



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

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



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

**Tuesday, May 22, 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>		
<b>CITIZEN COMMENTS</b>		
<b>COUNCIL BUSINESS</b>		Council President
<b>MAYOR'S BUSINESS</b>		
<b>CITY DEPARTMENT REPORT</b>	Update	
<b>CONSENT AGENDA:</b>		
	*A Approve 2018 Vouchers	Barb
	*B Approve City Council Workshop Meeting Minutes of May 1, 2018	Kathy
	*C Approve City Council Regular Meeting Minutes of May 8, 2018	Kathy
	*D Approve Contracts re Music by the Lake and Shakespeare in the Park	Kathy
<b>PUBLIC HEARINGS:</b>		
	*E Pellerin Heights Annexation and Approve Ordinance 1028 Annexing Pellerin Heights	Russ

**Lake Stevens City Council Regular Meeting Agenda**

**May 22, 2018**

- ACTION ITEMS:**
- \*F Approve Ordinance 1023 re Final Plat Authority Russ
  - \*G Approve Aquafest Request for Alcohol in the VIP Tent Jill
  - \*H Approve Resolution 2018-17 re Historical Society Grant Application Jill
  - \*I Procurement Policy: Barb
    - 1. Approve Ordinance 1024 re Contracting for Services and Public Works Projects
    - 2. Approve Resolution 2018-16 Establishing a Small Works Roster Process to Award Public Works Contracts and a Consulting Services Roster for Architectural, Engineering and Other Professional Services
    - 3. Approve Resolution 2018-15 Adopting a Comprehensive Procurement Policy
  - \*J Approve Professional Services Agreement with Henley Leadership Group Teri

**DISCUSSION ITEMS:**

**EXECUTIVE SESSION:**

**ADJOURN**

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

**Special Needs**

*The City of Lake Stevens strives to provide accessible opportunities for individuals with disabilities. Please contact Human Resources, City of Lake Stevens ADA Coordinator, (425) 334-1012, at least five business days prior to any City meeting or event if any accommodations are needed. For TDD users, please use the state's toll-free relay service, (800) 833-6384, and ask the operator to dial the City of Lake Stevens City Hall number.*

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

BLANKET VOUCHER APPROVAL  
**2018**

Payroll Direct Deposits	5/15/2018	\$208,723.94
Payroll Checks	45237-45238	\$4,463.16
Tax Deposit(s)	5/15/2018	\$78,550.76
Electronic Funds Transfers	ACH	\$7,269.77
Claims	45236, 45239-45343	\$371,096.22
Void Checks	45044, 45161, 45206	(\$739.71)
Total Vouchers Approved:		\$669,364.14

**This 22nd day of May 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.

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

\_\_\_\_\_  
Mayor

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

\_\_\_\_\_  
Councilmember

\_\_\_\_\_  
Councilmember

\_\_\_\_\_  
Councilmember

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Councilmember

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Councilmember

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Councilmember

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Councilmember

May 22nd, 2018




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

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Personnel Costs	\$	213,187	32%
Payroll Federal Taxes	\$	78,551	12%
Other Employer paid Benefits	\$	4,378	1%
Employee paid benefits - By Payroll	\$	9,329	1%
Supplies	\$	23,643	4%
Professional Services *	\$	172,658	26%
Intergovernmental	\$	63,898	10%
Capital	\$	11,367	2%
Debt Payments	\$	93,093	14%
Void Check	\$	(740)	0%
<b>Total</b>	<b>\$</b>	<b>669,364</b>	<b>100%</b>

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**Large Purchases**

\* \$41,302 - MS Enterprise License renewal



## Checks to be Approved for 5/4/2018 to 5/17/2018

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	
A Worksafe Service Inc	45239						<b>Check Total</b>
							<b>\$165.00</b>
		5/17/2018	257864	001-008-521-20-41-00	LE-Professional Services	Pre-employemnt drug screening	\$165.00
Ace Hardware	45240						<b>Check Total</b>
							<b>\$600.25</b>
		5/17/2018	58653	001-010-576-80-31-00	PK-Operating Costs	Tarp/paracord/bungees	\$67.47
			58675	101-016-544-90-31-02	ST-Operating Cost	Drill bits/cutting fluid	\$40.49
				410-016-531-10-31-02	SW-Operating Costs	Drill bits/cutting fluid	\$40.48
			58728	001-013-594-18-60-02	GG - City Hall Demo	Irrigation supplies - City hall	\$30.78
			58741	101-016-544-90-31-02	ST-Operating Cost	Electrical plug for shop	\$21.77
				410-016-531-10-31-02	SW-Operating Costs	Electrical plug for shop	\$21.77
			58743	101-016-544-90-31-02	ST-Operating Cost	Plug turnlock returned	(\$12.52)
				410-016-531-10-31-02	SW-Operating Costs	Plug turnlock returned	(\$12.52)
			58781	001-013-594-18-60-02	GG - City Hall Demo	Irrigation supplies - City hall	\$61.70
			58803	001-010-576-80-31-03	PK-Lundeen-Op Costs	Concrete epoxy/paint/anchors to repair Drain	\$88.01
			58806	001-013-594-18-60-02	GG - City Hall Demo	Irrigation supplies - City hall	\$8.34
			58824	301-016-595-30-64-01	SEPA Capital Expenditures	Coupler for Callow Rd project	\$3.04
			58830	001-008-521-20-31-02	LE-Minor Equipment	Drill Bit set	\$28.30
			58838	302-010-594-76-61-02	PM - Lundeen Park Capital	Misc plumbing parts for Lundeen Restoration	\$58.46
			58862	001-012-572-20-31-00	CS-Library-Office & Operating	Nut driver for Library Lights	\$31.57
			58863	410-016-531-10-31-02	SW-Operating Costs	Supplies for grate inspections	\$46.81
			58864	001-013-518-20-31-00	GG-Operating	Kitchen/bathroom supplies for City Hall	\$17.17
			58901	001-012-575-30-31-00	CS-Historical-Operating	Toilet bowl cleaner/dimmer switch-Museum	\$25.03
			58902	001-012-575-30-31-00	CS-Historical-Operating	Toilet bowl brush-Museum	\$9.35
			58919	001-012-575-51-31-00	CS-Grimm House - Operating	Plug/plug plates/screws for Grim House	\$13.88
			58923	101-016-544-90-31-02	ST-Operating Cost	Wash mitts for washing vehicles	\$5.43
				410-016-531-10-31-02	SW-Operating Costs	Wash mitts for washing vehicles	\$5.44
Advance Auto Parts	45241						<b>Check Total</b>
							<b>\$115.78</b>
		5/17/2018	2421-275839	101-015-543-30-31-00	ME - Operating Costs	Grease Gun/grease PW70 & 21	\$57.89
				410-015-531-10-31-00	ME - Operating Costs	Grease Gun/grease PW70 & 21	\$57.89
Advantage Building Services	45242						<b>Check Total</b>
							<b>\$793.25</b>
		5/17/2018	3713	001-007-558-50-41-00	PL-Professional Servic	Janitorial Services	\$30.00
				001-007-559-30-41-00	PB-Professional Srv	Janitorial Services	\$30.00
				001-008-521-20-41-01	LE-Proessional Serv-Fixed	Janitorial Services	\$315.00



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Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	
Advantage Building Services	45242	5/17/2018	3713	001-010-576-80-41-00	PK-Professional Services	Janitorial Services	\$20.00
				001-012-575-50-41-00	CS-Community Center - Cleaning	Janitorial Services	\$120.00
				001-013-518-20-41-00	GG-Professional Service	Janitorial Services	\$280.00
				101-016-542-30-41-02	ST-Professional Service	Janitorial Services	\$20.00
				410-016-531-10-41-01	SW-Professional Services	Janitorial Services	\$20.00
				621-000-389-20-00-05	Retainage - Janitor/Landscape	Retainage-Advantage svcs	(\$41.75)
Alexander Printing	45243	Check Total					\$106.40
		5/17/2018	55092	001-013-518-20-31-00	GG-Operating	Business cards - Aaron Halverson	\$53.20
			55209	101-016-544-90-31-02	ST-Operating Cost	Business cards - Phil Stevens	\$26.60
			410-016-531-10-31-02	SW-Operating Costs	Business cards - Phil Stevens	\$26.60	
Amazon Capital Services	45244	Check Total					\$494.87
		5/17/2018	1WGX-7FYD-L7K9	001-008-521-20-31-02	LE-Minor Equipment	MOLLE Dump mag Recovery Pouch tactic magazine	\$32.29
			1XLQ-TYLL-XL4H	520-008-594-21-63-00	Capital Equipment	Diamondback Prism Binoculars/Tape Measure	\$462.58
Business Card	45245	Check Total					\$12,569.09
		5/17/2018	1923 0518	510-006-518-80-49-00	License Renewal - Annual Maint	Domain Name registration renewal LAKESTEVENS.WA.GOV	\$400.00
			2288 0518	001-008-521-20-31-02	LE-Minor Equipment	Anti-Fatigue Comfor mat	\$38.06
				001-008-521-20-41-00	LE-Professional Services	Database Searches	\$54.45
				001-008-521-20-43-00	LE-Travel & Per Diem	Hotel-Conference-Pasco-Schedler	\$649.08
					LE-Travel & Per Diem	Hotel-Boating Collision-Hillsboro OR-Irwin	\$883.93
					LE-Travel & Per Diem	Hotel-ICP Instructor-Chehalis-Hingtgen	\$417.96
				001-008-521-20-43-01	LE-Business Meetings	Records training day	\$152.67
			2956 0518	001-008-521-20-43-00	LE-Travel & Per Diem	Hotel-Basic Marine law-Richland-Bassett	\$540.90
			4396 0518	001-001-511-60-43-00	Legislative - Travel & Mtgs	Water for City Coucil meeting	\$5.43
				001-004-514-23-43-00	FI-Travel & Meetings	Hotel-WPTA conf-Chelan-B Stevens	\$298.02
				001-007-559-30-43-00	PB-Travel & Mtgs	Toll paid on way to WABO	\$14.50
			4517 0518	001-005-517-60-31-00	HR-Safety Program	Safety programs 2/2018-4/2021	\$693.47
				001-005-518-10-31-00	HR-Office Supplies	Noise machine	(\$54.40)
					HR-Office Supplies	Label maker	\$15.24
					HR-Office Supplies	Label maker and labeling tape	\$98.15
				001-005-518-10-31-01	HR-Operating Cost	SingUpGenius Pre Silver returned	(\$23.95)
				001-005-518-10-41-00	HR-Professional Services	Online appointment making services for interviews	\$9.99



## Checks to be Approved for 5/4/2018 to 5/17/2018

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	
Business Card	45245	5/17/2018	4517 0518	001-005-518-10-49-01	HR - Staff Development	Registration-Labor Relations Institute 2018 - J Good	\$320.00
				101-016-517-60-31-00	ST-Safety Program	Safety programs 2/2018-4/2021	\$736.82
				410-016-517-60-31-00	SW-Safety Program	Safety programs 2/2018-4/2021	\$736.82
			6437 0518	001-008-521-20-31-02	LE-Minor Equipment	Replacement for pants taken at shooting	\$88.36
			7280 0518	001-008-521-20-43-00	LE-Travel & Per Diem	Hotel-Leadership conf-Leavenworth-Anderson	\$207.20
				001-008-521-20-43-01	LE-Business Meetings	Parking-Laserficsh Training	\$16.00
				001-008-521-40-49-01	LE-Registration Fees	Registration-Repair Trust Strategies-J Anderson	\$35.00
			7588 0518	001-010-576-80-31-00	PK-Operating Costs	Propane tank w/pigtail for pavillion	\$77.44
				001-013-518-20-31-00	GG-Operating	Surface Mount Cable Raceway	\$27.21
				101-016-542-30-49-01	ST-Staff Development	CESCL Certification Training-Tulalip-Waltz	\$150.00
					ST-Staff Development	CESCL Certification Training-Tulalip-Mann	\$150.00
					ST-Staff Development	Training-Leading Change webinar-Durpos	\$17.50
				101-016-543-30-43-00	ST-Travel & Meetings	Hotel-AWWA conference-Tacoma-Durpos	\$339.74
				410-016-531-10-43-00	SW-Travel & Meetings	Hotel-AWWA conference-Tacoma-Durpos	\$339.73
				410-016-531-10-49-01	SW-Staff Development	CESCL Certification Training-Tulalip-Mann	\$150.00
					SW-Staff Development	Training-Leading Change webinar-Durpos	\$17.50
					SW-Staff Development	CESCL Certification Training-Tulalip-Waltz	\$150.00
			7638 0518	001-008-521-20-41-01	LE-Proessional Serv-Fixed	Transcription services case 2018-5121	\$148.00
				520-008-594-21-63-00	Capital Equipment	Vehicle license PT I-18-77	\$49.75
			8232 0518	001-001-511-60-43-00	Legislative - Travel & Mtgs	Economic Alliance meeting-Gailey/McDaniel	\$120.00
				001-001-513-10-43-00	Executive - Travel & Mtgs	Economic Alliance meeting-Spencer	\$60.00
				001-002-513-11-43-00	AD-Travel & Meetings	MAG meeting - Brazel	\$11.64
					AD-Travel & Meetings	Hotel-AWWA Conference-Tacoma-Brazel	\$500.14
					AD-Travel & Meetings	Parking-AWWA Conference-Tacoma-Brazel	\$24.00
					AD-Travel & Meetings	Economic Alliance meeting-Brazel	\$60.00
				001-013-518-20-32-00	GG-Fuel	Fuel PT41	\$47.81
			8484 0518	001-007-558-50-31-01	PL-Operating Costs	Plantags	\$102.90
				001-007-558-50-41-03	PL-Advertising	Postcard mailing-LUA2017-0169	\$108.99
					PL-Advertising	Postcard mailing-LUA2018-0058	\$85.46
					PL-Advertising	Postcard mailing-LUA2018-0072	\$44.74
					PL-Advertising	Postcard Mailing-Adkins Strom	\$50.46
					PL-Advertising	Postcard mailing-LUA2018-0055	\$42.01



## Checks to be Approved for 5/4/2018 to 5/17/2018

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc		
Business Card	45245	5/17/2018	8484 0518	001-007-558-50-41-03	PL-Advertising	Postcard Mailing-LUA2018-0036	\$57.77	
					PL-Advertising	Postcard mailing-LUA2018-0052	\$7.24	
				001-010-576-80-31-10	PK - Boat Launch Expensese	Digital sign-Boat Access Renovation Project	\$291.30	
				9438 0518	001-008-521-20-43-00	LE-Travel & Per Diem	Hotel-Shelton WA-Barnes	\$104.50
			9455 0518	001-008-521-20-31-01	LE-Fixed Minor Equipment	DSG Arms Magazone Packs/Tactics Padded Slings	\$1,100.55	
				001-008-521-20-31-02	LE-Minor Equipment	Magnetic Mic bulk pak	\$559.97	
					LE-Minor Equipment	SWAT gear	\$385.39	
				001-008-521-20-41-01	LE-Proessional Serv-Fixed	Service/monitoring for Game Camera	\$9.99	
				001-008-521-20-48-00	LE-Repair & Maintenance Equip	AE Panel replaced PT82	\$66.70	
				520-008-594-21-63-00	Capital Equipment	Inflatable PFD PT-18-78 & PT-18-79	\$509.05	
					Capital Equipment	Latent print kits PT78/79	\$91.09	
					Capital Equipment	Magnetic Mic rests PT78/79/80	\$176.82	
David Carter	45246	Check Total					\$406.00	
		5/17/2018	020618	001-008-521-20-43-00	LE-Travel & Per Diem	PerDiem-NASRO Conference-Reno-Carter	\$384.00	
			040418	001-008-521-20-43-00	LE-Travel & Per Diem	PerDiem-Child Interview Refresh-Burien-Carter	\$22.00	
Cashmere Valley Bank	45247	Check Total					\$37,082.04	
		5/17/2018	133357 0518	212-016-591-48-71-00	2010A Bond Principal - PW shop	2010 Series A Bond Pmt - Principal	\$36,266.07	
				212-016-592-48-83-00	2010A Bond Interest - PW Shop	2010 Series A Bond Pmt - Interest	\$815.97	
CDW Government Inc	45248	Check Total					\$3,092.77	
		5/17/2018	MLJ7185	001-013-518-20-31-00	GG-Operating	MS Surface Book warranty - Project Coordinator	\$359.37	
			MMG8371	001-013-518-20-31-00	GG-Operating	MS Surface Book - Project Coordinator	\$2,493.82	
			MMQ3215	001-013-518-20-31-00	GG-Operating	MS Surface Book Extended warranty - Project Coordinator	\$239.58	
Central Welding Supply	45249	Check Total					\$139.04	
		5/17/2018	EV252820	101-016-544-90-31-02	ST-Operating Cost	Oxygen for welder and cutting tips	\$60.74	
				410-016-531-10-31-02	SW-Operating Costs	Oxygen for welder and cutting tips	\$60.75	
			RN04181010	101-016-544-90-31-02	ST-Operating Cost	Argon & Oxygen cylinder rental	\$8.78	
				410-016-531-10-31-02	SW-Operating Costs	Argon & Oxygen cylinder rental	\$8.77	
Chilwon Corporation	45250	Check Total					\$240.78	
		5/17/2018	LSPD001	001-008-521-20-41-00	LE-Professional Services	Uniform cleaning	\$240.78	
City of Everett	45251	Check Total					\$555.00	
		5/17/2018	I18001588	001-008-554-30-51-00	LE-Animal Control	Animal shelter services March 2018	\$555.00	





## Checks to be Approved for 5/4/2018 to 5/17/2018

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	Check Total
City of Marysville	45252						<b>\$18,791.25</b>
		5/17/2018	18-007	001-013-512-50-41-00	GG-Municipal Court Fees	Municipal court fees	\$18,791.25
Co Op Supply	45253						<b>\$99.03</b>
		5/17/2018	616815/4	101-016-544-90-31-02	ST-Operating Cost	Propane	\$22.56
				410-016-531-10-31-02	SW-Operating Costs	Propane	\$22.56
			616818/4	101-016-544-90-31-02	ST-Operating Cost	Propane	\$26.95
				410-016-531-10-31-02	SW-Operating Costs	Propane	\$26.96
Comcast	45254						<b>\$96.18</b>
		5/17/2018	0808840 0418	001-010-576-80-42-00	PK-Communication	Internet services - City Shop	\$32.06
				101-016-543-30-42-00	ST-Communications	Internet services - City Shop	\$32.06
				410-016-531-10-42-00	SW-Communications	Internet services - City Shop	\$32.06
	45255						<b>\$106.18</b>
		5/17/2018	0692756 0418	001-008-521-20-42-00	LE-Communication	Internet services - Market Place	\$106.18
	45256						<b>\$86.18</b>
		5/17/2018	0810218 0418	001-008-521-20-42-00	LE-Communication	Internet services - N Lakeshore Dr	\$86.18
	45257						<b>\$136.18</b>
		5/17/2018	0991976 0418	001-010-576-80-42-00	PK-Communication	Internet services - parks & Rec office at VIC	\$136.18
	45258						<b>\$161.18</b>
		5/17/2018	1012996 0418	101-016-542-64-47-00	ST-Traffic Control -Utility	Traffic Signal Control	\$161.18
Crandall Arambula PC	45259						<b>\$8,399.45</b>
		5/17/2018	23	001-007-558-70-41-00	PL-Economic Devel	LS Downtown Subarea Plan	\$8,399.45
Crystal Springs	45260						<b>\$476.70</b>
		5/17/2018	16015194042818	001-008-521-50-30-00	LE-Facilities Supplies	Bottled water-Police station	\$120.13
			5249844050118	001-007-558-50-31-01	PL-Operating Costs	Bottled water	\$67.22
				001-007-559-30-31-01	PB-Operating Cost	Bottled water	\$40.87
				001-013-518-20-31-00	GG-Operating	Bottled water	\$40.87
				101-016-544-90-31-02	ST-Operating Cost	Bottled water	\$103.81
				410-016-531-10-31-02	SW-Operating Costs	Bottled water	\$103.80
Curvature	45261						<b>\$829.84</b>
		5/17/2018	641694	001-006-518-80-31-00	IT-Office Supplies	LC Connectors/Single Mode Fiber patch Cable	\$829.84



## Checks to be Approved for 5/4/2018 to 5/17/2018

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	Check Total
Dataquest LLC	45262						<b>\$170.00</b>
		5/17/2018	5378	001-005-518-10-41-00	HR-Professional Services	Background checks - new employees	\$80.00
				001-010-576-80-41-00	PK-Professional Services	Background checks - new employees	\$30.00
				101-016-542-30-41-02	ST-Professional Service	Background checks - new employees	\$30.00
				410-016-531-10-41-01	SW-Professional Services	Background checks - new employees	\$30.00
Day Wireless Systems	45263						<b>\$479.16</b>
		5/17/2018	4549299	001-008-521-20-41-01	LE-Proessional Serv-Fixed	Dual Antenna Radar Package	\$87.12
			458787	001-008-521-20-41-01	LE-Proessional Serv-Fixed	Onsite Calibration of Handheld Radar unit	\$76.23
			458989	001-008-521-20-41-01	LE-Proessional Serv-Fixed	Onsite SMD Calibrations	\$315.81
Dept of Commerce	45264						<b>\$881.19</b>
		5/17/2018	PWTF-273432	101-016-591-95-71-00	2010 PWTF Loan Principal Pymt	Loan Contract # PE10-951-003-Principal	\$633.95
				101-016-592-95-83-00	2010 PWTF Loan Int Pymt	Loan Contract # PE10-951-003-Principal	\$247.24
Dept of Emergency Management	45265						<b>\$9,683.08</b>
		5/17/2018	I000467857	001-013-525-10-51-00	GG-Emergency	2nd Qtr 2018 Emergency Services	\$9,683.08
Dept of Retirement (Deferred Comp)	0						<b>\$3,345.00</b>
		5/17/2018	051518	001-000-282-00-00-00	Payroll Liability Retirement	Employee Portion-State Deferre	\$3,345.00
Dept of Revenue	0						<b>\$376.43</b>
		5/17/2018	APR2018	001-008-521-20-31-02	LE-Minor Equipment	Use taxes April 2018	\$11.13
				001-013-518-90-49-06	GG-Excise Tax	Excise taxes April 2018	\$365.30
Electronic Federal Tax Pmt System EFTPS	0						<b>\$78,550.76</b>
		5/17/2018	051518	001-000-281-00-00-00	Payroll Liability Taxes	Federal Payroll Taxes	\$78,550.76
Electronic Business Machines	45266						<b>\$243.59</b>
		5/17/2018	AR100577	101-016-542-30-48-00	ST-Repair & Maintenance	Copier maintenance & repair	\$11.04
				410-016-531-10-48-00	SW-Repairs & Maintenance	Copier maintenance & repair	\$11.03
			AR99686	001-008-521-20-48-00	LE-Repair & Maintenance Equip	Copier maintenance & repair	\$221.52
Brian Elkins	45267						<b>\$750.00</b>
		5/17/2018	042918	410-016-531-10-41-01	SW-Professional Services	3 Beaver removals from Lundeen creek	\$750.00
En Pointe Technologies Sales LLC	45268						<b>\$41,302.31</b>
		5/17/2018	93283915	510-006-518-80-49-18	LR - Microsoft Enterprise Agmt	MS Enterprise license renewal	\$41,302.31
Everett Stamp Works	45269						<b>\$57.50</b>
		5/17/2018	24306	001-013-518-20-31-00	GG-Operating	Nameplate - Halverson	\$32.56



## Checks to be Approved for 5/4/2018 to 5/17/2018

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	
Everett Stamp Works	45269	5/17/2018	24365	001-005-518-10-31-01	HR-Operating Cost	Nameplate - J Good	\$24.94
FastSigns	45270	Check Total					\$416.47
		5/17/2018	471-15504	001-012-565-20-40-00	CS-Veteran Services	Banner/Table throw	\$416.47
Feldman and Lee	45271	Check Total					\$10,000.00
		5/17/2018	APR2018	001-011-515-91-41-00	LG-General Indigent Defense	Public Defender services April 2018	\$10,000.00
Financial Consulting Solutions Group	45272	Check Total					\$1,110.00
		5/17/2018	2563-21804034	001-004-514-23-41-00	FI-Professional Service	Strategic Financial Plan Consulting	\$1,110.00
Grainger	45273	Check Total					\$540.07
		5/17/2018	9769675415	101-016-544-90-31-01	ST-Office Supplies	Ballpoint pens	\$9.26
				410-016-531-10-31-01	SW-Office Supplies	Ballpoint pens	\$9.27
			9770861962	101-016-544-90-31-02	ST-Operating Cost	Label tape cartridge	\$11.63
				410-016-531-10-31-02	SW-Operating Costs	Label tape cartridge	\$11.63
			9775611206	101-016-544-90-31-02	ST-Operating Cost	Rear view camera system	\$249.14
				410-016-531-10-31-02	SW-Operating Costs	Rear view camera system	\$249.14
Granite Construction Supply	45274	Check Total					\$207.34
		5/17/2018	262_00071674	101-016-542-64-31-00	ST-Traffic Control - Supply	Street name sign	\$38.40
			262_00071675	101-016-542-64-31-00	ST-Traffic Control - Supply	Street signs	\$168.94
Chris L Griffen	45275	Check Total					\$300.00
		5/17/2018	7Z0622150	001-011-515-91-41-00	LG-General Indigent Defense	Public Defender services	\$300.00
HB Jaeger Co LLC	45276	Check Total					\$518.17
		5/17/2018	199712/1	302-010-594-76-61-02	PM - Lundeen Park Capital	34-950XLT2 Wilkins Double Check Valve irrigation at City Hall	\$458.22
			199844/1	301-016-595-30-64-01	SEPA Capital Expenditures	End cap for Callow Road Project	\$59.95
Heritage Bank	45277	Check Total					\$5,477.40
		5/17/2018	100635410 0418	213-008-592-21-83-00	2015 LTGO Interest Pymt PD	Interest for 2015 LTGO loan	\$5,477.40
Hoglund's Top Shop	45278	Check Total					\$179.91
		5/17/2018	0067202	520-008-594-21-63-00	Capital Equipment	Window tint/sunstrip PT I-18-77	\$179.91
Housing Authority of Snohomish County	45279	Check Total					\$3,112.00
		5/17/2018	2019-1	001-007-558-50-41-00	PL-Professional Servic	Annual Assessment-Alliance for Affordability	\$3,112.00



