

Marysville City Council Work Session

December 3, 2007

7:00 p.m.

City Hall

Call to Order

Pledge of Allegiance

Roll Call

Committee Reports

Presentations

A. Golf Presentation.

Discussion Items

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

1. Approval of November 26, 2007 City Council Meeting Minutes.
2. Approval of December 3, 2007 City Council Work Session Minutes.

Consent

3. Approval of November 21, 2007 Claims in the Amount of \$1,450,224.89; Paid by Check No.'s 43457 through 43592 with No Check No.'s Voided.
4. Approval of November 28, 2007 Claims in the Amount of \$428,294.48; Paid by Check No.'s 43593 through 43700 with Check No.'s 42502 and 43577 Voided.
5. Approval of December 5, 2007 Claims.
14. Approval of December 5, 2007 Payroll.

Review Bids

Public Hearings

Current Business

New Business

6. An **Ordinance** of the City of Marysville, Washington Amending MMC 14.19.070 to Provide for an Interest Rate, and a Sewerage Lien for the Collection of Surface Water Utility Rates Where the Property in Question is Not Also Served by City Water.

Work Sessions are for City Council study and orientation – Public Input will be received at the December 10, 2007 City Council meeting.

Marysville City Council Work Session

December 3, 2007

7:00 p.m.

City Hall

7. An **Ordinance** of the City of Marysville, Washington Increasing Water and Sewer Utility Rates, Amending Sections 14.07.060 and 14.07.070 of the Marysville Municipal Code as Allowed Under Section 14.07.070(4)(1).
8. An **Ordinance** of the City of Marysville, Washington, Amending Ordinance 960 by Terminating the Development Agreement Upon which the Rezoning of Certain Property had Been Conditioned.
9. An **Ordinance** of the City of Marysville, Washington, Amending the City's Development Regulations Related to Definitions of "Household" and "Master Planned Senior Community", Deletion of RU and Freeway Service Zones, Addition of Whiskey Ridge Zones, and Revisions to Development Standards Related to Residential, Resource, and Commercial/Industrial Zones, On-site Recreation Fees, Landscape Buffers, and Tandem Parking, and Amending Chapters 19.06, 19.12, 19.14, 19.16, 19.18, and 20.24 and Repealing Chapter 19.37 of the Marysville Municipal Code.
10. An **Ordinance** of the City of Marysville Amending the 2007 Budget and providing for the increase of certain expenditure items as budgeted for in 2007 and Amending Ordinance No. 2676, Amending Ordinance No. 2682, Amending Ordinance No. 2692, and Amending Ordinance No.2699.
11. Interlocal Cooperative Agreement for Northwest Minichain Services Between the City of Marysville and Whatcom County.
12. Acceptance of a 6 year Water Conservation Goal to Meet the Water Efficiency Rule Accepted by the State Legislature.
13. Acceptance of the North 240 Zone Reservoir and Transmission Main Project to Start the 45-Day Lien Filing Period for Project Closeout.
15. An **Ordinance** of the City of Marysville Amending MMC 3.51 Relating to the Authorized Petty Cash/Change Fund, an Imprest Fund of the City of Marysville.

Legal

16. City Attorney Retainer Agreement.

Mayor's Business

Staff Business

Call on Councilmembers

Information Items

Work Sessions are for City Council study and orientation – Public Input will be received at the December 10, 2007 City Council meeting.

December 3, 2007

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

City Hall

Adjourn

Executive Session

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

Adjourn

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

Call to Order/Pledge of Allegiance/Roll Call	7:00 p.m.
Approval of Minutes	
Approve November 13, 2007 City Council Meeting Minutes.	Approved
Approve November 19, 2007 Work Session Minutes.	Approved
Consent Agenda	
Approve November 7, 2007 Claims in the Amount of \$1,301,467.50; Paid by Check No.'s 43172 through 43322 with no Check No.'s Voided.	Approved
Approve November 14, 2007 Claims in the Amount of \$404,821.21; Paid by Check No.'s 43323 through 43456 with no Check No.'s Voided.	Approved
Approve November 20, 2007 Payroll in the Amount of \$646,504.77; Paid by Check No.'s 18817 through 18875.	Approved
Authorize the Mayor to Sign the Otak Supplemental Professional Services Agreement No. 2 to Provide Appraisal Services Regarding the 67 th Avenue NE, 100 th – 132 nd Street NE Watermain Extension/Road Rehabilitation Project.	Approved
Authorize the Mayor to Sign the Jail Services Interlocal Agreements with Sauk-Suiattle Tribe.	Approved
Authorize the Mayor to Sign the Jail Services Interlocal Agreements with Stillaguamish Tribe.	Approved
Review Bids	
Award the bid for the Edward Springs Well 1R project to Gary Harper Construction, Inc.	Approved
Public Hearings	
Current Business	
New Business	
Adopt Ordinance affirming the Planning Commission's recommendation and adopting the Marysville Capital Facilities Plan 2008-2014 by individual Ordinance, concurrently with the 2008 Budget.	Approved Ord. No. 2720,
Adopt an Ordinance (Option B) of the City of Marysville Levying Regular Taxes Upon All Property Real, Personal and Utility Subject to Taxation within the Corporate Limits of the City of Marysville, Washington for the Year 2008.	Approved Ord. No. 2721
Adopt an Ordinance of the City of Marysville Levying EMS Taxes Upon All Property Real, Personal and Utility Subject to Taxation within the Corporate Limits of the City of Marysville, Washington for the Year 2008.	Approve Ord. No. 2722
Adopt an Ordinance of the City of Marysville Adopting a Budget for the City of Marysville, Washington, for the Year 2008 and Setting Forth in Summary Form the Totals of Estimated Revenues and Appropriations for Each Separate Fund and the Aggregate Totals of All Such Funds Combined.	Approved Ord. No. 2723
Adopt a Resolution to Surplus and Authorizing the Sale or Disposal of Various Office Equipment.	Approved Res. No. 2227
Adopt an Ordinance of the City of Marysville Amending the City's Street Code Related to Frontage Improvements and Dedications and Amending Chapter 12.02A and Repealing Chapter 12.02 of the Marysville Municipal Code.	Approved Ord. No. 2724
Legal	
Approve Recovery Contract for Sewer; Meadows at Two Cedars.	Approved Recovery Contract No. 280
Approve Recovery Contract for Water; Meadows at Two Cedars.	Approved Recovery Contract No. 281

Mayor's Business	
Affirm Snohomish County Tomorrow Steering Committee Appointment; Mayor Dennis Kendall and Jon Nehring as Alternate.	Approved
Affirm Snohomish County Emergency Management Advisory Board Appointment; Mayor Dennis Kendall and Chief Rick Smith as Alternate.	Approved
Affirm Snohomish County Emergency Radio System (SERS) Board Appointment; Mayor Dennis Kendall and Chief Rick Smith as Alternate.	Approved
Affirm Snohomish Health District Board of Health Re-Appointment; Donna Wright.	Approved
Affirm Community Transit Board Appointment; Mayor Dennis Kendall.	Approved
Staff Business	
Call on Councilmembers	
Information Items	
Adjournment	8:36 p.m.

COUNCIL



MINUTES

Regular Meeting
November 26, 2007

Call to Order / Invocation / Pledge of Allegiance

Mayor Dennis Kendall called the November 26, 2007 meeting of the Marysville City Council to order at 7:00 p.m. at Marysville City Hall. The invocation was given by Pastor Rick Terry of Marysville Free Methodist Church. Mayor Kendall led those present in the Pledge of Allegiance.

Roll Call

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

Mayor: Dennis Kendall

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

Absent: None

Also Present: Chief Administrative Officer Mary Swenson, Finance Director Sandy Langdon, Public Works Director Paul Roberts, Commander Ralph Krusey, Senior Planner Chris Holland, Accounting Manager Denise Gritton, City Clerk Tracy Jeffries, and Recording Secretary Laurie Hugdahl

Committee Reports

None

Presentations

A. Service Awards. – None

Audience Participation

Jeri Short, 6917 40th Street, Marysville, had several questions:

- She said she also read the comments about the consultant in the paper and was glad to hear that something was going to be done about what they had said. She wondered what was being done.
- She referred to Mary Swenson's comment that a lot of money had been spent to prepare the land up north. She wanted to know how much money was spent, where the money was from and why the land needed to be prepared to begin with.
- She suggested that Audience Participation could be moved to the end of the meeting in order to give the public a chance to respond to what the Council had said and done that night.
- She asked if it was possible for the public to have more interaction with the Council during work sessions.
- She wanted to know if minutes were taken during Executive Session.
- She wanted to know if they just talked about the topics that are listed in the regular minutes or if other topics were discussed during Executive Sessions.
- She wondered if the City Council has other times that they discuss topics outside of the Council meetings.
- She asked Councilmember Vaughan if they can identify the gangs by their tags. She commented that her area has been hit very hard. She added that she noticed a new tag on Sunnyside.

Commander Krusey responded to the tag question. He said that they can be identified by the tag, but not all tags are gang related. One of the officers is the School Resource Officer is very helpful with this. On the Graffiti Task Force, they have been working to identify some of these tags. He offered to get with her later.

Councilmember Nehring thanked her for coming. He responded to her question about Audience Participation at the end of the meeting. He noted that most citizens would be upset by having to stay for the entire meeting. Having it at the beginning of the meeting is done as a convenience to the public. He added that on a public hearing night, the public is allowed to speak for each item.

Ms. Short stated that her frustration was that there was no opportunity for conversation with the Council. There was discussion about other types of opportunities for conversations with councilmembers.

Councilmember Seibert addressed improvements to land in the north end. He explained that the City invested in building a storm water pond and charged money for people that discharged into that. Initially city funds were used, but now that is being repaid by developers that are using it. Because the water table is so high up there it was very costly to develop the land. The land that UW was looking at would benefit from those improvements. There was discussion about how this was funded.

As far as public input later in the meeting, Councilmember Seibert said he did not have a problem with that. He noted that the workshops are a time for them to get understanding on topics. He felt that it was a benefit to have a week to get more information on the topics before having an opportunity to speak.

Mary Swenson added that the improvements were done to benefit the whole area, not just for the UW. Regarding the UW, she said they are still working with Strategies 360. She discussed actions they have taken and will continue to take. Ms. Short asked if they would be required to retract any of their comments. CAO Swenson stated that they would set the record straight, but she could not say how.

Councilmember Vaughan addressed her questions about graffiti. He discussed the database and its ability to store photographs of tags and link them to the location where they occurred. The Task Force needs to do some work to get pictures of the tags before they paint over them so they can get them into the database. Ms. Short expressed concern about it getting cleaned up too quickly without getting reported. Councilmember Vaughan concurred.

Councilmember Rasmussen stated that she saw the validity of having an opportunity for public comment at the end. She said she would be open to having a time at the end in addition to the time at the beginning.

City Attorney Grant Weed referred to the rules of procedure for the conduct of the meeting, which is adopted by resolution. This could be done, but it would require a change to the rules of procedure. With regard to public comment during work sessions, he discussed how the Council had decided that the work sessions should be a time for Council to get up to speed on issues and had opted not to take public comment at those meetings. Regarding Executive Sessions, he explained that what they can discuss in Executive Session is strictly prescribed under the Open Public Meetings Act. He discussed what kinds of topics are allowed. Minutes are not required to be taken and recordings are not required to be done. Under the Open Public Meetings Act, any three of the Councilmembers can meet at any time to discuss issues. If more than four are present, it constitutes an open meeting and it must be advertised to the press and the public.

Councilmember Seibert commented that the Council was very open to receiving phone calls, emails or other communications, unless it is a quasi-judicial matter. In those cases, it is not proper for councilmembers to have conversations outside of the meetings.

Approval of Minutes

1. Approval of November 13, 2007 City Council Meeting Minutes.
 - Councilmember Seibert referred to page 2 of 13. Under Jeri Short's comments, he noted that she had been referring to Native American graves, not burial sites on her property. This should be corrected to read:

“She emphasized that she was opposed to the road going through her property, taking one of her children’s homes, and forcing them to move their dead. **She stated you would never take a grave away from the Native American to build a road.**”

- Councilmember Wright noted that she would be abstaining since she was not at that meeting.
- It should be noted under Roll Call that Councilmember Nehring was present, but that he arrived at 7:33.

Motion made by Seibert, seconded by Councilmember Rasmussen, to approve the November 13 minutes as amended. **Motion** passed (6-0) with Councilmember Wright abstaining.

2. Approval of November 19, 2007 City Council Work Session Minutes.

Motion made by Councilmember Nehring, seconded by Councilmember Wright, to approve the November 19 minutes as presented. **Motion** passed unanimously (7-0).

Consent

Motion made by Councilmember Soriano, seconded by Councilmember Nehring, to approve the following Consent Agenda items:

3. Approval of November 7, 2007 Claims in the Amount of \$1,301,467.50; Paid by Check No.’s 43172 through 43322 with no Check No.’s Voided.
4. Approval of November 14, 2007 Claims in the Amount of \$404,821.21; Paid by Check No.’s 43323 through 43456 with no Check No.’s Voided.
5. Approval of November 20, 2007 Payroll in the Amount of \$646,504.77; Paid by Check No.’s 18817 through 18875. *
10. Authorize the Mayor to Sign the Otak Supplemental Professional Services Agreement No. 2 to Provide Appraisal Services Regarding the 67th Avenue NE, 100th – 132nd Street NE Watermain Extension/Road Rehabilitation Project.
22. Authorize the Mayor to Sign the Jail Services Interlocal Agreements with Sauk-Suiattle Tribe.
23. Authorize the Mayor to Sign the Jail Services Interlocal Agreements with Stillaguamish Tribe.

Motion passed unanimously (7-0).

Review Bids

6. Edward Springs Well 1R Project Awarded to Gary Harper Construction, Inc.

Motion made by Councilmember Wright, seconded by Councilmember Vaughan, to authorize the Mayor to award the bid for the Edward Springs Well 1R project to Gary Harper Construction, Inc. in the amount of \$306,360.60 including Washington State Sales Tax, and approve a management reserve of \$15,000.00 for a total allocation of \$321,360.60. **Motion** passed unanimously (7-0).

Public Hearings

Current Business

New Business

12. An **Ordinance** of the City of Marysville adopting the Capital Facilities Plan 2008-2014.

Senior Planner Holland noted that some of the parks projects had been removed at the request of Council.

Councilmember Seibert asked Grant Weed if there was an emergency clause that could be utilized if immediate purchasing was deemed necessary. City Attorney Weed discussed the ways that this could be handled outside of the Capital Facilities process.

Motion made by Councilmember Seibert, seconded by Councilmember Nehring, to adopt Ordinance 2720, affirming the Planning Commission's recommendation and adopting the Marysville Capital Facilities Plan 2008-2014 by individual Ordinance, concurrently with the 2008 Budget. **Motion** passed unanimously (7-0).

7. An **Ordinance** of the City of Marysville Levying Regular Taxes Upon All Property Real, Personal and Utility Subject to Taxation within the Corporate Limits of the City of Marysville, Washington for the Year 2008.

Motion made by Councilmember Wright, seconded by Councilmember Rasmussen, to approve Ordinance 2721, Option A.

Councilmember Nehring said he appreciated all the comments from the Council on this matter. He discussed the multiple tax increases that this Council has supported thus far. He supported those generally because they are user fees. The council has also supported EMS levy and the I-NET fee. With regard to the property tax, he explained reasons that he and many others are opposed to this tax.

Councilmember Vaughan commented that they were told that the 1% would fund the community policing officer; however in the budget meeting the program they have going to help eradicate graffiti would not be funded in the 2008 budget. It had been suggested that if they take the 1% they could use that to fund the graffiti work. He was upset

because he felt that this had turned into a vote for or against community policing as opposed to a vote for or against property taxes. He stated that he has the utmost confidence and respect for the Mayor and the staff, but he is not happy with the way this has played out. His opinion is that policing is a core responsibility of the community and ought to be the first dollars spent and not the last dollars. He said they need to think about the message they are sending to people regarding raising property taxes. It is the principle that is involved here and it is how this Council will be judged in the future. He encouraged them to vote their conscience and to think about the message they are sending.

Councilmember Wright said that the issue of the Community Policing Officer was not the reason she was supporting this. It has been five years since there has been an increase in property taxes. They do not know what is ahead and she believes that the City needs to prepare and look ahead.

Councilmember Seibert concurred with Councilmembers Vaughan and Nehring. He stated that if community policing is a priority they should be able to find something that's not so much of a priority in the budget and take it out. He said that although he preferred not to, he would be willing to look at a line item budget in the future if it would help to prevent this type of issue in the future. He expressed his confidence in the Mayor, but discussed concerns related to staff spending money on items that are not high priority items at the expense of higher priority items. He noted that when he started on the Council they made a commitment to get away from property tax based revenue and it does not make sense to turn back. He discussed how the amount of property taxes goes up even if the levy value goes down. He said that many people that elected officials are disingenuous when they say that they don't want to raise taxes. The Council needs to keep going down the road that they have been and avoid raising property taxes.

Councilmember Rasmussen clarified that she did not see this vote as one for or against community policing and she did not believe that there has been any effort to portray it that way. This was already a priority for staff in the mid-year review. Regarding property taxes, she felt that it would be nice for the public to know exactly where their taxes were going. She emphasized that she did not want this to be a divisive issue.

Mary Swenson said she has been a proponent of the 1% all along. This is a funding option that most cities take and are allowed by law to take. She referred to some of the expenses in the budget that had been questioned by Council and noted that they are one-time expenses. When they look at ongoing expenses such as employees, they prefer to tie it to an ongoing revenue source. Staff's intent was not to make this into a divisive issue. Regarding the graffiti cleanup, there is funding in the budget for this already.

Councilmember Vaughan said that the right-of-way crew was the part that was tied to this. Ms. Swenson concurred.

Councilmember Seibert discussed inflation issues related to the property tax increases.

Upon a roll call vote, the **motion** to adopt Option A failed (4-3) with Councilmembers Wright, Soriano and Rasmussen voting for and Councilmembers Vaughan, Seibert, Nehring and Phillips voting against.

