



April 16, 2007

**Marysville City Council Work Session**  
**7:00 p.m.**

City Hall

**Current Business**

**New Business**

**Legal**

10. Recovery Contract for Water; Powell-Smokey Point, LLC.

**Ordinance and Resolutions**

11. An Ordinance of the City of Marysville Affirming the Decision of the Hearing Examiner and Rezoning Properties Owned by Elwyn & Gulser Wood and Michael Snyder Amending the Official Zoning Map of the City.

**Mayor's Business**

**Staff Business**

**Call on Councilmembers**

**Information Items**

12. Marysville Park Advisory Board Members; March 14, 2007.
13. Marysville Library Board; March 15, 2007.

**Adjourn**

**Executive Session**

- A. Litigation
- B. Personnel
- C. Real Estate

**Adjourn**

**Special Accommodations:** The City of Marysville strives to provide accessible meetings for people with disabilities. Please contact Kristie Guy, Human Resources Manager, at (360) 363-8000 or 1-800-833-6384 (Voice Relay), 1-800-833-6388 (TDD Relay) two days prior to the meeting date if any special accommodations are needed for this meeting.

*Work Sessions are for City Council study and orientation – Public Input will be received at the April 23, 2007 City Council meeting.*

**CITY OF MARYSVILLE  
EXECUTIVE SUMMARY FOR ACTION**

**CITY COUNCIL MEETING DATE: April 23, 2007**

AGENDA ITEM: Claims	AGENDA SECTION:	
PREPARED BY: Sandy Langdon, Finance Director	AGENDA NUMBER:	
ATTACHMENTS: Claims Listings	APPROVED BY:	
	MAYOR 	CAO 
BUDGET CODE:	AMOUNT:	

Please see attached.

**RECOMMENDED ACTION:**

The Finance and Executive Departments recommend City Council approve the April 4, 2007 Period 4 claims in the amount of \$925,705.42 paid by Check No.'s 38133 through 38254 with Check No.37634 voided.

**COUNCIL ACTION:**

DATE: 4/3/2007  
TIME: 1:43:03PM

**CITY OF MARYSVILLE**  
**INVOICE LIST**  
**FOR INVOICES FROM 4/3/2007 TO 4/4/2007**

PAGE: 1

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
38133	ROBIN AHMANN	SOCCER REFUND	00110347.376004.	41.00
38134	RALPH AVEY	WOW CONFERENCE- OCEAN SHORES	40143410.549030.	198.12
38135	THE BANK OF NEW YORK	ADMIN FEES	26400000.585000.	190.21
38136	BRIDGESTONE GOLF	BRIDGESTONE GOLF BALLS	420.141100.	443.04
	BRIDGESTONE GOLF	WOMEN'S GOLF GLOVES	420.141100.	496.94
38137	CHRIS BROWN	IT- TRAVEL	50300090.543000.	254.74
38138	DOUG BUELL	TUITION- WINTER QTR SEATTLE U.	00100720.531000.	1,557.00
38139	JOHN CALKINS	SOCCER REFUND	00110347.376004.	35.00
38140	UBALDO CAMPOS	REFUND DEPOSIT-JENNINGS BARN	001.239100.	58.00
38141	CARR & ASSOCIATES	RESPIRATOR FIT TESTING	00100310.531200.	562.50
38142	CARR'S ACE HARDWARE	CART, CONTRACTOR BAGS, MISC.	10110564.531000.	210.25
	CARR'S ACE HARDWARE	SPRAY PAINT	40140280.531000.	4.87
	CARR'S ACE HARDWARE	PADLOCKS	501.141100.	377.19
38143	CASCADE MAILING	UTILITY BILLING MAILING	00143523.542000.	178.57
	CASCADE MAILING		00143523.542000.	236.40
38144	CASCADE RECREATION INC	MISC. PLAYGROUND REPAIR PARTS	00105380.531000.	372.10
	CASCADE RECREATION INC	SLIDE & SUPPORT LEGS	00105380.548000.	2,136.57
38145	CHAMPION BOLT & SUPPLY	MISC. NUTS, BOLTS, SCREWS, ETC	50100065.531000.	98.58
38146	CLEAN CUT	REMOVE 6 TREES-PARKS RENOVATE	31000076.563000.P0601	1,681.75
38147	JEFF COBB	WOW CONFERENCE, MEALS	40143410.543040.	234.12
38148	CODE PUBLISHING	MUNICIPAL CODE UPDATE	00101130.549000.	2,271.74
38149	COLLEGIATE PACIFIC	WHITE LINE PAINT-SOCCER FIELDS	001.231700.	-177.44
	COLLEGIATE PACIFIC		00105120.531030.	2,264.98
38150	COMPMANAGEMENT INC	2007 AWC SERVICE FEE	00100310.541000.	20,145.98
38151	MERRITT SCOTT CONNER	INSTRUCTOR-GARDENING IN NW	00105250.541020.	104.00
38152	CO-OP SUPPLY	2 PREEN APPLICATORS	00105380.535000.	47.63
	CO-OP SUPPLY	2 SOCKET SETS	00105380.535000.	73.76
38153	WA DEPT OF CORRECTIONS	INMATE MEALS	00103960.531250.	1,707.57
38154	WA DEPT OF CORRECTIONS	WORK CREW FEB 2007-311.50 HRS	00105380.549000.	1,047.18
38155	CREIGHTON ENGINEERING INC	PLAN CHECK SERVICE	00102020.541000.	255.00
38156	SHEILA DAVIS	CPR & FIRST AID RENEWAL CLASS	00105120.541020.	375.00
38157	DE JONG SAWDUST & SHAVINGS	18 YDS PLAY CHIPS- COMEFORD PK	00105380.531000.	512.67
	DE JONG SAWDUST & SHAVINGS	22 YDS PLAY CHIPS- JENNINGS PK	00105380.531000.	626.59
	DE JONG SAWDUST & SHAVINGS	35 YDS PLAY CHIPS-CEDARCREST	00105380.531000.	988.18
	DE JONG SAWDUST & SHAVINGS	46 YDS PLAY CHIPS-CEDARCREST	00105380.531000.	1,258.71
	DE JONG SAWDUST & SHAVINGS	46 YDS PLAY CHIPS-JENNINGS NAT	00105380.531000.	1,258.71
	DE JONG SAWDUST & SHAVINGS		00105380.531000.	1,258.71
	DE JONG SAWDUST & SHAVINGS	46 YDS PLAY CHIPS-VERDA RIDGE	00105380.531000.	1,258.71
38158	LUANA DEFREITAS	INSTRUCTOR SR. TAI CHI	00105250.541020.	54.40
38159	DELL MARKETING LP	DISASTER RECOVERY SERVER	50300090.535000.	4,784.52
38160	ARLINE DEPALMA	INSTRUCTOR- DRIFTWOOD SCULPTUR	00105250.541020.	193.60
38161	DISPLAY & COSTUME	LATEX TWISTIE BALLOONS-ASAP	00105120.531070.	28.07
38162	STEVE DONLEY	REFUND CLASS REGISTRATION	00110347.376009.	60.00
38163	E&E LUMBER INC	SILICONE ADHESIVE- PSB	00100010.531000.	27.94
	E&E LUMBER INC	2" DUCT TAPE	00103222.531000.	4.98
	E&E LUMBER INC	18-WATT BULBS- CITY HALL	00103530.531000.	6.40
	E&E LUMBER INC	SUPER GLUE	00103960.531000.	1.62
	E&E LUMBER INC	BLACK BAG, SHOVEL	00104230.531000.	25.04
	E&E LUMBER INC	10 CANS SPRAY PAINT	00105120.531050.	34.61
	E&E LUMBER INC	CEDAR FENCING- SKATE PARK	00105380.531000.	8.10
	E&E LUMBER INC	CABLE TIES, NO TRESPASS SIGN	00105380.531000.	8.40
	E&E LUMBER INC	TRAY LINERS, ROLLER COVERS	00105380.531000.	12.37

DATE: 4/3/2007  
TIME: 1:43:03PM

**CITY OF MARYSVILLE**  
**INVOICE LIST**  
**FOR INVOICES FROM 4/3/2007 TO 4/4/2007**

PAGE: 2

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
38163	E&E LUMBER INC	PLYWOOD	00105380.531000.	15.14
	E&E LUMBER INC	HASPS, FASTENERS-JENNINGS BARN	00105380.531000.	21.42
	E&E LUMBER INC	PAINT	00105380.531000.	22.77
	E&F LUMBER INC	SHELF BOARD, BRACKETS- BARN	00105380.531000.	23.18
	E&E LUMBER INC	CEDAR & PAINT-SKATE PARK RSTRM	00105380.531000.	23.95
	E&E LUMBER INC	FASTENERS, HOOKS	00105380.531000.	27.63
	E&E LUMBER INC	IRRIGATION PARTS	00105380.531000.	34.42
	E&E LUMBER INC	(2) FAST SET CONCRETE	00105380.531000.	34.61
	E&E LUMBER INC	PAINT BRUSHES, RAGS	00105380.531000.	50.24
	E&E LUMBER INC	ROLLER COVERS, CONCRETE MIX	00105380.531000.	144.02
	E&E LUMBER INC	FASTENERS	00105380.535000.	5.26
	E&E LUMBER INC	TAP, WRENCH, PLIERS, FASTENERS	00105380.535000.	64.08
	E&E LUMBER INC	END CAPS	10110240.531000.	10.25
	E&E LUMBER INC	CHAIN SAW BAR OIL	40140580.531000.	17.34
	E&E LUMBER INC	PAINT FOR BALL WASHER	42047165.531910.	28.10
	E&E LUMBER INC	STAPLER-REPAIR CART SEAT	42047165.548000.	143.15
38164	EVERETT OFFICE FURNITURE	DESK- M. NORSEBY	50200050.531000.	596.21
38165	EXIDE	BATTERY GROUP HP-31D W/CORE	501.141100.	72.42
38166	OLGA FARNAM	REFUND DEPOSIT-JENNINGS BARN	001.239100.	58.00
38167	FEDEX	SHIP TO KMD AND LANE & ASSOC.	00100025.562000.C0502	14.06
	FEDEX		30500030.563000.R0301	16.99
38168	JOHN FILORI	TRAVEL - WOW CONFERENCE	40143410.543040.	251.84
38169	LYNN FITZPATRICK	INSTRUCTOR-ACCESSORIZE HOME	00105120.541020.	191.25
38170	CHRIS FLOYD	INSTRUCTOR-KINDERMUSIK	00105120.541020.	2,582.89
38171	FOOTJOY	SPECIAL ORDER SHOES- J. JONES	420.141100.	181.70
38172	GARY'S GUTTER SERVICE	GUTTER PARTS: DOWNSPOUTS,ELBOV	00105380.531000.	47.96
38173	DEPARTMENT OF GENERAL ADMINISTRATI	LITTER CONTROL BAGS	10110667.531000.	142.22
38174	GENERAL CHEMICAL CORP	ALUMINUM SULFATE 11.78 TONS	40142480.531320.	3,221.75
38175	GLORIA JEANE HAULING & HWY REHAB IN	ROAD GRINDING- 47 AV-ARMAR-7TH	10110130.531000.	2,700.00
38176	GRAINGER INC	BILGE PUMPS	40141280.531000.	87.70
	GRAINGER INC	WATER METER	40141580.531000.	93.37
	GRAINGER INC	WATER METERS	40141580.531000.	186.74
38177	GRAYBAR ELECTRIC CO INC	SPLICE CONNECTORS	40140580.531000.	12.37
	GRAYBAR ELECTRIC CO INC	DIRECT BURY SPLICE KIT	40140580.531000.	1,652.04
38178	HEATHER GREGORY	REIMBURSE-SHOES PER CONTRACT	00104190.526000.	45.36
38179	HACH COMPANY	IDDE PROGRAM SUPPLIES	40145040.531000.	4,723.53
38180	TERRY HAWLEY	GALLON COFFEE-WW CERTIF. CLASS	40143410.549000.	14.11
38181	ROSE HAYES	INSTRUCTOR- CLOGGING	00105250.541020.	66.00
38182	HD FOWLER COMPANY	IRRIGATION PARTS	00105380.531000.	116.53
	HD FOWLER COMPANY	METER SETTERS, BOLT/NUT KITS	401.141400.	630.00
	HD FOWLER COMPANY	GASKETS, TUBING, LIDS, COVERS	401.141400.	1,176.13
	HD FOWLER COMPANY	FLANGES	40140180.531000.	668.64
38183	ROY HOLMAN	INSTRUCTOR-HA HA YOGA PLAYSHOF	00105120.541020.	57.60
38184	HOME DEPOT CREDIT SVCS	PLANTS, SOIL, TROWEL,CULTIVATR	00105380.531000.	39.33
38185	FRANCES HOWLAND	INSTRUCTOR-GOURD CARVING	00105250.541020.	108.00
38186	IRON MOUNTAIN QUARRY LLC	CRUSHED ROCK- 124.61 TONS	10110130.531000.	946.41
	IRON MOUNTAIN QUARRY LLC	CRUSHED ROCK- 96.04 & 64.3 TON	10110130.531000.	1,269.89
38187	DENNIS KENDALL	MILEAGE- CONGRESS. CITY CONFRC	00100110.549000.	72.34
38188	THOMAS KING	REFRESHMENTS- IMSA MEETING	10111160.549000.	28.49
38189	KNOLL, INC	JAIL DOOR REPLACEMENT	00100025.562000.C0502	8,573.24
38190	KUKER-RANKEN	OPAQUE BOND	501.141100.	87.63
38191	LAKEISHA KUKLINSKI	REFUND DEPOSIT- JENNINGS PARK	001.239100.	58.00

DATE: 4/3/2007  
TIME: 1:43:03PM

**CITY OF MARYSVILLE**  
**INVOICE LIST**  
**FOR INVOICES FROM 4/3/2007 TO 4/4/2007**

PAGE: 3

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
38192	LAB SAFETY SUPPLY INC	NTRL DISPENSING BOTTLES	401.231700.	-9.00
	LAB SAFETY SUPPLY INC		40142480.531400.	114.86
38193	AMANDA LASLEY	WATER/SEWER CONSERV. REBATE	40140580.549000.	50.00
38194	LASTING IMPRESSIONS INC	295 CITY LOGO MUGS	00100110.549000.	1,816.18
38195	LAWN EQUIPMENT SUPPLY	5.5HP HONDA COMMERCIAL MOWER	00105380.535000.	1,130.35
38196	DEPT OF LICENSING	HAYNES, MICHAEL - CPL RENEWAL	001.237020.	18.00
	DEPT OF LICENSING	LENHER, JOHN- CPL ORIGINAL	001.237020.	18.00
	DEPT OF LICENSING	LYTLE, DEBRA - CPL RENEWAL	001.237020.	18.00
	DEPT OF LICENSING	RECKARD, MARY - CPL ORIGINAL	001.237020.	18.00
	DEPT OF LICENSING	SHANKS, KEN - CPL ORIGINAL	001.237020.	18.00
38197	LINCOLN COUNTY DISTRICT COURT	DODGE, BRETT ALAN DOB 031184	001.229050.	500.00
38198	CHARLES MACKLIN	REFUND CLASS REGISTRATION	00110347.376009.	15.00
38199	MARYSVILLE FIRE DIST #12	FIRE CONTROL/EMERGENCY AID SVC	00109522.551000.	311,803.09
	MARYSVILLE FIRE DIST #12		00109526.551000.	111,733.96
38200	MARYSVILLE GLOBE	ORDINANCES	00102020.544000.	60.76
	MARYSVILLE GLOBE		00102020.544000.	60.76
38201	TOMMY MAXWELL	REFUND DEPOSIT JENNINGS BARN	001.239100.	58.00
38202	MAYES TESTING ENGINEERS, INC.	PAY ESTIMATE #4	40220594.563000.W0101	930.00
38203	MCCAIN TRAFFIC SUPPLY	ENFORCER BLUE LED LIGHTS	10110564.531000.	200.20
38204	MOORE MEDICAL CORP	HI RISK P2 GLOVES	001.231700.	-43.65
	MOORE MEDICAL CORP		00103222.531000.	557.13
38205	VICKI MORROW	INSTRUCTOR- YOGA	00105120.541020.	49.50
	VICKI MORROW	INSTRUCTOR- YOGA/PILATES COMBO	00105120.541020.	49.50
38206	NEXTEL COMMUNICATIONS	ACCT#495802314	00102020.542000.	25.06
	NEXTEL COMMUNICATIONS		00102020.542000.	48.13
	NEXTEL COMMUNICATIONS		50300090.542000.	18.76
	NEXTEL COMMUNICATIONS		50300090.542000.	18.76
	NEXTEL COMMUNICATIONS		50300090.542000.	19.86
	NEXTEL COMMUNICATIONS		50300090.542000.	25.84
	NEXTEL COMMUNICATIONS		50300090.542000.	37.52
	NEXTEL COMMUNICATIONS		50300090.542000.	38.73
	NEXTEL COMMUNICATIONS		50300090.542000.	56.28
	NEXTEL COMMUNICATIONS		50300090.542000.	56.28
	NEXTEL COMMUNICATIONS		50300090.542000.	61.82
	NEXTEL COMMUNICATIONS		50300090.542000.	75.04
	NEXTEL COMMUNICATIONS		50300090.542000.	78.49
	NEXTEL COMMUNICATIONS		50300090.542000.	79.90
	NEXTEL COMMUNICATIONS		50300090.542000.	93.22
	NEXTEL COMMUNICATIONS		50300090.542000.	109.10
	NEXTEL COMMUNICATIONS		50300090.542000.	113.92
	NEXTEL COMMUNICATIONS		50300090.542000.	116.25
	NEXTEL COMMUNICATIONS		50300090.542000.	164.85
	NEXTEL COMMUNICATIONS		50300090.542000.	232.23
	NEXTEL COMMUNICATIONS		50300090.542000.	236.75
	NEXTEL COMMUNICATIONS		50300090.542000.	244.52
	NEXTEL COMMUNICATIONS		50300090.542000.	256.48
	NEXTEL COMMUNICATIONS		50300090.542000.	290.37
	NEXTEL COMMUNICATIONS		50300090.542000.	496.99
	NEXTEL COMMUNICATIONS		50300090.542000.	1,397.31
38207	NORTH COAST ELECTRIC COMPANY	ELECTRICAL CODE BOOK, CRIMPS	10110564.535000.	358.63
38208	NORTHWEST CASCADE INC	HONEY BUCKET SVC-MPHS SOFTBALL	00105120.531010.	153.33
38209	NWAIA	REGISTRATION - JOHN DORCAS	00102020.549000.	195.00

DATE: 4/3/2007  
TIME: 1:43:03PM

**CITY OF MARYSVILLE**  
**INVOICE LIST**  
**FOR INVOICES FROM 4/3/2007 TO 4/4/2007**

PAGE: 4

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
38210	OFFICE DEPOT	MISC OFFICE SUPPLIES, PAPER	00100020.531000.	58.28
	OFFICE DEPOT		00100020.531000.	74.35
	OFFICE DEPOT		00102020.531000.	58.28
	OFFICE DEPOT	MISC. OFFICE SUPPLIES	00103010.531000.	2.16
	OFFICE DEPOT	ROUTING STAMP	00103010.531000.	38.06
	OFFICE DEPOT	MISC. OFFICE SUPPLIES	00103121.531000.	84.02
	OFFICE DEPOT	CREDIT-RETURNED LEGAL PAPER	00103222.531000.	-5.21
	OFFICE DEPOT	LIFT OFF TAPE, PAPER	00103222.531000.	3.37
	OFFICE DEPOT	PENS, DISTRIBUTION STAMP	00103222.531000.	8.51
	OFFICE DEPOT	MISC. OFFICE SUPPLIES	00103222.531000.	25.35
	OFFICE DEPOT		00103222.531000.	185.35
	OFFICE DEPOT	OFFICE SUPPLIES	00103222.531000.	198.26
	OFFICE DEPOT		00104190.531000.	9.31
	OFFICE DEPOT	LIFT OFF TAPE, PAPER	00104190.531000.	10.18
	OFFICE DEPOT	PENS, DISTRIBUTION STAMP	00104190.531000.	13.32
	OFFICE DEPOT	MISC. OFFICE SUPPLIES	00104190.531000.	50.82
	OFFICE DEPOT		00104190.531000.	56.42
	OFFICE DEPOT	STRIP, SHELF LABELING	00104190.531000.	57.28
	OFFICE DEPOT	24 CLIP BOARDS- WRPA CONFERENC	00105120.531000.	16.97
	OFFICE DEPOT	DRY ERASE KIT, MARKERS, EASEL	00105120.531000.	88.56
	OFFICE DEPOT	SAFE- PARKS ADMIN BLDG	00105120.531000.	171.36
	OFFICE DEPOT	COMPUTER SPEAKERS (2 SETS)	00105250.531000.	19.20
	OFFICE DEPOT		00105380.531000.	19.20
	OFFICE DEPOT	CREDIT MEMO- BINDER- STREETS	10111230.531000.	-14.53
	OFFICE DEPOT	MISC OFFICE SUPPLIES, PAPER	10111230.531000.	14.53
	OFFICE DEPOT		40143410.531000.	58.28
	OFFICE DEPOT		40143410.531000.	74.35
	OFFICE DEPOT		50100065.531000.	1.77
	OFFICE DEPOT		50100065.531000.	8.26
	OFFICE DEPOT		50100065.531000.	9.72
	OFFICE DEPOT		50200050.531000.	1.78
	OFFICE DEPOT		50200050.531000.	8.26
	OFFICE DEPOT		50200050.531000.	9.72
38211	OTAK	PAY ESTIMATE #26	40220594.563000.W0402	4,617.35
	OTAK	PAY ESTIMATE #8	40220594.563000.W0404	12,429.30
38212	OVERALL LAUNDRY SERVICES INC	MAT CLEANING - MEZZANINE	40143780.549000.	13.55
	OVERALL LAUNDRY SERVICES INC	MAT CLEANING -MEZZANINE	40143780.549000.	20.21
	OVERALL LAUNDRY SERVICES INC	MECHANIC'S SHOP UNIFORM	42047165.526000.	21.50
38213	PACIFIC POWER BATTERIES	6 VOLT SCREW TERM BATTERY	00105380.531000.	9.73
	PACIFIC POWER BATTERIES	REPLACEMENT BATTERIES FOR UPS	10110564.548000.	804.90
38214	PACIFIC TOPSOILS INC	ASPHALT DUMP QTY 10	10110130.531000.	100.00
	PACIFIC TOPSOILS INC	ASPHALT DUMP- QTY 40	10110130.531000.	400.00
38215	THE PARTS STORE	PLASTIC TIES	501.141100.	16.01
	THE PARTS STORE	SOLENOID, BACKUP ALARM,FILTERS	501.141100.	252.90
38216	PETROCARD SYSTEMS INC	FUEL- ENGINEERING	00100020.532000.	66.21
	PETROCARD SYSTEMS INC	FUEL - COM DEV	00102020.532000.	287.72
	PETROCARD SYSTEMS INC	FUEL- POLICE	00103222.532000.	4,443.95
	PETROCARD SYSTEMS INC	FULE FOR PARKS VEHICLES	00105380.532000.	666.58
	PETROCARD SYSTEMS INC	FUEL - STREETS VEHICLES	10111230.532000.	985.21
	PETROCARD SYSTEMS INC	FUEL - OPERATIONS	40143880.532000.	3,795.44
	PETROCARD SYSTEMS INC	FUEL- ENGINEERING	40145040.532000.	82.51
	PETROCARD SYSTEMS INC	FUEL - OPERATIONS	41046060.532000.	3,001.00