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Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc		
HSA Bank	45280						Check Total	\$4,025.00
		5/17/2018	050918	001-008-521-20-20-00	LE-Benefits	Initial City Contributions to HSA-Marshall	\$4,025.00	
	45281						Check Total	\$79.00
5/17/2018		051518	001-000-284-00-00-00	Payroll Liability Other	Health Savings Account Employee Contriubutions	\$79.00		
Theodore Hunter	45282						Check Total	\$2,000.00
		5/17/2018	2091	001-007-558-60-41-02	PL-Prof Serv-Hearing E	LUA2017-0169 Hearing Examiner Services	\$2,000.00	
J Thayer Company Inc	45283						Check Total	\$1,020.27
		5/17/2018	1245268-0	001-008-521-20-31-00	LE-Office Supplies	Napkins/Tissue/Paper plates	\$59.94	
			1245922-0	101-016-544-90-31-01	ST-Office Supplies	Easel and carry case	\$247.84	
				410-016-531-10-31-01	SW-Office Supplies	Easel and carry case	\$247.83	
			1246569-0	001-008-521-20-31-00	LE-Office Supplies	Padlock/mailer	\$92.49	
			1246855-0	001-007-558-50-31-00	PL-Office Supplies	Folders	\$76.16	
				001-007-559-30-31-00	PB-Office Supplies	Folders	\$76.16	
			1247330-0	001-008-521-20-31-00	LE-Office Supplies	Ink cartridges	\$90.75	
			1247366-0	001-007-558-50-31-00	PL-Office Supplies	Folders	\$53.89	
				001-007-559-30-31-00	PB-Office Supplies	Folders	\$53.89	
			1248629-0	001-007-558-50-31-00	PL-Office Supplies	Rubberbands	\$2.69	
					PL-Office Supplies	Paper roll 36 x 150	\$69.55	
				001-007-559-30-31-00	PB-Office Supplies	Rubberbands	\$2.70	
				001-013-518-20-31-00	GG-Operating	Facial tissue/post-it flags	\$24.63	
			C1246855-0	001-007-558-50-31-00	PL-Office Supplies	Folders returned	(\$39.13)	
				001-007-559-30-31-00	PB-Office Supplies	Folders returned	(\$39.12)	
Jamar Technologies	45284						Check Total	\$111.86
		5/17/2018	0040443	001-008-521-20-48-00	LE-Repair & Maintenance Equip	Traffic counter repair	\$111.86	
Kaiser Permanente	45285						Check Total	\$2,109.00
		5/17/2018	66972442	001-008-521-20-41-00	LE-Professional Services	Pre Employment Health screening	\$2,014.00	
				001-010-576-80-41-00	PK-Professional Services	Employee health screening	\$31.66	
				101-016-542-30-41-02	ST-Professional Service	Employee health screening	\$31.67	
				410-016-531-10-41-01	SW-Professional Services	Employee health screening	\$31.67	
Lake Industries LLC	45286						Check Total	\$660.00
		5/17/2018	35379	302-010-594-76-61-02	PM - Lundeen Park Capital	Concrete/Asphalt Hauled in by the yard	\$280.00	



## Checks to be Approved for 5/4/2018 to 5/17/2018

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	
Lake Industries LLC	45286	5/17/2018	35387	302-010-594-76-61-02	PM - Lundeen Park Capital	Concrete/Asphalt Hauled in by the yard	\$380.00
Lake Stevens Mini Mart	45287						<b>Check Total \$222.32</b>
		5/17/2018	49	001-008-521-21-32-00	LE-Boating-Fuel	Fuel for North River boat	\$222.32
Lake Stevens Police Guild	45288						<b>Check Total \$1,118.00</b>
		5/17/2018	051518	001-000-284-00-00-00	Payroll Liability Other	Employee Paid Union Dues	\$1,118.00
Lake Stevens Sewer District	45289						<b>Check Total \$946.00</b>
		5/17/2018	MAY2018	001-008-521-50-47-00	LE-Facility Utilities	Sewer - N Lakeshore Dr	\$86.00
					LE-Facility Utilities	Sewer - Police Station	\$86.00
				001-010-576-80-47-00	PK-Utilities	Sewer - Lundeen Park	\$172.00
				001-012-572-20-47-00	CS-Library-Utilities	Sewer - Library	\$86.00
				001-013-518-20-47-00	GG-Utilities	Sewer - City Hall	\$172.00
					GG-Utilities	Sewer - Family Center	\$86.00
					GG-Utilities	Sewer - Permit Center	\$86.00
					GG-Utilities	Sewer - Vacant Houses 20th St SE	\$86.00
				101-016-543-50-47-00	ST-Utilities	Sewer - 99th Ave SE Property	\$86.00
Megan LeBlanc	45290						<b>Check Total \$19.00</b>
		5/17/2018	012418	001-008-521-20-43-00	LE-Travel & Per Diem	PerDiem-WAPRO Conf-Lynnwood-LeBlanc	\$19.00
Lemay Mobile Shredding	45291						<b>Check Total \$9.66</b>
		5/17/2018	4564767	001-008-521-20-41-01	LE-Proessional Serv-Fixed	Shredding services	\$4.83
			4564768	001-013-518-20-41-00	GG-Professional Service	Shredding services	\$4.83
LN Curtis & Sons	45292						<b>Check Total \$3,779.46</b>
		5/17/2018	INV176874	001-008-521-20-31-05	LE-Equipment - New Officers	Uniform items - Jewell	\$1,196.76
			INV179091	001-008-521-20-31-02	LE-Minor Equipment	Tactical launcher/sponge rounds/propellant cartridges	\$65.01
				001-008-521-20-31-04	LE - Donation Exp - Other	Tactical launcher/sponge rounds/propellant cartridges	\$1,500.00
			INV180476	001-008-521-20-31-02	LE-Minor Equipment	Shirts - Beazizo	\$108.88
			INV180987	001-008-521-20-31-02	LE-Minor Equipment	Pants-Vanderwalker	\$70.39
			INV181238	001-008-521-20-31-02	LE-Minor Equipment	Boots - Starkenberg	\$118.79
			INV181290	001-008-521-20-31-05	LE-Equipment - New Officers	Uniform & Gear - Holland	\$719.63
Lowes Companies	45293						<b>Check Total \$275.27</b>
		5/17/2018	907991	001-013-594-18-60-02	GG - City Hall Demo	Irrigation supplies for City hall plantings	\$81.62



## Checks to be Approved for 5/4/2018 to 5/17/2018

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	
Lowes Companies	45293	5/17/2018	909296	001-012-572-20-31-00	CS-Library-Office & Operating	LED Exit light for Library	\$72.94
			928620	001-010-576-80-31-00	PK-Operating Costs	Flowers to plant around City entrance signs	\$120.71
Joshua Machen	45294	Check Total					\$282.84
		5/17/2018	050118	001-007-558-50-43-00	PL-Travel & Mtgs	PerDiem-NW Planning Forum-Mt Vernon-Machen	\$15.00
			050718	001-007-558-50-43-00	PL-Travel & Mtgs	Hotel-PerDiem-PAW Planning Conf-Chelan-Machen	\$267.84
Marysville Printing	45295	Check Total					\$281.59
		5/17/2018	23539	001-008-521-20-31-00	LE-Office Supplies	Violation Notice labels	\$281.59
Kimberly McAvoy	45296	Check Total					\$300.00
		5/17/2018	6Z0654206	001-011-515-91-41-00	LG-General Indigent Defense	Public Defender services	\$300.00
Helen Meis	45297	Check Total					\$15.00
		5/17/2018	050118	001-007-558-50-43-00	PL-Travel & Mtgs	PerDiem-NW Planning Forum-Mt Vernon-Meis	\$15.00
Motorola	45298	Check Total					\$644.69
		5/17/2018	13214912	001-008-521-20-31-01	LE-Fixed Minor Equipment	Astro Digital CAI Operation	\$644.69
Nationwide Retirement Solution	0	Check Total					\$3,384.84
		5/17/2018	051518	001-000-282-00-00-00	Payroll Liability Retirement	Employee Portion-Nationwide	\$3,384.84
O Reilly Auto Parts	45299	Check Total					\$188.18
		5/17/2018	2960-421415	101-015-543-30-31-00	ME - Operating Costs	Motor oil PW1/4/5	\$88.01
				410-015-531-10-31-00	ME - Operating Costs	Motor oil PW1/4/5	\$88.02
			2960-421417	101-015-543-30-31-00	ME - Operating Costs	Oil Filter PW1	\$6.07
				410-015-531-10-31-00	ME - Operating Costs	Oil Filter PW1	\$6.08
Opentext	45300	Check Total					\$373.07
		5/17/2018	9000511226	510-006-518-80-49-23	LR - OpenText RightFax Express	RightFax Express CG2 Channels Maintenance	\$373.07
Outcomes by Levy LLC	45301	Check Total					\$4,591.96
		5/17/2018	2018-04-LS	001-013-511-70-40-00	Lobbying Services	Legislative/Regulatory consulting for April 2018	\$4,591.96
Pacific Logging LLC	45302	Check Total					\$600.00
		5/17/2018	22917	302-010-594-76-61-02	PM - Lundeen Park Capital	Excavator hauled form Soper Hill to Lundeen Park	\$300.00
			22950	302-010-594-76-61-02	PM - Lundeen Park Capital	Excavator hauled form Lundeen Park to Shop	\$300.00
Pilchuck Rentals	45303	Check Total					\$405.32
		5/17/2018	65104	001-013-594-18-60-02	GG - City Hall Demo	Excavator rental used for grading at City Hall	\$405.32
Melissa Place	45304	Check Total					\$267.84
		5/17/2018	050718	001-007-558-50-43-00	PL-Travel & Mtgs	Hotel and PerDiemPAW Planning Conf-Chelan-Place	\$267.84



## Checks to be Approved for 5/4/2018 to 5/17/2018

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	Check Total	
Proforce Marketing Inc	45305						<b>\$864.61</b>	
		5/17/2018	345027	001-008-521-20-31-01	LE-Fixed Minor Equipment	UTM Sig MCX MMR Blank Kit		\$864.61
Puget Sound Energy	45306						<b>\$149.13</b>	
		5/17/2018	24316495 0518	001-010-576-80-47-00	PK-Utilities	Natural Gas - City Shop		\$49.71
				101-016-543-50-47-00	ST-Utilities	Natural Gas - City Shop		\$49.71
				410-016-531-10-47-00	SW-Utilities	Natural Gas - City Shop		\$49.71
	45307						<b>\$118.98</b>	
		5/17/2018	3723810 0518	001-008-521-50-47-00	LE-Facility Utilities	Natural Gas - N Lakeshore Drive		\$118.98
Purchase Power	45308						<b>\$300.00</b>	
		5/17/2018	042418	001-007-558-50-42-00	PL-Communication	Postage		\$126.39
				001-008-521-20-42-00	LE-Communication	Postage		\$6.62
				001-013-518-20-42-00	GG-Communication	Postage		\$160.21
				101-016-543-30-42-00	ST-Communications	Postage		\$3.39
				410-016-531-10-42-00	SW-Communications	Postage		\$3.39
Republic Services 197	45309						<b>\$978.64</b>	
		5/17/2018	0197-002259930	001-010-576-80-31-00	PK-Operating Costs	Dumpster services - City Shop		\$248.46
				101-016-542-30-45-00	ST-Rentals-Leases	Dumpster Rental - City Shop		\$116.62
				101-016-544-90-31-02	ST-Operating Cost	Dumpster services - City Shop		\$248.47
				410-016-531-10-31-02	SW-Operating Costs	Dumpster services - City Shop		\$248.47
				410-016-531-10-45-00	SW-Equipment Rental	Dumpster Rental - City Shop		\$116.62
	45310						<b>\$464.80</b>	
		5/17/2018	0197-002259757	001-010-576-80-31-00	PK-Operating Costs	Dumpster svcs - Lundeen Park		\$443.76
				001-010-576-80-45-00	PK-Equipment Rental	Dumpster rental - Lundeen Park		\$21.04
	45311						<b>\$135.70</b>	
		5/17/2018	0197-002260558	001-013-518-20-31-00	GG-Operating	Dumpster services - City Hall		\$119.50
				001-013-518-20-45-00	GG-Equipment Rental	Dumpster rental - City Hall		\$16.20
Greg Rockenbach	45312						<b>\$102.37</b>	
		5/17/2018	180425.2	001-010-576-80-31-01	PK-Ops-Clothing	Rubber waders		\$34.13
				101-016-542-90-31-01	ST-Clothing	Rubber waders		\$34.12
				410-016-531-10-31-00	SW-Clothing	Rubber waders		\$34.12



## Checks to be Approved for 5/4/2018 to 5/17/2018

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	Check Total
Seattle Pump and Equipment	45313						<b>\$1,078.11</b>
		5/17/2018	18-2351	410-015-531-10-31-00	ME - Operating Costs	Heavy Duty Cuffed Rubber Debris Hose-PW26	\$1,078.11
Setina Mfg Co Inc	45314						<b>\$7,470.54</b>
		5/17/2018	160973	520-008-594-21-63-00	Capital Equipment	Vehicle partitions and gun racks PT79 and PT80	\$7,470.54
Six Robblees Inc	45315						<b>\$188.08</b>
		5/17/2018	14-366605-1	001-015-576-80-31-00	ME - Operating Costs	Marker lights PW37	\$18.67
			14-366862	001-015-576-80-31-00	ME - Operating Costs	Lights PW37	\$125.98
			14-367197	101-015-543-30-31-00	ME - Operating Costs	7 way trailer plugs	\$21.72
				410-015-531-10-31-00	ME - Operating Costs	7 way trailer plugs	\$21.71
Smarsh Inc	45316						<b>\$654.00</b>
		5/17/2018	INV00370103	510-006-518-80-49-05	LR - Smarsh	Archiving Platform Content Usage-NetGuard Cloud	\$654.00
Snohomish County 911	45317						<b>\$29,799.49</b>
		5/17/2018	385	001-008-528-00-51-00	LE-Snopac Dispatch	Dispatch Services	\$29,799.49
Snohomish County Parks and Recreation	45318						<b>\$140.00</b>
		5/17/2018	I000467436	001-013-518-20-31-00	GG-Operating	Centennial Trail Business Sign Permit 2018-2019	\$140.00
Snohomish County PUD	45319						<b>\$15,996.88</b>
		5/17/2018	111510745	001-008-521-50-47-00	LE-Facility Utilities	200558690 Police N Lakeshore Drive	\$130.49
			118140789	001-012-575-50-47-00	CS-Community Center-Utilities	200860922 Community Center	\$309.84
			118141376	001-013-518-20-47-00	GG-Utilities	201783685 Annex	\$265.13
			121458297	001-012-575-30-47-00	CS-Historical-Utilities	202289237 Museum	\$49.25
				001-012-575-51-47-00	CS-Grimm House Utilities	202289237 Grimm House	\$49.26
			121459061	001-010-576-80-47-00	PK-Utilities	200748721 Parks	\$53.90
			124776470	101-016-542-63-47-00	ST-Lighting - Utilities	201860178 Traffic Signal	\$136.66
			134668327	101-016-542-63-47-00	ST-Lighting - Utilities	201595113 Street Lights	\$213.59
			141192678	101-016-542-63-47-00	ST-Lighting - Utilities	201973682 Street Lights	\$46.93
			144527377	101-016-542-63-47-00	ST-Lighting - Utilities	203115522 Street Light meter	\$122.61
			144531126	101-016-542-63-47-00	ST-Lighting - Utilities	205338056 SR92 Roundabout at113th	\$34.23
			147820022	001-010-576-80-47-00	PK-Utilities	202513354 Park lighting	\$20.68
			151114311	101-016-542-63-47-00	ST-Lighting - Utilities	203730189 Traffic Signal	\$66.71
			151114312	101-016-542-63-47-00	ST-Lighting - Utilities	203731153 Traffic Signal	\$82.75
			151120056	001-013-518-20-47-00	GG-Utilities	201956075 War Memorial	\$26.18





## Checks to be Approved for 5/4/2018 to 5/17/2018

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc		
Snohomish County PUD	45319	5/17/2018	157572631	101-016-542-63-47-00	ST-Lighting - Utilities	205320781 SR92 Roundabout at 99th	\$46.29	
			160753028	001-010-576-80-47-00	PK-Utilities	203531959 Mobile at 2424 Soper Hill Rd	\$41.88	
			160757579	101-016-542-63-47-00	ST-Lighting - Utilities	202648705 Street Lights	\$42.86	
			163970021	101-016-542-63-47-00	ST-Lighting - Utilities	202988481 Street Lights	\$194.16	
			163970363	001-010-576-80-47-00	PK-Utilities	203203245 Lundeen Restrooms	\$642.51	
			167217233	101-016-542-63-47-00	ST-Lighting - Utilities	202624367 Street Lights	\$10,917.40	
			167217304	101-016-542-63-47-00	ST-Lighting - Utilities	202648101 Street Lights - Soper Hill Annexation	\$1,264.08	
			167217383	101-016-542-63-47-00	ST-Lighting - Utilities	202670725 Street Lights	\$1,239.49	
	45320	Check Total						\$1,277.90
		5/17/2018	104887427	101-016-542-63-47-00	ST-Lighting - Utilities	204719074 Catherine Creek Bridge lights	\$22.68	
			104891707	001-013-518-20-47-00	GG-Utilities	200245215 Family Center	\$182.50	
			104891911	001-013-518-20-47-00	GG-Utilities	221412273 New City Hall	\$150.91	
			104894107	001-013-518-20-47-00	GG-Utilities	200206019 City Hall	\$211.08	
			104895407	101-016-542-63-47-00	ST-Lighting - Utilities	200363505 Traffic Signal	\$74.01	
			108213476	001-010-576-80-47-00	PK-Utilities	201513934 Parks	\$17.01	
			108214342	001-012-572-20-47-00	CS-Library-Utilities	200206977 Library	\$467.27	
	001-013-518-20-47-00	GG-Utilities		200206977 Library water meter	\$152.44			
	Snohomish County Sherrifs Office	45321	Check Total					
5/17/2018			2018-4457	001-008-523-60-51-00	LE-Jail	Prisoner Housing March 2018	\$23,344.83	
Sonsray Machinery LLC	45322	Check Total						\$487.22
		5/17/2018	P08696-09	101-015-543-30-31-00	ME - Operating Costs	Bucket teeth PW70	\$49.28	
				410-015-531-10-31-00	ME - Operating Costs	Bucket teeth PW70	\$49.27	
			P08730-09	101-015-543-30-31-00	ME - Operating Costs	Skid Shoes PW50	\$194.33	
				410-015-531-10-31-00	ME - Operating Costs	Skid Shoes PW50	\$194.34	
Sound Publishing Inc	45323	Check Total						\$427.16
		5/17/2018	EDH804183	001-007-558-50-41-03	PL-Advertising	LUA2018-0052 Emans Dock	\$110.20	
			EDH804732	001-007-558-50-41-03	PL-Advertising	LUA2018-0072 Sedona Subdivision Design Review	\$70.64	
			EDH805526	001-007-558-50-41-03	PL-Advertising	LUA2018-0058 & 0061 JMI Holdings	\$65.48	
			EDH806818	001-007-558-50-41-03	PL-Advertising	LUA2018-0068 Mecham Prelim SP	\$84.40	
			EDH806823	001-007-558-50-41-03	PL-Advertising	LUA2018-0054 & 0053 Westlake Crossing I & II	\$96.44	
Sound Security Inc	45324	Check Total						\$570.87
		5/17/2018	888435	001-013-518-20-41-00	GG-Professional Service	Access/Hold up monitoring May 2018	\$570.87	



## Checks to be Approved for 5/4/2018 to 5/17/2018

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	Check Total
Kathy Starkenburg	45325						<b>\$19.00</b>
		5/17/2018	012418	001-008-521-20-43-00	LE-Travel & Per Diem	PerDiem-WAPRO Conf-Lynnwood-Starkenburg	\$19.00
Stericycle Inc	45326						<b>\$10.36</b>
		5/17/2018	3004251192	001-008-521-20-41-01	LE-Proessional Serv-Fixed	Hazardous waste disposal	\$10.36
Steuber Distributing Co	45327						<b>\$130.81</b>
		5/17/2018	2856527	101-016-544-90-31-02	ST-Operating Cost	Herbicide	\$130.81
Tacoma Screw Products Inc	45328						<b>\$1,145.07</b>
		5/17/2018	18197854	410-016-531-10-31-02	SW-Operating Costs	Manhole J hook	\$268.06
			18198803	001-010-576-80-31-00	PK-Operating Costs	Carriage Bolts/safety glasses	\$29.49
				101-016-544-90-31-02	ST-Operating Cost	Carriage Bolts/safety glasses	\$29.49
				410-016-531-10-31-02	SW-Operating Costs	Carriage Bolts/safety glasses	\$29.49
			18198804	001-013-518-20-31-00	GG-Operating	Carriage Bolts/safety glasses	\$752.93
			18198805	101-016-544-90-31-02	ST-Operating Cost	Sunscreen	\$17.81
				410-016-531-10-31-02	SW-Operating Costs	Sunscreen	\$17.80
Technological Services Inc	45329						<b>\$985.94</b>
		5/17/2018	08259	001-008-521-20-48-00	LE-Repair & Maintenance Equip	Vehicle repair PT-15-63	\$91.52
			08411	001-008-521-20-48-00	LE-Repair & Maintenance Equip	Vehicle repair PT-16-65	\$894.42
The Daily Herald	45330						<b>\$203.36</b>
		5/17/2018	20878953 2018	001-013-518-20-31-00	GG-Operating	Everett Herald subscription 2018-2019	\$203.36
ULINE	45331						<b>\$564.86</b>
		5/17/2018	97050435	001-010-576-80-31-00	PK-Operating Costs	Dog waste bags	\$564.86
US Bank St Paul	45332						<b>\$49,652.50</b>
		5/17/2018	1000465	210-000-592-18-83-00	2008 Bond Interest Payment	LAKSGOREF08A-Series 2008A Int-City Portion	\$37,452.50
				210-070-592-35-83-00	2008 Bond Interest Payment	LAKSGOREF08A-Series 2008A Int-Sewer Portion	\$12,200.00
Craig Valvick	45333						<b>\$22.00</b>
		5/17/2018	050118	001-008-521-20-43-00	LE-Travel & Per Diem	PerDiem-San Bernadino Seminar-Renton-Valvick	\$22.00
Vantagepoint Transfer Agents - 108991	45334						<b>\$352.81</b>
		5/17/2018	051518	001-000-282-00-00-00	Payroll Liability Retirement	ICMA Deferred Comp - Employer Contribution	\$352.81
Vantagepoint Transfer Agents - 307428	45335						<b>\$1,238.35</b>
		5/17/2018	051518	001-000-282-00-00-00	Payroll Liability Retirement	ICMA Deferred Comp - Employee Contribution	\$1,238.35



## Checks to be Approved for 5/4/2018 to 5/17/2018

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	Check Total
Verizon Northwest	45336						<b>Check Total</b>
							<b>\$4,671.37</b>
		5/17/2018	9805949373	001-001-511-60-42-00	Legislative - Communication	Wireless phones	\$389.69
				001-001-513-10-42-00	Executive - Communication	Wireless phones	\$52.70
				001-002-513-11-42-00	AD-Communications	Wireless phones	\$52.70
				001-003-514-20-42-00	CC-Communications	Wireless phones	\$55.67
				001-005-518-10-42-00	HR-Communications	Wireless phones	\$52.70
				001-006-518-80-42-00	IT-Communications	Wireless phones	\$105.40
				001-007-558-50-42-00	PL-Communication	Wireless phones	\$138.64
				001-007-559-30-42-00	PB-Communication	Wireless phones	\$106.72
				001-008-521-20-42-00	LE-Communication	Wireless phones	\$2,932.42
				001-010-576-80-42-00	PK-Communication	Wireless phones	\$261.58
Washington Audiology Services	45337						<b>Check Total</b>
							<b>\$40.00</b>
		5/17/2018	53389	001-008-521-20-41-00	LE-Professional Services	Hearing tests new employees	\$40.00
Washington State Criminal Justice	45338						<b>Check Total</b>
							<b>\$600.00</b>
		5/17/2018	201130183	001-008-521-40-49-01	LE-Registration Fees	SWAT training - Schedler	\$600.00
Washington State Patrol	45339						<b>Check Total</b>
							<b>\$516.00</b>
		5/17/2018	I18007473	633-000-589-30-00-10	Gun Permit - FBI Remittance	Background checks-weapons permits	\$516.00
Washington State Support Registry	0						<b>Check Total</b>
							<b>\$163.50</b>
		5/17/2018	051518	001-000-284-00-00-00	Payroll Liability Other	Employee Paid Child Support	\$163.50
Wave Broadband	45340						<b>Check Total</b>
							<b>\$1,392.74</b>
		5/17/2018	05210385	001-002-513-11-42-00	AD-Communications	Telephone Service	\$20.47
				001-003-514-20-42-00	CC-Communications	Telephone Service	\$40.95
				001-004-514-23-42-00	FI-Communications	Telephone Service	\$40.94
				001-005-518-10-42-00	HR-Communications	Telephone Service	\$20.47
				001-006-518-80-42-00	IT-Communications	Telephone Service	\$61.42
				001-007-558-50-42-00	PL-Communication	Telephone Service	\$133.15
				001-007-559-30-42-00	PB-Communication	Telephone Service	\$20.47
				001-008-521-20-42-00	LE-Communication	Telephone Service	\$696.37
				001-012-575-30-42-00	CS-Historical-Communications	Telephone Service Museum	\$20.47
				001-012-575-50-42-00	CS-Community Center - Comm	Telephone Service Senior Ctr	\$20.48



## Checks to be Approved for 5/4/2018 to 5/17/2018

Name	Ck #	Date	Invoice #	Account #	Account Desc	Item Desc	
Wave Broadband	45340	5/17/2018	05210385	001-013-518-20-42-00	GG-Communication	Telephone Service	\$81.89
				101-016-543-30-42-00	ST-Communications	Telephone Service Shop	\$117.83
				410-016-531-10-42-00	SW-Communications	Telephone Service Shop	\$117.83
Weed Graafstra & Associates Inc	45341	Check Total \$16,704.00					
		5/17/2018	175	001-011-515-41-41-00	Ext Consultation - City Atty	Legal services - General Matters	\$11,799.00
				001-011-515-45-41-00	Ext Litigation - City Atty	Legal services - General Matters	\$1,438.75
				301-016-544-40-41-00	Street Op - P&D - 20th St SE	Legal services - General Matters	\$3,466.25
West Marine Pro	45342	Check Total \$32.89					
		5/17/2018	004175	001-008-521-21-31-00	LE-Boating Minor Equipment	Rearm Kit	\$32.89
Willards Pest Control Co	45343	Check Total \$105.25					
		5/17/2018	209288	001-013-518-20-41-00	GG-Professional Service	Pest control - City Hall & Community Center	\$105.25
Zachor and Thomas Inc PS	45236	Check Total \$22,863.64					
		5/4/2018	802	001-011-515-30-41-01	PG-Prosecutor Fees	Prosecutor retainage - March 2018	\$11,431.82
			803	001-011-515-30-41-01	PG-Prosecutor Fees	Prosecutor retainage - April 2018	\$11,431.82
Total							\$456,916.75

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

Tuesday, May 1, 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, Marcus Tageant, and Kurt Hilt

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, Police Chief John Dyer, Human Resources Director Teri Smith, Human Resources Specialist/Executive Assistant Julie Good, Josh Machen, Senior Planner, City Clerk Kathy Pugh, City Attorney Emily Guildner

OTHERS:

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Mayor Spencer introduced Emily Guildner, associate attorney at Weed, Graafstra and Associates.

