

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

June 7, 2010

City Hall

Call to Order

Pledge of Allegiance

Roll Call

Committee Reports

Presentations

Discussion Items

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

1. Approval of May 17, 2010 City Council Work Session Minutes.
2. Approval of May 24, 2010 City Council Meeting Minutes.

Consent

3. Approval of May 26, 2010 Claims in the Amount of \$674,040.02; Paid by Check No.'s 63183 through 63341 with Check No. 62184 Voided.
4. Approval of June 2, 2010 Claims.
5. Approval of June 5, 2010 Payroll.

Review Bids

Public Hearings

New Business

6. Application for *GA Maxwell's* to Conduct a Special Event from June 18, 2010 through June 20, 2010.
7. Application for Patricia and Eric Schoonmaker, Owners of *Trusty Threads*, to Conduct a Craft Fair on June 26, 2010, July 31, 2010 and August 28, 2010.
8. Amendment No. 1 to Interlocal Agreement between Snohomish County and the City of Marysville Concerning the Coordination of Improvements to 88th Street NE.
9. Marysville Fire District Regional Fire Authority/Annexation.
10. Marysville Fire District Interlocal Agreement Amendment.

Work Sessions are for City Council study and orientation – Public Input will be received at the June 14, 2010 City Council meeting.

Marysville City Council Work Session

June 7, 2010

7:00 p.m.

City Hall

11. An **Ordinance** of the City of Marysville, Washington Amending MMC 18B.14.035 by Adding a New Subsection (4)(e) Relating to Traffic Impact Fee Exemption Refunds.
12. An **Ordinance** of the City of Marysville Amending Section 2.50.090 of the Marysville Municipal Code Relating to City Issued Credit Cards.

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.

COUNCIL



MINUTES

Work Session

May 17, 2010

Call to Order / Pledge of Allegiance

Mayor Kendall called the May 17, 2010 work session of the Marysville City Council to order at 7:00 p.m. at Marysville City Hall and led those present in the Pledge of Allegiance.

Roll Call

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

Mayor: Dennis Kendall

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

Absent: Lee Phillips

Also Present: Chief Administrative Officer Gloria Hirashima, City Attorney Grant Weed, Finance Director Sandy Langdon, Police Chief Rick Smith, Public Works Director Kevin Nielsen, Parks Director Jim Ballew, Assistant Administrative Services Director Tracy Jeffries and Recording Secretary Laurie Hugdahl.

CAO Hirashima stated that Councilmember Phillips had requested an excused absence due to work. **Motion** made by Councilmember Wright, seconded by Councilmember Soriano, to excuse Councilmember Phillips. **Motion** passed unanimously (6-0).

Presentations

A. Snohomish County Transportation Benefit District.

Mayor Kendall referred to a document prepared by City Attorney Grant Weed addressing Council's questions and concerns regarding Transportation Benefit Districts (TBDs). City Attorney Grant Weed then summarized his research contained on the handout regarding types of vehicles that would be subject to the license fee requirement

and the possibility of a refund/rebate for owners of more than a prescribed number of vehicles for which the additional license fee is paid.

Public Works Director Kevin Nielsen reviewed a list of potential TBD fund allocations that staff has compiled. He also discussed various scenarios and their impact on the Pavement Condition Index (PCI). Mayor Kendall asked if these scenarios include the annexed areas. Director Nielsen said that they did not because they can use the 50/50 program there and also because the pavement in those areas is still in pretty good condition. Mayor Kendall asked if these funds can be used for the 50/50 program. Director Nielsen was not sure, but he noted that even without using it for the 50/50 program it could free up other money that could then be used for it. He referred to the graph of 305 Fund - GMA Streets and discussed the need for funding related to this. Other cities are very interested in what Marysville is doing with regard to the TBD the County is considering. Staff is requesting feedback from Council on what they would like to do.

Finance Director Langdon reported that the state has a 1% collection fee for the TBD. Based on state numbers in 2008 and the \$20 fee there would be a range of \$1.125 million to \$694,000 possible collections from the \$20 fee. CAO Hirashima discussed options available to the Council and what other cities are doing. If the Council wants to proceed with this it would require a public hearing.

Councilmember Wright asked about raising the amount to \$25 in order to go out to a vote in order to give the public a say on this. City Attorney Weed explained that anything over \$20 would have to go out to a vote. Councilmember Rasmussen asked if you could go to a vote even if you were under \$20. City Attorney Weed discussed the mechanism that would trigger the requirement of putting this out to a vote.

Councilmember Wright asked if government vehicles would be exempted. Finance Director Langdon explained that they would.

Councilmember Rasmussen asked about the cost of putting this out to the voters. City Attorney Weed replied that it depends when you put it to the voters and what other items are on the ballot. CAO Hirashima thought that it would probably be between \$30,000 and \$50,000. There was discussion about options available to the Council and possible next steps.

Councilmember Seibert asked about collector vehicles that only pay a one-time fee. Finance Director Langdon said it was based just on the annual registration fee so those would be exempt.

Councilmember Seibert asked about using the impact fee to provide a credit to commercial and industrial developments. He asked why commercial and industrial were exempt. Director Nielsen explained that it had to do with concerns about people having to pay twice.

Councilmember Soriano asked: *If the city opts to go with the \$20.01 and it does not pass, does that negate the County's ability to impose the tax on the city?* City Attorney Weed explained that if the City doesn't reach an agreement with the County they cannot collect the funds, but the City also would not benefit from a portion of the funds.

Councilmember Rasmussen thought that people would be more favorable to having local money collected and used for very local projects. She expressed support for putting this out to the voters with clear information to them about the impacts of this and the alternatives.

Councilmember Seibert expressed support for letting the County know that Marysville is planning on forming its own TBD and putting the matter out to a vote. He noted that if we don't try to form our own the County could form one anyway. He discussed possible courses of action if the citizens voted it down.

Councilmember Nehring agreed that going to the voters with information about all the money going to local projects they could have a choice on some major road improvements in the City.

Mayor Kendall summarized that the Council is not interested in being part of the County TBD. He recommended looking into the cost of an election and what possible dates would be.

City Attorney Weed indicated he would look into the possibility of forming this in two steps rather than one step.

Discussion Items

Approval of Minutes

1. Approval of May 3, 2010 City Council Work Session.
2. Approval of May 10, 2010 City Council Meeting.

Consent

3. Approval of May 12, 2010 Claims.
4. Approval of May 19, 2010 Claims.

Review Bids

5. Award the Sunnyside Well 2 Equipping Project.

Director Nielsen stated that there was only one bidder and the bid was quite a bit over the engineers estimate. Staff is talking it over with the bidder.

6. Award HVAC Maintenance and Repair Services.

Director Nielsen stated that the apparent low bidder was Diamond B, which is who they are using right now. The bids look really good for the three-year contract.

New Business

7. Adopt the Surface Water Inspector Job Description and Placement on the Non-Represented, Non-Management Classification Grid.

CAO Hirashima said this is a funded position for Public Works. They needed to go through the classification and compensation analysis because this is the first surface water inspector they have hired. Director Nielsen added that this position is needed for the NPDES Permit for Elicit Discharge and other program needs to meet the federal mandate.

8. Professional Services Agreement between City of Marysville and MWH Americas, Inc. for Design Services on the SR 9 1.8 MG Reservoir Project in the Amount of \$195,602.00.

Director Nielsen said they are designing the second reservoir up there which will service all of the new area.

9. Professional Services Agreement - Supplement No. 2 with BergerABAM on the Lakewood Triangle Access/156th Street Overcrossing Project Providing for a No Cost Extension of the Agreement End Date to December 31, 2010.

This is an extension of the contract date.

10. Interlocal Agreement between the City of Granite Falls and the City of Marysville for Outdoor Video Services.

Parks and Recreation Director Jim Ballew said that staff has offered services to Granite Falls in partnership with their chamber to provide outdoor video servicing at a cost of \$300 per event. This will not impact movies in the city and will help to defray the cost of providing movie nights to Marysville citizens.

11. Approve Stand Permits for the Marysville First Assembly (1 stand), Marysville Kiwanis (6 stands), Mountain View Assembly of God (1stand), and Turning Point Church (1 stand).

Mayor Kendall noted that there is a stand for the Kiwanis stand out in the Lakewood area as well.

Councilmember Rasmussen commented that the Turning Point Church isn't on the list of applicants although it is listed elsewhere. Staff indicated they would correct that.

Councilmember Nehring asked if there was anyone from the annexation area that was turned down. CAO Hirashima said that they were not; she noted that these are on a first come first served.

12. A **Resolution** of the City of Marysville Declaring Certain Items of Personal Property to be Surplus and Authorizing the Sale or Disposal Thereof.

Mayor Kendall reviewed surplus items.

13. An **Ordinance** of the City of Marysville Amending the 2010 Budget and providing for the increase of certain expenditure items as budgeted for in and Amending Ordinance No. 2798.

CAO Hirashima explained that due to the annexation component they had planned on scrutinizing the budget mid-year to see what is working and where adjustments could be used. This proposal has a net impact of zero on the budget. She, Finance Director Langdon, and other department directors discussed details of the proposed amendments.

14. An **Ordinance** of the City of Marysville Amending Section 14.07.070 of the Marysville Municipal Code to Include a Sewer Use Rate Reduction for Commercial Laundries.

Director Nielsen stated that the standard is set at 5% reduction to sewer.

Mayor's Business

- NAMO (North American Motor Officers Association) was in town for four days of competition and training. MPOA was the sponsor and 160 riders participated.
- Thursday night is Mary Swenson's retirement celebration.

Staff Business

Kevin Nielsen:

- He informed Council that batteries had been stolen over the weekend from their garbage trucks.
- Staff spent the weekend dealing with the HVAC issue in the server room.

Sandy Langdon

- Worth, Mike and Marty were very busy over the weekend with the HVAC issue. She thanked them for their work.
- The audit is going very well. They have about 2 ½ more weeks.

Rick Smith

- NAMOA was a great event. There were more participants at this year's conference than they have had in recent years. Everyone thought the venue was outstanding; there were no complaints whatsoever. He thanked Parks, Public Works, Finance, the Mayor and other staff for their assistance with the event. He thanked Lynnwood Police Department and the Tribes for helping out with NAMOA. The Tribes especially were absolutely phenomenal putting this event together.
- Police referred to a recent news story concerning Marysville. They potentially have some video on this and will be following up on that.
- Jarl Gunderson should be here next Monday.
- ZUMBA representatives will also be at the meeting to provide money for the K-9 program.
- There will be no Public Safety meeting this month.

Jim Ballew

- Bid for 116th bridge is down enough to a point where they can act. They have agreed to paint it before the barrier goes up.
- Strawberry Festival is 30 days away. Banners should be up in about 15 days.
- The disc golf course is now a reality. The Eagle Scout, Christian, raised \$6,000 and will break ground on June 12 for a 12-hole course.
- On June 11 there will be a dedication of the Shasta Ridge neighborhood park.
- There is a vacancy on the Park Board which will be posted. It would be nice to have someone from the newly annexed area.

Grant Weed:

- He stated the need to have an Executive Session to discuss pending litigation and a personnel matter. It was expected to last 15 minutes with no action taken.
- The City closed on the acquisition of the property where PEAK engineering was.

Gloria Hirashima:

- She stated that she and the Mayor visited Silicon Energy which is a solar cell manufacturer in Arlington who is relocating to Marysville because they are expanding operations.
- They had a productive meeting with the Chamber and some of the hotel/motel committee members.
- Staff also had a meeting with Fire Chief Greg Corn and Asst. Chief Martin McFalls to begin some discussions on the contract and the Regional Fire Authority.

Call on Councilmembers

Donna Wright had no comments.

John Soriano enjoyed the NAMOA competition. He was impressed with their agility. He was sorry that he missed the law enforcement officers' memorial.

Jeff Vaughan enjoyed the law enforcement officers' memorial.

Carmen Rasmussen:

- She had the opportunity to go to Mountain. View High School to speak to their civics class. She shared with them the efforts of the Eagle Scout, Christian, who single-handedly accomplished a tremendous change in the City. The students were very interested in this.
- She is very appreciative that the budget discussion has been so positive and straightforward.

Jon Nehring asked if there would be a Finance Committee meeting this Wednesday. Finance Director Langdon replied that there would be.

Jeff Seibert:

- It was nice to see the officers from all over the region coming here for NAMOA. There were several from Canada, Oregon, and Idaho.
- He finds it interesting that they have received several calls from annexation area residents who want to get garbage service from the City.

Recess

Mayor Kendall Seibert recessed the meeting at 8:35 p.m. for a short break before reconvening into Executive Session expected to last 15 minutes to discuss one item concerning pending litigation and one item concerning personnel with no action expected.

Executive Session - started at 8:40 p.m.

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

Adjournment

Seeing no further business Mayor Kendall adjourned the meeting at 8:55 p.m.

Approved this _____ day of _____, 2010.

Mayor
Dennis Kendall

Asst. Admin. Svcs. Director
Tracy Jeffries

Call to Order/Pledge of Allegiance/Roll Call	7:00 p.m.
Presentations	
Zumba K9 Program Donation and Recognition.	Presented
May Service Awards.	Presented
USS Ingraham Delegation Welcome.	Presented
Approval of Minutes	
Approval of May 3, 2010 City Council Work Session Minutes.	Approved
Approval of May 10, 2010 City Council Meeting Minutes.	Approved
Consent Agenda	
Approval of May 12, 2010 Claims in the Amount of \$726,173.46; Paid by Check Number's 62850 through 63018 with Check Number 56282 Voided.	Approved
Approval of May 19, 2010 Claims in the Amount of \$726,593.60; Paid by Check Number's 63019 through 63182 with Check Number's 60585, 61801 & 62954 Voided.	Approved
Adoption of the Surface Water Inspector Job Description and Placement on the Non-Represented, Non-Management Classification Grid.	Approved
Authorize the Mayor to Sign the Professional Services Agreement between City of Marysville and MWH Americas, Inc. for Design Services on the SR 9 1.8 MG Reservoir Project in the Amount of \$195,602.00.	Approved
Authorize the Mayor to Sign the Professional Services Agreement - Supplement No. 2 with BergerABAM on the Lakewood Triangle Access/156th Street Overcrossing Project Providing for a No Cost Extension of the Agreement End Date to December 31, 2010.	Approved
Authorize the Mayor to Sign the Interlocal Agreement between the City of Granite Falls and the City of Marysville for Outdoor Video Services.	Approved
Approve Firework Stand Permits for the Marysville First Assembly (1 stand), Marysville Kiwanis (6 stands), and Mountain View Assembly of God (1stand).	Approved
Authorize the Mayor to Sign the First Amendment to Police Chief Employment Contract.	Approved
Approval of May 20, 2010 Payroll in the Amount of \$851,721.97; Paid by Check Number's 22670 through 22741.	Approved
Review Bids	
Award the Sunnyside Well 2 Equipping Project to Pump Tech, Inc. in the Amount of \$79,852.93 Including Washington State Sales Tax and Approve a Management Reserve of \$8,000 for a Total Allocation of \$87,852.93.	Approved
Award HVAC Maintenance and Repair Services to Diamond B Constructors, Inc. in the Amount of \$200,000.00 Including Washington State Sales Tax.	Approved
New Business	
A Resolution of the City of Marysville Declaring Certain Items of Personal Property to be Surplus and Authorizing the Sale or Disposal Thereof.	Approved Res. No. 2287
An Ordinance of the City of Marysville Amending the 2010 Budget and	Approved

Providing for the Increase of Certain Expenditure Items as Budgeted for in and Amending Ordinance No. 2798.	Ord. No. 2822
An Ordinance of the City of Marysville Amending Section 14.07.070 of the Marysville Municipal Code to Include a Sewer Use Rate Reduction for Commercial Laundries.	Approved Ord. No. 2823
Authorize the Mayor to sign the Independent Contractor Caretaker Agreement and Lease Agreement with Jonathan Hines and Amanda Hines for Strawberry Fields Park.	Approved
Mayor's Business	
Staff Business	
Call on Councilmembers	
Adjournment	8:29 p.m.

