

Marysville City Council Work Session

July 2, 2012

7:00 p.m.

City Hall

Call to Order

Pledge of Allegiance

Roll Call

Committee Reports

Presentations

Discussion Items

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

1. Approval of June 25, 2012, City Council Meeting Minutes.

Consent

2. Approval of the June 20, 2012, Claims in the Amount of \$1,178,111.74; Paid by Check Number's 77907 through 78071 with Check Number's 77352 and 77715 Voided.
3. Approval of June 27, 2012, Claims in the Amount of \$1,668,939.80; Paid by Check Number's 78072 through 78218 with Check Number 76241 Voided.
4. Approval of the June 20, 2012 Payroll in the Amount of \$940,067.24; Paid by Check Number's 25575 through 25631.

Review Bids

Public Hearings

New Business

5. Interlocal Agreement to Contract for Cooperative Purchasing with Houston-Galveston Area Council (HGAC).
6. A **Resolution** of the City of Marysville Amending Bid and Purchasing Policy and Repealing Resolution No. 2313.
7. An **Ordinance** of the City of Marysville, Washington, Relating to the Regulation of Special Events; Repealing Current Chapter 5.46 Special Events of Title 5 Business Licenses and Regulations and Adopting a New Chapter 5.46 Special Events.
8. An **Ordinance** of the City of Marysville, Washington, Authorizing the Condemnation, Appropriation, Taking and Damaging of Land and Other Property for Purposes of Constructing Utilities adjacent to Soper Hill Road between 87th Avenue N.E. and 83rd Avenue N.E.

Marysville City Council Work Session

July 2, 2012

7:00 p.m.

City Hall

New Business

9. An **Ordinance** of the City of Marysville, Washington, Amending the 2012 Budget and Providing for the Increase of Certain Expenditure Items as Budgeted for in Ordinance No. 2881 as Amended.
- 10A. An **Ordinance** of the City of Marysville, Washington, Relating to Development Impact Fees; Amending Section 22D.020.030 OF MMC Chapter 22D.020 to Provide an Option for Deferral of Park, Recreation, Open Space and Trail Impact Fees; Amending Section 22D.030.070 OF MMC Chapter 22D.030 to Provide an Option for Deferral of Traffic Impact Fees; and Amending Section 22D.040.060 OF MMC Chapter 22D.040 to Provide an Option for Deferral of School Impact Fees.
- 10B. An **Ordinance** of the City of Marysville, Washington, Relating to Sewer and Water Connection Charges for Commercial, Industrial and Multi-Family Residential Developments; and Amending Section 14.07.010 of MMC Chapter 14.07 Fees, Charges and Reimbursements to Provide an Option for Deferring Payment of Sewer and Water Connection Charges for Commercial, Industrial and Residential Development, and Setting a Sewer and Water Connection Charge for Multi-Family Residential Development.
- 10C. An **Ordinance** of the City of Marysville, Washington Adopting a New Chapter 22J.090 of the Marysville Municipal Code Entitled "Industrial Pilot Program Creating Incentives for Living Wage Jobs" and Adding Sunset and Severability Provisions.
- 10D. An **Ordinance** of the City of Marysville, Washington Amending MMC 22D.030.070 by Adding a New Subsection (4) Related to Adoption of a Temporary Enhanced Discount to Traffic Mitigation Fees for New Construction of Industrial and Commercial Development.

Legal

Mayor's Business

11. Community Development Block Grant (CDBG) Appointments

Staff Business

Call on Councilmembers

Executive Session

A. Litigation

B. Personnel

C. Real Estate

Marysville City Council Work Session

July 2, 2012

7:00 p.m.

City Hall

Adjourn

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

Work Sessions are for City Council study and orientation - Public Input will be received at the July 9, 2012, City Council meeting.

Index #1

Call to Order/Pledge of Allegiance/Roll Call	7:00 p.m.
Presentations	
Employee Service Awards: <ul style="list-style-type: none"> • Tracy Jacobsen, Program Specialist, Courts – 5 Years • Maryke Burgess, Recreation Coordinator, Parks – 10 Years 	Presented
Approval of Minutes	
Approval of June 4, 2012, City Council Work Session Minutes.	Approved
Approval of June 11, 2012, City Council Meeting Minutes.	Approved
Consent Agenda	
Approval of the June 13, 2012, Claims in the Amount of \$1,233,073.90; Paid by Check Number's 77739 through 77906.	Approved
Review Bids	
Public Hearing	
Public Hearing to Consider a Six Year Transportation Improvement Plan (2013 - 2018).	Held
A Resolution of the City of Marysville Adopting a Six Year Transportation Improvement Program (2013-2018) in Accordance with RCW 35-77-010.	Approved Res. No. 2326
New Business	
Acceptance of the LED Street Lighting Retrofit Project with Totem Electric, Starting the 45-Day Lien Filing Period for Project Closeout.	Approved
Professional Services Agreement for Child Interview Specialist Service with Snohomish County Child Advocacy Center d/b/a/ Dawson Place.	Approved
Lease Agreement between the City of Marysville and Yamaha Motor Company for Ten Gas Powered Carts.	Approved
Application for the Greater Marysville Artists' Guild to Conduct an Outdoor Art Festival at Comeford Park July 28-29, 2012.	Approved
Legal	
Mayor's Business	
Staff Business	
Call on Councilmembers	
Adjournment	8:34 p.m.
Executive Session	8:45 p.m.
Litigation – one item	
Adjournment	9:00 p.m.



Regular Meeting
June 25, 2012

Call to Order / Pledge of Allegiance

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

Roll Call

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

Mayor Pro Tem: Jeff Vaughan

Council: Steve Muller, Carmen Rasmussen, Jeff Seibert, Michael Stevens, Rob Toyer, and Donna Wright

Also Present: Chief Administrative Officer Gloria Hirashima, Finance Director Sandy Langdon, Police Chief Rick Smith, City Attorney Grant Weed, Public Works Director Kevin Nielsen, Parks and Recreation Director Jim Ballew, Community Information Officer Doug Buell, Recording Secretary Laurie Higdahl.

Committee Reports

Councilmember Carmen Rasmussen reported on the June 20 meeting of the Marysville Fire District Board of Directors.

- Battalion Chief Goodall was honored at the meeting with his National Fire Academy Executive Fire Officer Completion Certificate.
- There was a discussion on Tribal Gaming Impact Funds.
- There was a discussion and a presentation about mobile data computers which the Fire District is moving to put into all of the units.
- It was reported that a Fire District candidate is going to paramedic training this year.
- The Fire District is working on preparing a 2012 Assistance to Firefighters grant request.
- The 2011 Annual Report was approved. Copies will be distributed to the Council.
- There was an update on the SAFER Grant hiring. Replacement fire fighters will be hired by August 1. The union is satisfied with the way the process went.

Councilmember Seibert reported on the June 13 Snohomish County Solid Waste Advisory Committee meeting where the following items were discussed:

- There was a recommendation to extend the current contract with Republic Service (formerly Allied) for four years plus one year to allow time for an RFP.
- The Southwest Transfer station is closing for the last three weeks in August for repairs.
- There was a presentation about the revenue sharing agreements with Republic Service and Waste Management.

Presentations

A. Employee Services Awards

The following employees were recognized for their service to the City:

- Tracy Jacobsen, Program Specialist, Courts – 5 Years
- Maryke Burgess, Recreation Coordinator, Parks – 10 Years

Audience Participation

Craig Wells, 1048 State Avenue, Owner of Marysville Laundry Station, complained about transients camping in the vacant house at 1044 Columbia next to the skate park and using the Laundry Station as their bathroom and shower. He requested that the City take whatever action is possible to remedy the situation. This is an ongoing issue that has escalated lately. Chief Smith stated that the police have been following up on this and they will continue to patrol that area. Code enforcement will also be involved. CAO Hirashima added that they would also try to contact the property owners. Mr. Wells commended the City overall for the job that they do.

Ron Lambert, 5900 64th Street NE, Space 76, commended the police on the success of the Burglary Strike Team. He then requested increased enforcement on drivers using cell phones and boom boxes in cars. Chief Smith stated that they have been and will continue writing tickets for traffic-related issues. Mr. Lambert then complained about the odor from Cedar Grove. He reported that he has called Puget Sound Clean Air 14 times last month and 7 times this month complaining about the odor. Commissioner Muller encouraged him and others to keep calling. Mr. Lambert expressed interest in getting a class action suit going about this. He distributed a copy of “Marysville Stink” to the Council and staff.

Helen Gerads, 6605 83rd Ave NE, Marysville, commended the City for its ordinance regarding chickens. She applauded a limit on chickens, but thought that that six might be too many. She expressed concern about the odor created by that number of chickens on such small lots within the City. CAO Hirashima said they would be closely tracking the issue and any complaints. If they get any complaints they will ask the owners to address the odor. If necessary, it will be brought back to Council for

reconsideration. Ms. Gerads discussed an issue she has with the odor of her neighbor's chickens.

Approval of Minutes

1. Approval of June 4, 2012, City Council Work Session Minutes.

Motion made by Councilmember Rasmussen, seconded by Councilmember Stevens, to approve the June 4, 2012 minutes as presented. **Motion** passed unanimously (7-0).

2. Approval of June 11, 2012, City Council Meeting Minutes.

Motion made by Councilmember Wright, seconded by Councilmember Stevens, to approve the June 11, 2012 minutes as presented. **Motion** passed unanimously (7-0).

Consent

3. Approval of the June 13, 2012, Claims in the Amount of \$1,233,073.90; Paid by Check Number's 77739 through 77906.

Motion made by Councilmember Rasmussen, seconded by Councilmember Muller, to approve Consent Agenda item #3. **Motion** passed unanimously (7-0).

Review Bids

Public Hearings

4. Public Hearing to Consider a Six Year Transportation Improvement Plan (2013 - 2018). A **Resolution** of the City of Marysville Adopting a Six Year Transportation Improvement Program (2013-2018) in Accordance with RCW 35-77-010.

John Cowling reviewed a summary of the Six-Year Transportation Improvement Plan (TIP). He explained that the cost of the total program over six years is \$298 million with an estimated program for 2012 of \$38 million. The funding sources of that \$38 are broken down as follows:

- \$10 million WSDOT
- \$571 thousand County
- \$18 million Tulalip Tribes
- \$1.8 million City
- \$6.9 million City unfunded
- \$1.1 million Grant funded

He described funding sources which include City funds (REET, Transportation mitigation fees, bonds) and others funds (Local Improvement Districts, federal grants, Safe Routes to School Program, Transportation Improvement Board, SAFETEA-LU, and Surface Transportation Program (STP)). Projects that are expected to be

completed in 2012 include: 156th Street overcrossing; 51st Avenue - 84th Street NE to 88th Street NE; and SR 9/SR 92 Break in Access.

New Projects on the TIP this year include the following:

- Marshall Elementary Safe Routes Project
- Sunnyside Elementary Safe Routes Project
- Citywide Intersection Safety Improvements
- State Ave/Smokey Pt. Blvd -116th Street to 174th Place
- State Ave – 1st Street NE to 88th Street NE
- 156th Interchange Project
- State Avenue Overlay Project

Notable projects scheduled for next year include:

- 53rd Ave NE/SR 528 Intersection – This will be funded with STP grant funds with a small match from the City. It will be a new signal, including signal cabinets, video detection, and crosswalk provisions. Completion of this project will provide better access into Jennings Park.
- 156^h Street NE Interchange – This project would convert it to a SPUI (Single-Point Urban Interchange). The initial funding that staff will be seeking will be for the Interchange Justification Report with WSDOT. This will provide additional access from I-5 into the Lakewood Triangle. It also gives the City a new access point that avoids the BNSF mainline in the north end.
- SR 528/I-5 Interchange Additional Lanes – We are hoping to secure funds for this project which would create additional lanes under I-5 at SR 528. A downtown access study was done and this was a feasible option to increase capacity at that interchange. Initial funding would be to design the project and right-of-way acquisition.

Mr. Cowling explained that most of what has been on the TIP for the last few years has not changed.

Councilmember Toyer asked about the cost of SR 528/I-5 Interchange. Mr. Cowling replied that construction is estimated at \$18 million. Design and right-of-way would be around \$1.8 million. This project is currently unfunded.

Councilmember Seibert referred to the SR 528/I-5 Interchange and asked about constructing it as a SPUI since they will be adding lanes. Mr. Cowling explained that they looked at that as well as other options, but it is not feasible with the current structure. The current proposal is the most cost effective. Mr. Cowling explained that the benefit of doing it this way is that they can phase the project to make it more financially manageable. Councilmember Seibert asked about the timeline and process for getting on ramps and off ramps for 156th Street. Mr. Cowling replied that it is an 8 to 10 year process to get an Interchange Justification Report (IJR) through the construction cycle. Getting that in as an overcrossing first, which is designed so that we can add onto it for interchanges, is the best step we could take at this time to get access over there to start

addressing some of the congestion on 172nd while still being able to move forward with the IJR process.

Mayor Pro Tem Vaughan solicited public comments at 7:46 p.m.

Public Testimony:

Helen Gerads, 6605 83rd Ave NE, Marysville, stated that she had already spoken with John Cowling about her concerns. She expressed additional concerns for safety on city streets near Wal-Mart. When the Growth Management Act was enacted there wasn't plans for a high school at the end of 83rd. She is concerned about traffic and speeding on 83rd where many children walk to school.

John Cowling replied that the corridor she referred to is something they are continuing to study. Staff is doing modeling right now to look at how modifications to Getchell Hill Road would affect the area. They are also discussing this with the school district. Staff hopes to have some additional traffic counts in the next month or so. Staff is also looking at signage and school zone issues. Chief Smith added that this past year the police stepped up the enforcement in that area especially in the mornings and the afternoons when kids are present.

Seeing no further public comments, the public testimony portion of the hearing was closed at 7:52 p.m.

Motion made by Councilmember Seibert, seconded by Councilmember Wright, to adopt Resolution No. 2326. **Motion** passed unanimously (7-0).

New Business

5. Acceptance of the LED Street Lighting Retrofit Project with Totem Electric, Starting the 45-Day Lien Filing Period for Project Closeout.

Director Nielsen stated that this is a very positive project. There was no cost for construction for the City, but the annual cost savings in power costs is \$5,000.

Motion made by Councilmember Muller, seconded by Councilmember Toyer, to approve authorize the Mayor to accept the LED Street Lighting Retrofit Project with Totem Electric, Starting the 45-Day Lien Filing Period for Project Closeout. **Motion** passed unanimously (7-0).

6. Professional Services Agreement for Child Interview Specialist Service with Snohomish County Child Advocacy Center d/b/a/ Dawson Place.

Chief Smith said this is a PSA to provide child interview specialists. He discussed the need for this position and encouraged the Council to support it.

Motion made by Councilmember Rasmussen, seconded by Councilmember Wright, to authorize the Mayor to sign the Professional Services Agreement for Child Interview Specialist Service with Snohomish County Child Advocacy Center d/b/a/ Dawson Place. **Motion** passed unanimously (7-0).

7. Lease Agreement between the City of Marysville and Yamaha Motor Company for Ten Gas Powered Carts.

Director Jim Ballew reviewed the necessity of this lease and plans for the existing carts. Dave Castleberry added that the cart fleet is in dire need of replacement since they have had 30 of them for almost 10 years. The vast majority of their fleet is outdated and it is the biggest source of complaints at the golf course. Staff is confident that Yamaha golf carts would provide better service to golf course customers. It was noted that the lease agreement should state that the term of the lease is 72 months.

Motion made by Councilmember Rasmussen, seconded by Councilmember Muller, to authorize the Mayor to sign the Lease Agreement between the City of Marysville and Yamaha Motor Company for Ten Gas Powered Carts for delivery in July 2012 with a lease term of 72 months. **Motion** passed unanimously (7-0).

8. Application for the Greater Marysville Artists' Guild to Conduct an Outdoor Art Festival at Comeford Park July 28-29, 2012.

CAO Hirashima reviewed this item. Councilmember Muller asked if this is a *Music in the Park* day. Director Ballew replied that it is not.

Motion made by Councilmember Wright, seconded by Councilmember Stevens, to approve the application for the Greater Marysville Artists' Guild to Conduct an Outdoor Art Festival at Comeford Park July 28-29, 2012. **Motion** passed unanimously (7-0).

Mayor's Business - None

Staff Business

Jim Ballew:

- Camps started today in Parks and Rec.
- He appreciated awarding Maryke for her 10 years of service.
- The first outdoor movie begins July 7. The first movie will be *Hoodwinked*.
- Staff will be submitting a CDBG Grant Application this week for two projects. One will be for Public Works and one for Parks. Parks is putting in for Phase 1 of the Comeford Park improvements which would include fencing and landscape improvements to be ready for a spray park project. Public Works is putting in for sidewalk improvements on 10th Street and ADA landings.
- The Strawberry Festival review meeting will be held tomorrow night. He solicited any comments to pass along at the review meeting. He thanked Carmen Rasmussen for joining him on the grandstand for the Strawberry Festival.

Chief Smith:

- Strawberry Festival – There were no issues with the beer garden. During the event there was one erratic driver, one drunk juvenile, a drunk adult, one lost wallet, one lost (and found) child, one civil issue on a vehicle, one aid call and one assault call at Comeford Park. He commended public works, parks, and Strawberry Festival crews for working with the police to make the event go so well.
- He and Sandy Langdon attended a SnoPac Board meeting last week. There will be a minimal increase to assessment.
- Fireworks enforcement has begun. Police have already written one citation and will continue to enforce this issue.
- Burglary Strike Team – The police received very good reviews from *The Herald* and *The Globe*. Lt. Rasmussen did a great job meeting with the media. He is very proud of the Burglary Strike Team's efforts. The police continue to make additional arrests, recover property and clear cases. It has been wonderful to have the officers work with the community.

Kevin Nielsen:

- Staff has been doing some beaver deceivers around town which limit the amount of flooding.
- There was consensus to postpone the July Public Works meeting to September.
- Staff spent the afternoon with the Army Corps of Engineers regarding the Qwuloolt project. They will be going out to bid next month to start building the dykes.
- The Wastewater Treatment Plant received an award from DOE for another year.

John Cowling referred to the fact that a lot of the projects on the TIP are being designed and managed in house. Having in-house "consulting" is saving the City significant money.

Grant Weed:

- State Supreme Court handed down standards for attorneys who provide indigent defense services. The rule applies statewide and has some far-reaching effects and significant potential for financial effects. He is in the process of trying to better understand what it will mean for Marysville and will report to Council in the near future.
- He stated the need for an Executive Session concerning potential litigation for 15 minutes with no action requested.

Gloria Hirashima:

- The City is opening up the Tourism (Hotel/Motel) Grant cycle for 2012-13 and will be taking applications through July 20. All parties that have expressed interest in the past have been mailed applications. Notice and applications were also posted on the website.
- A Blazing Onion is under construction on 116th.

- Some permits that are nearing completion and starting to request final inspection include The Everett Clinic at Lakewood and the Marysville Special Care Center at Grove and Cedar.
- Thanks to all the departments. The Strawberry Festival went off very smoothly.
- The Burglary Strike Team continues to do great work.
- Thanks to Public Works for the Transportation Improvement Plan work as well as the Wastewater Treatment Plant award.

Sandy Langdon stated that she thinks that staff has provided everything to the auditors that they need. She will inform Council when the exit conference is scheduled.

Call on Councilmembers

Carmen Rasmussen:

- The Strawberry Festival was great although the weather could have been better.
- She requested notification regarding the Hotel Motel grant meeting so that she could request time off work.

Steve Muller said the Strawberry Festival was great. He enjoyed the music, but it would have been nice to have more connectivity with the beer garden.

Rob Toyer:

- He enjoyed the Strawberry Festival. Jim Ballew and Carmen Rasmussen did a great job on the commentary. It was very entertaining and a great show of public safety.
- He had a citizen contact him about the long turnaround to get fingerprinting results back. Chief Smith explained that it goes through Washington State Patrol and takes a long time for most cases.
- He had a business owner complain about closing 528 during Strawberry Festival.

Michael Stevens:

- He attended the Association of Washington Cities conference in Vancouver with Councilmember Wright, Doug Buell, and Tara Mizel. He enjoyed a wide variety of topics. He was pleased to learn that Marysville has a reputation among other cities for thriving. He expressed pride for the City's position.
- He requested an update on Hotel Motel Grant awards from last year to see where the projects are. CAO Hirashima indicated staff could provide a grant progress report.

Jeff Seibert commended Mayor Pro Tem Vaughan's work tonight.

Donna Wright:

- She also attended the Association of Washington Cities conference. The Mayor of Sammamish was elected President. Marysville again received a Well City Award. She attended a number of workshops. It was impressive that the Joint House and Senate Transportation Committee and the Local Government

Committee were meeting there. A number of people testified at the hearings at the conference.

- There will be something on Comcast about the Clean Sweep Week.
- Public Safety Committee will be meeting on Wednesday at 4:30.

Jeff Vaughan said he enjoyed the Strawberry Festival and especially being in the parade.

Mayor Pro Tem Vaughan recessed the meeting at 8:34 pm until 8:45 p.m. when they reconvened into Executive Session to discuss one potential litigation item. It was announced that the Executive Session would last 15 minutes with no action expected.

Executive Session

- A. Litigation – one item, RCW 42.30.110(1)(i)
- B. Personnel
- C. Real Estate

Adjournment

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

Approved this _____ day of _____, 2012.

Mayor
Jon Nehring

April O'Brien
Deputy City Clerk

Index #2

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: July 9, 2012

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

Please see attached.

RECOMMENDED ACTION:

The Finance and Executive Departments recommend City Council approve the **June 20, 2012** claims in the amount of **\$1,178,111.74** paid by **Check No.'s 77907 through 78071 with Check No.'s 77352 and 77715 voided.**

COUNCIL ACTION:

BLANKET CERTIFICATION
CLAIMS
FOR
PERIOD-6

I, THE UNDERSIGNED, DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE MATERIALS HAVE BEEN FURNISHED, THE SERVICES RENDERED OR THE LABOR PERFORMED AS DESCRIBED HEREIN AND THAT THE **CLAIMS** IN THE AMOUNT OF **\$1,178,111.74 PAID BY CHECK NO.'S 77907 THROUGH 78071 WITH CHECK NO.'S 77352 AND 77715 VOIDED** ARE JUST, DUE AND UNPAID OBLIGATIONS AGAINST THE CITY OF MARYSVILLE, AND THAT I AM AUTHORIZED TO AUTHENTICATE AND TO CERTIFY SAID CLAIMS.

AUDITING OFFICER

DATE

MAYOR

DATE

WE, THE UNDERSIGNED COUNCIL MEMBERS OF MARYSVILLE, WASHINGTON DO HEREBY APPROVE FOR PAYMENT THE ABOVE MENTIONED **CLAIMS** ON THIS **9TH DAY OF JULY 2012.**

COUNCIL MEMBER

**CITY OF MARYSVILLE
 INVOICE LIST
 FOR INVOICES FROM 6/14/2012 TO 6/20/2012**

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
77907	REVENUE, DEPT OF	SALES & USE TAXES-MAY 2012	CITY CLERK	0.49
	REVENUE, DEPT OF		COMMUNITY DEVELOPMENT-	13.88
	REVENUE, DEPT OF		POLICE ADMINISTRATION	29.29
	REVENUE, DEPT OF		GOLF COURSE	35.35
	REVENUE, DEPT OF		ER&R	71.02
	REVENUE, DEPT OF		CITY STREETS	71.04
	REVENUE, DEPT OF		RECREATION SERVICES	77.21
	REVENUE, DEPT OF		GENERAL FUND	172.82
	REVENUE, DEPT OF		TRIBAL GAMING FUND	319.32
	REVENUE, DEPT OF		WATER/SEWER OPERATION	360.63
	REVENUE, DEPT OF		PRO-SHOP	464.19
	REVENUE, DEPT OF		STORM DRAINAGE	4,837.79
	REVENUE, DEPT OF		GOLF COURSE	8,385.30
	REVENUE, DEPT OF		SOLID WASTE OPERATIONS	11,799.95
	REVENUE, DEPT OF		UTIL ADMIN	45,196.06
77908	AGUERO, SUSANA	JURY DUTY	COURTS	25.40
77909	ALBERTSONS	SUPPLY REIMBURSEMENT	UTIL ADMIN	104.29
77910	ALMASI, SAWYER	REFUND-INSUFFICIENT REGISTRATI	PARKS-RECREATION	25.00
77911	AMERICAN DRY GOODS	SOLID TWILL HATS	GOLF COURSE	289.01
77912	AMERICAN SOCCER COMP	PAINT-SOCCER FIELDS	GENERAL FUND	-82.44
	AMERICAN SOCCER COMP		RECREATION SERVICES	1,040.94
77913	ANDERSON, JOEL	JURY DUTY	COURTS	25.95
77914	ANDERSON, TIM	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
77915	APOLISTA, MYONE		GENERAL FUND	100.00
77916	ARAMARK UNIFORM	UNIFORM CLEANING	MAINTENANCE	14.28
	ARAMARK UNIFORM		EQUIPMENT RENTAL	32.36
	ARAMARK UNIFORM		EQUIPMENT RENTAL	32.47
77917	ARLINGTON, CITY OF	ARLINGTON CHRISTIAN SCHOOL	SOURCE OF SUPPLY	330.16
77918	ASCENDENT, LLC	PAY ESTIMATE #1	WATER/SEWER OPERATION	-991.50
	ASCENDENT, LLC		STORM DRAINAGE	2,153.54
77919	ATKINSON CONSTRUCTIO	PAY ESTIMATE # 10	ROADS/STREETS CONSTRUCTIO	641,595.98
77920	AUSTIN, MARGARET	REFUND	PARKS-RECREATION	150.00
77921	BAIRD, TERRI	RETURN OF SEIZED PROPERTY	DRUG SEIZURE	1,934.00
77922	BALDWIN, DIANNA	UB 840100815001 6628 81ST DR N	WATER/SEWER OPERATION	389.38
77923	BARNETT IMPLEMENT	DRIVE BELTS	ER&R	244.80
77924	BATTERIES PLUS	CREDIT	COMPUTER SERVICES	-240.13
	BATTERIES PLUS	CH REPLACEMENT BATTERIES	COMPUTER SERVICES	672.56
77925	BEECK, SUSANNE	RENTAL DEPOSIT REFUND	GENERAL FUND	200.00
77926	BELMARK PROPERTY MNG	GEDDES MARINA MANAGEMENT-MAY 2	STORM DRAINAGE	1,425.00
77927	BENKOMATIC	HOSE REEL WATER JOINT	EQUIPMENT RENTAL	780.31
77928	BOLLEN, NICHOLE	JURY DUTY	COURTS	19.90
77929	BRINKS INC	ARMORED TRUCK SERVICES	GOLF ADMINISTRATION	98.41
	BRINKS INC		COMMUNITY DEVELOPMENT-	100.03
	BRINKS INC		UTIL ADMIN	100.03
	BRINKS INC		UTILITY BILLING	175.55
	BRINKS INC		POLICE ADMINISTRATION	326.60
	BRINKS INC		MUNICIPAL COURTS	326.60
77930	BROWN, EDDIE	TRAVEL REIMBURSEMENT	UTIL ADMIN	51.31
	BROWN, EDDIE		UTIL ADMIN	195.18
77931	BUD BARTON'S GLASS	GLASS DOOR REPAIR	PRO-SHOP	464.81
77932	BUILDING SPECIALTIES	ONE CASE CEILING TILE	COMMUNITY CENTER	50.60
77933	CARLSON, PAUL & LAUR	UB 523516000000 3516 174TH PL	WATER/SEWER OPERATION	62.12
77934	CARRS ACE	HARDWARE	STORM DRAINAGE	12.79
77935	CARTER, JOHN	RENTAL DEPOSIT REFUND	GENERAL FUND	300.00
77936	CHRISTIANSO, DALE	JURY DUTY	COURTS	35.30
77937	CIT GROUP, THE	SHOES	GOLF COURSE	234.56
	CIT GROUP, THE		GOLF COURSE	463.18

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 6/14/2012 TO 6/20/2012

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
77956	ELAM, MAX W	INSTRUCTOR SERVICES	RECREATION SERVICES	212.40
77957	EMERALD HILLS	COFFEE & SERVICE-KBCC	BAXTER CENTER APPRE	213.35
77958	EYRE, RANDI	JURY DUTY	COURTS	21.00
77959	FATLAND, KATE	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
77960	FERRELLGAS	PROPANE	ROADWAY MAINTENANCE	35.48
	FERRELLGAS		TRAFFIC CONTROL DEVICES	35.48
	FERRELLGAS		WATER SERVICE INSTALL	35.48
	FERRELLGAS		SOLID WASTE OPERATIONS	35.48
77961	FERRELLGAS		WATER SERVICE INSTALL	31.44
	FERRELLGAS		TRAFFIC CONTROL DEVICES	31.45
	FERRELLGAS		ROADWAY MAINTENANCE	31.45
77962	FORBES, PETER	JURY DUTY	COURTS	5.40
77963	FORTNEY, AARON	WITNESS FEES	MUNICIPAL COURTS	10.00
77964	FORTNEY, KATHLEEN		MUNICIPAL COURTS	71.60
77965	FOSS, DENISE	JURY DUTY	COURTS	20.45
77966	GARCIA, CHERIE	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
77967	GENERAL ADMINISTRAT	WIN 7 SOFTWARE UPGRADE	IS REPLACEMENT ACCOUNTS	617.59
	GENERAL ADMINISTRAT		TRIBAL GAMING-GENL	8,149.69
77968	GENERAL CHEMICAL	ALUMINUM SULFATE	WASTE WATER TREATMENT	3,887.75
	GENERAL CHEMICAL		WASTE WATER TREATMENT	4,120.18
77969	GERALD BALAM	UB 121330000000 11115 STATE AV	WATER/SEWER OPERATION	23.07
77970	GFOA	CAFR REVIEW & AWARD	FINANCE-GENL	505.00
77971	GITCHEL, TOMMIE L &	UB 580800000000 17710 11TH AVE	WATER/SEWER OPERATION	40.14
77972	GOVCONNECTION INC	HP LAPTOP MEMORY UPGRADE	IS REPLACEMENT ACCOUNTS	245.52
	GOVCONNECTION INC	BARRACUDA ARCHIVER	COMPUTER SERVICES	4,242.47
77973	GRAINGER	VENTILATORS	STORM DRAINAGE	283.49
77974	GREENSHIELDS	CAB PROTECTOR	EQUIPMENT RENTAL	3.82
	GREENSHIELDS		STORM DRAINAGE	422.60
77975	HD FOWLER COMPANY	CREDIT	PUMPING PLANT	-15.53
	HD FOWLER COMPANY	FT2C METER LID	WATER SERVICES	43.82
	HD FOWLER COMPANY	GASKETS, COUPLINGS, ETC.	PUMPING PLANT	194.84
77976	HD SUPPLY WATERWORKS	BURY HYDRANT, STORZ ADP, LUGGS	WATER CAPITAL PROJECTS	2,124.91
77977	HENDRY, AMY	REFUND-INSUFFICIENT REGISTRATI	PARKS-RECREATION	25.00
77978	HENNESS, PATRICK	JURY DUTY	COURTS	21.00
77979	HENSHAW, JEREMIAH		COURTS	12.75
77980	HRUBESKY, JENNIE	REFUND	PARKS-RECREATION	50.00
77981	HYLARIDES, LETTIE	INTERPRETER SERVICES	COURTS	112.50
	HYLARIDES, LETTIE		COURTS	112.50
	HYLARIDES, LETTIE		COURTS	112.50
	HYLARIDES, LETTIE		COURTS	112.50
	HYLARIDES, LETTIE		COURTS	187.50
77982	IFFRIG, DONNA	JURY DUTY	COURTS	14.95
77983	IKON OFFICE SOLUTION	TONER RESTOCKING FEE	UTIL ADMIN	10.64
	IKON OFFICE SOLUTION		COMMUNITY DEVELOPMENT-	42.57
77984	INTERSTATE BATTERY	BATTERIES	EQUIPMENT RENTAL	216.70
77985	IRISH, JANET	REFUND-INSUFFICIENT REGISTRATI	PARKS-RECREATION	22.00
77986	JOHNSON, CHERYL	JURY DUTY	COURTS	34.75
77987	JOHNSON, LESTER & OP	UB 731050000000 6821 20TH DR N	WATER/SEWER OPERATION	61.29
77988	JUDD & BLACK	REFRIGERATOR-STRAWBERRY FIELDS	PARK & RECREATION FAC	575.07
77989	KENWORTH NORTHWEST	DIAGNOSE TURBOCHARGER FAILURE	EQUIPMENT RENTAL	678.64
77990	KUROSE-BRETZKE, FUMI	INSTRUCTOR SERVICES	COMMUNITY CENTER	201.60
77991	LAMONT, NANCY	UB 151050000000 4431 127TH PL	WATER/SEWER OPERATION	118.64
77992	LANGDON, SANDY	WELLNESS PROGRAM REIMBURSEMENT	PERSONNEL ADMINISTRATIO	33.64
77993	LANGSHOLT PROPERTIES	UB 031040000001 6208 84TH PL N	WATER/SEWER OPERATION	24.78
77994	LASTING IMPRESSIONS	RETIREMENT JACKET-HIGBEE	UTIL ADMIN	81.40
77995	LICENSING, DEPT OF	CHAPMAN, ELDEN (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	GREGORY, JANA (ORIGINAL)	GENERAL FUND	18.00

**CITY OF MARYSVILLE
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<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
77995	LICENSING, DEPT OF	GREGORY, STEPHEN (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	HANGER, DENNIS (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	HESTER, MYLES (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	KREYENHAGEN, KRISTIN (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	MCDONALD, JOAN (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	MINER, DAYNE (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	MINOR, STEPHEN (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	MORRIS, EUGENE (RENEWAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	ALLEN, ADAM (LATE RENEWAL)	GENERAL FUND	21.00
	LICENSING, DEPT OF	CAMARDO, MATTHEW (LATE RENEWAL)	GENERAL FUND	21.00
	LICENSING, DEPT OF	COSTA, MELVIN (LATE RENEWAL)	GENERAL FUND	21.00
77996	LOWES HIW INC	RACKS & BATTERIES	SEWER PRETREATMENT	148.33
	LOWES HIW INC	3 TIER SHELF	SEWER PRETREATMENT	184.62
77997	MARYFEST	FASHION SHOW LUNCHEON (12)	EXECUTIVE ADMIN	216.00
77998	MARYSVILLE SCHOOL	FACILITY USAGE - TOTEM MS	RECREATION SERVICES	130.50
77999	MARYSVILLE, CITY OF	STORMWATER-17906 43RD AVE NE	WATER FILTRATION PLANT	46.56
	MARYSVILLE, CITY OF	WTR-6302 152ND ST-IRR	PARK & RECREATION FAC	330.63
	MARYSVILLE, CITY OF	WTR/GBG-6302 152ND ST NE	PARK & RECREATION FAC	414.91
78000	MASER, JOLENE	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
78001	MATERIALS TESTING &	PROFESSIONAL SERVICES	ROADS/STREETS CONSTRUC	4,271.00
78002	MICROFLEX INC	TAX AUDIT PROGRAM-MAY 2012	FINANCE-GENL	61.44
78003	MONSON, SCOTT	JURY DUTY	COURTS	18.25
78004	MSEPTSA	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
78005	MUNOZ, HUGO	JURY DUTY	COURTS	18.25
78006	MURRAY, JONATHAN	MONTHLY CARETAKER SERVICES-JUN	GMA - STREET	2,400.00
78007	NATIONAL BARRICADE	CONE TOP SIGNS	STORM DRAINAGE	135.75
	NATIONAL BARRICADE		TRAFFIC CONTROL DEVICES	135.75
	NATIONAL BARRICADE	MOWER AHEAD SIGNS	ROADSIDE VEGETATION	570.15
78008	NELSON PETROLEUM	ENGINE OIL	ER&R	2,592.10
	NELSON PETROLEUM	DIESEL & GASOLINE	MAINTENANCE	2,709.56
78009	NICHOLS, GEORGE	JURY DUTY	COURTS	18.80
78010	NICOLAS, ROWENA	RENTAL DEPOSIT REFUND	GENERAL FUND	200.00
78011	NIKE USA INC	BAGS	GOLF COURSE	229.78
	NIKE USA INC		GOLF COURSE	306.54
	NIKE USA INC	NIKE SPORT CART	GOLF COURSE	364.00
78012	NORTHWEST CASCADE	HONEY BUCKET	PARK & RECREATION FAC	338.05
78013	NW HOME RENOVATORS L	UB 73125000000 2022 70TH PL N	WATER/SEWER OPERATION	24.16
78014	OFFICE DEPOT	OFFICE SUPPLIES	PERSONNEL ADMINISTRATIO	64.08
	OFFICE DEPOT		EXECUTIVE ADMIN	109.82
78015	PACIFIC NW BUSINESS	TONER	UTILITY BILLING	297.35
78016	PACIFIC POWER PROD.	BLADES	MAINTENANCE	386.85
78017	PARTS STORE, THE	OXYGEN SENSOR	EQUIPMENT RENTAL	41.16
	PARTS STORE, THE	LED LICENSE PLATE LIGHT	EQUIPMENT RENTAL	45.55
	PARTS STORE, THE	FRONT ENGINE MOUNT	EQUIPMENT RENTAL	83.72
	PARTS STORE, THE	WINDSHIELD WASHER FLUID	ER&R	90.64
	PARTS STORE, THE	AIR HOSE	EQUIPMENT RENTAL	97.72
78018	PEACOCK, WILLIAM	TRAINING-PETEK	UTIL ADMIN	435.00
78019	PEDERSON, DREW	JURY DUTY	COURTS	23.20
78020	PELOQUIN, THOMAS C	INSTRUCTOR SERVICES	RECREATION SERVICES	42.00
78021	PETEK, MICHAEL	TRAVEL REIMBURSEMENT	UTIL ADMIN	51.86
	PETEK, MICHAEL		UTIL ADMIN	195.18
78022	PING	GLOVES & CAPS	GOLF COURSE	554.07
78023	PROUTY, RDATH	UB 241213056000 12130 56TH DR	WATER/SEWER OPERATION	195.53
78024	PUD	ACCT.# 2011-42098-8	PARK & RECREATION FAC	14.75
	PUD	ACCT #2027-4261-5	MAINTENANCE	30.10
	PUD	ACCT # 2042-6034-3	TRAFFIC CONTROL DEVICES	31.38
	PUD	ACCT #2013-4666-5	SEWER LIFT STATION	31.38

