

**Call to Order**

**Pledge of Allegiance**

**Roll Call**

**Committee Reports**

**Presentations**

**Discussion Items**

A. Joint Discussion Regarding Impact Fees.

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

1. Approval of January 20, 2009 City Council Work Session Minutes.
2. Approval of January 26, 2009 City Council Meeting Minutes.

**Consent**

3. Approval of January 21, 2009 Claims in the Amount of \$2,530,288.94; Paid by Check No.'s 52868 through 53007 with no Check No.'s Voided.
4. Approval of January 28, 2009 Claims.

**Review Bids**

5. Award Bid for the Berrywoods Paving Project to Fidalgo Paving and Construction, LLC in the Amount of \$249,153.88 Including Washington State Sales Tax and Approve a Management Reserve of \$10,000 for a Total Allocation of \$259,153.88.

**Public Hearings**

**New Business**

6. Acceptance of the SR 528 (47<sup>th</sup> Avenue NE to 67<sup>th</sup> Avenue NE) Road Improvements Project to Start the 45-Day Lien Filing Period for Project Closeout.
7. Acceptance of the SR 9 Demolition Project to Start the 45-Day Lien Filing Period for Project Closeout.
8. Supplemental Agreement Number 2 with HDR Engineering at no Additional Cost Amending the Scope of Work and Extending the Time for Completion to June 30, 2009.

**Joint Marysville City Council and Planning Commission Work Session**  
**February 2, 2009** **7:00 p.m.** **City Hall**

9. An **Ordinance** of the City of Marysville, Washington Amending Portions of Ordinance 616 as Amended and Ordinance 1456-A Providing for Removal of Garbage Containers and Sporting Equipment from City Rights of Way and Amending Chapters 7.08 and 12.40 of the Marysville Municipal Code.
10. An **Ordinance** of the City of Marysville, Washington Authorizing the Condemnation, Appropriation, Taking and Damaging of Land at 6709 44<sup>th</sup> Street NE for the Widening of the Roadway at the Corner of 67<sup>th</sup> Avenue NE and 44<sup>th</sup> Street NE.

**Legal**

**Mayor's Business**

**Staff Business**

**Call on Councilmembers**

**Adjourn**

**Executive Session**

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

**Adjourn**

**Special Accommodations:** The City of Marysville strives to provide accessible meetings for people with disabilities. Please contact Tracy Jeffries, Assistant Administrative Services Director, 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.

### Impact Fees

#### **Single Family Dwelling: (per unit)**

Parks:	\$1,115.00
Marysville School:	\$8,434.00
Lake Stevens School:	\$6,614.00
Lakewood School:	\$4,148.00
City Traffic:	\$6,300.00/ \$4,599.00 for Duplex
ILA Traffic:	\$242
	Depending on Sub Area percent ranges from 15%-30%
Sewer Connection:	\$4,490.00
Water Connection:	\$4,750.00
<b>MARYSVILLE TOTAL:</b>	<b>\$25,089+ILA Fees/\$23,388+ILA Fees (Duplex)</b>
<b>LAKE STEVENS TOTAL:</b>	<b>\$23,269+ILA Fees/\$21,568+ILA Fees (Duplex)</b>
<b>LAKWOOD TOTAL:</b>	<b>\$20,803+ILA Fees/\$19,102+ILA Fees (Duplex)</b>

#### **Multi-Family Dwelling: (per unit)**

Parks:	\$787.00
Marysville School:	\$6,880.00
Lake Stevens School:	\$2,256.00
Lakewood School:	\$2,328.00
City Traffic:	\$3,906.00
ILA Traffic:	\$242
	Depending on Sub Area percent ranges from 15%-30%
Sewer Connection:	\$4,490.00
Water Connection:	\$4,750.00
<b>MARYSVILLE TOTAL:</b>	<b>\$20,813.00 per unit</b>
<b>LAKE STEVENS TOTAL:</b>	<b>\$16,189.00 per unit</b>
<b>LAKWOOD TOTAL:</b>	<b>\$16,261.00 per unit</b>

#### **Commercial Uses: (ex. Allen Creek Crossing-8,200 sqft)**

City Traffic:	\$2,000.00 (per PMPHT) ITE <i>Specialty Retail Centers</i> generate 5.02 PMPHT (8,200/1,000sqft x 5.02 PMPHT x \$1,300=\$53,513.20)
ILA Traffic:	\$174 fee (per ADT) ITE <i>Specialty Retail Centers</i> generate 44.32 ADT CI-MA-5: 10% (8,200 x44.32ADT/1,000sqft x 25% pass-by reduction x .10 x \$174=\$4,742.69)
Sewer Connection:	\$1.03/square foot (8,200 sqft x \$1.03= \$8,446.00)
Water Connection:	\$1.64/square foot (8,200 sqft x \$1.64= \$13,448.00)
<b>TOTAL PROJECT:</b>	<b>\$80,149.89</b>

Note: The City traffic fee is currently \$2,000, prior to 5/21/2007, it was \$1,300.

**Commercial Uses: (Hotel- Holiday Inn Express)**

City Traffic: \$2,000.00 (per PMPHT)  
(Hotel- 99 units x 0.62 x 65% Occupancy= 40 x \$1,300 + 6,000 sqsf Retail + 4,927 sqft Restaurant – 15% internal trips= 94 PMPHT x \$1,300=\$122,200)

ILA Traffic: \$174 fee (per ADT)  
CI-MA-3 : 25%  
(.25 x 1,182 ADT x \$174= \$51,417.00)

Sewer Connection: \$3,120/Unit (99 x \$3,120=\$308,880)  
\$1.03/square foot (Retail- 6,000 x \$1.03=\$6,180.00)  
\$2.38/square foot (Restaurant- 4,900 x \$2.38=\$11,662.00)

Water Connection: \$3,675/Unit (99 x \$3,675=\$363,825)  
\$1.64/ square foot (Retail & Restaurant-10,900 x\$ 1.64=\$17,876.00)

**TOTAL PROJECT: \$882,040.00**

Note: The City traffic fee is currently \$ 2,000, prior to 5/21/2007, it was \$1,300.

**Commercial Uses: (Office- Union Square- 6,480 sqft)**

City Traffic: \$2,000.00 (per PMPHT) ITE *General Office Building* generates 1.49 PMPHT  
(6,480/1,000sqft x 1.49 PMPHT x \$1,300=\$13,249.08)

ILA Traffic: \$206 fee (per ADT) ITE *General Office Building* generates 11.1 ADT

Sewer Connection: \$1.67/square foot

Water Connection: \$1.64/square foot

**TOTAL PROJECT: \$13,249.08**

Note: This project was not subject to ILA fees; however the above figures would be used to calculate ILA fees. The sewer and water were pre-existing, therefore no fees were collected.

**Industrial Uses: (Frontier Lt Ind Bldg- 15,000 sqft)**

City Traffic: \$2,000 (per PMPHT) ITE *Industrial Park* generated 0.86 PMPHT  
(14,876/1,000sqft x 0.86 PMPHT x \$2,000=\$25,580.00)

ILA Traffic: \$206 fee (per ADT) ITE *Industrial Park* generated 4.96 ADT  
CI-MA-2:20%  
(14,876 x4.96ADT/1,000sqft x .20 x \$206=\$3,040.15)

Sewer Connection: Depending on use

Water Connection: Depending on gpm

**TOTAL PROJECT: \$28,620.15**

*Note: These fees based on shell buildings only; if proposed future tenants would cause an increase in traffic, additional traffic mitigation fees may be required to be paid.*

## RESIDENTIAL RATE & FEE COMPARISON

Residential Utility Rates (Bi-monthly):	Water *	Sewer	Storm**	Total Bi-monthly bill
Bellingham	\$ 41.24	\$ 51.66	\$ 8.40	\$ 101.30
Marysville	\$ 33.53	\$ 63.80	\$ 16.00	\$ 113.33
Olympia	\$ 40.78	\$ 74.04	\$ 19.58	\$ 134.40
Monroe	\$ 38.44	\$ 84.76	\$ 18.00	\$ 141.20
Arlington	\$ 79.45	\$ 96.20	\$ 6.90	\$ 182.55
Redmond	\$ 73.47	\$ 79.08	\$ 33.12	\$ 185.67
Snohomish	\$ 64.87	\$ 117.31	\$ 15.86	\$ 198.04
Kirkland	\$ 61.77	\$ 123.08	\$ 28.30	\$ 213.15

Residential Capital Facilities Charges:	Water	Sewer	Storm	Total CF Charges
Olympia	\$ 2,610.00	\$ 2,346.00	\$ -	\$ 4,956.00
Redmond	\$ 3,690.00	\$ 1,860.00	\$ -	\$ 5,550.00
Snohomish	\$ 2,379.00	\$ 4,904.00	\$ -	\$ 7,283.00
Bellingham	\$ 2,911.00	\$ 5,536.00	\$ 678.00	\$ 9,125.00
Marysville	\$ 4,750.00	\$ 4,490.00	\$ -	\$ 9,240.00
Monroe	\$ 3,755.00	\$ 5,915.00	\$ -	\$ 9,670.00
Arlington	\$ 4,300.00	\$ 5,690.00	\$ -	\$ 9,990.00
Kirkland	\$ 8,259.00	\$ 1,860.00	\$ 481.00	\$ 10,600.00

Residential Impact Fees:	Traffic	Parks	School	Total Impact Fees
Bellingham	\$ 1,894.00	\$ 3,891.51	\$ 1,211.00	\$ 6,996.51
Olympia	\$ 2,228.00	\$ 1,843.00	\$ 5,042.00	\$ 9,113.00
Kirkland	\$ 3,432.00	\$ 3,621.00	\$ 2,975.00	\$ 10,028.00
Arlington	\$ 3,355.00	\$ 1,662.00	\$ 5,342.00	\$ 10,359.00
Snohomish	\$ 1,422.00	\$ 4,150.00	\$ 6,024.00	\$ 11,596.00
Redmond	\$ 6,900.64	\$ 2,812.00	\$ 2,750.00	\$ 12,462.64
Monroe	\$ 2,043.00	\$ 4,632.35	\$ 5,863.00	\$ 12,538.35
Marysville	\$ 6,300.00	\$ 1,115.00	\$ 8,434.00	\$ 15,849.00

\*Residential water rates were calculated assuming a 5/8"x3/4" water meter and an average bi-monthly consumption of 10,127.69 gallons or 1,353.97cf.

\*\*Residential storm rates were calculated assuming an ERU is equivalent to 3,200 sq ft of impervious surface.

## COMMERCIAL RATE & FEE COMPARISON

Commercial Utility Rates (Bi-monthly):	Water†	Sewer	Storm††	Total Bi-monthly bill
Marysville	\$ 129.30	\$ 195.56	\$ 121.60	\$ 446.46
Monroe	\$ 141.73	\$ 249.89	\$ 109.44	\$ 501.06
Bellingham	\$ 228.28	\$ 193.80	\$ 113.33	\$ 535.41
Arlington	\$ 225.82	\$ 386.48	\$ 29.97	\$ 642.27
Olympia	\$ 202.47	\$ 436.86	\$ 44.21	\$ 683.54
Redmond	\$ 267.61	\$ 215.48	\$ 201.37	\$ 684.46
Kirkland	\$ 334.15	\$ 428.52	N/A	\$ 762.67
Snohomish	\$ 339.60	\$ 636.24	\$ 154.48	\$ 1,130.32

Commercial Capital Facilities Charges:‡	Water	Sewer	Storm	Total CF Charges
Arlington	\$ 4,300.00	\$ 5,690.00	\$ -	\$ 9,990.00
Olympia	\$ 8,688.00	\$ 2,346.00	\$ -	\$ 11,034.00
Redmond	\$ 18,040.00	\$ 9,320.00	\$ -	\$ 27,360.00
Monroe	\$ 12,248.92	\$ 19,294.91	\$ -	\$ 31,543.83
Marysville	\$ 19,942.40	\$ 12,524.80	\$ -	\$ 32,467.20
Snohomish	\$ 13,703.00	\$ 28,247.00	\$ -	\$ 41,950.00
Bellingham	\$ 14,557.00	\$ 27,680.00	\$ 5,496.32	\$ 47,733.32
Kirkland	\$ 41,295.00	\$ 9,300.00	\$ 4,499.20	\$ 55,094.20

Commercial Impact Fees:	Traffic (per peak pm trip)	Total Impact Fees
Snohomish	\$ 1,422.00	\$ 1,422.00
Monroe	\$ 1,759.00	\$ 1,759.00
Olympia	\$ 1,891.00	\$ 1,891.00
Bellingham	\$ 1,894.00	\$ 1,894.00
Marysville	\$ 2,000.00	\$ 2,000.00
Arlington	\$ 3,355.00	\$ 3,355.00
Kirkland	\$ 3,398.20	\$ 3,398.20
Redmond	\$ 8,462.43	\$ 8,462.43

† Commercial water rates were calculated assuming 11/2" water meter and an average bi-monthly consumption of 48,799.97 gallons or 6,524.06cf.

†† Commercial storm rates were calculated assuming an average commercial property impervious surface at 24,320 sq ft and an ERU equivalent to 3,200 sq ft.

‡ Commercial CFC's calculated assuming a business of retail sales occupying 12,160 sq ft and 0-2,000 gpm.

COUNCIL



MINUTES

**Work Session**  
*January 20, 2009*

**Call to Order / Invocation / Pledge of Allegiance**

Mayor Pro Tem Seibert called the January 20, 2009 Work Session of the Marysville City Council to order at 7:00 p.m. at Marysville City Hall. Mayor Pro Tem Seibert led those present in the Pledge of Allegiance.

**Roll Call**

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

**Mayor Pro Tem:** Jeff Seibert

**Council:** Councilmember Jon Nehring, Councilmember Lee Phillips, Councilmember Carmen Rasmussen, Councilmember John Soriano, Councilmember Jeff Vaughan and Councilmember Donna Wright

**Absent:** Mayor Dennis Kendall – out of town

**Also Present:** Community Development Director Gloria Hirashima, City Clerk Tracy Jeffries, Chief of Police Rick Smith, Chief Administrative Officer Mary Swenson, Public Works Director Kevin Nielsen, Code Enforcement Officer Paul Rochon, City Attorney Tom Graafstra

**Committee Reports**

No reports

**Discussion Items**

**Approval of Minutes**

1. Approval of January 12, 2009 City Council Meeting Minutes.
2. Approval of January 20, 2009 City Council Work Session Minutes.

**Consent Agenda**

3. Approval of the P-13 December 31, 2008 Claims in the Amount of \$498,965.19; Paid by Check No.'s 52592 through 52745 with no Check No.'s Voided.
4. Approval of the January 1, 2009 Claims in the Amount of \$1,188,598.41; Paid by Check No.'s 52581 through 52591 with no Check No.'s Voided.
5. Approval of January 7, 2009 Claims.
6. Approval of January 14, 2009 Claims.
7. Approval of January 20, 2009 Payroll.

**Review Bids**

8. Award 2009 Concrete Construction Contract

There was no discussion on this item.

**New Business**

9. Comcast Work Order to Expand I-Net Infrastructure to the New Fire Administration Building in the Amount of \$12,808.00.

Worth Norton summarized the item. Council had no questions.

10. Equipment Lease Renewal with Public Utility District No. 1 of Snohomish County for Two Transformers for the Period of September 30, 2008 through August 31, 2013 in the Amount of \$8,766.60.

Kevin Nielson summarized the item. There were no questions.

11. Notice of Termination of Lease with Clear Channel/Ackerly Communication.

Kevin Nielson summarized the item. Councilmember Seibert asked if the sign was ours. Director Nielsen explained that it is on our right-of-way, but the sign is theirs.

12. Professional Services Agreement between City of Marysville and Macaulay and Associated, LTD for Consultant Services on the I-5 Overpass at 156th Street NE Evaluating Potential Local Improvement District (LID) in the Amount of \$56,200.00.

Kevin Nielson explained the item. Councilmember Nehring asked if the people involved in the LID have an appeal process if they do not agree. Director Nielsen explained that they can do a review process, but there is a lot of support from property owners for this.

13. An Ordinance of the City of Marysville, Washington, Amending the City's Development Regulation by Adopting Design Standards and Guidelines and Streetscape Plan for the East Sunnyside/Whiskey Ridge Master Plan Area and by Adopting Chapter 19.14B MMC.

Gloria Hirashima reviewed the item. The Planning Commission held a public hearing on October 28, 2008. Prior to that there was a public meeting and public workshops.

Councilmember Donna Wright commented that the guidelines seem pretty flexible, which attracts people to develop it.

Councilmember Carmen Rasmussen thanked staff for the pictures in the document that clearly show what is meant by each definition. This makes it easier to understand the guidelines. Director Hirashima commended Makers for their part in developing the Design Guidelines.

