

PUBLIC NOTICE:

In an effort to curtail the spread of the COVID-19 virus, City Council Meetings and Work Sessions will take place by teleconference. Councilmembers and members of the public will not attend in person.

To listen to the meeting without providing public comment:

Join Zoom Meeting
<https://zoom.us/j/92977133971>

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1-888-475-4499 US Toll-free
Meeting ID: 929 7713 3971

Call to Order

Pledge of Allegiance

Roll Call

Approval of the Agenda

Presentations

A. Downtown Master Plan Briefing **(To Occur on September 7, 2021 Only)**

Discussion Items

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

- 1. Approval of the July 26, 2021 City Council Meeting Minutes
- 2. Approval of the August 3, 2021 Special City Council Meeting Minutes
- 3. Approval of the August 20, 2021 Special City Council Meeting Minutes

Consent

- 4. Approval of the July 28, 2021 Claims in the Amount of \$1,309,111.51 Paid by EFT Transactions and Check Numbers 149552 through 149674 **(Action Requested 9/7/2021)**
- 5. Approval of the August 4, 2021 Claims in the Amount of \$740,117.64 Paid by EFT Transactions and Check Numbers 149675 through 149803 **(Action Requested 9/7/2021)**

Marysville City Council Work Session**September 7, 2021****7:00 p.m.****City Hall**

6. Approval of the August 10, 2021 Payroll in the Amount of \$1,482,713.81 Paid by EFT Transactions and Check Numbers 33583 through 33606 (**Action Requested 9/7/2021**)

7. Approval of the August 11, 2021 Claims in the Amount of \$955,389.93 Paid by EFT Transactions and Check Numbers 149804 through 149975

8. Approval of the August 18, 2021 Claims in the Amount of \$478,764.59 Paid by EFT Transactions and Check Numbers 149976 through 150055

9. Approval of the August 25, 2021 Claims in the Amount of \$1,297,823.92 Paid by EFT Transactions and Check Numbers 150056 through 150250

10. Approval of the August 25, 2021 Payroll in the Amount of \$1,443,581.95 Paid by EFT Transactions and Check Numbers 33607 through 33626 with Check Number 112258 Voided

Review Bids

11. Consider the Rejection of the Opera House Exterior Repair and Painting Bid in the Amount of \$219,108.25

12. Consider the Comeford Reservoir Recoat Contract with Mericka Group, LLC in the Amount of \$447,911.40, and a Management Reserve of \$44,791.14, for a Total Allocation of \$492,702.54

Public Hearings

13. Consider an **Ordinance** Vacating the Unopened Public Right-of-Way and Waive Compensation for Said Vacation (**Public Hearing to be held September 13, 2021**)

New Business

14. Consider Scheduling a Public Hearing to Consider Adoption of Amendments to the Marysville Municipal Code Title 22C Concerning Enhanced Services Facilities

15. Consider the Auto Theft Task Force Interlocal Agreement with Snohomish County

16. Consider the Licensing Agreement with Snohomish County Sheriff's Office for use of the Sheriff's Office Gun Range

17. Consider the Agreement with North Whidbey Sportsmen's Association for use of the North Whidbey Sportsmen's Association Gun Range

18. Consider the Agreement with JA Brennan for Design Services at Comeford Park

Work Sessions are for City Council study and orientation – Public Input will be received at the September 13, 2021 City Council meeting.

Marysville City Council Work Session**September 7, 2021****7:00 p.m.****City Hall**

19. Consider the Memorandum of Agreement for a Demonstration Garden with Washington State University

20. Consider the Strategic Energy Management Funding Agreement with Snohomish County PUD No. 1

21. Consider an **Ordinance** Authorizing the City to Use Eminent Domain to Acquire Property for the 80th Street NE Non-Motorized Project

Legal**Mayor's Business****Staff Business****Call on Councilmembers and Committee Reports****Adjournment/Recess****Executive Session**

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


Reconvene**Adjournment**

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

A

CITY OF MARYSVILLE AGENDA BILL
EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: September 7, 2021

AGENDA ITEM:	
Downtown Master Plan Briefing (PA19045)	
PREPARED BY:	DIRECTOR APPROVAL:
Chris Holland, Planning Manager	
DEPARTMENT:	
Community Development	
ATTACHMENTS:	
N/A – PowerPoint Presentation	
BUDGET CODE:	AMOUNT:
N/A	N/A
SUMMARY:	

The City received Engrossed Second Substitute House Bill (E2HSB) 1923 grant funding from Washington State Department of Commerce in order to update the 2009 Downtown Master Plan (DMP), including adoption of a Planned Action Final Environmental Impact Statement (FEIS) and Form Based Code (FBC). MAKERS Architecture & Urban Design, Transpo Group, BERK Consulting and Pertee, were retained by the City in order to assist with this effort.

In addition to maintaining Downtown as a civic and commercial hub, the Draft DMP provides for mixed uses including housing types that offer affordable ownership and rental opportunities in proximity to the planned Swift Bus Rapid Transit (BRT). The City also intends to refresh its Planned Action Ordinance that facilitates environmental review for development that is consistent with the updated plan and FBC.

In advance of the public hearing before the Planning Commission, scheduled on Tuesday, September 14, 2021, staff would like to brief the Council on the Draft DMP & FBC and outline the major highlights of the plan and changes from the 2009 DMP.

Adoption of the update to the DMP would also require a number of amendments to the MMC, removing references to the Downtown Commercial zoning designation, as the zoning is proposed to change to “Downtown Core.” Also proposed, are amendments to the MMC Chapter 3.103 *Multifamily Housing Property Tax Exemption* increasing the boundary to coincide with the DMP boundary and reducing the minimum threshold of housing units from 20 to 10, and amendments to MMC Chapter 22C.160 *Signs* to incorporate sign regulations for the newly created zones within the updated DMP.

In order to comply with the condition of the grant obtained from DOC, the DMP, FEIS and FBC would need to be adopted no later than October 15, 2021.

The DRAFT Documents can be accessed via the City website:

<https://www.marysvillewa.gov/358/Downtown-Master-Plan>

RECOMMENDED ACTION:

N/A – Council Briefing

RECOMMENDED MOTION: N/A – Council Briefing

Index #1

City Council



1049 State Avenue
Marysville, WA 98270

**Regular Meeting
July 26, 2021**

Call to Order

Mayor Nehring called the July 26, 2021 meeting of the Marysville City Council to order in person at City Hall and online via Zoom at 7:00 p.m.

Invocation

Pastor Rick Thiessen of Allen Creek Community Church delivered the invocation.

Pledge of Allegiance

Mayor Nehring led the Pledge of Allegiance.

Roll Call

Present:

Mayor: Jon Nehring

Council: Council President Kamille Norton, Councilmember Jeff Vaughan, Councilmember Tom King, Councilmember Mark James, Councilmember Kelly Richards, Councilmember Michael Stevens, Councilmember Steve Muller

Staff: Chief Administrative Officer (CAO) Gloria Hirashima, Police Chief Erik Scairpon, Fire Chief Martin McFalls, Community Development Director Haylie Miller, Public Works Director Esco Bell, City Attorney Jon Walker, Parks Director Tara Mizell, Human Resources Manager Teri Lester, Asst. Finance Director Jan Berg, Community Information Officer (CIO) Connie Mennie, Information Services Director Worth Norton

Approval of the Agenda

Motion to approve the agenda moved by Councilmember James seconded by Councilmember Richards.

AYES: ALL

Presentations

A. Ivonne Sepulveda – Marysville Tulalip Chamber of Commerce CEO

Marysville Tulalip Chamber CEO, Ivonne Sepulveda, introduced herself to the City Council.

Audience Participation

Christine McCall, commended the City for the 4th of July festivities. She spoke on the Holbrook project and expressed a variety of questions and concerns. She noted that the mailer only had a QR code and no phone number to register to comment. She also expressed concern about the timing of the meeting being 4 p.m. when a lot of homeowners are at work. She stated that there have been nine families who have moved out of the neighborhood because of this issue. Director Miller explained that the notice/meeting Ms. McCall was referring to was provided by the applicant for a neighborhood meeting. If anyone has issues with the QR phone they can call her or Amy Hess for a link. She thought that the applicant would be willing to converse with any neighbors that are unable to make the afternoon meeting time. She noted that after that meeting staff will be continuing its review of the application including access points. Staff will formulate a recommendation and staff report prior to holding a public hearing held by the Marysville Hearing Examiner.

Kristin Bingaman, 2907 140th Street NW, Marysville, WA 98271, encouraged the Council to work together to make Marysville a place where everyone thrives and provides forgiveness, love and respect for each other. She requested that Critical Race Theory not be allowed in the City of Marysville and acceptance of all skin colors and socio-economic backgrounds is championed.

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

1. Approval of the June 28, 2021 City Council Meeting Minutes

Motion to approve the June 28, 2021 City Council Meeting Minutes moved by Councilmember King seconded by Council President Norton.

AYES: ALL

2. Approval of the July 6, 2021 City Council Work Session Minutes

Motion to approve the July 6, 2021 City Council Work Session Minutes moved by Councilmember Richards seconded by Councilmember Muller.

VOTE: Motion carried 6 - 0

AYES: Council President Norton, Councilmember Vaughan, Councilmember King, Councilmember James, Councilmember Richards, Councilmember Muller

ABSTAIN: Councilmember Stevens

3. Approval of the July 12, 2021 City Council Meeting Minutes

Motion to approve the July 12, 2021 City Council Meeting Minutes moved by Council President Norton seconded by Councilmember James.

VOTE: Motion carried 6 - 0

AYES: Council President Norton, Councilmember Vaughan, Councilmember King, Councilmember James, Councilmember Stevens, Councilmember Muller

ABSTAIN: Councilmember Richards

Consent

- 4. Approval of the July 7, 2021 Claims in the Amount of \$371,420.61 Paid by EFT Transactions and Check Numbers 149196 through 149334
- 5. Approval of the July 9, 2021 Payroll in the Amount of \$1,691,186.13 Paid by EFT Transactions and Check Numbers 33538 through 33561
- 6. Approval of the July 14, 2021 Claims in the Amount of \$413,871.01 Paid by EFT Transactions and Check Numbers 149335 through 149347 with Check Numbers 148897 and 149009 Voided
- 7. Approval of the July 21, 2021 Claims in the Amount of \$3,330,997.54 Paid by EFT Transactions and Check Numbers 149348 through 149551
- 8. Approval of the July 23, 2021 Payroll in the Amount of \$1,457,047.90 Paid by EFT Transactions and Check Numbers 33562 through 33582

Motion to approve Consent Agenda items 4, 5, 6, 7, and 8 moved by Councilmember Richards seconded by Council President Norton.

AYES: ALL

Review Bids

Public Hearings

New Business

9. Consider Approving to Accept the Downtown Stormwater Treatment – Preload Phase Project Starting the 60 day Lien Filing Period for Project Closeout

Director Bell reviewed this project, noting it was completed more than 5% under the bid amount. The work was inspected by staff and certified as physically completed. Staff is recommending approval of the project starting the 60 day lien filing period.

Councilmember Muller asked about some issues discovered on the site. Director Bell explained that the preload showed them they will need to do some fairly expensive foundation work.

Councilmember King asked if the preload that has been in place will remain there as part of the project. Director Bell explained that would depend on the design.

Motion to authorize the Mayor to accept the Downtown Stormwater Treatment – Preload Phase Project Starting the 60 day Lien Filing Period for Project Closeout moved by Council President Norton seconded by Councilmember Muller.

AYES: ALL

10. Consider Approving the Ranney Well Pump and Motor Repair and Replacement Contract with PumpTech, Inc. in the Amount of \$92,178.92

Director Bell reviewed this item regarding repair and replacement of one of the city's Ranney well pumps and motor. Staff recommends the Council authorize the Mayor to sign and execute the revised contract.

Motion to authorize the Mayor to sign and execute the Ranney Well Pump and Motor Repair and Replacement Contract with PumpTech, Inc. in the Amount of \$92,178.92 moved by Councilmember Muller seconded by Councilmember King.

AYES: ALL

11. Consider Approving the License Agreement with the Marysville School District for Trail Parking at Marysville Getchell High School Lot E

Director Bell explained that the Marysville School District has allowed for public use of this lot for users of the trail. The lot will be available on non-school days and hours in exchange for several maintenance activities of the parking lot by the City.

Council President Norton asked how much it will cost to pave the lot. Director Bell explained they would be using grinding instead of paving which will mainly involve labor. Council President Norton asked how the public will be informed about expectations of using this lot. Director Bell explained that still needs to be worked out.

Councilmember King commented that is a great location and will be useful for the community.

Councilmember Richards asked if the lot is outside the gates. Director Bell replied that it is.

Mayor Nehring thanked Public Works for working on this. This is a massively popular trail.

Motion to authorize the Mayor to sign and execute the License Agreement with the Marysville School District for Trail Parking at Marysville Getchell High School Lot E moved by Council President Norton seconded by Councilmember Richards.

AYES: ALL

12. Consider Approving the Sewer Easement Relinquishment for Twin Lakes Landing 2 and Record with the Snohomish County Auditor

Director Bell reviewed Housing Hope's plans to construct a 60-unit affordable housing complex. Upon completion of the project the City will have no need to maintain the existing easement rights. Staff is recommending that Council authorize the Mayor to execute the easement relinquishment document.

Motion to authorize the Mayor to execute the Sewer Easement Relinquishment for Twin Lakes Landing 2 and Record with the Snohomish County Auditor moved by Councilmember Muller seconded by Councilmember James.

AYES: ALL

13. Consider Approving the Supplemental Agreement No. 6 with HDR, Inc. for Phase 1 of the State Avenue (100th Street NE to 116th Street NE) Corridor Improvements Project in the Amount of \$96,121.86

Director Bell reviewed this supplemental agreement with HDR regarding State Avenue improvements which will allow the consultant design team to provide as-needed support for the remainder of this project.

Councilmember James asked about why this was over the original estimate. Director Bell explained it not that unusual with large, complex projects like this. He noted that the original estimate was not a bid, but an estimate of time and materials that would be needed.

Councilmember Vaughan noted he also had wondered about the need for an additional supplemental agreement. He thanked Director Bell for his explanation and asked about his outlook for the rest of the project. Director Bell thought that this should get the City to end of Phase 1. There are some change orders on the construction work, but those are reasonable. Councilmember Vaughan noted that there is normally a management reserve set aside for projects for that purpose. Director Bell said he wasn't anticipating exceeding that amount, but they won't know until they are in the midst of it. He expressed confidence in the team and their ability to manage this project appropriately.

Councilmember King asked about a completion date. Director Bell replied that the bridge is expected to be completed by the end of the year, and the rest of the project will be done early next year.

Councilmember James asked how the work on the intersection near Fred Meyer would be handled in relation to this corridor work. Director Bell was not sure, since that will be a separate project, but indicated he would follow up.

Councilmember Richards asked for confirmation that the bridge would be open when school starts. Director Bell explained that they are only planning for it to be closed for one day, on August 9, to do the girders.

Motion to authorize the Mayor to sign and execute the Supplemental Agreement No. 6 with HDR, Inc. for Phase 1 of the State Avenue (100th Street NE to 116th Street NE) Corridor Improvements Project in the Amount of \$96,121.86 moved by Councilmember James seconded by Councilmember Richards.

AYES: ALL

14. Consider Approving an Interlocal Agreement with City of Anacortes for Outdoor Video Services

Director Mizell reviewed the interlocal agreement with the City of Anacortes.

Motion to authorize the Mayor to sign and execute an Interlocal Agreement with City of Anacortes for Outdoor Video Services moved by Councilmember King seconded by Councilmember James.

AYES: ALL

15. Consider Approving the Memorandum of Agreement with King County Regional Fingerprint Identification System

Chief Scairpon explained this is a continuation of a pilot program, moving into a full-fledged program. These are a series of devices used to help officers in determining the identification of a suspect. There will be a nominal annual cost to cover the warranty of the devices.

Councilmember James asked about the life expectancy of the units. Chief Scairpon was not sure. Councilmember James asked if there is a fee to access King County's system. Chief Scairpon replied that there is not; there is only the Memorandum of Agreement.

Motion to authorize the Mayor to sign and execute the Memorandum of Agreement with King County Regional Fingerprint Identification System moved by Councilmember James seconded by Councilmember Vaughan.

AYES: ALL

16. Consider Approving the Memorandum of Understanding with Snohomish County Multiple Agency Response Team (SMART)

Chief Scairpon reviewed this item related to the SMART team which would do an independent investigation on the use of force by officers. It has been a model for in-state teams in the past and has been a leader in the nation. This agreement has the most recent law enforcement reforms in it and is compliant with state law.

Motion to authorize the Mayor to sign and execute the Memorandum of Understanding with Snohomish County Multiple Agency Response Team (SMART) moved by Councilmember Richards seconded by Council President Norton.

AYES: ALL

17. Consider Approving the Grant Funding Contract with Washington Association of Sheriffs and Police Chiefs (WASPC) for Mental Health Field Services

Chief Scairpon reviewed these funds approved by WASPC for the funding of three mental health professionals for the regional mental health embedded law enforcement teams.

Councilmember King asked how time would be shared. Chief Scairpon explained that the three professionals will rotate between the communities, but the details still need to be worked out.

Motion to authorize the Mayor to sign and execute the Grant Funding Contract with Washington Association of Sheriffs and Police Chiefs (WASPC) for Mental Health Field Services moved by Council President Norton seconded by Councilmember Muller.

AYES: ALL

18. Consider Approving the Interagency Data Sharing Agreement with Washington State Auditor's Office

Asst. Finance Director Berg reviewed this item regarding data sharing of confidential information.

Councilmember Muller asked what kind of data they are referring to. Asst. Director Berg confirmed it is just financial data, not personal information.

Motion to authorize the Mayor to sign and execute the Interagency Data Sharing Agreement with Washington State Auditor's Office moved by Councilmember Muller seconded by Councilmember James.

AYES: ALL

19. Consider Approving a Resolution Setting a Public Hearing Date of September 13, 2021 to consider the Vacation of the Existing Public Right-of-Way that was dedicated with the Recording of the Subdivisions known as Sunnyside Ridge and Sunnyside Ridge Division 2, and Waiving Compensation for said Vacation

Director Miller explained this Resolution would schedule a public hearing for September 13 to consider vacating an existing public right-of-way that was dedicated with the recording of the Sunnyside Ridge subdivisions. This piece of property was originally planned for the extension of 67th Avenue NE. Since that dedication occurred, the Comprehensive Plan was amended to revise that connection point so this right-of-way is no longer needed. Staff is proposing waiving the compensation for this right-of-way as the applicant will be improving 44th Street NE in that area.

Councilmember King asked about the improvements on 44th. Director Miller replied it will be curbs, gutters, and sidewalks. Councilmember King asked if the curbs will be realigned from 67th to 44th. Director Miller referred to the map and noted it will be a nice curve.

Councilmember James asked this would still be the main connection to 71st. Director Miller that 67th would connect to 71st through 44th Street. She indicated that she would provide a better map to Council for the public hearing.

Councilmember James asked if 67th will be improved as well since curbs and sidewalks are needed there. Director Miller indicated she would follow up on that and provide it for the public hearing. Councilmember Muller commented that this is one of the changes resulting from the break in access at Highway 92. The intention is that this would become the arterial to bring people down from the break in access.

Motion to approve Resolution No. 2505, a Resolution Setting a Public Hearing Date of September 13, 2021 to consider the Vacation of the Existing Public Right-of-Way that was dedicated with the Recording of the Subdivisions known as Sunnyside Ridge and Sunnyside Ridge Division 2, and Waiving Compensation for said Vacation moved by Councilmember Muller seconded by Councilmember Richards.

AYES: ALL

20. Consider Approving an Ordinance extending the Cable Franchise term by one year and Authorizing the Mayor to sign the Second Amendment Agreement with Frontier Communications

City Attorney Walker reviewed this extension of the contract with Frontier Communications.

Councilmember Muller asked what would happen if the City refused to approve this. City Attorney Walker suggested discussing this with the Mayor, noting he didn't think they would have much leverage with this particular provider.

Councilmember James asked if by extending this to Frontier for another year it could interfere with expansion of Comcast. City Attorney Walker generally commented on acquisition strategies and considerations. He thought the marketplace would sort those things out. Councilmember James asked what would happen if the City doesn't approve this. City Attorney Walker explained that thousands of customers would immediately lose their service with no option for service until another provider goes in their neighborhood. He noted that the City should be providing franchises on an equal basis to whoever wants to provide those services.

Councilmember Muller expressed concern about smaller companies in this industry that are not putting reinvestment capital back into the system. He thought that Ziplly's investment into the community is not much. He commented that in the future he would

like to see what the investment is by the companies into the community to make it better.

Councilmember James asked about the timeline for this and the possibility of tabling this until they get more information about the numbers referred to by Councilmember Muller. City Attorney Walker explained this is set to expire on August 7.

Mayor Nehring explained they could ask for the numbers regarding reinvestment into the community without holding up the negotiating. CAO Hirashima concurred. She also offered to do a comparison of franchise agreements and provide it to Council at the next renewal. City Attorney Walker commented that there is a provision that the company is required to provide the City with occasional access to their records. Director Norton explained there are very strict protocols on how to move forward with negotiating a franchise which are laid out by federal law, and it takes almost a year.

Mayor Nehring commented that if this passes he presumes that the direction of the Council is for staff to communicate to this company that they want to see the numbers of the investment and that they plan to have a thorough review of that before any future extension. The Council concurred.

Motion to approve Ordinance No. 3188 extending the Cable Franchise term by one year and Authorizing the Mayor to sign the Second Amendment Agreement with Frontier Communications moved by Councilmember Richards seconded by Councilmember King.

VOTE: Motion carried 6 - 1

AYES: Council President Norton, Councilmember Vaughan, Councilmember King, Councilmember James, Councilmember Richards, Councilmember Stevens

NOES: Councilmember Muller

Legal

Mayor's Business

21. Planning Commission Appointment

Motion to approve the appointment of Sunshine Kapus to the Planning Commission for a five-year term expiring in 2026 moved by Councilmember Muller seconded by Councilmember Richards.

AYES: ALL

22. Community and Housing Development Citizens Advisory Committee Appointments

Motion to confirm the appointment of Jasmyn Davis to the Community and Housing Development Citizens Advisory Committee moved by Council President Norton seconded by Councilmember King.

AYES: ALL

Motion to confirm the appointment of Mike Leighan to the Community and Housing Development Citizens Advisory Committee moved by Councilmember Richards seconded by Council President Norton.

AYES: ALL

Motion to confirm the appointment of Roger Hoen to the Community and Housing Development Citizens Advisory Committee moved by Councilmember Muller seconded by Councilmember Richards.

AYES: ALL

Motion to confirm the appointment of Mark James to the Community and Housing Development Citizens Advisory Committee moved by Councilmember King seconded by Councilmember Richards.

AYES: ALL

Motion to confirm the appointment of Tom King to the Community and Housing Development Citizens Advisory Committee moved by Councilmember James seconded by Councilmember Vaughan.

AYES: ALL

Motion to confirm the appointment of Greg Kanehen to the Community and Housing Development Citizens Advisory Committee moved by Council President Norton seconded by Councilmember Muller.

AYES: ALL

Motion to confirm the appointment of Daryn Bundy to the Community and Housing Development Citizens Advisory Committee moved by Councilmember Richards seconded by Councilmember King.

AYES: ALL

Motion to confirm the appointment of Jodi Condyles to the Community and Housing Development Citizens Advisory Committee moved by Councilmember Muller seconded by Councilmember King.

AYES: ALL

Motion to confirm the appointment of William Hill to the Community and Housing Development Citizens Advisory Committee moved by Councilmember Richards seconded by Councilmember James.

AYES: ALL

23. Parks, Culture, and Recreation Advisory Board Appointments

Motion to confirm appointment of Michael Oliphant to the Parks, Culture, and Recreation Advisory Board moved by Council President Norton seconded by Councilmember Muller.

AYES: ALL

Motion to confirm re-Appointment of Gayle Bluhm to the Parks, Culture, and Recreation Advisory Board moved by Councilmember Muller seconded by Councilmember Richards.

AYES: ALL

Motion to confirm the re-appointment of Jodi Condyles to the Parks, Culture, and Recreation Advisory Board moved by Council President Norton seconded by Councilmember James.

AYES: ALL

Staff Business

Director Bell had no additional comments.

Chief Scairpon commented that police are currently doing a boat rescue right now. He noted that the police are wearing mourning bands for the Clark County Detective Jeremy Brown who was killed in the line of duty. He reported that the police shared a message to the community on how the police reforms are affecting the community. The Police Department's message is, "Call us. We will come." He stressed that the police are committed to working through these issues.

Chief McFalls had no additional comments.

Director Miller had no additional comments.

Director Mizell had no additional comments.

HR Manager Lester had no additional comments.

PIO Mennie had no additional comments.

Director Norton had no additional comments.

City Attorney Walker stated the need for an Executive Session to address four items including two potential litigation items with no action expected, one item regarding the sale of real estate with no action expected, and one item regarding the lease of real estate with action expected. The estimated time was 30 minutes.

CAO Hirashima had no additional comments.

Call on Councilmembers and Committee Reports

Councilmember Vaughan had no additional comments.

Councilmember James thanked Chief Scairpon for the Police Department's message to the community. Thanks to the Chief McFalls for all that the Fire Department has been doing lately.

Councilmember King reported that the two concerts in the park had good turnout. The first movie was on Saturday and also had a good turnout. Hanging baskets around town look good. Next Tuesday is the Night Out Against Crime. The new logos on city vehicles look good.

Councilmember Stevens wished everyone a great break.

Councilmember Richards thanked Councilmember King for filling in for him last week when he was out of town. He had a good meeting with Directors Bell and Miller before he went out of town. He will be doing ride-alongs with police and fire in the next week.

Councilmember Muller had no additional comments.

Council President Norton thanked citizens for their comments tonight.

Adjournment/Recess

Council recessed at 8:32 p.m.

Executive Session

Council reconvened in Executive Session at 8:40 p.m. for an estimated 30 minutes to address four items including two potential litigation items with no action expected, one item regarding the sale of real estate with no action expected, and one item regarding the lease of real estate with action expected. The estimated time was 30 minutes which was extended by 15 minutes and 5 minutes.

- A. Litigation - two potential litigation items with no action expected
- B. Personnel
- C. Real Estate - one item regarding the sale of real estate with no action and one item regarding the lease of real estate with action expected

Reconvene

Council reconvened the regular meeting at 9:35 p.m.

Motion to authorize the Mayor to execute the Second Amendment to the lease with Bleachers moved by Councilmember Muller seconded by Councilmember Richards.

AYES: ALL

Motion to authorize the Mayor to approve the settlement agreement for grievance DRH-21-001 moved by Councilmember Richards seconded by Councilmember King.

AYES: ALL

Adjournment

The meeting was adjourned at 9:38 p.m.

Approved this _____ day of _____, 2021.

Mayor
Jon Nehring

Index #2

City Council



1049 State Avenue
Marysville, WA 98270

**Special Meeting
August 3, 2021**

Call to Order

Mayor Nehring called the August 3, 2021 Special Meeting of the Marysville City Council to order at 3:00 p.m.

Flag Salute

Mayor Nehring led those present in the Pledge of Allegiance.

Roll Call

Present:

Mayor: Jon Nehring

Council: Council President Kamille Norton, Councilmember Mark James, Councilmember Tom King, Councilmember Kelly Richards, Councilmember Steve Muller

Staff: Chief Administrative Officer Gloria Hirashima, Finance Director Sandy Langdon, City Attorney Jon Walker, Utility Manager Karen Latimer, Public Works Director Esco Bell, Community Development Director Haylie Miller, Community Information Officer Connie Mennie, Information Services Director Worth Norton, Systems Analyst Mike Davis

Absent: Councilmember Stevens¹, Councilmember Vaughan

Motion to excuse the absence of Councilmember Vaughan and Councilmember Stevens moved by Councilmember Richards seconded by Councilmember King.

AYES: ALL

¹ Councilmember Stevens logged on at 3:33 p.m.

Review Bids

1. Comeford Reservoir Recoat

Utility Manager Latimer reviewed the background on this item and explained staff's recommendation to go forward with a full recoat in order to maintain and preserve the structure.

Councilmember King asked about the repeater antennas on the tower. Utility Manager Latimer replied that the antennas are no longer active and will be removed.

Councilmember Richards spoke in support of this, but pointed to the increased cost and asked about postponing this item until September for a regular meeting when the public would be present.

Council President Norton acknowledged Councilmember Richards' concern, and noted that this is a public meeting even though it is a special meeting. She asked Utility Manager Latimer if there are any other options for maintaining this structure. Utility Manager Latimer explained they are not preserving the structure in the same manner they would if it were to hold potable drinking water; it will just be maintained as a safe steel structure. The coating is important to keep the steel in good condition so it doesn't deteriorate.

Council President Norton asked if there are any safety issues with not starting this recoating process right away. Utility Manager Latimer replied there are no safety concerns with it and no urgency.

Council President Norton asked if they had any idea how much it would cost if they just removed the tower without trying to save it. Utility Manager Latimer estimated around \$200,000. It could be more since they found out about the hazardous material in the paint.

Councilmember Muller clarified that this is a budget amendment to the Public Works budget and not the General Fund. Council President Norton asked if using the funds for this project would be taking funds away from something else important they could be doing. Utility Manager Latimer replied there are other projects, but nothing critical.

Councilmember King asked what the life expectancy of the structure would be if they took it down to bare metal and put the coating on it. Utility Manager Latimer replied the engineers estimate that it could last 30-35 years with a full recoat, and maybe up to 20 years if they topcoat it again.

Councilmember Muller asked about a deadline for the current bid and if they could get an actual cost for tear down. Utility Manager Latimer indicated they could check with the contractor about holding the bid for a while.

Councilmember James asked if any other repairs will be needed. Utility Manager Latimer replied that they would be adding two tie offs at the top for lanyards and adding a hatchback on the roof in order to make spot repairs in the interior. The structure itself is sound.

Councilmember James asked about the long-term plans for the water tower. Utility Manager Latimer estimated it could last at least another 70-80 years if they take care of the steel. Councilmember James asked about just gutting the interior. Director Bell thought that the structure was as light as they would want to make it and still be stable.

Councilmember James asked how much it was worth to the Council to save the tower. Council President Norton replied there is a point where it wouldn't be worth it to save the tower. Councilmember James asked about urgency for passing this item tonight. Utility Manager Latimer spoke to the risk that the contractor would not be available to wait. Putting it out to bid could bring in a higher cost next time; the next highest bidder was substantially higher than this one.

Councilmember Richards suggested waiting until the first meeting in September. Councilmember King noted waiting until September would also allow Councilmembers Vaughan and Stevens to comment on this item. Council President Norton commented that if they wait the work most likely wouldn't be done in time for the holiday season. Councilmember Muller added that the cost might also change as they get into the rainy season. Utility Manager Latimer replied she would check on the contractor's schedule. Because of the hazardous materials in the paint the project will be fully encapsulated anyway so weather shouldn't be much of an impact.

Mayor Nehring summarized the will of the Council to vote on this at the work session on September 7. Council President Norton commented that if there is a problem with waiting she does not want to miss out on the bid. Councilmember Richards concurred, but expressed his preference to wait to vote until September if possible. Councilmember Muller concurred.

City Attorney Walker stated the need for an Executive Session to address one item regarding potential litigation expected to last five minutes with action expected.

Recess

Council recessed at 3:33 p.m. and reconvened in Executive Session at 3:36 until 3:41 p.m.

Executive Session

Litigation - one item

Personnel

Real Estate

Motion to authorize the Mayor to execute an agreement settling all claims with Delaney Phaysith as discussed in Executive Session moved by Councilmember Muller seconded by Councilmember James.

AYES: ALL

Adjournment

The meeting adjourned at 3:42 p.m.

Approved this _____ day of _____, 2021.

Mayor
Jon Nehring

Index #3

City Council



**1049 State Avenue
Marysville, WA 98270**

**Special Meeting
August 20, 2021**

CALL TO ORDER

Mayor Nehring called the August 20 Special City Council Meeting to order at 12:00 p.m.

FLAG SALUTE

Mayor Nehring led those present in the Pledge of Allegiance.

ROLL CALL

Present:

Mayor: Jon Nehring

Council: Council President Kamille Norton, Councilmember Jeff Vaughan, Councilmember Mark James, Councilmember Tom King, Councilmember Kelly Richards, Councilmember Steve Muller

Staff: Chief Administrative Officer (CAO) Gloria Hirashima, Deputy City Attorney Burton Eggertsen, Finance Director Sandy Langdon, Information Services Director Worth Norton, Systems Analyst Mike Davis

Absent: Councilmember Michael Stevens

RECESS

Council recessed into Executive Session at 12:04 p.m. to discuss one item regarding the potential sale of city property for ten minutes.

EXECUTIVE SESSION

Real Estate –one item

Executive Session was held from 12:08 until 12:18.

RECONVENEMENT

Council reconvened at 12:19.

Motion to authorize the Mayor to sign the Real Estate Purchase and Sale Contract with Market Street Development, LLC moved by Councilmember Muller seconded by Councilmember James.

VOTE: Motion carried 5 - 0

AYES: Council President Norton, Councilmember Vaughan, Councilmember James, Councilmember King, Councilmember Muller

ABSENT: Councilmember Stevens

ABSTAIN: Councilmember Richards

ADJOURNMENT

The meeting was adjourned at 12:21 p.m.

Approved this _____ day of _____, 2021.

Mayor
Jon Nehring

Index #4

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: September 7, 2021

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 July 28, 2021 claims in the amount of \$1,309,111.51 paid by EFT transactions and Check No.'s 149552 through 149674.
COUNCIL ACTION:

BLANKET CERTIFICATION
CLAIMS
FOR
PERIOD-7

I, THE UNDERSIGNED, DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE MATERIALS HAVE BEEN FURNISHED, THE SERVICES RENDERED OR THE LABOR PERFORMED AS DESCRIBED HEREIN AND THAT THE **CLAIMS** IN THE AMOUNT OF **\$1,309,111.51 PAID BY EFT TRANSACTIONS AND CHECK NO.'S 149552 THROUGH 149674**, THE CITY OF MARYSVILLE, AND THAT I AM AUTHORIZED TO AUTHENTICATE AND TO CERTIFY SAID CLAIMS.

AUDITING OFFICER

DATE

MAYOR

DATE

WE, THE UNDERSIGNED COUNCIL MEMBERS OF MARYSVILLE, WASHINGTON DO HEREBY APPROVE FOR PAYMENT THE ABOVE MENTIONED **CLAIMS** ON THIS **7th DAY OF SEPTEMBER 2021.**

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

CITY OF MARYSVILLE
INVOICE LIST
 FOR INVOICES FROM 7/28/2021 TO 7/28/2021

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
149552	REVENUE, DEPT OF	TAXES JUNE 2021	POLICE ADMINISTRATION	41.00
	REVENUE, DEPT OF		WATER/SEWER OPERATION	75.44
	REVENUE, DEPT OF		GENERAL FUND	608.56
	REVENUE, DEPT OF		GOLF ADMINISTRATION	1,058.88
	REVENUE, DEPT OF		STORM DRAINAGE	9,564.06
	REVENUE, DEPT OF		GOLF COURSE	20,927.87
	REVENUE, DEPT OF		SOLID WASTE OPERATIONS	43,628.50
	REVENUE, DEPT OF		UTIL ADMIN	85,886.61
149553	PREMERA BLUE CROSS	CLAIMS PAID 7/18 - 7/24/21	MEDICAL CLAIMS	58,198.76
149554	LICENSING, DEPT OF	STATE GUN DEALERS LICENSE	INTERGOVERNMENTAL	250.00
149555	LICENSING, DEPT OF	FIREARMS	INTERGOVERNMENTAL	270.00
	LICENSING, DEPT OF		INTERGOVERNMENTAL	504.00
149556	*AL'S TRUCK*	PLUMBING PARTS	WASTE WATER TREATMENT	103.24
149557	ADAMS, JAUNITA	UB REFUND	WATER/SEWER OPERATION	19.29
149558	ALLIANT INSURANCE	INSURANCE-EXCESS BOILER & MACHINERY	RISK MANAGEMENT	1,460.00
	ALLIANT INSURANCE	INSURANCE-ALL RISK PROPERTY	RISK MANAGEMENT	225,600.25
149559	ALS TRUCK PARTS	CREDIT FOR WRONG SEAT	EQUIPMENT RENTAL	-819.75
	ALS TRUCK PARTS	USED SEAT ASSEMBLY #V011	EQUIPMENT RENTAL	819.75
	ALS TRUCK PARTS	TAL ASMY & A PILLAR MLDG #V011	EQUIPMENT RENTAL	830.68
149560	AMAZON CAPITAL	STAPLER/STAPLES	COMMUNITY CENTER	37.87
	AMAZON CAPITAL	OFFICE SUPPLIES	COMPUTER SERVICES	65.57
	AMAZON CAPITAL	SHOP VAC	COMPUTER SERVICES	109.29
	AMAZON CAPITAL	UNIFORM	COMMUNITY	223.57
	AMAZON CAPITAL	STANDING DESK CONVERTERS	COMMUNITY	347.58
	AMAZON CAPITAL	OFFICE SUPPLIES	COMPUTER SERVICES	371.54
	AMAZON CAPITAL	MITEL PHONES	COMPUTER SERVICES	409.05
	AMAZON CAPITAL	VEHICLE SUPPLIES FOR #J033	WATER DIST MAINS	1,155.23
	AMAZON CAPITAL		SOURCE OF SUPPLY	1,155.23
149561	ARAMARK UNIFORM	UNIFORM CLEANING	SMALL ENGINE SHOP	6.56
	ARAMARK UNIFORM		EQUIPMENT RENTAL	58.14
	ARAMARK UNIFORM	LINEN SERVICE	OPERA HOUSE	112.14
149562	ARANDA, GLORIA	UB REFUND	WATER/SEWER OPERATION	172.16
149563	BELISLE-RALSTON,MEGA	REFUND CAMPER	PARKS-RECREATION	54.00
149564	BHC CONSULTANTS	PROFESSIONAL SERVICE 5/22-6/25/21	WASTE WATER TREATMENT	9,115.00
149565	BICKFORD FORD	CREDIT FOR GU2Z SENSOR E	EQUIPMENT RENTAL	-76.07
	BICKFORD FORD	GU2Z SENSOR E	EQUIPMENT RENTAL	76.07
	BICKFORD FORD	A/C EVAPORATOR ASMY #J023	EQUIPMENT RENTAL	203.30
149566	BILLING DOCUMENT SPE	BILL PRINTING SERVICE 7/13-7/16	UTILITY BILLING	2,890.66
149567	BOTESCH, NASH & HALL	CONTRACT ADMIN, SECURITY	CAPITAL EXPENDITURES	25,098.80
	BOTESCH, NASH & HALL	APPLICATION PAYMENT #3-TI	CAPITAL EXPENDITURES	160,314.50
149568	BRAKE AND CLUTCH	BRAKE ADJUSTER KIT	ER&R	272.16
149569	BRENT HACKNEY DESIGN	ON-SITE REVISED AS-BUILT	GMA - STREET	1,200.00
149570	BUJELL, JAMES R	UB REFUND	WATER/SEWER OPERATION	72.41
149571	BUTLER, ADAH	REFUND TENNIS	PARKS-RECREATION	45.00
149572	CALLAR, ERIN	UB REFUND	GARBAGE	26.23
149573	CASCADE NATURAL GAS	NATURAL GAS 6/16-7/15/21	WATER FILTRATION PLANT	202.65
149574	CENTRAL SQUARE TECH	SERVER MIGRATION	IS REPLACEMENT ACCOUNTS	720.00
149575	CHAMPION BOLT	PIPE PLUG-SHOP SUPPLIES	EQUIPMENT RENTAL	109.02
	CHAMPION BOLT	MISC. PART FOR SHOP SUPPLIES	SMALL ENGINE SHOP	124.69
149576	CULOTTI, MORGAN	REFUND CAMPER	PARKS-RECREATION	135.00
149577	DAILY JOURNAL OF COM	LEGAL ADVERTISEMENT	GMA-PARKS	189.20
149578	DELL	LAPTOP, DESKTOP	POLICE PATROL	1,200.00
	DELL		POLICE ADMINISTRATION	1,845.00
	DELL		IS REPLACEMENT ACCOUNTS	4,604.18
149579	DOG WASTE DEPOT	DEPOT ROLL BAG DISPENSER	WATER/SEWER OPERATION	-59.74
	DOG WASTE DEPOT		STORM DRAINAGE	702.14
149580	EATON, SARA	REFUND OPERA HOUSE RENTAL	GENERAL FUND	250.00
149581	EDGE ANALYTICAL	LAB ANALYSIS Item 4 - 3	WATER QUAL TREATMENT	12.00

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 7/28/2021 TO 7/28/2021

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
149581	EDGE ANALYTICAL	LAB ANALYSIS	WATER QUAL TREATMENT	15.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	15.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	216.00
149582	EMPLOYMENT SECURITY	Q2/2021 BENEFIT CHARGES	EMPLOYEE BENEFIT	2,465.28
149583	ENGBRETSON LLC	UB REFUND	WATER/SEWER OPERATION	66.65
149584	EVERETT HYDRAULICS	VEHICLE REPAIR FOR #652	EQUIPMENT RENTAL	4,747.78
149585	EVERETT OFFICE	PEDESTAL DESK	PUBLIC SAFETY BLDG	415.34
149586	EVERETT TIRE & AUTO	TIRES #J056	EQUIPMENT RENTAL	293.19
	EVERETT TIRE & AUTO	TIRES	ER&R	1,075.43
149587	EVERETT, CITY TREAS	WATER FILTRATION 5/28-6/30/21	SOURCE OF SUPPLY	340,901.14
149588	FEDEX	PARTICLE TECH LAB-POND SAMPLE	WASTE WATER TREATMENT	172.92
	FEDEX	SHIPPING TO ACLARA	TRANSPORTATION	457.93
149589	FERRELLGAS	PROPANE	TRAFFIC CONTROL DEVICES	93.43
	FERRELLGAS		ROADWAY MAINTENANCE	93.44
149590	FIRESTONE	BRIDGESTONE DUELER A/T REVO #J033	EQUIPMENT RENTAL	926.81
149591	FRANCOTYP-POSTALIA	POSTAGE METER QUARTERLY	LEGAL - PROSECUTION	26.77
	FRANCOTYP-POSTALIA		CITY CLERK	26.78
	FRANCOTYP-POSTALIA		EXECUTIVE ADMIN	26.78
	FRANCOTYP-POSTALIA		FINANCE-GENL	26.78
	FRANCOTYP-POSTALIA		PERSONNEL ADMINISTRATION	26.78
	FRANCOTYP-POSTALIA		UTILITY BILLING	26.78
149592	GARY D BALL REVOCABL	UB REFUND	WATER/SEWER OPERATION	130.40
149593	GENUINE AUTO GLASS	REPLACED REAR GLASS #V019	EQUIPMENT RENTAL	81.98
149594	GOVCONNECTION INC	PW WATCHGUARD FIREWALL RENEWAL	SOURCE OF SUPPLY	22.47
	GOVCONNECTION INC		WATER DIST MAINS	22.47
	GOVCONNECTION INC		SEWER LIFT STATION	23.16
	GOVCONNECTION INC	UPS'S FOR VACTOR TRAILER	STORM DRAINAGE	132.76
	GOVCONNECTION INC	PW WATCHGUARD FIREWALL RENEWAL	SOURCE OF SUPPLY	581.33
	GOVCONNECTION INC		WATER DIST MAINS	581.33
	GOVCONNECTION INC		SEWER LIFT STATION	598.95
149595	GRAVITY PAYMENTS	JUNE 2021 ONLINE/PHONE PAYMENTS	UTILITY BILLING	17,827.40
149596	GRAY AND OSBORNE	PROFESSIONAL SERVICES 5/23-6/19/21	SURFACE WATER CAPITAL	7,002.78
149597	GRAY-HARR ENTERPRISE	REFUND BUSINESS LICENSE	GENL FUND BUS LIC &	65.00
149598	GREENHAUS PORTABLE	PORTABLE RESTROOM - TENNIS	RECREATION SERVICES	205.00
149599	GRIFFEN, CHRIS	PROFESSIONAL SERVICE	PUBLIC DEFENSE	112.50
	GRIFFEN, CHRIS		PUBLIC DEFENSE	187.50
	GRIFFEN, CHRIS		PUBLIC DEFENSE	225.00
	GRIFFEN, CHRIS		PUBLIC DEFENSE	267.50
	GRIFFEN, CHRIS		PUBLIC DEFENSE	300.00
	GRIFFEN, CHRIS		PUBLIC DEFENSE	300.00
149600	HAMACHER, CINDY	UB REFUND	WATER/SEWER OPERATION	286.43
149601	HODSON, DOROTHY	REFUND PERMIT CHARGE	PARKS-RENTS & ROYALTIES	1,600.00
149602	HOMAGE SENIOR	CDBG-MEAL ON WHEELS APR-JUNE 2021	COMMUNITY	5,725.00
	HOMAGE SENIOR	CDBG-HOME REPAIR APR-JUNE 2021	COMMUNITY	17,650.36
149603	HOME DEPOT USA	CREDIT FOR BLEACH	ER&R	-86.30
	HOME DEPOT USA	BLEACH	ER&R	86.30
	HOME DEPOT USA	INDUSTRIAL DEGREASER	ER&R	249.64
	HOME DEPOT USA	DEGREASER, PIPER, BLEACH	ER&R	603.03
149604	INTERSTATE BATTERY	BATTERIES FOR INVENTORY	ER&R	471.13
149605	JACK GUNTER ART	ORIGINAL PAINTING OF MURAL DESIGN	CAPITAL EXPENDITURES	3,825.50
149606	JOHNSON, MELODY	UB REFUND	GARBAGE	275.72
149607	KENDALL CHEVROLET	WHEEL LUG STUD	EQUIPMENT RENTAL	11.67
149608	KIRSTEN & JOHN RISIN	UB REFUND	WATER/SEWER OPERATION	21.04
149609	LAB/COR, INC.	LAB ANALYSIS	STORM DRAINAGE	192.00
149610	LABOR & INDUSTRIES	L & I 2ND QTR	MUNICIPAL COURTS	21.42
	LABOR & INDUSTRIES		MUNICIPAL COURTS	25.49
	LABOR & INDUSTRIES		RECREATION SERVICES	463.85
	LABOR & INDUSTRIES		POLICE PATROL	513.40

**CITY OF MARYSVILLE
 INVOICE LIST
 FOR INVOICES FROM 7/28/2021 TO 7/28/2021**

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
149611	LAND DIRT PIPE	HYDRANT METER DEPOSIT/USAGE FEE	WATER-UTILITIES/ENVIRONME	-937.50
	LAND DIRT PIPE		WATER/SEWER OPERATION	1,150.00
149612	LES SCHWAB TIRE CTR	AXLE TIRE REPAIR	EQUIPMENT RENTAL	43.74
	LES SCHWAB TIRE CTR	TIRES #J023	EQUIPMENT RENTAL	941.93
149613	LONDON, SHONNA	REFUND TENNIS	PARKS-RECREATION	45.00
149614	LOOMIS	ARMORED TRUCK SERVICE	COMMUNITY	67.79
	LOOMIS		UTIL ADMIN	67.79
	LOOMIS		UTILITY BILLING	135.58
	LOOMIS		GOLF ADMINISTRATION	176.69
	LOOMIS		POLICE ADMINISTRATION	271.16
	LOOMIS		MUNICIPAL COURTS	271.16
149615	MARYSVILLE PRINTING	BUSINESS CARDS	DEVELOPMENT SERVICES	122.88
	MARYSVILLE PRINTING	WINDOW ENVELOPES	CITY CLERK	355.23
	MARYSVILLE PRINTING	BUSINESS CARDS	SEWER MAIN COLLECTION	469.64
149616	MARYSVILLE, CITY OF	4123 71ST ST NE	SUNNYSIDE FILTRATION	115.04
	MARYSVILLE, CITY OF	4202 59TH DR NE	PARK & RECREATION FAC	177.21
	MARYSVILLE, CITY OF	8501 SOPER HILL RD	NON-DEPARTMENTAL	194.66
	MARYSVILLE, CITY OF	3907 82ND AVE NE	PARK & RECREATION FAC	250.91
	MARYSVILLE, CITY OF	4020 71ST AVE NE	SUNNYSIDE FILTRATION	301.84
	MARYSVILLE, CITY OF	4202 59TH DR NE	PARK & RECREATION FAC	662.87
149617	MCCANN, RYAN & JAIME	UB REFUND	WATER/SEWER OPERATION	173.31
149618	MENDOZA, TERESA TINA	INSTRUCTOR SERVICES	RECREATION SERVICES	28.00
149619	MOTOR TRUCKS	BRAKE SPRING KIT #J006	EQUIPMENT RENTAL	12.42
	MOTOR TRUCKS	REPAIRS TO #J035	EQUIPMENT RENTAL	2,777.65
149620	MOUNTAIN MIST	WATER COOLER/BOTTLED WATER	WASTE WATER TREATMENT	19.01
	MOUNTAIN MIST		SOLID WASTE OPERATIONS	19.02
	MOUNTAIN MIST		SEWER MAIN COLLECTION	19.02
149621	NAPA AUTO PARTS	TAILGATE SUPPORT CABLE	EQUIPMENT RENTAL	11.94
	NAPA AUTO PARTS	LED MARKER LIGHT J006	EQUIPMENT RENTAL	18.64
	NAPA AUTO PARTS	ASMBY PARTS FOR #517	EQUIPMENT RENTAL	36.72
	NAPA AUTO PARTS	OIL/AIR FILTER	SMALL ENGINE SHOP	51.85
	NAPA AUTO PARTS	BRAKE PAD FOR #J051	EQUIPMENT RENTAL	185.26
	NAPA AUTO PARTS	A/C FLUORESCENT LAMPS J023	EQUIPMENT RENTAL	370.26
	NAPA AUTO PARTS	FRONT BRAKE PAD/ROTORS J023	EQUIPMENT RENTAL	419.85
149622	NATIONAL BARRICADE	ROAD SIGNS	GMA-PARKS	185.44
149623	NELSON PETROLEUM	ULTRA DUTY GREASE	ER&R	410.84
149624	NORTH SOUND HOSE	BRASS BALL VALVE	SMALL ENGINE SHOP	30.85
149625	NORTHSTAR CHEMICAL	SODIUM HYPOCHLORITE	WATER FILTRATION PLANT	504.00
	NORTHSTAR CHEMICAL		WATER QUAL TREATMENT	504.00
149626	OFFICE DEPOT	RETURN BINDER	PERSONNEL ADMINISTRATION	-28.86
	OFFICE DEPOT	OUTLET SURGE STRIP	DEVELOPMENT SERVICES	28.41
	OFFICE DEPOT	OFFICE SUPPLIES	PERSONNEL ADMINISTRATION	67.36
	OFFICE DEPOT		UTILITY BILLING	90.36
	OFFICE DEPOT		COMMUNITY	138.42
	OFFICE DEPOT		UTILITY BILLING	473.08
149627	OREILLY AUTO PARTS	PRESS SWITCH #517	EQUIPMENT RENTAL	19.52
	OREILLY AUTO PARTS	WARN WINCH #J014	EQUIPMENT RENTAL	203.14
	OREILLY AUTO PARTS	R/L TAL LGT ASMY V011	EQUIPMENT RENTAL	248.72
149628	OSW EQUIPMENT	RUGBY ELECT POWER PACK #J023	EQUIPMENT RENTAL	971.51
149629	OTAK	PROFESSIONAL SERVICE 5/29-6/30/21	GMA - STREET	11,978.69
149630	PARTICLE TECHNOLOGY	LAB ANALYSIS	WASTE WATER TREATMENT	535.00
149631	PEACE OF MIND	7/12/21 REGULAR MEETING MINUTES	CITY CLERK	54.40
	PEACE OF MIND	PLANNING COM. MEETING 7/13/21	COMMUNITY	105.40
	PEACE OF MIND	PLANNING COM. MEETING 6/22/21	COMMUNITY	112.20
149632	PENINSULA ENVIRO	AQUATIC HERBICIDE APPLICATION	WASTE WATER TREATMENT	2,841.80
149633	PGC INTERBAY LLC	PAYROLL REIMB. GOLF COURSE	PRO-SHOP	12,143.56
	PGC INTERBAY LLC		MAINTENANCE	13,058.66
149634	PILCHUCK RENTALS	PARTS FOR PRESSURE WASHER	WASTE WATER TREATMENT	40.99

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 7/28/2021 TO 7/28/2021

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
149635	PLATT ELECTRIC	AERATOR PARTS/VAN STOCK	SOURCE OF SUPPLY	6.55
	PLATT ELECTRIC		SOURCE OF SUPPLY	11.04
	PLATT ELECTRIC		WASTE WATER TREATMENT	19.63
	PLATT ELECTRIC		WASTE WATER TREATMENT	33.13
	PLATT ELECTRIC	CODE BOOK AND TOOLS	STREET LIGHTING	269.36
149636	PUBLIC SAFETY TESTING	2ND QTR SUBSCRIPTION FEE	PERSONNEL ADMINISTRATION	951.00
149637	PUD	RISER PED PLUS FLAGGING	GMA - STREET	4,117.70
149638	PUD	ACCT #203569751	STORM DRAINAGE	1.14
	PUD	ACCT #205195373	PARK & RECREATION FAC	15.31
	PUD	ACCT #202461026	MAINT OF GENL PLANT	16.44
	PUD	ACCT #202011813	PUMPING PLANT	16.53
	PUD	ACCT #223013277	AFFORDABLE HOUSING	16.70
	PUD	ACCT #200973956	SEWER LIFT STATION	21.35
	PUD	ACCT #200448801	TRANSPORTATION	38.04
	PUD	ACCT #202794657	TRANSPORTATION	40.16
	PUD	ACCT #222664310	TRANSPORTATION	51.70
	PUD	ACCT #201628880	WASTE WATER TREATMENT	53.71
	PUD	ACCT #203430897	STREET LIGHTING	55.15
	PUD	ACCT #202524690	PUMPING PLANT	55.63
	PUD	ACCT #222664740	TRANSPORTATION	57.11
	PUD	ACCT #202288585	TRANSPORTATION	58.38
	PUD	ACCT #202303301	SEWER LIFT STATION	60.80
	PUD	ACCT # 222772634	TRANSPORTATION	61.92
	PUD	ACCT #202426482	PUBLIC SAFETY BLDG	75.24
	PUD	ACCT #220681340	STORM DRAINAGE	81.61
	PUD	ACCT #222663973	TRANSPORTATION	82.36
	PUD	ACCT #205237738	TRAFFIC CONTROL DEVICES	92.83
	PUD	ACCT #221115934	MAINT OF GENL PLANT	94.79
	PUD	ACCT #205239270	TRAFFIC CONTROL DEVICES	109.72
	PUD	ACCT #222025900	PUMPING PLANT	155.94
	PUD	ACCT #201247699	STREET LIGHTING	174.23
	PUD	ACCT #221192545	PUBLIC SAFETY BLDG	190.88
	PUD	ACCT #204821227	TRAFFIC CONTROL DEVICES	217.88
	PUD	ACCT #200223857	PARK & RECREATION FAC	224.65
	PUD	ACCT #205419765	PUBLIC SAFETY BLDG	242.27
	PUD	ACCT #201675634	WASTE WATER TREATMENT	417.52
	PUD	ACCT #201587284	WASTE WATER TREATMENT	554.21
	PUD	ACCT #202177333	MAINT OF GENL PLANT	808.59
	PUD	ACCT #201639689	MAINT OF GENL PLANT	870.09
	PUD	ACCT #200824548	MAINT OF GENL PLANT	1,492.64
	PUD	ACCT #200303477	WATER FILTRATION PLANT	2,197.34
	PUD	ACCT #201147253	PUMPING PLANT	2,217.60
	PUD	ACCT #201463031	PUBLIC SAFETY BLDG	3,592.93
	PUD	ACCT #201577921	PUMPING PLANT	8,295.39
	PUD	ACCT #201420635	WASTE WATER TREATMENT	9,154.51
	PUD	ACCT #202075008	WASTE WATER TREATMENT	15,152.70
	PUD	ACCT #201721180	WASTE WATER TREATMENT	24,286.42
149639	ROMAINE ELECTRIC	ALTERNATOR ASSEMBLY #517	EQUIPMENT RENTAL	180.81
149640	ROSS, JANET	UB REFUND	WATER/SEWER OPERATION	191.16
149641	SCHROEDER, SAMANTHA	REFUND OPERA DEPOSIT	GENERAL FUND	250.00
149642	SHANNON, KRISTINE	UB REFUND	WATER/SEWER OPERATION	28.92
149643	SHI INTERNATIONAL	ADOBE PRO LICENSE	CITY CLERK	16.54
149644	SIDHU, IQBAL S, DALJ	UB REFUND	WATER/SEWER OPERATION	1,476.69
149645	SINGH, PINKY	REFUND MUSICAL ADVENTURE	PARKS-RECREATION	49.00
	SINGH, PINKY	REFUND MUSICAL ADVENTURES	PARKS-RECREATION	49.00
149646	SISKUN POWER EQUIPMENT	PARTS - WEED EATER/CONCRETE SAW	SMALL ENGINE SHOP	74.02
	SISKUN POWER EQUIPMENT	MISC. PARTS PARKS	SMALL ENGINE SHOP	550.88
149647	SMITH, RANDELL	UB REFUND	WATER/SEWER OPERATION	18.10

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 7/28/2021 TO 7/28/2021

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
149648	SOUND PUBLISHING	PUBLICATION ORDINANCE 3187	CITY CLERK	29.40
149649	SOUND PUBLISHING	LEGAL ADVERTISEMENT	WATER CAPITAL PROJECTS	168.00
149650	SOUND SAFETY	NEEDLE/SYRINGE KEEPER	ER&R	1,180.44
149651	STRATEGIES 360	SERVICES FOR JUNE 2021	GENERAL	1,050.00
	STRATEGIES 360		WASTE WATER TREATMENT	1,050.00
	STRATEGIES 360		UTIL ADMIN	1,400.00
149652	STRATTON, TEDRA	REFUND BARN FEE	PARKS-RECREATION	125.00
149653	STRIDER CONSTRUCTION	PAY ESTIMATE #15	GMA - STREET	15,230.00
149654	THYSSENKRUPP ELEVATOR	PLATINUM FULL MAINT. 7/1-7/31/21	CITY HALL	335.50
	THYSSENKRUPP ELEVATOR		PUBLIC SAFETY BLDG	335.50
149655	TRIVAN TRUCK BODY	REPAIR FLOOR #J046	EQUIPMENT RENTAL	2,143.36
149656	TURNER, FE	UB REFUND	WATER/SEWER OPERATION	22.37
149657	TYLER TECHNOLOGIES	EMPLOYEE SELF SERV. SUPPORT/MAINT.	COMPUTER SERVICES	1,366.51
149658	UNIVERSAL FIELD	SERVICES PROVIDED APRIL 2021	GMA - STREET	6,271.76
149659	US MOWER	REPAIRS TO #H011	EQUIPMENT RENTAL	150.08
149660	USDA-APHIS-WILDLIFE	PERSONNEL SUPPLIES/MATERIALS	STORM DRAINAGE	2,686.80
149661	USSSA WASHINGTON STA	MIXED TEAM REGISTRATION	RECREATION SERVICES	160.00
149662	VOLUNTEERS OF AMERICA	CDBG-COVID 19 RENTAL ASSISTANCE	COMMUNITY	7,986.00
149663	WAXIE SANITARY SUPPLY	PINK LOTION SOAP	CUSTODIAL SERVICES	66.89
149664	WESTERN GRAPHICS	GRAPHIC PACKAGE #P202	EQUIPMENT RENTAL	967.31
	WESTERN GRAPHICS	GRAPHIC PACKAGE #P180	EQUIPMENT RENTAL	1,132.35
149665	WFOA	2021 CONFERENCE	FINANCE-GENL	650.00
149666	WHPACIFIC	PROFESSIONAL SERVICE 6/1-6/30/21	GMA - STREET	25,664.60
149667	WICKS, EMILY	REFUND OPERA HOUSE RENTAL	GENERAL FUND	250.00
149668	WIDE FORMAT COMPANY	MONTHLY BASE CHARGE JULY 2021	UTIL ADMIN	130.07
149669	ZIPLY FIBER	ACCT #3606512517	STREET LIGHTING	53.06
	ZIPLY FIBER	ACCT #3601970339	SEWER LIFT STATION	61.61
	ZIPLY FIBER	ACCT #3606583136	MUNICIPAL COURTS	72.92
	ZIPLY FIBER	ACCT #3606596212	MAINT OF GENL PLANT	72.92
	ZIPLY FIBER	ACCT# 3606515087	PARK & RECREATION FAC	86.70
	ZIPLY FIBER	ACCT #3606582766	MUNICIPAL COURTS	88.18
	ZIPLY FIBER	ACCT #3606597667	OFFICE OPERATIONS	88.18
	ZIPLY FIBER	ACCT #3606519123	WATER FILTRATION PLANT	105.66
149670	ZIPLY FIBER	ACCT #3606577495	STREET LIGHTING	53.06
149671	ZIPLY FIBER	PHONE SERV. DEERING 7/13-8/12/21	PARK & RECREATION FAC	59.01
149672	ZIPLY FIBER	ACCT #3606583635	COMMUNITY	60.38
	ZIPLY FIBER		UTIL ADMIN	60.39
149673	ZIPLY FIBER	FRONTIER POTS LINES	POLICE ADMINISTRATION	52.77
	ZIPLY FIBER		POLICE PATROL	52.77
	ZIPLY FIBER		COMMUNICATION CENTER	52.77
	ZIPLY FIBER		UTILITY BILLING	52.77
	ZIPLY FIBER		GENERAL	52.77
	ZIPLY FIBER		GOLF ADMINISTRATION	52.77
	ZIPLY FIBER		CITY HALL	52.80
	ZIPLY FIBER		COMMUNITY	105.55
	ZIPLY FIBER		DETENTION & CORRECTION	105.55
	ZIPLY FIBER		OFFICE OPERATIONS	105.55
	ZIPLY FIBER		COMMUNITY CENTER	105.55
	ZIPLY FIBER		GOLF ADMINISTRATION	105.55
	ZIPLY FIBER		RECREATION SERVICES	211.10
	ZIPLY FIBER		WASTE WATER TREATMENT	263.87
	ZIPLY FIBER		UTIL ADMIN	263.87
149674	ZOCCOLA, SUSAN	50% DEPOSIT SCULPTURE CIVIC CENTER	CAPITAL EXPENDITURES	27,325.00

DATE: 7/28/2021
TIME: 3:53:59PM

CITY OF MARYSVILLE
INVOICE LIST
FOR INVOICES FROM 7/28/2021 TO 7/28/2021

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<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
			WARRANT TOTAL:	<u><u>1,309,111.51</u></u>

REASON FOR VOIDS:

INITIATOR ERROR

CHECK LOST/DAMAGED

UNCLAIMED PROPERTY

WARRANT TOTAL:

\$1,309,111.51

Index #5

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: September 7, 2021

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 August 4, 2021 claims in the amount of \$740,117.64 paid by EFT transactions and Check No.'s 149675 through 149803.

COUNCIL ACTION:

BLANKET CERTIFICATION
CLAIMS
FOR
PERIOD-8

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 **\$740,117.64 PAID BY EFT TRANSACTIONS AND CHECK NO.'S 149675 THROUGH 149803**, THE CITY OF MARYSVILLE, AND THAT I AM AUTHORIZED TO AUTHENTICATE AND TO CERTIFY SAID CLAIMS.

AUDITING OFFICER DATE

MAYOR DATE

WE, THE UNDERSIGNED COUNCIL MEMBERS OF MARYSVILLE, WASHINGTON DO HEREBY APPROVE FOR PAYMENT THE ABOVE MENTIONED **CLAIMS** ON THIS **7th DAY OF SEPTEMBER 2021.**

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 8/4/2021 TO 8/4/2021

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
149701	EDGE ANALYTICAL	LAB ANALYSIS	WATER QUAL TREATMENT	15.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	30.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	30.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	30.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	216.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	216.00
149702	EVERETT HERALD	RENEWAL NOTICE	UTIL ADMIN	250.29
149703	EVERETT, CITY OF	ANIMAL SHELTER	COMMUNITY SERVICES UNIT	95.00
	EVERETT, CITY OF		COMMUNITY SERVICES UNIT	462.00
	EVERETT, CITY OF		COMMUNITY SERVICES UNIT	1,930.14
	EVERETT, CITY OF		COMMUNITY SERVICES UNIT	3,520.00
149704	EWING IRRIGATION	ULTRA PUMP-FOUNTAIN REPAIR	PARK & RECREATION FAC	197.63
149705	FARNUM, BRANDI & VIC	UB REFUND	WATER/SEWER OPERATION	290.71
149706	FIELD INSTRUMENTS	MAGNETIC FLOWMETER	PUMPING PLANT	1,237.87
149707	FOREMOST PROMOTIONS	NNO SUPPLIES	CRIME PREVENTION	1,611.93
	FOREMOST PROMOTIONS	NNO	CRIME PREVENTION	2,199.12
149708	FOX, SANDY	UB REFUND	WATER/SEWER OPERATION	27.62
149709	FRANCOTYP-POSTALIA	MAIL MACHINE RENTAL	OFFICE OPERATIONS	160.67
149710	GALLS, LLC	UNIFORM	DETENTION & CORRECTION	110.63
	GALLS, LLC		POLICE PATROL	612.09
	GALLS, LLC	UNIFORMS	DETENTION & CORRECTION	662.80
	GALLS, LLC	UNIFORM	POLICE PATROL	820.88
	GALLS, LLC	LOCK OUT KIT	POLICE PATROL	967.25
149711	GARDINER, JARROD & J	UB REFUND	GARBAGE	254.00
149712	GOBLE SAMPSON ASSOC	SODIUM HYPOCHLORITE PUMPS	WASTE WATER TREATMENT	559.39
	GOBLE SAMPSON ASSOC	TORNADO AERATOR PARTS	WASTE WATER TREATMENT	4,820.90
149713	GOVCONNECTION INC	WATCHGUARD FIREWALL RENEWAL	SOURCE OF SUPPLY	116.72
	GOVCONNECTION INC		WATER DIST MAINS	116.72
	GOVCONNECTION INC		SEWER LIFT STATION	120.24
	GOVCONNECTION INC	WATCHGUARD FIREWALL RENEWAL PARKS	OPERA HOUSE	160.76
	GOVCONNECTION INC	WATCHGUARD FIREWALL RENEWAL	TRANSPORTATION	294.73
	GOVCONNECTION INC	LASERFICHE SCANNER	COMPUTER SERVICES	403.63
	GOVCONNECTION INC	PROPERTY/EVIDENCE SCANNER	OFFICE OPERATIONS	403.63
	GOVCONNECTION INC	WATCHGUARD FIREWALL RENEWAL	COMPUTER SERVICES	3,031.59
149714	GRAINGER	EXHAUST GRILL/FILTER	SEWER LIFT STATION	54.67
	GRAINGER		WATER DIST MAINS	54.67
	GRAINGER	WINDOW KIT	SEWER LIFT STATION	181.67
	GRAINGER		SEWER LIFT STATION	272.52
	GRAINGER	LIGHT DOOR SWITCH, THERMOSTAT	SEWER LIFT STATION	407.02
	GRAINGER		WATER DIST MAINS	407.02
149715	GRANITE CONST	ROCK SUNNYSIDE HILL NEIGHBORHOOD	WATER SERVICES	605.44
	GRANITE CONST	CEDAR TRENCH PAVING	WATER MAINS INSTALL	1,289.06
	GRANITE CONST	ROCK CEDAR PAVING PROJECT	WATER MAINS INSTALL	1,507.99
	GRANITE CONST	CEDAR PROJECT ASPHALT	WATER MAINS INSTALL	1,550.81
149716	GRIFFEN, CHRIS	PROFESSIONAL SERVICE	PUBLIC DEFENSE	150.00
	GRIFFEN, CHRIS		PUBLIC DEFENSE	187.50
	GRIFFEN, CHRIS		PUBLIC DEFENSE	262.50
	GRIFFEN, CHRIS		PUBLIC DEFENSE	300.00
	GRIFFEN, CHRIS		PUBLIC DEFENSE	300.00
	GRIFFEN, CHRIS		PUBLIC DEFENSE	300.00
	GRIFFEN, CHRIS		PUBLIC DEFENSE	300.00
	GRIFFEN, CHRIS		PUBLIC DEFENSE	300.00
149717	HARBOR FREIGHT TOOLS	VOLUNTEER PROGRAM TOOLS	PARK & RECREATION FAC	314.12
149718	HD FOWLER COMPANY	LIQUID FILLED GAGE	WATER DIST MAINS	435.17
	HD FOWLER COMPANY	CONCRETE METER BOX LID	WATER SERVICES	728.59
149719	HDR ENGINEERING	PROFESSIONAL SERVICE	GMA - STREET	2,074.45
	HDR ENGINEERING		GMA - STREET	8,311.18
149720	HEWLETT PACKARD	PRINT TONER AND MAINTENANCE	UTIL ADMIN	8.16

**CITY OF MARYSVILLE
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FOR INVOICES FROM 8/4/2021 TO 8/4/2021

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149720	HEWLETT PACKARD	PRINT TONER AND MAINTENANCE	WATER QUAL TREATMENT	11.59
	HEWLETT PACKARD		PARK & RECREATION FAC	14.32
	HEWLETT PACKARD		COMMUNITY SERVICES UNIT	24.37
	HEWLETT PACKARD		SEWER MAIN COLLECTION	25.67
	HEWLETT PACKARD		STORM DRAINAGE	25.67
	HEWLETT PACKARD		WASTE WATER TREATMENT	54.43
	HEWLETT PACKARD		CITY CLERK	62.22
	HEWLETT PACKARD		FINANCE-GENL	62.22
	HEWLETT PACKARD		MUNICIPAL COURTS	82.34
	HEWLETT PACKARD		UTILITY BILLING	121.23
	HEWLETT PACKARD		COMPUTER SERVICES	334.32
149721	IVISON, SCOTT	UB REFUND	WATER/SEWER OPERATION	196.44
149722	J. THAYER COMPANY	OFFICE SUPPLIES	WATER DIST MAINS	93.21
149723	JULZ ANIMAL HOUZ	SUPPLIES	K9 PROGRAM	14.31
	JULZ ANIMAL HOUZ		K9 PROGRAM	20.44
	JULZ ANIMAL HOUZ	DOG FOOD	K9 PROGRAM	26.24
	JULZ ANIMAL HOUZ	SUPPLIES	K9 PROGRAM	38.01
	JULZ ANIMAL HOUZ		K9 PROGRAM	41.45
	JULZ ANIMAL HOUZ		K9 PROGRAM	54.37
149724	KALLICOTT, ALAN G	UB REFUND	WATER/SEWER OPERATION	19.47
149725	KELLER SUPPLY COMPAN	RESTROOM SUPPLIES	MAINT OF GENL PLANT	284.76
149726	KENDALL CHEVROLET	HEATER HOSE SET #P149	EQUIPMENT RENTAL	78.95
	KENDALL CHEVROLET	TAILGATE CAP TRIM #V011	EQUIPMENT RENTAL	123.19
	KENDALL CHEVROLET	SUCTION HOSE ASSEMBLY #P149	EQUIPMENT RENTAL	172.11
149727	KIM, JAMIE S.	PROFESSIONAL SERVICE	PUBLIC DEFENSE	132.50
	KIM, JAMIE S.		PUBLIC DEFENSE	210.00
	KIM, JAMIE S.		PUBLIC DEFENSE	300.00
	KIM, JAMIE S.		PUBLIC DEFENSE	300.00
	KIM, JAMIE S.		PUBLIC DEFENSE	300.00
149728	KIMBALL, MATTHEW	UB REFUND	WATER/SEWER OPERATION	69.45
149729	KOON, JULIE L		WATER/SEWER OPERATION	84.97
149730	LARUE, JESSE & AMBER		WATER/SEWER OPERATION	227.38
149731	LENNAR NORTHWEST INC	UB REFUND - 8332 39TH ST NE - 98270	WATER/SEWER OPERATION	35.36
149732	LENNAR NORTHWEST INC	UB REFUND - 3602 79TH DR NE - 98270	GARBAGE	561.14
149733	LOMBARDI-POOLE, VIRG	UB REFUND	GARBAGE	126.20
149734	MAKERS	PSA DOWNTOWN MASTER PLAN	COMMUNITY DEVELOPMENT	125,000.00
149735	MARYSVILLE PRINTING	PRINTING	POLICE PATROL	117.06
149736	MCMaster-CARR	STRUT CHANNEL HINGES	SEWER LIFT STATION	327.99
149737	MCWETHY, LUCAS	PROFESSIONAL SERVICE	PUBLIC DEFENSE	300.00
	MCWETHY, LUCAS		PUBLIC DEFENSE	300.00
149738	MILES SAND & GRAVEL	SIDEWALK REPLACEMENT	SIDEWALK MAINTENANCE	735.59
149739	MURDOCH, DONNA & NIC	UB REFUND	WATER/SEWER OPERATION	171.12
149740	NAPA AUTO PARTS	FLEET PARTS	ER&R	71.56
	NAPA AUTO PARTS	OIL/AIR FILTERS/ANTIFREEZE	SMALL ENGINE SHOP	85.02
	NAPA AUTO PARTS	FLEET PARTS	ER&R	108.99
	NAPA AUTO PARTS	2.5 DEF	STREET CLEANING	218.38
149741	NORTH CENTRAL LABORA	PH BUFFERS AND SODIUM TAB	WATER/SEWER OPERATION	-11.33
	NORTH CENTRAL LABORA		WASTE WATER TREATMENT	133.17
149742	NORTH COAST ELECTRIC	DRIP SHIELD KIT	SEWER LIFT STATION	274.43
149743	NORTHSTAR CHEMICAL	SODIUM HYPOCHLORITE	WASTE WATER TREATMENT	2,203.49
149744	OFFICE DEPOT	OFFICE SUPPLIES	UTILITY BILLING	1.44
	OFFICE DEPOT		UTIL ADMIN	2.68
	OFFICE DEPOT		ENGR-GENL	2.68
	OFFICE DEPOT		ENGR-GENL	6.66
	OFFICE DEPOT		UTIL ADMIN	6.67
	OFFICE DEPOT		DEVELOPMENT SERVICES	11.79
	OFFICE DEPOT		SEWER MAIN COLLECTION	17.59
	OFFICE DEPOT	SUPPLIES	POLICE PATROL	21.52

**CITY OF MARYSVILLE
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<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
149744	OFFICE DEPOT	OFFICE SUPPLIES	UTIL ADMIN	64.67
	OFFICE DEPOT	SUPPLIES	DETENTION & CORRECTION	74.30
	OFFICE DEPOT		POLICE PATROL	91.79
	OFFICE DEPOT		POLICE PATROL	107.31
	OFFICE DEPOT		POLICE PATROL	111.44
	OFFICE DEPOT		POLICE PATROL	136.45
	OFFICE DEPOT		POLICE PATROL	163.49
	OFFICE DEPOT		POLICE INVESTIGATION	168.89
	OFFICE DEPOT	TONER	POLICE ADMINISTRATION	191.09
149745	OREGON TACTICAL OFFICE	REGISTRATION	POLICE TRAINING-FIREARMS	4,200.00
149746	PAC-VAN INC.	STORAGE CONTAINER RENTAL	PARK & RECREATION FAC	110.67
149747	PACIFIC POWER BATTER	BATTERY FOR 88TH ST LIFT STATION	SEWER LIFT STATION	16.84
149748	PAEPULE, NICOLE	UB REFUND	WATER/SEWER OPERATION	264.13
149749	PERTEET ENGINEERING	PROFESSIONAL SERVICE	DEVELOPMENT SERVICES	6,760.00
149750	PETEK & ASSOCIATES		POLICE ADMINISTRATION	770.00
149751	PETERS, TERRA LYNN	UB REFUND	WATER/SEWER OPERATION	516.58
149752	PETROCARD SYSTEMS	FUEL CONSUMED	PURCHASING/CENTRAL	78.36
	PETROCARD SYSTEMS		STORM DRAINAGE	84.57
	PETROCARD SYSTEMS		DEVELOPMENT SERVICES	117.90
	PETROCARD SYSTEMS		FACILITY MAINTENANCE	227.90
	PETROCARD SYSTEMS		COMMUNITY	324.46
	PETROCARD SYSTEMS		PARK & RECREATION FAC	1,045.96
	PETROCARD SYSTEMS		GENERAL	2,140.39
	PETROCARD SYSTEMS		MAINT OF EQUIPMENT	4,301.66
	PETROCARD SYSTEMS		SOLID WASTE OPERATIONS	4,929.12
	PETROCARD SYSTEMS		POLICE PATROL	8,189.41
149753	PETTY CASH- POLICE	SUPPLIES	POLICE PATROL	13.97
149754	PILCHUCK RENTALS	METAL SHREDDER BLADE	STORM DRAINAGE	240.35
149755	PROFORCE LAW ENFORC	TASER CARTRIDGES	POLICE TRAINING-FIREARMS	1,553.70
149756	PROVIDENCE EVERETT M	INMATE MEDICAL CARE	DETENTION & CORRECTION	1,280.00
149757	PUD	ACCT #205136245	SEWER LIFT STATION	14.84
	PUD	ACCT #202461034	UTIL ADMIN	15.12
	PUD	ACCT #222871949	PARK & RECREATION FAC	17.01
	PUD	ACCT #202031134	PUMPING PLANT	17.17
	PUD	ACCT #221100092	GMA - STREET	18.14
	PUD	ACCT #220761803	OPERA HOUSE	18.60
	PUD	ACCT #201672136	SEWER LIFT STATION	19.34
	PUD	ACCT #202368551	PARK & RECREATION FAC	22.39
	PUD	ACCT #202012589	PARK & RECREATION FAC	23.14
	PUD	ACCT #201668043	PARK & RECREATION FAC	25.81
	PUD	ACCT #200650745	TRANSPORTATION	26.81
	PUD	ACCT #202476438	SEWER LIFT STATION	26.94
	PUD	ACCT #202499489	COMMUNITY EVENTS	29.40
	PUD	ACCT #202178158	SEWER LIFT STATION	29.51
	PUD	ACCT #201610185	TRANSPORTATION	31.89
	PUD	ACCT #202694337	TRANSPORTATION	36.72
	PUD	ACCT #202557450	STREET LIGHTING	38.06
	PUD	ACCT #203005160	STREET LIGHTING	38.61
	PUD	ACCT #201670890	TRANSPORTATION	40.62
	PUD	ACCT #220792733	STREET LIGHTING	41.03
	PUD	ACCT #202368536	TRANSPORTATION	42.98
	PUD	ACCT #202140489	TRANSPORTATION	43.38
	PUD	ACCT #200827277	TRANSPORTATION	46.55
	PUD	ACCT #202102190	TRANSPORTATION	47.06
	PUD	ACCT #200571842	TRANSPORTATION	50.97
	PUD	ACCT #202368544	TRANSPORTATION	54.37
	PUD	ACCT #202143111	TRANSPORTATION	57.19
	PUD	ACCT #202175956	TRAFFIC CONTROL DEVICES	59.65

**CITY OF MARYSVILLE
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149757	PUD	ACCT #203199732	TRANSPORTATION	61.32
	PUD	ACCT #200790061	PARK & RECREATION FAC	64.14
	PUD	ACCT #203231006	TRANSPORTATION	66.25
	PUD	ACCT #200625382	SEWER LIFT STATION	69.33
	PUD	ACCT #202000329	PARK & RECREATION FAC	76.77
	PUD	ACCT #202463543	SEWER LIFT STATION	82.77
	PUD	ACCT #201021698	PARK & RECREATION FAC	87.47
	PUD	ACCT #200084036	TRANSPORTATION	89.80
	PUD	ACCT #220838882	TRAFFIC CONTROL DEVICES	91.69
	PUD	ACCT #203223458	PARK & RECREATION FAC	136.40
	PUD	ACCT #202309720	TRAFFIC CONTROL DEVICES	191.65
	PUD	ACCT #200070449	TRANSPORTATION	196.09
	PUD	ACCT #201021607	PARK & RECREATION FAC	210.30
	PUD	ACCT #201065281	PARK & RECREATION FAC	261.95
	PUD	ACCT #220761175	OPERA HOUSE	331.11
	PUD	ACCT #202689287	WASTE WATER TREATMENT	482.02
	PUD	ACCT #220824148	WASTE WATER TREATMENT	605.62
	PUD	ACCT #200586485	SEWER LIFT STATION	721.55
	PUD	ACCT #223003021	CAPITAL EXPENDITURES	1,055.88
	PUD	ACCT #221320088	SUNNYSIDE FILTRATION	3,613.66
149758	PUGET SOUND SECURITY	KEYS	POLICE PATROL	7.00
149759	RAINIER ENVIRONMENT	TOXICITY TESTING	WASTE WATER TREATMENT	3,850.00
149760	REAL PROPERTY MANAGE	UB REFUND	WATER/SEWER OPERATION	9.89
149761	REECE TRUCKING	CONCRETE DUMP FEE	SIDEWALK MAINTENANCE	69.68
149762	RH2 ENGINEERING INC	PROFESSIONAL SERVICE	WATER DIST MAINS	22.04
	RH2 ENGINEERING INC		WATER RESERVOIRS	318.52
	RH2 ENGINEERING INC		WATER RESERVOIRS	681.63
	RH2 ENGINEERING INC		WATER DIST MAINS	968.11
	RH2 ENGINEERING INC		SOURCE OF SUPPLY	2,058.71
	RH2 ENGINEERING INC	EMERGENCY RESPONSE PLAN	UTIL ADMIN	6,589.98
	RH2 ENGINEERING INC	SANITARY SEWER COMP PLAN UPDATE	SEWER CAPITAL PROJECTS	7,147.75
	RH2 ENGINEERING INC	EMERGENCY RESPONSE PLAN	UTIL ADMIN	9,975.05
	RH2 ENGINEERING INC	PROFESSIONAL SERVICE	WATER CAPITAL PROJECTS	12,407.01
149763	SAFeway INC.	INMATE MEDICATION	DETENTION & CORRECTION	5.32
149764	SAFeway INC.	SUPPLIES	POLICE PATROL	12.93
149765	SAFeway INC.	ORAL BOARD SNACKS	POLICE PATROL	25.46
149766	SAFeway INC.	INMATE MEDICATION	DETENTION & CORRECTION	60.41
149767	SAFeway INC.		DETENTION & CORRECTION	118.97
	SAFeway INC.		DETENTION & CORRECTION	151.25
149768	SCHAIBLE, MARK	UB REFUND	WATER/SEWER OPERATION	94.93
149769	SCHINDLER, GLORIA A		GARBAGE	67.32
149770	SELECTIVE TREE	TREE REMOVAL	STORM DRAINAGE	1,284.28
149771	SIDHU, GURMEET & SHI	UB REFUND	WATER/SEWER OPERATION	136.63
149772	SNO CO PUBLIC WORKS	SOLID WASTE CHARGES JUNE 2021	SOLID WASTE OPERATIONS	179,733.00
149773	SNO CO TREASURER	CRIME VICTIM/WITNESS FUNDS	CRIME VICTIM	646.19
149774	SOUND PUBLISHING	PUBLICATION OF ORDINANCE 3188	CITY CLERK	29.40
149775	SOUND PUBLISHING	LEGAL ADVERTISEMENT	SURFACE WATER CAPITAL	254.80
149776	SOUND SAFETY	UNIFORM	PARK & RECREATION FAC	142.47
149777	SPECK, BRANDON & JUL	UB REFUND	GARBAGE	273.36
149778	SPRINGBROOK NURSERY	TOP SOIL	PARK & RECREATION FAC	18.86
149779	STATE PATROL	FINGERPRINT ID SERVICE	COMMUNITY	58.00
	STATE PATROL		INTERGOVERNMENTAL	331.25
149780	STORKEL, JANIE	UB REFUND	WATER/SEWER OPERATION	130.20
149781	SUN BADGE CO	PATROL BADGE	POLICE PATROL	108.75
149782	TRANSPORTATION SOLUT	PROFESSIONAL SERVICE	GMA - STREET	15,950.15
149783	TRUE NORTH EQUIPMENT	BUCKLE FOR DUAL CUROTTO	ER&R	68.45
149784	TURNER, FE	UB REFUND	WATER/SEWER OPERATION	171.12
149785	UHLIG, RACHEL		WATER/SEWER OPERATION	69.89

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 8/4/2021 TO 8/4/2021

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
149786	ULINE	EVIDENCE SUPPLIES	POLICE PATROL	254.37
149787	UNITED PARCEL SERVICE	SHIPPING	POLICE PATROL	14.93
	UNITED PARCEL SERVICE		POLICE PATROL	46.58
	UNITED PARCEL SERVICE		POLICE PATROL	59.72
149788	UNITED SITE SERVICES	PORTABLE RESTROOM	PARK & RECREATION FAC	494.29
149789	US MOWER	#H010A REPAIRS	STORM DRAINAGE	185.81
	US MOWER		EQUIPMENT RENTAL	185.81
	US MOWER	SKID PLATES, SHOES FOR #H016	ROADSIDE VEGETATION	654.35
	US MOWER	#H010A REPAIRS	STORM DRAINAGE	3,031.31
	US MOWER		EQUIPMENT RENTAL	3,031.31
149790	VELASQUEZ, PEDRO LOP	UB REFUND	WATER/SEWER OPERATION	47.79
149791	VERIZON	WIRELESS MODEMS	COMMUNITY SERVICES UNIT	160.08
	VERIZON	AMR LINES	METER READING	321.93
	VERIZON	WIRELESS MODEMS	OFFICE OPERATIONS	480.18
	VERIZON		POLICE PATROL	2,400.73
149792	VERONE, THOMAS & JES	UB REFUND	WATER/SEWER OPERATION	50.64
149793	VISION CHURCH	CDBG-COVID 19 RELIEF	COMMUNITY	11,777.00
149794	WA STATE TREASURER	PUBLIC SAFETY & BLDG REVENUE	INTERGOVERNMENTAL	468.50
	WA STATE TREASURER		GENERAL FUND	39,080.01
149795	WEBCHECK	WEBCHECK SERVICE JULY 2021	UTILITY BILLING	2,088.72
149796	WESTERN FACILITIES	SUPPLIES	DETENTION & CORRECTION	17.01
	WESTERN FACILITIES		DETENTION & CORRECTION	449.39
	WESTERN FACILITIES		DETENTION & CORRECTION	546.22
149797	WHISTLE WORKWEAR	UNIFORM	CUSTODIAL SERVICES	138.34
	WHISTLE WORKWEAR		SOLID WASTE OPERATIONS	197.63
149798	WTM LLC	UB REFUND	WATER/SEWER OPERATION	53.84
149799	ZIPLY FIBER	ACCT #3606583358	POLICE PATROL	58.32
	ZIPLY FIBER	ACCT #3606577075	POLICE PATROL	58.47
149800	ZIPLY FIBER	ACCT #3606517319	TRAFFIC CONTROL DEVICES	56.96
149801	ZIPLY FIBER	ACCT #3606577108	STREET LIGHTING	58.32
149802	ZIPLY FIBER	ACCT #3606594398	PUBLIC SAFETY BLDG	106.27
149803	ZIPLY FIBER	ACCT #3606534028	CITY HALL	108.24

WARRANT TOTAL: 740,117.64

REASON FOR VOIDS:

INITIATOR ERROR

CHECK LOST/DAMAGED

WARRANT TOTAL: \$740,117.64

Index #6

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: September 7, 2021

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

RECOMMENDED ACTION:

The Finance and Executive Departments recommend City Council approve the August 10, 2021 payroll in the amount \$1,482,713.81, paid by EFT Transactions and Check No. 33583 through 33606.

