



City of Lake Stevens Vision Statement

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

CITY COUNCIL SPECIAL MEETING AND WORKSHOP MEETING AGENDA BY REMOTE ACCESS ONLY Lake Stevens, Washington

Tuesday, December 15, 2020 – 6:00 p.m.

Zoom log in information:

<https://us02web.zoom.us/j/83466375118>

or call in at 253-215-8782, Meeting ID: 834 6637 5118

Call Meeting to Order – Mayor

Roll Call – City Clerk

Special Meeting:

Consent Agenda

- Cancel December 22, 2020 Meeting - Kelly
- City Council Meeting Minutes of December 1, 2020 – Kelly
- City Council Meeting Minutes of December 8, 2020 - Kelly
- Ordinance No. 1102 Amending Budget Ordinances 1079 and 1095 - Barb
- Resolution 2020-20 - Designating the Finance Director as the Official Authorized to Declare Intent - Barb
- Bill of Sale – Water Main Connection to the Mill – Eric/Aaron

Workshop Agenda:

- Joint Meeting with Planning Commission and Park Board – Russ
- Sno-Isle Library Lease Request - Gene
- Stormwater Management Utility Fee – Lake Stevens School District – Shannon

THE PUBLIC IS INVITED TO ATTEND BUT WILL NOT BE ALLOWED TO COMMENT

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) 622-9400, at least five business days prior to any City meeting or event if any accommodations are needed. For TDD users, please use the state's toll-free relay service, (800) 833-6384, and ask the operator to dial the City of Lake Stevens City Hall number.

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

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

Tuesday, December 1, 2020, at 7:00 p.m.
By Remote Participation via Zoom

CALL TO ORDER: 7:00 p.m. by Mayor Brett Gailey

ELECTED OFFICIALS PRESENT: Mayor Brett Gailey, Councilmembers Kim Daughtry, Gary Petershagen, Shawn Frederick, Mary Dickinson, Anji Jorstad, Steve Ewing and Marcus Tageant

STAFF MEMBERS PRESENT: City Administrator Gene Brazel, Finance Director Barb Stevens, Community Development Director Russ Wright, Public Works Director Eric Durpos, Human Resources Director Anya Warrington, City Clerk Kelly Chelin, IT Director Troy Stevens, Senior Planner David Levitan, Assistant Planner Jill Needham and Police Chief John Dyer

OTHERS:

The meeting was called to order at 7:00 p.m. by Mayor Brett Gailey.

Ordinance re Salary Commission

Director Warrington explained that during the City Council Meeting on November 17, 2020, Councilmembers requested a draft ordinance and discussion on making changes to the Salary Commission's duties. Proposed changes include removing the salary commission's duty to establish the Mayor's salary. In order to make this change, Lake Stevens Municipal Codes 2.12.020 and 2.51 would need to be amended by Ordinance 1107.

The Council engaged in a discussion. The consensus of the Council was to not pass Ordinance 1107 but rather to have the Salary Commission meet again in January to reconsider the Mayor's salary.

Mayor Benefit Package

Director Warrington explained that during the City Council meeting on August 25, 2020, Ordinance 1093 was approved amending Chapter 2.12 of the Lake Stevens Municipal Code by adding new section 2.12.015 establishing the Mayor's position as full time. The Salary Commission established the Mayor's base salary at \$80,000 effective November 19, 2020.

She further explained that it is at the Council's discretion to authorize a benefit package for the Mayor. The following package is what staff recommend based on what current city employees are receiving and what full-time Mayors at comparable cities are receiving:

- AWC Trust Benefits (includes medical, dental, vision, EAP) or ability to opt out
- New York Life, AD&D and Long-Term Disability Insurance
- Deferred Compensation Match of up to 5%

If Council adopts Ordinance 1107 and wishes to amend the Mayor's salary, staff would recommend the average of comparable cities listed on Exhibit B, which is \$118,636 annually.

Council discussed the recommended benefits. The Council discussed a possible car allowance after COVID restrictions are lifted. The consensus of the Council was to support the recommendations for benefits for the Mayor and bring this item back for approval at the December 8, 2020 meeting.

Code Amendments re Permissible Use Table

Planner Needham explained that as commercial land uses continue to expand and the city explores ways to facilitate greater economic development, staff has been considering ways to simplify and improve the permissible use table in LSMC 14.40, which currently includes overly detailed uses and antiquated terminology that has required numerous code interpretations in recent years. Planning Department staff has researched permissible uses in cities of similar size and land use patterns and begun developing a framework for an updated use table and related LSMC chapters, including subarea regulations and infill housing standards.

Staff briefed the Planning Commission on October 21 and November 18 and will be bringing back an early draft of the proposed use table amendments for them to review in January 2021. Land Use Code amendments are a Type VI land use application, with the Planning Commission making a recommendation to the City Council. The overall process is expected to take approximately 5-6 months, with potential amendments coming before the Planning Commission in February or March 2021 before the City Council holds a public hearing in March or April.

Council agreed with the changes and thanked the staff for their work on this.

The following item will be moved to the December 8 Council Meeting:

Budget Amendment

Executive Session.

The meeting recessed to Executive Session at 7:53 p.m. for approximately 10 minutes to discuss real property acquisition per RCW 42.30.110 (1)(c).

The meeting reconvened to regular session at 8:04 p.m.

Councilmember Frederick reminded everyone to wear a mask.

There being no further business the meeting was adjourned at 8:05 p.m.

Brett Gailey, Mayor

Kelly M. Chelin, City Clerk

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

Tuesday, December 8, 2020
By Remote Participation via Zoom

CALL TO ORDER: 6:00 p.m. by Mayor Brett Gailey

ELECTED OFFICIALS PRESENT: Mayor Brett Gailey, Councilmembers Kim Daughtry, Gary Petershagen, Shawn Frederick, Mary Dickinson, Anji Jorstad, MarcusTageant and Steve Ewing

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 Anya Warrington, City Clerk Kelly Chelin, Senior Accountant and City Attorney Greg Rubstello

Call to Order:

The Mayor called the meeting to order at 6:00 p.m.

Pledge of Allegiance:

Mayor Gailey led the Pledge of Allegiance.

Approval of Agenda:

MOTION. Councilmember Daughtry made a motion, seconded by Councilmember Jorstad, to approve the agenda. The motion passed 7-0-0-0.

Roll Call:

All Councilmembers were present.

Citizen Comments:

Mark Somers. Mr. Somers thanked the Council for not passing the Ordinance regarding the Salary Commission. He is instead glad that the Salary Commission will meet again in January.

Earl Gray. Mr. Gray thanked the Council for trusting in the Salary Commission and not taking away their authority. He also made a few comments about a private/public partnership with the Civic Center Campus project.

Council Business:

Councilmember Jorstad reported on the Health Board meeting she attended, she stated that COVID numbers are very high in Snohomish County.

Councilmember Frederick urged everyone to continue to mask up, wash your hands and social distance.

Councilmember Dickinson stated she was grateful for the newsletters getting to the senior community. She urged everyone to mask up, wash your hands and social distance.

Councilmember Ewing reminded everyone about the Barnes bridge dedication on Friday at 1:00. Also, he will be at the Fire Station on Saturday morning at 8:00 a.m. filling sandbags to help the residents along Hartford.

Councilmember Tageant reported that the Winter Festival Market was great, and everyone had a good time. He will also be filling sandbags this Saturday. He thanked the Police Department for their work on catching a suspect who crawled in a drainpipe.

Mayor's Business:

Mayor Gailey reported that Volunteers of America were able to put the CARES money from the City to good use and helped many residents in the City. He also reported that he is continuing to talk to the CEO of Volunteers of America about getting a community resource center in Lake Stevens.

City Update:

Director Wright reported that the City received a \$5,000 grant from the County, and he thanked County Councilmember Low for his assistance. This grant will be used to upgrade Sunset Beach Park. He also reported that Community Development is nearing 1000 permits for this year.

Police Chief Dyer reported that the Police Department has received a temporary occupancy permit for their new station. He thanked everyone for their help and support in the move.

Consent Agenda:

MOTION: Councilmember Daughtry made a motion, seconded by Councilmember Ewing, to approve the consent agenda. The motion passed 7-0-0-0.

The consent agenda included the following:

Vouchers

City Council Regular Meeting Minutes of November 24, 2020

Full-time Mayor Benefits

Resolution 2020-06 Transferring Property to Washington Department of Transportation

Resolution 2020-07 Transferring Property to Washington Department of Transportation

Public Hearing:

Ordinance 1105 and Ordinance 1106 – Comprehensive Plan Amendments for 2020

Senior Planner Levitan explained that this public hearing was scheduled to consider City-initiated text and map amendments and associated rezones. Under the Growth Management Act, the City can amend its Comprehensive Plan and Future Land Use Map once per year, with a few exceptions, through an annual docket process. The City is proposing City initiated map amendments and text amendments to the Land Use Element, Parks Element, Public Services and Utilities Element and Capital Facilities Element; other Minor Administrative Amendments to the Comprehensive Plan; and amendments to the Downtown Lake Stevens Subarea Plan (LUA2019-0004), included in Ordinance 1105. The proposed text amendments consist of primarily housekeeping updates. The docket also includes associated amendments to the zoning map, which are included in Ordinance 1106.

Senior Planner Levitan reviewed each amendment with the Council.

Mayor Gailey opened the meeting for public comments at 6:43 p.m.

Marc. Marc stated that he did not receive a letter or notification that his zoning was changing.

Frank Juno, lives on 117th. Mr. Juno stated that he was east of one of the parcels and he is concerned about the wildlife.

Mayor Gailey closed the public hearing for public comments.

Council continued in their discussion.

Mayor Gailey closed the public hearing at 6:59 p.m.

MOTION. Councilmember Jorstad made a motion, seconded by Councilmember Ewing, to approve Ordinance 1105 and Ordinance 1106 Comprehensive Plan Amendments for 2020.

AMENDMENT TO THE MOTION. Councilmember Daughtry made an amendment, seconded by Councilmember Dickinson, to take out the 17th properties out of this document with the exception of the City property as public/semipublic. The motion passed 7-0-0-0.

ORIGINAL MOTION VOTE AS AMENDED: The motion passed 7-0-0-0.

Action Items:

Ordinance 1101 – 2021 Budget

MOTION. Councilmember Ewing made a motion to remove Ordinance 1101-2021 Budget from Action Items and move it to Discussion Items since there is no action on this Ordinance tonight.

Public Works Shop Remodel – Construction Contract Award

Director Drops explained that bids for this project were opened at 2:00 p.m. on December 2, 2020. The City received twelve bids with a low bid from American West Construction, LLC of Enumclaw, of \$1,214,909. The Lake Stevens Public Works Tenant Improvement project is the 2,910 sf renovation and 2,910 sf mezzanine addition in an existing 10,030 sf building. The existing building shell is CMU with 6" slab-on grade, and wood framed roof. New mezzanine will be wood framed with engineered products. New floor finishes will be carpet, sheet vinyl, and vinyl plank. New interior walls are 2x wood construction with gypsum wallboard. In addition to the construction contract, the City requests a 15% management reserve for \$182,091 to account for additional costs that are inherent in remodel projects.

The call for bids was advertised on November 6, 2020 and November 11, 2020 in the Daily Journal of Commerce and the Everett Daily Herald. The City has reviewed bids, verified references for the low bidder and completed debarment checks. Construction is anticipated to begin in January 2020.

MOTION. Councilmember Daughtry made a motion, seconded by Councilmember Frederick, to authorize the Mayor to execute a Public Works Contract with American West Construction, LLC in the amount of \$1,241,909 with a contingency of \$182,091 for a total construction cost of \$1,397,000. The motion passed 7-0-0-0.

Discussion Items:**Ordinance 1101 – 2021 Budget**

Finance Director Stevens explained that budget amendments adjust the specific line items that will be affected by purchase or contract awards. Amendments are being proposed in revenue and expenditure line items throughout the funds. Proposed amendments are based on changes in estimates, or other obligations related to grants, previously approved projects or new requests.

She explained all of the amendments in each fund:

- General Fund
- 101 - Street Fund
- 410 - Storm Water Management Fund
- 214 - 019A Bond Fund (and related REET 1 Transfer)
- 302 - Park Mitigation Fund
- 303 – REET I
- 304 – REET II
- 540 – Aerator (Lake Management) Fund

This Ordinance will come back for action at the December 15, 2020 meeting.

Before recessing to Executive Session, Councilmember Jorstad asked that a few residents that were in the waiting room and couldn't join the meeting during Citizen Comments earlier be able to speak now.

MOTION. Councilmember Jorstad made a motion, seconded by Councilmember Dickinson, to allow citizen comment for no longer than 10 minutes (2 minutes each). The motion passed 7-0-0.

Jessica Wadham. Jessica thanked the Council for not passing the Ordinance regarding the Salary Commission. She also spoke to changing the Council time to 6:00 p.m. and is concerned with Councilmember Jorstad who cannot easily make the 6:00 p.m. start time due to work.

Kari. Kari also stated that she was waiting in the waiting room and could not get into the meeting. She also asked the Council to reconsider adding citizen comments to the end of the meeting.

Nathan Packard. Mr. Packard asked that the Council packets include page numbers.

Helen, Vernon Road. Helen thanked the Council for supporting the Salary Commission. She asked that there be more clarity on the agenda about citizen comments/public hearings.

Executive Session.

The meeting recessed to executive session at 7:21 p.m. to discuss litigation or potential litigation per RCW 42.30.110 (1)(i) for approximately 15 minutes.

At 7:37 p.m. the executive session was extended for 3 minutes.

At 7:40 p.m., the executive session was extended for 3 minutes.

The meeting reconvened to regular session at 7:44 p.m.

Action Items:

MOTION. Councilmember Tageant made a motion, seconded by Councilmember Ewing to move Ordinance 1108 forward: Ordinance Of The City Of Lake Stevens, Washington Providing For The City Of Lake Stevens To Assume The Full And Complete Management And Control Of The Lake Stevens Sewer District Under The Provisions Of RCW 35.13a.030 And 35.13a.020; Subject To A Referendum As Provided In RCW 35.13a.115; Providing For Severability, Summary Publication By Ordinance Title Only And An Effective Date. The motion passed 7-0-0-0.

Adjourn:

MOTION. Councilmember Daughtry made a motion, seconded by Councilmember Jorstad, to adjourn the meeting at 7:47 p.m. The motion passed 7-0-0-0.

Brett Gailey, Mayor

Kelly M. Chelin, City Clerk



LAKE STEVENS CITY COUNCIL
STAFF REPORT

Council Agenda Date: December 15, 2020

Subject: 2020 Budget Amendment #3

Contact Person/Department: Barb Stevens/ Finance

Budget Impact: Yes

RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:

ADOPT: Ordinance No. 1102 Amending Budget Ordinances 1079 and 1095.

