formal action that is necessary to conduct City business.

e. Such other and additional items as required by law or by Council direction.

13. Executive Session:

Executive session subjects are limited to considering such matters as are authorized under the Open Meetings Act or such other laws that authorize executive sessions. Executive session is a Council meeting that is closed except to the Council and authorized staff members and/or consultants. The public is restricted from attendance. Executive Sessions may be held during

Regularly scheduled meetings or Special Council meetings and will be announced by the Mayor.

Before convening an Executive Session the Mayor shall announce the purpose of the executive session and the anticipated time when the session will be concluded and if any action shall be taken. Should the session require more time, a public announcement shall be made that the Executive Session is being extended.

14. Study Session:

Discussion items are generally items of significance that may require future action by Council.

15. Adjournment:

With no further business to come before the Council, the Presiding Officer adjourns the meeting by requesting a motion for adjournment.

### SECTION 3. AGENDA PREPARATION

- 3.1 The City Clerk will prepare an agenda for each Council meeting specifying the time and place of the meeting, and set forth a brief general description of each item to be considered by the Council. The agenda is subject to approval by the Mayor and the City Administrator.
- 3.2 An item may be placed on a Council meeting agenda by any of the following methods:
  1. By a Councilmember if the item does not require staff preparation;
  2. By any two (2) Councilmembers;
  3. By the City Administrator;
  4. By a Council Committee;
  5. By the Mayor.
- 3.3 An item may be placed on a regular Council meeting agenda after the agenda is closed if approved by the Mayor or City Administrator.
- 3.4 The City Clerk will endeavor to schedule sufficient time between public hearings and other scheduled items, so the public is not kept unreasonably waiting, and so the Council will have sufficient time to hear public comment or testimony and to deliberate matters among themselves.
- 3.5 Legally required and advertised public hearings will generally have a higher priority over other time-scheduled agenda items which have been scheduled for convenience rather than for statutory or other legal reasons.

- 3.6 Agenda items that are continued from one meeting to another will have preference on the agenda to the extent possible.
- 3.7 Agendas will be finalized by the Thursday prior to the Council meeting. Agenda packets will be available electronically to Council by 5:00 p.m. on the Thursday prior to the Council meeting, and available electronically to the public on the City's web page by 5:00 p.m. on the Friday prior to the Council meeting, unless posted otherwise. If late information becomes available after the packet is posted on the City's web page on the Friday prior to the meeting, or if information arrives from other sources, then a recess or delay may be considered by the Council.
- 3.8 All agenda item packet reports will be in the format provided by the City Clerk's Office.
- 3.9 The Council may use "Staff Recommendation Statement" language from staff reports or agenda item descriptions for making a motion.
- 3.10 Council agenda and packet material will be available to the public during regular meetings.

#### SECTION 4. COUNCIL DISCUSSION

- 4.1 All Council discussion shall be guided by **ROBERTS RULES OF ORDER, NEWLY REVISED.**

#### SECTION 5. COMMENTS, CONCERNS & TESTIMONY TO COUNCIL

- 5.1 Persons addressing the Council, who are not specifically scheduled on the agenda, will be requested to step up to the podium, give their name and address for the record, and limit their remarks to three (3) minutes. All remarks will be addressed to the Council as a whole. Any person making personal, impertinent, or slanderous remarks, or who becomes boisterous, threatening, or personally abusive while addressing the Council, may be requested to leave the meeting.
- 5.2 The Presiding Officer has the authority to preserve order at all meetings of the Council, to cause the removal of any person from any meeting for disorderly conduct and to enforce the Rules of the Council. The Presiding Officer may command assistance of any peace officer of the City to enforce all lawful orders of the Presiding Officer to restore order at any meeting.
- 5.3 Citizens with complaints, concerns or questions, may be referred to separately bring the matter to the Mayor or relevant City staff, or ask that the matter be placed on a future City Council meeting, with the appropriate background information.

#### SECTION 6. MOTIONS AND VOTING

- 6.1 When making motions, Councilmembers will be encouraged to be clear and concise and to not include arguments for the motion within the motion.
- 6.2 After a motion has been made and seconded, the Council may deliberate and discuss their opinions on the issue prior to the vote. No further citizen comments may be heard when there is a motion and a second on the floor.

- 6.3 When the Council concurs or agrees to an item that does not require a formal motion, the Presiding Officer will summarize the agreement at the conclusion of the discussion and normally, a minute entry will be made.
- 6.4 A motion may be withdrawn by the maker of the motion, at any time, up until the question is called to vote without the consent of the Council.
- 6.5 A motion to table is undebatable and shall preclude all amendments or debates of the issue under consideration. If the motion to table prevails, the matter may be "taken from the table" only by adding it to the agenda of a future Regular or Special meeting at which time discussion will continue; and if an item is tabled, it cannot be reconsidered at the same meeting.
- 6.6 A motion to postpone to a certain time is debatable, is amendable, and may be reconsidered at the same meeting. The question being postponed must be considered at a later time at the same meeting, or to a time certain at a future Regular or Special City Council meeting.
- 6.7 A motion to postpone indefinitely is debatable, is not amendable, and may be reconsidered at the same meeting only if it received an affirmative vote.
- 6.8 A motion to call for the question shall close debate on the main motion and is undebatable. This motion must receive a second and fails without a two-thirds' (2/3) vote; debate is reopened if the motion fails.
- 6.9 A motion to amend is defined as amending a motion that is on the floor and has been seconded, by inserting or adding, striking out, striking out and inserting, or substituting.

Motions that cannot be amended include: Motion to adjourn, agenda order, lay on the table, roll call vote, point of order, reconsideration and take from the table. A motion to amend an amendment is not in order.

Amendments are voted on first, then the main motion as amended (if the amendment received an affirmative vote).
- 6.10 Discussion of the motion only occurs after the motion has been moved and seconded.
- 6.11 If a motion does not receive a second, it dies. Motions that do not need a second include: Nominations, withdrawal of motion, agenda order, request for a roll call vote, and point of order.
- 6.12 The Presiding Officer should acknowledge the motion and second prior to voting.
- 6.13 The City Clerk will repeat the motion and/or take a roll call vote, if requested by the Presiding Officer, a Councilmember, or as required by law.
- 6.14 Unless otherwise required by law, the passage or defeat of a motion shall be decided by a majority of those present and voting. Abstentions shall not be included

in the vote tally, even if those voting in favor of the motion are less than a majority of the full City Council.

A motion that receives a tie vote is deemed to have failed, except pursuant to RCW 35A.12.100 Duties and authority of the mayor--Veto--Tie-breaking vote, the Mayor "shall have a vote only in the case of a tie in the votes of the councilmen with respect to matters other than the passage of any ordinance, grant, or revocation of franchise or license, or any resolution for the payment of money."

At the conclusion of any vote, the Presiding Officer will inform Council of the results of the vote.

6.15 When a question has been decided, any Councilmember who voted in the majority may move for a reconsideration and such motion must also be seconded by a member who voted in the majority. No motion for reconsideration of a vote shall be made after the meeting has adjourned but may be made at a subsequent meeting of the Council

6.16 The City Attorney shall decide all questions of interpretations of these rules and other questions of a parliamentary nature which may arise at a Council meeting. All cases not provided for in these rules shall be guided by Robert's Rules of Order, Newly Revised.

In the event of a conflict, these Council Rules shall prevail.

## SECTION 7. ORDINANCES

7.1 All ordinances shall be prepared or reviewed by the City Attorney. No Council initiated ordinance shall be prepared for presentation to the Council, unless two Councilmembers support the ordinance and staff has been consulted.

7.2 The City Clerk shall assign a permanent ordinance number at the time the ordinance is initiated.

7.3 The Presiding Officer shall read the title of the ordinance or the Ordinance number prior to voting unless the ordinance is on the Consent Agenda.

7.4 Prior to placement of an ordinance on the agenda, the City Attorney shall approve the ordinance as to form. After the City Attorney's signature, and passage of the Ordinance the City Clerk or designee shall obtain the signature of the Mayor. After the Mayor's signature, the City Clerk or designee shall sign the ordinance.

7.5 Ordinances, or ordinance summaries, shall be published in the official newspaper, as a legal publication, immediately following enactment.

7.6 Ordinances become effective five (5) days after the date of publication of the ordinance unless otherwise specified.

## SECTION 8. MAYOR, COUNCIL PRESIDENT, AND COUNCIL VICE-PRESIDENT

8.1 The Presiding Officer at all regular and special meetings of the Council shall be the Mayor and all workshop sessions shall be the Council President.

At regular and special meetings in the absence of the Mayor, the Council President will act as Presiding Officer or in his/her absence the Council Vice-President. If the Mayor, Council President, and Vice-President are absent, the Council present shall elect one of its members to serve as Presiding Officer until the return of the Mayor, Council President or Council Vice-President.

At workshop sessions in the absence of the Council President, the Council Vice-President will act as the Presiding Officer or in his/her absence the Mayor. If the Council President, Vice-President, and Mayor are absent, the Council present shall elect one of its members to serve as Presiding Officer until the return of the Council President, Council Vice-President, or Mayor.

8.2 The Presiding Officer shall:

1. Preserve order and decorum in the Council chambers;
2. Observe and enforce all rules adopted by the Council;
3. Decide all questions on order, in accordance with these rules, subject to appeal by any Councilmember in which case the Presiding Officer will defer to the City Attorney; and
4. Recognize Councilmembers in the order in which they request the floor. The Presiding Officer, as a Councilmember, shall have only those rights, and shall be governed in all matters and issues by the same rules and restrictions as other Councilmembers.
5. From time to time, the Mayor and/or Council President may appoint Councilmembers to serve on ad hoc committees.

#### SECTION 9. COUNCIL RELATIONS WITH CITY STAFF

9.1 There will be mutual respect from both City staff and Councilmembers of their respective roles and responsibilities.

9.2 City staff will acknowledge the Council as policy makers, and the Councilmembers will acknowledge City staff as administering the Council's policies.

9.3 All written informational material requested by individual Councilmembers shall be submitted by City staff, after approval of the Mayor or City Administrator, to all Councilmembers with a notation indicating which Councilmember requested the information.

9.4 A Councilmember shall not attempt to influence City staff in the selection, evaluation or discipline of personnel, the awarding of contracts, the selection of consultants, the processing of development applications or the granting of City licenses or permits.

9.5 A Councilmember shall not attempt to change the operating rules and practices of any City department.

- 9.6 Mail that is addressed to the Mayor and Councilmembers shall be copied and circulated by the City Clerk, as soon as practicable after it arrives.
- 9.7 The City Clerk shall not open mail addressed to individual Councilmembers if it is marked personal and/or confidential.
- 9.8 No Councilmember shall direct the City Administrator to initiate any action or prepare any report that is significant in nature, or initiate any project or study without the consent of a majority of the Council.
- 9.9 Individual requests for information can be made directly to the Department Director. If the request would create a change in work assignments or City staffing levels, the request must be made through the Mayor or City Administrator and may be referred to the Council.

#### SECTION 10. COUNCIL MEETING STAFFING

- 10.1 The City Administrator shall attend all meetings of the Council unless excused by the Mayor. The City Administrator may make recommendations to the Council and shall have the right to take part in the discussions of the Council, but shall have no vote. When the City Administrator has an excused absence, the designated Acting City Administrator shall attend the meeting.
- 10.2 The City Attorney shall attend all meetings of the Council unless excused by the Mayor, and shall, upon request, give an opinion, either written or oral, on legal questions. The City Attorney shall act as the Council's parliamentarian.
- 10.3 The City Clerk, or designee, shall attend Regular and Special meetings of the Council, keep the official journal (minutes), and perform such other duties, unless excused by the Mayor, as may be needed for the orderly conduct of the meeting.

#### SECTION 11. COUNCILMEMBER ATTENDANCE AT MEETINGS

- 11.1 Councilmembers will inform the Mayor, the Council President, the City Administrator or City Clerk if they are unable to attend any Council meeting, or if they knowingly will be late to any meeting. The minutes will show the Councilmember as having an excused absence if approved by the Council.

#### SECTION 12. PUBLIC HEARINGS

- 12.1 Quasi-judicial hearings require a decision be made by the Council using a certain process, which may include a record of evidence considered and specific findings be made.
- 12.2 Legislative (ordinance or miscellaneous) hearings do not require a decision be made even though information is presented.
- 12.3 Councilmembers shall comply with all applicable laws related to the conflict of interest requirements in the Appearance of Fairness Doctrine.

### SECTION 13. MEDIA REPRESENTATION AT COUNCIL MEETINGS

13.1 All public meetings of the City Council and its boards/commissions shall be open to the media, freely subject to recording by radio, television and photographic services at any time, provided that such arrangements do not interfere with the orderly conduct of the meeting. Seating space shall be provided for the media at each public meeting.

### SECTION 14. COUNCIL REPRESENTATION

14.1 If a Councilmember appears on behalf of the City before another governmental agency, such as the County Council or State Legislature, a community organization, or through the media, for the purpose of commenting on an issue, the Councilmember needs to state existing City policy and the majority position of the Council, if known, on such issue. Personal opinions and comments which differ from the Council majority may be expressed if the Councilmember clarifies that these statements do not represent the Council's position. If a Councilmember wishes to clarify the Council's position on a policy issue, they should do so by requesting a Council resolution be prepared and voted on by the Council.

Councilmembers need to have other Councilmember's concurrence before representing another Councilmember's view or position with the media, another governmental agency or community organization.

### SECTION 15. CONFIDENTIALITY

15.1 Councilmembers shall keep confidential all written materials and verbal information provided to them during Executive Sessions or which are otherwise subject to the attorney-client privilege, to ensure that the City's position is not compromised. Any Councilmember having any contact or discussion needs to make full disclosure to the Mayor, City Administrator and/or the City Council in a timely manner.

### SECTION 16. PUBLIC RECORDS

16.1 Public records created or received by the Mayor or any Councilmember should be transferred to the City Clerk's office for retention by the City in accordance with the Public Records Law. Public records that are duplicates of those received by, or in the possession of the City, are not required to be retained. Questions about whether or not a document is a public record or if it is required to be retained should be referred to the City Clerk.

### SECTION 17. CITY ADMINISTRATOR EVALUATION ANNUAL PROCESS

17.1 The Mayor will determine the evaluation criteria and format for the process. As the City Administrator's immediate supervisor the Mayor shall issue the final annual

evaluation. Council members will be given the opportunity to provide their observations, comments and recommendations.

17.2 The final step of the City Administrator evaluation process is for the Mayor to prepare amendments, if any, to the City Administrator's employment contract. This contract and any amendment thereto must be approved by the City Council at a Council meeting.

#### SECTION 18. **MAYOR/COUNCIL PRESIDENT /VICE-PRESIDENT SELECTION PROCESS**

18.1 Mayor. The Mayor is elected per RCW Title 35A and other applicable election laws.

18.2 Council President. At the first regular meeting in January of each year, the members of the City Council shall elect, from their number, a Council President who does not serve for more than one consecutive full year.

18.3 Council Vice-President. At the first regular meeting in January of each year, the members of the City Council shall elect, from their number, a Vice-President who does not serve for more than one consecutive full year.

#### SECTION 19. **CITY BOARDS/COMMISSIONS**

19.1 Lake Stevens' boards and commissions provide an invaluable service to the City. Their advice on a wide variety of subjects aids the Mayor and Councilmembers in the decision-making process. Effective citizen participation is an invaluable tool for local government.

19.2 These boards/commissions are generally established by ordinance.

19.3 Councilmembers should be assigned as board/commission liaisons in January of each year or as needed. Staff shall provide liaisons with agenda and support material for such meetings.

19.4 At the time board/commission liaisons are assigned in January of each year, two Councilmembers will be assigned to participate in board and commission interviews when vacancies occur.

19.5 Appointments and reappointments of board/commission members, when vacancies and term expirations occur, shall be as follows:

1. Vacancies to the City's boards and commissions will be advertised in the City newspaper, on the City's web page, at City Hall and such other locations as are deemed appropriate.
2. All applicants for a board or commission will be interviewed by a panel consisting of the Mayor, the Department Head and/or staff liaison, and the Council liaison or designee to that board or commission. A second interview of the preferred candidate will be conducted by up to two Councilmembers selected to participate in the interview process for boards and commissions at the beginning of each year, and the Chairperson or designee of the board or commission the applicant applied for.

3. Following the interviews, the interview panel will recommend a candidate for appointment to the vacant position. The Mayor appoints the recommended candidate to the vacant position but with confirmation by City Council in cases where City Code provides for Council confirmation.
4. Prior to appointment, the recommended candidate will be notified and requested to complete a criminal background check. All criminal background checks will be conducted by The Human Resources Department or designee.
5. Following successful completion of the criminal background check the Mayor will appoint the recommended candidate to the position. Following appointment, the new board or commission member will be invited to a City Council regular or special meeting, and administered an Oath of Office. If confirmation of the appointment is required, this will take place prior to the Oath of Office.
6. Councilmembers will be provided with the appointee's application.

## SECTION 20. COUNCIL SUBCOMMITTEES

20.1 Council subcommittees are policy review and discussion arms of the Council. Subcommittees may study issues and develop recommendations for consideration by the Council. Subcommittees may not take binding action on behalf of the City. Subcommittees generally involve three or fewer councilmembers and therefore are not subject to the Open Public Meetings act.

Subcommittees will be established on an as-needed basis by motion or other action of the City Council

At its first meeting each year, each subcommittee should select from its members a chairperson who will oversee the meeting and report on the activities of the subcommittee to the Council at regular City Council meetings during Council Business.

20.2 Each subcommittee will have staff support as needed and assigned by the City Administrator. Staff will work with the subcommittee chairs to set agendas, provide support materials (including any sensitive communications by staff), and prepare reports as needed. The City Clerk or designee will attend subcommittee meetings and may prepare minutes. Subcommittee meetings will not be electronically recorded.

20.3 Even though the Open Meetings Act does not generally apply, subcommittee meetings are open to the public for observation only; no citizen comments or participation will be allowed.

20.4 The Mayor or City Administrator may send issues directly to subcommittees for their review in lieu of being referred to committee by the entire Council.

20.5 Subcommittee appointments shall be made by the Council President or in his/her absence by the Council Vice-President. The Council President will take into account

the interests, availability to serve and requests of individual Councilmembers in making subcommittee assignments.

20.6 Membership of each subcommittee will consist of a maximum of three (3) Councilmembers unless otherwise approved by Council.

20.6 The Mayor and/ or City Administrator shall be an "ex officio" member of each subcommittee.

## SECTION 21. AD HOC CITIZEN ADVISORY BOARDS

### 21.1 PURPOSE

To effectively use valuable resources provided by the citizenry at large to deal with issues on which more citizen input is judged to be needed. Each Board shall be given a clearly defined goal and adequate information to help them understand their role in the governmental structure. Unless determined otherwise by action of the City Council the authority of such Boards will be limited to providing informal input and recommendations to the City Council.

### 21.2 APPOINTMENT PROCEDURES

The boards will consist of no more than five citizen members (selected by the Mayor and confirmed by the City Council), the Mayor or designee, a staff person, and Councilmember if desired.

### 21.3 STAFF SUPPORT

Each Ad Hoc Advisory Committee will have staff support as needed and assigned by the City Administrator. Staff will work with the committee to provide support materials and prepare reports.

## SECTION 22. FILLING CITY COUNCIL VACANCIES

### 22.1 PURPOSE

To provide guidance to the City Council when a Lake Stevens Councilmember position becomes vacant before the expiration of the official's elected term of office. Pursuant to state law, a vacancy shall be filled only until the next regular municipal election, wherein the person elected will serve the remainder of the unexpired term.

### 22.2 REFERENCES

RCW 42.30.110(h) - Executive Session Allowed to Consider Qualifications of a Candidate for Appointment to Elective Office

RCW 42.30.060 - Prohibition on Secret Ballots

RCW 42.12 - Vacant Position

RCW 35A.12.050 - Vacancies - Filling of Vacancies in Council/Mayor Form of Government

22.3

APPOINTMENT PROCESS

1. A Council position shall be officially declared vacant upon the occurrence of any of the causes of vacancy set forth in RCW 42.12.010, including resignation, recall, forfeiture, written intent to resign, or death of a Councilmember. The Councilmember who is vacating his or her position cannot participate in the appointment process.
2. The City Council shall direct staff to begin the Councilmember appointment process and establish a notice, application, interview and appointment schedule, so that the position is filled at the earliest opportunity.
3. The City Clerk's Office shall prepare and submit to the City's Official Newspaper, with courtesy copies to all other local media outlets, a Notice of City Council Vacancy, which announces the vacancy consistent with the requirements necessary to hold public office. The City's web page and other social media may also be used to announce the Council vacancy.
4. The City Clerk's Office shall prepare an application form which requests appropriate information for City Council consideration of the applicants. Applications will be available at Lake Stevens City Hall, on the City web site, and such other locations that the City Council deems appropriate. Copies of the advertisement will be provided to current members of City of Lake Stevens' boards and commissions.
5. Applications received by the deadline date and time will be copied and circulated, by the City Clerk's Office to the Mayor and City Council. Packets may also contain additional information received such as endorsements, letters of reference and other pertinent materials.
6. The City Clerk's Office shall publish the required public notice(s) for the meeting scheduled for interviewing applicants for consideration to the vacant position. This meeting may be a regularly scheduled City Council meeting, or a special session City Council meeting.
7. The City Clerk's Office shall notify applicants of the location, date and time of City Council interviews.
8. Prior to the date and time of the interview meeting, the Mayor shall accept one interview question from each Councilmember.
9. Prior to the date and time of the interview the City Clerk or designee will make inquiry of each applicant to determine eligibility to hold office and to fill the Council vacancy in the City.

22.4

INTERVIEW MEETING

Depending on the number of applicants to be interviewed, each interview of an applicant/candidate shall be approximately 15 minutes in length as follows:

1. The City Council shall ask the predetermined set of questions which must be responded to by the applicant. Each applicant will be asked and will answer the same set of questions.
2. An informal question and answer period in which Councilmembers may ask and receive answers to miscellaneous questions.
3. The applicants' order of appearance will be determined by a random lot drawing performed by the City Clerk.
4. The Council may elect not to interview all of the applicants if the number exceeds six (6) candidates. The decision as to which applicants to interview will be based on the information contained in the application forms.

22.5

### VOTING

Upon completion of the interviews, Councilmembers may convene into Executive Session to discuss the qualifications of the applicants. However, all interviews, nominations and votes taken by the Council shall be in open public session.

1. The Mayor shall ask for nominations from the Councilmembers.
2. In the case of one vacancy to be filled, balloting will continue until a nominee receives a majority of four (4) votes.
3. At any time during the balloting process, the City Council may postpone balloting until a date certain or regular meeting if a majority vote has not been received.
4. Nothing in this policy shall prevent the City Council from reconvening into Executive Session to further discuss the applicant/candidate qualifications.
5. The Mayor shall declare the nominee receiving the majority vote as the new Councilmember. The new Councilmember shall be sworn into office by any person authorized under state law to administer oaths, at the earliest opportunity or no later than the next regularly scheduled City Council meeting.
6. In the case of a tie vote, the Mayor may cast a vote.
7. If the City Council does not fill the vacancy within 90 days of the declared vacancy, the Revised Code of Washington delegates appointment powers to Snohomish County.

### SECTION 23. MISCELLANEOUS

23.1 When Councilmembers register to attend an official conference requiring voting delegates, such as the Association of Washington Cities, the Council shall designate

the voting delegate(s) and alternate voting delegate(s) during a public meeting, by a majority vote; when possible, said selection of voting delegate(s) shall be done on a rotating basis for the purpose of allowing all Councilmembers the opportunity to be an official voting delegate.

**SECTION 24. SUSPENSION AND AMENDMENT OF RULES**

- 24.1 Any provision of these rules not governed by state law or ordinance, may be temporarily suspended or waived by a two-thirds (2/3) majority vote of the Council.
- 24.2 These rules may be amended, or new rules adopted, by a majority vote of the Council.
- 24.3 While not required, these Rules should be reviewed approximately every 2 years for the purpose of keeping up to date with legal requirements and for purposes of confirming that actual practices conform with these rules.



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LAKE STEVENS CITY COUNCIL  
**STAFF REPORT**

**Council Agenda** 2/27/18  
**Date:** \_\_\_\_\_

**Subject:** Public Works Organizational Structure

<b>Contact</b>	Eric Durpos/Public Works and	<b>Budget</b>	\$20,000	–
<b>Person/Department:</b>	Teri Smith/Human Resources	<b>Impact:</b>	Phase 1	

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**RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:** **Discussion; action to be requested at future council meeting**

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**SUMMARY/BACKGROUND:**

The current organizational structure in Public Works includes 1 director with 20 direct reports within two distinct divisions (Exhibit A). Given the on-going infrastructure replacement/repair/maintenance and a large number of new projects to manage, the current structure is not conducive to allow sufficient opportunity for a director to be strategic and look “up and out”. The current structure is outside of a supervisory best practice of 5-7 direct reports, without taking into account direct level responsibilities that are in addition to the supervisory duties.

In considering organizational changes, we kept in mind the unification with the Lake Stevens Sewer District, as well as departmental structures within the city and outside the city. The organizational structure recommended (Exhibit B) takes those considerations into account. This structure works well now, and will also align with the structure of the sewer district. An overview of the roles of lead, supervisor and manager are attached for reference (Exhibit C).

We are proposing to make the changes in 2 phases this year. Phase 1 is recruitment of a new position, Operations Manager, which will report directly to the director. Upon hire of the manager, the current “out of class” lead/supervisor positions will return to the original lead position and all Teamster employees will report to the manager. Phase 2 is recruitment for 2 new positions, Field Supervisor, which will report to the manager. Upon hire of the supervisors. The crew workers and leads will report directly to the supervisors. When the hires are in place, the director will have 6 direct reports.

We currently have one crew worker vacancy that we are not going to fill and use those salary savings, as well as the out of class savings to offset the cost of the new positions. In the event we promote from within the operations division, we will not refill the vacancy(ies) in 2018 and offset the position count. Any external hires would increase the position count; however, future vacancies during 2018 in that division will be reviewed for replacement.

