

**Marysville City Council Work Session**

**January 19, 2010  
Call to Order**

**7:00 p.m.**

**City Hall**

**Pledge of Allegiance**

**Roll Call**

**Committee Reports**

**Presentations**

**Discussion Items**

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

1. Approval of December 14, 2009 City Council Meeting Minutes.
2. Approval of January 4, 2010 City Council Work Session Minutes.

**Consent**

3. Approval of December 30, 2009 Claims in the Amount of \$179,792.83; Paid by Check No.'s 60183 through 60279 with no Check No.'s Voided.
4. Approval of December 31, 2009 Claims in the Amount of \$180,568.27; Paid by Check No.'s 60288 through 60381 with No Check No.'s Voided.
5. Approval of January 6, 2010 Claims in the Amount of \$660,796.98; Paid by Check No.'s 60280 through 60287 with No Check No.'s Voided.
6. Approval of January 5, 2010 Payroll in the Amount of \$1,318,102.45; Paid by Check No.'s 22208 through 22257.
14. Approval of December 31, 2009 Claims in the Amount of \$534,239.86; Paid by Check No.'s 60382 through 60522 with No Check No.'s Voided.
15. Approval of January 13, 2010 Claims in the Amount of \$637,611.94; Paid by Check No.'s 60523 through 60572 with Check No. 60286 Voided.

**Review Bids**

**Public Hearings**

7. Proposed Utility Rate Cost of Service Adjustment *(will be held on 1/25/10).*

***Work Sessions are for City Council study and orientation – Public Input will be received at the January 25, 2010 City Council meeting.***

**Marysville City Council Work Session**

**January 19, 2010  
New Business**

**7:00 p.m.**

**City Hall**

- 8. Agreement for Services with Allied Employers commencing January 1, 2010 and ending on December 31, 2010.
- 9. Retainage Escrow Agreement with SRV Construction, Inc. for the Ingraham Boulevard Extension Project #R0502.
- 10. An **Ordinance** of the City of Marysville, Washington, Adopting and Revising Stormwater Management Regulations Pursuant to the Western Washington Phase II Municipal Stormwater Permit Issued to the City by the Washington State Department of Ecology and Amending Chapters 4.02, 14.03, 14.05, 14.09, 14.15, 14.16, 14.17, 14.18, and 19.22, of the Marysville Municipal Code.
- 11. An **Ordinance** of the City of Marysville, Washington Restructuring Water, Sewer, and Surface Water Utility Rates, Amending Sections 14.07.010, 14.07.060, 14.07.070, and 14.19.050 of the Marysville Municipal Code as Allowed Under Section 14.07.075.
- 12. A **Resolution** supporting the Marysville Kids Matter Initiative.
- 13. A **Resolution** of the City of Marysville Regarding Marysville School District Propositions No. 1 & 2 on the Election Ballot on February 9, 2010.

The Ballot Title Reads Substantially as Follows:

**MARYSVILLE SCHOOL DISTRICT No. 25  
PROPOSITION NO. 1**

**GENERAL OBLIGATION BONDS - \$78,000,000**

**The Board of Directors of Marysville School District No. 25 adopted Resolution No. 2010-3 concerning this proposition for bonds. The proposition would authorize the District to replace and equip two elementary schools and a middle school; acquire new and renovate existing technology facilities; and other capital improvements; to issue \$78,000,000 of general obligation bonds maturing within a maximum of 20 years; and collect excess property taxes annually to repay the bonds, as provided in this Resolution. Should this proposition be:**

**APPROVED?.....**  
**REJECTED?.....**



January 19, 2010

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

City Hall

MARYSVILLE SCHOOL DISTRICT No. 25  
PROPOSITION NO. 2

REPLACEMENT SCHOOL SUPPORT LEVY

The Board of Directors of Marysville School District No. 25 adopted Resolution No. 2010-4 concerning educational funding. This proposition would authorize the District to levy the following excess taxes on all taxable properties within the District. This proposition replaces an expiring levy and will be used for education support and operations:

| Collection Years | Estimated Levy Rates/\$1,000 Assessed Value | Levy Amount  |
|------------------|---|--------------|
| 2011             | \$3.15                                      | \$21,225,000 |
| 2012             | \$3.15                                      | \$22,286,000 |
| 2013             | \$3.15                                      | \$23,400,000 |
| 2014             | \$3.15                                      | \$24,574,000 |

Should this proposition be approved?

YES.....   
NO.....

Legal

Mayor’s Business

Staff Business

Call on Councilmembers

Executive Session

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

Adjourn

**Special Accommodations:** The City of Marysville strives to provide accessible meetings for people with disabilities. Please contact 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.

*Work Sessions are for City Council study and orientation – Public Input will be received at the January 25, 2010 City Council meeting.*

|  |           |
|--|-----------|
| <b>Call to Order/Pledge of Allegiance/Roll Call</b>  | 7:00 p.m. |
| <b>Presentations</b>   |           |
| Give Oath of Offices – Councilmembers Wright, Nehring, Vaughan and Seibert;<br>Judge Fred Gillings   | Given     |
| <b>Approval of Minutes</b>   |           |
| Approval of November 4, 2009 City Council Budget Workshop Minutes.   | Approved  |
| Approval of November 9, 2009 City Council Meeting Minutes.   | Approved  |
| <b>Consent Agenda</b>  |           |
| Approval of November 11, 2009 Claims in the Amount of \$409,142.07; Paid by<br>Check No.'s 59158 through 59269 with No Check No.'s Voided.   | Approved  |
| Approval of November 18, 2009 Claims in the Amount of \$502,926.86; Paid by<br>Check No.'s 59270 through 59415 with Check No. 49060 Voided.  | Approved  |
| Approval of November 25, 2009 Claims in the Amount of \$425,715.04; Paid by<br>Check No.'s 59416 through 59585 with Check No. 59089 Voided.  | Approved  |
| Approval of November 20, 2009 Payroll in the Amount of \$763,822.68; Paid by<br>Check No.'s 22058 through 22106.   | Approved  |
| Authorize the Mayor to Extend the Plat of Palmer Place – Plat Extension (PA 04-<br>034).   | Approved  |
| Authorize the Mayor to Sign the Historic Preservation Agreement between<br>Courtney C. Williams / Marysville Opera House and the City of Marysville.   | Approved  |
| Authorize the Mayor to Sign the Interlocal Agreement with Snohomish County for<br>Emergency Management Services.   | Approved  |
| Authorize the Mayor to Sign the Buy / Sell Agreement with Habitat Bank, LLC in<br>the Amount of \$100,800.00.  | Approved  |
| Authorize the Mayor to Sign the State Funding Agreement Supplement No. 1 with<br>WSDOT for the 47th Avenue NE Improvements Project.  | Approved  |
| Acceptance of the 2009 Watermain Renewal and Replacement of the 47th<br>Avenue Project Starting the 45-Day Lien Filing Period for Project Closeout   | Approved  |
| Authorize the Mayor to Sign the Interlocal Agreement with Snohomish County for<br>Jail Services.   | Approved  |
| Authorize the Mayor to Sign the Professional Services Agreement between the<br>City of Marysville and Calm River, Inc. for Annexation Census Services.   | Approved  |
| Approval of December 5, 2009 Payroll in the Amount of \$1,252,975.28; Paid by<br>Check No.'s 22107 through 22156.  | Approved  |
| Approval of December 9, 2009 Claims in the Amount of \$1,065,010.28; Paid by<br>Check No.'s 59693 through 59840 with No Check No.'s Voided.  | Approved  |
| Approval of December 2, 2009 Claims in the Amount of \$87,939.54; Paid by<br>Check No.'s 59586 through 59692 with No Check No.'s Voided.   | Continued |
| Authorize the Mayor to Sign the Visitor and Community Information Center<br>Services Agreement with the Greater Marysville Tulalip Chamber of Commerce<br>and the City of Marysville.  | Approved  |
| Settlement Agreement with Otak for the Jones Creek Project.  | Approved  |
| <b>Review Bids</b>   |           |
| Award Ingraham Boulevard Project to SRV Construction, Inc. in the Amount of<br>\$2,775,249.96 Including Washington State Sales Tax and Approve a<br>Management Reserve of \$138,762.50 for a Total Allocation of \$2,914,812.46. | Approved  |

| <b>Public Hearings</b>  |                           |
|---|---------------------------|
| Public Hearing to Consider a New Ordinance Chapter 3.103 of the Marysville Municipal Code Creating a Multifamily Housing Property Tax Exemption Code and Designating a Residential Targeted Area  | Held                      |
| Public Hearing Regarding Planning Commission Recommendation for Zoning Code Amendment: Master Planned Senior Community Code   | Held                      |
| <b>New Business</b>   |                           |
| Adopt an <b>Ordinance</b> of the City of Marysville, Washington Authorizing an Interlocal Agreement between Snohomish County and the City of Marysville Relating to Completion of Roadway Improvements to the Intersection of 51st Avenue, N.E. and 100th Street, N.E. Pursuant to RCW 35.77.020.   | Approved<br>Ord. No. 2803 |
| Adopt an Interlocal Agreement between Snohomish County and the City of Marysville Concerning the Completion of Improvements to the Intersection of 51st Avenue NE and 100th Street NE.  | Approved                  |
| Adopt an <b>Ordinance</b> of the City of Marysville Amending Section 3.64.020(1), of the Marysville Municipal Code, Relating to the Utility Tax on Telephone Services.  | Approved<br>Ord. No. 2804 |
| Adopt an Ordinance of the City of Marysville, Washington, Relating to School Impact Fees and Amending Sections 18C.10.010 of the Marysville Municipal Code.   | Approved<br>Ord. No. 2805 |
| Adopt an <b>Ordinance</b> of the City of Marysville, Washington Relating to Development Fees and Amending Sections 15.12.010 and 18C.12.040 of the Marysville Municipal Code.   | Approved<br>Ord. No. 2806 |
| Adopt an <b>Ordinance</b> of the City of Marysville, Washington, Establishing an Admission Tax; Providing for, and Levying, Providing for Necessary Administrative Procedures for the Collection and Enforcement of Such a Tax; Providing Penalties for Failure to Timely Pay the Tax; and Providing for the Effective Date of this Ordinance | Approved<br>Ord. No. 2811 |
| Adopt a <b>Resolution</b> Supporting the Application to Snohomish County for a Community Development Block Grant (CDBG).  | Approved<br>Res. No. 2275 |
| Adopt a <b>Resolution</b> of the City of Marysville Establishing a Non-Discrimination Policy for City Parks and Recreation Facilities and Programs.   | Approved<br>Res. No. 2276 |
| Adopt an <b>Ordinance</b> of the City of Marysville, Washington Enacting a New Chapter 3.103 Marysville Municipal Code Entitled Multifamily Housing Property Tax Exemption.   | Approved<br>Ord. No. 2801 |
| Adopt an <b>Ordinance</b> of the City of Marysville, Washington Establishing Development Regulations for Master Planned Senior Communities, Amending MMC 19.08.030 to Add Master Planned Senior Communities to the Table of Residential Land Uses, and Adopting a New Chapter 19.47 of the Marysville Municipal Code.                         | Approved<br>Ord. No. 2802 |
| Adopt an <b>Ordinance</b> of the City of Marysville, Washington Amending the 2009 Budget and Providing for the Adjustment of Certain Expenditure Items as Budgeted for in 2009 and Amending Ordinance No. 2751, Amending Ordinance No. 2761, Amending Ordinance No. 2764 and Amending Ordinance No. 2777.                                     | Approved<br>Ord. No. 2807 |
| Adopt an <b>Ordinance</b> of the City of Marysville, Washington Adopting an Update to the City's Surface Water Comprehensive Plan   | Approved<br>Ord. No. 2808 |
| Adopt an <b>Ordinance</b> of the City of Marysville, Washington Amending Marysville Municipal Code Section 19.14.095 Related to Small Lot Single Family Development Standards.  | Approved<br>Ord. No. 2809 |

|  |                           |
|--|---------------------------|
| Adopt an <b>Ordinance</b> of the City of Marysville, Washington Amending Marysville Code Section 19.14.080 Related to Temporary Uses-Permitted Uses. | Approved<br>Ord. No. 2810 |
| Approve a Lease Agreement for Mother Nature’s Window with Todd and Shellie Freeman.  | Approved                  |
| Approve an Employment Agreement for Golf Course Shop Supervisor with Michael Davis.  | Approved                  |
| <b>Legal</b>   |                           |
| <b>Mayor’s Business</b>  |                           |
| <b>Staff Business</b>  |                           |
| <b>Call on Councilmembers</b>  |                           |
| <b>Adjournment</b>   | 9:17 p.m.                 |
| <b>Executive Session</b>   | 9:20 p.m.                 |
| Authorize the Mayor to sign the Boys and Girls Club Lease Agreement as discussed in Executive Session.   | Approved                  |
| Authorize the Mayor to sign the Williams Residential Rental Agreement as discussed in Executive Session.   | Approved                  |
| <b>Adjournment</b>   | 9:53 p.m.                 |

# COUNCIL



# MINUTES

## **Regular Meeting**

December 14, 2009

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

Mayor Kendall called the December 14, 2009 meeting of the Marysville City Council to order at 7:01 p.m. at Marysville City Hall. The invocation was given by Pastor Troy VanHorn from Venture Church. Mayor Kendall led those present in the Pledge of Allegiance.

### **Roll Call**

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

**Mayor:** Dennis Kendall

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

**Also Present:** Chief Administrator Mary Swenson, Community Development Director Gloria Hirashima, Finance Director Sandy Langdon, Public Works Director Kevin Nielsen, City Attorney Grant Weed, Parks and Recreation Director Jim Ballew, Police Chief Rick Smith, Community Information Officer Doug Buell, and City Clerk Tracy Jeffries

### **Committee Reports - none**

### **Presentations**

A. Oath of Offices.

Grant Weed swore in Councilmember Wright and Councilmember Nehring.

Mayor Kendall swore in Councilmember Vaughan and Councilmember Seibert.

Mayor Kendall recessed the meeting at 7:10 p.m. for a short break and called the meeting back to order at 7:22 p.m.

Mayor Kendall swore in Judge Fred L. Gillings

**Audience Participation - none**

**Approval of Minutes**

1. Approval of November 4, 2009 City Council Budget Workshop Minutes.

**Motion** made by Councilmember Nehring, seconded by Councilmember Vaughan, to approve the November 4, 2009 minutes as presented. **Motion** passed unanimously (7-0).

2. Approval of November 9, 2009 City Council Meeting Minutes.

**Motion** made by Councilmember Vaughan, seconded by Councilmember Wright, to approve the November 9, 2009 minutes as presented. **Motion** passed unanimously (7-0).

3. Approval of November 16, 2009 City Council Meeting Minutes.

**Motion** made by Councilmember Soriano, seconded by Councilmember Rasmussen, to approve the November 16, 2009 minutes as presented. **Motion** passed unanimously (7-0).

**Consent**

Councilmember Phillips request that item #14 be pulled from the Consent Agenda. Councilmember Seibert asked to remove items #7 and 35.

4. Approval of November 11, 2009 Claims in the Amount of \$409,142.07; Paid by Check No.'s 59158 through 59269 with No Check No.'s Voided.
5. Approval of November 18, 2009 Claims in the Amount of \$502,926.86; Paid by Check No.'s 59270 through 59415 with Check No. 49060 Voided.
6. Approval of November 25, 2009 Claims in the Amount of \$425,715.04; Paid by Check No.'s 59416 through 59585 with Check No. 59089 Voided.
8. Approval of November 20, 2009 Payroll in the Amount of \$763,822.68; Paid by Check No.'s 22058 through 22106.
12. Authorize the Mayor to Extend the Plat of Palmer Place – Plat Extension (PA 04-034).

13. Authorize the Mayor to Sign the Historic Preservation Agreement between Courtney C. Williams / Marysville Opera House and the City of Marysville.
15. Authorize the Mayor to Sign the Interlocal Agreement with Snohomish County for Emergency Management Services.
16. Authorize the Mayor to Sign the Buy / Sell Agreement with Habitat Bank, LLC in the Amount of \$100,800.00.
17. Authorize the Mayor to Sign the State Funding Agreement Supplement No. 1 with WSDOT for the 47th Avenue NE Improvements Project.
18. Acceptance of the 2009 Watermain Renewal and Replacement of the 47th Avenue Project Starting the 45-Day Lien Filing Period for Project Closeout.
20. Authorize the Mayor to Sign the Interlocal Agreement with Snohomish County for Jail Services.
21. Authorize the Mayor to Sign the Professional Services Agreement between the City of Marysville and Calm River, Inc. for Annexation Census Services.
34. Approval of December 5, 2009 Payroll in the Amount of \$1,252,975.28; Paid by Check No.'s 22107 through 22156.
37. Approval of December 9, 2009 Claims in the Amount of \$1,065,010.28; Paid by Check No.'s 59693 through 59840 with No Check No.'s Voided.

**Motion** made by Councilmember Rasmussen, seconded by Councilmember Soriano to approve Consent Agenda items 4, 5, 6, 8, 12, 13, 15, 16, 17, 18, 20, 21, 34, and 37.  
**Motion** passed unanimously (7-0).

7. Approval of December 2, 2009 Claims in the Amount of \$87,939.54; Paid by Check No.'s 59586 through 59692 with No Check No.'s Voided.

Councilmember Seibert stated item #7 was not included in the packet. Sandy Langdon suggested it be removed and put on the next agenda.

14. Authorize the Mayor to Sign the Visitor and Community Information Center Services Agreement with the Greater Marysville Tulalip Chamber of Commerce and the City of Marysville.

Councilmember Phillips spoke against funding this at this time.

Councilmember Seibert asked if it has been conveyed to the Chamber that they would be requested to apply for the Hotel/Motel grant. CAO Swenson said that they are aware of that.

**Motion** made by Councilmember Wright, seconded by Councilmember Seibert, to authorize the Mayor to Sign the Visitor and Community Information Center Services Agreement with the Greater Marysville Tulalip Chamber of Commerce and the City of Marysville. **Motion** passed (6-1) with Councilmember Phillips voting against.

35. Settlement Agreement with Otak for the Jones Creek Project.

Councilmember Seibert commended the Public Works Director Nielsen being on top of this matter. Councilmember Nehring concurred.

**Motion** made by Councilmember Seibert, seconded by Councilmember Nehring, to authorize the Mayor to Sign the Settlement Agreement with Otak for the Jones Creek Project. **Motion** passed unanimously (7-0).

### Review Bids

9. Award Ingraham Boulevard Project to SRV Construction, Inc. in the Amount of \$2,775,249.96 Including Washington State Sales Tax and Approve a Management Reserve of \$138,762.50 for a Total Allocation of \$2,914,812.46.

**Motion** made by Councilmember Seibert, seconded by Councilmember Vaughan, to authorize the Mayor to Award Ingraham Boulevard Project to SRV Construction, Inc. in the Amount of \$2,775,249.96 Including Washington State Sales Tax and Approve a Management Reserve of \$138,762.50 for a Total Allocation of \$2,914,812.46. **Motion** passed unanimously (7-0).

### Public Hearings

10. Public Hearing to Consider a New Ordinance Chapter 3.103 of the Marysville Municipal Code Creating a Multifamily Housing Property Tax Exemption Code and Designating a Residential Targeted Area (*refer to item 27*).

Staff Report: Director Hirashima explained that this provision would apply to the Downtown Master Plan area and would create provisions that would benefit developers who are building, rehabilitating, or converting multifamily housing in the downtown area. It would provide for either an 8 or a 12-year property tax exemption. The state legislature authorized this in 2007. It is intended to be an incentive to revitalize areas that the city chooses. In this case the staff is recommending that the targeted area be the Downtown Master Plan area.



Mayor Kendall opened the hearing at 7:37 p.m. and solicited public comments on item #10. Seeing no comments, the hearing was closed at 7:38 p.m.

11. Public Hearing Regarding Planning Commission Recommendation for Zoning Code Amendment: Master Planned Senior Community Code (*refer to item 28*).

Staff Report: Gloria Hirashima stated that the Council has a copy of the proposed ordinance and the background materials. There was a change made which addressed the covenant issue for the overall development based on the Council's discussion at the last work session.

Mayor Kendall opened the public hearing at 7:40 p.m.

Public Comment:

Larry Gardner, 6002 68<sup>th</sup> Dr NE Marysville, WA 98270, spoke in support of the proposal to add master plan senior communities to the table of residential land uses and adopting a new chapter 19.47 of the Marysville Municipal Code. He pointed out that there is a growing population of seniors which could benefit from this. He commended the Community Development, Planning Commission and City Council for having the foresight to develop and move a document like this through the city process.

Seeing no further comments the hearing was closed at 7:42.

Councilmember Seibert thanked Gloria Hirashima and Grant Weed for adding the covenant duration language.

Councilmember Soriano referred to page 28-79, item 9G, which has a reference to the MMC Development Standards. He asked if there was something built into the Development Standards that addresses the ability of aid vehicles to ingress and egress out of this type of development. Director Hirashima stated that they have driveway standards that provide for minimum widths on driveways. This would provide adequate width for aid vehicles.

## **New Business**

- 19A. An **Ordinance** of the City of Marysville, Washington Authorizing an Interlocal Agreement between Snohomish County and the City of Marysville Relating to Completion of Roadway Improvements to the Intersection of 51st Avenue, N.E. and 100th Street, N.E. Pursuant to RCW 35.77.020.
- 19B. Interlocal Agreement between Snohomish County and the City of Marysville Concerning the Completion of Improvements to the Intersection of 51st Avenue NE and 100th Street NE.

**Motion** made by Councilmember Nehring, seconded by Councilmember Seibert, to approve Ordinance No. 2803. **Motion** passed unanimously (7-0).

22. An **Ordinance** of the City of Marysville Amending Sections 3.64.020(1), 3.64.030, and 3.64.040 of the Marysville Municipal Code, Relating to the Utility Tax on Telephone Services, Sale of Gases, and Sale of Electricity.

Councilmember Seibert commented that he did not see any sunset provision in this. He also noted that there were councilmembers who were not in favor of including gas and electricity. He noted that he would not be supporting this.

Councilmember Rasmussen stated that she would only consider support of this if they were to strike the taxation on natural gas and electrical energy.

CAO Swenson commented that if Council wanted to amend this they could.

There was discussion about how to accomplish not including the gas and electrical tax increase. Councilmember Seibert requested that they consider adding in a term-length for this. Grant Weed proposed that they could add a section that would expire one year after it goes into effect.

Councilmember Phillips asked if their intent was to utilize this funding for some of the road projects that otherwise would not have been done. CAO Swenson said it would go to street maintenance and stated that there are no road projects.

Grant Weed asked staff if it would be acceptable to bring this ordinance back to Council with the changes that are being discussed. Finance Director Langdon said that any effective increase on this has a 60-day notification period.

Councilmember Vaughan asked for more information about the telephone tax increase. CAO Swenson replied that it was estimated to generate \$120,000. Councilmember Vaughan asked how they would track how this money is used. Finance Director Langdon explained that there would be something in the budget that shows that money was applied for road maintenance.

Councilmember Nehring said he was more likely to vote for an admissions tax because it is more of a user tax.

Grant Weed reviewed proposed changes if the intent was to have this effective for only one year and only to tax the telephone utility:

- The second line of the title would delete reference to sections 3.64.030 and 3.64.040.
- In the third line delete: *the sale of gases.*
- In the fourth line delete: *and sale of electricity*

- Amend the third WHEREAS to read: *WHEREAS the City wishes to increase the tax upon the privilege of conducting telephone business to 6%.*
- Sections 2 and 3 would be deleted in their entirety. A new section 2 would replace section 4 which would say: *This Ordinance shall take effect March 1, 2010 and shall automatically expire and be repealed February 28, 2011.*

**Motion** made by Councilmember Wright, seconded by Councilmember Rasmussen, to approve Ordinance No. 2804, "An Ordinance of the City of Marysville Amending Sections 3.64.020(1) Relating to the Utility Tax on Telephone Services," as amended and stated by Grant Weed. Upon a roll call vote the **Motion** passed (4-3) with Councilmembers Wright, Soriano, Phillips, and Rasmussen voting in favor of the motion and Councilmembers Seibert, Nehring and Vaughan voting against the motion.

23A. An Ordinance of the City of Marysville, Washington, Relating to School Impact Fees and Amending Sections 18C.10.010 of the Marysville Municipal Code.

Director Hirashima stated that the first Ordinance would deal with the discount factor which is currently .25. The recommendation is to revise to .5 which would conform to Snohomish County and surrounding jurisdictions. Mayor Kendall referred to a letter from the Lake Stevens School District in the Council's packet.

Public Comment:

Rob Stanton, Director of Operations, Lake Stevens School District, 12309 22<sup>nd</sup> Street NE, Lake Stevens, indicated he was present to answer any questions.

Council Comments and Questions:

Councilmember Wright asked what the changes would compare to Snohomish County's fees. Director Hirashima referred to page 23A-3 which shows a comparison of each school district with the City's fees and Snohomish County's fees currently. If the Ordinance was revised we would be consistent with Snohomish County's fees.

Councilmember Seibert commented he had hoped over the years that the County and Lake Stevens would follow the City. He was disappointed that this has not happened. He stated that he would not be able to support this. He expressed some concern that the other school districts had not expressed support for this. There was discussion about the other school districts' comments that they "did not oppose" it, but they did not go so far as to say they supported it. Director Hirashima added that the other districts were concerned that the City might change the factors within the formula because that would complicate their whole CFP adoption process. CAO Swenson stated that this is consistent with the discussion that she and the Mayor had with Dr. Nyland. She discussed that conversation further.

**Motion** made by Councilmember Rasmussen, seconded by Councilmember Nehring, to approve Ordinance No. 2805. **Motion** passed (6-1) with Councilmember Seibert voting against the motion.

23B. An **Ordinance** of the City of Marysville, Washington Relating to Development Fees and Amending Sections 15.12.010 and 18C.12.040 of the Marysville Municipal Code.

Director Hirashima stated that we have had a provision on the books since 1998 that stipulates that the City's cost of administering the impact fee program shall be paid by the applicant to the City as part of the development application fee. That fee would be set forth in our development fees section and be an amount that approximates as nearly as possible the actual administrative costs of administering the school impact fee program. This Ordinance would change the citation to the development fee chapter in 18C.12.040. She reviewed the recommended fees. Councilmember Seibert pointed out that this would be an additional fee that the developer would pay. Director Hirashima agreed that was accurate. Councilmember Rasmussen recommended deferring requiring this fee at least for this year due to the poor economy. She stated she would not be able to support this. Councilmember Phillips asked Mr. Stanton if they paid an administrative fee to the County or to the City of Lake Stevens. Mr. Stanton replied that they do not. He was not aware of the developer paying fees in either one of those locations now.

Mike Pattison from Master Builders stated that the only city he is aware of that charges an administrative fee is Bothell.

Councilmember Seibert spoke in support of this. Since it costs the City to administer it we should be reimbursed for it.

**Motion** made by Councilmember Seibert, seconded by Councilmember Soriano, to approve Ordinance No. 2806. Upon a roll call vote, the **Motion** passed (5-2) with Councilmembers Wright and Rasmussen voting against the motion.

24. An **Ordinance** of the City of Marysville, Washington, Establishing an Admission Tax; Providing for, and Levying, Providing for Necessary Administrative Procedures for the Collection and Enforcement of Such a Tax; Providing Penalties for Failure to Timely Pay the Tax; and Providing for the Effective Date of this Ordinance.

CAO Swenson commented that the Marysville Tulalip Chamber of Commerce Board of Directors have passed a resolution in support of admissions tax.

Councilmember Phillips referred to 3.86.050, Section E. He asked if nonprofits currently have to register with the city through the Finance Director's office. Director Langdon replied that they do not unless it is required elsewhere. Councilmember Phillips

recommended leniency in this since most nonprofits are staffed by volunteers and may not be aware of this. CAO Swenson stated that they would also do some outreach. Councilmember Phillips then referred to A4. He brought up a concern about how this could impact smaller businesses that have a one or two-time event where they do not require admission, but they do have food and beverages for sale. There was a recommendation to change this to events where there is no admission charge, but there is a charge required for food and refreshment.

Councilmember Vaughan asked why the nonprofits need to register. Grant Weed replied that it provides some way for the City to verify the authenticity of the organization's nonprofit status. Councilmember Wright recommended that there be some threshold for this. Finance Director Langdon noted that they could verify nonprofits on the IRS site instead of having them register. Grant Weed noted that the Washington State Secretary of State's site also has a site where you can determine if they are an active for profit or not-for-profit corporation.

Councilmember Soriano referred to item 3.86.075, the 4<sup>th</sup> line down, should be *event*.

Councilmember Phillips asked if there was a way to get this information out to businesses. CAO Swenson said they could do a direct mailing to them.

**Motion** made by Councilmember Wright, seconded by Councilmember Soriano, to approve Ordinance No. 2811. **Motion** passed (5-2) with Councilmembers Seibert and Rasmussen voting against the motion.

25. A **Resolution** Supporting the Application to Snohomish County for a Community Development Block Grant (CDBG).

Mayor Kendall stated that this is for the 10<sup>th</sup> and Cedar sidewalk improvements.

**Motion** made by Councilmember Wright, seconded by Councilmember Seibert, to approve Resolution No. 2275. **Motion** passed unanimously (7-0).

26. A **Resolution** of the City of Marysville Establishing a Non-Discrimination Policy for City Parks and Recreation Facilities and Programs.

**Motion** made by Councilmember Rasmussen, seconded by Councilmember Nehring, to approve Resolution No. 2276. **Motion** passed unanimously (7-0).

27. An **Ordinance** of the City of Marysville, Washington Enacting a New Chapter 3.103 Marysville Municipal Code Entitled Multifamily Housing Property Tax Exemption.

**Motion** made by Councilmember Wright, seconded by Councilmember Nehring, to approve Ordinance No. 2801. **Motion** passed unanimously (7-0).

28. An **Ordinance** of the City of Marysville, Washington Establishing Development Regulations for Master Planned Senior Communities, Amending MMC 19.08.030 to Add Master Planned Senior Communities to the Table of Residential Land Uses, and Adopting a New Chapter 19.47 of the Marysville Municipal Code.

**Motion** made by Councilmember Soriano, seconded by Councilmember Rasmussen, to approve Ordinance No. 2802. **Motion** passed unanimously (7-0).

29. An **Ordinance** of the City of Marysville, Washington Amending the 2009 Budget and Providing for the Adjustment of Certain Expenditure Items as Budgeted for in 2009 and Amending Ordinance No. 2751, Amending Ordinance No. 2761, Amending Ordinance No. 2764 and Amending Ordinance No. 2777.

**Motion** made by Councilmember Nehring, seconded by Councilmember Wright, to approve Ordinance No. 2807. **Motion** passed unanimously (7-0).

30. An **Ordinance** of the City of Marysville, Washington Adopting an Update to the City's Surface Water Comprehensive Plan.

**Motion** made by Councilmember Nehring, seconded by Councilmember Soriano, to approve Ordinance No. 2808. **Motion** passed unanimously (7-0).

31. An **Ordinance** of the City of Marysville, Washington Amending Marysville Municipal Code Section 19.14.095 Related to Small Lot Single Family Development Standards.

**Motion** made by Councilmember Nehring, seconded by Councilmember Vaughan, to approve Ordinance No. 2809. **Motion** passed unanimously (7-0).

32. An **Ordinance** of the City of Marysville, Washington Amending Marysville Code Section 19.14.080 Related to Temporary Uses-Permitted Uses.

Director Hirashima stated that this is the provision that would allow for temporary real estate offices within plats until December 31, 2011.

**Motion** made by Councilmember Wright, seconded by Councilmember Soriano, to approve Ordinance No. 2810. **Motion** passed unanimously (7-0).

33. Lease Agreement for Mother Nature's Window with Todd and Shellie Freeman.

Jim Ballew reviewed elements of the lease agreement. Grant Weed stated that they were hoping to get Council's approval of the lease tonight, but not have the Mayor execute it until the property comes into the ownership of the City of

Marysville. This is expected to be on Wednesday when the County Council approves transfer of the properties subject to the annexation being final.

**Motion** made by Councilmember Wright, seconded by Councilmember Vaughan, to authorize the Mayor to sign the Lease Agreement for Mother Nature's Window with Todd and Shellie Freeman. **Motion** passed unanimously (7-0).

36. Employment Agreement for Golf Course Shop Supervisor with Michael Davis.

**Motion** made by Councilmember Seibert, seconded by Councilmember Vaughan, to authorize the Mayor to sign the Employment Agreement for Golf Course Shop Supervisor with Michael Davis. **Motion** passed unanimously (7-0).

Mayor Kendall recessed the meeting at 8:32 p.m. for a short break and called the meeting back to order at 8:37 p.m.

### **Mayor's Business**

- They are still having some discussions with the County about property changeover and some other items.
- Dedication for the new Park and Ride will be tomorrow morning at 10:00 a.m. The park and ride is very nice and working well.
- Everything is moving forward with Operation Community Christmas.
- Next Saturday at the Food Bank is the dedication of Lillie's bench at 10:00 a.m.

### **Staff Business**

Jim Ballew:

- The Activity Guide is out. He commended his staff and Doug Buell for all their hard work on this.
- The Snohomish Health District has submitted their grant to the CDC. They are asking for 16 people.
- Happy Holidays to the Council and staff.

Rick Smith wished everyone Merry Christmas and Happy Holidays.

Kevin Nielsen:

- The roads were a little icy over the weekend. Staff put down sand, anti-icing, and de-icing agents.
- 27<sup>th</sup> seems to be working extremely well. He commended John Tatum for making this happen.
- Some meters blew out over the weekend from the frost so crews were working on that.

Doug Buell:

- Stated that he was also up at Lakewood Crossing over the weekend and was very impressed with the traffic flow.
- He wished everyone Happy Holidays.
- Congratulations to the Councilmembers who agreed to four more years.

Gloria Hirashima:

- She wished everyone Happy Holidays.
- She noted that the next time we meet we will be a much larger city.
- The census work will be starting immediately.
- Staff is starting to collect contacts for neighborhood associations and homeowners associations in the annexation area so they can be proactive with outreach.

Sandy Langdon:

- She presented updated information on foreclosures.
- She congratulated Denise Gritton because the 2008 Financial Report, which Denise did most of the work on, received the award from Government Finance Officers Association.
- The Employee Appreciation Holiday Party is tomorrow at 1:30 at the Senior Center.
- She congratulated the Councilmembers who were sworn in for another four years.

Grant Weed stated the need for an executive session expected to last 20 minutes to discuss four items – two concerning real estate matters on which action will be requested, one concerning potential litigation, and one concerning union and labor negotiation matters.

Mary Swenson:

- There is a lot of behind the scenes work going on with this annexation. The police have been diligently reviewing the areas, changing beat configurations, and working with Sno-Pac. Kevin Nielsen has been out in the area looking at the needs from a public works standpoint. Jim Ballew has been busy looking at the parks. Gloria has been busy working on the census. Sandy Langdon is busy working out the financial side of this. It's very exciting that our population will be at 57,000 and that Council was able to fulfill the vision that they had six years ago.
- She wished everyone a very Merry Christmas.

### **Call on Councilmembers**

Carmen Rasmussen stated that Marysville Kids Matter group is beginning a campaign in the community. She recommended that the Council show support for the Marysville



Kids Matter Initiative. There was general consensus to draft a resolution regarding this and to see a short presentation from the group at an upcoming meeting.

Lee Phillips wished everyone Merry Christmas and Happy New Year.

John Soriano had no comments.

Jon Nehring:

- Agreed that the transportation up at Lakewood Crossing was fantastic over the holidays. He recommended highlighting the improvements up there in an article in order to encourage people to return to that area.
- He wished everyone Merry Christmas and Happy New Year. He thanked everyone for a great 2009.

Jeff Vaughan:

- Asked about ways they could become familiar with the new annexation area. He recommended taking a day together to look around the area. Ms. Swenson thought they could do that in conjunction with the retreat.
- He expressed appreciation on the six years he has been on Council. He wished everyone Happy Holidays.

Donna Wright:

- Commended Public Works for getting the ice off the streets on Sunday.
- She wished everyone a Merry Christmas and Happy New Year.

Jeff Seibert:

- Also thanked Public Works for the work on the streets with the ice. He discussed one slippery hill he encountered.
- He notified Gloria Hirashima that he was still interested in participating in electrical cord review.
- He congratulated all the councilmembers who got sworn in tonight.
- He wished everyone Merry Christmas and Happy New Year.

## **Recess**

Mayor Kendall recessed the meeting at 9:17 p.m. for a short break before reconvening into Executive Session expected to last 20 minutes to discuss four items - two real estate matters with action, one potential litigation matter, and one collective bargaining matter.

## **Executive Session**

Executive session started at 9:20 p.m.

A. Litigation – one item pursuant to RCW 42.30.110(1)(i), one item pursuant to RCW 42.30.140(4)(a)

B. Personnel

C. Real Estate – two items pursuant to RCW 42.30.110(1)(b)

**Motion** made to extend the Executive Session ten minutes. **Motion** passed unanimously (7-0).

**Motion** made by Councilmember Phillips, seconded by Councilmember Nehring, to authorize the Mayor to sign the Williams Residential Rental Agreement as discussed in Executive Session. **Motion** passed unanimously (7-0).

**Motion** made by Councilmember Phillips, seconded by Councilmember Seibert, to authorize the Mayor to sign the Boys and Girls Club Lease Agreement as discussed in Executive Session. **Motion** passed unanimously (7-0).

**Adjournment**

Seeing no further business, Mayor Kendall adjourned the meeting at 9:53 p.m.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

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

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



# MINUTES

## **Work Session**

January 4, 2010

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

### **Roll Call**

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

**Mayor:** Dennis Kendall

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

**Absent:** None

**Also Present:** Chief Administrative Officer Mary Swenson, City Attorney Grant Weed, Chief Smith, Community Development Director Gloria Hirashima, Public Works Director Kevin Nielsen, Parks and Recreation Director Jim Ballew, Asst. Human Resources Director Kristie Guy, Assistant Administrative Services Director Tracy Jeffries, and Recording Secretary Laurie Hugdahl.

**Committee Reports** - None

**Presentations** - None

**Discussion Items**

### **Approval of Minutes**

1. Approval of December 7, 2009 City Council Work Session Minutes.

### **Consent**

2. Approval of December 2, 2009 Claims in the Amount of \$87,939.54; Paid by Check No.'s 59586 through 59692 with No Check No.'s Voided.

3. Approval of December 16, 2009 Claims in the Amount of \$967,418.67; Paid by Check No.'s 59841 through 60014 with Check No. 58484 Voided.
4. Approval of December 23, 2009 Claims in the Amount of \$1,314,054.84; Paid by Check No.'s 60015 through 60182 with No. Check No.'s Voided.
5. Approval of December 18, 2009 Payroll in the Amount of \$951,265.29; Paid by Check No.'s 22157 through 22207.

### **Review Bids**

### **Public Hearings**

### **New Business**

6. Final Plat PRD of Shasta Ridge Phase I.

Director Hirashima explained that the developer was able to get an assignment of funds so they are ready to go to final plat approval.

7. "Brutus" Citizen Initiated Comprehensive Plan Amendment (PA 09001).

The Planning Commission has recommended denial of this request. There are considerable development issues that are yet to be determined so they were not comfortable recommending a land use change at this time.

Councilmember Jeff Seibert noted that in the staff review there were some options that they talked about. He asked if it was the sense of the Planning Commissions that one of these might be more viable in the future. Director Hirashima explained the Planning Commission looked at a number of options and decided that until we see the city's initial priority for that area, which is industrial use per the Master Plan, they were not comfortable changing the land uses around it. Councilmember Seibert asked if there would be an opportunity to be included in the master plan at a later date. Director Hirashima indicated that they could, but the Planning Commission's recommendation at this time was simply to deny the request and leave it as it is.

Councilmember Rasmussen pointed out that Alternatives 1 and 7 are both No Action alternatives. She asked for clarification about which alternative the Planning Commission is recommending. Director Hirashima stated that the Planning Commission recommended Alternative #1 which is just denial of the request and retention of the original land use.

Councilmember Seibert asked if there is a time limit to when they can resubmit an application. Director Hirashima indicated she would check on this.

8. Local Agency Haul Road/Detour Agreement with WSDOT for the SR 529 Bridge Replacement Project.

This is the first step to get the girders and steel for the 529 bridge. The map shows some of the routes associated with hauling items needed for construction.

9. Jones Creek Flood Damage Repairs Project, Starting the 45-Day Lien Filing Period for Project Closeout and Authorize Change Order No. 1.

Director Nielsen commented that this is to start the 45-day lien period to close out the project.

10. Contract for Use of Park Property – Marysville Historical Society.

Jim Ballew explained that this is a replacement of an agreement that was previously in place. It identifies the uses and the coexistence of uses with the society at Jennings Park. This sets the stage for any future development next door.

11. State of Washington Intergovernmental Agreement for State Purchasing Cooperative.

This allows the city to use the state roster to get better prices.

Councilmember Seibert asked about implications of not renewing this. Grant Weed stated that any agreements that were entered into in the new agreement would still be valid, but if we did not enter into an agreement we cannot use the state's purchasing power for new agreements.

Councilmember Soriano asked if the fee is based on prior year's expenditure. Director Nielsen affirmed that it is.

12. A **Resolution** of the City of Marysville Revising Resolution Number 2260, and Adopting Revisions to the Personnel Rules of the City of Marysville, Health and Welfare Benefits – Employee Wellness.

Director Guy stated that the Wellness Committee is in the process of completing its application for the Well City Award. One of the requirements is that we have certain items documented in the Personnel Rules. Many of these things we already do, but are not documented. This changes the policy to include these items to meet one of the requirements of the award application.

13. An **Ordinance** of the City of Marysville, Washington Making Technical Correction to Specify the Form of Security for Performance Under Chapter 19.24 MMC, Critical Areas Management, by Amending Section(s) 19.24.150 and 19.24.270MMC.

Director Hirashima explained that this is a technical correction to requirements in the Critical Areas Protection code that relate to bonding.

14. An **Ordinance** of the City of Marysville, Washington Repealing the Existing Chapter 19.51 MMC, Security for Performance and Maintenance, and Adopting a New Chapter 19.51 MMC Making Changes in Enforcement of the Security Provided.

Director Hirashima explained the justification for this change, which enables a climate where it is possible to get a bond in Marysville. Grant Weed added that it is important to have well-written bonding requirements, but if we get too strict bonding companies won't issue a bond. This would give the bonding company a fair chance to perform.

Councilmember Seibert asked what happens if the cost of the completion is more than bond amount. Director Hirashima explained that the City would not be reimbursed for amounts over the bond amount. This underscores the importance of having an accurate bond amount at the beginning. This should not be a factor as long as the City stays on top of this. She discussed the bonding companies' perspective on this. However, prior to the bond going to default the City could request that the developer increased the amount.

Councilmember Seibert commented on the refund provision. Director Nielsen explained that tonnage on asphalt can change tremendously based on oil prices. He said he would rather be giving them a refund than trying to get more money from them.

**Legal - None**

### **Mayor's Business**

Committee Appointments for 2010:

#### **MAYOR PRO-TEM**

1. Jeff Seibert

#### **TV ADVISORY (Two Councilmembers)**

1. Carmen Rasmussen
2. Lee Phillips

#### **SNO-COUNTY HOUSING & COMM DEV BLOCK GRANT (One Councilmember and One Alternate)**

- Rep. 1. Carmen Rasmussen  
Alt 2. Donna Wright

#### **SWAC-MONTHLY(One Council/One Alternate)**

- Rep 1. Jeff Seibert  
Alt. 2. Jeff Vaughan

#### **LIBRARY BOARD (One Council)**

1. Carmen Rasmussen

#### **PARKS BOARD (One Council)**

1. Carmen Rasmussen

#### **PUBLIC SAFETY (Three Council)**

1. John Soriano

2. Donna Wright
3. Lee Phillips

**PUBLIC WORKS (Three Council)**

1. Donna Wright
2. Jeff Seibert
3. Jeff Vaughan

**FINANCE (Three Council)**

1. Lee Phillips
2. Jeff Seibert
3. Jon Nehring

**FIRE DISTRICT (Three Council)**

1. Carmen Rasmussen
2. John Soriano
3. Donna Wright

**HOTEL/MOTEL (One Council)**

1. Lee Phillips

**LEOFF 1 (Two Council)**

1. John Soriano
2. Jeff Vaughan

**GOV'T AFFAIRS (Three Council)**

1. Carmen Rasmussen
2. John Soriano
3. Jeff Vaughan

**HEALTH DISTRICT (One Council)**

1. Donna Wright

The following committees have already been assigned:

**SNO COUNTY TOMORROW (One Council/One Alternate)**

- Rep 1. Jon Nehring  
Alt 2. Mayor Kendall

**COMMUNITY TRANSIT (One Council)**

1. Jon Nehring

**DEPT EMERGENCY MGMT (2 Staff:1 Rep/1 Alt)**

1. Bob Dolhanyk
2. Rick Smith

**SERS (One Council/One Alt)**

Rep 1. Jon Nehring  
Alt 2. Mayor Kendall  
Alt 3 Rick Smith

**SNO PAC (Two Representatives:1 Rep/1 Alt)**

Rep 1. Rick Smith  
Alt 2. Mayor Kendall

**Other Mayors Business:**

Mayor Kendall informed Council that Senior Services was granted a \$2.4 million funding for additional senior housing in the cities of Marysville, Monroe and Sultan. In Marysville, the Senior Housing is buying Wishing Well. It will continue to be affordable senior housing. Also, Snohomish Housing Authority is supposed to be breaking ground before February 1 for 19 affordable homes.

**Staff Business**

Kristie Guy had no comments.

Jim Ballew:

- Scouts Tree-cycling event will be this weekend.
- Marysville Night at the Silvertips on the 29<sup>th</sup>.

Gloria Hirashima:

- Annexation census is underway. Crews began counting last weekend. They have hit about a third of the houses over the weekend and have been very successful.
- She announced she got married over the weekend.

Kevin Nielsen:

- Will be adding an ordinance to the existing agenda in support of delaying the project regarding the break in access on Highway 92 in order to coordinate with other construction projects. Mary Swenson commended Kevin Nielsen and John Tatum for negotiating the details of this.
- Public Works Committee scheduled for this Friday to discuss rates.
- Currently doing shoulder maintenance.
- Have developed routes for sweeping in the annexation area. Have received many calls with trash collection questions.

Chief Smith:

- Annexation went extremely well for the police department. Sno-Pac did a great job with the transition. He stated that it is busy in that area, but not overwhelming. They have had no complaints about anything. They will be working with SCSO about neighborhood watch programs in the area. Everett has a community policing model that we will also be looking at.



- Take home vehicle policy should be done by January 11. They are waiting for some racks so officers can store their rifles.

Grant Weed:

- Discussed conveyances and real property interests of properties in the new annexation area.
- They will be issuing RFPs for Public Defender services for Marysville Municipal Court and they will be coming back to Council with a recommendation in February.

Mary Swenson:

- The annexation happened smoothly. She commended every department for the coordination that happened with that.
- She reported that both the Marysville Police Officers Association and the Teamsters Union have agreed not to take their COLA this year. This is extremely beneficial to the citizens of the city and the also the new annexation. She said she was very proud of the employees.
- She expressed appreciation to Senators Haugan and Hobbs for their work on the break in access issue. This will improve connectivity with the whole region. A representative from WSDOT wanted Ms. Swenson to convey to the Council that they were extremely pleased with Marysville's elected officials and how they were willing to take the heat to get the connectivity that needs to happen.
- She announced that they would need an executive session to discuss personnel qualifications. It was expected to take 20 minutes with no action.

**Call on Councilmembers**

Jeff Vaughan:

- He was pleased that the police would be looking into the neighborhood watch program.
- He was impressed with the food at Cedarcrest Grill.
- He announced that today his company took an order from Bill Gates.

Carmen Rasmussen:

- She is getting quite a few inquiries from people who live in the annexation areas. She asked how these should be handled. Staff recommended that these be forwarded to the appropriate department.
- She has noticed a tremendous amount of graffiti right outside the high school in the annexation area.
- TAC Committee has asked for a letter saying who would be appointed to that committee.
- Congratulations to Gloria Hirashima on her recent marriage.

Jon Nehring:

- Doug Lee had suggested that they name the park near the late Officer Timothy Brenton's house after Officer Brenton. The family has been contacted and they are

very much in favor of this. There was consensus among the Council that this would be a good idea.

Donna Wright:

- Said all but one of the contacts she has received about the annexation have been positive.
- She asked if there were any fireworks issues on New Years Eve. Chief Smith said it was very limited and there were no complaints.

Lee Phillips said he was glad to be back.

John Soriano:

- Wished everyone a Happy New Year.
- He informed everyone that AWC will be happening at the same time as LEOFF 1 and Public Safety Meetings so he will have a conflict with attending those.

Seibert:

- Congratulations to Gloria Hirashima.
- He commended everyone for the work on break in access and also the annexation.

Council recessed at 8:13 p.m. for a short break after which time they reconvened into Executive Session as authorized by RCW 42.30.110(1)(g) it was announced that the executive session would last 20 minutes with no action expected.

**Executive Session** started at 8:32 p.m.

A. Litigation

B. Personnel – one item pertaining to personnel qualifications, in accordance with RCW 42.30.110(1)(g)

C. Real Estate

### **Adjournment**

Seeing no further business Mayor Kendall adjourned the meeting at 8:52 p.m.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2010.


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

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

**CITY OF MARYSVILLE**

**EXECUTIVE SUMMARY FOR ACTION**

**CITY COUNCIL MEETING DATE: January 25, 2010**

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

Please see attached.

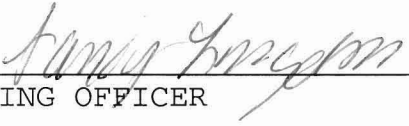
**RECOMMENDED ACTION:**

The Finance and Executive Departments recommend City Council approve the **December 30, 2009** claims in the amount of **\$179,792.83** paid by **Check No.'s 60183 through 60279** with no Check No.'s voided.

**COUNCIL ACTION:**

BLANKET CERTIFICATION  
**CLAIMS**  
FOR  
**PERIOD-12**

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 **\$179,792.83 PAID BY CHECK NO.'S 60183 THROUGH 60279 WITH NO CHECK NUMBER VOIDED** ARE JUST, DUE AND UNPAID OBLIGATIONS AGAINST THE CITY OF MARYSVILLE, AND THAT I AM AUTHORIZED TO AUTHENTICATE AND TO CERTIFY SAID CLAIMS.