COUNCIL



MINUTES

Council Meeting

May 24, 2010

Call to Order / Invocation / Pledge of Allegiance

Mayor Kendall called the May 24, 2010 meeting of the Marysville City Council to order at 7:00 p.m. at Marysville City Hall. The invocation was given by Cheryl Robinson, Ordained Reverend. Mayor Kendall led those present in the Pledge of Allegiance.

Roll Call

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

Mayor: Dennis Kendall

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

Also Present: Chief Administrative Officer Gloria Hirashima, City Attorney Grant Weed, Finance Director Sandy Langdon, Police Chief Rick Smith, Public Works Director Kevin Nielsen, Parks Director Jim Ballew and Assistant Administrative Services Director Tracy Jeffries.

Committee Reports

Councilmember Carmen Rasmussen reported on the Parks Advisory Board meeting on May 12 where the following topics were discussed:

- There is relatively little interest in the community for a parks foundation although there was some interest in developing a smaller entity, a 501(c)(3) which would require substantially less money and work to put together.
- There was a report on the mini grants that were given through the Healthy Communities project.
- Healthy Communities Challenge Day will be coming up on June 5.
- There is a need to restart the process again of establishing priorities for the Healthy Communities project.
- The Parks Board approved the submission of a grant to Pepsi for refurbishing and remodeling of the Rotary Ranch to make it more user friendly for a user space.

- Funds have been raised for the 12-hole disc golf course by Christian, the Eagle Scout. Groundbreaking will be held on June 12.
- Establishment of caretakers and the budget amendment for the Bayview Trail were also discussed.
- Allcomers Track Meet will be moved to Lakewood High School this year due to renovation of the track at Pilchuck. It might be nice in the future to have some of the track meet events at Lakewood and some at Marysville Pilchuck to expand the Healthy Communities.
- There was a review of a few Boy Scout Eagle Scout projects that are happening.
- Shasta Ridge Park is almost ready. Ribbon cutting will be on June 11.
- Senior Picnic is on August 10.

Councilmember Carmen Rasmussen reported on the Library Board meeting on May 13:

- They are continuing to work on partnerships through state employment agencies, workshops for job seekers and computer classes.
- The Big Read will have a display case with letters from the Vietnam era.
- Library staff talked about some databases that are available on the Sno-Isle website for do-it-yourself information on small engine repair and auto repair.

Councilmember Jeff Seibert reported on the Solid Waste Advisory Committee meeting on May 12:

- They received an update from staff and SWAC members.
- The Department of Ecology is updating the code for solid waste and recycling.
- The Comprehensive Planning process was discussed.

He also reported on the May 12 Finance Committee meeting where the following topics were discussed:

- New clerk employee.
- Hotel/motel tax distribution - The process by which they assign grants will be reviewed.
- Financial update.
- Fire district agreement was discussed.
- Automated meter update – The doubles are finished.
- Information Services – Public Safety server room was an issue, but has been resolved.

Presentations

A. Zumba K9 Program Donation and Recognition.

Michelle and Page, representatives from the Zumba program, presented Officer Oates with a check for \$1,630 to purchase a dog bite suit. Lt. Darin Rasmussen and Chief Smith thanked and recognized Michelle and Page.

B. May Service Awards.

Kevin Nielsen presented **John Cowling, Assistant City Engineer**, with his 5-year service award.

Gloria Hirashima presented **Paul Rochon, Code Enforcement Officer**, with his 20-year service award.

C. USS Ingraham Delegation Welcome.

Commander Adam J. Welter and Command Master Chief Todd Garchalla presented a PowerPoint presentation sharing what the sailors on the USS Ingraham have been doing to represent the Navy and our nation around the world.

Councilmember Nehring thanked them for coming to the meeting and for their service to the country. He then asked how much training goes into the refueling operation. Commander Welter explained that this is part of their normal training process and spans six to nine months.

Commander Welter commented that he is very excited about the USS Ingraham's relationship with the City of Marysville. He is looking forward to reinvigorating that relationship. He thanked the Council and everyone present for being a great community for the sailors.

Mayor Kendall asked about the average age of the 165 enlisted personnel. Master Chief Garchalla said the average was about 22-24 years old, although there is a range from 17 to 42. Mayor Kendall thanked them for the presentation and for their service.

Audience Participation

Laura Fletcher, 7417 86th PL NE, Marysville expressed concern about foreign language signs in town. She spoke in support of a requirement of having English on all signs and having English larger than any other language.

Councilmember Vaughan thanked Ms. Fletcher for her comments. He discussed his thoughts on this matter as a result of his work on the Graffiti Task Force. He spoke of the importance of having a common language as a culture, but he thinks that allowing information in other languages is an opportunity to help people feel a part of the community and know what is going on. Ms. Fletcher agreed with the importance of allowing people to have their own language on signs, but thought that the English should be there and should be twice as big. This would allow people to still feel welcome, but stress that we are an English-speaking culture. It might even have the side benefit of helping people to learn English.

Councilmember Rasmussen concurred with Councilmember Vaughan and stressed the importance of outreach to Latino and Russian families in particular in our community.

The Council has a strong commitment to business and allowing businesses to have their own marketing strategies without too much control. She spoke in support of allowing businesses to have signs in whatever language they choose. Ms. Fletcher discussed how this panned out in Fremont, California where they had this philosophy and now there are no English signs.

Councilmember Seibert asked CAO Hirashima if the Planning Commission had looked into anything related to languages. She indicated they did not. Councilmember Seibert asked if that was something they would look at if it was passed to them. CAO Hirashima explained that they just adopted a new sign code, but if the Council were to direct them to investigate that issue further they could do that. Councilmember Seibert suggested leaving that as an option for the Council to consider at the next meeting. He thanked Ms. Fletcher for her comments. Ms. Fletcher added that we were all immigrants at one point and that is why she feels so strongly that it is important to include the languages of immigrants; however she stressed that we are an English-speaking culture. That's what ties us together and that's what she wants to protect.

Approval of Minutes

1. Approval of May 3, 2010 City Council Work Session.

Mayor Kendall referred to page 7 or 7, under Recess and noted that this should be corrected to *Mayor Kendall*.

Councilmember Seibert referred to page 6 of 7, under Jeff Seibert's comments, the second bullet, the fourth sentence should end with *Director Nielsen*, not Director Phillips.

Motion made by Councilmember Nehring, seconded by Councilmember Seibert, to approve the May 3, 2010 City Council Work Session Meeting minutes as amended. **Motion** passed (7-0).

2. Approval of May 10, 2010 City Council Meeting.

Motion made by Councilmember Rasmussen, seconded by Councilmember Wright, to approve the May 10, 2010 City Council Work Session Meeting minutes as presented. **Motion** passed (7-0).

Consent

3. Approval of May 12, 2010 Claims in the Amount of \$726,173.46; Paid by Check Number's 62850 through 63018 with Check Number 56282 Voided.
4. Approval of May 19, 2010 Claims in the Amount of \$726,593.60; Paid by Check Number's 63019 through 63182 with Check Number's 60585, 61801 & 62954 Voided.

7. Adoption of the Surface Water Inspector Job Description and Placement on the Non-Represented, Non-Management Classification Grid.
8. Authorize the Mayor to Sign the Professional Services Agreement between City of Marysville and MWH Americas, Inc. for Design Services on the SR 9 1.8 MG Reservoir Project in the Amount of \$195,602.00.
9. Authorize the Mayor to Sign the Professional Services Agreement - Supplement No. 2 with BergerABAM on the Lakewood Triangle Access/156th Street Overcrossing Project Providing for a No Cost Extension of the Agreement End Date to December 31, 2010.
10. Authorize the Mayor to Sign the Interlocal Agreement between the City of Granite Falls and the City of Marysville for Outdoor Video Services.
11. Approve Firework Stand Permits for the Marysville First Assembly (1 stand), Marysville Kiwanis (6 stands), and Mountain View Assembly of God (1stand).
15. Authorize the Mayor to Sign the First Amendment to Police Chief Employment Contract.
17. Approval of May 20, 2010 Payroll in the Amount of \$851,721.97; Paid by Check Number's 22670 through 22741.

Motion made by Councilmember Soriano, seconded by Councilmember Nehring, to approve Consent Agenda items 3, 4, 7, 8, 9, 10, 11, 15 and 17. **Motion** passed unanimously (7-0).

Review Bids

5. Award the Sunnyside Well 2 Equipping Project to Pump Tech, Inc. in the Amount of \$79,852.93 Including Washington State Sales Tax and Approve a Management Reserve of \$8,000 for a Total Allocation of \$87,852.93.

Motion made by Councilmember Nehring, seconded by Councilmember Vaughan, to authorize the Mayor to Award the Sunnyside Well 2 Equipping Project to Pump Tech, Inc. in the Amount of \$79,852.93 Including Washington State Sales Tax and Approve a Management Reserve of \$8,000 for a Total Allocation of \$87,852.93. **Motion** passed unanimously (7-0).

6. Award HVAC Maintenance and Repair Services to Diamond B Constructors, Inc. in the Amount of \$200,000.00 Including Washington State Sales Tax.

Motion made by Councilmember Wright, seconded by Councilmember Rasmussen, to authorize the Mayor to Award the HVAC Maintenance and Repair Services to Diamond

B Constructors, Inc. in the Amount of \$200,000.00 Including Washington State Sales Tax. **Motion** passed unanimously (7-0).

New Business

12. A **Resolution** of the City of Marysville Declaring Certain Items of Personal Property to be Surplus and Authorizing the Sale or Disposal Thereof.

Motion made by Councilmember Nehring, seconded by Councilmember Seibert, to approve **Resolution** #2287. **Motion** passed unanimously (7-0).

13. An **Ordinance** of the City of Marysville Amending the 2010 Budget and Providing for the Increase of Certain Expenditure Items as Budgeted for in and Amending Ordinance No. 2798.

Motion made by Councilmember Rasmussen, seconded by Councilmember Soriano, to approve **Ordinance** #2822. **Motion** passed unanimously (7-0).

14. An **Ordinance** of the City of Marysville Amending Section 14.07.070 of the Marysville Municipal Code to Include a Sewer Use Rate Reduction for Commercial Laundries.

Motion made by Councilmember Wright, seconded by Councilmember Vaughan, to approve **Ordinance** #2823. **Motion** passed unanimously (7-0).

16. Independent Contractor Caretaker Agreement and Lease Agreement with Jonathan Hines and Amanda Hines for Strawberry Fields Park.

Parks and Recreation Director Ballew commented that this was not on the Work Session agenda. It was added to put them to work effective June 1 which will save staff time and resources. The Hines have both acted as substitute caretakers for existing caretakers so staff is confident they will do a good job.

Motion made by Councilmember Seibert, seconded by Councilmember Rasmussen, to authorize the Mayor to sign the Independent Contractor Caretaker Agreement and Lease Agreement with Jonathan Hines and Amanda Hines for Strawberry Fields Park. **Motion** passed unanimously (7-0).

Mayor's Business

- Mary Swenson's retirement party on Thursday was a great event.
- In recognition of Bike-to-Work Day on Friday, he rode a bicycle from the library to Comeford Park in the rain.

Staff Business

Jim Ballew:

- Healthy Communities Challenge Day will be on June 5. They have 82 vendors for the event which will take place from 10 to 4.
- The City received the AWC Municipal Excellence Award for Hometown Spirit for the Healthy Communities Challenge Event and the Healthy Communities Initiative.
- The Healthy Committees Leadership Committee agreed last week that they would go through a restart in September to focus on what they've accomplished and also look at what they can do in the next phase.
- They just received preliminary design for the Bayview Trail.

Rick Smith had no comments tonight.

Kevin Nielsen stated that staff is busy working on summer programs.

Doug Buell reminded everyone about the Boys and Girls Club Open House and Check Presentation on Thursday night at 5:30.

Sandy Langdon stated that they are helping the auditors clean up this week and then they will go back to their office to finish their report. We should hear back from them by mid-June

Grant Weed stated that there was no need for an executive session tonight.

Gloria Hirashima stated that she, the Mayor, and Lt. Goldman met with the owner of JR Phinickey's last week. He had approached staff and given some feedback on some of the security measures that he is employing in his establishment. Staff will continue to monitor this.

Call on Councilmembers

Lee Phillips asked if they could move the discussion regarding the fire district to later in June since he will be out of town until June 8. Councilmember Rasmussen commented that she would prefer to meet on that issue on June 7 because they are under some time constraints.

John Soriano:

- He agreed with the decision of Healthy Communities to restructure the sub-teams as well as the leadership team.
- The fire district had an open house at both Station 66 and 62. One of the items they were promoting was a magnetized pouch called File of Life which contains information about prescription medicines and any other limitations that people within the household may have. He recommended picking up one of these at one of the fire stations.

Carmen Rasmussen expressed appreciation for the staff of the Ingraham coming to let them know what they've been doing and to get to know them a little bit better. She thanked Doug Buell and the Mayor for their continued connection with them. She is looking forward to more cooperation and more events together in the future.

Jon Nehring discussed the *summer smell* he has been noticing. He thanked Doug for the information about who to contact.

Jeff Vaughan said he enjoyed Mary Swenson's retirement function very much.

Donna Wright also enjoyed Mary Swenson's retirement event.

Jeff Seibert:

- He agreed that it was a good event. He appreciated the support from the community and the region.
- He received a letter from Mike and Julie Davis about the quality of the air. He asked about drafting a letter from Marysville City Council to Everett City Council and Everett Planning Department to make them aware of the issues. Mayor Kendall suggested that the City Attorney could look into that. CAO Hirashima thought it was a good idea to contact Everett so they are aware of issues. It was her understanding that Cedar Grove is preparing to submit an application soon to expand their operation. City Attorney Weed indicated that he would assist in drafting a letter. Councilmember Phillips expressed support for a letter, but also asked about the Clean Air Agency. There was discussion about how the Clean Air Agency fits into this.

Adjournment

Seeing no further business Mayor Kendall adjourned the meeting at 8:29 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: June 14, 2010

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

Please see attached.

RECOMMENDED ACTION:

The Finance and Executive Departments recommend City Council approve the **May 26, 2010** claims in the amount of **\$674,040.02** paid by **Check No.'s 63183 through 63341** with Check No. 62184 voided.

COUNCIL ACTION:

BLANKET CERTIFICATION

CLAIMS
FOR
PERIOD-5

I, THE UNDERSIGNED, DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE MATERIALS HAVE BEEN FURNISHED, THE SERVICES RENDERED OR THE LABOR PERFORMED AS DESCRIBED HEREIN AND THAT THE **CLAIMS** IN THE AMOUNT OF **\$674,040.02 PAID BY CHECK NO.'S 63183 THROUGH 63341 WITH CHECK NUMBER 62184 VOIDED** ARE JUST, DUE AND UNPAID OBLIGATIONS AGAINST THE CITY OF MARYSVILLE, AND THAT I AM AUTHORIZED TO AUTHENTICATE AND TO CERTIFY SAID CLAIMS.