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**APPLICABLE CITY POLICIES:** N/A

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**BUDGET IMPACT:** \$20,000 – Phase 1

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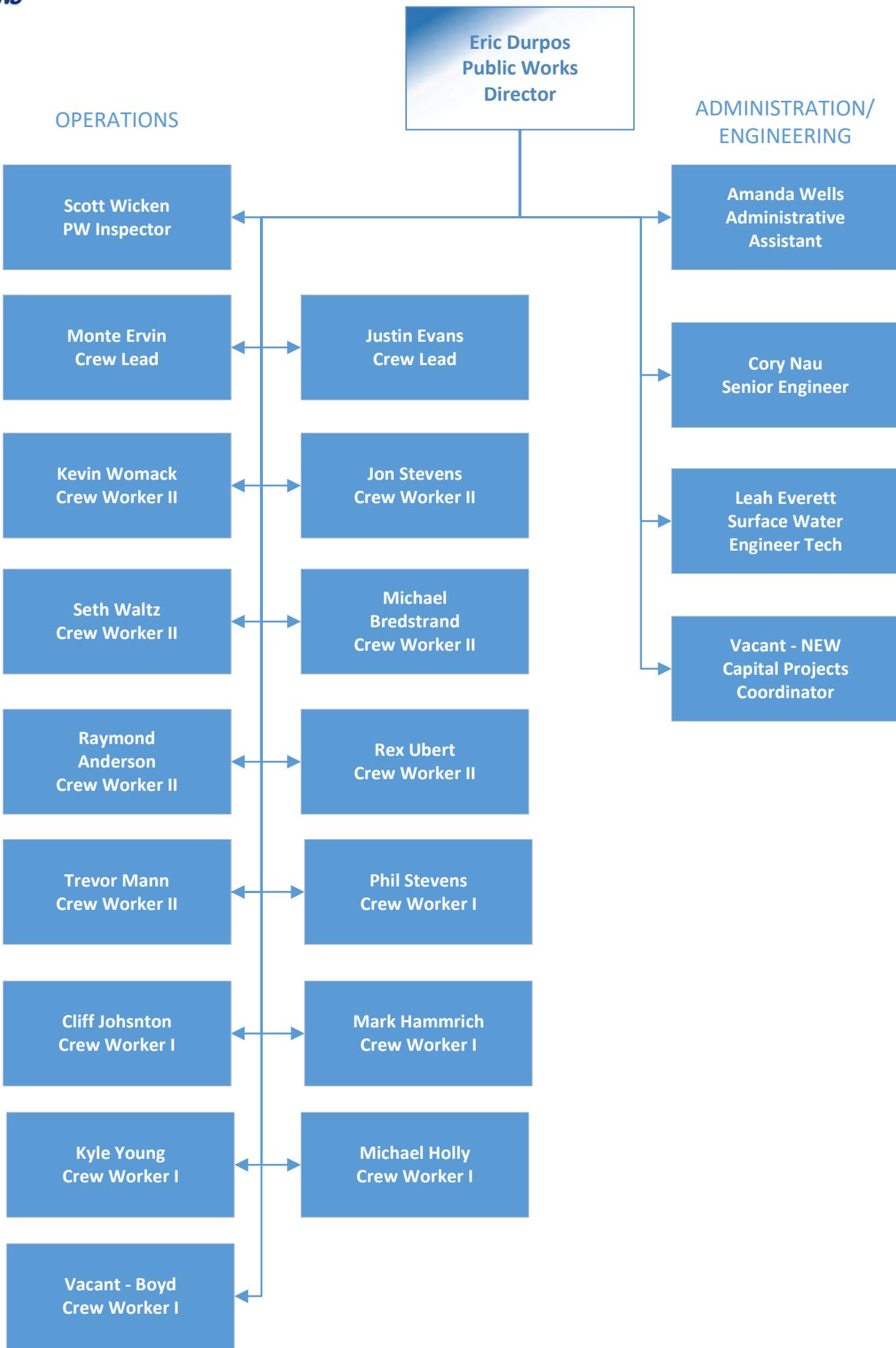
**ATTACHMENTS:**

- Exhibit A – Current Public Works organizational structure
- Exhibit B – Proposed Public Works organizational structure
- Exhibit C – Lead-Supervisor-Manager Role Distinctions



**PUBLIC WORKS**  
**CURRENT -**  
**February 2018**

**EXHIBIT A**

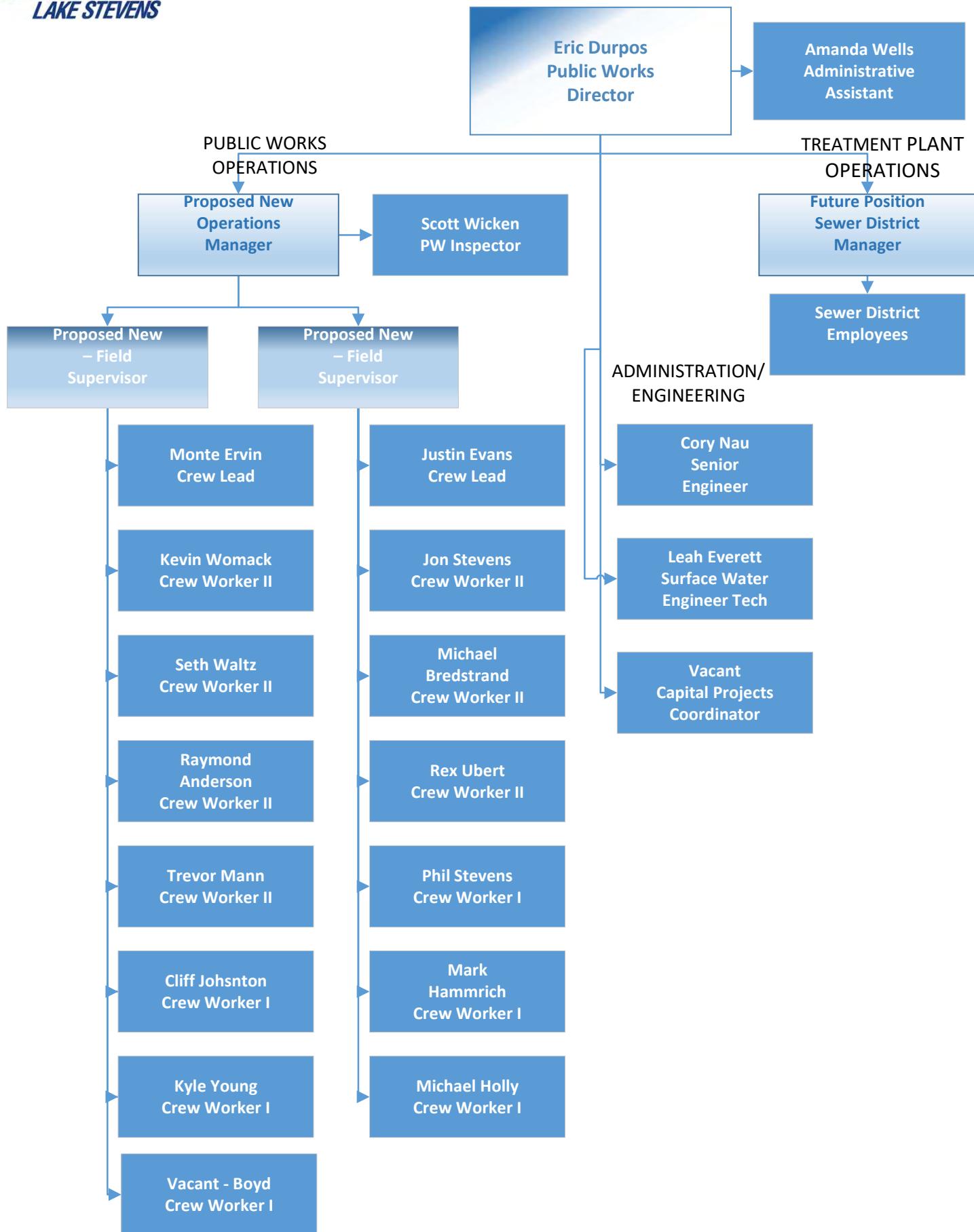




**PUBLIC WORKS**  
Proposed 2/27/18

**EXHIBIT B**

City of Lake Stevens  
City Council Joint & Regular Meetings 2-27-2018  
Page 114



## Lead-Supervisor-Manager Role Distinctions

The following information is to be used as a resource and guide for understanding or explaining key differences between leads, supervisors and managers. There are nuances between and within each classification, so this document should not be considered an "absolute" in defining the roles.

**Lead** – A working leader assigned for a specified project or period of time who may assign or re-align work to ensure it is completed. This includes developing a timeline for the project and delegating the individual components to members of the team, including him/herself; the lead is accountable to the success of the project. The lead often provides information and periodic updates to the supervisor on the team's progress. Should a conflict arise, the lead must work with team members to solve the conflict quickly and effectively. A lead may also be a classification designated due to advanced or specialized body of knowledge, such as a lead crew worker, without being assigned to a specific project or limited timeframe. A lead worker may assist in some supervisory functions, such as preparing or offering input rather than making determinations. Interaction with budget is limited to knowledge of the budget and input for certain line items of assigned work group or project.

Leads are a member of the work group and will perform the same kind of work that the others in the work group does. Leads usually report directly to a supervisor.

**Supervisor** – A supervisor is more internally focused and typically on the division to which they are assigned, and more process- and activity-oriented than the managers. A supervisor is responsible for the day-to-day operations (individuals and tasks) of a work group with a significant role in deciding how to do the work and to ensure employees are executing directives and plans provided by the manager, working toward a common goal, remaining productive, and avoiding conflict and negative competition. A supervisor will provide input to the manager for his/her assigned work group's goals and objectives. A supervisor is also responsible for delivering the city's message in order to carry out the vision of the department and city.

A supervisor has authority over 2 or more assigned employees and exercises independent judgement to effectively recommend hiring/promotion, provide performance evaluations, coaching and mentoring, corrective action of assigned employees in the form of oral and written reprimands, ability to adjust grievances within his/her scope; supervisors do not have authority to provide punitive disciplinary actions. While supervisors may not directly hire or promote employees, their recommendations carry considerable weight. Supervisors provide recommendations to the budget(s) to which they are assigned and review assigned budget(s) periodically to ensure accuracy. A supervisor may be assigned accountability of one or more grants. A supervisor may also be assigned to a role in collective bargaining in support of the city's message.

Supervisors may perform the same kind of work that his/her subordinates do. Supervisors usually report directly to a manager; however, in some cases, may report to a department director.

**Manager** – A manager is responsible for making significant decisions on his/her assigned division(s): its purpose, functions and roles, establishing goals and objectives; and to carry out the vision of the department and city. A person having an external focus to the world outside the division. The position will usually have supervisory responsibilities to include the decision to hire/promote, provide performance evaluations, coaching and mentoring, corrective action, provide disciplinary action (punitive: demotion, suspension) and recommend termination to director. A manager is responsible for making commitments and decisions to assigned budget(s).

Managers generally do not perform the daily work of the division as a regular part of his/her work, but s/he may do so on an exception basis or in resolving the most difficult problems facing the division. Managers generally report to department directors or above.

Managers are more strategic and focus on determining 'what' their division does (i.e., purpose, function and roles) and in doing so in a manner that furthers the city's larger goals. Supervisors are more tactical and focus on determining 'how' their work unit accomplishes its goals.

**Overview:**

<b>Functions</b>	<b>Lead</b>	<b>Supervisor</b>	<b>Manager</b>
Budget Responsibility	None (knowledge of certain line items in a budget or grant)	Provide input and recommendations for assigned work group; periodic review of revenue and expenses; may participate in annual budget process as an observer. May be assigned accountability for grant(s)	Responsible for assigned program(s)'s budget and grants
Goals & Objectives	Provide general input regarding a project	Provide specific/tactical input regarding the assigned work group	Responsible for assigned program goals & objectives and strategic alignment with department and city goals
Hiring/Promotion Decisions	May participate on interview panels	Depending on situation, may be responsible for hiring <i>or</i> may provide recommendation for hire or promotion	Responsible for hiring/promoting
Performance Evaluations	May provide input on co-worker's performance	Determines subordinate's performance ratings, prepares and delivers evaluations; provides coaching, counseling and managing of underperformers	Determines subordinate's performance ratings, prepares and delivers evaluations; provides coaching, counseling and managing of underperformers; responsible for evaluations produced by subordinate supervisors
Classification/Compensation	None	Provide recommendation for classification review; provide input for job duties, as well as knowledge, skills, abilities, education and experience	Responsible for requesting reclassification and providing accurate classification analysis of duties, KSAs, education and experience
Resolving Grievances & Complaints	None	Authority to resolve issues at lowest level, up to written reprimand; provide input and support to higher level grievances/complaints	Responsible for resolving grievances and complaints up to suspension; provide recommendation for termination to director

Functions	Lead	Supervisor	Manager
Disciplinary Actions			
Oral & Written Reprimand	None	Within authority	Within authority
Demotion	None	Input	Within authority
Suspension	None	Input	Within authority
Termination	None	Input	Provide recommendation
Determining Work Load & Assignments	Limited to re-assigning based on project needs and deadlines with acknowledgment from supervisor; reports to supervisor regarding status of work flow	Responsible for assigning work to individual; distributing workload; setting work quality expectations and deadlines in order to meet goals, timelines; collaborate with other work groups as needed	Responsible for setting direction and priorities; providing resources to accomplish goals
Providing Technical Direction	Provides advice and assistance on work techniques, best practices, and subject matter expertise to co-workers	Provides direction, advice and assistance on work techniques, best practices, and subject matter expertise to subordinates	Provides direction, advice and assistance on work techniques, best practices, and subject matter expertise to subordinates
Approving Leave	None	Approves leave and time away from work for subordinates	Approves leave and time away from work for subordinates



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Monthly Financial Report  
City of Lake Stevens, WA  
[www.lakestevenswa.gov](http://www.lakestevenswa.gov)



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**To:** City Council  
**FROM:** Barbara Stevens, Finance Director  
**DATE:** 2/13/2018  
**SUBJECT:** Operating Funds Financial report for Year End December 31<sup>st</sup>, 2017

**General Fund:**

**Fund Balance:**

The General Fund ended December 2017 with a fund balance of \$6,657,118. Revenues were at \$15,144,991 and expenses were at \$17,357,907.

**Revenues: (Also see Monthly General Fund Revenue Graphs)**

Revenues ended at 99.4% collected.

The City collected \$3,247,494 in sales tax, which is 96.7% of budget. The amount collected includes **\$306,145** of one-time construction sales tax that was transferred to the Contingency Reserve Fund. In addition to this, additional one-time construction related sales tax of **\$603,344** was directly receipted in to the Contingency Reserve Fund totaling **\$909,489** in construction sales tax.

Utility taxes ended at 99.6% or \$1,696,870, almost right on budget. This includes gas, telephone and electric.

Licenses & Permit revenues ended at 117.6% of budget or \$503,852.

Building Permits ended at \$827,231 or 69% of budget. Building permits ended at anticipated amounts.

Intergovernmental revenues ended at 100.8% of budget or \$1,045,698.

Charges for services ended ahead of budget at 154% of budget or \$623,767. Zoning and Subdivision fees outpaced budget ending at \$295,161.65 which is \$145,161.65 over budget.

**Expenditures: (Also see Monthly General Fund Expenditure Graphs)**

Overall, expenditures ended at 94% spent or \$17,357,907. This is \$1,105,237 under budget. Some of these unused budget expenditures have been or will roll forward into 2018.

## Street Fund:

(Also, see Street Fund Operating Revenues and Expenditure BvA)

The Street Maintenance Division maintains the City's public roadway system in a safe and passable condition. Maintenance activities include pothole repair; traffic signal maintenance and operation; installation and replacement of traffic control signs and pavement markings; vegetation control and maintenance; sidewalk repair; street sweeping; snow and ice removal; and street lighting.

### **Revenues:**

Total Street Fund revenues were \$2,037,668 or 105% of budget. The main revenue sources are property tax and Motor Vehicle Fuel Tax.

### **Expenditures:**

Total Street Fund expenditures were \$2,990,920 or 92% of budget.

## Storm and Surface Water Fund:

(Also, see Storm & Surface Water Fund Operating Revenues and Expenditure BvA)

The Storm and Surface Water Fund maintains the City's storm system conveyance, detention, and retention systems, which includes; drainage pipes and ditches, catch basins, storm detention vaults and ponds, and water filtering systems.

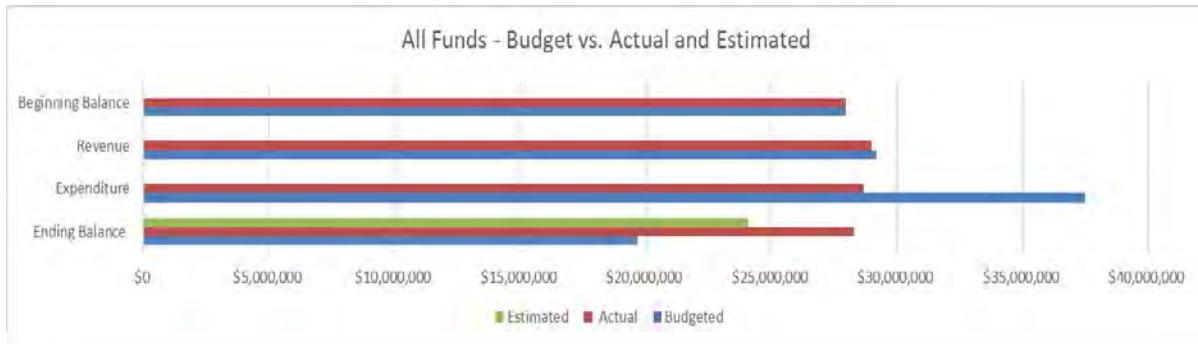
### **Revenues:**

The Storm and Surface Water Fund revenues are 96.2%, or \$1,475,004. The main revenue source is from storm drainage charges, which we contract payment processing through Snohomish County.

**Expenditures:** The Funds Expenditures are 84% of budget at \$1,878,037.

## Capital Funds:

Real Estate Excise tax (REET) fund ended 2017 well above expectations. REET 1 and REET 2 ended 2017 with a combined total of \$2,070,714. The amount budgeted was \$1.2 Million (602,500 for REET 1 and 607,000 for REET 2). This gives the City **\$861,214** in additional funds to be used for capital projects in the future.

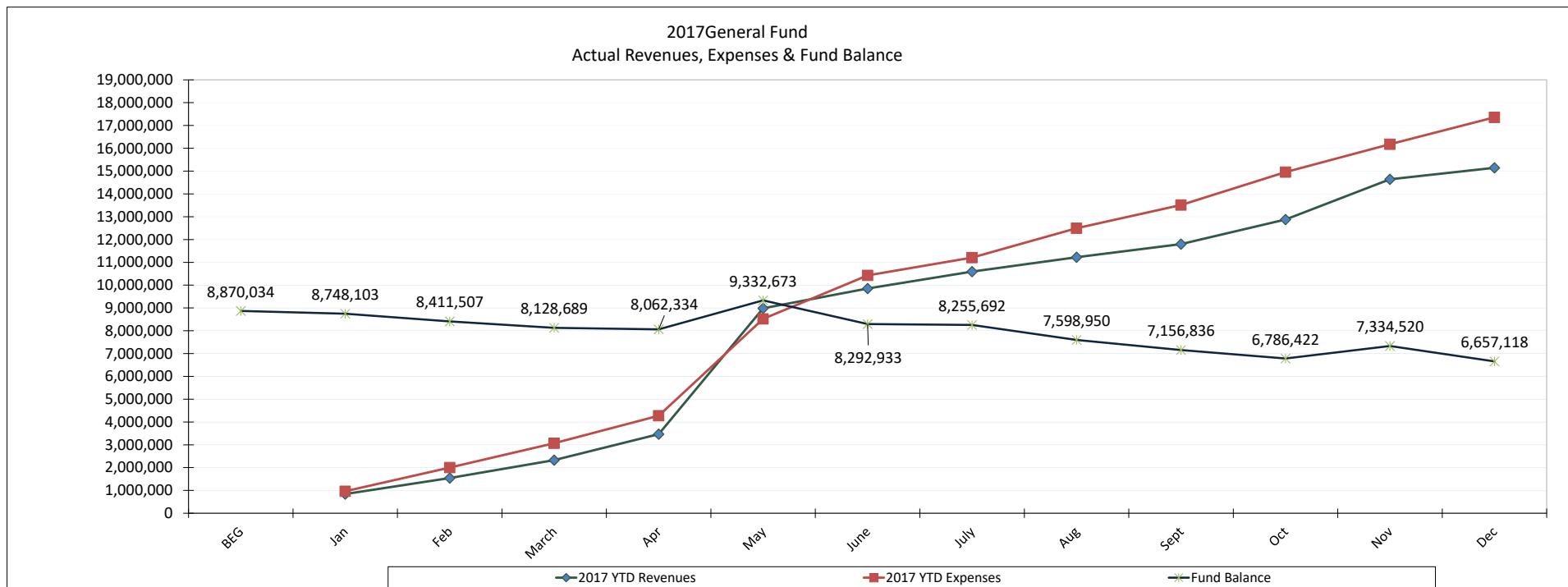


No.	Fund Name	Beginning Balance	Budgeted Revenues	ACTUAL REVENUES	Budgeted Expenditures	ACTUAL EXPENDITURES	2017 Budgeted Ending Balance	ACTUAL ENDING BALANCE	Difference Budget vs. Actual
001	General	\$8,870,034	\$15,229,923	\$15,144,991	\$18,463,143	\$17,357,907	\$5,636,814	\$6,657,118	\$1,020,304
002	Contingency Reserve	\$1,758,362	\$807,600	\$1,430,453	\$8,050	\$0	\$2,557,912	\$3,188,815	\$630,903
101	Street	\$3,343,147	\$1,944,773	\$2,037,668	\$3,266,844	\$2,990,920	\$2,021,077	\$2,389,895	\$368,818
103	Street Reserve	\$1,533	\$5	\$13	\$0	\$0	\$1,538	\$1,546	\$8
111	Drug Seizure & Forfeiture	\$45,997	\$9,120	\$882	\$40,000	\$3,982	\$15,117	\$42,897	\$27,781
112	Municipal Arts Fund	\$11,398	\$20	\$8,951	\$0	\$0	\$11,418	\$20,349	\$8,931
210	2008 Bonds	\$0	\$354,395	\$354,105	\$354,395	\$354,105	\$0	\$0	\$0
212	2010 LTGO Bonds	\$0	\$74,165	\$74,164	\$74,165	\$74,164	\$0	\$0	\$0
213	2015 LTGO Bond	\$0	\$93,908	\$93,607	\$93,908	\$93,607	\$0	\$0	\$0
301	Cap. Proj.-Dev. Contrib.	\$5,559,009	\$1,111,580	\$674,347	\$4,357,000	\$2,796,690	\$2,313,589	\$3,436,666	\$1,123,077
302	Park Mitigation	\$0	\$2,872,000	\$2,649,053	\$771,000	\$74,848	\$2,101,000	\$2,574,206	\$473,206
303	Cap. Imp.-REET	\$1,669,143	\$602,500	\$1,031,573	\$1,136,897	\$336,305	\$1,134,746	\$2,364,410	\$1,229,664
304	Cap. Improvements	\$2,727,136	\$1,265,700	\$1,039,141	\$3,397,915	\$75,211	\$594,921	\$3,691,065	\$3,096,145
309	Sidewalk Capital Project	\$798,179	\$317,190	\$324,949	\$19,750	\$0	\$1,095,619	\$1,123,128	\$27,509
310	20th Street SE Corridor CP	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
401	Sewer	\$278,072	\$1,336,782	\$1,084,564	\$1,335,295	\$1,082,399	\$279,560	\$280,237	\$677
410	Storm and Surface Water	\$1,746,837	\$1,533,820	\$1,475,004	\$2,248,113	\$1,878,037	\$1,032,544	\$1,343,804	\$311,260
501	Unemployment	\$95,919	\$300	\$841	\$30,000	\$507	\$66,219	\$96,253	\$30,033
510	Equipment Fund	\$295,258	\$150,600	\$154,391	\$320,000	\$276,150	\$125,858	\$173,499	\$47,641
515	Equipment Fund - Vehicles	\$0	\$10,000	\$10,020	\$0	\$0	\$10,000	\$10,020	\$20
520	Equipment Fund-Police	\$311,211	\$196,700	\$200,648	\$266,100	\$265,484	\$241,811	\$246,375	\$4,564
530	Equipment Fund-PW	\$281,826	\$838,200	\$853,530	\$698,918	\$668,919	\$421,108	\$466,437	\$45,329
540	Aerator Equipment Repl.	\$129,890	\$170,143	\$15,213	\$300,000	\$51,314	\$33	\$93,789	\$93,756
621	Refundable Deposits	\$24,591	\$61,000	\$101,639	\$85,591	\$48,978	(\$0)	\$77,252	\$77,252
633	Treasurer's Trust	\$14,714	\$201,200	\$225,216	\$215,914	\$237,390	\$0	\$2,540	\$2,540
<b>Total All Funds</b>		<b>\$27,962,257</b>	<b>\$29,181,624</b>	<b>\$28,984,962</b>	<b>\$37,482,997</b>	<b>\$28,666,917</b>	<b>\$19,660,883</b>	<b>\$28,280,302</b>	<b>\$8,619,418</b>