  
\_\_\_\_\_  
AUDITING OFFICER

  
\_\_\_\_\_  
DATE

\_\_\_\_\_  
MAYOR DATE

WE, THE UNDERSIGNED COUNCIL MEMBERS OF MARYSVILLE, WASHINGTON DO HEREBY APPROVE FOR PAYMENT THE ABOVE MENTIONED **CLAIMS** ON THIS **30<sup>th</sup> DAY OF DECEMBER 2009.**

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

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

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COUNCIL MEMBER

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COUNCIL MEMBER

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COUNCIL MEMBER

**CITY OF MARYSVILLE  
 INVOICE LIST**

**FOR INVOICES FROM 12/24/2009 TO 12/30/2009**

| <u>CHK #</u> | <u>VENDOR</u>                      | <u>ITEM DESCRIPTION</u>        | <u>ACCOUNT #</u> | <u>ITEM AMOUNT</u> |
|--------------|------------------------------------|--------------------------------|------------------|--------------------|
| 60183        | ADVANTAGE BUILDING SERVICES        | JANITORIAL SERVICES            | 00100010.541010. | 605.88             |
|              | ADVANTAGE BUILDING SERVICES        |                                | 00101250.541010. | 950.52             |
|              | ADVANTAGE BUILDING SERVICES        |                                | 00103530.541010. | 535.16             |
|              | ADVANTAGE BUILDING SERVICES        |                                | 00105250.541000. | 435.49             |
|              | ADVANTAGE BUILDING SERVICES        |                                | 00105380.541000. | 620.40             |
|              | ADVANTAGE BUILDING SERVICES        |                                | 40141580.541000. | 37.73              |
|              | ADVANTAGE BUILDING SERVICES        |                                | 40142480.541000. | 403.76             |
|              | ADVANTAGE BUILDING SERVICES        |                                | 40143410.541000. | 1,032.75           |
|              | ADVANTAGE BUILDING SERVICES        |                                | 40143780.541000. | 202.51             |
| 60184        | ALBERTSONS FOOD CENTER #471        | INMATE SUPPLIES                | 00103960.531000. | 625.01             |
| 60185        | ALLWEST UNDERGROUND INC            | CST / TRAINING                 | 10111160.549000. | 81.54              |
|              | ALLWEST UNDERGROUND INC            | CPT / TRAINING                 | 10111160.549000. | 448.47             |
|              | ALLWEST UNDERGROUND INC            |                                | 40143410.549030. | 285.39             |
|              | ALLWEST UNDERGROUND INC            | CST / TRAINING                 | 40143410.549030. | 407.70             |
|              | ALLWEST UNDERGROUND INC            | CPT / TRAINING                 | 40143410.549050. | 122.31             |
|              | ALLWEST UNDERGROUND INC            | CST / TRAINING                 | 40143410.549050. | 326.16             |
| 60186        | AM TEST INC                        | WATER BACTERIOLOGICAL ANALYSIS | 40140780.541000. | 880.00             |
| 60187        | AWWA NW SUBSECTION                 | 2010 WINTER WORKSHOP-AVEY, R   | 40143410.549030. | 60.00              |
|              | AWWA NW SUBSECTION                 | 2010 WINTER WORKSHOP-GETTLE, R | 40143410.549030. | 60.00              |
|              | AWWA NW SUBSECTION                 | 2010 WINTER WORKSHOP-LAMBERT,  | 40143410.549030. | 60.00              |
| 60188        | ASCOM HASLER/GE CAP PROG           | POSTAGE METER                  | 00100020.542000. | 13.86              |
|              | ASCOM HASLER/GE CAP PROG           |                                | 00100110.545000. | 27.69              |
|              | ASCOM HASLER/GE CAP PROG           |                                | 00100310.545000. | 27.69              |
|              | ASCOM HASLER/GE CAP PROG           |                                | 00101023.545000. | 27.69              |
|              | ASCOM HASLER/GE CAP PROG           |                                | 00101130.545000. | 27.69              |
|              | ASCOM HASLER/GE CAP PROG           |                                | 00102020.545000. | 27.68              |
|              | ASCOM HASLER/GE CAP PROG           |                                | 00105515.545000. | 27.69              |
|              | ASCOM HASLER/GE CAP PROG           |                                | 00143523.545000. | 27.69              |
|              | ASCOM HASLER/GE CAP PROG           |                                | 40143410.542000. | 13.86              |
| 60189        | ASL INTERPRETER NETWORK            | INTERPRETER SERVICES           | 00102515.549000. | 163.00             |
| 60190        | ATKINSON, EDWARD & ANNE            | UB 230800000000 4932 121ST PL  | 401.122110.      | 14.37              |
| 60191        | AUDIOLINK, LLC                     | FM NECKLOOP                    | 001.231700.      | -4.73              |
|              | AUDIOLINK, LLC                     |                                | 00100050.531000. | 59.67              |
| 60192        | OWEN EQUIPMENT COMPANY             | DEBRIS HOSES,HOSE ENDS,EXTENDA | 40142080.531000. | 2,476.35           |
| 60193        | BRANOM INSTRUMENT CO               | CALIBRATION OF FLOW METERS     | 40140780.548000. | 1,023.69           |
|              | BRANOM INSTRUMENT CO               |                                | 40142480.548000. | 1,023.69           |
| 60194        | IRATXE CARDWELL                    | INTERPRETER SERVICES           | 00102515.549000. | 100.00             |
|              | IRATXE CARDWELL                    |                                | 00102515.549000. | 100.00             |
|              | IRATXE CARDWELL                    |                                | 00102515.549000. | 100.00             |
|              | IRATXE CARDWELL                    |                                | 00105515.549000. | 100.00             |
| 60195        | CARROT-TOP INDUSTRIES INC          | (10) NYLON US FLAGS            | 001.231700.      | -33.66             |
|              | CARROT-TOP INDUSTRIES INC          |                                | 00105380.531000. | 425.02             |
| 60196        | CARR'S ACE HARDWARE                | GFI,PADLOCKS,BATTERIES         | 00105380.531000. | 134.15             |
| 60197        | CASCADE NATURAL GAS                | NATURAL GAS SRVC @ STILLY      | 40141580.547000. | 1,623.32           |
| 60198        | CMS COMMUNICATIONS, INC.           | (3) 5220 MITEL PHONES          | 503.231700.      | -15.03             |
|              | CMS COMMUNICATIONS, INC.           |                                | 50300090.542000. | 189.75             |
| 60199        | CO-OP SUPPLY                       | TUBING,CAULK,KNIFE,BUCKETS     | 40142480.531300. | 47.21              |
|              | CO-OP SUPPLY                       | SIGNS,LOCK SPRAY               | 40145040.548000. | 44.22              |
| 60200        | FANNIE COSTA                       | REFUND DEPOSIT FOR RENTAL      | 001.239100.      | 100.00             |
| 60201        | AUREA DAGANDA                      |                                | 001.239100.      | 100.00             |
| 60202        | DATABASE SECURE RECORDS DESTRUCTIO | MONTHLY SHREDDING SERVICE      | 00100050.548000. | 43.88              |
| 60203        | DAY WIRELESS SYSTEMS               | EXPERT WITNESS TESTIMONY       | 00100050.549210. | 86.88              |

**CITY OF MARYSVILLE  
 INVOICE LIST**

**FOR INVOICES FROM 12/24/2009 TO 12/30/2009**

| <u>CHK #</u> | <u>VENDOR</u>                      | <u>ITEM DESCRIPTION</u>        | <u>ACCOUNT #</u>      | <u>ITEM AMOUNT</u> |
|--------------|------------------------------------|--------------------------------|-----------------------|--------------------|
| 60204        | ARLINE DEPALMA                     | INSTRUCTOR SERVICES            | 00105250.541020.      | 20.00              |
|              | ARLINE DEPALMA                     |                                | 00105250.541020.      | 196.00             |
| 60205        | DICKS TOWING INC                   | TOWING EXPENSE-VEH #P101       | 50100065.548000.      | 43.44              |
| 60206        | DMCMA                              | DMCMA MEMBERSHIP-EISNER, S     | 00100050.549000.      | 150.00             |
|              | DMCMA                              | DMCMA MEMBERSHIP-RICKER, K     | 00100050.549000.      | 150.00             |
| 60207        | DRIVELINES NW                      | END YOKE,UJOINT,SET SCREW      | 50100065.534000.      | 47.81              |
| 60208        | SONYA DUDDER                       | WATER/SEWER CONSERVATION REBA  | 40143410.549070.      | 50.00              |
| 60209        | DUNLAP INDUSTRIAL                  | CABLE,CLAMPS,WIRE ROPE THIMBLE | 40142480.548000.      | 516.35             |
| 60210        | E&E LUMBER INC                     | PLYWOOD                        | 00100010.531000.      | 12.80              |
|              | E&E LUMBER INC                     | (4) 60# BAGS CONCRETE          | 00105380.531000.      | 12.81              |
|              | E&E LUMBER INC                     | LAMPS,LIGHTS                   | 00105380.531000.      | 15.07              |
|              | E&E LUMBER INC                     | GRAFFITI SUPPLIES              | 00105380.531000.      | 26.40              |
|              | E&E LUMBER INC                     | (11) 60# BAGS CONCRETE         | 00105380.531000.      | 35.24              |
|              | E&E LUMBER INC                     | HOOKS                          | 00105380.531000.      | 46.14              |
|              | E&E LUMBER INC                     | BASE ADHESIVE                  | 10308521.535000.0933  | 17.89              |
|              | E&E LUMBER INC                     | WOOD,GLUE,CAULK                | 10308521.535000.0933  | 28.97              |
|              | E&E LUMBER INC                     | PLYWOOD,BRACKETS               | 10308521.535000.0933  | 177.84             |
|              | E&E LUMBER INC                     | SHELVING-TAC TEAM              | 10308521.535000.0933  | 194.52             |
|              | E&E LUMBER INC                     | PVC PRIMER,GLUE,CAPS           | 40140480.531000.      | 16.63              |
|              | E&E LUMBER INC                     | PVC,GOOF OFF,SOCKET SET        | 40140480.531000.      | 46.61              |
|              | E&E LUMBER INC                     | FASTENERS                      | 40142480.548000.      | 37.27              |
|              | E&E LUMBER INC                     | BAR TOP BRACKETS               | 42047061.549100.      | 84.32              |
| 60211        | ECO STREET LIGHTING, LLC           | 60 WATT LED STREET LIGHT       | 10110463.531000.      | 405.79             |
| 60212        | EMERALD HILLS COFFEE SERVICE       | COFFEE SUPPLIES-KBSCC          | 10605250.549000.      | 17.28              |
| 60213        | THE DAILY HERALD COMPANY           | SUBSCRIPTION-KBSCC             | 00105250.531000.      | 150.00             |
| 60214        | EVERETT TIRE & AUTOMOTIVE          | TIRE                           | 50100065.534000.      | 137.16             |
| 60215        | CITY TREASURER EVERETT WA          | WATER/FILTRATION SERVICE CHARG | 40140080.533000.      | 94,658.79          |
| 60216        | CITY OF EVERETT                    | LAB ANALYSIS                   | 40140780.541000.      | 108.00             |
|              | CITY OF EVERETT                    |                                | 40142480.541000.      | 332.10             |
| 60217        | EVERGREEN PRINT SOLUTIONS          | PAYMENT ARRANGEMENT FORMS      | 00143523.531000.      | 395.08             |
|              | EVERGREEN PRINT SOLUTIONS          | (1000) GARBAGE ROUTE CARDS     | 41046060.531000.      | 186.79             |
|              | EVERGREEN PRINT SOLUTIONS          | (3000) GARBAGE TAGS            | 41046060.531000.      | 1,175.70           |
| 60218        | FINE LINE INSTRUMENT               | ROSEMOUNT CHLORINE SENSOR      | 40141580.548000.      | 877.49             |
| 60219        | SARAH FLETCHER                     | REFUND DEPOSIT FOR RENTAL      | 001.239100.           | 100.00             |
| 60220        | CHRIS FLOYD                        | INSTRUCTOR SERVICES            | 00105120.541020.      | 2,670.20           |
|              | CHRIS FLOYD                        |                                | 00105120.541020.      | 2,759.70           |
| 60221        | GENERAL CHEMICAL CORP              | ALUMINUM SULFATE 12.118 DRY TO | 40142480.531320.      | 3,316.37           |
| 60222        | GOVCONNECTION INC                  | APC SMART-UPS                  | 40142280.549000.      | 290.68             |
|              | GOVCONNECTION INC                  | MISC PERIPHERALS               | 50300090.531000.      | 47.70              |
| 60223        | GRAYBAR ELECTRIC CO INC            | FUSES,LIGHTS                   | 00105380.531000.      | 72.75              |
|              | GRAYBAR ELECTRIC CO INC            | MISC SUPPLIES                  | 10308521.535000.0933  | 234.85             |
| 60224        | GREG RAIRDON'S DODGE CHRYSLER JEEP | TURN SIGNAL MODULE             | 50100065.534000.      | 76.00              |
| 60225        | CHRIS L. GRIFFEN                   | PUBLIC DEFENDER                | 00105515.541040.      | 4,403.00           |
| 60226        | GORDON HALLGREN                    | INSTRUCTOR SERVICES            | 00105120.541020.      | 146.25             |
| 60227        | HAMMOND, ROBIN                     | UB 250010200000 10714 58TH DR  | 401.122110.           | 42.86              |
| 60228        | HARRIS & ASSOCIATES                | PAY ESTIMATE # 19              | 30500030.563000.R0301 | 3,800.94           |
| 60229        | ROSE HAYES                         | INSTRUCTOR SERVICES            | 00105250.541020.      | 50.00              |
| 60230        | HD FOWLER COMPANY                  | RETURN HARDWARE                | 40140580.531000.      | -47.72             |
|              | HD FOWLER COMPANY                  | NUTS,WASHERS                   | 40140580.531000.      | 59.76              |
| 60231        | HD SUPPLY WATERWORKS, LTD          | REPLACEMENT HYDRANT            | 40141080.531000.      | 1,789.30           |
|              | HD SUPPLY WATERWORKS, LTD          | PARTS TO REPLACE HYDRANT       | 40141080.531000.      | 1,882.17           |
| 60232        | DEPARTMENT OF HEALTH               | WW OPERATOR CERT RENEWAL-AVE   | 40143410.549000.      | 42.00              |

**CITY OF MARYSVILLE  
 INVOICE LIST**

**FOR INVOICES FROM 12/24/2009 TO 12/30/2009**

| <u>CHK #</u> | <u>VENDOR</u>                   | <u>ITEM DESCRIPTION</u>        | <u>ACCOUNT #</u>      | <u>ITEM AMOUNT</u> |
|--------------|---------------------------------|--------------------------------|-----------------------|--------------------|
| 60232        | DEPARTMENT OF HEALTH            | WW OPERATOR CERT RENEWAL-BRYA  | 40143410.549000.      | 42.00              |
|              | DEPARTMENT OF HEALTH            | WW OPERATOR CERT RENEWAL-BUEI  | 40143410.549000.      | 42.00              |
|              | DEPARTMENT OF HEALTH            | WW OPERATOR CERT RENEWAL-BYDI  | 40143410.549000.      | 42.00              |
|              | DEPARTMENT OF HEALTH            | WW OPERATOR CERT RENEWAL-DAGC  | 40143410.549000.      | 42.00              |
|              | DEPARTMENT OF HEALTH            | WW OPERATOR CERT RENEWAL-DAVI  | 40143410.549000.      | 42.00              |
|              | DEPARTMENT OF HEALTH            | WW OPERATOR CERT RENEWAL-DZAN  | 40143410.549000.      | 42.00              |
|              | DEPARTMENT OF HEALTH            | WW OPERATOR CERT RENEWAL-ERGA  | 40143410.549000.      | 42.00              |
|              | DEPARTMENT OF HEALTH            | WW OPERATOR CERT RENEWAL-GEIS  | 40143410.549000.      | 42.00              |
|              | DEPARTMENT OF HEALTH            | WW OPERATOR CERT RENEWAL-GESS  | 40143410.549000.      | 42.00              |
|              | DEPARTMENT OF HEALTH            | WW OPERATOR CERT RENEWAL-GETT  | 40143410.549000.      | 42.00              |
|              | DEPARTMENT OF HEALTH            | WW OPERATOR CERT RENEWAL-HAW   | 40143410.549000.      | 42.00              |
|              | DEPARTMENT OF HEALTH            | WW OPERATOR CERT RENEWAL-KING  | 40143410.549000.      | 42.00              |
|              | DEPARTMENT OF HEALTH            | WW OPERATOR CERT RENEWAL-LAMJ  | 40143410.549000.      | 42.00              |
|              | DEPARTMENT OF HEALTH            | WW OPERATOR CERT RENEWAL-LARS  | 40143410.549000.      | 42.00              |
|              | DEPARTMENT OF HEALTH            | WW OPERATOR CERT RENEWAL-MOR   | 40143410.549000.      | 42.00              |
|              | DEPARTMENT OF HEALTH            | WW OPERATOR CERT RENEWAL-NEW   | 40143410.549000.      | 42.00              |
|              | DEPARTMENT OF HEALTH            | WW OPERATOR CERT RENEWAL-PALM  | 40143410.549000.      | 42.00              |
|              | DEPARTMENT OF HEALTH            | WW OPERATOR CERT RENEWAL-SKYT  | 40143410.549000.      | 42.00              |
|              | DEPARTMENT OF HEALTH            | WW OPERATOR CERT RENEWAL-STRC  | 40143410.549000.      | 42.00              |
|              | DEPARTMENT OF HEALTH            | WW OPERATOR CERT RENEWAL-ZAHN  | 40143410.549000.      | 42.00              |
| 60233        | HEUER, RONALD                   | UB 761282514001 5802 77TH AVE  | 410.122100.           | 61.45              |
| 60234        | HOUSE OF UPHOLSTERY             | UPHOLSTERY REPAIR              | 50100065.548000.      | 461.55             |
| 60235        | HILARY A HUGHES                 | INTERPRETER SERVICES           | 00102515.549000.      | 195.00             |
| 60236        | INTERSTATE AUTO PARTS WAREHOUSE | RELAY JUMPERS,MISC FUSES       | 50100065.531000.      | 86.33              |
| 60237        | IRON MOUNTAIN QUARRY LLC        | 3/4 MINUS                      | 40140580.531000.      | 64.06              |
|              | IRON MOUNTAIN QUARRY LLC        | 1 1/4 MINUS                    | 40145040.549200.M0921 | 101.65             |
|              | IRON MOUNTAIN QUARRY LLC        |                                | 40145040.549200.M0921 | 116.25             |
|              | IRON MOUNTAIN QUARRY LLC        |                                | 40145040.549200.M0921 | 225.11             |
| 60238        | TRACY JACOBSEN                  | REIMBURSE MILEAGE              | 00100030.543000.      | 21.45              |
| 60239        | JENNIFER JOHNSTON               | REFUND DEPOSIT FOR RENTAL      | 001.239100.           | 100.00             |
| 60240        | KENWORTH NORTHWEST INC          | EXHAUST BAND CLAMP             | 50100065.534000.      | 47.17              |
|              | KENWORTH NORTHWEST INC          | EXHAUST FLEX PIPE              | 50100065.534000.      | 89.96              |
|              | KENWORTH NORTHWEST INC          | REGULATOR,THERMOSTAT ASSEMBL   | 50100065.534000.      | 112.33             |
| 60241        | SANDY LANGDON                   | REIMBURSE EMPLOYEE APPRECIATIO | 00100310.549010.      | 60.00              |
| 60242        | MARY LESH                       | REFUND DEPOSIT FOR RENTAL      | 001.239100.           | 100.00             |
| 60243        | LOWES HIW INC                   | FLOOR SLIDERS,WALL HOOKS       | 10308521.535000.0933  | 67.03              |
|              | LOWES HIW INC                   | HAND TOOLS FOR BACKFLOW REPAIR | 40140880.531000.      | 52.81              |
| 60244        | MARYSVILLE AWARDS               | NAMEPLATES                     | 50300090.531000.      | 33.67              |
| 60245        | CITY OF MARYSVILLE              | WTR/SWR @ 7115 GROVE ST        | 42047165.547000.      | 198.59             |
|              | CITY OF MARYSVILLE              | WTR/SWR/GRB @ 7007 GROVE ST    | 42047165.547000.      | 833.85             |
| 60246        | MORGAN SOUND INC                | TRANSMITTER/RECEIVER-COUNCIL C | 00103530.531000.      | 550.06             |
| 60247        | JANET MYER                      | INSTRUCTOR SERVICES            | 00105250.541020.      | 89.60              |
| 60248        | NIGH, ETHEL                     | UB 890500000000 5401 79TH PL N | 401.122110.           | 36.08              |
| 60249        | KRYSTAL E. NOGA-STYRON          | PRO-TEM SERVICES               | 00100050.541000.      | 370.00             |
| 60250        | NORTH COAST ELECTRIC COMPANY    | BULBS                          | 40142480.548000.      | 20.75              |
| 60251        | NORTHWEST CASCADE INC           | HONEY BUCKET                   | 00105380.545000.      | 103.33             |
| 60252        | OFFICE DEPOT                    | OFFICE SUPPLIES                | 00100110.531000.      | 8.60               |
|              | OFFICE DEPOT                    |                                | 00100110.531000.      | 12.40              |
|              | OFFICE DEPOT                    |                                | 00100110.531000.      | 160.09             |
|              | OFFICE DEPOT                    |                                | 00101130.531000.      | 36.70              |
|              | OFFICE DEPOT                    |                                | 00143523.531000.      | 82.76              |

**CITY OF MARYSVILLE  
 INVOICE LIST**

**FOR INVOICES FROM 12/24/2009 TO 12/30/2009**

| <u>CHK #</u> | <u>VENDOR</u>                    | <u>ITEM DESCRIPTION</u>        | <u>ACCOUNT #</u>      | <u>ITEM AMOUNT</u> |
|--------------|----------------------------------|--------------------------------|-----------------------|--------------------|
| 60252        | OFFICE DEPOT                     | OFFICE SUPPLIES                | 40142380.531000.      | 297.01             |
| 60253        | OGDEN MURPHY WALLACE PLLC        | VERIZON FRONTIER FRANCHISE TRA | 00100720.541000.      | 84.60              |
| 60254        | THE PARTS STORE                  | FILTER                         | 50100065.534000.      | 7.12               |
|              | THE PARTS STORE                  | THEROMSTAT O RING              | 50100065.534000.      | 7.23               |
|              | THE PARTS STORE                  | IGNITION SWITCH                | 50100065.534000.      | 8.57               |
|              | THE PARTS STORE                  | FLASHER                        | 50100065.534000.      | 9.07               |
|              | THE PARTS STORE                  | THEROMSTAT,GASKET,ZIP TIES     | 50100065.534000.      | 25.56              |
|              | THE PARTS STORE                  | TURN SIGNAL SWITCH ASSEMBLY    | 50100065.534000.      | 38.42              |
|              | THE PARTS STORE                  | IGNITION COIL                  | 50100065.534000.      | 45.10              |
|              | THE PARTS STORE                  | TRANS LINK DISCONNECT FIT      | 50100065.534000.      | 152.03             |
| 60255        | PETTY CASH- FINANCE              | HOLIDAY PARTY FOOD             | 00100310.549010.      | 117.52             |
| 60256        | PLATT- EVERETT                   | ELECTRICAL SUPPLIES            | 40142480.548000.      | 23.48              |
|              | PLATT- EVERETT                   | DIGITAL DISPLAYS               | 40142480.548000.      | 739.28             |
| 60257        | UNITED STATES POSTAL SERVICE     | POSTAGE                        | 00104190.542000.      | 1,000.00           |
| 60258        | UNITED STATES POSTAL SERVICE     | POSTAGE-PERMIT 80 ACCOUNT      | 00105250.544000.      | 100.87             |
| 60259        | PUGET SOUND SECURITY PATROL INC. | SECURITY SERVICES              | 00100030.541000.      | 103.14             |
|              | PUGET SOUND SECURITY PATROL INC. |                                | 00100030.541000.      | 820.64             |
|              | PUGET SOUND SECURITY PATROL INC. |                                | 00100050.541000.      | 309.42             |
|              | PUGET SOUND SECURITY PATROL INC. |                                | 00100050.541000.      | 2,461.92           |
| 60260        | PUD NO 1 OF SNOHOMISH COUNTY     | ACCT #572-001-307-6            | 00105090.547000.      | 117.69             |
|              | PUD NO 1 OF SNOHOMISH COUNTY     | ACCT #277-001-775-0            | 00105250.547000.      | 1,032.71           |
|              | PUD NO 1 OF SNOHOMISH COUNTY     | ACCT #411-002-222-7            | 00105380.547000.      | 40.30              |
|              | PUD NO 1 OF SNOHOMISH COUNTY     | ACCT #501-001-656-5            | 00105380.547000.      | 142.07             |
|              | PUD NO 1 OF SNOHOMISH COUNTY     | ACCT #274-001-574-4            | 00105380.547000.      | 167.01             |
|              | PUD NO 1 OF SNOHOMISH COUNTY     | ACCT #910-002-522-1            | 00105380.547000.      | 601.13             |
|              | PUD NO 1 OF SNOHOMISH COUNTY     | ACCT #527-001-632-1            | 10110564.531000.      | 878.05             |
|              | PUD NO 1 OF SNOHOMISH COUNTY     | ACCT #412-001-373-7            | 10111864.547000.      | 49.60              |
|              | PUD NO 1 OF SNOHOMISH COUNTY     | ACCT #664-001-090-3            | 10111864.547000.      | 93.93              |
|              | PUD NO 1 OF SNOHOMISH COUNTY     | ACCT #519-001-313-5            | 10111864.547000.      | 105.07             |
|              | PUD NO 1 OF SNOHOMISH COUNTY     | ACCT #441-001-033-6            | 10111864.547000.      | 131.93             |
|              | PUD NO 1 OF SNOHOMISH COUNTY     | ACCT #123-000-023-2            | 10111864.547000.      | 153.90             |
|              | PUD NO 1 OF SNOHOMISH COUNTY     | ACCT #230-075-562-2            | 10111864.547000.      | 161.30             |
|              | PUD NO 1 OF SNOHOMISH COUNTY     | ACCT #162-000-094-1            | 10111864.547000.      | 1,070.55           |
|              | PUD NO 1 OF SNOHOMISH COUNTY     | ACCT #493-001-880-1            | 40140180.547000.      | 31.75              |
|              | PUD NO 1 OF SNOHOMISH COUNTY     | ACCT #507-016-549-2            | 40142280.547000.      | 103.29             |
|              | PUD NO 1 OF SNOHOMISH COUNTY     | ACCT #243-001-286-0            | 40142280.547000.      | 615.42             |
|              | PUD NO 1 OF SNOHOMISH COUNTY     | ACCT #543-001-067-7            | 40143410.547000.      | 30.72              |
| 60261        | PUGET SOUND SECURITY             | SIGNAL CABINET LOCK CORES      | 10111864.531000.      | 833.02             |
| 60262        | VICKEY QUINTEL                   | INSTRUCTOR SERVICES            | 00105250.541020.      | 755.30             |
| 60263        | R&R PRODUCTS INC                 | BACKPACK BLOWER                | 00105380.535000.      | 542.95             |
| 60264        | RAMIREZ, ROBERTO                 | UB 711150000002 4625 80TH ST N | 401.122130.           | 756.14             |
| 60265        | SOUND PUBLISHING INC             | CALL FOR BIDS AD-ACCT #8852214 | 30500030.563000.R0502 | 215.52             |
|              | SOUND PUBLISHING INC             |                                | 40220594.563000.W0602 | 35.92              |
| 60266        | SOUND SAFETY PRODUCTS CO INC     | RAINGEAR-DAY, S                | 00105380.526000.      | 295.39             |
| 60267        | STRATEGIES 360 INC               | PROFESSIONAL SERVICES 12/09    | 10111230.541000.      | 3,750.00           |
|              | STRATEGIES 360 INC               |                                | 40143410.541000.      | 3,750.00           |
| 60268        | T & A SUPPLY CO INC              | CREDIT INV 342600 WRONG AMOUNT | 42047061.549100.      | -264.85            |
|              | T & A SUPPLY CO INC              | COVER BASE,SURFACE SHIELD      | 42047061.549100.      | 264.85             |
|              | T & A SUPPLY CO INC              |                                | 42047061.549100.      | 289.22             |
| 60269        | TRADER, JAMES                    | UB 766220000000 6220 73RD AVE  | 401.122110.           | 227.41             |
| 60270        | DEPT OF TRANSPORTATION NW REGION | PROJECT COSTS 11/09            | 40220594.563000.W0804 | 2,012.47           |
| 60271        | DEPT OF TRANSPORTATION NW REGION | CONSTRUCTION ENGINEERING 7/09  | 10200030.548000.M0910 | 305.43             |



**CITY OF MARYSVILLE  
 INVOICE LIST**

**FOR INVOICES FROM 12/24/2009 TO 12/30/2009**

| <u>CHK #</u>          | <u>VENDOR</u>                    | <u>ITEM DESCRIPTION</u>       | <u>ACCOUNT #</u>      | <u>ITEM AMOUNT</u>              |
|-----------------------|----------------------------------|-------------------------------|-----------------------|---------------------------------|
| 60271                 | DEPT OF TRANSPORTATION NW REGION | CONSTRUCTION ENGINEERING 9/09 | 10200030.548000.M0910 | 372.88                          |
| 60272                 | UNITED PARCEL SERVICE            | SHIPPING EXPENSE              | 10110463.531000.      | 10.40                           |
|                       | UNITED PARCEL SERVICE            |                               | 40142080.549000.      | 37.82                           |
| 60273                 | UNITED PIPE & SUPPLY INC         | RESETTERS                     | 40220594.563000.W0607 | 7,559.89                        |
| 60274                 | VERIZON NORTHWEST                | ACCT #104650377503            | 00105250.542000.      | 137.92                          |
|                       | VERIZON NORTHWEST                | ACCT #102954091901            | 50148058.542000.      | 61.40                           |
| 60275                 | VERIZON NORTHWEST                | BLACKBERRY CHARGES            | 00100020.542000.      | 57.75                           |
|                       | VERIZON NORTHWEST                |                               | 00100050.542000.      | 57.75                           |
|                       | VERIZON NORTHWEST                |                               | 00100110.542000.      | 115.53                          |
|                       | VERIZON NORTHWEST                |                               | 00100310.542000.      | 57.75                           |
|                       | VERIZON NORTHWEST                |                               | 00101023.542000.      | 57.75                           |
|                       | VERIZON NORTHWEST                |                               | 00102020.542000.      | 57.75                           |
|                       | VERIZON NORTHWEST                |                               | 00103010.542000.      | 57.75                           |
|                       | VERIZON NORTHWEST                |                               | 00105120.542000.      | 57.75                           |
|                       | VERIZON NORTHWEST                |                               | 00105515.542000.      | 115.51                          |
|                       | VERIZON NORTHWEST                |                               | 40143410.531000.      | 117.43                          |
|                       | VERIZON NORTHWEST                |                               | 40143410.542000.      | 57.75                           |
| 60276                 | VERN REEVES                      | ENTERTAINER 12/09 POTLUCK     | 00105250.531050.      | 75.00                           |
| 60277                 | WAXIE SANITARY SUPPLY            | (6) 50# BAGS ICE MELT         | 00105380.531000.      | 67.44                           |
| 60278                 | WEST PAYMENT CENTER              | RCW POCKET PARTS              | 00100050.531000.      | 325.92                          |
|                       | WEST PAYMENT CENTER              | COURT RULES/WA COURT RULES    | 00100050.531000.      | 704.82                          |
| 60279                 | WINGFOOT COMMERCIAL              | TIRES                         | 50100065.534000.      | 190.87                          |
| <b>WARRANT TOTAL:</b> |                                  |                               |                       | <b><u><u>179,792.83</u></u></b> |


**REASON FOR VOIDS:**

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

**CITY OF MARYSVILLE**

**EXECUTIVE SUMMARY FOR ACTION**

**CITY COUNCIL MEETING DATE: January 25, 2010**

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

Please see attached.

**RECOMMENDED ACTION:**

The Finance and Executive Departments recommend City Council approve the **December 31, 2009** claims in the amount of **\$180,568.27** paid by **Check No.'s 60288 through 60381** with no Check No.'s voided.

**COUNCIL ACTION:**

BLANKET CERTIFICATION

**CLAIMS**

FOR

**PERIOD-13**

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 **\$180,568.27 PAID BY CHECK NO.'S 60288 THROUGH 60381 WITH NO CHECK NUMBER VOIDED** ARE JUST, DUE AND UNPAID OBLIGATIONS AGAINST THE CITY OF MARYSVILLE, AND THAT I AM AUTHORIZED TO AUTHENTICATE AND TO CERTIFY SAID CLAIMS.

*[Handwritten Signature]*  
\_\_\_\_\_  
AUDITING OFFICER

*1/16/10*  
\_\_\_\_\_  
DATE

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
DATE

WE, THE UNDERSIGNED COUNCIL MEMBERS OF MARYSVILLE, WASHINGTON DO HEREBY APPROVE FOR PAYMENT THE ABOVE MENTIONED **CLAIMS** ON THIS **31<sup>st</sup> DAY OF DECEMBER 2009.**

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

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COUNCIL MEMBER

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COUNCIL MEMBER

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COUNCIL MEMBER

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COUNCIL MEMBER

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

**CITY OF MARYSVILLE  
 INVOICE LIST**

**FOR INVOICES FROM 01/07/2010 TO 01/07/2010**

| <u>CHK #</u> | <u>VENDOR</u>                   | <u>ITEM DESCRIPTION</u>        | <u>ACCOUNT #</u>     | <u>ITEM AMOUNT</u> |
|--------------|---------------------------------|--------------------------------|----------------------|--------------------|
| 60288        | ADVANCED TRAFFIC PRODUCTS INC   | PED PUSH BUTTONS               | 10111864.531000.     | 1,953.17           |
| 60289        | ADVANTAGE BUILDING SERVICES     | EXTRA CLEANING-KBSCC           | 00105250.541000.     | 50.00              |
| 60290        | ROY A ALDERMAN                  | REIMBURSE MILEAGE              | 40143410.543010.     | 26.88              |
| 60291        | AM TEST INC                     | TESTING                        | 40140780.541000.     | 395.00             |
| 60292        | ARAMARK UNIFORM SERVICES        | MECHANICS UNIFORM              | 42047165.526000.     | 17.30              |
|              | ARAMARK UNIFORM SERVICES        |                                | 42047165.526000.     | 29.52              |
| 60293        | JAMES B BALLEW                  | REIMBURSE BREAKFAST MTG PURCH. | 00100310.549010.     | 237.10             |
| 60294        | BARGREEN-ELLINGSON, INC         | COFFEE DECANTER                | 420.125000.          | 56.15              |
|              | BARGREEN-ELLINGSON, INC         | COFFEE WARMER                  | 420.125000.          | 73.15              |
|              | BARGREEN-ELLINGSON, INC         | CASSEROLE DISH                 | 420.125000.          | 80.78              |
|              | BARGREEN-ELLINGSON, INC         | DISH DOLLY                     | 420.125000.          | 156.84             |
|              | BARGREEN-ELLINGSON, INC         | HOT DOG STEAMER                | 420.125000.          | 478.70             |
|              | BARGREEN-ELLINGSON, INC         | BAR SUPPLIES                   | 420.125000.          | 1,554.66           |
|              | BARGREEN-ELLINGSON, INC         | CHAIRS, TABLES, BENCHES        | 420.125000.          | 5,767.91           |
| 60295        | BARNES DISTRIBUTION INC         | TRUCK AIR BRK FITTING ASSORTME | 50100065.531000.     | 505.14             |
| 60296        | BICKFORD FORD-MERCURY           | BRAKE PADS, ROTORS             | 501.141100.          | 338.75             |
|              | BICKFORD FORD-MERCURY           | BEARINGS, SEAL, TENSIONER      | 50100065.534000.     | 368.02             |
|              | BICKFORD FORD-MERCURY           | MODULE                         | 50100065.534000.     | 444.02             |
| 60297        | BIG WEST EQUIPMENT, INC         | DRUM ROLLER BROOM              | 40145040.548000.     | 1,030.83           |
| 60298        | BLUMENTHAL UNIFORMS & EQUIPMENT | CREDIT-DUTY BELT               | 00103222.526000.     | -49.59             |
|              | BLUMENTHAL UNIFORMS & EQUIPMENT | CREDIT-BELT                    | 00103222.526000.     | -49.54             |
|              | BLUMENTHAL UNIFORMS & EQUIPMENT | FLASHLIGHT-GUNDERSON           | 00103222.526000.     | 92.30              |
|              | BLUMENTHAL UNIFORMS & EQUIPMENT | PROMO UNIFORM-JOHNSON          | 00103222.526000.     | 540.01             |
|              | BLUMENTHAL UNIFORMS & EQUIPMENT | VEST-GERFIN                    | 00103222.526000.     | 1,114.24           |
|              | BLUMENTHAL UNIFORMS & EQUIPMENT | NIK KITS                       | 00103222.531000.     | 55.28              |
|              | BLUMENTHAL UNIFORMS & EQUIPMENT | PANTS-WALLACE                  | 00103960.526000.     | 156.36             |
| 60299        | MARTY BREWER                    | USED GOLF BALLS                | 420.141100.          | 300.00             |
| 60300        | BUD BARTON'S GLASS CO           | RELOCATE WINDOW                | 00103530.541000.     | 162.90             |
| 60301        | CDW GOVERNMENT INC              | ADOBE PRO                      | 10111230.531000.     | 136.56             |
|              | CDW GOVERNMENT INC              | PRINTER FOR NITE OFFICE        | 10308521.535000.0933 | 343.18             |
|              | CDW GOVERNMENT INC              | ADOBE PRO                      | 40145040.531000.     | 136.57             |
|              | CDW GOVERNMENT INC              | USB FLASH DRIVE                | 50300090.531000.     | 146.41             |
| 60302        | COLUMBIA PAINT & COATINGS       | PAINT AND SUPPLIES             | 10308521.535000.0933 | 62.08              |
| 60303        | COMMERCIAL FIRE PROTECTION      | FIRE EXT MANTENANCE            | 42047061.549100.     | 52.50              |
|              | COMMERCIAL FIRE PROTECTION      | FIRE EXT MAINTENANCE           | 501.141100.          | 54.75              |
| 60304        | MERRITT SCOTT CONNER            | INSTRUCTOR SERVICES            | 00105250.541020.     | 104.00             |
| 60305        | CO-OP SUPPLY                    | RODENT CONTROL                 | 42047061.549100.     | 39.62              |
| 60306        | WA DEPT OF CORRECTIONS          | INMATE MEALS                   | 00103960.531250.     | 1,738.87           |
| 60307        | CRAFT MART                      | TABLE COVERS                   | 00105250.531050.     | 21.63              |
| 60308        | CRYSTAL SPRINGS                 | WATER DELIVERED/RENTAL         | 40142480.531330.     | 73.93              |
| 60309        | CUMMINS NORTHWEST INC           | BATTERY CHARGER ASSEMBLY       | 50100065.534000.     | 905.64             |
| 60310        | CUZ CONCRETE PRODUCTS           | SUMP PUMP, SWITCH, FITTINGS    | 40140180.531000.     | 225.41             |
| 60311        | DICKS TOWING INC                | TOWING EXPENSE-MP 09-6510      | 00103222.541000.     | 43.44              |
|              | DICKS TOWING INC                | TOWING EXPENSE-MP 09-6563      | 00103222.541000.     | 43.44              |
|              | DICKS TOWING INC                | TOWING EXPENSE-MP 09-6662      | 00103222.541000.     | 43.44              |
| 60312        | DIVERSIFIED                     | CONST STAKING PINK WISKERS     | 00100020.535000.     | 54.60              |
| 60313        | E&E LUMBER INC                  | FASTENERS                      | 00103530.531000.     | 5.21               |
|              | E&E LUMBER INC                  | TREATED LUMBER                 | 00105380.531000.     | 8.24               |
|              | E&E LUMBER INC                  | PLUG, CAP, NUTSETTER           | 00105380.531000.     | 13.34              |
|              | E&E LUMBER INC                  | SANDING DISCS                  | 00105380.531000.     | 16.92              |
|              | E&E LUMBER INC                  | LIGHT                          | 00105380.531000.     | 20.81              |
|              | E&E LUMBER INC                  | JANITORIAL SUPPLIES            | 42047165.531700.     | 31.46              |

**CITY OF MARYSVILLE  
 INVOICE LIST**

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|--------------|------------------------------------|--------------------------------|-----------------------|--------------------|
| 60313        | E&E LUMBER INC                     | MISC SUPPLIES FOR STORE ROOM   | 501.141100.           | 85.60              |
| 60314        | WA DEPARTMENT OF ECOLOGY           | RENEW WW OPERATOR CERT-BRYAN   | 40143410.549050.      | 30.00              |
|              | WA DEPARTMENT OF ECOLOGY           | RENEW WW OPERATOR CERT-BYDE    | 40143410.549050.      | 30.00              |
|              | WA DEPARTMENT OF ECOLOGY           | RENEW WW OPERATOR CERT-COBB    | 40143410.549050.      | 30.00              |
|              | WA DEPARTMENT OF ECOLOGY           | RENEW WW OPERATOR CERT-CRAIN   | 40143410.549050.      | 30.00              |
|              | WA DEPARTMENT OF ECOLOGY           | RENEW WW OPERATOR CERT-FILORI  | 40143410.549050.      | 30.00              |
|              | WA DEPARTMENT OF ECOLOGY           | RENEW WW OPERATOR CERT-FREEM   | 40143410.549050.      | 30.00              |
|              | WA DEPARTMENT OF ECOLOGY           | RENEW WW OPERATOR CERT-ROODZ   | 40143410.549050.      | 30.00              |
|              | WA DEPARTMENT OF ECOLOGY           | RENEW WW OPERATOR CERT-STAIR   | 40143410.549050.      | 30.00              |
| 60315        | EMPLOYMENT SECURITY DEPARTMENT     | EMPLOYMENT VERIFICATION        | 00103222.551000.      | 9.50               |
| 60316        | EVERETT TIRE & AUTOMOTIVE          | TIRES                          | 501.141100.           | 383.84             |
|              | EVERETT TIRE & AUTOMOTIVE          |                                | 50100065.534000.      | 366.19             |
| 60317        | EVERGREEN SECURITY SYSTEMS         | PHONE LINE SERVICES            | 00101250.548000.      | 103.17             |
|              | EVERGREEN SECURITY SYSTEMS         | PHONE LINE TESTING             | 00101250.548000.      | 103.17             |
| 60318        | FEDEX                              | SHIPPING EXPENSE               | 10110564.531000.      | 22.89              |
| 60319        | FEDEX                              |                                | 00103222.542000.      | 38.63              |
|              | FEDEX                              |                                | 50300090.531000.      | 86.87              |
| 60320        | JOSEPH FINLEY                      | REIMBURSE MILEAGE              | 50300090.543000.      | 94.17              |
| 60321        | GENERAL CHEMICAL CORP              | ALUM SULFATE                   | 40142480.531320.      | 3,228.79           |
|              | GENERAL CHEMICAL CORP              |                                | 40142480.531320.      | 3,333.60           |
| 60322        | HAAKENSEN GROUP INC                | RELOCATE TWO WORKSTATIONS      | 10400022.549000.0914  | 651.60             |
| 60323        | HACH COMPANY                       | BULBS                          | 40142480.548000.      | 107.02             |
| 60324        | HD FOWLER COMPANY                  | METER NUT,HAND PUMP            | 40140580.531000.      | 245.80             |
| 60325        | HD SUPPLY WATERWORKS, LTD          | GATE VLV,GASKET,BOLT KIT       | 40141080.531000.      | 561.09             |
|              | HD SUPPLY WATERWORKS, LTD          | HYDRANT,RESTRAINER PACK        | 40141080.531000.      | 1,939.73           |
| 60326        | HORIZON                            | IRRIGATION BUSHINGS,VALVES     | 42047165.531920.      | 169.78             |
| 60327        | INDUSTRIAL CONTROLS SUPPLY CO, INC | ELEC TIMER,FUSES               | 40142480.548000.      | 73.53              |
| 60328        | INFILCO DEGREMONT, INC.            | BALLAST,LAMPS,PINS             | 40142480.548000.      | 2,286.47           |
| 60329        | INTERNATL ASSOC. CHIEFS OF POLICE  | 2010 DUES                      | 00103010.541000.      | 120.00             |
|              | INTERNATL ASSOC. CHIEFS OF POLICE  |                                | 00103010.541000.      | 120.00             |
| 60330        | JET PLUMBING                       | REPAIR SHOWER                  | 00100010.548000.      | 153.09             |
|              | JET PLUMBING                       | REPAIR SINK                    | 00100010.548000.      | 164.40             |
| 60331        | JUDD & BLACK                       | DISHWASHER                     | 40142480.531400.      | 642.38             |
| 60332        | KPFF CONSULTING ENGINEERS          | PROFESSIONAL SERVICES          | 00100020.541000.      | 3,789.93           |
| 60333        | LOWES HIW INC                      | TAPE                           | 40145040.548000.      | 38.97              |
|              | LOWES HIW INC                      | AMR WIRING                     | 40220594.563000.W0607 | 62.77              |
| 60334        | MARYSVILLE AWARDS                  | ENGRAVING                      | 00105380.531000.      | 80.69              |
| 60335        | MARYSVILLE PRINTING                | (1200) FULL COLOR CARDS        | 00105090.531000.0811  | 360.01             |
|              | MARYSVILLE PRINTING                | (780) FLYERS                   | 00105120.531050.      | 171.65             |
| 60336        | MAYES TESTING ENGINEERS, INC.      | MAGNETIC PARTICLE TESTING      | 00105380.541000.      | 1,630.00           |
| 60337        | COREY MILLER                       | REIMBURSE PESTICIDE RENEWAL FE | 40143410.549030.      | 33.00              |
| 60338        | MONSTER TORCH                      | (4) FLASHLIGHTS                | 001.231700.           | -14.47             |
|              | MONSTER TORCH                      |                                | 00103222.526000.      | 182.78             |
| 60339        | JON NEHRING                        | REIMBURSE MEAL                 | 00100060.549000.      | 5.00               |
| 60340        | NELSON PETROLEUM                   | DIESEL AND GASOLINE CONSUMED   | 42047165.532000.      | 1,048.61           |
| 60341        | NEXTEL COMMUNICATIONS              | ACCT #495802314                | 50350390.542000.      | 17.80              |
|              | NEXTEL COMMUNICATIONS              |                                | 50350390.542000.      | 17.80              |
|              | NEXTEL COMMUNICATIONS              |                                | 50350390.542000.      | 17.80              |
|              | NEXTEL COMMUNICATIONS              |                                | 50350390.542000.      | 20.49              |
|              | NEXTEL COMMUNICATIONS              |                                | 50350390.542000.      | 35.60              |
|              | NEXTEL COMMUNICATIONS              |                                | 50350390.542000.      | 36.16              |
|              | NEXTEL COMMUNICATIONS              |                                | 50350390.542000.      | 47.83              |

**CITY OF MARYSVILLE  
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| <u>CHK #</u> | <u>VENDOR</u>                   | <u>ITEM DESCRIPTION</u>        | <u>ACCOUNT #</u>     | <u>ITEM AMOUNT</u> |
|--------------|---------------------------------|--------------------------------|----------------------|--------------------|
| 60341        | NEXTEL COMMUNICATIONS           | ACCT #495802314                | 50350390.542000.     | 53.40              |
|              | NEXTEL COMMUNICATIONS           |                                | 50350390.542000.     | 53.40              |
|              | NEXTEL COMMUNICATIONS           |                                | 50350390.542000.     | 54.54              |
|              | NEXTEL COMMUNICATIONS           |                                | 50350390.542000.     | 71.20              |
|              | NEXTEL COMMUNICATIONS           |                                | 50350390.542000.     | 94.25              |
|              | NEXTEL COMMUNICATIONS           |                                | 50350390.542000.     | 106.76             |
|              | NEXTEL COMMUNICATIONS           |                                | 50350390.542000.     | 114.14             |
|              | NEXTEL COMMUNICATIONS           |                                | 50350390.542000.     | 143.88             |
|              | NEXTEL COMMUNICATIONS           |                                | 50350390.542000.     | 190.22             |
|              | NEXTEL COMMUNICATIONS           |                                | 50350390.542000.     | 190.94             |
|              | NEXTEL COMMUNICATIONS           |                                | 50350390.542000.     | 199.15             |
|              | NEXTEL COMMUNICATIONS           |                                | 50350390.542000.     | 214.47             |
|              | NEXTEL COMMUNICATIONS           |                                | 50350390.542000.     | 228.55             |
|              | NEXTEL COMMUNICATIONS           |                                | 50350390.542000.     | 249.65             |
|              | NEXTEL COMMUNICATIONS           |                                | 50350390.542000.     | 256.99             |
|              | NEXTEL COMMUNICATIONS           |                                | 50350390.542000.     | 463.15             |
|              | NEXTEL COMMUNICATIONS           |                                | 50350390.542000.     | 1,405.02           |
| 60342        | NEXTEL COMMUNICATIONS           | ACCT #130961290                | 40141580.531000.     | 47.87              |
|              | NEXTEL COMMUNICATIONS           |                                | 40142280.531000.     | 47.87              |
| 60343        | NEXXPOST LLC                    | POSTAGE MACHINE SUPPLIES       | 001.231700.          | -4.19              |
|              | NEXXPOST LLC                    |                                | 00104190.531000.     | 52.96              |
| 60344        | ESTHER NICOLAS                  | REIMBURSE MILEAGE              | 50300090.543000.     | 40.87              |
| 60345        | NORTH AMERICAN OUTDOOR LIGHTING | LED UNIT                       | 10111864.531000.     | 719.02             |
| 60346        | NORTH SOUND HOSE & FITTINGS     | HYDRAULIC HOSE ASSEMBLY        | 50100065.534000.     | 125.33             |
| 60347        | NW FOOD & BEVERAGE, LLC         | RESTAURANT REIMBURSEMENT       | 420.125000.          | 8,211.81           |
| 60348        | NW SAFE COMPANY INC             | MOVE GUN SAFE FROM ROOM TO ROC | 10308521.535000.0933 | 400.00             |
| 60349        | OFFICE DEPOT                    | OFFICE SUPPLIES                | 00100020.531000.     | 8.00               |
|              | OFFICE DEPOT                    |                                | 00100020.531000.     | 26.09              |
|              | OFFICE DEPOT                    |                                | 00100020.531000.     | 41.84              |
|              | OFFICE DEPOT                    | VOICE RECORDER                 | 00100020.531000.     | 146.57             |
|              | OFFICE DEPOT                    | OFFICE SUPPLIES                | 00100060.531000.     | 73.80              |
|              | OFFICE DEPOT                    |                                | 00100310.531000.     | 59.54              |
|              | OFFICE DEPOT                    |                                | 00101023.531000.     | 36.83              |
|              | OFFICE DEPOT                    |                                | 00101130.531000.     | 36.83              |
|              | OFFICE DEPOT                    |                                | 00102020.531000.     | 41.83              |
|              | OFFICE DEPOT                    |                                | 00103010.531000.     | 10.00              |
|              | OFFICE DEPOT                    |                                | 00103010.531000.     | 62.63              |
|              | OFFICE DEPOT                    |                                | 00103121.531000.     | 18.78              |
|              | OFFICE DEPOT                    |                                | 00103121.531000.     | 36.87              |
|              | OFFICE DEPOT                    | CREDIT OFFICE SUPPLIES         | 00103222.531000.     | -3.87              |
|              | OFFICE DEPOT                    | OFFICE SUPPLIES                | 00103222.531000.     | 9.52               |
|              | OFFICE DEPOT                    |                                | 00103222.531000.     | 150.00             |
|              | OFFICE DEPOT                    |                                | 00103222.531000.     | 177.40             |
|              | OFFICE DEPOT                    |                                | 00104190.531000.     | 60.00              |
|              | OFFICE DEPOT                    |                                | 00105380.531000.     | 149.69             |
|              | OFFICE DEPOT                    |                                | 00143523.531000.     | 64.27              |
|              | OFFICE DEPOT                    | CABINETS                       | 10308521.535000.0933 | 414.80             |
|              | OFFICE DEPOT                    | CONFERENCE TABLE               | 10400022.549000.0914 | 169.89             |
|              | OFFICE DEPOT                    | LOCKER PADLOCKS                | 10400022.549000.0914 | 264.12             |
|              | OFFICE DEPOT                    | FILE CABINET                   | 10400022.549000.0914 | 416.44             |
|              | OFFICE DEPOT                    | CHAIRS                         | 10400022.549000.0914 | 597.30             |
|              | OFFICE DEPOT                    | OFFICE SUPPLIES                | 40143410.531000.     | 26.09              |

**CITY OF MARYSVILLE  
 INVOICE LIST**

FOR INVOICES FROM 01/07/2010 TO 01/07/2010

| <u>CHK #</u> | <u>VENDOR</u>                    | <u>ITEM DESCRIPTION</u>        | <u>ACCOUNT #</u>      | <u>ITEM AMOUNT</u> |
|--------------|----------------------------------|--------------------------------|-----------------------|--------------------|
| 60349        | OFFICE DEPOT                     | OFFICE SUPPLIES                | 40143410.531000.      | 41.83              |
|              | OFFICE DEPOT                     |                                | 42047165.531000.      | 50.30              |
|              | OFFICE DEPOT                     |                                | 50100065.531000.      | 2.90               |
|              | OFFICE DEPOT                     |                                | 50100065.531000.      | 6.97               |
|              | OFFICE DEPOT                     |                                | 50200050.531000.      | 2.90               |
|              | OFFICE DEPOT                     |                                | 50200050.531000.      | 6.97               |
|              | OFFICE DEPOT                     | CREDIT OFFICE SUPPLIES         | 50300090.531000.      | -5.73              |
|              | OFFICE DEPOT                     | OFFICE SUPPLIES                | 50300090.531000.      | 4.30               |
|              | OFFICE DEPOT                     |                                | 50300090.531000.      | 9.73               |
|              | OFFICE DEPOT                     |                                | 50300090.531000.      | 74.56              |
| 60350        | OFFICE INTERIORS INC             | CHAIRS                         | 10308521.535000.0933  | 3,257.73           |
| 60351        | OREGON MUDDERS INC               | GOLF BOOTS                     | 420.141100.           | 60.38              |
| 60352        | PACIFIC NW BUSINESS PRODUCTS INC | TONER                          | 00103010.531000.      | 94.43              |
|              | PACIFIC NW BUSINESS PRODUCTS INC |                                | 00103222.531000.      | 321.56             |
|              | PACIFIC NW BUSINESS PRODUCTS INC |                                | 40142080.531000.      | 38.99              |
| 60353        | PACIFIC POWER BATTERIES          | BATTERY                        | 40142280.548000.      | 35.84              |
| 60354        | PACIFIC POWER PRODUCTS           | BEDKNIFES                      | 42047165.548000.      | 40.52              |
|              | PACIFIC POWER PRODUCTS           | TIRE TUBES                     | 42047165.548000.      | 61.74              |
|              | PACIFIC POWER PRODUCTS           | HYPRO PUMP                     | 42047165.548000.      | 325.75             |
| 60355        | PART WORKS INC, THE              | MISC PARTS FOR LIFT STATIONS   | 40140880.531000.      | 195.42             |
|              | PART WORKS INC, THE              |                                | 40140880.531000.      | 198.27             |
| 60356        | THE PARTS STORE                  | SPARK PLUGS                    | 42047165.548000.      | 9.89               |
|              | THE PARTS STORE                  | SOLVENTS                       | 42047165.548000.      | 36.62              |
|              | THE PARTS STORE                  | SPARK PLUGS                    | 42047165.548000.      | 44.02              |
|              | THE PARTS STORE                  | ROLLER BEARING                 | 42047165.548000.      | 50.90              |
|              | THE PARTS STORE                  | MIRROR,BULB,TRANS FILTER KIT,F | 501.141100.           | 173.91             |
|              | THE PARTS STORE                  | RADIATOR CAP                   | 50100065.534000.      | 7.14               |
|              | THE PARTS STORE                  | WHEEL SEAL                     | 50100065.534000.      | 8.61               |
|              | THE PARTS STORE                  | TRANS FILTER KIT               | 50100065.534000.      | 17.48              |
|              | THE PARTS STORE                  | BELTS                          | 50100065.534000.      | 26.45              |
| 60357        | DAVID PATTERSON                  | PRO-TEM SERVICES               | 00100050.541000.      | 185.00             |
| 60358        | PETROCARD SYSTEMS INC            | FUEL CONSUMED                  | 00100020.532000.      | 62.23              |
|              | PETROCARD SYSTEMS INC            |                                | 00102020.532000.      | 439.82             |
|              | PETROCARD SYSTEMS INC            |                                | 00103222.532000.      | 4,545.60           |
|              | PETROCARD SYSTEMS INC            |                                | 00105380.532000.      | 924.59             |
|              | PETROCARD SYSTEMS INC            |                                | 10111230.532000.      | 1,794.29           |
|              | PETROCARD SYSTEMS INC            |                                | 40143880.532000.      | 3,589.87           |
|              | PETROCARD SYSTEMS INC            |                                | 40145040.532000.      | 37.98              |
|              | PETROCARD SYSTEMS INC            |                                | 41046060.532000.      | 2,864.13           |
|              | PETROCARD SYSTEMS INC            |                                | 42047165.532000.      | 34.65              |
|              | PETROCARD SYSTEMS INC            |                                | 50100065.532000.      | 61.59              |
|              | PETROCARD SYSTEMS INC            |                                | 50200050.532000.      | 226.69             |
| 60359        | PETTY CASH FUND-POLICE           | HEATER,FRAME,PHOTOS,PROMO CERI | 00103010.549000.      | 21.68              |
|              | PETTY CASH FUND-POLICE           |                                | 00103010.549000.      | 44.60              |
|              | PETTY CASH FUND-POLICE           |                                | 00103222.531000.      | 19.54              |
|              | PETTY CASH FUND-POLICE           |                                | 00103324.531000.K9003 | 25.40              |
| 60360        | PUBLIC SAFETY TESTING INC        | QRTLTY SUBSCRIPTION FEES       | 00100490.541000.      | 765.00             |
| 60361        | PUD NO 1 OF SNOHOMISH COUNTY     | AREA LIGHT @ EBAY ACCT #564001 | 00105380.547000.      | 16.54              |
|              | PUD NO 1 OF SNOHOMISH COUNTY     | ACCT #326-050-278-0            | 00105380.547000.      | 37.20              |
|              | PUD NO 1 OF SNOHOMISH COUNTY     | ACCT #462-002-547-0            | 00105380.547000.      | 86.18              |
|              | PUD NO 1 OF SNOHOMISH COUNTY     | ACCT #557-001-737-5            | 10111864.547000.      | 110.65             |
|              | PUD NO 1 OF SNOHOMISH COUNTY     | ACCT #470-027-171-3            | 10111864.547000.      | 134.77             |



**CITY OF MARYSVILLE  
 INVOICE LIST**

**FOR INVOICES FROM 01/07/2010 TO 01/07/2010**

| <u>CHK #</u> | <u>VENDOR</u>                  | <u>ITEM DESCRIPTION</u>        | <u>ACCOUNT #</u>     | <u>ITEM AMOUNT</u> |
|--------------|--------------------------------|--------------------------------|----------------------|--------------------|
| 60361        | PUD NO 1 OF SNOHOMISH COUNTY   | ACCT #328-001-837-9            | 10111864.547000.     | 163.28             |
|              | PUD NO 1 OF SNOHOMISH COUNTY   | ACCT #531-001-591-1            | 10111864.547000.     | 213.66             |
|              | PUD NO 1 OF SNOHOMISH COUNTY   | ACCT #123-000-075-2            | 10111864.547000.     | 1,158.44           |
|              | PUD NO 1 OF SNOHOMISH COUNTY   | ACCT #616-000-083-9            | 40140180.547000.     | 69.90              |
|              | PUD NO 1 OF SNOHOMISH COUNTY   | ACCT #619-000-026-2            | 40142280.547000.     | 52.22              |
|              | PUD NO 1 OF SNOHOMISH COUNTY   | ACCT #571-001-001-7            | 40142480.547000.     | 893.37             |
|              | PUD NO 1 OF SNOHOMISH COUNTY   | ACCT #515-001-516-1            | 42047165.547000.     | 78.61              |
|              | PUD NO 1 OF SNOHOMISH COUNTY   | ACCT #416-001-034-6            | 42047165.547000.     | 1,779.34           |
| 60362        | PUGET SOUND SECURITY           | KEYS                           | 10400022.549000.0914 | 8.46               |
| 60363        | RADIOSHACK                     | PLIERS,WIRE TERMINALS          | 40142480.531300.     | 11.92              |
| 60364        | TAMARA ROBBINS                 | INSTRUCTOR SERVICES            | 00105250.541020.     | 39.90              |
| 60365        | ROBERTS MOTORS INC             | SENSOR                         | 50100065.534000.     | 121.00             |
| 60366        | EVIE SCRIBNER                  | INSTRUCTOR SERVICES            | 00105250.541020.     | 96.00              |
| 60367        | VICKI SIMCOX                   | 09 HOLIDAY PERFORMER 12/5/09   | 00105090.531280.     | 100.00             |
| 60368        | SIX ROBBLEES INC               | COUPLERS,TIRE VLV STEMS        | 50100065.531000.     | 51.39              |
| 60369        | SNOHOMISH PUBLISHING CO. INC   | PARKS & REC GUIDE/CITY NEWSLET | 00100720.541000.     | 4,712.61           |
|              | SNOHOMISH PUBLISHING CO. INC   |                                | 00105120.544000.     | 5,670.01           |
| 60370        | SOUND SAFETY PRODUCTS CO INC   | GLOVES                         | 00103960.531000.     | 59.73              |
| 60371        | SPRINGBROOK NURSERY            | BARK                           | 40142280.549000.     | 610.66             |
| 60372        | WASHINGTON STATE PATROL        | ACCESS USER FEES               | 00104190.551000.     | 660.00             |
| 60373        | SUBURBAN PROPANE               | PROPANE                        | 00105380.547000.     | 1,153.75           |
| 60374        | TAYLORMADE                     | PUTTER                         | 420.141100.          | 90.80              |
| 60375        | UNITED PARCEL SERVICE          | SHIPPING EXPENSE               | 00103222.541000.     | 85.31              |
| 60376        | USGLOVE COMPANY INC            | WINTER GLOVES                  | 420.141100.          | 350.57             |
| 60377        | VCA ANIMAL MEDICAL CENTER      | ANIMAL CRUELTY CASE CARE       | 00104230.541000.     | 2,615.92           |
| 60378        | VERIZON NORTHWEST              | ACCT #101451140308             | 00100010.542000.     | 105.85             |
|              | VERIZON NORTHWEST              | ACCT #100152074306             | 00103530.542000.     | 105.85             |
|              | VERIZON NORTHWEST              | ACCT #107747568401             | 00104190.542000.     | 52.93              |
|              | VERIZON NORTHWEST              | ACCT #102564566904-DEERING     | 00105380.542000.     | 54.74              |
|              | VERIZON NORTHWEST              | ACCT #109367558610             | 10110564.547000.     | 49.30              |
|              | VERIZON NORTHWEST              | ACCT #107567892708             | 10110564.547000.     | 51.57              |
|              | VERIZON NORTHWEST              | ACCT #10624354707              | 10111864.547000.     | 180.18             |
|              | VERIZON NORTHWEST              | ACCT #64811477782              | 40141580.547000.     | 100.99             |
|              | VERIZON NORTHWEST              | ACCT #105660553702             | 40142280.542000.     | 90.40              |
|              | VERIZON NORTHWEST              | ACCT #1101641995410            | 40143410.542000.     | 30.13              |
|              | VERIZON NORTHWEST              | ACCT #1103241996301            | 40143410.542000.     | 65.55              |
|              | VERIZON NORTHWEST              | ACCT #1108541996810            | 40143410.542000.     | 65.55              |
|              | VERIZON NORTHWEST              | ACCT #1105841995206            | 40143410.542000.     | 75.68              |
|              | VERIZON NORTHWEST              | ACCT #106853520208             | 40143780.542000.     | 52.93              |
| 60379        | WASTE MANAGEMENT NORTHWEST     | YARDWASTE,RECYCLE SERVICE      | 41046290.541000.     | 77,249.94          |
| 60380        | WESTERN EQUIPMENT DISTRIBUTORS | HYDRAULIC HOSE                 | 42047165.548000.     | 78.28              |
| 60381        | WWCPA                          | WW COLLECTION ASSOCIATION-BROV | 40143410.549000.     | 15.00              |
|              | WWCPA                          | WW COLLECTION ASSOCIATION-CALL | 40143410.549000.     | 15.00              |
|              | WWCPA                          | WW COLLECTION ASSOCIATION-DZAV | 40143410.549000.     | 15.00              |
|              | WWCPA                          | WW COLLECTION ASSOCIATION-HAW  | 40143410.549000.     | 15.00              |
|              | WWCPA                          | WW COLLECTION ASSOCIATION-KINN | 40143410.549000.     | 15.00              |
|              | WWCPA                          | WW COLLECTION ASSOCIATION-ROOI | 40143410.549000.     | 15.00              |
|              | WWCPA                          | WW COLLECTION ASSOCIATION-STRO | 40143410.549000.     | 15.00              |
|              | WWCPA                          | WW COLLECTION ASSOCIATION-SCHC | 40143410.549000.     | 30.00              |

**WARRANT TOTAL:**


**180,568.27**



**CITY OF MARYSVILLE**

**EXECUTIVE SUMMARY FOR ACTION**

**CITY COUNCIL MEETING DATE: January 25, 2010**

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

Please see attached.

|   |
|---|
| RECOMMENDED ACTION:<br><br>The Finance and Executive Departments recommend City Council approve the <b>January 6, 2010</b> claims in the amount of <b>\$660,796.98</b> paid by <b>Check No.'s 60280 through 60287</b> with no Check No.'s voided. |
| COUNCIL ACTION:   |

BLANKET CERTIFICATION

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

I, THE UNDERSIGNED, DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE MATERIALS HAVE BEEN FURNISHED, THE SERVICES RENDERED OR THE LABOR PERFORMED AS DESCRIBED HEREIN AND THAT THE **CLAIMS** IN THE AMOUNT OF **\$660,796.98 PAID BY CHECK NO.'S 60280 THROUGH 60287 WITH NO CHECK NUMBER VOIDED** ARE JUST, DUE AND UNPAID OBLIGATIONS AGAINST THE CITY OF MARYSVILLE, AND THAT I AM AUTHORIZED TO AUTHENTICATE AND TO CERTIFY SAID CLAIMS.