DATE: 4/3/2007  
TIME: 1:43:03PM

**CITY OF MARYSVILLE**  
**INVOICE LIST**  
**FOR INVOICES FROM 4/3/2007 TO 4/4/2007**

PAGE: 5

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
38216	PETROCARD SYSTEMS INC	FUEL- FLEET, FACILITIES	50100065.532000.	66.28
	PETROCARD SYSTEMS INC		50200050.532000.	135.47
38217	PETTY CASH-COMM DEV	DISK-JD LAPTOP, REGISTER TAPE	00102020.531000.	30.56
38218	PUTTERMAN & SPROUSE, LTD	CANON POWER SHOT A550 KIT	104.231700.	-868.19
	PUTTERMAN & SPROUSE, LTD		10400022.535000.	1,861.60
	PUTTERMAN & SPROUSE, LTD		10400022.535000.	9,220.59
38219	PINK CLOUD CREATIONS, LLC	PAID BUS LIC FEE-OUTSIDE CITY	00100321.319000.	50.00
38220	PLAYPOWER LT. FARMINGTON INC	REPLACE SLIDE- JENNINGS PARK	00105380.548000.	465.47
38221	SEELAH POLING	REFUND DOG CLASS CANCELLED	00110347.376009.	110.00
38222	UNITED STATES POSTAL SERVICE	POSTAGE/ BULK PERMIT #80	00105250.544000.	300.00
38223	UNITED STATES POSTAL SERVICE	PERMIT 42 ACCOUNT	00143523.542000.	4,000.00
38224	PRATT PEST MANAGEMENT	REMOVE RODENTS, CHECK TRAPS	00105380.541000.	70.53
38225	PRO TEAM JANITORIAL	EXTRA CLEANING-KBSCC 2/24-25	00105250.541000.	80.00
	PRO TEAM JANITORIAL	ARLINGTON FILTRATION SYSTEM	40141580.541000.	253.00
38226	PUD NO 1 OF SNOHOMISH COUNTY	UTILITY CHG-15200 SMOKEY PT BL	10110463.547000.	66.59
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT 246-001-703-7	10110564.547000.	105.56
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT 490-001-234-7	10110564.547000.	106.14
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT 314-002-822-0	10110564.547000.	142.35
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT 498-001-707-5	10110564.547000.	168.38
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT# 172-000-169-0	10110564.547000.	378.63
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT# 251-001-382-0	40142280.547000.	1,154.28
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT 399-001-695-2	40142480.547000.	124.36
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT 526-001-076-3	40143780.547000.	35.09
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT # 289-075-529-7	40143780.547000.	1,218.67
38227	QUALITY COATINGS INSPECTION	PAY ESTIMATE #3	40220594.563000.W0101	1,707.50
38228	SHARON RALSTON	REFUND SECURITY DEPOSIT KBSCC	001.239100.	200.00
38229	RINKER MATERIALS	PRVATE ATB ASPHALT- 210.27 TON	10110130.531000.	10,960.96
38230	KIM ROMEIS	REFUND-MADE SELECT TEAM	00110347.376004.	41.00
38231	ROTH HILL ENGINEERING PARTNERS,LLC	PAY ESTIMATE #10	40230594.563000.S0602	310.09
38232	JESSICA SANDE	INSTRUCTOR-FOOT CARE CLASS	00105250.541020.	345.00
38233	NATL ASSOCIATION OF SCHOOL RESOURCENASRO CONFERENCE REGISTRATION		00103010.549100.	400.00
	NATL ASSOCIATION OF SCHOOL RESOURCE		00103222.549100.	400.00
38234	CARLTON DOUP	INSTRUCTOR-BEG. TAE KWON DO	00105120.541020.	201.45
38235	SOUND SAFETY PRODUCTS CO INC	BOOTS - KEVIN NIELSEN	00100020.526000.	238.92
	SOUND SAFETY PRODUCTS CO INC	CARIBINIER RING	10110564.535000.	37.42
	SOUND SAFETY PRODUCTS CO INC	3 PR JEANS- KEVIN GESSNER	40143410.526200.	92.85
	SOUND SAFETY PRODUCTS CO INC	STEEL TOE HIP BOOTS- E. BROWN	40143410.526200.	104.64
	SOUND SAFETY PRODUCTS CO INC	BOOTS- KEVIN GESSNER	40143410.526200.	150.00
	SOUND SAFETY PRODUCTS CO INC	BOOTS- KRISTA GESSNER	40143410.526200.	162.85
	SOUND SAFETY PRODUCTS CO INC	GLOVES, EARPLUGS	501.141100.	142.05
38236	SPRINGBROOK NURSERY	TRUCK RENTAL 3/13-3/15	10110130.531000.	460.00
	SPRINGBROOK NURSERY	TRUCK RENTAL 3/16/07	10110130.531000.	575.00
	SPRINGBROOK NURSERY	TRUCK RENTAL 3/13-3/15	10110130.531000.	4,455.00
	SPRINGBROOK NURSERY	DRAIN ROCK - 2 YDS	10110240.531000.	41.43
38237	WASHINGTON STATE PATROL	ACCESS USER FEE JAN- MAR 2007	00104000.551000.	930.00
38238	NICOLA STEELE	REFUND CLASS FEE	00110347.376009.	15.00
38239	SUNNYSIDE NURSERY	1 LEYLAND CYPRESS TREE	00105380.531000.	33.89
38240	TERRA RESOURCE GROUP	TEMP WORK- D. POTTER	00143523.541000.	825.20
38241	TITLEIST	TITLEIST PRO VI	420.141100.	362.43
38242	TORO NSN	NSN COMPUTER EQUIPMENT/SERVICE	42047165.545000.	199.00
38243	THE GREATER MARYSVILLE TULALIP	2006 HOTEL/MOTEL GRANT REIMBRS	10500030.549000.H0703	455.99
38244	TULALIP TRIBE COURT	SUZETTE CHEER- DOB 11/9/87	001.229050.	5,000.00

DATE: 4/3/2007  
TIME: 1:43:03PM

**CITY OF MARYSVILLE**  
**INVOICE LIST**  
**FOR INVOICES FROM 4/3/2007 TO 4/4/2007**

PAGE: 6

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
38245	VERIZON NORTHWEST	ACCT 105170208907	00103121.542000.	35.00
	VERIZON NORTHWEST	ACCT 101543765602	00104000.542000.	35.05
	VERIZON NORTHWEST	ACCT 101543766403	00104000.542000.	35.05
	VERIZON NORTHWEST	ACCT 100367827006	00104000.542000.	57.24
	VERIZON NORTHWEST	ACCT 101543764801	00104000.542000.	87.85
	VERIZON NORTHWEST	ACCT 101543767204	00104000.542000.	87.85
	VERIZON NORTHWEST	ACCT # 03 0275 1062435479 07	40140180.547000.	60.39
	VERIZON NORTHWEST	ACCT# 105543546905	40140180.547000.	70.24
	VERIZON NORTHWEST	ACCT 1085454631	40141580.547000.	125.34
	VERIZON NORTHWEST	ACCT 105660553702	40142280.542000.	533.61
	VERIZON NORTHWEST	ACCT.# 03 0211 1016419954 10	40143410.542000.	30.20
	VERIZON NORTHWEST	ACCT.# 03 0211 1018419951 00	40143410.542000.	30.20
	VERIZON NORTHWEST	ACCT.# 03 0211 1047419956 04	40143410.542000.	30.20
	VERIZON NORTHWEST	ACCT 101642285704	40143410.542000.	30.62
	VERIZON NORTHWEST	ACCT 101543782603	40143410.542000.	32.30
	VERIZON NORTHWEST	ACCT.# 03 0211 1013419961 04	40143410.542000.	65.68
	VERIZON NORTHWEST	ACCT.# 03 0211 1032419963 01	40143410.542000.	65.68
	VERIZON NORTHWEST	ACCT.# 03 0211 1085419968 10	40143410.542000.	65.68
	VERIZON NORTHWEST	ACCT.# 03 0211 1058419952 06	40143410.542000.	75.82
	VERIZON NORTHWEST	ACCT 101543783404	40143410.542000.	112.20
	VERIZON NORTHWEST	ACCT 106853520208	40143780.542000.	57.12
	VERIZON NORTHWEST	ACCT 101066397601	40143780.542000.	60.38
38246	VERIZON NORTHWEST	METER READING SERVICES	40141280.541000.	377.61
	VERIZON NORTHWEST	PHONE CHARGES 360-929-5339	40143410.542000.	9.52
38247	VINYL SIGNS & BANNERS	10 WHITE COREX BLANKS	00105120.531050.	162.75
38248	WASTE MANAGEMENT NORTHWEST	RESIDENTIAL SVC- DEERING	00105380.547000.	53.08
38249	WEED GRAAFSTRA AND BENSON INC PS	TRUST ACCT- KAEMINGK PROPERTY	30500030.563000.T0102	1,000.00
	WEED GRAAFSTRA AND BENSON INC PS	TRUST ACCT-KAEMINGK PROP. BAL.	30500030.563000.T0102	256,534.00
38250	WEED GRAAFSTRA AND BENSON INC PS	LITIGATION SERVICES	00105515.541000.	717.75
	WEED GRAAFSTRA AND BENSON INC PS		00105515.541000.	9,237.50
	WEED GRAAFSTRA AND BENSON INC PS		00105515.541000.	18,921.50
	WEED GRAAFSTRA AND BENSON INC PS		30500030.563000.T0102	45.00
	WEED GRAAFSTRA AND BENSON INC PS		30500030.563000.R9701	49.00
	WEED GRAAFSTRA AND BENSON INC PS		30500030.563000.R0301	249.51
	WEED GRAAFSTRA AND BENSON INC PS		30500030.563000.R0301	968.50
	WEED GRAAFSTRA AND BENSON INC PS		31000076.563000.G0701	84.00
	WEED GRAAFSTRA AND BENSON INC PS		40143410.541000.	245.00
	WEED GRAAFSTRA AND BENSON INC PS		40143410.541000.	1,085.00
	WEED GRAAFSTRA AND BENSON INC PS		40143410.541000.	7,848.75
	WEED GRAAFSTRA AND BENSON INC PS		40143410.541000.	9,237.50
	WEED GRAAFSTRA AND BENSON INC PS		40145040.541000.	354.50
38251	WELCOME COMMUNICATIONS	PHONE HOLSTERS/BATTERIES	50300090.542000.	486.00
38252	WESTERN FACILITIES SUPPLY INC	JANITORIAL SUPPLIES-RESTAURANT	42047165.531700.	225.11
38253	WILDER CONSTRUCTION CO	CLASS A HOT MIX ASPHALT	10110130.531000.	75.81
	WILDER CONSTRUCTION CO	COMMERCIAL B HOT MIX ASPHALT	10110130.531000.	155.04
	WILDER CONSTRUCTION CO		10110130.531000.	203.70
	WILDER CONSTRUCTION CO		10110130.531000.	705.94
	WILDER CONSTRUCTION CO		10110130.531000.	8,255.50
	WILDER CONSTRUCTION CO		10110130.531000.	9,841.97
38254	SUE YORIO	REFUND RENTAL FEE	00110362.324001.	22.50

DATE: 4/3/2007  
TIME: 1:43:03PM

**CITY OF MARYSVILLE  
INVOICE LIST  
FOR INVOICES FROM 4/3/2007 TO 4/4/2007**

PAGE: 7

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
			<b>WARRANT TOTAL:</b>	<u>926,105.42</u>
		<b>LESS VOIDS</b>	CK 37634	(400.00)
				<u><u>\$925,705.42</u></u>

**CITY OF MARYSVILLE**

**EXECUTIVE SUMMARY FOR ACTION**

**CITY COUNCIL MEETING DATE: April 23, 2007**

AGENDA ITEM: Project Acceptance: Regan Road Lift Station Improvements	AGENDA SECTION: New Business
PREPARED BY: David Zull, Project Manager I 	AGENDA NUMBER:
ATTACHMENTS: RH2 Letter of Recommendation	APPROVED BY:  MAYOR  CAO
BUDGET CODE:	AMOUNT:

The City Council approved award of the “Regan Road Lift Station Improvements” contract to Gary Harper Construction on April 24, 2006, in the amount of \$270,924.50, including State Sales Tax.

Gary Harper Construction completed the work for this project on March 16, 2007. The project contract was completed at a total cost of \$267,657.49, which is \$3,267.01 below the original bid amount.

The work performed under this Contract was inspected by RH2 Engineering and City staff and found to be physically complete in accordance with the approved plans and specifications (see attached letter). Staff recommends Council’s acceptance of the project for closeout.

RECOMMENDED ACTION:

**Staff recommends project acceptance of the Regan Road Lift Station Improvements project to start the 45-day lien filing period for project closeout.**

COUNCIL ACTION:



March 22, 2006

RH2 ENGINEERING, INC

http://www.rh2.com  
mailbox@rh2.com  
1.800.720.8052

Mr. David Zull, P.E.  
Project Manager  
City of Marysville  
80 Columbia Avenue  
Marysville, WA 98270

WESTERN WASHINGTON

12100 NE 195<sup>th</sup> St., Suite 100  
Bothell, WA 98011  
(tel) 425.951.5400  
(fax) 425.398.2774

*Sent Via: US Mail*

**Subject: Regan Road Lift Station Improvements  
Recommendation of Acceptance**

Dear Mr. Zull:

454 West Horton Road  
Bellingham, WA 98226  
(tel) 360.676.0836  
(fax) 360.676.0837

The Regan Road Lift Station Improvements Project was completed by Gary Harper Construction, Inc. in March of this year. We recommend that the City accept the project as complete as of March 16, 2007. This will start the one-year warranty period for the work performed under this contract.

One Pacific Building  
621 Pacific Avenue, Suite 104  
Tacoma, WA 98402  
(tel) 253.272.3059

If you have any questions, please call me at (425)951-5332 or email me at [ehalim@rh2.com](mailto:ehalim@rh2.com).

Sincerely,

**RH2 ENGINEERING, INC.**

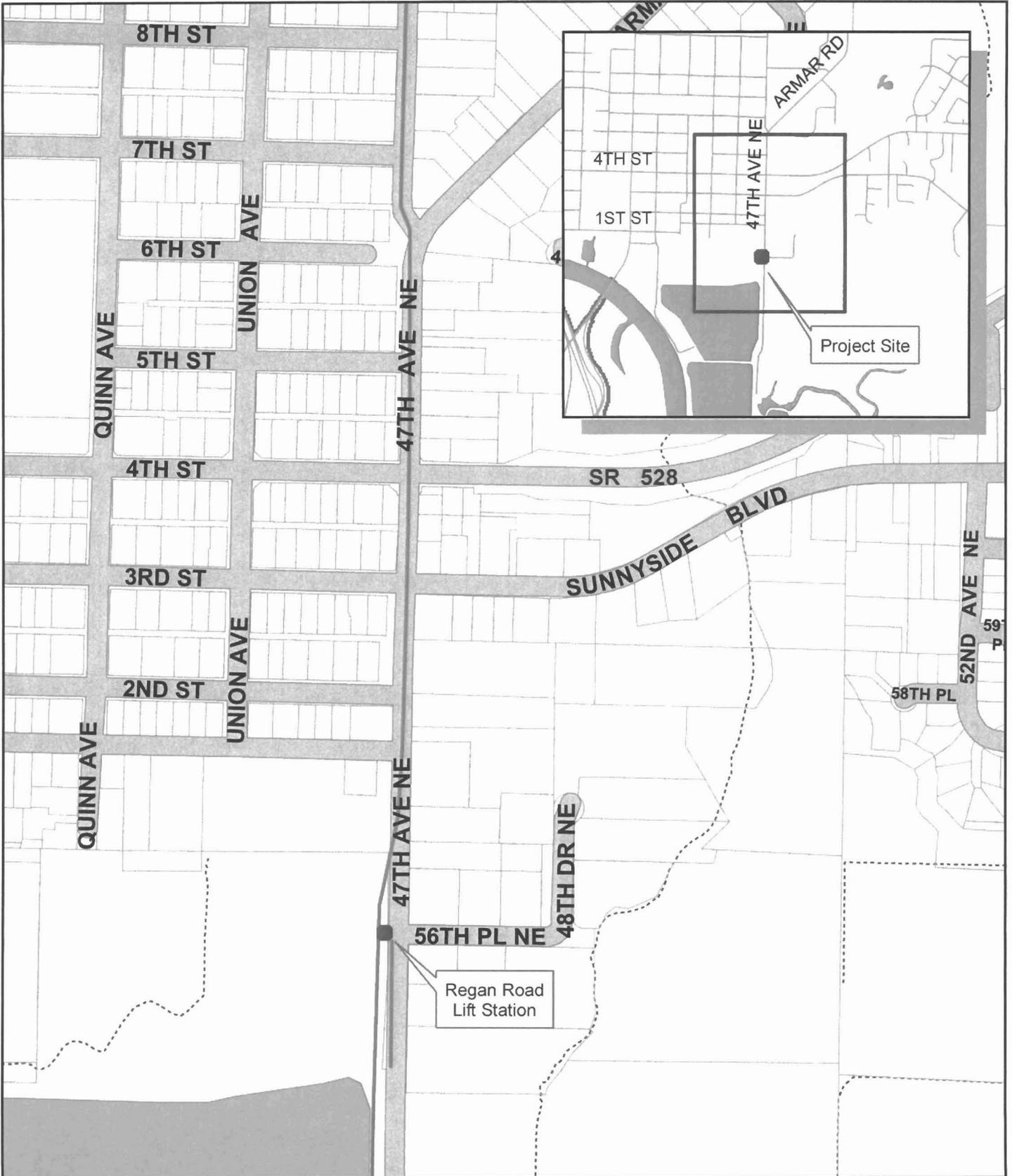
Edwin Halim, P.E.

EASTERN WASHINGTON  
300 Simon Street SE, Suite 5  
East Wenatchee, WA 98802  
(tel) 509.886.2900  
(fax) 509.886.2313

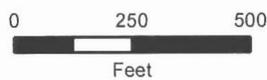
EH/sp

KITSAP PENINSULA

600 Kitsap Street, Suite 101  
Port Orchard, WA 98366  
(tel) 360.876.7960  
(fax) 360.876.7988



### Regan Road Lift Station Improvements



-  Sewer Trunk A
-  Reservoir Site



## CITY OF MARYSVILLE

### EXECUTIVE SUMMARY FOR ACTION

**CITY COUNCIL MEETING DATE:** April 23, 2007

<b>AGENDA ITEM:</b> Supplemental Professional Services Agreement No. 2 with Gray & Osborne on the Edward Springs 327 Zone Reservoir Project	<b>AGENDA SECTION:</b> New Business	
<b>PREPARED BY:</b> David Zull, P.E., Project Manager 	<b>AGENDA NUMBER:</b>	
<b>ATTACHMENTS:</b> Supplemental Agreement No. 2	<b>APPROVED BY:</b> 	
	<table border="1" style="width: 100%;"> <tr> <td style="width: 50%; text-align: center;"> <b>MAYOR</b>   </td> <td style="width: 50%; text-align: center;"> <b>CAO</b>   </td> </tr> </table>	<b>MAYOR</b> 
<b>MAYOR</b> 	<b>CAO</b> 	
<b>BUDGET CODE:</b> 40220594.563000, W0504	<b>AMOUNT:</b> \$88,566.00	

This Supplemental Agreement No. 2 will provide the City with construction management services for the Edward Springs 327 Zone Reservoir project. Gray & Osborne did the design work for this project and now that the City is ready to go to construction with this project we need them to provide construction management services.

Given the challenging technical aspects and unique nature of this project, it is staff's opinion that the negotiated fee of \$88,566.00 is fair and consistent with industry standard for the type of work at hand.

<b>RECOMMENDED ACTION:</b> Staff recommends that the Council authorize the Mayor to sign Supplemental Agreement No. 2 in the amount of \$88,566.00 with Gray & Osborne, Inc.
<b>COUNCIL ACTION:</b>    

**SUPPLEMENTAL AGREEMENT NO. 2  
TO  
PROFESSIONAL SERVICES AGREEMENT  
BETWEEN THE  
CITY OF MARYSVILLE AND  
GRAY & OSBORNE, INC.**

This Supplemental Agreement No. 2 is made and entered into on the \_\_\_\_ day of \_\_\_\_\_, 2007, between the City of Marysville, hereinafter called the "City" and GRAY & OSBORNE, hereinafter called the "Consultant."

WITNESSETH THAT:

WHEREAS, the parties hereto have previously entered into an Agreement for THE Edward Springs 327 Zone Reservoir project, hereinafter called the "Project," said Agreement being dated March 29, 2006; and

WHEREAS, both parties desire to supplement said Agreement, by expanding the Scope of Services to provide for Construction Management Services and to amend the total amount payable for this Agreement,

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

Each and every provision of the Original Agreement for Professional Services dated March 29, 2006, shall remain in full force and effect, except as modified in the following sections:

1. Article II of the Original Agreement, "SCOPE OF SERVICES", shall be supplemented to include the Scope of Services as described in Exhibit A2, attached hereto and by this reference made part of this Supplemental Agreement No. 2.

PROFESSIONAL SERVICES AGREEMENT - 1  
Supplement

/wpf/forms/municipal/MV0038.B

2. Article IV of the Original Agreement, "OBLIGATIONS OF THE CITY", Paragraph 4.1 Payments, the third sentence is amended to include the additional Consultant fee of \$88,566.00 and shall read as follows: "...shall total payment under this agreement exceed \$214,054.00."

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

Original Agreement	\$109,788.00
Supplemental Agreement No.1	\$ 15,700.00
Supplemental Agreement No.2	\$ 88,566.00
Grand Total	\$214,054.00

**DRAFT**

3. Article III, Section 3.3 of the Original Agreement, "TIME OF PERFORMANCE", is amended to provide that all work shall be completed by June 30, 2008.

IN WITNESS WHEREOF, the parties hereto have executed this SUPPLEMENTAL AGREEMENT NO. 2 as of the day and year first above written.

CITY OF MARYSVILLE

GRAY & OSBORNE, INC.

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

By: Thomas M. Zuehl  
Its President

ATTEST/AUTHENTICATED:

**DRAFT**

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Marysville City Attorney

PROFESSIONAL SERVICES AGREEMENT - 2  
Supplement

/wpf/forms/municipal/MV0038.B

## EXHIBIT A2

### SUPPLEMENTAL AGREEMENT NO. 2 SCOPE OF SERVICES

#### CITY OF MARUSVILLE EDWARD SPINGS 327 ZONE RESERVOIR CONSTRUCTION MANAGEMENT

### SUPPLEMENTAL UNDERSTANDING

The purpose of Supplemental Agreement No. 2 is to provide the City with additional professional services to the original project scope. The scope of work for construction management services for the Edward Springs 327 Zone Reservoir includes the following tasks:

### SCOPE OF WORK

1. Preconstruction Meeting

Gray & Osborne will prepare the agenda for the preconstruction meeting, facilitate the meeting, and prepare a summary of issues discussed.