Handy Kingdon

5/27/10

AUDITING OFFICER

DATE

MAYOR

DATE

WE, THE UNDERSIGNED COUNCIL MEMBERS OF MARYSVILLE, WASHINGTON DO HEREBY APPROVE FOR PAYMENT THE ABOVE MENTIONED **CLAIMS** ON THIS **26th DAY OF MAY 2010.**

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

DATE: 05/26/2010
TIME: 10:37:00AM

**CITY OF MARYSVILLE
INVOICE LIST**

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63183	AABCO BARRICADE CO INC	VESTS	501.141100.	76.56
63184	ALBERTSONS FOOD CENTER #471	KBSCC SUPPLIES	00105250.531050.	60.13
63185	ALBERTSONS FOOD CENTER #471	INMATE SUPPLIES	00103960.531000.	225.31
63186	AM TEST INC	TOTAL ORGANIC CARBON TESTS	40140780.541000.	20.00
	AM TEST INC	WATER BACTERIOLOGICAL ANALYSIS	40140780.541000.	860.00
63187	AMSAN SEATTLE	DEGREASER	501.141100.	230.39
63188	ARAMARK UNIFORM SERVICES	UNIFORM CLEANING	50100065.526000.	54.03
63189	ASSOCIATED EARTH SCIENCES	PHASE 1 ESA- 7610 47TH AVE	40143780.541000.	2,495.07
	ASSOCIATED EARTH SCIENCES	PHASE 1 ESA- 601 DELTA AVE	40143780.541000.	2,498.67
63190	ASSOCIATED BAG COMPANY	JAIL CLEANING SUPPLIES	00103960.531000.	112.17
63191	KARINE AVAGIMOVA	INTERPRETER SERVICES	00102515.549000.	125.00
63192	JAMES B BALLEW	REIMBURSE BRACKET PURCHASE	00105120.531060.	24.99
63193	BANK OF AMERICA	REIMBURSE PARKING	00105380.549000.	7.00
63194	BANK OF AMERICA	REIMBURSE TRAINING/TRAVEL EXPE	00103121.543000.	537.80
	BANK OF AMERICA		00103740.543000.	477.84
	BANK OF AMERICA		10400022.549000.1004	-495.13
	BANK OF AMERICA		10400022.549000.1004	94.00
	BANK OF AMERICA		10400022.549000.1004	100.00
	BANK OF AMERICA		10400022.549000.1004	395.00
63195	BAXTER AUTO CENTER	BRAKE CLEAN,CLEANING PADS	40142480.548000.	53.27
63196	OWEN EQUIPMENT COMPANY	RONDO JET NOZZLES	40142080.535000.	863.37
	OWEN EQUIPMENT COMPANY		40145040.535000.	863.37
63197	BICKFORD FORD-MERCURY	FUSE PANEL COVER	50100065.534000.	79.93
63198	BLUMENTHAL UNIFORMS & EQUIPMENT	UNIFORM-THOMAS, M	00103222.526000.	96.63
63199	BOB BARKER COMPANY INC	INMATE SUPPLIES	00103960.531000.	279.25
63200	BORDEN, GARRETT	UB 114315000000 4315 103RD PL	401.122110.	89.15
63201	LARRY BUELL	REIMBURSE MILEAGE	00103222.543000.	33.00
	LARRY BUELL	REIMBURSE TRAVEL,MEAL EXPENSE	00103222.543000.	96.21
63202	MARYKE BURGESS	REIMBURSE EAC EVENT SUPPLIES	00100310.549010.	92.34
63203	VICKI CARVER	INSTRUCTOR SERVICES	00105120.541020.	166.60
	VICKI CARVER		00105120.541020.	416.50
63204	CASCADE FASTENER INC	NAIL GUN REPAIR	50200050.535000.	36.10
63205	CASCADE NATURAL GAS	NATURAL GAS @ STILLY	40141580.547000.	2,178.00
63206	CERTIFIED LABORATORIES DIVISION	LUBRICATION	42047165.548000.	233.40
63207	CHAMBERS, LAURA	UB 891049000000 5631 GROVE ST	401.122110.	34.23
63208	CHAMBERS, LAURA	UB 891050000005 5631 GROVE ST	401.122110.	63.91
63209	CHAMPION BOLT & SUPPLY	GLOVES	00105380.531000.	72.60
63210	KARI CHENNAULT	REIMBURSE MILEAGE/LUNCH	40145040.543000.	56.15
63211	CHUCKANUT GOLF CARS INC	CART LEASE	42047267.545000.	380.00
63212	CLEAN CUT TREE & STUMP GRINDING SRVC	DOWN 4 LEANING TREES,CLEAR TRA	00105380.531000.	651.60
63213	COMCAST	GOLF PRO SHOP CABLE	42047267.549000.	69.35
63214	COMMERCIAL FIRE PROTECTION	FIRE EXT SERVICE	501.141100.	36.75
63215	CO-OP SUPPLY	(25) SAND BAGS	00105380.531000.	13.58
	CO-OP SUPPLY	50# BAG CASORON	00105380.531000.	148.77
	CO-OP SUPPLY	CROSSBOW	40142280.531000.	195.47
63216	WA DEPT OF CORRECTIONS	INMATE MEALS	00103960.531250.	1,187.77
	WA DEPT OF CORRECTIONS		00103960.531250.	1,780.60
63217	VONNIE CRAWFORD	INSTRUCTOR SERVICES	00105250.541020.	225.00
63218	WASHINGTON STATE CRIMINAL JUSTICE	SWAT TRAINING-WOOD,SUTHERLAND	10400022.549000.1004	1,200.00
63219	CRYSTAL SPRINGS	WATER DELIVERED/COOLER RENTAL	40142480.531330.	83.02
63220	DATABASE SECURE RECORDS DESTRUCTIO	MONTHLY SHREDDING SERVICE	00100030.541000.	16.45
	DATABASE SECURE RECORDS DESTRUCTIO		00100050.541000.	49.38

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63220	DATABASE SECURE RECORDS DESTRUCTIO	MONTHLY SHREDDING SERVICE	00100310.549000.	19.13
63221	SHEILA DAVIS	INSTRUCTOR SERVICES	00105120.541020.	280.00
63222	DEAVER ELECTRIC	INSTALL POWER TO COPIER ROOM	00103530.541000.	434.40
	DEAVER ELECTRIC	INSTALL EMERGENCY LIGHTS	40143410.541000.	370.43
	DEAVER ELECTRIC		40143780.541000.	530.93
63223	DELL MARKETING LP	REPLACEMENT PC	50350390.535000.RPLC	1,179.97
63224	DICKS TOWING INC	TOWING EXPENSE-MP 10-2954	00103222.531000.	43.44
	DICKS TOWING INC	TOWING EXPENSE-MP 10-2803	00103222.541000.	43.44
	DICKS TOWING INC	TOWING EXPENSE-MP 10-2901	00103222.541000.	43.44
63225	DEBORAH C DIMITRE	INSTRUCTOR SERVICES	00105250.531050.	125.00
63226	DUNLAP INDUSTRIAL	DIE GRINDER,BLADES,MANDREL	50200050.531000.	268.56
63227	E&E LUMBER INC	ANT KILLER,BAIT TRAPS	00103530.531000.	12.89
	E&E LUMBER INC	SAW BLADES	00105250.531000.	22.25
	E&E LUMBER INC	(2) RUBBER MALLET	00105380.531000.	5.41
	E&E LUMBER INC	PVC PIPE,COUPLING,ADAPTER	00105380.531000.	7.14
	E&E LUMBER INC	TAPE DISPENSER	00105380.531000.	13.35
	E&E LUMBER INC	(4) DUCT TAPE	00105380.531000.	23.85
	E&E LUMBER INC	PAINT,ROLLER,BRUSHES	00105380.531000.	84.10
	E&E LUMBER INC	SAW BLADES	40143780.531000.	39.62
	E&E LUMBER INC	TIE WIRE	40143780.563000.	6.71
	E&E LUMBER INC	PARTS FOR STOCK	501.141100.	384.75
	E&E LUMBER INC	VIDEO ARRAIGNMENT SETUP SUPPLI	50300090.531000.	1.40
	E&E LUMBER INC		50300090.531000.	3.69
63228	EDGE ANALYTICAL INC	LAB ANALYSIS	40140780.541000.	84.00
63229	EMERALD HILLS COFFEE SERVICE	COFFEE SUPPLIES	10605250.549000.	94.79
63230	EVERGREEN SAFETY COUNCIL	MEMBERSHIP DUES	00100310.531200.	245.00
63231	FINAL TOUCH FINISHING SCHOOL	INSTRUCTOR SERVICES	00105120.541020.	200.00
63232	MARY FORD	REFUND CLASS FEES	00110347.376009.	40.00
63233	JEFF FRANZEN	REIMBURSE TAC TEAM TRAINING ME	00103222.543000.	75.31
	JEFF FRANZEN	REIMBURSE GLOVES/PERMIT FEES	00103222.549000.	63.87
63234	KELLIE J. FRYMAN	SETTLEMENT AGREEMENT- UTILITY	40141380.548000.M0656	863.25
63235	GENERAL CHEMICAL CORP	ALUM SULFATE 12.216 DRY TON	40142480.531320.	3,343.19
63236	GENERAL CHEMICAL CORP	ALUM SULFATE 12.194 DRY TON	40142480.531320.	3,337.17
63237	GRAINGER INC	LARGE GEAR PULLER	40142480.531000.	257.94
63238	GRANITE CONSTRUCTION COMPANY	PAY ESTIMATE # 19	30500030.563000.R0301	52,633.81
	GRANITE CONSTRUCTION COMPANY		40220594.563000.W0007	11,838.19
	GRANITE CONSTRUCTION COMPANY		40230594.563000.S0701	14,039.14
	GRANITE CONSTRUCTION COMPANY		40250594.563000.D0501	24,111.22
63239	CONTRACTORS SUPPLY CORPORATION	COMBO WRENCH,PLIERS,ADJ WRENCI	40142280.531000.	45.56
63240	GWEN BENNETT	UB 984242000000 5900 64TH ST N	410.122100.	30.78
63241	DAYNA HANSON	REFUND DEPOSIT FOR RENTAL	001.239100.	100.00
63242	TERRY HAWLEY	REIMBURSE TRAVEL/CONF EXPENSE	40143410.543010.	15.30
	TERRY HAWLEY		40143410.549020.	545.00
63243	HD FOWLER COMPANY	TRANSFORMER W/J-BOX	00105380.531000.	71.05
	HD FOWLER COMPANY	END CAP	10110240.531000.	6.83
	HD FOWLER COMPANY	METER BOX COVER	401.141400.	16.27
	HD FOWLER COMPANY	COUPLINGS,BOLT KITS	401.141400.	76.83
	HD FOWLER COMPANY	METER STOPS	401.141400.	115.24
	HD FOWLER COMPANY	METER GASKETS,COUPLINGS,BRASS	401.141400.	323.39
	HD FOWLER COMPANY	COPPER TUBING,BOLT KITS,ADAPTE	401.141400.	372.20
	HD FOWLER COMPANY	ADAPTERS,GASKETS,COUPLING,BRAS	401.141400.	400.88
	HD FOWLER COMPANY	METER SETTER	401.141400.	596.82

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63243	HD FOWLER COMPANY	HARDWARE	40140180.531000.	236.29
	HD FOWLER COMPANY	BUSHING,ELBOWS,COUPLINGS,PVC P	40142480.548000.	31.20
	HD FOWLER COMPANY	WIRE CONNECTORS,COUPLINGS	42047165.531920.	83.15
	HD FOWLER COMPANY	MEASURING TAPES,DUCT TAPE,FLAG	501.141100.	146.95
	HD FOWLER COMPANY	FLAGS,TAPE,WRENCH,TRENCH TOOL	501.141100.	172.23
63244	DICK HERSCH	REFUND CLASS FEES	00110347.376020.	17.00
63245	LETTIE HYLARIDES	INTERPRETER SERVICES	00102515.549000.	108.80
63246	IRON MOUNTAIN QUARRY LLC	ROCK	10110130.531000.	258.84
	IRON MOUNTAIN QUARRY LLC	WASHED CHIPS	10111561.549200.M1002	192.22
	IRON MOUNTAIN QUARRY LLC	ROCK	40145040.531000.	162.65
63247	JUDD & BLACK	(2) MICROWAVES	40143780.531000.	264.98
63248	THE KELLY GROUP INC	(25) HAND HOLE COVERS	101.231700.	-31.39
	THE KELLY GROUP INC		10110463.531000.	396.39
63249	DENNIS KENDALL	REIMBURSE PARKING FEE	00100110.543000.	3.00
63250	KENWORTH NORTHWEST INC	SUSPENSION SPRING KIT	50100065.534000.	1,166.10
63251	KING COUNTY DIST COURT	BAIL POSTED	001.229050.	750.00
63252	KUNG FU NORTHWEST INC	INSTRUCTOR SERVICES	00105120.541020.	474.00
63253	LADY OF LETTERS, INC	MINUTE TAKING SERVICES	00105380.541000.	220.00
63254	LANGUAGE EXCHANGE	INTERPRETER SERVICES	00102515.549000.	316.00
63255	LASTING IMPRESSIONS INC	EMBROIDERY-KING, A	00105380.531000.A1002	20.31
	LASTING IMPRESSIONS INC	STAFF UNIFORMS	42047165.526000.	338.76
	LASTING IMPRESSIONS INC	HATS	501.141100.	396.12
63256	DEPT OF LICENSING	CORT, EDWARD (RENEWAL)	001.237020.	18.00
	DEPT OF LICENSING	MAIER, JAMEN (ORIGINAL)	001.237020.	18.00
	DEPT OF LICENSING	MILLETT, KEVIN (ORIGINAL)	001.237020.	18.00
	DEPT OF LICENSING	VARINDER, DHAMI (ORIGINAL)	001.237020.	18.00
	DEPT OF LICENSING	WANAMAKER, DALLAS (RENEWAL)	001.237020.	18.00
	DEPT OF LICENSING	WRIGHT, JONATHON (ORIGINAL)	001.237020.	18.00
63257	JASON LOE	REFUND SECURITY DEPOSIT	001.239100.	200.00
63258	LOWES HIW INC	AIR CONDITIONER	00100010.531000.	433.31
	LOWES HIW INC		00100010.531000.	433.31
63259	LUMEC	REPLACEMENT LIGHT AND POLE	10110463.548000.	2,504.84
63260	MADONNA MAGPALI	REFUND CLASS FEES	00110347.376009.	54.00
63261	JASON MARTINEZ	REFUND DEPOSIT FOR RENTAL	001.239100.	100.00
63262	MARYSVILLE FLORAL	FLORAL WREATH FOR MEMORIAL	00103010.549000.	144.44
63263	MARYSVILLE PRINTING	BUSINESS CARDS-BUELL, D	00100720.543000.	113.92
	MARYSVILLE PRINTING	SUMMER CAMP FLYERS	00105120.531080.	727.37
	MARYSVILLE PRINTING		00105120.531090.	727.00
	MARYSVILLE PRINTING	ENVELOPES	42047267.531000.	171.11
63264	MARYSVILLE SCHOOL DISTRICT #25	FACILITY USEAGE @ TMS	00105120.531091.	25.50
	MARYSVILLE SCHOOL DISTRICT #25	FACILITY USEAGE @ MMS	00105120.531091.	153.00
63265	CITY OF MARYSVILLE	WTR/SWR/GRB @ 6802 84TH ST NE	42047267.547000.	425.12
63266	MCGREGOR HARDWARE DISTRIBUTION	CYLINDER	00100010.531000.	59.73
63267	MCLOUGHLIN & EARDLEY CORP	STROBE LIGHT AND LIGHTBAR	501.141100.	365.60
	MCLOUGHLIN & EARDLEY CORP		501.231700.	-28.95
63268	MICROFLEX INC	TAX AUDIT PROGRAM	00101023.541000.	50.00
63269	KATALIN MARIETTA MOLNAR	INTERPRETER SERVICES	00102515.549000.	150.00
	KATALIN MARIETTA MOLNAR		00102515.549000.	150.00
63270	SIGNE MOSER	REFUND DEPOSIT FOR RENTAL	001.239100.	100.00
63271	MOTOROLA	RADIO REPAIR	00103222.548000.	426.80
63272	BROOKE MYLOTT	REFUND DEPOSIT FOR RENTAL	001.239100.	100.00
63273	NAMOA	NAMOA GRANT FUNDING	00103222.549000.G1002	2,923.75

