

## ***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 REGULAR MEETING AGENDA**

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

**Tuesday, April 10, 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>	Legislative Follow Up	Doug Levy
<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>	<ul style="list-style-type: none"><li>*A Approve 2018 Vouchers</li><li>*B Approve February 27, 2018 City Council-Parks Board Joint Meeting Minutes</li><li>*C Approve February 27, 2018 City Council Regular Meeting Minutes</li><li>*D Approve March 6, 2018 City Council Workshop Meeting Minutes</li><li>*E Approve March 6, 2018 City Council Special Meeting Minutes</li><li>*F Approve March 27, 2018 City Council Regular Meeting Minutes</li><li>*G Approve Resolution 2018-13 re Frontier Heights Park Grant Application</li><li>*H Approve Resolution 2018-14 re Eagle Ridge Park Grant Application</li></ul>	
		Barb
		Kathy
		Russ
		Russ

**Lake Stevens City Council Regular Meeting Agenda**

**April 10, 2018**

	*I Approve Interlocal Agreement with Marysville re Movies in the Park	Russ
	*J Reconsideration and Revision of Motion to Adopt Resolution 2018-008 re Council Rules of Procedure	Kathy
<b>PUBLIC HEARINGS:</b>	*K RAM Restaurant Right-of-Way Vacation and Adopt Ordinance No. 1022	Josh
<b>ACTION ITEMS:</b>	*L Approve Resolution 2018-12 Recognizing Frank LeRoy McDaniel	
	*M Approve Resolution 2018-11 Amending Rates and Fees	Josh
	*N Approve Professional Services Agreement with Welch-Comer re Village Way Design	Eric
	*O Approve Supplement No. 3 to Contract with AquaTechnex re Milfoil Treatment	Eric

**DISCUSSION ITEMS:**

**EXECUTIVE SESSION:** Potential Real Property Acquisition

**ACTION TO FOLLOW:**

**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***

**OVERVIEW OF THE 2018 SESSION OF THE LEGISLATURE  
FOR LAKE STEVENS CITY COUNCIL  
7 P.M. TUESDAY, APRIL 10, 2018**

By Doug Levy, Outcomes By Levy, LLC - (425)922-3999; [Doug@outcomesbylevy.onmicrosoft.com](mailto:Doug@outcomesbylevy.onmicrosoft.com)

- 2018 Session will go down as **a productive one – 308 bills passed** (one already vetoed) in 60 days, compared to 377 in the several-months-long 2017 Session(s). Whether it was productive *good* or productive *not-so-good* a matter of perspective;
- Legislature **meets its 2018 obligations under the K-12 McCleary case** - \$1.2 billion in new education spending. \$776 million of that for salaries and another \$27 million goes toward special education;
- With white-hot economy triggering new revenue (+\$1.2 billion), lawmakers enact one-time property tax relief measure – 30 cents/\$1000 via **ESHB 6614**;
- **Narrow Democratic majorities pass several priority bills** that had languished in divided Legislature – Voting Rights Act, Gender Pay Equity, Breakfast After the Bell, and more;
- Some **major gun-safety legislation passed** – most notably a ban on the sale, manufacture and use of “bump stocks” (ESB 5992). But **others** – namely a ban on assault weapons sales to those under age 21 – **don’t make it to the finish line**;
- Bills and budgets will be viewed through a positive lens by **organized labor, housing and homelessness-prevention groups, mental/behavioral health advocates**;
- **Several prominent members decide to retire or run for office elsewhere** – including Senate Majority Leader Sharon Nelson; Sen. Michael Baumgartner; House Transportation Chair Judy Clibborn; House Early Learning & Human Services Chair Ruth Kagi; House Finance Chair Kris Lytton; House Minority Leader Dan Kristiansen;
- News flash: They got **done on time!** ☺
- **Fall Election Season will be critical** – all House seats and half of the Senate must run for re-election. Major battleground seats and Districts will include 44<sup>th</sup> and 45<sup>th</sup> District Senate, 19<sup>th</sup> and 28<sup>th</sup> District House. Prevailing wisdom is that Democrats could gain seats in each chamber (*but prevailing wisdom can be, and often is, wrong*).

OK, let's talk Lake Stevens – Some Terrific Results!

- ✓ **Capital Budget – Ensure Early Adoption of 2017-19 budget with funding for Civic Center and Lake Stevens Food Bank investments – and potential Supplemental Capital Budget Funding for Lake Stevens Food Bank:**
  - Final 2017-19 Capital Budget (**ESSB 6090/ESHB 1080**) includes \$3.1 million for Civic Center; \$300,000 for Food Bank;
  - Final Supplemental Capital Budget (**ESSB 6095**) included \$206,000 for the Lake Stevens Food Bank.
- ✓ **Transportation Needs – U.S. 2 Trestle, SR 9/SR 204, specific community projects:**
  - 2018 Supplemental Budget (**ESSB 6106**) - \$2M for next-steps work on US 2 Trestle westbound;
  - 2018 Supplemental Budget -- \$1.3 million for our South Lake Stevens Road multi-use trail connections;
  - 2018 Supplemental Budget – SR 9/SR 204 – no revised update to scope
  - 2018 Supplemental Budget - \$1.82M Regional Mobility Grant preserved
- ✓ **Funding/Tools to Affordable Housing, Homelessness:**
  - Passage of **2SHB 1570** on Document Recording Fees'
  - Passage of legislation prohibiting "Source of Income Discrimination" (**E2SHB 2578**)
  - Passage of legislation clarifying eligibility for the Housing and Essential Needs program (**SHB 2667**).
  - Slight disappointment is the "just missed it" ending for **ESHB 2437** by Rep. June Robinson (D-Everett/38<sup>th</sup> Dist.), which would have put significant new dollars into supportive housing.
- ✓ **Ensuring Safe Streets, Enhancing Public Safety, Addressing Mental Health:**
  - Passage of **HB 2892** on mental health field response team grants;
  - Capital and Operating Budgets with new funding for behavioral health;
  - \$800,000 for the Snohomish County diversion center pilot;
  - Final-week passage of **Initiative 940/SHB 3003** on "use of force" (see below);
  - **SB 6408** body-cameras legislation
- ✓ **Address Fiscal & Local Resource Needs, Preserve State-Shared Revenues:**
  - State-shared revenues preserved
  - "BLEA" funding – dollars for one new class
  - Marijuana excise tax revenue -- \$30M for remainder of 2017-19, 2019-21 (Up from \$12M)
- ✓ **Protection of local rights-of-way/local authority in deployment of small-cell technology – E2SSB 5935:**
  - No bill passed – all authority, revenue, right-of-way protection intact;
  - Bill likely will re-emerge next Session
- **Economic Development Incentives to Bring Class A Office Space to Non-King-County Cities – HB 2981:**
  - This Lake Stevens-supported bill "died" in the House Finance Committee a few weeks into Session.

Through a local-government-specific lens.....A Pretty Good Session

- We who represent local government – or at least cities – came away from the 2018 Session **feeling pretty good about the 60 days** in the rear-view mirror. Why?
  - ❖ **No major assaults on our “state-shared” revenues**, as we’ve seen in years past (liquor, marijuana, LEOFF 2, Fire Insurance Premium distribution);
  - ❖ **Great outcome on marijuana excise tax revenue distribution** - \$30 million formula allocation solidified for remainder of 2017-19 and through 2019-21;
  - ❖ **Logjam over 2017-19 Capital Budget broken** - \$4.2 billion investment in ESSB 6090/E2SHB 1080 includes \$97.1 million for Public Works Assistance Account; \$106.7 million for Housing Trust Fund; \$80 million for Washington Wildlife and Recreation Program; \$55.1 million for stormwater projects; \$35.4 million for Flood Plains by Design.
  - ❖ **2018 Supplemental Capital Budget passed as well** – includes 95 local and community projects; significant dollars for behavioral health; new funding for toxic site cleanups; historic level of funding for Aquatic Lands Enhancement Account.
  - ❖ **Transportation Budget (ESSB 6106)** includes funds for a handful of new projects, new study of city transportation needs, and Connecting Washington projects kept on track.
  - ❖ **Important strides forward in the public safety arena** – See Lake Stevens-specific;
  - ❖ **Landmark Session for affordable housing, homelessness prevention, and behavioral/mental health** – topped by 2SHB 1570 on Document Recording Fees (\$22 increase and permanent enactment of surcharges). See Lake Stevens-specific items;
  - ❖ **State gets back in the tourism game**, re-establishing a tourism marketing and promotion program for the first time in a decade (4ESSB 5251);
  - ❖ **And let's not forget the potentially harmful stuff that didn't happen** – no pre-emption or removal of local authority on “Small Cell networks”; no ‘wrongful death’ bill; no costly “presumptive disease” bill. Many of these will be back in 2019.

Were there disappointments for local governments? Yes – a handful

- **ESHB 2437 affordable housing/supportive housing** state sales tax credit bill dies on House Floor Calendar on final night of Session;
- **Basic Law Enforcement Academy training funds:** We fought for two (2) additional classes – got one;
- **Indigent defense funding bill rejected**, new Legal Financial Obligations (LFO) bill brings new costs – though Operating Budget provides *some* relief;
- **Voting Rights Act** presents some *potential* problems though challenges more likely to play out in Central/Eastern Washington.



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## CITY DEPARTMENT REPORT APRIL 10, 2018 CITY COUNCIL MEETING

- City Clerk

Public Records Requests Update: Between January 1 and March 30, 2018 the City has received 334 requests for public records. Of those requests 60 of the requests have been directed to City Clerk/Planning/Public Works, and 274 have been directed to the Police Department. Of those records requests, there are 4 currently open and pending at City Clerk/Planning/Public Works and 6 open and pending at Police. Total staff hours spent on public records as of March 30 is 165.25 hours. Additionally, there is one open records request from 2017 which is partially responded to and requires review of approximately 4,000 emails.

- IT Department

Budget Adjustment - In reviewing replacements and evaluating the state of existing equipment for the Police Department, it was determined that all mobile data devices (computers) within the police vehicles were out of warranty and beyond useful life. A lot of time was spent servicing these devices, causing frustration and downtime. The 2018 budget for replacement computers was \$30K; the replacement cost for the purchased equipment totaled \$67K. In working with the Finance Director and reviewing the fund's remaining budget line items and projects cost savings were found to cover this expense.

Cost savings were found in the following areas: telephone system upgrade (\$20K), Adobe Acrobat Pro subscription \$6K, Microsoft Enterprise Agreement \$13.5K, Godaddy SSL renewals \$900.00. Adjustments have been made within the IT Capital fund budget to cover these costs. No budget amendments will be needed.



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BLANKET VOUCHER APPROVAL  
**2018**

Payroll Direct Deposits	3/30/2018	\$186,899.81
Payroll Checks	44911-44912	\$4,469.98
Tax Deposit(s)	3/30/2018	\$67,588.44
Electronic Funds Transfers	ACH	\$229,558.29
Claims	44913-45034	\$262,680.85
Void Checks	42971, 43587, 43201, 44776, 44118, 41972, 43433, 44586, 44922	(\$1,137.43)
Total Vouchers Approved:		\$750,059.94

**This 10th day of April 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



April 10th, 2018

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

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Personnel Costs	\$ 191,370	26%
Payroll Federal Taxes	\$ 67,588	9%
Retirement Benefits - Employer	\$ 95,448	13%
Medical Benefits - Employer	\$ 120,321	16%
Other Employer paid Benefits	\$ 5,974	1%
Employee paid benefits - By Payroll	\$ 16,053	2%
Supplies	\$ 25,681	3%
Professional Services	\$ 125,619	17%
Intergovernmental	\$ 24,270	3%
Capital *	\$ 78,871	11%
Void Check	\$ (1,137)	0%
<b>Total</b>	<b>\$750,059.94</b>	<b>100%</b>

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**Large Purchases**

\* \$44,252 - Retainage release-KCDA

\$14,262 - Retainage released-Sonitrol/Sound Security



## Checks to be Approved for 3/23/2018 to 4/5/2018

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	Check Total	
Ace Hardware	44923	4/5/2018	58306	101-016-544-90-31-02	ST-Operating Cost	Poly film to cover dirt	\$196.00	
			58338	001-010-576-80-31-00	PK-Operating Costs	Thompson water seal for Lundein picnic tables	\$21.77	
			58350	101-016-544-90-31-02	ST-Operating Cost	Paint and magnetic key holders	\$29.26	
				410-016-531-10-31-02	SW-Operating Costs	Paint and magnetic key holders	\$29.26	
			58354	101-016-544-90-31-02	ST-Operating Cost	Ax and sledge hammer handles	\$63.12	
				410-016-531-10-31-02	SW-Operating Costs	Ax and sledge hammer handles	\$63.12	
			58355	101-016-544-90-31-02	ST-Operating Cost	Ax and sledge hammer handles	(\$2.18)	
				410-016-531-10-31-02	SW-Operating Costs	Ax and sledge hammer handles	(\$2.18)	
			58381	001-012-575-50-31-00	CS-Community Center-Ops	Sanding Discs-rust removal-Community Center Bathrooms	\$17.40	
			58384	001-013-518-20-31-00	GG-Operating	Electrical supplies for wiring new City Hall Shed	\$33.05	
			58385	001-008-521-21-48-00	LE-Boating Repair & Maint	Traker repair PT44	\$16.42	
			58387	001-012-575-50-31-00	CS-Community Center-Ops	Paint for Community Center Bathrooms	\$156.78	
			58406	001-010-576-80-31-00	PK-Operating Costs	Rebar-Benches at Main Street Plaza	\$78.30	
			58407	001-013-594-18-60-02	GG - City Hall Demo	Wall Heater-New City Hall Shed	\$130.67	
			58412	101-016-544-90-31-02	ST-Operating Cost	PVC for drain on De-icer	\$2.65	
				410-016-531-10-31-02	SW-Operating Costs	PVC for drain on De-icer	\$2.65	
			58413	001-010-576-80-31-00	PK-Operating Costs	Wood filler for picnic tables in Main Street Plaza	\$13.48	
			58418	001-012-572-20-31-00	CS-Library-Office & Operating	Parts for Library Fan	\$24.40	
			58423	001-012-572-20-31-00	CS-Library-Office & Operating	Parts for Library Fan	(\$8.16)	
			58424	001-013-594-18-60-02	GG - City Hall Demo	Wire nuts/Duct & Vent for New City Hall shed	\$71.82	
			58425	101-016-544-90-31-02	ST-Operating Cost	Spare keys for PW70	\$7.60	
				410-016-531-10-31-02	SW-Operating Costs	Spare keys for PW70	\$7.60	
			58438	001-013-594-18-60-02	GG - City Hall Demo	Soil for City Hall Planter boxes	\$239.10	
ACES	44924	4/5/2018	13313JM	001-005-517-60-31-00	HR-Safety Program	Safety mtg-Emergency procedure training	\$104.44	
				101-016-517-60-31-00	ST-Safety Program	Safety mtg-Emergency procedure training	\$112.28	
				410-016-517-60-31-00	SW-Safety Program	Safety mtg-Emergency procedure training	\$112.28	
Advance Auto Parts	44925	4/5/2018	2421-273263	101-015-543-30-31-00	ME - Operating Costs	Diesel Exhaust Fluid-PW50/65/66/67	\$34.03	
				410-015-531-10-31-00	ME - Operating Costs	Diesel Exhaust Fluid-PW50/65/66/67	\$34.02	



## Checks to be Approved for 3/23/2018 to 4/5/2018

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	
Advance Auto Parts	44925	4/5/2018	2421-273716	101-015-543-30-31-00	ME - Operating Costs	Wiper Blade PW70	\$3.80
				410-015-531-10-31-00	ME - Operating Costs	Wiper Blade PW70	\$3.81
AFLAC	0						
		3/30/2018	701588	001-000-284-00-00-00	Payroll Liability Other	Employee paid Insurance Prem	\$1,608.72
Alexander Printing	44926						
		4/5/2018	54623	001-004-514-23-31-00	FI-Office Supplies	Window Security Envelopes	\$217.21
American Forest Management Inc	44927						
		4/5/2018	107443	001-010-576-80-41-01	PK-Professional Tree Srv	Arborist Tree Assessment Project-Task Order 2	\$850.00
Elizabeth Ammons	44928						
		4/5/2018	Refund	001-000-362-00-00-04	Lundeen Shelter Rental	Lundeen Shelter reservation refund-Ammons	\$67.00
Assoc of Washington Cities EFT	0						
		3/30/2018	033018	001-000-283-00-00-00	Payroll Liability Medical	Medical Insurance Premium	\$120,321.30
				001-013-518-30-20-00	GG-Benefits	Medical Insurance Premium	(\$0.81)
B&H Fire Security	44929						
		4/5/2018	Refund	001-000-342-40-00-00	Protective Inspections - Fire	Refund Fire Permits FIR2018-0011 &0012	\$121.00
				633-000-389-30-00-08	Fire DistrictFees	Refund Fire Permits FIR2018-0011 &0012	\$800.00
Bay Alarm Company	44930						
		4/5/2018	3043601803151	001-008-521-20-41-01	LE-Proessional Serv-Fixed	Burglar & Fire Alarm Monitoring	\$348.00
Kerry Bernhard	44931						
		4/5/2018	41972	001-008-521-20-43-00	LE-Travel & Per Diem	Replacement check for # 41972	\$22.00
Bickford Motors Inc	44932						
		4/5/2018	1133689	001-015-576-80-31-00	ME - Operating Costs	Driver Seat Frame PW25	\$78.40
				101-015-543-30-31-00	ME - Operating Costs	Driver Seat Frame PW25	\$78.41
				410-015-531-10-31-00	ME - Operating Costs	Driver Seat Frame PW25	\$78.41
Ron Brooks	44933						
		4/5/2018	011118	001-008-521-20-43-00	LE-Travel & Per Diem	PerDiem-Command Leadership training-Spokane WA-R Brooks	\$349.00
Cadman Inc	44934						
		4/5/2018	5500460	101-016-542-70-31-00	ST-Roadside - Supply	Asphalt tar & tack	\$232.89
Canon Financial Services Inc	44935						
		4/5/2018	18426680	101-016-542-30-48-00	ST-Repair & Maintenance	Copier maintenance - City Shop	\$17.06



## Checks to be Approved for 3/23/2018 to 4/5/2018

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	
Canon Financial Services Inc	44935	4/5/2018	18426680	410-016-531-10-48-00	SW-Repairs & Maintenance	Copier maintenance - City Shop	\$17.07
Cash	44913					Check Total	\$400.00
		3/30/2018	Ord1021	001-000-101-00-00-00	Cash	Cashier Change Funds at Police Dept Ordinance 1021	\$400.00
Julie Cavender	44936					Check Total	\$127.00
		4/5/2018	Refund	001-013-518-20-49-00	GG-Miscellaneous	Refund Lundein Shelter Reservation deposit-Cavender	\$127.00
CIC Valuation Group Inc	44937					Check Total	\$11,940.00
		4/5/2018	17-3098	001-013-518-20-41-00	GG-Professional Service	Appraisal services February 2018	\$11,940.00
City of Everett	44938					Check Total	\$2,804.84
		4/5/2018	I18001238	001-008-554-30-51-00	LE-Animal Control	Boarding & Vet services-Dog-Itka	\$1,879.84
			I18001333	001-008-554-30-51-00	LE-Animal Control	Shelter services - February 2018	\$925.00
	44939					Check Total	\$27.00
		4/5/2018	010340 0318	101-016-543-50-47-00	ST-Utilities	Water services 9306 20th St SE	\$27.00
City of Marysville	44940					Check Total	\$16,353.83
		4/5/2018	POLIN18-0020	001-008-523-60-51-00	LE-Jail	Prisoner Medical - February 2018	\$700.00
			POLIN18-0024	001-008-523-60-51-00	LE-Jail	Prisoner Housing - December 2017	\$8,685.96
			POLIN18-0026	001-008-523-60-51-00	LE-Jail	Prisoner Housing - January 2018	\$6,767.87
			POLIN18-0029	001-008-523-60-51-00	LE-Jail	Prisoner Medical - January 2018	\$200.00
City of Monroe	44941					Check Total	\$14,742.00
		4/5/2018	0042270	530-016-594-48-60-00	Purchase Of Capital Equipment	80NX Excavator	\$14,742.00
Coast Gateway Hotel	44942					Check Total	\$408.16
		4/5/2018	488628	001-008-521-20-43-00	LE-Travel & Per Diem	Hotel-FTO Conference-Seatac-Barnes	\$204.08
			488629	001-008-521-20-43-00	LE-Travel & Per Diem	Hotel-FTO Conference-Seatac-Christenson	\$204.08
Comcast	44943					Check Total	\$116.18
		4/5/2018	0692756 0318	001-008-521-20-42-00	LE-Communication	Internet services - Market Place	\$116.18
	44944					Check Total	\$96.18
		4/5/2018	0810218 0318	001-008-521-20-42-00	LE-Communication	Internet services - N Lakeshore Dr	\$96.18
	44945					Check Total	\$156.18
		4/5/2018	1009612 0318	001-013-518-90-49-03	GG-Visitor Center -SnoCo Contr	Internet services - VIC	\$156.18
Comdata Corporation	44946					Check Total	\$1,334.77
		4/5/2018	20292213	001-008-521-20-32-00	LE-Fuel	Fuel	\$1,334.77



## Checks to be Approved for 3/23/2018 to 4/5/2018

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	Check Total
Control Dynamics Inc	44947	4/5/2018	Retainage	621-000-589-20-00-01	Retainage Release - Other PW	Retainage Release-Control Dynamics	\$594.99
Daily Journal of Commerce Inc	44948	4/5/2018	3334615	001-013-594-18-60-03	GG - Chapel Hill	2018 RFQ Police Station Civic Campus	\$52.90
			3334672	302-010-594-76-61-00	PM - Frontier Heights Capital	2018 RFQ Plan specs for Frontier Park	\$62.10
Dataquest LLC	44949	4/5/2018	5107	001-010-576-80-41-00	PK-Professional Services	Background check-Capital Proj Coord	\$10.00
				101-016-542-30-41-02	ST-Professional Service	Background check-Capital Proj Coord	\$10.00
				410-016-531-10-41-01	SW-Professional Services	Background check-Capital Proj Coord	\$10.00
James Davis	44950	4/5/2018	BLD2017-0523	001-000-322-10-00-00	Building Permits	Refund Building permit BLD2017-0523 incorrect valuation	\$141.12
Day Wireless Systems	44951	4/5/2018	438537	001-008-521-20-31-01	LE-Fixed Minor Equipment	Radio interface cable for motorcycle	(\$578.67)
			441967	001-008-521-20-31-01	LE-Fixed Minor Equipment	Super mic returned-Aukerman	(\$651.78)
			445131	001-008-521-20-31-01	LE-Fixed Minor Equipment	Adapter/Mic for radio	(\$205.09)
			447669	001-008-521-20-31-05	LE-Equipment - New Officers	Encryption boards for radios	\$644.70
			451508	001-008-521-20-31-05	LE-Equipment - New Officers	Flexible ear insets	\$321.95
			454493	001-008-521-20-31-02	LE-Minor Equipment	Stubby Whip Antenna-Bassett	\$63.16
			455600	001-008-521-20-31-05	LE-Equipment - New Officers	Flexible Ear insert - Jewel	\$67.51
			456054	001-008-521-20-31-02	LE-Minor Equipment	Replacement earphone - Kilroy	\$32.37
			458349	001-008-521-20-41-01	LE-Proessional Serv-Fixed	Onsite SMD Calibrations	\$925.65
			458652	001-008-521-20-41-01	LE-Proessional Serv-Fixed	Calibrated 3 new Python III SMDs	\$228.69
Dept of Retirement	44952	4/5/2018	1274417	001-004-514-23-49-00	FI-Miscellaneous	OASI 2017 Tax year	\$39.24
Dept of Retirement (Deferred Comp)	0	3/30/2018	033018	001-000-282-00-00-00	Payroll Liability Retirement	Employee Portion-State Deferre	\$2,970.00
Dept of Retirement PERS LEOFF	0	4/5/2018	033018	001-000-282-00-00-00	Payroll Liability Retirement	PERS LEOFF Contributions	\$95,448.17
Dicks Towing Inc	44953	4/5/2018	171570	001-008-521-20-41-00	LE-Professional Services	Towing PT-14-58 to County shop	\$115.19
			171893	001-008-521-20-41-00	LE-Professional Services	Towing services case 2018-5035	\$126.16



## Checks to be Approved for 3/23/2018 to 4/5/2018

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	
Dicks Towing Inc	44953	4/5/2018	172702	001-008-521-20-41-00	LE-Professional Services	Evidence Towing case 2018-5948	\$126.16
			174530	001-008-521-20-41-00	LE-Professional Services	Evidence towing case 2018-5745	\$126.16
Dunlap Industrial Hardware	44954	4/5/2018	1404196-01	101-016-544-90-31-02	ST-Operating Cost	Pike poles for Vactor truck	\$66.40
				410-016-531-10-31-02	SW-Operating Costs	Pike poles for Vactor truck	\$66.39
John Dyer	44955	4/5/2018	022218	001-008-521-20-43-00	LE-Travel & Per Diem	PerDiem-Executive Leadership training-Portland OR-Dyer	\$349.00
Electronic Federal Tax Pmt System EFTPS	0	3/30/2018	033018	001-000-281-00-00-00	Payroll Liability Taxes	Federal Payroll Taxes	\$67,588.44
Electronic Business Machines	44956	4/5/2018	AR96926	001-008-521-20-48-00	LE-Repair & Maintenance Equip	Copier repair & maintenance	\$201.40
Everett Stamp Works	44957	4/5/2018	24083	001-005-518-10-31-00	HR-Office Supplies	Nameplate - Good	\$33.65
Everett Steel	44958	4/5/2018	212683	001-010-576-80-31-00	PK-Operating Costs	Steel Angle Iron for Gabian Baskets	\$83.32
Tyler Farmer	44959	4/5/2018	033018	001-007-559-30-31-02	PB - Clothing	Boots	\$141.52
				001-007-559-30-43-00	PB-Travel & Mtgs	Parking at WABO	\$16.00
Fastenal Company	44960	4/5/2018	WAEV138340	101-016-544-90-31-02	ST-Operating Cost	Eyewear	\$19.23
				410-016-531-10-31-02	SW-Operating Costs	Eyewear	\$19.22
Feldman and Lee	44961	4/5/2018	MAR2018	001-011-515-91-41-00	LG-General Indigent Defense	Public Defender services March 2018	\$10,000.00
Flower World Inc	44962	4/5/2018	82011	001-013-594-18-60-02	GG - City Hall Demo	Plants for City Hall Planters	\$865.97
Margaret Fondse	44963	4/5/2018	020718	001-008-521-20-31-02	LE-Minor Equipment	Uniform alterations - Fox	\$9.82
Donna Foster	44964	4/5/2018	39461	101-016-544-90-31-01	ST-Office Supplies	Postcards US Rt 2 Trestle Project	\$30.77
				410-016-531-10-31-01	SW-Office Supplies	Postcards US Rt 2 Trestle Project	\$30.76
				39483	001-008-521-20-31-00	LE-Office Supplies	Property Postcards



## Checks to be Approved for 3/23/2018 to 4/5/2018

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	Check Total	\$
Ariane Fox	44965	4/5/2018	020518	001-008-521-20-43-00	LE-Travel & Per Diem	PerDiem-Managing Emotions-Everett WA-Fox	\$19.00	
Frontier	44966	4/5/2018	4253340835 0318	001-013-518-20-42-00 101-016-543-30-42-00 410-016-531-10-42-00	GG-Communication ST-Communications SW-Communications	City Hall Fax Line City Hall Fax Line City Hall Fax Line	\$26.71 \$26.72 \$26.72	
	44967	4/5/2018	4253979674 0318	101-016-542-64-47-00	ST-Traffic Control -Utility	Traffic Control Modem	\$68.94	
	44968	4/5/2018	4252123320 0318	001-012-575-30-42-00	CS-Historical-Communications	Telephone - Museum	\$93.46	
Brett Gailey	44969	4/5/2018	040218	001-001-511-60-43-00	Legislative - Travel & Mtgs	Uber expenses-NLC Conference-DC-Gailey	\$187.70	
Glens Welding and Machine Inc	44970	4/5/2018	S13526 S13543	001-010-576-80-31-00 101-016-544-90-31-02 410-016-531-10-31-02 001-010-576-80-31-00 101-016-544-90-31-02 410-016-531-10-31-02	PK-Operating Costs ST-Operating Cost SW-Operating Costs PK-Operating Costs ST-Operating Cost SW-Operating Costs	Chainsaw chains & sproket Chainsaw chains & sproket Chainsaw chains & sproket Chainsaw chains and bar Chainsaw chains and bar Chainsaw chains and bar	\$32.47 \$32.47 \$32.47 \$43.91 \$43.90 \$43.90	
Grainger	44971	4/5/2018	9732845012 9733690383 9734994859	101-016-544-90-31-02 410-016-531-10-31-02 101-016-544-90-31-02 410-016-531-10-31-02 101-016-544-90-31-02 410-016-531-10-31-02	ST-Operating Cost SW-Operating Costs ST-Operating Cost SW-Operating Costs ST-Operating Cost SW-Operating Costs	4 Axe 4 Axe Sledge Eye Mauls Sledge Eye Mauls Soft Face Sledge hammers Soft Face Sledge hammers	\$111.23 \$111.23 \$46.43 \$46.42 \$128.23 \$128.23	
Granite Construction Supply	44972	4/5/2018	262_00071239	101-016-542-64-31-00	ST-Traffic Control - Supply	Street name signs	\$76.79	
Chris L Griffen	44973	4/5/2018	7Z0698538	001-011-515-91-41-00	LG-General Indigent Defense	Public Defender services	\$600.00	\$300.00



## Checks to be Approved for 3/23/2018 to 4/5/2018

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	
Chris L Griffen	44973	4/5/2018	7Z1011994	001-011-515-91-41-00	LG-General Indigent Defense	Public Defender services	\$300.00
Gavin Heinemann	44974					Check Total	\$820.00
		4/5/2018	43587	001-008-521-20-43-00	LE-Travel & Per Diem	Replacement for check 43587	\$820.00
Michael Hingtgen	44975					Check Total	\$333.19
		4/5/2018	032618	001-008-521-20-43-00	LE-Travel & Per Diem	Hotel-UTM Training-Canby OR-Hingtgen	\$314.19
			42971	001-008-521-20-43-00	LE-Travel & Per Diem	Replacement for check 42971	\$19.00
Honey Bucket	44976					Check Total	\$335.50
		4/5/2018	0550593682	001-010-576-80-45-00	PK-Equipment Rental	Honey Bucket Rental Boat Launch	\$218.00
			0550593683	001-010-576-80-45-00	PK-Equipment Rental	Honey Bucket Rental Community Garden	\$117.50
HRA VEBA Trust YA20192	44914					Check Total	\$719.48
		3/30/2018	43642	001-000-283-00-00-00	Payroll Liability Medical	HRA VEBA Contributions	\$719.48
HSA Bank	44915					Check Total	\$149.00
		3/30/2018	033018	001-000-284-00-00-00	Payroll Liability Other	Health Savings Account Employee Contributions	\$149.00
HW Lochner Inc	44977					Check Total	\$32,813.03
		4/5/2018	9	301-016-544-40-41-02	TIZ3 - 24th St Design	24th Street SE Extension project	\$32,813.03
International Institute of Municipal Clerks	44978					Check Total	\$225.00
		4/5/2018	2018	001-003-514-20-49-00	CC-Miscellaneous	2018 Annual Membership fee IIMC-Pugh	\$225.00
J Gardner and Associates	44979					Check Total	\$305.00
		4/5/2018	9603	001-008-521-30-31-00	LE-Community Outreach Supplies	Foil Jr Police Badges	\$305.00
J Thayer Company Inc	44980					Check Total	\$899.02
		4/5/2018	1232668-0	001-008-521-20-31-00	LE-Office Supplies	File folders	\$16.32
			1232832-0	001-008-521-20-31-00	LE-Office Supplies	Laminator/paper/flash drives/pens/mem cards	\$397.29
			1234065-0	001-008-521-20-31-00	LE-Office Supplies	Calendar	\$5.13
			1237316-0	001-002-513-11-31-00	AD-Office Supply	Pen refill	\$5.31
				001-005-518-10-31-00	HR-Office Supplies	Staples/scissors/pocket file/tape dispenser	\$30.05
				001-007-558-50-31-00	PL-Office Supplies	Paper/Lam Pouches/Batteries	\$106.51
				001-007-559-30-31-00	PB-Office Supplies	Paper/Lam Pouches/Batteries	\$106.50
				001-013-518-20-31-00	GG-Operating	Paper/binder clips/Tape/Batteries	\$213.41
				101-016-544-90-31-01	ST-Office Supplies	File pocket	\$9.25
				410-016-531-10-31-01	SW-Office Supplies	File pocket	\$9.25