*[Handwritten Signature]*  
\_\_\_\_\_  
AUDITING OFFICER

*1/13/10*  
\_\_\_\_\_  
DATE

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
DATE

WE, THE UNDERSIGNED COUNCIL MEMBERS OF MARYSVILLE, WASHINGTON DO HEREBY APPROVE FOR PAYMENT THE ABOVE MENTIONED **CLAIMS** ON THIS **6<sup>th</sup> DAY OF JANUARY 2010.**

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

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COUNCIL MEMBER

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COUNCIL MEMBER

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COUNCIL MEMBER

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COUNCIL MEMBER

**CITY OF MARYSVILLE  
 INVOICE LIST**

**FOR INVOICES FROM 12/31/2009 TO 01/06/2010**

| <u>CHK #</u>          | <u>VENDOR</u>                       | <u>ITEM DESCRIPTION</u>        | <u>ACCOUNT #</u> | <u>ITEM AMOUNT</u>       |
|-----------------------|-------------------------------------|--------------------------------|------------------|--------------------------|
| 60280                 | SENIOR HEALTH INSURANCE CO OF PA    | 2010 INSURANCE PREMIUM-SIZEMOR | 00103010.541100. | 6,078.04                 |
| 60281                 | STATE AVENUE PLAZA, LLC             | MONTHLY LEASE PAYMENT-1015 STA | 00101250.545000. | 28,000.00                |
| 60282                 | SMOKEY POINT AREA CHAMBER OF        | 2010 MEMBERSHIP DUES           | 00100110.549000. | 600.00                   |
| 60283                 | FRED PRYOR SEMINARS                 | SEMINAR-FREEMAN, S             | 40143410.549050. | 79.00                    |
| 60284                 | NORTHWEST POLYGRAPH EXAMINERS ASS   | 2010 MEMBERSHIP DUES-KING, J   | 00103121.541000. | 60.00                    |
| 60285                 | TORO NSN                            | IRRIGATION COMP SOFTWARE LEASE | 42047165.531920. | 134.00                   |
| 60286                 | WASTE MANAGEMENT NORTHWEST          | YARDWASTE, RECYCLE SERVICE     | 41046290.541000. | 77,249.94                |
| 60287                 | WASHINGTON CITIES INSURANCE AUTHORI | LIABILITY & PROPERTY PROGRAM A | 00100010.546000. | 3,291.58                 |
|                       | WASHINGTON CITIES INSURANCE AUTHORI |                                | 00100020.546000. | 11,520.52                |
|                       | WASHINGTON CITIES INSURANCE AUTHORI |                                | 00100050.546000. | 1,097.19                 |
|                       | WASHINGTON CITIES INSURANCE AUTHORI |                                | 00100110.546000. | 10,423.32                |
|                       | WASHINGTON CITIES INSURANCE AUTHORI |                                | 00100310.546000. | 4,388.77                 |
|                       | WASHINGTON CITIES INSURANCE AUTHORI |                                | 00101023.546000. | 15,360.69                |
|                       | WASHINGTON CITIES INSURANCE AUTHORI |                                | 00102020.546000. | 22,492.44                |
|                       | WASHINGTON CITIES INSURANCE AUTHORI |                                | 00103010.546000. | 7,680.34                 |
|                       | WASHINGTON CITIES INSURANCE AUTHORI |                                | 00103121.546000. | 5,485.96                 |
|                       | WASHINGTON CITIES INSURANCE AUTHORI |                                | 00103222.546000. | 43,339.08                |
|                       | WASHINGTON CITIES INSURANCE AUTHORI |                                | 00103426.546000. | 2,194.38                 |
|                       | WASHINGTON CITIES INSURANCE AUTHORI |                                | 00103528.546000. | 2,194.38                 |
|                       | WASHINGTON CITIES INSURANCE AUTHORI |                                | 00103960.546000. | 6,583.15                 |
|                       | WASHINGTON CITIES INSURANCE AUTHORI |                                | 00104190.546000. | 14,263.50                |
|                       | WASHINGTON CITIES INSURANCE AUTHORI |                                | 00104230.546000. | 2,194.38                 |
|                       | WASHINGTON CITIES INSURANCE AUTHORI |                                | 00105120.546000. | 3,291.58                 |
|                       | WASHINGTON CITIES INSURANCE AUTHORI |                                | 00105380.546000. | 15,909.28                |
|                       | WASHINGTON CITIES INSURANCE AUTHORI |                                | 00105515.546000. | 12,069.11                |
|                       | WASHINGTON CITIES INSURANCE AUTHORI |                                | 10111230.546000. | 49,922.24                |
|                       | WASHINGTON CITIES INSURANCE AUTHORI |                                | 40143410.546000. | 5,485.96                 |
|                       | WASHINGTON CITIES INSURANCE AUTHORI |                                | 40143410.546000. | 241,382.24               |
|                       | WASHINGTON CITIES INSURANCE AUTHORI |                                | 41046060.546000. | 40,047.51                |
|                       | WASHINGTON CITIES INSURANCE AUTHORI |                                | 42047061.546000. | 24,138.22                |
|                       | WASHINGTON CITIES INSURANCE AUTHORI |                                | 50100065.546000. | 3,840.18                 |
| <b>WARRANT TOTAL:</b> |                                     |                                |                  | <b><u>660,796.98</u></b> |


**REASON FOR VOIDS:**

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

**CITY OF MARYSVILLE**

**EXECUTIVE SUMMARY FOR ACTION**

**CITY COUNCIL MEETING DATE: January 25, 2010**

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

**RECOMMENDED ACTION:**


The Finance and Executive Departments recommend City Council approve the January 5, 2010 payroll in the amount \$1,318,102.45 Check No.'s 22208 through 22257.

**COUNCIL ACTION:**

**CITY OF MARYSVILLE**

**EXECUTIVE SUMMARY FOR ACTION**

**CITY COUNCIL MEETING DATE: January 25, 2010**

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

Please see attached.

**RECOMMENDED ACTION:**

The Finance and Executive Departments recommend City Council approve the **December 31, 2009** claims in the amount of **\$534,239.86** paid by **Check No.'s 60382 through 60522** with no Check No.'s voided.

**COUNCIL ACTION:**

BLANKET CERTIFICATION  
**CLAIMS**  
FOR  
**PERIOD-13**

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 **\$534,239.86 PAID BY CHECK NO.'S 60382 THROUGH 60522 WITH NO CHECK NUMBER VOIDED** ARE JUST, DUE AND UNPAID OBLIGATIONS AGAINST THE CITY OF MARYSVILLE, AND THAT I AM AUTHORIZED TO AUTHENTICATE AND TO CERTIFY SAID CLAIMS.

*Andy Ferguson*  
\_\_\_\_\_  
AUDITING OFFICER

*11/31/0*  
\_\_\_\_\_  
DATE

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
DATE

WE, THE UNDERSIGNED COUNCIL MEMBERS OF MARYSVILLE, WASHINGTON DO HEREBY APPROVE FOR PAYMENT THE ABOVE MENTIONED **CLAIMS** ON THIS **31<sup>st</sup> DAY OF DECEMBER 2009.**

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

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COUNCIL MEMBER

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COUNCIL MEMBER

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COUNCIL MEMBER

**CITY OF MARYSVILLE  
 INVOICE LIST**

**FOR INVOICES FROM 01/08/2010 TO 01/08/2010**

| <u>CHK #</u> | <u>VENDOR</u>                   | <u>ITEM DESCRIPTION</u>        | <u>ACCOUNT #</u>      | <u>ITEM AMOUNT</u> |
|--------------|---------------------------------|--------------------------------|-----------------------|--------------------|
| 60382        | ACE ACME SEPTIC SERVICE INC     | PORTABLE TOILET RENTAL         | 40140280.541000.      | 90.00              |
| 60383        | WA STATE DEPT OF AGRICULTURE    | 2010 PESTICIDE LICENSE RENEWAL | 40143410.549030.      | 33.00              |
| 60384        | ALBERTSONS FOOD CENTER #471     | REFRESHMENTS FOR WUCC MTG      | 40143410.549000.      | 15.95              |
| 60385        | ALPINE PRODUCTS INC             | CRACK SEALER                   | 10110130.548000.      | 3,596.83           |
|              | ALPINE PRODUCTS INC             | REFLECTORS,BUTTONS,BEADS,PLAST | 10110564.531000.      | 15,357.26          |
| 60386        | AMERICAN CLEANERS               | DRY CLEANING                   | 00103010.526000.      | 4.34               |
|              | AMERICAN CLEANERS               |                                | 00103121.526000.      | 191.47             |
|              | AMERICAN CLEANERS               |                                | 00103222.526000.      | 141.41             |
|              | AMERICAN CLEANERS               |                                | 00103960.526000.      | 60.80              |
|              | AMERICAN CLEANERS               |                                | 00104190.526000.      | 76.00              |
| 60387        | AMSAN SEATTLE                   | JANITORIAL SUPPLIES-PSB        | 00100010.531400.      | 155.22             |
|              | AMSAN SEATTLE                   | JANITORIAL SUPPLIES-COURT      | 00101250.531400.      | 138.30             |
|              | AMSAN SEATTLE                   | JANITORIAL SUPPLIES-CH         | 00103530.531400.      | 161.73             |
|              | AMSAN SEATTLE                   | JANITORIAL SUPPLIES-WWTP       | 40142480.531300.      | 162.42             |
|              | AMSAN SEATTLE                   | JANITORIAL SUPPLIES-PW ADMIN   | 40143410.531200.      | 358.83             |
|              | AMSAN SEATTLE                   | JANITORIAL SUPPLIES-PW SHOP    | 40143780.531000.      | 173.10             |
| 60388        | ARAMARK UNIFORM SERVICES        | UNIFORM CLEANING               | 50100065.526000.      | 35.03              |
|              | ARAMARK UNIFORM SERVICES        |                                | 50100065.526000.      | 35.03              |
|              | ARAMARK UNIFORM SERVICES        |                                | 50100065.526000.      | 62.49              |
| 60389        | CITY OF ARLINGTON               | ACS-WATER USAGE                | 40140080.533000.      | 260.38             |
| 60390        | CITY OF ARLINGTON               | SURFACE WATER REVENUE 4TH QTR  | 401.237000.           | 27,120.89          |
| 60391        | BRIAN CHARLES ASHBACH           | PUBLIC DEFENDER                | 00101420.541040.      | 156.25             |
| 60392        | ASSOCIATED EARTH SCIENCES       | PROFESSIONAL SERVICES          | 40145040.541000.      | 9,830.28           |
| 60393        | AT&T MOBILITY                   | BAIT CAR GPS                   | 00103222.541000.      | 21.07              |
| 60394        | BAKERS AFFORDABLE UPHOLSTERY    | CHAIRS RE-UPHOLSTERED          | 10400022.549000.0914  | 162.90             |
| 60395        | BARGREEN-ELLINGSON, INC         | PAN CREDIT                     | 42047061.549100.      | -263.90            |
|              | BARGREEN-ELLINGSON, INC         | ADAPTER BAR                    | 42047061.549100.      | 36.75              |
|              | BARGREEN-ELLINGSON, INC         | SPOODLES                       | 42047061.549100.      | 82.36              |
|              | BARGREEN-ELLINGSON, INC         | SHORT DIVIDERS                 | 42047061.549100.      | 190.05             |
| 60396        | BERGER/ABAM ENGINEERS INC       | PAY ESTIMATE # 15              | 30500030.563000.R0604 | 92,637.43          |
| 60397        | BICKFORD FORD-MERCURY           | SENSOR                         | 50100065.534000.      | 94.63              |
| 60398        | BILLS BLUEPRINT INC             | ANNEXATION COPY CHRGS          | 00102020.549000.A0701 | 157.59             |
| 60399        | BLUMENTHAL UNIFORMS & EQUIPMENT | TIE BAR,BELT LINER-LUTSCH      | 00103222.526000.      | 55.33              |
|              | BLUMENTHAL UNIFORMS & EQUIPMENT | UNIFORM-BARNETT                | 00103960.526000.      | 598.81             |
| 60400        | BOART LONGYEAR COMPANY          | PAY ESTIMATE # 3 LESS RETAINAG | 402.223400.           | -987.50            |
|              | BOART LONGYEAR COMPANY          |                                | 40200034.560000.W0705 | 21,448.50          |
| 60401        | SANDEE BOTTIN                   | REFUND SECURITY DEPOSIT        | 001.239100.           | 200.00             |
| 60402        | RAE BOYD, APRN, BC              | INMATE CARE-11/09              | 00103960.541000.      | 3,600.00           |
|              | RAE BOYD, APRN, BC              | INMATE CARE-12/09              | 00103960.541000.      | 4,160.00           |
| 60403        | ART BREVICK                     | REFUND DEPOSIT FOR RENTAL      | 001.239100.           | 100.00             |
| 60404        | BUILDERS EXCHANGE               | PROJECT DOCUMENTS-CD           | 30500030.563000.R0502 | 43.44              |
| 60405        | KRISTA CAMPBELL                 | REFUND DEPOSIT FOR RENTAL      | 001.239100.           | 100.00             |
| 60406        | CAPTAIN DIZZYS EXXON            | CAR WASHES-POLICE DEPT         | 00103222.548000.      | 40.50              |
|              | CAPTAIN DIZZYS EXXON            |                                | 00104230.548000.      | 9.00               |
|              | CAPTAIN DIZZYS EXXON            | CAR WASH-PARKS DEPT            | 00105380.531000.      | 4.50               |
| 60407        | CARR'S ACE HARDWARE             | SUPPLIES FOR SIGN/SIGNAL MAINT | 10111864.531000.      | 54.32              |
| 60408        | DAVID CASTLEBERRY               | REIMBURSE PHOTOGRAPH PURCHASE  | 42047061.549100.      | 394.70             |
| 60409        | CDW GOVERNMENT INC              | RENEW LICENSES                 | 00103121.535000.      | 381.58             |
|              | CDW GOVERNMENT INC              |                                | 00105515.549000.      | 553.65             |
|              | CDW GOVERNMENT INC              |                                | 10111230.549000.      | 50.17              |
| 60410        | CEMEX                           | CLASS B ASPHALT                | 10110130.548000.      | 142.41             |
|              | CEMEX                           |                                | 10110130.548000.      | 6,658.07           |

**CITY OF MARYSVILLE  
 INVOICE LIST**

**FOR INVOICES FROM 01/08/2010 TO 01/08/2010**

| <u>CHK #</u> | <u>VENDOR</u>                       | <u>ITEM DESCRIPTION</u>        | <u>ACCOUNT #</u>      | <u>ITEM AMOUNT</u> |
|--------------|-------------------------------------|--------------------------------|-----------------------|--------------------|
| 60410        | CEMEX                               | CLASS B ASPHALT                | 40145040.549200.M0921 | 18,437.31          |
| 60411        | MATTHEW CHISM                       | REFUND CLASS FEES              | 00110347.376007.      | 60.00              |
| 60412        | WA DEPT OF CORRECTIONS              | INMATE MEALS                   | 00103960.531250.      | 1,365.05           |
|              | WA DEPT OF CORRECTIONS              |                                | 00103960.531250.      | 1,756.42           |
| 60413        | WA DEPT OF CORRECTIONS              | WORK CREW-11/09                | 00105380.549000.      | 1,097.61           |
| 60414        | COSTLESS SENIOR SERVICES INC        | INMATE PRESCRIPTIONS           | 00103960.531000.      | 535.29             |
| 60415        | CUES                                | REPAIR LAMP CABLE, CCTV CHARGE | 40142080.548000.      | 607.36             |
| 60416        | CUZ CONCRETE PRODUCTS               | CATCH BASINS                   | 10110240.531000.      | 1,262.04           |
| 60417        | DAS MANUFACTURING INC               | DURACAST CUSTOM DAS CURB MARK  | 401.231700.           | -114.38            |
|              | DAS MANUFACTURING INC               |                                | 40145040.553100.      | 1,444.38           |
| 60418        | DATA QUEST                          | PRE-EMPLOYMENT CHECKS          | 00103010.541000.      | 32.00              |
| 60419        | DATABASE SECURE RECORDS DESTRUCTIO  | MONTHLY SHREDDING SERVICE      | 00100110.549000.      | 19.13              |
|              | DATABASE SECURE RECORDS DESTRUCTIO  |                                | 00100310.549000.      | 19.13              |
|              | DATABASE SECURE RECORDS DESTRUCTIO  |                                | 00101023.531000.      | 7.31               |
|              | DATABASE SECURE RECORDS DESTRUCTIO  |                                | 00101130.531000.      | 7.32               |
|              | DATABASE SECURE RECORDS DESTRUCTIO  |                                | 00103010.541000.      | 36.70              |
|              | DATABASE SECURE RECORDS DESTRUCTIO  |                                | 00103121.541000.      | 36.68              |
|              | DATABASE SECURE RECORDS DESTRUCTIO  |                                | 00103222.541000.      | 36.68              |
|              | DATABASE SECURE RECORDS DESTRUCTIO  |                                | 00103960.541000.      | 36.68              |
|              | DATABASE SECURE RECORDS DESTRUCTIO  |                                | 00104190.531000.      | 36.68              |
|              | DATABASE SECURE RECORDS DESTRUCTIO  |                                | 00143523.531000.      | 7.31               |
| 60420        | DEAVER ELECTRIC                     | BACKUP GENERATOR INSTALL & TEL | 40142280.548000.      | 4,067.65           |
|              | DEAVER ELECTRIC                     | RESTAURANT REMODEL REPAIR      | 42047061.549100.      | 604.11             |
| 60421        | DICKS TOWING INC                    | TOWING EXPENSE-MP 09-6762      | 00103222.541000.      | 43.44              |
| 60422        | DISPLAY & COSTUME                   | KBSCC EVENT SUPPLIES           | 00105250.531050.      | 127.22             |
| 60423        | DAVID DOOP                          | REIMBURSE FOAM CORE BOARD PURC | 00102020.549000.A0701 | 62.97              |
| 60424        | DUNLAP INDUSTRIAL                   | TRADESMAN VISE                 | 40140580.535000.      | 450.99             |
| 60425        | E&E LUMBER INC                      | SHELVING,PAINT SUPPLIES,DRANO  | 00100010.531000.      | 37.42              |
|              | E&E LUMBER INC                      | SAW BLADES                     | 00100010.531000.      | 67.29              |
|              | E&E LUMBER INC                      | PRIMER PAINT                   | 00105380.531000.      | 10.84              |
|              | E&E LUMBER INC                      | CEMENT TROWEL                  | 00105380.531000.      | 48.86              |
|              | E&E LUMBER INC                      | CONCRETE                       | 00105380.531000.      | 64.07              |
|              | E&E LUMBER INC                      | SHELVING,PAINT SUPPLIES,DRANO  | 42047061.549100.      | 84.39              |
| 60426        | EVERETT SOUND MACHINE WORKS, INC.   | REMOVE AND REPLACE BRONZE BUSI | 40142480.548000.      | 354.90             |
| 60427        | CITY OF EVERETT                     | ANIMAL SHELTER FEES 11/09      | 00104230.551000.      | 5,365.00           |
| 60428        | FARMERS EQUIPMENT CO                | TILT EQUIPMENT TRAILER         | 50100048.564000.      | 25,417.20          |
| 60429        | FINE LINE INSTRUMENT                | SENSOR                         | 40140780.531000.      | 921.15             |
| 60430        | FLINT TRADING INC                   | THERMAL ARROWS                 | 10110564.548000.      | 2,569.04           |
| 60431        | CRAIG A. FULLERTON                  | CONSULTING-PROPERTY SEARCH     | 00100011.561000.      | 210.00             |
|              | CRAIG A. FULLERTON                  |                                | 00100110.541000.      | 3,250.00           |
| 60432        | GCS SERVICE INC                     | RESTAURANT REPAIRS             | 42047061.549100.      | 1,647.43           |
| 60433        | GENERAL CHEMICAL CORP               | ALUMINUM SULFATE               | 40142480.531320.      | 3,287.08           |
|              | GENERAL CHEMICAL CORP               |                                | 40142480.531320.      | 3,355.23           |
| 60434        | GENUINE AUTO GLASS OF EVERETT, LLC  | REPLACE WINDSHIELD             | 50100065.548000.      | 222.63             |
| 60435        | GOLDEN CORAL                        | HOILDAY PARTY FOOD-12/17/09    | 00100310.549010.      | 59.73              |
| 60436        | GRANITE & PRECASTING & CONCRETE INC | CURBING                        | 10110564.531000.      | 736.31             |
| 60437        | GRAYBAR ELECTRIC CO INC             | OUTLETS                        | 42047061.549100.      | 8.28               |
|              | GRAYBAR ELECTRIC CO INC             | INTERNET INSTALLATION PARTS    | 42047061.549100.      | 41.39              |
| 60438        | CONTRACTORS SUPPLY CORPORATION      | HYDRAULIC HOSE FITTINGS,ADAPTE | 501.141100.           | 499.91             |
| 60439        | SANDRA GYURKOVICS                   | REIMBURSE MILEAGE              | 50300090.543000.      | 237.78             |
| 60440        | HACH COMPANY                        | WATER QUALITY SAMPLING SUPPLIE | 40140780.531000.      | 551.41             |
| 60441        | HARBORVIEW MEDICAL CENTER           | MEDICAL RECORDS COPY FEE       | 00103222.541000.      | 21.62              |



**CITY OF MARYSVILLE**  
**INVOICE LIST**  
 FOR INVOICES FROM 01/08/2010 TO 01/08/2010

| <u>CHK #</u> | <u>VENDOR</u>             | <u>ITEM DESCRIPTION</u>       | <u>ACCOUNT #</u>      | <u>ITEM AMOUNT</u> |
|--------------|---------------------------|-------------------------------|-----------------------|--------------------|
| 60442        | HART CROWSER, INC         | PROFESSIONAL SERVICES         | 00105380.541000.      | 64.58              |
| 60443        | HD FOWLER COMPANY         | BALL VALVES                   | 40140980.531000.      | 674.34             |
|              | HD FOWLER COMPANY         | REDUCER                       | 40145040.549200.M0921 | 2.66               |
|              | HD FOWLER COMPANY         | CAPS                          | 40145040.549200.M0921 | 8.59               |
|              | HD FOWLER COMPANY         | CAPS,PIPE.MISC PARTS          | 40145040.549200.M0921 | 33.45              |
|              | HD FOWLER COMPANY         | BOLT,NUT KIT                  | 40220594.563000.W0607 | 34.59              |
| 60444        | HD SUPPLY WATERWORKS, LTD | AIR & VAC VALVE,CONCRETE BOX  | 40140480.531000.      | 541.53             |
|              | HD SUPPLY WATERWORKS, LTD | TABLETS,DIFFUSER,ACC KIT      | 40140480.531000.      | 1,635.52           |
|              | HD SUPPLY WATERWORKS, LTD | HYDRANT,RESTRAINER,CAP        | 40141080.531000.      | 1,789.30           |
|              | HD SUPPLY WATERWORKS, LTD |                               | 40141080.531000.      | 1,789.30           |
|              | HD SUPPLY WATERWORKS, LTD | PARTS FOR HYDRANT REPLACEMENT | 40141080.531000.      | 1,882.17           |
|              | HD SUPPLY WATERWORKS, LTD | HYDRANT REPAIR TOOLS          | 40141080.535000.      | 834.29             |
| 60445        | DEPARTMENT OF HEALTH      | WW OPERATOR CERT RENEWAL-HERZ | 00102020.549000.      | 42.00              |
| 60446        | IOS CAPITAL               | COPIER CHARGES                | 00100020.545000.      | 48.65              |
|              | IOS CAPITAL               |                               | 00100020.545000.      | 275.96             |
|              | IOS CAPITAL               |                               | 00100030.545000.      | 119.46             |
|              | IOS CAPITAL               |                               | 00100050.545000.      | 220.47             |
|              | IOS CAPITAL               |                               | 00100110.545000.      | 84.06              |
|              | IOS CAPITAL               |                               | 00100110.545000.      | 267.59             |
|              | IOS CAPITAL               |                               | 00100310.545000.      | 84.05              |
|              | IOS CAPITAL               |                               | 00100310.545000.      | 137.92             |
|              | IOS CAPITAL               |                               | 00100720.545000.      | 114.68             |
|              | IOS CAPITAL               |                               | 00101023.545000.      | 304.71             |
|              | IOS CAPITAL               |                               | 00101130.545000.      | 304.71             |
|              | IOS CAPITAL               |                               | 00101320.545000.      | 175.79             |
|              | IOS CAPITAL               |                               | 00102020.545000.      | 307.56             |
|              | IOS CAPITAL               |                               | 00102020.545000.      | 335.35             |
|              | IOS CAPITAL               |                               | 00103121.545000.      | 321.45             |
|              | IOS CAPITAL               |                               | 00103222.545000.      | 33.19              |
|              | IOS CAPITAL               |                               | 00103960.545000.      | 163.99             |
|              | IOS CAPITAL               |                               | 00104190.545000.      | 58.65              |
|              | IOS CAPITAL               |                               | 00104190.545000.      | 380.10             |
|              | IOS CAPITAL               |                               | 00104190.545000.      | 583.18             |
|              | IOS CAPITAL               |                               | 00105250.545000.      | 44.53              |
|              | IOS CAPITAL               |                               | 00105380.545000.      | 345.35             |
|              | IOS CAPITAL               |                               | 00143523.545000.      | 273.18             |
|              | IOS CAPITAL               |                               | 10111230.545000.      | 105.89             |
|              | IOS CAPITAL               |                               | 40142480.545000.      | 42.90              |
|              | IOS CAPITAL               |                               | 40143410.545000.      | 76.89              |
|              | IOS CAPITAL               |                               | 40143410.545000.      | 83.84              |
|              | IOS CAPITAL               |                               | 40143410.545000.      | 105.89             |
|              | IOS CAPITAL               |                               | 40143410.545000.      | 118.27             |
|              | IOS CAPITAL               |                               | 40143410.545000.      | 170.29             |
|              | IOS CAPITAL               |                               | 42047165.545000.      | 21.72              |
|              | IOS CAPITAL               |                               | 50100065.545000.      | 12.16              |
|              | IOS CAPITAL               |                               | 50200050.545000.      | 12.17              |
| 60447        | IOS CAPITAL               |                               | 00100020.545000.      | 5.73               |
|              | IOS CAPITAL               |                               | 00100020.545000.      | 105.46             |
|              | IOS CAPITAL               |                               | 00100030.545000.      | 34.11              |
|              | IOS CAPITAL               |                               | 00100050.545000.      | 75.68              |
|              | IOS CAPITAL               |                               | 00100110.545000.      | 9.69               |
|              | IOS CAPITAL               |                               | 00100110.545000.      | 89.24              |

**CITY OF MARYSVILLE  
 INVOICE LIST**

FOR INVOICES FROM 01/08/2010 TO 01/08/2010

| <u>CHK #</u> | <u>VENDOR</u>            | <u>ITEM DESCRIPTION</u>        | <u>ACCOUNT #</u> | <u>ITEM AMOUNT</u> |
|--------------|--------------------------|--------------------------------|------------------|--------------------|
| 60447        | IOS CAPITAL              | COPIER CHARGES                 | 00100310.545000. | 9.68               |
|              | IOS CAPITAL              |                                | 00100310.545000. | 56.02              |
|              | IOS CAPITAL              |                                | 00100720.545000. | 38.25              |
|              | IOS CAPITAL              |                                | 00101023.545000. | 35.12              |
|              | IOS CAPITAL              |                                | 00101130.545000. | 35.12              |
|              | IOS CAPITAL              |                                | 00101320.545000. | 45.72              |
|              | IOS CAPITAL              |                                | 00102020.545000. | 37.05              |
|              | IOS CAPITAL              |                                | 00102020.545000. | 114.09             |
|              | IOS CAPITAL              |                                | 00103121.545000. | 194.28             |
|              | IOS CAPITAL              |                                | 00103222.545000. | 13.41              |
|              | IOS CAPITAL              |                                | 00103960.545000. | 159.64             |
|              | IOS CAPITAL              |                                | 00104190.545000. | 8.60               |
|              | IOS CAPITAL              |                                | 00104190.545000. | 89.86              |
|              | IOS CAPITAL              |                                | 00104190.545000. | 545.18             |
|              | IOS CAPITAL              |                                | 00105250.545000. | 6.17               |
|              | IOS CAPITAL              |                                | 00105380.545000. | 25.54              |
|              | IOS CAPITAL              |                                | 00143523.545000. | 31.49              |
|              | IOS CAPITAL              |                                | 10111230.545000. | 5.89               |
|              | IOS CAPITAL              |                                | 40142480.545000. | 15.58              |
|              | IOS CAPITAL              |                                | 40143410.545000. | 5.89               |
|              | IOS CAPITAL              |                                | 40143410.545000. | 9.26               |
|              | IOS CAPITAL              |                                | 40143410.545000. | 20.07              |
|              | IOS CAPITAL              |                                | 40143410.545000. | 28.52              |
|              | IOS CAPITAL              |                                | 40143410.545000. | 45.19              |
|              | IOS CAPITAL              |                                | 42047165.545000. | 4.87               |
|              | IOS CAPITAL              |                                | 50100065.545000. | 1.43               |
|              | IOS CAPITAL              |                                | 50200050.545000. | 1.44               |
| 60448        | INDUSTRIAL SUPPLY INC    | GUTTER BROOMS                  | 10110667.531000. | 2,339.22           |
| 60449        | IRON MOUNTAIN QUARRY LLC | ROCK FOR REPAIRS AND MAINT     | 10110130.548000. | 236.36             |
|              | IRON MOUNTAIN QUARRY LLC | ROCK FOR ALLEY                 | 10110130.548000. | 476.28             |
|              | IRON MOUNTAIN QUARRY LLC | ROCK FOR STREET REPAIRS        | 10110130.548000. | 498.24             |
|              | IRON MOUNTAIN QUARRY LLC | ROCK FOR REPAIRS AND MAINT     | 40141380.548000. | 236.35             |
| 60450        | JET PLUMBING             | RESTAURANT REPAIRS             | 42047061.549100. | 325.42             |
|              | JET PLUMBING             |                                | 42047061.549100. | 2,571.28           |
| 60451        | JUDD & BLACK             | RESTAURANT TV UPGRADES         | 42047061.549100. | 3,871.59           |
| 60452        | KING COUNTY DIST COURT   | BAIL POSTED                    | 001.229050.      | 500.00             |
| 60453        | JANIS LAMOUREUX          | REIMBURSE MILEAGE              | 00102020.549000. | 12.10              |
| 60454        | LASTING IMPRESSIONS INC  | (743) 2009 B-BALL LEAGUE SHIRT | 00105120.531040. | 4,884.83           |
|              | LASTING IMPRESSIONS INC  | (26) 2009 ULTIMATE B-BALL CAMP | 00105120.531090. | 261.45             |
| 60455        | LES SCHWAB TIRE CENTER   | REPAIR FLAT                    | 50100065.548000. | 36.92              |
| 60456        | DEPT OF LICENSING        | BIELAU, JULIE (RENEWAL)        | 001.237020.      | 18.00              |
|              | DEPT OF LICENSING        | COOK, GREGORY (RENEWAL)        | 001.237020.      | 18.00              |
|              | DEPT OF LICENSING        | COOK, THOMAS (ORIGINAL)        | 001.237020.      | 18.00              |
|              | DEPT OF LICENSING        | CRANE, RYAN (ORIGINAL)         | 001.237020.      | 18.00              |
|              | DEPT OF LICENSING        | ERICKSON, DOUGLAS (ORIGINAL)   | 001.237020.      | 18.00              |
|              | DEPT OF LICENSING        | HANSEN, MICHAEL (ORIGINAL)     | 001.237020.      | 18.00              |
|              | DEPT OF LICENSING        | HARLAN, PAUL (RENEWAL)         | 001.237020.      | 18.00              |
|              | DEPT OF LICENSING        | HEATON, BRENT (ORIGINAL)       | 001.237020.      | 18.00              |
|              | DEPT OF LICENSING        | HOLSCHER, RONALD (ORIGINAL)    | 001.237020.      | 18.00              |
|              | DEPT OF LICENSING        | MCGHEE, DONALD (ORIGINAL)      | 001.237020.      | 18.00              |
| 60457        | LORI LORANGER            | REFUND CLASS FEES              | 00110347.376009. | 46.00              |
| 60458        | LOWES HIW INC            | FLOOR MATS                     | 42047061.549100. | 32.54              |

**CITY OF MARYSVILLE  
 INVOICE LIST**

**FOR INVOICES FROM 01/08/2010 TO 01/08/2010**

| <u>CHK #</u> | <u>VENDOR</u>                    | <u>ITEM DESCRIPTION</u>        | <u>ACCOUNT #</u>      | <u>ITEM AMOUNT</u> |
|--------------|----------------------------------|--------------------------------|-----------------------|--------------------|
| 60459        | MARYSVILLE PAINT & DECORATING    | PAINT                          | 42047061.549100.      | 84.78              |
| 60460        | MARYSVILLE PRINTING              | ANNEXATION COPIES AND ENVELOPE | 00102020.542000.A0701 | 1,804.93           |
|              | MARYSVILLE PRINTING              | BUSINESS CARDS                 | 00103121.531000.      | 42.30              |
|              | MARYSVILLE PRINTING              |                                | 00103222.531000.      | 42.30              |
|              | MARYSVILLE PRINTING              | OVERTIME FORMS                 | 00103222.531000.      | 177.98             |
| 60461        | MARYSVILLE SCHOOL DISTRICT #25   | MITIGATION FEES 12/09          | 642.237000.           | 62,755.00          |
| 60462        | MCCAIN TRAFFIC SUPPLY            | PED PUSH BUTTONS               | 10111864.531000.      | 512.59             |
|              | MCCAIN TRAFFIC SUPPLY            | RETURN CONTROLLER EQUIPMENT    | 30500030.563000.R0804 | -1,145.74          |
|              | MCCAIN TRAFFIC SUPPLY            | CONTROLLER EQUIPMENT           | 30500030.563000.R0804 | 1,145.74           |
| 60463        | SHEILA MCCALLISTER               | REFUND SECURITY DEPOSIT        | 001.239100.           | 200.00             |
| 60464        | MERLINO BROTHERS LLC             | CEMENT WORK @ 65TH DR NE       | 401.223400.           | -986.45            |
|              | MERLINO BROTHERS LLC             |                                | 40145040.549200.M0921 | 19,729.00          |
| 60465        | NATIONAL BARRICADE COMPANY       | DELINEATOR POSTS,THERMAL PADS  | 10110564.531000.      | 676.58             |
| 60466        | NATIONAL SAFETY INC              | AIR MONITOR REPAIR             | 40143410.548000.      | 76.78              |
| 60467        | NORTH COUNTY OUTLOOK             | SALUTE TO POLICE AD            | 42047267.544000.      | 49.00              |
| 60468        | NORTHSTAR CHEMICAL INC.          | SODIUM HYPOCHLORITE            | 40140780.531001.      | 1,305.37           |
|              | NORTHSTAR CHEMICAL INC.          |                                | 40142480.531320.      | 2,955.44           |
| 60469        | NORTHWEST CASCADE INC            | HONEY BUCKET                   | 00105380.531000.      | 103.33             |
| 60470        | WORTH NORTON                     | REIMBURSE SECURITY TOKENS,MISC | 40142280.531000.      | 59.98              |
|              | WORTH NORTON                     |                                | 50300090.531000.      | 1,394.35           |
|              | WORTH NORTON                     |                                | 50300090.532000.      | 44.92              |
|              | WORTH NORTON                     |                                | 50300090.543000.      | 85.91              |
| 60471        | NW FOOD & BEVERAGE, LLC          | RESTAURANT REIMBURSEMENT       | 420.125000.           | 409.87             |
| 60472        | PAT OAKES                        | REFUND DEPOSIT FOR RENTAL      | 001.239100.           | 100.00             |
| 60473        | VANCE P ODELL                    | PUBLIC DEFENDER                | 00101420.541040.      | 6,000.00           |
| 60474        | OFFICE DEPOT                     | OFFICE SUPPLIES                | 00100310.531000.      | 36.77              |
|              | OFFICE DEPOT                     |                                | 00102020.531000.      | 21.47              |
|              | OFFICE DEPOT                     |                                | 00102020.531000.      | 45.05              |
|              | OFFICE DEPOT                     |                                | 00102020.531000.      | 48.35              |
|              | OFFICE DEPOT                     |                                | 00102020.531000.      | 60.16              |
|              | OFFICE DEPOT                     |                                | 00102020.531000.      | 126.88             |
|              | OFFICE DEPOT                     |                                | 00103121.531000.      | 91.91              |
|              | OFFICE DEPOT                     |                                | 00103222.531000.      | 155.38             |
|              | OFFICE DEPOT                     |                                | 00103630.531000.      | 8.00               |
|              | OFFICE DEPOT                     |                                | 00104190.531000.      | 3.40               |
|              | OFFICE DEPOT                     |                                | 00104190.531000.      | 32.00              |
|              | OFFICE DEPOT                     |                                | 00105380.531000.      | 17.03              |
|              | OFFICE DEPOT                     |                                | 00143523.531000.      | 11.86              |
|              | OFFICE DEPOT                     | FILE CABINET CREDIT            | 10400022.549000.0914  | -169.89            |
|              | OFFICE DEPOT                     |                                | 10400022.549000.0914  | -169.89            |
|              | OFFICE DEPOT                     | OFFICE SUPPLIES                | 40143410.531000.      | 40.82              |
|              | OFFICE DEPOT                     |                                | 40143410.531000.      | 90.08              |
| 60475        | OFIS COMMUNICATIONS              | VIDEO ARRAIGNMENT HDMI CABLE   | 10400022.549000.0914  | 235.26             |
| 60476        | PACIFIC NW BUSINESS PRODUCTS INC | TONER                          | 00103010.531000.      | 49.90              |
| 60477        | PACIFIC POWER PRODUCTS           | ACTUATOR ASSEMBLY              | 42047165.548000.      | 811.84             |
| 60478        | PACIFIC TOPSOILS INC             | ASPHALT DUMP                   | 40145040.549200.M0921 | 116.00             |
|              | PACIFIC TOPSOILS INC             |                                | 40145040.549200.M0921 | 116.00             |
|              | PACIFIC TOPSOILS INC             |                                | 40145040.549200.M0921 | 116.00             |
|              | PACIFIC TOPSOILS INC             |                                | 40145040.549200.M0921 | 116.00             |
|              | PACIFIC TOPSOILS INC             | CONCRETE DUMP                  | 40145040.549200.M0921 | 171.00             |
|              | PACIFIC TOPSOILS INC             |                                | 40145040.549200.M0921 | 171.00             |
|              | PACIFIC TOPSOILS INC             |                                | 40145040.549200.M0921 | 171.00             |

**CITY OF MARYSVILLE  
 INVOICE LIST**

**FOR INVOICES FROM 01/08/2010 TO 01/08/2010**

| <u>CHK #</u> | <u>VENDOR</u>                    | <u>ITEM DESCRIPTION</u>        | <u>ACCOUNT #</u>      | <u>ITEM AMOUNT</u> |
|--------------|----------------------------------|--------------------------------|-----------------------|--------------------|
| 60479        | PAPE MACHINERY                   | LIFT RENTAL                    | 31000076.549000.P0908 | 81.45              |
| 60480        | THE PARTS STORE                  | SOCKET                         | 40141280.535000.      | 5.66               |
|              | THE PARTS STORE                  | WRENCH,SOCKET SET              | 40141280.535000.      | 78.37              |
| 60481        | TODD PETERSON                    | REFUND CLASS FEES              | 00110347.376007.      | 66.00              |
| 60482        | LYNN PETRABORG                   |                                | 00110347.376009.      | 32.00              |
| 60483        | PETROCARD SYSTEMS INC            | FUEL CONSUMED                  | 00100020.532000.      | 47.63              |
|              | PETROCARD SYSTEMS INC            |                                | 00102020.532000.      | 316.64             |
|              | PETROCARD SYSTEMS INC            |                                | 00103222.532000.      | 4,283.81           |
|              | PETROCARD SYSTEMS INC            |                                | 00105380.532000.      | 554.05             |
|              | PETROCARD SYSTEMS INC            |                                | 10111230.532000.      | 1,563.64           |
|              | PETROCARD SYSTEMS INC            |                                | 40143880.532000.      | 4,231.37           |
|              | PETROCARD SYSTEMS INC            |                                | 41046060.532000.      | 3,133.04           |
|              | PETROCARD SYSTEMS INC            |                                | 50100065.532000.      | 69.38              |
|              | PETROCARD SYSTEMS INC            |                                | 50200050.532000.      | 206.08             |
| 60484        | PETTY CASH- PW                   | REGISTRATION FEES              | 50100048.564000.      | 15.75              |
| 60485        | UNITED STATES POSTAL SERVICE     | RSO MAILINGS                   | 00103121.542000.      | 162.77             |
| 60486        | KEVIN POWELL                     | REFUND CLASS FEES              | 00110347.376007.      | 66.00              |
| 60487        | PRIDE ELECTRIC INC.              | OUTLET FOR STEAMER-RESTAURANT  | 42047061.549100.      | 1,246.73           |
| 60488        | PRO FAB INC                      | STAINLESS STEEL PIPE           | 40142480.548000.      | 1,361.01           |
| 60489        | PRO FAB INC                      | AERATOR,YOKE                   | 40142480.548000.      | 399.65             |
| 60490        | PUGET SOUND SECURITY             | JAIL KEYS                      | 00103960.531000.      | 21.27              |
| 60491        | DENNIS & CAROL REED              | WATER CONSERVATION REBATE      | 40143410.549070.      | 50.00              |
| 60492        | DANNIALLE RITACCO                | REFUND CLASS FEES              | 00110347.376009.      | 17.00              |
| 60493        | RUBATINO REFUSE REMOVAL, INC.    | 20 YD CONTAINER-BOYS & GIRLS C | 31000076.541000.P0908 | 451.02             |
| 60494        | SHERWIN WILLIAMS                 | PAINT                          | 42047061.549100.      | 21.71              |
| 60495        | SMOKEY POINT CONCRETE            | ECO BLOCKS                     | 40140480.531000.      | 58.64              |
|              | SMOKEY POINT CONCRETE            | 1 1/4 MINUS                    | 40140480.531000.      | 74.84              |
| 60496        | SNAP-ON INCORPORATED             | SENSOR TESTER,TORQ DRIVER      | 50100065.535000.      | 701.80             |
| 60497        | SNO CO PUBLIC WORKS              | 11/09 BILLING                  | 40141380.549200.M0933 | 214.91             |
| 60498        | SNOHOMISH COUNTY TREASURER       | CRIME VICTIM/WITNESS FUNDS     | 00102570.551000.      | 722.54             |
| 60499        | SNOHOMISH COUNTY TREASURER       | MICROFILMING COSTS-ANNEXATION  | 00102020.549000.A0701 | 2,828.01           |
| 60500        | SNOHOMISH HEALTH DISTRICT        | HEP B SHOT-STRAWN              | 10111230.541000.      | 89.00              |
| 60501        | SOUND HARLEY DAVIDSON            | MOTORCYCLE REPAIR              | 00103222.548000.      | 331.51             |
|              | SOUND HARLEY DAVIDSON            |                                | 00103222.548000.      | 464.48             |
| 60502        | SOUND SAFETY PRODUCTS CO INC     | GLOVES                         | 00103960.531000.      | 117.84             |
| 60503        | SPARLING INC                     | PROFESSIONAL SERVICES          | 40230594.563000.S0901 | 6,910.00           |
| 60504        | SPRINGBROOK NURSERY              | 10 YDS TOPSOIL                 | 40145040.549200.M0921 | 150.78             |
|              | SPRINGBROOK NURSERY              |                                | 40145040.549200.M0921 | 156.17             |
| 60505        | WASHINGTON STATE PATROL          | BACKGROUND CHECKS 12/09        | 00100310.541000.      | 150.00             |
| 60506        | DEPT OF TRANSPORTATION NW REGION | PROJECT COSTS NOV 09           | 30500030.563000.R0604 | 456.27             |
|              | DEPT OF TRANSPORTATION NW REGION | PROJECT COSTS SEPT 09          | 30500030.563000.R0604 | 953.13             |
|              | DEPT OF TRANSPORTATION NW REGION |                                | 30500030.563000.R0904 | 1,354.56           |
| 60507        | AL TREACY                        | REIMBURSE 2010 BAR DUES        | 00101320.549000.      | 480.00             |
| 60508        | TYLER TECHNOLOGIES, INC.         | W2 & 1099 FORMS                | 00101023.531000.      | 194.89             |
| 60509        | UNITED PARCEL SERVICE            | SHIPPING EXPENSE               | 00103222.541000.      | 144.25             |
|              | UNITED PARCEL SERVICE            |                                | 10110564.531000.      | 10.40              |
| 60510        | UNITED PIPE & SUPPLY INC         | PARTS FOR CEDARCREST PUMP      | 40140480.531000.      | 8,633.70           |
|              | UNITED PIPE & SUPPLY INC         | METER BOX KEYS                 | 40140580.531000.      | 83.27              |
|              | UNITED PIPE & SUPPLY INC         | WATER METER RESETTERS          | 40140580.531000.      | 1,561.04           |
|              | UNITED PIPE & SUPPLY INC         | METER BOX                      | 40140980.531000.      | 102.80             |
|              | UNITED PIPE & SUPPLY INC         | (60) CARSON VALVE BOX          | 40140980.531000.      | 433.32             |
|              | UNITED PIPE & SUPPLY INC         | FLANGE KIT,NUT SET             | 40220594.563000.W0607 | 26.60              |

**CITY OF MARYSVILLE  
 INVOICE LIST**

**FOR INVOICES FROM 01/08/2010 TO 01/08/2010**

| <u>CHK #</u> | <u>VENDOR</u>                    | <u>ITEM DESCRIPTION</u>       | <u>ACCOUNT #</u>     | <u>ITEM AMOUNT</u> |
|--------------|----------------------------------|-------------------------------|----------------------|--------------------|
| 60511        | VERIZON NORTHWEST                | METER READING PROF SERVICES   | 40141280.541000.     | 403.68             |
| 60512        | WASHINGTON STATE TREASURER       | PUBLIC SAFETY & BLDG REVENUE  | 001.237010.          | 42,547.06          |
|              | WASHINGTON STATE TREASURER       |                               | 001.237030.          | 450.00             |
| 60513        | WEED GRAAFSTRA AND BENSON INC PS | FORFEITURES 12/09             | 00103121.541000.     | 400.00             |
| 60514        | WELCOME COMMUNICATIONS           | FLASHLIGHT                    | 00103222.526000.     | 99.78              |
| 60515        | WESTERN EQUIPMENT DISTRIBUTORS   | AIR FILTER,CHOKE,GEAR HOUSING | 00105380.548000.     | 303.09             |
| 60516        | WHATCOM COUNTY                   | NW MINI CHAIN 4TH QTR 09      | 00103960.551000.     | 8,623.50           |
| 60517        | WIND ENVIRONMENTAL SERVICES, LLC | (3) CAMERAS & HARDWARE        | 103.231700.          | -387.26            |
|              | WIND ENVIRONMENTAL SERVICES, LLC |                               | 10308521.535000.0909 | 4,890.26           |
| 60518        | JESSICA ZABOROWSKI               | REFUND CLASS FEES             | 00110347.376009.     | 15.00              |
|              | JESSICA ZABOROWSKI               |                               | 00110347.376009.     | 209.00             |
| 60519        | AT&T MOBILITY                    | ACCT #287016547824            | 40145040.531000.     | 13.22              |
| 60520        | PUD NO 1 OF SNOHOMISH COUNTY     | ACCT #109-000-510-7           | 00101250.547000.     | 586.28             |
|              | PUD NO 1 OF SNOHOMISH COUNTY     | ACCT #258-014-292-1           | 00105380.547000.     | 57.04              |
|              | PUD NO 1 OF SNOHOMISH COUNTY     | ACCT #258-010-895-5           | 00105380.547000.     | 57.06              |
|              | PUD NO 1 OF SNOHOMISH COUNTY     | ACCT #670-001-300-3           | 10110463.547000.     | 38.48              |
|              | PUD NO 1 OF SNOHOMISH COUNTY     | ACCT #954-003-061-7           | 10110463.547000.     | 379.04             |
|              | PUD NO 1 OF SNOHOMISH COUNTY     | ACCT #690-001-250-8           | 10110463.547000.     | 1,532.11           |
|              | PUD NO 1 OF SNOHOMISH COUNTY     | ACCT #600-001-260-6           | 10110463.547000.     | 1,937.15           |
|              | PUD NO 1 OF SNOHOMISH COUNTY     | ACCT #660-001-330-1           | 10110463.547000.     | 12,652.86          |
|              | PUD NO 1 OF SNOHOMISH COUNTY     | ACCT #295-001-624-2           | 40140180.547000.     | 660.32             |
|              | PUD NO 1 OF SNOHOMISH COUNTY     | ACCT #538-011-915-5           | 40142280.547000.     | 1.18               |
|              | PUD NO 1 OF SNOHOMISH COUNTY     | ACCT #543-001-786-2           | 40142280.547000.     | 1,282.51           |
| 60521        | PUGET SOUND ENERGY               | ACCT #753-901-800-7           | 00100010.547000.     | 2,008.82           |
|              | PUGET SOUND ENERGY               | ACCT #835-819-211-3           | 00101250.547000.     | 708.54             |
|              | PUGET SOUND ENERGY               | ACCT #549-775-008-2 CITY HALL | 00103530.547000.     | 754.91             |
|              | PUGET SOUND ENERGY               | ACCT #616-190-400-5           | 00105250.547000.     | 88.65              |
|              | PUGET SOUND ENERGY               | ACCT #922-456-500-3           | 40143780.547000.     | 266.70             |
|              | PUGET SOUND ENERGY               | ACCT #435-851-700-3           | 40143780.547000.     | 1,608.10           |
|              | PUGET SOUND ENERGY               | ACCT #433-744-264-6           | 42047267.547000.     | 127.13             |
| 60522        | VERIZON NORTHWEST                | ACCT #107355912203            | 00100020.542000.     | 32.43              |
|              | VERIZON NORTHWEST                |                               | 00100050.542000.     | 64.85              |
|              | VERIZON NORTHWEST                |                               | 00100110.542000.     | 97.28              |
|              | VERIZON NORTHWEST                |                               | 00100310.542000.     | 32.43              |
|              | VERIZON NORTHWEST                |                               | 00102020.542000.     | 64.85              |
|              | VERIZON NORTHWEST                |                               | 00103010.542000.     | 226.98             |
|              | VERIZON NORTHWEST                |                               | 00103222.542000.     | 32.43              |
|              | VERIZON NORTHWEST                |                               | 00103530.542000.     | 129.70             |
|              | VERIZON NORTHWEST                |                               | 00103960.542000.     | 97.28              |
|              | VERIZON NORTHWEST                |                               | 00104000.542000.     | 64.85              |
|              | VERIZON NORTHWEST                |                               | 00104190.542000.     | 97.28              |
|              | VERIZON NORTHWEST                |                               | 00105250.542000.     | 97.28              |
|              | VERIZON NORTHWEST                |                               | 00105380.542000.     | 259.40             |
|              | VERIZON NORTHWEST                |                               | 00112572.542000.     | 64.85              |
|              | VERIZON NORTHWEST                |                               | 00143523.542000.     | 32.43              |
|              | VERIZON NORTHWEST                |                               | 10111230.542000.     | 32.43              |
|              | VERIZON NORTHWEST                |                               | 40142480.542000.     | 194.52             |
|              | VERIZON NORTHWEST                |                               | 40143410.542000.     | 371.82             |
|              | VERIZON NORTHWEST                |                               | 42047061.542000.     | 291.83             |
|              | VERIZON NORTHWEST                |                               | 42047061.549100.     | 32.43              |


**WARRANT TOTAL:**

**534,239.86**

**CITY OF MARYSVILLE**

**EXECUTIVE SUMMARY FOR ACTION**

**CITY COUNCIL MEETING DATE: January 25, 2010**

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

Please see attached.

|   |
|---|
| RECOMMENDED ACTION:<br><br>The Finance and Executive Departments recommend City Council approve the <b>January 13, 2010</b> claims in the amount of <b>\$637,611.94</b> paid by <b>Check No.'s 60523 through 60572</b> with Check No. 60286 voided. |
| COUNCIL ACTION:   |

BLANKET CERTIFICATION  
**CLAIMS**  
FOR  
**PERIOD-1**

I, THE UNDERSIGNED, DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE MATERIALS HAVE BEEN FURNISHED, THE SERVICES RENDERED OR THE LABOR PERFORMED AS DESCRIBED HEREIN AND THAT THE **CLAIMS** IN THE AMOUNT OF **\$637,611.94 PAID BY CHECK NO.'S 60523 THROUGH 60572 WITH CHECK NUMBER 60286 VOIDED** ARE JUST, DUE AND UNPAID OBLIGATIONS AGAINST THE CITY OF MARYSVILLE, AND THAT I AM AUTHORIZED TO AUTHENTICATE AND TO CERTIFY SAID CLAIMS.

*Sandy Kingdon*  
\_\_\_\_\_  
AUDITING OFFICER

*1/13/10*  
\_\_\_\_\_  
DATE

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
DATE

WE, THE UNDERSIGNED COUNCIL MEMBERS OF MARYSVILLE, WASHINGTON DO HEREBY APPROVE FOR PAYMENT THE ABOVE MENTIONED **CLAIMS** ON THIS **13<sup>th</sup> DAY OF JANUARY 2010.**

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

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

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COUNCIL MEMBER

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COUNCIL MEMBER

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COUNCIL MEMBER

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COUNCIL MEMBER

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COUNCIL MEMBER



**CITY OF MARYSVILLE  
 INVOICE LIST**

**FOR INVOICES FROM 01/13/2010 TO 01/13/2010**

| <u>CHK #</u> | <u>VENDOR</u>                        | <u>ITEM DESCRIPTION</u>        | <u>ACCOUNT #</u>     | <u>ITEM AMOUNT</u> |
|--------------|--------------------------------------|--------------------------------|----------------------|--------------------|
| 60523        | ALLIED EMPLOYERS LABOR RELATIONS     | 2010 MEMBERSHIP DUES           | 00100310.541000.     | 2,366.96           |
| 60524        | ASPEN PUBLISHERS INC                 | 2010 APA BASIC GUIDE RELEASE   | 00101023.531000.     | 363.82             |
| 60525        | ASSOCIATION OF WASHINGTON CITIES     | 2010 AWC DRUG & ALCOLHOL TESTI | 40143410.549700.     | 2,555.00           |
| 60526        | BANDWIDTH.COM INC                    | MONTHLY SERVICE CHARGE         | 50300090.542000.     | 102.52             |
| 60527        | MERIAN BELTRAN                       | REFUND DEPOSIT FOR RENTAL      | 001.239100.          | 100.00             |
| 60528        | BICKFORD FORD-MERCURY                | REAR BRAKE ROTORS,BRAKE PAD SE | 501.141100.          | 231.60             |
| 60529        | CARR'S ACE HARDWARE                  | (6) PADLOCKS                   | 501.141100.          | 58.58              |
| 60530        | ASSOC OF SNO CO CITIES & TOWNS       | SCC DINNER (2)                 | 00100060.549000.     | 70.00              |
| 60531        | SAM DAY                              | REIMBURSE CDL SKILLS FEE       | 00105380.549000.     | 100.00             |
| 60532        | E&E LUMBER INC                       | WORK STATION PIECES            | 10400022.549000.0914 | 43.46              |
| 60533        | EVERETT MUNICIPAL COURT              | BAIL POSTED                    | 001.229050.          | 500.00             |
| 60534        | FOOTJOY                              | DRY JOY SHOES                  | 420.141100.          | 58.74              |
|              | FOOTJOY                              |                                | 420.141100.          | 64.01              |
| 60535        | GRAINGER INC                         | RELAY                          | 40142480.548000.     | 84.56              |
| 60536        | DEPT OF INFORMATION SERVICES         | TELECOMMUNICATION SERVICES     | 00104190.551000.     | 1,121.80           |
| 60537        | INSTITUTE OF TRANSORTATION ENGINEERS | ITE 2010 DUES-TATUM            | 00100020.549000.     | 267.00             |
| 60538        | ISS-WONDERWARE                       | 2010 ANNUAL SUPPORT RENEWAL    | 40142480.541000.     | 8,633.70           |
| 60539        | LEXIPOL LLC                          | LE POLICY ONLINE MANUAL        | 104.231700.          | -683.70            |
|              | LEXIPOL LLC                          |                                | 10400022.549000.0914 | 8,633.70           |
| 60540        | DEPT OF LICENSING                    | FALVEY, DAVID (RENEWAL)        | 001.237020.          | 18.00              |
|              | DEPT OF LICENSING                    | GROSSMAN, ERIC (ORIGINAL)      | 001.237020.          | 18.00              |
|              | DEPT OF LICENSING                    | KELP, BENJAMIN (ORIGINAL)      | 001.237020.          | 18.00              |
|              | DEPT OF LICENSING                    | PETTIT, DAVID (RENEWAL)        | 001.237020.          | 18.00              |
|              | DEPT OF LICENSING                    | PHILLIPS, MECHELLE (ORIGINAL)  | 001.237020.          | 18.00              |
|              | DEPT OF LICENSING                    | POSTAL, BENJAMIN (ORIGINAL)    | 001.237020.          | 18.00              |
| 60541        | LINKS TURF SUPPLY INC                | CUP COVERS                     | 42047165.531910.     | 137.93             |
| 60542        | M LEE SMITH PUBLISHERS               | HR INSIGHT-MONTHLY ISSUES      | 00100310.549000.     | 177.00             |
| 60543        | MARYSVILLE FIRE DIST #12             | FIRE CONTROL/EMERGENCY AID SER | 00109522.551000.     | 455,912.62         |
|              | MARYSVILLE FIRE DIST #12             |                                | 00109526.551000.     | 185,345.40         |
| 60544        | MARYSVILLE PRINTING                  | BOOKING FORMS                  | 00103960.531000.     | 369.24             |
| 60545        | MARYSVILLE STRAWBERRY FESTIVAL       | 2008 HOTEL/MOTEL GRANT APPLICA | 10500030.549000.     | 2,500.00           |
| 60546        | CITY OF MARYSVILLE                   | WTR/SWR @ 514 DELTA AVE        | 00105380.547000.     | 90.57              |
|              | CITY OF MARYSVILLE                   | WTR/SWR @ 61 STATE AVE         | 40143780.547000.     | 152.08             |
|              | CITY OF MARYSVILLE                   | WTR/SWR @ 316 CEDAR AVE        | 42047267.547000.     | 346.54             |
| 60547        | MICROFLEX INC                        | TAXTOOLS SALES TAX CONVERSION  | 00101023.541000.     | 300.00             |
| 60548        | NATIONAL FIRE PROTECTION ASSN.       | ANNUAL MEMBERSHIP              | 00102020.549000.     | 270.00             |
| 60549        | NW FOOD & BEVERAGE, LLC              | RESTAURANT REIMBURSEMENT       | 42047061.549100.     | 2,417.43           |
| 60550        | HOPKINS AUTO SUPPLY, INC             | MENS GOLF BOOT                 | 420.141100.          | 60.38              |
| 60551        | JUSTIN PALITZ                        | REIMBURSE CDL SKILLS FEE       | 00105380.549000.     | 100.00             |
| 60552        | SARAH PARSLEY                        | REFUND DEPOSIT FOR RENTAL      | 001.239100.          | 100.00             |
| 60553        | THE PARTS STORE                      | BATTERY                        | 501.141100.          | 373.37             |
| 60554        | LAURIE HUGDAHL                       | MINUTE TAKING SERVICE          | 00101130.541000.     | 257.30             |
| 60555        | PELZER GOLF SUPPLIES                 | BALL RETRIEVER                 | 420.141100.          | 32.26              |
| 60556        | PING                                 | PUTTER                         | 420.141100.          | 137.87             |
| 60557        | POLICE INDEPENDENT GUILD CHARITY FUN | PASS THRU GRANT PROCEEDS       | 001.237000.          | 2,000.00           |
| 60558        | WA PUBLIC EMPLOYER LABOR RELATIONS   | 2010 MEMBERSHIP WAPELRA DUES   | 00100310.549000.     | 200.00             |
| 60559        | PUBLIC FINANCE INC.                  | LID ADMINISTRATION             | 00100011.549000.     | 89.77              |
|              | PUBLIC FINANCE INC.                  |                                | 45000085.549000.     | 807.95             |
| 60560        | PUGET SOUND SECURITY                 | KEYS                           | 00103960.531000.     | 6.40               |
| 60561        | RAILROAD MANAGEMENT COMPANY III, LL  | WATER/SEWER PIPELINE CROSSING  | 40143410.549000.     | 99.83              |
| 60562        | JERAMIE ROTH                         | REIMBURSE CDL SKILLS FEE       | 00105380.549000.     | 100.00             |
| 60563        | SOUND SAFETY PRODUCTS CO INC         | GLOVES                         | 501.141100.          | 232.41             |



**CITY OF MARYSVILLE  
 INVOICE LIST**

**FOR INVOICES FROM 01/13/2010 TO 01/13/2010**

| <u>CHK #</u> | <u>VENDOR</u>                     | <u>ITEM DESCRIPTION</u>        | <u>ACCOUNT #</u>      | <u>ITEM AMOUNT</u> |
|--------------|-----------------------------------|--------------------------------|-----------------------|--------------------|
| 60564        | TEXTRON FINANCIAL CORPORATION     | 10 EZ GO GOLF CART LEASE       | 42047165.545000.      | 970.00             |
| 60565        | TITLEIST                          | VOKEY WEDGE                    | 420.141100.           | 80.02              |
|              | TITLEIST                          | CART BAG                       | 420.141100.           | 120.99             |
| 60566        | THE GREATER MARYSVILLE TULALIP    | 2008 HOTEL/MOTEL GRANT APPLICA | 10500030.549000.      | 1,200.00           |
| 60567        | UNITED PIPE & SUPPLY INC          | PVC PIPE,TEES                  | 40220594.563000.W0607 | 89.53              |
| 60568        | WA STATE BAR ASSOCIATION          | 2010 LICENSE RENEWAL-MILLETT   | 00101320.549000.      | 476.05             |
| 60569        | WASTE MANAGEMENT NORTHWEST        | SERVICE @ DEERING              | 00105380.547000.      | 66.71              |
| 60570        | WEED GRAAFSTRA AND BENSON INC PS  | LEGAL SERVICES                 | 00105515.541000.      | 59.50              |
|              | WEED GRAAFSTRA AND BENSON INC PS  |                                | 00105515.541000.      | 15,266.58          |
|              | WEED GRAAFSTRA AND BENSON INC PS  |                                | 30500030.563000.R0301 | 32.00              |
|              | WEED GRAAFSTRA AND BENSON INC PS  |                                | 40143410.541000.      | 1,187.00           |
|              | WEED GRAAFSTRA AND BENSON INC PS  |                                | 40143410.541000.      | 15,266.57          |
|              | WEED GRAAFSTRA AND BENSON INC PS  |                                | 40145040.541000.      | 2,312.00           |
| 60571        | WASHINGTON FINANCE OFFICERS ASSOC | 2010 MEMBERSHIP (3)            | 00101023.549000.      | 150.00             |
| 60572        | WINGFOOT COMMERCIAL               | TIRES                          | 42047165.548000.      | 188.83             |

**WARRANT TOTAL: 714,861.88**

**VOID**

**REASON FOR VOIDS:**

**CHECK # 60286 INITIATOR ERROR (77,249.94)**

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

**637,611.94**



# **NOTICE OF PUBLIC HEARING**

## **Proposed Utility Rate Adjustment**

Date: January 25, 2010

Time: 7:00 p.m.