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78024	PUD	ACCT. # 2042-5946-9	TRAFFIC CONTROL DEVICES	31.38
	PUD	ACCT. # 2042-6262-0	TRAFFIC CONTROL DEVICES	31.38
	PUD	ACCT #2005-0161-7	TRANSPORTATION MANAGEM	45.87
	PUD	ACCT #2000-6146-3	PARK & RECREATION FAC	48.88
	PUD	ACCT #2020-1181-3	PUMPING PLANT	52.35
	PUD	ACCT #2022-9424-5	SEWER LIFT STATION	87.23
	PUD	ACCT #2035-0002-0	STREET LIGHTING	96.74
	PUD	ACCT #2006-6043-9	STREET LIGHTING	102.34
	PUD	ACCT #2023-0330-1	SEWER LIFT STATION	114.00
	PUD	ACCT # 2039-9634-3	STREET LIGHTING	163.23
	PUD	ACCT #2032-9121-6	GENERAL SERVICES - OVERH	187.12
	PUD	ACCT #2019-0963-7	SEWER LIFT STATION	214.48
	PUD	ACCT. #2012-2506-7	PARK & RECREATION FAC	224.14
	PUD	ACCT #2030-0599-6	TRANSPORTATION MANAGEM	367.08
	PUD	ACCT #2000-2187-1	COURT FACILITIES	1,832.51
	PUD	ACCT #2016-1747-9	ADMIN FACILITIES	2,134.63
	PUD	ACCT #2010-9896-9	PUMPING PLANT	3,029.63
78025	PUGET SOUND ENERGY	ACCT #433-744-084-8 DELTA BLDG	NON-DEPARTMENTAL	35.75
	PUGET SOUND ENERGY	ACCT #856-208-715-8	NON-DEPARTMENTAL	35.75
	PUGET SOUND ENERGY	ACCT # 922-456-500-3	MAINT OF GENL PLANT	51.11
	PUGET SOUND ENERGY	ACCT #433-744-264-6	PRO-SHOP	53.33
	PUGET SOUND ENERGY	ACCT.# 616-190-400-5	COMMUNITY CENTER	62.10
	PUGET SOUND ENERGY	ACCT #549-775-008-2 CITY HALL	ADMIN FACILITIES	184.80
	PUGET SOUND ENERGY	ACCT. # 435-851-700-3	MAINT OF GENL PLANT	184.80
	PUGET SOUND ENERGY	ACCT #835-819-211-3	COURT FACILITIES	195.69
	PUGET SOUND ENERGY	ACCT #753-901-800-7	PUBLIC SAFETY FAC-GENL	408.92
78026	PUMPTech INC	SUBMERSIBLE WELL PUMP & MOTOR	SOURCE OF SUPPLY	13,362.14
78027	QUESTAD, SONIA	JURY DUTY	COURTS	21.00
78028	R&R PRODUCTS INC	PARTS FOR TORO MOWER	MAINTENANCE	1,209.31
78029	RAINIER ENVIRONMENT	LAB ANALYSIS	WASTE WATER TREATMENT	600.00
78030	RHINE DEMOLITION	ASBESTOS ABATEMENT LESS RETAIN	GMA-STREET	-3,560.00
	RHINE DEMOLITION	RELEASE RETAINAGE	GMA-STREET	3,560.00
	RHINE DEMOLITION	ASBESTOS ABATEMENT LESS RETAIN	GMA - STREET	7,732.32
78031	RICHARDS, NATE	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
78032	RIVERSIDE ROOF LLC	PAY ESTIMATE #4	COURT FACILITIES	186.16
78033	RODGERS, JAMES F	UB 849000271001 6520 81ST ST N	WATER/SEWER OPERATION	192.21
78034	ROY ROBINSON	TIRE PRESSURE MONITOR SENSOR	EQUIPMENT RENTAL	75.82
78035	RUDY, JAMES	REFUND	PARKS-RECREATION	79.00
78036	SEA-ALASKA INDUSTRIA	SEAL FAIL PUMP #1	STORM DRAINAGE	1,758.21
78037	SEDGWICK CLAIMS MNGM	2012 AWC SERVICE FEE	PERSONNEL ADMINISTRATIO	26,931.69
78038	SERVICE ELECTRIC COM	LUMINAIRE POLE REPLACEMENT	STREET LIGHTING	9,591.55
78039	SIMMONS, GARY	JURY DUTY	COURTS	26.50
78040	SIMMONS, JEFFREY		COURTS	24.30
78041	SLOCUM, CLINTON		COURTS	18.25
78042	SMITH, CALEB	REFUND-INSUFFICIENT REGISTRATI	PARKS-RECREATION	25.00
78043	SMOKEY POINT CONCRET	DUMP FEE	ROADWAY MAINTENANCE	122.03
78044	SNO CO PUBLIC WORKS	SOLID WASTE CHARGES	WASTE WATER TREATMENT	79.00
	SNO CO PUBLIC WORKS		SOLID WASTE OPERATIONS	119,864.00
78045	SNYDER ROOFING	REPAIR LEAKY ROOF-PSB	PUBLIC SAFETY FAC-GENL	2,553.19
78046	SONITROL	SECURITY SERVICES	PUBLIC SAFETY FAC-GENL	97.00
	SONITROL		PARK & RECREATION FAC	128.00
	SONITROL		COMMUNITY CENTER	138.00
	SONITROL		WATER FILTRATION PLANT	238.25
	SONITROL		WASTE WATER TREATMENT	238.41
	SONITROL		ADMIN FACILITIES	323.00
	SONITROL		UTIL ADMIN	406.00
78047	SOUND PUBLISHING	CALL FOR BIDS	GMA - STREET	222.07

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78048	SOUND SAFETY	EARMUFFS	UTIL ADMIN	41.00
	SOUND SAFETY	NEEDLE SYRINGE KEEPER	ER&R	51.05
	SOUND SAFETY	GLOVES	ER&R	51.87
78049	SPORT SUPPLY GROUP	TENNIS BALLS	RECREATION SERVICES	149.58
78050	SPRINGBROOK NURSERY	GRAVEL	MAINTENANCE	21.00
78051	STATE PATROL	BACKGROUND CHECKS-MAY 2012	PERSONNEL ADMINISTRATIO	230.00
78052	STEMMER, KIRK	JURY DUTY	COURTS	26.50
78053	STEVENS, LELAND	UB 03117000002 6214 86TH ST N	WATER/SEWER OPERATION	1.37
78054	STRATEGIES 360	PROFESSIONAL SERVICES	WASTE WATER TREATMENT	1,937.84
	STRATEGIES 360		GENERAL SERVICES - MAINTI	2,312.84
	STRATEGIES 360		UTIL ADMIN	3,437.85
78055	THYSSENKRUPP ELEVATO	PREVENTATIVE MAINT.-CITY HALL	ADMIN FACILITIES	192.92
	THYSSENKRUPP ELEVATO	PREVENTATIVE MAINT.-PSB	PUBLIC SAFETY FAC-GENL	192.92
78056	TORO NSN	LEASE PAYMENT	MAINTENANCE	134.00
78057	TOTEM ELECTRIC	PAY ESTIMATE 1	CITY STREETS	-3,776.00
	TOTEM ELECTRIC		TRANSPORTATION MANAGEM	82,014.72
78058	TYNER, THOMAS	JURY DUTY	COURTS	18.80
78059	VERIZON/FRONTIER	ACCT. #971967546-00001	CRIME PREVENTION	24.24
	VERIZON/FRONTIER		ANIMAL CONTROL	26.02
	VERIZON/FRONTIER		LEGAL-GENL	40.01
	VERIZON/FRONTIER		SOLID WASTE CUSTOMER E>	44.00
	VERIZON/FRONTIER		GOLF ADMINISTRATION	44.00
	VERIZON/FRONTIER		EQUIPMENT RENTAL	44.00
	VERIZON/FRONTIER		BUILDING MAINTENANCE	44.00
	VERIZON/FRONTIER		UTILITY BILLING	44.02
	VERIZON/FRONTIER		YOUTH SERVICES	52.04
	VERIZON/FRONTIER		FINANCE-GENL	55.12
	VERIZON/FRONTIER		PERSONNEL ADMINISTRATIO	55.12
	VERIZON/FRONTIER		COMPUTER SERVICES	60.81
	VERIZON/FRONTIER		OFFICE OPERATIONS	96.96
	VERIZON/FRONTIER		LEGAL - PROSECUTION	110.24
	VERIZON/FRONTIER		RECREATION SERVICES	121.12
	VERIZON/FRONTIER		EXECUTIVE ADMIN	154.24
	VERIZON/FRONTIER		PARK & RECREATION FAC	165.12
	VERIZON/FRONTIER		DETENTION & CORRECTION	169.68
	VERIZON/FRONTIER		POLICE INVESTIGATION	180.36
	VERIZON/FRONTIER		WASTE WATER TREATMENT	207.80
	VERIZON/FRONTIER		COMMUNITY DEVELOPMENT-	216.01
	VERIZON/FRONTIER		STORM DRAINAGE	238.01
	VERIZON/FRONTIER		ENGR-GENL	258.33
	VERIZON/FRONTIER		GENERAL SERVICES - OVERH	319.12
	VERIZON/FRONTIER		POLICE ADMINISTRATION	516.47
	VERIZON/FRONTIER		UTIL ADMIN	685.54
	VERIZON/FRONTIER		POLICE PATROL	1,054.88
	VERIZON/FRONTIER		TRIBAL GAMING-GENL	1,720.47
78060	VERIZON/FRONTIER	ACCT.#20618830010207125	CRIME PREVENTION	7.16
	VERIZON/FRONTIER		ANIMAL CONTROL	7.16
	VERIZON/FRONTIER		LEGAL-GENL	7.16
	VERIZON/FRONTIER		PURCHASING/CENTRAL STOF	7.16
	VERIZON/FRONTIER		CITY CLERK	14.31
	VERIZON/FRONTIER		YOUTH SERVICES	14.31
	VERIZON/FRONTIER		COMMUNITY CENTER	14.31
	VERIZON/FRONTIER		SOLID WASTE CUSTOMER E>	14.31
	VERIZON/FRONTIER		BUILDING MAINTENANCE	14.31
	VERIZON/FRONTIER		PERSONNEL ADMINISTRATIO	21.47
	VERIZON/FRONTIER		STORM DRAINAGE	21.47
	VERIZON/FRONTIER		GOLF ADMINISTRATION	21.47

**CITY OF MARYSVILLE
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78060	VERIZON/FRONTIER	ACCT.#20618830010207125	EQUIPMENT RENTAL	21.47
	VERIZON/FRONTIER	ACCT# 36065150331108105	EXECUTIVE ADMIN	23.70
	VERIZON/FRONTIER	ACCT.#20618830010207125	FINANCE-GENL	28.63
	VERIZON/FRONTIER		LEGAL - PROSECUTION	28.63
	VERIZON/FRONTIER		EXECUTIVE ADMIN	35.78
	VERIZON/FRONTIER		RECREATION SERVICES	35.78
	VERIZON/FRONTIER		PARK & RECREATION FAC	35.78
	VERIZON/FRONTIER		COMPUTER SERVICES	35.80
	VERIZON/FRONTIER	ACCT#-36065852920604075	PERSONNEL ADMINISTRATIO	54.75
	VERIZON/FRONTIER	ACCT.#20618830010207125	POLICE ADMINISTRATION	57.25
	VERIZON/FRONTIER		POLICE INVESTIGATION	57.25
	VERIZON/FRONTIER		UTILITY BILLING	64.41
	VERIZON/FRONTIER		GENERAL SERVICES - OVERT	64.41
	VERIZON/FRONTIER	ACCT. # 36065347410509955	WASTE WATER TREATMENT	64.75
	VERIZON/FRONTIER	ACCT #36065894930725005	POLICE INVESTIGATION	66.68
	VERIZON/FRONTIER	ACCT.#20618830010207125	ENGR-GENL	71.57
	VERIZON/FRONTIER		OFFICE OPERATIONS	71.57
	VERIZON/FRONTIER		WASTE WATER TREATMENT	71.57
	VERIZON/FRONTIER	ACCT# 25301756710602035	UTIL ADMIN	75.63
	VERIZON/FRONTIER	ACCT.#20618830010207125	MUNICIPAL COURTS	78.72
	VERIZON/FRONTIER	ACCT #36065894930725005	RECREATION SERVICES	88.39
	VERIZON/FRONTIER	ACCT.#20618830010207125	DETENTION & CORRECTION	100.19
	VERIZON/FRONTIER	ACCT #36065891800622955	LIBRARY-GENL	104.30
	VERIZON/FRONTIER	ACCT.#20618830010207125	COMMUNITY DEVELOPMENT-	135.98
	VERIZON/FRONTIER		UTIL ADMIN	143.13
	VERIZON/FRONTIER	ACCT#-36065852920604075	MUNICIPAL COURTS	206.00
	VERIZON/FRONTIER	ACCT.#20618830010207125	POLICE PATROL	286.27
	VERIZON/FRONTIER	ACCT #25301134240809105	CENTRAL SERVICES	668.44
78061	VINYL SIGNS & BANNER	30" X 40" BANNERS	COMMUNITY EVENTS	90.51
78062	WASTE MANAGEMENT	YARDWASTE & RECYCLE SERVICE	RECYCLING OPERATION	84,396.07
78063	WEBER, ANN	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
78064	WEED GRAAFSTRA	UTILITY EASEMENT-WILCOTS	SEWER CAPITAL PROJECTS	11,430.00
	WEED GRAAFSTRA	UTILITY EASEMENT-FINTZ ESTATE	SEWER CAPITAL PROJECTS	12,060.00
78065	WESTERN PETERBILT	AIR RIDE SEAT	EQUIPMENT RENTAL	510.41
78066	WHELEN ENGINEERING C	CONTROLLER FOR LIGHT BAR	ER&R	-29.73
	WHELEN ENGINEERING C		EQUIPMENT RENTAL	375.48
78067	WILKINSON,JANE R ESQ	ARBITRATOR FEES	PERSONNEL ADMINISTRATIO	1,200.00
78068	WILLIAMS, ELIZABETH	JURY DUTY	COURTS	26.50
78069	WILLIAMS, RUDY	REFUND	PARKS-RECREATION	150.00
78070	WOLD, HOLLY	JURY DUTY	COURTS	18.25
78071	WREN, MACKENZIE	REFUND-INSUFFICIENT REGISTRATI	PARKS-RECREATION	25.00
WARRANT TOTAL:				<u>1,182,301.76</u>

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CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: July 9, 2012

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

Please see attached.

RECOMMENDED ACTION:

The Finance and Executive Departments recommend City Council approve the **June 27, 2012** claims in the amount of **\$1,668,939.80** paid by **Check No.'s 78072 through 78218 with Check No.'s 76241 voided.**

COUNCIL ACTION:

BLANKET CERTIFICATION
CLAIMS
FOR
PERIOD-6

I, THE UNDERSIGNED, DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE MATERIALS HAVE BEEN FURNISHED, THE SERVICES RENDERED OR THE LABOR PERFORMED AS DESCRIBED HEREIN AND THAT THE **CLAIMS** IN THE AMOUNT OF **\$1,668,939.80 PAID BY CHECK NO.'S 78072 THROUGH 78218 WITH CHECK NO.'S 76241 VOIDED** ARE JUST, DUE AND UNPAID OBLIGATIONS AGAINST THE CITY OF MARYSVILLE, AND THAT I AM AUTHORIZED TO AUTHENTICATE AND TO CERTIFY SAID CLAIMS.

AUDITING OFFICER

DATE

MAYOR

DATE

WE, THE UNDERSIGNED COUNCIL MEMBERS OF MARYSVILLE, WASHINGTON DO HEREBY APPROVE FOR PAYMENT THE ABOVE MENTIONED **CLAIMS** ON THIS **9TH DAY OF JULY 2012.**

COUNCIL MEMBER

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 6/21/2012 TO 6/27/2012

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
78072	ALLEN CREEK COFFEE L	COFFEE & CUPS	GENERAL FUND	-5.59
	ALLEN CREEK COFFEE L		COMMUNITY EVENTS	70.59
78073	ALPHA COURIER INC.	COURIER SERVICES	WASTE WATER TREATMENT	76.19
78074	AMERICAN CLEANERS	DRY CLEANING SERVICES	POLICE PATROL	-58.43
	AMERICAN CLEANERS		POLICE PATROL	4.34
	AMERICAN CLEANERS		POLICE ADMINISTRATION	15.20
	AMERICAN CLEANERS		OFFICE OPERATIONS	49.96
	AMERICAN CLEANERS		DETENTION & CORRECTION	52.11
	AMERICAN CLEANERS		POLICE INVESTIGATION	116.97
78075	ARAMARK UNIFORM	UNIFORM CLEANING	MAINTENANCE	14.72
	ARAMARK UNIFORM		EQUIPMENT RENTAL	32.53
78076	ASH CITY USA, INC.	JACKETS	GOLF COURSE	352.81
78077	BAG BOY	CARTS	GOLF COURSE	402.00
78078	BAKKER, DAN	JURY DUTY	COURTS	13.89
78079	BALGOS, GENEROSO		COURTS	25.56
78080	BANK OF AMERICA	PARKING REIMBURSEMENT	EXECUTIVE ADMIN	3.00
78081	BANK OF AMERICA	MEAL REIMBURSEMENT	POLICE PATROL	33.40
78082	BANK OF AMERICA	NOTIFICATION REIMBURSEMENT	STORM DRAINAGE	105.00
78083	BANK OF AMERICA	TRAINING REIMBURSEMENT	EXECUTIVE ADMIN	200.00
78084	BANK OF AMERICA	SUPPLY REIMBURSEMENT	RECREATION SERVICES	18.22
	BANK OF AMERICA		GOLF ADMINISTRATION	32.76
	BANK OF AMERICA		MAINTENANCE	71.24
	BANK OF AMERICA		MAINTENANCE	83.07
78085	BANK OF AMERICA	FEE REIMBURSEMENT	GMA - STREET	260.00
78086	BANK OF AMERICA	TRAINING/MEAL REIMBURSEMENT	EXECUTIVE ADMIN	473.70
78087	BANK OF AMERICA	TRAVEL/TRAINING REIMBURSEMENT	ANIMAL CONTROL	95.00
	BANK OF AMERICA		POLICE PATROL	461.40
78088	BARKER, SHANNA	REFUND	PARKS-RECREATION	475.00
78089	BARNES, CAROLE	JURY DUTY	COURTS	26.66
78090	BARRETT, SUZANNE	INSTRUCTOR SERVICES	RECREATION SERVICES	240.00
78091	BELLES, LYNN	REFUND-CLASS CANCELED	PARKS-RECREATION	25.00
78092	BENNETT, TABETHA	JURY DUTY	COURTS	21.68
78093	BERLIN, TED		COURTS	11.67
78094	BICKFORD FORD	HEATER FAN BLOWER MOWER	EQUIPMENT RENTAL	51.03
	BICKFORD FORD	BRAKE LIGHT SWITCH	EQUIPMENT RENTAL	56.82
	BICKFORD FORD	DRIVERS DOOR WINDOW SWITCH ASS	EQUIPMENT RENTAL	71.69
	BICKFORD FORD	ENGINE COOLING FAN MODULE	EQUIPMENT RENTAL	127.80
	BICKFORD FORD	ENGINE FAN MODULE & COOLING FA	EQUIPMENT RENTAL	363.47
	BICKFORD FORD	BRAKE ROTOR/PAD SETS	ER&R	390.83
78095	BOOMER, NICOLE & JEF	JURY DUTY	COURTS	16.66
78096	BOYS & GIRLS CLUBS	2012 AUCTION	CITY COUNCIL	200.00
	BOYS & GIRLS CLUBS		EXECUTIVE ADMIN	600.00
78097	BUCZKOWSKI, SAVANNA	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
78098	BUILDERS EXCHANGE	PUBLISH PROJECTS ONLINE	COMMUNITY DEVELOPMENT	25.00
	BUILDERS EXCHANGE		GMA - STREET	119.00
78099	BUSINESS TELECOM	BATTERIES	OFFICE OPERATIONS	223.44
78100	BYERS, PATRICIA	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
78101	CASCADE MACHINERY	SERVICE COMPRESSORS	WASTE WATER TREATMENT	1,683.23
78102	CEMEX	CLASS B ASPHALT	ROADWAY MAINTENANCE	2,892.19
78103	CENTRAL MORTGAGE COM	UB 452161590000 5727 139TH PL	WATER/SEWER OPERATION	180.43
78104	CLEAR IMAGE PHOTOGRA	INSTRUCTOR SERVICES	RECREATION SERVICES	252.00
78105	CNR, INC	HANDSET REPLACEMENTS	COMPUTER SERVICES	52.08
78106	CODE 4 PUBLIC SAFETY	TRAINING-BURKHOLDER/STEWART	DRUG ENFORCEMENT	198.00
78107	CODE PUBLISHING	MMC WEB HOSTING	CITY CLERK	350.00
78108	COMMERCE DEPT OF	CONTRACT # PR08-951-056	INTEREST & OTHER DEBT SE	1,875.00
	COMMERCE DEPT OF	CONTRACT # PW-01-691-PRE-114	ENTERPRISE D/S	2,631.58
	COMMERCE DEPT OF	CONTRACT#PW-02-691-033	ENTERPRISE D/S	29,117.65

**CITY OF MARYSVILLE
 INVOICE LIST
 FOR INVOICES FROM 6/21/2012 TO 6/27/2012**

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
78108	COMMERCE DEPT OF	CONTRACT #PW-04-691-045	ENTERPRISE D/S	34,210.53
	COMMERCE DEPT OF	CONTRACT # PW-01-691-PRE-114	ENTERPRISE D/S	52,631.58
	COMMERCE DEPT OF	CONTRACT # PR08-951-056	REDEMPTION LONG TERM DE	187,500.00
	COMMERCE DEPT OF	CONTRACT #PW-04-691-045	ENTERPRISE D/S	526,315.79
	COMMERCE DEPT OF	CONTRACT#PW-02-691-033	ENTERPRISE D/S	529,411.76
78109	CORPORATE OFFICE SPL	WYPALL WIPES	ER&R	91.17
78110	CORRECTIONS, DEPT OF	INMATE MEALS	DETENTION & CORRECTION	2,168.72
	CORRECTIONS, DEPT OF		DETENTION & CORRECTION	2,547.95
78111	CORRECTIONS, DEPT OF	WORKCREW-APRIL 2012	WATER RESERVOIRS	193.69
	CORRECTIONS, DEPT OF		PARK & RECREATION FAC	322.49
	CORRECTIONS, DEPT OF		ROADSIDE VEGETATION	370.42
	CORRECTIONS, DEPT OF		STORM DRAINAGE	491.44
78112	COSTLESS SENIOR SRVC	INMATE PRESCRIPTIONS	DETENTION & CORRECTION	114.00
78113	CRESCENT ELECTRIC	PHOTO CONTROL-PSB	PUBLIC SAFETY FAC-GENL	21.01
78114	DB SECURE SHRED	SHREDDING SERVICES	CITY CLERK	7.31
	DB SECURE SHRED		FINANCE-GENL	7.31
	DB SECURE SHRED		UTILITY BILLING	7.32
	DB SECURE SHRED		POLICE INVESTIGATION	45.85
	DB SECURE SHRED		POLICE PATROL	45.85
	DB SECURE SHRED		DETENTION & CORRECTION	45.85
	DB SECURE SHRED		OFFICE OPERATIONS	45.87
78115	DELL	MVIT SERVER EXTENDED WARRANTY	COMPUTER SERVICES	649.97
	DELL	SERVER EXTENDED WARRANTY	COMPUTER SERVICES	649.97
78116	DIAMOND B CONSTRUCT	HVAC MAINTENANCE	SOURCE OF SUPPLY	98.58
	DIAMOND B CONSTRUCT		MAINT OF GENL PLANT	152.52
	DIAMOND B CONSTRUCT		PARK & RECREATION FAC	206.44
	DIAMOND B CONSTRUCT		COMMUNITY CENTER	305.05
	DIAMOND B CONSTRUCT		WATER FILTRATION PLANT	623.85
	DIAMOND B CONSTRUCT		MAINTENANCE	682.57
	DIAMOND B CONSTRUCT		COURT FACILITIES	816.55
	DIAMOND B CONSTRUCT		ADMIN FACILITIES	881.53
	DIAMOND B CONSTRUCT		UTIL ADMIN	929.06
	DIAMOND B CONSTRUCT		WASTE WATER TREATMENT	1,044.08
	DIAMOND B CONSTRUCT		LIBRARY-GENL	1,138.88
	DIAMOND B CONSTRUCT		PUBLIC SAFETY FAC-GENL	1,258.93
78117	DICKS TOWING	TOWING EXPENSE MP 12-3708	POLICE PATROL	43.44
	DICKS TOWING	TOWING EXPENSE MP 12-3849	POLICE PATROL	43.44
	DICKS TOWING	TOWING EXPENSE	EQUIPMENT RENTAL	180.18
78118	DIJULIO DISPLAYS INC	CLEAR C-7 LAMPS	PARK & RECREATION FAC	271.50
78119	DISCOUNT TOWING	TOWING EXPENSE MP 12-6681	POLICE PATROL	1,400.00
78120	DOORMAN COMMERCIAL	SUPPLY & INSTALL LOCK	UTIL ADMIN	1,161.48
78121	DUDLEY, CRYSTAL	WTR/SWR CONSERVATION REBATE	UTIL ADMIN	50.00
78122	E&E LUMBER	CREDIT	PARK & RECREATION FAC	-19.48
	E&E LUMBER	CLEANER	PARK & RECREATION FAC	6.51
	E&E LUMBER	WIRE WOOSTER	PARK & RECREATION FAC	9.76
	E&E LUMBER	PAINT TRAYS	PARK & RECREATION FAC	21.61
	E&E LUMBER	FLOUR TUBE	PARK & RECREATION FAC	23.84
	E&E LUMBER		PARK & RECREATION FAC	23.84
	E&E LUMBER	FLASHING & SIDING	PARK & RECREATION FAC	58.45
	E&E LUMBER	PAINT	PARK & RECREATION FAC	80.34
78123	EDENS, TAMIE	WTR/SWR CONSERVATION REBATE	UTIL ADMIN	40.00
78124	EWING IRRIGATION	FERTILIZER	PARK & RECREATION FAC	1,305.86
	EWING IRRIGATION		PARK & RECREATION FAC	1,305.86
78125	FANNING, ELWIN	JURY DUTY	COURTS	11.23
78126	FESSENDEN, CORY	ANIMAL LICENSE REFUND	NON-BUS LICENSES AND PEF	25.00
78127	FOG-TITE	TYPE 1 J BOXES W/LIDS	TRANSPORTATION MANAGEN	367.07
78128	FOOTJOY	SHOES	GOLF COURSE	62.06

**CITY OF MARYSVILLE
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FOR INVOICES FROM 6/21/2012 TO 6/27/2012

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
78128	FOOTJOY	GLOVES	GOLF COURSE	249.28
78129	GC SYSTEMS INC	MISC. SUPPLIES	WATER DIST MAINS	1,617.60
78130	GEE J.D.	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
78131	GENERAL CHEMICAL	ALUMINUM SULFATE	WASTE WATER TREATMENT	4,063.94
78132	GILMORE, DEBI	RENTAL DEPOSIT REFUND	GENERAL FUND	200.00
78133	GOVCONNECTION INC	STILLY PLANT UPS REPLACEMENTS	WATER FILTRATION PLANT	1,040.77
78134	GRAYBAR ELECTRIC CO	STREET LIGHT DISCONNECT MATERI	STREET LIGHTING	128.10
78135	HD FOWLER COMPANY	METER BOX LID	WATER/SEWER OPERATION	134.32
	HD FOWLER COMPANY	PIPE ADAPTERS, CORP STOPS	WATER/SEWER OPERATION	314.42
	HD FOWLER COMPANY	6" SHORT RADIUS	PUMPING PLANT	392.32
78136	HEALY, CHRISTOPHER	RETURN OF SEIZED PROPERTY	DRUG SEIZURE	3,171.00
78137	HOLCOMB, ERIC	UTILITY TAX REBATE	NON-DEPARTMENTAL	70.63
78138	HOLZERLAND, MARC	JURY DUTY	COURTS	14.44
78139	HORIZON	MISC. HARDWARE	MAINTENANCE	47.22
	HORIZON	TRIMMER HEADS & LINE	MAINTENANCE	113.37
	HORIZON	QUALI-PRO IPRODIONE	MAINTENANCE	228.49
	HORIZON		MAINTENANCE	228.49
	HORIZON	QUALI-PRO FUNGICIDE	MAINTENANCE	293.89
78140	INFORMATION SERVICES	TELECOMMUNICATIONS	OFFICE OPERATIONS	1,121.80
78141	JOHNSON, TED	JURY DUTY	COURTS	26.66
78142	JONES, LORELEI	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
78143	JUDSON, KAREN	JURY DUTY	COURTS	13.33
78144	KAL, PHILIP		COURTS	54.40
78145	KELLER WILLIAMS	UB 757609000000 7609 50TH PL N	WATER/SEWER OPERATION	45.04
78146	KIDZ LOVE SOCCER	INSTRUCTOR SERVICES	RECREATION SERVICES	497.70
	KIDZ LOVE SOCCER		RECREATION SERVICES	567.00
	KIDZ LOVE SOCCER		RECREATION SERVICES	829.50
	KIDZ LOVE SOCCER		RECREATION SERVICES	948.50
	KIDZ LOVE SOCCER		RECREATION SERVICES	1,382.50
78147	LAKWOOD SPORTS BOOS		RECREATION SERVICES	165.00
	LAKWOOD SPORTS BOOS		RECREATION SERVICES	210.00
	LAKWOOD SPORTS BOOS		RECREATION SERVICES	2,000.00
78148	LICENSING, DEPT OF	DUFFY, MARJORIE (RENEWAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	GRAVES, JANE (RENEWAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	HIGGINS, NATHANAEL (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	LOVE, DOLORES (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	MILLER, DAVID (RENEWAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	PIERCE, BRANDON (LATE RENEWAL)	GENERAL FUND	21.00
78149	LIND, MARSCI	WTR/SWR CONSERVATION REBATE	UTIL ADMIN	49.00
78150	LIVERMORE, ETHAN	JURY DUTY	COURTS	11.11
78151	LOWES HIW INC	DEHUMIDIFIER	PARK & RECREATION FAC	224.91
78152	MACDICKEN, HEIDI	JURY DUTY	COURTS	11.11
78153	MANHAS, AMARJIT		COURTS	11.67
78154	MARTWICK, NICHOLAS	WTR/SWR CONSERVATION REBATE	UTIL ADMIN	50.00
78155	MARYSVILLE AWARDS	TROPHIES-SOFTBALL	RECREATION SERVICES	247.61
78156	MARYSVILLE PRINTING	PUNCH CARDS-CEDARCREST	PRO-SHOP	86.83
78157	MARYSVILLE, CITY OF	GBG-4800 152ND ST NE	RECREATION SERVICES	583.62
	MARYSVILLE, CITY OF	WTR/SWR-1635 GROVE ST	PUBLIC SAFETY FAC-GENL	2,540.69
78158	MATERIALS TESTING &	PROFESSIONAL SERVICES	ROADS/STREETS CONSTRUC	7,236.25
78159	MATHEWS, LAUREL	UB 570660000001 2723 176TH ST	WATER/SEWER OPERATION	24.99
78160	MCKINLAY, JEANETTE &	UB 080110000002 5405 96TH PL N	WATER/SEWER OPERATION	111.71
78161	MEIER, KELLY	REFUND-CLASS CANCELED	PARKS-RECREATION	25.00
78162	METAL FINISHING INC	POWDER COAT STEEL PLATES	PARK & RECREATION FAC	55.00
78163	MOTOR TRUCKS	CREDIT	EQUIPMENT RENTAL	-448.77
	MOTOR TRUCKS	AUTO TRANS FILTER KIT	EQUIPMENT RENTAL	62.25
	MOTOR TRUCKS	AUTOSLAK	EQUIPMENT RENTAL	305.72
	MOTOR TRUCKS		EQUIPMENT RENTAL	448.77

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<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
78164	NATIONAL BARRICADE	SIGNS	TRANSPORTATION MANAGEM	9,345.03
78165	NEXXPOST LLC	SUPPLY PACK	FINANCE-GENL	17.31
	NEXXPOST LLC		PERSONNEL ADMINISTRATIO	17.31
	NEXXPOST LLC		UTILITY BILLING	17.31
	NEXXPOST LLC		LEGAL - PROSECUTION	17.31
	NEXXPOST LLC		COMMUNITY DEVELOPMENT-	17.31
	NEXXPOST LLC		ENGR-GENL	17.31
	NEXXPOST LLC		UTIL ADMIN	17.31
	NEXXPOST LLC		POLICE INVESTIGATION	17.31
	NEXXPOST LLC		POLICE PATROL	17.31
	NEXXPOST LLC		OFFICE OPERATIONS	17.31
	NEXXPOST LLC		DETENTION & CORRECTION	17.31
	NEXXPOST LLC		OFFICE OPERATIONS	17.31
	NEXXPOST LLC		CITY CLERK	17.32
	NEXXPOST LLC		EXECUTIVE ADMIN	17.32
78166	NICHOLS HYDROSEEDING	FILL STATION DEPOSIT REFUND	WATER/SEWER OPERATION	91.25
78167	NORTHWEST CASCADE	CREDIT	RECREATION SERVICES	-327.58
	NORTHWEST CASCADE	HONEY BUCKET	RECREATION SERVICES	375.98
	NORTHWEST CASCADE		RECREATION SERVICES	522.40
78168	NORTHWEST PLAYGROUND	OVAL SIDE ELBOW	PARK & RECREATION FAC	368.27
78169	NW CHAPTER ICC	MEMBERSHIP-DORCAS	COMMUNITY DEVELOPMENT-	15.00
78170	OFFICE DEPOT	OFFICE SUPPLIES	PRO-SHOP	10.17
	OFFICE DEPOT		POLICE ADMINISTRATION	38.00
	OFFICE DEPOT		COMMUNITY DEVELOPMENT-	75.63
	OFFICE DEPOT		POLICE PATROL	102.23
	OFFICE DEPOT		POLICE PATROL	149.84
	OFFICE DEPOT		POLICE PATROL	230.94
	OFFICE DEPOT		LEGAL-GENL	242.17
78171	OKANOGAN COUNTY JAIL	INMATE HOUSING/MEDICAL-MAY 201	DETENTION & CORRECTION	7,291.34
78172	OZONIA NORTH AMERICA	COOLING FANS & BALLASTS	WASTE WATER TREATMENT	1,402.70
	OZONIA NORTH AMERICA	COOLING FANS & LAMPS	WASTE WATER TREATMENT	1,438.77
78173	PACIFIC POWER PROD.	YOKE	MAINTENANCE	196.08
	PACIFIC POWER PROD.	CABLE, CLUTCH, BRAKE DRUMS	MAINTENANCE	879.04
78174	PARKIN, KYLE	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
78175	PARTS STORE, THE	CREDIT	EQUIPMENT RENTAL	-148.46
	PARTS STORE, THE		MAINTENANCE	-25.90
	PARTS STORE, THE	MOTOR MOUNT	EQUIPMENT RENTAL	18.22
	PARTS STORE, THE	FILTER KIT	ER&R	20.86
	PARTS STORE, THE	TAIL LIGHTS & OIL FILTERS	ER&R	42.03
	PARTS STORE, THE	FLAP DISCS	MAINTENANCE	47.84
	PARTS STORE, THE	2-CYCLE OIL	MAINTENANCE	55.36
	PARTS STORE, THE	MISC. PARTS - #212	EQUIPMENT RENTAL	89.21
	PARTS STORE, THE	LOWER BALL JOINT	EQUIPMENT RENTAL	112.94
	PARTS STORE, THE	MOUNTED POINTS, FITTINGS, BELT	MAINTENANCE	116.17
78176	PARTSMASER	SAWZALL BLADES, MAGNETIC CLAMP	EQUIPMENT RENTAL	374.41
78177	PEACE OF MIND	MINUTE TAKING SERVICES	CITY CLERK	158.10
	PEACE OF MIND		CITY CLERK	167.40
78178	PENDLETON, ARDNA	REFUND-CLASS CANCELED	PARKS-RECREATION	25.00
78179	PETROCARD SYSTEMS	FUEL CONSUMED	STORM DRAINAGE	118.41
	PETROCARD SYSTEMS		EQUIPMENT RENTAL	121.17
	PETROCARD SYSTEMS		ENGR-GENL	176.38
	PETROCARD SYSTEMS		BUILDING MAINTENANCE	273.65
	PETROCARD SYSTEMS		COMMUNITY DEVELOPMENT-	542.73
	PETROCARD SYSTEMS		PARK & RECREATION FAC	1,455.02
	PETROCARD SYSTEMS		GENERAL SERVICES - OVERH	3,344.35
	PETROCARD SYSTEMS		SOLID WASTE OPERATIONS	4,428.29
	PETROCARD SYSTEMS		MAINT OF EQUIPMENT	6,550.64

**CITY OF MARYSVILLE
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<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
78179	PETROCARD SYSTEMS	FUEL CONSUMED	POLICE PATROL	10,390.74
78180	PING	HATS	GOLF COURSE	140.79
78181	PUD	ACCT. # 2023-4068-3	PARK & RECREATION FAC	16.01
	PUD	ACCT #2024-6103-4	UTIL ADMIN	28.91
	PUD	ACCT #2027-9465-7	TRANSPORTATION MANAGEN	64.50
	PUD	ACCT #2024-2648-2	PUBLIC SAFETY FAC-GENL	76.98
	PUD	ACCT #2022-8858-5	TRANSPORTATION MANAGEN	89.93
	PUD	ACCT #2025-2469-0	PUMPING PLANT	95.61
	PUD	ACCT #2006-2538-2	SEWER LIFT STATION	224.40
	PUD	ACCT #2012-4769-9	STREET LIGHTING	465.50
	PUD	ACCT #2011-4725-3	PUMPING PLANT	899.64
	PUD	ACCT #2008-2454-8	MAINT OF GENL PLANT	1,328.50
	PUD	ACCT #2003-0347-7	WATER FILTRATION PLANT	1,660.32
	PUD	ACCT #2015-7792-1	PUMPING PLANT	1,801.70
	PUD	ACCT.# 2020-0499-0	LIBRARY-GENL	2,384.32
	PUD	ACCT #2014-6303-1	PUBLIC SAFETY FAC-GENL	2,838.58
	PUD	ACCT #2020-7500-8	WASTE WATER TREATMENT	5,869.59
	PUD	ACCT. # 2014-2063-5	WASTE WATER TREATMENT	8,830.53
	PUD	ACCT #2017-2118-0	WASTE WATER TREATMENT	17,444.28
78182	PUGET SOUND SECURITY	KEYS	POLICE PATROL	7.05
78183	QALTEK	REPAIR	UTIL ADMIN	170.53
78184	RADER, JENNIFER	JURY DUTY	COURTS	31.10
78185	RUBALCAVA, BARBARA	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
78186	SAN DIEGO POLICE EQU	AMMUNITION	POLICE TRAINING-FIREARMS	4,272.86
78187	SEIDEL, MELISSA	JURY DUTY	COURTS	15.55
78188	SERVICE ELECTRIC COM	LUMINAIRE POLE REPLACEMENT	STREET LIGHTING	5,945.45
78189	SHELDON, DEANNA	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
78190	SHIPLEY, SCOTT	JURY DUTY	COURTS	19.44
78191	SMOKEY POINT CONCRET	CONCRETE FOOTINGS	WATER CAPITAL PROJECTS	56.04
	SMOKEY POINT CONCRET		WATER CAPITAL PROJECTS	135.02
	SMOKEY POINT CONCRET		WATER CAPITAL PROJECTS	148.52
	SMOKEY POINT CONCRET		WATER CAPITAL PROJECTS	276.93
78192	SNAP-ON INCORPORATED	COLLET NUT	EQUIPMENT RENTAL	6.03
	SNAP-ON INCORPORATED	MISC. TOOLS	EQUIPMENT RENTAL	573.48
78193	SNO CO TREASURER	INMATE HOUSING	DETENTION & CORRECTION	18,522.89
78194	SNOPAC	DISPATCH SERVICES	COMMUNICATION CENTER	73,905.92
78195	SOUND PUBLISHING	LEGAL ADS	CITY CLERK	98.78
78196	SOUND PUBLISHING		COMMUNITY DEVELOPMENT-	273.89
78197	SOUND SAFETY	GLOVES	DETENTION & CORRECTION	66.68
78198	SPANI, WILLIAM & AUD	UB 141070000000 4226 126TH PL	WATER/SEWER OPERATION	250.00
78199	STATE AUDITORS OFFIC	AUDIT PERIOD 11-11	NON-DEPARTMENTAL	14,303.84
	STATE AUDITORS OFFIC		ADMIN-FINANCE	14,303.84
78200	STRICKLAND, LASCA	JURY DUTY	COURTS	11.67
78201	SUBURBAN PROPANE	PROPANE	MAINTENANCE	404.30
78202	SYSTEMS INTERFACE	UPGRADE PLC AT GETCHELL	WATER RESERVOIRS	1,486.84
78203	TIRE DISPOSAL & RECY	TIRE DISPOSAL FEE	SOLID WASTE OPERATIONS	197.17
	TIRE DISPOSAL & RECY		EQUIPMENT RENTAL	197.18
78204	TITLEIST	GOLF BALLS	GOLF COURSE	153.63
	TITLEIST		GOLF COURSE	1,351.14
78205	TREACY, AL	SUPPLY REIMBURSEMENT	LEGAL-GENL	20.62
78206	UNDERDOWN, JESSICA	REFUND-CLASS CANCELED	PARKS-RECREATION	30.00
78207	UNITED PARCEL SERVIC	SHIPPING EXPENSE	STORM DRAINAGE	22.34
78208	UNITED PARCEL SERVIC		POLICE PATROL	20.61
78209	UNRUH, SHARON	JURY DUTY	COURTS	22.22
78210	VANTOL, CLARE		COURTS	22.22
78211	VERIZON/FRONTIER	ACCT.# 36065774950927115	STREET LIGHTING	49.62
	VERIZON/FRONTIER	ACCT #36065836350725085	UTIL ADMIN	51.97

DATE: 6/21/2012
 TIME: 9:57:12AM

**CITY OF MARYSVILLE
 INVOICE LIST
 FOR INVOICES FROM 6/21/2012 TO 6/27/2012**

PAGE: 6

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
78211	VERIZON/FRONTIER	ACCT #36065836350725085	COMMUNITY DEVELOPMENT-	51.97
	VERIZON/FRONTIER	ACCT #:42539763250319985	PARK & RECREATION FAC	54.92
	VERIZON/FRONTIER	ACCT #36065827660617105	MUNICIPAL COURTS	56.24
	VERIZON/FRONTIER	ACCT #36065831360617105	MUNICIPAL COURTS	56.24
	VERIZON/FRONTIER	ACCT. # 36065905060927115	STREET LIGHTING	56.24
78212	WASTE MANAGEMENT	SERVICES FOR GEDDES-MAY 2012	STORM DRAINAGE	2,148.37
78213	WAXIE SANITARY SUPPL	JANITORIAL SUPPLIES	PARK & RECREATION FAC	30.04
	WAXIE SANITARY SUPPL		PARK & RECREATION FAC	98.30
78214	WEST PAYMENT CENTER	WEST INFORMATION CHARGES	LEGAL - PROSECUTION	610.06
78215	WESTERN PETERBILT	CREDIT	EQUIPMENT RENTAL	-97.74
	WESTERN PETERBILT	AIR HOSE & END WITH SPRING	EQUIPMENT RENTAL	31.44
	WESTERN PETERBILT	CORE	EQUIPMENT RENTAL	97.74
	WESTERN PETERBILT	BRAKE KIT	EQUIPMENT RENTAL	356.36
78216	WILBUR-ELLIS	FUNGICIDES & PESTICIDES	MAINTENANCE	1,693.58
78217	WISEMAN, JANETTE	INSTRUCTOR SERVICES	RECREATION SERVICES	45.00
	WISEMAN, JANETTE		RECREATION SERVICES	235.20
	WISEMAN, JANETTE		RECREATION SERVICES	243.00
78218	YOUMANS, TRACI	JURY DUTY	COURTS	12.22

WARRANT TOTAL: 1,669,010.43

LESS VOID:

CHECK # 76241 CHECK LOST IN MAIL (70.63)

1,668,939.80

REASON FOR VOIDS:

- INITIATOR ERROR
- WRONG VENDOR
- CHECK LOST IN MAIL
- UNCLAIMED PROPERTY

Index #4

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: July 9, 2012

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

RECOMMENDED ACTION:

The Finance and Executive Departments recommend City Council approve the June 20, 2012 payroll in the amount \$940,067.24 Check No.'s 25575 through 25631.