COUNCIL ACTION:

Index #7

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: September 13, 2021

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 August 11, 2021 claims in the amount of \$955,389.93 paid by EFT transactions and Check No.'s 149804 through 149975.
COUNCIL ACTION:

BLANKET CERTIFICATION
CLAIMS
FOR
PERIOD-8

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 **\$955,389.93 PAID BY EFT TRANSACTIONS AND CHECK NO.'S 149804 THROUGH 149975**, THE CITY OF MARYSVILLE, AND THAT I AM AUTHORIZED TO AUTHENTICATE AND TO CERTIFY SAID CLAIMS.

AUDITING OFFICER DATE

MAYOR DATE

WE, THE UNDERSIGNED COUNCIL MEMBERS OF MARYSVILLE, WASHINGTON DO HEREBY APPROVE FOR PAYMENT THE ABOVE MENTIONED **CLAIMS** ON THIS **13th DAY OF SEPTEMBER 2021.**

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

**CITY OF MARYSVILLE
 INVOICE LIST
 FOR INVOICES FROM 8/11/2021 TO 8/11/2021**

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
149804	*AL'S TRUCK*	PARTS FOR #H010	EQUIPMENT RENTAL	31.13
	AL'S TRUCK	WINCH CABLE	EQUIPMENT RENTAL	74.59
	AL'S TRUCK	CONTRACTOR HOSE	STREET CLEANING	359.05
149805	7-11 INC #32834	UB REFUND	WATER/SEWER OPERATION	158.13
149806	AHERN RENTALS, INC.	EXCAVATOR RENTAL	STORM DRAINAGE	3,688.89
149807	ALL BATTERY SALES & ALL BATTERY SALES &	THIN FOLDING WORK LIGHTS THREAD LOCKS	EQUIPMENT RENTAL EQUIPMENT RENTAL	107.73 109.03
149808	ALPINE PRODUCTS INC	MARKER PADS	TRAFFIC CONTROL DEVICES	1,747.42
149809	AMAZON CAPITAL	SUPPLIES	POLICE INVESTIGATION	8.13
	AMAZON CAPITAL		POLICE INVESTIGATION	19.23
	AMAZON CAPITAL	GLOVES, WIPES	RECREATION SERVICES	131.63
	AMAZON CAPITAL	UNIFORM REPLACEMENT	COMMUNITY	218.38
	AMAZON CAPITAL	HARD DRIVE, COAT RACK	COMPUTER SERVICES	256.05
	AMAZON CAPITAL	WEBCAMS	COMPUTER SERVICES	329.92
	AMAZON CAPITAL	VERIDESK	COMPUTER SERVICES	541.04
149810	AMERICAN PLANNING	APA MEMBERSHIP DUES	EXECUTIVE ADMIN	724.00
149811	AMERICAN SAFETY & HE AMERICAN SAFETY & HE AMERICAN SAFETY & HE	ONLINE INSTRUCTOR UPGRADE FEE INSTRUCTOR DEVELOPMENT COURSE TRAINING INSTRUCTOR COURSE	EXECUTIVE ADMIN EXECUTIVE ADMIN EXECUTIVE ADMIN	21.86 27.27 199.83
149812	ANDERSON, KRISTEN	PROTEM SERVICE 7/23 TO 7/29/21	MUNICIPAL COURTS	1,665.00
149813	AOC FINANCIAL SERVICE	FALL JUDICIAL CONFERENCE	PROBATION	310.00
149814	ARA COLLISION NORTH	UB REFUND - OVERPAYMENT	GARBAGE	821.10
149815	ARAMARK UNIFORM ARAMARK UNIFORM ARAMARK UNIFORM	UNIFORM CLEANING LINEN SERVICE	SMALL ENGINE SHOP EQUIPMENT RENTAL OPERA HOUSE	6.56 58.14 112.14
149816	ARIES BLDG SYSTEMS ARIES BLDG SYSTEMS	PORTABLE BUILDING RENTAL	STORM DRAINAGE SEWER SERV MAINT	524.69 524.69
149817	ARLINGTON, CITY OF	ACCT #700033.31	WATER FILTRATION PLANT	34.45
149818	ATIMS ATIMS ATIMS ATIMS	SALES TAX	DETENTION & CORRECTION DETENTION & CORRECTION DETENTION & CORRECTION DETENTION & CORRECTION	442.90 447.76 452.63 452.63
149819	AV CAPTURE ALL, INC. AV CAPTURE ALL, INC.	POSTAGE MACHINE LEASE	PROBATION MUNICIPAL COURTS	983.70 2,951.10
149820	BHC CONSULTANTS BHC CONSULTANTS	PROFESSIONAL SERVICE 6/26 - 7/23/21	WASTE WATER TREATMENT SEWER CAPITAL PROJECTS	2,281.25 11,868.50
149821	BIAS, ELIZABETH	UB REFUND	WATER/SEWER OPERATION	29.00
149822	BILLING DOCUMENT SPE BILLING DOCUMENT SPE	BILL PRINTING SERVICE 7/20 - 7/30/21 BILL PAYMENT SERVICE JULY 2021	UTILITY BILLING UTILITY BILLING	2,556.37 2,600.45
149823	BILLS BLUEPRINT INC	PROFESSIONAL SERVICE 6/26 - 7/23/21	SURFACE WATER CAPITAL	844.89
149824	BIRDBLUE VENTURES	INSTRUCTOR PAYMENT REPORT	RECREATION SERVICES	1,197.00
149825	BLUE MARBLE ENV	RECYCLING PROJECT	SOLID WASTE OPERATIONS	6,748.16
149826	BOYD, RAE	NURSE CONTRACT SERVICE	DETENTION & CORRECTION	8,350.00
149827	BRIM TRACTOR	CABIN AIR FILTERS H011	EQUIPMENT RENTAL	340.31
149828	BUD BARTON'S GLASS	CITY HALL WINDOW REPLACEMENT	CITY HALL	688.59
149829	BUILDERS EXCHANGE BUILDERS EXCHANGE	ONLINE PUBLICATION	GMA-PARKS SURFACE WATER CAPITAL	45.00 97.05
149830	CARDWELL, IRATXE CARDWELL, IRATXE CARDWELL, IRATXE	INTERPRETER SERVICE INTERPRETER SERVICES	COURTS COURTS COURTS	103.97 103.97 103.97
149831	CASCADE COLUMBIA	PAX XL-8GAL	WASTE WATER TREATMENT	13,980.59
149832	CENTRAL WELDING SUPP CENTRAL WELDING SUPP	MESH VESTS RED PADLOCKS	ER&R SOLID WASTE OPERATIONS	106.57 203.95
149833	CHALLUS, GEORGE & AN	UB REFUND	WATER/SEWER OPERATION	210.29
149834	COASTAL FARM & HOME COASTAL FARM & HOME	UNIFORM STAPLE GUN, STAPLES, TARP, WIRE	UTIL ADMIN STORM DRAINAGE	96.17 207.59
149835	CODE PUBLISHING	WEB ANNUAL FEES JUNE 2021-2022	CITY CLERK	480.00
149836	COLACURCIO BROTHERS	PAY ESTIMATE #1Item 7 - 3	GMA - STREET	36,360.94

**CITY OF MARYSVILLE
 INVOICE LIST
 FOR INVOICES FROM 8/11/2021 TO 8/11/2021**

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
149837	CORE & MAIN LP	PROCODER METER PITS	WATER SERVICE INSTALL	13,198.74
149838	CORRECTIONS, DEPT OF	INMATE MEALS	DETENTION & CORRECTION	3,252.96
149839	CRYSTAL SPRINGS	WATER COOLER DISPENSER	COMMUNITY	41.87
149840	CTS LANGUAGE LINK	INTERPRETER SERVICE	COURTS	32.10
149841	DATA QUEST LLC	PRE-EMPLOYMENT	POLICE ADMINISTRATION	50.00
149842	DIAMOND VETERINARY	VET CARE	COMMUNITY SERVICES UNIT	323.50
149843	DICKS TOWING	TOWING 21-62421	POLICE PATROL	77.47
149844	DK SYSTEMS, INC.	QUARTERLY HVAC MAINTENANCE Q3	SOURCE OF SUPPLY	109.85
	DK SYSTEMS, INC.		SUNNYSIDE FILTRATION	261.23
	DK SYSTEMS, INC.		OPERA HOUSE	288.00
	DK SYSTEMS, INC.		WATER FILTRATION PLANT	625.20
	DK SYSTEMS, INC.		MAINT OF GENL PLANT	668.92
	DK SYSTEMS, INC.		COURT FACILITIES	807.17
	DK SYSTEMS, INC.		CITY HALL	998.46
	DK SYSTEMS, INC.		PARK & RECREATION FAC	1,025.24
	DK SYSTEMS, INC.	REPAIRS AT STILLY WATER PLANT	WATER FILTRATION PLANT	1,056.40
	DK SYSTEMS, INC.	QUARTERLY HVAC MAINTENANCE Q3	UTIL ADMIN	1,152.02
	DK SYSTEMS, INC.		WASTE WATER TREATMENT	1,365.15
	DK SYSTEMS, INC.		PUBLIC SAFETY BLDG	1,505.61
	DK SYSTEMS, INC.	GOLF COURSE RESTAURANT REPAIRS	MAINTENANCE	2,992.42
149845	DLT SOLUTIONS	APPLIANCE WARRANTY	COMPUTER SERVICES	371.07
	DLT SOLUTIONS	RENEWAL PASSWORD MANAGER MAINT.	COMPUTER SERVICES	639.41
149846	DONNELSON ELECTRIC	TRACK LIGHTING/DIMMERS	OPERA HOUSE	9,597.64
149847	DOUGLAS, LEE	LEOFF I - REIMBURSEMENT DENTAL	POLICE ADMINISTRATION	145.00
149848	DRIVE PAYMENTS, LLC	ACH PAYMENT PROCESSING JULY 2021	UTILITY BILLING	414.45
149849	DYER, ROBERT L	LEOFF I -REIMBURSEMENT MED/DENT	POLICE ADMINISTRATION	83.50
	DYER, ROBERT L		POLICE ADMINISTRATION	370.50
	DYER, ROBERT L		POLICE ADMINISTRATION	891.00
149850	E&E LUMBER	PVC COUPLINGS, TAPE, ADAPTORS	PARK & RECREATION FAC	12.95
	E&E LUMBER	CABLE TIES, FASTENERS	RECREATION SERVICES	16.00
	E&E LUMBER	CONCRETE, PLASTIC PAIL	RECREATION SERVICES	27.74
	E&E LUMBER	CABLE TIES, FASTENERS	RECREATION SERVICES	30.82
	E&E LUMBER	FAUCET FOR CEDAR FIELDS PARKS	PARK & RECREATION FAC	43.01
	E&E LUMBER	ADAPTER & CONNECTORS	PARK & RECREATION FAC	66.44
	E&E LUMBER	PAINT SUPPLIES	PARK & RECREATION FAC	66.47
149851	EVERETT TIRE & AUTO	ALIGNMENT FOR J056	EQUIPMENT RENTAL	226.19
149852	EVERETT, CITY OF	LAB ANALYSIS	WATER QUAL TREATMENT	128.70
	EVERETT, CITY OF		WASTE WATER TREATMENT	912.60
149853	FAIRWEATHER, MARGARET	REFUND JUBIE FAMILY FEE	PARKS-RECREATION	65.00
149854	FARLEY, CHRISTOPHER	REPLACEMENTS	POLICE PATROL	33.37
149855	FCS GROUP	CD COST OF SERVICE STUDY	COMMUNITY	1,140.00
149856	FELDMAN & LEE P.S.	PUBLIC DEFENDER MONTHLY CONTRACT	PUBLIC DEFENSE	52,000.00
149857	FRANCOTYP-POSTALIA	POSTAGE METER RENTAL	COMMUNITY	109.84
	FRANCOTYP-POSTALIA		UTIL ADMIN	109.85
149858	G & S HEATING	REFUND ELECTRICAL PERMIT FEE	COMMUNITY DEVELOPMENT	50.00
	G & S HEATING	ONLINE MECHANICAL PERMIT FEE	NON-BUS LICENSES AND	70.00
149859	GALLS, LLC	UNIFORM	POLICE PATROL	18.85
	GALLS, LLC		POLICE PATROL	19.71
	GALLS, LLC	UNIFORMS	POLICE PATROL	19.89
	GALLS, LLC	UNIFORM	POLICE PATROL	99.79
	GALLS, LLC		POLICE PATROL	207.22
	GALLS, LLC		POLICE PATROL	550.12
149860	GC SYSTEMS INC	PRV SUPPLIES	WATER DIST MAINS	584.67
	GC SYSTEMS INC	CRD & CRL REPAIR KITS	WATER DIST MAINS	1,132.59
149861	GEDDES, BRENDA	HANDOUTS - TOUCH-A-TRUCK	UTIL ADMIN	2,360.42
149862	GOVCONNECTION INC	DESKTOP SCANNER	MUNICIPAL COURTS	403.63
149863	GRAINGER	FIRST AID REFILLS	UTIL ADMIN	18.18
	GRAINGER	TAPE	EQUIPMENT RENTAL	30.56

**CITY OF MARYSVILLE
 INVOICE LIST
 FOR INVOICES FROM 8/11/2021 TO 8/11/2021**

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
149863	GRAINGER	EAR MUFFS	ER&R	133.83
	GRAINGER	ELECTROLYTE DRINK MIX	MAINT OF GENL PLANT	362.97
	GRAINGER	TOOLS	ER&R	666.18
149864	GREENHAUS PORTABLE	PORTABLE RESTROOM	RECREATION SERVICES	130.00
	GREENHAUS PORTABLE	PORTABLE RESTROOM	RECREATION SERVICES	130.00
	GREENHAUS PORTABLE	PORTABLE RESTROOM	RECREATION SERVICES	260.00
149865	GUNDERSON, JARL	LEOFF I MED/DENT REIMBURSEMENT	POLICE ADMINISTRATION	102.00
	GUNDERSON, JARL		POLICE ADMINISTRATION	297.00
149866	HARRINGTON INDUST.	PVC	WATER FILTRATION PLANT	22.49
	HARRINGTON INDUST.	VALVES, PVC CROSSPORT	WATER FILTRATION PLANT	815.08
149867	HAYTON, EMILY	REFUND CHESH WIZARD	PARKS-RECREATION	188.00
149868	HD FOWLER COMPANY	CONDUIT SHORT SWEEP	PARK & RECREATION FAC	10.74
	HD FOWLER COMPANY	IRRIGATION PARTS	PARK & RECREATION FAC	39.01
	HD FOWLER COMPANY	IRRIGATION MULTI TOOL	PARK & RECREATION FAC	45.28
	HD FOWLER COMPANY	DC LATCHING	PARK & RECREATION FAC	98.13
	HD FOWLER COMPANY	LIQUID FILLED GAUGE	WATER DIST MAINS	217.59
	HD FOWLER COMPANY	FIRE HYDRANT STORZ RESTRAINING	WATER CAPITAL PROJECTS	2,950.27
149869	HEMMERICH, AARON	REFUND PERMIT CHARGES	GENERAL FUND	250.00
149870	HERC RENTALS INC	STUMP GRINDER RENTAL	ROADSIDE VEGETATION	346.97
149871	HOME DEPOT USA	PUMP TANK SPRAYER	SOLID WASTE OPERATIONS	30.19
	HOME DEPOT USA	JANITORIAL SUPPLIES	CUSTODIAL SERVICES	443.85
149872	HOOVER COMMERCIAL	LABOR/PARTS FOR ICE MACHINE	MAINT OF GENL PLANT	896.26
149873	HYLARIDES, LETTIE	INTERPRETER SERVICE	COURTS	100.00
149874	INDUSTRIAL SOFTWARE	SUPERVISORY CLIENT SCADA UPGRADE	WASTE WATER TREATMENT	697.93
	INDUSTRIAL SOFTWARE		WATER DIST MAINS	697.94
	INDUSTRIAL SOFTWARE		WATER FILTRATION PLANT	719.09
149875	ISOM, DAWN	TRAINING REGISTRATION	POLICE TRAINING-FIREARMS	97.00
149876	J.A. BRENNAN ASSOC	COMEFORD PARK/DELTA PLAZA	CAPITAL EXPENDITURES	29,478.51
149877	KAISER PERMANENTE	PRE-EMPLOYMENT	POLICE ADMINISTRATION	1,996.00
149878	KAR GOR INC	VIDEO DETECTION	TRANSPORTATION	4,452.79
149879	KELLER, J SCOTT & KE	UB REFUND	GARBAGE	500.00
149880	KENDALL CHEVROLET	REAR GLASS WINDOW TINT #V019	EQUIPMENT RENTAL	1,028.26
149881	KINGSFORD, ANDREA	SUPPLIES	RECREATION SERVICES	164.01
	KINGSFORD, ANDREA		RECREATION SERVICES	1,117.92
149882	L N CURTIS & SONS	RESPONDER KITS	EXECUTIVE ADMIN	2,896.45
149883	LANGUAGE EXCHANGE	INTERPRETER SERVICE	COURTS	707.00
149884	LASTING IMPRESSIONS	CAPS WITH LOGO	ER&R	668.13
149885	LEONARD, REMY	PROTEM SERVICE 8/3/21	MUNICIPAL COURTS	370.00
149886	LES SCHWAB TIRE CTR	TRAILER TIRES #F016	EQUIPMENT RENTAL	891.47
	LES SCHWAB TIRE CTR	AXLE TIRES #J030	EQUIPMENT RENTAL	1,567.14
149887	LGI HOMES	UB REFUND - 8702 56TH ST NE 98270	WATER/SEWER OPERATION	15.24
149888	LINDSTROM, DANIEL	UB REFUND	GARBAGE	69.56
149889	LITTLE, ALANA		WATER/SEWER OPERATION	52.88
149890	LONGSTRETH, VICTORIA		WATER/SEWER OPERATION	15.59
149891	LOOMIS	ARMORED TRUCK SERVICE	COMMUNITY	67.79
	LOOMIS		UTIL ADMIN	67.79
	LOOMIS		UTILITY BILLING	135.58
	LOOMIS		GOLF ADMINISTRATION	176.69
	LOOMIS		POLICE ADMINISTRATION	271.16
	LOOMIS		MUNICIPAL COURTS	271.16
149892	LOWES HIW INC	CABINET MOUNTING TEMP.	SUNNYSIDE FILTRATION	27.11
149893	MARYSVILLE AWARDS	AWARD	CRIME PREVENTION	116.39
149894	MARYSVILLE FIRE	EMERGENCY AID SERVICES	FIRE-EMS	11,530.79
149895	MARYSVILLE, CITY OF	UTILITIES 6302 152ND ST NE	PARK & RECREATION FAC	42.09
	MARYSVILLE, CITY OF	UTILITIES AT 15524 SMOKEY POINT BLVD	PUBLIC SAFETY BLDG	199.44
	MARYSVILLE, CITY OF	UTILITIES AT 2323 172ND ST IRRIGATION	ROADWAY MAINTENANCE	315.38
	MARYSVILLE, CITY OF	UTILITIES AT 6302 152ND ST NE	PARK & RECREATION FAC	4,281.22
149896	MATTIX, SAMUEL	INTERPRETER SERVICE5	COURTS	150.00

**CITY OF MARYSVILLE
 INVOICE LIST
 FOR INVOICES FROM 8/11/2021 TO 8/11/2021**

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
149897	MCNULTY, KATRINA	REFUND CAMP MAGIC	PARKS-RECREATION	88.00
	MCNULTY, KATRINA	REFUND CHESS WIZARDS	PARKS-RECREATION	188.00
149898	MEHRMANN, CHARLES	UB REFUND	WATER/SEWER OPERATION	72.41
149899	MENNIE, CONNIE	BUSINESS EXPENSES REIMBURSEMENT	EXECUTIVE ADMIN	8.79
	MENNIE, CONNIE		EXECUTIVE ADMIN	31.90
149900	MIDWEST CARD & ID	SALAMADER LIVE RENEWAL	EXECUTIVE ADMIN	830.68
149901	MOBILEGUARD, INC.	TEXT MESSAGE ARCHIVING	COMMUNITY	7.85
	MOBILEGUARD, INC.		CRIME PREVENTION	7.85
	MOBILEGUARD, INC.		COMMUNITY SERVICES UNIT	7.85
	MOBILEGUARD, INC.		PROPERTY TASK FORCE	7.85
	MOBILEGUARD, INC.		RECREATION SERVICES	7.85
	MOBILEGUARD, INC.		LEGAL-GENL	7.85
	MOBILEGUARD, INC.		PERSONNEL ADMINISTRATION	7.85
	MOBILEGUARD, INC.		SOLID WASTE CUSTOMER	7.85
	MOBILEGUARD, INC.		FACILITY MAINTENANCE	7.85
	MOBILEGUARD, INC.		MUNICIPAL COURTS	15.70
	MOBILEGUARD, INC.		YOUTH SERVICES	15.70
	MOBILEGUARD, INC.		COMPUTER SERVICES	16.69
	MOBILEGUARD, INC.		OFFICE OPERATIONS	23.55
	MOBILEGUARD, INC.		COMMUNITY SERVICES UNIT	23.55
	MOBILEGUARD, INC.		WATER QUAL TREATMENT	23.55
	MOBILEGUARD, INC.		PARK & RECREATION FAC	31.40
	MOBILEGUARD, INC.		CUSTODIAL SERVICES	31.40
	MOBILEGUARD, INC.		STORM DRAINAGE	39.25
	MOBILEGUARD, INC.		EXECUTIVE ADMIN	47.10
	MOBILEGUARD, INC.		LEGAL - PROSECUTION	47.10
	MOBILEGUARD, INC.		GENERAL	47.10
	MOBILEGUARD, INC.		COMMUNITY	54.95
	MOBILEGUARD, INC.		DETENTION & CORRECTION	54.95
	MOBILEGUARD, INC.		POLICE INVESTIGATION	70.65
	MOBILEGUARD, INC.		ENGR-GENL	78.50
	MOBILEGUARD, INC.		WASTE WATER TREATMENT	86.35
	MOBILEGUARD, INC.		UTIL ADMIN	102.05
	MOBILEGUARD, INC.		POLICE ADMINISTRATION	141.30
	MOBILEGUARD, INC.		POLICE PATROL	400.35
149902	MOTOROLA	RADIOS	DRUG ENFORCEMENT	23,782.11
149903	MOUNT, HERMAN	LEOFF I MEDICARE REIMBURSEMENT	POLICE ADMINISTRATION	445.50
149904	MOUNTAIN MIST	WATER COOLER/BOTTLED WATER	WASTE WATER TREATMENT	20.40
	MOUNTAIN MIST		SEWER MAIN COLLECTION	20.40
	MOUNTAIN MIST		SOLID WASTE OPERATIONS	20.41
149905	NAPA AUTO PARTS	SERPENTINE BELT #P175	EQUIPMENT RENTAL	17.78
	NAPA AUTO PARTS	BRACLEEN, ENGINE DEGREASER	SMALL ENGINE SHOP	27.64
	NAPA AUTO PARTS		SMALL ENGINE SHOP	39.84
	NAPA AUTO PARTS	MIRROR ASSEMBLY #W021	EQUIPMENT RENTAL	47.37
	NAPA AUTO PARTS	SUPPLIES FOR FLEET INVENTORY	ER&R	288.85
	NAPA AUTO PARTS	DEF FLUID	SOLID WASTE OPERATIONS	918.12
149906	NAVIA BENEFIT	FLEX PLAN FEES	PERSONNEL ADMINISTRATION	153.55
149907	NCSI	EMPLOYMENT BACKGROUND SCREENING	PERSONNEL ADMINISTRATION	74.00
	NCSI	VOLUNTEER BACKGROUND SCREENING	PERSONNEL ADMINISTRATION	129.50
149908	NELSON PETROLEUM	SYNTHETIC OIL	ER&R	418.39
149909	NEMEYER, STEVE	UB REFUND	WATER/SEWER OPERATION	12.72
149910	NOEL, RANDY		WATER/SEWER OPERATION	434.57
149911	NORTHSTAR CHEMICAL	SODIUM HYPOCHLORITE	WASTE WATER TREATMENT	2,864.53
149912	OFFICE DEPOT	SUPPLIES	DETENTION & CORRECTION	27.30
	OFFICE DEPOT		POLICE PATROL	28.33
	OFFICE DEPOT	OFFICE CHAIR MAT	DEVELOPMENT SERVICES	60.10
	OFFICE DEPOT	OFFICE SUPPLIES	EXECUTIVE ADMIN	75.96
	OFFICE DEPOT	SUPPLIES	POLICE PATROL	155.78

**CITY OF MARYSVILLE
 INVOICE LIST
 FOR INVOICES FROM 8/11/2021 TO 8/11/2021**

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
149912	OFFICE DEPOT	SUPPLIES	POLICE TRAINING-FIREARMS	306.75
149913	OHD, LLLP	FIT TEST CALIBRATION	EXECUTIVE ADMIN	939.99
149914	OREILLY AUTO PARTS	PUMP DRIVE V-BELT #H012	EQUIPMENT RENTAL	13.78
	OREILLY AUTO PARTS	INSULATION TAPE	EQUIPMENT RENTAL	31.57
149915	PACIFIC TOPSOILS	DUMP BRUSH	ROADSIDE VEGETATION	142.80
	PACIFIC TOPSOILS		ROADSIDE VEGETATION	142.80
	PACIFIC TOPSOILS		ROADSIDE VEGETATION	142.80
	PACIFIC TOPSOILS		ROADSIDE VEGETATION	142.80
	PACIFIC TOPSOILS		ROADSIDE VEGETATION	142.80
	PACIFIC TOPSOILS	SUPPLIES 106TH ST SIDEWALK	SIDEWALK MAINTENANCE	178.40
149916	PARAMETRIX	PROFESSIONAL SERVICE	SURFACE WATER PROJECT	9,402.70
	PARAMETRIX		SURFACE WATER PROJECT	176,873.33
149917	PEACE OF MIND	REGULAR MEETING MINUTES 7/26/21	CITY CLERK	132.60
149918	PETROCARD SYSTEMS	FUEL CONSUMED	ENGR-GENL	30.15
	PETROCARD SYSTEMS		EQUIPMENT RENTAL	86.63
	PETROCARD SYSTEMS		COMPUTER SERVICES	90.20
	PETROCARD SYSTEMS		DEVELOPMENT SERVICES	119.04
	PETROCARD SYSTEMS		FACILITY MAINTENANCE	119.48
	PETROCARD SYSTEMS		STORM DRAINAGE	152.64
	PETROCARD SYSTEMS		COMMUNITY	207.17
	PETROCARD SYSTEMS		PARK & RECREATION FAC	1,963.26
	PETROCARD SYSTEMS		GENERAL	2,546.91
	PETROCARD SYSTEMS		MAINT OF EQUIPMENT	3,858.32
	PETROCARD SYSTEMS		SOLID WASTE OPERATIONS	5,363.81
	PETROCARD SYSTEMS		POLICE PATROL	7,688.79
149919	PETTY CASH- PW	DOL REGISTRATION #H022	EQUIPMENT RENTAL	61.25
149920	PGC INTERBAY LLC	GOLF COURSE MAINTENANCE	MAINTENANCE	13,096.84
	PGC INTERBAY LLC		PRO-SHOP	13,449.31
149921	PILCHUCK RENTALS	CONVENTIONAL AND SYNTHETIC OIL	PARK & RECREATION FAC	120.40
	PILCHUCK RENTALS	STUMP GRINDER	ROADSIDE VEGETATION	245.93
	PILCHUCK RENTALS	CEDAR PAVE PROJECT RENTAL ROLLER	WATER MAINS INSTALL	1,062.40
149922	PLATT ELECTRIC	CIRCUIT PLUG	COURT FACILITIES	284.56
149923	POSTAL SERVICE	POSTAGE REIMBURSEMENT PW/CD	COMMUNITY	217.42
	POSTAL SERVICE		UTIL ADMIN	408.56
149924	POWERS, ROBERT	UB REFUND	GARBAGE	232.24
149925	PREMIER GOLF CENTERS	GOLF COURSE	PRO-SHOP	-138.91
	PREMIER GOLF CENTERS		PRO-SHOP	125.43
	PREMIER GOLF CENTERS		PRO-SHOP	129.52
	PREMIER GOLF CENTERS		PRO-SHOP	180.00
	PREMIER GOLF CENTERS		MAINTENANCE	424.08
	PREMIER GOLF CENTERS		PRO-SHOP	434.74
	PREMIER GOLF CENTERS		MAINTENANCE	636.25
	PREMIER GOLF CENTERS		PRO-SHOP	1,016.85
	PREMIER GOLF CENTERS		MAINTENANCE	1,374.17
	PREMIER GOLF CENTERS		MAINTENANCE	1,522.15
	PREMIER GOLF CENTERS		MAINTENANCE	1,684.45
	PREMIER GOLF CENTERS		GOLF COURSE	1,768.66
	PREMIER GOLF CENTERS		MAINTENANCE	3,215.57
	PREMIER GOLF CENTERS		MAINTENANCE	5,215.79
	PREMIER GOLF CENTERS	MANAGEMENT SERVICE AUG 2021	GOLF ADMINISTRATION	9,016.15
149926	PUD	ACCT #205283641	STREET LIGHTING	10.61
	PUD	ACCT #205026479	STREET LIGHTING	11.57
	PUD	ACCT #201931193	PARK & RECREATION FAC	15.31
	PUD	ACCT #205026479	STREET LIGHTING	18.10
	PUD	ACCT #204584361	STREET LIGHTING	18.24
	PUD	ACCT #202791166	PUMPING PLANT	18.53
	PUD	ACCT #200998532	PARK & RECREATION FAC	19.84
	PUD	ACCT #201380995	PUMPING PLANT	20.52

**CITY OF MARYSVILLE
 INVOICE LIST
 FOR INVOICES FROM 8/11/2021 TO 8/11/2021**

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
149926	PUD	ACCT #204933311	PUMPING PLANT	20.98
	PUD	ACCT #204584361	STREET LIGHTING	24.18
	PUD	ACCT #221303498	STREET LIGHTING	27.91
	PUD	ACCT #202220760	GOLF ADMINISTRATION	35.16
	PUD	ACCT #220153100	TRANSPORTATION	37.44
	PUD	ACCT #220339238	TRAFFIC CONTROL DEVICES	42.07
	PUD	ACCT #202183679	TRANSPORTATION	45.80
	PUD	ACCT #220298624	STREET LIGHTING	50.82
	PUD	ACCT #200800704	STREET LIGHTING	51.64
	PUD	ACCT #200869303	TRANSPORTATION	52.00
	PUD	ACCT #204879134	TRAFFIC CONTROL DEVICES	56.92
	PUD	ACCT #202572327	STREET LIGHTING	74.52
	PUD	ACCT #202689105	WASTE WATER TREATMENT	74.74
	PUD	PUD FOR MOTHER NATURE'S WINDOW	PARK & RECREATION FAC	88.92
	PUD	ACCT #202490637	SEWER LIFT STATION	92.96
	PUD	ACCT #222592917	PARK & RECREATION FAC	105.84
	PUD	ACCT #202294336	STREET LIGHTING	108.34
	PUD	ACCT #202030078	TRANSPORTATION	110.82
	PUD	ACCT #202576112	STREET LIGHTING	128.49
	PUD	ACCT #200084150	TRANSPORTATION	137.94
	PUD	ACCT #203344585	STREET LIGHTING	203.39
	PUD	ACCT #201639630	GOLF ADMINISTRATION	1,172.57
	PUD	ACCT #202604203	STREET LIGHTING	1,756.20
	PUD	ACCT #202576112	STREET LIGHTING	2,441.47
	PUD	ACCT #202604203	STREET LIGHTING	2,634.32
	PUD	ACCT #202882098	STREET LIGHTING	8,845.70
	PUD		STREET LIGHTING	13,835.59
149927	PUGET SOUND ENERGY	ACCT #220002768939	PUBLIC SAFETY BLDG	12.12
	PUGET SOUND ENERGY	ACCT #200004804056	COURT FACILITIES	35.61
	PUGET SOUND ENERGY	ACCT #220015485349	OPERA HOUSE	35.61
	PUGET SOUND ENERGY	ACCT #220015485380	OPERA HOUSE	35.61
	PUGET SOUND ENERGY	ACCT #220015485703	OPERA HOUSE	35.61
	PUGET SOUND ENERGY	ACCT #220026412746	CAPITAL EXPENDITURES	35.61
	PUGET SOUND ENERGY	ACCT #200007052364	MAINT OF GENL PLANT	36.66
	PUGET SOUND ENERGY	ACCT #220026419946	CAPITAL EXPENDITURES	36.82
	PUGET SOUND ENERGY	ACCT #200007781657	GOLF ADMINISTRATION	40.89
	PUGET SOUND ENERGY	ACCT #220009207345	OPERA HOUSE	40.89
	PUGET SOUND ENERGY	ACCT #200023493808	CITY HALL	43.09
	PUGET SOUND ENERGY	ACCT #200013812314	MAINT OF GENL PLANT	69.78
	PUGET SOUND ENERGY	ACCT #200010703029	PUBLIC SAFETY BLDG	108.23
149928	REECE TRUCKING	TOPSOIL	WATER DIST MAINS	45.86
149929	ROMAINE ELECTRIC	MISC. STARTER STREETS/SPARE	SMALL ENGINE SHOP	319.44
149930	SAFEWAY INC.	ALL CITY EMPLOYEE BBQ	MEDICAL CLAIMS	32.19
149931	SAHATDJIAN, JEANNIE	REFUND ORANGE BALL CAMP	PARKS-RECREATION	17.00
	SAHATDJIAN, JEANNIE	REFUND ORANGE BALL	PARKS-RECREATION	27.00
149932	SCORE	SCORE HOUSING JULY	DETENTION & CORRECTION	27,848.00
149933	SCOUGALE, ROCHELLE	REFUND CHESS WIZARDS	PARKS-RECREATION	188.00
149934	SHACKLETON, CORI	TRAVEL	POLICE INVESTIGATION	162.52
149935	SHERWOOD, CHELSEA	REFUND CHESS WIZARDS	PARKS-RECREATION	188.00
149936	SHRED-IT US	MONTHLY SERVICE	PERSONNEL ADMINISTRATION	4.56
	SHRED-IT US	SHREDDING	UTIL ADMIN	4.56
	SHRED-IT US		ENGR-GENL	4.56
	SHRED-IT US	ON SITE SERVICE 5/21/21	UTILITY BILLING	5.51
	SHRED-IT US		CITY CLERK	5.52
	SHRED-IT US	MONTHLY SHREDDING SERVICES	EXECUTIVE ADMIN	11.19
	SHRED-IT US		LEGAL - PROSECUTION	11.20
	SHRED-IT US	RECORD DESTRUCTION	PROBATION	16.79
	SHRED-IT US	SHREDDING Item 7 - 8	DETENTION & CORRECTION	29.28

**CITY OF MARYSVILLE
 INVOICE LIST
 FOR INVOICES FROM 8/11/2021 TO 8/11/2021**

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
149936	SHRED-IT US	SHREDDING	OFFICE OPERATIONS	30.00
	SHRED-IT US	RECORD DESTRUCTION	MUNICIPAL COURTS	50.38
149937	SIGMAN, MICHAEL	LEOFF I MEDICARE REIMBURSEMENT	POLICE ADMINISTRATION	594.00
149938	SKAGIT VALLEY POLARI	AMMO	POLICE TRAINING-FIREARMS	31,196.61
149939	SMITH, JACOB A	UB REFUND	WATER/SEWER OPERATION	103.89
149940	SMOKEY POINT CONCRET	CONCRETE	SIDEWALK MAINTENANCE	815.66
149941	SNO CO AUDITOR	REPLENISHMENT ACCT #1532	GMA - STREET	105.50
	SNO CO AUDITOR		GMA-PARKS	355.00
149942	SNOHOMISH CO 911	DISPATCH	COMMUNICATION CENTER	88,026.43
149943	SONITROL	SECURITY MONITORING	COMMUNITY CENTER	-154.96
	SONITROL		NON-DEPARTMENTAL	134.00
	SONITROL		STORM DRAINAGE	143.00
	SONITROL		UTIL ADMIN	144.56
	SONITROL		PUBLIC SAFETY BLDG	202.72
	SONITROL		SUNNYSIDE FILTRATION	239.00
	SONITROL		OPERA HOUSE	277.00
	SONITROL		PARK & RECREATION FAC	287.04
	SONITROL		MAINT OF GENL PLANT	315.12
	SONITROL		CITY HALL	361.92
	SONITROL		WASTE WATER TREATMENT	576.04
149944	SOUND PUBLISHING	LEGAL ADS	COMMUNITY	387.80
149945	SOUND PUBLISHING	ADVERTISING IN EVERETT HERALD	OPERA HOUSE	845.00
149946	SOUND PUBLISHING	DINE OUT SNOHOMISH COUNTY	PLANNING & COMMUNITY DEV	5,000.00
149947	SOUND SAFETY	UNIFORM	UTIL ADMIN	193.80
149948	STAPLES	OFFICE SUPPLIES	PERSONNEL ADMINISTRATION	34.35
	STAPLES		PERSONNEL ADMINISTRATION	127.66
149949	STARR, GERED	UB REFUND	WATER/SEWER OPERATION	40.55
149950	STATE PATROL	FINGERPRINT ID SERVICE	INTERGOVERNMENTAL	238.50
149951	SUMMIT LAW GROUP	LABOR BARGAINING	PERSONNEL ADMINISTRATION	1,105.50
149952	SUPERION LLC	SERVER MIGRATION	IS REPLACEMENT ACCOUNTS	360.00
149953	THOMPSON, RANDAL	UB REFUND	GARBAGE	35.81
149954	TOCCO, LEAH	NATIONAL NIGHT OUT SUPPLIES	EXECUTIVE ADMIN	35.01
	TOCCO, LEAH	SUPPLIES	EXECUTIVE ADMIN	48.32
	TOCCO, LEAH		EXECUTIVE ADMIN	69.52
	TOCCO, LEAH	NATIONAL NIGHT OUT SUPPLIES	EXECUTIVE ADMIN	588.35
149955	TULALIP CHAMBER	JULY BBH	PARK & RECREATION FAC	23.00
	TULALIP CHAMBER		PERSONNEL ADMINISTRATION	23.00
	TULALIP CHAMBER		PARK & RECREATION FAC	25.00
	TULALIP CHAMBER		EXECUTIVE ADMIN	69.00
	TULALIP CHAMBER		CITY COUNCIL	92.00
149956	TYLER TECHNOLOGIES	PW/PS EXECUTIME IMPLEMENTATION	UTIL ADMIN	2,220.00
	TYLER TECHNOLOGIES		NON-DEPARTMENTAL	2,220.00
149957	ULINE	CREDIT FOR SUPPLIES	POLICE PATROL	-61.15
	ULINE	EVIDENCE SUPPLIES	POLICE PATROL	613.10
149958	UNITED PARCEL SERVIC	SHIPPING	POLICE PATROL	77.69
149959	VANDEN BOSCH, RUSS &	UB REFUND	WATER/SEWER OPERATION	57.80
149960	VERIZON	WIRELESS SERVICES	UTILITY BILLING	23.89
	VERIZON		PURCHASING/CENTRAL	23.89
	VERIZON		CRIME PREVENTION	41.76
	VERIZON		PROPERTY TASK FORCE	41.76
	VERIZON		FACILITY MAINTENANCE	51.90
	VERIZON		PERSONNEL ADMINISTRATION	53.33
	VERIZON		YOUTH SERVICES	83.52
	VERIZON		EQUIPMENT RENTAL	99.68
	VERIZON		OFFICE OPERATIONS	125.28
	VERIZON		FINANCE-GENL	137.69
	VERIZON		COMMUNITY SERVICES UNIT	177.18
	VERIZON		CUSTODIAL SERVICES	179.59

**CITY OF MARYSVILLE
 INVOICE LIST
 FOR INVOICES FROM 8/11/2021 TO 8/11/2021**

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
149960	VERIZON	WIRELESS SERVICES	MUNICIPAL COURTS	182.81
	VERIZON		SEWER LIFT STATION	200.18
	VERIZON		TRANSPORTATION	200.41
	VERIZON		RECREATION SERVICES	239.37
	VERIZON		LEGAL-GENL	257.61
	VERIZON		WATER QUAL TREATMENT	259.61
	VERIZON		PARK & RECREATION FAC	294.92
	VERIZON		SOLID WASTE CUSTOMER	306.92
	VERIZON		DETENTION & CORRECTION	325.15
	VERIZON		EXECUTIVE ADMIN	355.29
	VERIZON		WATER SUPPLY MAINS	360.13
	VERIZON		POLICE INVESTIGATION	375.84
	VERIZON		LEGAL - PROSECUTION	377.63
	VERIZON		COMMUNITY	587.24
	VERIZON		WASTE WATER TREATMENT	659.22
	VERIZON		COMPUTER SERVICES	673.38
	VERIZON		STORM DRAINAGE	674.67
	VERIZON		POLICE ADMINISTRATION	795.72
	VERIZON		GENERAL	996.05
	VERIZON		ENGR-GENL	1,266.09
	VERIZON		UTIL ADMIN	1,919.42
	VERIZON		POLICE PATROL	2,215.60
149961	WANG, SHUO	UB REFUND	WATER/SEWER OPERATION	24.27
149962	WASTE MANAGEMENT	YARD WASTE/RECYCLING JULY	RECYCLING OPERATION	149,266.04
149963	WATCH SYSTEMS	RSO MAILING	POLICE INVESTIGATION	128.04
	WATCH SYSTEMS		POLICE INVESTIGATION	274.13
149964	WAVEDIVISION HOLDING	IRU MAINTENANCE	CENTRAL SERVICES	111.30
149965	WESCHE, NANCY	REFUND FOR PICKLEBALL	PARKS-RECREATION	35.00
149966	WEST PAYMENT CENTER	INVESTIGATIVE TOOL	POLICE INVESTIGATION	220.71
	WEST PAYMENT CENTER	WEST INFORMATION CHARGES	LEGAL - PROSECUTION	392.44
	WEST PAYMENT CENTER		LEGAL-GENL	392.45
149967	WESTERN FACILITIES	FINANCE CHARGE SUPPLIES	DETENTION & CORRECTION	8.19
149968	WHISTLE WORKWEAR	UNIFORM	GENERAL	98.80
149969	WHITE CAP CONSTRUCT	BOTTLED WATER	MAINT OF GENL PLANT	916.29
149970	WILLIAMS, RICHARD	UB REFUND	WATER/SEWER OPERATION	265.58
149971	WILLIAMS, RICHARD &		WATER/SEWER OPERATION	390.78
149972	WSSUA	SOFTBALL UMPS	RECREATION SERVICES	420.00
149973	ZIEGLER, ANNETTE	REFUND CHESS WIZARD	PARKS-RECREATION	188.00
149974	ZIPLY FIBER	ACCT #3606534741	WASTE WATER TREATMENT	56.96
	ZIPLY FIBER	ACCT #3606580924	PUBLIC SAFETY BLDG	61.05
	ZIPLY FIBER	ACCT #4253359912	SUNNYSIDE FILTRATION	66.31
	ZIPLY FIBER	ACCT #3606537208	OPERA HOUSE	86.99
149975	ZIPLY FIBER	LOCAL AND LD LINES	CRIME PREVENTION	9.92
	ZIPLY FIBER		PROPERTY TASK FORCE	9.92
	ZIPLY FIBER		SOLID WASTE CUSTOMER	9.92
	ZIPLY FIBER		PURCHASING/CENTRAL	9.92
	ZIPLY FIBER		FACILITY MAINTENANCE	9.92
	ZIPLY FIBER		YOUTH SERVICES	19.84
	ZIPLY FIBER		WATER QUAL TREATMENT	29.76
	ZIPLY FIBER		STORM DRAINAGE	29.76
	ZIPLY FIBER		COMMUNITY SERVICES UNIT	39.68
	ZIPLY FIBER		PARK & RECREATION FAC	39.68
	ZIPLY FIBER		LEGAL-GENL	39.68
	ZIPLY FIBER		LEGAL - PROSECUTION	49.61
	ZIPLY FIBER		PERSONNEL ADMINISTRATION	49.61
	ZIPLY FIBER		EQUIPMENT RENTAL	49.61
	ZIPLY FIBER		GENERAL	59.53
	ZIPLY FIBER		RECREATION SERVICES	69.45

DATE: 8/11/2021
TIME: 3:28:51PM

CITY OF MARYSVILLE
INVOICE LIST
FOR INVOICES FROM 8/11/2021 TO 8/11/2021

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<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
149975	ZIPLY FIBER	LOCAL AND LD LINES	UTILITY BILLING	69.45
	ZIPLY FIBER		FINANCE-GENL	79.37
	ZIPLY FIBER		COMPUTER SERVICES	79.38
	ZIPLY FIBER		POLICE INVESTIGATION	89.29
	ZIPLY FIBER		EXECUTIVE ADMIN	99.21
	ZIPLY FIBER		OFFICE OPERATIONS	99.21
	ZIPLY FIBER		WASTE WATER TREATMENT	99.21
	ZIPLY FIBER		POLICE ADMINISTRATION	109.13
	ZIPLY FIBER		MUNICIPAL COURTS	119.05
	ZIPLY FIBER		COMMUNITY	158.74
	ZIPLY FIBER		DETENTION & CORRECTION	158.74
	ZIPLY FIBER		UTIL ADMIN	178.58
	ZIPLY FIBER		ENGR-GENL	198.42
	ZIPLY FIBER		POLICE PATROL	466.29
			WARRANT TOTAL:	<u>955,389.93</u>

REASON FOR VOIDS:

INITIATOR ERROR

CHECK LOST/DAMAGED

WARRANT TOTAL:

\$955,389.93

Index #8

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: September 13, 2021

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 August 18, 2021 claims in the amount of \$478,764.59 paid by EFT transactions and Check No.'s 149976 through 150055.

COUNCIL ACTION:

BLANKET CERTIFICATION
CLAIMS
FOR
PERIOD-8

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 **\$478,764.59 PAID BY EFT TRANSACTIONS AND CHECK NO.'S 149976 THROUGH 150055**, THE CITY OF MARYSVILLE, AND THAT I AM AUTHORIZED TO AUTHENTICATE AND TO CERTIFY SAID CLAIMS.

AUDITING OFFICER DATE

MAYOR DATE

WE, THE UNDERSIGNED COUNCIL MEMBERS OF MARYSVILLE, WASHINGTON DO HEREBY APPROVE FOR PAYMENT THE ABOVE MENTIONED **CLAIMS** ON THIS **13th DAY OF SEPTEMBER 2021.**

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 8/18/2021 TO 8/18/2021

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
150005	HD FOWLER COMPANY	METER BOX LID REPAIR	WATER SERVICES	152.37
	HD FOWLER COMPANY	ELBOW AND FULL FACE GASKETS	WATER SERVICES	233.82
	HD FOWLER COMPANY	STRAP AND NUTS	WATER SERVICE INSTALL	309.74
	HD FOWLER COMPANY	PAINT CANS	ER&R	989.89
150006	HIRASHIMA, GLORIA	LODGING FOR WCMA CONFERENCE	EXECUTIVE ADMIN	182.82
150007	HOME DEPOT USA	TRASH BAGS, HORNET SPRAY	ER&R	560.49
150008	IRON MOUNTAIN	ROCK	ROADWAY MAINTENANCE	443.02
150009	KAISER PERMANENTE	VACCINE ADMINISTRATION/SCREENING	PARK & RECREATION FAC	64.00
	KAISER PERMANENTE		CUSTODIAL SERVICES	294.00
150010	KANEHEN, GREGORY	CHAPLIN STIPEND	POLICE ADMINISTRATION	750.00
150011	KAR GOR INC	OPTICAL VEH DETECTION SENSOR	TRANSPORTATION	2,787.15
	KAR GOR INC	KINETICS SIGNAL CENTRAL SOFTWARE	TRANSPORTATION	12,531.99
150012	KINGSFORD, ANDREA	SUPPLIES FOR DAY CAMP	RECREATION SERVICES	677.69
150013	LABOR & INDUSTRIES	ASSESSMENT FEE	UTIL ADMIN	657.50
150014	LANGUAGE EXCHANGE	TRANSLATION EMERGENCY POSTER	EXECUTIVE ADMIN	100.00
150015	LOWES HIW INC	AQUAFINA	WATER FILTRATION PLANT	20.66
	LOWES HIW INC	TOOLS - FURNITURE MOVE	FACILITY MAINTENANCE	49.75
150016	MARYSVILLE, CITY OF	UTILITIES FOR 6621 GROVE ST	PARK & RECREATION FAC	534.17
	MARYSVILLE, CITY OF	UTILITIES FOR 1635 GROVE ST	PUBLIC SAFETY BLDG	2,673.85
150017	MARYSVILLE, CITY OF		PUBLIC SAFETY BLDG	135.26
150018	MERO, TERESAA	UB REFUND	GARBAGE	283.64
150019	MOLLY MCGUIRE	INTERPRETER SERVICE	COURTS	150.00
150020	MOTOR TRUCKS	VEHICLE REPAIRS FOR H012	EQUIPMENT RENTAL	323.64
	MOTOR TRUCKS	VEHICLE REPAIRS FOR J016	EQUIPMENT RENTAL	441.59
150021	NAPA AUTO PARTS	TEST KIT AND GAS CAP #V011	EQUIPMENT RENTAL	59.78
	NAPA AUTO PARTS	PARTS FOR VEHICLE #V010	EQUIPMENT RENTAL	174.40
150022	NORTHSTAR CHEMICAL	SODIUM HYDROCHLORITE	WATER QUAL TREATMENT	688.80
150023	NORTHWEST CORROSION	WATER TANK COATING INSPECTION	WATER CAPITAL PROJECTS	507.98
150024	OFFICE DEPOT	BLUE ENVELOPES	UTIL ADMIN	11.14
	OFFICE DEPOT	SCISSORS, PENS, RUBBER BANDS	UTIL ADMIN	13.39
	OFFICE DEPOT		ENGR-GENL	13.40
	OFFICE DEPOT	USB	UTIL ADMIN	18.90
	OFFICE DEPOT		ENGR-GENL	18.90
	OFFICE DEPOT	SPOON, NAPKINS, BOWLS, CUPS, LABELS	UTIL ADMIN	38.45
	OFFICE DEPOT		ENGR-GENL	38.46
150025	PACIFIC POWER BATTER	E-LIGHTS FOR COURT BLDG	COURT FACILITIES	48.05
150026	PACWEST MACHINERY	REPAIR ON VEHICLE #H012	EQUIPMENT RENTAL	650.62
	PACWEST MACHINERY	PARTS FOR #H012	EQUIPMENT RENTAL	2,796.28
	PACWEST MACHINERY		EQUIPMENT RENTAL	3,480.57
150027	PALAMERICAN SECURITY	SECURITY SERVICES	PROBATION	1,013.25
	PALAMERICAN SECURITY		MUNICIPAL COURTS	3,039.75
150028	PILCHUCK RENTALS	CONVENTIONAL OIL	ER&R	229.79
150029	PLATT ELECTRIC	CONCESSION STAND LIGHT COVER	PARK & RECREATION FAC	54.04
	PLATT ELECTRIC	SAFETY FSE HOLDER	SEWER LIFT STATION	82.87
	PLATT ELECTRIC		SEWER LIFT STATION	87.74
150030	POSTAL SERVICE	POSTAGE REIMBURSEMENT	COMMUNITY	40.97
	POSTAL SERVICE		UTIL ADMIN	260.55
150031	PRUDENTIAL INSURANCE	LONG TERM CARE INSURANCE	POLICE ADMINISTRATION	7,445.38
150032	PUD	ACCT #201142098	PARK & RECREATION FAC	8.37
	PUD	ACCT #204259469	TRAFFIC CONTROL DEVICES	14.74
	PUD	ACCT #204260343	TRAFFIC CONTROL DEVICES	14.74
	PUD	ACCT #204262620	TRAFFIC CONTROL DEVICES	14.74
	PUD	ACCT #201346665	SEWER LIFT STATION	16.44
	PUD	ACCT #205481823	GOLF ADMINISTRATION	16.44
	PUD	ACCT #202177861	PUMPING PLANT	17.82
	PUD	ACCT #200061463	PARK & RECREATION FAC	19.24
	PUD	ACCT #204829691	STREET LIGHTING	33.59
	PUD	ACCT #201142155	TRANSPORTATION	35.68

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 8/18/2021 TO 8/18/2021

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
150032	PUD	ACCT #200660439	STREET LIGHTING	40.10
	PUD	ACCT #203996343	STREET LIGHTING	47.50
	PUD	ACCT #202294245	SEWER LIFT STATION	47.57
	PUD	ACCT #221610405	STREET LIGHTING	53.62
	PUD	ACCT #203291216	GENERAL	114.54
	PUD	ACCT #202368197	PUMPING PLANT	117.07
	PUD	ACCT #201909637	SEWER LIFT STATION	133.14
	PUD	ACCT #220731285	STREET LIGHTING	154.84
	PUD	ACCT #220020531	STREET LIGHTING	194.95
	PUD	ACCT #200164598	SOURCE OF SUPPLY	217.51
	PUD	ACCT #200812808	PUMPING PLANT	262.00
	PUD	ACCT #202461554	SEWER LIFT STATION	315.40
	PUD	ACCT #201098969	PUMPING PLANT	2,031.39
150033	PUGET SOUND SECURITY	DUPLICATE KEYS FOR COURT BLDG	COURT FACILITIES	11.59
150034	REECE TRUCKING	CLEAN CONCRETE DUMP	SIDEWALK MAINTENANCE	65.36
150035	REINER PUMP SYSTEMS	REPAIR KITS	WASTE WATER TREATMENT	2,988.92
150036	SEATTLE TIMES, THE	SUBSCRIPTION 8/23 TO 11/21/21	EXECUTIVE ADMIN	139.10
150037	SHI INTERNATIONAL	ADOBE ACROBAT PRO	POLICE ADMINISTRATION	198.40
	SHI INTERNATIONAL		POLICE ADMINISTRATION	198.40
	SHI INTERNATIONAL		POLICE ADMINISTRATION	198.40
	SHI INTERNATIONAL		POLICE ADMINISTRATION	198.40
	SHI INTERNATIONAL		COMPUTER SERVICES	198.40
	SHI INTERNATIONAL		COMPUTER SERVICES	198.40
	SHI INTERNATIONAL		LEGAL - PROSECUTION	198.41
	SHI INTERNATIONAL		LEGAL-GENL	198.41
	SHI INTERNATIONAL		PERSONNEL ADMINISTRATION	198.41
	SHI INTERNATIONAL		UTIL ADMIN	198.41
	SHI INTERNATIONAL		UTIL ADMIN	198.41
	SHI INTERNATIONAL		FINANCE-GENL	198.41
	SHI INTERNATIONAL		CITY CLERK	198.41
	SHI INTERNATIONAL		CITY CLERK	198.41
	SHI INTERNATIONAL		COMMUNITY	198.41
	SHI INTERNATIONAL		OFFICE OPERATIONS	198.41
	SHI INTERNATIONAL		POLICE PATROL	425.64
	SHI INTERNATIONAL		COMMUNITY CENTER	425.64
	SHI INTERNATIONAL		OPERA HOUSE	425.64
	SHI INTERNATIONAL		POLICE INVESTIGATION	624.04
	SHI INTERNATIONAL		POLICE ADMINISTRATION	624.04
	SHI INTERNATIONAL		EXECUTIVE ADMIN	624.04
	SHI INTERNATIONAL		COMMUNITY CENTER	1,001.78
	SHI INTERNATIONAL		EXECUTIVE ADMIN	1,001.78
	SHI INTERNATIONAL		EXECUTIVE ADMIN	1,001.78
	SHI INTERNATIONAL		EXECUTIVE ADMIN	1,001.78
150038	SISKUN POWER EQUIPMENT	CARBURETOR ASSY	SMALL ENGINE SHOP	132.42
150039	SIX ROBBLEES INC	TIRE/WHEEL BALANCING	EQUIPMENT RENTAL	18.76
	SIX ROBBLEES INC	HITCH MOUNT, HITCH CLIP #J056	EQUIPMENT RENTAL	72.16
	SIX ROBBLEES INC	TIRE/WHEEL BALANCING	EQUIPMENT RENTAL	125.59
150040	SMOKEY POINT CONCERT	CONCRETE REPAIR	SIDEWALK MAINTENANCE	980.97
	SMOKEY POINT CONCERT		SIDEWALK MAINTENANCE	1,013.22
	SMOKEY POINT CONCERT	SAND	SNOW & ICE REMOVAL	2,096.03
150041	SNO CO AUDITOR	REPLENISHMENT ACCT #1532	GMA-PARKS	108.50
	SNO CO AUDITOR		GMA-PARKS	108.50
	SNO CO AUDITOR		GMA-PARKS	109.50
150042	STATE AUDITORS OFFICE	AUDIT PERIOD 2020	NON-DEPARTMENTAL	21,229.36
	STATE AUDITORS OFFICE		UTIL ADMIN	21,229.36
150043	THYSSENKRUPP ELEVATO	PLATINUM FULL MAINTENANCE	PUBLIC SAFETY BLDG	335.50
	THYSSENKRUPP ELEVATO		CITY HALL	335.50
150044	TULALIP CHAMBER	SEPT 9 MEGA MIXER 8 - 5	RECREATION SERVICES	10.00

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 8/18/2021 TO 8/18/2021

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
150045	UNUM LIFE INSURANCE	LONG TERM INSURANCE	POLICE ADMINISTRATION	7,809.09
150046	UTILITIES UNDERGROUND	EXCAVATION NOTIFICATIONS JULY 2021	UTILITY LOCATING	1,085.70
150047	VAN DAM'S ABBEY	SEAM CARPET	COURT FACILITIES	327.90
150048	WAVEDIVISION HOLDING	INTERNET SERVICES	WATER QUAL TREATMENT	111.20
	WAVEDIVISION HOLDING		CENTRAL SERVICES	513.24
	WAVEDIVISION HOLDING		COMPUTER SERVICES	1,438.20
150049	WELSH COMMISSIONING	COMMISSIONING COORDINATION MEETING	CAPITAL EXPENDITURES	2,227.50
150050	WESTERN SYSTEMS	PARTS FOR NEW RRFB'S	CITY STREET - GENERAL	23,276.13
150051	WET RABBIT EXPRESS	CAR WASHES FOR JULY	POLICE PATROL	6.50
	WET RABBIT EXPRESS	CAR WASHES	POLICE PATROL	377.00
150052	WILLAMETTE VALLEY	FORENSIC TOXICOLOGY	PUBLIC DEFENSE	1,500.00
150053	WIN-911 SOFTWARE	WIN-911 ANNUAL SUPPORT RENEWAL	UTIL ADMIN	3,300.00
150054	YP INTERPRETER & TRA	INTERPRETER SERVICE	COURTS	120.00
150055	ZIPLY FIBER	ACCT #3606515033	EXECUTIVE ADMIN	36.42
	ZIPLY FIBER	ACCT #3606588575	STORM DRAINAGE	66.46
	ZIPLY FIBER	ACCT #3606585292	PERSONNEL ADMINISTRATION	72.36
	ZIPLY FIBER	ACCT #3606589493	RECREATION SERVICES	72.64
	ZIPLY FIBER		POLICE INVESTIGATION	72.65
	ZIPLY FIBER	ACCT #3606575532	OPERA HOUSE	201.91
	ZIPLY FIBER	ACCT #3606585292	MUNICIPAL COURTS	289.42

WARRANT TOTAL: 478,764.59

REASON FOR VOIDS:

INITIATOR ERROR

CHECK LOST/DAMAGED

WARRANT TOTAL: \$478,764.59

Index #9

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: September 13, 2021

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 August 25, 2021 claims in the amount of \$1,297,823.92 paid by EFT transactions and Check No.'s 150056 through 150250.

COUNCIL ACTION:

BLANKET CERTIFICATION
CLAIMS
FOR
PERIOD-8

I, THE UNDERSIGNED, DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE MATERIALS HAVE BEEN FURNISHED, THE SERVICES RENDERED OR THE LABOR PERFORMED AS DESCRIBED HEREIN AND THAT THE **CLAIMS** IN THE AMOUNT OF **\$1,297,823.92 PAID BY EFT TRANSACTIONS AND CHECK NO.'S 150056 THROUGH 150250**, THE CITY OF MARYSVILLE, AND THAT I AM AUTHORIZED TO AUTHENTICATE AND TO CERTIFY SAID CLAIMS.

AUDITING OFFICER DATE

MAYOR DATE

WE, THE UNDERSIGNED COUNCIL MEMBERS OF MARYSVILLE, WASHINGTON DO HEREBY APPROVE FOR PAYMENT THE ABOVE MENTIONED **CLAIMS** ON THIS **13th DAY OF SEPTEMBER 2021.**

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 8/25/2021 TO 8/25/2021

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
150056	REVENUE, DEPT OF	TAXES JULY 2021	CITY CLERK	1.14
	REVENUE, DEPT OF		POLICE ADMINISTRATION	28.07
	REVENUE, DEPT OF		BUILDING MAINTENANCE	43.80
	REVENUE, DEPT OF		WATER/SEWER OPERATION	101.04
	REVENUE, DEPT OF		GENERAL FUND	163.74
	REVENUE, DEPT OF		GOLF ADMINISTRATION	1,285.52
	REVENUE, DEPT OF		STORM DRAINAGE	5,410.56
	REVENUE, DEPT OF		SOLID WASTE OPERATIONS	19,172.26
	REVENUE, DEPT OF		GOLF COURSE	25,391.48
	REVENUE, DEPT OF		UTIL ADMIN	54,820.58
150057	BENEFIT COORDINATORS	DENT/ADMIN/VISION/MED/PREM SEPT 2021	MEDICAL CLAIMS	137,670.06
150058	PREMERA BLUE CROSS	CLAIMS PAID 8/15 TO 8/21/21	MEDICAL CLAIMS	75,871.48
150059	*AL'S TRUCK*	BINDER RATCHET	PARK & RECREATION FAC	146.58
	AL'S TRUCK	FIELD SUPPLIES	WATER DIST MAINS	398.03
150060	ABLE LABEL INC	LABELS, RIBBON, STOREROOM SUPPLIES	PURCHASING/CENTRAL	548.16
150061	ADAMS, JAUNITA	UB REFUND	WATER/SEWER OPERATION	183.07
150062	ADJUSTERS NORTHWEST	ADJUSTMENT SERVICES	RISK MANAGEMENT	616.15
150063	ADVANCED TRAFFIC	ADAPTERS FOR 88TH ST ADA	TRANSPORTATION	218.88
150064	AHERN RENTALS, INC.	DIESEL FUEL	GENERAL	46.45
	AHERN RENTALS, INC.	EQUIPMENT RENTAL	STORM DRAINAGE	3,492.14
150065	AMAZON CAPITAL	SUPPLIES	POLICE INVESTIGATION	17.66
	AMAZON CAPITAL		POLICE INVESTIGATION	19.87
	AMAZON CAPITAL	MIRACLE-GRO PLANT FOOD	PARK & RECREATION FAC	63.51
	AMAZON CAPITAL	DETERGENT PODS	DETENTION & CORRECTION	70.47
	AMAZON CAPITAL	STAKE/T POST CAPS	PARK & RECREATION FAC	84.76
	AMAZON CAPITAL	MASKS	POLICE PATROL	85.20
	AMAZON CAPITAL	SUPPLIES	POLICE INVESTIGATION	145.30
	AMAZON CAPITAL	BRASS SELF CLOSING FAUCET	PARK & RECREATION FAC	185.82
	AMAZON CAPITAL	NETWORK EQUIPMENT	COMPUTER SERVICES	233.83
	AMAZON CAPITAL	RV DOUBLE ENTRY STEP	EQUIPMENT RENTAL	236.06
	AMAZON CAPITAL	SUPPLIES	POLICE ADMINISTRATION	295.11
	AMAZON CAPITAL		POLICE TRAINING-FIREARMS	341.82
	AMAZON CAPITAL	OFFICE SUPPLIES	COMPUTER SERVICES	440.96
	AMAZON CAPITAL	PERFORMANCE DOCKS	IS REPLACEMENT ACCOUNTS	771.52
150066	AMERICAN SAFETY & HE	CPR/AED/BFA CERTIFICATION CARDS	EXECUTIVE ADMIN	287.50
150067	ANARCHY OUTDOORS	UNIFORMS SWAT	GENERAL FUND	1,375.53
150068	ANDES LAND SURVEY	MONUMENT POSITION/SET RP'S RESET	GMA-PARKS	2,305.00
150069	ARAMARK UNIFORM	UNIFORM CLEANING	SMALL ENGINE SHOP	6.56
	ARAMARK UNIFORM		EQUIPMENT RENTAL	58.14
	ARAMARK UNIFORM	LINEN SERVICE	OPERA HOUSE	126.51
	ARAMARK UNIFORM		OPERA HOUSE	126.51
	ARAMARK UNIFORM		OPERA HOUSE	254.53
150070	ASSOCIATED UNDERWATE	SEWER OUTFALL INSPECTION	WASTE WATER TREATMENT	3,542.50
150071	ATLAS PHONES	MITEL PHONES	INFORMATION SERVICES	-176.48
	ATLAS PHONES		COMPUTER SERVICES	2,074.08
150072	BANK OF AMERICA	MEALS	OFFICE OPERATIONS	93.34
150073	BANK OF AMERICA	EMPLOYEE APPRECIATION LUNCH	PERSONNEL ADMINISTRATION	123.78
150074	BANK OF AMERICA	WATER	COMMUNITY EVENTS	130.68
150075	BANK OF AMERICA	POSTAGE	COMMUNITY	188.20
150076	BANK OF AMERICA	REGISTRATION	EXECUTIVE ADMIN	414.00
150077	BANK OF AMERICA	TRAINING/OFFICE SUPPLIES	POLICE PATROL	-7.89
	BANK OF AMERICA		POLICE PATROL	45.88
	BANK OF AMERICA		POLICE TRAINING-FIREARMS	499.00
150078	BANK OF AMERICA	RECORDING FEES/SUPPLIES	LEGAL - PROSECUTION	3.53
	BANK OF AMERICA		LEGAL - PROSECUTION	117.42
	BANK OF AMERICA		GMA-PARKS	488.00
150079	BANK OF AMERICA	ADVERTISING	ENGR-GENL	870.00
150080	BANK OF AMERICA	EMPLOYEE BBQ/BOOTH ACADEMY	EXECUTIVE ADMIN	196.71

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 8/25/2021 TO 8/25/2021

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
150080	BANK OF AMERICA	EMPLOYEE BBQ/YOUTH ACADEMY	MEDICAL CLAIMS	700.50
150081	BANK OF AMERICA	REGISTRATION	POLICE TRAINING-FIREARMS	998.00
150082	BANK OF AMERICA	COMPUTER FOR EVOC	EXECUTIVE ADMIN	1,094.79
150083	BANK OF AMERICA	ADVERTISEMENT/TRAVEL	POLICE ADMINISTRATION	166.84
	BANK OF AMERICA		POLICE ADMINISTRATION	429.43
	BANK OF AMERICA		POLICE ADMINISTRATION	509.46
150084	BANK OF AMERICA	EMBEDDED SOCIAL WORKER	EMBEDDED SOCIAL WORKER	1,751.56
150085	BANK OF AMERICA	CAR DETAIL/THOMAS WEST	POLICE INVESTIGATION	174.83
	BANK OF AMERICA		POLICE INVESTIGATION	2,021.11
150086	BANK OF AMERICA	TRAVEL	POLICE TRAINING-FIREARMS	48.84
	BANK OF AMERICA		POLICE TRAINING-FIREARMS	65.90
	BANK OF AMERICA		POLICE ADMINISTRATION	396.80
	BANK OF AMERICA		TRAFFIC UNIT	396.80
	BANK OF AMERICA		POLICE INVESTIGATION	426.80
	BANK OF AMERICA		POLICE PATROL	1,350.23
150087	BANK OF AMERICA	MONITORS/TABLES/SUPPLIES	FINANCE-GENL	45.32
	BANK OF AMERICA		COMMUNITY	81.98
	BANK OF AMERICA		COMPUTER SERVICES	163.94
	BANK OF AMERICA		EXECUTIVE ADMIN	198.41
	BANK OF AMERICA		CITY COUNCIL	852.48
	BANK OF AMERICA		COMPUTER SERVICES	1,427.82
	BANK OF AMERICA		DEVELOPMENT SERVICES	1,901.78
150088	BICKFORD FORD	HEATER CONTROL KNOB #V010	EQUIPMENT RENTAL	59.61
	BICKFORD FORD	FUEL TANK FILLER ASMY P163	EQUIPMENT RENTAL	174.33
	BICKFORD FORD	STEERING WHEEL ASMY #J028	EQUIPMENT RENTAL	186.31
	BICKFORD FORD	BRAKE PADS/ROTORS	ER&R	659.95
150089	BILLING DOCUMENT SPE	BILL PRINTING SERVICE 8/11-8/18/21	UTILITY BILLING	2,009.92
	BILLING DOCUMENT SPE	PRINTING SERVICE 8/3 TO 8/10/21	UTILITY BILLING	2,516.25
150090	BONNEVILLE	ADVERTISING	POLICE ADMINISTRATION	6,850.00
150091	BOTESCH, NASH & HALL	CONTRACT COMMUNICATION, SECURITY	CAPITAL EXPENDITURES	42,000.00
	BOTESCH, NASH & HALL	PAYMENT APPLICATION #3 - IT	CAPITAL EXPENDITURES	81,252.50
150092	BREAM, ALYSSA	UB REFUND	WATER/SEWER OPERATION	98.35
150093	BUILDERS EXCHANGE	PUBLISH PROJECT ONLINE	WATER CAPITAL PROJECTS	45.00
150094	CAREY, KIM	REFUND PICKLEBALL	PARKS-RECREATION	50.00
150095	CENTRAL WELDING SUPP	N95 MASKS	EXECUTIVE ADMIN	306.91
	CENTRAL WELDING SUPP	LATEX GLOVES	ER&R	1,521.46
150096	CHAMPION BOLT	MISC. PART #H012	EQUIPMENT RENTAL	95.55
150097	CISCO ELECTRIC	REFUND ELECTRICAL PERMIT	COMMUNITY DEVELOPMENT	50.00
150098	CNR, INC	MITEL PHONE HEADSETS	COMPUTER SERVICES	852.54
	CNR, INC	ACD CONFIGURATION	COMPUTER SERVICES	1,058.57
150099	COASTAL FARM & HOME	UNIFORM - GILBERT	UTIL ADMIN	43.71
	COASTAL FARM & HOME	BOOT FOOT CHEST, WADERS	UTIL ADMIN	163.94
150100	COMCAST	ACCT #8498310020341322	COMPUTER SERVICES	311.74
150101	COMPASS HEALTH	CREDIT FOR EQUIPMENT	EMBEDDED SOCIAL WORKER	-4,442.40
	COMPASS HEALTH	MHP WASPC PROGRAM	EMBEDDED SOCIAL WORKER	14,583.32
150102	COOP SUPPLY	RUBBER HOSE	MAINT OF GENL PLANT	84.15
150103	COPIERS NORTHWEST	PRINTER/COPIER	PROPERTY TASK FORCE	44.11
	COPIERS NORTHWEST		GENERAL	104.26
	COPIERS NORTHWEST		LEGAL - PROSECUTION	142.81
	COPIERS NORTHWEST		PROBATION	147.85
	COPIERS NORTHWEST		WASTE WATER TREATMENT	152.62
	COPIERS NORTHWEST		ENGR-GENL	160.48
	COPIERS NORTHWEST		UTILITY BILLING	171.60
	COPIERS NORTHWEST		CITY CLERK	191.40
	COPIERS NORTHWEST		FINANCE-GENL	191.40
	COPIERS NORTHWEST		EXECUTIVE ADMIN	195.62
	COPIERS NORTHWEST		DETENTION & CORRECTION	244.67
	COPIERS NORTHWEST		MUNICIPAL COURTS	260.64

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 8/25/2021 TO 8/25/2021

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
150103	COPIERS NORTHWEST	PRINTER/COPIER	POLICE INVESTIGATION	265.77
	COPIERS NORTHWEST		POLICE PATROL	286.08
	COPIERS NORTHWEST		PARK & RECREATION FAC	347.26
	COPIERS NORTHWEST		UTIL ADMIN	384.09
	COPIERS NORTHWEST	HD REMOVAL - EXEC	COMPUTER SERVICES	437.20
	COPIERS NORTHWEST	HD REMOVAL - PW	COMPUTER SERVICES	437.20
	COPIERS NORTHWEST	PRINTER/COPIER	COMMUNITY	477.46
	COPIERS NORTHWEST		PERSONNEL ADMINISTRATION	703.69
	COPIERS NORTHWEST		OFFICE OPERATIONS	707.45
150104	CORE & MAIN LP	HYDRANT, STORZ, RESTRAINERS	HYDRANTS	3,222.20
150105	CORRECTIONS, DEPT OF	INMATE MEALS	DETENTION & CORRECTION	2,840.42
150106	COSTLESS SENIOR SRVC	INMATE MEDICATION	DETENTION & CORRECTION	159.84
150107	D'SOUZA, RYAN	UB REFUND	WATER/SEWER OPERATION	11.66
150108	DAMON, SHERYL	REFUND WEDDING DEPOSIT	GENERAL FUND	500.00
150109	DELL	MONITORS	IS REPLACEMENT ACCOUNTS	611.40
150110	DK SYSTEMS, INC.	LABOR WWTP HEAT PUMP REPAIR	WASTE WATER TREATMENT	248.66
	DK SYSTEMS, INC.	LABOR AT PW ADMIN	UTIL ADMIN	319.70
150111	DOBBS PETERBILT	BELL HOUSING MOUNT	ER&R	97.77
	DOBBS PETERBILT	MISC. VEHICLE PARTS FOR J024	EQUIPMENT RENTAL	338.39
	DOBBS PETERBILT		EQUIPMENT RENTAL	888.36
	DOBBS PETERBILT	REPAIR WINDSHIELD WASHER J025	EQUIPMENT RENTAL	1,940.84
150112	DRIGGS, BILLS & DAY	SETTLEMENT FOR DELANEY PHYASITH	RISK MANAGEMENT	37,000.00
150113	DUNFORD, TARA	FINANCIAL STATEMENT PREPARATION	FINANCE-GENL	520.00
150114	E&E LUMBER	FASTENERS	PARK & RECREATION FAC	5.68
	E&E LUMBER	KEYS	MAINTENANCE	15.47
	E&E LUMBER	PIPE THREAD SEALANT	PARK & RECREATION FAC	16.15
	E&E LUMBER	HEX NIPPLE	PARK & RECREATION FAC	22.93
	E&E LUMBER	4X8 OSB COVER FOR BROKEN WINDOW	GMA-PARKS	52.29
	E&E LUMBER	PLUMBING SUPPLIES	WATER RESERVOIRS	71.44
	E&E LUMBER	DRAIN VALVE PRV MAINTENANCE	WATER DIST MAINS	74.63
	E&E LUMBER	EFFLUENT PUMP BUILD	WASTE WATER TREATMENT	105.02
	E&E LUMBER	DOUGLAS FIR LUMBER	PARK & RECREATION FAC	134.35
	E&E LUMBER	BALL VALVE PRV MAINTENANCE	WATER DIST MAINS	150.97
	E&E LUMBER	REDI MIX PALLET DEPOSIT	WATER DIST MAINS	278.15
150115	EAGLE FENCE	CHAIN LINK FENCE REPAIR	ROADSIDE VEGETATION	612.08
	EAGLE FENCE		STORM DRAINAGE	1,712.82
	EAGLE FENCE	DOUBLE GATE INSTALLED	STORM DRAINAGE	2,115.46
150116	EAST JORDAN IRON WOR	IRON ITEMS FOR OVERLAY	SEWER MAIN COLLECTION	9,568.34
150117	ELVING ELECTRIC	REFUND ELECTRICAL PERMIT FEE	COMMUNITY DEVELOPMENT	75.00
150118	EWING IRRIGATION	BROWN RING TREE SOAKERS	STORM DRAINAGE	337.60
150119	EYER, MATTHEW	BRUSH AND SOAP	STORM DRAINAGE	45.88
150120	FENRICH, AMANDA	REFUND SOCCER	PARKS-RECREATION	97.00
150121	FIRE PROTECTION INC	SECURITY ALARM MONITORING	MAINT OF GENL PLANT	262.32
150122	FORTIER, JASON & KAT	UB REFUND	WATER/SEWER OPERATION	151.62
150123	FRIESS, JENNIFER	JULY 4TH BACKDROP	RECREATION SERVICES	47.75
	FRIESS, JENNIFER		RECREATION SERVICES	201.66
	FRIESS, JENNIFER		COMMUNITY EVENTS	338.42
150124	FTRS, LLC	RECOVER WA EXCISE TAX ON FUEL	PARK & RECREATION FAC	47.30
	FTRS, LLC		MAINTENANCE	192.12
	FTRS, LLC		UTIL ADMIN	330.92
	FTRS, LLC		SOLID WASTE OPERATIONS	452.86
	FTRS, LLC		GENERAL	771.59
150125	GABLE SR, JAMES R	UB REFUND	WATER/SEWER OPERATION	346.13
150126	GALLS, LLC	RETURN UNIFORM LEE	POLICE PATROL	-83.43
	GALLS, LLC	UNIFORM - MYKLEBY	DETENTION & CORRECTION	29.57
	GALLS, LLC	UNIFORM - WIGGINS	POLICE PATROL	37.70
	GALLS, LLC	UNIFORM - PITTS	POLICE PATROL	61.14
	GALLS, LLC	UNIFORM - LEE Item 9 - 5	POLICE PATROL	84.68