## Monthly Financial Report

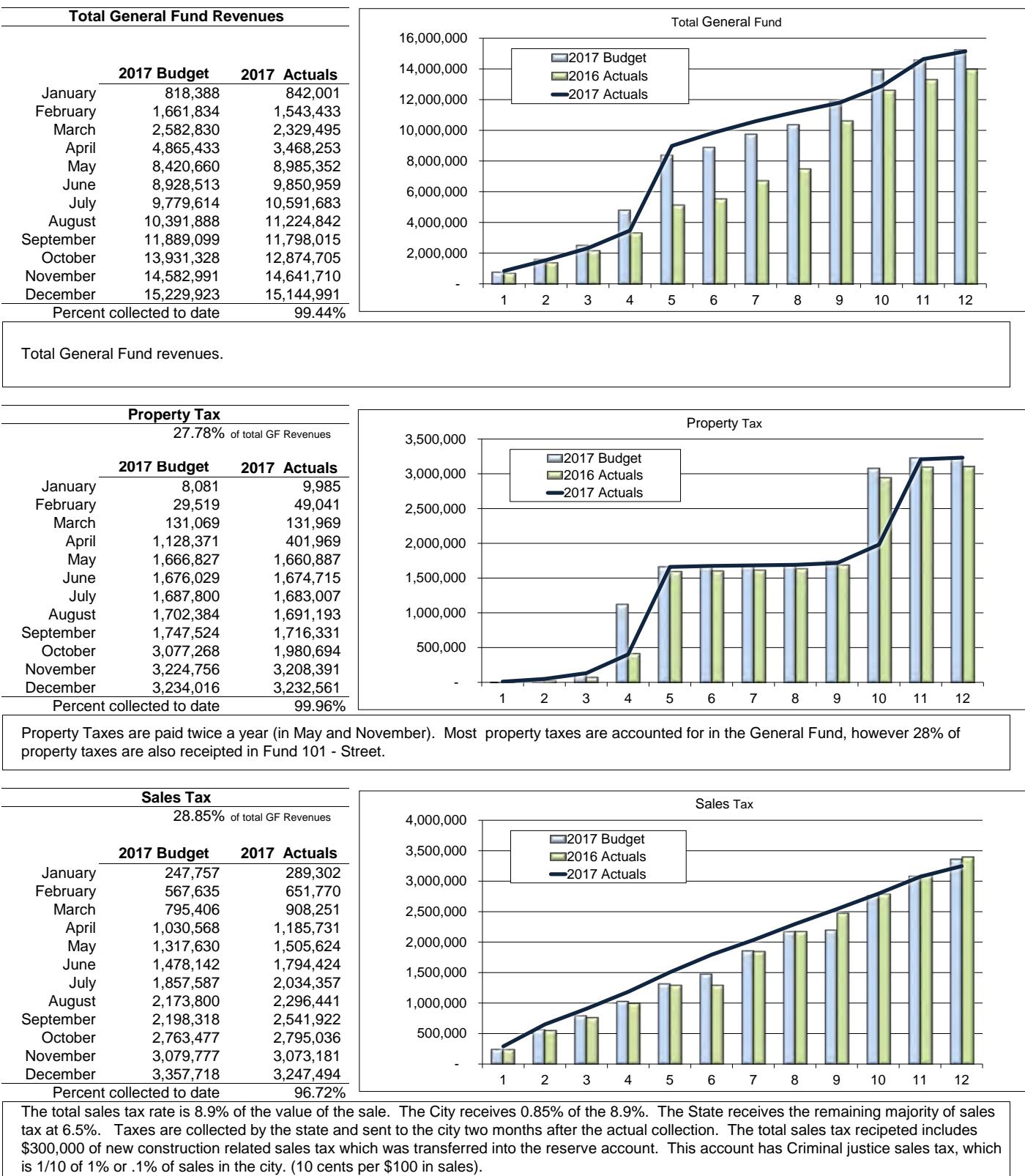
As of December 31st, 2017

Month	2017 YTD Revenues	2017 YTD Expenses	Fund Balance
BEG			8,870,034
Jan	842,001	963,933	8,748,103
Feb	1,543,433	2,001,959	8,411,507
March	2,329,495	3,070,839	8,128,689
Apr	3,468,253	4,275,953	8,062,334
May	8,985,352	8,522,713	9,332,673
June	9,850,959	10,428,060	8,292,933
July	10,591,683	11,206,025	8,255,692
Aug	11,224,842	12,495,926	7,598,950
Sept	11,798,015	13,511,213	7,156,836
Oct	12,874,705	14,958,317	6,786,422
Nov	14,641,710	16,177,223	7,334,520
Dec	15,144,991	17,357,907	6,657,118



**Monthly General Fund Revenue Graphs**  
As of December 31st, 2017

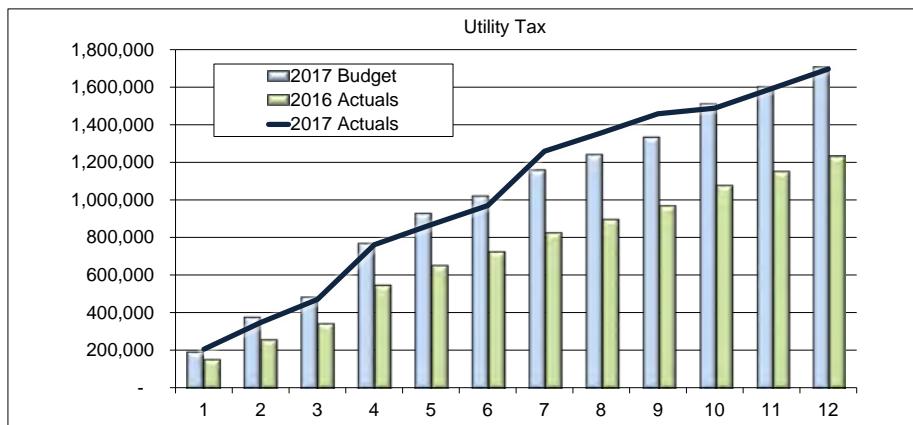
% thru year 100.0%



**Monthly General Fund Revenue Graphs**  
As of December 31st, 2017

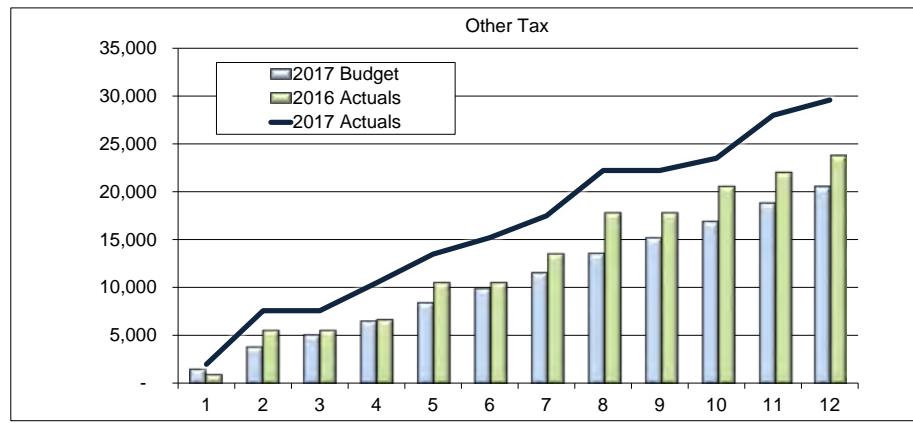
% thru year 100.0%

<b>Utility</b>		14.63% of total GF Revenues
	<b>2017 Budget</b>	<b>2017 Actuals</b>
January	198,916	204,762
February	383,321	346,794
March	489,562	469,783
April	773,125	761,205
May	930,922	867,497
June	1,023,205	970,131
July	1,160,937	1,258,942
August	1,241,960	1,356,912
September	1,333,507	1,458,729
October	1,509,554	1,488,341
November	1,598,900	1,592,202
December	1,703,200	1,696,870
Percent collected to date	99.63%	



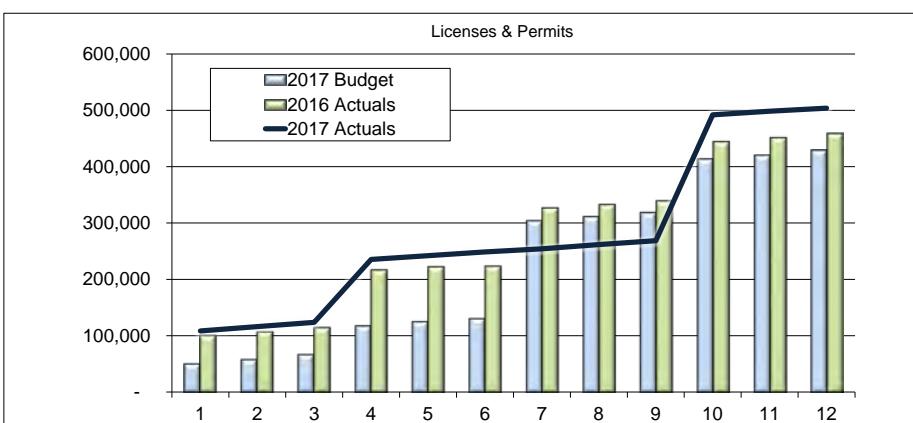
The utility tax rate is 6% on the gross revenue of telephone, and 5% on gross revenues of gas and electric. The City does not have a utility tax on cable, instead using a franchise fee. The City does not have a utility tax on garbage or sewer

<b>Other Taxes</b>		0.18% of total GF Revenues
	<b>2017 Budget</b>	<b>2017 Actuals</b>
January	1,538	1,965
February	3,895	7,569
March	5,190	7,569
April	6,622	10,472
May	8,503	13,478
June	9,998	15,197
July	11,637	17,482
August	13,665	22,223
September	15,250	22,223
October	16,958	23,506
November	18,879	27,997
December	20,600	29,588
Percent collected to date	143.63%	



This account includes gambling taxes which include pull tabs and amusement games. The tax is 5% of gross sales.

<b>Licenses / Other Permits</b>		3.68% of total GF Revenues
	<b>2017 Budget</b>	<b>2017 Actuals</b>
January	50,785	108,408
February	58,290	116,161
March	67,115	123,733
April	117,681	235,314
May	125,316	242,023
June	130,447	248,700
July	303,531	254,180
August	311,032	261,808
September	318,256	268,559
October	412,864	491,989
November	419,601	498,416
December	428,350	503,852
Percent collected to date	117.63%	

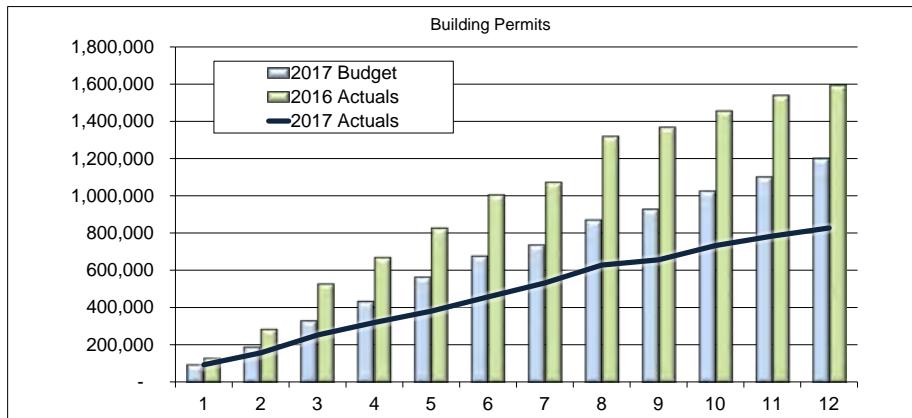


This account has Business Licenses, Cable Franchise fees, and permits other than building and land use

**Monthly General Fund Revenue Graphs**  
As of December 31st, 2017

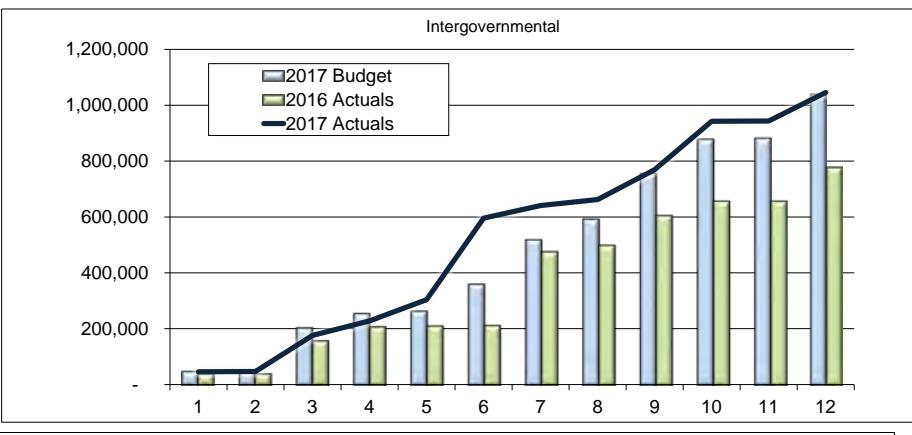
% thru year 100.0%

Building Permits		
	10.31% of total GF Revenues	
	2017 Budget	2017 Actuals
January	95,133	92,239
February	190,674	156,220
March	331,191	252,043
April	434,918	319,207
May	564,657	380,109
June	677,327	456,604
July	737,061	532,208
August	871,051	627,967
September	928,163	655,686
October	1,025,767	732,371
November	1,101,848	783,710
December	1,200,000	827,231
Percent collected to date	68.94%	



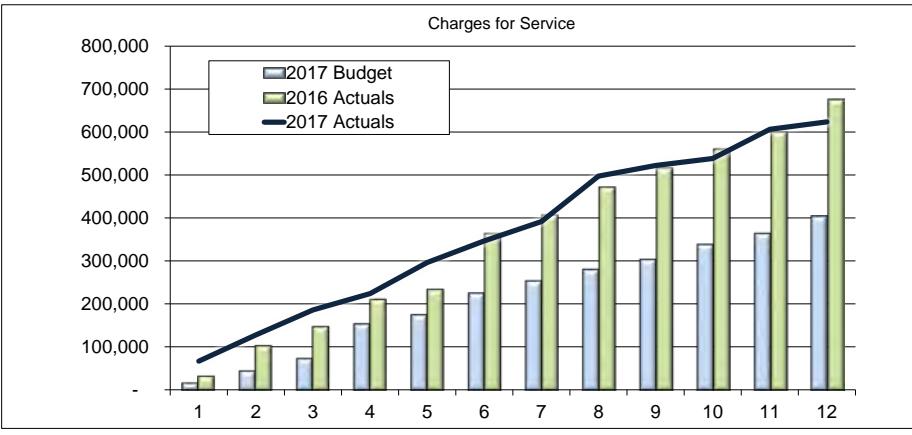
Permits related to development. Building permits ended within anticipated projections as the year progressed.

Intergovernmental		
	8.91% of total GF Revenues	
	2017 Budget	2017 Actuals
January	51,402	45,778
February	53,795	47,098
March	209,053	176,127
April	260,301	228,103
May	268,469	303,843
June	364,056	595,743
July	522,068	640,875
August	595,371	662,596
September	756,958	769,028
October	878,776	942,558
November	882,549	943,630
December	1,037,504	1,045,698
Percent collected to date	100.79%	



Intergovernmental revenues include state support for criminal justice, state shared revenues for liquor taxes, liquor profits, and marijuana enforcement. Also included are PUD privilege taxes, and City-County assistance. Various types of grants are also included.

Charges for Service		
	3.48% of total GF Revenues	
	2017 Budget	2017 Actuals
January	17,552	66,632
February	45,896	127,692
March	74,637	185,998
April	154,984	223,897
May	176,203	296,330
June	226,665	346,782
July	254,653	391,754
August	281,564	497,466
September	304,593	522,161
October	339,497	538,440
November	364,949	606,573
December	404,765	623,767
Percent collected to date	154.11%	

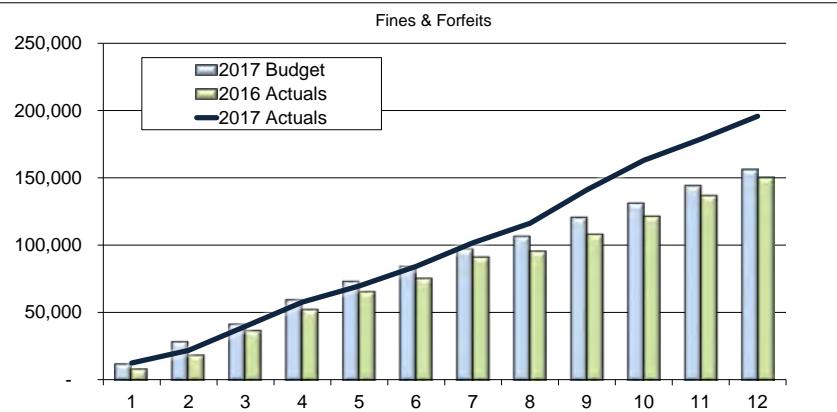


Charges for service include zoning development services, passport services and charges for School Resource Officer. The largest portion of the budget is for land use permits.

**Monthly General Fund Revenue Graphs**  
As of December 31st, 2017

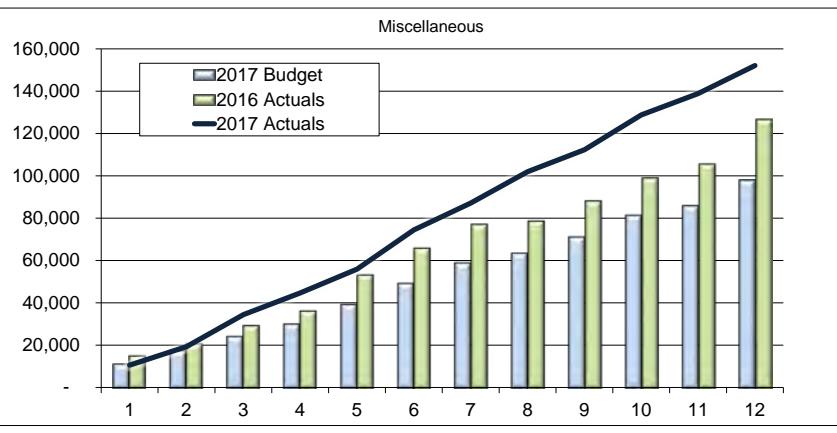
% thru year 100.0%

Fines & Forfeits		
	1.34% of total GF Revenues	
	2017 Budget	2017 Actuals
January	12,520	12,372
February	29,042	21,790
March	42,090	39,639
April	60,118	57,709
May	73,716	69,664
June	84,599	84,188
July	97,554	101,748
August	106,861	116,264
September	120,770	141,071
October	131,315	163,006
November	144,298	178,758
December	156,100	195,809
Percent collected to date	125%	



Fines and Forfeits collected by the district court on behalf of the city for violations.

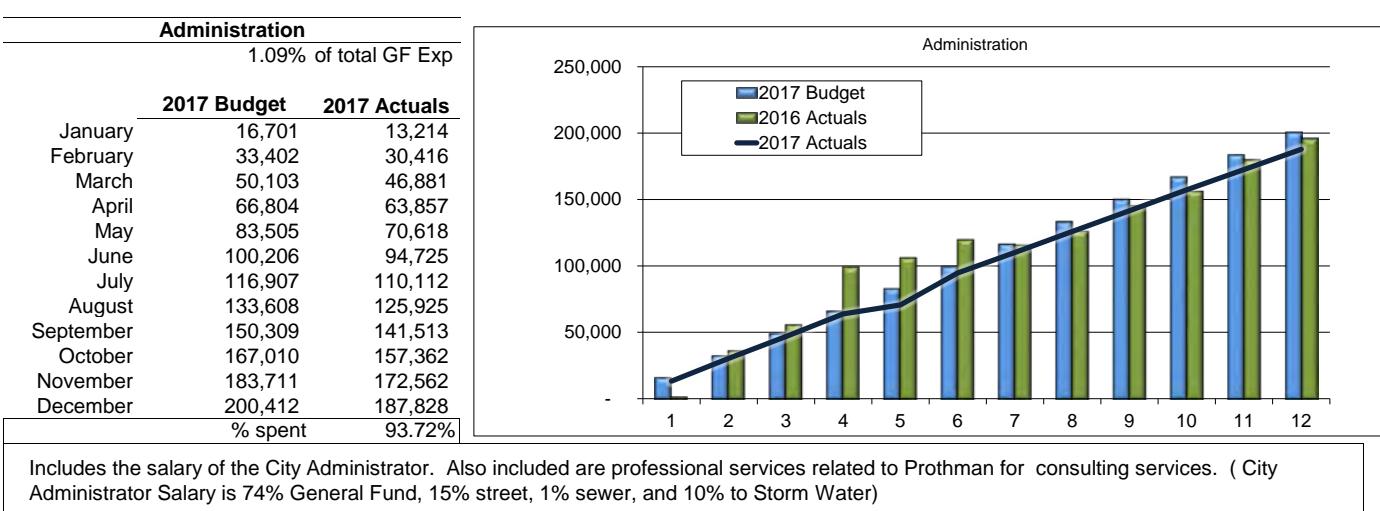
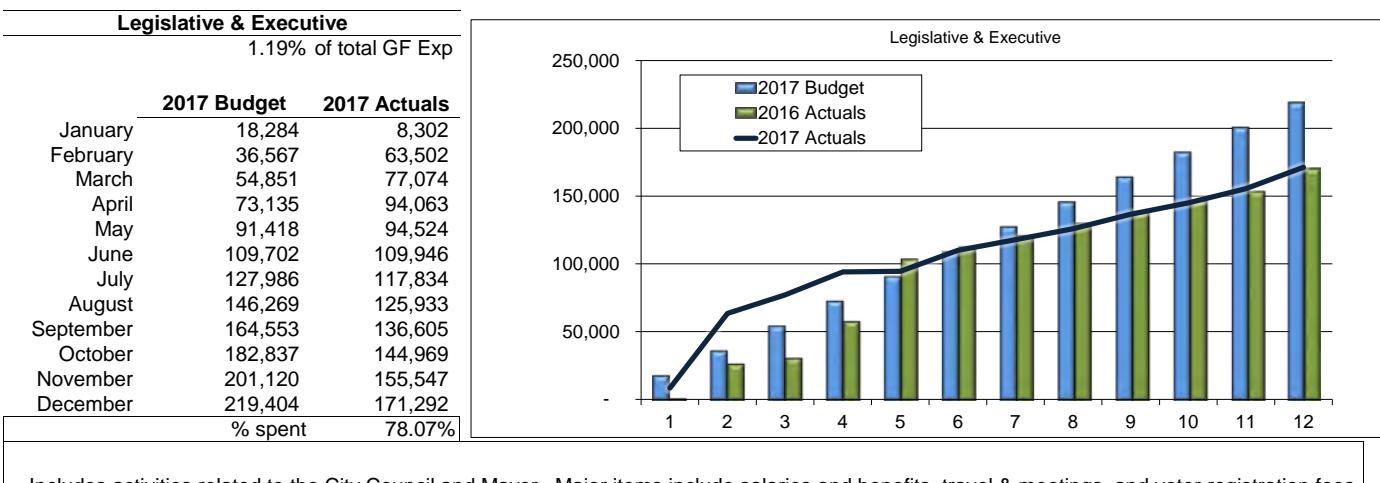
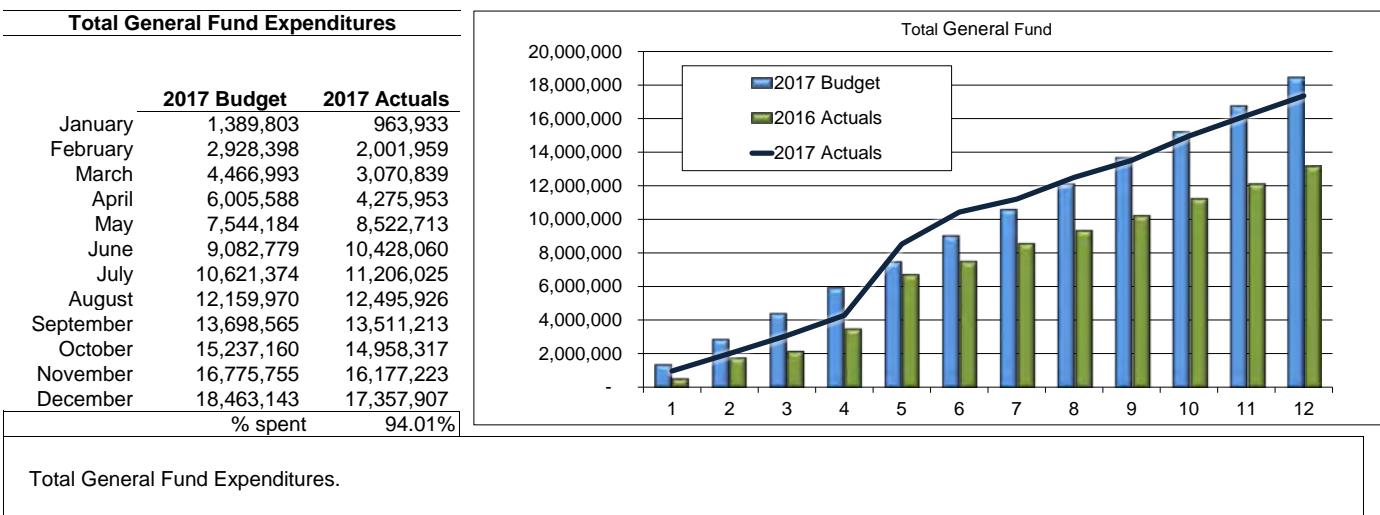
Miscellaneous		
	0.84% of total GF Revenues	
	2017 Budget	2017 Actuals
January	11,493	10,558
February	17,797	19,297
March	24,352	34,384
April	30,198	44,645
May	39,413	55,896
June	49,234	74,476
July	58,861	87,129
August	63,440	101,972
September	71,039	112,306
October	81,226	128,764
November	85,747	138,851
December	97,670	152,120
Percent collected to date	156%	



Miscellaneous revenues includes interest earnings, lease revenues, insurance recoveries, other smaller revenues that do not fit into one of the above categories.

**Monthly General Fund Expenditure Graphs**  
As of December 31st, 2017

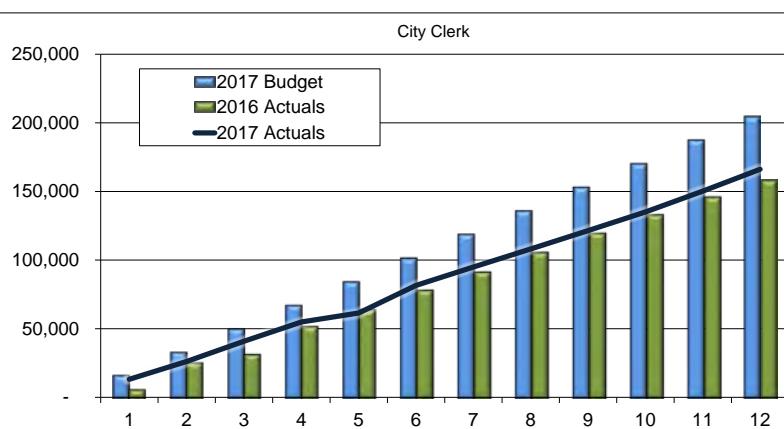
% thru year 100.0%



**Monthly General Fund Expenditure Graphs**  
As of December 31st, 2017

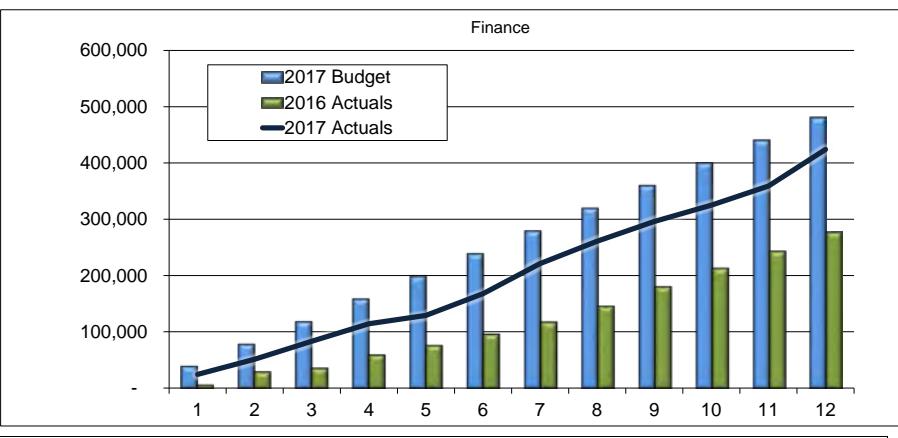
% thru year 100.0%

City Clerk		
1.11% of total GF Exp		
	2017 Budget	2017 Actuals
January	17,039	13,159
February	34,078	26,153
March	51,117	40,898
April	68,156	54,918
May	85,195	61,462
June	102,234	81,562
July	119,273	94,962
August	136,313	108,122
September	153,352	121,462
October	170,391	135,101
November	187,430	150,274
December	204,469	166,172
% spent		81.27%



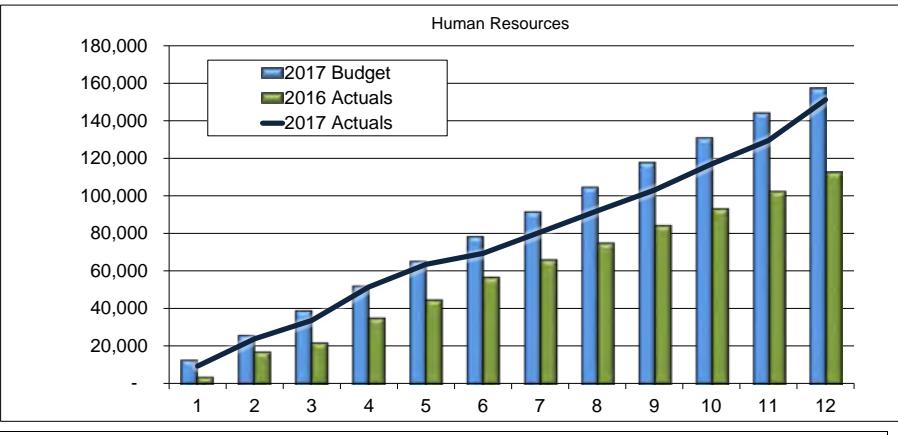
City Clerk activities including records management, public disclosure, legal compliance services, agendas, minutes and legal notifications . Costs are mainly salaries and benefits.