Place: City Council Chambers, City Hall

1049 State Avenue, Marysville

Notice is hereby given that the City Council of the City of Marysville will hold a public hearing to discuss a proposed Utility Rate Adjustment and the results of a Cost of Service Study.

Any person may appear at the hearing and be heard in support of or in opposition to this proposal. Additional information may be obtained at the City of Marysville Public Works Department, 80 Columbia Ave., Marysville, Washington 98270, (360) 363-8100.

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

**CITY OF MARYSVILLE**

**EXECUTIVE SUMMARY FOR ACTION**

**CITY COUNCIL MEETING DATE: January 25, 2010**

|   |  |     |
|---|--|-----|
| AGENDA ITEM:<br>Agreement for Services – Allied Employers, Inc. | AGENDA SECTION:  |     |
| PREPARED BY:<br>Kristie Guy, Assistant HR Director              | AGENDA NUMBER:   |     |
| ATTACHMENTS:<br>Agreement for Services                          | APPROVED BY:   |     |
|   | MAYOR  | CAO |
| BUDGET CODE:<br>00100310 541000                                 | AMOUNT:<br>\$2,293.18/month dues<br>\$73.78/ monthly surcharge |     |

Allied Employers is an independent contractor who has provided consulting services for the City in the area of labor relations and employee benefits. Allied provides services related to the City’s day-to-day personnel and labor relations needs as requested by the Chief Administrative Officer and/or his/her designee. Allied is also the designated bargaining representative for the City for labor relations purposes. The City desires to continue this relationship and recommends approval of the agreement for services.

**RECOMMENDED ACTION:**

Authorize the Mayor to sign the Agreement for Services with Allied Employers commencing January 1, 2010 and ending on December 31, 2010.

**COUNCIL ACTION:**

# Allied Employers

Labor Relations Representative & Advisors

January 4, 2010

Ms. Kristie Guy  
City of Marysville  
1049 State Avenue  
Marysville, WA 98270

Re: Agreement for Services – Allied Employers, Inc.

Dear Kristie:

Please find enclosed “Agreement for Services” contract that covers January 1, 2010 through December 31, 2010. After your review and signature, please return one fully signed copy for our files.

If you have any questions regarding this matter, please contact me directly.

Respectfully,

ALLIED EMPLOYERS, INC.



Randall L. Zeiler  
President

RLZ:db

Enclosures

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## AGREEMENT FOR SERVICES

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**THIS AGREEMENT is made and entered into by and between the CITY OF MARYSVILLE, WASHINGTON (“City”), and ALLIED EMPLOYERS, INC. (“Allied”).**

- 1. PURPOSE.** The purpose of this agreement is to provide consulting services for the City in the area of public sector labor relations and employee benefits.
- 2. SCOPE OF WORK.** Allied shall perform consulting services relating to the City’s day-to-day personnel and labor relations needs as requested by the City Administrator and/or his designee(s). Allied shall also, by this agreement, be officially designated as the City’s bargaining representative for labor relations purposes.
- 3. PAYMENT.** In consideration of the above-referenced services, the City agrees to pay Allied a monthly fee of two thousand two hundred ninety three dollars and eighteen cents (\$2,293.18) for dues and a monthly surcharge of seventy three dollars and seventy-eight cents (\$73.78). The city also agrees to pay Allied its actual, out-of-pocket expenses, such as long distance telephone charges, mileage (at not more than the IRS rate) copying charges and any required meeting or travel expenses. The City shall make payment to Allied within thirty (30) days of receipt of its invoice. If after termination of this Agreement Allied is required to testify in any matter pertaining to the consulting services that are the subject of this Agreement, the City agrees to


compensate Allied at Allied's hourly rate in effect at the date of termination of this agreement, provided however, this shall not exceed \$220.00 per hour.

4. **TERM OF AGREEMENT.** The term of this agreement shall be for twelve (12) months, commencing January 1, 2010, and ending on December 31, 2010. This agreement may be renewed automatically for additional one-year terms upon the same terms and conditions unless earlier terminated as provided in paragraph 5 below.
5. **TERMINATION.** If, through any cause, Allied shall fail to fulfill in a timely and proper manner its obligations under this agreement, the City shall have the right to terminate this agreement by giving written notice to Allied and Specifying the effective date of such termination. In that event, or in the event of expiration of this agreement, all finished or unfinished documents and notes on work planned or in progress prepared by Allied shall become the property of the city, and Allied shall be entitled to receive its fee, prorated to the date of termination.
6. **INDEPENDENT CONTRACTOR.** The parties declare that Allied is acting as an independent contractor and not in any manner as an officer or employee of the City. As such, Allied shall be solely responsible for all wages and benefits of its employees. Allied shall not assign any of its responsibilities under this agreement to any third party without the written consent of the City. Allied shall maintain errors and omissions insurance with minimum limits of \$1,000,000 per occurrence and as an annual aggregate.

- 7. **NON DISCRIMINATION.** Allied agrees to abide by all anti-discrimination laws, rules and regulations of the State of Washington and the United States.
- 8. **ENTIRE AGREEMENT.** This Agreement sets forth in full the entire agreement of the parties. This agreement may be amended only by written agreement executed by both parties hereto.

DATED THIS 4 day of January, 2010.

**ALLIED EMPLOYERS, INC.**

BY   
**Randall L. Zeiler**  
**President**

DATED THIS \_\_\_\_\_ day of \_\_\_\_\_, 2010

**CITY OF MARYSVILLE**

BY \_\_\_\_\_

**ATTEST:**

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


**Approved as to form:**

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

**CITY OF MARYSVILLE**

**EXECUTIVE SUMMARY FOR ACTION**

**CITY COUNCIL MEETING DATE: January 25, 2010**

|   |  |     |
|---|--|-----|
| AGENDA ITEM:<br>Approval of Escrow Agreement    | AGENDA SECTION:<br>Agreement   |     |
| PREPARED BY:<br>Pat Gruenhagen, Project Manager | APPROVED BY:  |     |
| ATTACHMENTS:<br>Escrow Agreement                |  |     |
|   | MAYOR  | CAO |
| BUDGET CODE:<br>30500030.563000 R0502           | AMOUNT:  |     |

**DESCRIPTION:**

On December 14, 2009 City Council awarded the Ingraham Boulevard Project to SRV Construction, Inc. In the process of executing the contract, SRV Construction has asked the City to approve a retainage Escrow Agreement. This is a right the Contractor has by the approved specifications.

|  |
|--|
| RECOMMENDED ACTION:<br>Staff recommends that Council authorize the Mayor to approve the Escrow Agreement and sign the agreement. |
| COUNCIL ACTION:  |





|                   |   |
|-------------------|---|
| <b>Project</b>    | Ingraham Boulevard Extension<br>Project # R0502 |
| <b>Contractor</b> | SRV Construction, Inc.                          |
| <b>Bank</b>       | Whidbey Island Bank                             |

The Undersigned, SRV Construction, Inc., hereinafter referred to as the Contractor, and the City of Marysville, hereinafter referred to as the City, have entered into a public works construction contract.

Under the terms of the Contract, and pursuant to Chapter 60.28. RCW, the Contractor and the Public Body have agreed to deposit any and all retainage from the Contract into an interest bearing depository account (the "Retainage Account") with Whidbey Island Bank (the "Bank"), subject to the following instructions:

## **RETAINAGE ESCROW AGREEMENT AND INSTRUCTIONS**

1. **Escrow Agreement.** The Contractor on a public improvement project for the City exercised its option pursuant to RCW 60.28.011 (1994) to place Retainage in escrow with the Bank. This Agreement constitutes both the escrow agreement between the City and Contractor and instructions to the Bank for handling of the Escrow Account. This Agreement is not effective until (a) the Agreement has been signed by the Contractor, Bank and City and (b) Contractor, Bank and City have entered the appropriate information in Exhibit A.
  
2. **Check Issuance, Endorsement, and Deposit.** From time to time, the City will issue a Check payable to the Bank and Contractor jointly. Contractor expressly authorizes and grants the power to the Bank to endorse the check on its behalf, to negotiate the check, collect the funds represented by the Check, and to deposit the funds so collected into the Escrow Account. These powers shall be deemed to be powers coupled with an interest and shall be irrevocable during the term of this escrow.
  
3. **Investment of Funds.** Funds and cash balances in the Escrow Account may be invested in Eligible Securities at the direction of the Contractor. For purchase of Eligible Securities, the Bank may follow the last written direction it received from the Contractor, provided such direction provides for investment in Eligible Securities. The Bank shall not invest any funds, cash balances, or proceeds of sale of Eligible Securities in any securities, bonds or accounts that are not Eligible Securities. Eligible Securities purchased pursuant to this Agreement shall be held by the Bank as custodian as part of this escrow. Eligible Securities shall be held in the Bank's name. Interest on the purchased Eligible Securities, if any, shall be paid to Contractor when, as and if any accrued interest is received by the Bank.
  
4. **Eligible Securities.** The following securities are deemed Eligible Securities, and the Bank may invest funds and cash balances in such securities at the direction of Contractor without further approval of the City, provided that any maturity dates are no later than twenty-five (25)

calendar days after the Completion Date and provided they are held in a manner and form that allows Bank alone to liquidate the securities as provided for in the Agreement.

- A. Bills, certificates, notes or bonds of the United States;
- B. Other obligations of the United States or its agencies;
- C. Obligations of any corporation wholly owned by the Government of the United States;
- D. Indebtedness of the Federal National Mortgage Association;
- E. Time deposits in commercial banks; and
- F. Mutual funds, pools, or investment trusts, provided the investments of the fund, pool or trust consists solely of securities listed in herein.

Other securities may be deemed Eligible Securities upon the written request of the Contractor and written approval of the City, provided the City has the staff assistance and expertise which will permit it to exercise sound judgment in assessing the security. The City shall consider probable safety, risk to principal, liquidity and any other factor the City deems reasonable to consider. Nothing herein obligates the City to incur any expense or charge to assess the appropriateness of a proposed security. The City has no obligation to consider a proposed security if the City would incur expenses, charges or fees in its assessment of the appropriateness of the security as an investment. If the proposed security has a maturity date, the security must mature on or before the Completion Date. The Contractor expressly acknowledges that any investment in securities involves risks, including, but not limited to, the risks of loss or diminution of principal and failure to realize anticipated or expected appreciation, dividends, interest, or other gain. Contractor expressly waives and releases both City and Bank from any and all liability associated with, or arising out of, these and all market risks.

5. ***Bank Duties and Responsibilities.*** Although the Bank will be a joint payee of any Check, the Bank shall only have (a) those duties and responsibilities that a depository bank would have pursuant to Article 4 of the Uniform Commercial Code of the State of Washington for an item deposited to Bank and (b) those duties and responsibilities created by this Agreement. The Bank must not deliver to the Contractor all or any part of the securities or money held by the Bank pursuant to this Agreement (or any proceeds from the sale of such securities, or the negotiation of the City's warrants or checks) except in accordance with written instructions from the City. The City Clerk is authorized to give written instructions and the Finance Director or Treasurer (or its designee) is authorized to give written approval of securities. Written instructions and written approval of securities must be countersigned by the City Attorney. The City may designate different authorized persons from time to time by notifying the Bank in writing of the change, which notice must be countersigned by the City Attorney.

6. ***Change of Completion Date.*** Upon written request by the Bank, City shall advise the Bank in writing of any change in the Completion Date. If the changed Completion Date is later than the

original Completion Date, the Bank may reinvest any funds on hand, cash balances or proceeds of Eligible Securities with maturities, reverse loads, etc. consistent with the later Completion Date. If the changed Completion Date is earlier than the original Completion Date, the Bank shall execute such transactions as are commercially reasonable to liquidate Eligible Securities in the Escrow Account no later than twenty-five (25) calendar days after the earlier Completion Date.

7. **Return of Funds to City.** At the City’s sole option and notwithstanding any other provision of this Agreement, the City may direct the Bank in writing to liquidate any and all Eligible Securities held in or for the Escrow Account and to deliver all funds, cash, accrued interest and proceeds in the Escrow Account to the City. Such liquidation shall occur within thirty-five (35) calendar days of receipt of the written direction.

8. **Compensation of Bank.** Contractor shall be solely responsible for, and shall pay separately to the Bank, any and all fees, charges, or commissions of the Bank relating to the Escrow Account. No fees, charges or commissions of any kind may be deducted by the Bank from any property, funds, proceeds or Eligible Securities in the Escrow Account until and unless the City directs the release of the Escrow Account to the Contractor, in which case the Bank is hereby granted a lien upon the property, proceeds or Eligible Securities in the Escrow Account for the entire amount of unpaid Bank fees, costs or charges arising out of or relating to the Escrow Account. Said lien arises and is effective upon the City’s written direction to release the Escrow Account to the Contractor. The City shall not be liable for any fees, charges, expenses or commissions relating to the Escrow Account or any Eligible Securities.

9. **Termination of Escrow By Bank.** Bank may terminate the escrow by giving written notice to the City and Contractor. Within twenty (20) calendar days of the receipt of such notice, the City and Contractor shall jointly appoint a successor escrow holder and instruct Bank to deliver all securities and funds of the Escrow Account to said successor. If Bank is not so notified of the appointment of a successor escrow holder, Bank may return all funds, securities and contents of the Escrow Account to the City.

10. **Definitions**

“*Agreement*” shall mean this document, including exhibit A when completely executed by the City, Contractor and Bank.

“*Bank*” shall mean that national or state chartered bank identified in Exhibit A that holds the escrow.

“*Check*” shall mean a check or warrant payable jointly to the Bank and Contractor, representing accrued Retainage.

“*City*” shall mean the City of Marysville, a municipal corporation of the State of Washington.

“*Completion Date*” shall mean that date occurring immediately after the expiration of the project duration (as defined by the contract for the public improvement), including any agreed extensions

thereof. The initial Completion Date can be found in Exhibit A.

"Contractor" shall mean the undersigned contractor.

"Escrow Account" shall mean the escrow created by this Agreement.

"Eligible Securities" are those bonds and securities identified in the paragraph 4 above.

"Retainage" shall mean moneys reserved by the City under the provisions of a public improvement contract.

11. **Miscellaneous.**

A. With the possible exception of any agreement between the Bank and Contractor regarding amount and payment of fees, commissions and charges related to the Escrow Account, this document contains the entire agreement between the Bank, Contractor and the City with respect to this Escrow Account.

B. This Agreement binds the assigns, successors, personal representatives and heirs of the parties hereto. Those persons executing this Agreement represent and warrant they are duly authorized to bind their principals to this Agreement and to execute this Agreement on their behalf.

C. Venue for any dispute arising out of, or related to, this Agreement shall be Snohomish County, Washington.

D. This Agreement shall be executed in triplicate, each of which shall be deemed to be an original.

|  |  |
|--|--|
| <p>AGREED AND ACCEPTED this the ___ day of _____, 2010.</p> <p>SRV CONSTRUCTION, INC</p> <p>By: _____<br/> Typed or Printed Name: _____<br/> Title: _____<br/> Address: _____<br/> City: _____<br/> State: _____ Zip: _____</p> <p>Tax ID #: _____</p> | <p>AGREED AND ACCEPTED this the ___ day of _____, 2010.</p> <p>CITY OF MARYSVILLE</p> <p>By: _____<br/> Dennis Kendal, Mayor</p> <p>ATTEST:</p> <p>By: _____<br/> Tracy Jeffries, City Clerk</p> |
| <p>AGREED AND ACCEPTED this the ___ day of _____, 2010.</p> <p>WHIDBEY ISLAND BANK</p> <p>By: _____<br/> Typed or printed name: _____<br/> Its: _____</p>  | <p>APPROVED AS TO FORM:</p> <p>By: _____<br/> Grant K. Weed, City Attorney</p>   |

## EXHIBIT A

**City Supplied Information.** The City provides the following information:

| City Supplied Information |                                      |                              |
|---------------------------|--------------------------------------|------------------------------|
| <b>Project</b>            | Ingraham Boulevard Extension Project | R0502                        |
|                           | Name                                 | Work Order # (if applicable) |
| <b>Contractor</b>         | SRV Construction, Inc.               |                              |
| <b>Bank</b>               | Whidbey Island Bank                  |                              |
| <b>Completion Date</b>    | (as of Agreement date) _____, 20__   |                              |

**Bank Supplied Information.** Bank provides the following information:

| Bank Supplied Information |                                |                |
|---------------------------|--------------------------------|----------------|
| <b>Bank</b>               |                                |                |
|                           | Name                           |                |
|                           | Branch                         |                |
|                           | Address/Phone                  |                |
|                           | Contact Person/Account Officer |                |
| <b>Escrow Account</b>     |                                |                |
|                           | Account Name                   | Bank Account # |

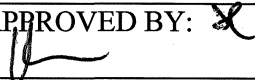
**Contractor Supplied Information.** Contractor provides the following information:

| Contractor Supplied Information |  |  |
|---------------------------------|--|--|
| <b>Contractor</b>               |  |  |
|                                 | Name   |  |
|                                 | Address/Phone                                  |  |
|                                 | Representative Authorized to Direct Investment |  |

**CITY OF MARYSVILLE**

**EXECUTIVE SUMMARY FOR ACTION**

**CITY COUNCIL MEETING DATE: January 25, 2010**

|  |  |     |
|--|--|-----|
| AGENDA ITEM: Ordinance Update to the Marysville Municipal Code, Title 14, Water and Sewers | AGENDA SECTION:  |     |
| PREPARED BY:<br>Kari Chennault, Program Engineer – Surface Water                           | APPROVED BY:  |     |
| ATTACHMENTS:<br>• Ordinance  |  |     |
|  | MAYOR  | CAO |
| BUDGET CODE:   | AMOUNT:  |     |

**DESCRIPTION:**

Per the Western Washington Phase II Municipal Stormwater Permit “...an ordinance or other enforceable mechanism that addresses runoff from new development, redevelopment and construction site projects shall be adopted and effective no later than February 16, 2010.”

Language for the attached ordinance has been taken from model ordinances provided to the City by the Department of Ecology as well as the specific requirements in Appendix 1 of the Western Washington Phase II Municipal Stormwater Permit. The development of the ordinance was done in coordination with City Attorney’s Office, specifically with Craig Knutson.

**Highlights to the revisions:**

- Adoption of the 2005 Stormwater Manual for Western Washington as modified by Appendix 1 of the Permit
- Removal of outdated information related to the 2001 Manual that is currently in Chapters 14.15, 14.16, and 14.17
- Slight rearrangement of Chapters 14.16 and 14.17 to match the maintenance requirements of the 2005 Manual and create a clear maintenance strategy for Public, Private and Low Impact Development facilities
- Renaming the titles of Chapters 14.15, 14.16, and 14.17 to represent the content of the chapter

|  |
|--|
| <b>RECOMMENDED ACTION:</b><br>Staff recommends that Council authorize the Mayor to approve the ordinance updating Title 14 of the Marysville Municipal Code. |
| <b>COUNCIL ACTION:</b>   |

**CITY OF MARYSVILLE  
Marysville, Washington**

**ORDINANCE \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON,  
ADOPTING AND REVISING STORMWATER MANAGEMENT  
REGULATIONS PURSUANT TO THE WESTERN WASHINGTON  
PHASE II MUNICIPAL STORMWATER PERMIT ISSUED TO THE  
CITY BY THE WASHINGTON STATE DEPARTMENT OF ECOLOGY  
AND AMENDING CHAPTERS 4.02, 14.03, 14.05, 14.07, 14.09, 14.15, 14.16,  
14.17, 14.18, and 19.22, OF THE MARYSVILLE MUNICIPAL CODE.**

**WHEREAS**, the Federal Clean Water Act, 33 U.S.C. 1251 *et seq.* (the Act), requires certain local governments such as the City of Marysville to implement stormwater management programs and regulations within prescribed time frames, and pursuant to said Act the United States Environmental Protection Agency (EPA) has adopted rules for such stormwater programs and regulations; and

**WHEREAS**, the EPA has delegated authority to the Washington State Department of Ecology (Ecology) to administer such stormwater programs and regulations, and Ecology has issued the Western Washington Phase II Municipal Stormwater Permit, effective January 17, 2007 through February 15, 2012, which requires local governments such as the City of Marysville to implement numerous stormwater management requirements, including adopting Ecology's 2005 Stormwater Management Manual for Western Washington and related regulations by February 16, 2010 and adopting illegal discharge and connection regulations by August 16, 2009; and

**WHEREAS**, in 1999, the City Council adopted Ordinance 2245, which established a stormwater utility to be responsible for the operation, construction and maintenance of stormwater facilities, as set forth in Ch. 14.19 MMC; and

**WHEREAS**, in 2003, the City Council adopted Ordinance 2476, which adopted Ecology's 2001 Stormwater Management Manual for Western Washington and related regulations, as set forth in Ch. 14.15 MMC; and

**WHEREAS**, on August 3, 2009, the City Council adopted Ordinance 2782, which adopted illegal discharge and connection regulations; and

**WHEREAS**, in order to comply with the currently effective Western Washington Phase II Municipal Stormwater Permit, the City has prepared proposed Stormwater Management regulations, which amend and update the City's current stormwater regulations and related municipal code provisions, as primarily set forth in Title 14 MMC; and

**WHEREAS**, on January 20, 2010, the City's SEPA Responsible Official complied with the State Environmental Policy Act (SEPA) by issuing a Determination of Nonsignificance



(DNS) for the adoption of the proposed Stormwater Management regulations and by complying with SEPA's procedural requirements for issuing the DNS; and

**WHEREAS**, the City Council has determined that it is in the public interest and in furtherance of the public health and welfare to adopt the proposed Stormwater Management regulations, as set forth below and in the attached Exhibit A;

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

Section 1. Title 14 of the Marysville Municipal Code is hereby amended by amending and updating Chapters 14.03, 14.05, 14.07, 14.09, 14.15, 14.16, 14.17, and 14.18, MMC to read as set forth in Exhibit A, which is attached hereto and incorporated herein by this reference.

Section 2. Chapter 4.02 of the Marysville Municipal Code is hereby amended by amending MMC 4.02.040 to read as follows:

**4.02.040 Penalties and enforcement.**

(1) Director Authorized to Enforce Codes. The director is charged with enforcement of the provisions of this title and the MMC.

(2) Violations. It shall be unlawful for any person to construct, enlarge, alter, repair, move, demolish, use, occupy or maintain any use or cause the same to be done in violation of any of the provisions of this title or other titles, chapters or sections of the MMC. Any such violation as determined by the director is declared to be a public nuisance and shall be corrected by any reasonable and lawful means as provided in this section. In the event the penalties provided in this title conflict with any penalty provided in any other section, chapter or title of the Marysville Municipal Code, the penalty provisions of this title shall control.

(3) Director's Remedies. Upon finding a violation, the director may:

(a) Institute appropriate action or proceeding to require compliance with this title or to enjoin, correct or abate any acts or practices which constitute or will constitute a violation;

(b) Issue a temporary enforcement order, stop work order, emergency order, or permanent enforcement order, pursuant to subsections (7) and (8) of this section;

(c) Abate the violation if corrective work is not commenced or completed within the time specified in a permanent enforcement order;

(d) Suspend or revoke any approvals or permits issued pursuant to this title; MMC Title 5 (Business Regulations and Licenses), including without limitation MMC 5.02.140, 5.20.080 and 5.52.090; MMC Title 6 (Penal Code), including without limitation Chapter 6.24 MMC; MMC Title 7 (Health and Sanitation), including without limitation MMC 7.04.010 through 7.04.100; MMC Title 9 (Fire); MMC Title 11 (Traffic), including without limitation MMC 11.36.040;

MMC Title 12 (Streets and Sidewalks), including without limitation MMC 12.08.040, Chapter 12.12 MMC, MMC 12.20.010, Chapter 12.24 MMC, MMC 12.36.020 through 12.36.030 and 12.40.020 through 12.40.030; MMC Title 14 (Water and Sewers), including without limitation MMC 14.15, 14.16, 14.17 and 14.21 MMC Title 16 (Building); MMC Title 18 (Planning); MMC Title 19 (Zoning); and MMC Title 20 (Subdivisions);

(e) Assess civil penalties after notice and order set forth in subsection (8)(b)(iv) of this section or recovered by legal action filing in Snohomish County superior court;

(f) File a lien against the property for costs of abatement and/or civil fines;

(g) Issue civil infractions:

(i) Any violation of this code to which this chapter applies is deemed and declared to be a civil infraction. Each day of violation shall constitute a separate civil infraction.

(ii) Any person found to have committed a civil infraction shall be assessed a fine as set forth in the following schedule:

| Code Provisions                              |   | First Violation |            | Repeat Violation |            |
|--|---|-----------------|------------|------------------|------------|
|  |   | Noncommercial   | Commercial | Noncommercial    | Commercial |
| Title  | Chapter   |                 |            |                  |            |
| 4<br>Enforcement<br>Code                     | 4.02<br>Enforcement<br>Procedures               | \$300           | \$500      | \$600            | \$1,000    |
| 5<br>Business<br>Regulations<br>and Licenses | 5.02<br>Business Licenses                       | \$150           | \$250      | \$300            | \$500      |
| 6<br>Penal Code                              | 6.24<br>Public Nuisances                        | \$150           | \$250      | \$300            | \$500      |
|  | 6.76<br>Noise Regulation                        | \$150           | \$250      | \$300            | \$500      |
| 7<br>Health and<br>Sanitation                | 7.04<br>Unsanitary<br>Conditions –<br>Nuisances | \$150           | \$250      | \$300            | \$500      |
|  | 7.08<br>Garbage<br>Collection                   | \$150           | \$250      | \$300            | \$500      |
| 9  | 9.04  | \$150           | \$250      | \$300            | \$500      |

| Fire                           | Fire Code  |       |       |       |  |
|--------------------------------|--|-------|-------|-------|--|
| 12<br>Streets and<br>Sidewalks | 12.24<br>Sidewalks –<br>Dangerous<br>Conditions  | \$150 | \$250 | \$300 | \$500  |
|                                | 12.36<br>Vegetation  | \$150 | \$250 | \$300 | \$500  |
|                                | 12.40<br>Clean Condition<br>of Public Right-<br>of-Way   | \$150 | \$250 | \$300 | \$500  |
| 14<br>Water and<br>Sewers      | 14.01<br>General<br>Provisions   | \$150 | \$250 | \$300 | \$500  |
|                                | 14.15<br>Controlling<br>Stormwater<br>Runoff From New<br>Development,<br>Redevelopment,<br>and Construction<br>Sites | \$150 | \$250 | \$300 | \$500  |
|                                | 14.16<br>Operation and<br>Maintenance of<br>Public Storm<br>Drainage Systems   | \$150 | \$250 | \$300 | \$500  |
|                                | 14.17<br>Operation and<br>Maintenance of<br>Private Storm<br>Drainage Systems  | \$150 | \$250 | \$300 | \$500<br>Plus any costs incurred for the maintenance of failed private stormwater systems. |
|                                | 14.21<br>Illicit Discharge<br>Detection and<br>Elimination<br>(IDDE)   | \$150 | \$250 | \$300 | \$500<br>Plus city's costs for abatement, sampling and/or monitoring.                      |
| 16<br>Building                 | 16.04<br>Building Code   | \$150 | \$250 | \$300 | \$500  |
| 19<br>Zoning                   | 19.08<br>Permitted Uses  | \$150 | \$250 | \$300 | \$500  |

|  |       |       |       |       |
|--|-------|-------|-------|-------|
| 19.12<br>Development<br>Standards –<br>Density and<br>Dimensions     | \$150 | \$250 | \$300 | \$500 |
| 19.14<br>Development<br>Standards –<br>Design<br>Requirements        | \$150 | \$250 | \$300 | \$500 |
| 19.16<br>Development<br>Standards –<br>Landscaping                   | \$150 | \$250 | \$300 | \$500 |
| 19.20<br>Sign Code   | \$150 | \$250 | \$300 | \$500 |
| 19.24<br>Critical Areas<br>Management                                | \$250 | \$350 | \$500 | \$700 |
| 19.28<br>Clearing, Grading,<br>Filling and<br>Erosion Control        | \$250 | \$350 | \$500 | \$700 |
| 19.32<br>Home<br>Occupations   | \$150 | \$250 | \$300 | \$500 |
| 19.40<br>Development<br>Standards –<br>Recreational<br>Vehicle Parks | \$150 | \$250 | \$300 | \$500 |

Section 3. Chapter 19.22 of the Marysville Municipal Code is hereby amended by amending MMC 19.22.070 to read as follows:

**19.22.070 SEPA decisions and appeals.**

The city adopts the following sections of the Model SEPA Ordinance, as now existing or hereafter amended, by reference, and incorporates the same into this chapter as though set forth in full:

- (1) WAC 173-806-155;
- (2) WAC 173-806-160; provided, that subsection (c) thereof shall be amended to read as follows:

The city adopts by reference the policies in the following city codes, plans, policies and agreements, as now existing or hereafter amended, as a possible basis for the exercise of substantive authority in the conditioning or denying of proposals:

- (a) Chapter 6.76 MMC, Noise Regulations;
- (b) MMC Title 7, Health and Sanitation;
- (c) Chapter 9.04 MMC, Fire Code;
- (d) Chapter 11.56 MMC, Fire Zones;
- (e) Chapter 11.62 MMC, Truck Routes;
- (f) MMC 12.02.170, Curbs, gutters and sidewalks required;
- (g) MMC 12.02.180, Minimum access requirements;
- (h) MMC 12.02.190, Dedication of road right-of-way – Required setbacks;
- (i) Chapter 12.06 MMC, Classification of Streets;
- (j) Six-Year Transportation Improvement Program;
- (k) Chapter 14.01 MMC, General Requirements for Utility Service;
- (l) Chapter 14.15 MMC, Controlling Stormwater Runoff from New Development, Redevelopment, and Construction Sites;
- (m) Chapter 14.16 MMC, Operation and Maintenance of Public Storm Drainage Systems;
- (n) Chapter 14.17 MMC, Operation and Maintenance of Private Storm Drainage Systems;

- (o) Chapter 14.18 MMC, Regional Stormwater Drainage;
- (p) Chapter 14.21 MMC, Illicit Discharge Detection and Elimination;
- (q) Chapter 14.32 MMC, Rural Utility Service Area, including the RUSA Plan;
- (r) MMC Title 16, Building Codes, Sign Code, and Flood Plain Management;
- (s) Chapter 18.08 MMC, Comprehensive Plan;
- (t) Chapter 18.16 MMC, Shoreline Management Master Program, and Streamside Protection Zone;
- (u) Chapter 18.24 MMC, Mitigation of Impacts Resulting from Development Proposals;
- (v) MMC Title 19, Zoning;
- (x) MMC Title 20: Subdivisions;
- (w) All transportation improvement programs adopted by the city council pursuant to Chapter 39.92 RCW;
- (y) All capital facilities projects contained within the Marysville Comprehensive Plan;
- (z) Interlocal Agreement Between Snohomish County and the City of Marysville on Reciprocal Mitigation of Transportation Impacts;
- (aa) Interlocal Agreement Between the City of Marysville and Snohomish County Concerning Annexation and Urban Development Within the Marysville Urban Growth Area;
- (bb) The formally designated SEPA policies of other affected agencies or jurisdictions when there is an agreement with the affected agency or jurisdiction which specifically addresses impact identification, documentation, and mitigation and which references the environmental policies formally designated by the agency or jurisdiction for the exercise of SEPA authority.

Section 4. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

Section 5. Effective date. This ordinance shall take effect five days after adoption.

ADOPTED by the City Council and APPROVED by the Mayor this \_\_\_\_ day of \_\_\_\_\_, 2010.

CITY OF MARYSVILLE

By \_\_\_\_\_  
Dennis Kendall, Mayor

ATTEST:

By \_\_\_\_\_  
Tracy Jeffries, City Clerk

APPROVED AS TO FORM:

By \_\_\_\_\_  
Grant Weed, City Attorney

Date of Publication:

Effective Date:

1 **Chapter 14.03 RULES FOR CONSTRUCTION, INSTALLATION AND**  
2 **CONNECTION**

3 Sections:

- 4 14.03.010 Specification manual.  
5 14.03.020 Standard specifications for municipal public works construction.  
6 14.03.030 Location of utility lines – Easements.  
7 14.03.035 Construction setbacks from utility lines.  
8 14.03.040 Water meters.  
9 14.03.050 Fire hydrants.  
10 14.03.060 Maximum distance for water service connections.  
11 14.03.070 Developer-installed water service connections.  
12 14.03.080 Water supply cross-connections.  
13 14.03.090 Utility connections to unoccupied properties prohibited and/or forfeited.  
14 14.03.200 Private sewer lines.  
15 14.03.250~~300~~ Frontage requirements – Water and sewer.  
16 14.16.040-03.300 Connections required – Storm Sewer System.  
17 14.16.05003.310 Extensions for full lot frontage – Storm Sewer System.  
18  
19 14.16.06003.320 Application for connection, application fee and issuance of permit – Storm Sewer  
20 System.  
21 14.16.07003.330 Inspection Fees – Storm Sewer System.  
22 14.03.400 Registered engineer required.  
23 14.03.410 As-built drawings.  
24 14.03.420 Conveyance to city.  
25 14.03.430 Insurance, bonding and indemnification.  
26 14.03.500 Variances.

27 **14.03.010 Specification manual**

28 By resolution the city council may adopt a specification manual establishing rules, regulations and  
29 technical specifications relating to the construction of utility lines and the installation and connection of  
30 utility services. Copies of the specification manual shall be available for inspection during all business  
31 hours of the city at the office of the city clerk and at the office of the utility department. Copies may be  
32 purchased in accordance with the fees set forth in MMC 14.07.005. The specification manual may be  
33 amended by resolution of the city council. In any instance where the specification manual conflicts with  
34 the provisions of this chapter, the provisions of this chapter shall govern. (Ord. 2106 § 10, 1996; Ord.  
35 1434, 1985).

36 **14.03.020 Standard specifications for municipal public works construction.**

37 All materials and construction methods used for extensions and additions to the city utility system shall  
38 conform to the most current edition of the standard specifications for road, bridge and municipal  
39 construction as prepared by the Washington State Department of Transportation and the American Public  
40 Works Association, Washington State Chapter, as the same may be modified by the city's specification  
41 manual. (Ord. 1434, 1985).

42 **14.03.030 Location of utility lines– Easements.**



43 (1) All public utility lines shall be installed in public streets or alleys or in easements which have been  
44 granted to and accepted by the city for such purposes.

45 (2) Utility easements granted to the city shall be not less than 10 feet in width; provided, that when such  
46 easements extend from the end of an existing public road, or extend along the alignment of any  
47 anticipated future public road, such easement shall be not less than 20 feet in width. (Ord. 1434, 1985).

48 **14.03.035 Construction setbacks from utility lines.**

49 No structure shall be erected within utility easements. Further, all structures shall be set back a  
50 minimum of 10 feet from the center of any utility line, as-built. (Ord. 1786, 1990; Ord. 1726, 1989).

51 **14.03.040 Water meters.**

52 The consumption and use of all water taken from the city water system shall be metered at each  
53 individual connection. Water meters shall meet the specifications of the city and shall be the property of  
54 the city utility system. Individual water meters shall be required for each detached single-family  
55 residence. A master meter may be used for duplexes, multiple-family dwellings, condominiums and  
56 mobile home parks where there is single ownership or centralized administration. Water meters shall be  
57 required for each commercial, industrial and public facility connection. All water meters shall be placed  
58 within public right-of-way, or within an easement granted to the city, and shall be directly accessible at all  
59 times by city employees. (Ord. 1434, 1985.)

60 **14.03.050 Fire hydrants.**

61 (1) Fire hydrants meeting city specifications shall be installed on all extensions of the city water system  
62 at the time such extensions are constructed. All hydrants shall be owned and maintained by the city. The  
63 location and frequency of fire hydrants shall be specified by the city utility department and fire  
64 department; provided, that fire hydrants in single-family residential zones shall be spaced not more than  
65 600 feet apart, and fire hydrants in multiple-family, commercial and industrial zones shall be spaced not  
66 more than 300 feet apart. All fire hydrants shall have three ports.

67 (2) No person shall plant any vegetation, erect any structure or perform any action which results in  
68 obstructing the view of a fire hydrant for a distance of 50 feet. The owner and/or occupant of any area in  
69 which a hydrant is located shall be responsible for removing weed and tree growth from around the  
70 hydrant for a distance of not less than 10 feet. (Ord. 1434, 1985).

71 **14.03.060 Maximum distance for water service connections.**

72 The length of any water service connection owned by the city (i.e., the line between the water main and  
73 the water meter), and the length of private water lines (i.e., the line between the water meter and the  
74 building) shall be subject to approval of the utility department. As a guideline, 110 feet should be the  
75 maximum length for a service connection, and 500 feet should be the maximum length for a private line.  
76 (Ord. 1434, 1985).

77 **14.03.070 Developer-installed water service connections.**

78 A developer may install his own water service connections, including the meter box (but excluding the  
79 meter), provided that it complies with all specifications of the city. In cases of new subdivisions, the

80 developer shall install all water service connections. Installation of service connections shall be coincident  
81 with the installation of the water main. Service connections shall be shown on a water extension drawing  
82 and shall be subject to approval by the utility department. Service connections shall be conveyed to the  
83 city as a condition of obtaining water service. (Ord. 1434, 1985).

84 **14.03.080 Water supply cross-connections.**

85 The provisions of Chapter 14.10 MMC relating to water supply cross-connections are incorporated  
86 herein by this reference. (Ord. 1434, 1985).

87 **14.03.090 Utility connections to unoccupied properties prohibited and/or forfeited.**

88 (1) The city shall not sell utility connections, accept payment for capital improvement fees or allow the  
89 installation of water meters, for any unoccupied property or any property which is the subject of a  
90 pending development application until such time as all water and sewer utility infrastructure has been  
91 constructed and approved and either final plat approval, final binding site plan approval, final  
92 commercial/multifamily site plan approval, conditional use permit approval, or a building permit for  
93 previously platted individual lots is or has been issued.

94 (2) Any property connected to city utilities with a two-inch water meter, or larger, which remains  
95 unoccupied for 12 consecutive months, or uses no utility services for 12 consecutive months, shall forfeit  
96 its vested right to a utility connection, and at such time as it seeks to reactivate its connection it shall be  
97 subject to then-prevailing rules and regulations regarding utility availability for new customers. (Ord.  
98 2557 § 1, 2004; Ord. 2375 § 3, 2001; Ord. 1810, 1990).

99 **14.03.200 Private sewer lines.**

100 A sewer line constructed on private property from the boundary of the public right-of-way/easement to  
101 the structure being served shall be privately owned and maintained. A private sewer shall serve no more  
102 than one lot. As a guideline, a private sewer shall be no longer than 500 feet, subject to approval by the  
103 utility department. A private sewer shall not cross any lot under different ownership without express  
104 approval by the city of all legal documents authorizing the same. The construction of all private sewers  
105 shall conform to the specifications of the city, including the depth, grade, and installation of inspection  
106 tees and points of connection; cleanouts shall be installed at least every 100 feet along a private sewer.  
107 Only authorized employees of the city utility department may connect any private sewer to a public  
108 sewer.

109 The utility department may require the installation of a grease, oil or sand interceptor, or any  
110 combination of these, on any private sewer line where it is deemed necessary to intercept excessive  
111 amounts of these materials. These interceptors shall be installed on private property and maintained in a  
112 satisfactory manner by the owner of the private sewer line.

113 Maintenance, repair and replacement of all private sewers is the responsibility of the owner. If the city  
114 determines that such work is necessary to protect the integrity of the public sewer system, written notice  
115 shall be sent to the owner specifying the time and manner in which the work must be completed. If the  
116 owner fails to comply with the notice the city may forthwith cause the work to be done and charge the  
117 cost thereof, plus 20 percent, to the owner. (Ord. 1434, 1985).

118 **14.03.30250 Frontage requirements– Water and sewer.**

119 All lots connecting to city water shall have frontage on a distribution main; all lots connecting to city  
120 sewer shall have frontage on a collection main. At the time of connection, the property owner shall be  
121 required to extend the main(s) for the full public or private road frontage of the lot on which the structure  
122 to be connected is located, including both frontages of a corner lot. If the lot does not front on a public or  
123 private road for its full width, the main(s) shall be extended to the boundary line of the nearest adjoining  
124 lot which may be anticipated to require connection to the main(s) in the future. If it can be shown that no  
125 future expansions beyond the applicant's lot will occur, a variance may be applied for pursuant to the  
126 provisions of MMC 14.03.500. (Ord. 2375 § 4, 2001; Ord. 1646, 1988; Ord. 1434, 1985).

127 **14.03.300 16.040 Connections required – Storm Drainage System.**

128 (1) The owner of any property which is not connected to the public storm drainage system shall be  
129 required to extend any storm drainage line which is within 200 feet of the property, and to connect to and  
130 use the same for all developed portions of the property, under any of the following circumstances:

131 (a) As a condition of final approval of a subdivision;

132 (b) As a condition of final approval of a short subdivision;

133 (c) As a condition of final approval of a binding site plan for any mobile home park, condominium,  
134 planned unit development, industrial park or shopping center;

135 (d) As a condition of any building, grading, paving or other development approval, including rezones or  
136 conditional use permits, which will have a significant adverse impact upon storm drainage, as determined  
137 by the public works director or designee.

138 (2) The public works director or designee may waive the requirement of subsection (1) of this section  
139 on the following grounds:

140 (a) If the public works director or designee finds that the capacity or condition of the existing public  
141 storm drainage system is insufficient or inadequate to serve the subject property; or

142 (b) If the public works director or designee finds that it would cause a practical difficulty to require the  
143 connection of the subject property to the public storm drainage system by reason of circumstances which  
144 are unique to the property and not generally shared by other properties in the vicinity; or

145 (c) If the public works director or designee finds that proposed on-site storm water BMPs are adequate  
146 under the requirements of this title.

147 No such waiver shall be granted which would be detrimental to the public health, safety, welfare or  
148 environment, or which would be inconsistent with the long-range plans for the public storm drainage  
149 system. In all cases where a waiver is granted, the property owner shall be required to strictly comply  
150 with storm water retention/detention requirements of Chapter 14.15 MMC.

151 The decision of the public works director or designee regarding such waivers shall be final, subject to  
152 appeal to the city council; provided, that in cases where a property owner has applied for development  
153 approval which is to be ruled upon by the city council itself, waivers referred to herein shall be  
154 determined by the city council after taking into consideration the recommendation of the city engineer.  
155 (Ord. 2694 § 3, 2007; Ord. 2245 § 3, 1999).

156 **14.16.05003.310 Extensions for full lot frontage – Storm Drainage System:**

157 Whenever a property owner desires to connect to the public storm drainage system, the property owner  
158 shall be required to extend the storm drainage lines for the full frontage of the lot which is being  
159 connected. If it can be shown that no future extensions beyond said lot will occur, a waiver may be  
160 obtained from the public works director or designee, and the owner need only extend the line to the  
161 nearest point of connection on the lot. (Ord. 2245 § 3, 1999).

162 **14.16.06003.320 Application for connection, application fee and issuance of permit – Storm**  
163 **Drainage System:**

164 The owner of any property desiring to connect to the public storm drainage system shall apply for the  
165 connection on such forms as may be prepared and made available by the city public works department.  
166 The application shall include, at a minimum, a drawing showing the complete on-site drainage system  
167 which will be connected to the public storm drain. For applicable fees see Ch. 14.07 MMC. ~~An~~  
168 ~~application fee of \$50.00 shall be paid to the city clerk.~~ Upon approval of the application by the public  
169 works director or designee, a connection permit shall be issued which shall be valid for a period of six  
170 months thereafter. (Ord. 2245 § 3, 1999).

171 **14.16.07003.330 Inspections Fees – Storm Drainage System:**

172 All connections to the public storm drainage system shall be inspected by the city engineer. In the event  
173 that a storm drainage line is to be deeded to and accepted by the city, the party constructing the same shall  
174 pay the city an inspection fee per ~~chapter~~Ch. 14.07 MMC of \$0.25 per lineal foot. No line or facility shall  
175 be accepted by the city until all inspection fees have been paid and until the city engineer certifies that the  
176 same have been constructed in accordance with city specifications. (Ord. 2245 § 3, 1999).

177

178 **14.03.400 Registered engineer required.**

179 The design and construction of water and sewer mains which are to be connected to the city utility  
180 system shall be supervised by a registered professional engineer of the state of Washington. Details and  
181 methods of construction shall conform to the city specifications manual. All construction shall be subject  
182 to inspection and approval by the city. Responsibility for providing line and grade and taking measures  
183 for as-built drawings shall rest upon the owner's engineer. (Ord. 1434, 1985).

184 **14.03.410 As-built drawings.**

185 As-built drawings of the completed installation of the utility lines shall be submitted to the city utility  
186 department for approval by the city engineer. (Ord. 1434, 1985).

187 **14.03.420 Conveyance to city.**

188 All extensions to the public utility system shall, at the city's sole discretion, be subject to conveyance  
189 to conveyed to the city by bill of sale, and such conveyances shall be accompanied by a warranty of the  
190 grantor that the utility lines, facilities and appurtenances are free of debt and were constructed in  
191 accordance with city standards and specifications. The grantor shall further warrant the labor and  
192 materials used in the construction for a period of ~~one year~~two years from the date of the conveyance to

193 the city and shall indemnify and hold the city harmless from any damages arising from defective materials  
194 or workmanship. If the lines or facilities are on or cross private property, the grantor shall convey to the  
195 city the required easements for constructing, repairing, maintaining, altering, changing, controlling and  
196 operating the lines or facilities in perpetuity. (Ord. 1434, 1985).

197 **14.03.430 Insurance, bonding and indemnification.**

198 Any party installing, repairing, extending or modifying utility lines in public right-of-way/easement,  
199 which lines are connected, or to be connected, to the city's utility system, shall comply with the  
200 following:

201 (1) Prior to commencing work, a restoration bond shall be posted in such amount as is required by the  
202 governmental agency having jurisdiction over the public right-of-way.

203 (2) Prior to commencing work, a performance bond shall be posted in such amount as is required by the  
204 city engineer. The bond shall guaranty expeditious completion of the project in compliance with the  
205 approved plans and specifications, and shall warranty the materials and workmanship for a period of ~~one~~  
206 year two years after acceptance by the city.

207 (3) Prior to commencing work, proof of insurance shall be submitted with property damage limits of  
208 not less than \$300,000, and bodily injury limits of not less than \$500,000 per person and \$1,000,000 per  
209 accident. for Commercial General liability insurance with limits not less than \$1,000,000 per occurrence,  
210 \$2,000,000 general aggregate, \$2,000,000 products-completed operations aggregate limit; and Auto  
211 Liability insurance with a minimum combined single limit for bodily injury and property damage of  
212 \$1,000,000 per accident. The city of Marysville shall be named as an additional insured party under the  
213 Commercial General Liability insurance policy.

214 (4) The party performing the work, its heirs, successors and assigns, shall indemnify the city of  
215 Marysville, and hold it harmless, from all claims, actions or damages of every kind and description which  
216 may accrue to or be suffered by any person or persons or property by reason of the performance of such  
217 work, the character of materials used, the manner of installation, or by improper occupancy of rights-of-  
218 way. In case any suit or action is brought against the city for damages arising out of or by reason of any of  
219 the above causes, the party, its heirs, successors and assigns, shall defend the same at its own cost and  
220 expense and shall satisfy any judgment after the suit or action shall have been determined, if adverse to  
221 the city, and further shall reimburse the city for reasonable attorney's fees expended by the city in  
222 connection with the same. (Ord. 1434, 1985).

223

224 **14.03.500 Variances.**

225 The city engineer shall have authority to administratively grant a variance from any rule, regulation or  
226 requirement of this chapter or of the specifications manuals incorporated in this chapter by reference.  
227 Application for such a variance shall be filed, in writing, with the city clerk together with a filing fee as  
228 set forth in MMC ~~14.07.005A~~ 15.12.010. The city engineer is authorized to issue variances in cases of  
229 special hardships, unique circumstances and practical difficulties. No variance shall be granted which  
230 would be detrimental to the public health, welfare or environment, or which would be inconsistent with  
231 the long-range plans of the Marysville utility system. Conditions may be imposed upon the granting of a  
232 variance to ensure the protection of the public health, welfare and environment. Each variance shall be  
233 considered on a case-by-case basis, and shall not be construed as setting precedent for any subsequent

234 application. The decision of the city engineer on a variance application shall be final, subject to appeal to  
235 the city land use hearing examiner pursuant to the procedure of Chapter 2.70 MMC and Chapter 15.11  
236 MMC within a 20-day period after the written decision of the city engineer. (Ord. 2375 § 5, 2001; Ord.  
237 2106 § 11, 1996; Ord. 1434, 1985).

1 **Chapter 14.05 RULES FOR CUSTOMERS – PAYMENT AND**  
2 **COLLECTION OF ACCOUNTS**

3 Sections:

- 4 14.05.010 Rules for water shortage emergencies.
- 5 ~~14.05.020 Discharge restrictions into sanitary sewers~~
- 6 14.05.030 Utility bills – Delinquent accounts – Liens
- 7 14.05.040 Delinquent bills – Service charge
- 8 14.05.050 Surcharge for NSF checks
- 9 14.05.060 Voluntary discontinuance of water service
- 10 14.05.070 Involuntary discontinuance of water service
- 11 14.05.080 Disconnection and reconnection charges
- 12 14.05.090 Fees for utility search services

13 **14.05.010 Rules for water shortage emergencies.**

14 The provisions of Chapter 14.08 MMC relating to water shortage emergencies are incorporated by  
15 reference. (Ord. 1434, 1985).

16 ~~**14.05.020 Discharge restrictions into sanitary sewers.**~~

17 ~~No person or party shall discharge, or cause to be discharged, into any sanitary sewer line or facility,~~  
18 ~~the following:~~

- 19 ~~(1) Any storm water, surface water, roof runoff, subsurface drainage, cooling water or unpolluted~~  
20 ~~industrial process waters;~~
- 21 ~~(2) Any liquid or vapor having a temperature higher than 150 degrees Fahrenheit;~~
- 22 ~~(3) Any water or waste which may contain more than 100 parts per million by weight of oil, fat or~~  
23 ~~grease;~~
- 24 ~~(4) Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas;~~
- 25 ~~(5) Any garbage that has not been properly shredded to a size of one half inch in any direction;~~
- 26 ~~(6) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood,~~  
27 ~~paunch manure or any other solid or viscous substance capable of causing obstruction to the flow in the~~  
28 ~~sewers or other interference with the proper operation of the sewage treatment system;~~
- 29 ~~(7) Any waters or wastes having a pH lower than five and five tenths or higher than nine or having any~~  
30 ~~other corrosive property capable of causing damage or hazard to structures, equipment or personnel of the~~  
31 ~~sewage system;~~

32 ~~(8) Any waters or wastes containing a toxic or poisonous substance in a sufficient quantity to injure or~~  
33 ~~interfere with any sewage treatment process or constitute a hazard to humans or animals or create any~~  
34 ~~hazard to humans or animals or create any hazard in the receiving waters of the sewage treatment system;~~

35 ~~(9) Any waters or wastes containing more than 750 mg/l (parts per million) by weight of suspended~~  
36 ~~solids;~~

37 ~~(10) A five day biochemical oxygen demand greater than 750 mg/l (parts per million) by weight;~~

38 ~~(11) Any noxious or malodorous gas or substance capable of creating a public nuisance;~~

39 ~~(12) Any waters or wastes having an average daily flow greater than two percent of the average daily~~  
40 ~~sewage flow of the public sewage system into which the waters or wastes are about to be discharged;~~

41 ~~(13) Any discharge which exceeds the maximum mass emissions limit for average pounds per day of~~  
42 ~~biochemical oxygen demand calculated as follows: (2% of the maximum daily sewage flow permitted for~~  
43 ~~the city's wastewater treatment facility) x (300 mg/liter) x (8.34). (Ord. 2531 § 1, 2004; Ord. 1797, 1990;~~  
44 ~~Ord. 1434, 1985).~~

45 **14.05.030 Utility bills– Delinquent accounts – Liens.**

46 -Combined billing statements for the garbage, surface water, water and sewer utilities shall be sent to all  
47 customers on a regular and periodic basis to be determined by the finance director. All bills shall be  
48 mailed to the address of the owner of the property being served by the utilities, as the address appears in  
49 the records of the city utility department. Upon written request of an owner, billing statements may be  
50 sent directly to the occupant of the property being served; however, in such cases the owner shall remain  
51 ultimately liable for payment of the bill, and the property shall remain subject to a lien for a delinquent  
52 account, as provided below.

53 All payments on utility bills shall be applied first to the garbage account, second to the surface water  
54 account, third to the sewer account, and fourth to the water account. In the event that any fees or charges  
55 assessed for such services are not paid within the date set forth on the billing for such services, they shall  
56 be considered delinquent and shall automatically constitute a lien against the property to which the  
57 services were rendered. Such a lien, for up to four months of charges, shall encumber the property, and  
58 shall be the obligation of the owner of the property, its heirs, successors and assigns, until the same is  
59 paid in full. The city may enforce the lien by shutting off water, sewer and/or garbage service until all  
60 delinquent and unpaid charges are paid in full; provided, that discontinuance of service shall be subject to  
61 the provisions of MMC 14.05.070. (Ord. 2654 § 1, 2006; Ord. 1434, 1985).

62 **14.05.040 Delinquent bills– Service charge.**

63 For each notice sent to a utility customer advising the customer that an account is delinquent or that  
64 utility service will be discontinued by reason of the delinquency, there shall be a service charge added to  
65 the account as set forth in MMC 14.07.005. The finance director, or his designee, is authorized to waive  
66 the service charge under the following circumstances:

67 (1) Where a utility customer has made arrangements with the city, prior to the date the billing is due, for  
68 deferral of the payment of the bill;

69 (2) Where another public agency must obtain approval for payment of the billing and the customer's  
70 payment cycle is inconsistent with the city's billing cycle; or

71 (3) In such other circumstances where, in the judgment of the finance director or his designee, the  
72 customer can demonstrate a bona fide economic hardship. (Ord. 2106 § 12, 1996; Ord. 1861, 1991; Ord.  
73 1434, 1985).

74 **14.05.050 Surcharge for NSF checks.**

75 If a utility account is dishonored by the drawer's bank by reason of insufficient funds, a surcharge, as  
76 set forth in MMC 14.07.005, shall be added to the utility account. (Ord. 2106 § 13, 1996; Ord. 1434,  
77 1985).

78 **14.05.060 Voluntary discontinuance of water service.**

79 (1) A customer may request voluntary discontinuance of water service during periods that the premises  
80 are vacant. Three days' advance notice of such discontinuance shall be given to the city, and the customer  
81 shall pay the city any delinquent fees or charges, plus a shutoff fee as specified in MMC 14.07.005.  
82 Following such discontinuance, no fees for water or sewer service shall accrue, and no liens shall  
83 accumulate, until the service is reconnected.

84 (2) In the event that the occupants of premises have allowed delinquent utility bills to accrue, the owner  
85 of the premises, or the owner of a delinquent mortgage thereon, may give the city written notice to  
86 discontinue water service. The notice shall be accompanied by payment of all delinquent and unpaid  
87 charges owed to the city with respect to the premises, together with a shutoff charge, as specified in MMC  
88 14.07.005. The city shall then discontinue water service to the premises, and no fees, charges or liens  
89 shall accrue thereafter with respect to the premises until the service is reconnected. (Ord. 2106 § 14, 1996;  
90 Ord. 1434, 1985).

91 **14.05.070 Involuntary discontinuance of water service.**

92 (1) Water service may be discontinued by the city for any of the following reasons:

93 (a) For delinquent and unpaid charges, as specified in MMC 14.05.030;

94 (b) For the use of water and sewer utilities for purposes or properties other than that specified in the  
95 application;

96 (c) For willful waste of water through improper or imperfect piping, equipment or otherwise;

97 (d) When a customer's piping or equipment does not meet the city's standards, or fails to comply with  
98 other applicable codes and regulations;

99 (e) For tampering with property of the city utility system;

100 (f) In case of vacation of the premises by the customer;

101 (g) For the use of the utility lines in a manner which adversely affects the city's service to its other  
102 customers;



103 (h) For fraudulent or improper obtaining or use of utility service.