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150126	GALLS, LLC	UNIFORM - WIGGINS	POLICE PATROL	84.69
	GALLS, LLC		POLICE PATROL	108.67
	GALLS, LLC	UNIFORM - LEE	POLICE PATROL	110.06
	GALLS, LLC	UNIFORM - WIGGINS	POLICE PATROL	177.49
	GALLS, LLC	UNIFORM - LEE	POLICE PATROL	208.34
	GALLS, LLC		POLICE PATROL	226.06
	GALLS, LLC	UNIFORM - MYKLEBY	DETENTION & CORRECTION	229.14
	GALLS, LLC	UNIFORM - WIGGINS	POLICE PATROL	352.69
150127	GARNER'S NORTHWEST	SERVICE AT RAIN GARDENS 3RD & 1ST ST	STORM DRAINAGE	819.75
150128	GLENN & MARLENE ERDA	UB REFUND	GARBAGE	93.54
150129	GOULET, JOSH		WATER/SEWER OPERATION	15.43
150130	GRAINGER	DISPOSABLE 3 LAYER MASKS	FACILITY MAINTENANCE	55.87
	GRAINGER	SUPPLIES	ER&R	520.53
150131	GRANITE CONST	ASPHALT PATCHES	ROADWAY MAINTENANCE	132.42
150132	GRAVITY PAYMENTS	PAYMENT PROCESSING FOR JULY 2021	UTILITY BILLING	5,660.90
150133	GSMS PROPERTIES LLC	UB REFUND	WATER/SEWER OPERATION	1.02
	GSMS PROPERTIES LLC		GARBAGE	82.03
150134	GUENZLER, JOSH	CDL PHYSICAL	WATER DIST MAINS	125.00
150135	HD FOWLER COMPANY	IRRIGATION MAINTENANCE	PARK & RECREATION FAC	52.54
	HD FOWLER COMPANY		PARK & RECREATION FAC	79.11
	HD FOWLER COMPANY	PRESSURE GAUGE	WASTE WATER TREATMENT	109.00
	HD FOWLER COMPANY	HYDRANT REPAIR PARTS	HYDRANTS	322.64
	HD FOWLER COMPANY	LIQUID FILLER GAGE	WATER DIST MAINS	543.97
150136	HERBERT, DONNA	UB REFUND	WATER/SEWER OPERATION	117.70
150137	HID GLOBAL CORP	PERIPHERAL COVERAGE	DETENTION & CORRECTION	655.80
150138	HOMAGE SENIOR	MINOR HOME REPAIR JULY 2021	COMMUNITY	5,993.83
150139	HOME DEPOT USA	JANITORIAL SUPPLIES	CUSTODIAL SERVICES	4.07
	HOME DEPOT USA		CUSTODIAL SERVICES	8.13
	HOME DEPOT USA	RETRACTABLE KEY RING HOLDER	CUSTODIAL SERVICES	22.61
	HOME DEPOT USA	JANITORIAL SUPPLIES	CUSTODIAL SERVICES	25.97
	HOME DEPOT USA		CUSTODIAL SERVICES	27.86
	HOME DEPOT USA		CUSTODIAL SERVICES	31.74
	HOME DEPOT USA	MOP WITH HANDLE	CUSTODIAL SERVICES	36.22
	HOME DEPOT USA	JANITORIAL SUPPLIES	CUSTODIAL SERVICES	36.59
	HOME DEPOT USA	COTTON MOP HEADS	CUSTODIAL SERVICES	47.87
	HOME DEPOT USA	JANITORIAL SUPPLIES	CUSTODIAL SERVICES	48.79
	HOME DEPOT USA		CUSTODIAL SERVICES	66.63
	HOME DEPOT USA	MOP BLEND BLUE	CUSTODIAL SERVICES	83.16
	HOME DEPOT USA	PAPER TOWEL ROLLS	CUSTODIAL SERVICES	99.32
	HOME DEPOT USA	JANITORIAL SUPPLIES	CUSTODIAL SERVICES	111.44
	HOME DEPOT USA		CUSTODIAL SERVICES	125.10
	HOME DEPOT USA	WYPALL WIPES/RAGS	ER&R	286.15
	HOME DEPOT USA	HAND SOAP REFILLS	CUSTODIAL SERVICES	310.14
	HOME DEPOT USA	JANITORIAL SUPPLIES	CUSTODIAL SERVICES	503.58
	HOME DEPOT USA		CUSTODIAL SERVICES	608.17
150140	ID LABEL	EVIDENCE LABELS	POLICE PATROL	349.66
	ID LABEL	EVIDENCE SUPPLIES	POLICE PATROL	818.66
150141	IRON MOUNTAIN	MINUS ROCKS	WATER DIST MAINS	1,465.74
	IRON MOUNTAIN		PARK & RECREATION FAC	1,465.75
150142	J. THAYER COMPANY	CLIPBOARD	PURCHASING/CENTRAL	3.69
	J. THAYER COMPANY	PENS	PURCHASING/CENTRAL	7.52
150143	J.A. BRENNAN ASSOC	PROFESSIONAL SERVICE	GMA-PARKS	1,705.25
150144	JULZ ANIMAL HOUZ	K9 SUPPLIES	K9 PROGRAM	57.10
150145	KAMAN INDUSTRIAL TEC	PARKS WATER TANK	SMALL ENGINE SHOP	73.30
150146	KENDALL CHEVROLET	VEHICLE PARTS FOR #P146	EQUIPMENT RENTAL	875.48
	KENDALL CHEVROLET	FUEL PUMP REPAIR FOR #P161	EQUIPMENT RENTAL	1,662.53
150147	KIM SANGHOON/ATIMA	UB REFUND	WATER/SEWER OPERATION	208.24
150148	KINDER, KELLY		WATER/SEWER OPERATION	135.67

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150149	KIRKPATRICK, SCOTT &	UB REFUND	WATER/SEWER OPERATION	5.16
150150	LAB/COR, INC.	LAB ANALYSES	STORM DRAINAGE	192.00
150151	LAKESIDE INDUSTRIES	EZ STREET ASPHALT	WATER DIST MAINS	540.75
	LAKESIDE INDUSTRIES		ROADWAY MAINTENANCE	540.75
150152	LAKEWOOD SCHOOL DIST	INSTRUCTOR ULTIMATE SPORTS	RECREATION SERVICES	1,396.50
150153	LAKEWOOD SCHOOL DIST	GYM/STADIUM RENTAL	RECREATION SERVICES	376.00
150154	LAKEWOOD SCHOOL DIST	INSTRUCTOR ULTIMATE SPORTS	RECREATION SERVICES	1,928.50
150155	LAMEROUX, MICHAEL	UB REFUND	WATER/SEWER OPERATION	207.39
150156	LASTING IMPRESSIONS	UNIFORM - FRANZEN	POLICE TRAINING-FIREARMS	59.87
150157	LES SCHWAB TIRE CTR	REPAIR AXLE TIRE #J006	EQUIPMENT RENTAL	45.34
	LES SCHWAB TIRE CTR	TRACTION TIRE FOR INVENTORY	ER&R	1,354.77
150158	LIFE-ASSIST, INC.	SMART PADS	EXECUTIVE ADMIN	565.08
150159	LIFESIZE, INC.	LIFESIZE SOFTWARE RENEWAL	MUNICIPAL COURTS	2,766.81
150160	MANTOW, LISA & PETER	UB REFUND	WATER/SEWER OPERATION	217.62
150161	MARSHALL SIGNS INC.	SIGNS	WASTE WATER TREATMENT	834.48
150162	MARYSVILLE PRINTING	PRINTING SERVICES	POLICE PATROL	68.53
	MARYSVILLE PRINTING	BUSINESS CARDS	COMMUNITY	245.75
150163	MARYSVILLE SCHOOL	GROVE ELEMENTARY - MINI CAMP	RECREATION SERVICES	30.00
	MARYSVILLE SCHOOL	CEDARCREST MS - BASKETBALL CAMP	RECREATION SERVICES	32.00
	MARYSVILLE SCHOOL	ALLEN CREEK ELEMENTARY - DAY CAMP	RECREATION SERVICES	54.00
	MARYSVILLE SCHOOL	CEDARCREST MS - PICKLEBALL	RECREATION SERVICES	54.00
	MARYSVILLE SCHOOL	TOTEM MS - TENNIS	RECREATION SERVICES	57.00
	MARYSVILLE SCHOOL	GROVE ELEMENTARY - MINI CAMP	RECREATION SERVICES	60.00
	MARYSVILLE SCHOOL	CEDARCREST MS - PICKLEBALL	RECREATION SERVICES	162.00
	MARYSVILLE SCHOOL	TOTEM MIDDLE SCHOOL-TENNIS	RECREATION SERVICES	370.50
	MARYSVILLE SCHOOL	ALLEN CREEK ELEMENTARY - DAY CAMP	RECREATION SERVICES	378.00
150164	MARYSVILLE, CITY OF	UTILITY SERVICE 5300 SUNNYSIDE BLVD	SEWER LIFT STATION	61.34
	MARYSVILLE, CITY OF	UTILITY SERVICE 1019 CEDAR AVE	PARK & RECREATION FAC	113.71
	MARYSVILLE, CITY OF		PARK & RECREATION FAC	113.71
	MARYSVILLE, CITY OF		PARK & RECREATION FAC	115.94
	MARYSVILLE, CITY OF		PARK & RECREATION FAC	118.62
	MARYSVILLE, CITY OF		PARK & RECREATION FAC	122.58
	MARYSVILLE, CITY OF	UTILITY SERVICE 6915 ARMAR RD	PARK & RECREATION FAC	137.76
	MARYSVILLE, CITY OF		PARK & RECREATION FAC	175.78
	MARYSVILLE, CITY OF		PARK & RECREATION FAC	206.56
	MARYSVILLE, CITY OF	UTILITY SERVICE 4822 61ST ST NE	AFFORDABLE HOUSING	254.04
	MARYSVILLE, CITY OF	UTILITY SERVICE 6915 ARMAR RD	PARK & RECREATION FAC	289.02
	MARYSVILLE, CITY OF	UTILITY SERVICE 5315 64TH ST NE	PARK & RECREATION FAC	298.92
	MARYSVILLE, CITY OF	UTILITY SERVICE 67TH & 64TH PL	PARK & RECREATION FAC	450.63
	MARYSVILLE, CITY OF	UTILITY SERVICE 6915 ARMAR RD	PARK & RECREATION FAC	874.07
	MARYSVILLE, CITY OF		PARK & RECREATION FAC	1,567.07
	MARYSVILLE, CITY OF		PARK & RECREATION FAC	1,688.34
150165	MEHRMANN, CHARLES^	UB REFUND	WATER/SEWER OPERATION	786.39
150166	MICROFLEX INC	ANNUAL ONLINE SERVICE	FINANCE-GENL	1,377.18
150167	MILES SAND & GRAVEL	SIDEWALK PROJECT 5029 205TH PL NE	SIDEWALK MAINTENANCE	1,280.19
150168	MOORE, JASON	REFUND ELECTRICAL PERMIT	COMMUNITY DEVELOPMENT	50.00
150169	MOTOR TRUCKS	DRAIN VALVE	ER&R	72.12
150170	MOUNTAIN MIST	WATER COOLER/BOTTLED WATER	WASTE WATER TREATMENT	19.01
	MOUNTAIN MIST		SOLID WASTE OPERATIONS	19.02
	MOUNTAIN MIST		SEWER MAIN COLLECTION	19.02
150171	MSAB INCORPORATED	ANNUAL RENEWAL	POLICE INVESTIGATION	3,395.00
150172	NAJAR, MADISON & CAR	UB REFUND	WATER/SEWER OPERATION	39.24
150173	NAPA AUTO PARTS	AIR FILTERS	ER&R	21.49
	NAPA AUTO PARTS	OIL/AIR FILTERS, MOTOR OIL	SMALL ENGINE SHOP	48.99
	NAPA AUTO PARTS	AIR FILTERS	SMALL ENGINE SHOP	54.87
	NAPA AUTO PARTS	FILTERS FOR INVENTORY	ER&R	57.58
	NAPA AUTO PARTS	OIL/AIR FILTERS	SMALL ENGINE SHOP	64.28
	NAPA AUTO PARTS	OIL/AIR FILTER #W023 - 7	SMALL ENGINE SHOP	72.87

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150173	NAPA AUTO PARTS	OIL/AIR FILTER	ER&R	78.12
150174	NATIONAL SPORTS PROD	ALUMINUM GROUND SLEEVES	GMA-PARKS	-36.46
	NATIONAL SPORTS PROD		GMA-PARKS	428.46
150175	NELSON PETROLEUM	TRACTOR OIL #J035	EQUIPMENT RENTAL	1,000.52
150176	NELSON TRUCK EQUIP	GRAB HANDLE #J056	EQUIPMENT RENTAL	9.73
	NELSON TRUCK EQUIP		EQUIPMENT RENTAL	28.36
150177	NORTHSTAR CHEMICAL	SODIUM HYDROCHLORITE	WASTE WATER TREATMENT	2,276.94
150178	NORTHWEST HYDRAULIC	WATERSHED PLANNING PROFESSIONAL	STORM DRAINAGE	8,995.00
150179	OCCAM VIDEO SOLUTION	ANNUAL RENEWAL	POLICE INVESTIGATION	2,990.00
150180	OFFICE DEPOT	OFFICE SUPPLIES	COMMUNITY	23.71
	OFFICE DEPOT	SUPPLIES	CRIME PREVENTION	65.53
	OFFICE DEPOT		POLICE INVESTIGATION	78.65
	OFFICE DEPOT	OFFICE SUPPLIES	COMMUNITY	82.90
	OFFICE DEPOT	SUPPLIES	POLICE PATROL	107.31
	OFFICE DEPOT		POLICE PATROL	129.89
	OFFICE DEPOT	OFFICE SUPPLIES	COMMUNITY	130.23
	OFFICE DEPOT	CHAIR	OFFICE OPERATIONS	218.59
	OFFICE DEPOT	SUPPLIES	POLICE PATROL	260.26
150181	OLSON, ANDREA	REFUND PICKLEBALL	PARKS-RECREATION	60.00
150182	OLSON, SHERRI	UB REFUND	WATER/SEWER OPERATION	168.99
150183	ON TRACK EXCAVATING	HYDRANT METER DEPOSIT/FEES/PARTS	WATER-UTILITIES/ENVIRONMN	-91.30
	ON TRACK EXCAVATING		WATER/SEWER OPERATION	1,150.00
150184	OREILLY AUTO PARTS	JB WELD METAL #J035	EQUIPMENT RENTAL	32.75
150185	PACIFIC POWER BATTER	KEY FOB REPLACEMENT BATTERIES	EQUIPMENT RENTAL	21.31
	PACIFIC POWER BATTER	BATTERIES	SEWER LIFT STATION	33.69
	PACIFIC POWER BATTER	EMERGENCY LIGHT BATTERIES	CITY HALL	48.05
150186	PERTEET ENGINEERING	PROFESSIONAL SERVICE	DEVELOPMENT SERVICES	14,895.00
150187	PETROCARD SYSTEMS	FUEL CONSUMED	STORM DRAINAGE	84.64
	PETROCARD SYSTEMS		ENGR-GENL	84.92
	PETROCARD SYSTEMS		DEVELOPMENT SERVICES	125.39
	PETROCARD SYSTEMS		FACILITY MAINTENANCE	199.85
	PETROCARD SYSTEMS		COMMUNITY	274.00
	PETROCARD SYSTEMS		PARK & RECREATION FAC	1,626.67
	PETROCARD SYSTEMS		GENERAL	2,238.10
	PETROCARD SYSTEMS		SOLID WASTE OPERATIONS	4,646.64
	PETROCARD SYSTEMS		MAINT OF EQUIPMENT	4,922.85
	PETROCARD SYSTEMS		POLICE PATROL	7,152.44
150188	PGC INTERBAY LLC	CEDARCREST GOLF COURSE	GOLF ADMINISTRATION	-588.90
	PGC INTERBAY LLC		MAINTENANCE	2.85
	PGC INTERBAY LLC		MAINTENANCE	39.69
	PGC INTERBAY LLC		MAINTENANCE	59.82
	PGC INTERBAY LLC		PRO-SHOP	71.61
	PGC INTERBAY LLC		MAINTENANCE	82.76
	PGC INTERBAY LLC		PRO-SHOP	103.61
	PGC INTERBAY LLC		MAINTENANCE	110.43
	PGC INTERBAY LLC		PRO-SHOP	163.54
	PGC INTERBAY LLC		PRO-SHOP	259.00
	PGC INTERBAY LLC		MAINTENANCE	309.99
	PGC INTERBAY LLC		PRO-SHOP	692.90
	PGC INTERBAY LLC		PRO-SHOP	872.08
	PGC INTERBAY LLC		PRO-SHOP	1,000.00
	PGC INTERBAY LLC		MAINTENANCE	2,839.17
	PGC INTERBAY LLC		GOLF COURSE	4,933.07
150189	PGC INTERBAY LLC		PRO-SHOP	-138.91
	PGC INTERBAY LLC		PRO-SHOP	125.43
	PGC INTERBAY LLC		PRO-SHOP	129.52
	PGC INTERBAY LLC		PRO-SHOP	180.00
	PGC INTERBAY LLC		MAINTENANCE	424.08

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150189	PGC INTERBAY LLC	CEDARCREST GOLF COURSE	PRO-SHOP	434.74
	PGC INTERBAY LLC		MAINTENANCE	636.25
	PGC INTERBAY LLC		PRO-SHOP	1,016.85
	PGC INTERBAY LLC		MAINTENANCE	1,374.17
	PGC INTERBAY LLC		MAINTENANCE	1,522.15
	PGC INTERBAY LLC		MAINTENANCE	1,684.45
	PGC INTERBAY LLC		GOLF COURSE	1,768.66
	PGC INTERBAY LLC		MAINTENANCE	3,215.57
	PGC INTERBAY LLC		MAINTENANCE	5,215.79
150190	PGC INTERBAY LLC	PAYROLL REIMBURSEMENT	MAINTENANCE	11,884.80
	PGC INTERBAY LLC		PRO-SHOP	12,914.18
150191	PILCHUCK RENTALS	LINE/TRIMMER LINE	WASTE WATER TREATMENT	91.79
	PILCHUCK RENTALS	METAL BLADES, CHAIN LOOP	STORM DRAINAGE	163.92
	PILCHUCK RENTALS	FORESTRY HELMET SYSTEM	PARK & RECREATION FAC	185.79
	PILCHUCK RENTALS	BOOM LIFT RENTAL	ROADSIDE VEGETATION	519.18
150192	PITCH PERFECT ACADEM	PITCH PERFECT SOCCER	RECREATION SERVICES	873.00
	PITCH PERFECT ACADEM	PITCH PERFECT DEVELOPMENT	RECREATION SERVICES	1,164.00
	PITCH PERFECT ACADEM	PITCH PERFECT SOCCER	RECREATION SERVICES	1,164.00
	PITCH PERFECT ACADEM		RECREATION SERVICES	1,164.00
150193	PLATT ELECTRIC	PARTS FOR 88TH/STATE ADA	TRANSPORTATION	41.14
	PLATT ELECTRIC	STRUT, FITTINGS, HEATER	SOURCE OF SUPPLY	385.93
	PLATT ELECTRIC		SOURCE OF SUPPLY	969.26
	PLATT ELECTRIC	AERATOR PARTS	WASTE WATER TREATMENT	2,997.91
150194	POLLARDWATER	ALUM DIFFUSER	WATER DIST MAINS	1,239.39
150195	PREMIER GOLF CENTERS	MANAGEMENT SERVICE AUG 2021	GOLF ADMINISTRATION	9,016.15
150196	PROFORCE LAW ENFORC	HANDGUNS	POLICE PATROL	3,872.02
150197	PUBLIC AGENCY TRAINI	REGISTRATION ELTON/LAWRENSON	POLICE TRAINING-FIREARMS	1,390.00
150198	PUBLIC SAFETY PSYCHO	PRE-EMPLOYMENT	POLICE ADMINISTRATION	800.00
150199	PUD	TRANSFORMER AND METER FEE	GMA - STREET	398.00
	PUD	MTR & TRNSFMR FEE 1ST ST PROJ	SURFACE WATER CAPITAL	93,816.00
150200	PUD	ACCT #203569751	STORM DRAINAGE	8.22
	PUD	ACCT #223013277	AFFORDABLE HOUSING	16.14
	PUD	ACCT #202461026	MAINT OF GENL PLANT	16.44
	PUD	ACCT #205195373	PARK & RECREATION FAC	16.44
	PUD	ACCT #200973956	SEWER LIFT STATION	19.33
	PUD	ACCT #202011813	PUMPING PLANT	22.15
	PUD	ACCT #200501617	TRANSPORTATION	25.50
	PUD	ACCT #202794657	TRANSPORTATION	32.21
	PUD	ACCT #203199732	TRANSPORTATION	33.90
	PUD	ACCT #202175956	TRAFFIC CONTROL DEVICES	39.21
	PUD	ACCT # 222772634	TRANSPORTATION	43.96
	PUD	ACCT #200448801	TRANSPORTATION	47.52
	PUD	ACCT #201628880	WASTE WATER TREATMENT	50.65
	PUD	ACCT #202288585	TRANSPORTATION	50.82
	PUD	ACCT #203500020	STREET LIGHTING	52.42
	PUD	ACCT #222664310	TRANSPORTATION	53.88
	PUD	ACCT #222664740	TRANSPORTATION	61.38
	PUD	ACCT #202303301	SEWER LIFT STATION	65.28
	PUD	PUD DEERING WILDFLOWER ACRES	PARK & RECREATION FAC	73.62
	PUD	ACCT #220681340	STORM DRAINAGE	76.77
	PUD	ACCT #205237738	TRAFFIC CONTROL DEVICES	87.06
	PUD	ACCT #222663973	TRANSPORTATION	89.20
	PUD	ACCT #221115934	MAINT OF GENL PLANT	91.00
	PUD	ACCT #205239270	TRAFFIC CONTROL DEVICES	104.62
	PUD	ACCT #222025900	PUMPING PLANT	127.81
	PUD	ACCT #205419765	PUBLIC SAFETY BLDG	129.20
	PUD	ACCT #221192545	PUBLIC SAFETY BLDG	162.75
	PUD	ACCT #204821227	TRAFFIC CONTROL DEVICES	163.09

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 8/25/2021 TO 8/25/2021

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
150200	PUD	ACCT #200223857	PARK & RECREATION FAC	191.15
	PUD	ACCT #201247699	STREET LIGHTING	229.44
	PUD	ACCT #201675634	WASTE WATER TREATMENT	417.52
	PUD	ACCT #201587284	WASTE WATER TREATMENT	736.46
	PUD	ACCT #202177333	MAINT OF GENL PLANT	785.81
	PUD	ACCT #201639689	MAINT OF GENL PLANT	883.12
	PUD	ACCT #200021871	COURT FACILITIES	1,309.77
	PUD	ACCT #201617479	CITY HALL	1,332.55
	PUD	ACCT #200824548	MAINT OF GENL PLANT	1,361.14
	PUD	ACCT #200303477	WATER FILTRATION PLANT	1,674.48
	PUD	ACCT #201147253	PUMPING PLANT	1,702.65
	PUD	ACCT #221320088	SUNNYSIDE FILTRATION	2,492.52
	PUD	ACCT #201463031	PUBLIC SAFETY BLDG	3,239.59
	PUD	ACCT #201577921	PUMPING PLANT	7,471.30
	PUD	ACCT #201420635	WASTE WATER TREATMENT	7,658.45
	PUD	ACCT #202075008	WASTE WATER TREATMENT	13,721.46
	PUD	ACCT #201721180	WASTE WATER TREATMENT	23,376.81
150201	REDONDO, CATALINO &	UB REFUND	WATER/SEWER OPERATION	168.84
150202	REECE TRUCKING	DUMP BRUSH	ROADSIDE VEGETATION	33.25
	REECE TRUCKING	CRUSHED ASPHALT	GMA-PARKS	222.78
	REECE TRUCKING	TOPSOIL	WATER SERVICE INSTALL	321.05
	REECE TRUCKING	ASPHALT GRINDING	GMA-PARKS	1,561.83
150203	RH2 ENGINEERING INC	PROFESSIONAL SERVICE THROUGH 8/1/21	WATER DIST MAINS	254.46
	RH2 ENGINEERING INC		SOURCE OF SUPPLY	438.19
	RH2 ENGINEERING INC		WATER RESERVOIRS	1,261.78
150204	RICH MARKETING LLC	DIGITAL ADVERTISING	STORM DRAINAGE	1,000.00
150205	ROEMER, JOCELYN	UB REFUND	WATER/SEWER OPERATION	34.87
150206	ROY ROBINSON INC.	AQUAMAX HOLDING TANK	ER&R	142.42
150207	SEATTLE GOODWILL	CDBG - COVID-19 RELIEF	COMMUNITY	11,269.66
150208	SINGH, DAVINDER & BA	UB REFUND	WATER/SEWER OPERATION	365.49
150209	SISKUN POWER EQUIPME	AIR FILTERS	SMALL ENGINE SHOP	45.72
	SISKUN POWER EQUIPME	TANK GUARD, THROTTLE LEVER	SMALL ENGINE SHOP	344.75
150210	SMITH, JEFFREY	UB REFUND	WATER/SEWER OPERATION	24.69
150211	SNO CO PUBLIC WORKS	SOLID WASTE CHARGES JULY 2021	SOLID WASTE OPERATIONS	176,910.00
150212	SNO CO TREASURER	JULY HOUSING-JAIL	DETENTION & CORRECTION	80,441.46
150213	SOLID WASTE SYSTEMS	REPAIR PACK HYDRL CYLINDER J025	EQUIPMENT RENTAL	17,998.36
150214	SOUND SAFETY	RIGBY SHORT	PARK & RECREATION FAC	77.49
	SOUND SAFETY	UNIFORM GEIBEL	UTIL ADMIN	152.87
	SOUND SAFETY	WORK BOOTS - ROTH	PARK & RECREATION FAC	158.10
	SOUND SAFETY	GLOVES	DETENTION & CORRECTION	1,366.96
150215	STAPLES	OFFICE SUPPLIES	COMMUNITY CENTER	3.79
	STAPLES		COMMUNITY CENTER	176.05
150216	STEEER, JOSHUA	UB REFUND	WATER/SEWER OPERATION	227.60
150217	STONEWAY ELECTRIC	VAN RESTOCK PARTS	SOURCE OF SUPPLY	25.69
	STONEWAY ELECTRIC		WASTE WATER TREATMENT	25.70
	STONEWAY ELECTRIC		SOURCE OF SUPPLY	58.59
	STONEWAY ELECTRIC		WASTE WATER TREATMENT	58.60
150218	STRAND, JOANNE	UB REFUND	WATER/SEWER OPERATION	123.45
150219	STRATEGIES 360	SERVICE FOR JULY 2021	GENERAL	1,050.00
	STRATEGIES 360		WASTE WATER TREATMENT	1,050.00
	STRATEGIES 360		UTIL ADMIN	1,400.00
150220	SUEZ TREATMENT	LAMPS, BALLAST ASMY, U.V. PARTS	WASTE WATER TREATMENT	4,396.96
150221	TAIRA, DIXIE	REFUND PICKLEBALL	PARKS-RECREATION	50.00
150222	THE ESTATE OF GORDON	UB REFUND	WATER/SEWER OPERATION	36.67
	THE ESTATE OF GORDON		GARBAGE	187.16
150223	TIMEMARK INCORPORATE	TRAFFIC COUNTER REPAIRS	GENERAL FUND	-33.41
	TIMEMARK INCORPORATE		TRANSPORTATION	392.62
150224	TOLLEY, BRIAN & MARI	UB REFUND	WATER/SEWER OPERATION	229.20

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 8/25/2021 TO 8/25/2021

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
150225	TRUEAX, KIM	REFUND CAMP MAGIC	PARKS-RECREATION	125.00
150226	TULALIP TRIBES OF WA	YOUTH ACADEMY VENUE RENTAL	EXECUTIVE ADMIN	225.00
150227	TYLER TECHNOLOGIES	P-CARD IMPLEMENTATION	FINANCE-GENL	740.00
	TYLER TECHNOLOGIES	EXECUTIME IMPL AND PM 8/5 & 8/6/21	FINANCE-GENL	2,220.00
150228	UDLOCK, GRANT	REFUND PICKLEBALL	PARKS-RECREATION	60.00
150229	ULINE	EVIDENCE SUPPLIES	POLICE PATROL	553.40
150230	UNITED PARCEL SERVIC	SHIPPING	POLICE PATROL	31.50
	UNITED PARCEL SERVIC		POLICE PATROL	34.26
150231	UNITED SITE SERVICES	CREDIT MEMO FOR SECOND SANICAN	PARK & RECREATION FAC	-185.36
	UNITED SITE SERVICES	PORTABLE RESTROOM	PARK & RECREATION FAC	494.29
150232	US BANK	CAMP/OFFICE SUPPLIES	RECREATION SERVICES	31.77
	US BANK		COMMUNITY CENTER	95.05
150233	USA BLUEBOOK	ADJUSTABLE PIPE STAND	WASTE WATER TREATMENT	353.09
150234	WA AUDIOLOGY SRVCS	DATA ENTRY/MANAGEMENT FEE	PARK & RECREATION FAC	40.00
150235	WATCH SYSTEMS	RSO MAILING	POLICE INVESTIGATION	125.64
150236	WAXIE SANITARY SUPPL	PARKS GARBAGE BAGS	PARK & RECREATION FAC	857.61
150237	WEST PAYMENT CENTER	INVESTIGATIVE TOOL	POLICE INVESTIGATION	342.93
	WEST PAYMENT CENTER		POLICE INVESTIGATION	360.08
150238	WESTERGREEN, JAMES	UB REFUND	WATER/SEWER OPERATION	93.14
150239	WESTERN VENTURES	HYDRANT METER DEPOSIT/FEE	WATER-UTILITIES/ENVIRONMN	-137.85
	WESTERN VENTURES		WATER/SEWER OPERATION	1,150.00
150240	WHITE CAP CONSTRUCT	SAFETY EQUIPMENT	PARK & RECREATION FAC	172.53
150241	WHPACIFIC	PROFESSIONAL SERVICES	GMA - STREET	47,826.31
150242	WIDE FORMAT COMPANY	BASE FEE FOR AUG 2021	UTIL ADMIN	130.07
150243	WOOD, BONNIE	UB REFUND	WATER/SEWER OPERATION	316.90
150244	WSSUA	UMPS FOR SOFTBALL LEAGUE	RECREATION SERVICES	270.00
150245	ZIONS BANK	CUSTODIAN/SAFEKEEPING	FINANCE-GENL	387.50
	ZIONS BANK		ENTERPRISE D/S	387.50
150246	ZIPLY FIBER	ACCT #3606512517	STREET LIGHTING	53.06
	ZIPLY FIBER	ACCT #3601970339	SEWER LIFT STATION	61.61
	ZIPLY FIBER	ACCT #3606583136	MUNICIPAL COURTS	72.92
	ZIPLY FIBER	ACCT #3606596212	MAINT OF GENL PLANT	72.92
	ZIPLY FIBER	ACCT# 3606515087	PARK & RECREATION FAC	86.70
	ZIPLY FIBER	ACCT #3606582766	MUNICIPAL COURTS	88.18
	ZIPLY FIBER	ACCT #3606597667	OFFICE OPERATIONS	88.18
	ZIPLY FIBER	ACCT #3606519123	WATER FILTRATION PLANT	105.66
150247	ZIPLY FIBER	ACCT #3606577495	STREET LIGHTING	53.06
150248	ZIPLY FIBER	PHONE DEERING WILDFLOWER	PARK & RECREATION FAC	59.01
150249	ZIPLY FIBER	ACCT #3606583635	COMMUNITY	60.38
	ZIPLY FIBER		UTIL ADMIN	60.39
150250	ZIPLY FIBER	FRONTIER POTS LINES	POLICE ADMINISTRATION	52.77
	ZIPLY FIBER		POLICE PATROL	52.77
	ZIPLY FIBER		COMMUNICATION CENTER	52.77
	ZIPLY FIBER		UTILITY BILLING	52.77
	ZIPLY FIBER		GENERAL	52.77
	ZIPLY FIBER		GOLF ADMINISTRATION	52.77
	ZIPLY FIBER		COMMUNITY	105.55
	ZIPLY FIBER		DETENTION & CORRECTION	105.55
	ZIPLY FIBER		OFFICE OPERATIONS	105.55
	ZIPLY FIBER		GOLF ADMINISTRATION	105.55
	ZIPLY FIBER		CITY HALL	158.35
	ZIPLY FIBER		RECREATION SERVICES	211.10
	ZIPLY FIBER		WASTE WATER TREATMENT	263.87
	ZIPLY FIBER		UTIL ADMIN	263.87

DATE: 8/27/2021
TIME: 10:21:37AM

CITY OF MARYSVILLE
INVOICE LIST
FOR INVOICES FROM 8/25/2021 TO 8/25/2021

PAGE: 1079

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
			WARRANT TOTAL:	<u><u>1,297,823.92</u></u>

REASON FOR VOIDS:

INITIATOR ERROR

CHECK LOST/DAMAGED

UNCLAIMED PROPERTY

WARRANT TOTAL:

\$1,297,823.92

Index #10

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: September 13, 2021

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

RECOMMENDED ACTION:

The Finance and Executive Departments recommend City Council approve the August 25, 2021 payroll in the amount \$1,443,581.95, paid by EFT Transactions and Check No. 33607 through 33626 with Check No. 112258 voided.

COUNCIL ACTION:

Index #11

CITY OF MARYSVILLE AGENDA BILL

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: September 13, 2021

AGENDA ITEM:	
Reject Bid for Opera House Exterior Repair and Painting	
PREPARED BY:	DIRECTOR APPROVAL:
Karen Latimer, Utility Manager	<i>Karen Latimer</i>
DEPARTMENT:	
Public Works - Parks	
ATTACHMENTS:	
Bid	
BUDGET CODE:	AMOUNT:
	N/A
SUMMARY:	

The purpose of this project was to help preserve this historic building by stopping the water from leaking into the facility. This project was to remove current exterior coating to bare concrete, repair cracks and provide a new exterior coating, including the window sills and doors. City council appropriated \$200,000 for this project.

Invitation for the bids took place on June 14, 2021. A total of one (1) bid was received from Long Painting Company of Kent, WA, in the amount of \$219,108.25 including Washington State sales tax.

The bid for the project is higher than the amount budgeted. Staff therefore recommends the bid of \$219,108.25 from Long Painting Company be rejected.

RECOMMENDED ACTION:

Staff recommends that Council authorize the Mayor to reject the Opera House Exterior Repair and Painting bid in the amount of \$219,108.25.

RECOMMENDED MOTION:

I move to authorize the Mayor to reject the Opera House Exterior Repair and Painting Bid.



Corporate Office
21414 68th Avenue South
Kent, WA 98032

Phone: 253-234-8050
Fax: 253-234-0034

PROPOSAL

City of Marysville Public Works Department
Proposal Submitted to
80 Columbia Ave.
Street
Marysville WA 98270
City, State and Zip Code
Tony Colinas
Attention

(360) 363-8175
Phone
6/30/2021
Date
Exterior Cleaning and Painting Opera House
Job Name
1225 3rd Street Marysville WA 98270
Job Location
N/A
(360) 363-8175
Date of Plans
Job Phone

Subject to prompt acceptance within **30** days and to all conditions stipulated on the reverse side, titled Conditions of Proposal, we propose to furnish materials and labor at the price as stipulated below:

Scope of work: Aknowledges Addendum #1

1. Supply all labor, materials and equipment to complete exterior cleaning, repairs and painting scope of work.
2. Wet Blast North and West walls complete to remove existing paint.
3. Wet blast where needed on the South and East walls where needed to remove loose peeling paint.
4. Power wash entire building and clean up all debri and blast media.
5. Repair and fill all cracks where needed and skim coat repairs to match existing finish.
6. Fill and skim coat North and West Elevation walls to fill all voids to match existing finish.
7. Prime all repairs and finish paint walls to match original color.
8. Prep / repair all windows and doors where needed prior to new finishes.
9. Spot prime repairs and repaint all doors and windows to match original color.
10. Clean up all work areas daily.

Exclusions:

1. Overtime and weekend work.
2. Weather Protection and heat.

Price: \$ **200,465.00** + APPLICABLE SALES TAX

TERMS: **NET 30 DAYS**

The undersigned accepts this proposal and all its terms and conditions as a binding contract subject only to the approval of the credit of the buyer by the Seller which shall not be unreasonably withheld. If credit approval is based upon an individual, please list social security number.

COMPANY: _____
BY: _____
TITLE: _____
DATE: _____

SELLER: **LONG PAINTING COMPANY**
BY: *[Signature]*
TITLE: Estimator
DATE: 6/30/2021


CONDITIONS OF PROPOSAL

1. Acceptance of this Proposal by Buyer shall be acceptance of all terms and conditions recited herein or incorporated by reference. Allowing the Seller to commence work or preparation for work will constitute acceptance by Buyer of this proposal and all its terms and conditions. Quotations herein, unless otherwise stated, are for immediate acceptance and subject to change.
2. Unless other terms are stipulated, the Seller shall be **paid in full upon completion of the work.**
3. No back charges or claim of the Buyer for services shall be valid except by the agreement in writing by the Seller before work is executed.
4. All sums not paid when due shall bear interest at the rate of 1 ½% per month from the date until paid or the maximum legal rate permitted by law, whichever is less; and all costs of collections, including attorney's fees, shall be paid by Buyer.
5. If the buyer fails to make payments to the Seller as herein provided, then the Seller may stop without prejudice to any other remedy it may have.
6. Buyer is to prepare all work areas so as to be acceptable for Seller's work under the contract. Seller will not be called upon to start work until the sufficient areas are ready to ensure continued work until job completion.
7. After acceptance of this proposal as provided, Seller shall be given a reasonable time in which to make delivery of materials and/or labor to commence and complete the performance of the contract. Seller shall not be responsible for delays or defaults and resulting costs where occasioned by any causes of any kind and extent beyond its control, including but not limited to: delays caused the owner, general contractor, architect and/or engineers; armed conflict or economic dislocation resulting therefrom; embargoes; shortages of labor, equipment or materials production facilities or transportation, labor difficulties, civil disorder of any kind; action of a civil or military authorities; vendor priorities and allocations; fires, floods, accidents and acts of God. Seller shall be reimbursed for additional costs resulting from delays beyond its control
8. All workmanship is guaranteed against defects for a period of one year from the date of completion. THIS WARRANTY IS IN LIEU OF ALL OTHER WARRANTIES EXPRESS OR IMPLIED INCLUDING ANY WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. Seller will not be responsible for special, incidental, or consequential damages. Seller will not be responsible for damage to its work by other parties. Any work necessitated by caused damage will be considered an order for extra work.
9. Work called for herein is to be performed during Seller's regular working hours. Overtime rates will be charged for all work performed outside such hours.
10. All materials and workmanship shall be furnished in accordance with normal industry tolerance of color variation, thickness, finish, texture and performance standards.
11. Notwithstanding any provision contained in this Proposal or the contract documents between Owner and Contractor, Seller may file a lien or claim on its behalf in the event that any payment to Seller is not made as and when provided for by the agreement.
12. All Work will be performed in accordance with local, state and federal regulations.
13. The Buyer shall furnish all temporary site facilities including suitable covered storage space and hoisting at no cost to seller.
14. The Buyer shall make no demand for liquidated damages for delays or actual damages for delays in any sum in excess of such amount as may be specifically named in this Proposal. Liquidated damages may not be assessed against the Seller for delays or causes attributed to other contractors or arising from cause outside control of the Seller.
15. Buyer shall purchase and maintain property insurance upon the full value of the entire work and/or materials to be supplied which shall include the interest of the Seller.
16. Latent conditions not obvious at the time of the bid which adversely affect the cost of the work will be billed at current Time & Material rates.
17. The terms of this proposal shall be included in any subsequent contract generated by the Buyer.
18. Conflicts between Buyer and Seller which cannot be resolved by negotiation may, at Seller's option, be submitted to arbitration under the standard American Arbitration Association Rules for construction industry disputes and will be handled at the Seattle Office of the American Arbitration Association.
19. Work cannot start until proper notifications to regulatory agencies have been made unless Buyer arranges for immediate start under regulatory emergency procedures.
20. If the facility being worked on is being prepared for demolition, it is the buyer's responsibility to notify proper regulatory authorities of demolition schedule.
21. When it is necessary to tape visqueen to walls to protect the surfaces during abatement, the existing surfaces may occasionally be damaged when tape is removed. The Seller will not be responsible for this damage if it should occur.
22. Any paint or other materials discovered which contains lead or other materials considered toxic under Environmental Protection Agency regulations shall be considered hazardous material subject to special handling and disposal requirements to be paid for by the buyer.

Index #12

CITY OF MARYSVILLE AGENDA BILL
EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: September 13, 2021

AGENDA ITEM:	
Contract Award – Comeford Reservoir Recoat	
PREPARED BY:	DIRECTOR APPROVAL:
Karen Latimer, Utility Manager	
DEPARTMENT:	
Public Works - Utilities	
ATTACHMENTS:	
1. Certified Bid Tabulation 2. Contract	
BUDGET CODE:	AMOUNT:
40220594.563000 W2101	\$447,911.40
SUMMARY:	

Discussion regarding the future of the Comeford Reservoir took place at the 2020 City Council retreat. After considering information staff presented about alternatives and costs, City Council directed staff to preserve the structure. In response to Council’s directive, staff prepared a capital project request to restore the Comeford Reservoir. This project was approved as part of the 2021-2022 Fund 402 Utility Capital Project budget.

At the time the capital project request was prepared, staff did not have information about the existing coating system in place on the Comeford Reservoir. Recent coating system testing performed as part of the bidding process revealed the presence of lead, chromium and cadmium in the paint at levels above an acceptable threshold. This triggered a requirement for full containment of the structure, special blast media to encapsulate the contaminants, disposal of the blast media as a hazardous waste, and monitoring of the job site and perimeter to ensure acceptable air and soil quality before, during and after the recoating work takes place. The additional cost to perform this work is about \$300,000. Staff anticipates requesting a budget amendment later this year or early next year to cover these unexpected costs.

Although the Comeford Reservoir is not an active drinking water reservoir, the structure must continue to meet safety requirements and will need to undergo routine inspection and maintenance, periodic structural safety assessment, and lifecycle replacement of the protective coating. The annualized lifecycle cost to perform this work is in the range of \$20,000 to \$30,000 per year. The Water Division annual operating budget does not presently include an allocation for care and maintenance of the Comeford Reservoir structure. Staff will request additional funding for this work during the budgeting process and as part of the upcoming utility rate study.

This project will remove existing exterior coating by blasting to bare steel, provide new exterior coating with City logo on two sides, interior spot repair, installation of two additional lanyard anchors, and installation of holiday lighting for the Comeford Park elevated reservoir that is no longer used for potable water storage but is being maintained as a historic landmark.

Advertisement for bids took place on July 6 and July 13, 2021. A total of six (6) bids were received and publicly read aloud. The low bid of \$409,800.00 excluding Washington State sales

tax was from Mericka Group, LLC, a general contractor from Longview, WA. The Engineer’s Estimate for this project was \$423,568.00. The low bid is 3.3% below the Engineer’s Estimate.

Staff have reviewed the bid documents and have determined that Mericka Group’s bid is responsive and that Mericka Group is the lowest responsible bidder. Staff therefore recommends that the Contract be awarded to Mericka Group, LLC in the amount of \$447,911.40, which includes 9.3% Washington State sales tax. Staff also recommends that City Council authorize a 10% Management Reserve, as noted below, which would allow the City to administer the project and to evaluate conditions and execute changes that may be necessary to complete the work.

Contract Bid (includes WSST):	\$447,911.40
Management Reserve:	<u>\$ 44,791.14</u>
Total Allocation:	\$492,702.54

RECOMMENDED ACTION:
 Staff recommends that Council authorize the Mayor to sign and execute the Comeford Reservoir Recoat contract with Mericka Group, LLC, in the amount of \$447,911.40 including Washington State sales tax, and approve a management reserve of \$44,791.14, for a total allocation of \$492,702.54.

RECOMMENDED MOTION:
 I move to authorize the Mayor to sign and execute the Comeford Reservoir Recoat contract with Mericka Group, LLC in the amount of \$447,911.40, and approve a management reserve of \$44,791.14, for a total allocation of \$492,702.54.



COMEFORD RESERVOIR RECOAT
40220594.563000, W2101
Certified Bid Tab

7/21/2021

Apparent Low Bidder

BASE BID				Engineer's Estimate		Mericka Group, LLC		Southern Road & Bridge, LLC		Purcell P&C, LLC		T Bailey, Inc.		Long Painting		HCI Industrial & Marine Coatings, Inc.		
SPEC	ITEM	DESCRIPTION	QUANTITY	UNITS	UNIT PRICES	TOTAL PRICE	UNIT PRICES	TOTAL PRICE	UNIT PRICES	TOTAL PRICE	UNIT PRICES	TOTAL PRICE	UNIT PRICES	TOTAL PRICE	UNIT PRICES	TOTAL PRICE	UNIT PRICES	TOTAL PRICE
1, 18	1	Mobilization, Demobilization, Site Preparation, and Clean-up (10% Max.)	1	LS	\$24,000.00	\$24,000.00	\$35,000.00	\$35,000.00	\$40,000.00	\$40,000.00	\$40,000.00	\$40,000.00	\$19,000.00	\$19,000.00	\$46,837.00	\$46,837.00	\$40,000.00	\$40,000.00
Plans	2	Tie Off Anchors and Roof Hatch	1	LS	\$9,600.00	\$9,600.00	\$6,000.00	\$6,000.00	\$6,000.00	\$6,000.00	\$38,300.00	\$38,300.00	\$27,000.00	\$27,000.00	\$22,338.00	\$22,338.00	\$5,000.00	\$5,000.00
9	3	Interior Spot Repair	10	SF	\$1,200.00	\$12,000.00	\$350.00	\$3,500.00	\$20,000.00	\$200,000.00	\$100.00	\$1,000.00	\$908.00	\$9,080.00	\$1,086.00	\$10,860.00	\$7,500.00	\$75,000.00
9	4	Interior Spot Recoating	36	SF	\$288.00	\$10,368.00	\$300.00	\$10,800.00	\$833.34	\$30,000.24	\$100.00	\$3,600.00	\$454.00	\$16,344.00	\$786.00	\$28,296.00	\$2,500.00	\$90,000.00
9	5	Exterior Recoating	1	LS	\$66,000.00	\$66,000.00	\$188,000.00	\$188,000.00	\$210,000.00	\$210,000.00	\$160,450.00	\$160,450.00	\$400,000.00	\$400,000.00	\$182,192.00	\$182,192.00	\$332,761.00	\$332,761.00
9	6	Containment and Disposal	1	LS	\$235,200.00	\$235,200.00	\$115,000.00	\$115,000.00	\$110,000.00	\$110,000.00	\$304,000.00	\$304,000.00	\$185,000.00	\$185,000.00	\$266,002.00	\$266,002.00	\$150,000.00	\$150,000.00
9	7	Logo Coating	1	LS	\$34,800.00	\$34,800.00	\$15,000.00	\$15,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$16,000.00	\$16,000.00	\$24,860.00	\$24,860.00	\$10,000.00	\$10,000.00
Plans	8	Removal, Re-installation, and Replacement of Specified Items	1	LS	\$14,400.00	\$14,400.00	\$12,500.00	\$12,500.00	\$10,000.00	\$10,000.00	\$2,500.00	\$2,500.00	\$7,000.00	\$7,000.00	\$8,109.00	\$8,109.00	\$2,500.00	\$2,500.00
16	9	Electrical	1	LS	\$7,200.00	\$7,200.00	\$14,000.00	\$14,000.00	\$10,000.00	\$10,000.00	\$21,875.00	\$21,875.00	\$13,500.00	\$13,500.00	\$15,820.00	\$15,820.00	\$15,000.00	\$15,000.00
18	10	Management Reserve	1	LS	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00
		Total Base Bid			\$423,568.00	\$423,568.00	\$409,800.00	\$409,800.00	\$636,000.24	\$636,000.24	\$591,725.00	\$591,725.00	\$702,924.00	\$702,924.00	\$615,314.00	\$615,314.00	\$730,261.00	\$730,261.00
		WSST @ 9.3%			\$39,391.82	\$39,391.82	\$38,111.40	\$38,111.40	\$59,148.02	\$59,148.02	\$55,030.43	\$55,030.43	\$65,371.93	\$65,371.93	\$57,224.20	\$57,224.20	\$67,914.27	\$67,914.27
		Total			\$462,959.82	\$462,959.82	\$447,911.40	\$447,911.40	\$695,148.26	\$695,148.26	\$646,755.43	\$646,755.43	\$768,295.93	\$768,295.93	\$672,538.20	\$672,538.20	\$798,175.27	\$798,175.27

BID ALTERNATIVE				Engineer's Estimate		Mericka Group, LLC		Southern Road & Bridge, LLC		Purcell P&C, LLC		T Bailey, Inc.		Long Painting		HCI Industrial & Marine Coatings, Inc.		
SPEC	ITEM	DESCRIPTION	QUANTITY	UNITS	UNIT PRICES	TOTAL PRICE	UNIT PRICES	TOTAL PRICE	UNIT PRICES	TOTAL PRICE	UNIT PRICES	TOTAL PRICE	UNIT PRICES	TOTAL PRICE	UNIT PRICES	TOTAL PRICE	UNIT PRICES	TOTAL PRICE
1, 18	1A	Mobilization, Demobilization, Site Preparation, and Clean-up (10% Max.)	1	LS			\$35,000.00	\$35,000.00	\$35,000.00	\$35,000.00	\$20,000.00	\$20,000.00	\$19,000.00	\$19,000.00	\$46,837.00	\$46,837.00	\$20,000.00	\$20,000.00
Plans	2A	Tie Off Anchors and Roof Hatch	1	LS			\$6,000.00	\$6,000.00	\$6,000.00	\$6,000.00	\$38,300.00	\$38,300.00	\$27,000.00	\$27,000.00	\$22,338.00	\$22,338.00	\$5,000.00	\$5,000.00
9	3A	Interior Spot Repair	10	SF			\$350.00	\$3,500.00	\$20,000.00	\$200,000.00	\$100.00	\$1,000.00	\$908.00	\$9,080.00	\$1,086.00	\$10,860.00	\$7,500.00	\$75,000.00
9	4A	Interior Spot Recoating	36	SF			\$300.00	\$10,800.00	\$833.34	\$30,000.24	\$100.00	\$3,600.00	\$454.00	\$16,344.00	\$786.00	\$28,296.00	\$5,000.00	\$180,000.00
9	5A	Exterior Recoating	1	LS			\$167,000.00	\$167,000.00	\$110,000.00	\$110,000.00	\$141,750.00	\$141,750.00	\$400,000.00	\$400,000.00	\$86,166.00	\$86,166.00	\$88,000.00	\$88,000.00
9	6A	Containment and Disposal	1	LS			\$125,000.00	\$125,000.00	\$110,000.00	\$110,000.00	\$38,600.00	\$38,600.00	\$185,000.00	\$185,000.00	\$266,002.00	\$266,002.00	\$88,000.00	\$88,000.00
9	7A	Logo Coating	1	LS			\$15,000.00	\$15,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$16,000.00	\$16,000.00	\$24,860.00	\$24,860.00	\$10,000.00	\$10,000.00
Plans	8A	Removal, Re-installation, and Replacement of Specified Items	1	LS			\$12,500.00	\$12,500.00	\$10,000.00	\$10,000.00	\$2,500.00	\$2,500.00	\$7,000.00	\$7,000.00	\$8,109.00	\$8,109.00	\$5,000.00	\$5,000.00
16	9A	Electrical	1	LS			\$14,000.00	\$14,000.00	\$10,000.00	\$10,000.00	\$21,875.00	\$21,875.00	\$13,500.00	\$13,500.00	\$15,820.00	\$15,820.00	\$15,000.00	\$15,000.00
18	10A	Management Reserve	1	LS			\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00
		Total Bid Alternative					\$398,800.00	\$398,800.00	\$531,000.24	\$531,000.24	\$287,625.00	\$287,625.00	\$702,924.00	\$702,924.00	\$519,288.00	\$519,288.00	\$496,000.00	\$496,000.00
		WSST @ 9.3%					\$37,088.40	\$37,088.40	\$49,383.02	\$49,383.02	\$26,749.13	\$26,749.13	\$65,371.93	\$65,371.93	\$48,293.78	\$48,293.78	\$46,128.00	\$46,128.00
		Total					\$435,888.40	\$435,888.40	\$580,383.26	\$580,383.26	\$314,374.13	\$314,374.13	\$768,295.93	\$768,295.93	\$567,581.78	\$567,581.78	\$542,128.00	\$542,128.00

Math Error



Handwritten signature

PUBLIC WORKS CONTRACT

THIS PUBLIC WORKS CONTRACT (the “Contract”) is made and entered into as of the date of the last signature below, by and between the City of Marysville, a Washington State municipal corporation (the “City”) and Mericka Group, LLC, a limited liability company, organized under the laws of the State of Washington, located and doing business at 8831 Washington Way, Longview, WA 98632 (the “Contractor”).

WITNESSETH:

Whereas, the City desires to have certain public work performed as hereinafter set forth, requiring specialized skills and other supportive capabilities; and

Whereas, the Contractor represents that it is qualified and possesses sufficient skills and the necessary capabilities to perform the services set forth in this Contract.

NOW, THEREFORE, in consideration of the terms, conditions, and agreements contained herein, the parties hereto agree as follows:

- I. SCOPE OF WORK.** The Contractor agrees to do all work and furnish all labor, tools, materials, equipment, and supplies required to build and construct and to build and construct in a workmanlike manner the work, improvements, and appurtenances in order to accomplish the following project:

COMEFORD RESERVOIR RECOAT

40220594.563000.W2101

All such work, labor, tools, materials, equipment, and supplies to be procured and furnished in accordance with the following documents (the “Contract Documents”) which are incorporated by reference and are hereby made a part of this Contract:

- A. This Contract;
- B. The Call for Bids, Information for Bidders, and Bidder’s Checklist;
- C. 2021 Washington State Department of Transportation Standard Specifications for Road, Bridge, and Municipal Construction as modified by all amendments thereto as of the date of the Contractor’s bid;
- D. Special Provisions
- E. Plans, Drawings, Project and Technical Specifications;
- F. Addenda (if any)
- G. Contractor's Proposal/Bid
- H. Payment Bond and Performance Bond; and
- I. All provisions required by law whether set forth and reproduced herein or not.

and shall perform any alterations in or additions to the work provided under this Contract and every part thereof.

The Contractor shall provide and bear the expense of all equipment, work, and labor of any sort whatsoever that may be required for the transfer of materials and for constructing and completing the work provided for in this Contract, except as may otherwise be provided in the Contract Documents.

The Contractor shall guarantee said materials and work for a period of one year after completion of this Contract.

- II. TIME FOR COMPLETION & LIQUIDATED DAMAGES.** Substantial completion shall be achieved within Fifty-Six (56) working days of the effective date of the Notice to Proceed. If said work is not completed within the time specified, the Contractor agrees to pay the City liquidated damages as provided in Section 1-08.9 of the Standard Specifications.
- III. COMPENSATION AND METHOD OF PAYMENT.** The lump sum/total itemized amount of the Contract is Four Hundred Forty-Seven Thousand Nine Hundred Eleven dollars and Forty cents (\$447,911.40) including Washington State Sales Tax. The total Project cost includes all costs associated with the Project work, including, but not limited to labor, materials, overhead, and administrative, permit, and regulatory costs, unless otherwise agreed in writing. The Project cost is based on the proposal/bid submitted by the Contractor dated July 21, 2021. The basis for final payment will be the actual amount of work performed according to the Contract Documents and payments, whether partial or final, shall be made as specified therein.
- IV. ATTORNEY FEES.** Should either the City or the Contractor commence any legal action relating to the provisions of this Contract, or the enforcement thereof, the prevailing party shall be awarded judgment for all costs of litigation including, but not limited to, costs, expert witnesses and reasonable attorney fees.
- V. INDEMNIFICATION.** In addition to any other obligations contained in the Contract Documents,
- A. The Contractor shall defend, indemnify and hold the City, its officers, officials, employees, and volunteers harmless from any and all claims, injuries, damages, losses, or suits including attorney fees, arising out of or in connection with the performance of this Contract, except for injuries and damages caused by the sole negligence of the City.
- B. Should a court of competent jurisdiction determine that this Contract is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Contractor and the City, its officers, officials, employees, and volunteers, the Contractor's liability hereunder shall be only to the extent of the Contractor's negligence.

C. The Contractor specifically and expressly waives any immunity that may be granted it under the Washington State Industrial Insurance Act, Title 51 RCW, as provided in RCW 4.24.115. The indemnification obligation under this Contract shall not be limited in any way by any limitation on the amount or type of damages, compensation or benefits payable to or for any third party under workers compensation acts, disability benefits acts, or other employee benefits acts; provided the Contractor’s waiver of immunity by the provisions of this paragraph extends only to claims against the Contractor by the City and does not include, or extend to, any claims by the Contractor’s employees directly against Contractor. The obligations of Contractor under this subsection have been mutually negotiated by the parties hereto, and Contractor acknowledges that the City would not enter into this Contract without the waiver thereof of Contractor.

_____ (City initials) _____ (Contractor initials)

D. The provisions of this section shall survive the expiration or termination of this Contract with respect to any event occurring prior to such expiration or termination.

VI. CONTRACT ADMINISTRATION.

This Contract shall be administered by Jonathan Fitzherbert on behalf of the Contractor and by Karen Latimer on behalf of the City. Any written notices required by the terms of this Contract shall be served or mailed to the following addresses:

<u>Contractor:</u> Mericka Group, LLC Attn: Jonathan Fitzherbert 8831 Washington Way Longview, WA 98632	<u>City:</u> City of Marysville Public Works – Attn: Karen Latimer 80 Columbia Ave Marysville, WA 98270
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VII. PREVAILING WAGES. The Contractor shall comply with all state and federal laws relating to the employment of labor and wage rates to be paid.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed the day and year first hereinabove written.

DATED this _____ day of _____, 2021.

CITY OF MARYSVILLE

By: _____
 Jon Nehring, Mayor

DATED this _____ day of _____, 2021.

_____(CONTRACTOR)

By: _____

(Name)

Its: _____

(Title)

Attested/Authenticated:

_____, Deputy City Clerk


Approved as to form:

Jon Walker, City Attorney

Index #13

CITY OF MARYSVILLE AGENDA BILL
EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: September 13, 2021

AGENDA ITEM:	
Wyndham Hills Vacation (PA21027) – Ordinance vacating existing public right-of-way (ROW) dedicated with the recording of the subdivisions known as Sunnyside Ridge and Sunnyside Ridge Division 2.	
PREPARED BY:	DIRECTOR APPROVAL:
Chris Holland, Planning Manager	
DEPARTMENT:	
Community Development	
ATTACHMENTS:	
<ol style="list-style-type: none"> 1. 67th Avenue NE to 71st Avenue NE Alignment 2. Resolution 2505 3. Petition for Vacation of existing public ROW with attachments. 4. Chapter 12.32 MMC, <i>Vacation of Streets and Alleys</i> 5. Adopting Ordinance 	
BUDGET CODE:	AMOUNT:
N/A	N/A
SUMMARY:	

On July 26, 2021, the City Council passed Resolution No. 2505 setting a public hearing date of September 13, 2021 to consider the vacation of existing public ROW that was dedicated with the recording of the subdivisions known as Sunnyside Ridge and Sunnyside Ridge Division 2 for future extension of 67th Avenue NE, south of 44th Street NE. Following dedication of the public ROW, alignment of the extension of 67th Avenue NE, south of 44th Street NE, has been amended as reflected in the Marysville Comprehensive Plan and the dedicated ROW is no longer a public need.

Keystone Land, LLC, petitioner, has also submitted a subdivision application, known as Wyndham Hills, which will construct the 67th Avenue NE roadway extension, south of 44th Street NE, along the amended alignment and dedicate as public ROW with the recording of said subdivision.

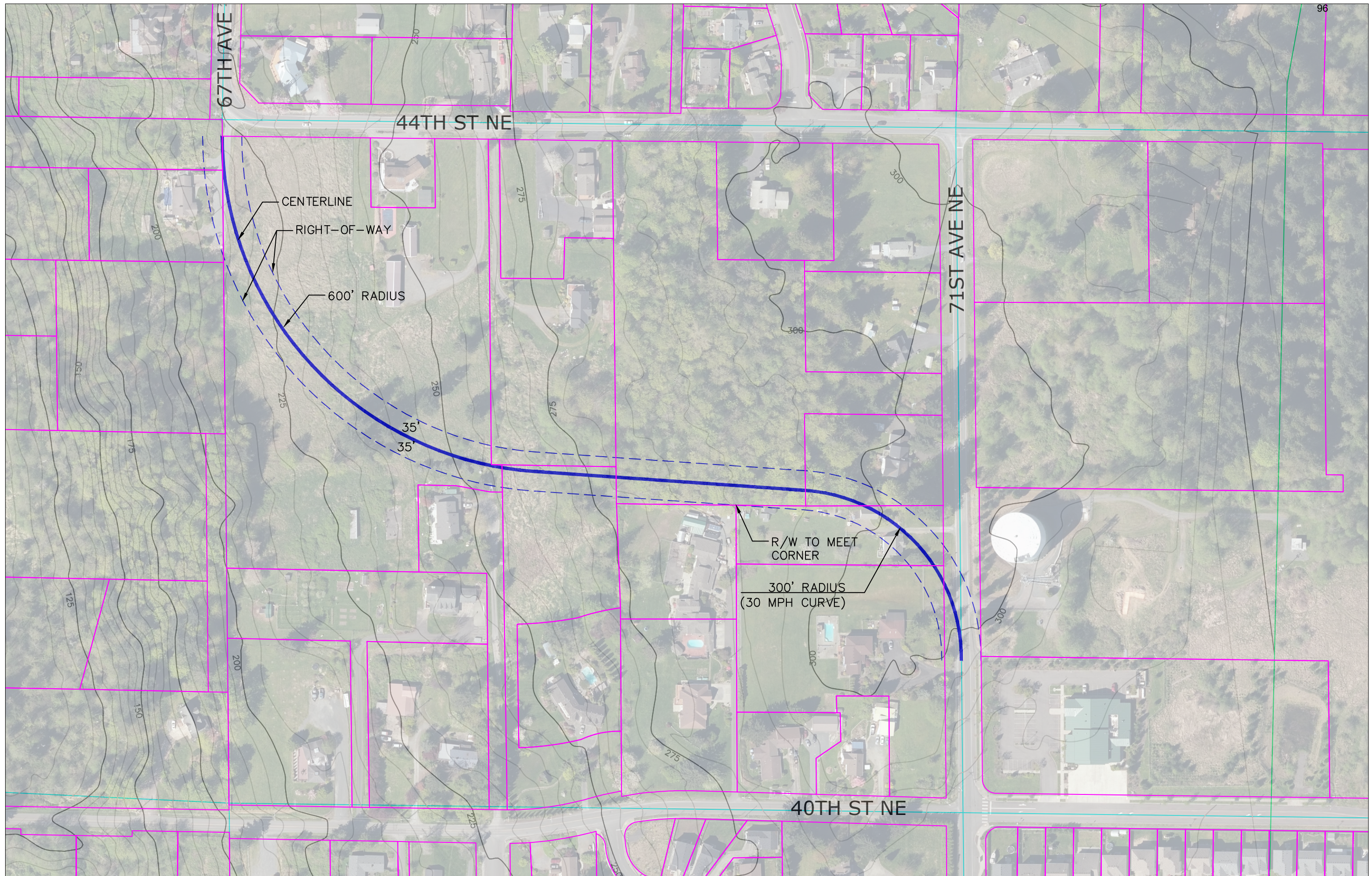
Resolution No. 2505 recommends vacating the unopened public ROW and waiving compensation for said vacation, based on the following factors.

- a. The right-of-way dedicated is no longer a public need;
- b. The right-of-way proposed to be vacated is approximately 16,170 SF and valued at approximately \$21,182.
- c. The applicant is proposing to construct and dedicate the amended 67th Avenue NE roadway alignment, south of 44th Street NE, at no cost to the public. Dedication of 67th Avenue NE, is 61,000 SF and valued at approximately \$79,910, and the cost of constructing 67th Avenue NE is approximately \$399,262, totaling \$479,172.

RECOMMENDED ACTION:

Staff recommends that the City Council approve the Ordinance vacating the unopened public right-of-way, and waive compensation for said vacation.

RECOMMENDED MOTION: I move to adopt Ordinance No. _____.



SCALE 1"=80'

67th Ave NE to 71st Ave NE Connector

CITY OF MARYSVILLE
Marysville, Washington
RESOLUTION NO. 2505

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARYSVILLE, WASHINGTON, ESTABLISHING SEPTEMBER 13, 2021 AS THE DATE UPON WHICH A PUBLIC HEARING SHALL BE HELD BEFORE THE MARYSVILLE CITY COUNCIL TO CONSIDER VACATION OF AN UNOPENED PUBLIC RIGHT-OF-WAY DEDICATED WITH THE RECORDING OF SUNNYSIDE RIDGE AND SUNNYSIDE RIDGE DIVISION 2, IN THE CITY OF MARYSVILLE, AND TO CONSIDER WAIVING COMPENSATION FOR SAID VACATION.

WHEREAS, Keystone Land, LLC, petitioned the City of Marysville to vacate existing public right-of-way that was dedicated with the recording of the subdivisions known as Sunnyside Ridge and Sunnyside Ridge Division 2 for future extension of 67th Avenue NE, south of 44th Street NE; and

WHEREAS, following dedication of the public right-of-way, alignment of the extension of 67th Avenue NE, south of 44th Street NE, has been amended as reflected in the Marysville Comprehensive Plan and the dedicated right-of-way is no longer a public need; and

WHEREAS, Keystone Land, LLC, has submitted a subdivision application, known as Wyndham Hills, which will construct the 67th Avenue NE roadway extension, south of 44th Street NE, along the amended alignment, and which will be dedicated as public right-of-way with the recording of said subdivision; and

WHEREAS, upon receiving a petition for vacation, the Council shall by resolution set a time for a hearing on the petition pursuant to MMC 12.32.030 and RCW 35.79.010; and

WHEREAS, MMC 12.32.020 provides that, when a vacation is initiated by the City, or the City Council deems it in the best interest of the City of Marysville, the Council may waive all or any portion of such compensation that the City would receive from the vacation. At the time the Council initially has the petition before it in order to set the matter for public hearing by resolution, the Council shall consider the reports of the City Engineer and/or the Community Development Director shall determine whether or not it will require that the City be compensated as a condition of the vacation; and

WHEREAS, The City Engineer and Community Development Director have recommended Council waive all compensation of the vacated right-of-way, based on the following factors:

- (a) The right-of-way dedicated with the recording of the subdivisions known as Sunnyside Ridge and Sunnyside Ridge Division 2 is no longer a public need, as the alignment of the 67th Avenue NE, south of 44th Street NE, has been amended as adopted in the Marysville Comprehensive Plan.
- (b) The right-of-way proposed to be vacated is approximately 16,170 SF and valued at approximately \$21,182. Dedication of the amended 67th Avenue NE extension, south of 44th Street NE, is approximately 61,000 SF.
- (c) The applicant is proposing to construct and dedicate the amended 67th Avenue NE roadway alignment, south of 44th Street NE, to a public standard; including sidewalks, planter strips, street lighting and utilities, at no cost to the public. The cost for constructing the 67th Avenue NE extension is approximately \$775,000.

WHEREAS, the Council desires to initiate vacation procedures for the existing public right-of-way that was dedicated with the recording of the subdivisions known as Sunnyside Ridge and Sunnyside Ridge Division 2;

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

Section 1. Pursuant to MMC 12.32.020, **September 13, 2021 at 7:00 PM** is established as the time at which the City Council of the City of Marysville will hold a public hearing to consider the vacation of the existing public right-of-way dedicated with the recording of the subdivisions known as Sunnyside Ridge and Sunnyside Ridge Division 2, which is legally described in **Exhibit A** and depicted in **Exhibit B**, attached hereto.

Section 2. The Council, having considered the recommendation of the City Engineer and the Community Development Director, waives all compensation for vacation of the existing public right-of-way.

Section 3. The Council has determined that vacation of the existing public right-of-way would satisfy the criteria contained in MMC 12.32.060, specifically:

- (a) The vacation will provide a public benefit, allowing for construction and dedication of the 67th Avenue NE extension per the City's Comprehensive Plan;
- (b) The vacation will not adversely affect the street pattern or circulation of the immediate area of the community as a whole;
- (c) The public need will not be adversely affected;
- (d) The Unopened Road is not contemplated or needed for future public use; and
- (e) No abutting owner will become landlocked or have their access substantially impaired.

ADOPTED by the City Council at an open public meeting this 26th day of July, 2021.

CITY OF MARYSVILLE

By: _____

JON NEHRING, MAYOR

Attest:

By: _____

DEPUTY CITY CLERK

Approved as to form:

By: _____

JON WALKER, CITY ATTORNEY

Exhibit "A"

67TH AVE NE

STREET VACATION PETITION LEGAL DESCRIPTION

THE EAST 35.00 FEET OF THE FOLLOWING DESCRIBED PARCEL;

BEGINNING AT A POINT 660.00 FEET NORTH OF THE SOUTHEAST CORNER OF GOVERNMENT LOT 1, SECTION 3, TOWNSHIP 29 NORTH, RANGE 5 EAST, W.M., SNOHOMISH COUNTY, WASHINGTON;

THENCE WEST 1320.00 FEET, MORE OR LESS, TO THE EAST LINE OF COUNTY ROAD;

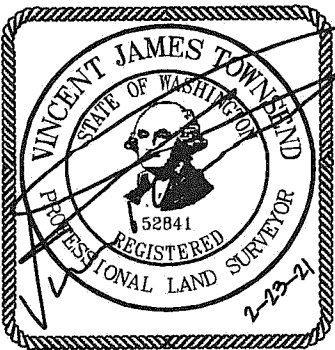
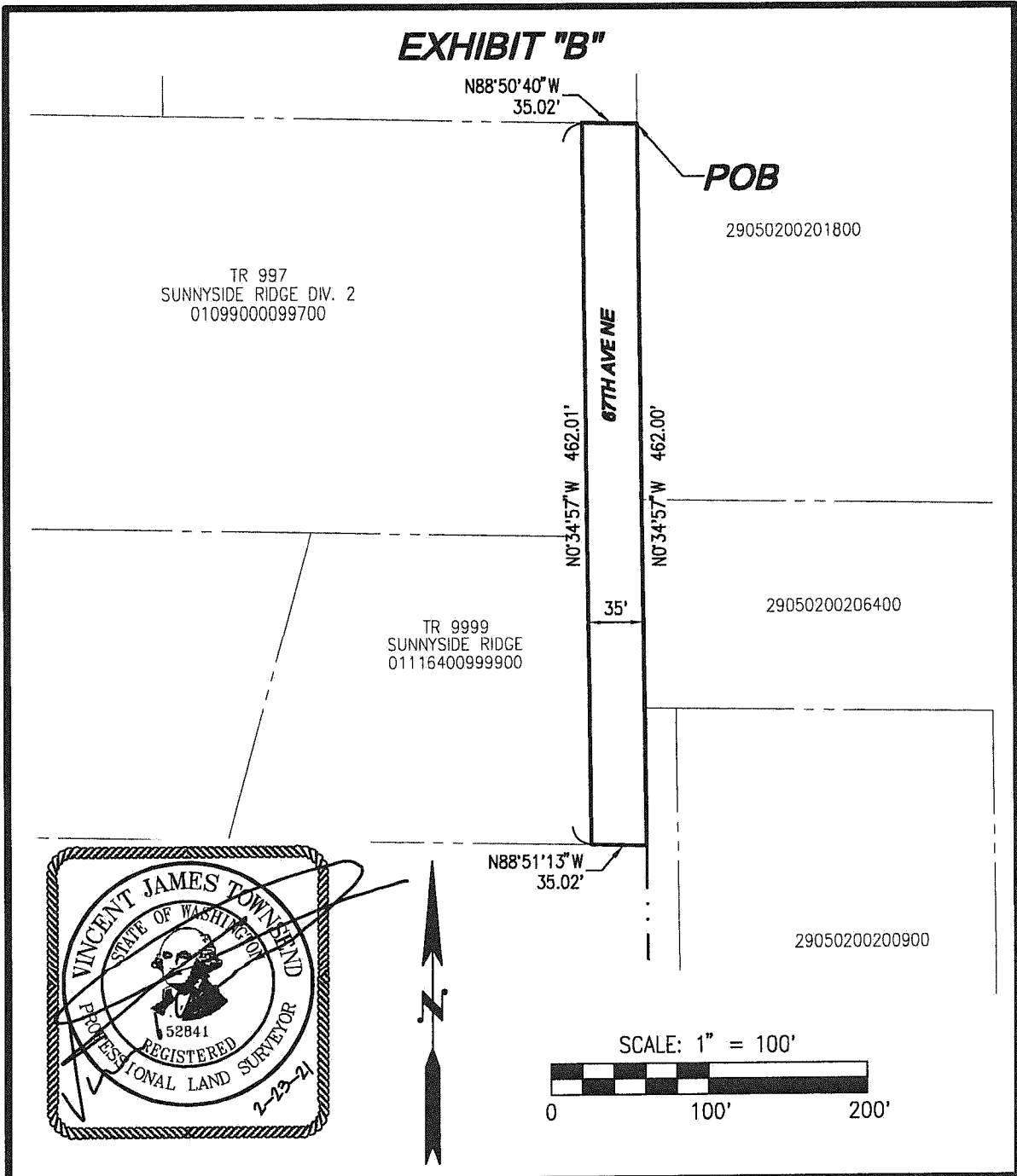
THENCE SOUTH 462.00 FEET;

THENCE EAST 1320.00 FEET;

THENCE NORTH 462.00 FEET TO THE POINT OF BEGINNING;

SAID PORTION BEING PREVIOUSLY DEDICATED RIGHT-OF-WAY ON SUNNYSIDE RIDGE AND SUNNYSIDE RIDGE DIVISION 2, AFN NO. 201003025001, 200805155186;

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.



LDC Engineering
Structural
Planning
Survey

THE CIVIL ENGINEERING GROUP

20210 142nd Avenue NE Ph. 425.806.1869
Woodinville, WA 98072 Fx. 425.482.2893

www.LDCcorp.com

67TH AVE NE
STREET VACATION PETITION EXHIBIT

A PORTION OF THE NE 1/4 OF SEC 3, TWN 29 N, RGE 5 E,
W.M., SNOHOMISH COUNTY, WASHINGTON

DRAWN BY:	DATE:	DRAWING FILE NAME:	SCALE:
MAR	2-23-21	C20-159-WYND-EX	1"=100'

JOB NUMBER:	C20-159
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PETITION FOR VACATION OF STREET

Community Development Department ♦ 80 Columbia Avenue ♦ Marysville, WA 98270
 (360) 363-8100 ♦ (360) 651-5099 FAX ♦ Office Hours: Mon - Fri 7:30 AM - 4:00 PM

FOR AGENCY USE	Date:	Permit Number:	Fee: \$500.00
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TO: The City Council of the City of Marysville, Washington

Keystone Land, LLC hereby petitions the City of Marysville for the vacation of a street pursuant to RCW 35.79 and Chapter 12.32 MMC, *Vacation of Streets and Alleys*, and in support of said petition states as follows:

1. See the attached legal description for the portion of 67th Ave NE Right-of-way that is being proposed to be vacated.
2. Keystone Land, LLC, Cornerstone Homes NW, LLC, James Alt, Max T Staples, and Don B Andrews are the owners of 74.87% of all property abutting 67th Ave NE.
3. Vacation of 67th Ave NE will meet the following criteria:
 - a. It will provide a public benefit.

Response: If approved, the land within the proposed vacation of 67th Ave NE will be used for utility connections for the proposed Wyndham Hill subdivision and surrounding future development in the area. Also, the street vacation will allow 67th Ave NE to be extended to reflect City’s plan to connect 67th Ave NE to 71st Ave NE. This proposed new road connection to 71st Ave NE will include car and pedestrian facilities to ensure safe accommodation for multiple types of transportation and more direct connectivity though the neighborhood.

- b. It will not adversely affect the street pattern or circulation of the immediate area or of the community as a whole.

Response: The existing street patterns will be preserved. The portion of 67th Ave NE that is being petitioned to be vacated is currently a vacant piece of isolated ROW, with no road built. If the petition is approved, it will allow 67th Ave NE to be

extended to connect to 71st Ave NE as shown in the City's plan for the extension of 67th Ave NE.

c. The public need will not be adversely affected.

Response: The portion of 67th Ave NE that is being petitioned to be vacated, is a vacant piece of land and has no proposed public usage. Also, there is private property between this portion of 67th Ave NE ROW and the constructed portion of 67th Ave NE ROW to the north and 40th St NE ROW to the south, which prevents public access to this portion of ROW.

d. The street is not contemplated or needed for future public use.

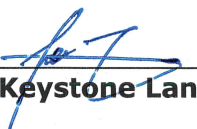
Response: The portion of 67th Ave NE that is being petitioned to be vacated is not part of City extension plan for 67th Ave NE.


e. No abutting owner will become landlocked or have his access substantially impaired.

No owner of land surrounding the proposed 67th Ave NE street vacation will be landlocked due to this vacation.

4. Keystone Land, LLC hereby agrees to pay all fees and charges required by Chapter 12.32 MMC relating to vacation of streets.

DATED this 17 day of May, 2021.

By  Joe Long EVP of Keystone Land, LLC
Keystone Land, LLC

By  Joe Long EVP of Cornerstone Homes NW, LLC
Cornerstone Homes, NW

May 17, 2021

City of Marysville
Community Development Department
80 Columbia Avenue
Marysville, WA 98270

RE: 67th Ave NE Street Vacation Petition

The Purpose of this Street Vacation Petition is to request that a portion of 67th Ave NE be vacated and transferred from the City's ownership to the applicant. The concerned portion of 67th Ave NE is not part of the City's plan to extend 67th Ave NE and is a vacant piece of land that is landlocked on both sides by private property, isolating it from the constructed portion of 67th Ave NE to the north and 40th St NE to the south. Below is a description of the proposed street vacation, how the vacation meets the City's approval criteria for street vacations (MMC12.32.060(2)), and how the applicant proposes to compensate the City for the value of the vacated land.

Reference location	Tax Parcel # 29050200201800
Property Zoning:	R-4.5
Vacated ROW Area:	0.37 acres (16,170 sf)
Legal Description:	See Exhibit A of the Street Vacation Petition
Vacation Map:	See Exhibit B of the Street Vacation Petition

Approval Criteria (MMC12.32.060(2))

(a) It will provide a public benefit.

Response: If approved, the land within the proposed vacation of 67th Ave NE will be used for utility connections for the proposed Wyndham Hill subdivision and surrounding future development in the area. Also, the street vacation will allow 67th Ave NE to be extended to reflect City's plan to connect 67th Ave NE to 71st Ave NE. This proposed new road connection to 71st Ave NE will include car and pedestrian facilities to ensure safe accommodation for multiple types of transportation and more direct connectivity though the neighborhood.

(b) It will not adversely affect the street pattern or circulation of the immediate area or of the community as a whole.

Response: The existing street patterns will be preserved. The portion of 67th Ave NE that is being petitioned to be vacated is currently a vacant piece of isolated ROW, with no road built. If the petition is approved, it will allow 67th Ave NE to be extended to connect to 71st Ave NE as shown in the City's plan for the extension of 67th Ave NE.

(c) The public need will not be adversely affected.

Response: The portion of 67th Ave NE that is being petitioned to be vacated, is a vacant piece of land and has no proposed public usage. Also, there is private property between this portion of 67th Ave NE ROW and the constructed portion of 67th Ave NE ROW to the north and 40th St NE ROW to the south, which prevents public access to this portion of ROW.

(d) The street is not contemplated or needed for future public use.

Response: The portion of 67th Ave NE that is being petitioned to be vacated is not part of City extension plan for 67th Ave NE.

(e) No abutting owner will become landlocked or have his access substantially impaired.

Response: No owner of land surrounding the proposed 67th Ave NE street vacation will be landlocked due to this vacation.

Proposed Compensation

The applicant proposes that in lieu of monetary compensation for the vacated street, the City accepts the construction of a new extension of 67th Ave NE associated with the Wyndham Hills subdivision as payment. The proposed partial extension of 67th Ave NE and dedication of ROW as part of this project will extend approximately 880-feet to the southeast to a dead end, with the intent that future development will further extend 67th Ave NE to connect to 71st Ave NE. This proposed connection is consistent with the City’s plans for extending 67th Ave NE.

Submitted with this proposal is a legal description, vacation map exhibit, and a cost estimate of the proposed partial 67th Ave NE extension, which estimates that the proposed extension will cost \$775,000. Also submitted, is an appraisal of the proposed vacated land, which appraises land to be \$21,182. This shows that the construction of the 67th Ave NE will exceed the value of the vacated street and is a fair compensation for the vacated street.

Sincerely,

LDC, Inc.



Tom Abbott, PE
Project Manager
HQ Office

April 28, 2021

Chris Holland
 Planning Manager
 80 Columbia Ave.
 Marysville, WA 98270

Re: Partial road vacate / valuation

Dear Sir:

This letter is for the valuation of the proposed vacate of the section of Right-of-Way ("ROW") legally described in the attached Exhibit A. The area to be vacated is approximately 16,170 SF, and is located adjacent to the Wyndham Hills PRD site currently under development by Keystone Land LLC. The Wyndham parcel numbers are listed below:

Parcel No.	29050200201800	7.67 Acres
Parcel No.	29050300100600	2.09 Acres
Parcel No.	01099000099700	<u>3.79 Acres</u>
		13.55 Acres (590,238 SF)

Keystone closed on this site in April of 2020, which included entitlements and approved construction plans. The purchase price was \$775,000 or \$1.31/SF. The entitlements and construction plans added value to this acquisition, which in my professional opinion, off-set the 12 months of appreciation in the market since the property closed last April. The value for this portion of ROW to be vacated is $(\$1.31 \times 16,170 \text{ SF}) = \$21,182.00$.

This letter is a Broker Opinion of the property value, and not intended to be an appraisal.

Thank you,



Bob Vick

Managing Broker
 John L Scott Real Estate
 425-422-9607 or bobvick@johnlscott.com

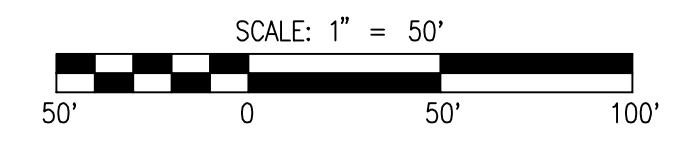


Project: Wyndham Hills 67th ROW Budget / Costing

Client: Keystone Land

9.3%	No.	Description	Quantity	Unit	Price	Subtotal
		Curb/Sidewalk - 67th Ave NE				\$105,013.50
	1	Vertical Curb	1,650	lf	17.31	\$28,561.50
	2	4" Sidewalk	900	sy	43.13	\$38,817.00
	3	Perpendicular Curbs	10	ea	1,500.00	\$15,000.00
	4	Single Direction Ramp	6	ea	1,920.00	\$11,520.00
	5	Parallel Curb Ramp	1	ea	2,400.00	\$2,400.00
	6	Compt Gravel Base for Curb	115	ton	24.90	\$2,863.50
	7	Compt Gravel Base for Sidewalk	235	ton	24.90	\$5,851.50
		Streets - 67th Ave NE				\$252,205.50
	1	3" HMA CI 1/2" PG64-22	4,340	sy	18.50	\$80,290.00
	2	6" ATB	4,340	sy	33.75	\$146,475.00
	3	Compt Gravel Base for Road	845	ton	24.90	\$21,040.50
	4	Monuments	8	EA	550.00	\$4,400.00
		Landcape				\$23,842.95
	1	Street Trees	33	EA	388.75	\$12,828.75
	2	Root Barrier	396	LF	11.45	\$4,534.20
	3	Sod	8,100	SF	0.80	\$6,480.00
		Survey				\$3,200.00
	1	Survey Costs (Pacific Coast Survey Provided Budget)	1	LS	3,200.00	\$3,200.00
		Engineering				\$15,000.00
	1	Engineering Costs (LDC Engineering provided budget)	1	LS	15,000.00	\$15,000.00
		PROJECT TOTAL (On-Site, Off-Site)				\$399,261.95

PORTION OF NW1/4, NW1/4, SEC 2, TWN 29 N, RGE 5 E, W.M., SNOHOMISH COUNTY, WASHINGTON
 PORTION OF NE1/4, NE1/4, SEC 3, TWN 29 N, RGE 5 E, W.M., SNOHOMISH COUNTY, WASHINGTON



LEGEND

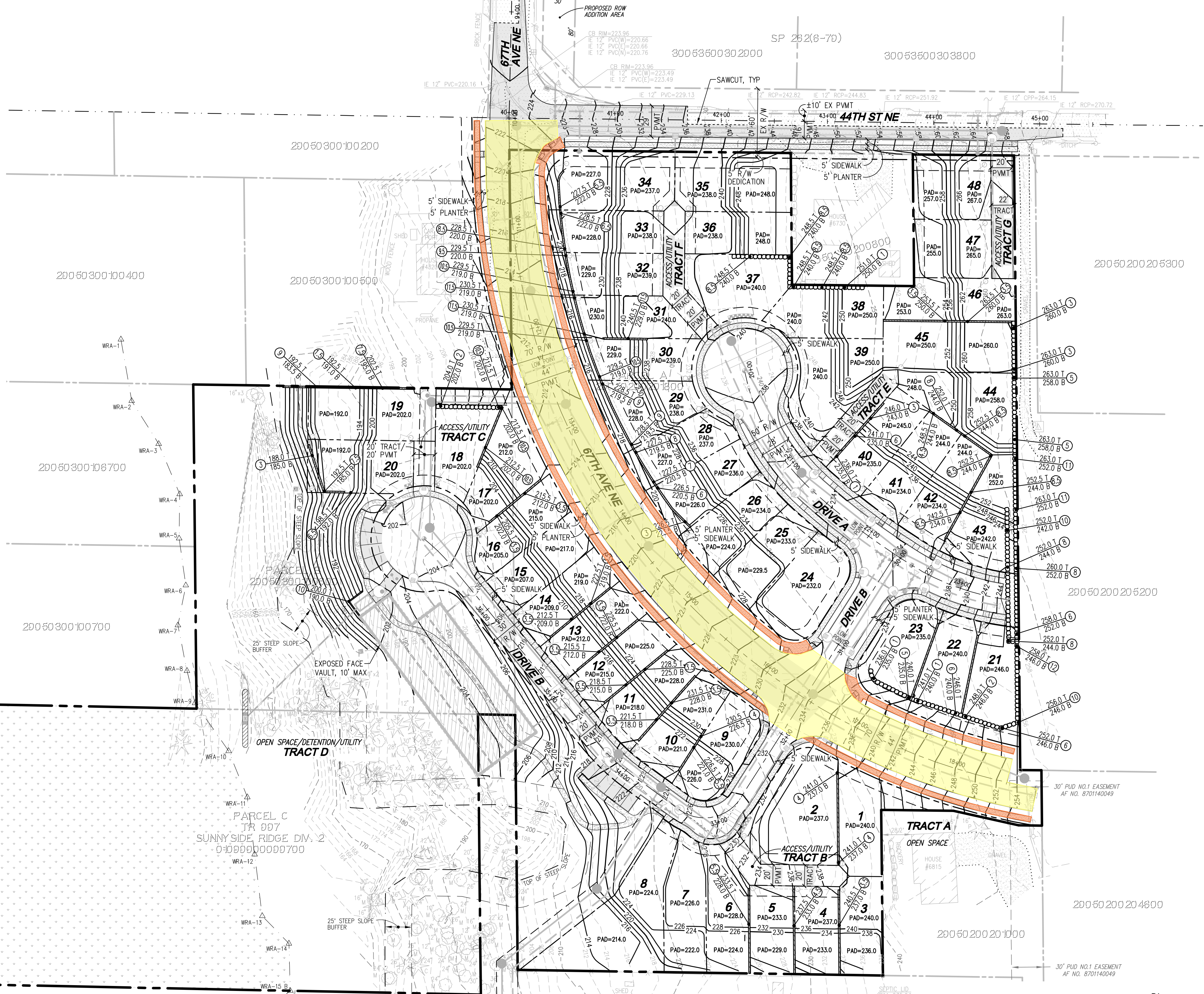
- STORM PIPE
- SEWER PIPE
- WATER PIPE
- ROCKERY WALL
- LOCK-N-LOAD WALL

EARTHWORK QUANTITIES

- CUT: _____ CY
- FILL: _____ CY
- STRIPPING/DEMO: _____ CY
- DISTURBED AREA: 442,052 SF (10.15 AC)

NOTES

1. NOTE...
2. NOTE...
3. NOTE...



UTILITY NOTE

THE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL EXISTING UTILITIES PRIOR TO ANY CONSTRUCTION. AGENCIES INVOLVED SHALL BE NOTIFIED WITHIN A REASONABLE TIME PRIOR TO THE START OF CONSTRUCTION.