COUNCIL ACTION:

Index #5

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: 7/9/2012

AGENDA ITEM: Interlocal Contract for Cooperative Purchasing with Houston-Galveston Area Council (HGAC)	
PREPARED BY: Tonya Miranda, Admin Services Manager DEPARTMENT: Public Works / Procurement	DIRECTOR APPROVAL: 
ATTACHMENTS: Interlocal Contract for Cooperative Purchasing with HGAC	
BUDGET CODE: N/A	AMOUNT: \$0.00

SUMMARY:

The Houston-Galveston Area Council (H-GAC) is a regional council of governments operating under the laws of the State of Texas and governed by a board comprised of 35 elected officials from the 13-county region. The H-GAC Board awards all contracts, which can then be made available to local governments nationwide thru HGACBuy.

HGACBuy is a unit of local government and a political subdivision of the State of Texas. The HGACBuy Program is over 30 years old and specializes in high ticket, capital intensive products and services that require technical, detailed specifications and extensive professional skills to evaluate bid responses. All products offered through HGACBuy have been awarded by virtue of a public competitive process. There are no annual membership dues required to purchase through HGACBuy.

Contracts available through this purchasing cooperative include such categories as general purpose and emergency vehicles, grounds and facilities equipment, public works equipment, and emergency equipment and supplies.

RECOMMENDED ACTION: Staff recommends that Council authorize the Mayor to sign the Interlocal Contract for Cooperative Purchasing with HGAC.



**INTERLOCAL CONTRACT
FOR COOPERATIVE PURCHASING**

ILC
No.: _____
Permanent Number assigned by H-GAC

THIS INTERLOCAL CONTRACT ("Contract"), made and entered into pursuant to the Texas Interlocal Cooperation Act, Chapter 791, Texas Government Code (the "Act"), by and between the Houston-Galveston Area Council, hereinafter referred to as "H-GAC," having its principal place of business at 3555 Timmons Lane, Suite 120, Houston, Texas 77027, and * the City of Marysville, Washington, a local government, a state agency, or a non-profit corporation created and operated to provide one or more governmental functions and services, hereinafter referred to as "End User," having its principal place of business at * 1049 State Avenue, Marysville, WA 98270

WITNESSETH

WHEREAS, H-GAC is a regional planning commission and political subdivision of the State of Texas operating under Chapter 391, Texas Local Government Code; and

WHEREAS, pursuant to the Act, H-GAC is authorized to contract with eligible entities to perform governmental functions and services, including the purchase of goods and services; and

WHEREAS, in reliance on such authority, H-GAC has instituted a cooperative purchasing program under which it contracts with eligible entities under the Act; and

WHEREAS, End User has represented that it is an eligible entity under the Act, that its governing body has authorized this Contract on * Jul 09, 2012 (Date), and that it desires to contract with H-GAC on the terms set forth below;

NOW, THEREFORE, H-GAC and the End User do hereby agree as follows:

ARTICLE 1: LEGAL AUTHORITY

The End User represents and warrants to H-GAC that (1) it is eligible to contract with H-GAC under the Act because it is one of the following: a local government, as defined in the Act (a county, a municipality, a special district, or other political subdivision of the State of Texas or any other state), or a combination of two or more of those entities, a state agency (an agency of the State of Texas as defined in Section 771.002 of the Texas Government Code, or a similar agency of another state), or a non-profit corporation created and operated to provide one or more governmental functions and services, and (2) it possesses adequate legal authority to enter into this Contract.

ARTICLE 2: APPLICABLE LAWS

H-GAC and the End User agree to conduct all activities under this Contract in accordance with all applicable rules, regulations, and ordinances and laws in effect or promulgated during the term of this Contract.

ARTICLE 3: WHOLE AGREEMENT

This Contract and any attachments, as provided herein, constitute the complete contract between the parties hereto, and supersede any and all oral and written agreements between the parties relating to matters herein.

ARTICLE 4: PERFORMANCE PERIOD

The period of this Contract shall be for the balance of the fiscal year of the End User, which began * Jan 01, 2012 and ends * Dec 31, 2012. This Contract shall thereafter automatically be renewed annually for each succeeding fiscal year, provided that such renewal shall not have the effect of extending the period in which the End User may make any payment due an H-GAC contractor beyond the fiscal year in which such obligation was incurred under this Contract.

ARTICLE 5: SCOPE OF SERVICES

The End User appoints H-GAC its true and lawful purchasing agent for the purchase of certain products and services through the H-GAC Cooperative Purchasing Program. End User will access the Program through HGACBuy.com and by submission of any duly executed purchase order, in the form prescribed by H-GAC to a contractor having a valid contract with H-GAC. All purchases hereunder shall be in accordance with specifications and contract terms and pricing established by H-GAC. Ownership (title) to products purchased through H-GAC shall transfer directly from the contractor to the End User.

(over)

ARTICLE 6: PAYMENTS

H-GAC will confirm each order and issue notice to contractor to proceed. Upon delivery of goods or services purchased, and presentation of a properly documented invoice, the End User shall promptly, and in any case within thirty (30) days, pay H-GAC's contractor the full amount of the invoice. All payments for goods or services will be made from current revenues available to the paying party. In no event shall H-GAC have any financial liability to the End User for any goods or services End User procures from an H-GAC contractor.

ARTICLE 7: CHANGES AND AMENDMENTS

This Contract may be amended only by a written amendment executed by both parties, except that any alterations, additions, or deletions to the terms of this Contract which are required by changes in Federal and State law or regulations are automatically incorporated into this Contract without written amendment hereto and shall become effective on the date designated by such law or regulation.

H-GAC reserves the right to make changes in the scope of products and services offered through the H-GAC Cooperative Purchasing Program to be performed hereunder.

ARTICLE 8: TERMINATION PROCEDURES

H-GAC or the End User may cancel this Contract at any time upon thirty (30) days written notice by certified mail to the other party to this Contract. The obligations of the End User, including its obligation to pay H-GACs contractor for all costs incurred under this Contract prior to such notice shall survive such cancellation, as well as any other obligation incurred under this Contract, until performed or discharged by the End User.

ARTICLE 9: SEVERABILITY

All parties agree that should any provision of this Contract be determined to be invalid or unenforceable, such determination shall not affect any other term of this Contract, which shall continue in full force and effect.

ARTICLE 10: FORCE MAJEURE

To the extent that either party to this Contract shall be wholly or partially prevented from the performance within the term specified of any obligation or duty placed on such party by reason of or through strikes, stoppage of labor, riot, fire, flood, acts of war, insurrection, accident, order of any court, act of God, or specific cause reasonably beyond the party's control and not attributable to its neglect or nonfeasance, in such event, the time for the performance of such obligation or duty shall be suspended until such disability to perform is removed; provided, however, force majeure shall not excuse an obligation solely to pay funds. Determination of force majeure shall rest solely with H-GAC.

ARTICLE 11: VENUE

Disputes between procuring party and Vendor are to be resolved in accord with the law and venue rules of the State of purchase.

THIS INSTRUMENT HAS BEEN EXECUTED IN TWO ORIGINALS BY THE PARTIES HERETO AS FOLLOWS:

* City of Marysville

 Name of End User (local government, agency, or non-profit corporation)

* 1049 State Avenue

 Mailing Address
 * Marysville WA 98270

 City State ZIP Code

*By: _____
 Signature of chief elected or appointed official

* Jon Nehring, Mayor

 Typed Name & Title of Signatory Date

Houston-Galveston Area Council
 3555 Timmons Lanc, Suite 120, Houston, TX 77027

By: _____
 Executive Director

Attest: _____
 Manager

Date: _____

*Denotes required fields

*Request for Information

To expedite service, please complete the following blanks relevant to your agency's administrative/elective personnel and return the completed form to H-GAC, Cooperative Purchasing Program, P.O.Box 22777, Houston, TX 77227-2777.

Name of End User Agency : City of Marysville County Name : Snohomish
(Municipality / County / District / etc.)
Mailing Address : 1049 State Avenue, Marysville, WA 98270
(Street Address/P.O. Box) (City) (State) (ZIP Code)
Main Telephone Number : 360-363-8000 FAX Number: 360-651-5300
Physical Address : same as above
(Street Address, if different from mailing address) (City) (State) (ZIP Code)
Web Site Address: www.marysvillewa.gov

Authorized Official: Jon Nehring Title: Mayor
(City manager / Executive Director / etc.) Ph No.: 360-363-8000
Mailing Address: 1049 State Avenue
(Street Address/P.O. Box) E-Mail Address : jnehring@marysvillewa.gov
Marysville WA 98270
(City) (State) (ZIP Code)

Official Contact: Gloria Hirashima Title: Chief Administrative Officer
(Purchasing Agent/Auditor etc.) Ph No.: 360-363-8000
Mailing Address: 1049 State Avenue
(Street Address/P.O. Box) Fx No.: 360-651-5033
Marysville WA 98270 Email Address : ghirashima@marysvillewa.gov
(City) (State) (ZIP Code)

Official Contact: Kevin Nielsen Title: Public Works Director
(Public Works Director/Police Chief etc.) Ph No.: 360-363-8100
Mailing Address: 80 Columbia Avenue
(Street Address/P.O. Box) Fx No.: 360-363-8284
Marysville WA 98270 Email Address : knielsen@marysvillewa.gov
(City) (State) (ZIP Code)

Official Contact: Sandy Langdon Title: Finance Director
(EMS Director/Fire Chief etc.) Ph No.: 360-363-8000
Mailing Address: 1049 State Avenue
(Street Address/P.O. Box) Fx No.: 360-651-5033
Marysville WA 98270 Email Address : slangdon@marysvillewa.gov
(City) (State) (ZIP Code)

Index #6

CITY OF MARYSVILLE AGENDA BILL

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: 7/9/12

AGENDA ITEM: Resolution of the City of Marysville Amending Bid and Purchasing Policy and Repealing Resolution No. 2313	
PREPARED BY: Sandy Langdon, Admin. Svcs./Finance Director	DIRECTOR APPROVAL:
DEPARTMENT: Finance	
ATTACHMENTS: Draft Bid and Purchasing Policy Resolution – Redline Draft Bid and Purchasing Policy Resolution	
BUDGET CODE:	AMOUNT:

SUMMARY:

Director’s and staff continue to strive to reduce expenditures where ever possible and one of these areas is with the Bid and Purchasing Policy. RCW 39.34 allows cities to enter into interlocal cooperative purchasing agreements to make the most efficient use of each entities purchasing powers. The host entity prepares the bid as per bid law and within the bid allows for other entities to purchases from the bid. Other entities purchasing from this bid has ultimately saved their entity the bid preparation process and usually can gain a better price based on the vendor having the ability to sell additional quantities.

Interlocal cooperative purchasing agreements have been used by the city in the past and have been a valuable tool in acquiring supplies, materials, equipment, and services. We would like to continue to use this tool and acknowledge this by amending the current Bid and Purchasing Policy and establishing the guidelines for the use of interlocal cooperative purchasing agreements.

RECOMMENDED ACTION:
Staff recommends the City Council accept and authorize the Mayor to sign a Resolution of the City of Marysville Amending Bid and Purchasing Policy and Repealing Resolution No. 2313.

DRAFT
CITY OF MARYSVILLE
Marysville, Washington

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF MARYSVILLE AMENDING BID AND
PURCHASING POLICY AND REPEALING RESOLUTION NO. 2313

WHEREAS, RCW 35.22.620 allows for purchasing policy to be set by council for cities with population over 20,000,

WHEREAS, it is in the public interest to ~~adjust public works projects limits to the limits allowed under RCW 35.23.352 and RCW 39.04.155~~ establish provisions for interlocal cooperative purchasing agreements as allowed under RCW 39.34, NOW, THEREFORE

IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARYSVILLE, WASHINGTON AS FOLLOWS:

1. The Mayor, and/or his/her designee, may solicit for and enter into agreements for the purchases of supplies, materials, equipment or services without council approval of values less than \$35,000, provided that the following procedures are adhered to:

a. \$0 - \$2,499 - Local Purchase Orders/Purchasing Card

The purchase of goods and services up to \$2,499 in value (inclusive of applicable Taxes and freight) are to be undertaken using a Local Purchase Order or Purchasing Card.

b. \$2,500 - \$9,999 - Standard Purchase Orders (Verbal Quotations)

The purchase of goods and services of between \$2,500 and \$9,999 in value (inclusive of applicable taxes and freight) shall require verbal quotations from at least three suppliers, with such quotations to be noted on a Purchase Requisition

c. \$10,000 - \$34,999 - Standard Purchase Orders (Written Quotations)

The purchase of goods and services of between \$10,000 and \$34,999 in value (inclusive of applicable taxes and freight) shall require written quotations from at least three suppliers, with such quotations to be noted on a Purchase Requisition, unless the items are from a sole source vendor.

2. The Mayor, and/or his/her designee may solicit for, but may not enter into agreements for the purchase of supplies, materials equipment or service without council approval on a council agenda for values between \$35,000 and \$49,999 under the following circumstances:

a. \$35,000 - \$49,999 - Standard Purchase Orders (Formal Written Quotations)
The purchase of goods and services of between \$35,000 and \$49,999 in value (inclusive of applicable taxes) shall require written quotations from at least three suppliers, with such quotations to be noted on a Purchase Requisition, unless the items are from a sole source vendor.

3. ~~Competitive bidding and~~ Council approval on a council agenda shall be required for the following:

- a. \$50,000 and over - Standard Purchase Orders (Publicly Tendered Contracts). The purchase of ~~goods, supplies, material, equipment~~ and services ~~of between~~ of \$50,000 ~~and over in value but under \$300,000~~ (inclusive of applicable taxes and freight) ~~must be bid competitively per RCW 35.23.352 shall, at a minimum, require written quotations from at least three suppliers, with such quotations to be noted on a Purchase Requisition, unless the purchase is from a sole source vendor.~~
- b. Public Works Projects - Public works projects valued over ~~\$40,000~~ 40,000 but under \$300,000 (inclusive of applicable taxes and freight) for a single craft public work, or over \$65,000 for a multiple craft public works project for which an existing small works roster does not exist will require competitive bid.
- c. Cooperative Purchasing ~~—~~ Interlocal cooperative purchasing agreements must be in accordance with the provisions set forth in RCW 39.34 as currently written or hereafter amended.

When purchases made from a contract awarded by another public agency where an interlocal cooperative purchasing agreement is in place, any statutory obligation to provide notice for bids or proposals that applies to the city is satisfied if the public agency or group of public agencies that awarded the bid, proposal, or contract complied with its own legal requirements and either posted the bid or solicitation notice on a website established and maintained by the public agency for purposes of posting public notice of bid or proposal solicitations or provided an access link on the state's web portal to the notice.

Invitations for bids for goods and services and requests for proposals issued by the city may include notice that the city participates in cooperative purchasing and that other public agencies may desire to place orders against the awarded contract. Bidders/proposers may be asked to indicate if they agree to allow orders from other public agencies that have an interlocal cooperative purchasing agreement with the city.

PASSED by the City Council and APPROVED by the Mayor this, _____, day of _____,
20____.

CITY OF MARYSVILLE

Jon Nehring, Mayor

ATTEST:

April O'Brien, Deputy City Clerk

APPROVED AS TO FORM:

Grant Weed, City Attorney

DRAFT
CITY OF MARYSVILLE
Marysville, Washington

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF MARYSVILLE AMENDING BID AND
PURCHASING POLICY AND REPEALING RESOLUTION NO. 2313

WHEREAS, RCW 35.22.620 allows for purchasing policy to be set by council for cities with population over 20,000,

WHEREAS, it is in the public interest to establish provisions for interlocal cooperative purchasing agreements as allowed under RCW 39.34, NOW, THEREFORE

IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARYSVILLE, WASHINGTON AS FOLLOWS:

1. The Mayor, and/or his/her designee, may solicit for and enter into agreements for the purchases of supplies, materials, equipment or services without council approval of values less than \$35,000, provided that the following procedures are adhered to:

a. \$0 - \$2,499 - Local Purchase Orders/Purchasing Card

The purchase of goods and services up to \$2,499 in value (inclusive of applicable Taxes and freight) are to be undertaken using a Local Purchase Order or Purchasing Card.

b. \$2,500 - \$9,999 - Standard Purchase Orders (Verbal Quotations)

The purchase of goods and services of between \$2,500 and \$9,999 in value (inclusive of applicable taxes and freight) shall require verbal quotations from at least three suppliers, with such quotations to be noted on a Purchase Requisition

c. \$10,000 - \$34,999 - Standard Purchase Orders (Written Quotations)

The purchase of goods and services of between \$10,000 and \$34,999 in value (inclusive of applicable taxes and freight) shall require written quotations from at least three suppliers, with such quotations to be noted on a Purchase Requisition, unless the items are from a sole source vendor.

2. The Mayor, and/or his/her designee may solicit for, but may not enter into agreements for the purchase of supplies, materials equipment or service without council approval on a council agenda for values between \$35,000 and \$49,999 under the following circumstances:

a. \$35,000 - \$49,999 - Standard Purchase Orders (Formal Written Quotations)
The purchase of goods and services of between \$35,000 and \$49,999 in value (inclusive of applicable taxes) shall require written quotations from at least three suppliers, with such quotations to be noted on a Purchase Requisition, unless the items are from a sole source vendor.

3. Council approval on a council agenda shall be required for the following:

- a. \$50,000 and over - Standard Purchase Orders (Publicly Tendered Contracts). The purchase of supplies, material, equipment and services of \$50,000 but under \$300,000 (inclusive of applicable taxes and freight) shall, at a minimum, require written quotations from at least three suppliers, with such quotations to be noted on a Purchase Requisition, unless the purchase is from a sole source vendor.
- b. Public Works Projects - Public works projects valued over \$40,000 but under \$300,000 (inclusive of applicable taxes and freight) for a single craft public work, or over \$65,000 for a multiple craft public works project for which an existing small works roster does not exist will require competitive bid.
- c. Cooperative Purchasing – Interlocal cooperative purchasing agreements must be in accordance with the provisions set forth in RCW 39.34 as currently written or hereafter amended.

When purchases made from a contract awarded by another public agency where an interlocal cooperative purchasing agreement is in place, any statutory obligation to provide notice for bids or proposals that applies to the city is satisfied if the public agency or group of public agencies that awarded the bid, proposal, or contract complied with its own legal requirements and either posted the bid or solicitation notice on a website established and maintained by the public agency for purposes of posting public notice of bid or proposal solicitations or provided an access link on the state's web portal to the notice.

Invitations for bids for goods and services and requests for proposals issued by the city may include notice that the city participates in cooperative purchasing and that other public agencies may desire to place orders against the awarded contract. Bidders/proposers may be asked to indicate if they agree to allow orders from other public agencies that have an interlocal cooperative purchasing agreement with the city.

PASSED by the City Council and APPROVED by the Mayor this, _____, day of _____, 20____.

CITY OF MARYSVILLE

Jon Nehring, Mayor

ATTEST:

April O'Brien, Deputy City Clerk

APPROVED AS TO FORM:

Grant Weed, City Attorney

Index #7

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: July 9, 2012

AGENDA ITEM: Special Events Ordinance	AGENDA SECTION:	
PREPARED BY: Cheryl Dungan, Senior Planner	AGENDA NUMBER:	
ATTACHMENTS: 1. Memo re. proposed amendments 2. Proposed amendments in underline/strike-through format 3. Adopting Ordinance	APPROVED BY:	
	MAYOR	CAO
BUDGET CODE:	AMOUNT:	

The City’s special event process was last reviewed in 1996. As the city has grown over the past sixteen years, the events requiring a special event permit has increased. Community Development staff has received input from applicants and city departments regarding the need to update the special event permitting process. City staff has examined the codes and application process in several other cities as part of this review. The purpose for a special event permit and city regulations is to regulate events that affect the general public, and public property or right of way. Under our current regulations, the permit process applies to many events that have no or minimal impact on the general public or public right of way.

The proposed amendments eliminate the need for events held entirely on private property and/or smaller events on public property with fewer than 100 people (provided there are no retail sales) to obtain a Special Use permit. The amendments also better define what constitutes a special event and the type of information needed for the City to adequately identify and review staff time and City resources needed for and during the special event. The draft code also establishes objective criteria for approvals/denials and allows City staff to review and establish requirements for public health and safety. Attached is a brief summary of the proposed ordinance.

<p>RECOMMENDED ACTION: Staff recommends the Council approve the repealing of current Chapter 5.46 Special Events and adopting the proposed new Chapter 5.46 Special Events. Other options include 1) remanding the back to staff for additional review; 2) disapproving the ordinance; or 3) holding additional an public hearing on the proposed adoption.</p>
<p>COUNCIL ACTION:</p>



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

MEMORANDUM

DATE: June 22, 2012
TO: City Council
FROM: Cheryl Dungan, Senior Planner
RE: Summary of Special Event Regulation Revisions

Overview:

The following is a summary of proposed amendments to the Marysville Municipal Code – Chapter 5.46, *Special Events*.

The following revisions are proposed to Chapter 5.46 – *Special Events*:

- Adding an updated definition section;
- Amending the exemption section to eliminate the need for smaller events to obtain a permit when no public properties are impacted;
- Adding a section to identify submittal requirements;
- Updating the insurance section consistent with City Attorney's recommendations;
- Amending the 'denial of permit' section to include failure to provide proof of adequate crowd control; off-site parking; conflicts with other scheduled events; etc.
- Adding a section for cost recovery for events held without first obtaining a permit;
- Adding a section to address First Amendment rights to free speech and limited cost recovery;
- Adding a penalty section for violations or failure to comply with the special event chapter as recommended by City Attorney's Office.

**Chapter 5.46
SPECIAL EVENTS**

Sections:

- 5.46.010 Definitions.
- 5.46.020 Special event Permit required.
- 5.46.025 Exceptions to special event requirement.
- 5.46.030 Permit application.
- 5.46.040 Approval.
- 5.46.050 Fees.
- 5.46.060 Departmental analysis.
- 5.46.070 Insurance required.
- 5.46.080 Denial of permit.
- 5.46.090 Appeal.
- 5.46.100 Sanitation.
- 5.46.110 Revocation of special event permit.
- 5.46.120 Cost recovery for unlawful special event.

5.46.130 Expressive activity special event.

5.46.010 Definitions.

Terms used in this chapter shall have the following meanings:

- (1) "Special events" include any event which is to be conducted on public property or on a public right of way; and, also, any event held on private property which would have a direct significant impact on traffic congestion, or traffic flow to and from the event over public streets or rights of way; or which would significantly impact the need for city-provided emergency services such as police, fire or medical aid. It is presumed that any event on private property which involves an open invitation to the public to attend or events where the attendance is by private invitation of 100 or more people are each presumed to be an event that will have a direct significant impact on the public streets, rights of way or emergency services. Special events might include, but not be limited to, fun runs, roadway foot races, fundraising walks, auctions, bikeathons, parades, carnivals, shows or exhibitions, filming/movie events, circuses, block parties, markets, sporting events and fairs. "Demonstration" means a public display of group opinion as by a rally or march, the principal purpose of which is expressive activity.
- (2) "Event organizer" means any person who conducts, manages, promotes, organizes, aids, or solicits attendance at a special event.
- (3) "Event management company" means an entity with expertise in managing special events.
- (4) "Expressive activity" includes conduct for which the sole or principal object-which is expression, dissemination, or communication by verbal, visual, literary, or auditory means of political or religious opinion, views, or ideas and for which no fee or donation is charged or required as a condition of participation in or attendance at such activity. For purposes of this

chapter, expressive activity does not include sports events, including marathons, fundraising events, or events the principal purpose of which is entertainment.

(5) "Gross revenues" means the sum of all revenues received by an event organizer for a special event including, but not limited to, cash receipts, licensing, sponsorships, television, advertising and similar revenues, and concessions.

(6) "March" means an organized walk or event whose principal purpose is expressive activity in service of a public cause.

(7) "Noncommercial special event" means any special event organized and conducted by a person or entity that qualifies as a tax-exempt nonprofit organization, or a special event whose principal purpose is expressive activity.

(8) "Rally" means a gathering whose principal purpose is expressive activity, especially one intended to inspire enthusiasm for a cause.

(9) "Sidewalk" means that portion of a right-of-way, other than the roadway, set apart by curbs, barriers, markings, or other delineation for pedestrian travel.

(10) "Sign" means any sign, pennant, flag, banner, inflatable display, or other attention-seeking device.

(11) "Special event" means any fair, show, parade, run/walk, festival, or other publicly attended entertainment or celebration which is to be held in whole or in part upon publicly owned property or public rights-of-way, or if held wholly upon private property, will nevertheless affect or impact the ordinary and normal use by the general public or public rights-of-way within the vicinity of such event.

(12) "Special event permit" means a permit issued under this chapter.

(13) "Special permit venue" means that area for which a special event permit has been issued.

(14) "Street" means any place that is publicly maintained and open to use of the public for purposes of vehicular traffic, including highways.

(15) "Tax-exempt nonprofit organization" means an organization that is exempted from payment of income taxes by federal or state law and has been in existence for a minimum of six months preceding the date of application for a special event permit.

(16) "Vendor" means any person who sells or offers to sell any goods, food, or beverages within a special event venue.

5.46.020 Special event Ppermit required.

(1) Except as provided elsewhere in the chapter, ~~No any person or entity-organization shall who conducts, promotes, or manages a special event that affects the customary and ordinary use of public streets, rights-of-way, sidewalks and publicly owned property, i.e., parks. shall first without first having-obtained~~ a special event permit from the city of Marysville.

5.46.025 Exceptions to special event permit requirement.

(1) Although not required to be issued a special event permit, an event organizer of an activity exempted from this chapter is required to comply with all local, state and federal laws and regulations governing public safety or health.

(2) The following activities are exempt from obtaining A a special event permit-is not required for the following:

(a) Parades, athletic events or other special events that occur exclusively on city property and are sponsored or conducted in full by the city of Marysville. An internal review process will be conducted for these events;

(b) Private events held entirely on private property that do not involve the use of or have an impact on public property or facilities and that do not require the provision of city public safety services;

(b) Funerals and weddings processions on private properties;

(c) Groups required by law to be so assembled;

(d) Gatherings of ~~30~~ 100 or fewer people in a city park, unless merchandise or services are offered for sale or trade to the public, in which case a special event permit is required;

(e) Temporary sales conducted by businesses, such as holiday sales, grand opening sales, ~~or~~ anniversary sales, or single event (one day only) concession stands;

(f) Garage sales ~~and~~ rummage sales, lemonade stands, and car washes;

~~(g) Other similar events and activities which do not directly affect or use city services or property;~~

(h) Activities conducted by a governmental agency acting within the scope of its authority;

(i) Lawful picketing on sidewalks;

(j) Block parties located entirely on private property when not requesting a street closure, and not inviting others from outside the neighborhood;

~~(k)~~ Annual Strawberry Festival which is governed by Chapter 5.48 MMC; and

(g) Other similar events and activities which do not directly affect or use city services or property;

5.46.030 Permit application.

(1) An application for a special event permit can be obtained at the office of the city clerk and will be completed and submitted to the city clerk and/or designee no later than 60 days prior to the proposed event. A completed application does not constitute approval of the permit.

(2) A waiver of application deadline shall be granted upon a showing of good cause or at the discretion of the city clerk ~~(risk manager)~~ and/or deissignee. The city clerk and/or designee shall consider an application that is filed after the filing deadline if there is sufficient time to process and investigate the application and obtain police and other city services for the event. Good cause can be demonstrated by the applicant showing that the circumstances that gave rise to the permit application did not reasonably allow the participants to file within the time prescribed, and that the event is for the purpose of expressive activity exercising the right of free speech.

(3) The following information shall be provided on the special event permit application: ~~purpose of the special event; name, address and telephone number of the sponsoring organization and/or individual(s); proposed date of event, location and hours of operation, schedule of events, estimated attendance, special facility requirements, city assistance required, and other information as the city deems reasonably necessary to determine that the permit meets the requirements of this chapter.~~

- ~~(a) The name, address, fax, cell, day of event contact #, email address, and office telephone number of the applicant;~~
- ~~(b) A certification that the applicant will be financially responsible for any city fees or costs that may be imposed for the special event;~~
- ~~(c) The name, address, fax, cell, email address and telephone number of the event organizer, if any, and the chief officer of the event organizer, if any;~~
- ~~(d) A list of emergency contacts that will be in effect during the event, and the event web address, if any; and~~
- ~~(e) If the special event is designed to be held by, on behalf of, or for any organization other than the applicant, the applicant for special event permit shall file a signed, written communication from such organization:
 - ~~i. Authorizing the applicant to apply for the special event permit on its behalf;~~
 - ~~ii. Certifying that the applicant will be financially responsible for any costs or fees that may be imposed for the special event; and~~
 - ~~iii. Attached to which shall be a copy of the tax exemption letter issued for any applicant claiming to be a tax-exempt nonprofit organization;~~~~
- ~~(f) All permit applications shall include:
 - ~~i. A statement of the purpose of the special event;~~
 - ~~ii. A statement of fees to be charged for the special event, including admissions tax documentation;~~
 - ~~iii. The proposed location of the special event;~~
 - ~~iv. Dates and times when the special event is to be conducted;~~
 - ~~v. The approximate times when assembly for, and disbanding of, the special event is to take place;~~
 - ~~vi. The proposed locations of the assembly or production area;~~
 - ~~vii. The specific proposed site or route, including a map and written narrative of the route;~~
 - ~~viii. The proposed site of any reviewing stands and/or vending areas;~~
 - ~~ix. The proposed site for any disbanding area;~~
 - ~~x. Proposed alternative routes, sites or times, where applicable;~~
 - ~~xi. The approximate number of persons, animals, vehicles that will constitute the special event;~~
 - ~~xii. The kinds of animals anticipated to be part of the special event;~~
 - ~~xiii. A description of the types of vehicles to be used in the special event;~~~~

- xiv. The number of bands or other musical units and the nature of any equipment to be used to produce sounds or noise;
- xv. The number and location of potable sanitation facilities;
- xvi. Other equipment or services necessary to conduct the special event with due regard for participant and public health and safety;
- xvii. The number of persons proposed or required to monitor or facilitate the special event and provide spectator or participant control and direction for special events using city streets, sidewalks, or facilities – including use of public or private law enforcement personnel;
- xviii. Provisions for first aid or emergency medical services, or both, based on special event risk factors;
- xix. Insurance and surety bond information;
- xx. Any special or unusual requirements that may be imposed or created by virtue of the proposed special event activity;
- xxi. The marketing plan with proposed timelines associated with marketing the activity to the general public;
 - Event timeline documenting activities from event set-up to event tear-down; and
 - Any other information required by the City.
- xxii. Parking areas;
- xxiii. Identify City assistance being requested; and-
- xxiv. Any other information required by the City.

5.46.040 Approval.

Based on the type of event and the event to which city services will be required, approval of special event permit applications will be made by the following authorities:

- (1) Approval by City Staff. Administrative approval for one-day events contained on a single site that could involve special parking arrangements and hiring of police officers for crowd control and traffic control. City staff shall include a representative from the police, planning, public works, parks and recreation, fire, streets, sanitation, and city clerk departments.
- (2) Approval by City Council. Multiple-day events (four days maximum) or any event involving street closures or impacts to services city-wide. Events lasting more than four days shall be subject to submittal of additional information as required by city staff.
- (3) The city council will be notified of all special event approvals made by the city staff.
- (4) If permits and/or coordination is required from other agencies, i.e., Community Transit, Department of Transportation, Snohomish Health District, etc., these must be submitted prior to the issuance of the permit.

5.46.050 Fees.

There will be a \$25.00 nonrefundable application fee for a special event permit.

5.46.060 Departmental analysis.

(1) The city clerk or designee will send copies of special event permit applications to all pertinent city departments and/or outside agencies when deemed necessary for review and determination of services required.

(2) The applicant is required to contract with the Marysville police department and public works department to employ police officers for security and traffic control as determined by the departmental analysis.

(3) Cost of city services, i.e., police, public works employees, etc. for special events will be estimated prior to the event. Additional costs incurred will be evaluated following the completion of the event. The city may in its discretion require a cash deposit for such costs.

5.46.070 Insurance required.

Except as otherwise provided in this chapter, ~~t~~The applicant is required to obtain and present evidence of comprehensive liability insurance naming the city of Marysville, its officials, officers, employees and agents as ~~an~~ additional insured for use of streets, public rights of way and publicly owned property such as parks. The insurance policy shall be written on an occurrence basis and shall provide ~~requirement is~~ a minimum coverage of \$1,000,000 for individual incidents, \$2,000,000 aggregate, per event, against all claims arising from permits issued pursuant to this chapter. The insurance policy period shall be for a period not less than twenty-four (24) hours prior to the event and extending for a period of not less than twenty-four (24) hours following completion of the event. ~~A certificate of insurance shall be required naming the city as an additional insured and indemnifying the city's, its officers, employees and agents from all causes of action, claims or liabilities occurring in connection with the permitted event.~~ In circumstances presenting a significantly high unusual risk of liability the city may, in its discretion, increase the minimum insurance requirements, and in circumstances presenting a significantly low risk of liability, the city may in its discretion reduce the minimum insurance requirements.

5.46.080 Denial of permit.

Reasons for denial of a special event permit include, but are not limited to:

- (1) The event will disrupt traffic within the city of Marysville beyond practical solution;
- (2) The event will protrude into the public space open to vehicle or pedestrian travel in such a manner as to create a likelihood of endangering the public;
- (3) The event will interfere with access to emergency services;

(4) The location or time of the special event will cause undue hardship or excessive noise levels to adjacent businesses or residents;

(5) The event will require the diversion of so many city employees that it would unreasonably affect other city services;

(6) The application contains incomplete or false information;

(7) The applicant fails to provide proof of insurance;

(8) The applicant fails to obtain a city business license and/or fails to pay the special event permit fee and/or the applicant has failed to pay all fees due from previous special events;

(9) The applicant failed to provide proof of sufficient monitors for crowd control and safety at least one week prior to the event;

(10) The applicant has failed to provide proof of sufficient on or off-site parking or shuttle services, or both, when required, to minimize any substantial adverse impacts on general parking and traffic circulation in the vicinity of the special event;

(11) The applicant has failed to conduct a previously authorized or exempted special event in accordance with law and/or the terms of a permit, or both;

(12) The special event application conflicts with permits issued on same date and location creating hardship or financial burden to already permitted events;

(13)(9) The applicant does not meet current zoning requirements;

(14) The applicant fails to obtain local, county, state and federal permits as required.

(15) The City reasonably determines that the proposed special event conflicts with an already approved special event scheduled for same date(s).

5.46.090 Appeal.

The applicant has the right to appeal any denial or revocation of a special events permit to the city council. An appeal shall be made in writing, shall specify the grounds of the appeal, shall have supporting documentation attached, and it shall be filed with the city clerk within seven (7) calendar days of the date of the written denial or revocation-setting forth the grounds for the appeal and any documentation in support of the appeal.

5.46.100 Sanitation.

(1) A special event permit may be issued only after adequate waste disposal facilities have been identified and obtained by the applicant. The permittee is required to clean all permitted public

and private properties and the right-of-way of rubbish and debris, returning it to its pre-event condition.

~~(a)~~ If the permittee fails to clean up such refuse, the clean-up will be arranged by the city and the costs charged to the permittee.

(2) A special event permit may be issued only after adequate restroom and washroom facilities have been identified and arranged for or obtained by the applicant subject to the Snohomish Health District's review and certification process.

5.46.110 Revocation of special event permit.

(1) Any special event permit issued pursuant to this chapter is subject to revocation, pursuant to this section.

(2) A special event permit may be revoked if the City determines:

(a) That the special event cannot be conducted without violating the provisions of this chapter and/standards or conditions for the special event permit issuance;

(b) The special event is being conducted in violation of the provisions of this chapter and/or any condition of the special event permit;

(c) The special event poses a threat to health or safety;

(d) The event organizer or any person associated with the special event has failed to obtain any other permit required pursuant to the provisions of this chapter;

(e) The special event permit was issued in error or contrary to law;

(f) The applicant has not paid all fees when due; or

(g) The applicant has failed to provide confirmation or proof that it has obtained the minimum number of required volunteers to perform safety functions;

(3) Except as provided in this section, notices of revocation shall be in writing and specifically set forth the reasons for the revocation.

(4) If there is an emergency requiring immediate revocation of a special event permit, the City may notify the permit holder verbally of the revocation.

~~(5) An appeal from a revocation shall be handled in the same manner and under the same time requirements as denials of special event permits, pursuant to MMC Section 5.46.090.~~

5.46.120 Cost recovery for unlawful special event.

Whenever a special event is conducted without a special event permit when one is required or is conducted in violation of the terms of an issued special event permit, the event organizer shall be responsible for, and the city shall charge the event organizer for, all costs incurred as a result of the adverse impacts of the special event or the violation of the special event permit.

5.46.130 Expressive activity special event.

When a special event permit is sought for an expressive activity such as a demonstration, rally, or march as defined in this chapter, the following exceptions shall apply:

(1) Where the special event will not require temporary street closures, cost recovery, pursuant to Section 5.46.050 shall be limited solely to a fee based on the cost of processing the permit application.

(2) -The insurance requirement of Section 5.46.070 shall be waived; provided, that the event organizer has filed with the application a verified statement that he or she intends the special event purpose to be First Amendment expression and the cost of obtaining insurance is financially burdensome and would constitute an unreasonable burden on the right of right of First Amendment expression. The verified statement shall include the name and address of one insurance broker or other source for insurance coverage contacted to determine premium rates for coverage.

(3) -Where the special event will require temporary street closures and any one or more of the conditions of subsection (4) of this section, are present, not requiring the city to provide services in the interest of public health, safety, and welfare, the special event coordinator may condition the issuance of the special event permit upon payment of actual, direct costs incurred by the city to a maximum of five hundred dollars. Any fee schedule adopted by the city shall contain a provision for waiver of, or a sliding scale for payment of, fees for city services, including police costs, on the basis of ability to pay.

(4) The city may deny a special event permit for a demonstration, rally or march if:

(a) -The special event will substantially interrupt public transportation or other vehicular and pedestrian traffic in the area of its route;

(b) -The special event will cause an irresolvable conflict with construction or development in the public right-of-way or at a public facility;

(c) -The special event will block traffic lanes or close streets during peak commuter hours on weekdays between seven a.m. to nine⁹ a.m. and four p.m. to six p.m. on streets designated as arterials by the city's public works department.

(d) -The special event will require the diversion of police employees from their normal duties;

(e) -The concentration of persons, animals, or vehicles will unduly interfere with the movement of police, fire, ambulance, and other emergency vehicles on the streets;

(f) -The special event will substantially interfere with another special event for which a permit has already been granted or with the provision of city services in support of other scheduled special events; or

(g) -The special event will have significant adverse impact upon residential or business access and traffic circulation in the same general venue.

(5) -With regard to the permitting of expressive activity special events where the provisions of this section conflict with the provisions in any other section of this chapter, the provisions of this section shall prevail.

5.46.140 Penalties for violation.

(1) Violations of, or failure to comply with, any provision of this chapter, shall constitute a civil infraction and any person found to have violated any provision of this chapter is punishable by a monetary penalty of not more than \$250.00 for each such violation. Each day that a violation continues shall constitute a new and separate infraction.

(2) The imposition of a penalty for violation of this chapter shall be in addition to any other penalties provided for in any other ordinances of the city or any other ordinances or laws applicable to the violation.

