

Marysville City Council Work Session

September 15, 2008

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 September 8, 2008 City Council Meeting Minutes.
2. Approval of September 15, 2008 City Council Work Session Minutes.

Consent

3. Approval of September 3, 2008 Claims in the Amount of \$873,004.61; Paid by Check No.'s 49850 through 50007 with no Check No.'s Voided.
4. Approval of September 10, 2008 Claims.
5. Approval of September 17, 2008 Claims.

Review Bids

Public Hearings

New Business

6. Annual Support Agreement and License Agreement for Munis Software in the Amount of \$44,441.65.
7. A **Resolution** of the City of Marysville Establishing October 27, 2008 as the Date upon which a Hearing Shall be Held before the Marysville City Council to Consider Vacation of a Portion of Unimproved Right-of-Way North of 172nd Street NE / SR 531, East of 27th Avenue NE and South of Assessor's Tax Parcel Number 31052000403000.
8. A **Resolution** of the Marysville City Council Commencing Negotiations with Snohomish County for an Interlocal Agreement as Provided in Chapter 39.34 RCW for the Annexation of Unincorporated Territory Pursuant to the Annexation Method Provided in RCW 35A.14.460.

Work Sessions are for City Council study and orientation – Public Input will be received at the September 22, 2008 Date City Council meeting.

September 15, 2008

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

City Hall

Legal

Mayor's Business

Staff Business

Call on Councilmembers

Adjourn

Executive Session

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

Adjourn

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

Call to Order/Pledge of Allegiance/Roll Call	7:00 p.m.
Excuse Councilmember Rasmussen from the meeting.	Approved
Presentations	
Oath of Office given to Billy Xiong	Completed
Approval of Minutes	
Approve July 28, 2008 City Council Meeting Minutes.	Approved
Approve September 2, 2008 City Council Work Session Minutes.	Approved
Consent Agenda	
Approval of the July 30, 2008 Claims in the Amount of \$456,883.53; Paid by Check No.'s 49128 through 49241 with Check No. 48938 Voided.	Approved
Approval of the August 6, 2008 Claims in the Amount of \$967,135.91; Paid by Check No.'s 49242 through 49395 with Check No. 49139 Voided.	Approved
Approval of the August 13, 2008 Claims in the Amount of \$752,388.83; Paid by Check No.'s 49396 through 49566 with Check No. 49166 Voided.	Approved
Approval of August 20, 2008 Claims in the Amount of \$224,622.21; Paid by Check No.'s 49567 through 49698 with Check No. 49380 Voided.	Approved
Approval of August 27, 2008 Claims in the Amount of \$567,383.52; Paid by Check No.'s 49699 through 49849 with no Check No.'s Voided.	Approved
Approval of the August 5, 2008 Payroll in the Amount of \$1,270,103.59; Paid by Check No.'s 20153 through 20241.	Approved
Approval of the Special Events Application for the Marysville YMCA of Snohomish County for the Community Fun Run – "Steptember" on September 20, 2008, including the Street Closure of 60th Drive NE, as Requested by Applicant.	Approved
Approval of the August 20, 2008 Payroll in the Amount of \$745,717.30; Paid by Check No.'s 20242 through 20324.	Approved
Approval of the September 5, 2008 Payroll in the Amount of \$1,352,062.53; Paid by Check No.'s 20325 through 20413.	Approved
Authorize the Mayor to Sign the Purchase Order No. F 5530 in the Amount of \$42,119.70 for a New Hydraulic Trailer from United Rentals.	Approved
Authorize the Mayor to Sign the Jacqueline Ridge – Final Plat Mylar.	Approved
Authorize the Mayor to Sign the Janitorial Services Contract – Amendment No. 2 between the City of Marysville and Advantage Building Services to Increase the Contract by \$2,701.41 for a Total Amended Contract Price of \$92,748.53 and Extends the Contract for a Second Annual Term.	Approved
Authorize the Mayor to Sign the Renewal of SERS Facility Sublease with U.S. Department of Justice.	Approved
Authorize the Mayor to Sign the Supplemental Professional Services Agreement No. 3 with Gray and Osborne on the Edward Springs 327 Zone Reservoir Project Extending the Time for Completion to December 30, 2008.	Approved
Review Bids	
Public Hearings	
New Business	
Adopt an Ordinance of the City of Marysville Affirming the Decision of the	Approved

Hearing Examiner and Rezoning Approximately 2.37 Acres from Community Business to High Density, Single-Family Amending the Official Zoning Map of the City.	Ord. No. 2745
Legal	
Approve the Second Amendment to the Interlocal Agreement between the Central Puget Sound Regional Transit Authority and the City of Marysville.	Approved
Mayor's Business	
Staff Business	
Adopt the Prosecutor Classification and Compensation of N-11	Approved
Call on Councilmembers	
Adjournment	8:01 p.m.
Executive Session	8:05 p.m.
Litigation – 2 pending litigation items	No Action Taken
Real Estate – 3 items	No Action Taken
Adjournment	8:35 p.m.

COUNCIL



MINUTES

Regular Meeting
September 8, 2008

Call to Order / Invocation / Pledge of Allegiance

Mayor Dennis Kendall called the September 8, 2008 meeting of the Marysville City Council to order at 7:00 p.m. at Marysville City Hall. The invocation was given by Pastor Steve Schertzinger of New Hope Christian Fellowship. Mayor Kendall led those present in the Pledge of Allegiance.

Roll Call

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

Mayor: Dennis Kendall

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

Absent: Councilmember Carmen Rasmussen

Also Present: Chief Administrative Officer Mary Swenson, Finance Director Sandy Langdon, Police Chief Rick Smith, Community Development Director Gloria Hirashima, City Attorney Grant Weed, Public Works Director Kevin Nielsen, Parks and Recreation Director Jim Ballew, City Clerk Tracy Jeffries, and Recording Secretary Laurie Hugdahl

Motion made by Councilmember Seibert, seconded by Councilmember Nehring, to excuse Councilmember Rasmussen who was out of town on business. Motion passed unanimously (6-0).

Committee Reports

Councilmember Soriano reported that the **LEOFF 1 Board** met on August 27 and reviewed and approved three claims.

Councilmember Vaughan gave a report of topics discussed at the **Graffiti Task Force** meeting on September 4:

- There were a number of reports on recent graffiti activity in the city.
- Commander Lamoureux reported on four recent arrests.
- There has been a spike in graffiti over summer months. Staff has cleaned up over 200 incidents in the last two weeks
- Billable costs since July of 2007 total \$66,255.
- Citizens use of the City's website to report graffiti has resulted in it being cleaned up quickly.
- There was discussion about the prosecution of juveniles who are arrested.
- Etching is becoming a growing problem and is far more costly than paint and markers. It is especially prevalent in schools and at Community Transit bus stops.
- He commended the work that the police have done. He noted that there is often a marked decrease in graffiti following arrests.
- Two of the recently arrested were in the top nine worst offenders.

Mayor Kendall noted that he had a discussion with John McCoy regarding the overpass over I-5. They will be working with the City to get this cleaned up. Community Transit is putting together a program to eliminate etching as well.

Presentations

A. Oath of Office.

Lateral police officer Billy Xiong was introduced and given the Oath of Office.

Audience Participation

Ed Mohs, 1214 Beach, Marysville, WA spoke in support of the *40 Days for Life* event which runs from September 24 through November 2.

Approval of Minutes

1. Approval of July 28, 2008 City Council Meeting Minutes.

Councilmembers Nehring and Soriano indicated that they would be abstaining from the vote since they did not attend the July 28 meeting.

Motion made by Councilmember Wright, seconded by Councilmember Seibert, to approve the minutes as presented. Motion passed 4-0 with Councilmembers Soriano and Nehring abstaining.

2. Approval of September 2, 2008 City Council Work Session Minutes.

Councilmember Soriano indicated that he would be abstaining from the vote since he did not attend the September 2 work session.

Motion made by Councilmember Nehring, seconded by Councilmember Vaughan, to approve the minutes as presented. Motion passed 5-0 with Councilmember Soriano abstaining.

Consent

Councilmember Seibert requested the removal of item 11.

Motion made by Councilmember Wright, seconded by Councilmember Soriano, to approve the following Consent Agenda items 3-10, 12, 13, 15, 16, 17:

3. Approval of the July 30, 2008 Claims in the Amount of \$456,883.53; Paid by Check No.'s 49128 through 49241 with Check No. 48938 Voided.
4. Approval of the August 6, 2008 Claims in the Amount of \$967,135.91; Paid by Check No.'s 49242 through 49395 with Check No. 49139 Voided.
5. Approval of the August 13, 2008 Claims in the Amount of \$752,388.83; Paid by Check No.'s 49396 through 49566 with Check No. 49166 Voided.
6. Approval of August 20, 2008 Claims in the Amount of \$224,622.21; Paid by Check No.'s 49567 through 49698 with Check No. 49380 Voided.
7. Approval of August 27, 2008 Claims in the Amount of \$567,383.52; Paid by Check No.'s 49699 through 49849 with no Check No.'s Voided.
8. Approval of the August 5, 2008 Payroll in the Amount of \$1,270,103.59; Paid by Check No.'s 20153 through 20241.
9. Approval of the August 20, 2008 Payroll in the Amount of \$745,717.30; Paid by Check No.'s 20242 through 20324.
10. Approval of the September 5, 2008 Payroll in the Amount of \$1,352,062.53; Paid by Check No.'s 20325 through 20413.
12. Authorize the Mayor to Sign the Purchase Order No. F 5530 in the Amount of \$42,119.70 for a New Hydraulic Trailer from United Rentals.
13. Authorize the Mayor to Sign the Jacqueline Ridge – Final Plat Mylar.
15. Authorize the Mayor to Sign the Janitorial Services Contract – Amendment No. 2 between the City of Marysville and Advantage Building Services to Increase the Contract by \$2,701.41 for a Total Amended Contract Price of \$92,748.53 and Extends the Contract for a Second Annual Term.
16. Authorize the Mayor to Sign the Renewal of SERS Facility Sublease with U.S. Department of Justice.

17. Authorize the Mayor to Sign the Supplemental Professional Services Agreement No. 3 with Gray and Osborne on the Edward Springs 327 Zone Reservoir Project Extending the Time for Completion to December 30, 2008.

Motion passed unanimously.

11. Approval of the Special Events Application for the Marysville YMCA of Snohomish County for the Community Fun Run – “Steptember” on September 20, 2008, including the Street Closure of 60th Drive NE, as Requested by Applicant.

Councilmember Seibert noted that the insurance information was missing and asked if the name of the insurance company has been turned in yet. Gloria Hirashima indicated that it had been.

Motion made by Councilmember Seibert, seconded by Councilmember Vaughan, to approve Consent Agenda item 11. Motion passed unanimously (6-0).

Review Bids

Public Hearings

New Business

18. An Ordinance of the City of Marysville Affirming the Decision of the Hearing Examiner and Rezoning Approximately 2.37 Acres from Community Business to High Density, Single-Family Amending the Official Zoning Map of the City.

Motion made by Councilmember Soriano, seconded by Councilmember Wright, to adopt Ordinance 2745. Motion passed unanimously (6-0).

Legal

14. Second Amendment to the Interlocal Agreement between the Central Puget Sound Regional Transit Authority and the City of Marysville.

Gloria Hirashima reviewed the Amendment.

Motion made by Councilmember Nehring, seconded by Councilmember Seibert, to approve the Second Amendment to the Interlocal Agreement. Motion passed unanimously (6-0).

Mayor's Business

Mayor Kendall:

- He enjoyed the outdoor theater on Saturday. He thanked the Snohomish County Camano Association of Realtors for helping out with the movies this summer.

- He attended the Kinko FedEx ribbon-cutting today.
- Rite Aid Store is up and ready for walls.
- Carl's Junior is also going up.
- More restaurant permits have gone out.

Staff Business

Jim Ballew:

- *Enchanted* will be playing at CedarCrest this weekend. He noted that these outdoor movie events have also been sponsored by Verizon FIOS. They have stated that they will also sponsor next year.
- He distributed a copy of the drainage work at Strawberry Fields which is 95% complete. They should be done by the end of the week.
- There will be a work party on the site on September 20-21 for the proposed off-leash dog park.
- Touch a Truck will be held this weekend.
- He and Wendy Bart will be in Washington DC representing the Healthy Communities team.
- October 11 is Serve Day. Over 600 volunteers will be making improvements to Asbury Field. They hope to dramatically renovate the look of the field.

Chief Smith:

- Many police officers will be attending the funeral for Skagit County Deputy who was shot and killed. This has been a tragic event for the community.
- He stated that they are following up with pin-mapping and crime analysis of recent burglaries.

Kevin Nielsen:

- 528 got paved over the weekend.
- Transportation Comprehensive Plan Element Update will be at the Planning Commission tomorrow night.
- 88th Street article in the paper today was very well put together.
- Everett will be shutting down water for 12 hours and 24 hours in November. The City is trying to use this as an emergency response situation by using the north end system to push water all the way to the south.
- Touch a Truck has 16 volunteers.
- School is back in session and there have been no complaints regarding any of the pedestrian facilities or roadways.

Gloria Hirashima

- The electrical contractors' meeting was held last week. Electrical permitting will begin September 15. There was a lot of interest in on-line permitting.
- Permit for new high school has been transferred to the City.
- Paul Rochon was in contact with the site manager at the WelCo building regarding graffiti and this will be repainted.
- She will be attending a waterfront conference in Bremerton this week.