DISCLAIMER

TOPOGRAPHIC SURVEY INFORMATION CONTAINED ON THESE PLANS HAS BEEN PROVIDED BY PACIFIC COAST SURVEYS, INC. LDC, INC. (LAND DEVELOPMENT CONSULTANTS, INC.) ASSUMES NO LIABILITY AS TO THE ACCURACY AND COMPLETENESS OF THIS DATA IN ITS ENTIRETY. ANY DISCREPANCIES FOUND BETWEEN WHAT IS SHOWN ON THE PLANS AND WHAT IS NOTED IN THE FIELD SHOULD BE BROUGHT IMMEDIATELY TO THE ATTENTION OF THE ENGINEER.

Call 2 Business Days Before You Dig
811 or 1-800-424-5555
 Utilities Underground Location Center

CITY OF MARYSVILLE CONSTRUCTION DRAWING REVIEW ACKNOWLEDGEMENT

THIS PLAN SHEET HAS BEEN REVIEWED AND EVALUATED FOR GENERAL COMPLIANCE WITH THE APPLICABLE CITY OF MARYSVILLE CODES AND ORDINANCES. CONFORMANCE OF THIS DESIGN WITH ALL APPLICABLE LAWS AND REGULATIONS IS THE FULL AND COMPLETE RESPONSIBILITY OF THE LICENSED DESIGN ENGINEER, WHOSE STAMP AND SIGNATURE APPEAR ON THIS SHEET. ACKNOWLEDGMENT OF CONSTRUCTION DRAWING REVIEW DOES NOT IMPLY CITY APPROVAL FOR CONSTRUCTION ACTIVITIES THAT REQUIRE OTHER COUNTY, STATE OR FEDERAL PERMIT REVIEW AND APPROVAL. THE PROPERTY OWNER AND LICENSED DESIGN ENGINEER SHALL BE RESPONSIBLE FOR THE ACQUISITION AND COMPLIANCE OF ALL APPLICABLE PERMITS OR AUTHORIZATIONS WHICH MAY INCLUDE, BUT ARE NOT LIMITED TO, WSDRW HYDRAULIC PROJECT APPROVAL (HPS), WSDOE NOTICE OF INTENT (NOI), ANY CORPS OF ENGINEERS FILL PERMITS AND THE REQUIREMENTS OF THE ENDANGERED SPECIES ACT. THIS DAY OF _____

BY: _____
 DEVELOPMENT SERVICES MANAGER

THESE APPROVED CONSTRUCTION PLANS EXPIRE AFTER PERIOD OF 60 MONTHS FROM THE DATE SHOWN ABOVE OR UPON EXPIRATION OF PRELIMINARY PLAT OR SITE PLAN APPROVAL, PER MMC 15.09.080.

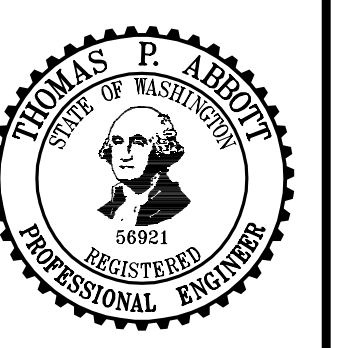
NO.	DATE	DESCRIPTION

LDC
 Surveying
 Engineering
 Planning

Woodinville
 20210 142nd Avenue NE
 Woodinville, WA 98072
 T 425.806.1869 www.LDCcorp.com

Kent
 1851 Central Pt S, #101
 Kent, WA 98030
 F 425.482.2893

KEYSTONE LAND, LLC
WYNDHAM HILLS
 GRADING PLAN

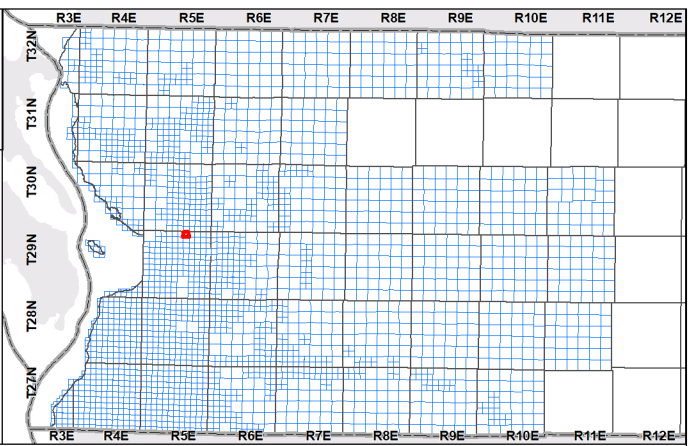


JOB NUMBER: C20-159
 DRAWING NAME: C20159C-GR-PL
 DESIGNER: MEV
 DRAFTING BY: PO
 DATE: _____
 SCALE: 1"=50'
 JURISDICTION: CITY OF MARYSVILLE

GR-01
 SHEET OF _____

QUARTER **NE** SECTION **3** TOWNSHIP N.W.B.L. **29** RANGE E.W.M. **5**

ALL MAPS, DATA, AND INFORMATION SET FORTH HEREIN ("DATA"), ARE FOR ILLUSTRATIVE PURPOSES ONLY AND ARE NOT TO BE CONSIDERED AN OFFICIAL CITATION TO, OR REPRESENTATION OF, THE SNOHOMISH COUNTY CODE. AMENDMENTS AND UPDATES TO THE DATA, TOGETHER WITH OTHER APPLICABLE COUNTY CODE PROVISIONS, MAY APPLY WHICH ARE NOT DISCLOSED HEREIN. SNOHOMISH COUNTY MAKES NO REPRESENTATION OR WARRANTY CONCERNING THE CONTENT, ACCURACY, CURRENCY, COMPLETENESS OR QUALITY OF THE DATA CONTAINED HEREIN AND EXPRESSLY DISCLAIMS ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR ANY PARTICULAR PURPOSE. ALL PERSONS ACCESSING OR OTHERWISE USING THIS DATA ASSUME ALL RESPONSIBILITY FOR USE THEREOF AND AGREE TO HOLD SNOHOMISH COUNTY HARMLESS FROM AND AGAINST ANY DAMAGES, LOSS, CLAIM OR LIABILITY ARISING OUT OF ANY ERROR, DEFECT OR OMISSION CONTAINED WITHIN SAID DATA. WASHINGTON STATE LAW, CH. 42.56 RCW, PROHIBITS STATE AND LOCAL AGENCIES FROM PROVIDING ACCESS TO LISTS OF INDIVIDUALS INTENDED FOR USE FOR COMMERCIAL PURPOSES AND, THUS, NO COMMERCIAL USE MAY BE MADE OF ANY DATA COMPRISING LISTS OF INDIVIDUALS CONTAINED HEREIN.

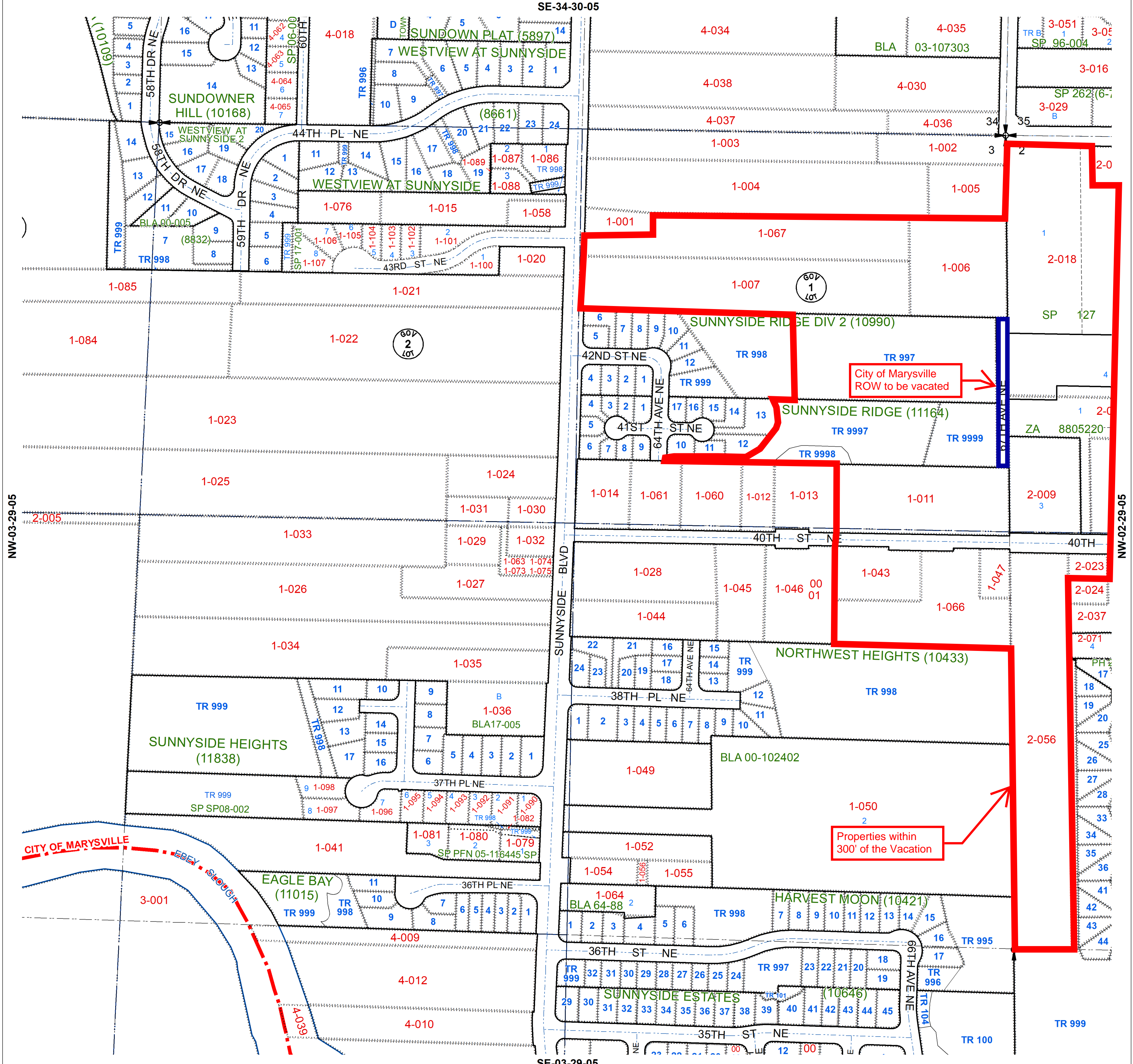
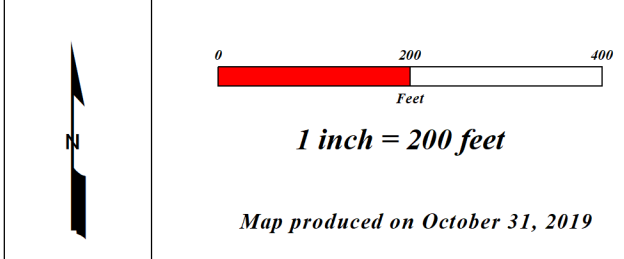


Centerline --- Lot --- Block --- Section --- City Limits [Red dashed box]

Gov Lot --- Subdiv --- ROW --- Quarter --- Tax Acct [Dotted box]

Major Water --- Other Lot --- Vac ROW --- 16th --- Easement [Dashed box]

Minor Water --- Other Subdiv --- Vac Lot --- [Dashed box]



SE-34-30-05

SE-03-29-05

**Chapter 12.32
VACATION OF STREETS AND ALLEYS**

Sections:

[12.32.010 Petition – Filing.](#)

[12.32.020 Petition – Scheduling for public hearing – Compensation for vacated area.](#)

[12.32.030 Notice of public hearing.](#)

[12.32.040 Survey requirements.](#)

[12.32.050 Appraisal.](#)

[12.32.060 Criteria for council decision.](#)

[12.32.070 Authorized by ordinance.](#)

[12.32.080 Notice to auditor and assessor.](#)

[12.32.090 Use of proceeds of vacation.](#)

12.32.010 Petition – Filing.

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

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

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

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

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

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

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

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

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

12.32.030 Notice of public hearing.

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

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

12.32.040 Survey requirements.

It shall be the duty of the city engineer to determine whether or not the location and legal description of the street or alley proposed for vacation are sufficiently known to the city so that an accurate legal description of the proposed vacation can be known with certainty. If the city engineer determines that these matters are not known or are not accurately known, then the city shall notify the petitioners of the necessity of having an accurate, professional survey of the property proposed for vacation within the boundaries of the proposed vacation marked

upon the ground with an accurate legal description of the proposed vacation to be furnished to the city. The city shall not proceed further upon the vacation petition until such a survey has been done and legal description has been received. (Ord. 948 § 4, 1977).

12.32.050 Appraisal.

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

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

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

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

12.32.060 Criteria for council decision.

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

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

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

(b) The right-of-way vacation shall not adversely affect the street pattern or circulation of the immediate area or the community as a whole;

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

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

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

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

12.32.070 Authorized by ordinance.

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

12.32.080 Notice to auditor and assessor.

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

12.32.090 Use of proceeds of vacation.

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

CITY OF MARYSVILLE
Marysville, Washington
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MARYSVILLE, WASHINGTON, VACATING AN UNOPENED PUBLIC RIGHT-OF-WAY DEDICATED WITH THE RECORDING OF THE SUBDIVISIONS KNOWN AS SUNNYSIDE RIDGE AND SUNNYSIDE RIDGE DIVISION 2, IN THE CITY OF MARYSVILLE, AND WAIVING COMPENSATION FOR SAID VACATION.

WHEREAS, the Marysville City Council adopted Resolution No. 2505 on July 26, 2021, which initiated vacation procedures for an unopened public right-of-way (ROW) that was dedicated with the recording of the subdivisions Sunnyside Ridge and Sunnyside Ridge Division 2 for future extension of 67th Avenue NE, south of 44th Street NE, which is legally described in **Exhibit A** and depicted in **Exhibit B**, attached hereto; and

WHEREAS, Resolution No. 2505 set a public hearing date of September 13, 2021, to consider the vacation of the unopened public ROW, and proper notice was posted and mailed to all required parties pursuant to MMC 12.32.030; and

WHEREAS, a public hearing was held before the Marysville City Council on September 13, 2021, to consider vacation of the unopened public ROW; and

WHEREAS, the City Engineer and the Community Development Director recommended that the Council waive all compensation for the vacation of the unopened public ROW; and

WHEREAS, the Council, having considered the recommendation of the City Engineer and the Community Development Director, waived all compensation for vacation of the unopened public ROW; and

WHEREAS, the Council considered the evidence presented at the public hearing and has determined that vacation of the unopened public ROW would satisfy the following criteria contained in MMC 12.32.060, specifically:

- (a) The vacation will provide a public benefit, allowing for construction and dedication of the 67th Avenue NE extension per the City's Comprehensive Plan;
- (b) The vacation will not adversely affect the street pattern or circulation of the immediate area of the community as a whole;
- (c) The public need will not be adversely affected;
- (d) The Unopened Road is not contemplated or needed for future public use; and
- (e) No abutting owner will become landlocked or have their access substantially impaired.

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

SECTION 1. The unopened public ROW that was dedicated with the recording of the subdivisions known as Sunnyside Ridge and Sunnyside Ridge Division 2, which is legally described in **Exhibit A** and depicted in **Exhibit B**, attached hereto, is hereby vacated and all compensation is waived in accordance with MMC 12.32.020; and

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

SECTION 3. Correction. Upon approval by the city attorney, the city clerk or the code reviser are authorized to make necessary corrections to this ordinance, including scrivener’s errors or clerical mistakes; references to other local, state, or federal laws, rules, or regulations; or numbering or referencing of ordinances or their sections and subsections.

SECTION 4. Effective Date. This ordinance and the vacation of the unopened public ROW, shall become effective five days after the date of its publication by summary.

SECTION 5. Recordation. A certified copy of this ordinance will be recorded by the City of Marysville with the Snohomish County Auditor after its publication.

ADOPTED by the City Council at an open public meeting this _____ day of _____, 2021.

CITY OF MARYSVILLE

By: _____
JON NEHRING, MAYOR

Attest:

By: _____
DEPUTY CITY CLERK

Approved as to form:

By: _____
JON WALKER, CITY ATTORNEY

Date of publication: _____

Effective Date (5 days after publication): _____

Exhibit "A"**67TH AVE NE****STREET VACATION PETITION LEGAL DESCRIPTION**

THE EAST 35.00 FEET OF THE FOLLOWING DESCRIBED PARCEL;

BEGINNING AT A POINT 660.00 FEET NORTH OF THE SOUTHEAST CORNER OF GOVERNMENT LOT 1, SECTION 3, TOWNSHIP 29 NORTH, RANGE 5 EAST, W.M., SNOHOMISH COUNTY, WASHINGTON;

THENCE WEST 1320.00 FEET, MORE OR LESS, TO THE EAST LINE OF COUNTY ROAD;

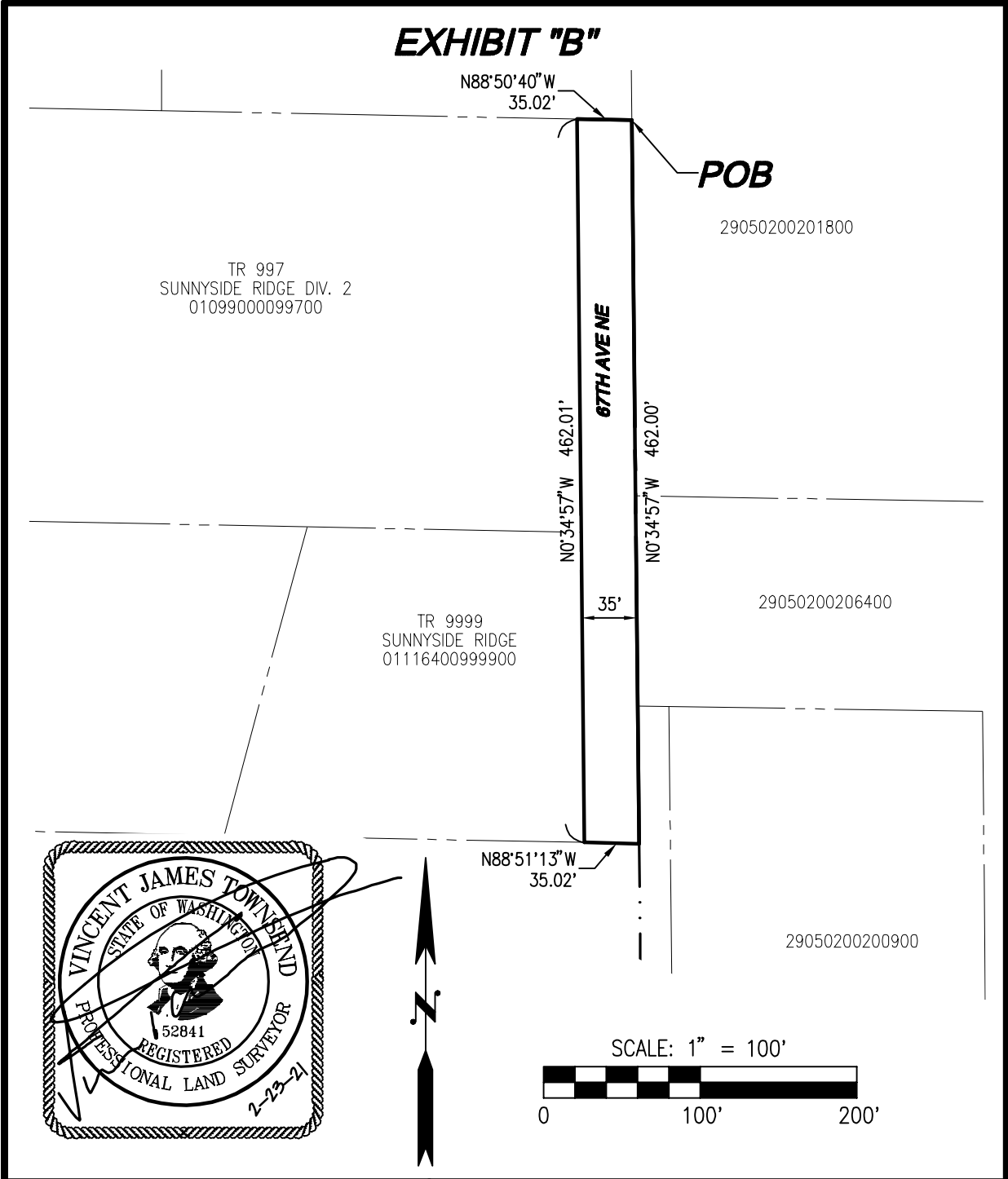
THENCE SOUTH 462.00 FEET;

THENCE EAST 1320.00 FEET;

THENCE NORTH 462.00 FEET TO THE POINT OF BEGINNING;

SAID PORTION BEING PREVIOUSLY DEDICATED RIGHT-OF-WAY ON SUNNYSIDE RIDGE AND SUNNYSIDE RIDGE DIVISION 2, AFN NO. 201003025001, 200805155186;

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.



LDC
THE CIVIL ENGINEERING GROUP

Engineering
Structural
Planning
Survey

20210 142nd Avenue NE
Woodinville, WA 98072

Ph. 425.806.1869
Fx. 425.482.2893

www.LDCcorp.com

67TH AVE NE STREET VACATION PETITION EXHIBIT

A PORTION OF THE NE 1/4 OF SEC 3, TWN 29 N, RGE 5 E,
W.M., SNOHOMISH COUNTY, WASHINGTON

DRAWN BY:	DATE:	DRAWING FILE NAME:	SCALE:
MAR	2-23-21	C20-159-WYND-EX	1"=100'

JOB NUMBER:	C20-159
-------------	---------

Index #14

CITY OF MARYSVILLE AGENDA BILL

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: September 7, 2021 Briefing

AGENDA ITEM:	
Ordinance amending the Unified Development Code to: amend the definition of “enhanced services facilities;” allow “enhanced services facilities” as a permitted use in the Community Business, Downtown Commercial, General Commercial, and Mixed Use zones; add a new chapter 22C.280 MMC concerning “enhanced services facilities;” and repeal Ordinance No. 3168.	
PREPARED BY:	DIRECTOR APPROVAL:
Haylie Miller	<i>Haylie Miller</i> CD Director
DEPARTMENT:	
Community Development	
ATTACHMENTS:	Attachment <ol style="list-style-type: none"> 1. Memorandum from CD Staff Memorandum Exhibits <ol style="list-style-type: none"> 1. Ordinance recommended by the EDC 2. ESF Eligible Areas Map as recommended by the EDC 3. Existing ESF information 4. ESF Eligible Areas Map as recommended by Planning Commission 5. Ordinance recommended by Planning Commission 6. Planning Commission meeting minutes combined
BUDGET CODE:	AMOUNT:
N/A	N/A
SUMMARY:	

The City Council adopted Ordinance No. 3168 on November 23, 2020, establishing an interim regulation that prohibits the siting of Enhanced Services Facilities (ESFs) in Marysville while the City studies where such uses should be allowed. The Planning Commission held public meetings to discuss the matter on December 8, 2020, January 12, 2021 and February 9, 2021. On February 23, 2021, the Planning Commission held a public hearing and recommended amendments to City Council. City Council work sessions were held on May 3, 2021 and June 7, 2021, and Economic Development Committee meetings were held on May 10, 2021 and July 6, 2021, to review and modify the recommended amendments from the Planning Commission. The latest changes resulting from these meetings are summarized in the attached memorandum. The changes differ from the original Planning Commission recommendation and, therefore, require a public hearing prior to adoption.

RECOMMENDED ACTION:

Staff recommends that Council review the latest ESF changes, as modified at the direction of the Economic Development Committee, on July 6, 2021. Further, staff recommends the Council set a Public Hearing date on October 11, October 25 or November 8, to consider adoption of amendments to Marysville Municipal Code Title 22C, related to Enhanced Services Facilities.

Council may hold additional work sessions prior to the public hearing date as needed.

RECOMMENDED MOTION:

I move to schedule a Public Hearing to consider adoption of amendments to Marysville Municipal Code Title 22C, on _____, 2021, related to Enhanced Services Facilities.



MARYSVILLE
COMMUNITY
DEVELOPMENT

MEMORANDUM

TO: Mayor Nehring
City Council

FROM: Haylie Miller, CD Director

CC: Gloria Hirashima, CAO
Chris Holland, Planning Manager

DATE: September 7, 2021

SUBJECT: Enhanced Services Facilities Text Amendments

EXHIBITS:

1. Ordinance recommended by the EDC
2. ESF Eligible Areas Map as recommended by the EDC
3. Existing ESF information
4. ESF Eligible Areas Map as recommended by Planning Commission
5. Ordinance recommended by Planning Commission
6. Planning Commission meeting minutes combined
7. Downtown Master Plan Zoning Changes

RECOMMENDATION:

Staff recommends that the City Council set a Public Hearing date in October to consider adoption of amendments to Marysville Municipal Code (MMC) Title 22C, related to Enhanced Services Facilities (ESFs).

BACKGROUND - ENHANCED SERVICES FACILITIES

The following excerpts contain information that was provided to the Planning Commission concerning ESFs, and is intended to help the City Council better understand what ESFs are and how they are regulated. Additional information is included in this section as requested by the EDC.

1. **What are Enhanced Services Facilities?** Chapter 70.97 RCW provides for the licensing, operation and management of Enhanced Services Facilities in the State of Washington. RCW 70.97.010 defines the term “Enhanced Services Facility” as “a facility that provides support and services to persons for whom acute inpatient treatment is not medically necessary.” Under State law, Enhanced Services Facilities serve up to sixteen individuals 18

(360) 363-8100

Community
Development
80 Columbia Avenue
Marysville, WA 98270

years of age or older with either a mental disorder,¹ a substance use disorder,² co-occurring mental disorder and substance use disorder, an organic or traumatic brain injury, or a cognitive impairment that results in symptoms or behaviors requiring supervision and support services. Enhanced Services Facilities are facilities in a residential setting where providers assume general responsibility for the safety and well-being of the residents.

A single-occupancy room, meals, laundry, supervision, behavior support services, activities, and varying levels of assistance with care are provided. Enhanced Services Facilities provide nursing care, specialized care for people with mental health issues, developmental disabilities, or dementia. The facility is licensed by the state. Statutory authority for Enhanced Services Facilities is in Chapter 70.97 RCW and regulatory authority is found in Chapter 388-107 WAC. DSHS is currently updating this chapter of the WAC.

2. Criteria for admission of residents to an ESF are:

- the person requires daily care by or under the supervision of a mental health professional or nurse; and assistance with three or more activities of daily living; and
- the person has a behavioral health disorder;³ an organic or traumatic brain injury; or a cognitive impairment that results in symptoms or behaviors requiring supervision and support services;
- the person has been assessed by the department (DSHS) to need the services provided in an enhanced services facility;
- the person has been assessed as medically and psychiatrically stable, but for other reasons requires supervision and behavioral support and must meet two or more of the following supplemental criteria outlined in RCW 70.97.030(4):
 - a. Is currently residing in a state mental hospital or psychiatric unit of a hospital and the hospital has found the person to be ready for discharge;
 - b. Has a history of an inability to remain medically or psychiatrically stable for more than six months;
 - c. Has exhibited serious challenging behaviors within the last year;
 - d. Has complex medication needs and an inability to manage these medications, which has affected their ability to live in the community;
 - e. Has a history of or likelihood of unsuccessful placements in other licensed long-term care facilities or a history of rejected applications for admission to other licensed facilities based on the person's behaviors, history, or needs;
 - f. Has a history of frequent or prolonged behavioral health disorder-related hospitalizations; or

¹ "Mental disorder" means any organic, mental, or emotional impairment that has substantial adverse effects on an individual's cognitive or volitional functions. RCW 70.97.010(8).

² "Substance use disorder" means a cluster of cognitive, behavioral, and physiological symptoms indicating that an individual continues using the substance despite significant substance-related problems. The diagnosis of a substance use disorder is based on a pathological pattern of behaviors related to the use of the substances. RCW 70.97.010(16).

³ "Behavioral health disorder" means either a mental disorder, a substance use disorder, or co-occurring mental disorder and substance use disorder. RCW 70.97.010(1).

- g. Requires caregiving staff with training in providing behavioral supports to adults with challenging behaviors.

3. Why are we receiving inquiries about where an ESF can be located in Marysville? The State of Washington is moving patients out of State hospitals who are ready to be transitioned into the community. These individuals still require some level of support and the preferred model for those who do not require acute inpatient treatment is to live in an ESF. Funding is being provided by Medicare and the State of Washington for providers to build and operate ESFs.

The City has received questions from potential providers of such services about where an ESF may be located in Marysville. The Marysville Municipal Code regulates the location and development of other types of group residences, including “Senior Citizen Assisted” dwellings, “Adult Family Homes,” “Convalescent, Nursing or Retirement Homes,” “Master Planned Senior Communities” and “Residential Care Facilities.” However, the current zoning code does not provide a comparable land use category or definition for “Enhanced Services Facilities”, establish where such use may locate or provide associated development standards.

4. Other Communities - Assistance from Municipal Research Services Corporation: Since ESFs are a relatively new facility type under State law, staff has contacted Municipal Research Service Corporation (MRSC) to compile information about how other municipalities are regulating them. Staff has learned that very few communities specifically regulate ESFs. Some communities require substantial public process to allow an ESF to be sited, while others permit them in certain zones without a required public process.

5. Growth Management Act: State law includes “mental health facilities” as essential public facilities, and states: *No local comprehensive plan or development regulation may preclude the siting of essential public facilities.*

6. Understanding ESFs. In considering how to regulate the siting of ESFs in Marysville’s land use code, it is instructive to understand the size, space needs, and level of activity and traffic generated by a typical ESF. The following are some basic data about ESFs compiled through review of literature and communications with DSHS staff:

- Size – ESFs may house up to 16 residents. The average size of existing ESFs is approximately 6,500 square feet. That is roughly equivalent to an apartment building with four 3-bedroom apartment units.
- Number of employees - ESFs have a staff-to-resident ratio requirement of 1 staff for every 4 residents at all times, so a 16-bed ESF would have a minimum of 4 staff on-site 24/7.
- Employees and visitors - In addition to the staffing requirement of 1 staff for every 4 residents, there may be other visitors to the facility to provide a specific service such as physical therapy or behavior support services. ESFs have regular deliveries of food and supplies.
- Access - ESFs are not locked facilities and residents are free to come and go, unless they have an assessed need for support/assistance while in the community. In those cases, a staff person would accompany the resident into the community. The residents of an ESF are very similar to the residents of an Adult Family Home or an Assisted Living Facility.

- Outdoor open space - WAC 388-107-0890 requires outdoor space for resident use. There must be a fence or wall at least 72" high to provide privacy.

7. Management of ESFs. WAC 388-107 includes many requirements concerning the responsibility of the ESF facility management and staff concerning resident care. The State is in the process of updating this WAC. DSHS staff have provided the following information about responsibilities of ESF staff and management:

- Each resident will have an assessment of their specific needs, and the ESF will have a care plan for each individual resident.
- WAC 388-107-0300⁴ requires the ESF to not admit individuals who are unsafe to be in the community and to only admit those individuals the ESF can safely serve. Through the assessment process, only individuals who meet specific criteria can be considered for an ESF setting.
- Sometimes an ESF resident may need a short-term stay at an evaluation and treatment center or a crisis stabilization center, and there have been a few ESF residents who have had to return to the state hospital for a longer stay. If an ESF indicates it can no longer provide appropriate support and services to an ESF resident, DSHS (ALTA/HCS) would assess what type of setting was needed to meet the resident's need -- and would then seek appropriate setting options for the individual.
- It is the responsibility of the ESF to determine if the specific needs of a resident can be met by the ESF or if the resident needs services beyond what the ESF is capable of providing. As a component of the plan of care, each ESF resident has a behavior support plan to assist the staff in recognizing signs of behavioral challenges and knowing how to respond. It is important to note that all staff working at an ESF are highly trained and must complete specific trainings (such as Mental Health Specialty and de-escalation) before working at the ESF.
- If an ESF resident is in crisis, the ESF would look to the local Designated Crisis Responders⁵ for immediate assistance so that the individual can be kept safe in a secured setting until an evaluation is completed and next steps are identified. The following are questions from Marysville staff, with answers from DSHS staff:

⁴ The enhanced services facility must only admit or continue to provide services to a resident when:

- (1) The department has determined that the individual is eligible for placement in an enhanced services facility.
- (2) The facility can safely and appropriately meet the assessed needs and preferences of the resident:
- (a) With available staff; and
 - (b) Through reasonable accommodation.
- (3) Admitting the resident does not negatively affect the ability of the facility to:
- (a) Meet the needs, and does not endanger the safety, of other residents and members of the community; or
 - (b) Safely evacuate all people in the facility during an emergency according to the approved fire safety and evacuation plans appropriate to the occupancy type of the building.

⁵ A designated crisis responder is a person appointed by the county and authorized to take a person with a behavioral health disorder into emergency detention and to institute civil commitment proceedings. RCW 71.05.153 *et seq.* This was previously known as a county designated mental health professional.

- Can registered sex offenders live in and ESF? Yes, but the operator can choose to not allow RSOs. Local law enforcement conducts monthly check-ins with RSOs at their place of residence.
- Can recovering drug and /or alcohol abusers live in an ESF? Yes. However, since residents are transitioning out of state hospitals where they are not able to access drugs or alcohol, residents will not be current users of drugs or alcohol.
- Are ESFs a secure facility where residents are not permitted to come and go as they choose? ESFs are not secured. Residents of an ESF are allowed to come and go as they choose, for medical treatment, to shop, work, or for other activities in the community, though some residents may need assistance with tasks outside the ESF.
- What type of treatment is provided for residents in an ESF? Residents of an ESF receive services such as bathing, administration of medication, laundry, meals, and similar non-medical treatment. Residents do not receive medical or psychiatric treatment in an ESF, as those services are provided off-site.

8. Existing ESFs. It is also helpful to review the experience of communities where ESFs have been established. There are just six ESFs that have been established in Washington. Four are new buildings, while two converted existing buildings to ESFs. Information about the facilities are provided in Exhibit 3 attached hereto.

LEGISLATIVE HISTORY AND NEXT STEPS:

ESFs amendments have been reviewed by the City for several months beginning in October 2020. There have been a total of four Planning Commission meetings, two City Council work sessions and two Economic Development Committee meetings held to review the proposed regulations for ESFs. The timeline on the following page summarizes the ESF legislative process to-date along with next steps.

ESF LEGISLATIVE PROCESS TIMELINE

<u>Date</u>	<u>Summary</u>
<i>November 23, 2020</i>	The City Council adopted Ordinance No. 3168, establishing an interim regulation that prohibits the siting of ESFs in Marysville while the City studies where such uses may be allowed.
<i>December 8, 2020</i>	The Planning Commission held a public meeting to discuss ESFs.
<i>January 12, 2021</i>	The Planning Commission held a second public meeting to discuss ESFs.
<i>February 9, 2021</i>	The Planning Commission held a third public meeting to discuss ESFs.
<i>February 23, 2021</i>	<p>The Planning Commission held a public hearing to consider regulations for ESFs and recommended approval of the amendments to the MMC to City Council. The Planning Commission recommended amendments that would:</p> <ol style="list-style-type: none"> 1. Allow ESFs as a conditional use (Public notice required, potential for Hearing Examiner hearing) in the R-18 and R-28 multi-family residential zones; 2. Allow ESFs as a permitted use in five commercial / mixed use zones; 3. Amend the definition of ESFs to match the definition used by the State in RCW 70.97.010; and 4. Establish a new set of regulations and requirements for ESFs in the Marysville Municipal Code that: <ul style="list-style-type: none"> • Require the proponent of an ESF to provide notice to contiguous property owners at least 15 days prior to filing a land use application with the City in order to allow the neighboring property owners to learn more about the facility and for the proponent to address any concerns in their application materials; • Require a detailed management plan that addresses issues of public safety, communication with neighbors, and facility management • Require the facility to accept only residents that are determined not to pose a risk to other residents and the public.
<i>May 3, 2021</i>	The Planning Commission recommendation was forwarded to the City Council to review at the May 2021 work session. The City Council decided to refer the subject to the Economic Development Committee (EDC) for further review. The discussion included questions about: whether the number of zones in which ESFs would be allowed was too many, the definition of ESF, and the state regulations governing ESFs.
<i>May 10, 2021</i>	The Economic Development Committee discussed the issues and asked staff to prepare an alternative set of regulations that differs from the Planning Commission

recommendation. The alternatives requested by the Committee differs from the Planning Commission recommendation as follows:

1. Would not allow ESFs in the R-18 and R-28 multi-family residential zones;
2. Would allow ESFs in the DC (Downtown Commercial), GC (General Commercial), CB (Community Business) and MU (Mixed Use) zones only on lots located within one-quarter mile of State Avenue or Smokey Point Boulevard;
3. In the DC, GC and CB zones, would allow an ESF only in a mixed use building in which the ESF is on a floor located above a permitted commercial use. Under the existing code for the DC, GC and CB zones, multi-family housing is the only use required to be so situated.
4. Require a quarter-mile separation between ESFs.

May 24, 2021

The City Council adopted Ordinance No. 3182, renewing for an additional six months the interim development regulations adopted by Ordinance No. 3186 that amended title 22A and 22C of the Marysville Municipal Code (MMC) by defining ESFs and specifying that ESFs are not permitted in any zoning district within the City; and declaring an emergency to exist. This ordinance is set to expire on November 24, 2021. Staff does not recommend this be extended any further.

June 7, 2021

The City Council noted during the Council work session that they were not ready to act on this item and that further discussion and vetting (specifically related to the areas where ESFs are permitted) should occur with the EDC.

July 6, 2021

The Economic Development Committee reviewed the proposed modifications to Title 22C and the location criteria for ESFs on July 6, 2021. The EDC requested additional information related to the six existing ESFs in Washington State (see Exhibit 3).

As directed by the EDC on July 6, staff updated the proposed ESF Map with the following changes as shown in Exhibit 2:

1. To remove ESFs located south of 8th Street and west of State from the previous ESF area map.
2. To remove all ESF areas south of 4th Street.
3. To include the remaining eastern area of the GC zone north of 152nd.
4. To move the ESF boundary to the west to align with I-5.
5. To potentially include a buffer from daycares and schools. Staff has added daycares to the map and is recommending a 300 foot buffer be applied as shown in Exhibit 2.

There are two maps that illustrate the locations where ESFs would be allowed under the recommendation of the Planning Commission (Exhibit 4⁶), and the alternative requested by the Economic Development Committee (Exhibit 2).

⁶ Exhibit 4 shows transit routes as well as the DC, GC, CB, MU, R-18 and R-28 zones, because in the R-18 and R-28 zones, a site is eligible only if located within one-quarter mile of a transit route. There are just a few parts of the R-18 and R-28 zones that are not located within one-quarter mile of a transit route.

The updated map (Exhibit 2) has a dashed green line that indicates areas located generally within one-quarter mile of State Avenue and Smokey Point Boulevard with exception of additional areas that expand west to I-5 and the remaining portion of the General Commercial (GC) zoning north of 152nd and west of 43rd Ave NE. Areas south 4th and south of 8th Street and State Avenue have been eliminated. The map shows only the DC, GC, CB and MU zone areas that are generally near the area within one-quarter mile of the above named streets. The dashed green line does not extend west of Interstate 5, though there is some land in the CB zone located west of I-5 within one-quarter mile. Staff's interpretation of the direction from the EDC was to keep the land area eligible for ESFs in proximity to State Avenue and Smokey Point Boulevard. This map does not include transit routes as removal of the R-18 and R-28 zones removes the one transit-route-related requirement recommended by the Planning Commission. Finally, the map also shows locations of schools and daycares. A 300 foot buffer around these uses has been applied and those areas have been removed from the ESF Map.

The proposed draft ordinance with changes as requested by the EDC and City Council is attached as Exhibit 1. The primary differences in the revised ordinance (as compared to Planning Commission's recommendation) is summarized as follows:

- Added a one-quarter mile minimum separation between ESFs
- ESFs in the DC, GC and CB zones are required to be located in a mixed use building, on a floor above a permitted ground floor commercial use (similar to what is required for multi-family units). This addition was requested by the EDC in order to treat ESFs similar to multi-family housing in these three zones. This standard does not apply in the MU zone.
- Removed ESFs from the R-18 and R-28 zones.
- The ESF area was substantially reduced in size.
- ESFs shall be located a certain distance from daycares or schools. Staff has suggested a 300 foot separation.
- ESFs are limited to 16 resident's total which is consistent with current state guidelines. This section was added by staff in case the State limit should ever increase.

September 7, 2021

Staff will present this memorandum and agenda bill to the City Council during the September 7, 2021 work session. The City Council is encouraged to ask questions or suggest modifications to the proposal as necessary.

Staff recommends that the City Council set a Public Hearing date for October 11, or October 25. The interim regulations expire on November 24, 2021. Staff recommends the public hearing be held in October to avoid any timing issues with the interim regulation expiration.

*October 11, 2021 or;
October 25, 2021*

Tentative Public Hearing dates to formally consider approving the amendments to Marysville Municipal Code Title 22C, related to Enhanced Services Facilities.

QUESTIONS FOR CITY COUNCIL RELATED TO THE ESF ELIGIBILITY AREA:

Staff has identified two pending issues related to the ESF eligibility area related. The first pertains to property boundaries, and the second pertains to the Downtown Master Plan update and associated zoning changes.

Property Boundaries

The ESF eligibility area does not currently coincide with property boundaries which may be problematic for staff in determining which properties are or are not eligible for ESFs. For example, there may be a property that is located partially inside and partially outside of the ESF eligibility area. To resolve this issue, staff proposes that properties that are located partially within the school buffers be *excluded* from ESF eligibility, and the buffer boundary follow parcel lines that are located entirely outside of the proposed buffer. Further, staff proposes that properties that intersect with the ¼ mile boundary from State Avenue/Smokey Point Boulevard be eligible to establish an ESF.

Staff has two clarification questions related to the map edits discussed above:

- 1. Should properties that intersect with the 300 foot school/daycare buffer be removed?***
- 2. If a property intersects the ¼ mile boundary line (east of State Avenue/Smokey Point Boulevard), should the boundary be moved slightly east to include the entire parcel?***

Downtown Master Plan Zoning changes

The new Downtown Master Plan will replace the existing zones in the Downtown area. See Exhibit 7 for maps showing the proposed changes.

The existing zones within the Downtown area that allow for ESFs are General Commercial, Downtown Commercial and Mixed Use. With the adoption of the Downtown Master Plan update, those zones will be modified as shown below:

DOWNTOWN ZONING CHANGES WITHIN THE PROPOSED ESF ELIGIBILITY AREA	
EXISTING ZONES	PROPOSED ZONES
Downtown Commercial	Downtown Core
Mixed Use	Flex Residential Overlay
General Commercial	Flex

The new Downtown Core zone allows for similar uses as the existing Downtown Commercial zone. Staff recommends no changes to the ESF map.

The new Flex Residential Overlay area allows similar uses to the existing Mixed Use Zone. Staff does not recommend changes to the proposed ESF Map area or ESF code.

The new Flex zone (replacing the General Commercial (GC) zone in the Downtown area) allows for commercial uses only and no residential uses. However, the zone does allow for Adult Family Homes

and Residential Care Facilities. This differs from the GC zone which allows for multifamily above the street level. With this new zone, there are two options for Council to consider:

1. Allow the ESFs as a permitted use in the Flex zone.
 - a. Council could further require this use be permitted above a permitted commercial use, similar to what is already proposed in the ESF code for the GC zone.
2. Remove the new Flex zone from the ESF eligibility area

Staff would like to clarify which option City Council prefers during the work session.

RECOMENDATION: Staff asks that the City Council review the proposed alternative ordinance (Exhibit 1) with the changes requested by the Economic Development Committee on July 7, 2021, and provide direction to staff for any changes to be included in the ordinance.

If only minor changes remain, staff recommends that the City Council set a Public Hearing date for October 11 or October 25, 2021 to consider approving the amendments to MMC Title 22C, related to Enhanced Services Facilities.

The City Council may also chose to schedule additional work sessions (to vet any pending items more closely) prior to the October public hearing dates.

**CITY OF MARYSVILLE
WASHINGTON**

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON, AMENDING TITLE 22 OF THE MARYSVILLE MUNICIPAL CODE BY AMENDING SECTIONS 22A.020.060, 22C.010.060, 22C.010.070, 22C.020.060, 22C.020.070; ESTABLISHING A NEW CHAPTER 22C.280, ENHANCED SERVICES FACILITIES; AND REPEALING ORDINANCE 3182, WHICH RENEWED THE MORATORIUM OF ORDINANCE 3168.

WHEREAS, the State Growth Management Act, Chapter 36.70A RCW mandates that cities periodically review and amend development regulations, including zoning ordinances and official controls; and

WHEREAS, RCW 36.70A.106 requires the processing of amendments to the City's development regulations in the same manner as the original adoption of the City's comprehensive plan and development regulations; and

WHEREAS, the State Growth Management Act requires notice and broad public participation when adopting or amending the City's comprehensive plan and development regulations; and

WHEREAS, the City, in reviewing and amending its development regulations has complied with the notice, public participation, and processing requirements established by the Growth Management Act, as more fully described below; and

WHEREAS, the City Council of the City of Marysville finds that from time to time it is necessary and appropriate to review and revise provisions of the City's municipal code and development code (MMC Title 22); and

WHEREAS, the Marysville City Council adopted Ordinance No. 3168 on November 23, 2020, which adopted an interim development regulation establishing a definition for "Enhanced services facilities" and specifying that "Enhanced services facilities" are not a permitted use in any zone in the City of Marysville; and

WHEREAS, the Marysville City Council adopted Ordinance No. 3168 as an Emergency Ordinance which provided that the interim development regulation is effective for six months from the effective date of the ordinance (November 23, 2020); and

WHEREAS, the proposed amendments were submitted to the State of Washington Department of Commerce for 60-day review on February 1, 2021, in

PROPOSED ORDINANCE

accordance with RCW 36.70A.106; and

WHEREAS, the Planning Commission held public work sessions on December 8, 2020, January 12, 2021, and February 9, 2021, to review the proposed amendments, including alternatives, and did hear and consider public comments; and

WHEREAS, the Planning Commission held a duly-advertised public hearing on February 23, 2021, and received testimony from City staff and the public; and

WHEREAS, at the public hearing, the Planning Commission reviewed and considered the proposed amendments to the Marysville Municipal Code, and recommended that the City Council approve the proposed amendments to the Marysville Municipal Code; and

WHEREAS, the proposed amendments to Title 22 of the Marysville Municipal Code comprising **(a)** proposed amendments to MMC Sections 22A.020.060, 22C.010.060, 22C.010.070, 22C.020.060, AND 22C.020.070, and **(b)** a new proposed new Chapter 22C.280 MMC), were reviewed under the State Environmental Policy Act; which review resulted in the issuance of a Determination of Non-Significance (DNS) on April 5, 2021; and

WHEREAS, the City Council reviewed the proposed amendments to MMC Sections 22A.020.060, 22C.010.060, 22C.010.070, 22C.020.060, 22C.020.070, and proposed new Chapter 22C.080 MMC at a work session on May 3, 2020, and referred the proposed amendment to the Economic Development Committee for further review; and

WHEREAS, the Economic Development Committee reviewed the proposed amendments to MMC Sections 22A.020.060, 22C.010.060, 22C.010.070, 22C.020.060, 22C.020.070, and proposed new Chapter 22C.080 MMC at work sessions on May 10 and July 6, 2021; and

WHEREAS, the recommendations of the Economic Development Committee have been incorporated into the proposed amendments to MMC Sections 22A.020.060, 22C.010.060, 22C.010.070, 22C.020.060, 22C.020.070, and proposed new Chapter 22C.080 MMC at work sessions on May 10 and July 6, 2021; and

WHEREAS, the City Council was briefed on the proposed revised amendments to MMC Sections 22A.020.060, 22C.010.060, 22C.010.070, 22C.020.060, 22C.020.070, and proposed new Chapter 22C.080 MMC at a work session on September 7, 2021; and

WHEREAS, the City Council held a public hearing on September 27, 2021 consider amendments to MMC Sections 22A.020.060, 22C.010.060, 22C.010.070, 22C.020.060, 22C.020.070, and proposed new Chapter 22C.080 MMC.

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

Section 1. Required Findings. In accordance with MMC 22G.010.520, the following findings are made regarding the proposed amendments to Title 22 of the Marysville Municipal code (comprising of **(a)** proposed amendments to MMC Sections 22A.020.060, 22C.010.060, 22C.020.060, 22C.010.070, and 22C.020.070, and **(b)** a proposed new Chapter 22C.280 MMC) that are the subject of this ordinance:

- (1) The amendments are consistent with the purposes of the comprehensive plan;
- (2) The amendments are consistent with the purpose of Title 22 MMC;
- (3) There have been significant changes in the circumstances to warrant a change;
- (4) The benefit or cost to the public health, safety and welfare is sufficient to warrant the action.

Section 2. MMC Section 22A.020.060 of the Marysville Municipal Code is hereby amended by amending the definition for Enhanced Services Facilities as follows. Those terms contained in the section cited above, that are not specific amended as outlined below, shall remain in full force and effect.

"Enhanced services facility" means a facility that provides support and services to persons for whom acute inpatient treatment is not medically necessary."

Section 3. MMC Sections 22C.010.060, 22C.010.070, 22C.020.060, and 22C.020.070 of the Marysville Municipal Code are hereby amended as set forth in **Exhibit A** attached hereto.

Section 4. Title 22C, Land Use Standards, Unified of the Marysville Municipal Code is hereby amended by adopting a new Chapter 22C.280, Enhanced Services Facilities, as set forth in **Exhibit B** attached hereto.

Section 5. Repeal of Ordinance No. 3182. Ordinance No. 3182 shall be repealed upon the effective date of this Ordinance.

Section 6. Section 22A.010.160, Amendments, of the Marysville Municipal Code is hereby amended as follows by adding reference to this adopted ordinance in order to track amendments to the City's Unified Development Code:

"22A.010.160 Amendments.

The following amendments have been made to the UDC subsequent to its adoption:

<u>Ordinance</u> _____	<u>Title (description)</u> Enhanced Services Facilities	<u>Effective date</u> October __, 2021
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Section 7. Severability. If any section, subsection, sentence, clause, phrase, or word of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase, or word of this Ordinance.

Section 8. Correction. Upon approval by the City Attorney, the City Clerk or the code reviser are authorized to make necessary corrections to this Ordinance, including scrivener’s errors or clerical mistakes; references to other local, state, or federal laws, rules, or regulations; or numbering or referencing of ordinances or their sections and subsections.

Section 9. Effective Date. This Ordinance shall become effective five days after the date of its publication by summary.

PASSED AND APPROVED by the Marysville City Council this _____ day of October, 2021.

CITY OF MARYSVILLE

Jon Nehring, Mayor

ATTEST:

By: _____
City Clerk

APPROVED AS TO FORM:

By: _____
Jon Walker, City Attorney

Date of Publication: _____

Effective Date: _____

EXHIBIT A

22C.010.060 Permitted uses. 

Specific Land Use	R-4.5	R-6.5	R-8	WR R-4-8	R-12	R-18	R-28	WR R-6- 18	R- MHP
Residential Land Uses									
Dwelling Units, Types:									
Single detached (14)	P11	P11	P11	P11	P11	P11	P11	P11	P43
Model home	P30	P30	P30	P30	P30	P30	P30	P30	P30
Cottage housing (14)	C6	C6	C6	C6	C6	C6	C6	C6	
Duplex (14)	C8	P8	P8	P8	P	P	P	P	
Townhouse	P3	P3	P3	P3	P	P	P	P	
Multiple-family					P	P	P	P	
Mobile home	P12	P12	P12	P12	P12	P12	P12	P12	P12
Mobile/manufactured home park	P3	P3	P3		C	P	P		P45
Senior citizen assisted	C2	C2	C2	C2	C2	C2	C2	C2	C2
Factory-built	P7	P7	P7	P7	P7	P7	P7	P7	P7, 43
Recreational vehicle (44)	P	P	P	P	P	P	P	P	P
Tiny house or tiny house with wheels (51)	P	P	P	P	P	P	P	P	P
Group Residences:									
Adult family home	P	P	P	P	P	P	P	P	P
Convalescent, nursing, retirement	C2	C2	C2	C2	C2	C2	C2	C2	
Residential care facility	P	P	P	P	P	P	P	P	
Master planned senior community (15)	C	C	C	C	C	C	C	C	C
Accessory Uses:									
Residential accessory uses (1), (9), (10), (14), (49), (50)	P	P	P	P	P	P	P	P	P
Home occupation (5)	P	P	P	P	P13	P13	P13	P13	P
Temporary Lodging:									
Hotel/motel					P	P	P	P	
Bed and breakfast guesthouse (4)		C	C	C	P	P	P	P	

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Specific Land Use	R-4.5	R-6.5	R-8	WR R-4-8	R-12	R-18	R-28	WR R-6- 18	R- MHP
Bed and breakfast inn (4)					P	P	P	P	
Enhanced services facility (52)									
Recreation/Cultural Land Uses									
Park/Recreation:									
Park	P16	P16	P16	P16	P16	P16	P16	P16	P16
Community center	C	C	C	C	C	C	C	C	C
Amusement/Entertainment:									
Sports club					C	C	C	C	
Golf facility (17)	C	C	C	C	P	P	P	P	
Cultural:									
Library, museum and art gallery	C	C	C	C	C	C	C	C	C
Church, synagogue and temple	C	C	C	C	P	P	P	P	C
General Services Land Uses									
Personal Services:									
Funeral home/crematory	C18	C18	C18	C18	C18	C18	C18	C18	C18
Cemetery, columbarium or mausoleum	P24 C19	P24 C19	P24 C19	P24 C19	P24 C19	P24 C19	P24 C19	P24 C19	P24 C19
Day care I	P20	P20	P20	P20	P20	P20	P20	P20	P20
Day care II	C25	C25	C25	C25	C	C	C	C	C25
Stable	C	C	C	C					
Kennel or cattery, hobby	C	C	C	C	C	C	C	C	
Electric vehicle (EV) charging station (38), (39)	P	P	P	P	P	P	P	P	
EV rapid charging station (40), (41), (42)					P	P	P	P	
Health Services:									
Medical/dental clinic					C	C	C	C	
Supervised drug consumption facility									
Education Services:									
Elementary, middle/junior high, and senior high (including public, private and parochial)	C	C	C	C	C	C	C	C	C
Commercial school	C21	C21	C21	C21	C21	C21	C21	C21	
School district support facility	C23	C23	C23	C23	C23	C23	C23	C23	
Interim recycling facility	P22	P22	P22	P22	P22	P22	P22	P22	
Vocational school									
Government/Business Service Land Uses									
Government Services:									

PROPOSED ORDINANCE

Specific Land Use	R-4.5	R-6.5	R-8	WR R-4-8	R-12	R-18	R-28	WR R-6- 18	R- MHP
Public safety facilities, including police and fire	C26	C26	C26	C26	C26	C26	C26	C26	C26
Utility facility	P	P	P	P	P	P	P	P	P
Private storm water management facility	P	P	P	P	P	P	P	P	P
Public storm water management facility	P	P	P	P	P	P	P	P	P
Business Services:									
Self-service storage (31)					C27	C27	C27	C27	
Professional office					C	C	C	C	
Automotive parking	P29	P29	P29	P29	P29	P29	P29	P29	
Model house sales office	P47	P47	P47	P47					
Wireless communication facility (28)	P C	P C	P C	P C	P C	P C	P C	P C	P C
State-Licensed Marijuana Facilities:									
Marijuana cooperative (48)									
Marijuana processing facility – Indoor only (48)									
Marijuana production facility – Indoor only (48)									
Marijuana retail facility (48)									
Retail/Wholesale Land Uses									
Forest products sales	P32	P32	P32	P32					
Agricultural crop sales	P32	P32	P32	P32					
Resource Land Uses									
Agriculture:									
Growing and harvesting crops	P34	P34	P34	P34					
Raising livestock and small animals	P35	P35	P35	P35					
Forestry:									
Growing and harvesting forest products	P34	P34	P34	P34					
Fish and Wildlife Management:									
Hatchery/fish preserve (33)	C	C	C	C					
Aquaculture (33)	C	C	C	C					
Regional Land Uses									
Regional storm water management facility	C	C	C	C	C	C	C	C	C
Nonhydroelectric generation facility	C	C	C	C	C	C	C	C	C
Transit park and pool lot	P	P	P	P	P	P	P	P	
Transit park and ride lot	C	C	C	C	C	C	C	C	
School bus base	C36	C36	C36	C36	C36	C36	C36	C36	
Racetrack	C37	C37	C37	C37	C37	C37	C37	C37	

Specific Land Use	R-4.5	R-6.5	R-8	WR R-4-8	R-12	R-18	R-28	WR R-6- 18	R- MHP
College/university	C	C	C	C	C	C	C	C	

22C.010.070 Permitted uses – Development conditions. + SHARE

- (1) Accessory dwelling units must comply with development standards in Chapter [22C.180](#) MMC. Accessory dwelling units in the MHP zone are only allowed on single lots of record containing one single-family detached dwelling.
- (2) Limited to three residents per the equivalent of each minimum lot size or dwelling units per acre allowed in the zone in which it is located.
- (3) Only as part of a planned residential development (PRD) proposal, and subject to the same density as the underlying zone.
- (4) Bed and breakfast guesthouses and inns are subject to the requirements and standards contained in Chapter [22C.210](#) MMC.
- (5) Home occupations are subject to the requirements and standards contained in Chapter [22C.190](#) MMC.
- (6) Subject to cottage housing provisions set forth in MMC [22C.010.280](#).
- (7) Factory-built dwelling units shall comply with the following standards:
 - (a) A factory-built house must be inspected at least two times at the factory by the State Building Inspector during the construction process, and must receive an approval certifying that it meets all requirements of the International Building Code. At the building site, the city building official will conduct foundation, plumbing and final inspections.
 - (b) A factory-built house cannot be attached to a metal frame allowing it to be mobile. All such structures must be placed on a permanent foundation at the building site.
- (8) Permitted outright in the R-6.5, R-8, and WR-R-4-8 zones on minimum 7,200-square-foot lots. A conditional use permit is required for the R-4.5 zone, and the minimum lot size must be 12,500 square feet. Duplexes must comply with the comprehensive plan density requirements for the underlying land use designation.
- (9) A garage sale shall comply with the following standards:
 - (a) No residential premises shall have more than two such sales per year and no such sale shall continue for more than six days within a 15-day period.
 - (b) Signs advertising such sales shall not be attached to any public structures, signs or traffic control devices, nor to any utility poles. All such signs shall be removed 24 hours after the sale is completed.

PROPOSED ORDINANCE

A garage sale complying with the above conditions shall be considered as being an allowable accessory use to all residential land uses. A garage sale violating one or more of the above conditions shall be considered as being a commercial use and will be disallowed unless it complies with all requirements affecting commercial uses.

(10) Residential accessory structures must comply with development standards in Chapter [22C.180](#) MMC.

(11) Manufactured homes must:

(a) Be set on a permanent foundation, as specified by the manufacturer, enclosed with an approved concrete product from the bottom of the home to the ground which may be either load-bearing or decorative;

(b) Meet all design standards applicable to all other single-family homes in the neighborhood in which the manufactured home is to be located;

(c) Be no more than five years old, as evidenced by the date of manufacture recorded on the HUD data plate. An administrative variance to the requirement that a manufactured home be no more than five years old may be granted by the community development director only if the applicant demonstrates all of the following:

(i) The strict enforcement of the provisions of this title creates an unnecessary hardship to the property owner;

(ii) The proposed manufactured home is well maintained and does not present any health or safety hazards;

(iii) The variance is necessary or warranted because of the unique size, shape, topography, location, critical areas encumbrance, or other feature of the subject property;

(iv) The proposed manufactured home will be compatible with the neighborhood or area where it will be located;

(v) The subject property is otherwise deprived, by provisions of this title, of rights and privileges enjoyed by other properties in the vicinity and within an identical zone;

(vi) The need for the variance is not the result of deliberate actions of the applicant or property owner; and

(vii) The variance is the minimum necessary to grant relief to the applicant.

(12) Mobile homes are only allowed as a primary residence in existing mobile/manufactured home parks established prior to June 12, 2008, subject to the requirements of Chapter [22C.230](#) MMC, Mobile/Manufactured Home Parks.

(13) Home occupations are limited to home office uses in multifamily dwellings. No signage is permitted in townhouse or multifamily dwellings.

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(14) No more than one single-family detached or duplex dwelling is allowed per lot except in cottage housing developments that are developed with all cottages located on a common lot, and accessory dwelling units through the provisions of Chapter [22C.180](#) MMC.

(15) Subject to Chapter [22C.220](#) MMC, Master Planned Senior Communities.

(16) The following conditions and limitations shall apply, where appropriate:

(a) Parks are permitted in residential and mixed use zones when reviewed as part of a subdivision, mobile/manufactured home park, or multiple-family development proposal; otherwise, a conditional use permit is required;

(b) Lighting for structures and fields shall be directed away from residential areas; and

(c) Structures or service yards shall maintain a minimum distance of 50 feet from property lines adjoining residential zones.

(17) Golf facilities shall comply with the following:

(a) Structures, driving ranges and lighted areas shall maintain a minimum distance of 50 feet from property lines adjoining residential zones.

(b) Restaurants are permitted as an accessory use to a golf course.

(18) Only as an accessory to a cemetery.

(19) Structures shall maintain a minimum distance of 100 feet from property lines adjoining residential zones.

(20) Only as an accessory to residential use and subject to the criteria set forth in Chapter [22C.200](#) MMC.

(21) Only as an accessory to residential use, provided:

(a) Students are limited to 12 per one-hour session;

(b) All instruction must be within an enclosed structure; and

(c) Structures used for the school shall maintain a distance of 25 feet from property lines adjoining residential zones.

(22) Limited to drop box facilities accessory to a public or community use such as a school, fire station or community center.

(23) Only when adjacent to an existing or proposed school.

(24) Limited to columbariums accessory to a church; provided, that existing required landscaping and parking are not reduced.

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(25) Day care IIs must be located on sites larger than one-half acre and are subject to minimum standards identified in Chapter [22C.200](#) MMC for day care I facilities. Parking facilities and loading areas shall be located to the rear of buildings or be constructed in a manner consistent with the surrounding residential character. Evaluation of site suitability shall be reviewed through the conditional use permit process.

(26) Public safety facilities, including police and fire, shall comply with the following:

(a) All buildings and structures shall maintain a minimum distance of 20 feet from property lines adjoining residential zones;

(b) Any buildings from which fire-fighting equipment emerges onto a street shall maintain a distance of 35 feet from such street.

(27) Accessory to an apartment development of at least 12 units, provided:

(a) The gross floor area in self-service storage shall not exceed 50 percent of the total gross floor area of the apartment dwellings on the site;

(b) All outdoor lights shall be deflected, shaded and focused away from all adjoining property;

(c) The use of the facility shall be limited to dead storage of household goods;

(d) No servicing or repair of motor vehicles, boats, trailers, lawn mowers or similar equipment;

(e) No outdoor storage or storage of flammable liquids, highly combustible or explosive materials or hazardous chemicals;

(f) No residential occupancy of the storage units;

(g) No business activity other than the rental of storage units to the apartment dwellings on the site; and

(h) A resident manager shall be required on the site and shall be responsible for maintaining the operation of the facility in conformance with the conditions of approval.

(28) All WCFs and modifications to WCFs are subject to Chapter [22C.250](#) MMC including, but not limited to, the siting hierarchy, MMC [22C.250.060](#). WCFs may be a permitted use or a conditional use subject to MMC [22C.250.040](#).

(29) Limited to commuter parking facilities for users of transit, carpools or ride-share programs, provided:

(a) They are located on existing parking lots for churches, schools, or other permitted nonresidential uses which have excess capacity available during commuting hours; and

(b) The site is adjacent to a designated arterial that has been improved to a standard acceptable to the department.

(30) Model Homes.

(a) The community development director may approve construction of model homes subject to the following conditions:

- (i) No model home shall be constructed without the issuance of a building permit;
- (ii) In no event shall the total number of model homes in a preliminary subdivision be greater than nine;
- (iii) A hard-surfaced roadway to and abutting all model homes shall be constructed to standards determined by the city engineer or designee;
- (iv) Operational fire hydrant(s) must be available in accordance with the International Fire Code;
- (v) Submittal of a site plan, stamped by a registered civil engineer or licensed surveyor, delineating the location of each structure relative to existing and proposed utilities, lot lines, easements, roadways, topography and critical areas;
- (vi) Submittal of building permit applications for each of the proposed structures;
- (vii) Approval of water, sewer and storm sewer extension plans to serve the proposed structures; and
- (viii) Execution of an agreement with the city saving and holding it harmless from any damages, direct or indirect, as a result of the approval of the construction of model homes on the site.

(b) Prior to occupancy of any model home, the final plat of the subject subdivision shall be approved and recorded.

(31) Any outdoor storage areas are subject to the screening requirements of the landscape code.

(32) Subject to approval of a small farms overlay zone.

(33) May be further subject to the provisions of the Marysville shoreline master program.

(34) Only allowed in conjunction with the small farms overlay zone.

(35) Provided, that the property has received approval of a small farms overlay designation, or is larger than one acre in size.

(36) Only in conjunction with an existing or proposed school.

(37) Except racing of motorized vehicles.

(38) Level 1 and Level 2 charging only.

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- (39) Allowed only as an accessory use to a principal outright permitted use or permitted conditional use.
- (40) The term “rapid” is used interchangeably with “Level 3” and “fast charging.”
- (41) Only “electric vehicle charging stations – restricted” as defined in Chapter [22A.020](#) MMC.
- (42) Rapid (Level 3) charging stations are required to be placed within a parking garage.
- (43) One single-family detached dwelling per existing single lot of record. Manufactured homes on single lots must meet the criteria outlined in subsection (11) of this section.
- (44) Recreational vehicles (RVs) are allowed as a primary residence in an established mobile/manufactured home park (MHP) subject to the requirements of Chapter [22C.230](#) MMC, Mobile/Manufactured Home Parks.
- (45) MHPs shall fulfill the requirements of Chapter [22C.230](#) MMC, Mobile/Manufactured Home Parks.
- (46) Reserved.
- (47) Model house sales offices are subject to the requirements of MMC [22C.110.030](#)(12).
- (48) No person or entity may produce, grow, manufacture, process, accept donations for, give away, or sell marijuana concentrates, marijuana-infused products, or usable marijuana within residential zones in the city. Provided, activities in strict compliance with RCW [69.51A.210](#) and [69.51A.260](#) are not a violation of the Marysville Municipal Code.
- (49) Shipping/cargo and similar storage containers are prohibited on lots within a platted subdivision and properties under one acre in size. Shipping/cargo and similar storage containers may be located on properties over one acre in size if located behind the primary residence, observe all setbacks applicable to an accessory structure, and are screened from public view.
- (50) Accessory structures may not be utilized as, or converted to, a dwelling unless the structure complies with the accessory dwelling unit standards outlined in MMC [22C.180.030](#).
- (51) Tiny houses or tiny houses with wheels are allowed as a primary residence in an established mobile/manufactured home park (MHP) subject to the requirements of Chapter [22C.230](#) MMC, Mobile/Manufactured Home Parks.
- (52) Enhanced services facilities are prohibited in all residential zones as such are identified and adopted in this chapter. (~~Ord. 3168 § 2 (Exh. A), 2020*; Ord. 3167 § 1, 2020; Ord. 3164 § 5, 2020; Ord. 3139 § 3 (Exh. B), 2019; Ord. 3054 § 8, 2017; Ord. 3022 § 8, 2016; Ord. 2959 § 6, 2014; Ord. 2898 § 8, 2012; Ord. 2852 § 10 (Exh. A), 2011).~~

* ~~Code reviser's note: Ord. 3168 Section 3 states: "This interim development regulation shall be in effect for six (6) months following the effective date of this Ordinance" and shall expire June 2, 2021.~~

22C.020.060 Permitted uses. 

Specific Land Use	NB	CB	CB-WR	GC	DC	MU (63)	LI	GI	REC	P/I
Residential Land Uses										
Dwelling Units, Types:										
Townhouse					P6	P				
Multiple-family	C4	P4, C5		P4, C5	P4, P6	P				
Manufactured home	P7	P7	P7	P7	P7	P7	P7	P7		
Mobile home	P7	P7	P7	P7	P7	P7	P7	P7		
Recreational vehicle	P7	P7	P7	P7	P7	P7	P7	P7		
Tiny house or tiny house with wheels	P7	P7	P7	P7	P7	P7	P7	P7		
Senior citizen assisted	P					C				P
Caretaker's quarters (3)	P	P	P	P	P	P	P	P	P	P
Group Residences:										
Adult family home (70)	P	P	P	P	P	P				P
Convalescent, nursing, retirement	C	P			P	P				P
Residential care facility	P	P			P	P	P70	P70	P70	P
Master planned senior community (10)						C				C
Enhanced services facility (77)		<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>				
Accessory Uses:										
Home occupation (2)	P8	P8, P9	P8, P9	P8, P9	P8, P9	P8, P9	P9	P9		
Temporary Lodging:										
Hotel/motel	P	P	P	P	P	P	P75			
Bed and breakfast guesthouse (1)										
Bed and breakfast inn (1)	P	P	P	P						
Recreation/Cultural Land Uses										
Park/Recreation:										
Park	P11	P	P	P	P	P	P	P	P11	P
Marina					P			P	C	P

PROPOSED ORDINANCE

Specific Land Use	NB	CB	CB-WR	GC	DC	MU (63)	LI	GI	REC	P/I
Dock and boathouse, private, noncommercial					P			P	P16	P
Boat launch, commercial or public					P			P		P
Boat launch, noncommercial or private					P			P	P17	P
Community center	P	P	P	P	P	P	P	P	P	P
Amusement/Entertainment:										
Theater		P	P	P	P	P				
Theater, drive-in				C						
Amusement and recreation services		P18	P18	P18	P18	P19	P	C		
Sports club	P	P	P	P	P	P	P	P		
Golf facility (13)		P	P	P			P	P	C	
Shooting range (14)				P15			P15			
Outdoor performance center				C			C		C	C
Riding academy							P		C	
Cultural:										
Library, museum and art gallery	P	P	P	P	P	P	P	P	C	P
Church, synagogue and temple	P	P	P	P	P	P	P	P		P
Dancing, music and art center		P	P	P	P	P			C	P
General Services Land Uses										
Personal Services:										
General personal service	P	P	P	P	P	P	P	P		
Dry cleaning plant		P	P				P	P		
Dry cleaning pick-up station and retail service	P	P	P	P	P	P25	P76	P		
Funeral home/crematory		P	P	P	P	P26	P76	P		
Cemetery, columbarium or mausoleum	P24	P24	P24	P24, C20			P	P		
Day care I	P70	P70	P70	P70	P70	P70	P21, 70	P70	P70	P70
Day care II	P	P	P	P	P	P	P21			
Veterinary clinic	P	P	P	P	P	P	P76	P		
Automotive repair and service	P22	C, P28	C, P28	P			P	P		
Electric vehicle (EV) charging station (64)	P	P	P	P	P	P	P	P	P	P
EV rapid charging station (65), (66)	P	P	P	P	P67	P67	P	P		
EV battery exchange station				P			P	P		
Miscellaneous repair		P	P	P			P	P		
Social services		P	P	P	P	P				P

PROPOSED ORDINANCE

Specific Land Use	NB	CB	CB-WR	GC	DC	MU (63)	LI	GI	REC	P/I
Kennel, commercial and exhibitor/breeding (71)		P	P	P			P	P		
Pet daycare (71), (72)		P	P	P	P	P	P76	P		
Civic, social and fraternal association		P	P	P	P	C		P		P
Club (community, country, yacht, etc.)								P		P
Health Services:										
Medical/dental clinic	P	P	P	P	P	P				P
Hospital		P	P	P	P	C				C
Miscellaneous health	P68	P68	P68	P68	P68	P68				P68
Supervised drug consumption facility										
Education Services:										
Elementary, middle/junior high, and senior high (including public, private and parochial)		C	C	C	C	C	P	C		C
Commercial school	P	P	P		P	P27				C
School district support facility	C	P	P	P	P	P	P	P		P
Vocational school		P	P	P	P	P27				P
Government/Business Service Land Uses										
Government Services:										
Public agency office	P	P	P	P	P	P	P	P		P
Public utility yard				P			P			P
Public safety facilities, including police and fire	P29	P	P	P	P	P	P			P
Utility facility	P	P	P	P		C	P	P		P
Private storm water management facility	P	P	P	P	P	P	P	P		P
Public storm water management facility	P	P	P	P	P	P	P	P		P
Business Services:										
Contractors' office and storage yard				P30	P30	P30	P	P		
Interim recycling facility		P23	P23	P23			P			P
Taxi stands		P	P	P			P	P		
Trucking and courier service		P31	P31	P31			P	P		
Warehousing and wholesale trade				P			P	P		
Mini-storage (36)							P76	P		
Freight and cargo service				P			P	P		
Cold storage warehousing							P	P		
General business service and office	P	P	P	P	P	P30	P	P		
Commercial vehicle storage							P	P		

PROPOSED ORDINANCE

Specific Land Use	NB	CB	CB-WR	GC	DC	MU (63)	LI	GI	REC	P/I
Professional office	P	P	P	P	P	P	P			
Miscellaneous equipment rental		P30, 37	P30, 37	C38		P30, 37	P	P		
Automotive rental and leasing				P			P	P		
Automotive parking	P	P	P	P	P	P	P	P		
Research, development and testing				P			P	P		
Heavy equipment and truck repair							P	P		
Automobile holding yard				C			P	P		
Commercial/industrial accessory uses (73)	P39, 40	P39	P39	P39	P39, 40	P39, 40	P	P		
Adult facility								P33		
Factory-built commercial building (35)	P	P	P	P	P		P	P		
Wireless communication facility (32)	P, C	P, C	P, C	P, C	P, C	P, C	P, C	P, C		P, C
State-Licensed Marijuana Facilities:										
Marijuana cooperative (69)										
Marijuana processing facility – Indoor only (69)										
Marijuana production facility – Indoor only (69)										
Marijuana retail facility (69)										
Retail/Wholesale Land Uses										
Building, hardware and garden materials	P47	P	P	P	P	P47	P76	P		
Forest products sales		P	P	P			P			
Department and variety stores	P	P	P	P	P	P	P76			
Food stores	P	P	P	P	P	P45	P76			
Agricultural crop sales		P	P	P		C	P76			
Storage/retail sales, livestock feed							P76	P		
Motor vehicle and boat dealers		P	P	P			P	P		
Motorcycle dealers		C	C	P	P49		P	P		
Gasoline service stations	P	P	P	P	P		P76	P		
Eating and drinking places	P41	P	P	P	P	P46	P46	P		
Drug stores	P	P	P	P	P	P	P76	P		
Liquor stores		P	P	P						
Used goods: antiques/secondhand shops		P	P	P	P	P				
Sporting goods and related stores		P	P	P	P	P				
Book, stationery, video and art supply stores	P	P	P	P	P	P				

PROPOSED ORDINANCE

Specific Land Use	NB	CB	CB-WR	GC	DC	MU (63)	LI	GI	REC	P/I
Jewelry stores		P	P	P	P	P				
Hobby, toy, game shops	P	P	P	P	P	P				
Photographic and electronic shops	P	P	P	P	P	P				
Fabric and craft shops	P	P	P	P	P	P				
Fuel dealers				P43			P43	P43		
Florist shops	P	P	P	P	P	P				
Pet shops	P	P	P	P	P	P				
Tire stores		P	P	P	P		P76	P		
Bulk retail		P	P	P			P76			
Auction houses				P42			P76			
Truck and heavy equipment dealers							P	P		
Mobile home and RV dealers				C			P	P		
Retail stores similar to those otherwise named on this list	P	P	P	P	P	P48	P44, 76	P44		
Automobile wrecking yards							C	P		
Manufacturing Land Uses										
Food and kindred products		P50, 52	P50, 52	P50			P50	P		
Winery/brewery		P53	P53	P	P53	P53	P	P		
Textile mill products							P	P		
Apparel and other textile products				C			P	P		
Wood products, except furniture				P			P	P		
Furniture and fixtures				P			P	P		
Paper and allied products							P	P		
Printing and publishing	P51	P51	P51	P		P51	P	P		
Chemicals and allied products							C	C		
Petroleum refining and related industries							C	C		
Rubber and misc. plastics products							P	P		
Leather and leather goods							C	C		
Stone, clay, glass and concrete products							P	P		
Primary metal industries							C	P		
Fabricated metal products				C			P	P		
Industrial and commercial machinery							C	P		
Heavy machinery and equipment							C	P		
Computer and office equipment				C			P			
Electronic and other electric equipment				C			P			

PROPOSED ORDINANCE

Specific Land Use	NB	CB	CB-WR	GC	DC	MU (63)	LI	GI	REC	P/I
Railroad equipment							C	P		
Miscellaneous light manufacturing				P54, 74	P54		P	P		
Motor vehicle and bicycle manufacturing							C	P		
Aircraft, ship and boat building							C	P		
Tire retreading							C	P		
Movie production/distribution				P			P			
Resource Land Uses										
Agriculture:										
Growing and harvesting crops							P	P	P	
Raising livestock and small animals							P	P	P	
Greenhouse or nursery, wholesale and retail				P			P	P	C	
Farm product processing							P	P		
Forestry:										
Growing and harvesting forest products							P			
Forest research							P			
Wood waste recycling and storage							C	C		
Fish and Wildlife Management:										
Hatchery/fish preserve (55)							P	P	C	
Aquaculture (55)							P	P	C	
Wildlife shelters	C	C	C						P	
Mineral:										
Processing of minerals							P	P		
Asphalt paving mixtures and block							P	P		
Regional Land Uses										
Jail		C	C	C			C			
Regional storm water management facility		C	C	C	C		C	C		P
Public agency animal control facility				C			P	P		C
Public agency training facility		C56	C56	C56		C56	C57			C57
Nonhydroelectric generation facility	C	C	C	C			C	C		C
Energy resource recovery facility							C			
Soil recycling/incineration facility							C	C		
Solid waste recycling								C		C
Transfer station							C	C		C
Wastewater treatment facility							C	C		C

PROPOSED ORDINANCE

Specific Land Use	NB	CB	CB-WR	GC	DC	MU (63)	LI	GI	REC	P/I
Transit bus base				C			P			C
Transit park and pool lot	P	P	P	P	P	P	P	P		P
Transit park and ride lot	P	P	P	P	P	P	P	P		C
School bus base	C	C	C	C			P			C58
Racetrack	C59	C59	C59	C			P			
Fairground							P	P		C
Zoo/wildlife exhibit		C	C	C						C
Stadium/arena				C			C	P		C
College/university	C	P	P	P	P	P	P	P		C
Secure community transition facility								C60		
Opiate substitution treatment program facilities		P61, 62	P61, 62	P61, 62	P61, 62		P62	P62		

(Ord. 3168 § 2 (Exh. A), 2020**; Ord. 3164 § 6, 2020; Ord. 3159 § 3, 2020; Ord. 3137 § 3 (Exh. B), 2019; Ord. 3086 § 1, 2018; Ord. 3085 § 3, 2018; Ord. 3071 § 4, 2017; Ord. 3057 § 6, 2017*; Ord. 3054 § 12, 2017; Ord. 3022 § 9, 2016; Ord. 2985 § 5, 2015; Ord. 2981 § 1, 2015; Ord. 2980 § 1, 2015; Ord. 2959 § 7, 2014; Ord. 2932 § 3, 2013; Ord. 2898 § 9, 2012; Ord. 2852 § 10 (Exh. A), 2011).

* Code reviser's note: Ord. 3057 amends this section without taking into account the amendments of Ord. 3054. The amendments of Ord. 3054 have been retained per the intent of the city.

** ~~Code reviser's note: Ord. 3168 Section 3 states: "This interim development regulation shall be in effect for six (6) months following the effective date of this Ordinance" and shall expire June 2, 2021.~~

22C.020.070 Permitted uses – Development conditions.

(1) Bed and breakfast guesthouses and inns are subject to the requirements and standards contained in Chapter [22C.210](#) MMC, Bed and Breakfasts.

(2) Home occupations are subject to the requirements and standards contained in Chapter [22C.190](#) MMC, Home Occupations.

(3) Limited to one dwelling unit for the purposes of providing on-site service and security of a commercial or industrial business. Caretaker's quarters are subject to the provisions set forth in Chapter [22C.110](#) MMC, entitled "Temporary Uses."

(4) All units must be located above a street-level commercial use.