104 (2) Except in the case of danger to life or property, fraudulent use, impairment of service, or violation  
105 of law, the city shall use its best efforts to comply with the following procedures prior to an involuntary  
106 discontinuance of service:

107 (a) The city shall send the owner and occupant of the premises, using addresses shown in the city  
108 utility records, written notice that water service to the property will be shut off on a date not less than 10  
109 days thereafter unless the delinquencies are paid in full. The notice shall state that the owner and occupant  
110 of the premises have a right to a hearing before the city administrator for the purpose of resolving  
111 disputed accounts. A request for such a hearing must be made not less than five days prior to the shutoff  
112 date. At the hearing the city administrator is authorized to compromise and settle disputes in the interest  
113 of justice; provided, the city administrator shall not be authorized to waive or reduce bills which are  
114 legitimately due, or to lend the city's credit by allowing a deferred payment schedule.

115 (b) If service is not discontinued within three days after the stated shutoff date, unless other mutually  
116 acceptable arrangements have been made, the shutoff notice shall become void and a new notice shall be  
117 required before the service can be disconnected thereafter.

118 (c) In the event of a disputed account, at any time before the city shuts off service, the owner or  
119 occupant of the premises may tender the amount he claims to be due; provided, that the amount must be  
120 reasonably supported by document evidence. The right of the city to thereafter shut off service shall not  
121 accrue until the dispute has been administratively or judicially resolved.

122 (d) Except in case of danger to life or property, no disconnection shall be accomplished on Saturdays,  
123 Sundays, legal holidays or any day on which the city cannot reestablish service on the same or following  
124 day.

125 (e) Where service is provided to a master meter, or where the city has reasonable grounds to believe  
126 that service is to other than the customer of record, the city shall undertake all reasonable efforts to inform  
127 the occupants of the service address of the impending disconnection. Upon request of one or more service  
128 users, where service is to other than the subscriber of record, an additional five days shall be allowed prior  
129 to shutoff to permit the service users to arrange for continued service.

130 (f) When a city employee is dispatched to disconnect service, that person shall be authorized to accept  
131 payment of a delinquent account, plus disconnection and reconnection charges, at the service address if  
132 the same is tendered by a check made payable in the exact amount to the order of the city of Marysville.

133 (g) Charges for disconnection and reconnection of water service, as specified in MMC 14.05.080,  
134 shall be added to the account, and shall be paid in full prior to reconnection.

135 (3) At any time that an owner or occupant of premises requests a closing statement on a water account,  
136 or requests a change of the customer's name on such account, the city shall read the water meter and shall  
137 issue a statement showing the then-current account balance. If the account is in a delinquent status, the  
138 city shall immediately disconnect the water service without the necessity of advance written notice  
139 pursuant to subsection (2) of this section. (Ord. 1570, 1987; Ord. 1434, 1985).

140 **14.05.080 Disconnection and reconnection charges.**

141 (1) There shall be a shutoff charge assessed for each voluntary or involuntary discontinuance of service;  
142 provided, that the shutoff charge shall be more if the utility department is required to make a special trip  
143 for a single account. The disconnection charges are set forth in MMC 14.07.005.

144 (2) There shall be a reconnection charge assessed for each reconnection; provided, that the reconnection  
145 charge shall be more if the utility department is required to make a special trip for one account. The  
146 reconnection charges are set forth in MMC 14.07.005. If a customer insists upon a reconnection after 4:30  
147 p.m. on weekdays, weekends or holidays, the fee for such after-hours reconnection is set forth in MMC  
148 14.07.005.

149 (3) If service is shut off by reason of an account being delinquent at a single premises more than once  
150 within a 12-month period, the shutoff and reconnection charges after the first time during the 12-month  
151 period shall be doubled. (Ord. 2106 § 15, 1996; Ord. 1434, 1985).

152 **14.05.090 Fees for utility search services.**

153 The following fees are established for services provided by the city in researching and calculating  
154 property lien information and information regarding lien closing payoff totals for parcels of real property  
155 in response to requests for such services:

156 (1) Twenty-five dollars per real property parcel for electronic inquiries by persons or companies who  
157 use the city of Marysville website. Such fee shall allow multiple electronic inquiries for said parcel within  
158 a 70-day time period.

159 (2) Thirty dollars for each manual search conducted by the city for those persons or companies who  
160 choose not to use such electronic search means of accessing lien records. Such fee shall be imposed for  
161 each manual search conducted regarding each parcel of real property. (Ord. 2612 § 1, 2005; Ord. 2598  
162 § 1, 2005).

1 **Chapter 14.07 FEES, CHARGES AND REIMBURSEMENTS**

2 Sections:

- 3 14.07.005 General fee structure
- 4 14.07.005A *Repealed*
- 5 14.07.010 Capital improvement charges
- 6 14.07.020 Utility main charge
- 7 14.07.030 Sewer and water extensions inspection charge
- 8 14.07.040 Water service installation fee
- 9 14.07.050 Sewer service installation fees
- 10 14.07.060 Water rates
- 11 14.07.070 Sewer rates
- 12 14.07.075 Rate adjustments
- 13 14.07.080 Reimbursement for oversized water and sewer mains
- 14 14.07.090 Recovery contracts

15  
16 **14.07.005 General fee structure.**

17 The public works department is authorized to charge and collect the following fees:

| Type of Activity  | Fee   |
|---|---|
| Land development review and construction inspection fees              | See Chapter <u>15.12</u> MMC  |
| <del>Storm sewer inspection fee</del>                                 | <del>\$60.00/hour and/or consultant fee</del>   |
| Street closure notice   | \$60.00   |
| Install/repair street sign  | Materials and expenses  |
| Street code variance  | See Chapter <u>15.12</u> MMC  |
| Application for vacation of streets, roads and alleys                 | \$500.00, plus appraisals, cost of preparing legal descriptions   |
| Vegetation abatement  | Cost to abate plus a 10 percent surcharge (see MMC <u>12.36.020</u> and <u>12.36.030</u> )                    |
| Storm connection fee  | \$100.00  |
| Construction water  | \$3.50/1,000 gallons used   |
| Hydrant water   | \$50.00 setup + \$3.50/1,000 gallons used   |
| Sanitary sewer extension inspection charge                            | <del>\$500.00 minimum for 500 feet or less + \$1.00 per foot over 500 feet</del> See chapter <u>15.12</u> MMC |
| <del>Sanitary sewer installation fee (mainline to right of way)</del> | City installed: cost per foot at time and materials   |
| Sanitary sewer inspection fee (right-of-way to residence)             | \$100.00 per connection   |
| Segregations (Local Improvement District <del>LID</del> fees)         | \$100.00, plus actual engineering costs incurred by the city  |
| Disconnection charges:  |   |

|  |  |
|--|--|
| Voluntary disconnection of service                             | \$5.00   |
| Involuntary disconnection of service                           | \$10.00; \$20.00 if the utility department is required to make a special trip for a single account in an involuntary disconnection situation |
| Reconnection charges:  |  |
| Voluntary reconnection   | \$5.00   |
| Involuntary reconnection                                       | \$10.00; \$20.00 if the utility department is required to make a special trip for a single account in an involuntary reconnection situation  |
| Shut-off/turn-on fee after hours (water)                       | \$75.00  |
| Unauthorized connection: water or sewer                        | \$200.00   |
| Variances: water/sewer   | See Chapter <u>15.12</u> MMC (\$250.00)  |
| Water system extension inspection fee                          | <del>\$0.30/foot</del> See Chapter <u>15.12</u> MMC  |
| Miscellaneous utility relocation (hydrants, meters, blow-offs) | Time and materials   |
| Water use violation:   |  |
| Commercial   | \$200.00   |
| Residential  | \$50.00  |
| Water and/or sanitary sewer plan review                        | See Chapter <u>15.12</u> MMC   |
| Water/sewer connection filing fee                              | \$20.00  |
| Water/sewer system design standard specifications manual       | \$10.00 – \$50.00  |
| Account change water meter read                                | \$15.00  |
| Recovery contract  | \$500.00 minimum or one percent of project + \$100.00 collection fee   |
| Emergency locate (after hours)                                 | \$100.00   |
| Late payment fees  | Five percent of account for first notice; additional five percent of account for second notice   |
| Bank returned item fee   | \$40.00  |
| Photocopies  | See MMC <u>1.16.070</u>  |
| Blueprint copies   | See MMC <u>1.16.070</u>  |
| Staff time   | See MMC <u>1.16.070</u>  |
| Tape duplication   | See MMC <u>1.16.070</u>  |
| Mailing costs  | See MMC <u>1.16.070</u>  |

18 (Ord. 2780 § 4, 2009; Ord. 2756 § 1, 2008; Ord. 2554 § 1, 2004; Ord. 2346 § 1, 2000; Ord. 2267 § 1,  
 19 1999; Ord. 2106 § 2, 1996).

20 **14.07.005A General fee structure.**

21 *Repealed by Ord. 2554. (Ord. 2375 § 6, 2001; Ord. 2342 § 1, 2000; Ord. 2290 § 1, 1999).*

22 **14.07.010 Capital improvement charges.**

23 (1) Capital improvement charges shall be assessed on all new connections to the water and sewer  
 24 system. Capital improvement charges shall also be assessed for a remodel or expansion of an existing  
 25 building or use. For purposes of this section, an “existing building or use” shall mean all commercial or  
 26 industrial buildings or uses, churches, schools or similar uses, and all residential buildings or uses where a  
 27 remodel or expansion increases the number of dwelling units. The capital improvement charge constitutes  
 28 an equity payment by new and existing customers for a portion of the previously existing capital assets of  
 29 the system. Capital improvement charges also constitute a contribution to a long-term capital  
 30 improvement program for the utility system which includes acquisition of new or larger water sources,  
 31 construction of water storage and transmission facilities, and construction of sewer trunk lines and sewage  
 32 treatment facilities. Capital improvement charges shall be paid in full before a new connection or  
 33 expansion or remodel to an existing building or use shall be approved. All payments shall be deposited in  
 34 the utility construction fund and shall be made prior to building permit issuance for residential  
 35 construction and prior to issuance of a certificate of final occupancy for commercial/industrial  
 36 construction.

37 (2) The following capital improvement charges are established:

Residential Units

Connection Charges

| Type of Connection |          | City Water | Outside Water | City Sewer | Outside Sewer |
|--------------------|----------|------------|---------------|------------|---------------|
| *Residential       |          |            |               |            |               |
| Effective Date     | 1/1/2005 | \$3,675    | \$4,305       | \$3,120    | \$3,495       |
|                    | 1/1/2006 | \$4,750    | \$5,490       | \$4,490    | \$4,890       |

38 \*Residential living units including multi-unit housing, mobile homes and motels.

Commercial/Industrial

Connection Charges

Water

| City              |           | Outside City      |           |
|-------------------|-----------|-------------------|-----------|
| Effective Date    | 1/1/2005  | Effective Date    | 1/1/2005  |
| 0 – 2,000 gpm     | \$1.64/sf | 0 – 2,000 gpm     | \$1.99/sf |
| 2,001 – 4,000 gpm | \$2.40/sf | 2,001 – 4,000 gpm | \$2.87/sf |
| 4,001+ gpm        | \$3.16/sf | 4,001+ gpm        | \$3.80/sf |

39 25% rate reduction for automatic sprinkler system.

Sewer

| City  |           | Outside City  |           |
|---|-----------|---|-----------|
| Effective Date  | 1/1/2005  | Effective Date  | 1/1/2005  |
| Retail Sales/Manufacturing/<br>Churches/Schools/Day Care              | \$1.03/sf | Retail Sales/Manufacturing/<br>Churches/Schools/Day Care              | \$1.24/sf |
| Offices/Medical/Dental/Nursing Homes<br>and all other uses not listed | \$1.67/sf | Offices/Medical/Dental/Nursing Homes<br>and all other uses not listed | \$2.00/sf |
| Warehouses/Storage  | \$0.49/sf | Warehouses/Storage  | \$0.65/sf |
| Restaurants/Taverns   | \$2.38/sf | Restaurants/Taverns   | \$2.86/sf |

40 25% rate reduction for schools without kitchens.

Water Service Installation Fee

| Effective Date | 11/1/2006                                    |
|----------------|--|
| 5/8" x 3/4"    | \$1,050                                      |
| 3/4" x 3/4"    | \$1,075                                      |
| 1"             | \$1,200                                      |
| 1-1/2"         | \$1,600                                      |
| 2"             | Time and materials costs/ minimum of \$1,900 |

Drop-in Meter Fee

| Effective Date | 11/1/2006                                 |
|----------------|---|
| 5/8" x 3/4"    | \$500.00                                  |
| 3/4" x 3/4"    | \$525.00                                  |
| 1"             | \$560.00                                  |
| 1-1/2"         | \$750.00                                  |
| 2"             | \$850.00                                  |
| 3"and over     | Charge time and material/ \$3,500 minimum |

Hotel/Motel Connection Charges

|                |          | City Water | Outside Water | City Sewer | Outside Sewer |
|----------------|----------|------------|---------------|------------|---------------|
| Effective Date | 1/1/2005 | \$1,405    | \$1,646       | \$1,193    | \$1,336       |
|                | 1/1/2006 | \$1,816    | \$2,099       | \$1,717    | \$1,870       |

43 (3) "Floor space" is defined as the net square footage measured from the interior walls, including  
44 interior partitions.

45 (4) The capital improvement charges for sewer connections shall be reduced by \$50.00 per unit or  
46 \$0.045 per square foot when the affected property participated in a utility local improvement for the  
47 construction of the sewer main.

48 (5) Capital improvement charges for sewer connections to commercial and industrial units shall be  
49 reduced by 50 percent for any floor space in the premises which is committed to being used as warehouse  
50 space for storage purposes only.

51 (6) If the use of any premises connected to city utilities is converted from a residential occupancy to a  
52 commercial or industrial occupancy (as defined in subsection (2) of this section), or from a warehouse use  
53 to an active commercial or industrial use, the owner of the premises shall immediately report such  
54 conversion to the city and shall pay the extra capital improvement charge which is then required for such  
55 an occupancy. Failure to report such a conversion, and pay the extra charge, within 90 days of the new  
56 occupancy shall result in the extra charge being doubled as a penalty.

57 (7) The capital improvement charge for utility connections in recreational vehicle parks shall be  
58 calculated as follows:

59 (a) For each connection to a recreational vehicle pad, the charge shall be 50 percent of the charge  
60 provided in subsection (2) of this section relating to residential living units.

61 (b) For every other connection in a recreational vehicle park, the charge shall be the same as provided  
62 in subsection (2) of this section for residential living units.

63 (8) If a building with a lawful water and/or sewer connection to the city utility system is demolished  
64 and replaced with a new building requiring utility connections, the capital improvement charges assessed  
65 for the new connections shall be discounted by the amount which would have been paid, under current  
66 schedules, for the connections which previously served the demolished building. (Ord. 2670 § 1, 2006;  
67 Ord. 2607 § 1, 2005; Ord. 2557 § 2, 2004; Ord. 2556 §§ 1, 3, 2004; Ord. 2346 § 1, 2000; Ord. 2345 § 1,  
68 2000; Ord. 2305 § 1, 1999; Ord. 2267 § 2, 1999; Ord. 1841 § 1, 1991; Ord. 1509, 1986; Ord. 1496, 1986;  
69 Ord. 1492 §§ 1, 2, 1986; Ord. 1480, 1986; Ord. 1434, 1985).

70 **14.07.020 Utility main charge.**

71 (1) A utility main charge shall be assessed to all new connections which utilize water or sewer mains  
72 already existing across the frontage of the property being served. The charges constitute payment to the  
73 city for the actual costs incurred in originally constructing the main across the frontage of the subject  
74 property. Such charges shall not apply when the affected property participated in a utility local  
75 improvement district for the construction of a water or sewer main; nor shall such charges be applicable  
76 in cases where the main was built and totally paid for by the owner of the subject property or by any  
77 private developer who may still be entitled to reimbursement from abutting owners pursuant to a recorded  
78 recovery contract (see MMC 14.07.090).

79 (2) The utility main charge shall be the actual construction cost of the main in question up to eight  
80 inches in size for a water main and up to 10 inches in size for a sewer main. The charge shall be prorated  
81 on a front foot basis. For convenience in computing the rates charged for older mains in the city, they are  
82 restated as follows:

83 (a) Water mains constructed prior to October 1, 1967: \$2.25 per front foot;

84 (b) Water mains constructed in 1976 or 1977: \$5.50 per front foot;

85 (c) Sewer mains constructed prior to January 1, 1970: \$3.00 per front foot;

86 (d) Sewer mains constructed in 1976 or 1977: \$9.00 per front foot.

87 The city utility department shall keep a record, open to the public, of the prorated construction cost for  
88 all city utility mains.

89 In cases where the city has participated with a private party or utility local improvement district in  
90 constructing a main, only that portion of the total cost actually paid by the city shall be used for  
91 calculating the utility main charge.

92 (3) In addition to the per-front-foot cost reference in subsection (2) of this section, the city may assess a  
93 charge for any other water or sewer mains constructed with city funds subsequent to 1976. The public  
94 works department shall establish a schedule of fees and a map open to the public at the public works  
95 department showing the utility mains which are subject to this charge. The per-front-foot charge for such  
96 mains constructed after 1976 shall be administratively calculated by the city engineer; provided the total  
97 of all fees charged on a front-foot basis shall not exceed the total original cost of the project, including all  
98 construction, engineering, right-of-way and easement acquisition, and administrative fees. (Ord. 2067,  
99 1996; Ord. 1635, 1988; Ord. 1434, 1985).

100 **14.07.030 Sewer and water extensions inspection charge.**

101 Any party extending a public sewer line or water system line shall pay the city an inspection fee. This  
102 charge is to pay for the cost of city employees inspecting the installation of the sewer or water line to  
103 assure that it complies with city standards. The charges are set forth in MMC 14.07.005, and must be paid  
104 prior to any connection being approved. (Ord. 2106 § 16, 1996; Ord. 1434, 1985).

105 **14.07.040 Water service installation fee.**

106 (1) A service installation fee shall be assessed at the time any property is connected to the city's water  
107 system. In return for the fee the city shall install the service connection, including the water meter. At the  
108 owner's option the service connection may be privately installed, in which case the city will only charge  
109 for the installation of the meter.

110 (2) Water service installation fees are established in MMC 14.07.010(2). (Ord. 2345 § 1, 2000; Ord.  
111 2305 § 1, 1999; Ord. 1434, 1985).

112 **14.07.050 Sewer service installation fees.**

113 (1) A service installation fee shall be assessed at the time any property is connected to the city's sewer  
114 system by the installation of a side sewer. For purposes of this section "side sewer" means that section of  
115 pipe between the public sewer main and the private property line. In return for the fee the city shall install  
116 the side sewer and inspect the private sewer from the property line to the building. At the owner's option  
117 the side sewer may be privately installed, in which case the city will only charge an inspection fee.  
118

119 (2) Sewer service installation and inspection fees are set forth in MMC 14.07.005. (Ord. 2106 § 17,  
120 1996; Ord. 1434, 1985).

121  
122 **14.07.060 Water rates.**

123 (1) Definitions.  
124



125 (a) "Water rates," as used herein, shall refer to the charge assessed by the city for all water consumed  
126 or used on property connected to the city water system. The rates shall be based upon the quantity of  
127 water passing through the water meter during each billing period.  
128

129 (b) The normal "billing period" shall be a two-month cycle and shall be that period falling between  
130 two consecutive meter read dates. Charges for periods of less than two months shall be prorated both as  
131 to minimum charge and as to consumption; provided, however, the city may, at its discretion, elect to  
132 use a monthly billing period for selected accounts. If a monthly billing period is used, the consumption  
133 allowance and rate shall be one-half that set forth in the bimonthly rate schedule.  
134

135 (c) Billing Increments. Charges for water shall be computed on the nearest 1,000 gallons of  
136 consumption.  
137

138 (d) "City rates" are those which shall be charged to all properties connected to the water system  
139 which are located within the city limits of Marysville.  
140

141 (e) "CWSP rates" are those which shall be charged to all properties connected to the water system  
142 which are located outside the city limits of Marysville but are within the coordinated water system  
143 planning boundary.  
144

145 (f) "OCWSP rates" are those which shall be charged to all properties connected to the water system  
146 which are located outside the city's coordinated water system planning boundary.  
147

148 (g) "Multiple residential units" shall be defined as attached dwelling units which share a common  
149 water meter, including duplexes, townhouses, apartments and condominiums, and shall be defined as  
150 including mobile home parks.  
151

152 (h) "Single-family residential units" shall refer exclusively to detached single-family dwelling units.  
153

154 (2) Minimum Water Rates. Minimum charges for each billing period, and consumption allowances for  
155 such minimums, are established as follows:

| Meter Size                            | Consumption Allowance | City Rate  | Rural Rate | Outside UGA Rate |
|---------------------------------------|-----------------------|------------|------------|------------------|
| Multiple Residential Units (per unit) | 6,000                 | \$24.17    | \$36.31    | \$48.25          |
| 5/8" x 3/4"                           | 6,000                 | \$24.17    | \$36.31    | \$48.25          |
| 3/4" x 3/4"                           | 9,000                 | \$31.82    | \$47.74    | \$63.65          |
| 1"                                    | 15,000                | \$47.23    | \$70.79    | \$97.41          |
| 1.5"                                  | 30,000                | \$85.68    | \$128.52   | \$171.26         |
| 2"                                    | 48,000                | \$132.19   | \$198.39   | \$264.38         |
| 3"                                    | 75,000                | \$201.65   | \$302.43   | \$402.80         |
| 4"                                    | 150,000               | \$393.21   | \$589.56   | \$785.81         |
| 6"                                    | 360,000               | \$930.65   | \$1,396.58 | \$1,861.91       |
| 8"                                    | 450,000               | \$1,161.78 | \$1,742.47 | \$2,323.05       |

|                  |                |            |            |            |
|------------------|----------------|------------|------------|------------|
| 10"              | 600,000        | \$1,546.12 | \$2,318.77 | \$3,092.44 |
| 12"              | 840,000        | \$2,160.67 | \$3,240.95 | \$4,321.23 |
| Overage Rate     | per 1,000 gals | \$2.60     | \$3.98     | \$5.20     |
| Summer Surcharge | over 40,000    | \$3.16     | \$4.79     | \$6.22     |

156 (3) Overage Rate. Consumption of water in excess of the bimonthly allowance specified above shall be  
157 charged at a rate of \$2.60 per 1,000 gallons of overage within the city, \$3.98 per 1,000 gallons of overage  
158 within the CWSP, and a rate of \$5.20 per 1,000 gallons of overage outside CWSP.  
159

160 (4) Summer Surcharge for Residential Users. Water consumption by single-family and multiple  
161 residential units beyond 40,000 gallons bimonthly per unit shall be surcharged to 120 percent of the  
162 applicable overage. The surcharge shall apply for services for the months of May, June, July, August and  
163 September.  
164

165 (5) Calculation of Water Bill for Multiple Residential Units. In calculating the water bill for multiple  
166 residential units, the total number of dwelling units served by a water connection shall be divided into the  
167 water consumption for each billing period, expressed in gallons, to determine the average consumption  
168 per dwelling unit. The water rates shall be based upon the average consumption per unit during the billing  
169 period multiplied by the total number of units.  
170

171 (6) Calculation of Water Bill for Mobile Home Parks. The total water bill for mobile home parks shall  
172 be calculated by applying the rate schedule to the total number of pads or mobile home sites on the  
173 premises which are in a condition ready for occupancy, regardless of whether the same are occupied  
174 during the billing period or not; provided, that for the first 24 months after a mobile home park, or a new  
175 addition thereto, is opened and connected to city utilities, its water bill shall be calculated by applying the  
176 rates only to such pads or mobile home sites as are actually occupied by mobile homes during each billing  
177 period; provided, however, for mobile home parks whose utility meter with the city was first activated  
178 less than three years preceding June 9, 1997, the effective date of Ordinance 2130, and for which billing  
179 on all pads or mobile home sites has occurred for less than two years preceding June 9, 1997, such mobile  
180 home parks shall be granted an additional 12 months from June 9, 1997, to pay only for such pads or  
181 mobile home sites which are actually occupied during each billing period; provided, further, that all fees,  
182 charges and rates paid by such mobile home parks to the city under prior provisions of this subsection and  
183 MMC 14.07.070(4), as such subsections originally read or as subsequently amended, shall be  
184 nonrefundable notwithstanding the provisions of this subsection.  
185

186 (7) Private Fire Protection Rates. Private fire protection rates for properties inside or outside of the  
187 corporate limits of the city shall be as follows:  
188

189 (a) Private hydrants, each: \$37.33 per year;

190 (b) Wet standpipe systems: \$37.33 per year;

191 (c) Dry standpipe systems: None;

192 (d) Automatic sprinkler systems: Each owner of an automatic sprinkler system shall be charged a  
193 monthly rate based upon the size of the water service line that serves the system. The following are the  
194 bimonthly rates:  
195  
196  
197  
198

**Size of Line      Bimonthly Charge**

|         |          |
|---------|----------|
| 2-inch  | \$40.60  |
| 3-inch  | \$49.98  |
| 4-inch  | \$61.40  |
| 6-inch  | \$77.01  |
| 8-inch  | \$100.98 |
| 10-inch | \$126.99 |
| 12-inch | \$146.68 |

199 (8) Reduced Utility Charges in Special Cases. Upon application by a utility customer, the chief  
 200 administrative officer or designee shall have the discretion to make reasonable and equitable reduction in  
 201 utility accounts, on a case-by-case basis, in the following circumstances:

202  
 203 (a) If a private water line, valve, fixture, or other appurtenance is verified to be leaking as a result of  
 204 accidental damage or natural deterioration of the same, and not as a result of abuse or willful neglect,  
 205 the water bill for the subject property during the period of the leak may be reasonably and equitably  
 206 reduced; provided, that a customer shall be required to pay the base rate plus at least 50 percent of the  
 207 applicable overage rate for all water which was lost by reason of the leak. The sewer bill for the subject  
 208 property during the period of the leak may also be reasonably and equitably reduced to an amount not  
 209 less than the bill charged for the corresponding period the previous year.

210  
 211 (9) Calculation of Water Bill for School Facilities. The city rate for water as set forth in subsection (2)  
 212 of this section shall apply to all school facilities, whether such facilities are within the city limits or not.

213  
 214 (10) Rate Relief. Low-income senior citizens and low-income disabled persons may be eligible for  
 215 water and/or sewer rate relief pursuant to Chapter 3.63 MMC. (Ord. 2758 § 1, 2008; Ord. 2727 § 1, 2007;  
 216 Ord. 2680 §§ 1, 3, 4, 2006; Ord. 2620 §§ 1, 3, 4, 2006; Ord. 2548 §§ 1, 3, 2004; Ord. 2457 § 1, 2002;  
 217 Ord. 2394 § 1, 2001; Ord. 2181 §§ 1, 2, 1998; Ord. 2130 § 1, 1997; Ord. 2117 §§ 1, 2, 1997; Ord. 2109 §  
 218 1, 1996; Ord. 1840 § 1, 1991; Ord. 1809 § 1, 1990; Ord. 1789, 1990; Ord. 1434, 1985).

219 **14.07.070 Sewer rates.**

220 (1) Definitions.

221 (a) The normal "billing period" shall be a two-month cycle and shall be that period falling between  
 222 two consecutive water meter read dates. Charges for periods of less than two months shall be prorated;  
 223 provided, however, the city may, at its discretion, elect to use a monthly billing period for selected  
 224 accounts. If a monthly billing period is used, the rate shall be one-half that set forth in the bimonthly  
 225 rate schedule.

226 (b) "City rates" are those which shall be charged to all properties connected to the sewer system  
 227 which are located within the city limits of Marysville.

228 (c) "UGA rates" are those which shall be charged to all properties connected to the sewer system  
 229 which are located outside of the city limits of Marysville but are within the urban growth area of the  
 230 city of Marysville or that portion of the city of Arlington urban growth area which Marysville has  
 231 agreed by interlocal agreement to provide service.

232 (d) "OUGA rates" are those which shall be charged to all properties connected to the sewer system  
 233 which are located outside the Marysville city limits and outside the area where UGA rates apply.

234 (e) "Single-family residences" shall refer exclusively to detached single-family dwelling units.

235 (f) "Multiple residential units" shall be defined as attached dwelling units which share a common  
236 water meter, including duplexes, townhouses, apartments, and condominiums, and shall be defined as  
237 including mobile home parks.

238 (g) "Commercial/industrial" refers to all nonresidential land uses which are not specifically itemized  
239 or defined as being included within other classifications.

240 (h) "Satellite system rate" refers to that rate charged to the city by Lake Stevens Sewer District for the  
241 "overlap" area as described in the interlocal agreement between the parties dated April 22, 1999, plus  
242 an administrative overhead cost of 15 percent.

243 (2) Calculation of Commercial/Industrial Sewer Rates. Commercial/industrial sewer rates shall be based  
244 upon the quantity of water consumed or used on the premises during the billing period, as determined by  
245 the water meter reading and the strength of the discharge as measured by total suspended solids (TSS) and  
246 biochemical oxygen demand (BOD); provided, that a property owner may, at his own expense, arrange  
247 the plumbing on commercial premises so as to separate water which will be discharged into the sewer  
248 system from water which will not be so discharged, and a separate meter shall be installed to measure the  
249 amount of actual sewage discharged. In such a case the sewer rate shall be based only on the actual sewer  
250 use. The installation of such plumbing and meters must be inspected and approved by the city utility  
251 department.

252 Where a commercial property is connected to sewer service but not to water service, the city council  
253 shall determine the sewer rate to be charged on a case-by-case basis, using an estimated figure for water  
254 consumption.

255 (3) Sewer Rates. Sewer rates are established as follows:

| <b>Classification</b>                         | <b>City Rate</b> | <b>Rural Rate</b> | <b>Outside UGA Rate</b> |
|---|------------------|-------------------|-------------------------|
| Single-family residential                     | \$66.40          | \$99.55           | \$133.21                |
| Multiple residential units per unit           | \$63.14          | \$94.76           | \$119.03                |
| Hotels/motels per unit                        | \$46.51          | \$69.77           | \$93.02                 |
| Commercial (BOD/TSS Range mg/l) minimum       | \$66.40          | \$99.55           | \$133.21                |
| Class 1 (31 to 100 mg/l) per 1,000 gallons    | \$1.02           | \$1.53            | \$1.84                  |
| Class 2 (101 to 200 mg/l) per 1,000 gallons   | \$1.33           | \$1.99            | \$2.60                  |
| Class 3 (201 to 300 mg/l) per 1,000 gallons   | \$1.63           | \$2.50            | \$3.37                  |
| Class 4 (301 to 400 mg/l) per 1,000 gallons   | \$2.30           | \$3.47            | \$4.69                  |
| Class 5 (401 to 500 mg/l) per 1,000 gallons   | \$2.81           | \$4.23            | \$5.61                  |
| Class 6 (501 to 1,000 mg/l) per 1,000 gallons | \$4.34           | \$6.48            | \$8.67                  |
| Overnight camping                             |                  |                   |                         |
| Individual connections per unit               | \$46.51          | \$69.77           | \$93.02                 |

|                        |         |         |          |
|------------------------|---------|---------|----------|
| Other connections each | \$63.14 | \$94.76 | \$119.03 |
| Schools                |         |         |          |
| Minimum                | \$66.40 |         |          |
| Per 1,000 gallons      | \$3.77  |         |          |

256 (4) Calculation of Sewer Rates for Mobile Home Parks. The total sewer bill for mobile home  
257 parks shall be calculated by applying the rate schedule above to the total number of pads or  
258 mobile home sites on the premises which are in a condition ready for occupancy, regardless of  
259 whether the same are occupied during the billing period; provided, that for the first 24 months  
260 after a mobile home park, or a new addition thereto, is opened and connected to city utilities, the  
261 sewer bill shall be calculated by applying the rates only to such pads or mobile home sites as are  
262 actually occupied by mobile homes during each billing period; provided, however, for mobile  
263 home parks whose utility meter with the city was first activated less than three years preceding  
264 June 9, 1997, the effective date of Ordinance 2130, and for which billing on all pads or mobile  
265 home sites has occurred for less than two years preceding June 9, 1997, such mobile home parks  
266 shall be granted an additional 12 months from June 9, 1997, to pay only for such pads or mobile  
267 home sites which are actually occupied during each billing period; provided further, that all fees,  
268 charges and rates paid by such mobile home parks to the city under prior provisions of this  
269 section and MMC 14.07.060, as such sections originally read or as subsequently amended, shall  
270 be nonrefundable notwithstanding the provisions of this subsection.

271  
272 (5) Restaurants, for the purpose of sewer rates, shall be classified as Class 3 strength as  
273 described in subsection (3) of this section. Restaurants without approved grease traps, including  
274 those restaurants where a variance has been granted eliminating the necessity of a grease trap,  
275 shall be surcharged \$2.12 per 1,000 gallons.

276  
277 (6) Satellite System Rate. Notwithstanding any other rate established by this section, for that  
278 area defined as the satellite system area, the city shall charge the same rate as charged by Lake  
279 Stevens Sewer District plus an administrative fee of 15 percent. This rate shall be in effect for  
280 such properties until such time as the city's sewer collection system is constructed and sewer  
281 flows are diverted from the Lake Stevens Sewer District system to the city's sewer collection  
282 system.

283  
284 (7) Calculation for Sewer Rates for Schools. Schools sewer rates shall be based upon the  
285 quantity of water consumed or used on the premises during the billing period, as determined by  
286 the water meter reading; provided, if the water service is supplied to a school by other than the  
287 city of Marysville water system, the school district shall notify the city billing department of the  
288 total consumption as billed by other such water purveyor. The city rate for sewer as set forth in  
289 subsection (3) of this section shall apply to all school facilities, whether such facilities are within  
290 the city limits or not and whether public or privately operated.

291  
292 (8) Rate Relief. Low-income senior citizens and low-income disabled persons may be eligible  
293 for water and/or sewer rate relief pursuant to Chapter 3.63 MMC. (Ord. 2758 § 2, 2008; Ord.  
294 2727 § 2, 2007; Ord. 2680 §§ 2, 3, 4, 2006; Ord. 2620 §§ 2, 3, 4, 2006; Ord. 2548 §§ 2, 3, 4,  
295 2004; Ord. 2531 § 2, 2004; Ord. 2457 § 2, 2002; Ord. 2394 § 2, 2001; Ord. 2347 § 1, 2000; Ord.

296 2284 § 1, 1999; Ord. 2130 § 2, 1997; Ord. 2117 § 3, 1997; Ord. 2109 § 2, 1996; Ord. 1840 § 2,  
297 1991; Ord. 1809 § 2, 1990; Ord. 1798, 1990; Ord. 1434, 1985).

298 **14.07.075 Rate adjustments.**

299 (1) Beginning in 2006, as part of the budget process, the rates and fees for water and sewer may be  
300 adjusted annually by two percent. Any such adjusted rates and fees shall become effective January 1st of  
301 the new budget year. Beginning in 2007, as part of the budget process, surface water fees may be adjusted  
302 annually by two percent. Any such adjusted rates and fees shall become effective January 1st of the new  
303 budget year.

304 (2) Proposed rate increases greater than the two percent will require a public hearing process prior to  
305 adoption. All proposed rate adjustments will not be automatic but shall be justified and shall be reviewed  
306 and approved by the city council. (Ord. 2654 § 2, 2006).

307 **14.07.080 Reimbursement for oversized water and sewer mains.**

308 In all cases, the city engineer shall determine the size and depth of water and sewer mains connected to  
309 the city utility system. The determination shall be consistent with the city's comprehensive plan and the  
310 long-range objectives for the water and sewer utility. If a property owner/developer of residential property  
311 is required to install a water main with a diameter in excess of eight inches or a sewer main with a  
312 diameter in excess of 10 inches, and if the purpose of such oversizing is to provide for future extension of  
313 the main to adjacent properties within the utility service area, and not merely to meet the needs of the  
314 property responsible for constructing the main, the city may reimburse the property owner for the  
315 difference in material costs incurred solely by reason of the oversizing requirement. No such  
316 reimbursement shall be made except upon the following: complete installation of the water or sewer main  
317 and approval of the same by the city engineer; a submittal of a bill of sale and warranty for the water or  
318 sewer main to the city; certification of the oversizing costs, with such verification from the material  
319 supplier and contractor as the city engineer may require; approval of the oversizing costs by the city  
320 engineer; and approval of the reimbursement by the city council. (Ord. 1434, 1985).

321 **14.07.090 Recovery contracts.**

322 At the option of the city council, any party having constructed a public water or sewer line at its own  
323 cost, extending over 200 feet from the nearest mainline, may be allowed to enter into a recovery contract  
324 with the city providing for partial reimbursement to such party, or its assigns, for the costs of such  
325 construction, including the costs of engineering and design work, and all costs of labor and materials  
326 reasonably incurred for the length of the improvements. Such contracts shall be governed by the  
327 following provisions:

328 (1) Within 30 days after a utility line is accepted by the city and a bill of sale/warranty is filed with  
329 respect to the same, the proponent of the recovery contract shall submit a request for the same, using a  
330 form supplied by the city, together with supporting documentation showing all costs incurred in the  
331 project.

332 (2) An assessment area shall be formulated based upon a determination by the city as to which parcels  
333 of real estate will be directly benefited by the same.

334 (3) The reimbursement share of all property owners in the assessment area shall be the pro rata share of  
335 the total cost of the project, less any contributions paid by the city. Each reimbursement share shall be  
336 determined by using a method of cost apportionment which is based upon the benefit received by each

337 property from the project. This will generally be prorated on a front-footage basis. There shall be no  
338 reimbursement to the proponent for the share of the benefits which are allocated to its property.

339 (4) A preliminary determination of area boundaries and assessments, along with a description of the  
340 property owner's rights and options, shall be forwarded by certified mail to the property owners of record  
341 within the proposed assessment area. If any property owner requests a hearing in writing within 20 days  
342 of the mailing of the preliminary determination, a hearing shall be held before the city council, notice of  
343 which shall be given to all affected property owners. The city council's ruling shall be determinative and  
344 final.

345 (5) The contract, upon approval by the city council, shall be recorded in the records of the Snohomish  
346 County auditor within 30 days of such approval. The recorded contract shall constitute a lien against all  
347 real property within the assessment area which did not contribute to the original cost of the utility project.

348 (6) If, within a period of 15 years from the date the contract was recorded, any property within the  
349 assessment area applies for connection to the utility line, the lien for payment of the property's  
350 proportionate share shall become immediately due and payable to the city as a condition of receiving  
351 connection approval.

352 (7) All assessments collected by the city pursuant to a recovery contract, less the city's administrative  
353 charge, shall be paid to the original proponent, its personal representative, successors or assigns within 30  
354 days after receipt by the city. The city's administrative charge for each collection is set forth in MMC  
355 14.07.005.

356 (8) At the termination of the 15-year recovery period the lien shall continue, but all collections  
357 thereafter shall be for the benefit of the city and shall be deposited in the city's utility fund.

358 (9) Nothing in this section, nor any provision in a recovery contract, shall be construed as establishing  
359 the city as a public utility in areas not already connected to the city's utility system; nor shall this section,  
360 or any recovery contract, be construed as establishing express or implied rights for any property owner to  
361 connect to the city's utility system without first qualifying for such connection by compliance with all  
362 applicable city codes and ordinances. (Ord. 2780 § 1, 2009; Ord. 2106 § 18, 1996; Ord. 1599, 1988; Ord.  
363 1434, 1985).

364  
365 **Chapter 14.09 WATER AND SEWER CONSERVATION MEASURES**

- 366 Sections:  
367 14.09.010 Declaration of purpose  
368 14.09.020 Assistance offered by city to water customers  
369 14.09.030 Economic incentives for existing customers  
370 14.09.040 Economic incentives for new customers  
371 14.09.050 Water use restrictions  
372 14.09.060 Enforcement; penalties

373 **14.09.010 Declaration of purpose.**

374 The conservation and efficient use of water is found and declared to be a public purpose of highest  
375 priority. It will result in preservation of natural resources, enhancement of public health, safety and

376 welfare, and a reduction in public costs for the construction of enlarged water and sewer facilities. (Ord.  
377 1807 § 1, 1990).

378 **14.09.020 Assistance offered by city to water customers.**

379 The city may offer the following types of assistance to all utility customers of the city, whether located  
380 inside or outside of the city limits:

381 (1) Providing written notice to customers at the time of each billing statement showing the amount of  
382 water used at said customer's property during the corresponding billing period in the preceding year. If  
383 water consumption has increased by 125 percent or more, said notice may suggest that the customer  
384 contact the city for a water use audit and that conservation measures be immediately implemented;

385 (2) Providing water use audits for any and all customers upon request. In the case of high-volume users  
386 the city may take the initiative to contact the customer and request an opportunity to conduct a water use  
387 audit;

388 (3) Providing inspections of customer premises, either directly or through one or more inspectors under  
389 contract, to determine and inform the customer of the estimated cost of purchasing and installing  
390 conservation fixtures, systems and equipment;

391 (4) Providing customers with a list of businesses that sell and install conservation fixtures, systems and  
392 equipment within or in close proximity to the service area of the city. Each of said businesses shall have  
393 requested to be included on the list and shall have the ability to provide the products in a workmanlike  
394 manner and in accordance with the prevailing standards of the industry;

395 (5) Arranging for the purchase and installation of approved conservation fixtures, systems and  
396 equipment at the customer's cost. Provided, that the city may provide the following retrofit plumbing  
397 devices, upon request, at no cost: low volume shower heads, toilet tank bags, faucet aerators, and leak  
398 detection dye; and

399 (6) Providing economic incentives for voluntary installation of conservation fixtures, systems and  
400 equipment, as provided in MMC 14.09.030 and 14.09.040 below. (Ord. 1807 § 1, 1990).

401 **14.09.030 Economic incentives for existing customers.**

402 Customers who, at their own cost, purchase and install approved water conservation fixtures, systems or  
403 equipment on a voluntary basis when the same are not otherwise required by any code, rule or regulation,  
404 shall be entitled to payment from the city in an amount equivalent to one-half the verified cost incurred by  
405 the customer, up to a maximum of \$50.00 per customer account. Applications for such economic  
406 incentives shall be filed with the city clerk within 30 days after installation of the conservation fixtures,  
407 systems or equipment. The installation shall be subject to inspection and approval by the city. Economic  
408 incentives shall be on a one-time-only basis for each customer account, and shall only be paid if the  
409 account is in a then-current status. Economic incentives shall not apply to fixtures, systems or equipment  
410 used for commercial or industrial purposes. (Ord. 1807 § 1, 1990).

411 **14.09.040 Economic incentives for new customers.**



412 Property owners or contractors constructing new buildings which will be connected to the city's utility  
413 system shall be entitled to the same economic incentives referred to in MMC 14.09.030 above if, at their  
414 own cost, they purchase and install approved water conservation fixtures, systems or equipment on a  
415 voluntary basis when the same are not otherwise required by any code, rule or regulation. (Ord. 1807 § 1,  
416 1990).

417 **14.09.050 Water use restrictions.**

418 The following nonessential uses of water are prohibited on all properties connected to the city's water  
419 system, whether inside or outside of the city limits:

420 (1) Washing sidewalks, walkways, driveways, parking lots, patios and other exterior paved areas by  
421 direct hosing, except as may be necessary ~~to properly dispose of flammable or otherwise dangerous~~  
422 ~~liquids or substances or to prevent or eliminate materials dangerous to the public health and safety.~~ for  
423 emergency fire fighting activities;

424

425 (2) Escape of water through breaks or leaks within the customer's plumbing or private distribution  
426 system for any period of time beyond which such break or leak should reasonably have been discovered  
427 and corrected. It shall be presumed that a period of 48 hours after the customer discovers a leak or break,  
428 or receives notice from the city of such leak or break, whichever occurs first, is a reasonable time within  
429 which to correct the same.

430 (3) Noncommercial washing of privately owned motor vehicles, trailers and boats, except from a bucket  
431 or a hose equipped with a shut-off nozzle used for quick rinses and in areas where soapy water will not  
432 runoff into the stormwater drainage system.

433 (4) Lawn sprinkling and irrigation which allows water to run off or overspray the lawn area. Every  
434 customer is deemed to have knowledge of and control over his lawn sprinkling and irrigation at all times.

435 (5) Sprinkling and irrigation of lawns, ground cover or shrubbery between the hours of 10:00 a.m. and  
436 4:00 p.m., or on any day not authorized by the rotation schedule announced on an annual basis by the city.  
437 (Ord. 1807 § 1, 1990).

438 **14.09.060 Enforcement; penalties.**

439 If the city determines that any customer is violating any provision of this chapter it shall notify said  
440 customer, in writing, that the violation must be corrected or abated within a specified period of time, the  
441 length of which shall be reasonably related to the circumstances of the particular violation. Said notice  
442 shall be mailed to the last known billing address for the customer. If the customer fails to comply, or if a  
443 repeat violation occurs within the following six months, the city may implement one or more of the  
444 following enforcement measures:

445 (1) The city may install a flow restrictor on the customer's service line. The cost of said device, together  
446 with a reasonable installation charge, shall be added to the customer's water bill. At the conclusion of the  
447 enforcement action the cost of removing the device shall be added to the customer's water bill.

448 (2) The city may disconnect water service to the property. A fee of \$50.00 shall be paid for  
449 reconnection of any service which has been disconnected pursuant to this section.

450 (3) Violations of, or failure to comply with, any provision of this chapter shall constitute a civil  
451 infraction and any person found to have violated the same is punishable by a monetary penalty of not  
452 more than \$50.00 for each such violation. Each day that a violation continues shall constitute a new and  
453 separate infraction. (Ord. 1807 § 1, 1990).

454 (4) Enforcement of the provisions of this chapter shall be pursuant to ~~MMC~~ Title 4 MMC.

1 **Chapter 14.15 ~~ON-SITE STORM WATER DRAINAGE~~**  
2 **CODE CONTROLLING STORMWATER RUNOFF FROM NEW**  
3 **DEVELOPMENT, REDEVELOPMENT, AND CONSTRUCTION SITES**

4 Sections:

5

6 14.15.010 Purpose

7

8 14.15.015 Storm water management manual adopted

9

10 14.15.020 Definitions

11

12 14.15.030 Applicability

13

14 14.15.040 Minimum requirement thresholds.

15

16 14.15.050 Minimum requirements.

17

18 ~~14.15.060 Mandatory requirements for all drainage improvements~~

19 14.15.062 Low impact development (LID) – Alternative drainage standards

20

21 14.15.065 Contents of a storm water site plan

22 14.15.066 Determining Construction Site Sediment Damage Potential

23

24 14.15.070 Development in critical flood, drainage and/or erosion areas

25

26 14.15.080 Establishment of regional facilities

27

28 14.15.090 Fees

29

30 14.15.100 Construction standards and specifications

31

32 14.15.110 Review and approval of plans

33

34 14.15.120 Inspections – Construction

35

36 14.15.130 Bonds and liability insurance required

- 37
- 38 14.15.140 City assumption of maintenance
- 39
- 40 14.15.150 Retroactivity relating to city maintenance of drainage facilities
- 41
- 42 14.15.160 Maintenance of drainage facilities by owner
- 43
- 44 ~~14.15.165 Maintenance of drainage swales and ditches~~
- 45 14.15.170 Applicability to governmental entities
- 46
- 47 14.15.175 Adjustments
- 48
- 49 14.15.180 Exceptions
- 50
- 51 14.15.185 Additional procedures and review
- 52
- 53 14.15.190 Enforcement
- 54
- 55 14.15.200 No special duty created
- 56
- 57 14.15.210 Severability
- 58
- 59 14.15.220 Appeals

60 **14.15.010 Purpose.**

61 The city council finds that this chapter is necessary to promote sound development policies and  
 62 construction procedures which respect the city’s watercourses; to minimize water quality degradation and  
 63 control of sedimentation of creeks, streams, ponds, lakes, and other water bodies; to protect the life,  
 64 health, and property of the general public; to preserve and enhance the suitability of waters for contact  
 65 recreation and fish habitat; to preserve and enhance the aesthetic quality of the waters; to maintain and  
 66 protect valuable ground water quantities, locations, and flow patterns; to ensure the safety of city roads  
 67 and rights-of-way; and to decrease drainage-related damages to public and private property. (Ord. 2476 §  
 68 2, 2003).

69 **14.15.015 Storm water management manual adopted.**

70 The ~~2001-2005~~ State Department of Ecology’s Storm Water Management Manual for Western  
 71 Washington, as amended by this code, is hereby adopted as the city’s minimum stormwater regulations  
 72 and as a technical reference manual and maintenance standard and is hereinafter referred to as the  
 73 “Stormwater Manual.” (Ord. 2476 § 2, 2003).

74 **14.15.020 Definitions.**

75 For the purpose of this chapter and other chapters provisions in this title related to stormwater that may  
 76 not have a definitions section, certain terms, phrases, words and their derivatives shall be defined and  
 77 construed as specified in the Stormwater Manual and in this section title. Words used in the singular  
 78 include the plural, and the plural the singular. The words “shall,” “will” and “must” are mandatory; the

79 words “should” and “may” are permissive. When any definition in this ~~chapter~~ title conflicts with  
80 definitions in the Stormwater mManual or any other ordinance of the city, that which provides more  
81 environmental protection shall apply unless specifically provided otherwise in this ~~chapter~~ title.

82 (1) ~~“Adjustment” means a project proposal that has received approval as providing substantially~~  
83 ~~equivalent environmental protection while maintaining the objectives of safety, function, and facility~~  
84 ~~maintenance based upon sound engineering.~~

85 (2) ~~“Applicant” means any person who has applied for a development permit or approval.~~

86 (2) “Certified Erosion and Sediment Control Lead (CESCL)” - means an individual who has current  
87 certification through an approved erosion and sediment control training program that meets the minimum  
88 training standards established by the Department of Ecology (see BMP C160 in the Stormwater Manual).  
89 A CESCL is knowledgeable in the principles and practices of erosion and sediment control. The CESCL  
90 must have the skills to assess site conditions and construction activities that could impact the quality of  
91 stormwater and, the effectiveness of erosion and sediment control measures used to control the quality of  
92 stormwater discharges.

93 (3) ~~“Basin plan” means a plan that assesses, evaluates, and proposes solutions to existing and potential~~  
94 ~~future impacts to the beneficial uses of, and the physical, chemical, and biological properties of waters of~~  
95 ~~the state within a basin.<sup>1</sup> A plan should include but not be limited to recommendations for:~~

96 (a) ~~Storm water requirements for new development and redevelopment;~~

97 (b) ~~Capital improvement projects;~~

98 (c) ~~Land use management through identification and protection of critical areas, comprehensive land~~  
99 ~~use and transportation plans, zoning regulations, site development standards, and conservation areas;~~

100 (d) ~~Source control activities including public education and involvement, and business programs;~~

101 (e) ~~Other targeted storm water programs and activities, such as maintenance, inspections, and~~  
102 ~~enforcement;~~

103 (f) ~~Monitoring; and~~

104 (g) ~~An implementation schedule and funding strategy.~~

105 (4) ~~“Best management practices (BMPs)” refers to physical, structural, and/or managerial practices, that~~  
106 ~~when used singly or in combination, prevent or reduce pollution of water and have been approved by the~~  
107 ~~engineer. BMPs include, but are not limited to, infiltration, retention and/or detention, biofiltration~~  
108 ~~facilities, open ditches with check dams, filter fabric strips, oil/water separators, wet ponds, constructed~~  
109 ~~wetlands, erosion and sedimentation control, and other treatment/abatement facilities.~~

110 (5) ~~“Biofiltration facility” means the simultaneous processes of filtration, absorption, and biological~~  
111 ~~uptake of pollutants in storm water to take place when runoff flows over and through vegetated treatment~~  
112 ~~facilities.~~

113 (3) ~~“City planner” also means community development director.~~

114 (7) "Clearing" means the destruction and removal of vegetation by manual, mechanical or chemical  
115 methods.

116 (48) "Comprehensive drainage plan" means a detailed analysis adopted by the city which compares the  
117 capabilities and needs for runoff accommodation due to various combinations of development, land use,  
118 structural and nonstructural management alternatives. The plan recommends the form, location, and  
119 extent of quantity and quality control measures which would satisfy legal constraints, water quality  
120 standards and community standards and identifies the institutional and funding requirements for plan  
121 implementation.

122 (9) "Computations" means calculations, including coefficients and other pertinent data made to  
123 determine the drainage plan with flow of water given in cubic feet per second (cfs).

124 (10) "Construction storm water pollution prevention plan" or "construction SWPPP" means a plan that  
125 includes a narrative, drawings, and details for describing construction practices, stabilization techniques,  
126 and structural BMPs that are to be implemented to prevent erosion and sedimentation, and control other  
127 pollutants at a construction site.

128 (45) "Conveyance system" means the drainage facilities, both natural and manmade, which collect,  
129 contain, and provide for the flow of surface and storm water from the highest points on the land down to a  
130 receiving water. The natural elements of the conveyance system include swales and small drainage  
131 courses, streams, rivers, lakes, and wetlands. The human-made elements of the conveyance system  
132 include gutters, ditches, pipes, channels, and most retention/detention facilities.

133 (12) "Current conditions" means the state, status, or conditions (land use, impervious surfaces,  
134 topography, soils, and surface water flows) present of the subject property at the time the analysis is  
135 conducted.

136 (13) "Cut and fill" means the process of earth moving by excavating part of an area and using the  
137 excavated material for adjacent embankments or fill areas.

138 (46) "Department" means the public works or community development department of the city of  
139 Marysville, as appropriate for capital or private development projects.

140 (15) "Design storm" means a rainfall (or other precipitation) event or pattern of events for use in  
141 analyzing and designing drainage facilities, specifying both the return period in years and the duration in  
142 hours.

143 (16) "Detention" means the release of storm water runoff from the site at a slower rate than it is  
144 collected by the storm water drainage system, the difference being held in temporary storage.

145 (17) "Detention facility" means an above or below ground facility, such as a pond or tank, that  
146 temporarily stores storm water runoff and subsequently releases it at a slower rate than it is collected by  
147 the drainage facility system. There is little or no infiltration of stored storm water.

148 (18) "Developed conditions" means the state, status, or condition of the subject property at the time the  
149 proposed project has been completed, which may include existing buildings, impervious areas, and  
150 topography as is.

151 (197) "Developer" means the individual(s) or corporation(s) or governmental agency(ies) applying for  
152 the permits or approvals, described in MMC 14.15.030.

153 (20) "Development" means any artificial change to property, including but not limited to building or  
154 other structures, mining, dredging, filling, all land disturbing activities, clearing, grading, landscaping,  
155 paving, excavation, or drilling operations, any activity that requires a permit or approval, including but  
156 not limited to a building permit, grading permit, shoreline substantial development permit, conditional use  
157 permit, unclassified use permit, zoning variance or reclassification, planned unit development,  
158 subdivision, short subdivision, master plan development, building site plan, or right of way use permit.

159 (21) "Developmental coverage" means all developed areas within the subject property including but not  
160 limited to rooftops, driveways, carports, accessory buildings, parking areas, and any other impervious  
161 surfaces. During construction, "development coverage" includes the above in addition to the full extent of  
162 any alteration of previously occurring soils, slope, or vegetation due to grading, temporary storage, access  
163 areas, or other short term causes.

164 (228) "Director of public works" or "director" means the director of the public works department or  
165 his/her designee.

166 (9) "Discharge Stormwater Directly or Indirectly to the Marysville Small Municipal Separate Storm  
167 Sewer System (MS4)" - A project discharges stormwater directly or indirectly to the MS4 if:

- 168 a) The drainage system installed is in right of way or an area that will become right of way after  
169 construction and final site approval;  
170 b) The drainage system installed will become publicly owned after construction and final site  
171 approval;  
172 c) The drainage system installed is intended to overflow to a portion of the existing MS4 or public  
173 right of way; or  
174 a)d) The drainage system installed is intended to outfall into a portion of the existing MS4 or public  
175 right of way.

176 (23) "~~Drainage area~~" means the watershed (acreage) contributing surface water runoff to and including  
177 the subject property.

178 (24) "Drainage site" means a geographical area that serves a common or combined use including but  
179 not limited to shopping malls and strips, condominiums, apartment complexes, office parks, and housing  
180 tracts. A site may include one or more parcels and/or include one or more buildings. See also  
181 "Development."

182 (2510) "Drainage system" or "Storm Drainage System" or "Stormwater system" means the same as the  
183 Stormwater Manual definition for "Stormwater drainage system."

184 system of collecting, conveying, and storing surface and storm water runoff. Drainage facilities shall  
185 include but not be limited to all surface and storm water runoff conveyance and containment facilities  
186 including streams, pipelines, channels, ditches, swamps, lakes, wetlands, closed depressions, infiltration  
187 facilities, retention/detention facilities, erosion/sedimentation control facilities, and other drainage  
188 structures and appurtenances, both natural and manmade.

189 (26) "Drainage treatment/abatement facilities" means any facilities installed or constructed in  
190 conjunction with a drainage plan for the purpose of treating urban runoff to improve water quality,  
191 excluding retention or detention facilities.

192 | ~~(27) “Effective impervious area” means those impervious surfaces that are connected via sheet flow or~~  
193 | ~~discrete conveyance to a drainage system.~~

194 | (2811) “Engineer” means the city engineer or development services manager, as designated for  
195 | enforcement of capital or private development activities, of Marysville.

196 | (3712) “Existing grade” means the grade prior to grading.

197 | (3913) “Finish grade” means the final grade of the site, which conforms to the approved plan.

198 | (4014) “Grading” or “grading activity” means any excavating, filling, or grading or combination  
199 | thereof.

200 | (4115) “Ground water” means water in a saturated zone or stratum beneath the surface of land or a  
201 | surface water body.

202 | (16) “Municipal Separate Storm Sewer System (MS4)” - means a conveyance, or system of  
203 | conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters,  
204 | ditches, manmade channels, or storm drains):

205 | a) Owned or operated by a state, city, town, borough, county, parish, district, association, or other  
206 | public body (created by or pursuant to State Law) having jurisdiction over disposal of wastes,  
207 | storm water, or other wastes, including special districts under State law such as a sewer district,  
208 | flood control district or drainage district, or similar entity, or an Indian tribe or an authorized  
209 | Indian tribal organization, or a designated and approved management agency under section 208 of  
210 | the CWA that discharges to waters of the United States.

211 | b) Designed or used for collecting or conveying stormwater.

212 | c) Which is not a combined sewer; and

213 | a)d) Which is not part of a Publicly Owned Treatment Works (POTW) as defined in the Code of  
214 | Federal Regulations- at 40 CFR 122.2.