## Checks to be Approved for 3/23/2018 to 4/5/2018

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	Check Total	\$600.00
Jeffrey D. Goldman	44981	4/5/2018	1337	001-008-521-20-41-00	LE-Professional Services	Pre Employment Polygraph Exams		\$600.00
Laurie Johnson	44982	4/5/2018	Refund	001-013-518-20-49-00	GG-Miscellaneous	Refund reservation fee for Lundeen Shelter-Johnson		\$67.00
King County Directors Association Purchasing Dept	44983	4/5/2018	retainage	621-000-589-20-00-01	Retainage Release - Other PW	Retainage release-KCDA		\$44,252.37
KPG Inc PS	44984	4/5/2018	2-14318	101-016-542-70-31-01	Citywide Beautification Implem	Beautification Plan		\$3,471.50
Kustom Signals Inc	44985	4/5/2018	550957	001-008-521-20-31-02	LE-Minor Equipment	Radar for traffic motorcycle		\$2,677.99
Lake Industries LLC	44986	4/5/2018	275439	001-010-576-80-31-00	PK-Operating Costs	1 1/4 Minus Crushed Rock		\$128.21
				101-016-544-90-31-02	ST-Operating Cost	1 1/4 Minus Crushed Rock		\$128.22
				410-016-531-10-31-02	SW-Operating Costs	1 1/4 Minus Crushed Rock		\$128.22
		35105		001-010-576-80-31-00	PK-Operating Costs	Fill hauled in by the yard		\$66.67
				101-016-544-90-31-02	ST-Operating Cost	Fill hauled in by the yard		\$66.67
				410-016-531-10-31-02	SW-Operating Costs	Fill hauled in by the yard		\$66.66
		35121		001-010-576-80-31-00	PK-Operating Costs	Fill Hauled in by the Yard		\$50.00
				101-016-544-90-31-02	ST-Operating Cost	Fill Hauled in by the Yard		\$50.00
				410-016-531-10-31-02	SW-Operating Costs	Fill Hauled in by the Yard		\$50.00
		35126		001-010-576-80-31-00	PK-Operating Costs	Fill Hauled in by the Yard		\$66.66
				101-016-544-90-31-02	ST-Operating Cost	Fill Hauled in by the Yard		\$66.67
				410-016-531-10-31-02	SW-Operating Costs	Fill Hauled in by the Yard		\$66.67
Lake Stevens Chamber of Commerce	44987	4/5/2018	MAY2018	001-013-518-90-49-01	GG-Chamber of Commerce	May 2018 Contributions for VIC		\$1,500.00
Lake Stevens Fire	44988	4/5/2018	10726	001-013-518-20-41-00	GG-Professional Service	2018 Annual Fire Inspection-City Hall		\$300.00
			10735	001-012-572-20-41-00	CS-Library-Professional Svc	2018 Annual Fire Inspection-Library		\$185.00
Lake Stevens Police Guild	44916	3/30/2018	033018	001-000-284-00-00-00	Payroll Liability Other	Employee Paid Union Dues		\$1,059.00



## Checks to be Approved for 3/23/2018 to 4/5/2018

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	Check Total	
Lake Stevens School District	44989	4/5/2018	0017180127	001-007-558-50-32-00	PL-Fuel	Fuel	\$9.73	
				001-007-559-30-32-00	PB-Fuel	Fuel	\$168.84	
				001-008-521-20-32-00	LE-Fuel	Fuel	\$3,991.38	
				001-010-576-80-32-00	PK-Fuel Costs	Fuel	\$39.20	
				001-013-518-20-32-00	GG-Fuel	Fuel	\$9.73	
				101-016-542-30-32-00	ST-Fuel	Fuel	\$2,042.84	
				410-016-531-10-32-00	SW-Fuel	Fuel	\$1,981.55	
LN Curtis & Sons	44990	4/5/2018	INV168895	001-008-521-20-31-05	LE-Equipment - New Officers	Name patches Jewell	\$33.65	
			INV169459	001-008-521-20-31-02	LE-Minor Equipment	Collar Brass	\$854.95	
			INV170434	001-008-521-20-31-02	LE-Minor Equipment	Black Knit Cap - R Brooks & C Brooks	\$39.20	
			INV170437	001-008-521-20-31-05	LE-Equipment - New Officers	Black Knit Cap - Jewell	\$19.60	
Lowes Companies	44991	4/5/2018	911386	001-013-518-20-31-00	GG-Operating	Trim/nails for door at City Hall	\$29.59	
			920255	101-016-544-90-31-02	ST-Operating Cost	Lumber supplies	\$79.49	
				410-016-531-10-31-02	SW-Operating Costs	Lumber supplies	\$79.48	
			920770	001-010-576-80-31-00	PK-Operating Costs	Lumber to repair picnic tables at Lundein park	\$138.17	
			961996	001-008-521-20-31-02	LE-Minor Equipment	LED Emergency Light	\$41.68	
Abraham Martinez	44992	4/5/2018	040118	001-013-518-20-31-00	GG-Operating	Video production services	\$2,613.60	
Alexander Michael	44993	4/5/2018	021618	001-008-521-20-43-00	LE-Travel & Per Diem	PerDiem-FTO Training-Marysville WA-Michael	\$95.00	
Robert Miner	44994	4/5/2018	011218	001-008-521-20-43-00	LE-Travel & Per Diem	PerDiem-WHIA Conference-Suquamish WA-Miner	\$123.00	
Modern Machinery	44995	4/5/2018	41546	530-016-594-48-60-00	Purchase Of Capital Equipment	Doc fees for Komatsu excavator purchase	\$500.00	
Monroe Correctional Complex	44996	4/5/2018	MCC1802.788	001-010-576-80-48-00	PK-Repair & Maintenance	DOC Work Crew	\$108.80	
				001-013-518-20-48-00	GG-Repair & Maintenance	DOC Work Crew	\$73.73	
				101-016-542-30-48-00	ST-Repair & Maintenance	DOC Work Crew	\$354.91	



## Checks to be Approved for 3/23/2018 to 4/5/2018

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	
Monroe Correctional Complex	44996	4/5/2018	MCC1802.788	410-016-531-10-48-00	SW-Repairs & Maintenance	DOC Work Crew	\$33.41
MPH Industries Inc	44997					Check Total	\$118.71
		4/5/2018	6003578	001-008-521-20-48-00	LE-Repair & Maintenance Equip	Repair Python cable assembly	\$118.71
Nationwide Retirement Solution	0					Check Total	\$3,425.00
		3/30/2018	033018	001-000-282-00-00-00	Payroll Liability Retirement	Employee Portion-Nationwide	\$3,425.00
Neofunds by Neopost	44998					Check Total	\$437.03
		4/5/2018	80346335 0318	001-008-521-20-42-00	LE-Communication	Postage	\$437.03
New York Life	44999					Check Total	\$512.00
		4/5/2018	MAR2018	001-000-284-00-00-00	Payroll Liability Other	Voluntary Whole Life-employee paid	\$512.00
New York Life	0					Check Total	\$3,296.01
		4/5/2018	MAR2018	001-002-513-11-20-00	AD-Benefits	Life/Disability Ins Premiums	\$52.99
				001-003-514-20-20-00	CC-Benefits	Life/Disability Ins Premiums	\$67.54
				001-004-514-23-20-00	FI-Benefits	Life/Disability Ins Premiums	\$117.66
				001-005-518-10-20-00	HR-Benefits	Life/Disability Ins Premiums	\$48.77
				001-006-518-80-20-00	IT-Benefits	Life/Disability Ins Premiums	\$83.90
				001-007-558-50-20-00	PL-Benefits	Life/Disability Ins Premiums	\$328.46
				001-007-559-30-20-00	PB-Benefits	Life/Disability Ins Premiums	\$133.95
				001-008-521-20-20-00	LE-Benefits	Life/Disability Ins Premiums	\$1,395.42
				001-010-576-80-20-00	PK-Benefits	Life/Disability Ins Premiums	\$125.04
				001-013-518-30-20-00	GG-Benefits	Life/Disability Ins Premiums	\$42.84
				101-016-542-30-20-00	ST-Benefits	Life/Disability Ins Premiums	\$461.52
				401-070-535-10-20-00	SE-Benefits	Life/Disability Ins Premiums	\$6.22
				410-016-531-10-20-00	SW-Benefits	Life/Disability Ins Premiums	\$431.70
Office of The State Treasurer	44917					Check Total	\$2.23
		3/30/2018	FEB2018	633-000-589-30-00-19	Distracted Driving Prevention	Adjustment to check 44778	\$2.23
Outcomes by Levy LLC	45000					Check Total	\$4,593.97
		4/5/2018	2018-03-LS	001-013-511-70-40-00	Lobbying Services	Legislative/Regulatory Consulting for March 2018	\$4,593.97
Pacific Logging LLC	45001					Check Total	\$300.00
		4/5/2018	22705	301-016-595-30-60-03	T11 - 24th St & 91st Extension	Haul Excavator 91st & 20th to Soper Hill Rd	\$300.00



## Checks to be Approved for 3/23/2018 to 4/5/2018

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	Check Total	\$353.00
Pitney Bowes	45002	4/5/2018	3305815892	001-013-518-20-45-00	GG-Equipment Rental	Postage machine rental		\$353.00
Platt Electric Supply	45003	4/5/2018	P836962	101-016-544-90-31-02	ST-Operating Cost	Photocells		\$64.45
			R002510	001-013-594-18-60-02	GG - City Hall Demo	Electrical supplies to wire the new City Hall shed		\$403.72
Public Safety Testing Inc	45004	4/5/2018	PSTI18-1951	001-008-521-20-41-00	LE-Professional Services	New employee background checks		\$3,730.02
Puget Sound Clean Air Agency	45005	4/5/2018	18-0565 Q2	001-013-553-70-51-00	GG-Air Pollution	2018 Clean Air Assessment		\$5,111.75
Purchase Power	45006	4/5/2018	0318	001-007-558-50-42-00	PL-Communication	Postage		\$133.53
				001-013-518-20-42-00	GG-Communication	Postage		\$196.86
				101-016-543-30-42-00	ST-Communications	Postage		\$2.84
				410-016-531-10-42-00	SW-Communications	Postage		\$2.84
Alicia Ramirez	45007	4/5/2018	Refund	001-000-362-00-00-04	Lundeen Shelter Rental	Refund reservation for Lundeen shelter-Ramirez		\$127.00
Debbie Reis	45008	4/5/2018	Refund	001-000-362-00-00-04	Lundeen Shelter Rental	Refund reservation for Lundeen shelter-Reis		\$67.00
Snohomish County Planning	45009	4/5/2018	I000464157	001-013-518-90-49-05	GG-SnoCo Tomorrow	2018 Snohomish County Tomorrow Dues		\$5,747.00
Snohomish County PUD	45010	4/5/2018	104862528	101-016-542-63-47-00	ST-Lighting - Utilities	202013249 Traffic Signal		\$86.43
			118114817	001-010-576-80-47-00	PK-Utilities	200493443 Cath Creek Park meter 73867		\$17.58
			118117318	001-010-576-80-47-00	PK-Utilities	202340527 Yard		\$7.43
				101-016-542-63-47-00	ST-Lighting - Utilities	202340527 Yard		\$7.43
				410-016-531-10-47-00	SW-Utilities	202340527 Yard		\$7.43
			131357202	101-016-542-63-47-00	ST-Lighting - Utilities	202988481 Street Lights		\$208.58
			151089816	001-010-576-80-47-00	PK-Utilities	203599006 City Shop		\$193.28
				101-016-543-50-47-00	ST-Utilities	203599006 City Shop		\$193.27
				410-016-531-10-47-00	SW-Utilities	203599006 City Shop		\$193.33
			151092487	101-016-542-63-47-00	ST-Lighting - Utilities	203728159 Traffic Signal		\$55.31



## Checks to be Approved for 3/23/2018 to 4/5/2018

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	
Snohomish County PUD	45010	4/5/2018	160734825	101-016-542-63-47-00	ST-Lighting - Utilities	203730189 Traffic Signal	\$69.35
			160734826	101-016-542-63-47-00	ST-Lighting - Utilities	203731153 Traffic Signal	\$87.49
			163955197	101-016-542-63-47-00	ST-Lighting - Utilities	203582010 Street Lights	\$72.21
			167199557	101-016-542-64-47-00	ST-Traffic Control -Utility	221128085 Traffic Signal 7441 20th St SE	\$72.29
			167200525	001-012-557-30-40-01	CS - VIC Utilities	205395999 Visitor Center	\$204.82
Sonsray Machinery LLC	45011	4/5/2018	P08358-09	101-015-543-30-31-00	ME - Operating Costs	Master Cylinder PW34	\$356.43
				410-015-531-10-31-00	ME - Operating Costs	Master Cylinder PW34	\$356.43
						Check Total	\$712.86
Sound Publishing Inc	45012	4/5/2018	EDH799724	001-013-594-18-60-03	GG - Chapel Hill	RFQ 2018 Police Station Civic Campus	\$25.92
			EDH799900	302-010-594-76-61-00	PM - Frontier Heights Capital	Frontier Park 2018 RFQ	\$27.64
			EDH799984	001-007-558-50-41-03	PL-Advertising	Public hearing-Model Homes LSMC code amendment	\$100.00
			EDH799986	001-007-558-50-41-03	PL-Advertising	Public Hearing LSMC - Supervised Drug Consumption Facilities	\$100.00
			EDH801005	001-007-558-50-41-03	PL-Advertising	LUA2018-0044 RAM Restaurant	\$65.48
						Check Total	\$319.04
Sound Safety Products Co Inc	45013	4/5/2018	195792/1	001-010-576-80-31-01	PK-Ops-Clothing	Dungarees/Jeans	\$53.01
				101-016-542-90-31-01	ST-Clothing	Dungarees/Jeans	\$53.01
				410-016-531-10-31-00	SW-Clothing	Dungarees/Jeans	\$53.01
						Check Total	\$159.03
Sound Security Inc	45014	4/5/2018	885113	001-013-518-20-41-00	GG-Professional Service	Access/Hold up monitoring April 2018	\$570.87
			Retainage	621-000-589-20-00-01	Retainage Release - Other PW	Retainage released-Sonitrol/Sound Security	\$14,262.29
						Check Total	\$14,833.16
Springbrook Nursery	45015	4/5/2018	260435 cr	101-016-544-90-31-02	ST-Operating Cost	Overpayment credit	(\$352.84)
				410-016-531-10-31-02	SW-Operating Costs	Overpayment credit	(\$352.83)
			260962	302-010-594-76-61-02	PM - Lundeen Park Capital	Dump fees	\$120.00
			260995	302-010-594-76-61-02	PM - Lundeen Park Capital	Dump fees	\$160.00
			261465	302-010-594-76-61-02	PM - Lundeen Park Capital	Dump fees	\$320.00
			261941	304-016-595-30-60-03	Callow Road Embankment	Dump fees	\$200.00
			261955	304-016-595-30-60-03	Callow Road Embankment	Dump fees	\$120.00
			262052	304-016-595-30-60-03	Callow Road Embankment	Dump fees	\$200.00
			262072	304-016-595-30-60-03	Callow Road Embankment	Dump fees	\$200.00
						Check Total	\$1,634.33



## Checks to be Approved for 3/23/2018 to 4/5/2018

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	
Springbrook Nursery	45015	4/5/2018	262097	304-016-595-30-60-03	Callow Road Embankment	Dump fees	\$200.00
			262115	302-010-594-76-61-04	PM - Eagle Ridge	Dump fees	\$520.00
			262153	302-010-594-76-61-04	PM - Eagle Ridge	Dump fees Community Garden	\$300.00
Strategies 360 Inc	45016						Check Total \$4,000.00
		4/5/2018	772-28501	001-013-511-70-40-00	Lobbying Services	Federal Lobbying services-April 2018	\$4,000.00
Superior Septic Service LLC	45017						Check Total \$2,527.46
		4/5/2018	011033	001-012-569-00-48-00	CS-Aging Services R&M	Septic services at Senior Center	\$2,527.46
Tacoma Screw Products Inc	45018						Check Total \$130.22
		4/5/2018	18193625	101-016-544-90-31-02	ST-Operating Cost	Bolts/screws/Hitch pins/seal rings	\$65.11
				410-016-531-10-31-02	SW-Operating Costs	Bolts/screws/Hitch pins/seal rings	\$65.11
Teamsters Local No 763	44918						Check Total \$1,076.00
		3/30/2018	033018	001-000-284-00-00-00	Payroll Liability Other	Union Dues	\$1,076.00
Technological Services Inc	45019						Check Total \$87.13
		4/5/2018	07720	001-008-521-20-48-00	LE-Repair & Maintenance Equip	Lube Oil & Filter services PT-17-75	\$87.13
The Sharp Shop	45020						Check Total \$43.44
		4/5/2018	606368	101-016-542-30-48-00	ST-Repair & Maintenance	Sharpen chipper blades	\$21.72
				410-016-531-10-48-00	SW-Repairs & Maintenance	Sharpen chipper blades	\$21.72
Tribune	45021						Check Total \$84.00
		4/5/2018	2149903280404	101-016-542-30-41-01	ST-Advertising	Help wanted-Seasonal parks workers	\$42.00
				410-016-531-10-41-05	SW-Advertising	Help wanted-Seasonal parks workers	\$42.00
Julie Uber	45022						Check Total \$349.00
		4/5/2018	120517	001-008-521-20-43-00	LE-Travel & Per Diem	PerDiem-Command Leadership training-Spokane Wa	\$349.00
Vantagepoint Transfer Agents - 108991	44919						Check Total \$352.81
		3/30/2018	033018	001-000-282-00-00-00	Payroll Liability Retirement	ICMA Deferred Comp - Employer Contribution	\$352.81
Vantagepoint Transfer Agents - 307428	44920						Check Total \$1,238.35
		3/30/2018	033018	001-000-282-00-00-00	Payroll Liability Retirement	ICMA Deferred Comp - Employee Contribution	\$1,238.35
Verizon Northwest	45023						Check Total \$4,656.90
		4/5/2018	9804101490	001-001-511-60-42-00	Legislative - Communication	Wireless phone/data services	\$390.39
				001-001-513-10-42-00	Executive - Communication	Wireless phone/data services	\$52.78
				001-002-513-11-42-00	AD-Communications	Wireless phone/data services	\$105.56
				001-003-514-20-42-00	CC-Communications	Wireless phone/data services	\$55.77



## Checks to be Approved for 3/23/2018 to 4/5/2018

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	
Verizon Northwest	45023	4/5/2018	9804101490	001-005-518-10-42-00	HR-Communications	Wireless phone/data services	\$52.78
				001-006-518-80-42-00	IT-Communications	Wireless phone/data services	\$105.56
				001-007-558-50-42-00	PL-Communication	Wireless phone/data services	\$198.35
				001-007-559-30-42-00	PB-Communication	Wireless phone/data services	\$96.59
				001-008-521-20-42-00	LE-Communication	Wireless phone/data services	\$2,889.80
				001-010-576-80-42-00	PK-Communication	Wireless phone/data services	\$236.44
				101-016-543-30-42-00	ST-Communications	Wireless phone/data services	\$236.44
				410-016-531-10-42-00	SW-Communications	Wireless phone/data services	\$236.44
Jerad Wachtveitl	45024					Check Total	\$278.00
		4/5/2018	021718	001-008-521-20-43-00	LE-Travel & Per Diem	PerDiem-Fire Symposium-Leavenworth Wa-Wachtvitl	\$278.00
WAPRO	45025					Check Total	\$200.00
		4/5/2018	3750	001-008-521-20-49-00	LE-Dues & Memberships	2018 WAPRO Dues	\$25.00
				001-008-521-40-49-01	LE-Registration Fees	2018 WAPRO Spring Training	\$175.00
Steve Warbis	45026					Check Total	\$278.00
		4/5/2018	021718	001-008-521-20-43-00	LE-Travel & Per Diem	Per Diem-Fire Symposium-Leavenworth Wa-Warbis	\$278.00
Washington State Crime Prevention Assoc	45027					Check Total	\$260.00
		4/5/2018	1803	001-008-521-40-49-01	LE-Registration Fees	Conference registration-C Brooks	\$260.00
Washington State Dept of Enterprise Svcs	45028					Check Total	\$183.41
		4/5/2018	73173681	001-008-521-20-31-00	LE-Office Supplies	Envelopes	\$183.41
Washington State Support Registry	0					Check Total	\$163.50
		3/30/2018	033018	001-000-284-00-00-00	Payroll Liability Other	Employee Paid Child Support	\$163.50
Washington Teamsters Welfare Trust EFT	0					Check Total	\$2,326.40
		3/30/2018	033018	001-000-283-00-00-00	Payroll Liability Medical	Teamsters Dental Ins Premiums	\$2,326.40
Wave Broadband	45029					Check Total	\$1,396.20
		4/5/2018	04941870	001-002-513-11-42-00	AD-Communications	Telephone Service	\$20.52
				001-003-514-20-42-00	CC-Communications	Telephone Service	\$41.05
				001-004-514-23-42-00	FI-Communications	Telephone Service	\$41.05
				001-005-518-10-42-00	HR-Communications	Telephone Service	\$20.52
				001-006-518-80-42-00	IT-Communications	Telephone Service	\$61.57
				001-007-558-50-42-00	PL-Communication	Telephone Service	\$133.48
				001-007-559-30-42-00	PB-Communication	Telephone Service	\$20.53



## Checks to be Approved for 3/23/2018 to 4/5/2018

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc			
Wave Broadband	45029	4/5/2018	04941870	001-008-521-20-42-00	LE-Communication	Telephone Service	\$698.10		
				001-012-575-30-42-00	CS-Historical-Communications	Telephone Service Museum	\$20.52		
				001-012-575-50-42-00	CS-Community Center - Comm	Telephone Service Senior Ctr	\$20.53		
				001-013-518-20-42-00	GG-Communication	Telephone Service	\$82.09		
				101-016-543-30-42-00	ST-Communications	Telephone Service Shop	\$118.12		
				410-016-531-10-42-00	SW-Communications	Telephone Service Shop	\$118.12		
	45030						Check Total \$1,301.88		
	4/5/2018			04688512	510-006-518-80-49-00	License Renewal - Annual Maint	Fiber lease for New World Connection	\$650.94	
	04946348					License Renewal - Annual Maint	Fiber lease for New World Connection	\$650.94	
				Check Total \$24,450.25					
Weed Graafstra & Associates Inc	45031	4/5/2018	174	001-011-515-41-41-00	Ext Consultation - City Atty	Legal services - General Matters	\$1,920.00		
					Ext Consultation - City Atty	Legal services - General Maters	\$14,443.00		
				001-011-515-41-41-01	Ext Consult - PRA	Legal services - General Matters	\$740.00		
				001-011-515-45-41-00	Ext Litigation - City Atty	Legal services - General Maters	\$1,156.25		
				301-016-544-40-41-00	Street Op - P&D - 20th St SE	Legal services 20th Street Acquisitions	\$6,191.00		
Neil Chad Wells	45032						Check Total \$222.00		
		4/5/2018	010118	001-008-521-20-43-00	LE-Travel & Per Diem	PerDiem-Interviewing Techniques-Burien Wa-C Wells	\$222.00		
West Marine Pro	45033						Check Total \$482.66		
		4/5/2018	002268	001-008-521-21-48-00	LE-Boating Repair & Maint	Bunk Carpet for PT44	\$98.71		
			002903	001-008-521-21-31-00	LE-Boating Minor Equipment	Fuel Caddy	\$383.95		
Western Conference of Teamsters Pension Trust	44921						Check Total \$3,132.27		
		3/30/2018	033018	001-000-282-00-00-00	Payroll Liability Retirement	Employee Contributions - Teamster Pension	\$3,132.27		
David Williamson	45034						Check Total \$242.00		
		4/5/2018	033018	001-007-559-30-43-00	PB-Travel & Mtgs	PerDiem-Seminars-Tukwila & Leavenworth WA-Williamson	\$242.00		
<b>Total</b>							<b>\$559,827.58</b>		



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**CITY OF LAKE STEVENS  
CITY COUNCIL – PARKS BOARD JOINT MEETING MINUTES**

Tuesday, February 27, 2018

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

CALL TO ORDER: 6:03 p.m. by Mayor John Spencer

ELECTED OFFICIALS PRESENT: Councilmembers Kim Daughtry, Gary Petershagen, Todd Welch, Rauchel McDaniel, Brett Gailey and Marcus Tageant

ELECTED OFFICIALS ABSENT: Councilmember Kurt Hilt

PARKS BOARD MEMBERS  
PRESENT: Chris Jones, Tina Decker, Carl Johnson, Roger Schollenberg,

PARKS BOARD MEMBERS  
ABSENT Terry Van Wyck, Marlene Sweet, Susan Green

STAFF MEMBERS PRESENT: City Administrator Gene Brazel, Community Development Director Russ Wright, Public Works Director Eric Durpos, Police Chief John Dyer, City Clerk Kathy Pugh, Commander Ron Brooks, Senior Planner Josh Machen, IT Manager Troy Stevens

OTHERS:

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Director Wright opened the meeting and Tina Decker introduced the Parks Board members in attendance.

2018 Work Program: Director Wright reviewed the 2018 Work Program and identified the tasks including Community Outreach, a work group comprised of representatives from the Arts Commission and the Park Board which will coordinate efforts for park events and arts installation, park naming, establishing unique park and play structure themes, and working with Lake Stevens Junior Athletic Association (LSJAA).

Park Board member Chris Jones has met with the presidents of the football, soccer and baseball leagues to evaluate the sports field inventory. Fortunately, the school district works with LSJAA. The sports leagues are approaching the limits of field capacity, and the football fields are inadequate. Additionally, there is a lacrosse league in town now that wants to join LSJAA. He noted the Lake Stevens Community Park is very expensive to use. Mr. Jones said he has approached Snohomish County Parks Director Tom Tiegen about connecting the Community Park to the trail system.

Overview of Current Parks Projects: Director Wright updated that the City is moving forward with the design of Frontier Heights Park, 20<sup>th</sup> Street Ballfields improvements, development of a Trail Master Plan, and any special tasks that arise.

Turning to process, Director Wright said the Parks Board will be completing some code review, specifically as it relates to the lake, updating impact fees, and review of Rules and Procedures. Also, the Parks Board will be reviewing models from other cities to begin developing a Parks Program for the Lake Stevens community.

Councilmember Gailey said this is a good time to review development of the unused land under the powerline that could be utilized as parks and open space and would like to see a request for proposal to study how this land could be used. Discussion ensued and there were comments that the north end of the property under the powerlines would be well suited to mountain biking.

Boardmember Jones commented the land under the Bonneville Powerlines is an untapped resource that was developed for ballfields.

Boardmember Schollenberg commented that focusing on children and the ballfields they need will bring people into the city for their sporting events, which will bring money into the city.

Boardmember Jones reminded that Lake Stevens used to host the Tournament of Champions, but has lost that event due to lack of amenities in the city. Currently Lake Stevens has the most lit ballfields in the county, but cannot support the event because of the lack of amenities. Little League is trying to bring an event back to the city this year.

Director Wright returned to the proposal to utilize the land under the powerlines. He said the first steps are to complete an inventory, determine who the landowners are and assess values to the properties. The city would need a consultant to help identify a clear path forward.

Responding to Councilmember Tageant's question, Director Wright said the Frontier Heights Park might support two baseball fields, plus other park amenities. The better options for lacrosse, football and soccer are probably along 20<sup>th</sup> Street SE. What is really needed are practice fields, which is the thought for Frontier Heights.

Discussion ensued as to whether there is additional land adjacent to Lake Stevens Community Park that could also be developed as park land.

In response to Mayor Spencer's question regarding park naming, Director Wright reviewed the policy for park naming. He said park naming for the two parks that Council approved for naming will be advertised in the paper, and suggested using survey monkey on the website for a better response, and then having the Park Board filter the responses.

Mayor Spencer suggested North Cove Park could be renamed North Cove Memorial Park to recognize veterans, active military and other uniformed personnel such as police and fire. This could be a way to reflect city history and recognize those who have given service.

There was discussion about a memorial plaza, and other areas for parks. Director Wright will add an item to the work plan, park land acquisition.

Mayor Spencer said South Lake Stevens Road should have a bicycle lane and walkway improvement, and the city has been working on this for a while. He said there is funding in the state budget to finish a bike/walkway from Davies to East Lake Drive. He said the city is working to complete a trail system, including working with the county to complete a trail to the Centennial Trail.

Overview of Current Parks Projects: Director Wright next reviewed the 2018 capital projects and what their status is including Lundein, Eagle Ridge, Frontier Heights, Cavelero, North Cove and Nourse Neighborhood Parks, and the 20<sup>th</sup> Street Ballfields.

Open Discussion:

Boardmember Johnson said the city has made great strides with its parks in the last two years and appreciated all of Council's efforts.

Boardmember Jones thanked the Council, and especially Director Wright, for their efforts with parks.

Boardmember Schollenberg also thanked Director Wright.

Director Wright and Boardmember Decker commended Parks Coordinator Jim Haugen's efforts. Boardmember Decker added that it is fantastic to see how hard everyone is working for the amenities this community deserves, and recognized the volunteers who have worked for the parks.

Mayor Spencer suggested as the city moves forward it will be important that the Parks Board begin partnering with other boards and commissions and organizations to bring activities to the parks.

Adjourn:

There being no further business the meeting was adjourned at 6:47 p.m.

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John Spencer, Mayor

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Tina Decker Parks Board Chair

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Kathy Pugh, City Clerk



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

Tuesday, February 27, 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 Mayor John Spencer

ELECTED OFFICIALS PRESENT: Councilmembers Kim Daughtry, Gary Petershagen, Todd Welch, Rauchel McDaniel, Brett Gailey and Marcus Tageant

ELECTED OFFICIALS ABSENT: Councilmember Kurt Hilt

STAFF MEMBERS PRESENT: City Administrator Gene Brazel, Finance Director Barb Stevens, Community Development Director Russ Wright, Public Works Director Eric Durpos, Police Chief John Dyer, Human Resources Director Teri Smith, IT Manager Troy Stevens, City Clerk Kathy Pugh and City Attorney Grant Weed

OTHERS:

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**Pledge of Allegiance:** Mayor Spencer led the Pledge of Allegiance.

**Roll Call:** Moved by Councilmember Daughtry, seconded by Councilmember Welch, to excuse Councilmember Hilt. On vote the motion carried (6-0-0-1).

**Approval of Agenda:** Mayor Spencer said that the U.S. Marshall's administration of the oath of office to Corp. Michael Hingtgen is being removed from tonight's agenda.

**MOTION:** Moved by Councilmember Welch moved, seconded by Councilmember McDaniel, to remove Consent Agenda Item I, Interlocal Agreement with Marysville re Soper Hill, to Discussion Items. On vote the motion carried (6-0-0-1).

**MOTION:** Moved by Councilmember Welch, seconded by Councilmember Petershagen, to approve the agenda as amended. On vote the motion carried (6-0-0-1).

**Citizen Comments:**

Chris Cloutier, 12304 – 26<sup>th</sup> Street NE, Lake Stevens, said he has submitted two fence code violations nineteen months ago, and is concerned about safety. He has been advised that his complaints have been put on hold pending changes to the fence code and he asked when his concerns will be resolved.

**Council Business:**

- Councilmember Daughtry: Snohomish County Committee for Improved Transportation
- Councilmember Petershagen: Snohomish County Hearing scheduled for ban on safe injection sites, requested a letter be sent supporting this ban.

**Mayor's Business:** Mayor Spencer announced that Costco is completing its due diligence for possibly siting a store in Lake Stevens, the funding is in the budget for South Lake Stevens Road improvements, will meet with Jonalyn Ivory-Woolfe regarding Snolsle and the next steps, Target is doing a \$1.1 million upgrade, the RAM Restaurant is locating in Lake Stevens, Callow Road improvements are moving forward, work is continuing on the Lake Stevens Sewer District Unification Agreement, US 2 Trestle funding update.