PROPOSED ORDINANCE

- (5) Twenty percent of the units, but no more than two total units, may be located on the street level of a commercial use, if conditional use permit approval is obtained and the units are designed exclusively for ADA accessibility. The street-level units shall be designed so that the units are not located on the street front and primary access is towards the rear of the building.
- (6) Permitted on the ground floor in the southwest sector of downtown vision plan area, as incorporated into the city of Marysville comprehensive plan.
- (7) Manufactured homes, mobile homes, recreational vehicles, and tiny houses with wheels are only allowed in existing mobile/manufactured home parks.
- (8) Home occupations are limited to home office uses in multifamily dwellings. No signage is permitted in townhouse or multifamily dwellings.
- (9) Permitted in a legal nonconforming or conforming residential structure.
- (10) Subject to Chapter [22C.220](#) MMC, Master Planned Senior Communities.
- (11) The following conditions and limitations shall apply, where appropriate:
- (a) Parks are permitted in residential and mixed use zones when reviewed as part of a subdivision or multiple-family development proposal; otherwise, a conditional use permit is required;
 - (b) Lighting for structures and fields shall be directed away from residential areas; and
 - (c) Structures or service yards shall maintain a minimum distance of 50 feet from property lines adjoining residential zones.
- (12) Recreational vehicle parks are subject to the requirements and conditions of Chapter [22C.240](#) MMC.
- (13) Golf Facility.
- (a) Structures, driving ranges and lighted areas shall maintain a minimum distance of 50 feet from property lines adjoining residential zones.
 - (b) Restaurants are permitted as an accessory use to a golf course.
- (14) Shooting Range.
- (a) Structures and ranges shall maintain a minimum distance of 50 feet from property lines adjoining residential zones;
 - (b) Ranges shall be designed to prevent stray or ricocheting projectiles or pellets from leaving the property; and
 - (c) Site plans shall include safety features of the range; provisions for reducing noise produced on the firing line; and elevations of the range showing target area, backdrops or butts.

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(15) Only in an enclosed building.

(16) Dock and Boathouse, Private, Noncommercial.

(a) The height of any covered over-water structure shall not exceed 20 feet as measured from the line of ordinary high water;

(b) The total roof area of covered, over-water structures shall not exceed 1,000 square feet;

(c) The entirety of such structures shall have not greater than 50 percent of the width of the lot at the natural shoreline upon which it is located;

(d) No over-water structure shall extend beyond the average length of all pre-existing over-water structures along the same shoreline and within 300 feet of the parcel on which proposed. Where no such pre-existing structures exist within 300 feet, the pier length shall not exceed 50 feet;

(e) Structures permitted hereunder shall not be used as a dwelling; and

(f) Covered structures are subject to a minimum setback of five feet from any side lot line or extension thereof. No setback from adjacent properties is required for any uncovered structure, and no setback from water is required for any structure permitted hereunder.

(17) Boat Launch, Noncommercial or Private.

(a) The city may regulate, among other factors, required launching depth, and length of docks and piers;

(b) Safety buoys shall be installed and maintained separating boating activities from other water-oriented recreation and uses where this is reasonably required for public safety, welfare and health; and

(c) All site improvements for boat launch facilities shall comply with all other requirements of the zone in which it is located.

(18) Excluding racetrack operation.

(19) Amusement and recreation services shall be a permitted use if they are located within an enclosed building, or a conditional use if located outside. In both instances they would be subject to the exclusion of a racetrack operation similar to other commercial zones.

(20) Structures shall maintain a minimum distance of 100 feet from property lines adjoining residential zones.

(21) Permitted as an accessory use; see MMC [22A.020.020](#), the definition of "Accessory use, commercial/industrial."

(22) Only as an accessory to a gasoline service station; see retail and wholesale permitted use table in MMC [22C.020.060](#).

PROPOSED ORDINANCE

- (23) All processing and storage of material shall be within enclosed buildings and excluding yard waste processing.
- (24) Limited to columbariums accessory to a church; provided, that existing required landscaping and parking are not reduced.
- (25) Drive-through service windows in excess of one lane are prohibited in Planning Area 1.
- (26) Limited to columbariums accessory to a church; provided, that existing required landscaping and parking are not reduced.
- (27) All instruction must be within an enclosed structure.
- (28) Car washes shall be permitted as an accessory use to a gasoline service station.
- (29) Public Safety Facilities, Including Police and Fire.
- (a) All buildings and structures shall maintain a minimum distance of 20 feet from property lines adjoining residential zones;
 - (b) Any buildings from which fire-fighting equipment emerges onto a street shall maintain a distance of 35 feet from such street.
- (30) Outdoor storage of materials or vehicles must be accessory to the primary building area and located to the rear of buildings. Outdoor storage is subject to an approved landscape plan that provides for effective screening of storage, so that it is not visible from public right-of-way or neighboring properties.
- (31) Limited to self-service household moving truck or trailer rental accessory to a gasoline service station.
- (32) All WCFs and modifications to WCFs are subject to Chapter [22C.250](#) MMC including but not limited to the siting hierarchy, MMC [22C.250.060](#). WCFs may be a permitted use or a CUP may be required subject to MMC [22C.250.040](#).
- (33) Subject to the conditions and requirements listed in Chapter [22C.030](#) MMC.
- (34) Reserved.
- (35) A factory-built commercial building may be used for commercial purposes subject to the following requirements:
- (a) A factory-built commercial building must be inspected at least two times at the factory by the State Building and Electrical Inspector during the construction process, and must receive a state approval stamp certifying that it meets all requirements of the International Building and Electrical Codes. At the building site, the city building official will conduct foundation, plumbing and final inspections; and

PROPOSED ORDINANCE

(b) A factory-built commercial building cannot be attached to a metal frame allowing it to be mobile. All structures must be placed on a permanent, poured-in-place foundation. The foundation shall be structurally engineered to meet the requirements set forth in Chapter 16 of the International Building Code.

(36) Mini-storage facilities are subject to the development standards outlined in Chapter [22C.170](#) MMC.

(37) Except heavy equipment.

(38) With outdoor storage and heavy equipment.

(39) Incidental assembly shall be permitted; provided, it is limited to less than 20 percent of the square footage of the site excluding parking.

(40) Light industrial uses may be permitted; provided, there is no outdoor storage of materials, products or vehicles.

(41) Excluding drinking places such as taverns and bars and adult entertainment facilities.

(42) Excluding vehicle and livestock auctions.

(43) If the total storage capacity exceeds 6,000 gallons, a conditional use permit is required.

(44) The retail sale of products manufactured on site shall be permitted; provided, that not more than 20 percent of the constructed floor area in any such development may be devoted to such retail use.

(45) Limited to 5,000 square feet or less.

(46) Eating and Drinking Places.

(a) Limited to 4,000 square feet or less.

(b) Drive-through service windows in excess of one lane are prohibited in Planning Area 1.

(c) Taverns, bars, lounges, etc., are required to obtain a conditional use permit in the mixed use zone.

(47) Limited to hardware and garden supply stores.

(48) Limited to convenience retail, such as video, and personal and household items.

(49) Provided there is no outdoor storage and/or display of any materials, products or vehicles.

(50) Except slaughterhouses.

(51) Limited to photocopying and printing services offered to the general public.

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- (52) Limited to less than 10 employees.
- (53) In conjunction with an eating and drinking establishment.
- (54) Provided there is no outdoor storage and/or display of any materials, products or vehicles.
- (55) May be further subject to the provisions of city of Marysville shoreline management program.
- (56) Except weapons armories and outdoor shooting ranges.
- (57) Except outdoor shooting ranges.
- (58) Only in conjunction with an existing or proposed school.
- (59) Except racing of motorized vehicles.
- (60) Limited to land located along east side of 47th Avenue NE alignment, in the east half of the northeast quarter of Section 33, Township 30N, Range 5E, W.M., and in the northeast quarter of the southeast quarter of Section 33, Township 30N, Range 5E, W.M., and land located east side of SR 529, north of Steamboat Slough, south and west of Ebey Slough (a.k.a. TP No. 300533-002-004-00) and in the northwest and southwest quarters of Section 33, Township 30N, Range 5E, W.M., as identified in Exhibit A, attached to Ordinance No. 2452.
- (61) Opiate substitution treatment program facilities permitted within commercial zones are subject to Chapter [22G.070](#) MMC, Siting Process for Essential Public Facilities.
- (62) Opiate substitution treatment program facilities, as defined in MMC [22A.020.160](#), are subject to the standards set forth below:
 - (a) Shall not be established within 300 feet of an existing school, public playground, public park, residential housing area, child-care facility, or actual place of regular worship established prior to the proposed treatment facility.
 - (b) Hours of operation shall be restricted to no earlier than 6:00 a.m. and no later than 7:00 p.m. daily.
 - (c) The owners and operators of the facility shall be required to take positive ongoing measures to preclude loitering in the vicinity of the facility.
- (63) Permitted uses include Whiskey Ridge zones.
- (64) Level 1 and Level 2 charging only.
- (65) The term “rapid” is used interchangeably with Level 3 and fast charging.
- (66) Rapid (Level 3) charging stations are required to comply with the design and landscaping standards outlined in MMC [22C.020.265](#).
- (67) Rapid (Level 3) charging stations are required to be placed within a parking garage.

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(68) Excepting “marijuana (cannabis) dispensaries,” “marijuana (cannabis) collective gardens,” and “marijuana cooperatives” as those terms are defined or described in this code and/or under state law; such facilities and/or uses are prohibited in all zoning districts of the city of Marysville.

(69) No person or entity may produce, grow, manufacture, process, accept donations for, give away, or sell marijuana concentrates, marijuana-infused products, or usable marijuana within commercial, industrial, recreation, and public institution zones in the city. Provided, activities in strict compliance with RCW [69.51A.210](#) and [69.51A.260](#) are not a violation of the Marysville Municipal Code.

(70) Permitted within existing legal nonconforming single-family residences.

(71) Subject to the requirements set forth in MMC 10.04.460.*

(72) Pet daycares are restricted to indoor facilities with limited, supervised access to an outdoor fenced yard. Overnight boarding may be permitted as a limited, incidental use. Both outdoor access and overnight boarding privileges may be revoked or modified if the facility is not able to comply with the noise standards set forth in WAC [173-60-040](#).*

(73) Shipping/cargo and similar storage containers may be installed on commercial or industrial properties provided they are screened from public view pursuant to MMC [22C.120.160](#), Screening and impact abatement.

(74) Tanks, generators, and other machinery which does not generate nuisance noise may be located in the service/loading area. Truck service/loading areas shall not face the public street and shall be screened from the public street.

(75) Hotels/motels are prohibited within Arlington Airport Inner Safety Zones (ISZ) 2, 3, and 4. Hotel/motels that are proposed to locate within Arlington Airport Protection Subdistricts B and C shall be required to coordinate with the Arlington Municipal Airport to ensure that height, glare, and other aspects of the hotels/motels are compatible with air traffic and airport operations.

(76) Use limited to properties that have property frontage along State Avenue/Smokey Point Boulevard.

(77) Enhanced services facilities (ESFs) are permitted in these zones only when the building is located within the area shown in MMC 22C.280.050, Figure 1. In the DC, GC and CB zones, ESFs shall be located in a building in which the ESF is located on a floor above a permitted ground floor commercial use. See Chapter 22C.280 MMC for enhanced services facility regulations.

~~(77) Enhanced services facilities are prohibited in all commercial and industrial zones as such are identified and adopted in this chapter. (Ord. 3168 § 2 (Exh. A), 2020**; Ord. 3164 § 7, 2020; Ord. 3159 § 4, 2020; Ord. 3137 § 3 (Exh. B), 2019; Ord. 3086 § 2, 2018; Ord. 3054 § 13, 2017; Ord. 3022 § 10, 2016; Ord. 2985 § 6, 2015; Ord. 2981 § 2, 2015; Ord. 2979 § 4, 2014; Ord. 2959 § 8, 2014; Ord. 2932 § 4, 2013; Ord. 2898 § 10, 2012; Ord. 2852 § 10 (Exh. A), 2011).~~

*Code reviser’s note: Ord. 2985 added these subsections as (70) and (71). They have been renumbered as (71) and (72) to avoid duplicating the subsection added by Ord. 2981.

PROPOSED ORDINANCE

~~** Code reviser's note: Ord. 3168 Section 3 states: "This interim development regulation shall be in effect for six (6) months following the effective date of this Ordinance" and shall expire June 2, 2021.~~

EXHIBIT B
Chapter 22C.280
Enhanced Services Facilities.

22C.280.010 Purpose. The purpose of this section is to:

1. Provide for a needed community service while ensuring that adequate public facilities are available to the residents of enhanced services facilities; and
2. Promote compatibility with surrounding land uses.

22C.280.020 Applicability. The standards in this section apply to any “enhanced services facility”, as defined in Chapter 22A.020 MMC.

22C.280.030 Notice Requirements. At least fifteen (15) days prior to filing an application with the City to establish an enhanced services facility, the owner and/or sponsor shall mail written notice to owners of contiguous properties and to the Community Development Department of their intention to establish the facility. The notice shall list the name and contact information for the owner or sponsor, in order to provide neighboring property owners the opportunity to contact them with questions, and include a description of the proposed facility, its location, and proposed number of residents. The owner or sponsor shall address questions or concerns from neighboring property owners to the extent possible in the management plan required by MMC 22C.280.040.

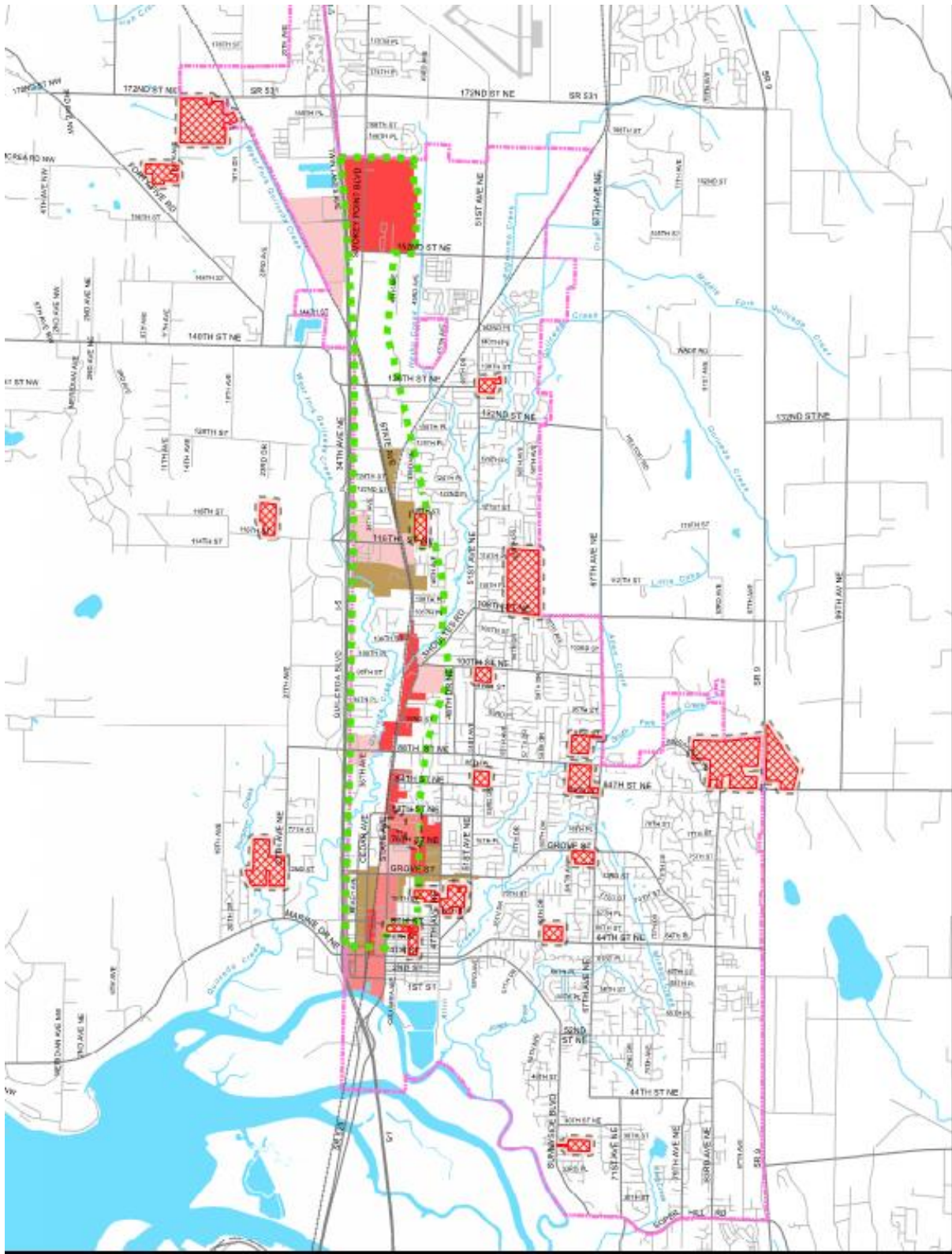
22C.280.040 Management Plan Required. The owner or sponsor of the facility shall provide the Community Development Director with a management plan for the facility addressing the following:


1. How the facility can appropriately meet the assessed needs of potential residents through appropriate staffing and best management practices;
2. Potential impacts on nearby residential uses and proposed methods to mitigate those impacts;
3. Facility management, including 24-hour contact information for persons responsible to resolve concerns pertaining to the facility, and procedures for updating neighbors with changes in contact information;
4. Staffing, supervision and security arrangements appropriate to the facility; and
5. A communications plan for providing information to the surrounding neighborhood.

22C.280.050 Location Criteria.

1. Figure 1 in this section identifies properties eligible for Enhanced Services Facilities.

Figure 1.





EST. 1891


MARYSVILLE


WASHINGTON


Printed July 2023


City of Marysville


Properties Eligible for Enhanced Services Facilities (ESFs)





 Schools


 School Buffer: 300 ft


 City Mile Distance


 City Limits


 Railroad Zoning


 Arterials


 Streets

 General Commercial

 Downtown Commercial

 Community Business

 Mixed Use



0.0 0.45 0 0.9

Miles

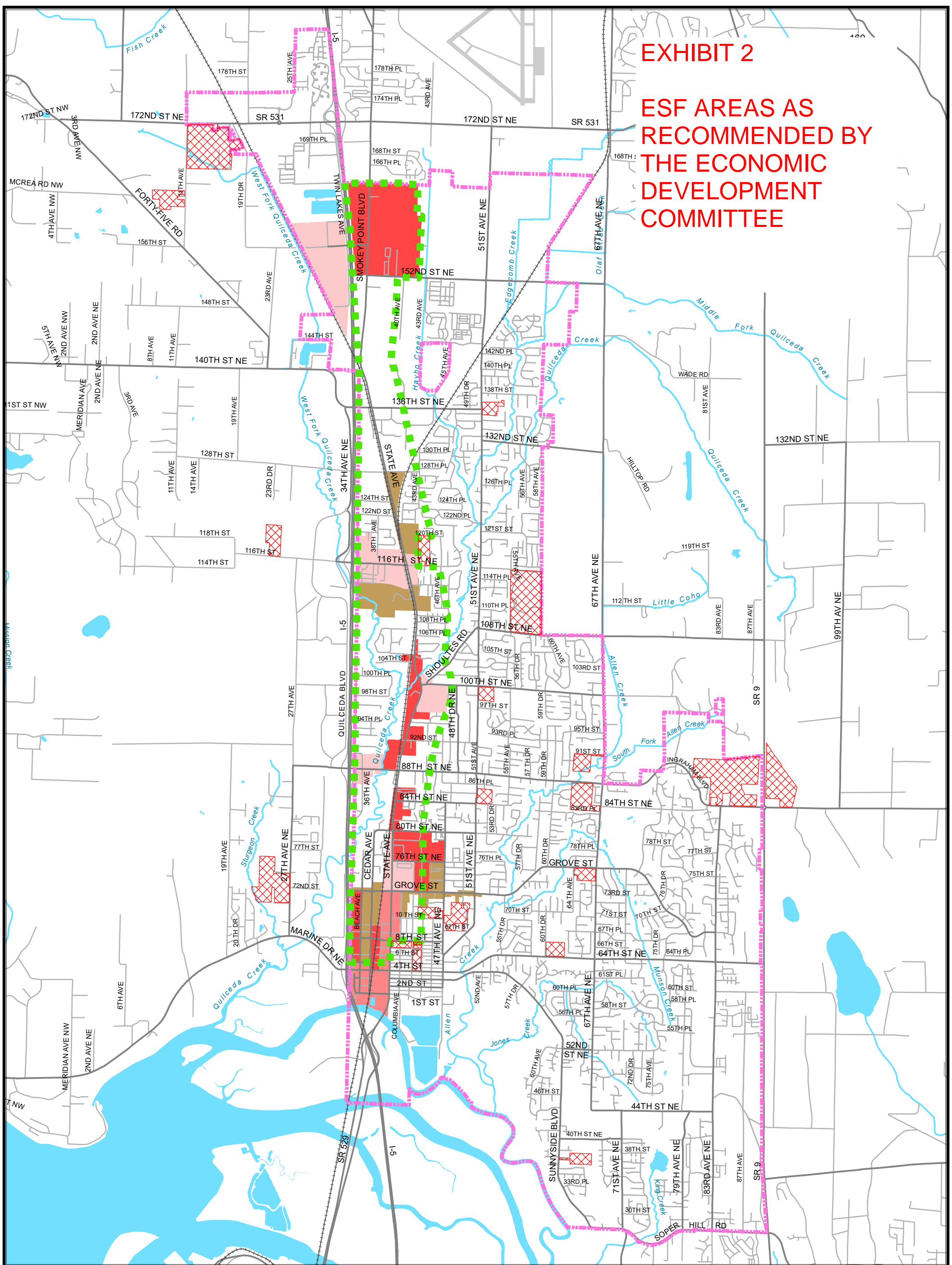
City of Marysville, Washington, 2023. All rights reserved. This map is for informational purposes only and does not constitute a contract or warranty of any kind. The City of Marysville is not responsible for any errors or omissions on this map.

22C.280.060. Other Requirements.

1. The facility shall obtain all necessary licenses, certificates and approvals from state and federal agencies.
2. The facility shall serve only individuals who do not pose a direct threat and a significant risk to others, and who have been assessed as medically and psychiatrically stable.
3. No more than one enhanced services facility shall be permitted per site.
4. Enhanced services facilities shall be limited to not more than sixteen (16) residents.
5. No enhanced services facilities shall be located within one-quarter mile of any other.
6. No enhanced services facility shall be located within 300 feet of an existing daycare or school. Existing daycares or schools are those that were established on or prior to the effective date of Ordinance _____ adopted October _____, 2021.

EXHIBIT 2

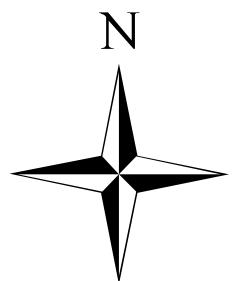
ESF AREAS AS RECOMMENDED BY THE ECONOMIC DEVELOPMENT COMMITTEE



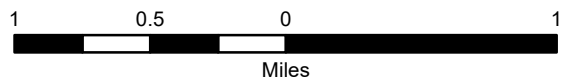
City of Marysville

Properties Eligible for Enhanced Services Facilities (ESFs)

- | | |
|---|---|
| —+—+— Railroad | Zoning |
| — Arterials | General Commercial |
| — Streets | Downtown Commercial |
| Schools | Community Business |
| Qtr Mile Distance | Mixed Use |
| City Limits | |



Plotted: September 2021



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

EXHIBIT 3

EXISTING ENHANCED SERVICES FACILITIES

There are six ESFs that have been established in Washington. Four are new buildings, while two converted existing buildings to Enhanced Services Facilities. Information about the facilities is provided below.

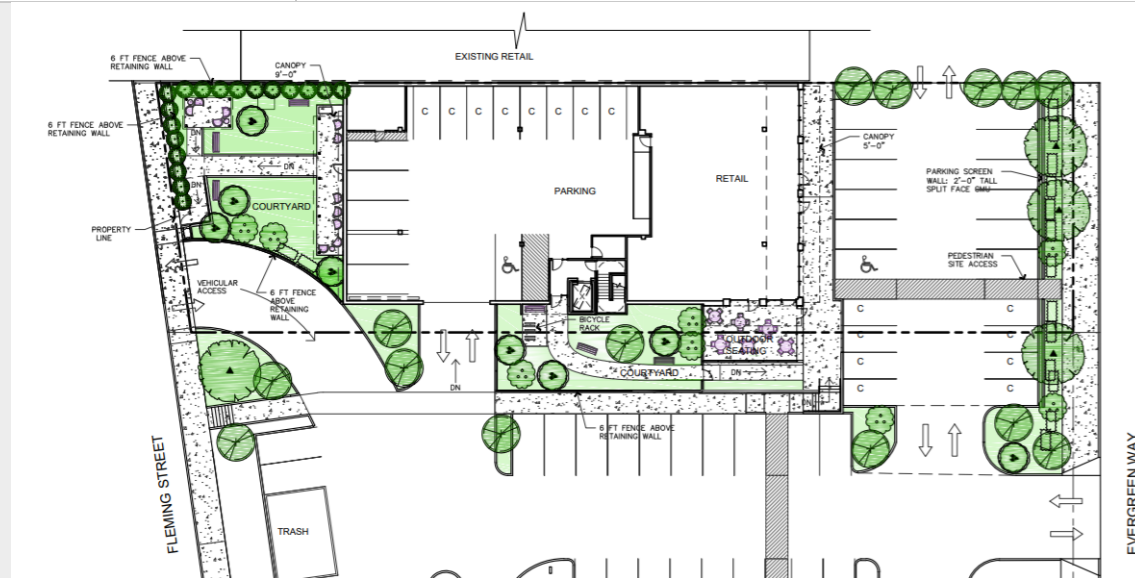
EVERETT ESF	INFORMATION
Location	6502 Evergreen Way, Everett, WA 98203
City/County	Located in City of Everett limits
Description	An ESF was built in the City of Everett, within a mixed use building located on Evergreen Way, which has ground floor retail space facing Evergreen Way, and the ESF on the second floor.
City Regulations subject to general group housing regulations.	
General	At the time it was permitted, Everett's zoning code did not have a use category for Enhanced Services Facility. The City issued an interpretation that the ESF was similar in nature to an assisted living facility, and, therefore, was permitted in the same way an assisted living facility is permitted in the commercial zone in which it is located. Everett has since adopted a new land use code that treats ESFs as a Group Residence, and allows up to 16-bed group residences in its three commercial and two multi-family zones, without any public notice or special review process.
Code Section	Group housing category 2 no specific ESF code
Number of residents	7-16
City Code Definition	State-licensed residential care facility designed to serve as the primary residence for seven to sixteen individuals and resident staff, which has shared living quarters without separate bathroom and/or kitchen facilities for each unit.
Special Zoning Requirements	N/A
Zones allowed	All urban residential, business, mixed use, light industrial.
Zones restricted	Residential, agricultural & heavy industrial.
Code modification date	2020
Current facilities	16 bed facility use permit filed under 'unlisted use determination' citing similarity to 'assisted living facility'
Police Data	Everett Police data indicate that the existing ESF, which opened in 2018, has had a low volume of calls for service, and fewer calls than other types of group residences. The Police Chief attributes the low impact on police services to the proactive ESF management.

Police Data	There have been a total of 13 incidents where police reports were required since January 2019 – June 2021.	
	Count of Case Number	Column Labels
	Cases at ESF Facilities	Everett ESF
	APS (Adult Protective Services)	8
	Assist Other Agency	
	BOOKED	
	BURGLARY	2
	COLLISION REPORT	
	CONTACT	
	CPS REFERRAL	
	CRISIS	
	DISORDERLY CONDUCT	
	DRUGS-POSSESS -- CONTROLLED SUBSTANCES POSSESSION	
	DV (Domestic Violence)	
	FRAUD/FORGERY/COUNTERFEITING -- FRAUD IMPROPERLY OBTAIN FINANCIAL INFO	
	HARASSMENT	
	INFO	
	PERSONS-MENTAL	
	PERSONS-MISSING	2
	PERSONS-RUNAWAY	
	PERSONS-SUICIDE ATTEMPT	
	PROP-LOST/FOUND	
	RESIDENTIAL CARE SERVICES	
	SEX OFFENSE	
	THREAT	
	TRAFFIC	
	TRESPASS	
	WELFARE CHECK	

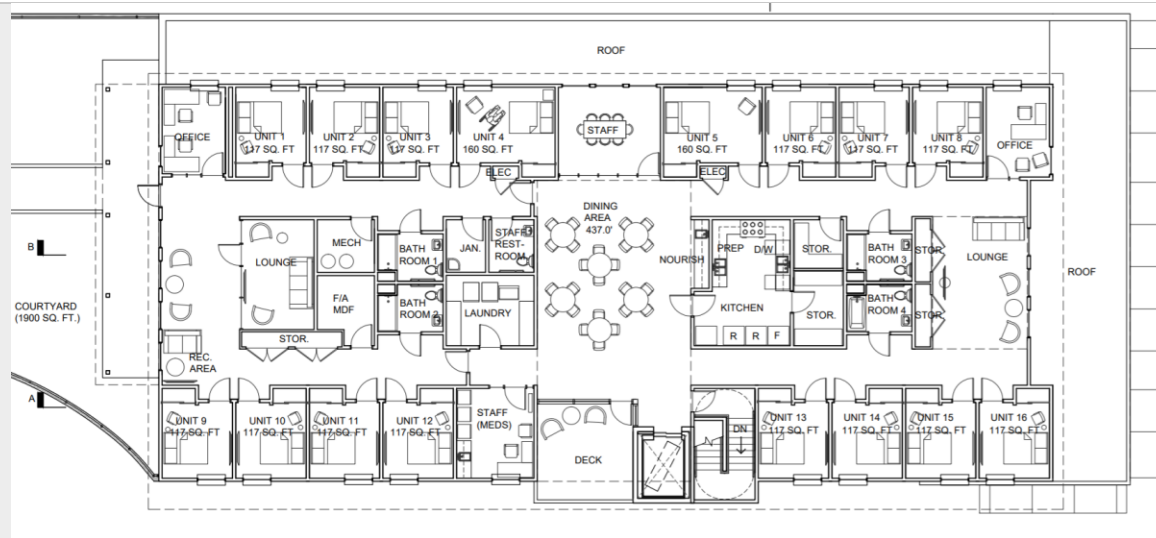
MALICIOUS MISCHIEF	1
Assault	
DEATH	
THEFT	
SUSPICIOUS	
THEFT OF MOTOR VEHICLE	
Grand Total	13

Photos

The ground floor level includes retail use facing Evergreen Way, and parking for ESF below the building. Upper floor contains single floor ESF with 7,006 square feet. Outdoor open space area is fenced for privacy of residents.



The floor plan for Enhanced Services Facility is 7,006 square feet with 16 beds.



The photo below is the Fleming Street view of ESF in mixed use building, with ESF on upper floor, with below-building parking on ground floor, and retail fronting Evergreen Way.



There is a retail space on lower floor facing Evergreen Way, with ESF on upper floor behind retail use.



Aerial view



SUPREME LIVING LLC INFORMATION

Location	6604 Martin Way E, Olympia, WA 98516
City/County	Located in Thurston County, outside of City limits.
Description	<p>Please visit Residential Care Facility Supreme Living Olympia (supremelivingwa.com) for specific details related to this facility. The website also includes a “virtual tour” function that allows you to see the inside of the facility and “travel” through the building.</p> <p>According to the website, the first Olympia ESF is located in the north end of Olympia at 6604 Martin Way, on the bus line. It opened in February 2021. The facility has 15 single rooms on separate floors connected by an elevator, all with individual climate control. Each room has its own TV with basic cable, a bed, chair, laundry basket, garbage can and shelving. Internet is available throughout the building. There is a dining room capable of seating 15 people with mealtimes spread over an hour to allow for social distancing. The TV / Game room has individual seating and a 55-inch TV with available X-Box. The 2nd floor lounge has individual seating and a 45-inch TV. The family room is equipped with a resident telephone available 24-hours a day. This room is also available for private visits, virtual meetings, and small gatherings. The grounds are nicely manicured with exterior gates and a resident smoking area. A basketball hoop is located on the grounds to encourage outside physical activity.</p>
City Regulations	
General	Regulated as an Essential Public Facility. No specific ESF code.
Code Section	Essential Public Facilities no specific ESF code
Number of residents	N/A
Code Definition	<p>22.04.202 - Essential public facilities</p> <p>"Essential public facilities" means those public facilities that are typically difficult to site, such as airports, state education facilities, state or regional transportation facilities, solid waste handling facilities, secure community transition facilities, and inpatient facilities including substance abuse facilities, mental health facilities and group homes.</p>
Special Zoning Requirements	<p>22.56.260 - Essential public facilities siting process</p> <p>Essential public facilities identified as special uses in the zoning district shall be subject, at a minimum, to the following requirements -</p> <p>1. Essential public facilities classified as follows -</p> <p>b. Type Two. These are local or interlocal facilities serving or potentially affecting residents or property in more than one jurisdiction. They could include, but are not limited to, county jails, county landfills, community colleges, sewage</p>

	<p>treatment facilities, emergency communication towers and antennae, secure community transition facilities, and inpatient facilities (e.g., substance abuse facilities, mental health facilities, and group homes). (Note: Such facilities which would not have impacts beyond the jurisdiction in which they are proposed to be located would be Type Three facilities.)</p> <p>c. Type Three. These are facilities serving or potentially affecting only the jurisdiction in which they are proposed to be located.</p> <p>2. Provide early notification and involvement of affected citizens and jurisdictions as follows:</p> <p>a. Type One and Two facilities. At least ninety days before submitting an application for a Type One or Type Two essential public facility, the prospective applicant shall notify the affected public and jurisdictions of the general type and nature of the proposal, identify sites under consideration for accommodating the proposed facility, and identify opportunities to comment on the proposal. Applications for specific projects shall not be considered complete in the absence of proof of a published notice regarding the proposed project in a newspaper of general circulation in the affected area. This notice shall include the information described above and shall be published at least ninety days prior to the submission of the application.</p> <p>c. Type Three facilities. Type Three essential public facilities are subject to the county's standard notification requirements for special uses.</p>
Zones allowed	Special use permit: multi-family high density (MFH), mixed use (MU), neighborhood commercial (NC), general commercial (GC)
Zones restricted	All low density residential, all industrial.
Code modification date	2002
Current facilities	15 bed facility and another similar sized, ESF nearby under construction.
Police Data	There have been a total of 2 incidents where police reports were required since January 2019 – June 2021.

Cases at ESF Facilities	Supreme Living LLC
APS	
Assist Other Agency	1
BOOKED	
BURGLARY	
COLLISION REPORT	
CONTACT	
CPS REFERRAL	
CRISIS	
DISORDERLY CONDUCT	
DRUGS-POSSESS -- CONTROLLED SUBSTANCES POSSESSION	
DV	
FRAUD/FORGERY/COUNTERFEITING -- FRAUD IMPROPERLY OBTAIN FINANCIAL INFO	
HARASSMENT	
INFO	
PERSONS-MENTAL	
PERSONS-MISSING	
PERSONS-RUNAWAY	
PERSONS-SUICIDE ATTEMPT	
PROP-LOST/FOUND	
RESIDENTIAL CARE SERVICES	
SEX OFFENSE	
THREAT	
TRAFFIC	
TRESPASS	
WELFARE CHECK	
MALICIOUS MISCHIEF	
Assault	1
DEATH	

THEFT	
SUSPICIOUS	
THEFT OF MOTOR VEHICLE	
Grand Total	2

Photos

The photo below shows the existing 15-bed ESF facility.



Aerial view



Maybe

Upriver Place, LLC INFORMATION	
Location	9111 E Upriver Drive, Spokane, WA 99206
City/County	Located just north of City of Spokane Valley City limits in Spokane County
Description	According to the property manager, this facility is very small and contains eight beds total. This ESF is located within an existing Assisted Living Facility building (with 70 beds). The ESF contains a separate indoor and outdoor area for the ESF residents.
City Regulations	
General	The County regulates ESFs without a specific ESF code.
Code Section	Essential public facilities: community treatment facility no specific ESF code
Number of residents	Per State regulations.
City Code Definition	Community Treatment Facility: Any dwelling or place licensed, certified or authorized by state, federal or local authorities as a residence and treatment facility for children or adults with mental disabilities, alcoholism or drug abuse problems needing a supervised living arrangement and rehabilitation services on a short-term or long-term basis. Does not include detoxification centers, halfway house, crisis residential center or secure community transition facility. May include alcohol and/or drug abuse treatment facilities and adult treatment facilities.
Special Zoning Requirements	Community treatment facility (EPF) (LDR, LDR-P, MDR, HDR zones) a. In the Low Density Residential zone the facility shall be limited to 8 or fewer residents. b. In the Medium Density Residential and the High Density Residential zones the facility shall be limited to greater than 8 residents but no more than 20 residents. c. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under chapter 14.404.
Zones allowed	Residential & Rural Activity Center
Zones restricted	Special use permit: Multi-family high density (MFH), Mixed Use (MU), Neighborhood Commercial (NC), General Commercial (GC)

Code modification date	2020																																								
Current facilities	One, 8-bed facility within a larger Assisted Living Facility.																																								
Police Data	The property manager indicated the call volume is minimal and very few are generated from neighbors.																																								
Police Data	<p>There have been a total of 200 incidents where police reports were required since January 2019 – June 2021. Staff believes this data is extremely skewed for this location given that the ESF (with 8 beds) is located in an Assisted Living Facility (with 70 beds). The police data provided below for the entire building. Staff called the property manager to discuss the police calls for the ESF. The property manager did not know precisely what each call was for but estimated the ESF generates only 4-5 calls per year.</p> <table border="1"> <thead> <tr> <th>Cases at ESF Facilities</th> <th>Upriver Place Inc</th> </tr> </thead> <tbody> <tr> <td>APS</td> <td>33</td> </tr> <tr> <td>Assist Other Agency</td> <td>1</td> </tr> <tr> <td>BOOKED</td> <td>5</td> </tr> <tr> <td>BURGLARY</td> <td>1</td> </tr> <tr> <td>COLLISION REPORT</td> <td>1</td> </tr> <tr> <td>CONTACT</td> <td></td> </tr> <tr> <td>CPS REFERRAL</td> <td>2</td> </tr> <tr> <td>CRISIS</td> <td>3</td> </tr> <tr> <td>DISORDERLY CONDUCT</td> <td>2</td> </tr> <tr> <td>DRUGS-POSSESS -- CONTROLLED SUBSTANCES POSSESSION</td> <td></td> </tr> <tr> <td>DV</td> <td>5</td> </tr> <tr> <td>FRAUD/FORGERY/COUNTERFEITING -- FRAUD IMPROPERLY OBTAIN FINANCIAL INFO</td> <td>1</td> </tr> <tr> <td>HARASSMENT</td> <td>2</td> </tr> <tr> <td>INFO</td> <td>1</td> </tr> <tr> <td>PERSONS-MENTAL</td> <td>10</td> </tr> <tr> <td>PERSONS-MISSING</td> <td>68</td> </tr> <tr> <td>PERSONS-RUNAWAY</td> <td>1</td> </tr> <tr> <td>PERSONS-SUICIDE ATTEMPT</td> <td>3</td> </tr> <tr> <td>PROP-LOST/FOUND</td> <td>1</td> </tr> </tbody> </table>	Cases at ESF Facilities	Upriver Place Inc	APS	33	Assist Other Agency	1	BOOKED	5	BURGLARY	1	COLLISION REPORT	1	CONTACT		CPS REFERRAL	2	CRISIS	3	DISORDERLY CONDUCT	2	DRUGS-POSSESS -- CONTROLLED SUBSTANCES POSSESSION		DV	5	FRAUD/FORGERY/COUNTERFEITING -- FRAUD IMPROPERLY OBTAIN FINANCIAL INFO	1	HARASSMENT	2	INFO	1	PERSONS-MENTAL	10	PERSONS-MISSING	68	PERSONS-RUNAWAY	1	PERSONS-SUICIDE ATTEMPT	3	PROP-LOST/FOUND	1
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	RESIDENTIAL CARE SERVICES	13
	SEX OFFENSE	3
	THREAT	3
	TRAFFIC	2
	TRESPASS	3
	WELFARE CHECK	
	MALICIOUS MISCHIEF	2
	Assault	20
	DEATH	3
	THEFT	4
	SUSPICIOUS	6
	THEFT OF MOTOR VEHICLE	1
	Grand Total	200
Photos	This structure primarily serves as an Assisted Living Facility (ALF). The ESF "Upriver Place, LLC" is located in a unit within this ALF.	



Aerial view:



MAIN RESIDENTIAL CARE INFORMATION

Location	12019 E Main Ave, Spokane Valley, WA 99206
City/County	Within City of Spokane Valley City limits
Description	Not available.
City Regulations	
General	The City of Spokane Valley regulates ESFs as a group living use. There are two categories of group living based on size. The categories fall under group homes with 6 residents or less and group homes with greater than 6 and under 25 residents.
Code Section	GROUP LIVING: Community residential facilities (greater than 6 and under 25 residents) no specific ESF code
Number of residents	16 (consistent with State code)
City Code Definition	Group living, use category: Living facilities for groups of unrelated individuals that include at least one person residing on the site who is responsible for supervising, managing, monitoring, and/or providing care, training, or treatment of residents characterized by shared facilities for eating, hygiene, and/or recreation. Examples include dormitories, fraternities and sororities, assisted living facilities, nursing and convalescent homes, aggregate dwellings, and community residential facilities. Excludes detention and post-detention facilities.
Special Zoning Requirements	N/A
Zones allowed	Residential MFR, all mixed use
Zones restricted	All other residential, all commercial, all industrial
Code modification date	2016
Current facilities	1. 16 bed facility use permit filed under i-1 institutional, group home 2. Unknown capacity facility use permit filed under i-1 institutional, supervised environment
Police Data	There have been a total of 17 incidents where police reports were required since January 2019 – June 2021.

Cases at ESF Facilities	Main Residential Care
APS	8
Assist Other Agency	
BOOKED	
BURGLARY	1
COLLISION REPORT	
CONTACT	1
CPS REFERRAL	
CRISIS	
DISORDERLY CONDUCT	
DRUGS-POSSESS -- CONTROLLED SUBSTANCES POSSESSION	
DV	1
FRAUD/FORGERY/COUNTERFEITING -- FRAUD IMPROPERLY OBTAIN FINANCIAL INFO	
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INFO	
PERSONS-MENTAL	
PERSONS-MISSING	
PERSONS-RUNAWAY	
PERSONS-SUICIDE ATTEMPT	
PROP-LOST/FOUND	
RESIDENTIAL CARE SERVICES	
SEX OFFENSE	
THREAT	
TRAFFIC	
TRESPASS	
WELFARE CHECK	
MALICIOUS MISCHIEF	
Assault	5
DEATH	

THEFT	
SUSPICIOUS	1
THEFT OF MOTOR VEHICLE	
Grand Total	17

Photos

Photo of the site from the Spokane County Assessor's page:

45164.0343

12019 E MAIN AVE



Aerial photo



UNIFIED RESIDENTIAL CARE INFORMATION

Location	122 N University Rd, Spokane Valley, WA 99206
City/County	Within City of Spokane Valley City limits
Description	Not available.
General	The City of Spokane Valley regulates ESFs as a group living use. There are two categories of group living based on size. The categories fall under group homes with 6 residents or less and group homes with greater than 6 and under 25 residents.
Code Section	The City of Spokane Valley regulates ESFs as a group living use. There are two categories of group living based on size. The categories fall under group homes with 6 residents or less and group homes with greater than 6 and under 25 residents.
Number of residents	16 (consistent with State code)
City Code Definition	Group living, use category: Living facilities for groups of unrelated individuals that include at least one person residing on the site who is responsible for supervising, managing, monitoring, and/or providing care, training, or treatment of residents characterized by shared facilities for eating, hygiene, and/or recreation. Examples include dormitories, fraternities and sororities, assisted living facilities, nursing and convalescent homes, aggregate dwellings, and community residential facilities. Excludes detention and post-detention facilities.
Special Zoning Requirements	N/A
Zones allowed	Residential MFR, all mixed use
Zones restricted	All other residential, all commercial, all industrial
Code modification date	2016

Current facilities	1. 16 bed facility use permit filed under i-1 institutional, group home 2. Unknown capacity facility use permit filed under i-1 institutional, supervised environment																																																
Police Data	There have been a total of 29 incidents where police reports were required since January 2019 – June 2021.																																																
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TRESPASS	
WELFARE CHECK	1
MALICIOUS MISCHIEF	
Assault	3
DEATH	
THEFT	2
SUSPICIOUS	1
THEFT OF MOTOR VEHICLE	
Grand Total	29

Police Data

Photos

From the Spokane County Assessor site:

45163.0532
122 N UNIVERSITY RD



Aerial view



ORCHARD HIGHLANDS INFORMATION	
Location	9505 NE 116th Avenue, Vancouver, WA 98662
City/County	Clark County
Description	<p>The Orchards Highlands & Apple Tree website states, “Dedicated to helping residents living with mental illness by providing medical, physical, and mental health support for their daily lives, allowing them to grow and function to the best of their ability.” Facility features:</p> <ul style="list-style-type: none"> • Private resident rooms furnished with bed, dresser, large screen television and personal storage closet • 24-hour nursing and caregiver support • On-site mental health professional support 8-hours daily, on-call support 24-hours • Group therapy 5 times weekly • Meal service 3 times daily, with an a la carte menu and snacks • Activities, games and crafts • Person-centered care based on individual needs and preferences • Visiting medical provider who provides care on-site • Beautifully landscaped grounds with fountains and walkways for outdoor enjoyment • Designated smoking area • Close to bus line
County Regulations	
Code Section	N/A. The County has not formerly processed an application for an ESF. The existing ESF converted from a residential care facility (permitted by the County) to and ESF outside of the City process.
Number of residents	N/A
City Code Definition	N/A
Special Zoning Requirements	N/A
Zones allowed	N/A
Zones restricted	N/A

Code modification date	N/A	
Current facilities	One ESF facility.	
Police Data	There have been a total of 29 incidents where police reports were required since January 2019 – June 2021.	
	Cases at ESF Facilities	Orchards Highlands Enhanced Services Facility Inc.
	APS	
	Assist Other Agency	
	BOOKED	
	BURGLARY	
	COLLISION REPORT	
	CONTACT	
	CPS REFERRAL	
	CRISIS	
	DISORDERLY CONDUCT	
	DRUGS-POSSESS -- CONTROLLED SUBSTANCES POSSESSION	
	DV	
	FRAUD/FORGERY/COUNTERFEITING -- FRAUD IMPROPERLY OBTAIN FINANCIAL INFO	
	HARASSMENT	
	INFO	1
	PERSONS-MENTAL	1
	PERSONS-MISSING	
	PERSONS-RUNAWAY	
	PERSONS-SUICIDE ATTEMPT	
	PROP-LOST/FOUND	
	RESIDENTIAL CARE SERVICES	
	SEX OFFENSE	1
	THREAT	
	TRAFFIC	

TRESPASS	
WELFARE CHECK	
MALICIOUS MISCHIEF	
Assault	1
DEATH	
THEFT	
SUSPICIOUS	
THEFT OF MOTOR VEHICLE	
Grand Total	4

Photos

The photo below was retrieved from the facility's website [Orchards Highlands & Apple Tree](#). Staff was unable to make contact with this facility for more information or photos.



Aerial view:

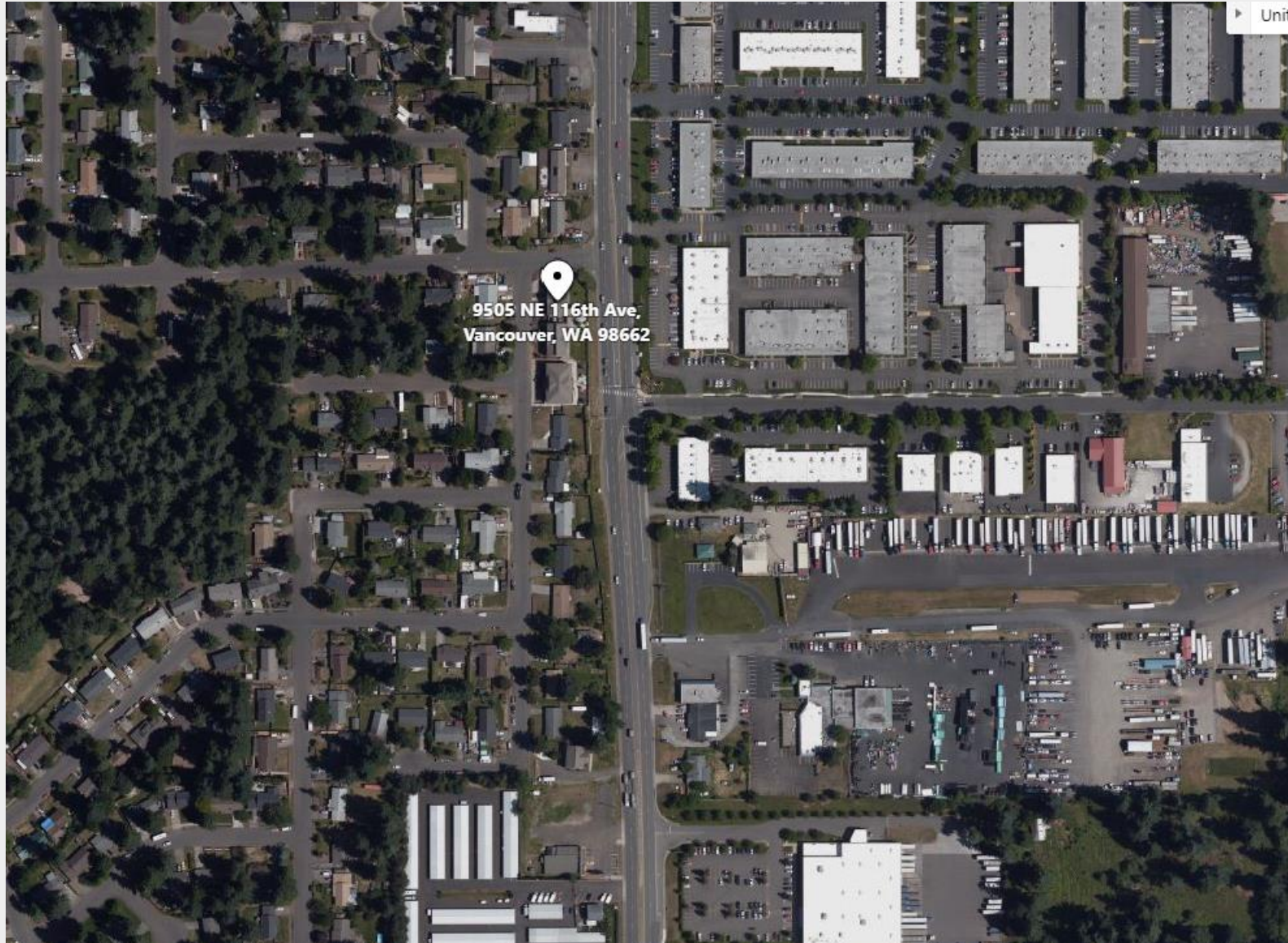
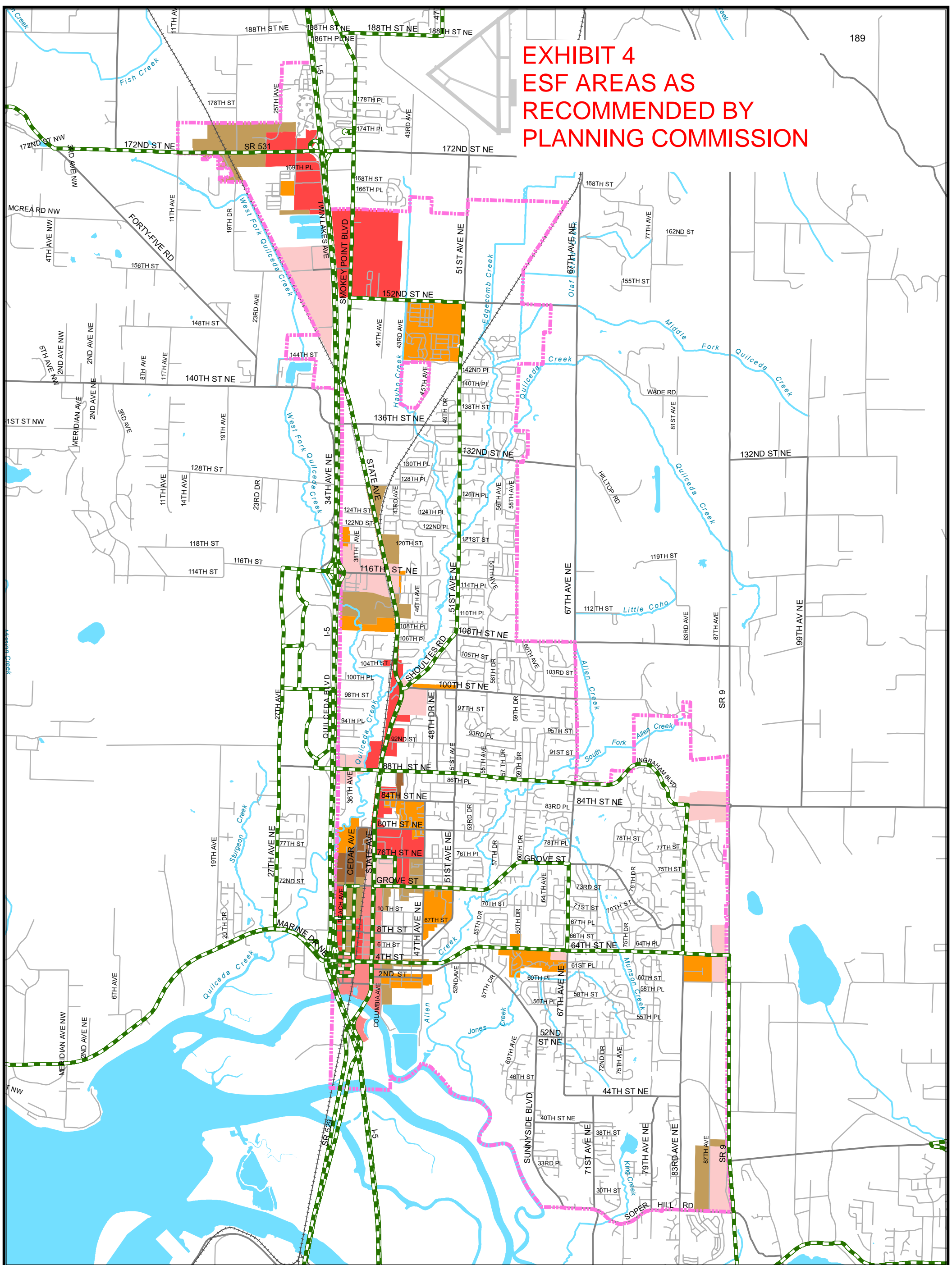


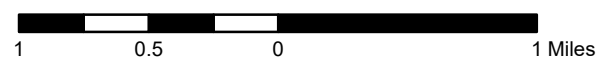
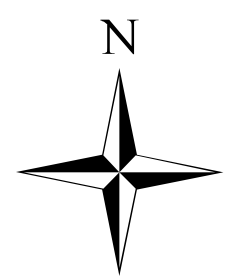
EXHIBIT 4 ESF AREAS AS RECOMMENDED BY PLANNING COMMISSION



City of Marysville

Properties Eligible for Enhanced Services Facilities (ESFs)

- Legend**
- Public Transit Routes
 - City Limits
 - Railroad
 - Arterials
 - General Commercial
 - Downtown Commercial
 - Community Business
 - Item 14, 72 Mixed Use
 - R18 Multi-Family Medium
 - R28 Multi-Family High



CITY OF MARYSVILLE
WASHINGTON

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON, UPDATING TITLE 22C OF THE MARYSVILLE MUNICIPAL CODE; AMENDING THE DEFINITION OF “ENHANCED SERVICES FACILITIES”; ALLOWING “ENHANCED SERVICES FACILITIES” AS A CONDITIONAL USE IN THE R-18 MEDIUM DENSITY MULTI-FAMILY AND R-28 HIGH DENSITY MULTI-FAMILY ZONES; AND AS A PERMITTED USE IN THE CB COMMUNITY BUSINESS, CB-WR COMMUNITY BUSINESS-WHISKEY RIDGE, DC DOWNTOWN COMMERCIAL, GC GENERAL COMMERCIAL, AND MU MIXED USE ZONES; AMENDING MMC 22A.020.060, “E” DEFINITIONS; AMENDING MMC 22C.010.060 AND 22C.020.060, PERMITTED USES; AMENDING MMC 22C.010.070 AND 22C.020.070, PERMITTED USES – DEVELOPMENT CONDITIONS; AND ESTABLISHING A NEW CHAPTER 22C.280 CONCERNING ENHANCED SERVICES FACILITIES; AND REPEALING ORDINANCE NO. 3168.

WHEREAS, the State Growth Management Act, Chapter 36.70A RCW mandates that cities periodically review and amend development regulations, including zoning ordinances and official controls; and

WHEREAS, RCW 36.70A.106 requires the processing of amendments to the City's development regulations in the same manner as the original adoption of the City's comprehensive plan and development regulations; and

WHEREAS, the State Growth Management Act requires notice and broad public participation when adopting or amending the City's comprehensive plan and development regulations; and

WHEREAS, the City, in reviewing and amending its development regulations has complied with the notice, public participation, and processing requirements established by the Growth Management Act, as more fully described below; and

WHEREAS, the City Council of the City of Marysville finds that from time to time it is necessary and appropriate to review and revise provisions of the City's municipal code and development code (MMC Title 22); and

WHEREAS, the Marysville City Council adopted Ordinance No. 3168 on November 23, 2020, which adopted an interim development regulation establishing a definition for “Enhanced services facilities” and specifying that “Enhanced services facilities” are not a permitted use in any zone in the City of Marysville; and

WHEREAS, the Marysville City Council adopted Ordinance No. 3168 as an Emergency Ordinance which provided that the interim development regulation is effective for six months from the effective date of the ordinance (November 23, 2020); and

WHEREAS, the proposed amendments were submitted to the State of Washington Department of Commerce for 60-day review on February 1, 2021, in accordance with RCW 36.70A.106; and

PLANNING COMMISSION RECOMMENDATION

WHEREAS, the Planning Commission held public work sessions on December 8, 2020, January 12, 2021, and February 9, 2021, to review the proposed amendments, including alternatives, and did hear and consider public comments; and

WHEREAS, the Planning Commission held a duly-advertised public hearing on February 23, 2021, and received testimony from City staff and the public; and

WHEREAS, at the public hearing, the Planning Commission reviewed and considered the proposed amendments to the Marysville Municipal Code, and recommended that the City Council approve the proposed amendments to the Marysville Municipal Code; and

WHEREAS, the proposed amendments to Title 22 of the Marysville Municipal Code (comprising of **(a)** proposed amendments to MMC Sections 22A.020.060, 22C.010.060; 22C.020.060, 22C.010.070, 22C.020.070, and **(b)** a new proposed new Chapter 22C.280 MMC), were reviewed under the State Environmental Policy Act; which review resulted in the issuance of a Determination of Non-Significance (DNS) on April 5, 2021.

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

Section 1. Required Findings. In accordance with MMC 22G.010.520, the following findings are made regarding the proposed amendments to Title 22 of the Marysville Municipal code (comprising of **(a)** proposed amendments to MMC Sections 22A.020.060, 22C.010.060, 22C.020.060, 22C.010.070, and 22C.020.070, and **(b)** a proposed new Chapter 22C.280 MMC) that are the subject of this ordinance:

- (1) The amendments are consistent with the purposes of the comprehensive plan;
- (2) The amendments are consistent with the purpose of Title 22 MMC;
- (3) There have been significant changes in the circumstances to warrant a change;
- (4) The benefit or cost to the public health, safety and welfare is sufficient to warrant the action.

Section 2. Amendment to Development Regulations: Modification of Current Code Sections. Sections 22A.020.060, 22C.010.060; 22C.020.060, 22C.010.070, and 22C.020.070 of the Marysville Municipal Code are hereby amended as set forth in **Exhibit A**.

Section 3. Amendment to Development Regulations: Adoption of Chapter 22C.280 MMC. A new Chapter 22C.280 of the Marysville Municipal Code is adopted as set forth in **Exhibit B**.

Section 4. Repeal of Ordinance No. 3168. Ordinance No. 3168 shall be repealed upon the effective date of this Ordinance.

Section 5. Severability. If any section, subsection, sentence, clause, phrase, or word of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase, or word of this Ordinance.

PLANNING COMMISSION RECOMMENDATION

Section 6. Correction. Upon approval by the City Attorney, the City Clerk or the code reviser are authorized to make necessary corrections to this Ordinance, including scrivener’s errors or clerical mistakes; references to other local, state, or federal laws, rules, or regulations; or numbering or referencing of ordinances or their sections and subsections.

Section 7. Effective Date. This Ordinance shall become effective five days after the date of its publication by summary.

PASSED AND APPROVED by the Marysville City Council this 10th day of May, 2021.

CITY OF MARYSVILLE

Jon Nehring, Mayor

ATTEST:

By: _____
City Clerk

APPROVED AS TO FORM:

By: _____
Jon Walker, City Attorney

Date of Publication: _____

Effective Date: _____

EXHIBIT A

22A.020.060 “E” definitions. 

“Easement” means a right granted by a property owner to specifically named parties or to the public for the use of certain land for specified purposes.

“Effective date” means the date a final decision becomes effective.

“EIS” means environmental impact statement.

“Elderly” means a person 62 years of age or older.

“Electric scooters and motorcycles” means any two-wheel vehicle that operates exclusively on electrical energy from an off-board source that is stored in the vehicle’s batteries and produces zero emissions or pollution when stationary or operating.

“Electric sign” means any sign containing electrical wiring, lighting, or other electrical components, but not including signs illuminated by a detached exterior light source.

“Electric vehicle” means any vehicle that operates, either partially or exclusively, on electrical energy from the grid, or an off-board source, that is stored on board for motive purpose.

“Electric vehicle” includes:

- (1) A battery electric vehicle;
- (2) A plug-in hybrid electric vehicle;
- (3) A neighborhood electric vehicle; and
- (4) A medium-speed electric vehicle.

“Electric vehicle charging station” means a public or private parking space that is served by battery charging station equipment that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle. An electric vehicle charging station equipped with Level 1 or Level 2 charging equipment is permitted outright as an accessory use to any principal use.

“Electric vehicle charging station – public” means an electric vehicle charging station that is:

- (1) Publicly owned and publicly available (e.g., park and ride parking, public library parking lot, on-street parking); or
- (2) Privately owned and publicly available (e.g., shopping center parking, nonreserved parking in multifamily parking lots).

“Electric vehicle charging station – restricted” means an electric vehicle charging station that is:

PLANNING COMMISSION RECOMMENDATION

(1) Privately owned and restricted access (e.g., single-family home, executive parking, designated employee parking); or

(2) Publicly owned and restricted (e.g., fleet parking with no access to the general public).

“Electric vehicle infrastructure” means structures, machinery, and equipment necessary and integral to support an electric vehicle, including battery charging stations, rapid charging stations, and battery exchange stations.

“Electric vehicle parking space” means any marked parking space that identifies the use to be exclusively for the parking of an electric vehicle.

“Electronic message sign” means a variable message sign that utilizes computer-generated messages or some other electronic means of changing copy. These signs include displays using incandescent lamps, LEDs, LCDs or a flipper matrix. Also known as “changeable copy sign.”

“Elevated building (floodplain management)” means, for insurance purposes, a nonbasement building which has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

“Elevation certificate” means an administrative tool of the National Flood Insurance Program (NFIP) that can be used to provide elevation information, to determine the proper insurance premium rate, and to support a request for a letter of map amendment (LOMA) or letter of map revision based on fill (LOMR-F).

“Eligible facilities request” means any request for modification of an existing tower or base station that does not substantially change the physical dimensions of such tower or base station, involving:

(1) Co-location of new transmission equipment;

(2) Removal of transmission equipment; or

(3) Replacement of transmission equipment.

Criteria on what constitutes a substantial change is set forth in MMC 22C.250.210.

“Eligible support structure” means any existing tower or base station as defined in Chapter 22C.250 MMC; provided, that it is existing at the time an eligible facilities modification application is filed with the city.

“Emergency notification services” means services that notify the public of an emergency.

“Emergency services” means 911 emergency services and emergency notification services.

“Emergency support services” means information or database management services used in support of emergency services.

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“Energy resource recovery facility” means an establishment for recovery of energy in a usable form from mass burning or refuse-derived fuel incineration, pyrolysis or any other means of using the heat of combustion of solid waste.

“Engineering feasibility study” means a report prepared by a licensed professional engineer qualified by training to have expert engineering knowledge of a particular subject. The report will identify the capability of the land to withstand disturbance, such as erosion, sedimentation, geological hazards, or other aspects of the development.

“Enhanced services facility” means a facility that provides support and services to persons for whom acute inpatient treatment is not medically necessary.

~~“Enhanced services facility” means a facility that provides support and services to persons for whom acute inpatient treatment is not medically necessary and which typically serves individuals with either a mental disorder, a substance use disorder, or co-occurring mental disorder and substance use disorder. Such facilities shall be limited to a maximum 16-bed capacity and shall meet all of the regulatory and licensing requirements of the state of Washington per Chapter 70.97 RCW.~~

“Environmentally sensitive areas” means those areas regulated by Chapter 22E.010 MMC, and their buffers.

“Equipment, heavy” means high-capacity mechanical devices for moving earth or other materials, and mobile power units including, but not limited to:

- (1) Carryalls;
- (2) Graders;
- (3) Loading and unloading devices;
- (4) Cranes;
- (5) Drag lines;
- (6) Trench diggers;
- (7) Tractors;
- (8) Augers;
- (9) Bulldozers;
- (10) Concrete mixers and conveyers;
- (11) Harvesters;
- (12) Combines; or

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(13) Other major agricultural equipment and similar devices operated by mechanical power as distinguished from manpower.

“Erosion” means the wearing away of the earth’s surface as a result of the movement of wind, rain, water and other natural agents which mobilize and transport soil particles.

“Erosion hazard areas” means lands or areas that, based on a combination of slope inclination and the characteristics of the underlying soils, are susceptible to varying degrees of risk of erosion. Erosion hazard areas are classified as low hazard, moderate hazard and high hazard, based on the following criteria:

(1) Low Hazard. Areas sloping less than 15 percent.

(2) Moderate Hazard. Areas sloping between 15 and 40 percent and underlain by soils that consist predominantly of silt, clay, bedrock or glacial till.

(3) High Hazard. Areas sloping between 15 and 40 percent that are underlain by soils consisting largely of sand and gravel, and all areas sloping more steeply than 40 percent.

“Evergreen” means a plant species with foliage that persists and remains green year-round.

“Ex parte communication” means any oral or written communication made by any person, including a city employee or official, pertaining to a matter that is or will be within the jurisdiction of the city council, hearing examiner or planning commission made outside of a public record.

Exceptions (Shoreline Master Program) – Requirements to Obtain Shoreline Permits or Local Reviews (Shoreline Master Program). Requirements to obtain a substantial development permit, conditional use permit, variance, letter of exemption, or other review to implement the shoreline management act do not apply to the following:

(1) Remedial Actions. Pursuant to RCW 90.58.355, any person conducting a remedial action at a facility pursuant to a consent decree, order, or agreed order pursuant to Chapter 70.105D RCW, or to the Department of Ecology when it conducts remedial action under Chapter 70.105D RCW.

(2) Boat Yard Improvements to Meet NPDES Permit Requirements. Pursuant to RCW 90.58.355, any person installing site improvements for storm water treatment in an existing boatyard facility to meet requirements of a National Pollutant Discharge Elimination System storm water general permit.

(3) WSDOT Facility Maintenance and Safety Improvements. Pursuant to RCW 90.58.356, Washington State Department of Transportation projects and activities meeting the conditions of RCW 90.58.356 are not required to obtain a substantial development permit, conditional use permit, variance, letter of exemption, or other local review.

(4) Projects consistent with an environmental excellence program agreement pursuant to RCW 90.58.045.

(5) Projects authorized through the Energy Facility Site Evaluation Council process, pursuant to Chapter 80.50 RCW.

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Exemption (Shoreline Master Program). Certain specific developments as listed in WAC 173-27-040 as exempt from the definition of “substantial developments” are therefore exempt from the substantial development permit process of the SMA. An activity that is exempt from the substantial development provisions of the SMA must still be carried out in compliance with policies and standards of the Act and the local master program. Conditional use and/or variance permits may also still be required even though the activity does not need a substantial development permit. (RCW 90.58.030(3)(e); WAC 173-27-040.) “Exemption (shoreline master program)” also includes the external retrofitting of an existing structure with the exclusive purpose of compliance with the Americans with Disabilities Act of 1990 (42 USC Sec. 12010 et seq.) or to otherwise provide physical access to the structure by individuals with disabilities.

“Existing and ongoing agricultural activities (small farms overlay zone)” means those activities involved in the production of crops and livestock, and changes between agricultural activities and uses, and normal operation, maintenance, repair, or reconstruction of existing serviceable structures, as well as construction of new farm structures, facilities or improved areas. An operation ceases to be ongoing when a formal plat has been approved by the city for development of the small farm.

“Existing and ongoing agricultural activities” means those activities involved in the production of crops and livestock, including but not limited to operation and maintenance of farm and stock ponds or drainage and irrigation systems, changes between agricultural activities and uses, and normal operation, maintenance, repair, or reconstruction of existing serviceable structures, facilities or improved areas. Activities which bring an area into agricultural use are not part of an ongoing activity. An operation ceases to be ongoing when the area on which it was conducted is proposed for conversion to a nonagricultural use or has lain idle for a period of longer than five years, unless the idle land is registered in a federal or state soils conservation program. Forest practices are not included in this definition.

“Existing manufactured home park or subdivision (floodplain management)” means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the adopted floodplain management regulations.

“Existing (wireless communication facilities)” for purposes of Chapter 22C.250 MMC where it is related to a constructed tower or base station, means a constructed tower or base station that has been reviewed and approved under the applicable zoning or siting process or under another applicable state or local regulatory review process, and the term also includes a tower that was lawfully constructed but that was not reviewed and approved because it was not in a zoned area when it was built.

“Exotic species” means any species of plant or animal that is not indigenous to the area.

“Expansion to an existing manufactured home park or subdivision (floodplain management)” means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads). (Ord. 3168 § 2 (Exh. A), 2020*; Ord. 3151 § 5, 2020; Ord. 3146 § 6, 2020; Ord. 3125 § 3 (Exh. B), 2019; Ord. 2852 § 10 (Exh. A), 2011).

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* Code reviser's note: Ord. 3168 Section 3 states: "This interim development regulation shall be in effect for six (6) months following the effective date of this Ordinance" and shall expire June 2, 2021.

2C.010.060 Permitted uses. [SHARE](#)

Specific Land Use	R-4.5	R-6.5	R-8	WR R-4-8	R-12	R-18	R-28	WR R-6-18	R-MHP
Residential Land Uses									
Dwelling Units, Types:									
Single detached (14)	P11	P11	P11	P11	P11	P11	P11	P11	P43
Model home	P30	P30	P30	P30	P30	P30	P30	P30	P30
Cottage housing (14)	C6	C6	C6	C6	C6	C6	C6	C6	
Duplex (14)	C8	P8	P8	P8	P	P	P	P	
Townhouse	P3	P3	P3	P3	P	P	P	P	
Multiple-family					P	P	P	P	
Mobile home	P12	P12	P12	P12	P12	P12	P12	P12	P12
Mobile/manufactured home park	P3	P3	P3		C	P	P		P45
Senior citizen assisted	C2	C2	C2	C2	C2	C2	C2	C2	C2
Factory-built	P7	P7	P7	P7	P7	P7	P7	P7	P7, 43
Recreational vehicle (44)	P	P	P	P	P	P	P	P	P
Tiny house or tiny house with wheels (51)	P	P	P	P	P	P	P	P	P
Group Residences:									
Adult family home	P	P	P	P	P	P	P	P	P
Convalescent, nursing, retirement	C2	C2	C2	C2	C2	C2	C2	C2	
Residential care facility	P	P	P	P	P	P	P	P	
Master planned senior community (15)	C	C	C	C	C	C	C	C	C
Accessory Uses:									
Residential accessory uses (1), (9), (10), (14), (49), (50)	P	P	P	P	P	P	P	P	P
Home occupation (5)	P	P	P	P	P13	P13	P13	P13	P
Temporary Lodging:									
Hotel/motel					P	P	P	P	
Bed and breakfast guesthouse (4)		C	C	C	P	P	P	P	

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Specific Land Use	R-4.5	R-6.5	R-8	WR R-4-8	R-12	R-18	R-28	WR R-6-18	R-MHP
Bed and breakfast inn (4)					P	P	P	P	
Enhanced services facility (52)						<u>C</u>	<u>C</u>		
Recreation/Cultural Land Uses									
Park/Recreation:									
Park	P16	P16	P16	P16	P16	P16	P16	P16	P16
Community center	C	C	C	C	C	C	C	C	C
Amusement/Entertainment:									
Sports club					C	C	C	C	
Golf facility (17)	C	C	C	C	P	P	P	P	
Cultural:									
Library, museum and art gallery	C	C	C	C	C	C	C	C	C
Church, synagogue and temple	C	C	C	C	P	P	P	P	C
General Services Land Uses									
Personal Services:									
Funeral home/crematory	C18	C18	C18	C18	C18	C18	C18	C18	C18
Cemetery, columbarium or mausoleum	P24 C19	P24 C19	P24 C19	P24 C19	P24 C19	P24 C19	P24 C19	P24 C19	P24 C19
Day care I	P20	P20	P20	P20	P20	P20	P20	P20	P20
Day care II	C25	C25	C25	C25	C	C	C	C	C25
Stable	C	C	C	C					
Kennel or cattery, hobby	C	C	C	C	C	C	C	C	
Electric vehicle (EV) charging station (38), (39)	P	P	P	P	P	P	P	P	
EV rapid charging station (40), (41), (42)					P	P	P	P	
Health Services:									
Medical/dental clinic					C	C	C	C	
Supervised drug consumption facility									
Education Services:									
Elementary, middle/junior high, and senior high (including public, private and parochial)	C	C	C	C	C	C	C	C	C
Commercial school	C21	C21	C21	C21	C21	C21	C21	C21	
School district support facility	C23	C23	C23	C23	C23	C23	C23	C23	
Interim recycling facility	P22	P22	P22	P22	P22	P22	P22	P22	

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Specific Land Use	R-4.5	R-6.5	R-8	WR R-4-8	R-12	R-18	R-28	WR R-6-18	R-MHP
Vocational school									
Government/Business Service Land Uses									
Government Services:									
Public safety facilities, including police and fire	C26	C26	C26	C26	C26	C26	C26	C26	C26
Utility facility	P	P	P	P	P	P	P	P	P
Private storm water management facility	P	P	P	P	P	P	P	P	P
Public storm water management facility	P	P	P	P	P	P	P	P	P
Business Services:									
Self-service storage (31)					C27	C27	C27	C27	
Professional office					C	C	C	C	
Automotive parking	P29	P29	P29	P29	P29	P29	P29	P29	
Model house sales office	P47	P47	P47	P47					
Wireless communication facility (28)	P C	P C	P C	P C	P C	P C	P C	P C	P C
State-Licensed Marijuana Facilities:									
Marijuana cooperative (48)									
Marijuana processing facility – Indoor only (48)									
Marijuana production facility – Indoor only (48)									
Marijuana retail facility (48)									
Retail/Wholesale Land Uses									
Forest products sales	P32	P32	P32	P32					
Agricultural crop sales	P32	P32	P32	P32					
Resource Land Uses									
Agriculture:									
Growing and harvesting crops	P34	P34	P34	P34					
Raising livestock and small animals	P35	P35	P35	P35					
Forestry:									
Growing and harvesting forest products	P34	P34	P34	P34					
Fish and Wildlife Management:									
Hatchery/fish preserve (33)	C	C	C	C					

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Specific Land Use	R-4.5	R-6.5	R-8	WR R-4-8	R-12	R-18	R-28	WR R-6-18	R-MHP
Aquaculture (33)	C	C	C	C					
Regional Land Uses									
Regional storm water management facility	C	C	C	C	C	C	C	C	C
Nonhydroelectric generation facility	C	C	C	C	C	C	C	C	C
Transit park and pool lot	P	P	P	P	P	P	P	P	
Transit park and ride lot	C	C	C	C	C	C	C	C	
School bus base	C36	C36	C36	C36	C36	C36	C36	C36	
Racetrack	C37	C37	C37	C37	C37	C37	C37	C37	
College/university	C	C	C	C	C	C	C	C	

22C.010.070 Permitted uses – Development conditions. 

- (1) Accessory dwelling units must comply with development standards in Chapter 22C.180 MMC. Accessory dwelling units in the MHP zone are only allowed on single lots of record containing one single-family detached dwelling.
- (2) Limited to three residents per the equivalent of each minimum lot size or dwelling units per acre allowed in the zone in which it is located.
- (3) Only as part of a planned residential development (PRD) proposal, and subject to the same density as the underlying zone.
- (4) Bed and breakfast guesthouses and inns are subject to the requirements and standards contained in Chapter 22C.210 MMC.
- (5) Home occupations are subject to the requirements and standards contained in Chapter 22C.190 MMC.
- (6) Subject to cottage housing provisions set forth in MMC 22C.010.280.
- (7) Factory-built dwelling units shall comply with the following standards:
 - (a) A factory-built house must be inspected at least two times at the factory by the State Building Inspector during the construction process, and must receive an approval certifying that it meets all requirements of the International Building Code. At the building site, the city building official will conduct foundation, plumbing and final inspections.
 - (b) A factory-built house cannot be attached to a metal frame allowing it to be mobile. All such structures must be placed on a permanent foundation at the building site.
- (8) Permitted outright in the R-6.5, R-8, and WR-R-4-8 zones on minimum 7,200-square-foot lots. A conditional use permit is required for the R-4.5 zone, and the minimum lot size must be

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12,500 square feet. Duplexes must comply with the comprehensive plan density requirements for the underlying land use designation.

(9) A garage sale shall comply with the following standards:

- (a) No residential premises shall have more than two such sales per year and no such sale shall continue for more than six days within a 15-day period.
- (b) Signs advertising such sales shall not be attached to any public structures, signs or traffic control devices, nor to any utility poles. All such signs shall be removed 24 hours after the sale is completed.

A garage sale complying with the above conditions shall be considered as being an allowable accessory use to all residential land uses. A garage sale violating one or more of the above conditions shall be considered as being a commercial use and will be disallowed unless it complies with all requirements affecting commercial uses.

(10) Residential accessory structures must comply with development standards in Chapter 22C.180 MMC.

(11) Manufactured homes must:

- (a) Be set on a permanent foundation, as specified by the manufacturer, enclosed with an approved concrete product from the bottom of the home to the ground which may be either load-bearing or decorative;
- (b) Meet all design standards applicable to all other single-family homes in the neighborhood in which the manufactured home is to be located;
- (c) Be no more than five years old, as evidenced by the date of manufacture recorded on the HUD data plate. An administrative variance to the requirement that a manufactured home be no more than five years old may be granted by the community development director only if the applicant demonstrates all of the following:
 - (i) The strict enforcement of the provisions of this title creates an unnecessary hardship to the property owner;
 - (ii) The proposed manufactured home is well maintained and does not present any health or safety hazards;
 - (iii) The variance is necessary or warranted because of the unique size, shape, topography, location, critical areas encumbrance, or other feature of the subject property;
 - (iv) The proposed manufactured home will be compatible with the neighborhood or area where it will be located;
 - (v) The subject property is otherwise deprived, by provisions of this title, of rights and privileges enjoyed by other properties in the vicinity and within an identical zone;

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(vi) The need for the variance is not the result of deliberate actions of the applicant or property owner; and

(vii) The variance is the minimum necessary to grant relief to the applicant.

(12) Mobile homes are only allowed as a primary residence in existing mobile/manufactured home parks established prior to June 12, 2008, subject to the requirements of Chapter 22C.230 MMC, Mobile/Manufactured Home Parks.

(13) Home occupations are limited to home office uses in multifamily dwellings. No signage is permitted in townhouse or multifamily dwellings.

(14) No more than one single-family detached or duplex dwelling is allowed per lot except in cottage housing developments that are developed with all cottages located on a common lot, and accessory dwelling units through the provisions of Chapter 22C.180 MMC.

(15) Subject to Chapter 22C.220 MMC, Master Planned Senior Communities.

(16) The following conditions and limitations shall apply, where appropriate:

(a) Parks are permitted in residential and mixed use zones when reviewed as part of a subdivision, mobile/manufactured home park, or multiple-family development proposal; otherwise, a conditional use permit is required;

(b) Lighting for structures and fields shall be directed away from residential areas; and

(c) Structures or service yards shall maintain a minimum distance of 50 feet from property lines adjoining residential zones.

(17) Golf facilities shall comply with the following:

(a) Structures, driving ranges and lighted areas shall maintain a minimum distance of 50 feet from property lines adjoining residential zones.

(b) Restaurants are permitted as an accessory use to a golf course.

(18) Only as an accessory to a cemetery.

(19) Structures shall maintain a minimum distance of 100 feet from property lines adjoining residential zones.

(20) Only as an accessory to residential use and subject to the criteria set forth in Chapter 22C.200 MMC.

(21) Only as an accessory to residential use, provided:

(a) Students are limited to 12 per one-hour session;

(b) All instruction must be within an enclosed structure; and

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(c) Structures used for the school shall maintain a distance of 25 feet from property lines adjoining residential zones.

(22) Limited to drop box facilities accessory to a public or community use such as a school, fire station or community center.

(23) Only when adjacent to an existing or proposed school.

(24) Limited to columbariums accessory to a church; provided, that existing required landscaping and parking are not reduced.

(25) Day care IIs must be located on sites larger than one-half acre and are subject to minimum standards identified in Chapter 22C.200 MMC for day care I facilities. Parking facilities and loading areas shall be located to the rear of buildings or be constructed in a manner consistent with the surrounding residential character. Evaluation of site suitability shall be reviewed through the conditional use permit process.

(26) Public safety facilities, including police and fire, shall comply with the following:

(a) All buildings and structures shall maintain a minimum distance of 20 feet from property lines adjoining residential zones;

(b) Any buildings from which fire-fighting equipment emerges onto a street shall maintain a distance of 35 feet from such street.

(27) Accessory to an apartment development of at least 12 units, provided:

(a) The gross floor area in self-service storage shall not exceed 50 percent of the total gross floor area of the apartment dwellings on the site;

(b) All outdoor lights shall be deflected, shaded and focused away from all adjoining property;

(c) The use of the facility shall be limited to dead storage of household goods;

(d) No servicing or repair of motor vehicles, boats, trailers, lawn mowers or similar equipment;

(e) No outdoor storage or storage of flammable liquids, highly combustible or explosive materials or hazardous chemicals;

(f) No residential occupancy of the storage units;

(g) No business activity other than the rental of storage units to the apartment dwellings on the site; and

(h) A resident manager shall be required on the site and shall be responsible for maintaining the operation of the facility in conformance with the conditions of approval.

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(28) All WCFs and modifications to WCFs are subject to Chapter 22C.250 MMC including, but not limited to, the siting hierarchy, MMC 22C.250.060. WCFs may be a permitted use or a conditional use subject to MMC 22C.250.040.

(29) Limited to commuter parking facilities for users of transit, carpools or ride-share programs, provided:

(a) They are located on existing parking lots for churches, schools, or other permitted nonresidential uses which have excess capacity available during commuting hours; and

(b) The site is adjacent to a designated arterial that has been improved to a standard acceptable to the department.

(30) Model Homes.

(a) The community development director may approve construction of model homes subject to the following conditions:

(i) No model home shall be constructed without the issuance of a building permit;

(ii) In no event shall the total number of model homes in a preliminary subdivision be greater than nine;

(iii) A hard-surfaced roadway to and abutting all model homes shall be constructed to standards determined by the city engineer or designee;

(iv) Operational fire hydrant(s) must be available in accordance with the International Fire Code;

(v) Submittal of a site plan, stamped by a registered civil engineer or licensed surveyor, delineating the location of each structure relative to existing and proposed utilities, lot lines, easements, roadways, topography and critical areas;

(vi) Submittal of building permit applications for each of the proposed structures;

(vii) Approval of water, sewer and storm sewer extension plans to serve the proposed structures; and

(viii) Execution of an agreement with the city saving and holding it harmless from any damages, direct or indirect, as a result of the approval of the construction of model homes on the site.

(b) Prior to occupancy of any model home, the final plat of the subject subdivision shall be approved and recorded.