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63274	NATIONAL BARRICADE COMPANY	YIELD SIGNS	10111864.531000.	240.72
63275	NEPTUNE TECHNOLOGY GROUP, INC.	AMR SUPPLIES	40140580.531000.	407.72
63276	NEXTEL COMMUNICATIONS	ACCT #844448815	00100020.542000.	40.99
	NEXTEL COMMUNICATIONS		00103010.542000.	40.99
	NEXTEL COMMUNICATIONS		00103010.542000.	40.99
	NEXTEL COMMUNICATIONS		00103010.542000.	40.99
	NEXTEL COMMUNICATIONS		00103010.542000.	40.99
	NEXTEL COMMUNICATIONS		40143410.542000.	40.99
	NEXTEL COMMUNICATIONS		40143410.542000.	81.98
	NEXTEL COMMUNICATIONS		50300090.542000.	81.98
63277	NORTH CENTRAL LABORATORIES	BOD STANDARD, M-FC BROTH	40142480.531330.	275.63
63278	NORTH COAST ELECTRIC COMPANY	SWITCH SELECTOR,PLATE,ENCLOSUR	10110463.531000.	217.36
63279	NORTHUP GROUP	PRE-EMPLOYMENT SCREENING	00103010.541000.	1,360.00
63280	NORTHWEST CASCADE INC	(4) HONEY BUCKET	00105120.531010.	445.50
	NORTHWEST CASCADE INC	(3) HONEY BUCKET	00105120.531030.	313.43
	NORTHWEST CASCADE INC	HONEY BUCKET	00105380.545000.	110.23
63281	NORTHWESTERN AUTO REBUILD INC	PAINT HOOD AREA VEH #P107	50100065.534000.	464.27
	NORTHWESTERN AUTO REBUILD INC	PAINT HOOD AREA VEH #P108	50100065.548000.	594.59
	NORTHWESTERN AUTO REBUILD INC	REPAIR DAMAGE VEH #546	50100065.548000.	922.38
63282	WORTH NORTON	REIMBURSE MTG/MILEAGE/REGISTRA	50300090.531000.	559.81
	WORTH NORTON		50300090.543000.	65.27
63283	OFFICE DEPOT	OFFICE SUPPLIES	00100020.531000.	21.79
	OFFICE DEPOT		00100020.531000.	22.01
	OFFICE DEPOT		00100110.531000.	11.94
	OFFICE DEPOT		00102020.531000.	101.69
	OFFICE DEPOT		00103121.531000.	11.66
	OFFICE DEPOT		00103222.531000.	6.75
	OFFICE DEPOT		00103222.531000.	93.55
	OFFICE DEPOT		00103222.531000.	223.66
	OFFICE DEPOT		00103222.531000.	242.00
	OFFICE DEPOT		00103960.531000.	5.00
	OFFICE DEPOT		00104190.531000.	28.91
	OFFICE DEPOT		00104190.531000.	35.00
	OFFICE DEPOT		00105250.531000.	42.86
	OFFICE DEPOT		00105380.531000.	53.34
	OFFICE DEPOT		40143410.531000.	7.26
	OFFICE DEPOT		40143410.531000.	22.01
	OFFICE DEPOT		50100065.531000.	2.45
	OFFICE DEPOT		50100065.531000.	7.26
	OFFICE DEPOT		50200050.531000.	2.45
	OFFICE DEPOT		50200050.531000.	7.26
63284	OGDEN MURPHY WALLACE PLLC	LEGAL SERVICES	00199513.549000.	891.42
63285	OKANOGAN COUNTY JAIL	INMATE HOUSING	00103960.551000.	23,052.00
63286	PACIFIC NW BUSINESS PRODUCTS INC	TONER	00105380.531000.	214.92
63287	PACIFIC POWER BATTERIES	BATTERIES	00103222.531000.	45.35
	PACIFIC POWER BATTERIES		10111864.531000.	81.45
63288	PACIFIC POWER PRODUCTS	BLADES	42047165.548000.	334.82
63289	PACIFIC TOPSOILS INC	CONCRETE DUMP	10110361.531000.	70.80
	PACIFIC TOPSOILS INC		10110361.531000.	86.50
	PACIFIC TOPSOILS INC		10110361.531000.	103.80
	PACIFIC TOPSOILS INC		40140580.531000.	70.80
	PACIFIC TOPSOILS INC		40140580.531000.	86.50

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63289	PACIFIC TOPSOILS INC	CONCRETE DUMP	40140580.531000.	103.80
63290	THE PARTS STORE	AIR,FUEL FILTERS,BUNGEE CORDS,	501.141100.	180.53
	THE PARTS STORE	RELAY	50100065.534000.	14.81
	THE PARTS STORE	BRAKE PADS,FR WHEEL SEAL	50100065.534000.	36.07
63291	PAYDIRT, LLC	TRENCH BOX	40142480.548000.	570.15
63292	PETROCARD SYSTEMS INC	FUEL CONSUMED	00100020.532000.	79.70
	PETROCARD SYSTEMS INC		00102020.532000.	516.33
	PETROCARD SYSTEMS INC		00103222.532000.	5,156.44
	PETROCARD SYSTEMS INC		00105380.532000.	891.02
	PETROCARD SYSTEMS INC		10111230.532000.	1,675.86
	PETROCARD SYSTEMS INC		40143880.532000.	4,297.98
	PETROCARD SYSTEMS INC		40145040.532000.	46.54
	PETROCARD SYSTEMS INC		41046060.532000.	3,244.67
	PETROCARD SYSTEMS INC		50100065.532000.	72.73
	PETROCARD SYSTEMS INC		50200050.532000.	238.19
63293	PICK OF THE LITTER DESIGN, INC.	BANNERS	00105090.531000.0811	125.00
	PICK OF THE LITTER DESIGN, INC.	(100) POSTERS	00105090.531000.0811	273.67
	PICK OF THE LITTER DESIGN, INC.	BANNERS	00105090.531050.	317.55
	PICK OF THE LITTER DESIGN, INC.	MINI BROCHURES	00105120.531060.	1,686.56
63294	PLATT- EVERETT	GEL PACKS	40140580.531000.	2,052.96
63295	PNWS-AWWA	2010 WESTERN WA SHORT SCHOOL-B	40143410.549030.	155.00
	PNWS-AWWA	2010 WESTERN WA SHORT SCHOOL-E	40143410.549030.	155.00
	PNWS-AWWA	2010 WESTERN WA SHORT SCHOOL-G	40143410.549030.	155.00
63296	PREMIER CATHODIC PROTECTION	CATHODIC PROTECTION SURVEY	40140080.548000.	1,086.00
63297	PRODUCE FOR BETTER HEALTH	HEALTHY COMM/HOMEGROWN BALL	001.231700.	-5.13
	PRODUCE FOR BETTER HEALTH		00105090.531050.	64.78
63298	PUGET SOUND SECURITY PATROL INC.	SECURITY SERVICES	00100030.541000.	820.64
	PUGET SOUND SECURITY PATROL INC.		00100050.541000.	2,461.92
63299	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #2014-6303-1	00100010.547000.	2,852.31
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #2020-0032-9	00105380.547000.	46.34
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #2023-6855-1	00105380.547000.	176.63
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #2010-6528-1	00105380.547000.	184.33
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #2010-2169-8	00105380.547000.	430.09
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #2010-2160-7	00105380.547000.	576.80
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #2020-0499-0	00112572.547000.	2,913.96
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #2030-0516-0	10110463.547000.A1601	76.10
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #2031-9973-2	10111864.547000.	83.80
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #2023-6854-4	10111864.547000.	143.41
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #2020-0351-3	40140180.547000.	257.11
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #2011-4725-3	40140180.547000.	429.34
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #2015-7792-1	40140180.547000.	1,799.25
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #2003-0347-7	40141580.547000.	1,398.86
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #2005-8648-5	40142280.547000.	1,114.23
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #2016-7563-4	40142480.547000.	899.66
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #2020-7500-8	40142480.547000.	5,018.44
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #2014-2063-5	40142480.547000.	7,850.46
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #2017-2118-0	40142480.547000.	19,036.43
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #2008-2454-8	40143780.547000.	1,325.54
63300	RADIOSHACK	SIGNAL CONTROLLER/COMP COMM M	10111864.531000.	103.34
63301	RENTAL MANAGEMENT COMPANY	UB 757414490000 7414 49TH PL N	401.122110.	225.06
63302	CHRISTINE ROGERS	REFUND DEPOSIT FOR RENTAL	001.239100.	100.00
63303	SUNGA ROSE	ENTERTAINMENT-KBSCC	00105250.531050.	100.00

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 05/20/2010 TO 05/26/2010

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
63304	S&S WORLDWIDE INC	2010 SUMMER CAMP SUPPLIES	001.231700.	-54.34
	S&S WORLDWIDE INC		00105120.531080.	686.11
63305	SCIENTIFIC SUPPLY & EQUIPMENT INC	PVC TUBING	40142480.531400.	139.00
	SCIENTIFIC SUPPLY & EQUIPMENT INC	MEMBRANE FILTER,FILTER PAPER	40142480.531400.	392.06
63306	JUANITA F. WADE	FLAGS	420.231700.	-37.29
	JUANITA F. WADE		42047165.531910.	470.79
63307	SIX ROBBLEES INC	TRAILER TONGUE JACK	50100065.534000.	87.58
63308	LEE ROY & LINDA LOU SMITH	SETTLEMENT AGREEMENT-UTILITY E	40141380.548000.M0656	3,400.00
63309	SMOKEY POINT CONCRETE	CONCRETE	10111561.549200.M1002	418.11
	SMOKEY POINT CONCRETE		10111561.549200.M1002	763.46
63310	SMOKEY POINT CONCRETE		10110240.531000.	186.93
	SMOKEY POINT CONCRETE		40140980.531000.	186.93
63311	SOUND PUBLISHING INC	CALL FOR BIDS AD	40200034.560000.W0705	35.92
	SOUND PUBLISHING INC		40220594.563000.W0607	212.41
	SOUND PUBLISHING INC		40230594.563000.S R&R	71.84
63312	SOUND SAFETY PRODUCTS CO INC	BOOTS,JACKET	00105380.531000.A1002	185.59
	SOUND SAFETY PRODUCTS CO INC	SAFETY GLASSES,HEADGEAR,GLOVES	501.141100.	116.97
	SOUND SAFETY PRODUCTS CO INC	T-SHIRTS,SWEATSHIRTS	501.141100.	202.00
63313	SPRINGBROOK NURSERY	5/8" GRAVEL	00105380.531000.	19.92
63314	SRV CONSTRUCTION	PAY ESTIMATE # 2	30500030.563000.R0502	342,950.52
63315	STATE AVENUE PLAZA, LLC	MONTHLY LEASE PAYMENT-1015 STA	00101250.545000.	28,000.00
63316	WASHINGTON STATE PATROL	FINGERPRINTING ID SERVICES	001.237100.	558.25
63317	STRATEGIES 360 INC	PROFESSIONAL SERVICES	00100110.541000.	27.00
	STRATEGIES 360 INC		10111230.541000.	3,750.00
	STRATEGIES 360 INC		40143410.541000.	3,750.00
63318	JESSICA SUTTIE	REFUND DEPOSIT FOR RENTAL	001.239100.	100.00
63319	SWANK MOTION PICTURES, INC	MOVIES-2010 MOVIES IN THE PARK	00105120.531060.	1,879.61
63320	TESSCO TECHNOLOGIES	PARTS FOR VEH # V019 & H011	50100048.564000.	94.78
63321	TIRE DISTRIBUTION SYSTEMS	(6) TIRES	50100065.534000.	1,146.04
63322	TRAFFIC SAFETY SUPPLY CO INC	(20) WARNING FLAGS	10111864.531000.	84.01
63323	TRAVEL ADVANCE FUND	SWAT BASIC-WOOD, J	00103222.543000.	246.00
63324	TRAVEL ADVANCE FUND	SWAT BASIC-SUTHERLAND, C	00103222.543000.	246.00
63325	MARITZA TURK	REFUND DEPOSIT FOR RENTAL	001.239100.	100.00
63326	UNITED PARCEL SERVICE	SHIPPING EXPENSE	40140880.531000.	12.77
	UNITED PARCEL SERVICE	CREDIT FOR DUPLICATE CHARGE	40142080.531000.	-6.33
	UNITED PARCEL SERVICE	SHIPPING EXPENSE	40143780.541000.	69.28
63327	UNITED PIPE & SUPPLY INC	BRASS PARTS	40140580.531000.	74.97
	UNITED PIPE & SUPPLY INC	2" SETTER	40140580.531000.	601.20
	UNITED PIPE & SUPPLY INC	ANGLE BALL VALVES	40140580.531000.	715.90
63328	UNITED RENTALS	COMPRESSOR AND JACK HAMMER RE	10110070.549200.M1004	163.49
63329	VALLEY FREIGHTLINER INC	RIGHT DOOR PARTS-VEH # H002	50100065.534000.	38.18
	VALLEY FREIGHTLINER INC	DOOR LATCH KIT	50100065.534000.	568.67
63330	VERIZON NORTHWEST	BLACKBERRY CHARGES	00100020.542000.	54.46
	VERIZON NORTHWEST		00100050.542000.	54.46
	VERIZON NORTHWEST		00100110.542000.	163.38
	VERIZON NORTHWEST		00100310.542000.	54.46
	VERIZON NORTHWEST		00101023.542000.	54.46
	VERIZON NORTHWEST		00101320.542000.	108.92
	VERIZON NORTHWEST		00103010.542000.	54.46
	VERIZON NORTHWEST		00105380.542000.	54.46
	VERIZON NORTHWEST		40143410.542000.	54.46
63331	VERIZON NORTHWEST	ACCT #771271033-00002	00105515.531000.	119.63

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 05/20/2010 TO 05/26/2010

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
63331	VERIZON NORTHWEST	ACCT #771271033-00002	40143410.531000.	268.02
63332	LAI GINGER WANG	INTERPRETER SERVICES	00102515.549000.	150.00
63333	WATER ENVIRONMENTAL FEDERATION	WEF MEMBERSHIP-BYDE, D	40143410.549000.	70.00
63334	WAXIE SANITARY SUPPLY	TISSUE DISPENSER	00105380.531000.	180.79
63335	TERESA WELLS	REFUND CLASS FEES	00110347.376004.	26.31
63336	WEST PAYMENT CENTER	WASHINGTON ANNOTATED SUBSCRIP	00100030.531000.	808.00
63337	WESTERN PETERBILT INC	ELECTRIC WATER VALVE	50100065.534000.	139.65
63338	WHIDBEY ISLAND BANK	ESCROW RETAINAGE-PAY ESTIMATE	30500030.563000.R0502	18,050.03
63339	ALEX WIERSMA	REIMBURSE TRAVEL/MEAL EXPENSE	00103121.543000.	121.29
63340	LAUREN M. WOODMANSEE	INSTRUCTOR SERVICES	00105120.541020.	306.00
	LAUREN M. WOODMANSEE		00105120.541020.	382.50
	LAUREN M. WOODMANSEE		00105120.541020.	401.20
63341	BRAD ZAHNOW	REIMBURSE DOH EXAM FEES	40143410.549000.	172.00

WARRANT TOTAL: 674,461.51

VOID

CHECK # 62184 CHECK LOST IN MAIL (421.49)

REASON FOR VOIDS:

- INITIATOR ERROR
- WRONG VENDOR
- CHECK LOST IN MAIL

674,040.02

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: June 14, 2010

AGENDA ITEM: Approval of Special Event Application; <i>GA Maxwell's</i>	AGENDA SECTION: Consent	
PREPARED BY: Carol Mulligan, Program Specialist	AGENDA NUMBER:	
ATTACHMENTS: 1. Copy of Special Event Permit Application including site plan. 2. Certificate of Liability Insurance. 3. MMC 5.46 "Special Events".	APPROVED BY:	
	MAYOR	CAO
BUDGET CODE:	AMOUNT:	

GA Maxwell's (1204 – 3rd Street) has submitted an application to obtain a permit to conduct an outdoor dining / entertainment weekend during the *Marysville Strawberry Festival / Fathers' Day* weekend, June 18 – June 20, 2010. The applicant is proposing the use of their parking lot located east of the restaurant for this purpose, while utilizing their secondary lot located across the street at 1205 – 3rd Street for customer parking. Additionally, applicant has stated that they have obtained all necessary approvals and licenses from both the *Snohomish County Health District* and the *Washington State Liquor Control Board*. The Community Development Staff has reviewed all related department comments and determined that this application has been submitted in its entirety and to the satisfaction of all said departments.

RECOMMENDED ACTION: The Community Development Staff recommends City Council approve the application for <i>GA Maxwell's</i> to conduct a special event as described above from June 18 th through June 20 th , 2010.
COUNCIL ACTION:



City of Marysville
 80 Columbia Avenue
 Marysville, WA 98270
 (360) 363-8100

APPLICATION FOR SPECIAL EVENT PERMIT
 \$25.00 NON-REFUNDABLE APPLICATION FEE
 Additional Information or requirements may be requested
 Please allow 3 - 4 weeks for processing

NAME OF SPONSORING ORGANIZATION AND/OR INDIVIDUAL REPRESENTATIVE:

GA MAXWELL'S

ADDRESS: 1204 - 3RD ST. NE MARYSVILLE, WA. 98270

TELEPHONE NUMBER: (360) 659-1000

PURPOSE OF EVENT: OUTDOOR DINING / ENTERTAINMENT
FOR STRAWBERRY FESTIVAL / FATHER'S DAY
WEEKEND.