Mayor Pro Tem Jeff Seibert referred to page 5 regarding orientation of lots. He expressed concern about orientation of lots on 87<sup>th</sup> since as an arterial. Director Hirashima referred to some of the examples which do not have driveway access on the front since they are done with an alley design. On 87<sup>th</sup>, most of the zoning is either multiple or mixed use. There would be one driveway to access parking on the back of the building. This would provide a more pedestrian-friendly area. Councilmember Seibert expressed concern about the speed limit on 87<sup>th</sup>. Director Nielsen explained that 87<sup>th</sup> is divided into various segments. They tried to address the speed with the streetscape and the road width. Director Hirashima reviewed how design standards would also help slow the traffic down. Mayor Pro Tem Seibert commended the design guidelines.

14. Visitor & Community Information Center Services Agreement for the Greater Marysville Tulalip Chamber of Commerce & City of Marysville.

Mary Swenson explained that this is the renewal of the annual agreement. Councilmember Carmen Rasmussen asked if the last item on page 2 of exhibit A was new. Director Swenson explained that it is in the current agreement. She and the Mayor have had contact, but will work on including councilmembers more. Lee Phillips asked if the Chamber pointed to a specific reason for the increase. CAO Swenson explained that it is to cover escalating labor costs.

15. Approval of a Part Time Confidential Administrative Assistant Position for the Legal Department and Placement on the Non-represented Pay Grid at Pay Code N2.

Mary Swenson reviewed the item. Councilmember Nehring asked about the rate review for Lake Stevens and Arlington. CAO Swenson said they met with Lake Stevens and Arlington today to discuss the proposed increase. They understood the need for the increase but requested June implementation rather than January. She requested Council's opinion on this.

16. An Ordinance of the City of Marysville, Washington Amending the City's Code Enforcement and Nuisance Regulations and Amending Chapters 4.02 and 6.24 of the Marysville Municipal Code.

Gloria Hirashima reviewed proposed changes to the code.

Councilmember Lee Phillips suggested adding *abandoned* vehicles to section number 11. Director Hirashima concurred.

Jeff Seibert referred to 16.40. He asked if Heavy Commercial vehicles was meant to describe number 28 on 16.55. Director Hirashima affirmed that it was meant to define number 28. There was discussion about clarifying the verbiage regarding heavy equipment on larger lots. Director Hirashima indicated she would bring back something on this.

Councilmember Donna Wright pointed out a numbering issue on pages 52 and 53.

Mayor Pro Tem Jeff Seibert described a scenario and asked how the 30-day time period mentioned in number 12 would apply. Paul Rochon reiterated that their response would be triggered by a complaint from a citizen. Director Hirashima explained that their general practice is to respond on a timeline with the citizen. Councilmember Seibert asked about extending this timeline to 90 days. After staff reviewed the current timeframe, there was consensus to leave this at 30 days.

17. Interlocal Cooperative Agreement for Northwest Mini-chain Services between the City of Marysville and Whatcom County for Prisoner Transport.

Chief Smith reviewed this item. There were no questions.

## **Mayor's Business**

### **Staff Business**

Kevin Nielsen:

- The roads were slippery this morning; they are putting anti-icer on tonight.
- Will bring emergency flood kit next week.

Chief Smith:

- They had a good negotiation session with MPOA on Friday.
- They just received Total Station which will improve traffic investigations on major collisions and other investigation cases.
- A new program specialist started today.

Gloria Hirashima had no comments.

Mary Swenson:

- Stated the need for an Executive Session to update Council on three items, which were expected to last 40 minutes. Two items were relating to labor (one MPOA item and one Teamsters item) and one real estate item relating to a lease. Action was expected on two items.
- Council retreat is scheduled for February 28.
- Finance Committee has been rescheduled to January 26 at 6:30 p.m.

Tom Graafstra had no comments.

### **Call on Councilmembers**

Carmen Rasmussen stated that she serves as a representative to the United Way Health and Safety Network. They are in need of a new fiscal agent as Mountlake Terrace is no longer able to provide this. Mary Swenson stated that she would look into this.

Jeff Vaughan had no comments.

Jon Nehring had no comments.

Donna Wright had no comments.

Lee Phillips noted that next Tuesday is the Mayor's state of the City.

John Soriano had no comments.

Jeff Seibert said he noticed a bald eagle in a tree just to the east of Strawberry Fields.

### **Adjournment**

Mayor Pro tem Seibert recessed the meeting at 7:52 p.m. for five minutes after which he then reconvened into Executive Session to discuss:

- A. Litigation
- B. Personnel – 2 labor items 42.30.140 (4)(a), action expected on 2 items.
- C. Real Estate – 1 item, no action

**Motion** made by Councilmember John Soriano, seconded by Councilmember Jon Nehring, to authorize the Mayor to sign the MPOA agreement as discussed in executive session. **Motion** passed unanimously (7-0).

**Motion** made by Councilmember Donna Wright, seconded by Councilmember Jon Nehring, to authorize the Mayor to sign the Teamsters settlement agreement as discussed in executive session . **Motion** passed unanimously (7-0).

**Adjournment**

Seeing no further business, Mayor Pro tem Seibert adjourned the meeting at 8:35 p.m.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Mayor  
Dennis Kendall

\_\_\_\_\_  
Asst. Admin. Svcs. Director  
Tracy Jeffries

<b>Call to Order/Pledge of Allegiance/Roll Call</b>	7:00 p.m.
<b>Presentations</b>	
<b>Approval of Minutes</b>	
Approval of January 12, 2009 City Council Meeting Minutes.	Approved
<b>Consent Agenda</b>	
Approval of the P-13 December 31, 2008 Claims in the Amount of \$498,965.19; Paid by Check No.'s 52592 through 52745 with no Check No.'s Voided.	Approved
Approval of the January 7, 2009 Claims in the Amount of \$1,188,598.41; Paid by Check No.'s 52581 through 52591 with no Check No.'s Voided.	Approved
Approval of January 14, 2009 Claims in the Amount of \$987,623.92; Paid by Check No.'s 52746 through 52867 with Check No.'s 50669, 51230, 51390 and 52402 Voided.	Approved
Approval of January 20, 2009 Payroll in the Amount of \$735,370.25; Paid by Check No.'s 20867 through 20916.	Approved
Authorize the Mayor to Sign the Comcast Work Order to Expand I-Net Infrastructure to the New Fire Administration Building in the Amount of \$12,808.00.	Approved
Authorize the Mayor to Sign the Professional Services Agreement between City of Marysville and Macaulay and Associated, LTD for Consultant Services on the I-5 Overpass at 156 <sup>th</sup> Street NE Evaluating Potential Local Improvement District (LID) in the Amount of \$56,200.00.	Approved
Authorize the Mayor to Sign the Visitor & Community Information Center Services Agreement for the Greater Marysville Tulalip Chamber of Commerce & City of Marysville.	Approved
Approval of a Part Time Confidential Administrative Assistant Position for the Legal Department and Placement on the Non-represented Pay Grid at Pay Code N2.	Approved
Authorize the Mayor to Sign the Interlocal Cooperative Agreement for Northwest Mini-chain Services between the City of Marysville and Whatcom County for Prisoner Transport.	Approved
<b>Review Bids</b>	
Award 2009 Concrete Construction Contract to Merlino Bros., LLC in the Amount not to exceed \$200,000 Including Washington State Sales Tax.	Approved
<b>Public Hearings</b>	
<b>New Business</b>	
Approve Equipment Lease Renewal with Public Utility District No. 1 of Snohomish County for Two Transformers for the Period of September 30, 2008 through August 31, 2013 in the Amount of \$8,766.60.	Approved
Approve Notice of Termination of Lease with Clear Channel/Ackerly Communication.	Approved
Adopt an <b>Ordinance</b> of the City of Marysville, Washington, Amending the City's Development Regulation by Adopting Design Standards and Guidelines and Streetscape Plan for the East Sunnyside/Whiskey Ridge Master Plan Area and by Adopting Chapter 19.14B MMC.	Approved Ord. No. 2762

Adopt an <b>Ordinance</b> of the City of Marysville, Washington Amending the City's Code Enforcement and Nuisance Regulations and Amending Chapters 4.02 and 6.24 of the Marysville Municipal Code.	Approved Ord. No. 2763
Adopt an <b>Ordinance</b> of the City of Marysville, Washington, Amending the 2009 Budget and providing for the increase of certain expenditure item as budgeted for in 2009 and Amending Ordinance No. 2751 and Ordinance No. 2761.	Approved Ord. No. 2764
<b>Legal</b>	
<b>Mayor's Business</b>	
<b>Staff Business</b>	
<b>Call on Councilmembers</b>	
<b>Adjournment</b>	8:39 p.m.
<b>Executive Session</b>	8:49 p.m.
Litigation – One matter 42.30.110 (1)(i)	
Personnel –One matter concerning discipline 42.30.110 (1)(g)	
<b>Adjournment</b>	9:00 p.m.

COUNCIL



MINUTES

**Regular Meeting**

*January 26, 2009*

**Call to Order / Invocation / Pledge of Allegiance**

Mayor Dennis Kendall called the January 26, 2009 meeting of the Marysville City Council to order at 7:00 p.m. at Marysville City Hall. The invocation was given by Pastor Donald Williams, from the Latter Day Saints Church. Mayor Kendall led those present in the Pledge of Allegiance.

**Roll Call**

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

**Mayor:** Dennis Kendall

**Council:** Councilmember Jon Nehring, Councilmember Lee Phillips, Councilmember Carmen Rasmussen, Councilmember Jeff Seibert, Councilmember John Soriano, Councilmember Jeff Vaughan and Councilmember Donna Wright

**Absent:** None

**Also Present:** Chief Administrative Officer Mary Swenson, Finance Director Sandy Langdon, City Attorney Grant Weed, Chief Smith, Community Development Director Gloria Hirashima, Public Works Director Kevin Nielsen, Parks and Recreation Director Jim Ballew, Operations Manager Terry Hawley, Code Enforcement Officer Paul Rochon, Judge Gillings, Court Administrator Suzanne Elsner and Assistant Administrative Services Director Tracy Jeffries.

**Committee Reports**

Councilmember Carmen Rasmussen reported on the January 14 Park Advisory Board meeting where the following topics were discussed:

- Update of the off-leash park. It is open and being heavily used. There have been many positive comments. Only two concerns have been raised. One is regarding the probably need for shade and the other is that the long walk on the unpaved trail to the park is a challenge for some.

- Healthy Communities 2009. Media is being made aware of what the City is trying to do to combat obesity. Healthy Communities sub-committees are working on collaborating with Get Moving in June. Jim Ballew talked about a program in Colorado that asks citizens to increase their steps by adding 2,000 steps and subtracting 100 calories every day.
- Fee for Park Board meetings being waived at the search and rescue facility associated with the Snohomish County Sherriff's office.
- Park Board decided to meet only once every other month.
- Level of Service standards were discussed.
- Kiwanis will be providing popcorn for the Popcorn in the Park movies.
- Father-Daughter dance continues to be very popular.
- Basketball program has 800+ kids involved. Spring soccer registration begins soon.
- ASAP (After School Activity Program) has added some additional components such as a service component.

Councilmember Jeff Seibert reported on the January 14 Snohomish County Solid Waste Advisory Committee meeting where the following topics were discussed:

- The e-waste program. Transfer stations are taking e-waste as part of the Return It program that is free to users.
- Operations during inclement weather were reviewed.
- Budget was discussed. Tonnage is down which means revenue is down. The County approved a new disposal rate of \$1.05 per ton which goes into effect March 1.
- There will be an increase in the fee paid to the Health District to monitor some of the issues associated with solid waste.
- Recycling commodities value is way down. There is no market now for recycled goods, especially glass which is piling up.
- The scale automation system is going back out for an RFP.
- Comprehensive Plan update will be coming in the next year for solid waste.
- A preliminary draft of the 5-year plan for solid waste Committee was reviewed.

Councilmember Seibert also reported on tonight's Finance Committee meeting which was held prior to the Council meeting. The following items were addressed at the meeting:

- iCompass software was discussed.
- Financial update on the sales tax. Revenues for November were down only .4% which is better than expected.
- Utility billing rate study is out. The model is being reviewed to see how the annexation will affect the rate.
- Solid waste study is still in the planning process.
- Information Service/ I-Net Update - Money saved from being able to use existing fiber for the new fire station on 71<sup>st</sup> will be used for the funding fiber to the new fire administration building.

## Presentations

- A. Employee Service Award.
- John Tatum recognized Tom King - SR Traffic Control Tech – Streets for his 10-year Service Award.
  - Judge Gillings recognized Kim Ricker – Court Business Office Supervisor for her 15-year Service Award.
  - Gloria Hirashima recognized Bianca Korkeakoski – Com. Dev. Program Specialist (not present) for her 5-year Service Award.
  - Mayor Dennis Kendall recognized Donna Wright – Councilmember, for her 15-year Service Award.
  - Mayor Dennis Kendall recognized Lee Phillips -Councilmember, for his 5-year Service Award.
  - Mayor Dennis Kendall recognized Jeff Vaughan - Councilmember, for his 5-year Service Award.
  - Mary Swenson recognized Mayor Dennis Kendall for his 5-year Service Award.
- B. Waste Management Presentation.

Tom Leland and Susan Robinson from Waste Management presented a PowerPoint on Waste Resource and Recycling Partnership.

## Audience Participation

Mike Gribler, 8117 75<sup>th</sup> St NE, asked Council to consider reinstating what is now 12B in the Nuisance code regarding expired registration tabs. He discussed advantages and disadvantages of putting this back in the code.

## Approval of Minutes

1. Approval of January 12, 2009 City Council Meeting Minutes.

Councilmember Seibert referred to page 5 of 9, under Councilmember Rasmussen's comments, "12-foot vegetation issue" should be corrected to "**12-inches**".

**Motion** made by Councilmember Wright, seconded by Councilmember Seibert, to approve the minutes as corrected. **Motion** passed unanimously (7-0).

## Consent

3. Approval of the P-13 December 31, 2008 Claims in the Amount of \$498,965.19; Paid by Check No.'s 52592 through 52745 with no Check No.'s Voided.
5. Approval of the January 7, 2009 Claims in the Amount of \$1,188,598.41; Paid by Check No.'s 52581 through 52591 with no Check No.'s Voided.

6. Approval of January 14, 2009 Claims in the Amount of \$987,623.92; Paid by Check No.'s 52746 through 52867 with Check No.'s 50669, 51230, 51390 and 52402 Voided.
7. Approval of January 20, 2009 Payroll in the Amount of \$735,370.25; Paid by Check No.'s 20867 through 20916.
9. Authorize the Mayor to Sign the Comcast Work Order to Expand I-Net Infrastructure to the New Fire Administration Building in the Amount of \$12,808.00.
12. Authorize the Mayor to Sign the Professional Services Agreement between City of Marysville and Macaulay and Associated, LTD for Consultant Services on the I-5 Overpass at 156<sup>th</sup> Street NE Evaluating Potential Local Improvement District (LID) in the Amount of \$56,200.00.
14. Authorize the Mayor to Sign the Visitor & Community Information Center Services Agreement for the Greater Marysville Tulalip Chamber of Commerce & City of Marysville.
15. Approval of a Part Time Confidential Administrative Assistant Position for the Legal Department and Placement on the Non-represented Pay Grid at Pay Code N2.
17. Authorize the Mayor to Sign the Interlocal Cooperative Agreement for Northwest Mini-chain Services between the City of Marysville and Whatcom County for Prisoner Transport.

**Motion** made by Councilmember Nehring, seconded by Councilmember Soriano to approve Consent Agenda items 3, 5, 6, 7, 9, 12, 14, 15, and 17. **Motion** passed unanimously (7-0).

### **Review Bids**

8. Award 2009 Concrete Construction Contract to Merlino Bros., LLC in the Amount not to exceed \$200,000 Including Washington State Sales Tax.

Councilmember Phillips asked why the contract amount was \$200,000 when the lowest bid amount was \$114,300. Public Works Director Nielsen explained that this is for the annual concrete work and there may be other work that comes up.

**Motion** made by Councilmember Soriano, seconded by Councilmember Rasmussen, to award the bid for the 2009 Concrete Construction Contract to Merlino Bros., LLC in the Amount not to exceed \$200,000 Including Washington State Sales Tax and to authorize the Mayor to sign the contract documents. **Motion** passed unanimously (7-0).

### **Public Hearings**

**New Business**

10. Equipment Lease Renewal with Public Utility District No. 1 of Snohomish County for Two Transformers for the Period of September 30, 2008 through August 31, 2013 in the Amount of \$8,766.60.

**Motion** made by Councilmember Wright, seconded by Councilmember Seibert, to authorize the Mayor to sign the Equipment Lease Renewal with Public Utility District No. 1 of Snohomish County for Two Transformers for the Period of September 30, 2008 through August 31, 2013 in the Amount of \$8,766.60. **Motion** passed unanimously (7-0).