SUMMARY/BACKGROUND:

Throughout the year the City Council authorizes various purchase requests and agreements. At the time of authorization, the budget impact is presented to the Council as part of the information required in order for the Council to make an informed decision. The budget amendment follows to adjust the specific line items that will be affected by purchase or contract awards.

Amendments are being proposed in revenue and expenditure line items throughout the funds. Proposed amendments are based on changes in estimates, or other obligations related to grants, previously approved projects or new requests.

No additional changes have been made since presented on December 8th, 2020.

Summary of Ordinance 1102 - Amendment #3 to the 2020 Budget – CITYWIDE

Budget Action	Budgeted Beginning Balance	Budgeted Resources	Budgeted Expenditures	Budgeted Ending Balance
2020 Original Budget - 1071	\$31,121,718	\$43,474,883	\$50,477,474	\$24,119,127
Budget Amendment #1 - 1079	\$3,925,844	\$4,431,747	\$8,674,370	(\$316,779)
Budget Amendment #2 - 1095	\$0	\$889,927	\$1,801,781	(\$911,854)
Budget Amendment #3 - 1102	\$0	\$6,812,028	\$7,705,337	(\$893,309)
Totals	\$35,047,562	\$55,608,585	\$68,658,962	\$21,997,185

Summary of Ordinance 1102 – Amendment #3 to 2020 Budget by FUND

Fund #	Fund Name	Change in Beginning Balance	Change in Resources	Change in Expenditures	Change in Ending Balance
001	General	\$0	\$3,646,573	\$3,747,874	(\$101,301)
101	Street	\$0	\$22,697	\$0	\$22,697
214	2019A LTGO Bond	\$0	\$206	\$206	\$0
301	Cap. Proj. -Dev. Contrib. Traffic	\$0	\$3,000,000	\$3,000,000	\$0
302	Park Mitigation	\$0	\$0	\$556,000	(\$556,000)
303	Cap. Imp.-REET	\$0	\$0	\$224,267	(\$224,267)
304	Cap. Improvements	\$0	\$121,250	\$121,250	\$0
410	Storm and Surface Water	\$0	\$21,302	\$16,350	\$4,952
540	Aerator Equip (Lake Treatment)	\$0	\$0	\$39,390	(\$39,390)
	Total	\$0	\$6,812,028	\$7,705,337	(\$893,309)

APPLICABLE CITY POLICIES:

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

BUDGET IMPACT:

The budget ordinance will amend revenues and expenditures in the funds set forth in the ordinance.

ATTACHMENTS:

- ▶ Attachment A: Ordinance No. 1102
- ▶ Attachment B: Budget Amendment Detail

**CITY OF LAKE STEVENS
LAKE STEVENS, WASHINGTON
ORDINANCE NO. 1102**

AN ORDINANCE OF THE CITY OF LAKE STEVENS, WASHINGTON, AMENDING THE 2020 BUDGET AS SET FORTH IN ORDINANCE NO. 1071 AND AS AMENDED IN ORDINANCE NOS. 1079 AND 1095 CONCERNING FUND BALANCES, REVENUES AND EXPENDITURES FOR VARIOUS FUND BALANCES FOR THE YEAR 2020; PROVIDING FOR SUMMARY PUBLICATION BY ORDINANCE TITLE, AND FOR AN EFFECTIVE DATE.

WHEREAS, the City of Lake Stevens adopted the 2020 budget pursuant to Ordinance No. 1071 and amended the budget in Ordinances 1079 and 1095; and

WHEREAS, the City of Lake Stevens will receipt revenues and incur expenditures in categories and amounts other than anticipated in the adopted 2020 budget; and

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

SECTION 1. The 2020 budget, as adopted in Ordinance No. 1071 and as amended in Ordinances 1079 and 1095, is hereby amended as follows:

<i>Fund</i>	<i>Description</i>	<i>Current Budget</i>	<i>Amended Budget</i>	<i>Amount of Inc/(Dec)</i>	<i>ExpRev</i>
001 - General	Revenues	\$19,209,299	\$22,855,872	\$3,646,573	Rev.
001 - General	Expenditures	\$19,107,252	\$22,855,126	\$3,747,874	Exp.
001 - General	Ending Fund Balance	\$10,652,693	\$10,551,392	(\$101,301)	EndBal.
101 - Street	Revenues	\$2,570,031	\$2,592,728	\$22,697	Rev.
101 - Street	Ending Fund Balance	\$2,030,873	\$2,053,570	\$22,697	EndBal.
214 - 2019A LTGO Bond	Revenues	\$433,996	\$434,202	\$206	Rev.
214 - 2019A LTGO Bond	Expenditures	\$433,996	\$434,202	\$206	Exp.
301 - Cap. Proj - Dev. Contrib.	Revenues	\$6,377,464	\$9,377,464	\$3,000,000	Rev.
301 - Cap. Proj - Dev. Contrib.	Expenditures	\$9,534,499	\$12,534,499	\$3,000,000	Exp.
302 - Park Mitigation	Expenditures	\$2,230,076	\$2,786,076	\$556,000	Exp.
302 - Park Mitigation	Ending Fund Balance	\$876,020	\$320,020	(\$556,000)	EndBal.
303 - Cap. Imp. - REET I	Expenditures	\$789,829	\$1,014,096	\$224,267	Exp.
303 - Cap. Imp. - REET I	Ending Fund Balance	\$4,323,657	\$4,099,390	(\$224,267)	EndBal.
304 - Cap. Imp. - REET II	Revenues	\$3,175,378	\$3,296,628	\$121,250	Rev.
304 - Cap. Imp. - REET II	Expenditures	\$5,216,145	\$5,337,395	\$121,250	Exp.
410 - Storm & Surface Water	Revenues	\$3,269,730	\$3,291,032	\$21,302	Rev.
410 - Storm & Surface Water	Expenditures	\$4,693,584	\$4,709,934	\$16,350	Exp.
410 - Storm & Surface Water	Ending Fund Balance	\$237,498	\$242,450	\$4,952	EndBal.
540 - Aerator Equip (Lake Treatment)	Expenditures	\$38,000	\$77,390	\$39,390	Exp.
540 - Aerator Equip (Lake Treatment)	Ending Fund Balance	\$66,225	\$26,835	(\$39,390)	EndBal.

SECTION 2. Except as set forth above, all other provisions of Ordinance 1071 and as amended in Ordinances 1079 and 1102 shall remain in full force, unchanged.

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

PASSED by the City Council of the City of Lake Stevens this 15th day of December, 2020.

Brett Gailey, Mayor

ATTEST/AUTHENTICATION:

Kelly Chelin, City Clerk

APPROVED AS TO FORM:

Greg Rubstello, City Attorney

Presented: December 8, 2020
Final Reading: December 15, 2020

Published:
Effective:

Project	Fund	Fund #	Revenue/Expenditure Account	Type	Budgeted	Total Amended	New Budget	Notes
Annexation	GF	001	UGA-RUTA-Annexation	Exp	\$35,000	\$33,000	\$68,000	Consultant - Annexation Census
Cavelero	PM	302	Cavelero Park	Exp	\$124,034	\$56,000	\$180,034	Cavelero Park Sign - Potentially shared cost w/SnoCo
Civic Center	REET	303	Civic Center	Exp	\$0	\$224,061	\$224,061	Stowe - Civic Center Study
NorthCove 1	PM	302	Transfer Out	Exp	\$105,030	\$500,000	\$605,030	Interfund transfer of cash for North Cove phase 1 project from Park Mitigation.
SWM Op	SWM	410	Capital Expenditures	Exp	\$47,487	\$16,350	\$63,837	Sandbag Machine
Lake Maintenance	Aerator	540	Lake Maintenance	Exp	\$38,000	\$39,390	\$77,390	SnoCo)
Bond Fees	Bond	214	2019A Bond Fees	Exp	\$300	\$206	\$506	Pro Rated fee from October 2019
Bond Fees	Bond	214	Interfund Transfer In	Rev	\$433,996	\$206	\$434,202	Transfer to cover bond fee
Bond Fees	Bond	303	Transfer Out New PD	Exp	\$433,996	\$206	\$434,202	Transfer to cover bond fee
Frontier Heights	REET	304	Commerce Grant	Rev	\$0	\$121,250	\$121,250	Playground Grant reimbursement
Frontier Heights	REET	304	Frontier Heights Park	Exp	\$400,000	\$121,250	\$521,250	Playground Expense
COVID	GF Reserve	002	TREAS Fed Ind 21.019 - SC	Rev	\$0	\$194,372	\$194,372	CARES Pass thru Grant from SnoCo
COVID	GF Reserve	002	CVSC - Grant Pass Thru	Exp	\$0	\$194,372	\$194,372	COVID Related SBG - SnoCo
COVID	GF	001	TREAS Fed Ind 21.019	Rev	\$992,400	\$452,201	\$1,444,601	Additional CARES Grant Revenues
COVID	Street	101	TREAS Fed Ind 21.019	Rev	\$0	\$22,697	\$22,697	Allocation of Revenues by Fund for Sal/Ben
COVID	SWM	410	TREAS Fed Ind 21.019	Rev	\$0	\$21,302	\$21,302	Allocation of Revenues by Fund for Sal/Ben
COVID	GF Reserve	002	CV - Supplies	Exp	\$40,860	\$45,262	\$86,122	COVID Related Expenses
COVID	GF Reserve	002	CV - Services	Exp	\$0	\$48,378	\$48,378	COVID Related Expenses
COVID	GF Reserve	002	CV - Grant Pass Thru	Exp	\$415,000	\$426,862	\$841,862	Small Business & Human Services Grants
20th St SE	GF Permit	003	Interfund Loan	Exp	\$0	\$3,000,000	\$3,000,000	Loan required due to delayed TIB grant reimbursement
20th St SE	TM	301	Interfund Loan Receipt	Rev	\$0	\$3,000,000	\$3,000,000	Loan required due to delayed TIB grant reimbursement
20th St SE	TM	301	Interfund Loan Repay	Exp	\$0	\$3,000,000	\$3,000,000	Loan required due to delayed TIB grant reimbursement
20th St SE	GF Permit	003	Interfund Loan Repay Receipt	Rev	\$0	\$3,000,000	\$3,000,000	Loan required due to delayed TIB grant reimbursement



LAKE STEVENS CITY COUNCIL
STAFF REPORT

Council Agenda Date: December 15, 2020

Subject: Res. 2020-20 Designating the Finance Director as the Official Authorized to Declare Intent

Contact Person/Department: Barb Stevens/ Finance

Budget Impact: No

RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:

ADOPT: Resolution 2020-20 designating the Finance Director as the official authorized to make declarations of official intent on behalf of the City.

SUMMARY/BACKGROUND:

The City of Lake Stevens' capital plan over the next few years contains many capital projects with varying schedules and funding sources. These sources often include grant revenues and debt financing options.

The process of issuing debt financing can take 3-4 months. This process generally does not begin until after the bid award, so the amount of debt needed is known. This could potentially delay the start of the projects, unless the City loans itself funding from other sources.

Additionally, as Council is aware, the City has been awarded significant grants for projects that are underway, and recently learned that the State grant program is backed by revenues that are volatile in the current COVID economy. This will delay the reimbursement of funds already spent by the City, for at least a year and in some cases more.

Due to the timing delay associated with receipt of the grant revenues, long term bond proceeds, land sale proceeds, and impact fees, the City must often use other funds to cover the temporary shortfall. This requires doing interfund loans.

Resolution 1994-15 & 2010-8 allow the Finance Director to make interfund loans as needed.

In the case of reimbursement of expenditures by debt financing mechanisms, an additional resolution is required to declare the City's official intent to reimburse those funds prior to, or within 60 days of, the spending. These reimbursements are not always needed, but we consistently bring forward a resolution to protect our ability to do the reimbursement if needed.

This resolution, like the Interfund loan resolutions, would give the Finance Director authority to make future declarations of intent by completing and filing a form, versus bringing individual resolutions to Council for approval. This approach will save time for Council and staff.

APPLICABLE CITY POLICIES:

Treasury Regulation Section 1.150-2

ATTACHMENTS:

- ▶ Attachment A: Resolution 2020-20
- ▶ Exhibit A: Declaration of Official Intent to Reimburse Expenditures from Proceeds of Bonds

CITY OF LAKE STEVENS, WASHINGTON
RESOLUTION NO. 2020-20

A RESOLUTION of the City of Lake Stevens, Washington, designating the Finance Director as the official authorized to make declarations of official intent on behalf of the City.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE STEVENS, WASHINGTON, as follows:

Section 1. Findings.

1.1. The City of Lake Stevens, Washington (the “City”), from time to time may reasonably expect to make expenditures for capital projects (or certain extraordinary working capital expenditures) from funds that are available but that are not (and are not reasonably expected to be) reserved, allocated on a long-term basis or otherwise set aside for those expenditures, and would reasonably expect to be reimbursed for those expenditures from proceeds of bonds or other obligations issued to finance those expenditures.

1.2. Certain federal regulations (the “federal reimbursement regulations”) relating to the use of proceeds of tax exempt bonds or other obligations (“bonds”) to reimburse the issuer of the bonds for expenditures made before the issue date of the bonds require, among other things, that not later than 60 days after payment of the original expenditure the City (or any person designated by the City to do so on its behalf) declare a reasonable official intent to reimburse those expenditures from proceeds of bonds.

Section 2. Designation of Official to Declare Official Intent. The Finance Director of the City is designated to make declarations of official intent, substantially in the form attached to this resolution as Exhibit A or in such other form as shall be prescribed by Treasury Regulation Section 1.150-2 (as it may be amended or superseded), on behalf of the City as may be necessary or appropriate from time to time for any purpose under, and in compliance with, the requirements of the federal reimbursement regulations.

Section 3. Effective Date; Ratification and Confirmation. This resolution shall be in full force and effect from and after its adoption and approval. All actions of the City or its officers prior to the date thereof and consistent with the terms of this resolution are ratified and confirmed.

The foregoing resolution was ADOPTED by the City Council of the City of Lake Stevens, Washington, at a regular open public meeting thereof this 15th day of December, 2020.