Motion made by Councilmember Seibert, seconded by Councilmember Vaughan, to adopt Ordinance 2721, Option B. Upon a roll call vote, the **motion** passed unanimously (7-0).

8. An **Ordinance** of the City of Marysville Levying EMS Taxes Upon All Property Real, Personal and Utility Subject to Taxation within the Corporate Limits of the City of Marysville, Washington for the Year 2008.

Sandy Langdon discussed this levy.

Motion made by Councilmember Soriano, seconded by Councilmember Wright, to approve Ordinance 2722. **Motion** passed unanimously (7-0).

9. An **Ordinance** of the City of Marysville Adopting a Budget for the City of Marysville, Washington, for the Year 2008 and Setting Forth in Summary Form the Totals of Estimated Revenues and Appropriations for Each Separate Fund and the Aggregate Totals of All Such Funds Combined.

Motion made by Councilmember Vaughan, seconded by Councilmember Nehring, to approve Ordinance 2723. **Motion** passed 6-1 with Councilmember Phillips voting against.

Mary Swenson clarified that the ordinance that they passed banks the 1%.

11. A **Resolution** to Surplus and Authorizing the Sale or Disposal of Various Office Equipment.

Motion made by Councilmember Wright, seconded by Councilmember Seibert, to approve Resolution 2227. **Motion** passed unanimously (7-0).

13. An **Ordinance** of the City of Marysville Amending the City's Street Code Related to Frontage Improvements and Dedications and Amending Chapter 12.02A and Repealing Chapter 12.02 of the Marysville Municipal Code.

Motion made by Councilmember Seibert, seconded by Councilmember Vaughan, to approve Ordinance 2724. **Motion** passed unanimously (7-0).

Legal

14. Recovery Contract for Sewer; Meadows at Two Cedars.

Motion made by Councilmember Rasmussen, seconded by Councilmember Nehring, to approve Recovery Contract for Sewer #280. **Motion** passed unanimously (7-0).

15. Recovery Contract for Water; Meadows at Two Cedars.

Motion made by Councilmember Nehring, seconded by Councilmember Soriano, to approve Recovery Contract for Water #281. **Motion** passed unanimously (7-0).

Mayor's Business

16. Snohomish County Tomorrow Steering Committee Appointment; Mayor Dennis Kendall and Jon Nehring as Alternate.

Motion made by Councilmember Wright, seconded by Councilmember Seibert, to confirm the appointments to the Snohomish County Tomorrow Steering Committee. **Motion** passed unanimously (7-0).

17. Snohomish County Emergency Management Advisory Board Appointment; Mayor Dennis Kendall and Chief Rick Smith as Alternate.

Motion made by Councilmember Nehring, seconded by Councilmember Soriano, to confirm the appointments to the Snohomish County Emergency Management Advisory Board. **Motion** passed unanimously (7-0).

18. Snohomish County Emergency Radio System (SERS) Board Appointment; Mayor Dennis Kendall and Chief Rick Smith as Alternate.

Motion made by Councilmember Vaughan, seconded by Councilmember Seibert, to approve the appointments to Snohomish County Emergency Radio System (SERS) Board. **Motion** passed unanimously (7-0)

19. Snohomish Health District Board of Health Re-Appointment; Donna Wright.

Motion made by Councilmember Soriano, seconded by Councilmember Nehring, to reappoint Councilmember Wright to the Snohomish Health District Board of Health. **Motion** passed unanimously (7-0).

20. Community Transit Board Appointment; Mayor Dennis Kendall.

Motion made by Councilmember Seibert, seconded by Councilmember Wright, to approve the reappointment of Mayor Kendall to the Community Transit Board. **Motion** passed unanimously (7-0).

Mayor Kendall listed all the boards and committees which he is a chair or vice-chair and stated that he represents this city quite well. He thanked the Council for their involvement on the committees on which they serve.

Committee assignments need to be made next week. They will also be looking for a Mayor Pro Tem for the new year. Councilmember Nehring stated that he has loved the position of mayor pro tem, but he has served two terms and would be willing to relinquish the position if there is someone else that is interested.

December 10 will be the swearing in of the new councilmembers.

Staff Business

Denise Gritton – no comments

Paul Roberts:

- Staff is involved with weather-preparedness efforts. The new sander is ready to go.
- They are looking critically at resolving final issues on Grove Street.

Grant Weed

- He hopes everyone had a great Thanksgiving.
- There is no need for an executive session.

Mary Swenson:

- Thanks to Denise Gritton for all her work on the budget.
- She has started the process of the sergeant. And lieutenant interviews with the commanders and Chief Smith.
- Teamster negotiations started today. MPOA negotiations will begin next week.

Sandy – no comments

Ralph Krusey:

- He commented that last year at this time they were inundated with concerns about traffic in the north end. Because of work done by the city, they have not had complaints this year.

Call on Councilmembers

Jeff Vaughan - noted that today is Cyber Monday.

Donna Wright – no comments

Jeff Seibert:

- He noticed that there is a traffic warning on exits. He appreciates that warning ahead of time.
- Thanks to officers and staff for work done on traffic in the north end.
- Thanks to staff for work done on the budget.

Carmen Rasmussen:

- She went to Lakewood Crossing twice over the weekend. Both times she easily got in and out. Traffic was much better than last year.
- This week on Wednesday from 3:30-5 the Marysville Youth Action Network is meeting at the Ken Baxter Senior Center. This is a very uplifting meeting to attend. She will not be able to attend and would appreciate it if there was a representative from Council there.

Jeff Seibert:

- He also was at Lakewood Crossing twice this weekend. He suggested letting the Canadians that it's okay to make a free right-hand turn. There was discussion about some creative ways to do that.

Phillips – no comments

John Soriano:

- Traffic is moving very well at Lakewood Crossing.
- He complimented the dynamics of the Council, staff and the Mayor for how they work together.

Jon Nehring:

- Thanks to Sandy and the rest of staff for the budget.
- He asked about an agenda for the Public Safety meeting. Commander Krusey replied that it was cancelled until January.

Paul Roberts added that they have no plans for Public Works Committee for December.

Mayor Kendall added that Saturday night is Marysville for the Holidays.

Information Items

21. Marysville Library Board Minutes; November 8, 2007.

Adjournment

Seeing no further business, Mayor Kendall adjourned the meeting at 8:36 p.m.

Approved this _____ day of _____, 2007.


Mayor
Dennis Kendall

Asst. Admin. Svcs. Director
Tracy Jeffries

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: December 10th, 2007

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 November 21st, 2007 claims in the amount of \$1,450,224.89 paid by Check No.'s 43457 through 43592 with no Check No.'s voided.

COUNCIL ACTION:

BLANKET CERTIFICATION
CLAIMS
FOR
PERIOD-11

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 **\$1,450,224.89 PAID BY CHECK NO.'S 43457 THROUGH 43592 WITH NO CHECK NO.'S VOIDED** ARE JUST, DUE AND UNPAID OBLIGATIONS AGAINST THE CITY OF MARYSVILLE, AND THAT I AM AUTHORIZED TO AUTHENTICATE AND TO CERTIFY SAID CLAIMS.

J. Kang

AUDITING OFFICER

11/26/07

DATE

MAYOR

DATE

WE, THE UNDERSIGNED COUNCILMEMBERS OF MARYSVILLE, WASHINGTON DO HEREBY APPROVE FOR PAYMENT THE ABOVE MENTIONED **CLAIMS** ON THIS **21st DAY OF NOVEMBER 2007.**

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 11/15/2007 TO 11/21/2007

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
43457	WASHINGTON STATE DEPARTMENT OF	SALES AND USE TAX OCT 2007	001.231700.	247.76
	WASHINGTON STATE DEPARTMENT OF		00101130.549000.	7.98
	WASHINGTON STATE DEPARTMENT OF		00102020.549000.	25.83
	WASHINGTON STATE DEPARTMENT OF		00103010.549000.	39.73
	WASHINGTON STATE DEPARTMENT OF		101.231700.	80.62
	WASHINGTON STATE DEPARTMENT OF		401.231700.	429.74
	WASHINGTON STATE DEPARTMENT OF		40143410.553000.	46,459.34
	WASHINGTON STATE DEPARTMENT OF		40145040.553000.	4,495.28
	WASHINGTON STATE DEPARTMENT OF		41046060.553000.	16,355.49
	WASHINGTON STATE DEPARTMENT OF		420.231700.	12.11
	WASHINGTON STATE DEPARTMENT OF		420.231710.	4,325.76
	WASHINGTON STATE DEPARTMENT OF		42047267.553000.	237.91
	WASHINGTON STATE DEPARTMENT OF		501.231700.	41.11
	WASHINGTON STATE DEPARTMENT OF		503.231700.	6.74
43458	AABCO BARRICADE CO INC	2X 36X30 R3-8 MOD ALUM HI INT	10200030.541000.	221.07
43459	AC SOFTWARE INC	SOFTWARE FOR BUILDING DEPT	00102020.531000.	429.71
43460	ACCURINT	BACKGROUND CHECKS	00103010.541000.	45.00
43461	ALBERTSONS FOOD CENTER #471	SUPPLIES:PW MTG & WUCC MTG	40143410.549000.	37.69
43462	ALBERTSONS FOOD CENTER #471	SUPPLIES FOR PRKS & REC & KBSC	00100310.549010.	32.48
	ALBERTSONS FOOD CENTER #471		00100310.549010.	78.82
	ALBERTSONS FOOD CENTER #471		00105120.531050.	21.00
	ALBERTSONS FOOD CENTER #471		00105120.531050.	34.75
	ALBERTSONS FOOD CENTER #471		00105120.531070.	4.33
	ALBERTSONS FOOD CENTER #471		00105120.531070.	46.11
	ALBERTSONS FOOD CENTER #471		00105120.531070.	57.36
	ALBERTSONS FOOD CENTER #471		10605250.549000.	123.97
43463	ALPINE PRODUCTS INC	50LB BAG BC2000 EXTRUDE THERMO	10110564.531000.	2,027.28
	ALPINE PRODUCTS INC	50 LB WHITE EXTRUDE THERMO	10110564.531000.	2,219.12
	ALPINE PRODUCTS INC	50 LB BAG WH/YLLW BC2000 THERM	10110564.531000.	6,648.13
43464	AMERICAN CLEANERS	UNIFORM CLEANING-POLICE	00103010.526000.	4.34
	AMERICAN CLEANERS		00103121.526000.	39.61
	AMERICAN CLEANERS		00103222.526000.	133.41
	AMERICAN CLEANERS		00103960.526000.	77.31
	AMERICAN CLEANERS		00104190.526000.	168.45
	AMERICAN CLEANERS		00104230.526000.	15.19
43465	AMERICAN POLYGRAPH ASSOCIATION	2008 DUES FOR GOLDMAN	00103222.541000.	150.00
43466	AMSAN SEATTLE	JANITORIAL SUPPLIES	00100010.531400.	475.21
	AMSAN SEATTLE		00103530.531400.	199.12
	AMSAN SEATTLE		00105380.531400.	120.23
	AMSAN SEATTLE		00105380.531400.	567.91
	AMSAN SEATTLE		40143410.531200.	209.98
	AMSAN SEATTLE		40143780.531000.	208.24
	AMSAN SEATTLE	6 OF 5 GAL PAILS DEGREASER	501.141100.	248.29
43467	ARAMARK UNIFORM SERVICES	MAT CLEANING - PW ADMIN	40143410.549000.	68.96
	ARAMARK UNIFORM SERVICES	MAT CLEANING- MEZZANINE	40143780.549000.	15.63
	ARAMARK UNIFORM SERVICES	MAT CLEANING - MEZZANINE	40143780.549000.	24.51
	ARAMARK UNIFORM SERVICES	MAT CLEANING- MEZZANINE	40143780.549000.	24.51
	ARAMARK UNIFORM SERVICES	UNIFORM CLEANING	50100065.526000.	58.25
43468	CITY OF ARLINGTON	ARL CHRISTIANSCHOOL-44,100 GAL	40140080.533000.	108.47
43469	BAG BOY	SC545 CARTS, EXPRESS CART	420.141100.	324.57
43470	BANK OF AMERICA	TRAVEL/FEE REIMB	00103010.543000.	9.23
	BANK OF AMERICA		00103010.549000.	20.47

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43471	BANK OF AMERICA	TRAINING/MTG REIMB	00100060.549000.	40.00
	BANK OF AMERICA		00100110.549000.	285.35
	BANK OF AMERICA		00102020.549000.	45.00
	BANK OF AMERICA		00103010.549000.	180.75
	BANK OF AMERICA		40143410.549000.	14.84
43472	BANK OF AMERICA	MTG REIMB	00100060.549000.	20.00
	BANK OF AMERICA		00100110.549000.	17.75
	BANK OF AMERICA		00100720.549000.	20.00
43473	BANK OF AMERICA	TRAVEL REIMB	00101023.543000.	88.40
43474	BANK OF AMERICA		00103010.543000.	626.57
	BANK OF AMERICA		00103010.549000.	66.57
43475	BANK OF AMERICA		00103010.543000.	1,666.10
	BANK OF AMERICA		00103010.549000.	70.79
43476	BARRON HEATING AIR CONDITIONING	4TH QRTL Y BILLING OF 8- PSB	00100010.548000.	1,074.15
	BARRON HEATING AIR CONDITIONING	3RD BILLING OF 6 FOR PRKS&REC	00105380.548000.	278.64
	BARRON HEATING AIR CONDITIONING	FIND & REMOVE BIRD FROM INDUCR	42047165.598100.	163.57
43477	BERGER/ABAM ENGINEERS INC	PAY ESTIMATE # 8	30500030.563000.R0604	13,276.79
43478	BLUE MARBLE ENVIRONMENTAL	LABOR-107 HRS:JACK HARRIS	41046290.541000.	7,022.90
43479	BLUMENTHAL UNIFORMS & EQUIPMENT	UNIFORM SHIRTS- RUSCH	00103222.526000.	124.12
	BLUMENTHAL UNIFORMS & EQUIPMENT	UNIFORM PNTS&SHIRTS-PAXTON	00103222.526000.	274.38
43480	BOATLAND P & A	36" PUMP	40143410.548000.	108.48
43481	RAE BOYD, APRN, BC	INMATE MEDICAL SERVICES	00103960.541000.	790.00
43482	BUILDERS EXCHANGE	BID TABULATIONS, PLANS, SPECS	30500030.563000.T0102	3.75
	BUILDERS EXCHANGE		40220594.563000.W0505	81.50
	BUILDERS EXCHANGE		50200050.549000.	16.25
43483	LOURDES CARBAJAL	REFUND DEPOSIT	001.239100.	58.00
43484	CARR'S ACE HARDWARE	UTILITY KNIFE,BULBS,WIRE NUTS	10110564.531000.	158.33
	CARR'S ACE HARDWARE	BULBS, COVERS, GFI RECEIPT	10110564.548000.	335.08
	CARR'S ACE HARDWARE	WRENCHES, SCREWDRIVER, MAGLOC	40142080.535000.	100.38
	CARR'S ACE HARDWARE	150 HPS LAMPS AND PHOTOCCELL	40143410.548000.	140.88
	CARR'S ACE HARDWARE	3/16 STEEL RIVET, 4 BOXES	50100065.534000.	16.45
43485	CBI SERVICES, INC	PAY ESTIMATE # 2	40220594.563000.W0504	176,546.59
43486	CDW GOVERNMENT INC	CANON PRINTER, IT SUPPLIES	00100020.531000.	228.14
	CDW GOVERNMENT INC		00101023.535000.	232.16
	CDW GOVERNMENT INC	SCADA SERVER	40140780.531000.	170.72
	CDW GOVERNMENT INC		40140780.531000.	382.01
	CDW GOVERNMENT INC		40140780.531000.	420.37
	CDW GOVERNMENT INC		40140780.531000.	1,447.00
	CDW GOVERNMENT INC	SOFTWARE WIN 2003	50300090.531000.	27.14
	CDW GOVERNMENT INC	CANON PRINTER, IT SUPPLIES	50300090.531000.	247.15
	CDW GOVERNMENT INC	SCADA SERVER	50300090.535000.	1,569.72
43487	CH2MHILL	PAY ESTIMATE # 2	40142480.548000.M0741	14,887.96
43488	CHUCKANUT GOLF CARS INC	CART LEASE FOR 20 CARTS	42047267.545000.	740.00
43489	COOK PAGING (WA)	AIRTIME TILL NOV 30, 2007	10110890.542000.	3.83
	COOK PAGING (WA)		40143410.542000.	3.83
43490	CO-OP SUPPLY	HAND TORCH	10110564.535000.	37.96
	CO-OP SUPPLY	SPRAY INDICATOR	42047165.531930.	37.94
43491	WA DEPT OF CORRECTIONS	INMATE MEALS	00103960.531250.	1,429.10
	WA DEPT OF CORRECTIONS		00103960.531250.	1,659.00
43492	VONNIE CRAWFORD	INSTRUCTOR SERVICES	00105250.541020.	195.00
43493	DAN MEEKS	45FT CURB AND GUTTER&DRIVEWAY	40140380.548000.	2,115.00
	DAN MEEKS	64FR CURB AND GUTTER & ETC	40140380.548000.	3,058.00

