Marysville City Council Meeting

June 11, 2012 **7:00 p.m.** **City Hall**

Call to Order

Invocation/Pledge of Allegiance

Roll Call

Committee Report

Presentations

A. Volunteer of the Month *

B. Proclamation - Declaring June 23rd, 2012 Family YMCA 360 Break Dance Competition Day *

C. Proclamation - Declaring June 14-21, 2012 35th Annual National Nursing Assistants' Week *

Audience Participation

Approval of Minutes (Written Comment Only Accepted from Audience.)

1. Approval of April 9, 2012, City Council Meeting Minutes.
2. Approval of May 29, 2012, City Council Meeting Minutes.

Consent

3. Approval of May 23, 2012, Claims in the Amount of $329,306.99; Paid by Check Number's 77311 through 77500.
4. Approval of May 30, 2012, Claims in the Amount of $145,153.84; Paid by Check Number's 77501 through 77644 with Check Number's 75425 Voided.
5. Approval of May 18, 2012, Payroll in the Amount of $793,639.98; Paid by Check Number's 25448 through 25501.
8. Professional Services Agreement with Osborn Consulting in the Amount of $279,750 to Provide Consulting Services to the City for the North Marysville Regional Pond #2 Project.
9. Independent Contractor/Concessionaire Agreement with Rhonda Moen DBA Ice Cream Mom for Ice Cream Vending Services Effective June 30, 2012 through September 30, 2012.
10. Independent Contractor/Concessionaire Agreement with The Hillside Church for concessionaire services effective June 30, 2012 through December 31, 2012.
14. Change Order No. 3 for the Municipal Court Emergency Roof Repair with Riverside Roof LLC in the Amount of $186.16 Including Washington State Sales Tax.

Consent

15. Approval of June 6, 2012, Claims in the Amount of $222,389.09; Paid by Check Number's 77645 through 77738. *

16. Approval of June 5, 2012, Payroll in the Amount of $1,418,721.97; Paid by Check Number's 25502 through 25574. *

Review Bids

6. Award the Bid for the 51st Avenue NE (84th Street NE to 88th Street NE) Contract to SRV Construction, Inc. in the Amount of $1,402,637.03 Including Washington State Sales Tax and Approve a Management Reserve of $100,000.00 for a Total Allocation of $1,502,637.02.

Public Hearings

7. A Public Hearing Concerning Ordinances 2867 and 2882 Regarding Medical Marijuana Dispensaries, Collective Gardens, and the Licensing and Permitting Thereof.
   An Interim **Ordinance** of The City of Marysville, Washington, Adopting an Extension of a Moratorium on the Establishment of Medical Marijuana Dispensaries, Collective Gardens and the Licensing and Permitting Thereof; Defining "Medical Marijuana Dispensary"; Referring the Matter to the Planning Commission for Review; Establishing an Effective Date; Amending Ordinances No. 2867 and 2882; and Providing that the Extended Moratorium Will Expire on July 5, 2013 -- One (1) Year from the Date of Expiration of Ordinance No. 2882. *

New Business

12. An **Ordinance** of the City of Marysville, Washington, Amending the City's Municipal Code and Development Regulations by Amending Sections 22C.160.140 and 22C.160.140 and 22C.160.160 of MMC Chapter 22C.160, Signs; Amending Section 22C.010.380 of MMC Chapter 22C.010, Residential Zones, Amending Section 22C.020.330 of MMC Chapter 22C.020, Commercial, Industrial, Recreation and Public Institutional Zones; Amending Sections 22C.010.060 and 22C.010.070 of MMC Chapter 22C.010, Residential Zones; Amending Section 22C.010.380 of MMC Chapter 22C.010, Residential Zones; Amending Sectin 22C.020.330 of MMC Chapter 22C.020, Commercial, Industrial, Recreation and 22C.010.070 of MMC Chapter 22C.010, Residential Zones; Amending Sections 22C.020.060 and 22C.020.070 of MMC Chapter 22C.020, Commercial, Industrial, Recreation and Public Institutional Zones; Amending Section 6.76.030 of MMC Chapter 6.76 Noise Regulation; Amending Section 22C.010.310 of MMC Chapter 22C.010 Residnetial Zones; Amending Section 22C.130.030 of MMC Chapter 22C.130 Parking and Loading; Amending Sectiohn 22C.180.020 of MMC Chapter 22C.180 Accessory Structures; Amending

New Business

Section 22A.020.020 of MMC Chapter 22A.020 Definitions; Amending Section 22C.220.070 of MMC Section 22G.010.420 of MMC Chapter 22G.010 Land Use Application Procedures; and Amending Section 22A.010.160 of MMC Chapter 22A.010, General Administration, Related to Tracking Amendments to the City's Uniform Development Code.

13. An **Ordinance** of the City of Marysville, Washington, Relating to the City's Animal Control Regulations; and Adding a New Section 10.04.315 Chickens to MMC Chapter 10.04 Animal Control.

Legal

Mayor's Business

Staff Business

Call on Councilmembers

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 the City Clerk's Office 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.

***These items have been added or revised from the materials previously distributed in the packets for the (date) Work Session.**

B

PROCLAMATION

DECLARING JUNE 23
MARYSVILLE FAMILY YMCA
360 BREAK DANCE COMPETITION DAY

WHEREAS, the Marysville Family YMCA is committed to strengthening the diverse community that we live in; and

WHEREAS, the 360 Break Dance Competition staged by the Marysville Family YMCA Minority Achievers Program is believed to be the second-largest break dancing event in Washington State; and

WHEREAS, this year's event, now celebrating its twelfth year, will be on Saturday, June 23 at Totem Middle School; and

WHEREAS, the one-day 360 Break Dance event draws upwards of more than 800 participants, competitors, DJs, volunteers and spectators from counties around Washington State and as far away as the states of Alaska and Pennsylvania; and

WHEREAS, the 360 Break Dance Competition, now celebrating its twelfth year, was originally created to keep youth off the street, out of crime and provide youth a safe, welcoming venue to express themselves creatively through dance; and

WHEREAS, the 360 Break Dance Competition presents leadership development opportunities, team-building and management skills for the young people who actively plan, budget, market, promote and carry out the event successfully; and

WHEREAS, this break dance event provides a real-life venue for bringing diverse groups together to work toward achieving a common goal;

NOW, THEREFORE I, JON NEHRING, MAYOR OF THE CITY OF MARYSVILLE, do hereby proclaim June 23, 2012 as

"Marysville Family YMCA 360 Break Dance Competition Day"

in the City of Marysville, and encourage all citizens to recognize the positive and empowering impact that the Marysville Family YMCA and the 360 Break Dance Competition have, both on our youth, and in our community.

Under my hand and seal this Eleventh day of June, 2012.

THE CITY OF MARYSVILLE

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M A Y O R

C

PROCLAMATION

DECLARING JUNE 14-21, 2012
35th Annual National Nursing Assistants' Week
"Nursing Assistants@ the Heart of Care" ©

WHEREAS, Nursing homes, home care, hospitals and other long-term care agencies have accepted the responsibility for providing quality care and a quality of life for the elder, frail and disabled citizens in our community; and

WHEREAS, The wellbeing and happiness of these citizens depend in large part on the nursing assistants, home care aides, patient care assistants and others who provide daily, conscientious, hands-on care in nursing homes and other long-term care settings; and

WHEREAS, These Career Nursing Assistants are instrumental in promoting and safeguarding the physical, mental, emotional, social and spiritual well-being of the residents, clients, and their families; and

WHEREAS, Career Nursing Assistants are trained professionals who collaborate closely with other health care providers to provide quality care and also to elevate the status of their chosen profession; and

NOW, THEREFORE I, JON NEHRING, MAYOR OF THE CITY OF MARYSVILLE, do hereby proclaim June 14-21, 2012 as

35th Annual National Nursing Assistants' Week
"Nursing Assistants@ the Heart of Care" **©**

in the City of Marysville, and urge all citizens to join with me, and others nationwide to celebrate the 35th annual observance of Nursing Assistants Week and to express encouragement and appreciation for the service performed by these caregivers in the public good.
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Under my hand and seal this Eleventh day of June, 2012.

THE CITY OF MARYSVILLE

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M A Y O R

Index #1

Call to Order/Pledge of Allegiance/Roll Call	7:00 p.m.
Add the Change Order No. 1 for Municipal Court Emergency Roof Repair to the agenda.	Approved
Presentations	
Volunteer of the Month – Dan Moore	Presented
Arbor Day Proclamation	Presented
Approval of Minutes	
Approval of the March 12, 2012, City Council Meeting Minutes.	Approved
Consent Agenda	
Approval of March 21, 2012, Claims in the Amount of $297,438.33; Paid by Check Number's 76006 through 76170 with Check Number's 72450 and 75996 Voided.	Approved
Approval of March 28, 2012, Claims in the Amount of $604,962.08; Paid by Check Number's 76171 through 76343.	Approved
Approval of March 20, 2012 Payroll in the Amount of $897,542.72; Paid by Check Number's 25256 through 25295.	Approved
Approve the Eight Firework Stand Permit Application Submitted by TNT Fireworks and Approve the One Firework Stand Permit Application Submitted by Western Fireworks.	Approved
Authorize the Mayor to Sign the Independent Contractor Caretaker Agreement and Lease Agreement with Jonathan Hines for Jennings Memorial Park.	Approved
Authorize the Mayor to Sign the Independent Contractor Caretaker Agreement and Lease Agreement with Jessie Dodds and Amanda Moscariello for the Caretaker Position at Strawberry Fields Park.	Approved
Review Bids	
Public Hearing	
New Business	
An Ordinance of the City of Marysville, Washington, Adopting the 2011 Sewer Comprehensive Plan Pursuant to Chapter 173-240 WAC; and Directing that Said Plan be Docketed in the 2012 GMA Comprehensive Plan Docket Process to be considered for Adoption as a Part of the Public Facilities and Services Element of the Marysville Growth Management Comprehensive Plan.	Approved Ord. No. 2892
An Ordinance of the City of Marysville Amending the 2012 Budget and Providing for the Increase of Certain Expenditure Items as Budgeted for in Ordinance No. 2881.	Approved Ord. No. 2893
An Ordinance of the City of Marysville, Washington, Amending the City's Development Regulations by Amending Sections 22G.090.170 and 22G.090.380 of MMC Chapter 22G.090, Subdivisions and Short Subdivisions; Amending Section 22G.100.120 of MMC Chapter 22G.100, Binding Site Plan; and Amending Section 22A.010.160 of MMC Chapter 22A.010, General Administration, Related to Tracking Amendments to the City's Uniform Development Code.	Approved Ord. No. 2894
Change Order No. 1 for Municipal Court Emergency Roof Repair	Approved

Legal	
Mayor's Business	
Staff Business	
Call on Councilmembers	
Adjournment	7:45 p.m.
Executive Session	7:50 p.m.
Litigation – one item	
Personnel – one item	
Real Estate – one item	
Adjournment	8:17 p.m.

DRAFT

COUNCIL MINUTES

Regular Meeting
April 9, 2012

Call to Order / Pledge of Allegiance

Mayor Nehring called the meeting to order at 7:00 p.m. and led those present in the Pledge of Allegiance.

Roll Call

Chief Administrative Officer Hirashima gave the roll call. The following staff and councilmembers were in attendance.

Mayor:	Jon Nehring
Council:	Steve Muller, Carmen Rasmussen, Jeff Seibert, Michael Stevens, Rob Toyer (arrived at 7:02), Jeff Vaughan, and Donna Wright
Absent:	None
Also Present:	Chief Administrative Officer Gloria Hirashima, Finance Director Sandy Langdon, Police Chief Rick Smith, City Attorney Grant Weed, Public Works Director Kevin Nielsen, Parks and Recreation Director Jim Ballew, Community Information Officer Doug Buell, and Recording Secretary Laurie Hugdahl.

Committee Reports

Councilmember Rasmussen reported on the March 14 Park Board meeting:

- 40% of fall quarter registrations for classes that are available online are being done online.
- One problem is that there has been a significant reduction in registrations for soccer this year. Little League also had a substantial drop. This appears to be due to a change in the school district's method of distributing information about these events. The access to the flyers has been reduced to only the district's website. This has presented a challenge for not only the City's Parks and Recreation Department, but other community organizations that are trying to get students involved in activities such as Boy Scouts, Girl Scouts, Little League, soccer, etc.

- After some discussion, the Park Board approved a recommendation that the City Council and/or the Mayor's office initiate another discussion with the school board and/or administration to discuss how this decision has impacted community involvement. Councilmember Rasmussen spoke in support of re-engaging in these discussions with the school district. Mayor Nehring indicated he would make contact with Dr. Nyland about this issue.
- This Saturday is the Spring Craft and Garden Show as well as the Graffiti Paint Out and Clean Up event.
- The Park Board approved changes to the refund policy which changes the administrative fee. Changes also were made to the verbiage of the descriptions of where these refunds apply. The processing time was changed from 10 working days to 5. Those changes will be coming to the Council at some point for approval.
- There was in-depth discussion about the significance of the Tree City USA designation.
- There are a significant number of people signed up to help with the Graffiti Paint Out, but volunteers are still needed. Donations have been made by E&E Lumber and Home Street Bank.

Councilmember Jeff Vaughan reported that the Graffiti Task Force met on Thursday and reviewed plans for the Graffiti Paint Out on Saturday. He encouraged anyone who can attend to show up at 9 a.m. at Cedarcrest Middle School.

Mayor Nehring referred to a Change Order agenda item that Director Nielsen distributed.

Motion made by Councilmember Seibert, seconded by Councilmember Wright, to add the Change Order No. 1 for Municipal Court Emergency Roof Repair to the agenda. **Motion** passed unanimously (7-0).

Mayor Nehring stated he would also be reading a Proclamation regarding Arbor Day after the Volunteer of the Month award.

Presentations

Volunteer of the Month

Mayor Nehring awarded the Volunteer of the Month to Dan Moore for more than a decade of volunteer service coaching 4^{th}/5^{th} grade girls and, in total, over 100 young players in the Maryville Parks and Recreation Department youth basketball program.

Arbor Day Proclamation

Mayor Nehring read the proclamation recognizing April 11, 2012 as Arbor Day in the City of Marysville and encouraging everyone to celebrate Arbor Day, to support efforts

to protect our trees and woodlands, and to plant trees to gladden the heart and promote the well-being of this and future generations.

Public Comment

Preston Dwoskin, 11120 46th Ave NE, Marysville, WA 98271, discussed:

- A proposal to name a trail after Ken Baxter in memory of the impact he had on the City.
- He asked the City Council to consider putting turf on Cedar Field.
- He thanked the Council and the Mayor for the time they put in for the citizens.

Councilmember Rasmussen suggested that Director Ballew and Director Nielsen should be included in any discussion regarding renaming. She volunteered to also be involved in that discussion. Councilmember Vaughan suggested that the discussion start with the Park Board. Director Ballew stated that he would be meeting personally with Preston to develop a plan.

Approval of Minutes

1. Approval of March 12, 2012, City Council Meeting Minutes.

Motion made by Councilmember Vaughan, seconded by Councilmember Stevens, to approve the March 12, 2012 meeting minutes as presented. **Motion** passed unanimously (7-0).

Consent

2. Approval of March 21, 2012, Claims in the Amount of $297,438.33; Paid by Check Number's 76006 through 76170 with Check Number's 72450 and 75996 Voided.

3. Approval of March 28, 2012, Claims in the Amount of $604,962.08; Paid by Check Number's 76171 through 76343.

4. Approval of March 20, 2012 Payroll in the Amount of $897,542.72; Paid by Check Number's 25256 through 25295.

5. Approve the Eight Firework Stand Permit Application Submitted by TNT Fireworks and Approve the One Firework Stand Permit Application Submitted by Western Fireworks.

6. Authorize the Mayor to Sign the Independent Contractor Caretaker Agreement and Lease Agreement with Jonathan Hines for Jennings Memorial Park.

7. Authorize the Mayor to Sign the Independent Contractor Caretaker Agreement and Lease Agreement with Jessie Dodds and Amanda Moscariello for the Caretaker Position at Strawberry Fields Park.

Motion made by Councilmember Wright, seconded by Councilmember Rasmussen, to approve the Consent Agenda items 2, 3, 4, 5, 6, and 7. **Motion** passed unanimously (7-0).

Review Bids

None

Public Hearings

None

New Business

8. An Ordinance of the City of Marysville, Washington, Adopting the 2011 Sewer Comprehensive Plan Pursuant to Chapter 173-240 WAC; and Directing that Said Plan be Docketed in the 2012 GMA Comprehensive Plan Docket Process to be considered for Adoption as a Part of the Public Facilities and Services Element of the Marysville Growth Management Comprehensive Plan.

Director Nielsen stated that there was no additional information since last week.

Motion made by Councilmember Vaughan, seconded by Councilmember Seibert, to approve Ordinance No. 2892. **Motion** passed unanimously (7-0).

9. An Ordinance of the City of Marysville Amending the 2012 Budget and Providing for the Increase of Certain Expenditure Items as Budgeted for in Ordinance No. 2881.

Director Langdon stated that there was no additional information since last week.

Motion made by Councilmember Wright, seconded by Councilmember Vaughan, to approve Ordinance No. 2893. **Motion** passed unanimously (7-0).

10. An Ordinance of the City of Marysville, Washington, Amending the City's Development Regulations by Amending Sections 22G.090.170 and 22G.090.380 of MMC Chapter 22G.090, Subdivisions and Short Subdivisions; Amending Section 22G.100.120 of MMC Chapter 22G.100, Binding Site Plan; and Amending Section 22A.010.160 of MMC Chapter 22A.010, General Administration, Related to Tracking Amendments to the City's Uniform Development Code.

CAO Hirashima reported that the Governor signed the House Bill related to this which will go into effect on June 7.

Councilmember Seibert commented that although he is in favor of the extension portion of the ordinance he is against moving anything else from the legislative branch to the judicial or the executive branch so he will be voting against this.

Motion made by Councilmember Wright, seconded by Councilmember Stevens, to approve Ordinance No. 2894. Motion passed (6-1) with Councilmember Seibert voting against the Ordinance.

Change Order No. 1 for Municipal Court Emergency Roof Repair

Director Nielsen explained that when they pulled away the flashing they found another piece of flashing that needed to be replaced. This has been approved under the insurance and will be paid for with insurance money.

Motion made by Councilmember Seibert, seconded by Councilmember Vaughan, to authorize the Mayor to approve Change Order No. 1 for Municipal Court Emergency Roof Repair with Riverside Roof LLC in the amount of $21,735.20 including Washington State Sales Tax. **Motion** passed unanimously (7-0).

Legal

None

Mayor's Business

- Thanks to Kevin Nielsen, John Cowling, and the whole Public Works staff for the work they did at the APWA Conference which was hosted by the City of Marysville at the Tulalip Hotel.
- He met with Admiral Peter Gumataotao who is the Admiral for Carrier Strike Group 11 which is the USS Nimitz. He is very proactive at working with surrounding communities to make sure there is adequate housing and pleasant communities for the military. Admiral Gumataotao also stressed his concern for jobs of spouses of military servicemen. Mayor Nehring was able to share with him Marysville's Family Friendly Partnership Initiative which the City passed in 2007 and the Military Veterans Promotion (MVP) Year in Marysville proclamation that the City did a few weeks ago. Admiral Gumataotao expressed his gratefulness for the City of Marysville and their leadership in partnering with the Navy.
- The Easter Egg Hunt on Saturday was a great event. He commended everyone involved in that event.
- The CT Board met and did final design approval for Smokey Pt. Transit Center. He discussed the importance of a fuel hedge contract that they did.

- Clean Sweep Week is April 14 - 21. Staff is really hoping to make an impact in the community with all the events of this week.

Staff Business

Jim Ballew:

- He estimated that over 3000 people came to the Easter Egg Hunt on Saturday. Thanks to Steve Fulton of State Farm Insurance, Marysville Rotary, Grandview Village, and United Way for their support and to the many volunteers who helped out.
- On Arbor Day, April 11, they will be planting 7 Linden Cedars up in the ball field area.
- Volunteers for Clean Sweep Day should show up at Cedarcrest. Half the team will go downtown; the rest will work on graffiti eradication in the community.
- Staff has met with the downtown merchants again. They are becoming involved in planters and other activities.
- An Earth Day event will also be taking place on Saturday at Harborview Park from 10 to 2. The first 200 people get a free t-shirt.
- The Spring Craft Show will be held this Saturday from 10 to 4.
- On Wednesday staff is meeting with MaryFest to talk about their proposal for this year.

Chief Smith requested more volunteers on Saturday for the graffiti cleanup event.

Kevin Nielsen:

- APWA conference on Saturday was a great event and well attended. Mayor Nehring did a great speech.
- The bad news is that there is no transportation funding at the federal or state level.
- Information about 156th will be coming to Council.
- The Earth Day planting at Harborview Park will be done in conjunction with Snohomish County.

Doug Buell:

- There will be a free Shred-a-thon event at City Hall from 9 to 1 p.m. on April 21.
- Marysville First Assembly Church at Grove and 47th will also be having their Got Trash event at the same time.

Sandy Langdon:

- She reminded Council members that their PDC filing is due next Monday.
- There have been requests to do annual billings for 800 accounts that have stormwater only billing. Staff has looked into this and determined they would save $2300 to $2500 if they do annual billing so letters will be going out in bills next week to customers about this change.
- Finance Committee meeting next Wednesday at 4:30 p.m.

- The Easter Egg Hunt was great. She heard a lot of great comments from citizens who really enjoyed it. Thanks to Parks for putting it on.
- The State had their budget submittal last Thursday. She discussed some of the changes that were made.

Grant Weed stated the need for an Executive Session to discuss three topics: one item related to lease or purchase of real estate, one to discuss potential litigation, and one to discuss collective bargaining negotiation. The items were expected to last 15 minutes with no action expected.

Gloria Hirashima had no comments.

Call on Councilmembers

Carmen Rasmussen agreed that the Easter Egg Hunt was phenomenal. The weather was great and everyone had a great time.

Steve Muller had no comments.

Rob Toyer had no comments.

Michael Stevens had no comments.

Jeff Seibert had no comments.

Donna Wright had a great time at the Easter Egg Hunt. She enjoyed helping out.

Jeff Vaughan had no comments.

The Council recessed at 7:47 until 7:52 at which time they reconvened into Executive Session. It was announced that the Executive Session would last 15 minutes with no action expected.

Executive Session

A. Litigation – one item, per RCW 42.30.110(1)(i)

B. Personnel – one item, per RCW 42.30.110(4)(a)

C. Real Estate – one item, per RCW 42.30.110(1)(b)

Motion made by Councilmember Rasmussen, seconded by Councilmember Wright to extend Executive Session 10 minutes to 8:17p.m. Motion passed unanimously (7-0).

Adjournment

Seeing no further business Mayor Nehring adjourned the meeting at 8:17 p.m.

Approved this _____ day of _____, 2012.

_____	_____
Mayor	April O'Brien
Jon Nehring	Deputy City Clerk

Index #2

Call to Order/Pledge of Allegiance/Roll Call	7:00 p.m.
Excuse absence of Councilmembers Vaughan and Rasmussen.	Approved
Presentations	
Employee Services Awards: <u>5 Years:</u> • Sandra Gyurkovics, Information System Analyst, IS • Lynn Schroeder, Executive Assistant, Executive • Pat Gruenhagen, Project Manager, Engineering • Brooke Ensor, Surface Water Specialist, Engineering • Edward Brown Maintenance Worker, II, Surface Water <u>10 Years:</u> • Jason Rose, Maintenance Worker, II, Sanitation	Presented
Approval of Minutes	
Approval of May 7, 2012, City Council Work Session Minutes.	Approved
Approval of May 14, 2012, City Council Meeting Minutes.	Approved
Consent Agenda	
Approval of the May 9, 2012, Claims in the Amount of $452,617.11; Paid by Check Number's 77018 through 77188 with Check Number 76297 Voided.	Approved
Approval of the May 16, 2012, Claims in the Amount of $746,036.43; Paid by Check Number's 77189 through 77310 with Check Number 77164 Voided.	Approved
Approval of the May 4, 2012, Payroll in the Amount of $1,381,549.24; Paid by Check Number's 25387 through 25447 with Check Number 25386 Voided.	Approved
Review Bids	
Public Hearing	
New Business	
Interlocal Agreement Establishing Snohomish Regional Drug and Gang Task Force.	Approved
Recovery Contract (Sewer), Pike Place Condominiums, 4321 113th Place NE, LLC, in the Amount of $70,332.16.	Approved Recovery Contract No. 294
Legal	
Mayor's Business	
Approve the reappointment of Ron Foss to the Salary Commission.	Approved
Staff Business	
Call on Councilmembers	
Adjournment	7:45 p.m.
Executive Session	7:50 p.m.
Real Estate – one item	
Adjournment	8:10 p.m.

DRAFT

COUNCIL MINUTES

Regular Meeting
May 29, 2012

Call to Order / Pledge of Allegiance

Mayor Nehring called the meeting to order at 7:00 p.m. and led those present in the Pledge of Allegiance.

Roll Call

Finance Director Langdon gave the roll call. The following staff and councilmembers were in attendance.

Mayor:	Jon Nehring
Council:	Steve Muller, Jeff Seibert, Michael Stevens, Rob Royer, and Donna Wright
Absent:	Carmen Rasmussen and Jeff Vaughan
Also Present:	Finance Director Sandy Langdon, Commander Robb Lamoureux, City Attorney Grant Weed, Public Works Director Kevin Nielsen, Assistant City Engineer John Cowling, Parks and Recreation Director Jim Ballew, Community Information Officer Doug Buell, Recording Secretary Laurie Hugdahl.

Mayor Nehring stated that Councilmembers Vaughan and Rasmussen had indicated that they would not be attending the meeting tonight and had requested excused absences.

Motion made by Councilmember Wright, seconded by Councilmember Toyer, to excuse the absence of Councilmembers Vaughan and Rasmussen. **Motion** passed unanimously (5-0).

Committee Report

Councilmember Wright reported on the Public Safety Committee meeting where the following items were discussed:

- The Burglary Strike Team reported that burglaries are down. 27 arrests have been made in the last three weeks and over $6,000 in property has been recovered.
- A robot was used to help take care of a situation at a recent SWAT call out.
- Development of the Work Release program is still in progress with more information to come.
- On a detective's search warrant, an arrest was made working along with the ICIA (International Crimes against Children).

Councilmember Seibert reported that at the May 16 Finance Committee meeting, the Committee received a presentation from the auditors and a budget update.

Presentations

A. Employee Services Awards

5 Years:
- Sandra Gyurkovics, Information System Analyst, IS
- Lynn Schroeder, Executive Assistant, Executive
- Pat Gruenhagen, Project Manager, Engineering
- Brooke Ensor, Surface Water Specialist, Engineering
- Edward Brown Maintenance Worker, II, Surface Water

10 Years:
- Jason Rose, Maintenance Worker, II, Sanitation

Audience Participation

None.

Approval of Minutes

1. Approval of May 7, 2012, City Council Work Session Minutes.

Motion made by Councilmember Wright, seconded by Councilmember Muller, to approve the May 7, 2012, City Council Work Session Minutes as presented. **Motion** passed unanimously (5-0).

2. Approval of May 14, 2012, City Council Meeting Minutes.

Councilmember Wright indicated she would be abstaining from voting on the minutes as she was not present at the May 14 meeting.

Motion made by Councilmember Muller, seconded by Councilmember Toyer, to approve the May 14, 2012, City Council Meeting Minutes as presented. **Motion** passed unanimously (4-0) with Councilmember Wright abstaining.

Consent

3. Approval of the May 9, 2012, Claims in the Amount of $452,617.11; Paid by Check Number's 77018 through 77188 with Check Number 76297 Voided.

4. Approval of the May 16, 2012, Claims in the Amount of $746,036.43; Paid by Check Number's 77189 through 77310 with Check Number 77164 Voided.

5. Approval of the May 4, 2012, Payroll in the Amount of $1,381,549.24; Paid by Check Number's 25387 through 25447 with Check Number 25386 Voided.

Motion made by Councilmember Stevens, seconded by Councilmember Wright, to approve Consent Agenda items 3, 4, and 5. **Motion** passed unanimously (5-0).

Review Bids

None.

Public Hearings

None.

New Business

6. Interlocal Agreement Establishing Snohomish Regional Drug and Gang Task Force.

Commander Lamoureux stated that this is a renewal which is done on an annual basis. The agreement includes the City in any of the work that the Task Force does along with other municipalities in the county.

Motion made by Councilmember Stevens, seconded by Councilmember Seibert, to authorize the Mayor to sign the Interlocal Agreement Establishing Snohomish Regional Drug and Gang Task Force. **Motion** passed unanimously (5-0).

7. **Recovery Contract** (Sewer), Pike Place Condominiums, 4321 113th Place NE, LLC, in the Amount of $70,332.16.

Director Nielsen explained that this sewer recovery contract was calculated by square footage. The total project cost was $159,000. $88,000 went to the developer.

Motion made by Councilmember Wright, seconded by Councilmember Stevens, to authorize the Mayor to sign Recovery Contract No. 294. **Motion** passed unanimously (5-0).

Legal

Grant Weed stated that he had an item which was not on the agenda, but which the Council had already acted on. He presented the Second Amendment to the 2003 Agreement between the City and the Snohomish County PUD. The PUD has already signed the document, and Marysville's City Council has already approved it. City Attorney Weed stated that since this is such an important document, they wanted to make the signing of it a public event.

Mayor Nehring stated that this was a substantial piece of work by many people in the room. He commended Grant Weed, Gloria Hirashima, and Kevin Nielsen who worked tirelessly on this item. He also thanked Council for approving this item. He is very pleased with the deal that has been negotiated and that Marysville has an asset of this magnitude in the community. He said he is especially pleased that residents will see their water bills reduced as a result of this.

Councilmember Seibert concurred that this was a big accomplishment. He commended Kevin Nielsen, Grant Weed, and Gloria Hirashima for the work they did on this.

Director Nielsen spoke to the importance of having lobbyists working for the City down in Olympia. He appreciates the opportunity he had to work on this and learn how the system works in Olympia.

City Attorney Weed stated that one of his partners, Thom Graafstra, took part in writing the bill and not a single word he had written was changed.

Mayor's Business

8. Salary Commission Reappointment: Ron Foss

Motion made by Councilmember Muller, seconded by Councilmember Seibert, to approve the reappointment of Ron Foss to the Salary Commission. **Motion** passed unanimously (5-0).

Mayor Nehring:

- Snohomish County Tomorrow had a substantive meeting this past week. They approved the STP-CMAQ Countywide Transportation Project, which included some State Avenue overlay. He stated that this is the first year since he has been involved in city government that preservation funds have been included on the list. Another project the City has on the list is the traffic signal at 53rd and 528 by the Jennings Park entrance.
- Sound Transit gave an update regarding the timeline and budget issues surrounding ST2. They also talked about the potential of a Sound Transit 3 up to Everett by 2023. Troy McClelland from the Economic Alliance Snohomish County gave an update. Troy and the EASC are moving aggressively ahead on economic development and jobs in Snohomish County.

- Mayor Nehring said that he and Councilmember Vaughan had the pleasure of speaking to some Marysville Middle School students on May 24 about city government.
- He commended the Police Department for the nice Memorial Day ceremony.
- Doug and Roberta did a great job on the car wash and yard sale at the City Hall to raise money for the relay for Life.
- There will be a Red Robin Day all day on Thursday where 10% of the tickets will go toward the Relay for Life Team.
- At the Snohomish County Cities meeting, Dave Brooks from Providence Swedish and Ron Solemsaas from SERS both gave presentations.
- Congratulations to Donna Wright for being the first ever recipient of the Distinguished Alumnus Award for Eastmont High Class of 1958. The award will be accepted by Councilmember Wright on June 8.
- Healthy Communities Challenge Day will be this Saturday at Allen Creek Elementary.

Staff Business

Jim Ballew:

- There are 79 vendors for Challenge Day. They are all hoping for good weather.
- On Thursday, June 14 at 10 a.m., WSDOT will be hosting a bridge decommissioning ceremony.

Commander Lamoureux mentioned that at the Healthy Communities Challenge Day, the police will have volunteers doing the Kid Care ID kits and fingerprinting.

Kevin Nielsen:

- He noted that the City has two other transportation projects on state lists, in addition to ones mentioned by Mayor Nehring: $250,000 for safety projects on State Avenue between here and Arlington and another safety project for $1 million between 1st and 88th.
- He asked for input about when to hold the Public Works Committee meeting. There was consensus to meet next Friday.

Grant Weed stated the need to hold an Executive Session for 10 minutes to discuss potential purchase of real estate with no action expected.

Sandy Langdon:

- Grocery stores will start selling liquor beginning on Friday. Stores are already gearing up.
- Auditors were supposed to finish this week, but because of dealing with problems with the City of Lynnwood's budget they will be delayed.
- At Challenge Day, Employee Appreciation and Wellness will have a booth.

Call on Councilmembers

Steve Muller stated that he, Councilmember Wright, and CAO Hirashima attended the funeral of Lois McGuire who worked for Public Works for a number of years.

Rob Toyer encouraged everyone to go to Red Robin on Thursday to benefit the Relay for Life.

Michael Stevens:

- He asked if the Kid Care ID Kits will be available at times other than the Challenge Day. Commander Lamoureux said they can be obtained at the Police Department at other times.
- He said he survived the fire ops training. It was very enjoyable and informative.

Jeff Seibert emphasized that 27 people have been arrested regarding burglaries in Marysville. He congratulated the Police Department on their remarkable efforts.

Donna Wright congratulated all who worked on the PUD agreement for such a long time.

Adjournment

The Council recessed at 7:45 for five minutes until 7:50 at which time they reconvened into Executive Session to discuss one potential purchase of real estate item. It was announced that the Executive Session would last ten minutes with no action expected.

Executive Session

A. Litigation

B. Personnel

C. Real Estate – one item, per RCW 42.30.110 (1)(b)

Adjournment

Seeing no further business Mayor Nehring adjourned the meeting at 8:10 p.m.

Approved this _____ day of _____, 2012.

_____	_____
Mayor	April O'Brien
Jon Nehring	Deputy City Clerk

Index #3

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: June 11, 2012

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 **May 23, 2012** claims in the amount of **$329,306.99** paid by **Check No.'s 77311 through 77500.**
COUNCIL ACTION:

BLANKET CERTIFICATION

CLAIMS

FOR

PERIOD-5

I, THE UNDERSIGNED, DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE MATERIALS HAVE BEEN FURNISHED, THE SERVICES RENDERED OR THE LABOR PERFORMED AS DESCRIBED HEREIN AND THAT THE **CLAIMS** IN THE AMOUNT OF **$329,306.99 PAID BY CHECK NO.'S 77311 THROUGH 77500** ARE JUST, DUE AND UNPAID OBLIGATIONS AGAINST THE CITY OF MARYSVILLE, AND THAT I AM AUTHORIZED TO AUTHENTICATE AND TO CERTIFY SAID CLAIMS.

_____

AUDITING OFFICER DATE

_____

MAYOR DATE

WE, THE UNDERSIGNED COUNCIL MEMBERS OF MARYSVILLE, WASHINGTON DO HEREBY APPROVE FOR PAYMENT THE ABOVE MENTIONED **CLAIMS** ON THIS **11TH DAY OF JUNE 2012.**

_____ _____

COUNCIL MEMBER COUNCIL MEMBER

_____ _____

COUNCIL MEMBER COUNCIL MEMBER

_____ _____

COUNCIL MEMBER COUNCIL MEMBER

_____

COUNCIL MEMBER

CITY OF MARYSVILLE
INVOICE LIST
FOR INVOICES FROM 5/17/2012 TO 5/23/2012

CHK #	VENDOR	ITEM DESCRIPTION	ACCOUNT DESCRIPTION	ITEM AMOUNT
77311	REVENUE, DEPT OF	SALES & USE TAX - APRIL 2012	CITY CLERK	0.55
	REVENUE, DEPT OF		COMMUNITY DEVELOPMENT-	12.95
	REVENUE, DEPT OF		INFORMATION SERVICES	17.14
	REVENUE, DEPT OF		POLICE ADMINISTRATION	21.90
	REVENUE, DEPT OF		ER&R	43.97
	REVENUE, DEPT OF		RECREATION SERVICES	53.24
	REVENUE, DEPT OF		WATER/SEWER OPERATION	100.32
	REVENUE, DEPT OF		CITY STREETS	242.19
	REVENUE, DEPT OF		DRUG ENFORCEMENT	291.54
	REVENUE, DEPT OF		PRO-SHOP	407.00
	REVENUE, DEPT OF		GENERAL FUND	568.71
	REVENUE, DEPT OF		GOLF COURSE	7,358.59
	REVENUE, DEPT OF		STORM DRAINAGE	10,729.17
	REVENUE, DEPT OF		SOLID WASTE OPERATIONS	33,339.13
	REVENUE, DEPT OF		UTIL ADMIN	53,399.45
77312	ALBERTSONS	SUPPLY REIMBURSEMENT	RECREATION SERVICES	20.00
	ALBERTSONS		COMMUNITY EVENTS	20.98
	ALBERTSONS		RECREATION SERVICES	41.94
77313	ALL STAR MANAGEMENT	UB 291450000002 13222 58TH DR	WATER/SEWER OPERATION	135.86
77314	ALLISON JAMES ESTATE	UB 400990900001 2604 169TH ST	WATER/SEWER OPERATION	99.32
77315	AMERICAN CLEANERS	DRY CLEANING SERVICES	POLICE PATROL	4.34
	AMERICAN CLEANERS		YOUTH SERVICES	10.86
	AMERICAN CLEANERS		POLICE ADMINISTRATION	36.91
	AMERICAN CLEANERS		OFFICE OPERATIONS	52.14
	AMERICAN CLEANERS		POLICE PATROL	58.43
	AMERICAN CLEANERS		DETENTION & CORRECTION	69.08
	AMERICAN CLEANERS		POLICE INVESTIGATION	130.00
77316	AMERICAN DRY GOODS	HATS	GOLF COURSE	272.53
77317	AMRUSTER, ALYSSA	WITNESS FEES	MUNICIPAL COURTS	18.25
77318	AMSAN SEATTLE	DEGREASER	ER&R	399.98
77319	ANDES LAND SURVEY	PROFESSIONAL SERVICES	ENGR-GENL	2,450.00
77320	ARAMARK UNIFORM	UNIFORM CLEANING	MAINTENANCE	14.28
	ARAMARK UNIFORM		EQUIPMENT RENTAL	32.47
	ARAMARK UNIFORM		EQUIPMENT RENTAL	85.50
77321	ATWELL, CLARA A	UB 803280000000 7803 47TH AVE	WATER/SEWER OPERATION	252.15
77322	B.H.W. HOLDINGS LLC	EASY SPOOL C55-2	PARK & RECREATION FAC	33.39
	B.H.W. HOLDINGS LLC	WEEDEATER HEADS	PARK & RECREATION FAC	115.66
77323	BALWINDER, KAUR	UB 134827000000 4827 104TH PL	WATER/SEWER OPERATION	13.47
77324	BANK OF AMERICA	EMPLOYEE APPRECIATION REIMBURS	GENERAL SERVICES - OVERH	120.74
77325	BANK OF AMERICA	SUPPLY REIMBURSEMENT	PARK & RECREATION FAC	165.72
77326	BANK OF AMERICA	REGISTRATION REIMBURSEMENT	COMMUNITY DEVELOPMENT-	15.00
	BANK OF AMERICA		EXECUTIVE ADMIN	41.71
	BANK OF AMERICA		CITY COUNCIL	700.00
77327	BANK OF AMERICA	SUPPLY REIMBURSEMENT	POLICE PATROL	94.20
	BANK OF AMERICA		POLICE ADMINISTRATION	1,171.76
77328	BANK OF NEW YORK ME	UB 680040000001 5018 102ND PL	WATER/SEWER OPERATION	39.59
77329	BARRETT, SUZANNE	INSTRUCTOR SERVICES	RECREATION SERVICES	24.00
	BARRETT, SUZANNE		RECREATION SERVICES	96.00
	BARRETT, SUZANNE		RECREATION SERVICES	144.00
77330	BEAHM, JON	UB 960910000000 922 COLUMBIA A	WATER/SEWER OPERATION	7.26
77331	BERGSTROM TRUST	UB 334327000000 4327 150TH ST	WATER/SEWER OPERATION	15.66
77332	BOYD, RAE	INMATE MEDICAL SUPPLY	DETENTION & CORRECTION	955.00
77333	BOYDEN ROBINETT & AS	UB 651449111500 10332 60TH AVE	WATER/SEWER OPERATION	6.80
77334	BOYDEN ROBINETT & AS	UB 651449111000 10400 60TH AVE	WATER/SEWER OPERATION	13.85
77335	BOYDEN ROBINETT & AS	UB 651445560000 10414 62ND DR	WATER/SEWER OPERATION	19.08
	BOYDEN ROBINETT & AS		WATER/SEWER OPERATION	35.07
77336	BOYDEN ROBINETT & AS	UB 651445450000 10409 62ND DR	WATER/SEWER OPERATION	105.93

CITY OF MARYSVILLE
INVOICE LIST
FOR INVOICES FROM 5/17/2012 TO 5/23/2012

CHK #	VENDOR	ITEM DESCRIPTION	ACCOUNT DESCRIPTION	ITEM AMOUNT
77337	BOYDEN ROBINETT & AS	UB 651449122000 10501 60TH AVE	WATER/SEWER OPERATION	135.86
77338	BRAGER, BRIAN	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
77339	BREWER, MARTY	USED GOLF BALLS	GOLF COURSE	195.00
77340	BRIDGESTONE	PRICE CORRECTION	EQUIPMENT RENTAL	-175.07
	BRIDGESTONE	FIRESTONE TIRES (4)	EQUIPMENT RENTAL	599.34
77341	BRIDGESTONE GOLF	GOLF BALLS	GOLF COURSE	422.40
77342	BRINKS INC	ARMORED TRUCK SERVICE	GOLF ADMINISTRATION	107.57
	BRINKS INC		COMMUNITY DEVELOPMENT-	184.71
	BRINKS INC		UTIL ADMIN	184.71
	BRINKS INC		POLICE ADMINISTRATION	335.75
	BRINKS INC		UTILITY BILLING	335.75
	BRINKS INC		MUNICIPAL COURTS	335.75
77343	BROUWER, JAMES	REFUND-CPL OVERPAYMENT	GENERAL FUND	2.75
77344	BRUNETTE, EDWARD & D	UB 757516000000 7516 50TH PL N	WATER/SEWER OPERATION	13.10
	BRUNETTE, EDWARD & D		GARBAGE	13.67
77345	BURTON, JENNIFER	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
77346	CALLAWAY GOLF	PUTTERS	GOLF COURSE	1,579.11
77347	CANAM FABRICATIONS	REPAIR ALUMINUM TRENCH BOX	STORM DRAINAGE	314.94
	CANAM FABRICATIONS		WATER MAINS INSTALL	314.94
77348	CAPTAIN DIZZYS EXXON	CAR WASHES	COMMUNITY DEVELOPMENT-	4.50
	CAPTAIN DIZZYS EXXON		CRIME PREVENTION	9.00
	CAPTAIN DIZZYS EXXON		PARK & RECREATION FAC	9.00
	CAPTAIN DIZZYS EXXON		ANIMAL CONTROL	13.50
	CAPTAIN DIZZYS EXXON		POLICE PATROL	220.50
77349	CARRS ACE	GAS CANS, OIL MIX	WATER RESERVOIRS	31.32
77350	CARY, CAROLYN	JURY DUTY	COURTS	22.21
77351	CHAMPION BOLT	MISC. SUPPLIES-#H004	EQUIPMENT RENTAL	77.67
77352	CHRISTOFERSON, CAROL	WITNESS FEES	MUNICIPAL COURTS	17.70
77353	COMCAST	ACCT.# 8498310020001355	BAXTER CENTER APPRE	49.91
77354	CONKLIN, JENNIFER	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
77355	CORRECTIONS, DEPT OF	INMATE MEALS	DETENTION & CORRECTION	1,235.74
77356	COSTLESS SENIOR SRVC	INMATE PRESCRIPTIONS	DETENTION & CORRECTION	528.88
77357	CUZ CONCRETE PROD	HYDRANT GUARD POSTS	WATER SERVICES	139.01
77358	DAGGETT, KIM	MEAL/PARKING REIMBURSEMENT	UTIL ADMIN	11.73
77359	DAVIS, MICHAEL & PRE	UB 031490146801 7326 88TH ST N	WATER/SEWER OPERATION	154.23
77360	DAY WIRELESS SYSTEMS	CALIBRATIONS	POLICE PATROL	83.63
	DAY WIRELESS SYSTEMS		POLICE PATROL	83.63
	DAY WIRELESS SYSTEMS		POLICE PATROL	83.63
	DAY WIRELESS SYSTEMS		POLICE PATROL	83.63
	DAY WIRELESS SYSTEMS		POLICE PATROL	83.63
	DAY WIRELESS SYSTEMS		POLICE PATROL	83.63
77361	DB SECURE SHRED	SHREDDING SERVICES	CITY CLERK	7.31
	DB SECURE SHRED		FINANCE-GENL	7.31
	DB SECURE SHRED		UTILITY BILLING	7.32
	DB SECURE SHRED		POLICE INVESTIGATION	45.85
	DB SECURE SHRED		POLICE PATROL	45.85
	DB SECURE SHRED		DETENTION & CORRECTION	45.85
	DB SECURE SHRED		OFFICE OPERATIONS	45.87
77362	DICKS TOWING	TOWING EXPENSE	POLICE PATROL	40.00
	DICKS TOWING	TOWING EXPENSE MP 12-2973	POLICE PATROL	43.44
	DICKS TOWING	TOWING EXPENSE MP 12-2988	POLICE PATROL	43.44
	DICKS TOWING	TOWING EXPENSE MP 12-2992	POLICE PATROL	43.44
77363	E&E LUMBER	HOSE SHUT OFF	GENERAL SERVICES - OVERH	15.18
	E&E LUMBER	HD PULL #249	GENERAL SERVICES - OVERH	19.94
	E&E LUMBER	SPACKLE & SAW BLADES	PUBLIC SAFETY FAC-GENL	26.03
	E&E LUMBER	ENDCUT SOLUTION, PAINT BRUSH,	MAINTENANCE	30.29
	E&E LUMBER	FASTENERS, DRILL BIT, ETC.	GENERAL SERVICES - OVERH	95.29

CITY OF MARYSVILLE
INVOICE LIST
FOR INVOICES FROM 5/17/2012 TO 5/23/2012

CHK #	VENDOR	ITEM DESCRIPTION	ACCOUNT DESCRIPTION	ITEM AMOUNT
77363	E&E LUMBER	FASTENERS, TREATED LUMBER	MAINTENANCE	163.94
	E&E LUMBER	GRAFFITI PAINT OUT EVENT	POLICE PATROL	339.10
	E&E LUMBER		POLICE PATROL	350.34
	E&E LUMBER		POLICE PATROL	3,924.80
77364	EAST JORDAN IRON WOR	VALVE BOX BOTTOMS	WATER/SEWER OPERATION	559.72
77365	ENCORE HOMES INC	UB 094732147000 4732 147TH PL	WATER/SEWER OPERATION	44.52
77366	ERWIN, JESSICA	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
77367	EVERETT TIRE & AUTO	GOODYEAR ASSURANCE TIRES (4)	EQUIPMENT RENTAL	382.40
77368	EVERGREEN SAFETY COU	MEMBERSHIP-6/12-5/13	EXECUTIVE ADMIN	245.00
77369	FBINAA WASHINGTON	FBI NAA DUES-CHIEF SMITH	POLICE ADMINISTRATION	80.00
77370	FERNANDEZ, FLORINDA	UB 570730450004 17530 27TH AVE	WATER/SEWER OPERATION	9.33
	FERNANDEZ, FLORINDA		WATER/SEWER OPERATION	184.73
77371	FISCHER, ROYCE R	WTR/SWR CONSERVATION REBATE	UTIL ADMIN	50.00
77372	FLOYD, CHRIS	INSTRUCTOR SERVICES	RECREATION SERVICES	735.36
77373	FOREMOST PROMOTIONS	SUPPLIES	GENERAL FUND	-14.24
	FOREMOST PROMOTIONS		CRIME PREVENTION	179.75
77374	FORSLOF, WALLACE	SUPPLY REIMBURSEMENT	DRUG ENFORCEMENT	249.77
77375	FRED MEYER	GAME LICENSE-PIGEON CONTROL	UTIL ADMIN	40.50
77376	GBS LLC	UB 777913570000 7913 57TH ST N	WATER/SEWER OPERATION	24.80
77377	GENUINE AUTO GLASS	REAR WINDOW - #P133	EQUIPMENT RENTAL	396.39
77378	GIBBS, T.J AND CHRIS	WTR/SWR CONSERVATION REBATE	UTIL ADMIN	40.00
77379	GIULIACCI, JOE & ROB	UB 010521000002 8207 43RD AVE	WATER/SEWER OPERATION	80.23
77380	GOVCONNECTION INC	VEHICLE POWER ADAPTER	ER&R	188.96
	GOVCONNECTION INC	UPS FOR WWTP LAB WORKSTATIONS	WASTE WATER TREATMENT	630.89
77381	GRANDVIEW MANAGEMENT	UB 235015119000 5015 119TH ST	WATER/SEWER OPERATION	33.58
77382	GREENSHIELDS	ADAPTER & HYDRAULIC FITTINGS	EQUIPMENT RENTAL	92.46
	GREENSHIELDS	CHOCKER, SHACKLES & CHAIN	WATER MAINS INSTALL	273.60
77383	GREG RAIRDONS DODGE	WHEEL SPEED SENSOR	EQUIPMENT RENTAL	27.90
77384	HARRIS, LILY	JURY DUTY	COURTS	21.10
77385	HAYES, JIM	MEAL REIMBURSEMENT PER CONTRAC	GENERAL SERVICES - OVERH	10.32
77386	HD FOWLER COMPANY	COUPLINGS	SEWER SERV MAINT	-51.50
	HD FOWLER COMPANY		SEWER SERV MAINT	56.97
	HD FOWLER COMPANY	COUPLINGS & SEWER PIPE	SEWER SERV MAINT	87.38
	HD FOWLER COMPANY	T-HANDLE PLUGS	STORM DRAINAGE	510.13
	HD FOWLER COMPANY	24" X 20' HANCOR CULVERT PIPE	STORM DRAINAGE	2,183.51
	HD FOWLER COMPANY	HYDRANT REPLACEMENT PARTS	HYDRANTS INSTALLATION	2,211.58
77387	HEIGERT, JODY R	UB 163790000001 4607 131ST PL	WATER/SEWER OPERATION	61.17
77388	HENDRY, LAWRENCE A	UB 334338000000 4338 149TH ST	WATER/SEWER OPERATION	101.67
77389	HEWLETT PACKARD	SPARE HARD DRIVES	CENTRAL SERVICES	870.47
77390	HILINE	CAP SCREWS	WATER SERVICES	39.58
77391	HIMMELBERGER, STEPHA	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
77392	HOCHBERG, HENRY	UB 932560000000 606 STATE AVE	WATER/SEWER OPERATION	15.20
77393	HOUSE OF UPHOLSTERY	REBUILD TRUCK SEAT	EQUIPMENT RENTAL	651.60
77394	HOWER, LANCE & KATHY	UB 693723000000 3723 94TH PL N	WATER/SEWER OPERATION	112.29
77395	HUNT, HELEN	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
77396	IKON OFFICE SOLUTION	CD PRINTER	UTIL ADMIN	33.02
	IKON OFFICE SOLUTION		COMMUNITY DEVELOPMENT-	132.08
77397	IMPACT PROPERTY MANA	UB 961341000000 1051 ALDER AVE	WATER/SEWER OPERATION	115.17
77398	INFORMATION SERVICES	INFORMATION SERVICES	OFFICE OPERATIONS	1,121.80
77399	IRON MOUNTAIN	4X8 ROCK	STORM DRAINAGE	202.82
77400	KARNS, MARY	JURY DUTY	COURTS	56.62
77401	KENMIR, VIENNA		COURTS	26.65
77402	KLEMME, KEVIN	REFUND-CPL OVERPAYMENT	GENERAL FUND	2.75
77403	KUNDU, NOLA	RENTAL DEPOSIT REFUND	GENERAL FUND	200.00
77404	LABOR & INDUSTRIES	BOILER, PRESSURE & VESSEL CERT	ADMIN FACILITIES	20.70
	LABOR & INDUSTRIES		LIBRARY-GENL	20.70
	LABOR & INDUSTRIES		WATER FILTRATION PLANT	62.10

CITY OF MARYSVILLE
INVOICE LIST
FOR INVOICES FROM 5/17/2012 TO 5/23/2012

CHK #	VENDOR	ITEM DESCRIPTION	ACCOUNT DESCRIPTION	ITEM AMOUNT
77404	LABOR & INDUSTRIES	BOILER, PRESSURE & VESSEL CERT	COMMUNITY CENTER	70.70
	LABOR & INDUSTRIES		PUBLIC SAFETY FAC-GENL	91.40
	LABOR & INDUSTRIES		PARK & RECREATION FAC	132.80
	LABOR & INDUSTRIES		MAINTENANCE	174.20
	LABOR & INDUSTRIES		UTIL ADMIN	236.30
77405	LANCE, CYNTHIA	WITNESS FEES	MUNICIPAL COURTS	21.00
77406	LES SCHWAB TIRE CTR	TRACTION CAP DRIVE AXLE TIRES	ER&R	1,092.90
77407	LICENSING, DEPT OF	BEAUPARLANT, BURTON (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	BIRD, DONALD (RENEWAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	EVANS, HARRY (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	FRY, FRANK (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	HERRING, BRENDA (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	HOPSTAD, MICHAEL (RENEWAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	INGALLS, CRAIG (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	IRVIN, CHARLES (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	LEFFLER, JHALENE (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	MILLER, MICHAEL (RENEWAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	PERRIN, JAMES (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	RICHMOND, RAYNOLD (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	WEBB, LARRY (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	GRAZZINI, MARY (LATE RENEWAL)	GENERAL FUND	21.00
	LICENSING, DEPT OF	TRIBBEY, ROBERT (LATE RENEWAL)	GENERAL FUND	21.00
77408	LINKEM, MARY	JURY DUTY	COURTS	21.10
77409	LOMAS, NATHAN & LEIS	UB 670190000002 5318 101ST PL	WATER/SEWER OPERATION	69.58
77410	MARQUEZ, JOSHUA & JE	UB 141010000001 4116 126TH PL	WATER/SEWER OPERATION	27.88
77411	MARTINKA, BEVERLY &	UB 080590000006 9010 55TH AVE	WATER/SEWER OPERATION	10.09
77412	MARTINSON, ROBYN	REFUND	GENL FUND BUS LIC & PERMI	50.00
77413	MARYSVILLE PRINTING	BUSINESS CARDS	POLICE PATROL	84.60
77414	MARYSVILLE SCHOOL	FACILITY USAGE - TOTEM	RECREATION SERVICES	81.00
77415	MARYSVILLE, CITY OF	WTR/SWR-6802 84TH ST NE	PRO-SHOP	181.36
77416	MATERIALS TESTING &	PROFESSIONAL SERVICES	ROADS/STREETS CONSTRUC	2,520.75
77417	MCGOWAN, STEVEN	JURY DUTY	COURTS	26.65
77418	MCKENNA, SEAN PATRIC	REFUND-CPL OVERPAYMENT	GENERAL FUND	2.75
77419	METCALF, SHELLEY	INSTRUCTOR SERVICES	RECREATION SERVICES	649.73
77420	MICHAEL KRUSE CONSTR	UB 880592000006 7224 53RD AVE	WATER/SEWER OPERATION	9.85
77421	MILL SUPPLY, INC	HEATER FAN MOTOR	ER&R	-8.07
	MILL SUPPLY, INC		EQUIPMENT RENTAL	101.90
77422	MODANZA DEVELOPMENT	UB 111060000000 10305 STATE AV	WATER/SEWER OPERATION	40.00
77423	MOEN, CHRISTA & JOHN	UB 055518890000 5518 89TH PL N	WATER/SEWER OPERATION	64.18
77424	MOTOR TRUCKS	CREDIT	EQUIPMENT RENTAL	-175.61
	MOTOR TRUCKS	WRONG PART	EQUIPMENT RENTAL	175.61
	MOTOR TRUCKS	FUEL TANK STRAP	EQUIPMENT RENTAL	247.26
77425	MUNDT, CASSANDRA	RENTAL DEPOSIT REFUND	GENERAL FUND	200.00
77426	MURRAY, JONATHAN	CARETAKER SERVICES-MAY 2012	GMA - STREET	2,400.00
77427	NATIONAL BARRICADE	24X6 SIGNS (14-VARIOUS)	STORM DRAINAGE	156.38
	NATIONAL BARRICADE	SLIM LINE CONES	TRAFFIC CONTROL DEVICES	1,639.86
77428	NELSON PETROLEUM	DIESEL & GASOLINE	MAINTENANCE	1,580.22
77429	NORTHWEST LININGS	DRAIN GUARD	ER&R	412.68
77430	OFFICE DEPOT	OFFICE SUPPLIES	CITY CLERK	10.26
	OFFICE DEPOT		OFFICE OPERATIONS	18.78
	OFFICE DEPOT		COMMUNITY DEVELOPMENT-	25.06
	OFFICE DEPOT		OFFICE OPERATIONS	41.18
	OFFICE DEPOT		OFFICE OPERATIONS	80.62
	OFFICE DEPOT		POLICE PATROL	93.60
	OFFICE DEPOT		LEGAL-GENL	136.81
	OFFICE DEPOT		POLICE INVESTIGATION	165.40
	OFFICE DEPOT		PARK & RECREATION FAC	172.09