INSURANCE COMPANY:

(Please attach a copy of Proof of Insurance naming the City of Marysville as co-insured.)

PROPOSED DATE OF EVENT: JUNE 18, 19, 20 2010

LOCATION: PARKING LOT - EAST SIDE OF BUILDING

HOURS OF OPERATION: FRI. 3PM - 11 PM SAT. 10AM - 11 PM SUN. 10AM - 7AM

SCHEDULE OF EVENTS: "LIVE MUSIC" → FRI. 8PM - 11PM SAT. 3PM - 6PM / 8PM - 10PM

ESTIMATED ATTENDANCE: 100 PEOPLE

SPECIAL FACILITY REQUIREMENTS: N/A

CITY ASSISTANCE REQUIRED: N/A

Received

MAY 19 2010

City of Marysville
 Community Development

Pat Lawrence Anderson
 SIGNATURE OF APPLICANT

5/17/10
 DATE

FOR INTERNAL USE ONLY

DEPARTMENT	Y/N CONDITION	DATE	INITIALS	REMARKS
City Clerk				
Fire District				
Parks & Recreation				
Planning				
Police				
Public Works				
Sanitation				
Streets				

PROPOSAL FOR SPECIAL EVENT PERMIT

LOCATION: GA MAXWELL'S
1204 3RD ST
MARYSVILLE, WA 98270
(360) 659-1000

Received

MAY 19 2010

City of Marysville
Community Development

DATE: JUNE 18 – 20TH, 2010

EVENT:

STRAWBERRY FESTIVAL WEEKEND AND FATHER'S DAY

PURPOSE:

TO EXTENDED OUR FAMILY DINING EXPERIENCE
OUTSIDE TO OUR PARKING LOT

SIZE: SEE ATTACHED DIAGRAM

HOURS OF OPERATION:

FRI. JUNE 18TH - 3PM – 11PM
SAT. JUNE 19TH – 10AM – 11PM
SUN. JUNE 20TH – 10AM – 7PM

STAFF: STAFF WILL INCLUDE 14 EMPLOYEES DAILY

FOOD SERVICE:

FOOD SERVICE WILL MEET SNOHOMISH CO. HEALTH
DEPT. REQUIREMENTS

FOOD PLAN:

FRI – SUN OYSTERS ON THE BBQ
BBQ PULLED PORK SANDWICHES SERVED
WITH POTATO SALAD AND BAKED BEANS
HOT DOGS AND CHILI
CORN ON THE COBB

**SAT. 12PM – 3PM ONLY – RIBEYE STEAKS SERVED
WITH RED POTATOES & CORN ON THE COBB**

BEVERAGE PLAN:

BEVERAGES SERVED WILL MEET ALL SNOHOMISH COUNTY HEALTH CODES AND WASHINGTON STATE LIQUOR BOARD REQUIREMENTS & HAS ALREADY BEEN APPROVED BY THE LIQUOR CONTROL AGENT, TROY MC CALLISTER.

PARKING:

TAKING AWAY 14 PARKING STALLS FROM THE EAST SIDE OF THE BLDG. AND WILL HAVE CUSTOMERS PARK IN OUR NORTH LOT WHICH HAS 26 PARKING STALLS PLUS 4 PARKING STALLS ON THE SOUTH SIDE OF THE BLDG. STREET PARKING IS ALSO AVAILABLE FOR 42 PARKING SPACES ON THE WEST AND NORTH SIDE OF THE BLDG.

MISC. SUPPLIES WILL INCLUDE GARBAGE CANS, TABLES, CHAIRS, FENCING (PER LIQUOR CONTROL BOARD REQUIREMENTS WHICH HAS ALREADY BEEN APPROVED) AND HAND WASHING STATION PER HEALTH CODE.

N
W + E
S

3RD ST.

--- = FENCING

RAMP TO RESTAURANT
UPSTAIRS

57 FT

RAMP TO
DOWNSTAIRS

RESTAURANT

BEVERAGE
SERVICE

PROPOSED
DIAGRAM
FOR OUTDOOR
DINING
(EXISTING PARKING LOT)

123 FT

Received

MAY 19 2009

City of Marysville
Community Development

TO
HAND
WASH
STATION
FOOD
SERVICE
TABLES

BBQ

RAMP TO BACK
OF RESTAURANT

EXISTING
FIX.

BAND

53 FT

ALLEY

Approved 5/18/10
[Signature]

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
05/19/2010

PRODUCER Unico Insurance Agency, Inc 19011 Woodinville - Snohomish Road NE Suite 270 Woodinville WA 98072	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.												
INSURED GA Maxwell 1204 3rd St Marysville WA 98270	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 70%;">INSURERS AFFORDING COVERAGE</th> <th style="width: 30%;">NAIC #</th> </tr> <tr> <td>INSURER A: Oregon Mutual Insurance Co</td> <td></td> </tr> <tr> <td>INSURER B:</td> <td></td> </tr> <tr> <td>INSURER C:</td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> </table>	INSURERS AFFORDING COVERAGE	NAIC #	INSURER A: Oregon Mutual Insurance Co		INSURER B:		INSURER C:		INSURER D:		INSURER E:	
INSURERS AFFORDING COVERAGE	NAIC #												
INSURER A: Oregon Mutual Insurance Co													
INSURER B:													
INSURER C:													
INSURER D:													
INSURER E:													

COVERAGES
 THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR	ADD'L	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS	
X		GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Liquor Liability <input checked="" type="checkbox"/> WA Stop Gap GEN'L AGGREGATE LIMIT APPLIES PER. <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	BSP706109	09/11/09	09/11/10	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000	
		AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS	<div style="border: 1px solid black; padding: 10px; width: fit-content; margin: auto;"> <p style="font-size: 24px; font-weight: bold; margin: 0;">Received</p> <p style="font-size: 18px; margin: 0;">MAY 19 2009</p> <p style="margin: 0;">City of Marysville Community Development</p> </div>				COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
		GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN EA ACC \$ AUTO ONLY. ACC \$	
		EXCESS / UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE DEDUCTIBLE RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$	
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory In NH) <input type="checkbox"/> Y/N If yes, describe under SPECIAL PROVISIONS below				<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input checked="" type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$	
		OTHER					

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS
 City of Marysville is named additional insured as respects their interest in the operations of the named insured for use of streets, public rights of way and publicly owned property

CERTIFICATE HOLDER City of Marysville and its Officers, Employees and Agents 80 Columbia Ave Marysville, WA 98270 Phone: Fax:	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL <u>45</u> DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES. AUTHORIZED REPRESENTATIVE
--	--

IMPORTANT

If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

DISCLAIMER

This Certificate of Insurance does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder, nor does it affirmatively or negatively amend, extend or alter the coverage afforded by the policies listed thereon.

Chapter 5.46

SPECIAL EVENTS

Sections:

- 5.46.010 Definitions.
- 5.46.020 Permit required.
- 5.46.030 Permit application.
- 5.46.040 Approval.
- 5.46.050 Fees.
- 5.46.060 Departmental analysis.
- 5.46.070 Insurance required.
- 5.46.080 Denial of permit.
- 5.46.090 Appeal.
- 5.46.100 Sanitation.

5.46.010 Definitions.

(1) "Special events" include any event which is to be conducted on public property or on a public right-of-way; and, also, any event held on private property which would have a direct significant impact on traffic congestion; or traffic flow to and from the event over public streets or rights-of-way; or which would significantly impact the need for city-provided emergency services such as police, fire or medical aid. It is presumed that any event on private property which involves an open invitation to the public to attend or events where the attendance is by private invitation of 100 or more people are each presumed to be an event that will have a direct significant impact on the public streets, rights-of-way or emergency services. Special events might include, but not be limited to, fun runs, roadway foot races, fundraising walks, auctions, bikeathons, parades, carnivals, shows or exhibitions, filming/movie events, circuses, block parties, markets, sporting events and fairs. (Ord. 2099 § 1, 1996).

5.46.020 Permit required.

(1) No person or organization shall conduct a special event that affects the customary and ordinary use of public streets, rights-of-way, sidewalks and publicly owned property, i.e., parks, without first having obtained a special event permit from the city of Marysville.

(2) A special event permit is not required for the following:

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

(b) Funerals and weddings;

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

(d) Gatherings of 30 or fewer people in a city park, unless merchandise or services are offered for sale or trade;

(e) Temporary sales conducted by businesses, such as holiday sales, grand opening sales, or anniversary sales;

(f) Garage sales and rummage sales;

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

(h) Annual Strawberry Festival which is governed by Chapter 5.48 MMC. (Ord. 2099 § 2, 1996).

5.46.030 Permit application.

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

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

(3) The following information shall be provided on the special event permit application: purpose of the special event; name, address and telephone number of the sponsoring organization and/or individual(s); proposed date of event, location and hours of operation, schedule of events, estimated attendance, special facility requirements, city assistance required, and other information as the city deems reasonably necessary to determine that the permit meets the requirements of this chapter. (Ord. 2099 § 3, 1996).

5.46.040 Approval.

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

(1) Approval by City Staff. Administrative approval for one-day events contained on a single site

that could involve special parking arrangements and hiring of police officers for crowd control and traffic control. City staff shall include a representative from the police, planning, public works, parks and recreation and city clerk departments.

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

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

(4) If permits and/or coordination is required from other agencies, i.e., Community Transit, Department of Transportation, etc., these must be submitted prior to the issuance of the permit. (Ord. 2099 § 4, 1996).

5.46.050 Fees.

There will be a \$25.00 nonrefundable application fee for a special event permit. (Ord. 2099 § 5, 1996).

5.46.060 Departmental analysis.

(1) The city clerk will send copies of special event permit applications to all pertinent city departments for review and determination of services required.

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

(3) Cost of city services, i.e., police, public works employees, etc. for special events will be estimated prior to the event. Additional costs incurred will be evaluated following the completion of the event. The city may in its discretion require a cash deposit for such costs. (Ord. 2099 § 6, 1996).

5.46.070 Insurance required.

The applicant is required to obtain and present evidence of comprehensive liability insurance naming the city of Marysville as an additional insured for use of streets, public rights of way and publicly owned property such as parks. The insurance requirement is a minimum of \$1,000,000 for individual incidents, \$2,000,000 aggregate, per event, against all claims arising from permits issued pursuant to this chapter. A certificate of insurance shall be required naming the city as an additional insured and indemnifying the city's, its officers, employees and agents from all causes of

action, claims or liabilities occurring in connection with the permitted event. In circumstances posing an unusual risk of liability the city may, in its discretion, increase the minimum insurance requirements. (Ord. 2099 § 7, 1996).

5.46.080 Denial of permit.

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

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

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

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

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

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

(6) The application contains incomplete or false information;

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

(8) The applicant fails to obtain a city business license and/or fails to pay the special event permit fee;

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

(10) The applicant fails to obtain local, county, state and federal permits as required. (Ord. 2099 § 8, 1996).

5.46.090 Appeal.

The applicant has the right to appeal any denial of a special events permit to the city council. (Ord. 2099 § 9, 1996).

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

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

(2) A special event permit may be issued only after adequate restroom and washroom facilities have been identified and arranged for or obtained

by the applicant subject to the Snohomish health district's review and certification process. (Ord. 2099 § 10, 1996).

Chapter 5.48

STRAWBERRY FESTIVAL

Sections:

- 5.48.010 Strawberry Festival master permit – Issuance – Activities authorized.
- 5.48.020 Annual requests for festival proposals – Contents.
- 5.48.030 Award of festival permit – Conditions – Fee.
- 5.48.040 Award of festival permit – Liability limitations.
- 5.48.050 Option to renew festival permit.

5.48.010 Strawberry Festival master permit – Issuance – Activities authorized.

The city council may annually issue a single Strawberry Festival master permit (“festival permit”), which shall authorize the permit holder to sponsor the citywide Strawberry Festival for that year. The permit shall designate the geographical boundaries of a festival area, and may include provisions within the area for festival parades, carnivals, sporting and recreational events, use of public right-of-way, use of public parks, erection of temporary vendor facilities and structures, sanitation and cleanup, and insurance, indemnity and hold-harmless agreements. With respect to all festival activities within the boundaries of the festival area, the permit shall be exclusive, and shall supersede other requirements of the Marysville Municipal Code relating to parade, carnival, circus, entertainment and public dance permits, and business occupancy permits, but shall not supersede the city admissions tax or any other applicable tax. (Ord. 1278 § 2, 1983).

5.48.020 Annual requests for festival proposals – Contents.

At any time after August 1st of each year the city may issue a request for festival proposals for the following year from any and all interested persons or parties. Notification of the request shall be published in the official newspaper of the city and posted in at least three public places in the city for a period of not less than two consecutive weeks. Festival proposals shall describe the proposed geographical boundaries of the festival area, all proposed festival activities and the dates thereof, the use of public right-of-way and public parks, the number and location of temporary vendor facilities and structures, and provisions for sanitation and cleanup. The proposal will further indicate the organizational structure, background and experi-

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: June 14, 2010

AGENDA ITEM: Approval of Special Event Application; <i>Trusty Threads</i> / Patricia and Eric Schoonmaker	AGENDA SECTION: Consent	
PREPARED BY: Carol Mulligan, Program Specialist	AGENDA NUMBER:	
ATTACHMENTS: 1. Copy of Special Event Permit Application including site plan. 2. Certificate of Liability Insurance. 3. MMC 5.46 "Special Events".	APPROVED BY:	
	MAYOR	CAO
BUDGET CODE:	AMOUNT:	

Patricia and Erich Schoonmaker, owners of *Trusty Threads* (1520 – 4th Street) have submitted an application to obtain a permit to conduct an outdoor vendor craft fair in the store’s parking lot located east of the building. The proposed outdoor market would be held on three separate Saturdays during the summer months: June 26th, July 31st, and August 28th, 2010. The Community Development Staff has reviewed all related department comments and determined that this application has been submitted in its entirety and to the satisfaction of all said departments.

RECOMMENDED ACTION: The Community Development Staff recommends City Council approve the application for Patricia and Eric Schoonmaker, owners of <i>Trusty Threads</i> , to conduct a craft fair as described above on June 26 th , July 31 st , and August 28 th , 2010.
COUNCIL ACTION:



City of Marysville
 1049 State Avenue, Ste. 201
 Marysville, WA 98270

APPLICATION FOR SPECIAL EVENT PERMIT
 \$25.00 NON-REFUNDABLE APPLICATION FEE
 Additional Information or requirements may be requested
 Please allow 3 - 4 weeks for processing

NAME OF SPONSORING ORGANIZATION, AND/OR INDIVIDUAL REPRESENTATIVE:

Trusty Threads Patricia & Eric Schoonmaier

ADDRESS: 1520 4th Street Marysville WA 98270

TELEPHONE NUMBER: 360-474-4544

PURPOSE OF EVENT: Vendor Craft Show, 15 vendors selling handcrafted items under a 10'x10' tent in Gravel parking lot.

INSURANCE COMPANY: State farm
 (Please attach a copy of Proof of Insurance naming the City of Marysville as co-insured.)

PROPOSED DATE OF EVENT: 6/26, 7/31 & 8/28/10

LOCATION: 1520 parking lot on 4th Street (Store parking lot)

HOURS OF OPERATION: 10-5

SCHEDULE OF EVENTS: Selling crafts

ESTIMATED ATTENDANCE: 150 +

SPECIAL FACILITY REQUIREMENTS: None

CITY ASSISTANCE REQUIRED: None !!