215 | ~~—(38) “Rough grade” means the stage at which the grade approximately conforms to the approved plan.~~

216 | (42) ~~“Illicit discharge” means all non-storm water discharges to storm water drainage systems that~~  
217 | ~~cause or contribute to a violation of state water quality, sediment quality, or ground water quality~~  
218 | ~~standards, including but not limited to sanitary sewer connections, industrial process water, interior floor~~  
219 | ~~drains, car washing, and gray water systems.~~

220 | (43) ~~“Impervious areas” means that hard surface area which either prevents or retards the entry of water~~  
221 | ~~into the soil mantle and/or causes water to run off the surface in greater quantities or at an increased rate~~  
222 | ~~of flow from that present under natural conditions prior to development. Common impervious surfaces~~  
223 | ~~include, but are not limited to, roof tops, walkways, patios, driveways, parking lots or storage areas,~~  
224 | ~~concrete or asphalt paving, gravel roads, packed earthen materials, and oil, macadam, or other surfaces~~  
225 | ~~which similarly impede the natural infiltration of surface and storm water runoff. Open, uncovered~~  
226 | ~~retention/detention facilities shall not be considered as impervious surfaces for the purposes of this~~  
227 | ~~chapter.~~

228 | (44) ~~“Interflow” means that portion of rainfall that infiltrates into the soil and moves laterally through~~  
229 | ~~the upper soil horizons until intercepted by a stream channel or until it returns to the surface for example,~~  
230 | ~~in a roadside ditch, wetland, spring or seep.~~

231 ~~(45) “Land clearing” or “clearing” means the destruction or removal of vegetation from a site by~~  
232 ~~physical, mechanical, chemical or other means. This does not mean mowing, landscape maintenance or~~  
233 ~~pruning consistent with accepted horticultural and arboricultural practices, which does not impair the~~  
234 ~~health or survival of the trees and associated vegetation.~~

235 ~~(46) “Land disturbing activities” means any activity that disturbs or alters land surface including~~  
236 ~~clearing and grading.~~

237 ~~(47) “Lowest floor” means the lowest enclosed area (including basement) of a structure. An area used~~  
238 ~~solely for parking of vehicles, building access, or storage is not considered a building’s lowest floor;~~  
239 ~~provided, that the enclosed area meets all of the structural requirements of the flood hazard standards.~~

240 ~~(48) “Manual” refers to the Washington Department of Ecology’s “Storm Water Management Manual~~  
241 ~~for Western Washington,” as amended.~~

242 ~~(49) “Native vegetation” means vegetation comprised of plant species, other than noxious weeds, that~~  
243 ~~are indigenous to the coastal region of the Pacific Northwest and which reasonably could have been~~  
244 ~~expected to naturally occur on the site. Examples include trees such as Douglas fir, western hemlock,~~  
245 ~~western red cedar, alder, big leaf maple, and vine maple; shrubs such as willow, elderberry, salmonberry,~~  
246 ~~and salal; and herbaceous plants such as sword fern, foam flower, and fireweed.~~

247 ~~(50) “Natural location” of drainage systems refers to the location of those channels, swales, and other~~  
248 ~~natural conveyance systems as defined by the first documented topographic contours existing for the~~  
249 ~~subject property, either from maps or photographs, or such other means as appropriate.~~

250 ~~(51) “New development” means the following activities: land disturbing activities; structural~~  
251 ~~development, including construction, installation, or expansion of building or other structures; installation~~  
252 ~~of impervious surfaces, and subdivisions or short plats.~~

253 ~~(52) “On site storm water management BMPs” means site development techniques that serve to~~  
254 ~~infiltrate, disperse, and retain storm water runoff on site.~~

255 ~~(53) “Parcel” means a tract or plot of land of any size, which may or may not be subdivided or~~  
256 ~~improved.~~

257 ~~(54) “Permanent erosion and sediment control” means the continuous on site and off site control~~  
258 ~~measures that are needed to prevent accelerated erosion, sedimentation or related pollution from occurring~~  
259 ~~after completion of the grading activity or the construction project.~~

260 ~~(55) “Permanent storm water control (PSC) plan” means a plan which includes permanent BMPs for the~~  
261 ~~control of pollution from storm water runoff after construction and/or land disturbing activity has been~~  
262 ~~completed.~~

263 ~~(56) “Person” means any individual, partnership, corporation, association, organization, cooperative,~~  
264 ~~public or municipal corporation, agency of the state, or local government unit, however designated.~~

265 ~~(57) “Planned residential developments” refers to residential developments which are planned and/or~~  
266 ~~developed in several stages but submitted together for approvals, and which typically consist of clusters~~  
267 ~~of structures interspersed with areas of common open spaces (refer to Chapter 19.48 MMC).~~



268 (58) "Pollutant" shall mean any substance which, when added to water, would contaminate or alter the  
269 chemical, physical, or biological properties of any waters of the city's drainage system or of the state.  
270 This includes a change in temperature, taste, color, turbidity, or odor of the waters, or such discharge of  
271 any liquid, gaseous, solid, radioactive, or other substance into any waters of the city's drainage system or  
272 of the state as will or is likely to create a nuisance. It also includes any substance which renders such  
273 waters harmful, detrimental, or injurious to the public health, safety, or welfare, or to domestic,  
274 commercial, industrial, agricultural, recreational, or other legitimate beneficial use, or to livestock, wild  
275 animals, birds, fish, or other aquatic life.

276 (59) "Pollution" means contamination or other alteration of the physical, chemical or biological  
277 properties of waters of the state, including change in temperature, taste, color, turbidity, or odor of the  
278 waters, or such discharge of any liquid, gaseous, solid, radioactive or other substance into any waters of  
279 the state and will or is likely to create a nuisance or render such waters harmful, detrimental or injurious  
280 to the public health, safety or welfare, or to domestic, commercial, industrial, agricultural, recreation or  
281 other legitimate beneficial uses, or to livestock, wild animals, birds, fish, or other aquatic life.

282 (60) "Pollution generating impervious surface (PGIS)" means those impervious surfaces considered to  
283 be a significant source of pollutants in storm water runoff. Such surfaces include those which are subject  
284 to: vehicular use; industrial activities; or storage of erodible or leachable materials, wastes, or chemicals,  
285 and which receive direct rainfall or the run on or blow in of rainfall. Erodible or leachable materials,  
286 wastes, or chemicals are those substances which, when exposed to rainfall, measurably alter the physical  
287 or chemical characteristics of the rainfall runoff. Examples include erodible soils that are stockpiled,  
288 uncovered process wastes, manure, fertilizers, oily substances, ashes, kiln dust, and garbage dumpster  
289 leakage. Metals roofs are also considered to be PGIS unless they are coated with an inert, nonleachable  
290 material (e.g., baked on enamel coating).

291 A surface, whether paved or not, shall be considered subject to vehicular use if it is regularly used by  
292 motor vehicles. The following are considered regularly used surfaces: roads, unvegetated road shoulders,  
293 bike lanes within the traveled lane of a roadway, driveways, parking lots, unfenced fire lanes, vehicular  
294 equipment storage yards, and airport runways.

295 The following are not considered regularly used surfaces: paved bicycle pathways separated from and  
296 not subject to drainage from roads for motor vehicles, fenced fire lanes, and infrequently used  
297 maintenance access roads.

298 (61) "Pollution generating pervious surface (PGPS)" means any nonimpervious surface subject to use  
299 of pesticides, fertilizers, or loss of soil.

300 (6219) "Private drainage system" or "private stormwater disposal systems" means drainage systems  
301 located on private property and that may or may not be designed to discharge directly as through pipes,  
302 channels, etc., or indirectly as sheet flow, subsurface flow, etc., into the city's drainage system.

303 (63) "Project site" means that portion of a property, properties, or right-of-way subject to land-  
304 disturbing activities, new impervious surfaces, or replaced impervious surfaces.

305 (6420) "Public storm drainage system" means that portion of the drainage system of the city located on  
306 public right-of-way, easements or other property owned by the city, and those portions of private  
307 drainage systems operated and maintained by the city.

308 ~~(65) "Receiving waters" means bodies of water or surface water systems receiving water from upstream~~  
309 ~~manmade (or natural) systems. For the purpose of this chapter, receiving waters are Ebey Slough and the~~  
310 ~~Snohomish River.~~

311 ~~(66) "Redevelopment" means, on an already developed site, the creation and/or addition of impervious~~  
312 ~~surfaces, structural development including construction, installation, or expansion of a building or other~~  
313 ~~structure, and/or replacement of impervious surface that is not part of a routine maintenance activity, and~~  
314 ~~land-disturbing activities associated with structural or impervious redevelopment.~~

315 ~~(67) "Regional" means an action that involves more than one discrete parcel.~~

316 ~~(68) "Regional detention facility" means a storm water quantity control structure designed to correct~~  
317 ~~existing surface water runoff problems for all or a portion of a basin or sub-basin. This term is also used~~  
318 ~~when a detention facility is used to detain storm water runoff from a number of different businesses,~~  
319 ~~developments or areas within a catchment.~~

320 ~~(69) "Replaced impervious surface" means the removal and replacement of any exterior impervious~~  
321 ~~surfaces or foundation of a structure. Other impervious surfaces are considered replaced if first removed~~  
322 ~~down to bare soil or base course.~~

323 ~~(70) "Retention/detention facility (R/D)" means a type of drainage system designed either to hold water~~  
324 ~~for a considerable length of time and then release it by evaporation, plant transpiration and/or infiltration~~  
325 ~~into the ground; or to hold surface and storm water runoff for short period of time and then release it to~~  
326 ~~the surface and storm water management system.~~

327 ~~(71) "Sediment" means solid particulate matter, both mineral and organic, that has been or is being~~  
328 ~~transported by water, air, gravity, or ice from its original site of origin.~~

329 ~~(72) "Sedimentation" means the process by which sediment has been transported off the site of the~~  
330 ~~grading activity and settled onto land or the bed of a creek, stream, river, wetland, pond, or other water~~  
331 ~~body.~~

332 ~~(73) "Site" means the area defined by the legal boundaries of a parcel or parcels of land subject to new~~  
333 ~~development or redevelopment. For road projects, the length of the project site and the right of way~~  
334 ~~boundaries define the site.~~

335 ~~(4821) "Rough grade" means the stage at which the grade approximately conforms to the approved~~  
336 ~~plan.~~

337 ~~) "Source control BMP" means a structure or operation that is intended to prevent pollutants from coming~~  
338 ~~into contact with storm water through physical separation of areas or careful management of activities~~  
339 ~~that are sources of pollutants. A few examples of source control BMPs are erosion control practices,~~  
340 ~~maintenance of storm water facilities, constructing roofs over storage and working areas, and directing~~  
341 ~~wash water and similar discharges to the sanitary sewer or a dead end sump.~~

342 ~~(78) "Storm drainage plan" means a plan approved by the city of Marysville which includes either a~~  
343 ~~small parcel or large parcel erosion and sediment control plan and/or a water quality control plan.s~~

344 | (22) "Site plan" means a plan which indicates the character of the existing site, topography, natural  
345 drainage features on or adjacent to the site, the location and dimensions of all impervious surfaces, flow  
346 arrows indicating the direction of storm water flows on-site, and any off-site flows entering the site, the  
347 proposed method of utilizing the existing drainage system.

348 | (23) "Small Municipal Separate Storm Sewer System" or "Small MS4" means a conveyance or system  
349 of conveyances including roads with drainage systems, municipal streets, catch basins, curbs, gutters,  
350 ditches, man-made channels and/or storm drains which is:

- 351 | a) Owned or operated by a city, town, county, district, association or other public body created  
352 pursuant to State law having jurisdiction over disposal of sewage, industrial wastes, stormwater,  
353 or other wastes, including special districts under State law such as a sewer districts, flood control  
354 districts or drainage districts, or similar entity.
- 355 | b) Designed or used for collecting or conveying stormwater.
- 356 | c) Not a combined sewer system.
- 357 | d) Not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2.
- 358 | e) Not defined as "large" or "medium" pursuant to 40 CFR 122.26(b) (4) & (7) or designated under  
359 40 CFR 122.26 (a) (1) (v).

360 | Small MS4s include systems similar to separate storm sewer systems in municipalities such as:  
361 universities, large publicly owned hospitals, prison complexes, highways and other thoroughfares.  
362 Small MS4s do not include storm drain systems operated by non-governmental entities such as:  
363 individual buildings, private schools, private colleges, private universities, and industrial and commercial  
364 entities.  
365

366 | (79) "Storm water" means that portion of precipitation that does not naturally percolate into the ground  
367 or evaporate, but flows via overland flow, interflow, pipes, or other features of a storm water drainage  
368 system into a defined surface waterbody or a constructed infiltration facility.

369 | (80) "Storm Water Management Manual for Western Washington" means the manual prepared by the  
370 Department of Ecology that contains BMPs to prevent or reduce pollution.

371 | (8124) "Storm water site plan" means the comprehensive report containing all of the technical  
372 information and analysis necessary to evaluate a proposed new development or redevelopment project for  
373 compliance with storm water requirements. Contents of the storm water site plan will vary with the type  
374 and size of the project, and individual site characteristics. ~~It includes a construction storm water pollution~~  
375 ~~prevention plan (construction SWPPP) and a permanent storm water control plan (PSC plan). See the~~  
376 Stormwater Manual for details.

377 | (8225) "Subject property" means the tract of land which is the subject of the permit and/or approval  
378 action.

379 | (83) "Surface water" means the naturally occurring water that flows over or is stored on the earth's  
380 surface.

381 | (84) "Temporary erosion control" means the on-site and off-site control measures that are needed  
382 during construction activities to prevent accelerated erosion, sedimentation or related pollution from  
383 occurring, but may not be needed when the project is completed or when ground conditions have been  
384 stabilized by permanent erosion control measures.

385 ~~(85) "Threshold discharge area" means an on-site area draining to a single natural discharge location or~~  
386 ~~multiple natural discharge locations that combine within one quarter mile downstream (as determined by~~  
387 ~~the shortest flowpath).~~

388 ~~(86) "Total maximum daily load (TMDL)" means a calculation of the maximum amount of a pollutant~~  
389 ~~that a waterbody can receive and still meet water quality standards, and an allocation of that amount to the~~  
390 ~~pollutant's sources.~~

391 ~~(8726) "Undeveloped conditions" means the state, status, or condition of the subject property prior to~~  
392 ~~any development of the property that has occurred, which may include trees, pastures, meadows, or native~~  
393 ~~features.~~

394 ~~(88) "Uncontaminated" means water that has not come into contact with illicit discharges.~~

395 ~~(89) "Waterbody" means surface waters including rivers, streams, lakes, marine waters, estuaries and~~  
396 ~~wetlands.~~

397 ~~(90) "Water quality control plan (WQCP)" means a plan which includes permanent BMPs for the~~  
398 ~~control of pollution from storm water runoff after construction and/or land disturbing activity has been~~  
399 ~~completed.~~

400 ~~(91) "Water quality design flow rate" means:~~

401 ~~(a) Preceding detention facilities or when detention facilities are not required: that rate at or below~~  
402 ~~which 91 percent of the runoff volume, as estimated by an approved continuous runoff model, will be~~  
403 ~~treated.~~

404 ~~(b) Downstream of detention facilities: the full two-year release rate from the detention facility.~~

405 ~~(92) "Water quality design storm" means the 24-hour rainfall amount with a six-month return~~  
406 ~~frequency. It is commonly referred to as the six-month, 24-hour design storm.~~

407 ~~(93) "Water quality design storm volume" means the volume of runoff predicted from a 24-hour storm~~  
408 ~~with a six-month return frequency.~~

409 ~~(94) "Watershed" means a geographic region within which water drains into a particular river, stream,~~  
410 ~~or body of water as identified and numbered by the State of Washington Water Resource Inventory Areas~~  
411 ~~(WRIAs) as defined in Chapter 173-500 WAC or succeeding regulation.~~

412 ~~(95) "Wetland" or "wetlands" means areas that are inundated or saturated by surface water or ground~~  
413 ~~water at a frequency and duration sufficient to support and that under normal circumstances do support, a~~  
414 ~~prevalence of vegetation typically adapted for life in saturated soil conditions. "Wetlands" generally~~  
415 ~~include swamps, marshes, bogs, and similar areas. "Wetlands" do not include those artificial wetlands~~  
416 ~~intentionally created from nonwetland sites, including, but not limited to, irrigation and drainage ditches,~~  
417 ~~grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape~~  
418 ~~amenities. However, "wetlands" include those artificial wetlands intentionally created to mitigate~~  
419 ~~conversion of wetlands. See the Federal Manual for Identifying and Delineating Jurisdictional Wetlands~~  
420 ~~(January, 1987) for more information. (Ord. 2476 § 2, 2003).~~

421 **14.15.030 Applicability.**

422 (1) Stormwater Management review and approval by the City is required when any new development,  
423 redevelopment, or proposed construction site project meets or exceeds the threshold conditions defined in  
424 section 14.15.040 (e.g., new impervious area, drainage system modifications, redevelopments, etc.) and/or  
425 is subject to a City development permit or approval requirement. All the provisions of this Title are  
426 applicable to any project requiring Stormwater Management review and approval.

427 ~~(1) All persons taking any of the following actions or applying for any of the following permits and/or~~  
428 ~~approvals shall, unless otherwise excepted or exempted by other provisions of this chapter, be required to~~  
429 ~~submit for approval a site plan with their application and/or request:~~

430 ~~(a) Creation or alteration of new or additional impervious surfaces;~~

431 ~~(b) New development;~~

432 ~~(c) Redevelopment;~~

433 ~~(d) Building permit;~~

434 ~~(e) Subdivision approval;~~

435 ~~(f) Short subdivision approval;~~

436 ~~(g) Commercial, industrial, or multifamily site plan approval;~~

437 ~~(h) Planned unit development;~~

438 ~~(i) Development within or adjacent to sensitive areas per Chapter MMC;~~

439 ~~(j) Conditional use permits;~~

440 ~~(k) Substantial development permit required under Chapter 90.58 RCW (Shoreline Management Act);~~

441 ~~(l) Logging, clearing, and other land disturbing activities. Exception: Activities not requiring machinery~~  
442 ~~for construction or excavation and that are not subject to other environmental regulation are considered~~  
443 ~~exempt from the provisions of this chapter. In addition to a site plan, other plan requirements are set out~~  
444 ~~in the text of this chapter and are summarized for various types of activities in MMC.~~

445 (2) Commencement of construction work under any of the nonexempt actions, permits, or applications  
446 set forth in subsection (1) of this section shall not begin until the department approves a Storm-water  
447 Pollution Prevention Plan (SWPPP) pursuant to the requirements of section 14.15.040.

448 ~~-Exception: A site plan only, and no storm water pollution prevention, shall be required for activities on~~  
449 ~~single family lots in subdivisions where the final plat for the subdivision occurred after May 1, 1999.~~

450 (3) Guidance on preparing a storm water pollution prevention plan is contained in the manual.

451 | (4~~3~~) Whenever a minimum area or quantity requirement is set forth in this chapter, such requirement  
452 shall be met if any activity or development occurs on the subject property within a continuous 18-month  
453 period. (Ord. 2476 § 2, 2003).

454 | (4) Unless otherwise specified in this chapter, all standards, definitions, and requirements shall be in  
455 accordance with the Stormwater Manual.

456 | (5) The following activities are exempt from the Minimum Requirements set forth in section 14.15.050:  
457

458 | a) Forest practices: Forest practices regulated under Title 222 WAC, except for Class IV  
459 General forest practices that are conversions from timber land to other uses, are exempt from  
460 the provisions of the Minimum Requirements.

461 | b) Commercial agriculture: Commercial agriculture practices involving working the land for  
462 production are generally exempt. However, the conversion from timberland to agriculture,  
463 and the construction of impervious surfaces are not exempt.

464 | c) Oil and Gas Field Activities or Operations: Construction of drilling sites, waste management  
465 pits, and access roads, as well as construction of transportation and treatment infrastructure  
466 such as pipelines natural gas treatment plants, natural gas pipeline compressor stations, and  
467 crude oil pumping stations are exempt. Operators are encouraged to implement and maintain  
468 Best Management Practices to minimize erosion and control sediment during and after  
469 construction activities to help ensure protection of surface water quality during storm events.

470 | d) Road Maintenance:

471 | i. The following road maintenance practices are exempt: pothole and square cut  
472 patching, overlaying existing asphalt or concrete pavement with asphalt or concrete  
473 without expanding the area of coverage, shoulder grading, reshaping/regrading  
474 drainage systems, crack sealing, resurfacing with in-kind material without expanding  
475 the road prism, and vegetation maintenance.

476 | ii. The following road maintenance practices are considered redevelopment, and  
477 therefore are not categorically exempt. The extent to which the Minimum  
478 Requirements in section 14.15.050 apply is explained for each circumstance.

479 | A. Removing and replacing a paved surface to base course or lower, or repairing the  
480 roadway base: If impervious surfaces are not expanded, section 14.15.050  
481 Minimum Requirements #1 - #5 apply. However, in most cases, only section  
482 14.15.050 Minimum Requirement #2, Construction Stormwater Pollution  
483 Prevention, will be germane. Where appropriate, project proponents are  
484 encouraged to look for opportunities to use permeable and porous pavements.

485 | B. Extending the pavement edge without increasing the size of the road prism, or  
486 paving graveled shoulders: These are considered new impervious surfaces and  
487 are subject to the Minimum Requirements in section 14.15.050 that are triggered  
488 when the thresholds identified for redevelopment projects are met.

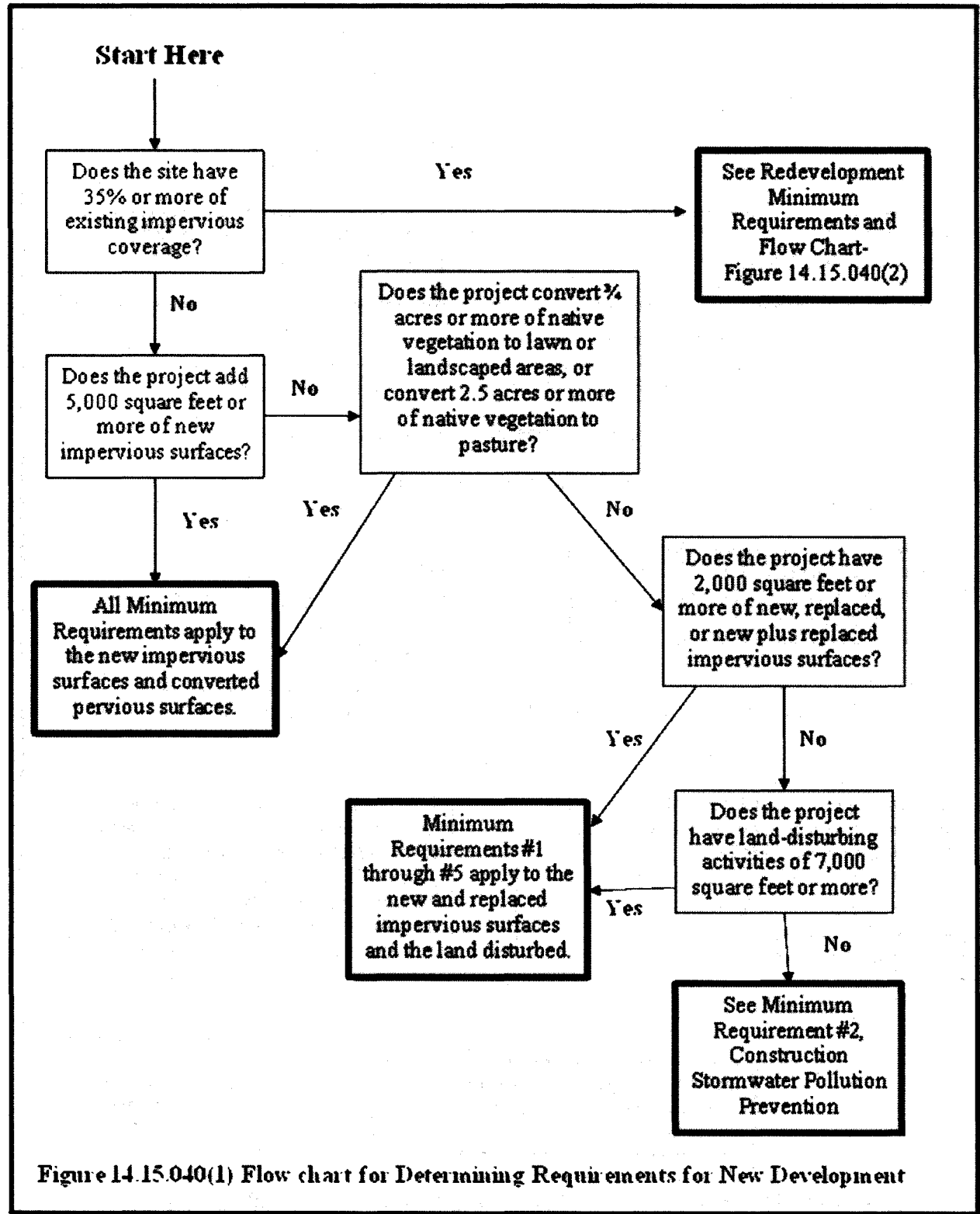
489 | C. Resurfacing by upgrading from dirt to gravel, asphalt, or concrete; upgrading  
490 from gravel to asphalt, or concrete; or upgrading from a bituminous surface  
491 treatment (“chip seal”) to asphalt or concrete: These are considered new  
492 impervious surfaces and are subject to the Minimum Requirements in section  
493

501 14.15.050 that are triggered when the thresholds identified for redevelopment  
502 projects are met.

503  
504 e) Underground utility projects: Underground utility projects that replace the ground surface  
505 with in-kind material or materials with similar runoff characteristics are only subject to  
506 section 14.15.050.2 Minimum Requirement #2, Construction Stormwater Pollution  
507 Prevention.

508  
509 **14.15.040 Minimum requirement thresholds.**

510  
511 Not all of the Minimum Requirements in section 14.15.050 apply to every development or  
512 redevelopment project. The applicability varies depending on the type and size of the project. This section  
513 identifies thresholds that determine the applicability of the Minimum Requirements in section 14.15.050  
514 to different projects. The flow charts in Figures 14.15.040(1) and 14.15.040(2) must be used to determine  
515 which of the Minimum Requirements in section 14.15.050 apply. The Minimum Requirements  
516 themselves are presented in section 14.15.050.





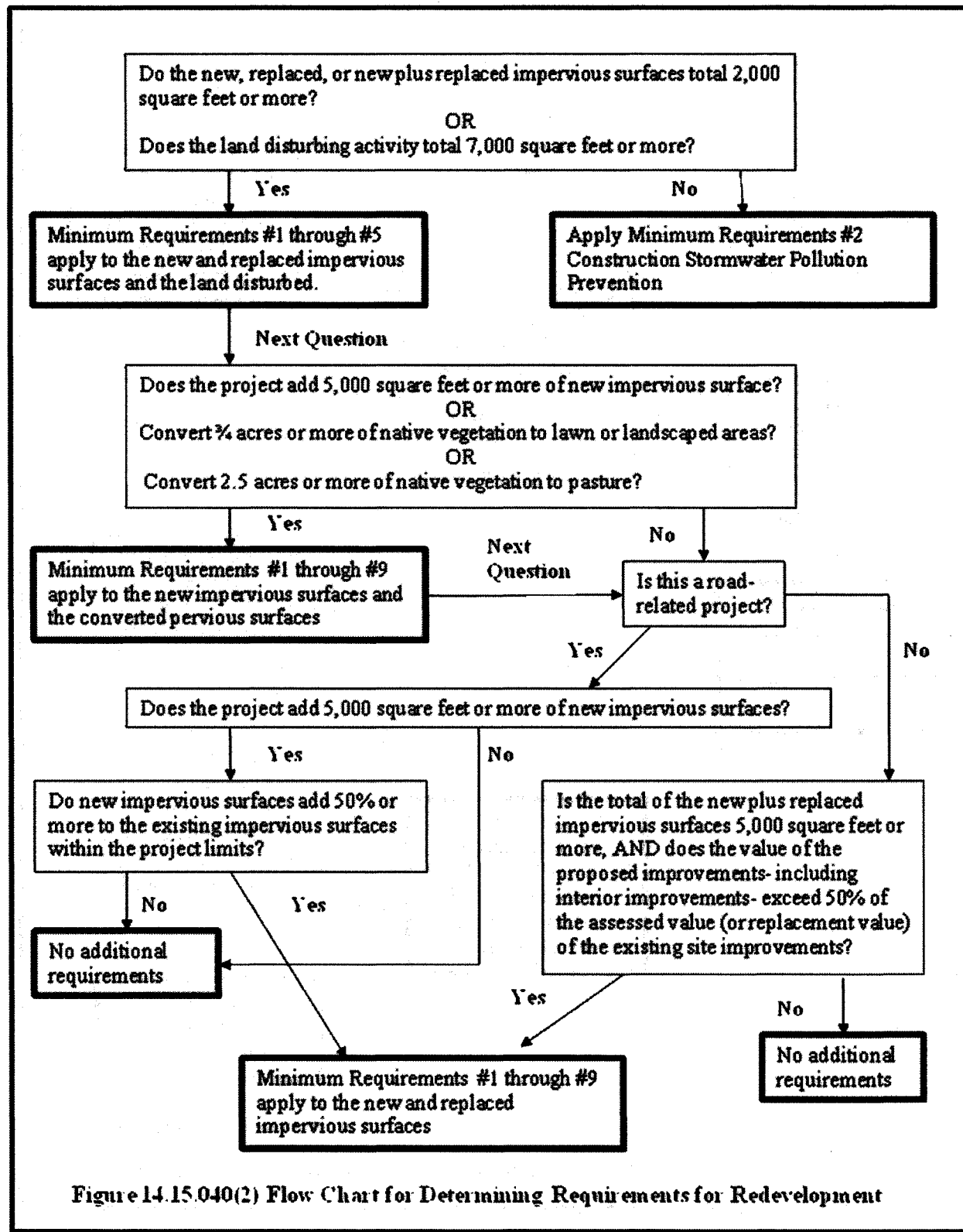


Figure 14.15.040(2) Flow Chart for Determining Requirements for Redevelopment

521  
522  
523

524 1) New Development. All new development shall be required to comply with section 14.15.050.2  
525 Minimum Requirement #2.

526  
527 a) The following new development shall comply with section 14.15.050 Minimum Requirements  
528 #1 through #5 for the new and replaced impervious surfaces and the land disturbed:

529  
530 i. Creates or adds 2,000 square feet, or greater, of new, replaced, or new plus replaced  
531 impervious surface area, or

532  
533 ii. Has land disturbing activity of 7,000 square feet or greater,

534  
535 b) The following new development shall comply with section 14.15.050 Minimum Requirements  
536 #1 through #10 for the new impervious surfaces and the converted pervious surfaces:

537  
538 i. Creates or adds 5,000 square feet, or more, of new impervious surface area, or

539  
540 ii. Converts  $\frac{3}{4}$  acres, or more, of native vegetation to lawn or landscaped areas, or

541  
542 iii. Converts 2.5 acres, or more, of native vegetation to pasture.

543  
544 2) Redevelopment. All redevelopment shall be required to comply with section 14.15.050.2  
545 Minimum Requirement #2. In addition, all redevelopment that exceeds certain thresholds shall be  
546 required to comply with additional Minimum Requirements in section 14.15.050 as follows.

547  
548 a) The following redevelopment shall comply with section 14.15.050 Minimum Requirements  
549 #1 through #5 for the new and replaced impervious surfaces and the land disturbed:

550  
551 i. The new, replaced, or total of *new plus replaced* impervious surfaces is 2,000 square feet  
552 or more, or

553  
554 ii. 7,000 square feet or more of land disturbing activities.

555  
556 b) The following redevelopment shall comply with section 14.15.050 Minimum Requirements  
557 #1 through #10 for the new impervious surfaces and converted pervious areas:

558  
559 i. Adds 5,000 square feet or more of *new* impervious surfaces or,

560  
561 ii. Converts  $\frac{3}{4}$  acres, or more, of native vegetation to lawn or landscaped areas, or

562  
563 iii. Converts 2.5 acres, or more, of native vegetation to pasture.

564  
565 c) If the runoff from the new impervious surfaces and converted pervious surfaces is not  
566 separated from runoff from other surfaces on the project site, the stormwater treatment  
567 facilities must be sized for the entire flow that is directed to them.

568  
569 d) The director may allow the Minimum Requirements in section 14.15.050 to be met for an  
570 equivalent (flow and pollution characteristics) area within the same site. For public roads'  
571 projects, the equivalent area does not have to be within the project limits, but must drain to  
572 the same receiving water.

573  
574 3) Additional Requirements for Re-development Project Sites  
575

- 576 a) For road-related projects, runoff from the replaced and new impervious surfaces (including  
577 pavement, shoulders, curbs, and sidewalks) shall meet all the Minimum Requirements in  
578 section 14.15.050 if the new impervious surfaces total 5,000 square feet or more and total  
579 50% or more of the existing impervious surfaces within the project limits. The project limits  
580 shall be defined by the length of the project and the width of the right-of-way.  
581
- 582 b) Other types of redevelopment projects shall comply with all the Minimum Requirements in  
583 section 14.15.050 for the new and replaced impervious surfaces if the total of new plus  
584 replaced impervious surfaces is 5,000 square feet or more, and the valuation of proposed  
585 improvements – including interior improvements – exceeds 50% of the assessed value of the  
586 existing site improvements.  
587
- 588 c) The director may exempt or institute a stop-loss provision for redevelopment projects from  
589 compliance with Minimum Requirements for treatment, flow control, and wetlands  
590 protection as applied to the replaced impervious surfaces if the director has adopted a plan  
591 and a schedule that fulfills those requirements in regional facilities. See also Sections  
592 14.15.175, 14.15.180 and Chapter 14.18..  
593
- 594 d) The director may grant a variance/exception to the application of the flow control  
595 requirements to replaced impervious surfaces if such application imposes a severe economic  
596 hardship. See Section 14.15.175 and 14.15.180.  
597

598 ~~(1) New Development. The minimum requirements discussed in this section are described in MMC~~  
599 ~~14.15.050. All new development shall be required to comply with minimum requirement no. 2. In~~  
600 ~~addition, new development that exceeds certain thresholds shall be required to comply with additional~~  
601 ~~minimum requirements described in MMC 14.15.050 as follows:~~

602 ~~(a) The following new development shall comply with minimum requirements nos. 1 through 5:~~

603 ~~(i) Development that includes the creation or addition of 2,000 square feet or greater of new, replaced,~~  
604 ~~or new plus replaced impervious surface area; or~~

605 ~~(ii) Development that includes land disturbing activity of 7,000 square feet or greater.~~

606  
607 ~~(b) The following new development shall comply with minimum requirements nos. 1 through 10:~~

608 ~~(i) Creates or adds 5,000 square feet or greater of new impervious surface area; or~~

609 ~~(ii) Converts three quarters acres or more of native vegetation to lawn or landscaped areas; or~~

610 ~~(iii) Converts 2.5 acres or more of native vegetation to pasture.~~

611 ~~(2) Redevelopment. All redevelopment shall be required to comply with minimum requirement no. 2. In~~  
612 ~~addition, redevelopment that exceeds certain thresholds shall be required to comply with additional~~  
613 ~~minimum requirements described in MMC 14.15.050 as follows:~~

614 ~~(a) The following redevelopment shall comply with minimum requirements nos. 1 through 5 for the~~  
615 ~~new and replaced impervious surfaces and the land disturbed:~~

616 ~~(i) The new, replaced, or total of new plus replaced impervious surfaces is 2,000 square feet or~~  
617 ~~more; or~~

618 ~~(ii) Redevelopment that includes land-disturbing activity of 7,000 square feet or more.~~

619

620 ~~(b) The following redevelopment shall comply with minimum requirements nos. 1 through 10 for the~~  
621 ~~new impervious surfaces and converted pervious surfaces:~~

622 ~~(i) Redevelopment that adds 5,000 square feet or more of new impervious surfaces; or~~

623 ~~(ii) Redevelopment that converts three-quarters acres or more of native vegetation to lawn or~~  
624 ~~landscaped areas; or~~

625 ~~(iii) Redevelopment that converts 2.5 acres or more of native vegetation to pasture.~~

626

627 ~~(e) Commingled Storm Water. If the runoff from the new impervious surfaces and converted pervious~~  
628 ~~surfaces is not separated from runoff from other surfaces on the project site, the storm water treatment~~  
629 ~~facilities must be sized for the entire flow that is directed to them.~~

630 ~~(d) Equivalent Area. The director may allow the minimum requirements to be met for an equivalent~~  
631 ~~(flow and pollution characteristics) area within the same site. For public road projects, the equivalent~~  
632 ~~area does not have to be within the project limits, but must drain to the same receiving water.~~

633 ~~(e) Road Related Projects. Runoff from the replaced and new impervious surfaces (including~~  
634 ~~pavement, shoulders, curbs, and sidewalks) shall meet all the minimum requirements if the new~~  
635 ~~impervious surfaces total 5,000 square feet or more and total 50 percent or more of the existing~~  
636 ~~impervious surfaces within the project limits. The project limits shall be defined by the length of the~~  
637 ~~project and the width of the right of way.~~

638 ~~Assessed Value Threshold<sup>2</sup>. Other types of development not regulated by subsection (2)(e) of this~~  
639 ~~section shall comply with all the minimum requirements for the new and replaced impervious surfaces~~  
640 ~~if the total of the new plus replaced impervious surfaces is 5,000 square feet or more, and the valuation~~  
641 ~~of proposed improvements, including interior improvements, exceeds 50 percent of the assessed value~~  
642 ~~of the existing site improvements.~~

643 ~~(f) Regional Facilities. The director may exempt or institute a stop-loss provision for redevelopment~~  
644 ~~projects from compliance with minimum requirements for treatment, flow control, and wetlands~~

645 protection as applied to the replaced impervious surfaces if the city has adopted a plan and schedule that  
646 fulfills those requirements in regional facilities. (Ord. 2476 § 2, 2003).

647 **14.15.050 Minimum requirements.**

648 This Section describes the Minimum Requirements for stormwater management at development and  
649 redevelopment sites. Section 14.15.040 should be consulted to determine which of the Minimum  
650 Requirements below apply to any given project. Figures 14.15.040(1) and 14.15.040(2) should be  
651 consulted to determine whether the Minimum Requirements apply to new surfaces, replaced surfaces or  
652 new and replaced surfaces.

653  
654 1) Minimum Requirement #1: Preparation of Stormwater Site Plans. All projects meeting the  
655 thresholds in Section 14.15.040 shall submit a Stormwater Site Plan. Stormwater Site Plans shall be  
656 prepared in accordance with Chapter 3 of Volume 1 of the Stormwater Manual.

657  
658 2) Minimum Requirement #2: Construction Stormwater Pollution Prevention Plan (SWPPP)

659  
660 a) The City may choose to allow compliance with this Minimum Requirement to be achieved for an  
661 individual site if the site is covered under Ecology's *General NPDES Permit for Stormwater*  
662 *Discharges Associated with Construction Activities* and fully implementing the requirements of  
663 that permit.

664  
665 b) The City may choose to allow site operators to apply an "Erosivity Waiver" to projects disturbing  
666 less than five acres that meet the requirements in section 1415.050.2(j); such projects would be  
667 waived from the requirement that the City review site plans for construction phase stormwater  
668 pollution prevention.

669  
670 c) The City may develop an abbreviated SWPPP format to meet the SWPPP requirement under the  
671 NPDES Phase II Municipal Stormwater permit for sites that are less than 5,000 square feet of  
672 new impervious surface; or new, replaced, or new plus replaced is less than 2,000 square feet.

673  
674 d) All new development and redevelopment projects are responsible for preventing erosion and  
675 discharge of sediment and other pollutants into receiving waters. All projects must submit a  
676 Construction Stormwater Pollution Prevention Plan (SWPPP) as part of the Stormwater Site Plan  
677 (see section 14.15.050.1 Minimum Requirement #1: Preparation of Stormwater Site Plans above)  
678 for all projects which meet the thresholds in Section 14.15.040. The SWPPP shall be  
679 implemented beginning with initial soil disturbance and until final stabilization.

680  
681 e) Sediment and Erosion control BMPs shall be consistent with the BMPs contained in chapters 3  
682 and 4 of Volume II of the Stormwater Manual, and/or other equivalent BMPs contained in  
683 technical stormwater manuals approved by the Department of Ecology.

684  
685 f) The SWPPP shall include a narrative and drawings. All BMPs shall be clearly referenced in the  
686 narrative and marked on the drawings. The SWPPP narrative shall include documentation to  
687 explain and justify the pollution prevention decisions made for the project. Clearing and grading  
688 activities for developments shall be permitted only if conducted pursuant to an approved site  
689 development plan (e.g., subdivision approval) that establishes permitted areas of clearing,  
690 grading, cutting, and filling. When establishing these permitted clearing and grading areas,  
691 consideration should be given to minimizing removal of existing trees and minimizing  
692 disturbance/compaction of native soils except as needed for building purposes. These permitted  
693 clearing and grading areas and any other areas required to preserve critical or sensitive areas,

694 buffers, native growth protection easements, or tree retention areas as may be required by Chapter  
695 19.28 Clearing, Grading, Filling and Erosion Control or Chapter 19.24 Critical Areas  
696 Management shall be delineated on the site plans and the development site.  
697

698 g) Seasonal Work Limitations - From October 1 through April 30, clearing, grading, and other soil  
699 disturbing activities are only authorized if silt-laden runoff will be prevented from leaving the site  
700 through a combination of the following:  
701

702 i. Site conditions including existing vegetative coverage, slope, soil type and proximity to  
703 receiving waters; and  
704

705 ii. Limitations on activities and the extent of disturbed areas; and  
706

707 iii. Proposed erosion and sediment control measures.  
708

709 h) Based on the information provided and/or local weather conditions, the director may expand or  
710 restrict the seasonal limitation on site disturbance. The following activities are exempt from the  
711 seasonal clearing and grading limitations:  
712

713 i. Routine maintenance and necessary repair of erosion and sediment control BMPs,  
714

715 ii. Routine maintenance of public facilities or existing utility structures that do not expose  
716 the soil or result in the removal of the vegetative cover to soil, and  
717

718 iii. Activities where there is one hundred percent infiltration of surface water runoff within  
719 the site in approved and installed erosion and sediment control facilities.  
720

721 i) Construction Stormwater Pollution Prevention Plan (SWPPP) Elements- The construction site  
722 operator shall include each of the twelve elements below in the SWPPP and ensure that they are  
723 implemented unless site conditions render the element unnecessary and the exemption from that  
724 element is clearly justified in the SWPPP. The SWPPP shall include both narrative and drawings.  
725 All BMPs shall be clearly referenced in the narrative and marked on the drawings. The SWPPP  
726 narrative shall include documentation to explain and justify the pollution prevention decisions  
727 made for the project.  
728

729 i. Element 1. Preserve Vegetation/Mark Clearing Limits:  
730

731 A. Prior to beginning land disturbing activities, including clearing and grading, clearly mark  
732 all clearing limits, sensitive areas and their buffers, and trees that are to be preserved  
733 within the construction area.  
734

735 B. Plastic, metal, or stake wire fencing may be used to mark the clearing limits.  
736

737 C. The duff layer, native top soil, and natural vegetation shall be retained in an undisturbed  
738 state to the maximum degree practicable.  
739

740 ii. Element 2. Establish Construction Access:  
741

742 A. Construction vehicle access and exit shall be limited to one route, if possible, or two  
743 routes for linear projects such as roadways where more than one access is necessary for  
744 large equipment maneuvering.

- 745  
746 B. Access points shall be stabilized with quarry spalls, crushed rock or other equivalent  
747 BMP to minimize the tracking of sediment onto public roads.  
748  
749 C. Wheel wash or tire baths shall be located on site, if the stabilized constructions entrance  
750 is not effective in preventing sediment from being tracked onto public roads.  
751  
752 D. If sediment is tracked off site, roads shall be cleaned thoroughly at the end of each day, or  
753 more frequently during wet weather. Sediment shall be removed from roads by shoveling  
754 or pickup sweeping and shall be transported to a controlled sediment disposal area.  
755  
756 E. Street washing is allowed only after sediment is removed in accordance with Element  
757 2.D, above. Street wash wastewater shall be controlled by pumping back on site or  
758 otherwise be prevented from discharging into systems tributary to waters of the state.  
759

760 iii. Element 3. Control Flow Rates:  
761

- 762 A. Properties and waterways downstream from development sites shall be protected from  
763 erosion due to increases in the velocity and peak volumetric flow rate of stormwater  
764 runoff from the project site.  
765  
766 B. Downstream analysis is required. See Chapter 3 of the Stormwater Manual for offsite  
767 analysis guidance.  
768  
769 C. Where necessary to comply with Element 3A., above, stormwater retention or detention  
770 facilities shall be constructed as one of the first steps in grading. Detention facilities shall  
771 be functional prior to construction of site improvements (e.g., impervious surfaces).  
772  
773 D. The director may require pond designs that provide additional or different stormwater  
774 flow control, if necessary to address local conditions or to protect properties and  
775 waterways downstream from erosion due to increases in the volume, velocity, and peak  
776 flow rate of stormwater runoff from the project site.  
777  
778 E. If permanent infiltration ponds are used for flow control during construction, these  
779 facilities should be protected from siltation during the construction phase.  
780

781 iv. Element 4. Install Sediment Controls:  
782

- 783 A. Stormwater runoff from disturbed areas shall pass through a sediment pond, or other  
784 appropriate sediment removal BMP, prior to leaving a construction site or prior to  
785 discharge to an infiltration facility. Runoff from fully stabilized areas may be discharged  
786 without a sediment removal BMP, but shall meet the flow control performance standard  
787 of 3.a, above.  
788  
789 B. Sediment control BMPs (sediment ponds, traps, filters, etc.) shall be constructed as one  
790 of the first steps in grading. These BMPs shall be functional before other land disturbing  
791 activities take place.  
792  
793 C. BMPs intended to trap sediment on site shall be located in a manner to avoid interference  
794 with the movement of juvenile salmonids attempting to enter off-channel areas or  
795 drainages.

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v. Element 5. Stabilize Soils:

- A. Exposed and unworked soils shall be stabilized by application of effective BMPs that prevent erosion.
- B. No soils should remain exposed and unworked for more than the time periods set forth below to prevent erosion:
  - During the dry season (May 1 – September 30): 7 days
  - During the wet season (October 1 – April 30): 2 days
- C. The time period may be adjusted by the director, if the director determines that local precipitation data justify a different standard.
- D. Soils shall be stabilized at the end of the shift before a holiday or weekend if needed based on the weather forecast.
- E. Soil stockpiles must be stabilized from erosion, protected with sediment trapping measures, and where possible, be located away from storm drain inlets, waterways and drainage channels.
- F. Applicable practices include, but are not limited to, temporary and permanent seeding, sodding, mulching, plastic covering, soil application of polyacrylamide (PAM), the early application of gravel base on areas to be paved, and dust control.
- G. Soil stabilization measures selected should be appropriate for the time of year, site conditions, estimated duration of use, and potential water quality impacts that stabilization agents may have on downstream waters or ground water.
- H. Soil stockpiles must be stabilized from erosion, protected with sediment trapping measures, and where possible, be located away from storm drain inlets, waterways and drainage channels.

vi. Element 6. Protect Slopes:

- A. Cut and fill slopes shall be designed and constructed in a manner that will minimize erosion.
- B. Soil type and its potential for erosion shall be considered.
- C. Slope runoff velocities shall be reduced by reducing the continuous length of slope with terracing and diversions, reduce slope steepness, and roughen slope surface.
- D. Off-site stormwater (run-on) or groundwater shall be diverted away from slopes and undisturbed areas with interceptor dikes, pipes and/or swales. Off-site stormwater should be managed separately from stormwater generated on the site.
- E. At the top of slopes, drainage shall be collected in pipe slope drains, or channels shall be protected to prevent erosion. Temporary pipe slope drains shall handle the expected peak 10-minute flow velocity from a Type 1A, 10-year, 24-hour frequency storm for the developed condition. Alternatively, the 10-year, 1-hour flow rate predicted by an



847 approved continuous runoff model, increased by a factor of 1.6, may be used. The  
848 hydrologic analysis shall use the existing land cover condition for predicting flow rates  
849 from tributary areas outside the project limits. For tributary areas on the project site, the  
850 analysis shall use the temporary or permanent project land cover condition, whichever  
851 will produce the highest flow rates. If using the Western Washington Hydrology Model  
852 to predict flows, bare soil areas should be modeled as "landscaped area."

853  
854 F. Drainage shall be provided to remove ground water intersecting the slope surface of  
855 exposed soil areas.

856  
857 G. Excavated material shall be placed on the uphill side of trenches, consistent with safety  
858 and space considerations.

859  
860 H. Check dams shall be placed at regular intervals within constructed channels that are cut  
861 down a slope.

862  
863 vii. Element 7. Protect Drain Inlets:

864  
865 A. Storm drain inlets made operable during construction shall be protected so that  
866 stormwater runoff does not enter the conveyance system without first being filtered or  
867 treated to remove sediment.

868  
869 B. All approach roads shall be kept clean. All sediment and street wash water shall not be  
870 allowed to enter storm drains without prior and adequate treatment unless treatment is  
871 provided before the storm drain discharges to waters of the State.

872  
873 C. Inlet protection devices shall be cleaned or removed and replaced when sediment has  
874 filled one-third of the available storage (unless a different standard is specified by the  
875 product manufacturer).

876  
877 viii. Element 8. Stabilize Channels and Outlets:

878  
879 A. All temporary on-site conveyance channels shall be designed, constructed, and stabilized  
880 to prevent erosion from the following expected peak flows. Channels shall handle the  
881 expected peak 10-minute flow velocity from a Type 1A, 10-year, 24-hour frequency  
882 storm for the developed condition. Alternatively, the 10-year, 1-hour flow rate predicted  
883 by an approved continuous runoff model, increased by a factor of 1.6, may be used. The  
884 hydrologic analysis shall use the existing land cover condition for predicting flow rates  
885 from tributary areas outside the project limits. For tributary areas on the project site, the  
886 analysis shall use the temporary or permanent project land cover condition, whichever  
887 will produce the highest flow rates. If using the Western Washington Hydrology Model  
888 to predict flows, bare soil areas should be modeled as "landscaped area."

889  
890 B. Stabilization, including armoring material, adequate to prevent erosion of outlets,  
891 adjacent stream banks, slopes, and downstream reaches shall be provided at the outlets of  
892 all conveyance systems.

893  
894 ix. Element 9. Control Pollutants:

895  
896 A. All pollutants, including waste materials and demolition debris, that occur onsite shall be  
897 handled and disposed of in a manner that does not cause contamination of stormwater.

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B. Cover, containment, and protection from vandalism shall be provided for all chemicals, liquid products, petroleum products, and other materials that have the potential to pose a threat to human health or the environment. On-site fueling tanks shall include secondary containment.

C. Maintenance, fueling and repair of heavy equipment and vehicles shall be conducted using spill prevention and control measures. Contaminated surfaces shall be cleaned immediately following any spill incident.

D. Wheel wash or tire bath wastewater shall be discharged to a separate on-site treatment system or to the sanitary sewer with local sewer district approval.

E. Application of fertilizers and pesticides shall be conducted in a manner and at application rates that will not result in loss of chemical to stormwater runoff. Manufacturers' label requirements for application rates and procedures shall be followed.

F. BMPs shall be used to prevent or treat contamination of stormwater runoff by pH modifying sources. These sources include, but are not limited to: bulk cement, cement kiln dust, fly ash, new concrete washing and curing waters, waste streams generated from concrete grinding and sawing, exposed aggregate processes, dewatering concrete vaults, concrete pumping and mixer washout waters. Construction site operators shall adjust the pH of stormwater if necessary to prevent violations of water quality standards.

G. Construction site operators shall obtain written approval from the Department of Ecology prior to using chemical treatment other than CO2 or dry ice to adjust pH.

x. Element 10. Control De-Watering:

A. Foundation, vault, and trench de-watering water, which have similar characteristics to stormwater runoff at the site, shall be discharged into a controlled conveyance system prior to discharge to a sediment trap or sediment pond.

B. Clean, non-turbid de-watering water, such as well-point ground water, can be discharged to systems tributary to, or directly into surface waters of the state, as specified in section 14.15.050.2 Element 8. Stabilize Channels and Outlets , above, provided the de-watering flow does not cause erosion or flooding of receiving waters. Clean de-watering water should not be routed through stormwater sediment ponds.

C. Other de-watering disposal options may include: (i) infiltration; (ii) transport offsite in vehicle, such as a vacuum flush truck, for legal disposal in a manner that does not pollute state waters; (iii) on-site chemical treatment or other suitable treatment technologies approved by the director; (iv) sanitary sewer discharge with local sewer district approval, if there is no other option; or (v) use of a sedimentation bag with outfall to a ditch or swale for small volumes of localized de-watering.

D. Highly turbid or contaminated dewatering water shall be handled separately from stormwater.

xi. Element 11. Maintain BMPs:

- 949 A. All temporary and permanent erosion and sediment control BMPs shall be inspected,  
950 maintained and repaired as needed to assure continued performance of their intended  
951 function in accordance with BMP specifications.
- 952
- 953 B. All temporary erosion and sediment control BMPs shall be removed within 30 days after  
954 final site stabilization is achieved or after the temporary BMPs are no longer needed.  
955 Disturbed soil areas resulting from removal of BMPs or vegetation shall be permanently  
956 stabilized.

957

958 xii. Element 12. Manage the Project:

- 959
- 960 A. Development projects shall be phased to the maximum degree practicable and shall take  
961 into account seasonal work limitations.
- 962
- 963 B. The construction site operator shall maintain, and repair as needed, all sediment and  
964 erosion control BMPs to assure continued performance of their intended function.
- 965
- 966 C. The construction site operator shall periodically inspect its sites. For projects that disturb  
967 one or more acres, site inspections shall be conducted by a Certified Erosion and  
968 Sediment Control Lead, who shall be identified in the SWPPP and shall be present on-  
969 site or on-call at all times.
- 970
- 971 D. Construction site operators shall maintain, update and implement their SWPPP.  
972 Construction site operators shall modify their SWPPP whenever there is a change in  
973 design, construction, operation, or maintenance at the construction site that has, or could  
974 have, a significant effect on the discharge of pollutants to waters of the state.
- 975
- 976 j) Erosivity Waiver- The City may allow construction site operators to qualify for a waiver from the  
977 requirement to submit a SWPPP for review by the City provided the following conditions are  
978 met:
- 979
- 980 i. The site will result in the disturbance of less than 5 acres; and the site is not a portion of a  
981 common plan of development or sale that will disturb 5 acres or greater; and
- 982
- 983 ii. The project's rainfall erosivity factor ("R" Factor) is less than 5 during the period of  
984 construction activity, as calculated using the Texas A&M University online rainfall  
985 erosivity calculator at: <http://ei.tamu.edu/>. The period of construction activity begins at  
986 initial earth disturbance and ends with final stabilization; and
- 987
- 988 iii. The entire period of construction activity falls between June 15 and September 15; and\
- 989
- 990 iv. The site or facility has not been declared a significant contributor of pollutants; and
- 991
- 992 v. There are no planned construction activities at the site that will result in non-stormwater  
993 discharges; and
- 994
- 995 vi. A waiver is allowed by the City; and
- 996
- 997 vii. The construction site operators notify the City of the intention to apply this waiver at  
998 least one week prior to commencing land disturbing activities. The notification must

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include a summary of the project information used in calculating the project's rainfall erosivity factor (see #ii. above) and a certified statement that:

- A. The operator will comply with applicable local stormwater requirements; and
- B. The operator will implement appropriate erosion and sediment control BMPs to prevent violations of water quality standards.

3) Minimum Requirement #3: Source Control of Pollution- All known, available and reasonable source control BMPs are required for all projects approved in the City. Source control BMPs must be selected, designed, and maintained in accordance with Volume IV of the Stormwater Manual or an approved equivalent manual approved by the Department of Ecology.

4) Minimum Requirement #4: Preservation of Natural Drainage Systems and Outfalls- Natural drainage patterns shall be maintained, and discharges from the project site shall occur at the natural location, to the maximum extent practicable. The manner by which runoff is discharged from the project site must not cause a significant adverse impact to downstream receiving waters and down gradient properties. All outfalls require energy dissipation.

5) Minimum Requirement #5: On-site Stormwater Management- The project site must provide On-site Stormwater Management BMPs to infiltrate, disperse, and retain stormwater runoff onsite to the maximum extent feasible without causing flooding or erosion impacts. Roof Downspout Control BMPs, functionally equivalent to those described in Chapter 3 of Volume III of the Stormwater Manual, and Dispersion and Soil Quality BMPs, functionally equivalent to those in Chapter 5 of Volume V, of the Stormwater Manual shall be required to reduce the hydrologic disruption of developed sites.

6) Minimum Requirement #6: Runoff Treatment

a) Project Thresholds-The following require construction of stormwater treatment facilities (see Table 14.15.050(6) below):

- i. Projects in which the total of effective, pollution-generating impervious surface (PGIS) is 5,000 square feet or more in a threshold discharge area of the project, or
- ii. Projects in which the total of pollution-generating pervious surfaces (PGPS) is three-quarters (3/4) of an acre or more in a threshold discharge area, and from which there is a surface discharge in a natural or man-made conveyance system from the site.

| <b>Table 14.15.050(6) Treatment Requirements by Threshold Discharge Area</b> |                               |                            |                           |                           |
|--|-------------------------------|----------------------------|---------------------------|---------------------------|
|  | <u>&lt; 3/4 acres of PGPS</u> | <u>&gt; 3/4 acres PGPS</u> | <u>&lt; 5,000 sf PGIS</u> | <u>&gt; 5,000 sf PGIS</u> |
| <u>Treatment Facilities</u>  |                               | <u>X</u>                   |                           | <u>X</u>                  |
| <u>Onsite Stormwater BMPs</u>  | <u>X</u>                      | <u>X</u>                   | <u>X</u>                  | <u>X</u>                  |

PGPS = pollution-generating pervious surfaces  
PGIS = pollution-generating impervious surfaces  
sf = square feet

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b) Treatment-Type Thresholds- If the construction project requires stormwater treatment, the following treatment type thresholds shall be used to determine applicable treatment options:

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- i. Oil Control: Treatment to achieve Oil Control applies to projects that have “high-use sites.” High-use sites are those that typically generate high concentrations of oil due to high traffic turnover or the frequent transfer of oil. High-use sites include:
  - A. An area of a commercial or industrial site subject to an expected average daily traffic (ADT) count equal to or greater than 100 vehicles per 1,000 square feet of gross building area;
  - B. An area of a commercial or industrial site subject to petroleum storage and transfer in excess of 1,500 gallons per year, not including routinely delivered heating oil;
  - C. An area of a commercial or industrial site subject to parking, storage or maintenance of 25 or more vehicles that are over 10 tons gross weight (trucks, buses, trains, heavy equipment, etc.);
  - D. A road intersection with a measured ADT count of 25,000 vehicles or more on the main roadway and 15,000 vehicles or more on any intersecting roadway, excluding projects proposing primarily pedestrian or bicycle use improvements.
  