CITY OF MARYSVILLE
INVOICE LIST
FOR INVOICES FROM 5/17/2012 TO 5/23/2012

CHK #	VENDOR	ITEM DESCRIPTION	ACCOUNT DESCRIPTION	ITEM AMOUNT
77430	OFFICE DEPOT	OFFICE SUPPLIES	OFFICE OPERATIONS	200.00
	OFFICE DEPOT		POLICE PATROL	233.21
	OFFICE DEPOT		COMMUNITY DEVELOPMENT-	234.82
	OFFICE DEPOT		POLICE PATROL	258.42
77431	OKANOGAN COUNTY JAIL	INMATE HOUSING/PRESCRIPTIONS	DETENTION & CORRECTION	8,930.02
77432	OLSON, LARRY A & ROB	UB 983631000003 3631 100TH PL	WATER/SEWER OPERATION	36.10
77433	PACIFIC POWER BATTER	SUPPLIES	POLICE PATROL	5.97
77434	PAPE MACHINERY	DIAGNOSE AUXILLARY ENGINE	EQUIPMENT RENTAL	1,918.24
77435	PARTS STORE, THE	CREDIT	EQUIPMENT RENTAL	-107.51
	PARTS STORE, THE		EQUIPMENT RENTAL	-94.70
	PARTS STORE, THE		EQUIPMENT RENTAL	-64.62
	PARTS STORE, THE	REAR BRAKE ROTOR #914	EQUIPMENT RENTAL	39.33
	PARTS STORE, THE	REAR BRAKE SET/PARKING BRAKE S	EQUIPMENT RENTAL	99.66
	PARTS STORE, THE	ALTERNATOR ASSEMBLY	EQUIPMENT RENTAL	145.40
	PARTS STORE, THE	STARTER ASSEMBLY	EQUIPMENT RENTAL	148.46
	PARTS STORE, THE	WARRANTY ON STARTER ASSEMBLY	EQUIPMENT RENTAL	148.46
77436	PEACE OF MIND	MINUTE TAKING SERVICES	CITY CLERK	142.60
77437	PEAVEY,LYNN COMPANY	SUPPLIES	POLICE PATROL	75.75
	PEAVEY,LYNN COMPANY		POLICE PATROL	381.51
77438	PETTY CASH-COMM DEV	PETTY CASH REIMBURSEMENT	COMMUNITY DEVELOPMENT-	10.85
	PETTY CASH-COMM DEV		COMMUNITY DEVELOPMENT-	75.27
77439	PORT GARDNER MANAGEM	UB 570703050002 2918 178TH PL	WATER/SEWER OPERATION	6.00
77440	POSITIVE PROMOTIONS	SUPPLIES	GENERAL FUND	-57.76
	POSITIVE PROMOTIONS		CRIME PREVENTION	729.32
77441	PUD	ACCT #2009-7395-6	SEWER LIFT STATION	38.01
	PUD	ACCT #2024-6102-6	MAINT OF GENL PLANT	38.01
	PUD	ACCT #2004-4880-1	TRANSPORTATION MANAGEM	92.44
	PUD	ACCT #2016-2888-0	WASTE WATER TREATMENT	277.39
	PUD	ACCT #2016-7563-4	WASTE WATER TREATMENT	790.47
	PUD	ACCT #2021-7733-3	MAINT OF GENL PLANT	1,352.20
	PUD	ACCT #2015-8728-4	WASTE WATER TREATMENT	1,552.14
	PUD	ACCT #2016-3968-9	MAINT OF GENL PLANT	2,488.91
77442	PUGET SOUND SECURITY	KEYS	POLICE PATROL	2.33
77443	RADIOSHACK	1/8" ST PLUGS	RECREATION SERVICES	18.22
77444	RCA PROPERTIES	UB 986609036000 6609 36TH ST N	WATER/SEWER OPERATION	63.86
77445	REAL PROPERTY MANAGE	UB 950251000001 1022 CEDAR AVE	WATER/SEWER OPERATION	365.92
77446	REINHEIMER, RICHARD	UB 761334000000 7305 78TH DR N	WATER/SEWER OPERATION	12.94
77447	RENTAL MANAGEMENT CO	UB 249400000001 10432 56TH DR	WATER/SEWER OPERATION	126.99
77448	RICOH USA, INC.	CREDIT FOR INV# 5022713742	FINANCE-GENL	-2,496.82
	RICOH USA, INC.	COPIER CHARGES	WASTE WATER TREATMENT	4.87
	RICOH USA, INC.		PROBATION	6.96
	RICOH USA, INC.		COMMUNITY CENTER	9.83
	RICOH USA, INC.		MAINTENANCE	10.60
	RICOH USA, INC.		GENERAL SERVICES - OVERH	15.93
	RICOH USA, INC.		UTILITY BILLING	19.33
	RICOH USA, INC.		CITY CLERK	21.56
	RICOH USA, INC.		FINANCE-GENL	21.56
	RICOH USA, INC.		PARK & RECREATION FAC	41.39
	RICOH USA, INC.		POLICE PATROL	51.28
	RICOH USA, INC.		MUNICIPAL COURTS	73.90
	RICOH USA, INC.		PERSONNEL ADMINISTRATIO	101.21
	RICOH USA, INC.		ENGR-GENL	108.85
	RICOH USA, INC.		DETENTION & CORRECTION	131.53
	RICOH USA, INC.		LEGAL - PROSECUTION	167.27
	RICOH USA, INC.		EXECUTIVE ADMIN	173.23
	RICOH USA, INC.		UTIL ADMIN	183.79
	RICOH USA, INC.		COMMUNITY DEVELOPMENT-	236.07

CITY OF MARYSVILLE
INVOICE LIST
FOR INVOICES FROM 5/17/2012 TO 5/23/2012

CHK #	VENDOR	ITEM DESCRIPTION	ACCOUNT DESCRIPTION	ITEM AMOUNT
77448	RICOH USA, INC.	COPIER CHARGES	POLICE INVESTIGATION	265.26
	RICOH USA, INC.		OFFICE OPERATIONS	844.80
	RICOH USA, INC.	INCORRECT INVOICE-CREDIT ISSUE	FINANCE-GENL	2,496.82
77449	ROY ROBINSON	TRANS FILTER KIT	EQUIPMENT RENTAL	49.70
77450	SAMANIEGO, DANIEL	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
77451	SANCHEZ, CARNA	UB 281500206002 5714 129TH ST	WATER/SEWER OPERATION	15.64
77452	SAWYER, RANDY	UB 420761400006 16532 41ST AVE	WATER/SEWER OPERATION	9.00
77453	SCALE, PACIFIC NW	SCALE CALIBRATION	POLICE PATROL	191.10
77454	SCCIT	2012-2013 DUES	ENGR-GENL	400.00
77455	SEBCO INC	UB 601070000000 3506 124TH ST	WATER/SEWER OPERATION	51.53
77456	SHACKLETON, CORI	TRAVEL REIMBURSEMENT	POLICE INVESTIGATION	220.37
77457	SHANNON, ALLEN & TAR	UB 761303860001 7612 75TH DR N	WATER/SEWER OPERATION	241.07
77458	SIMPSON, KITRINA	UB 981660013200 16600 25TH AVE	GARBAGE	6.38
77459	SISKUN POWER EQUIPME	MISC. PARTS	EQUIPMENT RENTAL	807.91
77460	SMITH, SUMMER	JURY DUTY	COURTS	15.55
77461	SMITH, TOM	UB 162250000000 13310 45TH AVE	WATER/SEWER OPERATION	9.13
77462	SNO CO FINANCE	800 MHZ INTEREST 1ST HALF OF 2	REET I - POLICE	14,561.92
77463	SNO CO TREASURER	INMATE PRESCRIPTIONS	DETENTION & CORRECTION	2,672.56
77464	SNO CO TREASURER	INMATE HOUSING	DETENTION & CORRECTION	21,621.66
77465	SNOPAC	DISPATCH SERVICES	COMMUNICATION CENTER	73,905.92
77466	SONITROL	SECURITY SERVICES	PUBLIC SAFETY FAC-GENL	97.00
	SONITROL		PARK & RECREATION FAC	128.00
	SONITROL		COMMUNITY CENTER	138.00
	SONITROL		WATER FILTRATION PLANT	238.25
	SONITROL		WASTE WATER TREATMENT	238.41
	SONITROL		ADMIN FACILITIES	323.00
	SONITROL		UTIL ADMIN	406.00
77467	SOUND PUBLISHING	LEGAL ADS	GMA - STREET	53.88
77468	SOUND PUBLISHING		GMA - STREET	53.88
77469	SOUND PUBLISHING		COMMUNITY DEVELOPMENT-	77.48
77470	SOUND PUBLISHING		CITY CLERK	107.76
	SOUND PUBLISHING		WATER QUAL TREATMENT	125.72
	SOUND PUBLISHING		COMMUNITY DEVELOPMENT-	204.70
77471	SOUND SAFETY	DISPOSABLE GLOVES	ER&R	60.13
	SOUND SAFETY	EARPLUGS, MISC. GLOVES	ER&R	275.44
77472	SPIKES GOLF SUPPLIES	TEES, TAPE, REPAIR TOOL, ETC.	GOLF COURSE	298.30
	SPIKES GOLF SUPPLIES	TEES, SPIKES, RETRIEVER BOX	GOLF COURSE	379.68
77473	STATE AUDITORS OFFIC	AUDIT PERIOD 4-12	NON-DEPARTMENTAL	501.60
	STATE AUDITORS OFFIC		ADMIN-FINANCE	501.60
77474	STATE PATROL	FINGERPRINTING SERVICES	COMMUNITY DEVELOPMENT-	52.00
	STATE PATROL		GENERAL FUND	643.50
77475	SWANK MOTION PICTURE	FILM RENTAL-THE PERFECT GAME	COMMUNITY EVENTS	294.31
77476	SWINEFORD, THOMAS	UB 601180000001 3731 122ND ST	WATER/SEWER OPERATION	9.86
77477	SWOBODA, SCOTT A	UB 980098000528 4129 79TH AVE	WATER/SEWER OPERATION	57.36
77478	THERRES, BERNARD	JURY DUTY	COURTS	19.00
77479	THURSTON COUNTY DIST	BAIL POSTED	GENERAL FUND	500.00
77480	TOGERSON, RICHARD	UB 420761090000 4010 168TH ST	WATER/SEWER OPERATION	97.91
77481	TOVAR, CONRAD & CARO	UB 800407200007 5708 66TH ST N	WATER/SEWER OPERATION	192.21
77482	UNITED PARCEL SERVIC	SHIPPING EXPENSE	POLICE PATROL	145.81
77483	US IMPRINTS LLC	SUPPLIES	GENERAL FUND	-42.63
	US IMPRINTS LLC		GENERAL FUND	-35.48
	US IMPRINTS LLC		CRIME PREVENTION	447.98
	US IMPRINTS LLC		CRIME PREVENTION	538.30
77484	VALLEY SUPPLY CO	SEWER PIPE	STORM DRAINAGE	1,538.02
77485	VERIZON/FRONTIER	ACCT.# 971967546-00001	CRIME PREVENTION	22.66
	VERIZON/FRONTIER		ANIMAL CONTROL	26.23
	VERIZON/FRONTIER		LEGAL-GENL	37.82

CITY OF MARYSVILLE
INVOICE LIST
FOR INVOICES FROM 5/17/2012 TO 5/23/2012

CHK #	VENDOR	ITEM DESCRIPTION	ACCOUNT DESCRIPTION	ITEM AMOUNT
77485	VERIZON/FRONTIER	ACCT.# 971967546-00001	COMPUTER SERVICES	38.86
	VERIZON/FRONTIER		SOLID WASTE CUSTOMER E>	40.84
	VERIZON/FRONTIER		GOLF ADMINISTRATION	40.84
	VERIZON/FRONTIER		EQUIPMENT RENTAL	40.84
	VERIZON/FRONTIER		UTILITY BILLING	40.86
	VERIZON/FRONTIER		BUILDING MAINTENANCE	46.24
	VERIZON/FRONTIER		YOUTH SERVICES	52.46
	VERIZON/FRONTIER		FINANCE-GENL	55.12
	VERIZON/FRONTIER		PERSONNEL ADMINISTRATIO	55.12
	VERIZON/FRONTIER		OFFICE OPERATIONS	90.64
	VERIZON/FRONTIER		LEGAL - PROSECUTION	110.78
	VERIZON/FRONTIER		RECREATION SERVICES	116.38
	VERIZON/FRONTIER		EXECUTIVE ADMIN	151.08
	VERIZON/FRONTIER		PARK & RECREATION FAC	157.22
	VERIZON/FRONTIER		DETENTION & CORRECTION	158.62
	VERIZON/FRONTIER		POLICE INVESTIGATION	180.04
	VERIZON/FRONTIER		COMMUNITY DEVELOPMENT-	201.09
	VERIZON/FRONTIER		WASTE WATER TREATMENT	209.06
	VERIZON/FRONTIER		STORM DRAINAGE	222.85
	VERIZON/FRONTIER		ENGR-GENL	231.27
	VERIZON/FRONTIER		GENERAL SERVICES - OVERH	300.16
	VERIZON/FRONTIER		POLICE ADMINISTRATION	486.63
	VERIZON/FRONTIER		UTIL ADMIN	660.05
	VERIZON/FRONTIER		POLICE PATROL	1,054.81
	VERIZON/FRONTIER		TRIBAL GAMING-GENL	1,625.75
77486	VERIZON/FRONTIER	ACCT# 36065150331108105	EXECUTIVE ADMIN	24.22
	VERIZON/FRONTIER	ACCT #36065894930725005	POLICE INVESTIGATION	59.94
	VERIZON/FRONTIER		RECREATION SERVICES	79.47
	VERIZON/FRONTIER	ACCT #36065891800622955	LIBRARY-GENL	104.30
77487	WAMMACK, KIMBERLEE	REFUND-CPL OVERPAYMENT	GENERAL FUND	2.75
77488	WEBCHECK	WEBCHECK SERVICES - APRIL 2012	UTILITY BILLING	855.00
77489	WEED GRAAFSTRA	PROFESSIONAL SERVICES	WASTE WATER TREATMENT	16,496.38
77490	WEST PAYMENT CENTER	WEST INFORMATION CHARGES	LEGAL - PROSECUTION	610.06
77491	WHATCOM COUNTY	BAIL POSTED	GENERAL FUND	1,500.00
77492	WHISTLE WORKWEAR	JEANS-KINNEY, STEVE	SOLID WASTE OPERATIONS	122.82
	WHISTLE WORKWEAR	JEANS-BRYANT, RON	UTIL ADMIN	132.65
77493	WHITE CAP CONSTRUCT	CLEAR POLY & FIBER BOARD	CITY STREETS	-18.91
	WHITE CAP CONSTRUCT	SCREWS, WASHERS, ETC.	WATER/SEWER OPERATION	-9.23
	WHITE CAP CONSTRUCT		WATER DIST MAINS	116.59
	WHITE CAP CONSTRUCT	CLEAR POLY & FIBER BOARD	SIDEWALKS CONSTRUCTION	238.79
77494	WILLIAMS, RICHARD L	WTR/SWR CONSERVATION REBATE	UTIL ADMIN	50.00
77495	WINDERMERE RMI INC	UB 851320000000 5511 80TH ST N	WATER/SEWER OPERATION	16.65
77496	WINELAND, CARL	MEAL REIMBURSEMENT PER CONTRAC	ROADWAY MAINTENANCE	6.52
77497	WING, GY	UB 220810000002 4531 124TH PL	WATER/SEWER OPERATION	58.06
77498	WISEMAN, JANETTE	INSTRUCTOR SERVICES	RECREATION SERVICES	24.00
77499	WOODS, KYLE	BOOT REIMBURSEMENT	ENGR-GENL	199.65
77500	WRIGHT, TRAVIS	JURY DUTY	COURTS	20.00

WARRANT TOTAL: **329,306.99**

Index #4

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: June 11, 2012

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 **May 30, 2012** claims in the amount of **$145,153.84** paid by **Check No.'s 77501 through 77644 with Check No. 75425 voided**.
COUNCIL ACTION:

BLANKET CERTIFICATION

CLAIMS

FOR

PERIOD-5

I, THE UNDERSIGNED, DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE MATERIALS HAVE BEEN FURNISHED, THE SERVICES RENDERED OR THE LABOR PERFORMED AS DESCRIBED HEREIN AND THAT THE **CLAIMS** IN THE AMOUNT OF **$145,153.84 PAID BY CHECK NO.'S 77501 THROUGH 77644 WITH CHECK NO. 75425 VOIDED** ARE JUST, DUE AND UNPAID OBLIGATIONS AGAINST THE CITY OF MARYSVILLE, AND THAT I AM AUTHORIZED TO AUTHENTICATE AND TO CERTIFY SAID CLAIMS.

_____

AUDITING OFFICER DATE

_____

MAYOR DATE

WE, THE UNDERSIGNED COUNCIL MEMBERS OF MARYSVILLE, WASHINGTON DO HEREBY APPROVE FOR PAYMENT THE ABOVE MENTIONED **CLAIMS** ON THIS **11TH DAY OF JUNE 2012.**

_____ _____

COUNCIL MEMBER COUNCIL MEMBER

_____ _____

COUNCIL MEMBER COUNCIL MEMBER

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COUNCIL MEMBER COUNCIL MEMBER

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COUNCIL MEMBER

CITY OF MARYSVILLE
INVOICE LIST
FOR INVOICES FROM 5/24/2012 TO 5/30/2012

CHK #	VENDOR	ITEM DESCRIPTION	ACCOUNT DESCRIPTION	ITEM AMOUNT
77501	ADVANCED TRAFFIC	BIMODAL LED ARROWS	TRANSPORTATION MANAGEM	488.70
77502	AFTS	WEB PAYMENT SERVICES-APRIL 201	UTILITY BILLING	772.75
	AFTS	REMITTANCE PROCESSING-APRIL 20	UTILITY BILLING	804.66
	AFTS	BILL PRINTING SERVICES-APRIL 2	UTILITY BILLING	8,185.80
77503	ALBERTSONS	SUPPLY REIMBURSEMENT	DETENTION & CORRECTION	256.92
77504	AMES, LACEY	CLASS REFUND	PARKS-RECREATION	40.00
77505	AMSAN SEATTLE	JANITORIAL SUPPLIES-PSB	PUBLIC SAFETY FAC-GENL	108.15
	AMSAN SEATTLE	JANITORIAL SUPPLIES-COURT	COURT FACILITIES	137.40
	AMSAN SEATTLE	JANITORIAL SUPPLIES-WWTP	WASTE WATER TREATMENT	145.48
	AMSAN SEATTLE	JANITORIAL SUPPLIES-CITY HALL	ADMIN FACILITIES	180.41
	AMSAN SEATTLE	JANITORIAL SUPPLIES-PW SHOP	MAINT OF GENL PLANT	190.79
	AMSAN SEATTLE	JANITORIAL SUPPLIES-PW ADMIN	UTIL ADMIN	214.15
	AMSAN SEATTLE	JANITORIAL SUPPLIES-PW SHOP	MAINT OF GENL PLANT	329.99
77506	ARAMARK UNIFORM	UNIFORM CLEANING	MAINTENANCE	14.93
77507	ARLINGTON POWER	BLADES, FILTERS, ETC.	STORM DRAINAGE	434.29
77508	ARMOR HOLDINGS FOREN	SUPPLIES	POLICE PATROL	54.72
77509	AUSTIN, MARGARET	REFUND	PARKS-RECREATION	35.00
77510	B.H.W. HOLDINGS LLC	SERVICE	ROADSIDE VEGETATION	27.41
	B.H.W. HOLDINGS LLC		ROADSIDE VEGETATION	28.71
	B.H.W. HOLDINGS LLC		ROADSIDE VEGETATION	110.07
77511	BANK OF AMERICA	TRAVEL REIMBURSEMENT	POLICE INVESTIGATION	977.04
77512	BANKS, STUART	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
77513	BARGER, GINA	JURY DUTY	COURTS	15.50
77514	BENTON CO DIST COURT	BAIL POSTED	GENERAL FUND	600.00
77515	BIGLER, KEYTON	JURY DUTY	COURTS	15.50
77516	BOB BARKER COMPANY	JAIL SUPPLIES	DETENTION & CORRECTION	185.05
	BOB BARKER COMPANY		DETENTION & CORRECTION	539.35
77517	BRONSON, LISA	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
77518	BUILDERS EXCHANGE	PUBLISH PROJECTS ONLINE	STORM DRAINAGE	45.00
77519	CARDWELL, IRATXE	INTERPRETER SERVICES	COURTS	100.00
	CARDWELL, IRATXE		COURTS	100.00
	CARDWELL, IRATXE		COURTS	125.00
77520	CARRS ACE	MISC. BRASS-PRV MAINTENANCE	WATER DIST MAINS	198.74
77521	CARVER, VICKI	INSTRUCTOR SERVICES	RECREATION SERVICES	84.00
	CARVER, VICKI		RECREATION SERVICES	151.20
	CARVER, VICKI		RECREATION SERVICES	340.20
77522	CASE POWER & EQUIP	CENTER/LOWER STEP FRAME	EQUIPMENT RENTAL	734.53
77523	CEMEX	CLASS B ASPHALT	STORM DRAINAGE	757.44
77524	CHUCKANUT GOLF CARS	GOLF CAR RENTAL (40)	PRO-SHOP	1,520.00
77525	CITIES & TOWNS	SNO.CO CITIES DINNER (2)	CITY COUNCIL	35.00
	CITIES & TOWNS		EXECUTIVE ADMIN	35.00
77526	COMCAST	MONTHLY BROADBAND CHARGE	COMPUTER SERVICES	216.90
77527	CONCUT, INC	ASPHALT CONCRETE BLADE	STORM DRAINAGE MAINTENA	307.78
77528	CORPORATE OFFICE SPL	WIPES, CLEANER & MARKERS	ER&R	163.78
	CORPORATE OFFICE SPL	WIPES WYPALL & CLIPBOARD	ER&R	195.24
77529	CORRECTIONS, DEPT OF	INMATE MEALS	DETENTION & CORRECTION	1,343.40
	CORRECTIONS, DEPT OF		DETENTION & CORRECTION	1,924.20
77530	CRYSTAL SPRINGS	WATER/COOLER RENTAL & LATE FEE	WASTE WATER TREATMENT	127.44
77531	D-SQUARE ENERGY	DIESEL FUEL TANK CAP	EQUIPMENT RENTAL	32.58
77532	DAILY JOURNAL OF COM	LEGAL ADS	GMA - STREET	358.90
77533	DB SECURE SHRED	SHREDDING SERVICES	PROBATION	16.45
	DB SECURE SHRED		MUNICIPAL COURTS	49.38
77534	DELL	2ND MONITOR FOR PW ADMIN	UTIL ADMIN	144.80
	DELL	REPLACEMENT PC	IS REPLACEMENT ACCOUNTS	823.07
77535	DICKS TOWING	TOWING EXPENSE	POLICE PATROL	43.44
	DICKS TOWING		POLICE PATROL	43.44
	DICKS TOWING		POLICE PATROL	43.44

CITY OF MARYSVILLE
INVOICE LIST
FOR INVOICES FROM 5/24/2012 TO 5/30/2012

CHK #	VENDOR	ITEM DESCRIPTION	ACCOUNT DESCRIPTION	ITEM AMOUNT
77535	DICKS TOWING	TOWING EXPENSE	POLICE PATROL	70.98
	DICKS TOWING		EQUIPMENT RENTAL	179.19
	DICKS TOWING		EQUIPMENT RENTAL	179.19
77536	DORMAIER, STEPHEN	JURY DUTY	COURTS	12.75
77537	DRUG BUY FUND	REPLENISH DRUG BUY FUND	POLICE PATROL	1,500.00
77538	DUNLAP INDUSTRIAL	HUSKY LINE	STORM DRAINAGE	71.96
	DUNLAP INDUSTRIAL	2 PACK BATTERY	GENERAL SERVICES - OVERH	141.96
	DUNLAP INDUSTRIAL	WIRE ROPE SLINGS & SHACKLES	WASTE WATER TREATMENT	542.66
77539	E&E LUMBER	WAX RINGS	MAINT OF GENL PLANT	9.32
	E&E LUMBER	OUTDOOR OUTLET COVER	PARK & RECREATION FAC	10.85
	E&E LUMBER	MASONRY BIT & CONCRETE FASTENE	STORM DRAINAGE	14.21
	E&E LUMBER	CLAMPS	PARK & RECREATION FAC	19.44
	E&E LUMBER	SUPPLIES	MAINT OF GENL PLANT	22.43
	E&E LUMBER	WOOD EXT. POLES	ROADWAY MAINTENANCE	30.01
	E&E LUMBER	UTILITY BOX & REDIMIX	TRANSPORTATION MANAGEM	40.71
	E&E LUMBER	DUCT TAPE, TRASH BAGS, BOXES	SEWER MAIN COLLECTION	51.75
	E&E LUMBER	SEALER, BROOM, BRUSH	MAINTENANCE	54.90
	E&E LUMBER	BOLT, ANGLE, BIT, JOIST HANGER	MAINTENANCE	73.57
	E&E LUMBER	LIGHT BULBS	COMMUNITY CENTER	133.94
	E&E LUMBER	PAINT OUT SUPPLIES	ROADWAY MAINTENANCE	1,021.71
77540	EAGLE FENCE	FENCE REPAIR	UTIL ADMIN	54.30
77541	ECKSTROM INDUSTRIES	FABRICATE/INSTALL SHOWER STALL	PUBLIC SAFETY FAC-GENL	491.40
77542	EDGE ANALYTICAL	LAB ANALYSIS	WATER QUAL TREATMENT	10.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	10.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	10.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	10.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	21.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	180.00
77543	EMERALD HILLS	COFFEE SERVICE & SUPPLIES-KBCC	BAXTER CENTER APPRE	148.42
77544	ENGINEERING BUSINESS	MAINTENANCE AGREEMENT-APRIL 20	UTIL ADMIN	106.43
77545	EVERETT BARK	MEDIUM BARK	UTIL ADMIN	425.06
77546	EVERETT MUNICIPAL	BAIL POSTED	GENERAL FUND	250.00
	EVERETT MUNICIPAL		GENERAL FUND	700.00
77547	EVERETT, CITY OF	LAB ANALYSIS	STORM DRAINAGE	180.00
77548	EVERETT, CITY OF	ANIMALS TO SHELTER-APRIL 2012	ANIMAL CONTROL	2,585.00
77549	FERRELLGAS	PROPANE	SOLID WASTE OPERATIONS	21.79
	FERRELLGAS		TRAFFIC CONTROL DEVICES	21.79
	FERRELLGAS		ROADWAY MAINTENANCE	21.79
	FERRELLGAS		WATER SERVICE INSTALL	21.80
77550	FERRELLGAS	TANK RENTAL	SOLID WASTE OPERATIONS	21.44
	FERRELLGAS		WATER SERVICE INSTALL	21.45
	FERRELLGAS		TRAFFIC CONTROL DEVICES	21.45
	FERRELLGAS		ROADWAY MAINTENANCE	21.45
77551	FIRE PROTECTION,INC	SERVICE CALL	LIBRARY-GENL	409.97
	FIRE PROTECTION,INC	FIRE ALARM MONITORING/INSPECTI	SOLID WASTE OPERATIONS	529.50
77552	FLAGHOUSE	WAKA KICKBALLS	GENERAL FUND	-4.97
	FLAGHOUSE		RECREATION SERVICES	62.77
77553	FLOYD, CHRIS	INSTRUCTOR SERVICES	RECREATION SERVICES	735.36
77554	FOXX, LOUIE	CHALLENGE DAY PERFORMER	COMMUNITY EVENTS	450.00
77555	GAMETIME	2-LEG PORTABLE FRAMES	PARK & RECREATION FAC	1,604.94
77556	GARBER, WILLIAM	UB 334340149000 4340 149TH PL	WATER/SEWER OPERATION	9.11
77557	GEIST, LOIS	CDL ENDORSEMENT REIMBURSEMENT	UTIL ADMIN	61.00
77558	GENERAL CHEMICAL	ALUMINUM SULFATE	WASTE WATER TREATMENT	3,927.38
77559	GIBBS, JONATHAN & JA	UB 982925000000 2925 74TH DR N	WATER/SEWER OPERATION	123.08
77560	GLEN'S RENTAL SALES	PRIMER BULB	STORM DRAINAGE	14.44
77561	GOVCONNECTION INC	VIDEO CARD-PW ADMIN 2ND MONITO	UTIL ADMIN	42.33
77562	GRAINGER	DOUBLE EYE WASH	WATER SUPPLY MAINS	60.05

CITY OF MARYSVILLE
INVOICE LIST
FOR INVOICES FROM 5/24/2012 TO 5/30/2012

CHK #	VENDOR	ITEM DESCRIPTION	ACCOUNT DESCRIPTION	ITEM AMOUNT
77562	GRAINGER	DOUBLE EYE WASH	ROADSIDE VEGETATION	60.06
	GRAINGER	HERBICIDE PROGRAM INSTRUMENT	WATER RESERVOIRS	120.89
	GRAINGER		GENERAL SERVICES - OVERH	120.90
77563	GRAY AND OSBORNE	PROFESSIONAL SERVICES-2011	SEWER CAPITAL PROJECTS	1,393.79
77564	GREENSHIELDS	HYDRANT ADAPTER & BUSHING	SEWER MAIN COLLECTION	16.35
	GREENSHIELDS		STORM DRAINAGE	16.36
	GREENSHIELDS	HITCH PIN	STORM DRAINAGE	86.74
	GREENSHIELDS	HYDRAULIC HOSE ASSEMBLY	EQUIPMENT RENTAL	228.36
	GREENSHIELDS	MISC. PARTS-WASH RACK	MAINT OF GENL PLANT	245.68
77565	GRIFFEN, CHRIS	PUBLIC DEFENDER	LEGAL - PUBLIC DEFENSE	135.00
	GRIFFEN, CHRIS		LEGAL - PUBLIC DEFENSE	150.00
77566	HANSEN, KATIE	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
77567	HD FOWLER COMPANY	4" COUPLING	ROADS/STREETS CONSTRUC	15.18
	HD FOWLER COMPANY	COUPLINGS & CONDUIT	CENTRAL SERVICES	39.90
	HD FOWLER COMPANY	COMRESSION COUPLINGS	CENTRAL SERVICES	41.00
	HD FOWLER COMPANY	MJ PLUG	WATER DIST MAINS	99.89
	HD FOWLER COMPANY	POLYMER LID	WATER SERVICES	112.17
77568	HD SUPPLY WATERWORKS	SUPPLIES-WATERMAIN 51ST	WATER CAPITAL PROJECTS	1,350.88
77569	HIRASHIMA, GLORIA	EMPLOYEE APPRECIATION REIMBURS	PERSONNEL ADMINISTRATIO	19.50
77570	HOT DOG USA	2012 CHALLENGE DAY PERFORMER	COMMUNITY EVENTS	350.00
77571	HOYT, MELISSA	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
77572	IRON MOUNTAIN	3/4" MINUS	STORM DRAINAGE	119.20
	IRON MOUNTAIN		WATER MAINS INSTALL	119.20
	IRON MOUNTAIN		ROADWAY MAINTENANCE	119.21
	IRON MOUNTAIN		WATER CAPITAL PROJECTS	123.98
77573	JACOBSON, JOHN	JURY DUTY	COURTS	11.11
77574	KENWORTH NORTHWEST	DIAGNOSE & REPAIR #256	EQUIPMENT RENTAL	587.82
77575	KING, TIM	CDL ENDORSEMENT REIMBURSEMENT	UTIL ADMIN	61.00
77576	KINNEY, MAKESHA	JURY DUTY	COURTS	15.50
77577	KOSS, ROGER		COURTS	13.33
77578	LAKE INDUSTRIES	DUMP FEE	STORM DRAINAGE MAINTENA	120.00
	LAKE INDUSTRIES		STORM DRAINAGE MAINTENA	300.00
77579	LASTING IMPRESSIONS	PRINTED SHIRTS	GOLF COURSE	75.00
77580	LICENSING, DEPT OF	DAVIS, JOSHUA (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	GILLIS, SUZANNE (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	GRAVES, CHARLES (RENEWAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	HOLT, JAMES (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	KUEHN, ROBERT (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	LAYTON, DAVID (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	NIELD, JOHN (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	NORSBY, CHARLENE (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	NULL, DONALD (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	SCHLUMBAUM, DONALD (RENEWAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	SCHROEDER, JOHN (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	SHERRILL, RUBY (RENEWAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	VANTRECE, GARY (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	VANTRECE, TERESA (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	WELCH, COOKIE (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	DEFFRIES, GREGORY (LATE RENEWA	GENERAL FUND	21.00
	LICENSING, DEPT OF	WALLACE, MONTE (LATE RENEWAL)	GENERAL FUND	21.00
77581	LOWES HIW INC	TOOL HANGERS	WATER RESERVOIRS	12.84
	LOWES HIW INC	WATER FILTERS (4)	PARK & RECREATION FAC	33.41
	LOWES HIW INC	MISC. SUPPLIES	WATER DIST MAINS	81.86
77582	LYONS, JULIE	UB 025632000000 5632 86TH PL N	WATER/SEWER OPERATION	14.31
77583	MARYSVILLE AWARDS	EMPLOYEE OF THE MONTH ENGRAVIN	EXECUTIVE ADMIN	117.18
77584	MARYSVILLE FLORAL	POLICE WEEK FLORAL	POLICE ADMINISTRATION	188.91
77585	MARYSVILLE PRINTING	11X17 COLOR POSTERS	STORM DRAINAGE	69.50

CITY OF MARYSVILLE
INVOICE LIST
FOR INVOICES FROM 5/24/2012 TO 5/30/2012

CHK #	VENDOR	ITEM DESCRIPTION	ACCOUNT DESCRIPTION	ITEM AMOUNT
77585	MARYSVILLE PRINTING	RECEIPT FOR EVIDENCE FORMS	POLICE PATROL	102.40
	MARYSVILLE PRINTING	PRINTED FLYERS	RECREATION SERVICES	157.47
	MARYSVILLE PRINTING		RECREATION SERVICES	162.90
	MARYSVILLE PRINTING		COMMUNITY EVENTS	203.63
77586	MCCARTHY, NANCY	JURY DUTY	COURTS	12.20
77587	MCDANIEL, MARIA		COURTS	14.40
77588	METCALF, SHELLEY	INSTRUCTOR SERVICES	RECREATION SERVICES	677.37
77589	MIRANDA, AMELIA	EMPLOYEE APPRECIATION LUNCH	GENERAL FUND	-11.35
	MIRANDA, AMELIA		PERSONNEL ADMINISTRATIO	171.15
77590	NATIONAL BARRICADE	LIGHT TOWER	STORM DRAINAGE	352.66
77591	NIKE USA INC	NIKE AIR (2), NIKE LUNAR (4)	GOLF COURSE	411.12
	NIKE USA INC	DRIVERS (2)	GOLF COURSE	421.78
	NIKE USA INC	DRIVER, FW METALS	GOLF COURSE	492.54
77592	NORTHPOINTE HOMEOWN	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
77593	NORTHWEST CASCADE	HONEY BUCKET	PARK & RECREATION FAC	198.54
	NORTHWEST CASCADE		RECREATION SERVICES	375.98
77594	NYITRAY, SANDRA	INSTRUCTOR SERVICES	COMMUNITY CENTER	45.00
77595	O'NEALL, TALIA NICOL	JURY DUTY	COURTS	15.50
77596	OFFICE DEPOT	OFFICE SUPPLIES	OFFICE OPERATIONS	6.91
	OFFICE DEPOT		OFFICE OPERATIONS	54.75
	OFFICE DEPOT		COMMUNITY DEVELOPMENT-	59.62
	OFFICE DEPOT		POLICE INVESTIGATION	76.15
	OFFICE DEPOT		PERSONNEL ADMINISTRATIO	123.14
	OFFICE DEPOT		COMMUNITY CENTER	197.75
	OFFICE DEPOT		POLICE PATROL	279.19
	OFFICE DEPOT		UTIL ADMIN	368.70
77597	PACIFIC POWER BATTER	BATTERIES	ER&R	120.94
77598	PACIFIC POWER PROD.	CHOKE CONTROL	MAINTENANCE	17.55
	PACIFIC POWER PROD.	ROLLER ASSEMBLY, BRACKET, BLAD	MAINTENANCE	126.40
	PACIFIC POWER PROD.	WHEEL YOKE	MAINTENANCE	181.28
	PACIFIC POWER PROD.	BLADES	PARK & RECREATION FAC	228.61
	PACIFIC POWER PROD.	GASKET, WHEEL YOKE	MAINTENANCE	326.23
77599	PARTS STORE, THE	CREDIT	ER&R	-49.39
	PARTS STORE, THE		ER&R	-11.77
	PARTS STORE, THE	CONCENTRATE	ER&R	24.70
	PARTS STORE, THE	WINSHIELD WASHER FLUID	ER&R	26.19
	PARTS STORE, THE	OIL FILTERS & HALOGEN BULBS	ER&R	49.10
	PARTS STORE, THE	AIR FILTERS	ER&R	120.87
	PARTS STORE, THE	DISTRIBUTOR CAP, ROTOR, ETC.	EQUIPMENT RENTAL	171.92
	PARTS STORE, THE	MISC. FILTERS, LAMPS, BATTERIE	ER&R	187.94
	PARTS STORE, THE	FILTERS,WIPER BLADES & BUNGEE	ER&R	316.09
77600	PEACE OF MIND	MINUTE TAKING SERVICES	CITY CLERK	173.60
77601	PETROCARD SYSTEMS	FUEL CONSUMED	MAINTENANCE	51.60
	PETROCARD SYSTEMS		STORM DRAINAGE	56.83
	PETROCARD SYSTEMS		EQUIPMENT RENTAL	76.78
	PETROCARD SYSTEMS		BUILDING MAINTENANCE	302.62
	PETROCARD SYSTEMS		COMMUNITY DEVELOPMENT-	477.37
	PETROCARD SYSTEMS		PARK & RECREATION FAC	889.05
	PETROCARD SYSTEMS		GENERAL SERVICES - OVERH	2,507.30
	PETROCARD SYSTEMS		SOLID WASTE OPERATIONS	4,502.27
	PETROCARD SYSTEMS		MAINT OF EQUIPMENT	6,252.39
	PETROCARD SYSTEMS		POLICE PATROL	8,859.91
77602	PETTY CASH- POLICE	PETTY CASH REIMBURSEMENT	POLICE PATROL	6.51
	PETTY CASH- POLICE		POLICE ADMINISTRATION	9.76
	PETTY CASH- POLICE		OFFICE OPERATIONS	13.86
	PETTY CASH- POLICE		POLICE PATROL	16.26
	PETTY CASH- POLICE		DETENTION & CORRECTION	19.06

CITY OF MARYSVILLE
INVOICE LIST
FOR INVOICES FROM 5/24/2012 TO 5/30/2012

CHK #	VENDOR	ITEM DESCRIPTION	ACCOUNT DESCRIPTION	ITEM AMOUNT
77602	PETTY CASH- POLICE	PETTY CASH REIMBURSEMENT	OFFICE OPERATIONS	22.78
77603	PHAM, JOSEPH	INTERPRETER SERVICES	COURTS	125.00
77604	PNWS-AWWA	REGISTRATION-ERGA	UTIL ADMIN	105.00
	PNWS-AWWA	REGISTRATION-MORGISON	UTIL ADMIN	105.00
	PNWS-AWWA	REGISTRATION-BRYANT, S	UTIL ADMIN	190.00
	PNWS-AWWA	REGISTRATION-STAIR	UTIL ADMIN	190.00
77605	POLLARDWATER.COM	DECHLORINATION TABLETS	WATER DIST MAINS	203.38
77606	PRUETT, CARMEN	JURY DUTY	COURTS	11.65
77607	PSSP - PUGET SOUND	SECURITY SERVICES	PROBATION	753.38
	PSSP - PUGET SOUND		MUNICIPAL COURTS	2,260.12
77608	PUD	ACCT #2023-7865-9	MAINT OF GENL PLANT	29.74
	PUD	ACCT #2010-6528-1	PARK & RECREATION FAC	34.31
	PUD	ACCT #2016-7213-6	SEWER LIFT STATION	43.75
	PUD	ACCT #2020-0032-9	PARK & RECREATION FAC	46.53
	PUD	ACCT #2006-5074-5	TRANSPORTATION MANAGEM	67.13
	PUD	ACCT #2027-2901-8	TRANSPORTATION MANAGEM	72.14
	PUD	ACCT #2030-0516-0	STREET LIGHTING	77.37
	PUD	ACCT #2031-9973-2	TRANSPORTATION MANAGEM	81.54
	PUD	ACCT #2021-7595-6	TRAFFIC CONTROL DEVICES	86.52
	PUD	ACCT #2023-6855-1	PARK & RECREATION FAC	87.27
	PUD	ACCT #2008-2727-7	TRANSPORTATION MANAGEM	119.09
	PUD	ACCT #2023-6854-4	TRANSPORTATION MANAGEM	132.49
	PUD	ACCT #2025-5745-0	STREET LIGHTING	140.07
	PUD	ACCT #2024-6354-3	SEWER LIFT STATION	151.49
	PUD	ACCT #2021-4311-1	TRANSPORTATION MANAGEM	157.05
	PUD	ACCT #2020-0351-3	PUMPING PLANT	217.46
	PUD	ACCT #2032-3100-6	TRANSPORTATION MANAGEM	217.47
	PUD	ACCT #2010-2169-8	PARK & RECREATION FAC	559.55
	PUD	ACCT #2010-2160-7	PARK & RECREATION FAC	642.50
	PUD	ACCT #2011-4725-3	PUMPING PLANT	787.44
	PUD	ACCT #2008-2454-8	MAINT OF GENL PLANT	1,289.10
	PUD	ACCT #2005-8648-5	SEWER LIFT STATION	1,547.84
	PUD	ACCT #2003-0347-7	WATER FILTRATION PLANT	1,573.03
	PUD	ACCT #2015-7792-1	PUMPING PLANT	1,861.11
	PUD	ACCT.# 2020-0499-0	LIBRARY-GENL	2,817.55
	PUD	ACCT #2014-6303-1	PUBLIC SAFETY FAC-GENL	2,923.52
	PUD	ACCT. # 2014-2063-5	WASTE WATER TREATMENT	8,226.38
	PUD	ACCT #2020-7500-8	WASTE WATER TREATMENT	9,374.37
	PUD	ACCT #2017-2118-0	WASTE WATER TREATMENT	15,777.68
77609	PUGET SOUND SECURITY	KEYS	WATER MAINS INSTALL	19.94
77610	RAINEY, MELONIE	JURY DUTY	COURTS	18.80
77611	RINNE, MARY	REFUND	PARKS-RECREATION	29.00
77612	RUSDEN, JOHN	PROTEM SERVICES	MUNICIPAL COURTS	185.00
77613	SCHROEDER, LYNN	SUPPLY REIMBURSEMENT	EXECUTIVE ADMIN	93.03
77614	SEA-ALASKA INDUSTRIA	ASSESS & REPAIR MOTOR	WASTE WATER TREATMENT	1,433.98
77615	SHANKLE, CRAIG	INSTRUCTOR SERVICES	COMMUNITY CENTER	32.00
77616	SHERWIN WILLIAMS	PAINT	MAINT OF GENL PLANT	96.13
77617	SHIPLEY, KAYLA	JURY DUTY	COURTS	16.60
77618	SHOOP, MELISSA	INSTRUCTOR SERVICES	COMMUNITY CENTER	30.00
77619	SHRIVER, CATHY	REFUND	GENL FUND BUS LIC & PERMI	50.00
77620	SISKUN POWER EQUIPME	AIR FILTER, O-RINGS	EQUIPMENT RENTAL	88.87
77621	SIX ROBBLEES INC	SOCKET BOOT TRAILER WIRES	ER&R	6.58
	SIX ROBBLEES INC	CONNECTION SOCKET	ER&R	70.11
77622	SMALL, SHIRLEY	UB 890700000000 7802 56TH DR N	WATER/SEWER OPERATION	25.32
77623	SOUND SAFETY	SHORTS-LEWIS	BUILDING MAINTENANCE	52.39
	SOUND SAFETY	GLOVES	PARK & RECREATION FAC	80.20
	SOUND SAFETY	FLAGGING SAFETY SUPPLIES	GENERAL SERVICES - OVERH	95.51

CITY OF MARYSVILLE
INVOICE LIST
FOR INVOICES FROM 5/24/2012 TO 5/30/2012

CHK #	VENDOR	ITEM DESCRIPTION	ACCOUNT DESCRIPTION	ITEM AMOUNT
77623	SOUND SAFETY	RUBBER BOOTS-MILLER,COREY	UTIL ADMIN	128.86
	SOUND SAFETY	JEANS-KINNEY,H & BRISCOE	TRANSPORTATION MANAGEM	186.35
	SOUND SAFETY	RAINGEAR	ER&R	221.33
	SOUND SAFETY	WINTER JACKETS & LONG SLEEVE T	ER&R	340.79
	SOUND SAFETY	FIRST AID KITS & GLOVES	ER&R	362.73
	SOUND SAFETY	GLOVES	DETENTION & CORRECTION	403.40
77624	SPANGLER, DAVID E &	UB 980098980002 5801 138TH ST	WATER/SEWER OPERATION	25.20
77625	SPRINGBROOK NURSERY	PEA GRAVEL	PARK & RECREATION FAC	19.66
	SPRINGBROOK NURSERY		PARK & RECREATION FAC	19.66
	SPRINGBROOK NURSERY	4 X 2 ROCK	MAINTENANCE	21.00
	SPRINGBROOK NURSERY		MAINTENANCE	21.00
	SPRINGBROOK NURSERY	5/8 X 0 GRAVEL	MAINTENANCE	21.00
	SPRINGBROOK NURSERY	5/8" GRAVEL	PARK & RECREATION FAC	42.00
	SPRINGBROOK NURSERY	5/8 GRAVEL	PARK & RECREATION FAC	210.02
	SPRINGBROOK NURSERY	SAND & 5/8 GRAVEL	PARK & RECREATION FAC	270.33
	SPRINGBROOK NURSERY	5/8 GRAVEL	PARK & RECREATION FAC	294.02
77626	STAUB, MATHEW	JURY DUTY	COURTS	12.20
77627	SUMMIT LAW GROUP, LL	LEGAL SERVICES	PERSONNEL ADMINISTRATIO	178.50
77628	SUN BADGE CO	BADGE REPAIR	DETENTION & CORRECTION	41.00
77629	TITLEIST	TITLEIST GOLF BALLS	GOLF COURSE	735.77
77630	TULALIP CHAMBER	BBH MTG (3)	EXECUTIVE ADMIN	69.00
77631	TURNER, MICHELLE	REFUND	PARKS-RECREATION	19.00
77632	ULTRA ELECTRIC LLC	SERVICE & HEATER-WWTP	WASTE WATER TREATMENT	489.35
77633	UNITED PARCEL SERVIC	SHIPPING EXPENSE	POLICE PATROL	41.22
77634	USA BLUEBOOK	ANTI SIEZE	WATER DIST MAINS	307.34
77635	UTILITIES UNDERGROUN	EXCAVATION NOTIFICATIONS-APRIL	UTILITY LOCATING	292.90
77636	VASQUEZ BRITO, HUGO	JURY DUTY	COURTS	15.50
77637	VERIZON/FRONTIER	ACCT #25300370021027055	UTIL ADMIN	31.31
	VERIZON/FRONTIER	ACCT #107355912203	MUNICIPAL COURTS	44.21
	VERIZON/FRONTIER		ENGR-GENL	44.21
	VERIZON/FRONTIER		EXECUTIVE ADMIN	44.21
	VERIZON/FRONTIER		PERSONNEL ADMINISTRATIO	44.21
	VERIZON/FRONTIER		UTILITY BILLING	44.21
	VERIZON/FRONTIER		LIBRARY-GENL	44.21
	VERIZON/FRONTIER		COMMUNITY CENTER	44.21
	VERIZON/FRONTIER		POLICE PATROL	44.21
	VERIZON/FRONTIER		GENERAL SERVICES - OVERH	44.21
	VERIZON/FRONTIER	ACCT.# 36065125170927115	STREET LIGHTING	49.80
	VERIZON/FRONTIER	ACCT.# 36065774950927115	STREET LIGHTING	49.80
	VERIZON/FRONTIER	ACCT #36065836350725085	UTIL ADMIN	52.15
	VERIZON/FRONTIER		COMMUNITY DEVELOPMENT-	52.15
	VERIZON/FRONTIER	ACCT #36065827660617105	MUNICIPAL COURTS	53.45
	VERIZON/FRONTIER	ACCT #36065831360617105	MUNICIPAL COURTS	53.45
	VERIZON/FRONTIER	ACCT #36065976670111075	OFFICE OPERATIONS	53.45
	VERIZON/FRONTIER	ACCT. # 03 0211 1068535202 08	MAINT OF GENL PLANT	53.45
	VERIZON/FRONTIER	ACCT. # 36065905060927115	STREET LIGHTING	53.45
	VERIZON/FRONTIER	ACCT.# 42539763250319985	PARK & RECREATION FAC	55.10
	VERIZON/FRONTIER	ACCT #25300628501027055	UTIL ADMIN	67.17
	VERIZON/FRONTIER	ACCT #25301441101027055	UTIL ADMIN	67.17
	VERIZON/FRONTIER	ACCT #107355912203	COMMUNICATION CENTER	88.43
	VERIZON/FRONTIER		DETENTION & CORRECTION	88.43
	VERIZON/FRONTIER		POLICE ADMINISTRATION	88.43
	VERIZON/FRONTIER		GOLF ADMINISTRATION	88.43
	VERIZON/FRONTIER	ACCT. #25300981920624965	SEWER LIFT STATION	93.91
	VERIZON/FRONTIER	ACCT. # 36065191230801065	WATER FILTRATION PLANT	112.10
	VERIZON/FRONTIER	ACCT #107355912203	GOLF ADMINISTRATION	132.64
	VERIZON/FRONTIER		OFFICE OPERATIONS	132.64

CITY OF MARYSVILLE
INVOICE LIST
FOR INVOICES FROM 5/24/2012 TO 5/30/2012

CHK #	VENDOR	ITEM DESCRIPTION	ACCOUNT DESCRIPTION	ITEM AMOUNT
77637	VERIZON/FRONTIER	ACCT #107355912203	ADMIN FACILITIES	176.86
	VERIZON/FRONTIER		COMMUNITY DEVELOPMENT-	176.86
	VERIZON/FRONTIER		WASTE WATER TREATMENT	176.91
	VERIZON/FRONTIER		PARK & RECREATION FAC	221.07
	VERIZON/FRONTIER		UTIL ADMIN	258.35
77638	WEST PAYMENT CENTER	CRIME ANALYSIS INFORMATION	POLICE ADMINISTRATION	24.76
77639	WESTERN FACILITIES	JANITORIAL SUPPLIES	PARK & RECREATION FAC	475.15
77640	WHITFIELD, SHELLIE	JURY DUTY	COURTS	14.40
77641	WILSON, KEVIN		COURTS	10.77
77642	WOGE, CHESTER	USED GOLF BALLS	GOLF COURSE	90.00
77643	WOOLMAN, DANIEL	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
77644	ZAMORA, MARIA		GENERAL FUND	100.00

WARRANT TOTAL: **145,193.84**

LESS VOID:

CHECK # 75425 CHECK LOST IN MAIL (40.00)

145,153.84

REASON FOR VOIDS:

INITIATOR ERROR
WRONG VENDOR
CHECK LOST IN MAIL
UNCLAIMED PROPERTY

Index #5

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: June 11, 2012

AGENDA ITEM: Payroll	AGENDA SECTION:	
PREPARED BY: Sandy Langdon, Finance Director	AGENDA NUMBER:	
ATTACHMENTS: Blanket Certification	APPROVED BY:	
	MAYOR	CAO
BUDGET CODE:	AMOUNT:	

RECOMMENDED ACTION: The Finance and Executive Departments recommend City Council approve the May 18, 2012 payroll in the amount $793,639.98 Check No.'s 25448 through 25501.
COUNCIL ACTION:

Index #6

CITY OF MARYSVILLE AGENDA BILL

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: June 11, 2012

AGENDA ITEM: Contract Award – 51st Ave NE (84th St NE to 88th St NE)	
PREPARED BY: Jeff Laycock, Project Engineer DEPARTMENT: Public Works, Engineering	DIRECTOR APPROVAL:
ATTACHMENTS: • Certified Bid Tabulation • Vicinity Map	
BUDGET CODE: 30500030.563000, R1001 40220594.563000, W1201	AMOUNT: $1,502,637.02

SUMMARY:

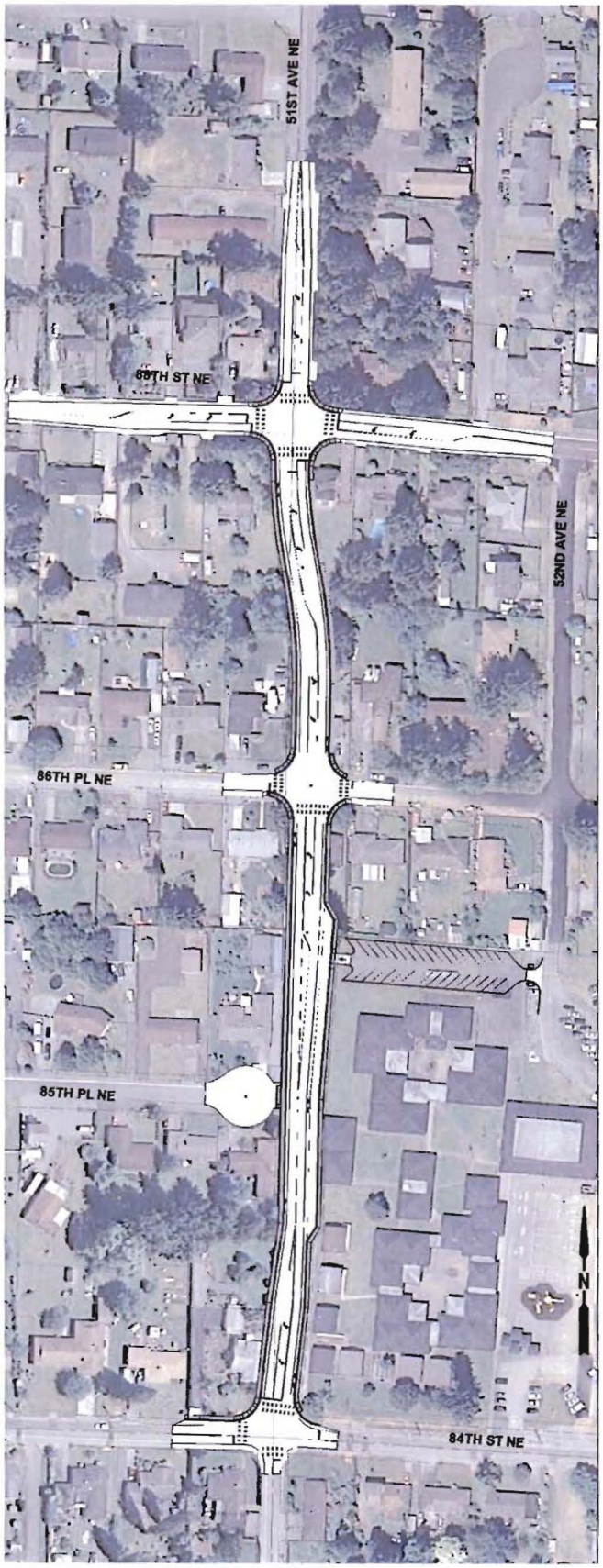
The 51st Ave NE connector project between 84th St NE and 88th St NE will include the construction of a new road corridor consisting of a three traffic lanes, a bus lane, two bicycle lanes, curb, gutter and sidewalk. The project will also include a traffic signal at the intersection of 51st Ave NE and 88th St NE. The project has been identified in the Six Year Transportation Improvement Plan.

The project was advertised for a May 24, 2012 bid opening. The City received 7 bids as shown on the attached bid tabulation. The low bidder was SRV Construction Inc at $1,402,637.02. The Engineer's Estimate for the project was $1,694,442.24. References have been checked and found to be satisfactory.

Contract Bid (Includes Sales Tax):	$1,402,637.02
Management Reserve:	$100,000.00
Total:	$1,502,637.02

RECOMMENDED ACTION: Staff recommends that Council authorize the Mayor to award the bid for the 51st Ave NE (84th St NE to 88th St NE) contract to SRV Construction Inc in the amount of $1,402,637.02 including Washington State Sales Tax and approve a management reserve of $100,000.00 for a total allocation of $1,502,637.02.