**City Department Report.**

- City Administrator Gene Brazel: Concessionaire Agreement, Historical Society.
- Community Development Director Russ Wright: Community Transit meeting on route changes and schedules in 2019, researching grant opportunities, Lake Safety Task Force February 28, tentative date for Beautification Plan Meeting of March 19.
- Public Works Director Eric Durpos: Callow Road, Oak Road, Downtown Main Street and Village Way requests for qualifications out, Lundein Park bid packet being finalized, Downtown Cultural Survey, Milfoil Treatment, 2018 overlay will be 91<sup>st</sup> SE, Safe Routes to School, annual NPDES report, infeasibility study and stormwater requirements update.
- Human Resources Director Teri Smith: Affordable Care Act Notices, Wellness Team, NeoGov Recruiting Site.
- Police Chief John Dyer: School Safety update.
- Finance Director Barb Stevens: Accounting/Records Clerk position, yearend, and various policy updates.
- City Clerk Kathy Pugh: reminded that Council will not have a quorum for its March 13<sup>th</sup> meeting and requested Council cancel the meeting.

**MOTION:** Moved by Councilmember McDaniel, seconded by Councilmember Welch, to cancel the City Council meeting on March 13, 2018. On vote the motion carried (6-0-0-1).

**MOTION:** Moved by Councilmember McDaniel, seconded by Councilmember Welch, to schedule a special meeting on March 6, 2018 at 7:00 p.m.

**Consent Agenda:**

**MOTION:** Moved by Councilmember Welch, seconded by Councilmember Tageant, to approve (A) 2018 Vouchers [Payroll Direct Deposits of \$203,992.73, Payroll Checks 44568-44569 totaling \$4,582.97, Tax Deposits of \$76,053.61, Electronic Funds Transfers (ACH) in the amount of \$14,238.43, Claims Check Nos. 44570-44675 totaling \$271,125.53, Void Check Nos 44317, 44380, 44438, 44476, 44561 and 44432 totaling \$8,743.65, Total Vouchers Approved: \$561,249.62], (B) January 19-20, 2018 City Council Special Meeting/Retreat Minutes, (C) February 6, 2018 City Council Workshop Meeting Minutes, (D) February 13, 2018 City Council-Planning Commission Joint Meeting Minutes, (E) Planning Commission Long Range Work Program, (F) Resolution 2018-09 re Authorizing Investment in Local Government Investment Pool. On vote the motion carried (6-0-0-1).

**Action Items:**

**Wave Broadband Dark Fiber Order – City Hall to County Datacenter:** IT Manager Troy Stevens presented the staff report and said that approval of this order will allow an additional leased fiber connection from City Hall to the County datacenter, providing redundancy in the

system and increased network resiliency, and ultimately improved connectivity, particularly during power outages and surges. Manager Stevens invited Councilmembers' questions and there were none.

**MOTION:** Moved by Councilmember McDaniel, seconded by Councilmember Daughtry, to approve the Dark Fiber Order with Wave Broadband LLC. On vote the motion carried (6-0-0-1).

**Stevens Vista Final Plat Acceptance:** Director Wright said tonight's action is to hold a public meeting and accept the Stevens Vista subdivision and associated right-of-way dedication. Director Wright reviewed the history of this plat from application to completion, and said that the final plat addresses all pre-application review comments. Staff recommends acceptance of the final plat and right-of-way dedication. He then responded to Councilmembers' questions.

Mayor Spencer invited public comment.

Lindsey LeGazzi, 9904 1<sup>st</sup> Street NE, Lake Stevens, is concerned about construction safety violations and the impacts of construction on the existing neighborhood, as well as drainage. She would also like more sidewalk access.

**MOTION:** Moved by Councilmember Tageant, seconded by Councilmember Welch, to accept the Stevens Vista subdivision and associated right-of-way dedication (LUA2018-0022). On vote the motion carried (6-0-0-1).

#### **Discussion Items:**

**Interlocal Agreement with Marysville re Soper Hill:** Director Wright presented the staff report and reviewed the history of this ILA, noting that Council was previously briefed in August and November about the coordination efforts with Marysville in developing the agreement. The ILA will allow Marysville to improve two intersections (83<sup>rd</sup> Avenue NE and 87<sup>th</sup> Avenue NE) onto Soper Hill. He said this interlocal is being brought forward because of development projects in Marysville seeking access to Soper Hill Road as a through connection. Director Wright highlighted the main points in the agreement and said that Lake Stevens will be the permitting authority which will give Lake Stevens control over the project. He reviewed other impacts including parks and traffic mitigations. The Mayors and City Administrators for both Marysville and Lake Stevens have reviewed the next steps moving forward and are recommending that the cities negotiate a second agreement or addendum to address the potential impacts of increased traffic from Marysville projects on Lake Stevens roads and cost sharing between the cities. Director Wright then responded to Councilmembers' questions.

Mayor Spencer commented he has participated in discussions with Mayor Nehring and Marysville is moving toward how it can help mitigate the traffic impacts to Lake Stevens. The Lowe's project is ready to move forward and that is why this agreement is proposed in two parts.

Discussion ensued with councilmembers expressing concerns as to what will ensure that Marysville will move forward with the second agreement, access to the Lowe's traffic study, vehicle access to Lowe's on Soper Hill Road, public safety and who responds to incidents, and responsibility for road maintenance, including the intersection, under this interlocal agreement.

**Code Amendment re Authority for Final Plat Approval:** Senior Planner Machen presented the staff report and said new state legislation provides that approval authority for final plats for

short and long subdivisions may be delegated to administrative personnel through local legislation. Providing for administrative approval of these land use applications would streamline the process. If there is consensus of Council to move forward with this code amendment, the Planning Commission would consider the proposed code changes, hold a public hearing and make a recommendation to Council. Planner Machen then responded to Councilmembers' questions. If Council supports administrative approval of final plats that approval would be by the Directors of Community Development and Public Works.

City Attorney Weed explained that regulatory reform allows for one open record hearing, which is the preliminary plat hearing before the hearing examiner. The hearing examiner determines if the plat application meets all legal requirements and has provided all required environmental mitigations; the hearing examiner may impose conditions. There is no latitude to consider additional testimony and make changes following the hearing examiner decision. This is the reason final approval can be administrative.

Director Wright said the Planning Commission requested direction from Council, and this is about modernizing and streamlining the process.

Discussion ensued and Council generally supported streamlining the process, but also would like to know what the City can do to better inform the public of plat developments, including expanding the notification area and using social media to inform the public. Council also asked if there is an opportunity for public comment at the last moment.

Director Wright reviewed the legal requirements for public notice, and added that staff is also using the city website for public notice and is exploring how social media could be used for the same purpose. Director Wright also clarified that once the hearing examiner decision is made there is a right to ask for reconsideration or to appeal the decision.

**Resolution 2018-08 Adopting Updated Council Rules of Procedure:** City Administrator Brazel presented the staff report and said that staff has now completed additional review of the draft procedures in response to Council's discussion at the February 13<sup>th</sup> Council meeting. He noted that language has been added to Section 2.2 to provide that a motion to extend the meeting will be entertained by the Presiding Officer at 8:00 p.m., and clarified that Section 10.3 provides that the City Clerk or designee will attend Regular and Special Meetings and take minutes. Council would like to be more involved with the interview process, and it was suggested that interviews be a two-step interview process, with the first interview panel being the Mayor, the board/commission chair, the Council liaison and the staff liaison. The second interview panel would consist of the Council liaison and the two annually appointed councilmembers. This panel would make the final recommendation to the Mayor. Staff requested Council input.

Discussion ensued with Council preferring a single interview process per candidate and wanting more input in the appointment of candidates. Also, it was commented that a candidate could be appointed and confirmed at one meeting, and invited to a following meeting to be introduced. Council would like a greater voice in the selection of board and commission members.

Attorney Weed clarified under code that the Mayor makes the selection and appointment, with Council confirmation of that appointment. He added it is important to review and update Council procedures regularly.

**Public Works Organizational Structure:** Director Smith presented the staff report and explained the need to implement some structure to the Public Works department. She reviewed the proposed organizational chart and said this also considers the future role with the sewer district. Director Wright then responded to Councilmembers' questions.

Discussion ensued and Council was supportive of the proposed organizational structure.

**2017 Final Budget Update:** Director Stevens provided the 2017 final budget update and commented that expenditures increased, but that overall the city came in 24% under budget; revenues finished 1% under budget.

**2018 Budget Amendment No. 1:** Director Stevens presented a PowerPoint presentation and reviewed the proposed budget amendments including projected increased revenues, as well as increased expenditures.

Discussion ensued, and Council said it is important to look at the City's priorities. There was a suggestion to add a public works person and there was concurrence to re-evaluate economic development. Requests were made to revisit funding of the chamber employee and to add funding for the powerline park.

**Procurement Policy:** Director Stevens said this is a large undertaking and it will be brought forward in steps. She reviewed the purpose of the Procurement Policy is to implement city, state and federal regulations and to provide a fair forum for those who want to do business with the city. Also, updating the procurement policy will improve provide efficiencies for the city in conducting its business. Director Stevens provided an overview on how the procurement policies are utilized through the various city departments.

**Study Session:** None.

**MOTION:** Moved by Councilmember Welch, seconded by Councilmember Daughtry, to continue the meeting beyond 9:00 p.m. On vote the motion carried (6-0-0-1).

**Executive Session:** Mayor Spencer announced an executive session beginning at 9:01 p.m. and lasting ten minutes for the purpose of discussing collective bargaining, with action to follow.

At 9:12 p.m. Attorney Weed announced a five-minute extension.

The regular meeting of the City Council reconvened at 9:17 p.m.

**Adjourn:**

Moved by Councilmember Daughtry, seconded by Welch, to adjourn the meeting at 9:18 p.m. On vote the motion carried (6-0-0-1).

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John Spencer, Mayor

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Kathy Pugh, City Clerk



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

**MINUTES** Tuesday, March 6, 2018

Lake Stevens Community Center  
1808 Main Street, Lake Stevens

CALL TO ORDER: 6:03 p.m. by Mayor John Spencer

ELECTED OFFICIALS PRESENT: Kim Daughtry, Gary Petershagen, Kurt Hilt (7:24 p.m.), Todd Welch, Rauchel McDaniel, Brett Gailey (6:42 p.m.) and Marcus Tageant

ELECTED OFFICIALS ABSENT: None.

STAFF MEMBERS PRESENT: City Administrator Gene Brazel, Finance Director Barb Stevens, Community Development Director Russ Wright, Public Works Director Eric Durpos, Human Resources Director Teri Smith, City Clerk Kathy Pugh and Segt Rob Miner

OTHERS:

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**Procurement Policies:** Finance Director Stevens distributed information, including a spreadsheet with proposed thresholds for bidding and purchasing. This would apply to projects and purchases that are already approved in the budget. She said that the threshold for purchases is proposed at \$100,000 without Council approval. Department Directors would have up to \$50,000 approval authority and the City Administrator and Mayor could approve purchases between \$50,000 and \$100,000. Professional services and contracts could be signed by the Mayor or City Administrator up to \$100,000. Over \$100,000 would require Council approval.

Discussion ensued and Director Durpos suggested removing the requirement for formal bidding for equipment and projects, and instead get estimates, with a threshold of \$200,000 before requiring Council approval. City Administrator Brazel could go either way on this, and Councilmember Welch said if the item is already budgeted this would provide flexibility.

Director Stevens noted that sealed bids provide better competition, but the question is where to set the threshold for quotes versus getting bids. Right now, any purchases between \$15,000 and \$100,000 only requires three quotes. Direct purchase is a minimal threshold, quotes are informal and bids are a formal threshold. Piggybacking allows bypassing the bidding process so long as the partner agency followed a documented bid process consistent with ours.

Director Brazel commented on further reflection his comfort level threshold is \$150,000.

Mayor Spencer commented if there are specifications, bidding is important. He supports a \$150,000 threshold.

There was consensus that \$150,000 is an appropriate threshold.

Turning to approval levels, Director Stevens explained the difference between bidding levels and approval levels. \$100,000 for approval is set for the Mayor and City Administrator. Discussion ensued and there was consensus that if something is already budgeted, that budgeted amount will be the threshold. Director Stevens commented she is concerned that if this also applies to professional services, that there may be an instance where staff selects a consultant and later learns that Council has had a bad experience with the selected consultant several years previous that staff is not aware of.

Discussion turned to notification of expenditures, this could be done in the via department report in the packet.

Administrator Brazel is comfortable with this process, but he will rely on the department directors to include expenditures in their reports.

Director Stevens confirmed that the purchasing of budgeted equipment not related to any public works the Mayor and City Administrator will approve, and Council approval will be waived.

Councilmember Tageant noted this can be changed if it does not work.

Councilmember Hilt arrived at 7:24 p.m.

Turning to unbudgeted items, Director Stevens provided examples of purchases, and asked when Council wants unbudgeted items brought back to Council. Currently it is written that any kind of change in requested and approved equipment will be brought back to Council prior to purchase.

Councilmember Tageant said it depends on what the tradeoff is. Councilmember Daughtry agreed, but said he assumes the department head will be looking at this.

Director Stevens said with the examples given, they would be purchases under special market conditions, which requires that Council approve a resolution authorizing the purchase.

Councilmember Hilt asked if a special market condition purchase would disrupt the replacement schedule, and Director Stevens responded that it would. For instance, a purchase opportunity could be lost under certain conditions if it requires Council approval.

Councilmember Daughtry noted this policy cannot be written for every situation that arises.

Councilmember Welch supports this for like items with Mayor and City Administrator approval and notification to Council. Councilmember Hilt agreed.

Mayor Spencer supports notification to Council President.

Administrator Brazel is more comfortable going back to Council for approval in instances where a budgeted vehicle or equipment is being changed for something else.

Councilmember Tageant said it is important to consider how these policies will be administered by future administrations.

There was consensus that unbudgeted items that are proposed for purchase in place of budgeted items require Council approval.

Director Stevens asked where the dollar threshold is for specific purchases.

Discussion ensued and Director Durpos said it is important to make distinctions because money is moved between funds all the time. He believes it needs to be tied to a specific item.

Mayor Spencer suggested \$10,000 as the threshold, with Council notification. He confirmed that replacement of approved budgeted items requires Council approval, and capital projects require Council approval.

Contract Amendments and Approvals were discussed next. Director Stevens asked if Council wants to see contract extensions? Staff is recommending extensions in one-year increments with up to three extensions be with City Administrator approval. If a contract amount increases and it is the first amendment the City Administrator or Mayor would approve up to the \$100,000 threshold with notification to Council. If it is more than 10% of the approved amount or beyond the first amendment City Council approval would be required. Another question is what is the maximum extension for contracts; good practice is to not go over three amendments without going out to bid.

Director Durpos clarified that this does not apply to public works contracts, and noted that with all public works contracts there is a contingency amount included in the contract.

Councilmember Gailey arrived at 6:42 p.m.

Mayor Spencer said this discussion relates to professional services contracts and not public works contracts. The City does not want to create a situation where there are serial contract renewals.

Councilmember Petershagen asked about the three single year extensions. Director Stevens explained that a number of contracts, specifically on-call contracts, have a provision for one-year extensions with mutual agreement. Mayor Spencer commented that City Council needs to be notified when contracts are extended.

Councilmember McDaniel said that if a contract is for one year and the work is not completed, Council should be informed. She is concerned that this could result in the erosion of the elected officials' role.

There was consensus that all contract amendments will be brought back to Council. This can possibly be done on the consent agenda.

Director Stevens said that currently master contracts are approved with a total budget amount and then task orders are completed for specific projects, such as guardrail or fence repair. Currently task orders are normally not brought back as they are already budgeted and approved under the contract. There was consensus that this is an appropriate process.

Director Stevens said that Final Project Acceptance is a formality that allows for the administrative work that will move a project to formal acceptance by Council. Staff is suggesting

that Final Project Acceptance be delegated to the Mayor and City Administrator with Council notification. Council agreed with this recommendation.

**20<sup>th</sup> Street SE Property Values:** Director Wright said this will be brought back to another workshop.

**Mitigation Fee Review:** Director Wright explained that under the Growth Management Act there is a principle called concurrency which says that developers pay for the associated costs of development. This is most often reflected in the collection of traffic, park and school impact fees. The school district sets the school impact fees based on its capital facilities program, and the city receives impact fees for both commercial and residential development, with both types of development paying traffic impact fees, and residential paying park impact fees. He reviewed the methodology to determine impact fees, and shared where the fund balances will be with planned and unanticipated capital projects. Traffic impact fees were last set in 2012. Looking ahead there will be a deficit in parks after 2018, and there will be deficits in roads looking out over the next six years. Staff would like to look more thoroughly at the budget for capital projects, conduct a wider sampling of adjacent communities, and come back to Council with proposed recommendations for updated impact fees.

Councilmember Hilt requested that population growth be included in the calculations.

Responding to Councilmember McDaniel's question, Director Wright said that the traffic impact fees were adopted in 2012, and the park impact fee was adopted in approximately 2003-2005.

Director Wright also explained there are two traffic impact zones, with one having more connectivity. This will need to be re-evaluated after the downtown subarea plan is completed.

There was consensus to move forward with evaluating the mitigation fees.

**Adjourn:**

There being no further business, Mayor Spencer adjourned the meeting at 7:02 p.m.

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John Spencer, Mayor

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Kathy Pugh, City Clerk

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

Tuesday, March 6, 2018  
Lake Stevens Community Center  
1808 Main Street, Lake Stevens

CALL TO ORDER: 7:04 p.m. by Mayor John Spencer

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

ELECTED OFFICIALS ABSENT: None.

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

OTHERS:

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**Pledge of Allegiance:** Mayor Spencer led the Pledge of Allegiance.

**Roll Call:** All present.

**Approval of Agenda:** Staff requested the executive session be removed from the agenda.

**MOTION:** Moved by Councilmember Hilt, seconded by Councilmember Welch, to approve the agenda as amended. On vote the motion carried (7-0-0-0).

**Citizen Comments:**

Sally Jo Sebring, 1023 99<sup>th</sup> Avenue SE, Lake Stevens, expressed concern regarding continued water issues and communication with staff.

**Council Business:**

- Councilmember Daughtry: Veterans Commission, Everett Rotary Trestle Video Presentation
- Councilmember Hilt: Veterans Commission
- Councilmember Welch: Arts Commission
- Councilmember Gailey: National League of Cities
- Councilmember Tageant: National League of Cities

**Mayor's Business:** Mayor Spencer reported on a meeting with Jonalyn Woolf-Ivory of Snohomish Libraries. Turning to the Trestle, Mayor Spencer said he was recently interviewed by KIRO Radio and there was a recent newspaper article.

**City Department Report.**

- City Administrator Gene Brazel: Trestle video will be on Facebook, National League of Cities
- Community Development Director Russ Wright: High School Modernization Project, KPG/Beautification Consultant Open House is March 19; Crandall Arambula-downtown plan finalized for Final Environmental Impact Statement, Request for Qualifications for Architect/Engineering Services for the new Police Department, Soper Hill roundabouts, Planning Commission meeting on March 7, 2018
- Public Works Director Eric Durpos: Callow Road, Oak Road.
- Human Resources Director Teri Smith: AWC-WellCity Award, NeoGov launched, Teamsters meeting
- Finance Director Barb Stevens: Audit Report

**Consent Agenda:**

**MOTION:** Moved by Councilmember Daughtry, seconded by Councilmember Welch, to approve (A) 2017 Vouchers [Payroll Direct Deposits of \$187,018.41, Payroll Checks 44677-44678 totaling \$4,411.28, Tax Deposits of \$66,869.61, Electronic Funds Transfers (ACH) in the amount of \$228,345.61, Claims Check Nos. 44676, 44679-44709 totaling \$106,736.76, Void Check Nos. 44601, 44594 totaling \$33,083.85, Total Vouchers Approved: \$560,297.82]. On vote the motion carried (7-0-0-0).

**Discussion Items:**

Human Resources Director Smith will be the point of contact while the City Administrator, Mayor and Councilmembers are attending National League of Cities.

Responding to Councilmember Hilt's question regarding library funding, Mayor Spencer said that capital projects are funded through a funding district by assessing property owners within the funding district. Libraries are not allowed to use operating budgets or tax assessments for capital projects.

Councilmember Gailey asked how to move the Police Department project forward, and Mayor Spencer responded the City is proceeding with design of the new facility. The Police Department can be built on City property, and there will still be room for a multi-story city hall at a future date.

Councilmember Daughtry wondered if the library could be sited with the Veterans Commission/Family Center/Food Bank facility. He commented the Veterans Commission is moving forward with a needs assessment, and if that is a possibility they will need to know if the library should be included. Mayor Spencer did not believe there is room on the proposed property to include the library. He added the City is working hard to identify a temporary facility for the library, and after that the City will work with the Historical Society to identify a new facility.

There was discussion regarding the City's agreement with Snolsle.

**Study Session:** None.

**Adjourn:**

Moved by Councilmember Welch, seconded by Daughtry to adjourn the meeting at 7:35 p.m. p.m. On vote the motion carried (7-0-0-0).

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John Spencer, Mayor

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Kathy Pugh, City Clerk



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

Tuesday, March 27, 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 Mayor Pro Tem Marcus Tageant

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

**ELECTED OFFICIALS ABSENT:** Mayor John Spencer, Councilmembers Brett Gailey and Kurt Hilt

**STAFF MEMBERS PRESENT:** City Administrator Gene Brazel, Finance Director Barb Stevens, Community Development Director Russ Wright, Public Works Director Eric Durpos, Police Commanders Jeff Beazizo and Ron Brooks, Human Resources Director Teri Smith, City Clerk Kathy Pugh, City Attorney Grant Weed, Associate Planner Dillon Roth

**OTHERS:** Acting U.S. Marshall Jacob Green, Supervisory Deputy U.S. Marshall Michael Leigh, Mukilteo Police Sgt. Andy Illyn, and Snohomish County Deputy Sheriff Scott Berg

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**Pledge of Allegiance:** Mayor Pro Tem Tageant led the Pledge of Allegiance.

**Roll Call:** Moved by Councilmember Welch, seconded by Councilmember McDaniel, to excuse Councilmembers Hilt and Gailey from the meeting. On vote the motion carried (5-0-0-2).

**Approval of Agenda:**

**MOTION:** Councilmember McDaniel moved, Councilmember Daughtry seconded, to remove from the Action Items (P) Approve Concession Agreement and Request for Bid Form, (Q) Approve Lease Agreement re Historical Society and (R) Approve Lease Agreement re Grimm House, from the agenda. On vote the motion carried (5-0-0-2).

Following the vote there was consensus to add Action Items (P), (Q) and (R) to Discussion Items, and also that these items would be brought forward in a workshop.

**MOTION:** Moved by Councilmember Daughtry, seconded by Councilmember Welch, to approve the agenda as amended. On vote the motion carried (5-0-0-2).

**Guest Business:** Commander Beazizo introduced U.S. Marshall Jacob Green, Acting Marshall for the Western Washington District U.S. Marshall's Office, and Sgt. Dave Crandall of the Snohomish County Sheriff's Office and handles the Pacific Northwest Violent Offender Task Force and Supervisory Deputy U.S. Marshall Michael Leigh. They will be swearing in Corp. Michael Hingtgen, Mukilteo Police Sgt. Andy Illyn and Snohomish County Deputy Sheriff Scott Berg.

Acting Marshall Green reviewed the structure of the task force and what it is responsible for. He then introduced Task Force Commander Michael Leigh, who thanked the City for participating in the task force. He reviewed that Lake Stevens previously participated in the task force and they are excited to have the City represented on the team again. He next introduced U.S. Marshall Jacob Green.

Marshall Green then administered the Oath of Office to Corp. Hingtgen, Sgt. Andy Illyn, with the Mukilteo Police Department, and Scott Berg, Deputy Sheriff with Snohomish County Sheriff's Office.

**Citizen Comments:**

Don Fuller, 1329 – 99<sup>th</sup> Avenue SE, Lake Stevens, is concerned with Eagle Glen and how it is finished. He distributed photos illustrating his concerns.

Kris Bitnes, 11118 20th Street NE, Lake Stevens expressed her concern that the Lundein concessions lease agreement allows the concessionaire to be in direct competition with her business and other existing brick and mortar businesses. She would like a no compete clause in the agreement. She also provided a letter from her husband expressing those same concerns.

**Council Business:**

- Councilmember Daughtry: Snohomish County Committee for Improved Transportation (SCCIT).
- Councilmember Petershagen: National League of Cities.
- Councilmember Tageant: National League of Cities.
- Councilmember Welch: Growth Management Act Workshop at Ruckelshaus Center.

**Mayor's Business:**

**City Department Report.**

- Human Resources Director Teri Smith: Hiring update.

**Consent Agenda:**

**MOTION:** Moved by Councilmember Daughtry, seconded by Councilmember Welch, to approve (A) 2017 Vouchers [Payroll Direct Deposits of \$199,321.63, Payroll Checks 44711-44712 totaling \$4,455.03, Tax Deposits of \$74,224.37, Electronic Funds Transfers (ACH) in the amount of \$8,008.66, Claims Check Nos. 44710, 44713-44910 totaling \$634,564.93, Void Check Nos. 44596 and 43037 totaling \$360.30, Total Vouchers Approved: \$920,214.32], (B) February 13, 2018 City Council Regular Meeting Minutes, (C) March 6, 2018 City Council Special Meeting Minutes, (D) Resolution 2018-10 Authorizing Special Market Condition Purchase, (E) Ordinance No. 1021 re Cashier Change Funds, (F) Professional Services Agreement with Pacific Rim Environmental re Asbestos Abatement, (G) Professional Services Agreement with Feldman & Lee re Social Services, and (H) Interlocal Agreement with City of Arlington re Social Services Joint Grant Administration. On vote the motion carried (5-0-0-2).

**Public Hearing:**

**Model Homes Ordinance No. 1019:** Mayor Pro Tem Tageant opened the public hearing,

Senior Planner Josh Machen presented the staff report and said this is brought forward following receipt of a petition to allow the development of model homes within proposed subdivisions. Planner Machen said the Planning Commission has completed a public process on this request and recommends approval. Planner Machen invited Councils' questions and there were none.

Mayor Pro Tem Tageant invited public comment and there was none. Mayor Pro Tem Tageant closed the public comment portion of the hearing.

Discussion ensued regarding the financial security requirement, with consensus being that this requirement be removed.

Mayor Pro Tem Tageant then closed the public hearing.

**MOTION:** Moved by Councilmember Petershagen, seconded by Councilmember Daughtry, to adopt Ordinance 1019 adopting model home regulations, with the financial security requirement contained in Exhibit A, Paragraph B, Section, stricken. On vote the motion carried (5-0-0-2).

**Safe Injection Sites, Ordinance No. 1020:** Mayor Pro Tem Tageant opened the public hearing.

Planner Machen presented the staff report and said this proposed code amendment is brought forward at the direction of Council. He reviewed the public process before the Planning Commission and said the Planning Commission recommends approval of the proposed ban on safe injection sites. Councilmembers had no questions of staff.

Mayor Pro Tem Tageant invited public comment.

Robin McGee, 2505 Meadow Drive, spoke in support of safe injection sites, saying these sites provide assistance to people to help them get off of drugs.

Michelle Hampton, Post Office Box 596, Lake Stevens, supports a ban on safe injection sites.

Mayor Pro Tem Tageant then closed the public comment portion of the hearing and invited Council discussion.

Councilmember Petershagen clarified a safe injection site is not a treatment site, with Councilmember Welch agreeing.

Mayor Pro Tem Tageant then closed the public hearing.

**MOTION:** Moved by Councilmember Welch, seconded by Councilmember Petershagen, to adopt Ordinance No. 1020 prohibiting the siting of supervised drug consumption facilities. On vote the motion carried (5-0-0-2).

**Action Items:**

**Eagle Glen North Final Plat Acceptance and Right of Way Dedication:** Associate Planner Dillon Roth presented the staff report and said the subdivision has met all requirements of the preliminary plat approval and the City's standards for final plat approval. He provided a brief history of the plat development. The requested action of Council is to accept the Final Plat of Eagle Glen North and the associated right-of-way dedication. Planner Roth then responded to Councilmember's questions and reviewed mitigation fees that will be received beginning when the building permits are issued.

**MOTION:** Moved by Councilmember Welch, seconded by Councilmember McDaniel, to accept the Eagle Glen North subdivision and associated right-of-way dedication. On vote the motion carried (5-0-0-2).

**Professional Services Agreement with StrategyClicks, Inc.:** Human Resources Director Teri Smith presented the staff report and said the Police records clerks are experiencing increased records requests and working with evolving public records laws. In addition there have been staffing changes. Approval of this professional services agreement will provide training to assist the records clerks in changing and restructuring team dynamics, thereby enhancing team relations. This will result in improved efficiencies and work product. Councilmembers' had no questions.

**MOTION:** Moved by Councilmember Welch, seconded by Councilmember Petershagen, to approve the Professional Services Agreement with StrategyClicks, Inc. in the amount of \$7,250. On vote the motion carried (5-0-0-2).

**Ordinance 1018 re Budget Amendment No. 1:** Finance Director Barb Stevens presented the staff report and reviewed the changes to the budget amendment since it was last presented to Council. She then responded to Councilmembers' questions.

**MOTION:** Moved by Councilmember Welch, seconded by Councilmember Daughtry, to approve the second reading of Ordinance No. 1018 amending Budget Ordinance No. 1005 and including changes to the Organizational Chart. On vote the motion carried (5-0-0-2).

**Resolution 2018-08 re Updated Council Rules of Procedure:** City Clerk Kathy Pugh presented the staff report and said Council's requested changes, including providing for a single interview panel which will include up to three Councilmembers, have been made. She added that LSCM Chapter 2 has been reviewed, and all code sections relating to boards and commissions provide for Council approval or confirmation of the Mayor's appointment with the exception of the Civil Service Commission, which follows state law and does not require Council approval.

Discussion ensued as to whether the Salary Commission appointments require Council approval.

**MOTION:** Moved by Councilmember Daughtry, seconded by Councilmember Welch, to approve Resolution 2018-08 adopting updated Council Rules of Procedure with the caveat that the Salary Commission is not included [for Council approval]. On vote the motion carried (5-0-0-2).

**Appoint Additional Councilmembers to Participate in Board and Commission Interviews:**

City Clerk Pugh presented the staff report and said with approval of the updated Council Rules of Procedure, appointment of the two additional Councilmembers at this time is appropriate. Councilmembers Brett Gailey and Rauchel McDaniel previously said they are interested in participating in the interview process.

**MOTION:** Moved by Councilmember Petershagen, seconded by Councilmember Welch, to appoint Councilmembers Brett Gailey and Rauchel McDaniel to participate in Boards and Commissions interviews for calendar year 2018.

**DISCUSSION ITEMS:**

**Concession Agreement and Request for Bid Form:** Administrator Brazel said this is modelled after the County agreement and reviewed that the 12.45 percent leasehold tax is included in this agreement. He has language for a non-compete agreement, but is awaiting Council direction on including this language. Administrator Brazel said he heard from Councilmember Gailey that he does not agree with the fixed price requirement.

Discussion ensued with concern being raised about rent prices and whether or not utilities are included in the rent price, parking, and competition with adjacent brick and mortar businesses. Council agreed it is important to get it right the first time, especially since the agreement will apply to concessions in parks throughout the city. This will be brought back to a workshop for further discussion.

**Lease Agreement re Historical Society:** Administrator Brazel presented the staff report and said approval of this lease will allow the Historical Society to continue to lease the Museum premises. Staff is requesting direction as to the lease term length and noted that a lease term of one year was previously discussed. The requirement of providing quarterly reports has been added, including review of a financial report prior to lease-signing.

Discussion ensued with there being consensus that janitorial services as well as phone and internet need to be addressed in the lease. Council said it is important that leases be uniform, and requested this be brought back for further discussion at a workshop.

**Lease Agreement re Grimm House:** Administrator Brazel presented the staff report and said the proposed lease provides a lease term of five years, but also allows for termination by either party with six months' notice.

The need for insurance and valuation of contents was discussed, and Attorney Weed commented on the need for insurance requirements to be met and in place at the inception of the lease.

Councilmember McDaniel suggested the City develop a checklist to be completed at the time of move in and move out by lessees.

This will be brought back for further discussion at a workshop.

Mayor Pro Tem Tageant recognized the recent passing of lifetime Lake Stevens resident Frank McDaniel, and suggested that with the redevelopment of the downtown area and Main Street, perhaps one of the walkways or pathways could be named in his honor.