**Mayor's Update:**

U.S. 2 Trestle/Meeting with WSDOT: Mayor Spencer said he met with John White, of Washington State Department of Transportation (WSDOT) and provided an update on the status of the environmental review and Intersection Justification Report (IJR) for improvements to the east end of the Trestle. WSDOT has a preferred alternative, which is a flyover that will merge onto Highway 2. The preferred alternative is a four-lane configuration, with one lane being a SOV lane. The environmental review will look at the environmental impacts of the entire project. Representative Rick Larson wants to meet with Mayor Spencer to discuss the Trestle.

Also discussed was the intersection of SR 9 and SR 204, and how any funds left over could be used at adjacent intersections. No decisions will be made until the final project costs are in for the intersection improvement at SR 9 / SR 204. Mayor Spencer requested an improvement to the Vernon Road intersection and a right-hand turn from 91st onto SR 204.

There was discussion about lane width and bicycles, and how a right-hand turn lane might work at 91<sup>st</sup> onto 204.

Mayor Spencer reviewed that this project will begin in small part in 2019 and WSDOT is hopeful to begin the larger portion of the project in 2019 and finish in 2021. Part of the project special is driven by the funding mechanisms being used.

Discussion turned to the project schedule, and Mayor Spencer said the project will begin in 2019 with the right-hand turn from Market; WSDOT is hopeful to begin the remainder of the project in 2019, although the current schedule has the project beginning in 2020, and everything is scheduled to be completed in 2021. The project schedule is in part driven by the financing mechanisms of bond sales and gas tax revenues.

The Trestle project will not begin until 2020.

**Social Media Policies:** Human Resources Director Teri Smith introduced City Attorney Emily Guildner. Director Smith said it has come to the attention of Staff that while there are Social Media policies in place for staff, there are no policies in place for elected officials. Social Media policies for electeds could be included in Personnel Policies or with Council Rules of Procedure.

There was discussion concerning where to locate social media policies for electeds, and the question was asked as to whether electeds have to follow social media policies or whether the policies are guidelines only.

Attorney Guildner reviewed the standards and differences for elected officials between private citizen speech and public/elected speech. She reviewed that the private citizens' first amendment rights are very broad, but in the capacity of an elected official, those rights are limited. She reviewed the differences between an open public forum and a limited public forum. The distinction is in who has access to the platform and the perception of who is doing the talking. Best practices include always considering the Public Records Act, the Open Public Meetings Act and the Appearance of Fairness Doctrine.

Attorney Guildner said that social media has serious consequences for serial meetings, including on other threads where a quorum may inadvertently comment, and also, it is important to be aware of inadvertently becoming involved in conversation on a topic that is quasi-judicial in nature. So long as electeds are not posting government business on their personal pages, there is nothing to be concerned about. Attorney Guildner commented that if electeds have their own social media pages regarding their elected position, those pages need to be backed up and follow best records management practices, and suggested they be kept as limited public forums.

Discussion ensued regarding the differences between elected and re-election social media pages and what are best practices.

Attorney Guildner added that election and re-election social media pages are the murkiest, and added that emojis are a different animal and very difficult as there is a lot of room for misinterpretation.

Mayor Spencer cautioned about emails regarding the Sedona development as that is a quasi-judicial matter.

Discussion ensued as to when Council can engage with citizens and when they cannot. Mayor Spencer said that once an application is received the matter should be considered quasi-judicial.

The question was asked as to how Council could be better notified about development applications and public hearing notice. Director Wright said that Council's concern is heard and

staff is working to address this concern, including updating the website and looking at better signage and mailers. The notices and land use applications are available on the website, accessed via a citizens portal on the website. Director Wright commented that noticing is guided by state mandates, but staff is looking at utilizing bar codes that would allow interested persons to access the notice on the City's web page. Other noticing forums also have a cost element, additionally the City needs to be able to control the message and capture public comment.

Turning to the Social Media policies for electeds, Attorney Guildner said it is recommended to have the policies lodged somewhere. Council expressed concern that having formal policies adopted could be misinterpreted by the public.

Mayor Spencer suggested, and there was agreement to have, regular, required training for elected officials to include social media training.

**Temporary Encampments:** Senior Planner Josh Machen provided an overview of temporary encampments. He commented that the Mayor requested this be brought forward, and also that WCIA recommended, following an audit, that the city have regulations for temporary encampments. Planner Machen noted that temporary encampments are different than homeless camps, as temporary encampments usually are receiving assistance from a formal organization. Planner Machen reviewed different regulations and is recommending the most conservative regulations. Responding to a councilmember's question, Planner Machen said that prohibiting temporary encampments may cross the lines of limiting organizations. The proposed regulations create a permitting process that provides the city with control of temporary encampments.

Discussion ensued, and there was consensus to make the regulations for temporary encampments highly restrictive. It was also suggested that if temporary encampments are allowed, the sponsors should require services to help people in the encampments to improve their situation, and also that the sponsoring organizations should be bonded.

Planner Machen clarified that Council's direction is to take the temporary encampment regulations through the public process with the Planning Commission, including requiring social services, more restrictive regulations, and a mechanism for cleanup.

**Downtown Update:** Community Development Director Russ Wright provided a downtown plan update and said a preferred alternative has been identified. He said the final Environmental Impact Statement has been issued, which included some of the comments Council made, including parking, the overall boundary, zoning and transitional areas. Director Wright reviewed that the next step is a planned action ordinance, which is a SEPA tool. Preparation of draft regulations, and a first draft of the zoning code regulations have been completed. The next step is a second Public Meeting with the Planning Commission on May 16. In June the Planning Commission will hold a public hearing, as will the City Council, and a second public hearing will be scheduled before the Council in July.

Mayor Spencer added that the funding for the Main Street design is in place, and staff is moving forward.

**National League of Cities/Association of Washington Cities Membership Discussion:**

City Administrator Gene Brazel reviewed that both National League of Cities (NLC) and Association of Washington Cities (AWC) do lobbying for cities on big picture topics. Additionally, the City gets medical insurance through AWC, as well as AWC acts as a repository of information that is available to City employees in the course of completing their work. Both NLC and AWC offer training as well. Administrator Brazel said there is benefit received from both organizations and the cost is not high.

Discussion ensued as to when the best time is to travel to Washington, DC and if there is greater benefit to going at a different time of year or outside of the NLC event. It was suggested that it might be more effective to meet lobbyists outside of the conference. Mayor Spencer suggested one trip to Washington DC may no longer be enough.

Mayor Spencer reminded of the joint meeting with the Marysville City Council and reviewed the tentative agenda. It will be important to identify what Lake Stevens' expected outcomes are.

Discussion ensued regarding the proposed interlocal agreement regarding Soper Hill, and how Marysville would move forward with their project if the interlocal agreement is approved.

Council President Tageant requested that Staff look at the staffing for the Engineer Department and the City's need for a Professional Engineer.

Mayor Spencer asked if there was consensus to move forward with the Historical Society leases, and there was.

There being no further business the meeting was adjourned at 8:36 p.m.

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John Spencer, Mayor

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Kathy Pugh, City Clerk



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

Tuesday, May 8, 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, Kurt Hilt, Todd Welch, Rauchel McDaniel, Brett Gailey and Marcus Tageant

ELECTED OFFICIALS ABSENT: None.

regl  
STAFF MEMBERS PRESENT: City Administrator Gene Brazel, Community Development Director Russ Wright, Public Works Director Eric Durpos, Police Commander Jeff Beazizo, Human Resources Director Teri Smith, IT Manager Troy Stevens, City Clerk Kathy Pugh, City Attorney Grant Weed, City Attorney Brett Vinson, Judah Marshall, Police; Kyle Young, Public Works, Representative Mark Harmsworth

OTHERS:

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**Pledge of Allegiance:**

**Roll Call:** All present.

**Approval of Agenda:** Moved by Councilmember Daughtry, seconded by Councilmember Welch, to approve the agenda. On vote the motion carried (7-0-0-0).

**Citizen Comments:** Representative Mark Harmsworth requested clarification from Council on the proposed tolls for the Trestle, and added there may be other funding options. Representative Harmsworth also commented there is funding for the Food Bank in this year's budget.

**New Employee Introductions:**

Commander Beazizo introduced Judah Marshall and shared his background; he will attend the Basic Law Enforcement Academy in 2018.

Director Durpos introduced Kyle Young, the newest member to the Public Works crew, and said Mr. Young specializes in high-end landscaping.

City Attorney Grant Weed introduced Brett Vinson, the newest member of Weed, Graafstra and Associates, and shared Mr. Vincent's background. Mr. Vinson will be working with Lake Stevens as well as other municipal clients.

### **Council Business:**

- Councilmember Daughtry: Veterans Commission.
- Councilmember Petershagen: Brightwater treatment plant tour.
- Councilmember Hilt: Snohomish Health District; Department of Emergency Management.
- Councilmember Gailey: Trestle tolls.
- Councilmember Tageant: Veterans Commission, Brightwater tour.

**Mayor's Business:** Mayor Spencer said he has requested staff to provide a more structured capital projects plan or list, including review of the stormwater plan and fees, looking at the sidewalk plan and considering pairing it with transportation improvements; looking at the downtown plan and installing infrastructure, and moving forward with the Police Department, but still moving forward with a downtown Council Chambers/Court. There is a need to identify costs and priorities and to review revenue forecasts.

### **City Department Report.**

- City Administrator Gene Brazel: Emergency Management.
- Community Development Director Russ Wright: Master Builders letter re Puget Sound Regional Council 2050 Vision; Design Review Board meeting May 9, Planning Commission reviewed Accessory Dwelling Unit code amendment; dates for final actions for Downtown Plan; Arts Commission.

Mayor Spencer elaborated with respect to the Master Builders letter that Staff would like to know if Council wants to join with other cities, both in Snohomish and King Counties, as well as with Master Builders, in trying to clarify the big issues that they would like to see PSRC respond to and address as they move through the Vision 2050 process.

Councilmember Petershagen encouraged that the city be engaged, and said that with collective action with other cities, this creates a momentum that may result in a response from PSRC. There was concurrence from Councilmembers Hilt and Daughtry.

- Public Works Director Eric Durpos: Lundeen Park, 20<sup>th</sup> Street Ballfields, Eagle Ridge Park, Village Way project, Frontier Heights Park, Main Street design, Sidewalk Connection projects.
- Human Resources Director Teri Smith: Labor Relations Institute, WCIA Executive Board meeting, performance evaluation software.
- Human Resources/Administrative Assistant Julie Good: Labor Relations Institute.
- City Clerk Kathy Pugh: Joint meeting with Marysville City Council.

### **Consent Agenda:**

**MOTION:** Moved by Councilmember Welch, seconded by Councilmember Hilt, to approve (A) 2018 Vouchers [Payroll Direct Deposits of \$189,858.90, Payroll Checks 45134-45136 totaling \$5,528.97, Tax Deposits of \$68,547.29, Electronic Funds Transfers (ACH) of \$266,369.33, Claims Check Nos. 45137-45235 totaling \$428,390.92, Void Check Nos. 43766, 45013 in the amount of \$531.03, Total Vouchers Approved: \$958,164.38], (B) City Council Regular Meeting Minutes of April 24, 2018, (C) Re-Affirm Authorization of Mayor to sign Rhodora Annexation

Petition on behalf of City, and (D) Lease Agreements with Historical Society. On vote the motion carried (7-0-0-0).

**Public Hearing:** None.

**Action Items:**

**Purchase of SP Marketplace License and Portals, and SP Marketplace Application Customization Services:** IT Manager Troy Stevens presented the staff report and updated that the City has used SharePoint for a number of years. By purchasing licenses and customizing services the City will achieve more functionality to assist with Human Resources needs as well as other database needs. Director Smith concurred with Manager Stevens' comments and said that moving forward with SP MarketPlace will allow the City to manage data and improve functionality in a cost effective manner.

**MOTION:** Moved by Councilmember Hilt, seconded by Councilmember Welch, to approve the purchase of SP Marketplace Licenses and Portals in the amount of \$11,976.50 and SP Market Place Application Customization Services in the amount of \$1,750, for a total amount of \$13,826.50. On vote the motion carried (7-0-0-0).

**Public Works Contract with Quilceda Paving & Construction, Inc. for Asphalt Repair and Paving:** Public Works Director Durpos presented the staff report and said that asphalt repair throughout the City is a regular part of street safety and preservation. Additionally, there are small asphalt paving projects that need to be completed from time to time. City staff does not have the equipment or staff to perform these projects in-house and this contract will allow staff to address paving needs quickly and in a cost-efficient manner. Director Durpos then responded to Councilmembers' questions.

**MOTION:** Moved by Councilmember Welch, seconded by Councilmember Tageant, to authorize the Mayor to execute a Public Works Contract with Quilceda Paving & Construction Inc. to provide Asphalt Repair and Paving services for the City of Lake Stevens. On vote the motion carried (7-0-0-0)

**Public Works Contract for Janitorial Services:** Director Durpos presented the staff report and said that the City utilizes contracted janitorial services for the City Hall, Police Station, Community Center and Visitor Information Center facilities. Recently the City made a request for bids with four bids received. Diamante Cleaning Experts submitted the lowest responsive bid. Director Durpos then responded to Councilmembers' questions.

**MOTION:** Moved by Councilmember Daughtry, seconded by Councilmember Gailey, to award the 2018 Janitorial Services Contract and authorize the Mayor to execute a contract with Diamante Cleaning Experts LLC for an amount not to exceed \$8,976.00, plus \$1,400.00 event reserve annually. On vote the motion carried (7-0-0-0).

**Discussion Items:**

**Lake Safety Task Force:** Associate Planner Jill Meis provided an update on the Lake Safety Task Force recommendations following their final meeting. The different meetings focused on outreach, enforcement, education and the safety markers. The input provided the necessary

information to identify a focus for moving forward. The preferred alternative is signage, social media, boat launch volunteers and safety marker placement.

Mayor Spencer said he is recommending buoys can be placed in front of citizens' homes at their request and cost; these buoys would be placed in and removed from the water just as the other buoys are. Rules are being drafted and will provide for how many buoys can be placed, line of site and distance. Also addressed was the speed limit between the buoy and the shore, which is a no wake zone. Also targeted will be improved messaging, signage and education.

Planner Meis then responded to Councilmembers' questions, including the cost and placement of buoys, and enforcing the rules that are currently in place.

Discussion ensued regarding speed limits around buoys, and Planner Meis clarified that these buoys are not considered navigational markers.

Planner Meis reviewed the Task Force stakeholders and some of the considerations in making the recommendations.

**Sports Field Leases:** Community Development Director Russ Wright shared agreement options for providing for more practice ball fields throughout the City, and requested Council input.

Discussion ensued regarding the different options, and whether preference would be given to local Lake Stevens teams. Director Wright said that local and youth groups can be given priority under the models that have been provided. Council preferred a simple, easy to negotiate process, and Director Wright will bring back a more formal recommendation.

**Appoint Councilmembers to Participate in Police Department Design Interviews:** Director Wright said the City received ten architectural proposals for design of the new Police Station, and requested that two to three Councilmembers be appointed by consensus to participate in the interviews. Discussion ensued and there was consensus that Councilmembers Gailey, Hilt and McDaniel will participate in the interviews.

Arthur Beard, 1901 – 122<sup>nd</sup> Avenue SE, Lake Stevens, was a project manager for U.S. Customs and has experience in the design of secure buildings; Mr. Beard said police facilities are unique and volunteered to participate in review of the design proposals for the new Police Station.

**Study Session:** None.

**Executive Session:** Mayor Spencer announced an executive session beginning at 8:06 p.m. p.m. and lasting twelve minutes for the purpose of discussing a personnel matter, with possible action to follow.

The regular meeting of the City Council reconvened at 8:24 p.m.

**MOTION:** Moved by Councilmember Daughtry, seconded by Councilmember Welch, to authorize the addition of a full time engineer with a professional engineering license, subject to a budget amendment. On vote the motion carried (7-0-0-0).

**Adjourn:**

Moved by Councilmember Welch, seconded by Daughtry, to adjourn the meeting at 8:24 p.m.  
On vote the motion carried (7-0-0-0).

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

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



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LAKE STEVENS CITY COUNCIL  
**STAFF REPORT**

**Council Agenda**

**Date:** May 22, 2018

**Subject:** Music By the Lake, Shakespeare in the Park and Movies in the Park 2018

**Contact**

**Person/Department:** Kathy Pugh, City Clerk

**Budget**

**Impact:** N/A

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**RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:** Authorize the Mayor to sign performance agreements when received for the 2018 Shakespeare in the Park, Music on the Lake and Movies in the Park.

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**SUMMARY/BACKGROUND:** The Arts Commission hires various acts to perform at the Shakespeare in the Park and Music By the Lake entertainment series. This year Music By the Lake will be held at Lundeen Park and is scheduled for Sunday afternoons from 1:00 – 4:45 or 5:00 p.m. on July 7 and July 22. The following bands are scheduled to perform:

July 7, 1:00–1:45 p.m.	TBD – Barber Shop Quartet	
July 7, 2:00–3:15 p.m.	Jeff Hass, Slide Guitar Blues	\$300.00
July 7, 3:30–5:00 p.m.	562 <sup>nd</sup> United States Air Force Band	
July 22, 1:00– 2:45 p.m.	Georgetown Orbits (Ska Music)	\$600.00
July 22, 3:00– 4:45 p.m.	Michael Versus Prince (Funk/Pop)	\$900.00

Additionally Lost Leaf Productions is scheduled to perform two Shakespeare plays. The plays will be held at Eagle Ridge Park. Twelfth Night is scheduled for August 12, and King Lear is scheduled for August 26, with both plays beginning at 4:00 p.m.

Finally, the Arts Commission is planning two Movies in the Park, to be held in North Cove Park beginning at dusk on August 10 and August 24. Earlier this year Council approved an interlocal agreement with Marysville to provide the video equipment to present the movies. The Arts Commission is planning to again do a Facebook poll to select the movies.

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**APPLICABLE CITY POLICIES:** City Council authorizes the Mayor to sign performance contracts.

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**BUDGET IMPACT:** The current Arts Commission budget balance is approximately \$3,500 to pay for all Arts Commission events, advertising and equipment purchase.

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**ATTACHMENTS:** Personal/Professional Services Agreement

## CITY OF LAKE STEVENS

### PERSONAL/PROFESSIONAL SERVICES AGREEMENT

This Agreement is entered into by and between the City of Lake Stevens, Washington, hereafter referred to as "the City," and \_\_\_\_\_, dba \_\_\_\_\_, hereafter referred to as "the Contractor".

WHEREAS, the City has a need to have certain services performed; and

WHEREAS, the City desires to have the Contractor perform such services pursuant to certain terms and conditions;

NOW, THEREFORE, in consideration of the mutual benefits and conditions set forth below, the parties hereto agree as follows:

1. **Scope of Services to be Performed by Contractor.** The Contractor shall perform those services described on Exhibit "A" attached hereto and incorporated herein. In performing such services, the Contractor shall at all times comply with all federal, state, and local statutes, rules, and ordinances applicable to the performance of such services.
2. **Appropriateness of Performance.** The performance MUST NOT:
  - a. Be lewd or obscene as defined in RCW 7.48A.010(2);
  - b. Have a subject matter that promotes violence against persons or animals;
  - c. Depict a religion or religious symbols in a way that a reasonable person would deem to promote a particular religion; proselytizing is prohibited; or
  - d. Have a subject matter associated with a specific current candidate or candidates in a political setting or a subject matter associated with a specific political party or group.
3. **Compensation and Method of Payment.** The City shall pay the Contractor for services rendered the sum of \$XXXX. Upon completion of the services, the Contractor shall submit an invoice to the City and payment thereon shall be made within ten days following City Council approval. Prior to payment by the City the Contractor must submit a signed W-9 Request for Taxpayer Identification Number and Certification as required by the Internal Revenue Service.
4. **Duration of Agreement.** This Agreement shall be in full force and effect from the date of execution through \_\_\_\_\_, 2018.
5. **Independent Contractor.** The Contractor and the City agree that the Contractor is an independent contractor with respect to the services provided pursuant to this Agreement. Nothing in this Agreement shall be considered to create the relationship of employer and employee between the parties hereto. The City shall not be responsible for paying, withholding, or otherwise deducting any customary state or federal payroll deductions, or otherwise assuming the duties of an employer with respect to the Contractor or any employee of the Contractor.



6. **Indemnification.** The Contractor shall indemnify, defend, and hold harmless the City, its agents, and employees from and against any and all liability arising from injury or death to persons or damage to property resulting in whole or in part from negligent acts or omissions of the Contractor, its agents, or employees.
7. **Termination.** This Agreement may be terminated by written mutual agreement of the parties, or by one party giving to the other at least seven days advance written notice of intent to terminate.
8. **Assignment and Subcontract.** The Contractor shall not assign or subcontract any portion of the services contemplated by this Agreement without the prior written consent of the City.
9. **Entire Agreement.** This Agreement contains the entire agreement between the parties and no other agreements, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or bind either party. Either party may request changes to the Agreement. Proposed changes that are mutually agreed upon shall be incorporated by written amendments to this Agreement.
10. **Applicable Law.** This Agreement shall be governed by and construed in accordance with the laws of the State of Washington. In the event any suit, arbitration, or other proceeding is instituted to enforce any term of this Agreement, the parties specifically understand and agree that venue shall be exclusively in Snohomish County, Washington. The prevailing party in any such action shall be entitled to its attorneys' fees and costs of suit.

CITY OF LAKE STEVENS

CONTRACTOR

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

By: \_\_\_\_\_

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

Title (if applicable) \_\_\_\_\_

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

Mailing Address:

\_\_\_\_\_  
Phone No. \_\_\_\_\_

ATTEST:

APPROVED AS TO FORM

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

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

## EXHIBIT A

### Scope of Services to be Provided by Contractor

The Contractor shall furnish the following services:

Provide musical entertainment for a family based audience at Lundeen Park, Lake Stevens, WA  
on \_\_\_\_\_, 2018 from XXXXXX p.m.

Services shall be performed on the following date(s): \_\_\_\_\_. 2018.



LAKE STEVENS CITY COUNCIL  
**STAFF REPORT**

**Council Agenda Date:** May 22, 2018

**Subject:** Adoption of Ordinance No. 1028, Annexing the properties contained within the Pellerin 60% Annexation Petition and adopting Comprehensive Plan Designation and Zoning for the annexed parcels.

**Contact** Joshua Machen, AICP, Senior Planner  
**Person/Department:** Russ Wright, Community Dev. Director

**Budget** none  
**Impact:**

---

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

1. Hold a public hearing for Pellerin Annexation and adoption of land use and zoning designations, and
2. Approve Ordinance 1028 approving the Pellerin Annexation the simultaneous adoption of land use and zoning designations and require the assumption of all existing City indebtedness.

---

**DISCUSSION:**

On December 12, 2017, the City Council passed Resolution 2017-021 accepting the 10% Pellerin Annexation petition and authorizing the gathering of signatures for the 60% annexation petition. On December 21, 2017, the applicant submitted the 60% annexation petition with signatures from property owners representing more than 60% assessed valuation of the properties contained within the proposed annexation area. On February 13, 2018, the City Council held a public hearing to consider the 60 % Annexation petition and consider the land use and zoning designations for the properties proposed for annexation. At that meeting the City Council adopted Resolution 2018-005 accepting the 60% Pellerin Annexation Petition and issued a Notice of Intent to Annex and adopt land use and zoning designation for the annexed parcels. On May 2, 2018, the Snohomish County Council voted to approve motion 18-129 not opposing the Pellerin annexation and not invoking Boundary Review Board jurisdiction to hold a hearing on the annexation.

The property is approximately 27 acres and the signed petitioners own over 60% of the land value within the proposed annexation area. The annexation area is located east of Lake Stevens city limits, which is just across South Lake Stevens Road. The proposed annexation is an area bounded on the north by an existing neighborhood and large undeveloped lots, on the south by 18<sup>th</sup> Street SE, by Lake Stevens Road on the west and on the east by Mission Ridge Subdivision.

In accordance with the adopted resolution 2017-021, the proposed zoning for the Pellerin Annexation area is proposed to be HUR (High Urban Residential) with a land use designation of Medium Density Residential.

**Public Comment:**

As of May 7, 2018, the City has received multiple public comment letters/email, which are attached to this report (Attachment 2).

**ATTACHMENTS**

1. - Draft Ordinance No.1028 with exhibits
2. - Public Comment letters/email

**City of Lake Stevens  
Lake Stevens, WA**

**ORDINANCE NO. 1028**

**AN ORDINANCE OF THE CITY OF LAKE STEVENS, WASHINGTON ANNEXING APPROXIMATELY TWENTY-SEVEN (27) ACRES KNOWN AS THE “PELLERIN ANNEXATION,” INTO THE CITY PURSUANT TO RCW 35A.14.120; ASSIGNING ZONING AND COMPREHENSIVE PLAN DESIGNATIONS UPON ANNEXATION; REQUIRING ASSUMPTION OF A PROPORTIONATE SHARE OF CITY INDEBTEDNESS AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

WHEREAS, The Lake Stevens City Council (Council) adopted Ordinance No. 937 establishing the 2015 – 2035 Comprehensive Plan that sets planning goals, policies and implementation strategies for the Lake Stevens Urban Growth Area (UGA) pursuant to Chapter 36.70A RCW; and

WHEREAS, the City of Lake Stevens (City) and Snohomish County entered an updated Interlocal Agreement related to Annexation and Urban Development in the Lake Stevens UGA recorded under Auditors File No. 200511100706 on November 10, 2005; and

WHEREAS, the City Council has reviewed the City’s annexation strategy to determine whether it is consistent with current practices, policies and procedures and thus, the City Council adopted Resolution 2016-21; and

WHEREAS, pursuant to RCW 35A.14.120 the City Council adopted resolution 2017-021 accepting a 10% petition, authorizing the circulation of a 60% petition for annexation and designating comprehensive plan and zoning for the proposed “Pellerin” annexation area; and

WHEREAS, pursuant to RCW 35A.14.120, the petitioner has now obtained the signatures of property owners representing more than 60% of the current total assessed value of all parcels within the proposed annexation area legally described in attached Revised Exhibit A; and

WHEREAS, pursuant to RCW 35A.01.040 the Snohomish County Assessor’s Office on February 5, 2018, certified the 60% petition as sufficient; and

WHEREAS, the annexation area being contiguous with the existing City limits and within unincorporated Snohomish County, and may generally be described as an area of approximately twenty-seven (27) acres, bounded on the north by an existing neighborhood and large undeveloped lots, on the south by 18<sup>th</sup> Street SE, by Lake Stevens Road on the west and on the east by Mission Ridge Subdivision, as depicted in the map attached as Revised Exhibit B. Said unincorporated area is within the City’s Urban Growth Area; and

WHEREAS, since the circulation and certification of the 60% petition a scrivener’s error in the legal description and annexation map attached to the 60% petitions was discovered, specifically the west approximately 254 lineal feet of 18<sup>th</sup> Street SE is depicted as part of the annexation, when in fact that portion of right-of-way is already part of the City of Lake Stevens; and

WHEREAS, considering the error referenced in the previous recital, the Exhibit A legal description and Exhibit B map have been revised as attached hereto. Said revisions do not affect the privately-owned properties which are proposed for annexation and the revisions serve solely to correct the area proposed for annexation by eliminating public right of way which is already within the incorporated Lake Stevens City Limits; and

WHEREAS, on February 13, 2018 a properly noticed public hearing was held pursuant to RCW 35A.14.130 and all persons who wished to provide testimony were heard. At that hearing the City Council considered the Pellerin Annexation, land use and zoning designations, and then issued a Notice of Intent to Annex and adopt land use and zoning designations for the annexed parcels by passing Resolution 2018-005 and;

WHEREAS, on March 14, 2018 the City submitted a Notice of Intent to the Snohomish Boundary Review Board and the Board reviewed said Notice and associated materials and deemed said Notice of Intent complete issuing an effective filing date of March 23, 2018.