(3) Any permit fee or penalty which is delinquent or unpaid shall constitute a debt to the city and may be collected by a court proceeding in the same manner as any other debt in like amount, which remedy shall be in addition to all other existing remedies

CITY OF MARYSVILLE
Marysville, Washington
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON, RELATING TO THE REGULATION OF SPECIAL EVENTS; REPEALING CURRENT CHAPTER 5.46 SPECIAL EVENTS OF TITLE 5 BUSINESS LICENSES AND REGULATIONS AND ADOPTING A NEW CHAPTER 5.46 SPECIAL EVENTS.

WHEREAS, the City Council of the City of Marysville finds that from time to time it is necessary and appropriate to review and revise provisions of the City's municipal code; and

WHEREAS, the City Council finds that special events typically impact vehicular and pedestrian traffic and result in crowds or other situations that unless properly controlled, may potentially endanger the health, safety or welfare of the general public; and

WHEREAS, at a public meeting on _____, the Marysville City Council reviewed and considered and proposed repealing Chapter 5.46 and adopting a new Chapter 5.46 regarding special event permitting; and

WHEREAS, the City Council finds that it is in the best interest of the community to adopt a new Chapter 5.46 regulating the issuance of special event permits conducted in whole or in part upon publicly owned property or public rights-of-way, or if held wholly upon private property, will nevertheless affect or impact ordinary and normal use by the general public or public rights-of-way within the vicinity of such event.

NOW, THEREFORE,

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

Section 1. Current Chapter 5.46 Special Events of Title 5 Business Licenses and regulations of the Marysville Municipal Code is hereby repealed in its entirety and replaced by the following new Chapter 5.46 Special Events:

Chapter 5.46
SPECIAL EVENTS

Sections:

- 5.46.010 Definitions.
- 5.46.020 Special event permit required.
- 5.46.025 Exceptions to special event requirement.

- 5.46.030 Permit application.
- 5.46.040 Approval.
- 5.46.050 Fees.
- 5.46.060 Departmental analysis.
- 5.46.070 Insurance required.
- 5.46.080 Denial of permit.
- 5.46.090 Appeal.
- 5.46.100 Sanitation.
- 5.46.110 Revocation of special event permit.
- 5.46.120 Cost recovery for unlawful special event.
- 5.46.130 Expressive activity special event.

5.46.010 Definitions.

Terms used in this chapter shall have the following meanings:

- (1) "Demonstration" means a public display of group opinion as by a rally or march, the principal purpose of which is expressive activity.
- (2) "Event organizer" means any person who conducts, manages, promotes, organizes, aids, or solicits attendance at a special event.
- (3) "Event management company" means an entity with expertise in managing special events.
- (4) "Expressive activity" includes conduct for which the sole or principal object is expression, dissemination, or communication by verbal, visual, literary, or auditory means of political or religious opinion, views, or ideas and for which no fee or donation is charged or required as a condition of participation in or attendance at such activity. For purposes of this chapter, expressive activity does not include sports events, including marathons, fundraising events, or events the principal purpose of which is entertainment.
- (5) "Gross revenues" means the sum of all revenues received by an event organizer for a special event including, but not limited to, cash receipts, licensing, sponsorships, television, advertising and similar revenues, and concessions.
- (6) "March" means an organized walk or event whose principal purpose is expressive activity in service of a public cause.
- (7) "Noncommercial special event" means any special event organized and conducted by a person or entity that qualifies as a tax-exempt nonprofit organization, or a special event whose principal purpose is expressive activity.
- (8) "Rally" means a gathering whose principal purpose is expressive activity, especially one intended to inspire enthusiasm for a cause.
- (9) "Sidewalk" means that portion of a right-of-way, other than the roadway, set apart by curbs, barriers, markings, or other delineation for pedestrian travel.
- (10) "Sign" means any sign, pennant, flag, banner, inflatable display, or other attention-seeking device.
- (11) "Special event" means any fair, show, parade, run/walk, festival, or other publicly attended entertainment or celebration which is to be held in whole or in part upon publicly owned property or public rights-of-way, or if held wholly upon

private property, will nevertheless affect or impact the ordinary and normal use by the general public or public rights-of-way within the vicinity of such event.

(12) "Special event permit" means a permit issued under this chapter.

(13) "Special permit venue" means that area for which a special event permit has been issued.

(14) "Street" means any place that is publicly maintained and open to use of the public for purposes of vehicular traffic, including highways.

(15) "Tax-exempt nonprofit organization" means an organization that is exempted from payment of income taxes by federal or state law and has been in existence for a minimum of six months preceding the date of application for a special event permit.

(16) "Vendor" means any person who sells or offers to sell any goods, food, or beverages within a special event venue.

5.46.020 Special event permit required.

Except as provided elsewhere in the chapter, any person or entity who conducts, promotes, or manages a special event shall first obtain a special event permit from the City of Marysville.

5.46.025 Exceptions to special event permit requirement.

- (1) The following activities are exempt from obtaining a special event permit:
 - (a) Parades, athletic events or other special events that occur exclusively on City property and are sponsored or conducted in full by the City of Marysville. An internal review process will be conducted for these events;
 - (b) Private events held entirely on private property that do not involve the use of or have an impact on public property or facilities and that do not require the provision of City public safety services;
 - (b) Funeral and wedding processions on private properties;
 - (c) Groups required by law to be so assembled;
 - (d) Gatherings of 100 or fewer people in a city park, unless merchandise or services are offered for sale or trade to the public, in which case a special event permit is required;
 - (e) Temporary sales conducted by businesses, such as holiday sales, grand opening sales, anniversary sales, or single event (one day only) concession stands;
 - (f) Garage sales, rummage sales, lemonade stands, and car washes;
 - (g) Activities conducted by a governmental agency acting within the scope of its authority;
 - (h) Lawful picketing on sidewalks;
 - (i) Block parties located entirely on private property when not requesting a street closure, and not inviting others from outside the neighborhood;
 - (j) Annual Strawberry Festival which is governed by Chapter 5.48 MMC; and
 - (k) Other similar events and activities which do not directly affect or use city services or property;

(2) Although not required to be issued a special event permit, an event organizer of an activity exempted from this chapter is required to comply with all local, state and federal laws and regulations governing public safety or health.

5.46.030 Permit application.

(1) An application for a special event permit can be obtained at the office of the city clerk and will be completed and submitted to the city clerk and/or designee no later than 60 days prior to the proposed event. A completed application does not constitute approval of the permit.

(2) A waiver of application deadline shall be granted upon a showing of good cause or at the discretion of the city clerk and/or designee. The city clerk and/or designee shall consider an application that is filed after the filing deadline if there is sufficient time to process and investigate the application and obtain police and other City services for the event. Good cause can be demonstrated by the applicant showing that the circumstances that gave rise to the permit application did not reasonably allow the participants to file within the time prescribed, and that the event is for the purpose of expressive activity.

(3) The following information shall be provided on the special event permit application:

(a) The name, address, fax, cell, day of event contact number, email address, and office telephone number of the applicant;

(b) A certification that the applicant will be financially responsible for any City fees or costs that may be imposed for the special event;

(c) The name, address, fax, cell, email address and telephone number of the event organizer, if any, and the chief officer of the event organizer, if any;

(d) A list of emergency contacts that will be in effect during the event, and the event web address, if any; and

(e) If the special event is designed to be held by, on behalf of, or for any organization other than the applicant, the applicant for special event permit shall file a signed, written communication from such organization:

i. Authorizing the applicant to apply for the special event permit on its behalf;

ii. Certifying that the applicant will be financially responsible for any costs or fees that may be imposed for the special event; and

iii. Attached to which shall be a copy of the tax exemption letter issued for any applicant claiming to be a tax-exempt nonprofit organization;

(f) All permit applications shall include:

i. A statement of the purpose of the special event;

ii. A statement of fees to be charged for the special event, including admissions tax documentation;

iii. The proposed location of the special event;

iv. Dates and times when the special event is to be conducted;

v. The approximate times when assembly for, and disbanding of, the special event is to take place;

vi. The proposed locations of the assembly or production area;

- vii. The specific proposed site or route, including a map and written narrative of the route;
- viii. The proposed site of any reviewing stands and/or vending areas;
- ix. The proposed site for any disbanding area;
- x. Proposed alternative routes, sites or times, where applicable;
- xi. The approximate number of persons, animals, vehicles that will constitute the special event;
- xii. The kinds of animals anticipated to be part of the special event;
- xiii. A description of the types of vehicles to be used in the special event;
- xiv. The number of bands or other musical units and the nature of any equipment to be used to produce sounds or noise;
- xv. The number and location of potable sanitation facilities;
- xvi. Other equipment or services necessary to conduct the special event with due regard for participant and public health and safety;
- xvii. The number of persons proposed or required to monitor or facilitate the special event and provide spectator or participant control and direction for special events using City streets, sidewalks, or facilities – including use of public or private law enforcement personnel;
- xviii. Provisions for first aid or emergency medical services, or both, based on special event risk factors;
- xix. Insurance and surety bond information;
- xx. Any special or unusual requirements that may be imposed or created by virtue of the proposed special event activity;
- xxi. The marketing plan with proposed timelines associated with marketing the activity to the general public;
- xxii. Event timeline documenting activities from event set-up to event tear-down;
- xxiii. Parking areas;
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- xxv. Any other information required by the City.

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Based on the type of event and the event to which City services will be required, approval of special event permit applications will be made by the following authorities.

(1) Approval by City Staff. Administrative approval for one-day events contained on a single site that could involve special parking arrangements and hiring of police officers for crowd control and traffic control. City staff shall include a representative from the police, planning, public works, parks and recreation, fire, streets, sanitation, and city clerk departments.

(2) Approval by City Council. Multiple-day events (four days maximum) or any event involving street closures or impacts to services city-wide. Events lasting more than four days shall be subject to submittal of additional information as required by City staff.

(3) The City Council will be notified of all special event approvals made by the city staff.

(4) If permits and/or coordination is required from other agencies (i.e., Community Transit, Department of Transportation, Snohomish Health District, etc., these must be submitted prior to the issuance of the permit).

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There will be a \$25.00 nonrefundable application fee for a special event permit.

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(1) The city clerk or designee will send copies of special event permit applications to all pertinent City departments and/or outside agencies when deemed necessary for review and determination of services required.

(2) The applicant is required to contract with the Marysville police department and public works department to employ police officers for security and traffic control as determined by the departmental analysis.

(3) Cost of City services, i.e., police, public works employees, etc. for special events will be estimated prior to the event. Additional costs incurred will be evaluated following the completion of the event. The City may in its discretion require a cash deposit for such costs.

5.46.070 Insurance required.

Except as otherwise provided in this chapter, the applicant is required to obtain and present evidence of comprehensive liability insurance naming the City of Marysville, its elected officials, officers, employees and agents as additional insured for use of streets, public rights of way and publicly owned property such as parks. The insurance policy shall be written on an occurrence basis and shall provide a minimum coverage of \$1,000,000 for individual incidents, and \$2,000,000 aggregate, per event, against all claims arising from permits issued pursuant to this chapter. The insurance policy period shall be for a period of not less than twenty-four (24) hours prior to the event and extending for a period of not less than twenty-four (24) hours following completion of the event. In circumstances presenting a significantly high risk of liability the City may, in its discretion, increase the minimum insurance requirements, and in circumstances presenting a significantly low risk of liability, the City may in its discretion reduce the minimum insurance requirements.

5.46.080 Denial of permit.

Reasons for denial of a special event permit include, but are not limited to:

(1) The event will disrupt traffic within the City of Marysville beyond practical solution;

(2) The event will protrude into the public space open to vehicle or pedestrian travel in such a manner as to create a likelihood of endangering the public;

(3) The event will interfere with access to emergency services;

(4) The location or time of the special event will cause undue hardship or excessive noise levels to adjacent businesses or residents;

(5) The event will require the diversion of so many City employees that it would unreasonably affect other City services;

- (6) The application contains incomplete or false information;
- (7) The applicant fails to provide proof of insurance;
- (8) The applicant fails to obtain a City business license and/or fails to pay the special event permit fee and/or the applicant has failed to pay all fees due from previous special events;
- (9) The applicant fails to provide proof of sufficient monitors for crowd control and safety at least one week prior to the event;
- (10) The applicant fails to provide proof of sufficient on or off-site parking or shuttle services, or both, when required, to minimize any substantial adverse impacts on general parking and traffic circulation in the vicinity of the special event;
- (11) The applicant fails to conduct a previously authorized or exempted special event in accordance with law and/or the terms of a permit;
- (12) The special event application conflicts with permits issued for the same date and location creating hardship or financial burden to already permitted events;
- (13) The applicant does not meet current zoning requirements;
- (14) The applicant fails to obtain local, county, state and federal permits as required.
- (15) The City reasonably determines that the proposed special event conflicts with an already approved special event scheduled for same date(s).

5.46.090 Appeal.

The applicant has the right to appeal any denial or revocation of a special events permit to the City Council. An appeal shall be made in writing, shall specify the grounds of the appeal, shall have supporting documentation attached, and it shall be filed with the city clerk within seven (7) calendar days of the date of the written denial or revocation.

5.46.100 Sanitation.

(1) A special event permit may be issued only after adequate waste disposal facilities have been identified and obtained by the applicant. The permittee is required to clean all permitted public and private properties and the right-of-way of rubbish and debris, returning it to its pre-event condition. If the permittee fails to clean up such refuse, the clean-up will be arranged by the City and the costs charged to the permittee.

(2) A special event permit may be issued only after adequate restroom and washroom facilities have been identified and arranged for or obtained by the applicant subject to the Snohomish Health District's review and certification process.

5.46.110 Revocation of special event permit.

(1) Any special event permit issued pursuant to this chapter is subject to revocation, pursuant to this section.

(2) A special event permit may be revoked if the City determines:

- (a) That the special event cannot be conducted without violating the provisions of this chapter and/or conditions for the special event permit issuance;
 - (b) The special event is being conducted in violation of the provisions of this chapter and/or any condition of the special event permit;
 - (c) The special event poses a threat to health or safety;
 - (d) The event organizer or any person associated with the special event has failed to obtain any other permit required pursuant to the provisions of this chapter;
 - (e) The special event permit was issued in error or contrary to law;
 - (f) The applicant has not paid all fees when due; or
 - (g) The applicant has failed to provide confirmation or proof that it has obtained the minimum number of required volunteers to perform safety functions;
- (3) Except as provided in this section, notices of revocation shall be in writing and specifically set forth the reasons for the revocation.
- (4) If there is an emergency requiring immediate revocation of a special event permit, the City may notify the permit holder verbally of the revocation.

5.46.120 Cost recovery for unlawful special event.

Whenever a special event is conducted without a special event permit when one is required or is conducted in violation of the terms of an issued special event permit, the event organizer shall be responsible for, and the City shall charge the event organizer for, all costs incurred as a result of the adverse impacts of the special event or the violation of the special event permit.

5.46.130 Expressive activity special event.

When a special event permit is sought for an expressive activity such as a demonstration, rally, or march as defined in this chapter, the following exceptions shall apply:

- (1) Where the special event will not require temporary street closures, cost recovery pursuant to Section 5.46.050 shall be limited solely to a fee based on the cost of processing the permit application.
- (2) The insurance requirement of Section 5.46.070 shall be waived; provided, that the event organizer has filed with the application a verified statement that he or she intends the special event purpose to be First Amendment expression and the cost of obtaining insurance is financially burdensome and would constitute an unreasonable burden on the right of First Amendment expression. The verified statement shall include the name and address of one insurance broker or other source for insurance coverage contacted to determine premium rates for coverage.
- (3) Where the special event will require temporary street closures and any one or more of the conditions of subsection (4) of this section are present requiring the City to provide services in the interest of public health, safety, and welfare, the special event coordinator may condition the issuance of the special event permit upon payment of actual, direct costs incurred by the City to a maximum of five hundred dollars. Any fee schedule adopted by the City shall contain a provision

for waiver of, or a sliding scale for payment of, fees for City services, including police costs, on the basis of ability to pay.

(4) The City may deny a special event permit for a demonstration, rally or march if:

- (a) The special event will substantially interrupt public transportation or other vehicular and pedestrian traffic in the area of its route;
- (b) The special event will cause an irresolvable conflict with construction or development in the public right-of-way or at a public facility;
- (c) The special event will block traffic lanes or close streets during peak commuter hours on weekdays between seven a.m. to nine a.m. and four p.m. to six p.m. on streets designated as arterials by the City's public works department.
- (d) The special event will require the diversion of police employees from their normal duties;
- (e) The concentration of persons, animals, or vehicles will unduly interfere with the movement of police, fire, ambulance, and other emergency vehicles on the streets;
- (f) The special event will substantially interfere with another special event for which a permit has already been granted or with the provision of city services in support of other scheduled special events; or
- (g) The special event will have significant adverse impact upon residential or business access and traffic circulation in the same general venue.

(5) With regard to the permitting of expressive activity special events where the provisions of this section conflict with the provisions in any other section of this chapter, the provisions of this section shall prevail.

5.46.140 Penalties for violation.

(1) Violations of, or failure to comply with, any provision of this chapter, shall constitute a civil infraction and any person found to have violated any provision of this chapter is punishable by a monetary penalty of not more than \$250.00 for each such violation. Each day that a violation continues shall constitute a new and separate infraction.

(2) The imposition of a penalty for violation of this chapter shall be in addition to any other penalties provided for in any other ordinances of the City or any other ordinances or laws applicable to the violation.

(3) Any permit fee or penalty which is delinquent or unpaid shall constitute a debt to the City and may be collected by a court proceeding in the same manner as any other debt in like amount, which remedy shall be in addition to all other existing remedies.

Section 2. Severability. If any section, subsection, sentence, clause, phrase or work of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this Ordinance.

Section 3. Effective Date. This Ordinance shall become effective five days after the date of its publication by summary.

PASSED by the City Council and **APPROVED** by the Mayor this _____ day of _____, 2012.

CITY OF MARYSVILLE

By: _____
JON NEHRING, MAYOR

Attest:

By: _____
CITY CLERK

Approved as to form:

By: _____
GRANT K. WEED, CITY ATTORNEY

Date of Publication: _____

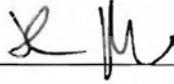
Effective Date: _____
(5 days after publication)

Index #8

CITY OF MARYSVILLE AGENDA BILL

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: 07/09/12

AGENDA ITEM: Whiskey Ridge Sewer Project - Condemnation Ordinance	
PREPARED BY: John Cowling, City Engineer	DIRECTOR APPROVAL: 
DEPARTMENT: Public Works - Engineering	
ATTACHMENTS: Condemnation Ordinance	
BUDGET CODE: 40230594.563000, S0903	AMOUNT: \$0.00

SUMMARY:

The City of Marysville has begun the easement acquisition for the Whiskey Ridge Sewer Project for the purposes of constructing a sewer main along Soper Hill Road to service the Whiskey Ridge area.

If the City and the property owner cannot reach a mutually agreeable settlement, 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 condemnation, appropriation, taking, and damaging of land and other property for construction of the Whiskey Ridge Sewer Project

CITY OF MARYSVILLE
Marysville, Washington

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON, AUTHORIZING THE CONDEMNATION, APPROPRIATION, TAKING AND DAMAGING OF LAND AND OTHER PROPERTY FOR PURPOSES OF CONSTRUCTING UTILITIES ADJACENT TO SOPER HILL ROAD BETWEEN 87TH AVENUE N.E. AND 83RD AVENUE N.E.

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

1. Public safety, convenience, use and necessity demand installation of utility lines adjacent to Soper Hill Road between 87th Avenue N.E. and 83rd Avenue N.E. to meet the requirements of the public.

2. The City has conducted engineering studies and has determined that it will be necessary to acquire the utility easement attached hereto as **EXHIBIT A** and the temporary construction easement attached hereto as **EXHIBIT B**, which exhibits are hereby incorporated herein by this reference.

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

or such other funds as may be provided by law.

4. The City has secured the agreement of the property owner in respect to compensation for the easements, but may be unable to secure the approval of certain lien holders and subordination of their interests to the City's easement rights.

5. The City has authority pursuant to RCW Chapter 8.12 to acquire, if necessary, title to real property for public purposes. The installation of utilities adjacent to Soper Hill Road is a public purpose.

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 described in **EXHIBITS A** and **B** hereto, together with all rights appurtenant thereto, including access where applicable.

2. The use of the property described in **EXHIBITS A** and **B** is for installation of utilities adjacent to Soper Hill Road which is a permanent public use and is reasonably necessary for the purposes for which it is sought.

3. All lands, rights, privileges and other properties as described in **EXHIBITS A** and **B** are hereby authorized to be condemned, appropriated, taken and damaged for the purpose of constructing, installing and maintaining utilities adjacent to Soper Hill Road between 87th Avenue N.E. and 83rd Avenue N.E.. All lands, rights, privileges and other properties are to be taken, damaged and appropriated only after just compensation has been made, or paid into the court for the owners thereof in the manner provided by law. The City is further authorized to amend the legal descriptions contained in **EXHIBITS A** and **B** as may be necessary and appropriate to meet requirements of the project.

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

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 July, 2012.

CITY OF MARYSVILLE

By _____
JON NEHRING, Mayor

ATTEST:

By _____
APRIL O'BRIEN, Deputy City Clerk

Approved as to form:

By _____
GRANT K. WEED, City Attorney

Date of Publication: _____

Effective Date (5 days after publication): _____

EXHIBIT A

AFTER RECORDING RETURN TO:

City of Marysville
1049 State Avenue
Marysville, WA 98270

CITY OF MARYSVILLE

UTILITY EASEMENT

Grantor: WILCOTS, KATHLEEN MARIE

(Mortgagee)

Grantee: CITY OF MARYSVILLE

Legal Description: Tract 317, Sunnyside Five Acre Tracts, Vol. 7, p. 19,
Snohomish Cty, WA Add'l on p. 1 & 2

Tax Parcel No: Ptn of 005907-000-317-00

THIS INDENTURE is made this ____ day of _____, 2012,
between KATHLEEN MARIE WILCOTS, hereinafter referred to as "Grantor"; the
CITY OF MARYSVILLE, a municipal corporation of the State of Washington,
hereinafter referred to as "Grantee"; and _____,
hereinafter referred to as "Mortgagee"; WITNESSETH:

WHEREAS, Grantor is the owner of certain lands and premises situated in the
County of Snohomish, State of Washington, described as follows:

Tract 317, Sunnyside Five Acre Tracts, according to the plat thereof
recorded in Volume 7 of Plats, page 19, records of Snohomish County,
State of Washington.

and,

UTILITY EASEMENT - 1
M-12-048/Wilcots/SP 5.23.12

WHEREAS, Grantee is desirous of acquiring certain rights and privileges over, under, through, across, in and upon said lands and premises;

NOW, THEREFORE, Grantor, for valuable consideration, the adequacy and receipt of which is hereby acknowledged, hereby conveys and warrants to the Grantee, its successors and assigns and its contractors, permittees and licensees, the perpetual right, privilege and authority to construct, alter, improve, repair, replace, operate and maintain storm sewer lines, sanitary sewer lines, water lines, pipes and appurtenances, over, under, through, across, in and upon the following described lands and premises situated in the County of Snohomish, State of Washington, to-wit:

The Southerly 20 feet of the following-described parcel, parallel and adjacent to the northerly margin of Soper Hill Road:

Tract 317, Sunnyside Five Acre Tracts, according to the plat thereof recorded in Volume 7 of Plats, page 19, records of Snohomish County, State of Washington.

Together with the right of ingress to and egress from said lands across adjacent lands of the Grantor, for the purpose of constructing, reconstructing, repairing, replacing, renewing, altering, changing, patrolling and operating said lines, and updating utility lines and appurtenances to present and future technological standards, and the right at any time to remove said lines and appurtenances from said lands.

The Grantor reserves the right to use the surface of the above-described easement in the manner now existing, but shall not erect any buildings, structures, patios, or other construction of any nature on said easement or engage in any activity which might damage said utility improvements. This conveyance is conditioned upon the Grantee's obligation to replace any fences, lawn, shrubbery or land contours that are disturbed in connection with the exercise of the Grantee's rights hereunder, as near as reasonably possible to the condition the same were immediately before the property was entered by the Grantee.

The rights, title, privileges and authority hereby granted shall continue to be in force until such time as the Grantee, its successors or assigns, shall permanently remove said lines and appurtenances from said lands, or shall otherwise permanently abandon said lines, at which time all such rights, title, privileges and authority hereby granted shall terminate.

The Grantor also covenants to and with the Grantee that Grantor is lawfully seized and possessed of the land aforesaid; has a good and lawful right and power to sell and convey same; that same is free and clear of encumbrances, except as above

UTILITY EASEMENT - 2
M-12-048/Wilcots/SP 5.23.12

LENDER SUBORDINATION

THIS AGREEMENT is made this ____ day of _____, 2012,
between _____,
hereinafter "Lender" and CITY OF MARYSVILLE, hereinafter "City."

WITNESSETH:

WHEREAS, Lender now owns and holds a Deed of Trust and the Promissory Note secured thereby, dated July 22, 2005, made by KATHLEEN MARIE WILCOTS and JORGE WEBBER, husband and wife, ("Borrower") to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. (MERS), acting solely as nominee for CTX MORTGAGE COMPANY, LLC, and said Lender's successors and assigns, in the principal sum of \$456,000.00, and recorded at Auditor's file no. 200507291530, records of the Snohomish County, Washington, covering the premises legally described as follows:

Tract 317, Sunnyside Five Acre Tracts, according to the plat thereof recorded in Volume 7 of Plats, page 19, records of Snohomish County, State of Washington.

Situate in the County of Snohomish, State of Washington.

hereinafter "the Property"; and

WHEREAS, KATHLEEN MARIE WILCOTS, the present owner of the Property has executed and delivered to City the perpetual Utility Easement to which this subordination is attached (hereinafter the "Utility Easement"); and

WHEREAS, Borrower and City desire Lender to consent to the Utility Easement and subordinate its Promissory Note and Deed of Trust to said easement; NOW, THEREFORE,

For good and valuable consideration, Lender hereby subordinates its interest in the Property to City's interest created under the Utility Easement to which this subordination is attached, consents to the granting of the Utility Easement, and hereby covenants and agrees with City that the above-described Deed of Trust and Promissory Note held by Lender be and shall continue to be subject and subordinate in lien to said Utility Easement. Lender further subordinates the lien of any other mortgage currently held by Lender to said Utility Easement.

UTILITY EASEMENT - 4
M-12-048/Wilcots/SP 5.23.12

EXHIBIT B

After Recording Return to:

CITY OF MARYSVILLE
1049 STATE AVENUE
MARYSVILLE, WA 98270

TEMPORARY CONSTRUCTION EASEMENT

Grantor: WILCOTS, KATHLEEN MARIE
Grantee: CITY OF MARYSVILLE
Legal Description: Tract 317, Sunnyside Five Acre Tracts, Vol. 7, p. 19,
Snohomish Cty, WA Add'l on p. 1
Tax Parcel No: Ptn of 005907-000-317-00

KNOW ALL MEN BY THESE PRESENTS, that the Grantor, KATHLEEN MARIE WILCOTS, a single person, for and in consideration of the mutual benefits to the parties, does hereby grant to the Grantee, the CITY OF MARYSVILLE, a municipal corporation of the State of Washington, and its employees, contractors, agents, permittees and licensees, the right, permit, license and easement to use and occupy the hereinafter described lands, together with rights of ingress and egress, for the purpose of utilities construction, for any and all purposes incidental to the construction of said utilities, across the following-described lands in the County of Snohomish, State of Washington:

The Northerly 5 feet of the Southerly 25 feet of the following-described parcel, parallel and adjacent to the northerly margin of Soper Hill Road:

Tract 317, Sunnyside Five Acre Tracts, according to the plat thereof recorded in Volume 7 of Plats, page 19, records of Snohomish County, State of Washington.

and together with the right to remove vegetation from the above-described lands as required for construction of said utilities.

Index #9

CITY OF MARYSVILLE AGENDA BILL

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: 7/9/2012

AGENDA ITEM: AN ORDINANCE OF THE CITY OF MARYSVILLE AMENDING THE 2012 BUDGET AND PROVIDING FOR THE INCREASE OF CERTAIN EXPENDITURE ITEMS AS BUDGETED FOR IN ORDINANCE NO. 2881 AS AMENDED.	
PREPARED BY: Denise Gritton, Financial Planning Manager DEPARTMENT: Finance	DIRECTOR APPROVAL:
ATTACHMENTS: Ordinance	
BUDGET CODE: Various	AMOUNT: \$1,052,604.00

SUMMARY:

Since the adoption of the 2012 Budget there has been several activities that have occurred to warrant amending the budget. RCW 35.33.07 requires the adoption of a balanced budget which also sets the expenditure authority for the city by the City Council. City Council adopts the expenditure authority at the Fund level. From time to time there may be activities that during the budget planning were unable to forecast. This budget amendment addresses the following activities:

In the General Fund, transfers to the Golf Course for partial payoff of an interfund loan, and to the Street department for additional projects were not included in the 2012 budget. Emergency roof repairs at both the Courthouse and Public Safety building a result of storms during the first quarter of 2012.

The Street department is adding three new projects.

The City learned that it will be receiving more CDBG funds than originally anticipated

The emergency hot water tank replacement at the Golf Course Restaurant and the new cart lease agreement, were not included in the 2012 budget.

Fleet purchased 3 Curroto Cans for the Solid Waste trucks. Solid Waste is funding the purchase, but the purchase was not planned in the Fleet budget. A Street Sweeper replacement was included in the 2012 budget at \$210,000. An additional \$45,000 is needed to purchase a sweeper equipped with a high dump, reducing the number of trips back to the shop to offload. This will increase the number of hours swept per day and the number of lane miles swept per year.

<p>RECOMMENDED ACTION: Staff recommends the Council approve the recommended ordinance amending the 2012 budget and providing for the increase in certain expenditure items as budgeted for in Ordinance 2881.</p>
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CITY OF MARYSVILLE
Marysville, Washington

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARYSVILLE AMENDING THE 2012 BUDGET AND PROVIDING FOR THE INCREASE OF CERTAIN EXPENDITURE ITEMS AS BUDGETED FOR IN ORDINANCE NO. 2881 AS AMENDED.

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

Section 1. Since the adoption of the 2012 budget by the City Council on November of 2011, it has been determined that the interests of the residents of the City of Marysville may best be served by the increase of certain expenditures. The following funds as referenced in Ordinance No. 2881 are hereby amended to read as follows

Fund Title	Fund No.	Description	Current Budget	Amended Budget	Amount of Inc/(Dec)
General Fund	001	Beginning Fund Balance	\$ 3,349,815	\$ 3,349,815	\$ -
General Fund	001	Revenue	36,013,216	36,655,675	642,459
General Fund	001	Expenditures	35,572,910	36,389,150	816,240
General Fund	001	Ending Fund Balance	3,790,121	3,616,340	(173,781)
City Streets	101	Beginning Fund Balance	786,490	786,490	-
City Streets	101	Revenue	2,511,224	2,733,235	222,011
City Streets	101	Expenditures	3,297,714	3,519,725	222,011
City Streets	101	Ending Fund Balance	-	-	-
CDBG	109	Beginning Fund Balance	-	-	-
CDBG	109	Revenue	94,350	188,700	94,350
CDBG	109	Expenditures	84,915	179,265	94,350
CDBG	109	Ending Fund Balance	9,435	9,435	-
Golf	420	Beginning Fund Balance	-	-	-
Golf	420	Revenue	1,215,986	1,227,986	12,000
Golf	420	Expenditures	1,215,986	1,227,986	12,000
Golf	420	Ending Fund Balance	-	-	-
Fleet	501	Beginning Fund Balance	187,791	187,791	-
Fleet	501	Revenue	1,330,102	1,415,116	85,014
Fleet	501	Expenditures	1,090,336	1,220,350	130,014
Fleet	501	Ending Fund Balance	427,557	382,557	(45,000)

The detail concerning the above – referenced amendments are attached hereto as Exhibit “A”.

Section 2. Except as provided herein, all other provisions of Ordinance No. 2881 shall remain in full force and effect, unchanged.

PASSED by the City Council and APPROVED by the Mayor this _____ day of _____, 2012.

CITY OF MARYSVILLE

By _____
MAYOR

ATTEST:

By _____
CITY CLERK

Approved as to form:

By _____
CITY ATTORNEY

Date of Publication: _____

Effective Date (5 days after publication): _____

EXHIBIT A – 2012
Amendment Account Detail

Description	Beg Fund Balance/ Revenue Adj	Appropriation Adjustment	Ending Fund Balance Adjustment
General Fund			
Transfer to Golf Course to payoff interfund loan	-	483,160	(483,160)
Interfund Revised Revenue	571,057	-	571,057
Transfer to Streets for Sidewalk Maintenance	-	122,011	(122,011)
Transfer to Streets for Street Skimming	-	100,000	(100,000)
Emergency Repairs - Courthouse Roof	71,402	77,282	(5,880)
Roof Repairs & Hot Water Tank Replacements - Public Safety	-	21,787	(21,787)
Transfer to Golf Course for Cart Lease & Hot Water Tank	-	12,000	(12,000)
			-
Total General Fund	642,459	816,240	(173,781)
City Streets - Fund 101			
Sidewalk Maintenance - Sunnyside & 67th	-	113,311	(113,311)
Sidewalk Maintenance - 116th Near Marshall Elementary	-	8,700	(8,700)
Street Skimming	-	100,000	(100,000)
Transfer from General Fund	222,011	-	222,011
	-	-	-
Total City Streets	222,011	222,011	-
CDBG - Fund 109			
CDBG Grant Funding - Receiving more than original anticipated	94,350	94,350	-
	-	-	-
	-	-	-
Total CDBG	94,350	94,350	-
Golf Course - Fund 420			
Hot Water Tank Replacement	-	7,600	(7,600)
Golf Cart Lease	-	4,400	(4,400)
Transfer in from General Fund	12,000	-	12,000
	-	-	-
Total Golf Course	12,000	12,000	-
Fleet Maintenance - Fund 501			
Curotto Cans	85,014	85,014	-
Street Sweeper	-	45,000	(45,000)
	-	-	-
	-	-	-
Total Fleet Maintenance	85,014	130,014	(45,000)
GRAND TOTAL	833,823	1,052,604	(218,781)

Index #10

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: July 9, 2012

AGENDA ITEM: Planning Commission Recommendation – Impact Fee and Capital Improvement Fee Review	AGENDA SECTION: Ordinance	
PREPARED BY: Gloria Hirashima, Community Development Director	AGENDA NUMBER:	
ATTACHMENTS: <ol style="list-style-type: none"> 1. Planning Commission Recommendation 2. Planning Commission minutes from workshops and hearings 3. Correspondence and testimony received for workshops and hearings 4. Draft ordinances (10A-10D in Council packet) 	APPROVED BY:	
	MAYOR	CAO
BUDGET CODE:	AMOUNT:	

The Planning Commission has reviewed the city’s impact fees for schools, parks and transportation as well as capital improvement charges for water and sewer. Following public hearings in September 2011, joint workshop with City Council in January 2012, and additional public hearing and input in April-May 2012, the Commission has recommended that various actions to allow impact fee deferrals for school, parks and traffic impact fees. They have also recommended fee reductions for multi-family water and sewer connection charges. The PC recommendation includes a recommendation for reduction of traffic impact fees for residential and commercial/industrial uses. There is also a recommendation for an industrial pilot program to encourage the creation of living wage jobs in Marysville by allowance of additional impact fee reductions for new development.

The package of ordinances (10A-10D of Council packet) is intended to encourage new development. The Planning Commission felt that the current economic challenges faced by new businesses and developers warrant additional measures to reduce regulatory burdens for new construction in the form of impact fees and charges.

RECOMMENDED ACTION: City staff recommends that the Marysville City Council approve the proposed ordinances 10A-D.
COUNCIL ACTION:



PC Recommendation - Impact Fee Deferrals and Reductions, Capital Improvement Charge reductions for multi-family water and sewer connections; and Industrial pilot program for new development resulting in living wage jobs.

The Planning Commission of the City of Marysville held public hearings on September 13, 2011, April 24, 2012 and concluding May 8, 2012. The Commission and City Council also held a joint workshop on January 10, 2012 to discuss the topic of impact fees and charges. Having considered the exhibits and testimony presented the Planning Commission does hereby enter the following findings, conclusions and recommendation for consideration by Marysville City Council:

FINDINGS:

1. The Planning Commission introduced discussion of impact fee deferrals and other measures to encourage development in April 2011. The Washington State legislature considered legislation (EHB1702) on the subject of impact fee deferrals during both the 2011 and 2012 legislative sessions. Although statewide legislation was not passed, the **City of Marysville's Planning Commission** believed that measures should be considered at the local government level and that **a review of Marysville's impact fees and capital improvement charges was warranted due to concerns expressed by the development and business community.**
2. The proposal was submitted to the State of Washington Department of Commerce for their review on April 11, 2011.
3. A Determination of Non-Significance was issued for the proposed NON-PROJECT actions on fee reductions and impact fee deferrals on April 13, 2011, in accordance with WAC 197-11-625.
4. Addendum No. 15 to the Final Environmental Impact Statement (FEIS) of the Marysville Comprehensive Plan was issued for the Marysville Transportation Element on August 20, 2008, in accordance with WAC 197-11-625.
5. The Planning Commission held public work sessions to review the NON-PROJECT actions on July 26, 2011, January 10, 2012 (joint with Council), and March 13, 2012.
6. The PC held duly-advertised public hearings on September 13, 2011, April 24, 2012 with continuance to May 8, 2012 and received testimony from city staff and the public.
6. At the public hearing the PC reviewed and considered actions to defer and reduce impact fees and capital improvement charges to encourage new development.

CONCLUSION:

At the public hearing, concluding on May 8, 2012, the PC recommended **APPROVING** the actions identified in four ordinances resulting in impact fee deferrals to traffic, parks and school impact fees; reductions to multi-family water and sewer capital improvement charges; reductions to traffic impact fees and creation of an industrial pilot program to encourage new industrial construction creating living wage jobs.

RECOMMENDATION:

Forwarded to City Council as a Recommendation of **APPROVAL** of four ordinances to amend the City's impact fee codes and water/sewer code by the Marysville Planning Commission.



MARYSVILLE PLANNING COMMISSION

May 8, 2012

7:00 p.m.

City Hall

CALL TO ORDER

Chair Leifer called the May 8, 2012 meeting to order at 7:02 p.m. noting the excused absence of Eric Emery.

Chairman: Steve Leifer

Commissioners: Jerry Andes, Roger Hoen, Marvetta Toler, Matthew Chapman, and Steve Lebo

Staff: Chief Administrative Officer Gloria Hirashima, and Recording Secretary Amy Hess

Absent: Eric Emery

APPROVAL OF MINUTES:

April 24, 2012

Commissioner Hoen noted that there was a portion of a conversation that was not included in the minutes that he wanted to make sure made it on the record. Chair Leifer noted that he had not closed the Public Comment portion of the previous meeting and would be open to any additional comments. **Motion** made by Commissioner Hoen, seconded by Commissioner Andes to approve the April 24, 2012 meeting minutes as amended. Motion carries, (5-0).

PUBLIC HEARING:

Impact Fees:

Chair Leifer reopened the Public Hearing. CAO Hirashima summarized where they had left off at the last meeting. She noted the language changes that had been made at Commissioner Hoen's request. She had researched the City of Tacoma's policy that was mentioned in Mr. Palmaffy's letter and stated that upon contacting Tacoma, their Planning Department was not aware of such a program. Also, she had discussed it with Finance and that department had concerns over trying to collect fees over such a long period. Based on this, staff would not be recommending this option.

CAO Hirashima then overviewed the memo she had passed out based on discussion at the last meeting. She outlined the options staff was proposing. She described the basis for discounting traffic fees as well as water and sewer fees and described the reasons for this

recommendation. CAO Hirashima felt that this was a good option which accommodated the school district's concerns. John Bingham had noted that Marysville School District was expecting a significant reduction in school impact fees after the next Capital Facilities Plan update was completed.

Commissioner Chapman questioned previous discussion regarding noise reduction from trains and remodeling of intersections; how would reducing traffic impact fees affect this possibility? CAO Hirashima responded that it would reduce the amount of fees collected that could be used for these situations. Commissioner Chapman was concerned that we might be sending the wrong message regarding traffic problems. Commissioner Hoen echoed the concerns of reducing funds to traffic improvement. There was some clarification regarding which fees were being proposed to be reduced. CAO Hirashima agreed that there was the potential for several million dollars in lost revenues if this program was successful. Commissioner Toler noted that there is a sunset clause in place.

Commissioner Hoen questioned the requirement for traffic fees to be spent in 6 years or a mandate to refund. CAO Hirashima clarified that it is now 8 years, but that the money is always spent on the capital improvement projects and has, in her experience, never been refunded. There were a large number of these projects for the money to be used on.