Sandy Langdon reported that the audit exit conference will be held this Wednesday at 4:00.

Grant Weed stated the need for an Executive Session to update Council on five items including two pending litigation items and three real estate items. He estimated that this would take 20-30 minutes and no action was expected.

Mary Swenson:

- She referred to the Prosecutor position information. The position is being posted soon.
- Lloyd Taubeneck, a longstanding city employee, passed away this weekend and will be missed.
- She discussed a Public Works employee with serious health issue.
- November 6-7 will be the Gang Awareness training event. Several school districts will be included.
- Budget is in process.
- New Risk Manager Nancy Abell is here from City of Monroe. Staff is thrilled to have her.
- Three people will be graduating from the police academy on Wednesday.
- The swearing-in tonight brings the police department to full staff.
- Marysville police department was very involved in responding to the Skagit County shooting. She commended the high caliber of work that they did. Chief Smith added that they had several officers who were working 8 or 9 crime scenes. They were very pleased with Marysville's response.

Motion made by Councilmember Nehring, seconded by Councilmember Vaughan, to adopt the Prosecutor classification and compensation of N-11. Motion passed unanimously (6-0).

Call on Councilmembers

Jeff Vaughan brought up the topic of changing the name of Ebey Slough to Ebey Channel, Ebey Waterway, or something that sounds more appealing. Kevin Nielsen stated that Surface Water recently submitted a change of name and found out the process. Chief Administrative Officer Swenson agreed that this would definitely help with marketing. Kevin Nielsen indicated they would review that process.

Donna Wright had no comments.

Lee Phillips had no comments.

John Soriano congratulated Chief Smith for reaching full staffing level. He asked about an email he received regarding the business development ranking of Marysville in Washington. There was some discussion about this.

Jon Nehring thanked Jim Ballew for the updates on Strawberry Fields. He asked for confirmation about the Budget Workshop dates. Sandy Langdon stated that they would be held on October 21 and 23 at 5:00. They will most likely be done on the 21st.

Jeff Seibert commented on a leaking water valve on Grove Street. Mayor Kendall stated that he already sent the street crew down there today. Kevin Nielsen indicated that he would follow up on that.

Adjourn

Council recessed at 8:01 into Executive Session for approximately 30 minutes.

Executive Session

- A. Litigation – 2 pending litigation items
- B. Personnel
- C. Real Estate – 3 items

No action was taken.

Adjournment

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

Approved this _____ day of _____, 2008.


Mayor
Dennis Kendall

Asst. Admin. Svcs. Director
Tracy Jeffries

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: Sept 22, 2008

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 September 3, 2008 claims in the amount of \$873,004.61 paid by Check No.'s 49850 through 50007 with no Check No.'s voided.

COUNCIL ACTION:

BLANKET CERTIFICATION
CLAIMS
FOR
PERIOD-9

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 **\$873,004.61 PAID BY CHECK NO.'S 49850 THROUGH 50007 WITH NO CHECK NUMBER'S VOIDED** ARE JUST, DUE AND UNPAID OBLIGATIONS AGAINST THE CITY OF MARYSVILLE, AND THAT I AM AUTHORIZED TO AUTHENTICATE AND TO CERTIFY SAID CLAIMS.



AUDITING OFFICER



DATE

MAYOR

DATE

WE, THE UNDERSIGNED COUNCILMEMBERS OF MARYSVILLE, WASHINGTON DO HEREBY APPROVE FOR PAYMENT THE ABOVE MENTIONED **CLAIMS** ON THIS **3rd DAY OF SEPTEMBER 2008.**

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

CITY OF MARYSVILLE
INVOICE LIST
FOR INVOICES FROM 8/28/2008 TO 9/3/2008

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
49850	ABLE LABEL INC	THERMAL LABELS & TRANSFERS	501.141100.	253.84
49851	ADVANTAGE COMMUNICATIONS INC	WII EQUIPMENT FOR KBSCC	10605250.549000.	401.41
49852	ALBERTSONS FOOD CENTER #471	INMATE SUPPLIES	00103960.531000.	623.22
49853	AM TEST INC	THRIHALOMETHANE TESTING	40140780.541000.	400.00
49854	AMSAN SEATTLE	JANITORIAL SUPPLIES-PSB	00100010.531400.	245.13
	AMSAN SEATTLE	JANITORIAL SUPPLIES-COURT	00101250.531400.	325.50
	AMSAN SEATTLE	JANITORIAL SUPPLIES-PW ADMIN	40143410.531200.	240.47
	AMSAN SEATTLE	JANITORIAL SUPPLIES-PW SHOP	40143780.531000.	229.51
49855	JAMIE ANDERSON	REFUND DEPOSIT FOR RENTAL	001.239100.	58.00
49856	ARAMARK UNIFORM SERVICES	MAT CLEANING-WWTP	40142480.541000.	10.97
	ARAMARK UNIFORM SERVICES	MAT CLEANING-MEZZANINE	40143780.549000.	15.63
	ARAMARK UNIFORM SERVICES		40143780.549000.	24.51
49857	SNOHOMISH COUNTY AWARDS	AWARDS FOR SOFTBALL LEAGUES	00105120.531010.	499.10
49858	BANDWIDTH.COM INC	SERVICES FOR 911 CALL ROUTING	50300090.542000.	2.93
49859	BICKFORD FORD-MERCURY	CORE REFUND-REB TRANSMISSION	50100065.534000.	-651.00
	BICKFORD FORD-MERCURY	REB TRANSMISSION W/CORE FEE	50100065.534000.	2,521.97
49860	BLUE MARBLE ENVIRONMENTAL	54 HRS JACK HARRIS/ENVIROMENT	41046290.541000.	4,751.41
49861	BLUMENTHAL UNIFORMS & EQUIPMENT	UNIFORM SHIRT-XIONG	00103222.526000.	73.41
	BLUMENTHAL UNIFORMS & EQUIPMENT	FLASHLIGHT W/CHARGER	00103222.526000.	151.46
49862	BRIM TRACTOR COMPANY, INC.	STAY CHAIN	501.141100.	82.56
49863	LARRY BUELL	REIMB TARGET SCOUTING TRAINING	00103222.543000.	277.54
49864	CAMDEN, HANS & SUSIE	UB 761281680001 6315 69TH DR N	401.122110.	135.23
49865	BEVERLY CARLSON	REFUND DEPOSIT FOR RENTAL	001.239100.	58.00
49866	CARR'S ACE HARDWARE	CLEVIS HOOKS	40145040.548000.	22.76
49867	CENTURY 21	UB 570706200001 2710 176TH ST	401.122110.	1.12
	CENTURY 21		401.122110.	7.20
	CENTURY 21		401.122120.	3.19
	CENTURY 21		401.122130.	0.64
	CENTURY 21		401.122130.	1.92
	CENTURY 21		401.122130.	19.62
49868	CHAMPION BOLT & SUPPLY	HOSE CLAMPS	42047165.535000.	51.65
49869	CHUCKANUT GOLF CARS INC	CART LEASE (10)	42047267.545000.	380.00
	CHUCKANUT GOLF CARS INC	CART LEASE (20)	42047267.545000.	760.00
	CHUCKANUT GOLF CARS INC		42047267.545000.	760.00
49870	PETER COLLERAN	REIMB PART COSTS FOR KAWASKI	42047165.548000.	1,504.57
49871	COLUMBIA FORD	2009 FORD CROWN VICTORIA INTER	50100048.564000.	23,665.84
49872	MERRITT SCOTT CONNER	INSTRUCTOR SERVICES	00105250.541020.	76.00
49873	CONSOLIDATED ELECTRIAL DIST INC	T-12 LAMPS FOR PSB # 17	00100010.531000.	108.74
	CONSOLIDATED ELECTRIAL DIST INC	EXIT LIGHTS FOR PW SHOP	40143780.531000.	253.12
49874	CO-OP SUPPLY	DUCT TAPE	00105250.531000.	8.66
	CO-OP SUPPLY	SPONGES, TSP, BUCKET	00105250.531000.	31.51
	CO-OP SUPPLY	BLADES	00105380.531000.	11.76
	CO-OP SUPPLY	TARPS, SAND BAGS	00105380.531000.	105.77
	CO-OP SUPPLY	RUBBER BOOTS	10111864.526000.	65.05
	CO-OP SUPPLY	TRAY	40143780.531000.	17.35
	CO-OP SUPPLY	HITCH PINS, TOP LINK	50100065.534000.	26.01
49875	CORPORATE OFFICE SUPPLY	INK CARTRIDGES	50100065.531000.	90.58
49876	WA DEPT OF CORRECTIONS	INMATE MEALS	00103960.531250.	1,564.05
49877	WA DEPT OF CORRECTIONS	WORK CREW FOR JULY 2008	00105380.549000.	880.23
49878	VONNIE CRAWFORD	INSTRUCTOR SERVICES	00105250.541020.	255.00
49879	CRYSTAL SPRINGS	3 CASES WATER	40142480.531330.	28.17
49880	DATABASE SECURE RECORDS DESTRUCTIO	MONTHLY SHREDDING SERVICE	00100050.548000.	39.00
49881	DELL MARKETING LP	NEW PRINT SERVER	50300090.531000.	3,147.16

**CITY OF MARYSVILLE
 INVOICE LIST
 FOR INVOICES FROM 8/28/2008 TO 9/3/2008**

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
49882	ELDON DENNIS	MEDICARE PRESCRI/REIMBURSEMEN	00103010.541100.	435.00
49883	ARLINE DEPALMA	INSTRUCTOR SERVICES	00105250.541020.	144.00
49884	DMH INDUSTRIAL ELECTRIC INC	RELIANCE BRUSHES	40142480.548000.	116.42
49885	DRIVELINES NW	HYDRAULIC PUMP PTO SHAFT	50100065.534000.	291.66
49886	DUAL-LITE BATTERIES	BATTERIES FOR EMERGENCY LIGHT	401.231700.	-110.41
	DUAL-LITE BATTERIES		40142480.531300.	1,409.36
49887	DUNLAP INDUSTRIAL	HOLE SAW, HEX ARBOR	50200050.531000.	35.98
49888	DUTTON ELECTRIC CO., INC.	CHANGE LAMPS & BALLAST	00100010.548000.	322.09
	DUTTON ELECTRIC CO., INC.	REMOVE LIGHTING TROUFERS	00100010.548000.	389.57
	DUTTON ELECTRIC CO., INC.	WIRE NEW AC ON ROOF OF POLICE	00100010.548000.	400.85
49889	E&E LUMBER INC	SPACKLE, PUTTY KNIFE	00103530.531000.	8.88
	E&E LUMBER INC	ELECTRIC BOXES,FASTENERS,STRAP	00105250.531000.	4.32
	E&E LUMBER INC	PAINT,TRAY,LINER,COVERS,TAPE	00105250.531000.	393.75
	E&E LUMBER INC	WIRE BRUSH	00105380.531000.	4.11
	E&E LUMBER INC	HINGES	00105380.531000.	5.41
	E&E LUMBER INC	ROLLERS	00105380.531000.	6.03
	E&E LUMBER INC	FASTENERS	00105380.531000.	8.68
	E&E LUMBER INC		00105380.531000.	12.37
	E&E LUMBER INC	FORMULA 409	00105380.531000.	14.61
	E&E LUMBER INC	PLASTIC, TAPE	00105380.531000.	24.90
	E&E LUMBER INC	FLOOD LIGHTS	00105380.531000.	25.82
	E&E LUMBER INC	STAKES	00105380.531000.	28.10
	E&E LUMBER INC	PAINT TRAY,PRIMER	00105380.531000.	132.62
	E&E LUMBER INC	PVC ADAPTER	10110564.548000.	1.92
	E&E LUMBER INC	PVC PIPE,ADAPTERS,CAPS,PLUGS	10110564.548000.	39.90
	E&E LUMBER INC	SIDING AND TRIM FOR BARN	31000076.563000.P0810	1,360.50
	E&E LUMBER INC	PAINT,TRAYS,BRUSHES	40142280.531000.	68.21
	E&E LUMBER INC	PAINT FOR LIFT STATION	40142280.548000.	22.77
	E&E LUMBER INC	ELECTRIC BOXES,FASTENERS,STRAP	40143780.531000.	11.89
	E&E LUMBER INC	MATERIALS FOR POND MAINTENANCI	40145040.548000.	116.68
49890	ECONOMY FENCE CENTER	REPAIR DAMAGE DONE TO FENCE	40145040.548000.	911.40
49891	EMERALD HILLS COFFEE SERVICE	COFFEE AND SUPPLIES FOR KBSCC	10605250.549000.	39.63
49892	EMPLOYMENT SECURITY DEPARTMENT	EMPLOYMENT INVESTIGATION	00103121.541000.	7.50
49893	CITY OF EVERETT	ANIMAL SHELTER FEES JULY 2008	00104230.551000.	5,529.00
	CITY OF EVERETT	PROSS BILLING #1 - INTERLOCAL	30500030.563000.R0603	669.00
	CITY OF EVERETT	LAB ANALYSIS	40142480.541000.	1,215.00
49894	EVERGREEN DISTRICT COURT	BAIL POSTING - C007736081	001.229050.	150.00
49895	EXCEL GARDEN PRODUCTS	40- 50 POUND BAGS RYE BLEND	001.231700.	-208.25
	EXCEL GARDEN PRODUCTS		00105380.531000.	2,658.25
49896	EXIDE	BATTERY	501.141100.	54.87
49897	FEDEX	SHIPPING EXPENSE	00100110.549000.	33.39
	FEDEX		00101023.549000.	65.65
49898	FOSTER PEPPER & SHEFELMAN PLLC	COUNCIL PRESENTATION CIVIC CTR	00101023.541000.	2,560.00
49899	GALLS INC	LIGHT	501.141100.	53.14
49900	GENERAL STOREFRONTS INC	RESTAURANT DOOR REPAIR	42047061.548000.	341.78
49901	GRAINGER INC	PH/TEMPERATURE TESTER	40140780.535000.	82.23
49902	TAMMIE GRANDE	REFUND DEPOSIT FOR RENTAL	001.239100.	58.00
49903	GREENSHIELDS INDUSTRIAL SUPPLY	WEEDEATER HEADS	00105380.548000.	65.04
49904	KRISTIE GUY	08 UPDATE SEMINAR-HR DEPT	00100310.549000.	250.00
49905	EDITH GWALTNEY	REFUND DEPOSIT FOR RENTAL	001.239100.	58.00
49906	HACH COMPANY	POCKET CHLORINE METERS	40140780.535000.	905.92
49907	MICHELLE HADLEY	REFUND DEPOSIT FOR RENTAL	001.239100.	58.00
49908	GARY HARPER CONSTRUCTION, INC.	PAY ESTIMATE #6	402.223400.	-1,147.87