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43494	CUZ CONCRETE PRODUCTS	MISC PIPE AND MANHOLE FITTINGS	40142080.541000.M0731	3,425.06
	CUZ CONCRETE PRODUCTS	PALLET REFUND	40142680.548000.	-32.55
	CUZ CONCRETE PRODUCTS	50 OF #50 JET SET CONCRETE REP	40142680.548000.	813.75
43495	DAILY JOURNAL OF COMMERCE	08 SOQ SUBMITTAL REQUEST	00100020.531000.	294.00
43496	DATABASE SECURE RECORDS DESTRUCTIO	SHREDDING SERVICES	00100110.549000.	4.25
	DATABASE SECURE RECORDS DESTRUCTIO		00100310.549000.	4.25
43497	THE DAVENPORT HOTEL	3 NIGHTS LODGING-CONF# R3DBC4	00103010.543000.	259.98
43498	DAY WIRELESS SYSTEMS	CALIBRATE RADAR	00103222.548000.	81.38
	DAY WIRELESS SYSTEMS		00103222.548000.	81.46
	DAY WIRELESS SYSTEMS		00103222.548000.	81.46
43499	MATILDA L. DEMMERT	INSTRUCTOR SERVICE	00105250.541020.	108.00
43500	DICKS TOWING INC	EVIDENCE IMPOUND	00103222.541000.	43.44
43501	DUNLAP INDUSTRIAL	1/2" BALLDRIVER L-WRENCH	40145040.535000.	116.25
	DUNLAP INDUSTRIAL	SUPPLIES TO MAKE CABELS & PICK	40145040.535000.	1,230.34
43502	DUNN LUMBER	HARDIPLANK PRIMED 5/16X9 1/4	00103530.531000.	10.58
43503	E&E LUMBER INC	3- 2 X 4 X 8 BTR	00100025.562000.C0702	8.10
	E&E LUMBER INC	JOINT COMPOUND, TAPE & 16" FLT	00100025.562000.C0702	41.09
	E&E LUMBER INC	MISC PARTS	00100025.562000.C0702	173.86
	E&E LUMBER INC	5/8" ROPE W/SNAPHOOK END	10111766.531000.	151.66
	E&E LUMBER INC	WATER HOSE AND GAS CAN	40140380.548000.	13.87
	E&E LUMBER INC	4 X 12 X 16 DOUGLAS FIR	40145040.531000.	186.79
43504	EMERALD HILLS COFFEE SERVICE	2 X COFFEE	10605250.549000.	59.46
43505	SNO CO DEPT OF EMERGENCY MANAGEME	EMERGENCY SVC 3RD & 4TH QTR	00100090.549000.	15,592.75
43506	ESCHELON TELECOM INC.	CITYHALL 010495321	00100020.542000.	137.48
	ESCHELON TELECOM INC.		00100050.542000.	169.46
	ESCHELON TELECOM INC.		00100110.542000.	72.52
	ESCHELON TELECOM INC.		00100310.542000.	42.72
	ESCHELON TELECOM INC.		00100720.542000.	12.45
	ESCHELON TELECOM INC.		00101023.542000.	67.28
	ESCHELON TELECOM INC.		00101130.542000.	66.14
	ESCHELON TELECOM INC.		00102020.542000.	205.92
	ESCHELON TELECOM INC.		00103010.542000.	74.06
	ESCHELON TELECOM INC.		00103121.542000.	115.36
	ESCHELON TELECOM INC.		00103222.542000.	406.80
	ESCHELON TELECOM INC.		00103528.542000.	23.15
	ESCHELON TELECOM INC.		00103630.542000.	11.44
	ESCHELON TELECOM INC.		00103960.542000.	135.98
	ESCHELON TELECOM INC.		00104190.542000.	156.02
	ESCHELON TELECOM INC.		00104230.542000.	25.60
	ESCHELON TELECOM INC.		00105250.542000.	32.04
	ESCHELON TELECOM INC.		00105380.542000.	160.93
	ESCHELON TELECOM INC.		00143523.542000.	102.39
	ESCHELON TELECOM INC.		10111230.542000.	80.11
	ESCHELON TELECOM INC.		40142480.542000.	91.55
	ESCHELON TELECOM INC.		40143410.542000.	286.68
	ESCHELON TELECOM INC.		41046170.542000.	11.44
	ESCHELON TELECOM INC.		42047061.542000.	54.84
	ESCHELON TELECOM INC.		50100065.542000.	22.89
	ESCHELON TELECOM INC.		50148058.542000.	22.89
	ESCHELON TELECOM INC.		50200050.542000.	22.94
	ESCHELON TELECOM INC.		50300090.542000.	89.14
43507	THE EVERETT STEEL COMPANIES	STEEL PLATE 48 X 68 X 1/2"	40142080.531000.	393.57

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43508	FEDEX	FULL SIZE, PLANS, SPECS MAILED	30500030.563000.T0102	126.76
43509	SARAH FERNANDEZ	REFUND DEPOSIT	001.239100.	58.00
43510	FERRELLGAS	PROPANE 90.6 GAL	10110130.531000.	52.83
	FERRELLGAS	PROPANE 91.8 GAL	10110130.531000.	55.90
	FERRELLGAS	PROPANE 90.6 GAL	10110564.531000.	52.82
	FERRELLGAS	PROPANE 91.8 GAL	10110564.531000.	55.90
	FERRELLGAS	PROPANE 90.6 GAL	40140980.531000.	52.83
	FERRELLGAS	PROPANE 91.8 GAL	40140980.531000.	55.89
	FERRELLGAS	PROPANE 90.6 GAL	41046060.531000.	52.82
	FERRELLGAS	PROPANE 91.8 GAL	41046060.531000.	55.89
43511	FLINT TRADING INC	LRS ARROW COMBO @ DOT 21 X 3	10110564.531000.	710.76
	FLINT TRADING INC	20 X 2 PACK LEFT TURN ARROWS	10110564.531000.	4,949.79
43512	CHRIS FLOYD	2ND- INSTRUCTOR SERVICES	00105120.541020.	2,648.00
43513	GRAINGER INC	12" MIRROR	00100025.562000.C0702	35.88
43514	GRAY AND OSBORNE	PAY ESTIMATE # 10	40143410.541000.	6,552.77
43515	GRAYBAR ELECTRIC CO INC	LAMP BALLAST KIT	10110463.548000.	80.09
43516	HASLER, INC	POSTAGE MACHINE LEASE	00100020.542000.	27.67
	HASLER, INC		00102020.542000.	44.27
	HASLER, INC		10111230.542000.	5.53
	HASLER, INC		40143410.542000.	22.14
	HASLER, INC		41046170.542000.	5.53
	HASLER, INC		50100065.545000.	5.53
43517	HD FOWLER COMPANY	METERS	40140880.531000.	1,929.82
	HD FOWLER COMPANY	8" DI PIPE	40141380.548000.	7,081.91
	HD FOWLER COMPANY	8", 45* DEGREE ELLS	40142680.548000.M0641	101.55
	HD FOWLER COMPANY	PAINT MARKER STICKS AND PAINT	501.141100.	120.35
	HD FOWLER COMPANY	SILVER & WHITE MRKNG PAINT CNS	501.141100.	138.01
43518	HDR ENGINEERING, INC.	PAY ESTIMATE # 8	30500030.563000.R0502	24,358.71
43519	GARY LEE HOOD	ENTERTAINER NOV POTLUCK	00105250.531050.	75.00
43520	IOS CAPITAL	COPIER RENTAL	00100020.545000.	75.30
	IOS CAPITAL		00102020.545000.	26.67
	IOS CAPITAL		00102020.545000.	131.77
	IOS CAPITAL		00105380.545000.	450.45
	IOS CAPITAL		10111230.545000.	83.95
	IOS CAPITAL		40143410.545000.	26.68
	IOS CAPITAL		40143410.545000.	83.95
	IOS CAPITAL		40143410.545000.	131.77
	IOS CAPITAL		50100065.545000.	18.83
	IOS CAPITAL		50100065.545000.	93.79
	IOS CAPITAL		50200050.545000.	18.83
43521	RUSS IRVIN	REFRESHER TRAINING FOOD	00103010.549000.	19.20
	RUSS IRVIN		00103010.549000.	26.83
	RUSS IRVIN		00103960.531000.	23.39
43522	DENNIS KENDALL	MTG/TRAVEL REIMB	00100110.549000.	83.44
43523	MARCIE KLEISATH	DEPOSIT REFUND	001.239100.	58.00
43524	KPFF CONSULTING ENGINEERS	PAY ESTIMATE # 33	30500030.563000.R0301	97,612.40
43525	KAREN KUSSY	TRAINING REIMB- LUNCH&MILEAGE	00101023.549000.	26.62
43526	LANE & ASSOCIATES	PAY ESTIMATE # 12	30500030.563000.R0301	2,617.97
43527	LASTING IMPRESSIONS INC	EMBR NAME ON GREY SHIRTS	00103960.526000.	40.69
	LASTING IMPRESSIONS INC	UNIFORM SPORT SHIRT	00103960.526000.	85.12
43528	JEFF LAYCOCK	TRAVEL TO AND FROM WWHM WRKS)	00100020.531000.	32.50
43529	DEPT OF LICENSING	KRISTON KYLE	001.237020.	18.00

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43529	DEPT OF LICENSING	OSTERHUS, PHILIP	001.237020.	18.00
	DEPT OF LICENSING	SHELBY, JEFFREY	001.237020.	18.00
43530	LINKS TURF SUPPLY INC	GRINDING COMPOUND	42047165.548000.	81.15
43531	LOOMIS	ARMORED TRUCK SERVICES	00100050.541000.	386.33
	LOOMIS		00102020.541000.	193.17
	LOOMIS		00103010.541000.	386.33
	LOOMIS		00143523.541000.	386.33
	LOOMIS		40143410.541000.	193.17
	LOOMIS		42047061.541000.	154.51
43532	LOWES HIW INC	FOAM BOARD FOR FILL STATIONS	40140480.531000.	55.01
43533	MARYSVILLE FIRE DIST #12	FIRE AND EMERGENCY SRV AID	00109522.551000.	311,803.09
	MARYSVILLE FIRE DIST #12		00109526.551000.	111,733.96
43534	MARYSVILLE PRINTING	EVIDENCE FORMS	00104190.531000.	166.97
	MARYSVILLE PRINTING	NCR 2 PART CONTROL FORMS	00104190.531000.	204.95
	MARYSVILLE PRINTING	LKWOOD ACC/156TH ST PROJECT	30500030.563000.R0604	351.97
	MARYSVILLE PRINTING		30500030.563000.R0604	915.13
43535	MARYSVILLE SCHOOL DISTRICT #25	JAZZERCISE CLASS @ MMS OCT 07	00105120.531091.	210.47
43536	MCCAIN TRAFFIC SUPPLY	8 COUNTDOWN PED DISPLAY	10110564.531000.	2,526.48
43537	MCEVOY OIL CO.	PSB DIESEL DELIVERY TO GEN TNK	00100010.547000.	141.14
	MCEVOY OIL CO.		40143880.532000.	975.42
43538	MCGREGOR HARDWARE DISTRIBUTION	BRASS KEY TAGS AND RINGS	50100065.531000.	92.22
43539	MEMORY4LESS	MEMORY DRIVE REPLACEMENTS	50300090.535000.	242.30
43540	MGS SOFTWARE LLC	FLOOD SOFTWARE	00102020.549000.	1,778.70
43541	MICRO DATA	INFRACTION FORMS & CRIMINAL	00103222.531000.	1,083.35
43542	MICROFLEX INC	TAX AUDIT PROGRAM OCT 07	00101023.541000.	361.33
43543	TARA MIZELL	B-BALL AND ASAP SNACKS	00105120.531040.	38.27
	TARA MIZELL		00105120.531070.	105.77
43544	JEFF MURRAY	REFUND- INSUFFICIENT REG	00110347.376009.	49.00
43545	NATIONAL BARRICADE COMPANY	RENTAL SIGNS	10110564.531000.	1,035.37
43546	NORTH COAST ELECTRIC COMPANY	MISC CONDUIT AND COUPLINGS	40140180.531000.	44.12
	NORTH COAST ELECTRIC COMPANY	6 FRZ AT QR3-1/2 600 V CC	40141580.548000.	81.97
43547	OAK HARBOR FREIGHT LINES, INC.	TYPE D, 120/240 VOLT SERVICE	30500030.563000.T0101	94.34
43548	OFFICE DEPOT	OFFICE SUPPLIES	00100020.531000.	1.14
	OFFICE DEPOT		00100020.531000.	13.97
	OFFICE DEPOT		00100110.549000.	5.74
	OFFICE DEPOT		00100110.549000.	21.99
	OFFICE DEPOT		00100110.549000.	83.14
	OFFICE DEPOT		00100310.549000.	35.11
	OFFICE DEPOT		00100490.531000.	96.90
	OFFICE DEPOT	WALL CALENDAR	00101023.531000.	9.21
	OFFICE DEPOT	CALENDAR	00101023.531000.	10.78
	OFFICE DEPOT	OFFICE SUPPLIES	00102020.531000.	1.14
	OFFICE DEPOT	GLUESTICKS	00102020.531000.	6.16
	OFFICE DEPOT	OFFICE SUPPLIES	00102020.531000.	26.10
	OFFICE DEPOT		00102020.531000.	28.41
	OFFICE DEPOT	LABELS, TAPE	00102020.531000.	50.92
	OFFICE DEPOT	LABELS, PADS, PHOTOSEAL	00102020.531000.	96.81
	OFFICE DEPOT	DIGITAL CAMERAS	00102020.531000.	333.21
	OFFICE DEPOT	FILE CABINETS	00102020.531000.	367.04
	OFFICE DEPOT	CREDIT FOR RETURNED TONER	00103222.531000.	-103.95
	OFFICE DEPOT	OFFICE SUPPLIES	00103222.531000.	216.85
	OFFICE DEPOT		00104190.531000.	138.57

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43548	OFFICE DEPOT	OFFICE SUPPLIES	00105120.531070.	32.63
	OFFICE DEPOT	COPY PAPER	00105250.531000.	68.87
	OFFICE DEPOT	OFFICE SUPPLIES	00105250.531000.	199.81
	OFFICE DEPOT	POST IT NOTES AND LABELS	00105380.531000.	12.80
	OFFICE DEPOT	COPY PAPER	00105380.531000.	28.13
	OFFICE DEPOT	OFFICE SUPPLIES	00105380.531000.	72.70
	OFFICE DEPOT	VALIDATOR TAPE	00143523.531000.	7.98
	OFFICE DEPOT	OFFICE SUPPLIES	00143523.531000.	20.24
	OFFICE DEPOT	FILE BOXES	00143523.531000.	24.57
	OFFICE DEPOT	OFFICE SUPPLIES	00143523.531000.	78.19
	OFFICE DEPOT	FILE LABELS	40142380.531000.	26.16
	OFFICE DEPOT	OFFICE SUPPLIES	40143410.531000.	6.51
	OFFICE DEPOT		40143410.531000.	13.48
	OFFICE DEPOT		40143410.531000.	13.97
	OFFICE DEPOT		50100065.531000.	1.55
	OFFICE DEPOT		50200050.531000.	1.55
	OFFICE DEPOT	IT OFFICE SUPPLIES	50300090.531000.	28.87
	OFFICE DEPOT	PANEL CONNECTORS	50300090.531000.	52.92
	OFFICE DEPOT	PANEL WALL FOR TECH ROOM	50300090.531000.	243.06
43549	OTAK	PAY ESTIMATE # 17	40250594.563000.D0501	2,439.00
43550	PACIFIC NW TITLE	RAMEY	30500030.563000.R0502	488.70
43551	PACIFIC POWER PRODUCTS	LASTEC V-BELT	42047165.548000.	29.65
43552	PACIFIC TOPSOILS INC	120 YARDS SOIL W/SOD	40145040.548000.	3,928.10
	PACIFIC TOPSOILS INC	230 YARDS SOIL W/SOD	40145040.548000.	7,528.86
43553	M.L. PARKER	REFUND UTILITY VARIANCE	00111343.332000.	200.00
43554	PERTEET ENGINEERING INC	PAY ESTIMATE # 9	30500030.563000.R0602	7,181.40
	PERTEET ENGINEERING INC	PAY ESTIMATE # 10	40145040.541000.D0602	13,541.41
43555	PETROCARD SYSTEMS INC	FUEL CONSUMED-ENG/ENG SURFACE	00100020.532000.	114.17
	PETROCARD SYSTEMS INC	FUEL CONSUMED-STREETS	10111230.532000.	2,272.05
	PETROCARD SYSTEMS INC	FUEL CONSUMED	40143880.532000.	3,443.27
	PETROCARD SYSTEMS INC	FUEL CONSUMED-ENG/ENG SURFACE	40145040.532000.	169.95
	PETROCARD SYSTEMS INC	FUEL CONSUMED	41046060.532000.	4,398.27
	PETROCARD SYSTEMS INC	FUEL CONSUMED- FACILITIES	50200050.532000.	173.65
	PETROCARD SYSTEMS INC	FUEL CONSUMED- IS DEPT	50300090.532000.	46.52
43556	PETTY CASH- PW	PETTY CASH REIMB	40140480.549000.	2.12
	PETTY CASH- PW		40140780.531000.	5.40
	PETTY CASH- PW		40141580.531000.	13.73
	PETTY CASH- PW		40143410.531000.	46.62
43557	PHOINIX EQUIPMENT, LLC	1/2 DAY RENTAL ECR 58	40145040.548000.	171.59
43558	PING	G10 DRIVER, G10 3WOOD	420.141100.	219.75
43559	PUD NO 1 OF SNOHOMISH COUNTY	ACCT. 418-001-612-5	00100010.547000.	3,176.42
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT 490-001-155-4	00112572.547000.	3,646.51
	PUD NO 1 OF SNOHOMISH COUNTY	UTILITY CHR-15200 SM PT BLVD	10110463.547000.	46.57
	PUD NO 1 OF SNOHOMISH COUNTY	ACT# 968-001-439-7	10110564.547000.	87.99
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT 493-001-113-7	40140180.547000.	122.09
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT 335-001-900-0	40140180.547000.	502.37
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT 401-001-485-2	40140180.547000.	2,306.73
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT # 224-078-532-5	40141580.547000.	1,655.46
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT 370-002-191-2	40142480.547000.	7,085.11
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT # 461-029-794-9	40142480.547000.	10,147.84
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT 447-001-040-8	40142480.547000.	12,498.87
43560	PUGET SOUND SECURITY	DUPLICATE KEYS	00104190.531000.	4.23