(31) Any outdoor storage areas are subject to the screening requirements of the landscape code.

(32) Subject to approval of a small farms overlay zone.

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- (33) May be further subject to the provisions of the Marysville shoreline master program.
- (34) Only allowed in conjunction with the small farms overlay zone.
- (35) Provided, that the property has received approval of a small farms overlay designation, or is larger than one acre in size.
- (36) Only in conjunction with an existing or proposed school.
- (37) Except racing of motorized vehicles.
- (38) Level 1 and Level 2 charging only.
- (39) Allowed only as an accessory use to a principal outright permitted use or permitted conditional use.
- (40) The term “rapid” is used interchangeably with “Level 3” and “fast charging.”
- (41) Only “electric vehicle charging stations – restricted” as defined in Chapter 22A.020 MMC.
- (42) Rapid (Level 3) charging stations are required to be placed within a parking garage.
- (43) One single-family detached dwelling per existing single lot of record. Manufactured homes on single lots must meet the criteria outlined in subsection (11) of this section.
- (44) Recreational vehicles (RVs) are allowed as a primary residence in an established mobile/manufactured home park (MHP) subject to the requirements of Chapter 22C.230 MMC, Mobile/Manufactured Home Parks.
- (45) MHPs shall fulfill the requirements of Chapter 22C.230 MMC, Mobile/Manufactured Home Parks.
- (46) Reserved.
- (47) Model house sales offices are subject to the requirements of MMC 22C.110.030(12).
- (48) No person or entity may produce, grow, manufacture, process, accept donations for, give away, or sell marijuana concentrates, marijuana-infused products, or usable marijuana within residential zones in the city. Provided, activities in strict compliance with RCW 69.51A.210 and 69.51A.260 are not a violation of the Marysville Municipal Code.
- (49) Shipping/cargo and similar storage containers are prohibited on lots within a platted subdivision and properties under one acre in size. Shipping/cargo and similar storage containers may be located on properties over one acre in size if located behind the primary residence, observe all setbacks applicable to an accessory structure, and are screened from public view.
- (50) Accessory structures may not be utilized as, or converted to, a dwelling unless the structure complies with the accessory dwelling unit standards outlined in MMC 22C.180.030.

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(51) Tiny houses or tiny houses with wheels are allowed as a primary residence in an established mobile/manufactured home park (MHP) subject to the requirements of Chapter 22C.230 MMC, Mobile/Manufactured Home Parks.

(52) See MMC 22C.280 for regulations for enhanced services facility.

~~(52) Enhanced services facilities are prohibited in all residential zones as such are identified and adopted in this chapter. (Ord. 3168 § 2 (Exh. A), 2020*; Ord. 3167 § 1, 2020; Ord. 3164 § 5, 2020; Ord. 3139 § 3 (Exh. B), 2019; Ord. 3054 § 8, 2017; Ord. 3022 § 8, 2016; Ord. 2959 § 6, 2014; Ord. 2898 § 8, 2012; Ord. 2852 § 10 (Exh. A), 2011).~~

~~* Code reviser’s note: Ord. 3168 Section 3 states: “This interim development regulation shall be in effect for six (6) months following the effective date of this Ordinance” and shall expire June 2, 2021.~~

22C.020.060 Permitted uses. 

Specific Land Use	NB	CB	CB-WR	GC	DC	MU (63)	LI	GI	REC	P/I
Residential Land Uses										
Dwelling Units, Types:										
Townhouse					P6	P				
Multiple-family	C4	P4, C5		P4, C5	P4, P6	P				
Manufactured home	P7	P7	P7	P7	P7	P7	P7	P7		
Mobile home	P7	P7	P7	P7	P7	P7	P7	P7		
Recreational vehicle	P7	P7	P7	P7	P7	P7	P7	P7		
Tiny house or tiny house with wheels	P7	P7	P7	P7	P7	P7	P7	P7		
Senior citizen assisted	P					C				P
Caretaker’s quarters (3)	P	P	P	P	P	P	P	P	P	P
Group Residences:										
Adult family home (70)	P	P	P	P	P	P				P
Convalescent, nursing, retirement	C	P			P	P				P
Residential care facility	P	P			P	P	P70	P70	P70	P
Master planned senior community (10)						C				C
Enhanced services facility (77)		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>				
Accessory Uses:										

PLANNING COMMISSION RECOMMENDATION

Specific Land Use	NB	CB	CB-WR	GC	DC	MU (63)	LI	GI	REC	P/I
Home occupation (2)	P8	P8, P9	P8, P9	P8, P9	P8, P9	P8, P9	P9	P9		
Temporary Lodging:										
Hotel/motel	P	P	P	P	P	P	P75			
Bed and breakfast guesthouse (1)										
Bed and breakfast inn (1)	P	P	P	P						
Recreation/Cultural Land Uses										
Park/Recreation:										
Park	P11	P	P	P	P	P	P	P	P11	P
Marina					P			P	C	P
Dock and boathouse, private, noncommercial					P			P	P16	P
Boat launch, commercial or public					P			P		P
Boat launch, noncommercial or private					P			P	P17	P
Community center	P	P	P	P	P	P	P	P	P	P
Amusement/Entertainment:										
Theater		P	P	P	P	P				
Theater, drive-in				C						
Amusement and recreation services		P18	P18	P18	P18	P19	P	C		
Sports club	P	P	P	P	P	P	P	P		
Golf facility (13)		P	P	P			P	P	C	
Shooting range (14)				P15			P15			
Outdoor performance center				C			C		C	C
Riding academy							P		C	
Cultural:										
Library, museum and art gallery	P	P	P	P	P	P	P	P	C	P
Church, synagogue and temple	P	P	P	P	P	P	P	P		P
Dancing, music and art center		P	P	P	P	P			C	P
General Services Land Uses										
Personal Services:										
General personal service	P	P	P	P	P	P	P	P		
Dry cleaning plant		P	P				P	P		

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Specific Land Use	NB	CB	CB- WR	GC	DC	MU (63)	LI	GI	REC	P/I
Dry cleaning pick-up station and retail service	P	P	P	P	P	P25	P76	P		
Funeral home/crematory		P	P	P	P	P26	P76	P		
Cemetery, columbarium or mausoleum	P24	P24	P24	P24, C20			P	P		
Day care I	P70	P70	P70	P70	P70	P70	P21, 70	P70	P70	P70
Day care II	P	P	P	P	P	P	P21			
Veterinary clinic	P	P	P	P	P	P	P76	P		
Automotive repair and service	P22	C, P28	C, P28	P			P	P		
Electric vehicle (EV) charging station (64)	P	P	P	P	P	P	P	P	P	P
EV rapid charging station (65), (66)	P	P	P	P	P67	P67	P	P		
EV battery exchange station				P			P	P		
Miscellaneous repair		P	P	P			P	P		
Social services		P	P	P	P	P				P
Kennel, commercial and exhibitor/breeding (71)		P	P	P			P	P		
Pet daycare (71), (72)		P	P	P	P	P	P76	P		
Civic, social and fraternal association		P	P	P	P	C		P		P
Club (community, country, yacht, etc.)								P		P
Health Services:										
Medical/dental clinic	P	P	P	P	P	P				P
Hospital		P	P	P	P	C				C
Miscellaneous health	P68	P68	P68	P68	P68	P68				P68
Supervised drug consumption facility										
Education Services:										
Elementary, middle/junior high, and senior high (including public, private and parochial)		C	C	C	C	C	P	C		C
Commercial school	P	P	P		P	P27				C
School district support facility	C	P	P	P	P	P	P	P		P
Vocational school		P	P	P	P	P27				P
Government/Business Service Land Uses										

PLANNING COMMISSION RECOMMENDATION

Specific Land Use	NB	CB	CB-WR	GC	DC	MU (63)	LI	GI	REC	P/I
Government Services:										
Public agency office	P	P	P	P	P	P	P	P		P
Public utility yard				P			P			P
Public safety facilities, including police and fire	P29	P	P	P	P	P	P			P
Utility facility	P	P	P	P		C	P	P		P
Private storm water management facility	P	P	P	P	P	P	P	P		P
Public storm water management facility	P	P	P	P	P	P	P	P		P
Business Services:										
Contractors' office and storage yard				P30	P30	P30	P	P		
Interim recycling facility		P23	P23	P23			P			P
Taxi stands		P	P	P			P	P		
Trucking and courier service		P31	P31	P31			P	P		
Warehousing and wholesale trade				P			P	P		
Mini-storage (36)							P76	P		
Freight and cargo service				P			P	P		
Cold storage warehousing							P	P		
General business service and office	P	P	P	P	P	P30	P	P		
Commercial vehicle storage							P	P		
Professional office	P	P	P	P	P	P	P			
Miscellaneous equipment rental		P30, 37	P30, 37	C38		P30, 37	P	P		
Automotive rental and leasing				P			P	P		
Automotive parking	P	P	P	P	P	P	P	P		
Research, development and testing				P			P	P		
Heavy equipment and truck repair							P	P		
Automobile holding yard				C			P	P		
Commercial/industrial accessory uses (73)	P39, 40	P39	P39	P39	P39, 40	P39, 40	P	P		
Adult facility								P33		
Factory-built commercial building (35)	P	P	P	P	P		P	P		

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Specific Land Use	NB	CB	CB-WR	GC	DC	MU (63)	LI	GI	REC	P/I
Wireless communication facility (32)	P, C	P, C	P, C	P, C	P, C	P, C	P, C	P, C		P, C
State-Licensed Marijuana Facilities:										
Marijuana cooperative (69)										
Marijuana processing facility – Indoor only (69)										
Marijuana production facility – Indoor only (69)										
Marijuana retail facility (69)										
Retail/Wholesale Land Uses										
Building, hardware and garden materials	P47	P	P	P	P	P47	P76	P		
Forest products sales		P	P	P			P			
Department and variety stores	P	P	P	P	P	P	P76			
Food stores	P	P	P	P	P	P45	P76			
Agricultural crop sales		P	P	P		C	P76			
Storage/retail sales, livestock feed							P76	P		
Motor vehicle and boat dealers		P	P	P			P	P		
Motorcycle dealers		C	C	P	P49		P	P		
Gasoline service stations	P	P	P	P	P		P76	P		
Eating and drinking places	P41	P	P	P	P	P46	P46	P		
Drug stores	P	P	P	P	P	P	P76	P		
Liquor stores		P	P	P						
Used goods: antiques/secondhand shops		P	P	P	P	P				
Sporting goods and related stores		P	P	P	P	P				
Book, stationery, video and art supply stores	P	P	P	P	P	P				
Jewelry stores		P	P	P	P	P				
Hobby, toy, game shops	P	P	P	P	P	P				
Photographic and electronic shops	P	P	P	P	P	P				
Fabric and craft shops	P	P	P	P	P	P				
Fuel dealers				P43			P43	P43		
Florist shops	P	P	P	P	P	P				

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Specific Land Use	NB	CB	CB- WR	GC	DC	MU (63)	LI	GI	REC	P/I
Pet shops	P	P	P	P	P	P				
Tire stores		P	P	P	P		P76	P		
Bulk retail		P	P	P			P76			
Auction houses				P42			P76			
Truck and heavy equipment dealers							P	P		
Mobile home and RV dealers				C			P	P		
Retail stores similar to those otherwise named on this list	P	P	P	P	P	P48	P44, 76	P44		
Automobile wrecking yards							C	P		
Manufacturing Land Uses										
Food and kindred products		P50, 52	P50, 52	P50			P50	P		
Winery/brewery		P53	P53	P	P53	P53	P	P		
Textile mill products							P	P		
Apparel and other textile products				C			P	P		
Wood products, except furniture				P			P	P		
Furniture and fixtures				P			P	P		
Paper and allied products							P	P		
Printing and publishing	P51	P51	P51	P		P51	P	P		
Chemicals and allied products							C	C		
Petroleum refining and related industries							C	C		
Rubber and misc. plastics products							P	P		
Leather and leather goods							C	C		
Stone, clay, glass and concrete products							P	P		
Primary metal industries							C	P		
Fabricated metal products				C			P	P		
Industrial and commercial machinery							C	P		
Heavy machinery and equipment							C	P		
Computer and office equipment				C			P			
Electronic and other electric equipment				C			P			
Railroad equipment							C	P		

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Specific Land Use	NB	CB	CB-WR	GC	DC	MU (63)	LI	GI	REC	P/I
Miscellaneous light manufacturing				P54, 74	P54		P	P		
Motor vehicle and bicycle manufacturing							C	P		
Aircraft, ship and boat building							C	P		
Tire retreading							C	P		
Movie production/distribution				P			P			
Resource Land Uses										
Agriculture:										
Growing and harvesting crops							P	P	P	
Raising livestock and small animals							P	P	P	
Greenhouse or nursery, wholesale and retail				P			P	P	C	
Farm product processing							P	P		
Forestry:										
Growing and harvesting forest products							P			
Forest research							P			
Wood waste recycling and storage							C	C		
Fish and Wildlife Management:										
Hatchery/fish preserve (55)							P	P	C	
Aquaculture (55)							P	P	C	
Wildlife shelters	C	C	C						P	
Mineral:										
Processing of minerals							P	P		
Asphalt paving mixtures and block							P	P		
Regional Land Uses										
Jail		C	C	C			C			
Regional storm water management facility		C	C	C	C		C	C		P
Public agency animal control facility				C			P	P		C
Public agency training facility		C56	C56	C56		C56	C57			C57
Nonhydroelectric generation facility	C	C	C	C			C	C		C
Energy resource recovery facility							C			

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Specific Land Use	NB	CB	CB-WR	GC	DC	MU (63)	LI	GI	REC	P/I
Soil recycling/incineration facility							C	C		
Solid waste recycling								C		C
Transfer station							C	C		C
Wastewater treatment facility							C	C		C
Transit bus base				C			P			C
Transit park and pool lot	P	P	P	P	P	P	P	P		P
Transit park and ride lot	P	P	P	P	P	P	P	P		C
School bus base	C	C	C	C			P			C58
Racetrack	C59	C59	C59	C			P			
Fairground							P	P		C
Zoo/wildlife exhibit		C	C	C						C
Stadium/arena				C			C	P		C
College/university	C	P	P	P	P	P	P	P		C
Secure community transition facility								C60		
Opiate substitution treatment program facilities		P61, 62	P61, 62	P61, 62	P61, 62		P62	P62		

(Ord. 3168 § 2 (Exh. A), 2020**; Ord. 3164 § 6, 2020; Ord. 3159 § 3, 2020; Ord. 3137 § 3 (Exh. B), 2019; Ord. 3086 § 1, 2018; Ord. 3085 § 3, 2018; Ord. 3071 § 4, 2017; Ord. 3057 § 6, 2017*; Ord. 3054 § 12, 2017; Ord. 3022 § 9, 2016; Ord. 2985 § 5, 2015; Ord. 2981 § 1, 2015; Ord. 2980 § 1, 2015; Ord. 2959 § 7, 2014; Ord. 2932 § 3, 2013; Ord. 2898 § 9, 2012; Ord. 2852 § 10 (Exh. A), 2011).

* Code reviser's note: Ord. 3057 amends this section without taking into account the amendments of Ord. 3054. The amendments of Ord. 3054 have been retained per the intent of the city.

** ~~Code reviser's note: Ord. 3168 Section 3 states: "This interim development regulation shall be in effect for six (6) months following the effective date of this Ordinance" and shall expire June 2, 2021.~~

22C.020.070 Permitted uses – Development conditions. 

(1) Bed and breakfast guesthouses and inns are subject to the requirements and standards contained in Chapter 22C.210 MMC, Bed and Breakfasts.

(2) Home occupations are subject to the requirements and standards contained in Chapter 22C.190 MMC, Home Occupations.

PLANNING COMMISSION RECOMMENDATION

- (3) Limited to one dwelling unit for the purposes of providing on-site service and security of a commercial or industrial business. Caretaker's quarters are subject to the provisions set forth in Chapter 22C.110 MMC, entitled "Temporary Uses."
- (4) All units must be located above a street-level commercial use.
- (5) Twenty percent of the units, but no more than two total units, may be located on the street level of a commercial use, if conditional use permit approval is obtained and the units are designed exclusively for ADA accessibility. The street-level units shall be designed so that the units are not located on the street front and primary access is towards the rear of the building.
- (6) Permitted on the ground floor in the southwest sector of downtown vision plan area, as incorporated into the city of Marysville comprehensive plan.
- (7) Manufactured homes, mobile homes, recreational vehicles, and tiny houses with wheels are only allowed in existing mobile/manufactured home parks.
- (8) Home occupations are limited to home office uses in multifamily dwellings. No signage is permitted in townhouse or multifamily dwellings.
- (9) Permitted in a legal nonconforming or conforming residential structure.
- (10) Subject to Chapter 22C.220 MMC, Master Planned Senior Communities.
- (11) The following conditions and limitations shall apply, where appropriate:
- (a) Parks are permitted in residential and mixed use zones when reviewed as part of a subdivision or multiple-family development proposal; otherwise, a conditional use permit is required;
 - (b) Lighting for structures and fields shall be directed away from residential areas; and
 - (c) Structures or service yards shall maintain a minimum distance of 50 feet from property lines adjoining residential zones.
- (12) Recreational vehicle parks are subject to the requirements and conditions of Chapter 22C.240 MMC.
- (13) Golf Facility.
- (a) Structures, driving ranges and lighted areas shall maintain a minimum distance of 50 feet from property lines adjoining residential zones.
 - (b) Restaurants are permitted as an accessory use to a golf course.
- (14) Shooting Range.
- (a) Structures and ranges shall maintain a minimum distance of 50 feet from property lines adjoining residential zones;

PLANNING COMMISSION RECOMMENDATION

(b) Ranges shall be designed to prevent stray or ricocheting projectiles or pellets from leaving the property; and

(c) Site plans shall include safety features of the range; provisions for reducing noise produced on the firing line; and elevations of the range showing target area, backdrops or butts.

(15) Only in an enclosed building.

(16) Dock and Boathouse, Private, Noncommercial.

(a) The height of any covered over-water structure shall not exceed 20 feet as measured from the line of ordinary high water;

(b) The total roof area of covered, over-water structures shall not exceed 1,000 square feet;

(c) The entirety of such structures shall have not greater than 50 percent of the width of the lot at the natural shoreline upon which it is located;

(d) No over-water structure shall extend beyond the average length of all pre-existing over-water structures along the same shoreline and within 300 feet of the parcel on which proposed. Where no such pre-existing structures exist within 300 feet, the pier length shall not exceed 50 feet;

(e) Structures permitted hereunder shall not be used as a dwelling; and

(f) Covered structures are subject to a minimum setback of five feet from any side lot line or extension thereof. No setback from adjacent properties is required for any uncovered structure, and no setback from water is required for any structure permitted hereunder.

(17) Boat Launch, Noncommercial or Private.

(a) The city may regulate, among other factors, required launching depth, and length of docks and piers;

(b) Safety buoys shall be installed and maintained separating boating activities from other water-oriented recreation and uses where this is reasonably required for public safety, welfare and health; and

(c) All site improvements for boat launch facilities shall comply with all other requirements of the zone in which it is located.

(18) Excluding racetrack operation.

(19) Amusement and recreation services shall be a permitted use if they are located within an enclosed building, or a conditional use if located outside. In both instances they would be subject to the exclusion of a racetrack operation similar to other commercial zones.

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- (20) Structures shall maintain a minimum distance of 100 feet from property lines adjoining residential zones.
- (21) Permitted as an accessory use; see MMC 22A.020.020, the definition of “Accessory use, commercial/industrial.”
- (22) Only as an accessory to a gasoline service station; see retail and wholesale permitted use table in MMC 22C.020.060.
- (23) All processing and storage of material shall be within enclosed buildings and excluding yard waste processing.
- (24) Limited to columbariums accessory to a church; provided, that existing required landscaping and parking are not reduced.
- (25) Drive-through service windows in excess of one lane are prohibited in Planning Area 1.
- (26) Limited to columbariums accessory to a church; provided, that existing required landscaping and parking are not reduced.
- (27) All instruction must be within an enclosed structure.
- (28) Car washes shall be permitted as an accessory use to a gasoline service station.
- (29) Public Safety Facilities, Including Police and Fire.
- (a) All buildings and structures shall maintain a minimum distance of 20 feet from property lines adjoining residential zones;
 - (b) Any buildings from which fire-fighting equipment emerges onto a street shall maintain a distance of 35 feet from such street.
- (30) Outdoor storage of materials or vehicles must be accessory to the primary building area and located to the rear of buildings. Outdoor storage is subject to an approved landscape plan that provides for effective screening of storage, so that it is not visible from public right-of-way or neighboring properties.
- (31) Limited to self-service household moving truck or trailer rental accessory to a gasoline service station.
- (32) All WCFs and modifications to WCFs are subject to Chapter 22C.250 MMC including but not limited to the siting hierarchy, MMC 22C.250.060. WCFs may be a permitted use or a CUP may be required subject to MMC 22C.250.040.
- (33) Subject to the conditions and requirements listed in Chapter 22C.030 MMC.
- (34) Reserved.

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(35) A factory-built commercial building may be used for commercial purposes subject to the following requirements:

(a) A factory-built commercial building must be inspected at least two times at the factory by the State Building and Electrical Inspector during the construction process, and must receive a state approval stamp certifying that it meets all requirements of the International Building and Electrical Codes. At the building site, the city building official will conduct foundation, plumbing and final inspections; and

(b) A factory-built commercial building cannot be attached to a metal frame allowing it to be mobile. All structures must be placed on a permanent, poured-in-place foundation. The foundation shall be structurally engineered to meet the requirements set forth in Chapter 16 of the International Building Code.

(36) Mini-storage facilities are subject to the development standards outlined in Chapter 22C.170 MMC.

(37) Except heavy equipment.

(38) With outdoor storage and heavy equipment.

(39) Incidental assembly shall be permitted; provided, it is limited to less than 20 percent of the square footage of the site excluding parking.

(40) Light industrial uses may be permitted; provided, there is no outdoor storage of materials, products or vehicles.

(41) Excluding drinking places such as taverns and bars and adult entertainment facilities.

(42) Excluding vehicle and livestock auctions.

(43) If the total storage capacity exceeds 6,000 gallons, a conditional use permit is required.

(44) The retail sale of products manufactured on site shall be permitted; provided, that not more than 20 percent of the constructed floor area in any such development may be devoted to such retail use.

(45) Limited to 5,000 square feet or less.

(46) Eating and Drinking Places.

(a) Limited to 4,000 square feet or less.

(b) Drive-through service windows in excess of one lane are prohibited in Planning Area 1.

(c) Taverns, bars, lounges, etc., are required to obtain a conditional use permit in the mixed use zone.

(47) Limited to hardware and garden supply stores.

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- (48) Limited to convenience retail, such as video, and personal and household items.
- (49) Provided there is no outdoor storage and/or display of any materials, products or vehicles.
- (50) Except slaughterhouses.
- (51) Limited to photocopying and printing services offered to the general public.
- (52) Limited to less than 10 employees.
- (53) In conjunction with an eating and drinking establishment.
- (54) Provided there is no outdoor storage and/or display of any materials, products or vehicles.
- (55) May be further subject to the provisions of city of Marysville shoreline management program.
- (56) Except weapons armories and outdoor shooting ranges.
- (57) Except outdoor shooting ranges.
- (58) Only in conjunction with an existing or proposed school.
- (59) Except racing of motorized vehicles.
- (60) Limited to land located along east side of 47th Avenue NE alignment, in the east half of the northeast quarter of Section 33, Township 30N, Range 5E, W.M., and in the northeast quarter of the southeast quarter of Section 33, Township 30N, Range 5E, W.M., and land located east side of SR 529, north of Steamboat Slough, south and west of Ebey Slough (a.k.a. TP No. 300533-002-004-00) and in the northwest and southwest quarters of Section 33, Township 30N, Range 5E, W.M., as identified in Exhibit A, attached to Ordinance No. 2452.
- (61) Opiate substitution treatment program facilities permitted within commercial zones are subject to Chapter 22G.070 MMC, Siting Process for Essential Public Facilities.
- (62) Opiate substitution treatment program facilities, as defined in MMC 22A.020.160, are subject to the standards set forth below:
- (a) Shall not be established within 300 feet of an existing school, public playground, public park, residential housing area, child-care facility, or actual place of regular worship established prior to the proposed treatment facility.
 - (b) Hours of operation shall be restricted to no earlier than 6:00 a.m. and no later than 7:00 p.m. daily.
 - (c) The owners and operators of the facility shall be required to take positive ongoing measures to preclude loitering in the vicinity of the facility.
- (63) Permitted uses include Whiskey Ridge zones.

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(64) Level 1 and Level 2 charging only.

(65) The term “rapid” is used interchangeably with Level 3 and fast charging.

(66) Rapid (Level 3) charging stations are required to comply with the design and landscaping standards outlined in MMC 22C.020.265.

(67) Rapid (Level 3) charging stations are required to be placed within a parking garage.

(68) Excepting “marijuana (cannabis) dispensaries,” “marijuana (cannabis) collective gardens,” and “marijuana cooperatives” as those terms are defined or described in this code and/or under state law; such facilities and/or uses are prohibited in all zoning districts of the city of Marysville.

(69) No person or entity may produce, grow, manufacture, process, accept donations for, give away, or sell marijuana concentrates, marijuana-infused products, or usable marijuana within commercial, industrial, recreation, and public institution zones in the city. Provided, activities in strict compliance with RCW 69.51A.210 and 69.51A.260 are not a violation of the Marysville Municipal Code.

(70) Permitted within existing legal nonconforming single-family residences.

(71) Subject to the requirements set forth in MMC 10.04.460.*

(72) Pet daycares are restricted to indoor facilities with limited, supervised access to an outdoor fenced yard. Overnight boarding may be permitted as a limited, incidental use. Both outdoor access and overnight boarding privileges may be revoked or modified if the facility is not able to comply with the noise standards set forth in WAC 173-60-040.*

(73) Shipping/cargo and similar storage containers may be installed on commercial or industrial properties provided they are screened from public view pursuant to MMC 22C.120.160, Screening and impact abatement.

(74) Tanks, generators, and other machinery which does not generate nuisance noise may be located in the service/loading area. Truck service/loading areas shall not face the public street and shall be screened from the public street.

(75) Hotels/motels are prohibited within Arlington Airport Inner Safety Zones (ISZ) 2, 3, and 4. Hotel/motels that are proposed to locate within Arlington Airport Protection Subdistricts B and C shall be required to coordinate with the Arlington Municipal Airport to ensure that height, glare, and other aspects of the hotels/motels are compatible with air traffic and airport operations.

(76) Use limited to properties that have property frontage along State Avenue/Smokey Point Boulevard.

(77) See MMC 22C.280 for regulations for enhanced services facility.

~~(77) Enhanced services facilities are prohibited in all commercial and industrial zones as such are identified and adopted in this chapter. (Ord. 3168 § 2 (Exh. A), 2020**; Ord. 3164 § 7, 2020; Ord. 3159 § 4, 2020; Ord. 3137 § 3 (Exh. B), 2019; Ord. 3086 § 2, 2018; Ord. 3054 § 13, 2017;~~

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~~Ord. 3022 § 10, 2016; Ord. 2985 § 6, 2015; Ord. 2981 § 2, 2015; Ord. 2979 § 4, 2014; Ord. 2959 § 8, 2014; Ord. 2932 § 4, 2013; Ord. 2898 § 10, 2012; Ord. 2852 § 10 (Exh. A), 2011).~~

*Code reviser's note: Ord. 2985 added these subsections as (70) and (71). They have been renumbered as (71) and (72) to avoid duplicating the subsection added by Ord. 2981.

~~** Code reviser's note: Ord. 3168 Section 3 states: "This interim development regulation shall be in effect for six (6) months following the effective date of this Ordinance" and shall expire June 2, 2021.~~

PLANNING COMMISSION RECOMMENDATION

EXHIBIT B
Chapter 22C.280
Regulations for Enhanced Services Facility.

22C.280.010 Purpose. The purpose of this section is to:

1. provide for a needed community service while ensuring that adequate public facilities are available to the residents of enhanced services facilities; and
2. promote compatibility with surrounding land uses.

22C.280.020. Applicability. The standards in this section apply to any “enhanced services facility”, as defined in Chapter 22A.020 MMC.

22C.280.030. Notice Requirements. At least fifteen (15) days prior to filing an application with the City to establish an enhanced services facility, the owner and/or sponsor shall mail written notice to owners of contiguous properties and to the Community Development Department of their intention to establish the facility. The notice shall list the name and contact information for the owner or sponsor, to provide neighboring property owners the opportunity to contact them with questions, and include a description of the proposed facility and proposed number of residents. The owner or sponsor shall address questions or concerns from neighboring property owners to the extent possible in the management plan required by MMC 22C.280.040.

22C.280.040. Management Plan Required. The owner or sponsor of the facility shall provide the Community Development Director with a management plan for the facility addressing the following:

1. how the facility can appropriately meet the assessed needs of potential residents through appropriate staffing and best management practices;
2. potential impacts on nearby residential uses and proposed methods to mitigate those impacts;
3. facility management, including 24-hour contact information for persons responsible to resolve concerns pertaining to the facility, and procedures for updating neighbors with changes in contact information;
4. staffing, supervision and security arrangements appropriate to the facility; and
5. a communications plan for providing information to the surrounding neighborhood.

22C.280.050. Other Requirements.

1. The facility shall obtain all necessary licenses, certificates and approvals from state and federal agencies.
2. The facility shall serve only individuals who do not pose a direct threat and a significant risk to others, and who have been assessed as medically and psychiatrically stable.
3. No more than one enhanced services facility shall be permitted per site.
4. In the R-18 and R-28 zones, an enhanced services facility shall be located either within one-quarter mile of a public transit route, or within one-quarter mile of property located in the DC, NB, MU, CB, CB-WR or GC zones.
5. Enhanced services facilities shall be limited to not more than sixteen (16) residents.

**Planning
Commission**



**1049 State Avenue
Marysville, WA 98270**

**Meeting Minutes
January 12, 2021**

CALL TO ORDER / ROLL CALL

Chair Leifer called the January 12, 2021 Planning Commission meeting to order at 5:00 p.m. Planning Manager Chris Holland called the roll.

Present:

Commissioner: Chair Steve Leifer, Vice Chair Jerry Andes, Commissioner Kevin Johnson, Commissioner Kristen Michal, Commissioner Brandon Whitaker, Commissioner Roger Hoen

Absent: Commissioner Tom Thetford

Staff: Planning Manager Chris Holland, Interim Community Development Director Allan Giffen, Public Works Director Kevin Nielsen

APPROVAL OF MINUTES

December 8, 2020 Planning Commission Minutes

Motion to approve the December 8, 2020 Planning Commission Meeting Minutes moved by Commissioner Andes seconded by Commissioner Hoen.

AYES: ALL

AUDIENCE PARTICIPATION

Chair Leifer solicited audience participation on items not on the agenda. There was none.

SELECTION OF CHAIR AND VICE CHAIR

Motion to elect Steve Leifer as Planning Commission Chair for 2021 moved by Commissioner Hoen seconded by Commissioner Andes.

AYES: ALL

Motion to elect Jerry Andes as Vice Chair for 2021 moved by Chair Leifer seconded by Commissioner Whitaker.

AYES: ALL

NEW BUSINESS

Stormwater Retention Pond Reclamation Proposal

Commissioner Hoen summarized this item. Planning Manager Holland reviewed the information in the Planning Commission packet. Public Works Director Kevin Nielsen further explained how staff tries to incorporate recreational opportunities into any new regional storm water projects; however, trying to retrofit existing ponds is nearly impossible due to DOE (Department of Ecology) requirements and related costs. Planning Manager Holland discussed what the Ebey Waterfront Stormwater Facility would do for the downtown area.

Chair Leifer asked if there is a possibility to incorporate low impact design in the downtown basin area. Director Nielsen affirmed that it is a low impact design with a trickling filter and planted beds. The City is adapting the design concept used in Tacoma.

Commissioner Whitaker asked about grants. Director Nielsen replied they have received DOE grants administered through the State. This is a competitive grant process for low impact development for almost \$6 million.

Commissioner Andes asked if any of the existing storm system around State, Delta or Cedar will have to be redone. Director Nielsen explained how the amount of the queue will actually be reduced due to other upgrades and infiltration methods which will be used.

Director Nielsen summarized that it is not possible to retrofit existing ponds, but the City is applying for all the low impact development grants they can to provide benefit for the community as a whole. Commissioner Hoen expressed appreciation for the follow-up from the Planning Department and their work to incorporate quality of life aspects into upcoming projects as much as possible.

OLD BUSINESS

Mini-storage uses in Community Business (CB) and General Commercial (GC) Zones

Community Development Director Giffen recapped previous discussions about this item and presented revised draft code text for Commission consideration. He explained that Aaron Metcalf had provided graphic examples of possible alternatives to staff. As a

result the proposed text provides the opportunity to use a design-based alternative to providing three stories.

Planning Manager Holland displayed a map of the area and responded to Commissioner Hoen's question about access issues to 38th and future access to 41st. He explained that the road can be extended through the easement to 41st.

Aaron Metcalf, Belmark, 12409 State Avenue, Marysville, WA 98271, thanked staff for helping with this issue. He commented on access challenges to the property and discussed the proposed amendments. The graphic provided by his architects and planners is intended to show a concept for a mini storage that could work and still keep the beautification of this area intact.

Chair Leifer noted that the Tribes have the option to provide an additional access across Burlington Northern to State Avenue. Mr. Metcalf commented that it might be possible, but the Tribes are already trying to limit the amount of traffic going over the tracks so it is unlikely. Planning Manager Holland discussed challenges associated with another potential crossing project at 84th Street.

Interim Director Giffen stressed that even though they were discussing Mr. Metcalf's property as an example, it would not be the sole reason for any code changes. He noted that there are about a dozen other properties, in addition to Mr. Metcalf's, that could benefit from the proposed code amendment.

Commissioner Whitaker spoke generally in support of moving forward with a potential mini storage use as represented by the graphics and information provided by Mr. Metcalf.

Commissioner Hoen spoke to the impossible access challenges associated with Mr. Metcalf's site. Without another access he did not see how it could function. He spoke in support of the overall code amendment in order to allow mini storage as a conditional use in the CB (Community Business) and GC (General Commercial) zones.

Planning Manager Holland reviewed the other properties that could benefit from the proposed code amendments. Interim Director Giffen explained that the proposed amendments would provide standards that would apply to mini storage buildings in specific situations.

Commissioner Johnson asked what criteria the City would be looking at for a proposal to be considered. He expressed concern about the lack of specificity of what would allow for the reduction in height. Interim Director Giffen explained how this would be handled on a project-by-project basis.

Planning Manager Holland clarified that the question before the Commission was whether or not the City should explore code amendments to allow, under certain circumstances, mini storage within the CB and GC zones.

Commissioner Whitaker stated he was in favor of it in general given the opportunity to require design standards that go above and beyond.

Commissioner Michal concurred with Commissioner Whitaker. She thinks what staff has come up with is fairly narrowly written and as such would impact only a few properties.

Commissioner Andes spoke in support of looking into this further even though if it wasn't for this specific property they might not have considered it.

Commissioner Johnson concurred with Commissioner Andes and was generally in support of looking at this further.

Chair Leifer commented he has no issues with the idea of putting a mini storage on Mr. Metcalf's property.

There was consensus to take a further look at this item with an emphasis on defining design standards in order to provide flexibility for larger sites. Interim Director Giffen and Planning Manager Holland indicated staff would try to finalize a draft of the code amendment and get a Notice of Application out.

Chapter 70.97 RCW – Enhanced Services Facilities (ESF)

Interim Director Giffen continued discussion on the potential of amending the code to address Enhanced Service Facilities. He reviewed additional information about ESFs including the size of facilities, staffing levels, access, outdoor open space, management, existing ESFs in Washington, state law - Growth Management Act, Comprehensive Plan policies, and potential approaches to ESF regulations.

Commissioner Michal asked where the residents would be coming from and where they are going now if there aren't ESFs in the community.

Sandy Spiegelberg, DSHS Enhanced Facilities Program Manager, responded that the residents are coming out of either state or community hospitals. Currently a lot of these people are going into adult family homes or assisted living facilities. Some return to their own homes, and some remain in the hospital because there is no place for them to go.

Interim Director Giffen solicited comments around the type of approach the City should use in regulating ESFs. Under the Growth Management Act, mental health facilities are considered Essential Public Facilities and communities cannot adopt policies or regulations that preclude the siting of Essential Public Facilities.

Commissioner Hoen asked who is responsible for the safety and compliance with state regulations. Ms. Spiegelberg replied that the Residential Care Services Division does licensing, inspections and investigations. Contract monitoring happens pretty regularly, especially the first year the facility is open. The provider has the primary responsibility to

keep the residents and facility safe. Each resident will have his or her own individualized support plan and plan of care. The overall program design has worked really well in the five facilities that are open today.

Commissioner Michal asked how many other communities are looking to establish ESFs in their communities. Ms. Spiegelberg explained that Olympia, Lakewood, Auburn, Parkland, and Spokane are considering siting these. Several of these have received funding from the Department of Commerce. Commissioner Michal asked if other states are using this model. Ms. Spiegelberg thought that this was the only model like this in the country, but other states have expressed an interest in what Washington is doing.

Chair Leifer asked about the demand for spaces in these facilities. Ms. Spiegelberg replied that most individuals are coming out of state hospitals. Her understanding is there are several hundred people ready to come out of state hospitals. Because the Department of Commerce has awarded a lot of grant money to fund these, the governor and legislature have made this type of facility a priority. The focus right now is along the I-5 corridor because currently most of the facilities are in eastern Washington. The Department of Commerce funding may be used for capital development - land purchase or construction costs. The facilities are privately owned, but licensed and monitored by the State. Ongoing operations are funded through DSHS and allow a very significant savings over keeping people in state hospitals. It also gets people back into the community where they belong.

Planning Manager Holland asked about the need for ESFs to be along a transit corridor or to have access to certain services. Ms. Spiegelberg replied they try to encourage development with access to public transit. If this is not available DSHS asks that the facility provides some way to get the residents into the local community. It is also important to be close to community services.

Interim Director Giffen indicated that staff would draft some alternatives for a future meeting.

ADJOURNMENT

Motion to adjourn at 7:05 p.m. moved by Commissioner Whitaker seconded by Commissioner Michal.

AYES: ALL

Laurie Hugdahl, Recording Secretary

Next Meeting - Tuesday, January 12, 2020 (tentative)

**Planning
Commission**



**1049 State Avenue
Marysville, WA 98270**

**Meeting Minutes
February 9, 2021**

CALL TO ORDER / ROLL CALL

Chair Leifer called the February 9, 2021 Planning Commission meeting to order at 5:00 p.m. Planning Manager Chris Holland called the roll.

Present:

Commissioner: Chair Steve Leifer, Commissioner Kevin Johnson, Commissioner Kristen Michal, Commissioner Roger Hoen

Excused: Commissioner Tom Thetford, Commissioner Brandon Whitaker, Vice Chair Jerry Andes

Staff: Planning Manager Chris Holland, Interim Community Development Director Allan Giffen

APPROVAL OF MINUTES

January 12, 2021 Planning Commission Minutes

Motion to approve the January 12, 2021 Planning Commission Meeting Minutes moved by Commissioner Hoen seconded by Commissioner Michal.

AYES: ALL

AUDIENCE PARTICIPATION

Chair Leifer solicited audience participation on items not on the agenda. There was none.

OLD BUSINESS

Mini-storage uses in Community Business (CB) and General Commercial (GC) Zones

Interim Community Development Director Allan Giffen reviewed background information as contained in the commission packet to allow mini storage as a Conditional Use (CU) in the CB and GC zones. The criteria have been drafted to keep this fairly narrow by restricting it only to sites with challenges related to vehicular access. Based on feedback during the public process, staff has revised draft code text to allow lower building heights with design standards as an alternative to requiring three stories. Additionally, two options for Planning Commission consideration have been provided to address commissioner comments regarding outdoor storage of vehicles and equipment. He also discussed an amendment to the current landscaping requirement and deletion of a redundant section about compliance with the City's noise code. He solicited feedback in preparation for a public hearing on February 23.

Chair Leifer referred to Design Considerations on page 5 and asked if all the standards are intended to apply to all facilities in any zone or just in the GC and CB zones. Planning Manager Holland replied that it would apply to all mini-storage facilities regardless of zones unless otherwise specified.

Commissioner Michal asked about other storage facilities in the city that have the option of having outdoor vehicle storage. Director Giffen responded that the amendments would only apply to GC and CB zones, and only to sites north of 100th Street. There are currently some non-conforming storage facilities in the downtown area. Light Industrial and General Industrial already allow for outdoor storage whether it is a mini-storage facility or not.

Commissioner Hoen asked about the limitation of outdoor storage to 50% of the footprint of the building. Interim Director Giffen explained that this would allow storage but with some limitations to not devalue the site. Planning Manager Holland added that page 13 in the packet shows a photo of a mini storage facility in Everett as an example.

Aaron Metcalf, Belmark, 12409 State Avenue, Marysville, WA 98271, recommended maintaining flexibility regarding outdoor storage for the facilities to be successful.

Commissioner Johnson recommended that the language regarding screening should be strengthened to require opaque screening. He also suggested taking out the option for landscaping as a screening method because there is no way to ensure the visual screening would be adequate. Director Giffen explained that the code already requires landscaping; it just would not be relied upon to be the method of screening if there is a solid fence. He indicated staff would work on the landscaping language.

Commissioner Johnson referred to item g on page 5 regarding the staggered setbacks and recommended staff look additional horizontal and vertical modulation for aesthetics.

Chair Leifer referred to the outdoor storage portion of this topic and indicated that he would be recusing himself from any voting related to outdoor storage because he owns a facility that has outdoor storage.

Commissioner Michal referred to outdoor storage and noted that since this particular piece of property is at a main entry point to the City, it is especially important that any outdoor storage is screened very well. There was some discussion about the need to reconsider landscaping requirements if a solid fence is required.

There appeared to be consensus to move forward with a public hearing on February 23.

Director Giffen noted that staff would provide amendments regarding building modulation and landscaping and would keep options A & B regarding outdoor storage to decide at the next meeting.

Chapter 70.97 RCW – Enhanced Services Facilities (ESF)

DSHS Attendees: Mike Anbesse, Residential Care Services; Sondra Silverman, Policy Division; Bea Rector, Home and Community Services; Amy Abbott, Home and Community Services; Justin DeFour, DSHS, Home and Community Services Division

Director Giffen reviewed background on this item regarding whether and/or how to allow Enhanced Service Facilities (ESFs). He discussed some options for allowing these including regulating them as Essential Public Facilities, allowing them as a conditional use in certain zones, or allowing them as a permitted use in certain zones. He discussed how the various options would apply to ESFs with six or fewer clients versus those with up to 16. He stated he was soliciting feedback on this item in preparation for a hearing on February 23.

In addition to considering the three alternatives for allowing ESFs, staff is recommending:

- an edit under Other Requirements as recommended by DSHS to strike the last part of sentence after “agencies” in order to maintain proper workflow
- additional code language regarding providing notice
- taking out the requirement for 24-hour supervision because it is already required under RCW
- an amended definition of ESFs.
- Including a map indicating the zones in which ESFs would be allowed

Commissioner Hoen raised a question about why the zoning maps for other special types of housing like group sex offender homes and assisted living housing did not line up with the zones proposed for ESFs. Director Giffen explained that sex offender housing placement is governed by state regulations and not by zone. ESFs are proposed to be regulated by zone because it is believed that most of the facilities will be designed to house up to 16 residents and will be larger than would be desired in single-family zones. Commissioner Hoen stressed that he thinks the smaller ESFs are low-impact facilities and expressed concern that the zoning limitations might be overly restrictive. Director Giffen explained that the reason they have recommended restricting these to certain zones is because those zones allow for buildings that are somewhat bigger in scale and most ESFs tend to be larger facilities serving up to 16 people.

Chair Leifer referred to the zoning map and asked about the discrepancy between places adult family homes are allowed and those that would allow ESFs. Director Giffen noted that adult family homes are allowed just about anywhere in the City. The difference has to do with the restrictions for allowing the larger ESFs (up to 16 beds) which would have a different impact than adult family homes due to the scale.

Mike Anbesse, DSHS, Residential Care Services, discussed regulations and differences between the smaller (six clients and under) and the larger facilities (up to 16 clients). The intent of ESFs is to allow patients time and support to be ready before they are transitioned to the community. He also reviewed extensive staffing and emergency response requirements of facilities.

Chair Leifer asked about the likelihood that an applicant wouldn't get all the approvals they need from the state. Mr. Anbesse replied that the provider would be responsible for making sure they meet all the criteria. He also reviewed criteria for switching from an adult family home to an ESF and noted that they are quite different facilities. Based on Mr. Anbesse's comments, Interim Director Giffen suggested they could change the draft code to allow ESFs in single family zones up to six residents the same way that adult family homes are regulated. They would be permitted as long as they meet state licensing requirements. Facilities serving up to 16 residents would have different regulations. Planning Manager Holland clarified that if an existing adult family home was converting to an ESF, regardless of the zone, and they met all the state requirements, there wouldn't really be any city involvement. New facilities would have to go through the code requirements as drafted.

Justin DeFour, DSHS, Home and Community Services Division, commented that it would be very unlikely for a facility to open with only six occupants because of the economics of the situation. For the most part facilities are going to want the ability to get up to 16 clients.

- Chair Leifer suggested that since the economics of six or less clients does not pencil out, it makes the idea of putting them in single-family zones a moot point. He commented that he would not be in support of allowing facilities of up to 16 clients in single-family zones.
- Commissioner Hoen spoke in support of allowing up to 16 clients in other areas, but allowing six or under in single-family zones. Since existing Adult Family Homes in single-family zones are already allowed to be converted under state law, he didn't want to potentially be in conflict with state law even though DSHS representatives had indicated this type of conversion is highly unlikely. He spoke in support of flexibility for those that want to convert from Adult Family Homes to one of the smaller ESFs. He spoke in support of Alternative 3.
- Commissioner Michal agreed with others that they would not want to allow the 16-client facilities in single-family zones. She spoke in support of the ESF zoning referenced Alternative 3 with some flexibility for allowing smaller facilities written in, but knowing it is not particularly likely from a business standpoint. She

recommended keeping the larger buildings in places where they seem to fit the best.

- Commissioner Johnson agreed with other commissioners about not allowing the higher densities in single-family zones and spoke in support of Alternative 3.
- Chair Leifer questioned the verbiage in the current draft code allowing current non-conforming uses to convert. Commissioner Johnson thought it would not be an issue because other regulations would address any issues.
- Chair Leifer also spoke in support of Alternative 3.

Planning Manager Holland spoke to the state requirements for a management plan and asked Mr. Anbesse if the code should just reference that a management plan in compliance with the relevant RCW should be submitted to the City. Mr. Anbesse replied that the rules for the management plan are rigorous, and facilities are monitored for compliance by the state. There are also enforcement mechanisms built into the process for facilities that do not comply. He did not think another layer of management needed to be added by the City and that just referencing the regulations would work.

Commissioners appeared to be unanimous in support of Alternative 3 which would make six-occupants uses the only use allowed in single-family zones. The higher-density residences would have to be in CB, CB-WR, GC, DC or MU zones. Director Giffen indicated he would follow up with DSHS staff to clarify language related to facilities with six or fewer residents.

ADJOURNMENT

Motion to adjourn at 6:49 p.m. moved by Commissioner Michal seconded by Commissioner Johnson.

AYES: ALL

Laurie Hugdahl, Recording Secretary

Next Meeting - Tuesday, February 23, 2021

Planning Commission



1049 State Avenue
Marysville, WA 98270

**Meeting Minutes
February 23, 2021**

CALL TO ORDER / ROLL CALL

Chair Leifer called the February 23, 2021 Planning Commission meeting to order via Zoom at 5:00 p.m. Planning Manager Chris Holland called the roll.

Present:

Commissioner: Chair Steve Leifer, Vice Chair Jerry Andes, Commissioner Kevin Johnson, Commissioner Kristen Michal, Commissioner Roger Hoen, Commissioner Brandon Whitaker

Excused: Commissioner Tom Thetford

Staff: Planning Manager Chris Holland, Interim Community Development Director Allan Giffen, Project Specialist Janis Lamoureux

APPROVAL OF MINUTES

February 9, 2021 Planning Commission Minutes

Commissioner Hoen referred to the second to last paragraph on page 3 and stated he had raised a concern about the zoning maps for special types of housing (like sex offenders, Adult Family Homes, assisted living, etc.) not being in alignment with the proposed zoning map for ESFs. A reference to this discussion should be included to provide clarity to his comments.

Commissioner Hoen referred to the second bullet on page 4. He asked to clarify that Adult Family Homes in single-family zones are already allowed by state law to convert to ESFs even though it is extremely unlikely that a facility of six or less would want to convert. He had commented that he didn't want to potentially be in conflict with state law.

Commissioner Michal referred to page 4, bullet point 3 and clarified that she had referenced the zoning that was identified in Alternative 3, but did not necessarily speak in support of Alternative 3.

Planning Manager Holland indicated staff would make changes as indicated and bring the minutes back to the next meeting.

AUDIENCE PARTICIPATION

Chair Leifer solicited audience participation on items not on the agenda. There was none.

PUBLIC HEARING

Mini-storage uses in Community Business (CB) and General Commercial (GC) Zones

Interim Community Development Director Giffen gave background information regarding this item as contained in the Memorandum to the Planning Commission in the packet. The revised draft code text provides for an alternative to buildings having a minimum height of three stories and also lists two options concerning outdoor storage. Option 1 prohibits any outdoor storage while Option 2 allows a limited amount of outdoor storage subject to screening. The revised draft code text also includes some minor amendments to the current regulations related to screening and removal of a redundant noise standard based on discussion at the last meeting. He reviewed a map showing areas that would be impacted by the proposed code and further discussed the proposed code amendments.

Commissioner Michal referred to the solid screening and asked how high a solid fence could be. Planning Manager Holland replied that GC and CB zones allow for an 8-foot high fence.

Vice Chair Andes commented that an 8-foot fence would not screen an RV the size of a bus. Director Giffen, agreed and stated the developer would have to design the project so that outdoor storage of larger vehicles would not be visible by the arrangement of buildings or the location of the storage area.

Commissioner Michal commented that the language in Option 2 is pretty broad and could likely allow construction and other types of large equipment. She wondered how this would work with respect to section (77)2 which states that vehicular access is limited on the site. She appreciates the need for some flexibility to make the project more viable but expressed concern about larger vehicles coming and going. Director Giffen explained that it is intended to be longer term storage where vehicles being stored would not be coming and going often. Planning Manager Holland suggested adding "as determined by the City Engineer" to section (77)2 to alleviate concerns.

Public Comments:

The public hearing was opened at 5:28 p.m.

Aaron Metcalf, Belmark, 12409 State Avenue, Marysville, WA 98271, thanked staff for presenting this to the Planning Commission. He agrees with the staff recommendation and concurs with focusing on the beautification and making sure the facility fits in that particular area. He requested as much flexibility as possible to match the market while still making it look nice. He noted that the approval would not allow the developer to go forward without a building permit and a site plan approval. They will still have to have approval by all the relevant city departments.

Vice Chair Andes asked Mr. Metcalf if he thought a Ram crew cab with a 35-foot long fifth wheel could they go in and out of that intersection safely. Mr. Metcalf believed that they could. There have been examples of large vehicles such as vector trucks and other manufacturing vehicles going to that site. He commented that the development process with the City would weed out uses that would not be appropriate for the site. He emphasized that any large vehicles would be stored there and would not be coming and going every day.

Motion to close the public hearing at 5:36 p.m. moved by Vice Chair Andes seconded by Commissioner Whitaker.

AYES: ALL

General Discussion:

Chair Leifer stated that he had been advised that he did not need to recuse himself from this topic so was able add some comments. He spoke to the general planning principle of using land for its highest and best use. He sees mini-storage and vehicle-storage as a dilution of that concept and stressed that this use would be departing philosophically from what they should be doing. In order to keep the values up as much as possible, he suggested, as an example, they could have a formula where if a three-story building was added then vehicle storage could be allowed on the property. If only one-story buildings were constructed, then vehicle storage would not be allowed.

Commissioner Whitaker expressed appreciation for the comments and ideas raised by Chair Leifer, but noted that the number of properties they are talking about is very low, so it is not necessarily a huge departure from the overall goals of the City.

Vice Chair Andes noted there are only seven properties in total that would be impacted that really can't be built on aside from mini storage. On a different note he raised a concern that there was some interest in this property three years ago, and those developers weren't given the option that Mr. Belmark has been given.

Commented [CH1]: 7 properties that could be impacted by code change but could not be built as mini-storage due to acreage.

Mr. Metcalf not Mr. Belmark

Commissioner Hoen agreed with the planning principle of highest value, but compared this project with the big old red barn sitting there for years. To him this use is a big improvement.

Commissioner Johnson pointed out that there is also an option of doing nothing. Planning Manager Holland agreed that was an option. Commissioner Johnson commented that if they were going to allow this use he would be in support of allowing outdoor storage with appropriate screening. He asked where the 3-story standard came from. Interim Director Giffen explained the intent was to maintain higher value developments. Commissioner Johnson stated that he wasn't a fan of this kind of development in this area, but between the two options he was more favorable to Option 2 which would allow outdoor storage with screening.

Option 1 v. Option 2 Preferences:

- Commissioner Whitaker expressed support for Option 2.
- Commissioner Hoen expressed support for Option 2 with good screening.
- Commissioner Michael commented that improving this property is better than what exists now. She expressed concern about the broad language in Option 2, but if things really can't be visible from the street she would be in favor of option 2.
- Vice Chair Andes spoke in support of Option 1 noting that this is an unusually strange site and doesn't seem to be the appropriate place for boats and RVs.
- Commissioner Johnson spoke in support of Option 2 if outdoor storage is not visible.

Chair Leifer asked staff how they could be assured that the outdoor storage would not be visible. Interim Director Giffen replied that the language in Option 2 already addresses that. It would be accomplished through the design of the building and location of the storage area so it was not visible from the exterior of the site. It would be reviewed on a site-by-site basis.

Motion to recommend approval of the mini storage amendments subject to Option 2 related to outdoor storage moved by Commissioner Whitaker, seconded by Commissioner Hoen.

Ayes – Michal, Whitaker, Hoen, Andes

Nay – Johnson

Abstain - Leifer

Motion passed.

Chapter 70.97 RCW – Enhanced Services Facilities (ESF) (6:01 p.m.)

Attendees related to this topic: Mike Anbesse, Residential Care Services; Sondra Silverman, Policy Division; Bea Rector, Home and Community Services; Amy Abbott, Home and Community Services; Sondra Silverman, DSHS Policy Division; Justin

DeFour, DSHS, Home and Community Services Division; Gibriel Mbowe; Ismail Mohammad

Interim Director Giffen reviewed three alternatives that had originally been considered related to Enhanced Service Facilities (ESFs). He also discussed the Planning Commission's direction to staff on February 9 to prepare revised regulations based on Alternative 2 and to make a distinction between ESFs for six (6) or fewer residents, and ESFs with more than six (6) up to sixteen (16) residents.

Option 1:

The proposed regulations would make a distinction between smaller and larger ESFs with definitions for "Enhanced Services Facilities 1" and "Enhanced Services Facilities 2". It would also allow "Enhanced Services Facilities 1" (six or fewer residents) in all zones allowing single family dwellings as a permitted use, subject to compliance with State licensing requirements. He noted that DSHS staff had stated there are currently none of the smaller ESFs and that it is highly unlikely there would ever be any ESFs with six or fewer residents due to the financial non-viability.

Under the proposed regulations "Enhanced Services Facilities 2" would be permitted as a permitted use in two multi-family zones (R-18 and R-28) and five commercial zones (CB, CB-WR, GC, DC and MU), subject to new regulations to be codified as MMC 22C.280 Regulations for Enhanced Services Facility 2. The proposed new regulations in MMC 22C.280 would also require notice to surrounding property owners prior to filing a land use application with the City; filing of a facility management plan to provide for public safety and communication with neighbors; and, in the R-18 and R-28 zones, would require proximity to transit routes or zones that allow for commercial or social services.

Pointing to DSHS's emphasis on the extremely low likelihood that smaller facilities (six or fewer residents) would be created, staff also proposed an alternative to the above option.

Option 2:

- Amend the MMC definition of ESFs to be identical to the State definition in RCW 70.97.010, as follows:
 - "Enhanced services facility" means a facility that provides support and services to persons for whom acute inpatient treatment is not medically necessary.
- Not allow ESFs, regardless of size, in single family zones, but allow ESFs as a conditional use in the R-18 and R-28 residential zones, and a permitted use in the CB, CB-WR, GC, DC and MU commercial zones. Under State law, the maximum size for an ESF is 16 residents.

Public Comments:

The public hearing was opened at 6:13 p.m.

Bea Rector, DSHS, thanked the City for the work they have done. She encouraged them not to remove the option for smaller facilities (six or fewer residents) even though it is not likely. She noted that things may change in the future, and in some situations a smaller setting may be a better option.

Commissioner Hoen expressed concern about the city duplicating or interfering with state regulations regarding things like staffing levels and management plans. Interim Director Giffen indicated that it was not the intent of staff to be redundant or get involved with matters where they are not experts. The intent of the language of the draft code would be to require the applicant to think about how they would provide for community safety and establish a communication plan so neighbors can contact the facility if there are any concerns.

Commissioner Hoen expressed concern about not allowing these smaller facilities in single-family zones if the state allows it. Interim Director Giffen noted that this is a new set of regulations, and the Mayor had recommended the approach they take should be more conservative at first. The code could be amended at a future time if desired.

Motion to close the public hearing at 6:22 p.m. moved by Vice Chair Andes, seconded by Commissioner Michael.

Motion passed unanimously.

Discussion:

Commissioner Whitaker noted that the February 20 memo answered a lot of his questions. He spoke in support of Option 2 with the knowledge that if the smaller facilities become viable in the future they can reconsider. There was general support by the rest of the Commission for Option 2.

Motion to approve and recommend Option 2 related to Enhanced Service Facilities which would not allow ESFs of any size in single family zones and which incorporates the input from the Mayor's office to make ESFs a conditional use in the R-18 and R-28 zones made by Commissioner Whitaker, seconded by Vice Chair Andes.

Motion passed unanimously.

NEW BUSINESS

MMC Title 22 Unified Development Code – Administration Code Amendments

Interim Director Giffen reviewed the proposed amendments which would provide flexibility in the administration of the code in six different sections.

1. Amending MMC 22A.010.070 Interpretation – Land Use – This section would be simplified by deleting the reference to the two outside resources (Standard Industrial Classification and the Illustrated Book of Development Definitions and give staff the ability to consider an unlisted use to be permitted if it is similar in nature to a use that is listed as a permitted use in a specific zone classification.
2. Adding a new section 22A.010.075 Promulgation of Rules, Procedures and Interpretations in order to allow staff to generate interpretations for how the code is to be used.
3. Adding a new section 22C.010.055 Modification of Use Regulations in Residential Zones. This would allow for an applicant to request a modification of a regulation contained in the Development Conditions under limited circumstances, which would be considered by the director following notice to contiguous property owners. The proposed alternative must show that it will provide “equivalent or superior” treatment or mitigation.
4. Adding a new section 22C.020.055 Modification of Use Regulations in Non-Residential Zones. This is similar to item 3 above, but for non-residential zones.
5. Adding a new section 22C.020.075 Adaptive Re-Use of Buildings in Non-residential zones. This proposed amendment would allow older buildings and other buildings not suited for uses that are permitted by zoning in a non-residential zone to be considered for another use, with notice provided to contiguous property owners. Decision criteria would focus on compatibility with the area and minimizing or mitigating impacts on surrounding uses.
6. Adding a new section 22C.010.075 Adaptive Reuse of Nonresidential Buildings in Residential Zones. This is similar to item 5 above, but would apply to residential zones. Decision criteria would focus on compatibility with surrounding land uses.

Discussion:

Chair Leifer commended staff on the proposals which he sees as quite visionary. Vice Chair Andes and Commissioner Whitaker also spoke in support of the proposed amendments. Commissioner Michal agreed, and asked if there are any proposals in the pipeline that would benefit from some of these reuses. Interim Director Giffen was not aware of anything. He indicated staff would bring back more information about this topic in the near future.

2021 Comprehensive Plan Amendment Docket–Smokey Point Comprehensive Plan Map Amendment

Interim Director Giffen reviewed background on a large area of land located between 152nd Street NE and the Arlington city limits, east of I-5 and west of Hayho Creek which is zoned General Commercial (GC). He solicited feedback on initiating a review of this

area to consider rezoning a portion of the area back to Light Industrial (LI) zoning. He also raised the question of the type of design standards desired for this area.

Commissioner Whitaker asked if the impetus for this had to do with the success of the Cascade Industrial Center. Interim Director Giffen did not think so; it has to do with over-zoning of this area for General Commercial. Planning Manager Holland reviewed some proposed uses in the area that would not currently be allowed. He added that everything west of Hayho Creek is within the basin to discharge to Marysville's storm water management facility.

Chair Leifer commented that rezoning seems reasonable, but he thinks it is important to maintain General Commercial along Smokey Pt. Blvd to some depth. He spoke in support of continued discussion on this topic.

Upcoming topics:

Planning Manager Holland commented that staff was planning on bringing the Downtown Master Plan to the next meeting.

ADJOURNMENT

Motion to adjourn at 7:05 p.m. moved by Vice Chair Andes, seconded by Commissioner Whitaker.

AYES: ALL

Laurie Hugdahl, Recording Secretary

Next Meeting - Tuesday, March 9, 2021

**Planning
Commission**



**1049 State Avenue
Marysville, WA 98270**

**Meeting Minutes
December 8, 2020**

CALL TO ORDER/ ROLL CALL

Chair Leifer called the December 8, 2020 Planning Commission meeting to order at 5 p.m. Planning Manager Chris Holland called the roll.

Roll Call

Present:

Commission: Chair Steve Leifer, Commissioner Johnson, Commissioner Kristen Michal, Commissioner Whitaker, Commissioner Hoen, Commissioner Andes

Absent: Commissioner Tom Thetford

Staff: Planning Manager Chris Holland, Project Specialist Janis Lamoureux, Interim Community Development Director Allan Giffen, Senior Planner Kate Tourtellot, Senior Planner Angela Gemmer

APPROVAL OF MINUTES

Approval of October 13, 2020 Minutes

Chair Leifer referred to page 4 of 5 and asked to amend the first sentence of the 5th paragraph to read:

*Chair Leifer reiterated his opinion that incentives are the way to go to encourage **commercial in mixed use zones.***

Motion to approve the October 13, 2020 minutes as amended moved by Commissioner Michal seconded by Commissioner Whitaker.

AYES: ALL

AUDIENCE PARTICIPATION

Public comments on items not on the agenda were solicited. There were none.

NEW BUSINESS

A. Mini-storage uses in Community Business (CB) and General Commercial (GC) Zones

Interim Community Development Director Allan Giffen provided an overview of this item. He explained that Aaron Metcalf of Belmark had asked about the potential for establishing a mini-storage facility on property he owns in the Community Business zone. Marysville zoning does not currently permit mini storage except in the Light Industrial and General Industrial zone. Director Giffen reviewed the situation on the property and discussed options available for a potential code amendment. Staff has requested the Planning Commission consider whether or not the City should initiate a review of this potential amendment to allow a mini-storage facility in the Community Business or General Commercial zones under very limited circumstances.

Commissioner Andes asked if the setback requirements near residential zones would be greater than 10-feet since the City would be requiring the storage facilities to be multi-story buildings. Director Giffen explained this could be discussed.

Commissioner Whitaker asked if Director Giffen had any experience with security concerns with the mini-storage facilities he worked with in Everett. Director Giffen was not aware of any.

Planning Manager Holland provided some background information on mini-storage inquiries the City has received and the City's response in those instances.

Chair Leifer solicited any public comments on this matter.

Aaron Metcalf, Belmark, discussed unique challenges with the subject property at State Avenue and 116th. He expressed hope that the City would consider their request and provide flexibility in this zone.

Chair Leifer recalled a submittal from the prior owner for a mini-storage facility and asked for more information about that. Planning Manager Holland indicated that a previous Comprehensive Plan Map Amendment had been submitted, but it was ultimately withdrawn. Planning Manager Holland stated that staff could bring back information regarding the application. Commissioner Whitaker was also interested in seeing the reasons why mini-storage requests were rejected in the past. He asked about Belmark's thoughts about the use of the rest of the property.

Commissioner Johnson expressed concern about doing a zoning text amendment which would open this up to the entire zoning district. He requested a visual depiction of what is being proposed by staff to see where these uses would be allowed. Director Giffen indicated staff could provide that.

There was consensus to have staff bring back information requested by the Planning Commission for further discussion.

B. Residential Subdivision Design

This agenda item was tabled.

C. Chapter 790.97 RCW - Enhanced Services Facilities (ESF)

Interim Community Development Director Giffen reviewed this item regarding the City's interim regulations prohibiting the siting of Enhanced Services Facilities (ESF) in the city and directing the Planning Commission to review and make a recommendation where such uses should be allowed. He provided background information about ESFs, identified existing city regulations for other kinds of group residences and discussed some approaches to consider for regulating ESFs. Possible approaches include:

1. Include ESFs within an existing land use category without amending the existing regulations.
2. Regulate ESFs as a separate land use category as some other cities have done.
3. Amend the existing code to address ESFs within an existing land use category but with definitions and siting criteria that are different than other uses in the general category.

Director Giffen solicited comments and questions by the Planning Commission. He also noted that there were a number of people in the community who would like to provide comments.

Chair Leifer requested clarification of the definition of ESFs and also practical uses of these types of facilities. Director Giffen explained there are only five in the state, and one of those is in the City of Everett. He reviewed some information about this facility. Chair Leifer referred to issues associated with a behavioral health hospital on 156th Street and asked how ESFs would compare to this.

Commissioner Whitaker also asked for more information about the type of patients at ESFs and the type of programs provided for them.

Public Comments:

Bea Rector, Director of Home and Community Services Division, DSHS, discussed the difference between ESFs and a state psychiatric facility. She explained that an ESF provides long-term services and support. The patients have to have a level of unmet need related to activities of daily living. An ESF does not provide mental health or substance use disorder services. There is programming at ESFs around activities and community integration.

Long term support

Medication, hygiene, meals
 Not a treatment facility
 Outpatient services provided off-site
 May transition to adult family home or assisted living facility
 ESFs have longer resident length of stay, better support than other type of facilities

Candy Gehring (sp), Director of Residential Care Services, DSHS, discussed licensing and oversight of ESFs. She explained it is a home-like environment and there have been very few incidents of crisis.

DSHS officials answered general commission questions.
 No federal oversight
 State Dept. of Health and State Fire Marshal have authority over ESFs
 Facilities are licensed for staffing, policies procedures
 Annual renewal required
 Facility must report failed practices
 Licensing division performs unannounced inspections
 Facilities are not locked
 Very few problems
 Staff well trained
 No more problems than adult family homes or assisted living facilities
 Successful keeping people out of state hospitals
 Average length of stay = 21 months
 State does not decide when people move, residents and family make that decision
 ESFs are not for involuntary lockup
 They are not drug treatment centers

Felix Were, Lynnwood, gave the perspective of the people who work with the patients within ESFs. He explained that these facilities provide a much-needed service in the community. He recommended looking not only at ESFs, but at other types of facilities in the community, like evaluation and treatment facilities. Staff requested more information from him about these other types of facilities. He indicated he would provide that to staff.

Gibriel, Mbowe, also discussed the need for these facilities. There are many misconceptions and unfounded fear over these and other types of mental health facilities.

It was noted that this item would be coming back to the Planning Commission for further discussion.

ADJOURNMENT

Chair Leifer welcomed new Senior Planner Kate Tourtellot who then introduced herself. Other commissioners then introduced themselves in turn.

The meeting was adjourned at 6:32 p.m.

Motion to adjourn moved by Commissioner Whitaker seconded by Commissioner Michal.

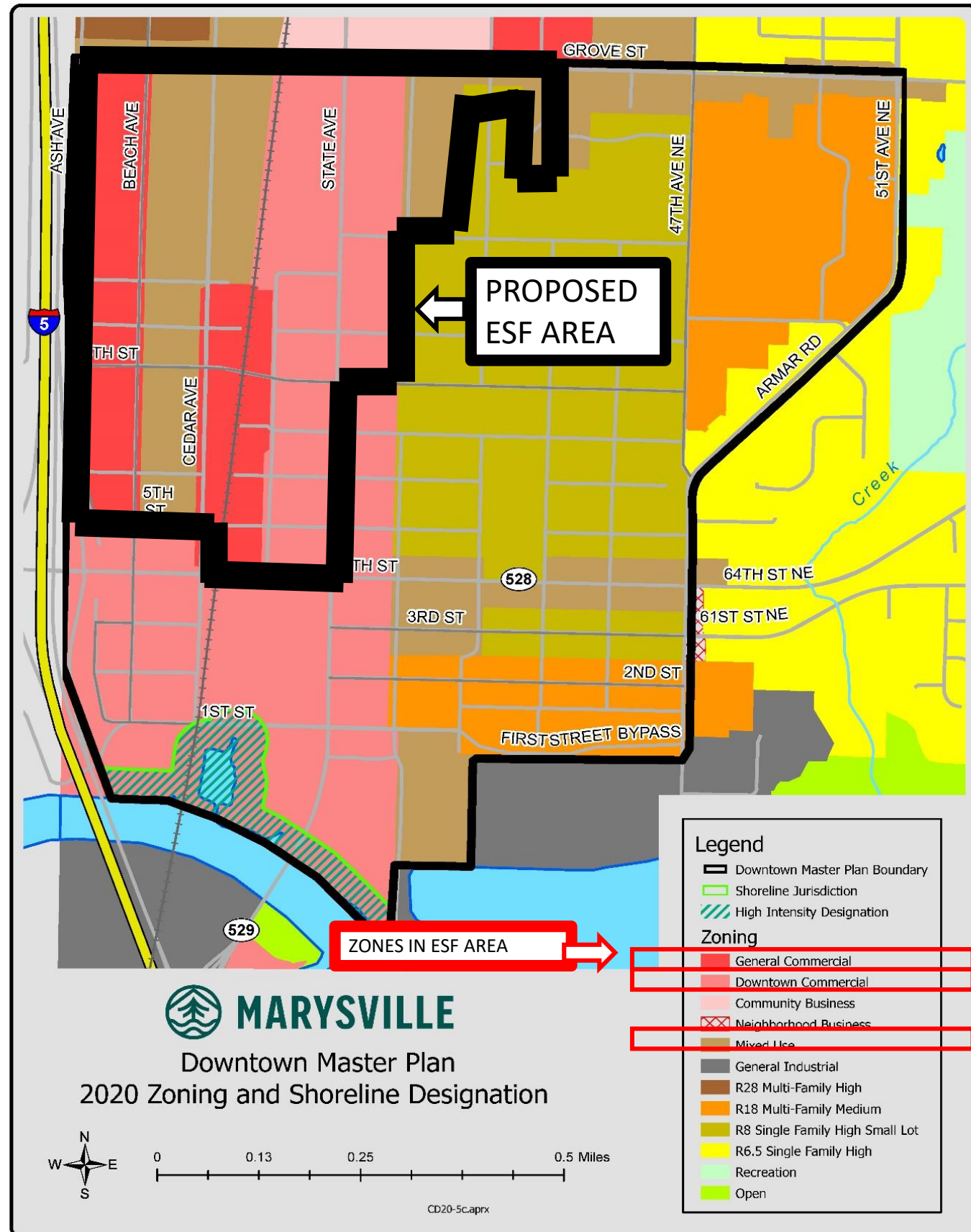
AYES: ALL

The meeting was adjourned at 6:32 p.m.

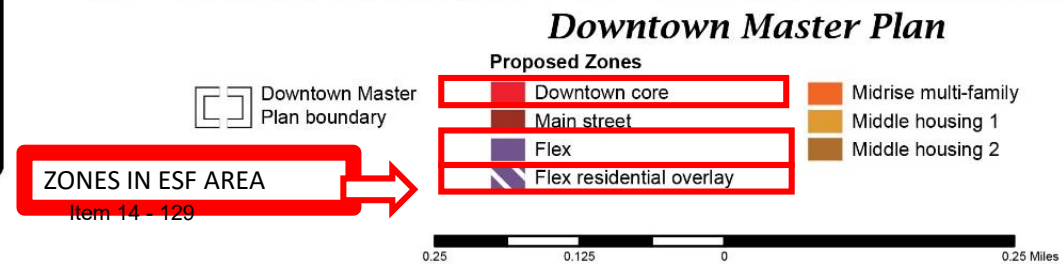
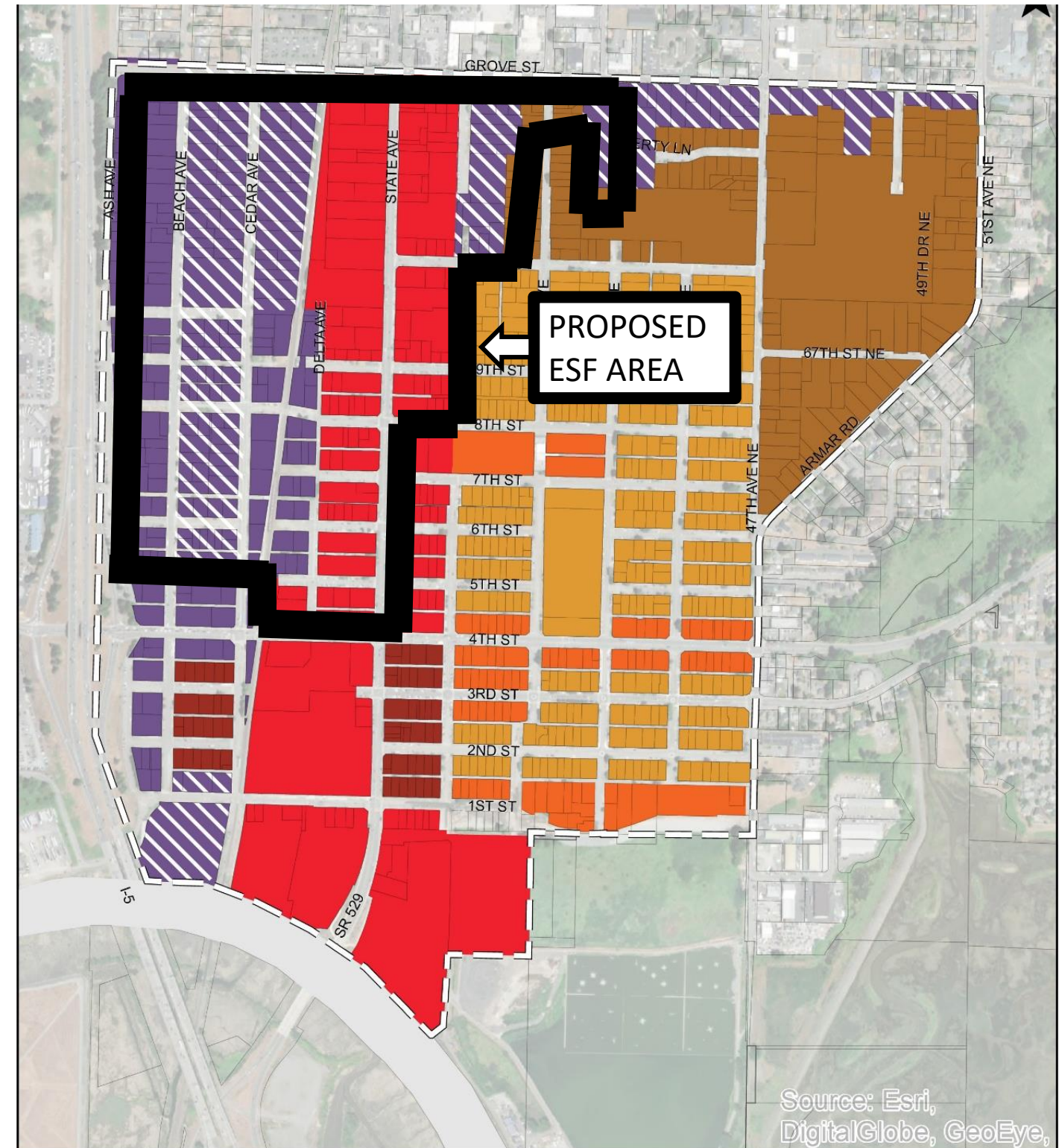
Laurie Hugdahl, Recording Secretary

Next Meeting - Tuesday, January 12, 2020

EXISTING ZONING



PROPOSED ZONING

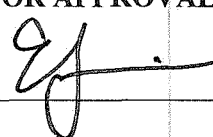


ZONES IN ESF AREA

Index #15

**CITY OF MARYSVILLE AGENDA BILL
EXECUTIVE SUMMARY FOR ACTION**

CITY COUNCIL MEETING DATE: 9/14/21

AGENDA ITEM:	
Auto Theft Task Force Inter-local Agreement Renewal	
PREPARED BY:	DIRECTOR APPROVAL:
Commander Robb Lamoureux	
DEPARTMENT:	
Police	
ATTACHMENTS:	
Inter-local Agreement Between Snohomish County and City of Marysville	
BUDGET CODE:	AMOUNT:
00108337.382132	\$344,733 (reimbursed)
SUMMARY:	

This inter-local agreement between Snohomish County and City of Marysville is a two-year renewal agreement for Auto Theft Task Force (ATTF) services effective July 1, 2021 through June 30, 2023.

The department agrees to dedicate and assign one full-time detective to the Task Force. The City will be reimbursed for actual expenses for salary and benefits up to a maximum amount of \$344,733 over the length of the agreement through monthly invoices submitted to the County.

The County oversees the ATTF and administers the Auto Theft Prevention Grant through their contract with Washington Auto Theft Prevention Authority (WATPA).

This inter-local agreement has been reviewed and approved as to form by the city attorney's office.

<p>RECOMMENDED ACTION: Staff recommends that Council authorize the Mayor or sign and execute the Auto Theft Task Force Inter-local Agreement Between Snohomish County and City of Marysville.</p> <p>RECOMMENDED MOTION: I move to authorize the Mayor to sign and execute _____.</p>
--

**INTERLOCAL AGREEMENT BETWEEN
SNOHOMISH COUNTY AND THE CITY OF MARYSVILLE
FOR AUTO THEFT TASK FORCE SERVICES**

This Interlocal Agreement Between Snohomish County And The City Of Marysville For Auto Theft Task Force Services (the “Agreement”), is entered into by and between Snohomish County, a political subdivision of the State of Washington (hereinafter referred to as the “County”), and the City of Marysville, a municipal corporation of the State of Washington (hereinafter referred to as the “City”).

RECITALS

- A. The Washington State Legislature created the Washington Auto Theft Prevention Authority (hereinafter “WATPA”) for the purpose of preventing and reducing auto theft in the State of Washington, and
- B. The County and WATPA entered into an Auto Theft Prevention Grant Contract (hereinafter “Grant Contract”) whereby the County is required to use specified grant funds (hereinafter “Grant Funds”) to create and operate a multi-jurisdictional, regional, auto theft task force (hereinafter the “Task Force”); and
- C. Chapter 39.34 RCW permits one or more public agencies to contract with any one or more other public agencies to perform any governmental service, activity, or undertaking that each public agency is authorized by law to perform; and
- D. Several jurisdictions desire to participate as members of the Task Force with Snohomish County administering task force project grants; and
- E. The City desires to enter into an agreement with Snohomish County in order to participate in the Task Force and enable Snohomish County to reimburse the City for such participation; and
- F. The City is authorized to perform each service contemplated herein.

AGREEMENT

NOW THEREFORE, in consideration of the covenants, conditions, performances, and promises contained herein, the parties agree as follows:

1.0 TASK FORCE COMPOSITION, PURPOSE, AND TERM

- 1.1 The City agrees to cooperate in the Task Force, composed of law enforcement, prosecutor, and support personnel, in order to jointly coordinate selected law enforcement activities, resources, and functions to prevent auto theft and to investigate and prosecute auto theft offenders in Snohomish County.
- 1.2 This Agreement shall take effect July 1, 2021, and continue in effect through June 30, 2023, unless earlier terminated or modified as provided in this Agreement.

2.0 ORGANIZATION

- 2.1 The County will be the administrator of this Agreement.
- 2.2 A Snohomish County Sheriff's Office lieutenant will direct all law enforcement personnel assigned to the Task Force, under this Agreement or similarly executed agreements, in their operational duties.
- 2.3 Additional law enforcement personnel may be provided to the Task Force through separate inter-local agreement between the County and other jurisdictions.
- 2.4 Nothing in this Agreement shall restrict the ability of the County or the City to reassign personnel and related equipment and supplies assigned under this Agreement.

3.0 OBLIGATIONS OF CITY

- 3.1 During the term of this Agreement, the City shall employ, dedicate and assign one full-time detective to the Task Force.
- 3.2 The detective's operational assignments will be directed by a Sheriff's Office lieutenant assigned to the Task Force.
- 3.3 The detective assigned to the Task Force pursuant to this Agreement shall remain subject to the policies, procedures and directives of the City.

- 3.4 The City agrees to make any certified assurances required by the Grant Contract that are within its particular control, and agrees to make all its records related to the Task Force available for inspection consistent with the Grant Contract and applicable state and federal laws.

4.0 BUDGET AND COMPENSATION

- 4.1 The County, through its Sheriff's Office, shall serve as the fiscal agent and manage Grant Funds, including reimbursement to participating jurisdictions. All revenues collected or generated by or for the Task Force shall be maintained by the County pursuant to law.
- 4.2 The County will reimburse the City actual expenses for salary and benefits up to a maximum amount of \$163,537.00 for (July 1, 2021 – June 30, 2022) and \$172,446.00 for (July 1, 2022 – June 30, 2023) and overtime up to \$8,750/ per 24 months. The City will send monthly invoices to the County with supporting documentation.
- 4.3 The County will make payments within thirty (30) days from receipt of the monthly invoice. Invoices shall be sent to Snohomish County Sheriff's Office, Fiscal Division, Mail Stop 606, 3000 Rockefeller Ave., Everett, WA 98201.
- 4.4 Total reimbursement under this Agreement shall not exceed \$344,733.00.

5.0 GENERAL ADMINISTRATION

- 5.1 The County agrees to provide WATPA with the necessary documentation to receive Grant Funds.
- 5.2 Any factual dispute between the County and the City that relates to this Agreement shall be referred for resolution to the Sheriff, or his/her designee, and the City's Mayor, or his/her designee. In the event the dispute cannot be resolved between the parties to each party's mutual satisfaction, the issue shall be submitted to mediation through the Snohomish County Dispute Resolution Center. Both parties agree to utilize this process prior to the institution of any legal action to enforce the terms and conditions of this agreement. The cost of mediation shall be borne equally by the parties.
- 5.3 The City shall provide the maximum opportunity to Minority and Women Owned Business Enterprises to participate in the performance of this Agreement.

6.0 ASSET FORFEITURE

- 6.1 All potential asset forfeitures initiated or investigated by officers assigned to the Task Force shall be referred to the County for prosecution.
- 6.2 The County shall acquire and dispose of assets seized or forfeited as a result of this Agreement in compliance with state and federal law.

7.0 REAL AND PERSONAL PROPERTY

All real or personal property acquired through Grant Funds or activities of the Task Force, that are not subject to Section 6 of this Agreement, will be held by the County.

8.0 ACQUISITION AND USE OF EQUIPMENT

- 8.1 All equipment purchased with Grant Funds will be held by the County.
- 8.2 Any equipment purchased with Grant Funds will only be used as permitted by the terms of the Grant Contract.
- 8.3 Upon termination of this Agreement, any equipment purchased or otherwise provided by the City will be returned to the City unless otherwise agreed by the parties.
- 8.4 Upon termination of this Agreement, the County will dispose of all acquired equipment in accordance with applicable federal, state and county requirements.

9.0 MODIFICATION

Each party reserves the right to amend this Agreement in the future from time to time as may be mutually agreed upon. No such amendment shall be effective unless written and signed with the same formality as this Agreement.