Received
 MAY 12 2010
 City of Marysville
 Community Development

Patricia Schoonmaier
 SIGNATURE OF APPLICANT

5/12/10
 DATE

FOR INTERNAL USE ONLY					
DEPARTMENT	Y/N	CONDITION	DATE	INITIALS	REMARKS
City Clerk					
Fire District					
Parks & Recreation					
Planning					
Police					
Public Works					
Sanitation					
Streets					

24APR2010

To Whom May Be Concerned:

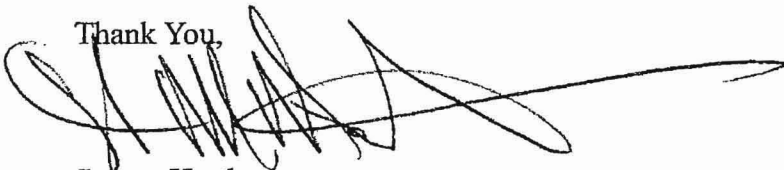
I, Steven Hartley of Blue Star Construction, acting agent for the property containing tenants at 1520 4th Street in Marysville, WA, identified as Eric and Patricia Schoonmaker per lease agreement, hereby give express permission and consent for the use of said property for "Marysville Summer Market", or "MRSVL SMMR MRKT".

Blue Star Construction provides no guidelines or restrictions on tenants in the conduction of this business, other than that at no time shall they stray from city ordinance and code. The tenants understand and agree that Blue Star Construction assumes no liability for any occurrences at any events, and in performing said events, agree to these terms.

The tenants assume full control of events and will be responsible for scheduling, setup, take down, clean up all within adherence of city codes and ordinances. The tenants upon authorization from local government to host said events become the sole point of contact for events on the property.

This authorization expires with Lease Agreement, and may be attached to a copy of lease agreement as verification of validity.

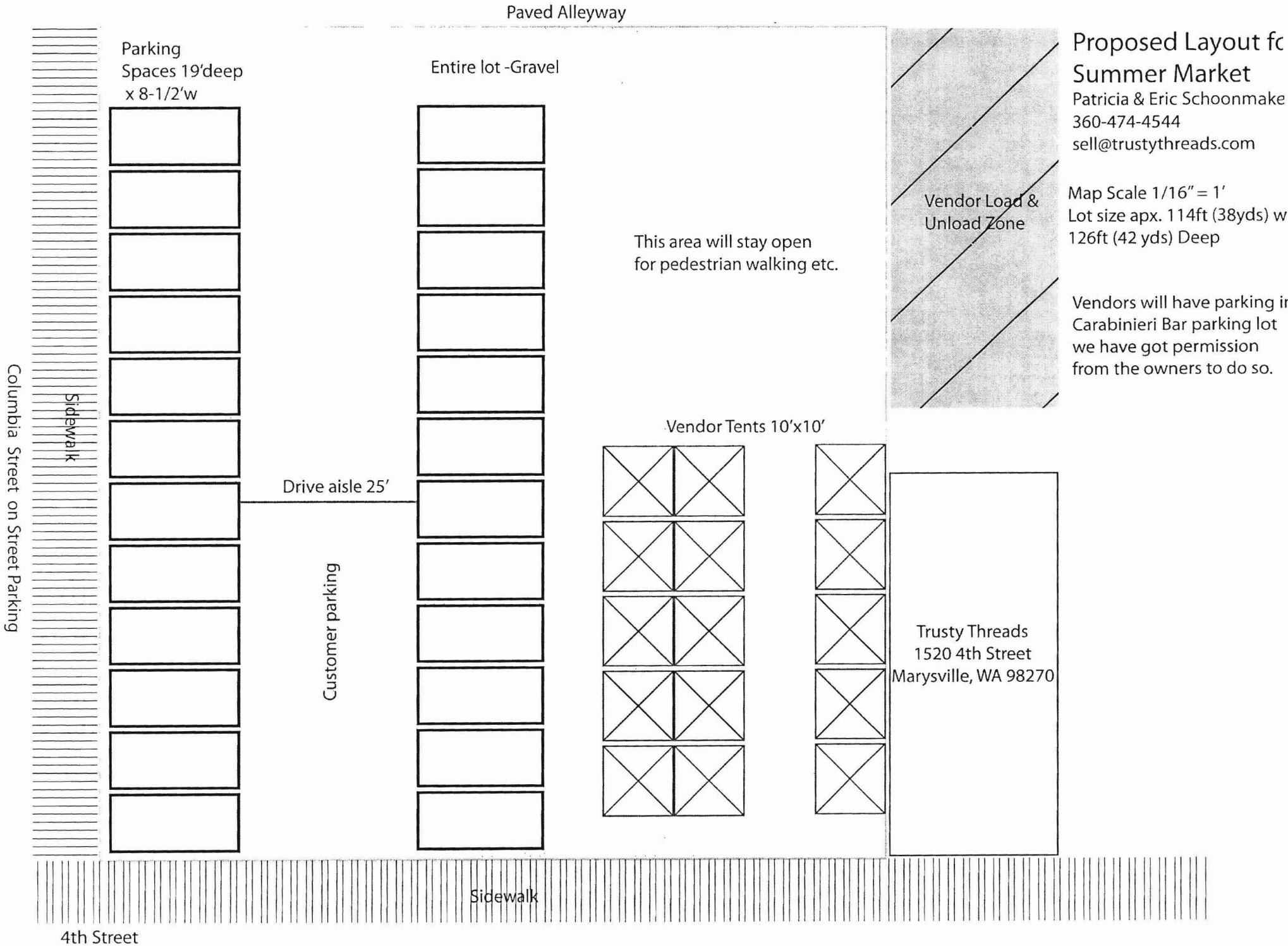
Thank You,



Steven Hartley
Blue Star Construction

Received

APR 12 2010



Paved Alleyway

Parking Spaces 19'deep x 8-1/2'w

Entire lot -Gravel

Vendor Load & Unload Zone

This area will stay open for pedestrian walking etc.

Proposed Layout for Summer Market

Patricia & Eric Schoonmake
360-474-4544
sell@trustythreads.com

Map Scale 1/16" = 1'
Lot size apx. 114ft (38yds) w
126ft (42 yds) Deep

Vendors will have parking in Carabinieri Bar parking lot we have got permission from the owners to do so.

Columbia Street on Street Parking

Sidewalk

Drive aisle 25'

Customer parking

Vendor Tents 10'x10'

Trusty Threads
1520 4th Street
Marysville, WA 98270

Sidewalk

4th Street




CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
05/06/2010

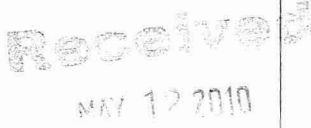
THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

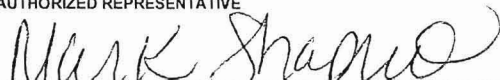
PRODUCER MARK SHAPIRO, AGENT 9528 STATE AVE UNIT C MARYSVILLE, WA 98270 	CONTACT NAME: MARK SHAPIRO PHONE (A/C, No, Ext): 360-653-1910 FAX (A/C, No): 360-653-1940 E-MAIL ADDRESS: PRODUCER CUSTOMER ID #:																					
	<table border="1"> <tr> <th colspan="2">INSURER(S) AFFORDING COVERAGE</th> <th>NAIC #</th> </tr> <tr> <td>INSURER A :</td> <td>State Farm Fire and Casualty Company</td> <td>25143</td> </tr> <tr> <td>INSURER B :</td> <td></td> <td></td> </tr> <tr> <td>INSURER C :</td> <td></td> <td></td> </tr> <tr> <td>INSURER D :</td> <td></td> <td></td> </tr> <tr> <td>INSURER E :</td> <td></td> <td></td> </tr> <tr> <td>INSURER F :</td> <td></td> <td></td> </tr> </table>		INSURER(S) AFFORDING COVERAGE		NAIC #	INSURER A :	State Farm Fire and Casualty Company	25143	INSURER B :			INSURER C :			INSURER D :			INSURER E :			INSURER F :	
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INSURED PATRICIA SCHOONMAKER DBA TRUSTY THREADS 1520 4TH ST MARYSVILLE, WA 98270																						

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
	GENERAL LIABILITY <input type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR <input checked="" type="checkbox"/> BUSINESS LIABILITY GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC			98-BF-M295-3	10/23/2009	10/23/2010	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000	
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$	
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DEDUCTIBLE \$ RETENTION \$							EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input type="checkbox"/> Y / <input checked="" type="checkbox"/> N (Mandatory in NH) If yes, describe under SPECIAL PROVISIONS below							WC STATU-TORY LIMITS OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
CERTIFICATE VALID ONLY FOR THE DATES OF 06/26/10, 07/31/10, AND 08/28/10

CERTIFICATE HOLDER ADDITIONAL INSURED: CITY OF MARYSVILLE 1049 STATE AVE MARYSVILLE, WA 98270	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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Chapter 5.46

SPECIAL EVENTS

Sections:

- 5.46.010 Definitions.
- 5.46.020 Permit required.
- 5.46.030 Permit application.
- 5.46.040 Approval.
- 5.46.050 Fees.
- 5.46.060 Departmental analysis.
- 5.46.070 Insurance required.
- 5.46.080 Denial of permit.
- 5.46.090 Appeal.
- 5.46.100 Sanitation.

5.46.010 Definitions.

(1) "Special events" include any event which is to be conducted on public property or on a public right-of-way; and, also, any event held on private property which would have a direct significant impact on traffic congestion; or traffic flow to and from the event over public streets or rights-of-way; or which would significantly impact the need for city-provided emergency services such as police, fire or medical aid. It is presumed that any event on private property which involves an open invitation to the public to attend or events where the attendance is by private invitation of 100 or more people are each presumed to be an event that will have a direct significant impact on the public streets, rights-of-way or emergency services. Special events might include, but not be limited to, fun runs, roadway foot races, fundraising walks, auctions, bikeathons, parades, carnivals, shows or exhibitions, filming/movie events, circuses, block parties, markets, sporting events and fairs. (Ord. 2099 § 1, 1996).

5.46.020 Permit required.

(1) No person or organization shall conduct a special event that affects the customary and ordinary use of public streets, rights-of-way, sidewalks and publicly owned property, i.e., parks. without first having obtained a special event permit from the city of Marysville.

(2) A special event permit is not required for the following:

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

(b) Funerals and weddings;

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

(d) Gatherings of 30 or fewer people in a city park, unless merchandise or services are offered for sale or trade;

(e) Temporary sales conducted by businesses, such as holiday sales, grand opening sales, or anniversary sales;

(f) Garage sales and rummage sales;

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

(h) Annual Strawberry Festival which is governed by Chapter 5.48 MMC. (Ord. 2099 § 2, 1996).

5.46.030 Permit application.

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

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

(3) The following information shall be provided on the special event permit application: purpose of the special event; name, address and telephone number of the sponsoring organization and/or individual(s); proposed date of event, location and hours of operation, schedule of events, estimated attendance, special facility requirements, city assistance required, and other information as the city deems reasonably necessary to determine that the permit meets the requirements of this chapter. (Ord. 2099 § 3, 1996).

5.46.040 Approval.

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

(1) Approval by City Staff. Administrative approval for one-day events contained on a single site

that could involve special parking arrangements and hiring of police officers for crowd control and traffic control. City staff shall include a representative from the police, planning, public works, parks and recreation and city clerk departments.

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The applicant is required to obtain and present evidence of comprehensive liability insurance naming the city of Marysville as an additional insured for use of streets, public rights of way and publicly owned property such as parks. The insurance requirement is a minimum of \$1,000,000 for individual incidents, \$2,000,000 aggregate, per event, against all claims arising from permits issued pursuant to this chapter. A certificate of insurance shall be required naming the city as an additional insured and indemnifying the city's, its officers, employees and agents from all causes of

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

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

(6) The application contains incomplete or false information;

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

(8) The applicant fails to obtain a city business license and/or fails to pay the special event permit fee;

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(10) The applicant fails to obtain local, county, state and federal permits as required. (Ord. 2099 § 8, 1996).

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The applicant has the right to appeal any denial of a special events permit to the city council. (Ord. 2099 § 9, 1996).

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(2) A special event permit may be issued only after adequate restroom and washroom facilities have been identified and arranged for or obtained

by the applicant subject to the Snohomish health district's review and certification process. (Ord. 2099 § 10, 1996).

Chapter 5.48

STRAWBERRY FESTIVAL

Sections:

- 5.48.010 Strawberry Festival master permit – Issuance – Activities authorized.
- 5.48.020 Annual requests for festival proposals – Contents.
- 5.48.030 Award of festival permit – Conditions – Fee.
- 5.48.040 Award of festival permit – Liability limitations.
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5.48.020 Annual requests for festival proposals – Contents.

At any time after August 1st of each year the city may issue a request for festival proposals for the following year from any and all interested persons or parties. Notification of the request shall be published in the official newspaper of the city and posted in at least three public places in the city for a period of not less than two consecutive weeks. Festival proposals shall describe the proposed geographical boundaries of the festival area, all proposed festival activities and the dates thereof, the use of public right-of-way and public parks, the number and location of temporary vendor facilities and structures, and provisions for sanitation and cleanup. The proposal will further indicate the organizational structure, background and experi-

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: June 14, 2009

AGENDA ITEM: Amendment to the Interlocal Agreement with Snohomish County concerning the coordination of improvements to 88 th St. NE	AGENDA SECTION: New Business	
PREPARED BY: John Cowling, Assistant City Engineer	APPROVED BY: 	
ATTACHMENTS: <ul style="list-style-type: none"> Amendment No. 1 to the Interlocal Agreement with Snohomish County 		
	MAYOR	CAO
BUDGET CODE:	AMOUNT:	

DESCRIPTION:

As part of the Central Marysville Annexation, the City of Marysville entered into an Interlocal Agreement with Snohomish County concerning the coordination of improvements to the 88th St. NE corridor. As part of the agreement Snohomish County was to financially contribute to improvements to 88th St. NE. Since the agreement was made, City staff analyzed what would be the best utilization of initial funds to increase capacity along the corridor in the short term. Both City and Snohomish County staff are in agreement that construction of 51st Ave. NE between 84th St. NE and 88th St. NE would be the best utilization of the initial funds to improve capacity. The attached Amendment No. 1 to the Interlocal Agreement with Snohomish County changes the original Interlocal to accommodate funds being utilized on 51st Ave. NE.

RECOMMENDED ACTION:

Staff recommends that Council authorize the Mayor to sign Amendment No. 1 to Interlocal Agreement with Snohomish County concerning the coordination of improvements to 88th St. NE.

COUNCIL ACTION:

AFTER RECORDING RETURN TO:
Snohomish County Council
Attn: Barbara Sikorski
3000 Rockefeller, M/S 609
Everett, Washington 98201

Parties: City of Marysville and Snohomish County
Tax Account No.: Not Applicable
Legal Description: Not Applicable
Reference No. of Documents Affected: 200908120275
Filed with Auditor pursuant to RCW 39.34.040
Document Title:

**AMENDMENT NO. 1 TO INTERLOCAL AGREEMENT BETWEEN
SNOHOMISH COUNTY AND THE CITY OF MARYSVILLE
CONCERNING THE COORDINATION OF IMPROVEMENTS TO 88TH STREET NE**

THIS AMENDMENT NO. 1 TO INTERLOCAL AGREEMENT BETWEEN SNOHOMISH COUNTY AND THE CITY OF MARYSVILLE CONCERNING THE COORDINATION OF IMPROVEMENTS TO 88TH STREET NE (this "Amendment"), is made and entered into by and between Snohomish County, a political subdivision of the State of Washington (the "County"), and the City of Marysville, a municipal corporation (the "City"), as of this _____ day of _____, 2010.