WHEREAS, on May 2, 2018, the Snohomish County Council voted to approve motion 18-129 not opposing the Pellerin annexation and not invoking Boundary Review Board jurisdiction to hold a hearing on the annexation: and

WHEREAS, the City Council conducted a second duly noticed public hearing on May 22, 2018, to consider the proposed annexation and the assignment of zoning and comprehensive plan designation by the adoption of this Ordinance No. 1028,

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

SECTION 1. Annexation. The property described in attached Revised Exhibit A and depicted in attached Revised Exhibit B, which correct the scrivener's error in the legal description and map that was attached to the 60% petition by removing the portion of existing Lake Stevens' right-of-way at the west end of 18<sup>th</sup> Street SE, (approximately 254 lineal feet) is hereby annexed into the City of Lake Stevens.

SECTION 2. The area legally described in attached revised Exhibits A and B shall be required to assume it's proportionate share of the general indebtedness of the City of Lake Stevens at the time of the effective date of such annexation.

SECTION 3. The area described in attached Exhibits A and B, shall be designated in the City's Comprehensive Plan as MDR (Medium Density Residential) and the on the City's Official Zoning Map as HUR (High Urban Residential) as depicted in attached Exhibit C.

SECTION 4. Severability. If any section, clause, phrase, or term of this ordinance is held for any reason to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance, and the remaining portions shall be in full force and effect.

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

SECTION 6. Upon passage of this ordinance a certified copy shall be transmitted to the Clerk of the Snohomish County Council as required by RCW 35A.14.440.

PASSED by the City Council of the City of Lake Stevens this 22<sup>th</sup> day of May 2018.

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

ATTEST:

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

APPROVED AS TO FORM:

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

## PELLERIN LEGAL DESCRIPTION

THAT PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 29 NORTH, RANGE 6 EAST, W.M., DESCRIBED AS FOLLOWS;

**BEGINNING** AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 19;

**THENCE** SOUTH 02°31'12" WEST ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER A DISTANCE OF 687.03 FEET TO THE SOUTH MARGIN OF 18<sup>TH</sup> STREET SOUTHEAST;

**THENCE** NORTH 89°04'13" WEST ALONG SAID SOUTH MARGIN A DISTANCE OF 333.27 FEET;

**THENCE** SOUTH 02°49'21" WEST ALONG SAID SOUTH MARGIN A DISTANCE OF 10.01 FEET;

**THENCE** NORTH 89°04'13" WEST ALONG SAID SOUTH MARGIN A DISTANCE OF 990.54 FEET;

**THENCE** NORTH 02°50'18" EAST ALONG SAID SOUTH MARGIN A DISTANCE OF 11.42 FEET;

**THENCE** NORTH 89°11'06" WEST ALONG SAID SOUTH MARGIN A DISTANCE OF 300.19 FEET;

**THENCE** NORTH 02°50'18" EAST A DISTANCE OF 40.02 FEET TO THE NORTH MARGIN OF 18<sup>TH</sup> STREET SOUTHEAST;

**THENCE** NORTH 89°11'06" WEST ALONG SAID NORTH MARGIN A DISTANCE OF 240.49 FEET TO THE EAST MARGIN OF SOUTH LAKE STEVENS ROAD;

**THENCE** NORTH 18°17'42" EAST ALONG SAID EAST MARGIN A DISTANCE OF 73.13 FEET;

**THENCE** NORTH 01°33'49" WEST ALONG SAID EAST MARGIN A DISTANCE OF 227.54 FEET;

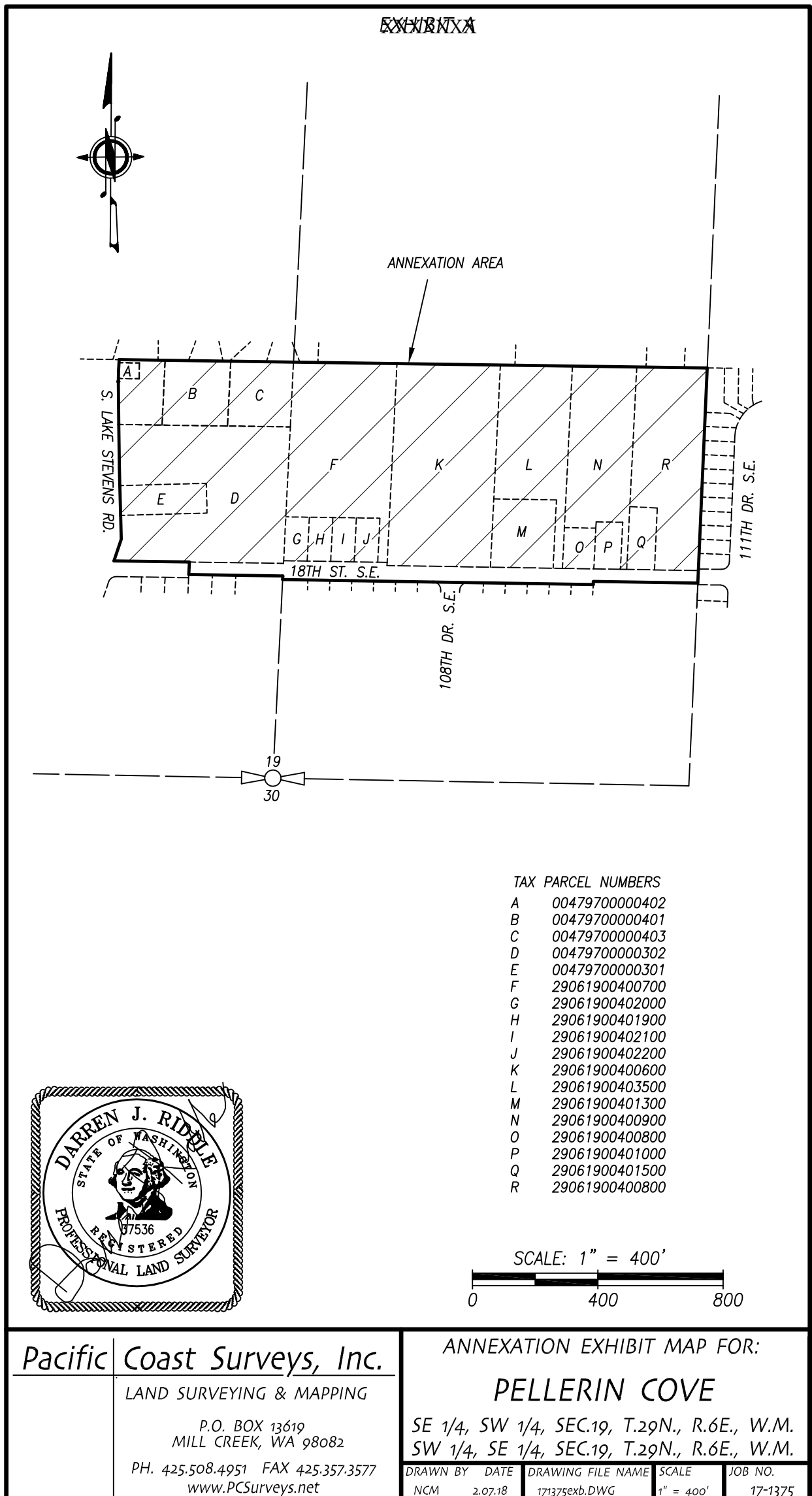
**THENCE** NORTH 00°35'48" WEST ALONG SAID EAST MARGIN A DISTANCE OF 275.05 FEET TO A POINT ON A CURVE CONCAVE TO THE EAST HAVING A CENTRAL ANGLE OF 5°48'49" AND A RADIUS OF 694.30 FEET;

**THENCE** ALONG SAID CURVE TO THE RIGHT AN ARC DISTANCE OF 70.46 FEET TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 19;

**THENCE** SOUTH 89°11'26" EAST ALONG SAID NORTH LINE A DISTANCE OF 555.79 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 19;

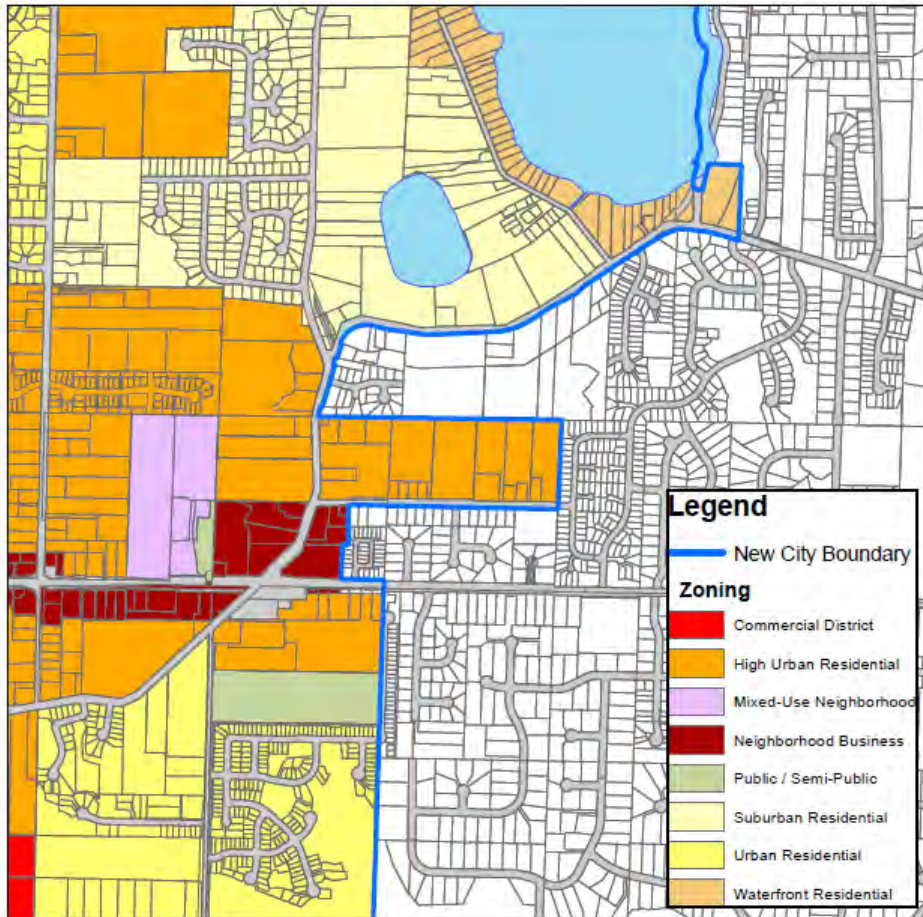
**THENCE** SOUTH 89°11'30" EAST ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER A DISTANCE OF 1,320.09 FEET TO THE POINT OF BEGINNING;

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

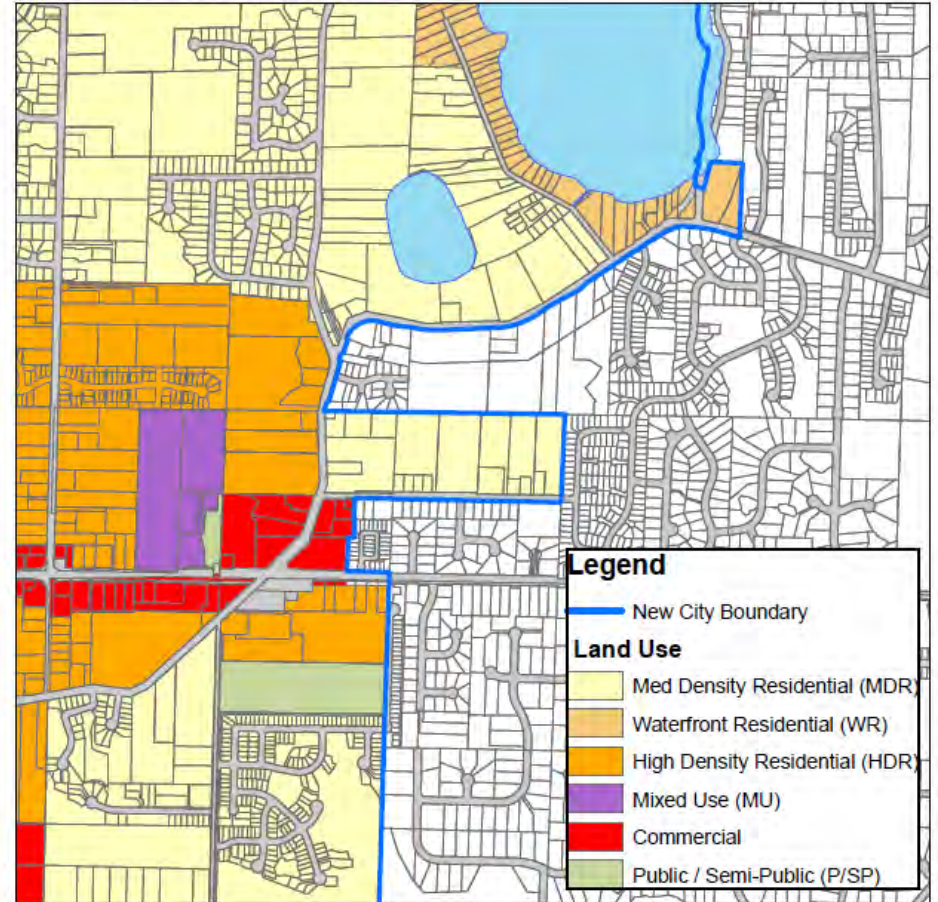




Pellerin Annexation Zoning



Pellerin Annexation Land Use



**From:** [Sheila Sinn](#)  
**To:** [Josh Machen](#)  
**Subject:** Comments on Pellerin Annexation  
**Date:** Friday, March 16, 2018 10:24:39 AM

---

Good morning, Josh—

My mother, Adabel Sparman, owns the land immediately north of much of the Pellerin Annexation. On her behalf we request that a solid, well-designed fence be built around the new developments which will soon be built on the annexed land. Her land, which is open farmland, will seem like a park to those living in high-density housing areas. We ask that the developer bear the cost of installing a fence on the annexed properties.

My mother's current barbed wire fence is designed to keep cattle inside the fence. It is not a people fence and is probably inadequate to keep people out.

This current fence, including the posts, is entirely upon my mother's property. It is not to be touched, modified, or moved during any development of the annexed property. So, the new fence that we are requesting is to be built outside of, and in addition to, the existing barbed wire fence. We ask that special care be taken during all grading and other work to leave the barbed wire fence intact. The barbed wire runs in a continuous strand for nearly seven hundred feet, and is carefully tensioned as part of the design integrity. It must not be cut.

My mother's attorney, Deane Minor of Everett, sent a letter to Toyer Strategic Consulting regarding the need to leave the barbed wire fence intact. However, we do not know who the developer will be, so we are letting you, the City, know of our firm request that an additional, people-resistant, fence be built by the developer.

Please contact me if you have any questions at (360) 435-4715.

Thank you,  
Sheila Sinn

**From:** [Les Peterson](#)  
**To:** [Josh Machen](#)  
**Subject:** High Density  
**Date:** Tuesday, March 20, 2018 10:10:27 AM

---

Dear Mr Machen,

The narrow cramped neighborhoods Lake Stevens is permitting, may be more affordable, but they are, in my opinion, simply Lake Stevens maximizing tax revenue, and minimizing quality of life. Unfortunately, the crowding on the roads, and impact on services will have little remedy, and these new projects remind me of an El Norte version, a more affluent version of the type of housing being built in Mexico to house the poor.

Les Peterson—former resident of Lake Stevens

<https://www.wired.com/story/mexico-housing-developments/>





















**From:** [Joy Atkins](#)  
**To:** [Josh Machen](#)  
**Subject:** Land Use and Zoning Designation/LUA 2017-0150  
**Date:** Monday, March 19, 2018 8:57:15 PM

---

Hello,

I am sending you this email to let my voice be known that I am opposed to the proposed annexation of my neighborhood. My address is 1108 116th Ave SE, WA 98258. We are very happy with being in unincorporated Snohomish County. The people that came around for a petition failed to explain the cons and pros to an annexation and so I did not sign the Annexation petition. I believe there are a lot of unanswered questions to this and I believe this annexation would NOT be a good thing for our neighborhood. The only pro I see about it is not even on the property owners side of the field but on the city's as they would be able to receive more taxes the annexation which is inappropriate.

Just to reiterate We are OPPOSED to this annexation as are 90% of my neighborhood and they did not sign the petition.

Thank you,

Joy Atkins

Sent from my iPad

**From:** [Val MacDonald](#)  
**To:** [Josh Machen](#)  
**Subject:** Pellerin annexation /LUA2017-0151  
**Date:** Wednesday, February 7, 2018 9:13:42 AM

---

Dear Joshua Machen,

I am against the annexation Pellerin.

Toyer Strategic Consulting didn't present a compelling argument.

- The land valuation didn't appear to be of similar values or like properties.
- The added cost to be in Lake Stevens could prove to be a tipping point on my fixed income and will have a chilling effect on my household. I don't see an up side.
  - Single and forced to have garbage service weekly the smallest bin is for a family off four.
  - The service is a monopoly
- A Higher eclectic and water bill.
- Added taxes for a home based business.
- I am suspicious and received no answer to the question why annex ½ of 18<sup>th</sup> ST SE , why not both sides???. Dodgy
- What other crazy city mandates are there that I don't know about?

I have concerns about the environmental impact on the wildlife in my area. Deer owls, eagle, hawks, salamanders, frogs, rabbits and coyotes. High density sounds detrimental to the serene setting of Pellerin.

Traffic. It has doubled travel times and more in the past 5 years. How is that going to be mitigated.  
Or Water run-off.

I will continue to be against annexation till some of my very specific questions and concerns are answered with verifiable information that will support the answers given.

Regards,

Valerie Macdonald

## Attachment 2-D

**From:** Josh Machen  
**To:** ["Sheila Sinn"](#)  
**Subject:** RE:  
**Date:** Monday, February 12, 2018 3:14:00 PM

---

Sheila Sinn,

That area is not currently within the proposed annexation area by the petitioner, however, the County has indicated that all the properties north of 18<sup>th</sup> to South Lake Stevens Road should be included. If the County Boundary Review Board decides to include additional properties notification will be sent and a public hearing held regarding the change boundaries.

Joshua Machen, AICP, *Senior Planner*

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

1812 Main Street | PO Box 257

Lake Stevens, WA 98258-0257

425.377.3219 | [jmachen@lakestevenswa.gov](mailto:jmachen@lakestevenswa.gov)

NOTICE: All emails and attachments sent to and from Lake Stevens are public records and may be subject to disclosure pursuant to the Public Records Act (RCW 42.56).

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**From:** Sheila Sinn [mailto:[sheila.sinn@frontier.com](mailto:sheila.sinn@frontier.com)]  
**Sent:** Monday, February 12, 2018 2:41 PM  
**To:** Josh Machen <[jmachen@lakestevenswa.gov](mailto:jmachen@lakestevenswa.gov)>  
**Subject:**

Josh—

Regarding tomorrow's hearing on the Pellerin Annexation, please let me know if our family property is inside or outside of the annexation boundaries. The property is the ten acres located at 10720 S Lake Stevens Road, and Adabel Sparman is the registered owner.

Thank you,  
Sheila Sinn

**From:** Josh Machen  
**To:** ["matt goodwill"](#)  
**Subject:** RE: Comment/appeal for Pellerin Annexation Pre-Annexation Land Use and Zoning Designation/LUA2017-0151  
**Date:** Friday, March 23, 2018 8:20:00 AM

---

Mr. Goodwill,

Thank you for your comments. They will be added to the file and provided to the City Council for consideration.

Regards,

Joshua Machen, AICP, *Senior Planner*

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

1812 Main Street | PO Box 257

Lake Stevens, WA 98258-0257

425.377.3219 | [jmachen@lakestevenswa.gov](mailto:jmachen@lakestevenswa.gov)

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**From:** matt goodwill [mailto:goodwill176@gmail.com]

**Sent:** Thursday, March 22, 2018 3:41 PM

**To:** Josh Machen <[jmachen@lakestevenswa.gov](mailto:jmachen@lakestevenswa.gov)>

**Subject:** Comment/appeal for Pellerin Annexation Pre-Annexation Land Use and Zoning Designation/LUA2017-0151

To Whom it May Concern,

If this project does convince the city to annex 27 acres for Pellerin Ridge New Homes, consider the cities obligation to address the impact on S Lake Stevens Rd. There will be an excessive increase of traffic on S Lake Stevens Rd. ( Example: Between S Davies Rd and 20th St SE.) We expect the city to provide a traffic impact study and upgrade, widen and all necessary road construction to allow a safe and manageable roads. This is just a small area of S Lake Stevens Rd. The city will need to consider any annexation in the urban growth areas will mean ALL of S Lake Stevens Rd needs to be widen for safety and manageable travel.

Please consider that ,AT THIS TIME, the city is not ready to annex any of the urban growth areas until S Lake Stevens Rd and any other city roads have had traffic impact studies to allow city growth.

Thank you,

Matthew Goodwill, Jessica, Family and Neighbors of Lake Stevens.

**From:** Josh Machen  
**To:** ["Ford Poston"](#)  
**Subject:** RE: Pellerin Annexation  
**Date:** Monday, February 12, 2018 3:54:00 PM

---

Dear Ford Poston,

The HUR (High Urban Residential) zone has a minimum residential square feet per dwelling unit of 3,600 square feet. Single-family, duplexes and multi-family townhouses are allowed.

It is my understanding that the 2017 levy rate for Lake Stevens was slightly less than that of the County. As you may be aware taxes are increasing as the State has passed on to local counties and cities the cost of funding primary education. Again, while taxes will increase in the county and the City, it is my understanding that the tax rates will be very similar.

Joshua Machen, AICP, Senior Planner

City of Lake Stevens | Planning & Community Development  
1812 Main Street | PO Box 257  
Lake Stevens, WA 98258-0257  
425.377.3219 | [jmachen@lakestevenswa.gov](mailto:jmachen@lakestevenswa.gov)

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-----Original Message-----

From: Ford Poston [<mailto:poston76@gmail.com>]  
Sent: Monday, February 12, 2018 3:00 PM  
To: Josh Machen <[jmachen@lakestevenswa.gov](mailto:jmachen@lakestevenswa.gov)>  
Subject: Pellerin Annexation

Greetings Joshua,

I plan to attend the meeting tomorrow. I have a couple questions leading up. What does High Density zoning constitute? Does that mean number of home per square foot or businesses, apartments, condos etc.

Also, does annexation change our current property tax rate by joining the city of Lake Stevens?

Best,

Ford Poston

**From:** Josh Machen  
**To:** ["Dan Dziadek"](#)  
**Subject:** RE: Public Comment on Project Pellerin Annexation LUA2017-0151  
**Date:** Thursday, March 22, 2018 9:56:00 AM

---

Dear Dan Dziadek,

Thank you for your comments, they will be added to the file and forwarded to the City Council for consideration.

Joshua Machen, AICP, *Senior Planner*

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

1812 Main Street | PO Box 257

Lake Stevens, WA 98258-0257

425.377.3219 | [jmachen@lakestevenswa.gov](mailto:jmachen@lakestevenswa.gov)

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---

**From:** Dan Dziadek [mailto:[dan.dziadek@hotmail.com](mailto:dan.dziadek@hotmail.com)]  
**Sent:** Wednesday, March 21, 2018 6:08 PM  
**To:** Josh Machen <[jmachen@lakestevenswa.gov](mailto:jmachen@lakestevenswa.gov)>  
**Subject:** Public Comment on Project Pellerin Annexation LUA2017-0151

Mr. Machen,

My name is Dan Dziadek. I live at 1516 107<sup>th</sup> Ave SE Lake Stevens, 98258. I live adjacent to and share a property line with the proposed annexation.

My concern is NOT with annexation, as I understand resource management and tax revenue for the city.

My concern IS the High Urban Density zone designation.

I attended the February 13<sup>th</sup> city council meeting, where this issue was discussed. The developer claimed to have 60% petition in favor of the annexation and re-zoning. As an adjacent property owner, I am surprised this petition was not shown or asked of me. I question the actual total number of approval signatures expressed as total property owners, versus a percentage of people asked.

I believe it is very pre-mature to consider the re-zoning without a comprehensive study as to traffic

mitigation, flooding, crime, noise and adjacent property value impacts. The effect on schools, City of Lake Stevens resources (such as police, fire, parks etc) also have not been evaluated.

The city of Lake Stevens is commonly regarded as a “bedroom community” that serves the larger occupation centers of the greater Seattle area (such as Everett and Lynnwood). Most of my neighbors in the Watermarke community do not work in the Lake Stevens City boundaries. I believe that to be common within the Lake Stevens area (including unincorporated Snohomish County). This point speaks to my concern of traffic issues, specifically, 20<sup>th</sup> Street and the Hewitt Avenue Trestle.

I hope my concerns resonate with you and other City of Lake Stevens decision makers.

Respectfully,

Dan Dziadek

425-706-4072



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## Staff Report City of Lake Stevens City Council

### Public Meeting

Date: **May 22, 2018**

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

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

---

**SUMMARY:** In accordance with Senate Bill 5674, approval authority for final plats for short and long subdivisions may be delegated to administrative personnel through legislative action. The proposed changes to the municipal code would streamline the final plat review process by delegating the approval authority and responsibility from the City Council to the Directors of Planning and Community Development and Public Works.

---

#### **ACTION REQUESTED OF CITY COUNCIL:**

Review and approve Ordinance No. 1023 (Attachment A).

---

#### **BACKGROUND / HISTORY:**

Until Senate Bill 5674 was signed into law, the granting of final subdivision approval had to be done by the local legislative body. This is somewhat problematic because all building, site, and environmental issues are dealt with at the preliminary subdivision approval stage, which is reviewed by staff and approval granted by the Hearing Examiner. While the City Council holds a public meeting when considering final plat approval, no public comment can be taken into consideration as part of their decision making, because the decision can only be based upon the Hearing Examiners closed record.

By the time a preliminary subdivision is approved, all building and environmental issues are resolved. At the final plat approval stage, the process is essentially administrative. Therefore, staff is recommending changes to the code to allow the administrative approval of final plats for short and long subdivisions to be by the Directors of Planning and Community Development and Public Works.

The staff briefed the City Council on the proposed amendments on February 27, 2018. The Council was receptive to the change. During the discussion, the City Council also requested that the staff look at public outreach and noticing procedures in general. Staff provided the Subdivision review process flow chart with the opportunities for public comment at the April 24, 2018 public hearing.