VICINITY MAP



CITY OF Marysville WASHINGTON

51st Ave NE (84th St NE to 88th St NE)
Certified Bid Tab

5/24/2012

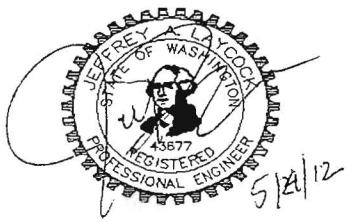
Apparent Low Bid

Section	Item	Description	Quantity	Units	Engineer's Estimate		SRV Construction Inc		Trimaxx Construction Inc		Razz Construction Inc		Interwest Construction Inc		Colacurcio Brothers		MidMountain		Road Construction NW	
		SCHEDULE A - ROADWAY IMPROVEMENTS			Unit Prices	Total Price	Unit Prices	Total Price	Unit Prices	Total Price	Unit Prices	Total Price	Unit Prices	Total Price	Unit Prices	Total Price	Unit Prices	Total Price	Unit Prices	Total Price
1-04.4	1	Minor Change	1	EST	$20,000.00	$20,000.00	$20,000.00	$20,000.00	$20,000.00	$20,000.00	$20,000.00	$20,000.00	$20,000.00	$20,000.00	$20,000.00	$20,000.00	$20,000.00	$20,000.00	$20,000.00	$20,000.00
1-05.5	2	Roadway Surveying	1	LS	$15,000.00	$15,000.00	$15,400.00	$15,400.00	$13,300.00	$13,300.00	$14,857.00	$14,857.00	$25,000.00	$25,000.00	$7,000.00	$7,000.00	$12,500.00	$12,500.00	$14,100.00	$14,100.00
1-07.15	3	SPCC Plan	1	LS	$1,000.00	$1,000.00	$275.00	$275.00	$600.00	$600.00	$5,000.00	$5,000.00	$1,500.00	$1,500.00	$600.00	$600.00	$500.00	$500.00	$1,850.00	$1,850.00
1-09.7	4	Mobilization	1	LS	$111,027.00	$111,027.00	$41,000.00	$41,000.00	$147,000.00	$147,000.00	$52,023.00	$52,023.00	$55,000.00	$55,000.00	$80,000.00	$80,000.00	$113,000.00	$113,000.00	$178,500.00	$178,500.00
1-10.5	5	Project Temporary Traffic Control	1	LS	$50,000.00	$50,000.00	$27,500.00	$27,500.00	$60,000.00	$60,000.00	$49,000.00	$49,000.00	$35,000.00	$35,000.00	$133,000.00	$133,000.00	$68,800.68	$68,800.68	$115,400.00	$115,400.00
2-01.5	6	Clearing and Grubbing	1	LS	$35,000.00	$35,000.00	$23,500.00	$23,500.00	$15,000.00	$15,000.00	$34,700.00	$34,700.00	$21,000.00	$21,000.00	$37,000.00	$37,000.00	$9,500.00	$9,500.00	$32,250.00	$32,250.00
2-02.5	7	Removal of Structure and Obstruction	1	LS	$15,000.00	$15,000.00	$33,500.00	$33,500.00	$20,000.00	$20,000.00	$28,000.00	$28,000.00	$34,000.00	$34,000.00	$20,000.00	$20,000.00	$28,500.00	$28,500.00	$80,000.00	$80,000.00
2-03.5	8	Roadway Excavation Incl. Haul	4,500	CY	$12.00	$54,000.00	$15.70	$70,650.00	$11.25	$50,625.00	$16.30	$73,350.00	$24.00	$108,000.00	$16.00	$72,000.00	$16.75	$75,375.00	$25.50	$114,750.00
2-03.5	9	Gravel Borrow Including Haul	500	TON	$15.00	$7,500.00	$15.12	$7,560.00	$15.00	$7,500.00	$4.50	$2,250.00	$19.00	$9,500.00	$19.70	$9,850.00	$16.00	$8,000.00	$25.75	$12,875.00
2-03.5	10	Unsuitable Foundation Excavation Incl. Haul	25	CY	$35.00	$875.00	$38.00	$950.00	$13.00	$325.00	$24.55	$613.75	$40.00	$1,000.00	$19.70	$492.50	$29.00	$725.00	$32.00	$800.00
2-09.5	11	Shoring	1	LS	$10,000.00	$10,000.00	$1.00	$1.00	$4,000.00	$4,000.00	$747.00	$747.00	$1,000.00	$1,000.00	$800.00	$800.00	$1,000.00	$1,000.00	$12.00	$12.00
2-12.5	12	Construction Geotextile for Underground Drainage	850	SY	$4.00	$3,400.00	$2.60	$2,210.00	$1.80	$1,530.00	$1.50	$1,275.00	$1.50	$1,275.00	$1.70	$1,445.00	$1.50	$1,275.00	$3.50	$2,975.00
4-04.5	13	Crushed Surfacing Base Course	1,850	TON	$30.00	$55,500.00	$22.70	$41,995.00	$19.00	$35,150.00	$23.20	$42,920.00	$26.00	$48,100.00	$21.00	$38,850.00	$26.50	$49,025.00	$33.00	$61,050.00
4-04.5	14	Crushed Surfacing Top Course	900	TON	$30.00	$27,000.00	$15.25	$13,725.00	$22.00	$19,800.00	$25.45	$22,905.00	$28.00	$25,200.00	$23.50	$21,150.00	$41.25	$37,125.00	$34.00	$30,600.00
4-06.5	15	Asphalt Treated Base	2,050	TON	$75.00	$153,750.00	$57.50	$117,875.00	$54.00	$110,700.00	$59.95	$122,897.50	$53.00	$108,650.00	$56.00	$114,800.00	$57.50	$117,875.00	$52.25	$107,112.50
5-04.5	16	Planing Bituminous Pavement	6,000	SY	$3.00	$18,000.00	$2.00	$12,000.00	$4.00	$24,000.00	$3.27	$19,620.00	$6.00	$36,000.00	$3.40	$20,400.00	$3.35	$20,100.00	$5.25	$31,500.00
5-04.5	17	HMA Cl 1/2" PG 64-22	1,900	TON	$80.00	$152,000.00	$74.80	$142,120.00	$70.00	$133,000.00	$77.90	$148,010.00	$69.00	$131,100.00	$73.00	$138,700.00	$75.00	$142,500.00	$68.00	$129,200.00
7-01.5	18	Cleanout 8 In. Diam.	2	EA	$600.00	$1,200.00	$383.00	$766.00	$430.00	$860.00	$440.00	$880.00	$500.00	$1,000.00	$730.00	$1,460.00	$1,375.00	$2,750.00	$850.00	$1,700.00
7-01.5	19	Underdrain Pipe 8 In. Diam	470	LF	$30.00	$14,100.00	$7.21	$3,388.70	$10.00	$4,700.00	$16.95	$7,966.50	$12.00	$5,640.00	$18.70	$8,789.00	$15.00	$7,050.00	$36.50	$17,155.00
7-01.5	20	Gravel Backfill for Drain	250	CY	$35.00	$8,750.00	$44.50	$11,125.00	$35.00	$8,750.00	$33.40	$8,350.00	$37.00	$9,250.00	$35.00	$8,750.00	$40.00	$10,000.00	$43.00	$10,750.00
7-04.5	21	Schedule A Storm Sewer Pipe 12" Diam.	1,150	LF	$35.00	$40,250.00	$16.00	$18,400.00	$23.00	$26,450.00	$26.25	$30,187.50	$30.00	$34,500.00	$27.00	$31,050.00	$30.00	$34,500.00	$57.75	$66,412.50
7-04.5	22	Ductile Iron Storm Sewer Pipe 8" Diam.	435	LF	$40.00	$17,400.00	$37.00	$16,095.00	$44.00	$19,140.00	$61.30	$26,665.50	$50.00	$21,750.00	$50.00	$21,750.00	$68.00	$29,580.00	$90.25	$39,258.75
7-05.5	23	Catch Basin Type 1	23	EA	$1,200.00	$27,600.00	$1,110.00	$25,530.00	$1,000.00	$23,000.00	$1,441.00	$33,143.00	$1,300.00	$29,900.00	$930.00	$21,390.00	$1,250.00	$28,750.00	$1,525.00	$35,075.00
7-05.5	24	Catch Basin Type 2 - 48" Diam.	3	EA	$2,500.00	$7,500.00	$2,200.00	$6,600.00	$2,000.00	$6,000.00	$2,978.00	$8,934.00	$2,500.00	$7,500.00	$2,000.00	$6,000.00	$2,500.00	$7,500.00	$5,700.00	$17,100.00
7-05.5	25	Catch Basin Type 2 - 48" Diam. w/ Debris Cage	1	EA	$4,000.00	$4,000.00	$3,225.00	$3,225.00	$3,100.00	$3,100.00	$4,339.00	$4,339.00	$4,000.00	$4,000.00	$3,000.00	$3,000.00	$3,050.00	$3,050.00	$8,500.00	$8,500.00
7-05.5	26	Catch Basin Type 2 - 54" Diam. w/ Oil/Water Separator	1	EA	$5,500.00	$5,500.00	$3,730.00	$3,730.00	$3,100.00	$3,100.00	$3,511.00	$3,511.00	$5,000.00	$5,000.00	$3,700.00	$3,700.00	$4,065.00	$4,065.00	$7,775.00	$7,775.00
7-05.5	27	Adjust Manhole	5	EA	$400.00	$2,000.00	$385.00	$1,925.00	$415.00	$2,075.00	$226.00	$1,130.00	$425.00	$2,125.00	$600.00	$3,000.00	$335.00	$1,675.00	$825.00	$4,125.00
7-05.5	28	Adjust Catch Basin	9	EA	$400.00	$3,600.00	$350.00	$3,150.00	$415.00	$3,735.00	$226.00	$2,034.00	$425.00	$3,825.00	$525.00	$4,725.00	$265.00	$2,385.00	$825.00	$7,425.00
7-06.5	29	StormFilter Stormwater Treatment System	1	EA	$25,000.00	$25,000.00	$38,500.00	$38,500.00	$36,000.00	$36,000.00	$36,114.00	$36,114.00	$45,000.00	$45,000.00	$36,800.00	$36,800.00	$35,000.00	$35,000.00	$57,225.00	$57,225.00
7-12.5	30	Adjust Water Valve	14	EA	$250.00	$3,500.00	$320.00	$4,480.00	$330.00	$4,620.00	$200.00	$2,800.00	$250.00	$3,500.00	$350.00	$4,900.00	$195.00	$2,730.00	$675.00	$9,450.00
7-13.5	31	Amended Soil	150	CY	$80.00	$12,000.00	$32.50	$4,875.00	$23.00	$3,450.00	$34.40	$5,160.00	$35.00	$5,250.00	$37.00	$5,550.00	$54.00	$8,100.00	$58.00	$8,700.00
8-01.5	32	Erosion/Water Pollution Control	1	LS	$35,000.00	$35,000.00	$1,000.00	$1,000.00	$5,900.00	$5,900.00	$20,362.00	$20,362.00	$20,000.00	$20,000.00	$30,000.00	$30,000.00	$17,500.00	$17,500.00	$19,800.00	$19,800.00
8-01.5	33	SWPPP Preparation and Maintenance	1	LS	$2,500.00	$2,500.00	$825.00	$825.00	$1,400.00	$1,400.00	$5,000.00	$5,000.00	$3,500.00	$3,500.00	$1,800.00	$1,800.00	$500.00	$500.00	$5,200.00	$5,200.00
8-01.5	34	Seeding, Fertilizing and Mulching	1.20	ACRE	$8,000.00	$9,600.00	$1,595.00	$1,914.00	$1,500.00	$1,800.00	$1,663.00	$1,995.60	$2,400.00	$2,880.00	$2,500.00	$3,000.00	$1,500.00	$1,800.00	$1,200.00	$1,440.00
8-02.5	35	Topsoil Type A	500	CY	$35.00	$17,500.00	$32.00	$16,000.00	$30.00	$15,000.00	$33.25	$16,625.00	$15.00	$7,500.00	$37.00	$18,500.00	$31.00	$15,500.00	$29.00	$14,500.00
8-02.5	36	Plant Selection Emerald Green Arborvitae 6' Min HT	165	EA	$75.00	$12,375.00	$59.00	$9,735.00	$55.00	$9,075.00	$61.35	$10,122.75	$70.00	$11,550.00	$37.00	$6,105.00	$56.00	$9,240.00	$53.50	$8,827.50
8-02.5	37	Bark or Wood Chip Mulch	25	CY	$50.00	$1,250.00	$32.00	$800.00	$40.00	$1,000.00	$43.55	$1,088.75	$50.00	$1,250.00	$48.00	$1,200.00	$40.00	$1,000.00	$38.00	$950.00
8-02.5	38	Property Restoration	1	FA	$5,000.00	$5,000.00	$5,000.00	$5,000.00	$5,000.00	$5,000.00	$5,000.00	$5,000.00	$5,000.00	$5,000.00	$5,000.00	$5,000.00	$5,000.00	$5,000.00	$5,000.00	$5,000.00
8-04.5	39	Cement Conc. Traffic Curb and Gutter	2,825	LF	$18.00	$50,850.00	$11.40	$32,205.00	$10.00	$28,250.00	$10.70	$30,227.50	$13.50	$38,137.50	$11.50	$32,487.50	$21.00	$59,325.00	$22.00	$62,150.00
8-04.5	40	Cement Conc. Pedestrian Curb	350	LF	$22.00	$7,700.00	$18.70	$6,545.00	$17.00	$5,950.00	$18.35	$6,422.50	$14.00	$4,900.00	$12.50	$4,375.00	$22.00	$7,700.00	$22.00	$7,700.00
8-04.5	41	Extruded Curb	650	LF	$16.00	$10,400.00	$9.00	$5,850.00	$9.00	$5,850.00	$20.65	$13,422.50	$9.00	$5,850.00	$9.50	$6,175.00	$20.00	$13,000.00	$8.25	$5,362.50
8-06.5	42	Cement Conc. Driveway Entrance	30	SY	$55.00	$1,650.00	$40.00	$1,200.00	$33.00	$990.00	$36.70	$1,101.00	$45.00	$1,350.00	$41.00	$1,230.00	$110.00	$3,300.00	$45.00	$1,350.00
8-09.5	43	Raised Pavement Marker Type 2	1.00	HUND	$500.00	$500.00	$412.00	$412.00	$560.00	$560.00	$1,232.00	$1,232.00	$650.00	$650.00	$600.00	$600.00	$1,170.00	$1,170.00	$375.00	$375.00
8-12.5	44	Fence	1,215	LF	$35.00	$42,525.00	$31.00	$37,665.00	$29.00	$35,235.00	$32.45	$39,426.75	$36.00	$43,740.00	$33.00	$40,095.00	$30.50	$37,057.50	$28.50	$34,627.50
8-13.5	45	Adjust Monument Case and Cover	5	EA	$350.00	$1,750.00	$330.00	$1,650.00	$415.00	$2,075.00	$185.00	$925.00	$200.00	$1,000.00	$300.00	$1,500.00	$195.00	$975.00	$675.00	$3,375.00
8-13.5	46	Monument Case and Cover	7	EA	$1,000.00	$7,000.00	$520.00	$3,640.00	$590.00	$4,130.00	$545.00	$3,815.00	$500.00	$3,500.00	$650.00	$4,550.00	$850.00	$5,950.00	$1,250.00	$8,750.00
8-14.5	47	Cement Concrete Sidewalk	1,350	SY	$33.00	$44,550.00	$34.90	$47,115.00	$28.00	$37,800.00	$36.50	$49,275.00	$28.00	$37,800.00	$25.50	$34,425.00	$39.00	$52,650.00	$30.00	$40,500.00
8-14.5	48	Cement Concrete Thickened Edge	300	LF	$50.00	$15,000.00	$72.60	$21,780.00	$65.00	$19,500.00	$72.00	$21,600.00	$58.00	$17,400.00	$62.50	$18,750.00	$3.35	$1,005.00	$39.00	$11,700.00
8-14.5	49	Cement Conc. Curb Ramp Type Parallel A	15	EA	$1,700.00	$25,500.00	$1,070.00	$16,050.00	$900.00	$13,500.00	$974.00	$14,610.00	$950.00	$14,250.00	$780.00	$11,700.00	$1,035.00	$15,525.00	$1,125.00	$16,875.00
8-14.5	50	Cement Conc. Curb Ramp Type Parallel B	4	EA	$1,400.00	$5,600.00	$904.00	$3,616.00	$720.00	$2,880.00	$802.00	$3,208.00	$950.00	$3,800.00	$760.00	$3,040.00	$905.00	$3,620.00	$1,125.00	$4,500.00
8-14.5	51	Cement Conc. Curb Ramp Type Single Direction A	2	EA	$1,200.00	$2,400.00	$1,070.00	$2,140.00	$880.00	$1,760.00	$975.00	$1,950.00	$950.00	$1,900.00	$765.00	$1,530.00	$1,050.00	$2,100.00	$1,125.00	$2,250.00
8-15.5	52	Quarry Spalls	30	TON	$55.00	$1,650.00	$34.00	$1,020.00	$21.00	$630.00	$43.55	$1,306.50	$35.00	$1,050.00	$30.00	$900.00	$65.00	$1,950.00	$52.00	$1,560.00
8-18.5	53	Mailbox Relocation	1	LS	$3,500.00	$3,500.00	$4,650.00	$4,650.00	$3,300.00	$3,300.00	$550.00	$550.00	$5,000.00	$5,000.00	$2,500.00	$2,500.00	$3,650.00	$3,650.00	$7,700.00	$7,700.00
8-19.5	54	Bollard	8	EA	$400.00	$3,200.00	$650.00	$5,200.00	$815.00	$6,520.00	$250.00	$2,000.00	$600.00	$4,800.00	$750.00	$6,000.00	$785.00	$6,280.00	$1,125.00	$9,000.00
8-20.5	55	Traffic Signal System	1	LS	$175,000.00	$175,000.00	$189,450.00	$189,450.00	$193,000.00	$193,000.00	$197,538.00	$197,538.00	$175,000.00	$175,000.00	$196,500.00	$196,500.00	$175,000.00	$175,000.00	$67,800.00	$67,800.00
8-20.5	56	Illumination System	1	LS	$75,000.00	$75,000.00	$74,600.00	$74,600.00	$65,000.00	$65,000.00	$77,776.00	$77,776.00	$70,000.00	$70,000.00	$74,000.00	$74,000.00	$70,000.00	$70,000.00	$186,350.00	$186,350.00
8-21.5	57	Permanent Signing	1	LS	$25,000.00	$25,000.00	$17,350.00	$17,350.00	$17,500.00	$17,500.00	$12,000.00	$12,000.00	$13,000.00	$13,000.00	$11,300.00	$11,300.00	$17,000.00	$17,000.00	$15,850.00	$15,850.00
8-22.5	58	Painted Line	4,550	LF	$0.75	$3,412.50	$0.60	$2,730.00	$0.50	$2,275.00	$0.70	$3,185.00	$0.55	$2,502.50	$0.55	$2,502.50	$0.65	$2,957.50	$0.55	$2,502.50
8-22.5	59	Painted Wide Line	4,800	LF	$1.25	$6,000.00	$0.40	$1,920.00	$0.50	$2,400.00	$0.75	$3,600.00	$0.35	$1,680.00	$0.55	$2,640.00	$0.71	$3,408.00	$0.35	$1,680.00
8-22.5	60	Plastic Stop Line	180	LF	$5.00	$900.00	$4.40	$792.00	$9.00	$1,620.00	$13.75	$2,475.00	$4.00	$720.00	$9.00	$1,620.00	$13.00	$2,340.00	$4.00	$720.00
8-22.5	61	Plastic Traffic Arrow	15	EA	$100.00	$1,500.00	$71.50	$1,072.50	$150.00	$2,250.00	$143.00	$2,145.00	$65.00	$975.00	$160.00	$2,400.00	$135.00	$2,025.00	$65.00	$975.00
8-22.5	62	Plastic Crosswalk Line	1,000	SF	$3.00	$3,000.00	$4.80	$4,800.00	$5.00	$5,000.00	$4.60	$4,600.00	$4.35	$4,350.00	$5.30	$5,300.00	$4.50	$4,500.00	$4.35	$4,350.00
8-22.5	63	Painted Bicycle Lane Symbol	6	EA	$100.00	$600.00	$193.00	$1,158.00	$180.00	$1,080.00	$155.00	$930.00	$175.00	$1,050.00	$185.00	$1,110.00	$145.00	$870.00	$175.00	$1,050.00
	=	corrected	SCHEDULE A TOTAL			$1,498,864.50		$1,231,935.20		$1,305,740.00		$1,364,897.60		$1,345,650.00		$1,409,786.50		$1,426,833.68		$1,778,395.75

5/24/12

51st Ave NE (84th St NE to 88th St NE)
Certified Bid Tab

SCHEDULE B - WATER MAIN IMPROVEMENTS					Engineer's Estimate		SRV Construction Inc		Trimaxx Construction Inc		Razz Construction Inc		Interwest Construction Inc		Colacurcio Brothers		MidMountain		Road Construction NW	
Section	Item	Description	Quantity	Units	Unit Prices	Total Price	Unit Prices	Total Price	Unit Prices	Total Price	Unit Prices	Total Price	Unit Prices	Total Price	Unit Prices	Total Price	Unit Prices	Total Price	Unit Prices	Total Price
1-04.4	1	Minor Change	1	LS	$5,000.00	$5,000.00	$5,000.00	$5,000.00	$5,000.00	$5,000.00	$5,000.00	$5,000.00	$5,000.00	$5,000.00	$5,000.00	$5,000.00	$5,000.00	$5,000.00	$5,000.00	$5,000.00
1-05.5	2	Roadway Surveying	1	LS	$3,500.00	$3,500.00	$1,250.00	$1,250.00	$1,200.00	$1,200.00	$1,285.00	$1,285.00	$2,000.00	$2,000.00	$530.00	$530.00	$1,000.00	$1,000.00	$3,000.00	$3,000.00
1-09.7	3	Mobilization	1	LS	$13,340.00	$13,340.00	$5,825.00	$5,825.00	$5,300.00	$5,300.00	$2,000.00	$2,000.00	$7,000.00	$7,000.00	$12,000.00	$12,000.00	$5,500.00	$5,500.00	$15,425.00	$15,425.00
1-10.5	4	Project Temporary Traffic Control	1	LS	$10,000.00	$10,000.00	$10,350.00	$10,350.00	$8,000.00	$8,000.00	$9,915.00	$9,915.00	$9,000.00	$9,000.00	$20,000.00	$20,000.00	$6,000.00	$6,000.00	$25,400.00	$25,400.00
2-03.5	5	Gravel Borrow Including Haul	400	TON	$18.00	$7,200.00	$2.75	$1,100.00	$15.00	$6,000.00	$4.50	$1,800.00	$19.00	$7,600.00	$19.00	$7,600.00	$16.00	$6,400.00	$25.75	$10,300.00
2-03.5	6	Unsuitable Foundation Excavation Incl. Haul	10	CY	$50.00	$500.00	$38.00	$380.00	$13.00	$130.00	$30.60	$306.00	$70.00	$700.00	$19.70	$197.00	$90.00	$900.00	$32.25	$322.50
2-09.5	7	Shoring	1	LS	$7,500.00	$7,500.00	$500.00	$500.00	$1,940.00	$1,940.00	$344.00	$344.00	$1,000.00	$1,000.00	$800.00	$800.00	$500.00	$500.00	$12.00	$12.00
4-04.5	8	Crushed Surfacing Base Course	60	TON	$35.00	$2,100.00	$37.00	$2,220.00	$31.00	$1,860.00	$42.00	$2,520.00	$35.00	$2,100.00	$28.00	$1,680.00	$26.00	$1,560.00	$37.00	$2,220.00
4-06.5	9	Asphalt Treated Base	100	TON	$85.00	$8,500.00	$92.00	$9,200.00	$118.00	$11,800.00	$110.00	$11,000.00	$90.00	$9,000.00	$93.00	$9,300.00	$125.00	$12,500.00	$115.00	$11,500.00
7-09.5	10	Ductile Iron Pipe for Water Main 6 In. Diam.	40	LF	$65.00	$2,600.00	$33.10	$1,324.00	$47.00	$1,880.00	$52.45	$2,098.00	$120.00	$4,800.00	$56.00	$2,240.00	$54.00	$2,160.00	$125.00	$5,000.00
7-09.5	11	Ductile Iron Pipe for Water Main 8 In. Diam.	15	LF	$80.00	$1,200.00	$64.00	$960.00	$56.00	$840.00	$68.90	$1,033.50	$100.00	$1,500.00	$74.00	$1,110.00	$86.00	$1,290.00	$181.00	$2,715.00
7-09.5	12	Ductile Iron Pipe for Water Main 12 In. Diam.	1,650	LF	$55.00	$90,750.00	$55.20	$91,080.00	$58.00	$95,700.00	$58.00	$95,700.00	$65.00	$107,250.00	$63.00	$103,950.00	$69.00	$113,850.00	$110.00	$181,500.00
7-09.5	13	Abandon Existing Water Main	1	LS	$5,000.00	$5,000.00	$1,000.00	$1,000.00	$1,200.00	$1,200.00	$500.00	$500.00	$1,000.00	$1,000.00	$2,500.00	$2,500.00	$3,650.00	$3,650.00	$4,250.00	$4,250.00
7-09.5	14	Connection to Existing	7	EA	$1,000.00	$7,000.00	$1,935.00	$13,545.00	$1,000.00	$7,000.00	$1,040.00	$7,280.00	$1,500.00	$10,500.00	$1,400.00	$9,800.00	$1,675.00	$11,725.00	$2,045.00	$14,315.00
7-12.5	15	Gate Valve 6 In.	1	EA	$1,200.00	$1,200.00	$800.00	$800.00	$900.00	$900.00	$730.00	$730.00	$800.00	$800.00	$900.00	$900.00	$985.00	$985.00	$1,250.00	$1,250.00
7-12.5	16	Gate Valve 8 In.	2	EA	$1,500.00	$3,000.00	$1,100.00	$2,200.00	$1,300.00	$2,600.00	$1,056.00	$2,112.00	$1,100.00	$2,200.00	$1,200.00	$2,400.00	$1,325.00	$2,650.00	$1,600.00	$3,200.00
7-12.5	17	Butterfly Valve 12 In.	1	EA	$2,200.00	$2,200.00	$1,500.00	$1,500.00	$1,800.00	$1,800.00	$1,382.00	$1,382.00	$1,600.00	$1,600.00	$1,500.00	$1,500.00	$1,450.00	$1,450.00	$2,400.00	$2,400.00
7-14.5	18	Hydrant Assembly	1	EA	$5,000.00	$5,000.00	$4,000.00	$4,000.00	$4,200.00	$4,200.00	$3,825.00	$3,825.00	$4,000.00	$4,000.00	$4,500.00	$4,500.00	$5,650.00	$5,650.00	$5,850.00	$5,850.00
7-15.5	19	Service Connection 1 In. Diam.	2	EA	$1,000.00	$2,000.00	$1,225.00	$2,450.00	$1,500.00	$3,000.00	$750.00	$1,500.00	$1,500.00	$3,000.00	$800.00	$1,600.00	$1,675.00	$3,350.00	$2,200.00	$4,400.00
8-02.5	20	Property Restoration	1	FA	$2,500.00	$2,500.00	$2,500.00	$2,500.00	$2,500.00	$2,500.00	$2,500.00	$2,500.00	$2,500.00	$2,500.00	$2,500.00	$2,500.00	$2,500.00	$2,500.00	$2,500.00	$2,500.00
			SCHEDULE B SUBTOTAL			$180,090.00		$157,184.00		$162,850.00		$152,830.50		$182,550.00		$190,107.00		$188,620.00		$300,559.50
			SCHEDULE B TAX @ 8.6%			$15,487.74		$13,517.82		$14,005.10		$13,143.42		$15,699.30		$16,349.20		$16,221.32		$25,848.12
			SCHEDULE B TOTAL			$195,577.74		$170,701.82		$176,855.10		$165,973.92		$198,249.30		$206,456.20		$204,841.32		$326,407.62
	=	corrected	CONSTRUCTION TOTAL			$1,694,442.24		$1,402,637.02		$1,482,595.10		$1,530,871.52		$1,543,899.30		$1,616,242.70		$1,631,675.00		$2,104,803.37



Index #7

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: 6/11/2012

AGENDA ITEM: Public Hearing - Consideration of Interim Ordinance relating to Medical Marijuana Dispensaries and Collective Gardens and Providing for One Year (12 month) moratorium extension.	
PREPARED BY: Gloria Hirashima, Chief Administrative Officer DEPARTMENT: Executive	DIRECTOR APPROVAL:
ATTACHMENTS: 1. Draft Ordinance and work program. 2. Ordinance 2882	
BUDGET CODE:	AMOUNT:

SUMMARY:

The Marysville City Council adopted Ordinance 2882 on December 11, 2011 providing for a moratorium on the filing or acceptance of any applications for development of land or business licenses for collective gardens used to grow medical cannabis. The ordinance expires on July 5, 2012.

There remain considerable ambiguities and uncertainties created by conflicting state and federal regulations concerning the legal status of marijuana/cannabis and its manufacture, distribution, use, and possession. It is possible that some of these conflicts will be resolved through action of the United States Drug Enforcement Administration (DEA), Washington State Legislature and/or voter initiatives within the next 12 months.

Due to the continued issues relating to state and federal conflicts with existing law, staff is recommending an extended work program to consider regulation of medical cannabis collectives within the city limits. The one year moratorium would run through July 5, 2013.

RECOMMENDED ACTION: Approve proposed ordinance extending the medical cannabis moratorium for one year.

CITY OF MARYSVILLE
MARYSVILLE, WASHINGTON

ORDINANCE NO. _____

AN INTERIM ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON, ADOPTING AN EXTENSION OF A MORATORIUM ON THE ESTABLISHMENT OF MEDICAL MARIJUANA DISPENSARIES, COLLECTIVE GARDENS AND THE LICENSING AND PERMITTING THEREOF; DEFINING "MEDICAL MARIJUANA DISPENSARY"; REFERRING THE MATTER TO THE PLANNING COMMISSION FOR REVIEW; ESTABLISHING AN EFFECTIVE DATE; AMENDING ORDINANCES NO. 2867 AND 2882; AND PROVIDING THAT THE EXTENDED MORATORIUM WILL EXPIRE ON JULY 5, 2013 -- ONE (1) YEAR FROM THE DATE OF EXPIRATION OF ORDINANCE NO. 2882.

WHEREAS, Initiative Measure No. 692, approved November 3, 1998, created an affirmative defense for "qualifying patients" to the charge of possession of marijuana/cannabis; and

WHEREAS, the initiative and current Chapter 69.51A RCW are clear that nothing in its provisions are to be "construed to supersede Washington state law prohibiting the acquisition, possession, manufacture, sale or use of marijuana for non-medical purposes"; and

WHEREAS, the Washington State Department of Health opines that it is "not legal to buy or sell" medical marijuana and further opines that "the law [Chapter 69.51.A RCW] does not allow dispensaries", leaving enforcement to local officials; and

WHEREAS, the City Council finds that the sale of marijuana, no matter how designated by dispensaries, is prohibited by federal and state law; and

WHEREAS, ESSB 5073 – Chapter 181, Laws of 2011 ("the bill") was adopted with a partial veto of the Governor becomes effective July 22, 2011; and

WHEREAS, Governor Gregoire vetoed the provisions of ESSB 5073 that would have provided the legal basis for legalizing and licensing medical marijuana dispensaries, processing facilities and production facilities, thereby making these activities illegal; and

WHEREAS, Section 403 (codified at RCW 69.51A.085) of the bill provides that qualifying patients may create and participate in collective gardens for the purpose of producing, processing, transporting and delivering cannabis for medical use subject to compliance with specific statutory conditions; and

WHEREAS, the City acknowledges the right of qualified health care professionals to prescribe the medical use of marijuana; and

WHEREAS, the City Council finds that the secondary impacts associated with medical marijuana collective gardens include but are not limited to the invasion of the business, burglary and robbery associated with the cash and drugs maintained on the site; and

WHEREAS, pursuant to Section 1102 of the bill and under their general zoning and police powers, cities are authorized to adopt and enforce zoning requirements, business licensing requirements, health and safety requirements and business taxes on the production, processing or dispensing of cannabis or cannabis products; and

WHEREAS, the City currently has no zoning, licensing, and/or permitting requirements and/or regulations that address the medical marijuana collective gardens; and

WHEREAS, marijuana/cannabis remains a Schedule I drug under the federal Controlled Substances Act ("CSA") and is considered by the federal authorities to be a drug with no medical value, and its manufacture, distribution and/or possession are a violation of federal law; and

WHEREAS, there appears to be a conflict between state and federal law concerning the legal status of marijuana/cannabis and its manufacture, distribution, use and possession; and

WHEREAS, on or about November 30, 2011, Washington State Governor Christine Gregoire and Rhode Island State Governor Lincoln Chaffee petitioned the United States Drug Enforcement Administration (DEA) to reclassify marijuana/cannabis as a Schedule II drug that has therapeutic value and that should be treated as a prescription drug; and

WHEREAS, this conflict between federal and state law was highlighted by a January 17, 2012 letter to the Clark County Board of Commissioners, Joseph T. Rannazzisi, Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, U.S. Department of Justice, stated that anyone "who knowingly carries out the marijuana activities contemplated by Washington state law, as well as anyone facilitates such activities, or conspires to commit such violations, is subject to criminal prosecution as provided in the [Controlled Substances Act]" (underlining added); and

WHEREAS, reclassification of marijuana/cannabis as a Schedule II drug by DEA would allow marijuana/cannabis to be prescribed by physicians with restrictions and dispensed by pharmacies, and would potentially eliminate the current legal and planning dilemma Marysville and other Washington cities and towns are currently struggling with concerning regulation, permitting and licensing issues surrounding medical marijuana/cannabis; and

WHEREAS, a number of initiatives and referendum have been filed with the Washington State Secretary of State that if adopted would change the legal framework concerning medical marijuana once again; and

WHEREAS, the voters will vote on at least one initiative (Initiative 502) that if passed would legalize the production, possession, delivery and distribution of marijuana/cannabis under State law; and

WHEREAS, on July 11, 2011, the City Council passed Ordinance No. 2867 that imposed a six (6) month moratorium on the establishment of medical marijuana dispensaries, collective gardens and the licensing and permitting thereof; and

WHEREAS, on December 12, 2011, the City Council passed Ordinance No. 2882 that extended the moratorium on the establishment of medical marijuana collective gardens and the licensing and permitting thereof by an additional six (6) months to July 5, 2012; and

WHEREAS, given the many complications, uncertainties and impacts that exist and that are described above, additional time is necessary to engage in a meaningful planning process related to the development of regulations that address zoning, licensing and/or permitting of medical marijuana/cannabis collective gardens and the impacts thereof; and

WHEREAS, a work plan ("Work Plan") has been developed to study the many complications, uncertainties and impacts described and to provide for a meaningful planning process to develop regulations that address zoning, licensing and/or permitting of medical marijuana/cannabis collective gardens and the impacts thereof; and

WHEREAS, a copy of the Work Plan is attached hereto as Exhibit A and incorporated herein by this reference; and

WHEREAS, a public hearing was held on June 11, 2012, before Marysville City Council regarding an additional one (1) year extension of the moratorium on the establishment of medical marijuana collective gardens and the licensing and permitting thereof; and

WHEREAS, the City Council finds it is in the best interest of the City of Marysville and its citizens to extend the moratorium regarding the establishment of medical marijuana collective gardens and the licensing and permitting thereof for an additional one (1) year period from the expiration of the moratorium imposed by Ordinance No. 2882 to July 5, 2013;

NOW, THEREFORE, the City Council of the City of Marysville, Washington, do ordain as follows:

Section 1. The above "Whereas" clauses constitute findings of fact in support of the moratorium established by this Ordinance and said findings are fully incorporated into this Ordinance.

Section 2. Pursuant to the provisions of RCW 36.70A.390, the zoning moratorium established by Ordinances No. 2867 and No. 2882 in the City of Marysville that prohibits licensing, permitting, establishment, maintenance or continuation of any use consisting of or including the sale, provision and/or dispensing of medical marijuana to more than one person, the establishment, creation of or participation in a "medical marijuana/cannabis collective garden" as referenced and defined in RCW 69.51A.085, is hereby extended for an additional one (1) year period from the date of expiration of Ordinance No. 2882 and the findings, terms and conditions of Ordinances No. 2867 and No. 2882 are incorporated herein by this reference, and Ordinances No. 2867 and No. 2882 are hereby amended consistent herewith.

Section 3. "Medical marijuana dispensary" is hereby defined as any person, business, corporation, partnership, joint venture, organization, association and/or other entity which: 1) sells, provides and/or otherwise dispenses marijuana to more than one "qualifying patient" in any sixty (60) day period or to any person who does not meet the definition of "qualifying patient" under the terms of Chapter 69.51A RCW, and/or 2) maintains and/or possesses more than one sixty-day supply of marijuana for one qualifying patient at any time. The receipt of cash or other legal tender in exchange for, contemporaneously with or immediately following the delivery of marijuana to a qualifying patient shall be presumed to be a sale. Any person, business, corporation, partnership, joint venture, organization, association and/ or entity which sells, provides and/or otherwise dispenses marijuana to more than one

qualifying patient in any sixty (60) day period should be presumed to be a "medical marijuana dispensary."

Section 4. Medical marijuana dispensaries and collective gardens are hereby designated as prohibited uses in the City of Marysville, in accordance with the provisions of RCW 35A.82.020, no business license, permit, zoning or development approval shall be issued to be a medical marijuana dispensary or medical marijuana/cannabis collective garden.

Section 5. This Ordinance shall be referred to the Marysville Planning Commission for its review and recommendation for potential inclusion in the zoning and/or business and tax ordinances of the City of Marysville.

Section 6. Ordinance to be Transmitted to Department. Pursuant to RCW 36.70A.106, a copy of this interim Ordinance shall be transmitted to the Washington State Department of Commerce.

Section 7. Severability. If any section, clause, and/or phrase of this Ordinance is held invalid by a court of competent jurisdiction, such invalidity and/or unconstitutionality shall not affect the validity and/or constitutionality of any other section, clause and/or phrase of the Ordinance.

Section 8. Effective Date. This Ordinance shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title, PROVIDED, HOWEVER, that unless extended by the act of the Marysville City Council, this Ordinance shall automatically expire on July 5, 2013, which is one (1) year from the expiration date of Ordinance No. 2882 (July 5, 2012).

PASSED by the City Council and APPROVED by the Mayor this _____day of June, 2012.

CITY OF MARYSVILLE

By:_____
Jon Nehring, Mayor

ATTEST/AUTHENTICATED:

By:_____
April O'Brien, Deputy City Clerk

APPROVED AS TO FORM:

By:_____
Grant K. Weed, City Attorney

Date of Publication:_____

Effective Date:_____

Medical Cannabis Collective Gardens Work Plan Timeline

Date	Step	Requirement
June 11, 2012	City Council public hearing to consider work plan, draft regulations and extension of moratorium for twelve (12) months.	Moratorium extended until July 5, 2013
January 20, 2013	Notice of intent to amend development regulations sent to Dept. of Commerce	Final adoption no sooner than 60 days after notice; March 20, 2013
January 20, 2013	Notice of Application and SEPA determination	14-day comment/appeal period
February 3, 2013	End of comment/appeal hearing	
February 28, 2013	Planning Commission public hearing on permanent regulations	10 day notice before hearing required
March 20, 2013	60 days after notice sent to Dept. of Commerce	
March 26, 2013	City Council Public Hearing on permanent regulations	10 day notice before hearing required
March 28, 2013	Ordinance published	Usually the Weds after the Monday City Council meeting
April 2, 2013	Effective date of ordinance	5 days after publication
Date Permanent Regulations Required to be Adopted		
July 5, 2013	12 months after moratorium adopted	

CITY OF MARYSVILLE
MARYSVILLE, WASHINGTON

ORDINANCE NO. 2887

AN INTERIM ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON, ADOPTING AN EXTENSION OF A MORATORIUM ON THE ESTABLISHMENT OF MEDICAL MARIJUANA DISPENSARIES, COLLECTIVE GARDENS AND THE LICENSING AND PERMITTING THEREOF; DEFINING "MEDICAL MARIJUANA DISPENSARY"; PROVIDING FOR A PUBLIC HEARING; REFERRING THE MATTER TO THE PLANNING COMMISSION FOR REVIEW; ESTABLISHING AN EFFECTIVE DATE; AMENDING ORDINANCE 2867 AND PROVIDING THAT THE EXTENDED MORATORIUM WILL EXPIRE SIX (6) MONTHS FROM THE DATE OF EXPIRATION OF ORDINANCE 2867.

WHEREAS, Initiative Measure No. 692, approved November 3, 1998, created an affirmative defense for "qualifying patients" to the charge of possession of marijuana; and

WHEREAS, the initiative and current Chapter 69.51A RCW are clear that nothing in its provisions are to be "construed to supersede Washington state law prohibiting the acquisition, possession, manufacture, sale or use of marijuana for non-medical purposes"; and

WHEREAS, the Washington State Department of Health opines that it is "not legal to buy or sell" medical marijuana and further opines that "the law [Chapter 69.51.A RCW] does not allow dispensaries", leaving enforcement to local officials; and

WHEREAS, the City Council finds that the sale of marijuana, no matter how designated by dispensaries, is prohibited by federal and state law; and

WHEREAS, ESSB 5073 – Chapter 181, Laws of 2011 ("the bill") was adopted with a partial veto of the Governor becomes effective July 22, 2011; and

WHEREAS, Governor Gregoire vetoed 36 of the 58 provisions of ESSB 5073 and this has created considerable uncertainties and ambiguities regarding the meaning and enforcement of the bill; and

WHEREAS, Section 404 of the bill effectively eliminates medical marijuana dispensaries as a legally viable model of operation under State law; and

WHEREAS, Section 403 of the bill provides that qualifying patients may create and participate in collective gardens for the purpose of producing, processing, transporting and delivering cannabis for medical use subject to compliance with specific statutory conditions; and

WHEREAS, the City acknowledges the right of qualified health care professionals to prescribe the medical use of marijuana as well as the right of patients to designate a "designated provider" who can "provide" rather than sell marijuana to "only one patient at any one time"; and

WHEREAS, the City Council finds that the secondary impacts associated with marijuana dispensaries and collective gardens include but are not limited to the invasion of the business, burglary and robbery associated with the cash and drugs maintained on the site; and

WHEREAS, pursuant to Section 1102 of the bill and under their general zoning and police powers cities are authorized to adopt and enforce zoning requirements, business licensing requirements, health and safety requirements and business taxes on the production, processing or dispensing of cannabis or cannabis products; and

WHEREAS, the City currently has no zoning, licensing, and/or permitting requirements and/or regulations that address the medical marijuana collective gardens; and

WHEREAS, marijuana/cannabis remains a Schedule I drug under the federal Controlled Substances Act ("CSA") and is considered by the federal authorities to be a drug with no medical value, and its manufacture, distribution and/or possession are a violation of federal law; and

WHEREAS, there appears to be a conflict between state and federal law concerning the legal status of marijuana/cannabis and its manufacture, distribution, use and possession; and

WHEREAS, on or about November 30, 2011, Washington State Governor Christine Gregoire and Rhode Island State Governor Lincoln Chaffee petitioned the United States Drug Enforcement Administration (DEA) to reclassify marijuana/cannabis as a Schedule II drug that has therapeutic value and that should be treated as a prescription drug; and

WHEREAS, reclassification of marijuana/cannabis as a Schedule II drug by DEA would allow marijuana/cannabis to be prescribed by physicians with restrictions and dispensed by pharmacies, and would potentially eliminate the current legal and planning dilemma Marysville and other Washington cities and towns are currently struggling with concerning regulation, permitting and licensing issues surrounding medical marijuana/cannabis; and

WHEREAS, a number of initiatives and referendum have been filed with the Washington State Secretary of State that if adopted would change the legal framework concerning medical marijuana once again; and

WHEREAS, it is anticipated that the State Legislature may again revisit the issues surrounding medical marijuana again during the 2012 legislative session; and

WHEREAS, on July 11, 2011, the City Council passed Ordinance No. 2867 that imposed a six (6) month moratorium on the establishment of medical marijuana dispensaries, collective gardens and the licensing and permitting thereof; and

WHEREAS, Ordinance No. 2867 expires on January 7, 2012 (180 days from the adoption of Ordinance No. 2867; and

WHEREAS, given the many complications, uncertainties and impacts that exist and that are described above, additional time is necessary to engage in a meaningful planning process related to the development of regulations that address zoning, licensing and/or permitting of medical marijuana and the impacts thereof; and

WHEREAS, a public hearing was held on December 12, 2011, before Marysville City Council; and

WHEREAS, the City Council finds it is in the best interest of the City of Marysville and its citizens to extend the moratorium regarding the establishment of medical marijuana collective gardens and the licensing and permitting thereof for an additional six (6) month period from the expiration of the moratorium imposed by Ordinance No. 2867 to July 5, 2012;

NOW, THEREFORE, the City Council of the City of Marysville, Washington, do ordain as follows:

Section 1. The above "Whereas" clauses constitute findings of fact in support of the moratorium established by this Ordinance and said findings are fully incorporated into this Ordinance.

Section 2. Pursuant to the provisions of RCW 36.70A.390, the zoning moratorium established by Ordinance 2867 in the City of Marysville that prohibits licensing, permitting, establishment, maintenance or continuation of any use consisting of or including the sale, provision and/or dispensing of medical marijuana to more than one person, the establishment of a medical marijuana dispensary or creation of or participation in a "collective garden" as referenced and defined in Section 403 of ESSB 5073 - Chapter 181, Laws of 2011, is hereby extended for an additional six (6) month period from the date of expiration of Ordinance 2867 and the findings, terms and conditions of Ordinance 2867 and those set forth herein are incorporated herein by this reference, and Ordinance 2867 is hereby amended consistent herewith.

Section 3. "Medical marijuana dispensary" is hereby defined as any person, business, corporation, partnership, joint venture, organization, association and/or other entity which: 1) sells, provides and/or otherwise dispenses marijuana to more than one "qualifying patient" in any thirty (30) day period or to any person who does not meet the definition of "qualifying patient" under the terms of Chapter 69.51A RCW, and/or 2) maintains and/or possesses more than one sixty-day supply of marijuana for one qualifying patient at any time. The receipt of cash or other legal tender in exchange for, contemporaneously with or immediately following the delivery of marijuana to a qualifying patient shall be presumed to be a sale. Any person, business, corporation, partnership, joint venture, organization, association and/ or entity which sells, provides and/or otherwise dispenses marijuana to more than one qualifying patient in any sixty (60) day period should be presumed to be a "medical marijuana dispensary."

Section 4. Medical marijuana dispensaries and collective gardens are hereby designated as prohibited uses in the City of Marysville, in accordance with the provisions of RCW 35A.82.020, no business license, permit, zoning or development approval shall be issued to be a medical marijuana dispensary or collective garden.

Section 5. This Ordinance shall be referred to the Marysville Planning Commission for its review and recommendation for potential inclusion in the zoning and/or business and tax ordinances of the City of Marysville.

Section 6. Ordinance to be Transmitted to Department. Pursuant to RCW 36.70A.106, a copy of this interim Ordinance shall be transmitted to the Washington State Department of Commerce.

Section 7. Severability. If any section, clause, and/or phrase of this Ordinance is held invalid by a court of competent jurisdiction, such invalidity and/or unconstitutionality shall not affect the validity and/or constitutionality of any other section, clause and/or phrase of the Ordinance.

Section 8. Effective Date. This Ordinance shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title, PROVIDED, HOWEVER, that unless extended by the act of the Marysville City Council, this Ordinance shall automatically expire on July 5, 2012, which is six (6) months from the expiration date of Ordinance 2867 (January 7, 2012) following its adoption.

CITY OF MARYSVILLE

By: _____
Jon Nehring, Mayor

ATTEST/AUTHENTICATED:

By: _____
April O'Brien, Deputy City Clerk

APPROVED AS TO FORM:

By: _____
Grant K. Weed, City Attorney

Date of Publication: 12/21/11

Effective Date: 12/25/11

CITY OF MARYSVILLE
MARYSVILLE, WASHINGTON

ORDINANCE NO. 2841

AN INTERIM ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON, ADOPTING A MORATORIUM ON THE ESTABLISHMENT OF MEDCIAL MARIJUANA DISPENSARIES, COLLECTIVE GARDENS AND THE LICENSING AND PERMITTING THEREOF; DEFINING "MEDICAL MARIJUANA DISPENSARY"; PROVIDING FOR A PUBLIC HEARING; ESTABLISHING AN EFFECTIVE DATE; AND PROVIDING THAT THE MORATORIUM, UNLESS EXTENDED, WILL SUNSET WITHIN SIX (6) MONTHS OF THE DATE OF ADOPTION.

WHEREAS, Initiative Measure No. 692, approved November 3, 1998, created an affirmative defense for "qualifying patients" to the charge of possession of marijuana; and

WHEREAS, the initiative and current Chapter 69.51A RCW are clear that nothing in its provisions are to be "construed to supersede Washington state law prohibiting the acquisition, possession, manufacture, sale or use of marijuana for non-medical purposes"; and

WHEREAS, the Washington State Department of Health opines that it is "not legal to buy or sell" medical marijuana and further opines that "the law [Chapter 69.51.A RCW] does not allow dispensaries", leaving enforcement to local officials; and

WHEREAS, the City Council finds that the sale of marijuana, no matter how designated by dispensaries, is prohibited by federal and state law;

WHEREAS, ESSB 5073 – Chapter 181, Laws of 2011 ("the bill") was adopted with a partial veto of the Governor becomes effective July 22, 2011; and

WHEREAS, Section 404 of the bill effectively eliminates medical marijuana dispensaries as a legally viable model of operation under State law; and

WHEREAS, Section 403 of the bill provides that qualifying patients may create and participate in collective gardens for the purpose of producing, processing, transporting and delivering cannabis for medical use subject to compliance with specific statutory conditions; and

WHEREAS, the City acknowledges the right of qualified health care professionals to prescribe the medical use of marijuana as well as the right of patients to designate a "designated provider" who can "provide" rather than sell marijuana to "only one patient at any one time"; and

WHEREAS, the City Council finds that the secondary impacts associated with marijuana dispensaries, and collective gardens include but are not limited to the invasion of the business, burglary and robbery associated with the cash and drugs maintained on the site;

WHEREAS, pursuant to Section 1102 of the bill and under their general zoning and police powers cities are authorized to adopt and enforce zoning requirements, business licensing requirements, health and safety requirements and business taxes on the production, processing or dispensing of cannabis or cannabis products; and

WHEREAS, a public hearing will be held on July 11, 2011 before Marysville City Council;

NOW, THEREFORE, the City Council of the City of Marysville, Washington, do ordain as follows:

Section 1. Pursuant to the provisions of RCW 36.70A.390, a zoning moratorium is hereby enacted in the City of Marysville prohibiting licensing, permitting, establishment, maintenance or continuation of any use consisting of or including the sale, provision and/or dispensing of medical marijuana to more than one person, the establishment of a medical marijuana dispensary or creation of or participation in a "collective garden" as referenced and defined in Section 403 of ESSB 5073 – Chapter 181, Laws of 2011.

Section 2. "Medical marijuana dispensary" is hereby defined as any person, business, corporation, partnership, joint venture, organization, association and/or other entity which: 1) sells, provides and/or otherwise dispenses marijuana to more than one "qualifying patient" in any thirty (30) day period or to any person who does not meet the definition of "qualifying patient" under the terms of Chapter 69.51A RCW , and/or 2) maintains and/or possesses more than one sixty-day supply of marijuana for one qualifying patient at any time. The receipt of cash or other legal tender in exchange for, contemporaneously with or immediately following the delivery of marijuana to a qualifying patient shall be presumed to be a sale. Any person, business, corporation, partnership, joint venture, organization, association and/ or entity which sells, provides and/or otherwise dispenses marijuana to more than one qualifying patient in any sixty (60) day period should be presumed to be a "medical marijuana dispensary."

Section 3. Medical marijuana dispensaries and collective gardens are hereby designated as prohibited uses in the City of Marysville, in accordance with the provisions of RCW 35A.82.020, no business license, permit, zoning or development approval shall be issued to be a medical marijuana dispensary or collective garden.

Section 4. The City Council hereby directs that a work plan be developed by the Chief Administrative Officer to identify a process for review of medical marijuana dispensaries and collective gardens for potential regulation and inclusion in the Marysville Municipal Code. Said work plan will be presented to the City Council for review before the sunset of this ordinance.

Section 5. Ordinance to be Transmitted to Department. Pursuant to RCW 36.70A.106, a copy of this interim ordinance shall be transmitted to the Washington State Department of Commerce.

Section 6. Effective Date. This ordinance shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title, PROVIDED, HOWEVER, that unless extended by the act of the Marysville City Council, this ordinance shall automatically expire six (6) months following its adoption.

CITY OF MARYSVILLE

By: _____
Jon Nehring, Mayor

ATTEST/AUTHENTICATED:

By: _____
Sandy Langdon, City Clerk

APPROVED AS TO FORM:

By: _____
Grant K. Weed, City Attorney

Date of Publication: _____

Effective Date: _____

Medical Cannabis Collective Gardens Work Plan Timeline

Date	Step	Requirement
July 19, 2011	Moratorium effective date	Moratorium effective for six months following passage, until January 7, 2012
December 12, 2011	City Council public meeting to consider work plan, draft regulations and extension of moratorium for six (6) months.	Moratorium extended until July 5, 2012
January 13, 2012	Joint City Council/Planning Commission work session	
No later than April 2, 2012	Notice of intent to amend development regulations sent to Dept. of Commerce	Final adoption no sooner than 60 days after notice; March 20, 2012
No later than April 2, 2012	Notice of Application and SEPA determination	14-day comment/appeal period
April 16, 2012	End of comment/appeal hearing	
No later than May 22, 2012	Planning Commission public hearing on permanent regulations	10 day notice before hearing required
June 2, 2012	60 days after notice sent to Dept. of Commerce	
No later than June 25, 2012	City Council Public Meeting or Public Hearing (if needed) on permanent regulations	10 day notice before hearing required
No later than June 27, 2012	Ordinance published	Usually the Weds after the Monday City Council meeting
July 2, 2012	Effective date of ordinance	5 days after publication
Date Permanent Regulations Required to be Adopted		
July 5, 2012	6 months after moratorium extension adopted	

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

NOTICE OF HEARING

Before the Marysville City Council

NOTICE IS HEREBY GIVEN that the Marysville City Council will hold a public hearing to accept public comment and to consider amendment of Ordinance 2882 to extend the six month moratorium on the establishment of medical marijuana dispensaries, collective gardens and the licensing and permitting thereof. The hearing will be held on Monday, June 11, 2012 at 7:00 p.m. in the Council Chambers of the Marysville City Hall located at 1049 State Avenue, Marysville, Washington or as soon thereafter as the hearing can be commenced.

Applicant:	City of Marysville
Location:	Citywide
File Number:	**PA 12-004**

Any person may appear at the hearing and be heard in support of or in opposition to this proposal. Additional information may be obtained at the Marysville City Clerk's Office, 1049 State Ave., Marysville, Washington 98270, (360) 363-8000.

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 1-800-833-6388 (TDD Only) or 1-800-833-6384 (Voice Relay) two days prior to the meeting date if any special accommodations are needed.

THIS NOTICE IS NOT TO BE REMOVED, MUTILATED OR CONCEALED IN ANY WAY BEFORE DATE OF HEARING

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EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: 6/11/2012

AGENDA ITEM: Professional Services Agreement with Osborn Consulting, Inc. for the design of the North Marysville Regional Pond #2 Project.	
PREPARED BY: Kari Chennault DEPARTMENT: Public Works, Engineering	DIRECTOR APPROVAL:
ATTACHMENTS: Professional Services Agreement	
BUDGET CODE: 40250594.563000.D0401	AMOUNT: $279,750.00

SUMMARY:

This Professional Services Agreement would allow Osborn Consulting, Inc. to provide the final 40% design work and associated services for the North Marysville Regional Pond #2 Project.

The goals for the completed Pond #2 project are to:

1) Provide regional detention and enhanced treatment for over 100 acres of commercial property in order to optimize the amount of buildable land within the drainage basin.

2) Construct a regional facility that provides an efficient and cost-effective design that can stimulate area development by being sold to developers.

3) Invest and support regional economic development that will increase local job opportunities and enhance the creation of tax based revenues for the community.

City Staff reviewed project proposals from qualified consultants. Two consultants were asked to orally present to City Staff their understanding of the project and their firm's capabilities and availability to provide the plans, specifications and estimate to the City and to aid the City in acquiring the necessary project permits.

Osborn Consulting was selected as the consultant that demonstrated competency to carry out the project. Their presentation demonstrated the consultant's understanding of the project, provided innovative ideas for the project and demonstrated their familiarity with the needs and goals of the City.

RECOMMENDED ACTION: Staff recommends that the Council Members authorize the Mayor to sign the Professional Services Agreement with Osborn Consulting in the amount of $279,750 to provide consulting services to the City for the North Marysville Regional Pond #2 Project.

PROFESSIONAL SERVICES AGREEMENT BETWEEN CITY OF MARYSVILLE AND OSBORNE CONSULTING, INC. FOR CONSULTANT SERVICES

THIS AGREEMENT, made and entered into in Snohomish County, Washington, by and between CITY OF MARYSVILLE, hereinafter called the "City," and **OSBORN CONSULTING, INC.**, a Washington corporation, hereinafter called the "Consultant."

WHEREAS, the Consultant has represented, and by entering into this Agreement now represents, that the firm and all employees assigned to work on any City project are in full compliance with the statutes of the State of Washington governing activities to be performed and that all personnel to be assigned to the work required under this agreement are fully qualified and properly licensed to perform the work to which they will be assigned.

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

ARTICLE I. PURPOSE

The purpose of this agreement is to provide the City with consultant services to **DESIGN THE NORTH MARYSVILLE REGIONAL POND#2 PROJECT** as described in Article II. The general terms and conditions of relationships between the City and the Consultant are specified in this agreement.

ARTICLE II. SCOPE OF WORK

The scope of work is set out in the attached estimate of Professional Services for the **NORTH MARYSVILLE REGIONAL POND#2 PROJECT**, hereinafter referred to as the "scope of services," **Exhibit A**. All services and materials necessary to accomplish the tasks outlined in **Exhibit A** shall be provided by the

Consultant unless noted otherwise in the scope of services or this agreement.

ARTICLE III. OBLIGATIONS OF THE CONSULTANT

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

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

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

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

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

III.3 **TIME OF PERFORMANCE.** The Consultant shall be authorized to begin work under the terms of this agreement upon signing of both the scope of services and this agreement and shall complete the work by **DECEMBER 31, 2013**, unless a mutual written agreement is signed to change the schedule. An extension

of the time for completion may be given by the City due to conditions not expected or anticipated at the time of execution of this agreement.

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

III.5 **EMPLOYMENT.** Any and all employees of the Consultant, while engaged in the performance of any work or services required by the Consultant under this agreement, shall be considered employees of the Consultant only and not of the City, and any and all claims that may or might arise under the Workman's Compensation Act on behalf of any said employees while so engaged, and any and all claims made by any third party as a consequence of any negligent act or omission on the part of the Consultant or its employees while so engaged in any of the work or services provided herein shall be the sole obligation of the Consultant.

III.6 **INDEMNITY.**

a. The Consultant will at all times indemnify and hold harmless and defend the City, its elected officials, officers, employees, agents and representatives, from and against any and all lawsuits, damages, costs, charges, expenses, judgments and liabilities, including attorney's fees (including attorney's fees in establishing indemnification), collectively referred to herein as "losses" resulting from, arising out of, or related to one or more claims arising out of negligent acts, errors, or omissions of the Consultant in performance of Consultant's professional services under this agreement. The term "claims" as used herein shall mean all claims, lawsuits, causes of action, and other legal actions and proceedings of whatsoever nature, involving bodily or personal injury or death of any person or damage to any property including, but not limited to, persons employed by the City, the Consultant or other person and all property owned or claimed by the City, the Consultant, or affiliate of the Consultant, or any other person.

b. Should a court of competent jurisdiction determine that this agreement is subject to RCW 4.24.115, then, in the event of liability for damaging arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Consultant and the City, its members, officers, employees and agents, the Consultant's liability to the City, by way of indemnification, shall be only to the extent of the Consultant's negligence.

c. The provisions of this section shall survive the expiration or termination of this agreement.