11. Notice of Termination of Lease with Clear Channel/Ackerly Communication.

**Motion** made by Councilmember Nehring, seconded by Councilmember Seibert, to authorize the Mayor to sign the Notice of Termination of Lease with Clear Channel/Ackerly Communication. **Motion** passed unanimously (7-0).

13. An **Ordinance** of the City of Marysville, Washington, Amending the City's Development Regulation by Adopting Design Standards and Guidelines and Streetscape Plan for the East Sunnyside/Whiskey Ridge Master Plan Area and by Adopting Chapter 19.14B MMC.

**Motion** made by Councilmember Seibert, seconded by Councilmember Rasmussen, to approve Ordinance 2762. **Motion** passed unanimously (7-0).

16. An **Ordinance** of the City of Marysville, Washington Amending the City's Code Enforcement and Nuisance Regulations and Amending Chapters 4.02 and 6.24 of the Marysville Municipal Code.

Councilmember Seibert pointed out a typo on the last sentence under item 12 on 16-88, page 14 of 17.

**Motion** made by Councilmember Seibert, seconded by Councilmember Nehring, to approve Ordinance 2763. **Motion** passed unanimously (7-0).

18. An **Ordinance** of the City of Marysville, Washington, Amending the 2009 Budget and providing for the increase of certain expenditure item as budgeted for in 2009 and Amending Ordinance No. 2751 and Ordinance No. 2761.

Sandy Langdon mentioned that there may be more amendments this year due to the fact that the auditors make it a point to make sure that staff has Council's full approval.

**Motion** made by Councilmember Nehring, seconded by Councilmember Soriano, to approve Ordinance 2764. **Motion** passed unanimously (7-0).

## **Legal**

### **Mayor's Business**

Tomorrow morning he will be doing a State of the City presentation at Marysville High School auditorium. He will also be presenting this at the Chamber meeting.

There will be a joint-meeting with the Planning Commission next week.

### **Staff Business**

#### **Jim Ballew**

- It looks like on-line registration will be available mid-year and hopefully in time for summer registration
- First open swim sponsored as a Healthy Community event was held on Friday night. 115 people showed up.
- Leadership planning meeting was held last week. Each committee will be focused on producing some tangible strategies, particularly for the June 6 Family Day that will be associated with the Healthy Communities project.
- The program referenced earlier by Councilmember Rasmussen is America on the Move. The program was very successful in that Colorado city for reducing obesity among its residents.
- Today the Washington Recreation and Park Association publication came out and Tara Mizell was spotlighted in the professional piece. He congratulated her on that.
- Legislative update on Senate Bill #4018 – Gender Equity bill
- Legislative Senate Bill #1069 – Athletic Field Lighting
- Legislative Senate Bill #5659 – Expanding the immunity for liability

#### **Chief Smith**

- They have two sworn vacancies right now. They are very close to filling one of the positions with a lateral officer.
- Sent Sgt. Strickland of the jail staff to Springfield, Illinois to witness the New World Systems for CAD, RMS, and AFR systems. There is a lot of excitement surrounding this.
- There will be a Public Safety meeting on Wednesday at 4:30.
- He discussed the jail outlook with Sheriff Lovik. They also talked about the City's upcoming annexation and partnerships with the County and Marysville.

Kevin Nielson remarked that they are working hard to keep the roads from freezing.

Gloria Hirashima thanked the Council for their support on the Whiskey Ridge Design Guidelines and the Nuisance Ordinance.

Sandy Langdon had no comments.

Grant Weed stated he had one matter for Executive Session concerning potential litigation. It was expected to take 10 minutes with no action expected.

Mary Swenson gave an update on legislative issues.

### **Call on Councilmembers**

Jon Nehring

- Congratulated staff who received Service Awards tonight
- Citizens have contacted him about Pilchuck Pool closure. Jim Ballew explained that the school district is contemplating several options at this point. The school district is looking for some sort of partnership with the City. Mayor Kendall added that they intend to discuss this at Council retreat.
- He was pleased with the reports of the November sales tax not being as low as expected.

John Soriano reported that he attended the Snohomish County Cities dinner last Thursday. Councilmember Donna Wright was elected as the first alternate and he was elected as the second alternated to the PSRC Transportation Policy Board. There was an interesting presentation by Snohomish County Prosecutor Janice Ellis. She spoke of Dawson Place as a resource for child abuse victims.

Lee Phillips had no comments tonight, but stated he needed to leave for work. He left at 8:36 p.m.

Carmen Rasmussen mentioned that the Park Board received pictures of Strawberry Fields after the flooding event when it was saturated one day and drained the next. The drainage system is proving to be a very good investment.

Jeff Vaughan had no comments.

Donna Wright had no comments.

Jeff Seibert:

- Received call from a business owner on Cedar Street who was frustrated with being burglarized and who felt more should have been done by the police. Chief Smith replied that they have followed up with this citizen.
- He distributed handouts regarding medical waste and e-cycle programs.

Mary Swenson stated she would also be giving a quick update on one personnel issue concerning discipline during the Executive Session.

### **Adjournment**

The Mayor recessed the meeting at 8:39 p.m. for 10 minutes before entering into Executive Session to discuss one pending litigation item and one personnel item concerning discipline. It was expected to last 10 minutes with no action.

**Executive Session**

- A. Litigation – One matter 42.30.110 (1)(i)
- B. Personnel – One matter concerning discipline 42.30.110 (1)(g)
- C. Real Estate

**Adjournment**

Seeing no further business Mayor Kendall adjourned the meeting at 9:00 p.m.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Mayor  
Dennis Kendall

\_\_\_\_\_  
Asst. Admin. Svcs. Director  
Tracy Jeffries

**CITY OF MARYSVILLE**

**EXECUTIVE SUMMARY FOR ACTION**

**CITY COUNCIL MEETING DATE: February 9, 2009**

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 **January 21, 2009** claims in the amount of **\$2,530,288.94** paid by Check No.'s **52868 through 53007** with no Check No.'s voided.

**COUNCIL ACTION:**

BLANKET CERTIFICATION

**CLAIMS**  
FOR  
**PERIOD-1**

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 **\$2,530,288.94 PAID BY CHECK NO.'S 52868 THROUGH 53007 WITH NO CHECK NUMBER'S VOIDED** ARE JUST, DUE AND UNPAID OBLIGATIONS AGAINST THE CITY OF MARYSVILLE, AND THAT I AM AUTHORIZED TO AUTHENTICATE AND TO CERTIFY SAID CLAIMS.

*Pandy Gayson*  
\_\_\_\_\_  
AUDITING OFFICER

*1/27/09*  
\_\_\_\_\_  
DATE

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
DATE

WE, THE UNDERSIGNED COUNCIL MEMBERS OF MARYSVILLE, WASHINGTON DO HEREBY APPROVE FOR PAYMENT THE ABOVE MENTIONED **CLAIMS** ON THIS **21<sup>st</sup> DAY OF JANUARY 2009.**

\_\_\_\_\_  
COUNCIL MEMBER

**CITY OF MARYSVILLE  
 INVOICE LIST**

**FOR INVOICES FROM 1/15/2009 TO 1/21/2009**

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
52868	WASHINGTON STATE DEPARTMENT OF	SALES & USE TAXES DEC 08	001.231700.	343.84
	WASHINGTON STATE DEPARTMENT OF		00101130.549000.	0.04
	WASHINGTON STATE DEPARTMENT OF		00102020.549000.	4.63
	WASHINGTON STATE DEPARTMENT OF		00103010.549000.	41.38
	WASHINGTON STATE DEPARTMENT OF		108.231700.	336.40
	WASHINGTON STATE DEPARTMENT OF		401.231700.	331.93
	WASHINGTON STATE DEPARTMENT OF		40143410.553000.	32,524.01
	WASHINGTON STATE DEPARTMENT OF		40145040.553000.	3,560.02
	WASHINGTON STATE DEPARTMENT OF		41046060.553000.	18,356.27
	WASHINGTON STATE DEPARTMENT OF		420.231710.	1,933.59
	WASHINGTON STATE DEPARTMENT OF		42047267.553000.	105.69
	WASHINGTON STATE DEPARTMENT OF		501.231700.	93.84
52869	A TOTAL BOOKKEEPING SERVICE	BUSINESS LICENSE REFUND	00100321.319000.	50.00
52870	GEORGIA ABBOTT	UTILITY TAX REBATE	00102520.549010.	43.05
52871	ROBERTA ABERCROMBIE		00102520.549010.	21.37
52872	CAROL AHLGREN		00102520.549010.	18.50
52873	ALLIED EMPLOYERS LABOR RELATIONS	1/09 MEMBERSHIP DUES	00100310.541000.	2,254.85
52874	AMERICAN SOCIETY OF COMPOSERS,	LICENSE FEE FOR 2009	00105120.531060.	305.00
52875	AMSAN SEATTLE	DEGREASER, WYPALL WIPES	501.141100.	372.81
52876	WILLIAM ANGLE	CITY HALL CONSULTING NOV 08	00100110.541000.0801	6,017.50
	WILLIAM ANGLE	CITY HALL CONSULTING DEC 08	00100110.541000.0801	12,242.50
52877	ARAMARK UNIFORM SERVICES	MAT CLEANING-MEZZANINE	40143780.549000.	16.44
	ARAMARK UNIFORM SERVICES	MAT CLEANING- MEZZANINE	40143780.549000.	25.77
52878	JOHN ARCHER	REFUND CLASS FEES	00110347.376007.	66.00
52879	CITY OF ARLINGTON	ARL CHRISTIAN SCHOOL WTR USED	40140080.533000.	23.23
52880	NATIONAL ASSOCIATION OF FLEET	NAFA 2009 INSTITUTE & EXPO	50100065.549100.	575.00
52881	BANK OF AMERICA	MEETING REIMBURSEMENT	00105120.549000.	49.94
52882	BANK OF AMERICA	RETREAT/MTG REIMBURSEMENT	00100110.543000.	209.48
	BANK OF AMERICA		00100110.549000.	65.89
	BANK OF AMERICA		00100720.543000.	69.81
	BANK OF AMERICA		00101023.543000.	69.81
	BANK OF AMERICA		00102020.543000.	69.81
	BANK OF AMERICA		00103010.543000.	69.81
	BANK OF AMERICA		00105380.543000.	69.81
	BANK OF AMERICA		00105515.543000.	69.81
	BANK OF AMERICA		40143410.543010.	69.81
52883	BANK OF AMERICA	MEETING REIMBURSEMENT	00103010.549000.	52.09
52884	BANK OF AMERICA		00100060.549000.	92.00
	BANK OF AMERICA		00100720.549000.	23.00
52885	BANK OF AMERICA	TRAVEL REIMBURSEMENT	00101023.543000.	331.88
52886	KATRINA L. BARTON	INSTRUCTOR SERVICE	00105120.541020.	274.40
52887	BERGER/ABAM ENGINEERS INC	PAY ESTIMATE # 8	30500030.563000.R0604	31,256.70
52888	MARK & LAURA BERRY	WATER/SEWER CONSERV REBATE	40143410.549070.	50.00
52889	BICKFORD FORD-MERCURY	CORE REFUND	50100065.534000.	-81.38
	BICKFORD FORD-MERCURY	IDLE AIR CONTROL MOTOR	50100065.534000.	90.67
	BICKFORD FORD-MERCURY	ALTERNATOR W/CORE CHRGR	50100065.534000.	449.77
52890	BLEAKLY, JAYSON & DAWN	UB 760204200001 7304 58TH PL N	401.122110.	5.61
52891	BLUMENTHAL UNIFORMS & EQUIPMENT	HOLTSER-WEIRSMAS	00103121.526000.	56.37
	BLUMENTHAL UNIFORMS & EQUIPMENT	PRO ACT PANTS	00103222.526000.	43.39
	BLUMENTHAL UNIFORMS & EQUIPMENT	PANT/SHIRT-NEGOTIATOR	00103222.526000.	52.68
	BLUMENTHAL UNIFORMS & EQUIPMENT	UNIFORM-FRANZEN	00103222.526000.	81.85
	BLUMENTHAL UNIFORMS & EQUIPMENT	PRO ACT HOLSTERS	00103222.526000.	611.94
	BLUMENTHAL UNIFORMS & EQUIPMENT	UNIFORM-GOLDHAGEN	00103960.526000.	10.25
	BLUMENTHAL UNIFORMS & EQUIPMENT	HANDCUFFS-GOLDHAGEN	00103960.526000.	16.28
	BLUMENTHAL UNIFORMS & EQUIPMENT	MACE HOLDER-GOLDHAGEN	00103960.526000.	46.60
52892	GWENDOLYN R CAMPBELL PUBLIC POLICY	PROFESSIONAL SERVICES	00100310.541000.	4,952.50
52893	CARR'S ACE HARDWARE	FOUR WAY KEY AND HANDLES	40140580.548000.	10.12

**CITY OF MARYSVILLE  
 INVOICE LIST**

**FOR INVOICES FROM 1/15/2009 TO 1/21/2009**

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
52893	CARR'S ACE HARDWARE	PADLOCKS	501.141100.	917.00
52894	CDW GOVERNMENT INC	WWTP LAGOON NETWORK UPGRADE	40220594.563000.W0807	1,147.35
	CDW GOVERNMENT INC		40220594.563000.W0807	4,259.76
52895	CHELAN COUNTY TREASURER	INMATE HOUSING DEC 08	00103960.551000.	275.00
52896	CIC VALUATION GROUP, INC	APPRAISAL OF PARK PROPERTY	00100078.549000.	1,000.00
52897	CNR, INC	MAINTENANCE CONTRACT JAN 09	50300090.541000.	1,354.55
52898	COLUMBIA PAINT & COATINGS	PAINT,PAINT BRUSH	00112572.531000.	78.83
	COLUMBIA PAINT & COATINGS	WHITE PAINT	40142480.531000.	131.23
52899	COMCAST	PRO SHOP TV CABLE	42047267.549000.	95.79
52900	COMMERCIAL FIRE PROTECTION	ANNUAL SERV & TAG, RECHARGE	501.141100.	83.75
52901	CONSOLIDATED ELECTRIAL DIST INC	3100 CONDUIT PVC	40220594.563000.W0807	3,901.66
52902	WA DEPT OF CORRECTIONS	INMATE MEALS	00103960.531250.	1,493.52
	WA DEPT OF CORRECTIONS		00103960.531250.	1,943.52
52903	WA DEPT OF CORRECTIONS	CORRECTIONS WORK CREW 12/08	00105380.549000.	424.59
52904	VONNIE CRAWFORD	INSTRUCTOR SERVICES	00105250.541020.	165.00
52905	CRISTIANO'S	MPOA NEGOTIATIONS LUNCH MTG	00100110.549000.	12.15
	CRISTIANO'S		00100310.549000.	8.01
	CRISTIANO'S		00102020.549000.	6.31
	CRISTIANO'S		00103010.549000.	16.72
52906	DATABASE SECURE RECORDS DESTRUCTIO	MONTHLY SHREDDING SERVICE	00100310.531000.	8.50
52907	DAWSON LANE RCI GROUP INC	UB 055614890000 5614 89TH PL N	401.122110.	25.00
52908	DAWSON LANE RCI GROUP INC	UB 848309820000 8309 82ND ST N	401.122110.	50.00
52909	DEAVER ELECTRIC	REPLACE WALL PAC LTS/SHORT	00112572.548000.	499.10
52910	DEX MEDIA INC	YELLOW PAGE ADS	42047267.544000.	77.00
52911	DAP DO & THUCO KIEV	UTILITY TAX REBATE	00102520.549010.	51.28
52912	E&E LUMBER INC	HOOKS, 8' MDF	00103530.531000.	19.18
	E&E LUMBER INC	GLOVES	00105380.526000.	54.25
	E&E LUMBER INC	CELL PHONE HOLDER	00105380.531000.	8.67
	E&E LUMBER INC	SURGE PROTECT OUTLET	00105380.531000.	15.18
	E&E LUMBER INC	ROLLER COVERS,PAINT,GLOVES	00105380.531000.	41.03
	E&E LUMBER INC	MAILBOX,LETTERS,NUMBERS	00105380.531000.	49.62
	E&E LUMBER INC	PAINT,WOOD	00105380.531000.	55.20
	E&E LUMBER INC	(30) TUBE LIGHTS	00105380.531000.	58.26
	E&E LUMBER INC	BLADE SCRAPER	00105380.535000.	7.58
	E&E LUMBER INC	DRAIN OUT,WALL OUTLET PLATE	00112572.531000.	4.33
	E&E LUMBER INC	(12) SCREWS	00112572.531000.	6.51
	E&E LUMBER INC	PLYWOOD,DISCS,PINE,SANDER	00112572.531000.	64.62
	E&E LUMBER INC	DRAIN OUT,WALL OUTLET PLATE	40143410.531000.	2.27
	E&E LUMBER INC	PUTTY KNIVES,EPOXY,ROOF CEMENT	40143780.531000.	35.34
	E&E LUMBER INC	PLYWOOD,DISCS,PINE,SANDER	50200050.535000.	64.02
52913	WA ENVIRONMENTAL TRAINING CENTER	WETRC TRAINING L# 3335	40143410.549030.	255.00
	WA ENVIRONMENTAL TRAINING CENTER		40143410.549030.	255.00
	WA ENVIRONMENTAL TRAINING CENTER		40143410.549030.	255.00
	WA ENVIRONMENTAL TRAINING CENTER		40143410.549030.	255.00
52914	EVERGREEN PRINT SOLUTIONS	(2,500) ENVELOPES	00143523.531000.	159.31
52915	EXCEL GLOVES & SAFETY SUPPLIES	BULK GLOVES	00105380.526000.	325.37
52916	EXIDE	CORE REFUNDS	501.141100.	-78.27
	EXIDE	BATTERIES W/CORE CHRGS	501.141100.	261.86
52917	FERRELLGAS	PROPANE 24.7 GALS	10110130.531000.	17.68
	FERRELLGAS		10110564.531000.	17.68
	FERRELLGAS		40140980.531000.	17.68
	FERRELLGAS		41046060.531000.	17.68
52918	CLIFFORD S. FRALICK	UTILITY TAX REBATE	00102520.549010.	56.87
	CLIFFORD S. FRALICK		40143410.549070.	42.66
	CLIFFORD S. FRALICK		40143410.549071.	111.42
52919	FRANK FRYER		00102520.549010.	36.81
	FRANK FRYER		40143410.549070.	42.53