Finance		
2.60% of total GF Exp		
	2017 Budget	2017 Actuals
January	40,059	24,311
February	80,118	51,181
March	120,177	83,296
April	160,236	114,202
May	200,295	129,197
June	240,354	167,770
July	280,413	221,165
August	320,471	260,904
September	360,530	296,124
October	400,589	325,079
November	440,648	359,052
December	480,707	424,091
% spent		88.22%



Finance provides for accounting, payroll processing, purchasing/payments, budgeting, and treasury services. Planned expenditures include professional services including costs related to the State Audit and Financial Consulting Services.

Human Resources		
0.85% of total GF Exp		
	2017 Budget	2017 Actuals
January	13,120	9,237
February	26,240	23,792
March	39,360	33,601
April	52,480	51,425
May	65,600	63,442
June	78,720	69,333
July	91,840	80,597
August	104,960	91,964
September	118,080	102,983
October	131,200	116,912
November	144,320	129,476
December	157,440	151,236
% spent		96.06%



Human Resources provides personnel, recruitment and related functions

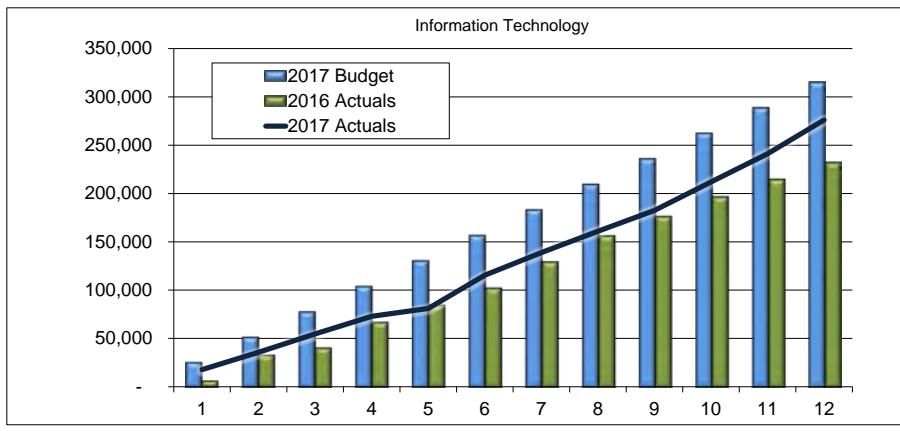
**Monthly General Fund Expenditure Graphs**  
As of December 31st, 2017

% thru year 100.0%

**Information Technology**

1.71% of total GF Exp

	<b>2017 Budget</b>	<b>2017 Actuals</b>
January	26,259	17,739
February	52,519	35,693
March	78,778	54,743
April	105,038	72,909
May	131,297	81,106
June	157,557	115,432
July	183,816	138,875
August	210,076	160,975
September	236,335	182,541
October	262,595	211,927
November	288,854	241,164
December	315,114	276,137
% spent		87.63%

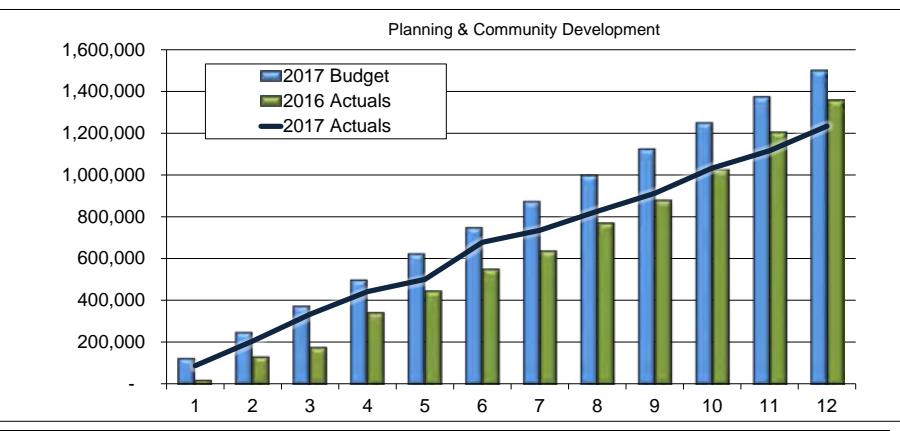


Information Technology provides technical hardware and software support of the City's computer systems and communication systems. Provides technology training, responding to technical support requests, administrating the city website and intranet.

**Planning & Community Development**

8.12% of total GF Exp

	<b>2017 Budget</b>	<b>2017 Actuals</b>
January	124,922	86,509
February	249,844	204,474
March	374,766	332,911
April	499,689	441,554
May	624,611	500,091
June	749,533	677,656
July	874,455	734,961
August	999,377	826,039
September	1,124,299	912,124
October	1,249,221	1,032,814
November	1,374,143	1,116,363
December	1,499,066	1,234,147
% spent		82.33%

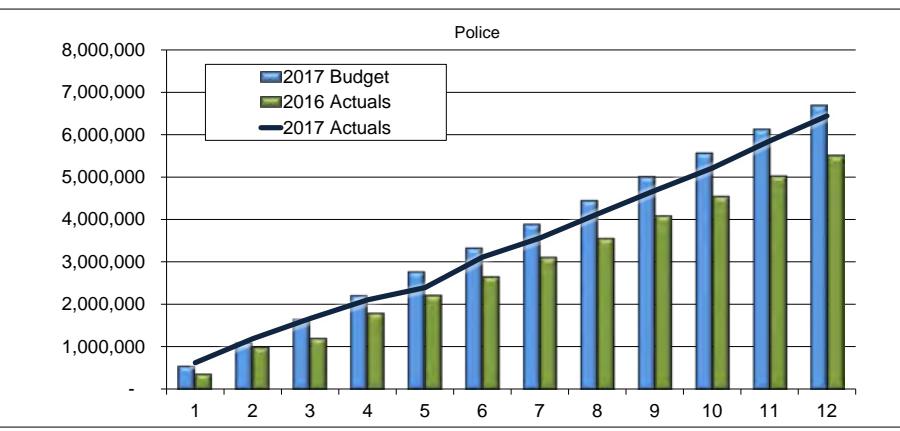


Largely accounts for the planning department which includes the permit center, long-range and short-range planning, and plan review. Also includes building official and building inspections in addition to economic development and code enforcement related activities.

**Police**

36.23% of total GF Exp

	<b>2017 Budget</b>	<b>2017 Actuals</b>
January	557,430	620,283
February	1,114,861	1,186,714
March	1,672,291	1,665,009
April	2,229,721	2,102,693
May	2,787,152	2,391,621
June	3,344,582	3,111,196
July	3,902,012	3,559,811
August	4,459,443	4,125,966
September	5,016,873	4,681,313
October	5,574,303	5,211,176
November	6,131,734	5,849,203
December	6,689,164	6,443,207
% spent		96.32%

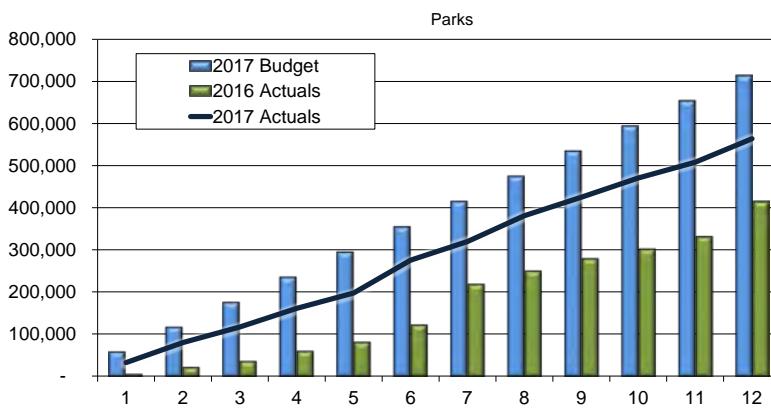


Police Department Services. Additional funding in the amount of \$188,000 is supplied by the General Fund to the Police Capital Fund for equipment purchases.

**Monthly General Fund Expenditure Graphs**  
As of December 31st, 2017

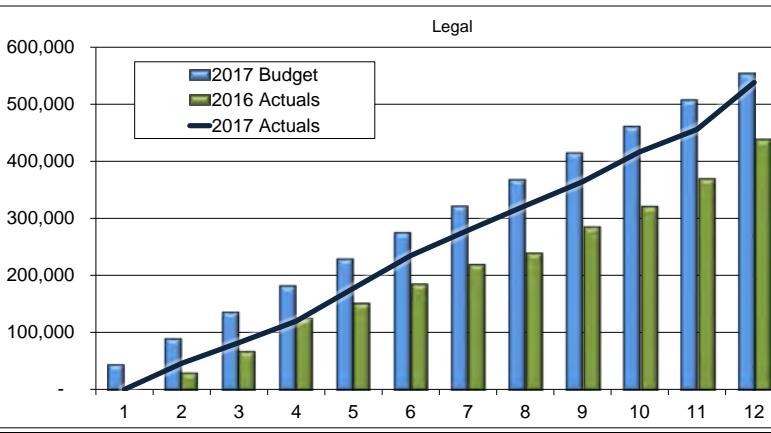
% thru year 100.0%

Parks		
	3.87% of total GF Exp	
	2017 Budget	2017 Actuals
January	59,613	32,002
February	119,225	79,696
March	178,838	116,641
April	238,450	160,835
May	298,063	197,503
June	357,675	275,502
July	417,288	319,589
August	476,900	380,913
September	536,513	425,042
October	596,125	470,714
November	655,738	507,915
December	715,350	563,897
% spent	78.83%	



Parks within the General Fund includes personnel, park maintenance, and capital outlay. Lundeen park restoration began in 2017. The remaining cost of the project will be completed out of the Park Mitigation Fund in 2018.

Legal		
	3.00% of total GF Exp	
	2017 Budget	2017 Actuals
January	46,190	-
February	92,379	45,581
March	138,569	81,996
April	184,758	119,788
May	230,948	177,258
June	277,137	234,610
July	323,327	278,905
August	369,516	322,071
September	415,706	363,988
October	461,895	416,593
November	508,085	455,848
December	554,274	538,342
% spent	97.13%	

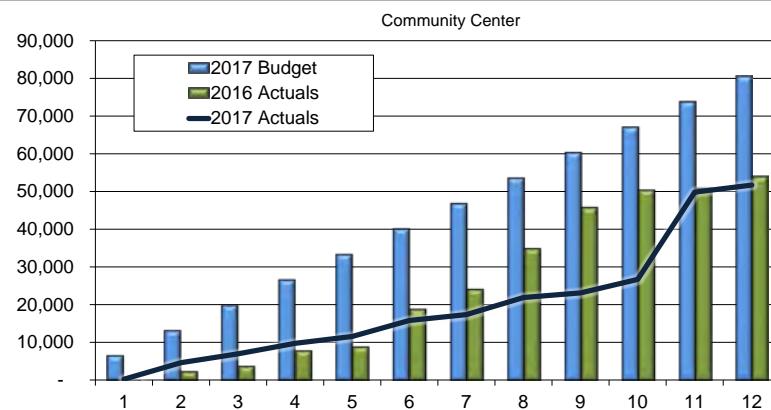


Includes our contracted City Attorney services with Weed Graafstra & Associates, Prosecuting Attorney contract with Zachor and Thomas, and General Indigent Defense (public defender) with Feldman and Lee

**Monthly General Fund Expenditure Graphs**  
As of December 31st, 2017

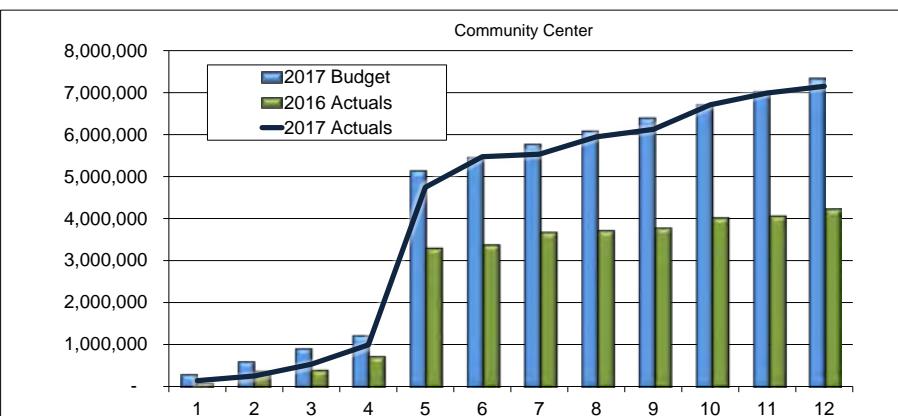
% thru year 100.0%

Community Center		
	0.44% of total GF Exp	
	2017 Budget	2017 Actuals
January	6,721	203
February	13,443	4,604
March	20,164	6,947
April	26,886	9,710
May	33,607	11,539
June	40,329	15,776
July	47,050	17,337
August	53,771	21,876
September	60,493	23,113
October	67,214	26,676
November	73,936	49,846
December	80,657	51,703
% spent	64.10%	



Includes the Visitor Information Center (VIC), Library operating costs, Art Commission, and Community Center operating costs.

General Government		
	39.79% of total GF Exp	
	2017 Budget	2017 Actuals
January	313,049	138,976
February	626,098	250,152
March	939,147	530,842
April	1,252,196	990,000
May	5,155,245	4,744,354
June	5,468,293	5,474,553
July	5,781,342	5,531,878
August	6,094,391	5,945,238
September	6,407,440	6,124,406
October	6,720,489	6,708,996
November	7,033,538	6,989,972
December	7,346,587	7,149,855
% spent	97.32%	



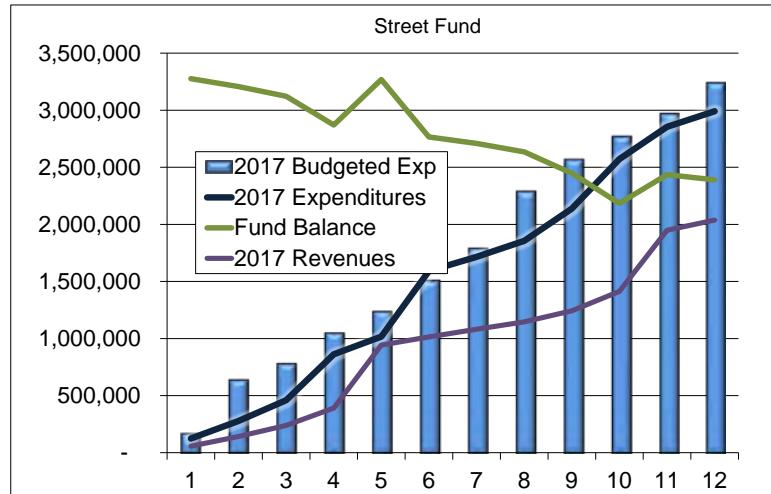
General Government includes insurance payments, transfers to reserve, payment to the district court, and other general city payments, as well as the Chapel Rock property purchase.

**Monthly Other Fund Expenditure Graphs**  
As of December 31st, 2017

% thru year 100.0%

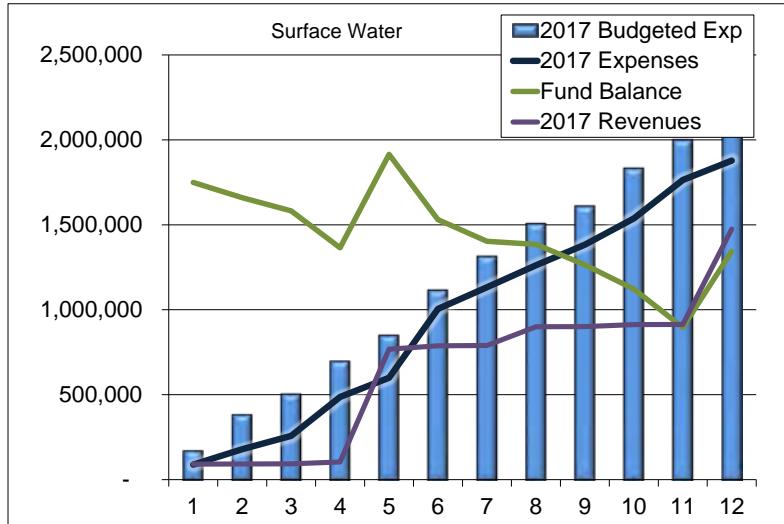
**Street (Fund 101) Expenditures**

	<b>Budget</b>	<b>Actual</b>
January	179,006	124,140
February	656,061	277,856
March	797,740	459,653
April	1,063,872	862,628
May	1,250,887	1,016,622
June	1,521,332	1,592,157
July	1,800,633	1,715,074
August	2,297,420	1,855,022
September	2,574,721	2,137,831
October	2,774,717	2,571,363
November	2,974,079	2,854,558
December	3,241,744	2,990,920
<b>BTD Status</b>		92.26%



**Storm & Surface Water (Fund 410) Expenditures**

	<b>Budget</b>	<b>Actual</b>
January	174,868	88,306
February	386,310	179,307
March	507,497	257,866
April	700,400	486,349
May	852,263	600,108
June	1,116,867	1,004,581
July	1,315,146	1,132,926
August	1,506,667	1,261,633
September	1,610,263	1,383,256
October	1,831,432	1,537,573
November	1,998,320	1,764,163
December	2,241,543	1,878,037
<b>BTD Status</b>		83.78%



**CITY OF LAKE STEVENS**  
**FINANCIAL REPORT - Summary**  
**As of December 31st, 2017**

Fund	Revenues			Expenditures		
	2017 Budgeted Revenue	2017 Revenue Collected	2017 % of Budget Collected	2017 Budgeted Expenditures	2017 Expended	2017 % of Budget Expended
<b>General Fund</b>	\$ 15,229,923	\$ 15,144,991	99.4%	\$ 18,463,143	\$ 17,357,907	94.0%
Council Contingency	807,600	1,430,453	177.1%	8,050	0	0.0%
<b>SPECIAL REVENUE FUNDS:</b>						
Street	1,944,773	2,037,668	104.8%	3,266,844	2,990,920	91.6%
Street Reserve	5	13	268.6%	0	0	0.0%
Drug Seizure & Forfeiture	9,120	882	9.7%	40,000	3,982	10.0%
Municipal Arts	20	8,951	44753.6%	0	0	0.0%
<b>DEBT SERVICE FUNDS:</b>						
LTGO 2008A Bond	354,395	354,105	99.92%	354,395	354,105	99.92%
LTGO 2010 Bond	74,165	74,164	100.0%	74,165	74,164	100.00%
2015 LTGO Bond (REF)	93,908	93,607	99.7%	93,908	93,607	99.7%
<b>CAPITAL PROJECT FUNDS:</b>						
Cap Project-Developer Contributions	1,111,580	674,347	60.7%	4,357,000	2,796,690	64.2%
Park Mitigation Fund	2,872,000	2,649,053	92.2%	771,000	74,848	9.7%
Real Estate Excise Tax I	602,500	1,031,573	171.2%	1,136,897	336,305	29.6%
Real Estate Excise Tax II	1,265,700	1,039,141	82.1%	3,397,915	75,211	2.2%
Sidewalk Capital Project	317,190	324,949	102.4%	19,750	0	0.0%
<b>ENTERPRISE FUNDS:</b>						
Sewer	1,336,782	1,084,564	81.1%	1,335,295	1,082,399	81.1%
Storm & Surface Water	1,533,820	1,475,004	96.2%	2,248,113	1,878,037	83.54%
<b>INTERNAL SERVICE FUNDS:</b>						
Unemployment	300	841	280.2%	30,000	507	1.7%
Capital Equipment - Computer	150,600	154,391	102.5%	320,000	276,150	86.3%
Capital Equipment - Vehicle Replacement	10,000	10,020	100.2%	0	0	0.0%
Capital Equipment - Police	196,700	200,648	102.0%	266,100	265,484	99.8%
Capital Equipment - PW	838,200	853,530	101.8%	698,918	668,919	95.7%
Aerator Equipment Replacement	170,143	15,213	8.9%	300,000	51,314	17.1%
<b>FIDUCIARY FUNDS:</b>						
Refundable Deposits	61,000	101,639	166.6%	85,591	48,978	57.2%
Treasurer's Trust	201,200	225,216	111.9%	215,914	237,390	110%

**General Fund Operating Revenues and Expenditures**  
**Budget to Actual**

As of December 31st, 2017



REVENUE SOURCES	2017 BUDGET	THROUGH DECEMBER 2017	% OF BUDGET
<b>Taxes:</b>			
-Property Tax-Regular	\$ 3,234,016	\$ 3,232,561	100.0%
-Sales -.85%	2,850,574	2,712,703	95.2%
-Criminal Justice Sales - 0.1%	507,144	534,791	105.5%
-Utility	1,703,200	1,696,870	99.6%
-Gambling tax/leasehold excise	20,600	29,588	143.6%
Licenses & Permits	428,350	503,852	117.6%
Building Permits	1,200,000	827,231	68.9%
Intergovernmental	1,037,504	1,045,698	100.8%
Charges for services	404,765	623,767	154.1%
Fines & Forfeitures	156,100	195,809	125.4%
Miscellaneous	86,370	148,918	172.4%
Other financial sources/Transfers	3,601,000	3,592,920	99.8%
Non-Revenues	300	282	94.2%
<b>Total Revenues</b>	<b>\$ 15,229,922.94</b>	<b>\$ 15,144,991</b>	<b>99.4%</b>
Beginning Fund Balance	\$ 8,870,034	\$ 8,870,034	100.0%
<b>Total Resources</b>	<b>\$ 24,099,957</b>	<b>\$ 24,015,025</b>	<b>99.60%</b>

EXPENDITURES	2017 BUDGET	THROUGH DECEMBER 2017	% OF BUDGET
<b>Legislative &amp; Executive</b>			
Administration	\$ 219,404	\$ 171,292	78.1%
City Clerk	200,412	187,828	93.7%
Finance	204,469	166,172	81.3%
Human Resources	480,707	424,091	88.2%
Information Technology	157,440	151,236	96.1%
Planning & Community Development	315,114	276,137	87.6%
Law Enforcement	1,499,066	1,234,147	82.3%
Parks	6,689,164	6,443,207	96.3%
Legal	715,350	563,897	78.8%
Community	554,274	538,342	97.1%
General Government	80,657	51,703	64.1%
Other	7,346,587	7,149,855	97.3%
<b>Total Expenditures</b>	<b>\$ 18,463,143</b>	<b>\$ 17,357,907</b>	<b>94%</b>
Total Increase (Decrease) to Resources	\$ (3,233,220)	\$ (2,212,916)	68.4%
<b>Ending Fund Balance</b>	<b>\$ 5,636,814</b>	<b>\$ 6,657,118</b>	<b>118.10%</b>

**Street Fund Operating Revenues and Expenditures**  
**Budget to Actual**



As of December 31st, 2017

<b>REVENUE SOURCES</b>	<b>THROUGH</b>		
	<b>2017 BUDGET</b>	<b>DECEMBER 2017</b>	<b>% OF BUDGET</b>
<b>Taxes:</b>			
-Property Tax-Regular	\$ 1,257,673	\$ 1,257,107	100.0%
Licenses & Permits	20,000	32,838	164.2%
Intergovernmental	646,500	718,958	111.2%
Charges for services	1,500	1,371	91.4%
Miscellaneous	14,100	27,394	194.3%
Other financial sources/Transfers	5,000	-	0.0%
<b>Total Revenues</b>	<b>\$ 1,944,773</b>	<b>\$ 2,037,668</b>	<b>104.8%</b>
Beginning Fund Balance	\$ 3,343,147	\$ 3,343,147	100.0%
<b>Total Resources</b>	<b>\$ 5,287,920</b>	<b>\$ 5,380,815</b>	<b>101.80%</b>

<b>EXPENDITURES</b>	<b>THROUGH</b>		
	<b>2017 BUDGET</b>	<b>DECEMBER 2017</b>	<b>% OF BUDGET</b>
Salaries	\$ 846,394	\$ 774,743	91.5%
Benefits	346,941	418,978	120.8%
Supplies	120,191	118,557	98.6%
Professional Services	1,055,358	818,490	77.6%
Inter Govt	9,063	9,618	106.1%
Capital Outlays	289,696	251,334	86.8%
Debt Service	901	900	99.9%
Interfund Transfers	598,300	598,300	100.0%
<b>Total Expenditures</b>	<b>\$ 3,266,844</b>	<b>\$ 2,990,920</b>	<b>92%</b>
Total Increase (Decrease) to Resources	\$ (1,322,071)	\$ (953,252)	72.1%
<b>Ending Fund Balance</b>	<b>\$ 2,021,076</b>	<b>\$ 2,389,895</b>	<b>118.20%</b>

**Storm & Surface Water Fund Operating Revenues and  
Expenditures  
Budget to Actual**

As of December 31st, 2017



<b>REVENUE SOURCES</b>	<b>THROUGH</b>		<b>% OF BUDGET</b>
	<b>2017 BUDGET</b>	<b>DECEMBER 2017</b>	
Taxes:			
Intergovernmental	19,000	18,995	100.0%
Charges for services	1,511,820	1,443,850	95.5%
Miscellaneous	3,000	12,159	405.3%
<b>Total Revenues</b>	<b>\$ 1,533,820</b>	<b>\$ 1,475,004</b>	<b>96.2%</b>
Beginning Fund Balance	\$ 1,746,837	\$ 1,746,837	100.0%
<b>Total Resources</b>	<b>\$ 3,280,657</b>	<b>\$ 3,221,841</b>	<b>98.20%</b>

<b>EXPENDITURES</b>	<b>THROUGH</b>		<b>% OF BUDGET</b>
	<b>2017 BUDGET</b>	<b>DECEMBER 2017</b>	
Salaries	\$ 760,264	\$ 595,248	78.3%
Benefits	326,869	234,865	71.9%
Supplies	68,041	209,123	307.3%
Professional Services	354,028	271,965	76.8%
Inter Govt	87,370	69,103	79.1%
Capital Outlays	150,696	127,668	84.7%
Debt Service	10,700	10,763	100.6%
Interfund Transfers	490,145	359,302	73.3%
<b>Total Expenditures</b>	<b>\$ 2,248,113</b>	<b>\$ 1,878,037</b>	<b>84%</b>
Total Increase (Decrease) to Resources	\$ (714,293)	\$ (403,033)	56.4%
<b>Ending Fund Balance</b>	<b>\$ 1,032,544</b>	<b>\$ 1,343,804</b>	<b>130.10%</b>



LAKE STEVENS CITY COUNCIL  
**STAFF REPORT**

**Council Agenda Date:** February 27, 2018

**Subject:** 2018 Budget Amendment #1

**Contact Person/Department:** Barb Stevens/ Finance

**Budget Impact:** Yes

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

REVIEW: Ordinance No. 1018 Amending Budget Ordinance No. 1005 and including changes to Organizational Chart.