CITY OF MARYSVILLE
INVOICE LIST
FOR INVOICES FROM 8/28/2008 TO 9/3/2008

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
49908	GARY HARPER CONSTRUCTION, INC.	PAY ESTIMATE #6	40220594.563000.W0505	24,908.75
49909	HASLER, INC	LEASE PAYMENT POSTAGE METER	00104190.545000.	219.60
49910	ROSE HAYES	INSTRUCTOR SERVICES	00105250.541020.	88.00
49911	HD FOWLER COMPANY	FULL FACE GASKET AND BOLT KITS	40140380.531000.	92.42
	HD FOWLER COMPANY	VARIOUS HYDRANT ADAPTERS	40140880.531000.	89.51
	HD FOWLER COMPANY	REPLACE SENSOR PROM	40142480.548000.	99.01
	HD FOWLER COMPANY	JOINT GASKET,PIPE LUBE,FOAM	40145040.548000.M0519	130.44
	HD FOWLER COMPANY	8-12 TYTON JOINT GASKET	40145040.548000.M0519	173.60
	HD FOWLER COMPANY	GATE VALVES	42047165.531920.	98.76
49912	HDR ENGINEERING, INC.	PAY ESTIMATE # 13	30500030.563000.R0603	24,538.82
49913	ANDREA HILL	SHOE ALLOWANCE-HILL, A	00104190.526000.	20.82
49914	CINDY HOLTZCLAW	REFUND DEPOSIT FOR RENTAL	001.239100.	58.00
49915	HOUSE OF UPHOLSTERY	REPAIR RIPPED SEAT BACK	50100065.548000.	233.28
49916	HSBC BUSINESS SOLUTIONS	FERTILIZER	42047165.531900.	215.55
49917	INDUSTRIAL SUPPLY INC	MISC BROOMS,FLOOR SQUEEGEES	50100065.531000.	39.59
	INDUSTRIAL SUPPLY INC	SQUEEGEE,BROOMS,OIL ABSORBANT	50100065.531000.	123.79
49918	INTEGRATED BUSINESS SYSTEMS INC	ADDITIONAL CASH SMALL DRAWER	42047267.531000.	51.97
49919	IRON MOUNTAIN QUARRY LLC	3/4" MINUS	10110130.531000.	615.25
	IRON MOUNTAIN QUARRY LLC		10110130.531000.	652.78
	IRON MOUNTAIN QUARRY LLC	4 X 8 ROCK	40145040.548000.	240.79
	IRON MOUNTAIN QUARRY LLC		40145040.548000.	355.87
49920	DAWN ISOM	SHOE ALLOWANCE	00104190.526000.	27.99
49921	GREG JENSEN	REFUND DEPOSIT FOR RENTAL	001.239100.	58.00
49922	JOURNEY LINES INC.	BUS TRANSPORTATION FOR SENIORS	00105250.531050.	400.00
49923	KAR GOR INC	STELLAR ASTRO BRCKT,BELL BOXES	10111864.531000.	434.00
49924	KENWORTH NORTHWEST INC	HEATER CORE	50100065.534000.	179.89
49925	ROY & LINDA KISH	WATER & SEWER CONV. REBATE	40143410.549070.	50.00
49926	LASTING IMPRESSIONS INC	08 TOMMI CHEER CAMP SHIRTS	00105120.531050.	64.25
	LASTING IMPRESSIONS INC	CITY LOGO EMBROIDERED-KBSCC	00105250.526000.	39.06
49927	LEGEND DATA SYSTEMS INC	PRINTER RIBBON/BADGE PRINTER	00100310.541000.	50.45
49928	LES SCHWAB TIRE CENTER	TIRES	42047165.548000.	337.18
49929	DEPT OF LICENSING	BARRUS, TREVOR (ORIGINAL)	001.237020.	18.00
	DEPT OF LICENSING	HEIRMAN-WELSH, ERIN (ORIG)	001.237020.	18.00
	DEPT OF LICENSING	KOPSHO, JAMES (ORIGINAL)	001.237020.	18.00
	DEPT OF LICENSING	SATHER, KEVIN (ORIGINAL)	001.237020.	18.00
	DEPT OF LICENSING	SAWYER, BRANDY (ORIGINAL)	001.237020.	18.00
	DEPT OF LICENSING	SCERO, JORGE (ORIGINAL)	001.237020.	18.00
	DEPT OF LICENSING	STEFFEN, ARTHUR (ORIGINAL)	001.237020.	18.00
	DEPT OF LICENSING	WITTENBARGER, LARRY (ORIGINAL)	001.237020.	18.00
49930	LINKS TURF SUPPLY INC	DEW WHIPS	42047165.535000.	42.20
49931	RICHARD G. LOCK	SERVICES RENDERED	00105380.541000.	1.00
	RICHARD G. LOCK		10111230.541000.	216.57
	RICHARD G. LOCK		40143410.541000.	46.80
	RICHARD G. LOCK		41046060.541000.	80.65
	RICHARD G. LOCK		42047165.541000.	152.84
49932	MADSEN, KENNETH	UB 821649110000 7215 66TH AVE	401.122110.	115.13
49933	MARYSVILLE AWARDS	SIGN - CITY HALL SHOWER ROOM	00103530.531000.	26.04
49934	MARYSVILLE FIRE DIST #12	FIRE CONTROL/EMERGENCY AID SRV	00109522.551000.	398,155.46
	MARYSVILLE FIRE DIST #12		00109526.551000.	142,516.78
49935	MARYSVILLE PRINTING	FLYERS PRINTED - YOUTH B-BALL	00105120.531040.	409.10
49936	CITY OF MARYSVILLE	WATER @ 6915 ARMAR ROAD	00105380.547000.	72.15
	CITY OF MARYSVILLE		00105380.547000.	74.55
	CITY OF MARYSVILLE	WTR/SWR @ 6915 ARMAR ROAD	00105380.547000.	99.00

**CITY OF MARYSVILLE
 INVOICE LIST
 FOR INVOICES FROM 8/28/2008 TO 9/3/2008**

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
49936	CITY OF MARYSVILLE	WATER @ 67TH AV & 64TH PL	00105380.547000.	138.30
	CITY OF MARYSVILLE	WTR/SWR @ 6915 ARMAR ROAD	00105380.547000.	194.70
	CITY OF MARYSVILLE	WATER/SEWER @ 5315 64TH AVE	00105380.547000.	737.10
	CITY OF MARYSVILLE	WATER @ 6915 ARMAR ROAD	00105380.547000.	1,068.00
	CITY OF MARYSVILLE	WTR/SWR/GRB @ 6915 ARMAR RD	00105380.547000.	2,455.78
	CITY OF MARYSVILLE	IRRIGATION @ 6120 GROVE ST	00112572.547000.	366.75
	CITY OF MARYSVILLE	WTR/SWR/GRB @ 6120 GROVE ST	00112572.547000.	475.70
49937	MAXX-THE WORLD'S GREATEST SUNGLASS	SUNGLASSES	420.141100.	200.31
49938	PAUL MCSHANE	PER DIEM-NW ALCOHOL CONFERENC	00103222.543000.	1.00
49939	MEL GRIFFITH ESTATE	UB 78086000000 5823 60TH DR N	401.122110.	338.67
49940	TONYA MIRANDA	REFUND DEPOSIT FOR RENTAL	001.239100.	58.00
49941	DOROTHY MORAN		001.239100.	58.00
49942	HERMAN MOUNT	PRESCRIPTION REIMBURSEMENT	00103010.541100.	94.00
49943	SALLY NEILAND	REFUND RENTAL FEE	001.239100.	58.00
	SALLY NEILAND	REFUND RENTAL FEES	00110347.376014.	53.00
49944	NELSON PETROLEUM	GREASE AND OIL - WWTP MAINT	40142480.548000.	259.13
	NELSON PETROLEUM	GREASE - WWTP MAINT	40142480.548000.	271.66
	NELSON PETROLEUM	DIESEL & GASOLINE CONSUMED	42047165.532000.	1,905.71
49945	NEXTEL COMMUNICATIONS	ACCT #495802314	50300090.542000.	0.21
	NEXTEL COMMUNICATIONS		50300090.542000.	6.39
	NEXTEL COMMUNICATIONS		50300090.542000.	17.65
	NEXTEL COMMUNICATIONS		50300090.542000.	17.65
	NEXTEL COMMUNICATIONS		50300090.542000.	19.31
	NEXTEL COMMUNICATIONS		50300090.542000.	27.16
	NEXTEL COMMUNICATIONS		50300090.542000.	35.30
	NEXTEL COMMUNICATIONS		50300090.542000.	35.30
	NEXTEL COMMUNICATIONS		50300090.542000.	35.30
	NEXTEL COMMUNICATIONS		50300090.542000.	52.95
	NEXTEL COMMUNICATIONS		50300090.542000.	52.95
	NEXTEL COMMUNICATIONS		50300090.542000.	52.95
	NEXTEL COMMUNICATIONS		50300090.542000.	86.70
	NEXTEL COMMUNICATIONS		50300090.542000.	89.95
	NEXTEL COMMUNICATIONS		50300090.542000.	93.27
	NEXTEL COMMUNICATIONS		50300090.542000.	102.20
	NEXTEL COMMUNICATIONS		50300090.542000.	135.70
	NEXTEL COMMUNICATIONS		50300090.542000.	174.45
	NEXTEL COMMUNICATIONS		50300090.542000.	187.83
	NEXTEL COMMUNICATIONS		50300090.542000.	194.17
	NEXTEL COMMUNICATIONS		50300090.542000.	202.27
	NEXTEL COMMUNICATIONS		50300090.542000.	227.36
	NEXTEL COMMUNICATIONS		50300090.542000.	230.17
	NEXTEL COMMUNICATIONS		50300090.542000.	267.38
	NEXTEL COMMUNICATIONS		50300090.542000.	432.81
	NEXTEL COMMUNICATIONS		50300090.542000.	1,542.98
49946	NEXTEL COMMUNICATIONS	ACCT #844448815	00100020.542000.	50.69
	NEXTEL COMMUNICATIONS		00103010.542000.	50.69
	NEXTEL COMMUNICATIONS		00103010.542000.	50.69
	NEXTEL COMMUNICATIONS		00103010.542000.	50.69
	NEXTEL COMMUNICATIONS		00103010.542000.	50.69
	NEXTEL COMMUNICATIONS		00103010.542000.	50.69
	NEXTEL COMMUNICATIONS		40143410.542000.	50.69
	NEXTEL COMMUNICATIONS		40143410.542000.	50.69
	NEXTEL COMMUNICATIONS		50300090.542000.	182.02