**CITY OF MARYSVILLE  
 INVOICE LIST**

**FOR INVOICES FROM 1/15/2009 TO 1/21/2009**

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
52919	FRANK FRYER	UTILITY TAX REBATE	40143410.549071.	109.26
52920	STEVE GAIDOS CONSULTING LLC	W/SREV BOND FINANCIAL ADVISOR	00199513.541000.	5,000.00
52921	BLANCHE R. GAY	UTILITY TAX REBATE	00102520.549010.	49.39
52922	DON GILLETTE		00102520.549010.	30.65
52923	GRAYBAR ELECTRIC CO INC	NETWORK CONNECTIONS	40220594.563000.W0807	74.25
	GRAYBAR ELECTRIC CO INC	SP FIRE STATION & TREATMENT	40220594.563000.W0807	140.01
	GRAYBAR ELECTRIC CO INC	NETWORK CONNECTIONS	40220594.563000.W0807	1,550.93
52924	BETTY J. GREENE	UTILITY TAX REBATE	00102520.549010.	78.29
52925	GREG RAIRDON'S DODGE CHRYSLER JEEP	A/C COLLING FAN,SERP BELT	50100065.534000.	383.92
52926	HALSTROM & ASSOCIATES, INC.	1/09 LOBBYIST RETAINER FEE	40143410.541000.	2,080.00
52927	BONNIE HALVORSON	UTILITY TAX REBATE	00102520.549010.	72.56
52928	KEVIN HAMMOND	TRAINING FACILITY RENTAL FEE	00103222.545000.	900.00
52929	HALLIE HARRIS	UTILITY TAX REBATE	00102520.549010.	65.11
52930	ANDREA HARTLAND KINGSFORD	SAFETY TOWN COSTUMES/PRIZES	00105120.531070.ASAP	46.35
	ANDREA HARTLAND KINGSFORD		00105120.531080.	41.23
52931	HD FOWLER COMPANY	AIR VAC,CONCRETE BOTTOM,LID	40140380.531000.	1,166.35
	HD FOWLER COMPANY	RUBBER METER GASKETS	40140580.531000.	13.02
52932	HEALTHFORCE PARTNERS, INC	PRE-EMPLOYMENT EXAM	00103010.541000.	65.00
52933	HEGLE, JOSHUA & LEILA	UB 980480200000 4802 57TH DR N	401.122130.	79.56
52934	ANNETTE HICKEY	REFUND DEPOSIT FOR RENTAL	001.239100.	58.00
52935	HOME TOWN HEATING & STOVE SHOP	HEATILATOR FIREPLACE ANNUAL	00105250.548000.	187.16
52936	INNOVATION FIRST, INC.	PUBLIC SAFETY FIRE SRVR RACK	503.231700.	-57.68
	INNOVATION FIRST, INC.		50300090.531000.	736.29
52937	ALVIN LANGDALE	UTILITY TAX REBATE	00102520.549010.	83.04
52938	LASTING IMPRESSIONS INC	EMBROIDERY-VANDENBERG	00103222.526000.	8.14
52939	LES SCHWAB TIRE CENTER	REPAIR FLAT TIRE	50100065.548000.	36.89
52940	LOWES HIW INC	WALL BASE ADHESIVE	40143410.531000.	31.29
52941	MAKERS	CIVIC CENTER SELECTION STUDY	00100110.541000.0801	8,653.40
	MAKERS	DOWNTOWN INFRASTRUCTURE PLAN	00102020.541000.0826	2,075.00
	MAKERS	DOWNTOWN MASTER PLAN	00102020.541000.0804	5,313.00
	MAKERS		40145040.541000.D0701	3,542.00
52942	MICHAEL MARTIN	REFUND SECURITY DEPOSIT	001.239100.	200.00
52943	MARYSVILLE AWARDS	(8) AWARDS/PLAQUES	00105380.549000.	600.49
52944	MARYSVILLE PRINTING	(1,500) ENVELOPES	00100020.531000.	40.31
	MARYSVILLE PRINTING	VOLUNTEER APP CELEBRATION CAR	00100110.549000.	22.09
	MARYSVILLE PRINTING	(132) VALENTINES DANCE TICKETS	00105120.531050.	31.79
	MARYSVILLE PRINTING	(3,900) VALENTINES DANCE FLYER	00105120.531050.	254.47
	MARYSVILLE PRINTING	BUSINESS CARDS-LEGAL DEPT	00105515.549000.	380.51
	MARYSVILLE PRINTING	(1,500) ENVELOPES	40143410.531000.	40.31
	MARYSVILLE PRINTING	BUSINESS CARDS-MC CANN-BELL	40143410.531000.	68.29
	MARYSVILLE PRINTING		41046060.531000.	45.53
	MARYSVILLE PRINTING	(1,500) ENVELOPES	50100065.531000.	4.48
	MARYSVILLE PRINTING		50200050.531000.	4.48
52945	MARYSVILLE SCHOOL DISTRICT #25	MMS FACILITY USAGE FEES	00105120.531091.	106.30
52946	CITY OF MARYSVILLE	WTR/SWR/GRB @ 6802 84TH ST NE	42047267.547000.	363.70
52947	MEDICAL DIAGNOSTIC SPECIALTIES	RETURN TO DUTY EXAM	40143410.541000.	120.00
52948	MICROFLEX INC	TAXTOOLS SALES TAX CONVERSION	00101023.541000.	300.00
	MICROFLEX INC	TAX AUDIT PROGRAM DEC 08	00101023.541000.	1,275.47
52949	JENNIFER MILLETT	REIMBURSE CART COSTS	00105515.549000.	54.24
52950	NELSON PETROLEUM	BULK DIESEL/UNLEADED	42047165.532000.	578.40
52951	NORTHWEST CASCADE INC	HONEY BUCKET	00105380.545000.	103.33
52952	OFFICE DEPOT	OFFICE SUPPLIES	00100020.531000.	21.65
	OFFICE DEPOT	COPY PAPER	00100020.531000.	41.79
	OFFICE DEPOT	OFFICE SUPPLIES	00100110.531000.	78.93
	OFFICE DEPOT		00100310.531000.	65.92
	OFFICE DEPOT		00101130.531000.	9.55
	OFFICE DEPOT	COPY PAPER	00102020.531000.	41.79

**CITY OF MARYSVILLE  
 INVOICE LIST**

**FOR INVOICES FROM 1/15/2009 TO 1/21/2009**

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
52952	OFFICE DEPOT	OFFICE SUPPLIES	00105380.531000.	10.07
	OFFICE DEPOT		00105380.531000.	75.67
	OFFICE DEPOT		00105515.531000.	95.79
	OFFICE DEPOT		00105515.531000.	143.05
	OFFICE DEPOT		00143523.531000.	8.29
	OFFICE DEPOT		00143523.531000.	25.53
	OFFICE DEPOT	TONER	10111230.531000.	37.87
	OFFICE DEPOT	OFFICE SUPPLIES	40140980.531000.	94.72
	OFFICE DEPOT		40143410.531000.	21.66
	OFFICE DEPOT	COPY PAPER	40143410.531000.	41.79
	OFFICE DEPOT	OFFICE SUPPLIES	50100065.531000.	2.40
	OFFICE DEPOT	COPY PAPER	50100065.531000.	6.97
	OFFICE DEPOT	OFFICE SUPPLIES	50200050.531000.	2.42
	OFFICE DEPOT	COPY PAPER	50200050.531000.	6.97
	OFFICE DEPOT	OFFICE SUPPLIES	50300090.531000.	36.74
52953	PACIFIC NW TITLE	TITLE REPORT-44TH/67TH	10110070.541000.	488.70
52954	PACIFIC POWER PRODUCTS	STARTER MOTOR	42047165.548000.	499.10
52955	PACIFIC SURVEY SUPPLY	TOTAL STATION	10308521.535000.	10,535.73
52956	PACIFIC TOPSOILS INC	RECYCLING FEES FOR TREE STUMPS	00105380.545010.	36.75
52957	THE PARTS STORE	ANTIFREEZE	00105380.531000.	23.10
	THE PARTS STORE	OIL,FUEL,WIPER BLADES,BULBS	501.141100.	207.92
52958	PETROCARD SYSTEMS INC	FUEL CONSUMED-PARKS & REC	00105380.532000.	366.05
	PETROCARD SYSTEMS INC	FUEL COMSUMED-STREETS	10111230.532000.	3,009.74
	PETROCARD SYSTEMS INC	FUEL CONSUMED-FLEET/FACILITIES	50100065.532000.	41.82
	PETROCARD SYSTEMS INC		50200050.532000.	203.10
52959	LEE PHILLIPS	REIMBURSE AIR FARE	00100060.543000.	359.20
52960	PICK OF THE LITTER DESIGN, INC.	GRAPHIC DESIGN FOR GUIDE COVER	00100720.541000.	325.00
52961	DENISE FREEMAN	JUMPSUITS-XIONG,FRANZEN	00103222.526000.	742.54
	DENISE FREEMAN	JACKETS-HALL,SWICK-LAFAVE	00103960.526000.	704.60
52962	PLATS PLUS, INC	REMOVE RESERVOIR@SR9/SR528	40220594.563000.W0014	9,243.55
	PLATS PLUS, INC		40220594.563000.W0014	35,672.20
52963	PLATT- EVERETT	SCREWS	50200050.531000.	14.55
52964	HARRY PRINGLE	UTILITY TAX REBATE	00102520.549010.	37.16
52965	PROFORCE MARKETING, INC	POWER MAG	00103222.526000.	81.22
52966	PUGET SOUND FINANCE OFFICERS ASSOC	2009 MEMBERSHIP	00101023.549000.	100.00
52967	PUBLIC GRANTS & TRAINING INITIATIVES	STILES REGISTRATION TRAINING	00103222.549100.	250.00
	PUBLIC GRANTS & TRAINING INITIATIVES	WADE REGISTRATION TRAINING	00103222.549100.	250.00
52968	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #258-010-895-5	00105380.547000.	24.23
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #968-001-439-7	10111864.547000.	106.89
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #249-067-781-8	10111864.547000.	124.10
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #543-001-066-9	40140180.547000.	44.98
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #493-001-113-7	40140180.547000.	192.15
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #335-001-900-0	40140180.547000.	1,024.02
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #224-078-532-5	40141580.547000.	2,130.26
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #300-001-899-8	40142280.547000.	50.40
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #381-001-187-8	40142480.547000.	317.78
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #400-001-036-5	40142480.547000.	597.78
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #529-001-155-9	40143780.547000.	1,782.18
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #416-001-067-6	40143780.547000.	3,429.51
52969	PUGET SOUND SECURITY	DUPLICATE KEYS,KEY RINGS	00105380.531000.	48.56
52970	VICKEY QUINTEL	INSTRUCTOR SERVICES	00105250.541020.	401.44
52971	R&R PRODUCTS INC	BEDKNIVES	42047165.548000.	113.49
52972	JOHN E. REID & ASSOCIATES	TRAINING REGISTRATION	00103121.549100.	1,610.00
52973	RH2 ENGINEERING INC	PAY ESTIMATE # 19	40220594.563000.W0505	185.75
52974	LYNN SCHROEDER	REIMBURSE COFFEE PURCHASE	00100110.549000.	10.28
52975	SIX ROBBLEES INC	TIRE CHAINS (8)	501.141100.	494.35
	SIX ROBBLEES INC	HVY DUTY TRUCK SNOW CHAIN	50100065.534000.	710.63

**CITY OF MARYSVILLE  
 INVOICE LIST**

**FOR INVOICES FROM 1/15/2009 TO 1/21/2009**

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
52976	DORIS SMITH	UTILITY TAX REBATE	00102520.549010.	88.78
52977	SNO CO EDC	EDC OF SNO CO ANNUAL MTG (3)	00100110.549000.	80.00
	SNO CO EDC		00100720.549000.	40.00
52978	SNO CO PUBLIC WORKS	LABOR COSTS DEC 2008	10200030.541000.	311,514.35
	SNO CO PUBLIC WORKS	SOLID WASTE DISPOSAL FEES DEC	41046060.551000.	98,440.00
52979	SNOPAC	ACCESS QRTLTY ASSESSMENT	00104000.551000.	849.50
	SNOPAC	TX MESSENGER JAN 09	00104000.551000.	1,094.00
	SNOPAC	RMS ASSESSMENT ANNUAL FEE	00104000.551000.	8,264.00
	SNOPAC	DISPATCH SERVICES	00104000.551000.	63,332.40
52980	SOLID WASTE SYSTEMS INC	HYDRAULIC PUMP ASSEMBLY	50100065.534000.	2,766.22
52981	SOUND PUBLISHING INC	4 MAR COMMUNITY AD	00105120.544000.	75.00
52982	SOUND SAFETY PRODUCTS CO INC	RETURN PANTS FOR JEANS-PALITZ	00105380.526000.	92.58
	SOUND SAFETY PRODUCTS CO INC	JEANS-DAY, SAM	00105380.526000.	110.77
	SOUND SAFETY PRODUCTS CO INC	WORK PANTS-PALITZ	00105380.526000.	140.58
	SOUND SAFETY PRODUCTS CO INC	JEANS,HEARING PROTECT-PIKE	00105380.526000.	154.27
	SOUND SAFETY PRODUCTS CO INC	JEANS,COVERALLS-PHELPS	00105380.526000.	194.67
	SOUND SAFETY PRODUCTS CO INC	RAIN PARKA,JEANS,EARMUFF-DEZI	00105380.526000.	486.01
	SOUND SAFETY PRODUCTS CO INC	BLOODBORNE PATHOGEN KITS	501.141100.	62.03
	SOUND SAFETY PRODUCTS CO INC	GLOVES	501.141100.	264.77
	SOUND SAFETY PRODUCTS CO INC	JACKETS, SWEATERS	501.141100.	317.66
52983	SHERRI SOVERNS	REIMBURSE WATER PURCHASE	00100110.549000.	11.05
52984	SPIKES GOLF SUPPLIES INC	SPIKES,TEES,CLUB BRUSHES	420.141100.	894.97
52985	SPRINGBROOK NURSERY	(3) YDS TOPSOIL	00105380.531000.	46.81
52986	WASHINGTON STATE PATROL	BACKGROUND CHECKS DEC 08	00100310.541000.	90.00
52987	WALTER F STEPHENS, JR., INC	HANDCUFFS (8)	001.231700.	-16.96
	WALTER F STEPHENS, JR., INC		00103960.526000.	216.46
52988	BRUCE STINEMETZE	REFUND DEPOSIT FOR RENTAL	001.239100.	100.00
52989	JAMES STRICKLAND	REIMBURSE TOWEL PURCHASE	00103960.531000.	45.34
52990	SUNRISE ENVIRONMENTAL SCIENTIFIC	GRAFFITI REMOVER	00105380.531000.	514.47
52991	TEE'S PLUS	DARE MEMO PADS	001.231700.	-7.06
	TEE'S PLUS		00103630.531000.	90.06
52992	THYSSENKRUPP ELEVATOR CORP	REPAIR ELEVATOR @ PSB	00100010.548000.	253.30
52993	HELEN TIERNEY	UTILITY TAX REBATE	00102520.549010.	31.44
52994	TITLEIST	COBRA LOB WEDGE	420.141100.	71.93
52995	TORO NSN	IRRIGATION COMP SOFTWARE LEASE	42047165.531920.	199.00
52996	TURBO TECHNOLOGIES INC	ICE CONTROL SPRAYER	501.231700.	-486.97
	TURBO TECHNOLOGIES INC		50100048.564000.	6,215.97
52997	UNITED PARCEL SERVICE	SHIPPING EXPENSE	00103222.541000.	25.42
52998	VERIZON NORTHWEST	ACCT #404449227007	00100050.542000.	256.80
	VERIZON NORTHWEST		00100310.531000.	59.19
	VERIZON NORTHWEST	ACCT #109471572710	00103121.542000.	64.06
	VERIZON NORTHWEST	ACCT #108778831503	00104000.542000.	75.45
	VERIZON NORTHWEST	ACCT #109778831810	00104000.542000.	75.45
	VERIZON NORTHWEST	ACCT #1109268635501	00104000.542000.	93.05
	VERIZON NORTHWEST	ACCT #102857559902	00112572.542000.	102.62
52999	RUTH WALTMAN	UTILITY TAX REBATE	00102520.549010.	16.90
53000	WSU	RECERTIFICATION TRAINING	10111160.549000.	100.00
	WSU		10111160.549000.	100.00
	WSU		10111160.549000.	100.00
	WSU		40143410.549030.	100.00
53001	ELLEN WEBB	UTILITY TAX REBATE	00102520.549010.	51.80
	ELLEN WEBB		40143410.549070.	42.66
	ELLEN WEBB		40143410.549071.	111.42
53002	WEED GRAAFSTRA AND BENSON INC PS	MSD PROPERTY PURCHASE	00100011.561000.	1,776,564.81
53003	WESTERN EQUIPMENT DISTRIBUTORS	BEDKNIVES	42047165.548000.	202.22
	WESTERN EQUIPMENT DISTRIBUTORS	SEAT	42047165.548000.	281.43
53004	WESTERN PETERBILT INC	(6) CHAINS	50100065.534000.	390.54