III.7 **INSURANCE.**

a. **Minimum Limits of Insurance.** The Consultant shall, before commencing work under this agreement, file with the City certificates of insurance coverage to be kept in force continuously during this agreement, and during all work performed pursuant to all short form agreements, in a form acceptable to the City. Said certificates shall name the City as an additional named insured with respect to all coverages except professional liability insurance. The minimum insurance requirements shall be as follows:

(1) Comprehensive General Liability. $1,000,000 combined single limit per occurrence for bodily injury personal injury and property damage; damage, $2,000,000 general aggregate;

(2) Automobile Liability. $300,000 combined single limit per accident for bodily injury and property damage;

(3) Workers' Compensation. Workers' compensation limits as required by the Workers' Compensation Act of Washington;

(4) Consultant's Errors and Omissions Liability. $1,000,000 per occurrence and as an annual aggregate.

b. **Endorsement.** Each insurance policy shall be endorsed to state that coverage shall not be suspended, voiced, canceled, reduced in coverage or in limits except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to the City.

c. **Acceptability of Insurers.** Insurance to be provided by Consultant shall be with a Bests rating of no less than A:VII, or if not rated by Bests, with minimum surpluses the equivalent of Bests' VII rating.

d. **Verification of Coverage.** In signing this agreement, the Consultant is acknowledging and representing that required insurance is active and current.

III.8 **DISCRIMINATION PROHIBITED AND COMPLIANCE WITH EQUAL OPPORTUNITY LEGISLATION.** The Consultant agrees to comply with equal opportunity employment and not to discriminate against client, employee, or applicant for employment or for services because of race, creed, color, religion, national origin, marital

status, sex, age or handicap except for a bona fide occupational qualification with regard, but not limited to, the following: employment upgrading; demotion or transfer; recruitment or any recruitment advertising; layoff or terminations; rates of pay or other forms of compensation; selection for training, rendition of services. The Consultant further agrees to maintain (as appropriate) notices, posted in conspicuous places, setting forth the provisions of this nondiscrimination clause. The Consultant understands and agrees that if it violates this nondiscrimination provision, this agreement may be terminated by the City, and further that the Consultant will be barred from performing any services for the City now or in the future, unless a showing is made satisfactory to the City that discriminatory practices have been terminated and that recurrence of such action is unlikely.

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

III.10 **AFFIRMATIVE ACTION.** Affirmative action shall be implemented by the Consultant to ensure that applicants for employment and all employees are treated without regard to race, creed, color, sex, age, marital status, national origin or the presence of any sensory, mental or physical handicap, unless based on a bona fide occupational qualification. The Consultant agrees to take affirmative action to ensure that all of its employees and agent adhere to this provision.

III.11 **LEGAL RELATIONS.** The Consultant shall comply with all federal, state and local laws and ordinances applicable to work to be done under this agreement. This contract shall be interpreted and construed in accordance with the laws of Washington. Venue for any action commenced relating to the interpretation, breach or enforcement of this agreement shall be in Snohomish County Superior Court.

III.12 **INDEPENDENT CONTRACTOR.** The Consultant's relation to the City shall at all times be as an independent contractor.

III.13 **CONFLICTS OF INTEREST.** While this is a non-exclusive agreement the Consultant agrees to and will notify the City of any potential conflicts of interest in Consultant's client base and will seek and obtain written permission from the City prior to providing services to third parties where a conflict of interest is apparent. If a conflict is irreconcilable, the City reserves the right to terminate this agreement.

III.14 **CITY CONFIDENCES.** The Consultant agrees to and will keep in strict confidence, and will not disclose, communicate or advertise to third parties without specific prior written consent from the City in each instance, the confidences of the City or any information regarding the City or services provided to the City.

ARTICLE IV. OBLIGATIONS OF THE CITY

IV.1 **PAYMENTS.** The Consultant shall be paid by the City for completed work for services rendered under this agreement and as detailed in the scope of services as provided hereinafter. Such payment shall be full compensation for work performed or services rendered and for all labor, materials, supplies, equipment and incidentals necessary to complete the work. Payment shall be on a time and expense basis, provided, however, in no event shall total payment under this agreement exceed **$279,750.00**. In the event the City elects to expand the scope of services from that set forth in **Exhibit A**, the City shall pay Consultant an additional amount based on a time and expense basis, based upon Consultant's current schedule of hourly rates.

a. Invoices shall be submitted by the Consultant to the City for payment pursuant to the terms of the scope of services. The invoice will state the time expended, the hourly rate, a detailed description of the work performed, and the expenses incurred during the preceding month. Invoices must be submitted by the 20th day of the month to be paid by the 15th day of the next calendar month.

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

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

ARTICLE V. GENERAL

V.1 **NOTICES.** Notices to the City shall be sent to the following address:

CITY OF MARYSVILLE
ATTN: **KARI CHENNAULT**
80 Columbia Avenue
MARYSVILLE, WA 98270

Notices to the Consultant shall be sent to the following address:

TARELLE OSBORN
1800 112th AVENUE NE, STE 220-E
BELLEVUE, WA 98004

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

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

If this agreement is terminated in its entirety by the City for its convenience, a final payment shall be made to the Consultant which, when added to any payments previously made, shall total the actual costs plus the same percentage of the fixed fee as the work completed at the time of termination applied to the total work required for the project.

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

V.4 **NONWAIVER.** Waiver by the City of any provision of this agreement or any time limitation provided for in this agreement shall not constitute a waiver of any other provision.

DATED this _____ day of _____, _____.

CITY OF MARYSVILLE

By_____

Osborn Consulting, Inc., CONSULTANT

By Tarelle Osborn

Approved as to form:

_____
GRANT K. WEED, City Attorney

Pond 2 Final Design, Plans, Specifications, and Estimate

This scope of work outlines the services necessary to take the Pond 2 60-percent design through final design, permitting, and develop plans, specifications, and estimate (PS&E) for construction during the summer of 2012.

Summary of Scope

The Pond 2 Final Design and PS&E shall be completed by performing the following tasks:

Task	Description	Estimated Cost
1	Information gathering and review	$8,160.00
2	Wetland Evaluation and delineation	$11,290.00
3	Review of 60% Design	$28,320.00
4	Permitting	$3,300.00
4.a	Permitting Contingency	$15,650.00
5	Survey and Easements	$10,940.00
6	Geotechnical Analysis	$21,460.00
7	Modeling and Final Design	$60,350.00
8	Plans, Specifications, and Estimate	$64,030.00
9	Construction Services	$19,080.00
10	Project Management	$27,840.00
X	Expenses	$9,330.00
	Total Fee	$279,750.00

A detailed summary of hours by task is provided as Exhibit B.

Project Overview

The Pond 2 project's history begins with the recommendation of regional stormwater detention in the Quilceda Creek Drainage Needs Report (Snohomish County Public Works, Surface Water Management Division, December 2002). For nearly a decade, the City has worked to provide regional detention in the Hayho Creek Subbasin of the Quilceda Creek Basin.

Starting with the hydrologic and hydraulic (H&H) models created by Snohomish County, the City developed a detailed set of calibrated models and progressed them with each major project it implemented. Examples include multiple fish passage improvement projects, Pond 1, the pond at 128th Street, regional conveyance lines, and flow splitters. Through its master planning process, the City considered multiple development and regional detention alternatives to pinpoint optimal solutions.

The City broke ground on its first regional detention pond, Pond 1, in 2004 and built regional conveyance lines and flow splitters. Developers purchased space in the pond. With so much developable land in the basin, the City moved forward with Pond 2, designed to provide enhanced water quality treatment in accordance with Ecology's 2001 standards, and completed

the 60% design in August 2006. However, the project was shelved when the economic downturn drastically reduced development, lowering the demand for regional detention.

With economic recovery on the horizon, the City has decided to proceed with Pond 2 final design and PS&E with construction planned for the summer of 2012. The 20-acre Pond 2 site is located south of 152nd Street NE between 40th Avenue NE and Hayho Creek, next to Pond 1 on Parcel No. 31053300300100.

The purpose for Pond 2 is to provide flow control and enhanced water quality treatment for approximately 100 acres of light industrial development. Flow control and water quality treatment will meet the standard in the 2005 Washington State Department of Ecology Western Washington Stormwater Design Manual (2005 DOE Manual). The 60-percent design has the two ponds operating together; this concept will be continued provided it offers design efficiencies and adds value.

The following important issues will be revisited throughout the Pond 2 final design:

1. Value is important. Because the costs associated with Pond 2 will be assessed against developers, an efficient and cost-effective design is important to stimulating development in Marysville.
2. Compliance with 2005 Department of Ecology Standards is required. The Pond 2 60% design is not quite in compliance with the 2001 Ecology Storm Water Management Manual for Western Washington. Since the completion of the 60% design, the 2005 Ecology Manual has been adopted by the Marysville Municipal Code. Modifications to the pond grading, control structures, and/or contributing area will be necessary.
3. Incorporate lessons learned from Pond 1. In addition to the lessons learned about groundwater and dewatering during Pond 1 construction, there are lessons to be learned from Pond 1 being in operation during recent years. From plant survival and maintenance challenges to the actual performance of the pond, only the best design features of Pond 1 should be carried forward with Pond 2.
4. Investigating new innovations in design. In the years since the Pond 2 60% design was completed, WSDOT has constructed stormwater conveyance and treatment for numerous roadway projects, many of which were design-build. The highly competitive and cost-driven atmosphere of design-build projects has led to innovative and cost-effective methods of stormwater infrastructure construction that may present opportunities to improve the Pond 2 design.

A detailed scope of services is provided below.

1. Information Gathering and Review

The Consultant team will review existing relevant information provided by the City and identify any data gaps. A kick-off meeting will be conducted with municipal staff and the consultant team to clarify project goals, identify stakeholders, brainstorm opportunities to explore during Task 3: review of 60% design, and perform an initial site reconnaissance.

Deliverables:

- *Attend kickoff meeting*
- *Kickoff meeting minutes*
- *List of materials reviewed and data gaps identified*
- *List of information reviewed*

Assumptions: The City will provide the following:

- *Existing Pond 1 and Pond 2 reports/studies have been made available on the City's FTP site for download and review by the project team. Document types include: Pond 1 and Pond 2 design reports and technical appendices, Geotechnical studies throughout the North Marysville Region, Pond 1 bid documents, Wetland reports, and the Pond 2 ALTA.*
- *City GIS data including: Stormwater infrastructure, critical areas, streams, topography, aerial photography, streets, parcels, land use, soils and subbasin boundaries.*
- *Model Files (most recent versions of North Marysville: HSPF, HEC-RAS, and XP-SWMM models and HEC-RAS model used for Pond 1 Dam break)*
- *60% Plans CAD files*

2. Wetland Evaluation and Delineation

Wetland delineations and reporting were performed for the Pond 2 site as part of the preliminary design. More than five years have passed since those delineations were performed; therefore; updated wetland delineations are necessary.

2.1. Review existing wetland reports prepared by others prior to wetland delineation.

2.2. Perform site visit and delineation of 20 acre Pond 2 site and along the proposed conveyance route (1450-ft x 10-ft). Delineation will be performed per the Corps 1987 manual. Coordinate with Axis Survey and Mapping regarding survey of the delineated wetlands.

2.3. Wetland delineations will be documented in a report including a map of the delineated wetlands.

Deliverables:

- *Wetland report including wetlands map and rating forms*

Assumptions:

- *Wetland delineations prepared by others indicating three wetlands are located on the site were used to estimate the delineation level of effort.*
- *Survey by Axis is provided under task 5: Survey and Easements*

3. Review of 60% Design

The Pond 1 design was a fast-track project with financial incentives to meet an aggressive design schedule. Conversely, the Pond 2 project schedule is less aggressive, with advertisement planned for approximately one year from now. This allows for more flexibility to conduct a value engineering review and identify opportunities to enhance the final design.

3.1. Constructability, Regulatory and Value Engineering Review

During the six years that have passed since the completion of the 60% design, regulatory changes have occurred and City crews have operated and maintained Pond 1. These factors may require or influence design modifications. OCI recommends seizing this opportunity and beginning the completion of Pond 2 with a comprehensive review including:

- A formal review by City Engineering and Maintenance staff
- Review of Pond 1 lessons learned during construction and operation/maintenance
- Review of regulatory changes and identification of design impacts
- A constructability and value engineering review including conceptual cost estimates to assess "value adding" opportunities.

A summary of the alternatives considered and the recommended design changes will be documented in a brief memorandum for approval by the City prior to implementation.

3.2. Revised 60% Plans

Depending on the type and extent of changes identified, a revised 60% plan set may be necessary for permit applications.

Deliverables

- *Summary of design changes*
- *Revised 60% plan*

Assumptions

- *City Engineering and Maintenance Staff will review and comment on the 60% design*
- *One team meeting to discuss findings and recommendations*

4. Permitting

This task assumes the preferred final design will avoid wetland impacts resulting in a straightforward permitting approach that will not require Federal Permits. A contingency budget has been provided should wetland impacts be unavoidable making additional permitting and consultation with the Corps necessary. Permitting tasks will be shared by City staff and the Consultant. Permitting strategies and technical analysis will be provided by the

Consultant and City staff will be utilized for drafting permitting documents. Anticipated permits are outlined below:

4.1. City SEPA Checklist: The SEPA checklist will be drafted by the City with technical input from Consultant.

4.2. City Clearing and Grading: The Clearing and Grading permit will be drafted by the City with technical input from Consultant.

4.3. JARPA Application (for WDFW HPA): The JAPRA will be drafted by the City with technical input from Consultant. Consultant will review the JARPA prior to agency review. Consultant will attend one site visit with WDFW. The revised 60-percent plan (11"x17") developed under Task 3 will be submitted with the JARPA.

4.4. Ecology NPDES Construction Permit: The NPDES application and Notice of Intent (NOI) will be drafted by the City with technical input from Consultant. Consultant will review the documents prior to agency review. The NPDES permit will be transferred to contractor during construction. Development of a Stormwater Pollution Prevention Plan will be the responsibility of the Contractor.

4.5. Ecology Dam Safety Permit: Ecology Dam Safety permitting forms and Emergency Action Plan will be drafted by the City with technical input from Consultant. Consultant will review the documents prior to agency review. The hydraulic analysis and mapping efforts associated with Ecology Dam Safety permitting requirements are provided by the Consultant under Task 7. One coordination meeting with Ecology Dam Safety Engineering is included in this task.

4.6. Additional Permitting - Contingency: If wetland impacts cannot be avoided, additional permitting efforts may be necessary. Since the potential impacts are unknown at this time, a number of assumptions were made in the development of this contingency budget. This contingency permitting strategy assumes the onsite wetlands are "isolated wetlands" therefore are not federally regulated. The JARPA application (prepared above) and JARPA drawings (contingency item) will be submitted to the Corps to verify that only State Ecology and Local wetland impact permitting requirements will apply. Anticipated contingency permitting efforts may include:

- 4.6.1. Washington Department of Ecology permitting requirements
- 4.6.2. City of Marysville Permitting requirements
- 4.6.3. 8.5"x11" JARPA drawings will be needed
- 4.6.4. Mitigation Plan/Report

This scope assumes if wetlands are federally regulated, then wetland impacts will be avoided based on the following: Corps Nationwide permits only allow up to half an acre of wetland fill, and Corps individual permits are slow to obtain (approximately 2-yr time frame).

When impacts are known, this subtask should be reviewed and revised as necessary to meet the project needs. Written authorization by the City is required to activate this budget.

Deliverables

- *SEPA Checklist*
- *Clearing and Grading Permit Application*
- *JARPA application*
- *NPDES Construction Permit and NOI*
- *Ecology Dam Safety Permit*
- *Additional Permitting - If Authorized*

Assumptions

- *Permit fees paid by the City*
- *Permit submittals made by the City*
- *Contingency permitting budget assumes the onsite wetlands are "isolated wetlands" therefore are not federally regulated.*

5. Survey and Easements

The existing topographic base map, prepared by others during preliminary design, will be supplemented with data collected under this task for final design. Project horizontal and vertical control will be established based on City of Marysville datum (NAVD'88 vertical datum and Washington State Plane NAD'83 horizontal datum).

5.1. Wetland and Buffer Delineations: Wetland delineations performed under Task 2 will be surveyed; wetland boundaries and buffers will be added to the base map.

5.2. Easements and Legal Descriptions: A 20-ft permanent easement along the conveyance route was obtained prior to Pond 1 construction. The 60% design shows the existing 20-ft easement provides enough space to construct a parallel conveyance line to Pond 2. A temporary construction easement will be prepared to provide access and staging during construction (parcel # 31053300203200).

5.3. Potholes: Potholing may be needed at 152nd St. where the conveyance crosses existing utilities to connect to an existing SW vault. The City will coordinate potholing. Consultant will survey pothole locations and elevations.

5.4. Asbuilt Survey: Survey of post construction, asbuilt condition. Stamped asbuilt drawings will be prepared under Task 9.

Deliverables:

- *Updated project base map (wetlands and potholes)*

- *Asbuilt survey file indicating the results of the survey*
- *Temporary Construction Easement Exhibit and Legal Description*

Assumptions:

- *This Item excludes resolution of deficiencies disclosed by field survey.*
- *Does not include survey staking during construction*
- *Boundary survey not needed; reference ALTA survey for Guzman parcel prepared in 2005*
- *No existing utilities are on the 20-acre pond site.*
- *No permanent easements are necessary.*
- *City to perform easement negotiations with private land owner.*
- *Pothole survey data will be collected in one day.*

6. Geotechnical Analysis

Several geotechnical studies have been prepared in the North Marysville area included detailed analysis at the property adjacent to the Pond 2 site. These reports will be reviewed and their recommendations will be implemented.

6.1. Geotechnical Analysis and Reporting: A geotechnical investigation will be performed to provide recommendations outlined in GeoEngineers October 12, 2005 Memorandum "Geotechnical and Geologic/Hydrogeologic Review, Planning and Preliminary Design, North Marysville MDP CIP Implementation Pond No. 2".

A surface and subsurface investigation will be performed to evaluate the suitability of the existing on-site soils for use as berm fill, and the need for a cut-off trench. We anticipate roughly 8 test pits will be adequate to characterize the on-site soils in the Pond 2 area.

A geotechnical report will be provided, which will include the following:

- Discussion of surface conditions
- Discussion of subsurface conditions
- Discussion of groundwater conditions observed in test pits
- Recommendations for fill type, placement and compaction in berm areas
- Recommendations for temporary and permanent slopes
- Recommendations for site preparation
- Exploration plan
- Test pit logs
- Laboratory analysis results

Contract specifications associated with Berm Construction will be reviewed for completeness and accuracy.

6.2. Hydrogeologist Analysis and Reporting: Hydrogeology and groundwater reports prepared by others will be reviewed. Information applicable to the Pond 2 site will be summarized for inclusion in the Geotechncial Report and bid documents. The purpose of this summary is to document the groundwater conditions such that Contractors can develop an accurate dewatering plan and bid. Dewatering means and methods will be determined by the contractor.

Deliverables

- *Draft Geotechnical Report*
- *Final Geotechnical Report (signed and stamped by PE)*

Assumptions

- *Geotechnical Engineer will attend up to one team meeting in Marysville.*
- *Hydrogeologist will attend up to one team meeting in Marysville.*
- *Infiltration testing is not included.*
- *No additional groundwater monitoring is anticipated.*

7. Modeling and Final Design

The Pond 2 60% design nearly meets the 2001 Department of Ecology Enhanced Stormwater Treatment Standards via a stormwater treatment wetland. Since then, the design standard has changed with the City's adoption of the 2005 Ecology manual. Additional modeling and design is necessary to bring the Pond 2 design in compliance with 2005 Ecology standards.

7.1. HSPF Hydrologic Model: OCI will continue using the City's calibrated HSPF model, which is the best tool available to model the soils in North Marysville because it includes so much detail about routing of flows throughout the basin. However, we suggest these upgrades:

- Confirm the targeted development areas and update routing as necessary.
- Update the model to include any design revision identified in Task 2.
- Review precipitation data set currently used in the HSPF model and consider options to include more recent data.
- Confirm land use assumptions for targeted development areas.

Because the 60% design does not yet meet the design standard at all three points of compliance. Pond grading, control structure, and/or tributary area adjustments may be

necessary to comply with 2005 Ecology standards. Iterations will be necessary to verify compliance without sacrificing the amount of area that can drain to Pond 2.

7.2. Hydraulics (XP-SWMM and HEC-RAS): OCI will also continue using the most recent version of the North Marysville XP-SWMM model to perform the final design of the following items:

- Size regional conveyance per current City design standard and provide 50-year conveyance capacity in accordance with 2005 Ecology standards.
- Size regional pond (flow control, water surface, spillway, water quality) in accordance with 2005 Ecology standards

The process will be iterative with the hydrologic modeling. The existing HEC-RAS model will be used to confirm downstream boundary conditions.

7.3. HEC-RAS Dam Break Analysis: Modification of the HEC-RAS model used for Pond 1 Dam Safety permitting is necessary to perform the analysis and inundation mapping necessary for Dam Safety Permitting. This task includes spillway design. Dam Safety Permitting will be required on this project because it detains more than 10-acre-feet of storage.

7.4. Emergency Action Plan: The City will develop an Emergency Action Plan (EAP) in accordance with current Ecology Dam Safety requirements with technical support from the Consultant. Technical support is assumed to include: inundation mapping, technical appendices, draft EAP review, and final EAP review. Dam Safety permit applications and forms are included in Task 4.

7.5. Design Report: Consultant will prepare a draft and final design report and Operations and Maintenance Plan. Consultant will work with the City Maintenance Department to make sure lessons learned during Pond 1 O&M are incorporated into the Pond 2 O&M manual.

Deliverables

- *Electronic copies of models upon project completion*
- *Technical appendices and inundation mapping*
- *Dam Safety Emergency Action Plan review comments (Draft and Final)*
- *90% Design Report and Operations and Maintenance Plan*
- *Final Design Report and Operations and Maintenance Plan*

Assumptions

- *Existing models will be provided by the City*
- *Groundwater modeling is not included*

8. Plans, Specifications and Estimate (PS&E)

OCI will continue to use the information amassed during the previous steps to develop the PS&Es for 90%, 100% and ad-ready submittals. During the process, our value engineering team will continue to evaluate and provide input on the design components. We anticipate that the bid set will include grading, drainage and utility plans, an additional 10-foot easement for the conveyance line), and a planting plant to ensure water quality success and plant survivability of the completed system. A Construction Stormwater Pollution Prevention Plan (SWPPP) will be developed for cost estimating purposes only. Development of the SWPPP will be the responsibility of the contractor. The PS&E will be completed with the goal of setting up the project for success during construction.

Sheet Count:

1. Cover
2. Notes
3. Legend, abbreviations, and utility information
4. Survey and sequence notes
5. Conveyance Plan and Profile (50 scale)
6. Conveyance Plan and Profile (50 scale)
7. Pond Plan (50 scale)
8. Pond Sections
9. Pond Details
10. Pond Details
11. Pond Details
12. Landscaping Plan
13. Landscaping Details

8.1. Plans: 90%, 100%, and Final plan submittals will be made. City comments on the 90% plans will be incorporated into the 100% design. City comments on the 100% design will be incorporated into the Final.

8.2. Project Specifications: Draft special provisions will be provided at the 90% design. Draft Contract documents will be provided with the 100% design. Ad-ready contract documents will be provided with the final plans.

8.3. Engineer's Cost Estimate: Engineer's construction cost estimates will be provided with the 90%, 100%, and final submittals.

Deliverables

- *PS&E (90%, 100%, Final)*

Assumptions

- *PDF plan sets will be provided to the City for review*
- *Project Specifications will be submitted as word documents for City review*
- *Cost estimates will be submitted as excel documents for City review*
- *Singed final contract documents will submitted as paper and electronic documents*

9. Construction Services

City to provide construction management with support from consultants during bidding and construction. Consultant support may include the following:

9.1. Support during bidding
9.2. Response to contractor Requests for Information (RFIs) and review of contractor submittals.
9.3. Site inspection services during construction
9.4. Preparation of signed, asbuilt drawings

10. Project Management

10.1. Project Coordination: Project manager will coordinate regularly with the City's project manager and the Consultant team. Internal team meetings and meetings with the City's project manager will be held as needed.

10.2. Status Reporting and Invoicing: Weekly status reports will be provided to the City's project manager. A monthly status report will be provided with monthly invoices.

Deliverables

- *Project status reports via email (weekly and monthly)*

Assumptions

- *Project duration is up to 18 months (June 2012 through October 2013)*
- *Up to two coordination meetings in Marysville.*

City of Marysville
Osborn Consulting, Inc.
Fee Proposal Date: May 15, 2012
Pond 2 Final Design and PS

Task	Task ID	Task	Osborn Consulting							CivilTech				Natural Systems Design								Axis Survey and Mapping					Task Estimated Cost	Total Est. Hours	% of Total Contract Value	Rounded Estimated Cost
			Principal Engineer	Project Manager	Senior Engineer	Project Engineer	EIT	Engineer Tech	Admin	Principal Engineer	Geotech. Engineer	Expenses	Sub Markup	Principal Engineer	Senior Ecologist	Project Ecologist	Hydro-geologist	CAD/GIS	Admin	Expenses	Sub Markup	Project Surveyor	Office Cad Surveyor	2 Person Crew	3 Person Crew	Sub Markup				
			$ 140.00	$ 130.00	$ 130.00	$ 110.00	$ 105.00	$ 95.00	$ 75.00	$ 135.00	$ 125.00	$ 1.00	10%	$ 180.00	$ 130.00	$ 110.00	$ 130.00	$ 100.00	$ 70.00	$ 1.00	10%	$ 135.00	$ 120.00	$ 160.00	$ 190.00	10%				
1		INFORMATION GATHERING AND REVIEW																												
	1	Kick-off Meeting	4	8	4	4	0	0	0	0	4	0	$ 50.00	0	4	0	0	0	0	0	$ 52.00	0	0	0	0	$ -				
	2	List of Data Needs / List of Data reviewed	0	2	2	0	0	0	0	0	0	0	$ -	0	0	0	0	0	0	0	$ -	0	0	0	0	$ -				
	3	Data collection and review	0	8	8	8	4	0	0	0	0	0	$ -	0	4	0	0	0	0	0	$ 52.00	0	0	0	0	$ -				
		SUBTOTAL	4	18	14	12	4	0	0	0	4	0	$ 50.00	0	8	0	0	0	0	0	$ 104.00	0	0	0	0	$ -	$ 8,154.00	64	2.9%	$ 8,160
2		WETLAND EVALUATION AND DELINEATION																												
	1	Review Wetland and Hydrology Data	0	0	0	0	0	0	0	0	0	0	$ -	0	4	3	0	0	0	0	$ 85.00	0	0	0	0	$ -				
	2	Site visit / delineation	0	0	0	0	0	0	0	0	0	0	$ -	0	14	14	0	0	0	$ 100	$ 346.00	0	0	0	0	$ -				
	3	Wetland report and map	0	0	0	0	0	0	0	0	0	0	$ -	0	4	32	0	16	0	0	$ 564.00	0	0	0	0	$ -				
	4	Coordinate with survey	0	0	0	0	0	0	0	0	0	0	$ -	0	0	1	0	2	0	0	$ 31.00	0	0	0	0	$ -				
		SUBTOTAL	0	0	0	0	0	0	0	0	0	0	$ -	0	22	50	0	18	0	$ 100	$ 1,026.00	0	0	0	0	$ -	$ 11,286.00	90	4.0%	$ 11,290
3		REVIEW OF 60% DESIGN																												
	1	Review 60% Design	2	16	20	20	20	20	0	0	0	0	$ -	2	8	4	0	0	0	0	$ 184.00	0	0	0	0	$ -				
	2	Design updates / redesign	0	8	8	20	20	40	0	0	0	0	$ -	2	12	4	0	12	0	0	$ 356.00	0	0	0	0	$ -				
	3	Team Meeting	0	4	4	0	0	0	0	0	0	0	$ -	0	0	0	0	0	0	0	$ -	0	0	0	0	$ -				
		SUBTOTAL	2	28	32	40	40	60	0	0	0	0	$ -	4	20	8	0	12	0	0	$ 540.00	0	0	0	0	$ -	$ 28,320.00	246	10.1%	$ 28,320
4		PERMITTING																												
	1	JARPA and WDFW site meeting	0	4	0	0	0	0	0	0	0	0	$ -	0	6	6	0	0	0	0	$ 144.00	0	0	0	0	$ -				
	2	Support City prepared SEPA	0	1	0	0	0	0	0	0	0	0	$ -	0	0	2	0	0	0	0	$ 22.00	0	0	0	0	$ -				
	3	Support City prepared Clear&Grade Permit	0	1	0	0	0	0	0	0	0	0	$ -	0	0	0	0	0	0	0	$ -	0	0	0	0	$ -				
	4	Review City prepared Ecology permits	0	2	0	0	0	0	0	0	0	0	$ -	0	3	0	0	0	0	0	$ 39.00	0	0	0	0	$ -				
	5	Contingency - Wetland Impacts	0	4	2	8	0	16	0	0	0	0	$ -	0	38	40	0	20	0	0	$ 1,134.00	0	0	0	0	$ -				
		SUBTOTAL	0	12	2	8	0	16	0	0	0	0	$ -	0	47	48	0	20	0	0	$ 1,339.00	0	0	0	0	$ -	$ 18,949.00	153	6.8%	$ 18,950
5		SURVEY AND EASEMENTS																												
	1	Wetland and Buffer Survey	0	0	0	0	0	0	0	0	0	0	$ -	0	0	0	0	0	0	0	$ -	2	12	12	0	$ 363.00				
	2	Easements and Legal Descriptions	0	0	1	0	1	0	0	0	0	0	$ -	0	0	0	0	0	0	0	$ -	2	4	0	0	$ 75.00				
	3	Pothole locations and maping	0	1	0	0	1	0	0	0	0	0	$ -	0	0	0	0	0	0	0	$ -	2	4	4	0	$ 139.00				
	4	Asbuilt Survey	0	1	0	0	0	0	0	0	0	0	$ -	0	0	0	0	0	0	0	$ -	2	12	12	0	$ 363.00				
		SUBTOTAL	0	2	1	0	2	0	0	0	0	0	$ -	0	0	0	0	0	0	0	$ -	8	32	28	0	$ 940.00	$ 10,940.00	73	3.9%	$ 10,940
6		GEOTECHNICAL ANALYSIS																												
	1	Preliminary Engineering Studies	0	0	0	0	0	0	0	0	22	0	$ 275.00	0	0	0	0	0	0	0	$ -	0	0	0	0	$ -				
	2	Geotechnical Engineering and Report	0	0	0	0	0	0	0	6	66	0	$ 906.00	0	0	0	0	0	0	0	$ -	0	0	0	0	$ -				
	3	Project Management & Expenses	0	0	0	0	0	0	0	4	10	$ 2,646	$ 443.60	0	0	0	0	0	0	0	$ -	0	0	0	0	$ -				
	4	Hydrolgeologis Recommendations	0	0	0	0	0	0	0	0	0	$ -	$ -	0	0	0	24	0	2	0	$ 326.00	0	0	0	0	$ -				
		SUBTOTAL	0	0	0	0	0	0	0	10	98	$ 2,646	$ 1,624.60	0	0	0	24	0	2	0	$ 326.00	0	0	0	0	$ -	$ 21,456.60	134	7.7%	$ 21,460
7		MODELING AND FINAL DESIGN																												
	1	HSPF Hydrology Model	2	40	0	40	20	8	0	0	0	0	$ -	0	0	0	0	0	0	0	$ -	0	0	0	0	$ -				
	2	Hydraulics (XPSWMM & HEC-RAS)	2	36	0	24	20	0	0	0	0	0	$ -	0	0	0	0	0	0	0	$ -	0	0	0	0	$ -				
	3	HEC-RAS Dam Break Analysis	2	36	0	40	20	0	0	0	0	0	$ -	0	0	0	0	0	0	0	$ -	0	0	0	0	$ -				
	4	Dam Safety Maps, Appendices & Review	2	20	0	24	20	8	2	0	0	0	$ -	0	0	0	0	0	0	0	$ -	0	0	0	0	$ -				
	5	Design Report	2	20	4	40	20	8	8	0	0	0	$ -	0	0	0	0	0	0	0	$ -	0	0	0	0	$ -				
	6	O&M Manual	2	4	8	24	0	0	2	0	0	0	$ -	0	8	0	0	8	0	0	$ 184.00	0	0	0	0	$ -				
		SUBTOTAL	12	156	12	192	100	24	12	0	0	0	$ -	0	8	0	0	8	0	0	$ 184.00	0	0	0	0	$ -	$ 60,344.00	524	21.6%	$ 60,350
8		PLANS, SPECIFICATIONS, AND ESTIMATE																												
	1	90% Submittal	4	20	36	40	40	40	8	0	0	0	$ -	1	4	8	0	18	0	0	$ 338.00	0	0	0	0	$ -				
	2	100% Submittal	4	20	36	40	40	40	8	0	0	0	$ -	1	4	8	0	14	0	0	$ 298.00	0	0	0	0	$ -				
	3	Final, Ad Ready Submittal	4	20	20	20	20	32	8	0	0	0	$ -	1	4	0	0	8	0	0	$ 150.00	0	0	0	0	$ -				
		SUBTOTAL	12	60	92	100	100	112	24	0	0	0	$ -	3	12	16	0	40	0	0	$ 786.00	0	0	0	0	$ -	$ 64,026.00	571	22.9%	$ 64,030
9		CONSTRUCTION SERVICES																												
	1	Support during bidding	0	4	4	8	0	0	0	0	0	0	$ -	0	0	0	0	0	0	0	$ -	0	0	0	0	$ -				
	2	Response to RFIs	0	8	8	16	0	4	0	0	4	0	$ 50.00	0	4	0	0	0	0	0	$ 52.00	0	0	0	0	$ -				
	3	Asbuilt Drawings	1	4	4	8	20	20	0	0	0	0	$ -	0	0	0	0	0	0	0	$ -	0	0	0	0	$ -				
	3	Site Visits	0	8	8	8	0	0	0	0	12	0	$ 150.00	0	8	0	0	0	0	0	$ 104.00	0	0	0	0	$ -				
		SUBTOTAL	1	24	24	40	20	24	0	0	16	0	$ 200.00	0	12	0	0	0	0	0	$ 156.00	0	0	0	0	$ -	$ 19,076.00	161	6.8%	$ 19,080
10		PROJECT MANAGEMENT																												
	1	Coordination	16	40	12	0	0	0	0	0	0	0	$ -	0	12	0	0	0	0	0	$ 156.00	0	0	0	0	$ -				
	2	Invoicing Reporting	4	24	12	0	0	0	12	0	0	0	$ -	0	4	0	0	0	6	0	$ 94.00	0	0	0	0	$ -				
	3	Team Meetings	20	24	12	12	0	0	0	0	0	0	$ -	0	8	0	0	0	0	0	$ 104.00	0	0	0	0	$ -				
		SUBTOTAL	40	88	36	12	0	0	12	0	0	0	$ -	0	24	0	0	0	6	0	$ 354.00	0	0	0	0	$ -	$ 27,834.00	238	10.0%	$ 27,840
X		EXPENSES (5% of OCI labor)																												
		SUBTOTAL																												
																										$ 9,323.00		3.3%	$ 9,330
		TOTAL ESTIMATE FOR ALL TASKS (hrs)	71	388	213	404	266	236	48	10	118			7	153	122	24	98	8			8	32	28	0		2234	2234	hours	
		TOTAL ESTIMATE FOR ALL TASKS ($)	$ 9,940	$ 50,440	$ 27,690	$ 44,440	$ 27,930	$ 22,420	$ 3,600	$ 1,350	$ 14,750	$ 2,646	$ 1,875	$ 1,260	$ 19,890	$ 13,420	$ 3,120	$ 9,800	$ 560	$ 100	$ 4,815	$ 1,080	$ 3,840	$ 4,480	$ -	$ 940	$ 279,709		fee est.	

	Fee	Hours
Osborn Consulting Labor Estimate	$ 186,460.00	1626
Total Markup on Subs	$ 7,629.60	
Expenses (5% of OCI Labor)	$ 9,323.00	
Total Axis Survey and Mapping Estimate	$ 9,400.00	68
Total Structural and Geotechnical Estimate	$ 18,746.00	128
Total Natural Systems Design Estimate	$ 48,150.00	412
TOTAL ESTIMATE	$ 279,708.60	

Total Rounded: $ 279,750

Index #9

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: 6/11/2012

AGENDA ITEM: Independent Contractor /Concessionaire Agreement with ICE CREAM MOM	
PREPARED BY: Jim Ballew DEPARTMENT: Parks and Recreation	DIRECTOR APPROVAL:
ATTACHMENTS: Independent Contractor Agreement	
BUDGET CODE:	AMOUNT: 400.00

SUMMARY:

The City of Marysville advertised for interested concessionaires to provide food and beverages at Jennings Memorial Park on weekends and for the Sounds of Summer Concert Series and Outdoor Movie Series. The Department received a response from Rhonda Moen DBA, ICE CREAM MOM a sole proprietor. ICE CREAM MOM will provide daily ice cream sales within Jennings Memorial Park weather permitting and will also support the Sound of Summer Concert Series and Outdoor Movies Series

The attached Independent Contractor Agreement requires the Concessionaire provide service throughout the week and during each concert and outdoor film event scheduled. The Contractor is also required to provide service(s) in Jennings Park on a mutual schedule from June 30, 2012 through September 30, 2012.

At the conclusion of the season the Contractor will provide $400.00 in payment to the city.

RECOMMENDED ACTION: Staff recommends that Council Authorize the Mayor to sign the Independent Contractor Agreement with Rhonda Moen DBA ICE CREAM MOM for ice cream vending services effective June 30, 2012 through September 30, 2012

CITY OF MARYSVILLE
INDEPENDENT CONTRACTOR/CONCESSIONAIRE AGREEMENT

This agreement, made and entered into this 30th day of June, 2011 by and between the City of Marysville, State of Washington, a municipal corporation, hereinafter called the "City" and Rhonda Moen DBA "ICE CREAM MOM", a sole proprietor and hereinafter called "Contractor/ Concessionaire".

WITNESETH:

WHEREAS, the City of Marysville desires to provide food and beverages to the patrons attending Jennings Memorial Park and the Sounds of Summer Concert Series and Popcorn in the Park Movie series on facilities owned and operated by the City of Marysville.

WHEREAS, the City desires to enter into a contract with Ice Cream Mom as the provider of pre-packaged ice cream services for the City of Marysville with the status of "Independent Contractor"; and

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties hereto agree as follows:

1. DUTIES:
The City of Marysville hereby contracts with the Contractor to perform all functions and duties of exclusive Novelty Ice Cream Concessionaire in Jennings Memorial Park and during the Sounds of Summer Concert and Popcorn in the Park Movie Series and to perform the additional functions and duties:

a. To operate, manage and maintain a quality portable food and beverage service for the general public during agreed upon operating days and hours not to be less than 2 hours per day or event date(s) from times of 11:30 am to 9:00 pm. During the following dates June 23, 2012 through September 30, 2012 unless inclement weather forces closure or cancellation of the events or activity.

b. Provide a full range of pre packaged novelty ice cream items for resale at reasonable prices.

c. Contractor agrees to provide and maintain all equipment. Improvements and/or additional service connections are the responsibility of the Contractor and shall be done as per city and or State of Washington code(s).

d. Contractor agrees that the premises will be used as a site to operate concession services for patrons and not as a commissary facility. Contractor agrees not to let or sublet the whole or any part of the

contracted space allocated for food and beverage concession services or assign this agreement, or any interest within the property described.

e. Contractor agrees to pay and provide all governmental licenses, fees and or permits for the operation of described services within this agreement.

f. Contractor shall pay all taxes wages and other costs associated with the operation of Concessionaire services.

g. Contractor agrees that all personal property kept at the agreement site shall be at the risk of the Contractor. Contractor further agrees not to hold City liable in any manner or account of any loss or damage sustained by action of fire, water, elements, theft or any third party. All equipment and machinery associated with food sales and production shall be owned exclusively by the Contractor.

h. Concessionaire agrees to comply with applicable federal, state and City legislation, rules and /or regulations including but not limited to Federal, state and local health, safety and licensing laws and / regulations related to preparation and sale of concession foods and goods, Marysville Municipal Code and Marysville Parks Department Policies.

i. Concessionaire shall have a valid Marysville business license.

2. TERM

The term of this Contract shall be effective through September 23, 2012.
Upon expiration of the term the City may extend the Agreement for an additional term or seasonal basis. Either Party may terminate this Agreement prior to the end of the agreed term with thirty days written notice. This Agreement shall automatically terminate in the event the Contractor ceases to provide services for any unauthorized reason for a period of ten (10) or more consecutive days of the program or event contracted for. Upon the expiration or early termination of this agreement, the Contractor will surrender the location in good condition as they were at the commencement of the agreement term.

3. PAYMENT

The Contractor agrees to pay the City of Marysville a total of four-hundred dollars ($400.00) for payment to operate concessions for the aforementioned event(s) and schedule. Payment will be made on the final date of the season or event, or no later than September 30, 2012 payable to the City of Marysville Parks and Recreation Department.

4. INDEPENDENT CONTRACTOR

This Agreement is not intended in any fashion to create the relationship of employer-employee with respect to the City and Contractor. Neither the Contractor nor any person employed by the Contractor is to be considered at any time an employee of the City of Marysville. Neither party to this service agreement is the agent of the other and neither

party shall have the right to bind the other by contract or otherwise, except as herein specifically provided.

5. EMPLOYEE BENEFITS / WITHHOLDING

Contractor agrees to pay any and all withholding taxes, employment security taxes, social security or FICA taxes, Labor and Industry premiums or fees, and otherwise shall pay all other government imposed fees or charges with respect to the business of Contractor if applicable. Contractor shall be solely responsible for all of his own benefits including but not limited to vacation, sick leave, pension, life insurance, medical insurance, paid leave, and such other benefits as he may wish to acquire.

6. INSURANCE

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

b. Contractor shall maintain Automobile Liability Insurance with a minimum level of $ 1,000,000 combined single limit per accident for bodily injury and property damage; and shall cover all owned, non-owned, hired and leased vehicles. If necessary, the policy shall be endorsed to provide contractual liability coverage.

c. Contractor shall maintain Casualty and General Liability for both personal property and individual liability at the following minimum levels:

$1,000,000.00 Each Accident
$1,000,000.00 Each Occurrence
$2,000,000.00 Aggregate

d. Contractor shall name the City of Marysville as additionally insured on an Endorsement of Insurance and provide the City with said Endorsement before the first event.

7. INDEMNIFICATION / HOLD HARMLESS

CONCESSIONAIRE shall defend, indemnify and hold the City, its officers, officials and employees and volunteers harmless from any and all claims, injuries, damages, losses or suits including attorneys fees arising of or in connection with the performance of this Agreement, or the Concessionaire's activities, except for injuries and damages caused by the sole negligence of the City.

The City's obligation to hold harmless, indemnify and defend Concessionaire's agents and employees resulting from the concurrent negligence of Concessionaire's and the City or their officers, agents and employees, shall apply only to the extent of the negligence of the City.

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

8. LEGAL RELATIONS/DISPUTES/ATTORNEYS FEES.

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

b. In the event of any litigation involving the rights or obligation of the City or Contractor hereunder, the prevailing party in such litigation shall be entitled to receive from the other such reasonable attorney's fees and all costs as the court may award.

c. CONCESSIONAIRE shall comply with all federal, state and local laws and ordinances applicable to work to be done under this agreement. This contract shall be interpreted and construed in accordance with the laws of Washington. Venue for any action commenced relating to the interpretation, breach or enforcement of this agreement shall be in Snohomish County Superior Court.

9. NOTICE

Notices to the City shall be sent to the following address:

CITY OF MARYSVILLE
Jim Ballew, Director
PARKS AND RECREATION DEPARTMENT
6915 Armar Road
Marysville WA 98270

Notices to Contractor shall be sent to the following address
Rhonda Moen
10520 90th Street NE
Lake Stevens, WA 98258

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

10. NONWAIVER.

Waiver by the parties of any provision of this agreement or any time limitation provided for in this agreement shall not constitute a waiver of any other provision.

11. ENTIRE AGREEMENT

This Agreement represents the entire integrated Agreement between the parties and supersedes all prior negotiations, representations or agreements, either written or oral.

12. MODIFICATION

No provision of this Agreement may be amended or modified except by written agreement signed by the parties.

13. AUTHORITY

Each individual executing this Agreement on behalf of the City and Concessionaire represents and warrants that such individuals are duly authorized to execute and deliver this Agreement on behalf of the Concessionaire or the City.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date herein above first written.

By _____
Rhonda Moen- Contractor

5-18-12
Dated

CITY OF MARYSVILLE

By _____
Jon Nehring - Mayor

Approved as to Form:

_____
Grant K. Weed, City Attorney

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EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: 6/11/2012

AGENDA ITEM: Independent Contractor /Concessionaire Agreement with The Hillside Church	
PREPARED BY: Jim Ballew DEPARTMENT: Parks and Recreation	DIRECTOR APPROVAL:
ATTACHMENTS: Independent Contractor Agreement	
BUDGET CODE:	AMOUNT: 400.00

SUMMARY:

The City of Marysville advertised for interested concessionaires to provide food and beverages at Jennings Memorial Park on weekends and for the Sounds of Summer Concert Series and Outdoor Movie Series. The Department received a response from the Hillside Church of Marysville WA. The Hillside Church will provide concessionaire services of prepared and pre-packaged items for sale within Jennings Memorial Park during the Sound of Summer Concert Series and Outdoor Movies Series through the summer of 2012. The Contractor will also support various Special Events throughout the year through December 31, 2012.

At the conclusion of the season the Contractor will provide $400.00 in payment to the city.

RECOMMENDED ACTION: Staff recommends that Council Authorize the Mayor to sign the Independent Contractor Agreement with The Hillside Church for Concessionaire services effective June 30, 2012 through December 31, 2012

CITY OF MARYSVILLE
INDEPENDENT CONTRACTOR/CONCESSIONAIRE AGREEMENT

This agreement, made and entered into this 30th day of June, 2012 by and between the City of Marysville, State of Washington, a municipal corporation, hereinafter called the "City" and "THE HILLSIDE CHURCH", a sole proprietor and hereinafter called "Contractor/ Concessionaire".

WITNESETH:

WHEREAS, the City of Marysville desires to provide food and beverages to the patrons attending Jennings Memorial Park and the Sounds of Summer Concert Series and Popcorn in the Park Movie series and various Special Events hosted by the Parks and Recreation Department on facilities owned and operated by the City of Marysville.

WHEREAS, the City desires to enter into a contract with the Hillside Church as the provider of food and beverage concessionaire services for the City of Marysville with the status of "Independent Contractor"; and

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties hereto agree as follows:

1. DUTIES:
The City of Marysville hereby contracts with the Contractor to perform all functions and duties of Concessionaire in Jennings Memorial Park and during the Sounds of Summer Concert and Popcorn in the Park Movie Series and to perform the additional functions and duties as Concessionaire at various special events hosted by the city:

a. To operate, manage and maintain a quality portable food and beverage service for the general public during agreed upon operating days and hours not to be less than 2 hours per day or event date(s) from times of 11:30 am to 9:00 pm. During the following dates June 30, 2012 through December 31, 2012 unless inclement weather forces closure or cancellation of the events or activity.

b. Provide a full range of pre-packaged items for resale at reasonable prices.

c. Contractor agrees to provide and maintain all equipment. Improvements and/or additional service connections are the responsibility of the Contractor and shall be done as per city and or State of Washington code(s).

d. Contractor agrees that the premises will be used as a site to operate concession services for patrons and not as a commissary facility. Contractor agrees not to let or sublet the whole or any part of the

contracted space allocated for food and beverage concession services or assign this agreement, or any interest within the property described.

e. Contractor agrees to pay and provide all governmental licenses, fees and or permits for the operation of described services within this agreement.

f. Contractor shall pay all taxes wages and other costs associated with the operation of Concessionaire services.

g. Contractor agrees that all personal property kept at the agreement site shall be at the risk of the Contractor. Contractor further agrees not to hold City liable in any manner or account of any loss or damage sustained by action of fire, water, elements, theft or any third party. All equipment and machinery associated with food sales and production shall be owned exclusively by the Contractor.

h. Concessionaire agrees to comply with applicable federal, state and City legislation, rules and /or regulations including but not limited to Federal, state and local health, safety and licensing laws and / regulations related to preparation and sale of concession foods and goods, Marysville Municipal Code and Marysville Parks Department Policies.

i. Concessionaire shall have a valid Marysville business license.

2. TERM

The term of this Contract shall be effective through December 31, 2012.
Upon expiration of the term the City may extend the Agreement for an additional term or seasonal basis. Either Party may terminate this Agreement prior to the end of the agreed term with thirty days written notice. This Agreement shall automatically terminate in the event the Contractor ceases to provide services for any unauthorized reason for a period of ten (10) or more consecutive days of the program or event contracted for. Upon the expiration or early termination of this agreement, the Contractor will surrender the location in good condition as they were at the commencement of the agreement term.

3. PAYMENT

The Contractor agrees to pay the City of Marysville a total of four-hundred dollars ($400.00) for payment to operate concessions for the aforementioned event(s) and schedule. Payment will be made on the final date of the season or event, or no later than September 30, 2012 payable to the City of Marysville Parks and Recreation Department.

4. INDEPENDENT CONTRACTOR

This Agreement is not intended in any fashion to create the relationship of employer-employee with respect to the City and Contractor. Neither the Contractor nor any person employed by the Contractor is to be considered at any time an employee of the City of Marysville. Neither party to this service agreement is the agent of the other and neither

party shall have the right to bind the other by contract or otherwise, except as herein specifically provided.

5. EMPLOYEE BENEFITS / WITHHOLDING

Contractor agrees to pay any and all withholding taxes, employment security taxes, social security or FICA taxes, Labor and Industry premiums or fees, and otherwise shall pay all other government imposed fees or charges with respect to the business of Contractor if applicable. Contractor shall be solely responsible for all of his own benefits including but not limited to vacation, sick leave, pension, life insurance, medical insurance, paid leave, and such other benefits as he may wish to acquire.

6. INSURANCE

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

b. Contractor shall maintain Automobile Liability Insurance with a minimum level of $ 1,000,000 combined single limit per accident for bodily injury and property damage; and shall cover all owned, non-owned, hired and leased vehicles. If necessary, the policy shall be endorsed to provide contractual liability coverage.

c. Contractor shall maintain Casualty and General Liability for both personal property and individual liability at the following minimum levels:

$1,000,000.00 Each Accident
$1,000,000.00 Each Occurrence
$2,000,000.00 Aggregate

d. Contractor shall name the City of Marysville as additionally insured on an Endorsement of Insurance and provide the City with said Endorsement before the first event.

7. INDEMNIFICATION / HOLD HARMLESS

CONCESSIONAIRE shall defend, indemnify and hold the City, its officers, officials and employees and volunteers harmless from any and all claims, injuries, damages, losses or suits including attorneys fees arising of or in connection with the performance of this Agreement, or the Concessionaire's activities, except for injuries and damages caused by the sole negligence of the City.

The City's obligation to hold harmless, indemnify and defend Concessionaire's agents and employees resulting from the concurrent negligence of Concessionaire's and the City or their officers, agents and employees, shall apply only to the extent of the negligence of the City.

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

8. LEGAL RELATIONS/DISPUTES/ATTORNEYS FEES.

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

b. In the event of any litigation involving the rights or obligation of the City or Contractor hereunder, the prevailing party in such litigation shall be entitled to receive from the other such reasonable attorney's fees and all costs as the court may award.

c. CONCESSIONAIRE shall comply with all federal, state and local laws and ordinances applicable to work to be done under this agreement. This contract shall be interpreted and construed in accordance with the laws of Washington. Venue for any action commenced relating to the interpretation, breach or enforcement of this agreement shall be in Snohomish County Superior Court.

9. NOTICE

Notices to the City shall be sent to the following address:

CITY OF MARYSVILLE
Jim Ballew, Director
PARKS AND RECREATION DEPARTMENT
6915 Armar Road
Marysville WA 98270

Notices to Contractor shall be sent to the following address

Kim Reynolds
The Hillside Church
6529 36th Street NE
Marysville, WA 98270

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

10. NONWAIVER.

Waiver by the parties of any provision of this agreement or any time limitation provided for in this agreement shall not constitute a waiver of any other provision.

11. ENTIRE AGREEMENT
This Agreement represents the entire integrated Agreement between the parties and supersedes all prior negotiations, representations or agreements, either written or oral.

12. MODIFICATION
No provision of this Agreement may be amended or modified except by written agreement signed by the parties.

13. AUTHORITY
Each individual executing this Agreement on behalf of the City and Concessionaire represents and warrants that such individuals are duly authorized to execute and deliver this Agreement on behalf of the Concessionaire or the City.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date herein above first written.

By_____
The Hillside Church- Contractor

_____
Dated

CITY OF MARYSVILLE

By _____
Jon Nehring - Mayor

Approved as to Form:

_____
Grant K. Weed, City Attorney

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CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: June 11, 2012

<table>
<tr><td>AGENDA ITEM:
PA12006 – 2012 Code Clean-up Amendments</td><td colspan="2">AGENDA SECTION:
New business</td></tr>
<tr><td>PREPARED BY:
Angela Gemmer, Associate Planner</td><td colspan="2">APPROVED BY:</td></tr>
<tr><td rowspan="2">ATTACHMENTS:
1. Memo re. proposed amendments
2. Proposed 2012 Code Clean-Up Amendments
3. PC Minutes, dated 3/27/2012, 4/10/2012, and 4/24/2012
4. PC recommendation
5. Adopting Ordinance</td><td colspan="2"></td></tr>
<tr><td>MAYOR</td><td>CAO</td></tr>
<tr><td>BUDGET CODE:</td><td colspan="2">AMOUNT:</td></tr>
</table>

DESCRIPTION:

The Planning Commission (PC) held a Public Hearing on April 24, 2012 to review proposed amendments to the Marysville Municipal Code, primarily Title 22C, *Land Use Standards*. The proposed amendments are items observed over the last year that need to be updated in order to improve code clarity and overall review process and include, but are not limited to, the following development regulations: wall sign measurement methodology, residential and commercial fence standards, minor changes to permitted uses matrices, Master Planned Senior Communities affordable housing criteria, codification of Comprehensive Plan policy for rezones on properties under 10 acres, accessory structure standards, and small lot design standards.

The PC received testimony from property owners, staff and other interested parties at the public hearing, following public notice. The PC made a motion to recommend the proposed amendments to Marysville City Council for adoption by ordinance.

RECOMMENDED ACTION: Affirm the PC's Recommendation and adopt amendments to MMC Title 22, *Unified Development Code*, and Chapter 6.76, *Noise Regulation*, by Ordinance.
COUNCIL ACTION:

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

MEMORANDUM

DATE: May 16, 2012

TO: City Council

FROM: Angela Gemmer, Associate Planner

RE: 2012 Code Clean-Up Amendments

The following is a summary of proposed amendments to the Marysville Municipal Code – primarily Title 22C, *Land Use Standards.* The proposed code amendments are items observed over the last year that need to be updated in order to improve clarity and overall review process and include, but are not limited to, the following:

- Minor changes to wall sign measurement methodology;
- Reorganization of residential fence standards so that the section is organized more similarly to the commercial standards, making information easier to find. Also, modification of the fence variance criteria to be more similar to the commercial standards;
- Provision of an administrative variance process for commercial fences so that fence variances do not need to go before the Hearing Examiner. Also, amend code to allow automobile holding yards to have barbed wire fences in accordance with State law without requiring a variance;
- Minor changes to permitted uses matrices;
- Elimination of reference to obsolete zone in the noise ordinance;
- Minor change to bicycle parking requirement to eliminate obsolete reference to short and long term bicycle parking;
- Minor change to accessory structure standards to allow for minor dimensional deviations granted by the Community Development Director to apply to both the footprint of the structure as well as the height of the structure;
- Update adult family home definition to align with the State law;
- Update the affordability criteria in the Master Planned Senior Communities chapter to improve clarity; and
- Update rezone criteria to be consistent with Comprehensive Plan.

Additional clarification on why each change is needed precedes the proposed amendment (see attached proposed code changes). Thank you.

SIGN CODE- MEASUREMENT METHOD

CHANGES ARE PROPOSED IN ORDER TO ELIMINATE CONFUSION ABOUT THE METHODOLOGY FOR CALCULATING WALL SIGNAGE. THE LANGUAGE IN SECTION 22C.160.140(3) & (4) OFTEN CAUSES CONFUSION ABOUT THE BASIS FOR CALCULATING ALLOWABLE WALL SIGN AREA. THE PROPOSED CHANGES ARE TO MAKE THE LANGUAGE CLEARER. THE ALLOWABLE WALL SIGN AREA IS CALCULATED BASED OFF OF THE PRIMARY FRONTAGE LENGTH AS DESCRIBED IN A DIFFERENT CODE SECTION.

22C.160.140 Measurement standards.

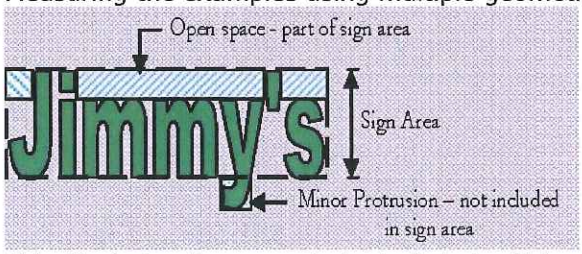
(1) Determining Sign Area and Dimensions.

(a) For a wall sign which is framed, outlined, painted or otherwise prepared and intended solely to provide a background for a sign display, the area and dimensions shall include the entire portion within such background or frame.

(b) For a wall sign comprised of individual letters, figures or elements on a wall or similar surface of the building or structure, the area and dimensions of the sign shall encompass a regular geometric shape (rectangle, circle, trapezoid, triangle, etc.), or a combination of regular geometric shapes, which form, or approximate, the perimeter of all elements in the display, the frame, and any applied background that is not a part of the architecture of the building. When separate elements are organized to form a single sign, but are separated by open space, the sign area and dimensions shall be calculated by determining the geometric form, or combination of forms, which comprises all of the display areas, including the space between different elements. Minor appendages to a particular regular shape, as determined by the community development director, shall not be included in the total area of a sign.

Figure 1: Wall Sign Area – Examples of Area Calculations

Measuring the examples using multiple geometric shapes



This illustrates the areas to be included within the calculation of a sign area.

(c) For a freestanding sign, the sign area shall include the frame, if any, but shall not include:

(i) A pole or other structural support unless such pole or structural support is internally illuminated or otherwise designed so as to constitute a display device, or a part of a display device.

(ii) Architectural features that are either part of the building or part of a freestanding structure, and not an integral part of the sign, such as landscaping and building or structural forms complementing the site in general.