2. Submittal Reviews

Gray & Osborne will review the information submitted by the Contractor as required by the Contract Documents to ensure compliance with the building permit and the intent of the Contract Documents. Submittals include:

- Schedule of Values
- Traffic Control Plan
- Temporary Erosion Control Plan Supplement
- Construction Schedules
- Temporary Shoring and Bracing Plan
- Product Submittals:
  - Storm Drain Pipe and Appurtenances
  - Ductile Iron Pipe and Fittings
  - Valves
  - Fire Hydrants
  - Utility Structures and Accessories
  - Metal Access Hatches
  - Fences and Gates
  - Gravel Materials
  - Asphalt Mixtures

- Concrete Mixtures
- Controlled Density Fill Mixtures
- Landscaping Products
- Coatings
- Reservoir
- Telemetry Equipment
- Electrical Equipment

### 3. On-Site Inspection

Gray & Osborne will provide part-time on-site inspection to observe the installation of work to ensure compliance with the building permit and the intent of the Contract Documents. Inspections will include:

- Verifying Survey Control
- Clearing Limits
- Erosion Control
- Limits for Excavation and Fill
- Reservoir Foundation Placement
- Pipe Installation
- Water Main Pressure Testing and Disinfection
- Site Restoration

The Contractor will be responsible for all testing of soils, utilities, concrete, and pavement materials, as well as the reservoir welds testing.

The Contractor will be responsible for the site survey based on the Contract Documents and survey control established on the site.

Gray & Osborne will include Quality Coating Inspection & Consulting as a Subconsultant to perform as an independent painting inspector to observe the Contractor's preparation and painting of the reservoir. Mr. Shearer will make inspections at the critical points of coating preparation and painting.

### 4. Construction Progress Meetings

Gray & Osborne will prepare the agenda for regularly scheduled construction meetings at monthly intervals or more often as required to coordinate the progress of the work.

### 5. Change Orders

Gray & Osborne will review change order requests submitted by the Contractor to address revisions in the site conditions or the scope of work.

Gray & Osborne will evaluate the proposed costs, review the request with the City, and prepare the appropriate change order.

6. Documentation

Gray & Osborne will provide copies of all correspondence, submittal reviews, inspection reports, and the Contractor's progress reports. Information will be provided to the City to preparation of progress payments to the Contractor.

7. Operation and Maintenance Manuals

Gray & Osborne will review and assemble information obtained from the Contractor for the following items:

- Control Valve
- Flow Meter
- Seismic Sensor and Operation
- Reservoir As-Builts
- Reservoir Weld X-Ray Images
- Reservoir Painting Report
- Electrical and Control

8. Project Acceptance

Gray & Osborne will review the final work by the Contractor with the City and provide a recommendation to the City to accept the project as complete. We will also prepare the Department of Health project completion form.

9. Record Drawings

Gray & Osborne will revise the bid drawings to incorporate the field modifications for record drawings of the completed project. The revised plans will be provided to the City on mylar and with electronic files.

The work, except for structural and electrical review, is scheduled to be performed from our Smokey Point office. The construction management services will be provided by Ken Enns, P.E., Design Engineer of Record, and Max Selin, Project Coordinator and Civil Designer. Both are located in the Smokey Point office, which is approximately 3.5 miles from the project site. The structural and electrical reviews will be performed by our Seattle office.

**FEE PROPOSAL**

<b>Task</b>	<b>Principal-in-Charge</b>	<b>Civil Engineer</b>	<b>Structural Engineer</b>	<b>Electrical Engineer</b>	<b>Technician</b>
1. Preconstruction Meeting	2	4			
2. Submittal Review	8	24	8	16	
3. On-Site Inspection	40	360	8	16	
4. Construction Progress Meetings	24	40		8	
5. Change Orders	8	24	8	8	16
6. Documentation	10	48			
7. O&M Manuals	4	16		4	8
8. Project Acceptance	4	8		8	
9. Record Drawings		4			24
Hour Estimate:	100	528	24	60	48
Estimated Hourly Rate:	\$50	\$32	\$40	\$40	\$28
Direct Labor Cost:	\$5,000	\$16,896	\$960	\$2,400	\$1,344

Subtotal Direct Labor:..... \$26,600  
 Indirect Costs (162%): ..... \$43,092  
 Total Labor Cost: ..... \$69,692  
 Fee (15%):..... \$10,454  
 Subtotal Labor & Fee:..... \$80,146  
 Subconsultant:  
     Quality Coating Inspection & Consulting:..... \$ 6,200  
     GeoEngineers, Inc.:..... \$ 1,000  
     Subconsultant Overhead (10%): ..... \$ 720  
 Expenses: ..... \$ 500  
**TOTAL ESTIMATED COST: ..... \$88,566**

**ATTACHMENT: Quality Coating Inspection & Consulting Submittal Proposal**



Quality Coating Inspection and Consulting Inc.  
22353 Glenn Road  
Mount Vernon, WA 98273  
Phone: 360-202-1395

Date: 03-09-07

## **Submittal / Proposal**

**Client:** Gray and Osborne

**Client contact:** Ken Enns

**Project:** Marysville Edward Springs zone 327 reservoir

**Location:** Marysville WA.

**Scope:** On-sight coatings Inspection

**Schedule:** Third to fourth quarters of 2007

**Four weeks of critical point inspection @ \$70.00 per hour.**

**Minimum hours per visit including travel: 4 hours**

**4 X 20 visits = 80 hours @ \$70.00 Per Hour. = \$5,600.00**

**20 site visits @ 60 miles per visit = 1200 miles  
@ \$.50 per mile = \$600.00**

**Total: \$6,200.00**

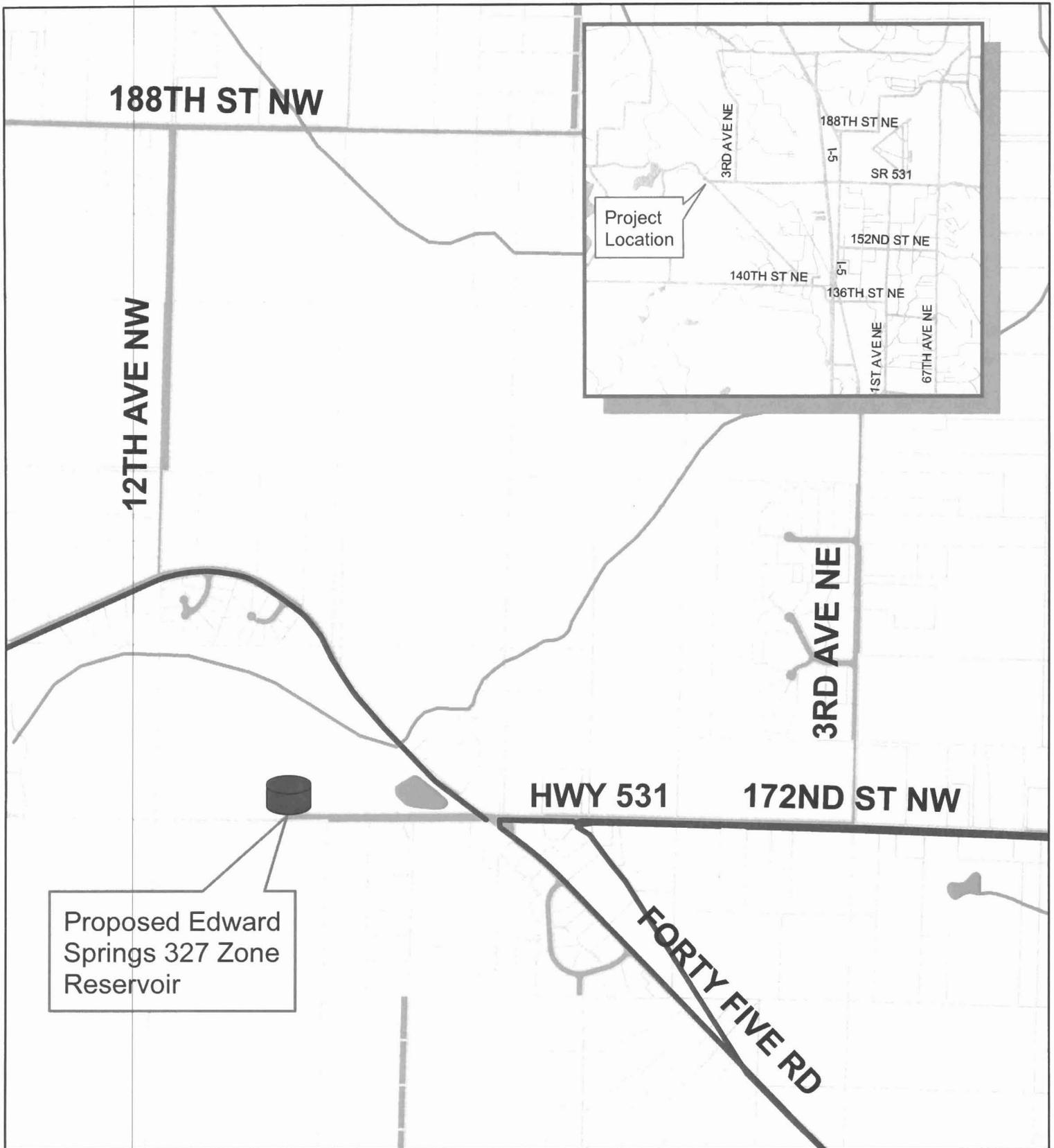
**Thank you for this opportunity.**

**Respectfully,**

**Rudy A. Shearer**

**President/ owner**

**Quality Coatings Inspection & Consulting Inc.**



Proposed Edward Springs 327 Zone Reservoir

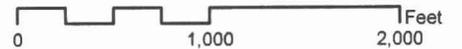
Project Location



## Proposed Edward Springs 327 Zone Reservoir



— Transmission Mains



## CITY OF MARYSVILLE

### EXECUTIVE SUMMARY FOR ACTION

**CITY COUNCIL MEETING DATE: April 23, 2007**

AGENDA ITEM: Adoption of an Interagency Agreement with Snohomish County for participation in the County's 2007 Overlay Program	AGENDA SECTION: New Business
PREPARED BY: Paul Federspiel, Associate Engineer II	AGENDA NUMBER: 
ATTACHMENTS: Interagency Agreement with Snohomish County Graphic of Overlay Locations	APPROVED BY:
	MAYOR  CAP 
BUDGET CODE: 10200030.541000	AMOUNT: \$545,000

Snohomish County provides the opportunity for Cities to participate in their annual Street Overlay Program. A savings is achieved by participating with the County due to the economy of scale.

Three streets have been prioritized in the city for overlay in 2007. They are Grove Street from Armar Road to 67<sup>th</sup> Avenue, 47<sup>th</sup> Avenue from Grove Street to 76<sup>th</sup> Street and 84<sup>th</sup> Street from State Avenue to 47<sup>th</sup> Avenue.

This agreement authorizes the County to include Marysville's projects in the County's program. The total budget available for professional services for arterial streets is \$730,000. Staff plans to use \$100,000 of this for an updated Pavement Management Survey. The cost to the City for participating in the Snohomish County 2007 Overlay Program is estimated at this time to be \$545,000. The remaining \$85,000 (11.6%) is a reserve buffer until the County receives bids from the contractors that will provide a more refined estimate.

**RECOMMENDED ACTION:**

**City staff recommends that City Council authorize the Mayor to sign the Interlocal Agreement with Snohomish County for the 2007 Overlay Program.**

**COUNCIL ACTION:**

After Recording Return To:  
Snohomish County Council  
MS #609

**INTERAGENCY AGREEMENT  
BETWEEN  
SNOHOMISH COUNTY AND THE CITY OF MARYSVILLE  
2007 OVERLAY PROGRAM**

THIS AGREEMENT is made and entered into by and between Snohomish County, a political subdivision of the State of Washington, hereinafter called the "County", and the City of Marysville, a Washington municipal corporation, hereinafter called the "City", in accordance with the Interlocal Cooperation Act, Chapter 39.34 RCW.

WHEREAS, the County's 2007 County Overlay Program, hereinafter referred to as the "Program," provides for asphalt paving work at various locations throughout the County, including projects within participating cities that have entered into interagency agreements with the County; and

WHEREAS, the anticipated Program work includes design, engineering, placement of hot mix asphalt, road pulverization, and other related work; and

WHEREAS, the City desires to participate in the Program and the County agrees to permit the City to participate in the Program subject to the terms and conditions of this Agreement; and

WHEREAS, the County intends to contract through competitive bidding in accordance with all applicable laws and regulations to accomplish the Program and anticipates that the work will be completed by June 1, 2008; and

WHEREAS, the parties can achieve cost savings and mutual benefits in the public's interest by undertaking the Program in accordance with this Agreement.

NOW, THEREFORE, the parties hereby agree as follows:

I. GENERAL TERMS AND CONDITIONS

- A. The County shall be the lead agency, or administrator, for the Program and shall be the lead agency with regard to design, construction and other matters pertinent to accomplishment of the Program.
- B. The parties to this Agreement shall appoint a contact person or persons to act as liaison for the Program. These contact persons will meet on an "as needed" basis to provide guidance for the Program and to coordinate between the two parties.
- C. By entering into this Agreement the City authorizes its designated contact person to establish the final list of projects as described in Section II, paragraph A and agrees to pay County all costs for such projects as set out in Section VI, paragraph A.
- D. The final acceptance of the Program and all projects undertaken through the Program shall be by the County.
- E. The project schedule for the Program shall be determined by the County.
- F. By signing this Agreement, the City certifies to the County that the City owns the real property or right-of-way upon which its projects are located and additional real property or right-of-way is not needed for those projects submitted for inclusion in the Program.
- G. The City shall obtain and provide a copy to the County of all permits necessary for the projects within its jurisdiction, prior to the time the County advertises for bids for the Program.
- H. The County will include language in the Program contract that will allow the City to reduce the scope of contract work for City projects should the bids exceed the engineer's estimate for specific projects or should unexpected City budget constraints occur.
- I. The Program includes items for asphalt paving, grinding bituminous pavement, traffic control labor, monument case and cover adjustments, and roadway pulverization for projects included in the Program.
- J. The parties may mutually agree by way of a Letter of Understanding (which shall constitute a contract amendment once

fully executed in accordance with the requirements of Chapter 39.34 RCW), that the County may perform preliminary engineering under this Agreement for City projects that may be included in the following year's Program. Payment for such preliminary engineering shall be made according to the terms of the Letter of Understanding and applicable law.

## II. CITY PROJECT SUBMITTALS

- A. Following execution of this Agreement, the City shall prepare and submit to the County a prioritized list of projects the City proposes for inclusion in the Program.
- B. For each project on the list the City shall include the route, beginning and ending termini, and type of work required, i.e. depth of overlay, grinding or feathering at termini, or grinding adjacent to curbs.
- C. The City shall not submit any projects for inclusion in the Program for which City costs for design, right-of-way acquisition, or construction are reimbursable with Federal Funds, or Federal Grants.
- D. The contract cost estimate plus a 10% contingency for the final list of City projects is the maximum amount payable to the County by the City under this Agreement
- F. Before authorizing work for City projects exceeding the maximum amount payable for this Agreement, the County shall obtain written approval from the City. The City may request that extra projects be added to the Program by submitting a written letter authorizing Snohomish County and its contractor to perform such extra work. If accepted by the County, as evidenced by the signature thereon of the County Executive or his designee, the City shall be liable for all cost increases, if any, which may be incurred by adding this additional work to the Program.

## III. DESIGN

- A. The County shall perform all design and engineering services for the Program, in accordance with all applicable standards relative to the overlay program and after consulting with the City.

#### IV. BIDDING AND CONTRACTING

- A. The County shall prepare the construction documents and incorporate them into the Program contract Bid Documents in such manner as to separately identify the cost for each project included in the City's portion of the Program.
- B. The County shall advertise for bids for the Program contract in the official legal publication for the County and, if necessary, other newspapers to provide the widest possible coverage commensurate with the size of the Program.
- C. The County will provide to the City a copy of the plans and specifications for City projects advertised for bid.
- D. The County will tabulate the bids. The County shall provide to the City a dated, verified copy of the bid tabulations for the portion of the Program that includes the City's projects. The bid tabulations will also indicate the estimated construction costs for the City's projects.
- E. The City shall be financially responsible for its portion of the final list of projects included in the construction contract.
- F. The County shall award the contract to the lowest responsible bidder for the total Program, at its sole determination, subject to applicable laws and regulations.

#### V. CONTRACT ADMINISTRATION

- A. The County shall provide the engineering, administrative, inspection, and clerical services necessary for the execution of the Program. In providing such services, the County Engineer may exercise all the powers and perform all the duties vested in him by law.
- B. The City may furnish an inspector to ensure proper compliance with the requirements of the plans and specifications during performance of the City's portion of the Program. The City's inspector shall advise the County of any deficiencies noted. The City's inspector shall not communicate directly with or instruct the contractor directly on any matters regarding the contractor's performance.
- C. The City shall notify the County, in writing, of any changes it wishes be made in the plans and specifications that affect the City's

portion of the Program. The County shall make such changes, if feasible. The County shall notify the City of any changes required by the County that substantially change the nature of the City's portion of the Program, its estimated cost, or its basic design, and the County shall obtain the City's approval of such changes before implementing the changes.

- D. The City hereby grants the County right of entry into its jurisdictional boundaries for the purpose of performing any and all tasks necessary to complete the Program.
- E. The City will be invited to attend the preconstruction meeting.
- F. The City shall be responsible for providing any additional notification for City projects, such as door to door flyers, if the City desires such notice.
- G. The County will at all times keep the City advised as to the progress of the Program, and will not order or approve any changes in the approved project design that substantially change the nature of said project without first consulting the City.

## VI. PAYMENT

- A. The County shall bill the City for actual expenses incurred for activities associated with performing the City's portion of the Program, on no more than a monthly basis. These bills will reflect actual costs including an administrative overhead rate of 15% on direct labor. All payments shall be due within 30 days of the billing date, with interest accruing at the rate of one percent per month on any delinquent charges, beginning 30 days after the billing date.
- B. In the event a lawsuit is instituted to enforce the payment obligations of the City, the prevailing party shall be entitled to recover all costs of such a lawsuit, including reasonable attorney's fees.

## VII. DURATION/TERMINATION

- A. This Agreement will become effective upon the signing of this agreement by both parties, and will remain in effect until terminated by:
  - (1) 30 days' advance written notice by either party, or
  - (2) completion of the objectives and full payment for the objectives of this agreement.

- B. In the event of termination prior to completion of the objectives of this Agreement, all direct and indirect phasing-out costs shall be paid by the party requesting termination. Termination costs claimed shall not exceed the actual costs incurred as a result of termination of the Program.

#### VIII. INDEMNIFICATION AND HOLD HARMLESS

Each party hereto agrees to indemnify and hold harmless the other party, and its officers, agents and employees, for all claims (including demands, suits, penalties, losses, damages or costs of any kind whatsoever) including costs and reasonable attorney's fees, to the extent such a claim arises or is caused by the indemnifying party's own negligence or that of its officers, agents or employees in performance of this agreement.

#### IX. OTHER PROVISIONS

- A. The County shall be deemed an independent contractor for all purposes, and the employees of the County or any of its contractors, subcontractors and employees shall not in any manner be deemed to be employees or agents of the City.
- B. No liability shall attach to the City or the County by reason of entering into this Agreement except as expressly provided herein.
- C. Waiver of any default shall not be deemed to be a waiver of any subsequent default. Waiver of breach of any provision of the Agreement shall not be deemed to be a waiver of any other or subsequent breach and shall not be construed to be a modification of the terms of the Agreement unless stated to be such through written approval by the non-breaching party which shall be attached to the this Agreement and incorporated herein as an amendment.
- D. Each party shall retain ownership and usual maintenance responsibility for the roads and sidewalks within their jurisdiction upon completion of any work under this Agreement. Any real or personal property acquired or used by any party in connection with this Agreement will be acquired, held, and disposed of by that party in its discretion and other party will have no joint or other interest therein. Upon termination of this Agreement, real and personal property acquired through this Agreement shall be retained or disposed of in the manner provided by law.

E. This Agreement contains the entire written agreement of the parties and supersedes all prior discussions. This Agreement may be amended only in writing, signed by both parties.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year last written below.

SNOHOMISH COUNTY

CITY OF MARYSVILLE

\_\_\_\_\_  
Snohomish County Executive

\_\_\_\_\_  
Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

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

APPROVED AS TO FORM:

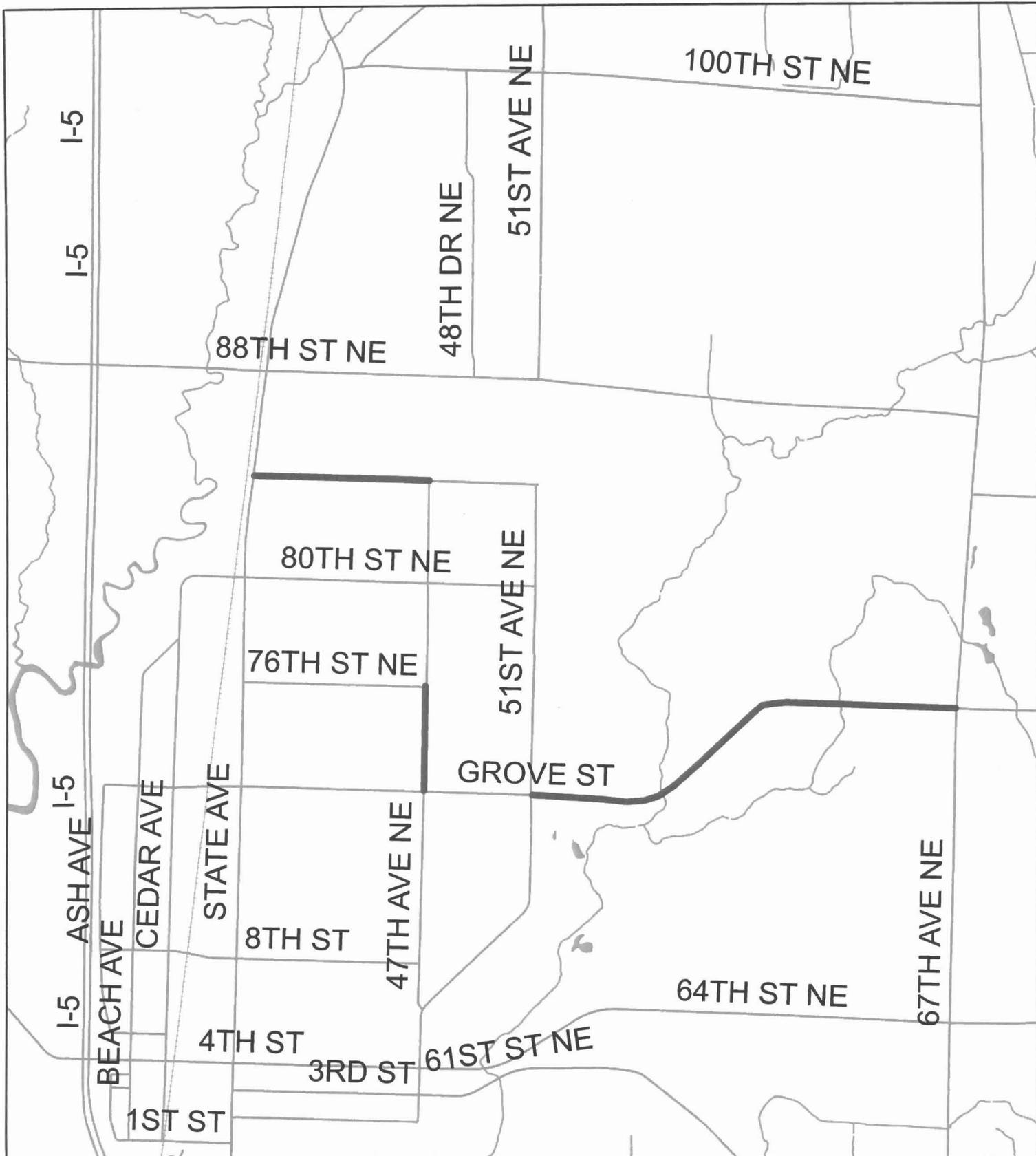
APPROVED AS TO FORM:

\_\_\_\_\_  
Deputy Prosecuting Attorney

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date



### 2007 County Overlay



— OVERLAY AREAS



**CITY OF MARYSVILLE  
EXECUTIVE SUMMARY FOR ACTION**

**CITY COUNCIL MEETING DATE:** April 23, 2007

<b>AGENDA ITEM:</b> PA 06016 Woods/Snyder Rezone/Preliminary Plat	<b>AGENDA SECTION:</b>	
<b>PREPARED BY:</b> Cheryl Dungan, Senior Planner	<b>AGENDA NUMBER:</b>	
<b>ATTACHMENTS:</b> 1. Hearing Examiner Recommendation dated 03/22/07 2. Hearing Examiner Minutes dated 03/15/07 3. Staff Recommendation dated 03/09/07 4. Rezone Ordinance 5. Site Plan 6. Vicinity Map 7. Legal Description	<b>APPROVED BY:</b> 	
	<b>MAYOR</b>  	<b>CAO</b>  
<b>BUDGET CODE:</b>	<b>AMOUNT:</b>	

The applicant is requesting approval of a rezone from Single-Family, High Density R-4.5/6.5 to Planned Residential Development 4.5/6.5 (PRD 4.5/6.5), preliminary plat, and preliminary site plan approval for the planned residential development of Wood/Snyder. Approval of the rezone and preliminary plat would create 76 lots on approximately 20 acres.