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**SUMMARY/BACKGROUND:**

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

Beginning Fund Balances

Due to revenue receipts and expenditure costs outside of the expected values during the 2018 budget process, the 2017 ending fund balances are different from what was adopted in the 2018 budget as beginning balances. The amendments made to beginning fund balances reflect the actual 2017 ending fund balances.

- 001 - General Fund - Decrease (\$44,676)
- 002 – Contingency Reserve – Increase \$152,700
- 101 – Street Fund – Increase \$212,485
- 103 – Street Reserve Fund – Increase \$4
- 111 – Drug Seizure & Forfeiture Fund – Decrease (\$1,410)
- 112 – Municipal Art Fund – Increase \$8,873
- 301 – Capital Project Development Contribution Fund - Increase \$448,160
- 302 – Park Mitigation Fund – Increase \$675,514
- 303 – Real Estate Excise Tax I – Increase \$108,896
- 304 – Real Estate Excise Tax II – Increase \$1,852,375
- 309 – Sidewalk Capital Project Fund – Increase - \$21,905
- 401 – Sewer Fund – Decrease (\$258,138)
- 410 – Storm & Surface Water Fund – Decrease (\$94,441)
- 501 – Unemployment Fund – Increase \$4,583
- 510 – Equipment Fund – Computer – Increase \$69,687
- 515 – Equipment Fund – Vehicle – Increase \$20
- 520 – Equipment Fund – Police - Increase \$3,644
- 530 – Equipment Fund – PW – Increase \$31,274
- 540 – Aerator Equipment Fund – Increase \$93,789
- 621 – Refundable Deposits – Increase \$72,208
- 633 – Treasurer's Trust – Increase \$2,540

In addition to the beginning balances, amendments are being proposed in revenue and expenditure line items throughout the funds. Proposed amendments are based changes in estimates (based on prior year actuals and current year actuals to date), prior year budgeted items not completed during the year (need reauthorization), new requests, or other obligations. Additional details is provided in Attachment A.

Revenues

- 001 - General Fund - Increase \$10,000
- 301 – Capital Project Development Contribution Fund - Increase \$450,000
- 302 – Park Mitigation Fund – Increase \$485,000
- 304 – REET II – Increase \$658,700
- 410 – Storm & Surface Water Fund – Increase \$25,000
- 633 – Treasurer’s Trust Fund -- Increase \$100,000

Expenditures

- 001 - General Fund - Increase \$507,587
- 101 – Street Fund – Increase \$84,804
- 112 – Municipal Art Fund – Increase \$20,350
- 301 – Capital Project Development Contribution Fund – Increase \$1,696,156
- 302 – Park Mitigation Fund – Increase \$1,375,749
- 303 – REET I – Increase \$800,000
- 304 – REET II – Increase \$2,873,750
- 309 – Sidewalk Capital Project Fund – Increase \$19,750
- 410 – Storm & Surface Water Fund – Increase \$55,693
- 510 – Equipment Fund – Computer – Increase \$98,708
- 621 – Refundable Deposits – Increase \$77,252
- 633 – Treasurer’s Trust – Increase \$102,540

Expenditures in the amount of \$79,632 for an additional position within the Human Resources Department, previously approved by Council, is also included in this amendment.

Budget Action	Budgeted Beginning Balance	Budgeted Resources	Budgeted Expenditures	Budgeted Ending Balance
2018 Original Budget	\$24,958,523	\$22,680,382	\$28,909,178	\$18,729,727
Budget Amendment #1 - 1018	\$3,359,990	\$1,728,700	\$7,712,339	(\$2,623,648)
<b>Totals</b>	<b>\$28,318,513</b>	<b>\$24,409,082</b>	<b>\$36,621,517</b>	<b>\$16,106,079</b>

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**APPLICABLE CITY POLICIES:**

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

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**BUDGET IMPACT:**

The budget ordinance will amend the beginning and ending balances, revenues and expenditures in the funds set forth in the ordinance as well as amend the staffing positions as set forth in the organizational chart.

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**ATTACHMENTS:**

- Attachment A: Budget Amendment Detail
- Attachment B: Amended Organizational Chart
- Exhibit A: Ordinance No. 1018

## Attachment B

City of Lake Stevens  
City Council Joint & Regular Meetings 2-27-2018  
Page 139

# 2018 Budget Amendment Detail

Revenue/Expenditure Account	Type	Total Amount	Obligated	Reauthorize	New Request	Notes
Treasurer Trust Revenues	rev	\$ 100,000	\$ 100,000			Fiduciary Fund
DOE Capacity Grant	rev	\$ 25,000	\$ 25,000			2017-2019 Grant Revenue
2018 LE Donation	rev	\$ 10,000	\$ 10,000			Donation Revenue
DOT 20.205 20th Grant Revenues	rev	\$ 450,000		\$ 450,000		Grant Revenues
DOC - Cavelero Park Grant	rev	\$ 485,000		\$ 485,000		Grant Revenues
DOT 20.205 91st/Market RAB Grant	rev	\$ 658,700		\$ 658,700		Grant Revenues
Art Acquisition	exp	\$ 20,350			\$ 20,350	Mural CH Wall/ & Other
Lundeen Park	exp	\$ 285,000	\$ 285,000			Council 2/13 = \$600K
Treasurer Trust Expenditures	exp	\$ 102,540	\$ 102,540			Fiduciary Fund
HR- Exec Assistant Position	exp	\$ 79,632	\$ 79,632			Council 2/13
24th Street & 91st Ave SE - T11	exp	\$ 50,000	\$ 50,000			Temporary Access
Municipal Court Fees	exp	\$ 40,000	\$ 40,000			\$40K over in 2017
LE - Jail	exp	\$ 30,000	\$ 30,000			Increase jail usage \$60K over in 2017
DOE Capacity Grant	exp	\$ 25,000	\$ 25,000			2017-2019 Grant Expenditures
2018 LE Donation	exp	\$ 10,000	\$ 10,000			Donation Exp
Social Worker Program Exp	exp	\$ 4,720	\$ 4,720			2018 Grant - City Portion
79th Ave. SE Access Road	exp	\$ 1,122,000		\$ 1,122,000		RF
91st/Market RAB	exp	\$ 941,000		\$ 941,000		RF
Cap - SWM Drainage Improvement	exp	\$ 810,750		\$ 810,750		RF
Trestle/HOV Lane	exp	\$ 800,000		\$ 800,000		RF - Local Portion
20th Street SW P&D ROW	exp	\$ 710,646		\$ 710,646		RF
Callow Road Embankment	exp	\$ 645,000		\$ 645,000		RF
24th Street Design	exp	\$ 290,510		\$ 290,510		RF
Cavelero Park	exp	\$ 735,000		\$ 735,000		RF
Frontier Heights	exp	\$ 186,372		\$ 186,372		RF
City Hall - Temporary	exp	\$ 117,569		\$ 117,569		RF
Retainage Release	exp	\$ 77,252		\$ 77,252		RF
Eagle Ridge	exp	\$ 75,853		\$ 75,853		RF
Thermoplastic Striping	exp	\$ 62,516		\$ 62,516		RF - Payment to be made in 2018
Tree Mitigation - Replanting	exp	\$ 58,897		\$ 58,897		RF
Chapel Hill Site Development Plan	exp	\$ 56,149		\$ 56,149		RF
Phone System Upgrade	exp	\$ 50,200		\$ 50,200		RF
Laserfiche Records Management	exp	\$ 48,508		\$ 48,508		RF
North Cove Park	exp	\$ 31,627		\$ 31,627		RF
IT - Professional Services	exp	\$ 26,625		\$ 26,625		Consultants
FI - Professional Services	exp	\$ 26,152		\$ 26,152		FCS, Auditors

# 2018 Budget Amendment Detail

Revenue/Expenditure Account	Type	Total Amount	Obligated	Reauthorize	New Request	Notes
Shop Remodel	exp	\$ 23,027		\$ 23,027		SWM Capital
Shop Remodel	exp	\$ 22,288		\$ 22,288		Street Capital
Shop Remodel	exp	\$ 21,144		\$ 21,144		Park Capital
Human Services	exp	\$ 20,000		\$ 20,000		RF - Seniors
SRTS - 91st/4th Sidewalk	exp	\$ 19,750		\$ 19,750		RF
Professional Services	exp	\$ 15,000		\$ 15,000		Strategic Plan & Team Development RF
Professional Tree Removal	exp	\$ 14,637		\$ 14,637		Tree Removal
PL - Software Maintenance	exp	\$ 13,844		\$ 13,844		BlueBeam, GIS
Minor Equipment	exp	\$ 8,500		\$ 8,500		2017 Paid in 2018
Social Worker Program Exp	exp	\$ 7,964		\$ 7,964		RF - Social Worker (Grant & Local) 2017
SWM Software	exp	\$ 7,666		\$ 7,666		BlueBeam, GIS
Veteran Services	exp	\$ 4,651		\$ 4,651		RF + \$2000 for donation
Hartford Trail	exp	\$ 3,000		\$ 3,000		RF
LE Capital	exp	\$ 9,000		\$ 9,000		Equip received 2017 invoiced 2018
		\$ 7,710,339	\$ 626,892	\$ 7,063,097	\$ 20,350	

Obligated Items are those that Council has approved previously, or the City is obligated to pay due to increased cost or usage

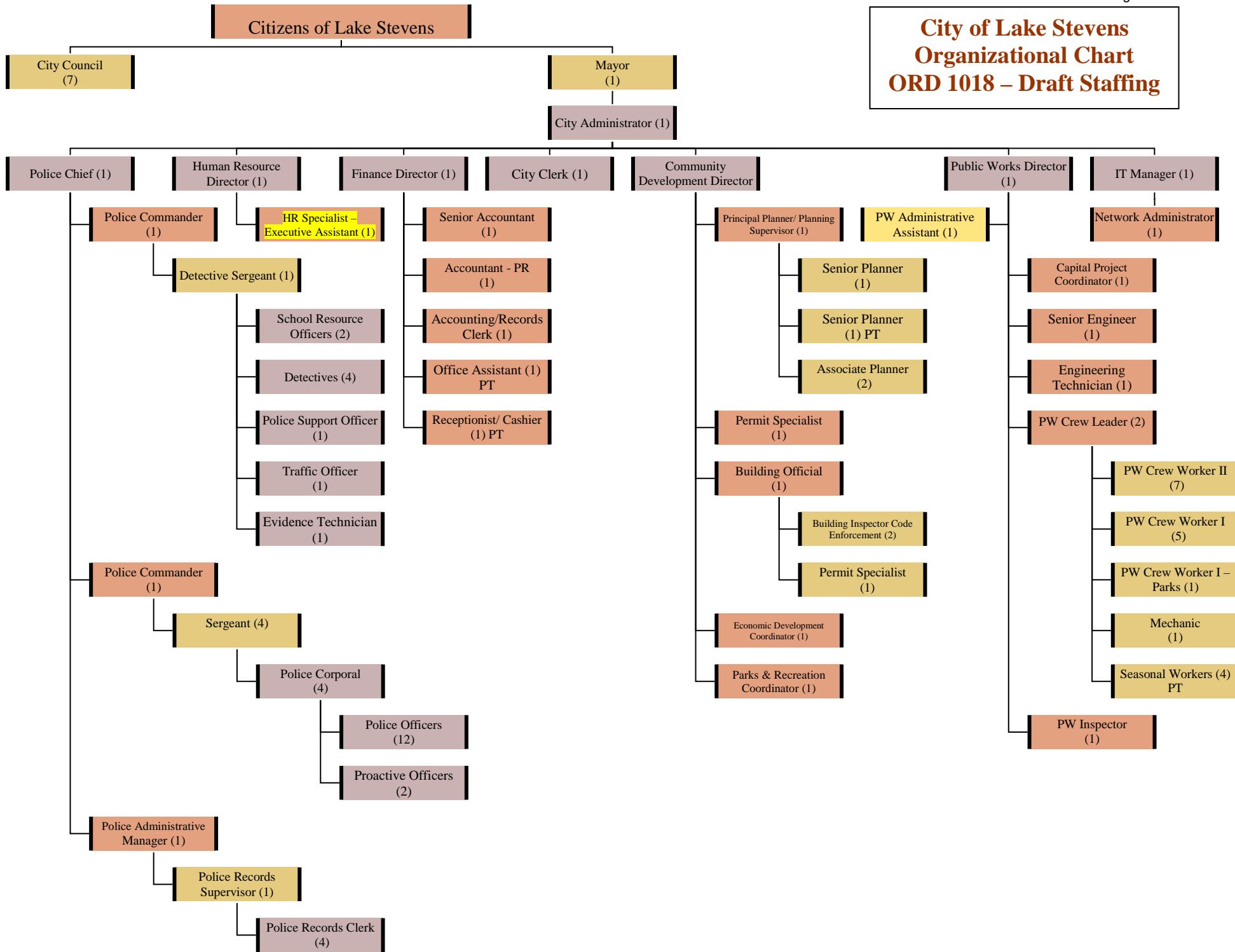
Reauthorized Items are prior year budgeted items not completed during the year that will roll forward into current year budget

Blue highlighted items are project related costs

Fiduciary Funds are not city funds. These funds are used to receipt and payout money for other entities. (IE. State, Snohomish County, LSFD, etc)

New Request - Art Acquisition from the Municipal Arts Fund - Funded through 1% project related costs

## Attachment B



**CITY OF LAKE STEVENS  
LAKE STEVENS, WASHINGTON  
ORDINANCE NO. 1018**

AN ORDINANCE OF THE CITY OF LAKE STEVENS, WASHINGTON, AMENDING THE 2018 BUDGET AS SET FORTH IN ORDINANCE NO. **1005** CONCERNING FUND BALANCES, REVENUES AND EXPENDITURES FOR VARIOUS FUND BALANCES FOR THE YEAR 2018.

WHEREAS, the City of Lake Stevens adopted the 2018 budget pursuant to Ordinance No. 1005; and

WHEREAS, the City of Lake Stevens will receipt revenues and incur expenditures in categories and amounts other than anticipated in the adopted 2018 budget; and

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

**SECTION 1.** The 2018 budget, as adopted in Ordinance No. 1005, is hereby amended as follows:

<b>Fund</b>	<b>Description</b>	<b>Current Budget</b>	<b>Amended Budget</b>	<b>Amount of Inc/(Dec)</b>	<b>ExpRev</b>
001 - General	Beginning Fund Balance	\$6,741,522	\$6,696,846	(\$44,676)	BegBal.
001 - General	Revenues	\$12,919,081	\$12,929,081	\$10,000	Rev.
001 - General	Expenditures	\$14,239,273	\$14,746,860	\$507,587	Exp.
001 - General	Ending Fund Balance	\$5,421,330	\$4,879,067	(\$542,263)	EndBal.
002 - General Reserve	Beginning Fund Balance	\$3,036,115	\$3,188,815	\$152,700	BegBal.
002 - General Reserve	Ending Fund Balance	\$2,641,908	\$2,794,608	\$152,700	EndBal.
101 - Street	Beginning Fund Balance	\$2,175,894	\$2,388,379	\$212,485	BegBal.
101 - Street	Expenditures	\$2,649,013	\$2,733,817	\$84,804	Exp.
101 - Street	Ending Fund Balance	\$1,614,768	\$1,742,449	\$127,681	EndBal.
103 - Street Reserve	Beginning Fund Balance	\$1,542	\$1,546	\$4	BegBal.
103 - Street Reserve	Ending Fund Balance	\$1,553	\$1,557	\$4	EndBal.
111 - Drug Seizure & Forfeiture	Beginning Fund Balance	\$44,308	\$42,897	(\$1,410)	BegBal.
111 - Drug Seizure & Forfeiture	Ending Fund Balance	\$13,624	\$12,213	(\$1,410)	EndBal.
112 - Municipal Arts	Beginning Fund Balance	\$11,476	\$20,349	\$8,873	BegBal.
112 - Municipal Arts	Expenditures	\$0	\$20,350	\$20,350	Exp.
112 - Municipal Arts	Ending Fund Balance	\$11,556	\$79	(\$11,477)	EndBal.
301 - Cap. Proj - Dev. Contrib.	Beginning Fund Balance	\$2,988,506	\$3,436,666	\$448,160	BegBal.
301 - Cap. Proj - Dev. Contrib.	Revenues	\$379,720	\$829,720	\$450,000	Rev.
301 - Cap. Proj - Dev. Contrib.	Expenditures	\$2,530,000	\$4,226,156	\$1,696,156	Exp.
301 - Cap. Proj - Dev. Contrib.	Ending Fund Balance	\$838,227	\$40,231	(\$797,996)	EndBal.
302 - Park Mitigation	Beginning Fund Balance	\$1,898,692	\$2,574,206	\$675,514	BegBal.
302 - Park Mitigation	Revenues	\$350,724	\$835,724	\$485,000	Rev.
302 - Park Mitigation	Expenditures	\$1,635,000	\$3,010,749	\$1,375,749	Exp.
302 - Park Mitigation	Ending Fund Balance	\$614,416	\$399,181	(\$215,235)	EndBal.
303 - Cap. Imp. - REET I	Beginning Fund Balance	\$2,255,515	\$2,364,410	\$108,896	BegBal.
303 - Cap. Imp. - REET I	Expenditures	\$328,878	\$1,128,878	\$800,000	Exp.
303 - Cap. Imp. - REET I	Ending Fund Balance	\$2,539,548	\$1,848,443	(\$691,104)	EndBal.
304 - Cap. Imp. - REET II	Beginning Fund Balance	\$1,838,691	\$3,691,065	\$1,852,375	BegBal.
304 - Cap. Imp. - REET II	Revenues	\$620,498	\$1,279,198	\$658,700	Rev.
304 - Cap. Imp. - REET II	Expenditures	\$965,832	\$3,839,582	\$2,873,750	Exp.

304 - Cap. Imp. - REET II	Ending Fund Balance	\$1,493,356	\$1,130,681	(\$362,675)	EndBal.
309 - Sidewalk Capital Projects	Beginning Fund Balance	\$1,101,223	\$1,123,128	\$21,905	BegBal.
309 - Sidewalk Capital Projects	Expenditures	\$602,250	\$622,000	\$19,750	Exp.
309 - Sidewalk Capital Projects	Ending Fund Balance	\$972,164	\$974,319	\$2,155	EndBal.
401 - Sewer	Beginning Fund Balance	\$538,374	\$280,237	(\$258,138)	BegBal.
401 - Sewer	Ending Fund Balance	\$515,826	\$257,689	(\$258,138)	EndBal.
410 - Storm & Surface Water	Beginning Fund Balance	\$1,438,246	\$1,343,804	(\$94,442)	BegBal.
410 - Storm & Surface Water	Revenues	\$1,578,826	\$1,603,826	\$25,000	Rev.
410 - Storm & Surface Water	Expenditures	\$2,053,486	\$2,109,179	\$55,693	Exp.
410 - Storm & Surface Water	Ending Fund Balance	\$963,586	\$838,451	(\$125,135)	EndBal.
501 - Unemployment Fund	Beginning Fund Balance	\$91,670	\$96,253	\$4,583	BegBal.
501 - Unemployment Fund	Ending Fund Balance	\$62,339	\$66,921	\$4,583	EndBal.
510 - Equip Fund - Computer	Beginning Fund Balance	\$103,812	\$173,499	\$69,687	BegBal.
510 - Equip Fund - Computer	Expenditures	\$245,786	\$344,494	\$98,708	Exp.
510 - Equip Fund - Computer	Ending Fund Balance	\$60,958	\$31,937	(\$29,021)	EndBal.
515 - Equip Fund - Vehicles	Beginning Fund Balance	\$10,000	\$10,020	\$20	BegBal.
515 - Equip Fund - Vehicles	Ending Fund Balance	\$20,020	\$20,040	\$20	EndBal.
520 - Equip Fund - Police	Beginning Fund Balance	\$242,731	\$246,375	\$3,644	BegBal.
520 - Equip Fund - Police	Ending Fund Balance	\$193,812	\$197,456	\$3,644	EndBal.
530 - Equip Fund - PW	Beginning Fund Balance	\$435,163	\$466,437	\$31,274	BegBal.
530 - Equip Fund - PW	Ending Fund Balance	\$745,695	\$776,969	\$31,274	EndBal.
540 - Aerator Replacement	Beginning Fund Balance	\$0	\$93,789	\$93,789	BegBal.
540 - Aerator Replacement	Ending Fund Balance	\$0	\$93,789	\$93,789	EndBal.
621 - Refundable Deposits	Beginning Fund Balance	\$5,044	\$77,252	\$72,208	BegBal.
621 - Refundable Deposits	Expenditures	\$101,000	\$178,252	\$77,252	Exp.
621 - Refundable Deposits	Ending Fund Balance	\$5,044	\$0	(\$5,044)	EndBal.
633 - Treasurer's Trust	Beginning Fund Balance	\$0	\$2,540	\$2,540	BegBal.
633 - Treasurer's Trust	Revenues	\$201,200	\$301,200	\$100,000	Rev.
633 - Treasurer's Trust	Expenditures	\$201,200	\$303,740	\$102,540	Exp.

**SECTION 2.** Except as set forth above, all other provisions of Ordinance 1005 shall remain in full force, unchanged.

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

PASSED by the City Council of the City of Lake Stevens this 6<sup>th</sup> day of March, 2018.

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John Spencer, Mayor

ATTEST/AUTHENTICATION:

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Kathy Pugh, City Clerk

APPROVED AS TO FORM:

Presented: February 27, 2018  
Final Reading: March 6, 2018  
Published:  
Effective:

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Grant Weed, City Attorney



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LAKE STEVENS CITY COUNCIL  
**STAFF REPORT**

**Council Date:** \_\_\_\_\_ **Agenda** February 27, 2018

**Subject:** Comprehensive Procurement Policy

**Contact Person/Department:** \_\_\_\_\_ **Barb Stevens/ Finance** **Budget Impact:** N/A

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

Review and Discuss Updates to the Comprehensive Procurement Policy (Step 1)

**SUMMARY/BACKGROUND:**

The purpose of the Procurement Policy document is to implement the requirements of state and federal law with regard to procurement and bidding on public contracts for public works, goods, services, supplies and materials. It is in the best interest of the City and the Public, to provide a fair forum for those interested in bidding on public contracts and to help ensure that public contracts are performed satisfactorily and efficiently at least cost to the public, while avoiding fraud and favoritism in their award, as well as minimizing delays in obtaining necessary goods and services.

Council passed resolution 1997-10 establishing Comprehensive Procurement Policy (P-2-97) in July 1997. This policy was updated in 2002 to reflect revised State laws. State laws establishing thresholds have been updated since the policy's last revisions. Due to the Southwest Annexation, the City's designation changed to a Code City with a population over 20,000 in 2010. This affects thresholds regarding purchasing, bidding, and contract approval.

In addition to updating thresholds, changes will be made to the formatting and content of the policy to more clearly establish these limitations and guidelines and applicable laws. Due to the complexity of this policy update, we will present the changes in multiple steps. Further discussion of those changes will be presented at future workshops and meetings.

**Step 1)** Review and Determine Thresholds for Bidding and Approvals when Items/Projects are included within the approved budget.

**Staff Recommended Thresholds**

**Public Works Projects (RCW)**

- <\$2,500 One Bid Required, Department Selection, City Administrator or Mayor Approval
- \$2,501 - \$35,000 Using Small Works Limited Process - 3 Quotes, City Administrator or Mayor Approval
- \$35,001 - \$300,000 Using Small Works Roster - 5 Quotes, City Administrator or Mayor Approves up to \$100,000, City Council Approves over \$100,000  
  >\$300,000 Formal Bidding Required, City Council Approval

Note: City may use Day Labor (Government Employees) for projects up to the following limits:

- One Craft or Trade - \$40,000

- Two or more Crafts or Trades - \$65,000

#### **Professional and Personal Service Contracts**

- Professional Services: Architectural & Engineering Services (RCW 39.80) Request for Qualification Required, City Administrator or Mayor approve up to \$100,000, City Council approves over \$100,000
- Non-Professional -Personal Services (Consultants (not A&E) & Purchased Services (Janitorial) – No Bid Requirements per RCW
  - <\$15,000 No Competitive Bid Required, City Administrator or Mayor Approval
  - \$15,001 - \$100,000 3 Quotes, City Administrator or Mayor Approval
  - >\$100,000 Formal Bidding Request for Proposals Required, Council Approval

#### **General Purchasing (not related to a Public Work project) – *Set by City Council***

- <\$15,000 No Competitive Requirements, Department Selection - DH may delegate purchasing thresholds to department staff up to this amount by written delegation (Increased from \$500)
- \$15,001 - \$100,000 3 Quotes, Department Selection up to \$50,000, City Administrator/Mayor over \$50,000 (Increased from \$500 - \$15,000)
- >\$100,001 Competitive Bid Required, City Council Approval (Increased from >\$15,000) (Council approval increased from >\$20,000)
- Formal Sealed Bidding may be required over \$200,000

#### **Additional Items for Future Consideration:**

- Flexibility of thresholds: For example, some entities allow the City Administrator to waive specific bid processes on a case-by-case basis when the requirement is set by city policy rather than RCW or Federal Law. Others situations recommend at least a minimal competition be used even when not required by policy.
- Unbudgeted Items/Projects: What process will be followed if the request is not included in the approved budget. Options can include requiring it to go through a budget amendment process first, then follow the set thresholds, and/or being presented to Council for approval outside of the budget process, then later being included in an amendment.
- Item Budget or Budget Dollar Amount: When Council has approved a specific item in the budget, but it is determined that another piece of equipment or project has become a higher priority or there is an opportunity to obtain a something different at a reduced cost. Does this need to come back in front of Council for “item approval” or can the budget be used as the Department sees the need, with the approval of the City Administrator/Mayor? For example, if one police vehicle was approved in the budget, but they could purchase 2 used vehicles for the same cost; or a fork lift was approved in the budget, but a used excavator became available at discounted price.
- Amendment Approvals: What are the dollar thresholds for amendments before needing Council approval? What if it is only an extension of time, versus dollars, or scope?
- Task Order Contracts: Task order approval by Department Head or City Administrator if within total contract budget or based on approval thresholds?
- Contract Extensions: Should we set a maximum number of extensions by “written consent” or “amendment” within the contract before requiring additional bid processes?
- Interlocal Agreements for Cooperative Purchasing: When using an established cooperative purchasing ILA or “piggybacking” utilize the same approval thresholds as recommended.