Figure 2: Freestanding Sign Area – Examples of Area Calculations

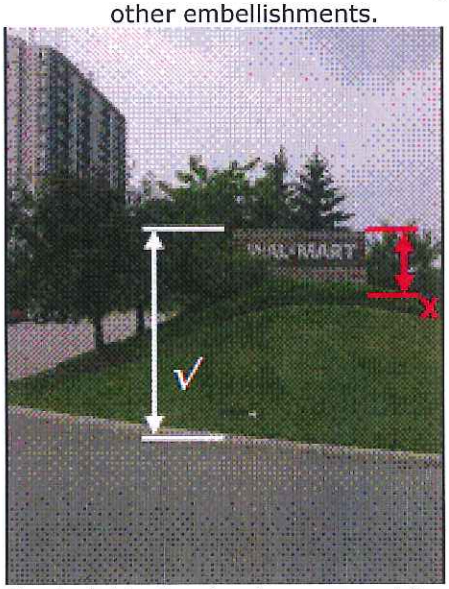
The dashed line indicates the sign area

(d) When two identical sign faces are placed back to back so that both faces cannot be viewed from any point at the same time and are part of the same sign structure, the sign area shall be computed as the measurement of one of the two faces.

(2) Determining Sign Height.

(a) The height of a freestanding sign shall be measured from the base of the sign or supportive structure at its point of attachment to the ground, to the highest point of the sign. A freestanding sign on a manmade base, including a graded earth mound, shall be measured from the grade of the nearest pavement or top of any pavement curb.

(b) Clearance for freestanding and projecting signs shall be measured as the smallest vertical distance between finished grade and the lowest point of the sign, including any framework or other embellishments.



The height of a sign is measured from the grade of the street level where the sign is viewed; not from the top of the mound

(3) Determining Building Frontages and Frontage Lengths.

(a) Building Unit. The building unit is equivalent to the tenant space. The primary frontage of the tenant space on the first floor shall be the basis for determining the permissible sign area for wall signs.

(b) Primary and Secondary Frontage. ~~The frontage of any building unit shall include the elevation(s) facing a public street, facing a primary parking area for the building or tenants, or containing the public entrance(s) to the building or building units.~~

(i) ~~The~~ Primary frontage. P~~p~~rimary frontage shall be considered the portion of any frontage containing the primary public entrance(s) to the building or building units.
(ii) Secondary frontage. ~~The~~S~~s~~econdary frontage shall include those frontages containing secondary public entrances to the building or building units and all building walls facing a public street or primary parking area that are not designated as the primary building frontage by subsection (3)(b)(i) of this section.

(4) ~~Length of~~ Building Frontage.

(a) The ~~length of any~~ primary or secondary ~~building~~ frontage shall be all wall~~s lengths~~ parallel, or nearly parallel, to such frontage, excluding any such wall ~~length~~ determined by the community development director to be clearly unrelated to the frontage criteria.

(b) The ~~building~~ frontage for a building unit shall be measured from the centerline of the party walls defining the building unit.

(5) Determining Street Frontage.

(a) Street frontage shall be determined by measuring the lineal feet of property abutting the public street from which a property obtains primary access.

(b) For developments located along more than one public street, the street frontage shall be determined by measuring the lineal feet of property abutting all public streets.

(c) Alley frontage shall not be included in determining street frontage.

(d) Properties abutting Interstate 5, and not abutting a public street, shall have the street frontage determined by measuring the lineal feet of property abutting Interstate 5.

22C.160.160 Development standards – Wall signs.

(1) The basic allowance for wall signs shall be limited to one and one-half square feet of sign area for each lineal foot of primary building frontage for illuminated signs, or two square feet of sign area for each lineal foot of primary building frontage for nonilluminated signs.

RESIDENTIAL FENCE STANDARDS

CHANGES ARE PROPOSED SO THAT THIS SECTION IS ORGANIZED IN THE SAME WAY AS THE COMMERCIAL FENCE STANDARDS, AND SO THAT THE VARIANCE CRITERIA ARE SIMILAR TO THE COMMERCIAL FENCE STANDARDS.

22C.010.380 Fences.

(1) Purpose. The fence standards promote the positive benefits of fences without negatively affecting the community or endangering public or vehicle safety. Fences can create a sense of privacy, protect children and pets, provide separation from busy streets, and enhance the appearance of property by providing attractive landscape materials. The negative effects of fences can include the creation of street walls that inhibit police and community surveillance, decrease the sense of community, hinder emergency access and the safe movement of pedestrians and vehicles, and create an unattractive appearance.

(2) Types of Fences.

(a) The standards apply to walls, fences, trellises, arbors and screens of all types whether open, solid, wood, metal, wire, masonry or other material.

(b) No barbed or razor-wire fence shall be permitted, except for the following:

(i) Confinement of livestock.

(ii) Public facilities, transmitter and transformer sites.

(iii) Government installations where security or public safety is required.

(3) Height.

(a) Access Streets.

(i) Front lot line: Four feet solid or six feet if entirely open-work fence.

(ii) Side lot line: Six feet.

(iii) Rear lot line: Six feet.

(b) Arterial Streets.

(i) Front lot line: Six feet; provided, that the top two feet are constructed as an open-work fence.

(ii) Side lot line: Six feet.

(iii) Rear lot line: Six feet.

(c) When a protective fence is located on top of a rockery, any portion of the fence above a height of six feet shall be an open-work fence.

(d) Open wire mesh or similar type fences may be erected in excess of the maximum heights permitted in this code on the periphery of playgrounds associated with private and public schools and parks, public facilities, transmitter and transformer sites, and government installations where security or public safety is required.
(e) The height of a fence or freestanding wall, retaining wall or combination of the same shall be measured from its top surface, board, rail, or wire to the natural elevation of the ground on which it stands.
(f) Where the finished grade is a different elevation on either side of a fence, the height may be measured from the side having the highest elevation.
~~(g) Administrative Variance. The community development director shall have authority to administratively grant a variance to increase the maximum height of side and rear lot line fences to eight feet. The community development director is authorized to issue variances in cases of special hardships, unique circumstances and practical difficulties. No variance shall be granted which would be detrimental to the public health, welfare or environment. Each variance shall be considered on a case-by-case basis, and shall not be construed as setting precedent for any subsequent application. The decision of the community development director on a variance application shall be final, subject to appeal to the city hearing examiner, pursuant to the procedures in Chapter 22G.010 MMC, Article VIII, Appeals. Appeals shall be filed within 14 days of the written decision of the community development director. The following information will be considered in review of the variance request:~~
~~(i) The fence is designed and constructed so that it does not cause a public safety hazard by obstructing visibility of pedestrians or motorists using streets, driveways or sidewalks.~~
~~(ii) The applicant can demonstrate to the satisfaction of the community development director, or designee, that the increased fence height will not adversely affect adjacent property owners or obstruct view corridors.~~
~~(iii) The applicant provides written notification to immediately adjoining property owners of the height and location of the proposed fence.~~
~~(iv) Fences greater than six feet in height are required to obtain a city building permit.~~

(4) Setbacks.
(a) Front Lot Line.
(i) Solid fences greater than four feet in height shall be set back at least 20 feet from the street right-of-way, except in the following circumstances:
(A) For a corner lot the 20-foot setback shall only apply to the street which provides primary access to the lot.
(B) This setback requirement may be waived or modified by the city engineer or his designee if a fence is designed and constructed so that it does not cause a public safety hazard by obstructing visibility of pedestrians or motorists using streets, driveways or sidewalks.
(ii) A four-foot fence, or six-foot fence with the top two feet constructed as an open-work fence, may be constructed on the front property line, provided the fence is designed and constructed so that it does not cause a public safety hazard by obstructing visibility of pedestrians or motorists using streets, driveways or sidewalks.
(b) Side Lot Line. No setback requirement.
(c) Rear Lot Line. No setback requirement.
(d) For special rules relating to fences and walls near fire hydrants, see MMC 14.03.050(2) and the International Fire Code.

(5) Fence Variances.
(a) The community development director shall have authority to administratively grant a variance to the fence requirements outlined in this section. The community development director is authorized to issue variances in cases of special hardships, unique circumstances and practical difficulties. No variance shall be granted which would be detrimental to the public health, welfare or environment.
(b) Variance requests shall be submitted in writing on a form provided by the city. At the time the applicant submits the variance request to the city, the applicant shall also provide written notification of the variance request to immediately adjoining property owners by first class mail

or personal service. Said notice shall include an adequate description of the height and location of the proposed fence.

(c) In considering a request for a modification of the fence requirements outlined in subsections (1) through (4) of this section, the community development director ~~hearing examiner~~ shall consider the following factors:

~~(a)~~ (i) If the proposed fence is designed and constructed so that it does not cause a public safety hazard by obstructing visibility of pedestrians or motorists using streets, driveways or sidewalks;

~~(b)~~ (ii) The proposed fence will not infringe upon or interfere with utility and/or access easements or covenant rights or responsibilities;

(iii) The increased fence height will not adversely affect adjacent property owners of the height and location of the proposed fence.

(iv) Fences greater than six feet in height are required to obtain a city building permit.

~~(c)~~(v) Other information which is relevant and necessary to make a determination as to the validity of the request for variation. Such additional information may include site plans, elevation drawings, and information concerning the surrounding properties and uses.

(d) Each variance shall be considered on a case-by-case basis, and the resulting decision shall not be construed as setting precedent for any subsequent application.

(e) The decision of the community development director on a variance application shall be final, subject to appeal to the city hearing examiner pursuant to the procedures in Chapter 22G.010 MMC, Article VIII, Appeals. Appeals shall be filed within 14 calendar days of the written decision of the community development director.

COMMERCIAL FENCE STANDARDS

CHANGES ARE PROPOSED SO THAT:

1) CITY CODE ALLOWS AUTOMOBILE HOLDING YARDS TO HAVE BARBED WIRE AS REQUIRED BY STATE LAW;

2) THERE IS AN ADMINISTRATIVE VARIANCE PROCESS FOR FENCES SO THAT FENCE VARIANCE REQUESTS DO NOT HAVE TO GO BEFORE THE HEARING EXAMINER. AN ADMINISTRATIVE VARIANCE WILL REDUCE THE TURNAROUND TIME AND ASSOCIATED COST; AND

3) THE VARIANCE CRITERIA WILL BE MORE CONSISTENT WITH THE RESIDENTIAL FENCE VARIANCE PROVISIONS.

22C.020.330 Fences.

(1) Purpose. The fence standards promote the positive benefits of fences without negatively affecting the community or endangering public or vehicle safety. Fences can create a sense of privacy, protect children and pets, provide separation from busy streets, and enhance the appearance of property by providing attractive landscape materials. The negative effects of fences can include the creation of street walls that inhibit police and community surveillance, decrease the sense of community, hinder emergency access and the safe movement of pedestrians and vehicles, and create an unattractive appearance.

(2) Types of Fences.

(a) The standards apply to walls, fences, trellises, arbors and screens of all types whether open, solid, wood, metal, wire, masonry or other material.

(b) No barbed or razor-wire fence shall be permitted, except for the following:

(i) Industrial zones.

(ii) Confinement of livestock.

(iii) Public facilities, transmitter and transformer sites.

(iv) Government installations where security or public safety is required.

(v) Automobile holding yards and similar businesses if required under state law.

(3) Height.

(a) Business and Commercial Zones. All yards: eight feet.

(b) Industrial Zones. All yards: 10 feet.

(c) When a protective fence is located on top of a rockery, any portion of the fence above a height of eight feet shall be an open-work fence.
(d) Open wire mesh or similar type fences may be erected in excess of the maximum heights permitted in this code on the periphery of playgrounds associated with private and public schools and parks, public facilities, transmitter and transformer sites, and government installations where security or public safety is required.
(e) The height of a fence or freestanding wall, retaining wall or combination of the same, shall be measured from its top surface, board, rail, or wire to the natural elevation of the ground on which it stands.
(f) Where the finished grade is a different elevation on either side of a fence, the height may be measured from the side having the highest elevation.

(4) Setbacks.

(a) Front Lot Line.

(i) Solid fences greater than four feet in height shall be set back at least 20 feet from the street right-of-way, except in the following circumstances:

(A) For a corner lot, the 20-foot setback shall only apply to the street which provides primary access to the lot.

(B) This setback requirement may be waived or modified by the city engineer or his designee if a fence is designed and constructed so that it does not cause a public safety hazard by obstructing visibility of pedestrians or motorists using streets, driveways or sidewalks.

(ii) A four-foot fence, or six-foot fence with the top two feet constructed as an open-work fence, may be constructed on the front property line, provided the fence is designed and constructed so that it does not cause a public safety hazard by obstructing visibility of pedestrians or motorists using streets, driveways or sidewalks.

(b) Side Lot Line. No setback requirement.
(c) Rear Lot Line. No setback requirement.
(d) For special rules relating to fences and walls near fire hydrants, see MMC 14.03.050(2) and the International Fire Code.

(5) Fence Variances.

(a) The community development director shall have authority to administratively grant a variance to the fence requirements outlined in this section. The community development director is authorized to issue variances in cases of special hardships, unique circumstances and practical difficulties. No variance shall be granted which would be detrimental to the public health, welfare or environment.
(b) Variance requests shall be submitted to the city on a form provided by the city. At the time the applicant submits the variance request to the city, the applicant shall also provide written notification of the variance request to immediately adjoining property owners by first class mail or personal service. Said notice shall include an adequate description of the height and location of the proposed fence.
(c) In considering a request for a modification of the fence requirements outlined in subsections (1) through (4) of this section, the community development director ~~hearing examiner~~ shall consider the following factors:

~~(a)~~(i) ~~-~~If the proposed fence is designed and constructed so that it does not cause a public safety hazard by obstructing visibility of pedestrians or motorists using streets, driveways or sidewalks;

~~(b)~~(ii) ~~-~~The proposed fence will not infringe upon or interfere with utility and/or access easements or covenant rights or responsibilities;

(iii) The increased fence height will not adversely affect adjacent property owners;
(iv) Fences greater than six feet in height are required to obtain a city building permit.
~~(c)~~(v) Other information which is relevant and necessary to make a determination as to the validity of the request for variation. Such additional information may include site plans, elevation drawings, and information concerning the surrounding properties and uses.

(d) Each variance shall be considered on a case-by-case basis, and the resulting decision shall not be construed as setting precedent for any subsequent application.
(e) The decision of the community development director on a variance application shall be final, subject to appeal to the city hearing examiner pursuant to the procedures in Chapter 22G.010

MMC, Article VIII, Appeals. Appeals shall be filed within 14 calendar days of the written decision of the community development director.

RESIDENTIAL PERMITTED USES

CHANGES ARE PROPOSED TO MAKE IT EASIER TO FIND THE MODEL HOME AND MODEL HOUSE PROVISIONS IN THE PERMITTED USES MATRICES. AS PRESENTLY WRITTEN, THE MODEL HOME PROVISIONS ARE BURIED UNDER THE MODEL HOUSE FOOTNOTE. ALSO, THE PROVISIONS FOR MODEL HOUSES DO NOT PRESENTLY REFER TO THE CHAPTER IN WHICH THE PROVISIONS FOR MODEL HOUSES ARE CONTAINED.

22C.010.060 Permitted uses.

Specific Land Use	R-4.5	R-6.5	R-8	WR R-4-8	R-12	R-18	R-28	WR R-6-18	R-MHP
Residential land uses									
Dwelling Units, Types:									
Single detached (14)	P11	P11	P11	P11	P11	P11	P11	P11	P43
Model home	P30	P30	P30	P30	P30	P30	P30	P30	P30
Cottage housing	C6	C6	C6	C6	C6	C6	C6	C6	
Duplex (14)	C8	P8	P8	P8	P	P	P	P	
Townhouse	P3	P3	P3	P3	P	P	P	P	
Multiple-family					P	P	P	P	
Mobile home	P12	P12	P12	P12	P12	P12	P12	P12	P12
Mobile/manufactured home park	P3	P3	P3		C	P	P		P45
Senior citizen assisted	C2	C2	C2	C2	C2	C2	C2	C2	C2
Factory-built	P7	P7	P7	P7	P7	P7	P7	P7	P7, 43
Recreational vehicle									P44
Group Residences:									
Adult family home	P	P	P	P	P	P	P	P	P
Convalescent, nursing, retirement	C2	C2	C2	C2	C2	C2	C2	C2	
Residential care facility	P	P	P	P	P	P	P	P	
Master planned senior community (15)	C	C	C	C	C	C	C	C	C
Accessory Uses:									
Residential accessory uses (1) (9) (10)	P	P	P	P	P	P	P	P	P
Home occupation (5)	P	P	P	P	P13	P13	P13	P13	P
Temporary Lodging:									
Hotel/motel					P	P	P	P	
Bed and breakfast guesthouse (4)		C	C	C	P	P	P	P	
Bed and breakfast inn (4)					P	P	P	P	
Recreation/Cultural Land Uses									

Park/Recreation:									
Park	P16	P16	P16	P16	P16	P16	P16	P16	P16
Recreational vehicle park									C
Community center	C	C	C	C	C	C	C	C	C
Amusement/Entertainment:									
Sports club					C	C	C	C	
Golf facility (17)	C	C	C	C	P	P	P	P	
Cultural:									
Library, museum and art gallery	C	C	C	C	C	C	C	C	C
Church, synagogue and temple	C	C	C	C	P	P	P	P	C
General Services Land Uses									
Personal Services:									
Funeral home/crematory	C18	C18	C18	C18	C18	C18	C18	C18	C18
Cemetery, columbarium or mausoleum	P24 C19	P24 C19	P24 C19	P24 C19	P24 C19	P24 C19	P24 C19	P24 C19	P24 C19
Day care I	P20	P20	P20	P20	P20	P20	P20	P20	P20
Day care II	C25	C25	C25	C25	C	C	C	C	C25
Stable	C	C	C	C					
Kennel or cattery, hobby	C	C	C	C	C	C	C	C	
Electric vehicle (EV) charging station (38), (39)	P	P	P	P	P	P	P	P	
EV rapid charging station (40), (41), (42)					P	P	P	P	
Health Services:									
Medical/dental clinic					C	C	C	C	
Education Services:									
Elementary, middle/junior high, and senior high (including public, private and parochial)	C	C	C	C	C	C	C	C	C
Commercial school	C21	C21	C21	C21	C21	C21	C21	C21	
School district support facility	C23	C23	C23	C23	C23	C23	C23	C23	
Interim recycling facility	P22	P22	P22	P22	P22	P22	P22	P22	
Vocational school									
Government/Business Service Land Uses									
Government Services:									
Public safety facilities, including police and fire	C26	C26	C26	C26	C26	C26	C26	C26	C26
Utility facility	P	P	P	P	P	P	P	P	P
Private storm water management facility	P	P	P	P	P	P	P	P	P

Public storm water management facility	P	P	P	P	P	P	P	P	P
Business Services:									
Self-service storage (31)					C27	C27	C27	C27	
Professional office					C	C	C	C	
Automotive parking	P29	P29	P29	P29	P29	P29	P29	P29	
Model house sales office	P4730	P4730	P4730	P4730					
Wireless communication facility (28)	P C	P C	P C	P C	P C	P C	P C	P C	P C
Retail/Wholesale Land Uses									
Forest products sales	P32	P32	P32	P32					
Agricultural crop sales	P32	P32	P32	P32					
Resource Land Uses									
Agriculture:									
Growing and harvesting crops	P34	P34	P34	P34					
Raising livestock and small animals	P35	P35	P35	P35					
Forestry:									
Growing and harvesting forest products	P34	P34	P34	P34					
Fish and wildlife management:									
Hatchery/fish preserve (33)	C	C	C	C					
Aquaculture (33)	C	C	C	C					
Regional Land Uses									
Regional storm water management facility	C	C	C	C	C	C	C	C	C
Nonhydroelectric generation facility	C	C	C	C	C	C	C	C	C
Transit park and pool lot	P	P	P	P	P	P	P	P	
Transit park and ride lot	C	C	C	C	C	C	C	C	
School bus base	C36	C36	C36	C36	C36	C36	C36	C36	
Racetrack	C37	C37	C37	C37	C37	C37	C37	C37	
College/university	C	C	C	C	C	C	C	C	

(Ord. 2852 § 10 (Exh. A), 2011).

22C.010.070 Permitted uses – Development conditions.

(1) Accessory dwelling units must comply with development standards in Chapter 22C.180 MMC. Accessory dwelling units in the MHP zone are only allowed on single lots of record containing one single-family detached dwelling.

(2) Limited to three residents per the equivalent of each minimum lot size or dwelling units per acre allowed in the zone in which it is located.

(3) Only as part of a planned residential development (PRD) proposal, and subject to the same density as the underlying zone.

(4) Bed and breakfast guesthouses and inns are subject to the requirements and standards contained in Chapter 22C.210 MMC.

(5) Home occupations are subject to the requirements and standards contained in Chapter 22C.190 MMC.

(6) Subject to cottage housing provisions set forth in MMC 22C.010.280.
(7) Factory-built dwelling units shall comply with the following standards:
(a) A factory-built house must be inspected at least two times at the factory by the State Building Inspector during the construction process, and must receive an approval certifying that it meets all requirements of the International Building Code. At the building site, the city building official will conduct foundation, plumbing and final inspections.
(b) A factory-built house cannot be attached to a metal frame allowing it to be mobile. All such structures must be placed on a permanent foundation at the building site.
(8) Permitted outright in the R-6.5, R-8, and WR-R-4-8 zones on minimum 7,200-square-foot lots. A conditional use permit is required for the R-4.5 zone, and the minimum lot size must be 12,500 square feet. Duplexes must comply with the comprehensive plan density requirements for the underlying land use designation.
(9) A garage sale shall comply with the following standards:
(a) No residential premises shall have more than two such sales per year and no such sale shall continue for more than six days within a 15-day period.
(b) Signs advertising such sales shall not be attached to any public structures, signs or traffic control devices, nor to any utility poles. All such signs shall be removed 24 hours after the sale is completed.
A garage sale complying with the above conditions shall be considered as being an allowable accessory use to all residential land uses. A garage sale violating one or more of the above conditions shall be considered as being a commercial use and will be disallowed unless it complies with all requirements affecting commercial uses.
(10) Residential accessory structures must comply with development standards in Chapter 22C.180 MMC.
(11) Manufactured homes must:
(a) Be no more than five years old, as evidenced by the date of manufacture recorded on the HUD data plate;
(b) Be set on a permanent foundation, as specified by the manufacturer, enclosed with an approved concrete product from the bottom of the home to the ground which may be either load-bearing or decorative;
(c) Meet all design standards applicable to all other single-family homes in the neighborhood in which the manufactured home is to be located.
(12) Mobile homes are only allowed in existing mobile home parks established prior to October 16, 2006.
(13) Home occupations are limited to home office uses in multifamily dwellings. No signage is permitted in townhouse or multifamily dwellings.
(14) No more than one single-family detached or duplex dwelling(s) is allowed per lot except in planned residential developments, through the provisions of Chapter 22G.080 MMC, using the binding site plan (BSP) process outlined in Chapter 22G.100 MMC, and designated on the face of the BSP, for multiple single-family detached dwellings on a single parcel; or accessory dwelling units through the provisions of Chapter 22C.180 MMC.
(15) Subject to Chapter 22C.220 MMC, Master Planned Senior Communities.
(16) The following conditions and limitations shall apply, where appropriate:
(a) Parks are permitted in residential and mixed use zones when reviewed as part of a subdivision, mobile/manufactured home park, or multiple-family development proposal; otherwise a conditional use permit is required;
(b) Lighting for structures and fields shall be directed away from residential areas; and
(c) Structures or service yards shall maintain a minimum distance of 50 feet from property lines adjoining residential zones.
(17) Golf facilities shall comply with the following:
(a) Structures, driving ranges and lighted areas shall maintain a minimum distance of 50 feet from property lines adjoining residential zones.
(b) Restaurants are permitted as an accessory use to a golf course.
(18) Only as an accessory to a cemetery.
(19) Structures shall maintain a minimum distance of 100 feet from property lines adjoining residential zones.

(20) Only as an accessory to residential use and subject to the criteria set forth in Chapter 22C.200 MMC.
(21) Only as an accessory to residential use, provided:
(a) Students are limited to 12 per one-hour session;
(b) All instruction must be within an enclosed structure; and
(c) Structures used for the school shall maintain a distance of 25 feet from property lines adjoining residential zones.
(22) Limited to drop box facilities accessory to a public or community use such as a school, fire station or community center.
(23) Only when adjacent to an existing or proposed school.
(24) Limited to columbariums accessory to a church; provided, that existing required landscaping and parking are not reduced.
(25) Daycare IIs must be located on sites larger than one-half acres and are subject to minimum standards identified in Chapter 22C.200 MMC for daycare I facilities. Parking facilities and loading areas shall be located to the rear of buildings or be constructed in a manner consistent with the surrounding residential character. Evaluation of site suitability shall be reviewed through the conditional use permit process.
(26) Public safety facilities, including police and fire, shall comply with the following:
(a) All buildings and structures shall maintain a minimum distance of 20 feet from property lines adjoining residential zones;
(b) Any buildings from which fire-fighting equipment emerges onto a street shall maintain a distance of 35 feet from such street.
(27) Accessory to an apartment development of at least 12 units, provided:
(a) The gross floor area in self-service storage shall not exceed 50 percent of the total gross floor area of the apartment dwellings on the site;
(b) All outdoor lights shall be deflected, shaded and focused away from all adjoining property;
(c) The use of the facility shall be limited to dead storage of household goods;
(d) No servicing or repair of motor vehicles, boats, trailers, lawn mowers or similar equipment;
(e) No outdoor storage or storage of flammable liquids, highly combustible or explosive materials or hazardous chemicals;
(f) No residential occupancy of the storage units;
(g) No business activity other than the rental of storage units to the apartment dwellings on the site; and
(h) A resident manager shall be required on the site and shall be responsible for maintaining the operation of the facility in conformance with the conditions of approval.
(28) All WCFs and modifications to WCFs are subject to Chapter 22C.250 MMC including, but not limited to, the siting hierarchy, MMC 22C.250.060. WCFs may be a permitted use or a conditional use subject to MMC 22C.250.040.
(29) Limited to commuter parking facilities for users of transit, carpools or ride-share programs, provided:
(a) They are located on existing parking lots for churches, schools, or other permitted nonresidential uses which have excess capacity available during commuting hours; and
(b) The site is adjacent to a designated arterial that has been improved to a standard acceptable to the department.
(30) ~~Model house sales office shall comply with the following:~~
~~(a)~~ The community development director may approve construction of model homes subject to the following conditions:
(i) No model home shall be constructed without the issuance of a building permit;
(ii) In no event shall the total number of model homes in a preliminary subdivision be greater than nine;
(iii) A hard-surfaced roadway to and abutting all model homes shall be constructed to standards determined by the city engineer or designee;
(iv) Operational fire hydrant(s) must be available in accordance with the International Fire Code;

(v) Submittal of a site plan, stamped by a registered civil engineer or licensed surveyor, delineating the location of each structure relative to existing and proposed utilities, lot lines, easements, roadways, topography and critical areas;
(vi) Submittal of building permit applications for each of the proposed structures;
(vii) Approval of water, sewer and storm sewer extension plans to serve the proposed structures; and
(viii) Execution of an agreement with the city saving and holding it harmless from any damages, direct or indirect, as a result of the approval of the construction of model homes on the site.

(b) Prior to occupancy of any model home, the final plat of the subject subdivision shall be approved and recorded.

(31) Any outdoor storage areas are subject to the screening requirements of the landscape code.
(32) Subject to approval of a small farms overlay zone.
(33) May be further subject to the provisions of the Marysville shoreline master program.
(34) Only allowed in conjunction with the small farms overlay zone.
(35) Provided that the property has received approval of a small farms overlay designation, or is larger than one acre in size.
(36) Only in conjunction with an existing or proposed school.
(37) Except racing of motorized vehicles.
(38) Level 1 and Level 2 charging only.
(39) Allowed only as an accessory use to a principal outright permitted use or permitted conditional use.
(40) The term "rapid" is used interchangeably with "Level 3" and "fast charging."
(41) Only "electric vehicle charging stations – restricted" as defined in Chapter 22A.020 MMC.
(42) Rapid (Level 3) charging stations are required to be placed within a parking garage.
(43) One single-family detached dwelling per existing single lot of record. Manufactured homes on single lots must meet the criteria outlined in subsection (11) of this section.
(44) Used as a permanent residence in an established MHP or RV park; provided, that utility hookups in MHPs meet current standards for MHPs or RV parks.
(45) MHPs shall fulfill the requirements of Chapter 22C.230 MMC.
(46) Recreational vehicle parks are subject to the requirements and conditions of Chapter 22C.240 MMC.
(47) Model house sales offices are subject to the requirements of MMC Section 22C.110.020(3). (Ord. 2852 § 10 (Exh. A), 2011).

COMMERCIAL PERMITTED USES
PROPOSED CHANGES ARE:
1) TO ALLOW FOR CARETAKER'S QUARTERS IN THE NEIGHBORHOOD BUSINESS (NB), MIXED USE (MU), AND RECREATION (REC) ZONES.
2) TO PROPERLY CATEGORIZE INTERIM RECYCLING FACILITY; AND
3) TO ELIMINATE THE CRITERIA UNDER FOOTNOTE #43 THAT IS NOT RELEVANT TO FUEL DEALERS (REFERENCES APPLY TO RESTAURANTS).

22C.020.060 Permitted uses.

Specific Land Use	NB	CB (63)	GC	DC	MU (63)	BP	LI	GI	REC	P/I
Residential Land Uses										
Dwelling Units, Types:										
Townhouse				P6	P					
Multiple-family	C4	P4, C5	P4, C5	P4, P6	P					
Mobile home	P7	P7	P7	P7	P7	P7	P7	P7		
Senior citizen assisted	P				C					P

Caretaker's quarters (3)	P	P	P	P	P	P	P	P	P	P
Group Residences:										
Adult family home	P	P	P	P	P					P
Convalescent, nursing, retirement	C	P	P	P	P					P
Residential care facility	P	P	P	P	P					P
Master planned senior community (10)	C	C	C	C	C					C
Accessory Uses:										
Home occupation (2)	P8	P8, P9	P8, P9	P8, P9	P8, P9	P9	P9	P9		
Temporary Lodging:										
Hotel/motel	P	P	P	P	P	P	P			
Bed and breakfast guesthouse (1)										
Bed and breakfast inn (1)	P	P	P							
Recreation/Cultural Land Uses										
Park/Recreation:										
Park	P11	P	P	P	P	P	P	P	P11	P
Marina				P				P	C	P
Dock and boathouse, private, noncommercial				P				P	P16	P
Recreational vehicle park			C12				C12		C	P
Boat launch, commercial or public				P				P		P
Boat launch, noncommercial or private				P				P	P17	P
Community center	P	P	P	P	P	P	P	P	P	P
Amusement/Entertainment:										
Theater		P	P	P	P					
Theater, drive-in			C							
Amusement and recreation services		P18	P18	P18	P19	P	P	C		
Sports club	P	P	P	P	P	P	P	P		
Golf facility (13)		P	P			P	P	P	C	
Shooting range (14)			P15			P15	P15			
Outdoor performance center			C				C		C	C
Riding academy						P	P		C	
Cultural:										
Library, museum and art gallery	P	P	P	P	P	P	P	P	C	P
Church, synagogue and temple	P	P	P	P	P	P	P	P		P
Dancing, music and art center		P	P	P	P				C	P
General Services Land Uses										

Personal Services:										
General personal service	P	P	P	P	P	P	P	P		
Dry cleaning plant		P					P	P		
Dry cleaning pick-up station and retail service	P	P	P	P	P25		P	P		
Funeral home/crematory		P	P	P	P26	P	P	P		
Cemetery, columbarium or mausoleum	P24	P24	P24 C20			P	P	P		
Day care I	P	P	P		P		P21			
Day care II	P	P	P	P	P	P21	P21			
Veterinary clinic	P	P	P	P	P	P	P	P		
Automotive repair and service	P22	C, P28	P			P	P	P		
Electric vehicle (EV) charging station (64)	P	P	P	P	P	P	P	P	P	P
EV rapid charging station (65), (66)	P	P	P	P67	P67		P	P		
EV battery exchange station			P				P	P		
Miscellaneous repair		P	P				P	P		
Social services		P	P	P	P					P
Kennel, commercial and exhibitor/breeding		P	P			C	P	P		
Civic, social and fraternal association		P	P	P	C	P		P		P
Club (community, country, yacht, etc.)						P		P		P
Health Services:										
Medical/dental clinic	P	P	P	P	P					P
Hospital		P	P	P	C					C
Education Services:										
Elementary, middle/junior high, and senior high (including public, private and parochial)		C	C	C	C		P	C		C
Commercial school	P	P		P	P27					C
School district support facility	C	P	P	P	P		P	P		P
~~Interim recycling facility~~		~~P23~~	~~P23~~				~~P~~			~~P~~
Vocational school		P	P	P	P27					P
Government/Business Service Land Uses										
Government Services:										
Public agency office	P	P	P	P	P	P	P	P		P
Public utility yard			P				P			P
Public safety facilities, including police and fire	P29	P	P	P	P		P			P
Utility facility	P	P	P		C	P	P	P		P
Private storm water management facility	P	P	P	P	P	P	P	P		P

Public storm water management facility	P	P	P	P	P	P	P	P		P
Business Services:										
Contractors' office and storage yard			P30	P30	P30		P	P		
Interim recycling facility		P23	P23				P			P
Taxi stands		P	P							
Trucking and courier service		P31	P31				P	P		
Warehousing and wholesale trade			P			P	P	P		
Mini-storage (36)			P			P	P	P		
Freight and cargo service			P			P	P	P		
Cold storage warehousing							P	P		
General business service and office	P	P	P	P	P30	P	P	P		
Commercial vehicle storage						P	P	P		
Professional office	P	P	P	P	P	P	P			
Miscellaneous equipment rental		P30, 37	C38		P30, 37		P	P		
Automotive rental and leasing			P				P			
Automotive parking	P	P	P	P	P	P	P	P		
Research, development and testing			P			P	P	P		
Heavy equipment and truck repair							P	P		
Automobile holding yard			C				P	P		
Commercial/industrial accessory uses	P39, 40	P39	P39	P39, 40	P39, 40	P	P	P		
Adult facility								P33		
Factory-built commercial building (35)	P	P	P	P		P	P	P		
Wireless communication facility (32)	P, C	P, C	P, C	P, C	P, C	P, C	P, C	P, C		P, C
Retail/Wholesale Land Uses										
Building, hardware and garden materials	P47	P	P	P	P47		P	P		
Forest products sales		P	P				P			
Department and variety stores	P	P	P	P	P		P			
Food stores	P	P	P	P	P45		P			
Agricultural crop sales		P	P		C		P			
Storage/retail sales, livestock feed							P	P		
Motor vehicle and boat dealers		P	P				P	P		
Motorcycle dealers		C	P	P49			P	P		
Gasoline service stations	P	P	P	P			P	P		
Eating and drinking places	P41	P	P	P	P46	P	P	P		

Drug stores	P	P	P	P	P		P	P		
Liquor stores		P	P							
Used goods: antiques/secondhand shops		P	P	P	P					
Sporting goods and related stores		P	P	P	P					
Book, stationery, video and art supply stores	P	P	P	P	P					
Jewelry stores		P	P	P	P					
Hobby, toy, game shops	P	P	P	P	P					
Photographic and electronic shops	P	P	P	P	P					
Fabric and craft shops	P	P	P	P	P					
Fuel dealers			P43			P43	P43	P43		
Florist shops	P	P	P	P	P					
Pet shops	P	P	P	P	P					
Tire stores		P	P	P			P	P		
Bulk retail		P	P				P			
Auction houses			P42				P			
Truck and heavy equipment dealers							P	P		
Mobile home and RV dealers			C				P	P		
Retail stores similar to those otherwise named on this list	P	P	P	P	P48	P44	P44	P44		
Automobile wrecking yards							C	P		
Manufacturing Land Uses										
Food and kindred products		P50, 52	P50				P50	P		
Winery/brewery		P53	P	P53	P53		P	P		
Textile mill products							P	P		
Apparel and other textile products			C				P	P		
Wood products, except furniture			P				P	P		
Furniture and fixtures			P				P	P		
Paper and allied products							P	P		
Printing and publishing	P51	P51	P		P51	P	P	P		
Chemicals and allied products							C	C		
Petroleum refining and related industries							C	C		
Rubber and misc. plastics products							P	P		
Leather and leather goods							C	C		
Stone, clay, glass and concrete products							P	P		
Primary metal industries							C	P		
Fabricated metal products			C			P	P	P		

Industrial and commercial machinery							C	P		
Heavy machinery and equipment							C	P		
Computer and office equipment			C				P			
Electronic and other electric equipment			C				P			
Railroad equipment							C	P		
Miscellaneous light manufacturing				P54			P	P		
Motor vehicle and bicycle manufacturing							C	P		
Aircraft, ship and boat building							C	P		
Tire retreading							C	P		
Movie production/distribution			P				P			
Resource Land Uses										
Agriculture:										
Growing and harvesting crops						P	P	P	P	
Raising livestock and small animals						P	P	P	P	
Greenhouse or nursery, wholesale and retail			P			P	P	P	C	
Farm product processing							P	P		
Forestry:										
Growing and harvesting forest products							P			
Forest research							P			
Wood waste recycling and storage							C	C		
Fish and Wildlife Management:										
Hatchery/fish preserve (55)						P	P	P	C	
Aquaculture (55)							P	P	C	
Wildlife shelters	C	C							P	
Mineral:										
Processing of minerals							P	P		
Asphalt paving mixtures and block							P	P		
Regional Land Uses										
Jail		C	C			C	C			
Regional storm water management facility		C	C	C		C	C	C		P
Public agency animal control facility			C				P	P		C
Public agency training facility		C56	C56		C56		C57			C57
Nonhydroelectric generation facility	C	C	C				C	C		C
Energy resource recovery facility							C			
Soil recycling/incineration facility							C	C		
Solid waste recycling								C		C

Transfer station							C	C		C
Wastewater treatment facility						C	C	C		C
Transit bus base			C				P			C
Transit park and pool lot	P	P	P	P	P	P	P	P		P
Transit park and ride lot	P	P	P	P	P	P	P	P		C
School bus base	C	C	C				P			C58
Racetrack	C59	C59	C				P			
Fairground						P	P	P		C
Zoo/wildlife exhibit		C	C							C
Stadium/arena			C				C	P		C
College/university	C	P	P	P	P	P	P	P		C
Secure community transition facility								C60		
Opiate substitution treatment program facilities		P61, 62	P61, 62	P61, 62			P62	P62		

(Ord. 2852 § 10 (Exh. A), 2011).

22C.020.070 Permitted uses – Development conditions.

(1) Bed and breakfast guesthouses and inns are subject to the requirements and standards contained in Chapter 22C.210 MMC, Bed and Breakfasts.

(2) Home occupations are subject to the requirements and standards contained in Chapter 22C.190 MMC, Home Occupations.

(3) Limited to one dwelling unit for the purposes of providing on-site service and security of a commercial or industrial business.

(4) All units must be located above a street-level commercial use.

(5) Twenty percent of the units, but no more than two total units, may be located on the street level of a commercial use, if conditional use permit approval is obtained and the units are designed exclusively for ADA accessibility. The street level units shall be designed so that the units are not located on the street front and primary access is towards the rear of the building.

(6) Permitted on the ground floor in the southwest sector of downtown vision plan area, as incorporated into the city of Marysville comprehensive plan.

(7) Mobile homes are only allowed in existing mobile home parks established prior to October 16, 2006.

(8) Home occupations are limited to home office uses in multifamily dwellings. No signage is permitted in townhouse or multifamily dwellings.

(9) Permitted in a legal nonconforming or conforming residential structure.

(10) Subject to Chapter 22C.220 MMC, Master Planned Senior Communities.

(11) The following conditions and limitations shall apply, where appropriate:

(a) Parks are permitted in residential and mixed use zones when reviewed as part of a subdivision or multiple-family development proposal; otherwise a conditional use permit is required;

(b) Lighting for structures and fields shall be directed away from residential areas; and

(c) Structures or service yards shall maintain a minimum distance of 50 feet from property lines adjoining residential zones.

(12) Recreational vehicle parks are subject to the requirements and conditions of Chapter 22C.240 MMC.

(13) Golf facility.

(a) Structures, driving ranges and lighted areas shall maintain a minimum distance of 50 feet from property lines adjoining residential zones.

(b) Restaurants are permitted as an accessory use to a golf course.

(14) Shooting range.

(a) Structures and ranges shall maintain a minimum distance of 50 feet from property lines adjoining residential zones;
(b) Ranges shall be designed to prevent stray or ricocheting projectiles or pellets from leaving the property; and
(c) Site plans shall include safety features of the range; provisions for reducing noise produced on the firing line; and elevations of the range showing target area, backdrops or butts.

(15) Only in an enclosed building.

(16)(a) The height of any covered over-water structure shall not exceed 20 feet as measured from the line of ordinary high water;
(b) The total roof area of covered, over-water structures shall not exceed 1,000 square feet;
(c) The entirety of such structures shall have not greater than 50 percent of the width of the lot at the natural shoreline upon which it is located;
(d) No over-water structure shall extend beyond the average length of all pre-existing over-water structures along the same shoreline and within 300 feet of the parcel on which proposed. Where no such pre-existing structures exist within 300 feet, the pier length shall not exceed 50 feet;
(e) Structures permitted hereunder shall not be used as a dwelling; and
(f) Covered structures are subject to a minimum setback of five feet from any side lot line or extension thereof. No setback from adjacent properties is required for any uncovered structure, and no setback from water is required for any structure permitted hereunder.

(17) Boat launch, noncommercial or private.
(a) The city may regulate, among other factors, required launching depth, and length of docks and piers;
(b) Safety buoys shall be installed and maintained separating boating activities from other water-oriented recreation and uses where this is reasonably required for public safety, welfare and health; and
(c) All site improvements for boat launch facilities shall comply with all other requirements of the zone in which it is located.

(18) Excluding racetrack operation.

(19) Amusement and recreation services shall be a permitted use if they are located within an enclosed building, or a conditional use if located outside. In both instances they would be subject to the exclusion of a racetrack operation similar to other commercial zones.

(20) Structures shall maintain a minimum distance of 100 feet from property lines adjoining residential zones.

(21) Permitted as an accessory use; see MMC 22A.020.020, the definition of "Accessory use, commercial/industrial."

(22) Only as an accessory to a gasoline service station; see retail and wholesale permitted use table in MMC 22C.020.060.

(23) All processing and storage of material shall be within enclosed buildings and excluding yard waste processing.

(24) Limited to columbariums accessory to a church; provided, that existing required landscaping and parking are not reduced.

(25) Drive-through service windows in excess of one lane are prohibited in Planning Area 1.

(26) Limited to columbariums accessory to a church; provided, that existing required landscaping and parking are not reduced.

(27) All instruction must be within an enclosed structure.

(28) Car washes shall be permitted as an accessory use to a gasoline service station.

(29) Public safety facilities, including police and fire.
(a) All buildings and structures shall maintain a minimum distance of 20 feet from property lines adjoining residential zones;
(b) Any buildings from which fire-fighting equipment emerges onto a street shall maintain a distance of 35 feet from such street.

(30) Outdoor storage of materials or vehicles must be accessory to the primary building area and located to the rear of buildings. Outdoor storage is subject to an approved landscape plan that provides for effective screening of storage, so that it is not visible from public right-of-way or neighboring properties.

(31) Limited to self-service household moving truck or trailer rental accessory to a gasoline service station.
(32) All WCFs and modifications to WCFs are subject to Chapter 22C.250 MMC including but not limited to the siting hierarchy, MMC 22C.250.060. WCFs may be a permitted use or a CUP may be required subject to MMC 22C.250.040.
(33) Subject to the conditions and requirements listed in Chapter 22C.030 MMC.
(34) Reserved.
(35) A factory-built commercial building may be used for commercial purposes subject to the following requirements:

(a) A factory-built commercial building must be inspected at least two times at the factory by the State Building and Electrical Inspector during the construction process, and must receive a state approval stamp certifying that it meets all requirements of the International Building and Electrical Codes. At the building site, the city building official will conduct foundation, plumbing and final inspections; and

(b) A factory-built commercial building cannot be attached to a metal frame allowing it to be mobile. All structures must be placed on a permanent, poured-in-place foundation. The foundation shall be structurally engineered to meet the requirements set forth in Chapter 16 of the International Building Code.

(36) Mini-storage facilities are subject to the development standards outlined in Chapter 22C.170 MMC.
(37) Except heavy equipment.
(38) With outdoor storage and heavy equipment.
(39) Incidental assembly shall be permitted; provided, it is limited to less than 20 percent of the square footage of the site excluding parking.
(40) Light industrial uses may be permitted; provided, there is no outdoor storage of materials, products or vehicles.
(41) Excluding drinking places such as taverns and bars and adult entertainment facilities.
(42) Excluding vehicle and livestock auctions.
(43) If the total storage capacity exceeds 6,000 gallons, a conditional use permit is required.

~~(a) Limited to 4,000 square feet or less.~~
~~(b) Drive-through service windows in excess of one lane are prohibited in Planning Area 1. However, interim uses that occupy less than 20 percent of the property on underdeveloped parcels may have more than one lane; provided, that upon further development of the property the interim use is either removed or brought into conformity with the mixed use standards.~~
~~(c) Taverns, bars, lounges, etc., are required to obtain a conditional use permit.~~

(44) The retail sale of products manufactured on site shall be permitted; provided, that not more than 20 percent of the constructed floor area in any such development may be devoted to such retail use.
(45) Limited to 5,000 square feet or less.
(46) Eating and drinking places.

(a) Limited to 4,000 square feet or less.
(b) Drive-through service windows in excess of one lane are prohibited in Planning Area 1.
(c) Taverns, bars, lounges, etc., are required to obtain a conditional use permit.

(47) Limited to hardware and garden supply stores.
(48) Limited to convenience retail, such as video, and personal and household items.
(49) Provided there is no outdoor storage and/or display of any materials, products or vehicles.
(50) Except slaughterhouses.
(51) Limited to photocopying and printing services offered to the general public.
(52) Limited to less than 10 employees.
(53) In conjunction with an eating and drinking establishment.
(54) Provided there is no outdoor storage and/or display of any materials, products or vehicles.
(55) May be further subject to the provisions of city of Marysville shoreline management program.
(56) Except weapons armories and outdoor shooting ranges.
(57) Except outdoor shooting ranges.
(58) Only in conjunction with an existing or proposed school.
(59) Except racing of motorized vehicles.

(60) Limited to land located along east side of 47th Avenue NE alignment, in the east half of the northeast quarter of Section 33, Township 30N, Range 5E, W.M., and in the northeast quarter of the southeast quarter of Section 33, Township 30N, Range 5E, W.M., and land located east side of SR 529, north of Steamboat Slough, south and west of Ebey Slough (a.k.a. TP No. 300533-002-004-00) and in the northwest and southwest quarters of Section 33, Township 30N, Range 5E, W.M., as identified in Exhibit A, attached to Ordinance No. 2452.
(61) Opiate substitution treatment program facilities permitted within commercial zones are subject to Chapter 22G.070 MMC, Siting Process for Essential Public Facilities.
(62) Opiate substitution treatment program facilities, as defined in MMC 22A.020.160, are subject to the standards set forth below:

(a) Shall not be established within 300 feet of an existing school, public playground, public park, residential housing area, child-care facility, or actual place of regular worship established prior to the proposed treatment facility.

(b) Hours of operation shall be restricted to no earlier than 6:00 a.m. and no later than 7:00 p.m. daily.

(c) The owners and operators of the facility shall be required to take positive ongoing measures to preclude loitering in the vicinity of the facility.

(63) Permitted uses include Whiskey Ridge zones.
(64) Level 1 and Level 2 charging only.
(65) The term "rapid" is used interchangeably with Level 3 and fast charging.
(66) Rapid (Level 3) charging stations are required to comply with the design and landscaping standards outlined in MMC 22C.020.265.
(67) Rapid (Level 3) charging stations are required to be placed within a parking garage. (Ord. 2852 § 10 (Exh. A), 2011).

NOISE ORDINANCE
THE PROPOSED CHANGE IS TO ELIMINATE A REFERENCE TO THE OBSOLETE FREEWAY SERVICE ZONE.

6.76.030 Identification of environments.
(1) Class A EDNA. Lands where human beings reside and sleep, including all properties in the city which are zoned and single-family residential or multiple-family residential classifications.
(2) Class B EDNA. Lands involving uses requiring protection against noise interference with speech, including all properties in the city which are zoned in neighborhood business, community business, and general commercial ~~and freeway service~~ classifications.
(3) Class C EDNA. Lands involving economic activities of such a nature that higher noise levels than experienced in other areas is normally to be anticipated. Persons working in these areas are normally covered by noise control regulations of the Department of Labor and Industries. Such areas shall include all properties in the city which are zoned in light industrial and general industrial classifications. (Ord. 1419 § 3, 1985).

SMALL LOT DESIGN STANDARDS
THE PROPOSED CHANGE IS TO ELIMINATE THE REFERENCE TO PORCHES WITH DIMSENSIONS THAT ARE AT LEAST 6' X 6', SINCE THIS REFERENCE IS A HOLDOVER FROM WHEN SMALL LOT DESIGN STANDARDS APPLIED TO LOTS UNDER 7,000 SF. AT THAT TIME, THERE WERE SEPARATE PORCH STANDARDS FOR LOTS UNDER 7,000 SF AND FOR LOTS UNDER 5,000 SF. SINCE THE STANDARDS ONLY APPLY TO LOTS UNDER 5,000 SF NOW, THIS ADDITIONAL INFORMATION IS NOT NEEDED.

22C.010.310 Small lot single-family dwelling development standards.
The provisions of this section apply to building permits for single-family dwellings on lots having an area less than 5,000 square feet and single-family dwellings when multiple single-family dwellings are on a single lot, excluding accessory dwelling units; review will be done through the building permit process.
(1) It is the intent of these development standards that single-family dwellings on small lots be compatible with neighboring properties, friendly to the streetscape, and in scale with the lots upon which they are to be constructed. The director is authorized to promulgate guidelines, graphic

representations, and examples of housing designs and methods of construction that do or do not satisfy the intent of these standards.

(2) Entry. Where lots front on a public street, the house shall have doors and windows which face the street. Houses should have a distinct entry feature such as a porch or weather-covered entryway with an ~~minimum dimensions of six feet by six feet; if the lot is less than 5,000 square feet, the~~ entry feature that is ~~area shall be~~ at least 60 square feet with no dimension less than six feet.

The director may approve a street orientation or entryway with dimensions different than specified herein; provided, the entry visually articulates the front facade of the dwelling so as to create a distinct entryway, meets setback requirements, provides weather cover, has a minimum dimension of four feet, and is attached to the home.

(3) Alleys.

(a) If the lot abuts an alley, the garage or off-street parking area shall take access from the alley, unless precluded by steep topography. No curb cuts shall be permitted unless access from the alley is precluded by steep topography.

(b) The minimum driveway length may be reduced to between six and zero feet for garages when the following conditions are met:

(i) An alley is provided for access;

(ii) At least one off-street parking space, in addition to any provided in the garage, is provided to serve that dwelling unit and the stall(s) is conveniently located for that particular dwelling; and

(iii) The applicable total parking stall requirement is met.

(c) The rear yard setback may be reduced to zero feet to accommodate the garage.

(d) If the garage does not extend to the property line or alley, the dwelling unit above the garage may be extended to the property line or alley.

(e) Dwellings with a wall facing an alley must provide at least one window facing the alley to allow observation of the alley.

(4) Auto Courts.

(a) Auto courts are only allowed in a PRD.

(b) Auto courts provide ingress and egress to a cluster of no more than six dwellings and access from a nonarterial street. Auto court design must be consistent with the city's design guidelines for auto courts.

(c) Auto courts shall be no less than 20 feet in width; provided, that if emergency services access is required, the driving surface dimensions will comply with emergency vehicle access requirements.

(d) Auto courts shall be no greater than 150 feet in length, unless acceptable emergency vehicle turnaround is provided and designed so vehicles will not back onto public streets.

(e) Driveway length may be reduced to between three feet and six feet for garages when at least two parking spaces are provided for the unit in addition to the garage. The additional parking must be conveniently located to the dwelling.

(5) Facade and Driveway Cuts. If there is no alley access and the lot fronts on a public or private street, living space equal to at least 50 percent of the garage facade shall be flush with or projected forward of the garage, and the dwelling shall have entry, window and/or roofline design treatment which emphasizes the house more than the garage. Where materials and/or methods such as modulation, articulation, or other architectural elements such as porches, dormers, gables, or varied roofline heights are utilized, the director or designee may waive or reduce the 50 percent standard. Driveway cuts shall be no more than 80 percent of the lot frontage; provided, that the director or designee may waive the 80 percent maximum if materials and/or methods to de-emphasize the driveway, such as ribbon driveways, grasscrete surface, or accent paving are utilized.

(6) Privacy. Dwellings built on lots without direct frontage on the public street should be situated to respect the privacy of abutting homes and to create usable yard space for the dwelling(s). The review authority shall have the discretion to establish setback requirements that are different than may otherwise be required in order to accomplish these objectives.

(7) Individual Identity. Home individuality will be achieved by the following:

(a) Avoiding the appearance of a long row of homes by means such as angling houses, varied street setbacks, and varied architectural design features.

(b) Each dwelling unit shall have horizontal or vertical variation within each unit's front building face and between the front building faces of all adjacent units/structures to provide

visual diversity and individual identity to each unit. Upon building permit application, a plot plan of the entire structure shall be provided by the builder to show compliance with this requirement. The director or designee shall review and approve or deny the building design, which may incorporate variations in rooflines, setbacks between adjacent buildings, and other structural variations.

(c) The same building plans cannot be utilized on consecutive lots. "Flip-flopping" of plans is not permitted; provided, that upon demonstration to the director that the alteration of building facades would provide comparable visual diversity and individual identity to the dwelling units as different building plans, this provision shall not apply. Materials and/or methods which may be utilized to achieve visual diversity include, but are not limited to, use of differing siding material, building modulations and roofline variations.

(8) Landscaping. Landscaping of a size and type consistent with the development will be provided to enhance the streetscape. Landscaping will enhance privacy for dwellings on abutting lots and provide separation and buffering on easement access drives.

(9) Duplexes. Duplexes must be designed to architecturally blend with the surrounding single-family dwellings and not be readily discernible as a duplex but appear to be a single-family dwelling. (Ord. 2852 § 10 (Exh. A), 2011).

BICYCLE PARKING IN PARKING CODE

THE PROPOSED CHANGE IS TO ELIMINATE THE REFERENCE TO SHORT AND LONG TERM BICYCLING PARKING, SINCE UNDER CURRENT CODE, THIS DISTINCTION NO LONGER EXISTS BICYCLING PARKING.

22C.130.030 Minimum required parking spaces.

(1) Purpose. The purpose of required parking spaces is to provide enough parking to accommodate the majority of traffic generated by the range of uses which might locate at the site over time. As provided in subsection (2)(e) of this section, bicycle parking may be substituted for some required parking on a site to encourage transit use and bicycling by employees and visitors to the site. The required parking numbers correspond to specific land use categories. Provision of carpool parking, and locating it closest to the building entrance, will encourage carpool use.

(2) Minimum Number of Parking Spaces Required.

(a) The minimum number of parking spaces for all zones and use categories is stated in Table 1.

(b) If the parking formula used to determine parking requirements results in a fractional number greater than or equal to one-half, the proponent shall provide parking equal to the next highest whole number.

(c) Changes in Occupancy. Whenever the occupancy classification of a building is changed, the minimum standards for off-street parking for the new occupancy classification shall be applicable; provided, that if the existing occupancy had established a legal nonconforming status with respect to off-street parking requirements, no additional off-street parking shall be required for the new occupancy unless said new occupancy is in a classification requiring more parking than that which would have been required for the existing occupancy if it had been subject to the provisions of this chapter. If strict application of this section is not feasible due to existing site conditions such as building or parcel size, shape or layout, a variance may be granted by the community development director.

(d) Joint Use Parking. Joint use of required parking spaces may occur where two or more uses on the same or separate sites are able to share the same parking spaces because their parking demands occur at different times. Joint use of required nonresidential parking spaces is allowed if the following documentation is submitted in writing to the community development department as part of a building or land use permit application, and approved by the community development director:

(i) The names and addresses of the uses and of the owners or tenants that are sharing the parking;

(ii) The location and number of parking spaces that are being shared;

(iii) An analysis showing that the peak parking times for the uses occur at different times and that the parking area will be large enough for the anticipated demands of both uses; and

(iv) A legal instrument such as an easement or deed restriction that guarantees access to the parking for both uses.

The building or use for which application is being made to utilize the off-street parking facilities provided by another building or use shall be located within 500 feet of such parking facilities.

(e) Bicycle parking may substitute for up to 10 percent of required parking. For every five nonrequired bicycle parking spaces that meet the ~~short- or long-term~~ bicycle parking standards in MMC Section 22C.130.060, the motor vehicle parking requirement is reduced by one space. Existing parking may be converted to take advantage of this provision.

ACCESSORY STRUCTURES

THE PROVISION WHICH ALLOWS THE DIRECTOR TO GRANT MINOR DEVIATIONS ON THE DIMENSIONAL STANDARDS OF ACCESSORY STRUCTURES IN ORDER TO ACCOMMODATE INDUSTRY STANDARDS WAS PUT IN THE WRONG LOCATION. WHEN THIS CODE SECTION WAS DRAFTED, THIS PROVISION WAS ALSO INTENDED TO APPLY TO MINOR DEVIATIONS IN THE HEIGHT OF ACCESSORY STRUCTURES. CHANGING ITS LOCATION ALLOWS THE PROVISION TO APPLY TO BOTH MINOR DEVIATIONS ON STRUCTURE HEIGHT IN ADDITION TO FOOTPRINT.

22C.180.020 Accessory structure standards.

In the zones in which a residential accessory structure is listed as a permitted use, the community development director or designee shall review all proposals to construct an accessory structure. The following standards and regulations shall apply to all proposed accessory structures; provided, that accessory dwelling units shall only be allowed in zones where they are a permitted use and shall also comply with the standards set forth in MMC 22C.180.030:

(1) Accessory structures on properties less than one acre in size shall comply with the following density and dimensional requirements:

(a) The footprint of all detached accessory structures shall not exceed the lesser of:

(i) Fifteen percent of the total lot area in the R-4.5, R-6.5, R-8 and WR-R-4-8 zones, or 20 percent of the total lot area in the R-12 through R-28 and WR-R-6-18 zones; or

(ii) Eighty percent of the footprint of the primary residential structure;

~~(iii) The community development director may allow minor deviations to these dimensional requirements in order to accommodate industry standards for building dimensions.~~

(b) The height of all detached accessory structures shall not exceed 20 feet, except that detached accessory structures containing an accessory dwelling unit shall not exceed the base height for the zone.