DATE: 1/21/2009  
TIME: 11:28:05AM

**CITY OF MARYSVILLE  
INVOICE LIST**

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**FOR INVOICES FROM 1/15/2009 TO 1/21/2009**

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
53004	WESTERN PETERBILT INC	(8) CHAINS	50100065.534000.	520.71
53005	WHITE, GLENN & SUE	UB 020590000001 8711 52ND AVE	401.122110.	72.84
53006	WA MUNICIPAL TREASURERS ASSOCIATION	2009 MEMBERSHIP-GRITTON/LANG	00101023.549000.	80.00
53007	JAMES E. WOOD	UTILITY TAX REBATE	00102520.549010.	31.87
<b>WARRANT TOTAL:</b>				<b><u><u>2,530,288.94</u></u></b>

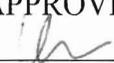
**REASON FOR VOIDS:**

**INITIATOR ERROR  
WRONG VENDOR  
CHECK LOST IN MAIL**

**CITY OF MARYSVILLE**

**EXECUTIVE SUMMARY FOR ACTION**

**CITY COUNCIL MEETING DATE: February 9, 2009**

AGENDA ITEM: Contract Award: Berrywoods Paving	AGENDA SECTION: Review Bids	
PREPARED BY: Jeff Laycock, Project Engineer	APPROVED BY: 	
ATTACHMENTS: <ul style="list-style-type: none"> <li>• Certified Bid Tabulation</li> <li>• Vicinity Map Exhibit</li> </ul>	MAYOR	CAO
	AMOUNT: \$259,153.88	
BUDGET CODE: 30500030.563000 R0903		

The Berrywood's Paving project to provide a final lift of asphalt pavement and adjust utilities to finish grade was advertised for a Thursday, January 15 bid opening. This project was not completed by the developer, who has since dissolved. The City was able to collect the performance bonds and one maintenance bond to partially fund the remaining work.

The City received 7 bids as shown on the attached bid tabulation. The low bidder was Fidalgo Paving and Construction, LLC. References have been checked and found to be satisfactory.

Contract Bid (Includes Sales Tax):	\$249,153.88
Management Reserve:	\$10,000.00
Total:	\$ 259,153.88

<p><b>RECOMMENDED ACTION:</b> Staff recommends that City Council authorize the Mayor to award the bid for the Berrywoods Paving project to Fidalgo Paving and Construction, LLC in the amount of \$249,153.88 including Washington State Sales Tax and approve a management reserve of \$10,000 for a total allocation of \$259,153.88.</p>
<p><b>COUNCIL ACTION:</b></p>



Thursday, January 15, 2009



★ Apparent Low Bidder

**Berrywoods Paving Certified Bid Tab**

Granite Northwest Inc., dba

★ Fidalgo Paving and Construction LLC

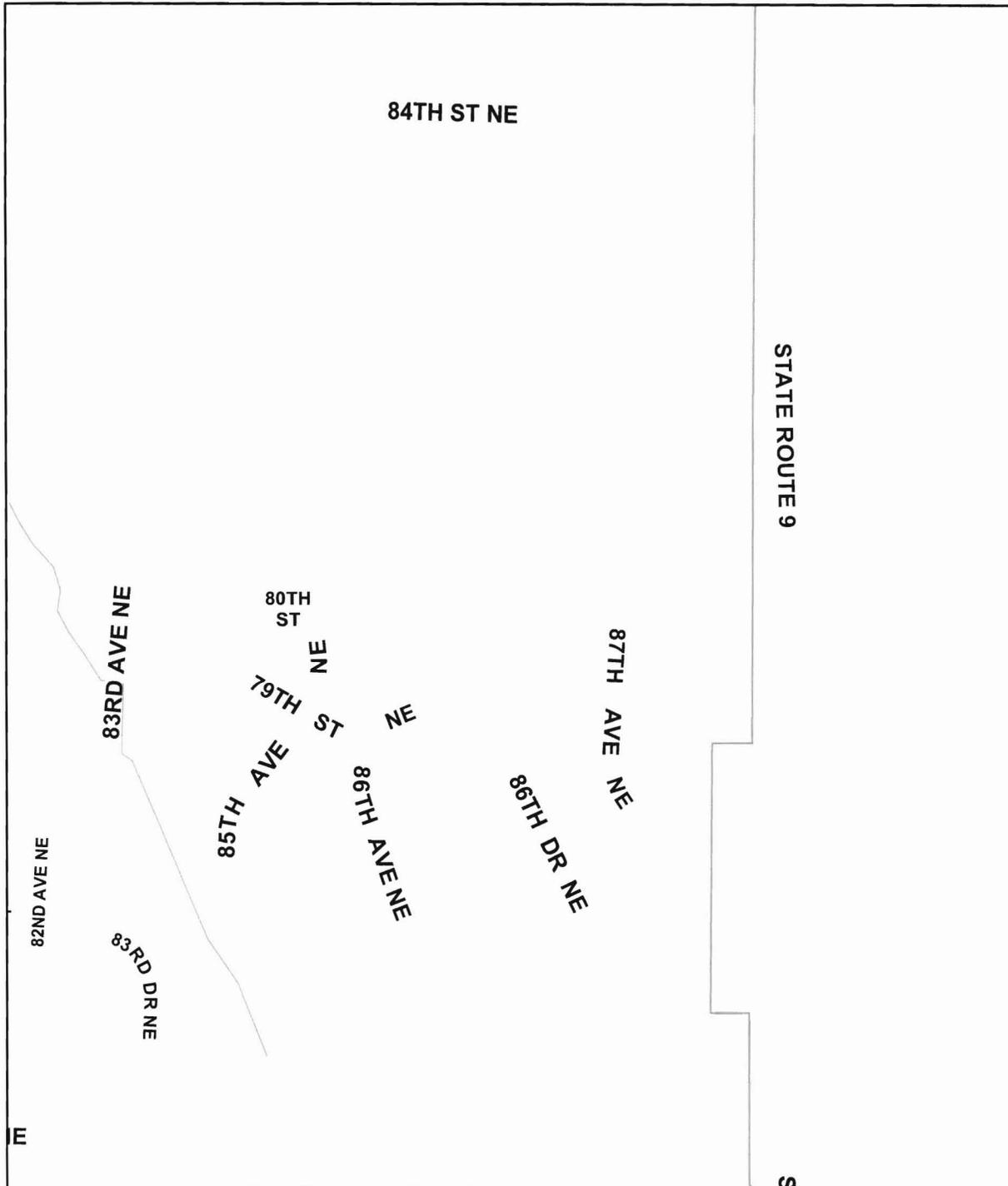
Wilder Construction Company

Quilceda Paving and Construction, Inc.

ITEM	DESCRIPTION	QUANTITY	UNITS	Engineer's Estimate		Fidalgo Paving and Construction LLC		Wilder Construction Company		Quilceda Paving and Construction, Inc.	
				UNIT PRICES	TOTAL PRICE	UNIT PRICES	TOTAL PRICE	UNIT PRICES	TOTAL PRICE	UNIT PRICES	TOTAL PRICE
<b>SCHEDULE A</b>	1A Mobilization (max. 0%)	1	LS	\$25,000.00	\$25,000.00	\$13,500.00	\$13,500.00	\$7,000.00	\$7,000.00	\$20,500.00	\$20,500.00
	2A Project Temporary Traffic Control	1	LS	\$10,000.00	\$10,000.00	\$2,000.00	\$2,000.00	\$7,000.00	\$7,000.00	\$2,500.00	\$2,500.00
	3A Planing Bituminous Pavement	100	SY	\$5.00	\$500.00	\$30.00	\$3,000.00	\$23.20	\$2,320.00	\$10.00	\$1,000.00
	4A Cl. B Asphalt Concrete Pavement for Phase 1 Paving (3" Gutter - 2" Crown)	13,865	SY	\$14.00	\$194,110.00	\$10.65	\$147,662.25	\$11.15	\$154,594.75	\$12.00	\$166,380.00
	5A Cl. B Asphalt Concrete Pavement for Phase 2 Paving (1.5" Full Width)	11,335	SY	\$8.50	\$96,347.50	\$6.40	\$72,544.00	\$8.85	\$77,644.75	\$7.55	\$85,579.25
	6A Force Account	5,000	EST	\$1.00	\$5,000.00	\$1.00	\$5,000.00	\$1.00	\$5,000.00	\$1.00	\$5,000.00
	<b>SCHEDULE A TOTAL</b>				<b>\$330,957.50</b>		<b>\$243,706.25</b>		<b>\$253,660.50</b>		<b>\$280,959.25</b>
<b>SCHEDULE B</b>	1B Adjust Water Valve	31	EA	\$200.00	\$6,200.00	\$75.00	\$2,325.00	\$250.00	\$7,750.00	\$150.00	\$4,650.00
	2B Adjust Monument Case and Cover	39	EA	\$150.00	\$5,850.00	\$75.00	\$2,925.00	\$50.00	\$1,950.00	\$160.00	\$6,240.00
	<b>SCHEDULE B TOTAL</b>				<b>\$12,050.00</b>		<b>\$5,250.00</b>		<b>\$9,700.00</b>		<b>\$10,890.00</b>
	SALES TAX @ 8.5% ON IB ONLY				\$527.00		\$197.63		\$668.75		\$395.25
	<b>SCHEDULE B TOTAL</b>				<b>\$12,577.00</b>		<b>\$5,447.63</b>		<b>\$10,368.75</b>		<b>\$11,285.25</b>
<b>TOTAL AMOUNT (SCHEDULE A and SCHEDULE B)</b>					<b>\$343,534.50</b>		<b>\$249,153.88</b>		<b>\$263,918.25</b>		<b>\$291,854.50</b>

ITEM	DESCRIPTION	QUANTITY	UNITS	Cemex		Northshore Paving Inc.		Lakeside Industries, Inc.		Lakeridge Paving Co. LLC	
				UNIT PRICES	TOTAL PRICE	UNIT PRICES	TOTAL PRICE	UNIT PRICES	TOTAL PRICE	UNIT PRICES	TOTAL PRICE
<b>SCHEDULE A</b>	1A Mobilization (max. 8%)	1	LS	\$9,474.98	\$9,474.98	\$16,685.00	\$16,685.00	\$9,500.00	\$9,500.00	\$10,000.00	\$10,000.00
	2A Project Temporary Traffic Control	1	LS	\$22,971.99	\$22,971.99	\$16,200.00	\$16,200.00	\$6,144.00	\$6,144.00	\$9,720.00	\$9,720.00
	3A Planing Bituminous Pavement	100	SY	\$30.00	\$3,000.00	\$27.12	\$2,712.00	\$28.35	\$2,835.00	\$42.00	\$4,200.00
	4A Cl. B Asphalt Concrete Pavement for Phase 1 Paving (3" Gutter - 2" Crown)	13,865	SY	\$12.00	\$166,380.00	\$12.01	\$166,518.65	\$12.45	\$172,619.25	\$12.60	\$174,699.00
	5A Cl. B Asphalt Concrete Pavement for Phase 2 Paving (1.5" Full Width)	11,335	SY	\$7.20	\$81,612.00	\$7.43	\$84,219.05	\$7.45	\$84,445.75	\$7.20	\$81,612.00
	6A Force Account	5,000	EST	\$1.00	\$5,000.00	\$1.00	\$5,000.00	\$1.00	\$5,000.00	\$1.00	\$5,000.00
	<b>SCHEDULE A TOTAL</b>				<b>\$288,438.97</b>		<b>\$291,334.70</b>		<b>\$280,544.00</b>		<b>\$285,231.00</b>
<b>SCHEDULE B</b>	1B Adjust Water Valve	31	EA	\$125.00	\$3,875.00	\$60.00	\$2,790.00	\$285.00	\$8,835.00	\$300.00	\$9,300.00
	2B Adjust Monument Case and Cover	39	EA	\$125.00	\$4,875.00	\$60.00	\$3,510.00	\$350.00	\$13,650.00	\$375.00	\$14,625.00
	<b>SCHEDULE B TOTAL</b>				<b>\$8,750.00</b>		<b>\$6,300.00</b>		<b>\$22,485.00</b>		<b>\$23,925.00</b>
	SALES TAX @ 8.5% ON IB ONLY				\$329.38		\$237.15		\$750.98		\$790.50
	<b>SCHEDULE B TOTAL</b>				<b>\$9,079.38</b>		<b>\$6,537.15</b>		<b>\$23,235.98</b>		<b>\$24,715.50</b>
<b>TOTAL AMOUNT (SCHEDULE A and SCHEDULE B)</b>					<b>\$297,518.35</b>		<b>\$297,871.85</b>		<b>\$303,779.98</b>		<b>\$309,946.50</b>

NOTE: We hereby certify that this bid tabulation represents all bids received and that all calculations have been checked and are correct.



- Accidents '02
- Accidents '03
- Accidents '04
- Accidents '05
- Accidents '06
- Posts
- Signs - warning
- Signs - regulatory
- Signs - school
- Signs - guide
- Signs - information
- Signs - specialty
- Signs - street
- PUD Street Lights
- PUD Power Poles

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

**CITY OF MARYSVILLE**

**EXECUTIVE SUMMARY FOR ACTION**

**CITY COUNCIL MEETING DATE: February 9, 2009**

<b>AGENDA ITEM:</b> Project Acceptance: SR 528 (47 <sup>th</sup> AVE NE to 67 <sup>th</sup> AVE NE) Road Improvements	<b>AGENDA SECTION:</b> New Business	
<b>PREPARED BY:</b> Kyle Woods, Engineering Technician	<b>APPROVED BY:</b> <i>JC</i> 	
<b>ATTACHMENTS:</b> Attachment #1 – Vicinity Map Attachment #2 – Marysville Substantial Completion Letter Attachment #3 – WSDOT Substantial Completion Letter		
	MAYOR	CAO
<b>BUDGET CODE:</b> 30500030.563000 T0102 and R0501	<b>AMOUNT:</b> N/A	

**DESCRIPTION:**

The City Council awarded the “SR 528 Road Improvements” contract to GG Excavation, Inc., on October 8, 2007 in the amount of \$1,998,756.00.

GG Excavation physically completed the work for this project on December 10, 2008. The project was completed at a total cost of \$1,711,824.27, which is \$286,931.73, or 14.36% less than the original bid amount.

The work performed under this Contract was inspected by City Engineering staff and found to be physically complete in accordance with the approved plans and specifications.