CITY OF MARYSVILLE
INVOICE LIST
FOR INVOICES FROM 8/28/2008 TO 9/3/2008

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
49947	JOHN NIELD	REIMBURSE MILEAGE FOR TRAINING	00101023.549000.	38.61
49948	NORTH SOUND EMERGENCY MEDICINE	INMATE MEDICAL TREATMENT	00103960.541000.	505.00
49949	NORTHWESTERN AUTO REBUILD INC	REPAIR ACCIDENT DAMAGE 01DODGE	50100065.548000.	2,391.01
49950	OFFICE DEPOT	OFFICE SUPPLIES	00100020.531000.	6.15
	OFFICE DEPOT		00100020.531000.	15.54
	OFFICE DEPOT		00100020.531000.	35.27
	OFFICE DEPOT		00100020.531000.	41.79
	OFFICE DEPOT		00100110.531000.	44.70
	OFFICE DEPOT		00101023.531000.	78.89
	OFFICE DEPOT		00102020.531000.	41.79
	OFFICE DEPOT		00103222.531000.	33.63
	OFFICE DEPOT		00103222.531000.	226.02
	OFFICE DEPOT		40143410.531000.	6.15
	OFFICE DEPOT		40143410.531000.	15.55
	OFFICE DEPOT		40143410.531000.	41.79
	OFFICE DEPOT		50100065.531000.	1.73
	OFFICE DEPOT		50100065.531000.	6.97
	OFFICE DEPOT		50200050.531000.	1.73
	OFFICE DEPOT		50200050.531000.	6.97
49951	OLYMPIC FORD OF MARYSVILLE	REPAIR ENGINE COOLANT LEAK	50100065.548000.	976.88
49952	OREGON STATE POLICE PATROL OFFICE	HOSTAGE NEGOTIATION CLASS	00103222.549100.	50.00
	OREGON STATE POLICE PATROL OFFICE		00103222.549100.	50.00
49953	ORKIN EXTERMINATING	SERVICE @ PSB	00100010.548000.	45.60
	ORKIN EXTERMINATING	SERVICE @ CITY HALL	00103530.548000.	82.87
	ORKIN EXTERMINATING	SERVICE @ CABOOSE	00105380.548000.	57.79
	ORKIN EXTERMINATING	SERVICE @ LIBRARY	00112572.548000.	45.60
	ORKIN EXTERMINATING	SERVICE @ WWTP & 2 COLUMBIA	40142480.549000.	61.52
	ORKIN EXTERMINATING	SERVICE @ PW	40143410.548000.	50.16
49954	OTAK	PAY ESTIMATE # 19	40145040.541000.D0720	6,355.50
	OTAK	PAY ESTIMATE # 20	40145040.541000.D0720	8,256.68
	OTAK	PAY ESTIMATE # 25	40250594.563000.D0501	235.79
	OTAK	PAY ESTIMATE # 1	40250594.563000.D0401	6,292.50
49955	PACIFIC POWER PRODUCTS	BALL, DETENT VALVES	00105380.548000.	269.38
	PACIFIC POWER PRODUCTS	TINES	42047165.548000.	69.39
	PACIFIC POWER PRODUCTS	SHAFT	42047165.548000.	264.76
49956	PACIFIC TOPSOILS INC	DUMP FEES	10110130.531000.	32.60
	PACIFIC TOPSOILS INC		10110130.531000.	97.80
	PACIFIC TOPSOILS INC		10110130.531000.	163.00
49957	THE PARTS STORE	SPARK PLUGS	50100065.534000.	4.43
	THE PARTS STORE	WINDOW GUIDE CLIP	50100065.534000.	9.68
49958	LYNN PEAVEY COMPANY	EVIDENCE TAPE	001.231700.	-26.14
	LYNN PEAVEY COMPANY		00103222.531000.	333.64
49959	PETROCARD SYSTEMS INC	FUEL CONSUMED-ENG/ENG SURF WTF	00100020.532000.	39.86
	PETROCARD SYSTEMS INC	FUEL CONSUMED-POLICE	00103222.532000.	6,109.07
	PETROCARD SYSTEMS INC	FUEL CONSUMED-PARKS AND REC	00105380.532000.	1,750.63
	PETROCARD SYSTEMS INC	FUEL CONSUMED-STREET DEPT	10111230.532000.	2,499.67
	PETROCARD SYSTEMS INC	FUEL CONSUMED-ENG/ENG SURF WTF	40145040.532000.	45.25
	PETROCARD SYSTEMS INC	FUEL CONSUMED-FACILITIES	50200050.532000.	228.04
49960	PLANNING ASSOCIATION OF WASHINGTON	SR PLANNING JOB LISTING	00102020.544000.	50.00
49961	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #326-050-278-0	00105380.547000.	31.34
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #462-002-547-0	00105380.547000.	31.41
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #391-045-118-0	10111864.547000.	71.46
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #470-027-171-3	10111864.547000.	84.98

CITY OF MARYSVILLE
INVOICE LIST
FOR INVOICES FROM 8/28/2008 TO 9/3/2008

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
49961	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #328-001-837-9	10111864.547000.	93.01
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #531-001-591-1	10111864.547000.	134.09
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #123-000-075-2	10111864.547000.	386.51
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #616-000-083-9	40140180.547000.	7.44
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #515-001-516-1	42047165.547000.	40.38
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #683-000-525-9	42047165.547000.	487.82
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #416-001-034-6	42047165.547000.	1,451.67
49962	PUGET SOUND SECURITY	DUPLICATE KEYS AND TAGS	00103630.531000.	12.69
49963	PUGET WEST CONSTRUCTION	WATCHDOG REFUND LESS DEPOSIT	401.245200.	175.15
49964	RESURRECCION, RODEL*	UB 452101190000 13820 51ST DR	401.122110.	44.77
49965	ROSEMOUNT ANALYTICAL	CHLORINE SENSOR & SENSOR FILL	40141580.531000.	1,002.54
49966	ROY ROBINSON CHEVROLET	DISTRIBUTOR ASSEMBLY	50100065.534000.	538.95
49967	RUPP-LEE, CLETA	UB 761303770001 7715 74TH DR N	401.122110.	206.66
49968	SAGE, BETTY	UB 130110000000 4602 110TH PL	401.122110.	51.36
49969	LYNN SCHROEDER	REIMB COFFEE,CAKE,LAMINATE	00100110.549000.	32.01
	LYNN SCHROEDER		00100310.549010.	33.25
	LYNN SCHROEDER		00103530.549000.	32.83
49970	LISA SCHWEIZER	REFUND DEPOSIT FOR RENTAL	001.239100.	58.00
49971	SCIENTIFIC SUPPLY & EQUIPMENT INC	BOTTLES, ROSOLIC ACID	40142480.531400.	204.62
	SCIENTIFIC SUPPLY & EQUIPMENT INC	DETERGENT,SAMPLE BAGS,TUBING	40142480.531400.	629.67
49972	CITY OF SEATTLE	KBSCC TRIP TO SKAGIT DIABLO LK	00105250.531050.	310.00
49973	JIM SHAY	REFUND DEPOSIT FOR RENTAL	001.239100.	58.00
49974	RAY SIZEMORE	PRESCRIPTION REIMBURSEMENT	00103010.541100.	8.00
49975	CANDICE SMITH	REFUND DEPOSIT FOR RENTAL	001.239100.	58.00
49976	SNOHOMISH COUNTY CORRECTIONS	INMATE HOUSING JULY 2008	00103960.551000.	67,195.91
49977	SNOHOMISH COUNTY FINANCE DEPARTMEI	REFUND DEPOSIT FOR RENTAL	001.239100.	58.00
49978	SPARLING INC	PROFESSIONAL SERVICES	40142280.548000.M0840	151.50
49979	EMMA STILES	REIMB-TRAINING REFRESHMENTS	00103222.543000.	43.32
49980	SUMMIT SUPPLY CORPORATION OF COLOR.	GARBAGE CAN	401.231700.	-42.33
	SUMMIT SUPPLY CORPORATION OF COLOR.		40143410.531000.	540.33
49981	SUPERIOR COURT OF WASHINGTON	BAIL POSTING - 041015736	001.229050.	620.00
49982	SYSTEMS INTERFACE INC	WATER QUALITY/SEWER LABOR	40141580.541000.	665.00
	SYSTEMS INTERFACE INC		40142480.541000.	988.90
49983	TAB NORTHWEST	FOLDERS W/FASTENERS	00103960.531000.	136.60
49984	TAYLORMADE	R7 IRON STL LW/RH S	420.141100.	44.10
49985	TERRA RESOURCE GROUP	BRIAN BAGLEY (JANITOR LABOR) <i>Lab</i>	40140280.541000.	1,400.00
49986	TIM CANTWELL	BACKFLOW TESTING	00101250.541000.	50.00
49987	TOTAL RENTAL CENTER, INC.	BBQ GRILL & TENT RENTAL-KBSCC	00105250.531050.	786.26
49988	SNO CO TOURISM BUREAU	REFUND DEPOSIT FOR RENTAL	001.239100.	58.00
49989	DEPT OF TRANSPORTATION NW REGION	REGISTRATION-DESIGNING PED FAC	00100020.549000.	100.00
49990	TRAVEL ADVANCE FUND	NW ALCOHOL CONF-KING, JEREMY	00103222.543000.	121.50
49991	JANET CREDO TRUJILO	REFUND DEPOSIT FOR RENTAL	001.239100.	58.00
49992	TTOS	REGISTRATION TACTICAL TRACKING	00103222.549100.	200.00
	TTOS		00103222.549100.	200.00
	TTOS		00103222.549100.	200.00
	TTOS		00103222.549100.	200.00
49993	UNITED RENTALS	BOOM TRUCK RENTAL	00100010.549000.	860.62
	UNITED RENTALS	MINI EXCAVATOR RENTAL	40140580.548000.	479.69
	UNITED RENTALS	WEEDEATER BLADE,STRING,OIL	40142280.531000.	51.77
	UNITED RENTALS	BATTERIES	501.141100.	64.99
	UNITED RENTALS	SHOVELS,PAINT,DUCT TAPE,BATTER	501.141100.	266.49
49994	VAZQUEZ, HECTOR	UB 570696000002 2813 179TH PL	401.122110.	116.68
49995	VERIZON NORTHWEST	ACCT #030211101451140308	00100010.542000.	114.89

CITY OF MARYSVILLE
INVOICE LIST
FOR INVOICES FROM 8/28/2008 TO 9/3/2008

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
49995	VERIZON NORTHWEST	ACCT #107355912203	00100020.542000.	26.56
	VERIZON NORTHWEST		00100050.542000.	53.13
	VERIZON NORTHWEST		00100110.542000.	79.69
	VERIZON NORTHWEST		00100310.542000.	26.56
	VERIZON NORTHWEST		00102020.542000.	53.13
	VERIZON NORTHWEST		00103010.542000.	185.94
	VERIZON NORTHWEST		00103222.542000.	26.56
	VERIZON NORTHWEST	ACCT #100152074306	00103530.542000.	105.94
	VERIZON NORTHWEST	ACCT #107355912203	00103530.542000.	106.25
	VERIZON NORTHWEST		00103960.542000.	79.69
	VERIZON NORTHWEST	ACCT #101543765602	00104000.542000.	35.05
	VERIZON NORTHWEST	ACCT #101543766403	00104000.542000.	35.05
	VERIZON NORTHWEST	ACCT #107355912203	00104000.542000.	53.13
	VERIZON NORTHWEST	ACCT #101543764801	00104000.542000.	87.85
	VERIZON NORTHWEST	ACCT #101543767204	00104000.542000.	87.85
	VERIZON NORTHWEST	ACCT #03 0211 1077475684 01	00104190.542000.	52.97
	VERIZON NORTHWEST	ACCT #107355912203	00104190.542000.	79.69
	VERIZON NORTHWEST		00105250.542000.	79.69
	VERIZON NORTHWEST	ACCT #030274104650377503	00105250.542000.	132.96
	VERIZON NORTHWEST	ACCT #107355912203	00105380.542000.	212.51
	VERIZON NORTHWEST		00112572.542000.	53.13
	VERIZON NORTHWEST		00143523.542000.	26.56
	VERIZON NORTHWEST		10111230.542000.	26.56
	VERIZON NORTHWEST	ACCT #03027510624354707	10111864.547000.	180.27
	VERIZON NORTHWEST	ACCT #105543546905	40140180.547000.	52.86
	VERIZON NORTHWEST	ACCT #0064811477782	40141580.547000.	101.17
	VERIZON NORTHWEST	ACCT #105660553702	40142280.542000.	332.70
	VERIZON NORTHWEST	ACCT #107355912203	40142480.542000.	159.40
	VERIZON NORTHWEST	ACCT #030211101641995410	40143410.542000.	30.20
	VERIZON NORTHWEST	ACCT #030211101841995100	40143410.542000.	30.20
	VERIZON NORTHWEST	ACCT #030211104741995604	40143410.542000.	30.20
	VERIZON NORTHWEST	ACCT #101642285704	40143410.542000.	30.62
	VERIZON NORTHWEST	ACCT #101543782603	40143410.542000.	32.30
	VERIZON NORTHWEST	ACCT #030211101341996104	40143410.542000.	65.68
	VERIZON NORTHWEST	ACCT #030211103241996301	40143410.542000.	65.68
	VERIZON NORTHWEST	ACCT #030211108541996810	40143410.542000.	65.68
	VERIZON NORTHWEST	ACCT #030211105841995206	40143410.542000.	75.82
	VERIZON NORTHWEST	ACCT #101543783404	40143410.542000.	112.20
	VERIZON NORTHWEST	ACCT #107355912203	40143410.542000.	319.02
	VERIZON NORTHWEST	ACCT #106853520208	40143780.542000.	52.97
	VERIZON NORTHWEST	ACCT #101066397601	40143780.542000.	60.38
	VERIZON NORTHWEST	ACCT #107355912203	42047061.542000.	239.07
	VERIZON NORTHWEST		42047061.549100.	26.56
49996	VERIZON NORTHWEST	METER READING PRO SERVICES <i>lines</i>	40141280.541000.	402.82
49997	WASHINGTON STATE TREASURER	ENGINEER LICENSE FEES	00100020.531000.	116.00
49998	JENNIFER WARD	REFUND DEPOSIT FOR RENTAL	00110347.373004.	58.00
49999	WASTE MANAGEMENT NORTHWEST	YARDWASTE,RECYCLE SERVICE	41046290.541000.	71,763.11
50000	WASTE MANAGEMENT NORTHWEST	SOLID WASTE COLLECTION-GOLF	42047267.547000.	53.30
50001	WAXIE SANITARY SUPPLY	1 BOX RAGS	00105380.531400.	24.90
50002	WESTERN FACILITIES SUPPLY INC	SUPPLIES-CUPS,CLEANER,ETC	00103960.531000.	430.16
50003	WESTERN PETERBILT INC	FRONT SPRING CENTER BOLT	50100065.534000.	9.85
50004	CURTIS WHEATON	REFUND DEPOSIT FOR RENTAL	001.239100.	58.00
50005	WILBUR-ELLIS	GREENS FERTILIZER	42047165.531900.	902.76