The site is located at 5800 and 5926 Sunnyside Blvd. The Hearing Examiner has recommended approval of the applicant's request with conditions.

<b>RECOMMENDED ACTION:</b> Planning Staff recommends affirmation of the Hearing Examiner's recommendation to approve the rezone and preliminary plat with conditions.
<b>COUNCIL ACTION:</b>

**CITY OF MARYSVILLE**  
**Hearing Examiner**  
**Findings, Conclusions and Recommendation**

---

**APPLICANT:** Charter Homes, Inc.

**CASE NO.:** PA 06016

**LOCATION:** East of 75<sup>th</sup> Ave. NE, north of 56<sup>th</sup> Pl. NE, west of 77<sup>th</sup> Ave. NE

**APPLICATION:** Request for approval of 76-lot preliminary site plan, preliminary plat approval and rezone to PRD

**SUMMARY OF RECOMMENDATION:**

Planning Staff Recommendation: Approve with conditions

Hearing Examiner Decision: Approve with conditions

**PUBLIC HEARING:**

After reviewing the official file, which included the Planning Staff's Advisory Report, and after visiting the site, the Hearing Examiner conducted a public hearing on the application. The hearing on the application was opened at 7:00 p.m., March 15, 2007, in the Council Chambers, Marysville, Washington, and closed at 7:10. p.m. Participants at the public hearing are listed in the minutes of the hearing. A verbatim recording of the hearing and more complete minutes are available in the Planning Department. A list of exhibits offered and entered at the hearing and a list of parties of record are attached to this report.

**HEARING COMMENTS:**

As noted in the minutes of the hearing, comments were offered by:

From the City:

Cheryl Dungan, Senior Planner

From the Applicant:

Ivana Halvorsen, Senior Planner, Barghausen Consulting Engineers

From the Public:

No one from the general public spoke at the public hearing.

## **FINDINGS CONCLUSIONS AND DECISION:**

Having considered the entire record in this matter, the Hearing Examiner now makes and enters the following:

### **A. FINDINGS AND CONCLUSIONS:**

1. The information contained in Sections I and II of the Planning Staff's Advisory Report (Hearing Examiner Exhibit 68) is found by the Hearing Examiner to be supported by the evidence presented during the hearing and by this reference is adopted as portion of the Hearing Examiner's findings and conclusions. A copy of said report is available in the Planning Department.
2. At the hearing, the Applicant's representative concurred with the staff advisory report.
3. The minutes of the meeting accurately summarize the comments offered at the hearing and by this reference are entered into the official record.
4. If approved as conditioned below, the development will be consistent with the comprehensive plan and will meet the requirements and intent of the Marysville Municipal Code.
5. If approved as conditioned below, the development will make adequate provisions for open space, environmentally sensitive areas, drainage streets and other public ways, water supply, sanitary wastes, public utilities and infrastructure, parks and recreation facilities, playgrounds, sites for schools and school grounds.
6. If approved as conditioned below, the development will be beneficial to the public health, safety and welfare and will be in the public interest.
7. If approved as conditioned below, the development will not lower the level of service of transportation and/or neighborhood park facilities below the minimum standards established within the comprehensive plan.
8. The area, location and features of land proposed for dedication are a direct result of the development proposal are reasonably needed to mitigate the effects of the development, and are proportional to the impacts created by the development.

### **B. RECOMMENDATION:**

Based upon the foregoing findings of fact and conclusions, it is recommended that the request for the proposed 76-lot preliminary site plan, preliminary plat and rezone to PRD 4.5/6.5 be approved, subject to the following conditions:

1. Prior to final plat approval, the applicant shall provide a final, detailed landscape/reforestation plan that will include, but not be limited to, the following improvements:
  - ◆ Street trees spaced 40 feet on center. These trees shall be a minimum of 1½" caliper and 6' to 8' in size at the time of planting. Tree species should be selected from the City's recommended street tree listing in the streetscape plan. Concurrently with street tree installation, the applicant shall install sod within all planter strips located within public right-of-way.
  - ◆ Yard trees at a rate of two (2) trees per lot. These trees should include at least one evergreen tree, which is a native species to the Northwest region. These trees shall be a minimum of 1¼" caliper and 6' to 8' in size for deciduous and 6' in size for evergreen.
  - ◆ On-site tree retention.  
(Note: Street trees to either be installed or bonded for prior to final plat approval, yard trees to be installed prior to final home inspection for that particular lot).
2. Front yards setbacks on cul-de-sacs should be relocated to where the lot width meets the minimum width requirement for the zone.
3. Prior to construction plan approval, the applicant shall submit a detailed wetland mitigation plan for review and approval. (MDNS #1)
4. Prior to final approval of the wetland mitigation plan, the applicant shall receive approval by all applicable State and Federal agencies. If changes to the mitigation boundary occur as a result of agency review, the preliminary plat map shall be revised accordingly. (MDNS #2)
5. Prior to construction plan approval, the applicant shall demonstrate to the satisfaction of the City that the natural topography of the site is being preserved as much as feasible. (MDNS #3)
6. Prior to final plat approval, the applicant shall grant a flood easement to the Tulalip Tribes and QWULOOLT trustees to allow the right to impose tidal flooding as needed for restoration of tidal influx over and across the floodplain area, together with a right to come on and construct necessary earthwork to protect and maintain existing property and infrastructure adjacent to said premises. (MDNS #4)
7. Prior to construction plan approval, the applicant shall revise the traffic study to include a left turn pocket warrant analysis at the intersection(s) of 57<sup>th</sup>, 59<sup>th</sup> and 60<sup>th</sup> Streets NE. Channelization will be required as determined by the City Engineer. (MDNS #5)
8. The applicant shall participate on a proportionate share basis towards the City's street system in the amount of **\$241,300.00**. Payment shall be made prior to final plat approval. (MDNS #6)
9. Wetland fencing and signage adjacent to a regulated wetland or stream corridor shall be constructed with pressure treated posts and rails, and cemented into the ground with either cedar or treated rails. Alternative materials may be used subject to approval by the City. Signs designating the presence of the environmentally sensitive area shall be posted along the buffer boundary. The signs shall be posted at a rate of 100 feet (at minimum). (MDNS #7)

10. The applicant shall participate on a proportionate share basis towards the County's street system in the amount of **\$26,402.20**. Payment shall be made prior to final plat approval. (MDNS #8)

Approval of a preliminary subdivision does not guarantee the development yield depicted thereon. A preliminary plat is only "a neat and approximate drawing showing the layout of a proposed subdivision... together with any supporting exhibits...". The yield depicted thereon may have to be reduced for final plat approval if it is found through the final plat review process that the plat as preliminarily approved cannot meet all the applicable minimum standards. Under no circumstances may the development yield be increased without prior public hearing review.

Dated this 22nd day of March 2007



Ron McConnell, FAICP  
Hearing Examiner

#### **RECONSIDERATION:**

A party to a public hearing may seek reconsideration only of a final decision by filing a written request for reconsideration with the director within fourteen (14) days of the final written decision. The request shall comply with MMC 15.11.020(3). The examiner shall consider the request within seven (7) days of filing the same. The request may be decided without public comment or argument by the party filing the request. If the request is denied, the previous action shall become final. If the request is granted, the hearing examiner may immediately revise and reissue its decision. Reconsideration should be granted only when a legal error has occurred or a material factual issue has been overlooked that would change the previous decision.

#### **COUNCIL ACTION:**

Recommendations by the Examiner on rezones or shoreline conditional use permits will constitute a final action by the City unless a timely written request for a closed record appeal is filed with the City Council within 14 days after issuance of the recommendation. In the event of a timely appeal, the City Council will conduct a closed record hearing of this case. Closed record hearings shall be on the record and no new evidence may be presented. The City Council's action will be the final action of the City.

#### **JUDICIAL APPEAL:**

- (1) Appeals from the final decision of the hearing examiner, or other city board or body involving MMC Titles 15 to 20 and for which all other appeals specifically authorized have been timely exhausted, shall be made to Snohomish County superior court pursuant to the Land Use Petition Act, RCW 36.70C within 21 days of the date the decision or

action became final, unless another applicable appeal process or time period is established by state law or local ordinance.

- (2) Notice of the appeal and any other pleadings required to be filed with the court shall be served as required by law within the applicable time period. This requirement is jurisdictional.
- (3) The cost of transcribing and preparing all records ordered certified by the court or desired by the appellant for such appeal shall be borne by the appellant. The record of the proceedings shall be prepared by the City or such qualified person as it selects. The appellant shall post with the city clerk prior to the preparation of any records an advance fee deposit in the amount specified by the city clerk. Any overage will be promptly returned to the appellant.

#### **EXHIBITS:**

The following exhibits were offered and entered into the record:

1. Receipt
2. Checklist
3. Master Permit Application
4. SEPA Checklist
5. Legal Description
6. Wetland Delineation Report
7. Project Narrative
8. Vicinity Map
9. Application for Zero Lot Line Preliminary Plat
10. Front Elevation "A"
11. Reduced Plat Map
12. Supplemental Report – Snyder
13. Supplemental Report - Wood
14. Title Report
15. RFR Checklist
16. Affidavit of Posting
17. Technical Review Comments
18. Email from Laura Casey dated 2/21/06
19. RFR Comments from PUD dated 2/13/06
20. Geotech Study – Wood Property
21. RFR Comments from Anne Miller
22. RFR Comments from Parks Department
23. RFR Comments from Snohomish County Public Works
24. RFR Comments from Police
25. RFR Comments from Marysville Fire Department
26. RFR Comments from Marysville School District
27. RFR Comments from Deryl Taylor
28. Memo fro Lozier Homes dated 7/6/06

29. Resubmittal letter from Barghausen Engineers dated 7/14/06
30. Affidavit of Publication
31. Fax and Comment Letter dated 2/28/06
32. SEPA Checklist
33. Wetland Delineation & Conceptual Mitigation Plan Report
34. RFR Checklist
35. RFR Comments from Utilities
36. Email from Steve M. Benenati dated 6/13/06
37. Email from Erik Stockdale dated 2/23/06
38. RFR Comments from Marysville Fire Department
39. RFR Comments from Snohomish County Public Works
40. RFR Comments from Parks Department
41. RFR Comments from Anne Miller
42. Traffic Report
43. Letter from Barghausen Consulting Engineers dated 8/10/06
44. Plat Maps
45. Preliminary Wetland Buffer Planting Plan
46. RFR Checklist
47. Letter from Barghausen Consulting Engineers dated 8/06/06
48. RFR Comments from Anne Miller
49. Letter to Barghausen Consulting Engineers dated 11/1/06
50. Letter from Barghausen Consulting Engineers dated 12/18/06
51. Colored Site Plan
52. Conceptual House Position Exhibit
53. Preliminary Stormwater Site Plan
54. Email from Erik Wicklund to John Cowling dated 10/06/06
55. Letter from Chad Armour to Mr. Wicklund dated 10/06/06
56. Email from Cheryl Dungan to Erik Wicklund dated 11/13/06
57. RFR Checklist
58. RFR Comments from Anne Miller
59. RFR Comments from Tulalip Tribes
60. Email from Cheryl Dungan to Ivana Halvorson dated 1/10/07
61. Memo to Cheryl Dungan from Anne Miller dated 1/11/07
62. Addendum to the Wetland Delineation and Preliminary Mitigation Plan
63. MDNS
64. Affidavit of Posting
65. Affidavit of Publication
66. Affidavit of Posting
67. Affidavit of Publication
68. Staff Recommendations

**PARTIES of RECORD:**

Elwyn & Gulser Wood  
133 Crapemyrtle Road  
Covington, LA, 70433

Michael Snyder  
5927 Sunnyside Blvd.  
Marysville, WA 98270

Charter Homes, Inc.  
Eric Wickland  
601 Union St.  
Seattle, WA 98101

Ivana Halvoren  
Barghausen Consulting Engineers, Inc.  
18215 72<sup>nd</sup> Ave. S  
Kent, WA 98032

Francis Axman  
5926 59<sup>th</sup> Drive NE  
Marysville, WA 98270

Cliff Strong  
W&H Pacific  
3350 Monte Villa Parkway  
Bothell, WA 98021

Community Development Department

MARYSVILLE HEARING EXAMINER

March 15, 2007

7:00 p.m.

Marysville City Hall

ATTENDANCE

Hearing Examiner: Ron McConnell

Staff: Cheryl Dungan, Senior Planner  
Laurie Hugdahl, Recording Secretary

PUBLIC HEARING

1. PA 06016 – Request approval of a rezone from R-4.5/R-6.5 to PRD 4.5/6.5, preliminary site plan and preliminary plat approval for the single-family residential development known as the Wood/Snyder preliminary plat. Approval of the rezone, preliminary site plan and preliminary plat would create 76-single family lots on approximately 20 acres.

Owner(s): Elwyn & Gulser Wood  
133 Crapemyrtle Road  
Covington, LA 70433

Michael Snyder  
5927 Sunnyside Blvd  
Marysville, WA 98270

Applicant: Charter Homes, Inc.  
Eric Wickland  
601 Union Street  
Seattle, WA 98101

Contact: Ivana Halvorson  
Barghausen Consulting Engineers, Inc.  
18215 72<sup>nd</sup> Ave South  
Kent, WA 98032

Location: East of 75<sup>th</sup> Ave NE, north of 56<sup>th</sup> Pl. NE, west of 77<sup>th</sup> Ave NE

Hearing Examiner McConnell opened the hearing at 7:00 p.m. and reviewed the nature of the request.

Senior Planner Cheryl Dungan reviewed the staff report, including the recommendation.

*Applicant Comment:*

Ivana Halvorson, 18215 72<sup>nd</sup> Avenue South, Kent, WA 98032

Ms. Halvorson thanked Cheryl Dungan and the rest of staff for working together with them. She stated that they concur with the staff recommendation.

*Public Comment:*

Hearing Examiner McConnell solicited public comment. There was none.

He stated that he had been out to the site to study it. He had reviewed the material from the City and had no questions. He stated that he would have a decision out within two weeks.

## **ADJOURNMENT**

He adjourned the meeting at 7:12 p.m.

---

Laurie Hugdahl, Recording Secretary



COMMUNITY DEVELOPMENT  
80 Columbia Avenue ♦ Marysville, WA 98270  
(360) 363-8100 ♦ (360) 651-5099 FAX

STAFF RECOMMENDATION

File No: PA 06016

Reference Tax Account No: 30053400100300  
30053400200400  
30052800407400

Date of Report: March 9, 2007  
Hearing Date: March 15, 2007

Nature of Request: 76-lot preliminary site plan,  
preliminary plat approval; rezone to PRD  
4.5/6.5

Owner(s): Elwyn & Gulser Wood      Michael Snyder  
133 Crapemyrtle Road      5927 Sunnyside Blvd  
Covington, LA 70433      Marysville, WA 98270

Applicant: Charter Homes, Inc.  
Eric Wickland  
601 Union St  
Seattle, WA 98101

Contact: Ivana Halverson  
Barghausen Consulting Engineers, Inc  
18215 72<sup>nd</sup> Ave South  
Kent, WA 98032

Telephone: (425) 251-6222

Location: East of 75<sup>th</sup> Ave NE, north of 56<sup>th</sup> Pl NE, west of  
77<sup>th</sup> Ave NE

Current Zoning: R 4.5/R 6.5

Comprehensive Plan  
Land Use Designation: Medium Density, Single Family  
High Density, Single Family

School District: Marysville School District  
Water Source: City of Marysville  
Sewer Disposal: City of Marysville

STAFF RECOMMENDATION: APPROVE with conditions, the preliminary plat,  
preliminary site plan, rezone to PRD 4.5/6.5

PA 06016  
03/09/2007  
Page 1

**EXHIBIT**  
68

## **I. EVALUATION**

### **A. Request**

The applicant is requesting approval of a rezone from R-4.5/R6.5 to PRD 4.5/6.5, preliminary site plan and preliminary plat approval for the single-family residential development known as the Wood/Snyder preliminary plat. Approval of the rezone, preliminary site plan, and preliminary plat would create 76 single-family lots on approximately 20 acres.

According to the revised preliminary drainage report, the developed site will direct storm water to a bioswale for water quality treatment and discharge the treated water into to the adjacent 100-year floodplain. The City's Engineering Division has stated that the project will be required to use dispersion BMP's to prevent erosion.

### **B. Site Description**

The property is developed with one single-family residence and associated out buildings. The site is primarily utilized as active cattle pasture. The topography is rolling. Soils on the property were classified as Pastik silt loam, 0-8 and 8-25 percent slopes. Pastik silt loam is described as a very deep, moderately well drained soil on terraces. The main limitation is the seasonal high water table, which can be reduced by installing drain tile around footings.

### **C. Consistency with Comprehensive Plan**

The 2005 City of Marysville Comprehensive Plan designates the majority of the property as High Density, Single Family (6.5 du/net ac), the southeast corner of the property is designated Medium Density, Single Family (4.5 du/net ac). The goals and policies outlined in the Comp Plan are intended to provide guidance for both public and private decision makers in future growth and development of the city. Development policies pertinent to this rezone/subdivision request are as follows:

#### **Residential Land Use Goals & Policies**

Goals: 15 & 16

Policies: LU-18; LU-19; LU-20; LU-21; LU-23; LU-25; LU-28; LU-29; LU-34

#### **Single-Family**

Policies: LU-38; LU-39;

#### **Housing**

Policies: HO-1; HO-2; HO-4; HO-8; HO-23;

#### **Transportation and Circulation**

Policies: T-1A.2; T-1A.4; T-1B.1; T-1C.1; T-1E.1; T-1F.2; T-1F.3; T-2C.1; T-2C.2; T-3E.1

#### **Parks and Recreation**

Policies: PK-1; PK-8; PK-12; PK-16; PK-26

## Utilities

Policy: UT-1; UT-3; UT-4; UT-8

## Environmental

Policies: EN-2; EN-6; EN-9; EN10; EN-13; EN-18; EN-19; EN-22; EN-28; EN-29; EN-32;EN-35; EN-40

### **D. Title 19 – Development Code**

The property is zoned R 6.5, with the exception of the southeast corner of the property which is zoned R-4.5. Surrounding zoning includes R-6.5 zoning to the north and west with R-4.5 to the east and Open Space to the south. Pursuant to Section 19.48.110 MMC the bulk and dimensional requirements for a detached, zero lot line development in the PRD4.5/6.5 zone are as follows: building setbacks of 20' front and rear and 0 and 10' side yards (provided there is a minimum 10' separation between single family structures). The minimum lot width is 35' and the maximum building coverage is 45%. The single family detached units require a minimum 5,000 SF lot area, 20' front and rear setbacks, 5' side yard setbacks, a minimum lot width of 50' and a maximum building coverage of 40%. On a number of the cul-de-sac lots, the front yard setback needs to be relocated to where the lot width meets the minimum width requirement for the zone.

For the majority of the site, the maximum density allowed is 6.5 dwelling units per net acre. The density calculation for the R-6.5 portion of the site is  $(10.86 \text{ net acres} \times 6.5) = 70.59 \text{ d.u./net acre}$ ; the calculation for the R-4.5 portion is  $(2.52 \text{ net acres} \times 4.5) = 11 \text{ d.u./net acre}$ . The combined lots allowed under the PRD 4.5/6.5 zoning is 81.59 or 82 lots, the applicant is proposing 76.

### **E. Consistency with Title 20 (Subdivisions)**

Formal subdivisions (long plats) are reviewed pursuant to Title 20 MMC. The required elements of a preliminary plat are noted in Section 20.12.020 as follows:

Section 20.12.080

- 1) **Public Use and Interest.** Evaluation of the proposed subdivision to determine whether the public use and interest are served by permitting the proposed subdivision;
- 2) **Public Health, Safety, and General Welfare.** Evaluation of the proposed subdivision to determine whether the public health, safety and general welfare has been served;
- 3) **Comprehensive Plan.** Evaluation of all elements of the comprehensive plan and its consistency with the proposed subdivision.
- 4) **Existing Zoning.** Evaluation of existing zoning and its compliance with the proposed subdivision and Chapter 20.24 MMC.
- 5) **Natural Environment.** Evaluation of the impacts and provision for mitigation of all impacts on all elements of the natural environment including topography, vegetation, soils, geology and all environmental issues as defined in the State Environmental Policy Act, WAC 197-11 and Chapter 20.24 MMC.

- 6) **Drainage.** Evaluation of all drainage impacts and provisions made for mitigation of all drainage impacts as defined in the city's drainage codes and Chapter 20.24 MMC;
- 7) **Open Space.** Evaluation of all impacts and provision for open space as defined in Chapter 20.24 MMC;
- 8) **Public Systems Capacity.** Evaluation of all impacts and provisions made for mitigation of impacts on public systems including parks, schools, and community facilities as defined in Chapter 20.24 MMC.
- 9) **Public Services.** Evaluation of all impacts and provisions made for mitigation of impacts on public services including streets, all public utilities, fire and police protection as defined in Chapter 20.24 MMC;
- 10) **Floodplain.** Identification of subdivisions proposed in the floodplain and compliance with requirements of this title and Ordinance No. 1339 as amended, codified in Chapter 16.32 MMC.

**Section 20.24.020 Provisions for approval.** No division or redivision of land shall be approved unless appropriate provisions are made for, but not limited to, the public health, safety and general welfare, relating to open space, drainage ways, streets, alleys, other public ways, water supplies, sanitary wastes, parks, school facilities and other standards as may be required by this title.

**Section 20.24.030 Public Use reservations.** A. Reservation or Dedication. If the city concludes in the review of the subdivision or short subdivision that the dedication or reservation of areas or sites for school facilities, park land, and play grounds are reasonably necessary and are a direct result of the proposal and are consistent with the capital facilities element of the comprehensive plan, the city may require that such reservation or dedication be provided.

**Section 20.24.190 Public uses, park, playground and recreation areas.** A. Each division or redivision of land shall be required to reserve for passive or active recreation, a designated area within the subdivision or short subdivision based on a minimum of five acres per one thousand people as deemed reasonably necessary as a direct result of the proposed subdivision or short subdivision.