On April 4, 2018, a public hearing was held before the Planning Commission. The Planning Commission has forward their recommendation of approval in the attached letter (Exhibit B to Ordinance No 1023 which is Attachment A).

On April 24, 2018, the City Council held a public hearing and took public comment. In response to comments from the public and concerns of the City Council, staff has modified the proposed ordinance to make the Final Plat Application a Type II process with a public notice and limited public comment.

## **FINDINGS AND CONCLUSIONS FOR THE FINAL PLAT AUTHORITY CODE AMENDMENTS:**

### **1. *Compliance with selected elements of the Comprehensive Plan:***

- ECONOMIC ELEMENT POLICY 6.7.1: Create streamlined process for development projects that meet the city's land use goals.

**Conclusions** – The proposed code amendments are consistent with the Comprehensive Plan goals and policies as they relate to providing a streamlined permitting process. By allowing the City Council to delegate the final plat approval authority to the Director of Planning and Community Development and Public Works removes additional unnecessary staff time, delay in decision making and city cost, while still ensuring that the subdivision will continue to meet all conditions of preliminary plat approval.

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

- The SEPA official issued a SEPA exemption on January 24, 2018.
- The code amendment is exempt from SEPA Review because it meets the meets the following exemption: Relating solely to governmental procedures, and containing no substantive standards respecting use or modification of the environment.

**Conclusions** – The proposed code amendment meets local and state SEPA requirements.

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

- The city requested expedited review from the Department of Commerce on January 24, 2018.
- The Department of Commerce sent granted approval on February 8, 2018
- Staff will file the final ordinance with the Department of Commerce within 10 days of City Council action.

**Conclusions** – The proposed code amendments will meet Growth Management Act requirements.

### **4. *Public Notice and Comments***

- The city published a notice of Public Hearing before the Planning Commission in the Everett Herald on March 24, 2018 and March 28, 2018 per LSMC 14.16B.
- The city published a notice of Public Hearing before the City Council in the Everett Herald on April 10-2018 and April 17, 2018 per LSMC 14.16B.

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

**Attachments**

- A. Draft Final Plat Authority Ordinance

CITY OF LAKE STEVENS  
LAKE STEVENS, WASHINGTON**ORDINANCE NO. 1023**

AN ORDINANCE OF THE CITY OF LAKE STEVENS, WASHINGTON, AMENDING LAKE STEVENS MUNICIPAL CODE SECTIONS 6.08, 14.16B.505, 14.16B.525, 14.16B.540, 14.16B.545, TABLE 14.16A-I, AND 14.18.035 RELATING TO THE APPROVAL AUTHORITY OF FINAL SUBDIVISIONS, ALLOWING FOR ADMINISTRATIVE PROCESSING OF FINAL SUBDIVISIONS, BEING PROPERLY TRANSMITTED TO THE DEPARTMENT OF COMMERCE, PROVIDING FOR SEVERABILITY AND EFFECTIVE DATE.

WHEREAS, Chapter 58.17 of the Revised Code of Washington and other applicable Washington State law governs the process of subdivision of land; and

WHEREAS, Chapter 58.17 RCW grants local jurisdictions authority through local regulations to process and permit applications for the division of land; and

WHEREAS, on March 3, 2017, Washington State Senate Bill 5674 was passed by the Senate and on April 12, 2017 passed by the Washington State House of Representatives; and

WHEREAS, Senate Bill 5674 amends RCW 58.17.100 allowing the City's legislative body to delegate final plat approval authority to administrative personnel; and

WHEREAS, the Lake Stevens Comprehensive Plan Economic Element policy 6.7.1 encourages the streamlining of development review processes for development projects that meet the City's land use goals, and

WHEREAS, on January 24, 2018, the City's SEPA Responsible Official complied with the State Environmental Policy Act (SEPA) by issuing a SEPA Exemption {WAC 197-118-800(19)}. for the adoption of an ordinance changing the final plat authority, complying with SEPA's procedural requirements; and

WHEREAS, on January 24, 2018 the proposed amendments contained herein were transmitted to the State Department of Commerce as required by law and on February 8, 2018, the Department of Commerce granted expedited review of the proposed code amendments;

WHEREAS, on April 4, 2018, following notice as required by law, the Planning Commission held a duly-noticed public hearing to receive staff and citizen input concerning the proposed code amendments and all persons who wished to be heard on the matter were heard; and

WHEREAS, the planning Commission adopted Findings, Conclusion and a Recommendation to the City Council which is attached hereto and incorporated by this reference; and

WHEREAS, following notice as required by law, the City Council held a public hearing on April 24, 2018 to receive staff and citizen input and to consider the recommendation of the Planning Commission and all persons who wished to be heard on the matter were heard; and

WHEREAS, the City Council has determined that it is in the public interest to streamline the permit process, adopting changes to the final plat approval authority regulations, as set forth below and in the attached **Exhibit A**.

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

SECTION 1. The City Council hereby makes the following findings:

- A. This ordinance amending the City's municipal code changing the final plat approval authority from the legislative body to the administrative staff, was sent to the Washington State Department of Commerce for expedited review on January 24, 2018 as required by the Growth Management Act and received approval on February 8, 2018.
- B. The requirements of Chapter 14.16C.075 LSMC for land use code amendments have been met.
- C. As required by LSMC 14.16C.075(f), the adoption and amendment of codes in ordinance sections in the attached Exhibit A. are consistent with the Comprehensive Plan, comply with the Growth Management Act and serve to advance the public health, safety and welfare.
- D. The Findings of Fact, Conclusions and Recommendation of the Planning Commission attached hereto is hereby approved and adopted by the City Council as its own (**Exhibit B**).

SECTION 2. LSMC section 6.08, chapter 14.16B and section 14.18.035 are hereby amended as set forth in **Exhibit A which is incorporated herein by this reference**. All other provisions set forth in Chapter 6.08 LSMC, Chapter 14.16B LSMC and LSMC section 14.18.035 shall remain in full force and effect, unchanged.

SECTION 3. Severability. If any section, subsection, sentence, clause, phrase or word 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.

SECTION 4. Effective Date and Publication. The summary of this ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall take effect five (5) days after the date of publication and shall apply to all final plat applications submitted after the effective date. Any final plat application submitted prior to the effective date shall follow the regulations that were in place at the time of submittal.

PASSED by the City Council of the City of Lake Stevens this 22<sup>th</sup> day of May, 2018.

---

John Spencer, Mayor

ATTEST/AUTHENTICATION:

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

Ord. No. 1023 – Final Plat Authority

APPROVED AS TO FORM:

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Grant K. Weed, City Attorney

First Reading: April 24, 2018

Second and Final Reading May 22, 2018:

Published:

Effective Date:

DRAFT

## Final Plat Approval Authority Code Amendment

### Chapter 6.08

#### SEWER ADMINISTRATION

##### 6.08.020 Developer's Contracts.

##### 15. FINAL ACCEPTANCE

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

### Chapter 14.16B

#### TYPES OF LAND USE REVIEW

##### 14.16B.225 Notice of Application.

(a) Notice of application for Type II permits shall be provided within 14 days of the determination of completeness pursuant to Section [14.16A.230](#), Time Frames for Review. Notice shall be provided as indicated in subsection (b) of this section.

(b) Notice of Application Requirements of Type II Review.

Type II Action or Permit	Mail	Post	Publish
All Type II Actions and Permits except for Planned Action Certification as specified in subsection (e) of this section	X	X	X

(c) Mailed Notices and Postcard Notices. Mailings shall be completed pursuant to Section [14.16A.225](#) with the following additional requirements for shoreline substantial development permits: a statement that any person desiring to submit written comments concerning an application, or desiring to receive notification of the final decision concerning the application as expeditiously as possible after issuance of the decision, may submit the comments or requests for decisions to the City within 30 days of the last date the notice is to be published pursuant to this section.

(d) Posted Notices. Posted notices shall be completed pursuant to Section [14.16A.225](#).

- (1) On-Site Posting. At least one public notice board shall be posted on the site on each public right-of-way fronting on the site.
  - (2) Public Posting. A public notice shall also be posted on the official notice board at City Hall.
- (e) Special Notification Requirements.
- (1) Planned Action Certification. A certification notice is required per Section [14.38.120](#)(b)(5) in lieu of a notice of application; however, the planned action certification notice may be combined with other required permit notices including a notice of application. (Ord. 876, Sec. 11, 2012; Ord. 811, Sec. 3 (Exh. 2), 2010)

(f) Limited Comment on Final Subdivisions.

- (1) Comments on final short subdivision and subdivision applications shall be limited to compliance with the approved preliminary subdivision decision and compliance with approved construction plans.

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

**14.16B.505 Purpose.**

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

**14.16B.525 Public Meetings.**

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

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



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

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

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

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

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

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

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

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

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

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

## Chapter 14.18

### SUBDIVISIONS, BOUNDARY LINE ADJUSTMENTS AND BINDING SITE PLANS

#### 14.18.035 Approval of Final Plats.

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

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

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

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

**Planning & Community Development**

1812 Main Street

P.O. Box 257

Lake Stevens, WA 98258

April 9, 2018

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

**Subject: Planning Commission Recommendation – Final Plat Approval Authority Amendment-  
LUA2017-0007**

Dear Council Members:

The Lake Stevens Planning Commission has held multiple briefings in February and March and held a public hearing on April 4, 2018, to consider a code amendment changing the approval authority for final plats from the City Council to the Planning and Public Works Directors.

**Commissioners Present:** Janice Huxford, Vicki Oslund, Jennifer Davis, Linda Hoult and Karim Ali  
**Commissioners Absent:** Tracy Trout

**PLANNING COMMISSION DISCUSSION (April 4, 2018)**

Staff discussed the code amendments to adopt regulations allowing a change in the approval authority for final plats from the City Council to the Planning and Public Works Directors. Staff explained that until [Senate Bill 5674](#) was signed into law, the granting of final subdivision approval had to be done by the local legislative body. This was somewhat problematic because all building, site, and environmental issues are dealt with at the preliminary approval stage, which is reviewed by staff and granted by the Hearing Examiner. Staff also explained the subdivision review process and the points in the process that allow for and encourage public participation. Staff also pointed out that the final plat approval process is primarily an administrative task ensuring compliance with the conditions of approval from the Hearing Examiner.

The Planning Commission heard public comments, a couple of which were concerned about a specific subdivision occurring in their neighborhood. They felt that the public would be losing opportunity to have meaningful impact on the final plat decision and urged the Planning Commission not to approve the draft regulations. There were additional comments from the public that supported the change, seeing that it helped streamline the process and recognized that meaningful input into the subdivision process needed to occur at the time of preliminary plat approval.

Staff further explained that when a final plat is presented before the City Council in a public meeting, it is a closed record public meeting, and while public comment may be given the City Council can only consider the closed record when making their decision.

**FINDINGS AND CONCLUSIONS FOR THE FINAL PLAT AUTHORITY CODE AMENDMENTS:**

The Planning Commission hereby adopts staff's findings and conclusions as outlined in this letter and as described in the staff reports dated April 4, 2018 and concludes that the proposed amendments comply with the following:

**1. *Compliance with selected elements of the Comprehensive Plan:***

- ECONOMIC ELEMENT POLICY 6.7.1: Create streamlined process for development projects that meet the city's land use goals.

**Conclusions** – The proposed code amendments are consistent with the Comprehensive Plan goals and policies as they relate to providing a streamlined permitting process. By allowing the City Council to delegate the final plat approval authority to the Director of Planning and Community Development and Public Works removes additional unnecessary staff time, delay in decision making and city cost, while still ensuring that the subdivision will continue to meet all conditions of preliminary plat approval.

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

- The SEPA official issued a SEPA exemption on January 24, 2018.
- The code amendment is exempt from SEPA Review because it meets the following exemption: Relating solely to governmental procedures, and containing no substantive standards respecting use or modification of the environment.

**Conclusions** – The proposed code amendment meets local and state SEPA requirements.

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

- The city requested expedited review from the Department of Commerce on January 24, 2018.
- The Department of Commerce sent granted approval on February 8, 2018
- Staff will file the final ordinance with the Department of Commerce within 10 days of City Council action.

**Conclusions** – The proposed code amendments will meet Growth Management Act requirements.

**4. *Public Notice and Comments***

- The city published a notice of Public Hearing in the Everett Herald on March 24, 2018 and March 28, 2018 per LSMC 14.16B.

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

**PLANNING COMMISSION RECOMMENDATION**

1. PC held a public hearing on April 4, 2018 with a recommendation of approval for changes to the final plat authority regulations. **Commissioner Linda Hault made a motion to approve the recommendation to Council. Commissioner Vicki Oslund seconded the motion. Motion passed 5-0-0-1.**

Respectfully submitted,  
Lake Stevens Planning Commission

  
Janice Huxford, Chair



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LAKE STEVENS CITY COUNCIL  
**STAFF REPORT**

**Council Agenda** May 22, 2018  
**Date:** \_\_\_\_\_

**Subject:** Approve 2018 Aquafest Request to Serve Beer & Wine in VIP Booth – Saturday, July 28, 2018  
\_\_\_\_\_

<b>Contact</b>	Jill Meis, Associate Planner	<b>Budget</b>	\$0
<b>Person/Department:</b>	<u>Planning and Community Development</u>	<b>Impact:</b>	_____

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**RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:** Approve the Aquafest Committee's request to serve Beer and Wine in the VIP Booth during the 2018 Aquafest Celebration, Saturday, July 28, 2018

**SUMMARY/BACKGROUND:** On May 15, 2018 the Aquafest Committee submitted a permit application, to include serving Beer and Wine in the VIP Booth located in North Cove Park.

The Aquafest Committee is proposing that Beer and Wine be served in the VIP Booth on Saturday, July 28<sup>th</sup> for invited guests only from 5:00 p.m. to 11:00 p.m. This proposal will have to meet the Washington State Liquor Control Board guidelines and requirements for a Banquet Permit. If Council approves the request the applicant will be required to provide a Certificate of Liability Insurance and endorsement specifically addressing the service of Wine and Beer, naming the City of Lake Stevens as an additional insured. The applicant will also be required to provide a copy of the approved Washington State Liquor Control Board Banquet Permit.

**APPLICABLE CITY POLICIES:** LSMC 10.03.150 states, "the City Council may permit the sale and consumption of alcoholic beverages within a confined licensed area pursuant to an event permit issued by the City and a permit issued by the Washington State Liquor Control Board. Any applicant to the City Council for such a permit shall include a site plan identifying the specific areas to be licensed. In granting such a permit the Council may apply restrictions reasonably calculated to comply with the purpose of the Public/Semi-Public Zone as set forth in the Lake Stevens Land Use Ordinance."

**BUDGET IMPACT: \$0**  
\_\_\_\_\_



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LAKE STEVENS  
**STAFF REPORT**

**Council Agenda Date:** May 22, 2018

**Subject:** Washington State Historical Society Heritage Capital Projects Grant Application

<b>Contact</b>	Russ Wright, Community Development	<b>Budget Impact:</b>	66% funding
<b>Person/Department:</b>	Director, Jim Haugen, Parks & Recreation		match
	Coordinator, Planning, Aaron Halverson,		
	Capital Projects Coordinator		

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**RECOMMENDATION(S)/ACTION REQUESTED OF CITY COUNCIL:** Approve Resolution 2018-17 authorizing and endorsing the submittal of a 2018 Washington State Historical Society Heritage Capital Projects Grant application for funding for improvements to public access at North Cove Park.

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**SUMMARY/BACKGROUND:** The Heritage Capital Projects (HCP) program was created in 1995 by an act of the Washington State Legislature. They passed RCW 27.34.330, establishing HCP as a program of the Washington State Historical Society. It provides a path to capital funds for projects that increase public access to history through historic preservation and history interpretation.

Eligible costs for either reimbursement or matching funds include:

- ☐ Construction of new facilities or improvements to existing facilities
  - ☐ Purchase, restoration and/or preservation of such fixed assets as historic buildings and structures, historic ships, locomotives, airplanes and other transportation conveyances (transportation conveyances must be fixed, or used and controlled by a land-based applicant in WA State)
  - ☐ Acquisition of unimproved property for the purpose of construction of a new heritage facility
  - ☐ Acquisition, protection, stabilization, and/or development of historic or archaeological sites that are culturally significant
  - ☐ Interior improvement of facilities used for hosting exhibits, programs, and preservation activities
  - ☐ Construction-related design, architectural, and engineering expenses
  - ☐ Purchase of equipment when necessary to accomplish the project
- 

**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: 66% funding match from mitigation fees**

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ATTACHMENTS: Resolution 2018-17

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

**RESOLUTION 2018-17**

**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 HISTORICAL OFFICE FOR FUNDING FOR IMPROVEMENTS IN ACCESS TO HISTORY IN NORTH COVE 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 eastern portion of the City; and

WHEREAS, the City has ownership of land within North Cove Park in the eastern area of the City for a public park: and

WHEREAS, the City has ownership of the Grimm House; and

WHEREAS, the Comprehensive Plan goals and policies recognize that the prioritization of public access to park facilities and opportunities for grants and other funding sources to assist in achieving the identified needs; and

WHEREAS, North Cove Park is in title and possession of the City; and

WHEREAS, the City intends on expanding North Cove Park; and

WHEREAS, City improvements to public access to history in said park are contingent on the receipt of 2018 Washington State Historical Society grant funds; and

WHEREAS, the City is eligible to apply for Washington State Historical Society grant funds; and

WHEREAS, this Resolution if adopted will authorize and delegate authority to the Mayor to negotiate and contractually bind the City if Washington State Historical Society 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 Washington State Historical Society grant application to Washington State for funding for improvements to public access to history and delegates authority to and authorizes the Mayor to negotiate and contractually

bind the City if Washington State Historical Society Grants grant funds are awarded to the City of Lake Stevens.

PASSED by the City Council of the City of Lake Stevens this 22nd day of May, 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 CITY COUNCIL  
**STAFF REPORT**

**Council Agenda Date:** May 22, 2018

**Subject:** Comprehensive Procurement Policy

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

**Budget Impact:** N/A

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**3 SEPARATE ACTIONS REQUESTED OF COUNCIL:**

- 1) **Approve Ordinance 1024** Amending and Repealing Sections of LSMC 3.50 Relating to Contracting for Services and Public Works Projects.
- 2) **Approve Resolution 2018-16** Establishing a Small Works Roster Process and Repealing Resolution 2007-24.
- 3) **Approve Resolution 2018-15** Adopting a Comprehensive Procurement Policy P-2-2018 and Repealing Policy P-2-97 and establishing Resolutions.

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**SUMMARY/BACKGROUND:**

**Ordinance 1024**

Lake Stevens Municipal Code (LSMC) Chapter 3.50 establishes a process for awarding public works contracts. In 2010, the City of Lake Stevens became a noncharter code city with a population over 20,000. RCW 35A.40.210 provides that the procedures for any public works or improvement contracts for code cities with a population over 20,000 is governed by the public bid process and requirements set forth in RCW 35.22.620.

It is recommended that LSMC Chapter 3.50 be amended to incorporate by reference the public bid process and requirements set forth in RCW 35.22.620 rather than attempting to detail the processes in the code that are detailed within the procurement policy.

**Resolution 2018-16 Small Works Roster**

Legislation regarding contracting for public works and professional services allows certain contracts to be awarded by a small works roster process. In order to implement small works roster processes, the City is required by adopt a resolution establishing certain procedures outlined in the Revised Code of Washington.

City Council adopted Resolution 2007-24 in December of 2007 establishing the small works and consulting service roster and contracting with the Municipal Research and Service Center of Washington (MRSC) who developed and maintains a statewide roster.

Resolution 2018-16 repeals resolution 2007-24 and adopts the small works and consulting service roster processes to include the thresholds updated by RCW and summarized as follows:

**Page 1 – Section 3. Small Works Roster; 1. Cost.**

- Per RCW 39.04.155 Formal sealed bidding threshold – update from “\$200,000” to

“\$300,000”

**Page 2 – Section 3. Small Works Roster; 3. Telephone or Written Quotations.**

- Per RCW 39.04.350 - work with “estimated cost from \$100,000 to \$200,000” update threshold to “from \$150,000 to \$300,000”

**Resolution 2018-15 Comprehensive Procurement Policy P-2-2018**

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

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

In addition to updating thresholds, changes were made to formatting and content of the policy to more clearly establish these limitations and guidelines and applicable laws. The new policy includes required information such as signature authority, prohibited practices, ethics codes, as well as Federal Standards and codes of conduct which are now required for entities who accept federal grants. In addition, there are simple matrices throughout the policy outlining the competitive thresholds and approval guidelines to make use of the policy easy for staff.

Thresholds for Bidding and Approvals when Items/Projects are included within the approved budget were reviewed and discussed during the February 28<sup>th</sup> City Council Workshop. Those thresholds are as follows:

**New Thresholds**

**Public Works Projects (RCW)**

- <\$10,000 One Bid Required, Department Selection, City Administrator or Mayor Approval (*Note: This amount has increased from \$2,500 after determination that the City is not required to receive more than one bid at this dollar amount*)
- \$10,000 - \$35,000 Using Small Works Limited Process - 3 Quotes, City Administrator or Mayor Approval
- \$35,001 - \$300,000 Using Small Works Roster - 5 Quotes, City Administrator or Mayor Approves up to \$100,000, City Council Approves over \$100,000
- >\$300,000 Formal Bidding Required, City Council Approval
  - If the SWR is not used, formal bidding is required for projects over \$40,000 for a single trade, or \$65,000 for multi-trade. (It is the City’s practice to use a SWR process whenever possible)

Note: City may use Government Employees for projects up to the following limits:

- One Craft or Trade - \$40,000
- Two or more Crafts or Trades - \$65,000



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

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

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

- <\$15,000 No Competitive Requirements, Department Selection - DH may delegate purchasing thresholds to department staff up to this amount by written delegation (Increased from \$500)
- \$15,001 - \$150,000 3 Quotes, Department Selection up to \$50,000, City Administrator/Mayor over \$50,000 (Increased from \$500 - \$15,000)
- >\$150,001 Competitive Bid Required, City Council Approval (Increased from >\$15,000) (Council approval increased from >\$20,000)
- Formal Sealed Bidding may be required over \$150,000

The updated procurement policy does includes some areas that would be better addressed outside of this policy. Those areas will either be updated into other policies at a later date, or addressed in separate individual policies.

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### **APPLICABLE CITY POLICIES:**

LSMC 3.50; RCW 35A.40.210; RCW 35.22.060; RCW 39.04.155

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### **BUDGET IMPACT:**

N/A

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### **ATTACHMENTS:**

- ▶ Resolution 2018-15 Adopting Comprehensive Procurement Policy
  - ▶ Exhibit A to Resolution 2018-15: Comprehensive Procurement Policy P-2-2018
- ▶ Resolution 2018-16 Establishing a Small Works Roster Process with MRSC
- ▶ Ordinance 1024 Relating to Contracting for Services and Public Works Projects
- ▶ P-2-97 Comprehensive Procurement Policy (TO BE REPEALED and REPLACED)

## ORDINANCE NO. 1024

**AN ORDINANCE OF THE CITY OF LAKE STEVENS, WASHINGTON, RELATING TO CONTRACTING FOR SERVICES AND PUBLIC WORKS PROJECTS AND CHAPTER 3.50 OF THE LAKE STEVENS MUNICIPAL CODE (LSMC); AMENDING 3.50.010 OF LSMC CHAPTER 3.50; REPEALING SECTIONS 3.50.020, 3.50.030, 3.50.040, 3.50.050, 3.50.060, 3.50.070, AND 3.50.080 OF LSMC CHAPTER 3.50; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, LSMC Chapter 3.50 establishes a process for awarding public works contracts; and

**WHEREAS**, RCW 35A.40.210 provides that the procedures for any public works or improvement contracts for code cities with a population over 20,000 is governed by the public bid process and requirements set forth in RCW 35.22.620; and

**WHEREAS**, the City of Lake Stevens is a noncharter code city with a population over 20,000; and

**WHEREAS**, it is recommended that LSMC Chapter 3.50 be amended to incorporate by reference the public bid process and requirements set forth in RCW 35.22.620;

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

**Section 1.** Section 3.50.010 of LSMC Chapter 3.50 is hereby amended to read as follows:

3.50.010 Contracts for Public Works and Improvements~~Compliance with Notice of Invitation and Regulations.~~

The process and requirements for selecting, bidding and awarding contracts for public works and improvements shall be done in accordance with and be governed by RCW 35.22.620 or as hereafter amended, which is adopted and incorporated herein by reference, other applicable state and/or federal law, and the City's Comprehensive Procurement Policy as adopted by Resolution No. 2018-15 or as hereafter amended. All bids offered by persons, associations or corporations desiring to sell or supply material, equipment, supplies or services to, or purchase the same from, the City shall comply strictly with the terms of the notice of invitation for bids and the specifications or general conditions issued or published by the City in connection therewith, together with all state laws relating to public works contracts, the terms of which shall be deemed included in such

~~specifications or general conditions whether or not they are expressly set out therein.~~

**Section 2.** Sections 3.50.020, 3.50.030, 3.50.040, 3.50.050, 3.50.060, 3.50.070, and 3.50.080 of LSMC Chapter 3.50 are hereby repealed in their entirety.

**Section 3.** **Repealer.** All portions of Ordinance 289 (1986), Ordinance 326 (1989) and all other City ordinances that are inconsistent with the provisions of this Ordinance are hereby repealed.

**Section 4.** **Severability.** If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this ordinance.

**Section 5.** **Effective Date.** This Ordinance shall take effect and be in force five (5) days after its passage, approval and publication as provided by law.

PASSED by the CITY COUNCIL and APPROVED by the MAYOR this 22<sup>nd</sup> Day of May, 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

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

**RESOLUTION 2018-16**

A RESOLUTION OF THE CITY OF LAKE STEVENS, WASHINGTON, ON THE SUBJECTS OF ESTABLISHING A SMALL WORKS ROSTER PROCESS TO AWARD PUBLIC WORKS CONTRACTS AND A CONSULTING SERVICES ROSTER FOR ARCHITECTURAL, ENGINEERING AND OTHER PROFESSIONAL SERVICES.

WHEREAS, RCW 39.04.155 and other laws regarding contracting for public works by municipalities, allow certain contracts to be awarded by a small works roster process; and

WHEREAS, in order to be able to implement small works roster processes, the City is required by law to adopt a resolution establishing specific procedures;

WHEREAS, RCW 39.80.030 requires that an agency publish in advance that agency's requirement for professional services and that one of the ways to accomplish that notification is to announce generally to the public its projected requirements for any category or type of professional services and request qualification statements to be kept on file with the agency;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKE STEVENS, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

**Section 1.** Resolution No. 2007-24 is hereby repealed.

**Section 2. MRSC Rosters.** The City wishes to contract with the Municipal Research and Services Center of Washington (MRSC) to adopt for city use those state wide electronic databases for small works roster and consulting services developed and maintained by MRSC and authorizes the Mayor to sign that contract. In addition, paper and/or electronic rosters may be kept on file by appropriate City departments.