DATE: 9/4/2008
TIME: 9:03:33AM

CITY OF MARYSVILLE
INVOICE LIST
FOR INVOICES FROM 8/28/2008 TO 9/3/2008

PAGE: 8

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
50005	WILBUR-ELLIS	HERBICIDE	42047165.531930.	35.67
50006	JEAN WILSON	REFUND CLASS FEE LESS \$5 ADMIN	00110347.376021.	58.00
50007	LYNN WISEMAN	REFUND PARTIAL CLASS FEE	00110347.376009.	40.00
WARRANT TOTAL:				<u>873,004.61</u>

REASON FOR VOIDS:

INITIATOR ERROR
WRONG VENDOR
CHECK LOST IN MAIL

CITY OF MARYSVILLE

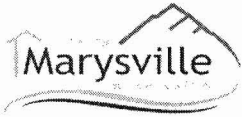
EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: September 22, 2008

AGENDA ITEM: Approve Annual Support Agreement and License Agreement for Munis Software	AGENDA SECTION:	
PREPARED BY: Worth Norton, Information Services Manager	AGENDA NUMBER:	
ATTACHMENTS 1. Annual Support Agreement and License Agreement for Munis Software 2. Tyler Technologies, Inc. Invoice No. 135973	APPROVED BY:	
	MAYOR	CAO
BUDGET CODE: 50300030 541000	AMOUNT: \$44,441.65	

The attached contract is for the yearly license and support for Munis software. This agreement provides support for the City's financial software. Munis software is the City's financial software package including all Accounting, Utility Billing, Payroll and Postal software. This agreement provides user and administrative support for all applications as well as software updates and maintenance.

RECOMMENDED ACTION: The Finance and Information Services Departments recommend that the City Council authorize the Mayor to sign the attached contract and approve payment of Tyler Technologies, Inc. invoice number 135973.
COUNCIL ACTION:



CITY OF MARYSVILLE
 1049 STATE AVENUE - MARYSVILLE, WA 98270 - (360) 363-8000
REQUISITION/PURCHASE ORDER
FINANCE DEPARTMENT

VENDOR NO. 4041

DATE 09/09/08

PO: IT-090908-4041

Vendor Tyler Technologies, Munis Division	Order Requested by Name Worth	Department IS/Finance
Vendor Contact	Order Received by Name	Department IS/Finance

INVOICE #	DATE	ACCOUNT CODE	DESCRIPTION/ PROJECT	TOTAL
135973	9/5/08	50300090 541000	Support and Licensing	44,441.65
Grand Total				\$ 44,441.65

Invoices are due Friday for consideration in the following Wednesday check run. Checks are mailed on Friday's. If any special circumstance requires special handling please highlight your request in the box provided.

I do hereby certify under penalty of perjury that the material(s) furnished, the services rendered or the labor performed as described above is (are) a just, due and unpaid obligation(s) against the City of Marysville, WA and that I am authorized to authenticate and certify this purchase.

SPECIAL HANDLING
INTEROFFICE MAIL
NAME
DEPARTMENT
DISCOUNT AMOUNT DATE
Separate Checks for SAME VENDOR? Y N
Other Instructions

APPROVED BY	DATE
CITY ADMINISTRATOR	
DEPARTMENT DIRECTOR	
SUPERVISOR	<u>9/9/08</u>
FINANCE DIRECTOR	

This requisition prepared by: Worth Norton

DATE 09/09/08

INVOICE



Remittance:

Tyler Technologies, Inc. (FEIN 75-2303920)
P.O. Box 678168
Dallas, TX 75267-8168

Questions:

Phone: 207-781-2260
Toll-free: 1-800-772-2260
Email: munis.accounting@tylertech.com
Fax : 207-781-2459 (Accounting Dept)

INVOICE NO.	PAGE
135973	1
INVOICE DATE	
9/5/2008	

SOLD TO

CITY OF MARYSVILLE
ATTN: SANDY LANGDON
1049 STATE AVENUE
MARYSVILLE, WA 98270

SHIP TO

MARYSVILLE, WA
ATTN: SANDY LANGDON
1049 STATE AVENUE
MARYSVILLE, WA 98270

ORDER NO.	CUSTOMER NO.	PURCHASE ORD NO.	TERMS		
61,927.00-0.00	9645		Due in 30 days		
QUANTITY	DESCRIPTION	UNIT PRICE	UM	NET PRICE	
	MUNIS SOFTWARE SUPPORT FOR THE PERIOD 10/09/08-10/08/09				
1.00	SUPPORT & UPDATE LICENSING - ACCTG/GL/BUDGET/AP	10,369.00	EA	\$ 10,369.00	
1.00	SUPPORT & UPDATE LICENSING - ACCOUNTS RECEIVABLE	2,183.00	EA	\$ 2,183.00	
1.00	SUPPORT & UPDATE LICENSING - FIXED ASSETS	2,381.00	EA	\$ 2,381.00	
1.00	SUPPORT & UPDATE LICENSING - GENERAL BILLING	992.00	EA	\$ 992.00	
1.00	SUPPORT & UPDATE LICENSING - HUMAN RESOURCES MANAGEMENT	1,528.00	EA	\$ 1,528.00	
1.00	SUPPORT & UPDATE LICENSING - INVENTORY	2,183.00	EA	\$ 2,183.00	
1.00	SUPPORT & UPDATE LICENSING - CRYSTAL REPORTS	2,578.00	EA	\$ 2,578.00	
1.00	SUPPORT & UPDATE LICENSING - MUNIS OFFICE	1,687.00	EA	\$ 1,687.00	
1.00	SUPPORT & UPDATE LICENSING - PAYROLL	2,302.00	EA	\$ 2,302.00	
1.00	SUPPORT & UPDATE LICENSING - PROJECT ACCOUNTING	1,985.00	EA	\$ 1,985.00	
1.00	SUPPORT & UPDATE LICENSING - PURCHASE ORDERS	2,381.00	EA	\$ 2,381.00	
1.00	SUPPORT & UPDATE LICENSING - REQUISITIONS	1,985.00	EA	\$ 1,985.00	
1.00	TYLER FORM PROCESSING SUPPORT	2,205.00	EA	\$ 2,205.00	
1.00	SUPPORT & UPDATE LICENSING - UTILITY BILLING INTERFACE	1,637.00	EA	\$ 1,637.00	
1.00	SUPPORT & UPDATE LICENSING - UTILITY BILLING	4,564.00	EA	\$ 4,564.00	

INVOICE



Remittance:

Tyler Technologies, Inc. (FEIN 75-2303920)
P.O. Box 678168
Dallas, TX 75267-8168

Questions:

Phone: 207-781-2260
Toll-free: 1-800-772-2260
Email: munis.accounting@tylertech.com
Fax : 207-781-2459 (Accounting Dept)

INVOICE NO.	PAGE
135973	2
INVOICE DATE	
9/5/2008	

SOLD TO

SHIP TO

COMMENTS:

**ALL payments
must be sent to the remittance
address shown above.**

SALE AMOUNT	\$40,960.00
SALES TAX	3,481.65
TOTAL	\$44,441.65

**ANNUAL SUPPORT AGREEMENT AND LICENSE AGREEMENT
FOR MUNIS® SOFTWARE**

Invoice to: 9645	City of Marysville	Contact: Sandy Langdon
Address:	Attn: Sandy Langdon 1049 State Avenue Marysville, WA 98270	Telephone: 360.651.5017

This Support and License Agreement (herein "Agreement") is entered into between City of Marysville (Licensee) with its principal place of business at 1049 State Avenue, Marysville, WA and Tyler Technologies, Inc., MUNIS Division, (Licensor) with its principal place of business at 370 US Route One, Falmouth, Maine, 04105 on this 9th day of October 2008.

The headings used in the Agreement are for reference purposes only and shall not be deemed a part of this Agreement.

The Licensee agrees to purchase and MUNIS agrees to provide services for the products listed below in accordance with the following terms and conditions.

I. Term of Agreement

This Agreement is effective as of 10/09/08 and shall remain in force until 10/08/09 (one-year term). Upon termination of this Agreement the Licensee may renew the Agreement for subsequent one-year periods at the then current fee structure as established by the Licensor.

II. Scope of the Agreement

Both parties acknowledge that this Agreement covers both Support and Licensing for the products listed below, used by the Licensee for the operations of: City/Town/Village School County Other (This Agreement is limited to only those entities marked.)

III. Payment

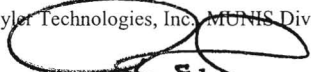
- Licensee agrees to pay MUNIS \$ 40,960.00, for licensing and support services, as described below. This payment is due and payable upon execution of the Agreement.
- Additional charges. Any services performed by MUNIS for the Licensee, which are not covered by the Agreement, will be charged at the then applicable time rate*. All materials supplied in connection with such non-covered maintenance or support will be charged to the Licensee. Any additional charges will be added to the next invoice submitted to the Licensee and shall be due on the same date as the other charges included in that invoice.

IV. Covered Products

This Agreement is limited to the following listed products which are registered for Licensee's AIX 5.1 system.

Application:		Application:
Accounting/GL/BG/AP	D	
Accounts Receivable	D	
Fixed Assets	D	
General Billing	D	
HR Management	B	
Inventory	D	
MUNIS Crystal Reports	D	
MUNIS Office	D	
Payroll	B	
Project & Grant Accounting	D	
Purchase Orders	D	
Requisitions	D	
Utility Billing	D	
Tyler Forms Processing	D	
UB Interface	D	

Licensee¹

Tyler Technologies, Inc. MUNIS Division


Date

Richard E. Peterson, Jr., President
Date September 3, 2008

* Current Billable Service Rates are available on request.
Rates are subject to change and a contract for services or a Purchase Order is required to hold a quoted rate.

¹ Licensee's acceptance signature is optional. Payment of this contract by Licensee signifies acceptance of the terms and conditions outlined herein. MUNIS will not accept any changes to this contract.

V. Terms and Conditions for Licensing:

1. **Grant of License:** Upon execution of this Agreement, Licensee is hereby granted the non-exclusive and non-transferable license and right to use the current version of the MUNIS Licensed Programs listed in Section IV., and related materials. This License will also cover any additional revisions that Licensor may release during the term of this Agreement. The Licensor agrees to extend and the Licensee agrees to accept a license subject to the terms and conditions contained herein for the current version of the MUNIS software products identified in Section IV
2. **Limited Use:** The software products listed are licensed for use only for the benefit of the Licensee listed in this Agreement. This license is registered for the Licensee's computer system identified in Section IV. As long as a current License and Support Agreement is in place, this License may be transferred to any other hardware system used for the benefit of Licensee. Licensee agrees to notify Licensor prior to transferring the licensed products to any other system. The right to transfer this license is included in the cost of this Agreement. The cost for new media or any required technical assistance to accommodate the transfer would be billable charges to the Licensee.
3. **Confidentiality:** The Licensee agrees that the Products are proprietary to the Licensor and have been developed as a trade secret at the Licensor's expense. The Licensee agrees to keep the software products confidential and use its best efforts to prevent any misuse, unauthorized use or unauthorized disclosures by any party of any or all of the Products or accompanying documentation.
4. **Modification:** The Products may be modified but such modification shall be only for the use on the Licensee's system for which the Products are licensed and shall not cause the Licensee or anyone performing such modification to gain any proprietary or other interest in the Products.
5. **Copies:** The Licensee may make copies of the licensed Products for archive purposes only. The Licensee will repeat any proprietary notice on the copy of the Product. The documentation accompanying the product may not be copied except for internal use.
6. **Warranty:** For as long as a current software support agreement is in place, the Licensor will warrant that all MUNIS® software programs will operate as described in the brochures and user manuals of MUNIS. If a program fails to operate in the manner described within these documents, the Licensor will correct the problem at no charge to the Licensee. If Licensee has made modifications to the software programs, Licensor will no longer warrant the performance of those programs, which contain modifications, unless specifically authorized in writing by the Licensor.