There was discussion regarding time lines of large projects such as the proposed one in Smokey Point. CAO Hirashima noted that there were 3 projects currently in process and felt that in the next year, Marysville would see some significant growth in the multi-family development area. Commissioner Hoen again noted he felt burdened by putting the City in a situation where there would be even fewer dollars for needed road improvement projects. Commissioner Toler agreed with Commissioner Hoen, but noted that in the economic climate, there needed to be some thinking outside of the box to stimulate development. Commissioner Lebo was unsettled about the aggressive nature of pushing multi-family development when there was not the commercial industry to support it. Commissioner Chapman echoed Commissioner Lebo's concerns. Commissioner Chapman wanted to see more incentive in the commercial development sector. Commissioner Lebo added that he was supportive of growing the community, but was unsettled about encouraging hundreds and hundreds of units with the possibility of not filling them, which would in turn drive rents down.

Chair Leifer suggested a situation where there were 62,000 residents with children that would be aging, leaving home, and looking for rentals in their home town. Commissioner Toler noted that Snohomish County had just completed a forum and that the numbers showed a severe shortage of rentals in the county; both single-family and multi-family.

Commissioner Andes noted that as soon as the Smokey Point master permitting was completed, he felt that the development would come. CAO Hirashima noted that there were some improvements such as 51st extension and the 156th St. overcrossing which could make the land more desirable, but they didn't have funds necessary to complete all projects.

CAO Hirashima discussed the Industrial Pilot Program that had been re-written to benefit small businesses as well as large ones. She explained the incentives included in the program and the basis behind them. Chair Leifer commented that the way this was written was exactly what the Commission was looking for. Commissioner Lebo echoed Chair Leifer's sentiment.

Motion made by Commissioner Toler, seconded by Commissioner Chapman to approve and forward the Industrial Pilot Program as written to Council. Motion carries, (6-0).

Commissioner Andes reiterated that the objective is to get things rolling in this town. Commissioner Chapman noted that he would not support the reduction in traffic impact fees as proposed. Chair Leifer requested clarification on the projects CAO Hirashima had alluded to. Were these projects actually moving ahead or just an idea that was not being pursued? CAO Hirashima replied the ones she spoke of were moving forward, and at a rapid pace. Commissioner Lebo suggested moving forward with the proposal in front of them with a unit cap rather than a 3 year sunset. There was discussion on how this might work. CAO Hirashima clarified exactly what the proposed fee reductions were for each type of development. Commissioner Hoen asked for current rates in comparison to rates after the proposed 33% reduction and the additional \$1500 traffic fee reduction. Commissioner Hoen suggested a \$1000 reduction in addition to the 33% reduction rather than the \$2000 decrease. There was additional discussion about the need for multi-family housing and rental housing needs in general.

Chair Leifer solicited a motion to approve the staff recommendation as written. There was no such motion. **Motion** made by Commissioner Lebo to reduce the \$2000 reduction to \$1000, seconded by Commissioner Toler. Commissioner Lebo amended his motion to reduce the amounts 50% of what staff had proposed. Commissioner Toler seconded the amendment. Motion carries, (5-0), with Commissioner Chapman voting against the proposal.

Chair Leifer closed the public hearing at 8:26 pm.

Commissioner Lebo questioned the letter received which related to "overly exuberant destruction of natural resources over the past two decades..." submitted by Kathy Johnson. CAO Hirashima responded that the author of the letter had given testimony at previous meetings and her general perspective was that the city needed to take more initiative on protecting the environment. She felt that generally, Johnson didn't want to see impact fees reduced further.

Commissioner Toler encouraged the commissioners to keep an eye out for the Snohomish County housing survey that should be coming soon. She thought that the results of the survey would be eye-opening.

ADJOURNMENT:

Motion made by Commissioner Toler, seconded by Commissioner Chapman to adjourn the meeting at 8:29 p.m. Motion carries, (6-0).

NEXT MEETING:

May 22, 2012



Amy Hess, Recording Secretary



MARYSVILLE PLANNING COMMISSION

April 24, 2012

7:00 p.m.

City Hall

CALL TO ORDER

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

Chairman: Steve Leifer

Commissioners: Jerry Andes, Roger Hoen, Eric Emery, Marveta Toler and Steve Lebo

Staff: Public Works Director Kevin Nielsen, Associate Planner Angela Gemmer, Chief Administrative Officer Gloria Hirashima, and Recording Secretary Amy Hess

Absent: Matthew Chapman

APPROVAL OF MINUTES:

April 10, 2012

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

PUBLIC HEARING:

2012 Code Clean-Up Amendments:

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

Public Comment:

None.

Commissioner Comment:

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

Impact Fees:

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

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

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

Public Comment:

Dan Eernisse Smokey Point Commercial LLC

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

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

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

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

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

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

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

Commissioner Comment:

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

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

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

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

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

CAO Hirashima stated that she would bring back something which would address reducing rates by about \$2000 per unit as well as looking at the amortization ordinance in Tacoma and the Industrial Pilot Program details.

Chair Leifer questioned why CAO Hirashima considered the property tax exemption so controversial. CAO Hirashima explained that she felt that multi-family developments require services such as fire, police, and city services and that those users should pay an equal share as any other user would be required to do. She noted that the City relies heavily on property tax revenue to provide services. She didn't feel there was an exact correlation between increased housing and increased revenues to warrant an exemption. Chair Leifer questioned if CAO Hirashima felt the same way whether it was a 15 or 5 year exemption. She replied that she did.

Director Nielsen did some calculations and described the numbers he had come up with based on a combination strategy. It was close to the \$2000 reduction that the commission was looking for; approximately \$1900 on an 1100 square foot condo.

Commissioner Hoen questioned Mr. Eernisse about his project which was already planned and in motion, the land purchased, annexation and rezoning complete, and proposed reduced fees, sitting on the property was keeping them away from bottom line profits. Eventually, the site would be developed, why would it make sense for the City to further reduce the fees for his project to go forward. Mr. Eernisse responded that his investors were patient and that he has been working on this project for 7 years and they were willing to wait.

Chair Leifer closed the Public Hearing at 8:44 pm.

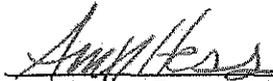
Commissioner Hoen questioned the sequence changes regarding foreclosure he had brought up at the previous meeting and noted that the corrected language hadn't made it into the current document.

ADJOURNMENT:

Motion made by Commissioner Toler, seconded by Commissioner Lebo to adjourn the meeting at 8:47 p.m. Motion carries, (6-0).

NEXT MEETING:

May 8, 2012



Amy Hess, Recording Secretary



**JOINT PLANNING COMMISSION
AND CITY COUNCIL MEETING**

January 10, 2012

7:00 p.m.

City Hall

CALL TO ORDER/PLEDGE OF ALLEGIANCE

Mayor Nehring called the January 10, 2012 meeting to order at 7:02 p.m. Mayor Nehring welcomed the members of the Planning Commission, City Council and Staff and led those present in the Pledge of Allegiance.

Roll Call:

CAO Hirashima gave the roll call. The following staff, Councilmembers, and Commissioners were noted as being present:

Planning Commission

Chairman: Steve Leifer

Mayor: Jon Nehring

Commissioners: Matthew Chapman, Marvetta Toler, Jerry Andes, Eric Emery

Councilmembers: Jeff Vaughan, Donna Wright, Jeff Seibert, Michael Stevens, Stephen Muller, Rob Toyer, and Carmen Rassmussen

Staff: CAO/Community Development Director Gloria Hirashima, City Attorney Grant Weed, Senior Planner Chris Holland, Public Works Director Kevin Nielsen, and Recording Secretary Amy Hess

Absent: Steve Lebo

CURRENT BUSINESS:

Impact Fee Options:

CAO Hirashima gave some background on the proposed Impact Fee Deferral. She described the process that had been gone through and noted that there was feedback from the development community as well as the School District which pointed in the direction of Impact Fee reduction rather than deferral. Ms. Hirashima described how the Planning Commission had discussed what types of growth were trying to be stimulated as well as the options that are available. She gave a briefing of the available options. Option 1 was to continue on the path of Impact Fee Deferral path. She noted that it is unusual for water and

sewer mitigation fees to be included in Impact Fee Deferral Ordinances, but that since the City is in that business, it was included. She described how the deferral process would work. The Second Option would be to reduce the impact and connection fees. The Third Option is to reduce certain types of Impact Fees to target specific types of development. A Fourth Option is to combine Impact Fee Deferrals in some areas and fee reductions in others. Staff is recommending Option 4. Ms. Hirashima described the types of development that staff felt would be most beneficial which are commercial, light industrial, and multi-family.

Mayor Nehring opened up general conversation between the Council and Planning Commission.

Chair Leifer discussed the passion that is associated with this topic and how important he felt it was to discuss this with Council. There is a consensus among the Planning Commission that something needs to be done to get some economic growth in the city.

Councilmember Wright questioned the types of Impact Fees and why Cities that do not charge impact fees were not included on the information provided. Councilmember Seibert questioned CAO Hirashima on her statement that there is low occupancy in multi-family. CAO Hirashima clarified that she miss-spoke and meant low vacancy not occupancy. Councilmember Seibert questioned if fees would be collected at occupancy, how pre-sales would be addressed. CAO Hirashima replied that a building permit would still have to be obtained and an inspection would still have to be done prior to occupancy. Ms. Hirashima described the discussions that had taken place in Planning Commission meetings and why fees weren't being recommended to be deferred beyond point of inspection. Councilmember Seibert noted a potential loophole in a commercial strip mall type setting. Attorney Weed noted that there is no question that there are details that need to be worked out when there is any type of deferral in fees. He noted that they needed to be thoughtful in how the City crafted the Ordinance to protect the City's interest.

Chair Leifer questioned if a reduction was a cleaner way to handle things rather than a deferral. Attorney Weed responded that in his opinion it was simpler. He noted that a possible sunset or end to the reduction would need to be discussed. Chair Leifer wanted to know if there was a way to defer property taxes in any way. Attorney Weed replied that that is a very limited prospect as it is a state law and constitutional requirement for equal distribution of taxes. Attorney Weed noted that it is not impossible, but it would be very limited. CAO Hirashima noted that the County collects property taxes, not the City and that the majority of taxes do not come to the City. She added that there is an exemption for multi-family development in place that could be utilized; noting that it is not a deferral, it is an actual exemption. CAO Hirashima also stated that when she has seen it used, it has been in a downtown area because that is a very costly and difficult area to develop. The City has used this as an incentive to attract downtown redevelopment.

Councilmember Muller noted that he wanted to remain competitive and wanted to know how we could apply pilot offerings in the markets where the City is interested in increasing development the way other jurisdictions such as Kirkland have done. He thought if we could get some momentum going, even if it meant giving away the farm on a specific project to

see what the actual impacts would be, it would be very beneficial. Councilmember Muller felt that we needed to get out in front of opportunities in order to avoid missing the few that there are.

Councilmember Seibert asked Director Nielsen to explain the water and sewer fees that we currently charge and the formula used to get the actual fees. Mr. Nielsen described how the traffic impact fee formula works including trip distribution and how the discounts apply across the board. Councilmember Seibert also pointed out the reductions that the School Districts had taken. Mr. Nielsen compared Marysville's fees in comparison with surrounding jurisdictions. CAO Hirashima added that generally speaking, when looking at Commercial fees, Marysville is favorable comparable. There was further discussion regarding how Marysville fees relate to other jurisdictions. Chair Leifer stated that he agreed that Marysville was middle of the road with most fees, but questioned if that is where we want to be. He felt that we need to be more competitive in a way that is very obvious; we are not going to gain much interest. Councilmember Rassmussen agreed with the business comparison, but noted that we have to be fiscally prudent and not cross the line where we are providing services at a loss. She stated that the formula is very complicated. Director Nielsen noted that there is a difference depending on what fee you are talking about and what each fee funds. Creating zones or overlays was discussed. Councilmember Seibert was concerned that we would end up in a "race to the bottom" situation. He felt that a targeted type of development discount would be more beneficial. He also thought that expanding traffic rebate fees might be a better option to look at. Councilmember Muller noted his frustration at the difficulty of getting the momentum going. Mr. Nielsen responded to zones and how this strategy could be implemented and how LOS at intersections plays into this option. Mr. Nielsen wanted to make everyone aware of the concurrency issue that could arise from implementing a zone.

Chair Leifer questioned if it could be demonstrated how reducing or deferring the fees now and the improvements that we might see in the future, if this could be demonstrated, would Councilmember Rassmussen and Councilmember Seibert be supportive. Councilmember Rassmussen and Councilmember Seibert responded that if it could be demonstrated, they would be supportive, but that they wanted to make sure that citizen's tax dollars were not being used to benefit someone else's profit.

Councilmember Rassmussen had a question about how the deferral/reduction affects the Lake Stevens School District and advanced planning. Was it actually planning or purchase of property and fiscal expenditures or was it the not knowing that is the problem. It was responded that it was on the Fiscal side and would make planning much more difficult.

PUBLIC COMMENT:

Jim Baker, Exec. Director of Finance Marysville School District

Mr. Baker thanked staff for the opportunity to discuss the issues at hand and gave a better understanding of the goals of the City. He stated that they are not against the notion of deferral with a sunset of 1 ½ to 2 years. The District supports the recommendation of Option 4 which includes a combination in order to spur economic activity and growth.

Councilmember Muller questioned if Marysville School District was operating with excess capacity. Mr. Baker replied that yes, MSD is, but feels that it is bottoming out this year and will begin to rebound within 2 years and peak out in the next 8 to 10 year term to a 15,000 student range. The recommended option allows sufficient time for this increase.

Fred Owen, Lakewood School District PO Box 222 North Lakewood WA 98259

Mr. Owen appreciated the chance to meet with City staff on this matter. He echoed Marysville School District's feelings on deferral. He noted that there is some capacity in Lakewood, but very little at the Middle and High School levels. They felt they could make it work with the deferral options with a sunset clause. They did not feel there should be any reduction, but in the spirit of spurring development, Lakewood School District would be willing to make a deferral work. Another concern was the tax exemption option and how that could affect the school district.

Councilmember Muller questioned multi-family fee reduction on Lakewood School District. He wanted to know if there is a threshold in how a potential multi-family development could become unmanageable. Mr. Owen replied that it is very difficult to predict what that number would be, but there is a study currently going on and he is using those numbers to see how a possible multi-family development could be absorbed.

Jim Tosti 235 Park Place Plaza Kirkland, WA

Mr. Tosti described some of the recent project that they have accomplished in Marysville. He stated that the City is not only in competition with local jurisdiction, but with the entire West coast, Texas, and Florida. He noted some of the potential projects that have been lost because of cost. We have to figure out how to be competitive for these large distribution centers and have a complete economic advantage to other areas. He also noted that the on and off ramps at the new 156th street overcrossing needs to be a priority and how a public and private sector venture can be worked out.

Commissioner Andes questioned the difference in mitigation fees to the areas that getting the business. Mr. Tosti replied that is not only the impact fees, it is a combination of issues.

Mayor Nehring wanted to know what the cost drivers are; is it water and sewer or something else. He wanted to know what Marysville can affect in real time to make a difference. Mr. Tosti replied that there is no easy answer. He felt that transportation is huge, as well as dependable timelines in permitting and land prices.

Joel Hylback

Mr. Hylback wanted to speak in support of Dan Eernisse and Brian Kenworthy.

Dan Eernisse Smokey Point Commercial, LLC

Mr. Eernisse described his experience. He stated that impact fees make sense; however you can't just look at the costs and negative impacts, you have to look at the benefits the developments bring; increased tax revenue, enthusiasm, increased shopping opportunities, job growth, etc. He discussed whether or not multi-family development pays for itself. He described how taxes function in order to benefit the community. He gave an example of how a multi-family development could increase tax revenue initially and over the near

future. There is incredible value for the city to see new development. He noted that rents in Marysville cannot go up; if they could, mitigation fees would not be an issue. Mr. Eerinessee noted that there have not been any new multi-family developments in Marysville, so the risk factor for developers goes up substantially. Two suggestions: eliminate or reduce fees for new development. He did not feel that deferral is an attractive offer. For his particular situation, the deferral is not important. Second suggestion is a multi-family property tax exemption. This is a huge incentive for developers. He felt that this option should be spread as broadly across the City as possible and see what happens. This option does not require citizens to pay more; school districts would not see any change.

Councilmember Muller agreed that the going market rates are a major problem. He wanted to know what type of unit count would be supported based on Mr. Eerinessee's studies. Mr. Eerinessee replied that there are a lot of apartment dweller jobs in an increasing number; the Tribe doesn't build for non-tribal members, which is an advantage in apartments. There is a lot of capacity as far as land goes, and there is a need which depends on other commercial developments, but that there could potentially be multiple projects.

Brian Kenworthy Kidder Matthews, Bellevue WA

Mr. Kenworthy described some of the experiences he had had in Marysville. He noted that costs were definitely a hurdle for development. Rents were major cost of occupancy for Marysville. Costs impacted where a tenant or developer chooses to go. The ability to give certainty in a development timeline is crucial in attracting users and developers. Having all of the players available and presenting a unified front when potential users come to look at options is also very important. If we can get one user in, it will in a sense snowball attracting more and more development. He felt anything the City can do minimize costs and get that first user in would be a huge benefit to the City.

Medical Marijuana:

Mayor Nehring deferred this item until a later date.

Impact Fee Options:

Mayor Nehring opened it up for further discussion between the bodies. Commissioner Toler questioned CAO Hirashima if the PTE option had been looked at, and had it been factored in to any of the options in front of them. CAO Hirashima replied that it is not something the city would recommend at this time. She felt that there was potential for development to come on its own. There was a shift of burden, albeit minimal, to the tax payers. Chair Leifer questioned how disruptive a 4 or 5 year exemption would be. CAO Hirashima replied that the City has some responsibility to acknowledge the short fall of multi-family housing, but at this point it is not what she would recommend. If it was an exemption for commercial or industrial, she would definitely stand behind it. Councilmember Rassmussen questioned if there is an actual loss to EMS if the exemption was allowed. There would in fact be a loss, but EMS is capped. Councilmember Muller felt that supporting Option 4 would make sense. He felt that getting a project up and running that rents could support is more

important. He added that some of these components were easy, but that the more difficult ones could be directed to the Economic Development Committee to sort through.

Councilmember Seibert could support reviewing Option 4, but would want a review after one year, and a definite sunset after 2 years. He stated that it would be easier to extend it if necessary in the future than to try to scale it back once it is in place.

Councilmember Stevens questioned Mr. Eerinessee's 8 or 5 year sunset for the PTE and if a 2 year would be desirable. Mr. Eerinessee replied that 2 years would be better than nothing, but 4 to 5 years would be recommended. Councilmember Vaughan felt that some of Mr. Eerinessee's comments made sense, but putting multi-family developments first seems out of sequence. He felt that getting the jobs in place would drive the need for housing. Providing incentives in a targeted way is more important and getting an anchor in is where the focus should be. Commissioner Emery thought we should look at both areas because they go hand in hand. He felt that targeting both things at the same time would be beneficial and desirable. We need to get the first housing development and the first big box in and the rest would follow suit. Commissioner Andes concurred with Commissioner Emery, but also saw Councilmember Vaughan's point. He suggested that staff find the lowest and most valuable rates for the fees in question.

Mayor Nehring thought that there was the beginning of a consensus for Option 4 with a wide variety of sunset clauses, deferrals and reductions. Councilmember Seibert noted that he is not in favor of finding the lowest fees at all. He was more in support of a deferral than a reduction. CAO Hirashima noted that she felt industrial development was very important. Councilmember Seibert wanted to know if there was an option available that is outside of the box that would allow negotiations for a particular user. Attorney Weed responded that there is some measure of flexibility in the RCW that dictates how mitigation fees have to be assessed. Councilmember Seibert suggested adding that provision to the options on the table. Director Nielsen spoke to the permitting certainty that was noted as very desirable and that the City is still working to obtain master permits in the north end which has been an on-going process. The transportation issue is another one that staff is working to nail down and make simpler for incoming development.

Chair Leifer questioned Councilmember Vaughan's comment about not seeking ware house space in Marysville. Councilmember Vaughan replied that the type of space he needs does not exist in Marysville. An anchor is needed to allow smaller companies such as his to lease or purchase a portion of those areas.

Councilmember Rasmussen would like to pursue commercial and industrial with whatever gusto didn't "give away the farm". She thought one high quality multi-family project go in to re-set the rates. Councilmember Stevens spoke to the project being proposed by Mr. Eerinessee and felt that it is a very high quality development of which the likes do not exist in Marysville. He thought this was a great opportunity for the city to look at. He agreed that the housing would come with the development, but that the timeline might not be right.

Mayor Nehring stated that he felt there is a general consensus that something needs to be done to spur targeted development in Marysville. He stated that staff would move forward and get some more information to the Planning Commission.

CAO Hirashima commented on the demographics of Marysville and encouraged the bodies to look at the recent demographic data collected in the census. Mayor Nehring added that we needed some more of the upper income housing which could help spur development.

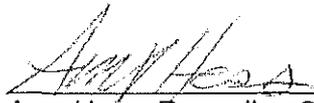
Chair Leifer re-emphasized that whether it is multi-family, commercial or industrial, it comes down to net operating income which is related to cost of the project. If the numbers don't come up right, the project doesn't pencil. The current fees can be project prohibitive and are one of the few things this body has control over.

ADJOURNMENT:

The meeting was adjourned at 9:48 p.m.

NEXT MEETING:

Planning Commission-Tuesday, January 24, 2012
City Council - Monday, January 23, 2012



Amy Hess, Recording Secretary



MARYSVILLE PLANNING COMMISSION

September 13, 2011

7:00 p.m.

City Hall

CALL TO ORDER

Chair Leifer called the September 13, 2011 meeting to order at 7:07 p.m.

Chairman: Steve Leifer

Commissioners: Matthew Chapman, Marvetta Toler, Jerry Andes, Rob Toyer, Eric Emery

Staff: CAO/Community Development Director Gloria Hirashima, Senior Planner Chris Holland, Public Works Director Kevin Nielsen, Recording Secretary Amy Hess

Absent: None

APPROVAL OF MINUTES:

July 26, 2011

Motion made by Commissioner Andes, seconded by Commissioner Emery to approve the July 26, 2011 meeting minutes as amended. Motion carries, (5-0).

PUBLIC COMMENT:

Chair Leifer solicited any comment from the audience other than what is on the agenda. Seeing none, he closed this portion of the meeting and proceeded on with the Agenda.

PUBLIC HEARING:

Impact Fees Deferral Ordinance

CAO Hirashima noted that the Planning Commission had been discussing multiple ways to provide some relief of the effects of impact fees. The two ordinances on the agenda tonight were overviewed by CAO Hirashima. She explained how each ordinance would be applied and how it would relate to residential, commercial, industrial, and multi-family projects. Ms. Hirashima noted that the three school districts that operate within the city were notified that these ordinances were being proposed. Letters had been received from each school district which spelled out the District's position regarding the impact fee deferral ordinances and potential impacts on their ability to plan for school district business.

Chair Leifer questioned some of the verbiage in the ordinances and a difference in the deferral from occupancy or issuance of building permit. CAO Hirashima responded that it should be changed to be consistent between the two. She then responded that the reason it was done this way was to allow for a set date that could control when the fees would be received and prevent the 18 months from going on indefinitely. Chair Leifer felt that there needed to be further clarification before continuing with the Public Hearing portion. CAO Hirashima suggested taking public testimony, as that could impact the Commission's direction regarding the proposed impact fees deferral ordinances.

Public Comment:

Dan Eernisse, Representing Smokey Point Commercial LLC

Mr. Eernisse noted that the biggest problem in impact fees is noticed is when it comes to multi-family development. He described some of the compelling arguments for impact fees, but noted that the fees were targeted only at the negative impacts of a development and doesn't consider the benefit or cost of not having development. He described how impact fees can potentially prevent investors from creating growth. Mr. Eernisse described how Property Tax Revenue cannot be increased unless there is new construction.

Mr. Eernisse stated that Marysville was putting itself at a disadvantage with its high impact fees when it comes to competition with other cities for development. He compared the different fees with other cities impact fees. He concluded that impact fee deferral was not significant at this time, but that it was positive and they would take advantage of it. He stated that he felt mitigation fees should be eliminated for parks, schools, impact, and traffic. He added that even a 50% reduction across the board would make the biggest difference in the first 2 years. He was hoping to develop within Marysville, but noted that they did not have to develop immediately and would wait for rents to strengthen. A 50% reduction could be the tipping point to allow for development.

Chair Leifer questioned whether Seattle and Shoreline had only eliminated their impact fees in response to the economic downturn. Mr. Eernisse stated that it had been that way for quite some time, not only since the downturn. Chair Leifer questioned how the banking industry viewed a deferral. Mr. Eernisse commented that they were looking into construction financing as well as permanent financing; adding that they had the capacity to do better than some other developers.

Commissioner Andes stated that what Mr. Eernisse stated was pretty close to what the Commission had been thinking for quite some time.

Commissioner Chapman questioned if they were to see a 50% reduction as he was proposing, what timeline he was looking at for starting a multi-family project in the City. Mr. Eernisse responded that they would be looking at spring 2012.

Commissioner Toler questioned how the 18 month deferral could help Mr. Eernisse. Mr. Eernisse responded that the reduction could save them approximately \$4 million up front, but it would still have to be paid; adding that a 50% reduction would be much better.

Jim Baker, Marysville School District 7711 77th Ave NE Marysville WA 98270

Mr. Baker noted that they appreciated the opportunity and CAO Hirashima keeping them informed of this proposal. He referred to the letter penned by him and Fred Owen from Lakewood School District. He discussed that many jurisdictions have proposed impact fee deferrals, but had avoided doing so for school impact fees. Mr. Baker noted that it takes about 4 years to get development in place for new students. A deferral could result in a student showing up for school at the same time the district receives the fees necessary for needed capacity. He was in support of moving the fee collection to the time of final inspection. The delay compromises the School Districts ability to plan for capacity. He noted that multi-family development could very significantly impact a small district such as Lakewood. He appreciated that the city had set forth a sunset date, but requested the city set a mid-point review and that the ordinance provide for an earlier sunset date should the City Council determine that economic circumstances and development activities have changed such that an earlier sunset is necessary.

Chair Leifer questioned what the excess capacity is at this point. Baker was not sure, but noted that it would be in the Capital Facility Plan just updated in 2010. He added that it is still at a general un-housed student level due to portable buildings being used. It takes about 6 months to get portable units in place when necessary, and that time estimate is on the quick side. Chair Leifer questioned the cost effectiveness of a portable building compared to a stick and mortar building. Mr. Baker noted that the newer portable units cost less, but are much more problematic when it comes to functioning of the school including students being disconnected from the core of the school, no bathroom facilities, interruptions, etc.

Commissioner Andes questioned the need for additional planning time. He was unclear as to why the District's waited for final plat approval. Preliminary Plat approval should be the second indicator that development was going in. Third, there was Final Plat approval; he wasn't sure why building permit was chosen as the time to begin planning for new students. Mr. Baker responded that simply the answer in proceeds. Proceeds necessary to participate in state match before they can begin. Portable units are not a good investment of fees, in the school districts view. A 4% increase over the next 4 year term was projected in the Capital Facilities plan as the economy turns.

Chair Leifer asked Mr. Baker to respond to some of the comments made by Mr. Eernisse, specifically the \$7.5 million dollar figure and the \$5 million being the schools fee share. Mr. Baker noted that they are on a fixed levy basis, but that it is not new revenue for the districts. He noted that it is \$5200 per FTE, but that fixed costs are high. He added that the district had agreed to the 50% discount rate for mitigation fees, up from 25%, just last year to support the building community. Mr. Baker reiterated that they supported the deferral, but requested payment at final inspection. Chair Leifer questioned if he would feel any different if it was a temporary measure rather than a long term. Would adding a sunset clause change his opinion? Mr. Baker was suggesting a mid-point review added to the 4-year sunset date included in the proposal to distinguish whether there were any impacts.

Fred Owen, Lakewood School District, PO Box 222 Lakewood WA

Mr. Owen really wanted to emphasize the fact that Lakewood was a very small district that could be severely impacted by a large multi-family development. He noted that he had experienced a rather large development of duplexes and the difficulties and struggles with trying to house those students. Mr. Owen noted that the impact fees were used mainly for portables in the Lakewood School District. The purchase of portables is typically to buy time and not how the district would like to spend impact fees. He added that there is some capacity at the elementary level, but that the high school is over capacity and the middle school level is a handful of students away from reaching capacity. He stated that the fees collected from the state are not for capital.

Commissioner Toler was curious as to where Lakewood was in its building. Mr. Owen responded that with a small district, it is feast or famine. He stated that it is difficult to say right now, but as the housing in the Twin Lakes area fills in, Lakewood could really be affected.

Commissioner Andes questioned if this ordinance were to be passed today, with the addition of review in a couple of years, how Mr. Owen would feel. Mr. Owen responded that if the ordinance were approved as proposed and Mr. Eernisse fast tracked a development, Lakewood could be in a world of hurt.

Commissioner Emery questioned how long the "world of hurt" would last for the school districts. He wanted to look long term, not just the next 24 months. Mr. Owen replied that that was the difficult question. From Lakewood School District's perspective, if capacities could not be addressed, it's not that it couldn't be done, but that it wasn't an environment conducive to learning. Commissioner Emery felt that the States system for funding schools is rotten. He didn't want to bury Lakewood, but a shortage was going to have to be taken somewhere to get something jump started.

Chair Leifer asked for clarification on whether there was any capital funding received from the state. Mr. Owen responded that there were some funds available, but you had to qualify and it was roughly a 25% match of costs that might be obtained. The state funds are not available for portable construction.

Joel Hylback 16720 Smokey Pt. Blvd. Marysville WA 98271

Mr. Hylback noted that he really appreciated the work Mr. Eernisse put into his presentation. He felt that he brought the negatives that are a reality of our economic environment but put a positive spin on a way to get out of it. He was concerned that the economy has not yet hit bottom and that we weren't going to all of sudden bust out of this. He noted that investors are still doing business, just not in Marysville. He felt that the current climate is the new normal. He felt that deferral is a very small step in the right direction, but he would encourage thinking more aggressively in terms of how to position Marysville to be more competitive and to be the place where developers want to invest their money.

Mr. Hylback brought up the development Commissioner Emery spoke of behind Costco, he is one of the property owners, and stated that APD (the potential developer) made it very

clear that mitigation fees would have to be reduced if the project was to move forward. He encouraged the Commission to look at the big picture.

Dan Eernisse, Representing Smokey Point Commercial LLC

Mr. Eernisse stated that he did not understand the fixed levy rate of the schools, and stated he would be happy to re-submit his information. He also noted that Ordinance No. 2853 has already reduced the impact fee to 50% for school fees; he would just like to see that continued into parks and traffic as well.

Chair Leifer questioned how other cities with no impact fees deal with the problems these districts were discussing. Mr. Eernisse replied that their systems were basically built out and that there is a lower per capita student rate as the population is so high.

Jim Baker, Marysville School District 7711 77th Ave NE Marysville WA 98270

Mr. Baker noted that Seattle does have tremendous difficulties when it comes to their size. Seattle also has a city levy system and a much higher level of funding above and beyond state funding. Millage rates are also very low in Seattle. Bond issues are easier to pass in Seattle as well. The economics also play a large role when it comes to funding.

Mr. Nielsen addressed the traffic, water and sewer impact fees. He stated that deferral didn't really affect the city because it was large sums of money that could be moved around. He discussed the discounts assessed on impact fees. He noted that all of our current projects are bonded. Lowering the traffic impact fee would require moving of money around in the general fund whether it be from parks, public safety or another department. The revenue would have to be made up as the City had bond payment requirements.

Mr. Nielsen described some of the capital project improvements that had been completed over the last 10 years. General Connection Fees are figured based on bonds. He pointed out that reducing fees in one area will affect another area. GFC's related to multi-family were modified for Hotel/Motel based on technical data brought in on 88th Ave.

Chair Leifer questioned whether any analysis had been done on the potential increase in net generation of revenues due to increased development via higher tax values resulting from increased development. He was curious if the City had looked at any correlation between reducing the fees now and possibly recouping it later. Mr. Nielsen responded that Public Works runs off the enterprise fund and can't touch the general fund or assessed value revenues. He added that enterprise funds run themselves and that he runs separate from the taxation and property values.

Mr. Nielsen stated that on the capital side of transportation comes mainly from traffic impact fees and real estate excise tax. CAO Hirashima added property tax revenue is something that is looked at and is tracked. There is not an exact correlation as it is not a closed environment. The majority of property tax revenue is spent on public safety. The city's overall sentiment is to appeal to developers and acquire growth and development. Chair Leifer wanted to know if CAO Hirashima felt that reducing fees would be beneficial and would balance out at the end of the day. She responded that she felt there was value at looking at reduction, but that either reduction or deferral should be looked at, not both at the

same time. She added that if the Commission wanted to look at reduction, reduction should be evaluated on individual fees. There was further discussion on how rates, bonds, charges, and revenues relate.

Chair Leifer closed the public portion of the meeting and suggested continuing the meeting pending further information on reduction. Commissioner Andes agreed with Chair Leifer.

Motion made by Commissioner Toler to continue the hearing pending further information on the possibility of a reduction, seconded by Commissioner Andes. Motion carries, (4-0). Commissioner Toler amended motion to continue the Public Hearing until October 11, 2011 when further information could be gathered, seconded by Commissioner Chapman. Motion carries, (4-0).

WORKSHOP:

A short recess was taken at 9:12 p.m. Meeting reconvened at 9:17 p.m.

Lakewood Neighborhood Area-Wide Rezone

Mr. Holland explained that staff initiated the area wide re-zone. He explained the history behind the Comprehensive Plan land use designation and how a secondary access to the area via the 156th Street overcrossing project was a requirement for the proposed re-zone. Staff stated that a public hearing was set for September 27, 2011. He added that no comments had been received from the public, and that the area had been notified of the non-project action being proposed.

Commissioner Toler questioned when the letters were sent to the community. Mr. Holland responded that they went out August 2, 2011 and that he hadn't gotten a single phone call, letter or email. There has been general support from one of the major property owners.

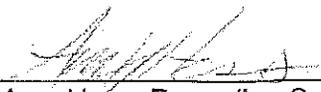
Commissioner Andes questioned the number of parcels contained on the map and the number listed in the table. Mr. Holland responded that everything east of the railroad was included in the rezone and that the list would be updated to include the two parcels located south of 148th Street NE.

ADJOURNMENT:

Motion made by Commissioner Toler, seconded by Commissioner Andes to adjourn the meeting at 9:28 p.m. Motion carries, (5-0).

NEXT MEETING:

September 27, 2011



Amy Hess, Recording Secretary



MARYSVILLE PLANNING COMMISSION

July 26, 2011

7:00 p.m.

City Hall

CALL TO ORDER

Chair Leifer called the July 26, 2011 meeting to order at 7:07 p.m. noting the excused absences of Deirdre Kvangnes and the unknown Eric Emery.

Chairman: Steve Leifer

Commissioners: Matthew Chapman, Marvetta Toler, Jerry Andes, Rob Toyer

Staff: CAO/Community Development Director Gloria Hirashima,
Recording Secretary Amy Hess

Absent: Deirdre Kvangnes, Eric Emery

APPROVAL OF MINUTES:

June 28, 2011

Motion made by Commissioner Toler, seconded by Commissioner Toyer to approve the May 24, 2011 meeting minutes as amended. Motion carries, (5-0).

PUBLIC COMMENT:

Chair Leifer solicited any comment from the audience other than what is on the agenda. Seeing none, he closed this portion of the meeting and proceeded on with the Agenda.

OLD BUSINESS:

Update on Impact Fee Deferral Ordinance & set Public Hearing date:

Ms. Hirashima handed out a letter received from Lake Stevens School District noting that they were generally opposed to a school impact fee deferral. She noted that this was not a surprising reaction and that this seemed to be a common sentiment throughout School Districts. Ms. Hirashima added that Lakewood School District's response was a little less strong, not completely opposed to the deferral, and that they were sympathetic to the needs of developers but also had concerns related to a deferral. She questioned if the Commission wanted to set it for a hearing or if they would like to exclude the school impact fees from the draft ordinance. Ms. Hirashima added that if it was included, it could be excluded at the hearing, but not the other way around.

Commissioner Chapman questioned what percentage of the mitigation fees were made up by school impact fees. Ms. Hirashima responded that it was a large majority, approximately 50%. There was discussion on how it affected single family versus multi-family development.

Commissioner Andes questioned when the final inspection was done and who initiated it. Ms. Hirashima replied that it was at the builder's request after completion of construction.

Commissioner Toler was concerned that there was a possibility that the deferred fees could be passed on to a buyer. Ms. Hirashima responded that they could not be as the fees are due upon final inspection which happens prior to a sale. Chair Leifer agreed with the concern brought up in the notice from Lake Stevens School District regarding time of collection. Ms. Hirashima noted that most builders wait till they have a sale before calling for final inspection. There was further discussion on how and when the fees were collected.

Commissioner Chapman felt that single family development should not be included at all in the ordinance; that it should only be multi-family, commercial and industrial. Ms. Hirashima responded that that is how the ordinance started out, but based on the feed-back from single family developers, it was decided to include single family development in the draft in front of the commission.

Commissioner Andes questioned why the ordinance had to expire or sunset. Ms. Hirashima replied that it was based on the downturn of the economy. Commissioner Andes felt that it was a good policy to have in place in good times or in bad. Ms. Hirashima explained why the impact fee ordinances were created in the first place. She noted that the deferral could be revisited and extended if desired.

Ms. Hirashima suggested setting it for hearing the first meeting in September. Commissioner Toyer questioned how the developers felt. Ms. Hirashima replied that they thought it would be helpful. She had heard that their preference would be to see the fees reduced or eliminated. She felt that developers would be supportive.

Commissioner Chapman questioned how development on the reservation affects City of Marysville. Ms. Hirashima responded that there were no school impact fees collected on Commercial projects. Commissioner Chapman noted that Marysville was in the higher end of impact fees for the local area. Commissioner Andes questioned what impact fees were back in 2004 as that is approximately where home values are at. He thought that the mitigation fees should be proportionate to home values.

Motion made by Commissioner Toler, seconded by Commissioner Toyer to carry both ordinances to Public Hearing on September 13, 2011. Motion carries, (5-0).

Coal Trains, Coal Questions Presentation

Ms. Hirashima gave a Power Point Presentation created by the Salish Land Policy Solutions regarding the Coal Train proposal up the BNSF rail line. She noted that Marysville's main concern was traffic impacts on the City. The actual effects and delays were overviewed.

There was discussion on whether or not there were any formal regulations in place regarding if the rail line is allowed to block and stop all other modes of transportation. Ms. Hirashima responded that she was not aware any formal regulations. Chair Leifer noted that he thought there were regulations on water ways and felt that these could possibly be paralleled in this situation.

Commissioner Toyer questioned if there were any benefits that the city would see. Ms. Hirashima replied that there were not really any, but if it did in fact help the economy, we might benefit indirectly. Commissioner Chapman noted that the proposed trains were much longer than the trains we are used to. He added that not only are you adding additional trains, you are almost doubling the time it takes to get across the roads. Commissioner Andes commented that 156th should be made a full interchange and that adding another off ramp from I-5 directly to State Ave could help alleviate some of the problem. He also felt that noise and speed should be factors.

Ms. Hirashima updated on the concern that Commissioner Toler had brought up at the previous meeting regarding the crossing at 53rd Ave and Hwy 528. She noted that the project was about 50% designed, and it would be a signal with a cross walk. CAO Hirashima added that the City did not have the money to construct the project but that they would be looking into grants for it. There was discussion on alternative options.

ADJOURNMENT:

Motion made by Commissioner Chapman, seconded by Commissioner Toler to adjourn the meeting at 8:11 p.m. Motion carries, (5-0).