**Section 3. Small Works Rosters**

The following small works roster procedures are established for use by the City pursuant to RCW 39.04.155:

1. **Cost.** The City need not comply with formal sealed bidding procedures for the construction, building, renovation, remodeling, alteration, repair, or improvement of real property where the estimated cost does not exceed Three Hundred Thousand Dollars (\$300,000.00), which includes the costs of labor, material, equipment and sales and/or use taxes as applicable. Instead, the City may use the small works roster procedures for public works projects as set forth herein. The breaking of any project into units or accomplishing any projects by phases is prohibited if it is done for the purpose of avoiding the maximum dollar amount of a contract that may be let using the small works roster process.

2. **Publication.** At least once a year, on behalf of the City, MRSC shall publish in a newspaper of general circulation within the jurisdiction a notice of the existence of the roster or rosters and solicit the names of contractors for such roster or rosters.

Responsible contractors shall be added to appropriate MRSC roster or rosters at any time that they submit a written request and necessary records. The City may require master contracts to be signed that become effective when a specific award is made using a small works roster.

3. **Telephone or Written Quotations.** The City shall obtain telephone, written or electronic quotations for public works contracts from contractors on the appropriate small works roster to assure that a competitive price is established and to award contracts to a contractor who meets the mandatory bidder responsibility criteria in RCW 39.04.350(1) and may establish supplementary bidder criteria under RCW 39.04.350 (2).

a) A contract awarded from a small works roster need not be advertised. Invitations for quotations shall include an estimate of the scope and nature of the work to be performed as well as materials and equipment to be furnished. However, detailed plans and specifications need not be included in the invitation.

b) Quotations may be invited from all appropriate contractors on the appropriate small works roster. As an alternative, quotations may be invited from at least five contractors on the appropriate small works roster who have indicated the capability of performing the kind of work being contracted, in a manner that will equitably distribute the opportunity among the contractors on the appropriate roster. "Equitably distribute" means that the City may not favor certain contractors on the appropriate small works roster over other contractors on the appropriate small works roster who perform similar services.

If the estimated cost of the work is from one hundred fifty thousand dollars (\$150,000) to three hundred thousand dollars (\$300,000), the City may choose to solicit bids from less than all the appropriate contractors on the appropriate small works roster but must notify the remaining contractors on the appropriate small works roster that quotations on the work are being sought. The City has the sole option of determining whether this notice to the remaining contractors is made by:

- (i) publishing notice in a legal newspaper in general circulation in the area where the work is to be done;
- (ii) mailing a notice to these contractors; or
- (iii) sending a notice to these contractors by facsimile or email.

c) At the time bids are solicited, the City representative shall not inform a contractor of the terms or amount of any other contractor's bid for the same project;

d) A written record shall be made by the City representative of each contractor's bid on the project and of any conditions imposed on the bid. Immediately after an award

is made, the bid quotations obtained shall be recorded, open to public inspection, and available by telephone inquiry.

4. **Limited Public Works Process.** If a work, construction, alteration, repair, or improvement project is estimated to cost less than thirty-five thousand dollars (\$35,000), the City may award such a contract using the limited public works process provided under RCW 39.04.155 (3). For a limited public works project, the City will solicit electronic or written quotations from a minimum of three contractors from the appropriate small works roster and shall award the contract to the lowest responsible bidder as defined under RCW 39.04.010. After an award is made, the quotations shall be open to public inspection and available by electronic request.

For limited public works projects, the City may waive the payment and performance bond requirements of Chapter 39.08 RCW and the retainage requirements of Chapter 60.28 RCW, thereby assuming the liability for the contractor's nonpayment of laborers, mechanics, subcontractors, materialmen, suppliers, and taxes imposed under Title 82 RCW that may be due from the contractor for the limited public works project. However, the City shall have the right of recovery against the contractor for any payments made on the contractor's behalf.

The City shall maintain a list of the contractors contacted and the contracts awarded during the previous 24 months under the limited public works process, including the name of the contractor, the contractor's registration number, the amount of the contract, a brief description of the type of work performed, and the date the contract was awarded.

5. **Determining Lowest Responsible Bidder.** Pursuant to awarding thresholds set forth in the Comprehensive Procurement Policy, the Mayor, City Administrator, or City Council shall award the contract for the public works project to the lowest responsible bidder provided that, whenever there is a reason to believe that the lowest acceptable bid is not the best price obtainable, all bids may be rejected and the City may call for new bids. A responsible bidder shall be a registered and/or licensed contractor who meets the mandatory bidder responsibility criteria established by Chapter 133, Laws of 2007 (SHB 2010) and who meets any supplementary bidder responsibility criteria established by the City.

6. **Award.** All of the telephone bids or quotations shall be collected and presented at the same time to the Mayor, City Administrator, or City Council pursuant to the awarding thresholds set forth in policy, for consideration, determination of the lowest responsible bidder, and award of the contract.

#### **Section 4. Consulting Services Rosters**

1. **Consulting Services.** Consulting services are professional services that have a primarily intellectual output or product and include architectural and engineering services as defined in RCW 39.80.020.

2. **Publication.** At least once a year, on behalf of the City, MRSC shall publish in a newspaper of general circulation within the jurisdiction a notice of the existence of the consulting services roster or rosters and solicit statements of qualifications from firms providing consulting services. Such advertisements will include information on how to find the address and telephone number of a representative of the City who can provide further details as to the City's projected needs for consulting services. Firms or persons providing consulting services shall be added to appropriate MRSC roster or rosters at any time that they submit a written request and necessary records. The City may require master contracts to be signed that become effective when a specific award is made using a consulting services roster.

3. **Professional Architectural and Engineering Services.** The MRSC rosters will distinguish between professional architectural and engineering services as defined in RCW 39.80.020 and other consulting services and will announce generally to the public the City's projected requirements for any category or type of professional or other consulting services. The City reserves the right to publish an announcement on each occasion when professional services or other consulting services are required by the agency and to use paper and/or other electronic rosters that may be kept on file by appropriate City departments.

PASSED by the City Council and APPROVED by the Mayor this \_\_\_\_\_ day of May, 2018.

CITY OF LAKE STEVENS

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

ATTEST:

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

Approved as to form:

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

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

**RESOLUTION NO. 2018-15**

A RESOLUTION ADOPTING A COMPREHENSIVE POLICY FOR THE PURCHASE AND DISPOSITION OF GOODS, SERVICES, EQUIPMENT, SUPPLIES AND PROPERTY FOR THE CITY OF LAKE STEVENS; AND REPEALING RESOLUTION NO. 1989-3, AND RESOLUTION NO. 1997-10.

WHEREAS, it is the policy of the City of Lake Stevens to use consistent procedures for all departments to procure goods and services in compliance with state law for City operations and to award contracts for public works projects in compliance with state law applicable to non-charter optional municipal code cities; and

WHEREAS, this consistency and state law compliance should facilitate the most efficient and cost-effective manner of procurement and award of contracts; and

WHEREAS, procurement and award of contracts shall be made on an impartial basis avoiding any conflict of interest; and

WHEREAS, all procurement of goods and services and award of contracts shall provide the City with the best quality for the best value; and

WHEREAS, all purchases made by the City shall be ultimately approved by the City Council through the voucher approval process; and

WHEREAS, the procurement procedures of the City shall be based on regulations set forth in the Revised Code of Washington which are applicable to cities which operate under RCW title 35A – the Optional Municipal Code, regulations and statutes of the State Auditor’s Office, and adopted resolutions and ordinances of the City.

WHEREAS, it is recommended that the City replace its current Comprehensive Procurement Policy and adopt a new Comprehensive Procurement Policy that provides updated and consistent practices and procedures that provide for procurement of goods and services and which also includes a process for the bidding and award of public works contracts in accordance with state law;

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

SECTION 1 – REPEAL. Resolution No. 1989-3, Resolution No. 1997-10, and Procurement Policy P-2-97, are hereby repealed for the reason that they are replaced by this Resolution.



SECTION 2 – ADOPT. Comprehensive Procurement Policy P-2-2018, is attached as Exhibit “A” and is hereby adopted and incorporated herein by this reference as though fully set forth herein.

**PASSED** by City Council of the City of Lake Stevens this 22<sup>nd</sup> day of May, 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



***POLICY NO.***

***P-2-2018***

# **COMPREHENSIVE PROCUREMENT POLICY**

ONE COMMUNITY AROUND THE LAKE

*Effective May 22, 2018*

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## I. P-2-2018 PROCUREMENT POLICY SUMMARY TABLE

	Requested (when included in budget)				
Procurement Type	Thresholds	Approval Staff	Approval DH	Award/ Approval CA/M	Award/ Approval Council
PUBLIC WORKS					
Public Works - Minimal	<10,000			X	
Public Works - (Single) - Day Labor	< \$40,000		X		
Public Works - (Multi) - Day Labor	< \$65,000		X		
Limited PW Process (Part of SWR - min 3 quotes)	\$10,000 - \$35,000			X	
Public Works - Small Works Roster (All or min 5 quotes)	\$35,001 - \$300,000			\$100,000	>\$100,000
Public Works - Formal Bid Process	> \$300,000				X
Public Works - Formal (If Not using Small Works Roster)	> \$40,000/ >\$65,000			\$100,000	>\$100,000
Procurement Type	Requested (when included in budget)				
	Thresholds	Approval Staff	Approval DH	Award/ Approval CA/M	Award/ Approval Council
PROFESSIONAL SERVICES					
Professional Services (Architect & Engineer) RCW39.80	Qualification Based			\$100,000	>\$100,000
Non-Professional (Personal & Purchase of Services)					
Direct Selction/Negotiation	<\$15,000			X	
Informal (Minimum 3 Quotes)	\$15,000 - \$100,000			X	
Formal Bidding - (not sealed) Request for Proposals	>\$100,000				X
Procurement Type	Requested (when included in budget)				
PURCHASING (NON PUBLIC WORKS RELATED)					
Purchasing - Direct Purchase	<\$15,000	<\$1,000	X		
Purchasing - Informal (3 Quotes)	\$15,000 - \$150,000		\$50,000	>\$50,000	
Purchasing - Formal Bidding - Request for Bids (sealed or not)	>\$150,000			X	
Council Reporting: All purchases made and/or contracts executed over \$10,000 and less than Council approval threshold, must be reported to Council at their next Regular Council Meeting. These may be reported through "Department Report" or by other means.					
Cooperative Purchasing: There is no requirement for competition when purchasing from State Contracts or other contracts covered by an interlocal agreement. However, for other than State Contracts, Finance needs to be consulted to assure compliance with RCW 39.34. Purchasing approval thresholds apply.					
Small Works Roster: May be used for public works projects less than \$300,000. Participating pre-qualified contractors in appropriate work category are notified of bidding opportunities. There's no need to advertise projects or have public bid opening. Council awards contracts over \$100,000.					
Federal Funding: If any federal funds are used, including pass-thru grants/loans, please refer to the Federal Code of Conduct and Federal Award Standards sections of the Comprehensive Procurement Policy and follow the requirements set forth in the Federal Procurement table.					

## II. OVERVIEW

Purpose: The purpose of this document is to implement the requirements of state law regarding procurement and bidding on public contracts for public works, goods, services, supplies and materials. It is the City's policy to follow state requirements regarding the expenditure of public funds, to provide a fair forum for those interested in bidding on public contracts and to help ensure that public contracts are performed satisfactorily and efficiently at least cost to the public, while avoiding fraud and favoritism in their award.

Controlling Laws: The expenditure of public funds for the purchase of and contracting for, goods, services, supplies and materials shall comply with all applicable state law requirements as set forth in the Revised Code of Washington (RCW) and the Washington Administrative Code (WAC), in addition to any applicable local and federal laws and regulations.

Monitoring and Compliance: The department heads shall implement, monitor and enforce these policies. In the event of any conflict in procurement requirements or questions about proper procedure or other requirements, the matter shall be referred to the Finance Director for further action. Willful or intentional violations of public procurement requirements may result in personal penalties, financial liabilities, and/or discipline. See RCW 39.30.020.

Proper Authorization: Only authorized employees acting within the scope of their authority may obligate the City in the acquisition of goods or services. Any employee purchasing goods on behalf of the City without proper authorization may be personally liable to the vendor and the City, and subject to disciplinary action.

## III. DEFINING THE NEED

Before determining the procurement method and approval authority, the type of purchase must be established. The major categories of purchases include:

### **Public Works: ([RCW 39.04](#) )**

Includes all work, construction, alteration, repair or improvement other than ordinary maintenance, executed at the cost of the City:

- Examples: demolition, remodeling, renovation, road construction, building construction, and utilities construction;
- Ordinary maintenance is not specifically defined in RCW 39.04 but is generally considered to include work not performed by contract and performed on a regular basis to service, check or replace items that are not broken;
- For purposes of prevailing wage requirements, public works includes ordinary maintenance when performed by contract.

### **Materials, Supplies and Equipment**

Materials, supplies and equipment are considered tangible items which are manufactured and are moveable at the time of purchase. It is important to distinguish between materials, supplies and equipment used in public works contracts as opposed to non-public works contracts as different bidding requirements apply to each.

*Examples: Office supplies, off the shelf software, hardware, trucks, copy machines, auto parts, gravel, janitorial supplies.*

## **Services**

Services are the labor, time, or effort of a human being. Distinguishing between services and public work is also important, as services may also have different bidding requirements. Services include the labor, time or effort of a human being. The City has four classifications of services:

➤ **Professional Services:**

Services provided by independent consultants that require specialized knowledge, advanced education, professional licensing or certification and where the primary service provided is mental or intellectual, involving the consistent exercise of judgment and discretion.

*Examples: accountants, attorneys, consultants, graphic artists.*

➤ **Architectural and Engineering Services (A&E Services):**

These services are to be acquired under the authority and procedures outlined in [RCW Chapter 39.80](#).

*Examples: Engineers, land surveyors, architects, and landscape architects.*

➤ **General Services/Purchased Services:**

All other service related work that is not considered a public work or professional service. Most often these are routine in nature (i.e.: yearly, monthly, weekly, etc.)

*Examples: Building maintenance, elevator maintenance, automotive services, and instructors.*

➤ **Technology Systems and Services:**

Any technology hardware or software system purchase, or maintenance agreement.

*Examples: Computers, tablets, servers, annual licensing agreements, custom or off the shelf software, technology consulting.*

## **Determining the Cost**

Once a need has been defined, the estimated cost of the goods and/or services will generally determine what competitive selection process you will need to follow. Estimated costs for competitive bidding purposes must include:

- All construction related work (but not engineering/architectural design fees, as all A&E must be selected based on qualifications before cost is negotiated);
- All phases of the project;
- Any internal permitting costs of the project;
- All applicable sales and use taxes;

The cost estimate should not include donated materials, labor, supplies, etc.

## IV. PURCHASING CODE OF ETHICS

The public must have confidence in the integrity of its government. The purpose of this Code of Ethics is to apply and give guidance to all employees so that they may conduct themselves in a manner which will be compatible with the best interest of themselves and of the City of Lake Stevens.

To instill public confidence in the award of public contracts and the expenditure of public funds, the City adopts the following code of ethics regarding public contracting:

- Actions of City employees shall be impartial and fair.
- Government decisions and policies shall be made in compliance with required procedures and within the proper channels of government structure.
- Public employment shall not to be used for personal gain, and City employees shall not solicit, accept, or agree to accept any gratuity for themselves, their families or others that would or could result in personal gain. Purchasing decisions shall be made impartially, based upon the City's specifications for the contract and the responses of those bidding on the contract.
- No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest. This conflict of interest extends beyond the individual employee, officer, or agent to include that individual's immediate family members, partner, and other employers.

## V. PROHIBITED PRACTICES

- Collusion among bidders. Agreement or collusion among bidders or prospective bidders to either buy or sell in restraint of freedom of competition, be as agreement to bid a fixed price or otherwise, shall render the bids void. Such bidders may be subject to possible exclusion from future bidding with the City when determined by the City Administrator to be in the best interest of the City.
- Disclosure of Formal Bid Contents. Disclosure in advance of opening bids of any information contained in the sealed or formal bid made or permitted by a City Officer or employee may render each bid void by the City. Notwithstanding anything herein to the contrary, bids submitted by bidders taking advantage of any information revealed contrary to this section shall at once become null and void.
- Gratuities. Except for normal business and social courtesies, or donation publicly given and accepted, the acceptance of any gift or gratuity in the form of cash, merchandise or services of significant value by an official or employee of the City from any vendor or contractor in return for a commitment to continue or initiate a purchasing agreement is prohibited

- Employee Owned Businesses. City goods or services shall not be obtained from businesses in which City officials, employees or their immediate family members have a majority ownership interest
- Sale of Materials and Supplies. The City shall not use its purchasing power or lend its credit to acquire goods or services for any private party, nor shall the City sell its materials or supplies to City officials, employees, or the public except when said materials have been declared surplus and disposed of as provided herein
- Conflict of Interest. An employee is not to participate directly or indirectly in a procurement when they are aware of or know there is a conflict of interest.
- Solicitation of Donations. The City will not accept donations of materials or services in return for a commitment to continue or initiate a purchasing agreement
- Bid Splitting: Issuing several PO's or orders under the dollar limit or breaking a project into phases to avoid bidding is against state law. Combine the total of foreseen identical items purchased at the same time or similar items (or items that are used together) within a calendar years' time, in which the cost exceeds competition limits or when it is determined that volume discounts can be obtained by combining City wide usage (i.e. office supplies, laundry services, janitorial paper products, etc.)

All local governments in Washington are subject to the state's Conflicts of Interest statute ([Chapter 42.23 RCW](#)). Generally, municipal officers are prohibited from having financial interests in contracts made by or under the officer's supervision or for the benefit of their office. RCW 42.23.020(2) defines "municipal officer" rather broadly and basically means any city employee acting on behalf of the City.

Violating these rules can bring serious penalties, including monetary fines, nullification of contracts, and possible forfeiture of employment. Common sense can be a good guide in this area of the law, but sometimes gray areas can create confusion and uncertainty. If you are concerned about a specific situation, consult with Legal Counsel.

## VI. SIGNATURE AUTHORITY

**Department Heads DO NOT have the authority to sign contracts** Only the Mayor, or the City Administrator, as authorized designee, have certain delegated authority to sign contracts. See Definitions Section to determine what constitutes a "Contract".

The Mayor has ultimate signature authority for the City of Lake Stevens. As authorized designee, the City Administrator has authority to sign contracts, including Interlocal Agreements, up to \$100,000 and approve all budgeted purchases without dollar limitation.



## VII. PURCHASE ORDERS & REQUISITIONS

Requisitions and Purchase orders are preferred for encumbering funds and determining budget prior to ordering goods or services, yet are not required by the City. Only Finance and select purchasers (as limited by system security set-ups) have the authority to produce Purchase Orders for the City of Lake Stevens. ONLY Finance has the authority to commit a Purchase Order within the system. If you need a hardcopy of a PO for any dollar amount, contact Finance and we will create one and email it to you.

## VIII. GRANT & FEDERAL FUNDING

Purchases made or work performed with Federal grant funds must follow the standards identified in the Federal Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards (OMB Title 2, Subtitle A, Chapter II, Part 200. See Federal Code of Conduct and Federal Award Standards sections for summary requirements.

Please note, the federal government does not recognize Washington State's Small Works alternative procedures or thresholds. **Do not use SWR procedures or thresholds if any federal funding is included or used.**

ALL GRANTS ARE DIFFERENT, so one size does not fit all. Some grants simply require you to use your own procurement rules, while others require you to insert their contracting clauses into your contract.

**Please note that all grant applications, without limitation, must be signed by the Mayor. Additionally, all Federal grant reimbursement requests must be signed by the Mayor, designees are not permitted.**

Prior to initiating any purchases or contracts with federal funds, the responsible administrator will document that the procurement complies with the requirements of RCW 57.08.050 and Uniform Guidance (note: the most restrictive procurement method will be used whether it be federal, state, or local law). A copy of the documentation shall be retained in the department files.

## IX. INSURANCE/LICENSES/PREVAILING WAGES

When hiring anybody to do anything for the City, there are FOUR requirements that need to be met.

### 1. Certificates of Insurance

Before any contractor is allowed to work on City property (no matter the dollar amount of the work), contact City Clerk or Risk Management to determine if a Certificate of Insurance is required. If required, the contractor must furnish the City with a Certificate of Insurance, naming the City of Lake Stevens as primary & noncontributory **additional insureds with an additional attached endorsement.**

Certificates of Insurance are a complex issue, so please contact the City Clerk or Risk Manager to discuss Insurance Requirements and what the limits of coverage should be, according to how much risk is involved (Insurance requirements are determined by the City Risk Manager).

**2. Responsibility Criteria for Contractors:**

- Washington State Contractor's License/Federal Registration –It is unlawful for the City to hire anyone to do construction work on our property that does not have a valid State of Washington Contractor's License. You may look up a Contractor, Electrician or Plumber at: <https://fortress.wa.gov/lni/bbip/>
- Department of Revenue Business Records Database: <https://secure.dor.wa.gov/gteunauth>
- Verify Workers' comp Premium Status: <https://fortress.wa.gov/lni/crpsi/>
- Check for debarment: **State of Washington**  
<https://secure.lni.wa.gov/debarandstrike/ContractorDebarList.aspx>

Federal Debarment:

It is unlawful to hire any firm to do business with the City that is not registered and in good standing with the US Government. You can check the status of an entity so see if they have been debarred at <https://www.sam.gov/portal/SAM/##11>. Print out the resulting page (even if no records were found) and file it with your paperwork for audit. Please contact Finance if assistance is needed.

**3. City of Lake Stevens Business License**

A City of Lake Stevens Business License is also required for any business working inside the City limits. The vendor may contact the Department of Revenue at [www.dor.wa.gov](http://www.dor.wa.gov)

**4. Prevailing Wage Requirements**

Chapter 39.12 RCW is the **Washington State Public Works Act**, also known as the Prevailing Wage Law. This law requires that workers be paid certain hourly wages for all public work and public service maintenance contracts, no matter what the dollar amount!

This Prevailing Wage law was enacted to protect the employees of contractors performing public works construction/maintenance from substandard earnings, and to preserve local wage standards.

The Department of Labor and Industries administers the law; the Attorney General prosecutes violators; and the State Auditor ascertains if our policies, practices and procedures meet the requirements of the law.

**Owner/Operators** that do not have any employees do not need to pay themselves prevailing wages, however, they do still need to file Intents and Affidavits with the Department of Labor and Industries and list in section 3 of the form that they are Owner/Operator.

Any worker, laborer or mechanic performing public work must be paid prevailing wages. It does not usually apply to work that is clerical, executive, administrative or professional (grant funded projects may be an exception).

## X. CONTROLLED COMMODITIES

The following items require approval from designated people. They are:

- Computers and related equipment, cell phones, fax machines, printers, scanners and copiers, software or systems - **IT Manager**.
- Anything Technology Services is requested or required to install, connect, service, maintain or support – **IT Manager**

### New Procurement - Technology

The purchasing of hardware, software, licensing, and technical services carries a set of unique requirements, risks, and challenges.

Types of technology (IT) purchases:

Purchase Type	Definition	Taxable
Hardware	Purchase of computer hardware components.	Yes
Software- Off the Shelf w/Installation	Purchase of off-the-shelf software including installation. See <a href="#">RCW 39.04.270</a>	Software – Yes Installation - No
Software – Customized	Purchase of software with programming and customization. See <a href="#">RCW 39.04.270</a>	No
Annual Maintenance Agreements	Agreement to maintain City systems	Yes
Hosted Software (SaaS)	IT services and software provided in a hosted, or cloud, environment.	Varies
Technical/Professional Services	Professional services in support of hardware, software, and networks	No

### Telecommunications and Data Processing

When purchasing telecommunications and data processing (computer) equipment or software costing above \$15,000, the City may follow a “competitive negotiation” process as an alternative to the bid process. [RCW 39.04.270\(3\)](#) allows purchases through use of an alternative competitive negotiation process requiring, at a minimum, the following steps:

- A request for proposals (RFP) must be published in the newspaper of general circulation at least 13 days before the last date on which the proposals will be received.

- The RFP must identify significant evaluation factors, including price, and their relative importance.
- The City must provide reasonable procedures for technical evaluation of the proposals, identification of qualified sources, and selection for awarding the contract.
- The award must be made to the qualified bidder whose proposal is “most advantageous” to the City. The City may reject all proposals for good cause and request new proposals.

### **Technology Software & Services – Competitive Process**

Technology Systems and Services Purchases include any technology hardware or software system purchase or maintenance agreement.

### **Hardware/Software Annual Maintenance Agreements**

There are two types of annual maintenance agreements:

#### *Sole Provider*

When annual maintenance of a City system is performed by the sole proprietor/vendor of that hardware/software, and there are no other maintenance providers available, a competitive process is not reasonable. For these situations, annual maintenance agreements are treated as standalone agreements (costs are not aggregated to the original purchase agreements).

If the first year of annual maintenance costs are included in the original purchase, the costs should be aggregated together, because we would not be paying for the annual maintenance without the purchase of the software. The reference to the annual maintenance costs should be included in the Council Agenda when Council approval is required.

#### *Multiple Providers*

When there are multiple maintenance providers available for a particular system, and competition clearly exists for the service, a quote or RFP process may be required depending on the dollar amount.

### **SaaS (Software as a Service) and Hosted Software Agreements**

SaaS (Software as a Service) and Hosted Software agreements are IT services and software provided to the City in a hosted, or cloud environment, versus provided on the City’s own computer infrastructure (e.g. servers and networks).

Because City data may be handled, accessed, or stored by the SaaS application provider, the security of this data is very important. It is imperative that IT be contacted prior to purchasing

any SaaS product. In addition, these agreements may result in a long term solution for the City and a competitive process may be required regardless of initial cost.

When the department receives an invoice for annual (or periodic) payment, the invoice(s) will be processed through the typical invoice approval/process.

SaaS agreements are treated the same as other standard contract agreements.

## XI. PURCHASE OF MATERIALS, SUPPLIES, EQUIPMENT

### Unrelated to Services, A&E or Construction/Public Work

It is the Department Heads responsibility to appoint who shall make purchases for their department on the City's behalf under the respective quote limits.

**Only authorized purchases used to conduct City business, consistent with the City priorities and state and local laws that are within predetermined budgets, are allowed.**

**THRESHOLDS – (per calendar year for one or more identical, similar or like items, and items used in conjunction with one another):**

PURCHASING		
<b>\$ -0- to \$14,999</b>	Competition is not required. Department is encouraged to determine price is fair and reasonable and document in department files.	Staff may approve purchases up to \$1,000; Department Directors may approve purchases up to \$49,999
<b>\$15,000 to \$150,000</b>	3 Documented Quotes  <i>Phone quotes are acceptable up to \$35,000. Written quotes are required over \$35,000.</i>	Department Directors may approve purchases up to \$49,999; City Administrator/Mayor may approve all purchases
<b>Over \$150,000</b>	Formal Bid or RFP  <i>Sealed bids may be required over \$150,000</i>	City Administrator/Mayor may approve purchases
Council approves purchases through the expenditure authorization process. City Council pre-approval is not required for <i>budgeted</i> purchases at any dollar amount. Department Directors are <b><u>required</u></b> to notify City Council of all purchases made above \$10,000 <b>at the next Regular City Council meeting, via staff report, as part of the Department Report, or by other acceptable means.</b>		

**All dollar limits include freight, handling, and set-up cost, plus appropriate sales tax. If there will be a trade-in, the dollar limit is of the gross purchase, not the net purchase after trade-in.**

**Local Business Open Accounts:** The City may establish open accounts at local businesses, and purchases on these accounts may be made only by authorized City employees.