Brett Gailey, Mayor

ATTEST:

Kelly Chelin, City Clerk

EXHIBIT A

**Declaration of Official Intent to
Reimburse Expenditures from Proceeds of Bonds**

I, the undersigned [insert name] , am the duly appointed, qualified and acting Finance Director of City of Lake Stevens, Washington (the “City”), and, as such, have been designated by the City to make declarations of official intent on behalf of the City when necessary or appropriate for any purpose under, and in compliance with, the requirements of certain federal regulations (the “federal reimbursement regulations”) relating to the use of proceeds of tax exempt bonds or other obligations (“bonds”) to reimburse the City for capital expenditures (and certain extraordinary working capital expenditures) made by the City before the issue date of the bonds. On behalf of the City, I make the following declaration of official intent under the federal reimbursement regulations:

1. Description of Project for Which Expenditures are to be Made. The City intends to make (and/or, not more than 60 days before the date of this declaration, has made) expenditures, and reasonably expects to reimburse itself for those expenditures from proceeds of bonds, for the following project, property, or program (the “Project”):

[Insert general functional description of the Project or, alternatively, identify the name and functional purpose of the fund or account from which the expenditures will be made:] _____

2. Maximum Principal Amount of Obligations Expected to be Issued for the Project. The City expects that the maximum principal amount of bonds that will be issued to finance the Project will be \$ _____.

3. Declaration Reasonable. I have reviewed the existing and reasonably foreseeable budgetary and financial circumstances of the City, and have determined that the City reasonably expects to reimburse itself for expenditures for the Project from proceeds of bonds because the City has no funds available that already are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside by the City for those expenditures on the Project.

4. Limitations on Uses of Reimbursement Amounts. The City will not, within 1 year after the expected reimbursement, use amounts corresponding to proceeds received from bonds issued in the future to reimburse the City for previously paid expenditures for the Project in any manner that results in those amounts being treated as replacement proceeds of any tax exempt bonds, i.e., as a result of being deposited in a reserve fund, pledged fund, sinking fund, or similar fund (other than a bona fide debt service fund) that is expected to be used to pay principal of or interest on tax exempt bonds. Nor will the City use those amounts in any manner that employs an abusive arbitrage device to avoid arbitrage restrictions.

5. Date of Declaration. This declaration of official intent is dated _____, 20__.

CITY OF LAKE STEVENS, WASHINGTON

By _____
Its Finance Director



LAKE STEVENS CITY COUNCIL
STAFF REPORT

Council Agenda

Date: December 15, 2020

Subject: Bill of Sale – Water Main Connection to the Mill (Fire Suppression System Connection)

Contact Eric Durpos, Public Works Director and Aaron **Budget** \$1
Person/Department: Halverson, Capital Projects Coordinator **Impact:** _____

RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL: Motion to authorize the Mayor to sign the Bill of Sale transferring ownership of the ductile iron water main installed by the City that provides water service to the fire suppression system in the Mill to Public Utility District No. 1 of Snohomish County.

SUMMARY/BACKGROUND: The City's contractor installed a 4-inch water connection between the PUD water main in Main Street and the Mill to serve the fire suppression system. This is considered an extension of the public water system owned by PUD water and must become the property of the water district via the attached bill of sale.

APPLICABLE CITY POLICIES:

BUDGET IMPACT: Public Utility District No. 1 of Snohomish County will pay the City \$1 for the water main.

ATTACHMENTS:

- ▶ Attachment A: Water Main – Bill of Sale

BILL OF SALE

KNOW ALL MEN BY THESE PRESENTS THAT City of Lake Stevens, the first party, for and in consideration of the sum of **One and no/100** Dollars, lawful money of the United States of America, paid by the PUBLIC UTILITY DISTRICT NO. 1 OF SNOHOMISH COUNTY, hereinafter called the “District”, the receipt whereof is hereby acknowledged, and for other consideration, including the District’s agreement to maintain and provide water service through the personal property conveyed hereby does by these presents grant, bargain, sell, and convey unto the District and its assigns: **Pavilion Building Fire Service**

The following described personal property consisting of, but not limited to, the materials and equipment comprised of water mains installed in place, as required to serve the Plat of **Pavilion Building Fire Service WE # 910**

Installed Materials & Equipment (Onsite)	Capital Cost
4" Cl 52 Ductile Iron Water Main, 31 l.f.	\$1,969.65
8" Cl 52 Ductile Iron Water Main, 1.f.	\$
12" Cl 52 Ductile Iron Water Main, 1.f.	\$
5-¼” Fire Hydrant Assembly, ea.	\$
1” Developer Pre-run Water Service, ea.	\$
Sub-Total:	\$1,969.65
9% W.S.S.T.:	\$177.27
Total:	\$2,146.92
10% Maintenance Bond	\$214.69

TO HAVE AND TO HOLD the same to the said District and its assigns forever. And said First Party for itself, its heirs, executors, and administrators covenants and agrees to and with the said District and assigns, to warrant and defend the sale of the said property, goods and chattels hereby made unto the District and assigns, against all and every person and persons whomsoever lawfully claiming or to claim the same. First Party does further warrant to District and assigns that said property is free and clear of all encumbrances of any kind; that no other persons have any legal or equitable ownership interest in said property; that said First Party has not received any assistance or contribution in the form of money, labor, or material giving rise to any ownership or lien interest in said property, that said First Party has not entered into any verbal or written agreements with other persons concerning such property, including agreements as to the future costs, expenses, or usage of such property; and that First Party has free and clear title thereto and is authorized to convey the same. First Party further warrants that the properties above described have been installed with suitable and proper workmanship and material and guarantees that in the event of any failure of said property within a period of two (2) years from_____by reason of any defect either in workmanship or material, the District may cause the same to be repaired or replaced and First Party will pay the District’s costs therefor.

IN WITNESS WHEREOF, _____ ha_____ hereunto set hand____ and seal____ the_____ day of _____, A.D. 2020.

_____	_____
_____	_____
_____	_____

STATE OF WASHINGTON)

ss

COUNTY OF SNOHOMISH)

I, the undersigned, a Notary Public, do hereby certify that on this _____ day of _____, 20____, personally appeared before me _____ and _____ his wife, to me known to be the individual____ described in and who executed the within instrument, and acknowledged that _____ signed the same as a free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal the day and year in this certificate above written.

Notary Public in and for the State of Washington,
residing at _____
My Appointment expires _____

STATE OF WASHINGTON)

ss

COUNTY OF SNOHOMISH)

I, the undersigned, a Notary Public, do hereby certify that on this _____ day of _____, 20____, personally appeared before me _____ and _____, his wife, to me known to be the individual____ described in and who executed the within instrument, and acknowledged that _____ signed the same as a free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal the day and year in this certificate above written.

Notary Public in and for the State of Washington,
residing at _____
My Appointment expires _____

(FOR CORPORATE ACKNOWLEDGMENT)

STATE OF WASHINGTON)

ss

COUNTY OF SNOHOMISH)

On this _____ day of _____, A.D., 20____ before me personally appeared _____ President, and _____ to me known to be the _____ Secretary, of the corporation that executed the within and foregoing instrument, and each acknowledged that said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned and each on oath stated that they were authorized to execute said instrument, and that the seal affixed is the corporate seal of said corporation. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.

Notary Public in and for the State of Washington,
residing at _____
My Appointment expires _____



LAKE STEVENS CITY COUNCIL STAFF REPORT

Council Agenda Date: December 15, 2020

Subject: Joint City Council / Planning Commission Workshop

Contact Person/ Department:	Russ Wright, Community Development Director	Budget Impact:	Project Specific
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RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:

The recommended action is for the City Council to review and discuss the 2021 Long-Range Planning Work Program as presented. Action will take place by consent at a regular meeting

BACKGROUND

The following Comprehensive Plan and Code Amendments were processed by staff and reviewed by the Planning Commission or City Council and approved by City Council in 2020:

- 2019 Comprehensive Plan
 - Land Use Updates w/ advisory Committee
 - Zoning
 - Subdivision
 - Infill
 - Waterfront Task Force Recommendations
- Content Based Signs
 - Multifamily Tax Exemption
 - Affordable Housing Tax Funding
 - Permanent design guidelines
 - Floodplain Updates
 - Mobile Food Vendors

The following Code Amendments are in process and should be adopted in the first quarter of 2021:

Land Use

- Permissible Use Table
- SEPA Exemption

Process

- International Code Updates
- Title 17 Code Enforcement

There are two carryover items that are part of the 2021 work plan, with impact fee review starting in early 2021.

Two annexations are nearing completion in early 2021: Machias Industrial and SE Interlocal.

City Council reviews the long-range work plan annually. The 2021 work program primarily includes the Planning Commission's and PCD 2021 long-range work plan (see Attachment A).

Code Amendments

As indicated above, the 2021 work plan contains some carry-over amendments from the 2020 work plan in addition to new proposed code changes.

- **Impact Fee Review** (carryover) – The city needs to review its impact fee code; analyze current impact fee amounts and adopt standards for annexed areas.

- **Lot Status** – This code amendment would replace an out of date Administrative Policy and implement Attorney General findings on how to determine legal lots of record.
- **Tourist Home Update** – Over the last year, staff has become aware of several Air BNB rentals on the lake through code enforcements actions. Many of these rentals cannot meet the city's current tourist home regulations. This amendment would address this emerging market and develop performance standards to ensure compatibility with neighboring residences.
- **Code clean up** (carryover) – This project would be a comprehensive overview of the zoning code to identify inconsistencies and clarify any ambiguous sections.
- **Non-conforming Code** – Review outdated non-conforming chapters to ensure that they mesh with other code sections and contain best practices. It will be processed as time allows.
- **Tiny House / Micro Housing** – The city allows tiny homes that meet building code and zoning standards for manufactured homes. This project would explore specific land use policies to permit tiny houses. Recent proposed changes to GMA will consider tiny homes. If these amendments are passed, this amendment will need to be pushed out to implement state level changes.
- **Review Process Code** – Audit processing sections of the city's zoning code to make sure it is streamlined while providing ample opportunity for public input. Recent proposed changes to GMA will consider public engagement. If these amendments are passed, this amendment will need to be pushed out to implement state level changes.
- **Placeholder** – The city has received a private code amendment application requested modified buffers for marijuana processing facilities in the industrial zones.

Comprehensive Plan Docket

The City will process the following amendments to the Comprehensive Plan:

- Land Use Element
- Capital Facilities Element
- Shoreline Master Program – limited amendments to remove references to multifamily housing in the Waterfront Residential District to harmonize with the zoning code.

In addition, staff will prepare a scope of work for a neighborhood or subarea plan for the Hartford / Machias industrial areas focused on infrastructure needs and economic development. Staff will continue to process annexations including an Interlocal Agreement with Snohomish County to consider annexing the remaining northern portion of the UGA.

Staff is ready to discuss any of the work plan items. It should be noted, the work plan is subject to change and addition as the city receives citizen-initiated code amendments that the City Council may want to consider, or other code changes initiated by the city in response to case law or legislative changes.

APPLICABLE CITY POLICIES

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

BUDGET IMPACT

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

ATTACHMENTS

A – 2021 Master Schedule



DRAFT 2021 Long Range Work Program

Lake Stevens 2021 Long Range Work Program					
Amendments	1 st quarter	2 nd quarter	3 rd quarter	4 th quarter	Status / Notes
Zoning Code					
1. Impact Fee Update	PC	CC			Carryover
2. Lot Status	PC	CC			Streamline Code
3. Tourist Home Update (Air BNB)		PC	CC		Several under code enforcement
4. Non-conforming Code		PC	CC		Streamline Code
5. Code Clean Up			PC	CC	Carryover
6. Review Process Code 14.16A and 14.16B	TBD				Streamline Code
7. Tiny Houses	TBD				
8. Place holder	TBD				
Comprehensive Plan / Economic Development					
1. Annual Docket (if needed) a. Land Use Element b. Capital Facilities	PC / CC	PC	PC	PC / CC	Annual Update / Council Directed
2. Shoreline Master Program	PC / CC	PC / CC	PC	PC / CC	Amend sections related to multifamily housing and zone changes per recommendations of Task Force, PC and CC in 2020
3. Hartford / Machias Industrial Subarea Plan	PC / CC	PC	PC / CC		Economic Development
4. RUTA Analysis	Ongoing				
5. Economic Development Marketing Materials	Ongoing				
Annexations					
1. Northeastern Interlocal Annexation Island	PC	CC			Implement Annexation Plan
2. Petition Placeholder					

1st Quarter January through March

2nd Quarter April through June

3rd Quarter July through September

4th Quarter October through December



LAKE STEVENS PARK AND RECREATION PLANNING BOARD

STAFF REPORT

Agenda Date: December 15, 2020

Subject: Parks and Recreation Planning Board 2021 Work Program

Contact Jill Meis, Parks Planning & Dev. Coordinator **Budget** N/A

Person/Department: Russ Wright, Comm. Development Director **Impact:**

RECOMMENDATION(S)/ACTION REQUESTED OF PARKS AND RECREATION PLANNING BOARD: Review, update and approve 2021 Work Program.

SUMMARY/BACKGROUND:

The Parks and Recreation Planning Board (Parks Board) had a busy 2020 despite the setbacks from COVID-19. Parks Board worked to bring initiatives forward to the City Council and accomplished most of its work program. Highlights in Parks for 2020 include:

- Adoption of the first Master Trails Program
- Frontier Heights redevelopment including playground equipment
- North Cove Phase II design
- Adopt-a-Community volunteer policy
- Coordination with Arts and Parks Foundation
- Comprehensive Plan Update for Parks Chapter
- Public Hearing for Davies Beach name adoption
- Eagle Scout project selection
- Code amendment for efficiency of reviewing event applications that propose alcohol
- 20th Street Ballfields preliminary design charrette
- The first recreation programs provided to the community via Skyhawks
- Rented 20th Street Ballfields for the first time to be used for lacrosse clinics

The Parks Board will continue the mission of advising the City Council, staff and Mayor on planning, acquisition, development and recreation in the community. The board members will consider ways to expand recreation and events in 2021 in order to foster community pride and improve the quality of life for the residents of Lake Stevens. Possible future events include laser light shows, food festivals and arts festivals. A survey has been distributed to ask the community what events they want added.