**Study Session:** None.

**Executive Session:** Mayor Pro Tem Tageant announced an executive session beginning at 8:14 p.m. and lasting five minutes to discuss collective bargaining negotiations, with action to follow.

The regular meeting of the City Council reconvened at 8:18 p.m.

**MOTION:** Moved by Councilmember Petershagen, seconded by Councilmember McDaniel, to authorize the Mayor to sign the Noncommissioned Police Employees Guild Agreement. On vote the motion carried (5-0-0-2).

**Adjourn:**

Moved by Councilmember Welch, seconded by Daughtry, to adjourn the meeting at 8:19 p.m. On vote the motion carried (5-0-0-2).

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John Spencer, Mayor

Kathy Pugh, City Clerk



LAKE STEVENS  
**STAFF REPORT**

**Council Agenda Date:** April 10, 2018

**Subject:** Recreation Conservation Office (RCO) grant for Frontier Heights Park Improvements

<b>Contact Person/Department:</b>	Russ Wright, Community Development & Planning Director, Jim Haugen, Parks & Recreation Coordinator, Planning	<b>Budget Impact:</b>	50% funding match
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**RECOMMENDATION(S)/ACTION REQUESTED OF CITY COUNCIL:** Approve Resolution 2018-13 authorizing and endorsing the submittal of a 2018 RCO application for funding for improvements to Frontier Heights Park.

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**SUMMARY/BACKGROUND:** The RCO has opened grants for 2018 and includes a budgeted amount for Washington Wildlife and Recreation Programs (WWRP) in the amount of \$94 million. WWRP's goal is for funding of local and state parks, trails, water access, state land conservation and restoration, farmland and forestland preservation and habitat conservation. The Frontier Heights Park improvements qualify for this grant. The City will be asking for funds to install paved paths and infrastructure of irrigation, water and power. The Parks & Recreation Planning Board have endorsed Council approval of Resolution 2018-13.

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**APPLICABLE CITY POLICIES:**

The City's Parks, Recreation and Open Space Element of the Comprehensive Plan identifies this area of the City west of SR-9 as a priority for an additional neighborhood-level park.

Specific Parks, Recreation and Open Space Goals and Policies which are consistent with the intent of this project include:

GOAL 5.1 Provide a high-quality, diversified parks, recreation and open space system that provides recreation and cultural opportunities for all ages and interest groups.

Policy 5.1.1 Provide a system of multi-purpose neighborhood and community parks throughout the community accessible to all residents that meet certain levels of service including a neighborhood park within a one-mile radius of all residential areas.

**City Municipal Code Title 3 Revenue and Finance, Section 3.60.040 Acceptance** (b) All monetary and nonmonetary donations with a current value of up to \$5,000 may be approved and accepted for the City by the City Administrator. All donations with a value greater than \$5,000 must be accepted by resolution of the City Council. The City Administrator shall estimate the value of any non-monetary donation not supported by an appraisal, for the purpose of compliance with this section.

**RCW 35A.12.190 Powers of council.** The council of any code city organized under the mayor-council plan of government provided in this chapter shall have the powers and authority granted to the legislative bodies of cities governed by this title, as more particularly described in chapter 35A.11 RCW.

**RCW 35A.11.010 Rights, powers, and privileges.** Each city governed under this optional municipal code, whether charter or noncharter, shall be entitled "City of . . . ." (naming it), and by such name shall have perpetual succession; may sue and be sued in all courts and proceedings; use a corporate seal approved by its legislative body; and, by and through its legislative body, such municipality may contract and be

contracted with; may purchase, lease, receive, or otherwise acquire real and personal property of every kind, and use, enjoy, hold, lease, control, convey or otherwise dispose of it for the common benefit.

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**BUDGET IMPACT: 50% funding match**

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ATTACHMENTS: Resolution 2018-13

**CITY OF LAKE STEVENS  
LAKE STEVENS, WASHINGTON**

**RESOLUTION 2018-13**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE STEVENS, WASHINGTON, AUTHORIZING AND ENDORSING THE SUBMITTAL OF A 2018 GRANT APPLICATION TO THE WASHINGTON STATE RECREATION AND CONSERVATION OFFICE FOR FUNDING FOR IMPROVEMENTS TO FRONTIER HEIGHTS PARK, CONTINGENT UPON THE CITY BEING AWARDED GRANT FUNDS, AND AUTHORIZING AND DELEGATING AUTHORITY TO THE MAYOR TO NEGOTIATE AND CONTRACTUALLY BIND THE CITY IF FUNDS ARE AWARDED.**

WHEREAS, the City of Lake Stevens Comprehensive Plan contains goals and policies directing the City to provide adequate parks, open spaces and recreation services to its citizens; and

WHEREAS, the Comprehensive Plan goals identify the need for a neighborhood level park in the western portion of the City; and

WHEREAS, the City has now acquired land within Frontier Heights in the western area of the City for a public park; and

WHEREAS, the Comprehensive Plan goals and policies recognize that the prioritization of new park facilities shall take into consideration areas which are underrepresented by parks, and opportunities for grants and other funding sources to assist in achieving the identified needs; and

WHEREAS, Frontier Heights Park, previously a privately owned park and previously owned by the Frontier Heights HOA, is located in the western portion of the City is now in title and possession of the City; and

Whereas, City improvements to said park are contingent on the receipt of 2018 Washington State Recreation and Conservation Office (RCO) grant funds; and

WHEREAS, the City is eligible to apply for RCO grant funds; and

WHEREAS, this Resolution if adopted will authorize and delegate authority to the Mayor to negotiate and contractually bind the City if RCO grant funds are awarded;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE STEVENS AS FOLLOWS:**

**Section 1.** The City Council hereby authorizes and endorses the submittal of a RCO grant application to Washington State for funding for improvements to Frontier Heights Park as set forth in Exhibit 1, and delegates authority to and authorizes the Mayor to negotiate and contractually bind the City if RCO grant funds are awarded to the City of Lake Stevens.

PASSED by the City Council of the City of Lake Stevens this 10<sup>th</sup> day of April, 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



LAKE STEVENS  
**STAFF REPORT**

**Council Agenda Date:** April 10, 2018

**Subject:** Recreation Conservation Office (RCO) grant for Eagle Ridge Park Improvements

**Contact Person/Department:** Russ Wright, Community Development Director, Jim Haugen, Parks & Recreation Coordinator, Planning      **Budget Impact:** 50% funding match

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**RECOMMENDATION(S)/ACTION REQUESTED OF CITY COUNCIL:** Approve Resolution 2018-14 authorizing and endorsing the submittal of a 2018 RCO application for funding for improvements to Eagle Ridge Park.

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**SUMMARY/BACKGROUND:** The RCO has opened grants for 2018 and includes a budgeted amount for Washington Wildlife and Recreation Programs (WWRP) in the amount of \$94 million. WWRP's goal is for funding of local and state parks, trails, water access, state land conservation and restoration, farmland and forestland preservation and habitat conservation. The Eagle Ridge Park improvements qualify for this grant. The City will be asking for funds to install a playground and additional parking. The Parks & Recreation Planning Board have endorsed Council approval of Resolution 2018-14.

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**APPLICABLE CITY POLICIES:**

The City's Parks, Recreation and Open Space Element of the Comprehensive Plan identifies this Park as a community park. Specific Parks, Recreation and Open Space Goals and Policies which are consistent with the intent of this project include:

GOAL 5.1 Provide a high-quality, diversified parks, recreation and open space system that provides recreation and cultural opportunities for all ages and interest groups.

Policy 5.1.1 Provide a system of multi-purpose neighborhood and community parks throughout the community accessible to all residents that meet certain levels of service including a neighborhood park within a one-mile radius of all residential areas.

**City Municipal Code Title 3 Revenue and Finance, Section 3.60.040 Acceptance** (b) All monetary and nonmonetary donations with a current value of up to \$5,000 may be approved and accepted for the City by the City Administrator. All donations with a value greater than \$5,000 must be accepted by resolution of the City Council. The City Administrator shall estimate the value of any non-monetary donation not supported by an appraisal, for the purpose of compliance with this section.

**RCW 35A.12.190 Powers of council.** The council of any code city organized under the mayor-council plan of government provided in this chapter shall have the powers and authority granted to the legislative bodies of cities governed by this title, as more particularly described in chapter 35A.11 RCW.

**RCW 35A.11.010 Rights, powers, and privileges.** Each city governed under this optional municipal code, whether charter or noncharter, shall be entitled "City of . . . ." (naming it), and by such name shall have perpetual succession; may sue and be sued in all courts and proceedings; use a corporate seal approved by its legislative body; and, by and through its legislative body, such municipality may contract and be contracted with; may purchase, lease, receive, or otherwise acquire real and personal property of every kind, and use, enjoy, hold, lease, control, convey or otherwise dispose of it for the common benefit.

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**BUDGET IMPACT: 50% funding match from mitigation fees**

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ATTACHMENTS: Resolution 2018-14

**CITY OF LAKE STEVENS  
LAKE STEVENS, WASHINGTON**

**RESOLUTION 2018-14**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE STEVENS, WASHINGTON, AUTHORIZING AND ENDORSING THE SUBMITTAL OF A 2018 GRANT APPLICATION TO THE WASHINGTON STATE RECREATION AND CONSERVATION OFFICE FOR FUNDING FOR IMPROVEMENTS TO EAGLE RIDGE PARK, CONTINGENT UPON THE CITY BEING AWARDED GRANT FUNDS, AND AUTHORIZING AND DELEGATING AUTHORITY TO THE MAYOR TO NEGOTIATE AND CONTRACTUALLY BIND THE CITY IF FUNDS ARE AWARDED.**

WHEREAS, the City of Lake Stevens Comprehensive Plan contains goals and policies directing the City to provide adequate parks, open spaces and recreation services to its citizens; and

WHEREAS, the City of Lake Stevens Comprehensive Plan has designated Eagle Ridge Park as a Community Park. Community parks have the largest service area and attract citizens from across the community. A large size and variety of amenities characterize community parks. These parks provide a mix of informal, active, and passive recreation areas with permanent facilities; and

WHEREAS, the Comprehensive Plan goals identify the importance of assuring that Eagle Ridge Park provides a mix of high-quality recreational amenities; and

WHEREAS, the City Council adopted the Eagle Ridge Park Master Plan in 2010: and

WHEREAS, the Eagle Ridge Park Master Plan includes the installation of playground equipment and parking that could include various pervious surfaces, bio swales and rain gardens; and

WHEREAS, the Comprehensive Plan goals and policies recognize that the prioritization of new park facilities shall take into consideration areas which are underrepresented by parks, and opportunities for grants and other funding sources to assist in achieving the identified needs; and

WHEREAS, City improvements to said park are contingent on the receipt of 2018 Washington State Recreation and Conservation Office (RCO) grant funds; and

WHEREAS, the City is eligible to apply for RCO grant funds; and

WHEREAS, this Resolution if adopted will authorize and delegate authority to the Mayor to negotiate and contractually bind the City if RCO grant funds are awarded;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE STEVENS AS FOLLOWS:**

**Section 1.** The City Council hereby authorizes and endorses the submittal of a RCO grant application to Washington State for funding for improvements to Eagle Ridge Park as set forth in Exhibit 1, and delegates authority to and authorizes the Mayor to negotiate and contractually bind the City if RCO grant funds are awarded to the City of Lake Stevens.

PASSED by the City Council of the City of Lake Stevens this 10<sup>th</sup> day of April.

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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:** April 10, 2018

**Subject:** Movies in the Park 2018

<b>Contact</b>	<b>Budget</b>	<b>\$1200.00 +</b>
<b>Person/Department:</b>	<b>Impact:</b>	<b>movie rental</b>
<u>Jim Haugen, Parks &amp; Recreation Coordinator</u>		

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**RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:** Authorize the Mayor to enter into an Interlocal Agreement with City of Marysville for Outdoor Video Services for Movies in the Park.

**SUMMARY/BACKGROUND:** The Arts Commission has scheduled two Movies in the Park, one on Friday, August 10, 2018 and one on Friday, August 24, 2018. Last year's movie events were a huge success with community involvement of over 400 movie goers at the second event. The Arts Commission along with local businesses and volunteers provided entertainment and free treats to attendees. The City of Marysville has again agreed to provide Outdoor Video Services to Lake Stevens for presentation of the movies at a cost of \$600 per date, which will come from the previously approved Parks & Recreation budget for 2018. This results in a significant savings to the City to sponsor the two movie nights. The movies, while not yet selected, will be family friendly.

The movies are planned to be held at Lundein Park.

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**APPLICABLE CITY POLICIES:** City Council authorizes the Mayor to sign Interlocal Agreements.

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**BUDGET IMPACT:** \$1200 plus movie rental from the Parks & Recreation 2018 budget.

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**ATTACHMENTS:** Interlocal Agreement with City of Marysville

**INTERLOCAL AGREEMENT BETWEEN  
THE CITY OF LAKE STEVENS  
AND THE CITY OF MARYSVILLE  
FOR OUTDOOR VIDEO SERVICES**

This Interlocal Agreement effective August 10, 2018 between the City of Lake Stevens, a Washington municipal corporation, herein after referred to as "LAKE STEVENS" and the City of Marysville, a Washington municipal corporation, herein after referred to as "MARYSVILLE", pursuant to the authority granted by Chapter 39.34 RCW.

**W**HEREAS, the City of LAKE STEVENS is the organizer/host jurisdiction of outdoor movie presentations which shall be selected, provided and licensed by City of LAKE STEVENS and presented on August 10 and August 24, 2018; and

**W**HEREAS, the City of LAKE STEVENS is the owner of the property where the movie will be shown to the community for free; and

**W**HEREAS, the City of MARYSVILLE has sufficient OUTDOOR VIDEO equipment, staff and vehicles to provide OUTDOOR VIDEO SERVICES for public events within the City of Marysville and for other Cities as well; and

**W**HEREAS, the City of LAKE STEVENS desires to utilize the City of MARYSVILLE'S OUTDOOR VIDEO SERVICES; and

**W**HEREAS, this Agreement between Parties is made pursuant to Chapter 39.34 RCW, the Interlocal Cooperation Act, for the City of MARYSVILLE to provide OUTDOOR VIDEO SERVICES to the City of LAKE STEVENS to exercise their powers jointly and thereby maximize their abilities to provide services and facilities that will best fulfill common needs and achieve common goals.

NOW, THEREFORE, in consideration of the terms and conditions contained herein, LAKE STEVENS and MARYSVILLE agree as follows:

**1. SCOPE OF SERVICES**

A. MARYSVILLE agrees to provide OUTDOOR VIDEO SERVICES to LAKE STEVENS as defined in this Agreement. MARYSVILLE'S performance of said services under this Agreement may be limited by the availability of MARYSVILLE'S personnel and equipment. MARYSVILLE will notify the City of LAKE STEVENS at least 48 hours before the event if it is not able to provide personnel and/or equipment.

1. MARYSVILLE will provide OUTDOORVIDEO SERVICES to LAKE STEVENS.
2. MARYSVILLE will provide the video and audio equipment including movie

screen, personnel and vehicles to transport the equipment and personnel to LAKE STEVENS. MARYSVILLE personnel will operate the video equipment and vehicles.

B. LAKE STEVENS will provide the following:

1. An authorized location.
2. Two (2) 20 amp circuits for event power.
3. Other services/personnel.

C. The date for video services (FILM) will be:

1. Friday, August 10, 2018
2. Friday, August 24, 2018

E. It is understood and agreed by all parties that MARYSVILLE staff providing services pursuant to this Agreement are acting in their official capacity as employees of MARYSVILLE and shall be under the exclusive direction and control of MARYSVILLE.

It is understood and agreed by all parties that LAKE STEVENS staff providing services pursuant to this Agreement are acting in their official capacity as employees of LAKE STEVENS and shall be under the exclusive direction and control of LAKE STEVENS.

F. LAKE STEVENS and MARYSVILLE agree to cooperate with all terms and conditions of this Agreement, and shall furnish any information, or other material available to it as may be required in the course of the performance of this Agreement.

G. LAKE STEVENS, by this Agreement, and to the extent contained herein, delegates on an as needed, as requested basis to MARYSVILLE the authority to perform on LAKE STEVENS' behalf those services as provided in this Agreement.

## **2. COMPENSATION/FEES**

- A. LAKE STEVENS will pay MARYSVILLE per performance for the use of the employees, equipment and vehicles in the amount of \$600.00 per date.
- B. LAKE STEVENS will pay MARYSVILLE 25% of the event fee in the event LAKE STEVENS cancels an event with less than 12 hours phone notice to MARYSVILLE as provided in Section 8 (C) (2) of this Agreement.
- C. MARYSVILLE shall bill LAKE STEVENS and LAKE STEVENS shall pay MARYSVILLE within thirty (30) days receipt of the bill.

### **3. AMENDMENTS/MODIFICATION**

Provisions within this Agreement may be amended with the mutual consent of the parties hereto. No additions to, or alterations of, the terms of this Agreement shall be valid unless made in writing, formally approved and executed in the same manner as this Agreement.

### **4. INDEMNIFICATION AND LIABILITY**

#### **A. Indemnification:**

1. LAKE STEVENS will at all times indemnify and hold harmless and defend MARYSVILLE, their elected officials, officers, employees, agents and representatives, from and against any and all lawsuits, damages, costs, charges, expenses, judgments and liabilities, including attorney's fees (including attorney's fees in establishing indemnification), collectively referred to herein as "losses" resulting from, arising out of, or related to one or more claims arising out of negligent acts, errors, or omissions of LAKE STEVENS in performance under this agreement.
2. MARYSVILLE will at all times indemnify and hold harmless and defend LAKE STEVENS, their elected officials, officers, employees, agents and representatives, from and against any and all lawsuits, damages, costs, charges, expenses, judgments and liabilities, including attorney's fees (including attorney's fees in establishing indemnification), collectively referred to herein as "losses" resulting from, arising out of, or related to one or more claims arising out of negligent acts, errors, or omissions of MARYSVILLE in performance under this agreement.
3. The term "claims" as used herein shall mean all claims, lawsuits, causes of action, and other legal actions and proceedings of whatsoever nature, involving bodily or personal injury or death of any person or damage to any property including, but not limited to, persons employed by MARYSVILLE, LAKE STEVENS, or other person and all property owned or claimed by MARYSVILLE, LAKE STEVENS or affiliate of thereof, or any other person; except for those losses or claims for damages solely caused by the negligence or willful misconduct of MARYSVILLE or LAKE STEVENS, their elected and appointed officials, officers, employees or agents.

#### **B. NOTHING HEREIN SHALL REQUIRE OR BE INTERPRETED TO:**

1. Waive any defense arising out of RCW Title 51
2. Limit or restrict the ability of any City or employee or legal counsel for any City or employee to exercise any right, defense or remedy which a party to a lawsuit may have with respect to claims or third parties, including, but not limited to, any good faith attempts to seek dismissal or legal claims against a party by any proper means allowed under the civil rules in either state or federal court.

3. Cover or require indemnification or payment of any judgment against any individual or Party for intentional or wrongful conduct outside the scope of employment of any individual or for any judgment for punitive damages against any individual or city. Payment of punitive damage awards, fines or sanctions shall be the sole responsibility of the individual against whom said judgment is rendered and/or his or her municipal employer, should that employer elect to make said payment voluntarily. This agreement does not require indemnification of any punitive damage awards or for any order imposing fines or sanctions.

C. The provisions of this section shall survive the expiration or termination of the Agreement.

## **5. INSURANCE**

- A. Both parties to this Agreement shall maintain public liability insurance. Both parties are members and insured through the Washington Cities Insurance Authority (WCIA) and shall maintain their membership throughout the term of this Agreement.
- B. Such insurance shall not be reduced or canceled without forty-five (45) days written notice from the other party. Reduction or cancellation of the insurance shall render this Agreement void.
- C. Upon request by one party to the other, the party receiving such request shall provide to the party making such request proof of insurance coverage from WCIA verifying that party is a covered member in good standing.

## **6. INDEPENDENT CONTRACTOR**

- A. Nothing herein contained shall be construed as creating the relationship of employer and employee, or principal and agent, between LAKE STEVENS and MARYSVILLE or any of LAKE STEVENS' or MARYSVILLE's agents or employees.

LAKE STEVENS shall retain all authority for rendition of services, standards of performance, control of personnel, and other matters incident to the performance of services by LAKE STEVENS pursuant to this Agreement.

MARYSVILLE shall retain all authority for rendition of services, standards of performance, control of personnel, and other matters incident to the performance of services by MARYSVILLE pursuant to this Agreement.

- B. Nothing in this Agreement shall make any employee of LAKE STEVENS a MARYSVILLE employee for any purpose, including, but not limited to, withholding of taxes, payment of benefits, worker's compensation pursuant to Title 51 RCW, or any other rights or privileges accorded LAKE STEVENS or employees by virtue of their employment.

Nothing in this Agreement shall make any employee of MARYSVILLE a LAKE STEVENS employee for any purpose, including, but not limited to, withholding of

taxes, payment of benefits, worker's compensation pursuant to Title 51 RCW, or any other rights or privileges accorded MARYSVILLE employees by virtue of their employment.

## **7. LEGAL RELATIONS**

- A. The prevailing Party in any action to enforce any provision of this Agreement or to redress any breach hereof shall be entitled to recover from the other party its costs and reasonable attorney's fees incurred in such action.
- B. The Parties shall comply with all federal, state and local laws and ordinances applicable to work to be done under this agreement. This Agreement shall be interpreted and construed in accordance with the laws of Washington. Venue for any action commenced relating to the interpretation, breach or enforcement of this agreement shall be in Snohomish County Superior Court.
- C. The parties agree that, following reasonable attempts at negotiation and compromise, any unresolved dispute arising under this contract may be resolved by a mutually agreed upon alternative dispute resolution of arbitration or mediation.

## **8. DURATION/TERMINATION/NOTICE/EMERGENCY NOTICE**

- A. This Agreement will become effective on the date of affixing the last signature hereto and shall remain in effect for a period of six months, subject to renewal.
- B. Either party may terminate this Agreement, for any reason, upon providing thirty (30) days written notice to the other party, in which case each City shall pay the other City for all services provided up to and including the date of termination.
- C. Notices
  1. Required notices, with the exception of legal process, shall be given in writing to the following respective addresses:

City of MARYSVILLE:  
6915 Armar Road  
Marysville, WA 98270

City of LAKE STEVENS:  
1812 Main Street, P O Box 257  
Lake Stevens, WA 98258-0257

### **2. Event Cancellation Notice via Phone/Emergency Contact:**

The below named individuals are designated as the representatives of the respective parties. The representatives shall be responsible for administration of this Agreement. In the event a representative is changed, the party making the change shall notify the other party.

**MARYSVILLE:**

Name: Lauren Woodmansee, Cultural Arts Supervisor  
Phone Number: 360-363-8408

**LAKE STEVENS:**

Name: Jim Haugen, Parks and Recreation Coordinator  
Phone Number: 425-512-5967

D. Termination shall not affect the rights and obligations of the parties under Sections 4, 5, 6 and 11 of this Agreement.

**9. WAIVER**

No term or provision herein shall be waived and no breach excused unless such waiver or consent shall be in writing and signed by the party claimed to have waived or consented.

**10. ENTIRE AGREEMENT**

This Agreement, including any exhibits and documents referenced herein, constitutes the entire agreement between the parties, and supersedes all proposals, oral or written, between the parties regarding plan review and inspection services.

**11. PRIVILEGES AND IMMUNITIES**

All privileges and immunities from liability, exemption from ordinances, rules, laws, all pension, disability, workers' compensation and other benefits which apply to the activities of MARYSVILLE employees while performing their functions within the territorial limits of MARYSVILLE shall apply to them to the same degree and extent while they are engaged in the performance of any of their authorized functions and duties within LAKE STEVENS under the provisions of this Agreement.

**12. THIRD PARTY BENEFICIARY STATUS**

The parties agree that this Agreement shall not confer third-party beneficiary status on any non-party to this Agreement.

**13. SEVERABILITY**

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

**14. APPROVAL AND FILING**

**APPROVAL AND FILING.** Each party shall approve this Agreement pursuant to the laws of the governing body of said party. The attested signature of the officials identified below shall constitute a presumption that such approval was properly obtained. A copy of this Agreement shall be filed with the Snohomish County Auditor's office pursuant to RCW 39.34.040.

(REMAINDER OF PAGE LEFT INTENTIONALLY BLANK.)

IN WITNESS WHEREOF, the parties have signed this Agreement, effective on the date indicated below.

**CITY OF MARYSVILLE**

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JON NEHRING Mayor

Date: \_\_\_\_\_, 2018

Attest:

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TINA BROCK Deputy City Clerk

Approved as to form:

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JON WALKER City Attorney

Attorney for the City of MARYSVILLE

**CITY OF LAKE STEVENS**

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JOHN SPENCER Mayor

Date: \_\_\_\_\_, 2018

Attest:

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KATHY PUGH City Clerk

Approved as to form:

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GRANT K. WEED City Attorney

Attorney for City of LAKE STEVENS



LAKE STEVENS CITY COUNCIL  
**STAFF REPORT**

**Council**  
**Agenda Date:** April 10, 2018

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

**Contact**  
**Person/Department:** Kathy Pugh, City Clerk **Budget Impact:** N/A

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**RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:** Reconsider and revise motion adopting Resolution 2018-08 Adopting Updated Council Rules of Procedure, including that Council shall have final approval of Mayoral appointments to the Salary Commission and other Boards and Commissions unless provided otherwise under Lake Stevens Municipal Code Title 2.

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**SUMMARY/BACKGROUND:**

At the March 27, 2018 Council meeting, Council approved Resolution 2018-08 Adopting Updated Council Rules of Procedure. Prior to approval of the resolution, there was discussion as to whether Salary Commission appointments should be approved by Council, and ultimately Council favored not having approval authority. When Resolution 2018-08 was approved, the motion specifically stated that Council would not approve Salary Commission appointments made by the Mayor.

Following the council meeting Staff reviewed LSMC 2.51.030-Vacancies, which provides: “In the event of a vacancy in office of commissioner, the Mayor shall appoint, *subject to approval of the City Council*, a person to serve the unexpired portion of the term of the expired position.”

The motion as voted is inconsistent with the Lake Stevens Municipal Code. Staff reviewed this concern with the City Attorney who recommends reconsideration and revision of the motion adopting Resolution 2018-08. In his discussion with Staff, the City Attorney pointed out that the LSMC is controlling. He additionally clarified that although appointments are made by the Mayor and approved by the Council, once that appointment is approved, the Salary Commission operates completely autonomously from the Council, and the Council does not have final approval authority of Salary Commission recommendations for Council and Mayoral salary changes. Specifically, LSMC 2.51.050(c) provides:

(c) Any increase or decrease in salary established by the Commission shall become effective and incorporated into the City budget 30 days after the filing thereof, following Commission review without further action of the City Council or the Commission except as provided in Section 2.51.060.

Section 2.51.060 refers to a citizen referendum process.

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**APPLICABLE CITY POLICIES:**

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**BUDGET IMPACT:**

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**ATTACHMENTS:**

► Exhibit A: Resolution 2018-08



# **COUNCIL PROCEDURES**

**ADOPTED**

**March 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 meetings 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.

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 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. Councilmembers will be provided with copies of applications of all qualified applicants received for boards/commissions vacancies.
2. All qualified applicants for a board or commission will be interviewed by a panel consisting of the Mayor, the Department Head and/or staff liaison, the Council liaison or designee to that board or commission, up to two additional 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 makes a recommendation and the Mayor nominates a candidate for appointment to the vacant position.

4. The nominated candidate will be notified and requested to complete a criminal background check. All criminal background checks will be conducted by The Human Resources Department.
5. Following successful completion of the criminal background check the Mayor reviews nominee recommendation with Council at a regular Council meeting or at a workshop session. The recommendation should include the number of applicants interviewed, qualifications, and reason for the selection.
6. Mayor appoints board/commission member with Council approval at the regular Council meeting or next regular meeting if recommendation is made at a workshop session.
7. The newly appointed board/commission member will be invited to a subsequent Council meeting to be sworn in. In the case where multiple appointments are made in one Council meeting, all appointees will be sworn in as a group.
8. If the City Council does not confirm or reject the Mayor's nomination for appointment within thirty (30) days of submittal, the Mayor may proceed with the appointment.

## 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.



LAKE STEVENS CITY COUNCIL  
**STAFF REPORT**

Council Agenda Date: April 10, 2018

Subject: RAM Restaurant Right-of-Way Vacation LUA2018-0043 (Ordinance No. 1022)

<b>Contact</b>	Joshua Machen, AICP	<b>Budget</b>	\$11,383.72
<b>Person/Department:</b>	Senior Planner and Russell Wright, Community Development Director	<b>Impact:</b>	revenue compensation

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**RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:** Approve the Proposed Right-of-Way Vacation by adoption of Ordinance 1022 (**Attachment 1**).

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**BACKGROUND/HISTORY:**

The applicant proposes to construct a new restaurant at the corner of Market Place and 91<sup>st</sup> Avenue NE. A preliminary plan was drawn up for the restaurant based on a building pad shown on a site plan developed for the Bartell Drug Store. Unfortunately, the architects did not account for the five-foot setback requirement to the edge of the Market Place right-of-way. To meet the setback without having to lose critical square footage, within the building, the applicants have requested a five-foot vacation of right-of-way adjacent to the proposed structure.

The proposal is for the vacation of approximately 563 square feet of unused right-of-way south of Market Place. The City's Public Works Department and Senior Engineer have reviewed the proposal and future needs of the road and determined that the area of vacation is not needed for any future improvements.

In return for the ROW vacation, the City would receive \$11,383.72 in compensation. A drawing that illustrates the proposed vacation is included (**Ordinance Exhibit A**). Subject to Lake Stevens Municipal Code 14.16C.095, the applicant has provided an assessed valuation of the abutting property \$20.22 per square foot to determine a value for the proposed vacation (**Attachment 1**).

The requested project is a Type V permit subject to a public hearing with City Council. Before the City staff can approve a building permit application, City Council would need to approve the ROW vacation.

**ANALYSIS:**

1. The city received a Type V application, identified as File No. LUA2018-0043, property assessment and survey on March 12, 2018, which staff deemed complete on March 15, 2018.
2. The city provided public notice for the land use action and hearing by publication in the Everett Herald; mailing postcards to residents within 300-feet of the properties; and posting the site on March 19, 2018, in accordance with Chapter 14.16B LSMC, Part V.
3. LSMC 14.16C.095 establishes the procedure and decision criteria for right-of-way vacations. The applicant provided a narrative responding to LSMC 14.16C.095 with the application.

- a. Mark Craig, on behalf of HBC Lake Stevens LLC, petitioned the city to consider a right-of-way vacation of approximately 563 square feet.
- b. The application contains the signature of Mark Craig/HBC Lake Stevens LLC, the adjacent property owner.
- c. An attorney-approved ordinance is attached, for City Council's consideration.
- d. The applicant has provided a survey and legal descriptions for the affected portions of the properties under review (**Ordinance Exhibit A & B**). The city's consulting engineer, CHS Engineers, has stated that no substantive discrepancies exist in the legal descriptions or survey. The Public Works Department has reviewed and accepted the consultants work.
- e. The applicant has provided documentation for the assessed value of the property abutting the Market Street right-of-way on a square foot basis established using Snohomish County Assessor's information (**Attachment 2**).
- f. Decision Criteria (LSMC 14.16C.095):
  - 1) This criterion is not applicable, as the property does not adjoin any fresh water body.
  - 2) Responses to City Council criteria for deciding upon the petition:
    - i. The proposal would provide a public benefit by eliminating maintenance responsibility of unused right-of-way.
    - ii. The proposal would not affect traffic circulation as the street alignment on Market Place and 91<sup>st</sup> AVE NE is set and includes excess right-of-way for future expansion.
    - iii. The ROW vacation does not affect adversely affect the public need.
    - iv. The vacation will not affect ingress or egress to any property.
- g. The applicant has provided the Snohomish County assessment of the property abutting the Market Street right-of-way, indicating the value to be estimated at \$20.22 per square foot to determine a value for the proposed vacation and is proposing to purchase vacated right-of-way based on this assessed value.
- h. The ordinance upon approval will be recorded with Snohomish County along with the record of survey (**Attachment 3**)
  - i. The proceeds will be applied to the city's transportation fund.