WHEREAS, the County and the City are the parties to that certain INTERLOCAL AGREEMENT BETWEEN SNOHOMISH COUNTY AND THE CITY OF MARYSVILLE CONCERNING THE COORDINATION OF IMPROVEMENTS TO 88TH STREET NE dated July 13, 2009, recorded under Auditor's File No. 200908120275, concerning the coordination of improvements to 88TH Street NE (the "Interlocal Agreement"), a copy of which is attached to this Amendment as Schedule 1;

WHEREAS, in the Interlocal Agreement, the City and the County agreed that 88th Street NE is an important regional road connection serving both incorporated and unincorporated residents and businesses;

WHEREAS, 51ST Avenue NE is an important north-south arterial extending from 88TH Street NE to SR 531 in Arlington;

AMENDMENT NO. 1 TO INTERLOCAL AGREEMENT BETWEEN
SNOHOMISH COUNTY AND CITY OF MARYSVILLE CONCERNING
THE COORDINATION OF IMPROVEMEMNTS TO 88TH STREET NE

pg. 1
05/03/2010

WHEREAS, an extension of 51st Avenue NE from 88th Street NE to 84th Street NE would form a continuous north-south arterial from SR 528 to SR 531 providing needed traffic relief to 88th Street NE as well as State Avenue NE, and 67th Avenue NE;

WHEREAS, the City and the County agree that providing traffic relief to 88th Street NE through the extension of 51st Avenue NE is important;

WHEREAS, the Snohomish County Comprehensive Plan and the Snohomish County Transportation Needs Report list improvements to both 88th Street NE and 51st Avenue NE as necessary capacity improvements;

WHEREAS, the Snohomish County Comprehensive Plan and the Snohomish County Transportation Needs Report list the necessary capacity improvement to 51st Avenue NE from 84th Street NE to 88th Street NE as three lanes at urban standards with bicycle lanes;

WHEREAS, the County has estimated the cost of providing the necessary improvement to 51st Avenue NE from 84th Street NE to 88th Street NE at \$10 million;

WHEREAS, the County has collected proportional traffic mitigation fees pursuant to chapter 82.02 RCW for the purpose of mitigating traffic impacts to County roads from County developments;

WHEREAS, the amount of this fee is based, in part, on the estimated cost of improving 88th Street NE to three lanes at urban standards with bicycle lanes and extending 51st Avenue NE from 84th Street NE to 88th Street NE to three lanes at urban standards with bicycle lanes;

WHEREAS, the County has collected traffic mitigation fees from City development under the provisions of a reciprocal traffic mitigation agreement with the City for the purpose of mitigating traffic impacts to County roads from City development;

WHEREAS, the Countywide Planning Policies TR-1 states that the County and cities will establish agreements and procedures for jointly mitigating traffic impacts, including provisions for sharing of developer impact mitigation;

WHEREAS, the County is required to expend impact fees collected for system improvements in conformance with the capital facilities plan element of the comprehensive plan pursuant to RCW 82.02.070(2);

WHEREAS, the County has the authority to expend county road funds within City limits under an agreement pursuant to RCW 35.77.020 and .030; and

WHEREAS, the City will construct the necessary capacity improvements to 51st Avenue NE, as described in the County's Comprehensive Plan and Transportation Needs Report, as sufficient funding allows;

NOW, THEREFORE, it is mutually agreed as follows:

1. Section A.1. of the Interlocal Agreement is amended to read, in its entirety, as follows:

The capacity improvements to 88th Street NE and 51st Ave NE, hereinafter referred to in this Agreement as "Improvement Project," will consist of the construction of three travel lanes at urban standards and bicycle lanes to the section of 88th Street NE that is within the Central Marysville Annexation area and the construction of three travel lanes at urban standards and bicycle lanes for 51st Ave NE from 84th St. NE to 88th St NE.

2. Section A.2. of the Interlocal Agreement is amended to read, in its entirety as follows:

Nothing in this Agreement prohibits the City from combining the Improvement Project with other projects in the corridor so long as the resulting capacity improvements are equal to or greater than three travel lanes and bicycle lanes on the portion of 88th Street NE and 51st Avenue NE subject to the Improvement Project.

3. Section B.4 of the Interlocal Agreement is amended to read, in its entirety, as follows:

The City agrees to use County contributions made through this Agreement solely for the purposes of the Improvement Project, as described in Section A; EXCEPT, that the road fund contributions from the County that are described in Section C.2 below will be spent only on the 88th Street NE portion of the improvement project.

4. The first sentence of Section C.2 of the Interlocal Agreement is amended to read as follows:

The County agrees to a one to one match of City contributions to the 88th St NE portion of the Improvement Project with County road funds in an amount not to exceed \$2,855,000.

5. Except as expressly provided in this Amendment, all of the terms and conditions of the Interlocal Agreement are ratified and affirmed and remain in full force and effect.
6. This Amendment may be executed in counterparts, each of which shall constitute an original and all of which shall constitute one and the same agreement. Signatures may be exchanged by facsimile with the same effect as if original signatures were exchanged.

IN WITNESS WHEREOF the parties hereto have executed this Amendment as of the date first above written.

CITY OF MARYSVILLE:

SNOHOMISH COUNTY:

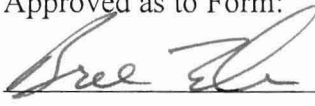
Mayor

County Executive

Approved as to Form:

Approved as to Form:

City Attorney

 May 5, 2010

Deputy Prosecuting Attorney

[The remainder of this page is intentionally left blank.]

SCHEDULE 1
Interlocal Agreement

[See attached.]

Schedule 1

AFTER RECORDING RETURN TO:
Snohomish County Council
Attn: Barbara Sikorski
3000 Rockefeller, M/S 609
Everett, Washington 98201


200908120275 7 PGS
08/12/2009 11:09am \$0.00
SNOHOMISH COUNTY, WASHINGTON

Parties: City of Marysville and Snohomish County
Tax Account No.: Not Applicable
Legal Description: Not Applicable
Reference No. of Documents Affected: Not Applicable
Document Title: Filed with Auditor pursuant to RCW 39.34.040

INTERLOCAL AGREEMENT BETWEEN SNOHOMISH COUNTY AND THE CITY OF MARYSVILLE CONCERNING THE COORDINATION OF IMPROVEMENTS TO 88TH STREET NE

THIS AGREEMENT made and entered into by and between SNOHOMISH COUNTY, a political subdivision of the State of Washington, hereinafter referred to as "County," and the CITY OF MARYSVILLE, a municipal corporation, hereinafter referred to as "City."

WHEREAS, 88th Street NE is a predominantly two-lane urban arterial roadway running through both the City and the County; and

WHEREAS, the City and the County agree that 88th Street NE is an important regional road connection serving both incorporated and unincorporated residents and businesses; and

WHEREAS, the County and the City believe that it would be mutually beneficial for capacity improvements to be constructed on 88th Street NE; and

WHEREAS, The Snohomish County Comprehensive Plan and the Snohomish County Transportation Needs Report list the necessary capacity improvements to the unincorporated section of 88th Street NE as three lanes at urban standards with bicycle lanes from the Marysville city limits near 44th Dr. NE on the west to the Marysville city limits near 60th Dr. NE on the east; and

WHEREAS, the County has estimated the cost of providing the necessary improvements to the unincorporated section of 88th Street NE at \$26 million; and

WHEREAS, the County's six-year capital facilities plan includes a preliminary phase of the 88th Street NE project; and

WHEREAS, the County has collected proportional traffic mitigation fees pursuant to Chapter 82.02 RCW for the purpose of mitigating traffic impacts to County roads from County developments. The amount of this fee is based, in part, on the estimated cost of improving 88th Street NE to three lanes at urban standards with bicycle lanes; and

WHEREAS, the County has collected traffic mitigation fees from City development under the provisions of a reciprocal traffic mitigation agreement with the City for the purpose of mitigating traffic impacts to County roads from such City development, including the unincorporated section of 88th St. NE; and

WHEREAS, the City intends to annex the unincorporated section of 88th Street NE from Marysville city limits on the east to Marysville city limits on the west. The entire proposed annexation area is named the Central Marysville Annexation area; and

WHEREAS, neither jurisdiction has available resources to fully fund the necessary improvements to 88th Street NE at this time; and

WHEREAS, the Countywide Planning Policies TR-1 states that the county and cities will establish agreements and procedures for jointly mitigating traffic impacts, including provisions for sharing of developer impact mitigation; and

WHEREAS, the Countywide Planning Policies TR-1(a) provides for agreements among cities and the county to be used in areas proposed for annexation to define procedures and standards for mitigating traffic impacts and for sharing improvement and debt costs for transportation facilities; and

WHEREAS, the County is required to expend impact fees collected for system improvements in conformance with the capital facilities plan element of the comprehensive plan pursuant to RCW 82.02.070 (2); and

WHEREAS, the County has the authority to expend county road funds within City limits under an interlocal agreement pursuant to RCW 35.77.020 and .030; and

WHEREAS, following annexation, the City will construct the necessary capacity improvements to 88th Street NE, as described in the County's Comprehensive Plan and Transportation Needs Report, as sufficient funding allows;

NOW, THEREFORE, in consideration of the promises in this interlocal agreement, it is mutually agreed as follows:

A. IMPROVEMENT PROJECT

1. The capacity improvements to 88th Street NE, hereinafter referred to in this Agreement as "Improvement Project," will consist of the construction of three travel lanes at urban standards and bicycle lanes to the section of 88th Street NE that is within the Central Marysville Annexation area.
2. Nothing in this Agreement prohibits the City from combining the Improvement Project with other projects in the corridor so long as the resulting capacity improvements are equal to or greater than three travel lanes and bicycle lanes on the portion of 88th Street NE subject to the Improvement Project.

B. CITY RESPONSIBILITIES

1. The City shall act as the lead agency on the Improvement Project. As lead agency, the City has the primary responsibility for the funding, design, purchase of right-of-way, permitting, and construction of the Improvement Project. The City's Engineer or designee shall act as the administrator for this undertaking.
2. The City agrees to include the Improvement Project in its 20-year transportation plan during the next plan update and to pursue funding for the Improvement Project, in the form of grants and local budget allocation.
3. The City agrees to allocate funding within its six-year capital improvement plan for the Improvement Project, PROVIDED that the funds are available and contingent upon the local legislative appropriation of necessary funds in accordance with applicable laws.
4. The City agrees to use County contributions made through this Agreement solely for the purposes of the Improvement Project, as described in Section A.
5. The City agrees not to collect impact fees from City developers to pay for the portion of the cost of the Improvement Project that represents the County contribution. The City will do this by removing from the City's impact fee cost basis, that portion of the funding of the Improvement Project contributed by the County, and will list the County contribution, both mitigation funds and road funds, as other funding in the City's capital needs report.
6. The City agrees to consult with the County for planning and financing of the Improvement Project over the duration of this Agreement.
7. The City agrees to spend mitigation funds transferred from the County to the City for the Improvement Project in accordance with RCW 82.02.070. Further, the City agrees to reimburse any mitigation funds transferred from the County to the City that are not expended or encumbered within the time required by law, in accordance with RCW 82.02.080.

C. COUNTY RESPONSIBILITIES

1. The County agrees to transfer to the City \$3,145,000 in traffic mitigation funds for the City's use in funding the Improvement Project. These funds have previously been collected by the County from developments in the Improvement Project area to be used on road projects which mitigate the impacts of the developments. The Improvement Project has previously been listed as one of these mitigating projects.

The County agrees to provide the City with documentation of impact fees paid within Transportation Service Area A (TIF/A), including the names of payers, the amount each payer contributed, and when each contribution was made.

2. The County agrees to a one to one match of City contributions to the Improvement Project with County road funds in an amount not to exceed \$2,855,000. Claims of County road funds by the City must be for reimbursement of actual expenditures made for the Improvement Project and must follow the schedule below. It is further PROVIDED that these County funds are available and contingent upon local legislative appropriation after December 31, 2009 of necessary funds in accordance with applicable laws and the Snohomish County Charter.

- a. 2011 - an amount not to exceed \$571,000;
- b. 2012 - an amount not to exceed the sum of \$571,000 plus any remainder from 2011;
- c. 2013 - an amount not to exceed the sum of \$571,000 plus any remainder from 2011 and 2012;
- d. 2014 - an amount not to exceed the sum of \$571,000 plus any remainder for the years 2011 through 2013;
- e. 2015 and all subsequent years until the Improvement Project is complete or the Agreement is otherwise terminated - an amount not to exceed the sum of \$571,000 plus any remainder from the years 2011 through 2014. -.

3. The County agrees to support the City in its pursuit of grant funding for the Improvement Project.
4. The County agrees not to collect transportation impact fees for the portion of the Improvement Project funded by the City. The County will do this by only including that portion of the Improvement Project funded by the County in its impact fee mitigation cost basis.

D. PAYMENT

1. The County will transfer the mitigation funds outlined in section C.1. within ninety (90) days of the effective date of the City's annexation of the Improvement Project area.

2. After receiving County mitigation funds, the City will, on a quarterly basis, furnish the County with a report on the progress of the Improvement Project, the expenditure or encumbrance of City funds on the Improvement Project, and the expenditure or encumbrance of all County contributions, including mitigation funds and road funds, on the Improvement Project. For mitigation funds that were provided to the City from the County, the report will also detail the remaining time under RCW 82.02.070 for expenditure or encumbrance of those funds not yet expended or encumbered and shall detail the use of those funds that have been expended or encumbered. The City's obligation to furnish quarterly reports will end when the County has fulfilled its financial obligations, as outlined in this Agreement, and City has expended the County's contribution.
3. The County shall make payment of road funds pursuant to the schedule in section C.2. within thirty (30) days of receipt of an invoice from the City that provides a detailed account of how City money was spent on the Improvement Project.
4. Payment by the County shall not constitute an agreement as to the appropriateness of the City's performance of its obligations under this Agreement, or as an acceptance of the work.

E. HOLD HARMLESS/INDEMNIFICATION

1. This Agreement in no way modifies or supersedes existing laws and statutes. In meeting the commitments encompassed in this Agreement, all parties shall comply with the requirements of federal, state and local law. The City and the County retain the ultimate authority for legislative and administrative decisions within their respective jurisdictions. By executing this Agreement, the City and the County do not purport to abrogate any authority vested in them by law.
2. The County and the City agree that the performance of this Agreement shall not constitute an assumption by either party of any of the other party's obligations or responsibilities relating to roads, streets, utilities, or transportation facilities.
3. The City shall hold harmless, indemnify, and defend, at its own expense, the County, its elected and appointed officials, officers, employees and agents, from any loss or claim for damages of any nature whatsoever, arising out of the City's performance of this Agreement, including claims by the City's employees or third parties, except for those losses or claims for damages solely caused by the negligence or willful misconduct of the County, its elected and appointed officials, officers, employees or agents.
4. The County shall hold harmless, indemnify, and defend, at its own expense the City, its elected and appointed officials, officers, employees and agents, from any loss or claim for damages of any nature whatsoever, arising out of the County's performance of this Agreement, including claims by the County's employees or third parties, except for those losses or claims for damages solely caused by the negligence or willful misconduct of the City, its elected and appointed officials, officers, employees or agents.

5. In the event of liability for damages of any nature whatsoever arising out of the performance of this Agreement by the City and the County, including claims by the City's and the County's own officers, officials, employees, agents, volunteers, or third parties, caused by or resulting from the concurrent negligence of the City and the County, their officers, officials, employees, agents and volunteers, each party's liability hereunder shall only be to the extent of that party's negligence.
6. It is specifically and expressly understood that the indemnification provided in this Agreement constitutes the parties' waiver of immunity under the State Industrial Insurance laws, Title 51 RCW, solely for the purposes of this indemnification, and that this waiver has been mutually negotiated.
7. In entering this Agreement, neither the City nor the County assumes any duty to any third party and no liability shall attach to either the City or the County by reason of entering into this Agreement except as expressly provided herein.

G. GENERAL TERMS

1. Effectiveness. This Agreement is contingent upon the City's successful annexation of the Central Marysville Annexation area. This Agreement shall become effective following the signing of the Agreement by the duly authorized representative of each of the parties hereto and recording with the Snohomish County Auditor.
2. Duration. The Agreement shall remain in effect until the parties fulfill their obligations or as otherwise terminated or modified as set forth below.
3. Modification. This Agreement may be amended only upon written agreement of the parties, executed in the same manner as provided by law for the execution of this Agreement.
4. Termination. This Agreement may be terminated upon mutual agreement of the parties. Any mutual termination shall become effective only when documented in writing and signed by both parties.
5. Compliance with Laws. The County and the City shall comply with all applicable federal, state, and local laws in performing this Agreement.
6. Nonwaiver. The County or City's forbearance or delay in exercising any right or remedy with respect to a failure by the other party to comply with one of its obligations under this Agreement shall not constitute a waiver of the particular non-compliance at issue, nor shall it constitute a waiver of any other concurrent or future act of non-compliance by the other party.