APPLICABLE CITY POLICIES: LSMC 2.56

BUDGET IMPACT: N/A

ATTACHMENTS:

- Exhibit A: Proposed Work 2021 Program



2021 PARK BOARD WORK PROGRAM

PROJECT	DESCRIPTION	SCHEDULE	PROJECT MANAGER
COMMUNITY OUTREACH			
1. Coordination with other groups	Coordination with the City Council, School District, Snohomish County and affected community groups on parks & recreation activities.	On-going	Jill / Russ
2. Park Naming	Public outreach to recommend names for 20 th Street Ballfield after Master Plan is complete.	3 rd Quarter	Jill / Park Board
3. Adopt-A-Community	<p>Work with staff to help facilitate volunteer assistance with community projects in parks and events with service clubs, scouting groups and other volunteers.</p> <ul style="list-style-type: none"> • This includes developing a list of projects, schedules and appreciation/recognition for volunteers. • Increase outreach to community businesses to partner on volunteer opportunities. 	On-going	Jill / Park Board
4. Quarterly Events	Develop and work on the coordination of special community events including but not limited to festivals, sporting events and other events.	Quarterly	Dawn / Park Board
5. Arts & Parks Foundation	The Park Board elect 2 members from board to serve on the Arts & Parks Foundation board and provide updates	1st Quarter, On-going	Park Board



2021 PARK BOARD WORK PROGRAM

PARK / PROJECT DESIGN			
1. Trail Master Plan	Review plans for Phase I provide input on trail amenities and design.	1 st Quarter	Parks Board/ Jill
2. Special Tasks (carryover)	Review and make recommendations for Spring Event and future events to be added.	TBD	Dawn/ Parks Board
3. Art in the Parks	Review location of art installation in Parks.	On-going	Jill / Parks Board
PROCESS			
1. Develop Recreation Request for Proposal (RFP)	Review and provide feedback for recreation programming to be included in RFP.	1 st Quarter	Jill / Parks Board
2. Code Review (carryover)	Review and/or make recommendations on proposed municipal code amendments including park impact fees, review of Title 10 Parks and Recreation, recommendations on open spaces, commercial park uses, etc.	TBD	Jill
3. Plaques and Memorials in Parks	Adopt standards for plaques and memorials within parks.		Jill

**2021 PARK BOARD WORK PROGRAM**

Capital Projects			
1. Sunset Park	Review design and provide feedback	1 st Quarter	Jill
2. 20th Street Ball Fields	Plan for types of usage and master plan layouts.	1 st Quarter Quarter	Jill
3. Eagle Ridge	Review planting plans, playground layouts and other amenities. Consider development of lower portion for mountain bike and hiking trails.	3 rd Quarter	Jill
4. Frontier Heights	Provide feedback on exercise stations, labyrinth and sensory garden options for Phase II.	3 rd Quarter	Jill
5. Consider location for a climbing wall	Review city parks to determine the best park to plan for the addition of a climbing wall as a unique amenity	2nd Quarter Jill	Jill

2021 Schedule will be every month unless additional meetings are required and requested with advance notice.

- 1st Quarter January through March
- 2nd Quarter April through June
- 3rd Quarter July through September
- 4th Quarter October through December.



LAKE STEVENS CITY COUNCIL
STAFF REPORT

Council Agenda December 15, 2020
Date: _____

Subject: Sno-Isle Library Lease Request

Contact

Person/Department: Gene Brazel, City Administrator

Budget

Impact: tbd

RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL: **Discussion with the Council.**

SUMMARY/BACKGROUND:

As part of the downtown plan, the City of Lake Stevens has worked closely with Sno-Isle Library to find a temporary location to house library services until such time a permanent building can be constructed. The old police station on Grade Road has been explored but Sno-Isle has approached the City with the concept of leasing a space on the west side of Lake Stevens and has asked the City to participate in this lease financially. If this is entertained, I recommend the City participation be capped at an annual financial amount and a sunset clause. Participating in a lease would free up the old police station building for other city use. There is currently no funding source for this lease and it would be a general fund expense.

APPLICABLE CITY POLICIES:

BUDGET IMPACT: To be determined by the Council.

ATTACHMENTS: n/a



LAKE STEVENS CITY COUNCIL
STAFF REPORT

Council Agenda December 15,
Date: 2020

Subject: Stormwater Management Utility Fee – Lake Stevens School District

Contact
Person/Department: Shannon Farrant, Public Works

Budget
Impact:

See Exhibit A

RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL: Requesting Council’s review and input on the timeline and fee structure to transfer the Lake Stevens School District from their exempt status to non-exempt status for the Stormwater Management Utility Fees and to start paying on April 1, 2021.

SUMMARY/BACKGROUND:

To date the Lake Stevens School District has been considered exempt from Stormwater Management Utility Fees (SWM Fees). A rate study conducted in 2018 by FCS Group for the City of Lake Stevens (City) reviewed the SWM Fee structure and proposed a new method for calculating these fees that would meet the City’s current and future operational costs, additional National Pollution Discharge Elimination Systems (NPDES) permit compliance costs, and critical capital projects. Ordinance 2018-022 passed in August 2018 that changed SWM Fee calculations to an Equivalent Service Unit (ESU) model. ESUs are charged at a flat fee of one ESU for all residential and multifamily residents, with five or fewer units. The Lake Stevens School District SWM Fees are calculated based on the amount of impervious surface divided by 3,000 square feet which is the average impervious surface amount per ESU. In 2021, one ESU is equivalent to \$242 dollars. A rate schedule was adopted with the 2018 Ordinance that outlines the incremental dollar amount increase per ESU through 2024.

The Lake Stevens School District owns 17 parcels, a total of 3,763,064.11 square feet of impervious surface was calculated for these 17 parcels. This equates to 1,254.35 ESUs or \$303,552.70 dollars based on the 2021 ESU fee.

The City may offer a credit not to exceed 10% of the total SWM Fee per year for environmental education.

The City proposes implementing these fees starting April 1, 2021. The 2021 fees would be prorated for April 1, 2021 – December 31, 2021 which would equate to \$227,664.53 dollars. SWM Fees would be billed to the Lake Stevens School District annually at the end of the first quarter (April 1, 2021).

For a detailed explanation of the SWM Fee calculation per parcel please see Exhibit A.

APPLICABLE CITY POLICIES: Ordinance 2018-022, LSMC 11.04.040, LSMC 11.04.050, and LSMC 11.04.070

BUDGET IMPACT: See Exhibit A

ATTACHMENTS:

- ▶ Exhibit A – Lake Stevens School District Stormwater Rate Study Review

Lake Stevens School District Stormwater Rate Study Review

Background

The City of Lake Stevens (City) passed Ordinance 2018-022 in August 2018 that changed the way the stormwater management utility fee was calculated based on the independent rate study conducted by FCS Group. The rate study evaluated the current (as of 2018) stormwater fee calculations and four options, or levels of service (LOS), to revise rate calculations starting in 2019. The drivers for these options included operational deficits, additional National Pollution Discharge Elimination Systems (NPDES) permit compliance costs, and critical capital projects. The City adopted FCS Group's recommendations for LOS option #3 which would fund existing operations, NPDES requirements, and high priority capital projects. In the new rate model adopted, the City has converted to an Equivalent Service Use (ESU) model, beginning in 2019 (LSMC 11.04.050). One ESU equates to 3,000 square feet of impervious surface and the cost per ESU follows the Stormwater Management Utility Rate Schedule outlined through 2024 (Table 1). To date, the City has considered the Lake Stevens School District (School District) as fully credited from stormwater management utility fees. The School District is considered as an "Other Customer" in Table 1 and therefore the stormwater management utility rate is calculated based on the amount of impervious surface divided by 3,000 square feet to determine the number of ESUs.

Table 1. Stormwater Management Utility Rate Schedule

Table 1A: Stormwater Management Utility		
Type	Impervious Area per Equivalent Service Unit	Annual Rate per
Residential and Multifamily Residential with Five or Fewer Units ¹	NA	\$220 Year 2019 \$235 Year 2020 \$242 Year 2021 \$250 Year 2022 \$257 Year 2023 \$265 Year 2024
All Other Customers, Including Commercial and Multifamily Residential with Six or More Units	3,000 square feet	\$220 Year 2019 \$235 Year 2020 \$242 Year 2021 \$250 Year 2022 \$257 Year 2023 \$265 Year 2024
Undeveloped ²	NA	No Charge
State Highways		Set in accordance with RCW 90.03.525
Low Income Senior or Disabled Exemption		Set in accordance with Snohomish County guidelines

This document serves as a review of the School District's stormwater management utility fee.

Lake Stevens School District Stormwater Fee Calculation

The amount of impervious surface and number of ESUs were calculated for the School District. These areas were calculated by Snohomish County using the latest available aerial imagery (Appendix A). The

School District has 17 parcels, four parcels do not contain any impervious surfaces. There is a total of 3,763,064.11 square feet (86.39 acres) of impervious surface for all parcels. This equates to 1,254.35 ESUs. In 2021, 1 ESU is equivalent to \$242 dollars which would result in a stormwater management utility fee for the School District in the amount of \$303,552.70 dollars. See Table 2 for a breakdown of impervious surface area per school.

Table 2. Impervious Surface Calculations by School

MAP ID	Impervious Surface		Surface Type	School Name	ESU	2021 Cost Equivalent
	Area (acres)	Area (sq.ft)				
0	0.00	-	pervious surface	VACANT	0.00	\$ -
1	3.08	134,270.03	impervious surface	HIGHLAND ELEMENTARY	44.76	\$ 10,831.92
2	0.00	-	pervious surface	VACANT	0.00	\$ -
3	0.03	1,313.88	impervious surface	POSSIBLE ENCROACHMENT	0.44	\$ 106.48
4	21.10	919,297.48	impervious surface	LAKE STEVENS HIGH	306.43	\$ 74,156.06
4	1.98	86,094.95	artificial turf	LAKE STEVENS HIGH	28.70	\$ 6,945.40
5	1.25	54,557.14	impervious surface	GROUNDWORKS DEPARTMENT	18.19	\$ 4,401.98
6	1.12	48,792.86	impervious surface	EDUCATIONAL SERVICE CNTR	16.26	\$ 3,934.92
7	6.55	285,155.70	impervious surface	NORTH LAKE MIDDLE	95.05	\$ 23,002.10
8	4.96	216,087.27	impervious surface	MT PILCHUCK ELEMENTARY	72.03	\$ 17,431.26
9	10.14	441,629.54	impervious surface	LS MIDDLE/SKYLINE ELEM	147.21	\$ 35,624.82
10	3.17	137,924.19	impervious surface	GLENWOOD ELEMENTARY	45.97	\$ 11,124.74
11	4.20	182,866.95	impervious surface	SUNNYCREST ELEMENTARY	60.96	\$ 14,752.32
12	7.64	332,886.33	impervious surface	CAVALERO MID HIGH	110.96	\$ 26,852.32
12	1.74	75,790.88	artificial turf	CAVALERO MID HIGH	25.26	\$ 6,112.92
13	0.00	-	pervious surface	VACANT	0.00	\$ -
14	7.76	337,973.47	impervious surface	CAVALERO MID HIGH	112.66	\$ 27,263.72
15	7.13	310,618.49	impervious surface	STEVENS CREEK ELEMENTARY	103.54	\$ 25,056.68
16	4.54	197,804.96	impervious surface	HILLCREST ELEMENTARY	65.93	\$ 15,955.06
17	0.00	-	pervious surface	VACANT	0.00	\$ -
Total	86.39	3,763,064.11			1,254.35	\$ 303,552.70

Impervious Surface Definition

Impervious surface is defined by the Lake Stevens Municipal Code (LSMC) Chapter 11.04.040 (B) as “a hard surface area which either prevents or retards the entry of water into the soil mantle as it entered under natural conditions prior to development, and/or a hard surface area which causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces include, but are not limited to, roofs, walkways, patios, driveways, parking lots, storage areas, areas which are paved, graveled or made of packed or oiled earthen materials, or other surfaces which similarly impede the natural infiltration of surface and stormwater. Open, uncovered retention/detention facilities shall not be considered as impervious surfaces for the purpose of this chapter.”

A Hard Surface is defined in the Department of Ecology (DOE) 2014 Stormwater Management Manual of Western Washington (SWMMWW) as “An impervious surface, a permeable pavement, or a vegetated roof.” The artificial turf consists of permeable surfacing over an underdrain system and is similar to permeable pavement. In Vol III, Appendix III-C, Part 1 C.1, permeable pavement with “base material laid above surrounding grade with underlying perforated drain pipes to collect stormwater (either within or below base course)” are to be modeled as impervious surface which is a hard surface. In addition, the compacted earthen infields are considered impervious, per the DOE 2014 SWMMWW definition which includes “packed earthen materials”.

In 2018, Cavelero Middle School upgraded their field with artificial turf, at this time the City defined the newly installed artificial turf as impervious (2018 Drainage Report).

The School District has updated their athletic fields at Cavelero Middle School and Lake Stevens High School with a total of 161,885.83 square feet of artificial turf (Table 2). Under the current definition, artificial turf is considered an impervious surface because the design inhibits water from entering the soil mantle as it would under natural conditions and instead routes it through a drainage system. Artificial turf areas for these two fields equates to \$13,058.32 dollars (53.96 ESUs) in 2021.

Example Cities

Snohomish County has waived stormwater management utility fees for their school district in leu of in-kind services. The cost of in-kind services outweighs the stormwater utility fee.

The City of Bothell calculates the stormwater management utility fee for their school district the same as other parcels and does not offer the school district a credit. The school district pays based on areas of impervious surface; this includes artificial turf.

Current School District In-Kind Services or Education Services

Mike Snow, executive director of the Lake Stevens School District curriculum, was contacted on December 8, 2020 to discuss the current curriculum offered to students and how that curriculum may relate to surface water and stormwater management. In grades K-8, the School District follows the Amplify Science Curriculum which has a component that focuses on ecosystems, the water cycle, health of water systems, and the needs of plants and animals as it relates to clean water. This curriculum, currently, is not tied specifically to the Lake Stevens watershed and how actions within Lake Stevens impact the streams, Lake Stevens, and stormwater system in the City. In 8th grade, the School District has a component where they discuss the City stormwater system. In previous years, the City used to do a field trips at Cavelero Middle School where the City would take science classes to the detention pond and discuss health and purpose of the pond. In speaking with Mr. Snow, he is interested in partnering with the City to do more City and Lake related lessons to school aged students.

Education Credit Options

The City may offer the School District a credit on their stormwater management utility fee up to 10% of the total fee per year. Credit options may be granted based on the School District curriculum (LSMC 11.04.070). One example of qualifying curriculum may be the Washington Office of Superintendent of Public Instruction (<https://www.k12.wa.us/student-success/resources-subject-area/environment-sustainability>) environmental and sustainability education standards for education in grades K-12. The

School District would be required to submit annual documentation outlining the curriculum provided that would qualify for the credit.

Timeline for Stormwater Fee Implementation

The City proposes implementing the stormwater management utility fee to the School District started April 1, 2021. This start date would result in a prorated fee for 2021 (9 months) to be billed by the City at the end of the first quarter (April 1, 2021). A prorated fee for 2021 would equate to \$227,664.53 dollars.

References

2014 DOE (Department of Ecology). Stormwater Management Manual of Western Washington. Volume 1 Appendix G. Page 6. < [Western Washington Phase II Municipal Stormwater Permit - Washington State Department of Ecology](#) >

2018 Drainage Report. Lake Stevens Middle School Track Renovations Stormwater Site Plan. <[05 2018-06-08 LSMS - Drainage Report - COMBINED.pdf](#)>

[LSMC 11.04.040](#) Definitions

B. "Impervious surface" means a hard surface area which either prevents or retards the entry of water into the soil mantle as it entered under natural conditions prior to development, and/or a hard surface area which causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces include, but are not limited to, roofs, walkways, patios, driveways, parking lots, storage areas, areas which are paved, graveled or made of packed or oiled earthen materials, or other surfaces which similarly impede the natural infiltration of surface and stormwater. Open, uncovered retention/detention facilities shall not be considered as impervious surfaces for the purpose of this chapter.