B. Such land reserved for recreation purposes shall be a suitable location for proposed recreation uses.

C. Nothing herein shall prohibit voluntary agreements with the city that allow a payment in lieu of a dedication of land to mitigate a direct impact that has been identified as a consequence of a proposed subdivision or short subdivision as authorized in RCW Chapter 82.02 and Chapter 18.24 MMC.

**Section 20.24.040 Design with environment required.** Information generated through the environmental review process will be used in designing the subdivision and short subdivisions in such a way as to mitigate potential adverse environmental impacts.

**Section 20.24.070** Landscaping requirements, states: “The use of street trees will be recommended at one tree per forty feet of frontage along the public street when a subdivision removes significant amounts of trees and natural vegetation. The trees shall be placed on private property unless otherwise approved by the city.”

#### **F. Conformance with SEPA**

After evaluation of the applicant’s environmental checklist submitted with the application, and other supporting documents and application materials, a Mitigated Determination of Non-Significance (MDNS) was issued on 01/26/07. There were no appeals.

It should be noted that when the City conducts an environmental review of a development project, all elements of the environment listed in WAC 197-11-444 are considered, as required by WAC 197-11-060(4)(a). The City not only reviews the current file information, but also utilizes its existing resources, such as other files, maps, utility plans, etc... to help in making a determination. Additionally, the wetland reports and mitigation plans are also reviewed and approved by the Washington State Department of Ecology.

#### **G. Sensitive Areas**

The applicant has submitted a *Wetland Delineation Report*, prepared by Barghausen Consulting Engineers, dated January 3, 2006, a revised *Wetland Delineation Report and Conceptual Mitigation Plan Report*, dated June 29, 2006, and an *Addendum to the Wetland Delineation and Preliminary Mitigation Plan*, dated January 2007. According to the Barghausen report(s), eight extensively degraded palustrine emergent (PEM) wetlands and a reach of Jones Creek are identified within the project boundaries. One PEM wetland (Wetland A) is associated with Jones Creek. One PEM wetland (Wetland B) is associated with an excavated drainage ditch located east of Jones Creek. Five isolated PEM wetlands (Wetlands D, E, F, H, and I) are found within the shallow depressions within the pasture area. One PEM wetland (Wetland G) is associated with the Meisinger wetland and extends off-site to the south. There is no Wetland C. Jones Creek flows south and off-site through a culvert and into a large PEM wetland that extends to Ebey Slough. All wetlands, except Wetland A, B, and G will be impacted by the proposed development. The following chart provides a summary of on-site wetland areas and streams with associated rating, standard buffer widths, and wetland impacts.

<b>Wetland</b>	<b>Size (square feet)</b>	<b>Category</b>	<b>Buffer width (feet)</b>	<b>Wetland Impact Area (s.f.)</b>
A	87,872	III	75	0
B	1,559	IV	35	0
D	2,128	IV	35	2,128
E	12,395	IV	35	12,395
F	4,823	IV	35	2,878
G	2,585	II	100	0
H	6,149	IV	35	4,002

I	18,364	IV	35	18,364
Jones Creek	--	F	150	0
Unnamed tributary	--	NS	50	0
TOTAL	135,875			39,767

Pursuant to MMC Section 19.24.120 *Wetland mitigation standards and criteria*, where wetland alterations are permitted, the applicant is required to restore or create equivalent areas of wetlands in order to compensate for wetland losses. The applicant is proposing to fill approximately 39,767 sq. ft. of Category IV wetland and accordingly would be required to provide mitigation pursuant to 19.24.120 – Table 3.

The project site is located directly adjacent to the QWULOOLT restoration project, which proposes to restore approximately 370 acres of floodplain to estuarine wetland through a proposed dike breach along Ebey Slough. The proximity of the restoration project to the proposed development provides the applicant an opportunity to mitigate for the project's wetland fill through the granting of a flood easement over the site's floodplain area. Section 19.24.120 MMC, allows the rehabilitation of wetlands at a 3:1 ratio. Rehabilitation is defined as the manipulation of the physical, chemical, or biological characteristics of a site with the goal of repairing natural or historic function of a degraded wetland. Activities could involve breaching a dike or reconnecting wetland to a floodplain or returning tidal influence to a wetland. Rehabilitation results in a gain in wetland function but does not result in a gain in wetland area. In this case, the rehabilitation would result in a dike breach that returns tidal influence to a degraded wetland area. To compensate for the filling of 39,767 sq. ft. of wetland on the project site, the applicant would grant a flood easement over the 171,554 sq. ft. of floodplain within the project boundaries, which upon dike removal, would provide a 4.31:1 mitigation ratio which would exceed city requirements. The applicant has submitted a written response which addresses the priority sequencing for wetland fill outlined in Section 19.24.110 *Wetland alteration and mitigation*.

In an e-mail from Eric Stockdale with the Department of Ecology, he stated that in concept he feels that a floodplain easement granted to the Tulalip Tribes/QWULOOLT trustees is a workable proposal and one he could support. However, he further states that the applicant will first be required to receive a jurisdictional call from the Corp of Engineers to determine whether the wetlands proposed for fill are isolated (and out of Corps jurisdiction), then Ecology would review the project through its isolated wetland review process. If the Corps takes jurisdiction, then Ecology would conduct their review through the normal 404-401 process. Therefore, prior to final approval of the wetland mitigation plan, the applicant will need to receive approval by all applicable State and Federal agencies. If changes occur to the mitigation boundary as a result of agency review, the preliminary plat map will need to be revised accordingly.

The applicant is proposing buffer averaging along portions of Wetland A, F, and H. Pursuant to 19.24.100(5)(a) buffer averaging is permitted provided the applicant demonstrates to the Community Development Department that the averaging will not impair or reduce habitat, water quality, purification and enhancement, storm water detention, groundwater recharge, shoreline protection and erosion protection and other functions of the wetland and buffer; that lower-intensity land uses would be located adjacent to areas where buffer width is reduced; and that the

total area contained within the buffer after averaging is no less than that contained within the standard buffer prior to averaging. In addition, buffer widths shall not be reduced by more than 25 percent of the required buffer. The buffer averaging scheme appears to meet the above stated criteria.

## **H. Biological Assessment**

The applicant has submitted a 'draft' Biological Evaluation prepared by Chad Armour, LLC, dated 10/06/06. The effect analysis concludes:

There will be no direct impacts to listed species or their habitat from the proposed activity because:

- Listed fish do not use Jones Creek and the wetlands subject to a §404 permit application;
- Construction will be conducted in a manner that minimizes the potential for sediment to be discharged to Jones Creek and jurisdictional wetlands;
- Ebey Slough, a stream subject to tides, is large enough to dilute any sediment that may inadvertently be discharged to Jones Creek to a degree that will not have an adverse effect on listed fish species; and
- The bald eagle nest, nest buffer, and the Ebey Slough buffer are located too far from the project site to be effected by construction activities.

The evaluation also concludes that the impact to listed species and designated critical habitat from the proposed activity (filling jurisdictional wetlands on the project site to widen Sunnyside Blvd) is unlikely. As such, filling small areas of jurisdictional wetlands to widen Sunnyside Blvd adjacent to the project site will have 'no effect' on Chinook salmon, bull trout, Chinook salmon critical habitat, or bald eagles.

## **I. Neighborhood Concerns**

One letter to date has been received from neighboring property owners. Concerns raised within the letter are as follows (traffic related concerns are addressed in Section F below):

- Stormwater runoff, impacts to stream habitat, potential flooding problems;

The following is in regards to what is being required for stormwater facilities of the Wood/Snyder project. The DOE 2001 Stormwater Management Manual for Western Washington states in Volume I Chapter 2 section 2.5.7 that:

*Projects must provide flow control to reduce the impacts of increased stormwater runoff from new impervious surfaces and land cover conversions. The requirement below applies to projects that discharge stormwater directly, or indirectly through a conveyance system, into a fresh water - except for:*

*discharges into the Columbia River, Lakes Sammamish, Silver (Cowlitz Co.), Union (King Co.), Washington, and Whatcom;*

***discharges into a wetland; (See Minimum Requirement #8 for flow control requirements applicable to discharges to wetlands)***

*Any exempted areas shall meet the following requirements:*

- *The area must be drained by a conveyance system that is comprised entirely of manmade conveyance elements (e.g., pipes, ditches, outfall protection, etc.) and extends to the ordinary high water line of the receiving water; and*
- *Any erodible elements of the manmade conveyance system for the area must be adequately stabilized to prevent erosion; and*
- *Surface water from the area must not be diverted from or increased to an existing wetland, stream, or near-shore habitat sufficient to cause a significant adverse impact.*

As the 2001 Stormwater Management Manual for Western Washington allows direct discharge to a wetland, the city will also permit the direct discharge as proposed by the Wood/Snyder proposal. This project will be required to use dispersion BMP's to prevent erosion in the wetland downstream of the water quality BMP's.

Water quality is also required by the 2001 Stormwater Management Manual for Western Washington (Volume I Chapter 2 section 2.5.6). The Wood/Snyder project will have to meet the DOE requirements for water quality.

All proposed construction activity is located outside the 100-year floodplain boundary.

#### **J. Traffic/Circulation:**

As mentioned above, one letter to date has been received from neighboring property owners, traffic related issuers are as follows:

- Traffic concerns on Sunnyside Blvd;
- Increase of vehicle, pedestrian, and bicycle traffic on Sunnyside;
- Congested intersections

The City will be installing a signal at the intersection of 47<sup>th</sup> Ave NE and 3<sup>rd</sup> Street in 2007 to address congestion at that intersection.

The applicant will be required to install curb/gutter, sidewalk and bike lanes along their Sunnyside frontage for increased pedestrian facilities.

Since the letter, the City has created a 4-way stop at the intersection of 52<sup>nd</sup> /Sunnyside Blvd which will be signalized in the future. Left turn delays at this intersection should have been remedied with the 4-way stop installation.

Prior to construction plan approval, the applicant will be required to update their traffic analysis to include a left turn pocket warrant analysis (or as deemed necessary by the City Engineer) at the intersections of 57<sup>th</sup>, 59<sup>th</sup>, and 60<sup>th</sup>. Channelization will be required as determined by the City Engineer.

In addition, the City is currently looking at the ultimate roadway needs for Sunnyside Blvd which will likely occur through a City Capital Improvement project and further address some of the concerns mentioned.

The applicant submitted a *Traffic Analysis for Wood Property Residential Development*, prepared by Gibson Traffic Consultants, dated July 7, 2006. According to the analysis, the four city intersections with 10+ PM peak hour development trips are the intersections of :

1. 47<sup>th</sup> Ave NE at 3<sup>rd</sup> St
2. 57<sup>th</sup> Drive NE at 61<sup>st</sup> St NE
3. 59<sup>th</sup> Drive/Site access at 61<sup>st</sup> St NE
4. Sunnyside Blvd at 52<sup>nd</sup> St NE

According to the analysis, with the proposed signalization of 47<sup>th</sup> Ave NE at 3<sup>rd</sup> St, scheduled to occur in 2007, all intersections will operate a LOS C or better.

The City of Marysville adopted Title 18B, relating to traffic impact fees and mitigation of the transportation impacts and providing for the amendment of the city's comprehensive plan by the adoption of a revised street capital facilities plan as a sub-element of the city's comprehensive plan. The plan contains traffic mitigation fee rates needed to finance growth-related impacts. The subject development does generate traffic on city streets, which are a part of the street network covered under this mitigation program.

Costs for street improvements within the vicinity of the subject property as well as other street improvement projects within the City have been calculated by the City's Transportation Plan. The estimated proportionate share contribution towards these improvements is \$3,175 per evening peak hour trip. The applicant's Traffic Study prepared by Gibson Traffic Consultants estimates that this project will generate 76 new pm peak hour trips to city streets. Therefore, the mitigation fee for this project would then be equal to **\$241,300.00** (76 pmpt x \$3,175).

Additionally, pursuant to the interlocal agreement (ILA) between the City and Snohomish County the development must mitigate impacts to county roads. There are two options for determining the development's proportionate share mitigation. The applicant may (1) prepare a comprehensive traffic study to determine the development's proportionate share impact to county adopted capacity improvements or (2) the applicant may have its proportionate share impact

mitigation based on its average impact to County facilities as described in exhibit 2 of the ILA. The applicant submitted an offer to Snohomish County Public Works in the amount of **\$26,402.20**, to which the county agreed.

#### **K. Schools**

The City of Marysville adopted Title 18C, relating to school impact fees and mitigation of impacts to the Marysville School District as a result of new development and providing for the amendment of the city's comprehensive plan by the adoption of the Marysville School District's Capital Facilities Plan as a supplement of the City's Comprehensive Plan. The plan contains school mitigation fees needed to finance growth-related impacts. The subject development does generate an impact on Marysville's schools. School impact fees will be assessed on individual units at the time of building permit application based upon fee amounts in effect at the time, and are to be paid prior to issuance of a building permit.

#### **L. Parks**

The City of Marysville adopted Title 18A, relating to park impact fees and mitigation of the park impacts and providing for the amendment of the city's comprehensive plan by the adoption of a revised park capital facilities plan as a sub-element of the city's comprehensive plan. The plan contains park mitigation fee rates needed to finance growth-related impacts. The subject development does generate an impact on city parks, which are a part of the park system covered under this mitigation program. Park mitigation payments shall be made prior to issuance of building permits.

## **II. FINDINGS AND CONCLUSIONS**

1. The rezone request to Planned Residential Development (PRD 6.5/4.5) as conditioned, is consistent with the 2005 Comprehensive Plan map designation, and as conditioned herein will be consistent with the pertinent development policies applicable to this development.
2. To meet the concurrency requirement for street and road improvements, the applicant should contribute towards the Citywide Transportation Improvement Program (TIP) on a proportionate share basis, and contribute their proportionate share to impacts to county streets as a result of this development, as well as provide a left turn pocket warrant analysis at the intersections of 57<sup>th</sup>, 59<sup>th</sup> and 60<sup>th</sup> as conditioned. The applicant will be required to install channelization as outlined in the analysis and/or as required by the City Engineer. These measures as conditioned will adequately mitigate the project's impact to the public street system.
3. The preliminary site plan as conditioned is consistent with the bulk, dimensional and density requirements for the PRD 4.5/6.5 zoning classification.
4. This proposal as conditioned, meets the requirements set forth in the City's Sensitive Areas Ordinance.

#### IV. STAFF RECOMMENDATION

Based upon the above stated findings and conclusions, the Planning Department recommends approval of the preliminary plat, preliminary site plan, and rezone to PRD 4.5/6.5, subject to the following conditions:

1. Prior to final plat approval, the applicant shall provide a final, detailed landscape/reforestation plan that will include, but not be limited to, the following improvements:
  - ◆ Street trees spaced 40 feet on center. These trees shall be a minimum of 1½" caliper and 6' to 8' in size at the time of planting. Tree species should be selected from the City's recommended street tree listing in the streetscape plan. Concurrently with street tree installation, the applicant shall install sod within all planter strips located within public right-of-way.
  - ◆ Yard trees at a rate of two (2) trees per lot. These trees should include at least one evergreen tree, which is a native species to the Northwest region. These trees shall be a minimum of 1¼" caliper and 6' to 8' in size for deciduous and 6' in size for evergreen.
  - ◆ On-site tree retention.

(Note: Street trees to either be installed or bonded for prior to final plat approval, yard trees to be installed prior to final home inspection for that particular lot).

2. Front yards setbacks on cul-de-sacs should be relocated to where the lot width meets the minimum width requirement for the zone.
3. Prior to construction plan approval, the applicant shall submit a detailed wetland mitigation plan for review and approval. (MDNS #1)
4. Prior to final approval of the wetland mitigation plan, the applicant shall receive approval by all applicable State and Federal agencies. If changes to the mitigation boundary occur as a result of agency review, the preliminary plat map shall be revised accordingly. (MDNS #2)
5. Prior to construction plan approval, the applicant shall demonstrate to the satisfaction of the City that the natural topography of the site is being preserved as much as feasible. (MDNS #3)
6. Prior to final plat approval, the applicant shall grant a flood easement to the Tulalip Tribes and QWUOLOLT trustees to allow the right to impose tidal flooding as needed for restoration of tidal influx over and across the floodplain area, together with a right to come on and construct necessary earthwork to protect and maintain existing property and infrastructure adjacent to said premises. (MDNS #4)
7. Prior to construction plan approval, the applicant shall revise the traffic study to include a left turn pocket warrant analysis at the intersection(s) of 57<sup>th</sup>, 59<sup>th</sup> and 60<sup>th</sup> Streets NE. Channelization will be required as determined by the City Engineer. (MDNS #5)
8. The applicant shall participate on a proportionate share basis towards the City's street system in the amount of **\$241,300.00**. Payment shall be made prior to final plat approval. (MDNS #6)
9. Wetland fencing and signage adjacent to a regulated wetland or stream corridor shall be constructed with pressure treated posts and rails, and cemented into the ground with either cedar or treated rails. Alternative materials may be used subject to approval by the

City. Signs designating the presence of the environmentally sensitive area shall be posted along the buffer boundary. The signs shall be posted at a rate of 100 feet (at minimum). (MDNS #7)

- 10. The applicant shall participate on a proportionate share basis towards the County's street system in the amount of **\$26,402.20**. Payment shall be made prior to final plat approval. (MDNS #8)

Approval of a preliminary subdivision does not guarantee the development yield depicted thereon. A preliminary plat is only "a neat and approximate drawing showing the layout of a proposed subdivision...together with any supporting exhibits...". The yield depicted thereon may have to be reduced for final plat approval if it is found through the final plat review process that the plat as preliminarily approved cannot meet all the applicable minimum standards. Under no circumstances may the development yield be increased without prior public hearing review.

Reviewed by: JBH

Prepared by: CDW

CITY OF MARYSVILLE  
Marysville, Washington

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF MARYSVILLE AFFIRMING THE DECISION OF THE HEARING EXAMINER AND REZONING PROPERTIES OWNED BY ELWYN & GULSER WOOD AND MICHAEL SNYDER AMENDING THE OFFICIAL ZONING MAP OF THE CITY

WHEREAS, Elwyn & Gulser Wood own one parcel that is approximately 15.75 acres in size and Michael Snyder owns one parcel that is approximately 4.5 acres in size generally located south of Sunnyside Blvd, west of Jones Creek, and east of 57<sup>th</sup> Drive NE, in the City of Marysville, said property being legally described in EXHIBIT A attached hereto; and

WHEREAS, Elwyn & Gulser Wood and Michael Snyder applied to the City of Marysville for a preliminary plat, preliminary, site plan approval, and rezone from R-4.5/6.5 to PRD 4.5/6.5 under File No. PA 06016; and

WHEREAS, the City Hearing Examiner held a public hearing on said preliminary plat, preliminary site plan approval, and rezone on March 15, 2007 and adopted Findings of Fact, Conclusions and a Recommendation approving the preliminary plat, preliminary site plan, and rezone of Elwyn & Gulser Wood and Michael Snyder subject to the ten (10) conditions set forth in the Hearing Examiner's Recommendation dated March 22, 2007;

WHEREAS, the Marysville City Council held a public meeting on said preliminary plat, preliminary site plan, and rezone on April 23, 2007 and concurred with the Findings of Fact, Conclusions and Recommendation of the Hearing Examiner, NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF MARYSVILLE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. The Findings of Fact, Conclusions and Recommendation and Reconsideration Decision of the Hearing Examiner with respect to the above referenced preliminary plat, preliminary site plan approval, and rezone are hereby approved, and the above described property is hereby rezoned from R-4.5/6.5 to PRD 4.5/6.5.

Section 2. The zoning classification for the above-described property shall be perpetually conditioned upon strict compliance with each of the conditions set forth in the Recommendation of the Hearing Examiner. Violation of any of the conditions of said decision may result in reversion of the property to the previous zoning classification and/or may result in enforcement action being brought by the City.

ORDINANCE - 1

Section 3. The official Zoning Map of the City of Marysville is hereby amended to reflect the reclassification of the above-described property.

Section 4. This decision shall be final and conclusive with the right of appeal by any aggrieved party to the Superior Court of Snohomish County by filing a Land Use Petition pursuant to the Land Use Petition Act within twenty-one (21) days after passage of this ordinance.

PASSED by the City Council and APPROVED by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2007

CITY OF MARYSVILLE

By \_\_\_\_\_  
DENNIS KENDALL, Mayor

ATTEST:

By \_\_\_\_\_,  
City Clerk

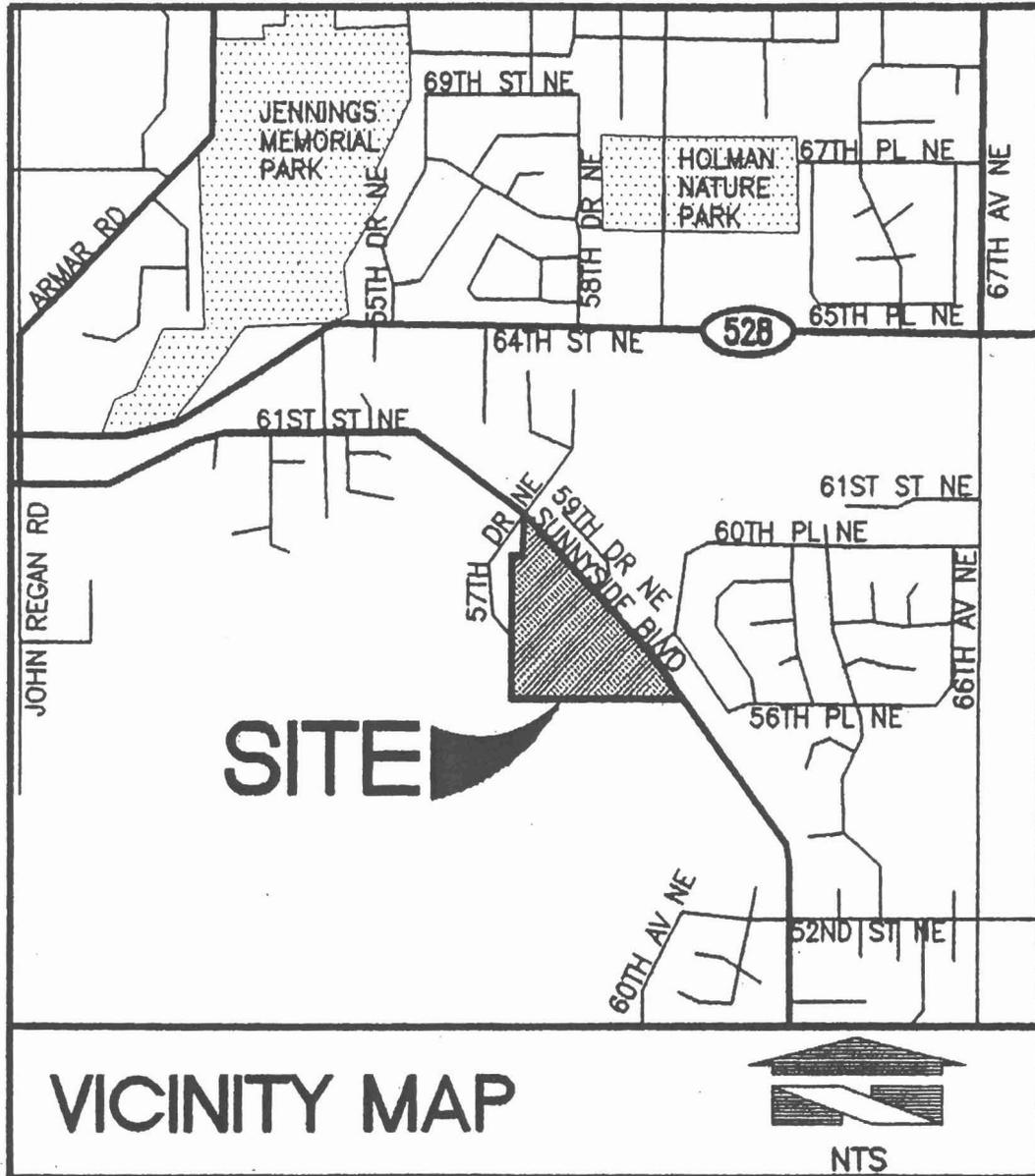
Approved as to form:

By \_\_\_\_\_  
GRANT K. WEED, City Attorney

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

Effective Date (5 days after publication): \_\_\_\_\_

ORDINANCE - 2





# LEGAL DESCRIPTION

## SNYDER PROPERTY

THAT PORTION OF SECTION 34, TOWNSHIP 30 NORTH, RANGE 5 EAST, W.M., DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH QUARTER SECTION CORNER; THENCE EAST 20 RODS; THENCE SOUTH 43 RODS; THENCE SOUTHWEST 6.7 RODS TO A POINT 49 RODS SOUTH OF A POINT 17 RODS EAST OF THE NORTH QUARTER SECTION CORNER; THENCE SOUTH TO THE SOUTHWESTERLY LINE OF COUNTY ROAD; THIS AS THE TRUE POINT OF BEGINNING; THENCE SOUTHEASTERLY ALONG SAID ROAD TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE WEST ALONG SAID LINE TO A POINT 25 RODS WEST OF THE SOUTHEAST CORNER THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER; THENCE NORTH TO THE SOUTHWESTERLY LINE OF SAID COUNTY ROAD; THENCE SOUTHEASTERLY ALONG SAID SOUTHWESTERLY LINE TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE CITY OF MARYSVILLE BY INSTRUMENT RECORDED APRIL 01, 2005 UNDER RECORDING NO. 200504010093, RECORDS OF SNOHOMISH COUNTY, WASHINGTON

EXCEPTIONS – NONE MAPABLE

(SNYDER) FIRST AMERICAN TITLE INSURANCE CO. NO. 4204-571433 DATED AUGUST 16, 2005

## WOOD PROPERTY

ALL THAT PORTION OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 30 NORTH, RANGE 5 EAST, WM, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER; THENCE NORTH 88°59'00" WEST ALONG SOUTH LINE OF SAID SUBDIVISION 412.5 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID LINE NORTH 88°59'00" WEST 170.5 FEET; THENCE NORTH 0°14'00" WEST PARALLEL TO EAST LINE OF SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER 1008.32 FEET ;THENCE SOUTH 88°59'00" EAST 63.75 FEET; THENCE NORTH 0°14'00" WEST 283.50 TO A POINT ON THE SOUTHWESTERLY LINE OF SNOHOMISH-MARYSVILLE PAVED HIGHWAY; THENCE SOUTH 53°11' EAST ALONG SAID SOUTHWESTERLY LINE A DISTANCE OF 11.21 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 1402.70 FEET AND CONSUMING AN ANGLE 5°10'12" FOR 126.57 FEET; THENCE SOUTH 0°14'00" EAST PARALLEL TO EAST LINE OF SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER FOR 1207.59 FEET TO TRUE POINT OF BEGINNING.