VI. Terms and Conditions for Support:

1. **Scope of Services:** MUNIS will provide the following services for the benefit of the Licensee.
 - a.) MUNIS shall provide software-related telephone support to the Licensee. Support personnel will accept phone calls during MUNIS's normal working hours (8:00 A.M. to 6:00 P.M., Eastern Standard Time, Monday through Friday) for the term of this Agreement, limited to a reasonable number of calls of reasonable duration. Assistance and support requests, which require special assistance from MUNIS's development group, will be taken and directed by support personnel. In the event that support representatives are unavailable to receive calls, messages will be taken and calls will be returned within one working day.
 - b.) MUNIS will continue to maintain a master set of the current computer programs on appropriate media, as well as hardcopy printout of source code programs and documentation.
 - c.) MUNIS will maintain staff that is appropriately trained to be familiar with Licensee's software programs that are listed in Section IV in order to render assistance, should it be required.
 - d.) MUNIS will provide Licensee with all program enhancements, modifications or updates that MUNIS may make to the then Current Release of the program applications covered in this Agreement.
 - e.) In the case of system software new Release(s), the Licensee will also be required to pay whatever fees the manufacturer charges to MUNIS for the new Release. Licensee understands that and agrees that six (6) months after shipment by MUNIS of new Releases, MUNIS shall cease to support the earlier Release and for the balance of the term, MUNIS shall support the new Release.
 - f.) MUNIS will make available appropriately trained personnel to provide Licensee additional training, program changes, analysis, consultation, recovery of data, conversion, non-coverage maintenance service, etc., billable at the current per diem rate. All expenses will be billed in accordance with the then current Tyler Travel Policy.
2. **Limitations and Exclusions:** The support and services of this Agreement do not include the following:
 - a.) Installation of the Licensed Software, onsite support, application design, and other consulting services, or any support requested outside of normal business hours.
 - b.) The Licensee shall be responsible for implementing at its expense, all changes to the Current Release. Licensee understands that changes furnished by MUNIS for the Current Software Release are for implementation in the Current Software Release, as it exists without customization or Licensee alteration.
3. **Licensee Responsibilities:**
 - a.) The Licensee shall provide, at no charge to MUNIS, full and free access to the programs covered hereunder: working space; adequate facilities within a reasonable distance from the equipment; and use of machines, attachments, features, or other equipment necessary to provide the specified support and maintenance service.
 - b.) The Licensee shall install and maintain for the duration of this Agreement, a modem and associated dial-up telephone line or other connection method acceptable to MUNIS. The Licensee shall pay for installation, maintenance and use of such equipment and associated telephone line use charges. MUNIS at its option, shall use this modem and telephone line in connection with error correction. Such access by MUNIS shall be subject to prior approval by the Licensee in each instance.
4. **Non-Assignability:** The Licensee shall not have the right to assign or transfer its rights hereunder to any party.
5. **Excused Non-Performance:** MUNIS shall not be responsible for delays in servicing the products covered by this Agreement caused by strikes, lockouts, riots, epidemic, war, government regulations, fire, power failure, acts of God, or other causes beyond its control.
6. **Limitation of Liability:** The liability of MUNIS is hereby limited to a claim for a money judgement not exceeding the total amount paid by the Licensee for services under this Agreement. THE LICENSEE SHALL NOT IN ANY EVENT BE ENTITLED TO, AND MUNIS SHALL NOT BE LIABLE FOR, INDIRECT, SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES OF ANY NATURE, EVEN IF MUNIS HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES, IRRESPECTIVE OF THE NATURE OF THE LICENSEE'S CLAIM.

VII. General

1. **Governing Law:** This agreement shall be governed by, and construed in accordance with the laws of Client's state of domicile. The invalidity or unenforceability of any provisions of this agreement shall not affect the validity or enforceability of any other provision.
2. **Modification of this Contract:** No modifications or amendment of this Agreement shall be effective unless set forth in writing and signed by both the Licensee and MUNIS.
3. **Suspension:** Support and services will be suspended whenever Licensee's account is thirty days overdue. Support and services will be reinstated when Licensee's account is made current.
4. **Entire Agreement:** THIS AGREEMENT CONSTITUTES THE COMPLETE AND EXCLUSIVE STATEMENT OF THE AGREEMENT BETWEEN THE LICENSEE AND MUNIS WHICH SUPERSEDES ALL PROPOSALS, ORAL OR WRITTEN, AND OTHER COMMUNICATIONS BETWEEN THEM RELATING TO THE SOFTWARE SUPPORT AND MAINTENANCE SERVICE OF THE PRODUCTS COVERED BY THIS AGREEMENT.
5. **Trademarks:** MUNIS and the MUNIS Logo are registered trademarks of Tyler Technologies, Inc.

AIX

Dear Tyler Customer:

Enclosed you will find an invoice, your Annual Support and License Agreement, and a holiday schedule for the upcoming year.

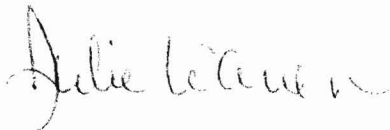
One copy of the Annual Support and License Agreement is for your records. One copy may be returned to us – this is optional as payment of the invoice is sufficient for acceptance.

Please use the Remittance address on the invoice for your payment. The Falmouth, Maine address is only for general correspondence or Purchase Orders.

Failure to make payment prior to the expiration of your current Support and License Agreement may result in interruption of your support services.

Thank you in advance and please call if you have any questions or concerns.

Sincerely,




Julie Warren
Senior Credit Specialist

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: September 22, 2008

AGENDA ITEM: PA 08039 – New Business Smokey Pointe Associates / White-Leasure Petition for Right-of-Way Vacation	AGENDA SECTION:	
PREPARED BY: Libby Grage, Associate Planner	AGENDA NUMBER:	
ATTACHMENTS: 1. Petition for Vacation 2. Vicinity Map 3. Legal Description 4. Site Map 5. Letter from Applicant dated 8/11/08 6. Email from Applicant dated 9/3/08 and attachment 7. Value of Comparable Abutting Property 8. Staff/Agency Comments 9. Resolution 10. Chapter 12.32 – Vacation of Streets and Alleys 11. RCW Chapter 35.79, Streets - Vacation	APPROVED BY: 	
	MAYOR	CAO
BUDGET CODE:	AMOUNT:	

The City received a petition for vacation of a portion of right-of-way (ROW), generally located east of 27th Ave. NE and north of 172nd St. NE / SR 531, just south of tax parcel number 31052000403000. The proposed vacation consists of approximately 10,548 SF of unimproved ROW. Smokey Pointe Associates are the owners of 100% of the property abutting said ROW on the north and west sides. The property to the north and west is currently being developed as part of the Lakewood Pointe commercial development. WSDOT-owned and public ROW exist to the south and east. The ROW was originally dedicated to Snohomish County in 1966 as part of the Lakewood Village Division 1 subdivision. The subdivision was subsequently vacated and the ROW was deeded to Snohomish County. The area was annexed and therefore title to the property transferred to the City of Marysville in 2005.

Community Development and Public Works staff, as well as the Washington State Department of Transportation, have reviewed the vacation request and found that the existing right-of-way proposed for vacation is not necessary for the future circulation system.

Based on the average assessed value of comparable abutting properties, the value of the vacation has been estimated at \$77,738.76.

RECOMMENDED ACTION: Staff recommends that Council schedule a public hearing for the vacation on October 27, 2008. This date will not be less than twenty days or more than sixty days after passage of the resolution, as required by Section 12.32.020(3) of the Marysville Municipal Code.
COUNCIL ACTION:



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

PETITION FOR VACATION OF STREET

TO: The City Council of the City of Marysville, Washington

Smokey Pointe Associates, LLC hereby petitions the City of Marysville for the vacation of a street pursuant to RCW 35.79, and in support of said petition states as follows:

- 1.
2. Smokey Pointe Associates, LLC is the owner of 100% of all property abutting said street on the south side.
3. Vacation of said street will meet the following criteria:
 - a. It will provide a public benefit.
 - b. It will not adversely affect the street pattern or circulation of the immediate area or of the community as a whole.
 - c. The public need will not be adversely affected.
 - d. The street is not contemplated or needed for future public use.
 - e. No abutting owner will become landlocked or have his access substantially impaired.
4. Smokey Pointe Associates, LLC hereby agrees to pay all fees and charges required by Chapter 12.32 of the Marysville City Code relating to vacation of streets.

DATED this 8th day of August, 2008.

BY Jeff Huber
Member, Smokey Pointe Associates, LLC

EXHIBIT
2

QUARTER	SECTION	TOWNSHIP N.W.B.L.	RANGE E.W.M.
SE	20	31	5

A product of the Snohomish County Assessor's Office
Map produced on August 20, 2008

THIS IS NOT A SURVEY IT IS A TAX PARCEL MAP USED FOR THE LOCATION OF PROPERTY ONLY. SNOHOMISH COUNTY DISCLAIMS ANY WARRANTY OF MERCHANTABILITY OR WARRANTY OF FITNESS OF THIS MAP FOR ANY PARTICULAR PURPOSE, EITHER EXPRESSED OR IMPLIED, INCLUDING, BUT NOT LIMITED TO, THE ACCURACY, CURRENTNESS, COMPLETENESS OR QUALITY OF DATA. SNOHOMISH COUNTY SHALL NOT BE RESPONSIBLE FOR ANY DAMAGE, LOSS OR LIABILITY ARISING FROM ANY USE OF THIS MAP PARCEL MAP, INCLUDING THE MOST CURRENT TAX PARCEL DATA SHEETS ON FILE WITH THE SNOHOMISH COUNTY ASSESSOR.

NE-20-31-5



**Exhibit A
(cont)**

Property to be vacated to Smokey Pointe Associates, LLC

LEGAL DESCRIPTION

**CITY OF MARYSVILLE
R/W VACATION
172ND PLACE NE**

That portion of the right-of-way of 172nd Place NE lying within the Southwest Quarter of the Southeast Quarter of Section 20, Township 31 North, Range 5 East, W.M., described as follows:

Commencing at the southwest corner of said Southwest Quarter of the Southeast Quarter; thence, along the west line of said subdivision, North 01°11'24" East 63.55 feet; thence, along the westerly extension of the north line of parcel described in Deed of Dedication recorded under Snohomish County Auditor's File No. 200801230248, North 88°51'28" East 192.58 feet to the right-of-way margin of said 172nd Place NE and the True Point of Beginning; thence, along said margin, North 01°14'16" East 66.44 feet and South 88°51'28" West 168.39 feet to the east line of parcel described in Statutory Warranty Deed recorded under Snohomish County Auditor's File No. 200510180849; thence, along said east line, South 01°11'30" West 60.05 feet to said right-of-way margin; thence, along said margin, South 88°51'18" West 88.87 feet to a curve to the left whose radius point bears South 01°08'42" East 20.75 feet; thence along said curve and margin through a central angle of 46°08'54" an arc distance of 16.71 feet; thence South 88°51'28" West 25.44 feet to the True Point of Beginning;

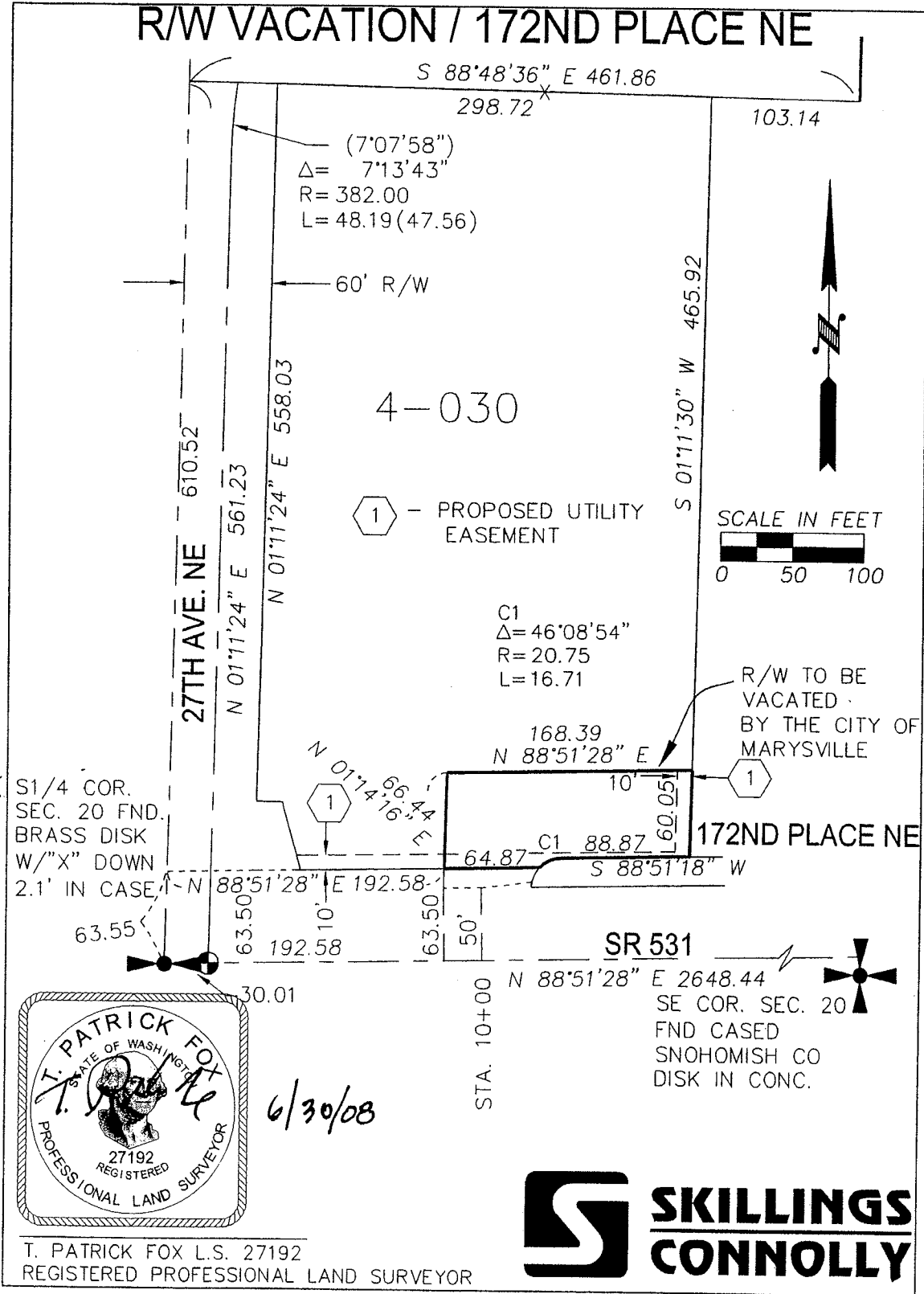
Containing an area of 10,548 square feet more or less.