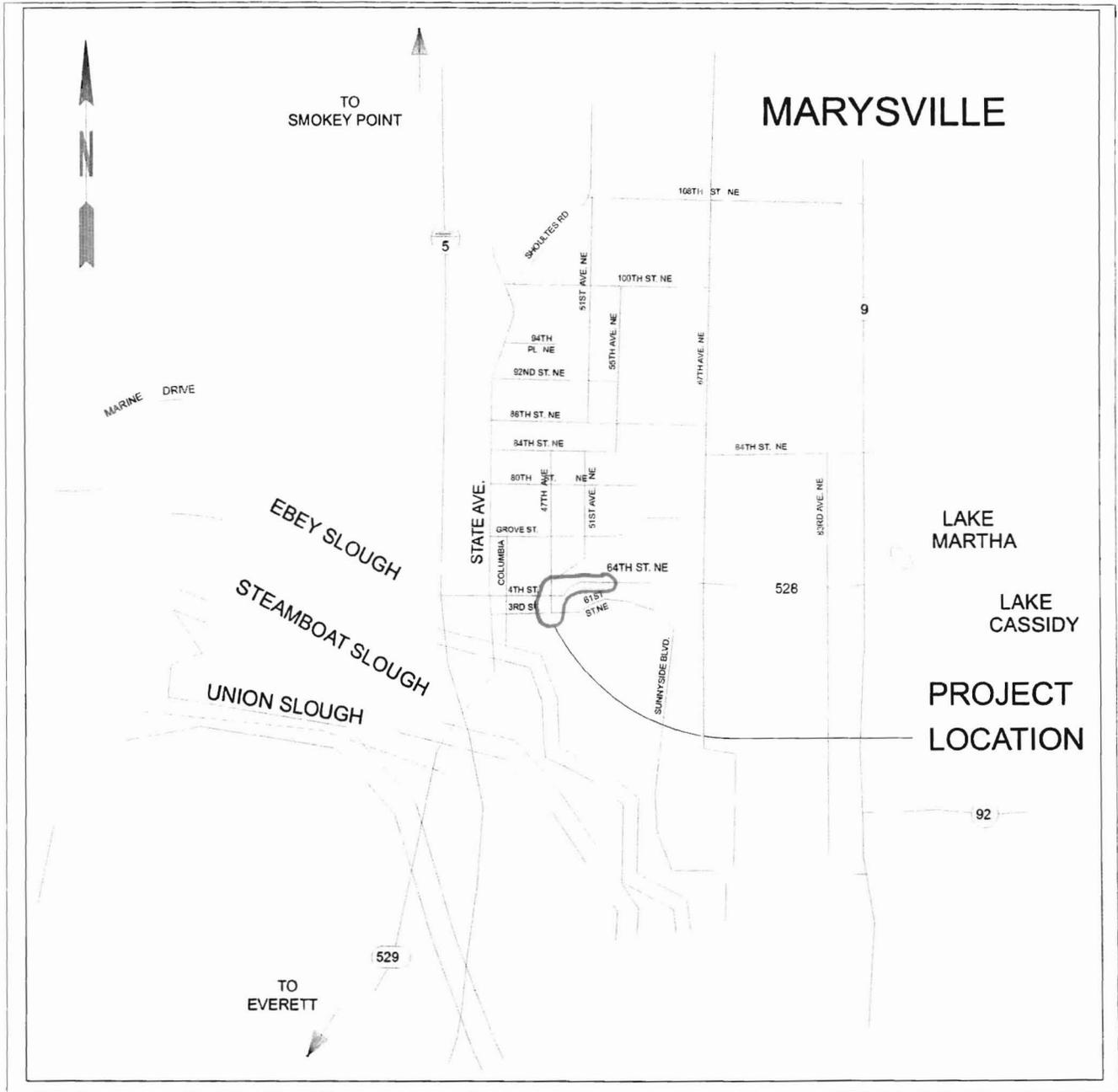
**RECOMMENDED ACTION:**

Staff recommends that Council authorize the Mayor to accept the SR 528 (47<sup>th</sup> AVE NE to 67<sup>th</sup> AVE NE) Road Improvements project, marking initiation of the 45-day lien filing period for project closeout.

**COUNCIL ACTION:**

# Vicinity Map

SR 528 ( 47th AVE NE to 67th AVE NE) Road Improvements





**PUBLIC WORKS**  
Kevin Nielsen, *Director*

80 Columbia Avenue  
Marysville, Washington 98270  
Phone (360) 363-8100  
Fax (360) 363-8284  
ci.marysville.wa.us

December 10, 2008

Gene Gilden  
GG Excavation  
9669 Padilla Heights Road  
Anacortes, WA

Subject: T0102 – SR 528 Road Improvements

Dear Mr. Gilden,

A preliminary final inspection of the construction items regarding Project #T0102 – SR 528 (47<sup>th</sup> AVE NE to 67<sup>th</sup> AVE NE), was conducted on December 5, 2008 by Kyle Woods. Our inspection found that these construction items have now been **Substantially Completed** and the project is now considered to be **Conditionally Accepted**.

Thank you,

A handwritten signature in black ink, appearing to read "John A. Cowling". The signature is fluid and cursive, with a large loop at the end.

**John A. Cowling, P.E.**  
Asst. Public Works Director / City Engineer



**Washington State  
Department of Transportation**  
Paula J. Hammond, P.E.  
Secretary of Transportation

**Northwest Region**  
15700 Dayton Avenue North  
P.O. Box 330310  
Seattle, WA 98133-9710

206-440-4000  
TTY: 1-800-833-6388  
www.wsdot.wa.gov

December 10, 2008

RECEIVED

DEC 12 2008

Mr. Kevin Nielsen  
Public Works Director  
City of Marysville  
80 Columbia Ave.  
Marysville, Washington 98270

Office of  
Community Development

Subject: SR-528 MP-0.80 to MP-2.07 CS-3118  
47<sup>th</sup> Ave. NE to 67<sup>th</sup> Ave. NE, Road Improvement Project (JA-5949)  
**SUBSTANTIAL COMPLETION**  
**CONDITIONAL PROJECT ACCEPTANCE**

Dear Mr. Nielsen:

A Preliminary Final Inspection of the construction items of interest to the Washington State Department of Transportation (WSDOT) regarding the City of Marysville's "47<sup>th</sup> Ave. NE to 67<sup>th</sup> Ave. NE, Road Improvement) Project (Number T0201)" was conducted on December 5, 2008 by Mike Gallop, Mount Baker/Snohomish Area Developer & Local Agency Construction Representative. Our inspection found that these construction items have been now been **Substantially Completed** and the project is now considered to be **Conditionally Accepted**.

WSDOT will continue to monitor this project until approximately December 15, 2009 for proper workmanship, drainage, and public safety. Provided there are no problems, we will issue a Letter of Total Acceptance at that time.

If assistance or any further information is required regarding this matter, please contact Mike Gallop at (206) 940-2736 or (360) 757-5967.

Sincerely,

*Ramin Pazoooki*  
for: Ramin Pazoooki  
Local Agency and Development Services Manager  
Sno-King Area

RP/mrg

cc: File: Marysville SR-528 Improvements SC-CPA  
G. Chambers: WSDOT Development Services Supervisor - Snohomish County (MS-240).  
Steve Russell: WSDOT Area 3 Asst. Mtee. Superintendent (MS-43).

**CITY OF MARYSVILLE**

**EXECUTIVE SUMMARY FOR ACTION**

**CITY COUNCIL MEETING DATE: February 9, 2009**

AGENDA ITEM: Contract Acceptance: W0014 – SR 9 Reservoir Demolition, Plats Plus, Inc.	AGENDA SECTION: New Business	
PREPARED BY: Ryan Morrison, Engineering Technician	APPROVED BY: 	
ATTACHMENTS:		
	MAYOR	CAO
BUDGET CODE: 40220594.563000 – W0014	AMOUNT: N/A	

**DESCRIPTION:**

The SR 9 Reservoir Demolition was awarded to Plats Plus, Inc. on November 10, 2008 for the amount of \$44,590.25 including WSST. The final contract amount was \$44,915.75.

The work performed under this Contract, including final “punch-list” items, was inspected by the City and is certified to be physically complete on January 14, 2009 in accordance with the approved plans and specifications.

**RECOMMENDED ACTION:**

Staff recommends that Council authorize the Mayor to accept the SR 9 Reservoir Demolition Project, marking initiation of the 45-day lien filing period for project closeout.

**COUNCIL ACTION:**

**CITY OF MARYSVILLE**

**EXECUTIVE SUMMARY FOR ACTION**

**CITY COUNCIL MEETING DATE: February 9, 2009**

AGENDA ITEM: PSA Supplement #2 with HDR Engineering	AGENDA SECTION: New Business	
PREPARED BY: John Tatum, Traffic Engineer	APPROVED BY: 	
ATTACHMENTS: <ul style="list-style-type: none"> <li>• Supplemental Agreement Number 2 with HDR Engineering</li> <li>• Page 1 of Local Agency Standard Consultant Agreement.</li> <li>• Project Map Exhibit</li> </ul>	MAYOR	CAO
	AMOUNT: N/A	
BUDGET CODE: 30500030.563000 R0603		

**DESCRIPTION:**

The attached supplemental agreement extends the completion date of the consultant agreement to June 30, 2009 and modifies the scope of work to accommodate the Downtown Master plan and recommendations of the 4<sup>th</sup> stakeholders for documenting findings in a manner compatible with the IJR process.

On May 14, 2007, the City Council authorized the Mayor to approve the Local Agency Standard Consultant Agreement with HDR Engineering, Inc. for the subject project. This agreement is not the standard Marysville Professional Services Agreement; rather it is from the Washington State Department of Transportation (WSDOT) Local Agency Guidelines in anticipation of the utilization of federal funds on this project.

In conformance with Federal Highway Administration and WSDOT procedures, HDR's work scope was set up as the "first step" of an Interchange Justification Report to evaluate local arterial improvements and non-interstate highway improvements to address traffic capacity and safety problems. At the fourth stakeholder meeting FHWA and WSDOT jointly recommended added documentation for the process to date to formalize and memorialize the findings in a format consistent with the IJR and environmental process and any subsequent IJR work.

A primary component of HDR's work involves traffic demand modeling to estimate 2035 design year volumes and geometry in order to perform operational analysis. Prior to HDR's completion, the Transportation Element Update was adopted and the Downtown Master Plan has advanced to the state that should be shown as mutually compatible with the IJR process. In meetings to coordinate the work of the two projects and the Master Plan, it is recommended by City Staff that HDR should prepare added traffic modeling for the purposes of verifying consistency of the Downtown Access analysis and report of findings with Transportation Element Update as adopted and the Downtown Master Plan. This continuing and added need for coordination and documentation has further postponed HDR's work effort, thus delaying their amended completion date of December 31, 2008.

**RECOMMENDED ACTION:**

Staff recommends that Council authorize the Mayor to sign the Supplemental Agreement Number 2 with HDR Engineering at no additional cost amending the scope of work and extending the time for completion to June 30, 2009.

**COUNCIL ACTION:**



<b>Supplemental Agreement Number</b> <u>2</u>		Organization and Address HDR Engineering, Inc. 500 108th Ave NE, Suite 1200 Bellevue, WA 98004-5549	
Original Agreement Number		Phone: 425-468-1549	
Project Number	Execution Date	Completion Date	
Project Title I-5 to City Center Access Study - Phase 1	New Maximum Amount Payable <b>\$ 361,090.54</b>		
Description of Work Study of access between Interstate 5 and the City Center, Marysville, WA. First phase will focus on local arterial improvements and non-interstate state highway improvements.			

The Local Agency of City of Marysville  
desires to supplement the agreement entered into with HDR Engineering, Inc.  
and executed on 4/24/2007 and identified as Agreement No. \_\_\_\_\_

All provisions in the basic agreement remain in effect except as expressly modified by this supplement.

The changes to the agreement are described as follows:

**I**

Section 1, SCOPE OF WORK, is hereby changed to read:

See the revised scope of work (attached)  
\_\_\_\_\_  
\_\_\_\_\_

**II**

Section IV, TIME FOR BEGINNING AND COMPLETION, is amended to change the number of calendar days for completion of the work to read: Date of completion is amended to June 30, 2009

**III**

Section V, PAYMENT, shall be amended as follows:

N/A  
\_\_\_\_\_

as set forth in the attached Exhibit A, and by this reference made a part of this supplement.

If you concur with this supplement and agree to the changes as stated above, please sign in the appropriate spaces below and return to this office for final action.

By: C. Michael Ofenstein, Vice President

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

  
\_\_\_\_\_  
Consultant Signature

\_\_\_\_\_  
Approving Authority Signature

\_\_\_\_\_  
Date



## **Updated SCOPE OF WORK**

for

### **I-5 to City Center Access Study - Phase 1**

(study to explore, identify and develop concepts to improve access between Interstate 5 and Marysville's city center)

**Marysville, Washington**

**Prepared by:**

**HDR Engineering, Inc.**

500 108<sup>th</sup> Avenue NE, Suite 1200  
Bellevue, Washington 98004-5538

**January 19, 2009**



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## EXHIBIT A

### I-5 to City Center Access Study - Phase 1 Marysville, Washington

## SCOPE OF SERVICES

### Introduction

The project for which this scope of services is prepared is the study of access between Interstate 5 and the City Center, Marysville, Washington. The first phase of this project, as described within this scope of services, will focus on local arterial improvements, and non-interstate state highway improvements. It is expected that the interchanges with I-5 at 4<sup>th</sup> Street and at SR 529 will ultimately be shown as key to this project.

HDR Inc. (hereafter “Consultant”) shall provide professional services and information to the City of Marysville (hereafter “City”) to establish the feasibility of access improvements between Interstate 5 and the City Center.

The services to be provided are listed below as five work elements. Administration includes general project management, stakeholder chartering and coordination, and public involvement support and coordination. Development of an Interchange Justification Report (IJR) may be considered as a supplement to this Agreement.

- Element 1.0 - Administration
- Element 2.0 - Traffic Analysis
- Element 3.0 - Regulatory Analysis
- Element 4.0 - Funding Analysis
- Element 5.0 - Feasibility Report & Executive Summary

### General Assumptions

- Work shall be done by the Consultant.
- This updated scope of study shall be completed by June 30, 2009 assuming approval from the City’s project manager/ received for Notice to Proceed (NTP) by February 28, 2009..

### Study Purpose & Expectations

The purpose of this study is to investigate the need for capacity improvements at the I-5 / 4<sup>th</sup> Street and I-5 / SR 529 interchanges. The congestion at the I-5 / 4<sup>th</sup> Street interchange reaches levels that are unacceptable and that pose possible safety risks. This phase of the study will identify and assess a comprehensive strategy to improve capacity on local arterials and non-interstate state highways. The most promising options will be evaluated with a baseline configuration identified. The baseline configuration will constitute the assumed, systematic, improvements that would be made to the network of local roadways and non-interstate state highways.

This phase of the study may show that systematic improvements to local roadways and non-interstate state highways would be sufficient to address the current access deficiencies between I-5 and the City Center. Alternatively, this phase of the study may show that no reasonable systematic improvement of non-interstate roadways would be sufficient to address the access deficiencies. This latter scenario would then lead to consideration of improvements to interchanges on I-5.

This study is a first step in identifying capacity improvements along Marysville's most congested corridors. The results from this study can be used to initiate further studies including an IJR if it is determined that improvements to the I-5 interchanges are needed. An IJR assumptions memo should be helpful in guiding future studies.

## **Element 1.0 Administration**

The Project Administration element of the I-5 to City Center Access Study is intended to provide overall project administration, management and coordinating services. This element includes the following sub-elements:

- 1.1 General Project Management
- 1.2 Project Management Plan
- 1.3 Project Schedule
- 1.4 Organization Chart
- 1.5 Kickoff & Progress Meetings
- 1.6 Progress Reports and Billings
- 1.7 Stakeholder Chartering and Coordination
- 1.8 Public Involvement Support and Coordination

### **1.1 General Project Management**

The Consultant shall manage all project work to effectively control costs, maintain schedule, provide quality deliverables appropriate to the goals of the project, and coordinate work between the City, Stakeholders and Consultant. The Consultant shall manage all work utilizing proven, effective means and methods. General project management shall be active during the total duration of the project. For estimating purposes, it is assumed that the project will be completed by June 30, 2009 with approval from the City's project manager/ received for NTP by February 28, 2009..

The Consultant shall be responsible for managing all subconsultants involved in the study. The Consultant shall develop and execute subconsultant agreements with each Consultant team member that establishes work schedule, scope, and budget.

#### **Assumptions**

- Project Management will be ongoing for the term of the contract.

#### **Deliverables**

- Full time, on-going, effective management of project, within scope, schedule and budget.
- Executed subconsultant agreements
- On-going coordination of subconsultant efforts
- Effective communication within Consultant team, with consistent use of scheduled internal team meetings, phone calls, emails, and unscheduled meetings as necessary

### **1.2 Project Management Plan**

The Consultant shall prepare a Project Management Plan (PMP) including a copy of the negotiated scope, schedule, budget, project organization chart, and a Work Plan. The PMP should include copies of QA/QC forms that are used internally by Consultant.