#### **CONCLUSIONS:**

1. The proposal meets the procedural and noticing requirements for Type V permits per Chapters 14.16A and 14.16B LSMC; and
2. The proposal meets the criteria to approve a right-of-way vacation per LSMC 14.16C.095.

#### **RECOMMENDATION**

The Planning and Community Development and Public Works departments recommend that City Council **APPROVE** the proposed Right-Of-Way Vacation (LUA2019-0043) subject to Ordinance 1022.

#### **APPEALS**

The decision of the City Council on a Type V application is the final decision and may be appealed to

Snohomish County Superior Court by filing a land use petition, which meets the requirements set forth in Chapter 36.70C RCW. The petition must be filed and served upon all necessary parties as set forth in State law and within the 21-day time period as set forth in RCW 36.70C.040. The appeal period shall commence upon the City Council's final decision and not upon expiration of the reconsideration period.

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**APPLICABLE CITY POLICIES:** Lake Stevens Municipal Code 14.16C.095 – Right-of-Way Vacation and Chapter 14.16B LSMC, Part V – Type V Review - Quasi-Judicial, City Council Decisions

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**BUDGET IMPACT:** The city would receive \$11,383.72 in compensation for vacated property.

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**ATTACHMENTS:**

1. Applicants Narrative with Value Assessment
2. Snohomish County Assessor Information
3. Ordinance 1022 w/Exhibits

1505 WESTLAKE AVE. N.  
SUITE 305  
SEATTLE, WA 98109T 206.522.9510  
F 206.522.8344  
WWW.PACLAND.COM

# Memorandum

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**Date:** March 9<sup>th</sup>, 2018

**To:** City of Lake Stevens – Planning & Community Development Department

**From:** Sean Mallon, P.E.

**Subject:** 9010 Market Pl – Right-of-Way Vacation Narrative

*The City Council shall use the following criteria for deciding upon the petition to vacate a right-of-way:*

- (1) *The vacation will provide a public benefit, and/or will be for a public purpose;*
- (2) *The right-of-way vacation shall not adversely affect the street pattern or circulation of the immediate area or the community as a whole;*
- (3) *The public need shall not be adversely affected;*
- (4) *The right-of-way is not contemplated or needed for future public use; and*
- (5) *No abutting owner will become landlocked or its access will not be substantially impaired (i.e., there must be an alternative mode of ingress and egress, even if less convenient); provided, that the City Council may, at the time of its public hearing, determine that the City may retain an easement or right to exercise and grant easements in respect to the vacated land for the construction, repair, and maintenance of public utilities and services.*

**Request**

- 1) The project requests to vacate approximately 5' of right-of-way within Market Place NE abutting the eastern portion of the subject property.

**Response**

- 1) The vacated area will be landscaped and maintained by the property owner/tenant, thereby eliminating this responsibility from the City.
- 2) The requested vacation area is not currently being used by the public and therefore will "not adversely affect the street pattern or circulation of the immediate area or the community as a whole."
- 3) The public need will not be adversely affected as a result of the vacation as this area provides no current benefit of use.
- 4) The petitioner is not aware of any City plans to use subject right-of-way for public use. It appears that, should an eastbound right turn lane be warranted in the future, there is adequate width to accommodate same within the proposed ROW.
- 5) The proposed right-of-way vacation will not impact access to any abutting land owner.

# Memorandum

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## Valuation

1. Valuation based on assessed value of \$2,166,700 for Tax Year 2018. Subject site is 107,157.6 sq ft or 2.46 acres totaling \$11,383.72.

# Snohomish County

Washington

Online Government Information &amp; Services

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## Property Account Summary

3/9/2018

Parcel Number	29051300301000	Property Address	9010 MARKET PL, LAKE STEVENS, WA 98258
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### General Information

Property Description	Section 13 Township 29 Range 05 Quarter SW Section 13 Township 29 Range 05 Quarter SW - N 220FT OF SE1/4 NE1/4 SW1/4 LESS RD & TGW TH PTN 91ST AVE NE VAC UNDER SNO CO ORD NO 97-051 REC AFN9707170297 & LESS ADDL R/W TO SNO CO FOR EXT OF MERIDIAN ST PER SWD REC AFN 9808050201 & LESS PTN TO SNO CO FOR RD PER SWD AFN 200805140711
Property Category	Land and Improvements
Status	Active, Locally Assessed
Tax Code Area	00408

### Property Characteristics

Use Code	910 Undeveloped (Vacant) Land
Unit of Measure	Acre(s)
Size (gross)	2.46

### Related Properties

No Related Properties Found

### Parties

Role	Percent	Name	Address
Taxpayer	100	HBC LAKE STEVENS LLC	4025 DELRIDGE WAY SW STE 530, SEATTLE, WA 98106
Owner	100	HBC LAKE STEVENS LLC	4025 DELRIDGE WAY SW STE 530, SEATTLE, WA 98106

### Property Values

Value Type	Tax Year 2018	Tax Year 2017	Tax Year 2016	Tax Year 2015	Tax Year 2014
Taxable Value Regular	\$2,166,700	\$1,284,500	\$1,204,200	\$1,177,400	\$1,177,400
Exemption Amount Regular					
Market Total	\$2,166,700	\$1,284,500	\$1,204,200	\$1,177,400	\$1,177,400
Assessed Value	\$2,166,700	\$1,284,500	\$1,204,200	\$1,177,400	\$1,177,400
Market Land	\$2,166,700	\$1,284,500	\$1,204,200	\$1,177,400	\$1,177,400
Market Improvement					
Personal Property					

### Active Exemptions

No Exemptions Found

**Events**

Effective Date	Entry Date-Time	Type	Remarks
07/05/2016	09/08/2016 14:42:00	Excise Processed	Property Transfer Filing No.: 1113494, Statutory Warranty Deed 07/05/2016 by strafd
07/05/2016	08/22/2016 08:38:00	Owner Terminated	Party/Property Relationship by sascaf
07/05/2016	08/22/2016 08:37:00	Owner Added	Party/Property Relationship by sascaf
07/05/2016	07/08/2016 14:42:00	Taxpayer Changed	Property Transfer Filing No.: 1107669 07/05/2016 by strphb
07/05/2016	07/08/2016 14:42:00	Excise Processed	Property Transfer Filing No.: 1107669, Statutory Warranty Deed 07/05/2016 by strphb
09/09/2015	09/09/2015 10:33:00	Taxpayer Changed	Party/Property Relationship by STRNDH
04/07/2014	04/07/2014 11:47:00	Taxpayer Changed	Party/Property Relationship by strdem
06/30/2010	06/30/2010 10:54:00	Property Characteristic Changed	2010 Size (gross) changed from 2.76 to 2.46 by sasdas
06/30/2010	06/30/2010 10:53:00	Property Characteristic Changed	2010 Surface Water Units changed from 2.76 to 2.46 by sasdas
11/20/2008	11/20/2008 16:00:00	Tax Bill Recalculation	Value Modification for 2008 performed by straml
10/13/2008	10/13/2008 16:47:00	Property Characteristic Changed	2009 State Forest Fire Units changed from 2.76 to by SASCJH
10/09/2008	10/09/2008 11:43:00	Value Modification	Type: Value Change Due to Segregation/Merger, Status: Approved, Tax Year: 2008 by sasmmt
10/09/2008	10/09/2008 11:43:00	Value Modification	Type: Value Change Due to Segregation/Merger, Status: Approved, Tax Year: 2009 by sasmmt
10/09/2008	10/09/2008 11:42:00	Property Characteristic Changed	2009 Surface Water Units changed from 2.91 to 2.76 by sasmmt
10/09/2008	10/09/2008 11:42:00	Property Characteristic Changed	2009 State Forest Fire Units changed from 2.91 to 2.76 by sasmmt
10/09/2008	10/09/2008 11:42:00	Property Characteristic Changed	2009 Size (gross) changed from 2.91 to 2.76 by sasmmt
10/09/2008	10/09/2008 11:41:00	Property Characteristic Changed	2008 Surface Water Units changed from 2.91 to 2.76 by sasmmt
10/09/2008	10/09/2008 11:41:00	Property Characteristic Changed	2008 State Forest Fire Units changed from 2.91 to 2.76 by sasmmt
10/09/2008	10/09/2008 11:41:00	Property Characteristic Changed	2008 Size (gross) changed from 2.91 to 2.76 by sasmmt
09/27/2008	09/27/2008 07:13:00	Value Modification	Type: Value Change Due to Segregation/Merger, Status: Under Review, Tax Year: 2009 by sasmmt
09/27/2008	09/27/2008	Value Modification	Type: Value Change Due to Segregation/Merger, Status: Under Review,

			Tax Year: 2008 by sasmmt
06/18/2008	06/18/2008 12:47:00	The situs address has changed	by sasrrg
05/01/2008	05/01/2008 14:24:00	Tax Code Area Change	Property Maintenance changed TCA from 05048 to 00408 in 2009. by sascab
05/01/2008	05/01/2008 14:24:00	Tax Code Area Change	Property Maintenance changed TCA from 03194 to 05048 in 2008. by sascab
05/01/2008	05/01/2008 14:23:00	Annexation Completed For Property	CTYLKS ORD 768 - CORNICHE-annexed by CITY OF LAKE STEVENS for 2009-Revise District Membership by sascab
05/01/2008	05/01/2008 14:23:00	Tax Code Area Change	Property Maintenance changed TCA from 00408 to 05048 in 2009. by sascab
05/01/2008	05/01/2008 14:22:00	Tax Code Area Change	Property Maintenance changed TCA from 05048 to 03194 in 2008. by sascab
03/20/2008	05/14/2008 14:10:00	Excise Processed	Property Transfer Filing No.: 122092, Statutory Warranty Deed 03/20/2008 by strnls
10/19/2005	01/17/2006 16:30:00	Owner Terminated	Property Transfer Filing No.: 199978 10/19/2005 by sasmmt
10/19/2005	01/17/2006 16:30:00	Owner Added	Property Transfer Filing No.: 199978 10/19/2005 by sasmmt
10/19/2005	11/08/2005 16:35:00	Taxpayer Changed	Property Transfer Filing No.: 199978 10/19/2005 by strpcs
10/19/2005	11/01/2005 15:16:00	Excise Processed	Property Transfer Filing No.: 199978, Statutory Warranty Deed 10/19/2005 by strnls
01/31/2001	01/31/2001 11:25:00	Property Characteristic Changed	Size changed from 3.14 to 2.91 by sasjrl
01/31/2001	01/31/2001 11:25:00	Property Characteristic Changed	Surface Water Units changed from 3.14 to 2.91 by sasjrl
01/31/2001	01/31/2001 11:25:00	Property Characteristic Changed	State Forest Fire Units changed from 0.14 to 2.91 by sasjrl
01/31/2001	01/31/2001 11:25:00	Tax Code Area Change	Property Maintenance Changed TCA from 03194 TO 05048 for tax year 2001. by sasjrl
01/31/2001	01/31/2001 11:24:00	Property Characteristic Changed	Size changed from 3.14 to 2.91 by sasjrl
01/31/2001	01/31/2001 11:24:00	Property Characteristic Changed	Surface Water Units changed from 3.14 to 2.91 by sasjrl
01/31/2001	01/31/2001 11:24:00	Property Characteristic Changed	State Forest Fire Units changed from 0.14 to 2.91 by sasjrl
01/31/2001	01/31/2001 11:24:00	Tax Code Area Change	Property Maintenance Changed TCA from 03194 TO 05048 for tax year 2000. by sasjrl
01/31/2001	01/31/2001 11:23:00	Property Characteristic Changed	Size changed from 3.14 to 2.91 by sasjrl
01/31/2001	01/31/2001 11:23:00	Property Characteristic Changed	Surface Water Units changed from 0.0 to .01 by sasjrl
01/31/2001	01/31/2001 11:23:00	Property Characteristic Changed	State Forest Fire Units changed from 3.14 to 2.91 by sasjrl
01/31/2001	01/31/2001	Value Modification	Type: Value Change Due to Segregation/Merger, Status: Approved, Tax

	11:20:00		Year: 2001 by sasjrl
01/31/2001	01/31/2001 11:19:00	Value Modification	Type: Value Change Due to Segregation/Merger, Status: Approved, Tax Year: 2000 by sasjrl
01/31/2001	01/31/2001 11:18:00	Value Modification	Type: Value Change Due to Segregation/Merger, Status: Approved, Tax Year: 1998 by sasjrl
01/31/2001	01/31/2001 11:18:00	Value Modification	Type: Value Change Due to Segregation/Merger, Status: Approved, Tax Year: 1999 by sasjrl
01/10/2001	01/10/2001 11:24:00	Value Modification	Type: Value Change Due to Segregation/Merger, Status: Approved, Tax Year: 1998 by sasjrl
01/10/2001	01/10/2001 11:23:00	Property Characteristic Changed	Size changed from 3.14 to 2.91 by sasjrl

**Tax Balance**

Interest and Penalty are due if paying after due date since web is available regardless of holidays or weekends. eCheck and Credit Card payments require interest and penalty after due dates. If unable to make payment by due date because of site maintenance; payment must be postmarked by the next business day per RCW 1.12.070. If you wish to pay taxes online, select an option and click "Add To Payment List". If property is in "Foreclosure" - call 425-388-3606 for current total. If Special Assessments (not Surface Water, Soil, Forest Fire) - call 425-388-3750 for payoff totals. Make Check/Money Order to "Snohomish County Treasurer". Send to Snohomish County Treasurer, 3000 Rockefeller Ave, M/S 501, Everett, WA 98201

**Installments Payable**

Tax Year	Installment	Earliest Due Date	Principal	Interest, Penalties and Costs	Total Due	Cumulative Due	Select to Pay
2018	1	04/30/2018	\$12,922.28	\$0.00	\$12,922.28	\$12,922.28	<input type="button" value="Select"/>
2018	2	10/31/2018	\$12,922.29	\$0.00	\$12,922.29	\$25,844.57	<input type="button" value="Select"/>

[View Detailed Statement](#)      Detailed information about taxes and all other charges displayed above.

[Calculate Future Payoff](#)      Taxes, interest and penalty due on a specific future date.

[Installments Payable/Paid for Tax Year](#)(Enter 4-digit Year, then Click-Here): 2018

**Distribution of Current Taxes**

District	Rate	Amount	Voted Amount	Non-Voted Amount
CITY OF LAKE STEVENS	1.23	\$2,655.21	\$0.00	\$2,655.21
FIRE DISTRICT 08 LAKE STEVENS	1.73	\$3,756.78	\$1,083.35	\$2,673.43
LAKE STEVENS SCHOOL DIST NO 4	4.95	\$10,718.79	\$10,718.79	\$0.00
SNO-ISLE INTERCOUNTY RURAL LIBRARY	0.38	\$822.55	\$0.00	\$822.55
SNOHOMISH COUNTY-CNT	0.79	\$1,713.87	\$0.00	\$1,713.87
STATE	2.85	\$6,171.33	\$0.00	\$6,171.33
SNOHOMISH CONSERVATION DISTRICT		\$6.04	\$0.00	\$6.04
<b>TOTAL</b>	<b>11.93</b>	<b>\$25,844.57</b>	<b>\$11,802.14</b>	<b>\$14,042.43</b>

**Levy Rate History**

Tax Year	Total Levy Rate
2017	10.494382
2016	11.283548
2015	12.145206

**Real Property Structures**

Description	Type	Year Built	More Information
No Real Property Structures Found			

## Receipts

Date	Receipt No.	Amount Applied	Amount Due
10/16/2017 00:00:00	9533626	\$6,742.58	\$6,742.58
04/14/2017 00:00:00	9252893	\$6,742.58	\$13,485.16
10/17/2016 00:00:00	8953741	\$6,796.38	\$6,796.38
05/09/2016 00:00:00	8890721	\$6,796.38	\$13,592.76
11/06/2015 14:19:00	8600750	\$7,152.44	\$7,152.44
05/07/2015 00:00:00	8337955	\$7,152.44	\$14,304.88
02/17/2015 11:58:00	8071068	\$1,374.56	\$1,374.56
11/06/2014 00:00:00	8053413	\$7,699.40	\$7,699.40
05/05/2014 00:00:00	7777449	\$7,699.39	\$15,398.79
11/05/2013 00:00:00	7497249	\$8,138.25	\$8,138.25
05/02/2013 00:00:00	7224432	\$8,138.25	\$16,276.50

## Sales History

Transfer Date	Receipt Date	Recording Number	Sale Amount	Excise Number	Deed Type	Transfer Type	Grantor(Seller)	Grantee(Buyer)	Other Parcels
10/19/2005	11/01/2005		\$1,150,000.00	199978	W	S	CORNICHE DEVELOPMENT INC	C45-1 CORNICHE LLC	No
07/05/2016	07/08/2016		\$2,300,000.00	1107669	W	S	C45-1 CORNICHE LLC	HBC LAKE STEVENS LLC	No
07/05/2016	09/08/2016		\$0.00	1113494	W	S	C45-1 CORNICHE LLC	HBC LAKE STEVENS LLC	No

## Property Maps

Neighborhood Code	Township	Range	Section	Quarter	Parcel Map
5209000	29	05	13	SW	<a href="#">View parcel maps for this Township/Range/Section</a>

## Printable Version

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Version 4.0.2.4

**CITY OF LAKE STEVENS  
Lake Stevens, Washington  
ORDINANCE NO. 1022**

**AN ORDINANCE OF THE CITY OF LAKE STEVENS PROVIDING FOR A  
RIGHT-OF-WAY VACATION OF APPROXIMATELY 563 SQUARE FEET  
OF LAND BETWEEN THE HBC LAKE STEVENS LLC PROPERTY  
(PARCEL NUMBER 29051300301000) AND ADJACENT IMPROVED CITY  
RIGHT-OF-WAY (MARKET PLACE).**

**WHEREAS**, the City of Lake Stevens is the owner of Market Place public right-of-way located west of the intersection of Market Place and 91<sup>st</sup> Ave NE; and

**WHEREAS**, HBC Lake Stevens LLC is the owner of Parcel Number 29051300301000, and did petition the City Council to vacate portions of Market Place, described and shown in **Exhibit A and legally described in Exhibit B**, in accordance with the provisions of Lake Stevens Municipal Code (LSMC) 14.16C.095; and

**WHEREAS**, HBC Lake Stevens LLC proposes to compensate the City the assessed value for the proposed vacation of portions of Market Place, described and shown in **Exhibits A and B**; and

**WHEREAS**, Right-of-way vacations are Type V (quasi-judicial) land use permits subject to public notice and a public hearing before the City Council; and

**WHEREAS**, Planning and Community Development staff prepared a staff report for City Council's consideration describing the project and provided an analysis, conclusions and recommendations in coordination with the Public Works Department; and

**WHEREAS**, Public notice for the land use action and hearing was provided by publication in the Everett Herald, mailing postcards to residents within 300-feet of the properties; and posting the site on March 19, 2018, in accordance with Chapter 14.16B LSMC, Part V; and

**WHEREAS**; The Lake Stevens City Council held a public hearing on April 10, 2018 to receive public comment and testimony, in accordance with Chapter 14.16B LSMC, Part V; and

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

**Section 1.** The City Council hereby adopts the following findings and conclusions, in addition to the analysis, conclusions and recommendations contained in the staff report dated April 5, 2018 in support of the proposed request:

**ANALYSIS:**

1. The city received a Type V application and supporting materials on March 12, 2018, identified as File No. LUA2018-0043, which staff deemed complete on March 15, 2018.

2. The city provided public notice for the land use action and hearing by publication in the Everett Herald, mailing postcards to residents within 300-feet of the properties, posting the notice on city campus bulletin boards, publishing on the city website and posting the site on March 19, 2018 in accordance with Chapter 14.16B LSMC, Part V.
3. LSMC 14.16C.095 establishes the procedure and decision criteria for right-of-way vacations. The applicant provided a narrative responding to LSMC 14.16C.095 with the application.
  - a. Mr. Mark Craig, on behalf of HBC Lake Stevens LLC, petitioned the city to consider a right-of-way vacation of approximately 563 square feet. Mr. Craig proposes to compensate the city \$11,383.72 for the vacated right-of-way.
  - b. The application contains the signature of Mark Craig on behalf of HBC Lake Stevens LLC, the adjacent property owner.
  - c. The applicant has provided a survey and legal descriptions for the affected portions of the properties under review. The city's consulting engineer, CHS Engineers, has stated that no substantive discrepancies exist in the legal descriptions or survey.
  - d. The applicant has provided documentation for the assessed value of the property abutting the Market Place right-of-way on a square foot basis established using Snohomish County Assessor's information. The Public Works Director has found the valuations to be fair and accurate.
  - e. Decision Criteria pursuant to LSMC 14.16C.095(f):
    - 1) This criterion is not applicable, as the property does not adjoin any fresh water body.
    - 2) Responses to City Council criteria for deciding upon the petition:
      - i. The vacated area will be landscaped and maintained by the property owner/tenant, thereby eliminating this responsibility from the City.
      - ii. The requested vacation area is not currently being used by the public and therefore will "not adversely affect the street pattern or circulation of the immediate area of the community as a whole".
      - iii. The public need will not be adversely affected as a result of the vacation as this area provides not current benefit of use.
      - iv. The City has no planned use of the subject right-of-way for public use. If an eastbound right turn lane were warranted in the future, there would still be adequate right-of-way width to accommodate the road expansion.
      - v. No abutting owner will become landlocked nor will any abutting owner have their access impaired.
    - 3) The total assessed value of the area proposed to be vacated and its fair market value is \$11,383.72.
  - f. The ordinance upon approval will be recorded with Snohomish County along with the record of survey.

**CONCLUSIONS:**

1. The proposal has met the procedural and noticing requirements for Type V permits per Chapters 14.16A and 14.16B LSMC.
2. The proposal meets the criteria to approve a Right-of-Way vacation per LSMC 14.16C.095.
3. The Public Works Department has verified that the assessed values are fair and accurate.
4. The city's consulting engineer has verified that no substantive discrepancies exist in the legal descriptions or survey.

**Section 2.** Conditioned on the compensatory payment required in Section 3 hereof, the city of Lake Stevens does hereby vacate the portions of Market Place, described and shown in **Exhibit A and B** to HBC Lake Stevens LLC, the adjacent landowner, to become part of his parcels. Recording of this ordinance in accordance with Section 5 hereof shall confirm satisfaction of the condition to this right-of-way vacation; and

**Section 3.** Mark Craig, on behalf of HBC Lake Stevens LLC or successor agrees to pay the full fair market compensatory amount of \$11,383.72 for the vacated property totaling approximately 563 square feet; and

**Section 4.** Pursuant to LSMC 14.16C.095 (g) after the effective date of this Ordinance, the City Clerk or designee will confirm that Mark Craig, on behalf of HBC Lake Stevens LLC or its successor has recorded the record of survey for the right-of-way vacation and a certified copy of Ordinance 1022 in the records of the Snohomish County Auditor, provided a conformed copy of the recorded Ordinance to the County Assessor, and returned conformed copies of the same to the Lake Stevens Planning and Community Development Department. Mark Craig, on behalf of HBC Lake Stevens LLC or successor shall be responsible for all recording costs; and

**Section 5.** **Severability.** If any section, subsection, sentence, clause, phrase or work of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance; and

**Section 6.** **Effective Date.** This Ordinance shall take effect upon City's receipt of the compensatory payment, but not sooner than five (5) days after passage and publication of an approved summary of this Ordinance consisting of the title. This Ordinance shall be recorded only when the conditions of this Section 6 have been fully satisfied.

PASSED by the City Council of the City of Lake Stevens this 10 day of April, 2018.

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John Spencer, Mayor

ATTEST:

ORDINANCE – 1022

Page 3

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Kathy Pugh, City Clerk

APPROVED AS TO FORM:

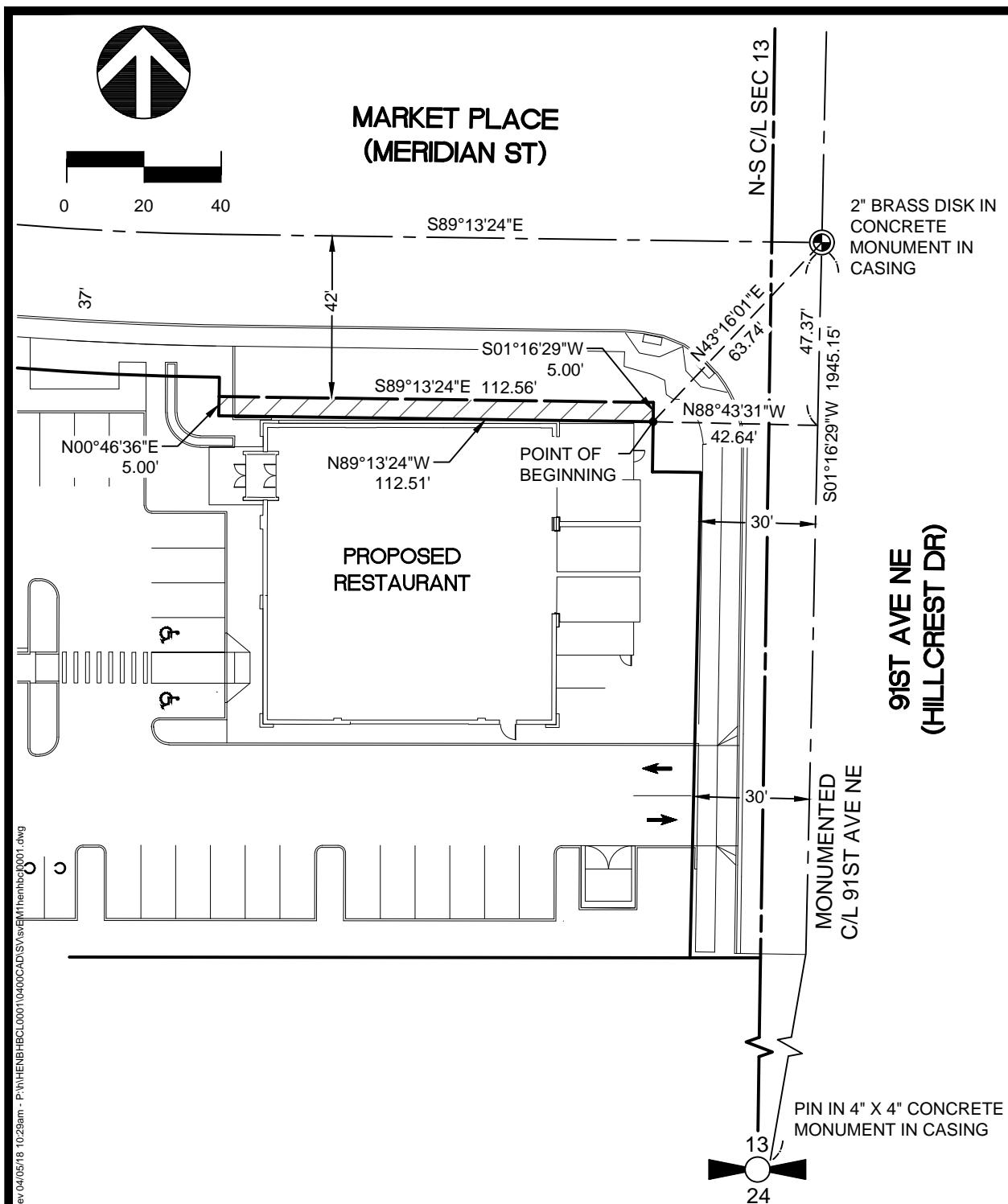
First and Final Reading: April 10, 2018

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

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

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Grant K. Weed, City Attorney



**RIGHT OF WAY VACATION - PARCEL 29051300301000  
 LAKE STEVENS RETAIL**

TAX PAYER	HBC LAKE STEVENS LLC
TAX PAYER ADDRESS	4205 DELRIDGE WAY SW STE 530 SEATTLE WA
SITE ADDRESS	9010 PARKET PL LAKE STEVENS WA
VACATION AREA	563 S.F.
SECTION	NE, SW, S13, T29N, R05E, W.M.



**DAVID EVANS  
 AND ASSOCIATES INC.**  
 14432 SE Eastgate Way, Suite 400  
 Bellevue Washington 98007  
 Phone: 425.519.6500

**LEGAL DESCRIPTION****RIGHT OF WAY VACATION**

THAT PORTION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER SECTION 13, TOWNSHIP 29 NORTH, RANGE 5 EAST W.M. DESCRIBED AS FOLLOWS:

COMMENCING AT A 2" BRASS DISK IN CONCRETE MONUMENT IN CASING AT THE CENTERLINE INTERSECTION OF MARKET PLACE AND 91ST AVENUE NE, FROM WHICH THE SOUTH QUARTER CORNER OF SAID SECTION, A PIN IN CONCRETE MONUMENT IN CASING BEARS SOUTH 01°16'29" WEST 1,945.15 FEET DISTANT;

THENCE SOUTH 01°16'29" WEST ALONG THE MONUMENTED CENTERLINE OF 91ST AVENUE NE A DISTANCE OF 47.37 FEET;

THENCE NORTH 88°43'31" WEST A DISTANCE OF 42.64 FEET TO THE SOUTHERLY MARGIN OF MARKET PLACE AS ESTABLISHED BY DEED FILED UNDER REC. NO. 9808050201, RECORDS OF SAID COUNTY, AND THE POINT OF BEGINNING;

THENCE NORTH 89°13'24" WEST ALONG SAID SOUTHERLY MARGIN A DISTANCE OF 112.51 FEET;

THENCE NORTH 00°46'36" EAST ALONG SAID SOUTHERLY MARGIN A DISTANCE OF 5.00 FEET;

THENCE SOUTH 89°13'24" EAST ALONG A LINE 42.00 FEET SOUTHERLY OF AND PARALLEL WITH THE CENTERLINE OF MARKET PLACE A DISTANCE OF 112.56 FEET;

THENCE SOUTH 01°16'29" WEST A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING, FROM WHICH SAID 2" BRASS CAP BEARS NORTH 43°16'01" EAST 63.74 FEET DISTANT.

CONTAINING 563 SQUARE FEET MORE OR LESS.



2018.04.05 11:16:18-07'00'



14432 SE Eastgate Way, Suite 400  
Bellevue, WA 98007  
425 519 6500



LAKE STEVENS CITY COUNCIL  
**STAFF REPORT**

**Council**  
**Agenda Date:** April 10, 2018

**Subject:** Approve Resolution 2018-12 Honoring and Commemorating Frank McDaniel

<b>Contact</b>		<b>Budget</b>	
<b>Person/Department:</b>	<u>Marcus Tageant, City Councilmember</u>	<b>Impact:</b>	<u>N/A</u>

---

**RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:** **Approve Resolution 2018-12 Honoring and Commemorating Frank L. McDaniel**

---

**SUMMARY/BACKGROUND:**

At the March 27, 2018 City Council meeting, Council President Tageant recognized the recent passing of lifelong city resident, businessman and Sewer District Commissioner Frank McDaniel. He commented that Mr. McDaniel was a familiar sight in Lake Stevens, often seen walking between his business and the bank or post office. Council President Tageant suggested, and Council agreed, that they would like to honor and commemorate Mr. McDaniel by naming a newly established path or bikeway, that is envisioned as part of the downtown redevelopment, in honor of Frank McDaniel.

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**APPLICABLE CITY POLICIES:**

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**BUDGET IMPACT:**

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**ATTACHMENTS:**

- Resolution 2018-12

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

**RESOLUTION 2018-12**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE STEVENS  
HONORING AND COMMEMORATING FRANK LeROY McDANIEL.**

WHEREAS, Frank LeRoy McDaniel was a lifelong resident of the City of Lake Stevens, and passed away on March 20, 2018; and

WHEREAS, Frank LeRoy McDaniel loved and passionately supported the Lake Stevens community, where he chose to spend his lifetime; and

WHEREAS, Frank LeRoy McDaniel served as a Commissioner of the Lake Stevens Sewer District; and

WHEREAS, Frank LeRoy McDaniel volunteered his time to the community as an active member of the Lake Stevens Lions Club, as well as volunteering and participating at various events throughout the City; and

WHEREAS, Frank LeRoy McDaniel was often seen walking between his business and the bank or post office in the Lake Stevens downtown, an activity that he loved, and

WHEREAS, the City is currently in the process of designing and redeveloping the downtown Lake Stevens area, and said redevelopment will include bikeways and pathways; and

WHEREAS, the City Council of the City of Lake Stevens wishes to honor and memorialize Frank LeRoy McDaniel,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE STEVENS, WASHINGTON, AS FOLLOWS:

In recognition of the many contributions made by Frank LeRoy McDaniel to the City of Lake Stevens, the City Council hereby resolves to name a bicycle path or pedestrian by-way envisioned as part of the downtown Lake Stevens area under the current redevelopment plans as “Frank’s Way”.