NEXT MEETING:

September 13, 2011

Amy Hess, Recording Secretary

**PROPERTY TAX COMPARISON--CITY OF MARYSVILLE
VERSUS UNINCORPORATED AREA NEAR CITY LIMITS**

TAXING DISTRICT	YEAR 2012 - Per \$1,000 AV		YEAR 2012 - Average Tax Bill	
	CITY	COUNTY	CITY	COUNTY
City of Marysville				
General Levy	\$ 2.6899	\$ -	\$ 672.47	\$ -
Fire Dist. 12		1.5000	-	375.00
EMS Levy	0.5000	0.5000	125.00	125.00
GO Bonds			-	-
Public Safety Building			-	-
County Taxes	0.9823	0.9823	245.58	245.58
County Roads		1.4928	-	373.21
Marysville School District	5.2381	5.2381	1,309.53	1,309.53
State School	2.3788	2.3788	594.71	594.71
Library District	0.5000	0.5000	124.99	124.99
TOTAL PROPERTY TAX PER \$1,000 ASSESSED VALUE	\$ 12.2891	\$ 12.5921	\$ 3,072.28	\$ 3,148.02
Tax on Avg. Residence Value of				
\$250,000	\$3,072.28	\$3,148.02	\$3,072.28	\$3,148.02
\$400,000	\$4,915.64	\$5,036.84	\$4,915.64	\$5,036.84

Lake Stevens School district 2012 levy rate \$5.90046611

Lakewood School district 2012 levy rate \$5.73985844

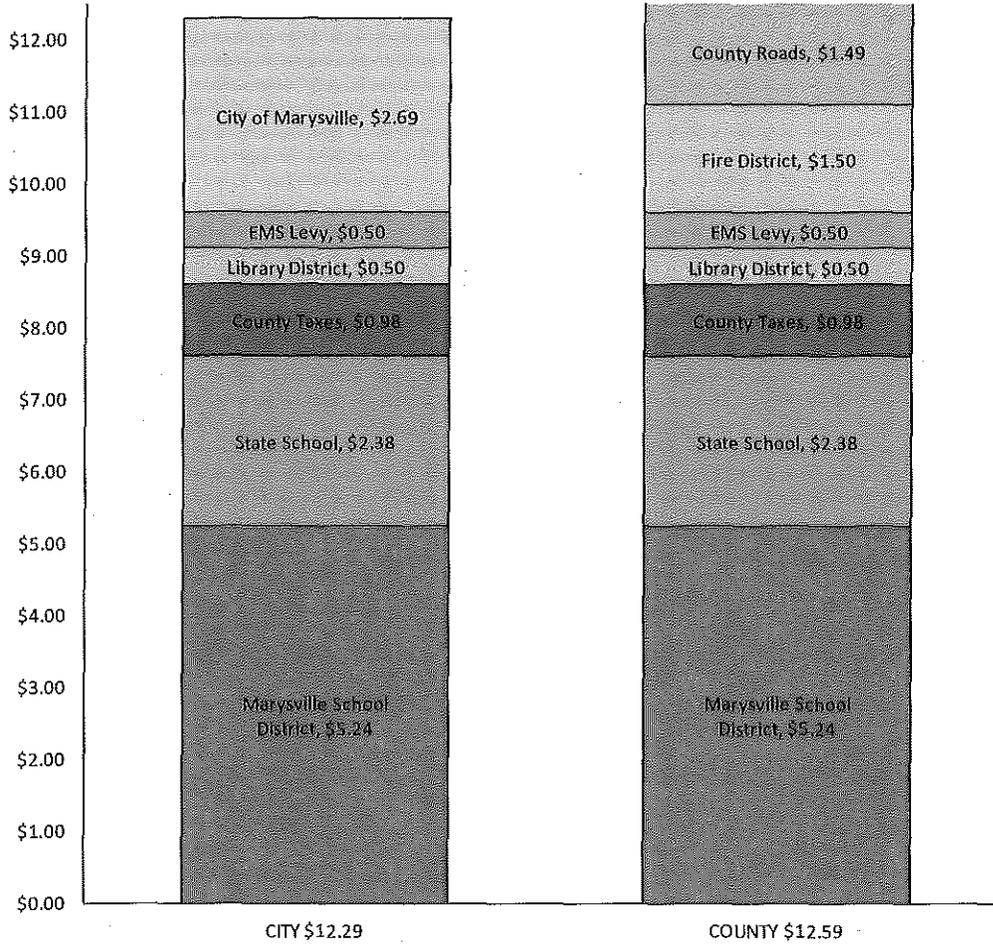
**PROPERTY TAX COMPARISON--CITY OF MARYSVILLE
VERSUS UNINCORPORATED AREA NEAR CITY LIMITS**

TAXING DISTRICT	YEAR 2011 - Per \$1,000 AV		YEAR 2011 - Average Tax Bill	
	CITY	COUNTY	CITY	COUNTY
City of Marysville				
General Levy	\$ 2.3400	\$ -	\$ 585.00	\$ -
Fire Dist. 12		1.3071	-	349.36
EMS Levy	0.5000	0.5000	125.00	125.00
GO Bonds			-	-
Public Safety Building	0.0426		10.64	-
County Taxes	0.8684	0.8634	217.09	217.09
County Roads		1.4928	-	373.21
Marysville School District	5.3148	5.3148	1,328.70	1,328.69
State School	2.2064	2.2034	551.60	551.60
Library District	0.4600	0.4606	112.65	112.66
TOTAL PROPERTY TAX PER \$1,000 ASSESSED VALUE	\$ 11.7227	\$ 12.2305	\$ 2,930.69	\$ 3,057.62
Tax on Avg. Residence Value of				
\$250,000	\$2,930.69	\$3,057.62	\$2,930.69	\$3,057.62
\$400,000	\$4,689.10	\$4,892.18	\$4,689.10	\$4,892.18

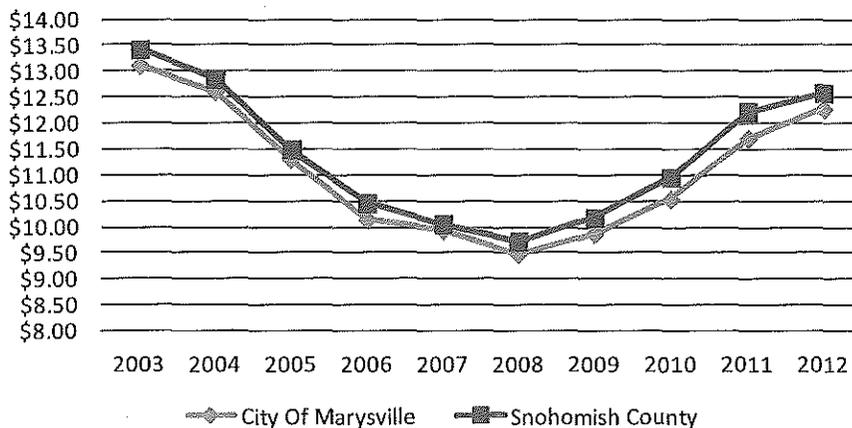
Lake Stevens School district 2011 levy rate \$ 5.4207

Lakewood School district 2011 levy rate \$ 4.9923

**2012 ESTIMATED PROPERTY TAX DISTRIBUTION
CITY OF MARYSVILLE VS. UNINCORPORATED AREA NEAR CITY LIMITS**



Levy Rate Total Comparison



APPENDIX A: Traffic Impact Fees (TIF)

The City of Marysville has adopted a transportation impact fee program defined in Chapter 18B (Traffic Impact Fees and Mitigation) of the City's Municipal Code. The ordinance was updated in May 2007 to revise the calculation of the City's traffic impact fees resulting from changes in the Capital Facilities Plan.

A detailed revision of the traffic impact fee program was prepared based on the 2008 Transportation Element of the Comprehensive Plan. The forecast year for the Transportation Element was set at 2035. This decision extends forecasting for the population and employment by 10 years compared to the prior Transportation Element. It also results in additional growth-related transportation improvement needs. The longer-range horizon year allows the City to better plan for and size transportation facilities that will be needed as the City grows.

The TIF analysis included the following steps:

- Identify growth-related improvement projects and eligible TIF costs
- Define TIF service area(s)
- Calculate potential maximum TIF rates
- Apply adjustments to the rate to reflect differences in taxes paid by commercial versus residential development and policy direction from the City Council.

Growth-Related Improvement Projects and TIF Costs

Under GMA, the impact fees can be imposed upon new development for public facilities needed to serve new growth. The impact fees' improvements must be reasonably related to the new development. The resulting fees should represent a proportionate share of the costs of the facilities and must be used on facilities that reasonably benefit the new development.

GMA allows the impact fee program to include future growth-related improvements. It also allows for inclusion of costs for previously constructed improvements to the extent the projects serve growth.

The following summarizes the projects and costs included in the City of Marysville 2008 TIF program.

2008 Transportation Element Growth-Related Projects

The list of transportation improvement projects (see Tables 7, 8, and 9) recommended in the 2008 Transportation Element needed to support growth forecasts through 2035 was reviewed to identify the projects eligible for inclusion in the Traffic Impact Fee program. These projects were identified as being needed to support growth in the City, as well as regionally generated traffic. These projects primarily included selected new roadways, major widening projects, minor widening improvements, and intersection improvements needed to provide system capacity and maintain the City's LOS standards. Due to the anticipated

annexation of the City's Urban Growth Area in the next one to two years, the TIF program includes projects that would likely be constructed by the City after annexation. (The growth in the annexation area is also included in the TIF calculation, as described later). The TIF projects do not include improvements that the City expects to fund through other separate developer contributions (frontage improvements, SEPA mitigation, or concurrency requirement). The TIF projects also do not include improvements that only resolve existing deficiencies, such as constructing a missing segment of a sidewalk or resolving a safety problem.

Attachment 1 presents the transportation improvement projects recommended in the 2008 Transportation Element update that are TIF eligible. The attachment also shows the share of the project costs that is TIF eligible. They include projects located within the existing City limits and the UGA. The TIF program would include almost \$429 million of the costs of these projects. The TIF costs include the City's contribution to two I-5 interchange projects. Of the \$429 million in costs included in the TIF, \$363 million (85%) is for projects within the existing City limits. The other \$66 million covers TIF projects within the City's UGA.

Previously Completed Growth-Related Transportation Projects

Over the past several years, the City has constructed several growth-related transportation projects. These improvements have been included in the City's previous TIF programs and are included in the 2008 update. Table 1 summarizes the improvements and their costs. The four projects total approximately \$20 million.

Table 13. Previously Completed TIF Projects and Costs

Project	Description	Project Cost	Notes
State Avenue (Ebey Slough to Grove Street)	Widen lanes (12-ft. outside and 11-ft. inside). Move the traffic signal from 5th Street to 6th Street; and remove left-turn lanes at the intersections of 5th Street and 7th Street	\$9,500,000	Partially funded through 2003 bond
67th Avenue NE and 84th Street NE	Install traffic signal	\$250,000	Project complete
116th St NE (I-5 to State Avenue)	Widen to 5 lanes and add a right-turn lane for eastbound traffic	\$3,018,000	Project complete
State Avenue (116th Street NE to 136th Street NE)	Widen to 3 lanes with curb, gutter and sidewalk on west side, and an 8-ft. shoulder on the east side	\$7,100,000	Project completed and in debt service (3-lane widening only)
Subtotal		\$19,868,000	

Debt Service Interest

Recently, the City of Marysville has issued two bonds to allow it to advance funding for several growth-related improvements. The interest on these bonds owed by the City is included in the TIF program. The City is paying off two bonds issued in 2003 and 2007. The total interest due for these two bonds is \$6,760,000, as shown on Table 2, is included in the 2008 TIF program.

Bond Year	Total Bond Proceeds	Total Bond Interest
2003	\$3,612,500	\$2,324,500
2007	\$8,045,000	\$4,435,700
Total	\$11,657,500	\$6,760,200

Summary of Impact Fee Eligible Costs

The total maximum potential impact fee funding is summarized in Table 3. The revised TIF program includes \$455 million in costs through 2035.

	Traffic Impact Fee Eligible Cost
Capital Projects in City	\$363,389,000
Capital Projects in UGA	\$65,169,000
Completed Projects	\$19,868,000
Debt Service Interests	\$6,760,000
Total	\$455,186,000

Service Areas

As part of the TIF program update, the City evaluated the option of using multiple service areas for its TIF program. A concept of four districts (three within the City and one for the UGA) was evaluated. The analysis showed that the differences between the maximum allowable fee rates for each district were relatively small (within 25% of the average). It was determined that this range did not just justify the application of a multi-service area system.

Because the UGA is expected to be annexed by the City in the near future, the City and its UGA are considered as a single service area for purposes of the 2008 TIF program.

Maximum Impact Fee Rates

The travel forecasting model was applied to disaggregate the total travel forecasts into existing traffic and growth-related traffic. The model resulted in a forecast of 41,500 new PM peak hour growth trip ends between 2007 and 2035 for the City and its UGA. Of these growth trip ends, approximately 92 percent are within the existing City limits and 8 percent of the growth trips would occur within the UGA.

The model was used to separate the growth traffic into trips that have either an origin or destination within the City and its UGA, versus growth in through traffic. Approximately \$282 million of the TIF eligible cost (60%) was identified as being related to growth trips that have an origin or destination (or both) within the City or its UGA. Growth in regional traffic through the City and its UGA accounted for the remaining \$173 million (40%) of the costs. This reflects the large regional impact of traffic on the Marysville transportation system.

The **Maximum Possible Impact Fee** is calculated by dividing the total TIF cost allocation (\$281,989,000) by the total new PM peak hour trip ends (41,500), resulting in \$6,800 per new PM peak hour growth trip end as shown below.

$\$281,989,000 \text{ TIF cost share} / 41,500 \text{ PM peak hour growth trips} = \$6,800 \text{ fee per new PM peak hour growth trip end.}$

The resulting maximum possible impact fee is **\$6,800 per PM peak hour trip.**

Impact Fee Adjustments

The City has chosen to adjust the maximum impact fee per new PM peak hour trip. Two adjustments are made. First, an adjustment to the TIF fees is made to account for the higher tax revenues generated by commercial properties compared to residential developments. The second adjustment reduces the overall TIFs based on policy direction to decrease the potential cost share for new developments.

Tax Revenue Differential

In 2005, the City evaluated the relative tax revenues generated by commercial and residential properties within the City. The results showed that commercial properties generated substantially higher taxes for the City compared to residential properties.

The City updated and refined the evaluation as part of the 2008 Traffic Impact Fee Program. The process takes into account total sales taxes, general property taxes, and real estate excise tax (REET) revenues based on the 2008 budget. The revenues of each of these services were allocated to commercial and residential properties. The total tax revenues for commercial and residential properties were then converted to rates per \$1,000 in assessed valuation and tax revenues per acreage. The two factors were used because they take into account both developed and undeveloped properties.

Ratios of the commercial and residential tax revenues per \$1,000 in assessed valuation and per acre were averaged. The average of the ratios helps balance the impacts of developed and undeveloped properties and the overall higher density of commercial developments.

This process results in a ratio of commercial properties generating 2.84 times the tax revenues of residential properties. To balance this difference, this factor is inverted resulting in the ratio of traffic impact fees for residential development to commercial development being 2.84. Applying this ratio to the \$6,800 maximum trip rate per growth PM peak hour trip end for residential development results in a commercial impact fee rate of \$2,400 per new PM peak hour trip end.

Impact Fee Discount Adjustment

The City has elected to reduce the maximum allowed impact fee of \$6,800 for residential and \$2,400 for commercial developments. The 2008 discount rate was set at 7 percent,

maintaining the residential rate at the 2007 rate of \$6,300 per new PM peak hour trip end. This results in the commercial rate being \$2,220 per new PM peak hour trip end.

The final proposed impact fee rates based on the 2008 program are:

- Residential \$6,300 per new PM peak hour trip end
- Commercial \$2,220 per new PM peak hour trip end

Attachment 1. 2008 Transportation Element Growth-Related Projects Included in the TIF

Project Name	Project Limits	Project Description	Project Cost (\$)¹	TIF Cost¹
Ingraham Blvd	68th Ave NE to 74th Ave NE	Construct 4/5 lane arterial including bicycle and pedestrian facilities.	\$5,585,239	\$5,585,239
Ingraham Blvd	81st Ave NE to 83rd Ave NE	Construct 4/5 lane arterial including bicycle and pedestrian facilities.	\$2,057,055	\$2,057,055
40th St NE	83rd Ave NE to SR 9	Construct 4/5 lane arterial including pedestrian facilities.	\$18,000,000	\$18,000,000
Lakewood Triangle Access	Twin Lakes to State Ave	Construct 4/5 lane arterial including bicycle and pedestrian facilities. Project includes I-5 overcrossing at 156th St NE	\$20,169,630	\$20,169,630
51st Ave NE	84th St NE to 88th St NE	Construct 2/3 lane arterial including bicycle and pedestrian facilities.	\$3,759,265	\$3,759,265
27th Ave Extension	Twin Lakes to 172nd St NE	Construct 2/3 lane arterial including bicycle and pedestrian facilities.	\$11,828,235	\$11,828,235
156th/152nd St	Smokey Point Blvd to 51st St	Construct 4/5 lane arterial including bicycle and pedestrian facilities.	\$17,821,570	\$17,821,570
44th Street	83rd Ave to East Sunnyside School Road/Densmore Road	Construct 2/3 lane arterial including bicycle and pedestrian facilities.	\$3,137,440	\$3,137,440
Downtown Bypass	State Ave/1st Street to 47th Ave/Sunnyside Blvd	Construct 4/5 lane arterial including pedestrian facilities.	\$31,477,989	\$31,477,989
27th Ave Extension	140th St NE to 156th Ave NE	Construct 2/3 lane arterial including bicycle and pedestrian facilities.	\$20,692,415	\$20,692,415
156th St NE Extension²	31st (SEE 177) to 23rd Ave	Construct 2/3 lane arterial including bicycle and pedestrian facilities.	\$11,233,505	\$5,616,752
67th Ave Connector	67th Ave NE/44th St NE to 71st Ave NE/40th St NE	Construct 2/3 lane arterial including bicycle and pedestrian facilities.	\$4,707,459	\$4,707,459
State Avenue	116th St NE to 136th St NE	Widen to 4/5 lane arterial including pedestrian facilities.	\$11,613,030	\$11,613,030
State Avenue³	136th St NE to 152nd St NE	Widen to 4/5 lane arterial including pedestrian facilities.	\$10,781,000	\$12,013,000
SR 528	Allen Creek to East of 67th Ave NE	Widen to 4/5 lane arterial including pedestrian facilities.	\$524,000	\$524,000
State Avenue	100th St NE to 116th St NE	Widen to 4/5 lane arterial including pedestrian facilities.	\$17,115,202	\$17,115,202
84th St NE	83rd Ave NE to SR 9	Widen to 4/5 lane arterial including bicycle and pedestrian facilities.	\$4,226,820	\$4,226,820

Project Name	Project Limits	Project Description	Project Cost (\$) ¹	TIF Cost ¹
Sunnyside Blvd	47th Ave NE to South of 52nd St NE	Widen to 4/5 lane arterial including bicycle and pedestrian facilities. Include traffic control and intersection geometry	\$15,540,356	\$15,540,356
88th St NE	State Ave to 51st Ave	Widen to 4/5 lane arterial including pedestrian facilities. Bike lanes may be included in project or along separate but	\$16,765,853	\$16,765,853
88th St NE	51st Ave to 67th Ave	Widen to 4/5 lane arterial including pedestrian facilities. Bike lanes may be included in project or along separate but	\$24,158,966	\$24,158,966
152nd St NE ⁴	51st Ave to 67th Ave NE	Widen to 4/5 lane arterial including bicycle and pedestrian facilities.	\$10,803,741	\$7,202,854
51st Ave NE	152nd to 160th	Widen to 4/5 lane arterial including bicycle and pedestrian facilities.	\$7,180,407	\$7,180,407
51st Ave NE	160th to Arlington City Limits	Widen to 4/5 lane arterial including bicycle and pedestrian facilities.	\$4,265,820	\$4,265,820
172nd St (SR 531)	27th Ave NE to 11th Ave NE	Widen to 4/5 lane arterial including bicycle and pedestrian facilities.	\$11,640,473	\$11,640,473
Ingraham Blvd	74th Ave NE to 81st Ave NE	Widen to 4/5 lane arterial including bicycle and pedestrian facilities.	\$5,250,830	\$5,250,830
40th St NE	Sunnyside Blvd to 83rd Ave NE	Reconstruct and widen to 2/3 lanes, and construct missing segments for 2/3 lane arterial including pedestrian facilities.	\$13,100,000	\$13,100,000
52nd Street	Sunnyside Blvd to 67th St	Reconstruct and widen to 2/3 lane arterial including bicycle and pedestrian facilities.	\$1,529,661	\$1,529,661
51st Ave NE	108th St NE to 136th St NE	Reconstruct and widen to 2/3 lane arterial including bicycle and pedestrian facilities.	\$11,977,128	\$11,977,128
51st Ave NE	88th St NE to 108th St NE	Reconstruct and widen to 2/3 lane arterial including bicycle and pedestrian facilities.	\$7,461,724	\$7,461,724
51st Ave NE	136th St NE to 152nd St NE	Reconstruct and widen to 2/3 lane arterial including bicycle and pedestrian facilities.	\$6,979,310	\$6,979,310
67th Ave NE	88th St NE to 108th St NE	Reconstruct and widen to 2/3 lane arterial including bicycle and pedestrian facilities.	\$7,589,140	\$7,589,140
71st Ave NE	Sunnyside Blvd/Soper Hill Road to 40th St NE	Reconstruct and widen to 2/3 lane arterial including bicycle and pedestrian facilities.	\$4,588,984	\$4,588,984
E Sunnyside School Road	87th Ave NE to East Sunnyside School Road/Densmore Road	Reconstruct and widen to 2/3 lane arterial including bicycle and pedestrian facilities.	\$588,331	\$588,331
E Sunnyside School Road	East Sunnyside School Road/Densmore Road to SR 9	Reconstruct and widen to 2/3 lane arterial including pedestrian facilities.	\$882,497	\$882,497
Soper Hill Road	71st Ave NE to 83rd Ave NE	Reconstruct and widen to 2/3 lane arterial including bicycle and pedestrian facilities.	\$6,189,983	\$6,189,983

Project Name	Project Limits	Project Description	Project Cost (\$)'	TIF Cost'
Soper Hill Road	83rd Ave NE to SR 9	Reconstruct and widen to 2/3 lane arterial including bicycle and pedestrian facilities.	\$3,035,906	\$3,035,906
Sunnyside Blvd	71st Ave NE to 40th St	Reconstruct and widen to 2/3 lane arterial including bicycle and pedestrian facilities.	\$6,983,226	\$6,983,226
Sunnyside Blvd	South of 52nd Ave NE to 40th St	Reconstruct and widen to 2/3 lane arterial including bicycle and pedestrian facilities.	\$4,588,984	\$4,588,984
67th Avenue	44th St NE to SR 528	Reconstruct and widen to 2/3 lane arterial including bicycle and pedestrian facilities.	\$7,765,973	\$7,765,973
87th Ave	Soper Hill Rd to 35th St	Reconstruct and widen to 2/3 lane arterial including pedestrian facilities.	\$2,580,630	\$2,580,630
Intelligent Transportation System Program	City-wide	Implement Intelligent Transportation Systems Program to improve signal coordination and management, roadway	\$421,000	\$421,000
Jennings Park Entrance Improvements	Jennings Park Entrance and 53rd Ave NE/SR 528	Realign Jennings Park Entrance driveway with 53rd Ave NE, and install traffic signal when warranted.	\$464,750	\$464,750
172nd St NE & 27th Ave NE	Intersection	Construct turn lane(s) and modify traffic signal.	\$1,098,487	\$1,098,487
88th St NE & 67th Ave NE	Intersection	Construct turn lane(s) and modify traffic signal.	\$841,789	\$841,789
Grove St & 67th Ave NE	Intersection	Construct turn lane(s).	\$180,534	\$180,534
152nd St NE & 51st Ave NE	Intersection	Construct turn lane(s) and install traffic signal when warranted.	\$1,482,790	\$1,482,790
88th St NE & 51st Ave NE	Intersection	Construct turn lanes and install traffic signal when warranted. Short term fixes include the addition of a EB left	\$1,326,341	\$1,326,341
156th St NE & Smokey Point Blvd	Intersection	Construct turn lane(s) and install traffic signal when warranted.	\$1,384,841	\$1,384,841
116th St NE & State Ave	Intersection	Construct turn lane(s), modify traffic signal, add second WB thru lane, and extend EB right-turn lane.	\$1,517,978	\$1,517,978
88th St NE & 55th Ave NE	Intersection	Construct turn lanes and install traffic signal when warranted. Short term fixes include the addition of a EB left	\$990,288	\$990,288
Grove St & Alder Ave (43rd Ave NE)	Intersection	Install traffic signal.	\$200,000	\$200,000
40th St & Sunnyside Blvd	Intersection	Construct turn lane(s) and install traffic signal when warranted.	\$893,009	\$893,009
40th St & 71st Ave NE	Intersection	Construct turn lane(s) and install traffic signal when warranted.	\$946,088	\$946,088

Project Name	Project Limits	Project Description	Project Cost (\$)¹	TIF Cost¹
SR 9 & SR 92	Intersection	Construct turn lane(s) and modify traffic signal. (SEE Project 59)	\$300,000	\$300,000
88th St NE & State Ave	Intersection	Add thru lanes, turn lanes, and modify traffic signal.	\$894,719	\$894,719
SR 528 & State Avenue	Intersection	Construct turn lane(s) and modify traffic signal.	\$1,084,740	\$1,084,740
SR 528 & 47th Ave NE³	Intersection	Intersection improvements included as part of an associated roadway widening project.	\$169,000	\$604,000
3rd St & 47th Ave NE³	Intersection	Construct turn lane(s) and modify traffic signal.	\$521,000	\$917,000
SR 528 & 83rd Ave NE	Intersection	Construct turn lane(s) and install traffic signal when warranted.	\$1,232,221	\$1,232,221
SR 528 & 87th Ave	Intersection	Construct turn lane(s) and install traffic signal when warranted.	\$1,262,641	\$1,262,641
84th Street & State Avenue/Rail Crossing	Intersection	Construct rail crossing at 84th St NE and install traffic signal. Close adjacent rail crossings.	\$2,212,516	\$2,212,516
53rd Ave NE at Sunnyside Blvd	Intersection	Install traffic signal when warranted.	\$503,620	\$503,620
Sunnyside Blvd & 52nd St NE	Intersection	Construct turn lane(s) and install traffic signal when warranted.	\$1,157,059	\$1,157,059
172nd St NE & 19th Ave NE	Intersection	Construct turn lane(s) and install traffic signal when warranted.	\$742,784	\$742,784
108th St NE & 67th Ave NE	Intersection	Construct turn lane(s) and install traffic signal when warranted.	\$923,839	\$923,839
100th St NE & 67th Ave NE	Intersection	Construct turn lane(s) and install traffic signal when warranted.	\$400,000	\$400,000
116th St NE & 38th Ave NE	Intersection	Construct turn lane(s) and modify traffic signal.	\$726,404	\$726,404
100th St NE & Shoultes Rd	Intersection	Intersection/operational improvements to be coordinated with State Ave/100th St intersection.	\$380,250	\$380,250
100th St NE & 48th Dr NE	Intersection	Install traffic signal when warranted.	\$464,750	\$464,750
52nd St (Evans Rd) & 67th Ave NE	Intersection	Construct turn lane(s) and install traffic signal when warranted.	\$464,750	\$464,750
Soper Hill Rd & Sunnyside Blvd	Intersection	Construct turn lane(s) and install traffic signal when warranted.	\$1,424,826	\$1,424,826

Project Name	Project Limits	Project Description	Project Cost (\$) ¹	TIF Cost ¹
Soper Hill Rd & 83rd Ave NE	Intersection	Construct turn lane(s) and install traffic signal when warranted.	\$943,488	\$943,488
164th St NE & 51st Ave NE	Intersection	Construct turn lane(s) and add traffic signal when warranted per Smokey Point Master Plan.	\$1,149,707	\$1,149,707
160th St NE & 51st Ave NE	Intersection	Construct turn lane(s) and add traffic signal when warranted per Smokey Point Master Plan.	\$1,149,707	\$1,149,707
157th St & 51st Ave NE	Intersection	Construct turn lane(s) and add traffic signal when warranted per Smokey Point Master Plan.	\$1,149,707	\$1,149,707
156th St NE & 43rd Ave NE	Intersection	Construct turn lane(s) and add traffic signal when warranted per Smokey Point Master Plan.	\$1,149,707	\$1,149,707
156th St NE & 152nd St Connector	Intersection	Install traffic signal when warranted per Smokey Point Master Plan.	\$464,750	\$464,750
152nd St NE & 43rd Ave NE	Intersection	Construct turn lane(s) and add traffic signal when warranted per Smokey Point Master Plan.	\$945,939	\$945,939
152nd St NE & 54th/55th Ave	Intersection	Construct turn lane(s) and add traffic signal when warranted per Smokey Point Master Plan.	\$923,839	\$923,839
1st St & State Ave	Intersection	Construct turn lane(s) and modify traffic signal.	\$606,119	\$606,119
88th St NE & 36th Ave NE	Intersection	Construct turn lane(s) and modify traffic signal.	\$839,339	\$839,339
108th St NE & 51st Ave NE	Intersection	Construct turn lane(s) and install traffic signal when warranted.	\$1,599,956	\$1,599,956
City Center Access Improvement Projects	City Center	Construct intersection, arterial, or interchange improvements recommended as part of City Center Access Study.	\$20,000,000	\$20,000,000
116th St NE & I-5 SB Ramps ⁵	Interchange	Construct single-point urban interchange (SPUI)	\$40,600,000	\$500,000
156th St NE & I-5 Ramps ⁵	Interchange	Construct single-point urban interchange (SPUI)	\$40,600,000	\$1,500,000
TOTAL			\$514,913,043	\$428,558,404

1. All costs in 2008 dollars.

2. TIF cost represents the City's share which is estimated at one-half of total project cost. Remaining section of corridor is in Snohomish County

3. 2007 bond proceeds deducted from total project cost in Project Cost column. These costs are accounted for in the bond proceeds in the financial analysis and should not be double-counted. The total project cost (including bond proceeds) can be included in the TIF program, as shown in the TIF Cost column.

4. TIF cost represents the City's share which is estimated at two-third of total project cost. Remaining section of corridor is in Snohomish County

5. TIF cost includes City's share only.



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

14.07.010 Capital Improvement Charges

Marysville Ordinance Number 2607—Effective 01/01/2006

Marysville Ordinance Number 2670 – Effective 01/01/2006

RESIDENTIAL UNITS

Type of Connection		Water		Sewer	
		City	Outside City	City	Outside City
Residential*					
Effective Date	01/01/2005	\$3,675	\$4,305	\$3,120	\$3,495
	01/01/2006	\$4,750	\$5,490	\$4,490	\$4,890

*Residential living units include multi-unit housing and mobile homes.

COMMERCIAL/INDUSTRIAL

Type of Connection		Water		Sewer	
		City	Outside City	City	Outside City
Hotel/Motel					
Effective Date	01/01/2005	\$1,405	\$1,646	\$1,193	\$1,336
	01/01/2006	\$1,816	\$2,099	\$1,717	\$1,870

WATER

	City	Outside City
0 – 2000 gpm	\$1.64 / square foot	\$1.99 / square foot
2001 – 4000 gpm	\$2.40 / square foot	\$2.87 / square foot
4001+ gpm	\$3.16 / square foot	\$3.80 / square foot

25% rate reduction for automatic sprinkler systems

SEWER

	City	Outside City
Retail Sales/Manufacturing/ Churches/Schools/Day Care	\$1.03 / square foot	\$1.24 / square foot
Offices/Medical/Dental/Nursing Homes and all other uses not listed	\$1.67 / square foot	\$2.00 / square foot
Warehouses/Storage	\$0.49 / square foot	\$0.65 / square foot
Restaurants/Taverns	\$2.38 / square foot	\$2.86 / square foot

25% rate reductions for schools without kitchens

METER SERVICES

Meter Size	Water Service Installation Fee	Drop-in Meter Fee
5/8" x 3/4"	\$1,050	\$500
3/4" x 3/4"	\$1,075	\$525
1"	\$1,200	\$560
1 1/2"	\$1,600	\$750
2"	Time and material costs Minimum of \$1,900	\$850
3" and over		Time and material costs Minimum of \$3,500

MULTI-FAMILY RESIDENCE (studio and one bedroom) IMPACT FEES AND CAPITAL IMPROVEMENT CHARGES									
	Marysville (Marysville School District)	Marysville (Lakewood School District)	Marysville (Lake Stevens School District)	Lake Stevens	Arlington (Arlington School District)	Arlington (Lakewood School District)	Everett (Everett School District)	Everett (Mukilteo School District)	SnoCo (Marysville School District)
School	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00 ¹	\$2,224.00	\$0.00
Park	\$884.00	\$884.00	\$884.00	\$1,103.00	\$1,933.00 ²	\$1,933.00 ²	\$0.00 ³	\$0.00 ³	\$1,037.92
Traffic	\$3,906.50	\$3,906.50	\$3,906.50	Based on TIA	\$2,247.85 ⁸	\$2,247.85 ⁸	\$700.00	\$700.00	\$1,057.35 ⁹
Traffic – SnoCo ILA	\$61.18 ¹²	N/A ¹¹	N/A ¹¹	N/A ¹¹	\$214.13 ¹³	\$214.13 ¹³	N/A ¹¹	N/A ¹¹	N/A ¹¹
Traffic – WSDOT DOT- 37	\$67.94 ¹⁴	N/A ⁹	N/A ¹¹	\$67.94 ¹⁴	N/A ¹¹	N/A ¹¹	N/A ¹¹	N/A ¹¹	\$67.94 ¹⁴
Traffic – WSDOT DOT- 22	\$394.94 ¹⁵	N/A ¹¹	\$394.94 ¹⁵	\$394.94 ¹⁵	N/A ¹¹	N/A ¹¹	N/A ¹¹	N/A ¹¹	\$394.94 ¹⁵
Traffic WSDOT DOT- 58	\$135.53 ¹⁶	\$135.53 ¹⁶	N/A ¹¹	N/A ¹¹	\$135.53 ¹⁶	\$135.53 ¹⁶	N/A ¹¹	N/A ¹¹	N/A ⁹
Traffic WSDOT DOT- 05	\$200.50 ¹⁷	\$200.50 ¹⁷	N/A ¹¹	N/A ¹¹	\$200.50 ¹⁷	\$200.50 ¹⁷	N/A ¹¹	N/A ¹¹	N/A ⁹
Traffic – Marysville ILA	N/A ¹¹	N/A ¹¹	N/A ¹¹	N/A ¹¹	N/A ¹¹	N/A ¹¹	N/A ¹¹	N/A ¹¹	\$3,124.80 ¹⁸
Traffic – Arlington ILA	N/A ¹¹	N/A ¹¹	N/A ¹¹	N/A ¹¹	N/A ¹¹	N/A ¹¹	N/A ¹¹	N/A ¹¹	\$415.40 ¹⁹
Water	\$4,750.00	\$4,750.00	\$4,750.00	\$3,060.00 ⁴	\$2,881.00 ¹⁰	\$2,881.00 ¹⁰	\$953.00	\$953.00	\$3,060.00 ⁴
Sewer	\$4,490.00	\$4,490.00	\$4,490.00	\$13,000.00 ⁵	\$5,628.00 ¹⁰	\$5,628.00 ¹⁰	\$1,480.00	\$1,480.00	N/A
TOTAL	\$14,890.59	\$14,366.53	\$14,425.44	\$17,625.88	\$13,240.01	\$13,240.01	\$3,133.00	\$5,357.00	\$9,158.35

FOOTNOTES:

¹ Project impacts are assessed during SEPA review. If existing facilities are inadequate, fees are charged.

² \$1,933.00 is the combination of the \$1,497.00 community park and \$436.00 neighborhood mini park in lieu fees. If a neighborhood mini park is provided, the in lieu fee is waived.

³ On-site recreational facilities typically required instead of mitigation fee.

⁴ Plus water distribution system charge of \$31.25 per lineal foot of street frontage. The water distribution system charge is a fee that is charged once and covers the entire development.

⁵ \$13,000.00 is the combined total of the \$8,500.00 general facilities charge and \$4,500.00 local facilities charge. If local facilities are provided privately, there is a reimbursement facilities charge (recovery contract), but no local facilities charge.

⁶ Combined TSA A & TSA B within an Urban Growth Area at a rate of 6.65 ADT per MFU (\$46.00 TSA A + \$113.00 TSA B = \$159.00 per ADT).

⁷ Fee may be calculated at \$152.00 per fixture unit. Fixture units are determined by the Uniform Plumbing Code Table 7-3 Drainage Fixture Unit Values.

⁸ Fee is an estimate based on multiplying the ITE LUC 220 Apartment rate of 0.67 (which is the weekday dwelling unit PM peak hour generator) by the PMPHT rate of \$3,355.00.

⁹ For multi-family residences with 50 or fewer units. For multi-family residences with 51 units or more, the rate is \$3,798.00 per unit.

¹⁰ Arlington water and sewer rates are calculated by multiplying the standard single family residential rates by 0.67 which is the 'Equivalent Residential Unit' or ERU.

¹¹ Trips are not likely to be distributed to a programmed project, or there is not an executed ILA to require payment of traffic impact fees.

¹² TSA A Residential Rate of \$46.00 per ADT x 20% (per ILA average) x 6.65 ADT per MFU. This rate is only charged when there is 3 or more ADT directed towards 88th Street NE.

¹³ \$46.00 per ADT x 70% x 6.65 ADT per MFU per the ILA.

¹⁴ SR9 at 60th Street NE add left and right lanes at a rate of \$67.94 per ADT distributed from a development to this project.

¹⁵ SR9/SR528 intersection improvements. Signal & Channelization at a rate of \$394.94 per ADT distributed from a development to this project.

¹⁶ SR9/SR531/172nd Street NE intersection improvements. Roundabout at a rate of \$135.53 per ADT distributed from a development to this project.

¹⁷ SR531 43rd Avenue NE to 67th Avenue NE. Widen to 5-lanes at a rate of \$200.50 per ADT distributed from a development to this project.

¹⁸ \$6,300 per PMPHT x 80% x 0.62 PMPHT per MFU per the ILA.

¹⁹ \$3,350 per PMPHT x 20% x 0.62 PMPHT per MFU per the ILA.

COMMERCIAL IMPACT AND CAPITAL IMPROVEMENT CHARGES

	Marysville	Lake Stevens	Arlington	Everett	Snohomish County
Traffic	\$2,220.00/PMPHT	Based on TIA	\$3,355.00/PMPHT	\$900.00/PMPHT	Commercial Rate for TSA A & TSA B within an UGA is \$135.00 per ADT combined (\$39.00 TSA A + \$96.00 TSA B = \$135.00)
Water	0-2000 gpm is \$1.64/sf 2,001-4,000 gpm is \$2.40/sf 4,001+ gpm is \$3.16/sf	¾" meter = 1 ERU ¹ 1" meter = 2.5 ERU 1 ½" meter = 5 ERU 2" meter = 8 ERU 3" meter or larger = 1 ERU per 0.55 gpm estimated peak day demand as determined by the district	Dry retail 0.2 ERU/1,000 sf ² Wet retail 0.4 ERU/1,000 sf Office 0.3 ERU/1,000 sf Medical/dental 0.5 ERU/1,000 sf Elementary school 1 ERU/100 students/staff High school 1.5 ERU/100 students/staff Warehouse/manufacturing 0.1 ERU/1,000 sf Restaurant 3 ERU/1,000 sf	Retail \$0.421/sf Manufacturing \$197.86/employee Church \$0.253/sf Office \$0.747/sf Medical clinic \$3.050/sf School \$38.93/student Warehouse \$0.044/sf Restaurant \$276.79/seat	¾" meter = 1 ERU ¹ 1" meter = 2.5 ERU 1 ½" meter = 5 ERU 2" meter = 8 ERU 3" meter or larger = 1 ERU per 0.55 gpm estimated peak day demand as determined by the district
Sewer	Retail sales/manufacturing/church/school/daycare \$1.03/sf Office/medical/dental/nursing home/unlisted use \$1.67/sf Warehouse/storage \$0.49/sf Restaurant/tavern \$2.38/sf	Retail/service 1 ERU per 3,000 sf ³ Office w/ 3 or fewer restrooms = 1 ERU Medical clinic 1 ERU per 1,000 sf School elementary 1 ERU per 60 students/staff High school 1 ERU per 40 students/staff Restaurant/tavern 1 ERU/17 seats	\$8,400 per ERU ⁴ Dry retail 0.2 ERU/1,000 sf Wet retail 0.4 ERU/1,000 sf Office 0.3 ERU/1,000 sf Medical/dental 0.5 ERU/1,000 sf Elementary school 1 ERU/100 students/staff High school 1.5 ERU/100 students/staff Warehouse/manufacturing 0.1 ERU/1,000 sf Restaurant 3 ERU/1,000 sf	Retail \$0.421/sf Manufacturing \$197.86/employee Church \$0.253/sf Office \$0.747/sf Medical clinic \$3.050/sf School \$38.93/student Warehouse \$0.044/sf Restaurant \$276.79/seat	N/A
Traffic – SnoCo ILA	\$7.80 per ADT (\$39.00 ADT x 20%)	N/A	\$27.30 per ADT (39.00 ADT x 70%)	N/A	N/A
Traffic – WSDOT DOT 37 SR 9 at 60th Street NE	\$67.94 per ADT	\$67.94 per ADT	N/A	N/A	\$67.94 per ADT
Traffic – WSDOT DOT 22 SR 9/SR528	\$394.94 per ADT	\$394.94 per ADT	N/A	N/A	\$394.94 per ADT
Traffic – WSDOT DOT 58 SR9/SR531/172nd Street Roundabout	\$135.35 per ADT	N/A	\$394.94 per ADT	N/A	\$394.94 per ADT
Traffic – WSDOT DOT 05 43rd Avenue NE to 67th Avenue NE, widen to 5-lanes	\$200.50 per ADT	N/A	\$394.94 per ADT	N/A	N/A
Traffic – Marysville ILA	N/A	N/A	N/A	N/A	\$1,776.00 per PMPHT (\$2,220.00 x 80%)
Traffic – Arlington ILA	N/A	N/A	N/A	N/A	\$2,348.50 per ADT (\$3,355.00 x 70%)

¹ The 2012 rate is \$3,180.00 per ERU.