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 11/15/2007 TO 11/21/2007

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
43561	RH2 ENGINEERING INC	PAY ESTIMATE # 1	40200034.560000.W0705	2,983.00
	RH2 ENGINEERING INC	PAY ESTIMATE # 41	40220594.563000.W0101	2,322.79
	RH2 ENGINEERING INC	PAY ESTIMATE # 8	40220594.563000.W0605	2,920.72
43562	MARLA RINGEN	REFRESHMENTS - NIC TRAINING	00103010.549000.	17.46
43563	RINKER MATERIALS	2 TONS OF CLASS B	10110130.531000.	115.12
	RINKER MATERIALS		10110130.531000.	115.12
	RINKER MATERIALS	4 TONS ASPHALT CLASS B	10111440.531000.	230.24
	RINKER MATERIALS	5 TONS CLASS B HOT MIX	10111440.531000.	287.79
	RINKER MATERIALS	.17 TONS CSS-1 FOR TACKING	40141380.548000.	109.85
43564	CAROL RUSSO	DEPOSIT REFUND	001.239100.	58.00
43565	SAGE RYDER INC	#610 290 7698 LAMP FPR PROXIMA	101.231700.	-27.66
	SAGE RYDER INC		10110564.531000.	353.07
43566	CARLTON DOUP	INSTRUCTOR SERVICES	00105120.541020.	470.05
43567	SIGNAL TRAILER SALES	TAIL LIGHT ASSEMBLIES	50100048.564000.	122.50
43568	SIX ROBBLEES INC	6 SNOW TIRE CHAINS	501.141100.	295.11
43569	SKYLINE ELECTRIC & MFG COMPANY	TYPE D-48 ALUMINUM ENCLOSURE	305.231700.	-172.72
	SKYLINE ELECTRIC & MFG COMPANY		30500030.563000.T0101	2,204.72
43570	EVE SNIDER	INSTRUCTOR SERVICES	00105120.541020.	1,290.01
43571	SNO CO PUBLIC WORKS	VACTOR/WASTE DISPOSAL FEES	40145040.548000.	303.00
	SNO CO PUBLIC WORKS		41046060.551000.	116,986.00
43572	SNOHOMISH COUNTY TREASURER	CRIME VICTIM/WITNESS FUNDS	00102570.551000.	974.39
43573	S.O. CREIGHTON ENGINEERING INC	PLAN CHECK SERVICE	00102020.541000.	285.00
43574	SOUND HARLEY DAVIDSON	REPLACE BATTERY FOR MOTORCYCL	00103222.548000.	145.01
43575	SOUND SAFETY PRODUCTS CO INC	VINYL GLOVES, MED AND LRG	00103960.531000.	109.44
	SOUND SAFETY PRODUCTS CO INC	MENS ROMEO BOOTS	40143410.526200.	78.74
	SOUND SAFETY PRODUCTS CO INC	MENS STEEL TOE BOOTS	40143410.526200.	86.83
	SOUND SAFETY PRODUCTS CO INC	RAIN PANTS AND GLOVES	501.141100.	162.14
43576	STATE AVENUE PLAZA, LLC	MONTHLY PYMNT FOR 1015 STATE	00101250.545000.	28,000.00
43577	WASHINGTON STATE PATROL	GARRIS, MARK WILLIAM-FNGRPRINT	00101130.549000.	30.00
43578	SUN BADGE CO	TOOLING AND SET UP CHARGE	001.231700.	-47.35
	SUN BADGE CO		00103010.526000.	604.35
43579	SYSTEMS INTERFACE INC	TROUBLESHOOT COMMUNICATION	40142480.541000.	396.74
	SYSTEMS INTERFACE INC	STILLAGUAMISH ADDTNL SUPPORT	40143410.541000.	534.93
	SYSTEMS INTERFACE INC	PAY ESTIMATE #4	40220594.563000.W0621	81,061.61
43580	TECH DEPOT	MEMORY CARD	40145040.531000.	28.21
43581	TIDMORE FLAGS	CITY OF MARYSVILLE FLAG	420.231700.	-16.28
	TIDMORE FLAGS		42047165.531910.	207.78
43582	TRAFFIC SAFETY SUPPLY CO INC	STEEL BANDS AND BAND BUCKLES	10110564.535000.	416.55
	TRAFFIC SAFETY SUPPLY CO INC	BAND CLAMPING SYSTEM AND KNOC	10110564.535000.	2,193.80
43583	TRICO CONSTRUCTION	PAY ESTIMATE # 1	40145040.548000.M0519	122,254.66
43584	UNITED RENTALS	SAW CHAIN	10110770.531000.	71.61
43585	UTILITIES UNDERGROUND LOCATION CTR	EXCAVATION NOTICE FOR OCT 07	40141180.541000.	316.80
43586	VERIZON NORTHWEST	03 0274 1044492270 07	00100050.542000.	360.62
	VERIZON NORTHWEST	ACCT.# 03 0274 1094715727 10	00103121.542000.	64.29
	VERIZON NORTHWEST	ACCT 100367827006	00104000.542000.	57.24
	VERIZON NORTHWEST	ACCT# 108778831503	00104000.542000.	75.45
	VERIZON NORTHWEST	ACCT.# 03 0211 1097788318 10	00104000.542000.	75.45
	VERIZON NORTHWEST	ACCT 100664011800	00104000.542000.	85.50
	VERIZON NORTHWEST	ACCT.# 03 0273 1092686355 01	00104000.542000.	93.05
	VERIZON NORTHWEST	ACCT 03 0275 1027463801 05	00104000.542000.	102.50
	VERIZON NORTHWEST	ACCT 102857559902	00112572.542000.	103.07
	VERIZON NORTHWEST	ACCT 103957234007	40142480.542000.	51.54

**CITY OF MARYSVILLE
INVOICE LIST**


FOR INVOICES FROM 11/15/2007 TO 11/21/2007

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
43586	VERIZON NORTHWEST	ACCT 102778795907	40143410.542000.	60.38
	VERIZON NORTHWEST	ACCT030211109792481505	40143410.542000.	74.85
43587	WASHINGTON STATE TREASURER	PUBLIC SAFETY & BLDG REVENUE	001.237010.	52,290.98
	WASHINGTON STATE TREASURER	CODE # 1183315704121- OCT 07	001.237030.	373.50
43588	WELCOME COMMUNICATIONS	REPLACEMENT BATTERY STICK	00103222.548000.	202.78
	WELCOME COMMUNICATIONS	RAPID DESKTOP CHARGER	00103630.548000.	56.23
43589	WESTERN EQUIPMENT DISTRIBUTORS	ATLAS THERMA GLOVES	42047165.526000.	80.19
	WESTERN EQUIPMENT DISTRIBUTORS	VEHICAL GRAPHICS & #'S -P128	50100048.564000.	602.33
43590	WESTERN FACILITIES SUPPLY INC	CAN LINERS, CUPS, PUREX, SCOTT	00103960.531000.	494.31
43591	WESTERN POWER & EQUIPMENT	160 TRAC HOE RENTAL	40142680.548000.M0641	2,041.88
43592	WHISTLE WORKWEAR	DANNER BOOTS AND CARHART PNTS	10111230.548000.	213.05
WARRANT TOTAL:				<u>1,450,224.89</u>

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: December 10th, 2007

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 November 28th, 2007 claims in the amount of \$428,294.48 paid by Check No.'s 43593 through 43700 with Check No.'s 42502 & 43577 voided.

COUNCIL ACTION:

BLANKET CERTIFICATION
CLAIMS
FOR
PERIOD-11

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 **\$428,294.48 PAID BY CHECK NO.'S 43593 THROUGH 43700 WITH CHECK NO.'S 42502 and 43577 VOIDED** ARE JUST, DUE AND UNPAID OBLIGATIONS AGAINST THE CITY OF MARYSVILLE, AND THAT I AM AUTHORIZED TO AUTHENTICATE AND TO CERTIFY SAID CLAIMS.



AUDITING OFFICER



DATE

MAYOR

DATE

WE, THE UNDERSIGNED COUNCILMEMBERS OF MARYSVILLE, WASHINGTON DO HEREBY APPROVE FOR PAYMENT THE ABOVE MENTIONED **CLAIMS** ON THIS **28th DAY OF NOVEMBER 2007.**

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 11/22/2007 TO 11/28/2007

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
43593	AUTOMATIC FUNDS TRANSFER SERVICES	REMITTANCE PROCESSING	00143523.541000.	1,087.49
43594	ARAMARK UNIFORM SERVICES	MAT CLEANING-MEZZANINE	40142480.541000.	10.97
	ARAMARK UNIFORM SERVICES		40143780.549000.	15.63
	ARAMARK UNIFORM SERVICES	MAT CLEANING-MEZZANINE	40143780.549000.	24.51
	ARAMARK UNIFORM SERVICES	MECHANIC UNIFORM CLEANING	42047165.526000.	21.28
	ARAMARK UNIFORM SERVICES	UNIFORM CLEANING	50100065.526000.	58.25
43595	ASCOM HASLER/GE CAP PROG	POSTAGE METER	00100110.531000.	44.27
	ASCOM HASLER/GE CAP PROG		00100310.531000.	44.27
	ASCOM HASLER/GE CAP PROG		00101023.531000.	44.27
	ASCOM HASLER/GE CAP PROG		00101130.531000.	44.27
	ASCOM HASLER/GE CAP PROG		00143523.531000.	44.27
43596	BANK OF AMERICA	SHIPPING CHRGR REIMB	00103010.542000.	31.79
43597	STEPHANIE BECK	REFUND DEPOSIT FOR RENTAL	001.239100.	58.00
43598	BLUMENTHAL UNIFORMS & EQUIPMENT	UNIFORM PANTS- RUSCH	00103222.526000.	65.33
	BLUMENTHAL UNIFORMS & EQUIPMENT		00103222.526000.	139.91
	BLUMENTHAL UNIFORMS & EQUIPMENT	HLSTR,FLSHLT,HND CFS-SHOVE	00103222.526000.	855.45
	BLUMENTHAL UNIFORMS & EQUIPMENT	FLASHLIGHT W/CHRGR-SHELTON	00103960.526000.	140.43
	BLUMENTHAL UNIFORMS & EQUIPMENT	BOOTS-SHELTON	00103960.526000.	261.31
	BLUMENTHAL UNIFORMS & EQUIPMENT	BELT,RADIO HLDR,HANDCUFFS	00103960.526000.	292.66
	BLUMENTHAL UNIFORMS & EQUIPMENT	UNIFORM PANTS- ISOM	00104190.526000.	131.20
43599	MARTY BREWER	USED GOLF BALLS 84 DOZEN	420.141100.	252.00
43600	CAMP FIRE USA	INSTRUCTOR SERVICES	00105120.541020.	300.00
43601	CARR'S ACE HARDWARE	8FT 3/16 CHAIN	50100048.564000.	12.93
43602	CASCADE MAILING	UB MAILING	00143523.542000.	175.41
43603	CASCADE NATURAL GAS	NATURAL GAS SERVICE	40141580.531000.	1,449.87
43604	CDW GOVERNMENT INC	SHAREPOINT SOFTWARE	00101130.549000.	139.02
43605	CHELAN COUNTY TREASURER	PRISONER HOUSING-OCT 2007	00103960.551000.	2,520.00
43606	CNA SURETY	INSURANCE-MIRANDA, NOTARY LIC	40143410.541000.	50.00
	CNA SURETY	INSURANCE FOR MIRANDA	40143410.541000.	60.00
43607	COMCAST	PRO SHOP CABLE CHARGES	42047267.549000.	83.95
	COMCAST	MONTHLY CHARGE	50300090.531000.	169.95
43608	COMMERCIAL FIRE PROTECTION	REHCHARGE & SRVC EXTINGUISHR	501.141100.	54.25
43609	RICK CONNOLLY	REFUND CHECK LESS \$5 ADMIN FEE	00110347.376007.	66.00
43610	CONSOLIDATED ELECTRIAL DISTRIBUTORS	LAMPS	00112572.531000.	182.45
43611	CROWN, DARRELL & CYNTHIA	UB 849000494605 6507 79TH PL N	401.122110.	94.45
43612	CUES	07 CUES SWR CAMERA SYSTEM W/TR	40142035.564000.	111,846.14
43613	DATABASE SECURE RECORDS DESTRUCTIO	MONTHLY SHREDDER SRVC	00100020.531000.	2.55
	DATABASE SECURE RECORDS DESTRUCTIO		00102020.531000.	2.55
	DATABASE SECURE RECORDS DESTRUCTIO		00105380.531000.	8.50
	DATABASE SECURE RECORDS DESTRUCTIO		40143410.531000.	2.55
	DATABASE SECURE RECORDS DESTRUCTIO		50100065.531000.	0.42
	DATABASE SECURE RECORDS DESTRUCTIO		50200050.531000.	0.43
43614	DCI PAINTING & CONSTRUCTION, INC.	PARTIAL BILLING FOR LIBRARY	00112572.531000.	5,425.00
43615	VALERI G. DEAN	MINUTE TAKING SERVICE	00102020.541000.	297.50
43616	DUNLAP INDUSTRIAL	MISC TOOLS	40145040.531000.	264.70
43617	E&E LUMBER INC	PAINT,GLUE,PUDDY,SWITCHES	00100010.531000.	80.88
	E&E LUMBER INC	CAR WASH SOAP	00105380.531000.	5.41
	E&E LUMBER INC	2 GAS CANS AND 2 KEYS	00105380.531000.	36.41
	E&E LUMBER INC	SANDING DISCS, PRIMER, BRUSHES	00105380.531000.	94.42
	E&E LUMBER INC	CABLES FOR CITY CLERK	50300090.531000.	10.35
43618	THE DAILY HERALD COMPANY	2008 SUBSCRIPTION	00100720.549000.	143.40
43619	FARWEST GOLF CARS	GOLF CART SHIELDS	42047165.548000.	317.53

**CITY OF MARYSVILLE
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FOR INVOICES FROM 11/22/2007 TO 11/28/2007

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
43620	FLINT TRADING INC	4000 BTU TORCH	10110564.535000.	449.21
43621	FOOTJOY	CREDIT FOR SHOE RETURN	420.141100.	-72.43
	FOOTJOY	ECOMFORT SHOES	420.141100.	59.93
	FOOTJOY	CONTOUR SHOES	420.141100.	64.68
	FOOTJOY		420.141100.	72.43
43622	CRAIG A. FULLERTON	QWULOOLT WETLANDS ACQUISTION	31000076.563000.G0701	3,770.00
43623	GENERAL CHEMICAL CORP	11.915 DRY TON ALUMINUM SULFAT	40142480.531320.	3,529.29
43624	JAYSON GIANETTO	REFUND DEPOSIT FOR RENTAL	001.239100.	58.00
43625	TERI GILBERT		001.239100.	58.00
43626	GOLDEN CORAL	2007 HOLIDAY LUNCH BUNCH	00100310.549010.	271.25
43627	GRAINGER INC	CLEAR PLASTIC BAGS	00103960.531000.	243.47
43628	GRAPHIC ENTERPRISES INC	OVERAGE CHARGES FOR K&E/3036	00100020.531000.	28.10
	GRAPHIC ENTERPRISES INC		00102020.531000.	28.10
	GRAPHIC ENTERPRISES INC		40143410.531000.	28.10
	GRAPHIC ENTERPRISES INC		50200050.531000.	9.35
43629	GARY HALL	REIMB FOR CARPET TO RELINE	00103960.531000.	10.96
43630	HALSTROM & ASSOCIATES, INC.	11/07 LOBBYIST RETAINER FEE	40143410.541000.	2,080.00
43631	HD FOWLER COMPANY	5 SETTERS AND 5 RESETTERS	401.141400.	1,017.29
	HD FOWLER COMPANY	RESETTERS AND RUBBER METER	401.141400.	1,294.43
	HD FOWLER COMPANY	ADAPTERS	40140580.548000.	82.02
	HD FOWLER COMPANY	REFUND FROM ORDER ON 11/8/06	40142280.549000.	-79.29
	HD FOWLER COMPANY	IRRIGATION COUPLINGS	42047165.531920.	184.17
43632	HD SUPPLY WATERWORKS, LTD	ADAPTER, 1" GALVANIZED	401.141400.	89.32
43633	HEALTHFORCE OCCMED BILLING DEPT	MEDICAL EXAM - PAXTON	00103010.541000.	472.00
43634	RACHEL HOFMANN	REFUND LESS \$5 ADMIN FEE	00110347.376007.	66.00
43635	HOME DEPOT CREDIT SVCS	OUTLET COVER AND LT FIXTURES	00105380.531000.	58.88
43636	CHRIS HORNUNG	CD 101 CLASS-REIMB FOR TRAVEL	00100050.543000.	39.28
43637	HUNT, WALTER & AMANDA LUEKEN	UB 453300000001 5210 140TH PL	401.122110.	20.00
43638	LETTIE HYLARIDES	INTERPRETER SERVICES	00102515.549000.	231.00
43639	NOEL NIETO		00102515.549000.	223.60
	NOEL NIETO		00102515.549000.	318.60
43640	IOS CAPITAL	COPIER RENTAL	00100050.548000.	284.40
	IOS CAPITAL		00100310.549000.	141.84
	IOS CAPITAL		00101023.545000.	212.76
	IOS CAPITAL		00101130.548000.	212.76
	IOS CAPITAL	COPIER CHARGES- POLICE	00104190.545000.	58.59
	IOS CAPITAL	COPIER RENTAL	00143523.545000.	851.06
43641	DEPT OF INFORMATION SERVICES	TELECOMMUNICATIONS SRVCS	00104190.551000.	723.69
43642	JACKSON, ALLEN G	UB 451797750000 13710 58TH DR	401.122110.	12.83
43643	JENSEN, MICHAEL BROWN & CAROL	UB 280090000000 5329 128TH PL	401.122110.	29.53
43644	JOBS AVAILABLE	JOBS AVAILABLE SUBSCRIPTION	00100490.544000.	35.00
43645	JUDD & BLACK	FREEZER FRIGIDAIRE	00103960.548000.	617.37
43646	K-MART	HAND HELD CALCULATORS	501.141100.	30.34
43647	MARCIA KELLEY	UW SITE WORKING LUNCH	00103010.549000.	20.62
43648	KERR-RAGAN, CAROL	UB 570665000001 17713 27TH AVE	401.122110.	81.51
43649	KESSELRINGS	RIFLE PRACTICE AMMUNITION	00103740.535000.	1,501.20
	KESSELRINGS	RIFLE PRACTICE AMMO& RECVR END	00103740.535000.	1,522.75
43650	JOHN KOSTER BUSINESS ROUND TABLE	BUSINESS ROUNDTABLE	00100110.549000.	50.00
43651	LAB SAFETY SUPPLY INC	CLEAR & SHADED SAFETY GLASSES	40143410.526300.	128.32
43652	LANGUAGE EXCHANGE	INTERPRETER SERVICES	00102515.549000.	640.00
43653	LASTING IMPRESSIONS INC	TURKEY CHASE FUN RUN T-SHIRTS	00105120.531050.	290.73
43654	LES SCHWAB TIRE CENTER	REPAIR FLAT	50100065.548000.	30.38