- ii. Enhanced Treatment: Enhanced treatment for reduction in dissolved metals is required for the following project sites that discharge to fish-bearing streams, lakes, or to waters or conveyance systems tributary to fish-bearing streams or lakes:
  - A. Industrial project sites,
  - B. Commercial project sites,
  - C. Multi-family project sites, and
  - D. High AADT roads as follows:
    - Fully controlled and partially controlled limited access highways with Annual Average Daily Traffic (AADT) counts of 15,000 or more
    - All other roads with an AADT of 7,500 or greater

However, such sites listed above that discharge directly (or, indirectly through a municipal storm sewer system) to Basic Treatment Receiving Waters (Appendix I-C of the Stormwater Manual), and areas of the above-listed project sites that are identified as subject to Basic Treatment requirements, are also not subject to Enhanced Treatment requirements. For developments with a mix of land use types, the Enhanced Treatment requirement shall apply when the runoff from the areas subject to the Enhanced Treatment requirement comprise 50% or more of the total runoff within a threshold discharge area.
  
- iii. Basic Treatment: Basic Treatment generally applies to:
  - A. Project sites that discharge to the ground, UNLESS:
    - The soil suitability criteria for infiltration treatment are met; (see Chapter 3 of Volume III of the Stormwater Manual for soil suitability criteria) or

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- The project uses infiltration strictly for flow control – not treatment - and the discharge is within ¼-mile of a phosphorus sensitive lake (use a Phosphorus Treatment facility), or within ¼ mile of a fish-bearing stream, or a lake (use an Enhanced Treatment facility).
  - B. Residential projects not otherwise needing phosphorus control as designated by USEPA, the Department of Ecology, or by the City; and
  - C. Project sites discharging directly to salt waters, river segments, and lakes listed in Appendix I-C of the Stormwater Manual; and
  - D. Project sites that drain to streams that are not fish-bearing, or to waters not tributary to fish-bearing streams;
  - E. Landscaped areas of industrial, commercial, and multi-family project sites, and parking lots of industrial and commercial project sites that do not involve pollution-generating sources (e.g., industrial activities, customer parking, storage of erodible or leachable material, wastes or chemicals) other than parking of employees’ private vehicles. For developments with a mix of land use types, the Basic Treatment requirement shall apply when the runoff from the areas subject to the Basic Treatment requirement comprise 50% or more of the total runoff within a threshold discharge area.
- c) Treatment Facility Sizing- Water Quality Design Storm Volume: The volume of runoff predicted from a 24-hour storm with a 6-month return frequency (a.k.a., 6-month, 24-hour storm). Wetpool facilities are sized based upon the volume of runoff predicted through use of the Natural Resource Conservation Service curve number equations in Chapter 2 of Volume III of the Stormwater Manual, for the 6-month, 24-hour storm. Alternatively, the 91st percentile, 24-hour runoff volume indicated by an approved continuous runoff model may be used.
- d) Water Quality Design Flow Rate
- i. Preceding Detention Facilities or when Detention Facilities are not required: The flow rate at or below which 91% of the runoff volume, as estimated by an approved continuous runoff model, will be treated. Design criteria for treatment facilities are assigned to achieve the applicable performance goal at the water quality design flow rate (e.g., 80% TSS removal).
  - ii. Downstream of Detention Facilities: The water quality design flow rate must be the full 2-year release rate from the detention facility.
    - Alternative methods may be used if they identify volumes and flow rates that are at least equivalent.
    - That portion of any development project in which the above PGIS or PGPS thresholds are not exceeded in a threshold discharge area shall apply On-site Stormwater Management BMPs in accordance with section 14.15.050.5- Minimum Requirement #5: On-site Stormwater Management.
- e) Treatment Facility Selection, Design, and Maintenance- Stormwater treatment facilities shall be:
- i. Selected in accordance with the process identified in Chapter 4 of Volume I of the Stormwater Manual,

1145  
1146 ii. Designed in accordance with the design criteria in Volume V of the Stormwater Manual,  
1147 and

1148  
1149 iii. Maintained in accordance with the maintenance schedule in Volume V of the Stormwater  
1150 Manual.

1151  
1152 f) Additional Requirements- The discharge of untreated stormwater from pollution-generating  
1153 impervious surfaces to ground water is prohibited, except for the discharge achieved by  
1154 infiltration or dispersion of runoff from residential sites through use of On-site Stormwater  
1155 Management BMPs.

1156  
1157 7) Minimum Requirement #7: Flow Control

1158  
1159 a) Applicability- Except as provided below, all projects shall provide flow control to reduce the  
1160 impacts of stormwater runoff from impervious surfaces and land cover conversions. The  
1161 requirement below applies to projects that discharge stormwater directly, or indirectly through a  
1162 conveyance system, into a fresh water.

1163  
1164 i. Flow control is not required for projects that discharge directly to, or indirectly through  
1165 an MS4 to a water listed in Appendix I-E of the Stormwater Manual subject to the  
1166 following restrictions:

1167  
1168 A. Direct discharge to the exempt receiving water does not result in the diversion of  
1169 drainage from any perennial stream classified as Types 1, 2, 3, or 4 in the State of  
1170 Washington Interim Water Typing System, or Types "S", "F", or "Np" in the  
1171 Permanent Water Typing System, or from any category I, II, or III wetland; and

1172  
1173 B. Flow splitting devices or drainage BMP's are applied to route natural runoff volumes  
1174 from the project site to any downstream Type 5 stream or category IV wetland:

1175 • Design of flow splitting devices or drainage BMP's will be based on continuous  
1176 hydrologic modeling analysis. The design will assure that flows delivered to  
1177 Type 5 stream reaches will approximate, but in no case exceed, durations ranging  
1178 from 50% of the 2-year to the 50-year peak flow.

1179 • Flow splitting devices or drainage BMP's that deliver flow to category IV  
1180 wetlands will also be designed using continuous hydrologic modeling to preserve  
1181 pre-project wetland hydrologic conditions unless specifically waived or  
1182 exempted; and

1183  
1184 C. The project site must be drained by a conveyance system that is comprised entirely of  
1185 manmade conveyance elements (e.g., pipes, ditches, outfall protection, etc.) and  
1186 extends to the ordinary high water line of the exempt receiving water; and

1187  
1188 D. The conveyance system between the project site and the exempt receiving water shall  
1189 have sufficient hydraulic capacity to convey discharges from future build-out  
1190 conditions (under current zoning) of the site, and the existing condition from non-  
1191 project areas from which runoff is or will be collected; and

1192  
1193 E. Any erodible elements of the manmade conveyance system must be adequately  
1194 stabilized to prevent erosion under the conditions noted above.

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- ii. If the discharge is to a stream that leads to a wetland, or to a wetland that has an outflow to a stream, both this Minimum Requirement (section 14.15.050.7 Minimum Requirement #7) and section 14.15.050.8 Minimum Requirement #8 apply.
  
- b) Thresholds- That portion of any development project in which the below thresholds are not exceeded in a threshold discharge area shall apply Onsite Stormwater Management BMPs in accordance with section 14.15.050.5- Minimum Requirement #5: On-site Stormwater Management . The following require construction of flow control facilities and/or land use management BMPs that will achieve the standard flow control requirement for western Washington (see Table 14.15.050(7)):
  - i. Projects in which the total of effective impervious surfaces is 10,000 square feet or more in a threshold discharge area, or
  - ii. Projects that convert ¾ acres or more of native vegetation to lawn or landscape, or convert 2.5 acres or more of native vegetation to pasture in a threshold discharge area, and from which there is a surface discharge in a natural or man-made conveyance system from the site, or
  - iii. Projects that through a combination of effective impervious surfaces and converted pervious surfaces cause a 0.1 cubic feet per second increase in the 100-year flow frequency from a threshold discharge area as estimated using the Western Washington Hydrology Model or other model approved in the Stormwater Manual.

| <b>Table 14.15.050(7) Flow Control Requirements by Threshold Discharge Area</b>       |                                       |  |
|---|---------------------------------------|--|
|   | <b><u>Flow Control Facilities</u></b> | <b><u>On-site Stormwater Management BMPs</u></b> |
| <b><u>&lt; ¾ acres conversion to lawn/landscape, or &lt; 2.5 acres to pasture</u></b> |                                       | <b><u>X</u></b>                                  |
| <b><u>&gt; ¾ acres conversion to lawn/landscape, or &gt; 2.5 acres to pasture</u></b> | <b><u>X</u></b>                       | <b><u>X</u></b>                                  |
| <b><u>&lt; 10,000 square feet of effective impervious area</u></b>                    |                                       | <b><u>X</u></b>                                  |
| <b><u>&gt; 10,000 square feet of effective impervious area</u></b>                    | <b><u>X</u></b>                       | <b><u>X</u></b>                                  |
| <b><u>&gt; 0.1 cubic feet per second increase in the 100-year flood frequency</u></b> | <b><u>X</u></b>                       | <b><u>X</u></b>                                  |

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- c) Standard Flow Control Requirement- Stormwater discharges shall match developed discharge durations to pre-developed durations for the range of pre-developed discharge rates from 50% of the 2-year peak flow up to the full 50-year peak flow. This standard requirement is waived for sites that will reliably infiltrate all the runoff from impervious surfaces and converted pervious surfaces. The pre-developed condition to be matched shall be a forested land cover unless:
  - i. Reasonable, historic information is available that indicates the site was prairie prior to settlement (modeled as “pasture” in the Western Washington Hydrology Model); or



1231 ii. The drainage area of the immediate stream and all subsequent downstream basins have  
1232 had at least 40% total impervious area since 1985. In this case, the pre-developed  
1233 condition to be matched shall be the existing land cover condition. Where basin-specific  
1234 studies determine a stream channel to be unstable, even though the above criterion is met,  
1235 the pre-developed condition assumption shall be the "historic" land cover condition, or a  
1236 land cover condition commensurate with achieving a target flow regime identified by an  
1237 approved basin study.

1238  
1239 d) Additional Requirement- Flow Control BMPs shall be selected, designed, and maintained in  
1240 accordance with Volume III of the Stormwater Manual or an approved equivalent.

1241  
1242 8) Minimum Requirement #8: Wetlands Protection

1243  
1244 a) Applicability- The requirements below apply only to projects whose stormwater discharges into a  
1245 wetland, either directly or indirectly through a conveyance system. These requirements must be  
1246 met in addition to meeting section 14.15.050.6-Minimum Requirement #6, Runoff Treatment.

1247  
1248 b) Thresholds- The thresholds identified in section 14.15.050.6 Minimum Requirement #6 – Runoff  
1249 Treatment, and section 14.15.050.7 Minimum Requirement #7 – Flow Control shall also be  
1250 applied for discharges to wetlands.

1251  
1252 c) Standard Requirement-Discharges to wetlands shall maintain the hydrologic conditions,  
1253 hydrophytic vegetation, and substrate characteristics necessary to support existing and designated  
1254 uses. The hydrologic analysis shall use the existing land cover condition to determine the existing  
1255 hydrologic conditions unless directed otherwise. A wetland can be considered for hydrologic  
1256 modification and/or stormwater treatment in accordance with Guide Sheet 1B in Appendix I-D on  
1257 the Stormwater Manual.

1258  
1259 d) Additional Requirements- Stormwater treatment and flow control facilities shall not be built  
1260 within a natural vegetated buffer, except for:

1261  
1262 i. As necessary conveyance systems as approved by the director; or

1263  
1264 ii. As allowed in wetlands approved for hydrologic modification and/or treatment in  
1265 accordance with Guide sheet 1B in Appendix I-D of the Stormwater Manual.

1266  
1267 9) Minimum Requirement #9: Operation and Maintenance- All project submittals must include an  
1268 operation and maintenance manual that is consistent with the provisions in Volume V of the Stormwater  
1269 Manual for all proposed stormwater facilities and BMPs. The party (or parties) responsible for  
1270 maintenance and operation shall be identified in the operation and maintenance manual. For private  
1271 facilities approved by the City, a copy of the manual shall be retained onsite or within reasonable access  
1272 to the site, and shall be transferred with the property to the new owner. For public facilities, a copy of the  
1273 manual shall be retained in the appropriate department. A log of maintenance activity that indicates what  
1274 actions were taken shall be kept and be available for inspection by the City.

1275 This section identifies the 10 minimum requirements for storm water management applicable to new  
1276 development and redevelopment sites. See the manual for additional details related to each of the  
1277 minimum requirements. The minimum requirements are:

1278 • Preparation of Storm Water Site Plans

- 1279 ~~• Construction Storm Water Pollution Prevention~~
- 1280 ~~• Source Control of Pollution~~
- 1281 ~~• Preservation of Natural Drainage Systems and Outfalls~~
- 1282 ~~• On Site Storm Water Management~~
- 1283 ~~• Runoff Treatment~~
- 1284 ~~• Flow Control~~
- 1285 ~~• Wetlands Protection~~
- 1286 ~~• Basin/Watershed Planning~~
- 1287 ~~• Operation and Maintenance~~
- 1288 (1) Minimum Requirement No. 1: Preparation of Storm Water Site Plans. All projects meeting the
- 1289 thresholds in MMC 14.15.040 shall prepare a storm water site plan.
- 1290 (2) Minimum Requirement No. 2: Construction Storm Water Pollution Prevention (SWPP). All new
- 1291 development and redevelopment shall comply with construction SWPP elements nos. 1 through 12 below.
- 1292 (a) Projects in which the new, replaced, or new plus replaced impervious surfaces total 2,000 square
- 1293 feet or more or disturb 7,000 square feet or more of land must prepare a construction SWPP plan
- 1294 (SWPPP) as part of the storm water site plan. Each of the 12 elements must be considered and included
- 1295 in the construction SWPPP unless the director decides that site conditions render the element
- 1296 unnecessary and the exemption from that element is clearly justified in the narrative of the SWPPP.
- 1297 (b) Projects that add or replace less than 2,000 square feet of impervious surface or disturb less than
- 1298 7,000 square feet of land are not required to prepare a construction SWPPP, but must consider all of the
- 1299 12 elements of construction storm water pollution prevention and develop controls for all elements that
- 1300 pertain to the project site.
- 1301
- 1302 (c) Element 1: Mark Clearing Limits.
- 1303 (i) Prior to beginning land disturbing activities, including clearing and grading, all clearing limits,
- 1304 sensitive areas and their buffers, and trees that are to be preserved within the construction area should
- 1305 be clearly marked, both in the field and on the plans, to prevent damage and off-site impacts.
- 1306 (ii) Plastic, metal, or stake wire fence may be used to mark the clearing limits.
- 1307 (d) Element 2: Establish Construction Access.
- 1308 (i) Access Limited. Construction vehicle access and exit shall be limited to one route if possible.

1309 (ii) Tracking Sediment. Access points shall be stabilized with quarry spall or crushed rock to  
1310 minimize the tracking of sediment onto public roads.

1311 (iii) Wheel Wash. Wheel wash or tire baths should be located on site, if applicable.

1312 (iv) Clean Public Roads. Public roads shall be cleaned thoroughly at the end of each day. Sediment  
1313 shall be removed from roads by shoveling or pickup sweeping and shall be transported to a controlled  
1314 sediment disposal area. Street washing will be allowed only after sediment is removed in this manner.

1315 (v) Street Wash Water. Street wash wastewater shall be controlled by pumping back on site, or  
1316 otherwise be prevented from discharging into systems tributary to state surface waters.

1317 (e) Element 3: Control Flow Rates.

1318 (i) General. Properties and waterways downstream from development sites shall be protected from  
1319 erosion due to increases in the volume, velocity, and peak flow rate of storm water runoff from the  
1320 project site.

1321 (ii) Downstream Analysis. Downstream analysis is necessary if changes in flows could impair or  
1322 alter conveyance systems, stream banks, bed sediment or aquatic habitat.

1323 (iii) BMPs Functional. Storm water retention/detention facilities shall be constructed as one of the  
1324 first steps in grading. Detention facilities shall be functional prior to construction of site  
1325 improvements (e.g., impervious surfaces).

1326 (iv) Additional Flow Standards. The director may require pond designs that provide additional or  
1327 different storm water flow control if necessary to address local conditions or to protect properties and  
1328 waterways downstream from erosion due to increases in the volume, velocity, and peak flow rate of  
1329 storm water runoff from the project site.

1330 (v) Permanent Infiltration Ponds. If permanent infiltration ponds are used for flow control during  
1331 construction, these facilities should be protected from siltation during the construction phase.

1332 (f) Element 4: Install Sediment Controls.

1333 (i) Natural Vegetation. The duff layer, native top soil, and natural vegetation shall be retained in an  
1334 undisturbed state to the maximum extent practicable. The duff layer, native top soil, and native  
1335 vegetation shall be retained in an undisturbed state to the maximum extent practicable. Duff and  
1336 native top soil should be retained and reused on site to the maximum extent practicable. Where  
1337 retention and reuse is not feasible or when existing site soils are disturbed, areas not intended for  
1338 impervious surfaces, pervious paving, or within the dripline of preserved trees shall be amended with  
1339 four inches of well-composted organic matter mixed into the top eight inches of soil or should have  
1340 an organic content of between eight and 13 percent dry weight and a pH suitable for proposed  
1341 plantings. Deeper soil amendment will provide improved growing medium and increased water  
1342 holding capacity.

1343 (ii) Sediment Removal BMP. Prior to leaving a construction site, or prior to discharge to an  
1344 infiltration facility, storm water runoff from disturbed areas shall pass through a sediment pond or  
1345 other appropriate sediment removal BMP. Runoff from fully stabilized areas may be discharged

1346 without a sediment removal BMP, but must meet the flow control performance standard of element  
1347 no. 3. Full stabilization means concrete or asphalt paving; quarry spalls used as ditch lining; or the use  
1348 of rolled erosion products, a bonded fiber matrix product, or vegetative cover in a manner that will  
1349 fully prevent soil erosion. The director shall inspect and approve areas stabilized by means other than  
1350 pavement or quarry spalls.

1351 (iii) BMPs Functional. Sediment ponds, vegetated buffer strips, sediment barriers or filters, dikes,  
1352 and other BMPs intended to trap sediment on site shall be constructed as one of the first steps in  
1353 grading. These BMPs shall be functional before other land disturbing activities take place.

1354 (iv) Seeding. Earthen structures such as dams, dikes, and diversions shall be seeded and mulched  
1355 according to the timing indicated in element no. 5.

1356 (g) Element 5: Stabilize Soils.

1357 (i) General. All exposed and unworked soils shall be stabilized by application of effective BMPs  
1358 that protect the soil from the erosive forces of raindrop impact and flowing water, and wind erosion.

1359 (ii) Applicable Practices. Applicable practices include, but are not limited to, temporary and  
1360 permanent seeding, sodding, mulching, plastic covering, soil application of polyacrylamide (PAM),  
1361 early application of gravel base on areas to be paved, and dust control.

1362 (iii) Soil Stabilization. Soil stabilization measures selected should be appropriate for the time of  
1363 year, site conditions, estimated duration of use, and potential water quality impacts that stabilization  
1364 agents may have on downstream waters or ground water.

1365 (iv) Soil Stockpiles. Soil stockpiles must be stabilized and protected with sediment trapping  
1366 measures.

1367 (v) Linear Facilities. Work on linear construction sites and activities, including right-of-way and  
1368 easement clearing, roadway development, pipelines, and trenching for utilities, shall not exceed the  
1369 capability of the individual contractor for his portion of the project to install the bedding materials,  
1370 roadbeds, structures, pipelines, and/or utilities, and to restabilize the disturbed soils, meeting the  
1371 timing conditions listed above in subsection (2)(g)(ii) of this section.

1372 (h) Element 6: Protect Slopes.

1373 (i) Cut and Fill Slopes. Cut and fill slopes shall be designed and constructed in a manner that will  
1374 minimize erosion.

1375 (ii) Soil Types. Consider soil type and its potential for erosion.

1376 (iii) Runoff Velocities. Reduce slope runoff velocities by reducing the continuous length of slope  
1377 with terracing and diversions, reduce slope steepness, and roughen slope surface.

1378 (iv) Diverted Flows. Divert upslope drainage and run-on waters from off site with interceptors at  
1379 top of slope. Off site storm water should be handled separately from storm water generated on the  
1380 site. Diversion of off site storm water around the site may be a viable option. Diverted flows shall be  
1381 redirected to the natural drainage location at or before the property boundary.

1382 (v) Collected Flows. Contain downslope collected flows in pipes, slope drains, or protected  
1383 channels.

1384 (vi) Ground Water. Provide drainage to remove ground water intersecting the slope surface of  
1385 exposed soil areas.

1386 (vii) Excavation. Excavated material shall be placed on the uphill side of trenches, consistent with  
1387 safety and space considerations.

1388 (viii) Check Dams. Check dams shall be placed at regular intervals within trenches that are cut  
1389 down a slope.

1390 (ix) Stabilize Soils. Stabilize soils on slopes, as specified in element no. 5.

1391 (i) Element 7: Protect Drain Inlets.

1392 (i) General. All storm drain inlets made operable during construction shall be protected so that  
1393 storm water runoff shall not enter the conveyance system without first being filtered or treated to  
1394 remove sediment.

1395 (ii) Roads. All approach roads shall be kept clean, and all sediment and street wash water shall not  
1396 be allowed to enter storm drains without prior and adequate treatment unless treatment is provided  
1397 before the storm drain discharges to waters of the state.

1398 (j) Element 8: Stabilize Channels and Outlets.

1399 (i) General. All temporary on-site conveyance channels shall be designed, constructed and  
1400 stabilized to prevent erosion from the expected velocity of flow from a two-year, 24-hour frequency  
1401 storm for the developed condition.

1402 (ii) Stabilization. Stabilization, including armoring material, adequate to prevent erosion of outlets,  
1403 adjacent stream banks, slopes and downstream reaches shall be provided at the outlets of all  
1404 conveyance systems.

1405 (k) Element 9: Control Pollutants.

1406 (i) General. All pollutants, including waste materials and demolition debris, that occur on-site  
1407 during construction shall be handled and disposed of in a manner that does not cause contamination  
1408 of storm water.

1409 (ii) Vandalism. Cover, containment, and protection from vandalism shall be provided for all  
1410 chemicals, liquid products, petroleum products, and noninert wastes present on the site.

1411 (iii) Equipment Maintenance. Maintenance and repair of heavy equipment and vehicles involving  
1412 oil changes, hydraulic system drain down, solvent and degreasing cleaning operations, fuel tank drain  
1413 down and removal, and other activities which may result in discharge or spillage of pollutants to the  
1414 ground or into storm water runoff must be conducted using spill prevention measures, such as drip  
1415 pans. Contaminated surfaces shall be cleaned immediately following any discharge or spill incident.

1416 ~~Emergency repairs may be performed on-site using temporary plastic placed beneath and, if raining,~~  
1417 ~~over the vehicle.~~

1418 (iv) ~~Wheel Wash. Wheel wash, or tire bath wastewater, shall be discharged to a separate on-site~~  
1419 ~~treatment system. It may be discharged to the sanitary sewer system only if expressly allowed by the~~  
1420 ~~local sewer district authority.~~

1421 (v) ~~Agricultural Chemicals. Application of agricultural chemicals, including fertilizers and~~  
1422 ~~pesticides, shall be conducted in a manner and at application rates that will not result in loss of~~  
1423 ~~chemical to storm water runoff. Manufacturers' recommendations shall be followed for application~~  
1424 ~~rates and procedures.~~

1425 (vi) ~~pH Management. Management of pH-modifying sources shall prevent contamination of runoff~~  
1426 ~~and storm water collected on the site. These sources include, but are not limited to, bulk cement,~~  
1427 ~~cement kiln dust, fly ash, new concrete washing and curing waters, waste streams generated from~~  
1428 ~~concrete grinding and sawing, exposed aggregate processes, and concrete pumping and mixer~~  
1429 ~~washout waters.~~

1430 (l) ~~Element 10: Control Dewatering.~~

1431 (i) ~~General. All foundation, vault, and trench dewatering water, which have similar characteristics~~  
1432 ~~to storm water runoff at the site, shall be discharged into a controlled conveyance system, prior to~~  
1433 ~~discharge to a sediment trap or sediment pond. Channels must be stabilized, as specified in element~~  
1434 ~~no. 8.~~

1435 (ii) ~~Clean Water. Clean, nonturbid dewatering water, such as well point ground water, can be~~  
1436 ~~discharged to systems tributary to state surface waters, as specified in element no. 8, provided the~~  
1437 ~~dewatering flow does not cause erosion or flooding of the receiving waters. These clean waters~~  
1438 ~~should not be routed through sediment ponds with storm water.~~

1439 (iii) ~~Contaminated Water. Highly turbid or otherwise contaminated dewatering water, such as from~~  
1440 ~~construction equipment operation, clamshell digging, concrete tremie pour, or work inside a~~  
1441 ~~cofferdam, shall be handled separately from storm water at the site.~~

1442 (iv) ~~Other Disposal Options. Depending on site constraints, dewatering may include: infiltration;~~  
1443 ~~transport off site in vehicle, such as a vacuum flush truck, for legal disposal in a manner that does not~~  
1444 ~~pollute state waters; on-site treatment using chemical treatment or other suitable treatment~~  
1445 ~~technologies; or sanitary sewer discharge with (local sewer district approval) approval if there is no~~  
1446 ~~other option.~~

1447 (m) ~~Element 11: Maintain BMPs.~~

1448 (i) ~~General. All temporary and permanent erosion and sediment control BMPs shall be maintained~~  
1449 ~~and repaired as needed to assure continued performance of their intended function. All maintenance~~  
1450 ~~and repair shall be conducted in accordance with BMPs.~~

1451 (ii) ~~Inspection. Sediment control BMPs shall be inspected weekly or after a runoff-producing storm~~  
1452 ~~event during the dry season and daily during the wet season.~~

1453 (iii) Remove BMPs. All temporary erosion and sediment control BMPs shall be removed within 30  
1454 days after final site stabilization is achieved or after the temporary BMPs are no longer needed.  
1455 Trapped sediment shall be removed or stabilized on-site. Disturbed soil areas resulting from removal  
1456 of BMPs or vegetation shall be permanently stabilized.

1457 (n) Element 12: Manage the Project.

1458 (i) Phasing of Construction. Development projects shall be phased where feasible in order to  
1459 prevent, to the maximum extent practicable, the transport of sediment from the project site during  
1460 construction. Revegetation of exposed areas and maintenance of that vegetation shall be an integral  
1461 part of the activities for any phase. Clearing and grading activities for developments shall be  
1462 permitted only if conducted pursuant to an approved site development plan (e.g., subdivision  
1463 approval) that establishes permitted areas of clearing, grading, cutting, and filling. When establishing  
1464 these permitted clearing and grading areas, consideration should be given to minimizing removal of  
1465 existing trees and minimizing disturbance/compaction of native soils except as needed for building  
1466 purposes. These permitted clearing and grading areas and any other areas required to preserve critical  
1467 or sensitive areas, buffers, native growth protection easements, or tree retention areas as may be  
1468 required by the director, shall be delineated on the site plans and the development site.

1469 (ii) Coordination with Other Contractors. The primary project applicant shall evaluate, with input  
1470 from utilities and other contractors, the storm water management requirements for the entire project,  
1471 including the utilities, when preparing the construction SWPPP.

1472 (iii) Inspection. All BMPs shall be inspected, maintained, and repaired as needed to assure  
1473 continued performance of their intended function.

1474 (A) Certified Professional. A certified professional in erosion and sediment control shall be  
1475 identified in the construction SWPPP and shall be on site or on call at all times. Certification may  
1476 be through the Washington State Department of Transportation/Associated General Contractors  
1477 (WSDOT/AGC) Construction Site Erosion and Sediment Control Certification Program or any  
1478 equivalent local or national certification and/or training program.

1479 (B) Sampling. Sampling and analysis of the storm water discharges from a construction site may  
1480 be necessary on a case by case basis to ensure compliance with standards. Monitoring and  
1481 reporting requirements may be established by the director when necessary.

1482 (C) Modify SWPPP. Whenever inspection and/or monitoring reveals that the BMPs identified in  
1483 the construction SWPPP are inadequate, due to the actual discharge of or potential to discharge a  
1484 significant amount of any pollutant, the SWPPP shall be modified, as appropriate, in a timely  
1485 manner.

1486 (iv) Construction SWPPP. The construction SWPPP shall be retained on site or within reasonable  
1487 access to the site. The construction SWPPP shall be modified whenever there is a significant change  
1488 in the design, construction, operation, or maintenance of any BMP.

1489 (3) Minimum Requirement No. 3: Source Control of Pollution. All known, available and reasonable  
1490 source control BMPs shall be applied to all projects. Source control BMPs shall be selected, designed,  
1491 and maintained according to the manual.

1492 (4) ~~Minimum Requirement No. 4: Preservation of Natural Drainage Systems and Outfalls. Natural~~  
 1493 ~~drainage patterns shall be maintained, and discharges from the project site shall occur at the natural~~  
 1494 ~~location, to the maximum extent practicable. The manner by which runoff is discharged from the project~~  
 1495 ~~site must not cause a significant adverse impact to downstream receiving waters and downgradient~~  
 1496 ~~properties. All outfalls require energy dissipation.~~

1497 (5) ~~Minimum Requirement No. 5: On-Site Storm Water Management. Projects shall employ on-site~~  
 1498 ~~storm water management BMPs to infiltrate, disperse, and retain storm water runoff on-site to the~~  
 1499 ~~maximum extent feasible without causing flooding or erosion impacts. On-site storm water management~~  
 1500 ~~BMPs as identified in the manual shall be used for roof downspout control, flow dispersion, and soil~~  
 1501 ~~quality.~~

1502 (6) ~~Minimum Requirement No. 6: Runoff Treatment.~~

1503 (a) ~~Thresholds. The following require construction of storm water treatment facilities (see Table~~  
 1504 ~~14.15.050(6)(a)):~~

1505 (i) ~~Projects in which the total of effective, pollution-generating impervious surface (PGIS) is 5,000~~  
 1506 ~~square feet or more in a threshold discharge area of the project; or~~

1507 (ii) ~~Projects in which the total of pollution-generating pervious surfaces (PGPS) is three-quarters of~~  
 1508 ~~an acre or more in a threshold discharge area, and from which there is a surface discharge in a natural~~  
 1509 ~~or manmade conveyance system from the site.~~

1510 (iii) ~~That portion of any development project in which the above PGIS or PGPS thresholds are not~~  
 1511 ~~exceeded in a threshold discharge area shall apply on-site storm water management BMPs in~~  
 1512 ~~accordance with minimum requirement no. 5.~~

Table 14.15.050(6)(a)

| Treatment Requirements by Threshold Discharge Area |                  |                  |                 |                 |
|--|------------------|------------------|-----------------|-----------------|
|  | < 3/4 acres PGPS | > 3/4 acres PGPS | < 5,000 sf PGIS | > 5,000 sf PGIS |
| Treatment Facilities                               | -                | -                | -               | √               |
| On-Site Storm Water BMPs                           | √                | √                | √               | √               |

1513 PGPS = pollution-generating pervious surfaces

1514 PGIS = pollution-generating impervious surfaces

1515 sf = square feet

1516 (b) ~~Treatment Facility Sizing. Treatment facilities shall be sized to provide effective treatment of 91~~  
 1517 ~~percent of the annual average runoff volume.~~

1518 (i) ~~The water quality design volume shall be used to size volume-based treatment facilities. The~~  
 1519 ~~volume of runoff shall be estimated using methods approved in the manual.~~

1520 (ii) ~~The water quality design flow rate shall be used to size flow rate-based treatment facilities.~~



1521 (iii) The director may allow alternative methods if they identify volumes and flow rates that are at  
1522 least equivalent.

1523 (c) ~~Treatment Facility Selection, Design, and Maintenance. Storm water treatment facilities shall be:~~

1524 (i) ~~Selected in accordance with the process identified in the manual;~~

1525 (ii) ~~Designed in accordance with the design criteria in the manual; and~~

1526 (iii) ~~Maintained in accordance with the maintenance schedule in the manual.~~

1527 (d) ~~Untreated Storm Water. Direct discharge of untreated storm water from pollution-generating~~  
1528 ~~impervious surfaces to ground water is prohibited, except for the discharge achieved by infiltration or~~  
1529 ~~dispersion of runoff from residential sites through use of on-site storm water management BMPs.~~

1530 (7) ~~Minimum Requirement No. 7: Flow Control.~~

1531 (a) ~~Applicability.~~

1532 (i) ~~Flow Control. Projects must provide flow control to reduce the impacts of storm water runoff~~  
1533 ~~from impervious<sup>2</sup> surfaces and land cover conversions. The requirement below applies to projects that~~  
1534 ~~discharge storm water directly, or indirectly, through a conveyance system, into fresh water, except~~  
1535 ~~for discharges into a wetland. (See minimum requirement no. 8 for flow control requirements~~  
1536 ~~applicable to discharges to wetlands.)~~

1537 (ii) ~~Exempt Areas. The director may petition the Department of Ecology to exempt projects in~~  
1538 ~~certain areas provided those areas also meet the following criteria:~~

1539 (A) ~~The area must be drained by a conveyance system that is comprised entirely of manmade~~  
1540 ~~conveyance elements (e.g., pipes, ditches, outfall protection, etc.) and extends to the ordinary high~~  
1541 ~~water line of the receiving water; and~~

1542 (B) ~~Any erodible elements of the manmade conveyance system for the area must be adequately~~  
1543 ~~stabilized to prevent erosion; and~~

1544 (C) ~~Surface water from the area must not be diverted from or increased to an existing wetland,~~  
1545 ~~stream, or near shore habitat sufficient to cause a significant adverse impact.~~

1546 (b) ~~Thresholds. The following require construction of flow control facilities and/or land use~~  
1547 ~~management BMPs that will achieve the standard requirement for western Washington (see subsection~~  
1548 ~~(7)(e) of this section):~~

Table 14.15.050(7)(b)

| Flow Control Requirements by Threshold Discharge Area |                    |                             |
|---|--------------------|-----------------------------|
|   | Flow               | On-Site                     |
|   | Control Facilities | Storm Water Management BMPs |
|   |                    |                             |

|  |   |   |
|--|---|---|
| < 3/4 acres conversion to lawn/landscape, or < 2.5 acres to pasture  | - | √ |
| > 3/4 acres conversion to lawn/landscape, or > 2.5 acres to pasture  | √ | √ |
| < 10,000 square feet of effective impervious area                    | - | √ |
| > 10,000 square feet of effective impervious area                    | √ | √ |
| > 0.1 cubic feet per second increase in the 100 year flood frequency | √ | √ |

1549 (i) Projects in which the total of effective impervious surfaces is 10,000 square feet or more in a  
1550 threshold discharge area; or

1551 (ii) Projects that convert three quarters acres or more of native vegetation to lawn or landscape, or  
1552 convert 2.5 acres or more of native vegetation to pasture in a threshold discharge area, and from  
1553 which there is a surface discharge in a natural or manmade conveyance system from the site; or

1554 (iii) Projects that through a combination of effective impervious surfaces and converted pervious  
1555 surfaces, cause a 0.1 cubic feet per second increase in the 100 year flow frequency from a threshold  
1556 discharge area as estimated using the Western Washington Hydrology Model or other model  
1557 authorized by the director.

1558 (iv) That portion of any development project in which the above thresholds are not exceeded in a  
1559 threshold discharge area shall apply on-site storm water management BMPs in accordance with  
1560 minimum requirement no. 5.

1561 (e) Standard Requirement.

1562 (i) Peak Flows. Storm water discharges shall match developed discharge durations to predeveloped  
1563 durations for the range of predeveloped discharge rates from 50 percent of the two year peak flow up  
1564 to the full 50 year peak flow.

1565 (ii) Predeveloped Condition. The predeveloped condition to be matched shall be a forested land  
1566 cover unless reasonable, historic information is provided that indicates the site was prairie prior to  
1567 settlement (modeled as "pasture" in the Western Washington Hydrology Model). This standard  
1568 requirement is waived for sites that will reliably infiltrate all the runoff from impervious surfaces and  
1569 converted pervious surfaces.

1570 (d) Flow Control Facility Selection, Design, and Maintenance. Flow control facilities shall be selected,  
1571 designed, and maintained in accordance with the manual.

1572 (e) The base of a permanent infiltration systems shall be a minimum of three feet above the  
1573 seasonal high ground water mark. (e) The base of a permanent infiltration system shall be a minimum  
1574 of three feet above the seasonal high ground water mark, except if bioretention swales or cells are used  
1575 for infiltration, a minimum of one foot clearance between the bottom of the bioretention swale (or any  
1576 underlying gravel layer) and the seasonal high ground water elevation or other permeable layer is allowed  
1577 for bioretention facilities meeting the following tributary area limitations:

1578 (i) Five thousand square feet of pollution generating impervious surface; or

1579 (ii) Ten thousand square feet of impervious area; or

1580 (iii) ~~Three-quarters acres of lawn and landscape.~~

1581

1582 (8) ~~Minimum Requirement No. 8: Wetlands Protection.~~

1583 (a) ~~Applicability. The requirements below apply only to projects whose storm water discharges into a~~  
1584 ~~wetland, either directly or indirectly through a conveyance system. These requirements must be met in~~  
1585 ~~addition to meeting minimum requirement no. 6, runoff treatment.~~

1586 (b) ~~Thresholds. The thresholds identified in minimum requirement no. 6, runoff treatment, and~~  
1587 ~~minimum requirement no. 7, flow control, shall also be applied for discharges to wetlands.~~

1588 (c) ~~Standard Requirement. Discharges to wetlands shall maintain the hydrologic conditions,~~  
1589 ~~hydrophytic vegetation, and substrate characteristics necessary to support existing and designated uses. A~~  
1590 ~~wetland can be considered for hydrologic modification and/or storm water treatment in accordance with~~  
1591 ~~guidance within the manual.~~

1592 (d) ~~Additional Requirements. The standard requirement does not excuse any discharge from the~~  
1593 ~~obligation to apply whatever technology is necessary to comply with state water quality standards,~~  
1594 ~~Chapter 173-201A WAC, or state ground water standards, Chapter 173-200 WAC or successor~~  
1595 ~~regulations. Storm water treatment and flow control facilities shall not be built within a natural vegetated~~  
1596 ~~buffer, except for: necessary conveyance systems as approved by the director; or as allowed in wetlands~~  
1597 ~~approved for hydrologic modification and/or treatment in accordance with the manual. An adopted and~~  
1598 ~~implemented basin plan (minimum requirement no. 9), or a total maximum daily load (TMDL) may be~~  
1599 ~~used to develop requirements for wetlands that are tailored to a specific basin.~~

1600 (9) ~~Minimum Requirement No. 9: Basin/ Watershed Planning. Projects may be subject to equivalent or~~  
1601 ~~more stringent minimum requirements for erosion control, source control, treatment, and operation and~~  
1602 ~~maintenance, and alternative requirements for flow control and wetlands hydrologic control as identified~~  
1603 ~~in basin/watershed plans. Standards developed from basin plans shall not modify any of the above~~  
1604 ~~minimum requirements until the basin plan is formally adopted and implemented by the city within the~~  
1605 ~~basin, and approved or concurred with by the Department of Ecology.~~

1606 (10) ~~Minimum Requirement No. 10: Operation and Maintenance. An operation and maintenance~~  
1607 ~~manual that is consistent with the manual shall be provided for all proposed storm water facilities and~~  
1608 ~~BMPs, and the person responsible for maintenance and operation shall be identified. At private facilities,~~  
1609 ~~a copy of the manual shall be retained on site or within reasonable access to the site, and shall be~~  
1610 ~~transferred with the property to the new owner. For public facilities, a copy of the manual shall be~~  
1611 ~~retained by the director or other appropriate location. A log of maintenance activity that indicates what~~  
1612 ~~actions were taken shall be kept and be available for inspection by the director. (Ord. 2476 § 2, 2003).~~

1613 14.15.060 ~~Mandatory requirements for all drainage improvements.~~

1614 (1) ~~Commencement of construction, grading or site alteration work under any of the permits or~~  
1615 ~~approvals listed in MMC 14.15.030 shall not begin until such time as final approval of the storm water~~  
1616 ~~site plan has been granted by the director or designee.~~

1617 ~~(2) Surface water entering the subject property shall be received at the naturally occurring location and~~  
1618 ~~surface water exiting the subject property shall be discharged at the natural location with adequate energy~~  
1619 ~~dissipaters to minimize downstream damage and with no diversion at any of these points.~~

1620 ~~(3) Where open ditch construction is used to handle drainage within the subject property, a minimum of~~  
1621 ~~15 feet will be provided between any structures and the top of the bank of the defined channel.~~

1622 ~~(a) In open channel work the water surface elevation will be indicated on the plan and profile~~  
1623 ~~drawings. The configuration of the finished grades constituting the banks of the open channel will also~~  
1624 ~~be shown on the drawings.~~

1625 ~~(b) Proposed cross section of the channel will be shown with stable side slopes. Side slopes will be~~  
1626 ~~three to one maximum unless stabilized in some manner approved by the department.~~

1627 ~~(c) The water surface elevation of the design flow will be indicated on the cross section.~~

1628 ~~(4) Where a closed system is used to handle drainage within the subject property, all structures will be a~~  
1629 ~~minimum of 10 feet from the closed system.~~

1630 ~~(5) The proposed measures for controlling runoff during construction including a statement indicating~~  
1631 ~~the proposed staging of all clearing, grading and building activities.~~

1632 ~~(6) Drainage facilities shall be designed and constructed in accordance with city standards and as~~  
1633 ~~directed by the engineer.~~

1634 ~~(7) Vegetation shall be established on areas disturbed or other locations on the site to protect~~  
1635 ~~watereourses from erosion, siltation or temperature increases.~~

1636 ~~(8) Surface water exiting from the subject property shall have pollution control and oil separator~~  
1637 ~~devices installed at the discharge point from the subject property when draining parking lots with paved~~  
1638 ~~roadway surfaces or handling contaminated storm runoff.~~

1639 ~~(9) Where open detention/retention ponds are used to handle drainage within the subject property a 20-~~  
1640 ~~foot setback is required from all property lines. This setback may be reduced administratively through the~~  
1641 ~~drainage plan review process if it can be demonstrated that the reduction will not result in impacts on~~  
1642 ~~adjacent property, such as setbacks, or jeopardize the integrity of the pond or adjacent buildings.~~

1643 ~~(10) Background Computations for Sizing Drainage Facilities.~~

1644 ~~(a) Depiction of the drainage area on a topographical map, with acreage indicated;~~

1645 ~~(b) Indications of the peak discharge and amount of surface water currently entering and leaving the~~  
1646 ~~subject property;~~

1647 ~~(c) Indication of the peak discharge and amount of runoff which will be generated with the subject~~  
1648 ~~property, if development is allowed to proceed;~~

1649 ~~(d) Computations shall be prepared using using the approved methods in the anual, either the Western~~  
1650 ~~Washington Hydrology Model (WWHM) or Waterworks software for hydrology as developed by~~

1651 | ~~Engenious Systems, Inc. Flow control and detention volumes will be computed using consistent~~  
1652 | ~~software for the development. Format shall be as directed by public works director or designee.~~

1653 | ~~(11) Where the manual cites five feet as the required ground water separation for infiltration facilities,~~  
1654 | ~~three feet shall be used. (Ord. 2476 § 2, 2003).~~

1655 | **14.15.062 Low impact development (LID) – Alternative drainage standards.**

1656 | Low impact BMPs are an alternative to conventional storm water management systems that rely on  
1657 | detention ponds and closed conveyance. Instead, low impact development is intended to manage runoff  
1658 | close to the source of generation and to mimic the predeveloped hydrologic condition of a site. This is  
1659 | accomplished first through minimizing the impervious surface coverage and second by managing runoff  
1660 | through dispersion, infiltration, evapo-transpiration, or a combination of these approaches. Use of LID  
1661 | BMPs may reduce or eliminate the need for conventional detention facilities but does not remove the  
1662 | obligation to comply with the Minimum Requirements in 14.15.050. A variety of BMPs to  
1663 | minimize impervious surfaces and to manage storm water have been developed and tested for use in  
1664 | western Washington. These BMPs and the overall LID approach are described in the LID Technical  
1665 | Guidance Manual for Puget Sound.

1666 |  
1667 | The menu of LID BMPs identified in the LID Technical Guidance Manual for Puget Sound are  
1668 | accepted for use in storm water site plans to address the minimum requirements for flow control and  
1669 | runoff treatment in MMC 14.15.060, subject to the specifications, performance standards, and design  
1670 | criteria in the LID Technical Guidance Manual for Puget Sound, review and approval under this chapter,  
1671 | Chapter 19.49 MMC, as applicable, and the requirements and limitations below.

1672 |  
1673 | (1) The city engineer may approve the following LID BMPs to meet water quality treatment  
1674 | requirements:

1675 |  
1676 | (a) Full Dispersion. Sites that are approved for full dispersion, consistent with the standards in the  
1677 | LID Technical Guidance Manual for Puget Sound, are not required to provide water quality treatment.

1678 |  
1679 | (b) Bioretention. Any storm water runoff that infiltrates through the imported soil mix in an  
1680 | approved bioretention facility will have received the equivalent of enhanced treatment. Where  
1681 | bioretention is intended to fully meet treatment requirements, facilities shall be designed, using an  
1682 | approved continuous runoff model, to infiltrate 60 percent of the developed two-year peak flow.

1683 |  
1684 | (2) In addition to the requirements in MMC 14.15.065, applicants for LID BMPs shall provide a site  
1685 | assessment. The site assessment shall include the following, unless waived or modified by the city  
1686 | engineer:

1687 | (a) A mapped inventory of existing vegetation and description of tree cover and understory;

1688 |  
1689 | (b) A mapped inventory of wetlands and streams and required buffers under Chapter 19.24 MMC  
1690 | on the site;

1691 |  
1692 | (c) A survey prepared by a registered land surveyor or other licensed professional to conduct  
1693 | surveys showing existing development, including utility infrastructure, on and adjacent to the site, major  
1694 | and minor hydrologic features, including seeps, springs, closed depression areas, drainage swales, and  
1695 | topographic relief at two-foot contours;

1696 |  
1697 | (d) The location of all existing and proposed lot lines and easements;

1698  
1699 (e) A soils report by a licensed geotechnical engineer or licensed engineering geologist. The  
1700 report shall identify:

1701  
1702 (i) Underlying soils on the site, utilizing soil pits and soil grain analysis to assess  
1703 infiltration capability. The frequency and distribution of test pits shall be adequate to direct placement of  
1704 the roads and structures away from soils that can most effectively infiltrate storm water;

1705  
1706 (ii) Topographic features that may act as natural storm water storage or conveyance and  
1707 underlying soils that provide opportunities for storage and partial infiltration;

1708  
1709 (iii) Depth to ground water;

1710  
1711 (iv) Landslide hazard areas on the site and the distance to slopes over 25 percent or  
1712 landslide hazard areas within 500 feet of the site;

1713  
1714 (f) Flood hazard areas on or adjacent to the site;

1715  
1716 (g) SEPA environmental checklist.

1717  
1718 (3) Additional studies may be required to address potential impacts to down-slope properties.

1719  
1720 (4) Restrictions on conversion of drainage facilities shall be recorded on the face of the plat.

1721  
1722 (5) A covenant shall be recorded with the Snohomish County auditor's office for each lot containing or  
1723 served by bioretention facilities in a form approved by the city attorney. The covenant shall identify  
1724 requirements and liability for preservation and maintenance of low impact development facilities  
1725 approved under this chapter and privately held in individual or undivided ownership or intended for  
1726 public ownership.

1727  
1728 (6) An easement shall be granted for city access to low impact development facilities on private  
1729 property to allow inspection, maintenance, and repair. (Ord. 2694 § 2, 2007).

1730 **14.15.065 Contents of a storm-water site plan.**

1731 (1) Stormwater Site Plan Required. All projects for new development or redevelopment, which exceed  
1732 the thresholds of 2,000 square feet for impervious surfaces or 7,000 square feet for land disturbance, must  
1733 prepare a storm water site plan. New development and redevelopment projects must submit a storm water  
1734 site plan for approval by the department as set forth in 14.15.040.

1735 (2) Contents of Plan. In addition to the requirements described in 14.15.050 and the Stormwater  
1736 Manual, an Off-site Analysis report shall be required. Contents of a storm water site plan will vary with  
1737 the type and size of the project and individual site characteristics. Two major elements included in a storm  
1738 water site plan are a construction storm water pollution prevention plan and a permanent storm water  
1739 control plan. The following documents are to be included in a storm water site plan:

1740 (a) Project overview;

1741 (b) Existing conditions summary;

1742 ~~(c) Off site analysis report (not necessary for manual equivalency);~~

1743 ~~(d) Construction storm water pollution prevention plan;~~

1744 ~~(e) Permanent storm water control plan;~~

1745 ~~(f) Special reports and studies;~~

1746 ~~(g) Other permits;~~

1747 ~~(h) Operation and maintenance manual.~~

1748 ~~(3) Detailed Information in Manual. Additional details on the content and the procedures for~~  
1749 ~~preparation of a storm water site plan, a construction storm water pollution prevention plan, and a~~  
1750 ~~permanent storm water quality control plan are included in the annual. (Ord. 2476 § 2, 2003).~~

1751 **14.15.066 Determining Construction Site Sediment Damage Potential**

1752 Any person submitting a stormwater site plan must also determine the Construction Site Sediment  
1753 Damage Potential. Qualified personnel must use the rating system described in Appendix 7 of the NPDES  
1754 Phase II Municipal Stormwater Permit to determine the site's potential to discharge sediment. The  
1755 damage potential rating must be submitted and approved to receive final civil plan review approval.

1756 **14.15.070 Development in critical flood, drainage and/or erosion areas.**

1757 Development which would increase the volume of discharge from the subject property shall not be  
1758 permitted in areas where existing flooding, drainage, and/or erosion conditions present an imminent  
1759 likelihood of harm to the welfare and safety of the surrounding community or property, until such time as  
1760 the community hazard is alleviated. Where application of the provisions of this section will deny all  
1761 reasonable use of the property, the director or designee may waive the restrictions on development  
1762 contained in this section; provided, that the resulting development shall be subject to all of the remaining  
1763 terms and conditions of this chapter and Chapter 19.24 MMC Critical Areas Management. (Ord. 2476 §  
1764 2, 2003).

1765 **14.15.080 Establishment of regional facilities.**

1766 (1) Public Benefit. In the event that public benefits would accrue due to modification of the drainage  
1767 plan for the subject property to better implement the recommendations of the comprehensive drainage  
1768 plan, the director or designee may recommend that the city should assume responsibility for the further  
1769 design, construction, operation, and maintenance of the drainage facilities, or any increment thereof, on  
1770 the subject property. Such decision shall be made concurrently with review and approval of the plan.

1771 (2) Applicant's Responsibility. In the event that the city decides to assume responsibility for all or any  
1772 portion of the design, construction, operation, and maintenance of the facilities, the applicant shall be  
1773 required to contribute a prorated share to the estimated cost of the facilities; provided, that such share  
1774 shall not exceed the estimated costs of improvements the applicant would otherwise have been required to  
1775 install. The applicant may be required to supply additional information at the request of the director or  
1776 designee to aid in such determination by the city. (Ord. 2476 § 2, 2003).

1777 **14.15.090 Fees.**

1778 Fees shall be charged for preliminary review, construction plan review, inspection, and final plan  
1779 review done upon completion of all civil work and approval of the final plat map. The city shall have the  
1780 option of sending plans out for review, in which case fees will also include consultant rates. (Ord. 2476 §  
1781 2, 2003).

1782 **14.15.100 Construction standards and specifications.**

1783 The director shall approve, prepare, administer, and enforce detailed construction standards and  
1784 specifications for all storm drainage lines, on-site storm water and erosion control facilities. (Ord. 2476 §  
1785 2, 2003). The city shall not accept ownership or maintenance responsibility for any lines or facilities  
1786 which are constructed in violation of said standards and specifications.

1787 **14.15.110 Review and approval of plans.**

1788 All storm water site drainage plans and any other documents required by or prepared in connection with  
1789 any of the permits and/or approvals listed in MMC 14.15 shall be submitted for review and approval by  
1790 the director or designee. (Ord. 2476 § 2, 2003).

1791 The applicant shall keep two sets of plans on site at all times for recording as-built information; one set  
1792 shall be submitted to the project engineer, and one set shall be submitted to the Director at completion of  
1793 construction and prior to final acceptance of work. The owner and/or contractor shall notify the project  
1794 engineer and the Director when conflicts exist between the plans and field conditions. Conflicts shall be  
1795 resolved (including plan and profile revisions) and resubmitted for approval prior to proceeding with  
1796 construction. For further plan retention and revision requirements for Stormwater Site Plans and  
1797 Construction Stormwater Pollution Prevention Plans see the Stormwater Manual and section 14.15.050.2  
1798 Minimum Requirement #2: Construction Stormwater Pollution Prevention Plan (SWPPP).

1799 **14.15.120 Inspections – Construction.**

1800 All activities regulated by this chapter shall be inspected by the engineer and/or public works  
1801 department. Projects shall be inspected at various stages of the work to determine that adequate control is  
1802 being exercised. Stages of work requiring inspection include, but are not limited to, preconstruction;  
1803 installation of BMPs' land-disturbing activities; installation of utilities, landscaping, retaining walls; and  
1804 completion of project. When required by the director or designee, a special inspection and/or testing shall  
1805 be performed.

1806 The holder of any permit or approval issued subject to a detailed drainage plan shall arrange with the  
1807 engineer for scheduling the following inspections:

1808 (1) Initial Inspection. Inspection prior to clearing and construction will apply to sites with a high  
1809 potential for sediment damage, as identified by the applicant during civil review based on definitions and  
1810 requirements of Appendix 7 of the Western Washington Phase II Municipal Stormwater permit.

1811 (2) Grading Preparation. Whenever work on the site preparation, grading, excavations, or fill is ready to  
1812 be commenced, but in all cases prior thereto; subject also to provisions of MMC 19.28.070.

1813 (3) Rough Grading. When all rough grading has been completed;



1814 | (43) Bury Inspection. Prior to burial of any underground drainage structure;

1815 | (54) Finish Grading. When all work including installation of all drainage structures and other protective  
1816 | devices has been completed;

1817 | (65) Planting. When erosion control planting shows active growth.

1818 | (7) System wide inspections for residential developments will take place after all flow control and water  
1819 | quality treatment facilities are completed during the period of heaviest house construction to identify  
1820 | maintenance needs and enforce compliance with maintenance standards as needed.

1821 | In some circumstances not all of the above inspections may be necessary. It shall be the discretion of  
1822 | the public works director or designee to waive or combine any of the above inspections as dictated by  
1823 | conditions.

1824 | The public works director or designee shall inspect the work and shall either approve the same or notify  
1825 | the applicant in writing in what respects there has been failure to comply with the requirements of the  
1826 | approved plan. Any portion of the work which does not comply shall be promptly corrected by the  
1827 | applicant. The public works director or designee may make unscheduled site inspections to ensure  
1828 | compliance. Uncorrected violations will be subject to the provisions of MMC 14.15.190. (Ord. 2476 § 2,  
1829 | 2003).

1830 | **14.15.130 Bonds and liability insurance required.**

1831 | The department is authorized to require all persons constructing retention/detention or other drainage  
1832 | system features treatment/abatement facilities to post surety or cash bonds. Where such persons have  
1833 | previously posted, or are required to post, other such bonds on the facility itself or on other construction  
1834 | related to the facility, such person may, with the permission of the public works director or designee, and  
1835 | to the extent allowable by law, combine all such bonds into a single bond; provided, that at no time shall  
1836 | the amount thus bonded be less than the total amount which would have been required in the form of  
1837 | separate bonds; and provided further, that such a bond shall on its face clearly delineate those separate  
1838 | bonds which it is intended to replace.

1839 | (1) Construction Bond. Prior to commencing construction, the person constructing the facility shall post  
1840 | a construction bond in an amount sufficient to cover the cost of performing said construction per the  
1841 | approved drainage plans. Alternatively, an equivalent cash deposit to an escrow account administered by  
1842 | a local account bank may be allowed at the city's option.

1843 | (2) Maintenance Bond. After satisfactory completion of the facilities and release of the construction  
1844 | bond by the city, the person constructing the facility shall commence a two-year period of satisfactory  
1845 | maintenance of the facility. A cash bond to be used at the discretion of the city, to correct deficiencies in  
1846 | said maintenance affecting public health, safety and welfare, must be posted and maintained throughout  
1847 | the two-year maintenance period. The amount of the cash bond shall be determined by the public works  
1848 | director or designee. In addition, at the discretion of the city, a surety bond or cash bond to cover the cost  
1849 | of design defects or failures in workmanship shall also be posted and maintained through the two-year  
1850 | maintenance period. Alternatively, an equivalent cash deposit to an escrow account administered by a  
1851 | local account bank may be allowed, at the city's option.

1852 | (3) Liability Policy. The person constructing the facility shall maintain a liability policy in an amount to  
1853 | be determined by the city which shall name the city of Marysville as an additional insured and which shall

1854 protect the city from any liability for any accident, negligence, failure of the facility, or any other liability  
1855 whatsoever, relating to the construction or maintenance of the facility. The liability policy shall be  
1856 maintained for the duration of the facility by the owner of the facility; provided, that in the case of  
1857 facilities assumed by the city for maintenance pursuant to MMC 14.15.140, the liability policy shall be  
1858 terminated when the city maintenance responsibility commences. (Ord. 2476 § 2, 2003).

1859 **14.15.140 City assumption of maintenance.**

1860 | The city may assume the maintenance of storm water drainage system retention/detention facilities after  
1861 the expiration of the two-year maintenance period if:

1862 | (1) Conveyance to the city occurred per 14.03.420.

1863 | (2) All of the requirements of this chapter have been fully complied with;

1864 | (23) The facilities have been inspected and approved by the department after two years of operation;

1865 | ~~(3) The surety bond required in MMC 14.15.130 has been extended for one year, covering the city's~~  
1866 ~~first year of maintenance;~~

1867 | (4) All necessary easements entitling the city to properly maintain the facility have been conveyed to  
1868 the city. (Ord. 2476 § 2, 2003).

1869 **14.15.150 Retroactivity relating to city maintenance of drainage facilities.**

1870 | If any person constructing retention/detention facilities and/or receiving approval of drainage plans  
1871 prior to the effective date of this chapter demonstrates, to the city's satisfaction, total compliance with the  
1872 requirements of this chapter, the city may, after inspection, approval, and acknowledgment of the proper  
1873 posting of the required bonds as specified in MMC 14.15.130, assume maintenance of the facilities. (Ord.  
1874 2476 § 2, 2003).

1875 **14.15.160 Maintenance of drainage facilities by owner.**

1876 | In the event that the city elects not to assume the operation and maintenance responsibility for the  
1877 facilities, it shall be the responsibility of the owner of the property, or persons with a shared ownership  
1878 interest in of the property, or their heirs, successors and assigns, to operate, maintain, repair and replace  
1879 the facilities in continuous compliance with the standards and specifications of MMC 14.17~~the~~  
1880 ~~department~~. The director or designee shall have authority to periodically enter upon the property and  
1881 inspect the facilities to ensure such compliance. (Ord. 2476 § 2, 2003).