(c) The community development director may allow minor deviations to these dimensional requirements in order to accommodate industry standards for building dimensions.

(2) A detached garage, carport or other permitted accessory building may be located in the rear yard; provided, that:

(a) Not more than 50 percent of the required rear setback area is covered; and

(b) Accessory structure(s) located within rear setback areas shall have a minimum interior side setback of five feet, or 10 feet on the flanking street of a corner lot, and a minimum rear setback of five feet; and

(c) Vehicle access points from garages, carports, fenced parking areas or other accessory structure(s), the entrance of which faces the rear lot line, shall not be located within 10 feet from the rear lot line, except where the accessory structure's entrance faces an alley with a right-of-way width of 10 feet, in which case the accessory structure(s) shall not be located within 20 feet from the rear lot line; and

(d) In Planning Area 1 "Downtown Neighborhood," the rear setbacks outlined in subsections (2)(b) and (c) of this section may be reduced to two feet from the rear lot line; provided, that the alley right-of-way is a minimum of 20 feet in width. Where the alley right-of-way is less

than 20 feet in width, the property owner shall be required to dedicate to the city sufficient property to widen the abutting alley to the full width as measured from the design centerline, so as to conform to the applicable road standards specified by the city engineer. Upon dedication of the necessary right-of-way, the rear setback may be reduced to two feet from the rear lot line. Where an existing, nonconforming structure is internally remodeled to include an accessory dwelling unit, but the footprint of the structure is not increased, the structure can be allowed to remain at a zero setback; provided, that the right-of-way is 20 feet in width; and

(e) Detached accessory buildings exceeding one story shall provide the minimum required yard setbacks for principal buildings in the zone; and

(f) An accessory structure, which is located in the rear setback area, may be attached to the principal structure; provided, that no portion of the principal building is located within the required yard setbacks for principal structures in the zone.

(3) A detached garage, carport or other permitted accessory structure may be located in the front or side yard only if the applicant demonstrates to the satisfaction of the community development director that the following conditions can be met:

(a) Accessory structures that are located in the front or side yard, or on the flanking street side of a corner lot, shall be consistent with the architectural character of the residential neighborhood in which they are proposed to be located, and shall be subject to, but not limited to, the following development standards:

(i) The accessory structure shall be consistent with the architectural character of the principal structure; and

(ii) The accessory structure shall have a roof pitch similar to the principal structure and have siding and roofing materials similar to or compatible with those used on the principal structure. No metal siding or roofing shall be permitted unless it matches the siding and roofing of the principal structure, or unless it is a building material that is of a residential character such as metal tab roofing or other products consistent with standard residential building materials. Plans for the proposed accessory structure(s) indicating siding and roofing materials shall be submitted with the application; and

(iii) Detached accessory structures located in the front or side yard shall provide the minimum required yard setback for principal structures in the zone.

(4) The community development director is specifically authorized to allow an increase in the size of a detached accessory structure over the requirements outlined in subsection (1) of this section; provided, that the accessory structure(s) shall be compatible with the principal structure and/or neighborhood character. To make this determination, the community development director may consider such factors that include, but are not limited to, view obstruction, roof pitch, building materials, screening and landscaping, aesthetic impact on surrounding properties and streetscape, incompatible scale with dwellings on surrounding properties, and impact on neighborhood character. The community development director shall also have the authority to impose greater setback requirements, landscape buffers, or other locational or design requirements as necessary to mitigate the impacts of accessory structures which are greater in size than otherwise allowed by this section. (Ord. 2852 § 10 (Exh. A), 2011).

ADULT FAMILY HOME DEFINTION

THE FOLLOWING DEFINITION IS PROPOSED TO BE MODIFIED TO BE CONSISTENT WITH STATE LAW.

22A.020.020 "A" definitions.

"Adult family home" means a residential home in which a ~~the regular family abode of a~~ a person or persons provide ~~who are providing~~ personal care, special care, room and board to more than one but not more than six ~~four~~ adults who are not related by blood or marriage to the person or persons providing the services.~~; except that a maximum of six adults may be permitted if the Washington State Department of Social and Health Services determines that the home and the provider are capable of meeting standards and qualifications provided for by law (RCW 70.128.010).~~

Chapter 22C.120 MMC, *Master Planned Senior Communities*

The following amendments are proposed in order to clarify the affordability criteria in MMC 22C.220.070. As currently adopted 10% of the units must be available for seniors that meet the 30% income limit and the remaining units (90%) shall meets the 50% income limit. The proposed changes would require 10% of the total units meets the following affordability criteria:

- **10% of the total units are required to be affordable. The remaining 90% can be market rate.**
- **Rental Units shall be occupied by households meeting the 50% median family income and the rent shall be set so not more than 30% of their income is spent on rent, basic utilities and any common charges and/or maintenance fees.**
- **Ownership Units shall be occupied by households meeting the 80% median family income and the sale price shall be set so not more than 30% of their income is spent on the mortgage, expected principal and interest on the mortgage loan, property taxes, homeowners insurance and any common charges, homeowners' association fees and/or maintenance fees.**

22C.220.070 Affordability – Low-income housing units.

(1) Covenant and Duration. An agreement in a form approved by the city must be recorded on the property requiring affordable dwelling units which are provided under the provisions of this section to remain as affordable housing for the life of the project. The agreement shall also specify aspects of renter and/or buyer eligibility, rent and/or sales price levels and requirements for reporting to the city or authorized housing agency and shall be recorded at final approval. This agreement shall be a covenant running with the land, binding on the assigns, heirs and successors of the applicant.

(2) Affordability Criteria.

(a) At least 10 percent of the total dwelling units developed shall be available at affordable housing costs and occupied by low-income households, as defined ~~by this chapter~~in subsection (i) of this section. This applies to both rental and ownership projects.

(~~b~~i) For the purposes of this chapter, affordable housing is defined as "rental or ownership housing having total housing costs, including basic utilities and any common charges and/or maintenance fees, that do not exceed 30 percent of the designated income limit for the housing unit.~~; or ownership housing having total housing costs, including basic utilities, that do not exceed 80 percent of the county median family income, as adjusted for family size as reported annually by the U.S. Department of Housing and Urban Development."~~

(c) Rental Housing Unit. Affordable ~~Rental~~ rental ~~housing~~ units shall be permanently priced and occupied by households with a total household income at or below 50 percent of the Snohomish County median family income, adjusted for family size, as reported annually by the U.S. Department of Housing and Urban Development.~~as adjusted for family size.~~

(d) Ownership Housing Unit. Affordable ownership units shall be reserved for income- and asset-qualified home buyers with a total household income at or below 80 percent of the Snohomish County median family income, adjusted for family size, as reported annually by the U.S. Department of Housing and Urban Development.~~as adjusted for family size.~~ Affordable ownership units shall be limited to owner-occupied housing, with prices restricted to same income group, based on current underwriting ratios and other lending standards.

Underwriting is based on the projected mortgage for which a family with a maximum income of 80 percent of the median family income can qualify, plus related housing costs. Housing costs to be included in the calculation for the sales price include the expected principal and interest on the mortgage loan, property taxes, homeowners insurance (PITI); and any common charges, homeowners' association fees and/or maintenance fees.

(e) Required affordable housing shall be provided in a range of sizes comparable to other units within the development and, to the extent practicable, the number of bedrooms in the affordable units must be in the same proportion as the number of bedrooms in units within the entire development. The affordable units shall generally be distributed throughout the development and have substantially the same functionality as other units in the development.

REZONE CRITERIA

AS PART OF THE ANNUAL DOCKETING PROCESS IN 2007, THE MARYSVILLE COMPREHENSIVE PLAN TEXT WAS AMENDED TO INCLUDE A POLICY FOR REZONES TO BORDERING ZONES. THE PROPOSED AMENDMENT WOULD CODIFY THIS POLICY.

22G.010.420 ~~Zone reclassification~~Rezone criteria.

(1) A zone reclassification shall be granted only if the applicant demonstrates that the proposal is consistent with the comprehensive plan and applicable functional plans and complies with the following criteria:

(~~1~~a) There is a demonstrated need for additional zoning as the type proposed;

(~~2~~b) The zone reclassification is consistent and compatible with uses and zoning of the surrounding properties;

(~~3~~c) There have been significant changes in the circumstances of the property to be rezoned or surrounding properties to warrant a change in classification;

(~~4~~d) The property is practically and physically suited for the uses allowed in the proposed zone reclassification.

(2) Property at the edges of land use districts can make application to rezone property to the bordering zone without applying for a comprehensive plan map amendment if the proponent can demonstrate:

(a) The proposed land use district will provide a more effective transition point and edge for the proposed land use district than strict application of the comprehensive plan map would provide due to neighboring land uses, topography, access, parcel lines or other property characteristics;

(b) The proposed land use district supports and implements the goals, objectives, policies and text of the comprehensive plan more effectively than strict application of the comprehensive plan map; and

(c) The proposed land use change will not affect an area greater than 10 acres, exclusive of critical areas.

MARYSVILLE PLANNING COMMISSION

March 27, 2012 **7:00 p.m.** **City Hall**

CALL TO ORDER
Chair Leifer called the March 27, 2012 meeting to order at 7:07 p.m. noting the excused absence of Eric Emery.

Chairman:	Steve Leifer
Commissioners:	Marvetta Toler, Jerry Andes, Roger Hoen, Matthew Chapman and Steve Lebo
Staff:	Associate Planner Angela Gemmer, Chief Administrative Officer Gloria Hirashima, and Recording Secretary Amy Hess
Absent:	Eric Emery

APPROVAL OF MINUTES:

March 13, 2012
Motion made by Commissioner Toler, seconded by Commissioner Chapman to approve the March 13, 2012 meeting minutes as presented. Motion carries, (6-0).

WORKSHOP:

2012 Code "Clean-Up" Amendments:

Ms. Gemmer gave an overview of the proposed amendments which would eliminate redundancies, confusion, add clarification, and stream line the process. She summarized each of the proposed amendments. Chair Leifer questioned the measurement standards for sign area. He requested some clarification on different elements. Ms. Gemmer provided clarification in regards to this question. Chair Leifer suggested adding clarification for the Wall Signs standard to allow for better understanding of the allowable square footage.

Chair Leifer questioned the verbiage in the proposed fence standards in a situation where a masonry fence was used for the first 6 feet, could a see through material such as wrought iron, be used to go higher for additional security. Ms. Gemmer replied that that is how the code has been construed. It was also noted that there is a requirement to notify adjoining property owners immediately of the proposed fence. The variance process was also being changed to allow an administrative review rather than going to the Hearing Examiner. Chair

Leifer also had a concern about the 20 foot set-back requirement. Ms. Gemmer clarified this matter.

Commissioner Lebo questioned the change to Adult Family homes standards. Ms. Gemmer replied that the proposal was intended to bring the code in-line with state law. She added that DSHS is the regulatory body for actual determination of number of residents allowed. The intent of the proposed change didn't actually change how these facilities currently operate, just brought it in line with state law.

Commissioner Chapman questioned why the proposed chicken section needed to be so restrictive. Also, structure limitations seemed excessive as did an electrical permit for the enclosure. He suggested adding a provision for chickens to the noise ordinance. He felt there should be stronger restrictions on roosters as those tend to be the problem; they should be allowed on only an acre or more. Further discussion regarding roosters ensued.

Commissioner Hoen questioned how the Health Department weighed in on this issue. CAO Hirashima replied that the Health District does not get involved with residential situations, only commercial operations. Commissioner Chapman added that he didn't feel that the coop needed to be obscured from a neighbor's view as was proposed. He again stated he didn't feel it should be so restrictive. There was further discussion regarding set-backs and lot sizes. Mr. Chapman clarified what he was suggesting related to lot size restrictions. Restrictions regarding coop location were discussed as were fencing/containment requirements.

Commissioner Andes questioned what types of complaints had been received to date. Ms. Gemmer replied that complaints are primarily related to roosters, but there have also been complaints about coops and yards not being properly maintained. There had also been some complaints regarding the 100 foot set-back requirement that is currently in place. This made it almost impossible for home owners in a typical residential neighborhood to have chickens. There were comments about how the general feeling about keeping chickens in the city had changed. Commissioner Hoen was worried about unintended results from these provisions.

There was discussion regarding screening of the chicken enclosures. There was a general consensus that putting too many restrictions on the appearance of the coop may be going too far and infringing on property owners rights. It was agreed to remove the screening provision. A provision regarding location in the front or rear yard was discussed.

Motion made by Commissioner Chapman proposing 15 foot set-backs for enclosures, shelters or pens; no minimum lot size would be mandated; allowing 12 chickens per acre rather than 3; all enclosures would be subject to the 15 foot set-back requirement while maintaining the restrictions on roosters allowing only on lot sizes larger than 1 acre; provisions related to disease and cleanliness of coops would be included; a provision regarding construction of the enclosure being done in a way to discourage predators would be maintained as written. Chair Leifer summarized the motion. Clarification was offered on this matter. Ms. Toler requested further clarification on the proposed changes in Commissioner Chapman's motion. Chair Leifer outlined Commissioner Chapman's motion

once more. Mr. Chapman defended his proposal for 12 chickens allowed per lot; describing that is was based more on the way the coops are constructed. Commissioner Lebo noted that the roaming area was already defined in the proposed code in front of them. Commissioner Chapman clarified that his motion was intended to ensure that the chickens be contained on the property. Commissioner Toler suggested adding a provision for fenced yards allowing chickens to roam.

Commissioner Hoen suggested changing the language from "fence" to "pen" to be clearer. Commissioner Chapman clarified that his motion was intended to prevent free roaming chickens.

Commissioner Chapman accepted Commissioner Toler's suggestion to add a provision for fenced yards. He reiterated that the structure needs to be 15 feet from the property line. He also added, per Commissioner Hoen's suggestion that the chickens need to be confined to the rear yard. The amended motion was outlined by Chair Leifer. Further clarification was offered regarding fencing, enclosures and property lines.

CAO Hirashima questioned processing of chickens on residential sites. Commissioner Chapman modified his motion to include the provision that was written related to processing which allows it. The motion was clarified highlighting proposed changes as well as what was being proposed to be maintained. Motion seconded by Commissioner Lebo, motion carries, (6-0).

Ms. Gemmer completed her review of the proposed code amendments.

CURRENT BUSINESS:

Impact Fee Ordinance:

CAO Hirashima gave an overview of the proposed Impact Fee Ordinance options. She discussed some of the revisions the City Attorney's office had focused on which included the Lien process. Chair Leifer questioned the section related to conversion of use of property. He was concerned how a property owner would know to report this change to the City. CAO Hirashima replied that any of these changes would require permitting and that would be the owner's notification of the change. Commissioner Hoen requested clarification on the Lien process; the ordinance stated 30 days prior rather than after. He noted that this language was repeated multiple times throughout the ordinance. CAO Hirashima noted that she would locate and correct this.

Commissioner Andes questioned how the school district felt about the proposed ordinances. CAO Hirashima replied that she hadn't received any further comments, but that the proposed changes were what were discussed in the work-shops. Commissioner Lebo questioned what the likelihood was that people would not take advantage of the option to defer. CAO Hirashima replied that she felt most people would take advantage of the deferral.

The public hearing for the Code Amendments would be set for April 24th, 2012. Ms. Gemmer would bring back the changes at the next meeting.

ADJOURNMENT:

Motion made by Commissioner Chapman, seconded by Commissioner Toler to adjourn the meeting at 8:38 p.m. Motion carries, (6-0).

NEXT MEETING:

April 10, 2012

Amy Hess

Amy Hess, Recording Secretary

CITY OF Marysville WASHINGTON

MARYSVILLE PLANNING COMMISSION

April 10, 2012 **7:00 p.m.** **City Hall**

CALL TO ORDER
Chair Leifer called the April 10, 2012 meeting to order at 7:02 p.m. noting the excused absence of Eric Emery.

Chairman:	Steve Leifer
Commissioners:	Marvetta Toler, Jerry Andes, Roger Hoen, Matthew Chapman and Steve Lebo
Staff:	Senior Planner Chris Holland, Associate Planner Angela Gemmer, Chief Administrative Officer Gloria Hirashima, CDBG Planner Erin Jergenson, and Recording Secretary Amy Hess
Absent:	Eric Emery

APPROVAL OF MINUTES:

March 27, 2012
Motion made by Commissioner Chapman, seconded by Commissioner Andes to approve the March 27, 2012 meeting minutes as written. Motion carries, (6-0).

PUBLIC HEARING:

CDBG – Consolidated Plan:
Mr. Holland began a presentation of the CDBG 2012-2016 ConPlan. The presentation included a general overview of the program including objectives, purpose, components, time-frame of the consolidated plan, priority areas, funding allocations, and adoption schedule. He noted that during the 30 day public comment period, no comments were received by the city. Commissioner Toler questioned if there was a way to estimate what funds would be available for the future Project Years since applicants were being asked to apply for 2012 and 2013 project years. Mr. Holland responded that they were estimating available funding based on previous years and Marysville's demographics; noting that the estimate was about the same dollar amount as for Project Year 2012. He noted that the reason for applying for 2 years at once was in an effort to get on track with the timelines outlined in the Citizen Participation Plan.

Public Comment:

Debbie Buse Heslop 4310 58th Dr. NE, Marysville WA 98270
Ms. Buse Heslop introduced herself and the organization she was involved with. She commended Staff on the work done, as it is not an easy process. She recommended that staff be very strategic as they look for ways to spend the money; noting that getting contracts out the door the first year is very important. One of the best models they have been using is the Neighborhood Stabilization Program which has been very successful. She described how they use the funds to purchase foreclosed homes and then immediately put them on the market as affordable housing. Ms. Buse Heslop added that many of their programs are vocationalized programs which aides in self-sufficiency.

Commissioner Comment:

Commissioner Lebo questioned the 20% amount on the administrative fees. Mr. Holland responded that that is the maximum they are allowed to utilize; adding that Marysville is well beyond that amount in the planning and development of the plan for this year. Commissioner Lebo wanted to know if the amount of work would decrease in subsequent years. Mr. Holland noted that it took quite a bit of management for this program, which would require a half time staff person, but that they would track it and if less staff time was needed, the percentage could be re-evaluated.

Commissioner Chapman questioned whether the programs were dictated by zone or by individuals. Ms. Jergenson responded that it depends on the activity. Some activities are really focused on the zone and the area while others are focused on the client. The subrecipients are required to make sure that the client being served meets the qualifications. She added that they are required to collect data that the areas that are being served are those with the greatest need. Ms. Jergenson added that they are required to make sure that 51% or more of those being served are low to moderate income.

Motion made by Commissioner Toler to support Staff's recommendation of approval of the 2012-2016 CDBG ConPlan and 2012 Action Plan, seconded by Commissioner Andes. Motion carries, (6-0).

CURRENT BUSINESS:

Code Amendments:

Ms. Gemmer described the provisions that were in front of the commission based on discussion at the previous meeting. She described each of the provisions that were included. She questioned if the commission would like the limit of chickens to change for a lot over 1 acre. Commissioner Chapman responded that he thought the 12 chicken limit on properties less than an acre was sufficient as there probably were not many lots over an acre in city limits. Commissioner Toler thought there should be something in place to prevent a chicken farm on a one acre lot. Ms. Gemmer responded that there were standards in place under the small farms provision which would apply to that type of

situation. There was discussion regarding density based on lot size. Ms. Gemmer responded that there were no density provisions in the small farms standards.

Commissioner Chapman noted that he didn't feel there was a need to limit number of chickens on lots over an acre. Commissioner Toler felt there needed to be a provision for the lots over an acre but without the small farm designation. Ms. Gemmer felt that the mechanisms in place, including the critical area standards and regulations, would govern lots from one acre up to 2.3 acres. Commissioner Toler suggested 12 additional chickens per additional acre. Commissioner Hoen suggested 12 chickens for the first acre and one chicken per 5000 square feet over an acre up to 2.3 acres.

Commissioner Chapman stated again that he felt it should be as minimally restrictive as possible and that the intent was to allow people living on less than an acre to own chickens. Commissioner Toler noted that she could compromise and leave the chicken limit open ended on properties greater than one acre in size. She added that she thought that the electrical permit provision should be looked at. Ms. Gemmer responded that she could check with the building code to see if it required a permit in this type of situation. Ms. Hirashima clarified that all electrical work requires a permit.

Commissioner Lebo questioned the relevance of a comment noted in the minutes from the previous meeting.

Commissioner Hoen questioned if people that already had chickens would be "grandfathered". Commissioner Chapman commented that he felt that was a problem because at this point, many people who currently have chickens are doing so illegally. The intent of this code was to bring those people into compliance with a reasonable amount of chickens. Ms. Hirashima replied that in this type of situation, there would not be any grandfathering, but it would allow people to bring their coops into compliance. Commissioner Hoen thought it could pose a problem for a person that already had chickens before this code was enacted. Commissioner Andes felt that the proposed provisions had gone over and above what many other jurisdictions allow. Ms. Gemmer noted that the Public Hearing had been advertised and was scheduled for April 24, 2012.

Commissioner Lebo questioned the CDBG ConPlan, under affordable housing, what the definition of "low to moderate income" actually is. Mr. Holland responded that it is income limits for Snohomish County defined by HUD, and depends on the number of people per household. He stated that the income limits for a 2-person household for "extremely-low", "very-low" and "low". He also noted that the table and definition can be found in the Consolidated Plan.

ADJOURNMENT:

Motion made by Commissioner Toler, seconded by Commissioner Chapman to adjourn the meeting at 7:54 p.m. Motion carries, (6-0).

NEXT MEETING:

April 24, 2012

Amy Hess, Recording Secretary

MARYSVILLE PLANNING COMMISSION

April 24, 2012 **7:00 p.m.** **City Hall**

CALL TO ORDER
Chair Leifer called the April 24, 2012 meeting to order at 7:02 p.m. noting the excused absence of Matthew Chapman.

Chairman:	Steve Leifer
Commissioners:	Jerry Andes, Roger Hoen, Eric Emery, Marvetta Toler and Steve Lebo
Staff:	Public Works Director Kevin Nielsen, Associate Planner Angela Gemmer, Chief Administrative Officer Gloria Hirashima, and Recording Secretary Amy Hess
Absent:	Matthew Chapman

APPROVAL OF MINUTES:

April 10, 2012
Motion made by Commissioner Andes, seconded by Commissioner Lebo to approve the April 10, 2012 meeting minutes as written. Motion carries, (5-0).

PUBLIC HEARING:

2012 Code Clean-Up Amendments:

Chair Leifer opened the Public Hearing at 7:03 pm. Associate Planner Gemmer briefly described the change made to the signage language. **Motion** made by Commissioner Emery to approve the code amendments, seconded by Commissioner Toler. Motion carries, (5-0).

Public Comment:

None.

Commissioner Comment:

None. Chair Leifer closed the Public Hearing at 7:06 pm.

ORIGINAL

Impact Fees:

Chair Leifer opened the Public Hearing for Impact Fees at 7:07 pm. CAO Hirashima briefed the Impact Fee Ordinances that were in front of the Commission. She described the process that the City had gone through in order to come up with the ordinances currently in front of the commissioners. She described that the final product was a combination of deferral and reduction in fees and overviewed how they applied to different types of development. CAO Hirashima noted that the language for the "pilot program" for industrial development had not been finalized.

Commissioner Emery stated that he was still concerned that the City was not doing enough to stimulate growth in Marysville. CAO Hirashima responded that we are seeing a fair amount of movement in the residential sector. Commissioner Andes questioned what type of movement was being seen. CAO Hirashima replied that there was interest in re-starting plats that had pre-approval but never began construction. Commissioner Toler noted that there was a shortage of residential listings currently so this was very good to see.

Commissioner Hoen questioned the permitting the City was pursuing in the north end. He felt that getting the Smokey Point Master Plan approved was a step in the right direction. Director Nielsen noted that they had just obtained a signature from the last property owner and had re-submitted for the federal permit.

Public Comment:

Dan Eernissee Smokey Point Commercial LLC
Mr. Eernissee described the company he was representing which owned a large area in the North End and was contemplating a large multi-family development. He explained that he felt that the City had been generally interested in stimulating development. He described what he called the "arc of conversation". Mr. Eernissee noted that it wasn't a true 35% reduction in impact fees once you add back in school, traffic and park impact fees. He didn't feel that it was enough of a reduction. He felt that staff had adjusted fees that were already too high to a level more in line with other jurisdictions. He didn't see this as a stimulus. He urged the commission not to do something that would get you a whole lot of nothing. If they wanted to see real development, he felt they needed to be more aggressive.

Chair Leifer questioned whether or not Mr. Eernissee had translated the numbers to figure out exactly what reduction would be necessary for his project to go through. Mr. Eernissee responded that if the reduction was closer to an actual 50% reduction, getting water and sewer connection fees around $2000 would be the "tipping point" for his particular project. Mr. Eernissee added that if the city really wanted to see the development of 1000 plus units in the next few years, the proposed ordinances were not enough.

Director Nielsen responded that the fees are derived from the "Orange Book" and the estimated numbers from this book. He described the technical basis based on flow amounts. Director Nielsen described that connection charges are growth based and are intended to pay the proportionate share. He explained the process he had gone through to

try to come up with connection fees. Director Nielsen noted that there was already a 50% reduction on the GFC charges. Director Nielsen noted that there should be absolutely no discount based on the flow model and that is why he used the square footage model. Commissioner Andes questioned whether or not there could be a straight fee based on square footage. Director Nielsen responded that that is not the way fees are usually figured.

There was further discussion on if there was room to further cut the GFC's and how the money could be made up. Mr. Eernissee felt that impact fees only consider the negative aspects of the development and not the positives that come out of the development. He added that there should be some shared ownership of the impacts, by increasing rates. Director Nielsen gave more description of how the water and sewer systems are designed based on modeling.

Commissioner Hoen questioned Mr. Eernissee on the deferral aspect of the proposed ordinances. Mr. Eernissee responded that they are an advantage, but in the big picture, with interest rates as low as they are, it pales in comparison to the connection charges. Commissioner Hoen questioned if the deferred collection of connection and impact fees would help at all. Mr. Eernissee responded that deferrals really didn't do too much; and based on conversations with some of the school districts; it was not desirable for them either.

Chair Leifer described the letter received from Dante Palmaffy and Mr. Eernissee's thoughts on the 15 year amortization of fees. Mr. Eernissee responded that it would depend on the interest rates but that he would have to crunch the numbers; adding that he felt it would be a more significant approach than the deferrals in front of the commission. Mr. Eernissee added that there were not many people that were willing to spend $20 million in Marysville as his client was contemplating and that the commission should look at this seriously.

Commissioner Comment:

Chair Leifer questioned CAO Hirashima on the suggestion made in the letter from Mr. Palmaffy and what her thoughts were on this type of program. She responded that the initial thought was that it would be very difficult to collect the money over a 10 or 15 year period. She noted that they could contact Tacoma to get some idea of how the program they were using worked.

There was discussion on utility rates for different areas and developments. Discussion regarding fire flows and rates followed. Chair Leifer described the imbalance in fees between single family, multi-family, and commercial/industrial development. There was discussion on what more could be done to stimulate more growth. CAO Hirashima solicited more specifics of what the commission would like to see. Chair Leifer felt that the most substantial method would be the property tax exemption and that is the direction he would travel. There was further discussion on the property tax exemption program. Mr. Eernissee spoke in favor of the property tax exemption. CAO Hirashima noted that the property tax exemption was not an option that she would support as the City relies too heavily on it for services.

Commissioner Toler felt that the amortization option in use by Tacoma should be researched further. CAO Hirashima noted that this could be looked into. Commissioner Emery felt that Marysville needed to find a way to cut fees which would bring developers to us. A way had to be figured out to incentivize development. Commissioner Emery thought we needed to be much more competitive and wanted to know how to cut fees. There was discussion about average costs over and above construction. Commissioner Emery felt that cutting a little bit across the board would be a viable option.

Mr. Eernissee noted that the positive to just cutting the GFC, there was an income stream (raising rates) to supplement the cuts. He felt that the number could be reduced in the ordinance in front of the commission to expedite the process. He thought that increasing the reduction to one third or one half would really make a difference.

Commissioner Andes questioned how much of a rate increase would actually be seen if the GFC's were cut. Director Nielsen responded that it was difficult to tell, but he could give an estimate. Commissioner Toler agreed with Commissioner Emery, but felt that if commercial and industrial development came to Marysville, so too, would jobs and ultimately increased property revenues and revenue.

CAO Hirashima stated that she would bring back something which would address reducing rates by about $2000 per unit as well as looking at the amortization ordinance in Tacoma and the Industrial Pilot Program details.

Chair Leifer questioned why CAO Hirashima considered the property tax exemption so controversial. CAO Hirashima explained that she felt that multi-family developments require services such as fire, police, and city services and that those users should pay an equal share as any other user would be required to do. She noted that the City relies heavily on property tax revenue to provide services. She didn't feel there was an exact correlation between increased housing and increased revenues to warrant an exemption. Chair Leifer questioned if CAO Hirashima felt the same way whether it was a 15 or 5 year exemption. She replied that she did.

Director Nielsen did some calculations and described the numbers he had come up with based on a combination strategy. It was close to the $2000 reduction that the commission was looking for; approximately $1900 on an 1100 square foot condo.

Commissioner Hoen questioned Mr. Eernissee about his project which was already planned and in motion, the land purchased, annexation and rezoning complete, and proposed reduced fees, sitting on the property was keeping them away from bottom line profits. Eventually, the site would be developed, why would it make sense for the City to further reduce the fees for his project to go forward. Mr. Eernissee responded that his investors were patient and that he has been working on this project for 7 years and they were willing to wait.

Chair Leifer closed the Public Hearing at 8:44 pm.

Commissioner Hoen questioned the sequence changes regarding foreclosure he had brought up at the previous meeting and noted that the corrected language hadn't made it into the current document.

ADJOURNMENT:

Motion made by Commissioner Toler, seconded by Commissioner Lebo to adjourn the meeting at 8:47 p.m. Motion carries, (6-0).

NEXT MEETING:

May 8, 2012

Amy Hess

Amy Hess, Recording Secretary

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

PC Recommendation – Proposed 2012 Code Clean-Up Amendments

The Planning Commission (PC) of the City of Marysville, having held a public hearing on April 24, 2012 in review of a NON-PROJECT action amendment of the Marysville Municipal Code, proposing amendments to the Marysville Municipal Code, primarily Title 22C, *Land Use Standards*, including, but not limited to, the following development regulations: wall sign measurement methodology, residential and commercial fence standards, minor changes to permitted uses matrices, chicken standards, Master Planned Senior Communities affordable housing criteria, codification of policy for rezones on properties under 10 acres, accessory structure standards, and small lot design standards. Having considered the exhibits and testimony presented, PC does hereby enter the following findings, conclusions and recommendation for consideration by the Marysville City Council:

FINDINGS:

1. The Community Development Department held a public meeting to introduce the NON-PROJECT action Code Clean-Up Amendments to the community on March 27, 2012.
2. The proposal was submitted to the State of Washington Department of Commerce for 30-day expedited review on March 14, 2012, in accordance with RCW 36.70A.106.
3. The PC held a public work session to review the NON-PROJECT action amendments proposing adoption of the NON-PROJECT action 2012 Code Clean-Up amendments as described above, on April 10, 2012.
5. The PC held a duly-advertised public hearing on April 24, 2012 and received testimony from city staff and the public.
6. At the public hearing, the PC reviewed and considered the 2012 Code Clean-Up Amendments.

CONCLUSION:

At the public hearing, held on April 24, 2012, the PC recommended **APPROVING** the 2012 Code Clean-Up Amendments.

RECOMMENDATION:

Forwarded to City Council as a Recommendation of **APPROVAL** of the NON-PROJECT action known as 2012 Code Clean-Up Amendments, an amendment to the Marysville Municipal Code, primarily Title 22C, *Land Use Standards*, this ***April 24, 2012.***

By: _____
Stephen Leifer, Planning Commission Chair

CITY OF MARYSVILLE
Marysville, Washington

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON, AMENDING THE CITY'S MUNICIPAL CODE AND DEVELOPMENT REGULATIONS BY AMENDING SECTIONS 22C.160.140 AND 22C.160.160 OF MMC CHAPTER 22C.160, SIGNS; AMENDING SECTION 22C.010.380 OF MMC CHAPTER 22C.010, RESIDENTIAL ZONES; AMENDING SECTION 22C.020.330 OF MMC CHAPTER 22C.020, COMMERCIAL, INDUSTRIAL, RECREATION AND PUBLIC INSTITUTIONAL ZONES; AMENDING SECTIONS 22C.010.060 AND 22C.010.070 OF MMC CHAPTER 22C.010, RESIDENTIAL ZONES; AMENDING SECTIONS 22C.020.060 AND 22C.020.070 OF MMC CHAPTER 22C.020, COMMERCIAL, INDUSTRIAL, RECREATION AND PUBLIC INSTITUTIONAL ZONES; AMENDING SECTION 6.76.030 OF MMC CHAPTER 6.76 NOISE REGULATION; AMENDING SECTION 22C.010.310 OF MMC CHAPTER 22C.010 RESIDENTIAL ZONES; AMENDING SECTION 22C.130.030 OF MMC CHAPTER 22C.130 PARKING AND LOADING; AMENDING SECTION 22C.180.020 OF MMC CHAPTER 22C.180 ACCESSORY STRUCTURES; AMENDING SECTION 22A.020.020 OF MMC CHAPTER 22A.020 DEFINITIONS; AMENDING SECTION 22C.220.070 OF MMC CHAPTER 22C.220 MASTER PLANNED SENIOR COMMUNITIES; AMENDING SECTION 22G.010.420 OF MMC CHAPTER 22G.010 LAND USE APPLICATION PROCEDURES; AND AMENDING SECTION 22A.010.160 OF MMC CHAPTER 22A.010, GENERAL ADMINISTRATION, RELATED TO TRACKING AMENDMENTS TO THE CITY'S UNIFORM DEVELOPMENT CODE.

WHEREAS, the State Growth Management Act, RCW Chapter 36.70A mandates that cities periodically review and amend development regulations which include but are not limited to zoning ordinances and official controls; and

WHEREAS, RCW 36.70A.106 requires the processing of amendments to the City's development regulations in the same manner as the original adoption of the City's comprehensive plan and development regulations; and

WHEREAS, the State Growth Management Act requires notice and broad public participation when adopting or amending the City's comprehensive plan and development regulations; and

WHEREAS, the City, in reviewing and amending its development regulations has complied with the notice, public participation and processing requirements established by the Growth Management Act, as more fully described below; and

WHEREAS, the City Council of the City of Marysville finds that from time to time it is necessary and appropriate to review and revise provisions of the City's municipal code and development code (MMC Title 22); and

WHEREAS, during public meetings on March 27, 2012 and April 10, 2012, the Planning Commission discussed proposed amendments to MMC Sections 22C.160.140, 22C.160.160, 22C.010.380, 22C.020.330, 22C.010.060, 22C.010.070, 22C.020.060, 22C.020.070, 6.76.030, 22C.010.310, 22C.130.030, 22C.180.020, 22A.020.020, 22C.220.080, 22G.010.420, and 22A.010.160;

WHEREAS, after providing notice to the public as required by law, on April 24, 2012, the Marysville Planning Commission held a Public Hearing on the proposed amendments to the City's development regulations; and

WHEREAS, on April 24, 2012 the Planning Commission made a Recommendation to the City Council recommending the adoption of the proposed amendments to MMC Sections 22C.160.140, 22C.160.160, 22C.010.380, 22C.020.330, 22C.010.060, 22C.010.070, 22C.020.060, 22C.020.070, 6.76.030, 22C.010.310, 22C.130.030, 22C.180.020, 22A.020.020, 22C.220.080, 22G.010.420, and 22A.010.160; and

WHEREAS, at a public meeting on _____, the Marysville City Council reviewed and considered the Planning Commission's Recommendation and proposed amendments to the development regulations; and

WHEREAS, the City of Marysville has submitted the proposed development regulation revisions to the Washington State Department of Commerce on March 14, 2012, as required by RCW 36.70A.106; and

WHEREAS, the City has complied with the requirements of the State Environmental Policy Act, Ch.43.21C RCW, (SEPA) by adopting a determination of non-significance for the proposed revisions to the City's development regulations;

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

Section 1. Approval of Planning Commission's Recommendation and Adoption of Findings and Conclusions. The Planning Commission's April 24, 2012 Recommendation regarding the proposed development regulation revisions, including the Findings and Conclusions contained therein, as set forth in the attached **Exhibit "A"**, is hereby adopted and incorporated herein by this reference.

Section 2. Required Findings. In accordance with MMC 22G.010.500, the following findings are made regarding the development regulation amendments subject of this ordinance:

(1) The amendments are consistent with the purposes of the comprehensive plan;
(2) The amendments are consistent with the purpose of Title 22 MMC;
(3) There have been significant changes in the circumstances to warrant a change;
(4) The benefit or cost to the public health, safety and welfare is sufficient to warrant the action.

Section 3. Section 22C.160.140, Measurement standards, of MMC Chapter 22C.160, Signs, is hereby amended to read as follows:

22C.160.140 Measurement standards.

(1) Determining Sign Area and Dimensions.

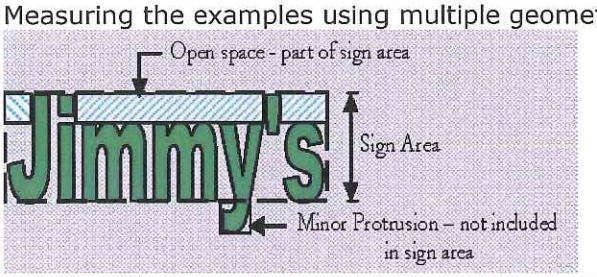
(a) For a wall sign which is framed, outlined, painted or otherwise prepared and intended solely to provide a background for a sign display, the area and dimensions shall include the entire portion within such background or frame.

(b) For a wall sign comprised of individual letters, figures or elements on a wall or similar surface of the building or structure, the area and dimensions of the sign shall encompass a regular geometric shape (rectangle, circle, trapezoid, triangle, etc.), or a combination of regular geometric shapes, which form, or approximate, the perimeter of all elements in the display, the frame, and any applied background that

is not a part of the architecture of the building. When separate elements are organized to form a single sign, but are separated by open space, the sign area and dimensions shall be calculated by determining the geometric form, or combination of forms, which comprises all of the display areas, including the space between different elements. Minor appendages to a particular regular shape, as determined by the community development director, shall not be included in the total area of a sign.

Figure 1: Wall Sign Area – Examples of Area Calculations

Measuring the examples using multiple geometric shapes



This illustrates the areas to be included within the calculation of a sign area.

(c) For a freestanding sign, the sign area shall include the frame, if any, but shall not include:

(i) A pole or other structural support unless such pole or structural support is internally illuminated or otherwise designed so as to constitute a display device, or a part of a display device.

(ii) Architectural features that are either part of the building or part of a freestanding structure, and not an integral part of the sign, such as landscaping and building or structural forms complementing the site in general.

Figure 2: Freestanding Sign Area – Examples of Area Calculations

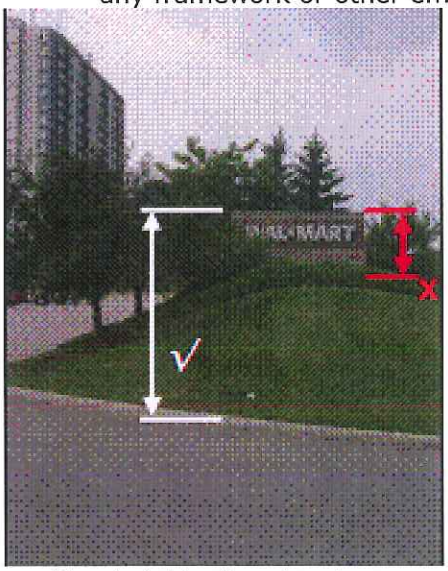
The dashed line indicates the sign area

(d) When two identical sign faces are placed back to back so that both faces cannot be viewed from any point at the same time and are part of the same sign structure, the sign area shall be computed as the measurement of one of the two faces.

(2) Determining Sign Height.

(a) The height of a freestanding sign shall be measured from the base of the sign or supportive structure at its point of attachment to the ground, to the highest point of the sign. A freestanding sign on a manmade base, including a graded earth mound, shall be measured from the grade of the nearest pavement or top of any pavement curb.

(b) Clearance for freestanding and projecting signs shall be measured as the smallest vertical distance between finished grade and the lowest point of the sign, including any framework or other embellishments.



The height of a sign is measured from the grade of the street level where the sign is viewed; not from the top of the mound

(3) Determining Building Frontages and Frontage Lengths.

(a) Building Unit. The building unit is equivalent to the tenant space. The primary frontage of the tenant space on the first floor shall be the basis for determining the permissible sign area for wall signs.

(b) Primary and Secondary Frontage. ~~The frontage of any building unit shall include the elevation(s) facing a public street, facing a primary parking area for the building or tenants, or containing the public entrance(s) to the building or building units.~~

(i) ~~The~~ Primary frontage. Pprimary frontage shall be considered the portion of any frontage containing the primary public entrance(s) to the building or building units.

(ii) ~~The~~ Secondary frontage. Ssecondary frontage shall include those frontages containing secondary public entrances to the building or building units and all building walls facing a public street or primary parking area that are not designated as the primary building frontage by subsection (3)(b)(i) of this section.

(4) ~~Length of~~ Building Frontage.

(a) The ~~length of any~~ primary or secondary ~~building~~ frontage shall be all walls ~~lengths~~ parallel, or nearly parallel, to such frontage, excluding any such wall ~~length~~ determined by the community development director to be clearly unrelated to the frontage criteria.

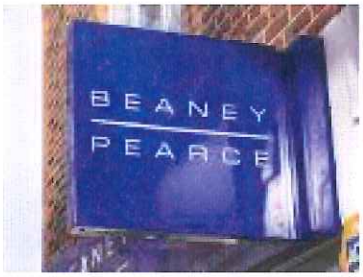
(b) The ~~building~~ frontage for a building unit shall be measured from the centerline of the party walls defining the building unit.

(5) Determining Street Frontage.

(a) Street frontage shall be determined by measuring the lineal feet of property abutting the public street from which a property obtains primary access.
(b) For developments located along more than one public street, the street frontage shall be determined by measuring the lineal feet of property abutting all public streets.
(c) Alley frontage shall not be included in determining street frontage.
(d) Properties abutting Interstate 5, and not abutting a public street, shall have the street frontage determined by measuring the lineal feet of property abutting Interstate 5.

Section 4. Section 22C.160.160, Development standards – Wall signs, of MMC Chapter 22C.160, Signs, is hereby amended to read as follows:

22C.160.160 Development standards – Wall signs.
(1) The basic allowance for wall signs shall be limited to one and one-half square feet of sign area for each lineal foot of primary building frontage for illuminated signs, or two square feet of sign area for each lineal foot of primary building frontage for nonilluminated signs.
(2) Each tenant is allowed a minimum sign area of 32 square feet.
(3) Each tenant may have multiple wall signs placed on the primary or secondary building frontage(s), so long as the total wall signage does not exceed the allowances outlined in subsection (1) of this section.
(4) The community development director may allow wall signage to be placed on wall(s) which do not qualify as primary or secondary frontages, subject to the following criteria:
(a) It must be demonstrated that the wall signage would be visible from a public right-of-way;
(b) The wall signage must be comprised of individual letters;
(c) The letter and logo height shall not exceed 24 inches;
(d) Signs shall be nonilluminated;
(e) The wall signage shall comply with the design standards outlined in subsections (5) through (8) of this section;
(f) In multi-use complexes, said signs shall be mounted so that each tenant's wall sign will be located at the same level (height above grade) as other tenants' signs;
(g) The total wall signage for all frontage(s) shall not exceed the allowances outlined in subsection (1) of this section.
(5) The wall signage shall not exceed two-thirds of the overall frontage for the building or tenant(s) frontage, as applicable.
(6) The wall signage shall not encroach within three feet from the edge of the building or tenant(s) frontage, as applicable.
(7) Wall signs shall not extend above the building parapet, soffit, eave line, or roof of the building.
(8) The color, shape, material, lettering and other architectural details shall be harmonious with the character of the primary structure. No angle irons, guy wires, or braces shall be visible except those that are an integral part of the overall design.
(9) The following additional wall signs may be permitted:
(a) Projecting signs are permitted, in addition to the allowances for wall signs, when designed and placed for the purpose of identifying the business(es) to pedestrians walking along the same side of the street as the business they seek or under a continuous rain canopy projecting from the building, subject to the following criteria:
(i) Clearance: Shall clear sidewalk by eight feet.
(ii) Projections: Shall not project more than five feet from the building facade, unless the sign is a part of a permanent marquee or awning over the sidewalk. Vertically oriented signs shall not project more than three feet from the building facade. In no case shall a projecting sign be placed within two feet of the curb line.



(iii) Size: Shall not exceed an area of two square feet per each 10 lineal feet of applicable primary building frontage.
(iv) Height: Shall not extend above the building parapet, soffit, eave line, or the roof of the building, except for theaters.
(v) Spacing: 20 feet minimum separation.
(vi) Design: The color, shape, material, lettering and other architectural details shall be harmonious with the character of the primary structure. No angle irons, guy wires, or braces shall be visible except those that are an integral part of the overall design.

(b) Building Directory. In addition to the wall signs otherwise permitted by these regulations, an additional sign may be permitted up to a maximum of 10 square feet for the purpose of identifying upper floor tenants or first floor tenants that do not have outside building frontage.

Section 5. Section 22C.010.380, Fences, of MMC Chapter 22C.010, Residential Zones, is hereby amended to read as follows:

22C.010.380 Fences.

(1) Purpose. The fence standards promote the positive benefits of fences without negatively affecting the community or endangering public or vehicle safety. Fences can create a sense of privacy, protect children and pets, provide separation from busy streets, and enhance the appearance of property by providing attractive landscape materials. The negative effects of fences can include the creation of street walls that inhibit police and community surveillance, decrease the sense of community, hinder emergency access and the safe movement of pedestrians and vehicles, and create an unattractive appearance.

(2) Types of Fences.

(a) The standards apply to walls, fences, trellises, arbors and screens of all types whether open, solid, wood, metal, wire, masonry or other material.

(b) No barbed or razor-wire fence shall be permitted, except for the following:
(i) Confinement of livestock.
(ii) Public facilities, transmitter and transformer sites.
(iii) Government installations where security or public safety is required.

(3) Height.

(a) Access Streets.
(i) Front lot line: Four feet solid or six feet if entirely open-work fence.
(ii) Side lot line: Six feet.
(iii) Rear lot line: Six feet.

(b) Arterial Streets.
(i) Front lot line: Six feet; provided, that the top two feet are constructed as an open-work fence.
(ii) Side lot line: Six feet.
(iii) Rear lot line: Six feet.

(c) When a protective fence is located on top of a rockery, any portion of the fence above a height of six feet shall be an open-work fence.

(d) Open wire mesh or similar type fences may be erected in excess of the maximum heights permitted in this code on the periphery of playgrounds associated with private

and public schools and parks, public facilities, transmitter and transformer sites, and government installations where security or public safety is required.

(e) The height of a fence or freestanding wall, retaining wall or combination of the same shall be measured from its top surface, board, rail, or wire to the natural elevation of the ground on which it stands.

(f) Where the finished grade is a different elevation on either side of a fence, the height may be measured from the side having the highest elevation.

~~(g) Administrative Variance. The community development director shall have authority to administratively grant a variance to increase the maximum height of side and rear lot line fences to eight feet. The community development director is authorized to issue variances in cases of special hardships, unique circumstances and practical difficulties. No variance shall be granted which would be detrimental to the public health, welfare or environment. Each variance shall be considered on a case-by-case basis, and shall not be construed as setting precedent for any subsequent application. The decision of the community development director on a variance application shall be final, subject to appeal to the city hearing examiner, pursuant to the procedures in Chapter 22G.010 MMC, Article VIII, Appeals. Appeals shall be filed within 14 days of the written decision of the community development director. The following information will be considered in review of the variance request:~~

~~(i) The fence is designed and constructed so that it does not cause a public safety hazard by obstructing visibility of pedestrians or motorists using streets, driveways or sidewalks.~~

~~(ii) The applicant can demonstrate to the satisfaction of the Community Development Director, or designee, that the increased fence height will not adversely affect adjacent property owners or obstruct view corridors.~~

~~(iii) The applicant provides written notification to immediately adjoining property owners of the height and location of the proposed fence.~~

~~(iv) Fences greater than six feet (6) in height are required to obtain a city building permit.~~

(4) Setbacks.

(a) Front Lot Line.

(i) Solid fences greater than four feet in height shall be set back at least 20 feet from the street right-of-way, except in the following circumstances:

(A) For a corner lot the 20-foot setback shall only apply to the street which provides primary access to the lot.

(B) This setback requirement may be waived or modified by the city engineer or his designee if a fence is designed and constructed so that it does not cause a public safety hazard by obstructing visibility of pedestrians or motorists using streets, driveways or sidewalks.

(ii) A four-foot fence, or six-foot fence with the top two feet constructed as an open-work fence, may be constructed on the front property line, provided the fence is designed and constructed so that it does not cause a public safety hazard by obstructing visibility of pedestrians or motorists using streets, driveways or sidewalks.

(b) Side Lot Line. No setback requirement.

(c) Rear Lot Line. No setback requirement.

(d) For special rules relating to fences and walls near fire hydrants, see MMC 14.03.050(2) and the International Fire Code.

(5) Fence Variances.

(a) The community development director shall have authority to administratively grant a variance to the fence requirements outlined in this section. The community development director is authorized to issue variances in cases of special hardships, unique circumstances and practical difficulties. No variance shall be granted which would be detrimental to the public health, welfare or environment.

(b) Variance requests shall be submitted in writing on a form provided by the city. At the time the applicant submits the variance request to the city, the applicant shall

also provide written notification of the variance request to immediately adjoining property owners by first class mail or personal service. Said notice shall include an adequate description of the height and location of the proposed fence.

(c) In considering a request for a modification of the fence requirements outlined in subsections (1) through (4) of this section, the community development director ~~hearing examiner~~ shall consider the following factors:

~~(a)~~ (i) If the proposed fence is designed and constructed so that it does not cause a public safety hazard by obstructing visibility of pedestrians or motorists using streets, driveways or sidewalks;

~~(b)~~ (ii) The proposed fence will not infringe upon or interfere with utility and/or access easements or covenant rights or responsibilities;

(iii) The increased fence height will not adversely affect adjacent property owners;

(iv) Fences greater than six feet in height are required to obtain a city building permit;

~~(c)~~ (v) Other information which is relevant and necessary to make a determination as to the validity of the request for variation. Such additional information may include site plans, elevation drawings, and information concerning the surrounding properties and uses.

(d) Each variance request shall be considered on a case-by-case basis, and the resulting decision shall not be construed as setting precedent for any subsequent application.

(e) The decision of the community development director on a variance application shall be final, subject to appeal to the city hearing examiner pursuant to the procedures in Chapter 22G.010 MMC, Article VIII, Appeals. Appeals shall be filed within 14 calendar days of the written decision of the community development director.

Section 6. Section 22C.020.330, Fences, of MMC Chapter 22C.020, Commercial, Industrial, Recreation and Public Institutional Zones, is hereby amended to read as follows:

22C.020.330 Fences.

(1) Purpose. The fence standards promote the positive benefits of fences without negatively affecting the community or endangering public or vehicle safety. Fences can create a sense of privacy, protect children and pets, provide separation from busy streets, and enhance the appearance of property by providing attractive landscape materials. The negative effects of fences can include the creation of street walls that inhibit police and community surveillance, decrease the sense of community, hinder emergency access and the safe movement of pedestrians and vehicles, and create an unattractive appearance.

(2) Types of Fences.

(a) The standards apply to walls, fences, trellises, arbors and screens of all types whether open, solid, wood, metal, wire, masonry or other material.

(b) No barbed or razor-wire fence shall be permitted, except for the following:

(i) Industrial zones.

(ii) Confinement of livestock.

(iii) Public facilities, transmitter and transformer sites.

(iv) Government installations where security or public safety is required.

(v) Automobile holding yards and similar businesses if required under state law.

(3) Height.

(a) Business and Commercial Zones. All yards: eight feet.

(b) Industrial Zones. All yards: 10 feet.

(c) When a protective fence is located on top of a rockery, any portion of the fence above a height of eight feet shall be an open-work fence.

(d) Open wire mesh or similar type fences may be erected in excess of the maximum heights permitted in this code on the periphery of playgrounds associated with private and public schools and parks, public facilities, transmitter and transformer sites, and government installations where security or public safety is required.

(e) The height of a fence or freestanding wall, retaining wall or combination of the same, shall be measured from its top surface, board, rail, or wire to the natural elevation of the ground on which it stands.

(f) Where the finished grade is a different elevation on either side of a fence, the height may be measured from the side having the highest elevation.

(4) Setbacks.

(a) Front Lot Line.

(i) Solid fences greater than four feet in height shall be set back at least 20 feet from the street right-of-way, except in the following circumstances:

(A) For a corner lot, the 20-foot setback shall only apply to the street which provides primary access to the lot.

(B) This setback requirement may be waived or modified by the city engineer or his designee if a fence is designed and constructed so that it does not cause a public safety hazard by obstructing visibility of pedestrians or motorists using streets, driveways or sidewalks.

(ii) A four-foot fence, or six-foot fence with the top two feet constructed as an open-work fence, may be constructed on the front property line, provided the fence is designed and constructed so that it does not cause a public safety hazard by obstructing visibility of pedestrians or motorists using streets, driveways or sidewalks.

(b) Side Lot Line. No setback requirement.

(c) Rear Lot Line. No setback requirement.

(d) For special rules relating to fences and walls near fire hydrants, see MMC 14.03.050(2) and the International Fire Code.

(5) Fence Variances.

(a) The community development director shall have authority to administratively grant a variance to the fence requirements outlined in this section. The community development director is authorized to issue variances in cases of special hardships, unique circumstances and practical difficulties. No variance shall be granted which would be detrimental to the public health, welfare or environment.

(b) Variance requests shall be submitted in writing on a form provided by the city. At the time the applicant submits the variance request to the city, the applicant shall also provide written notification of the variance request to immediately adjoining property owners by first class mail or personal service. Said notice shall include an adequate description of the height and location of the proposed fence.

(c) In considering a request for a modification of the fence requirements outlined in subsections (1) through (4) of this section, the community development director ~~hearing examiner~~ shall consider the following factors:

~~(a)~~ (i) If the proposed fence is designed and constructed so that it does not cause a public safety hazard by obstructing visibility of pedestrians or motorists using streets, driveways or sidewalks;

~~(b)~~ (ii) The proposed fence will not infringe upon or interfere with utility and/or access easements or covenant rights or responsibilities;

(iii) The increased fence height will not adversely affect adjacent property owners;

(iv) Fences greater than six feet in height are required to obtain a city building permit;

~~(c)~~ (v)Other information which is relevant and necessary to make a determination as to the validity of the request for variation. Such additional information may include site plans, elevation drawings, and information concerning the surrounding properties and uses.

(d) Each variance request shall be considered on a case-by-case basis, and the resulting decision shall not be construed as setting precedent for any subsequent application.

(e) The decision of the community development director on a variance application shall be final, subject to appeal to the city hearing examiner pursuant to the procedures in Chapter 22G.010 MMC, Article VIII, Appeals. Appeals shall be filed

within 14 calendar days of the written decision of the community development director.

Section 7. Section 22C.010.060, Permitted uses of MMC Chapter 22C.010, Residential Zones, is hereby amended to read as follows:

22C.010.060 Permitted uses.

Specific Land Use	R-4.5	R-6.5	R-8	WR R-4-8	R-12	R-18	R-28	WR R-6-18	R-MHP
Residential land uses									
Dwelling Units, Types:									
Single detached (14)	P11	P11	P11	P11	P11	P11	P11	P11	P43
Model home	P30	P30	P30	P30	P30	P30	P30	P30	P30
Cottage housing	C6	C6	C6	C6	C6	C6	C6	C6	
Duplex (14)	C8	P8	P8	P8	P	P	P	P	
Townhouse	P3	P3	P3	P3	P	P	P	P	
Multiple-family					P	P	P	P	
Mobile home	P12	P12	P12	P12	P12	P12	P12	P12	P12
Mobile/manufactured home park	P3	P3	P3		C	P	P		P45
Senior citizen assisted	C2	C2	C2	C2	C2	C2	C2	C2	C2
Factory-built	P7	P7	P7	P7	P7	P7	P7	P7	P7, 43
Recreational vehicle									P44
Group Residences:									
Adult family home	P	P	P	P	P	P	P	P	P
Convalescent, nursing, retirement	C2	C2	C2	C2	C2	C2	C2	C2	
Residential care facility	P	P	P	P	P	P	P	P	
Master planned senior community (15)	C	C	C	C	C	C	C	C	C
Accessory Uses:									
Residential accessory uses (1) (9) (10)	P	P	P	P	P	P	P	P	P
Home occupation (5)	P	P	P	P	P13	P13	P13	P13	P
Temporary Lodging:									
Hotel/motel					P	P	P	P	
Bed and breakfast guesthouse (4)		C	C	C	P	P	P	P	
Bed and breakfast inn (4)					P	P	P	P	
Recreation/Cultural Land Uses									
Park/Recreation:									
Park	P16	P16	P16	P16	P16	P16	P16	P16	P16

Recreational vehicle park									C
Community center	C	C	C	C	C	C	C	C	C
Amusement/Entertainment:									
Sports club					C	C	C	C	
Golf facility (17)	C	C	C	C	P	P	P	P	
Cultural:									
Library, museum and art gallery	C	C	C	C	C	C	C	C	C
Church, synagogue and temple	C	C	C	C	P	P	P	P	C
General Services Land Uses									
Personal Services:									
Funeral home/crematory	C18	C18	C18	C18	C18	C18	C18	C18	C18
Cemetery, columbarium or mausoleum	P24 C19	P24 C19	P24 C19	P24 C19	P24 C19	P24 C19	P24 C19	P24 C19	P24 C19
Day care I	P20	P20	P20	P20	P20	P20	P20	P20	P20
Day care II	C25	C25	C25	C25	C	C	C	C	C25
Stable	C	C	C	C					
Kennel or cattery, hobby	C	C	C	C	C	C	C	C	
Electric vehicle (EV) charging station (38), (39)	P	P	P	P	P	P	P	P	
EV rapid charging station (40), (41), (42)					P	P	P	P	
Health Services:									
Medical/dental clinic					C	C	C	C	
Education Services:									
Elementary, middle/junior high, and senior high (including public, private and parochial)	C	C	C	C	C	C	C	C	C
Commercial school	C21	C21	C21	C21	C21	C21	C21	C21	
School district support facility	C23	C23	C23	C23	C23	C23	C23	C23	
Interim recycling facility	P22	P22	P22	P22	P22	P22	P22	P22	
Vocational school									
Government/Business Service Land Uses									
Government Services:									
Public safety facilities, including police and fire	C26	C26	C26	C26	C26	C26	C26	C26	C26
Utility facility	P	P	P	P	P	P	P	P	P
Private storm water management facility	P	P	P	P	P	P	P	P	P

Public storm water management facility	P	P	P	P	P	P	P	P	P
Business Services:									
Self-service storage (31)					C27	C27	C27	C27	
Professional office					C	C	C	C	
Automotive parking	P29	P29	P29	P29	P29	P29	P29	P29	
Model house sales office	P4730	P4730	P4730	P4730					
Wireless communication facility (28)	P C	P C	P C	P C	P C	P C	P C	P C	P C
Retail/Wholesale Land Uses									
Forest products sales	P32	P32	P32	P32					
Agricultural crop sales	P32	P32	P32	P32					
Resource Land Uses									
Agriculture:									
Growing and harvesting crops	P34	P34	P34	P34					
Raising livestock and small animals	P35	P35	P35	P35					
Forestry:									
Growing and harvesting forest products	P34	P34	P34	P34					
Fish and wildlife management:									
Hatchery/fish preserve (33)	C	C	C	C					
Aquaculture (33)	C	C	C	C					
Regional Land Uses									
Regional storm water management facility	C	C	C	C	C	C	C	C	C
Nonhydroelectric generation facility	C	C	C	C	C	C	C	C	C
Transit park and pool lot	P	P	P	P	P	P	P	P	
Transit park and ride lot	C	C	C	C	C	C	C	C	
School bus base	C36	C36	C36	C36	C36	C36	C36	C36	
Racetrack	C37	C37	C37	C37	C37	C37	C37	C37	
College/university	C	C	C	C	C	C	C	C	

Section 8. Section 22C.010.070, Permitted uses – Development conditions, of MMC Chapter 22C.010, Residential Zones, is hereby amended to read as follows:

22C.010.070 Permitted uses – Development conditions.