10.0 NONDISCRIMINATION PROVISION

There shall be no discrimination against any employee who is paid by the grant funds or against any applicant for such employment because of race, color, religion, handicap, marital status, political affiliation, sex, age, or national origin. This provision shall include, but not be limited to the following: employment, upgrading, demotion, transfer, recruitment, advertising, lay-off or termination, rates of pay or other forms of compensation, and selection for training.

11.0 TERMINATION OF AGREEMENT

Notwithstanding any provisions of this agreement, either party may terminate the Agreement by providing written notice of such termination specifying the effective date thereof at least thirty (30) days prior to such date. A terminating party may take with it any equipment it has loaned or donated to the Task Force.

12.0 HOLD HARMLESS

12.1 The County shall save, hold harmless, indemnify and defend the City, its elected and appointed officials, officers, employees and agents, from and against any loss or claim for damages of any nature whatsoever, including claims by third parties or County employees against which it would otherwise be immune under Title 51 RCW or other law, arising out of any act or omission of the County in performance of this Agreement, its elected or appointed officials, officers, employees or agents, except to the extent the loss or claim is attributable to the negligence or willful misconduct of the City, its elected or appointed officials, officers, employees or agents.

12.2 The City shall save, hold harmless, indemnify and defend the County, its elected and appointed officials, officers, employees and agents, and WATPA, from and against any loss or claim for damages, of any nature whatsoever, including claims by third parties or City employees against which it would otherwise be immune under Title 51 RCW or other law, arising out of any act or omission of the City, its elected or appointed officials, officers, employees or agents, in performance of this Agreement, except to the extent the loss or claim is attributable to the negligence or willful misconduct of the County, its elected or appointed officials, officers, employees or agents or WATPA.

13.0 GOVERNING LAW AND VENUE

This Agreement shall be governed by, construed, and enforced in accordance with the laws of the State of Washington without reference to choice of law principles, and venue of any suit between the parties arising out of this agreement shall be in the Superior Court of Snohomish County, Washington.

14.0 INTEGRATION

This Agreement constitutes the whole and entire agreement among the parties as to the Task Force and no other understandings, oral, or otherwise, regarding the Task Force shall be deemed to exist or bind the parties.

15.0 SEVERABILITY

If any part of this Agreement is unenforceable for any reason the remainder of the agreement shall remain in full force and effect.

16.0 EXECUTION OF MULTIPLE ORIGINAL COUNTERPARTS

This Agreement may be reproduced in any number of original counterparts. Each party need sign only one counterpart and when the signature pages are all assembled with one original counterpart, that compilation constitutes a fully executed and effective agreement among all the Participating Jurisdictions.

17.0 NOTICES

Any notice provided for or concerning this Agreement shall be in writing and shall be deemed given when delivered personally or when sent by certified or registered mail to the following persons:

To the County:

Snohomish County Sheriff
3000 Rockefeller Avenue, M/S 606
Everett, WA 98201

To the City:

City of Marysville
1635 Grove Street
Marysville, WA 98270
Attn: Robert Lamoureux

18.0 RECORDING OR POSTING

As provided by RCW 39.34.040, this Agreement shall not take effect unless and until it has (i) been duly executed by both parties, and (ii) either filed with the County Auditor or posted on either party's Interlocal Agreements website.

Dated this _____ day of _____, 2021.

“County”

“City”

SNOHOMISH COUNTY

CITY OF MARYSVILLE

County Executive
Date: _____

Print Name: _____
Date: _____

APPROVAL RECOMMENDED:

ATTEST:

Adam Fortney, Sheriff
Dated: _____

By: _____
Print Name: _____
Dated: _____

Approved as to form:

Andrew M. Denny

Deputy Prosecuting Attorney
Date: 7/22/21

Approved as to form:

Date: _____

Reviewed by Risk Management

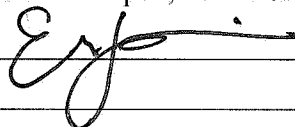
Risk Manager
Date: _____

Index #16

CITY OF MARYSVILLE AGENDA BILL

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: 9/14/21

AGENDA ITEM:	
License Agreement with Snohomish County Sheriff's Office for use of their Gun Range	
PREPARED BY:	DIRECTOR APPROVAL:
Adam Vermeulen	Erik Scairpon, Police Chief
DEPARTMENT:	
Police	
ATTACHMENTS:	
License Agreement with Snohomish County Sheriff's Office	
BUDGET CODE:	AMOUNT:
00103222.544400	\$850.00 per full day of use
SUMMARY:	

This a new License Agreement between Snohomish County Sheriff's Office and the City of Marysville, which provides the Marysville Police Department with use of the Snohomish County Sheriff's Office Gun Range.

Over past several years, the Marysville Police Department has used Plantation Range in Whatcom County. Plantation Range has gone through several changes in leadership and due to issues with the rifle range, does not provide a location for officers to shoot and qualify with the patrol rifle. Due these issues, the Marysville Police Department has sought the use of the Snohomish County Sheriff's Office Gun Range.

The Snohomish County Sheriff's Office Gun Range offers us an indoor range that allows the use both pistol and rifles for department in-service training. This allows us to qualify and shoot on the same day with our patrol rifles and handguns. The Sheriff's Gun Range allows us the flexibility and use of the range to create and execute specific firearms training drills. The use of this indoor range also allows us to conduct training in controlled environment regardless of the weather and time of year.

<p>RECOMMENDED ACTION: Staff respectfully recommends that Council authorize the Mayor or sign and execute the attached Licensing Agreement between the Snohomish County Sheriff's Office and the City of Marysville for use of the Sheriff's Office Gun Range.</p> <p>RECOMMENDED MOTION: I move to authorize the Mayor to sign and execute attached Licensing Agreement between the Snohomish County Sheriff's Office and the City of Marysville for use of the Sheriff's Office Gun Range.</p>
--

**LICENSE AGREEMENT
SNOHOMISH COUNTY – SHERIFF’S GUN RANGE
8915 CATHCART WAY, SNOHOMISH, WA 98296**

This License Agreement (the "Agreement") is between **Snohomish County, a political subdivision of the State of Washington**, (herein referred to as the "County") and CITY OF MARYSVILLE, (herein referred to as the "Licensee").

WITNESSETH

1. PREMISES. This Agreement grants Licensee use of the Snohomish County Sheriff's Gun Range facility amounting to approximately 11,140 rentable square feet and located at 8915 Cathcart Way, Snohomish, Washington 98296 (the "Premises"), which is a portion of the following tax parcel number:

Tax Parcel Number: 28053600200700

The parties agree that Licensee's use of the Premises is limited to the training room, restrooms, kitchen, and gun range.

2. CONSIDERATION. During the term of this Agreement, the Licensee shall pay a license fee in the amount of **\$85.00 for each hour** of use of the Premises. In the event the Licensee requests County staff to provide additional overtime hours of assistance in training and operation, outside normal business hours, the Licensee will be required to pay to the County an hourly overtime fee to be calculated by the County. The Licensee and County must mutually agree to dates and time for the County to provide additional overtime hours of assistance in training and operation of the range at the Premises prior to any scheduled use by the Licensee.

DATE OF USE	HOURS OF USE	OVERTIME HOURS	TOTAL LICENSE FEE

The Licensee will be invoiced within fifteen (15) business days of use of the Premises. The Licensee's payments will be sent to the following address:

**Snohomish County Sheriff's Department
3000 Rockefeller Avenue M/S 606
Everett, WA 98201**

3. TERM. The term of this Agreement shall commence upon full execution of this Agreement by the County and Licensee and shall be used for a period of _____ hours to commence at _____ a.m./p.m. and end at _____ a.m./p.m. effective _____, 20_____.

4. SCOPE OF LICENSE. The Premises shall be used solely for gun range and classroom training purposes. No illegal use shall be made thereof. Licensee's authority to use the Premises

shall not be considered exclusive possession or control. The County may enter the Premises at any time to determine whether improper or hazardous use is being made of the Premises. County staff may be present on the Premises at any time during which the Premises are being used by the Licensee.

Licensee agrees to comply with the County's rules and policies implemented for use of the Premises when exercising the rights granted to Licensee in this Agreement.

5. ACCESS. Licensee's access to the Premises must be scheduled with the County and will not include access on holidays.

6. CARE AND CONDITION. The Licensee shall be responsible for the Premises herein described and return the same in a neat and clean condition upon termination. If any property of Licensee is not removed by the date of termination, the County shall have the right to take possession of and store, use and/or sell the property in such a manner as it deems appropriate, and collect all unpaid fees, storage fees, costs of sale, reasonable attorney's fees, and other expenses from the proceeds of such sale. Licensee expressly agrees that any sale, public or private, may occur not less than thirty (30) days after the date of termination and may occur with or without notice from the County.

The County shall not be liable to the Licensee for any loss or damage to the Licensee's property or any other property from theft, fire, or any other cause before or after termination. The County is under no obligation to maintain, replace or repair any of its facilities or any other obligation not stated in this Agreement.

Licensee has examined the Premises and accepts the same in its present condition. It is agreed that the County shall not be bound by any warranty or representation as to the condition of the Premises or be bound in any other manner except as stated herein.

This Agreement shall not limit any legal remedies of the County not stated herein. If the County is required to expend any money to enforce any of its rights or to clean or renovate the Premises, such sum, including reasonable attorney's fees, shall be immediately due and payable to the County.

7. UTILITIES. The County agrees to pay for all utility cost to the Premises.

8. MAINTENANCE. The County shall provide routine maintenance and services at the Premises. The County shall not be called upon to make any repairs occasioned by the negligence of the Licensee, its agents or employees during Licensee's use of the Premises as stated in this Agreement.

9. HOLD HARMLESS. The Licensee agrees, to the maximum extent permitted by law, to indemnify and hold harmless the County, its officers, officials, agents and employees, from and against any and all suits, claims, actions, losses, costs, penalties and damages of whatsoever kind or natures arising out of, in connection with, or incidental to its use of the Premises. In addition, the Licensee shall assume the defense of the County and its officers and employees in all legal or claim proceedings arising out of, in connection with, or incidental to its use of the Premises; shall pay all defense expenses, including reasonable attorney's fees, expert fees and costs incurred by the County on account of such litigation or claims.

With respect to the Licensee's obligations to hold harmless, indemnify and defend provided for herein, but only as such obligations relate to claims, actions or suits filed against the County, the Licensee further agrees to waive its immunity under the Industrial Insurance Act, Title 51 RCW, for any injury or death suffered by the Licensee's employees caused by or arising out of the

Licensee's acts, errors or omissions in the performance of this Agreement. This waiver is mutually negotiated by the parties.

In the event that the County incurs any judgment, award and/or cost including attorney's fees arising from the provisions of this subsection, or to enforce the provisions of this subsection, any such judgment, award, fees, expenses and costs shall be recoverable from the Licensee.

In the event of litigation between the parties to enforce the rights under this subsection, reasonable attorney fees shall be allowed to the substantially prevailing party. In the event the County incurs attorney fees and/or costs in the defense of claims under this provision such attorney fees and costs shall be recoverable from the Licensee.

In addition, the County shall be entitled to recover from the Licensee its attorney fees and costs incurred to enforce the provisions of this section.

The indemnification, protection, defense and save harmless obligations contained herein shall survive the expiration, abandonment or termination of Agreement.

Nothing contained within this provision shall affect and/or alter the application of any other provision contained within this Agreement.

10. INSURANCE. Licensee shall maintain for the duration of the Agreement insurance and/or self-insurance adequate to cover its liability obligations for injuries to persons or damage to property which may arise from or in connection with the Licensee's use of the Premises. If a State agency, Licensee and its officers, employees, and agents, while acting in good faith within the scope of their official duties, are covered by the State of Washington Self-Insurance Program and the Tort Claims Act (RCW 4.92.060 et seq.), and successful claims against Licensee and its employees, officers, volunteers and agents in the performance of their official duties in good faith under this Agreement will be paid from the tort claims liability account as provided in RCW 4.92.130. If Licensee is part of a risk pool sanctioned by the Washington State Office of Financial Management it will provide a letter signed and executed by an authorized agent indicating the Licensee's participation in said pool.

11. ASSIGNMENT OR SUBLETING. This Agreement may not be assigned, sublet, or possession thereof transferred voluntarily or involuntarily by the Licensee.

12. NOTICES. Notice as required by any term of this Agreement, or by law, shall be given by registered or certified mail. Such communication or notice shall be deemed to have been given and received when deposited in the United States Mail, property addressed, with postage prepaid. Such notice or communication shall be given as follows:

If to the County: **Snohomish County Property Management
3000 Rockefeller Avenue M/S 404
Everett, WA 98201
Telephone: 425.388.3400**

If to the Licensee: City of Marysville
1049 State Avenue
Marysville, WA 98270
Telephone: 360.363.8000

13. MODIFICATION. This Agreement may only be modified in writing and such modification shall take effect only after such modification is duly executed by both parties.

14. TERMINATION.

- A. Termination shall not affect the rights of the County under any other paragraph in this Agreement.
- B. If Licensee breaches any term of this Agreement, the County may terminate this Agreement immediately by providing verbal or written notice to Licensee.

15. POSSESSORY LIEN. In the event of default in payment, or breach of any other condition of this Agreement, or for any and all damages caused to the property of the County by Licensee, its agents, employees or invitees, the County shall have a possessory lien upon any and all property stored, used or located on any property of the County and upon any sums of money advanced to or otherwise in the possession of the County.

16. CONFLICTS BETWEEN ATTACHMENTS AND TEXT. Should any conflict exist between any attached exhibit or schedule and the text of this Agreement, the text shall prevail.

17. GOVERNING LAW, STIPULATION OF VENUE, AND ATTORNEY FEES. This Agreement shall be governed by the laws of the State of Washington and the parties stipulate that any lawsuit regarding this Agreement must be brought in Snohomish County, Washington. The prevailing party in any lawsuit brought to enforce the terms of this Agreement shall be entitled to reasonable attorney fees and costs.

18. NON-DISCRIMINATION. It is the policy of the County to reject discrimination which denies equal treatment to any individual because of his or her race, creed, color, national origin, families with children, sex, marital status, sexual orientation, age, honorably discharged veteran or military status, or the presence of any sensory, mental, or physical disability or the use of a trained dog guide or service animal by a person with a disability as provided in Washington's Law against Discrimination, Chapter 49.60 RCW, and the Snohomish County Human Rights Ordinance, Chapter 2.460 SCC. These laws protect against specific forms of discrimination in employment, credit transactions, public accommodation, housing, county facilities and services, and county contracts.

The Licensee shall comply with Chapter 2.460 SCC, which is incorporated herein by this reference. Execution of this contract constitutes a certification by the Licensee of the Licensee's compliance with the requirements of Chapter 2.460 SCC with respect to this Agreement. If the Licensee is found to have violated this provision, or furnished false or misleading information in an investigation or proceeding conducted pursuant to Chapter 2.460 SCC, this Agreement may be subject to a declaration of default and termination at the County's discretion. This provision shall not affect the Licensee's obligations under other federal, state, or local laws against discrimination.

19. SEVERABILITY. Should any clause, phrase, sentence or paragraph of this Agreement be declared invalid or void, the remaining provisions of this Agreement shall remain in full force and effect.

20. ENTIRE AGREEMENT. This Agreement constitutes the entire agreement between the parties regarding the subject matter hereof, and supersedes any and all prior oral or written agreements between the parties regarding the subject matter contained herein.

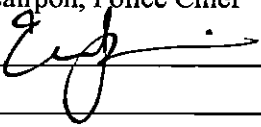
21. WARRANTY OF AUTHORITY. Each signatory to this Agreement represents that he or she has full and sufficient authority to execute this Agreement on behalf of the County or the

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CITY OF MARYSVILLE AGENDA BILL

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: 9/13/2021

AGENDA ITEM:	
Contract with North Whidbey Sportsmen's Association for use of their Gun Ranges	
PREPARED BY:	DIRECTOR APPROVAL:
Adam Vermeulen	Erik Scairpon, Police Chief
DEPARTMENT:	
Police	
ATTACHMENTS:	
Contract with North Whidbey Sportsmen's Association	
BUDGET CODE:	AMOUNT:
00103222.544400	\$125.00 per full day of use
SUMMARY:	

This a new License Agreement between North Whidbey Sportsmen's Association and the City of Marysville, which provides the Marysville Police Department with use of the North Whidbey Sportsmen's Association Gun Ranges.

Over past several years, the Marysville Police Department has used Plantation Range in Whatcom County. Plantation Range has gone through several changes in leadership and due to issues with the rifle range, does not provide a location for officers to shoot and qualify with the patrol rifle. Due these issues, the Marysville Police Department has sought the use of the North Whidbey Sportsmen's Association Gun Range.

The North Whidbey Sportsmen's Association Gun Ranges offer us an outdoor range that allows the use both pistol and rifles for department in-service training. This allows us to qualify and shoot on the same day with our patrol rifles and handguns. The North Whidbey Sportsmen's Association Gun Ranges allows us the flexibility and use of the range to create and execute specific firearms training drills in an outdoor environment.

RECOMMENDED ACTION:

Staff respectfully recommends that Council authorize the Mayor or sign and execute the attached Contract with North Whidbey Sportsmen's Association and the City of Marysville for use of the North Whidbey Sportsmen's Association Gun Ranges.

RECOMMENDED MOTION:

I move to authorize the Mayor to sign and execute attached Contract between the North Whidbey Sportsmen's Association and the City of Marysville for use of the North Whidbey Sportsmen's Association Gun Ranges.

CONTRACT
Between
THE CITY OF MARYSVILLE
AND
NORTH WHIDBEY SPORTSMEN'S ASSOCIATION

USE OF PISTOL AND RIFLE RANGES

THIS AGREEMENT is made and entered into by and between North Whidbey Sportsmen's Association, a Washington non-profit corporation, hereinafter referred to as "NWSA" and City of Marysville (the "City"), collectively referred hereinafter as the "Parties."

1. PURPOSE:

For the use by the City of the NWSA's Pistol Range Bay and/or the Rifle Range Bay (Ranges) located at 886 Gun Club Road, Oak Harbor, Washington 98277. These facilities are to be used by the City in accordance with the use terms as set forth in this Agreement for Law Enforcement training purposes.

The City is contracting with the NWSA for use of the Range for the purpose of the City to provide firearms qualifications, practice or training for commissioned and non-commissioned personnel of the City.

It is understood and agreed by the Parties that the NWSA shall provide no training or supervision at the Facility during the City's exclusive or individual use periods of the agreed upon portion of the facility designated for the city's use. The NWSA shall provide, upon request by the City's Supervisor or Coordinator, assistance to the individual Supervisor or Coordinator, in familiarizing them with the operations of facilities, equipment, and other infrastructure necessary to facilitate the City's use under the terms of this Agreement.

It is understood and agreed by the Parties that the City is a qualified law enforcement agency, or equivalent entity, such that their supervisor and/or participants are experienced with and trained in the use of firearms and firearm safety. The NWSA shall have no duty to train or assist the City with firearm safety or rifle range safety.

2. RESPONSIBILITIES

NWSA RESPONSIBILITIES:

- A. NWSA shall make available to the City the Ranges at such time and under such conditions as are hereinafter set forth.
- B. Maintain the facilities in a way that provides a safe environment for their intended use.
- C. Designate and report to the City's Representative a primary, and an alternate, point of contact, hereinafter referred to as "NWSA POC", for all communication/coordination/approval of City activities at the NWSA facility.

CITY RESPONSIBILITIES:

- A. The City shall provide all targets, target standards, ammunition and other materials necessary for the use of the Range.

While storage of said City materials, less ammunition, may be on NWSA property with NWSA approval, the lock(s) shall be provided and maintained by the City with a key and/or combination provided to the NWSA POC. If storage area is provided by NWSA, it is with the understanding that all Law Enforcement Agencies under contract with NWSA shall have access to said storage area. All Law Enforcement Agencies shall keep said storage area clean.

- B. Schedule, in advance, with NWSA POC exclusive use days for the use of a range.
- C. Assume full responsibility for safety of the entire Range during any period of exclusive use by the City.

- D. Be responsible for the conduct of members of the City while on the Range during exclusive use periods.
- E. Designate, and report to the NWSA POC the name of an individual who shall act as a qualified supervisor and coordinator of all City's activities at the Range. This individual shall be the person with whom the NWSA POC will work in connection with day-to-day matters of Range use, and who will be in direct charge during actual Range use.
- F. There shall be a City supervisor or coordinator and a City Range Safety Officer present at the Range at all times during exclusive use. The supervisor or coordinator shall terminate use of the range if any danger or safety risk is present at the facility and provide immediate electronic or verbal notice to the NWSA, followed by a written notice to the NWSA within 24 hours detailing the danger or safety risk. The Range Safety Officer shall be responsible for supervising safe shooting activities, monitor and enforce safety and range rules, and range operations during times of exclusive use. (The Range Safety Officer may also function as the supervisor or coordinator.)
- G. A written report of all accidents, damage or injury that occurs shall be provided immediately or no later than 24 hours to the NWSA. The written report shall provide sufficient details of the incident, including the date, time, circumstances and nature of injury or damage, and the name of the injured party, witnesses and City's Supervisor present at the time of the incident. The written report shall be submitted to NWSA Office or to the Range NWSA personnel.
- H. The City and its participants must comply with all Federal, State and local laws.
- I. The City shall pay all costs associated with damage, destruction, or loss to the NWSA at the Facilities as a result of the City's use and/or presence at the Range.

3. USE OF THE RANGE

- A. During the term of this Agreement, the City shall be entitled to schedule and utilize the Range designated herein in undivided blocks of time, up to 8 hours per day, (hereinafter 'Block' or 'Blocks') during the normal operating hours of NWSA, excluding holidays.
 - 1. Requests for range use shall be submitted to the Board via the NWSA POC for review and approval. Written requests must be received by the Board no later than the close of business on the third Wednesday of the month that immediately precedes the month of requested use (i.e., the third Wednesday of April for use in May).
 - 2. NWSA shall review, approve and confirm in writing the City's requested 8-hour or less blocks within two (2) business days following a regular NWSA Board meeting held on the third Wednesday of each month. No requests shall be unreasonably withheld.
- B. City shall remove all City generated trash from NWSA property. Only expended brass shell casings may remain. Shotgun shells, steel, aluminum and/or other alloy shell casings must be removed by City after each scheduled use of the range.
- C. City shall limit Range usage to official use only. This use shall be limited to: gun maintenance repairs; forensic testing; and individualized training. No personal usage is authorized unless said City personnel are also recognized members of NWSA.
- D. City shall ensure City personnel wear their badges, in lieu of an official NWSA membership card, in a plainly visible manner at all times while on NWSA property. The City POC may request deviation from this requirement under special circumstances and on a case by case basis.
- E. NWSA shall provide, and City shall display, a 'RANGE CLOSED' sign to be used during their approved training/qualification Blocks.

4. TERM OF AGREEMENT:

The term of this Agreement shall be from October 1, 2021 through September 30, 2022.

5. FEES:

- A. CITY shall pay a fee of \$125.00 per day to use the range and clubhouse facilities
- B. Payment shall be within 30 days of receipt of an invoice from NWSA.
- C. Invoices shall be sent by email to mvanderwalker@marysvillwa.gov, or by US mail to City of Marysville Police Department, ATTN: Margaret Vanderwalker, 1635 Grove Street, Marysville WA 98270, thirty (30) days or more prior to the due date.

6. RELATIONSHIP OF THE PARTIES: No agent, employee, servant, or representative of the City shall be deemed to be an agent, employee, servant, or representative of NWSA for any purpose. The City will be solely and entirely responsible for its acts and for the acts of its agents, employees, servants, or subcontractors, or otherwise, in performance of this agreement.

7. NON-WAIVER OF BREACH: The failure of either party to insist upon strict performance of any of the covenants and agreements of the Agreement or to exercise any option herein conferred in any one or more instance shall not be construed to be a waiver of relinquishment of any such, or any other covenants or agreements, but the same shall be and remain in full force and effect.

8. INDEMNIFICATION:

To the fullest extent permitted by law, the City agrees to indemnify, defend and hold the NWSA and its departments, elected and appointed officials, employees, agents and volunteers, harmless from and against any and all claims, damages, losses and expenses, including but not limited to court costs, attorney's fees and alternative dispute resolution costs, for any personal injury, for any bodily injury, sickness, disease or death and for any damage to or destruction of any property (including the loss of use resulting therefrom) which 1) are caused in whole or in part by any act or omission, negligent or otherwise, of the City, its employees, agents, participants or volunteers or City's subcontractors and their employees, agents or volunteers; or 2) are directly or indirectly arising out of, resulting from, or in connection with City's activity and use under this Agreement; or 3) are based upon the City or their participants, employees, agents, or volunteers, or its subcontractors' use of, presence upon, or proximity to the property of the NWSA. PROVIDED, that in the event of the concurrent negligence of the Parties, the City's obligations hereunder shall apply only to the percentage of fault attributable to the City.

This indemnification obligation of the City shall not be limited in any way by the Washington State Industrial Insurance Act, RCW Title 51, or by application of any other workmen's compensation act, disability benefit act or other employee benefit act, and the Provider hereby expressly waives any immunity afforded by such acts. The foregoing indemnification obligations of the City are a material inducement to NWSA to enter into this Agreement, are reflected in the Provider's compensation, and have been mutually negotiated by the parties.

The NWSA reserves the right, but not the obligation, to participate in the defense of any claim, damages, losses or expenses and such participation shall not constitute a waiver of City's indemnity obligations under this Agreement.

The City agrees all City's indemnity obligations shall survive the completion, expiration or termination of this Agreement.

In the event the City enters into subcontracts to the extent allowed under this Agreement, the City's subcontractors shall indemnify the NWSA on a basis equal to or exceeding City's indemnity obligations to the NWSA. All insurance shall be per occurrence.

9. INSURANCE:

Each Party shall maintain its own insurance and/or self-insurance for its liabilities from damage to property and/or injuries to persons arising out of its activities associated with this Agreement as it deems reasonably appropriate and prudent. The maintenance of, or lack thereof of insurance and/or self-insurance shall not limit the liability of the indemnifying party to the indemnified party.

10. TERMINATION:

Any party hereto may terminate this Agreement upon thirty (30) days' notice in writing either personally delivered or mailed postage-prepaid by certified mail, return receipt requested, to the party's last known address for the purposes of giving notice under this paragraph. If this Agreement is so terminated, the parties shall be liable only for performance rendered or costs incurred in accordance with the terms of this Agreement prior to the effective date of termination.

11. CHANGES, MODIFICATIONS, AMENDMENTS AND WAIVERS:

The Agreement may be changed, modified, amended or waived only by written agreement executed by the Parties hereto. Waiver or breach of any term or condition of this Agreement shall not be considered a waiver of any prior or subsequent breach.

12. NOTICES: Receipt of any notice shall be deemed effective three days after deposit of written notice in the U.S. mails, with proper postage and properly addressed. Notices shall be sent to the following address:

CITY:

City of Marysville Police Department
Margaret Vanderwalker
1635 Grove Street
Marysville WA 98270

CONSULTANT:

North Whidbey Sportsman's Association
James Till
PO Box 267
Oak Harbor WA 98277

13. SEVERABILITY:

In the event any term or condition of this Agreement or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other terms, conditions or applications of this Agreement which can be given effect without the invalid term, condition, or application. To this end the terms and conditions of this Agreement are declared severable.

14. ENTIRE AGREEMENT:

This Agreement contains all the terms and conditions agreed upon by the parties. All items incorporated herein by reference are attached. No other understandings, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or to bind any of the parties hereto.

The parties acknowledge that there has been an opportunity to negotiate the terms and conditions of this Agreement and agree to each bind itself, its partners, successors, assigns, and legal representatives to the other party hereto, in respect of all covenants, agreements, and obligations contained in the Contract Documents. Each of the persons signing below on behalf of any party hereby represents and warrants that s/he or it is signing with full and complete authority to bind the party on whose behalf of whom s/he or it is signing, to each and every term of this Agreement.

CITY OF MARYSVILLE

NORTH WHIDBEY SPORTSMEN'S ASSOCIATION

By _____
Jon Nehring, Mayor

By _____
James Till

Date _____

_____ Date

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**CITY OF MARYSVILLE AGENDA BILL
EXECUTIVE SUMMARY FOR ACTION**

CITY COUNCIL MEETING DATE: September 13, 2021

AGENDA ITEM:	
Professional Services Agreement with J.A. Brennan Associates, PLLC for Design of Comeford Park and Restroom	
PREPARED BY:	DIRECTOR APPROVAL:
Jane Shafer/Tara Mizell	
DEPARTMENT:	
Parks, Culture and Recreation	
ATTACHMENTS:	
Exhibit A/Professional Services Agreement	
BUDGET CODE:	AMOUNT:
	\$154,854.50
SUMMARY:	

J.A. Brennan Associates, PLLC will provide a schematic design of Comeford Park that will include a new restroom, new event seating to the new Marysville Civic Center Plaza and preliminary lighting design for the park.

The attached Professional Services Agreement (PSA) will provide the City with a site analysis, conceptual design, environmental permitting support, finalized plan and specifications and bid support services. It is in the staff’s opinion that the negotiated fee of \$154,854.50 is fair and consistent with industry standard.

The scope of services included with the PSA demonstrates a clear and concise approach to complete the design of this project. Staff is confident that the City will be well served by J.A. Brennan Associates, PLLC as it relates to this project.

RECOMMENDED ACTION:
Staff recommends that Council authorize the Mayor to sign and execute a Professional Services Agreement for the Comeford Park & Restroom Design project with J.A. Brennan Associates, PLLC in the amount of \$154,854.50

**PROFESSIONAL SERVICES AGREEMENT BETWEEN
CITY OF MARYSVILLE
AND J.A. BRENNAN ASSOCIATES, PLLC**

THIS AGREEMENT (“Agreement”) is made and entered into as of the date of the last signature below, by and between the City of Marysville, a Washington State municipal corporation (“City”), and J.A. Brennan Associates, PLLC, a professional limited liability corporation, organized under the laws of the state of Washington, located and doing business at 2701 First Avenue, Suite 510, Seattle, WA 98121 (“Consultant”).

In consideration of the terms, conditions, covenants, and performances contained herein, the parties hereto agree as follows:

1. **SCOPE OF SERVICES.** The Consultant shall provide the work and services described in the attached **EXHIBIT A**, incorporated herein by this reference (the “Services”). All services and materials necessary to accomplish the tasks outlined in the Scope of Services shall be provided by the Consultant unless noted otherwise in the Scope of Services or this Agreement. All such services shall be provided in accordance with the standards of the Consultant’s profession.
2. **TERM.** The term of this Agreement shall commence on September 13, 2021 and shall terminate at midnight on September 30, 2022. The parties may extend the term of this Agreement by executing a written supplemental amendment.
3. **COMPENSATION.** The Consultant shall be paid by the City for Services rendered under this Agreement as described in **EXHIBIT A** and as provided in this section. In no event shall the compensation paid to Consultant under this Agreement exceed **One Hundred Fifty Four Thousand Eight Hundred Fifty Four U.S. Dollars and Fifty Cents (\$154,854.50)** within the term of the Agreement, including extensions, without the written agreement of the Consultant and the City. Such payment shall be full compensation for the Services and for all labor, materials, supplies, equipment, incidentals, and any other expenses necessary for completion.

The Consultant shall submit a monthly invoice to the City for Services performed in the previous calendar month in a format acceptable to the City. The Consultant shall maintain time and expense records and provide them to the City upon request.

The City will pay timely submitted and approved invoices received before the 20th of each month within thirty (30) days of receipt.

4. CONSULTANT’S OBLIGATIONS.

4.1 MINOR CHANGES IN SCOPE. The Consultant agrees to accept minor changes, amendments, or revisions to the scope of the Services, as may be required by the City, when such

changes, amendments, or revisions will not have any impact on the cost of the Services or the proposed delivery schedule.

4.2 ADDITIONAL WORK. The City may desire to have the Consultant perform additional work or services which are not identified in the scope of the Services. If the parties agree to the performance of additional work or services, the parties will execute a written supplemental amendment detailing the additional work or services and compensation therefore. In no event will the Consultant be compensated for preparing proposals for additional work or services. In no event shall the Consultant begin work contemplated under a supplemental amendment until the supplemental amendment is fully executed by the parties.

4.3 WORK PRODUCT AND DOCUMENTS. The work product and all documents produced under this Agreement shall be furnished by the Consultant to the City, and upon completion of the Services shall become the property of the City, except that the Consultant may retain one copy of the work product and documents for its records. The Consultant will be responsible for the accuracy of the Services, the work product, and all documents produced under this Agreement, even though the Services have been accepted by the City.

In the event that the Consultant defaults on this Agreement or in the event that this Agreement is terminated prior to the completion of the Services or the time for completion, all work product and all documents and other materials produced under this Agreement, along with a summary of work as of the date of default or termination, shall become the property of the City. The summary of Services provided shall be prepared at no additional cost to the City. Upon request, the Consultant shall tender the work product, all documents, and the summary to the City within five (5) business days. Tender of said work product shall be a prerequisite to final payment under this Agreement.

The Consultant will not be held liable for reuse of work product or documents produced under this Agreement or modification of the work product or documents for any purpose other than those identified in this Agreement without the written authorization of the Consultant.

4.4 PUBLIC RECORDS ACT. Consultant acknowledges that the City is subject to the Public Records Act, chapter 42.56 RCW (the "PRA"). All records owned, used, or retained by the City are public records subject to disclosure unless exempt under the PRA, whether or not the records are in the possession or control of the City or Consultant. All exemptions to the PRA are narrowly construed.

a. **Confidential Information.** Any records provided to the City by the Consultant which contain information that the Consultant in good faith believes is not subject to disclosure under the PRA shall be marked "Confidential" and shall identify the specific information that the Consultant in good faith believes is not subject to disclosure under the PRA and a citation to the statutory basis for non-disclosure.

b. **Responding to Public Records Requests.** The City shall exercise its sole legal judgment in responding to public records requests.

- (1) The City may rely upon the lack of notification from the Consultant in releasing any records that are not marked “Confidential.”
- (2) If records identified as “Confidential” by the Consultant are responsive to a PRA request, the City will seek to provide notice to Consultant at least ten (10) business days before the date on which the City anticipates releasing records. The City is under no obligation to assert any applicable exemption on behalf of the Consultant. The Consultant may seek, at its sole cost, an injunction preventing the release of information which it believes is protected. In no event will the City have any liability to Consultant for any failure of the City to provide notice prior to release.
- (3) If the City, in its sole legal judgment, believes that the Consultant possesses records that (1) are responsive to a PRA request and (2) were used by the City, the City will request the records from the Consultant. The Consultant will, within ten (10) business days:
 - i. Provide the records to the City in the manner requested by the City;
 - ii. Obtain a court injunction, in a lawsuit involving the requester, covering all, or any confidential portion of, the records and provide any records not subject to the court injunction; or
 - iii. Provide an affidavit, in a form acceptable to the City Attorney, specifying that the Consultant has made a diligent search and did not locate any requested documents.

c. **Indemnification.** In addition to its other indemnification and defense obligations under this Agreement, the Consultant shall indemnify and defend the City from and against any and all losses, penalties, fines, claims, demands, expenses (including, but not limited to, attorneys fees and litigation expenses), suits, judgments, or damages (collectively “Damages”) arising from or relating to any request for records related to this Agreement, to the extent such Damages are caused by action or inaction of the Consultant. This indemnification and defense obligation shall survive the expiration or termination of this Agreement.

4.5 MAINTENANCE/INSPECTION OF RECORDS. The Consultant shall maintain all books, records, documents, and other evidence pertaining to the costs and expenses allowable under this Agreement in accordance with generally accepted accounting practices. All such books and records required to be maintained by this Agreement shall be subject to inspection and audit by representatives of the City and/or the Washington State Auditor at all reasonable times, and the Consultant shall afford the proper facilities for such inspection and audit.

Representatives of the City and/or the Washington State Auditor may copy such books, accounts, and records where necessary to conduct or document an audit. The Consultant shall preserve and make available all such books of account and records for a period of three (3) years after final payment under this Agreement. In the event that any audit or inspection identifies any discrepancy in such financial records, the Consultant shall provide the City with appropriate clarification and/or financial adjustments within thirty (30) calendar days of notification of the discrepancy.

4.6 INDEMNITY.

a. **Indemnification and Hold Harmless.** The Consultant shall defend, indemnify, and hold the City, its officers, officials, employees, and volunteers harmless from any and all claims, injuries, damages, losses, or suits including attorney fees, arising out of or resulting from the acts, errors, or omissions of the Consultant in performance of this Agreement, except for injuries and damages caused by the sole negligence of the City.

b. Should a court of competent jurisdiction determine that this Agreement is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Consultant and the City, its officers, officials, employees, and volunteers, the Consultant's liability, including the duty and cost to defend, hereunder shall be only to the extent of the Consultant's negligence.

c. The provisions of this Section 4.6 shall survive the expiration or termination of this Agreement.

d. The Consultant hereby knowingly, intentionally, and voluntarily waives the immunity of the Industrial Insurance Act, Title 51 RCW, solely for the purposes of the indemnity contained in subpart "a" of this Section 4.6. This waiver has been mutually negotiated by the parties.

_____ (City Initials)

_____ (Contractor Initials)

4.7 INSURANCE.

a. **Insurance Term.** The Consultant shall procure and maintain for the duration of the Agreement, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the Services hereunder by the Consultant, its agents, representatives, or employees.

b. **No Limitation.** Consultant's maintenance of insurance as required by the Agreement shall not be construed to limit the liability of the Consultant to the coverage provided by such insurance, or otherwise limit the City's recourse to any remedy available at law or in equity.

c. **Minimum Scope of Insurance.** Consultant shall obtain insurance of the types and coverage described below:

- (1) Automobile Liability insurance covering all owned, non-owned, hired, and leased vehicles. Coverage shall be written on Insurance Services Office (ISO) form CA 00 01 or a substitute form providing equivalent liability coverage.
- (2) Commercial General Liability insurance shall be at least as broad as ISO occurrence form CG 00 01 and shall cover liability arising from premises, operations, stop-gap independent contractors and personal injury and advertising injury. The City shall be named as an additional insured under the Consultant's Commercial General Liability insurance policy with respect to the Services performed for the City using an additional insured endorsement at least as broad as ISO CG 20 26.
- (3) Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington.
- (4) Professional Liability insurance appropriate to the Consultant's profession.

d. **Minimum Amounts of Insurance.** Consultant shall maintain the following insurance limits:

- (1) Automobile Liability insurance with a minimum combined single limit for bodily injury and property damage of \$1,000,000 per accident.
- (2) Commercial General Liability insurance shall be written with limits no less than \$1,000,000 each occurrence, \$2,000,000 general aggregate.
- (3) Professional Liability insurance shall be written with limits no less than \$1,000,000 per claim and \$1,000,000 policy aggregate limit.

e. **Other Insurance Provision.** The Consultant's Automobile Liability and Commercial General Liability insurance policies are to contain, or be endorsed to contain that they shall be primary insurance as respect the City. Any Insurance, self-insurance, or self-insured pool coverage maintained by the City shall be excess of the Consultant's insurance and shall not contribute with it.

f. **Acceptability of Insurers.** Insurance is to be placed with insurers with a current A.M. Best rating of not less than A:VII.

g. **Verification of Coverage.** The Consultant shall furnish the City with original certificates and a copy of the amendatory endorsements, including but not necessarily limited to the additional insured endorsement, evidencing the insurance requirements of the Consultant before commencement of the Services.

h. **Notice of Cancellation.** The Consultant shall provide the City with written notice of any policy cancellation within two business days of the Consultant's receipt of such notice.

i. **Failure to Maintain Insurance.** Failure on the part of the Consultant to maintain the insurance as required shall constitute a material breach of contract, upon which the City may, after giving five (5) business days notice to the Consultant to correct the breach, immediately terminate the Agreement or, at its discretion, procure or renew such insurance and pay any and all premiums in connection therewith, with any sums so expended to be repaid to the City on demand, or at the sole discretion of the City, offset against funds due the Consultant from the City.

j. **Insurance to be Occurrence Basis.** Unless approved by the City all insurance policies shall be written on an "Occurrence" policy as opposed to a "Claims-made" policy. The City may require an extended reporting endorsement on any approved "Claims-made" policy. Professional liability insurance may be written on a "Claims-made" basis if it is maintained for a period of three (3) years following completion of the services.

k. **City Full Availability of Consultant Limits.** If the Consultant maintains higher insurance limits than the minimums shown above, the City shall be insured for the full available limits of Commercial General and Excess or Umbrella liability maintained by the Consultant, irrespective of whether such limits maintained by the Consultant are greater than those required by this Agreement or whether any certificate of insurance furnished to the City evidences limits of liability lower than those maintained by the Consultant.

4.8 LEGAL RELATIONS. The Consultant shall comply with all federal, state, and local laws, regulations, and ordinances applicable to the Services to be performed under this Agreement. The Consultant represents that it and all employees assigned to perform any of the Services under this Agreement are in full compliance with the statutes of the State of Washington governing the Services and that all personnel to be assigned to the Services are fully qualified and properly licensed to perform the work to which they will be assigned.

4.9 INDEPENDENT CONTRACTOR.

a. The Consultant and the City understand and expressly agree that the Consultant is an independent contractor in the performance of each and every part of this Agreement. The Consultant expressly represents, warrants, and agrees that the Consultant's status as an independent contractor in the performance of the Services required under this Agreement is consistent with and meets the six-part independent contractor test set forth in RCW 51.08.195 or as hereafter amended. The Consultant, as an independent contractor, assumes the entire responsibility for carrying out and accomplishing the Services required under this Agreement. The Consultant shall not make

a claim of City employment and shall not claim any related employment benefits, social security, and/or retirement benefits.

b. The Consultant shall be solely responsible for paying all taxes, deductions, and assessments, including but not limited to federal income tax, FICA, social security tax, assessments for unemployment and industrial injury, and other deductions from income which may be required by law or assessed against either party as a result of this Agreement. In the event the City is assessed a tax or assessment as a result of this Agreement, the Consultant shall pay the same before it becomes due.

c. The City may, during the term of this Agreement, engage other independent contractors to perform the same or similar work to the Services that the Consultant performs under this Agreement.

d. Prior to commencement of Services, the Consultant shall obtain a business license from the City.

4.10 EMPLOYMENT.

a. The term “employee” or “employees” as used herein shall mean any officers, agents, or employee of the Consultant.

b. Any and all employees of the Consultant, while performing any Services under this Agreement, shall be considered employees of the Consultant only and not of the City. The Consultant shall be solely liable for: (1) any and all claims that may or might arise under the Workman’s Compensation Act, Title 51 RCW, on behalf of any said employees while performing any Services under this Agreement, and (2) any and all claims made by any third party as a consequence of any negligent act or omission on the part of the Consultant or its employees while performing any Services under this Agreement.

c. The Consultant represents, unless otherwise indicated below, that all employees of the Consultant that will perform any Services under this Agreement have never been retired from a Washington State retirement system, including but not limited to Teacher (TRS), School District (SERS), Public Employee (PERS), Public Safety (PSERS), law enforcement and fire fighters (LEOFF), Washington State Patrol (WSPRS), Judicial Retirement System (JRS), or otherwise. *(Please use initials to indicate No or Yes below.)*

_____ No, employees performing the Services have never been retired from a Washington state retirement system.

_____ Yes, employees performing the Services have been retired from a Washington state retirement system.

In the event the Consultant checks “no”, but an employee in fact was a retiree of a Washington State retirement system, and because of the misrepresentation the City is required to defend a claim by the Washington State retirement system, or to make contributions for or on account of the employee, or reimbursement to the Washington State retirement system for benefits paid, the Consultant hereby agrees to save, indemnify, defend and hold the City harmless from and against all expenses and costs, including reasonable attorney fees incurred in defending the claim of the Washington State retirement system and from all contributions paid or required to be paid, and for all reimbursement required to the Washington State retirement system. In the event the Consultant checks “yes” and affirms that an employee providing work has ever retired from a Washington State retirement system, every said employee shall be identified by the Consultant and such retirees shall provide the City with all information required by the City to report the employment with Consultant to the Department of Retirement Services of the State of Washington.

4.11 NONASSIGNABLE. Except as provided in **EXHIBIT B**, the Services to be provided by the Consultant shall not be assigned or subcontracted without the express written consent of the City.

4.12 SUBCONTRACTORS AND SUBCONSULTANTS.

a. The Consultant is responsible for all work or services performed by subcontractors or subconsultants pursuant to the terms of this Agreement.

b. The Consultant must verify that any subcontractors or subconsultants the Consultant directly hires meet the responsibility criteria for the Services. Verification that a subcontractor or subconsultant has proper license and bonding, if required by statute, must be included in the verification process. If the parties anticipate the use of subcontractors or subconsultants, the subcontractors or subconsultants are set forth in **EXHIBIT B**.

c. The Consultant may not substitute or add subcontractors or subconsultants without the written approval of the City.

d. All subcontractors or subconsultants shall have the same insurance coverage and limits as set forth in this Agreement and the Consultant shall provide verification of said insurance coverage.

4.13 CONFLICTS OF INTEREST. The Consultant agrees to and shall notify the City of any potential conflicts of interest in Consultant’s client base and shall obtain written permission from the City prior to providing services to third parties when a conflict or potential conflict of interest exists. If the City determines in its sole discretion that a conflict is irreconcilable, the City reserves the right to terminate this Agreement.

4.14 CITY CONFIDENCES. The Consultant agrees to and will keep in strict confidence, and will not disclose, communicate, or advertise to third parties without specific prior written consent from the City in each instance, the confidences of the City or any information regarding the City or the Services provided to the City.

4.15 DISCRIMINATION PROHIBITED AND COMPLIANCE WITH EQUAL OPPORTUNITY LEGISLATION. The Consultant agrees to comply with equal opportunity employment and not to discriminate against any client, employee, or applicant for employment or for services because of race, creed, color, religion, national origin, marital status, sex, sexual orientation, age, or handicap except for a bona fide occupational qualification with regard, but not limited to, the following: employment upgrading; demotion or transfer; recruitment or any recruitment advertising; layoff or terminations; rates of pay or other forms of compensation; selection for training; or rendition of services. The Consultant further agrees to maintain (as appropriate) notices, posted in conspicuous places, setting forth its nondiscrimination obligations. The Consultant understands and agrees that if it violates this nondiscrimination provision, this Agreement may be terminated by the City, and further that the Consultant will be barred from performing any services for the City now or in the future, unless a showing is made satisfactory to the City that discriminatory practices have been terminated and that recurrence of such action is unlikely.

4.16 UNFAIR EMPLOYMENT PRACTICES. During the performance of this Agreement, the Consultant agrees to comply with RCW 49.60.180, prohibiting unfair employment practices.

5. CITY APPROVAL REQUIRED. Notwithstanding the Consultant's status as an independent contractor, the Services performed pursuant to this Agreement must meet the approval of the City, which shall not be unreasonably withheld if the Services have been completed in compliance with the Scope of Services and City requirements.

6. GENERAL TERMS.

6.1 NOTICES. Receipt of any notice shall be deemed effective three (3) calendar days after deposit of written notice in the U.S. mail with proper postage and address.

Notices to the City shall be sent to the following address:

CITY OF MARYSVILLE

City of Marysville
1049 State Avenue
Marysville, WA 98270

Notices to the Consultant shall be sent to the following address:

J.A. BRENNAN ASSOCIATES, PLLC
2701 First Avenue, Suite 510
Seattle, WA 98121

6.2 TERMINATION. The City may terminate this Agreement in whole or in part at any time by sending written notice to the Consultant. As per Section 6.1, the Consultant is deemed to have received the termination notice three (3) calendar days after deposit of the termination notice in the U.S. mail with proper postage and address. The termination notice is deemed effective seven (7) calendar days after it is deemed received by the Consultant.

If this Agreement is terminated by the City for its convenience, the City shall pay the Consultant for satisfactory Services performed through the date on which the termination is deemed effective in accordance with payment provisions of Section 3, unless otherwise specified in the termination notice. If the termination notice provides that the Consultant will not be compensated for Services performed after the termination notice is received, the City will have the discretion to reject payment for any Services performed after the date the termination notice is deemed received.

6.3 DISPUTES. The parties agree that, following reasonable attempts at negotiation and compromise, any unresolved dispute arising under this Agreement may be resolved by a mutually agreed-upon alternative dispute resolution of arbitration or mediation.

6.4 EXTENT OF AGREEMENT/MODIFICATION. This Agreement, together with exhibits, attachments, and addenda, represents the entire and integrated Agreement between the parties and supersedes all prior negotiations, representations, or agreements, either written or oral. This Agreement may be amended, modified, or added to only by a written supplemental amendment properly signed by both parties.

6.5 SEVERABILITY.

a. If a court of competent jurisdiction holds any part, term, or provision of this Agreement to be illegal or invalid, in whole or in part, the validity of the remaining parts, terms, or provisions shall not be affected, and the parties' rights and obligations shall be construed and enforced as if the Agreement did not contain the particular part, term, or provision held to be invalid.

b. If any part, term, or provision of this Agreement is in direct conflict with any statutory provision of the State of Washington, that part, term, or provision shall be deemed inoperative and null and void insofar as it may conflict, and shall be deemed modified to conform to such statutory provision.

6.6 NONWAIVER. A waiver by either party of a breach by the other party of any covenant or condition of this Agreement shall not impair the right of the party not in default to avail itself of any subsequent breach thereof. Leniency, delay, or failure of either party to insist upon strict performance of any agreement, covenant, or condition of this Agreement, or to exercise any right herein given in any one or more instances, shall not be construed as a waiver or relinquishment of any such agreement, covenant, condition, or right.

6.7 FAIR MEANING. The terms of this Agreement shall be given their fair meaning and shall not be construed in favor of or against either party hereto because of authorship. This Agreement shall be deemed to have been drafted by both of the parties.

6.8 GOVERNING LAW. This Agreement shall be governed by and construed in accordance with the laws of the State of Washington.

6.9 VENUE. The venue for any action to enforce or interpret this Agreement shall lie in the Superior Court of Washington for Snohomish County, Washington.

6.10 COUNTERPARTS. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same Agreement.

6.11 AUTHORITY TO BIND PARTIES AND ENTER INTO AGREEMENT. The undersigned represent that they have full authority to enter into this Agreement and to bind the parties for and on behalf of the legal entities set forth herein.

DATED this _____ day of _____, 20_____.

CITY OF MARYSVILLE

By _____
Jon Nehring, Mayor

DATED this _____ day of _____, 20_____.

CONSULTANT

By _____ (Name)
Its: _____ (Title)

ATTEST/AUTHENTICATED:

_____, Deputy City Clerk

Approved as to form:

Jon Walker, City Attorney

EXHIBIT A
Scope of Services

EXHIBIT B
Subcontractors/Subconsultants

Below is a list of approved subcontractors/subconsultants. If left blank, there are no approved subcontractors or subconsultants.

Harmsen LLC, BNH Architects, Cross Engineers

Exhibit A

Landscape Architects & Planners
2701 First Avenue Suite 510 | Seattle, WA 98121
206.583.0620 | jabrennan.com

July 30, 2021

Comeford Park & Restroom Design – Schematic through Construction Documents

Prepared For:

Tara Mizell, Parks, Culture & Recreation Director
City of Marysville Parks, Culture & Recreation Department

PROJECT BACKGROUND:

The City of Marysville is initiating a construction document phase for the redevelopment of Comeford Park located at 514 Delta Ave. This project will redesign Comeford Park including a new restroom to provide additional amenities to the community and serve as a gathering and event space for the new Marysville Civic Center across the street from the park, which is currently under construction.

The vision for the park underscores the opportunity to enhance the downtown hub alongside the newly designed Civic Center and Delta Ave. It strengthens the city's unique character and sense of place. This project will establish a new design for the park restroom, consider the long-term vision for Comeford Park and will provide events seating that relates to the new Marysville Civic Center Plaza.

Comeford Park description (from Marysville's Website):

Downtown Comeford Park offers opportunities to relax, people-watch and enjoy beautiful grounds, a playground, picnicking areas, and the Rotary Pavilion. Comeford Park is also home to the Spray Park that opened in 2014.

It is the hub for several annual community events including the Marysville Strawberry Festival in mid-June and Merryville for the Holidays winter festival the first Saturday in December, Early Bird Craft Fair in the fall, and Mother Lovin' Homemade and Homegrown festival in the spring.

DESIGN TEAM:

JA Brennan Associates – Prime Consultant, Landscape Architecture and Planning
Harmsen LLC - Civil engineering
BNH Architects – Architectural, mechanical and structural design of restroom
Cross Engineers - Electrical engineering for park and restroom

SCOPE OF WORK:

Task A – Administration/ Coordination

Administration tasks include meeting coordination, scheduling, contract administration, and sub-consultant administration costs and expenses.

Task B – Site Inventory & Analysis,

This task will include limited code review and site inventory as described below and in the fee spreadsheet.

Site Analysis

Work will include visiting the site to assess existing site conditions.

Existing site data and City Codes will be reviewed for landscape requirements. Existing survey file and Civic Center as-built files will be used as a design base for the project. No additional survey is anticipated. The JAB team will review the geotechnical report provided by the City.

Architect (BNH Architects)

- Architect to visit site to observe potential layout of the restroom building.
- Structural Engineer to review geotechnical report to see how/if it will affect foundation design of the restroom building.

Civil Design (Harmsen Engineers)

- Take part in one site visit.

Electrical engineer (Cross Engineers)

- Visit site to determine existing conditions and existing power utilities.

Deliverables Task B

- As identified in the fee matrix

Task C–Design Meetings and Coordination

This task will include team coordination and meetings to progress the design. Team members will only be activated as required for specific meetings. JAB will coordinate via email, video and telephone communication with client. JAB will organize a kickoff meeting and initial site visit with the client.

Design review meetings will be held at key points in the design process, including schematic design, design development and after each submittal to receive City feedback.

Design meetings will be accomplished with a virtual meeting/conference call format.

Architect (BNH Architects)

- Architect, Structural Engineer and Mechanical Engineer to attend the client kick off meeting to get programming information concerning their needs.
- During the pre-design of the restroom building the Architect, Structural and Mechanical will meet with the City at least three times to make sure the design is meeting their needs.

Civil Design (Harmsen Engineers)

- Take part in a kick-off meeting and 3 team meetings.

Electrical engineer (*Cross Engineers*)

- Participate in design coordination conference calls with Parks and other design team members. Anticipate two (2). All correspondence and coordination reviews will be via electronic transfer.

Deliverables Task C

- Kick off meeting – may be on site
- As identified in the fee matrix

Task D–Develop Architectural Schematic – Restroom

The architectural schematic submittal will apply creative design solutions and technical expertise to produce a restroom design that fits within the existing Comeford Park context and reflects the character of the new Civic Center. BNH Architects will create loose schematic graphics as appropriate for City consideration of alternative concepts and character. JAB will provide review and input to the schematic restroom designs.

Architect (BNH Architects)

- Architect will provide up to two floor plan options for the City to consider.
- When one of the plans is selected and has been redrawn to what the City likes; a cost estimate will be developed.
- Once the proposed cost is known and accepted by the City further development will be done on the plan, interior elevations and exterior elevations.
- The Mechanical Engineer will design the HVAC system and proposed sink, toilet and urinal fixtures for review by the City.
- When the schematic plans are completed the design team will meet with the City to go over the design once more and make any changes as we progress into design development/construction documents.
- The information gathered from the meeting mentioned above will be written down in a “technical” memo that will also include cut sheets of desired fixture types.
- Coordination with the Electrical Engineer.

Deliverables Task D

- As identified in the fee matrix

Task E– Schematic Design

The schematic design task combines creativity, client interaction, and proactive cost controlling to achieve a beautiful and functional design that provides an exceptional regional park, community amenity and backdrop to the new Civic Center.

Schematic design for Comeford Park will be led by JA Brennan in collaboration with the City of Marysville. It will be based on the 02/26/2020 Conceptual Plan for the park with revisions as directed by the City. It will include:

- Connectivity to Marysville Civic Plaza
- Restroom size and location
- An (artificial) Christmas tree location in the park
- Updated light fixtures and lighting design for the park
- Relocated picnic shelter location
- Amphitheater seating stairs and low berm landform
- Revised pedestrian circulation
- Open lawn areas and primarily retention of existing trees
- Future skate park feature (potential skate ribbon)
- Retention of existing spray park and water tower
- Retain existing swings
- Partial redesign of play area (omit sandbox feature)
- Omit ice skating rink, basketball half court, and large play area

The schematic plan, graphics and brief memorandum will document the City's long-range plan for Comeford Park and will also set the design direction for this initial implementation phase of the western portion of the park. Alternative schematic design concepts are not anticipated. Storm drainage and utility design and costs are not included.

The schematic plan will only provide a preliminary lighting design cost estimate.

A schematic cost estimate is not provided for the park.

Civil Design (Harmsen Engineers)

Prepare a Narrative/Technical Memo discussing goals and expected infrastructure.

Deliverables Task E

- As identified in the fee matrix

Task F –Design Development 30% Design

The design development submittal will apply technical expertise to create design solutions to schematic design problems. Approximately half of the park is included within the design development and detailed design work under this Contract, as per the attached diagram. JAB will create a design development submittal that will be primarily Auto-CAD-drafted, although some information may be hand-drawn. Illustrative drawings will be completed as a method to convey design feasibility and finished project character. A preliminary square-footage level cost estimate will be provided for the design development plan. A draft table of contents for the CSI format Specifications will be provided.

JA Brennan (Prime/Landscape Architects)

- Grading, layout, and detailed design for restroom location, landscape areas, paving, seat walls, amphitheater seating stairs and relocated picnic shelter location.
- Planting design is limited to lawn, select trees and restoration of existing planting areas at the restroom and western portion of the park.

Architect (BNH Architects)

- The Architect along with the Structural and Mechanical Engineers will progress from the approved restroom schematic design plan and elevations to include architectural details, layouts of the mechanical systems, structural beam sizes and details and specific materials for the interior and exterior.
- Prepare the table of contents for the anticipated specification sections needed for architectural, structural and mechanical items.
- Coordination with the Electrical Engineer.

Civil Design (Harmsen Engineers)

- TESC Site Plan and Demolition plan for paving, utilities and lighting
- Review grading prepared by Landscape Architect
- Layout utilities and storm drainage systems for the restroom.
- Provide a TOC for expected Civil Specifications
- Prepare a preliminary design level Cost Estimate.

Electrical engineer will prepare: (Cross Engineers)

- All new lighting will be LED lights and selected by JA Brennan and Cross. Cross Engineers will help select fixture lumen packages.
- Prepare lighting, power site and floorplans.
- Prepare WSNREC lighting energy budget calculation form.
- Run site photometrics for areas with new LED lighting to indicate proposed light levels.
- Prepare panel schedule and demand load calculations.
- Connect power for spray park controls to restroom panel and calculate added load
- Coordinate with Owner, Structural, Civil and Landscape Architectural for new light fixture locations.

Deliverables Task F

- As identified in the fee matrix

Task G– Permit Support

The City of Marysville Parks and Recreation Division will complete all required permit applications. The JAB team will provide the 90% construction document plans for the City's use in applying for local and state permits. Permit support is limited to support to Parks Department with their responses to City Planning Department review comments.

Provide limited revisions in response to agency comments to the permit submittals.

Architect (BNH Architects)

- The Architect, Structural and Mechanical Engineers will respond to comments from the plan reviewers and correct any identified items.

Civil Design (Harmsen Engineers)

- Permit support is limited to responses to City permit submittal review comments.

Deliverables Task G

- As identified in the fee matrix

Task H – Construction Documents 60, 90, and 100% Plans, Specs and Estimate (PSE)

Construction documents will be submitted twice for client review prior to issuing final construction documents. Submittals will be provided at 60%, 90% and 100% (bid-ready) design completion. The 60% design submittal will include plans, preliminary specifications, and estimate of probable construction costs. 90% and 100% submittals will include plans, specifications and estimate of probable construction costs. It's assumed that the City will provide the Div 0 and Div 1 CSI specifications from Olympic View Park as a starting point. The City will lead development of Div 0 and Div 1 specifications.

JA Brennan (Prime/Landscape Architects)

- Grading, layout, and detailed design for restroom location, landscape areas, paving, seat walls, amphitheater seating stairs and relocated picnic shelter location.
- Planting design is limited to lawn, select trees and restoration of existing planting areas at the restroom and western portion of the park.

Architects will prepare (BNH Architects)

- Coordination with the Civil Engineer.
- Coordination with the Electrical Engineer.
- Prepare the final bid set of documents.
 - Provide cover sheet information to JAB that will be needed for permitting and bidding.
 - Architectural
 - Partial site plan.
 - Foundation plan
 - Floor plan
 - Reflected ceiling plan
 - Roof plan
 - Interior elevations
 - Exterior elevations
 - Details, finish schedules
 - Structural
 - Foundation plan
 - Roof plan
 - Details
 - Mechanical
 - Floor plan
 - Reflected ceiling plan

- Riser diagrams
- Finish schedules
- Specifications
- Cost estimate

Civil engineer will prepare (*Harmsen Engineers*)

- TESC Site Plan and Demolition plan for paving, utilities and lighting
- Surface Water Pollution Prevention Plan & Narrative with details
- Drainage and Utility Service Plan with standard notes and details
- Final Drainage Report documenting the Stormwater Manual requirements for the site
- Civil Specifications
- Cost Estimate
- Respond to City review comments of the plans and reports.

Electrical engineer will prepare: (*Cross Engineers*)

- One set of electronic PDF electrical drawings will be provided to JA Brennan for each submittal package (SD, DD, 60%, 90% and 100%) for reproduction and distribution by JA Brennan to the design team for coordination and review. The 90% construction documents will be submitted by JA Brennan to the City for building department. This proposal assumes Cross Engineers, Inc. will be provided with AutoCAD compatible backgrounds of the building and “electronic” copies of complete project plans for each design group at each submittal phase. Owner will provide Cross Engineers an electronic copy of the complete set of design drawings.
- Respond to City Electrical Plans Review comments and update electrical drawings with requirements.
- Prepare Division 26 cost estimate and specifications.
- Participate in design coordination conference calls with Parks and other design team members. Anticipate two (2). All correspondence and coordination reviews will be via electronic transfer.

Project Manual Specifications (Team collaboration):

Specifications will be provided in CSI format (CSI Master Format 2016 Edition), JAB specifications will be used as a starting point, but will include City of Marysville Bid Proposal form, Division 0 if used, and Division 1 General Requirements, no itemization and unit costs will be provided. The project will be bid as a lump sum project. JAB will coordinate and review with the City Project Manager the City-developed Division 0 and Division 1 Specification sections.

Deliverables Task H

Plans, specifications and cost estimates as identified in the fee matrix

Contract Document Scope Assumptions:

1. Survey of existing conditions, including a boundary survey of the site is provided by the City.
2. The restroom will be a custom restroom design by BNH Architects.
3. Graphics may be hand drawn during the Schematic and Design Development tasks.
4. This fee reflects an assumed maximum allowable construction cost of \$800,000. Construction costs in excess of this amount may warrant additional fees.
5. Cost estimate will be limited to the hours specified. Phasing of the park schematic plan is not anticipated in this scope of work.
6. Cost estimating will be at a square foot level through design development. An updated cost estimate for construction documents will be provided at each submittal (60%, 90% and 100%).
7. There are no critical areas on the projects site, including steep slope, wetland, wetland buffer or shoreline. No critical area permits will be required.
8. It is not anticipated that permit review will result in substantial design revisions.
9. J.A. Brennan does not provide contaminated soils remediation services. No contaminated soils are anticipated on site.
10. Sheet size for contract documents will be based on City of Marysville standard title block which is a: 22" x 34". City will provide the latest title block with City Logo in AutoCAD format.
11. Grant support will not be part of this scope of work.
12. The City of Marysville will provide one consolidated and coordinated review comment package for each milestone submittal. This includes schematic, DD (30%), 60% and 90%. Each City review period will take no longer than three weeks.
13. J.A. Brennan Associates will not be responsible for working with adjacent landowners.
14. No public meetings or City Council review meetings are included.
15. City is responsible for demolition of existing restroom and pavilion and relocation of existing picnic shelter.
16. The contract design work will be complete by end of January 2022.

17. City will be responsible for distribution of all documents.
18. RCO is not providing funding for the development of Comeford Park.
19. J.A. Brennan Associates will not be responsible for irrigation design.

Harmsen Engineers Assumptions:

1. Site plan will be provided by the Landscape Architect (JAB).
2. The current topographic mapping provided by the City for the Civic Center will be used as the existing conditions.
3. The work primarily involves the new restroom building. While some overall design considerations for the whole park will be reviewed, the construction documents will only be for the restroom building and the western half of the park, including pedestrian paving, amphitheater seating and park landscape areas.
4. No frontage improvements or traffic revisions are included beyond connection to utilities and storm drainage systems.
5. The Landscape Architect will prepare the grading plans. Civil will review, make recommendations, and apply the storm drainage system to the final grading.
6. Bid and construction support is not provided in this scope and can be added at a later date.

Cross Electrical - Exclusions

We anticipate the following activities to be outside the normal work scope. If requested, these items as related to Electrical can be provided as additional services.

- Bid / Construction Support (i.e. Respond to Bidder questions, RFI's, shop drawing and submittal review, punch list, construction meetings, etc.)
- LEED Documentation.
- Commissioning participation.
- BIM 3D Modeling and Conflict Resolution Coordination
- Assisting owner with grant requests related to electrical equipment.
- New electrical service utility coordination.
- Additional Meeting and Site Visits.
- Installation of portable demand meters.

EXHIBIT A
 Client: City of Marysville
 Project: Comeford Park & Restroom Design - Schematic through PSEs
 J.A. BRENNAN ASSOCIATES, PLLC
 Date: July 30, 2021

TASK ITEM Rate	DESCRIPTION	JB PM \$155.00	TW PUA \$160.00	DC LA \$150.00	JW Designer \$98.00	ST Admin \$101.00	Total JAB Hours	Total Labor	Total Expenses	Total J.A. Brennan Labor/Exp	Total J.A. Brennan w/Markup	Total BIM Architect	Total Civil/Electrical Lighting	Total Harman-Civil Civil	Total Subcontractors	Markup	Grand Total
A Administration / Coordination																	
1	Job set-up		1			2	3	362.00	20.00	382.00	382.00						382.00
2	Progress reports	1	2			2	5	717.00	20.00	737.00	737.00						737.00
3	Prepare invoices	1	2			2	5	717.00	20.00	737.00	737.00						737.00
4	Project management & Scheduling	5	16				21	3,535.00	20.00	3,555.00	3,555.00						3,555.00
	Total	7	21	0	0	6	34	5,331.00	80.00	5,411.00	5,411.00	0.00	0.00	0.00	0.00	0.00	5,411.00
B Site Inventory & Analysis																	
1	Base map preparation		1		4		5	552.00	20.00	572.00	572.00						572.00
2	Background data review, reports, plans		1		2		3	356.00	20.00	376.00	376.00					0.00	376.00
3	Up to (1) site visit	4	4		4		12	1,812.00	60.00	1,872.00	1,841.00	330.00		360.00		69.00	2,631.00
4	Review geotechnical info from City	1	1				2	355.00	20.00	375.00	410.00	350.00				35.00	760.00
5	Code review	1	2		2		4	516.00	20.00	536.00	536.00					0.00	536.00
	Total	5	9	0	12	0	26	3,591.00	140.00	3,731.00	3,835.00	640.00	0.00	360.00	1,040.00	104.00	4,875.00
C Design meetings and coordination																	
1	Team meetings (3)	2	4		4		10	1,422.00	20.00	1,442.00	1,577.00	990.00		360.00	1,350.00	135.00	2,927.00
2	Client/ Team Kick off meeting	3	3		3		9	1,359.00	20.00	1,379.00	1,448.00	330.00		360.00	690.00	69.00	2,138.00
3	Up to 6 client meetings (JAB & arch) - 1.5 hour -conference call	9	12		6		27	4,263.00	60.00	4,323.00	4,359.00			360.00	360.00	36.00	4,719.00
	Total	14	19	0	13	0	46	7,044.00	100.00	7,144.00	7,384.00	1,320.00	0.00	1,080.00	2,400.00	240.00	9,784.00
D Develop Architectural Schematic - Restroom																	
1	2 Restroom size/config options	1	1				2	355.00	20.00	375.00	422.50	475.00				475.00	897.50
2	ADM Cost Estimate for restroom options & preferred schematic		1				1	160.00	20.00	180.00	314.20	710.00	632.00			1,342.60	1,656.20
3	Restroom floor plan		1				1	160.00	20.00	180.00	291.00	1110.00				1,110.00	1,401.00
4	Restroom elevations (draft & final)	1	1				2	355.00	20.00	375.00	493.00	1200.00				1,200.00	1,695.00
5	Restroom mechanical / plumbing						0	0.00	20.00	20.00	99.50	795.00				795.00	894.50
6	Meeting (1 hr Go-To meetings) (up to 2)						0	0.00		0.00	27.50	275.00				275.00	302.50
7	Restroom Technical Memo (up to 2 pages)		1				1	160.00	20.00	180.00	329.30	715.00	408.00	370.00		1,493.00	1,822.30
	Total	2	5	0	0	0	7	1,190.00	120.00	1,310.00	1,979.00	5,280.00	1,040.00	370.00	6,690.00	669.00	8,669.00
E Schematic Design																	
1	Draft Schematic Plan Update	2	6		8		16	2,134.00	20.00	2,154.00	2,154.00					0.00	2,154.00
2	Final Schematic Plan (color rendered)	2	5		10		17	2,170.00	90.00	2,260.00	2,260.00					0.00	2,260.00
3	Illustrative Perspective Rendering (draft and final)	1	3		14		18	2,647.00	500.00	2,547.00	2,547.00					0.00	2,547.00
4	Lighting & electrical schematic design (draft and final)		1				1	160.00		160.00	262.00		1020.00			1,020.00	1,282.00
5	Lighting Cost Estimate (for Final Schematic Plan)						0	0.00		0.00	408.80					408.80	448.80
6	Technical Memo (up to 2 pages)	1	3		4		8	1,067.00	20.00	1,087.00	1,146.30		408.00	185.00		593.00	1,739.30
	Total	6	18	0	36	0	60	7,578.00	630.00	8,308.00	8,410.10	0.00	1,836.00	185.00	2,021.00	202.10	10,431.10
F Design Development - 30% Design																	
1	Sheet set-up		1		1		2	358.00	20.00	378.00	378.00					0.00	378.00
2	Site visit (1)		4		4		8	1,032.00	60.00	1,092.00	1,092.00					0.00	1,092.00
3	Cover Sheet		1		4		5	552.00	20.00	572.00	572.00					0.00	572.00
4	Grading Plan (1 sht 20 scale)	1	5		4		10	1,387.00	95.00	1,482.00	1,519.00			370.00		370.00	1,889.00
5	Grading cut and fill calculations			4			4	600.00	40.00	640.00	640.00					0.00	640.00
6	Drainage & Utility Plan (Civil Lead - 1 sht 20 scale)	1	2				3	515.00	10.00	525.00	649.00			1,240.00		1,240.00	1,889.00
7	Lighting & Electrical Plan		1		1		2	358.00	20.00	378.00	522.80		2448.00			2,448.00	2,970.80
8	Lighting & Electrical Details		1		1		1	160.00	20.00	180.00	282.00		1020.00			1,020.00	1,302.00
9	Site Layout hardscape Plan (1 sht 20 scale)	2	5		8		15	1,974.00	110.00	2,084.00	2,084.00					0.00	2,084.00
10	Planting Plan (1 sht 20 scale)	1	3		8		12	1,459.00	75.00	1,534.00	1,534.00					0.00	1,534.00
11	Site Sections (up to 2 sections on 1 sheet)		2		6		8	908.00	65.00	973.00	973.00					0.00	973.00
12	Landscape Standard Details (1 sheet)		2		8		10	1,104.00	100.00	1,204.00	1,204.00					0.00	1,204.00

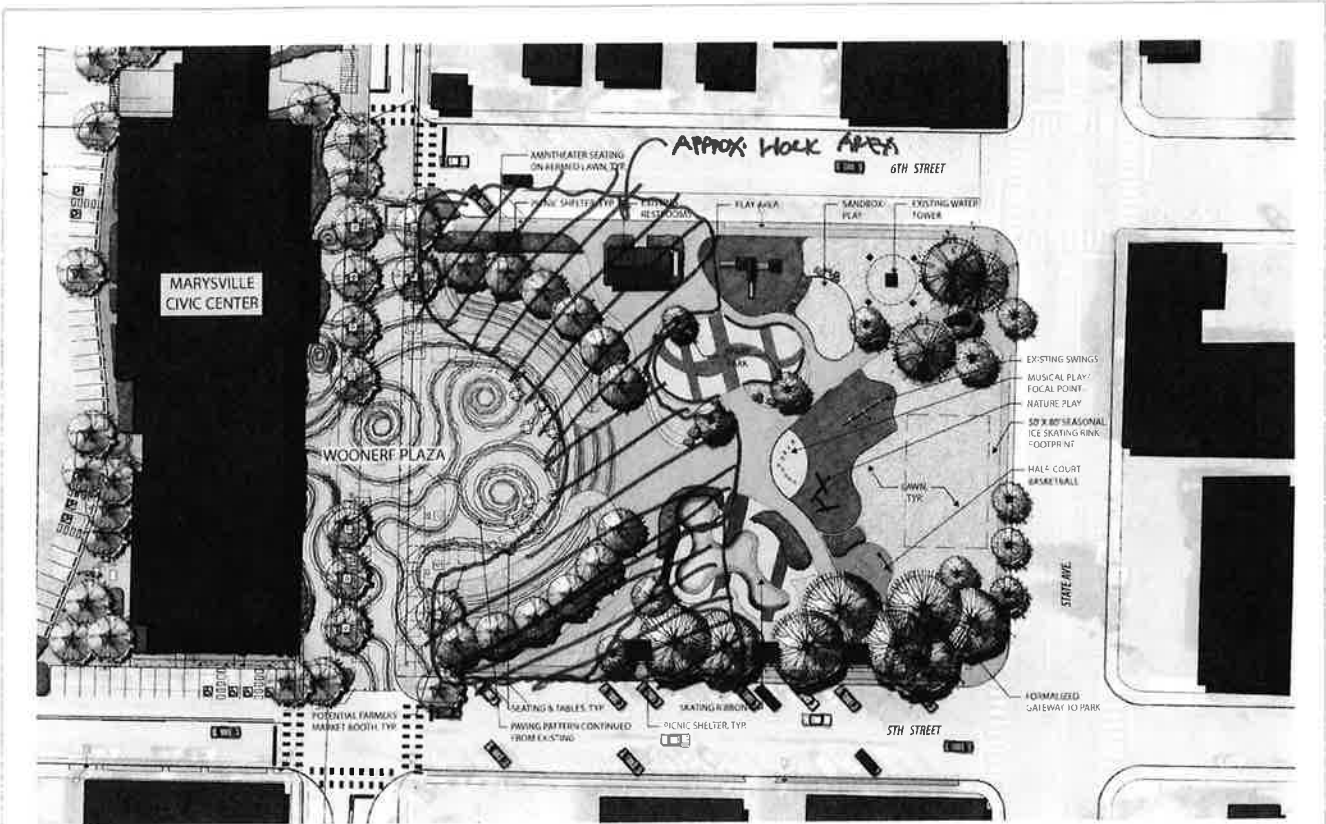
Project: Comford Park & Restroom Design - Schematic through PSEs

J.A. BRENNAN ASSOCIATES, PLLC

Date: July 30, 2021

TASK ITEM	Description	JB PM \$195.00	TW PLA \$160.00	DC LA \$150.00	JW Designer \$98.00	SY Admin \$101.00	Total JAB Hours	Total Labor	Total Expenses	Total J.A. Brennan Labor/Rat	Total J.A. Brennan of Markup	Total Architect	Total Civil/Electrical/ Lighting	Total Mechanical-Civil	Total Subcontract	Markup	Grand Total
13	Landscape Custom Details (1 sheet)	1	4		8		13	1,619.00	185.00	1,804.00	1,804.00					0.00	1,804.00
14	Utilities/Mechanical Details				1		1	98.00	20.00	118.00	270.50	1,525.00				1,525.00	152.50
15	Architectural Plan	1	1				2	355.00	10.00	365.00	700.00	3,350.00				3,350.00	335.00
16	Architectural Details	1	1				2	355.00	10.00	365.00	531.70	1,667.00				1,667.00	166.70
17	Specifications (CSI Table of Contents only)		2		1		3	418.00	20.00	438.00	461.50	165.00		90.00	255.00	25.50	718.50
18	Cost estimate (team input)	1	6		8		15	1,939.00	20.00	1,959.00	2,070.00	800.00		310.00	1,110.00		3,180.00
	Total	9	41	4	62	0	116	14,991.00	900.00	15,891.00	17,169.50	7,507.00	3,466.00	2,010.00	12,985.00	1,298.50	30,174.50
G	Permit Support						7	1,190.00		1,190.00	1,446.00	1,320.00		1,240.00	2,560.00	256.00	4,006.00
1	Comment Response to City review	2	5		0	0	7	1,190.00	0.00	1,190.00	1,446.00	1,320.00	0.00	1,240.00	2,560.00	256.00	4,006.00
	Total	2	5	0	0	0	7	1,190.00	0.00	1,190.00	1,446.00	1,320.00	0.00	1,240.00	2,560.00	256.00	4,006.00
H	Construction Documents 60%, 90%, 100% Plans Specs and Estimate															0.00	0.00
1	Cover Sheet (all sheets 22x34)		1		2		3	356.00	20.00	376.00	376.00					0.00	376.00
2	Existing Conditions Plan (1 sht 20 scale)		1		4		5	522.00	20.00	572.00	572.00					0.00	572.00
3	TISC Site Plan and Demolition (civil lead) (1 sht 20 scale)		2		2		4	516.00	20.00	536.00	660.00			1,240.00	1,240.00	124.00	1,900.00
4	Details: BMP/TISC civil lead (1 sht)		1		2		3	356.00	20.00	376.00	407.00			310.00	310.00	31.00	717.00
5	Stormwater Pollution Prevention Narrative (SWPPP)		1				1	160.00	20.00	180.00	211.00			310.00	310.00	31.00	521.00
6	Grading Plan (1 sht 20 scale)		8		10		19	2,455.00	145.00	2,600.00	2,600.00					0.00	2,600.00
7	Drainage & Utilities Plan (Civil Lead - 1 sht 20 scale)		2		2		4	516.00	20.00	536.00	722.00			1,860.00	1,860.00	186.00	2,582.00
8	Utility/Mechanical Plan (1 sht, 20 scale)		1		1		2	258.00	20.00	278.00	499.00	2,210.00				2,210.00	221.00
9	Lighting & Electrical Plan	1	3		1		5	773.00	20.00	793.00	1,313.20		5202.00			5,202.00	520.20
10	Lighting & Electrical Details						0	0.00	20.00	20.00	183.20		1632.00			1,632.00	163.20
11	Site Layout Hardscape Plan (1 sht 20 scale)	1	8		14		23	2,847.00	160.00	3,007.00	3,007.00					0.00	3,007.00
12	Planting Plan (1 sht 20 scale)	1	6		10		17	2,135.00	150.00	2,285.00	2,285.00					0.00	2,285.00
13	Architectural Plan		1				1	160.00	20.00	180.00	1,080.00	9,000.00				9,000.00	900.00
14	Architectural Details		1				1	160.00	20.00	180.00	985.00	8,050.00				8,050.00	805.00
15	Details: Custom (up to 1 sht)	3	10		15		28	3,655.00	150.00	3,805.00	3,805.00					0.00	3,805.00
16	Details: Drainage (1 sht - civil)		1				1	160.00	20.00	180.00	211.00			310.00		310.00	31.00
17	Details: Utilities/Mechanical (2 shts - mechanical)		1				1	160.00	20.00	180.00	67.50	4,775.00				4,775.00	477.50
18	Details: Standard (1 sht)	1	4		10		15	1,815.00	250.00	2,065.00	2,065.00					0.00	2,065.00
19	Grading cut and fill calculations		1		7		8	1,308.00	40.00	1,348.00	1,348.00					0.00	1,348.00
20	Drainage Report Final TIR and SWPPP		1		2		3	356.00	20.00	376.00	598.00			2,220.00	2,220.00	222.00	2,818.00
21	Cost Estimate	1	10		14		25	3,167.00		3,167.00	3,309.00	800.00				620.00	1,429.00
22	Specifications (CSI)	6	36		30		72	9,870.00	250.00	10,120.00	10,661.00	4,300.00		1,110.00	5,410.00	541.00	16,071.00
	Total	15	100	7	120	0	242	31,735.00	1,425.00	33,160.00	37,554.00	29,135.00	6,834.00	7,980.00	43,949.00	4,394.00	81,503.00
	Grand Total	60	218	11	243	6	538	72,650.00	3,395.00	76,045.00	83,209.50	45,342.00	13,178.00	13,225.00	71,645.00	7,164.50	515,854.50

Assumed MACC is \$800,000



Schematic Plan
Comeford Park

Scale: 1" = 20'
0' 20' 40'

CITY OF Marysville WASHINGTON

02/26/2020
j.a. brennan
LANDSCAPE ARCHITECT

Index #19

**CITY OF MARYSVILLE AGENDA BILL
EXECUTIVE SUMMARY FOR ACTION**

CITY COUNCIL MEETING DATE: September 13, 2021

AGENDA ITEM:	
Memorandum of Agreement For A Demonstration Garden At Jennings Park	
PREPARED BY:	DIRECTOR APPROVAL:
Tara Mizell	
DEPARTMENT:	
Parks, Culture and Creation	
ATTACHMENTS:	
MOA	
BUDGET CODE:	AMOUNT:
SUMMARY: The City of Marysville has been the host to the WSU Master Garden for many years. Attached is an updated Memorandum of Agreement with Washington State University for the program.	

<p>RECOMMENDED MOTION: I move to authorize the Mayor to sign the Memorandum of Agreement for a Demonstration Garden with Washington State University.</p>
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**MEMORANDUM OF AGREEMENT
FOR A DEMONSTRATION GARDEN**

I. INTRODUCTION

This Memorandum of Agreement (“MOA”) is entered into between Washington State University, an institution of higher education and agency of the State of Washington (“WSU”), by and through its Snohomish County Extension Unit (“WSU EXTENSION”), and City of Marysville (“LANDOWNER”). The above entities are individually referred to as a “PARTY” and collectively referred to as the “PARTIES”.

II. PURPOSE

This MOA sets forth the guidelines for the PARTIES’ operation of the Jennings Demonstration Garden (the “DEMONSTRATION GARDEN”) on property owned by LANDOWNER, as further described in Section V herein. This MOA does not create a separate entity and will be administered by the City of Marysville Parks, Culture, and Recreation Director and the WSU Extension Dean or his or her designee. Any improvements to LANDOWNER’S property or structures on LANDOWNER’S property made or erected in carrying out this MOA will become the property of LANDOWNER unless otherwise agreed in writing by the PARTIES. The personal property of the PARTIES will not change ownership regardless of its use in carrying out this MOA unless otherwise agreed in writing by the PARTIES.

III. GUIDING PRINCIPLES

All PARTIES agree to follow the concepts and principles set forth in Exhibit B attached hereto and incorporated herein, which were jointly prepared by the WSU Master Gardeners and LANDOWNER.

IV. MISSION

In furtherance of WSU’s educational mission, the DEMONSTRATION GARDEN is intended to:

- a. Demonstrate environmentally sound gardening techniques based on WSU research;
- b. Provide hands-on experience for WSU Master Gardener volunteers;
- c. Educate the public, including youth, in science-based horticulture and related topics; and
- d. Provide a focal point for public use and enjoyment of the Landowner’s facility.

V. LOCATION

The DEMONSTRATION GARDEN, located on property owned by the Landowner, is located at 6915 Armar Road, Marysville, Washington (the “PREMISES”). The PARTIES agree that the location and identification specifications for the PREMISES are an accurate identification of the DEMONSTRATION GARDEN. (Maps Attached Exhibit A.)