**A. HOW TO OBTAIN A VENDOR NUMBER**

Vendor numbers are assigned through the City's accounting software. Vendors must be in the system prior to making purchases. To create a new vendor, you must provide Finance with the vendor's completed W9. If the vendor is already in the system or is a City employee or a Board or Commission member, a W9 is not needed.

**B. PAYMENTS**

Specify where the vendor needs to send an invoice at time of the order. Utilize the city's mailing address or for electronic invoices, use the city's specified "invoicing" email address. **All questions regarding payments should be directed to the Finance Department's Accounts Payable staff.**

**CITY CREDIT CARDS PURCHASES:**

- **All procurement policies still apply**
- Cash advances are prohibited.
- Expenditures paid with a City credit card shall be made in the amount of actual expenditures.
- The Finance Director or designee shall serve as the custodian of the City's credit cards.
- Employee's not assigned a credit card and desiring to utilize a City credit card shall request the card through their Department Director. The Department Director shall request an additional account for the employee through the Finance Director.
- Any employee using the City's credit card to make a City purchase shall submit receipts for said purchases to the Finance Department the next business day that the employee is back in the office.
- **In no event, shall the City's credit card be used for the acquisition of alcohol or personal goods or services of any kind.**

**PCARD (VISA):** A PCard is an alternative way to make a payment, the use of which may be authorized by Finance. All procurement policies still apply.

**C. TRAVEL & REIMBURSEMENT POLICY: See - PERSONNEL RULES AND POLICIES**

**D. PROCEDURE TO OBTAIN QUOTES (\$15,000 to \$150,000):**

Department personnel may obtain phone quotes up to \$35,000. Written quotes are required above \$35,000.

- Department contacts three vendors for quotations. Be sure technical information defines acceptable quality and insure vendors are quoting on equal and comparable items. All vendors must be provided the same information. If one vendor offers an acceptable alternative, **new quotes must be requested, using the alternate specifications.**
- The City will not pay for any technical information from the vendor. If the information is to be shared with other vendors, it must be stated so up front. If you use a vendor's technical information without their approval, you may find yourself in a legal tangle.
- On-site demonstrations or delivery of preview/trial merchandise does not constitute a purchase. Competition may still be required.
- Document Quotes: Obtain freight pricing (FOB Destination), if not indicated by vendor. Include vendor contact information in case we need to get a hold of them.
- Vendor selection is made by based on the recommendation of the requesting department personnel, considering price, quality and product availability.
- Quote documentation is attached to purchase order or invoice and filed in Finance for auditing and document retention.

**E. PROCEDURE FOR FORMAL BIDS or RFP's - Over \$150,000:**

Bids/RFP's are required whenever the cost of materials, supplies, equipment or *ordinary* services exceeds \$150,000.

Responsibilities for the Bidding/RFP process are that of the Department. The responsibilities are as follows:

- Determine the need.
- Notify the Finance Department regarding any budget transfers to cover funding.
- Create technical specifications, bid package, and check for legalities.
- Arrange pre-bid conference, if necessary to invite contractors to discuss bid requirements.
- Advertise the Bid
- Distribute bid packages to vendors and maintain accurate vendor records.
- *If Bids are Sealed: Conduct bid opening with Clerk.*

- *If not Sealed: Document bids and do not reveal the contents to other bidders until awarded.*
- Tabulate bids and verify responsiveness.
- **AWARD:** After bids have been opened, recommend award. Bid must be awarded for the most responsive bid from a responsible bidder. If recommendation for award is being made to anyone other than the low bidder, attach memo stating specific reasons why the low bid is not acceptable. RFP's are awarded to the vendor who scored the most points on predetermined criteria. Don't reveal status of your recommendation to the vendor.

## F. COOPERATIVE PURCHASING

Bids and/or contracts by municipalities and cooperative organizations can be used to acquire goods and services. When using a cooperative option we are, in essence, "piggybacking" off of the original entity's competitive process thus eliminating the need to perform our own.

Examples include the Washington State Department of General Administration and the Department of Information Services (DIS), which both offer existing contracts for goods and services that the City may use. The City pays an annual fee to the state for the ability to piggyback off of their contracts and encourages the use of these contracts whenever possible.

Other cooperating purchase options include the National Joint Powers Alliance (NJPA), King County Cooperative, and Interlocal agreements with other governmental agencies.

### The Competitive Process

#	Task	Action
1	Confirm the City has a signed Cooperative Purchasing Agreement/Interlocal Agreement with the municipality or agency.	Work with buyer. Execute agreement if necessary.
2	Review cooperative contract/ website for piggyback requirements	Work with cooperative agent.
3	Contact vendor to verify if vendor will honor state contract pricing	Obtain details regarding all aspects of purchasing including invoicing, availability, delivery, etc.
4	Contact buyer to place order	Place order and process invoice for payment.



### **Completing the Purchase**

- State contracts include standard terms and conditions. When piggybacking off of a state contract, all of the state contract terms and conditions apply.
- Occasionally, the City may opt to change the state's contract requirements which will require the City to utilize its own Goods & Services Contract identifying those requirements that are unique to the City's purchase.

### **Approval Process**

The use of a cooperative purchase allows the City to utilize another entity's competitive process, it does not change the authorized levels for procurement and approvals. The procurement and approval process will be determined by the purchase type, as defined in this manual.

**POOR PERFORMANCE?** When things go wrong, don't remain silent! Remember to **DOCUMENT!!** Even if you have had on-going problems with a vendor, we will have a very hard time canceling a contract or not awarding them a new contract, unless we have proper documentation of the problem.

## **XII. PURCHASE OF PUBLIC WORK CONSTRUCTION ACTIVITIES**

Public Work is all work, construction, alteration, repair, maintenance or improvement that the City has performed or contracted. It includes, but is not limited to:

- Demolition
- Remodeling
- Renovation
- Painting
- Road Construction
- Utilities Construction
- Offsite prefabrication of ducts, liners & steel products for Public Work
- Production & delivery of gravel, rock, concrete & asphalt (to a construction site)

Dollar thresholds of when competition is required are summarized below. It is the Department Heads responsibility to appoint who shall order work for their department on the City behalf under the respective quote limits.

## THRESHOLDS FOR PUBLIC WORKS:

Public Works		
\$ -0- to \$9,999	Competition not required Prevailing Wage and Insurance still required!	Awarded/Approved by Mayor or City Administrator
\$10,000 to \$34,999	Utilize “Limited Public Work” process as described in <a href="#">RCW 39.04.155</a> (3). (See procedure below)	Awarded/Approved by Mayor or City Administrator
\$35,000 to \$299,999	Utilize “ <a href="#">Small Works Roster</a> ” process as described in RCW <a href="#">39.04.155</a> .  <i>If not using SWR, formal competitive bidding is required for Single Craft over \$40,000, and for Multi Craft over \$65,000</i>	Up to \$100,000 Awarded/Approved by Mayor or City Administrator; More than \$100,000 City Council must award/approve
Over \$300,000	Formal competitive bidding is required as described in RCW <a href="#">39.04</a> ; <a href="#">35.22.620</a> .	Awarded/Approved by City Council

### A. CITY LABOR FORCE

The City may use Public Work employees to perform and execute all projects not exceeding sixty-five thousand dollars (\$65,000) if more than one craft or trade is involved, or not exceeding forty thousand dollars (\$40,000) if a single craft or trade is involved.

### B. ON-CALL/UNIT PRICED CONTRACTS

On Call (Work Order) Contracts (OC/WO Contracts) are bid and awarded without a specific public works project or scope of work in mind, but rather are categorized around general types of anticipated work or trades. When a specific scope of work is identified, individual work (or task) orders are authorized based on either a not to exceed time and materials basis or on a negotiated lump sum amount, using the unit prices bid by the contractor and the contractor proceeds to complete the work. Most typically, OC/WO Contracts are used for repair, renovation, and maintenance, of public facilities, all of which are included in the definition of public works in RCW 39.04.010. These contracts are typically on an annual basis, with optional renewals, (up to the maximum contract amount).

Bidding and approval thresholds apply toward the total “master” on-call contract amount. The City Administrator approves individual task/work orders up to \$100,000 with notification to City Council via City Council Agenda Packet. Task/work orders exceeding \$100,000 must be approved by City Council.

- OC/WO contracts should be limited to a total dollar amount over the life of the contract to an amount less than an agency’s bid limits when possible.

- Requests for bids under an OC/WC contract should incorporate unit price and lump sum price bid items as much as is practical.
- Award of an OC/WO contract should be to a responsible contractor with the lowest total price based on the sum of the unit price and lump sum bid item extensions.
- Task orders (work orders) shall be completed by the Department for each new project.
- All other public work requirements apply based on contract amount and on an individual task order basis.
- If the original unit/lump sum bid items will not cover work to be accomplished, new line items may be added by change orders or the work may be accomplished under a time and materials work order if the total contract amount will not be exceeded.

### **C. SMALL WORKS ROSTER**

RCW 39.04 provides small works roster provisions to award contracts for construction, building, renovation, remodeling, alteration, repair, or improvement of real property. The Small Works Roster may be used for public works projects below three hundred thousand dollars (\$300,000.00).

The Small Works Roster maintained by the Municipal Research and Services Center ([www.mrscrosters.org](http://www.mrscrosters.org)) allows the City to evaluate the professional qualifications on file when a proposed project is scheduled. Use of the Small Works Roster allows the City to preclude the advertisement requirements of the formal competitive process.

Vendors/contractors selected from the Small Works Roster are not relieved from City's contract requirements.

- For contracts \$150,000 - \$300,000: If the City solicits bids from less than all the contractors listed under the appropriate category on the small works roster the City will notify the remaining contractors that quotations on the work are being sought. The City may notify the remaining contractors using any of the following options: publishing notice in a legal newspaper in general circulation in the area where the work is to be done; mailing a notice; or sending a notice by facsimile or other electronic means.
- For contracts < \$150,000: Proposals will be solicited from a minimum of five (5) qualified contractors in a specific category on the small work roster. If the roster includes less than five (5) qualified contractors, then all contractors for the category will be solicited.
- For limited public works contracts < \$35,000, electronic or written quotations will be solicited from a minimum of three (3) contractors on the small work roster.
- The contract must be awarded to the contractor submitting the lowest responsive quote.
- Contract award and purchases over one hundred thousand dollars (\$100,000) requires approval and award of the City Council.

**D. PROCEDURE FOR “LIMITED PUBLIC WORK” per RCW 39.04.155(3)  
- \$10,000 to \$34,999**

**For Limited Public Work (\$10K to \$34,999K), contractors must be given a packet of information ahead of time with requirements about Responsible Bidder’s Criteria, Prevailing wage, Insurance, and some general protective clauses. (See Project Coordinator for Packet)**

- Department utilizes Small Works Roster at [www.mrscrosters.org](http://www.mrscrosters.org) to obtain vendor list (obtain sign in and password from Finance).
- Department solicits at least 3 informal bids (can notify all on roster).
- No advertisement required.
- Bid Bonds Optional.
- Payment/Performance Bonds Can Be Waived.
- Retainage Can Be Waived.
- Prevailing Wage Intents/Affidavits required.
- Insurance required.

**E. PROCEDURE FOR COMPETITIVE BIDS - Over \$300,000 (Also applies to Single Craft projects over \$40,000 and Multiple Craft projects over \$65,000 if alternative SWR process is not used)**

- Authorization Request. Request for authorization from City Administrator to call for bids is required except for items identified in the current approved budget. In special circumstances, the City Administrator may waive portions of the bid procedures. The “special circumstances” are limited to items where publication of bids may impinge on the safety of staff or City assets (ie: Drug Task Force vehicles).
- Publication of Notice. After authorization is received, the requesting department director or designee will publish the Call for Bids in the official newspaper or a newspaper of general circulation most likely to bring responsive bids at least fourteen (14) days prior to bid submittal deadline.
- Notice Contents. Call for bids should contain a summary of the project and a link to the full definite specifications and procedures for bidders to use to estimate their bids.
- Bid Submittal and Opening. Bids are submitted to the City Clerk, for date stamp and processing. Bid opening will be announced to the Mayor, City Administrator and department heads by department head or designee responsible for the project.
- Award of Bid. Except as otherwise provided herein, the City shall accept the bid of the lowest responsive bidder. Bid awards for contracts and purchases over one hundred thousand dollars (\$100,000) require award by the City Council.
- Award to other than Low Bidder. When the bid award is not given to the lowest bidder, a statement of the reasons for not selecting the lowest bid shall be prepared by the responsible department head for the bid and submitted to the City Administrator and filed with the records relating to the transaction.

- Rejection of Bids. The City Administrator or designee may reject without cause any and all bids and may re-advertise for bids pursuant to the procedures herein described. If no bids are received, the City Administrator or designee may negotiate the purchase with a vendor at the lowest possible cost. If the negotiate bid exceeds the current approved budget, the bid will be brought before the City Council for approval of award.
- Performance Bonds. On public works projects a performance bond in an amount as determined necessary by the assigned responsible department head to protect the best interests of the City and to assure compliance of the contract.
- Retainage: [RCW 60.28.011](#) requires agencies to withhold up to 5% of the value of a public improvement contract, not including sales tax according to Department of Revenue [ETA 3024.2013](#), as retainage until the project is completed and the contract is accepted. This provides a financial incentive for contractors to finish a project, as well as a limited amount of financial protection for the involved parties.
- Retainage Bonds: Instead of having retainage withheld from the contract payments, a contractor may opt to submit a retainage bond instead covering any or all of the amount. Retainage Bonds are recommended for City of Lake Stevens projects.

**F. DEPARTMENT RESPONSIBILITIES TO ENSURE PREVAILING WAGE LAW IS FOLLOWED:**

- ***Prior to Getting an Estimate or a Quote*** – Notify vendor that they are to pay prevailing wages. More information may be obtained by the vendor from the Department of Labor and Industries). The list can also be obtained online at: [www.lni.wa.gov/TradesLicensing/default.asp](http://www.lni.wa.gov/TradesLicensing/default.asp)
- ***After a Vendor has been selected*** – The vendor is required to file a “Statement of Intent to Pay Prevailing Wages” with the Department of Labor and Industries PRIOR TO STARTING WORK. Most vendors file online at: <http://www.lni.wa.gov/TradesLicensing/PrevWage/default.asp>

There is a fee that the Vendor will have to Pay L & I, and the completed Intents are also available online. **Note:** The vendor must insert the City Contract number in the contract number box on the Statement form.

- ***After the work is completed*** – The vendor must also file an “Affidavit of Wages Paid” with the Department of Labor and Industries. There is another fee that the Vendor will have to pay to L & I (**L & I has waived this for work <\$750.00**), and completed Affidavits are also available online. **Note:** The vendor must insert the City Contract number in the contract number box on the Statement form.

Final Payment must not be released until certified intents and affidavits have been received (and for contracts over \$35,000, Notice of Project Completion has been submitted to DOR, ESD, and L&I through Secure Access Washington (or

other acceptable means) and releases have been received from all three agencies. Call Finance if you need help looking them up.

**NOTE: PREVAILING WAGES FOR PROJECTS UNDER \$2,500**

The City of Lake Stevens has the option to administer the intents and affidavits ourselves, for projects under \$2,500 (including tax). **There is no filing fee to the vendor.** All combined intent and affidavit forms for the City must be submitted within 30 days by the Project Administrator.

**G. CHANGE ORDERS**

A purchaser's written authority to the supplier to modify or add to a purchase/project. Change orders are created by Department/Project designee.

The City Administrator may authorize individual change order increases up to 20% or \$100,000, whichever is less, over the amount of the originally approved contract. Change order must not increase total contract amount to more than the approved budget without Council approval. Change orders more than 20%/\$100,000, and/or those that cause the project to go over the budgeted amount, must receive pre-approval from City Council. Should a change order be required in the field, the Public Works staff person acting as project manager, may authorize the change if necessary. It must then be dually signed by the City Administrator in a timely manner. If the change order would cause the contract to go over budget or is more than a 20%/\$100,000 increase, the request must be pre-approved by Council and an amended contract may be necessary.

**H. FINAL PROJECT ACCEPTANCE**

The City Administrator is authorized to formally accept all projects as Final. The City Administrator may discretionarily defer any final project acceptance to City Council for approval.

### **XIII. PURCHASE OF ARCHITECT AND ENGINEERING SERVICES**

Architectural and Engineering consultants are initially selected based upon their qualifications, rather than price (see RCW 39.80.050). The City will negotiate a contract with the most qualified firm at a price which the City determines is fair and reasonable. In making its determination, the City shall take into account the estimated value of the services to be rendered as well as the scope, complexity, and professional nature. If the City is unable to negotiate a satisfactory contract with the firm selected at a price the City determines to be fair and reasonable, negotiations shall be terminated and the City shall begin negotiations with the next highest qualified firm. These services are to be acquired under the authority and procedures outlined in chapter RCW 39.80. Procedures set forth in RCW 39.80 shall be followed for contracts for architectural and engineering services.

The City may use MRSC Consultant Roster for architectural, engineering, and surveying services.

## THRESHOLDS FOR ARCHITECT AND ENGINEERING SERVICES:

Architect and Engineering Services	
\$ - 0 - to \$100,000	Awarded/Approved by Mayor or City Administrator
Over \$100,000	Awarded/Approved by City Council

## XIV. PURCHASE OF ORDINARY OR “PURCHASED” SERVICES

“Ordinary/Purchased Services” are those provided by vendors for routine, necessary and continuing functions of a local agency, mostly relating to physical activities. **There are lots of ordinary services that require prevailing wages - - Check with L&I.**

Repetitive, routine, or mechanical in nature - following established or standardized procedures

- Contribute to the day-to-day business operations
- Completion of assigned and specific tasks,
- Decision-making is routine or perfunctory in nature.
- May require payment of prevailing wages

### Examples include:

- Delivery/courier service
- Building maintenance (janitorial)
- Landscaping
- Herbicide application service
- Vehicle inspection, lubricating and repair services
- HVAC system maintenance service (without repair)

## THRESHOLDS FOR ORDINARY OR “PURCHASED” SERVICES:

PURCHASE OF ORDINARY OR “PURCHASED” SERVICES		
\$ -0- to \$14,999	Competition is not required. Department is encouraged to determine price is fair and reasonable and document in department files.	City Administrator/Mayor award and approve
\$15,000 to \$100,000	3 Written Quotes	City Administrator/Mayor award and approve
Over \$100,000	Formal RFP -May be Sealed or Not-	City Council award and approve
Department Directors are <b><u>required</u></b> to notify City Council of all services purchased over \$10,000 <b>at the next Regular City Council meeting, via staff report, as part of the Department Report, or by other acceptable means.</b>		

## XV. PURCHASE OF PROFESSIONAL SERVICES

“Professional Service Contract” means an agreement with an independent contractor for providing professional services to the City.

There is not a state law requiring competition when procuring Professional Service Contracts, however it is at the City Council’s discretion to direct. On-call contracting may be used for all type of professional services. A minimum of three quotes must be solicited for Professional Services estimated between \$15,000 and \$100,000. An RFP/RFQ process is required when the total cost in a calendar years’ time exceeds \$100,000. The City may use MRSC Consultant Roster for professional services.

**The Risk Manager and Attorney must review and the City Administrator or Mayor must sign all Professional Service Contracts, regardless of dollar amount in accordance with the previously stated Authorization levels set forth below.**

**Examples include:**

- Legal Services
- Management Consulting
- Accounting and Auditing
- Real Estate Broker

### THRESHOLDS FOR PROFESSIONAL SERVICES:

PURCHASE OF PROFESSIONAL SERVICES		
<b>\$ -0- to \$14,999</b>	Competition is not required. Department is encouraged to determine price is fair and reasonable and document in department files.	City Administrator/Mayor award and approve
<b>\$15,000 to \$100,000</b>	3 Written Quotes	City Administrator/Mayor award and approve
<b>Over \$100,000</b>	Formal RFP -May be Sealed or Not-	City Council award and approve
Department Directors are <b><u>required</u></b> to notify City Council of all services purchased over \$10,000 <b>at the next Regular City Council meeting, via staff report, as part of the Department Report, or by other acceptable means.</b>		



## XVI. PURCHASE OF PERSONAL SERVICES

A “Personal Service Contract” is an **employment contract** with an independent contractor for providing personal services to the City. Personal Service means hiring a consultant to provide professional or technical expertise to accomplish a specific study, project, task or other work statement according to RCW [39.29.006](#).

A minimum of three quotes must be solicited for Professional Services estimated between \$15,000 and \$100,000. An RFP/RFQ process is required when the total cost in a calendar years’ time exceeds \$100,000. The City may use MRSC Consultant Roster for professional services.

**The Risk Manager and Attorney must review, and the City Administrator or Mayor must sign all Personal Service Contracts, regardless of dollar amount in accordance with the Authorized levels set forth below.**

**Examples include:**

- Artistic Designs
- Class Instructions for Parks Department Activities

### THRESHOLDS FOR PERSONAL SERVICES:

PURCHASE OF PERSONAL SERVICES		
<b>\$ -0- to \$14,999</b>	Competition is not required. Department is encouraged to determine price is fair and reasonable and document in department files.	City Administrator/Mayor award and approve
<b>\$15,000 to \$100,000</b>	3 Written Quotes	City Administrator/Mayor award and approve
<b>Over \$100,000</b>	Formal RFP -May be Sealed or Not-	City Council award and approve
Department Directors are <b><u>required</u></b> to notify City Council of all services purchased over \$10,000 <b>at the next Regular City Council meeting, via staff report, as part of the Department Report, or by other acceptable means.</b>		

## XVII. HOW TO LEASE

1. Bids are *not* required on equipment leases, however Legal must review and the City Administrator must approve all equipment leases.
  - a. Legal Review - Send to Legal for review.
  - b. Fiscal Approval - Review proposals with the Finance Dept. prior to budgeting the expense. Lease-to-own purchases are to be budgeted and accounted for as if the total expense is to be incurred when the item is purchased.

- c. Lease Approval - City Administrator must approve all Equipment Leases and may opt to send lease to Council for approval if he so desires.
2. A lease of property (equipment) with **option to purchase** that is valued at more than \$15,000 is subject to competitive bidding. See “purchasing” thresholds for bidding requirements.
3. **Lease vs. Rent:** Leasing is generally used for mid to long-term contracts. Renting is usually a short-term solution that is more casual and can be approved by the Department Head.

## XVIII. EXEMPTIONS TO COMPETITIVE BIDDING REQUIREMENTS

- **Sole Source Vendor.** Purchases which by their nature are not adapted to competitive bidding, such as items which, as to meet a specific need or criteria as determined by the City, may only be purchased from a single source, shall not be subject to the competitive bidding requirements of this policy. Purchases above the threshold requiring multiple quote or bids, from a sole source vendor require prior approval of the City Administrator or designee. Follow procedures for declaring Sole Source.
- **Repair and Ordinary Maintenance.** Purchases for ordinary maintenance, repairs, or additions to City equipment which may be more efficiently added to by a certain person or firm, shall not be subject to the competitive bidding requirements of this policy.
- **Purchasing Involving Special Facilities or Market Conditions.** The City Administrator may waive established bidding requirements if an opportunity arises to purchase favorably-priced equipment at an auction, or supplies or used goods that will be sold before the City can conduct the bid process when over bid thresholds. Written documentation of the special condition must be prepared for justification of the purchase and waiver of bidding requirements and approved by Council via Resolution.
- **Purchase of insurance or bonds**
- **Surplus Property.** The City may by agreement acquire surplus property from another government without the use of bids (RCW 39.33.010).
- **Inter-local Agreements in Letting of Contracts for Commodities or Services (Piggybacking).** RCW [39.34.030](#) permits governmental agencies to utilize other entities' contracts without going to bid. Contact Finance to determine if interlocal purchasing is feasible for your department's particular need. The following criteria must first be met:
  - There must be an Interlocal Agreement, approved by Council and/or Mayor, and signed by both parties, on file with the City Clerk.
  - It must be a current contract with interlocal language included.
  - It must have been advertised on the entity's web page and competitively bid.
  - The government entity, and the vendor, must be willing to share their contract pricing.
  - A complete copy of the contract must have been reviewed by Finance.
  - Department will set up a bid file and track as if it were our own bid process.
- **Emergency Purchases.** In the event of an emergency, the City Council, City Administrator or designee may declare an emergency situation exists, waive competitive bidding requirements, and award necessary contracts on behalf of the municipality to address the

emergency situation. If a contract is awarded without competitive bidding due to an emergency, a written finding of the existence of an emergency must be made by the governing body or designee and duly entered of record no later than two weeks following the award of the contract.

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

## XIX. HOW TO DECLARE A SOLE SOURCE (or Single Source):

**FINANCE DEPARTMENT INVOLVEMENT REQUIRED.** On a case by case basis, the bid or quote requirement may be waived and a sole/single source purchase approved, in accordance with [RCW 39.04.280](#). There should be careful deliberation before going to a sole/single source as this type of purchase eliminates competition and tends to drive prices up.

### Authority to Approve Sole/Single Source Purchases

City Administrator or Mayor..... \$15,000 to \$150,000

City Council..... Over \$150,000

A **sole** source is where there is only ONE supplier of the product or service. A **single** source is where the vendor is “one vendor amongst others”, when other competitive sources may be available.

A sole/single source purchase may be approved if one or more of the following conditions are met:

- **Standardization or compatibility** to existing City standard or to existing equipment, inventory, systems, data, programs or service. Must be evaluated for cost benefit and/or safety.
- **Licensed or patented** product with only one dealer (and the license or patent is paramount to your procurement).
- **Only** authorized Service Provider, Repair and/or Warranty Services, e.g. warranty may be negated if you let someone else work on it.
- **Unique design:** Requires unique features that are essential, aesthetic requirements, or not practical to match to existing design or equipment. Document the unique specifications that are needed, which will drive the research in finding a product that fits the specific needs of your department.
- **Special Market conditions:** Can be used to purchase items at auction ([RCW 39.30.045](#)) or other items that are offered at a very favorable price and will

be sold before an entity will have a chance to complete the bidding process (e.g. a flood is coming and you must obtain sandbags immediately) or perhaps funds must be expended immediately, or there is a critical delivery date.

**NOTE:** Any sole/single source utilizing **Federal Grant money** must also include 1) Written responsibility determination for the successful contractor and; 2) Basis for contract price (**Cost Price Analysis**). Each Grantee must evaluate and state its justification for the contract cost or price.