**CITY OF MARYSVILLE
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<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
43654	LES SCHWAB TIRE CENTER	REPAIR FLAT	50100065.548000.	35.26
43655	DEPT OF LICENSING	BROOKS, DANNY-RENEWAL	001.237020.	18.00
	DEPT OF LICENSING	HARDING, SHERRIE-ORIGINAL	001.237020.	18.00
	DEPT OF LICENSING	HILTON, RONALD-RENEWAL	001.237020.	18.00
	DEPT OF LICENSING	JENKS, ALEXANDRA-RENEWAL	001.237020.	18.00
	DEPT OF LICENSING	JENKS, MICHAEL-RENEWAL	001.237020.	18.00
	DEPT OF LICENSING	KUNKLE, DAVID-ORIGINAL	001.237020.	18.00
	DEPT OF LICENSING	LUTTRELL, THORNTON-ORIGINAL	001.237020.	18.00
	DEPT OF LICENSING	MARTES, ROBERT- RENEWAL	001.237020.	18.00
	DEPT OF LICENSING	QUICK, STEVEN-ORIGINAL	001.237020.	18.00
	DEPT OF LICENSING	VASQUEZ, MANUEL-ORIGINAL	001.237020.	18.00
43656	LO VINA LOUIE	REFUND LESS \$5 ADMIN FEE	00110347.376007.	55.00
43657	KERRY MARTIN	REFUND DEPOSIT FOR RENTAL	001.239100.	58.00
43658	MARYSVILLE AUTO PARTS	2 FUSES	00105380.531000.	3.04
43659	MARYSVILLE MUNICIPAL COURT	BANK CARD FEES	00100050.541000.	549.00
43660	MARYSVILLE PRINTING	BUSINESS CARDS FOR MIKE SNOOK	00102020.531000.	113.82
43661	MARYSVILLE SCHOOL DISTRICT #25	FEES FOR CONCERT/JAZZ BAND	00105120.531091.	12.50
	MARYSVILLE SCHOOL DISTRICT #25	FEES FOR SAFETY TOWN	00105120.531091.	17.30
	MARYSVILLE SCHOOL DISTRICT #25	FEES FOR LITTLE LOBBERS TENNIS	00105120.531091.	22.00
	MARYSVILLE SCHOOL DISTRICT #25	FEES FOR ULTIMATE VOLLEYBALL	00105120.531091.	70.00
	MARYSVILLE SCHOOL DISTRICT #25	FEES FOR TINY TOTS PROGRAM	00105120.531091.	84.00
	MARYSVILLE SCHOOL DISTRICT #25	FEES FOR SQUARE DANCING	00105120.531091.	116.90
	MARYSVILLE SCHOOL DISTRICT #25	FEES FOR US B-BALL CAMP AM/PM	00105120.531091.	140.00
	MARYSVILLE SCHOOL DISTRICT #25	FEES FOR 07 SUMMER CAMP	00105120.531091.	840.00
43662	MCCONNELL & ASSOC	HEARING EXAM SERVICE	00102020.541000.	667.67
43663	SHERRI MCCORD	REFUND PROGRAM FEE	00110347.376007.	61.00
43664	MEECHAN, AMY	UB 331475530201 4331 151ST PL	401.122110.	150.39
43665	NATIONAL BARRICADE COMPANY	40 NO PARKING SIGNS (RENTALS)	10110564.531000.	302.96
	NATIONAL BARRICADE COMPANY	FLEXIBLE GUIDE POSTS	40140480.531000.	521.36
43666	NORTHWEST CASCADE INC	UNIT RENTAL @ DEERING ACRES PK	00105380.545000.	102.18
43667	OFFICE DEPOT	WALL CALENDARS AND DESK PADS	00100020.531000.	28.67
	OFFICE DEPOT	COPY PAPER, REFILL INK, TISSUE	00100020.531000.	62.49
	OFFICE DEPOT	OFFICE SUPPLIES	00100110.549000.	9.12
	OFFICE DEPOT		00100110.549000.	91.83
	OFFICE DEPOT		00100310.549000.	9.12
	OFFICE DEPOT		00100310.549000.	91.82
	OFFICE DEPOT		00100490.531000.	4.32
	OFFICE DEPOT		00100720.549000.	9.14
	OFFICE DEPOT	RED INK	00102020.531000.	5.40
	OFFICE DEPOT	TAPE AND PENS	00102020.531000.	23.45
	OFFICE DEPOT	WHITE BOARD	00102020.531000.	23.45
	OFFICE DEPOT	DRAFTING TABLES X 3	00102020.549000.	3,327.71
	OFFICE DEPOT	CD CASE, 50 PK, POST ITS, 5X8	00103010.531000.	9.23
	OFFICE DEPOT		00103222.531000.	55.00
	OFFICE DEPOT	WALL CALENDARS AND DESK PADS	40142480.531000.	69.75
	OFFICE DEPOT	MONTHLY PLANNER	40143410.531000.	10.12
	OFFICE DEPOT	WALL CALENDARS AND DESK PADS	40143410.531000.	29.44
	OFFICE DEPOT	COPY PAPER, REFILL INK, TISSUE	40143410.531000.	68.21
	OFFICE DEPOT		41046060.531000.	11.97
	OFFICE DEPOT		50100065.531000.	6.95
	OFFICE DEPOT		50200050.531000.	6.95
43668	OFFICE OF MINORITY AND WOMENS	07-08 DUES-WOMANS BUSINESS ENT	00100090.549000.	250.00

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 11/22/2007 TO 11/28/2007

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
43669	PACIFIC POWER PRODUCTS	3 72" GATOR BLADES	00105380.598000.	86.10
	PACIFIC POWER PRODUCTS		00105380.598000.	95.81
43670	THE PARTS STORE	1/2" RATCHET AND 3/8" RATCHET	40142480.535000.	51.84
	THE PARTS STORE	OIL AND AIR FILTERS	501.141100.	251.67
43671	LAURIE HUGDAHL	MINUTE TAKING SERVICES	00101130.541000.	183.00
	LAURIE HUGDAHL		00101130.541000.	183.00
43672	PETROCARD SYSTEMS INC	FUEL CONSUMED - COMM DEVEL	00102020.532000.	550.82
	PETROCARD SYSTEMS INC	FUEL CONSUMED - POLICE	00103222.532000.	4,705.15
	PETROCARD SYSTEMS INC	FUEL CONSUMED - PRKS & REC	00105380.532000.	1,224.68
43673	KEVIN PICKETT	REFUND FEE LESS \$5 ADMIN FEE	00110347.376007.	61.00
43674	DENISE FREEMAN	JUMPSUIT FOR SHOVE AND JACKETS	00103222.526000.	951.21
43675	POUKKULA, GLENDA & MARK	UB 042210043002 6619 98TH PL N	401.122110.	23.52
43676	PRATT PEST MANAGEMENT	PEST CONTROL	00105380.531000.	70.53
43677	PUD NO 1 OF SNOHOMISH COUNTY	ACCT 475-001-792-5	00105380.547000.	52.12
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT 557-001-739-1	00105380.547000.	190.19
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT 348-001-954-0	00105380.547000.	268.97
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT 308-001-505-4	00105380.547000.	692.65
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT 308-001-598-9	00105380.547000.	762.78
	PUD NO 1 OF SNOHOMISH COUNTY	UTILITY CHRG @ 6001 64TH ST NE	10110564.547000.	64.68
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT 246-001-703-7	10110564.547000.	69.97
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT 314-002-822-0	10110564.547000.	137.19
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT 557-001-738-3	10110564.547000.	165.62
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT 498-001-707-5	10110564.547000.	186.26
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT# 172-000-169-0	10110564.547000.	1,605.04
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT# 251-001-382-0	40142280.547000.	918.97
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT 526-001-076-3	40143780.547000.	35.89
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT # 289-075-529-7	40143780.547000.	1,271.59
43678	PUD NO 1 OF SNOHOMISH COUNTY	REPAIR @ 7713 89TH AVE NE	10110564.548000.	150.82
43679	PUGET SOUND SECURITY	DUPLICATE KEY	00103222.531000.	2.12
43680	RADIOSHACK	50 PK DVD'S & PENGO DISC INDEX	40145040.531000.	24.91
43681	AMANDA ROJAS	REFUND DEPOSIT FOR RENTAL	001.239100.	58.00
43682	MARIA P P ROOT PH D	PSYCHOLOGICAL EXAM - PAXTON	00103010.551000.	250.00
43683	SOUND SAFETY PRODUCTS CO INC	HIP WADER BOOTS - WARD	40145040.531000.	104.64
43684	WASHINGTON STATE PATROL	FINGERPRINT BACKGROUND CHKS	001.237100.	19.25
43685	WASHINGTON STATE PATROL	ACCESS USER FEES OCT-DEC 2007	00104000.551000.	930.00
43686	MARCUS TAGEANT	REFUND DEPOSIT FOR RENTAL	001.239100.	58.00
43687	LORRIE TOWERS	OCTOBER PYMNT - PRO TEM	00100050.541000.	1,600.00
	LORRIE TOWERS	OCTOBER PAYMENT- PRO TEM	00100050.541000.	2,100.00
43688	TRICO CONSTRUCTION	RETAINAGE HELD ON PAY EST #1A	401.223400.	-5,906.02
	TRICO CONSTRUCTION	PAY ESTIMATE # 2	401.223400.	-2,894.78
	TRICO CONSTRUCTION	CORRECTION ON PAY EST #1A	40145040.548000.M0519	5,906.02
	TRICO CONSTRUCTION	PAY ESTIMATE # 2	40145040.548000.M0519	62,816.62
	TRICO CONSTRUCTION	PAY ESTIMATE # 1	402.223400.	-5,511.82
	TRICO CONSTRUCTION		40220594.563000.W0410	119,606.60
43689	TYLER TECHNOLOGIES, INC.	BLUE LASER & DIRECT DEP CHECKS	00101023.531000.	357.74
	TYLER TECHNOLOGIES, INC.	W2 & 1099 FORMS	00101023.531000.	403.88
43690	UNITED PARCEL SERVICE	SHIPPING CHARGES	00103222.542000.	25.40
43691	VERIZON NORTHWEST	ACCT 105170208907	00103121.542000.	35.00
	VERIZON NORTHWEST	ACCT 030274104650377503	00105250.542000.	134.64
	VERIZON NORTHWEST	ACCT 101066397601	40143780.542000.	60.38
43692	VILLASENOR, JOSE	UB 670201000002 5324 101ST PL	401.122110.	43.82
43693	WASTE MANAGEMENT NORTHWEST	YARDWASTE, RECYCLE SERVICE	41046290.541000.	71,868.48

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 11/22/2007 TO 11/28/2007

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
43694	LOREN WAXLER	PUBLIC DEFENSE FEES	00102515.541000.	108.00
	LOREN WAXLER		00102515.541000.	136.00
43695	WEBCHECK	WEBCHECK SERVICE OCT 2007	00143523.541000.	564.00
43696	WELCOME COMMUNICATIONS	REPLACEMENT BATTERY STICK	00103222.548000.	103.65
43697	WEST PAYMENT CENTER	WA PRACTICE COURTROOM BOOK	00100050.531000.	124.23
43698	WESTERN PETERBILT INC	RETURN AIR RIDE SEAT	50100065.534000.	-532.29
	WESTERN PETERBILT INC	WORK BRAKE FLIPPER VALVE	50100065.534000.	120.42
	WESTERN PETERBILT INC	REPLACED ENG COOLING FAN HUB	50100065.548000.	689.76
43699	WINGFOOT COMMERCIAL	4 GOODYEAR TIRES	501.141100.	1,850.23
43700	DONNA WRIGHT	PSRC GROWTH MNGMNT POLICY	00100060.549000.	34.01
WARRANT TOTAL:				<u>428,354.48</u>
LESS VOIDS:				
			Check # 42502	(30.00)
			Check # 43577	(30.00)
				<u>428,294.48</u>

CITY OF MARYSVILLE

Marysville, Washington

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON AMENDING MMC 14.19.070 TO PROVIDE FOR AN INTEREST RATE, AND A SEWERAGE LIEN FOR THE COLLECTION OF SURFACE WATER UTILITY RATES WHERE THE PROPERTY IN QUESTION IS NOT ALSO SERVED BY CITY WATER.

It is hereby ordained by the City Council of the City of Marysville, Washington, as follows:

Section 1. Marysville Municipal Code Section 14.19.070 Billing, collection and penalties, is hereby amended to read as follows:

14.19.070 Billing, collection, interest, sewerage lien

Surface water utility rates for each parcel served by city water will be collected pursuant to Chapter 14.05 MMC.

Where a parcel is not served by city water, the city shall have a lien for delinquent and unpaid rates, penalties, and interest. Said lien shall be superior to all other liens except the lien for general taxes and local and special assessments. In accordance with the provisions of RCW 35.67.215, said lien shall be effective for a total not to exceed one year's delinquent service charges without the necessity of any writing or recording of the lien with the county auditor. Unpaid rates shall bear interest at eight percent per annum computed on a monthly basis. Said lien shall be foreclosed in accordance with the provisions for a sewerage lien all as provided by Chapter 35.67 RCW.

Passed by the City Council of the City of Marysville, Washington, on this _____ day of _____, 2007.

CITY OF MARYSVILLE

DENNIS KENDALL, Mayor

Attest:

By: _____
TRACY JEFFRIES, City Clerk

Approved as to form:

By: _____
GRANT K. WEED, City Attorney

Date of Publication: _____

Effective Date (5 days after publication): _____
Closing formalities

CITY OF MARYSVILLE
Marysville, Washington

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON
INCREASING WATER AND SEWER UTILITY RATES, AMENDING
SECTIONS 14.07.060 AND 14.07.070 OF THE MARYSVILLE
MUNICIPAL CODE AS ALLOWED UNDER SECTION 14.07.070(4)(1).**

WHEREAS, the City is authorized under RCW 35.92 to establish and maintain water and sewer systems and establish rates for those services.

WHEREAS, pursuant to Ordinances (codified in part at Chapter 14.07.060 and 14.07.070 of the Marysville Municipal code), the City established water and sewer rates for properties served by the City of Marysville water and sewer utility; and

WHEREAS, using generally accepted rate setting techniques, and with the assistance of a qualified consultant, City staff formulated recommended water and sewer rates; and

WHEREAS, on September 27, 2004 the Marysville City Council held a Public Hearing, took public testimony and fully considered the staff recommendation of proposed Water and Sewer rates and approved Staff recommendation regarding rate increases including GFC increases; uniform outside city rate surcharge discount for low income seniors and disabled citizens; volume based school sewer rates; an increase to all water rates; an increase to all sewer rates; an automatic inflation adjustment with annual review; and raising the gallonage limit for summer rates; and

WHEREAS, the Marysville City Council, during the 2008 Budget processes and adoption, finds that the recommended 2% increase of water and sewer rates, per MMC 14.07.070 Section 4(1), are fair, just and reasonable.

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

Section 1. Section 14.07.060 of the Marysville Municipal Code is hereby amended to read as follows:

14.07.060 Water rates.

(1) Definitions.

ORDINANCE - 1

/wvf/mv/increase.ord 2008 water-sewer

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

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

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

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

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

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

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

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

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

Meter Size	Consumption		Outside	
	Allowance	City Rate	Rural Rate	UGA Rate
Multiple Residential Units (per Unit)	6,000	23.70	35.60	47.30
5/8" X 3/4"	6,000	23.70	35.60	47.30
3/4" X 3/4"	9,000	31.20	46.80	62.40
1"	15,000	46.30	69.40	95.50
1.5"	30,000	84.00	126.00	167.90
2"	48,000	129.60	194.50	259.20
3"	75,000	197.70	296.50	394.90
4"	150,000	385.50	578.00	770.40
6"	360,000	912.40	1,369.20	1,825.40
8"	450,000	1,139.00	1,708.30	2,277.50
10"	600,000	1,515.80	2,273.30	3,031.80
12"	840,000	2,118.30	3,177.40	4,236.50

(3) Overage Rate. Consumption of water in excess of the bimonthly allowance specified above shall be charged at a rate of \$2.55 per 1,000 gallons of overage within the city, \$3.90 per 1,000 gallons of overage within the CWSP, and a rate of \$5.10 per 1,000 gallons of overage outside CWSP.

ORDINANCE - 2

/w/pf/mv/increase.ord 2008 water-sewer

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

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

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

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

(a) Private hydrants, each: \$36.60 per year;

(b) Wet standpipe systems: \$36.60 per year;

(c) Dry standpipe systems: None;

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

Size of Line	Bimonthly Charge
2-inch	\$39.80
3-inch	\$49.00
4-inch	\$60.20
6-inch	\$75.50
8-inch	\$99.00
10-inch	\$124.50
12-inch	\$143.80

(8) Reduced Utility Charges in Special Cases. Upon application by a utility customer, the

ORDINANCE - 3

/wpl/mv/increase.ord 2008 water-sewer

Chief Administrative Officer or designee shall have the discretion to make reasonable and equitable reduction in utility accounts, on a case-by-case basis, in the following circumstances:

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

(9) Calculation of Water Bill for School Facilities. The city rate for water as set forth in subsection (2) of this section shall apply to all school facilities, whether such facilities are within the city limits or not. (Ord. 2181 §§ 1, 2, 1998; Ord. 2130 § 1, 1997; Ord. 2117 §§ 1, 2, 1997; Ord. 2109 § 1, 1996; Ord. 1840 § 1, 1991; Ord. 1809 § 1, 1990; Ord. 1789, 1990; Ord. 1434, 1985).

Section 2. Section 14.07.070 of the Marysville Municipal Code is hereby amended to read as follows:

14.07.070 Sewer rates.

(1) Definitions.