VI. DURATION AND TERMINATION

This MOA shall take effect when authorized representatives of all PARTIES have signed, and it shall remain in effect for ten years or until terminated by either PARTY. This MOA may be extended by mutual agreement of the PARTIES. Either PARTY may terminate this MOA upon not less than ninety (90) days prior written notice to the other PARTY. The PARTIES agree that the DEMONSTRATION GARDEN shall continue to be operated under the terms of this MOA so long as the following basic criteria are met:

- A. The WSU Master Gardener Program and LANDOWNER promote and enact WSU Extension educational goals on the PREMISES;
- B. The WSU Master Gardeners maintain the DEMONSTRATION GARDEN so that it presents a positive public image;
- C. The LANDOWNER continues to own the land; and
- D. No PARTY to this MOA terminates it as provided above.

VII. AMENDMENTS

This MOA may be amended or supplemented by mutual consent of the PARTIES. Such amendments or supplements shall not be binding unless they are in writing and signed by personnel authorized to bind each of the PARTIES.

VIII. PROVISION OF LAND

In further consideration for the services the WSU Master Gardener Program will provide to manage the DEMONSTRATION GARDEN, the LANDOWNER shall provide WSU EXTENSION the use of the PREMISES described in Paragraph V herein for the DEMONSTRATION GARDEN at no cost to WSU. In consideration for the use of the PREMISES, WSU Master Gardener Program shall organize and promote educational use and enjoyment of the DEMONSTRATION GARDEN in the best interests of the general public, and consistent with the LANDOWNER's and WSU's missions.

IX. PROVISION OF UTILITIES

In further consideration for the services the WSU Master Gardener Program will provide to manage the DEMONSTRATION GARDEN, the LANDOWNER shall provide and pay the cost for a sufficient, year round supply of water and electricity for the DEMONSTRATION GARDEN. The water and electricity shall use the existing connections to the water and power supplies at the PREMISES. If one or both of those connections must be modified to provide reasonably adequate service to the DEMONSTRATION GARDEN, the cost and plan for such modifications to water or electric lines will be the responsibility of both PARTIES under terms to be negotiated and attached as an amendment to this MOA. The LANDOWNER shall maintain and pay the cost of public road access to the DEMONSTRATION GARDEN and the parking lots currently surrounding it.

X. RESTROOM FACILITIES

Provision and maintenance of restroom facilities for the volunteers, visitors and others attending or working in the DEMONSTRATION GARDEN will be negotiated between the PARTIES as part of the expansion and development of the public garden site of the DEMONSTRATION GARDEN.

XI. STRUCTURES

Plans for all new structures and for modification of existing structures on the Premises must be presented to representatives of LANDOWNER for approval. All PARTIES must approve the plan before modification or construction of the structure can commence. For the purpose of this subsection, “structures” shall include signage and gates. The LANDOWNER will install appropriate and clearly visible signage. The final decision on any structural improvements will be made by the PARTIES in a separately negotiated amendment to this MOA as needed, such amendment to include at a minimum the costs to be borne by each PARTY for construction of the improvements and who shall own the improvements.

XII. MAINTENANCE OF GARDEN

The WSU Master Gardeners will develop and maintain the DEMONSTRATION GARDEN in a manner acceptable to WSU and the LANDOWNER. The LANDOWNER shall provide and pay for all routine maintenance of the PREMISES, such as mowing the turf in and around the DEMONSTRATION GARDEN in accordance with the LANDOWNER’s ordinary and usual mowing schedule. The PARTIES agree that before other public service or educational groups may build demonstration sites at the DEMONSTRATION GARDEN, all PARTIES shall review and approve the proposals on a case-by-case basis. The DEMONSTRATION GARDEN shall at all times be maintained in a manner that makes it reasonably safe for the public, visitors, volunteers, and employees. The PARTIES jointly shall make the final determination of whether the DEMONSTRATION GARDEN is adequately maintained. WSU Master Gardener volunteers shall not utilize or operate any LANDOWNER equipment to care and/or maintain the DEMONSTRATION GARDEN.

XIII. INDEPENDENT CAPACITY

The employees or agents of each PARTY who are engaged in the performance of this MOA shall continue to be the employees or agents of that PARTY and shall not be considered for any purpose to be employees or agents of the other PARTY.

XIV. DISPUTES:

Disputes regarding the development and/or maintenance of the DEMONSTRATION GARDEN under this MOA shall be brought to the attention of the park office for the LANDOWNER, the WSU Extension Director and/or Master Gardener Coordinator, and WSU EXTENSION’s representative designated for this purpose for resolution. Failure to reach a resolution within thirty (30) days shall require the PARTIES to seek mediation. Failure of mediation within sixty (60) days thereafter shall automatically terminate this MOA.

EXHIBIT A

- 1. Jennings Demonstration Garden Map Figure 1
- 2. Jennings Demonstration Garden Map Figure 2

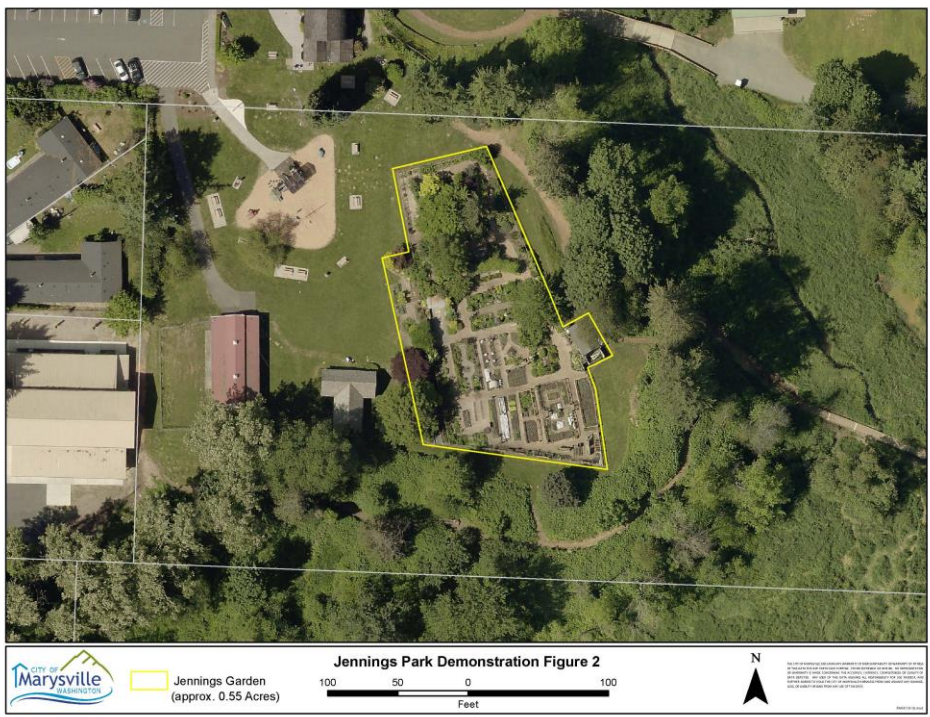
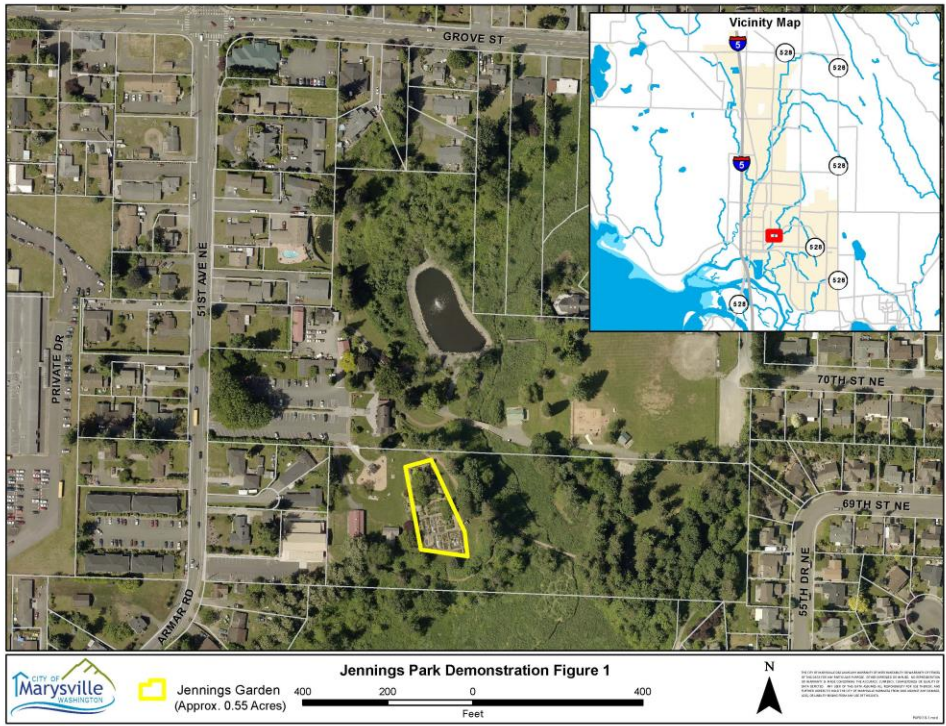


EXHIBIT B

Master Gardener volunteers and staff shall have access at any time during normal park hours unless by other agreement with both parties. The gardens shall always remain open to the public during normal park hours except as agreed upon by the parties.

Index #20

STRATEGIC ENERGY MANAGEMENT (SEM) FUNDING AGREEMENT
PUBLIC UTILITY DISTRICT NO. 1 OF SNOHOMISH COUNTY
and
City of Marysville Water
CW2245300 SEM Marysville Clean Water Cohort

This Strategic Energy Management ("SEM") Funding Agreement ("Agreement") is executed by and between Public Utility District No. 1 of Snohomish County (UTILITY) and the City of Marysville (END USER) for its facility at 80 Columbia Ave, Marysville, WA 98270 (Service Address). The UTILITY and END USER are also referred to herein individually as "Party" and collectively known as the "Parties."

WHEREAS, END USER has facilities in UTILITY's service area and purchases power from UTILITY; and

WHEREAS, UTILITY is a public utility organized under the laws of the State of Washington, and sells electric power to END USER that is acquired from Bonneville Power Administration (BPA); and

WHEREAS, BPA provides funds to UTILITY to pass through to END USER as the END USER implements energy saving measures and completes related activities under the BPA SEM program at END USER's facility; and

WHEREAS, BPA has designated a CWEC Provider (currently Energy Smart Industrial) to work with END USER to identify and implement actions to achieve energy efficiency and potential energy savings and to document energy savings achieved, changes implemented, and if applicable, implementation costs; and

WHEREAS, The Parties agree to enter into a two-year BPA SEM Program engagement, hereby referred to as Clean Water Energy Coaching (CWEC), which emphasizes participation in CWEC training sessions and implementation of low-cost energy efficiency measures.

NOW, THEREFORE, the PARTIES hereby agree to the following:

1. This Agreement is effective upon execution and will continue until the PARTIES' obligations have been met. If this Agreement has not been executed (signed) by END USER and returned to the UTILITY within 30 calendar days of being executed by UTILITY, the terms of this Agreement shall be null and void.
2. END USER shall designate a CWEC "Executive Sponsor" to provide management support for the implementation of this project by completing Exhibit 1 of the Agreement.
3. END USER shall designate a CWEC "Energy Champion" to (a) attend training workshops; (b) coordinate END USER's implementation activities; (c) serve as the primary contact for the CWEC Providers (Energy Smart Industrial Technical Service Providers, Energy Smart Industrial Program staff); (d) implement suitable SEM action items; and (e) track implementation dates and if necessary, associated costs by completing Exhibit 1 of the agreement.
4. If agreed to by END USER and UTILITY, the Energy Champion will oversee the design and installation of a Performance Tracking System (PTS), capable of measuring and tracking energy consumption and energy savings performance. The Energy Champion will track installation costs and provide the data required to complete the PTS Verification Report.
5. END USER agrees to provide BPA, BPA's designated CWEC Provider, and UTILITY with the information necessary to establish and maintain a baseline energy model (Monitoring, Targeting, and Reporting [MT&R] model). The MT&R model will define the pre-engagement baseline and measure the energy savings associated with the implementation of END USER's CWEC program. Necessary information includes electric energy consumption and plant loading data, and may also include natural gas consumption and any other relevant data that would impact electrical energy use.



6. CWEC Training Workshops – END USER shall assign two to four employees involved in the operation and/or maintenance of END USER’s water treatment plant to attend seven CWEC training workshops (Five in Year 1 and Two in Year 2). Each CWEC Workshop will be five to eight hours in duration.
7. CWEC Site Visits – END USER shall schedule one to four (1-4) technical support site by CWEC provider. The site visits shall occur at the END USER’s plant and are intended to provide END USERs with support to identify and implement energy efficiency Action Items. Regular remote technical support will be provided in-between site visits.
8. Action Item Implementation – END USER shall work with CWEC Provider to implement energy efficiency Action Items at END USER’s site between training workshops. END USER shall maintain records of the cost to implement Action Items approved by CWEC provider.
9. The CWEC Provider will work with END USER to compile two annual CWEC Completion Reports (one for each year) that document energy savings achieved, changes implemented, and if applicable, implementation costs. UTILITY will subsequently report energy savings in the BPA reporting system (IS2.0 or its successor). Energy savings will be verified based on the latest revision of BPA’s MT&R Guidelines document and will not include savings from any projects that have received or will receive funding from other BPA or UTILITY programs. Reported energy savings and any associated costs must be approved by BPA in order to qualify for incentives.

10. CONFIDENTIALITY

a. CONFIDENTIALITY OBLIGATIONS

The Parties will comply with the Washington Public Records Act, RCW Chapter 42.56, and other applicable law, in holding and disseminating confidential information.

b. DISCLOSURES REQUIRED BY LAW

Nothing in this Agreement shall be construed to prohibit or limit any of the Parties to this Agreement from disclosures required or requested under applicable law, regulations, rules or procedures of any governmental authority including, without limitation, any regulatory agency or court of competent jurisdiction. Each Party shall promptly notify the other Party upon receipt of a request for disclosure of confidential information, so that such other Party may, at its own cost and expense, seek a protective order or other appropriate remedy. Under no circumstances whatsoever will a Party other than the Party which has designated the requested information as confidential have any obligation whatsoever to initiate, defend against, or otherwise participate in or in connection with any inquiry, investigation, action, claim, suit, arbitration, or proceeding relating to the release of any such confidential information. Nothing herein shall be construed as prohibiting any Party from using confidential information in connection with (i) any claim against the other Party to this Agreement in a dispute arising under or related to this Agreement or (ii) any third party claims for which any Party is seeking indemnification from the other Party to this Agreement. No Party to this Agreement shall have any liability whatsoever to the other Party for the disclosure or copying of designated confidential information where, in the opinion of legal counsel for the disclosing Party, the disclosing Party is compelled to permit such disclosure or copying or else risk civil or criminal liability or penalty.

11. END USER assumes the risk of any loss or damage that END USER may incur in connection with participation in CWEC. Energy savings and facility improvements are not guaranteed. In no event will UTILITY, BPA, or their representatives be liable for more than the amount of any incentives based on the energy saving calculations associated with this Agreement.

12. UTILITY must give END USER all reimbursements received from BPA for the CWEC Program as they pertain to END USER. Funding levels and amounts are set according to BPA's Energy Efficiency Implementation Manual and are described in attached and incorporated Table 1. UTILITY shall pay END USER no later than thirty (30) days after receipt of funds from BPA. UTILITY is never obligated to pay monies to END USER in an amount greater than the amount received from BPA, and END USER is not obligated to return any money already received.
13. NO WARRANTIES AND HOLD HARMLESS: END USER acknowledges that no warranties, implied or expressed, are created under this Agreement; and, that END USER waives any claim, cause of action or breach of warranty claim which may arise under this Agreement. The Parties stipulate this waiver is made upon mutual assent, and is knowingly and intelligently made.
14. INDEMNIFICATION AND HOLD HARMLESS

a. UTILITY'S INDEMNIFICATION OF END USER.

Except as otherwise provided in this Agreement, the UTILITY shall indemnify, defend and hold harmless the END USER, its officers, officials, employees and agents, from and against all claims, actions, suits, liability, loss, expenses, damages and judgments of any nature whatsoever, including costs and reasonable attorneys' fees in defense thereof, for injury, sickness, liability or death to persons or damage to property or business, caused by or arising out of negligent or intentional acts, errors or omissions of the UTILITY, its officers, officials, employees and/or agents in the performance of this Agreement; provided, that in the event of the concurrent negligence of the Parties, the UTILITY's obligations hereunder shall apply only to the percentage of fault attributable to the UTILITY, its officers, officials, employees and/or agents.

b. END USER'S INDEMNIFICATION OF UTILITY

Except as otherwise provided in this Agreement, the END USER shall indemnify, defend and hold harmless the UTILITY, its officers, appointed and elected officials, employees and agents, from and against all claims, actions, suits, liability, loss, expenses, damages and judgments of any nature whatsoever, including costs and reasonable attorneys' fees in defense thereof, for injury, sickness, liability or death to persons or damage to property or business, caused by or arising out of negligent or intentional acts, errors or omissions of the END USER, its officers, officials, employees and/or agents in the performance of this Agreement; provided, that in the event of the concurrent negligence of the Parties, the END USER's obligations hereunder shall apply only to the percentage of fault attributable to the END USER, its officers, officials, employees and/or agents.

c. WAIVER OF IMMUNITY UNDER INDUSTRIAL INSURANCE ACT

The indemnification provisions of this Section are specifically intended to constitute a waiver of each Party's immunity under Washington's Industrial Insurance Act, Title 51 RCW, as with respect to the other Party only, and only to the extent necessary to provide the indemnified Party with a full and complete indemnity of claims made by the indemnitor's employees. The Parties acknowledge that these provisions were specifically negotiated and agreed upon by them.

d. NO RIGHT TO INDEMNIFICATION FOR ANY THIRD PARTY

Nothing contained in this section of this Agreement shall be construed to create a liability or a right of indemnification in any third party.

e. SURVIVAL OF INDEMNIFICATION OBLIGATIONS

The provisions of this section shall survive the expiration or termination of this Agreement with respect to any event occurring prior to such expiration or termination.



15. MISCELLANEOUS

a. INTEGRATION CLAUSE

This Agreement sets forth the entire agreement of the Parties and supersedes any and all prior agreements with respect to the subject matter or this Agreement. The rights and obligations of the Parties hereunder shall be subject to and governed by this Agreement. The headings used herein are for convenience of reference only and shall affect the meaning or interpretation of the Agreement.

b. TERMINATION OF AGREEMENT

Either Party may terminate this Agreement at any time for any or no reason with thirty (30) calendar days' written notice to the other Party.

c. NON-DISCRIMINATION

- i. During the performance of this Agreement, END USER shall not discriminate in violation of any applicable federal, state and/or local law or regulation on the basis of race, color, sex, sexual orientation, religion, national origin, creed, marital status, political affiliation, and/or the presence of any sensory, mental or physical handicap. This provision shall include but not be limited to the following: employment, upgrading, demotion, transfer, recruitment, advertising, layoff or termination, rates of pay or other forms of compensation, selection for training, and the provision of services under this Agreement. In addition, the parties hereby incorporate 41 C.F.R. 60-1.4(a)(7); 29 C.F.R. Part 471, Appendix A to Subpart A; 41 C.F.R. 60-300.5(a)11; and 41 C.F.R. 60-741.5(a)6; if applicable.
- ii. **END USER and any subcontractors shall abide by the requirements of 41 C.F.R. 60-300.5(a) and 41 C.F.R. 741.5(a). These regulations prohibit discrimination against qualified protected veterans, and qualified individuals on the basis of disability, respectively, and require affirmative action by covered prime contractors and subcontractors to employ and advance in employment qualified protected veterans and qualified individuals with disabilities, respectively.**

d. NO THIRD PARTY BENEFICIARIES

Except as expressly set forth in this Agreement, none of the provisions of this Agreement shall inure to the benefit of or be enforceable by any third party.

e. WAIVERS

The failure of either Party to insist upon or enforce strict performance by the other Party of any provision of this Agreement, or to exercise any right under this Agreement, shall not be construed as a waiver or relinquishment to any extent of the first Party's right to assert or rely upon any such provision or right in that or any other instance; rather, the same shall be and remain in full force and effect.

f. SEVERABILITY

- i. If a court of competent jurisdiction holds any part, term or provision of this Agreement to be illegal or invalid, in whole or in part, the validity of the remaining provisions shall not be affected, and the Parties' rights and obligations shall be construed and enforced as if the Agreement did not contain the particular provision held to be invalid.



ii. If any provision of the Agreement is in direct conflict with any statutory provision of the State of Washington, that provision which may conflict shall be deemed inoperative and null and void insofar as it may conflict, and shall be deemed modified to conform to such statutory provision.

g. AMENDMENT

No change, amendment or modification of any provision of this Agreement shall be valid unless set forth in a written amendment to this Agreement signed by both Parties.

h. DEFINITIONS

Unless otherwise required by the text of this Agreement, all technical terms contained herein shall have the meaning ordinarily assigned to them in the electric utility industry.

i. DRAFTING OF AGREEMENT

Both Parties have participated in the drafting of this Agreement. As such, it is agreed by the Parties that the general contract rule of law that ambiguities in the contract language shall be construed against the drafter of a contract shall have no application to any legal proceeding, arbitration and/or action in which this Agreement and its terms and conditions are being interpreted and/or enforced.

j. GOVERNING LAW

This Agreement shall be governed by the laws of the State of Washington, with venue for any disputes in Snohomish County, Washington; provided that venue for any matter that is within the jurisdiction of the Federal Court shall be in the United States District Court for the Western District of Washington at Seattle, Washington. Each Party hereby irrevocably waives, to the fullest extent it may effectively do so, the defense of an inconvenient forum to the maintenance of proceedings in such courts.

k. COUNTERPARTS

This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

l. AUTHORITY TO BIND PARTIES AND ENTER INTO AGREEMENT

The undersigned represent that they have full authority to enter into this Contract and to bind the Parties for and on behalf of the legal entities set forth below.

CWEC Agreement Executed by Public Utility District No. 1 of Snohomish CountySigned By: Clark LangstraatPrint Name: Clark LangstraatTitle: Manager, Contracts & PurchasingDated: 08/31/2021**CWEC Agreement Executed by City of Marysville**

Signed By: _____

Print Name: Jon NehringTitle: City of Marysville Mayor

Dated: _____

Exhibit 1: Designation of CWEC Project Executive Sponsor, Energy Champion, and Data Lead**I. END USER-appointed CWEC "Executive Sponsor":**

Name of Executive Sponsor: Karen Latimer
 Title: Utility Manager
 Phone: (360) 363-8100
 Email Address: klatimer@marysvillewa.gov

II. END USER-appointed CWEC "Energy Champion":

Name of Energy Champion: Ryan Keefe
 Title: Water Operations and Maintenance Lead
 Phone: (360) 363-8168
 Email Address: RKeefe@marysvillewa.gov

Name of Energy Champion: Brad Zahnow
 Title: Water Quality Lead
 Phone: (360) 363-8164
 Email Address: BZahnow@marysvillewa.gov

III. END USER-appointed CWEC "Data Lead":

Name of Energy Champion: Kim Bryant
 Title: Water Operations Supervisor
 Phone: (360) 363-8163
 Email Address: kbryant@marysvillewa.gov

Addendum 1: CWEC Program Glossary

1. Energy Champion - The person appointed by the End User to oversee the implementation and compliance for CWEC Program requirements under this Agreement. This person will also be the End User's primary contact.
2. Energy Smart Industrial (ESI) Program Partner – The BPA contractor that administers the Energy Smart Industrial Program in collaboration with BPA.
3. Executive Sponsor - The management-level coordinator of END USER's CWEC activities. The Executive Sponsor's primary responsibilities involve establishing energy savings goals, assigning personnel and monetary resources, and conducting management reviews of energy performance and team activities. The Executive Sponsor will assign an Energy Champion and supporting staff to attend workshops and carry out implementation activities.
4. Performance Tracking System (PTS) – This system, installed by the end user, tracks and communicates meter-level energy consumption of whole facilities, and/or designated electro-mechanical subsystems. The ESI Program Partner provides design guidance for the PTS, and compiles a PTS Verification Report that documents the functionality and associated costs.
5. CWEC Action Items – Low-cost energy saving activities identified and recommended by the CWEC Provider or END USER which produce cost-effective energy savings.
6. CWEC Completion Report – This report, usually prepared by the CWEC Provider and/or ESI Program Partner, summarizes the CWEC Program implementation activities and verified energy savings. If applicable, the report will also include records of CWEC Action Item implementation costs and PTS maintenance costs.

Table 1. CWEC Funding Amounts and Milestones: 2 Year Program Agreement

Payment No.	Incentive Formula	Incentive Cap	Milestone
Payment #1: PTS Setup 1 (Optional)	1.1 Payment Calculation as <i>Lesser of</i> : a. Documented PTS costs; or b. \$10,000.00	\$15,000.00 Total Program PTS cap	END USER purchases and installs BPA and UTILITY approved PTS
Payment #2: End Year 1 Sustained Savings and PTS Maintenance	2.1 \$0.025 per kWh of actual verified SEM electrical savings identified in the "Year 1" CWEC Completion Report*	\$50,000.00 Total Program Incentive Cap for Energy Savings Plus for Years 1 and 2 combined	BPA reviews and approves "Year 1" SEM Completion Report.* (All capital energy efficiency projects savings and incentives are recognized under the UTILITY standard rebate program.)
	2.2. PTS Maintenance Payment, for documented Year 1 PTS costs.	PTS Maintenance payment funding, subject to \$15,000.00 Total Program PTS cap	
Payment #3: Year 2 Sustained Savings and PTS Maintenance	3.1 \$0.025 per kWh of actual verified SEM electrical savings identified in the "Year 2" CWEC Completion Report*	\$50,000.00 Total Program Incentive Cap for Energy Savings for Years 1 and 2 combined	BPA reviews and approves "Year 2" SEM Annual Completion Report.* (All capital energy efficiency projects savings and incentives are recognized under the UTILITY standard rebate program.)
	3.2. PTS Maintenance Payment, for documented Year 2 PTS costs	PTS Maintenance payment funding, subject to \$15,000.00 Total Program PTS cap	
Overall Cap	\$15,000.00 Total Program Incentive Cap for Performance Tracking System (PTS) funding and \$50,000.00 Total Program Incentive Cap for Energy Savings	\$65,000.00 Overall Incentive Cap	

*CWEC Completion Reports are prepared at the conclusion of each year of a two-year 'CWEC Performance Period.'
The CWEC Performance Period starts:

- a. No earlier than the BPA kick-off workshop (if applicable), and
- b. No later than either (i) the first day of the first full monthly billing cycle following the kick-off workshop (if applicable), or (ii) when the END USER begins Action Item implementation.

¹ The initial PTS annual allocation cap for the two-year performance period is \$15,000.00. In Year 1 PTS funds up to \$10,000.00 can be applied prior to April 1, 2022. On April 1, 2022 the PTS annual allocation cap as allowed by the ESI-SEM program changes to \$5,000 per performance year. In the PTS pre-approval process, the timing considerations related to this program change will be determined.

The total incentives paid under this Agreement shall not exceed \$65,000.00.

Table 2. 2-Year Incentive-Eligible Performance Periods

Current Performance Period	Dates
SEM CWEC	Year 1: October 1, 2021 – September 30, 2022 Year 2: October 1, 2022 – September 30, 2023

Index #21

**CITY OF MARYSVILLE AGENDA BILL
EXECUTIVE SUMMARY FOR ACTION**

CITY COUNCIL MEETING DATE: September 13, 2021

AGENDA ITEM:	
Condemnation Ordinance for 80th St NE Non-Motorized Project	
PREPARED BY:	DIRECTOR APPROVAL:
Jon Walker	
DEPARTMENT:	
Legal	
ATTACHMENTS:	
BUDGET CODE:	AMOUNT:
SUMMARY:	

The 80th St NE Non-Motorized project will include the restriping 80th St NE from State Ave to 47th Ave to remove parking and provide bicycle lanes. The project will also include the construction of curb, gutter, drainage, sidewalk and a bicycle lane on the south side of 80th St NE from 47th Ave NE to 51st Ave NE.

This project is underway and the City has been contacting property owners regarding right-of-way acquisitions that are necessary to complete the project. The City intends to acquire necessary right-of-way through negotiations if at all possible.

The city has two reasons for considering authorizing the use of eminent domain at this time. First, the procedural requirements to authorize eminent domain through an ordinance take considerable time and coordination. If the city were to wait to take this step, it might interfere with construction timelines and delay the project. The ordinance only authorizes the city to use eminent domain, but does not require it to do so. Second, if the sale of property takes place under “threat” of eminent domain (the “threat” would be established by the ordinance), the seller does not need to pay the real estate excise tax that he or she would otherwise be required to pay. WAC 458-61A-206 (copy attached). The tax is currently 1.15% in the city.

RECOMMENDED ACTION: Staff recommends that the Council consider approving the condemnation ordinance for the 80th St NE Non-Motorized Project.

RECOMMENDED MOTION: I move to approve Ordinance No. ___ authorizing the city to use eminent domain to acquire property for the 80th St NE Non-Motorized Project.

WAC 458-61A-206 Condemnation proceedings. (1) Introduction.

Transfers of real property to a governmental entity under an imminent threat of the exercise of eminent domain, a court judgment or settlement with a governmental entity based upon a claim of inverse condemnation, or as a result of the actual exercise of eminent domain, are not subject to the real estate excise tax.

(2) **Transfer must be to a governmental entity.** To qualify for this exemption, the threat of condemnation or the exercise of eminent domain must be made by a governmental entity with the actual power to exercise eminent domain.

(3) **Threat to exercise eminent domain must be imminent.** To qualify for this exemption, the governmental entity must have either filed condemnation proceedings against the seller/grantee; or:

(a) The governmental entity must have notified the seller in writing of its intent to exercise its power of eminent domain prior to the sale; and

(b) The governmental entity must have the present ability and authority to use its power of eminent domain against the subject property at the time of sale; and

(c) The governmental entity must have specific statutory authority authorizing its power of eminent domain for property under the conditions presented.

(4) **Inverse condemnation.** Inverse condemnation occurs when the government constructively takes real property even though formal eminent domain proceedings are not actually taken against the subject property. The seller must have a judgment against the governmental entity, or a court approved settlement, based upon inverse condemnation to claim the exemption.

(5) **Examples.** The following examples, while not exhaustive, illustrate some of the circumstances in which a sale to a governmental entity may or may not be exempt on the basis of condemnation or threat of eminent domain. The status of each situation must be determined after a review of all the facts and circumstances.

(a) The Jazz Port school district wants to purchase property for a new school. An election has been held to authorize the use of public funds for the purchase, and the general area for the site has been chosen. In order to proceed, the district will need to obtain a five-acre parcel owned by the Fairwood family. The district has been granted authority to obtain property by the use of eminent domain if required. The district has notified the Fairwoods in writing of its intention to exercise its powers of eminent domain if necessary to obtain the land. The Fairwoods, rather than allowing the matter to proceed to court, agree to sell the parcel to the Jazz Port district. The school district will use the parcel for construction of the new school. The conveyance from the Fairwoods to Jazz Port school district is exempt from real estate excise tax because the transfer was made under the imminent threat of the exercise of eminent domain.

(b) The Sonata City Parks Department has the authority to obtain land for possible future development of parks. The department would like to obtain waterfront property for preservation and future development. They approach Frankie and Chaz Friendly with an offer to purchase the Friendlys' 20-acre waterfront parcel. The Parks Department does not have a current appropriation for actual construction of a park on the site, and the City Council has not specifically authorized an exercise of eminent domain to obtain the subject property. The conveyance from the Friendlys to the city is subject to the real estate

excise tax, because the transfer was not made under the imminent threat of the exercise of eminent domain.

[Statutory Authority: RCW 82.45.150, 82.32.300, and 82.01.060. WSR 14-06-060, § 458-61A-206, filed 2/28/14, effective 3/31/14. Statutory Authority: RCW 82.32.300, 82.01.060(2), and 82.45.150. WSR 05-23-093, § 458-61A-206, filed 11/16/05, effective 12/17/05.]

CITY OF MARYSVILLE
Marysville, Washington

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON DECLARING PUBLIC USE AND NECESSITY FOR LAND AND PROPERTY TO BE CONDEMNED FOR THE PURPOSE OF MAKING IMPROVEMENTS TO 80TH ST NE FROM APPROXIMATELY STATE AVENUE TO 51ST AVE NE; AND AUTHORIZING THE CONDEMNATION, APPROPRIATION, TAKING, DAMAGING AND ACQUISITION OF LAND AND OTHER PROPERTY AND PAYMENT FROM THE GENERAL FUND.

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

1. The 80th St NE Non-Motorized project will include the restriping 80th St NE from State Ave to 47th Ave to remove parking and provide bicycle lanes. The project will also include the construction of curb, gutter, drainage, sidewalk and a bicycle lane on the south side of 80th St NE from 47th Ave NE to 51st Ave NE; and

2. The City has conducted engineering and traffic studies and determined that it will be necessary to acquire portions properties for the street improvements as depicted in **EXHIBIT A** and more specifically described in **EXHIBIT B**, attached hereto and incorporated herein by this reference; and

3. The project is necessary to meet the city's goals for safe pedestrian and bicycle travel; and

4. The project is necessary to enhance the city's stormwater drainage and conveyance system; and

5. Efforts are now on-going to acquire the properties necessary for this public use by negotiation; and

6. In the event that negotiated acquisition is not fully successful in advance of the anticipated commencement and construction, it is essential that the City be prepared to initiate condemnation proceedings so that the project can be timely constructed; and

7. Public safety, convenience, use and necessity demand the acquisition of several parcels of property, easement, and/or temporary construction easements to wit: 4728 80th St NE; 4804 80th St NE; 4814 80th St NE; 4828 80th St NE; 5004 80th St NE; 7923 47th Ave NE, Marysville, Washington; and

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

FEDERAL GRANT FUND
TRANSPORTATION BENEFIT DISTRICT FUND

or such other general funds of the City as may be provided by law.

9. The City may be unable to agree with the property owners upon the compensation to be paid for the properties identified in **EXHIBIT B** or it may not be feasible to clear title without condemnation proceedings.

10. The City has authority pursuant to chapter 8.12 RCW to acquire, if necessary, title to real property for public purposes. Improvement of the City's road system and stormwater drainage and conveyance system is a public purpose.

11. The proposed improvement is for restriping 80th St NE from State Ave to 47th Ave to remove parking and provide bicycle lanes. The project will also include the construction of curb, gutter, drainage, sidewalk and a bicycle lane on the south side of 80th St NE from 47th Ave NE to 51st Ave NE, which is a permanent public use and is reasonably necessary for the purposes for which it is sought.

12. Notice of the planned final action authorizing the condemnation of the property described in Exhibits A and B has been given to the owner(s) of said property and published in the Everett Herald and Marysville Globe in accordance with the provisions of RCW 8.25.290.

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

Section 1. 80th Street Non-Motorized Project is a Public Use. The 80th Street Non-Motorized project is a public use. The improvement will be owned by the City of Marysville and open for vehicle, pedestrian, and bicycle travel by members of the public.

1. Section 2. Determination of Necessity. Acquisition of the properties depicted in Exhibit A and legally described in Exhibit B, both of which are attached and incorporated by this reference (the "Properties"), is necessary to construct the 80th St Non-Motorized project. If the Properties are not acquired and the project is not constructed, traffic movement and safety along the 80th Street NE will be severely negatively impacted. Connecting to existing infrastructure, this project will help achieve the Transportation Element's Priority Pedestrian System Plan and Bicycle System Plan adopted in the 2015 City of Marysville Comprehensive Plan.

Section 3. Condemnation. Under the authority of chapter 8.12 RCW, the Properties shall be condemned and acquired by the City of Marysville, after just compensation having been first made or paid into court for the owner(s) in the manner prescribed by law.

Section 4. Authorization. The City Attorney and/or his designees are hereby authorized to commence and prosecute condemnation proceedings for the Properties in the manner provided by law, to determine and make or pay just compensation, and to take such other steps as they deem necessary to complete the acquisition of the Properties including to enter into settlements to mitigate damages.

Section 5. Compensation. Compensation shall be paid to the owners of the property identified in Exhibits A and B, and the cost of acquisition and the costs of litigation shall be paid from the City's General Fund.

Section 6. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

Section 7. Effective Date. This ordinance shall become effective five days after the date of its publication by summary.

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

CITY OF MARYSVILLE

By _____
JON NEHRING, Mayor

ATTEST:

By _____
Deputy City Clerk

Approved as to form:

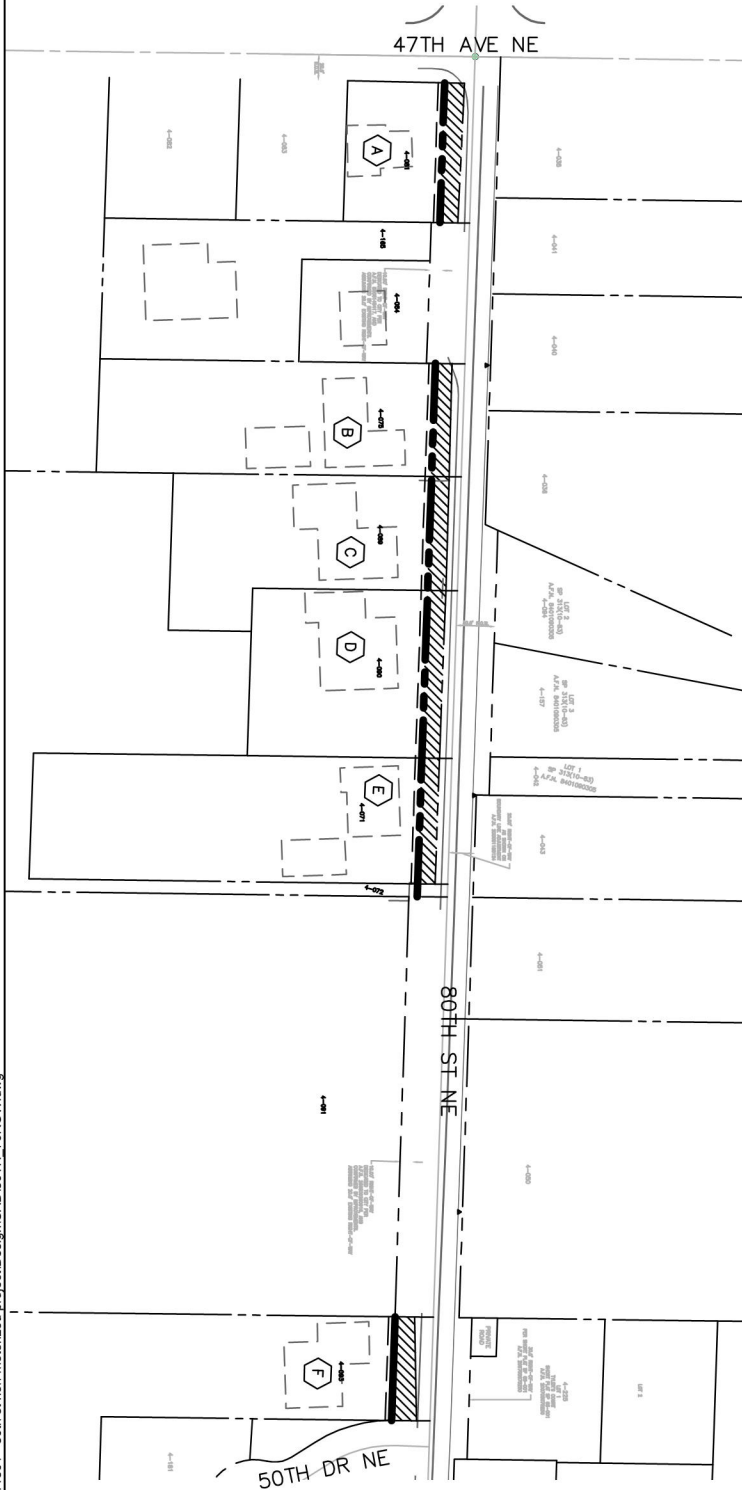
By _____
JON WALKER, City Attorney

Date of Publication: _____

Effective Date (5 days after publication): _____

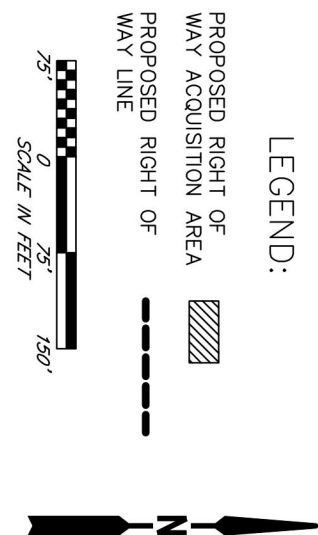
EXHIBIT A

Parcel Sketch



PARCEL DETAILS	
PARCEL	ADDRESS
A	30052100408100 7923 47TH AVE NE
B	30052100407500 4728 80TH ST NE
C	30052100408900 4804 80TH ST NE
D	30052100409000 4814 80TH ST NE
E	30052100407100 4828 80TH ST NE
F	30052100409300 5004 80TH ST NE

LEGEND:



S:\Eng\Projects\transportation\1801 - 80th st non-motorized project\Design\CAD\80TH_ZOROW.dwg

	80TH ST NON-MOTORIZED 30500030.563000; R1801	RIGHT-OF-WAY EXHIBIT MAP	5.5.2021 DATE
	CITY OF MARYSVILLE PUBLIC WORKS DEPARTMENT 80 COLUMBIA AVE MARYSVILLE, WA 98270 (360) 363-8100	SECTION 21, TOWNSHIP 30 N, RANGE E, W.M.	01 of 01 NUMBER

EXHIBIT B

EXHIBIT A

Tax Account No. 30052100408100

PARCEL A

ALL THAT PORTION OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 30 NORTH, RANGE 5 EAST, W.M., DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTH LINE OF WESTOVER ROAD AND THE EAST LINE OF LIBERTY ROAD; THENCE SOUTH 89°07' EAST ALONG THE SOUTH LINE OF WESTOVER ROAD 110 FEET; THENCE SOUTH 0°30' EAST PARALLEL TO THE EAST LINE OF LIBERTY ROAD 98.9 FEET; THENCE NORTH 89°07' WEST 110 FEET TO THE EAST LINE OF LIBERTY STREET; THENCE NORTH 0°30' WEST ALONG THE EAST LINE OF LIBERTY STREET 98.9 FEET TO THE POINT OF BEGINNING.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

RIGHT-OF-WAY ACQUISITION

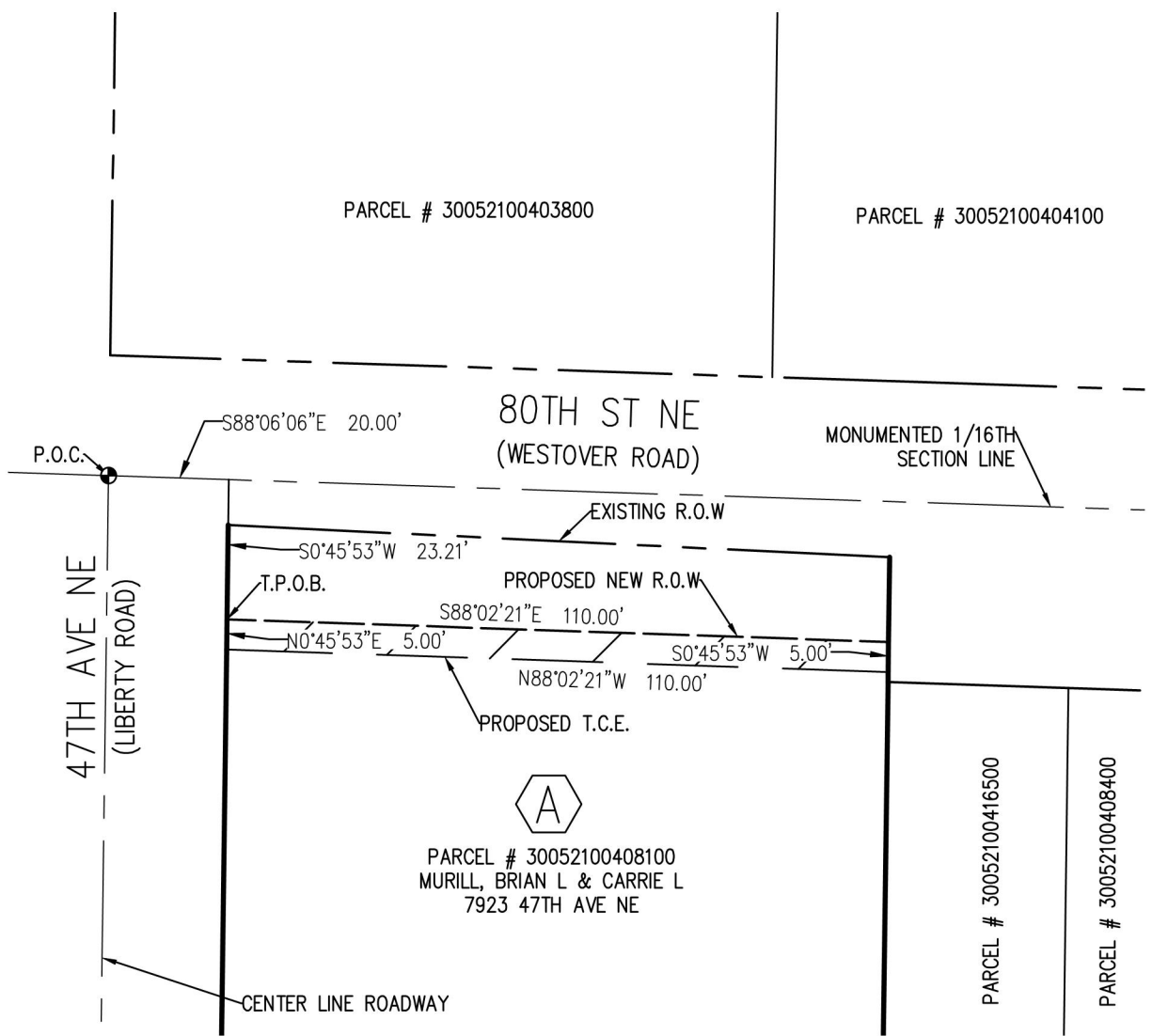
A PORTION OF THE ABOVE PARCEL A DESCRIBED AS FOLLOWS:

COMMENCING AT THE MONUMENT AT THE INTERSECTION OF 80TH ST NE (WESTOVER ROAD) AND 47TH AVE NE (LIBERTY ROAD); THENCE S 88° 06' 06" E ALONG THE 1/16 SECTION LINE, A DISTANCE OF 20.00 FEET; THENCE S 00° 45' 53" W, A DISTANCE OF 7.55 FEET TO THE TRUE POINT OF BEGINNING; THENCE S 87° 12' 41" E, A DISTANCE OF 110.05 FEET; THENCE S 00° 45' 53" W, A DISTANCE OF 14.07 FEET; THENCE N 88° 02' 21" W, A DISTANCE OF 110.00 FEET; THENCE N 00° 45' 53" E, A DISTANCE OF 15.66 FEET TO THE POINT OF BEGINNING.

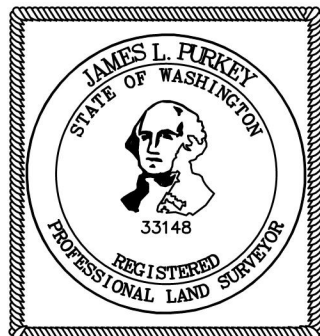
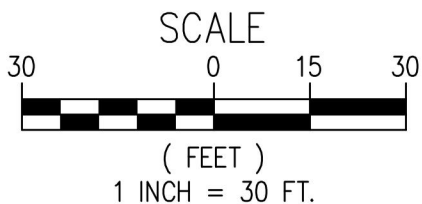
CONTAINING 1,635 SQUARE FEET +/-

EXHIBIT B

SE 1/4 OF THE SE 1/4 OF SECTION 21, TOWNSHIP 30 NORTH, RANGE 5 EAST, W.M.



TEMPORARY CONSTRUCTION EASEMENT AREA - 550 SQUARE FEET +/-



P.O.C. - POINT OF COMMENCEMENT
 P.O.B. - POINT OF BEGINNING
 R.O.W. - RIGHT OF WAY
 T.C.E. - TEMPORARY CONSTRUCTION EASEMENT

EXHIBIT B TEMP. CONST. EASEMENT CITY OF MARYSVILLE 80TH ST NE	DRAWING INFO	SHEET INFO	 19201 120th Ave NE, Suite 201 Bothell, WA 98011 425-951-4800 www.nv5.com
	PARCEL A	DRAWN CEH	
	229420-E000115-TCE	CHECKED JLP	
	1" = 30'	LAST EDIT 3/26/2021	
		PLOT DATE 4/1/2021	

EXHIBIT A

Tax Account No. 30052100407500

PARCEL B

A PORTION OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 30 NORTH, RANGE 5 EAST, W.M., RECORDS OF SNOHOMISH COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF WESTOVER ROAD AND EAST LINE OF LIBERTY STREET; THENCE EAST ALONG THE SOUTH LINE OF WESTOVER ROAD FOR 220 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING EAST TO THE NORTHEAST CORNER OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 21; THENCE SOUTH 275 FEET, MORE OR LESS, TO POINT 360 FEET NORTH OF THE SOUTH LINE OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 21; THENCE WEST TO A POINT THAT IS 220 FEET EAST OF THE EAST LINE OF LIBERTY STREET AND 360 FEET NORTH OF THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 21; THENCE NORTH TO THE TRUE POINT OF BEGINNING.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

RIGHT-OF-WAY ACQUISITION

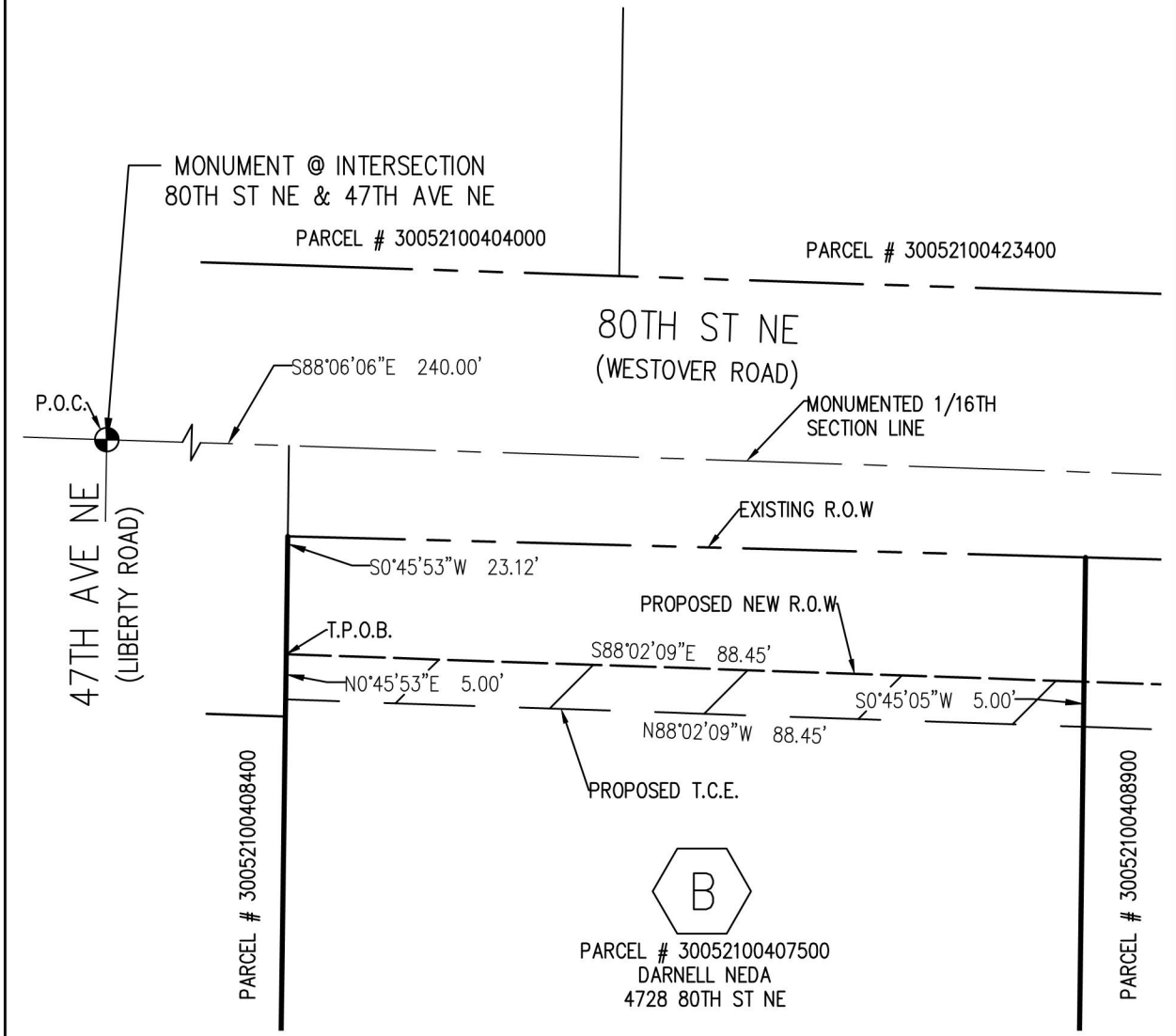
A PORTION OF THE ABOVE PARCEL B DESCRIBED AS FOLLOWS:

COMMENCING AT THE MONUMENT AT THE INTERSECTION OF 80TH ST NE (WESTOVER ROAD) AND 47TH AVE NE (LIBERTY ROAD); THENCE S 88° 06' 06" E ALONG THE 1/16 SECTION LINE, A DISTANCE OF 240.00 FEET; THENCE S 00° 45' 53" W, A DISTANCE OF 10.03 FEET TO THE TRUE POINT OF BEGINNING; THENCE S 88° 29' 18" E, A DISTANCE OF 88.43 FEET; THENCE S 00° 45' 53" W, A DISTANCE OF 13.78 FEET; THENCE N 88° 02' 09" W, A DISTANCE OF 88.45 FEET; THENCE N 00° 45' 53" E, A DISTANCE OF 13.08 FEET TO THE POINT OF BEGINNING.

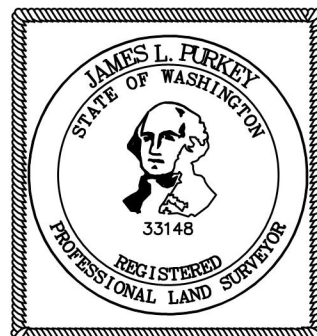
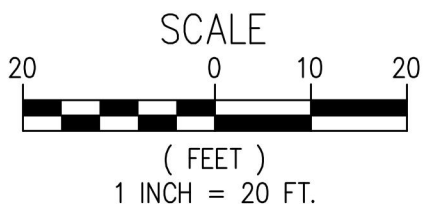
CONTAINING 1,188 SQUARE FEET +/-

EXHIBIT B

SE 1/4 OF THE SE 1/4 OF SECTION 21, TOWNSHIP 30 NORTH, RANGE 5 EAST, W.M.



TEMPORARY CONSTRUCTION EASEMENT AREA - 442 SQUARE FEET +/-



P.O.C. - POINT OF COMMENCEMENT
P.O.B. - POINT OF BEGINNING
R.O.W. - RIGHT OF WAY
T.C.E. - TEMPORARY CONSTRUCTION EASEMENT

EXHIBIT B TEMP. CONST. EASEMENT CITY OF MARYSVILLE 80TH ST NE	DRAWING INFO	SHEET INFO	 19201 120th Ave NE, Suite 201 Bothell, WA 98011 425-951-4800 www.nv5.com
	PARCEL B	DRAWN CEH	
	229420-E000115-TCE	CHECKED JLP	
	1" = 20'	LAST EDIT 3/26/2021	
		PLOT DATE 4/1/2021	

EXHIBIT A

Tax Account No. 30052100408900

PARCEL C

A PORTION OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 30 NORTH, RANGE 5 EAST, IN SNOHOMISH COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER; THENCE SOUTH 01°23'43" EAST ALONG THE WEST LINE THEREOF FOR 221.31 FEET; THENCE SOUTH 88°32'13" EAST FOR 117.34 FEET; THENCE NORTH 03°37'48" EAST FOR 64.88 FEET TO THE SOUTH LINE OF THE NORTH 160.0 OF THE EAST 131.0 FEET OF THE WEST 220.0 FEET OF SAID EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER; THENCE SOUTH 89°43'48" WEST ALONG THE SOUTH LINE THEREOF FOR 33.79 FEET TO THE SOUTHWEST CORNER OF SAID EAST 131.0 FEET OF THE WEST 220.0 FEET OF THE NORTH 160.0 FEET THEREOF; THENCE NORTH 01°23'43" WEST ALONG THE WEST LINE THEREOF FOR 160.02 FEET TO THE NORTH LINE OF SAID EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER; THENCE SOUTH 89°43'48" WEST ALONG THE NORTH LINE THEREOF FOR 89.12 FEET TO THE TRUE POINT OF BEGINNING;

EXCEPT THE COUNTY ROAD (80TH ST. NE)

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

RIGHT-OF-WAY ACQUISITION

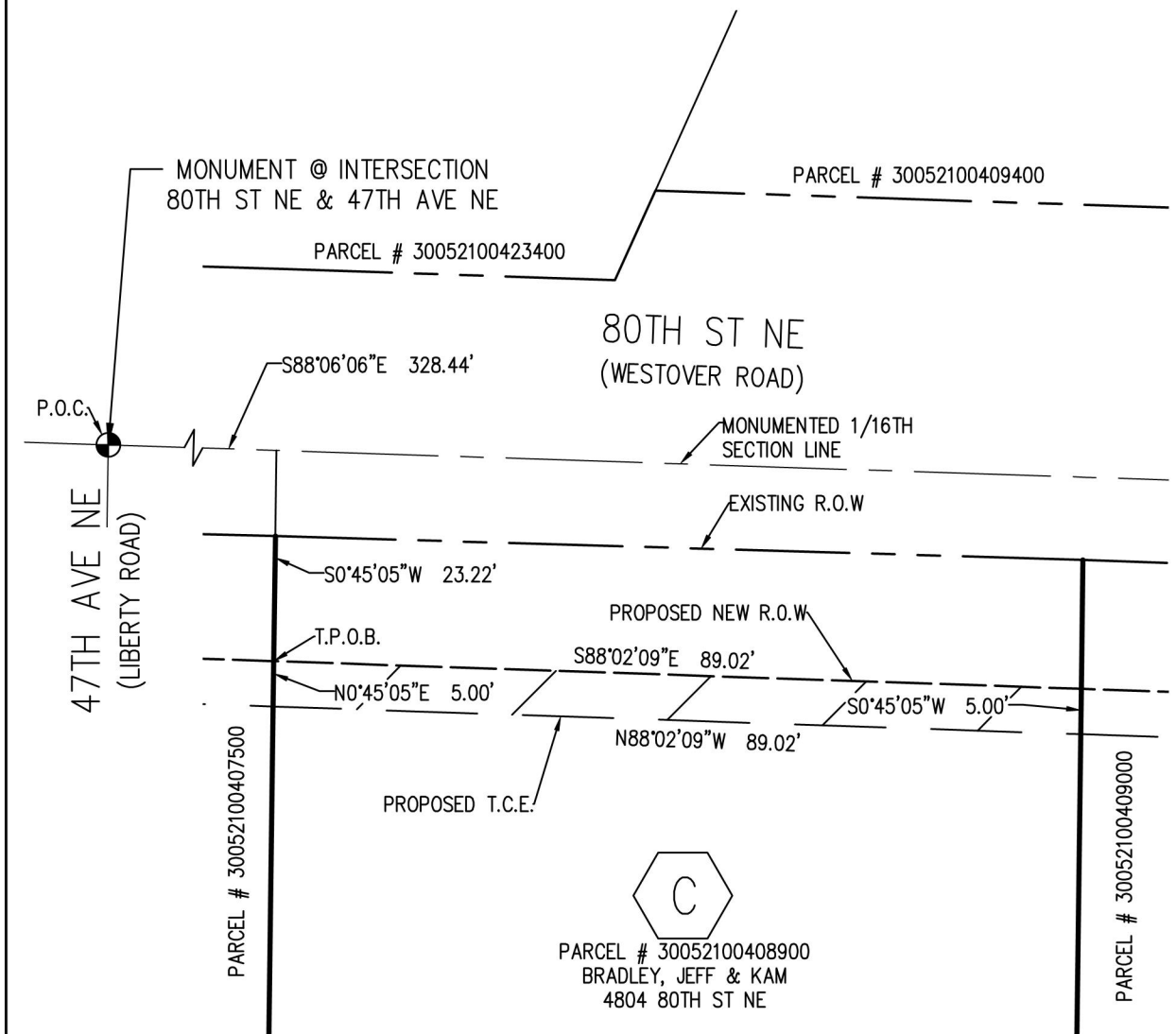
A PORTION OF THE ABOVE PARCEL C DESCRIBED AS FOLLOWS:

COMMENCING AT THE MONUMENT AT THE INTERSECTION OF 80TH ST NE (WESTOVER ROAD) AND 47TH AVE NE (LIBERTY ROAD); THENCE S 88° 06' 06" E ALONG THE 1/16 SECTION LINE, A DISTANCE OF 328.44 FEET; THENCE S 00° 45' 05" W, A DISTANCE OF 9.44 FEET TO THE TRUE POINT OF BEGINNING; THENCE S 88° 18' 49" E, A DISTANCE OF 89.02 FEET; THENCE S 00° 45' 05" W, A DISTANCE OF 14.21 FEET; THENCE N 88° 02' 09" W, A DISTANCE OF 89.02 FEET; THENCE N 00° 43' 53" E, A DISTANCE OF 13.78 FEET TO THE POINT OF BEGINNING.

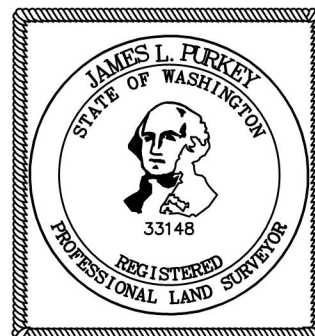
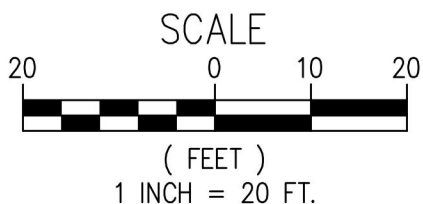
CONTAINING 1,246 SQUARE FEET +/-

EXHIBIT B

SE 1/4 OF THE SE 1/4 OF SECTION 21, TOWNSHIP 30 NORTH, RANGE 5 EAST, W.M.



TEMPORARY CONSTRUCTION EASEMENT AREA - 445 SQUARE FEET +/-



P.O.C. - POINT OF COMMENCEMENT
 P.O.B. - POINT OF BEGINNING
 R.O.W. - RIGHT OF WAY
 T.C.E. - TEMPORARY CONSTRUCTION EASEMENT

EXHIBIT B TEMP. CONST. EASEMENT CITY OF MARYSVILLE 80TH ST NE	DRAWING INFO	SHEET INFO	<p>19201 120th Ave NE, Suite 201 Bothell, WA 98011 425-951-4800 www.nv5.com</p>
	PARCEL C	DRAWN CEH	
	229420-E000115-TCE	CHECKED JLP	
	1" = 20'	LAST EDIT 3/26/2021	
		PLOT DATE 4/1/2021	

EXHIBIT A

Tax Account No. 30052100409000

PARCEL D

ALL THAT PORTION OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 30 NORTH, RANGE 5 EAST, W.M., RECORDS OF SNOHOMISH COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER; THENCE EAST ALONG THE NORTH LINE OF SAID SUBDIVISION 89 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUE EAST ALONG SAID NORTH LINE FOR 131 FEET; THENCE SOUTH 160 FEET; THENCE WEST PARALLEL TO NORTH LINE OF SAID SUBDIVISION FOR 131 FEET; THENCE NORTH 160 FEET TO THE TRUE POINT OF BEGINNING;

EXCEPT WESTOVER ROAD.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

RIGHT-OF-WAY ACQUISITION

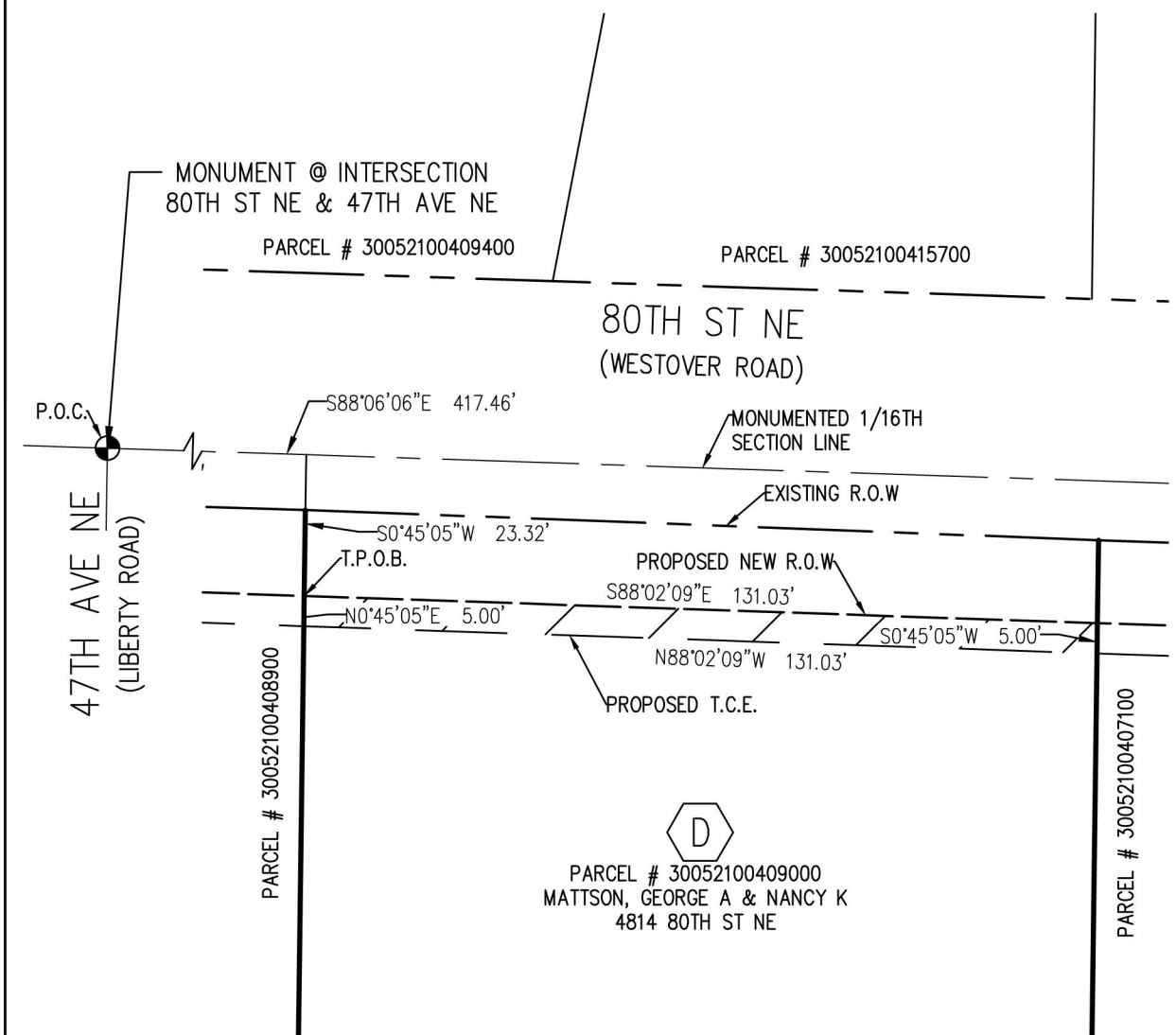
A PORTION OF THE ABOVE PARCEL D DESCRIBED AS FOLLOWS:

COMMENCING AT THE MONUMENT AT THE INTERSECTION OF 80TH ST NE (WESTOVER ROAD) AND 47TH AVE NE (LIBERTY ROAD); THENCE S 88° 06' 06" E ALONG THE 1/16 SECTION LINE, A DISTANCE OF 417.46 FEET; THENCE S 00° 45' 05" W, A DISTANCE OF 9.11 FEET TO THE TRUE POINT OF BEGINNING; THENCE S 87° 48' 36" E, A DISTANCE OF 131.04 FEET; THENCE S 00° 45' 05" W, A DISTANCE OF 13.70 FEET; THENCE N 88° 02' 09" W, A DISTANCE OF 131.03 FEET; THENCE N 00° 45' 05" E, A DISTANCE OF 14.21 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,828 SQUARE FEET +/-

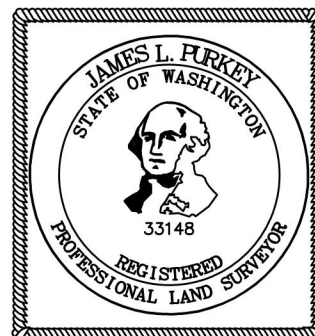
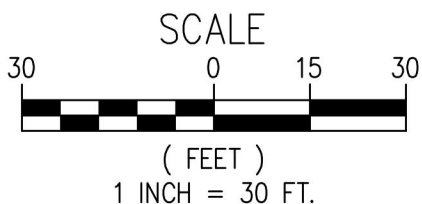
EXHIBIT B

SE 1/4 OF THE SE 1/4 OF SECTION 21, TOWNSHIP 30 NORTH, RANGE 5 EAST, W.M.




 PARCEL # 30052100409000
 MATTSON, GEORGE A & NANCY K
 4814 80TH ST NE

TEMPORARY CONSTRUCTION EASEMENT AREA - 665 SQUARE FEET +/-



P.O.C. - POINT OF COMMENCEMENT
 P.O.B. - POINT OF BEGINNING
 R.O.W. - RIGHT OF WAY
 T.C.E. - TEMPORARY CONSTRUCTION EASEMENT


EXHIBIT B TEMP. CONST. EASEMENT CITY OF MARYSVILLE 80TH ST NE	DRAWING INFO	SHEET INFO	 19201 120th Ave NE, Suite 201 Bothell, WA 98011 425-951-4800 www.nv5.com
	PARCEL D	DRAWN CEH	
	229420-E000115-TCE	CHECKED JLP	
	1" = 30'	LAST EDIT 3/26/2021	
		PLOT DATE 4/1/2021	

EXHIBIT A

Tax Account No. 30052100407100

PARCEL E

THE NORTH 377 FEET OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 30 NORTH, RANGE 5 EAST, W.M., IN SNOHOMISH COUNTY, WASHINGTON;

EXCEPT THE NORTH 20 FEET THEREOF FOR 80TH STREET NORTHEAST RIGHT-OF-WAY;

AND EXCEPT THE WEST 220 FEET THEREOF;

AND EXCEPT THE EAST 10 FEET THEREOF.

RIGHT-OF-WAY ACQUISITION

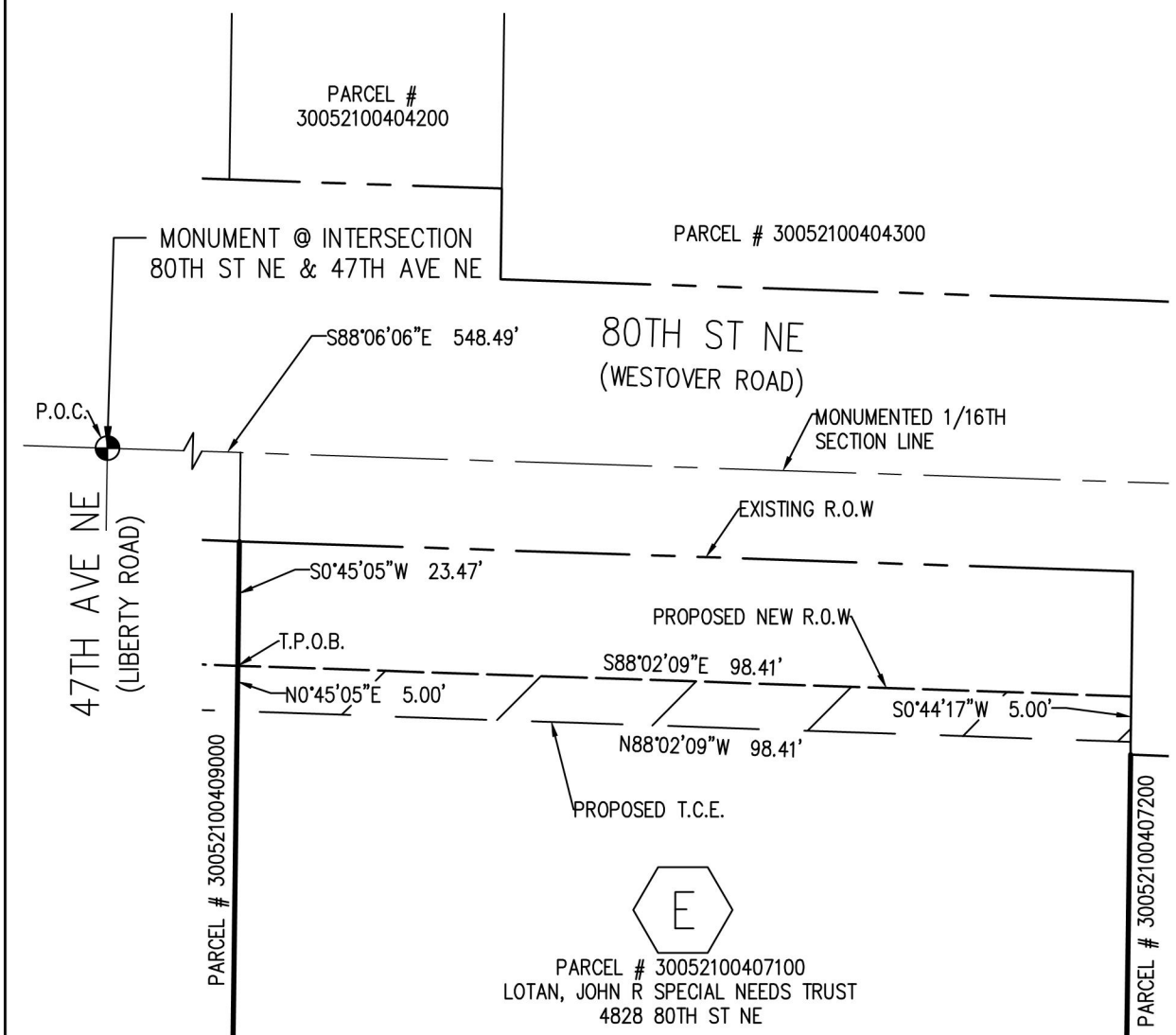
A PORTION OF THE ABOVE PARCEL E DESCRIBED AS FOLLOWS:

COMMENCING AT THE MONUMENT AT THE INTERSECTION OF 80TH ST NE (WESTOVER ROAD) AND 47TH AVE NE (LIBERTY ROAD); THENCE S 88° 06' 06" E ALONG THE 1/16 SECTION LINE, A DISTANCE OF 548.49 FEET; THENCE S 00° 45' 05" W, A DISTANCE OF 9.77 FEET TO THE TRUE POINT OF BEGINNING; THENCE S 88° 03' 40" E, A DISTANCE OF 98.40 FEET; THENCE S 00° 44' 17" W, A DISTANCE OF 13.74 FEET; THENCE N 88° 02' 09" W, A DISTANCE OF 98.41 FEET; THENCE N 00° 45' 05" E, A DISTANCE OF 13.70 FEET TO THE POINT OF BEGINNING.

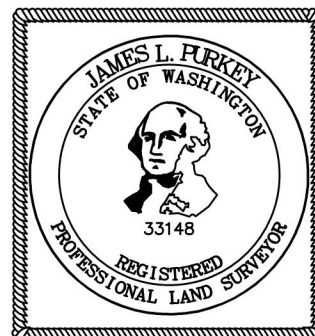
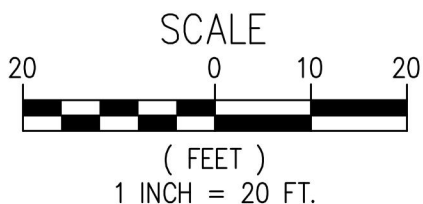
CONTAINING 1,350 SQUARE FEET +/-

EXHIBIT B

SE 1/4 OF THE SE 1/4 OF SECTION 21, TOWNSHIP 30 NORTH, RANGE 5 EAST, W.M.



TEMPORARY CONSTRUCTION EASEMENT AREA - 492 SQUARE FEET +/-



P.O.C. - POINT OF COMMENCEMENT
 P.O.B. - POINT OF BEGINNING
 R.O.W. - RIGHT OF WAY
 T.C.E. - TEMPORARY CONSTRUCTION EASEMENT


EXHIBIT B TEMP. CONST. EASEMENT CITY OF MARYSVILLE 80TH ST NE	DRAWING INFO	SHEET INFO	 19201 120th Ave NE, Suite 201 Bothell, WA 98011 425-951-4800 www.NV5.com
	PARCEL E	DRAWN CEH	
	229420-E000115-TCE	CHECKED JLP	
	1" = 20'	LAST EDIT 3/26/2021	
		PLOT DATE 4/1/2021	

EXHIBIT A

Tax Account No. 30052100409300

PARCEL F

THE WEST 81 FEET OF THE NORTH HALF OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 30 NORTH, RANGE 5 EAST, W.M., RECORDS OF SNOHOMISH COUNTY, WASHINGTON;

EXCEPT THE SOUTH 66 FEET THEREOF; AND

EXCEPT COUNTY ROAD;

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

RIGHT-OF-WAY ACQUISITION

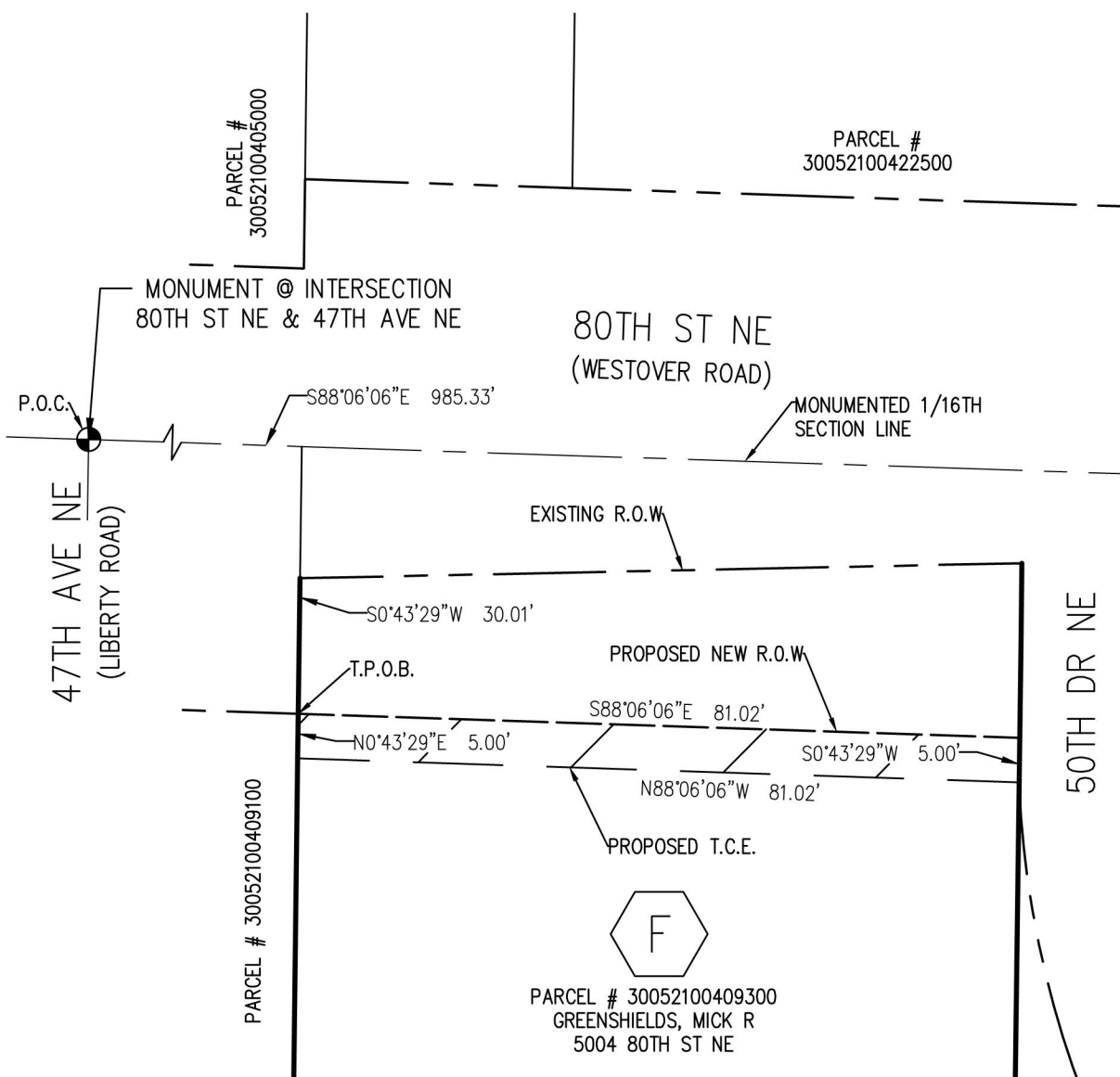
A PORTION OF THE ABOVE PARCEL F DESCRIBED AS FOLLOWS:

COMMENCING AT THE MONUMENT AT THE INTERSECTION OF 80TH ST NE (WESTOVER ROAD) AND 47TH AVE NE (LIBERTY ROAD); THENCE S 88° 06' 06" E ALONG THE 1/16 SECTION LINE, A DISTANCE OF 985.33 FEET; THENCE S 00° 43' 29" W, A DISTANCE OF 14.79 FEET TO THE TRUE POINT OF BEGINNING; THENCE N 88° 48' 03" E, A DISTANCE OF 81.05 FEET; THENCE S 00° 43' 29" W, A DISTANCE OF 19.60 FEET; THENCE N 88° 06' 06" W, A DISTANCE OF 81.02 FEET; THENCE N 00° 43' 29" E, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING.

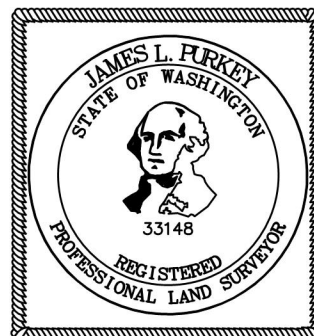
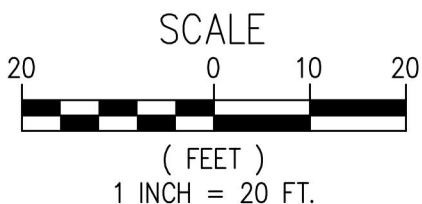
CONTAINING 1,410 SQUARE FEET +/-

EXHIBIT B


SE 1/4 OF THE SE 1/4 OF SECTION 21, TOWNSHIP 30 NORTH, RANGE 5 EAST, W.M.



TEMPORARY CONSTRUCTION EASEMENT AREA - 405 SQUARE FEET +/-



P.O.C. - POINT OF COMMENCEMENT
 P.O.B. - POINT OF BEGINNING
 R.O.W. - RIGHT OF WAY
 T.C.E. - TEMPORARY CONSTRUCTION EASEMENT

EXHIBIT B TEMP. CONST. EASEMENT CITY OF MARYSVILLE 80TH ST NE	DRAWING INFO	SHEET INFO	 19201 120th Ave NE, Suite 201 Bothell, WA 98011 425-951-4800 www.NV5.com
	PARCEL F	DRAWN CEH	
	229420-E000115-TCE	CHECKED JLP	
	1" = 20'	LAST EDIT 3/26/2021	
		PLOT DATE 4/1/2021	