PASSED by the City Council of the City of Lake Stevens this 10<sup>th</sup> day of April, 2018.

---

John Spencer, Mayor

ATTEST:

---

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:** April 10, 2018

**Subject:** Approve Resolution 2018-011 Adopting Rates, Fees and Deposits

<b>Contact Person/Department:</b>	Josh Machen, Senior Planner Barb Stevens, Finance	<b>Budget Impact:</b> N/A
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**RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:** **Approve Resolution 2018-011 Adopting Rates, Fees and Deposits for City Services and Actions Performed by the City.**

**SUMMARY/BACKGROUND:** The City periodically adjusts fees for licenses, permits and other services by resolution to ensure city costs are appropriate. The following edits are included in this amendment:

Model Home Administrative Review - (Section 2 Table A "Administrative Review")

In conjunction with Ordinance 1019 adopting a new "Model Homes" chapter of the Lake Stevens Municipal Code, the review of building permits that are also model homes will require additional staff time, the time required to administer this review estimated to be 1-2 hours, however the fee is suggested to be variable if a home requires additional time beyond two hours.

Significant Tree Replacement Fee-In- Lieu - (Section 2 Table A "Miscellaneous Actions/Items")

When significant trees are removed as part of a development and there is not sufficient space to replant on the site, applicants may pay into a tree fee-in-lieu account. The tree account is then used by the City to plant new trees throughout the City of Lake Stevens. To streamline the review and acceptance of this fee-in-lieu process the staff is recommending a flat rate for tree replacement. Attached to this report is average native tree cost, for a one-gallon tree and proposed flat replacement rate based on the average cost of replanting the tree with tax, labor and maintenance included. (Attachment A)

Passport Execution Fee - (Section 7 Table F "Passports")

The City has received notice from the U. S Department of State Passport Services that the Office of Management and Budget(OMB) has approved an increase of the passport execution fees from \$25 to \$35 beginning Monday, April 2<sup>nd</sup>. The execution fee is the city's portion of the passport fee. Other passport application service fees remain unchanged.

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**APPLICABLE CITY POLICIES:** LSMC 14.04.020 Fees allows for reasonable fees to be collected sufficient to cover costs and established by resolution.

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**BUDGET IMPACT:** N/A

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**ATTACHMENTS:**

- A. Significant Tree Replanting Cost Chart
- B. Resolution 2018-011

# Significant Tree Replanting Costs

<u>Tree Type</u>	<u>Size</u>	<u>Cost *</u>
Western Red Cedar	1 gallon	\$10.00
Douglas Fir	1 gallon	\$8.00
Ponderosa Pine	1 gallon	\$16.00
Grand Fir	1 gallon	\$10.00
Western Hemlock	1 gallon	\$12.00
Vine Maple	1 gallon	\$10.00
Madrone	1 gallon	\$12.00
Big Leaf Maple	1 gallon	\$8.00
Red Dogwood	1 gallon	\$10.00
Red Alder	1 gallon	\$10.00
<b>Average Tree Cost:</b>		<b><u>\$10.60</u></b>

*Planting and five year maintainence costs it typically equal to two times the cost of the tree.*

Average cost of replanting native tree with labor and tax included:

**\$34.66**

**Lake Stevens proposed significant tree replacement fee:**

**\$35.00**

*\* Costs derived from "Go Natives! Nursery - Shoreline and Woods Creek Nursery, Monroe.*

## Attachment B

### CITY OF LAKE STEVENS Lake Stevens, Washington

#### RESOLUTION NO. 2018-011

A RESOLUTION REPEALING RESOLUTION NO. 2017-06 AND ADOPTING AMOUNTS FOR THE RATES, FEES, AND DEPOSITS FOR VARIOUS SERVICES PROVIDED AND ACTIONS PERFORMED BY THE CITY AND FINES LEVIED AGAINST CODE VIOLATORS, TO INCLUDE NEW LAND USE FEES FOR SERVICES ACTIONS OR PERMITS

WHEREAS, the City Council, through ordinance, has adopted regulations requiring certain actions and services; and,

WHEREAS, these various ordinances set forth that fees shall be set by resolution, and;

WHEREAS, the cost of providing these various services consistent with applicable codes, regulations, and policies periodically increase or decrease, or certain services or practices are discontinued and fees are no longer needed; and,

WHEREAS, it is the intent of the City of Lake Stevens to charge appropriate fees and charges that are consistent with the services provided and to cover the public cost of providing these various services so that the public is not subsidizing individual benefits derived therefrom;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE STEVENS AS FOLLOWS: Resolution No. 2018-02 is hereby repealed and the following rates, fees, and deposits for various services provided and actions performed by the city and fines levied against code violators are hereby adopted:

#### **Section 1. Fees and Deposits-General.**

- A. **Fees.** Fees are intended to cover the normal, recurring administrative costs associated with said action, such as secretarial staff time, advertising, mailings, file distribution, etc. and project review. Certain fees may be refundable based on a case by case analysis from the applicable department director and approval of the Finance Director. The applicant is responsible for costs incurred for any portion of project/permit reviewed by a consultant hired by the City for such review.
- B. **Payment Due.** Fees and deposits are due at the time the action is requested (e.g., at time of application) or occurs (e.g., prior to a specific action). An applicant may pay all fees and deposits of a multi-phased project in advance; however, doing so does not vest applicable fees due. Fees due are those in effect at the time the specific action or phase of an action is requested or occurs.
- C. **Late Payment Penalties.** If payment is not received within 30 days of the due date specified on the invoice, the amount due shall accrue interest at the rate of 1.5 percent per month, with a maximum monthly interest accrual of \$20.00, from the date the fee became due and the date payment is actually made.
- D. **Waivers.** Upon petition by the applicant, the Mayor or designee may waive any of the fees or portions thereof, for any non-profit organization that provide services for the necessary support of the poor or infirm, or upon the submittal of a signed and notarized declaration of financial hardship, in the form attached to this resolution.
- E. **Concurrent Applications.** Concurrent applications requiring land use fees established by this resolution shall be subject to each fee cumulatively as if reviewed separately. There shall be no reduction in fees where more than one type of fee is charged for a project.

**Section 2. Land Use Fees.** Fees for various services, actions, and permits regarding land use, as per LSCM Title 14 and 16, shall be as listed in Table A. Land Use fees are in addition to Building Permit fees. Attorney fees may be recovered for specific projects. (Note: "X.XX" number refers to Use Category from Title 14 Table of Permissible Uses.)

**Table A: Schedule of Land Use Fees**

Action/Permit/Determination	Fee (\$)
<b>ADMINISTRATIVE APPROVALS/DETERMINATIONS – TYPE I REVIEW</b>	
Adult Family Home	325
Boundary Line Adjustments	1,000
Changes of Use	Included in Business License Fee
Code Interpretations	150
Lot Status Determination	150 for first two hours + 75 per hour for each hour of additional staff time
Floodplain Development Permit when no Shoreline Exemption is required (may also require SEPA and critical area review fees)	150
Home Occupations	Reviewed as part of business license
Lot Line Consolidation	500
Pasture/Waste Management Plan (LSCM 5.18.040)	
Plan Review Fee	75
Subsequent Plan Modification Review	75/hour
Reasonable Use Exceptions	200+critical areas review
Site Plan Review (for standalone review only)	150 for first two hours + 75 per hour for each hour of additional staff time
Temporary Use	
Temporary Residence (1.700)	125
Temporary Mobile/Modular Public Structures (15.500) in any zone	100
Temporary Structures (23.000)	200
<b>ADMINISTRATIVE REVIEW</b> (If hearing is requested additional cost for hearing examiner at actual cost)	
Administrative Conditional Use Permit	1,000
Administrative Deviation	150 for first two hours + 75 per hour for each additional hour of staff time
<u>Administrative Review of Model Home</u>	<u>150 for first two hours + 75 per hour for each additional hour of staff time</u>
Administrative Modifications	450
Administrative Variance	1,000
<b>ANNEXATIONS</b>	
Submission of 10% Petition	0
Submission of 60% Petition	0
If it goes to BRB hearing	0
<b>ATTORNEY FEES</b>	
To City Council	Applicant pays actual cost charged City plus 35 Administrative fee
<b>APPEALS PER TITLE 14</b>	
To City Council	350

Action/Permit/Determination	Fee (\$)
To Hearing Examiner	350+Hearing Examiner cost
To Shoreline Hearings Board	75/hr
<b>BINDING SITE PLANS</b>	<b>6,000</b>
Revision	1,000
<b>CODE ENFORCEMENT – NOTICE OF VIOLATION (Per Ch. 17.20 LSCM)</b>	
Filing Fee to Request Contested Hearing	350
Filing Fee to Request Mitigation Hearing	350
Hearing Examiner Hearing (except for initial open record hearing per LSCM 17.20.080(d))	Hearing Examiner cost
<b>COMPREHENSIVE PLAN AMENDMENTS (including area-wide-rezones)</b>	
Minor Amendment (annual cycle)	2,400
Major Amendment (5-year cycle)	3,500
<b>CONCESSIONS</b>	
Background Check	15
Concession Agreement Review/Administration	150
Damage and Litter Deposit (refundable at end of contract)	100
Lease Rate	5% of revenue
<b>CONDITIONAL USE PERMITS</b>	3,500+ Hearing Examiner cost
<b>CONSTRUCTION PLAN APPROVAL</b>	
Residential developments 1-9 units	1,500 + 100 per lot for first two reviews + each additional review will be charged either: a) 75 per hour staff time; or b) Consultant fees (see below) As determined by the appropriate Department Director
Residential developments 10 or more units	1,500 + 150 per lot for first two reviews + each additional review will be charged either: a) 75 per hour staff time; or b) Consultant fees (see below) As determined by the appropriate Department Director
Commercial and/or non-residential developments	2,000 for first two reviews + each additional review will be charged either: a) 75 per hour staff time; or b) Consultant fees (see below) As determined by the

Action/Permit/Determination	Fee (\$)
	appropriate Department Director
<b>CONSULTANT FEES</b> (when applicable)	Applicant pays actual cost charged City plus 35 Administrative fee
<b>CRITICAL AREA REVIEW</b>	Applicant pays actual cost charged City plus 35 Administrative fee
<b>DESIGN REVIEW</b>	
Design Review – Administrative Decision	450
Design Review –Design Review Board	450
<b>DEVELOPMENT AGREEMENT</b>	1,400
<b>EDDS DEVIATION REQUEST</b>	150 for first two hours + 75 per hour for each additional hour of staff time
<b>ESSENTIAL PUBLIC FACILTIES (in addition to conditional use permit fees)</b>	
Essential Public Facility	Public participation costs (e.g., mailings, noticing, room rental) +consultant fees +attorney fees
Secure Community Transition Facility	Public participation costs (e.g., mailings, noticing, room rental) +consultant fees +attorney fees
<b>EVENT PERMITS</b>	
Event Level1	75
Event Level 2	225
Event Level 3	300
Event Level 4	1,050
Event Level 4 Deposit	80% of City estimated cost for City services
Event Expedited Review Fee	100
Boat Launch Closure	100/day
Recycle Containers	10/unit deposit 35/unit replacement fee for unreturned or damaged units
<b>FIREWORKS PERMITS</b>	
Fireworks Display	250
Fire Works Stand	100
<b>IMPACT FEES</b>	
Park Mitigation	
Single Family Residence and Apartments with 3+ bedrooms	2,363/dwelling
Duplex and Apartments with 2 bedrooms	1,733/dwelling
Apartments with 0-1 bedrooms	1,103/dwelling
School Mitigation	
Detached Single Family Residence	6,624/dwelling
Duplex/Apartment/Townhouse with 2 or more bedrooms	3,678/dwelling
Duplex/Apartment/Townhouse with 1 or fewer bedrooms	0
Traffic Mitigation	
Traffic Impact Zone 1	2,039/PM Peak Hour Trip
Traffic Impact Zones 2 & 3	2,917/PM Peak Hour Trip
Impact Fee Adjustment/Deferral Application	150

Action/Permit/Determination	Fee (\$)
<b>LAND DISTURBANCE</b>	
Minor Land Disturbance Permits	375
Major Land Disturbance Permits	1,000
Major Land Disturbance Permit with Class IV Forest Practice	1,250
<b>LAND USE CODE AMENDMENTS</b>	3,000
<b>MISCELLANEOUS ACTIONS/ITEMS</b>	
Manufacturing Tax Exemption Application	500
Permit Extension	150
Public Notice Signs Rental Fee	50
Security Administration Fee, per each security	100
Sign Non-Return Charge – If not returned within 7 days of permit approval	10/sign
Tree Replacement Fee In-Lieu (per LSCM 14.76.120(e))	Equal to cost of purchasing & planting trees as per applicant submitted report prepared by certified arborist or landscape designer/contractor \$5/tree
<b>MISCELLANEOUS TASKS</b>	
Miscellaneous Engineering Review (e.g., storm drainage plans for Single-Family Residential & Duplexes, drainage studies, etc.)	75/hr
Miscellaneous Research or other staff time	75/hr
<b>PARK PERMITS</b>	
Park Permit without Picnic Shelter	35
Park Permit is included if Picnic Shelter is rented	0
<b>PLANNED NEIGHBORHOOD DEVELOPMENTS</b>	3,500+Hearing Examiner cost
<b>PRE-APPLICATION CONFERENCE FEE</b> (\$400 credited toward application fee over \$1,000 upon submittal of said application if received within 12 months from date of pre-application conference.)	
Without Consultant Review	400
With Requested Consultant Review (e.g., critical areas consultant, etc.)	400+Consultant fees
<b>RECONSIDERATION OF DECISION by:</b>	
Planning Director	200
Design Review Board	200
City Council	200
Hearing Examiner	100+Hearing Examiner cost
<b>RECORDING FEES</b>	At cost (paid directly to Snohomish County)
<b>REZONES - ZONING MAP AMENDMENTS</b>	
Rezone Minor	500+Hearing Examiner cost
Rezone Major	1,000+Hearing Examiner cost
Action/Permit/Determination	Fee (\$)
<b>RIGHT-OF-WAY</b>	
Right-of-Way Permit	
Individual Residential (outside roadway improvements)	50
All Others	200

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Action/Permit/Determination	Fee (\$)
Right-of-Way Vacation	1,000
Road Cuts (required only for pavement cuts where roadway overlay is not required by City)	2 per square foot

<b>SEPA REVIEW (does not include critical areas review, which is a separate fee)</b>	
Planned Action Project Certification Review including SEPA Checklist	750
Review of SEPA Checklist	750
Review of requested studies	75/study per hour 2 hour minimum
Review of requested traffic studies	75 per hour 2 hour minimum
Review of requested drainage studies	75 per hour 2 hour minimum
Environmental Impact Statement (EIS)	75 per hour 10 hour minimum
Addendum	300
SEPA Appeals (to Hearing Examiner)	150+Hearing Examiner cost
<b>SHORELINE PERMITS (may also require SEPA and critical area review fees)</b>	
Mooring Buoy Application	150
Shoreline Conditional Use	1,500+Hearing Examiner cost
Shoreline Exemption	200
Shoreline Exemption with Floodplain Development Permit	300
Shoreline Substantial Development	+Hearing Examiner if requested by public
Related to Single Family Residence	500
Related to Multifamily Residence or Commercial Property	1,500
Related to Subdivision	2,000
Other	2,500
Shoreline Variance	1,500+Hearing Examiner
<b>SIGN PERMITS</b>	
Sign Permit	150+50/sign
Sign Insert replacements (fee applies to replacement cabinet signs with no structural or size modifications)	25
Master Sign Program Permit	450
<b>SUBDIVISIONS (1-9 lots – Short Plat; more than 9 lots – Plat)</b>	
Preliminary Short Plat	4,320
Final Short Plat	765
Short Plat Alteration	1,225
Short Plat Vacation	1,225
Preliminary Plat	10,030
Final Plat	1,565 + 100 per lot or unit + Survey Consultant Review cost
Plat Alteration	1,600
Plat Vacation	1,600
Street Signs (per Manual on Uniform Traffic Control Devices)	Purchased & installed by applicant per code & consistent with MUTCD
<b>VARIANCE (Hearing Examiner review)</b>	
<b>ZONING CERTIFICATION LETTER</b>	
	150

**Section 3. Building Permit Fees.** (Land Use fees, if required, are in addition to Building Permit fees.)

A. Washington State Building Codes Adopted. The City of Lake Stevens does hereby incorporate by this reference as though fully set forth the fees from:

1. 2015 edition of the International Building Code (IBC)
2. 2015 edition of the International Residential Code (IRC)
3. 2015 edition of the International Mechanical Code including the 2015 International Fuel Code, 2008 National Fire Protection Association 58 (Liquefied Petroleum Gas Code) and 2015 National Fire Protection Association 54 (National Fuel Gas Code)
4. 2015 edition of the Uniform Plumbing Code
5. Washington State Barrier Free Regulations (Title 51 WAC)
6. Current edition of the Washington State Energy Code
7. 2015 edition of the International Fire Code
8. Current edition of the Washington State Ventilation & Indoor Air Quality Code

B. Valuation for Calculating Building Permit Fees shall be determined according to the International Code Council "Building Valuation Data" which is herein incorporated by reference as though fully set forth. The "Building Valuation Data," including modifiers, is found in Building Safety Journal, and is published quarterly by the International Code Council. Subsequent semi-annual revisions of the "Building Valuation Data" shall be automatically incorporated by this reference to be effective immediately following each new publication. Building permit fees shall be based on the formulas contained in Table 1A.

**Table 1A: Building Permit Fees**

Total Valuation	Fee
\$1.00 to \$499.99	\$23.50
\$500.00 to \$1,999.99	\$23.50 for the first \$499.99 plus \$3.05 for each additional \$100, or fraction thereof, up to and including \$1,999.99.
\$2,000.00 to \$24,999.99	\$69.25 for the first \$1,999.99 plus \$14 for each additional \$1,000, or fraction thereof, up to and including \$24,999.99.
\$25,000.00 to \$49,999.99	\$391.25 for the first \$24,999.99 plus \$10.10 for each additional \$1,000, or fraction thereof, up to and including \$49,999.99.
\$50,000 to \$99,999.99	\$643.75 for the first \$49,999.99 plus \$7.00 for each additional \$1,000, or fraction thereof, up to and including \$99,999.99.
\$100,000 to \$499,999.99	\$993.75 for the first \$99,999.99 plus \$6.50 for each additional \$1,000, or fraction thereof, up to and including \$499,999.99.
\$500,000 to \$999,999.99	\$3,233.75 for the first \$499,999.99 plus \$4.75 for each additional \$1,000, or fraction thereof, up to and including \$999,999.99.
\$1,000,000 and up	\$5,608.75 for the first \$999,999.99 plus \$3.65 for each additional \$1,000, or fraction thereof.

C. Plan Review Fees:

*Residential:*

- New construction & additions: 65% of permit fee using Table 1A
- Repairs & Alterations: \$75.00 per hour (min. 1 hour)
- Basic House Plan Review – see Table B2

*Commercial:*

- New construction & additions: 85% of permit fee using Table 1A
- Tenant Improvements (TI) & Alterations: 85% of permit fee using Table 1A **OR** \$75.00 per hour (min. 1 hour) as determined by the building official
- Plumbing & mechanical: 25% of permit fee or City's hourly rate of \$75.00 per hour (min. 1 hour)

D. Fire Department Commercial Plan Review.

New or Tenant Improvement Building Permits – Applies to all Occupancies except Groups R-3 and U

Construction Valuation From:	To:	Fee
\$0	\$1,000	\$30
\$1,001	\$5,000	\$115
\$5,001	\$10,000	\$175
\$10,001	\$20,000	\$200
\$20,001	\$45,000	\$260
\$45,001	\$100,000	\$315
\$100,001	\$250,000	\$430
\$250,001	\$500,000	\$545
\$500,001	\$1,000,000	\$690
\$1,000,001	\$1,500,000	\$775
\$1,500,001	\$2,000,000	\$835

\$865 plus \$55 per \$500,000 (prorated over \$2 million

E. Other Inspections and Fees:

See Section II Tables D and E for Sprinkler and Alarm fees.

Inspections outside of normal business hours: \$75/ hour, 2 hour minimum.

Reinspection fees assessed at \$75 per hour (1 hour minimum).

Penalty for commencing work prior to permit issuance: Double permit fee.

Inspections for which no fee is specifically indicated: \$75 /hour (1/2 hour minimum).

Additional plan review required by changes, additions or revisions to plans: \$75/hour.

For use of outside consultants for plan checking and inspections, or both: Actual Costs

F. Miscellaneous Building Permit Fees. Tables B2 and B3 specifies those fees charged for permits to be issued pursuant to the Washington State Building Code and which are not included in the provisions of Subsections A and B:

**Table B2: Schedule of Miscellaneous Building Permit Fees**

Permit	Fee (\$)		
	Permit	Plan Check	Total
Accessory Structures	Valued as Utility (BVD) See Table 1A for fees	65% of permit fee	Permit fee + plan check fee
<b>BASIC HOUSE PLAN REVIEW</b>			
Initial Plan		See table 1A	
Set-up fee			200
Basic Plan		20% of permit fee per Table 1A	Per Table 1A
State Building Code fee (each permit) Each additional residential unit (per RCW 19.27.085)	\$4.50 \$2.00		\$4.50 \$2.00
Deck	Valued at: \$15/sq.ft. – uncovered \$17/sq.ft. – covered See Table 1A for fees	65% of permit fee	Permit fee + plan check fee
Demolition	\$75		\$75
Dock	Valued at: \$30/sq.ft. See Table 1A for fees	65% of permit fee	Permit fee + plan check fee
Fence/Retaining Wall	\$75	\$75/hr (1 hr min)	\$75 + plan check fee
Manufactured Home Placement ((& Skirting))	\$225		\$225
Certificate of Occupancy	\$100		\$100
Reroof: Residential Residential with sheathing	\$40.00 \$90.00		\$40.00 \$90.00
Commercial	Refer to Table1A	Same as Commercial TI	Permit fee + plan check fee
Adult Family Home	\$150		\$150
Re-inspection	\$75		\$75

BVD = Building Valuation Data, August 2012, International Code Council

**Table B3: Mechanical and Plumbing Fees**

Mechanical Fees		Plumbing Fees	
<b>Mechanical Permit</b>	<b>35.00</b>	<b>Plumbing Permit</b>	<b>35.00</b>
AC unit < 100,000k	20.00	Back Flow Preventer	10.00
AC unit 100,000k – 499,999 k	30.00	Bathtub	10.00
AC unit 500,000k and up	40.00	Commercial Dishwasher	15.00
Air Handlers <10,000 CFM	13.00	Drinking Fountain	10.00
Air Handlers 10,000 CFM and up	23.00	Floor Sink or Drain	10.00
Boilers	15.00	Grease Interceptor	50.00

Mechanical Fees		Plumbing Fees	
Commercial Incinerator	30.00	Grease Traps	10.00
Condensers	20.00	Hose Bibs	10.00
Domestic Incinerator	20.00	Ice Makers	10.00
Duct Work	15.00	Kitchen Sink	10.00
Evaporative Cooler	15.00	Laundry Tray	10.00
Forced Air System <100,000 BTU	18.00	Lavatory	10.00
Forced Air System 100,000 or more BTU	24.00	Lawn Sprinkler System	10.00
Gas Clothes Dryer	15.00	Medical Gas 1- 5	50.00
Gas Piping 1 – 4 Outlets	11.00	Medical Gas, for each one over five	10.00
Additional Outlets	1.00	Mop Sink	10.00
Heat Exchanger	15.00	Other	10.00
Heat Pump	15.00	Pedicure Chair	10.00
Manf. Fireplace/ Log Lite	18.00	Reclaimed Water System	40.00
Misc. Appliance	15.00	Residential Dishwasher	10.00
Range Hood – Residential	15.00	Roof Drains	10.00
Range Hood – Commercial	150.00	Shower	10.00
Refrigeration Unit <100K	20.00	Specialty Fixtures	10.00
Refrigeration Unit 100K – 499K	30.00	Supplemental Permit	15.00
Refrigeration Unit 500K and up	40.00	Testing of Reclaimed Water System	30.00
Relocation Repair	15.00	Urinal	10.00
Stove Appliance	15.00	Vacuum Breakers 1- 5	10.00
Supplemental Permit	15.00	Vacuum Breakers, for each one over five	2.00
Vent Systems	15.00	Washing Machine	10.00
Vent w/o Appliance	10.00	Waste Interceptor	10.00
Ventilation Fans	10.00	Water Closet	10.00
Wall/Unit Heaters	20.00	Water Heater	15.00

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<b>Mechanical Fees</b>		<b>Plumbing Fees</b>	
<b>Water Heater</b>	<b>15.00</b>	<b>Water Service</b>	<b>10.00</b>
<b>Wood Stoves</b>	<b>18.00</b>		

**Section 5. Animal Code Fees.** Fees for other various services, actions, and permits related to Animal Control, as per LSMC Title 5, shall be as listed in Table D.

Table D: Animal Code Fees

Permit/Action	Fee (\$)
<b>Dog/Cat License:</b> <ul style="list-style-type: none"><li>– Each dog or cat licensed within 60 days of residency or within 60 days of acquiring pet, lifetime</li><li>– Each dog or cat neutered or non-neutered, lifetime</li><li>– Senior Citizen (defined as being 62 years of age or older) owners, lifetime</li><li>– Service and guide dogs, lifetime</li><li>– Duplicate license for lost or destroyed dog/cat tag</li><li>– Duplicate license - Senior Citizen owners and Service/Guide Dogs</li><li>– Other Code Violations:<ul style="list-style-type: none"><li>■ First Offense, For first offense the fee for such violation will be set equivalent to the Basic Rule Violation as set forth in the Justice Information System (JIA) Law Table as published by the Administrative Office of the Courts.</li><li>■ Second Offense, For the second offense, the fee for such violation shall be set equivalent to double the Basic Rule Violation as set forth in the Justice Information System (JIA) Law Table as published by the Administrative Office of the Courts.</li></ul></li></ul>	Free 20 Free Free 4 Free
<b>Impound Fees for Cost Recovery:</b> <ul style="list-style-type: none"><li>– Dogs and cats (at police kennel)</li><li>– Animals</li><li>– Dogs, Cats and other animals (at/or transported to animal shelter) As set forth by the Everett Animal Shelter animal impound fee schedule, plus an additional \$5.00 administrative fee for reviewing and processing billing statements.</li><li>– Additionally, any costs incurred which exceed the base fee and which are associated with the collection, impoundment, maintenance, treatment, and destruction of the animal(s), any fees owing, and any costs of damage cause by the animal(s) shall be the liability of the owner. The City is not responsible for such costs incurred.</li></ul>	25 30 Varies
<b>Pasture/Waste Management Plan (Sec 5.18.040):</b> See Table A Land Use Fees	

**Section 6. Miscellaneous Police Fees.** Fees for various Police services, actions, and permits shall be as listed in Table E.



**Table E: Schedule of Miscellaneous Police Fees & Fines**

Permit/Action/Service	Fee (\$)
<b>Fingerprinting:</b>	
1. For Concealed Pistol Licenses	State fee
2. People who work or reside in the City (per 2 cards)	10
3. People who do not work or reside in the City (per 2 cards)	20
<b>Lamination Services – Concealed Pistol Licenses</b>	3.50
<b>Boat Launch Parking Fees and Fine:</b>	
1. Daily	5
2. Annual Permit	75
3. Low-income Seniors (defined as being 62 years of age or older)	40
4. Failure to pay fee (50% reduction if paid within 24 hours)	40
5. Current Washington State Fishing License decal affixed to vehicle	Free
<b>DUI cost recovery:</b>	
1. Administrative fee	200
2. Jail booking fee (or as revised by Snohomish County or City of Marysville)	82
3. Daily lodging fee (or as revised by Snohomish County or City of Marysville)	61
<b>False Alarm Fees:</b>	
1. Second response to premises within six months after the first response	25
2. Third response to premises within six months after a second response	50
3. Fourth response to premises in six months after the third response and for all succeeding responses within six months of last response	100
<b>Impound Fees for Cost Recovery:</b>	
Signs if owner wants returned, per sign	25
Impound fee for wheeled recreational devices	60
Administrative storage fee for impounded vehicles	15
<b>Fine for parking:</b>	
1. Fine for parking as described in Lake Stevens Municipal Code Section 7.12.090, Prohibited Parking	50
2. Fine if paid within 24 hours	25
<b>Off-duty Officer:</b>	<b>Refer to current billable rate schedule</b>
Security for Non-profits	
Security for others (includes a 15% administrative fee)	
<b>Special Event Services Deposit:</b> (For special planned events that require additional police services)	\$100 per hour of event with one hour minimum
<b>Letters for search of local criminal justice data bases</b>	10
<b>Administrative dismissal of infraction for operating motor vehicle without insurance – administrative fee</b>	25

**Section 7. Miscellaneous Fees.** Fees for various other services, actions, and permits shall be as listed in Table F.

Table F: Schedule of Miscellaneous Fees and Fines

Permit/Action	Fee or Fine (\$)
<b>Public Works :</b>  Hourly Rate for Service for Non-profits Hourly Rate for Service for others (includes a 15% administrative fee)	<b>Refer to current billable rate schedule</b>
<b>Business Licenses:</b> <ul style="list-style-type: none"><li>- Non-refundable Adult Entertainment (Cabaret) application Fee</li><li>- Adult Entertainment (Cabaret) Establishment (annual)</li><li>- Adult Entertainment (Cabaret) Establishment Manager/ Entertainer (annual)</li><li>- Business License Registration – Application</li><li>- Business License Registration – Annual Renewal</li><li>- Temporary business license Renewal</li><li>- Canvassers, Solicitors and Peddlers (includes City application fee, does not include Washington State Patrol application fee. License expires one year from date of application.)</li><li>- Live music and/or dance entertainment (annual)</li><li>- Games (annual)</li><li>- Pawnbroker and Second Dealers (annual)</li></ul>	100 500 50/person 40 25 40 5 75 for the 1 <sup>st</sup> three employees, and \$10 for each additional employee 50 50 500
<ul style="list-style-type: none"><li>- Washington State Department of Licensing's Master License Service</li><li>- Business license handling fee (fees shall be automatically amended by the State)</li></ul>	Currently New Application \$15 Renewal \$9
<b>Duplication of Public Records: (postage/delivery costs extra)</b>  <ul style="list-style-type: none"><li>- In-house Copying of City documents for the public.</li><li>- In-house Copying of City documents to pdf when original document is not in electronic format.</li><li>- Electronic files or attachments uploaded to e-mail, cloud-based data storage service or other means of electronic delivery.</li><li>- Transmission of public records in an electronic format or for the use of agency equipment to send the records electronically. The City shall take reasonable steps to provide the record in the most efficient manner available to the agency in its normal operations.</li><li>- Digital storage media or device provided by the City, the actual cost of any container or envelope used to mail the copies to the requestor and the actual postage or delivery charge</li><li>- In-House duplication of City documents to CD, such as<ul style="list-style-type: none"><li>• Comprehensive Plan, Lake Stevens Municipal Code Title 14,</li><li>• Urban Design Standards, Engineering Design and Development Standards, etc.</li></ul></li></ul>	15¢/page/side 10¢/page/side \$1 extra for copy to CD 5¢ per each four electronic files or attachments 10¢ per gigabyte Actual Cost Actual cost to reproduce (minimum deposit required); requestor may arrange to pay outside vendor directly)

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Permit/Action	Fee or Fine (\$)
- Documents or CDs printed by outside vendor	Actual Cost to reproduce; requestor may arrange to pay outside vendor directly
- Maps - Duplication of maps less than 11"X17"	\$2
- Maps - Duplication of maps greater than 11"x17"	\$6
- Special requests for plotted maps, aerials, plans, etc. (each)	\$12
- Audio recordings of meetings: • Duplicated by Staff • Duplicated by outside vendor	\$1/tape/disc Actual cost to reproduce
- Color photos (cost to reproduce)	40¢
- Certified copy of a public record	
	\$5 for 1 <sup>st</sup> Page and \$1 each after the 1 <sup>st</sup> Page
<b>Dishonored Check Fine (in payment of City services)</b>	\$35
<b>Passports</b> ( fees shall be automatically amended by U.S. Dept. of State )	Consistent with effective federal changes
Age 16 and Over	Passport Fee \$110 Execution Fee <u>\$2535</u>
Under Age 16	Passport Fee \$80 Execution Fee <u>\$2535</u>
<b>Passport Photos</b>	\$16.00/set including sales tax
<b>Technology Fee</b>	A technology fee of three (3) percent will be assessed on each building and land use permit issued.