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

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

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

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

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

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

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

(h) “Satellite system rate” refers to that rate charged to the city by Lake Stevens Sewer

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/wpf/mv/increase.ord 2008 water-sewer

District for the “overlap” area as described in the interlocal agreement between the parties dated April 22, 1999, plus an administrative overhead cost of 15 percent.

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

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

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

Classification	City Rate	Rural Rate	Outside UGA Rate
Single Family Residential	65.10	97.60	130.60
Multiple Residential Units per unit	61.90	92.90	116.70
Hotels/Motels per unit	45.60	68.40	91.20
Commercial (BOD/TSS Range mg/l) minimum	65.10	97.60	130.60
Class 1 (31 to 100 mg/l) per 1,000 gals	1.00	1.50	1.80
Class 2 (101 to 200 mg/l) per 1,000 gals	1.30	1.95	2.55
Class 3 (201 to 300 mg/l) per 1,000 gals	1.60	2.45	3.30
Class 4 (301 to 400 mg/l) per 1,000 gals	2.25	3.40	4.60
Class 5 (401 to 500 mg/l) per 1,000 gals	2.75	4.15	5.50
Class 6 (501 to 1000 mg/l) per 1,000 gals	4.25	6.35	8.50
Overnight Camping			
individual connections per unit	45.60	68.40	91.20
other connections each	61.90	92.90	116.70
Schools			
Minimum	65.10		
Per 1,000 gallons	3.70		

(4) Calculation of Sewer Rates for Mobile Home Parks. The total sewer bill for mobile home parks shall be calculated by applying the rate schedule above to the total number of pads or mobile home sites on the premises which are in a condition ready for occupancy, regardless of whether the same are occupied during the billing period; provided, that for the first 24 months after a mobile home park, or a new addition thereto, is opened and connected to city utilities, the sewer bill shall be calculated by applying the rates only to such pads or mobile home sites as are actually occupied by mobile homes during each billing period; provided, however, for mobile home parks whose utility meter with the city was first activated less than three years

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/w/pf/mv/increase.ord 2008 water-sewer

preceding June 9, 1997, the effective date of Ordinance 2130, and for which billing on all pads or mobile home sites has occurred for less than two years preceding June 9, 1997, such mobile home parks shall be granted an additional 12 months from June 9, 1997, to pay only for such pads or mobile home sites which are actually occupied during each billing period; provided further, that all fees, charges and rates paid by such mobile home parks to the city under prior provisions of this section and MMC 14.07.060, as such sections originally read or as subsequently amended, shall be nonrefundable notwithstanding the provisions of this subsection.

(5) Restaurants, for the purpose of sewer rates, shall be classified as Class 3 strength as described in subsection (3) of this section. Restaurants without approved grease traps, including those restaurants where a variance has been granted eliminating the necessity of a grease trap, shall be surcharged \$2.08 per 1,000 gallons.

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

(7) Calculation for Sewer Rates for Schools. Schools sewer rates shall be based upon the quantity of water consumed or used on the premises during the billing period, as determined by the water meter reading; provided; if the water service is supplied to a school by other than the City of Marysville water system, the school district shall notify the City billing department of the total consumption as billed by other such water purveyor. The city rate for sewer as set forth in subsection (3) of this section shall apply to all school facilities, whether such facilities are within the city limits or not and whether public or privately operated. (Ord. 2284 § 1, 1999; Ord. 2130 § 2, 1997; Ord. 2117 § 3, 1997; Ord. 2109 § 2, 1996; Ord. 1840 § 2, 1991; Ord. 1809 § 2, 1990; Ord. 1798, 1990; Ord. 1434, 1985).

Section 3. Rate relief.

Low-income senior citizens and low-income disabled persons may be eligible for water and/or sewer rate relief pursuant to MMC 3.63.

Section 4. Rate adjustments.

(1) Beginning in 2006, as part of the budget process, the rates and fees for water and sewer may be adjusted annually by two percent (2%). Any such adjusted rates and fees shall be become effective January 1st of the new budget year.

(2) Proposed rate increases greater than the two percent (2%) will require a public hearing process prior to adoption. All proposed rate adjustments will not be automatic but shall be justified and shall be reviewed and approved by council.

Section 5. Effective Date. This Ordinance and the rate schedules provided herein shall be effective January 1, 2008.

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/wpf/mv/increase.ord 2008 water-sewer

PASSED by the City Council and APPROVED by the Mayor this ____ day of December, 2007.

CITY OF MARYSVILLE

By _____
DENNIS KENDALL; Mayor

ATTEST:

By _____
TRACY JEFFRIES, City Clerk

Approved as to form:

By _____
GRANT K. WEED, City Attorney

Date of Publication: _____

ORDINANCE - 7

/w/f/mv/increase.ord 2008 water-sewer

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: December 10, 2007

AGENDA ITEM: Hanson – Termination of Development Agreement PA07062	AGENDA SECTION: New Business	
PREPARED BY: Libby Grage, Associate Planner <i>LG</i>	AGENDA NUMBER:	
ATTACHMENTS: 1. Vicinity map 2. Staff recommendation 3. Ord. 960 – Ordinance rezoning 1312 Cedar Ave. to HDMF 4. AFN 7710170209 – Development agreement 5. Ord. 2258 – Area-wide rezone of surrounding properties 6. Ordinance amending Ord. 960 7. Termination of Development Agreement	APPROVED BY: <i>JM</i>	
	MAYOR	CAO
BUDGET CODE:	AMOUNT:	

Ordinance 960, enacted on October 10, 1977, rezoned the property located at 1312 Cedar Avenue from single-family residential to high-density multiple-family residential. A Development Agreement was executed on October 12, 1977 (AFN 7710170209) which placed restrictive covenants on the subject property in order to mitigate negative impacts of multi-family development of the property on the surrounding single-family zoned properties. The development agreement restricts the number of dwelling units and the potential height of new structures (2-stories), and includes additional landscaping requirements on the north and south property lines, which otherwise would not be required.

Ordinance 2258, enacted May 10, 1999, rezoned the surrounding properties to high-density multi-family, but did not include the subject parcel. Many of the properties in the vicinity have since been developed or would be allowed to be developed to high-density multi-family standards; consequently, the conditions of the development agreement no longer appear necessary to protect adjacent properties. Therefore, the applicant is requesting that the City of Marysville terminate the development agreement recorded under AFN 7710170209. In order to do this, the original ordinance that rezoned the property (Ord. 960) must be amended and a Termination of Development Agreement nullifying the original development agreement must be recorded.

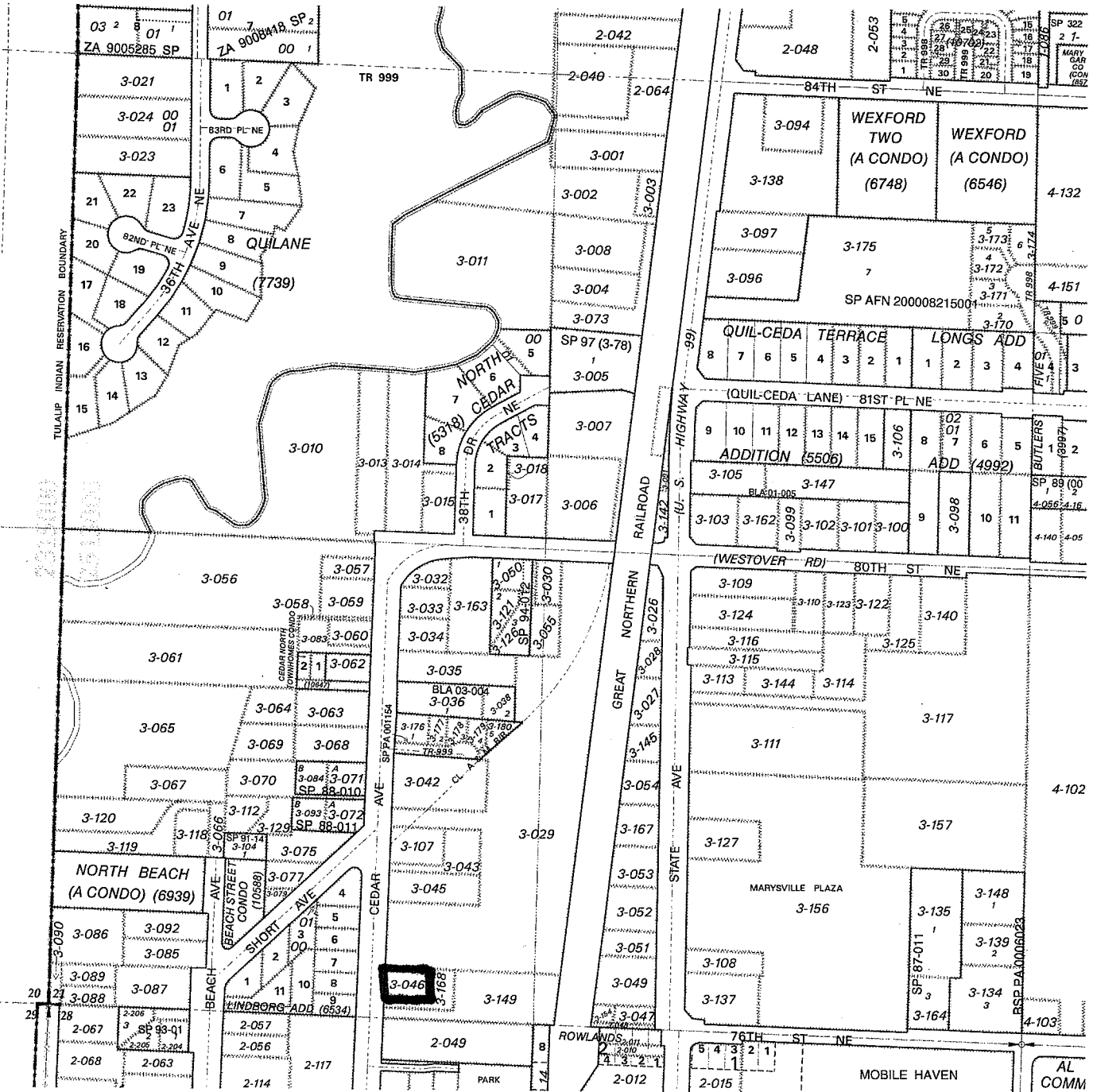
RECOMMENDED ACTION: Staff recommends that Council approve the attached ordinance amending Ord. 960, by removing the development agreement upon which the rezoning of the subject property had been conditioned, and authorize the mayor to sign the termination of development agreement.
COUNCIL ACTION:

NW-21-30-5

THIS IS NOT A SURVEY. IT IS A TAX PARCEL MAP PRODUCED FOR THE PURPOSE OF PROVIDING ONLY THE INFORMATION CONCERNING THE LOCATION OF PROPERTY ONLY. THE SNOHOMISH COUNTY ASSESSOR'S OFFICE MAKES NO WARRANTY OF MERCHANTABILITY OR FITNESS FOR ANY PARTICULAR PURPOSE. THE USER OF THIS MAP SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF THE DATA AND FOR OBTAINING THE NECESSARY PERMITS AND LICENSES FROM THE APPROPRIATE AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY PERMITS AND LICENSES FROM THE APPROPRIATE AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY PERMITS AND LICENSES FROM THE APPROPRIATE AGENCIES.

SE-21-30-5

SE-21-30-5



NW-28-30-5



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

STAFF RECOMMENDATION

File No.: PA07062

Date of Report: November 20, 2007

Nature of Request: Termination of development agreement

Applicant: Kathleen and Christopher Hanson
P.O. Box 234
Stanwood, WA 98292

Contact: Same

Location: 1312 Cedar Avenue

STAFF RECOMMENDATION: APPROVE

I. EVALUATION

A. Request

The applicant is requesting that the City of Marysville terminate the development agreement affecting the subject property, recorded under AFN 7710170209.

Ordinance 960 rezoned the subject property and the two parcels to the east (then combined as one parcel) from single-family residential to high-density multiple-family residential in 1977. A condition of the rezone was that a Development Agreement be executed (AFN 7710170209) which placed restrictive covenants on the subject property in order to mitigate negative impacts of multi-family development of the property on the surrounding single-family zoned properties. The development agreement restricts the number of dwelling units and the potential height of new structures (2-stories), and includes additional landscaping requirements on the north and south property lines, which otherwise would not be required under the current zoning code.

Termination of said Development Agreement would require that the original ordinance (Ord. 960) be amended and a Termination of Development Agreement be recorded nullifying the original development agreement.

B. Site Description

The subject site is currently developed with a single-family residence, which was constructed in 1905. Site access is via a driveway from Cedar Avenue. Surrounding uses include a 133-unit apartment complex to the north, a duplex and a 16-unit apartment complex to the east, and a single-family residence to the south.

C. Zoning

The subject property is zoned R-28 (high-density multiple family). Any new development of the subject site would be required to comply with the development standards outlined in *Title 19 MMC, Zoning*. The base density permitted in the R-28 zone is 28 dwelling units per net acre. The front and rear yard setbacks are 25-feet, the maximum building coverage is 50%, the maximum impervious surface is 75% and the maximum building height permitted is 45-feet.

II. FINDINGS AND CONCLUSIONS

1. Notice of the public hearing was provided in accordance with Section 15.07.030 MMC.
2. The surrounding area was rezoned to R-28 (Ord.2258) in 1999; therefore, the development agreement is no longer necessary to protect adjacent properties.
3. The City's zoning code provides appropriate zoning controls for the development of the subject property.

4. Removal of the development agreement would allow development of the property consistent with what would be permitted on surrounding properties and is consistent with the Comprehensive Plan and the Growth Management Act.

III. STAFF RECOMMENDATION

Based upon the above-stated findings and conclusions, the Community Development Department recommends approval of the request to remove the development agreement and amend Ordinance 960 in order to execute.

Prepared by: YBS

Reviewed by: CE

CITY OF MARYSVILLE
Marysville, Washington

ORDINANCE NO. 960

An Ordinance of the City of Marysville rezoning certain property within the City limits and amending the official Zoning Map previously adopted in Ordinance No. 772.

WHEREAS, VICTOR W. JOHNSON and CARL BARTLETT and EDNA E. BARTLETT, husband and wife, are the owners of the following described property located at 1312 Cedar, Marysville, Washington:

Beginning at the intersection of the E line of the Cedar Street extension with the S line of the SW1/4 of the SW1/4; thence N 140'; thence E to the Great Northern Railroad right-of-way; thence S'ly along said right-of-way to the S line of the SW1/4 of the SW1/4; thence W to the point of beginning; all situate in Section 21, Township 30, Range 5; Snohomish County, Washington; and

WHEREAS, said owners filed a petition with the City Clerk on the 25th day of AUGUST, 1977 seeking the rezone of said property from the single-family residential classification to the high-density multiple-family residential classification; and

WHEREAS, the City Planning Commission held a public hearing on the said rezone on the 13th day of September, 1977, and recommended in favor of the same; and

WHEREAS, the City Council finds that said rezone is in the best interests of the public and is consistent with the Comprehensive Plan of Marysville, Now, Therefore,

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

Section 1. The above-described property owned by VICTOR W. JOHNSON, CARL BARTLETT and EDNA E. BARTLETT is hereby rezoned from the single-family residential classification to the high-density multiple-family residential classification.

Section 2. The official Zoning Map of Marysville, Washington as adopted by the City in 1972 in Section 5.02 of Ordinance No. 772 is hereby amended to reflect the reclassification of the above property.

Section 3. The City Council hereby accepts a Development Agreement executed on this date by VICTOR W. JOHNSON, CARL BARTLETT and EDNA E. BARTLETT, which agreement shall be a covenant restricting the subject property in perpetuity.

10th PASSED by the City Council and APPROVED by the Mayor this
day of October, 1977.

THE CITY OF MARYSVILLE

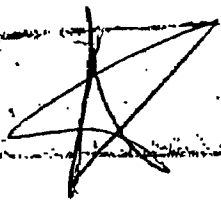
By *Gene Luntz*
MAYOR

ATTEST:

By *Phillip E. Dexter*
City Clerk

APPROVED AS TO FORM:

By *James H. Alexander*
City Attorney



3

NO SALES TAX
REQUIRED

NOV 17 1977

43

DEVELOPMENT AGREEMENT

[Handwritten signature]

THIS AGREEMENT is entered into by VICTOR W. JOHNSON and CARL BARTLETT and EDNA E. BARTLETT, husband and wife, hereinafter called "Owner", for the benefit of the City of Marysville and the public health, safety and welfare.

WHEREAS, the above-stated persons are the owners of the following described property situated within the City of Marysville, Snohomish County, Washington:

Beginning at the intersection of the E line of the Cedar Street extension with the S line of the SW1/4 of the SW1/4; thence N 140'; thence E to the Great Northern Railroad right-of-way; thence S'ly along said right-of-way to the S line of the SW1/4 of the SW1/4; thence W to the point of beginning; all situate in Section 21, Township 30, Range 5; Snohomish County, Washington; and

WHEREAS, said Owner has signed a petition to the City of Marysville for the rezoning of said property from the single-family residential classification to the high-density multiple-family residential classification; and

WHEREAS, said Owner recognizes that rezoning the above-described property into the high-density multiple-family residential classification and the development of the same may cause an unusually great impact upon the development patterns of the community, the services required of the City, and the use of adjoining properties, and that it would be in the interest of the public health, safety and welfare to anticipate and neutralize such impact by entering into this development agreement with the City of Marysville, Now, Therefore,

The Owner does hereby agree as follows:

1. In addition to the existing single-family residence on the property, the maximum number of additional dwelling units to be constructed and occupied shall be sixteen (16).
2. No unit or structure on the property shall exceed two (2) stories in height.
3. Prior to the occupancy of any units on the property, the Owner shall construct, and shall thereafter maintain, a greenbelt along the northerly boundary line of the property, and on such portions of the southerly boundary line as are deemed necessary and proper by the Compliance Officer of the City of Marysville.