EXCEPTIONS – NONE MAPABLE

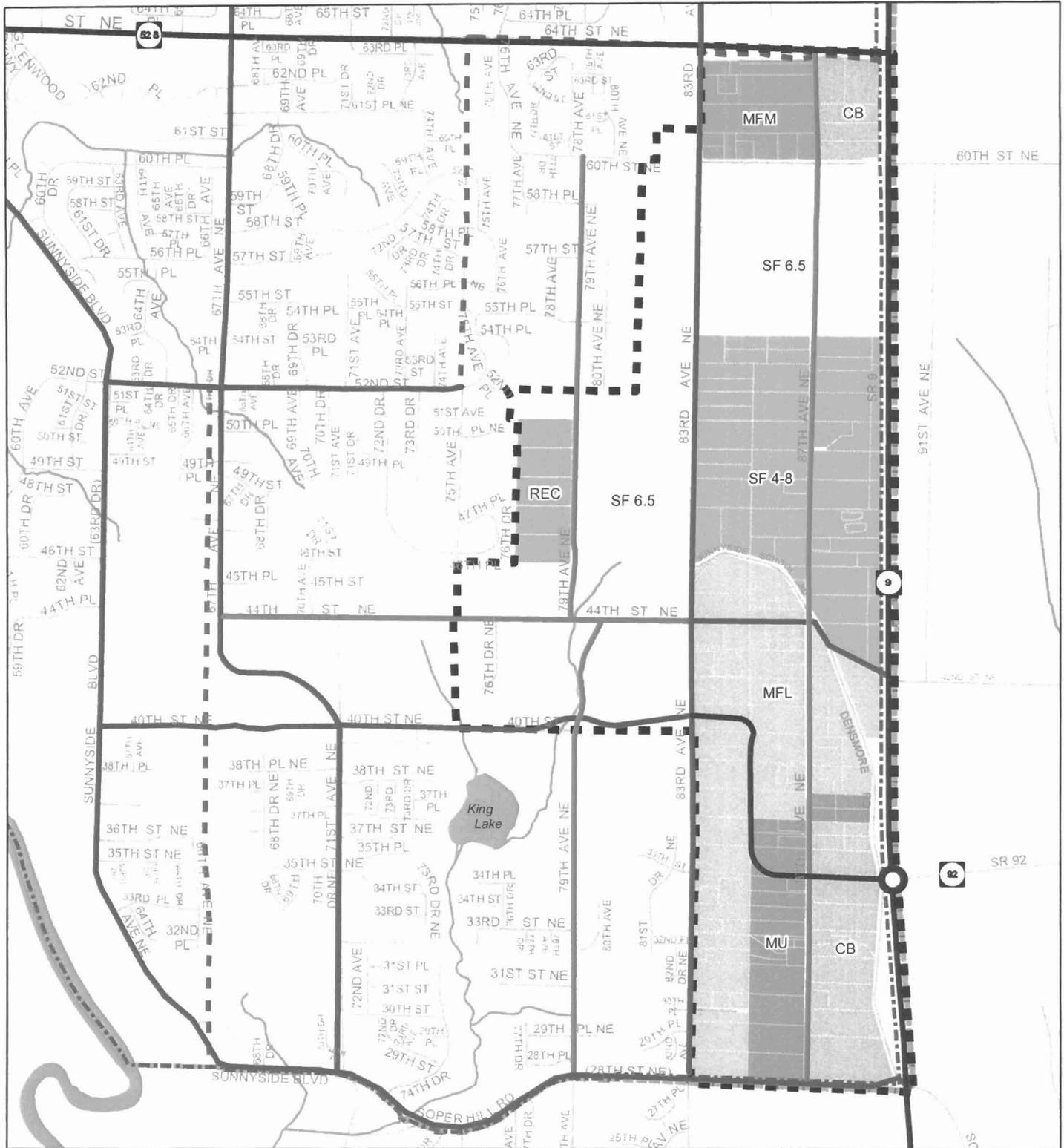


resulting from listed projects in the Sunnyside/Whiskey Ridge area). Using the commercial and residential discounts from the original formula, this results in a Commercial Rate of \$3,201-\$3,983 per PM PHT and a Single Family Residential Rate of between \$7,712 and \$9,576 per unit.

Staff has also reviewed the proposed road alignments for 67<sup>th</sup> Avenue/71<sup>st</sup> Avenue (between 40<sup>th</sup> Street and 44<sup>th</sup> Street NE) and also the 40<sup>th</sup> Street connection to Hwy 9. Pertteet Inc. reviewed the 67<sup>th</sup> Avenue/71<sup>st</sup> Avenue connection and their analysis is attached. No changes are recommended to the either connection shown in the subarea plan. Final alignment of these road connections will be subject to further ownership, critical areas and engineering analysis. The proposed connections demonstrate a conceptual corridor to serve future development within the subarea at buildout. Final location will be reviewed through project development review and further engineering analysis by the City.

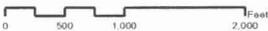
The Council packet of February 26, 2007 includes Exhibits 1-9 of the agenda bill. This updated agenda bill includes Exhibit 10 and 11.

RECOMMENDED ACTION: Approve Planning Commission recommendation to adopt East Sunnyside/Whiskey Ridge subarea plan, development regulations and areawide rezones. If Council approves revisions to the Planning Commission recommendation such as adoption of a city-wide traffic impact fee as opposed to a secondary impact fee, direct staff to make the necessary revisions to the plan prior to final adoption by city ordinance.
COUNCIL ACTION:



**City of Marysville**  
**DRAFT**  
**Whiskey Ridge Master Plan**  
**Preferred Alternative**

January 2007



- |  |                              |  |                    |  |                       |
|--|------------------------------|--|--------------------|--|-----------------------|
|  | Marysville City Limits       |  | Proposed Arterials |  | Preferred Alternative |
|  | Marysville Urban Growth Area |  | PRINCIPLE          |  | Community Business    |
|  | East Sunnyside Neighborhood  |  | MINOR              |  | Mixed Use             |
|  | Master Plan Expansion Area   |  | COLLECTOR          |  | Multi-Family Medium   |
|  | Parcels                      |  |                    |  | Multi-Family Low      |
|  |                              |  |                    |  | Single Family 4.5-8   |
|  |                              |  |                    |  | Single Family 6.5     |
|  |                              |  |                    |  | Recreation            |

City of Marysville  
Sunnyside Boulevard Corridor Traffic Analysis  
Evaluation of the Continuity of the 67<sup>th</sup> Avenue to 71<sup>st</sup> Avenue Corridor

**Introduction**

In evaluating the ultimate design of Sunnyside Boulevard, the potential traffic volumes on Sunnyside Boulevard and intersecting streets are a significant element of the design of lane and intersection configurations. The design of parallel routes will greatly influence the traffic demands on Sunnyside Boulevard.

In the Transportation Element of the Whiskey Ridge Subarea Plan, a network of Minor and Collector Arterial streets was recommended to distribute future traffic loads in a fair and reasonable manner. The following north-south streets were recommended to be designed as three-lane Minor Arterial Streets to distribute the traffic loads:

- Sunnyside Boulevard south of 52<sup>nd</sup> Street,
- 67<sup>th</sup>/71<sup>st</sup> Avenue, south of SR-528 (164<sup>th</sup> Street), and
- 83<sup>rd</sup> Avenue south of SR-528

Key elements of the 67<sup>th</sup>/71<sup>st</sup> Avenue corridor were improving the intersection at Soper Hill Road to a more conventional design (eliminating the off-set) and constructing a direct connection between 67<sup>th</sup> Avenue and 71<sup>st</sup> Avenue, (eliminating the dog-leg through 44<sup>th</sup> Street).

This evaluation documents the impacts of not providing the proposed improvements on the 67<sup>th</sup>/71<sup>st</sup> Avenue corridor.

**Whiskey Ridge Subarea Plan 2025 Traffic Volumes**

In the Transportation Element of the Whiskey Ridge Subarea Plan, the daily traffic volumes for the arterial street system were estimated for the year 2025, with the assumption that full build-out of the Whiskey Ridge development would be complete.

It was assumed that a direct connection between 67<sup>th</sup> Avenue and 71<sup>st</sup> Avenue would be completed, eliminating the existing dog-leg through 44<sup>th</sup> Avenue. It was further assumed that 40<sup>th</sup> Avenue would be improved to a three-lane Minor Arterial from Sunnyside Boulevard to 83<sup>rd</sup> Avenue, with a further extension as a five-lane Principal Arterial to the intersection of SR-92 at SR-9.

The 2025 traffic volumes for Sunnyside Boulevard, 67<sup>th</sup>/71<sup>st</sup> Avenues and 40<sup>th</sup> Street, as estimated in the Transportation Element of the Whiskey Ridge Subarea Plan, are shown on the attached figure, *2025 Daily Traffic Volumes, 67<sup>th</sup>/71<sup>st</sup> Avenue Corridor, Comparative Evaluation* as the “*Recommended Alignment*”.

These traffic estimates illustrate that there is a reasonable balance of traffic volumes on Sunnyside Boulevard (about 9,000 to 20,000 vehicles per day) and on the 67<sup>th</sup>/71<sup>st</sup> Avenue Corridor (about 8,000 to 15,000 vehicles per day).

At these levels, it is likely that both routes will operate at a safe level of service with only a three-lane section. The section of Sunnyside Boulevard north of 52<sup>nd</sup> Street (20,000 vehicles per day) may be at the critical point where five lanes would be required. The detailed analysis of intersection traffic movements and alternative traffic control devices, (such as four-way stops, traffic signals, or roundabouts) is currently under study to determine the appropriate number of lanes.

### **General Impacts of 67<sup>th</sup>/71<sup>st</sup> Avenue Corridor Continuity**

For this comparative analysis, the traffic model was adjusted to replicate the effects of a dog-leg in the 67<sup>th</sup>/71<sup>st</sup> Avenue corridor at 44<sup>th</sup> Avenue. The dog-leg will add severe turns at two additional intersections for through traffic which will tend to discourage traffic from using this route.

This type of traffic impedance usually will shift traffic to other routes. The model evaluated shifts of traffic from 67<sup>th</sup>/71<sup>st</sup> Avenue to the parallel routes of Sunnyside Boulevard, 83<sup>rd</sup> Street, and SR-9. The model indicates that, in general, most of the traffic will likely shift to Sunnyside Boulevard because of its ultimate destination within the Whiskey Ridge community.

The 2025 traffic volumes for Sunnyside Boulevard, 67<sup>th</sup>/71<sup>st</sup> Avenues and 40<sup>th</sup> Street, assuming the dog-leg on 67<sup>th</sup> Avenue at 44<sup>th</sup> Street are shown on the bottom half of the attached figure, *2025 Daily Traffic Volumes, 67<sup>th</sup>/71<sup>st</sup> Avenue Corridor, Comparative Evaluation* as the “44<sup>th</sup> Street Dog-Leg”.

These traffic estimates illustrate that the balance of traffic volumes has become a little more skewed, with Sunnyside Boulevard carrying about 2,000 vehicles per day more and the 67<sup>th</sup>/71<sup>st</sup> Avenue Corridor carrying about 2,000 vehicles per day less, north of 40<sup>th</sup> Street. Most of the diverted traffic is projected to return to the 71<sup>st</sup> Avenue corridor from Sunnyside Boulevard via 40<sup>th</sup> Avenue.

The increase of traffic on Sunnyside Boulevard due to this shift may increase the potential need to design Sunnyside as a five-lane section in the segments north of 52<sup>nd</sup> Avenue, rather than as a three-lane section.

### **Variations in the City Traffic Model**

In evaluating the impacts of the alignment change in the 67<sup>th</sup>/71<sup>st</sup> Avenue corridor, it was also observed that the City of Marysville’s T-Model/2 traffic model may be underestimating the total traffic demands in the Sunnyside Boulevard and 67<sup>th</sup>/71<sup>st</sup> Avenue corridors.

The City of Marysville’s current T-Model/2 traffic model was developed in 1999. The model is dependent on forecasted data at “external node” points derived from other regional models, such as the Puget Sound Regional Council (PSRC) Emme/2 model. Such forecasted data for “external nodes” is not usually changed unless a major update of the City’s T-Model/2 is completed. Thus, the data can become outdated.

In evaluating the impacts of this corridor, the data at the “external node” of Sunnyside Boulevard south of Soper Hill Road was reviewed. In 1999, the traffic count data indicated that about 187 PM peak hour trips used Sunnyside Boulevard south of Soper Hill Road. The City’s T-Model/2 predicted that the traffic at this “external node” would increase more than threefold to about 572 PM peak hour trips by the Year 2025 horizon.

Traffic counts taken in 2006 and 2007 at this “external node” indicate that there are already about 490 to 500 PM peak hour trips, or about 80% of the forecasted growth. If the growth in the first 7 years (1999 to 2006) of the 26 year (1999 to 2025) forecast has already reached this level, then it may be that the long-term 2025 forecasts for this “external node” are underestimated.

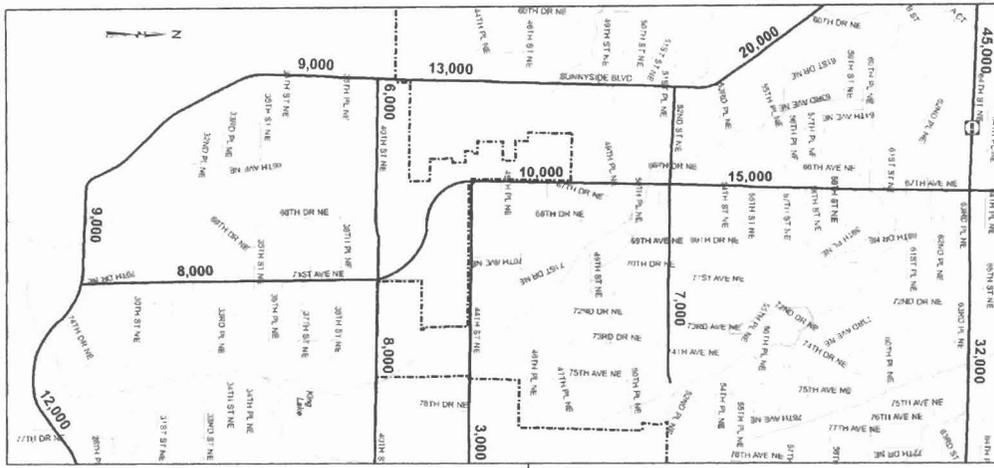
If the traffic forecasts for this “external node” are underestimated, then the traffic volumes on both Sunnyside Boulevard and the 67<sup>th</sup>/71<sup>st</sup> Avenue corridors may also be underestimated. Verification of this possibility could only be made by updating the City’s T-Model/2.

### **Summary and Conclusions**

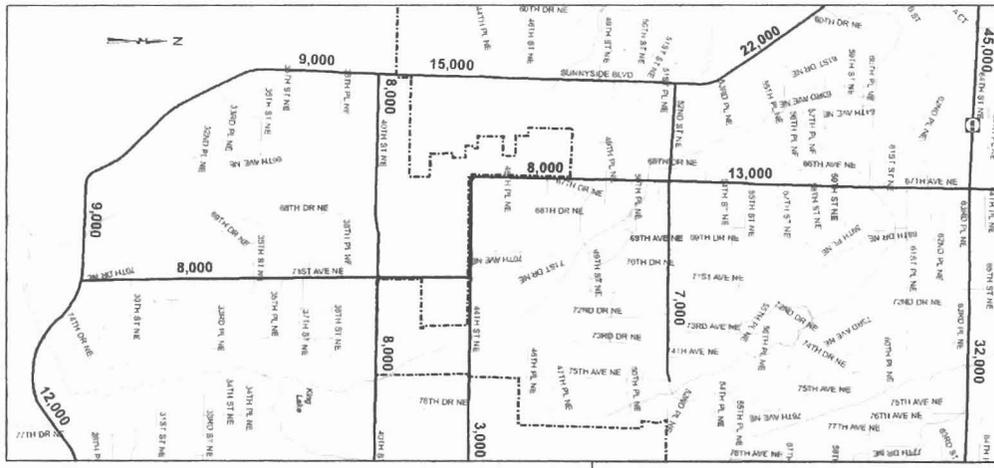
The above analyses indicate that:

- Additional traffic will shift to Sunnyside Boulevard if the continuity of the 67<sup>th</sup>/71<sup>st</sup> Avenue corridor is not maintained.
- The traffic volumes on both the Sunnyside Boulevard and the 67<sup>th</sup>/71<sup>st</sup> Avenue corridors may be underestimated.
- Additional traffic on Sunnyside Boulevard may increase the potential need for a five-lane section in the segments north of 52<sup>nd</sup> Avenue.

It is therefore recommended that an alignment be designed to connect 67<sup>th</sup> Avenue directly with 71<sup>st</sup> Avenue. This will maintain the continuity of the 67<sup>th</sup>/71<sup>st</sup> Avenue Corridor and distribute the north-south traffic loads through the Whiskey Ridge community more reasonably. It will reduce the potential that more sections of Sunnyside Boulevard would need to be widened from three lanes to five lanes.



2025 ADT with Recommended Alignment



2025 ADT with 44th Street Dog-Leg

**2025 Daily Traffic Volume  
67th / 71st Avenue Corridor  
Comparative Evaluation**

City of Marysville  
Traffic Impact Mitigation Fee  
2007 Interim Update

### Introduction

The Marysville City Council has directed Staff to revisit the traffic impact mitigation fee calculation periodically as needed. Because the costs of transportation projects in the region have escalated significantly in the past few years, and new road arterial projects are recommended resulting from the Whiskey Ridge/Sunnyside Master Planning effort,, the City therefore engaged Pertect, Inc. to confirm the revised traffic impact fee calculation and perform a mitigation fee peer review.

### 2006 Mitigation Fees and Calculations

The current Traffic Mitigation Fees under Title 18B MMC (effective 1/1/06), are as follows:

Single Family (per unit)	\$3,175.00
Duplex (per unit)	\$2,317.75
Multi-family (per unit)	\$1,968.50
Commercial (per PM PHT)	\$1,300.00

These fees were calculated by estimating the sum costs of committed transportation projects plus the 6-Year TIP plus 20-Year Improvements plus Bond Debt Service.

The sum costs were then divided by the estimated number of new trips in the afternoon peak commute hour (PM PHT) over the 20-Year period to determine the “**Maximum Possible Impact Fee**”, which was **\$5,973 per PM PHT**.

The “Maximum Possible Impact Fee” was then discounted by about 78% for commercial developments and only by about 47% for the single family residential developments to reach the published Traffic Mitigation Fees, above.

### 2007 Maximum Possible Impact Fee Calculation

The 2007 Traffic Mitigation Fees may be calculated in the same manner. The City-wide project lists have been updated as follows.

The total updated transportation project costs are:

Committed Transportation Projects	\$ 20,175,000
Recommended 6-Year Improvements	\$ 39,713,000
Recommended 20-Year Improvements	\$ 74,436,000
General Obligation Bond Debt Service	\$ <u>5,880,000</u>
<b>Total Current Program Costs</b>	<b>\$140,204,000</b>

In addition, there are several road improvements in the Whiskey Ridge/Sunnyside neighborhood plan that will be added to the recommended 6-Year and 20-Year project

lists. Very preliminary budget estimates for these projects indicate a range of \$48 million to \$94 million based on the following:

**Limited Projects**

40 <sup>th</sup> Street – 3-lane minor Sunnyside to 83 <sup>rd</sup> Avenue -	\$13,000,000
40 <sup>th</sup> Street– 5-lane principal 83 <sup>rd</sup> to SR-9 at SR-92	\$18,000,000
67 <sup>th</sup> /71 <sup>st</sup> – 3-lane minor arterial 52 <sup>nd</sup> Street to Soper Hill	\$17,000,000
Subtotal	\$48,000,000

**Additional Projects**

Sunnyside – 3-lane minor 52 <sup>nd</sup> Street to 71 <sup>st</sup> Avenue -	\$19,000,000
83 <sup>rd</sup> Avenue – 3-lane minor 164 <sup>th</sup> to Soper Hill -	\$17,000,000
44 <sup>th</sup> Street – 3-lane minor 67 <sup>th</sup> Avenue to SR-9 -	\$10,000,000
Subtotal	\$46,000,000

**Total Projects** **\$94,000,000**

Total Transportation Costs	\$140,204,000
– Limited Whiskey Ridge Projects	\$ 48,000,000
<b>Total Transportation Costs – Limited Whiskey Ridge</b>	<b>\$188,204,000</b>

Total Transportation Costs	\$140,204,000
– Limited Whiskey Ridge Projects	\$ 48,000,000
<b>Total Transportation Costs – Total Whiskey Ridge</b>	<b>\$234,204,000</b>

The “Maximum Possible Impact Fee” is then calculated by dividing the total transportation project costs by the estimated number of new trips in the afternoon peak commute hour (PM PHT) over the 20-Year period.