Attached you will find a “Procurement Policy Threshold Options” sheet that breaks down the type of procurement; Public Work (PW), Professional Service, or Purchase (non-PW) and thresholds for bidding and approval for those types. Separated out in sections, you will find the “Current Policy” columns, the “Required” column (set per RCW), the “Recommended MRSC” column (Municipal Services Research Center), and the “Requested” column which includes the thresholds for bidding and approval as recommended by City Staff.

Additionally, you will find the “Procurement Policy Notes” document which includes items to be addressed in the procurement policy derived from multiple sources including the MRSC, the Washington State Auditor’s Office (SAO), and per RCWs. Many of these items will be addressed later in this policy update process at future dates. This document is informational at this time.

Also attached is the “current” procurement policy approved in 2002. Much of the information is out of date per RCW requirements and recommendations by other sources (MRSC/ SAO) and includes areas that would be better addressed outside of this policy. Those areas will either be updated into other policies at a later date, or addressed in separate individual policies. This is for informational purposes only, a redlined version will not be created, as a new policy will replace this policy as whole.

Future Steps include addressing “future items for consideration”; updating or repealing and replacing numerous resolutions and ordinances that address certain areas of this policy; and approving a resolution adopting the new procurement policy.

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**APPLICABLE CITY POLICIES:**

City Policy P-2-97; LSMC 3.50; RCW 35A.40.210; RCW 35.22.060; RCW 39.04.155

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**BUDGET IMPACT:**

N/A

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**ATTACHMENTS:**

- Exhibit A: Procurement Policy Threshold Options
- Exhibit B: Procurement Policy Notes
- Exhibit C: Comprehensive Procurement Policy (P-2-97)

## Exhibit A

2/21/2018

## Procurement Policy Threshold Options

Procurement Type	Current Policy		Required	Recommended (MSRC)	Requested (when included in budget)					
	Thresholds	Approval			Thresholds	Thresholds	Award/Approval Staff	Award/Approval DH	Award/Approval CA/M	Award/Approval Council
<b>PUBLIC WORKS</b>										
Public Works - Minimal	N/A	N/A	RCW Thresholds	Thresholds	<\$2,500	<\$2,500				Intent/Affidavit - Always Required
Public Works - (Single) - Day Labor	\$20,000	Council	N/A	<\$40,000	Use of Limited PW	<\$40,000		X		
Public Works - (Multi) - Day Labor	\$30,000	Council		<\$65,000	Use of Limited PW	<\$65,000		X		
Limited PW Process (Part of SWR - min 3 quotes)	N/A	N/A		<\$35,000	<\$35,000	\$2,501 - \$35,000		X		May waive retainage and bond requirements
Public Works - Small Works Roster (All or min 5 quotes)	up to \$200,000	Council		<\$300,000	<\$300,000	\$35,001 - \$300,000		\$100,000	>\$100,000	
Public Works - Formal Bid Process	>\$200,000	Council		>\$300,000	>\$300,000	>\$300,000			X	Retainage and Bonds Required
Public Works - Formal ( <i>If Not using Small Works Roster</i> )	>\$20,000/ >\$30,000	Council		>\$40,000/ >\$65,000	>\$40,000/ >\$65,000	>\$40,000/ >\$65,000		\$100,000	>\$100,000	Retainage and Bonds Required

Procurement Type	Current Policy		Required	Recommended (MSRC)	Requested (when included in budget)						
	Thresholds	Approval			Thresholds	Thresholds	Approval Staff	Approval DH	Award/ Approval CA/M	Award/ Approval Council	Bonding/ Retainage/Notes
PROFESSIONAL SERVICES			RCW Thresholds	Thresholds							
Professional Services (Architect & Engineer) RCW39.80	Qualification Based	\$5,000 - Council	Qualification Based	Qualification Based	Qualification Based	Qualification Based			\$100,000	>\$100,000	
Non-Professional (Personal & Purchase of Services)											
Direct Selection/Negotiation	N/A	\$5000 - Council	None - Per RCW	<\$5,000	<\$15,000			X			
Informal (Minimum 3 Quotes)	N/A	\$5000 - Council	None - Per RCW	<\$20,000	\$15,001 - \$100,000			X			
Formal Bidding - Request for Proposals	N/A	\$5000 - Council	None - Per RCW	>\$20,000	>\$100,000				X		

Procurement Type		Current Policy		Required	Recommended (MSRC)	Requested (when included in budget)					
PURCHASING (NON PUBLIC WORKS RELATED)		Thresholds	Approval			Thresholds	<\$15,000	<\$1,000	X		Director can delegate purchasing authority limits to department staff by written delegation
Purchasing - Direct Purchase		<\$500	DH	Set by Council Policy	Reasonable Limits						
Purchasing - Informal (3 Quotes)		<\$7500	DH	Set by Council Policy	Reasonable Limits	\$15,000 - \$100,000		<\$50,000	<\$100,000		
Purchasing - Informal (Vendor List)		<\$15000	CA	Set by Council Policy	Reasonable Limits						No desire for vendor list at this time
Purchasing - Formal Bidding - Request for Bids		>\$15000	Council	Set by Council Policy	Reasonable Limits	>\$100,000		<\$100,000	>\$100,000		

## Exhibit B

### Procurement Policy Notes

#### Public Works

- Includes all work, construction, alteration, repair or improvement other than ordinary maintenance, executed at the cost of the City, or which is by law a lien or charge on any property therein (RCW39.04.010)
  - “Ordinary Maintenance” (WAC 296-127-010(7)(b)(iii))
    1. Work not performed by contract and that is performed on a regularly scheduled basis (at least once per year), or;
    2. Work not performed by contract that’s NOT regularly scheduled but is required to maintain an asset so that repair doesn’t become necessary
- Regardless of bid method – must approve plans, specs, and cost estimate for project prior to taking action
- Determining Cost of Project
  - Include all costs of the entire project, less discounts and donated items or labor
    1. Materials, Supplies, Equipment
    2. Labor (at prevailing wage rate)
    3. Sales & Use Tax (with some exceptions)
      - Road projects (RCW82.08.0275) exempt, MUST be able to cite the exclusion
- Bidding Thresholds
  - Internally Accepted Method - **no formal bidding procedures required**
    1. <\$40,000 (1 Craft)
    2. <\$65,000 (>1 Craft)
  - Up to \$300,000
    1. Small Works Roster
      - <\$35,000 May use Limited Public Works Process
    2. Competitive Bid Process
  - Over \$300,000
    1. Formal Competitive Bid Process
- Formal Bidding Procedures for PW – OVER \$300,000
  - Advertise – 13 Days before due date (check RCW/entity specific)
  - Bid Opening – open and read publicly at fixed time and place
  - Bid Bond/Deposit – minimum 5% required
    1. Surety Bond
    2. Cash
    3. Cashiers or Certified Check
    4. \*\*If using Small Works Roster- no bid bond required\*\* (RCW39.04.155) – Should be defined by policy if not required
  - Bid Award- must be awarded to lowest responsive (all requirements met) and responsible (RCW39.04.350) bidder, unless good cause to reject any or all bids
- Small Works Roster
  - Resolution or Ordinance authorizing use of SWR – and procedures for selections
  - City Currently uses MRSC

1. Select either “all” contractors to solicit bids or “at least 5”
2. If soliciting less than “all” contractors for projects \$150K - \$300K you must notify all others
3. Print business listings each time SWR is used

- Council may delegate authority to award bids of certain amounts to an “officer of the agency.” Must be ratified by the Council (Within Policy City Administrator/Mayor)
- A list of the contracts awarded under SWR process must be made available at least once per year. Should include:
  - Contractor/Vendor Name
  - Amount of Contract
  - Description of Type of Work Performed or Items Purchased
  - Date Awarded
  - Location where Bid Quotes are Available for Inspection

- Limited PW – Under \$35,000 (RCW39.04.155(3)) – Must have approved use of SWR to use LPW
  - Must solicit minimum 3 bids from SWR and contract with lowest responsible bidder.
  - After award, bids are open to public
  - Must attempt to distribute opportunities equitably among contractors.
  - Must maintain list of contractors and contracts awarded in the previous 24 months:
    - Name of Contractor
    - Contractor Registration Number
    - Amount of the Contract
    - Description of Work Performed
    - Date Awarded
  - May waive payment and performance bond, and retainage requirements

- Alternative PW Procedures (RCW39.10.200)- **No desire for this process**
  - Need written approval from Project Review Committee (Dept of Enterprise Services)
    - General (RCW39.10.270)
    - Particular Project (RCW39.10.280)
  - Procedures include:
    1. Design-Build (RCW39.10.300-330)
    2. General Contractor/Construction Manager (RCW39.10.340-410)
    3. Job Order (RCW39.10.420-460)
  - Public Solicitation of Proposals
  - Negotiate with contractor whose proposal received highest score based on criteria included in RFP

- Exceptions/Exemptions to Competitive Bid Requirements
  - Emergency (39.04.280) – Unforeseen circumstances beyond control:
    - Present a real, immediate threat to the essential duties
    - Will likely result in material loss or damage to property, bodily injury, or loss of life if immediate action not taken
    - Delay, inefficiency or failure to pay proper attention to maintenance does not qualify as an “emergency”
    - Resolution at time of contract (within 2 weeks) or policy beforehand

- If work is done by “other than contract” (day labor) this must be published within 7 days of start of work
    - Performance Bond, Prevailing Wage, and Retainage Requirements still apply
  - Developer Projects on Private Property – No statutory bidding requirements
    - More than 50% by local government – Prevailing wages apply (RCW39.04.260)
    - Less than 50% by local government – Prevailing wages are not required
    - Property may be contributed to municipality later, for less than 50%
- “On-Call” – Time and Materials Contracts
  - No official definition – also referred to as work-order, task-order, unit-pricing
  - Not specifically authorized by state law (Currently SB6143 working through Legislation)
  - Non-compliance issues include:
    - Lack of defined plans, specs and related cost estimates
    - Untimely reporting of intents and affidavits to L&I
    - Improper prevailing wage rates stated in multi-year contracts (wages can change annually)
    - Need to establish policies, procedures, and internal controls to ensure compliance with
      - PW contracting statutes (RCW39.04, 39.06, 39.08, 60.28)
      - Prevailing wage statutes (RCW39.12)
- Day Labor – use of employees on PW projects up to bid thresholds or statutory limitations
  - Project cost must include: Materials, Sales Tax, and Labor
  - No job splitting (ie, units of work; classes of work)
  - No total annual limit
  - Project limits:
    - \$65,000 multiple trades
    - \$40,000 single trade (or if project is street signalization or lighting)
- Determining Lowest Responsible Bidder (RCW39.04.350)
  - Registered Contractor at time of bid
  - Current State UBI
  - Industrial Insurance (workers comp – if applicable)
  - DEBARMENT – Not be disqualified from bidding on PW contracts (RCW39.12.065(3))
    - 1. State debarment, not federal
    - 2. Print search results to prove contractor was not debarred at time of bid
  - Additional criteria may be used (including brand name) if defined in call for bids
  - Must JUSTIFY “local preference” and include in bid (not recognized by state)
  - Cannot establish “prequalification criteria”
- Performance Bonds (RCW39.08.010) Required for all PW
  - Projects <\$35K may hold 50% of contract amount
  - City Council may set amount to be not less than 25% of contract amount (RCW39.08.030(1))
- Retainage (RCW60.28)
  - Trust fund for the protection and collection of claims arising under the contract and for taxes, which may be due from contractor
  - PW Contracts MUST contain a provision requiring retainage not to exceed 5% earned

- Retainage Bond (in Lieu of Retainage) is acceptable
- EXCEPTION – Public Improvement contracts involving highway, roads, or street funded with federal transportation funds contain bond provision – retainage should not be held
  1. Retained in 621 fund
  2. Interest Bearing bank account (fees paid by contractor)
  3. Escrow Account (fees paid by contractor)
- Project >\$35K must submit NOC to DOR, ESD, L&I and receive certificates that retainage may be released
- Change Orders – No statutory definition
  - Limit changes within the general scope of contract
  - Duties materially different than originally bargained for
  - Decreases in contract amount prior to start of project is CONCERN – Considered unallowable negotiation with lowest bidder
  - WSDOT Project Manual
    1. Changes to quantities are contract over and under runs
    2. If individual lines go over 25% of original bid, then CO is required
      - If City selects this method, a summary of all contracts over an under runs should be done at conclusion of project
- Prevailing Wages (RCW39.12.020) – WA L&I
  - No dollar threshold of contract
  - Work performed by Private Party through a contract to rent, lease, or purchase at least 50% of the project by City (or multiple agencies) SHALL comply with Prevailing Wage (RCW39.04.260) – if intent is to take ownership then this applies
  - PW Bid Specs and Contracts must contain a provision stating the hourly prevailing wage rate and a stipulation that laborers, workers, or mechanics shall not be paid less than the specified hourly rate of wage.
    1. Reference to L&I website is NOT sufficient to meet this requirement
  - Intents and Affidavits
    1. Contractor and all Subcontracts must file intents
      - No payment may be made until the general contractor, and all subcontractors who have started work, have filed Intents
    2. Claims submitted for payment SHALL state that prevailing wages have been paid in accordance with the Intent on file.
    3. Following acceptance of project, Affidavits must be submitted (accepted) by contractor and all subcontractors (RCW60.28.011)
  - Sole Proprietors, Partners, and Office/Owners
    1. Not required to pay themselves prevailing wages
      - Sole owner who performs work
      - 30% Partner who performs work
    2. Intent and Affidavit are still REQUIRED
  - Notice of Completion (NOC) – Required for PW project >\$35K
- General Contractor
  - Code City may act as their own General Contractor for a project if it's code specifically authorizes it (RCW35A.11.020)

## Purchases

- **NO STATUTORY REQUIREMENTS – provisions should be set by Ordinance (refer to Policy)**
  - Equipment - Materials – Supplies – NOT related to PW projects
  - Materials and Supplies
    - Include articles which form a part of a finished product
    - Entirely consumed and become a physical part of the product
  - Equipment – Used in carrying out the work
- Multi-year Contracts – no statutory provisions
  - Must have policies/procedures to evaluate and demonstrate ongoing reasonableness
    - Formal Evaluations of Price and Service – prior to extension
    - Independent approval of extensions
    - Limits on contract lengths (ex. No more than 5 years with exception of ILAs, etc)
- Determining Amount of Purchase
  - Estimate Cost, if actual is above bid threshold, re-evaluate estimate and go to bid
  - Sales & Use Tax – Must be included when calculating cost (PW or not)
    - If no Sales & Use Tax is paid on project, City must be able to cite the exclusion
  - Leases & Options
    - Conditional Sales Contract
      - Transfers title from lessor to City at end of lease term
      - Entire amount to be paid is considered when determining bid compliance requirements
    - Lease with Option to Purchase
      - At “exercise of option” additional evaluation of whether bid law compliance would be necessary
    - Operating Leases – Do not have to be bid
    - NOTE: State definition of “Used Equipment” does not include equipment already in its possession through lease or renting (AGM 12/1/98 No. 40)
- Bidding Procedures (***None required for Code City >20K***)
  - Purchase Contract Process (Vendor Roster) (RCW39.04.190) – **No desire for vendor list**
    - Allowable if approved by Resolution of Council
    - Falls between low and high thresholds (if set by city)
    - MRSC has this – City not contracted for it
  - Formal Bidding Procedures
    - Specs, Advertising, Bid Opening
- Exceptions/Exemptions to Competitive Bid Requirements for Purchases
  - Emergencies (RCW39.04.280)
    - An emergency caused by delay, inefficiency or failure to pay proper attention to maintenance does not qualify as an emergency for bidding purposes
  - Sole Source (RCW39.04.280(1)(a))
    - Purchases that are clearly and legitimately limited to single source of supply are exempt

- Purchases made with federal funds must not limit competition – Specs must include option to provide alternatives
  - Special Facility and Market Conditions (RCW30.04.280(1)(b))
    - NOTE: All “used” equipment purchased with full factory warranty shall be purchased as new equipment (AGM 12/1/1998 No. 40)
  - Insurance or Bonds – exempt (RCW39.04.280)
  - Auction Purchases (RCW39.30.045)
  - Purchase from another local Government (RCW39.33.010) – Evaluate that one does not “benefit” the other (AGM 12/1/98 No. 40)
  - Data Processing & Telecommunication Equipment, Software & Services
    - Alternative Competitive (negotiation) Process (RCW39.04.270)
      - RFP Advertised
      - RFP identify significant evaluation factors and relative importance (price)
      - City must provide reasonable procedures for technical evaluation of proposals, identification of qualified sources, and selection for award
      - Award to qualified bidder whose proposal is “most advantageous”
      - City may reject all proposals for good cause and request new proposals
- Piggybacking (RCW39.34.030)
  - One entity making purchases or procuring PW from contracts awarded by other entities via ILA or contract (Includes KCDA, NJPA, DES, etc)
  - Can be used for PW – but exercise caution – must be for essentially the same project (ie, roofing for roofing)
  - Piggybacking Agency
    - Enter into ILA
    - Ensure award met both agencies bid award requirements
      - Lowest bidder
      - Bid threshold requirements
    - Maintain copies of lead entity’s bid docs (ad, bid, summary, contract, approval)

## Personal Services

- **NO STATUTORY REQUIREMENTS – provisions can be set by Ordinance (refer to Policy)**
- Professional or Technical expertise provided by a consultant to accomplish a specific study, project, task, or other work statement

## Professional Services (A&E) (RCW39.80)

- Competitive negotiation requirements apply to all local governments for Architects, Engineers or Land Surveyors, or Landscape Architects.
  - No specified dollar threshold
  - Not subject to prevailing wage or day labor requirements
  - “Most qualified firm” then negotiate price
- If federally funded, additional responsibilities (publish evaluation criteria, written method for evaluations and selection

## Purchased Services

- **NO STATUTORY REQUIREMENTS – provisions can be set by Ordinance (refer to Policy)**
- Services provided by a vendor to accomplish routine, continuing and necessary functions
  - Equipment Maintenance and Repair
  - Plant Operation
  - Security
  - Computer Hardware/Software Maintenance
  - Computer time-sharing, contract programming, and analysis

## Federal Requirements

- If any federal funds are used for a project, Federal Requirements must be met. The most restrictive requirements between City, State, or Federal, must be used.

## Exhibit C

### A COMPREHENSIVE PROCUREMENT POLICY

City Policy No.: **P-2-97**

Effective Date: **June 23, 1997**  
Revised Date: **February 4, 2002**

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This policy is adopted as a comprehensive policy for the purchase and disposition of goods, services, equipment, supplies and property for the City of Lake Stevens.

<u>Sections:</u>	<u>Page #</u>
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3 Administration.....	2
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**Section 1. Intent.** This policy is to provide the City consistent procedures for all departments to procure goods and services for City operations. This consistency should facilitate the most efficient and cost-effective manner of procurement.

**Section 2. Definitions.** Unless the content requires otherwise, the terms as used in this ordinance shall have the following meaning:

- A. **Contractual Services:** Professional and non-professional service contracts including but not limited to engineering, animal control, janitorial and other contracts entered into for the accomplishment of a particular project or limited period of time.
- B. **Bidding:** Procedure used to solicit quotations on price and delivery from various prospective providers of supplies, materials, equipment, and other property.
- C. **Bid:** An offer, submitted by a bidder to furnish supplies, materials, equipment and other property in conformity with the specifications, delivery terms and conditions, and other requirements included in the invitation for bids or otherwise required by the City.

- D. Local Bidder: A firm or individual who regularly maintains a place of business and transacts business in, or maintains an inventory of merchandise for sale in, and is licensed by the City of Lake Stevens.
- E. Responsible Bidder: A bidder who has proven by experience or information furnished to the satisfaction of the City Administrator or his/her designee that current financial resources, production or service facilities, service reputation and experience are adequate to make satisfactory delivery of supplies of acceptable quality, equipment or contractual services on which he/she bids; and who has not violated or attempted to violate any provisions of this policy or any other City policies or procedures.
- F. Purchasing Coordinator: The City Administrator or any City employee designated by the Administrator to serve as Purchasing Coordinator.
- G. Requisition: A standard form providing detailed information as to quantity, description, estimated price, possible vendors, fund account, signature and other information necessary to make purchasing decision.
- H. Purchase Order (PO): Official document used in authorizing the encumbrance of City funds toward the purchase of supplies, materials, equipment, services, property, and other expenditures.
- I. Adequate Appropriation Balance: Sufficient balance existing in the appropriation line item against which the purchase order is to be charged.
- J. Public Property: Any item of real or personal property owned by the City.
- K. Capital Equipment: Any equipment of the City having an initial value of five thousand dollars (\$5,000.00) or more and an estimate useful life or more than one (1) year.
- L. Emergency: Unforeseen circumstance beyond the control of the City that either: (a) present a real, immediate threat to the proper performance of the essential functions; or (b) will likely result in material loss or damage to property, bodily injury, or loss of life, if immediate action is not taken.

Section 3. Administration. Under direction of the Mayor as delegated to the City Administrator, the purchasing system provided herein shall be administered in accordance with applicable state statutes, this ordinance, and by other applicable laws.

The City Administrator and/or designee(s) shall have the responsibility and accountability to purchase and dispose of City property as follows:

- A. Administer and maintain the purchasing system according to the rules and regulations established or authorized by this policy or other applicable ordinances and statutes.
- B. Coordinate the negotiation, purchase and disposition of all supplies, materials, services, property and equipment in consultation with Department Heads, division managers, and other responsible City agents.
- C. Seek to obtain full and open competition either by bidding or negotiation on all City purchases.
- D. Keep departments informed of current developments in the field of purchasing, i.e., prices, market conditions, new products, etc.

- F. Coordinate the inspection of all City purchased equipment to assure conformance with specifications.
- G. See that bidders' lists, vendors' catalog file and other records needed for the efficient operation of the purchasing system are maintained.
- H. Maintain the property inventory and fixed asset systems of the City.
- I. Determine with the appropriate Department Head the need for any routine preventative maintenance contracts on equipment items. Establish and maintain needed maintenance contracts.
- J. Prepare annually a comprehensive list of surplus equipment. Items which cannot be used or reassigned to another department shall be recommended to the Administrator for disposal at a public auction, unless the cost of said surplus property exceeds \$5,000. In which case the Administrator shall hold a public hearing prior to disposal pursuant to RCW 39.33.020.
- K. Inform the City Council of all significant purchases the City is making as well as general purchasing and surplusing issues as they arise.

Section 4. Local Vendors. Bids and price quotations shall be obtained from Lake Stevens vendors whenever possible.

Section 5. Recycled Products. All proposed purchases should be evaluated by the standards set in the Recycled Products Procurement Policy, P-1-94, which promotes the use of recycled and recyclable products whenever feasible. Refer to Policy P-1-94 for further details and instructions regarding recycled goods.

Section 6. Formal Bidding. Formal bidding shall be used whenever a public works project exceeds the sum of thirty thousand dollars (\$30,000.00) if more than one craft or trade is involved with the public work or twenty thousand dollars (\$20,000.00) if a single craft or trade is involved with the public work or the public works project is street signalization or street lighting. Bid packets shall be prepared for all formal bids, and shall include an Invitation to Bid notice, Instructions to Bidders, General Conditions, Special Bid Conditions (if any), Terms and Conditions, and a bid proposal form indicating the type of response desired from a bidder.

The City's Public Works Department is allowed to perform and execute all projects not exceeding thirty thousand dollars (\$30,000) if more than one craft or trade is involved, or not exceeding twenty thousand dollars (\$20,000) if a single craft or trade is involved.

In the event of an emergency, the City's Public Works Department is allowed to exceed the \$30,000 and \$20,000 limits for multiple or single craft projects respectively.

In accordance with RCW 39.04.155, the City may establish a small works roster for projects with an estimated cost not to exceed \$200,000 instead of formally bidding a contract.

A. Small Works Roster. (Reference LSMC 3.50.060 for additional requirements)

The City Administrator or designee may establish a Small Works Roster for contracts of two hundred thousand dollars (\$200,000.00) or less.

If a Small Works Roster is established, then

- a. The City Administrator or designee shall publish in the official newspaper at least once each year a notice of establishment of the Small Works Roster.
- b. A list of contracts awarded through this process will be posted at least once every two months and shall contain the name of the contractor, a brief description of the work performed, and date the contract was awarded. The list will also state the location where the bid quotations are available for public inspection.
- c. Proposals will be solicited from at least five (5) qualified contractors in a specific category on the small work roster. If the roster includes less than five (5) qualified contractors than all contractors for the category will be solicited.
- d. Contract award and purchases over twenty thousand dollars (\$20,000) requires approval and award of the City Council.

## Section 7. Purchases of Professional and Technical Services

### A. Architectural and Engineering Services.

1. If the professional service is for architectural or engineering service, the procurement shall be in accordance with RCW 39.80.010.60. The statute requires advance notice of the requirement of professional services (39.80.030); evaluation of qualifications and performance of firms (39.80.040); the affording of opportunity to minority and women-owned firms to compete for contracts (39.80.040); and negotiation with firms in accordance with adjudged qualifications (39.80.050). All such purchases should be coordinated through the Finance Department to ensure compliance with the appropriate RCWs.
2. All purchases of architectural and engineering services must be pre-approved by the City Administrator or designee.
3. All purchases of architectural and engineering services require the completion of a City professional service contract describing the services to be performed and purchase price.
4. Professional service contracts in excess of \$5,000 must be pre-approved by the City Council.

### B. Non-Architectural and Engineering Services.

1. Professional and technical services include such professions as: attorneys, computer technicians, financial analysts, bond councils, accountants, artists, economists, planners, real estate appraisers, landscapers, grounds maintenance providers, and janitors.