## XX. DISPOSAL OF SURPLUS PROPERTY (Reference LSMC 2.92)

Upon recommendation of a Department Head, property with an estimated value under \$15,000, may be declared surplus by the Mayor or City Administrator as designee, or by City Council for property with an estimated value of \$15,000 or greater, upon one or more of the following criteria:

- The City has or soon will have no foreseen practical and efficient use for the property.
- The purpose served by the property can be accomplished by use of a better, more effective or more efficient alternative.
- The purpose serviced by the property no longer exists as determined by a change of policy evidenced by an ordinance or resolution of the City Council.
- The property is damaged, worn out, otherwise inoperable and the cost of repairing the same is unwise or impractical
- If the value of the property the City is seeking to surplus is greater than \$50,000 then pursuant to [RCW 39.33.020](#) a public hearing is required.
- Additionally, RCW 35.94.040 requires that a public hearing be held if property (real estate or personal property) originally purchased for utility purposes is no longer needed for that use and the city desires to lease, sell or convey the property. A hearing is required regardless of the value of the property.

## XXI. TRADE-INS

Trade-Ins are allowed on new purchases if approved by Finance in advance. Trade-Ins must be negotiated, documented at "Fair Market Value" by the Department, and declared surplus ahead of time (through Finance) by the Mayor, or City Administrator as designee, if under \$15,000 and City Council if over \$15,000.

Fair Market Value can be obtained by finding comparable units that have been sold at online auctions, e.g. [www.publicsurplus.com](http://www.publicsurplus.com), [www.Ebay.com](http://www.Ebay.com), [www.rockanddirt.com](http://www.rockanddirt.com), [www.ironplanet.com](http://www.ironplanet.com) or other online sources such as Edmonds.com, Kelley Blue Book, or NADA. [www.govdeals.com](http://www.govdeals.com) is a good place to find auction results for comparable products.

## XXII. FEDERAL CODE OF CONDUCT

**PURPOSE** -- The purpose of the Code of Conduct is to ensure the efficient, fair and professional administration of federal grant funds in compliance with 2 CFR §200.112, 2 CFR §200.318 and other applicable federal and state standards, regulations, and laws.

**APPLICATION** -- This Code of Conduct applies to all elected officials, employees or agents of the City of Lake Stevens engaged in the award or administration of contracts supported by federal grant funds

**REQUIREMENTS** -- No elected official, employee or agent of the City of Lake Stevens shall participate in the selection, award or administration of a contract supported by federal grant funds if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when any of the following has a financial or other interest in the firm selected for award:

- The City employee, elected official, or agent; or
- Any member of their immediate family; or
- Their partner; or
- An organization which employs, or is about to employ any of the above.

The City of Lake Stevens's elected officials, employees or agents shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors or subcontractors.

**REMEDIES** -- To the extent permitted by federal, state or local laws or regulations, violation of these standards may cause penalties, sanctions or other disciplinary actions to be taken against the City of Lake Stevens's elected officials, employees or agents, or the contractors, potential contractors, subcontractors or their agents. Any potential conflict of interest will be disclosed in writing to the Federal awarding agency or pass-through entity in accordance with applicable Federal awarding agency policy.

## XXIII. FEDERAL AWARD STANDARDS

### **PURPOSE**

Establish and maintain internal controls that provide reasonable assurance that Federal awards are being managed in compliance with all Federal regulations and with the terms and conditions of the award. The City of Lake Stevens will follow the Uniform Guidance, the Local Agency Guidelines (LAG) distributed by The Washington State Department of Transportation (WSDOT), Government Accountability Office Standards for Internal Control in the Federal Government (the Green Book) and the Committee of Sponsoring Organizations of the Treadway Commission's (COSO) Internal Control – Integrated Framework Principles.

## **INTERNAL CONTROLS**

The City of Lake Stevens will maintain effective internal control over the Federal award providing reasonable assurance that the City of Lake Stevens is managing the Federal award in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award.

- Take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings.
- Take reasonable measures to safeguard protected personally identifiable information and other information the Federal awarding agency or pass-through entity designates as sensitive.

## **CERTIFICATION**

To assure that expenditures are proper and in accordance with the terms and conditions of the Federal award and approved project budgets, the annual and final fiscal reports or vouchers requesting payment under the agreements must include a certification, signed by an official who is authorized to legally bind the non-Federal entity, which reads as follows: "By signing this report, I certify to the best of my knowledge and belief that the report is true, complete, and accurate, and the expenditures, disbursements and cash receipts are for the purposes and objectives set forth in the terms and conditions of the Federal award. I am aware that any false, fictitious, or fraudulent information, or the omission of any material fact, may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims or otherwise."

## **ADVANCE PAYMENTS AND REIMBURSEMENTS**

Payment methods must minimize the time elapsing between the transfer of funds from the United States Treasury or the pass-through entity and the disbursement by the City of Lake Stevens whether the payment is made by electronic funds transfer, or issuance or redemption of checks, warrants, or payment by other means.

- Advanced payments must be limited to the minimum amounts needed and be timed to be in accordance with the actual, immediate cash requirements of the City of Lake Stevens to carry out the purpose of the approved program or project. Any advanced payments must be consolidated to cover anticipated cash needs.
- The City of Lake Stevens shall minimize the time elapsed between receipt of federal aid funds and subsequent payment of incurred costs.

## **ALLOWABLE COSTS**

Federal awards will meet the following general criteria in order to be allowable except where otherwise authorized by statute;

- Be necessary and reasonable for the performance of the Federal award;
- Conform to any limitations or exclusions set forth in these principles or in the Federal award as to types or amount of cost items;
- Be consistent with policies and procedures that apply uniformly to both Federally- financed and other activities of the City of Lake Stevens;

- Be accorded consistent treatment. A cost may not be assigned to a Federal award as a direct cost if any other cost incurred for the same purpose in like circumstances has been allocated to the Federal award as an indirect cost.;
- Not be included as cost or used to meet cost sharing or matching requirements of any other Federally-financed program in either the current or a prior period;
- Be adequately documented.

## **PROCUREMENT**

When procuring property and services under a Federal award, the City of Lake Stevens will follow 2 CFR §200.318 General procurement standards through §200.326 Contract provisions or City of Lake Stevens purchasing procedures whichever is more restrictive.

Contracts for more than the simplified acquisition threshold currently set at \$150,000 must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.

Contracts and sub-grants of amounts in excess of \$150,000 requires that the City of Lake Stevens will comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act and the Federal Water Pollution Control Act.

Verify and document that vendors are not suspended or debarred from doing business with the Federal government. Federal guidelines require grant recipients to ensure vendors with contracts or purchases exceeding \$25,000 are not suspended or debarred from participating in federal programs. All City purchases and contracts issued from federal resources that exceed \$25,000 are subject to these guidelines.

Before initiating any purchases or contracts with federal funds that exceed, or **may potentially exceed \$25,000 within the fiscal year**, the responsible administrator shall verify that the vendor is not listed on the System for Award Management (SAM) Exclusion list by checking at <https://www.sam.gov/portal/SAM/##11>. If the vendor is listed on the EPLS the administrator shall not complete the purchase or contract with the vendor. If the EPLS shows no records for the vendor, print the screen, retain a copy in the department files and proceed to process a requisition.

**NOTE: Washington State Department of Enterprise Services (DES) does not check for suspension or debarment on State bid contracts.**

## **SINGLE AUDIT ACT**

The City of Lake Stevens, as a recipient of Federal funds, shall adhere to the Federal regulations outlined in 2 CFR §200.501 as well as all applicable Federal and State statutes and regulations.

## **CLOSURE**

A project agreement end date will be established in accordance with 2 CFR §200.309. Any costs incurred after the project agreement end date are not eligible for Federal reimbursement.

The following table outlines procurement requirements when using Federal funds.

Procurement Method	Goods	Services
Micro-Purchase – No required quotes. However, must consider price as reasonable, and, to the extent practical, distribute equitably among suppliers.	\$14,999 or less \$9,999 or less (PW)  <b><i>Must use more restrictive \$3,000 federal threshold (\$2,000 in the case of acquisition for construction subject to the Davis-Bacon Act)</i></b>	\$14,999 or less \$9,999 or less (PW)  <b><i>Must use more restrictive \$3,000 federal threshold (\$2,000 in the case of acquisition for construction subject to the Davis-Bacon Act)</i></b>
Small Purchase Procedures (Informal) – Obtain/document quotes from a reasonable number of qualified sources (at least three).	\$10,000 - \$40,000 (Single trade) \$10,000 - \$65,000 (Multi trade) \$15,000 - \$150,000 (Non-Public works projects)  <b><i>Must use more restrictive City threshold instead of \$150,000 Federal threshold</i></b>	\$10,000 - \$40,000 (Single trade) \$10,000 - \$65,000 (Multi trade) \$15,000 - \$100,000 (Non-Public works projects)  <b><i>Must use more restrictive City threshold instead of \$150,000 Federal threshold</i></b>
Sealed Bids / Competitive Bids (Formal)	\$40,000 or more (Single trade) \$65,000 or more (Multi trade) \$150,000 or more (Non-Public works projects)  <b><i>Must use more restrictive City threshold instead of \$150,000 Federal threshold</i></b>	\$40,000 or more (Single trade) \$65,000 or more (Multi trade) \$100,000 or more (Non-Public works projects)  <b><i>Must use more restrictive City threshold instead of \$150,000 Federal threshold</i></b>
Competitive proposals	Used when conditions are not appropriate for the use of sealed bids. <ul style="list-style-type: none"> <li>• Must publicize request for proposals soliciting from an adequate number of qualified sources</li> <li>• Maintain written method for conducting technical evaluations</li> <li>• Contract must be awarded to the responsible firm whose proposal is most advantageous to the program</li> </ul>	
Non-competitive proposals	Appropriate only when: <ul style="list-style-type: none"> <li>• Available only from a single source; or</li> <li>• Public emergency; and</li> <li>• Expressly authorized by awarding or pass-through agency in response to written request from the City of Lake Stevens; or</li> <li>• After soliciting a number of sources, competition is deemed inadequate.</li> </ul>	



## XXIV. DEFINITIONS

**Adequate Appropriation Balance** -- Sufficient balance existing in the appropriation line item against which the purchase order is to be charged.

**Appropriation** -- City Council authorization to expend funds for a specific purpose

**As Is** -- A term indicating that goods offered for sale are without warranty or guarantee. The purchaser has no recourse on the seller for the quality or condition of the goods.

**Bid** -- A written proposal submitted by a bidder to furnish supplies, materials, equipment and other property in conformity with the owner's specifications and conditions included in a request for bids by the City.

**Bidding** -- Procedure used to solicit quotations on price from various prospective providers of supplies, materials, equipment, and other property.

**Budget** -- A legal planning document that forecasts the financial resources of a government and authorizes the spending of those resources for a fiscal period.

**Budget Amendment** -- A mechanism used to revise the legally binding appropriations of budgeted funds.

**Budget Adjustment** -- A mechanism for the Finance Director to transfer legal appropriations within a fund. Legal appropriations are not budgeted by line item, so City Council approval is not required. City Council must be notified of adjustments of more than \$10,000 per item.

**Capital Equipment** -- Equipment of the City having an initial value of five thousand dollars (\$5,000.00) or more and an estimate useful life of more than three years (3) year.

**Cash Discount** -- A discount offered to the City to encourage payment of an invoice on or before its due date.

**Change Order** -- A purchaser's written authority to the supplier to modify or add to a purchase/project

**Contract** -- A contract is a legally binding and enforceable agreement between two or more parties stating the terms and conditions for an exchange of something of value (usually money, goods, or services) between the parties. A contract can take many different forms, ranging from major, heavily negotiated written contracts to a simple PO or telephone order for goods or services. Legal Counsel should be contacted if there is uncertainty as to the need for a written contract and how to go about it. Only the Mayor and City Administrator, as designee, of the City of Lake Stevens have the authority to sign contracts UNLESS they have delegated their authority over to an individual via approved Resolution.

**Controlled Commodity** -- Items which may fall under the quote dollar limit that require approval from designated people, i.e. office products, communication equipment and computer equipment.

**Emergency** -- Unforeseen circumstance beyond the control of the City that (a) present a real, immediate threat to the proper performance of the essential functions; and/or (b) may result in material loss, damage to property, bodily injury, or loss of life, if prompt action is not taken.

**Expediting** -- Attempt to reduce the contractually agreed upon delivery time of a product.

Final Project Acceptance -- Formal acceptance that the work on a project is complete. Needed prior to completed Notice of Completion and triggers dates for release of bonds, etc.

**Ordinary Maintenance** -- The furnishing of labor, time, or effort by a contractor or vendor not performed by contract and that is performed on a regularly scheduled basis, to service, check, or replace items that are not broken; or work performed by contract that is not regularly scheduled but is required to maintain the asset so that repair does not become necessary, and not involving the delivery of any specific end product, other than reports that are incidental to the required performance

**Payment Discount** -- See Cash Discount.

**Personal Service Contract** -- An employment contract with an independent contractor for the rendering of personal services to the City. The Mayor or City Administrator, as designee, must sign all Personal Service Contracts.

**Prevailing Wage Rate** -- The rate of hourly wage, usual benefits, and overtime paid in the locality, to the majority of workers, laborers, or mechanics, in the same trade or occupation; required to be paid on all public work and public building service maintenance contracts.

**Professional Service Contract** -- An agreement with an independent contractor for the rendering of professional services to the City. The City does not provide direction to the provider. The City states a goal and objective and the provider, under his own direction, accomplishes the goal.

**Public Work** -- A project including all work, construction, alteration, repair or improvement other than ordinary maintenance executed at the cost of the City.

**Purchase Order (PO)** -- Official document used in authorizing the encumbrance of City funds toward a purchase.

**Request For Proposals** -- Similar to the formal bid process, except that factors other than price are used to award the contract.

**Requisition** -- A standard form providing detailed information as to quantity, description, estimated price, possible vendors, fund account, signature and other information necessary to make a purchasing decision.

**Responsible Bidder** -- Contractor, supplier, or vendor, qualified on the basis that it (1) has adequate financial resources to perform a contract, (2) is able to comply with the associated legal or regulatory requirements, (3) is able to deliver according to the contract schedule, (4) has a history of satisfactory performance, (5) has good reputation regarding integrity, (6) has or can obtain necessary data, equipment, and facilities, and (7) is otherwise eligible and qualified to receive award if its bid is chosen.

**Sealed Bid (Formal Bid)** -- An advertised solicitation for a requirement in which the cost exceeds the bid limit. The bids are opened during a public opening.

**Simplified Acquisition Threshold** -- The dollar amount below which a non-Federal entity may purchase property or services using small purchase methods.

**Small Works Roster** -- A process through which there is competition following notification to some or all public works contractors who have requested placement on a roster kept by the local

government agency, or a contracted service agency, in which price is the primary basis for consideration and contract award.

**Specification** -- A clear, complete, and accurate statement of the technical requirements descriptive of a material, an item, or a service.

**Standardization** -- When it is necessary to standardize to one type of item because of uniformity or interchangeable parts issues. Authorization for standardization is obtained from Purchasing.



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LAKE STEVENS CITY COUNCIL  
**STAFF REPORT**

**Council Agenda** 05/22/2018  
**Date:** \_\_\_\_\_

**Subject:** Henley Leadership Group – Professional Services Agreement

<b>Contact</b>	Teri Smith/Human Resources	<b>Budget</b>	\$14,000.00
<b>Person/Department:</b>	_____	<b>Impact:</b>	_____

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**RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:** Authorize the Mayor to sign the agreement with Henley Leadership Group.

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**SUMMARY/BACKGROUND:**

We've identified a need for a partnership with a professional leadership development group. As our city continues to grow, our number of employees increases, and our leaders' abilities to work effectively with a diverse population is a necessity.

We talked with three leadership development firms, as well as reviewed qualification of two others. We believe the Henley Leadership Group is proactive and progressive in their approach to identifying career stallers and providing the tools and resources to assist leaders make improvements where necessary and build upon the great skills they already bring to the workplace.

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**APPLICABLE CITY POLICIES:**

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**BUDGET IMPACT:** Up to \$14,000 for selected resources per an individual's needs.

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**ATTACHMENTS:**

- Exhibit A: Professional Services Agreement

**PROFESSIONAL SERVICES AGREEMENT BETWEEN  
CITY OF LAKE STEVENS, WASHINGTON  
AND HENLEY LEADERSHP GROUP, INC.  
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 Henley Leadership Group, Inc., a Washington 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 professional leadership development 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 upon full signing of this agreement and shall terminate at midnight, May 22, 2019. 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. **Public Entity Full Availability of Consultant Limits**  
If the Consultant maintains higher insurance limits than the minimums shown above, the Public Entity 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 Public Entity 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 N/A:

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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 \$14,000.00 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:**

Henley Leadership Group  
Attn: Carol Zizzo, COO  
17837 1<sup>st</sup> Avenue PMB302  
Seattle, WA 98148

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

HENLEY LEADERSHIP GROUP, INC.

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

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

Approved as to Form:

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

# Proposal: Leadership Development

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Prepared for

**Teri Smith, SHRM-CP, PHR**  
**City of Lake Stevens | Human Resources Director/Risk Manager**  
Office: 425-377-3227  
Cell: 425-737-7104

May 17, 18



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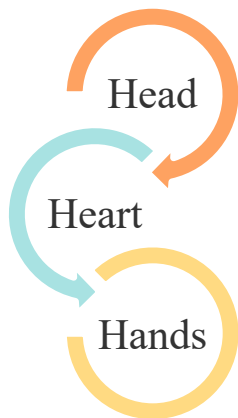
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# Henley Leadership Group: Your Partner in Leader Development

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We are a team of leadership development experts who enhance business results by engaging and aligning the whole leader through leadership coaching, training, and assessments. Our work is designed to disrupt the status quo, ignite leadership, and provide the needed skill development to fulfill on your strategy. Ranked among the top 100 thought leaders by Leadership Excellence, we have served thousands of corporate leaders in a variety of industries including banking, technology, energy and healthcare.

What is different about us?



Whole leader focus

Training that develops and engages the whole leader - head, heart and hands. This gives access to a full range of leadership capacities to enhance business results.

Work with leaders at all levels of the organization

Creating clarity and alignment throughout the organization. Maximizing capability and capacity.

Development that is aligned with your strategy

Identifying the skills and competencies needed to deliver on your key strategies. Providing training that will help leaders reach their goals.

## Results with Significant ROI

6X

- Average return on investment for coaching and team development

98%

- Of clients rated their leader development experience as excellent, exceeding expectations and intended results produced

1.8 Million

- Savings to one of our clients through retention of key talent

87%

- Number of clients who reported increased levels of innovation and collaboration

## The Approach: Inside Out Leader Development

This proven and unique approach to developing leaders supports them in keeping pace with today's business complexities. For over twenty years we have applied this methodology in organizations, resulting in a solid bench of ready leaders, increased collaboration, retention and promotions.



### Personal Leadership

With change, we can begin anywhere. We begin at the level of the personal. We believe that all organizational change starts here. To quote, W.E. Deming, "Nothing happens without personal transformation." We work first with each leader as a person. Who they are, what they do that is limiting, and strengths.

### Interpersonal Leadership

Next, we work on interpersonal skill, or how each executive interacts with others. This includes addressing performance and conflict in a healthy way, communicating clearly, and calling forth the highest and best from others.

### Team Leadership

Being skilled in team leadership means that one knows how to cultivate trust and respect amongst the team, encourage healthy conflict and create shared commitments and mutual accountability. With these foundation elements in place, a team can produce remarkable results.

### Cultural Leadership

The culture drives or limits implementation of strategy. Creating an intentional culture is the work of the executive team. Each leader is accountable for this, yet few are even aware of what the intentional culture could be, nor their part in creating it. In the coaching, we clarify culture and determine how it can be influenced for good.

### Strategic Leadership

The strategy helps drive the business and if successful, helps to change the industry as a whole. Using the work of Ron Heifetz from Harvard Business School, we work to help leaders "get up on the balcony" and see the whole system. Strategy is a whole-system intervention. Being able to think strategically is what we work to develop.

# Your Needs: Development Recommendation

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## The Needs

- Have a productive coaching solution for developing your leaders
- Secure a firm that has multiple options for meeting the unique coaching needs of your leaders as they arise
- Be able to expand that coaching into training opportunities for teams or groups if needed.

## The Solution

There are three key components in our recommendation:

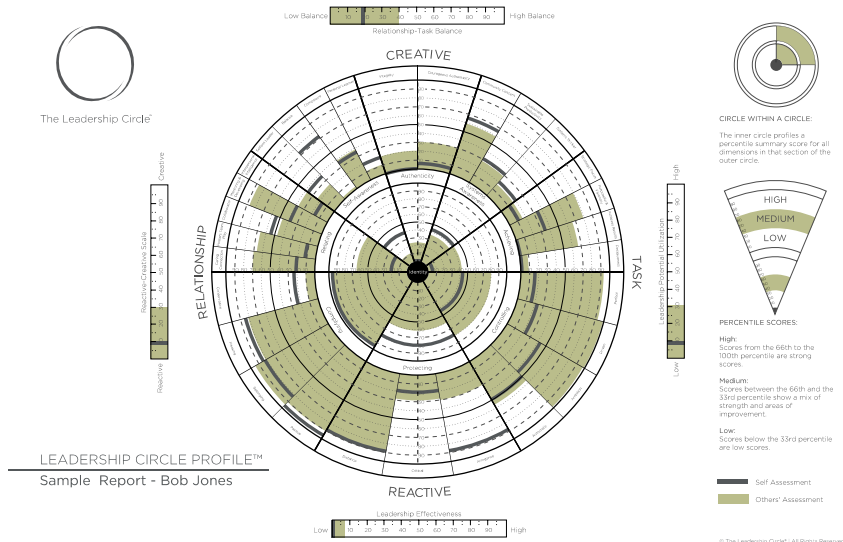
### #1: Individual 360 Feedback Survey – The Leadership Circle Profile

Developing effective leaders within any organization starts with giving each leader a comprehensive and easy to understand picture of how they are currently being experienced as a leader. A true breakthrough among 360-degree assessments, the *Leadership Circle Profile™* provides this picture better than any other instrument available today. The survey is administered online and is the first to connect a well-researched battery of competencies with the underlying and motivating habits of thought. It reveals the relationship between patterns of action and internal assumptions that drive behavior.

Ultimately, the comprehensive results provided by the *Leadership Circle Profile™* quickly and clearly highlight how improvement in one or two leadership qualities can have an exponential impact on the leader's effectiveness.

Unlike other 360-degree assessments, the *Leadership Circle Profile™* measures two crucial leadership domains – Creative Competencies and Reactive Tendencies, and integrates information in a way that the key areas for development and strengths rise to the surface. Ratings for each leader on competencies and tendencies are reported in terms of their comparison to the Leadership Circles' global statistical database.

The Leadership Circle Profile: (TLC)



What you can expect:

- **Accelerates Development** — Instantly reveals key opportunities for your leaders' development without requiring reading through reams of documentation. The *Leadership Circle Profile™* enables a leader to start with a targeted breakthrough focus, rather than spending months trying to reach one.
- **More Than Just an Assessment** — The rich theoretical underpinnings of the profile provide a pathway to transformation.
- **Highly Validated**—The *Leadership Circle Profile™* is one of the most reliable and validated tools on the market. It measures leadership traits that impact results, and it measures what it says it will measure. Independent studies have found a significant correlation to a leader's *Leadership Circle Profile™* results, and their perceived contribution to business results.
- **Time Efficient** — The profile reveals the current state. It allows coaches and other employee partners to immediately meet their clients where they are without spending valuable coaching time finding out where that is.
- **Proven Effective** — Seasoned consultants and coaches consistently report that the *Leadership Circle Profile™* enables them to have their most productive sessions. They agree it is the most powerful 360-degree assessment for leadership, while being remarkably easy to use and understand.

By deploying the *Leadership Circle Profile™*, Columbia Bank will receive a faster return on the investment you are making in your leaders because the instrument drives a more focused development plan and quicker results.

## #2: The Integrative Enneagram Personality Profile for Each Leader

The Integrative Enneagram (IEQ) tool is designed to unlock effectiveness and speed development. The IEQ Intelligent Questionnaire provides an in depth look at leadership behaviors and motivators. This report is designed to disrupt unconscious ways of working by providing highly accurate insights that will support each executive in bringing their best to the workplace.

Each report is customized for the individual leader and includes the following leadership modules:

- Main Enneagram Type
- Strain Profile - Identify Stress Levels in Seven Domains
- Communication and Feedback Preferences
- Conflict Resolutions Tendencies
- Decision Making Skills
- Management and Leadership Style
- Team Behavior and Dynamics

## #3: Leadership Coaching for Your Leader

Your leader will be paired with a seasoned leadership coach who has had experience working with leaders from similar industries and professions. 20 hours of coaching over a six to nine month period of time will be provided. These sessions will be provided both in person and virtually. Coaching sessions can occur in 30 minute, 1 hour or 2 hour sessions.

We recommend no more than three weeks between coaching sessions to ensure consistent growth, momentum and follow-through. Results from the Leadership Circle Profile and Enneagram will be incorporated into the coaching sessions creating a seamless and cohesive coaching experience.

As part of the coaching process, your leader will work with his coach to identify those areas for development and create a Leader Development Plan. Your leader will review this plan with his supervisor for final approval. This plan serves as a baseline, a place to start the growth and development. We know that change is a constant and these plans will adapt as needed to emerging challenges and opportunities.

Approximately three months into the coaching engagement, there will be a midway progress meeting with the coach, leader and leader's supervisor. This will be an opportunity to acknowledge growth and adjust the development plan, if needed.

At the end of the coaching engagement there will be a completion meeting with the supervisor to review progress and discuss next steps. At any time, an appropriate representative may request a progress report or update.

All coaching sessions are considered confidential between coach and client. So specific information will not be shared unless the leader chooses to do so. Engagement, meeting times and length of session as well as high level themes can be shared.

## The Results

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Some tools and results you can expect by investing in Leader Development and Coaching.

Leaders will:

- Increase effectiveness leading teams
- Decrease blind spots and lead from strengths
- Gain skill in coaching, listening, and empowering others
- Increase emotional competence, thereby increasing leadership effectiveness
- Build trust and strong network of relationships
- Deliver feedback in an empowering way that creates forward action
- Learn frameworks for collaboration
- Understand and practice the power of appreciation

## The Investment and Invoicing Plan

Offering	Cost per leader
Completion of The Leadership Circle 360 Survey, Integrative Enneagram, draft of development plan and initial in person coaching intensive to launch the coaching process. Fees include administration, printed reports, scheduling and debrief of assessments and four hours of in person coaching and phone meeting with supervisor.	\$4500.00 will be invoiced at completion of this offering
16 Hours of coaching to be provided in person, phone or virtually in segment of 30 or 60 minutes at a minimum of two hours per month. Fees include scheduling, planning and midway and completion meeting with supervisor.	\$1900 a month will be invoiced at the first of the month for the following 5 months
Total	\$14,000

Thank you for your consideration of this proposal. We have a team of experienced leadership coaches who are committed to working in partnership to ensure your development needs are achieved. We are offering our best thinking to address your leadership development challenges, and we are open to discussing any questions, concerns, or requested changes you may have.

We look forward to this partnership!

Carol Zizzo  
COO  
Phone: (206) 686-4400 x. 13  
email: [carol@henleyleadership.com](mailto:carol@henleyleadership.com)