7/29/00

Exhibit A

Property to be vacated to Smokey Pointe Associates, LLC





August 11, 2008

City of Marysville
Attn: Cheryl Dungan
80 Columbia Ave.
Marysville, WA 98207

RE:

Dear Cheryl,

Attached is an application for the vacation of a small parcel of property (see Exhibit A attached hereto) located just west of I-5 that the City of Marysville owns on 172nd Street. The entire parcel is described on Exhibit B attached hereto.

As you know, Smokey Pointe Associates (White-Leasure Development Company) is under construction on property adjacent to this parcel. Smokey Pointe Associates, LLC is requesting that the City of Maryville vacate the parcel described on Exhibit A at no cost to Smokey Pointe Associates for the following reasons:

- A. The parcel was acquired by the City of Marysville through annexation.
- B. The parcel was intended to be used for right-of-way; however, WSDOT does not need it and it is not shown on their final plans for the upcoming Interchange project.
- C. The parcel is landlocked and is too small to be developed on its own.
- D. If it were vacated most of the parcel would be consumed by sidewalk and landscaping requirements. Smokey Pointe Associates is willing to pay for the landscaping and sidewalks.
- E. This parcel is located at the northerly gateway to the City of Marysville and if not vacated the landlocked parcel will become an eyesore and maintenance liability to the City.
- F. The parcel originally was a part of the property currently owned by Smokey Pointe Associates, LLC.

EXHIBIT
3

- G. By vacating the parcel it will become active on the tax rolls which it currently is not.
- H. Smokey Pointe Associates is willing to reimburse the City of Marysville for any administrative costs associated with this vacation request.

Thank you for your time and efforts in processing this request. If you have any questions, please do not hesitate to contact me.

Sincerely,



Jeff Huber

Member, Smokey Pointe Associates, LLC

Libby Grage

From: Jeff Huber [jhuber@white-leasure.com]
Sent: Wednesday, September 03, 2008 4:25 PM
To: Libby Grage
Cc: Ken Lenz; H. Larry Leasure
Subject: FW: Letter from Title Company Re: Property Requested for Vacation (PA08039) SR 531, City of Marysville
Attachments: 0016_001.pdf

Dear Libby-Attached is a letter from Old Republic Title regarding the property located on SR-531 that Smokey Pointe Associates, LLC has requested the city to vacate. As explained in the title company letter the property was dedicated to the public on the Plat of Lakewood Village No. 1, dated January 19, 1965, that was subsequently vacated. The county retained a portion of the property for future right-of-way and the city acquired the property through annexation. The property was not acquired at any expense to the public. The Revised Code of Washington (RCW 58.17.212 states "If any portion of the land contained in the subdivision was dedicated to the public for public use or benefit, such land, if not deed to the city, town, or county, shall be deeded to the city, town, or county unless the legislative authority shall set forth findings that the public use would not be served in retaining title to those lands". In an e-mail to you dated August 29th, 2008 from George Chambers of the Washington State Transportation Department states that the property is not needed for right-of-way for the SR-531 project. Retention of this property by the City of Marysville would not result in any public benefit and therefore the City of Marysville should vacate the property back to the original parcel owned by Smokey Pointe Associates, LLC at no cost to the applicant. The vacation of the parcel to the applicant would result in a public benefit in that the property would be placed back on the tax rolls and would be landscaped and maintained by the applicant thereby relieving the city of future maintenance and liability issues. As per the Marysville Municipal Code section 12.32.020, 2(b), the "City Council shall consider the reports of the city engineer and/or planner and shall determine whether or not it will require compensation for the vacation". Again, since no public funds were expended to acquire this parcel no compensation should be due. We request that you consider all of the above when making your report to the City Council so that the Council is fully informed prior to setting a date for the public hearing. Thank you for your attention to this matter. Sincerely, Jeff Huber, Smokey Pointe Associates, LLC

Jeffrey C. Huber
Vice President
White-Leasure Development Company
416 South 8th Street, Suite 200
Boise, Idaho 83702
Telephone: (208) 345-1842 ext. 214
Fax: (208) 343-3143
E-Mail:jhuber@white-leasure.com

This transmission and any attachment may be strictly confidential and protected by the work product doctrine. If you are not the intended recipient of this message, you may not disclose, print, copy or disseminate this information. If you have received this in error, please notify the sender (only) and delete the message. Thank you.

From: White-Leasure [mailto:Scanner@WhiteLeasure.com]
Sent: Wednesday, September 03, 2008 12:51 PM
To: Jeff Huber
Subject: Letter from Title Company Re: Property Requested for Vacation SR 531, City of Marysville



OLD REPUBLIC TITLE & ESCROW

August 13, 2008

White-Leasure Development Company
416 South 8th Street, Suite 200
Boise, Idaho 83702
Attn: Mr. Jeffery Huber

You inquired about the ownerships and by what means was the property shown in Attachment A was acquired. This property was dedicated to the public on the Plat of Lakewood Village Div. No. 1, recorded in Volume 25 of Plats, Pages 90 and 91, records of Snohomish County, Washington. Lakewood Village Div. No. 1 has subsequently been vacated. However, RCW 58.17.212 states "If any portion of the land contained in the subdivision was dedicated to the public for public use or benefit, such land, if not deeded to the city, town, or county, shall be deeded to the city, town, or county unless the legislative authority shall set forth findings that the public use would not be served in retaining title to those lands."

This would indicate that title vests in the City of Marysville, and who could vacate subject property. We will need to do a complete title search of this property and of the adjacent property owners to determine insurability. Please feel free to contact me if you have any questions.

Sincerely,

Richard Booth
Commercial Title Officer
Tel: 206-441-1955
Fax: 206-441-1953
Toll Free: 800-949-1960
rbooth@ortc.com



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

PA08039: Smokey Pointe Assoc., LLC / White-Leasure R-O-W Vacation
 Assessed Value of Comparable Abutting Properties

Comparable Abutting Vacant Land

Owner	Parcel #	2008 Assessed Land Value	Total SF	Price per SF
Smokey Pointe Associates	31052000403000	\$1,117,700	151,741 SF	\$7.37
Total		\$1,117,700	151,741 SF	
Average		\$1,117,700	151,741 SF	\$7.37

Total Cost of ROW Vacation: \$7.37 x 10,548 SF = \$77,738.76

Libby Grage

From: John Cowling
Sent: Monday, September 08, 2008 1:39 PM
To: Libby Grage
Subject: RE: Letter from Title Company Re: Property Requested for Vacation (PA08039) SR 531, City of Marysville

In response to the property requested for vacation by White Leasure along the north side of 172nd St. NE between 27th Ave. NE and the I-5 off ramp, the City has no objection to this proposed vacation as it does not serve benefit to the City or WSDOT. The applicant shall be required to compensate the City for the value of the subject property. Although the applicant has requested this vacation be accommodated at no cost, it would be inconsistent with previous right of way vacation process in which compensation was required, additionally, the land holds true property value for which the City should be compensated.

John A. Cowling, P.E.

Asst. Public Works Director / City Engineer

City of Marysville | 80 Columbia Ave, Marysville, WA 98270
Direct Line (360) 363-8281 | Fax (360) 651-5099

Libby Grage

From: Chambers, George [ChambGW@wsdot.wa.gov]
Sent: Friday, August 29, 2008 9:59 AM
To: Libby Grage
Cc: jhuber@white-leasure.com
Subject: White-Leasure Street Vacation, PA08039

Libby Grage
Community Development
City of Marysville

Subject: Request for Review, White-Leasure Street Vacation, PA08-039

WSDOT has no problem with the City of Marysville vacating a portion of City Right-of-Way adjacent to SR-531 (172nd Place NE) as shown on Exhibit A to the White-Leasure Development Co. (Smokey Pointe Associates, LLC). WSDOT has no need for this parcel for the SR-531 interchange project.

George Chambers
WSDOT-Northwest Region
**Senior Development Services/
Local Agency Engineer**
Phone: 206-440-4912
Fax: 206-440-4806
15700 Dayton Avenue North, MS: NB82-240
PO Box 330310, Seattle, WA 98133-9710



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

MEMORANDUM

DATE: September 4, 2008
TO: Libby Grage, Associate Planner
FROM: Anne Miller, Associate Engineer III *AM*
RE: PA 08-039 White Leasure
172nd St. NE and 27th Ave. NE

The following comments are offered after review of the above referenced application.

1. There is an eight-inch water main in the westerly portion of the vacation request and a six-inch water main in the northern portion of the vacation request. Asbuilt W94 for Lakewood Village. A 10 – 20 foot easement will be required of the vacation is approved.

If you have questions regarding these comments, please contact me at (360) 363-8218 or at amiller@marysvillewa.gov.

cc: Gloria Hirashima – Community Development Director
Shawn Smith, PE, Development Services Manager - Land Development



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

MEMORANDUM

DATE: August 26, 2008
TO: Libby Grage, Associate Planner
FROM: Deryl Taylor, Development Services Technician *DJ*
RE: RFR for PA 08-039, White Leasure Vacate, 172nd St NE
CC: Shawn Smith, PE, Engineering Services Manager

1st Review of Legal Description & Drawing

Legal description distance of 25.44' does not match drawing distance of 64.87'



PUBLIC WORKS
Kevin Nielsen, *Director*

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

MEMORANDUM

To: Libby Grage
From: Holly Kohl
Re: PA08-039
Date: August 28, 2008

Engineering Department Comments:

Transportation – No comments

- Jeff Laycock

Drainage – No comments

- Adam Bailey

Utilities – Easements for any water or sewer facilities will need to be reserved.

- David Zull

CD - NO COMMENTS - SHAWN SMITH

**CITY OF MARYSVILLE
Marysville, Washington**

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF MARYVILLE ESTABLISHING OCTOBER 27, 2008 AS THE DATE UPON WHICH A HEARING SHALL BE HELD BEFORE THE MARYSVILLE CITY COUNCIL TO CONSIDER VACATION OF A PORTION OF UNIMPROVED RIGHT-OF-WAY NORTH OF 172ND STREET NE / SR 531, EAST OF 27TH AVENUE NE AND SOUTH OF ASSESSOR'S TAX PARCEL NUMBER 31052000403000.

WHEREAS, Smokey Pointe Associates petitioned the City on August 25, 2008 to vacate a portion of right of way north of 172nd Street NE / SR 531, east of 27th Avenue NE and south of Assessor's tax parcel number 31052000403000 in the City of Marysville; and

WHEREAS, on September 22, 2008 the Marysville City Council considered the petition and directed staff to schedule a public hearing pursuant to Chapter 12.32 of the Marysville Municipal Code; NOW, THEREFORE,

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

1. Pursuant to RCW 35.79.010, incorporated by reference in RCW 35A.47.020, and pursuant to Marysville Municipal Code Section 12.32.020, October 27, 2008 shall be and hereby is established as the time at which the City Council of the City of Marysville shall hold a public hearing at the Marysville City Hall at 7:00 pm or such later hour as is available, to consider the right-of-way vacation petition of Smokey Pointe Associates requesting vacation of a portion of certain dedicated right-of-way generally located north of 172nd Street NE / SR 531, east of 27th Avenue NE, and south of Assessor's Tax Parcel Number 31052000403000, and which is legally described in Exhibit A (attached).
2. Pursuant to Marysville Municipal Code Section 12.32.020, the City Council may require the petitioners to compensate the City of Marysville, where the street has been part of a dedicated public right-of-way for 25 years or more, an amount that does not exceed the full appraised value of the area vacated.
3. Pursuant to Marysville Municipal Code Section 12.32.050, the compensation for the vacated right-of-way, if any, shall be based on the assessed value method of appraisal set forth in MMC 12.32.050(1).

RESOLUTION - 1

PASSED, by the City Council and APPROVED by the Mayor this ____ day of _____, 2008.

CITY OF MARYSVILLE

By _____
DENNIS KENDALL, MAYOR

ATTEST:

By _____
TRACY JEFFRIES, CITY CLERK

Approved as to form:

By _____
GRANT WEED, CITY ATTORNEY

Chapter 12.32**VACATION OF STREETS AND ALLEYS**

Sections:

- 12.32.010 Petition – Filing.
- 12.32.020 Petition – Scheduling for public hearing – Compensation for vacated area.
- 12.32.030 Notice of public hearing.
- 12.32.040 Survey requirements.
- 12.32.050 Appraisal.
- 12.32.060 Criteria for council decision.
- 12.32.070 Authorized by ordinance.
- 12.32.080 Notice to auditor and assessor.
- 12.32.090 Use of proceeds of vacation.

12.32.010 Petition – Filing.

The owners of an interest in any real estate abutting upon any street or alley who may desire to vacate the street or alley, or any part thereof, may petition the city council for the vacation of such street or alley, or any part thereof, in the manner provided in this chapter and pursuant to Chapter 35.79 RCW, or the city council may itself initiate, by resolution, such vacation procedure. The petition shall be on such form as may be prescribed by the city and shall contain a full and correct description of the property sought to be vacated. A petition shall be signed by the owners of more than two-thirds of the property abutting upon the part of the street or alley sought to be vacated.