2. All purchases of professional services require prior approval of the City Administrator or designee.
3. All purchases of professional services require the completion of a City professional service contract describing the services to be performed and purchase price.
4. Professional services contracts in excess of \$5,000 must be pre-approved by the City of Lake Stevens City Council.
5. Prior experience with the City, time frame for completing projects, and the value of a negotiated agreement versus the procurement process authorized for securing architectural engineering services in RCW 39.80.010.60 and/or RCW 39.29 may be considered when choosing a consultant/firm to perform professional services, as defined in this section.

**Section 8. Competitive Bidding.** The City Administrator shall call for competitive bids when required.

**A. Publication of Notice.**

1. For non-public works projects, sealed bids may be invited by a single publication in the official newspaper at least thirteen (13) days prior to bid opening and by mailing invitations to interested bidders who have requested their names to be included on a bidder's list for the type of purchase to be made.
2. For public works projects, such notice thereof shall be by publication in the official newspaper of the City thirteen (13) days before the date fixed for opening the bids. The notice shall state the title of the project, the nature of the work to be done, that plans and specifications shall be on file in the City available for inspection, the date and time set for the opening of the bids and that bids must be sealed and filed with the City within the time specified therein.

**B. Rejection of Bids.** The City Administrator may reject without cause any and all bids and may re-advertise for bids pursuant to the procedures herein described. If no bids are received, the City Administrator, with approval of the City Council, may negotiate the purchase with a vendor at the lowest cost possible to the City.

**C. Performance Bonds.** Before entering into a contract, the City Administrator shall require a performance bond in such amount as is reasonable necessary to protect the best interests of the City and to assure complete, proper, and full performance of the contract. A performance bond shall be required on all public works construction projects.

1. For contracts of one hundred thousand dollars or less, the City may accept a full payment and performance bond from an individual surety or sureties provided that the surety must agree to be bound by the laws of the State of Washington and subjected to the jurisdiction of the State of Washington.
2. For contracts of twenty-five thousand dollars or less, at the option of the contractor the City may, in lieu of the bond, retain fifty percent of the contract amount for a period of thirty days after date of final acceptance, or until receipt of all necessary releases from the department of revenue and the department of labor and industries and settlement of any liens filed under chapter 60.28 RCW, whichever is later.

**D. Bid Bonds.**

1. The City Administrator may require as a condition of bidding a bid bond or a cashier's check in lieu thereof in the amount not less than five percent (5%) of the amount bid. Such bid bond shall be required on all formally bid public works construction projects.
2. When the contract is let, all bid bonds shall be returned to the bidders except that of the successful bidder which shall be retained until a contract is entered into and a bond to perform the work furnished as provided above. If the successful bidder fails to enter into the contract in accordance with the bid and furnish such bond within ten (10) days from the date at which the bidder is notified of bid award, the bid bond shall be forfeited.

**E. Award of Bid.**

1. Except as otherwise provided herein, the City shall accept the bid of the lowest responsible bidder.
2. Bid awards for contracts and purchases over twenty thousand dollars (\$20,000.00) require approval and award of the City Council.

**F. Award to other than Low Bidder.** When the bid award is not given to the lowest bidder, a full and complete statement of the reasons for placing the order elsewhere shall be prepared by the City Administrator and filed with the all records relating to the transaction.

**Section 9. Exemptions to Competitive Bidding Requirements**

- A. Sole Source Vendor and Repair and Maintenance.** Purchases which by their nature are not adapted to competitive bidding, such as purchase of repairs and purchases of items which may, as a practical matter, only be purchased from a single source, and purchases for repairs or additions to equipment owned by the City which may be more efficiently added to by a certain person or firm, shall not be subject to the competitive bidding requirements of this policy. Purchases in excess of \$500 from a sole source vendor require prior approval of the City Administrator or designee.
- B. RCW 39.30.045 Permits to Purchase, Auction, Closeout, Bankruptcy Sales.** If an authorized purchasing coordinator determines that supplies, material, or equipment can be purchased at any public auction, closeout sale, bankruptcy sale or other similar sale, and makes a finding that a purchase at any such auction or sale will be made at a cost below market cost, the City Administrator may authorize said purchases.
- C. Exchanges.** The City may by agreement exchange supplies, materials, services, property, or equipment with other public agencies.
- D. Inter-local Agreements in Letting of Contracts for Commodities or Services.** The City Administrator may enter into joint purchase agreements with any and all other public agencies within the state of the purchase of any commodity or service as permitted by state law, where it is determined by the Administrator to be in the best interest of the City.
- E. Emergency Purchases.** In the event that an emergency should arise after office hours, which emergency requires immediate action on the part of the City department involved for the protection of the best interest of the City, or should such a situation arise on a Saturday, Sunday or holiday and where it is not possible or convenient to reach the City

Administrator, any necessary purchase shall be made by the City department for which the purchase is necessary. The purchase shall be reported to the City Administrator at the first of the next business day. Publication notices may be waived for emergency purchases as provided by law.

F. Petty Cash.

1. The Treasurer shall maintain a petty cash fund of up to five hundred dollars (\$500.00) to help eliminate the issuance of purchase orders and claims vouchers for small items needed immediately from vendors not having open purchase orders. All requests for petty cash funds or reimbursement of petty expenditures shall be reconciled by a receipt or paid invoice.
2. Reimbursements and reconciliations of petty cash funds shall be made within thirty (30) days of the transaction. No personal checks shall be cashed out of the Petty Cash Fund. (Reference Ordinance 282 and LSMC 3.40)

G. Real Property. Acquisition of real property is exempt from the competitive bidding requirements of this policy. Upon approval of the City Council, the City Administrator may proceed to acquire real property through negotiation. Such negotiations shall be based upon an independent fee appraisal of the property. The City shall not pay more than fair market value for any real property without prior Council approval. If the property is acquired in part or in whole with Federal Funds, such acquisition shall additionally comply with the Uniform Real Property Acquisition and Relocation Assistance Act of 1970, as amended.

H. Purchases between \$7,500 and \$15,000. The City Administrator, or designee, shall solicit telephone and/or written quotations for purchase of supplies, materials, equipment or services, in an amount less \$15,000 provided that the procedures listed in City of Lake Stevens Resolution No. 1989-3 and LSMC 3.50.070 are followed.

I. Purchases between \$500 and \$7,500. Purchases costing more than \$500 and less than \$7,500 require that a minimum of three telephone quotes be obtained, unless the items are from a sole source vendor. If the desired item(s) is available by catalog, then it is sufficient to obtain prices from a minimum of three different catalog vendors. If a vendor with a business located within the City provides the needed goods or services, at least one price quote should be from a City of Lake Stevens vendor. Purchases of this amount require the approval of the Department Director or designee and completion of the vendor quote form. Vendor quote sheets may be obtained from the Finance Department.

J. Purchases costing less than \$500. Purchases costing less than \$500 may be made by authorized employees as designated by the Department Director.

K. Credit Card Purchases for Travel, Supplies, Materials and Equipment.

1. Employees making purchases by credit card shall follow the procurement procedures for purchases of supplies, materials, equipment and services.

2. Credit card purchases for supplies, materials, and equipment may not be made in excess of \$500 unless prior approval is granted by the Department Director and Finance Department.
3. Travel expenditures paid with a City credit card may only be made in the amount of actual expenditures.
4. The Finance Director or designee shall serve as the custodian of the City's credit cards and employee's desiring to utilize the credit card shall obtain the card through the Finance Department.
5. Any employee using the City's credit card to make a City purchase shall submit receipts for said purchases to the Finance Department the next business day that the employee is back in the office.
6. In no event shall the City's credit card be used for the acquisition of personal travel, supplies, materials, or equipment.

#### Section 10. Prohibited Practices.

- A. Collusion among bidders. Any agreement or collusion among bidders or prospective bidders to either buy or sell, in restraint of freedom of competition, be as agreement to bid a fixed price or otherwise, shall render the bids of such void. Such bidders may be subject to possible exclusion from future bidding with the City when determined by the City Administrator to be in the best interest of the City.
- B. Disclosure of Formal Bid Contents. Any disclosure in advance of opening bids, of any information contained in the sealed or formal bid, made or permitted by a City Officer or employee may render each bid void either by the City or the parties submitting bids. Appropriate disciplinary action shall be taken against both the person revealing the information and the persons using the information. Notwithstanding anything herein to the contrary, all bids submitted by bidders taking advantage of any information revealed contrary to this section shall at once become null and void.
- C. Gratuities. With the exception of normal business and social courtesies, or donation publicly given and accepted, the acceptance of any gift or gratuity in the form of cash, merchandise or any other thing of significant value by an official or employee of the City from any vendor or contractor in return for a commitment to continue or initiate a purchasing agreement, shall be prohibited.
- D. Employee Owned Businesses. City goods or services shall not be obtained from businesses in which City officials, employees or their immediate family members have a majority ownership interest.
- E. Sale of Materials and Supplies. The City shall not use its purchasing power or lend its credit to acquire goods or services for any private party, nor shall the City sell its materials or supplies to City officials, employees, or the public except when said materials have been declared surplus and disposed of as provided herein.
- F. Conflict of Interest. No employee will participate directly or indirectly in a procurement when they are aware of or know there is a conflict of interest.

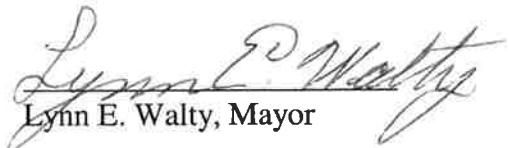
G. Solicitation of Donations. The City will not accept donations of materials or services in return for a commitment to continue or initiate a purchasing agreement.

Section 11. Disposition of Public Property (Reference LSMC 2.92).

- A. Definition. "Public Property" as defined herein means any property or equity interest in real or personal property held or owned by the City except for mortgages taken or released to secure the installation of development improvements.
- B. Surplus Property. Upon recommendation of the Department Head, the City Administrator may declare property surplus upon one or more of the following criteria:
  1. The City has or soon will have no practical, efficient, or appropriate use for the property, nor will it have such a use for the property in the near future.
  2. The purpose served by the property can be accomplished by use of a better, less costly, or more efficient alternative.
  3. The purpose serviced by the property or its use no longer exists as determined by a change of policy evidenced by an ordinance or resolution of the City Council.
  4. The property is damaged, worn out, otherwise inoperable and the cost of repairing the same is unwise or impractical.
- C. Sale of Property. Refer to LSMC 2.92 for procedures.
- D. Trade of Real Property.
  1. If the City Administrator determines that the real property declared surplus under this section could be sold for a greater consideration or benefit to the City if something other than cash were taken as consideration, then the Administrator may invite prospective purchasers to tender consideration either cash or in-kind or a combination of both. Upon receipts of a bid tendering consideration in-kind, and if the Administrator considers such bid to be the best offer made, prior to accepting such a bid the Administrator shall make a report setting forth reasons for accepting the in-kind bid as having the most value to the City. This report shall be made to the City Council at a regular Council meeting and the report shall remain open to public inspection.
  2. Before accepting any bid containing in-kind consideration, an adequate appraisal must have been made by a qualified independent appraiser.
  3. If the City Council finds that the bid containing the in-kind consideration has more value or benefit to the City than any other bid submitted, the Administrator may accept the bid containing in-kind consideration.
- E. Lease of Public Property. When specifically provided for in the City budget, the City Administrator may authorize the lease or sublease of any property, including real property, under such terms and conditions as the Administrator may deem desirable, fair, appropriate, and in the best interest of the City either by use of negotiations or bidding. Leases of real property shall not be granted for a period or more than five (5) years.

Section 12. Additional Information. For additional information or clarification of state statutes or City policies, refer to Municipal Research & Services Center's (MRSC) publication, *The New Bidding Book for Washington Cities and Towns*, August 2000 or most recent edition.

PASSED THIS day 4th of February, 2002.



Lynn E. Walty, Mayor



LAKE STEVENS CITY COUNCIL  
**STAFF REPORT**

**Council Date:** \_\_\_\_\_ **Agenda** February 27, 2018

**Subject:** Comprehensive Procurement Policy

**Contact Person/Department:** \_\_\_\_\_ **Barb Stevens/ Finance** **Budget Impact:** N/A

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

Review and Discuss Updates to the Comprehensive Procurement Policy (Step 1)

**SUMMARY/BACKGROUND:**

The purpose of the Procurement Policy document is to implement the requirements of state and federal law with regard to procurement and bidding on public contracts for public works, goods, services, supplies and materials. It is in the best interest of the City and the Public, to provide a fair forum for those interested in bidding on public contracts and to help ensure that public contracts are performed satisfactorily and efficiently at least cost to the public, while avoiding fraud and favoritism in their award, as well as minimizing delays in obtaining necessary goods and services.

Council passed resolution 1997-10 establishing Comprehensive Procurement Policy (P-2-97) in July 1997. This policy was updated in 2002 to reflect revised State laws. State laws establishing thresholds have been updated since the policy's last revisions. Due to the Southwest Annexation, the City's designation changed to a Code City with a population over 20,000 in 2010. This affects thresholds regarding purchasing, bidding, and contract approval.

In addition to updating thresholds, changes will be made to the formatting and content of the policy to more clearly establish these limitations and guidelines and applicable laws. Due to the complexity of this policy update, we will present the changes in multiple steps. Further discussion of those changes will be presented at future workshops and meetings.

**Step 1)** Review and Determine Thresholds for Bidding and Approvals when Items/Projects are included within the approved budget.

**Staff Recommended Thresholds**

**Public Works Projects (RCW)**

- <\$2,500 One Bid Required, Department Selection, City Administrator or Mayor Approval
- \$2,501 - \$35,000 Using Small Works Limited Process - 3 Quotes, City Administrator or Mayor Approval
- \$35,001 - \$300,000 Using Small Works Roster - 5 Quotes, City Administrator or Mayor Approves up to \$100,000, City Council Approves over \$100,000  
  >\$300,000 Formal Bidding Required, City Council Approval

Note: City may use Day Labor (Government Employees) for projects up to the following limits:

- One Craft or Trade - \$40,000

- Two or more Crafts or Trades - \$65,000

#### **Professional and Personal Service Contracts**

- Professional Services: Architectural & Engineering Services (RCW 39.80) Request for Qualification Required, City Administrator or Mayor approve up to \$100,000, City Council approves over \$100,000
- Non-Professional -Personal Services (Consultants (not A&E) & Purchased Services (Janitorial) – No Bid Requirements per RCW
  - <\$15,000 No Competitive Bid Required, City Administrator or Mayor Approval
  - \$15,001 - \$100,000 3 Quotes, City Administrator or Mayor Approval
  - >\$100,000 Formal Bidding Request for Proposals Required, Council Approval

#### **General Purchasing (not related to a Public Work project) – *Set by City Council***

- <\$15,000 No Competitive Requirements, Department Selection - DH may delegate purchasing thresholds to department staff up to this amount by written delegation (Increased from \$500)
- \$15,001 - \$100,000 3 Quotes, Department Selection up to \$50,000, City Administrator/Mayor over \$50,000 (Increased from \$500 - \$15,000)
- >\$100,001 Competitive Bid Required, City Council Approval (Increased from >\$15,000) (Council approval increased from >\$20,000)
- Formal Sealed Bidding may be required over \$200,000

#### Additional Items for Future Consideration:

- Flexibility of thresholds: For example, some entities allow the City Administrator to waive specific bid processes on a case-by-case basis when the requirement is set by city policy rather than RCW or Federal Law. Others situations recommend at least a minimal competition be used even when not required by policy.
- Unbudgeted Items/Projects: What process will be followed if the request is not included in the approved budget. Options can include requiring it to go through a budget amendment process first, then follow the set thresholds, and/or being presented to Council for approval outside of the budget process, then later being included in an amendment.
- Item Budget or Budget Dollar Amount: When Council has approved a specific item in the budget, but it is determined that another piece of equipment or project has become a higher priority or there is an opportunity to obtain a something different at a reduced cost. Does this need to come back in front of Council for “item approval” or can the budget be used as the Department sees the need, with the approval of the City Administrator/Mayor? For example, if one police vehicle was approved in the budget, but they could purchase 2 used vehicles for the same cost; or a fork lift was approved in the budget, but a used excavator became available at discounted price.
- Amendment Approvals: What are the dollar thresholds for amendments before needing Council approval? What if it is only an extension of time, versus dollars, or scope?
- Task Order Contracts: Task order approval by Department Head or City Administrator if within total contract budget or based on approval thresholds?
- Contract Extensions: Should we set a maximum number of extensions by “written consent” or “amendment” within the contract before requiring additional bid processes?
- Interlocal Agreements for Cooperative Purchasing: When using an established cooperative purchasing ILA or “piggybacking” utilize the same approval thresholds as recommended.

Attached you will find a “Procurement Policy Threshold Options” sheet that breaks down the type of procurement; Public Work (PW), Professional Service, or Purchase (non-PW) and thresholds for bidding and approval for those types. Separated out in sections, you will find the “Current Policy” columns, the “Required” column (set per RCW), the “Recommended MRSC” column (Municipal Services Research Center), and the “Requested” column which includes the thresholds for bidding and approval as recommended by City Staff.

Additionally, you will find the “Procurement Policy Notes” document which includes items to be addressed in the procurement policy derived from multiple sources including the MRSC, the Washington State Auditor’s Office (SAO), and per RCWs. Many of these items will be addressed later in this policy update process at future dates. This document is informational at this time.

Also attached is the “current” procurement policy approved in 2002. Much of the information is out of date per RCW requirements and recommendations by other sources (MRSC/ SAO) and includes areas that would be better addressed outside of this policy. Those areas will either be updated into other policies at a later date, or addressed in separate individual policies. This is for informational purposes only, a redlined version will not be created, as a new policy will replace this policy as whole.

Future Steps include addressing “future items for consideration”; updating or repealing and replacing numerous resolutions and ordinances that address certain areas of this policy; and approving a resolution adopting the new procurement policy.

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**APPLICABLE CITY POLICIES:**

City Policy P-2-97; LSMC 3.50; RCW 35A.40.210; RCW 35.22.060; RCW 39.04.155

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**BUDGET IMPACT:**

N/A

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**ATTACHMENTS:**

- Exhibit A: Procurement Policy Threshold Options
- Exhibit B: Procurement Policy Notes
- Exhibit C: Comprehensive Procurement Policy (P-2-97)

## Exhibit A

2/21/2018

## Procurement Policy Threshold Options

Procurement Type	Current Policy		Required	Recommended (MSRC)	Requested (when included in budget)					
	Thresholds	Approval			Thresholds	Thresholds	Approval Staff	Approval DH	Award/ Approval CA/M	Award/ Approval Council
<b>PUBLIC WORKS</b>										
Public Works - Minimal	N/A	N/A	RCW Thresholds	Thresholds	<\$2,500	<\$2,500				Intent/Affidavit - Always Required
Public Works - (Single) - Day Labor	\$20,000	Council	N/A	< \$40,000	Use of Limited PW	< \$40,000				
Public Works - (Multi) - Day Labor	\$30,000	Council		< \$65,000	Use of Limited PW	< \$65,000				
Limited PW Process (Part of SWR - min 3 quotes)	N/A	N/A		< \$35,000	< \$35,000	\$2,501 - \$35,000				May waive retainage and bond requirements
Public Works - Small Works Roster (All or min 5 quotes)	up to \$200,000	Council		< \$300,000	< \$300,000	\$35,001 - \$300,000		\$100,000	>\$100,000	
Public Works - Formal Bid Process	>\$200,000	Council		> \$300,000	> \$300,000	> \$300,000				Retainage and Bonds Required
Public Works - Formal ( <i>If Not using Small Works Roster</i> )	> \$20,000/ >\$30,000	Council		> \$40,000/ >\$65,000	> \$40,000/ >\$65,000	> \$40,000/ >\$65,000		\$100,000	>\$100,000	Retainage and Bonds Required

Procurement Type	Current Policy		Required	Recommended (MSRC)	Requested (when included in budget)					
	Thresholds	Approval			Thresholds	Thresholds	Approval Staff	Approval DH	Award/ Approval CA/M	Award/ Approval Council
PROFESSIONAL SERVICES			RCW Thresholds	Thresholds						
Professional Services (Architect & Engineer) RCW39.80	Qualification Based	\$5,000 - Council	Qualification Based	Qualification Based						
Non-Professional (Personal & Purchase of Services)										
Direct Selection/Negotiation	N/A	\$5000 - Council	None - Per RCW	<\$5,000						
Informal (Minimum 3 Quotes)	N/A	\$5000 - Council	None - Per RCW	<\$20,000						
Formal Bidding - Request for Proposals	N/A	\$5000 - Council	None - Per RCW	>\$20,000						
					Qualification Based				\$100,000	>\$100,000
					<\$15,000				X	
					\$15,001 - \$100,000				X	
					>\$100,000					X

Procurement Type	Current Policy		Required	Recommended (MSRC)	Requested (when included in budget)								
PURCHASING (NON PUBLIC WORKS RELATED)	Thresholds	Approval			RCW Thresholds	Thresholds	<\$15,000		<\$1,000		X		Director can delegate purchasing authority limits to department staff by written delegation
Purchasing - Direct Purchase	<\$500	DH	Set by Council Policy	Reasonable Limits									
Purchasing - Informal (3 Quotes)	<\$7500	DH	Set by Council Policy	Reasonable Limits		\$15,000 - \$100,000		<\$50,000	<\$100,000				
Purchasing - Informal (Vendor List)	<\$15000	CA	Set by Council Policy	Reasonable Limits									No desire for vendor list at this time
Purchasing - Formal Bidding - Request for Bids	>\$15000	Council	Set by Council Policy	Reasonable Limits		>\$100,000			<\$100,000	>\$100,000			

## Exhibit B

### Procurement Policy Notes

#### Public Works

- Includes all work, construction, alteration, repair or improvement other than ordinary maintenance, executed at the cost of the City, or which is by law a lien or charge on any property therein (RCW39.04.010)
  - “Ordinary Maintenance” (WAC 296-127-010(7)(b)(iii))
    1. Work not performed by contract and that is performed on a regularly scheduled basis (at least once per year), or;
    2. Work not performed by contract that’s NOT regularly scheduled but is required to maintain an asset so that repair doesn’t become necessary
- Regardless of bid method – must approve plans, specs, and cost estimate for project prior to taking action
- Determining Cost of Project
  - Include all costs of the entire project, less discounts and donated items or labor
    1. Materials, Supplies, Equipment
    2. Labor (at prevailing wage rate)
    3. Sales & Use Tax (with some exceptions)
      - Road projects (RCW82.08.0275) exempt, MUST be able to cite the exclusion
- Bidding Thresholds
  - Internally Accepted Method - **no formal bidding procedures required**
    1. <\$40,000 (1 Craft)
    2. <\$65,000 (>1 Craft)
  - Up to \$300,000
    1. Small Works Roster
      - <\$35,000 May use Limited Public Works Process
    2. Competitive Bid Process
  - Over \$300,000
    1. Formal Competitive Bid Process
- Formal Bidding Procedures for PW – OVER \$300,000
  - Advertise – 13 Days before due date (check RCW/entity specific)
  - Bid Opening – open and read publicly at fixed time and place
  - Bid Bond/Deposit – minimum 5% required
    1. Surety Bond
    2. Cash
    3. Cashiers or Certified Check
    4. \*\*If using Small Works Roster- no bid bond required\*\* (RCW39.04.155) – Should be defined by policy if not required
  - Bid Award- must be awarded to lowest responsive (all requirements met) and responsible (RCW39.04.350) bidder, unless good cause to reject any or all bids
- Small Works Roster
  - Resolution or Ordinance authorizing use of SWR – and procedures for selections
  - City Currently uses MRSC

1. Select either “all” contractors to solicit bids or “at least 5”
2. If soliciting less than “all” contractors for projects \$150K - \$300K you must notify all others
3. Print business listings each time SWR is used

- Council may delegate authority to award bids of certain amounts to an “officer of the agency.” Must be ratified by the Council (Within Policy City Administrator/Mayor)
- A list of the contracts awarded under SWR process must be made available at least once per year. Should include:
  - Contractor/Vendor Name
  - Amount of Contract
  - Description of Type of Work Performed or Items Purchased
  - Date Awarded
  - Location where Bid Quotes are Available for Inspection

- Limited PW – Under \$35,000 (RCW39.04.155(3)) – Must have approved use of SWR to use LPW
  - Must solicit minimum 3 bids from SWR and contract with lowest responsible bidder.
  - After award, bids are open to public
  - Must attempt to distribute opportunities equitably among contractors.
  - Must maintain list of contractors and contracts awarded in the previous 24 months:
    - Name of Contractor
    - Contractor Registration Number
    - Amount of the Contract
    - Description of Work Performed
    - Date Awarded
  - May waive payment and performance bond, and retainage requirements

- Alternative PW Procedures (RCW39.10.200)- **No desire for this process**
  - Need written approval from Project Review Committee (Dept of Enterprise Services)
    - General (RCW39.10.270)
    - Particular Project (RCW39.10.280)
  - Procedures include:
    1. Design-Build (RCW39.10.300-330)
    2. General Contractor/Construction Manager (RCW39.10.340-410)
    3. Job Order (RCW39.10.420-460)
  - Public Solicitation of Proposals
  - Negotiate with contractor whose proposal received highest score based on criteria included in RFP

- Exceptions/Exemptions to Competitive Bid Requirements
  - Emergency (39.04.280) – Unforeseen circumstances beyond control:
    - Present a real, immediate threat to the essential duties
    - Will likely result in material loss or damage to property, bodily injury, or loss of life if immediate action not taken
    - Delay, inefficiency or failure to pay proper attention to maintenance does not qualify as an “emergency”
    - Resolution at time of contract (within 2 weeks) or policy beforehand

- If work is done by “other than contract” (day labor) this must be published within 7 days of start of work
    - Performance Bond, Prevailing Wage, and Retainage Requirements still apply
  - Developer Projects on Private Property – No statutory bidding requirements
    - More than 50% by local government – Prevailing wages apply (RCW39.04.260)
    - Less than 50% by local government – Prevailing wages are not required
    - Property may be contributed to municipality later, for less than 50%
- “On-Call” – Time and Materials Contracts
  - No official definition – also referred to as work-order, task-order, unit-pricing
  - Not specifically authorized by state law (Currently SB6143 working through Legislation)
  - Non-compliance issues include:
    - Lack of defined plans, specs and related cost estimates
    - Untimely reporting of intents and affidavits to L&I
    - Improper prevailing wage rates stated in multi-year contracts (wages can change annually)
    - Need to establish policies, procedures, and internal controls to ensure compliance with
      - PW contracting statutes (RCW39.04, 39.06, 39.08, 60.28)
      - Prevailing wage statutes (RCW39.12)
- Day Labor – use of employees on PW projects up to bid thresholds or statutory limitations
  - Project cost must include: Materials, Sales Tax, and Labor
  - No job splitting (ie, units of work; classes of work)
  - No total annual limit
  - Project limits:
    - \$65,000 multiple trades
    - \$40,000 single trade (or if project is street signalization or lighting)
- Determining Lowest Responsible Bidder (RCW39.04.350)
  - Registered Contractor at time of bid
  - Current State UBI
  - Industrial Insurance (workers comp – if applicable)
  - DEBARMENT – Not be disqualified from bidding on PW contracts (RCW39.12.065(3))
    - 1. State debarment, not federal
    - 2. Print search results to prove contractor was not debarred at time of bid
  - Additional criteria may be used (including brand name) if defined in call for bids
  - Must JUSTIFY “local preference” and include in bid (not recognized by state)
  - Cannot establish “prequalification criteria”
- Performance Bonds (RCW39.08.010) Required for all PW
  - Projects <\$35K may hold 50% of contract amount
  - City Council may set amount to be not less than 25% of contract amount (RCW39.08.030(1))
- Retainage (RCW60.28)
  - Trust fund for the protection and collection of claims arising under the contract and for taxes, which may be due from contractor
  - PW Contracts MUST contain a provision requiring retainage not to exceed 5% earned