[LSMC 11.04.050](#) Rates For Surface Water Drainage Services

A. Pursuant to and consistent with the "City of Lake Stevens Stormwater Rate Study Report" dated August 2018 which is adopted by this reference, the surface water utility rates and lake management benefit assessment for lakefront parcels to be paid to the City by the owners of developed land within the City of Lake Stevens are established as set forth in this chapter. The rate for stormwater services shall be charged whether the premises are occupied or vacant; provided the site contains impervious surface. An undeveloped parcel not containing impervious surface area will not be charged surface water utility rates. The service charge and lake management revenue needs of the program are based upon all or any part, as determined by the Council, of the cost of surface, stormwater, and lake management services or to pay or secure the payment of all or any portion of any issue of general obligation or revenue bonds issued for such purpose.

1. Single-Family Residential Units and Multifamily Residential Units with Five or Fewer Units. The average impervious area for a single-family residential unit is 3,000 square feet. This value is referred to as an equivalent service unit (ESU). The single-family residential unit charge shall be equivalent to one ESU and applied to each residential unit.

2. All Other Customers, Including Commercial and Multifamily Residential with Six or More Units. The service charge for all classes other than single-family residences will be based on the number of ESUs. The actual measured impervious area of each individual site will be divided by 3,000 square feet to determine the number of ESUs of the individual site. The computed rate shall not be less than that for one ESU.

- B. The surface water utility rates and lake management charges for all parcels in the City shall be as set forth in the fee resolution.
- C. The City Council will review the surface water utility service charges annually to ensure the long-term fiscal viability of the program and to guarantee that debt covenants are met. The program will use equitable and efficient methods to determine service charges. (Ord. 1032, Sec. 2, 2018; Ord. 674, 2003; Ord. 617, 1999; Ord. 597; 1999; Ord. 549, 1997)

[LSMC 11.04.070](#) Credits Allowed.

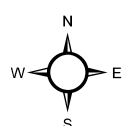
- A. Any person billed for service charges may file a "Request for Rate Adjustment" with the Public Works Director ("Director") or designee within two years of the date from which the bill was sent. However, filing of such a request does not extend the period for payment of the charge.
- B. Requests for rate adjustment may be granted or approved by the Director only when one of the following conditions exists:
 - 1. The parcel is owned and is the personal residence of a person or persons qualified as a low-income senior citizen or low-income disabled person under RCW 84.36.381;
 - 2. The actual impervious surface coverage of the parcel charged is in error;
 - 3. The parcel is nonresidential and the parcel meets the definition of open space as defined in this chapter. Parcels qualifying hereunder will be charged only for the area of impervious surface and at the rate which the parcel is classified under using the total parcel acreage;
 - 4. The parcel is owned or leased by a public school district which provides activities which directly benefit the City's surface water utility. The activities may include: curriculum specific to the issues and problems of surface and stormwater management, and student activities in the community to expose students to the efforts required to restore, monitor or enhance the surface and stormwater management system. Pursuant to RCW 36.89.085, the amount of the rate adjustment shall be determined by the Director based upon the cost of the activities to the school district but not to exceed the value of the activity to the surface water utility. Determination of which activities qualify for the surface water utility service charge reduction will be made by the Director or designee. Reductions in surface water utility charges will only be granted to the school district if they provide programs that have been evaluated by the Director or designee. The rate adjustment for the school district activity may be applied to any parcel in the service area which is owned or operated by the school district; or
 - 5. The utility charge bill was otherwise not calculated in accordance with the terms of this chapter.

Appendix A – Maps





 Parcel Boundary

0 0.3 0.6 Miles



Lake Stevens School District Properties


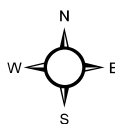


-  Impervious Surface
-  Parcel Boundary

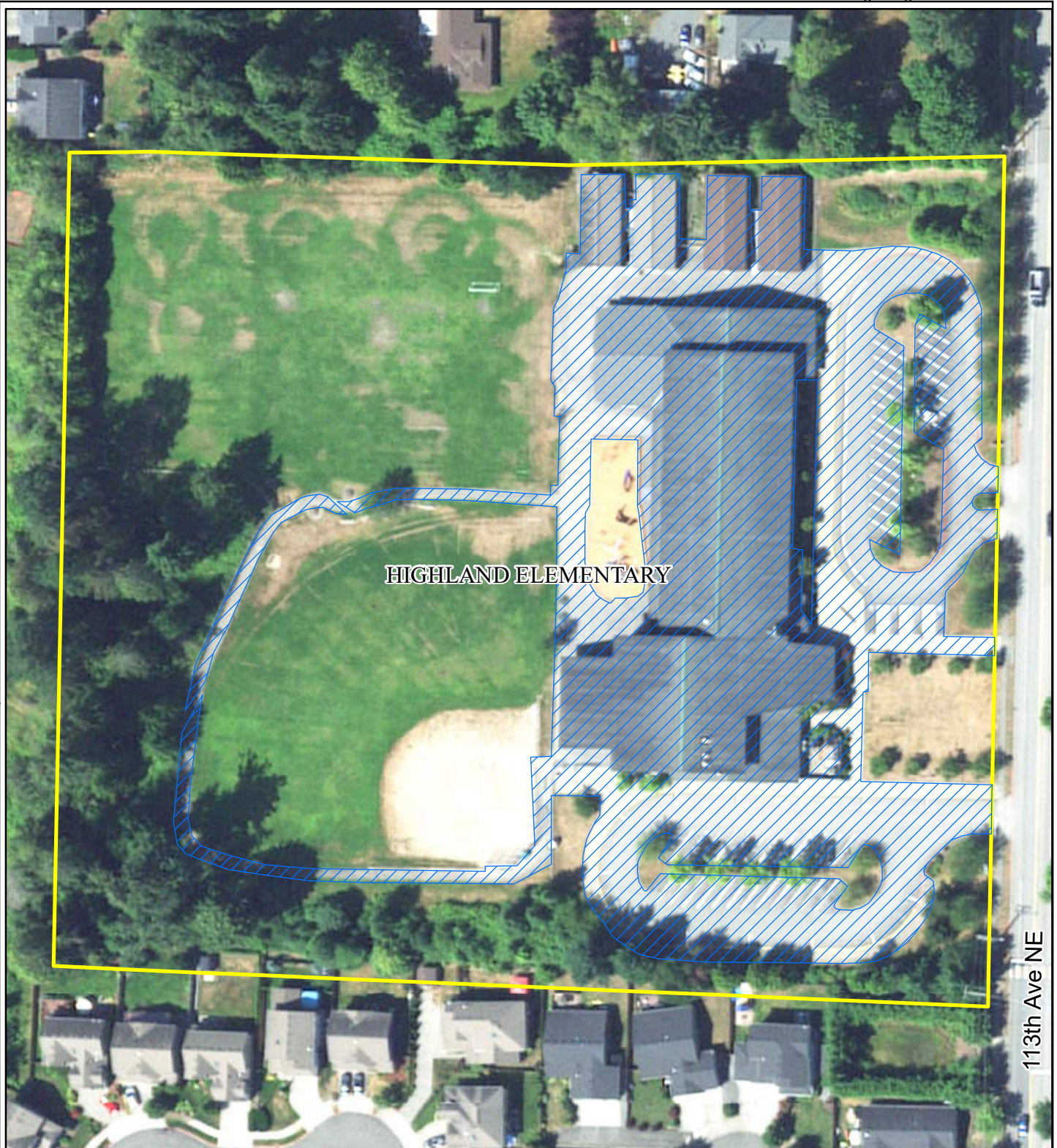
Lake Stevens School District
Parcel: 29060600202200
VACANT




Snohomish County
Public Works
Surface Water Management
425-388-3464

0 45 90 Feet

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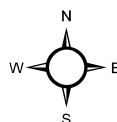


-  Impervious Surface
-  Parcel Boundary

Lake Stevens School District
Parcel: 29060600400700
HIGHLAND ELEMENTARY




Snohomish County
Public Works
Surface Water Management
425-388-3464

0 120 240 Feet

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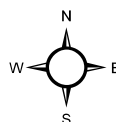


-  Impervious Surface
-  Parcel Boundary

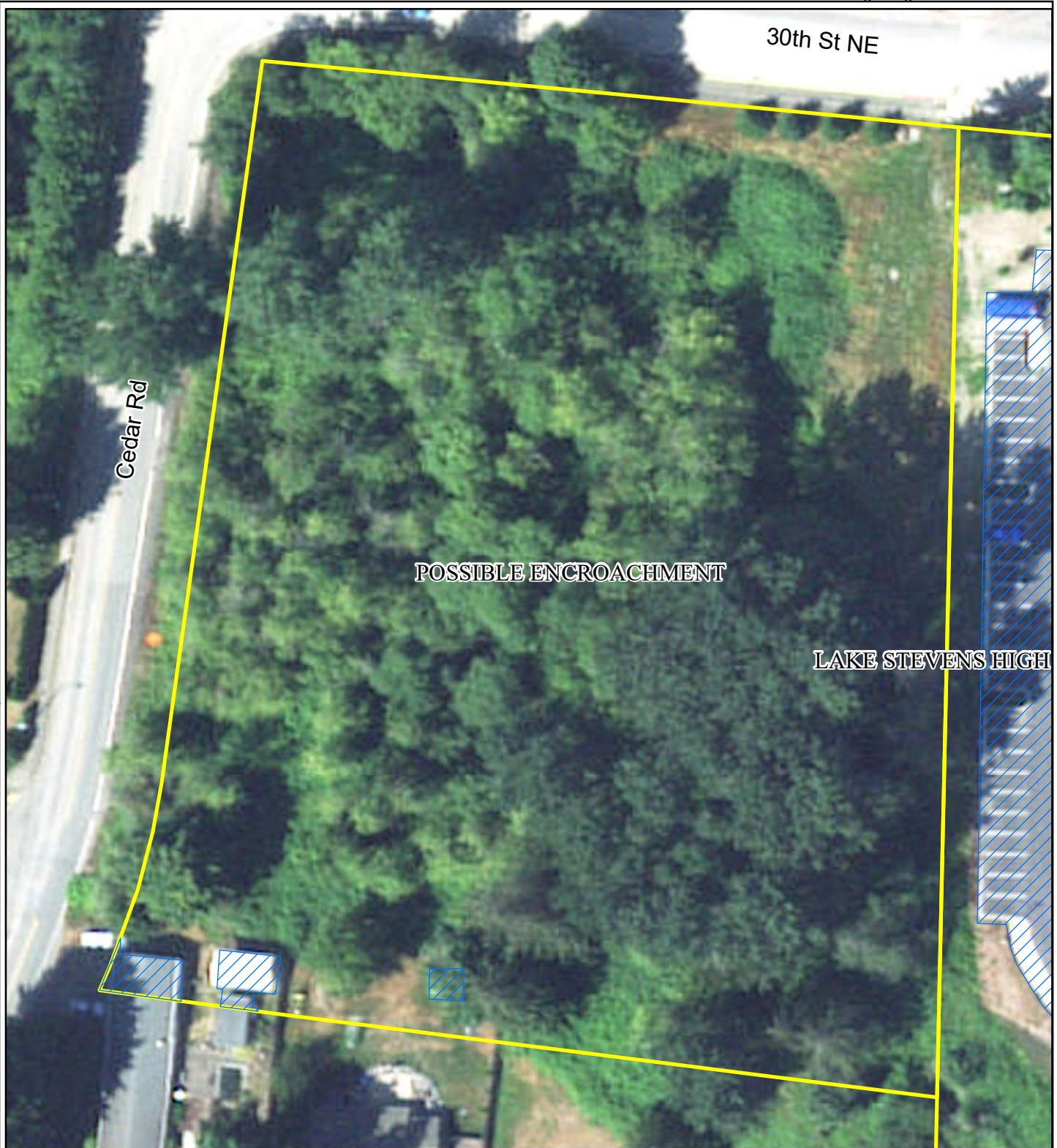
Lake Stevens School District
Parcel: 29050100401400
VACANT




Snohomish County
Public Works
Surface Water Management
425-388-3464

0 162.5 325 Feet

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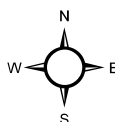


-  Impervious Surface
-  Parcel Boundary

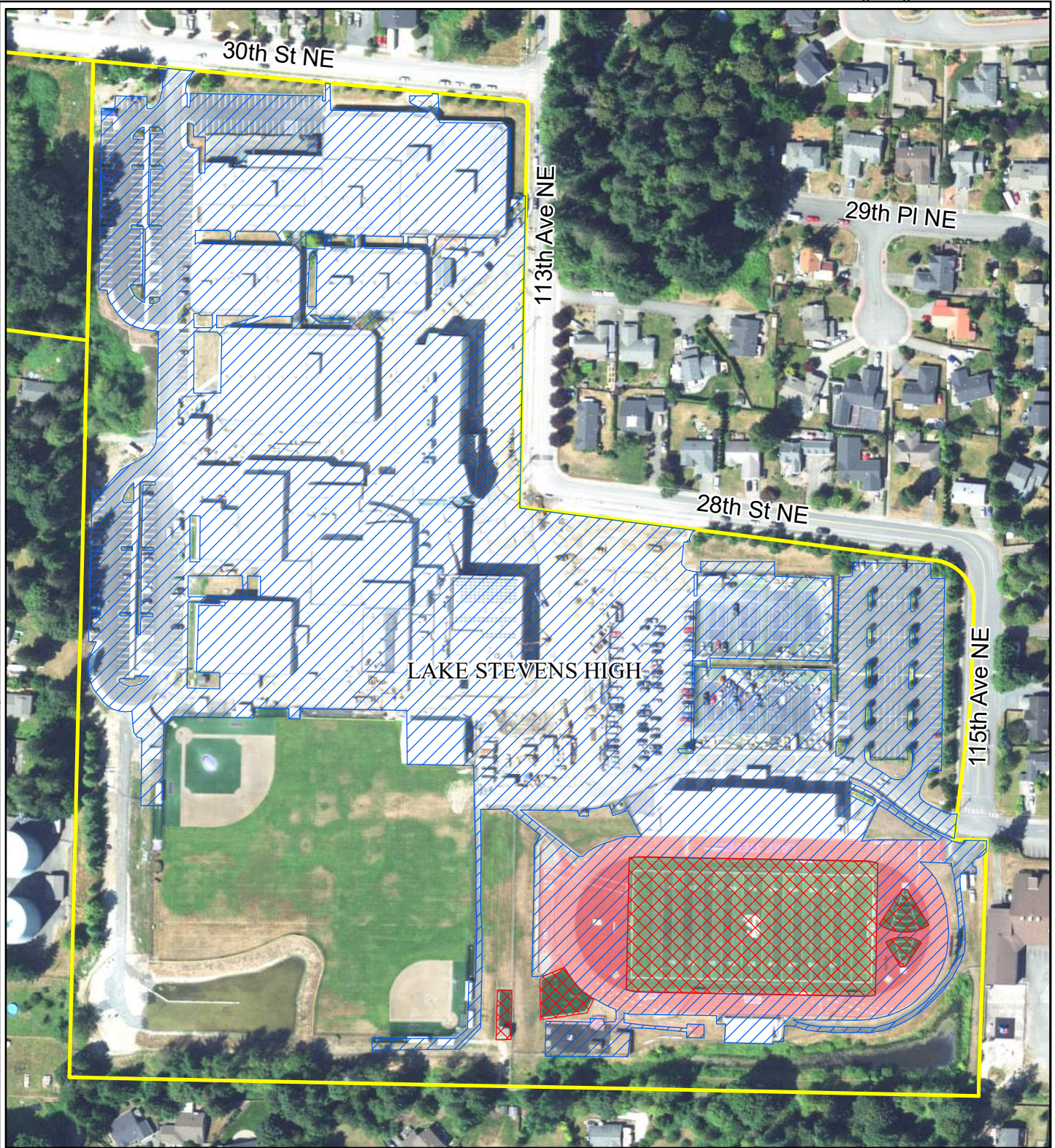
Lake Stevens School District
Parcel: 29060600402400
POSSIBLE ENCROACHMENT