**Section 8. Community Center Rental Fees.** Fees for renting the City's Community Center shall be as listed in Table G.

Table G: Schedule of Rental Fees

Classification	Rental Amount (\$)
*Local users – see definition below	\$10/ hour or \$60/day
Non-local users	\$15/hour or \$90/day
**Non-Profit Community Interest Groups - see definition below	\$5/hour
Public utilities and any instrumentality of the United States, State of Washington, or political subdivision thereof with respect to the exercise of governmental functions	Free
Key Replacement Fee	\$25
Eagle Ridge Community Garden bed rental	\$40 annually

1. If the City requires general liability insurance coverage, the event shall be required to provide proof of insurance in compliance with the Facility Use Permit rules ten days prior to the event. If proof of insurance is not provided, the event will be cancelled.
2. "Local" user is a group whose coordinator or assigned member is a citizen of the City of Lake Stevens.
3. \*\*Non-Profit Community Interest Groups devoted to community interest whose activities generally take place within the geographical confines of the City of Lake Stevens. This classification would include, but not be limited to: Girl Scouts, Lake Stevens Historical Society and Lake Stevens Rowing Club. Non-profit group is defined as being registered with the Secretary of State as a non-profit.
4. A minimum security deposit of \$25 MAY be required of users when, in the judgment of the facilities scheduler, the type of facility use may necessitate such a deposit.
5. In case of a cancellation, a written ten-day advance notice must be received to qualify for a refund.
6. No animals other than service animals will be permitted inside facilities without consent of the City Clerk or designee
7. Use of public facilities for the purpose of generating personal gain is prohibited without written agreement with the City of Lake Stevens.

**Section 9. Lundeen Park Shelter Fees.** Fees for the rental of Lundeen Park Shelters shall be as listed in Table H (below).

**Table H: Schedule of Lundeen Park Shelter Rental Fees**

	Group Size	Number of shelters	Rate
Lundeen Park Shelter Pricing	1-50	1	\$ 60 <i>Non-refundable reservation fee + \$ 7 \$ 67</i>
	1-100	2	\$ 120 <i>Non-refundable reservation fee + \$ 7 \$ 127</i>

**Maximum of 50 people per shelter.**  
**Reservation Fee is Non-Refundable unless cancelled by the City of Lake Stevens**

**Section 10. Stormwater Utility and Lake Management Charges.** Fees for the Stormwater Management Utility, as per LSMC Title 11, shall be as listed in Table IA (below).

**Table I: Stormwater Management Utility**

Class	Impervious Surface %	Monthly Rate	Annual Rate
Single Family	NA	\$8.67/parcel	\$104.00 per parcel
Condominium	NA	\$7.17 per unit	\$86.02 per unit
Undeveloped Lot	NA	Exempt	Exempt
Exempt	Less than 1%	No Charge	No Charge
Very Light	1% to 19%	\$2.38 per 1/4 acre	\$28.61 per 1/4 acre
Light	20% to 39%	\$8.00 per 1/4 acre	\$96.00 per 1/4 acre
Moderate	40% to 59%	\$13.28 per 1/4 acre	\$159.36 per 1/4 acre
Heavy	60% to 79%	\$18.06 per 1/4 acre	\$216.77 per 1/4 acre
Very Heavy	80% to 100%	\$23.90 per 1/4 acre	\$286.85 per 1/4 acre
City Roads	NA	Set in accordance with RCW 90.03.525	Set in accordance with RCW 90.03.525
State Highways	NA	Set in accordance with RCW 90.03.525	Set in accordance with RCW 90.03.525
Low Income Senior & Disabled Exemption			Set in accordance with Snohomish County guidelines

Mobile Home parks shall be charged under the appropriate rate category by their percentage of impervious surface. Duplex, Triplex, Four-plex will be charged the base single family rate multiplied by the number of units.

Parcels with multiple single family structures will be charged the base single family rate multiplied by the number of structures.

Miscellaneous structures over 120sf, will be charged under the appropriate rate category by their percentage of impervious surface.

Undeveloped lots are not altered from the natural state by construction and include lakefront and split lots.

Fees for the Lake Management, as per Title 11 LSMC, shall be listed in Table IB (below).

Table IB: Lake Management Benefit Assessment

Class	Impervious Surface %	Monthly Rate	Annual Rate
Lakefront Lot	NA	\$16.00 per parcel	\$192.00 per parcel
Split Lot	NA	\$11.33 per parcel	\$136.00 per parcel

The lake front lot assessment applies to each land parcel abutting the lake shore. The split lot assessment applies to each land parcel with a portion of the lot abutting the lake shore and a portion of the lot separated from the lake shore by the city road. Each parcel abutting the lake will be charged a lakefront/split lot surcharge in addition to the appropriate Stormwater Management Utility rate.

Lakefront lots developed with only a dock or other over the water structure will receive a lakefront assessment.

Lakefront /split lot parcels with multiple single family structures will be charged the applicable assessment in addition to the single family Stormwater Management Utility rate multiplied by the number of units.

Commercial lakefront/split lot parcels will be charged a lakefront/split lot assessment in addition to the appropriate rate category by their percentage of impervious surface.

Parcels with a common interest in a community beach will be charged a proportionate share of the lakefront assessment in addition to their single family (or other) Stormwater Management Utility rate.

**Section 11. Annual Fire Inspection Fees and Fire Department Related Service fees.** Fees for fire inspection and Fire Department related Services fees shall be as listed in Table J below.

**Table J: ANNUAL FIRE INSPECTION  
AND FIRE DEPARTMENT RELATED SERVICE FEES**

**TABLE A -- ANNUAL FIRE INSPECTION FEE**

	<b>FEE</b>
<b>A, E, LC, R</b>	
	\$75
	\$105
	\$155
	\$185
	\$195
	\$230
	\$275
	\$295
	\$310
	\$350
	\$375
	\$400
	\$425
	\$450
	\$475
	\$500
	\$525
	\$550

**REINSPECTION FEES**


**SPECIAL INSPECTION FEES**

Fuel storage tank abandonment Alarm System re-testing	
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**SPECIAL EVENT PERMIT FIRE INSPECTIONS**


**FIRE DEPARTMENT RELATED SERVICE**

<b>Table B -- SPECIAL ASSEMBLY PERMITS(IFC 105.6.43)</b>	
Temporary Membrane Structures, Tents & Canopies	
(See IFC 105.6.43& IFC 24)	
Duration / Commercial Use	Fee:
< 3 days	No Fee
4 to 180 days	\$58
Temporary Assembly	
For <99 people	\$58
For >100 people	\$115
<b>Table C -- EXPLOSIVES (105.6.15)</b>	
Retail Fireworks Stand	
Retail Sales - Wood Stand	included in Fireworks Permit fee
Retail Sales – Tent	included in Fireworks Permit fee
Must meet requirements of Table B, but no additional fees required.	
Public Display	
Licensed Pyrotechnic Operators Only	\$115
Temporary Storage	\$173

<b>Table D -- NFPA 72 FIRE ALARM SYSTEMS 105.7.4</b>			
Comprehensive Fees for Permit, Review & Inspection			
Tenant Improvement or System Modification			
Number of Devices*	From:	To:	Fee:
1		2	\$ 86
3		5	\$ 144
6		10	\$ 201
11		20	\$ 259
21		40	\$ 345
41		100	\$ 431
101		200	\$ 546
>200		\$575 plus \$58 per 100 additional devices (prorated)	
New System			
Number of Devices*	From:	To:	Fee:
1		100	\$403
101		200	\$546
>200		\$575 plus \$58 per 100 additional devices (prorated)	
In addition to device* fees shown, the following fees also apply:			
FACP and/or Transmitter			
Replaced		\$144	
New		\$230	
Note: All Central Station Monitoring must be UL or FM listed.			
*Devices include separate individual portions of a Fire Alarm System such as: Initiation Devices, Notification Appliances, Flow Switches, Supervisory Switches, Magnetic Door Hold-Open devices, Remote Annunciators, Pull Stations, Beam Detectors (each piece is one device), and other such devices.			

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**Table E -- FIRE SPRINKLER SYSTEMS (105.7.1, 105.7.11, 105.7.4)**

Tenant Improvement or System Modification (NFPA 13 / 13R)

Number of Sprinklers or Devices** From: To:		Fee:
1	2	\$ 86
3	5	\$ 144
6	10	\$ 201
11	20	\$ 259
21	40	\$ 345
41	100	\$ 460
101	200	\$ 546
201	300	\$ 661
>300		\$690 plus \$58 per 100 additional devices (prorated)

New System (NFPA 13 / 13R)

Number of Sprinklers or Devices** From: To:		Fee:
1	100	\$431
101	200	\$546
201	300	\$690
>300		\$719 plus \$58 per 100 additional devices (prorated)

NFPA 13-D (RESIDENTIAL)

Number of Sprinklers:	Fee*:
1 to 10	\$ 201
11 to 25	\$ 259
26+	\$ 316

\*Non-required NFPA 13-D Systems Fee 50% of listed fees for voluntary installations

Hood Suppression Systems

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Type of System:	Fee:
Pre-Engineered	\$144
Custom Engineered	\$316
Standpipe Systems	
Class I, II or III new or existing	\$173
Fire Pump (each)	
\$345 each, maximum \$575	

\*\*Devices include separate individual portions of a Fire Sprinkler System such as: Sprinklers, Risers, Valves, Pull Stations, Beam Detectors (each piece is one device) and other such devices.

**Table F -- HAZARDOUS MATERIALS FACILITY CONSTRUCTION (105.7.7)**

Hazardous Materials Installation, Repair, Abandonment, Removal, Closure or Substantial Improvement	
Permits in addition to Annual Operational Permit	
Permits required when quantity exceeds permit amounts in Table 105.6.20.	
QUANTITY	FEE
1-2 Materials in Excess of Permit Amount	\$115.00
3-5 Materials in Excess of Permit Amount	\$230.00
>5 Materials in Excess of Permit Amount	\$460.00

**Table G --COMPRESSED GASES 105.7.3)  
 AND FLAMMABLE & COMBUSTIBLE LIQUIDS (105.7.6) AND LP-GAS 105.7.9)**

Compressed Gas Installation, Repair, Abandonment, Closure or Substantial Modification to a Compressed Gas System when the Compressed Gases used or Stored exceed the amounts listed in Table 105.6.8.	
Modification or repair of a flammable or combustible liquids pipeline. Installation or construction or Alteration of those items listed in 105.7.6	
For installation of or modification to an LP-gas system.	
Compressed Gas System	\$201
Flammable & Combustible Liquids	
< 500 Gallons	\$115
≥ 500 Gallons	\$230
≥ 1000 Gallons	\$575
LP-Gas System	\$86

**Table H -- SPRAY BOOTHS (105.7.11) AND INDUSTRIAL OVENS (105.7.8)  
 Note: Separate Sprinkler Permit Required under Table E**

NOT SUBJECT TO TABLE A FEES	
SPRAY BOOTHS Type:	Fee:
Pre-Engineered w/ documents	\$ 173
Site-Built or used w/o documents	\$ 288
INDUSTRIAL OVENS	\$ 288
Table I -- ANNUAL BUSINESS INSPECTION FEES	
1 <sup>st</sup> Inspection	In accordance with LSMC 2.52
Table J -- MISCELLANEOUS FEES	
Work Begun or Completed before Permit Issuance	Permit Fees Triple / No inspections until paid
After Hours Inspection (Regular Inspection Hours: 7:30am to 3:30pm)	\$86 per hour / 1 hour minimum
Firefighter Fire Watch or Standby	\$75 per hour / per firefighter 2-hour minimum per firefighter
Fire Flow Determination	\$115
Re-Inspection Fee for each inspection after the 3rd site visit, or as required by the fire code official.	\$86
<p>Fees may be reduced by the fire code official for small or short duration projects.            Note: \$25 of each fire permit issued is retained by the permit department as an administrative fee. The remainder of the fees listed is remitted to the Fire Department.</p> <p style="text-align: center;"><b>"Additional plan review required by changes, additions or revisions to plans \$58.00 per hour." Outside Consultant Review: Actual Costs plus 10% (Fire Marshal Review Fee)</b></p>	
TABLE K -- OPERATIONAL PERMITS	
<p>An Operational Fire Permit constitutes permission to store, or handle hazardous materials, or to operate processes which may produce conditions hazardous to life or property.</p>	
<p>An Operational Fire Permit is required prior to engagement in the activities, operations, practices or functions described in IFC 105.6 AND, if an ongoing operation, is required to be renewed annually before expiration.</p>	
<p>Unless otherwise indicated, Operational Permit Fees are \$100 each. If more than one permit is required for a single occupancy, all permits shall be issued under a single permit fee in the amount of \$150.</p>	
<p>Request for waivers of fees for non-profit events, in accordance with Title 9.28.135, shall be made in writing to the Fire Marshal no less than 7 days before the event or will not be considered.</p>	
Permit Type:	Required for:
Aerosol Products	Level 2 or 3 in excess of 500 lbs

Amusement buildings	Operation of a special amusement building
Aviation Facilities	Using a Group H or Group S occupancy for aircraft servicing or aircraft fuel-servicing vehicles
Carnivals & Fairs	Conducting a carnival or fair
Battery Systems	Installing or using lead-acid battery systems w/ a liquid capacity > 50 gallons
Cellulose Nitrate film	Storing, handling or using cellulose nitrate film in a Group A occupancy
Combustible Dust	Operation of a grain elevator, flour starch mill, feed mill, or a plant pulverizing aluminum, coal, cocoa, magnesium, spices or sugar, or other operations producing combustible dusts as defined in Chapter 2 of the IFC
Combustible Fibers	Storage and handling of combustible fibers in excess of 100 cubic feet (Agricultural storage exempt)
Compressed Gases	Storage, use or handling at normal temperature and pressure of compressed gases in excess of quantities listed in IFC 105.6.8(compressed gas-fueled vehicles exempt)
Covered Mall Buildings	1. Placement of retail fixtures or displays, concession equipment, displays of highly combustible goods and similar items in the mall 2. Display of liquid- or gas- fired equipment in the mall. 3. The use of open-flame or flame-producing equipment in the mall.
Cryogenic Fluids	Production, storage, transport on site, using, handling or dispensing cryogenic fluids in excess of the amounts listed in Table 105.6.11. Exception: Permits are not required for vehicles equipped for and using cryogenic fluids as a fuel for propelling the vehicle or for refrigerating the lading.
Cutting and Welding	Cutting or welding operations within the jurisdiction
Dry Cleaning Plants	Engaging in the business of dry cleaning or to change to a more hazardous cleaning solvent used in existing dry cleaning equipment
Exhibits and Trade Shows	Operating an exhibit or trade show
Explosives	The manufacture, storage, handling, sale or use of any quantity of explosive, explosive material, fireworks, or pyrotechnic special effects within the scope of IFC 33
Flammable and Combustible Liquids	See WAC 51-54-0100, 105.6.16
Floor Finishing	Floor finishing or surfacing operations exceeding 350 square feet (33 m <sup>2</sup> ) using Class I or Class II liquids
Fruit and Crop Ripening	Operating a fruit-, or crop-ripening facility or conducting a fruit-ripening process using ethylene gas.

Fumigation and Thermal Insecticidal Fogging	Operating a business of fumigation or thermal insecticidal fogging and to maintaining a room, vault or chamber in which a toxic or flammable fumigant is used.
Hazardous Materials	Storage or Use in excess of quantities shown in Table 105.6.20.
High-piled Storage	Using a building or portion thereof as a high-piled storage area exceeding 500 square feet (46 m <sup>2</sup> )
Hot Work Operations	Hot work including, but not limited to: 1. Public exhibitions and demonstrations where hot work is conducted. 2. Use of portable hot work equipment inside a structure. Exception: Work that is conducted under a construction permit. 3. Fixed-site hot work equipment such as welding booths. 4. Hot work conducted within a hazardous fire area. 5. Application of roof coverings with the use of an open-flame device. 6. When approved, the fire code official shall issue a permit to carry out a Hot Work Program. This program allows approved personnel to regulate their facility's hot work operations. The approved personnel shall be trained in the fire safety aspects denoted in this chapter and shall be responsible for issuing permits requiring compliance with the requirements found in Chapter 26. These permits shall be issued only to their employees or hot work operations under their supervision.
Industrial Ovens	Operation of industrial ovens regulated by IFC 21
Lumberyards and Woodworking Plants	Storage or processing of lumber exceeding 100,000 board feet (8,333 ft <sup>3</sup> ) (236 m <sup>3</sup> )
Liquid- or gas-fueled vehicles or equipment in assembly buildings	Display, operation or demonstration of liquid- or gas-fueled vehicles or equipment in assembly buildings
LP Gas	1. Storage and use of LP-gas Exception: A permit is not required for individual containers with a 500-gallon (1893 L) water capacity or less serving occupancies in Group R-3. 2. Operation of cargo tankers that transport LP-gas.
Magnesium	Melting, casting, heat treating or grinding more than 10 pounds (4.54 kg) of magnesium
Miscellaneous Combustible Storage	Storing in any building or upon any premises in excess of 2,500 cubic feet (71 m <sup>3</sup> ) gross volume of combustible empty packing cases, boxes, barrels or similar containers, rubber tires, rubber, cork or similar combustible material
Open Burning	Contact Fire District Directly at 425.334.3034
Open Flames and Torches	Removing paint with a torch; or using a torch or open-flame device in a hazardous fire area
Open Flames and Candles	Using open flames or candles in connection with assembly areas, dining areas of restaurants or drinking establishments
Organic Coatings	Any organic-coating manufacturing operation producing more than 1 gallon (4 L) of an organic coating in one day
Places of Assembly	Operating a place of assembly

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Pyrotechnic special effects material	Use and handling of pyrotechnic special effects material
Pyroxylin Plastics	Storage or handling of more than 25 pounds (11 kg) of cellulose nitrate (pyroxylin) plastics and for the assembly or manufacture of articles involving pyroxylin plastics
Refrigeration Equipment	Operation of a mechanical refrigeration unit or system regulated by IFC 6
Repair garages and motor fuel-dispensing facilities.	Operation of repair garages and automotive, marine and fleet motor fuel-dispensing facilities
Rooftop Heliport	Operation of a rooftop heliport
Spraying and Dipping	Conducting a spraying or dipping operation utilizing flammable or combustible liquids or the application of combustible powders regulated by IFC 15
Storage of scrap tires and tire byproducts	Establishing, conducting or maintaining storage of scrap tires and tire byproducts that exceeds 2,500 cubic feet (71m <sup>3</sup> ) of total volume of scrap tires and for indoor storage of tires and tire byproducts
Temporary Membrane Structures, Tents & Canopies	The fees for this permit are in Table B. An operational permit is not required – but a construction permit is required under Table B.
Tire-rebuilding Plants	Operation and maintenance of a tire-rebuilding plant
Waste Handling	Operation of wrecking yards, junk yards and waste material-handling facilities
Wood products	Storing chips, hogged material, lumber or plywood in excess of 200 cubic feet (6 m <sup>3</sup> )

PASSED BY THE CITY COUNCIL OF THE CITY OF LAKE STEVENS THIS 10th DAY OF April 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 Weed, City Attorney



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LAKE STEVENS CITY COUNCIL  
**STAFF REPORT**

**Council Date:** \_\_\_\_\_ **Agenda** 10<sup>th</sup> April 2018

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**Subject:** Frontier Village Southern Access Road from 4<sup>th</sup> ST NE – Design Authorization

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<b>Contact Person/Department:</b> _____	Amanda Wells, Public Works	<b>Budget Impact:</b> _____	\$100,000.00
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**RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:** Authorize the Mayor to execute a Professional Services Agreement with Welch, Comer & Associates, Inc. to design the Frontier Village Southern Access Road for an amount of \$92,300.00 with a management reserve of \$7,700.00.

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**SUMMARY/BACKGROUND:** This roadway is an early works project to the SR 9/SR 204 interchange project; and is a key junction for the area known as Lake Stevens Center. In order to assist with the traffic flow at this shopping complex due to the modifications with the SR 9/ SR 204 interchange project, the City plans to construct an access road into the Frontier Village Shopping Center from 4<sup>th</sup> Street NE. The new access road will alleviate traffic from the North and West entrances. Construction will include approximately 400'roadway with two 11' lanes and left/right turn lanes. Construction will also include pond, landscape strip, sidewalk, crosswalk, and street trees.

The Frontier Village Access Road project was identified as a priority project by the City Council and included in the 2018 budget for \$128,750.00. The design provided by Welch, Comer & Associates, Inc. will provide a construction bid ready document including, but not limited to plans and specifications. The timing for completion of the bid package will allow this project to be ready for bid August 2018. The management reserve is to allow staff the ability to address changes administratively to keep the project on task.

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**APPLICABLE CITY POLICIES:** n/a

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**BUDGET IMPACT:** **\$100,000.00 R2 304-016-595-30-60-04**

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**ATTACHMENTS:**

- Attachment A: Professional Services Agreement
- Exhibit A to Professional Services Agreement: Scope & Fee
- Attachment B: Proposal Review Matrix

# **PROFESSIONAL SERVICES AGREEMENT BETWEEN CITY OF LAKE STEVENS, WASHINGTON AND CONSULTANT NAME FOR CONSULTANT SERVICES**

**THIS AGREEMENT** ("Agreement") is made and entered into by and between the City of Lake Stevens, a Washington State municipal corporation ("City"), and Welch Comer and Associates, an Idaho Corporation, ("Consultant").

**NOW, THEREFORE**, in consideration of the terms, conditions, covenants and performances contained herein, the parties hereto agree as follows:

## **ARTICLE I. PURPOSE**

The purpose of this Agreement is to provide the City with consultant services regarding Roadway design and bid Services as described in Article II. The general terms and conditions of the relationship between the City and the Consultant are specified in this Agreement.

## **ARTICLE II. SCOPE OF SERVICES**

The Scope of Services is attached hereto as **Exhibit "A"** and incorporated herein by this reference ("Scope of Services"). All services and materials necessary to accomplish the tasks outlined in the Scope of Services shall be provided by the Consultant unless noted otherwise in the Scope of Services or this Agreement. All such services shall be provided in accordance with the standards of the Consultant's profession.

## **ARTICLE III. OBLIGATIONS OF THE CONSULTANT**

**III.1 MINOR CHANGES IN SCOPE.** The Consultant shall accept minor changes, amendments, or revision in the detail of the Scope of Services as may be required by the City when such changes will not have any impact on the service costs or proposed delivery schedule. Extra work, if any, involving substantial changes and/or changes in cost or schedules will be addressed as follows:

**Extra Work.** The City may desire to have the Consultant perform work or render services in connection with each project in addition to or other than work provided for by the expressed intent of the Scope of Services in the scope of services. Such work will be considered as extra work and will be specified in a written supplement to the scope of services, to be signed by both parties, which will set forth the nature and the scope thereof. All proposals for extra work or services shall be prepared by the Consultant at no cost to the City. Work under a supplemental agreement shall not proceed until executed in writing by the parties.

**III.2 WORK PRODUCT AND DOCUMENTS.** The work product and all documents produced under this Agreement shall be furnished by the Consultant to the City, and upon completion of the work shall become the property of the City, except that the Consultant may retain one copy of the work product and documents for its records. The Consultant will be responsible for the accuracy of the work, even though the work has been accepted by the City.

In the event that the Consultant shall default on this Agreement or in the event that this Agreement

shall be terminated prior to its completion as herein provided, all work product of the Consultant, along with a summary of work as of the date of default or termination, shall become the property of the City. Upon request, the Consultant shall tender the work product and summary to the City. Tender of said work product shall be a prerequisite to final payment under this Agreement. The summary of work done shall be prepared at no additional cost to the City.

Consultant will not be held liable for reuse of documents produced under this Agreement or modifications thereof for any purpose other than those authorized under this Agreement without the written authorization of Consultant.

**III.3 TERM.** The term of this Agreement shall commence on April \_\_\_, 2018 and shall terminate at midnight, December 31, 2018. The parties may extend the term of this Agreement by written mutual agreement.

**III.4 NONASSIGNABLE.** The services to be provided by the Consultant shall not be assigned or subcontracted without the express written consent of the City.

**III.5 EMPLOYMENT.**

a. The term “employee” or “employees” as used herein shall mean any officers, agents, or employee of the of the Consultant.

b. Any and all employees of the Consultant, while engaged in the performance of any work or services required by the Consultant under this Agreement, shall be considered employees of the Consultant only and not of the City, and any and all claims that may or might arise under the Workman's Compensation Act on behalf of any said employees while so engaged, and any and all claims made by any third party as a consequence of any negligent act or omission on the part of the Consultant or its employees while so engaged in any of the work or services provided herein shall be the sole obligation of the Consultant.

c. Consultant represents, unless otherwise indicated below, that all employees of Consultant that will provide any of the work under this Agreement have not ever been retired from a Washington State retirement system, including but not limited to Teacher (TRS), School District (SERS), Public Employee (PERS), Public Safety (PSERS), law enforcement and fire fighters (LEOFF), Washington State Patrol (WSPRS), Judicial Retirement System (JRS), or otherwise. *(Please indicate No or Yes below)*

No employees supplying work have ever been retired from a Washington state retirement system.

Yes employees supplying work have been retired from a Washington state retirement system.

In the event the Consultant indicates “no”, but an employee in fact was a retiree of a Washington State retirement system, and because of the misrepresentation the City is required to defend a claim by the Washington State retirement system, or to make contributions for or on account of the employee, or reimbursement to the Washington State retirement system for benefits paid, Consultant hereby agrees to save, indemnify, defend and hold City harmless from and against all expenses and costs, including reasonable attorney's fees incurred in defending the claim of the Washington State retirement system and from all contributions paid or required to be paid, and for all reimbursement required to the Washington State retirement system. In the event Consultant

affirms that an employee providing work has ever retired from a Washington State retirement system, said employee shall be identified by Consultant, and such retirees shall provide City with all information required by City to report the employment with Consultant to the Department of Retirement Services of the State of Washington.

### III.6 INDEMNITY.

a. **Indemnification / Hold Harmless.** Consultant shall defend, indemnify and hold the City, its officers, officials, employees and volunteers harmless from any and all claims, injuries, damages, losses or suits including attorney fees, arising out of or resulting from the acts, errors or omissions of the Consultant in performance of this Agreement, except for injuries and damages caused by the sole negligence of the City.

b. Should a court of competent jurisdiction determine that this Agreement is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Consultant and the City, its officers, officials, employees, and volunteers, the Consultant's liability, including the duty and cost to defend, hereunder shall be only to the extent of the Consultant's negligence.

c. It is further specifically and expressly understood that the indemnification provided herein constitutes the Consultant's waiver of immunity under Industrial Insurance, Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated by the parties.

d. **Public Records Requests.**

In addition to Paragraph IV.3 b, when the City provides the Consultant with notice of a public records request per Paragraph IV. 3 b, Consultant agrees to save, hold harmless, indemnify and defend the City its officers, agents, employees and elected officials from and against all claims, lawsuits, fees, penalties and costs resulting from the consultants violation of the Public Records Act RCW 42.56, or consultant's failure to produce public records as required under the Public Records Act.

e. The provisions of this section III.6 shall survive the expiration or termination of this agreement.

### III.7 INSURANCE.

a. **Insurance Term.**

The Consultant shall procure and maintain for the duration of the Agreement, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder by the Consultant, its agents, representatives, or employees.

b. **No Limitation.**

Consultant's maintenance of insurance as required by the agreement shall not be construed to limit the liability of the Consultant to the coverage provided by such insurance, or otherwise limit the City's recourse to any remedy available at law or in equity.

c. **Minimum Scope of Insurance - Consultant shall obtain insurance of the types described below:**

(1) Automobile Liability insurance covering all owned, non-owned, hired and

leased vehicles. Coverage shall be written on Insurance Services Office (ISO) form CA 00 01 or a substitute form providing equivalent liability coverage.

- (2) Commercial General Liability insurance shall be written at least as broad on ISO occurrence form CG 00 01 and shall cover liability arising from premises, operations, stop-gap, independent contractors and personal injury and advertising injury. The City shall be named as an additional insured under the Consultant's Commercial General Liability insurance policy with respect to the work performed for the City using an additional insured endorsement at least as broad as ISO CG 20 26.
- (3) Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington.
- (4) Professional Liability insurance appropriate to the Consultant's profession.

d. **The minimum insurance limits shall be as follows:**

Consultant shall maintain the following insurance limits:

- (1) Comprehensive General Liability. \$1,000,000 combined single limit per occurrence for bodily injury personal injury and property damage; \$2,000,000 general aggregate.
- (2) Automobile Liability. \$1,000,000 combined single limit per accident for bodily injury and property damage.
- (3) Workers' Compensation. Workers' compensation limits as required by the Workers' Compensation Act of Washington.
- (4) Professional Liability/Consultant's Errors and Omissions Liability. \$1,000,000 per claim and \$1,000,000 as an annual aggregate.

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

f. **Acceptability of Insurers.** Insurance to be provided by Consultant shall be with insurers with a current A.M. Best rating of no less than A:VII, or if not rated by Best, with minimum surpluses the equivalent of Best A:VII rating.

g. **Verification of Coverage.** In signing this agreement, the Consultant is acknowledging and representing that required insurance is active and current. Consultant shall furnish the City with original certificates and a copy of the amendatory endorsements, including but not necessarily limited to the additional insured endorsement, evidencing the insurance requirements of the Consultant before commencement of the work. Further, throughout the term of this Agreement, the Consultant shall provide the City with proof of insurance upon request by the City.

h. **Insurance shall be Primary - Other Insurance Provision.** The Consultant's insurance coverage shall be primary insurance as respect the City. The Consultant's Automobile Liability and Commercial General Liability insurance policies are to contain, or be endorsed to contain that they shall be primary insurance as respect the City. Any Insurance, self-insurance, or self-insured pool coverage maintained by the City shall be excess of the Consultant's insurance and shall not contribute with it.

i. **Claims-made Basis.** Unless approved by the City all insurance policies shall be written on an "Occurrence" policy as opposed to a "Claims-made" policy. The City may require an extended reporting endorsement on any approved "Claims-made" policy.

j. **Failure to Maintain Insurance** Failure on the part of the Consultant to maintain the insurance as required shall constitute a material breach of contract, upon which the City may, after giving five business days' notice to the Consultant to correct the breach, immediately terminate the contract or, at its discretion, procure or renew such insurance and pay any and all premiums in connection therewith, with any sums so expended to be repaid to the City on demand, or at the sole discretion of the City, offset against funds due the Consultant from the City.

k. **City Full Availability of Consultant Limits**

If the Consultant maintains higher insurance limits than the minimums shown above, the City shall be insured for the full available limits of Commercial General and Excess or Umbrella liability maintained by the Consultant, irrespective of whether such limits maintained by the Consultant are greater than those required by this contract or whether any certificate of insurance furnished to the City evidences limits of liability lower than those maintained by the Consultant.

**III.8 DISCRIMINATION PROHIBITED AND COMPLIANCE WITH EQUAL OPPORTUNITY LEGISLATION.** The Consultant agrees to comply with equal opportunity employment and not to discriminate against client, employee, or applicant for employment or for services because of race, creed, color, religion, national origin, marital status, sex, sexual orientation, age or handicap except for a bona fide occupational qualification with regard, but not limited to, the following: employment upgrading; demotion or transfer; recruitment or any recruitment advertising; layoff or terminations; rates of pay or other forms of compensation; selection for training, rendition of services. The Consultant further agrees to maintain (as appropriate) notices, posted in conspicuous places, setting forth the provisions of this nondiscrimination clause. The Consultant understands and agrees that if it violates this nondiscrimination provision, this Agreement may be terminated by the City, and further that the Consultant will be barred from performing any services for the City now or in the future, unless a showing is made satisfactory to the City that discriminatory practices have been terminated and that recurrence of such action is unlikely.

**III.9 UNFAIR EMPLOYMENT PRACTICES.** During the performance of this Agreement, the Consultant agrees to comply with RCW 49.60.180, prohibiting unfair employment practices.