(1) Accessory dwelling units must comply with development standards in Chapter 22C.180 MMC. Accessory dwelling units in the MHP zone are only allowed on single lots of record containing one single-family detached dwelling.

(2) Limited to three residents per the equivalent of each minimum lot size or dwelling units per acre allowed in the zone in which it is located.

(3) Only as part of a planned residential development (PRD) proposal, and subject to the same density as the underlying zone.

(4) Bed and breakfast guesthouses and inns are subject to the requirements and standards contained in Chapter 22C.210 MMC.
(5) Home occupations are subject to the requirements and standards contained in Chapter 22C.190 MMC.
(6) Subject to cottage housing provisions set forth in MMC 22C.010.280.
(7) Factory-built dwelling units shall comply with the following standards:
(a) A factory-built house must be inspected at least two times at the factory by the State Building Inspector during the construction process, and must receive an approval certifying that it meets all requirements of the International Building Code. At the building site, the city building official will conduct foundation, plumbing and final inspections.
(b) A factory-built house cannot be attached to a metal frame allowing it to be mobile. All such structures must be placed on a permanent foundation at the building site.
(8) Permitted outright in the R-6.5, R-8, and WR-R-4-8 zones on minimum 7,200-square-foot lots. A conditional use permit is required for the R-4.5 zone, and the minimum lot size must be 12,500 square feet. Duplexes must comply with the comprehensive plan density requirements for the underlying land use designation.
(9) A garage sale shall comply with the following standards:
(a) No residential premises shall have more than two such sales per year and no such sale shall continue for more than six days within a 15-day period.
(b) Signs advertising such sales shall not be attached to any public structures, signs or traffic control devices, nor to any utility poles. All such signs shall be removed 24 hours after the sale is completed.
A garage sale complying with the above conditions shall be considered as being an allowable accessory use to all residential land uses. A garage sale violating one or more of the above conditions shall be considered as being a commercial use and will be disallowed unless it complies with all requirements affecting commercial uses.
(10) Residential accessory structures must comply with development standards in Chapter 22C.180 MMC.
(11) Manufactured homes must:
(a) Be no more than five years old, as evidenced by the date of manufacture recorded on the HUD data plate;
(b) Be set on a permanent foundation, as specified by the manufacturer, enclosed with an approved concrete product from the bottom of the home to the ground which may be either load-bearing or decorative;
(c) Meet all design standards applicable to all other single-family homes in the neighborhood in which the manufactured home is to be located.
(12) Mobile homes are only allowed in existing mobile home parks established prior to October 16, 2006.
(13) Home occupations are limited to home office uses in multifamily dwellings. No signage is permitted in townhouse or multifamily dwellings.
(14) No more than one single-family detached or duplex dwelling(s) is allowed per lot except in planned residential developments, through the provisions of Chapter 22G.080 MMC, using the binding site plan (BSP) process outlined in Chapter 22G.100 MMC, and designated on the face of the BSP, for multiple single-family detached dwellings on a single parcel; or accessory dwelling units through the provisions of Chapter 22C.180 MMC.
(15) Subject to Chapter 22C.220 MMC, Master Planned Senior Communities.
(16) The following conditions and limitations shall apply, where appropriate:
(a) Parks are permitted in residential and mixed use zones when reviewed as part of a subdivision, mobile/manufactured home park, or multiple-family development proposal; otherwise a conditional use permit is required;
(b) Lighting for structures and fields shall be directed away from residential areas; and

(c) Structures or service yards shall maintain a minimum distance of 50 feet from property lines adjoining residential zones.

(17) Golf facilities shall comply with the following:

(a) Structures, driving ranges and lighted areas shall maintain a minimum distance of 50 feet from property lines adjoining residential zones.

(b) Restaurants are permitted as an accessory use to a golf course.

(18) Only as an accessory to a cemetery.

(19) Structures shall maintain a minimum distance of 100 feet from property lines adjoining residential zones.

(20) Only as an accessory to residential use and subject to the criteria set forth in Chapter 22C.200 MMC.

(21) Only as an accessory to residential use, provided:

(a) Students are limited to 12 per one-hour session;

(b) All instruction must be within an enclosed structure; and

(c) Structures used for the school shall maintain a distance of 25 feet from property lines adjoining residential zones.

(22) Limited to drop box facilities accessory to a public or community use such as a school, fire station or community center.

(23) Only when adjacent to an existing or proposed school.

(24) Limited to columbariums accessory to a church; provided, that existing required landscaping and parking are not reduced.

(25) Daycare IIs must be located on sites larger than one-half acres and are subject to minimum standards identified in Chapter 22C.200 MMC for daycare I facilities. Parking facilities and loading areas shall be located to the rear of buildings or be constructed in a manner consistent with the surrounding residential character. Evaluation of site suitability shall be reviewed through the conditional use permit process.

(26) Public safety facilities, including police and fire, shall comply with the following:

(a) All buildings and structures shall maintain a minimum distance of 20 feet from property lines adjoining residential zones;

(b) Any buildings from which fire-fighting equipment emerges onto a street shall maintain a distance of 35 feet from such street.

(27) Accessory to an apartment development of at least 12 units, provided:

(a) The gross floor area in self-service storage shall not exceed 50 percent of the total gross floor area of the apartment dwellings on the site;

(b) All outdoor lights shall be deflected, shaded and focused away from all adjoining property;

(c) The use of the facility shall be limited to dead storage of household goods;

(d) No servicing or repair of motor vehicles, boats, trailers, lawn mowers or similar equipment;

(e) No outdoor storage or storage of flammable liquids, highly combustible or explosive materials or hazardous chemicals;

(f) No residential occupancy of the storage units;

(g) No business activity other than the rental of storage units to the apartment dwellings on the site; and

(h) A resident manager shall be required on the site and shall be responsible for maintaining the operation of the facility in conformance with the conditions of approval.

(28) All WCFs and modifications to WCFs are subject to Chapter 22C.250 MMC including, but not limited to, the siting hierarchy, MMC 22C.250.060. WCFs may be a permitted use or a conditional use subject to MMC 22C.250.040.

(29) Limited to commuter parking facilities for users of transit, carpools or ride-share programs, provided:

(a) They are located on existing parking lots for churches, schools, or other permitted nonresidential uses which have excess capacity available during commuting hours; and

(b) The site is adjacent to a designated arterial that has been improved to a standard acceptable to the department.

(30) Model homes.~~house sales office shall comply with the following:~~

(a) The community development director may approve construction of model homes subject to the following conditions:

(i) No model home shall be constructed without the issuance of a building permit;

(ii) In no event shall the total number of model homes in a preliminary subdivision be greater than nine;

(iii) A hard-surfaced roadway to and abutting all model homes shall be constructed to standards determined by the city engineer or designee;

(iv) Operational fire hydrant(s) must be available in accordance with the International Fire Code;

(v) Submittal of a site plan, stamped by a registered civil engineer or licensed surveyor, delineating the location of each structure relative to existing and proposed utilities, lot lines, easements, roadways, topography and critical areas;

(vi) Submittal of building permit applications for each of the proposed structures;

(vii) Approval of water, sewer and storm sewer extension plans to serve the proposed structures; and

(viii) Execution of an agreement with the city saving and holding it harmless from any damages, direct or indirect, as a result of the approval of the construction of model homes on the site.

(b) Prior to occupancy of any model home, the final plat of the subject subdivision shall be approved and recorded.

(31) Any outdoor storage areas are subject to the screening requirements of the landscape code.

(32) Subject to approval of a small farms overlay zone.

(33) May be further subject to the provisions of the Marysville shoreline master program.

(34) Only allowed in conjunction with the small farms overlay zone.

(35) Provided that the property has received approval of a small farms overlay designation, or is larger than one acre in size.

(36) Only in conjunction with an existing or proposed school.

(37) Except racing of motorized vehicles.

(38) Level 1 and Level 2 charging only.

(39) Allowed only as an accessory use to a principal outright permitted use or permitted conditional use.

(40) The term "rapid" is used interchangeably with "Level 3" and "fast charging."

(41) Only "electric vehicle charging stations – restricted" as defined in Chapter 22A.020 MMC.

(42) Rapid (Level 3) charging stations are required to be placed within a parking garage.

(43) One single-family detached dwelling per existing single lot of record. Manufactured homes on single lots must meet the criteria outlined in subsection (11) of this section.

(44) Used as a permanent residence in an established MHP or RV park; provided, that utility hookups in MHPs meet current standards for MHPs or RV parks.

(45) MHPs shall fulfill the requirements of Chapter 22C.230 MMC.

(46) Recreational vehicle parks are subject to the requirements and conditions of Chapter 22C.240 MMC.

(47) Model house sales offices are subject to the requirements of MMC Section 22C.110.020(3).

Section 9. Section 22C.020.060, Permitted uses of MMC Chapter 22C.020, Commercial, Industrial, Recreation and Public Institutional Zones, is hereby amended to read as follows:

22C.020.060 Permitted uses.

Specific Land Use	NB	CB	GC	DC	MU	BP	LI	GI	REC	P/I

		(63)			(63)					
Residential Land Uses										
Dwelling Units, Types:										
Townhouse				P6	P					
Multiple-family	C4	P4, C5	P4, C5	P4, P6	P					
Mobile home	P7	P7	P7	P7	P7	P7	P7	P7		
Senior citizen assisted	P				C					P
Caretaker's quarters (3)	P	P	P	P	P	P	P	P	P	P
Group Residences:										
Adult family home	P	P	P	P	P					P
Convalescent, nursing, retirement	C	P	P	P	P					P
Residential care facility	P	P	P	P	P					P
Master planned senior community (10)	C	C	C	C	C					C
Accessory Uses:										
Home occupation (2)	P8	P8, P9	P8, P9	P8, P9	P8, P9	P9	P9	P9		
Temporary Lodging:										
Hotel/motel	P	P	P	P	P	P	P			
Bed and breakfast guesthouse (1)										
Bed and breakfast inn (1)	P	P	P							
Recreation/Cultural Land Uses										
Park/Recreation:										
Park	P11	P	P	P	P	P	P	P	P11	P
Marina				P				P	C	P
Dock and boathouse, private, noncommercial				P				P	P16	P
Recreational vehicle park			C12				C12		C	P
Boat launch, commercial or public				P				P		P
Boat launch, noncommercial or private				P				P	P17	P
Community center	P	P	P	P	P	P	P	P	P	P
Amusement/Entertainment:										
Theater		P	P	P	P					
Theater, drive-in			C							
Amusement and recreation services		P18	P18	P18	P19	P	P	C		
Sports club	P	P	P	P	P	P	P	P		
Golf facility (13)		P	P			P	P	P	C	

Shooting range (14)			P15			P15	P15			
Outdoor performance center			C				C		C	C
Riding academy						P	P		C	
Cultural:										
Library, museum and art gallery	P	P	P	P	P	P	P	P	C	P
Church, synagogue and temple	P	P	P	P	P	P	P	P		P
Dancing, music and art center		P	P	P	P				C	P
General Services Land Uses										
Personal Services:										
General personal service	P	P	P	P	P	P	P	P		
Dry cleaning plant		P					P	P		
Dry cleaning pick-up station and retail service	P	P	P	P	P25		P	P		
Funeral home/crematory		P	P	P	P26	P	P	P		
Cemetery, columbarium or mausoleum	P24	P24	P24 C20			P	P	P		
Day care I	P	P	P		P		P21			
Day care II	P	P	P	P	P	P21	P21			
Veterinary clinic	P	P	P	P	P	P	P	P		
Automotive repair and service	P22	C, P28	P			P	P	P		
Electric vehicle (EV) charging station (64)	P	P	P	P	P	P	P	P	P	P
EV rapid charging station (65), (66)	P	P	P	P67	P67		P	P		
EV battery exchange station			P				P	P		
Miscellaneous repair		P	P				P	P		
Social services		P	P	P	P					P
Kennel, commercial and exhibitor/breeding		P	P			C	P	P		
Civic, social and fraternal association		P	P	P	C	P		P		P
Club (community, country, yacht, etc.)						P		P		P
Health Services:										
Medical/dental clinic	P	P	P	P	P					P
Hospital		P	P	P	C					C
Education Services:										
Elementary, middle/junior high, and senior high (including public, private and parochial)		C	C	C	C		P	C		C
Commercial school	P	P		P	P27					C

School district support facility	C	P	P	P	P		P	P		P
~~Interim recycling facility~~		~~P23~~	~~P23~~				~~P~~			~~P~~
Vocational school		P	P	P	P27					P
Government/Business Service Land Uses										
Government Services:										
Public agency office	P	P	P	P	P	P	P	P		P
Public utility yard			P				P			P
Public safety facilities, including police and fire	P29	P	P	P	P		P			P
Utility facility	P	P	P		C	P	P	P		P
Private storm water management facility	P	P	P	P	P	P	P	P		P
Public storm water management facility	P	P	P	P	P	P	P	P		P
Business Services:										
Contractors' office and storage yard			P30	P30	P30		P	P		
Interim recycling facility		P23	P23				P			P
Taxi stands		P	P							
Trucking and courier service		P31	P31				P	P		
Warehousing and wholesale trade			P			P	P	P		
Mini-storage (36)			P			P	P	P		
Freight and cargo service			P			P	P	P		
Cold storage warehousing							P	P		
General business service and office	P	P	P	P	P30	P	P	P		
Commercial vehicle storage						P	P	P		
Professional office	P	P	P	P	P	P	P			
Miscellaneous equipment rental		P30, 37	C38		P30, 37		P	P		
Automotive rental and leasing			P				P			
Automotive parking	P	P	P	P	P	P	P	P		
Research, development and testing			P			P	P	P		
Heavy equipment and truck repair							P	P		
Automobile holding yard			C				P	P		
Commercial/industrial accessory uses	P39, 40	P39	P39	P39, 40	P39, 40	P	P	P		
Adult facility								P33		
Factory-built commercial building (35)	P	P	P	P		P	P	P		
Wireless communication facility (32)	P, C	P, C	P, C	P, C	P, C	P, C	P, C	P, C		P, C
Retail/Wholesale Land Uses										

Building, hardware and garden materials	P47	P	P	P	P47		P	P		
Forest products sales		P	P				P			
Department and variety stores	P	P	P	P	P		P			
Food stores	P	P	P	P	P45		P			
Agricultural crop sales		P	P		C		P			
Storage/retail sales, livestock feed							P	P		
Motor vehicle and boat dealers		P	P				P	P		
Motorcycle dealers		C	P	P49			P	P		
Gasoline service stations	P	P	P	P			P	P		
Eating and drinking places	P41	P	P	P	P46	P	P	P		
Drug stores	P	P	P	P	P		P	P		
Liquor stores		P	P							
Used goods: antiques/secondhand shops		P	P	P	P					
Sporting goods and related stores		P	P	P	P					
Book, stationery, video and art supply stores	P	P	P	P	P					
Jewelry stores		P	P	P	P					
Hobby, toy, game shops	P	P	P	P	P					
Photographic and electronic shops	P	P	P	P	P					
Fabric and craft shops	P	P	P	P	P					
Fuel dealers			P43			P43	P43	P43		
Florist shops	P	P	P	P	P					
Pet shops	P	P	P	P	P					
Tire stores		P	P	P			P	P		
Bulk retail		P	P				P			
Auction houses			P42				P			
Truck and heavy equipment dealers							P	P		
Mobile home and RV dealers			C				P	P		
Retail stores similar to those otherwise named on this list	P	P	P	P	P48	P44	P44	P44		
Automobile wrecking yards							C	P		
Manufacturing Land Uses										
Food and kindred products		P50, 52	P50				P50	P		
Winery/brewery		P53	P	P53	P53		P	P		
Textile mill products							P	P		
Apparel and other textile products			C				P	P		

Wood products, except furniture			P				P	P		
Furniture and fixtures			P				P	P		
Paper and allied products							P	P		
Printing and publishing	P51	P51	P		P51	P	P	P		
Chemicals and allied products							C	C		
Petroleum refining and related industries							C	C		
Rubber and misc. plastics products							P	P		
Leather and leather goods							C	C		
Stone, clay, glass and concrete products							P	P		
Primary metal industries							C	P		
Fabricated metal products			C			P	P	P		
Industrial and commercial machinery							C	P		
Heavy machinery and equipment							C	P		
Computer and office equipment			C				P			
Electronic and other electric equipment			C				P			
Railroad equipment							C	P		
Miscellaneous light manufacturing				P54			P	P		
Motor vehicle and bicycle manufacturing							C	P		
Aircraft, ship and boat building							C	P		
Tire retreading							C	P		
Movie production/distribution			P				P			
Resource Land Uses										
Agriculture:										
Growing and harvesting crops						P	P	P	P	
Raising livestock and small animals						P	P	P	P	
Greenhouse or nursery, wholesale and retail			P			P	P	P	C	
Farm product processing							P	P		
Forestry:										
Growing and harvesting forest products							P			
Forest research							P			
Wood waste recycling and storage							C	C		
Fish and Wildlife Management:										
Hatchery/fish preserve (55)						P	P	P	C	
Aquaculture (55)							P	P	C	
Wildlife shelters	C	C							P	

Mineral:										
Processing of minerals							P	P		
Asphalt paving mixtures and block							P	P		
Regional Land Uses										
Jail		C	C			C	C			
Regional storm water management facility		C	C	C		C	C	C		P
Public agency animal control facility			C				P	P		C
Public agency training facility		C56	C56		C56		C57			C57
Nonhydroelectric generation facility	C	C	C				C	C		C
Energy resource recovery facility							C			
Soil recycling/incineration facility							C	C		
Solid waste recycling								C		C
Transfer station							C	C		C
Wastewater treatment facility						C	C	C		C
Transit bus base			C				P			C
Transit park and pool lot	P	P	P	P	P	P	P	P		P
Transit park and ride lot	P	P	P	P	P	P	P	P		C
School bus base	C	C	C				P			C58
Racetrack	C59	C59	C				P			
Fairground						P	P	P		C
Zoo/wildlife exhibit		C	C							C
Stadium/arena			C				C	P		C
College/university	C	P	P	P	P	P	P	P		C
Secure community transition facility								C60		
Opiate substitution treatment program facilities		P61, 62	P61, 62	P61, 62			P62	P62		

Section 10. Section 22C.020.070, Permitted uses – Development conditions, of MMC Chapter 22C.020, Commercial, Industrial, Recreation and Public Institutional Zones, is hereby amended to read as follows:

22C.020.070 Permitted uses – Development conditions.

(1) Bed and breakfast guesthouses and inns are subject to the requirements and standards contained in Chapter 22C.210 MMC, Bed and Breakfasts.

(2) Home occupations are subject to the requirements and standards contained in Chapter 22C.190 MMC, Home Occupations.

(3) Limited to one dwelling unit for the purposes of providing on-site service and security of a commercial or industrial business.

(4) All units must be located above a street-level commercial use.

(5) Twenty percent of the units, but no more than two total units, may be located on the street level of a commercial use, if conditional use permit approval is obtained and the

units are designed exclusively for ADA accessibility. The street level units shall be designed so that the units are not located on the street front and primary access is towards the rear of the building.

(6) Permitted on the ground floor in the southwest sector of downtown vision plan area, as incorporated into the city of Marysville comprehensive plan.

(7) Mobile homes are only allowed in existing mobile home parks established prior to October 16, 2006.

(8) Home occupations are limited to home office uses in multifamily dwellings. No signage is permitted in townhouse or multifamily dwellings.

(9) Permitted in a legal nonconforming or conforming residential structure.

(10) Subject to Chapter 22C.220 MMC, Master Planned Senior Communities.

(11) The following conditions and limitations shall apply, where appropriate:

(a) Parks are permitted in residential and mixed use zones when reviewed as part of a subdivision or multiple-family development proposal; otherwise a conditional use permit is required;

(b) Lighting for structures and fields shall be directed away from residential areas; and

(c) Structures or service yards shall maintain a minimum distance of 50 feet from property lines adjoining residential zones.

(12) Recreational vehicle parks are subject to the requirements and conditions of Chapter 22C.240 MMC.

(13) Golf facility.

(a) Structures, driving ranges and lighted areas shall maintain a minimum distance of 50 feet from property lines adjoining residential zones.

(b) Restaurants are permitted as an accessory use to a golf course.

(14) Shooting range.

(a) Structures and ranges shall maintain a minimum distance of 50 feet from property lines adjoining residential zones;

(b) Ranges shall be designed to prevent stray or ricocheting projectiles or pellets from leaving the property; and

(c) Site plans shall include safety features of the range; provisions for reducing noise produced on the firing line; and elevations of the range showing target area, backdrops or butts.

(15) Only in an enclosed building.

(16) Dock and boathouse, private, noncommercial.

(a) The height of any covered over-water structure shall not exceed 20 feet as measured from the line of ordinary high water;

(b) The total roof area of covered, over-water structures shall not exceed 1,000 square feet;

(c) The entirety of such structures shall have not greater than 50 percent of the width of the lot at the natural shoreline upon which it is located;

(d) No over-water structure shall extend beyond the average length of all pre-existing over-water structures along the same shoreline and within 300 feet of the parcel on which proposed. Where no such pre-existing structures exist within 300 feet, the pier length shall not exceed 50 feet;

(e) Structures permitted hereunder shall not be used as a dwelling; and

(f) Covered structures are subject to a minimum setback of five feet from any side lot line or extension thereof. No setback from adjacent properties is required for any uncovered structure, and no setback from water is required for any structure permitted hereunder.

(17) Boat launch, noncommercial or private.

(a) The city may regulate, among other factors, required launching depth, and length of docks and piers;

(b) Safety buoys shall be installed and maintained separating boating activities from other water-oriented recreation and uses where this is reasonably required for public safety, welfare and health; and

(c) All site improvements for boat launch facilities shall comply with all other requirements of the zone in which it is located.

(18) Excluding racetrack operation.

(19) Amusement and recreation services shall be a permitted use if they are located within an enclosed building, or a conditional use if located outside. In both instances they would be subject to the exclusion of a racetrack operation similar to other commercial zones.

(20) Structures shall maintain a minimum distance of 100 feet from property lines adjoining residential zones.

(21) Permitted as an accessory use; see MMC 22A.020.020, the definition of "Accessory use, commercial/industrial."

(22) Only as an accessory to a gasoline service station; see retail and wholesale permitted use table in MMC 22C.020.060.

(23) All processing and storage of material shall be within enclosed buildings and excluding yard waste processing.

(24) Limited to columbariums accessory to a church; provided, that existing required landscaping and parking are not reduced.

(25) Drive-through service windows in excess of one lane are prohibited in Planning Area 1.

(26) Limited to columbariums accessory to a church; provided, that existing required landscaping and parking are not reduced.

(27) All instruction must be within an enclosed structure.

(28) Car washes shall be permitted as an accessory use to a gasoline service station.

(29) Public safety facilities, including police and fire.

(a) All buildings and structures shall maintain a minimum distance of 20 feet from property lines adjoining residential zones;

(b) Any buildings from which fire-fighting equipment emerges onto a street shall maintain a distance of 35 feet from such street.

(30) Outdoor storage of materials or vehicles must be accessory to the primary building area and located to the rear of buildings. Outdoor storage is subject to an approved landscape plan that provides for effective screening of storage, so that it is not visible from public right-of-way or neighboring properties.

(31) Limited to self-service household moving truck or trailer rental accessory to a gasoline service station.

(32) All WCFs and modifications to WCFs are subject to Chapter 22C.250 MMC including but not limited to the siting hierarchy, MMC 22C.250.060. WCFs may be a permitted use or a CUP may be required subject to MMC 22C.250.040.

(33) Subject to the conditions and requirements listed in Chapter 22C.030 MMC.

(34) Reserved.

(35) A factory-built commercial building may be used for commercial purposes subject to the following requirements:

(a) A factory-built commercial building must be inspected at least two times at the factory by the State Building and Electrical Inspector during the construction process, and must receive a state approval stamp certifying that it meets all requirements of the International Building and Electrical Codes. At the building site, the city building official will conduct foundation, plumbing and final inspections; and

(b) A factory-built commercial building cannot be attached to a metal frame allowing it to be mobile. All structures must be placed on a permanent, poured-in-place foundation. The foundation shall be structurally engineered to meet the requirements set forth in Chapter 16 of the International Building Code.

(36) Mini-storage facilities are subject to the development standards outlined in Chapter 22C.170 MMC.

(37) Except heavy equipment.

(38) With outdoor storage and heavy equipment.

(39) Incidental assembly shall be permitted; provided, it is limited to less than 20 percent of the square footage of the site excluding parking.

(40) Light industrial uses may be permitted; provided, there is no outdoor storage of materials, products or vehicles.
(41) Excluding drinking places such as taverns and bars and adult entertainment facilities.
(42) Excluding vehicle and livestock auctions.
(43) If the total storage capacity exceeds 6,000 gallons, a conditional use permit is required.

~~(a) Limited to 4,000 square feet or less.~~

~~(b) Drive-through service windows in excess of one lane are prohibited in Planning Area 1. However, interim uses that occupy less than 20 percent of the property on underdeveloped parcels may have more than one lane; provided, that upon further development of the property the interim use is either removed or brought into conformity with the mixed use standards.~~

~~(c) Taverns, bars, lounges, etc., are required to obtain a conditional use permit.~~

(44) The retail sale of products manufactured on site shall be permitted; provided, that not more than 20 percent of the constructed floor area in any such development may be devoted to such retail use.
(45) Limited to 5,000 square feet or less.
(46) Eating and drinking places.

(a) Limited to 4,000 square feet or less.

(b) Drive-through service windows in excess of one lane are prohibited in Planning Area 1.

(c) Taverns, bars, lounges, etc., are required to obtain a conditional use permit.

(47) Limited to hardware and garden supply stores.
(48) Limited to convenience retail, such as video, and personal and household items.
(49) Provided there is no outdoor storage and/or display of any materials, products or vehicles.
(50) Except slaughterhouses.
(51) Limited to photocopying and printing services offered to the general public.
(52) Limited to less than 10 employees.
(53) In conjunction with an eating and drinking establishment.
(54) Provided there is no outdoor storage and/or display of any materials, products or vehicles.
(55) May be further subject to the provisions of city of Marysville shoreline management program.
(56) Except weapons armories and outdoor shooting ranges.
(57) Except outdoor shooting ranges.
(58) Only in conjunction with an existing or proposed school.
(59) Except racing of motorized vehicles.
(60) Limited to land located along east side of 47th Avenue NE alignment, in the east half of the northeast quarter of Section 33, Township 30N, Range 5E, W.M., and in the northeast quarter of the southeast quarter of Section 33, Township 30N, Range 5E, W.M., and land located east side of SR 529, north of Steamboat Slough, south and west of Ebey Slough (a.k.a. TP No. 300533-002-004-00) and in the northwest and southwest quarters of Section 33, Township 30N, Range 5E, W.M., as identified in Exhibit A, attached to Ordinance No. 2452.
(61) Opiate substitution treatment program facilities permitted within commercial zones are subject to Chapter 22G.070 MMC, Siting Process for Essential Public Facilities.
(62) Opiate substitution treatment program facilities, as defined in MMC 22A.020.160, are subject to the standards set forth below:

(a) Shall not be established within 300 feet of an existing school, public playground, public park, residential housing area, child-care facility, or actual place of regular worship established prior to the proposed treatment facility.

(b) Hours of operation shall be restricted to no earlier than 6:00 a.m. and no later than 7:00 p.m. daily.

(c) The owners and operators of the facility shall be required to take positive ongoing measures to preclude loitering in the vicinity of the facility.

(63) Permitted uses include Whiskey Ridge zones.

(64) Level 1 and Level 2 charging only.

(65) The term "rapid" is used interchangeably with Level 3 and fast charging.

(66) Rapid (Level 3) charging stations are required to comply with the design and landscaping standards outlined in MMC 22C.020.265.

(67) Rapid (Level 3) charging stations are required to be placed within a parking garage.

Section 11. Section 6.76.030, Identification of environments, of MMC Chapter 6.76, Noise Regulation, is hereby amended to read as follows:

6.76.030 Identification of environments.

(1) Class A EDNA. Lands where human beings reside and sleep, including all properties in the city which are zoned and single-family residential or multiple-family residential classifications.

(2) Class B EDNA. Lands involving uses requiring protection against noise interference with speech, including all properties in the city which are zoned in neighborhood business, community business, and general commercial ~~and freeway service~~ classifications.

(3) Class C EDNA. Lands involving economic activities of such a nature that higher noise levels than experienced in other areas is normally to be anticipated. Persons working in these areas are normally covered by noise control regulations of the Department of Labor and Industries. Such areas shall include all properties in the city which are zoned in light industrial and general industrial classifications.

Section 12. Section 22C.010.310, Small lot single-family dwelling development standards, of MMC Chapter 22C.010, Residential Zones, is hereby amended to read as follows:

22C.010.310 Small lot single-family dwelling development standards.

The provisions of this section apply to building permits for single-family dwellings on lots having an area less than 5,000 square feet and single-family dwellings when multiple single-family dwellings are on a single lot, excluding accessory dwelling units; review will be done through the building permit process.

(1) It is the intent of these development standards that single-family dwellings on small lots be compatible with neighboring properties, friendly to the streetscape, and in scale with the lots upon which they are to be constructed. The director is authorized to promulgate guidelines, graphic representations, and examples of housing designs and methods of construction that do or do not satisfy the intent of these standards.

(2) Entry. Where lots front on a public street, the house shall have doors and windows which face the street. Houses should have a distinct entry feature such as a porch or weather-covered entryway with an ~~minimum dimensions of six feet by six feet; if the lot is less than 5,000 square feet, the~~ entry feature that is ~~area shall be~~ at least 60 square feet with no dimension less than six feet.

The director may approve a street orientation or entryway with dimensions different than specified herein; provided, the entry visually articulates the front facade of the dwelling so as to create a distinct entryway, meets setback requirements, provides weather cover, has a minimum dimension of four feet, and is attached to the home.

(3) Alleys.

(a) If the lot abuts an alley, the garage or off-street parking area shall take access from the alley, unless precluded by steep topography. No curb cuts shall be permitted unless access from the alley is precluded by steep topography.

(b) The minimum driveway length may be reduced to between six and zero feet for garages when the following conditions are met:

(i) An alley is provided for access;

(ii) At least one off-street parking space, in addition to any provided in the garage, is provided to serve that dwelling unit and the stall(s) is conveniently located for that particular dwelling; and

(iii) The applicable total parking stall requirement is met.

(c) The rear yard setback may be reduced to zero feet to accommodate the garage.

(d) If the garage does not extend to the property line or alley, the dwelling unit above the garage may be extended to the property line or alley.

(e) Dwellings with a wall facing an alley must provide at least one window facing the alley to allow observation of the alley.

(4) Auto Courts.

(a) Auto courts are only allowed in a PRD.

(b) Auto courts provide ingress and egress to a cluster of no more than six dwellings and access from a nonarterial street. Auto court design must be consistent with the city's design guidelines for auto courts.

(c) Auto courts shall be no less than 20 feet in width; provided, that if emergency services access is required, the driving surface dimensions will comply with emergency vehicle access requirements.

(d) Auto courts shall be no greater than 150 feet in length, unless acceptable emergency vehicle turnaround is provided and designed so vehicles will not back onto public streets.

(e) Driveway length may be reduced to between three feet and six feet for garages when at least two parking spaces are provided for the unit in addition to the garage. The additional parking must be conveniently located to the dwelling.

(5) Facade and Driveway Cuts. If there is no alley access and the lot fronts on a public or private street, living space equal to at least 50 percent of the garage facade shall be flush with or projected forward of the garage, and the dwelling shall have entry, window and/or roofline design treatment which emphasizes the house more than the garage. Where materials and/or methods such as modulation, articulation, or other architectural elements such as porches, dormers, gables, or varied roofline heights are utilized, the director or designee may waive or reduce the 50 percent standard. Driveway cuts shall be no more than 80 percent of the lot frontage; provided, that the director or designee may waive the 80 percent maximum if materials and/or methods to de-emphasize the driveway, such as ribbon driveways, grasscrete surface, or accent paving are utilized.

(6) Privacy. Dwellings built on lots without direct frontage on the public street should be situated to respect the privacy of abutting homes and to create usable yard space for the dwelling(s). The review authority shall have the discretion to establish setback requirements that are different than may otherwise be required in order to accomplish these objectives.

(7) Individual Identity. Home individuality will be achieved by the following:

(a) Avoiding the appearance of a long row of homes by means such as angling houses, varied street setbacks, and varied architectural design features.

(b) Each dwelling unit shall have horizontal or vertical variation within each unit's front building face and between the front building faces of all adjacent units/structures to provide visual diversity and individual identity to each unit. Upon building permit application, a plot plan of the entire structure shall be provided by the builder to show compliance with this requirement. The director or designee shall review and approve or deny the building design, which may incorporate variations in rooflines, setbacks between adjacent buildings, and other structural variations.

(c) The same building plans cannot be utilized on consecutive lots. "Flip-flopping" of plans is not permitted; provided, that upon demonstration to the director that the alteration of building facades would provide comparable visual diversity and individual identity to the dwelling units as different building plans, this provision shall not apply. Materials and/or methods which may be utilized to achieve visual diversity include, but are not limited to, use of differing siding material, building modulations and roofline variations.

(8) Landscaping. Landscaping of a size and type consistent with the development will be provided to enhance the streetscape. Landscaping will enhance privacy for dwellings on abutting lots and provide separation and buffering on easement access drives.
(9) Duplexes. Duplexes must be designed to architecturally blend with the surrounding single-family dwellings and not be readily discernible as a duplex but appear to be a single-family dwelling.

Section 13. Section 22C.130.030, Minimum required parking spaces, of MMC Chapter 22C.130, Parking and Loading, is hereby amended to read as follows:

22C.130.030 Minimum required parking spaces.
(1) Purpose. The purpose of required parking spaces is to provide enough parking to accommodate the majority of traffic generated by the range of uses which might locate at the site over time. As provided in subsection (2)(e) of this section, bicycle parking may be substituted for some required parking on a site to encourage transit use and bicycling by employees and visitors to the site. The required parking numbers correspond to specific land use categories. Provision of carpool parking, and locating it closest to the building entrance, will encourage carpool use.
(2) Minimum Number of Parking Spaces Required.
(a) The minimum number of parking spaces for all zones and use categories is stated in Table 1.
(b) If the parking formula used to determine parking requirements results in a fractional number greater than or equal to one-half, the proponent shall provide parking equal to the next highest whole number.
(c) Changes in Occupancy. Whenever the occupancy classification of a building is changed, the minimum standards for off-street parking for the new occupancy classification shall be applicable; provided, that if the existing occupancy had established a legal nonconforming status with respect to off-street parking requirements, no additional off-street parking shall be required for the new occupancy unless said new occupancy is in a classification requiring more parking than that which would have been required for the existing occupancy if it had been subject to the provisions of this chapter. If strict application of this section is not feasible due to existing site conditions such as building or parcel size, shape or layout, a variance may be granted by the community development director.
(d) Joint Use Parking. Joint use of required parking spaces may occur where two or more uses on the same or separate sites are able to share the same parking spaces because their parking demands occur at different times. Joint use of required nonresidential parking spaces is allowed if the following documentation is submitted in writing to the community development department as part of a building or land use permit application, and approved by the community development director:
(i) The names and addresses of the uses and of the owners or tenants that are sharing the parking;
(ii) The location and number of parking spaces that are being shared;
(iii) An analysis showing that the peak parking times for the uses occur at different times and that the parking area will be large enough for the anticipated demands of both uses; and
(iv) A legal instrument such as an easement or deed restriction that guarantees access to the parking for both uses.
The building or use for which application is being made to utilize the off-street parking facilities provided by another building or use shall be located within 500 feet of such parking facilities.
(e) Bicycle parking may substitute for up to 10 percent of required parking. For every five nonrequired bicycle parking spaces that meet the ~~short- or long-term~~ bicycle parking standards in MMC Section 22C.130.060, the motor vehicle parking requirement is reduced by one space. Existing parking may be converted to take advantage of this provision.

(f) The off-street parking and loading requirements of this chapter do not apply retroactively to established uses; however:

(i) The site to which a building is relocated must provide the required spaces; and

(ii) A person increasing the floor area, or other measure of off-street parking and loading requirements, by addition or alteration, must provide spaces as required for the increase, unless the requirement under this subsection is five spaces or fewer.

(g) Reduction of Required Spaces When Effective Alternatives to Automobile Access Are Proposed. Upon demonstration to the hearing examiner that effective alternatives to automobile access are proposed to be implemented, the examiner may reduce by not more than 40 percent the parking requirements otherwise prescribed for any use or combination of uses on the same or adjoining sites, to an extent commensurate with the permanence, effectiveness, and demonstrated reduction in off-street parking demand achieved by such alternative programs. Alternative programs which may be considered by the examiner under this provision include, but are not limited to, the following:

(i) Private vanpool operation;

(ii) Transit/vanpool fare subsidy;

(iii) Imposition of a charge for parking;

(iv) Provision of subscription bus services;

(v) Flexible work-hour schedule;

(vi) Capital improvement for transit services;

(vii) Preferential parking for carpools/vanpools;

(viii) Participation in the ride-matching program;

(ix) Reduction of parking fees for carpools and vanpools;

(x) Establishment of a transportation coordinator position to implement carpool, vanpool, and transit programs; or

(xi) Bicycle parking facilities.

(h) Reduction of Required Spaces in Downtown Vision Plan Area. Commercial uses within the downtown core, southwest sector, southeast sector, and waterfront sector may reduce the number of required off-street parking spaces in accordance with this section, upon demonstration to the community development department that the proposed use is in conformance with the downtown master plan guidelines as set forth in the comprehensive plan. Expansion of existing commercial buildings and uses is required to demonstrate conformance with the city's design standards and guidelines or to incorporate reasonable measures to meet the intent of the guidelines for existing uses. For commercial uses requiring less than 10 spaces, the parking requirements may be waived by the director. For required parking in excess of 10 spaces, the applicant must demonstrate that adequate on-street parking facilities exist within 400 feet of the proposed use in order to qualify for a reduction. Parking may be reduced by up to 50 percent if consistent with the downtown master plan guidelines. In approving a reduction to required off-street parking, the department may require improvement of existing right-of-way to meet the intent of this code and the downtown master plan in providing improved parking, walkways and access to the business.

(i) Uses Not Mentioned. In the case of a use not specifically mentioned in Table 1: Minimum Required Parking Spaces, the requirements for off-street parking shall be determined by the community development director. If there are comparable uses, the community development director's determination shall be based on the requirements for the most comparable use(s). Where, in the judgment of the community development director, none of the uses in Table 1: Minimum Required Parking Spaces are comparable, the community development director may base his or her determination as to the amount of parking required for the proposed use on detailed information provided by the applicant. The information required may include, but not be limited to, a description of the physical structure(s), identification of potential users, and analysis of likely parking demand.

(3) Carpool Parking. For office, industrial, and institutional uses where there are more than 20 parking spaces on the site, the following standards must be met:

(a) Five spaces or five percent of the parking spaces on site, whichever is less, must be reserved for carpool use before 9:00 a.m. on weekdays. More spaces may be reserved, but they are not required.

(b) The spaces will be those closest to the building entrance or elevator, but not closer than the spaces for disabled parking and those signed for exclusive customer use.

(c) Signs must be posted indicating these spaces are reserved for carpool use before 9:00 a.m. on weekdays.

Table 1: Minimum Required Parking Spaces

LAND USE	MINIMUM REQUIRED SPACES
RESIDENTIAL USES	
Single-family dwellings, duplexes, townhouses, and mobile homes	2 per dwelling; provided: 1. One guest parking space is required per unit, where an enclosed private garage is utilized to meet the required parking. Driveways can be counted as a guest parking space, provided said driveway complies with the bulk and dimensional requirements outlined in Table 2; and 2. Parking spaces behind other required parking spaces (a.k.a., "tandem parking") shall not be counted towards the 2 required parking spaces in a development; however, tandem parking can be counted as a guest parking space, when required
Accessory dwelling units	1 space per dwelling unit
Multiple-family dwellings, one bedroom per unit	1.5 per dwelling unit. Parking spaces behind other required parking spaces (a.k.a., "tandem parking") shall not be counted towards the 2 required parking spaces in a multifamily development; however, tandem parking can be counted as a guest parking space, when required
Multiple-family dwellings, two or more bedrooms	1.75 per dwelling unit. Parking spaces behind other required parking spaces (a.k.a., "tandem parking") shall not be counted towards the 2 required parking spaces in a multifamily development; however, tandem parking can be counted as a guest parking space, when required
Retirement housing and apartments	1 per dwelling
Mobile home parks	2 per unit, plus guest parking at 1 per 4 lots
Rooming houses, similar uses	1 per dwelling
Bed and breakfast accommodations	1 space for each room for rent, plus 2 spaces for the principal residential use
RECREATIONAL/CULTURAL USES	
Movie theaters	1 per four seats
Stadiums, sports arenas and similar open assemblies	1 per 8 seats or 1 per 100 SF of assembly space without fixed seats
Dance halls and places of assembly w/o fixed seats	1 per 75 SF of gross floor area
Bowling alleys	5 per lane
Skating rinks	1 per 75 SF of gross floor area

Tennis courts, racquet clubs, handball courts and other similar commercial recreation	1 space per 40 SF of gross floor area used for assembly, plus 2 per court
Swimming pools (indoor and outdoor)	1 per 10 swimmers, based on pool capacity as defined by the Washington State Department of Health
Golf courses	4 spaces for each green, plus 50% of spaces otherwise required for any accessory uses (e.g., bars, restaurants)
Gymnasiums, health clubs	1 space per each 200 SF of gross floor area
Churches, auditoriums and similar enclosed places of assembly	One per 4 seats or 60 lineal inches of pew or 40 SF gross floor area used for assembly
Art galleries and museums	1 per 250 SF of gross floor area
COMMERCIAL/OFFICE USES	
Banks, business and professional offices (other than medical and dental) with on-site customer service	1 per 400 SF gross floor area
Retail stores and personal service shops unless otherwise provided herein	If < 5,000 SF floor area, 1 per 600 SF gross floor area; if > 5,000 SF floor area, 8 plus 1 per each 300 SF gross floor area over 5,000 SF
Grocery stores	1 space per 200 SF of customer service area
Barber and beauty shops	1 space per 200 SF
Motor vehicle sales and service	2 per service bay plus 1 per 1,000 SF of outdoor display
Motor vehicle or machinery repair, without sales	2 plus 2 per service bay
Mobile home and recreational vehicle sales	1 per 3,000 SF of outdoor display area
Motels and hotels	1 per unit or room
Restaurants, taverns, bars with on-premises consumption	If < 4,000 SF, 1 per 200 SF gross floor area; if > 4,000 SF, 20 plus 1 per 100 SF gross floor area over 4,000 SF
Drive-in restaurants and similar establishments, primarily for auto-borne customers	1 per 75 SF of gross floor area. Stacking spaces shall be provided in accordance with Chapter 22C.140 MMC, Drive-Through Facilities
Shopping centers	If < 15,000 SF, 1 per 200 SF of gross floor area; if > 15,000 SF, 1 per 250 SF of gross floor area
Day care centers	1 space per staff member and 1 space per 10 clients. A paved unobstructed pick-up area shall be set aside for dropping off and picking up children in a safe manner that will not cause the children to cross the parking area or lines of traffic
Funeral parlors, mortuaries or cemeteries	1 per 4 seats or 8 feet of bench or pew or 1 per 40 SF of assembly room used for services if no fixed seating is provided
Gasoline/service stations w/grocery	1 per employee plus 1 per 200 SF gross floor area
Adult facilities as defined by MMC 22A.020.020	1 per 75 SF of gross floor area or, in the case of an adult drive-in theater, 1 per viewing space
HEALTH SERVICES USES	
Nursing homes, convalescent homes for aged	1 per 5 beds plus 1 space per employee and medical staff

Medical and dental clinics	1 per 200 SF gross floor area
Hospitals	1 per 2 beds, excluding bassinets
EDUCATIONAL USES	
Elementary, junior high schools (public and private)	5 plus 1 per each employee and faculty member
Senior high schools (public and private)	1 per each 10 students plus 1 per each employee or faculty member
Commercial/vocational schools	1 per each employee plus 1 per each 2 students
PUBLIC/GOVERNMENT USES	
Public utility and governmental buildings	1 per 400 SF of gross floor area
Libraries	1 per 250 SF of gross floor area
MANUFACTURING/WAREHOUSE USES	
Manufacturing and industrial uses of all types, except a building used exclusively for warehouse purposes	One per 500 SF of gross floor area plus 1 per each 2 employees on maximum working shift
Warehouses, storage and wholesale businesses	1 per each 2 employees on maximum working shift
Mini self-storage	1 per each 50 storage cubicles equally distributed and proximate to storage buildings. In addition, 1 space for each 50 storage cubicles to be located at the project office

Section 14. Section 22C.180.020, Accessory structure standards, of MMC Chapter 22C.180, Accessory Structures, is hereby amended to read as follows:

22C.180.020 Accessory structure standards.

In the zones in which a residential accessory structure is listed as a permitted use, the community development director or designee shall review all proposals to construct an accessory structure. The following standards and regulations shall apply to all proposed accessory structures; provided, that accessory dwelling units shall only be allowed in zones where they are a permitted use and shall also comply with the standards set forth in MMC 22C.180.030:

(1) Accessory structures on properties less than one acre in size shall comply with the following density and dimensional requirements:

(a) The footprint of all detached accessory structures shall not exceed the lesser of:

(i) Fifteen percent of the total lot area in the R-4.5, R-6.5, R-8 and WR-R-4-8 zones, or 20 percent of the total lot area in the R-12 through R-28 and WR-R-6-18 zones; or

(ii) Eighty percent of the footprint of the primary residential structure;

~~(iii) The community development director may allow minor deviations to these dimensional requirements in order to accommodate industry standards for building dimensions.~~

(b) The height of all detached accessory structures shall not exceed 20 feet, except that detached accessory structures containing an accessory dwelling unit shall not exceed the base height for the zone.

(c) The community development director may allow minor deviations to these dimensional requirements in order to accommodate industry standards for building dimensions.

(2) A detached garage, carport or other permitted accessory building may be located in the rear yard; provided, that:

(a) Not more than 50 percent of the required rear setback area is covered; and

(b) Accessory structure(s) located within rear setback areas shall have a minimum interior side setback of five feet, or 10 feet on the flanking street of a corner lot, and a minimum rear setback of five feet; and

(c) Vehicle access points from garages, carports, fenced parking areas or other accessory structure(s), the entrance of which faces the rear lot line, shall not be located within 10 feet from the rear lot line, except where the accessory structure's entrance faces an alley with a right-of-way width of 10 feet, in which case the accessory structure(s) shall not be located within 20 feet from the rear lot line; and

(d) In Planning Area 1 "Downtown Neighborhood," the rear setbacks outlined in subsections (2)(b) and (c) of this section may be reduced to two feet from the rear lot line; provided, that the alley right-of-way is a minimum of 20 feet in width. Where the alley right-of-way is less than 20 feet in width, the property owner shall be required to dedicate to the city sufficient property to widen the abutting alley to the full width as measured from the design centerline, so as to conform to the applicable road standards specified by the city engineer. Upon dedication of the necessary right-of-way, the rear setback may be reduced to two feet from the rear lot line. Where an existing, nonconforming structure is internally remodeled to include an accessory dwelling unit, but the footprint of the structure is not increased, the structure can be allowed to remain at a zero setback; provided, that the right-of-way is 20 feet in width; and

(e) Detached accessory buildings exceeding one story shall provide the minimum required yard setbacks for principal buildings in the zone; and

(f) An accessory structure, which is located in the rear setback area, may be attached to the principal structure; provided, that no portion of the principal building is located within the required yard setbacks for principal structures in the zone.

(3) A detached garage, carport or other permitted accessory structure may be located in the front or side yard only if the applicant demonstrates to the satisfaction of the community development director that the following conditions can be met:

(a) Accessory structures that are located in the front or side yard, or on the flanking street side of a corner lot, shall be consistent with the architectural character of the residential neighborhood in which they are proposed to be located, and shall be subject to, but not limited to, the following development standards:

(i) The accessory structure shall be consistent with the architectural character of the principal structure; and

(ii) The accessory structure shall have a roof pitch similar to the principal structure and have siding and roofing materials similar to or compatible with those used on the principal structure. No metal siding or roofing shall be permitted unless it matches the siding and roofing of the principal structure, or unless it is a building material that is of a residential character such as metal tab roofing or other products consistent with standard residential building materials. Plans for the proposed accessory structure(s) indicating siding and roofing materials shall be submitted with the application; and

(iii) Detached accessory structures located in the front or side yard shall provide the minimum required yard setback for principal structures in the zone.

(4) The community development director is specifically authorized to allow an increase in the size of a detached accessory structure over the requirements outlined in subsection (1) of this section; provided, that the accessory structure(s) shall be compatible with the principal structure and/or neighborhood character. To make this determination, the community development director may consider such factors that include, but are not limited to, view obstruction, roof pitch, building materials, screening and landscaping, aesthetic impact on surrounding properties and streetscape, incompatible scale with dwellings on surrounding properties, and impact on neighborhood character. The community development director shall also have the authority to impose greater setback requirements, landscape buffers, or other locational or design requirements as necessary

to mitigate the impacts of accessory structures which are greater in size than otherwise allowed by this section.

Section 15. Section 22A.020.020, "A" definitions, of MMC Chapter 22A.020, Definitions, is hereby amended by amending the definition below to read as follows:

22A.020.020 "A" definitions.

"Adult family home" means a residential home in which a ~~the regular family abode of~~ a person or persons provide ~~who are providing~~ personal care, special care, room and board to more than one but not more than six~~four~~ adults who are not related by blood or marriage to the person or persons providing the services.~~; except that a maximum of six adults may be permitted if the Washington State Department of Social and Health Services determines that the home and the provider are capable of meeting standards and qualifications provided for by law (RCW 70.128.010).~~

Section 16. Section 22C.220.070, Affordability - Low-income housing units, of MMC Chapter 22C.220, Master Planned Senior Communities, is hereby amended to read as follows:

22C.220.070 Affordability – Low-income housing units.

(1) Covenant and Duration. An agreement in a form approved by the city must be recorded on the property requiring affordable dwelling units which are provided under the provisions of this section to remain as affordable housing for the life of the project. The agreement shall also specify aspects of renter and/or buyer eligibility, rent and/or sales price levels and requirements for reporting to the city or authorized housing agency and shall be recorded at final approval. This agreement shall be a covenant running with the land, binding on the assigns, heirs and successors of the applicant.

(2) Affordability Criteria.

(a) At least 10 percent of the total dwelling units developed shall be available at affordable housing costs and occupied by low-income households, as defined ~~by this chapter~~ in subsection (b) of this section. This applies to both rental and ownership projects.

(b) For the purposes of this chapter, affordable housing is defined as "rental or ownership housing having total housing costs, including basic utilities and any common charges and/or maintenance fees, that do not exceed 30 percent of the designated income limit for the housing unit~~; or ownership housing having total housing costs, including basic utilities, that do not exceed 80 percent of the county median family income, as adjusted for family size as reported annually by the U.S. Department of Housing and Urban Development."~~

(c) Rental Housing Unit. Affordable ~~R~~rental ~~housing~~ units shall be permanently priced and occupied by households with a total household income at or below 50 percent of the Snohomish County median family income, adjusted for family size, as reported annually by the U.S. Department of Housing and Urban Development. ~~as adjusted for family size.~~

(d) Ownership Housing Unit. Affordable ownership units shall be reserved for income- and asset-qualified home buyers with a total household income at or below 80 percent of the Snohomish County median family income, adjusted for family size, as reported annually by the U.S. Department of Housing and Urban Development. ~~as adjusted for family size.~~ Affordable ownership units shall be limited to owner-occupied housing, with prices restricted to same income group, based on current underwriting ratios and other lending standards.

Underwriting is based on the projected mortgage for which a family with a maximum income of 80 percent of the median family income can qualify, plus related housing costs. Housing costs to be included in the calculation for the sales price include the expected principal and interest on the mortgage loan, property taxes, homeowners insurance (PITI), and any common charges, homeowners' association fees and/or maintenance fees.

(e) Required affordable housing shall be provided in a range of sizes comparable to other units within the development and, to the extent practicable, the number of bedrooms in the affordable units must be in the same proportion as the number of bedrooms in units within the entire development. The affordable units shall generally be distributed throughout the development and have substantially the same functionality as other units in the development.

Section 17. Section 22G.010.420, Zone reclassification, of MMC Chapter 22G.010, Land Use Application Procedures, is hereby amended to read as follows:

22G.010.420 ~~Zone reclassification~~. Rezone criteria.

(1) A zone reclassification shall be granted only if the applicant demonstrates that the proposal is consistent with the comprehensive plan and applicable functional plans and complies with the following criteria:

(~~1~~a) There is a demonstrated need for additional zoning as the type proposed;

(~~2~~b) The zone reclassification is consistent and compatible with uses and zoning of the surrounding properties;

(~~3~~c) There have been significant changes in the circumstances of the property to be rezoned or surrounding properties to warrant a change in classification;

(~~4~~d) The property is practically and physically suited for the uses allowed in the proposed zone reclassification.

(2) Property at the edges of land use districts can make application to rezone property to the bordering zone without applying for a comprehensive plan map amendment if the proponent can demonstrate:

(a) The proposed land use district will provide a more effective transition point and edge for the proposed land use district than strict application of the comprehensive plan map would provide due to neighboring land uses, topography, access, parcel lines or other property characteristics;

(b) The proposed land use district supports and implements the goals, objectives, policies and text of the comprehensive plan more effectively than strict application of the comprehensive plan map; and

(c) The proposed land use change will not affect an area greater than 10 acres, exclusive of critical areas.

Section 18. Section 22A.010.160, Amendments, of MMC Chapter 22A.010, General Administration, is hereby amended as follows by adding reference to this adopted ordinance in order to track amendments to the City's Unified Development Code:

"**22A.010.160 Amendments.**

The following amendments have been made to the UDC subsequent to its adoption:

Ordinance	Title (description)	Effective Date
_____	2012 Code Clean-Up Amendments	_____, 2012"

Section 19. Severability. If any section, subsection, sentence, clause, phrase or work of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

Section 20. Effective Date. This ordinance shall become effective five days after the date of its publication by summary.

PASSED by the City Council and APPROVED by the Mayor this _____ day of _____, 2012.

CITY OF MARYSVILLE

By: _____
JON NEHRING, MAYOR

Attest:

By: _____
CITY CLERK

Approved as to form:

By: _____
GRANT K. WEED, CITY ATTORNEY

Date of Publication: _____

Effective Date: _____
(5 days after publication)

Index #13

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: June 11, 2012

<table>
<tr><td>AGENDA ITEM:
PA12006 – Chicken standards</td><td colspan="2">AGENDA SECTION:
New business</td></tr>
<tr><td>PREPARED BY:
Angela Gemmer, Associate Planner</td><td colspan="2">APPROVED BY:</td></tr>
<tr><td rowspan="2">ATTACHMENTS:
1. Proposed Chicken Standards Code Amendment
2. PC Minutes, dated 3/27/2012, 4/10/2012, and 4/24/2012
3. PC recommendation
4. Adopting Ordinance</td><td colspan="2"></td></tr>
<tr><td>MAYOR</td><td>CAO</td></tr>
<tr><td>BUDGET CODE:</td><td colspan="2">AMOUNT:</td></tr>
</table>

DESCRIPTION:

The Planning Commission (PC) held a Public Hearing on April 24, 2012 to review proposed amendments to the Marysville Municipal Code, including the addition of Section 10.04.315 *Chickens* to Chapter 10.04 *Animal Control.* Presently, the animal code requires that enclosures for chickens and roosters be set back 100 feet from property lines and that enclosures be kept clean, but provides no other standards for the keeping of chickens. The proposed amendment would allow for reduced setbacks on chicken enclosures to allow for the keeping of chickens on smaller lots, but would restrict roosters to lots that are greater than one acre in size and provide other standards for the keeping of chickens in order to promote compatibility with adjacent residential uses.

The PC received testimony from property owners, staff and other interested parties at the public hearing, following public notice. The PC made a motion to recommend the proposed amendments to Marysville City Council for adoption by ordinance.