#### **Assumptions**

- One draft PMP submitted for comment.
- One revision will be made to the draft to create the final PMP.

#### **Deliverables**

- None

### 1.3 Project Schedule

The Consultant shall develop the project schedule showing important milestone dates for events necessary to complete each task, including deliverable dates, meetings, when input is required from the City and others, time for City review, and time for review by others. The schedule shall allow ten (10) working days for distribution, review, and incorporation of review comments. The project schedule shall be submitted to the City for approval and shall be updated monthly.

#### Assumptions

- The draft and final original schedules will be delivered to City as part of the PMP.

#### Deliverables

- Draft original schedule, as part of PMP
- Final original schedule, as part of PMP
- Updated schedule on monthly basis in electronic format as approved by City.

### 1.5 Kickoff & Progress Meetings

Lead and participate in a project kickoff meeting. A single 2-hour project kickoff meeting will be held at the City or Consultant facilities and will include the City, Consultant, sub-consultants, WSDOT and FHWA partners as deemed necessary by the City Project Manager. The Consultant shall work with the City to develop the agenda and facilitate the meeting. The Consultant shall prepare and distribute meeting notice, agenda, and summary.

The Consultant PM shall conduct monthly status meetings with the City's project manager (up to a maximum of 6 meetings). The Consultant shall prepare an agenda and individual meeting summaries for the meetings. There shall be one review of the draft agenda and one draft meeting summary. The Consultant shall distribute hard copies of meeting agendas and meeting summaries.

#### Assumptions

- The Consultant shall conduct one 2-hour kickoff meeting, and up to 6 progress meetings for up to 1.5 hours each meeting.
- Progress meeting location will alternate monthly between City and Consultant offices.
- The City will review and comment one time on each draft agenda and each draft meeting summary.

#### Deliverables

- One draft agenda, for review, for each meeting.
- One final agenda, for approval, for each meeting.
- Attendance and facilitation at each meeting by an average of two Consultant team members.
- One draft summary, for review, for each meeting.
- One final summary, for approval, for each meeting.

### 1.6 Progress Reports and Billings

The Consultant shall prepare and submit Monthly Progress Reports with monthly project invoices. These reports shall describe the work by elements accomplished for the given month, and shall identify any emerging issues or problems that may occur in any given month.

These reports shall identify the percentage of work accomplished in a given month, in earned value format. The reports shall also list project activities that shall be conducted in the following reporting period. Invoices should provide the percentage of work completed and the hours for each labor classification by work element. These reports shall be done in a form consistent with City standards.

#### Deliverables

- Monthly invoices with Monthly Progress Report.

### **1.7 Stakeholder Chartering and Coordination**

The Consultant shall support the City with presentations to the Tulalip Tribes, City of Everett, Snohomish County, Community Transit, WSDOT, FHWA and others as may be identified by the City, to ensure stakeholder concerns are identified and adequately addressed within the access study. The City shall provide copies of all correspondence and meeting summaries resulting from this effort. The consultant will develop an IJR Assumptions Memo that briefly summarizes the process and findings of this Study and outlines the next steps the City would need to take in the IJR process. The City will use this memo to obtain signatures from WSDOT and FHWA documenting concurrence with the process and next steps..

#### **Assumptions**

- Up to four two (2) hour meetings will be required under this task.

#### **Deliverables**

- Meeting attendance and participation.
- Copies of PowerPoint presentations
- Copies of approved meeting minutes.
- IJR Assumptions Memo

### **1.8 Public Involvement Support and Coordination**

The Consultant shall support the City with a presentation to the City Council. The Consultant shall provide display boards, informational handouts, attend, participate, and develop presentation notes.

#### **Assumptions**

- There will be only one City Council presentation.
- One Consultant team member will attend the presentation.
- Up to four display boards will be developed for the presentation.
- One informational memos/handouts will be developed for the presentation.
- The City will review and comment one time on the presentation notes.

#### **Deliverables**

- Up to four display boards.
- One informational memos/handouts.
- Meeting attendance and participation.
- Presentation notes.

## **Element 2.0 Traffic Analysis**

The Traffic Analysis element of the I-5 to City Center Access Study will document the existing traffic conditions for the roadways and intersections within the Study Area of Influence. Future traffic conditions will then be evaluated for the no-action alternative and for the identified baseline configuration. The traffic analysis will be comprehensive and include both local and state elements of the transportation system.

While the traffic analysis will be comprehensive, the analysis of non-interstate state highways outside of downtown Marysville will be at a “high level” with relatively less detail than will be given to the downtown arterial roadway system. Critical thought and consideration shall be given to connections between and improvements to local arterials, SR 2, SR 9, SR 528, SR 529, and Interstate 5. This element includes the following sub-elements:

- 2.1 Study Area and Level of Analysis
- 2.2 Data Gathering
- 2.3 Data Assembly & Review

- 2.4 Existing Conditions Analysis
- 2.5 Future Travel Forecasting
- 2.6 Future Conditions Analysis
- 2.7 Traffic Analysis Summary

## 2.1 Study Area and Level of Analysis

The Consultant shall document significant assumptions and parameters for the traffic analysis. The assumptions shall be included into the traffic analysis section of the final report.

A Study Area of Influence described as:

- SR 528 from I-5 to SR 9
- SR 9 from SR 2 to SR 528
- SR 2 from Interstate 5 to SR 9
- Interstate 5 from SR 2 to SR 528

A list of Study Area Intersections to be analyzed, including:

- Marine Dr/27<sup>th</sup> Ave
- Marine Dr/31<sup>st</sup> Ave
- Marine Dr/33<sup>rd</sup> Ave
- I-5 SB Ramp/4<sup>th</sup> Street
- I-5 NB Ramp/4<sup>th</sup> Street
- 4<sup>th</sup> Street/Beach Ave
- 4<sup>th</sup> Street/Cedar Ave
- 4<sup>th</sup> Street/Delta Ave
- 4<sup>th</sup> Street/State Ave
- 4<sup>th</sup> Street/47<sup>th</sup> Ave
- 1<sup>st</sup> Street/State Ave
- 3<sup>rd</sup> Street/State Ave
- 6<sup>th</sup> Street/State Ave
- I-5/SR 529 Ramps (SB merge analysis)

A Study Area Baseline Configuration, including:

- Selected improvements to study area intersections
- Selected improvements to study area interchanges
- Selected improvements to study area roadways

Study Area Turning Movement Counts will be taken at up to 20 intersections:

- Identify intersections where counts are necessary.

Level of Analysis Detail for each of the following:

- Study area arterials
- Study area intersections
- Study area non-interstate state highways, intersections and interchanges
- Study area portions of Interstate 5 and associated interchanges

### Assumptions

- Up to two revisions will be made to create the refined study area.
- The traffic analysis section will be reviewed by the city before being included into the final report.

### Deliverables

- Draft Study Area Map
- Final Study Area Map
- Study Area Intersections List
- Traffic Analysis Section of the Study Report

## 2.2 Data Gathering

The Consultant shall gather available existing data including traffic volume counts, signal timing data, train data, trail maps, past studies, transit data and the current demand model. Turning movement counts are assumed to be needed for up to 20 intersections. (Marysville's most current intersection turning counts were obtained in late 2004) The Consultant will utilize a subconsultant to conduct these turning movement counts.

### Assumptions

- Turning movement counts will be necessary for twenty intersections
- Freeway and ramp volume data will be provided by WSDOT
- Past studies will be provided by the City - probably limited to the 2005 and 2003 Transpo Element Update of the Comp Plan.
- The current travel demand model will be provided by the City. HDR will include some time for coordination and transfer of the travel demand model.
- Include WSDOT's corridor study on SR 9
- Include the 1992 FEIS for the I-5 and 88<sup>th</sup> Street NE Interchange
- Include the 1993 EA for the I-5 and 88<sup>th</sup> Street NE Interchange
- Include transportation improvements within the City's Comprehensive Plan.

## 2.3 Data Assembly & Review

The Consultant shall assemble and inventory the data for use in the study. A review of data will be performed to determine if updated traffic counts are necessary. Historical traffic growth trends will be determined to adjust traffic counts to a consistent existing year with consideration for volume balancing. Provided studies will be reviewed to provide a full background of past and future plans for the City.

### Deliverables

- Data Inventory
- Traffic Counts in PDF format

## 2.4 Existing Conditions Analysis

The Consultant shall determine existing level of service conditions in the study area for the PM peak hour conditions. Synchro software will be used to perform the analysis in conformance with the Highway Capacity Manual procedures. An analysis of train crossings will be performed to quantify the affects on the transportation system. The Consultant shall identify and document existing safety and operational problems on local roadways, state highways and I-5 within the study area.

A traffic simulation model (VISSIM) will also be prepared for the study area and calibrated to existing conditions. Level of service data will be summarized from the simulation output. It is the Consultant's opinion that the simulation model will be necessary to prove the need for I-5 Interchange modifications or additions in addition to any arterial/collector street improvements. An existing conditions model must be prepared to set the stage for the future no-action and action alternative evaluations.

### Assumptions

- Synchro model will use the parameters accepted by the City
- Existing VISSIM model will be calibrated against the observed SR 528 and SR529 corridor travel time

### Deliverables

- A Synchro Model that includes existing counts, roadway geometry and signal timing.
- A calibrated existing condition VISSIM simulation model and results including both animation and output summary.

## 2.5 Future Travel Forecasting

Based on the travel demand model developed through the City's transportation comprehensive plan update, the Consultant shall forecast the future (2035) PM peak hour traffic conditions for the no-action and baseline configuration alternatives. The PSRC model will be utilized to ensure the regional modeling assumptions are reflected in the project's travel demand modeling task.

### Assumptions:

- The baseline configuration information will be provided by the City from the transportation comprehensive plan update.
- The Consultant will conduct traffic forecasting for up to six alternatives.
- The City and the consultant will meet to discuss the assumptions for future travel forecasting

### Deliverables

- Assumptions for Different Alternatives
- Forecast future 2035 no build volumes based on all programmed transportation projects in the area and all future land use assumptions
- Forecasted Traffic Volumes Exported Into Synchro Files

## 2.6 Future Conditions Analysis

The Consultant shall complete a Synchro analysis of the no-action and up to four (4) build alternatives. Level of service and delay findings will be summarized in conformance with Highway Capacity Manual methods for use in the technical documentation.

VISSIM Simulation analysis will be conducted for the no-action and baseline alternatives for the local network between I-5 and the City Center. Operational measures will be summarized for each alternative. Visualizations will be prepared for the alternatives for use in stakeholder meetings and council presentation.

The Consultant will build 2035 PM peak hour no action Synchro and VISSIM models. The Consultant will use these two models to identify all the future deficiencies of both intersections and roadway segments.

The Consultant will work with the stakeholders and the project manager to brainstorm the possible local street projects to address all future deficiencies. After the screening process, a refined local street improvement list will be developed that includes the feasible projects and those can provide measurable benefits as demonstrated through initial testing. Based on the refined local street improvements agreed by the stakeholders, the Consultant will build both VISSIM and Synchro models for the refined local street impotents to quantify the impacts.

If the local street options can fix the problems, the project will not proceed with interchange analysis. If the local street options cannot fix the problems, the Consultant will work with the stakeholders to brainstorm the list of possible interchange improvement projects. The alternatives will be incorporated into and evaluated using VISSIM simulation models based on the traffic forecasted traffic demand in Section 2.5.

The consultant will present the results of both local street improvement options and interchange alternatives to the stakeholders to seek the acceptable alternatives that can be carried through for the future IJR study.

### Assumptions

- Synchro analysis will include iterations of analysis as alternative street improvements are tested for overall applicability and benefit.
- Simulation analysis will be necessary to evaluate congestion and freeway ramp operations. Level of service will be reported in conformance with the Highway Capacity Manual.

### Deliverables

- Copies of Synchro files and VISSIM (animation files) for all options presented in the stakeholder meetings on DVDs.

## 2.7 Traffic Analysis Section Summary

The Consultant shall provide a final, comprehensive Traffic Analysis Section in the final report documenting all significant findings and decisions developed in work elements 2.1 through 2.6. The Traffic Analysis Section will document the agreed to baseline configuration and different local improvement and freeway alternative by the stakeholders. It will also document any assumptions or changes to assumptions made as a result of input from stakeholders, regulatory agencies and the public.

The Traffic Analysis Section Summary will specifically discuss whether baseline configuration improvements to local roadways and non-interstate state highways would be sufficient to address the access deficiencies between I-5 and the City Center. It will further discuss whether consideration of improvements to interchanges on I-5 are necessary to adequately address those same access deficiencies.

### Assumptions

- The City, WSDOT and FHWA will reach consensus on feasible baseline configuration

### Deliverables

- One draft Traffic Analysis Chapter for review and comment.
- One final Traffic Analysis Chapter, for approval.

## Element 3.0 Regulatory Analysis

The Regulatory Analysis work element of the I-5 to City Center Access Study shall identify, assess and document the environmental and regulatory conditions and issues that may affect the no-action and baseline alternatives developed in this project. This element includes the following sub-elements:

### 3.1 Environmental Overview

The Consultant shall conduct a brief environmental overview of the no-action and baseline configuration alternatives as identified and developed in work element 2. The overview is intended to identify any potential environmental issues that may affect project development, or result in potential fatal flaws or areas of concern. The overview shall include an evaluation of the study area to determine the presence of potential fatal flaws for wetlands, critical habitat areas, cultural resources, hazardous materials, land use, and parks and recreation as an initial step.

The Consultant shall prepare a brief Environmental Overview Section of the final report documenting any environmental issues identified for each of the alternatives presented, and summarizing any conclusions or findings developed from review of the alternatives.

### Assumptions

- Up to two (2) alternatives will be presented Environmental Overview Section
- The City and WSDOT will review and comment one time on the EOM.
- One revision will be made to the draft to create the final EOM.

### **Deliverables**

- Collection and review of studies and plans if any.
- One draft Environmental Overview for review and comment.
- One final Environmental Overview for approval.

### **3.2 Regulatory Review and Recommendations**

Based upon the results of Work Element 3.1, the Consultant, in coordination with the City and WSDOT, shall review the level of environmental documentation that may be needed for NEPA and SEPA compliance. The Consultant shall estimate the duration of the documentation process and the amount of agency coordination required. The Consultant shall identify additional environmental studies that might be needed at this stage in alternatives identification and development.

The Consultant shall review and compile a list of local, state, and federal permits that may be required. A brief description and timeline shall be presented as a Regulatory Matrix (RM).

### **Assumptions**

- Up to two (2) alternatives will be reviewed and presented in the matrix.
- One meeting with City staff and project team members to identify environmental documentation requirements.
- The City and WSDOT will review and comment one time on the RM.
- One revision will be made to the draft to create the final RM.

### **Deliverables**

- One draft RM for review and comment.
- One final RM for approval.

Element 4.0 is removed per city's direction.

## **Element 5.0 Study Report**

The Study Report work element of the I-5 to City Center Access Study will document and summarize all relevant study information in a single, comprehensive City Center Access Study - Phase 1 Report. This element includes the following sub-elements:

### **5.1 Feasibility Report & Executive Summary**

The Consultant shall prepare an I-5 to City Center Access Study - Phase 1 Report. The Study Report will be a comprehensive report that documents and summarizes all significant data, memos, findings and recommendations developed in work elements 1.0 through 4.0. The Consultant shall develop and include overall study findings and recommendations that integrate and build upon all previous study findings and recommendations.

An Executive Summary will be prepared for submittal with the final Study Report. The document will condense the project findings and recommendations into three or four pages.

### **Assumptions**

- The City will review and comment up to two times on the study report.
- Up to two revisions will be made to create the final report.
- One final Study Report will be submitted for approval.

### **Deliverables**

- First draft report for review and comment.
- Second draft for review and comment.
- Final Study Report for approval and use.
- Final compilation of all deliverable models and electronic simulations on DVD(s).
- Executive Summary

**CITY OF MARYSVILLE**

**EXECUTIVE SUMMARY FOR ACTION**

**CITY COUNCIL MEETING DATE: February 9, 2009**

AGENDA ITEM: Removal of garbage containers and sporting equipment from city rights of way – Amendments to Chapter 7.08 and 12.40 of the Marysville Municipal Code	AGENDA SECTION: Ordinances
PREPARED BY: John A. Cowling, PE, Asst. Public Works Director/City Engineer	APPROVED BY: 
ATTACHMENTS: 1. Draft Ordinance (strikeout-underline format) 2. Ordinance (final form)	
	MAYOR      CAO
BUDGET CODE:	AMOUNT:

**DESCRIPTION:**

As part of the recently proposed amendments to the code enforcement and nuisance regulations, Public Works has reviewed and identified two sections of code where improvements are beneficial. The proposed revisions relate to removal of garbage containers in a timely manner and sporting equipment from city rights of way. The goal of the revisions is to better define the removal requirements of these items for a clear unobstructed right of way.