**III.10 LEGAL RELATIONS.** The Consultant shall comply with all federal, state and local laws and ordinances applicable to work to be done under this Agreement. The Consultant represents that the firm and all employees assigned to work on any City project are in full compliance with the statutes of the State of Washington governing activities to be performed and that all personnel to be assigned to the work required under this Agreement are fully qualified and properly licensed to perform the work to which they will be assigned. This Agreement shall be interpreted and construed in accordance with the laws of Washington. Venue for any litigation commenced relating to this Agreement shall be in Snohomish County Superior Court.

**III.11 INDEPENDENT CONTRACTOR.**

a. The Consultant and the City understand and expressly agree that the Consultant is an independent contractor in the performance of each and every part of this Agreement. The Consultant expressly represents, warrants and agrees that his status as an independent contractor in the performance of the work and services required under this Agreement is consistent with and meets the six-part independent contractor test set forth in RCW 51.08.195 or as hereafter amended. The Consultant, as an independent contractor, assumes the entire responsibility for carrying out and accomplishing the services required under this Agreement. The Consultant shall make no claim of City employment nor shall claim any related employment benefits, social security, and/or retirement benefits.

b. The Consultant shall be solely responsible for paying all taxes, deductions, and assessments, including but not limited to federal income tax, FICA, social security tax, assessments for unemployment and industrial injury, and other deductions from income which may be required by law or assessed against either party as a result of this Agreement. In the event the City is assessed a tax or assessment as a result of this Agreement, the Consultant shall pay the same before it becomes due.

c. The City may, during the term of this Agreement, engage other independent contractors to perform the same or similar work that the Consultant performs hereunder.

d. Prior to commencement of work, the Consultant shall obtain a business license from the City.

**III.12 CONFLICTS OF INTEREST.** The Consultant agrees to and shall notify the City of any potential conflicts of interest in Consultant's client base and shall obtain written permission from the City prior to providing services to third parties where a conflict or potential conflict of interest is apparent. If the City determines in its sole discretion that a conflict is irreconcilable, the City reserves the right to terminate this Agreement.

**III.13 CITY CONFIDENCES.** The Consultant agrees to and will keep in strict confidence, and will not disclose, communicate or advertise to third parties without specific prior written consent from the City in each instance, the confidences of the City or any information regarding the City or services provided to the City.

**III.14 SUBCONTRACTORS/SUBCONSULTANTS.**

a. The Consultant shall be responsible for all work performed by subcontractors/subconsultants pursuant to the terms of this Agreement.

b. The Consultant must verify that any subcontractors/subconsultants they directly hire meet the responsibility criteria for the project. Verification that a subcontractor/subconsultant has proper license and bonding, if required by statute, must be included in the verification process. The Consultant will use the following Subcontractors/Subconsultants or as set forth in Exhibit \_\_\_\_:

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c. The Consultant may not substitute or add subcontractors/subconsultants without the written approval of the City.

d. All Subcontractors/Subconsultants shall have the same insurance coverages and limits as set forth in this Agreement and the Consultant shall provide verification of said insurance coverage.

## **ARTICLE IV. OBLIGATIONS OF THE CITY**

### **IV.1 PAYMENTS.**

a. The Consultant shall be paid by the City for services rendered under this Agreement as described in the Scope of Services and as provided in this section. In no event shall the compensation paid to Consultant under this Agreement exceed \$ 92,300.00 without the written agreement of the Consultant and the City. Such payment shall be full compensation for work performed and services rendered and for all labor, materials, supplies, equipment and incidentals necessary to complete the work. In the event the City elects to expand the scope of services from that set forth in Exhibit A, the City shall pay Consultant a mutually agreed amount.

b. The Consultant shall submit a monthly invoice to the City for services performed in the previous calendar month in a format acceptable to the City. The Consultant shall maintain time and expense records and provide them to the City upon request.

c. The City will pay timely submitted and approved invoices received before the 20th of each month within thirty (30) days of receipt.

**IV.2 CITY APPROVAL.** Notwithstanding the Consultant's status as an independent contractor, results of the work performed pursuant to this Agreement must meet the approval of the City, which shall not be unreasonably withheld if work has been completed in compliance with the Scope of Services and City requirements.

### **IV.3 MAINTENANCE/INSPECTION OF RECORDS.**

a. The Consultant shall maintain all books, records, documents and other evidence pertaining to the costs and expenses allowable under this Agreement in accordance with generally accepted accounting practices. All such books and records required to be maintained by this Agreement shall be subject to inspection and audit by representatives of the City and/or the Washington State Auditor at all reasonable times, and the Consultant shall afford the proper facilities for such inspection and audit. Representatives of the City and/or the Washington State Auditor may copy such books, accounts and records where necessary to conduct or document an audit. The Consultant shall preserve and make available all such books of account and records for a period of three (3) years after final payment under this Agreement. In the event that any audit or inspection identifies any discrepancy in such financial records, the Consultant shall provide the City with appropriate clarification and/or financial adjustments within thirty (30) calendar days of notification of the discrepancy.

#### **b. Public Records.**

The parties agree that this Agreement and records related to the performance of the Agreement are with limited exception, public records subject to disclosure under the Public Records Act RCW 42.56. Further, in the event of a Public Records Request to the City, the City may provide the Consultant with a copy of the Records Request and the Consultant shall provide copies of any City records in Consultant's possession, necessary to fulfill that

Public Records Request. If the Public Records Request is large the Consultant will provide the City with an estimate of reasonable time needed to fulfill the records request.

## ARTICLE V. GENERAL

V.1 **NOTICES.** Notices to the City and Consultant shall be sent to the following addresses:

**To the City:**

City of Lake Stevens  
Attn: City Clerk  
Post Office Box 257  
Lake Stevens, WA 98258

**To the Consultant:**

Welch Comer and Associates, Inc.  
Attn: Philip F. Boyd  
350 E Kathleen Ave  
Coeur d'Alene, ID 838315

Receipt of any notice shall be deemed effective three (3) days after deposit of written notice in the U.S. mail with proper postage and address.

V.2 **TERMINATION.** The right is reserved by the City to terminate this Agreement in whole or in part at any time upon ten (10) calendar days' written notice to the Consultant.

If this Agreement is terminated in its entirety by the City for its convenience, the City shall pay the Consultant for satisfactory services performed through the date of termination in accordance with payment provisions of Section IV.1.

V.3 **DISPUTES.** The parties agree that, following reasonable attempts at negotiation and compromise, any unresolved dispute arising under this Agreement may be resolved by a mutually agreed-upon alternative dispute resolution of arbitration or mediation.

V.4 **EXTENT OF AGREEMENT/MODIFICATION.** This Agreement, together with attachments or addenda, represents the entire and integrated Agreement between the parties and supersedes all prior negotiations, representations, or agreements, either written or oral. This Agreement may be amended, modified or added to only by written instrument properly signed by both parties.

**V.5 SEVERABILITY.**

a. If a court of competent jurisdiction holds any part, term or provision of this Agreement to be illegal or invalid, in whole or in part, the validity of the remaining provisions shall not be affected, and the parties' rights and obligations shall be construed and enforced as if the Agreement did not contain the particular provision held to be invalid.

b. If any provision of this Agreement is in direct conflict with any statutory provision of the State of Washington, that provision which may conflict shall be deemed inoperative and null and void insofar as it may conflict, and shall be deemed modified to conform to such statutory provision.

V.6 **NONWAIVER.** A waiver by either party hereto of a breach by the other party hereto of any covenant or condition of this Agreement shall not impair the right of the party not in default to avail itself of any subsequent breach thereof. Leniency, delay or failure of either party to insist upon strict performance of any agreement, covenant or condition of this Agreement, or to exercise any right herein

given in any one or more instances, shall not be construed as a waiver or relinquishment of any such agreement, covenant, condition or right.

**V.7 FAIR MEANING.** The terms of this Agreement shall be given their fair meaning and shall not be construed in favor of or against either party hereto because of authorship. This Agreement shall be deemed to have been drafted by both of the parties.

**V.8 GOVERNING LAW.** This Agreement shall be governed by and construed in accordance with the laws of the State of Washington.

**V.9 VENUE.** The venue for any action to enforce or interpret this Agreement shall lie in the Superior Court of Washington for Snohomish County, Washington.

**V.10 COUNTERPARTS.** This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same Agreement.

**V.11 AUTHORITY TO BIND PARTIES AND ENTER INTO AGREEMENT.** The undersigned represent that they have full authority to enter into this Agreement and to bind the parties for and on behalf of the legal entities set forth below.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

CITY OF LAKE STEVENS

WELCH COMER AND ASSOCIATES, INC.

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

By: \_\_\_\_\_  
Philip F. Boyd, P.E, President

Approved as to Form:

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

EXHIBIT A

**City of Lake Stevens  
Frontier Village Southern Access Road  
Design & Bid Phase Services  
Scope of Work**

**1. Background Data**

- 1.1. Owner: City of Lake Stevens, Washington
- 1.2. Engineer: Welch, Comer & Associates, Inc.

**2. Specific Project Data**

- 2.1. TITLE: Frontier Village Southern Access Road
- 2.2. DESCRIPTION: Road Reconstruction – Owner desires to construct approximately 330 feet of new roadway between 4<sup>th</sup> Street to the south and the Frontier Village Mall to the north. New roadway will include curb & gutter, sidewalk, 3 lanes of traffic, illumination, drought-resistant landscaping, and stormwater infiltration areas.

**3. Engineer's Responsibilities**

3.1. Preliminary Design Phase Services (30% & 60%)

A. Project Coordination and Management

- i. General project administration: This will consist of the daily management of the project and involve administrative tasks of a general nature that are required of the ENGINEER during the course of project development, including setting up and maintaining project accounting procedures, and monitoring project budget and schedule.
- ii. Initial project kick-off team meeting with OWNER and subconsultants.
- iii. Initial Stakeholder Meetings: Engineer will meet with multiple stakeholders at the beginning of the project to understand their concerns and share project information. It is assumed one day will be required for all stakeholder meetings.
- iv. General Project Coordination: This task will consist of daily design team coordination including: disseminating appropriate tasks to the appropriate staff, ensuring proper oversight is provided, scheduling field work, providing detailed design review, etc.
- v. OWNER Coordination: Prepare monthly status reports for OWNER. Also, communicate with owner on an as-needed basis. It is assumed one meeting before the City Council will be required.
- vi. Subconsultant Coordination: Coordinate as needed with subconsultants by providing mapping, reviewing documents prior to submittal, and other necessary project information.
- vii. Public Involvement: No public meetings are anticipated for this project.

B. Survey

- i. Control: Project control points, consisting of a 5/8" rebar with Aluminum Cap, will be established along the project corridor at appropriate locations as deemed necessary by Engineer. Additional temporary control points may be set at the discretion of Welch Comer. Temporary control will be used to tie existing right-of-way or section corner monuments and to facilitate the

conventional surveying. Temporary control will be a ½ inch rebar or suitable alternative.

- ii. Topographic Survey: Perform field topographic survey within and adjacent to the project limits. The survey will locate visible features including but not limited to, roadway pavement, striping, curbs, sidewalks, retaining walls, significant grade breaks, drainage structures, sewer structures, water distribution structures, utility poles, significant vegetation, railings, fences, signs, building fronts, stairways, and other elements pertinent to the design of the project improvements. Underground utilities such as electrical, power, cable TV and fiber optic lines will be located through a combination of correspondence with the One-Call utility locate service and communication with each individual utility company or their designated utility locate service.
- iii. Property Survey.
  - Records Research and Survey Calculations: Perform survey records research with a focus on records of survey and plats. The City to provide a title report of the City owned property.
  - Field Surveys – Monument Search: Locate monumentation of record or visible within and adjacent to the project corridor. Monument research will consist of a comprehensive field search based of the office research. Section and quarter corner monuments necessary for right of way resolution, if any, will be searched for. It is anticipated that up to 20 monuments could be searched for. All found monuments will be depicted on the right of way base map
  - Right of way Resolution: Utilizing a combination of the found monuments and records research, the existing City property will be determined.
- iv. Data Reduction: The control and topographic survey information will be processed utilizing the appropriate office software. All survey data will undergo a strict quality control review. Topographic survey information will be reviewed for code consistency and proper automated line work coding. The control survey data will be adjusted through a combination of GPS network control adjustments and least squares adjustments as applicable.
- v. Base Mapping – Topography: Prepare electronic base map using field survey data and existing record drawings provided by agencies or utility companies. The topographic base map will show planimetric features including all the information obtained during the topographic survey. A digital terrain model (DTM) will be created from the topographic survey data. The DTM will use a combination of field-coded breaklines in conjunction with expert office staff to create the DTM model and add points to the point file as needed. Contours will then be generated from the DTM and shown on the map.
- vi. Base Mapping – Right of Way/Property Lines and easements: The title report of the City Property will be used as basis to resolve the subject property. Deeds of record, if supplied, will be used to map adjacent property. All found monuments would be shown on the record of survey and their relation to the right of way noted. Easements identified in the title report will be mapped and shown, if possible.
- vii. Asbuilt Surveys – No asbuilts will be required for this project.

### C. Roadway Design

- i. Design horizontal and vertical alignment of the proposed roadway in accordance with Owner's Engineering Design and Development Standards

(EDDS). Alignment is expected to be tangent. If possible, the south end will align directly with the entrance into the Lake Stevens Transit Center.

- ii. City of Lake Stevens standard typical sections will be utilized for the design. It is anticipated a 3-lane section will be used. Also, EDDS for roadway surface materials and thicknesses will be used.
- iii. Design curb, gutter, sidewalk, and pedestrian ramps in accordance with EDDS and ADA standards. It is assumed that curb and sidewalk will be installed on both sides of the new roadway. If room allows, sidewalk may meander slightly.
- iv. Coordinate with all dry and wet utilities to identify existing locations and anticipate possible conflicts.
- v. Design any driveway approaches to private property.
- vi. Design drought-resistant landscaping plan, including planting selection and layout. No irrigation is anticipated for the roadway.
- vii. Design street illumination in accordance with industry standards. It is assumed standard cobra-head style lighting will be utilized. Engineer will coordinate directly with Snohomish County PUD on design.
- viii. Develop a signage plan based on the Manual on Uniform Traffic Control Devices guidelines and the EDDS.
- ix. Develop a striping plan based on the Manual on Uniform Traffic Control Devices guidelines and the EDDS requirements.
- x. Prepare a construction phase traffic control plan and incorporate it in the bid documents after approval by OWNER.

#### D. Stormwater Design

- i. It is assumed stormwater will be collected in on-site swales and infiltrated. Infiltration rate studies will be performed (see below) to determine swale size and configuration.

#### E. Geotechnical Engineering – Performed by Geotest

- i. Exploration of soil and groundwater conditions at up to 4 locations. One boring will be approximately 20 feet deep, while the remaining will be approximately 9 feet.
- ii. Conduct a review of the field data and provide a site plan, boring logs, laboratory results, soil classifications, recommendations for site preparations, and general subgrade quality.

#### F. Environmental & Wetlands

- i. SEPA Documentation – Anderson Environmental will complete the necessary SEPA documentation.

#### G. Development of Preliminary Design Phase Documents

- i. Prepare Preliminary Design Phase documents consisting of preliminary design criteria, drawings, specifications and written descriptions of the Project. Design Phase documents will be prepared in accordance with Owner standards.
- ii. Advise OWNER if additional reports, data, information, or services are necessary and assist OWNER in obtaining such reports, data, information, or services.

- iii. Based on the information contained in the Preliminary Design Phase documents, submit a revised opinion of probable Construction Cost and any adjustments to Total Project Costs known to ENGINEER.
- iv. Submit one electronic copy and one hard copy of the Preliminary Design Phase documents and revised opinion of probable Construction Cost to OWNER.
- v. ENGINEER's services under the Preliminary Design Phase will be considered complete on the date when final copies of the Preliminary Design Phase documents have been delivered to OWNER.

### 3.2. Final Design Phase (90-100% Bidding Documents)

- A. After acceptance by OWNER of the Preliminary Design Phase documents and revised opinion of probable Construction Cost as determined in the Preliminary Design Phase, but subject to any OWNER directed modifications or changes in the scope, extent, character, or design requirements of or for the Project, and upon written authorization from OWNER, ENGINEER shall:
  - i. On the basis of the above acceptance, direction, and authorization, prepare final Bidding Documents indicating the scope, extent, and character of the Work to be performed and furnished by Contractor.
  - ii. Provide technical criteria, written descriptions, and design data for OWNER's use in filing applications for permits from or approvals of governmental authorities having jurisdiction to review or approve the final design of the Project and assist OWNER in consultations with appropriate authorities.
  - iii. Advise OWNER of any adjustments to the opinion of probable Construction Cost and any adjustments to Total Project Costs known to ENGINEER.
  - iv. Prepare and furnish Bidding Documents for review and approval by OWNER, its legal counsel, and other advisors, as appropriate.
  - v. Submit one final copy and one electronic copy of the bidding Documents and revised opinion of probable construction cost to the OWNER.

### 3.3. Bidding Phase

- A. After acceptance by OWNER of the Bidding Documents and the most recent Opinion of Probable Construction Cost as determined in the Final Design Phase, and upon written authorization by OWNER to proceed, ENGINEER shall:
  - i. Assist OWNER in advertising for and obtaining bids for the Work and, where applicable, maintain a record of prospective bidders to whom Bidding Documents have been issued.
  - ii. Issue Addenda as appropriate to clarify, correct, or change the Bidding Documents.
  - iii. Consult with OWNER as to the acceptability of subcontractors, suppliers, and other individuals and entities proposed by Contractor for those portions of the Work as to which such acceptability is required by the Bidding Documents.
  - iv. Conduct the pre-bid walk through with potential Contractors.
  - v. It is assumed the Owner will conduct the bid opening and not require the Engineer's presence. Engineer will assist the Owner in preparing Bid tabulation sheets, and assist OWNER in evaluating Bids or proposals and in assembling and awarding contracts for the Work.
- B. The Bidding will be considered complete upon award of contract.

#### **4. Times for Rendering Services**

4.1. ENGINEER will proceed with the project immediately upon authorization of OWNER.  
Following is a list of work tasks and the associated time for their completion.

- A. 30% Design      45 Calendar Days
- B. 60% Design      30 Calendar Days
- C. 90% Design      30 Calendar Days
- D. Bid Phase      Project ready for bid by August, 2018

#### **5. Payments to Engineer for Services**

A. For Basic Services having a Determined Scope-Lump Sum Method of Payment.  
OWNER shall pay ENGINEER for the services identified herein the following Lump Sum amounts for each segment project as follows:

Preliminary Design Phase	\$ 76,500
Final Design Phase	\$ 9,800
<u>Bidding Phase</u>	<u>\$ 6,000</u>
<b>Total</b>	<b>\$ 92,300</b>

- i. The Lump Sum includes appropriate amounts to account for labor, overhead, profit, Reimbursable Expenses, and Subconsultant charges.
- ii. The portion of the Lump Sum amount billed for ENGINEER's services will be based upon ENGINEER's estimate of the proportion of the total services actually completed during the billing period to the Lump Sum.

## ATTACHMENT B

### Firm Evaluation Matrix

Reviewer	LDC	Perteet	Welch Comer
Cory Nau	11.12	11.29	11.81
Eric Durpos	10.6	10.6	12.66
Amanda Wells	9.6	11.79	12.46
<b>Average Rating</b>	<b><u>10.44</u></b>	<b><u>11.23</u></b>	<b><u>12.31</u></b>

### Firm Name: LDC

Reviewer Name:	Cory Nau		Eric Durpos		Amanda Wells		
Criterion	Weight	Rating	Score	Rating	Score	Rating	Score
State or Local Funding	6%	2	0.12	3	0.18	4	0.24
Personal Qualifications &	19%	14	2.66	10	1.9	15	2.85
Firm Qualification	19%	13	2.47	11	2.09	9	1.71
Familiarity with City	12%	6	0.72	7	0.84	7	0.84
Quality Assurance	25%	13	3.25	14	3.5	9	2.25
Submittal	19%	10	1.9	11	2.09	9	1.71
<b>Total</b>	<b>100%</b>		<b>11.12</b>		<b>10.6</b>		<b>9.6</b>

### Firm Name: Perteet

Reviewer Name:	Cory Nau		Eric Durpos		Amanda Wells		
Criterion	Weight	Rating	Score	Score	Rating	Score	
State or Local Funding	6%	5	0.3	3	0.18	5	0.3
Personal Qualifications &	19%	14	2.66	10	1.9	15	2.85
Firm Qualification	19%	13	2.47	11	2.09	15	2.85
Familiarity with City	12%	8	0.96	7	0.84	9	1.08
Quality Assurance	25%	12	3	14	3.5	12	3
Submittal	19%	10	1.9	11	2.09	9	1.71
<b>Total</b>	<b>100%</b>		<b>11.29</b>		<b>10.6</b>		<b>11.79</b>

### Firm Name: Welch Comer

Reviewer Name:	Cory Nau		Eric Durpos		Amanda Wells		
Criterion	Weight	Rating	Score	Rating	Score	Rating	Score
State or Local Funding	6%	4	0.24	4	0.24	5	0.3

RFP Decision Matrix  
 Combined Evaluations

Personal Qualifications &	19%	14	2.66	12	2.28	15	2.85
Firm Qualification	19%	12	2.28	13	2.47	15	2.85
Familiarity with City	12%	5	0.6	10	1.2	3	0.36
Quality Assurance	25%	15	3.75	16	4	13	3.25
Submittal	19%	12	2.28	13	2.47	15	2.85
<b>Total</b>	<b>100%</b>		<b>11.81</b>		<b>12.66</b>		<b>12.46</b>

**Firm Name:**

Reviewer Name:							
Criterion	Weight	Rating	Score	Rating	Score	Rating	Score
State or Local Funding	6%		0		0		0
Personal Qualifications &	19%		0		0		0
Firm Qualification	19%		0		0		0
Familiarity with City	12%		0		0		0
Quality Assurance	25%		0		0		0
Submittal	19%		0		0		0
<b>Total</b>	<b>100%</b>		<b>0</b>		<b>0</b>		<b>0</b>



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Council Agenda Date: 11 April 2017

**Subject: Eurasian Watermilfoil Services - Year-8 Implementation of Application Strategy Plan and Post Services**

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<b>Contact Person:</b>	Eric Durpos	<b>Budget Impact:</b>	\$88,669.75
<b>Department:</b>	Public Works		Not to exceed

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**RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:** Authorize Supplement No. 3 to the current contract with AquaTechnex, LLC to perform the year 7 pre and post survey and recommend control measures as part of the 2011 implementation of Application Strategy Plan for an amount of \$88,669.75.

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**SUMMARY/BACKGROUND:** In 2010, the City, in partnership with the County, performed a study of the lake's Eurasian Milfoil problem and had prepared an Integrated Aquatic Plant Control Plan (Plan) to provide a longterm solution to dealing with this weed problem. The Plan was adopted in early 2011 and implementation of the Plan started that year. The Plan recommended the treatment method, implementation schedule, and an estimated budget. In brief, the Plan recommended an initial full lake treatment (Year-1), a follow up spot treatment (Year-2 and Year-3), and monitoring thereafter with spot treatments as needed. The action proposed in this report is the pre and post survey and spot treatment part of the Year-8 follow up treatment.

In April 2016 the City awarded the second 5 year Eurasian Watermilfoil Services contract to AquaTechnex. This 5-year contract allows the City to supplement the contract annually through 2020. While an approximate 99% eradication level has been reached, annual treatment has been found necessary to maintain this level.

The Year-8 treatment is expected to be a combination of treatment methods to deal with milfoil infestations throughout the life cycle of the plant. Treatment is proposed to be performed at intervals from late April to mid July.

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**APPLICABLE CITY POLICIES:** None

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**BUDGET IMPACT:** \$88,669.75 included in the 2018 Council approved budget.

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**ATTACHMENTS:**

- Attachment A: Professional Service Agreement Supplemental No. 3

## ATTACHMENT A

### **SUPPLEMENTAL AGREEMENT NO. 3 TO PROFESSIONAL SERVICES AGREEMENT BETWEEN CITY OF LAKE STEVENS AND AQUATECHNEX, LLC FOR EURASIAN WATERMILFOIL SERVICES**

This Supplemental Agreement No. 3 is made and entered into on the \_\_\_\_\_ day of \_\_\_\_\_, 2018, between the City of Lake Stevens, hereinafter called the "City" and AquaTechnex, LLC, hereinafter called the "Consultant."

WITNESSETH THAT:

WHEREAS, the parties hereto have previously entered into an Agreement for Eurasian Watermilfoil service, hereinafter called the "Project," said Agreement being dated 22<sup>nd</sup> April 2016; and

WHEREAS, the parties entered into Supplemental Agreement No. 1 to Professional Services Agreement to provide for a Scope of Services for Summer 2017 – Eurasian Milfoil Services on April 28, 2017; and

WHEREAS, the parties entered into Supplemental Agreement No. 2 to Professional Services Agreement to expand the Scope of Services for Summer 2017 – Eurasian Milfoil Services on July 11, 2017; and

WHEREAS, both parties desire to supplement said Agreement, by expanding the Scope of Services to provide for additional Milfoil treatment services and to amend the total amount payable for this Agreement,

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

Each and every provision of the Original Agreement for Professional Services dated 22<sup>nd</sup> April 2016, and Supplemental Agreement Nos. 1 and 2 to Professional Services Agreement dated April 28, 2017 and July 11, 2017 shall remain in full force and effect, except as modified in the following sections:

1. Article II of the Original Agreement, "SCOPE OF SERVICES", shall be supplemented to include the Scope of Services as described in Exhibit A1, attached hereto and by this reference made part of this Supplemental Agreement No. 3.

2. Article IV of the Original Agreement, "OBLIGATIONS OF THE CITY", Paragraph IV.1 Payments, Section (a), the second sentence is amended to include the additional Consultant fees of \$84,669.75 and shall read as follows: "In no event shall total payment under this agreement exceed \$200,687.75"

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

Original Agreement	\$44,250.00
Supplemental Agreement No.1 (2017)	\$44,250.00
Supplemental Agreement No. 2 (2017)	\$27,518.00
Supplemental Agreement No. 3 (2018)	\$84,669.75
<b>Grand Total</b>	<b>\$200,687.75</b>

IN WITNESS WHEREOF, the parties hereto have executed this SUPPLEMENTAL AGREEMENT NO. 3 as of the day and year first above written.

CITY OF LAKE STEVENS

AQUATECHNEX, LLC

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

By: \_\_\_\_\_  
Terry McNabb, Manager

ATTEST/AUTHENTICATED

\_\_\_\_\_  
Kathy Pugh, City Clerk

APPROVED AS TO FORM:

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

## EXHIBIT A

### Scope of Services

#### Proposed scope of work Lake Stevens Eurasian Milfoil, 2018

##### ***Task One: Public notification***

The first step this season will be to perform the required amendments to the Department of Ecology Permit and deliver the pre-treatment notifications to affected parties.

The permit for Lake Stevens is held by the City, there is a simple process to add herbicides to this permit through the Ecology online portal. Aquatechnex does not have access to this permit because we are not the permit holder. Public Works should log onto the Ecology site and add fluoridone herbicide and confirm that Diquat herbicide is selected. This will allow us a few additional options for the summer of 2018.

As discussed in the meeting last week, the postcards need to be improved. The wording on these postcards is dictated by the permit, we are not allowed to deviate from this wording. We will use a larger font and larger mailing format this year to deliver these notices. We will also print these with a large picture of treatment on one or both sides to be more eye catching in the mail when they arrive. We will also provide the web site and keep that updated regularly. The web site will discuss the treatments

##### ***Task Two, Sonar aquatic herbicide***

This past summer there were two areas in the lake that were identified with Eurasian Milfoil infestations scattered throughout those acres that were treated with a contact herbicide to conform with budget constraints. We had hoped to have Procellacor, a new Eurasian Milfoil herbicide available for use this coming summer, but it has to go through the process with Ecology to be added to the permit and that probably won't be available until late summer 2018.

Another successful treatment strategy when large areas of a lake have milfoil infestations would be to use Sonar Aquatic Herbicide. This herbicide is systemic and very effective on Eurasian Milfoil if it can be maintained in the plant beds at very low rates for a number of weeks. This is done by making three applications of their precision release granular herbicide at two week intervals starting in the spring. This herbicide's mode of action is to stop the plants ability to protect chlorophyll from sunlight and photogradation of that necessary compound. Over the 6-8 week period where the plants are exposed to Sonar herbicide, they will slowly use up all stored reserves and will not survive. This product and approach removes both the vegetation in the water column and the root crowns/reproductive structures in the lake sediment.

This work would start in late April and target approximately 40 acres in the Northwest Bay and 20 acres in the Northeast Bay. The teams would perform posting on the shorelines on the day of treatment or the day before, and the first application would be made. This process would be replicated twice more at two week intervals.

Sonar herbicide has no water use restrictions. It can be applied at rates much higher than necessary here directly to potable water reservoirs. There are no swimming or fishing restrictions. There are no irrigation restrictions except a precaution when watering certain crops. In addition, these treatments in the northwest bay of the lake will not be close enough to shore to interfere with irrigation at all.

### ***Task Three, Survey Work***

The remaining shoreline areas would be the subject of a survey during late May or Early June to determine the need for additional systemic herbicide treatments. This survey would combine hydro-acoustic mapping to locate submerged aquatic weed beds, point intercept survey of those areas and diving investigation as necessary. This information will locate any additional milfoil populations that need attention, a map will be provided to the City with recommendations and Renovate Herbicide would be used to target that growth in late May or Early June. Notices will have to be delivered to those subject to these treatments as well prior to application.

### ***Task Four, Renovate Herbicide Treatment***

Renovate OTF Granular is a controlled release pellet formulation that is very effective when spot treatment smaller patches of Eurasian Milfoil. This product would be used to treat the growth noted in the survey and approved by the City in late May or early June.

### ***Task Five, Diquat reserve***

Diquat herbicide was used very effectively this past summer to target stands of Eurasian milfoil. We should have a reserve contingency to target mid summer emerging milfoil growth if it occurs. A short survey of the lake would be made in early July to review the results of Sonar and Renovate treatment areas and areas that did not exhibit enough milfoil growth in previous surveys to warrant treatment. If areas are found that need some additional attention they would be treated in this fashion after consultation with the City.

### ***Task Six (Optional), Procellacor when available***

If Procellacor becomes available under the Washington Department of Ecology Permit in a time frame where it could replace any of the options outlined above we would consider this approach with City Staff and alter this plan as appropriate

### ***Task Seven, Post treatment survey.***

At the end of the summer, a detailed post treatment survey would be performed in all areas targeted during 2018. A report will be generated for the City with any additional recommendations for 2019.

Task	Comments	Cost
Task 1, public notification	There may be up to three treatment events targeting different areas of the lake this coming summer. This could require three notices. This includes printing, address	\$2,000.00

	matching, postage and record keeping	
<b>Task 2, Sonar treatment to 50 acres</b>	This includes treatment of 60 acres with Sonar Precision Release Aquatic Herbicide on three occasions. This includes materials, equipment, shoreline posting and application	\$39,750.00
<b>Task 3, Spring Survey</b>	Mobilize mapping vessel and team to the lake, collect hydro-acoustic aquatic plant mapping, investigate littoral areas with plants present, create GIS maps of Eurasian Milfoil beds located, prepare treatment recommendation	\$1,500.00
<b>Task 4, Renovate Treatment</b>	Treat mapped acres with Renovate OTF granular herbicide. Assume 20 possible acre budget and \$1,050.00 per acre. Note we would treat acres found, mapped and approved by the City, this number could be less than this amount	\$21,000.00
<b>Task 5, Diquat Reserve</b>	Assume 35 acres of potential treatment. This includes all materials, equipment and labor to make application as well as July survey. This task may or may not be necessary.	\$12,000.00
<b>Task 6, Procellacor</b>	No costs assigned. If this become available in a timeframe where treatments are ongoing, we would discuss replacing Renovate or Diquat	No cost known at this time
<b>Task 7, Post Treatment survey and report</b>	Late summer aquatic plant survey, we would duplicate the spring survey, compare and map control and report	\$1,500.00
<b>Estimated total before sales tax if all steps are necessary</b>		\$77,750.00
<b>Sales Tax at 8.9%</b>		\$6,919.75
<b>Total project cost</b>		\$84,669.75