RECOMMENDED ACTION: Affirm the PC's Recommendation and adopt new Section 10.04.315 *Chickens* to MMC Chapter 10.04 *Animal Control*, by Ordinance.
COUNCIL ACTION:

CHICKEN STANDARDS

PRESENTLY CHICKEN ENCLOSURES ARE REQUIRED TO BE 100 FEET FROM ADJOINING RESIDENCES; HOWEVER, FEW OTHER STANDARDS ARE SPECIFIED. THIS HAS MADE IT SO PEOPLE ON SMALL LOTS WANTING CHICKENS ARE UNABLE TO HAVE THEM. THE PROPOSED CHANGES WOULD ALLOW FOR A MORE FLEXIBLE SETBACK ON CHICKEN ENCLOSURES WHILE LIMITING THE NUMBER OF CHICKENS KEPT ON PROPERTIES LESS THAN ONE ACRE IN SIZE, AND OUTLINING OTHER STANDARDS IN ORDER TO PROMOTE COMPATIBILITY WITH A RESIDENTIAL SETTING.

10.04.315 Chickens.

The keeping of chickens for personal use of the household shall be permitted subject to the following:

(a) A maximum of twelve (12) female chickens may be kept on residential lots less than one acre in size; provided, that roosters are prohibited on lots that are less than one acre in size.

(b) A suitable shelter that is constructed so as to discourage predators shall be provided. The shelter shall be maintained in good working condition.

(i) Shelters, pens, and similar chicken enclosures shall be in the rear yard and shall be set back a minimum of 15 feet from side and rear property lines.

(ii) Shelters, pens, and similar chicken enclosures shall be kept clean and free from disagreeable odors. No organic materials furnishing food or flies shall be allowed to accumulate on the premises. All manure and other refuse must be kept in tightly covered fly-proof receptacles and disposed of at least once each week in a manner approved by the animal control officer.

(iii) Chickens may roam freely in the rear yard as long as they are contained on the premises by a fence.

(c) Chickens may be processed on the premises provided that processing occurs in the rear yard out of public view.

(d) Infected chickens with diseases harmful to humans shall be removed from the premises.

MARYSVILLE PLANNING COMMISSION

March 27, 2012 **7:00 p.m.** **City Hall**

CALL TO ORDER
Chair Leifer called the March 27, 2012 meeting to order at 7:07 p.m. noting the excused absence of Eric Emery.

Chairman:	Steve Leifer
Commissioners:	Marvetta Toler, Jerry Andes, Roger Hoen, Matthew Chapman and Steve Lebo
Staff:	Associate Planner Angela Gemmer, Chief Administrative Officer Gloria Hirashima, and Recording Secretary Amy Hess
Absent:	Eric Emery

APPROVAL OF MINUTES:

March 13, 2012
Motion made by Commissioner Toler, seconded by Commissioner Chapman to approve the March 13, 2012 meeting minutes as presented. Motion carries, (6-0).

WORKSHOP:

2012 Code "Clean-Up" Amendments:

Ms. Gemmer gave an overview of the proposed amendments which would eliminate redundancies, confusion, add clarification, and stream line the process. She summarized each of the proposed amendments. Chair Leifer questioned the measurement standards for sign area. He requested some clarification on different elements. Ms. Gemmer provided clarification in regards to this question. Chair Leifer suggested adding clarification for the Wall Signs standard to allow for better understanding of the allowable square footage.

Chair Leifer questioned the verbiage in the proposed fence standards in a situation where a masonry fence was used for the first 6 feet, could a see through material such as wrought iron, be used to go higher for additional security. Ms. Gemmer replied that that is how the code has been construed. It was also noted that there is a requirement to notify adjoining property owners immediately of the proposed fence. The variance process was also being changed to allow an administrative review rather than going to the Hearing Examiner. Chair

ORIGINAL

Leifer also had a concern about the 20 foot set-back requirement. Ms. Gemmer clarified this matter.

Commissioner Lebo questioned the change to Adult Family homes standards. Ms. Gemmer replied that the proposal was intended to bring the code in-line with state law. She added that DSHS is the regulatory body for actual determination of number of residents allowed. The intent of the proposed change didn't actually change how these facilities currently operate, just brought it in line with state law.

Commissioner Chapman questioned why the proposed chicken section needed to be so restrictive. Also, structure limitations seemed excessive as did an electrical permit for the enclosure. He suggested adding a provision for chickens to the noise ordinance. He felt there should be stronger restrictions on roosters as those tend to be the problem; they should be allowed on only an acre or more. Further discussion regarding roosters ensued.

Commissioner Hoen questioned how the Health Department weighed in on this issue. CAO Hirashima replied that the Health District does not get involved with residential situations, only commercial operations. Commissioner Chapman added that he didn't feel that the coop needed to be obscured from a neighbor's view as was proposed. He again stated he didn't feel it should be so restrictive. There was further discussion regarding set-backs and lot sizes. Mr. Chapman clarified what he was suggesting related to lot size restrictions. Restrictions regarding coop location were discussed as were fencing/containment requirements.

Commissioner Andes questioned what types of complaints had been received to date. Ms. Gemmer replied that complaints are primarily related to roosters, but there have also been complaints about coops and yards not being properly maintained. There had also been some complaints regarding the 100 foot set-back requirement that is currently in place. This made it almost impossible for home owners in a typical residential neighborhood to have chickens. There were comments about how the general feeling about keeping chickens in the city had changed. Commissioner Hoen was worried about unintended results from these provisions.

There was discussion regarding screening of the chicken enclosures. There was a general consensus that putting too many restrictions on the appearance of the coop may be going too far and infringing on property owners rights. It was agreed to remove the screening provision. A provision regarding location in the front or rear yard was discussed.

Motion made by Commissioner Chapman proposing 15 foot set-backs for enclosures, shelters or pens; no minimum lot size would be mandated; allowing 12 chickens per acre rather than 3; all enclosures would be subject to the 15 foot set-back requirement while maintaining the restrictions on roosters allowing only on lot sizes larger than 1 acre; provisions related to disease and cleanliness of coops would be included; a provision regarding construction of the enclosure being done in a way to discourage predators would be maintained as written. Chair Leifer summarized the motion. Clarification was offered on this matter. Ms. Toler requested further clarification on the proposed changes in Commissioner Chapman's motion. Chair Leifer outlined Commissioner Chapman's motion

once more. Mr. Chapman defended his proposal for 12 chickens allowed per lot; describing that is was based more on the way the coops are constructed. Commissioner Lebo noted that the roaming area was already defined in the proposed code in front of them. Commissioner Chapman clarified that his motion was intended to ensure that the chickens be contained on the property. Commissioner Toler suggested adding a provision for fenced yards allowing chickens to roam.

Commissioner Hoen suggested changing the language from "fence" to "pen" to be clearer. Commissioner Chapman clarified that his motion was intended to prevent free roaming chickens.

Commissioner Chapman accepted Commissioner Toler's suggestion to add a provision for fenced yards. He reiterated that the structure needs to be 15 feet from the property line. He also added, per Commissioner Hoen's suggestion that the chickens need to be confined to the rear yard. The amended motion was outlined by Chair Leifer. Further clarification was offered regarding fencing, enclosures and property lines.

CAO Hirashima questioned processing of chickens on residential sites. Commissioner Chapman modified his motion to include the provision that was written related to processing which allows it. The motion was clarified highlighting proposed changes as well as what was being proposed to be maintained. Motion seconded by Commissioner Lebo, motion carries, (6-0).

Ms. Gemmer completed her review of the proposed code amendments.

CURRENT BUSINESS:

Impact Fee Ordinance:

CAO Hirashima gave an overview of the proposed Impact Fee Ordinance options. She discussed some of the revisions the City Attorney's office had focused on which included the Lien process. Chair Leifer questioned the section related to conversion of use of property. He was concerned how a property owner would know to report this change to the City. CAO Hirashima replied that any of these changes would require permitting and that would be the owner's notification of the change. Commissioner Hoen requested clarification on the Lien process; the ordinance stated 30 days prior rather than after. He noted that this language was repeated multiple times throughout the ordinance. CAO Hirashima noted that she would locate and correct this.

Commissioner Andes questioned how the school district felt about the proposed ordinances. CAO Hirashima replied that she hadn't received any further comments, but that the proposed changes were what were discussed in the work-shops. Commissioner Lebo questioned what the likelihood was that people would not take advantage of the option to defer. CAO Hirashima replied that she felt most people would take advantage of the deferral.

The public hearing for the Code Amendments would be set for April 24th, 2012. Ms. Gemmer would bring back the changes at the next meeting.

ADJOURNMENT:

Motion made by Commissioner Chapman, seconded by Commissioner Toler to adjourn the meeting at 8:38 p.m. Motion carries, (6-0).

NEXT MEETING:

April 10, 2012

Amy Hess

Amy Hess, Recording Secretary

MARYSVILLE PLANNING COMMISSION

April 10, 2012 **7:00 p.m.** **City Hall**

CALL TO ORDER
Chair Leifer called the April 10, 2012 meeting to order at 7:02 p.m. noting the excused absence of Eric Emery.

Chairman:	Steve Leifer
Commissioners:	Marvetta Toler, Jerry Andes, Roger Hoen, Matthew Chapman and Steve Lebo
Staff:	Senior Planner Chris Holland, Associate Planner Angela Gemmer, Chief Administrative Officer Gloria Hirashima, CDBG Planner Erin Jergenson, and Recording Secretary Amy Hess
Absent:	Eric Emery

APPROVAL OF MINUTES:

March 27, 2012
Motion made by Commissioner Chapman, seconded by Commissioner Andes to approve the March 27, 2012 meeting minutes as written. Motion carries, (6-0).

PUBLIC HEARING:

CDBG – Consolidated Plan:
Mr. Holland began a presentation of the CDBG 2012-2016 ConPlan. The presentation included a general overview of the program including objectives, purpose, components, time-frame of the consolidated plan, priority areas, funding allocations, and adoption schedule. He noted that during the 30 day public comment period, no comments were received by the city. Commissioner Toler questioned if there was a way to estimate what funds would be available for the future Project Years since applicants were being asked to apply for 2012 and 2013 project years. Mr. Holland responded that they were estimating available funding based on previous years and Marysville's demographics; noting that the estimate was about the same dollar amount as for Project Year 2012. He noted that the reason for applying for 2 years at once was in an effort to get on track with the timelines outlined in the Citizen Participation Plan.

ORIGINAL

Public Comment:

Debbie Buse Heslop 4310 58th Dr. NE, Marysville WA 98270
Ms. Buse Heslop introduced herself and the organization she was involved with. She commended Staff on the work done, as it is not an easy process. She recommended that staff be very strategic as they look for ways to spend the money; noting that getting contracts out the door the first year is very important. One of the best models they have been using is the Neighborhood Stabilization Program which has been very successful. She described how they use the funds to purchase foreclosed homes and then immediately put them on the market as affordable housing. Ms. Buse Heslop added that many of their programs are vocationalized programs which aides in self-sufficiency.

Commissioner Comment:

Commissioner Lebo questioned the 20% amount on the administrative fees. Mr. Holland responded that that is the maximum they are allowed to utilize; adding that Marysville is well beyond that amount in the planning and development of the plan for this year. Commissioner Lebo wanted to know if the amount of work would decrease in subsequent years. Mr. Holland noted that it took quite a bit of management for this program, which would require a half time staff person, but that they would track it and if less staff time was needed, the percentage could be re-evaluated.

Commissioner Chapman questioned whether the programs were dictated by zone or by individuals. Ms. Jergenson responded that it depends on the activity. Some activities are really focused on the zone and the area while others are focused on the client. The subrecipients are required to make sure that the client being served meets the qualifications. She added that they are required to collect data that the areas that are being served are those with the greatest need. Ms. Jergenson added that they are required to make sure that 51% or more of those being served are low to moderate income.

Motion made by Commissioner Toler to support Staff's recommendation of approval of the 2012-2016 CDBG ConPlan and 2012 Action Plan, seconded by Commissioner Andes. Motion carries, (6-0).

CURRENT BUSINESS:

Code Amendments:

Ms. Gemmer described the provisions that were in front of the commission based on discussion at the previous meeting. She described each of the provisions that were included. She questioned if the commission would like the limit of chickens to change for a lot over 1 acre. Commissioner Chapman responded that he thought the 12 chicken limit on properties less than an acre was sufficient as there probably were not many lots over an acre in city limits. Commissioner Toler thought there should be something in place to prevent a chicken farm on a one acre lot. Ms. Gemmer responded that there were standards in place under the small farms provision which would apply to that type of

situation. There was discussion regarding density based on lot size. Ms. Gemmer responded that there were no density provisions in the small farms standards.

Commissioner Chapman noted that he didn't feel there was a need to limit number of chickens on lots over an acre. Commissioner Toler felt there needed to be a provision for the lots over an acre but without the small farm designation. Ms. Gemmer felt that the mechanisms in place, including the critical area standards and regulations, would govern lots from one acre up to 2.3 acres. Commissioner Toler suggested 12 additional chickens per additional acre. Commissioner Hoen suggested 12 chickens for the first acre and one chicken per 5000 square feet over an acre up to 2.3 acres.

Commissioner Chapman stated again that he felt it should be as minimally restrictive as possible and that the intent was to allow people living on less than an acre to own chickens. Commissioner Toler noted that she could compromise and leave the chicken limit open ended on properties greater than one acre in size. She added that she thought that the electrical permit provision should be looked at. Ms. Gemmer responded that she could check with the building code to see if it required a permit in this type of situation. Ms. Hirashima clarified that all electrical work requires a permit.

Commissioner Lebo questioned the relevance of a comment noted in the minutes from the previous meeting.

Commissioner Hoen questioned if people that already had chickens would be "grandfathered". Commissioner Chapman commented that he felt that was a problem because at this point, many people who currently have chickens are doing so illegally. The intent of this code was to bring those people into compliance with a reasonable amount of chickens. Ms. Hirashima replied that in this type of situation, there would not be any grandfathering, but it would allow people to bring their coops into compliance. Commissioner Hoen thought it could pose a problem for a person that already had chickens before this code was enacted. Commissioner Andes felt that the proposed provisions had gone over and above what many other jurisdictions allow. Ms. Gemmer noted that the Public Hearing had been advertised and was scheduled for April 24, 2012.

Commissioner Lebo questioned the CDBG ConPlan, under affordable housing, what the definition of "low to moderate income" actually is. Mr. Holland responded that it is income limits for Snohomish County defined by HUD, and depends on the number of people per household. He stated that the income limits for a 2-person household for "extremely-low", "very-low" and "low". He also noted that the table and definition can be found in the Consolidated Plan.

ADJOURNMENT:

Motion made by Commissioner Toler, seconded by Commissioner Chapman to adjourn the meeting at 7:54 p.m. Motion carries, (6-0).

NEXT MEETING:

April 24, 2012

Amy Hess, Recording Secretary

MARYSVILLE PLANNING COMMISSION

April 24, 2012 **7:00 p.m.** **City Hall**

CALL TO ORDER
Chair Leifer called the April 24, 2012 meeting to order at 7:02 p.m. noting the excused absence of Matthew Chapman.

Chairman:	Steve Leifer
Commissioners:	Jerry Andes, Roger Hoen, Eric Emery, Marvetta Toler and Steve Lebo
Staff:	Public Works Director Kevin Nielsen, Associate Planner Angela Gemmer, Chief Administrative Officer Gloria Hirashima, and Recording Secretary Amy Hess
Absent:	Matthew Chapman

APPROVAL OF MINUTES:

April 10, 2012
Motion made by Commissioner Andes, seconded by Commissioner Lebo to approve the April 10, 2012 meeting minutes as written. Motion carries, (5-0).

PUBLIC HEARING:

2012 Code Clean-Up Amendments:

Chair Leifer opened the Public Hearing at 7:03 pm. Associate Planner Gemmer briefly described the change made to the signage language. **Motion** made by Commissioner Emery to approve the code amendments, seconded by Commissioner Toler. Motion carries, (5-0).

Public Comment:

None.

Commissioner Comment:

None. Chair Leifer closed the Public Hearing at 7:06 pm.

ORIGINAL

Impact Fees:

Chair Leifer opened the Public Hearing for Impact Fees at 7:07 pm. CAO Hirashima briefed the Impact Fee Ordinances that were in front of the Commission. She described the process that the City had gone through in order to come up with the ordinances currently in front of the commissioners. She described that the final product was a combination of deferral and reduction in fees and overviewed how they applied to different types of development. CAO Hirashima noted that the language for the "pilot program" for industrial development had not been finalized.

Commissioner Emery stated that he was still concerned that the City was not doing enough to stimulate growth in Marysville. CAO Hirashima responded that we are seeing a fair amount of movement in the residential sector. Commissioner Andes questioned what type of movement was being seen. CAO Hirashima replied that there was interest in re-starting plats that had pre-approval but never began construction. Commissioner Toler noted that there was a shortage of residential listings currently so this was very good to see.

Commissioner Hoen questioned the permitting the City was pursuing in the north end. He felt that getting the Smokey Point Master Plan approved was a step in the right direction. Director Nielsen noted that they had just obtained a signature from the last property owner and had re-submitted for the federal permit.

Public Comment:

Dan Eernissee Smokey Point Commercial LLC
Mr. Eernissee described the company he was representing which owned a large area in the North End and was contemplating a large multi-family development. He explained that he felt that the City had been generally interested in stimulating development. He described what he called the "arc of conversation". Mr. Eernissee noted that it wasn't a true 35% reduction in impact fees once you add back in school, traffic and park impact fees. He didn't feel that it was enough of a reduction. He felt that staff had adjusted fees that were already too high to a level more in line with other jurisdictions. He didn't see this as a stimulus. He urged the commission not to do something that would get you a whole lot of nothing. If they wanted to see real development, he felt they needed to be more aggressive.

Chair Leifer questioned whether or not Mr. Eernissee had translated the numbers to figure out exactly what reduction would be necessary for his project to go through. Mr. Eernissee responded that if the reduction was closer to an actual 50% reduction, getting water and sewer connection fees around $2000 would be the "tipping point" for his particular project. Mr. Eernissee added that if the city really wanted to see the development of 1000 plus units in the next few years, the proposed ordinances were not enough.

Director Nielsen responded that the fees are derived from the "Orange Book" and the estimated numbers from this book. He described the technical basis based on flow amounts. Director Nielsen described that connection charges are growth based and are intended to pay the proportionate share. He explained the process he had gone through to

try to come up with connection fees. Director Nielsen noted that there was already a 50% reduction on the GFC charges. Director Nielsen noted that there should be absolutely no discount based on the flow model and that is why he used the square footage model. Commissioner Andes questioned whether or not there could be a straight fee based on square footage. Director Nielsen responded that that is not the way fees are usually figured.

There was further discussion on if there was room to further cut the GFC's and how the money could be made up. Mr. Eernissee felt that impact fees only consider the negative aspects of the development and not the positives that come out of the development. He added that there should be some shared ownership of the impacts, by increasing rates. Director Nielsen gave more description of how the water and sewer systems are designed based on modeling.

Commissioner Hoen questioned Mr. Eernissee on the deferral aspect of the proposed ordinances. Mr. Eernissee responded that they are an advantage, but in the big picture, with interest rates as low as they are, it pales in comparison to the connection charges. Commissioner Hoen questioned if the deferred collection of connection and impact fees would help at all. Mr. Eernissee responded that deferrals really didn't do too much; and based on conversations with some of the school districts; it was not desirable for them either.

Chair Leifer described the letter received from Dante Palmaffy and Mr. Eernissee's thoughts on the 15 year amortization of fees. Mr. Eernissee responded that it would depend on the interest rates but that he would have to crunch the numbers; adding that he felt it would be a more significant approach than the deferrals in front of the commission. Mr. Eernissee added that there were not many people that were willing to spend $20 million in Marysville as his client was contemplating and that the commission should look at this seriously.

Commissioner Comment:

Chair Leifer questioned CAO Hirashima on the suggestion made in the letter from Mr. Palmaffy and what her thoughts were on this type of program. She responded that the initial thought was that it would be very difficult to collect the money over a 10 or 15 year period. She noted that they could contact Tacoma to get some idea of how the program they were using worked.

There was discussion on utility rates for different areas and developments. Discussion regarding fire flows and rates followed. Chair Leifer described the imbalance in fees between single family, multi-family, and commercial/industrial development. There was discussion on what more could be done to stimulate more growth. CAO Hirashima solicited more specifics of what the commission would like to see. Chair Leifer felt that the most substantial method would be the property tax exemption and that is the direction he would travel. There was further discussion on the property tax exemption program. Mr. Eernissee spoke in favor of the property tax exemption. CAO Hirashima noted that the property tax exemption was not an option that she would support as the City relies too heavily on it for services.

Commissioner Toler felt that the amortization option in use by Tacoma should be researched further. CAO Hirashima noted that this could be looked into. Commissioner Emery felt that Marysville needed to find a way to cut fees which would bring developers to us. A way had to be figured out to incentivize development. Commissioner Emery thought we needed to be much more competitive and wanted to know how to cut fees. There was discussion about average costs over and above construction. Commissioner Emery felt that cutting a little bit across the board would be a viable option.

Mr. Eernissee noted that the positive to just cutting the GFC, there was an income stream (raising rates) to supplement the cuts. He felt that the number could be reduced in the ordinance in front of the commission to expedite the process. He thought that increasing the reduction to one third or one half would really make a difference.

Commissioner Andes questioned how much of a rate increase would actually be seen if the GFC's were cut. Director Nielsen responded that it was difficult to tell, but he could give an estimate. Commissioner Toler agreed with Commissioner Emery, but felt that if commercial and industrial development came to Marysville, so too, would jobs and ultimately increased property revenues and revenue.

CAO Hirashima stated that she would bring back something which would address reducing rates by about $2000 per unit as well as looking at the amortization ordinance in Tacoma and the Industrial Pilot Program details.

Chair Leifer questioned why CAO Hirashima considered the property tax exemption so controversial. CAO Hirashima explained that she felt that multi-family developments require services such as fire, police, and city services and that those users should pay an equal share as any other user would be required to do. She noted that the City relies heavily on property tax revenue to provide services. She didn't feel there was an exact correlation between increased housing and increased revenues to warrant an exemption. Chair Leifer questioned if CAO Hirashima felt the same way whether it was a 15 or 5 year exemption. She replied that she did.

Director Nielsen did some calculations and described the numbers he had come up with based on a combination strategy. It was close to the $2000 reduction that the commission was looking for; approximately $1900 on an 1100 square foot condo.

Commissioner Hoen questioned Mr. Eernissee about his project which was already planned and in motion, the land purchased, annexation and rezoning complete, and proposed reduced fees, sitting on the property was keeping them away from bottom line profits. Eventually, the site would be developed, why would it make sense for the City to further reduce the fees for his project to go forward. Mr. Eernissee responded that his investors were patient and that he has been working on this project for 7 years and they were willing to wait.

Chair Leifer closed the Public Hearing at 8:44 pm.

Commissioner Hoen questioned the sequence changes regarding foreclosure he had brought up at the previous meeting and noted that the corrected language hadn't made it into the current document.

ADJOURNMENT:

Motion made by Commissioner Toler, seconded by Commissioner Lebo to adjourn the meeting at 8:47 p.m. Motion carries, (6-0).

NEXT MEETING:

May 8, 2012

Amy Hess

Amy Hess, Recording Secretary

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

PC Recommendation – Proposed 2012 Code Clean-Up Amendments

The Planning Commission (PC) of the City of Marysville, having held a public hearing on April 24, 2012 in review of a NON-PROJECT action amendment of the Marysville Municipal Code, proposing amendments to the Marysville Municipal Code, primarily Title 22C, *Land Use Standards*, including, but not limited to, the following development regulations: wall sign measurement methodology, residential and commercial fence standards, minor changes to permitted uses matrices, chicken standards, Master Planned Senior Communities affordable housing criteria, codification of policy for rezones on properties under 10 acres, accessory structure standards, and small lot design standards. Having considered the exhibits and testimony presented, PC does hereby enter the following findings, conclusions and recommendation for consideration by the Marysville City Council:

FINDINGS:

1. The Community Development Department held a public meeting to introduce the NON-PROJECT action Code Clean-Up Amendments to the community on March 27, 2012.
2. The proposal was submitted to the State of Washington Department of Commerce for 30-day expedited review on March 14, 2012, in accordance with RCW 36.70A.106.
3. The PC held a public work session to review the NON-PROJECT action amendments proposing adoption of the NON-PROJECT action 2012 Code Clean-Up amendments as described above, on April 10, 2012.
5. The PC held a duly-advertised public hearing on April 24, 2012 and received testimony from city staff and the public.
6. At the public hearing, the PC reviewed and considered the 2012 Code Clean-Up Amendments.

CONCLUSION:

At the public hearing, held on April 24, 2012, the PC recommended **APPROVING** the 2012 Code Clean-Up Amendments.

RECOMMENDATION:

Forwarded to City Council as a Recommendation of **APPROVAL** of the NON-PROJECT action known as 2012 Code Clean-Up Amendments, an amendment to the Marysville Municipal Code, primarily Title 22C, *Land Use Standards*, this ***April 24, 2012.***

By: _____
Stephen Leifer, Planning Commission Chair

CITY OF MARYSVILLE
Marysville, Washington

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON, RELATING TO THE CITY'S ANIMAL CONTROL REGULATIONS; AND ADDING A NEW SECTION 10.04.315 CHICKENS TO MMC CHAPTER 10.04 ANIMAL CONTROL.

WHEREAS, the City Council of the City of Marysville finds that from time to time it is necessary and appropriate to review and revise provisions of the City's municipal code; and

WHEREAS, during public meetings on March 27, 2012 and April 10, 2012, the Planning Commission discussed proposed amendment to add a new Section 10.04.315 regarding chickens to the animal control regulations contained in MMC Chapter 10.04; and

WHEREAS, on April 24, 2012 the Planning Commission made a Recommendation to the City Council recommending the adoption of a new Section 10.04.315 regarding chickens to the animal control regulations contained in MMC Chapter 10.04; and

WHEREAS, at a public meeting on _____, the Marysville City Council reviewed and considered the Planning Commission's Recommendation and proposed addition of Section 10.04.315 regarding chickens to the animal control regulations contained in MMC Chapter 10.04; and

WHEREAS, the City council finds that it is in the best interest of the community to adopt new Section 10.04.315 regulating the keeping of chickens for personal use;

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

Section 1. Approval of Planning Commission's Recommendation and Adoption of Findings and Conclusions. The Planning Commission's April 24, 2012 Recommendation regarding the proposed development regulation revisions and the adoption of a new Section 10.04.315 regarding chickens to the animal control regulations contained in MMC Chapter 10.04, including the Findings and Conclusions contained therein, as set forth in the attached Exhibit "A", is hereby adopted and incorporated herein by this reference.

Section 2. New Section 10.04.315, Chickens, is hereby adopted and added to MMC Chapter 10.04, Animal Control, to read as follows:

10.04.315 Chickens.

The keeping of chickens for personal use of the household shall be permitted subject to the following:

(a) A maximum of twelve (12) female chickens may be kept on residential lots less than one acre in size; provided, that roosters are prohibited on lots that are less than one acre in size.

(b) A suitable shelter that is constructed so as to discourage predators shall be provided. The shelter shall be maintained in good working condition.

(i) Shelters, pens, and similar chicken enclosures shall be in the rear yard and shall be set back a minimum of 15 feet from side and rear property lines.

(ii) Shelters, pens, and similar chicken enclosures shall be kept clean and free from disagreeable odors. No organic materials furnishing food for flies

shall be allowed to accumulate on the premises. All manure and other refuse must be kept in tightly covered fly-proof receptacles and disposed of at least once each week in a manner approved by the animal control officer.

(iii) Chickens may roam freely in the rear yard as long as they are contained on the premises by a fence.

(c) Chickens may be processed on the premises provided that the processing occurs in the rear yard out of public view.

(d) Infected chickens with diseases harmful to humans shall be removed from the premises.

Section 3. Severability. If any section, subsection, sentence, clause, phrase or work of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

Section 4. Effective Date. This ordinance shall become effective five days after the date of its publication by summary.

PASSED by the City Council and APPROVED by the Mayor this _____ day of _____, 2012.

CITY OF MARYSVILLE

By: _____
JON NEHRING, MAYOR

Attest:

By: _____
CITY CLERK

Approved as to form:

By: _____
GRANT K. WEED, CITY ATTORNEY

Date of Publication: _____

Effective Date: _____
(5 days after publication)

Index #14

CITY OF MARYSVILLE AGENDA BILL

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: June 11, 2012

AGENDA ITEM: Change Order No. 3 for Municipal Court Emergency Roof Repair	
PREPARED BY: Jeff Laycock, Project Engineer DEPARTMENT: Public Works, Engineering	DIRECTOR APPROVAL:
ATTACHMENTS: • Change Order No. 3	
BUDGET CODE: N/A	AMOUNT: $186.16

SUMMARY:

This Change Order No. 3 covers the sales tax, in the amount of $186.16, that is applicable to the bond fee that Riverside Roof paid its surety in order to furnish the City with a performance and payment bond. The amount of bond fee paid was $2,164.61. This cost was originally assumed to be non-taxed, until the Department of Revenue (DOR) upon receipt of a notice of completion of public works project, contacted the City to receive clarification on the sales tax paid. DOR informed the City that the bond fee is considered part of the gross project cost and is therefore subject to sales tax.

All costs for the sales tax paid on the bond fee will be covered and reimbursed by the City's insurance.

RECOMMENDED ACTION: Staff recommends that Council authorize the Mayor to approve Changer Order No. 3 for the Municipal Court Emergency Roof Repair with Riverside Roof LLC in the amount of $186.16 including Washington State Sales Tax.

CONTRACT CHANGE ORDER
No. 3

Date: May 22, 2012 Project: Courthouse Roof Repair
Job Location: Marysville, WA
Owner: City of Marysville
To: (Contractor) Riverside Roof LLC
cc: (Surety) Developers Surety and Idemnity Company

YOU ARE HEREBY INSTRUCTED TO:

- ☐ Make changes in plans and specifications as noted below
- ☐ Perform extra work as noted below
- ■ Perform extra work per attachments.
- ☐ Execute work as noted below
- ☐ Delete work as noted below
- ☐ Restore areas as noted below

DESCRIPTION AND/OR SKETCH	QTY	UNIT	UNIT PRICE	TOTAL

You are ordered to perform the following described work upon receipt of an approved copy of the change order:

This Change Order no. 3 covers the sales tax, in the amount of $186.16, that is applicable to the bond fee that Riverside Roof paid its surety in order to furnish the City with a performance and payment bond for the project. The amount of bond fee paid was $2,164.61. This cost was originally assumed to be non-taxed, until the Department of Revenue (DOR) upon receipt of a notice of completion of public works project, contacted the City to receive clarification on the sales tax paid. DOR informed the City that the bond fee is considered part of the gross project cost and is therefore subject to sales tax.

RECEIVED
MAY 25 2012
CITY OF MARYSVILLE
PUBLIC WORKS &
COMMUNITY DEVELOPMENT

Summary of Costs

Description	Change Amount
Change Order No. 3	$186.16
Sales Tax @ 8.6%	N/A
Total	**$186.16**

Approved by Council: _____
(Date)

Presented to Council: 6/11/12
(Date)

All work, materials, and measurement to be in accordance with the provisions of the Standard Specifications and Special Provisions for the type of construction involved.

ORIGINAL CONTRACT AMOUNT (INCL. TAX)	CONTRACT TOTAL AFTER CHANGE	PERCENT CHANGE THIS ORDER	TOTAL PERCENT CHANGE
$ 51,586.67	$ 76,402.46	% 48.11	% 0.36

CONTRACT COMPLETION TIME:

■ Same ☐ (increase/decrease) working days _____

RECOMMENDED FOR APPROVAL BY: _____ DATE: 5/29/12
(Engineer)

APPROVAL BY: _____ DATE: _____
(Public Works Director)

APPROVAL BY: _____ DATE: _____
(Finance Director)

ENDORSED BY: _____ DATE: 5/24/12
(Contractor's Signature)
Leonard Reichlin

RECEIVED
MAY 25 2012
CITY OF MARYSVILLE
PUBLIC WORKS &
COMMUNITY DEVELOPMENT

Index #15

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: June 11, 2012

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 **June 6, 2012** claims in the amount of **$222,389.03** paid by **Check No.'s 77645 through 77738**.
COUNCIL ACTION:

BLANKET CERTIFICATION
CLAIMS
FOR
PERIOD-6

I, THE UNDERSIGNED, DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE MATERIALS HAVE BEEN FURNISHED, THE SERVICES RENDERED OR THE LABOR PERFORMED AS DESCRIBED HEREIN AND THAT THE **CLAIMS** IN THE AMOUNT OF **$222,389.03 PAID BY CHECK NO.'S 77645 THROUGH 77738** ARE JUST, DUE AND UNPAID OBLIGATIONS AGAINST THE CITY OF MARYSVILLE, AND THAT I AM AUTHORIZED TO AUTHENTICATE AND TO CERTIFY SAID CLAIMS.

Sandy Langdon 6/14/12

AUDITING OFFICER DATE

MAYOR DATE

WE, THE UNDERSIGNED COUNCIL MEMBERS OF MARYSVILLE, WASHINGTON DO HEREBY APPROVE FOR PAYMENT THE ABOVE MENTIONED **CLAIMS** ON THIS **25TH DAY OF JUNE 2012.**

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

CITY OF MARYSVILLE
INVOICE LIST
FOR INVOICES FROM 5/31/2012 TO 6/6/2012

CHK #	VENDOR	ITEM DESCRIPTION	ACCOUNT DESCRIPTION	ITEM AMOUNT
77645	ABELL, NANCY	REFRESHMENT REIMBURSEMENT	EXECUTIVE ADMIN	23.28
77646	ACE EQUIPMENT RENTAL	KUBOTA RENTAL	STORM DRAINAGE	3,518.64
77647	ADVANTAGE BUILDING S	EXTRA CLEANING HOURS	COMMUNITY CENTER	150.00
77648	ALPINE TREE SERVICE	TREE/BRUSH REMOVAL	ROADSIDE VEGETATION	1,520.40
77649	ALTISOURCE SOLUTIONS	UB 570663000004 17627 27TH AVE	WATER/SEWER OPERATION	131.88
77650	ANDERSON, TRISHA	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
77651	ARAMARK UNIFORM	UNIFORM CLEANING	EQUIPMENT RENTAL	32.20
	ARAMARK UNIFORM		EQUIPMENT RENTAL	32.20
	ARAMARK UNIFORM		EQUIPMENT RENTAL	32.20
	ARAMARK UNIFORM		EQUIPMENT RENTAL	32.53
	ARAMARK UNIFORM		EQUIPMENT RENTAL	38.72
77652	ARAMARK UNIFORM		MAINTENANCE	14.28
77653	ASSET MANAGEMENT SPE	UB 846812000000 6812 81ST DR N	WATER/SEWER OPERATION	20.80
77654	AUDIOLOGY SERVICES	HEARING RETESTS (6)	EXECUTIVE ADMIN	70.50
77655	B.H.W. HOLDINGS LLC	FORESTER CHAPS	PARK & RECREATION FAC	80.91
	B.H.W. HOLDINGS LLC	BLOWERS, TRIMMERS, MOWERS	PARK & RECREATION FAC	4,085.53
77656	BERKLEY, KATHY	RENTAL DEPOSIT REFUND	GENERAL FUND	200.00
77657	BICKFORD FORD	HEADLIGHT LENSES	EQUIPMENT RENTAL	562.73
77658	BLUE MARBLE ENV.	PROFESSIONAL SERVICES	SOLID WASTE OPERATIONS	773.32
77659	BRADLEY, KELLEE	SOUNDS OF SUMMER CONCERT	RECREATION SERVICES	700.00
77660	CARD, CORINNA	REFUND-DUPLICATE PERMIT FEES	GENERAL FUND	4.50
	CARD, CORINNA		COMMUNITY DEVELOPMENT	50.00
	CARD, CORINNA		NON-BUS LICENSES AND PEF	100.00
77661	CARRS ACE	HOSE CLAMPS, SIMPLE GREEN, ETC	PARK & RECREATION FAC	96.39
77662	CASCADE NATURAL GAS	NATURAL GAS SERVICES	WATER FILTRATION PLANT	1,911.15
77663	CDW GOVERNMENT INC	PHOTOSHOP-CRIME ANALYST	POLICE ADMINISTRATION	783.02
77664	CITY SIDE MANAGEMENT	UB 901021000000 1722 1ST ST	WATER/SEWER OPERATION	87.78
77665	CLEAN CUT	TREE REMOVAL	STORM DRAINAGE	352.95
	CLEAN CUT	BRANCH REMOVAL-HOLDING POND	STORM DRAINAGE	868.80
77666	CLYDE WEST	AUX HYDRAULICS SYSTEM RUN SWIT	EQUIPMENT RENTAL	36.12
77667	COOP SUPPLY	HOSE	MAINTENANCE	31.47
	COOP SUPPLY	TUB, CAR WASH, BRUSH	MAINTENANCE	52.64
	COOP SUPPLY	LIME 50 LBS	RECREATION SERVICES	162.57
77668	CRANE AMERICA SERVIC	MONORAIL CRANE REPAIR	SEWER LIFT STATION	1,290.70
77669	CRYSTAL SPRINGS	WATER DELIVERED & COOLER RENTA	WASTE WATER TREATMENT	186.44
77670	DELL	VIRTUAL SERVER UPGRADES	CENTRAL SERVICES	1,993.64
	DELL		CENTRAL SERVICES	4,082.14
77671	DEPALMA, ARLINE	INSTRUCTOR SERVICES	COMMUNITY CENTER	262.20
77672	DICKS TOWING	TOWING EXPENSE	EQUIPMENT RENTAL	43.44
	DICKS TOWING		EQUIPMENT RENTAL	70.59
77673	DONALDSON, BRENDA	SUPPLY REIMBURSEMENT	WATER/SEWER OPERATION	-29.42
	DONALDSON, BRENDA		UTIL ADMIN	371.42
77674	E&E LUMBER	CREDIT	PARK & RECREATION FAC	-10.31
	E&E LUMBER	FASTENERS	PARK & RECREATION FAC	2.17
	E&E LUMBER	CABLE TIES	PARK & RECREATION FAC	5.41
	E&E LUMBER	FASTENERS	PARK & RECREATION FAC	6.09
	E&E LUMBER	GLOVES	PARK & RECREATION FAC	9.76
	E&E LUMBER		PARK & RECREATION FAC	10.31
	E&E LUMBER	SCRAPER, SUT OFF, HOSES	MAINTENANCE	25.04
	E&E LUMBER	FIXTURE	PARK & RECREATION FAC	26.05
	E&E LUMBER	HOE	PARK & RECREATION FAC	39.07
	E&E LUMBER	HEX BOLTS	PARK & RECREATION FAC	53.21
	E&E LUMBER	ROPE, CONCRETE SEALANT, BLADES	MAINTENANCE	79.32
	E&E LUMBER	DUCT TAPE, PVC PIPE/CEMENT	PARK & RECREATION FAC	87.00
	E&E LUMBER	DECK PAINT & TEXTURE	PARK & RECREATION FAC	98.79
	E&E LUMBER	LUMBER	MAINTENANCE	520.79
77675	ECONOMY FENCE CENTER	RELOCATE FENCE	WATER CAPITAL PROJECTS	651.60

CITY OF MARYSVILLE
INVOICE LIST
FOR INVOICES FROM 5/31/2012 TO 6/6/2012

CHK #	VENDOR	ITEM DESCRIPTION	ACCOUNT DESCRIPTION	ITEM AMOUNT
77676	EKSTEDT, BENJAMIN	SOUNDS OF SUMMER 2012	RECREATION SERVICES	700.00
77677	EVERETT HYDRAULICS	HYDRAULIC VALVE STACK ACTUATOR	EQUIPMENT RENTAL	1,638.00
77678	EVERETT UTILITIES	WATER/FILTRATION SERVICE CHARG	SOURCE OF SUPPLY	93,842.76
77679	FIRESTONE	FIRESTONE TIRES (2)	EQUIPMENT RENTAL	121.24
77680	FLORATINE NORTHWEST	FUNGICIDE	MAINTENANCE	112.01
77681	GCSAA	MEMBERSHIP-HARPRING	MAINTENANCE	340.00
77682	GENERAL CHEMICAL	ALUMINUM SULFATE	WASTE WATER TREATMENT	3,869.45
77683	GREENSHIELDS	HYDRAULIC FITTING	EQUIPMENT RENTAL	7.33
77684	GROUP HEALTH	PROFESSIONAL SERVICES	EXECUTIVE ADMIN	522.80
77685	HANSEN, MICHAEL	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
77686	HUDSON, CHAD	MILEAGE/PARKING REIMBURSEMENT	ENGR-GENL	49.89
	HUDSON, CHAD	WORK BOOT REIMBURSEMENT	UTIL ADMIN	239.07
77687	HUGGINS, LISA	REFUND	PARKS-RECREATION	29.00
77688	IKON OFFICE SOLUTION	COPIER CHARGES	PROBATION	6.37
	IKON OFFICE SOLUTION		WASTE WATER TREATMENT	8.18
	IKON OFFICE SOLUTION		COMMUNITY CENTER	10.46
	IKON OFFICE SOLUTION		GENERAL SERVICES - OVERI	14.51
	IKON OFFICE SOLUTION		MAINTENANCE	15.64
	IKON OFFICE SOLUTION		UTILITY BILLING	27.60
	IKON OFFICE SOLUTION		CITY CLERK	30.79
	IKON OFFICE SOLUTION		FINANCE-GENL	30.79
	IKON OFFICE SOLUTION		POLICE PATROL	54.89
	IKON OFFICE SOLUTION		PARK & RECREATION FAC	64.73
	IKON OFFICE SOLUTION		MUNICIPAL COURTS	82.63
	IKON OFFICE SOLUTION		PERSONNEL ADMINISTRATIO	98.62
	IKON OFFICE SOLUTION		ENGR-GENL	113.72
	IKON OFFICE SOLUTION		DETENTION & CORRECTION	127.14
	IKON OFFICE SOLUTION		LEGAL - PROSECUTION	131.76
	IKON OFFICE SOLUTION		EXECUTIVE ADMIN	140.25
	IKON OFFICE SOLUTION		UTIL ADMIN	198.00
	IKON OFFICE SOLUTION		POLICE INVESTIGATION	264.21
	IKON OFFICE SOLUTION		COMMUNITY DEVELOPMENT-	279.19
	IKON OFFICE SOLUTION		OFFICE OPERATIONS	959.04
77689	INDUSTRIAL SUPPLY IN	GUTTER BROOM SECTIONS	STREET CLEANING	642.29
77690	IRON MOUNTAIN	1 1/4 MINUS ROCK	STORM DRAINAGE	71.15
	IRON MOUNTAIN		WATER MAINS INSTALL	71.15
	IRON MOUNTAIN		STORM DRAINAGE MAINTENA	71.16
	IRON MOUNTAIN		STORM DRAINAGE MAINTENA	205.06
	IRON MOUNTAIN		STORM DRAINAGE	205.07
	IRON MOUNTAIN		WATER MAINS INSTALL	205.07
77691	JDS INC	NEW DOOR	TRANSPORTATION MANAGEM	853.97
77692	KENWORTH NORTHWEST	FUEL TRANSFER PUMP	EQUIPMENT RENTAL	177.77
77693	LICENSING, DEPT OF	GRIMSLEY, STEVE (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	KUEHL, DANIEL (RENEWAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	LINSCOTT, JARED (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	MOYER, EDWARD (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	SPRINGER, HOWARD (RENEWAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	TUTTLE, DARLENE (RENEWAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	WAY, GARY (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	JARVIS, BRADLEY (LATE RENEWAL)	GENERAL FUND	21.00
	LICENSING, DEPT OF	JUMIPIT, ANTONIO (LATE RENEWAL	GENERAL FUND	21.00
77694	LOWES HIW INC	TARP, PIPE & CAPS	PARK & RECREATION FAC	161.63
77695	MAILFINANCE	LEASE PAYMENT	CITY CLERK	22.93
	MAILFINANCE		EXECUTIVE ADMIN	22.93
	MAILFINANCE		FINANCE-GENL	22.93
	MAILFINANCE		PERSONNEL ADMINISTRATIO	22.93
	MAILFINANCE		UTILITY BILLING	22.93

CITY OF MARYSVILLE
INVOICE LIST
FOR INVOICES FROM 5/31/2012 TO 6/6/2012

CHK #	VENDOR	ITEM DESCRIPTION	ACCOUNT DESCRIPTION	ITEM AMOUNT
77695	MAILFINANCE	LEASE PAYMENT	LEGAL - PROSECUTION	22.93
	MAILFINANCE		COMMUNITY DEVELOPMENT-	22.93
	MAILFINANCE		ENGR-GENL	22.93
	MAILFINANCE		UTIL ADMIN	22.93
	MAILFINANCE		POLICE INVESTIGATION	22.93
	MAILFINANCE		POLICE PATROL	22.94
	MAILFINANCE		OFFICE OPERATIONS	22.94
	MAILFINANCE		DETENTION & CORRECTION	22.94
	MAILFINANCE		POLICE ADMINISTRATION	22.94
77696	MEGAPATH CORPORATION	INTERNET SERVICES	COMPUTER SERVICES	262.75
77697	MERCADO, CAROLINE	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
77698	MERIDIAN CENTER ELEC	REFUND-2 PERMITS	GENERAL FUND	9.00
	MERIDIAN CENTER ELEC		COMMUNITY DEVELOPMENT	100.00
77699	MYSC	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
77700	NEXTEL	ACCT #130961290	SEWER LIFT STATION	60.40
	NEXTEL		WATER FILTRATION PLANT	60.41
77701	NORSWORTHY, KEMRA	UB 651132292501 8311 96TH ST N	WATER/SEWER OPERATION	40.76
77702	NORTHWEST CASCADE	HONEY BUCKETS	RECREATION SERVICES	522.40
77703	NORTON, WORTH	EXPENSE REIMBURSEMENT	COMMUNITY EVENTS	53.98
	NORTON, WORTH		COMPUTER SERVICES	152.29
	NORTON, WORTH		COMPUTER SERVICES	170.07
	NORTON, WORTH		COMPUTER SERVICES	403.77
77704	OFFICE DEPOT	OFFICE SUPPLIES	UTILITY BILLING	8.56
	OFFICE DEPOT		COMMUNITY DEVELOPMENT-	62.75
	OFFICE DEPOT		FINANCE-GENL	75.64
	OFFICE DEPOT		CITY CLERK	75.64
	OFFICE DEPOT		CITY COUNCIL	75.64
	OFFICE DEPOT		UTILITY BILLING	97.97
	OFFICE DEPOT		COMMUNITY DEVELOPMENT-	184.29
77705	OLASON, MONICA	INSTRUCTOR SERVICES	RECREATION SERVICES	84.00
	OLASON, MONICA		RECREATION SERVICES	96.60
	OLASON, MONICA		RECREATION SERVICES	120.00
	OLASON, MONICA		RECREATION SERVICES	144.00
	OLASON, MONICA		RECREATION SERVICES	168.00
	OLASON, MONICA		RECREATION SERVICES	186.00
77706	PACIFIC NW BUSINESS	TONER	FINANCE-GENL	39.61
	PACIFIC NW BUSINESS		CITY CLERK	39.61
77707	PACIFIC POWER PROD.	BLADES	PARK & RECREATION FAC	91.01
	PACIFIC POWER PROD.	ASSEMB. ROLLER, BRACKET	MAINTENANCE	213.72
	PACIFIC POWER PROD.	SEALS, HOLDERS	MAINTENANCE	275.82
	PACIFIC POWER PROD.	TINES, TUNES, FUEL PUMPS	MAINTENANCE	709.10
77708	PARTS STORE, THE	CREDIT	EQUIPMENT RENTAL	-137.48
	PARTS STORE, THE		EQUIPMENT RENTAL	-71.68
	PARTS STORE, THE	STARTER SOLENOID	EQUIPMENT RENTAL	11.94
	PARTS STORE, THE	SPARK PLUGS	EQUIPMENT RENTAL	48.57
	PARTS STORE, THE	STARTER W/CORE CHARGE	EQUIPMENT RENTAL	170.18
	PARTS STORE, THE	INTAKE MANIFOLD	EQUIPMENT RENTAL	343.88
	PARTS STORE, THE	ALTERNATOR	EQUIPMENT RENTAL	364.67
77709	PERKINS COIE	LEGAL FEES	WASTE WATER TREATMENT	31,072.92
77710	PILCHUCK CONTRACTORS	2" WATER SERVICE BORE	WATER SERVICE INSTALL	4,887.00
77711	PRO MARK UTILITY	VALVE MARKERS, INSTALL TOOL	WATER/SEWER OPERATION	-50.78
	PRO MARK UTILITY		WATER DIST MAINS	641.24
77712	PUD	ACCT. # 2042-5421-3	PARK & RECREATION FAC	163.07
	PUD	INSTALLATION OF TWO POLES	STREET LIGHTING	3,020.00
77713	PUD	ACCT #2013-8099-5	PUMPING PLANT	28.38
	PUD	ACCT #2030-6201-3	STREET LIGHTING	83.17
	PUD	ACCT #2034-3089-7	STREET LIGHTING	103.24

CITY OF MARYSVILLE
INVOICE LIST
FOR INVOICES FROM 5/31/2012 TO 6/6/2012

CHK #	VENDOR	ITEM DESCRIPTION	ACCOUNT DESCRIPTION	ITEM AMOUNT
77713	PUD	ACCT #2024-9063-7	SEWER LIFT STATION	198.84
	PUD	ACCT #2026-8910-5	WASTE WATER TREATMENT	222.86
	PUD	ACCT #2022-9433-6	STREET LIGHTING	230.43
	PUD	ACCT #2020-3007-8	TRANSPORTATION MANAGEI	232.76
	PUD	ACCT #2025-7232-7	STREET LIGHTING	267.21
	PUD	ACCT #2002-2385-7	PARK & RECREATION FAC	638.69
77714	PUGET SOUND SECURITY	DUPLICATE KEY	GOLF ADMINISTRATION	14.04
77715	RHINE DEMOLITION	ASBESTOS ABATEMENT LESS RETAIN	GMA-STREET	-3,560.00
	RHINE DEMOLITION		GMA - STREET	7,732.32
77716	RIVERSIDE ROOF LLC	PAY ESTIMATE #3	GENERAL FUND	-135.88
	RIVERSIDE ROOF LLC	ROOF REPAIR	COURT FACILITIES	879.66
	RIVERSIDE ROOF LLC	PAY ESTIMATE #3	COURT FACILITIES	2,894.43
77717	RODDA	INDUSTRIAL PAINT	SOLID WASTE OPERATIONS	880.33
77718	ROSCOE, JAMIE	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
77719	ROY ROBINSON	TEMP./OXYGEN SENSORS	EQUIPMENT RENTAL	143.21
	ROY ROBINSON	DOOR ENTRY SEAL	EQUIPMENT RENTAL	522.17
77720	SIMPLOT PARTNERS	REWET WETTING AGENT	MAINTENANCE	840.06
	SIMPLOT PARTNERS	AFFIRM, TORQUE, SULFATE, ETC.	MAINTENANCE	1,323.64
77721	SISKUN POWER EQUIPME	STARTER RECOIL ASSEMBLY	EQUIPMENT RENTAL	25.08
77722	SMOKEY POINT CONCRET	6 SK W/AEA & INLAMPLBLACK-20 Y	SIDEWALKS MAINTENANCE	950.25
77723	SNO CO PUBLIC WORKS	ENGINE REPAIRS-MULTIPLE VEHICL	STORM DRAINAGE	163.07
	SNO CO PUBLIC WORKS		SEWER MAIN COLLECTION	163.08
	SNO CO PUBLIC WORKS		EQUIPMENT RENTAL	2,566.09
	SNO CO PUBLIC WORKS		SEWER MAIN COLLECTION	4,069.55
	SNO CO PUBLIC WORKS		STORM DRAINAGE	4,069.55
	SNO CO PUBLIC WORKS		SOLID WASTE OPERATIONS	9,224.71
77724	SNYDER ROOFING	GUTTER REPAIRS	PUBLIC SAFETY FAC-GENL	2,568.39
77725	SOLID WASTE SYSTEMS	RE-WIRE CUROTTO CAN PLUG	EQUIPMENT RENTAL	347.02
77726	SUNRISE ENVIRONMENT	WIPEOFF	PARK & RECREATION FAC	390.17
77727	THOMPSON, JESSICA	UB 961341000000 1051 ALDER AVE	WATER/SEWER OPERATION	802.83
77728	TRIMM, JOY	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
77729	VANDERWAY, DORIS		GENERAL FUND	100.00
77730	VERIZON/FRONTIER	ACCT.#970766244-00001	METER READING	454.48
77731	VERIZON/FRONTIER	ACCT.#10996383	CRIME PREVENTION	0.02
	VERIZON/FRONTIER		PURCHASING/CENTRAL STOI	0.02
	VERIZON/FRONTIER		SOLID WASTE CUSTOMER E>	0.04
	VERIZON/FRONTIER		CITY CLERK	0.18
	VERIZON/FRONTIER		BUILDING MAINTENANCE	0.25
	VERIZON/FRONTIER		LEGAL-GENL	0.42
	VERIZON/FRONTIER		YOUTH SERVICES	0.44
	VERIZON/FRONTIER		ANIMAL CONTROL	0.66
	VERIZON/FRONTIER		RECREATION SERVICES	0.96
	VERIZON/FRONTIER		COMMUNITY CENTER	2.52
	VERIZON/FRONTIER		FINANCE-GENL	3.02
	VERIZON/FRONTIER		GENERAL SERVICES - OVERI	3.39
	VERIZON/FRONTIER		GOLF ADMINISTRATION	3.56
	VERIZON/FRONTIER		PERSONNEL ADMINISTRATIO	3.74
	VERIZON/FRONTIER		EQUIPMENT RENTAL	3.99
	VERIZON/FRONTIER		COMPUTER SERVICES	4.44
	VERIZON/FRONTIER		POLICE ADMINISTRATION	4.62
	VERIZON/FRONTIER		LEGAL - PROSECUTION	5.10
	VERIZON/FRONTIER		UTILITY BILLING	5.46
	VERIZON/FRONTIER		EXECUTIVE ADMIN	8.22
	VERIZON/FRONTIER		STORM DRAINAGE	8.37
	VERIZON/FRONTIER		ENGR-GENL	8.41
	VERIZON/FRONTIER		POLICE INVESTIGATION	8.85
	VERIZON/FRONTIER		UTIL ADMIN	9.17

CITY OF MARYSVILLE
INVOICE LIST
FOR INVOICES FROM 5/31/2012 TO 6/6/2012

CHK #	VENDOR	ITEM DESCRIPTION	ACCOUNT DESCRIPTION	ITEM AMOUNT
77731	VERIZON/FRONTIER	ACCT.#10996383	POLICE PATROL	10.51
	VERIZON/FRONTIER		DETENTION & CORRECTION	11.39
	VERIZON/FRONTIER		PARK & RECREATION FAC	13.26
	VERIZON/FRONTIER		WASTE WATER TREATMENT	14.95
	VERIZON/FRONTIER		OFFICE OPERATIONS	15.75
	VERIZON/FRONTIER		MUNICIPAL COURTS	18.86
	VERIZON/FRONTIER		COMMUNITY DEVELOPMENT-	30.85
77732	VERIZON/FRONTIER	ACCT. # 36065173190324995	TRAFFIC CONTROL DEVICES	49.36
	VERIZON/FRONTIER	ACCT. #36065726090519995	TRAFFIC CONTROL DEVICES	52.15
	VERIZON/FRONTIER	ACCT #36065771080927115	STREET LIGHTING	53.45
	VERIZON/FRONTIER	ACCT #36065943981121075	PUBLIC SAFETY FAC-GENL	104.30
	VERIZON/FRONTIER	ACCT #36065340280125085	ADMIN FACILITIES	106.90
77733	WAXIE SANITARY SUPPL	JANITORIAL SUPPLIES	PARK & RECREATION FAC	971.82
77734	WESTERN FACILITIES		MAINTENANCE	76.69
77735	WHITE CAP CONSTRUCT	EPOXY	GENERAL FUND	-13.84
	WHITE CAP CONSTRUCT		PARK & RECREATION FAC	174.77
77736	WILBUR-ELLIS	VEGETATION CONTROL SUPPLIES	SOURCE OF SUPPLY	940.49
77737	WILLETT, LAWRENCE MA	SOUNDS OF SUMMER 2012	RECREATION SERVICES	700.00
77738	ZEE MEDICAL SERVICE	FIRST AID RESUPPLY-WWTP	WASTE WATER TREATMENT	173.96

WARRANT TOTAL: **222,389.03**

REASON FOR VOIDS:

INITIATOR ERROR
WRONG VENDOR
CHECK LOST IN MAIL
UNCLAIMED PROPERTY

Index #16

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: June 11, 2012

AGENDA ITEM: Payroll	AGENDA SECTION:	
PREPARED BY: Sandy Langdon, Finance Director	AGENDA NUMBER:	
ATTACHMENTS: Blanket Certification	APPROVED BY:	
	MAYOR	CAO
BUDGET CODE:	AMOUNT:	

RECOMMENDED ACTION: The Finance and Executive Departments recommend City Council approve the June 5, 2012 payroll in the amount $1,418,721.97 Check No.'s 25502 through 25574.
COUNCIL ACTION:

BLANKET CERTIFICATION
PAYROLL
FOR PERIOD-5

I, THE UNDERSIGNED, DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE MATERIALS HAVE BEEN FURNISHED, THE SERVICES RENDERED OR THE LABOR PERFORMED AS DESCRIBED HEREIN AND THAT THE **PAYROLL** IN THE AMOUNT OF **$1,418,721.97** PAID BY **CHECK NO.'S 25502 THROUGH 25574** ARE JUST, DUE AND UNPAID OBLIGATIONS AGAINST THE CITY OF MARYSVILLE, AND THAT I AM AUTHORIZED TO AUTHENTICATE AND CERTIFY TO SAID CLAIMS.

AUDITING OFFICER — DATE 6/1/12

MAYOR — DATE 6/1/12

WE, THE UNDERSIGNED COUNCILMEMBERS OF MARYSVILLE, WASHINGTON DO HEREBY APPROVE FOR PAYMENT THE ABOVE-MENTIONED **PAYROLL** ON THIS **25TH DAY OF JUNE 2012.**

COUNCILMEMBER	COUNCILMEMBER
COUNCILMEMBER	COUNCILMEMBER
COUNCILMEMBER	COUNCILMEMBER
COUNCILMEMBER	COUNCILMEMBER