7710170209

[Vertical handwritten notes on the left margin]

7710170209

1- Code Pub.
1- Mem Res.
1- Planning

CITY OF MARYSVILLE

Marysville, Washington

ORDINANCE NO. 2258

AN ORDINANCE OF THE CITY OF MARYSVILLE AMENDING THE OFFICIAL ZONING MAP OF THE CITY, PROVIDING FOR THE AREA-WIDE REZONE OF PROPERTY WITHIN THE CITY TO CONFORM TO THE CITY OF MARYSVILLE COMPREHENSIVE PLAN, AND REPEALING MMC 19.04.200 RELATING TO INTERIM ZONING.

WHEREAS, on April 1, 1996, pursuant to Ordinance No. 2068, the City of Marysville adopted a Comprehensive Plan in accordance with RCW Chapter 36.70A, the Washington State Growth Management Act;

WHEREAS, the City of Marysville has developed and implemented, through its Comprehensive Plan and zoning code, certain provisions for identification of zoning regulations, planning subareas, zoning districts and development standards to be operative within the City of Marysville; and

WHEREAS, pursuant to Ordinance No. 2131 as codified in MMC 19.04.020 and 19.04.030, and in conjunction with the development of the zoning code of the City, a map entitled "Official Zoning Map, Marysville, Washington" was developed, identifying various regions and properties in the City, and identifying the zoning designations into which the property fell; and

WHEREAS, in light of the provisions of the City of Marysville Comprehensive Plan, and pursuant to RCW Chapter 36.70A, the City's development regulations must be consistent with and implement the Comprehensive Plan, and as a result, it is appropriate that certain parcels and pieces of property within the City should be rezoned to conform to the Comprehensive Plan; and

WHEREAS, the City staff, in conjunction with the Marysville Planning Commission, conducted an in-depth review of the various districts, zones and associated properties by planning subarea within the City which would necessitate zoning revisions to comply with the City's Comprehensive Plan; and

WHEREAS, the City of Marysville SEPA Official issued a Determination of Non-Significance as to these matters on March 24, 1999, pursuant to WAC 197-11-340; and

ORDINANCE - 1
/mv/rezone.ord

WHEREAS, in conjunction with the area-wide rezone process, public open houses were held on March 2 and March 9, 1999. The City Planning Commission held a public workshop on January 26, 1999 and a public hearing on March 9, 1999, at which members of the public, including property owners whose properties are proposed for rezone, were permitted to speak and address the issue of the proposed rezones; and

WHEREAS, after the public hearings and further study by the Planning Commission, the Planning Commission recommended to the City Council approval of certain area-wide rezones based upon reports by planning subarea which are substantially in conformance with the Comprehensive Plan, along with associated maps which depict the specific properties to be rezoned; and

WHEREAS, the Marysville City Council held a public meeting on April 5, 1999, where further public input was allowed on the subject of the area-wide rezones proposed and recommended by the Planning Commission; and

WHEREAS, the City Council has considered the public testimony, the report of staff and the Planning Commission, and finds that the proposed zoning changes are consistent with the City's Comprehensive Plan, are intended to and will implement the Plan, and will benefit the public health, safety and welfare if adopted as set forth in **Exhibits A and B**;

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

1. That the parcels of property listed on the spreadsheet attached hereto, marked as **Exhibit A**, incorporated herein by this reference, be and the same hereby are rezoned as indicated on said attached **Exhibit A**, the original of which shall be on file with the office of the City Clerk.

2. That the official zoning map of the City as referenced in MMC 19.04.030 is hereby amended to reflect the changes provided in paragraph 1 hereof, so that the official zoning map of the City shall be as shown on the map attached hereto as **Exhibit B** and incorporated herein by this reference, the original of which shall be on file with the office of the City Clerk.

3. That the final report and recommendation of the Planning Commission and associated maps as revised by the City Council are attached collectively as **Exhibit C**, are

ORDINANCE - 2
/mv/rezone.ord

incorporated by this reference, and shall be on file with the office of the City Clerk.

4. That in the event of a conflict between the City's Official Zoning Map as set forth in **Exhibit B** and the provisions of **Exhibits A** or **C**, or any other prior zoning action by the City, whether by way of ordinance, contract or otherwise, the Official Zoning Map shall control.

5. That a copy of this ordinance shall be filed with the County Assessor's office, Snohomish County, State of Washington.

6. MMC 19.04.200 and Appendix A referenced therein (as attached to Ordinance 2131) is hereby repealed.

7. All ordinances or parts of ordinances of the City of Marysville in conflict herewith, be and the same, are hereby repealed.

8. This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City and shall take effect and be in full force five (5) days after the date of publication. This ordinance shall be a non-codified ordinance of the City of Marysville.

9. Notice of the changes adopted by this ordinance shall be given to the State Department of Community Development in accordance with RCW 36.70A.106.

PASSED by the City Council and APPROVED by the Mayor this 10th day of May, 1999.

CITY OF MARYSVILLE

BY David W. Wines MAYOR

ATTEST:
BY Mary Johnson CITY CLERK

Approved as to form:

BY Grant K. Weed CITY ATTORNEY

Date of Publication: 5/12/99

ORDINANCE - 3
/mv/rezone.ord

CITY OF MARYSVILLE
Marysville, Washington

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON, AMENDING ORDINANCE 960 BY TERMINATING THE DEVELOPMENT AGREEMENT UPON WHICH THE REZONING OF CERTAIN PROPERTY HAD BEEN CONDITIONED.

WHEREAS, the property described in the attached Exhibit A, hereinafter referred to as the "Property", was rezoned to high density multiple family residential by adoption of Ordinance No. 960 on October 10, 1977, subject to the terms and conditions of a Development Agreement between the City and the owner of the Property, which Development Agreement is attached hereto as Exhibit B and is hereinafter referred to as the "Development Agreement"; and

WHEREAS, on May 10, 1999, the City adopted Ordinance 2258, which was an area wide rezone of the area surrounding the Property to high density multiple family residential; and

WHEREAS, the owner of the Property has proposed that the Development Agreement is no longer necessary or appropriate, as the area surrounding the Property now has the same zoning designation; and

WHEREAS, the City agrees that the terms and conditions of the Development Agreement are no longer necessary or appropriate, because the surrounding area has the same high density multiple family residential zoning designation and because the regulations governing said zoning designation are set forth in the City's zoning code and provide the appropriate zoning controls for the Property;

WHEREAS, pursuant of RCW 36.70B.200, a public hearing has been held before the City Council, and the City Council finds that it is in the public interest and consistent with the Comprehensive Plan and Growth Management Act for the

ORDINANCE - 1

/wpf/mv/ord.am.ord960

Development Agreement to be terminated;

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

Section 1. Ordinance 960 is hereby amended by repealing Section 3 of said ordinance,
and the Mayor is hereby authorized to execute the Termination of Development Agreement,
which is attached hereto as Attachment A.

PASSED by the City Council and APPROVED by the Mayor this _____ day of _____,
2007.

CITY OF MARYSVILLE

By _____
DENNIS KENDALL, Mayor

ATTEST:

By _____
_____, City Clerk

Approved as to form:

By _____
GRANT K. WEED, City Attorney

Date of Publication: _____

Effective Date (5 days after publication): _____

TERMINATION OF
DEVELOPMENT AGREEMENT

BY AND BETWEEN

THE CITY OF MARYSVILLE AND CHRISTOPHER AND KATHLEEN HANSON

THIS TERMINATION OF DEVELOPMENT AGREEMENT, hereinafter referred to as the "Termination Agreement," is entered into effective on the ___ day of _____, 2007, by and between the City of Marysville, hereinafter referred to as the "City," and Christopher and Kathleen Hanson, hereinafter referred to as the "Owners," in connection with the real property described herein, hereinafter referred to as the "Property," for the purposes and on the terms and conditions set forth herein.

WHEREAS, the Owner controls certain real property located at 1312 Cedar Ave., described in Exhibit A; and

WHEREAS, the Property was rezoned to high density multiple family residential by the City of Marysville by adoption of Ordinance No. 960 on October 10, 1977, subject to the terms and conditions of a Development Agreement between the City and the owner of the Property, which Development Agreement is attached hereto as Exhibit B and is hereinafter referred to as the "Development Agreement"; and

WHEREAS, on May 10, 1999, the City adopted Ordinance 2258, which was an area wide rezone of the area surrounding the Property to high density multiple family residential; and

WHEREAS, the Owner proposes that the Development Agreement is no longer necessary or appropriate, as the area surrounding the Property now has the same zoning designation; and

WHEREAS, the City agrees that the terms and conditions of the Development Agreement are no longer necessary or appropriate, because the surrounding area has the same high density multiple family residential zoning designation and because the regulations

governing said zoning designation are set forth in the City's zoning code and provide the appropriate zoning controls for the Property;

WHEREAS, pursuant of RCW 36.70B.200, a public hearing has been held before the City Council, and the City Council finds that it is in the public interest and consistent with the Comprehensive Plan and Growth Management Act for the Development Agreement to be terminated;

NOW THEREFORE, the Owner and the City agree as follows:

1.0 RECITALS

1.1 **Description of Property.** The Property is located at 1312 Cedar Avenue, Marysville, Washington, and is more particularly described in the attached Exhibit A.

1.2 **Ownership.** The Property currently is owned by the following

W/wpf/mv/dev.ag.termination

parties: Christopher and Kathleen Hanson.

1.3 Identity of the City. The City is a noncharter, code City organized pursuant to Title 35A RCW, being the Optional Municipal Code. The City operates within the Mayor-Council Plan of Government.

1.4 Warranty of City's Authority. The City is delegated authority by RCW 36.70B.170 through 36.70B.200 to enter into, amend, and terminate development agreements as a proper exercise of the municipal police power and contract authority. This Termination Agreement is entered into pursuant to the said authority. It is hereby warranted that the undersigned Mayor has full authority to so enter into this Agreement pursuant to a duly adopted ordinance of the Marysville City Council.

1.5 Public notice. The City has provided advance notice of opportunity for participation by the public and adjacent land owners.

2.0 LAND USES

2.1 Zoning Classification. The Property is currently zoned R-28 (Multi-Family, High Density) as defined at Section 19.04.080 of the Marysville Municipal Code.

2.2 Development Regulations. All City development regulations in existence on the effective date of this Termination Agreement shall apply to and govern and vest the development of the Property.

4.0 TERMINATION OF AGREEMENT

4.1 Termination. The Development Agreement is hereby terminated.

5.0 GENERAL PROVISIONS

5.1 **Recording.** This Termination Agreement shall, when approved by the City Council and executed by the parties hereto, be filed as a matter of public record in the office of the Snohomish County Auditor.

5.2 **Applicable Law.** This Agreement shall be governed by and be interpreted in accordance with the laws of the State of Washington.

5.3 **Binding Effect.** This Agreement shall be binding upon and inure to the benefit of the successors and assigns of each party hereto. Except where expressly provided otherwise, the parties acknowledge that Owner shall have the right to assign or transfer all or any portion of the interests, rights and obligations under this Agreement to other parties acquiring an interest or estate in the Property. Consent by the City shall not be required for any transfer or rights pursuant to this Agreement.

5.4 **Severability.** If any provision of this Agreement is

determined to be unenforceable or invalid by a court of law,
then this Agreement shall thereafter be modified to
implement the intent of the parties to the maximum extent
allowable under law.

5.5 **Merger.** This Agreement represents the entire agreement of
the parties with respect to the subject matter hereof.

There are no other agreements, oral or written, except as
expressly set forth herein.

IN WITNESS WHEREOF, the undersigned have set their hands the
day and date set out next to their signatures.

OWNER:

Date

By: _____

CITY OF MARYSVILLE:

Date

By: _____

Dennis Kendall, Mayor

Approved as to Form:

Grant K. Weed, City Attorney

EXHIBIT A

LEGAL DESCRIPTION

Lot 1 of Short Plat recorded under Auditor's File No.

79101603331, being a portion of the southwest quarter of Section

21, Township 30 North, Range 5 East, W.M.

Situate in the County of Snohomish, State of Washington.

W/wpf/mv/dev.ag.termination

-10-

Item 8 -24

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: December 10, 2007

AGENDA ITEM: (PA 07042) 2007 Development Code Revisions-Planning Commission Recommendation	AGENDA SECTION: New Business	
PREPARED BY: Gloria Hirashima, Community Development Director	AGENDA NUMBER:	
ATTACHMENTS: 1. Draft ordinance 2. Planning Staff report dated 7/2/07 3. Planning Commission Minutes dated 6/12/07, 6/26/07, 7/10/07, and 7/24/07 4. Public Comments relating to code amendments	APPROVED BY:	
	MAYOR	CAO
BUDGET CODE:	AMOUNT:	

The Planning Commission has made recommendations on the 2007 development code revisions. The City periodically reviews and revises the development code to implement the comprehensive plan. The revisions reflect housekeeping proposals, as well as revisions resulting from citizen, developer and staff concerns that have become evident through development review.

The planning staff report dated 7/2/07 summarizes all the proposed changes. The Planning Commission reviewed the proposals at public meetings, and held a public hearing on 7/24/07 to take public testimony.

The City Council has the following options: 1) Accept the Commission's recommendation, in which case they should determine whether to delay or separate the eleven amendment proposals; 2) Hold additional public hearings to consider amendments to the plan and regulations; 3) Remand the plan & regulations to the Planning Commission for further review; or 4) Deny the Commission's recommendation.

RECOMMENDED ACTION: Authorize the Mayor to sign the 2007 development code revisions as proposed.
COUNCIL ACTION:

CITY OF MARYSVILLE
Marysville, Washington

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON, AMENDING THE CITY'S DEVELOPMENT REGULATIONS RELATED TO DEFINITIONS OF "HOUSEHOLD" AND "MASTER PLANNED SENIOR COMMUNITY", DELETION OF RU AND FREEWAY SERVICE ZONES, ADDITION OF WHISKEY RIDGE ZONES, AND REVISIONS TO DEVELOPMENT STANDARDS RELATED TO RESIDENTIAL , RESOURCE, AND COMMERCIAL/INDUSTRIAL ZONES, ON-SITE RECREATION FEES, LANDSCAPE BUFFERS, AND TANDEM PARKING, AND AMENDING CHAPTERS 19.06, 19.12, 19.14, 19.16, 19.18, AND 20.24 AND REPEALING CHAPTER 19.37 OF THE MARYSVILLE MUNICIPAL CODE.

WHEREAS, the State Growth Management Act, Chapter 36.70A, RCW mandates that cities periodically review and amend development regulations which include but are not limited to 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 zoning code and 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 Zoning Code (Title 19 MMC); and

WHEREAS, this Zoning Code amendment is consistent with the following required findings of MMC 19.56.030:

- (1) The amendment is consistent with the purposes of the comprehensive plan;
 - (2) The amendment is consistent with the purpose of Title 19 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;
- and

WHEREAS, the Planning Commission discussed the above-referenced amendment during public meetings June 12, 2007, June 26, 2007 and July 10, 2007; and

WHEREAS, after providing notice to the public as required by law, on July 24, 2007, the Marysville Planning Commission held a Public Hearing on proposed changes to the City's Zoning Code; and

WHEREAS, at a public meeting on December 10, 2007, the Marysville City Council reviewed and considered the amendment to the Zoning Code proposed by the Marysville Planning Commission; and

WHEREAS, the City of Marysville has submitted the proposed development regulation revisions to the Washington State Department of Community, Trade, and Economic Development as required by RCW 36.70A.106; and

WHEREAS, the City has complied with the requirements of the State Environmental Policy Act, Ch.43.21C RCW, (SEPA) by adopting a determination of non-significance for the adoption of the proposed revisions to the City’s development regulations;

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

Section 1. Chapter 19.06 MMC is hereby amended by amending MMC 19.06.193 and 19.06.317 to read as follows:

19.06.193 Family or household.

“Family” or “household” means an individual, two or more persons related by blood or marriage, six or less related or unrelated persons, up to eight persons consisting of one or two adults and up to six persons under the age of 18 that may or may not be related, a group of two or more disabled residents protected under the Federal Fair Housing Amendment Act of 1988, adult family homes as defined under Washington State law, or a group living arrangement where eight or fewer residents receive supportive services such as counseling, foster care, or medical supervision at the dwelling unit by resident or nonresident staff. Up to six residents not related by blood or marriage who live together in a single-family dwelling or in conjunction with any of the above individuals or groups, shall also be considered a family. For purposes of this definition, minors living with parent or legal guardian shall not be counted as part of the maximum number of residents.

19.06.317 Master planned senior community. A “master planned senior community” means a master plan for a site that incorporates a range of care options for senior citizens or disabled persons, including but not limited to independent senior housing, senior assisted living, and nursing homes. The proposed development must offer a continuum of care that offers varying degrees of assistance for individuals as it is needed. The community must include an integration of residential living units or beds, recreation, congregate dining, and on site medical facilities/services.

Section 2. Chapter 19.12 MMC is hereby amended by amending MMC 19.12.030 and 19.12.040 to read as follows and by repealing 19.12.210:

19.12.030 Residential zones.

(1) Densities and Dimensions.

	R-4.5	R-6.5	R-8	R-12 (13)	R-18 (13)	R-28 (13)	WR- R4-8 (16)(17)	WR-R6-18 (13)(16)(17)
Density: Dwelling unit/acre (6)	4.5 du/ac	6.5 du/ac	8 du/ac	12 du/ac	18 du/ac	28 du/ac	4.5 du/ac	6 du/ac (detached sf)

								10 du/ac (attached multifamily)
Maximum density: Dwelling unit/acre (1)	—	—	—	18 du/ac	27 du/ac	36 du/ac	8 du/ac	18 du/ac
Minimum street setback (3) (15)	20 ft (8)	20 ft (8)	20 ft (8)	20 ft	25ft	25 ft	20 ft (8)	20 ft
Minimum side yard setback (3)	5 ft (10)	5 ft (10)	5 ft (10)	10 ft (10, 11, 12)	10 ft (10, 11, 12)	10 ft (10)	5 ft (10, 11, 12)	10 ft (10, 11, 12)
Minimum rear yard setback (3)	20 ft	20 ft	20 ft	25 ft	25 ft	25 ft	20 ft	25 ft
Base height	30 ft	30 ft	30 ft	35 ft (4)	45 ft (4)	45 ft (4)	30 ft	35 ft (4)
Maximum building coverage: Percentage (5)	35%	35%	50%	50%	50%	50%	50%	40%
Maximum impervious surface: Percentage (5)	45%	45%	50%	70%	70%	75%	50%	70%
Minimum lot area	5,000 sq. ft	5,000 sq. ft	4,000 sq. ft (14)	—	—	—	5,000 sf	—
Minimum lot area for duplexes (2)	12,500 sq. ft	7,200 sq. ft	7,200 sq. ft	—	—	—	7,200 sf	—
Minimum lot width (3)	60 ft	50 ft	40 ft	70 ft	70 ft	70 ft	40 ft	70 ft
Minimum lot frontage on cul-de-sac, sharp curve, or panhandle (14)	20 ft	20 ft	20 ft	—	—	—	20 ft	—

(2) Development Conditions.