1882 | ~~14.15.165 Maintenance of drainage swales and ditches.~~

1883 | ~~For provisions relating to the maintenance of drainage swales and ditches see MMC 14.17.030. (Ord.~~  
1884 ~~2476 § 2, 2003).~~

1885

1886 **14.15.170 Applicability to governmental entities.**

1887 | All municipal corporations and governmental entities shall be required to submit a storm water site  
1888 | ~~drainage~~ plan and comply with the terms of this chapter when developing and/or improving land within  
1889 | the incorporated areas of the city of Marysville or within adjacent areas which may affect the city. (Ord.  
1890 | 2476 § 2, 2003).

1891 | **14.15.175 Adjustments.**

1892 | ~~All A~~adjustments to the minimum requirements in section 14.15.050 may be granted prior to permit  
1893 | approval and construction. Adjustments must be reviewed in the context of each application, site and  
1894 | potential impacts. Approval does not establish precedent for subsequent applications that may reflect  
1895 | different scale, complexity and site conditions. ~~After receiving proper written application the director may~~  
1896 | ~~grant an adjustment provided that a written finding of fact is prepared, that addresses the~~  
1897 | ~~following:~~ Adjustments to the Minimum Requirements may be granted by the director provided that a  
1898 | written finding of fact is prepared, that addresses the following:

- 1899 |
- 1900 | (1) The adjustment provides substantially equivalent environmental protection, ~~and~~
- 1901 | (2) ~~The objectives of safety, function, environmental protection and facility maintenance, based upon~~  
1902 | ~~sound engineering, are met. (Ord. 2476 § 2, 2003).~~ Based on sound Engineering practices, the objectives  
1903 | of safety, function, environmental protection and facility maintenance, are met.

1904 | **14.15.180 Exceptions.**

- 1905 | a) Exceptions to the Minimum Requirements in section 14.15.050 may be granted prior to permit  
1906 | approval and construction. Exceptions must be reviewed in the context of each application, site  
1907 | and potential impacts. Approval does not establish precedent for subsequent applications that may  
1908 | reflect different scale, complexity and site conditions. Application for an exception shall be filed  
1909 | in writing with the director and shall adequately detail the reason for an exception.
- 1910 |
- 1911 | b) Exceptions/variances (exceptions) to the Minimum Requirements in section 14.15.050 may be  
1912 | granted by the director following legal public notice of an application for an exception or  
1913 | variance, legal public notice of the director's decision on the application, and written findings of  
1914 | fact that documents the director's determination to grant an exception. The City will keep records,  
1915 | including the written findings of fact, of all exceptions to the Minimum Requirements in section  
1916 | 14.15.050.
- 1917 |
- 1918 | c) Project-specific design exceptions based on site-specific conditions do not require prior approval  
1919 | of the Department of Ecology. The City will seek prior approval by the Department of Ecology  
1920 | for any jurisdiction-wide exception.
- 1921 |
- 1922 | d) The director may grant an exception to the Minimum Requirements in section 14.15.050 if such  
1923 | application imposes a severe and unexpected economic hardship. To determine whether the  
1924 | application imposes a severe and unexpected economic hardship on the project applicant, the  
1925 | director must consider and document with written findings of fact the following:
- 1926 |
- 1927 | i. The current (pre-project) use of the site, and  
1928 |

- 1929           ii. How the application of the Minimum Requirement(s) in section 14.15.050 restricts the  
 1930           proposed use of the site compared to the restrictions that existed prior to the adoption of  
 1931           the Minimum Requirements; and  
 1932  
 1933           iii. The possible remaining uses of the site if the exception were not granted; and  
 1934  
 1935           iv. The uses of the site that would have been allowed prior to the adoption of the Minimum  
 1936           Requirements in section 14.15.050; and  
 1937  
 1938           v. A comparison of the estimated amount and percentage of value loss as a result of the  
 1939           Minimum Requirements in section 14.15.050 versus the estimated amount and  
 1940           percentage of value loss as a result of requirements that existed prior to adoption of the  
 1941           Minimum Requirements in section 14.15.050; and  
 1942  
 1943           vi. The feasibility for the owner to alter the project to apply the Minimum Requirements in  
 1944           section 14.15.050.  
 1945  
 1946        e) In addition any exception must meet the following criteria:  
 1947  
 1948           i. The exception will not increase risk to the public health and welfare, nor injurious to  
 1949           other properties in the vicinity and/or downstream, and to the quality of waters of the  
 1950           state; and  
 1951           ii. The exception is the least possible exception that could be granted to comply with the  
 1952           intent of the Minimum Requirements in section 14.15.050.

1953        Exceptions to the minimum requirements may be granted prior to permit approval and construction.  
 1954        ~~Exceptions must be reviewed in the context of each application, site and potential impacts. Approval does~~  
 1955        ~~not establish precedent for subsequent applications that may reflect different scale, complexity and site~~  
 1956        ~~conditions. Application for an exception shall be filed in writing with the director and shall adequately~~  
 1957        ~~detail the reason for an exception. The director shall provide a legal public notice of an application for an~~  
 1958        ~~exception, and legal public notice of the decision on the application. The director may grant an exception~~  
 1959        ~~from the requirements of this chapter provided a written finding of fact is prepared that supports that the~~  
 1960        ~~following criteria are met:~~

1961        ~~(1) That there are special physical circumstances or conditions affecting the property such that the strict~~  
 1962        ~~application of these provisions would deprive the applicant of all reasonable use of the site in question,~~  
 1963        ~~and every effort to find creative ways to meet the intent of the minimum standards has been made; and~~

1964        ~~(2) That the granting of the exceptions will not be detrimental to the public health, welfare, and safety,~~  
 1965        ~~nor injurious to other properties in the vicinity and/or downstream, and to the quality of receiving waters;~~  
 1966        ~~and~~

1967        ~~(3) The exception is the least possible exception that could be granted to comply with the intent of the~~  
 1968        ~~minimum requirements. (Ord. 2476 § 2, 2003).~~

1969        **14.15.185 Additional procedures and review.**

1970        In various sections of this chapter, the public works director or designee, the city engineer, and/or the  
 1971        city planner ~~are~~ may be empowered to impose requirements, give approvals, make determinations and the  
 1972        like (hereinafter in this section “administrative determination(s)”). This section sets out procedures for

1973 administrative determination(s). All administrative determination(s) shall be made in a timely manner to  
1974 satisfy all requirements of state law. All administrative determination(s) shall be in writing and shall set  
1975 out facts and conclusions to support the decision made. All administrative determination(s) shall be made  
1976 to achieve the purposes of this chapter as set forth in MMC ~~14.15.010~~. All administrative  
1977 determination(s) may be appealed to the hearing examiner by filing written notice of appeal with the city  
1978 clerk within 10 days of service of the administrative determination. (Ord. 2476 § 2, 2003).

1979 **14.15.190 Enforcement.**

1980 Enforcement of the provisions of this chapter shall be pursuant to ~~MMC Title 4 MMC~~. (Ord. 2476 § 2,  
1981 2003).

1982 **14.15.200 No special duty created.**

1983 (1) It is the purpose of this chapter to provide for the health, welfare, and safety of the general public,  
1984 and not to create or otherwise establish or designate any particular class or group of persons who will or  
1985 should be especially protected or benefitted by the terms of this chapter. No provision or term used in this  
1986 chapter is intended to impose any duty whatsoever upon the city or any of its officers, agents, or  
1987 employees for whom the implementation or enforcement of this chapter shall be discretionary and not  
1988 mandatory.

1989 (2) Nothing contained in this chapter is intended to be, nor shall be, construed to create or form the  
1990 basis for any liability on the part of the city or its officers, agents, and employees for any injury or  
1991 damage resulting from the failure of any premises to abate a nuisance or to comply with the provisions of  
1992 this chapter or by reason or as a consequence of any inspection, notice, or order, in connection with the  
1993 implementation or enforcement of this chapter, or by reason of any action of the city related in any  
1994 manner to enforcement of this chapter by its officers, agents, or employees. (Ord. 2476 § 2, 2003).

1995 **14.15.210 Severability.**

1996 If any section, subsection, sentence, clause, phrase, or word of this chapter should be held to be invalid  
1997 or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof  
1998 shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase,  
1999 or word of this chapter. (Ord. 2476 § 2, 2003).

2000 **14.15.220 Appeals.**

2001 The decision of the director may be appealed by an aggrieved party pursuant to MMC Title 15 to hearing  
2002 examiner by filing written notice of appeal, including an appeal fee of \$500.00, with the city's public  
2003 works department or community development department, within 10 days of notice of the director's  
2004 decision. (Ord. 2476 § 2, 2003).

1 | **Chapter 14.16 OPERATION AND MAINTENANCE OF PUBLIC STORM**  
2 | **DRAINAGE SYSTEMS CODE**

3 | Sections:

4 | 14.16.010 Purposes.

5 | ~~14.16.015 Developer installed storm water facilities located in city right-of-way.~~

- 6 14.16.020 Ownership and maintenance of public facilities.
- 7 14.16.025 Maintenance of ~~drainage swales and ditches.~~
- 8 14.16.030 Stormwater Facility Maintenance Standards Adopted
- 9 14.16.040 Maintenance of LID facilities
- 10 ~~14.16.030~~ Construction standards and specifications.
- 11 ~~14.16.040~~ Connections required.
- 12 ~~14.16.050~~ Extensions for full lot frontage.
- 13 ~~14.16.060~~ Application for connection, application fee and issuance of permit.
- 14 ~~14.16.070~~ Inspections—Fees.
- 15 ~~14.16.090~~ Limitations on storm water quality.
- 16 ~~14.16.100~~ Unlawful contamination of storm water—Penalty.
- 17 ~~14.16.110~~ Unauthorized connections.
- 18 14.16.120 Oversizing reimbursement.
- 19 14.16.130 Recovery contracts.
- 20 ~~14.16.140- Enforcement~~ Damage to storm drainage lines or facilities—Penalties.

21 **14.16.010 Purposes.**

22 A public storm drainage system is a necessary utility in the city of Marysville for the purpose of  
 23 preserving the city’s watercourses, minimizing water quality degradation, controlling sedimentation of  
 24 creeks and other water bodies, protecting properties located adjacent to developing land from increased  
 25 runoff rates and erosion, protecting downstream properties, preserving and enhancing the suitability of  
 26 waters for recreation and fishing, preserving and enhancing the aesthetic quality of waterways,  
 27 minimizing adverse effects of alterations in ground water qualities, locations and flow patterns, insuring  
 28 the safety of city roads and rights-of-way, and decreasing drainage-related damage to public and private  
 29 property. (Ord. 2245 § 3, 1999).

30 ~~14.16.015~~ Developer installed storm water facilities located in city right of way.

31 The city may assume the operation and full or partial maintenance of developer installed  
 32 retention/detention or other drainage type treatment/abatement facilities located in the city right of way or  
 33 on city owned property after the expiration of the two year operation and maintenance period if:

34 (1) All the requirements of this chapter have been fully complied with;

35 (2) The facilities have been inspected and approved by the engineer after two years of operation. (Ord.  
 36 2245 § 3, 1999).

37 **14.16.020 Ownership and maintenance of public facilities.**

38 (1) All storm drainage lines, facilities and appurtenances located on public right-of-way or other  
 39 property owned by the city shall belong to the city unless otherwise dedicated to private ownership during  
 40 the plan approval process and shall be maintained, repaired and replaced to the extent the city determines  
 41 to be in the public interest, and at the city’s cost. All privately constructed extensions of the public storm  
 42 drainage lines and facilities shall be conveyed to the city as specified in MMC 14.03.420. The city may  
 43 accept privately constructed facilities in residential developments. All other facilities will be dedicated to  
 44 private ownership at the discretion of the director. The maintenance responsibility of private facilities will  
 45 be born by the property owner or the persons with shared interest in the facility as specified in Ch. 14.17  
 46 MMC. by bill of sale and shall be accompanied by a warranty of the grantor that said lines and facilities  
 47 are free of debt and were constructed in accordance with city standards and specifications. The grantor

48 shall further warrant the labor and materials used in the construction of said lines and facilities for a  
49 period of one year from the date of conveyance to the city, and shall indemnify and hold the city harmless  
50 from any damages arising from defective materials or workmanship. If a public storm drainage line or  
51 facility is located on private property, the grantor shall convey to the city a 10-foot wide easement for  
52 reconstructing, repairing, maintaining, altering, changing, controlling and operating said line or facility.  
53 (Ord. 2245 § 3, 1999).

54 (2) When an inspection identifies an exceedence of the maintenance standard, maintenance shall be  
55 performed in accordance with the following schedule:

- 56 - Within 1 year for typical maintenance of facilities, except catch basins.
- 57 - Within 6 months for catch basins.
- 58 - Within 2 years for maintenance that requires capital construction of less than \$25,000.

59 **14.16.025 Maintenance of drainage swales and ditches.**

60 For provisions relating to the maintenance of drainage swales and ditches, see MMC 14.17.030. (Ord.  
61 2245 § 3, 1999).

62 **14.16.030 Stormwater Facility Maintenance Standards Adopted**

63  
64 All maintenance shall be conducted as set forth in the Stormwater Manual. If the Stormwater Manual  
65 does not have a maintenance standard that applies to a stormwater facility, then the city may use the  
66 manual developed by the manufacturer of the facility. In all cases the applicant shall provide the proposed  
67 maintenance program to the city for approval before construction of the facility occurs.  
68

69 **14.16.040 Maintenance of Low Impact Development (LID) facilities**

70  
71 (3) The city shall inspect approved bioretention LID facilities on an annual basis and monitor the  
72 ongoing function of both private and public facilities. Routine maintenance, such as trash removal,  
73 weeding, mulching and pruning of bioretention areas and swales LID facilities, shall be performed on  
74 public facilities in accordance with the maintenance requirements outlined in the most current edition of  
75 the LID Technical Guidance Manual for Puget Sound, but at least once yearly or and as specified in city  
76 standards, maintenance specifications, and any recorded maintenance agreements.

77 ~~14.16.030 Construction standards and specifications.~~

78 ~~The public works director or designee shall prepare, administer and enforce detailed construction~~  
79 ~~standards and specifications for all storm drainage lines and facilities which are to be connected to the~~  
80 ~~public storm drainage system and which are to be publicly owned and maintained. The city shall not~~  
81 ~~accept ownership or maintenance responsibility for any lines or facilities which are constructed in~~  
82 ~~violation of said standards and specifications. (Ord. 2245 § 3, 1999).~~

83 ~~14.16.040 Connections required.~~

84 ~~(1) The owner of any property which is not connected to the public storm drainage system shall be~~  
85 ~~required to extend any storm drainage line which is~~

86 ~~within 200 feet of the property, and to connect to and use the same for all developed portions of the~~  
87 ~~property, under any of the following circumstances:~~

88 (a) As a condition of final approval of a subdivision;

89 (b) As a condition of final approval of a short subdivision;

90 (c) As a condition of final approval of a binding site plan for any mobile home park, condominium,  
91 planned unit development, industrial park or shopping center;

92 (d) As a condition of any building, grading, paving or other development approval, including rezones  
93 or conditional use permits, which will have a significant adverse impact upon storm drainage; as  
94 determined by the public works director or designee.

95

96 ~~(2) The public works director or designee may waive the requirement of subsection (1) of this section~~  
97 ~~on the following grounds:~~

98 ~~(a) If the public works director or designee finds that the capacity or condition of the existing public~~  
99 ~~storm drainage system is insufficient or inadequate to serve the subject property; or~~

100 ~~(b) If the public works director or designee finds that it would cause a practical difficulty to require~~  
101 ~~the connection of the subject property to the public storm drainage system by reason of circumstances~~  
102 ~~which are unique to the property and not generally shared by other properties in the vicinity.~~

103 ~~(c) If the public works director or designee finds that proposed on-site storm water BMPs are adequate~~  
104 ~~under the requirements of this title.~~  
105

106 ~~No such waiver shall be granted which would be detrimental to the public health, safety, welfare or~~  
107 ~~environment, or which would be inconsistent with the long range plans for the public storm drainage~~  
108 ~~system. In all cases where a waiver is granted, the property owner shall be required to strictly comply~~  
109 ~~with storm water retention/detention requirements of Chapter 14.15 MMC.~~

110 ~~The decision of the public works director or designee regarding such waivers shall be final, subject to~~  
111 ~~appeal to the city council; provided, that in cases where a property owner has applied for development~~  
112 ~~approval which is to be ruled upon by the city council itself, waivers referred to herein shall be~~  
113 ~~determined by the city council after taking into consideration the recommendation of the city engineer.~~  
114 ~~(Ord. 2245 § 3, 1999).~~

115 ~~14.16.050 Extensions for full lot frontage.~~

116 ~~Whenever a property owner desires to connect to the public storm drainage system, the property owner~~  
117 ~~shall be required to extend the storm drainage lines for the full frontage of the lot which is being~~  
118 ~~connected. If it can be shown that no future extensions beyond said lot will occur, a waiver may be~~  
119 ~~obtained from the public works director or designee and the owner need only extend the line to the nearest~~  
120 ~~point of connection on the lot. (Ord. 2245 § 3, 1999).~~

121 ~~14.16.060 Application for connection, application fee and issuance of permit.~~



122 The owner of any property desiring to connect to the public storm drainage system shall apply for the  
123 connection on such forms as may be prepared and made available by the city public works department.  
124 The application shall include, at a minimum, a drawing showing the complete on-site drainage system  
125 which will be connected to the public storm drain. An application fee of \$50.00 shall be paid to the city  
126 clerk. Upon approval of the application by the public works director or designee, a connection permit  
127 shall be issued which shall be valid for a period of six months thereafter. (Ord. 2245 § 3, 1999).

128 ~~14.16.070 Inspections Fees.~~

129 All connections to the public storm drainage system shall be inspected by the city engineer. In the event  
130 that a storm drainage line is to be deeded to the city, the party constructing the same shall pay the city an  
131 inspection fee of \$0.25 per lineal foot. No line or facility shall be accepted by the city until all inspection  
132 fees have been paid and until the city engineer certifies that the same have been constructed in accordance  
133 with city specifications. (Ord. 2245 § 3, 1999).

134 ~~14.16.090 Limitations on storm water quality.~~

135 No substance other than natural storm water drainage shall be discharged into the public storm drainage  
136 system. All water so discharged shall meet the water quality criteria and waste discharge limitations  
137 imposed by the city engineer and/or the Washington State Department of Ecology. (Ord. 2245 § 3, 1999).

138 ~~14.16.100 Unlawful contamination of storm water Penalty.~~

139 No person or business entity shall willfully or negligently discharge, or cause or allow to be discharged,  
140 any substance or pollutant into the public storm drainage system in violation of the water quality criteria  
141 and waste discharge limitations specified by the city engineer and/or the Washington State Department of  
142 Ecology. Any such discharge shall constitute a misdemeanor and shall be punishable by imprisonment for  
143 a term not to exceed six months, or by a fine not to exceed \$500.00, or both such fine and imprisonment.  
144 (Ord. 2245 § 3, 1999).

145 ~~14.16.110 Unauthorized connections.~~

146 (1) It is unlawful for any person to make a connection to the public storm drainage system in violation  
147 of the provisions of this chapter. A willful violation shall constitute a misdemeanor, and shall be  
148 punishable by a fine not to exceed \$500.00. Each day that a violation continues shall constitute a separate  
149 offense.

150 (2) Any person who shall make or cause to be made an unauthorized connection to the public  
151 storm drainage system shall be required to immediately bring the connection into conformity  
152 with all provisions of this chapter, and the application fee shall be doubled as a penalty  
153 assessment. (Ord. 2245 § 3, 1999).

154 **14.16.120 Oversizing reimbursement.**

155 In all cases the public works director or designee shall determine the size and depth of extensions to  
156 public storm drainage lines, whether they are on public or private property. The determination shall be  
157 consistent with the city's long-range plans for a regional storm drainage system. If a property  
158 owner/developer is required to install a storm drainage line with a diameter in excess of 18 inches, and if  
159 the purpose for such oversizing is to provide for future extension of the storm drainage line to adjacent

160 properties and not merely to meet the needs of the property responsible for constructing the line, the city  
161 shall reimburse the property owner/developer for the difference in material costs incurred solely by reason  
162 of the oversizing requirement. No such reimbursement shall be made except upon the following: complete  
163 installation of the storm drainage line and approval of the same by the public works director or designee;  
164 a submittal of a bill of sale and a warranty for the storm drainage line to the city; certification of the  
165 oversizing costs, with such verification from the material supplier and contractor as the public works  
166 director or designee may require; approval of the oversizing costs by the public works director or  
167 designee; and approval of the reimbursement by the city council. (Ord. 2245 § 3, 1999).

168 **14.16.130 Recovery contracts.**

169 At the option of the city council, any party having constructed public storm drainage lines, facilities or  
170 appurtenances, at its own cost, may be allowed to enter into a recovery contract with the city providing  
171 for partial reimbursement to such party, or its assignee, for the costs of such construction, including the  
172 costs of engineering and design work, and all costs of labor and materials reasonably incurred. Such  
173 contracts shall be governed by the following provisions:

174 (1) Within 30 days after a storm drainage line or facility is accepted by the city and a bill of  
175 sale/warranty is filed with respect to the same, the proponent of the recovery contract shall submit a  
176 request for the same, using a form supplied by the city, together with supporting documentation showing  
177 all costs incurred in the project.

178 (2) An assessment area shall be formulated based upon a determination by the city as to which parcels  
179 of real estate will be directly benefited by the line or facility. In the case of regional storm drainage  
180 facilities, a similar analysis shall be made with respect to all parcels within the drainage basin as defined  
181 by the city.

182 (3) The reimbursement share of all property owners in the assessment area shall be a pro rata share of  
183 the total cost of the project, less any contributions paid by the city. Each reimbursement share shall be  
184 determined by using a method of cost apportionment which is based upon the benefit received by each  
185 property from the project. This will generally be prorated on a front-footage basis for storm drainage  
186 lines. There shall be no reimbursement to the proponent for the share of the benefits which are allocated  
187 to its property.

188 (4) A preliminary determination of the area boundaries and assessments, along with a description of the  
189 property owner's rights and obligations, shall be forwarded by certified mail to the property owners of  
190 record within the proposed assessment area. If any property owner requests a hearing in writing within 20  
191 days of mailing of the preliminary determination, a hearing shall be held before the city council, notice of  
192 which shall be given to all affected property owners. The city council's ruling shall be determinative and  
193 final.

194 (5) The contract, upon approval by the city council, shall be recorded in the records of the Snohomish  
195 County auditor within 30 days of such approval. The recorded contract shall constitute a lien against all  
196 real property within the assessment area which did not contribute to the original cost of the utility project.

197 (6) If, within a period of 15 years from the date the contract was recorded, any property within the  
198 assessment area applies for connection to the storm drainage line, or is developed or improved in such a  
199 manner as to use or impact the drainage facility, the lien for payment of the property's proportionate share  
200 shall become immediately due and payable to the city as a condition of receiving connection or  
201 development approval.

202 (7) All assessments collected by the city pursuant to a recovery contract, less the city's administrative  
203 charge, shall be paid to the original proponent, its personal representative, successors or assigns within 30  
204 days after receipt by the city. The city's administrative charge for each collection is set forth in MMC  
205 14.07.005.

206 (8) At the termination of the 15-year recovery period the lien shall continue, but all collections  
207 thereafter shall be for the benefit of the city and shall be deposited in the city's utility fund.

208 (9) Nothing in this section, nor any provision in a recovery contract, shall be construed as establishing  
209 the city as a public utility in areas not already connected to the city's utility system; nor shall this section,  
210 or any recovery contract, be construed as establishing express or implied rights for any property owner to  
211 connect to the city's utility system without first qualifying for such connection by compliance with all  
212 applicable city codes and ordinances. (Ord. 2780 § 2, 2009; Ord. 2245 § 3, 1999).

213 **14.16.140 - Enforcement - Damage to storm drainage lines or facilities - Penalties.**

214 No person or business entity shall willfully or by abuse or neglect cause any damage to lines or  
215 facilities of the public storm drainage system. Such acts or omissions shall constitute a misdemeanor and  
216 shall be punishable by criminal fine and imprisonment or by civil penalties, as set forth in Title 4 MMC.  
217 by imprisonment for a term not to exceed six months, or by a fine not to exceed \$500.00, or by both such  
218 fine and imprisonment. Further, if the city repairs or replaces the damaged property, the actual cost to the  
219 city for such repair or replacement, plus 10 percent, shall be assessed against the responsible party and  
220 shall be due and payable within 10 days of the date of written notice of the same. ~~Delinquent bills may be~~  
221 ~~collected by a civil action in the Marysville municipal court. If the city obtains judgment, it shall also be~~  
222 ~~entitled to reimbursement for court costs and reasonable attorney's fees expended in the litigation. (Ord.~~  
223 ~~2245 § 3, 1999).~~

1 **Chapter 14.17 OPERATION AND MAINTENANCE OF PRIVATE STORM**  
2 **DRAINAGE SYSTEMS PRIVATE STORM WATER DISPOSAL SYSTEMS**

3 Sections:

- 4 14.17.010 Duty to maintain
- 5 14.17.020 Minimum storm water facility maintenance standards
- 6 14.17.030 Maintenance of drainage swales, biofiltration swales, and ditches
- 7 14.17.035 Maintenance of ~~bioretention~~ LID facilities
- 8 14.17.040 Inspection by city
- 9 ~~14.17.050 Notification of owner~~
- 10 ~~14.17.060 Service of notice~~
- 11 ~~14.17.070 Failure to correct - City action~~
- 12 ~~14.17.080 Record of assessment~~
- 13 14.17.080 Enforcement
- 14 14.17.090 Exemptions
- 15 14.17.100 No special duty created
- 16 14.17.110 Severability

17 **14.17.010 Duty to maintain.**

18 It shall be the duty of the property owner to maintain, repair and renew, at ~~his~~ the owner's own expense,  
19 all private storm water disposal systems located on ~~his~~ the property or within an area of shared interest

20 | owned in common with other property owners. Should private storm water facilities not be maintained in  
21 | accordance with city standards, then the city may choose to perform the necessary maintenance and  
22 | charge the property owner or property owners' /association. ~~Alternatively, or~~ the city may pursue other  
23 | legal options, including condemning the property as a health and safety nuisance and acquiring assume  
24 | ownership thereof. (Ord. 2245 § 4, 1999).

25 | **14.17.020 Minimum storm water facility maintenance standards.**

26 | The following are the minimum standards for the maintenance of storm water facilities:

27 | (1) It shall be the duty of the owner to maintain, repair and restore, at the owner's expense, all private  
28 | storm water and drainage systems located on the owner's property or within an area of shared interest  
29 | owned in common with other property owners. Maintenance shall be performed in accordance with the  
30 | Stormwater Manual minimum requirements of this chapter and in accordance with any maintenance  
31 | schedule or approved maintenance manual for the facility that was adopted during the plan review process  
32 | for constructing the facilities.

33 | (2) No person shall cause or permit any drainage system located on the owner's property to be  
34 | obstructed, filled, graded, or used for disposal of debris.

35 | ~~(3) Minimum requirements for the maintenance of storm water facilities shall include but not be limited~~  
36 | ~~to the following:~~

37 | ~~(3)(a) Annual inspection, upon request of the public works director or designee~~ Inspection Frequency  
38 | shall be as specified in the Stormwater Manual or approved maintenance manual. Records of the  
39 | inspection shall be retained on site or by the owner or administrator of the facility. If records are  
40 | requested by the director, Response is required within 90 days;

41 | ~~(b) Removing brush, vegetation, debris and other blockage;~~

42 | ~~(c) Removing sediment, silts, sands, and gravels;~~

43 | ~~(d) Removing oils, grease, tars and other pollutants;~~

44 | ~~(e) Repairing and replacing damaged facilities as required; and~~

45 | ~~(f) All other activities necessary to ensure the facilities are operating as designed.~~

46 | (4) Vegetated storm water facilities, such as grassed swales and biofilters, shall be inspected, mowed  
47 | and replanted as required by the Stormwater Manual or other applicable maintenance manual as set forth  
48 | herein.

49 | (5) When an inspection identifies an exceedence of the maintenance standard, maintenance shall be  
50 | performed in accordance with the following schedule:

51 | - Within 1 year for typical maintenance of facilities, except catch basins.

52 | - Within 6 months for catch basins.

53 | - Within 2 years for maintenance that requires construction of less than \$25,000.

54 (6) Disposal of waste from maintenance activities shall be conducted in accordance with Chapter 173-  
55 304 WAC, Minimum Functional Standards for Solid Waste Handling; guidelines published by the  
56 Washington State Department of Ecology for disposal of waste materials from storm water maintenance  
57 activities; and where appropriate, Chapter 173-303 WAC, Dangerous Waste Regulations. (Ord. 2245 § 4,  
58 1999).

59 **14.17.030 Maintenance of drainage swales, biofiltration swales, and ditches.**

60 (1) Open drainage swales and ditches which are located on private property ~~or (and often located~~ within  
61 public drainage easements) shall be cleaned, maintained and protected in continuous compliance with the  
62 standards and specifications of the city. Responsibility for such work shall be borne by the owner of the  
63 underlying property; provided, that the city shall bear such responsibility for regional drainage ditches  
64 and facilities, as determined by the director of the department of public works, if the same are publicly  
65 owned or within public easements which are accessible to city personnel. Any party may appeal a  
66 determination of the director in this regard to the city council, and the decision of the city council shall be  
67 final.

68 ~~(2) Vegetated storm water facilities, such as grassed swales and biofilters, shall be inspected semi-~~  
69 ~~annually and mowed and replanted as required by the public works director or designee manual. Clippings~~  
70 ~~shall be removed and properly disposed of.~~

71 ~~(3) No person shall cause or permit open drainage swales and ditches to be obstructed, filled, graded~~  
72 ~~or used for disposal of debris.~~

73 ~~(4) The city shall enforce the provisions of this section pursuant to the procedures specified in MMC~~  
74 ~~14.17.040 through 14.17.080.~~

75 ~~(5) Upon receiving express approval from the director of the department of public works, a property~~  
76 ~~owner may convert a drainage swale or ditch into an enclosed drainage system. Such work shall be~~  
77 ~~performed in compliance with the standards and specifications of the city and shall be subject to~~  
78 ~~inspection and approval by the department of public works. Culverts and drainage appurtenances installed~~  
79 ~~by private owners shall may be conveyed to the city, at no cost, by a bill of sale. (Ord. 2245 § 4, 1999).~~

80 **14.17.035 Maintenance of bioretention Low Impact Development (LID) facilities.**

81 (1) ~~Bioretention cells and swales~~ Approved LID facilities, which are located on private property or in  
82 public street rights-of-way but dedicated to private ownership, shall be cleaned, maintained and protected  
83 in continuous compliance with Title 14 MMC, the standards and specifications of the city, and any  
84 recorded maintenance agreements. Responsibility for such work shall be borne by the owner of the  
85 underlying property or parties with shared ownership interest, ~~or, in the case of facilities within the public~~  
86 ~~right-of-way, responsibility for such work shall be borne by the city.~~

87  
88 (2) Property owners shall inspect and maintain approved ~~bioretention LID facilities annually~~. ~~Routine~~  
89 ~~maintenance such as trash removal, weeding, mulching and pruning of bioretention areas and swales shall~~  
90 ~~be performed~~ in accordance with the maintenance requirements outlined set forth in the most current  
91 edition of the LID Technical Guidance Manual for Puget Sound as needed, ~~but at least once yearly or as~~  
92 ~~specified in said manual and in city standards, maintenance specifications, and or any recorded~~  
93 maintenance agreements.

94 (3) ~~The city shall inspect approved bioretention facilities on an annual basis and monitor the ongoing~~  
95 ~~function of both private and public facilities. Routine maintenance such as trash removal, weeding,~~

96 ~~mulching and pruning of bioretention areas and swales shall be performed on public facilities in~~  
97 ~~accordance with the maintenance requirements outlined in the most current edition of the LID Technical~~  
98 ~~Guidance Manual for Puget Sound as needed, but at least once yearly or as specified in city standards,~~  
99 ~~maintenance specifications, or any recorded maintenance agreements.~~

100 (4) ~~No person shall cause or permit bioretention areas to be obstructed, filled, graded, or used for~~  
101 ~~disposal of debris.~~

102 (35) ~~If an approved LID facility required to be maintained by a private property owner fails to perform~~  
103 ~~as designed due to lack of maintenance, the city has the authority to perform the necessary maintenance,~~  
104 ~~and to and recoup the costs incurred from the property owner directly or by liening the property, and to~~  
105 ~~revoke any surface water fee discounts given for the LID facility on surface water fees.~~

106 (6) ~~The city shall enforce the provisions of this section pursuant to the procedures specified in MMC~~  
107 ~~14.17.040 through 14.17.080. (Ord. 2694 § 4, 2007).~~

#### 108 **14.17.040 Inspection by city.**

109 (1) ~~The public works director or designee is directed and authorized to develop an inspection program~~  
110 ~~for storm water facilities in the city of Marysville. Persons or occupants of the site shall allow any~~  
111 ~~authorized representative of the engineer access at all reasonable times to all parts of the premises for the~~  
112 ~~purpose of inspection, sampling, and record examinations.~~

114 (2) ~~Inspection Schedule. The public works director or designee may establish a master inspection and~~  
115 ~~maintenance schedule to inspect appropriate storm water facilities that are not owned by the city.~~

116 ~~Inspections shall be annual. Critical storm water facilities may require a more frequent inspection~~  
117 ~~schedule.~~

118 (3) ~~Inspection and Maintenance Records. As existing storm water facilities are encountered, they shall~~  
119 ~~be added to the master inspection and maintenance schedule. Records of new storm water facilities shall~~  
120 ~~include the following:~~

121 (a) ~~As-built plans and locations.~~

122 (b) ~~Findings of fact from any exemption granted by the local government.~~

123 (c) ~~Operation and maintenance requirements and records of inspection, maintenance, actions and~~  
124 ~~frequencies.~~

125 (d) ~~Engineering reports, as appropriate. (Ord. 2245 § 4, 1999).~~

126 (4) ~~As a condition of approval of stormwater facilities, property owners or occupants of the site shall~~  
127 ~~allow any authorized representative of the engineer access at all reasonable times to all parts of the~~  
128 ~~premises for the purpose of inspection, sampling, and record examinations.~~

#### 129 **14.17.080 Enforcement**

130 Enforcement of the provisions of this chapter shall be as set forth in Title 4 MMC.

131 **14.17.050 Notification of owner.** If a private storm water disposal system is found by the city to be in  
132 need of repair or maintenance, the public works director or designee shall so notify the property owner in  
133 writing, by using a notice containing a minimum of the following elements and being in substantially the  
134 following form:

135 NOTICE TO (REPAIR OR MAINTAIN) PRIVATE STORM WATER DISPOSAL SYSTEM  
136 LOCATED ON THE FOLLOWING DESCRIBED PREMISES:

137 (Description)

138 YOU ARE HEREBY NOTIFIED and instructed to (repair or maintain) the private storm water disposal  
139 system located on the above described property, by performing the following acts: (Description)

140

141 Said work is to be completed within \_\_\_\_\_ days from and after the service of this notice. In case of your  
142 failure to comply with this notice, said work will be done by and under the authority of the City of  
143 Marysville, at the expense of said property, and the cost and expense thereof charged to you and become a  
144 lien upon said property in accordance with Chapter 14.17 of the Marysville Municipal Code. That  
145 following completion of the work by the city of Marysville, if necessary, a report shall be made to the  
146 City Council at its regular meeting to be held at City Hall in the City of Marysville on the \_\_\_\_\_ day of  
147 \_\_\_\_\_, 19\_\_ at the hour of 8:00 p.m. on said date, and an assessment shall be proposed showing double  
148 the cost of the repairs or maintenance done on the private storm water disposal system on your property,  
149 and thereupon the Council will hear any or all protests against said proposed assessment.

150

151 DATED this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.  
152 Superintendent, Marysville Street  
153 Department

154 (Ord. 2245 § 4, 1999).

155 14.17.060 Service of notice.

156 Service of the notice provided for in MMC 14.17.050 shall be deemed sufficient if delivered in person to  
157 the owner of the property or his authorized agent; or by leaving a copy of such notice at the home of the  
158 owner or his authorized agent; or if the owner is a nonresident, by mailing a copy to his last known  
159 address, by certified mail; or if the owner of the property be unknown or if his address be unknown, then  
160 such notice shall be addressed to the general delivery office of the city wherein the improvement is to be  
161 made. (Ord. 2245 § 4, 1999).

162 14.17.070 Failure to correct City.

163 If any such property owner who has been so notified fails, for the period of time designated in such  
164 notice, to repair or maintain the private storm water disposal system in question, the public works director  
165 or designee shall proceed to cause such repairs or maintenance to be performed. Upon making the  
166 necessary repairs or maintenance, the superintendent shall report to the city council at its next regular  
167 meeting, or as soon thereafter as possible, an assessment roll showing the lot or parcel of land where the

168 repair or maintenance was made, the cost of such repair or maintenance determined at twice the city's  
169 actual costs, and the name of the owner, if known. The city council will hear any or all protests against  
170 the proposed assessment at the time named in the notice. The council shall proceed at such hearing, or at  
171 an adjourned time or times, to assess the costs of such work against the property in accordance with the  
172 benefits derived therefrom, which charge shall become a lien upon the property and shall be collected by  
173 due process of law. The public works director or designee shall file with said assessment roll a copy of  
174 such notice, with proof of service of the same. (Ord. 2245 § 4, 1999).

175 **14.17.080 Record of assessment.**

176 The city clerk shall keep in his office a well bound book in which he shall enter an abstract of all  
177 assessment rolls filed in accordance with this chapter, showing a description of the property, the name of  
178 the owner thereof, the total cost charged to each owner, and the date of the filing of the assessment roll,  
179 and when any property is cleared of the lien by payment, he shall note the fact upon such book, with the  
180 date of payment. (Ord. 2245 § 4, 1999).

181 **14.17.090 Exemptions.**

182 (1) Storm water facilities owned and maintained by the Washington State Department of Transportation  
183 in state highway rights-of-way which are regulated by and meet the requirements of Chapter 173-270  
184 WAC, the Puget Sound Highway Runoff Program, are exempted from the requirements of this chapter.

185 (2) Except as specified by covenant or other instrument recorded on the title of adjacent property, storm  
186 water facilities located in city of Marysville rights-of-way shall be maintained by the city and are  
187 exempted from the requirements of this chapter.

188 (3) Requests for exemption shall be filed in writing with the public works director or designee and shall  
189 adequately detail the basis for granting an exemption.

190 (4) The decision of the public works director or designee concerning a request for an exemption shall be  
191 made in writing for review of the city council.

192 (5) The decision of the public works director or designee, as to an exemption or denial thereof, may be  
193 appealed to the city council by filing written notice of appeal with the city clerk within 10 days of service  
194 of the public works director or designee's decision. (Ord. 2694 § 4, 2007; Ord. 2245 § 4, 1999).

195 **14.17.100 No special duty created.**

196 (1) It is the purpose of this chapter to provide for the health, welfare, and safety of the general public,  
197 and not to create or otherwise establish or designate any particular class or group of persons who will or  
198 should be especially protected or benefitted by the terms of this chapter. No provision or term used in this  
199 chapter is intended to impose any duty whatsoever upon the city or any of its officers, agents, or  
200 employees for whom the implementation or enforcement of this chapter shall be discretionary and not  
201 mandatory.

202 (2) Nothing contained in this chapter is intended to be, nor shall be, construed to create or form the  
203 basis for any liability on the part of the city or its officers, agents, and employees for any injury or  
204 damage resulting from the failure of any premises to abate a nuisance or to comply with the provisions of  
205 this chapter or be a reason or a consequence of any inspection, notice, or order, in connection with the



206 implementation or enforcement of this chapter, or by reason of any action of the city related in any  
207 manner to enforcement of this chapter by its officers, agents, or employees. (Ord. 2245 § 4, 1999).

208 **14.17.110 Severability.**

209 If any section, subsection, sentence, clause, phrase, or word in this chapter should be held to be invalid  
210 or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof  
211 shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase,  
212 or word of this chapter. (Ord. 2245 § 4, 1999).

1 **Chapter 14.18 REGIONAL STORMWATER DRAINAGE STORM WATER**  
2 **DRAINAGE ASSESSMENTS IN CERTAIN DESIGNATED DRAINAGE**  
3 **BASINS**

4 Sections:

5 14.18.010 Purpose.

6 14.18.020 Drainage basins defined.

7 14.18.030 Drainage basin facilities plans.

8 14.18.040 Inflation factor.

9 14.18.050 Assessments on properties outside of city limits.

10 14.18.060 Construction of regional drainage facilities.

11 14.18.070 Reimbursement rights.

12 14.18.080 Payment of drainage assessments.

13 14.18.090 Appeals.

14 ~~14.18.100 Allen Creek drainage basin.~~

15 14.18.110 Marysville area regional storm water ponds and conveyance systems.

16 **14.18.010 Purpose.**

17 In areas of the city which are largely undeveloped, but where future growth is anticipated, it is possible  
18 to do advance planning for regional storm water drainage facilities on a basin-wide basis. In such cases  
19 the preferred location of such regional facilities may be predetermined, and the cost of constructing the  
20 same may be equitably assessed against private property owners within the affected drainage basin at the  
21 time new development projects are proposed. The concept of financing public works projects with  
22 mitigation assessments paid by developers who are causing the need for such projects is consistent with  
23 the State Environmental Policy Act (Chapter 43.21C RCW and Chapter 18.20 MMC), and RCW  
24 82.02.020. (Ord. 2245 § 5, 1999).

25 **14.18.020 Drainage basins defined.**

26 Drainage basins to which this chapter shall apply may be located in whole, or in part, within the  
27 Marysville city limits. They shall be identified and defined by the city engineer, and adopted by reference  
28 by resolution of the city council. (Ord. 2245 § 5, 1999).

29 **14.18.030 Drainage basin facilities plans.**

30 The public works director or designee, in conjunction with engineers of adjoining jurisdictions which  
31 may share drainage basins with the city of Marysville, shall develop a storm water drainage facilities plan  
32 for each identified drainage basin and any sub-basins located therein. Such plans shall predetermine the  
33 location and size of any proposed retention/detention ponds of regional significance, and the location and  
34 size of all drainage pipes and channels of regional significance. The acquisition and construction cost of  
35 such facilities shall be estimated, and shall be apportioned by an assessment formula against all  
36 undeveloped property in the drainage basin which may be expected to contribute storm water to the  
37 regional system at the time such property is developed. The assessment formula shall be based upon an  
38 average impact analysis, but shall be subject to change on a case-by-case basis if an exceptional impact or  
39 lack of an impact is proven with respect to a particular project. The facilities plan for each basin shall be  
40 adopted by reference, by resolution of the city council. ~~The assessment formula for each basin and sub-~~  
41 ~~basin shall be adopted by ordinance of the city council and incorporated into this chapter.~~ (Ord. 2245 § 5,  
42 1999).

43 **14.18.040 Inflation factor.**

44 If certain regional drainage facilities are not constructed for a period of several years after the plan for  
45 the same is prepared and adopted, it is possible that the cost estimates of the public works director or  
46 designee, and the assessment formula based thereon, will require adjustment to reflect the inflation factor.  
47 If this is the case, the assessment formula may be amended by ordinance of the city council; provided,  
48 that no such amendment shall retroactively apply to any property which has already paid its assessments  
49 to the city. (Ord. 2245 § 5, 1999).

50 **14.18.050 Assessments on properties outside of city limits.**

51 Because the city has no jurisdiction to levy its assessments against properties which are located within a  
52 portion of a drainage basin which is outside of the city limits, the city shall attempt to enter into interlocal  
53 agreements with Snohomish County which require the county to pay the city an amount equivalent to the  
54 assessments for such properties. Such interlocal agreements shall be reciprocal, and in cases where the  
55 regional drainage facilities are located in a portion of a basin which is outside of the city limits, the city  
56 will agree to pay the county an amount equivalent to the assessments which it has collected from property  
57 owners within the city's portion of the basin. (Ord. 2245 § 5, 1999).

58 **14.18.060 Construction of regional drainage facilities.**

59 Regional drainage facilities identified in an adopted plan shall be constructed as follows:

60 (1) If such facilities are needed before the property on which they are to be located is ready for a private  
61 development project, the city shall purchase or otherwise acquire the necessary land or easements for the  
62 construction of such facilities. If the facilities are to be located on property which is then being proposed  
63 for a development project, dedication of the necessary land or easements shall be a required condition of  
64 the development project. The reasonable cost of acquisition and/or dedication of land and easements for  
65 regional drainage facilities shall be reimbursed as provided below.

66 (2) Construction of regional drainage facilities shall be scheduled by the public works director or  
67 designee to meet the needs of the sub-basin in question. Ordinarily such construction will be performed  
68 by the developer of the property on which the facilities are to be located as a condition of a development  
69 project. If, however, facilities are needed in a sub-basin before the property on which they are to be  
70 located is proposed for a development project, the city engineer may require developers of other  
71 properties within the sub-basin to construct the facilities as a condition of their projects. In the discretion  
72 of the city engineer, regional drainage facilities may be constructed, or upgraded, in stages by a series of  
73 parties as the sub-basin develops. Any party constructing such a facility shall be reimbursed for the  
74 reasonable costs thereof as provided below.

75 (3) Construction of regional drainage facilities shall be subject to all provisions of Chapters 14.15 and  
76 14.16 MMC, except that provisions for reimbursement of the reasonable costs thereof shall be superseded  
77 by this chapter. (Ord. 2245 § 5, 1999).

78 **14.18.070 Reimbursement rights.**

79 A party who constructs regional drainage facilities required by an adopted storm water drainage plan  
80 shall be entitled to reimbursement of the reasonable costs thereof, including the reasonable value of any  
81 land on which a retention/detention pond is located, on the following terms and conditions:

82 (1) The facilities must have been installed and completed in compliance with requirements of Chapter  
83 14.15 MMC and/or 14.16 MMC, and conveyed to the city of Marysville.

84 (2) The party shall certify in writing all acquisition, engineering and construction costs incurred and  
85 actually paid by him, and shall supply such verification as may be required by the public works director  
86 or designee.

87 (3) Reimbursement shall be allowed for the cost of oversizing regional drainage lines over 18 inches in  
88 diameter, and the cost of making comparably sized open channel improvements. Such reimbursement  
89 shall apply only to material costs, not labor, and shall have a maximum limit of \$15.00 per foot. The  
90 public works director or designee may deny oversizing reimbursement in cases where the size of the lines  
91 or channel improvements is required by on-site development conditions, and not by regional  
92 considerations.

93 (4) The final reimbursement amount, as determined by the public works director or designee, shall be  
94 paid by the city to the party constructing the drainage facilities, or his assigns. Funds used for such  
95 payments shall be assessments collected by the city from property owners within the subject sub-basin  
96 during the period of five years prior to the date on which the facilities were accepted by the city, and  
97 during the period of 15 years thereafter. The city shall deduct an administrative charge of \$50.00 each  
98 time a reimbursement check is issued. Under no circumstances shall the city be liable for reimbursements  
99 in amounts greater than the total assessments which it has collected from the subject sub-basin. If any  
100 assessments are collected by the city more than 15 years after the drainage facilities are constructed, or if  
101 any assessments have not been disbursed within said period of time, the same shall be kept by the city and  
102 deposited in the city's growth management fund.

103 (5) A party constructing all or any part of approved regional drainage facilities at its own cost, or  
104 dedicating land for the same, shall be granted a credit against drainage assessments which it owes with  
105 respect to property located in the subject sub-basin for the reasonable cost of such facilities and/or land, as  
106 determined by the city engineer. There shall be no right to reimbursement for the amount of said credit.

107 (6) If the city has acquired land and/or constructed drainage facilities at its own cost, it shall be entitled  
108 to reimbursement from the assessments collected from the subject sub-basin, as if it were a private  
109 developer, and such assessments shall be deposited in the city's growth management fund.

110 (7) In the event that more than one party has constructed regional drainage facilities in a single sub-  
111 basin, and each of said parties has been certified by the city engineer as being entitled to reimbursement  
112 from assessments collected by the city from property owners within that sub-basin, reimbursements shall  
113 be paid on the basis of chronological priority. The first drainage facilities which were approved by the  
114 city shall be reimbursed in full before any payments are made for subsequent facilities constructed in the  
115 same sub-basin. (Ord. 2245 § 5, 1999).

116 **14.18.080 Payment of drainage assessments.**

117 Drainage basin assessments in the amount specified in this chapter shall be paid by a property owner  
118 upon the first of the following events to occur:

119 (1) As a condition of final approval of a subdivision;

120 (2) As a condition of final approval of a short subdivision;

121 (3) As a condition of final approval of a binding site plan for any mobile home park, condominium,  
122 planned unit development, industrial park or shopping center;

123 (4) As a condition of any building, grading, paving or other development approval which impacts  
124 drainage runoff.

125 If, after paying an assessment, a parcel of property is rezoned, replatted or otherwise more intensively  
126 developed, the assessment shall be recalculated, giving the owner credit for assessments previously paid.  
127 (Ord. 2245 § 5, 1999).

128 **14.18.090 Appeals.**

129 Any party aggrieved by a decision of a city employee in the administration of this chapter may appeal  
130 said decision to the city council. The decision of the city council shall be final. (Ord. 2245 § 5, 1999).

131 ~~14.18.100 Allen Creek drainage basin.~~

132 ~~By Resolution No. 1100 adopted by the city council on July 11, 1983, a storm water drainage plan for~~  
133 ~~the Allen Creek Drainage Basin was approved. Such plan contains sub-basins A through J. By Resolution~~  
134 ~~No. 1159 adopted by the city council on March 11, 1985, an interlocal agreement with Snohomish County~~  
135 ~~was approved relating to cost sharing for those sub-basins which are partly in the city and partly in the~~  
136 ~~county. The following assessments are adopted for all properties within the city limits which are included~~  
137 ~~in the Allen Creek Drainage Basin, and any of its sub-basins:~~

138 ~~(1) Single family residential property: \$450.00 per single family house or duplex.~~

139 ~~(2) Agricultural property, parks and open space: \$0.00, but \$425.00 will be assessed for the total of all~~  
140 ~~normal accessory buildings on the property, if any.~~

141 ~~(3) Multiple residential property: \$2,835 per acre, but not less than \$425.00.~~

142 ~~(4) Business, commercial and industrial property: \$3,035 per acre, but not less than \$425.00. (Ord. 2245~~  
143 ~~§ 5, 1999).~~

144 **14.18.110 Marysville area regional storm water ponds and conveyance systems.**

145 In addition to any other requirements of the Marysville Municipal Code, and in particular Chapters  
146 14.16 and 14.18 MMC, the following policies, procedures and priorities are hereby established for  
147 connection to and use of all Marysville area regional storm water ponds and conveyance systems which  
148 are now or hereafter constructed by the city of Marysville:

149 (1) Regional storm water ponds and conveyance systems shall only be used to receive waters from  
150 commercial or industrial development on properties bearing the zoning designations of community  
151 business, general commercial, mixed use, light industrial or business park.

152 (2) Connection to and discharge into any regional storm water pond and conveyance system shall not be  
153 made, until the applicant has been issued a building permit for commercial or industrial development on a  
154 property bearing one or more of the zoning designations referenced in subsection (1) of this section.

155 (3) All regional storm water ponds and conveyance systems have a limited capacity. Acceptance of an  
156 application and discharge into the system shall be contingent upon available capacity. Applications shall  
157 be given priority based upon the date the initial deposit has been received as referenced in subsection (5)  
158 of this section by the city.

159 (4) A fee for connection to all regional storm water drainage facilities shall be established by the city  
160 engineer. Said fee shall be determined by calculating the total cost of the detention facility and dividing  
161 said cost by the cubic feet of as-built capacity. Total cost shall include land acquisition, design,  
162 construction, construction management, city staff overhead and environmental/ecological mitigation.

163 (5) All properties qualifying to connect to a regional storm water drainage facility shall pay a  
164 nonrefundable 10 percent deposit for the connection fee at the time of city receipt of an application for  
165 connection to the regional storm water facility following the effective date of the ordinance codified in  
166 this section. Said application shall describe the property to be served by the regional storm water facility,  
167 the proposed development, and the storage volume requested. An additional 10 percent refundable deposit  
168 shall be paid at the time of city receipt of any building permit application on the described property which  
169 must be within 120 days of the city receipt of the approved regional pond application or right to capacity  
170 within the storm water drainage facility shall be forfeited. The balance of the fee shall be paid at the time  
171 of issuance of the first building permit for the property to be served. If a building permit has not been  
172 issued within 120 days of the city receipt of a building permit application the right to capacity within the  
173 storm water drainage facility shall be forfeited. The city may grant a time extension of up to 120 days for  
174 building permit if substantial progress has been made by the applicant to complete design and  
175 construction plans to receive permit approval.

176 ~~(6) Nontransferability. All rights conferred by this section shall inure solely to the development~~  
177 ~~applicant and shall not be transferable, sold, assigned or in any way conveyed to any third party. Said~~  
178 ~~rights shall not run with the land and shall inure solely to the benefit of the development applicant. (Ord.~~  
179 ~~2552 § 1, 2004).~~

CITY OF MARYSVILLE  
Marysville, Washington

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY OF MARYSVILLE ENCOURAGING THE CITIZENS OF MARYSVILLE TO VOTE ON MARYSVILLE SCHOOL DISTRICT PROPOSITIONS NO. 1 & 2 ON THE ELECTION BALLOT ON FEBRUARY 9, 2010.

WHEREAS, it has come to the City Council's attention that the Marysville School District has placed before the voters on February 9, 2010 Propositions No. 1 & 2 relating to general obligation bonds for school district improvements and equipment and a replacement school support levy for educational funding; and

WHEREAS, the Mayor and Marysville City Council wish to urge voters to vote on the primary ballot on February 9, 2010 regarding Marysville School District Propositions No. 1 & 2.

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

The Mayor and City Council of the City of Marysville do hereby urge all registered voters within the Marysville School District boundaries to carefully consider Propositions No. 1 & 2 of the Marysville School District and to vote in the February 9, 2010 election. The Ballot Measures read as follows:

**MARYSVILLE SCHOOL DISTRICT No. 25  
PROPOSITION NO. 1**

**GENERAL OBLIGATION BONDS - \$78,000,000**

**The Board of Directors of Marysville School District No. 25 adopted Resolution No. 2010-3 concerning this proposition for bonds. The proposition would authorize the District to replace and equip two elementary schools and a middle school; acquire new and renovate existing technology facilities; and other capital improvements; to issue \$78,000,000 of general obligation bonds maturing within a maximum of 20 years; and collect excess property taxes annually to repay the bonds, as provided in this Resolution. Should this proposition be:**

**APPROVED?.....**  
**REJECTED?.....**

**MARYSVILLE SCHOOL DISTRICT No. 25  
PROPOSITION NO. 2**

**REPLACEMENT SCHOOL SUPPORT LEVY**

**The Board of Directors of Marysville School District No. 25 adopted Resolution No.**

RESOLUTION -1

W/mv/res.vote MVSD No 25 ballot propositions 1&2

**2010-4 concerning educational funding. This proposition would authorize the District to levy the following excess taxes on all taxable properties within the**

**District. This proposition replaces an expiring levy and will be used for education support and operations:**

| <b>Collection Years</b> | <b>Estimated Levy Rates/\$1,000 Assessed Value</b> | <b>Levy Amount</b>  |
|-------------------------|--|---------------------|
| <b>2011</b>             | <b>\$3.15</b>                                      | <b>\$21,225,000</b> |
| <b>2012</b>             | <b>\$3.15</b>                                      | <b>\$22,286,000</b> |
| <b>2013</b>             | <b>\$3.15</b>                                      | <b>\$23,400,000</b> |
| <b>2014</b>             | <b>\$3.15</b>                                      | <b>\$24,574,000</b> |

**Should this proposition be approved?**

**YES.....**   
**NO.....**

PASSED by the City Council and APPROVED by the Mayor this \_\_\_\_ day of \_\_\_\_\_, 2010.

CITY OF MARYSVILLE

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

ATTEST:

By \_\_\_\_\_  
 TRACY JEFFRIES, City Clerk

Approved as to form:

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



CITY OF MARYSVILLE

Marysville, Washington

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY OF MARYSVILLE ENCOURAGING THE CITIZENS OF MARYSVILLE TO VOTE IN SUPPORT OF MARYSVILLE SCHOOL DISTRICT PROPOSITIONS NO. 1 & 2 ON THE ELECTION BALLOT ON FEBRUARY 9, 2010.

WHEREAS, it has come to the City Council's attention that the Marysville School District has placed before the voters on February 9, 2010 Propositions No. 1 & 2 relating to general obligation bonds for school district improvements and equipment and a replacement school support levy for educational funding; and

WHEREAS, the Mayor and Marysville City Council are entitled to express their collective position on ballot measures in accordance with RCW 42.17.130, which requires affording equal opportunity at the meeting for any person to express an opposing view; and

WHEREAS, at the City Council meeting at which this resolution is being considered for adoption, the Council has afforded equal opportunity for any person to express an opposing view; and

WHEREAS, the Mayor and Marysville City Council wish to urge voters to vote in support of the primary ballot on February 9, 2010 regarding Marysville School District Propositions No. 1 & 2.

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

The Mayor and City Council of the City of Marysville do hereby urge all registered voters within the Marysville School District boundaries to carefully consider and vote in support of Propositions No. 1 & 2 of the Marysville School District and to vote in the February 9, 2010 election. The Ballot Measures read as follows:

**MARYSVILLE SCHOOL DISTRICT No. 25  
PROPOSITION NO. 1**

**GENERAL OBLIGATION BONDS - \$78,000,000**

**The Board of Directors of Marysville School District No. 25 adopted Resolution No. 2010-3 concerning this proposition for bonds. The proposition would authorize the District to replace and equip two elementary schools and a middle school; acquire new and renovate existing technology facilities; and other capital improvements; to issue \$78,000,000 of general obligation bonds maturing within a maximum of 20 years; and collect excess property taxes annually to repay the bonds, as provided in this Resolution. Should this proposition be:**

**APPROVED?.....**   
**REJECTED?.....**

**MARYSVILLE SCHOOL DISTRICT No. 25  
PROPOSITION NO. 2**

**REPLACEMENT SCHOOL SUPPORT LEVY**

**The Board of Directors of Marysville School District No. 25 adopted Resolution No. 2010-4 concerning educational funding. This proposition would authorize the District to levy the following excess taxes on all taxable properties within the District. This proposition replaces an expiring levy and will be used for education support and operations:**

| <b>Collection Years</b> | <b>Estimated Levy Rates/\$1,000 Assessed Value</b> | <b>Levy Amount</b>  |
|-------------------------|--|---------------------|
| <b>2011</b>             | <b>\$3.15</b>                                      | <b>\$21,225,000</b> |
| <b>2012</b>             | <b>\$3.15</b>                                      | <b>\$22,286,000</b> |
| <b>2013</b>             | <b>\$3.15</b>                                      | <b>\$23,400,000</b> |
| <b>2014</b>             | <b>\$3.15</b>                                      | <b>\$24,574,000</b> |

**Should this proposition be approved?**

YES.....   
 NO.....

PASSED by the City Council and APPROVED by the Mayor this \_\_\_\_ day of \_\_\_\_\_, 2010.

CITY OF MARYSVILLE

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

ATTEST:

By \_\_\_\_\_  
 TRACY JEFFRIES, City Clerk

Approved as to form:

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