² First ERU cost is determined by water meter size. For example the first ERU for a 5/8" meter is \$4,300.00; a 1" meter is \$10,750.00; and a 1 1/2" meter is \$21,500.00. Subsequent ERUs are \$4,300.00 each.

³ Each ERU costs \$8,500.00. A local facility charge of \$4,500.00 also applies, but is only charged once for the entire development.

⁴ The first ERU for sewers is \$8,400.00. Subsequent ERUs are \$8,400.00 each.

SAMPLE COMMERCIAL OFFICE FEE COMPARISON (2,536 sf pest management office)

	Marysville	Lake Stevens	Arlington	Everett	Snohomish County
Traffic	\$8,388.58 ⁵	Based on TIA ⁵	\$12,677.34 ⁵	\$3,400.78 ⁵	\$3,769.38 ⁵
Water	\$4,159.04	\$3,180.00 ^{1, 2}	\$4,300.00	\$973.34	\$3,180.00 ^{1, 2}
Sewer	\$4,235.12	\$13,000.00 ³	\$8,400.00	\$973.34	N/A
Traffic – Interlocals (WSDOT, Marysville, SnoCo, Arlington)	N/A ⁴	N/A ⁴	N/A ⁴	N/A ⁴	N/A ⁴
TOTAL	\$16,782.74	\$16,180.00	\$25,377.34	\$5,347.46	\$6,949.38

FOOTNOTES:

¹ In addition, a distribution system charge at a rate of \$32.50 per lineal foot along the road frontage is charged. The rates quoted will be effective January 1, 2012. Current rates are slightly lower.

² \$3,180 is the general facilities charge for a 3/4" meter which is the equivalent of 1 residential ERU. In addition, a water distribution system charge of \$31.25 per lineal foot of street frontage applies. The water distribution system charge is a fee that is charged once and covers the entire development.

³ \$13,000.00 is the combined total of the \$8,500.00 general facilities charge and \$4,500.00 local facilities charge. If local facilities are provided privately, there is a reimbursement facilities charge (recovery contract), but no local facilities charge. This rate is good for retail and service-based businesses up to 3,000 square feet.

⁴ Trips are not likely to be distributed to a programmed project, or there is not an executed ILA to require payment of traffic impact fees.

⁵ Since this is an existing structure which was previously used for a business, traffic impact fees were not collected. The fees shown are to illustrate what a new office building of comparable size would likely pay in traffic impact fees. To estimate traffic impact fees, ITE LUC 710 General Office Building was utilized.

SAMPLE COMMERCIAL RETAIL FEE COMPARISON (Firestone 8,364 sf tire store)

	Marysville	Lake Stevens	Arlington	Everett	Snohomish County
Traffic	\$35,133.02 ⁵	Based on TIA ⁵	\$90,585.00 ⁵	\$24,300.00 ⁵	\$20,250.00 ⁵
Water	\$13,719.96	\$15,900.00 ^{1, 2}	\$25,800.00	\$3,521.24 ³	\$15,900.00 ^{1, 2}
Sewer	\$8,614.92	\$28,198.00 ¹¹	\$16,800.00	\$3,521.24 ³	N/A
Traffic – SnoCo ILA	\$6,162.37 ⁶	N/A ⁴	\$18,117.00 ⁸	N/A ⁴	N/A ⁴
Traffic – WSDOT	N/A ⁷	N/A ⁷	N/A ⁷	N/A ⁴	N/A ⁷
Traffic – Marysville ILA	N/A ⁴	N/A ⁴	N/A ⁴	N/A ⁴	\$10,530.00 ¹⁰
Traffic – Arlington ILA	N/A ⁴	N/A ⁴	N/A ⁴	N/A ⁴	\$18,117.00 ⁹
TOTAL	\$63,630.27	\$44,098.00	\$151,302.00	\$31,342.48	\$64,797.00

FOOTNOTES:

¹ In addition, a distribution system charge at a rate of \$32.50 per lineal foot along the road frontage is charged. The rates quoted will be effective January 1, 2012. Current rates are slightly lower.

² The general facilities charge is for a 1 1/2" meter which is the equivalent of 5 residential ERUs. In addition, a water distribution system charge of \$31.25 per lineal foot of street frontage applies. The water distribution system charge is a fee that is charged once and covers the entire development.

³ Retail stores are charged for water and sewer at a rate of \$0.421 per square foot.

⁴ Trips are not likely to be distributed to a programmed project, or there is not an executed ILA to require payment of traffic impact fees.

⁵ Traffic fees based on 27 PMPHT projected for the tire store; 150 ADT were projected for the tire store.

⁶ TSA A Commercial rate of \$206.00 per ADT x 20% (ILA average) x 150 ADT. This is the rate which was actually charged rather than the current rate.

⁷ Impacts to WSDOT projects were assessed during review for the Lakewood Pointe Binding Site Plan. The applicant mitigated impacts by constructing improvements within the SR531 ROW. In addition WSDOT traffic mitigation was paid as follows: I-5/SR531 interchange improvements. Pro-rata share \$156.21 x 1,508 ADT = \$235,564.68. SR531 widening to 5 lanes from 43rd Avenue NE to 67th Avenue NE. Pro-rata share \$176.35 x 377 ADT = \$66,483.95.

⁸ \$3,355 per PMPHT x 20% x 27 PMPHT.

⁹ \$3,355 per PMPHT x 20% x 27 PMPHT.

¹⁰ \$1,300.00 per PMPHT x 30% x 27 PMPHT per the ILA.

¹¹ Retail and service-based uses require one connection (i.e. general facilities charge) per 3,000 square feet (connections are based on a pro-rated square footage basis). \$28,198.00 is the combined total of \$23,698.00 general facilities charge (8,364 sf / 3,000 sf = 2.788 connections x \$8,500.00 per connection) + \$4,500.00 local facilities charge. If local facilities are provided privately, there is a reimbursement facilities charge (recovery contract), but no local facilities charge.

SAMPLE WAREHOUSE/MANUFACTURING FEE COMPARISON (Midway Development 29,750 sf warehouse facility)

	Marysville	Lake Stevens	Arlington	Everett	Snohomish County
Traffic	\$18,504.00 ⁵	Based on TIA ⁵	\$40,260.00 ⁵	\$10,800.00 ⁵	\$20,312.76 ⁵
Water	\$48,790.00	\$15,900.00 ^{1,2}	\$30,100.00	\$1,309.00 ³	\$15,900.00 ^{1,2}
Sewer	\$13,387.50	\$13,000.00 ¹¹	\$25,200.00	\$1,309.00 ³	N/A
Traffic - SnoCo ILA	\$4,062.55 ⁶	N/A ⁴	\$8,052.00 ⁸	N/A ⁴	N/A ⁴
Traffic - WSDOT	N/A ⁷	N/A ⁷	N/A ⁴	N/A ⁴	N/A ⁷
Traffic - Marysville ILA	N/A ⁴	N/A ⁴	N/A ⁴	N/A ⁴	\$5,551.20 ¹⁰
Traffic - Arlington ILA	N/A ⁴	N/A ⁴	N/A ⁴	N/A ⁴	\$8,052.00 ⁹
TOTAL	\$84,744.05	\$28,900.00	\$103,612.00	\$13,418.00	\$49,815.96

FOOTNOTES:

¹ In addition, a distribution system charge at a rate of \$32.50 per lineal foot along the road frontage is charged. The rates quoted will be effective January 1, 2012. Current rates are slightly lower.

² The general facilities charge is for a 1 1/2" meter which is the equivalent of 5 residential ERUs. In addition, a water distribution system charge of \$31.25 per lineal foot of street frontage applies. The water distribution system charge is a fee that is charged once and covers the entire development.

³ Warehouses are charged for water and sewer at a rate of \$0.044 per square foot.

⁴ Trips are not likely to be distributed to a programmed project, or there is not an executed ILA to require payment of traffic impact fees.

⁵ Traffic fees based on 12 PMPHT projected for manufacturing and warehousing uses (ITE LUC 140 & 890); 116.74 ADT were projected.

⁶ TSA A Commercial rate of \$174.00 per ADT x 20% (ILA average) x 116.74 ADT. This is the rate which was actually charged rather than the current rate.

⁷ WSDOT mitigation was not required as there were no WSDOT intersections that were impacted with 10 or more PM peak hour trips.

⁸ \$3,355 per PMPHT x 20% x 12 PMPHT.

⁹ \$3,355 per PMPHT x 20% x 12 PMPHT.

¹⁰ \$1,542.00 per PMPHT x 30% x 12 PMPHT per the ILA.

¹¹ Warehouse and manufacturing uses are charged for sewer service based on their office square footage. For offices with 3 restrooms or less, 1 connection (i.e. ERU) is required. \$8,500.00 (general facilities charge) + \$4,500.00 local facilities charge = \$13,000.00. If local facilities are provided privately, there is a reimbursement facilities charge (recovery contract), but no local facilities charge.

SAMPLE MEDICAL OFFICE FEE COMPARISON (Everett Clinic 57,840 sf clinic)

	Marysville	Lake Stevens	Arlington	Everett	Snohomish County
Traffic	\$297,414.00 ⁶	Based on TIA ⁶	\$764,940.00 ⁶	\$205,200.00 ⁶	\$194,670.00 ⁶
Water	\$94,857.60	\$25,440.00 ¹²	\$184,900.00 ¹	\$176,412.00 ³	\$25,440.00 ¹²
Sewer	\$96,592.80	\$497,500.00 ⁵	\$243,600.00 ²	\$176,412.00 ³	N/A
Traffic - SnoCo ILA	\$59,410.40 ¹¹	N/A ⁴	\$207,936.40 ⁸	N/A ⁴	N/A ⁴
Traffic - WSDOT	N/A ⁷	N/A ⁷	N/A ⁴	N/A ⁴	N/A ⁷
Traffic - Marysville ILA	N/A ⁴	N/A ⁴	N/A ⁴	N/A ⁴	\$88,920.00 ¹⁰
Traffic - Arlington ILA	N/A ⁴	N/A ⁴	N/A ⁴	N/A ⁴	\$152,760.00 ⁹
TOTAL	\$548,274.80	\$522,940.00	\$1,401,376.40	\$558,024.00	\$461,790.00

FOOTNOTES:

¹ For a 3-inch water connection, the first ERU is \$64,500.00 and each subsequent ERU is \$4,300.00. The estimated ERU rate for a medical/dental clinic is 0.5. 57,840/1,000 sf x 0.5 = 29 ERUs. So, the fee is ((\$64,500.00 x 1) + (\$4,300.00 x 28)).

² 29 ERUs multiplied by \$8,400.00 per ERU.

³ Medical and dental clinic are charged for water and sewer at a rate of \$3.05 per square foot.

⁴ Trips are not likely to be distributed to a programmed project, or there is not an executed ILA to require payment of traffic impact fees.

⁵ Medical and dental clinics require 1 connection per 1,000 square feet, so for this structure, 58 connections (i.e. ERU connection) are required. \$8,500.00 X 58 = \$493,000.00 plus \$4,500.00 local facilities charge. If local facilities are provided privately, there is a reimbursement facilities charge (recovery contract), but no local facilities charge.

⁶ Traffic fees based on 228 PMPHT projected for the clinic; 1,442 ADT were projected for the clinic.

⁷ Impacts to WSDOT projects were assessed during review for the Lakewood Pointe Binding Site Plan. The applicant mitigated impacts by constructing improvements within the SR531

ROW. In addition WSDOT traffic mitigation was paid as follows: I-5/SR531 interchange improvements. Pro-rata share $\$156.21 \times 1,508 \text{ ADT} = \$235,564.68$. SR531 widening to 5 lanes from 43rd Avenue NE to 67th Avenue NE. Pro-rata share $\$176.35 \times 377 \text{ ADT} = \$66,483.95$.

⁸ $\$206.00 \text{ per ADT} \times 70\% \times 1,442 \text{ ADT}$.

⁹ $\$3,355.00 \text{ per PMPHT} \times 20\% \times 228 \text{ PMPHT}$.

¹⁰ $\$1,300.00 \text{ per PMPHT} \times 30\% \times 228 \text{ PMPHT}$ per the ILA.

¹¹ TSA A Commercial rate of $\$206.00 \text{ per ADT} \times 20\%$ (ILA average) $\times 1,442 \text{ ADT}$. This is the rate which was actually charged rather than the current rate.

¹² For comparison purposes, a 2-inch meter was utilized in this calculation. A 2-inch meter is equal to 8 ERUs. Each ERU costs $\$3,180.00$. In addition, a water distribution system charge of $\$31.25$ per lineal foot of street frontage applies. The water distribution system charge is a fee that is charged once and covers the entire development.

Impact Fees by Type/Unit, 2010 AWC Tax & User Fee Survey for Snohomish, Skagit, and King Counties

City	Population	Park/Open space		Schools				Transportation							
		Single Family Rate	Per Unit Type	Multi-family Rate	Per Unit Type	Single Family Rate	Per Unit Type	Multi-family Rate	Per Unit Type	Single Family Rate	Per Unit Type	Multi-family Rate	Per Unit Type or Trip Type (multiplier varies)	Commercial Rate	Per Square Footage or Trip Type (multiplier varies)
Anacortes	16,800	\$615.00	Single family residence							\$900.00	Single family residence	\$900.00	Dwelling unit		Fees based on use of building per Appendix C of the transportation ordinance.
Auburn	68,270	\$3,500.00	Single family residence	\$3,500.00	Dwelling unit	\$5,432.70	Single family residence	\$1,184.71	Dwelling unit	\$3,882.61	Single family residence	\$2,519.58	Dwelling unit	Varies	
Burien	31,730									\$957.00	Single family residence	\$588.00	Dwelling unit	\$5,000.00	Per 1,000 square feet of gross floor area
Carnation	1,915	\$4,000.00	Single family residence	\$3,470.00	Dwelling unit	\$4,547.00	Single family residence	\$1,540.00	Dwelling unit	\$2,570.00	Single family residence	\$1,542.00	Dwelling unit	\$257.00	Average daily trip (ADT)
Clyde Hill	2,845														
Des Moines	29,290									\$2,838.77	Single family residence	\$1,845.12	Dwelling unit		
Duval	5,990	\$4,068.00	Single family residence	\$4,068.00		\$5,648.00		\$2,233.00		\$6,808.00	PM peak trip			\$4,773.00	PM peak hour trip
Everett	104,100									\$900.00	PM peak hour trip	\$522.00/\$900.00	Dwelling unit	\$900.00	PM peak hour trip
Issaquah	27,160	\$6,604.99	Single family residence	\$4,160.62	Dwelling unit	\$3,334.00	Single family residence		Dwelling unit	\$1,562.27	Single family residence	\$949.61	Dwelling Unit		Varies. Based on square footage
Kirkland	49,620	\$3,845.00	Single family residence	\$2,515.00	Dwelling unit					\$3,825.00	Single family residence	\$2,242.00	Dwelling unit	\$3,787.00	Trip end
La Conner	870					\$252.00		\$313.00							
Lake Stevens	26,670	\$2,363.00	Single family residence	\$1,733.00	2+ bedroom dwelling unit	\$4,414.00		\$2,720.00	2+ bedroom dwelling unit						Based on a project specific traffic report
Maple Valley	23,130	Varies				\$5,052.00	Single family residence	\$1,325.00	Dwelling unit	\$6,272.00	Single family residence	Varies		\$6,272.00	PM peak hour trip
Marysville	58,040	\$1,251.00	Single family residence	\$884.00		\$5,705.00		\$4,713.00		\$6,300.00		\$3,906.50		\$2,220.00	PM peak hour trip
Monroe	16,680	\$4,579.45	Single family residence	\$3,901.02	Dwelling unit	\$4,708.00	Single family residence	\$2,075.00	Dwelling unit	\$2,518.38	Single family residence	\$1,431.14	Dwelling unit	Varies	Varies
Mount Vernon	31,020	\$855.00	Single family	\$789.00	Dwelling unit	\$6,903.00	Single family residence	\$1,664.00	Dwelling unit	\$5,995.00	Single family residence	\$5,995.00	<51 units	\$1,688.00	PM peak hour trip
Mountlake Terrace	20,960	\$2,026.00	Single family residence plus admin. fee of \$520.00 per project	\$2,026.00	Per dwelling unit plus admin. fee of \$520.00 per project					\$1,071.00	PM peak hour trip plus admin. fee of \$520.00 per project	\$1,071.00	New PM peak hour trip plus admin. fee of \$520.00 per project	\$1,071.00 plus \$520.00 additional per new peak hour trip plus admin. fee of \$520.00 per project	PM peak hour trip



EXECUTIVE DEPARTMENT
1049 State Avenue ♦ Marysville, WA 98270
(360) 363-8100 ♦ (360) 651-5099 FAX

MEMORANDUM

DATE: April 15, 2012
TO: Planning Commission
FROM: Gloria Hirashima, CAO/CD Director
RE: Impact fee alternatives

Summary

The Planning Commission considered testimony at the public hearing continuance on April 24, 2012. Staff proposed a discount of 33% to the multi-family water and sewer rates to reduce overall fees for multi-family development. The Planning Commission deliberated and felt that additional measures should be taken to further reduce the cost of multi-family construction. They discussed a reduction of an additional \$2000 based on testimony at the hearing from a multi-family developer representative, Mr. Eernisee, who proposed that this fee reduction was critical to advancement of his project proposal.

Options

In order to achieve the \$2000 fee reduction (in addition to the 33% water/sewer fee proposed reduction), staff proposes the following:

Traffic impact fee maximum rates are \$6,800 for residential and \$2,400 for commercial developments. The city elected to reduce the maximum allowed impact fees by 7%, resulting in a collected residential rate of \$6300 per new PM peak hour trip end, and a commercial rate of \$2220 per new PM peak hour trip end.

By increasing the reduction rate to 33%, the collected residential rate will be \$4,556, and the commercial rate will be \$1,608 per new PM peak hour trip end.

Staff Recommendation:

Staff recommends the above method for the following reasons:

- 1) It does not single out multi-family development exclusively, but will also reduce traffic fees for single family, commercial and industrial. It was apparent from the joint Council/Planning Commission workshop that the City Council was more interested in



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CITY OF MARYSVILLE
EXECUTIVE DEPARTMENT

Master Builders Association
of King and Snohomish Counties
335 116th Ave. SE
Bellevue, Washington 98004
t: (425) 451-7920 / (800) 522-2209
f: (425) 646-5985
www.MasterBuildersInfo.com

September 26, 2011

Mayor Jon Nehring
Marysville Planning Commission
1049 State Avenue
Marysville, WA 98270

Re: Impact Fee Deferral Ordinance

Dear Mayor Nehring and Commissioners,

On behalf of the over 3,100 members of the Master Builders Association of King and Snohomish Counties I am writing to address the impact fee deferral ordinance currently under your consideration.

While the measure is well intended it is our view that in its current form it does not sufficiently benefit the construction of single family residences.

The best purpose for adopting a fee deferral ordinance, which has taken place in several other jurisdictions including Snohomish and King Counties, is to defer payment of fees until closing. The ordinance as now written does not achieve that goal.

Deferral until closing allows the builder/developer to pay fees that are otherwise very difficult to finance in the current economic climate when cash becomes available.

Impact fees are a cost that is typically not financed by a lender making it difficult for projects to get off the ground. By deferring fees, workers are sooner put back on the job and jurisdictions realize the benefit of permit revenue and other taxes generated by construction.

We urge the city of Marysville to consider adding single family construction to those who would benefit from fee-deferral, at closing, to your ordinance. Pushing payment back to final inspection as is now contemplated does not achieve the true intent of impact fee deferral.

Thank you for your consideration.

Sincerely,

Mike Pattison
North Snohomish County Manager

Justification for a Multi-family Mitigation Fee Reduction

Presented by Smokey Point
Commercial, LLC
September 13, 2011

You should clean up after yourself. . .

- ***“That housing project will cause lots of impacts; shouldn’t it pay for the expense?”***
- Stake-holder theory
 - “Hidden costs” to all those affected by an action
 - Citizens are affected by a new development
 - Parks, Schools, Traffic, Utilities

. . . but clean stables bring no profit!

- You can't look just at the costs; you also need to consider the benefits!
- What's more, you've got to consider the cost of NOT having development such as
 - Social malaise
 - Departing retailers
 - Costs rising faster than revenues

Benefits are often neglected

- Job Growth
- Community Vitality
- Retail Activity
 - Rule of thumb: one resident supports 15sf of retail
 - Increased sales tax revenue
- Permit Fees
 - Rule of thumb: 1 - 2% of construction

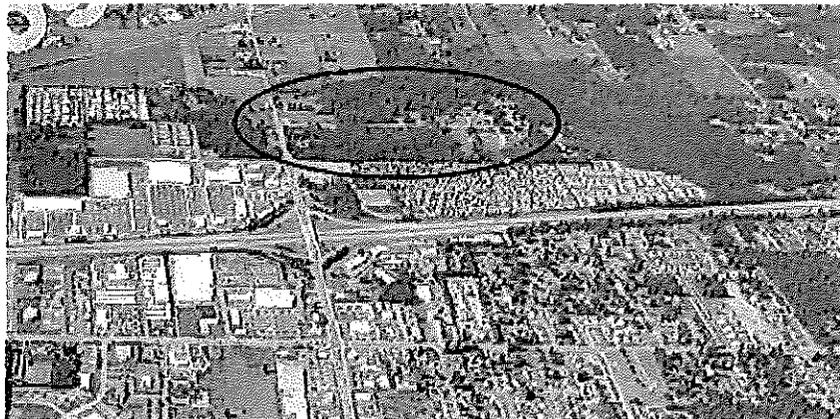
Increased Property Tax Revenue

- New construction is only way cities can increase property tax revenue more than 1% per year

- Sustainable growth

- Multi-family housing maintains its value
 - Single story retail valueless after 20 years
 - Multi-family maintains improvement value for decades

Example: 39 acres of benefits



Example: Property tax increase

- 15 acres of multifamily
 - Current assessment: \$5 million
 - Distribution: 95% land/5% improvements
 - \$7.874883 (city + school) per thousand
 - Currently paying about \$40,000/year

- After \$30 million investment of 300+ units
 - Distribution: 15% land/85% improvements
 - Annual tax increased \$235,000 each year

Example: Value to city & schools

- \$450,000 in permit fees (1.5% of \$30 million) first two years

- 28 years of \$235,000 increase growing at 1%

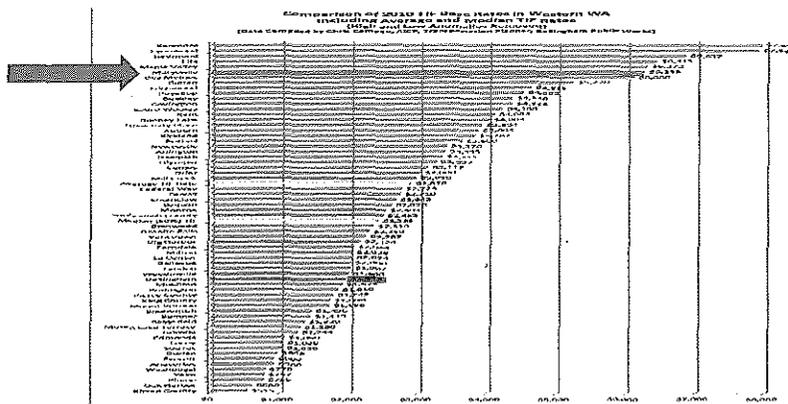
- 6% discount rate

- **Net Present Value of \$7,547,488**

Marysville is in competition

- Investors have many places to invest
- Cities need to recognize that they are competing against other opportunities
 - City of Seattle: No Impact Fees plus Property Tax Exemption for 8 or 12 years
- Mitigation fees can only be sustained when there is margin between cost & income, and Marysville doesn't have high rents.

Marysville #6 in traffic fees



School fees unthinkingly high

- Lakewood
 - Single-family = \$2,859/unit
 - Multi-family (2+ bedroom) = \$3,181/unit ????
- 2006 survey of Puget Sound districts
 - Half of districts had NO school impact fee
 - Only Arlington shared distinction of a higher multi-family than single-family school fee
- Of \$7.5 million value, \$4.68 million is school's
 - Why are school impact fees needed?

Utility fees don't connect

- Especially in multi-family category
 - Less use
 - More efficiencies
- City of Marysville: \$9,240/unit
 - Silver Lake = \$1,927/unit
 - Alderwood = \$2,729/unit
 - Sammamish = \$4,758/unit

Don't take my word for it . . .

- Marysville has had no significant multi-family development in decades
- Mitigation fees + land cost + construction costs = out-stripped demand
 - Land cost: \$6,250 per unit
 - Mitigation costs: \$14,000 or 17,000 per unit

Academic research since 1989

- Impact fees raise housing cost
 - Consumer pays
- Impact fees lower property values
 - Property owner pays
- Impact fees lower supply
 - City pays
- Doesn't stop growth where growth is already happening

What would help?

- Deferring payment of mitigation fee isn't significant
- Eliminate – or at least dramatically reduce – mitigation fees to spur development
 - The short-term effect of 50% reduction
- If cautious, a cap could be used to . . .
 - Cap the period the reduction is offered
 - Cap the number of units allowed (at least 500)

Our situation

- Patiently waiting to invest more in the City
 - Purchased 20 acres over a decade ago
 - Waited for annexation
 - Rezoned the property
 - Recently acquired the neighbor's 19 acres
- Patient to wait longer if necessary
 - Will not proceed unless it is prudent to do so
 - Waiting for rents to strengthen
 - Mitigation fee reduction would help accelerate project

Thank you!

- **Dan Eernisse**
 - Smokey Point Commercial, LLC
 - dan@laborodevelopment.com
 - 206.356.2021



Marysville
School District

Finance Department
Jim Baker, Executive Director
p. 360-653-0803 f. 360-629-1994

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SEP 13 2011

CITY OF MARYSVILLE
EXECUTIVE DEPARTMENT

September 13, 2011

Ms. Gloria Hirashima
Chief Administrative Officer
City of Marysville
1049 State Ave
Marysville, WA 98270

Dear Ms. Hirashima:

On behalf of the Lakewood and Marysville School Districts, please accept the following comments related to the City of Marysville's proposed impact fee deferral ordinance.

Many jurisdictions, including Snohomish County, have reviewed deferred fee ordinances and, while choosing to adopt deferred fee ordinances for park and road impact fees, have specifically declined to do so for school impact fees. We are requesting that the City of Marysville take a similar approach.

Deferred collection of school impact fees creates unique planning problems for school districts. Unlike city roads and parks, which are typically planned and constructed at some point after development occurs, school districts are planning for facilities that must be available when new students arrive from new development --- which can be shortly after inspection. When impact fees are paid at building permit issuance, school districts have time to plan for and to ensure that adequate school facilities are in place to serve the students from new developments at the time that the students enroll in school. Deferred fee collection could result in students showing up at school around the same time that the school district receives the fee and before any capacity can be provided to serve the students. In addition, the delay in fee collection beyond the beginning of the construction season (when building permits are issued) could compromise a school district's ability to use impact fees to purchase and site portables needed to serve the new development and to use impact fees as part of the local share for state school funding assistance.

While we strongly believe that the collection of school impact fees should not be deferred beyond building permit issuance, we are willing, in view of current economic circumstances and subject to a reasonable sunset clause, to agree to moving collection to final inspection. While this delay may compromise school planning for new development, it will still allow us some amount of time to plan for the needed capacity before occupancy of a unit. We question, however, how a delay of fee collection from building permit to inspection would result in any financial benefit to a builder. It will lead to increased administrative costs for the City and the school districts.

We strongly disagree with and oppose delaying the collection of any portion of a fee beyond final inspection for any units (single family or multi-family). As discussed above, delaying fees beyond final inspection will compromise our ability to provide needed school capacity to serve the new development. This remains true

even if 50% of the fee were paid prior to building occupancy for multi-family units. A large multi-family development could significantly impact district capacity. This is especially true for a small district like Lakewood where just one large multi-family development project could result in significant capacity impacts and negatively impact level of service standards. Delaying fee collection beyond the time of inspection would more likely than not mean that school facilities would not be available for students when they move into the development.

In addition to compromising school planning needs, delaying fee collection to 18 months (or to any time following a required approval point) after building permits issuance will create a myriad of enforcement issues. If an owner fails to pay the outstanding fees, the District would need to rely on the City to enforce the lien, with the City's taxpayers funding the costs of this enforcement action. Meanwhile, the provision of school facilities would be delayed while the District waits potentially months for the collection of the fees. In some cases, other district funds, if available, may need to be identified to fund needed capacity to serve students from the new development. The end result would be contrary to the intent of the Growth Management Act that growth should pay for growth and an unnecessary and inefficient expenditure of taxpayer funds.

We appreciate that the City has set a sunset date in the ordinance. However, the four year period set forth in the draft ordinance, without any interim review, could lead to unintended consequences in the event development activity rebounds prior to the sunset date. In view of this, we are requesting that, at a minimum, the City set a mid-point review of the deferred impact fee collection program and that the ordinance provide for an earlier sunset date should the City Council determine that economic circumstances and development activities have changed such that an earlier sunset is necessary.

Given these concerns, the districts jointly request that the draft ordinance be amended to reflect that all fees for all units (multi-family and single family) be due not later than final inspection and that a mid-point review be set for July 2013. As amended in this manner, the draft ordinance will facilitate new development while still ensuring the adequate funding and delivery of needed school capacity.

We appreciate the opportunity to comment on this matter. As you know, we recently readily compromised on the City's proposal to increase the impact fee discount rate from 25% to 50% in order to facilitate development activity within the City. We are willing to compromise further as outlined in this letter, but oppose any further compromise as it would negatively impact our ability to provide adequate school facilities in a fiscally responsible and efficient manner.

Please let us know if you have any questions. Thank you.

Sincerely,



Jim Baker, Executive Director, Finance
Marysville School District



Dennis Haddock, Superintendent
Lakewood School District



Lake Stevens School District No. 4

Educational Service Center

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26 July 2011

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JUL 28 2011

CITY OF MARYSVILLE
EXECUTIVE DEPARTMENT

Gloria J. Hirashima
Chief Administrative Officer/Community Development Director
City of Marysville
1049 State Avenue
Marysville, WA 98270

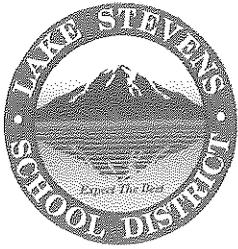
Dear Gloria,

Thank you for the opportunity to provide input to the city's considerations of deferring school impact fee collections on single- and multi-family residential units until final inspection.

Our position on school impact fee deferrals has always been negative due to the fact that it takes time for a district to plan, permit, build and install additional permanent classroom space or temporary student housing to address growth. Collecting impact fees as early in the growth-generation process as possible has helped the district prepare for the impacts that development creates. Absent this early warning, our level of service standards may not be met for a period of time after students arrive at a school as a result of new development until the work to house unhoused students catches up with the growth.

In the past we have also been adverse to school impact fee deferral proposals because they lacked the necessary structure to ensure that fees were collected. Collecting fees as a condition of permits has worked well to ensure that a developer meets its obligations prior to beginning work. We have great concern about any plan that does not restrict a builder from proceeding with the work at some point without meeting the conditions of their permit. Deferring the payment of impact fees to final inspection works to address this concern, but we do not understand how this positively impacts the builder and is therefore necessary. No revenue is generated to a builder prior to the sale of the unit, so it is unclear how deferring collection to final inspection helps. We have seen builders manage the lump sum nature of impact fee collection for an entire housing development at building permit submission time by staggering their request for building permits. This spreads the payment of impact fees over time, and has seemed to solve this issue well without changing the existing process.

Another concern we have in deferring impact fees is the financial ability of a builder to meet their obligations. A builder is in a better financial position at the start of construction than at the end. Our concern in deferring fee remittance until final inspection is that builders may be less able to pay the fee at that point in the project, which would reduce collections and hinder our ability to meet the impacts of growth.



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From an economic standpoint, the district believes that collecting fees earlier in the process would allow it to begin the permitting, design and construction necessary for growth. All of these activities generate jobs and additional economic impacts, including fees to municipalities.

We're not sure how deferring fees to final inspection helps builders deal with the economic climate in order to begin construction, and in the absence of a benefit, with the additional concerns that a fee collection deferral raises, the district would not support a school impact fee deferral ordinance.

Thank you again for the opportunity to provide input in your process. Please do not hesitate to contact me if you have any questions.

Sincerely,

Robb Stanton
Director of Operations Services



RECEIVED
MAY 17 2011
CITY OF MARYSVILLE
EXECUTIVE DEPARTMENT

March 27, 2011

RE: MAKING MITIGATION FEES LESS OF A DISINCENTIVE TO DEVELOPMENT

Dear Gloria,

Thank you for the time that you took explaining the proposed ordinance you are drafting for Council consideration that will delay payments of mitigation fees for multi-family developments. As you know, many years ago we invested millions of dollars in purchasing our property north of 172nd, and we are contemplating investing tens of millions more to develop it into part of a mixed-use 40-acre center on either side of 25th. Therefore, anything that the City of Marysville does to reduce mitigation fees is of keen interest to us.

The combined cost of the water, sewer, parks, and traffic mitigation fees charged by the City of Marysville plus the school mitigation fees charged by the Lakewood School District continue to be the greatest deterrent to moving forward with the project, especially the multi-family portion. If rents were higher in Marysville, the approximately \$18,000 combined mitigation charges per unit could be justified, but our market studies have shown that rents are not at this time robust enough to overcome the cost of construction, land, plus these significant mitigation fees.

We understand the rationale for charging mitigation fees, namely that "The investor should pay for the impact that he or she makes on the infrastructure." But we believe this practice – when taken to an extreme – is really counter-productive, succeeding only in encouraging otherwise willing investors to take their money where fees are less or rents are higher. We speak from personal experience; we've owned the land in Lakewood for many years, wishing the economics were right to go forward ever since it was incorporated into Marysville and rezoned. Instead, our investment dollars went elsewhere, developing the 40-acre Snohomish Station with its associated 100-unit condo project.

Over time we believe that the practice of charging such significant mitigation fees lost sight of three factors that should have better balanced the practice:

1) The Developer is often paying twice.

The investor in a multi-family project not only is charged mitigation fees, but is also required to improve the frontage, the utilities, and the intersections around his or her property in addition to building and dedicating public improvements, creating public open spaces, and improving utilities on his or her property. However, these frontage and on-site impacts – which serve the public at the investor's expense – are not typically credited against the mitigation fees. Therefore, the investor's true contribution is much greater than the mitigation fees alone.

1461 130th Avenue NE, Bellevue, WA 98005
Phone: 425.462.8684 Fax: 425.454.8237 mail@wakefieldproperties.net

A Real Estate Development Company.

2) The Developer brings other positive impacts to the City.

By developing his or her property, the Developer is bringing a great deal of revenue to the City and to the community which is sorely missed when development is stymied. Any development brings the one-time bump in tax assessed value and the influx of permit fees, both of which can total in the hundreds of thousands of dollars. Added to the one-time revenues are the on-going revenue streams such as the retail sales tax for retail development and the dependable users of water & sewer systems, which is especially important to a City such as Marysville that runs its own utilities. Finally, the presence of multi-family housing provides a multiplier effect by allowing restaurants, retailers, and grocery stores to sell more; it also prevents leakage by providing workforce housing in Marysville to serve Marysville employers.

3) The Development is charged even if no additional infrastructure is required

The Mitigation Fee process provides a heavy-handed tool to charge fees without the need to link those fees with specific improvements. For example, if sewer capacity is sufficient to serve a development, if the developer is required at his or her expense to install all of the sewer lines to tap into the sewer main, and if the future tenants of the development pay all the sewer fees associated with use, then where is the need for the sewer mitigation? The “mitigation” fee is not longer serving to mitigate direct impacts.

Some municipalities look at these three factors – along with others – and conclude that mitigation fees are not the answer. The City of Seattle and the City of Shoreline are two of the cities in the region that **charge no mitigation fees** to multi-family builders whatsoever beyond those that are specifically justified by the development itself. For example, if a development creates enough traffic at an intersection to require a traffic signal be installed, then the investor will be required to install it at his or her cost; if not, then no traffic mitigation fee is charged.

Given that the City of Marysville has indicated that it desires to spur development, especially of multi-family building, we believe that you are on the right track by looking critically at mitigation fees. We offer our “wish-list” that would help us in moving forward:

1) Delay the payment of mitigation fees.

We understand that it is being proposed that 50% of mitigation fees be due at occupancy and 50% due 18-months thereafter. We support this wholeheartedly, but we would suggest that the second 50% be contributed in five equal payments annually for five years after occupancy.

2) Reduce the water and sewer mitigation fees for multi-family units to a level one-half to two-thirds that of single-family.

A multi-family dweller uses less indoor water per person than a single-family dweller.ⁱ Add that benefit to the fact that multi-family units have less people per unit and less outdoor water use per unit, and the impact on the water and sewer utilities is significantly less for one multi-family dwelling than on one single-family dwelling. However, in Marysville the impact fee for a multi-family is equal to a single-family.

3) **Allow construction of traffic system improvements to offset traffic mitigation fees.**

The construction of a traffic signal or the dedication of a street are examples of improvements that are not solely for the benefit of one development. Therefore, it would follow that whatever benefit a roadway improvement has for the community should be able to be offset against traffic mitigation fees.

4) **Allow a portion of new generated retail sales taxes to offset traffic mitigation fees.**

We understand this already is in practice in Marysville; if so, we encourage its continued use and hope to take advantage of it.

5) **Create special incentives for units that meet a deadline.**

No new large multi-family projects have been built in Marysville in many years. In order to signal unmistakably the City's enthusiasm for this type of project, we suggest an ordinance be considered that gives a reduction in permitting fees and/or mitigation fees to any large project that obtains occupancy within a certain timeframe.

We appreciate your willingness to consider our suggestions, and we hope that you will consider us a partner in the process.

Sincerely,



Steve Malsam

Wakefield Properties

Smokey Point Commercial, LLC

**Lake Stevens School District No. 4**

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Educational Service Center

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12 September 2011

Planning Commission
City of Marysville
1049 State Avenue
Marysville, WA 98270

I am writing as a follow-up to our letter dated July 16, 2011 regarding the deferral of school impact fees on new residential development in the City of Marysville.

The Lake Stevens School District remains opposed to the proposed ordinance and changes to the Marysville Municipal Code as it relates to the deferral of school impact fees. Advance planning is critical to the district's ability to prepare for students as a result of growth. The current system requires impact fees to be paid at the time of building permit, which allows the district to plan additional housing by acquiring or moving temporary classrooms to address this growth. Without this important advance notice and funding, the district will not be able to meet its level of service until after students arrive from new development.

The proposal to defer school impact fees on multi-family developments with more than 25 units until occupancy and up to 18 months afterwards is especially troubling to the district. We do not see how a program that requires the tracking of occupancy levels of units, and then ensures that fees are paid over the course of a year and a half from reaching that occupancy target would ensure that correct and necessary fees are accounted for and transmitted to the district. And the additional time between impact and fee collection is even worse under this scenario.

We remain concerned about the financial ability of a builder to meet their school impact fee obligations by deferring payment to later in the process when builders are in poorer financial condition than at the start. We are concerned about what happens if a builder defaults before remitting fees and how those fees will be collected once the development is acquired by another entity. And we still do not see how this change benefits builders and removes the barriers to development in the city.

Finally, we oppose these changes on the basis of creating a process that is different than in other jurisdictions that the Lake Stevens School District serves. Two years ago, the planning commission and city council asked that school districts reduce their school impact fees by increasing the discount rate applied to the calculated fee amounts. The city of Marysville's discount rate was less than that of the surrounding jurisdictions, which made development more costly in Marysville than in surrounding cities and the county. The district acquiesced to this request because we understood the concerns of the city at a time when development was

**Lake Stevens School District No. 4**

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impacted by economic conditions. Two years later, development is still stagnant while the district collects less in fees to address the impacts of growth. Creating a process that is different than in other jurisdictions is contrary to that argument and creates confusion and difficulty in enforcement for builders that are accustomed to the processes in other jurisdictions.

The Lake Stevens School District enjoys a good working relationship with the City of Marysville and looks forwards to continuing our work together to find solutions that benefit the taxpayers of both organizations. However, we do not see how a proposal to defer school impact fees until final inspection and in some cases 18 months from occupancy helps builders in a meaningful way, while putting the district at risk of not meeting its level of service responsibilities in a timely fashion and not collecting fees due for the impacts of growth.