Snohomish County
Public Works
Surface Water Management
425-388-3464

0 75 150 Feet



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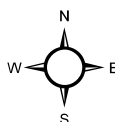


-  general impervious
-  artificial turf
-  Parcel Boundary

Lake Stevens School District
Parcel: 29060600402000
LAKE STEVENS HIGH




Snohomish County
Public Works
Surface Water Management
425-388-3464

0 265 530 Feet

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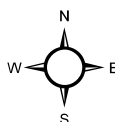


-  Impervious Surface
-  Parcel Boundary

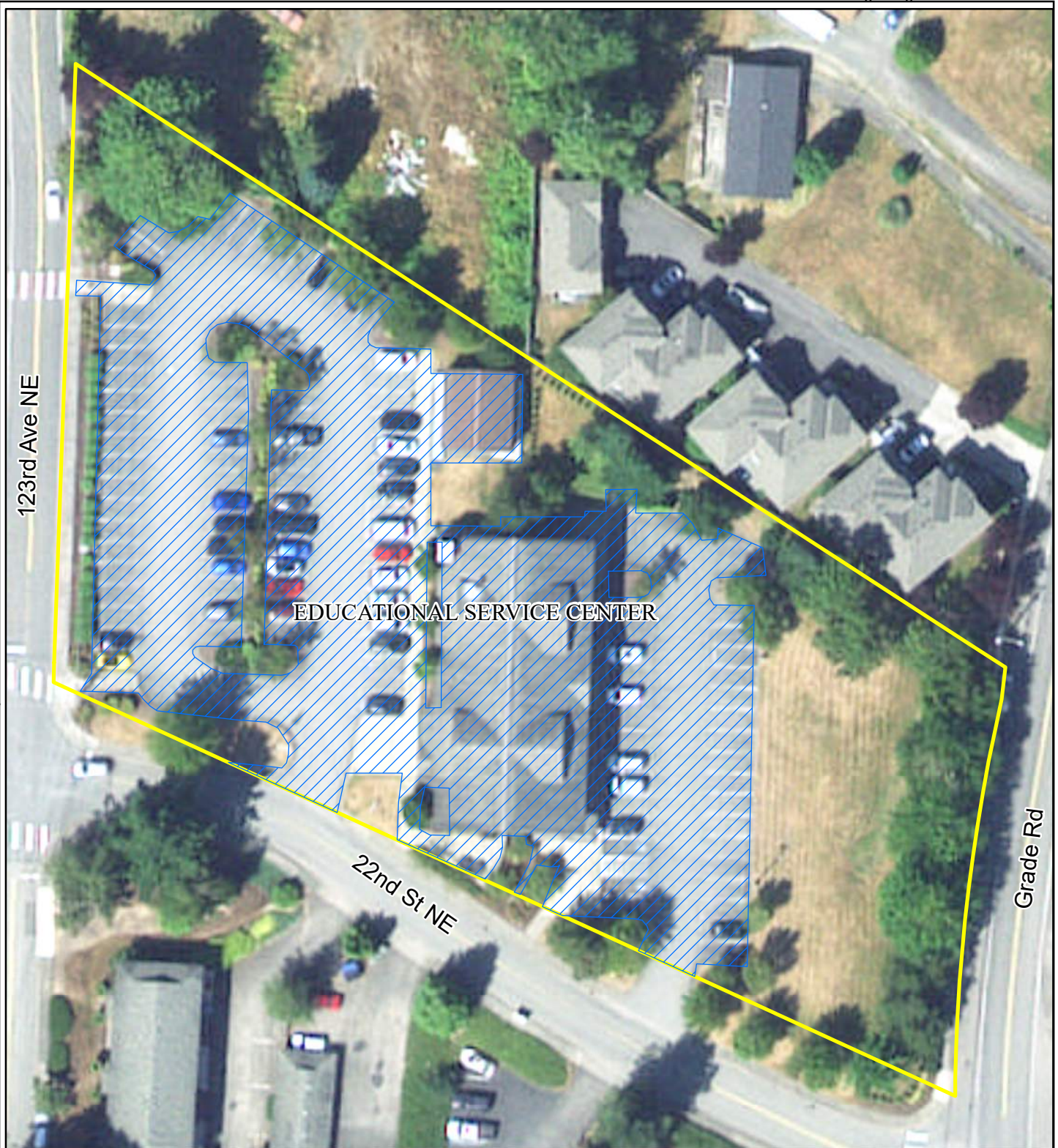
Lake Stevens School District
Parcel: 00562200000905
GROUNDS DEPARTMENT




Snohomish County
Public Works
Surface Water Management
425-388-3464

0 160 320 Feet



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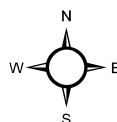


-  Impervious Surface
-  Parcel Boundary

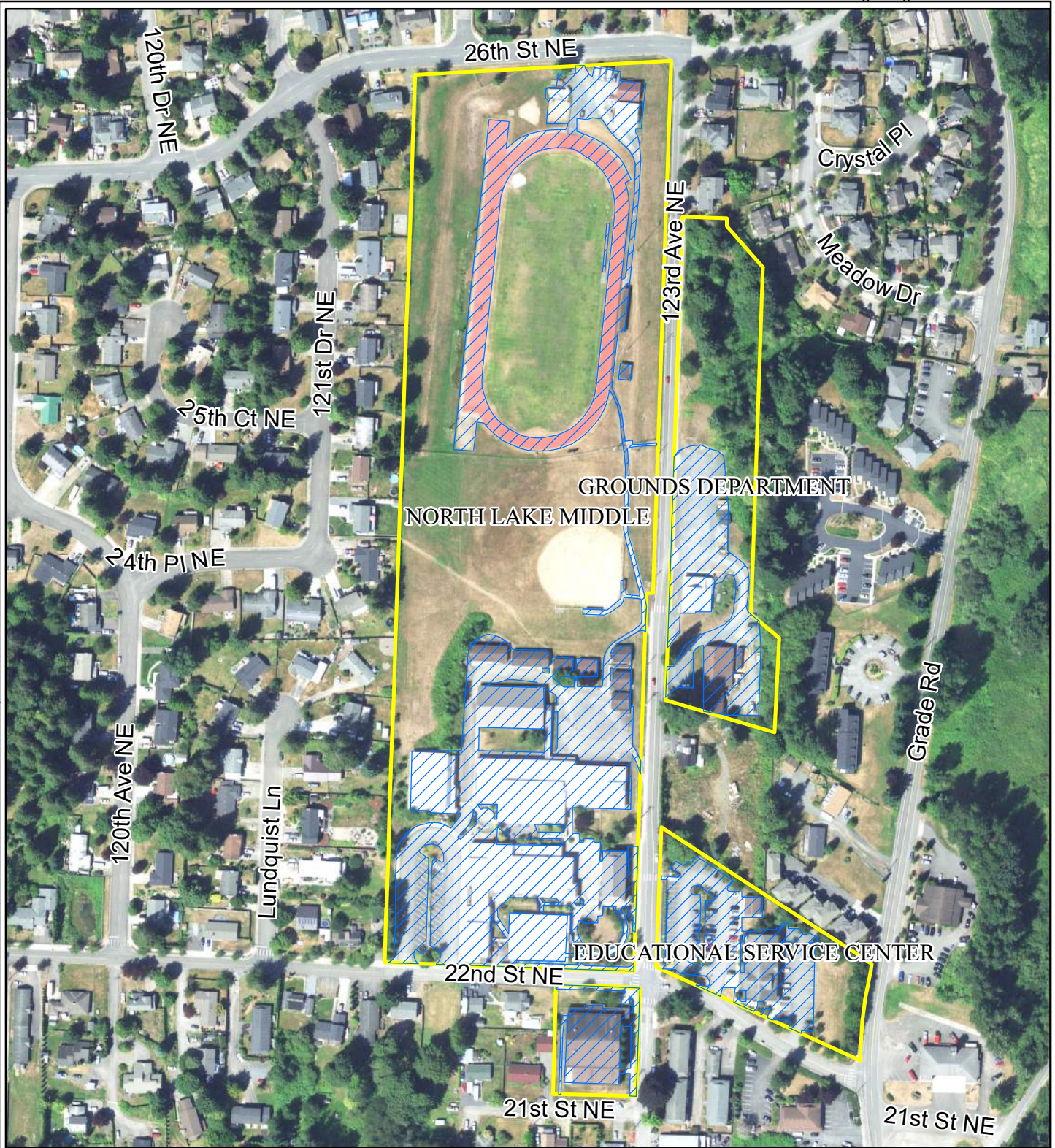
Lake Stevens School District
Parcel: 0056220000803
EDUCATIONAL SERVICE CENTER




Snohomish County
Public Works
Surface Water Management
425-388-3464

0 70 140 Feet

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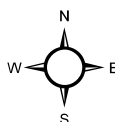


-  Impervious Surface
-  Parcel Boundary

Lake Stevens School District
Parcel: 29060800200400
NORTH LAKE MIDDLE




Snohomish County
Public Works
Surface Water Management
425-388-3464

0 325 650 Feet



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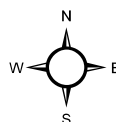


-  Impervious Surface
-  Parcel Boundary

Lake Stevens School District
Parcel: 29060800400100
MT PILCHUCK ELEMENTARY




Snohomish County
Public Works
Surface Water Management
425-388-3464

0 240 480 Feet

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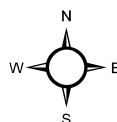


-  Impervious Surface
-  Parcel Boundary

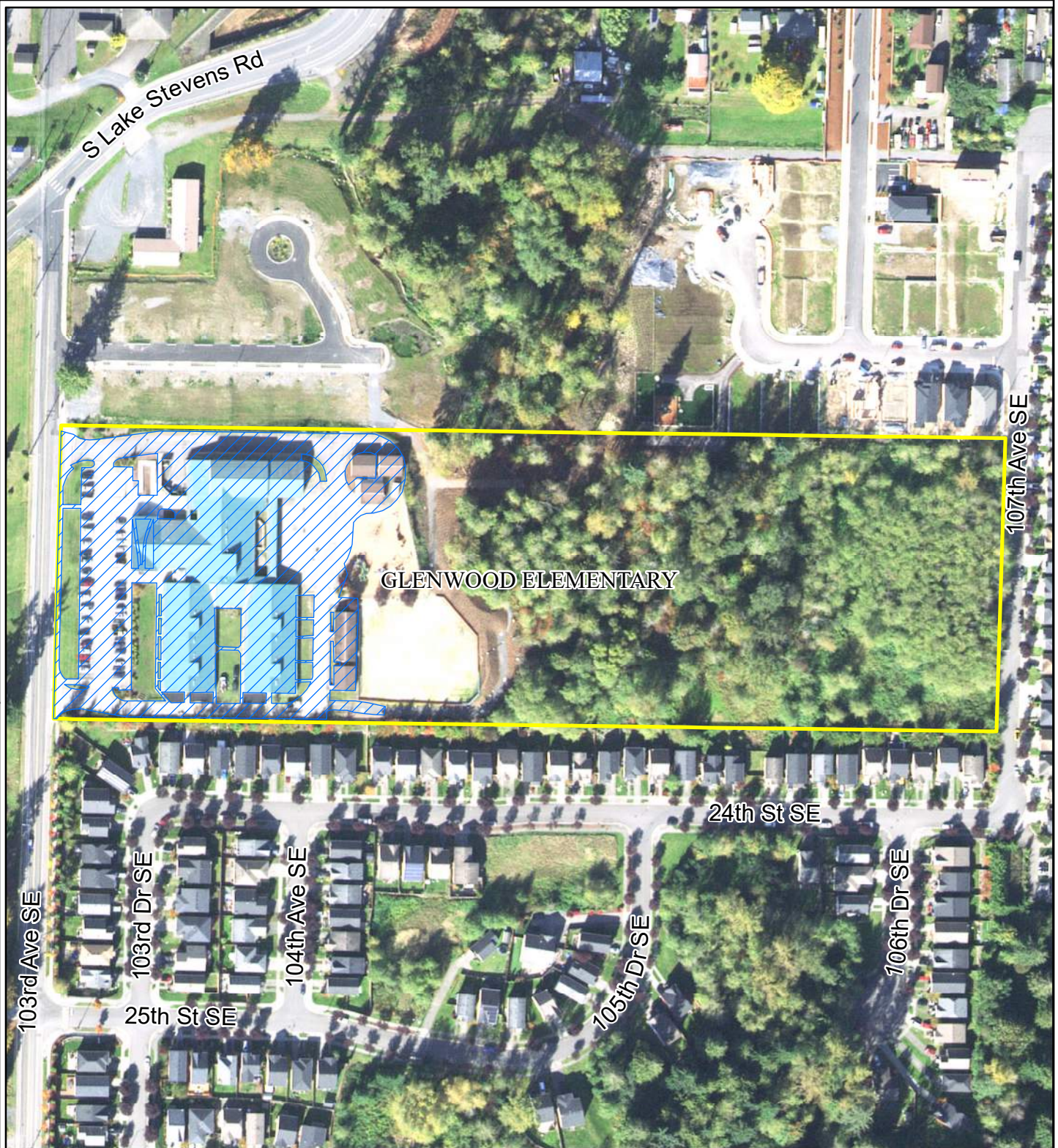
Lake Stevens School District
Parcel: 29052400101900
LAKE STEVENS MIDDLE/SKYLINE ELEMENTARY