7. Records. Both parties shall maintain adequate records to document obligations performed under this Agreement. Each party shall have the right to review the other party's records with regard to the subject matter of this Agreement, upon reasonable notice. All such records shall be maintained for at least six years following termination of this Agreement.
8. Severability. If any provision of this Agreement or the application thereof, for any reason and to any extent, is found invalid or unenforceable, the remainder of this Agreement and the application of that provision to other circumstances shall not be affected thereby, but shall instead continue in full force and effect, to the extent permitted by law.
9. Governing Law and Venue. This Agreement shall be governed by and enforced in accordance with the laws of the State of Washington. The venue of any action arising out of this Agreement shall be in the Superior Court of the State of Washington, in and for Snohomish County.
10. Contacts for Agreement. The contact persons for this Agreement are:

Kevin Nielsen, P.E.
Public Works Director
City of Marysville
80 Columbia Avenue
Marysville, WA 98272

Owen Carter, P.E.
County Engineer
Snohomish County Public Works
3000 Rockefeller, MS 607
Everett, WA 98201

Dated this 13 day of July, 2009.

CITY OF MARYSVILLE

SNOHOMISH COUNTY

Dennis L Kendall
Mayor

~~MARK SOINE~~
~~Deputy Executive~~
~~County Executive~~

Approved as to Form:

Approved as to Form:

Scott R Weed

City Attorney

Deputy Prosecuting Attorney

COUNCIL USE ONLY	
Approved:	<u>7-22-09</u>
Docfile:	<u>D-18</u>

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: June 14, 2010

AGENDA ITEM: Ordinance Revision – MMC18B.14.035	AGENDA SECTION: ORDINANCE	
PREPARED BY: Gloria Hirashima, Chief Administrative Officer	AGENDA NUMBER:	
ATTACHMENTS 1. Proposed ordinance.	APPROVED BY:	
	MAYOR	CAO
BUDGET CODE:	AMOUNT:	

The Marysville City Council approved provisions for a traffic fee exemption for certain new businesses based on sales tax revenue levels generated by these businesses. The attached revisions to the ordinance would allow the businesses to apply the refund of traffic impact fees to an obligation or assessment owed by the applicant for City street improvement purposes, including, but not limited to any obligation or assessment under a local improvement district for streets.

RECOMMENDED ACTION: Approve ordinance revision.

COUNCIL ACTION:

CITY OF MARYSVILLE
Marysville, Washington

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON
AMENDING MMC 18B.14.035 BY ADDING A NEW SUBSECTION (4)(e)
RELATING TO TRAFFIC IMPACT FEE EXEMPTION REFUNDS.

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

Section 1. MMC 18B.14.035 is hereby amended to read as follows:

18B.14.035 Traffic impact fee exemption.

(1) Traffic Impact Fee Exemption Established. Pursuant to RCW 82.02.060(2) and (4) there is hereby established an exemption from the traffic impact fee set forth in MMC [18B.14.030](#) for development activity which meets the criteria of subsection (3) of this section.

(2) Application for Traffic Impact Fee Exemption.

(a) Impact Fee Exemption. Any developer applying for or receiving a building permit which meets the criteria set forth in subsection (3) of this section may apply to the director of public works or designee for an exemption from the traffic impact fee established pursuant to MMC [18B.14.030](#). Said application shall be on forms provided by the city and shall be accompanied by all information and data the city deems necessary to process the application. To the extent it is authorized by law the city shall endeavor to keep all proprietary information submitted with said application confidential; provided, however, this section shall not create or establish a special duty to do so.

(3) Exemption Criteria. To be eligible for the traffic impact fee exemption established by this section, the applicant shall meet each of the following criteria:

(a) The applicant must be a new commercial retail business in the Marysville city limits. For purposes of this section, “new commercial retail business” shall mean any business which sells retail goods and services which are subject to the retail sales tax provisions of Chapter [3.84](#) MMC and which applies for a building permit and which is subject to payment of traffic impact fees pursuant to this title.

(b) Based on similar store sales or other reliable data, as determined by the city, the applicant must demonstrate that it is likely to generate to the city of Marysville average

annual city of Marysville portion sales and use tax revenue of at least \$200,000 based upon the three-year period commencing from date of certificate of occupancy.

(c) The applicant must be a new retail business located within one of the following prescribed land use zones: light industrial (LI), general commercial (GC), community business (CB), mixed use (MU), downtown commercial (DC).

(4) Administration of Traffic Impact Fee Exemption.

(a) Upon acceptance of an application for exemption from traffic impact fees pursuant to subsection (2) of this section, the applicant shall pay to the city the full amount of the traffic impact fees required pursuant to MMC [18B.14.030](#). Following receipt of the traffic impact fees the city shall deposit and manage the fees as set forth in subsection (5) of this section. At the expiration of a three-year period commencing from the date of issuance of a certificate of occupancy the public works director, with the assistance of the city finance director shall determine if the average annual city of Marysville portion sales and use tax revenue received by the city meets the minimum amount stated in subsection (3)(b) of this section. The determination shall be based upon the sales tax reporting requirements of Chapter [3.84](#) MMC as it now reads or is hereafter amended.

(b) In the event the three-year average annual city of Marysville portion sales and use tax revenue criteria of subsection (3)(b) of this section has been met as determined by the director of public works, there shall be an exemption of 50 percent from the traffic impact fees otherwise due pursuant to MMC [18B.14.030](#). In such case, 50 percent of the amount paid to the city pursuant to subsection (4)(a) of this section shall be refunded to the applicant, plus any accrued interest. The remainder of the funds deposited pursuant to subsection (4) of this section shall belong to the city and shall be released to the city.

(c) In the event the three-year average annual city of Marysville portion sales and use tax revenue criteria of subsection (3)(b) of this section has not been met, the traffic impact fee required under MMC [18B.14.030](#) shall immediately belong to and shall be released to the city; provided, however, in cases where the applicant has met at least 75 percent of the amount set forth in subsection (3)(b) of this section, the applicant shall receive a partial exemption which shall result in a refund of 25 percent of the amount paid to the city pursuant to subsection (4) of this section plus any accrued interest. The remainder of the funds deposited pursuant to subsection (4) of this section shall belong to the city and shall be released to the city.

(d) In cases where the applicant has not met either the three-year annual sales and use tax revenue of subsection (3)(b) of this section or 75 percent thereof, all traffic impact fees paid pursuant to MMC [18B.14.030](#) shall belong to the city.

(e) By mutual agreement of the City and the applicant, any refund due under MMC 18B.14.035 may be applied to an obligation or assessment owed by the applicant for City street improvement purposes, including, but not limited to any obligation or assessment under a local improvement district for streets.

(5) Deposit and Management of Traffic Impact Fees. Traffic impact fees paid by an applicant pursuant to this section and the provisions of MMC [18B.14.030](#) shall be deposited by the city into a separate interest bearing account with any qualified public depository for local government as determined by the city. The account holder shall be the city of Marysville. The city may at its option withdraw up to 50 percent of said funds at any time for uses authorized by this title. All other funds deposited in that account shall be used exclusively for payment of refunds to eligible applicants pursuant to subsection (4) of this section and balances, if any, to which the city is entitled. All refunds and interest to which an applicant is entitled shall be paid by the city within 120 days following the three-year period following the issuance of a certificate of occupancy.

(6) Appeals. Any applicant aggrieved by the determination of the director of public works as to whether the criteria of subsection (3) of this section have been met or the eligibility for an exemption from MMC [18B.14.030](#) or the amount of refund to which an applicant is entitled pursuant to subsection (4) of this section may file a written appeal to the city's land use hearing examiner as established by Chapter [2.70](#) MMC. The city examiner is hereby specifically authorized to hear and decide such appeals and the decision of the hearing examiner shall be final action of the city and subject to appeal pursuant to Chapter [15.11](#) MMC.

(7) Application of Sales and Use Tax Revenue from Businesses Which Receive an Exemption or Partial Exemption.

(a) All sales and use tax received by the city from applicants who receive an exemption or partial exemption from the requirements of this title shall be deposited in a special account to be administered by the city. Said account shall be established to pay traffic impact fees that otherwise would have been paid had an exemption or partial exemption not been granted. Said amounts shall be expended for purposes authorized by and in accordance with the provisions of this title and the provisions of the city's capital improvement plan for streets. All sales and use tax revenues in excess of the amount paid as traffic impact fees received by the city from the applicant may be deposited in the city's general fund and may be expended for any lawful purpose as directed by the city council.

(b) Special Sales Tax Account. The city shall establish by separate ordinance a special sales tax account for the purposes set forth in subsection (7)(a) of this section. (Ord. 2574 §§ 2 – 8, 2005).

Section 2. Severability.

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

PASSED by the City Council and APPROVED by the Mayor this ____ day of _____, 2010.

CITY OF MARYSVILLE

By _____
DENNIS KENDALL, MAYOR

ATTEST:

By _____
TRACY JEFFRIES, CITY CLERK

Approved as to form:

By _____
GRANT K. WEED CITY ATTORNEY

Date of Publication: _____

Effective Date (5 days after publication): _____

DRAFT

CITY OF MARYSVILLE
Marysville, Washington

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF MARYSVILLE AMENDING SECTION
2.50.090 OF THE MARYSVILLE MUNICIPAL CODE.**

WHEREAS, ~~the City is authorized under RCW 42.24 to provide for payment of expenses, material, purchases, and advancements~~ the state legislature has found that (1) the use of credit cards is a customary and economical business practice to improve cash management, reduce costs, and increase efficiency, and (2) local governments should consider and use credit cards when appropriate;

~~WHEREAS, the state legislature adopted pursuant to RCW 43.09.2855 to local governments are authorized local governments~~ to use credit cards for official government purchases and acquisitions;

WHEREAS, ~~the City wishes to the use of city credit card section of the Marysville Municipal Code to best utilize the best method of purchasing, the Marysville City Council desires to reference authorize and direct the Marysville Finance Director to enforce and control the City credit card system, consistent with RCW 43.09.2855 and other applicable stste law; state law;~~

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

SECTION 1. MMC 2.50.090, is hereby amended to read as follows:

City credit cards may be used by city officials and employees, subject to ~~Chapter 42.24 RCW~~ RCW 43.09.2855 and the following restrictions:

- (1) Any such credit cards obtained will be issued in the name of the elected official or employee, as well as the city, and may not be used by any other person.
- (2) The elected official or employee issued a city credit card shall immediately sign a receipt for the same, which statement shall also include acknowledgment that the elected official or employee understands the limitations put on the use of the credit card and that any misuse thereof shall constitute a misuse of public funds.
- (3) ~~The credit card may be used solely for covering expenses incident to authorized travel on official city business. The Mayor his/her designee are is authorized to establish credit card agreements, for issuance of credit cards to eligible users for purchase of items, products and services required pursuant to for authorized City business~~

purposes. The Mayor or his/her designee shall adopt procedures to implement this section. Credit cards shall be distributed in a manner that is controlled and under approval of the Mayor or his/her designee, for any user that has a recognizable legitimate City business need-purpose and need for such a card. In association with the card issuer, the Mayor or his/her designee shall establish credit limits, pursuant to the card issuer, that establish controls on card use. The Mayor or his/her designee shall authorize payment of credit card bills, establishing City procedures for the review, controls, and audits of such bills.

- (4) Any credit card obtained by the city is not for any personal use or the purchase of personal items by any elected official or employee; it may not be used for personal purchase to be paid back to the city at a later date. Cash advances on credit cards are prohibited.
- (5) The elected official or employee shall obtain a receipt for each purchase made with the card, and shall submit the same, together with a fully itemized ~~travel~~-expense voucher, to the city ~~f~~Finance ~~officer~~ Director not less than 10 days after the credit card billing is received by the city. Any charges on the card which are not properly identified on the ~~travel~~-expense voucher, or which are disallowed by the ~~f~~Finance ~~officer~~ Director or auditing authority, shall be immediately reimbursed by the official or employee in the form of cash or a salary deduction. If, for any reason, a disallowed charge is not repaid before the credit card billing is due and payable, the city shall have a prior lien against and a right to withhold any and all funds payable or to become payable to the official or employee up to the amount of the disallowed charge, plus interest at the same rate as charged by the credit card company.
- (6) No official or employee who has been issued a credit card shall continue to use the card if any disallowed charge is outstanding, and shall be required to surrender the card upon demand by the ~~f~~Finance ~~officer~~ Director, ~~city administrator~~-Chief Administrative Officer or ~~m~~Mayor. The city reserves unlimited authority to revoke use of any credit card issued to an officer or employee, and, upon notice of such revocation being delivered to the credit card company, the city shall not be liable for any costs or charges incurred on the card thereafter. (~~Ord. 1368 § 2, 1984~~).

PASSED by the City Council and APPROVED by the Mayor this _____ day of _____, 2010.

CITY OF MARYSVILLE

By _____
MAYOR

Attest:

By _____

CITY CLERK

Approved as to from:

By _____
CITY ATTORNEY

Date of publication: _____

Effective Date (5days after publication): _____

CITY OF MARYSILLE
Marysville, Washington

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF MARYSVILLE AMENDING SECTION
2.50.090 OF THE MARYSVILLE MUNICIPAL CODE RELATING TO CITY
ISSUED CREDIT CARDS.**

WHEREAS, the state legislature has found that (1) the use of credit cards is a customary and economical business practice to improve cash management, reduce costs, and increase efficiency, and (2) local governments should consider and use credit cards when appropriate;

WHEREAS, pursuant to RCW 43.09.2855 local governments are authorized to use credit cards for official government purchases and acquisitions;

WHEREAS, the Marysville City Council desires to authorize and direct the Marysville Finance Director to enforce and control the City credit card system, consistent with RCW 43.09.2855 and other applicable state law;

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

SECTION 1. MMC 2.50.090, is hereby amended to read as follows:

City credit cards may be used by city officials and employees, subject to RCW 43.09.2855 and the following restrictions:

- (1) Any such credit cards obtained will be issued in the name of the elected official or employee, as well as the city, and may not be used by any other person.
- (2) The elected official or employee issued a city credit card shall immediately sign a receipt for the same, which statement shall also include acknowledgment that the elected official or employee understands the limitations put on the use of the credit card and that any misuse thereof shall constitute a misuse of public funds.
- (3) The Mayor his/her designee are authorized to establish credit card agreements, for issuance of credit cards to eligible users for purchase of items, products and services required for authorized City business purposes. The Mayor or his/her designee shall adopt procedures to implement this section. Credit cards shall be distributed in a manner that is controlled and under approval of the Mayor or his/her designee, for any user that has a legitimate City business purpose and need for a card. In association with the card issuer, the Mayor or his/her designee shall establish credit limits, that establish controls on card use. The Mayor or his/her designee shall authorize payment of credit card bills, establishing City procedures for the review, controls, and audits of such bills.

- (4) Any credit card obtained by the city is not for any personal use or the purchase of personal items by any elected official or employee; it may not be used for personal purchase to be paid back to the city at a later date. Cash advances on credit cards are prohibited.
- (5) The elected official or employee shall obtain a receipt for each purchase made with the card, and shall submit the same, together with a fully itemized expense voucher, to the city Finance Director not less than 10 days after the credit card billing is received by the city. Any charges on the card which are not properly identified on the expense voucher, or which are disallowed by the Finance Director or auditing authority, shall be immediately reimbursed by the official or employee in the form of cash or a salary deduction. If, for any reason, a disallowed charge is not repaid before the credit card billing is due and payable, the city shall have a prior lien against and a right to withhold any and all funds payable or to become payable to the official or employee up to the amount of the disallowed charge, plus interest at the same rate as charged by the credit card company.
- (6) No official or employee who has been issued a credit card shall continue to use the card if any disallowed charge is outstanding, and shall be required to surrender the card upon demand by the Finance Director, Chief Administrative Officer or Mayor. The city reserves unlimited authority to revoke use of any credit card issued to an officer or employee, and, upon notice of such revocation being delivered to the credit card company, the city shall not be liable for any costs or charges incurred on the card thereafter. .

PASSED by the City Council and APPROVED by the Mayor this _____ day of _____, 2010.

CITY OF MARYSVILLE

By _____
MAYOR

Attest:

By _____
CITY CLERK

Approved as to from:

By _____
CITY ATTORNEY

Date of publication: _____
Effective Date (5days after publication): _____