- Retainage Bond (in Lieu of Retainage) is acceptable
- EXCEPTION – Public Improvement contracts involving highway, roads, or street funded with federal transportation funds contain bond provision – retainage should not be held
  1. Retained in 621 fund
  2. Interest Bearing bank account (fees paid by contractor)
  3. Escrow Account (fees paid by contractor)
- Project >\$35K must submit NOC to DOR, ESD, L&I and receive certificates that retainage may be released
- Change Orders – No statutory definition
  - Limit changes within the general scope of contract
  - Duties materially different than originally bargained for
  - Decreases in contract amount prior to start of project is CONCERN – Considered unallowable negotiation with lowest bidder
  - WSDOT Project Manual
    1. Changes to quantities are contract over and under runs
    2. If individual lines go over 25% of original bid, then CO is required
      - If City selects this method, a summary of all contracts over an under runs should be done at conclusion of project
- Prevailing Wages (RCW39.12.020) – WA L&I
  - No dollar threshold of contract
  - Work performed by Private Party through a contract to rent, lease, or purchase at least 50% of the project by City (or multiple agencies) SHALL comply with Prevailing Wage (RCW39.04.260) – if intent is to take ownership then this applies
  - PW Bid Specs and Contracts must contain a provision stating the hourly prevailing wage rate and a stipulation that laborers, workers, or mechanics shall not be paid less than the specified hourly rate of wage.
    1. Reference to L&I website is NOT sufficient to meet this requirement
  - Intents and Affidavits
    1. Contractor and all Subcontracts must file intents
      - No payment may be made until the general contractor, and all subcontractors who have started work, have filed Intents
    2. Claims submitted for payment SHALL state that prevailing wages have been paid in accordance with the Intent on file.
    3. Following acceptance of project, Affidavits must be submitted (accepted) by contractor and all subcontractors (RCW60.28.011)
  - Sole Proprietors, Partners, and Office/Owners
    1. Not required to pay themselves prevailing wages
      - Sole owner who performs work
      - 30% Partner who performs work
    2. Intent and Affidavit are still REQUIRED
  - Notice of Completion (NOC) – Required for PW project >\$35K
- General Contractor
  - Code City may act as their own General Contractor for a project if it's code specifically authorizes it (RCW35A.11.020)

## Purchases

- **NO STATUTORY REQUIREMENTS – provisions should be set by Ordinance (refer to Policy)**
  - Equipment - Materials – Supplies – NOT related to PW projects
  - Materials and Supplies
    - Include articles which form a part of a finished product
    - Entirely consumed and become a physical part of the product
  - Equipment – Used in carrying out the work
- Multi-year Contracts – no statutory provisions
  - Must have policies/procedures to evaluate and demonstrate ongoing reasonableness
    - Formal Evaluations of Price and Service – prior to extension
    - Independent approval of extensions
    - Limits on contract lengths (ex. No more than 5 years with exception of ILAs, etc)
- Determining Amount of Purchase
  - Estimate Cost, if actual is above bid threshold, re-evaluate estimate and go to bid
  - Sales & Use Tax – Must be included when calculating cost (PW or not)
    - If no Sales & Use Tax is paid on project, City must be able to cite the exclusion
  - Leases & Options
    - Conditional Sales Contract
      - Transfers title from lessor to City at end of lease term
      - Entire amount to be paid is considered when determining bid compliance requirements
    - Lease with Option to Purchase
      - At “exercise of option” additional evaluation of whether bid law compliance would be necessary
    - Operating Leases – Do not have to be bid
    - NOTE: State definition of “Used Equipment” does not include equipment already in its possession through lease or renting (AGM 12/1/98 No. 40)
- Bidding Procedures (***None required for Code City >20K***)
  - Purchase Contract Process (Vendor Roster) (RCW39.04.190) – **No desire for vendor list**
    - Allowable if approved by Resolution of Council
    - Falls between low and high thresholds (if set by city)
    - MRSC has this – City not contracted for it
  - Formal Bidding Procedures
    - Specs, Advertising, Bid Opening
- Exceptions/Exemptions to Competitive Bid Requirements for Purchases
  - Emergencies (RCW39.04.280)
    - An emergency caused by delay, inefficiency or failure to pay proper attention to maintenance does not qualify as an emergency for bidding purposes
  - Sole Source (RCW39.04.280(1)(a))
    - Purchases that are clearly and legitimately limited to single source of supply are exempt

- Purchases made with federal funds must not limit competition – Specs must include option to provide alternatives
  - Special Facility and Market Conditions (RCW30.04.280(1)(b))
    - NOTE: All “used” equipment purchased with full factory warranty shall be purchased as new equipment (AGM 12/1/1998 No. 40)
  - Insurance or Bonds – exempt (RCW39.04.280)
  - Auction Purchases (RCW39.30.045)
  - Purchase from another local Government (RCW39.33.010) – Evaluate that one does not “benefit” the other (AGM 12/1/98 No. 40)
  - Data Processing & Telecommunication Equipment, Software & Services
    - Alternative Competitive (negotiation) Process (RCW39.04.270)
      - RFP Advertised
      - RFP identify significant evaluation factors and relative importance (price)
      - City must provide reasonable procedures for technical evaluation of proposals, identification of qualified sources, and selection for award
      - Award to qualified bidder whose proposal is “most advantageous”
      - City may reject all proposals for good cause and request new proposals
- Piggybacking (RCW39.34.030)
  - One entity making purchases or procuring PW from contracts awarded by other entities via ILA or contract (Includes KCDA, NJPA, DES, etc)
  - Can be used for PW – but exercise caution – must be for essentially the same project (ie, roofing for roofing)
  - Piggybacking Agency
    - Enter into ILA
    - Ensure award met both agencies bid award requirements
      - Lowest bidder
      - Bid threshold requirements
    - Maintain copies of lead entity’s bid docs (ad, bid, summary, contract, approval)

## Personal Services

- **NO STATUTORY REQUIREMENTS – provisions can be set by Ordinance (refer to Policy)**
- Professional or Technical expertise provided by a consultant to accomplish a specific study, project, task, or other work statement

## Professional Services (A&E) (RCW39.80)

- Competitive negotiation requirements apply to all local governments for Architects, Engineers or Land Surveyors, or Landscape Architects.
  - No specified dollar threshold
  - Not subject to prevailing wage or day labor requirements
  - “Most qualified firm” then negotiate price
- If federally funded, additional responsibilities (publish evaluation criteria, written method for evaluations and selection

## Purchased Services

- **NO STATUTORY REQUIREMENTS – provisions can be set by Ordinance (refer to Policy)**
- Services provided by a vendor to accomplish routine, continuing and necessary functions
  - Equipment Maintenance and Repair
  - Plant Operation
  - Security
  - Computer Hardware/Software Maintenance
  - Computer time-sharing, contract programming, and analysis

## Federal Requirements

- If any federal funds are used for a project, Federal Requirements must be met. The most restrictive requirements between City, State, or Federal, must be used.

## Exhibit C

### A COMPREHENSIVE PROCUREMENT POLICY

City Policy No.: **P-2-97**

Effective Date: **June 23, 1997**  
Revised Date: **February 4, 2002**

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This policy is adopted as a comprehensive policy for the purchase and disposition of goods, services, equipment, supplies and property for the City of Lake Stevens.

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Section 1. Intent. This policy is to provide the City consistent procedures for all departments to procure goods and services for City operations. This consistency should facilitate the most efficient and cost-effective manner of procurement.

Section 2. Definitions. Unless the content requires otherwise, the terms as used in this ordinance shall have the following meaning:

- A. Contractual Services: Professional and non-professional service contracts including but not limited to engineering, animal control, janitorial and other contracts entered into for the accomplishment of a particular project or limited period of time.
- B. Bidding: Procedure used to solicit quotations on price and delivery from various prospective providers of supplies, materials, equipment, and other property.
- C. Bid: An offer, submitted by a bidder to furnish supplies, materials, equipment and other property in conformity with the specifications, delivery terms and conditions, and other requirements included in the invitation for bids or otherwise required by the City.

- D. Local Bidder: A firm or individual who regularly maintains a place of business and transacts business in, or maintains an inventory of merchandise for sale in, and is licensed by the City of Lake Stevens.
- E. Responsible Bidder: A bidder who has proven by experience or information furnished to the satisfaction of the City Administrator or his/her designee that current financial resources, production or service facilities, service reputation and experience are adequate to make satisfactory delivery of supplies of acceptable quality, equipment or contractual services on which he/she bids; and who has not violated or attempted to violate any provisions of this policy or any other City policies or procedures.
- F. Purchasing Coordinator: The City Administrator or any City employee designated by the Administrator to serve as Purchasing Coordinator.
- G. Requisition: A standard form providing detailed information as to quantity, description, estimated price, possible vendors, fund account, signature and other information necessary to make purchasing decision.
- H. Purchase Order (PO): Official document used in authorizing the encumbrance of City funds toward the purchase of supplies, materials, equipment, services, property, and other expenditures.
- I. Adequate Appropriation Balance: Sufficient balance existing in the appropriation line item against which the purchase order is to be charged.
- J. Public Property: Any item of real or personal property owned by the City.
- K. Capital Equipment: Any equipment of the City having an initial value of five thousand dollars (\$5,000.00) or more and an estimate useful life or more than one (1) year.
- L. Emergency: Unforeseen circumstance beyond the control of the City that either: (a) present a real, immediate threat to the proper performance of the essential functions; or (b) will likely result in material loss or damage to property, bodily injury, or loss of life, if immediate action is not taken.

Section 3. Administration. Under direction of the Mayor as delegated to the City Administrator, the purchasing system provided herein shall be administered in accordance with applicable state statutes, this ordinance, and by other applicable laws.

The City Administrator and/or designee(s) shall have the responsibility and accountability to purchase and dispose of City property as follows:

- A. Administer and maintain the purchasing system according to the rules and regulations established or authorized by this policy or other applicable ordinances and statutes.
- B. Coordinate the negotiation, purchase and disposition of all supplies, materials, services, property and equipment in consultation with Department Heads, division managers, and other responsible City agents.
- C. Seek to obtain full and open competition either by bidding or negotiation on all City purchases.
- D. Keep departments informed of current developments in the field of purchasing, i.e., prices, market conditions, new products, etc.

- F. Coordinate the inspection of all City purchased equipment to assure conformance with specifications.
- G. See that bidders' lists, vendors' catalog file and other records needed for the efficient operation of the purchasing system are maintained.
- H. Maintain the property inventory and fixed asset systems of the City.
- I. Determine with the appropriate Department Head the need for any routine preventative maintenance contracts on equipment items. Establish and maintain needed maintenance contracts.
- J. Prepare annually a comprehensive list of surplus equipment. Items which cannot be used or reassigned to another department shall be recommended to the Administrator for disposal at a public auction, unless the cost of said surplus property exceeds \$5,000. In which case the Administrator shall hold a public hearing prior to disposal pursuant to RCW 39.33.020.
- K. Inform the City Council of all significant purchases the City is making as well as general purchasing and surplusing issues as they arise.

Section 4. Local Vendors. Bids and price quotations shall be obtained from Lake Stevens vendors whenever possible.

Section 5. Recycled Products. All proposed purchases should be evaluated by the standards set in the Recycled Products Procurement Policy, P-1-94, which promotes the use of recycled and recyclable products whenever feasible. Refer to Policy P-1-94 for further details and instructions regarding recycled goods.

Section 6. Formal Bidding. Formal bidding shall be used whenever a public works project exceeds the sum of thirty thousand dollars (\$30,000.00) if more than one craft or trade is involved with the public work or twenty thousand dollars (\$20,000.00) if a single craft or trade is involved with the public work or the public works project is street signalization or street lighting. Bid packets shall be prepared for all formal bids, and shall include an Invitation to Bid notice, Instructions to Bidders, General Conditions, Special Bid Conditions (if any), Terms and Conditions, and a bid proposal form indicating the type of response desired from a bidder.

The City's Public Works Department is allowed to perform and execute all projects not exceeding thirty thousand dollars (\$30,000) if more than one craft or trade is involved, or not exceeding twenty thousand dollars (\$20,000) if a single craft or trade is involved.

In the event of an emergency, the City's Public Works Department is allowed to exceed the \$30,000 and \$20,000 limits for multiple or single craft projects respectively.

In accordance with RCW 39.04.155, the City may establish a small works roster for projects with an estimated cost not to exceed \$200,000 instead of formally bidding a contract.

A. Small Works Roster. (Reference LSMC 3.50.060 for additional requirements)

The City Administrator or designee may establish a Small Works Roster for contracts of two hundred thousand dollars (\$200,000.00) or less.

If a Small Works Roster is established, then

- a. The City Administrator or designee shall publish in the official newspaper at least once each year a notice of establishment of the Small Works Roster.
- b. A list of contracts awarded through this process will be posted at least once every two months and shall contain the name of the contractor, a brief description of the work performed, and date the contract was awarded. The list will also state the location where the bid quotations are available for public inspection.
- c. Proposals will be solicited from at least five (5) qualified contractors in a specific category on the small work roster. If the roster includes less than five (5) qualified contractors than all contractors for the category will be solicited.
- d. Contract award and purchases over twenty thousand dollars (\$20,000) requires approval and award of the City Council.

## Section 7. Purchases of Professional and Technical Services

### A. Architectural and Engineering Services.

1. If the professional service is for architectural or engineering service, the procurement shall be in accordance with RCW 39.80.010.60. The statute requires advance notice of the requirement of professional services (39.80.030); evaluation of qualifications and performance of firms (39.80.040); the affording of opportunity to minority and women-owned firms to compete for contracts (39.80.040); and negotiation with firms in accordance with adjudged qualifications (39.80.050). All such purchases should be coordinated through the Finance Department to ensure compliance with the appropriate RCWs.
2. All purchases of architectural and engineering services must be pre-approved by the City Administrator or designee.
3. All purchases of architectural and engineering services require the completion of a City professional service contract describing the services to be performed and purchase price.
4. Professional service contracts in excess of \$5,000 must be pre-approved by the City Council.

### B. Non-Architectural and Engineering Services.

1. Professional and technical services include such professions as: attorneys, computer technicians, financial analysts, bond councils, accountants, artists, economists, planners, real estate appraisers, landscapers, grounds maintenance providers, and janitors.

2. All purchases of professional services require prior approval of the City Administrator or designee.
3. All purchases of professional services require the completion of a City professional service contract describing the services to be performed and purchase price.
4. Professional services contracts in excess of \$5,000 must be pre-approved by the City of Lake Stevens City Council.
5. Prior experience with the City, time frame for completing projects, and the value of a negotiated agreement versus the procurement process authorized for securing architectural engineering services in RCW 39.80.010.60 and/or RCW 39.29 may be considered when choosing a consultant/firm to perform professional services, as defined in this section.

Section 8. Competitive Bidding. The City Administrator shall call for competitive bids when required.

A. Publication of Notice.

1. For non-public works projects, sealed bids may be invited by a single publication in the official newspaper at least thirteen (13) days prior to bid opening and by mailing invitations to interested bidders who have requested their names to be included on a bidder's list for the type of purchase to be made.
2. For public works projects, such notice thereof shall be by publication in the official newspaper of the City thirteen (13) days before the date fixed for opening the bids. The notice shall state the title of the project, the nature of the work to be done, that plans and specifications shall be on file in the City available for inspection, the date and time set for the opening of the bids and that bids must be sealed and filed with the City within the time specified therein.

B. Rejection of Bids. The City Administrator may reject without cause any and all bids and may re-advertise for bids pursuant to the procedures herein described. If no bids are received, the City Administrator, with approval of the City Council, may negotiate the purchase with a vendor at the lowest cost possible to the City.

C. Performance Bonds. Before entering into a contract, the City Administrator shall require a performance bond in such amount as is reasonable necessary to protect the best interests of the City and to assure complete, proper, and full performance of the contract. A performance bond shall be required on all public works construction projects.

1. For contracts of one hundred thousand dollars or less, the City may accept a full payment and performance bond from an individual surety or sureties provided that the surety must agree to be bound by the laws of the State of Washington and subjected to the jurisdiction of the State of Washington.
2. For contracts of twenty-five thousand dollars or less, at the option of the contractor the City may, in lieu of the bond, retain fifty percent of the contract amount for a period of thirty days after date of final acceptance, or until receipt of all necessary releases from the department of revenue and the department of labor and industries and settlement of any liens filed under chapter 60.28 RCW, whichever is later.

**D. Bid Bonds.**

1. The City Administrator may require as a condition of bidding a bid bond or a cashier's check in lieu thereof in the amount not less than five percent (5%) of the amount bid. Such bid bond shall be required on all formally bid public works construction projects.
2. When the contract is let, all bid bonds shall be returned to the bidders except that of the successful bidder which shall be retained until a contract is entered into and a bond to perform the work furnished as provided above. If the successful bidder fails to enter into the contract in accordance with the bid and furnish such bond within ten (10) days from the date at which the bidder is notified of bid award, the bid bond shall be forfeited.

**E. Award of Bid.**

1. Except as otherwise provided herein, the City shall accept the bid of the lowest responsible bidder.
2. Bid awards for contracts and purchases over twenty thousand dollars (\$20,000.00) require approval and award of the City Council.

**F. Award to other than Low Bidder.** When the bid award is not given to the lowest bidder, a full and complete statement of the reasons for placing the order elsewhere shall be prepared by the City Administrator and filed with the all records relating to the transaction.

**Section 9. Exemptions to Competitive Bidding Requirements**

- A. Sole Source Vendor and Repair and Maintenance.** Purchases which by their nature are not adapted to competitive bidding, such as purchase of repairs and purchases of items which may, as a practical matter, only be purchased from a single source, and purchases for repairs or additions to equipment owned by the City which may be more efficiently added to by a certain person or firm, shall not be subject to the competitive bidding requirements of this policy. Purchases in excess of \$500 from a sole source vendor require prior approval of the City Administrator or designee.
- B. RCW 39.30.045 Permits to Purchase, Auction, Closeout, Bankruptcy Sales.** If an authorized purchasing coordinator determines that supplies, material, or equipment can be purchased at any public auction, closeout sale, bankruptcy sale or other similar sale, and makes a finding that a purchase at any such auction or sale will be made at a cost below market cost, the City Administrator may authorize said purchases.
- C. Exchanges.** The City may by agreement exchange supplies, materials, services, property, or equipment with other public agencies.
- D. Inter-local Agreements in Letting of Contracts for Commodities or Services.** The City Administrator may enter into joint purchase agreements with any and all other public agencies within the state of the purchase of any commodity or service as permitted by state law, where it is determined by the Administrator to be in the best interest of the City.
- E. Emergency Purchases.** In the event that an emergency should arise after office hours, which emergency requires immediate action on the part of the City department involved for the protection of the best interest of the City, or should such a situation arise on a Saturday, Sunday or holiday and where it is not possible or convenient to reach the City

Administrator, any necessary purchase shall be made by the City department for which the purchase is necessary. The purchase shall be reported to the City Administrator at the first of the next business day. Publication notices may be waived for emergency purchases as provided by law.

F. Petty Cash.

1. The Treasurer shall maintain a petty cash fund of up to five hundred dollars (\$500.00) to help eliminate the issuance of purchase orders and claims vouchers for small items needed immediately from vendors not having open purchase orders. All requests for petty cash funds or reimbursement of petty expenditures shall be reconciled by a receipt or paid invoice.
2. Reimbursements and reconciliations of petty cash funds shall be made within thirty (30) days of the transaction. No personal checks shall be cashed out of the Petty Cash Fund. (Reference Ordinance 282 and LSMC 3.40)

G. Real Property. Acquisition of real property is exempt from the competitive bidding requirements of this policy. Upon approval of the City Council, the City Administrator may proceed to acquire real property through negotiation. Such negotiations shall be based upon an independent fee appraisal of the property. The City shall not pay more than fair market value for any real property without prior Council approval. If the property is acquired in part or in whole with Federal Funds, such acquisition shall additionally comply with the Uniform Real Property Acquisition and Relocation Assistance Act of 1970, as amended.

H. Purchases between \$7,500 and \$15,000. The City Administrator, or designee, shall solicit telephone and/or written quotations for purchase of supplies, materials, equipment or services, in an amount less \$15,000 provided that the procedures listed in City of Lake Stevens Resolution No. 1989-3 and LSMC 3.50.070 are followed.

I. Purchases between \$500 and \$7,500. Purchases costing more than \$500 and less than \$7,500 require that a minimum of three telephone quotes be obtained, unless the items are from a sole source vendor. If the desired item(s) is available by catalog, then it is sufficient to obtain prices from a minimum of three different catalog vendors. If a vendor with a business located within the City provides the needed goods or services, at least one price quote should be from a City of Lake Stevens vendor. Purchases of this amount require the approval of the Department Director or designee and completion of the vendor quote form. Vendor quote sheets may be obtained from the Finance Department.

J. Purchases costing less than \$500. Purchases costing less than \$500 may be made by authorized employees as designated by the Department Director.

K. Credit Card Purchases for Travel, Supplies, Materials and Equipment.

1. Employees making purchases by credit card shall follow the procurement procedures for purchases of supplies, materials, equipment and services.

2. Credit card purchases for supplies, materials, and equipment may not be made in excess of \$500 unless prior approval is granted by the Department Director and Finance Department.
3. Travel expenditures paid with a City credit card may only be made in the amount of actual expenditures.
4. The Finance Director or designee shall serve as the custodian of the City's credit cards and employee's desiring to utilize the credit card shall obtain the card through the Finance Department.
5. Any employee using the City's credit card to make a City purchase shall submit receipts for said purchases to the Finance Department the next business day that the employee is back in the office.
6. In no event shall the City's credit card be used for the acquisition of personal travel, supplies, materials, or equipment.

#### Section 10. Prohibited Practices.

- A. Collusion among bidders. Any agreement or collusion among bidders or prospective bidders to either buy or sell, in restraint of freedom of competition, be as agreement to bid a fixed price or otherwise, shall render the bids of such void. Such bidders may be subject to possible exclusion from future bidding with the City when determined by the City Administrator to be in the best interest of the City.
- B. Disclosure of Formal Bid Contents. Any disclosure in advance of opening bids, of any information contained in the sealed or formal bid, made or permitted by a City Officer or employee may render each bid void either by the City or the parties submitting bids. Appropriate disciplinary action shall be taken against both the person revealing the information and the persons using the information. Notwithstanding anything herein to the contrary, all bids submitted by bidders taking advantage of any information revealed contrary to this section shall at once become null and void.
- C. Gratuities. With the exception of normal business and social courtesies, or donation publicly given and accepted, the acceptance of any gift or gratuity in the form of cash, merchandise or any other thing of significant value by an official or employee of the City from any vendor or contractor in return for a commitment to continue or initiate a purchasing agreement, shall be prohibited.
- D. Employee Owned Businesses. City goods or services shall not be obtained from businesses in which City officials, employees or their immediate family members have a majority ownership interest.
- E. Sale of Materials and Supplies. The City shall not use its purchasing power or lend its credit to acquire goods or services for any private party, nor shall the City sell its materials or supplies to City officials, employees, or the public except when said materials have been declared surplus and disposed of as provided herein.
- F. Conflict of Interest. No employee will participate directly or indirectly in a procurement when they are aware of or know there is a conflict of interest.

G. Solicitation of Donations. The City will not accept donations of materials or services in return for a commitment to continue or initiate a purchasing agreement.

Section 11. Disposition of Public Property (Reference LSMC 2.92).

A. Definition. "Public Property" as defined herein means any property or equity interest in real or personal property held or owned by the City except for mortgages taken or released to secure the installation of development improvements.

B. Surplus Property. Upon recommendation of the Department Head, the City Administrator may declare property surplus upon one or more of the following criteria:

1. The City has or soon will have no practical, efficient, or appropriate use for the property, nor will it have such a use for the property in the near future.
2. The purpose served by the property can be accomplished by use of a better, less costly, or more efficient alternative.
3. The purpose serviced by the property or its use no longer exists as determined by a change of policy evidenced by an ordinance or resolution of the City Council.
4. The property is damaged, worn out, otherwise inoperable and the cost of repairing the same is unwise or impractical.

C. Sale of Property. Refer to LSMC 2.92 for procedures.

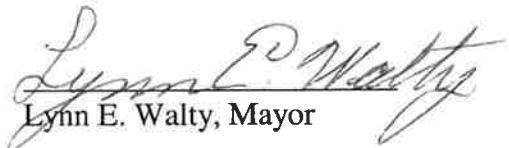
D. Trade of Real Property.

1. If the City Administrator determines that the real property declared surplus under this section could be sold for a greater consideration or benefit to the City if something other than cash were taken as consideration, then the Administrator may invite prospective purchasers to tender consideration either cash or in-kind or a combination of both. Upon receipt of a bid tendering consideration in-kind, and if the Administrator considers such bid to be the best offer made, prior to accepting such a bid the Administrator shall make a report setting forth reasons for accepting the in-kind bid as having the most value to the City. This report shall be made to the City Council at a regular Council meeting and the report shall remain open to public inspection.
2. Before accepting any bid containing in-kind consideration, an adequate appraisal must have been made by a qualified independent appraiser.
3. If the City Council finds that the bid containing the in-kind consideration has more value or benefit to the City than any other bid submitted, the Administrator may accept the bid containing in-kind consideration.

E. Lease of Public Property. When specifically provided for in the City budget, the City Administrator may authorize the lease or sublease of any property, including real property, under such terms and conditions as the Administrator may deem desirable, fair, appropriate, and in the best interest of the City either by use of negotiations or bidding. Leases of real property shall not be granted for a period or more than five (5) years.

Section 12. Additional Information. For additional information or clarification of state statutes or City policies, refer to Municipal Research & Services Center's (MRSC) publication, *The New Bidding Book for Washington Cities and Towns*, August 2000 or most recent edition.

PASSED THIS day 4th of February, 2002.



Lynn E. Walty, Mayor