Thank you for the opportunity to provide further input in your process. Please do not hesitate to contact me if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Robb Stanton".

Robb Stanton
Director of Operations Services

A

**CITY OF MARYSVILLE
Marysville, Washington**

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON, RELATING TO DEVELOPMENT IMPACT FEES; AMENDING SECTION 22D.020.030 OF MMC CHAPTER 22D.020 TO PROVIDE AN OPTION FOR DEFERRAL OF PARK, RECREATION, OPEN SPACE AND TRAIL IMPACT FEES; AMENDING SECTION 22D.030.070 OF MMC CHAPTER 22D.030 TO PROVIDE AN OPTION FOR DEFERRAL OF TRAFFIC IMPACT FEES; AND AMENDING SECTION 22D.040.060 OF MMC CHAPTER 22D.040 TO PROVIDE AN OPTION FOR DEFERRAL OF SCHOOL IMPACT FEES.

WHEREAS, in 2006 the City of Marysville economy, together with the State and national economies started to experience a severe economic downturn that remains today; and

WHEREAS, financing for construction projects has become harder to obtain as a result of the economic downturn; and

WHEREAS, the economic downturn has had an adverse effect on the housing and commercial/industrial real estate markets; and

WHEREAS, reducing the amount of money needed for a construction loan will make construction loans more attainable; and

WHEREAS, the depressed development market has resulted in decreased revenues, abandonment of construction projects, and underutilized land in Snohomish County; and

WHEREAS, the City is interested in facilitating multifamily commercial/industrial uses; and

WHEREAS, it may take several months to years to achieve full occupancy of all units within a larger scale multifamily housing or commercial/industrial project; and

WHEREAS, unless the City Council acts, the multifamily housing market will continue to languish and adverse conditions of decreased revenues, rental housing shortages, and underutilized land will persist in the City of Marysville; and

WHEREAS, allowing deferral of the payment of park and recreation, road system and school impact fees for residential, commercial and industrial uses will provide some relief for

builders and developers seeking financing, as the fees would not have to be financed during construction; and

WHEREAS, the Marysville City Council wishes to amend MMC 22D.020.030, MMC 22D.030.070 and MMC 22D.040.060 relating to timing of the payment of park and recreation, transportation, and school impact fees associated with residential, commercial and industrial developments.

WHEREAS, under this ordinance, there would be an option to defer payment of impact fees for single family and small scale multifamily uses to final inspection; and

WHEREAS, under this ordinance, there would be an option to defer payment of impact fees for larger multi-family dwellings, commercial and industrial structures to either occupancy or 18 months from the date of occupancy of the initial units if the property owner elects to retain ownership and not sell the property; and

WHEREAS, the Marysville Planning Commission held a public workshops on _____, on the proposed amendments to MMC 22D.020.030, MMC 22D.030.070, AND MMC 22D.040.060 amendments; and

WHEREAS, the Marysville Planning Commission held a public hearing on _____ to consider the draft ordinance and proposed amendments of MMC 22D.020.030, MMC 22D.030.070, AND MMC 22D.040.060; and

WHEREAS, the City Council was briefed by City staff on _____ and deliberated in an open public meeting on _____ to consider the Planning Commission's recommendations and proposed ordinance; and

WHEREAS, the Marysville City Council considered the entire hearing record including the written and oral testimony submitted during the Planning Commission's hearings, the Planning Commission's recommendation, and the written and oral testimony submitted during the Council hearings; and

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

Section 1. Section 22D.020.030 of MMC Chapter 22D.020 Parks, Recreation, Open Space and Trails Impact Fees is hereby amended to read as follows:

22D.020.030 Payment of impact fees required.

(1) Payment of impact fees required. Any person who applies for a building permit for any development activity or who undertakes any development activity shall pay

the impact fees set in MMC [22D.020.060](#) or [22D.020.070](#) to the city of Marysville finance department or its designee. Except as otherwise provided in this section and Title 22 MMC, No new building permit shall be issued until the required impact fees have been paid to the city of Marysville finance department or its designee or successor. Where a building permit is not required for a development activity, the impact fees shall be paid to the city of Marysville finance department or its designee before undertaking the development activity.

(2) Deferral of impact fee payments allowed.

(a) Required impact fee payments may be deferred to final inspection for single family residential dwelling or multifamily projects with 25 or fewer units.

(b) Payment of required impact fees for a commercial building, industrial building, or multifamily development exceeding twenty five (25) units may be deferred from the time of building permit issuance in accordance with the following:

(i) Fifty percent (50%) of the impact fees shall be paid prior to approved occupancy of the structure; and

(ii) The remaining fifty percent (50%) of the impact fees shall be paid within eighteen (18) months from the date of building occupancy, or when ownership of the property is transferred, whichever is earlier.

(c) The finance department shall allow an applicant to defer payment of the impact fees when, prior to submission of a building permit application for deferment under subsection (a) or prior to final inspection for deferment under subsection (b), the applicant:

(i) Submits a signed and notarized deferred impact fee application and acknowledgement form for the development for which the property owner wishes to defer payment of the impact fees; and

(ii) With regard to deferred payment under subsection (b), records a lien for impact fees against the property in favor of the City in the total amount of all deferred impact fees for the development. The lien for impact fees shall:

(1) Be in a form approved by the city attorney; and

(2) Include the legal description, tax account number and address of the property.

(d) Upon receipt of final payment of all deferred impact fees for the development, the department shall execute a separate lien release for the property in a form approved by the city attorney. The property owner, at their expense, will be responsible for recording each lien release.

(e) In the event that the impact fees are not paid in accordance subsection (b), the city shall institute foreclosure proceedings under the process set forth in Chapter 61.12 RCW, except as revised herein. In addition to any unpaid impact fees, the city shall be entitled to interest on the unpaid impact fees at the rate provided for in RCW 19.52.020 and the reasonable attorney fees and costs incurred by the city in the foreclosure process. Notwithstanding the foregoing, prior to commencement of foreclosure, the City shall give not less than thirty (30) days written notice to the person or entity whose name appears on the assessment rolls of the county assessor as owner of the property via certified mail with return receipt requested and regular mail advising of its intent to commence foreclosure proceedings. If the impact fees are paid in full to the city within the thirty (30) day notice period, no attorney fees, costs and interest will be owed.

(f) In the event that the deferred impact fees are not paid in accordance with this section, and in addition to foreclosure proceedings provided in subsection (e), the city may initiate any other action(s) legally available to collect such impact fees.

(g) Compliance with the requirements of the deferral option shall constitute compliance with the conditions pertaining to the timing of payment of the impact fees.

(h) The deferred payment options set forth in this section shall automatically terminate three (3) years from the effective date of this ordinance without further action of the City Council.

Section 2. Subsection 22D.030.070(8) of MMC Chapter 22D.030 Traffic Impact Fees and Mitigation is amended to read as follows:

(8) Administration of Traffic Impact Fees.

(a) Any traffic impact fees made pursuant to this title shall be subject to the following provisions:

(i) Except as otherwise provided in this section and MMC Title 22, the traffic impact fee payment is required prior to building permit issuance unless the development is a subdivision or short subdivision, in which case the

payment shall be made prior to the recording of the subdivision or short subdivision; provided, that where no building permit will be associated with a change in occupancy or conditional use permit then payment is required prior to approval of occupancy.

(ii) The traffic impact fees shall be held in a reserve account and shall be expended to fund improvements on the road system.

(iii) An appropriate and reasonable portion of traffic impact fees collected may be used for administration of this title.

(iv) The fee payer may receive a refund of such fees if the city fails to expend or encumber the impact fees within six years of when the fees were paid, or other such period of time established pursuant to RCW 82.02.070(3), on transportation facilities intended to benefit the development for which the traffic impact fees were paid, unless the city council finds that there exists an extraordinary and compelling reason for fees to be held longer than six years. These findings shall be set forth in writing and approved by the city council. In determining whether traffic impact fees have been encumbered, impact fees shall be considered encumbered on a first-in/first-out basis. The city shall notify potential claimants by first class mail deposited with the United States Postal Service at the last known address of claimants.

(v) The request for a refund must be submitted by the applicant to the city in writing within 90 days of the date the right to claim the refund arises, or the date that notice is given, whichever is later. Any traffic impact fees that are not expended within these time limitations, and for which no application for a refund has been made within this 90-day period, shall be retained and expended on projects identified in the adopted transportation element. Refunds of traffic impact fees under this subsection shall include interest earned on the impact fees.

(b) Off-site improvements include construction of improvements to mitigate an arterial unit in arrears and/or specific inadequate road condition locations. If a developer chooses to construct improvements to mitigate an arterial unit in arrears or inadequate road condition problem, and the improvements constructed are part of the cost basis of any traffic impact fees imposed under this title to mitigate the development's impact on the future capacity of city roads, the cost of these improvements will be credited against the traffic impact fee amount; provided, that the amount of the cost to be credited shall be the estimate of the public works director as to what the city's cost would be to

construct the improvement. Any developer who volunteers to pay for and/or construct off-site improvements of greater value than any traffic impact fees imposed under this title, to mitigate the development's impact on the future capacity of city roads, based on the cost basis contained within the transportation element, or which are not part of the cost basis of any traffic impact fees imposed under this title to mitigate the development's impact on the future capacity of city roads, and therefore not credited against the traffic impact fees, may apply for a reimbursement contract.

(c) Deferral of impact fees allowed.

(i) Required payment of impact fees may be deferred to final inspection for single family residential dwelling or multifamily projects with 25 or fewer units.

(ii) Payment of required impact fees for a commercial building, industrial building, or multifamily development exceeding twenty five (25) units may be deferred from the time of building permit issuance in accordance with following:

(1) Fifty percent (50%) of the impact fees shall be paid prior to approved occupancy of the structure; and

(2) The remaining fifty percent (50%) of the impact fees shall be paid within eighteen (18) months from the date of building occupancy, or when ownership of the property is transferred, whichever is earlier.

(iii) The finance department shall allow an applicant to defer payment of the impact fees when, prior to submission of a building permit application for deferment under subsection (c)(i) or prior to final inspection for deferment under subsection (c)(ii), the applicant:

(1) Submits a signed and notarized deferred impact fee application and acknowledgement form for the development for which the property owner wishes to defer payment of the impact fees; and

(2) With regard to deferred payment under subsection (c)(ii), records a lien for impact fees against the property in favor of the City in the total amount of all deferred impact fees for the development. The lien for impact fees shall:

(a) Be in a form approved by the city attorney; and

(b) Include the legal description, tax account number and address of the property.

(iv) In the event that the impact fees are not paid in accordance subsection (c)(ii), the city shall institute foreclosure proceedings under the process set forth in Chapter 61.12 RCW, except as revised herein. In addition to any unpaid impact fees, the city shall be entitled to interest on the unpaid impact fees at the rate provided for in RCW 19.52.020 and the reasonable attorney fees and costs incurred by the city in the foreclosure process. Notwithstanding the foregoing, prior to commencement of foreclosure, the City shall give not less than thirty (30) days written notice to the person or entity whose name appears on the assessment rolls of the county assessor as owner of the property via certified mail with return receipt requested and regular mail advising of its intent to commence foreclosure proceedings. If the impact fees are paid in full to the city within the thirty (30) day notice period, no attorney fees, costs and interest will be owed.

(v) In the event that the deferred impact fees are not paid in accordance with this section, and in addition to foreclosure proceedings provided in subsection (c)(iv), the city may initiate any other action(s) legally available to collect such impact fees.

(vi) Upon receipt of final payment of all deferred impact fees for the development, the department shall execute a separate lien release for the property in a form approved by the city attorney. The property owner, at their expense, will be responsible for recording each lien release.

(vii) Compliance with the requirements of the deferral option shall constitute compliance with the conditions pertaining to the timing of payment of the impact fees.

(viii) The deferred payment options set forth in this section shall automatically terminate three (3) years from the effective date of this ordinance without further action of the City Council.

Section 3. Section 22D.040.060 of MMC Chapter 22D.040 School Impact Fees and Mitigation is amended to read as follows:

22D.040.060 Impact fee accounting.

(1) Collection and Transfer of Fees, Fund Authorized and Created.

(a) Except as otherwise provided in this section and MMC Title 22, Sschool impact fees shall be due and payable to the city by the developer at or before the time of issuance of residential building permits for all development activities.

(b) In conjunction with the adoption of the city budget, there is hereby authorized the creation and establishment of a fund to be designated the “school impact fee fund.” The city shall temporarily deposit all impact fees collected on behalf of a district pursuant to this chapter and any interest earned thereon in the school impact fee fund with specific organizational identity for a district until the transfer of the fees to the school district’s school impact fee account pursuant to the interlocal agreement between the city and the district.

(c) Districts eligible to receive school impact fees collected by the city shall establish an interest-bearing account separate from all other district accounts. The city shall deposit school impact fees in the appropriate district account within 10 days after receipt, and shall contemporaneously provide the receiving district with a notice of deposit.

(d) Each district shall institute a procedure for the disposition of impact fees and providing for annual reporting to the city that demonstrates compliance with the requirements of RCW 82.02.070, and other applicable laws.

(2) Use of Funds.

(a) School impact fees may be used by the district only for capital facilities that are reasonably related to the development for which they were assessed and may be expended only in conformance with the district’s adopted capital facilities plan.

(b) In the event that bonds or similar debt instruments are issued for the advance provision of capital facilities for which school impact fees may be expended, and where consistent with the provisions of the bond covenants and state law, school impact fees may be used to pay debt service on such bonds or similar debt instruments to the extent that the capital facilities provided are consistent with the requirements of this title.

(c) The responsibility for assuring that school impact fees are used for authorized purposes rests with the district receiving the school impact fees. All interest earned on a school impact fee account must be retained in the account and expended for the purpose or purposes for which the school impact fees were imposed, subject to the provisions of subsection (3) of this section.

(d) Each district shall provide the city an annual report showing the source and the amount of school impact fees received by the district and the capital facilities financed in whole or in part with those school impact fees.

(3) Deferral of School Impact Fee Payments Allowed.

(a) Required school impact fee payments may be deferred to final inspection for single family residential dwelling or multifamily projects with 25 or fewer units.

(b) Payment of required school impact fees for a multifamily development exceeding twenty five (25) units may be deferred from the time of building permit issuance in accordance with the following:

(i) Fifty percent (50%) of the school impact fees shall be paid prior to approved occupancy of the residential structure; and

(ii) The remaining fifty percent (50%) of the school impact fees shall be paid within eighteen (18) months from the date of building occupancy, or when ownership of the property is transferred, whichever is earlier.

(d) The finance department shall allow an applicant to defer payment of the impact fees when, prior to submission of a building permit application for deferment under subsection (a) or prior to final inspection for deferment under subsection (b), the applicant:

(iii) Submits a signed and notarized deferred impact fee application and acknowledgement form for the development for which the property owner wishes to defer payment of the impact fees; and

(iv) With regard to deferred payment under subsection (b), records a lien for impact fees against the property in favor of the City in the total amount of all deferred impact fees for the development. The lien for impact fees shall:

(1) Be in a form approved by the city attorney; and

(2) Include the legal description, tax account number and address of the property.

(e) Upon receipt of final payment of all deferred school impact fees for the development, the department shall execute a separate lien release for the property in a form approved by the city attorney. The property owner, at their expense, will be responsible for recording each lien release.

(f) In the event that the impact fees are not paid in accordance subsection (b), the city shall institute foreclosure proceedings under the process set forth in

Chapter 61.12 RCW, except as revised herein. In addition to any unpaid impact fees, the city shall be entitled to interest on the unpaid impact fees at the rate provided for in RCW 19.52.020 and the reasonable attorney fees and costs incurred by the city in the foreclosure process. Notwithstanding the foregoing, prior to commencement of foreclosure, the City shall give not less than thirty (30) days written notice to the person or entity whose name appears on the assessment rolls of the county assessor as owner of the property via certified mail with return receipt requested and regular mail advising of its intent to commence foreclosure proceedings. If the impact fees are paid in full to the city within the thirty (30) day notice period, no attorney fees, costs and interest will be owed.

(g) In the event that the deferred impact fees are not paid in accordance with this section, and in addition to foreclosure proceedings provided in subsection (e), the city may initiate any other action(s) legally available to collect such school impact fees.

(h) Compliance with the requirements of the deferral option shall constitute compliance with the conditions pertaining to the timing of payment of the impact fees.

(i) The deferred payment options set forth in this section shall automatically terminate three (3) years from the effective date of this ordinance without further action of the City Council.

~~(34)~~ Refunds.

(a) School impact fees not spent or encumbered within six years after they were collected shall, upon receipt of a proper and accurate claim, be refunded, together with interest, to the then current owner of the property. In determining whether school impact fees have been encumbered, impact fees shall be considered encumbered on a first-in, first-out basis. At least annually, the city, based on the annual report received from each district pursuant to subsection (2)(d) of this section, shall give notice to the last known address of potential claimants of any funds, if any, that it has collected that have not been spent or encumbered. The notice will state that any persons entitled to such refunds may make claims.

(b) Refunds provided for under this section shall be paid only upon submission of a proper claim pursuant to city claim procedures. Such claims must be submitted to the director within one year of the date the right to claim the refund arises, or the date of notification provided for above, where applicable, whichever is later.

(45) Reimbursement for City Administrative Costs, Legal Expenses, and Refund Payments. Each participating school district shall enter into an agreement with the city of Marysville providing for such matters as the collection, distribution and expenditure of fees and for reimbursement of any legal expenses and staff time associated with defense of this chapter as more specifically set forth in an interlocal agreement between the city and a school district, and payment of any refunds provided under subsection (3) of this section. The city's costs of administering the impact fee program shall be paid by the applicant to the city as part of the development application fee. Said fee shall be as set forth in Chapter [22G.030](#) MMC and shall be an amount that approximates, as nearly as possible, the actual administrative costs of administering the school impact fee program.

Section 4. Severability. If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by the Growth Management Hearings Board (Board) or a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance. Provided, however that if any section, sentence, clause or phrase of this ordinance is held to be invalid by the Board or a court of competent jurisdiction, then the section, sentence, clause or phrase in effect prior to the effective date of this ordinance shall be in full force and effect for that individual section, sentence, clause or phrase as if this ordinance had never been adopted.

Section 5. Effective Date. This ordinance shall become effective five days after the date of its publication by summary.

PASSED by the City Council and APPROVED by the Mayor this ___ day of _____, 2012.

CITY OF MARYSVILLE

By _____
JON NEHRING, MAYOR

ATTEST:

By _____
SANDY LANGDON, CITY CLERK

Approved as to form:

By _____
GRANT K. WEED, CITY ATTORNEY

Date of Publication: _____

Effective Date (5 days after publication): _____

B

**CITY OF MARYSVILLE
Marysville, Washington**

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON, RELATING TO SEWER AND WATER CONNECTION CHARGES FOR COMMERCIAL, INDUSTRIAL AND MULTI-FAMILY RESIDENTIAL DEVELOPMENTS; AND AMENDING SECTION 14.07.010 OF MMC CHAPTER 14.07 FEES, CHARGES AND REIMBURSEMENTS TO PROVIDE AN OPTION FOR DEFERRING PAYMENT OF SEWER AND WATER CONNECTION CHARGES FOR COMMERCIAL, INDUSTRIAL AND RESIDENTIAL DEVELOPMENT, AND SETTING A SEWER AND WATER CONNECTION CHARGE FOR MULTI-FAMILY RESIDENTIAL DEVELOPMENT.

WHEREAS, in 2006, the City of Marysville economy, together with the State and national economies started to experience a severe economic downturn that remains today; and

WHEREAS, financing for construction projects has become harder to obtain as a result of the economic downturn; and

WHEREAS, the economic downturn has had an adverse effect on the housing, commercial and industrial markets; and

WHEREAS, reducing the amount of money needed for a construction loan will make construction loans more attainable; and

WHEREAS, the depressed real estate market has resulted in decreased revenues, abandonment of construction projects, and underutilized land in Snohomish County; and

WHEREAS, no new larger scale multifamily housing projects have been started in the City within the last decade; and

WHEREAS, it may take several months to years to achieve full occupancy of all units within a larger scale multifamily housing project or full lease on commercial/industrial space; and

WHEREAS, the City wishes to allow deferral of connection charges to commercial, industrial, and multifamily projects; and

WHEREAS, the Marysville Planning Commission held a public workshops on _____, on proposed changes to MMC 14.07.010 that would allow the deferral of connection charges to allow developers of commercial and industrial buildings and multifamily residential to defer payment of such fees to either occupancy or 18 months from the date of occupancy of the building if the property owner elects to retain ownership and not sell the property; and

WHEREAS, the Marysville Planning Commission held a public workshops on _____, on proposed changes to MMC 14.07.010 that would reduce water and sewer connection charges for multifamily residential development for a limited time period; and

WHEREAS, the Marysville Planning Commission held a public hearing on _____ to consider the draft ordinance and amendment of MMC 14.07.010; and

WHEREAS, the City Council was briefed by City staff on _____ and deliberated in an open public meeting on _____ to consider the Planning Commission's recommendations and the proposed ordinance; and

WHEREAS, the Marysville City Council considered the entire hearing record including the written and oral testimony submitted during the Planning Commission's hearings, the Planning Commission's recommendation, and the written and oral testimony submitted during the council hearings; and

WHEREAS, after such consideration, the Marysville City Council wishes to amend MMC 14.07.010 to allow for the deferment of the payment of water and sewer connection charges associated with commercial and industrial buildings and multifamily residential to either occupancy or 18 months from the date of occupancy of the building if the property owner elects to retain ownership and not sell the property; and

WHEREAS, the Marysville City Council also desires to amend MMC 14.07.010 to lower the water and sewer connection charges for multifamily residential development; and

WHEREAS, the Marysville City Council desires that this deferred payment program for water and sewer connection charges and the reduction in water and sewer connection charges for multifamily residential development be effective for a three-year period and sunset after that.

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

Section 1. Section 14.07.010 of MMC Chapter 14.07 Fees, Charges and Reimbursements is amended to read as follows:

14.07.010 Capital improvement charges.

(1) Capital improvement charges shall be assessed on all new connections to the water and sewer system. Capital improvement charges shall also be assessed for a remodel or expansion of an existing building or use. For purposes of this section, an "existing building or use" shall mean all commercial or industrial buildings or uses, churches, schools or similar uses, and all residential buildings or uses where a remodel or expansion increases the number of dwelling units. The capital improvement charge constitutes an equity payment by new and existing customers for a portion of the previously existing capital assets of the system. Capital improvement charges also constitute a contribution to a long-term capital improvement program for the utility system which includes acquisition of new or

larger water sources, construction of water storage and transmission facilities, and construction of sewer trunk lines and sewage treatment facilities. Capital improvement charges shall be paid in full before a new connection or expansion or remodel to an existing building or use shall be approved. All payments shall be deposited in the utility construction fund and shall be made prior to building permit issuance for residential construction and prior to issuance of a certificate of final occupancy for commercial/industrial construction.

(2) Deferral of Connection Charges Allowed.

(a) Payment of required connection charges may be deferred to final inspection for single family residential dwelling or multifamily projects with 25 or fewer units.

(b) Payment of required connection charges for a commercial building, industrial building, or a multifamily development exceeding twenty five (25) units may be deferred from the time of building permit issuance in accordance with the following:

(i). Fifty percent (50%) of the connection charges shall be paid prior to approved occupancy of the structure; and

(ii) The remaining fifty percent (50%) of the connection charges shall be paid within eighteen (18) months from the date of building occupancy, or when ownership of the property is transferred, whichever is earlier.

(c) The public works department shall allow an applicant to defer payment of the connection charges when, prior to submission of building permit application for subsection (a) or prior to final inspection for subsection (b), the applicant:

(i) Submits a signed and notarized deferred connection charge application and acknowledgement form for the development for which the property owner wishes to defer payment of the charges; and

(ii) With regard to payment deferral under subsection (b), records a lien for connection charges against the property in favor of the city in the total amount of all deferred connection charges for the development. The lien for connection charges shall:

(1) Be in a form approved by the city attorney; and

(2) Include the legal description, tax account number and address of the property.

(d) Upon receipt of final payment of all deferred charges for the development the director of the public works department shall execute a separate lien release for the property in a form approved by the city attorney. The property owner, at their expense, will be responsible for recording each lien release.

(e) In the event that the connection charges are not paid in accordance subsection (b), the city shall institute foreclosure proceedings in accordance with state law and as provided herein. In addition to any unpaid collection charges, the city shall be entitled to interest on the unpaid impact fees at the rate provided for in RCW 19.52.020 or as otherwise allowed by law and the reasonable attorney fees and costs incurred by the city in the foreclosure process. Notwithstanding the foregoing, prior to commencement of foreclosure, the City shall give not less than thirty (30) days written notice to the person or entity whose name appears on the assessment rolls of the county assessor as owner of the property via certified mail with return receipt requested and regular mail advising of its intent to commence foreclosure proceedings. If the connection charges are paid in full to the city within the thirty (30) day notice period, no attorney fees, costs and interest will be owed.

(f) In the event that the deferred connection charges are not paid in accordance with this section, and in addition to foreclosure proceedings provided in subsection (e), the city may initiate any other action(s) legally available to collect such connection charges.

(g) Compliance with the requirements of the deferral option shall constitute compliance with the conditions pertaining to the timing of payment of the connection charges.

(h) The deferred payment options set forth in this section shall automatically terminate three (3) years from the effective date of this ordinance without further action of the City Council.

(32) The following capital improvement charges are established:

Residential Units

Connection Charges

Type of Connection		City Water	Outside Water	City Sewer	Outside Sewer
Residential					
Effective Date	1/1/2005	\$3,675	\$4,305	\$3,120	\$3,495
	1/1/2006	\$4,750	\$5,490	\$4,490	\$4,890
<u>Multifamily Residential*</u>					
<u>Effective Date</u>	<u>6/1/2012 through</u>	<u>\$3,000</u>	<u>\$5,490</u>	<u>\$3,000</u>	<u>\$4,890</u>
	<u>6/1/2015</u>				

*Residential living units including multi-unit housing, mobile homes and motels.

*The connection charges for multifamily residential development shall be in effect for a three (3) year period from June 1, 2012 through June 1, 2015. Thereafter, the connection charges for multi-family residential development shall be the same as the connection charges for residential development.

Commercial/Industrial

Connection Charges

Water

City

Effective Date	1/1/2005
0 – 2,000 gpm	\$1.64/sf
2,001 – 4,000 gpm	\$2.40/sf
4,001+ gpm	\$3.16/sf

Outside City

Effective Date	1/1/2005
0 – 2,000 gpm	\$1.99/sf
2,001 – 4,000 gpm	\$2.87/sf
4,001+ gpm	\$3.80/sf

25% rate reduction for automatic sprinkler system.

Sewer

City

Effective Date	1/1/2005
Retail Sales/Manufacturing/ Churches/Schools/Day Care	\$1.03/sf
Offices/Medical/Dental/Nursing Homes and all other uses not listed	\$1.67/sf
Warehouses/Storage	\$0.49/sf
Restaurants/Taverns	\$2.38/sf

25% rate reduction for schools without kitchens.

Outside City

Effective Date	1/1/2005
Retail Sales/Manufacturing/ Churches/Schools/Day Care	\$1.24/sf
Offices/Medical/Dental/Nursing Homes and all other uses not listed	\$2.00/sf
Warehouses/Storage	\$0.65/sf
Restaurants/Taverns	\$2.86/sf

Water Service Installation Fee

Effective Date	11/1/2006
5/8" x 3/4"	\$1,050
3/4" x 3/4"	\$1,075
1"	\$1,200
1-1/2"	\$1,600
2"	Time and materials costs/ minimum of \$1,900

Drop-in Meter Fee

Effective Date	11/1/2006
5/8" x 3/4"	\$500.00
3/4" x 3/4"	\$525.00
1"	\$560.00
1-1/2"	\$750.00
2"	\$850.00
3" and over	Charge time and material/ \$3,500 minimum

Hotel/Motel Connection Charges

		City Water	Outside Water	City Sewer	Outside Sewer
Effective Date	1/1/2005	\$1,405	\$1,646	\$1,193	\$1,336
	1/1/2006	\$1,816	\$2,099	\$1,717	\$1,870

~~(43)~~ “Floor space” is defined as the net square footage measured from the interior walls, including interior partitions.

~~(54)~~ The capital improvement charges for sewer connections shall be reduced by \$50.00 per unit or \$0.045 per square foot when the affected property participated in a utility local improvement for the construction of the sewer main.

~~(65)~~ Capital improvement charges for sewer connections to commercial and industrial units shall be reduced by 50 percent for any floor space in the premises which is committed to being used as warehouse space for storage purposes only.

~~(76)~~ If the use of any premises connected to city utilities is converted from a residential occupancy to a commercial or industrial occupancy (as defined in subsection (2) of this section), or from a warehouse use to an active commercial or industrial use, the owner of the premises shall immediately report such conversion to the city and shall pay the extra capital improvement charge which is then required for such an occupancy. Failure to report such a conversion, and pay the extra charge, within 90 days of the new occupancy shall result in the extra charge being doubled as a penalty.

~~(87)~~ The capital improvement charge for utility connections in recreational vehicle parks shall be calculated as follows:

(a) For each connection to a recreational vehicle pad, the charge shall be 50 percent of the charge provided in subsection (2) of this section relating to residential living units.

(b) For every other connection in a recreational vehicle park, the charge shall be the same as provided in subsection (2) of this section for residential living units.

~~(98)~~ If a building with a lawful water and/or sewer connection to the city utility system is demolished and replaced with a new building requiring utility connections, the capital improvement charges assessed for the new connections shall be discounted by the amount which would have been paid, under current schedules, for the connections which previously served the demolished building.

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by the Growth Management Hearings Board (Board) or a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance. Provided, however, that if any section, sentence, clause or phrase of this ordinance is held to be invalid by the Board or a court of competent jurisdiction, then the section, sentence, clause or phrase in effect prior to the effective date of this ordinance shall be in full force and effect for that individual section, sentence, clause or phrase as if this ordinance had never been adopted.

Section 3. Effective Date. This ordinance shall become effective five days after the date of its publication by summary.

PASSED by the City Council and APPROVED by the Mayor this ____ day of _____, 2012.

CITY OF MARYSVILLE

By _____
JON NEHRING, MAYOR

ATTEST:

By _____
SANDY LANGDON, CITY CLERK

Approved as to form:

By _____
GRANT K. WEED, CITY ATTORNEY

Date of Publication: _____

Effective Date (5 days after publication): _____

C

CITY OF MARYSVILLE

Marysville, Washington

ORDINANCE

**AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON
ADOPTING A NEW CHAPTER 22J.090 OF THE MARYSVILLE
MUNICIPAL CODE ENTITLED "INDUSTRIAL PILOT PROGRAM
CREATING INCENTIVES FOR LIVING WAGE JOBS" AND ADDING
SUNSET AND SEVERABILITY PROVISIONS.**

WHEREAS, the City of Marysville has deliberately planned for the future industrial development and build out of portions of the North Marysville area and other areas within the City limits and the urban growth boundary; and

WHEREAS, one of the stated purposes in the City's comprehensive plan is the encouragement and development of living wage jobs; and

WHEREAS, for the past several years, due in part to the down turn in the local, regional and national economy, the ability of the private sector to develop new industries and create new jobs has been difficult and challenging; and

WHEREAS, the City Council of the City of Marysville finds that it is in the public interest to promulgate incentives for industry to create new living wage jobs within the City of Marysville; and

WHEREAS, RCW 82.02.060(3) authorizes an impact fee credit for the value of any dedication of land for, improvement to, or new construction of any system improvements provided by the developer, to facilities that are identified in the capital facilities plan and that are required by the City as a condition of approving development activities; and

WHEREAS, RCW 83.02.060(4) authorizes a city which imposes impact fees to adjust the standard impact fee at the time the fee is imposed to consider unusual circumstances in specific cases to ensure that impact fees are imposed fairly; and

WHEREAS, the City Council of the City of Marysville finds that a credit for traffic impact fees and/or an adjustment of traffic impact fees as described in RCW 82.02.060(3) and (4) are consistent with and are justified in cases where new living wage jobs are created through the development and expansion of industry;

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

Section 1. A new Chapter 22.J.090 of the Marysville Municipal Code is hereby

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adopted which shall read as follows:

INDUSTRIAL PILOT PROGRAM – LIVING WAGE INCENTIVE

Sections:

<u>22J.090.010</u>	Purpose.
<u>22J.090.020</u>	Definition.
<u>22J.090.030</u>	Permitted locations.
<u>22J.090.040</u>	Public benefit and living wage incentive.
<u>22J.090.050</u>	Review process.
<u>22J.090.060</u>	Annual reporting and penalties.
<u>22J.090.070</u>	Severability.

22J.090.010 Purpose.

The purpose of this chapter is to establish a Living Wage Incentive (LWI) program to promote the creation of living wage jobs in the Light Industrial (LI) zone of the City. The program is focused on economic growth and job creation by offering reduced impact fee and connection charges in exchange for the creation of living wage jobs. The city of Marysville prioritizes policies that support living wage jobs.

22J.090.020 Definitions.

- 1) “Living wage jobs” are defined as jobs generating not less than \$18.00 per hour or greater working 2,080 hours per year, as adjusted annually for the *Consumer Price Index* (CPI).
- 2) “Primary Proposal” is defined as a proposed rezone, conditional use permit or industrial building permit, or if the industry is proposed in an existing industrial building prior to issuance of a City business license.

22J.090.030 Permitted locations.

The LWI program shall be utilized only in the Light Industrial (LI) zoning classification.

22J.090.040 Public benefit and living wage incentive.

Public benefit. The public benefit of living wage jobs are that they provide for the earner’s basic costs of living without the need for government support or poverty programs. Basic costs include provision of food, housing and utilities, child care, health care, household expenses, taxes, and some savings. Creation of new jobs/living wage jobs in Marysville also supports the local economy and fosters local commerce, sale tax revenue and economic growth.

22J.090.050 Application and Review process.

- 1) Application. All LWI proposals shall be submitted to the Department of Community Development on application forms provided by the City concurrent with any primary proposal.
- 2) All LWI proposals shall be reviewed concurrently with a primary proposal as follows by supplying documentation demonstrating all of the following:
 - a. Industries long term need for position;
 - b. Pay scale;

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- c. Need for number of positions that LWI is being applied for;
- d. When the primary proposal requires a public hearing, the public hearing on the primary proposal shall serve as the hearing on the LWI proposal;
- e. When the primary proposal does not require a public hearing under this title, the LWI proposal shall be subject to the procedures set forth for director review in [22G.010.100](#)
- f. Such other and further information as the Director deems necessary to fully and adequately evaluate the proposal.

22J.090.060 Incentive.

1) If an application is deemed to meet the criteria of section 22J.090.050 above, a qualified applicant may be eligible for a credit or adjustment to the traffic impact fee established in MMC Title 18B and MMC 14.07.010 as follows: for every five (5) living wage jobs created, the City may consider a 10% credit per traffic impact fee and ~~connection~~ sewer and water capital improvement charge up to a maximum of ~~75%~~ 70% of each individual fee.

Comment [k1]: Need an even number if we grant in 10% increments.

2) In order that these not be a duplication of credit or adjustment already provided in other provisions of City Code, the City may reduce the ~~fee~~ credit or adjustment based on ~~credit~~ for the value of any dedication of land for, improvement to, and new construction of system improvements provided by the developer and also special circumstances applying to the subject proposal for which a credit or adjustment has already been allowed under MMC 18.24.050 or .060 or MCC 14.07.010 by supplying documentation.

22J.090.070 Annual reporting and penalties.

1) Each industry that qualifies and receives the LWI, will be required to submit annual payroll reports to the City which demonstrates the perpetuation of all living wage jobs for which the industry received a credit.

2) Three (3) years from the date of approval of the credit or adjustment of the fees provided for herein, the applicant shall provide all required data to the City to determine the net gain or loss of living wage jobs compared to the number which were utilized to calculate the credit or adjustment to fees. If the number of living wage jobs created at the end of the three year period is the same or greater than the number used to calculate the credit or adjustment, the original credit or adjustment shall be deemed finally approved and confirmed. Any decrease in living wage jobs which the applicant received credit for will result in a proportionate reduction of the credit and repayment to the City for the loss of public benefit.

22J.090.080 Lien

1) The total amount of the traffic impact fee and sewer and water capital improvement fee credits authorized Section 22J.090.040 above shall constitute a lien against the real property which is the subject of the development proposal. Said lien shall secure repayment for the loss of living wage jobs and a reduction of the previously allowed credit as described in Section 22J.090.070 above. The lien for impact fees shall:

- (a) Be in a form approved by the city attorney; and

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Page 3

(b) Include the legal description, tax account number and address of the property.

2.) Upon receipt of final repayment of all fees for the development, the department shall execute a separate lien release for the property in a form approved by the city attorney. The property owner, at their expense, will be responsible for recording each lien release.

3.) In the event that the fees are not repaid in accordance with Section 22J.090.070, the city shall institute foreclosure proceedings under the process set forth in Chapter 61.12 RCW. In addition to any unpaid fees, the city shall be entitled to interest on the unpaid fees at the rate provided for in RCW 19.52.020 and the reasonable attorney fees and costs incurred by the city in the foreclosure process. Notwithstanding the foregoing, prior to commencement of foreclosure, the City shall give not less than thirty (30) days written notice to the person or entity whose name appears on the assessment rolls of the county assessor as owner of the property via certified mail with return receipt requested and regular mail advising of its intent to commence foreclosure proceedings. If the fees are paid in full to the city within the thirty (30) day notice period, no attorney fees, costs and interest will be owed.

4.) In the event that the fees are not paid in accordance with this section, and in addition to foreclosure proceedings provided in subsection (3), the city may initiate any other action(s) legally available to collect such fees.

22J.090.090 Sunset.

This ordinance shall automatically be repealed without further action of the City Council and shall be of no further force and effect three (3) years from the effective date hereof.

22J.090.100 Severability.

If any section, subsection, sentence, clause, phrase, or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase, or word of this ordinance.

ADOPTED by the City Council and APPROVED by the Mayor this _____ day of _____, 2012.

CITY OF MARYSVILLE

By _____

Jon Nehring, Mayor

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Page 4

ATTEST:

By _____
April O'Brien, Deputy City Clerk

Approved as to form:

By _____
Grant K. Weed, City Attorney

D

CITY OF MARYSVILLE
Marysville, Washington

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON AMENDING
MMC 22D.030.070 BY ADDING A NEW SUBSECTION (4) RELATED TO
ADOPTION OF A TEMPORARY ENHANCED DISCOUNT TO TRAFFIC
MITIGATION FEES FOR NEW CONSTRUCTION OF INDUSTRIAL AND
COMMERCIAL DEVELOPMENT,**

WHEREAS, the City Council of the City of Marysville desires to be able to more favorably compete with other cities in the region for businesses that are looking to locate in the area; and

WHEREAS, the impact of an economic recession on development on new industrial and commercial buildings in Snohomish County has been substantial and a temporary twenty-two percent (22%) reduction of traffic mitigation fees through July 23, 2015 will encourage economic development by reducing the overall cost of development.

WHEREAS, the current economic conditions warrant greater incentives for businesses to invest in Marysville;

WHEREAS, the City submitted the 2008 City of Marysville Transportation Element to the Washington State Department of Commerce as required by RCW 36.70A.106; and

WHEREAS, following public notice and comment, the City issued Addendum No. 15 to the Final Environmental Impact Statement for the City of Marysville Comprehensive Plan, on August 20, 2008, which Addendum No. 15 addresses the environmental impacts of the proposed 2008 City of Marysville Transportation Element; and

WHEREAS, after providing notice to the public as required by law, on September 13, 2011 and April 24, 2012 the Marysville Planning Commission held public hearings on proposed changes to the City's impact fees and mitigation and received public input and comment on said proposed revisions; and

WHEREAS, at a public meeting on July 9, 2012, the Marysville City Council reviewed and considered the proposed amendment adding a new subsection (4) to MMC 22D.030.070 proposed by the Marysville Planning Commission; and

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

Section 1. MMC 22D.030.070 is hereby amended by adding a new Subsection (4) which shall read as follows:

22D.030.070 Temporary Enhanced Discount.

(4) For a period of three (3) years from the effective date of this ordinance, the discount referenced in step 6 of Table 1 above (and which is based on data contained in Appendix A: Traffic Impact Fee Methodology of the City's Transportation Element) shall be adjusted from 7% to 22%. From and after three years of the effective date of this amending ordinance the subject discount shall automatically revert to 7% without further action of the Marysville City Council.

Section 2. Severability. If any section, subsection, sentence, clause, phrase or work of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

PASSED by the City Council and APPROVED by the Mayor this _____ day of _____, 2012.

CITY OF MARYSVILLE

By: _____
JON NEHRING, MAYOR

Attest:

By: _____
CITY CLERK

Approved as to form:

By: _____
GRANT K. WEED, CITY ATTORNEY

Date of Publication: _____

Effective Date: _____
(5 days after publication)