Therefore, depending on the option assumed for the Whiskey Ridge projects, the “**Maximum Possible Impact Fee**” for 2007 would be in the range of:

**“Maximum Possible Impact Fee” = \$188,204,000 / 12,935 new trips = \$14,550**

**Or**

**“Maximum Possible Impact Fee” = \$234,204,000 / 12,935 new trips = \$18,106**

The maximum possible fee could be discounted as the approved 2006 Traffic Mitigation Fees were discounted. If the same discount rates were used, then the commercial per PM PHT rate would be between \$3,201 and \$3,983 (78% discount) and the single family residential rate would be between \$7,712 and \$9,596(47% discount), depending on the option assumed for Whiskey Ridge.

## Mitigation Fee Peer Review

Comparisons with mitigation fees in other jurisdictions are useful in considering discounts to the “Maximum Possible Impact Fee”.

Ten cities were selected for the peer review, eight in Snohomish county and two in King County, plus Snohomish County. Three of the cities in the peer group, Lake Stevens, Mill Creek, and Monroe use complicated formulas to calculate the costs of impacted projects and therefore could not provide any comparative value. Snohomish County uses a daily trip rate (ADT) base and is therefore not directly comparable. The Snohomish County mitigation fee rates appear to provide a higher discount to commercial development than to residential development. This may not necessarily be true, however, when the ADT trips are converted to peak hour trips.

The traffic mitigation fees of the remaining seven cities are summarized on the following table, along with the City of Marysville’s 2006 Traffic fees. Three of the cities have specific fees for residential units and a per trip (PM PHT) fee for commercial or other land uses. The other four cities publish one PM PHT rate fee.

The PM PHT rate fees range from a **low of \$900** per trip in Everett to a **high of \$14,707** in Sammamish. The average fee of the peer group (not including the City of Marysville) is about **\$4,200**. The current City of Marysville per PM PHT rate is therefore **significantly below the peer group rate**.

Agency	Per Residential Unit			Per PM PHT
	Single-Family	Duplex	Multi-Family	
<b>Marysville 2006</b>	<b>\$3,175.00</b>	<b>\$2,317.75</b>	<b>\$1,968.50</b>	<b>\$1,300.00</b>
City of Arlington				<b>\$3,355.00</b>
City of Bothell	<b>\$2,093.00</b>	<b>\$1,271.00</b>	<b>\$1,271.00</b>	<b>\$2,191.00</b>
City of Everett				<b>\$900.00</b>
City of Snohomish				<b>\$1,442.00</b>
City of Mukilteo				<b>\$1,875.00</b>
City of Issaquah	<b>\$2,443.83</b>	<b>\$1,258.21</b>	<b>\$1,500.18</b>	<b>\$4,839.27</b>
City of Sammamish				<b>\$14,706.89</b>
<b>Peer Group Average</b>	<b>\$2,268.42</b>	<b>\$1,264.61</b>	<b>\$1,385.59</b>	<b>\$4,187.02</b>

Another way to look at the fees, to see an “apples to apples” comparison, is to convert the PM PHT fees to equivalent per residential unit fees, or to convert the per residential unit fees to equivalent PM PHT.

The following table provides the conversion from per PM PHT rates to per residential unit rates based on accepted trip generation rates from the Institute of Transportation Engineers (ITE) Trip Generation Manual. These conversions illustrate that the City of Marysville's average rates per residential unit are *below the averages of the peer group*.

Agency	Per Residential Unit		
	Single-Family	Duplex	Multi-Family
<b>Marysville 2006</b>	<b>\$3,175.00</b>	<b>\$2,317.75</b>	<b>\$1,968.50</b>
City of Arlington	\$3,388.55	\$1,744.60	\$2,080.10
City of Bothell	<b>\$2,093.00</b>	<b>\$1,271.00</b>	<b>\$1,271.00</b>
City of Everett	\$909.00	\$468.00	\$588.00
City of Snohomish	\$1,436.22	\$739.44	\$881.64
City of Mukilteo	\$1,893.75	\$975.00	\$1,162.50
City of Issaquah	<b>\$2,443.83</b>	<b>\$1,258.21</b>	<b>\$1,500.18</b>
City of Sammamish	<b>\$14,853.96</b>	<b>\$11,471.38</b>	<b>\$9,118.27</b>
<b>Peer Group Average</b>	<b>\$3,859.76</b>	<b>\$2,530.67</b>	<b>\$2,321.27</b>

The following table provides the conversion from per residential unit rates to per PM PHT rates, also based on the ITE Trip Generation Manual. These calculations illustrate that although the City of Sammamish publishes per residential unit rates, the rates are effectively the same PM PHT rate of \$14,707 for all land uses. The per PM PHT rates for residential units in the City of Issaquah, however, are about half of the commercial PM PHT trip rates. Other than the City of Marysville, only the City of Bothell provides a variable PM PHT rate between different types of residential units, and the City of Bothell *residential rates are equal to or less than the commercial rates*.

Agency	Per PM PHT			
	Single-Family	Duplex	Multi-Family	Commercial
<b>Marysville 2006</b>	<b>\$3,206.75</b>	<b>\$1,437.00</b>	<b>\$1,023.62</b>	<b>\$1,300.00</b>
City of Arlington	<b>\$3,355.00</b>	<b>\$3,355.00</b>	<b>\$3,355.00</b>	<b>\$3,355.00</b>
City of Bothell	\$2,113.93	\$660.92	\$788.02	<b>\$2,191.00</b>
City of Everett	<b>\$900.00</b>	<b>\$900.00</b>	<b>\$900.00</b>	<b>\$900.00</b>
City of Snohomish	<b>\$1,422.00</b>	<b>\$1,422.00</b>	<b>\$1,422.00</b>	<b>\$1,422.00</b>
City of Mukilteo	<b>\$1,875.00</b>	<b>\$1,875.00</b>	<b>\$1,875.00</b>	<b>\$1,875.00</b>
City of Issaquah	\$2,419.63	\$2,419.63	\$2,419.65	<b>\$4,839.27</b>
City of Sammamish	\$14,706.89	\$14,706.89	\$14,706.89	<b>\$14,706.89</b>
<b>Peer Group Average</b>	<b>\$3,827.49</b>	<b>\$3,619.92</b>	<b>\$3,638.08</b>	<b>\$4,187.02</b>

## Summary and Conclusions

The Impact Fee Analysis indicates that using the 2006 method of calculating and the impact fees would result in a “***Maximum Possible Impact Fee***” of **between \$14,550 and \$18,106**, depending on the projects assumed in the Whiskey Ridge / Sunnyside neighborhood.

The Impact Fee Analysis further indicates that using the 2006 method of calculating and discounting the impact fees would result in a ***Commercial Rate of between \$3,201 and \$3,983 per PM PHT*** and a ***Single Family Residential Rate of between \$7,712 and \$9,576 per unit***.

Comparisons with mitigation fees in other jurisdictions indicate that the above ***commercial rates would be about 5% to 24% less*** than the peer group average, while the above ***residential rates would be about 100% to 150% greater*** than the peer group average.

The comparisons also show that none of the peer group jurisdictions provide a greater discount to commercial developments, and in fact two jurisdictions appear to provide a greater discount to residential developments.

It is also recommended that the Impact Fee Calculation method be reviewed when the Transportation Element of the Comprehensive Plan is updated in 2007.

**CITY OF MARYSVILLE**

**EXECUTIVE SUMMARY FOR ACTION**

**CITY COUNCIL MEETING DATE:** April 23, 2007

<b>AGENDA ITEM:</b> Recovery Contract (Water) for Powell-Smokey Point, LLC	<b>AGENDA SECTION:</b>	
<b>PREPARED BY:</b> Deryl Taylor, Development Services Technician	<b>AGENDA NUMBER:</b>	
<b>ATTACHMENTS:</b> <ul style="list-style-type: none"> <li>• Water Recovery Contract</li> <li>• Exhibit A – Vicinity Map</li> <li>• Exhibit B – Parcel Map</li> <li>• Exhibit C – Property/Cost Sheet</li> </ul>	<b>APPROVED BY:</b> 	
	<b>MAYOR</b> 	<b>CAO</b> 
<b>BUDGET CODE:</b>	<b>AMOUNT:</b>	

This Recovery Contract establishes a fair fee for latecomers benefiting from an 8” water main located on 164<sup>th</sup> Street NE west of Twin Lakes Avenue.  
 The recoverable amount of this Recovery Contract is \$29,138.40.

<b>RECOMMENDED ACTION:</b> Public Works and Community Development staff recommends approval.
<b>COUNCIL ACTION:</b>

## COVER SHEET

Return Address:

CITY OF MARYSVILLE  
 1049 STATE AVENUE  
 MARYSVILLE, WA 98270

(Please print or type information)

Document Title(s): (or transactions contained therein) **Powell Water  
 Recovery Contract for Utility Construction Costs**

Grantor(s): (Last name first, then first name and initials)  
**Powell-Smokey Point, LLC  
 Hatch, Todd R.**

Grantee(s): (Last name first, then first name and initials)  
**MARYSVILLE, CITY OF**

Legal description: (abbreviated - i.e., lot, block, plat or section,  
 township, range, qtr./qtr.) 164<sup>th</sup> St & Twin Lakes Ave

**A portion of the SE Qtr of Section 29, T31N, R5E, W.M., Snohomish  
 County, WA.**

Reference Number(s) of Documents assigned or released: N/A

Assessor's Property Tax Parcel/Account Number:  
**310529-004-002-00 & 310529-004-009-00**

The Auditor/Recorder will rely on the information provided on the form.  
 The staff will not read the document to verify the accuracy or  
 completeness of the indexing information provided herein.

After Recording Return to:

CITY OF MARYSVILLE  
1049 STATE AVENUE  
MARYSVILLE, WA 98270

**CITY OF MARYSVILLE  
CONTRACT FOR RECOVERY OF UTILITY CONSTRUCTION COSTS  
CONTRACT NO. \_\_\_\_\_**

THIS AGREEMENT, entered into by and between the CITY OF MARYSVILLE, a municipal corporation of the State of Washington, hereinafter referred to as "City," and

Name  
**Powell-Smokey Point, LLC**

Address  
**2625 Northup Way  
Bellevue, WA 98004**

hereinafter referred to as "Developer."

**WITNESSETH:**

WHEREAS, the Developer has constructed and installed a water (water, sewer, or storm drainage) system, including a(n) 8-inch line and appurtenances situated as follows:

**Approximately 766 LF of 8" offsite water main located on 164<sup>th</sup> Street NE west of Twin Lakes Avenue.**

WHEREAS, the Developer has conveyed said system by Bill of Sale to the City and the City has accepted ownership and maintenance of the same under its sole jurisdiction, subject to a one-year warranty by the Developer; and

WHEREAS, the parties desire to enter into a contract pursuant to Chapter 35.91 RCW providing for reimbursement to the Developer for its construction and installation costs by subsequent users of the system; NOW, THEREFORE,

IN CONSIDERATION of the covenants bargained for and given in exchange, the parties mutually agree as follows:

1. The Developer has furnished or shall furnish the City with an as-built drawing of the installation of the above-referenced system on mylar, 24" x 36" in size, together with receipted bills showing that all charges and expenses incurred in connection with the installation have been paid.

2. The Developer's costs for construction and installation of said utility lines and facilities, including engineering fees, were \$58,074.59, which have been paid in full by the Developer.

3. The real property described below (or described in the exhibit attached hereto) is benefited by the installation of said utility lines, and is subject to the lien created by this Contract:

**Two properties located in the SE Quarter of Section 29, Township 31 North, Range 5 East, W.M. Tax parcel #'s 310529-004-002-00 & 310529-004-009-00.**

4. The proportionate share of the total cost of the utility lines which may be fairly attributed to serving and benefiting the above-described property, as a whole, rather than serving and benefiting the property of the Developer, is \$29,138.40.

5. For a period not to exceed fifteen (15) years from the date of this agreement, the City agrees to require the owners of the above-described real estate who hereafter connect to the above-described utility system to pay a fair pro rata share of the cost referred to in paragraph 4 above. This fair pro-rata share shall be determined from the length of the street frontage of the property to be served, which is known as the "front footage charge." This, however, does not include any other capital improvement charges levied by the City, whether it be by square footage of the area served, and/or a flat fee. No property extending beyond the terminus of the above-described system, as of the date said system has been accepted by the City, shall be served by said system unless there is an extension from said terminus which is constructed and financed in accordance with state and local laws and ordinances.

6. The fair pro-rata share is hereby established to be \$41.04 per lineal foot of frontage.

7. No person, firm or corporation shall be granted a permit or be authorized by the City to connect to or use the above-described utility system during said fifteen-year period without first meeting the following conditions:

- a. If the property is not within the City limits, the owner thereof must sign an annexation covenant as required by City ordinance.
- b. Payment of all applicable connection charges, fees and assessments regularly imposed by City ordinance.
- c. Payment of the recovery charge referred to in this Contract.
- d. Compliance with all requirements for utility connections which are regularly imposed by City ordinance.

8. The City shall deduct a fee of \$50.00 for each utility connection, said fee to be kept by the City to cover the cost of administering this Contract. The City shall then disburse the remaining balance which is collected for each connection to the Developer within thirty (30) days of receipt thereof. If the Developer shall hereafter assign its rights herein, the City shall be provided with a signed copy of such assignment by the Developer. The Developer hereby waives any claim which it or its successors or assigns may have if the City negligently fails to collect a reimbursement charge from a property owner connecting to the utility system.

9. At the end of the fifteen-year period, which shall commence upon the recording of this agreement, this agreement shall terminate in and of itself, notwithstanding that the full amount provided for herein may not have been recovered. Connection charges subsequent to the termination of this agreement shall be governed by ordinance of the City of Marysville, and all such charges shall be paid to the City for its use and benefit.

10. The provisions of this Contract shall not be construed as establishing the City as a public utility in the areas not already connected to the utility system; nor shall this Contract be construed as establishing express or implied rights for any property owner to connect to the City's utility system without first qualifying for such connection by compliance with all applicable City codes and ordinances.

11. The Developer agrees to hold the City harmless from any and all liability resulting from errors in the legal descriptions contained herein, and the City is relieved of all responsibility under this agreement for collecting on parcels not properly included in the legal descriptions set forth in Section 3 of this contract.

12. This Contract shall be recorded in the records of the Snohomish County Auditor, and it shall be binding upon the parties, their heirs, successors and assigns. The Developer agrees to reimburse the City for the recording fee and for all legal fees and other costs associated with the execution and recordation of the agreement.

ATTEST:  
  
By: \_\_\_\_\_  
CITY CLERK

THE CITY OF MARYSVILLE:  
  
By: \_\_\_\_\_  
MAYOR

APPROVED AS TO FORM:  
  
By: \_\_\_\_\_  
CITY ATTORNEY

DEVELOPER:  
  
Todd R. Hatch, Manager  
Powell-Smokey Point, LLC

**For Mayor:**

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF SNOHOMISH )

I certify that I know or have satisfactory evidence that DENNIS L. KENDALL is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Mayor of the City of Marysville, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
\_\_\_\_\_  
(Legibly print name of notary)  
NOTARY PUBLIC in and for the State of  
Washington, residing at \_\_\_\_\_  
My commission expires \_\_\_\_\_

**For Individual:**

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF SNOHOMISH )

I certify that I know or have satisfactory evidence that \_\_\_\_\_ is the person who appeared before me, and said person acknowledged that \_\_\_\_\_ signed this instrument and acknowledged it to be \_\_\_\_\_ free and voluntary act for the uses and purposes mentioned in the instrument.

DATED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

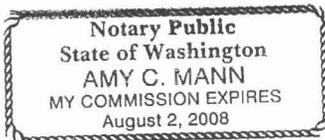
\_\_\_\_\_  
\_\_\_\_\_  
(Legibly print name of notary)  
NOTARY PUBLIC in and for the State of  
Washington, residing at \_\_\_\_\_  
My commission expires \_\_\_\_\_

**For Representative or Company:**

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF SNOHOMISH )

I certify that I know or have satisfactory evidence that Todd Hatch is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Manager of Powell Dev. to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

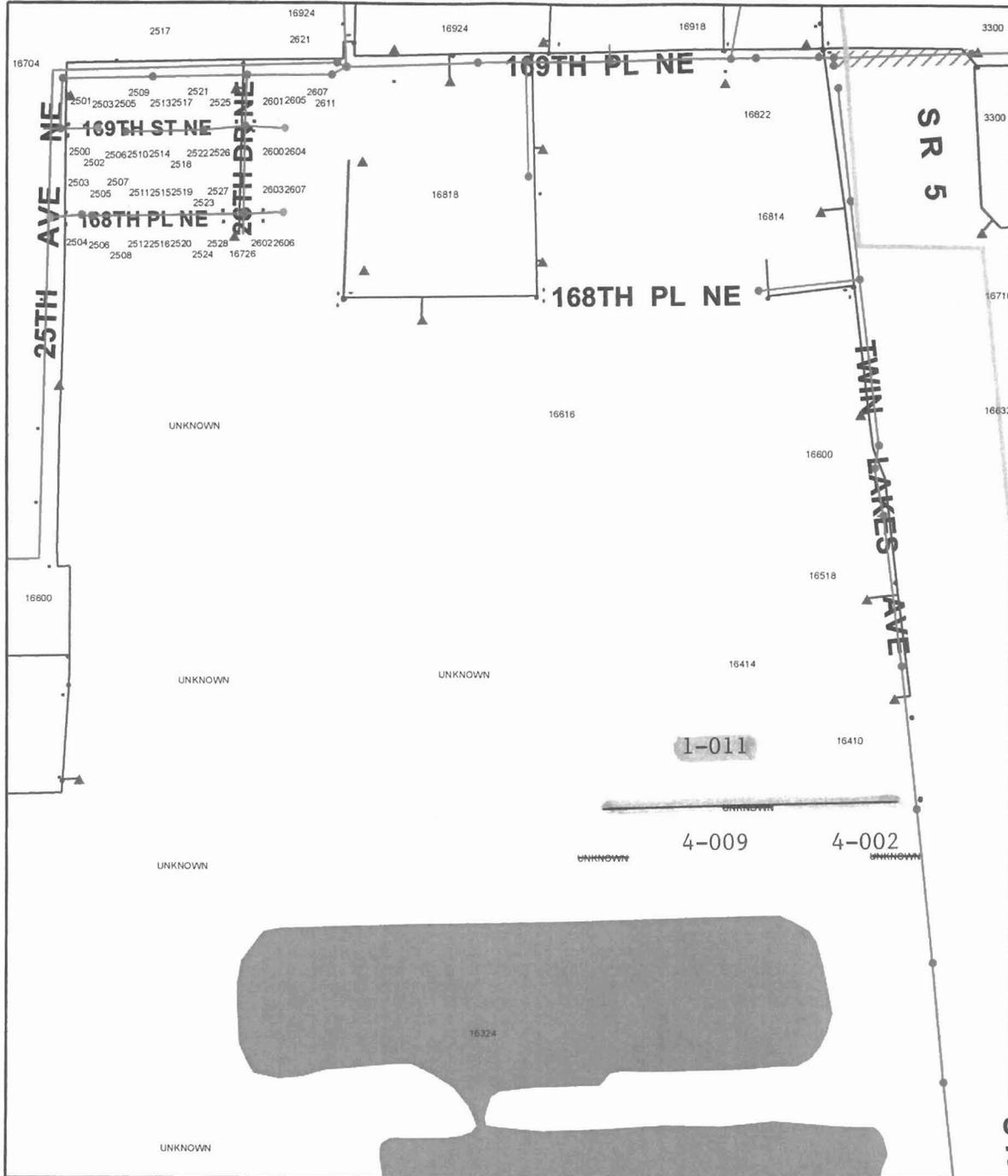
DATED this 6 day of April, 2007.



Amy Mann  
Amy Mann  
(Legibly print name of notary)  
NOTARY PUBLIC in and for the State of  
Washington, residing at Arlington  
My commission expires 8-2-2008



Exhibit B



City Limits	Sewer Service Area	Water Service Area	Water Pump Stations	<b>Water Valves - Main</b>	DNR Catchbasins (UGA)
Stormdrain Culverts	Sewer Cleanouts	<b>Water Lines</b>	Water PRVs	<b>POSITION</b>	DNR Culverts (County)
Stormdrain Catchbasins	Sewer Lift Stations	<b>STATUS</b>	Water Blowoffs	CLOSED	DNR Drain points (UGA)
Stormdrain Manholes	Sewer Manholes	EXISTING	Water Airvacs	OPEN	DNR Detention facilities (County)
Stormdrain Detention Facilities	Water Meters	ABANDONED	Water Valves - Other	UNKNOWN	DNR Cross sections (UGA)
Stormdrain Lines	Water Storage Facilities	Water Meters	Water Valve Markers	Water Hydrants	DNR Drainage network (UGA)
		Water Meters	Water Hydrants	Adopt-a-stream culverts	
		Water Meters	Water Sampling Sites		

THE CITY OF MARYSVILLE DISCLAIMS ANY WARRANTY OF MERCHANTABILITY OR WARRANTY OF FITNESS OF THIS DATA FOR ANY PARTICULAR PURPOSE, EITHER EXPRESSED OR IMPLIED. NO REPRESENTATION OR WARRANTY IS MADE CONCERNING THE ACCURACY, CURRENCY, COMPLETENESS OR QUALITY OF DATA DEPICTED. ANY USER OF THIS DATA ASSUMES ALL RESPONSIBILITY FOR USE THEREOF, AND FURTHER AGREES TO HOLD THE CITY OF MARYSVILLE HARMLESS FROM AND AGAINST ANY DAMAGE, LOSS, OR LIABILITY ARISING FROM ANY USE OF THIS DATA.

Developer's Property  
Benefiting Property  
Water Main

## Exhibit C

164<sup>th</sup> Street/Lakewood Crossing (Water) – Powell-Smokey Point, LLC

	Owner/Address	Parcel	LF	Cost \$41.04/lf	Date Paid
1	Young/Hylback	310529-004-002-00	40	\$1,641.60	
2	Young/Hylback	310529-004-009-00	670	\$27,496.80	
	<b>Subtotal - Recoverable</b>		710	<b>\$29,138.40</b>	
	Developer's Share	310529-001-011-00		\$28,936.19	
	<b>Total Project Cost</b>			<b>\$58,074.59</b>	

CITY OF MARYSVILLE  
Marysville, Washington

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF MARYSVILLE AFFIRMING THE DECISION OF THE HEARING EXAMINER AND REZONING PROPERTIES OWNED BY ELWYN & GULSER WOOD AND MICHAEL SNYDER AMENDING THE OFFICIAL ZONING MAP OF THE CITY

WHEREAS, Elwyn & Gulser Wood own one parcel that is approximately 15.75 acres in size and Michael Snyder owns one parcel that is approximately 4.5 acres in size generally located south of Sunnyside Blvd, west of Jones Creek, and east of 57<sup>th</sup> Drive NE, in the City of Marysville, said property being legally described in EXHIBIT A attached hereto; and

WHEREAS, Elwyn & Gulser Wood and Michael Snyder applied to the City of Marysville for a preliminary plat, preliminary, site plan approval, and rezone from R-4.5/6.5 to PRD 4.5/6.5 under File No. PA 06016; and

WHEREAS, the City Hearing Examiner held a public hearing on said preliminary plat, preliminary site plan approval, and rezone on March 15, 2007 and adopted Findings of Fact, Conclusions and a Recommendation approving the preliminary plat, preliminary site plan, and rezone of Elwyn & Gulser Wood and Michael Snyder subject to the ten (10) conditions set forth in the Hearing Examiner's Recommendation dated March 22, 2007;

WHEREAS, the Marysville City Council held a public meeting on said preliminary plat, preliminary site plan, and rezone on April 23, 2007 and concurred with the Findings of Fact, Conclusions and Recommendation of the Hearing Examiner, NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF MARYSVILLE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. The Findings of Fact, Conclusions and Recommendation and Reconsideration Decision of the Hearing Examiner with respect to the above referenced preliminary plat, preliminary site plan approval, and rezone are hereby approved, and the above described property is hereby rezoned from R-4.5/6.5 to PRD 4.5/6.5.