**RECOMMENDED ACTION:** Staff recommends that council authorize the Mayor to sign the proposed ordinance.

**COUNCIL ACTION:**

CITY OF MARYSVILLE  
Marysville, Washington

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

AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON AMENDING PORTIONS OF ORDINANCE 616 AS AMENDED AND ORDINANCE 1456-A , PROVIDING FOR REMOVAL OF GARBAGE CONTAINERS AND SPORTING EQUIPMENT FROM CITY RIGHTS OF WAY AND AMENDING CHAPTERS 7.08 AND 12.40 OF THE MARYSVILLE MUNICIPAL CODE.

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

Section 1. Chapter 7.08 of the Marysville Muncpal Code is hereby amended by amending MMC 7.08.065 to read as follows:

7.08.065 Accessibility of containers.

(1) On the day of collection, it shall be the duty of each garbage customer to place all garbage containers, excess garbage containers, recycling carts and yard waste collection carts in an accessible place abutting the street or alley used by the city garbage trucks to service the subject property.

(a) The garbage containers, excess garbage containers, and carts shall be situated at the edge of the public right-of-way, or at the curblin if such exists.

(b) Place all carts with lids opening toward roadway.

(c) Maintain at least two feet of clearance between each cart, can, or container.

(2) Arrangements may be made for special collection sites for handicapped persons, multiple-family complexes, and commercial and industrial customers. Special collection procedures that involve "additional" or "extra" service may be charged for such service per MMC 7.08.120, Special services performed by city – Owner's cost.

(3) On the day of collection, garbage containers or other receptacles shall be removed by the customer from inaccessible places or underground storage. In the event that any garbage container or other receptacle is inaccessible to the collector, the city shall refuse collection service. Such refusal shall not relieve the customer of the obligation to pay the regular service fee. If the customer wishes to schedule the garbage container or other receptacle to be emptied which was refused service because of inaccessibility, the customer shall be billed an amount equal to an extra pick-up commensurate with their current level of service, as noted in MMC 7.08.110, Rate schedule. This does not relieve the customer of the obligation to pay the regular service fee.

(4) On the day of collection, after the garbage is collected it shall be the duty of each garbage customer to remove all garbage containers from the accessible place abutting the street or alley as referenced in Subsection (1) of this Section. Any container not so removed within two business days may be removed by the utility, and a fee will be charged to redeliver the container.

(Ord. 2540 § 1, 2004; Ord. 1849 § 3, 1991; Ord. 1822 § 10, 1991; Ord. 1253 § 1, 1982; Ord. 616 § 2, 1968).

Section 2. Chapter 12.40 of the Marysville Muncipal Code is hereby amended by amending MMC 12.40.010 to read as follows:

12.40.010 Duty to maintain clean, uncluttered, and safe right-of-way.

No person or party shall willfully or negligently cause or allow any (1) dirt, mud, rocks, vegetation, leaves, grease, oil or other foreign material or substance, or (2) basketball standards, hockey standards, skateboard ramps, or other such sporting equipment, to be deposited, stored, abandoned, discharged or spread on any public street, alley, sidewalk, ~~or other public~~ right-of-way in the city. (Ord. 1456-A, 1986).

Section 3. Severability.

If any word, phrase, sentence, provision, or portion of this ordinance is declared to be invalid or unenforceable, it shall not affect validity or enforceability of the remaining words, phrases, sentences, provisions or portions of this ordinance.

PASSED by the City Council and APPROVED by the Mayor this \_\_\_\_ day of \_\_\_\_\_, 2009.

CITY OF MARYSVILLE

By \_\_\_\_\_  
DENNIS KENDALL, MAYOR

ATTEST:

By \_\_\_\_\_  
TRACY JEFFRIES, CITY CLERK

Approved as to form:

By \_\_\_\_\_  
GRANT K. WEED CITY ATTORNEY

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

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

CITY OF MARYSVILLE  
Marysville, Washington

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

AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON AMENDING PORTIONS OF ORDINANCE 616 AS AMENDED AND ORDINANCE 1456-A , PROVIDING FOR REMOVAL OF GARBAGE CONTAINERS AND SPORTING EQUIPMENT FROM CITY RIGHTS OF WAY AND AMENDING CHAPTERS 7.08 AND 12.40 OF THE MARYSVILLE MUNICIPAL CODE.

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

Section 1. Chapter 7.08 of the Marysville Muncipal Code is hereby amended by amending MMC 7.08.065 to read as follows:

7.08.065 Accessibility of containers.

(1) On the day of collection, it shall be the duty of each garbage customer to place all garbage containers, excess garbage containers, recycling carts and yard waste collection carts in an accessible place abutting the street or alley used by the city garbage trucks to service the subject property.

(a) The garbage containers, excess garbage containers, and carts shall be situated at the edge of the public right-of-way, or at the curblin if such exists.

(b) Place all carts with lids opening toward roadway.

(c) Maintain at least two feet of clearance between each cart, can, or container.

(2) Arrangements may be made for special collection sites for handicapped persons, multiple-family complexes, and commercial and industrial customers. Special collection procedures that involve "additional" or "extra" service may be charged for such service per MMC 7.08.120, Special services performed by city – Owner's cost.

(3) On the day of collection, garbage containers or other receptacles shall be removed by the customer from inaccessible places or underground storage. In the event that any garbage container or other receptacle is inaccessible to the collector, the city shall refuse collection service. Such refusal shall not relieve the customer of the obligation to pay the regular service fee. If the customer wishes to schedule the garbage container or other receptacle to be emptied which was refused service because of inaccessibility, the customer shall be billed an amount equal to an extra pick-up commensurate with their current level of service, as noted in MMC 7.08.110, Rate schedule. This does not relieve the customer of the obligation to pay the regular service fee.

(4) On the day of collection, after the garbage is collected it shall be the duty of each garbage customer to remove all garbage containers from the accessible place abutting the street or alley as referenced in Subsection (1) of this Section. Any container not so removed within two business days may be removed by the utility, and a fee will be charged to redeliver the container.

(Ord. 2540 § 1, 2004; Ord. 1849 § 3, 1991; Ord. 1822 § 10, 1991; Ord. 1253 § 1, 1982; Ord. 616 § 2, 1968).

Section 2. Chapter 12.40 of the Marysville Municipal Code is hereby amended by amending MMC 12.40.010 to read as follows:

12.40.010 Duty to maintain clean, uncluttered, and safe right-of-way.

No person or party shall willfully or negligently cause or allow any (1) dirt, mud, rocks, vegetation, leaves, grease, oil or other foreign material or substance, or (2) basketball standards, hockey standards, skateboard ramps, or other such sporting equipment, to be deposited, stored, abandoned, discharged or spread on any public street, alley, sidewalk, or right-of-way in the city. (Ord. 1456-A, 1986).

Section 3. Severability.

If any word, phrase, sentence, provision, or portion of this ordinance is declared to be invalid or unenforceable, it shall not affect validity or enforceability of the remaining words, phrases, sentences, provisions or portions of this ordinance.

PASSED by the City Council and APPROVED by the Mayor this \_\_\_\_ day of \_\_\_\_\_, 2009.

CITY OF MARYSVILLE

By \_\_\_\_\_  
DENNIS KENDALL, MAYOR

ATTEST:

By \_\_\_\_\_  
TRACY JEFFRIES, CITY CLERK

Approved as to form:

By \_\_\_\_\_  
GRANT K. WEED CITY ATTORNEY

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

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

**CITY OF MARYSVILLE**

**EXECUTIVE SUMMARY FOR ACTION**

**CITY COUNCIL MEETING DATE: February 9, 2009**

AGENDA ITEM: 67 <sup>th</sup> Ave NE and 44 <sup>th</sup> St NE Road Widening Improvements - <i>Condemnation Ordinance</i>	AGENDA SECTION: New Business	
PREPARED BY: Jeff Laycock, P.E., Project Engineer	APPROVED BY:  	
ATTACHMENTS: • Ordinance with Exhibit "A" Legal Description and Exhibit "B" Parcel Sketch		
	MAYOR	CAO
BUDGET CODE: 10110070.541000	AMOUNT: N/A	

**DESCRIPTION:**

On Wednesday, January 24, 2009, City staff initiated property acquisition at 6709 44<sup>th</sup> St NE for the widening of the roadway at the corner of 67<sup>th</sup> Ave NE and 44<sup>th</sup> St NE — for the purposes of increasing the turning radius to accommodate emergency vehicles.

Fair market value compensation, in the form of an administrative offer summary, was offered to the property owner.

The enclosed ordinance will allow the City to exercise eminent domain for the acquisition of property through condemnation proceedings.

**RECOMMENDED ACTION:**

Staff recommends that Council authorize the Mayor to approve the Ordinance authorizing the condemnation, appropriation, taking, and damaging of land and other property for the widening of roadway at the corner of 67<sup>th</sup> Ave NE and 44<sup>th</sup> St NE.

**COUNCIL ACTION:**

CITY OF MARYSVILLE  
Marysville, Washington

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

AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON AUTHORIZING THE CONDEMNATION, APPROPRIATION, TAKING AND DAMAGING OF LAND AT 6709 44th ST NE FOR THE WIDENING OF THE ROADWAY AT THE CORNER OF 67th AVE NE AND 44th ST NE

WHEREAS, the City Council of the City of Marysville (hereinafter the "City") finds as follows:

1. Public safety, convenience, use and necessity demand the widening of the right-of-way at the northeast corner of 67th Ave NE and 44th Ave NE, and subject to the property at 6709 44th St NE in order to meet the requirements of an increased turning radius for emergency vehicles.

2. The City has determined that it will be necessary to acquire property for the street widening, as more specifically described in **EXHIBIT "A"**, whereas shown on **EXHIBIT "B"**, attached hereto and incorporated herein by this reference.

3. The entire cost of the acquisition provided by this ordinance shall be paid by the following funds of the City:

Fund No. 101 (Street Fund)

or such other funds as may be provided by law.

4. The City may be unable to agree with the property owner upon the compensation to be paid for said property.

5. The City has authority pursuant to RCW 8.12 to acquire, if necessary, title to real property for public purposes.

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

1. The City is hereby authorized to condemn, appropriate, take and damage the real property located 6709 44th Ave NE as described in **EXHIBIT "A"**, whereas shown on **EXHIBIT "B"**,.

2. The use of the property described in **EXHIBIT "A"**, whereas shown on **EXHIBIT "B"**, is to widen the corner of 67th Ave NE and 44th St NE which is a permanent public use and is reasonably necessary for the purposes for which it is sought.

3. All land, rights, privileges and other property lying within the limits of the land described in **EXHIBIT "A"**, whereas shown on **EXHIBIT "B"**, are hereby condemned, appropriated, taken and damaged for the purpose of widening the corner of 67th Ave NE and 44th St NE. All land, rights, privileges and other property are to be taken, damaged and appropriated only after just compensation has been made, or paid into the court for the owner thereof in the manner provided by law.

4. The cost of the acquisition provided for by this ordinance shall be paid by the following funds of the City:

Fund No. 101 (Street Fund)

or such other funds as may be provided by law.

5. The City's attorneys should be and hereby are authorized and directed to begin and prosecute the actions and proceedings in a manner provided by law to carry out the provisions of this ordinance, and to enter into settlements to mitigate damages.

PASSED by the City Council and APPROVED by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

CITY OF MARYSVILLE

By \_\_\_\_\_  
MAYOR

ATTEST:

By \_\_\_\_\_  
CLERK

Approved as to form:

By \_\_\_\_\_  
CITY ATTORNEY

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

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

## **EXHIBIT "A"**

That portion of Lot B of Snohomish County Short Plat No. SP 262 (6-79) as recorded under Auditor's File No. 7907160365, Records of Snohomish County, Washington, being a portion of the southwest quarter of the southwest quarter of the southwest quarter of Section 35, Township 30 North, Range 5 East, W.M., defined as follows:

Beginning at the southwest corner of the above described property; thence North  $00^{\circ}38'52''$  East along the west line of said property a distance of 35.00 feet;

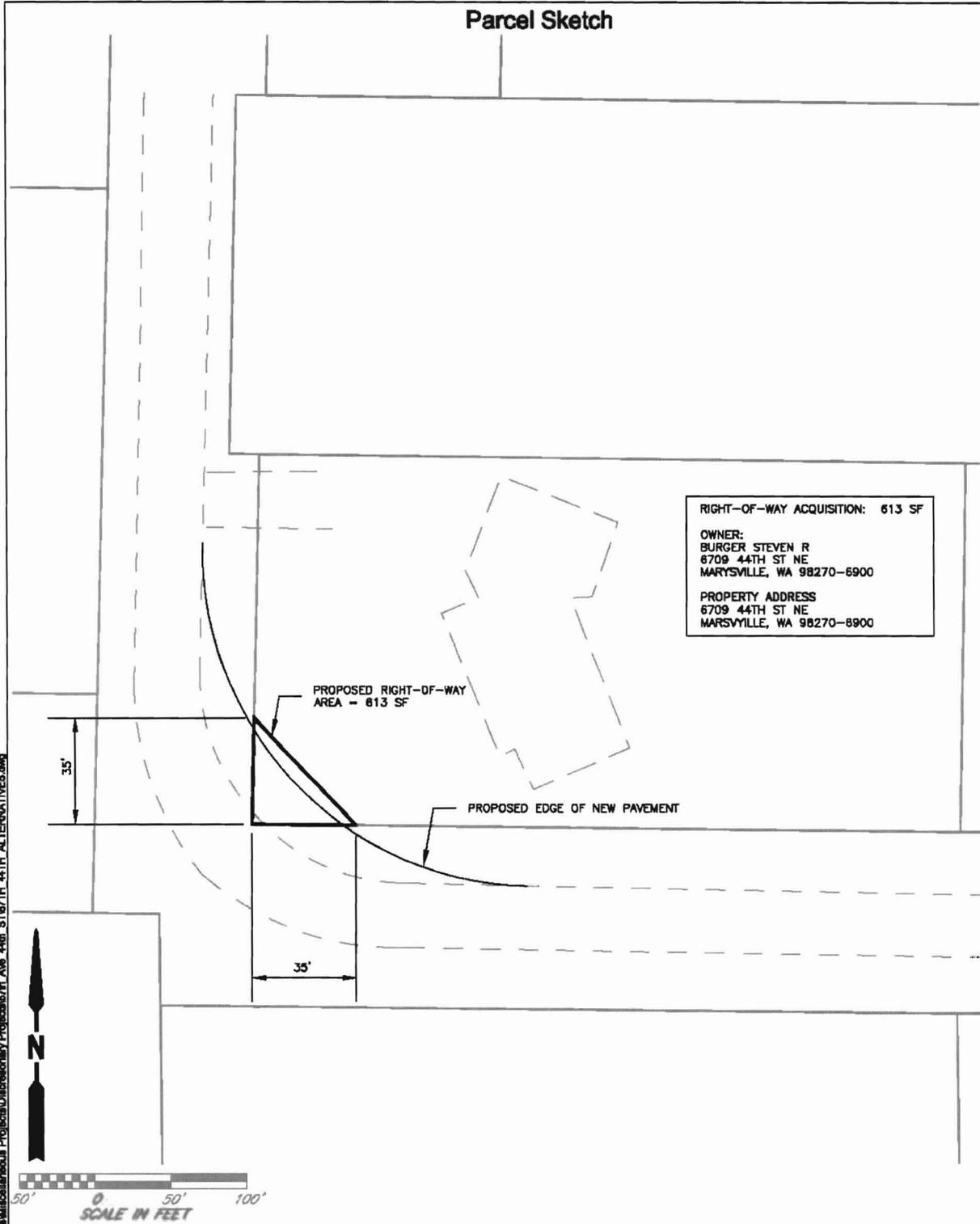
Thence South  $44^{\circ}40'55''$  East a distance of 49.21 feet to a point on the south line of said property lying 35.00 feet east of the southwest corner thereof;

Thence South  $89^{\circ}59'17''$  West along said south line a distance of 35.00 feet to the point of beginning;

Comprising 612.43 square feet in area.

# EXHIBIT "B"

## Parcel Sketch



67th and 44th Improvements

CITY OF MARYSVILLE  
PUBLIC WORKS DEPARTMENT  
80 COLUMBIA AVE MARYSVILLE, WA 98270 (360) 363-8100

RIGHT-OF-WAY EXHIBIT MAP

PARCEL NO.  
30053500302900

12/22/08  
DATE

1 of 1  
NUMBER