0 225 450 Feet



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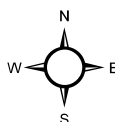


-  Impervious Surface
-  Parcel Boundary

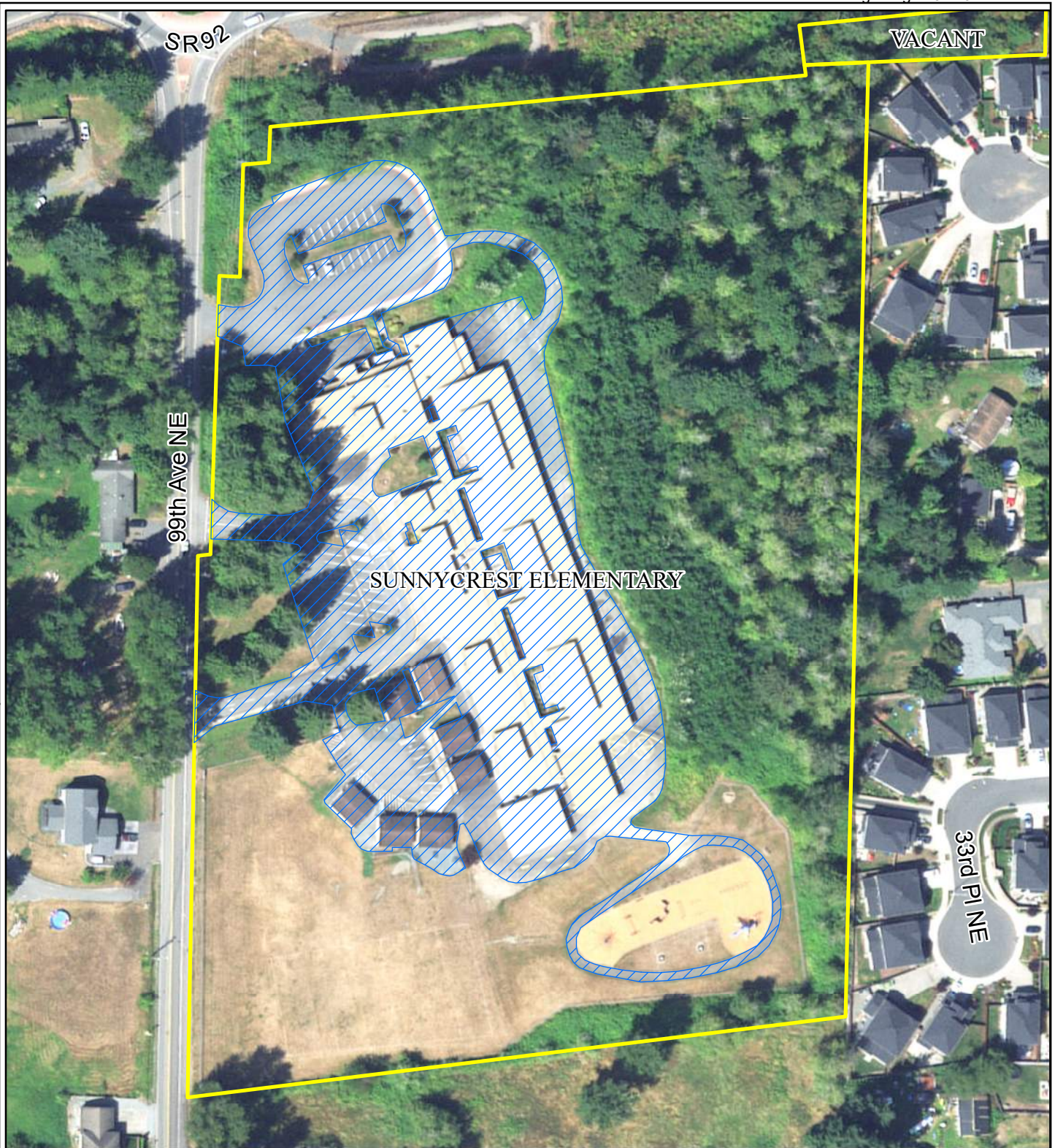
Lake Stevens School District
Parcel: 0045710000300
GLENWOOD ELEMENTARY




Snohomish County
Public Works
Surface Water Management
425-388-3464

0 245 490 Feet



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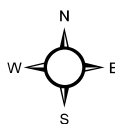


-  Impervious Surface
-  Parcel Boundary

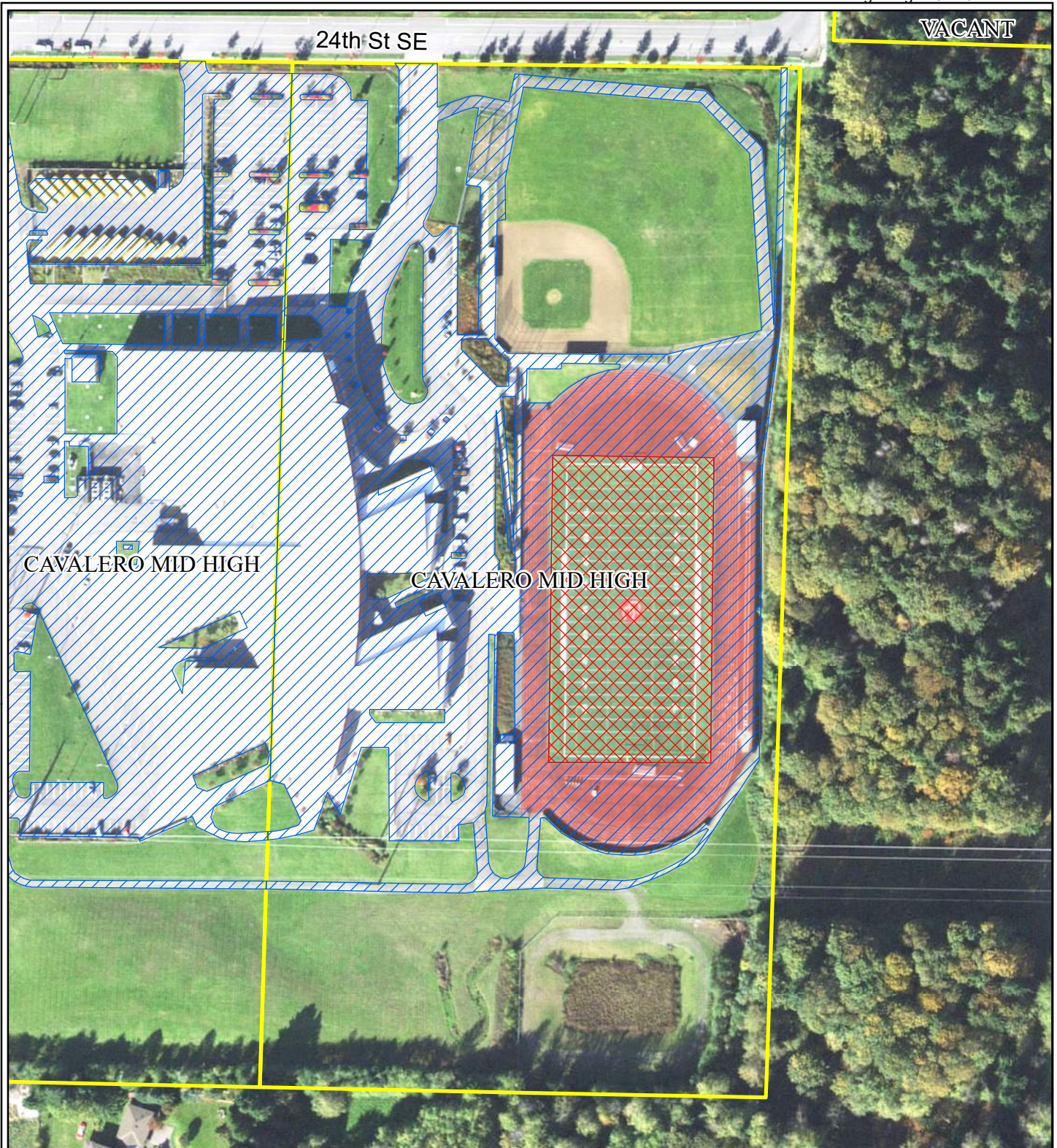
Lake Stevens School District
Parcel: 29060600300700
SUNNYCREST ELEMENTARY





Snohomish County
Public Works
Surface Water Management
425-388-3464

0 170 340 Feet

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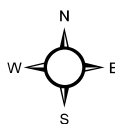


-  general impervious
-  artificial turf
-  Parcel Boundary

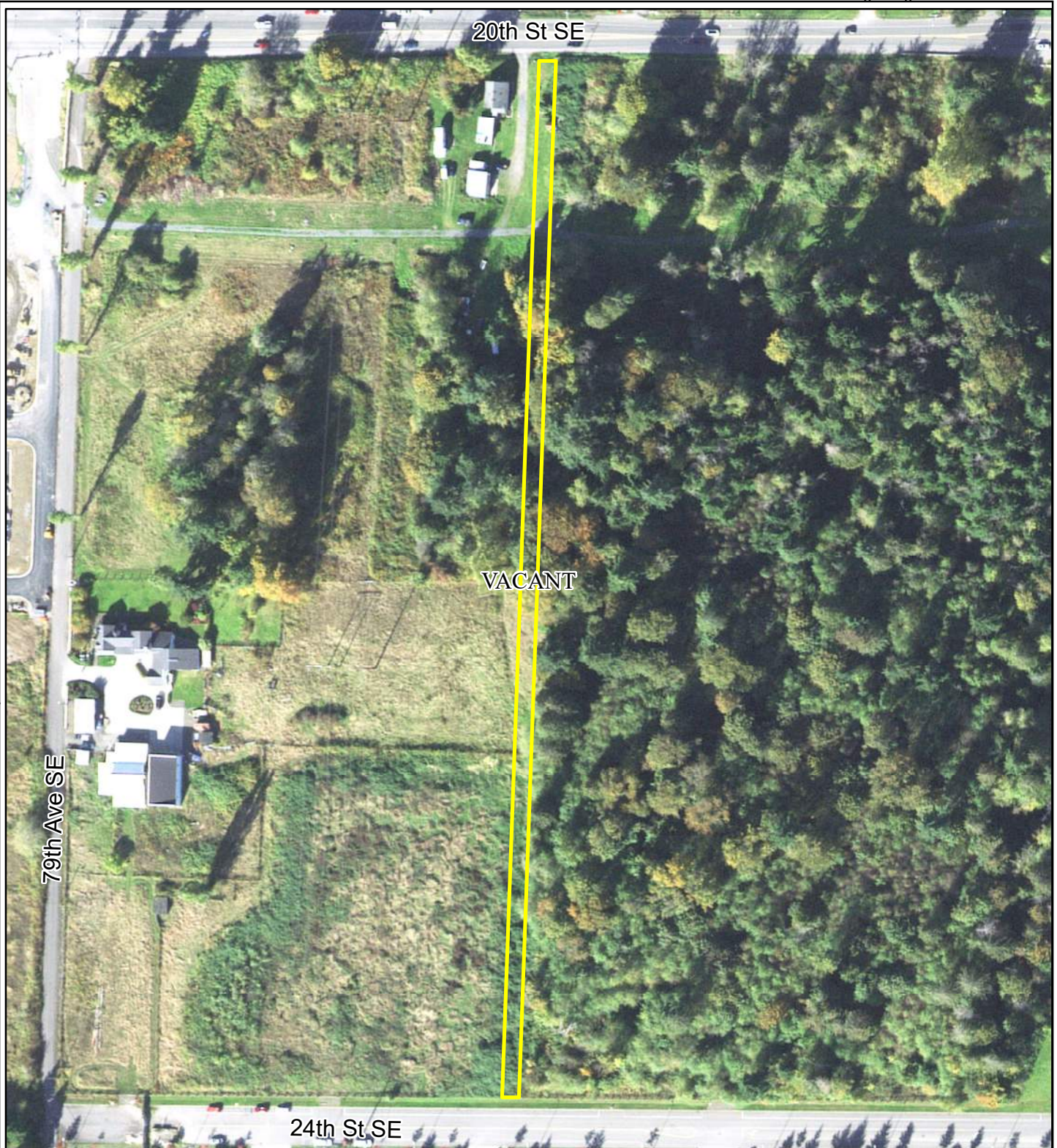
Lake Stevens School District
Parcel: 29052600102800
CAVALERO MID HIGH (EAST HALF)




Snohomish County
Public Works
Surface Water Management
425-388-3464

0 215 430 Feet



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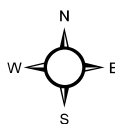


-  Impervious Surface
-  Parcel Boundary

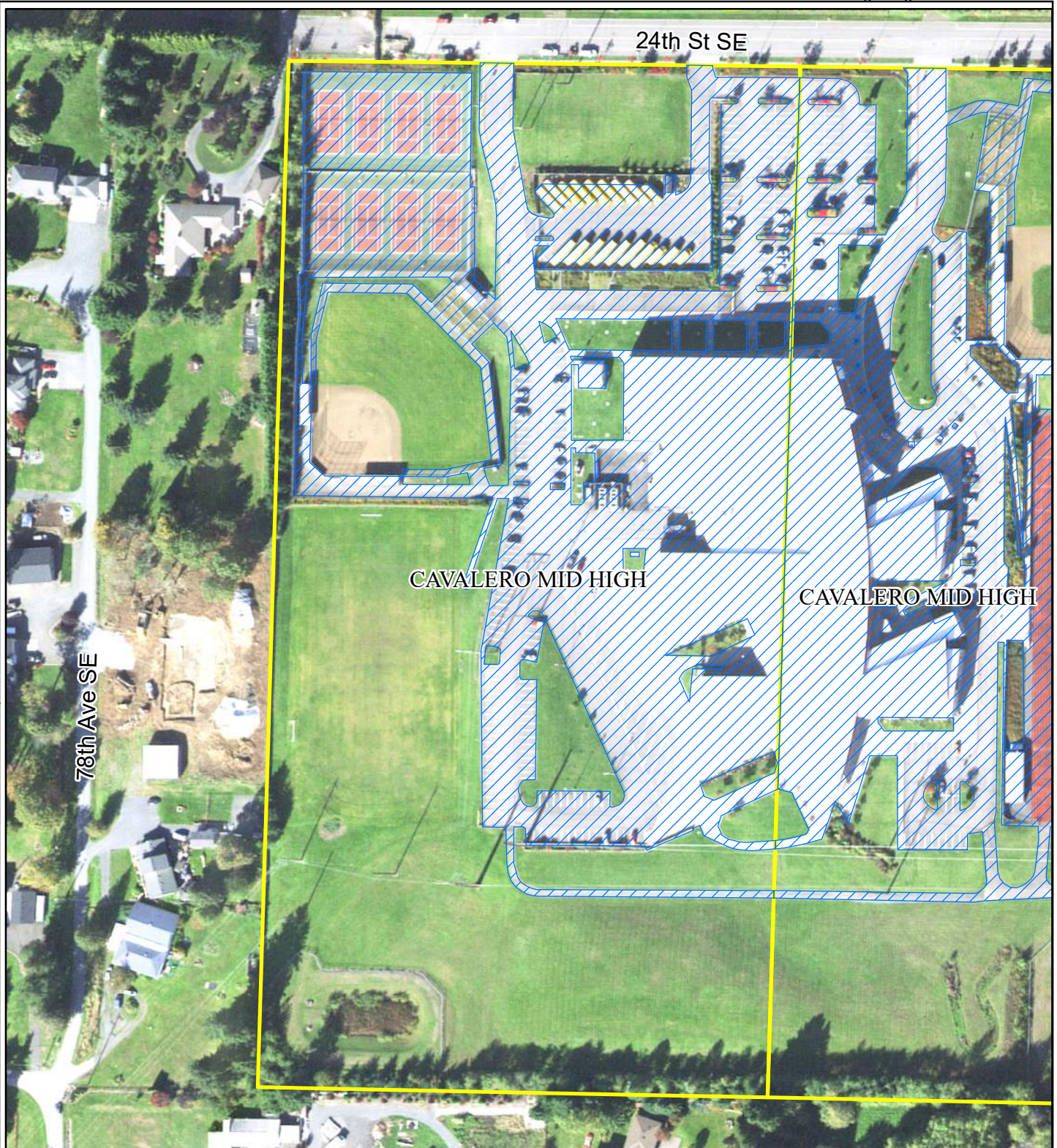
Lake Stevens School District
Parcel: 29052600100500
VACANT