The petition shall be filed with the city clerk, and the petitioners shall pay fees as set forth in MMC 14.07.005. (Ord. 2106 § 9, 1996; Ord. 1271, 1983; Ord. 948 § 1, 1977).

12.32.020 Petition – Scheduling for public hearing – Compensation for vacated area.

(1) Upon receiving a petition or the vacation of a city street or alley, the city clerk shall place the matter upon the agenda of the city council at a regular meeting to be held not fewer than 10, nor more than 30 days, from the date the petition is filed with the city clerk. The city clerk shall notify the petitioners in writing of the date the matter shall come before the city council. The city clerk shall then notify the city engineer and the compliance officer/planner of the petition and the date when the matter will be before the city council, and said officials shall prepare reports relating to the same.

(2) The city council may require the petitioners to compensate the city of Marysville:

(a) Where the street or alley has been part of a dedicated public right-of-way for 25 years or more, an amount that does not exceed the full appraised value of the area vacated;

(b) Where the street or alley has not been part of a dedicated public right-of-way for 25 years or more an amount which equals one-half of the appraised value of the area vacated.

When the vacation is initiated by the city of Marysville, or the city council deems it in the best interest of the city of Marysville, the council may waive all or any portion of such compensation. At the time the city council initially has the petition before it in order to set the matter for public hearing by resolution, the city council shall consider the reports of the city engineer and/or the city planner shall determine whether or not it will require that the city be compensated as a condition of the vacation.

(3) The city council shall, by resolution, fix the time for the hearing of such petition, which time shall not be more than 60 days, nor fewer than 20 days after the passage of such resolution. (Ord. 2396 § 1, 2001; Ord. 948 § 2, 1977).

12.32.030 Notice of public hearing.

(1) On the passage of the resolution provided for in MMC 12.32.020, the city clerk shall give 20 days' notice of the pendency of the petition by a written notice posted in three of the most public places in the city and a like notice in conspicuous place on the street or alley sought to be vacated. The notice shall contain a statement that a petition has been filed to vacate the street or alley described in the notice, together with a statement of the time and place fixed for the hearing of the petition.

(2) In all cases where the proceeding is initiated by resolution of the city without a petition having been signed by the owners of more than two-thirds of the property abutting upon the part of the street or alley sought to be vacated, in addition to notice required in subsection (1) of this section, there shall be given by mail, at least 15 days before the date fixed for the hearing, a similar notice to the owners or reputed owners of all lots, tracts or parcels of land or other property abutting upon any street or alley, or any part thereof, sought to be vacated, as shown on the rolls of the county treasurer, directed to the addresses thereon shown. Failure to send notice by mail to any such property owner where the current address of such property owner is not a matter of public record shall not invalidate any proceedings in connection with the proposed street vacation. (Ord. 948 § 3, 1977).

12.32.040 Survey requirements.

It shall be the duty of the city engineer to determine whether or not the location and legal description of the street or alley proposed for vacation are sufficiently known to the city so that an accurate legal description of the proposed vacation can be known with certainty. If the city engineer determines that these matters are not known or are not accurately known, then the city shall notify the petitioners of the necessity of having an accurate, professional survey of the property proposed for vacation within the boundaries of the proposed vacation marked upon the ground with an accurate legal description of the proposed vacation to be furnished to the city. The city shall not proceed further upon the vacation petition until such a survey has been done and legal description has been received. (Ord. 948 § 4, 1977).

12.32.050 Appraisal.

In all cases where the city council requires compensation for the vacated right-of-way, an appraisal of the right-of-way proposed for vacation shall be made by one or more of the following methods:

(1) The assessed value of comparable abutting property shall be obtained from the records of the Snohomish County assessor. The average of said values, on a square foot basis, shall be applied to the right-of-way which is proposed for vacation.

(2) The petitioner shall be required to submit a report of a professional appraiser to the city, stating the fair market value of the right-of-way proposed for vacation.

(3) The city shall obtain a report from one or more professional appraisers stating the fair market value of the right-of-way proposed for vacation. The cost of said report or reports shall be paid by the petitioner prior to the time of the public hearing. (Ord. 2321 § 1, 2000; Ord. 1170, 1981; Ord. 948 § 5, 1977).

12.32.060 Criteria for council decision.

(1) The city council shall not vacate any street, alley or any parts thereof if any portion thereof abuts any body of salt or fresh water unless such vacation is sought to enable the city or state to acquire the property for port purposes, boat moorage or launching sites, park, viewpoint, recreational or educational purposes or other public uses. This provision shall not apply to industrial-zoned property.

(2) The city council shall use the following criteria for deciding upon the petition:

(a) The vacation will provide a public benefit, and/or will be for a public purpose;

(b) The right-of-way vacation shall not ad-

versely affect the street pattern or circulation of the immediate area or the community as a whole;

(c) The public need shall not be adversely affected;

(d) The right-of-way is not contemplated or needed for future public use;

(e) No abutting owner will become landlocked or his access will not be substantially impaired; i.e., there must be an alternative mode of ingress and egress, even if less convenient; provided that the city council may, at the time of its public hearing, determine that the city may retain an easement or right to exercise and grant easements in respect to the vacated land for the construction, repair, and maintenance of public utilities and services.

(3) The city council will, at the time of the public hearing, determine the amount of compensation to be paid to the city by the petitioners as a condition of the vacation, which amount shall not exceed one-half of the appraised value of the area to be vacated; except, that in the event the subject property or portions thereof were acquired at public expense, the city may require compensation in an amount equal to the full appraised value of the area to be vacated. (Ord. 1452, 1986; Ord. 948 § 6, 1977).

12.32.070 Authorized by ordinance.

If the city council determines to grant the petition provided for in MMC 12.32.010, or any part thereof, the council shall authorize by ordinance the vacation of such street or alley, or any part thereof. Such ordinance may provide for the retention by the city of all easements or rights in respect to the vacated land for the construction or repair and maintenance of public utilities and services. If the city council determines that compensation shall be paid as a condition of the vacation, then the ordinance shall not be published or become effective until the compensation has been paid by the petitioners. (Ord. 948 § 7, 1977).

12.32.080 Notice to auditor and assessor.

A certified copy of the ordinance vacating any street or alley, or part thereof, shall be filed by the city clerk with the Snohomish County auditor's office and with the Snohomish County assessor's office. (Ord. 948 § 8, 1977).

12.32.090 Use of proceeds of vacation.

One-half of the revenue received by the city as compensation for area vacated, under this chapter, shall be dedicated to the acquisition, improvement, development, and related maintenance of public open space or transportation capital projects within the city. (Ord. 2396 § 2, 2001).

Chapter 35.79 RCW Streets — vacation

Chapter Listing

RCW Sections

- [35.79.010](#) Petition by owners -- Fixing time for hearing.
- [35.79.020](#) Notice of hearing -- Objections prior to hearing.
- [35.79.030](#) Hearing -- Ordinance of vacation.
- [35.79.035](#) Limitations on vacations of streets abutting bodies of water -- Procedure.
- [35.79.040](#) Title to vacated street or alley.
- [35.79.050](#) Vested rights not affected.

35.79.010 **Petition by owners — Fixing time for hearing.**

The owners of an interest in any real estate abutting upon any street or alley who may desire to vacate the street or alley, or any part thereof, may petition the legislative authority to make vacation, giving a description of the property to be vacated, or the legislative authority may itself initiate by resolution such vacation procedure. The petition or resolution shall be filed with the city or town clerk, and, if the petition is signed by the owners of more than two-thirds of the property abutting upon the part of such street or alley sought to be vacated, legislative authority by resolution shall fix a time when the petition will be heard and determined by such authority or a committee thereof, which time shall not be more than sixty days nor less than twenty days after the date of the passage of such resolution.

[1965 c 7 § 35.79.010. Prior: 1957 c 156 § 2; 1901 c 84 § 1, part; RRS § 9297, part.]

35.79.020 **Notice of hearing — Objections prior to hearing.**

Upon the passage of the resolution the city or town clerk shall give twenty days' notice of the pendency of the petition by a written notice posted in three of the most public places in the city or town and a like notice in a conspicuous place on the street or alley sought to be vacated. The said notice shall contain a statement that a petition has been filed to vacate the street or alley described in the notice, together with a statement of the time and place fixed for the hearing of the petition. In all cases where the proceeding is initiated by resolution of the city or town council or similar legislative authority without a petition having been signed by the owners of more than two-thirds of the property abutting upon the part of the street or alley sought to be vacated, in addition to the notice hereinabove required, there shall be given by mail at least fifteen days before the date fixed for the hearing, a similar notice to the owners or reputed owners of all lots, tracts or parcels of land or other property abutting upon any street or alley or any part thereof sought to be vacated, as shown on the rolls of the county treasurer, directed to the address thereon shown: PROVIDED, That if fifty percent of the abutting property owners file written objection to the proposed vacation with the clerk, prior to the time of hearing, the city shall be prohibited from proceeding with the resolution.

[1965 c 7 § 35.79.020. Prior: 1957 c 156 § 3; 1901 c 84 § 1, part; RRS § 9297, part.]

35.79.030 **Hearing — Ordinance of vacation.**

The hearing on such petition may be held before the legislative authority, or before a committee thereof upon the date fixed by resolution or at the time said hearing may be adjourned to. If the hearing is before such a committee the same shall, following the hearing, report its recommendation on the petition to the legislative authority which may adopt or reject the recommendation. If such hearing be held before such a committee it shall not be necessary to hold a hearing on the petition before such legislative authority. If the legislative authority determines to grant said petition or any part thereof, such city or town shall be authorized and have authority by ordinance to vacate such street, or alley, or any part thereof, and the ordinance may provide that it shall not become effective until the owners of property abutting upon the street or alley, or part thereof so vacated, shall compensate such city or town in an amount which does not exceed one-half the appraised value of the area so vacated. If the street or alley has been part of a dedicated public right-of-way for twenty-five years or more, or if the subject property or portions thereof were acquired at public expense, the city or town may require the owners of the property abutting the street or alley to compensate the city or town in an amount that does not exceed the full appraised value of the area vacated. The ordinance may provide that the city retain an easement or the right to exercise and grant easements in respect to the vacated land for the construction, repair, and maintenance of public utilities and services. A certified copy of such ordinance shall be recorded by the clerk of the legislative authority and in the office of the auditor of the county in which the vacated land is located. One-half of the revenue received by the city or town as compensation for the area vacated must be dedicated to the acquisition, improvement, development, and related maintenance of public open space or transportation capital projects within the city or town.

[2002 c 55 § 1; 2001 c 202 § 1; 1987 c 228 § 1; 1985 c 254 § 1; 1969 c 28 § 4. Prior: 1967 ex.s. c 129 § 1; 1967 c 123 § 1; 1965 c 7 § 35.79.030; prior: 1957 c 156 § 4; 1949 c 14 § 1; 1901 c 84 § 2; Rem. Supp. 1949 § 9298.]

35.79.035

Limitations on vacations of streets abutting bodies of water — Procedure.

(1) A city or town shall not vacate a street or alley if any portion of the street or alley abuts a body of fresh or salt water unless:

(a) The vacation is sought to enable the city or town to acquire the property for port purposes, beach or water access purposes, boat moorage or launching sites, park, public view, recreation, or educational purposes, or other public uses;

(b) The city or town, by resolution of its legislative authority, declares that the street or alley is not presently being used as a street or alley and that the street or alley is not suitable for any of the following purposes: Port, beach or water access, boat moorage, launching sites, park, public view, recreation, or education; or

(c) The vacation is sought to enable a city or town to implement a plan, adopted by resolution or ordinance, that provides comparable or improved public access to the same shoreline area to which the streets or alleys sought to be vacated abut, had the properties included in the plan not been vacated.

(2) Before adopting a resolution vacating a street or alley under subsection (1)(b) of this section, the city or town shall:

(a) Compile an inventory of all rights-of-way within the city or town that abut the same body of water that is abutted by the street or alley sought to be vacated;

(b) Conduct a study to determine if the street or alley to be vacated is suitable for use by the city or town for any of the following purposes: Port, boat moorage, launching sites, beach or water access, park, public view, recreation, or education;

(c) Hold a public hearing on the proposed vacation in the manner required by this chapter, where in addition to the normal requirements for publishing notice, notice of the public hearing is posted conspicuously on the street or alley sought to be vacated, which posted notice indicates that the area is public access, it is proposed to be vacated, and that anyone objecting to the proposed vacation should attend the public hearing or send a letter to a particular official indicating his or her objection; and

(d) Make a finding that the street or alley sought to be vacated is not suitable for any of the purposes listed under (b) of this subsection, and that the vacation is in the public interest.

(3) No vacation shall be effective until the fair market value has been paid for the street or alley that is vacated. Moneys received from the vacation may be used by the city or town only for acquiring additional beach or water access, acquiring additional public view sites to a body of water, or acquiring additional moorage or launching sites.

[1987 c 228 § 2.]

35.79.040

Title to vacated street or alley.

If any street or alley in any city or town is vacated by the city or town council, the property within the limits so vacated shall belong to the abutting property owners, one-half to each.

[1965 c 7 § 35.79.040. Prior: 1901 c 84 § 3; RRS § 9299.]

35.79.050

Vested rights not affected.

No vested rights shall be affected by the provisions of this chapter.

[1965 c 7 § 35.79.050. Prior: 1901 c 84 § 4; RRS § 9300.]