Section 2. The zoning classification for the above-described property shall be perpetually conditioned upon strict compliance with each of the conditions set forth in the Recommendation of the Hearing Examiner. Violation of any of the conditions of said decision may result in reversion of the property to the previous zoning classification and/or may result in enforcement action being brought by the City.

ORDINANCE - 1

Section 3. The official Zoning Map of the City of Marysville is hereby amended to reflect the reclassification of the above-described property.

Section 4. This decision shall be final and conclusive with the right of appeal by any aggrieved party to the Superior Court of Snohomish County by filing a Land Use Petition pursuant to the Land Use Petition Act within twenty-one (21) days after passage of this ordinance.

PASSED by the City Council and APPROVED by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2007

CITY OF MARYSVILLE

By \_\_\_\_\_  
DENNIS KENDALL, Mayor

ATTEST:

By \_\_\_\_\_  
, City Clerk

Approved as to form:

By \_\_\_\_\_  
GRANT K. WEED, City Attorney

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

Effective Date (5 days after publication): \_\_\_\_\_

ORDINANCE - 2

# LEGAL DESCRIPTION

## SNYDER PROPERTY

THAT PORTION OF SECTION 34, TOWNSHIP 30 NORTH, RANGE 5 EAST, W.M., DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH QUARTER SECTION CORNER; THENCE EAST 20 RODS; THENCE SOUTH 43 RODS; THENCE SOUTHWEST 6.7 RODS TO A POINT 49 RODS SOUTH OF A POINT 17 RODS EAST OF THE NORTH QUARTER SECTION CORNER; THENCE SOUTH TO THE SOUTHWESTERLY LINE OF COUNTY ROAD; THIS AS THE TRUE POINT OF BEGINNING; THENCE SOUTHEASTERLY ALONG SAID ROAD TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE WEST ALONG SAID LINE TO A POINT 25 RODS WEST OF THE SOUTHEAST CORNER THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER; THENCE NORTH TO THE SOUTHWESTERLY LINE OF SAID COUNTY ROAD; THENCE SOUTHEASTERLY ALONG SAID SOUTHWESTERLY LINE TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE CITY OF MARYSVILLE BY INSTRUMENT RECORDED APRIL 01, 2005 UNDER RECORDING NO. 200504010093, RECORDS OF SNOHOMISH COUNTY, WASHINGTON

EXCEPTIONS – NONE MAPABLE

(SNYDER) FIRST AMERICAN TITLE INSURANCE CO. NO. 4204-571433 DATED AUGUST 16, 2005

## WOOD PROPERTY

ALL THAT PORTION OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 30 NORTH, RANGE 5 EAST, WM, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER; THENCE NORTH 88°59'00" WEST ALONG SOUTH LINE OF SAID SUBDIVISION 412.5 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID LINE NORTH 88°59'00" WEST 170.5 FEET; THENCE NORTH 0°14'00" WEST PARALLEL TO EAST LINE OF SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER 1008.32 FEET ;THENCE SOUTH 88°59'00" EAST 63.75 FEET; THENCE NORTH 0°14'00" WEST 283.50 TO A POINT ON THE SOUTHWESTERLY LINE OF SNOHOMISH-MARYSVILLE PAVED HIGHWAY; THENCE SOUTH 53°11' EAST ALONG SAID SOUTHWESTERLY LINE A DISTANCE OF 11.21 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 1402.70 FEET AND CONSUMING AN ANGLE 5°10'12" FOR 126.57 FEET; THENCE SOUTH 0°14'00" EAST PARALLEL TO EAST LINE OF SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER FOR 1207.59 FEET TO TRUE POINT OF BEGINNING.

EXCEPTIONS – NONE MAPABLE



**Park Advisory Board Meeting**  
March 14, 2007 ~ 7 PM  
Ken Baxter Senior/Community Center

**Park Advisory Board Members Present:**

John Myers  
Andy Delegans  
Jeff Thompson  
Dorothy Stanton

**Parks and Recreation Staff Present:**

Jim Ballew, Director of Parks and Recreation  
Mike Robinson, Park Maintenance Manager  
Tara Mizell, Recreation Manager  
Carmen Rasmussen, City Council Representative

Excused: Mike Elmore  
Brooke Hougan

**Call To Order/Pledge of Allegiance:**

In the absence of Chairman Mike Elmore, Park and Recreation Director Jim Ballew called the meeting to order at 7:00 pm. Recreation Manager Tara Mizell led the Pledge of Allegiance.

**Minutes of Previous Meeting:**

**MOTION** by Dorothy Stanton; seconded by Andy Delegans to approve the February 2007 Minutes as written. Minutes approved.

**CURRENT BUSINESS:**

**1. Off-Leash Dog Park Review**

Park and Recreation Director Jim Ballew reported that he recently met with Marysville School District Officials and the Principal of Sunnyside Elementary School regarding the proposed Off-Leash Park site. Jim showed them a Power Point presentation and design drawings.

Jim related that the principal of Sunnyside Elementary expressed concerns of the proposed park being located behind his school. Their primary issue was security in regards to dogs and their owners on school grounds, and also how the City plans to deal with complaints and maintenance. The park design drawings show a gated access point to Sunnyside School and they requested the access be fenced off, prohibiting people from accessing school grounds from the park. Using the design drawings, Jim located the gate in issue for the Board.

Jim pointed out the path that dissects the property in the middle, which was also discussed quite extensively at the meeting. The community perception by residents and those who utilize the school is that the path is a public access point both to and from the school, or the sub-division. Jim noted that this path is not ADA compliant, as the grade is quite severe. The school district has negotiated with the developer to provide them with a school bus instead of tying in a path and furnishing curb, gutter and sidewalk on 40th Street around the subdivision. The school's risk manager and Jim concurred that it is a good idea to remove portions of the path and locate a concrete pad with a table and bench system for people to relax.

Jim is scheduled to meet with City Engineering Staff to discuss other issues, such as curb, gutter and sidewalk, as well as location of the proposed parking lot.

The next step is to finalize the park concept(s) showing the present site elevations in preparation of the Community information process. If the City Council then requests a Conditional Use Permit, as it is a specialized facility, we will do that. Jim would like to go to the Sunnyside PTSA and host community meetings at Sunnyside in May, before school is out in June.

Jim asked the Board if they have any questions or suggestions regarding the proposed park.

Jim noted that Snohomish County is having a Community Information Meeting tonight regarding a proposed off-leash site that was to be located on a 5-acre tract and near a sub-division. Due to feedback, they have since relocated the proposed park to a 60-acre site next to a power plant. Senior/Community Center Coordinator Maryke Burgess is attending the meeting and will report back.

Andy Delegans asked to confirm that there will be no connection between the path and the school and will it be a continual fence.

Jim acknowledged that it will be a continual fence.

Andy also asked what was planned for the development end of the park.

Jim explained that homes in the development are approximately ten feet from the path and the grade is quite severe. Jim believes it may be best to take that portion of the path out and fence the area.

Council Representative Carmen Rasmussen noted her concern of blocking off the access on the school side and continual fencing on the development side. This will make the only walkable access to the park on 40th; which is now fairly unsafe to walk on. We appear to be eliminating opportunities for getting their dog to the park without jeopardizing themselves. Carmen asked if the School District would be open to a lockable gate at the school access.

Jim said they are not, as there is the security issue of who locks and unlocks the gate and it would take only one time of the gate not getting locked. He would like to leave the posts that house the gate and lock the gate, not expecting to open it. Showing that we are good stewards, maybe one day the gate will open.

#### **NEW BUSINESS:**

##### **1. Jennings Park Renovation Concept "B"**

Jim shared drawings by Landscape Architects of the first concepts for the proposed Jennings Park Renovations, which appear too formal for Jennings Park. He then presented the second offering which has been well accepted.

Jim indicated and discussed:

- Pedestrian access on curb cut from the front entrance
- Gardens to be extended
- Concrete paver areas
- Signage location
- Trail in the middle leading into the park
- Sidewalk that leads to the playground and into Jennings Park
- Parking lot moved further from the Park and Recreation Office allowing a larger pedestrian path between the office and parked cars
- Stamped concrete with paver look
- Pergolas, wire trellis and urns
- Benches, picnic tables and awning

Other sites needing improvement include the small gazebo, which is quite old and needs to be replaced and a gate to block off public access to the maintenance compound, where trucks travel in and out.

Jim expressed his concern of having a great new image with the improvements and yet the canon remains as a challenge in the landscape. He explained that the Seabees who helped build Jennings Park donated the canon to commemorate their involvement. The canon sits on a concrete pad with barberry surrounding it, and the location also houses the US Flag.

Jim suggested talking with the Marysville Historical Society as to whether they would like the canon and move it to the area near the Gehl House. Another option would be to contact the Seabees and see if they would like the canon back.

Jim further noted that the canon is not in good condition and presents an unsafe object for children to climb on. Even though it is posted and is surrounded with barberry, children still climb on it.

For these reasons Jim would like the Board to review the need for the cannon in the park and why it is located in its current location.

#### Discussion

Jim suggested discussing the possibilities for the canon further at the April Park Board Meeting.

Jim asked for the Boards' comments regarding the Jennings Park Renovation Design Drawings.

Carmen asked if she could get a copy of the drawings.

Jim said he will get smaller versions of the drawings for Carmen and Board Members.

Andy pointed out the north entrance walking area and he would like to see some "WOW" in that area.

Jim agreed and will forward the suggestion to the architects.

John Myers asked if the design could include additional drinking fountains.

Tara Mizell pointed out that the Parks Office Staff are repeatedly asked for the location of drinking fountains.

Jim explained that during the winter months the water supply to the fountains is turned off due to freezing. However, additional fountains could be added to the design.

Mike Robinson noted that Jennings Park and Jennings Nature Park have a total of four drinking fountains. One is located at the Jennings Memorial Barn, the Lions Centennial Pavilion, the Jennings Barbeque Shelter and Jennings Nature Park.

Tara Mizell suggested a drinking fountain would be a wonderful donation idea for an organization in the community; similar to the donation HomeStreet Bank is making to the Off-Leash Dog Park.

Jim reviewed that he will look into adding more drinking fountains, more "WOW" in the walkway, and an additional pathway to the design.

Jim reported that the Call for Bids for irrigation of the entire Jennings Park, an estimated \$70,000 project, went out today. The design portion which Board discussed this evening will follow the irrigation project.

## 2. Recreation Offerings Summer 2007

Jim asked Recreation Manager Tara Mizell to update the Board on the recreational opportunities Parks and Recreation has coming in spring.

Tara circulated copies of the 2007 Summer Camps Brochure and reviewed them with the Board. She noted the addition of two new Ultimate Sport Camps! We will continue to offer our popular basketball and soccer camps and now we will host volleyball and track and field camp. The day camp program will be housed at Allen Creek Elementary this summer (except for one week which will be at Jennings Park). Our Tiny Tot Playgroup will continue and we will be expanding our offerings for 4 to 6 year olds with a Mini-Ultimate Camp and Mini-Adventure Camp this summer.

## **STAFF REPORTS:**

### **Tara Mizell**

- Basketball season is wrapping up with the final games this Thursday. Dave Hall, our Athletic Coordinator, has done an excellent job managing the league. Tara shared that this has been a wonderful season with very few problems.  
Jim Ballew added praise for Dave's management of the league.
- Soccer registration is complete with 833 youth registered. This is the largest registration to date. The Board was briefed on the huge volume of registrations that were processed in the Parks office. Over 500 registrations were processed in four days. Tara highlighted what an outstanding job staff did handling the huge number of people in the office. Dave is still looking for a few soccer coaches and the managers meeting will be held on March 20th.
- Kayla Flynn, our Recreation Coordinator introduced a new Jazzercise class in February. It is off to a great start with 45 participants. Kayla is also working on several new programs for Summer/Fall. Staff is working on the Messenger for spring, which will highlight mostly Parks and Recreation Programs. We are looking at a new type of paper to reduce costs.
- Tara spoke about a new committee she is working on with the City, focusing on e-government. She noted that staff would love to have online registration, which they believe would help ease the office congestion during times of high volume (like soccer registration). She said utility billing will be on line within a month or two and that will be a good learning process for the City.
- Tara shared that Maryke Burgess, our Senior Center Coordinator has just finished booking the concert series for this summer. She has a super line-up, which includes the Army Band, who is very hard to get. It was noted that Maryke has secured Centex Homes to sponsor the entire series which is a huge donation! Congratulations to Maryke!

### **Mike Robinson**

- The REI Tree Planting took place in Jennings Nature Park on February 24<sup>th</sup>, with 110 volunteers planting 1,400 trees. Everyone worked very hard and was very muddy and wet by the time we were done.
- The second phase of the Tree Planting took place the weekend of March 10<sup>th</sup> with the annual Boy Scout Christmas Tree Mulching. We had 58 kids and parents who worked for three hours. All the mulch went around the new trees in Jennings Nature Park and covers what used to be a blackberry thicket.
- The last stage of the Project is March 21, 22 and 23, from 11am to 2pm. Youth supervised by the Stilly Task Force, will plant their trees.
- Park Maintenance Staff have started mowing and other normal maintenance getting ready for a busy spring.

### **Jim Ballew**

- Jim shared copies of a letter the Board requested Board Member Dorothy Stanton author on their behalf, to HomeStreet Bank. Jim thanked Dorothy and, if the Board approves the content and spirit of the letter, he will put it on City letterhead. Jim asked who the Board would like to sign the letter.

Jeff Thompson suggested Chairman Mike Elmore sign the letter representing the Board.

- Jim reviewed the recent coyote activity in the Allen Creek Corridor. He advised that the City is under contract with the USDA to eradicate the coyotes in that area with what they feel is the best course of action. After several days with no sightings, they slowly pulled back for the present. They feel the activity will increase in the summer months when coyote families emerge from their dens.

- Jim shared a letter from a lady in the Foothills area requesting some park improvements. Jim agrees that the Foothills Park is one of two parks which need work. He wrote her a letter stating that her request would be presented to the Park Board and assured her we would work with her as much as possible. Jim further noted that Belmark Industries has requested a one day project in a City Park. Jim would like to purchase swing sets and have Belmark install them at Foothills and Verda Ridge Parks. If Park Board agrees with this suggestion, staff will proceed.

Park Board agreed with the swing set projects for Belmark Industries.

- Jim is working on two committees:
  1. Healthy Communities, which is in the final stages of sub-committee gatherings and information. Next week they will make a presentation of the final concepts of the Healthy Community Pilot Project Action Plan to a leadership group. This document will be presented to City officials, Marysville School Board, Park Board and service clubs to hopefully turn Marysville into a healthy community. This is a pilot project with Snohomish Health District. Eric Hatzembuehler, a Health Educator with the Health District, will make a presentation to the Park Board on April 11<sup>th</sup> and City Council on April 16<sup>th</sup>.
  2. The Graffiti Prevention Committee meets monthly and focuses on educating youth who may be responsible for the graffiti activity in town. The Graffiti Ordinance is in place, requiring local businesses or residences to clean up graffiti within a 48 hour time frame.
- Kudu's to Andy Delegans and his students at Marysville Pilchuck High School for completing the prototype of the Gateway sign. Jim is very excited about the sign and feels City Council and the Gateway Committee will share his enthusiasm. Jim congratulated Andy on their excellent work putting the signage in full dimension. Jim said he would like to thank the students in person.

Council Member Carmen Rasmussen said she would like to accompany Jim to thank the students and asked Andy if she could take the sign to an upcoming Council Meeting.

Andy said the students would be proud.

- The 2007 Annual Easter Egg Hunt will take place in Jennings Park at 10 AM on April 7<sup>th</sup>, if any Board Members would like to attend.

#### **BOARD MEMBERS:**

##### **Jeff Thompson**

- I would like to thank everyone for all their hard work and the hours they have put in on the many projects. It shows our pride and passion.

**MOTION** by Jeff Thompson, seconded by John Myers to adjourn tonight's meeting at 8:07 PM.

## Maryville Library Board

15 March 2007

### Attendance:

**Board Members:** Tom King, Margot Tipton, Joe Shipp, Tom Albright, Sue Rasmussen

**Sno-Isle Library Staff:** Maggie Buckholtz, Valerie Stevens

### Absent:

**Board Members:** Dorothy Stanton, Mike Wray

**City Council Representative:** Lee Phillips

Minutes of previous meeting were approved.

### Reports:

#### **Librarian: Maggie Buckholz**

Our children's librarian, Jane Crawford has had temporary positions at other libraries recently. That make us short staffed.

Maggie is going to the WLA conference in April and giving a presentation on grant writing for libraries. It will be held in the tri-cities it will be on this side of the mountains next year. It might also be a joint session with Oregon. Maggie would like to encourage some board members attend next year. The best day for board members to go generally is on Friday. Maggie is trying to get budget from the city for registration, lodging and meals.

Friends of the Library annual regional reception is April 12<sup>th</sup> at 4:30 p.m. at the service center. The program this year is Book-it Repretory Theatre who will be performing "The Trumpet of the Swan" by E.B. White.

The graffiti and vandalism has toned down. Three groups have been arrested while tagging. One group had a gang affiliation. The youngest in another group was age seven. He was out with his older brothers. The oldest brother was twelve years old. They were responsible for more than \$20,000 worth of damage. One of the groups was responsible for broken windows and other vandalism in town. We have had some problems in the library. The men's room is the most damaged. The glass has been etched and some carving done.

Our custodial service has been changed. The old service was with "Pro-Janitorial" - We had two documented thefts with the former service. The city and Sno-Isle libraries have agreed that Sno-Isle will do the bidding. Performance reviews and references were more heavily weighted in the process than the process the city used to evaluate the bids. Sno-Isle hired

White Lightning Janitorial. White Lightning worked with Sno-Isle to reduce the original bid so this would work. Maggie has noticed a some positive results of their work. The carpet has been spot cleaned. The cobwebs are down from the high places.

Security Issues: Cameras are still being looked at. Joe asked if false cameras could be installed. The city has considered that but declined to place non-operational cameras because of liability issues.

Maggie will be asking for replacement of sliding doors in next year's budget. The broken doors have to be propped open and overtax the HVAC system and are a negative impact on the security system.

The electric screen in the Log Cabin Room has been replaced with a pull screen.

We are hiring a new security guard this weekend. Molly Joplin. She is a student in criminal justice program at EVCC.

The display case in the back has been empty. Clubs and individuals can request to use it. It will be in use in April and May. It's use tends to be filled when people request information about the one in the front. Joe suggested we email a list of local groups that might like to use it when it is not scheduled. The one in the front is scheduled way in advance.

### **Sno-Isle: Valerie Stevens**

No additional information

### **City Council Report:**

Lee was absent. Tom contributed that the curbing would be repaired soon. Also he noted that Grove was slated for resurfacing in the May.

### **Friends of the Library: Maggie Buckholz**

The new leadership is reviewing the by-laws and are bringing a lot of energy to the group. They are encouraging additional involvement. They will be having a quarterly evening meeting in starting in June. They will be at Marysville Homegrown Festival. The Friends are starting to work on their scholarship award plans for this year.

The friends are funding one \$1000 scholarship and a private donor is contributing to another \$1000. These scholarships are targeted for the student who perhaps would not be the obvious candidate. A grade point average in the B range is the target group. Financial need and essay about how the library has impacted their lives are also considered.

Tom Albright noted that Rotary also has a significant amount of money to give to scholarships and hopes that we will encourage students we know to apply.

## Old Business:

### Gellerson Art Project:

The committee recently met and put together what is hoped to be a realistic time line for this project. We are hoping to send the information to the Graphics department for their development early in May. Board Members may comment on the draft of the *Request for Proposal*. Maggie will send them a copy. We anticipate the process will take a year or more with installation of the completed art work in the summer of 2008.

We had a discussion about how to advertise the financial aspects of the project. The committee feels that we should not mention the dollar amount available. This gives us the chance to consider several smaller priced works. Hopefully we will get realistic cost estimates from the artists. It also allows us time to solicit additional contributions.

When it is time to publicize we will be using posters and bookmarks in galleries and schools as well as in the Library. News Articles will be placed in local newspapers. We hope to put information of the library web-site or a link to additional information on the library web-site. We will also use email to contact galleries and schools.

### The Furnishings Project.

There is nothing new to report on this part of the Gellerson Project. We still need to select and order chairs for the tables and reading areas.

## New Business:

### Sno-Isle Libraries Teen Initiative

The Foundation has money to do a community assessment of services for teens with a focus on what would draw them to the library. Stanwood, Marysville, Mountlake and Monroe are the pilot project libraries. Laura Tilman is the librarian working on this project for our library. We might be hearing from her about points of contact with teens who currently do not use the library. They are working with a consultant to learn the process of evaluation. This will culminate in a well funded teen program for our library. The process should teach us how to continue in evaluation of building the library as a place were teens might like to be. Further into the process, Laura will give us a report.

Laura has also been talking at the Marysville Community coalition talking to parents about MySpace. The library is trying to show a positive use of MySpace. We currently have several authors who communicate with Marysville teens through the MySpace connection. We also gives kids a small prize if they show that the Marysville Library is on their list of favorites on MySpace.

Laura and Maggie attended a Chamber of Commerce sponsored even at Games Plus Two in Smokey Point. Laura was looking at games to purchase for the teen section. The game shop owner is going to give a discount to Friends to benefit the Library. They are many variations of traditional games. These are largely Tabletop games. They will be played here. Gaming has a direct correlation with improved literacy skills. Screen video games - kids learn to multi task - to quickly respond. One table top game, Fictionary, will most likely be purchased because it would be of interest to the Catharsis group.

We currently have a chess board in use daily and a “Magic - the Gathering” group that meets here on their own.

We might ask the Friends to fund prizes for a big tournament. Some teen gaming situations are betting situations. We want to avoid that.

We are also looking at doing a teen program on a Friday night with larger or noisier games like “Dance, Dance, Revolution” and a Guitar Game. If the library were to purchase this type of game it would be for check out. The table top games would be for use in the library.

We all thought that adults might like to have a game place as well.

### Harry Potter Event:

The final Harry Potter book will be released on July 21<sup>st</sup> - a Saturday. Last year Mary Burns had a midnight opening at Book Works. We are looking at having a midnight program at the library this year. We have checked with the city, will have security and won't violate any curfew laws. People who have pre-ordered their books through Book Works will be able to pick them up here and there will be books for sale here. Those who are first on the request list will be able to check out their books at midnight. We are considering a costume contest.

### Next Meeting

April 12 - Thursday 4:30 At the Service Center for their Friends of the Library Reception and program.