Snohomish County
Public Works
Surface Water Management
425-388-3464

0 210 420 Feet



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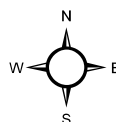


-  Impervious Surface
-  Parcel Boundary

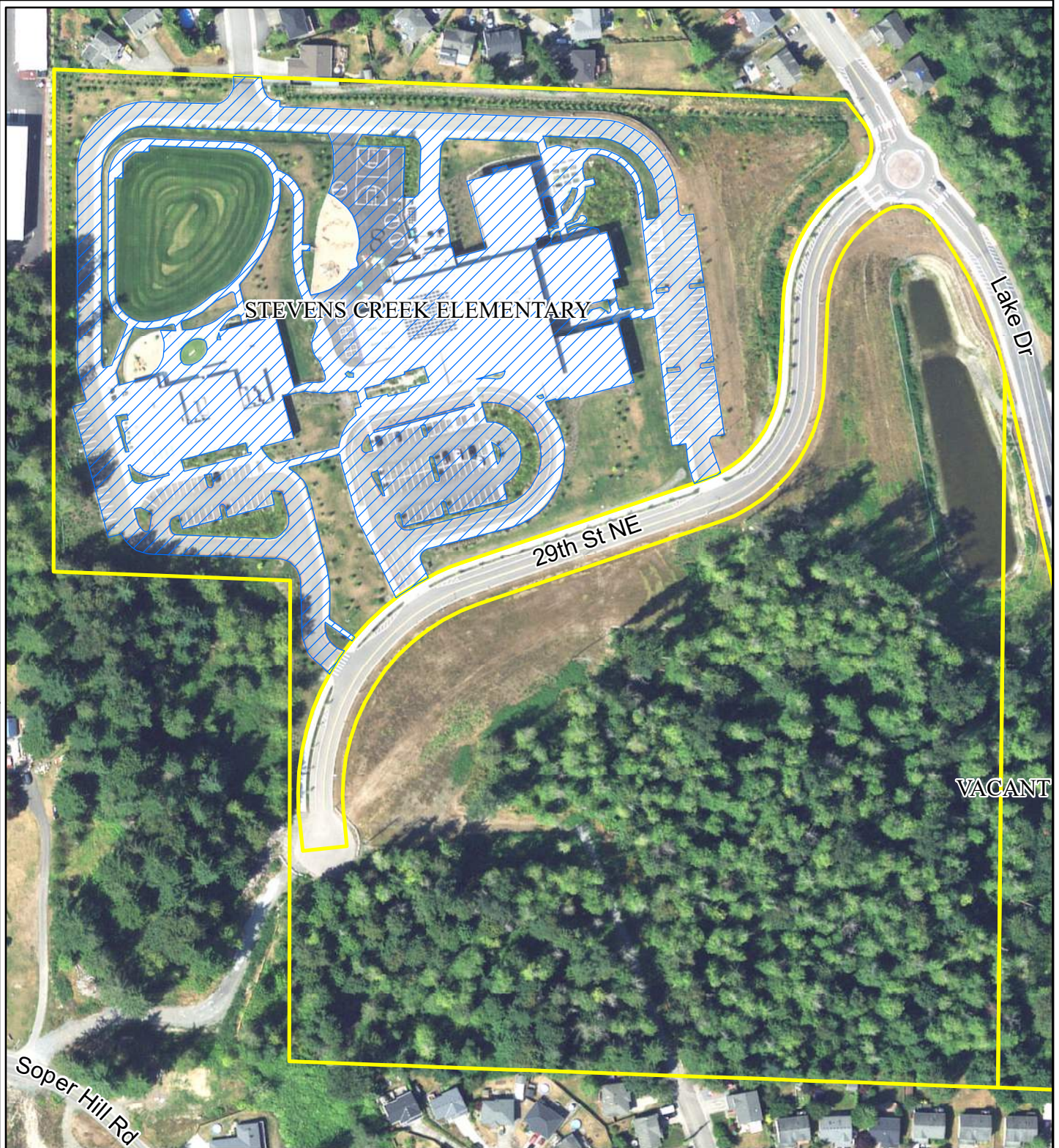
Lake Stevens School District
Parcel: 29052600102900
CAVALERO MID HIGH (WEST HALF)




Snohomish County
Public Works
Surface Water Management
425-388-3464

0 215 430 Feet



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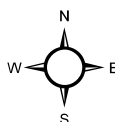


-  Impervious Surface
-  Parcel Boundary

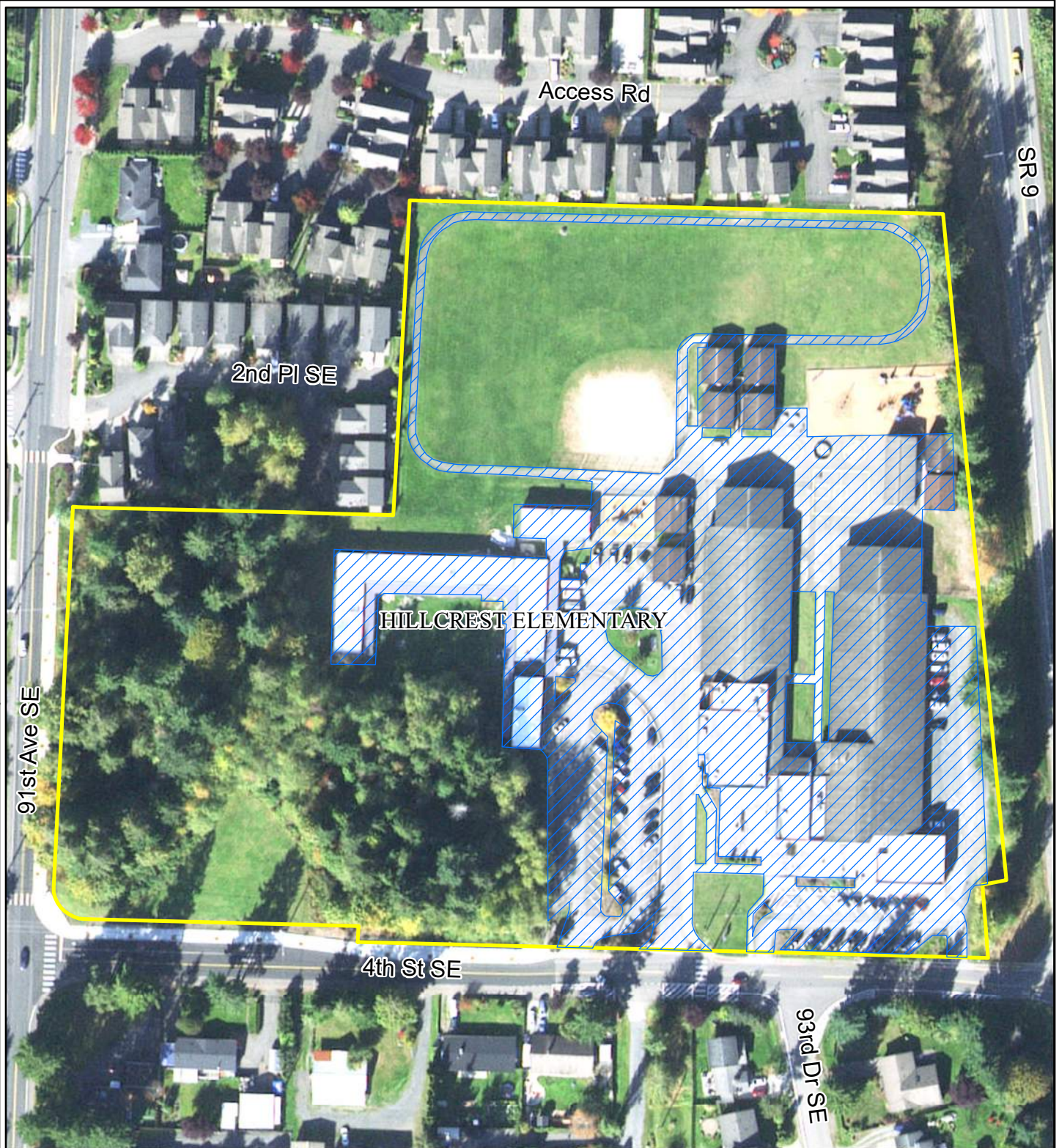
Lake Stevens School District
Parcel: 29050100401000
STEVENS CREEK ELEMENTARY




Snohomish County
Public Works
Surface Water Management
425-388-3464

0 237.5 475 Feet

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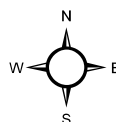


-  Impervious Surface
-  Parcel Boundary

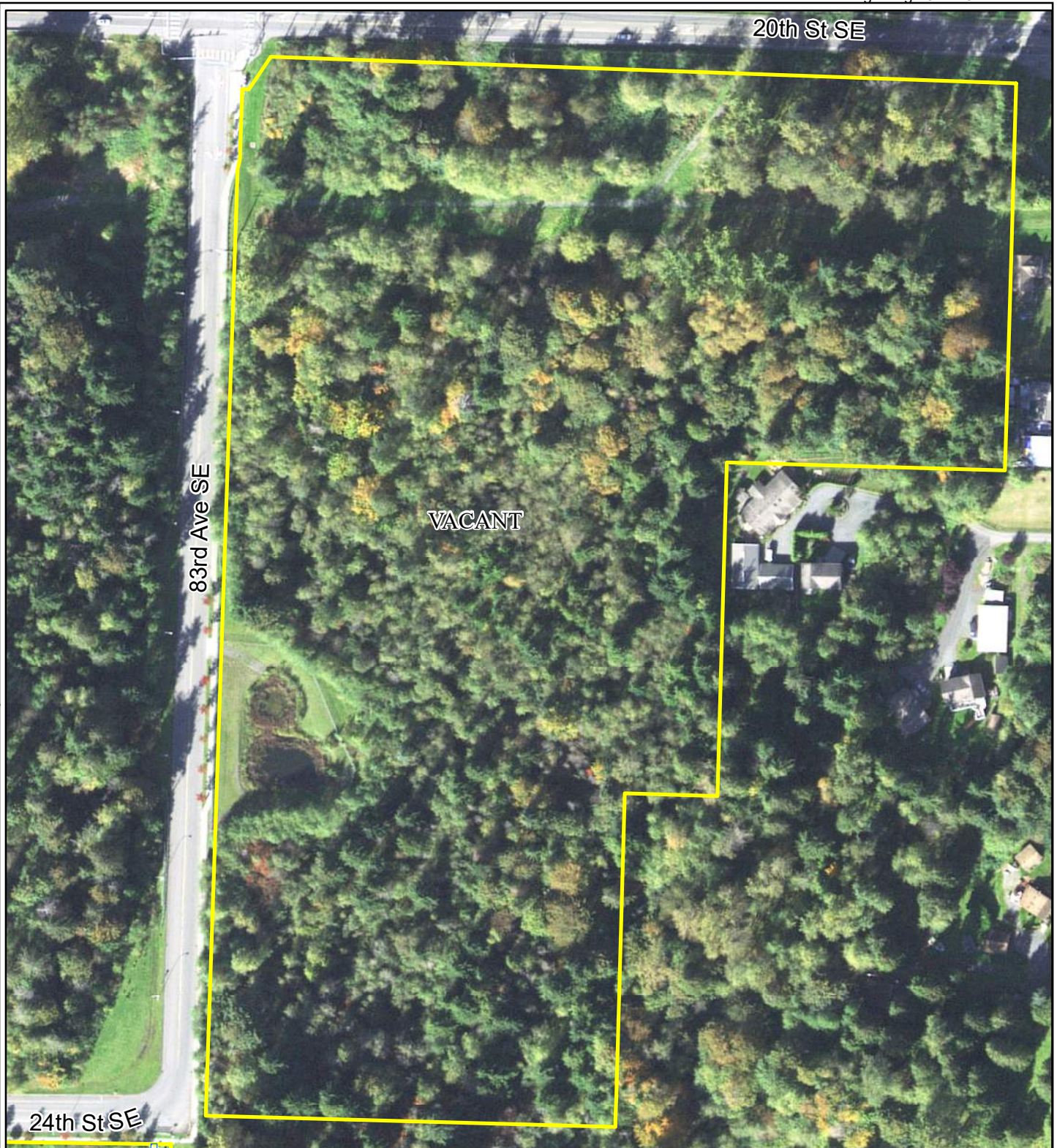
Lake Stevens School District
Parcel: 29051300400700
HILLCREST ELEMENTARY




Snohomish County
Public Works
Surface Water Management
425-388-3464

0 165 330 Feet

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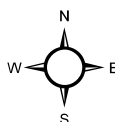


-  Impervious Surface
-  Parcel Boundary

Lake Stevens School District
Parcel: 29052500200100
Vacant


Snohomish County
Public Works
Surface Water Management
425-388-3464

0 210 420 Feet

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