1. a. The maximum density for R-12, R-18 and R-28 multiple-family zones may be achieved only through the application of residential density incentive provisions outlined in Chapter 19.26 MMC.
b. The maximum net density for the single-family zones is the same as the base density; provided, that for PRD developments the maximum density may be increased by up to 20 percent only through the application of residential density incentive provisions outlined in Chapter 19.26 MMC.

c. The maximum density for Whiskey Ridge subarea plan zones may be achieved only through the application of residential density incentive provisions outlined in Chapter 19.26 MMC.

2. The minimum lot sizes for duplexes apply to lots or parcels which existed on or before the effective date of the ordinance codified in this chapter. All new duplex lots created through the subdivision or short subdivision process shall be a minimum of 7,200 square feet in size, must include a “duplex disclosure,” and comply with the density requirements of the comprehensive plan

(six units per acre for the R-4.5 zone and eight units per acre for the R-6.5,R-8, and WR R4-8 zones).

3. These standards may be modified under the provisions for zero lot line and townhome developments.

4. a. Height limits may be increased when portions of the structure which exceed the base height limit provide one additional foot of street and interior setback beyond the required setback for each foot above the base height limit; provided, that the maximum height may not exceed 60 feet.

b. Multiple-family developments, located outside of Planning Area 1, abutting or adjacent to areas zoned as single-family, or areas identified in the comprehensive plan as single-family, may have no more floors than the adjacent single-family dwellings, when single-family is the predominant adjacent land use.

5. Applies to each individual lot. Building coverage and impervious surface area standards for:

a. Regional uses shall be established at the time of permit review; or

b. Nonresidential uses in residential zones shall comply with MMC 19.12.200.

6. a. The densities listed for the single-family zones and Whiskey Ridge zones WR4.5-8 & WR 6-18 are maximum net densities.

b. Mobile home parks shall be allowed a maximum density of eight dwelling units per acre, unless located in the R-4.5 or R-6.5 zones, in which case they are limited to the density of the underlying zone.

7. The standards of the R-4.5 zone shall apply if a lot is less than 15,000 square feet in area.

8. On a case-by-case basis, the street setback may be reduced to 10 feet; provided, that at least 20 linear feet of driveway is provided between any garage, carport, or other fenced parking area and the street property line, or the lot takes access from an alley. The linear distance shall be measured in a straight line from the nearest point of the garage, carport or fenced area to the access point at the street property line. In the case of platted lots, no more than two consecutive lots may be reduced to 10 feet.

9. Residences shall have a setback of at least 50 feet from any property line if adjoining an agricultural zone either within or outside the city limits.

10. For townhomes or apartment developments, the setback shall be the greater of:

a. 20 feet along any property line abutting R-4.5 through R-8, and WR R4-8 zones; or

b. The average setback of the R-4.5 through R-8 zoned and platted single-family detached dwelling units from the common property line separating said dwelling units from the adjacent townhome or apartment development, provided the required setback applied to said development shall not exceed 60 feet. The setback shall be measured from said property line to the closest point of each single-family detached dwelling unit, excluding projections allowed per MMC 19.12.160 and accessory

structures existing at the time the townhome or apartment development receives approval by the city.

11. Townhome setbacks are reduced to zero (0) on an interior side yard setback where the units have a common wall for zero lot-line developments.

12. Townhome setbacks are reduced to five (5) feet on side yard setbacks provided the buildings meet a ten (10) feet separation between structures.

13. Single-family detached units on individual lots within the R-12-28, and WR 6-18 zones shall utilize the dimensional requirements of the R-8 zone, except the base density.

14. Provided that the front yard setback shall be established as the point at which the lot meets the minimum width requirements. On a case-by-case basis, the street setback may be reduced to the minimum of 20 feet; provided, that the portion of the structure closest to the street is part of the “living area,” to avoid having the garage become the predominant feature on the lot.

15. Subject to MMC 19.06.580(2).

16. Required landscaping setbacks for developments on the north side of Soper Hill Road are 25 feet from the edge of sidewalk.

17. Projects with split zoning (two or more distinct land use zones) may propose a master site plan to density average at the zone edge or modify the zone boundaries using topography, access, critical areas, or other site characteristics in order to provide a more effective transition between land uses and zones. Approval is at the discretion of the Community Development Director.

(Ord. 2413 §§ 1, 2, 3, 2002; Ord. 2298 §§ 13, 14, 1999; Ord. 2151 § 10, 1997; Ord. 2145 §§ 5, 6, 1997; Ord. 2131, 1997).

19.12.040 Resource and commercial/industrial zones.

(1) Densities and Dimensions.

Standards	NB	CB	GC	DC	MU (15)	BP	LI	GI	REC	P/I	WR- MU (18)	WR- CB (18)
Base density: Dwelling unit/acre	(8)	12	12	12	28 (1)	—	—	—	—	—	12	--
Maximum density: Dwelling unit/acre	—	None (16)	None (16)	None	34 (2)	—	—	—	—	—	18 (16)	—
Minimum street setback (4)	20 ft.	None (10)	None (10)	None (10)	None (10) (11)	None (10)	None (10)	None (10)	20 ft.	None (10) (11)	None (10) (11) (17)	None (10, 17)
Minimum	10 ft.	None	None	None	5 ft.		None	None	None	None	5 ft.	None

interior setback	side 20 ft. rear	(6)	(6)	(6)	(12)		(6) 50 ft. (7)	(6) 50 ft. (7)	(6)	(6)	(12) (19) (20)	(6)
Base height (9)	25 ft.	55 ft.	35 ft.	85 ft.	45 ft., 65 ft. (13)	45 ft.	65 ft.	65 ft.	35 ft.	45 ft.	45 ft.	55 ft.
Maximum impervious surface: Percentage	75%	85%	85%	85%	85%, 75% (14)	75%	85%	85%	35%	75%	85%, 75% (21)	85%

(2) Development Conditions.

1. These densities are allowed only through the application of mixed use development standards.
2. These densities may only be achieved in the downtown portion of Planning Area 1 through the application of residential density incentives, see Chapter 19.26 MMC.
3. (Reserved).
4. Gas station pump islands shall be placed no closer than 25 feet to street front lines. Pump island canopies shall be placed no closer than 15 feet to street front lines.
5. (Reserved).
6. A 25-foot setback is required on property lines adjoining residentially designated property.
7. A 50-foot setback only required on property lines adjoining residentially designated property for industrial uses established by conditional use permits, otherwise no specific interior setback requirement.
8. Residential units are permitted if located above a ground level commercial use.
9. Height limits may be increased when portions of the structure building which exceed the base height limit provide one additional foot of street and interior setback beyond the required setback for each foot above the base height limit.
10. Subject to sight distance review at driveways and street intersections.
11. A 20-foot setback is required for multiple-family structures outside of the downtown portion of Planning Area 1.
12. A 15-foot setback is required for 1) commercial or multiple family structures on property lines adjoining single-family residentially designated property, and 2) a rear yard of a multi-story residential structure otherwise no specific interior setback requirement. Interior setbacks may be reduced where features such as critical area(s) and buffer(s), public/private right of way or access easements, or other conditions provide a comparable setback or separation from adjoining uses.

13. The 65-foot base height applies only to the downtown portion of Planning Area 1. The 45-foot base height applies to the southeast sector of the downtown vision plan area, as incorporated into the city of Marysville comprehensive plan.

14. The 85 percent impervious surface percentage applies to commercial developments, and the 75 percent rate applies to multiple-family developments.

15. Reduced building setbacks and height requirements may be approved on a case-by-case basis to provide flexibility for innovative development plans; provided, that variance requests which are greater than 10 percent of the required setback shall be considered by the hearing examiner.

16. Subject to the application of the residential density incentive requirements of Chapter 19.26 MMC.

17. Required landscaping setbacks for developments on the north side of Soper Hill Road are 25 feet from the edge of sidewalk.

18. Projects with split zoning (two or more distinct land use zones) may propose a site plan to density average or adjust the zone boundaries using topography, access, critical areas, or other site characteristics in order to provide a more effective transition

19. Townhome setbacks are reduced to zero (0) on an interior side yard setback where the units have a common wall for zero lot-line developments.

20. Townhome setbacks are reduced to five (5) feet on side yard setbacks provided the buildings meet a ten (10) feet separation between structures.

21. 85 percent impervious surface percentage applies to commercial development area, and the 75 percent coverage applies to multiple family development area.

Section 3. Chapter 19.14 MMC is hereby amended by amending MMC 19.14.130 to read as follows:

19.14.130 On-site recreation– Fee in-lieu of recreation space.

Nothing herein shall prohibit voluntary agreements with the city that allow a payment in lieu of providing on-site open space or recreation when a proposed development is located within 1,000 feet of an existing or proposed recreational facility, or if the project is located within Planning Area 1. Voluntary agreements for projects within Planning Area 1 must establish that the payments are utilized for park improvements within the Planning Area 1 boundary. (Ord. 2131, 1997).

19.14.140 On-site recreation– Acceptance criteria for fee in-lieu of recreation space.

City of Marysville acceptance of this payment is discretionary, and may be permitted if:

- (1) The proposed on-site recreation space does not meet the criteria of MMC 19.14.120(2); or
- (2) The recreation space provided within a public park in the vicinity will be of greater benefit to the prospective residents of the development. (Ord. 2131, 1997).

Section 4: Chapter 19.06 MMC is hereby amended by amending MMC 19.16.090 to read as follows:

19.16.090 Required landscape buffers.

Table 1

Proposed use	Adjacent use	Width of buffer	Type of buffer
Commercial	Property designated single-family by the Marysville comprehensive plan.	20'	A *
Commercial	Property designated multiple-family by the Marysville comprehensive plan.	10'	B *
Commercial, industrial, multi-family and business park parking areas and drive aisles	Public right-of-way or private access roads 30 feet wide or greater.	10'	C
Commercial, industrial, multi-family and business park parking areas and drive aisles	Public arterial right-of-way.	15'	C
Industrial and business parks	Property designated residential by the Marysville comprehensive plan.	25'	A
Industrial, Commercial and business park building and parking areas	I-5 or S.R. 9 right-of-way.	15'	B
Apartment, townhouse, or group residence	Property designated single-family by the Marysville comprehensive plan.	10'	A *
Storm water management facility	Public right-of-way or private access roads 30 feet wide or greater. ***	5'	E ***
Outside storage or waste area or above ground utility boxes		5'	A**
WCF and/or base station not in ROW	Property designated residential by the Marysville comprehensive plan or on property designated residential by the comprehensive plan.	10'	A*

* Plus a six-foot sight-obscuring fence or wall.

** Or a six-foot sight-obscuring fence or concrete wall.

*** Screening of storm water facilities shall be extended to cover all sides visible from a public right-of-way and shall be consistent with Section 4.1 (34-38) of the Administrative Landscaping Guidelines.

(Ord. 2625 § 5, 2006; Ord. 2480 § 2, 2003; Ord. 2412 § 1, 2002; Ord. 2298 § 18, 1999; Ord. 2151 § 13, 1997; Ord. 2145 § 9, 1997; Ord. 2131, 1997).

Section 5: Chapter 19.18 MMC is hereby amended by amending MMC 19.18.160 to read as follows:

19.18.160 Spaces required.

The required number of off-street parking spaces shall be in conformance with the following, and where alternative standards prevail, the greater applied in conflicting computations.

LAND USE	MINIMUM REQUIRED SPACES
RESIDENTIAL USES	
Single-family dwellings, duplexes, townhouses, and mobile homes	Two per dwelling; provided that a driveway or guest parking space (1 space per unit) is also required, where an enclosed private garage is utilized to meet required parking and provided further that parking spaces behind other required parking spaces (a.k.a. "tandem parking") will not be counted towards the total required parking in a development.
Accessory dwelling units	One space per dwelling unit
Multiple-family dwellings, one bedroom per unit	One and one-half per dwelling unit
Multiple-family dwellings, two or more bedrooms	One and three-fourths per dwelling unit
Retirement housing and apartments	One per dwelling
Mobile home parks	Two per unit, plus guest parking at one per four lots
Rooming houses, similar uses	One per dwelling
Bed and breakfast accommodations	One space for each room for rent, plus two spaces for the principal residential use
RECREATIONAL/CULTURAL USES	
Movie theaters	One per four seats
Stadiums, sports arenas and similar open assemblies	One per eight seats or one per 100 sq. ft. of assembly space without fixed seats
Dance halls and places of assembly w/o fixed seats	One per 75 sq. ft. of gross floor area
Bowling alleys	Five per lane
Skating rinks	One per 75 sq. ft. of gross floor area
Tennis courts, racquet clubs, handball courts and other similar commercial recreation	One space per 40 sq. ft. of gross floor area used for assembly, plus two per court
Swimming pools (indoor and outdoor)	One per 10 swimmers, based on pool capacity as defined by the Washington State Department of Health
Golf courses	Four spaces for each green, plus 50 percent of spaces otherwise required for any accessory uses (e.g., bars, restaurants)
Gymnasiums, health clubs	One space per each 200 sq. ft. of gross floor area
Churches, auditoriums and similar enclosed places of assembly	One per four seats or 60 lineal inches of pew or 40 sq. ft. gross floor area used for assembly
Art galleries and museums	One per 250 sq. ft. of gross floor area

COMMERCIAL/OFFICE USES	
Banks, business and professional offices (other than medical and dental) with on-site customer service	One per 400 sq. ft. gross floor area
Retail stores and personal service shops unless otherwise provided herein	If < 5,000 sq. ft. floor area, one per 600 sq. ft. gross floor area; If > 5,000 sq. ft. floor area, eight plus one per each 300 sq. ft. gross floor area
Grocery stores	One space per 200 sq. ft. of customer service area
Barber and beauty shops	One space per 200 sq. ft.
Motor vehicle sales and service	Two per service bay plus one per 1,000 sq. ft. of outdoor display
Motor vehicle or machinery repair, without sales	Two plus two per service bay
Mobile home and recreational vehicle sales	One per 3,000 sq. ft. of outdoor display area
Motels and hotels	One per unit or room
Restaurants, taverns, bars with on-premises consumption	If < 4,000 sq. ft. one per 200 sq. ft. gross floor area; If > 4,000 sq. ft. 20 plus one per 100 sq. ft. gross floor area
Drive-in restaurants and similar establishments, primarily for auto-borne customers	One per 75 sq. ft. of gross floor area. Stacking spaces shall be provided in accordance with MMC 19.18.095, Stacking spaces for drive-through facilities
Shopping centers	If < 15,000 sq. ft.: five spaces per 1,000 sq. ft. of gross floor area; If > than 15,000 sq. ft. of gross floor area: four spaces per 1,000 sq. ft. of gross floor area
Day care centers	One space per staff member, and one space per 10 students. A paved unobstructed pick-up area with adequate stacking spaces (as determined by the planning department) shall be set aside for dropping off and picking up children in a safe manner that will not cause the children to cross the parking area or lines of traffic
Funeral parlors, mortuaries or cemeteries	One per four seats or eight feet of bench or pew or one per 40 sq. ft. of assembly room used for services if no fixed seating is provided
Gasoline/service stations w/grocery	One per employee plus one per 200 sq. ft. gross floor area
Adult facilities as defined by MMC 19.06.012	One per 75 sq. ft. of gross floor area or, in the case of an adult drive-in theater, one per viewing space
HEALTH SERVICES USES	
Nursing homes, convalescent homes for aged	One per five beds plus one space per employee and medical staff
Medical and dental clinics	One per 200 sq. ft. gross floor area

Hospitals	One per two beds, excluding bassinets
EDUCATIONAL USES	
Elementary – Jr. high schools (public and private)	Five plus one per each employee and faculty member
Senior high schools (public and private)	One per each 10 students plus one per each employee or faculty member
Commercial/vocational schools	One per each employee plus one per each two students
PUBLIC/GOVERNMENT USES	
Public utility and governmental buildings	One per 400 sq. ft. of gross floor area
Libraries	One per 250 sq. ft. of gross floor area
MANUFACTURING/WAREHOUSE USES	
Manufacturing and industrial uses of all types, except a building used exclusively for warehouse purposes	One per 500 sq. ft. of gross floor area plus one per each two employees on maximum working shift
Warehouses, storage and wholesale businesses	One per each two employees on maximum working shift
Mini self-storage	One per each 50 storage cubicles equally distributed and proximate to storage buildings. In addition, one space for each 50 storage cubicles to be located at the project office

(Ord. 2526 § 12, 2004; Ord. 2298 § 22, 1999; Ord. 2131, 1997).

Section 6. Marysville Municipal Code Chapter 19.37 is hereby repealed:

Section 7: Chapter 20.24 MMC is hereby amended by amending MMC 20.24.060 to read as follows:

20.24.060 Building design with natural slope.

The design and development of subdivisions shall attempt to preserve the topography of the site by selection and location of buildings which fit the natural slope of the land. Proposals to alter geologic hazard areas will be reviewed in accordance with Chapter 19.24 MMC, Critical Areas Management. (Ord. 1986, 1994).

Section 8. Severability. If any section, subsection, sentence, clause, phrase or work of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

PASSED by the City Council and APPROVED by the Mayor this _____ day of _____, 2007.

CITY OF MARYSVILLE

By: _____
DENNIS L KENDALL, MAYOR

Attest:

By: _____
TRACY JEFFRIES, CITY CLERK

Approved as to form:

By: _____
GRANT K. WEED, CITY ATTORNEY

Date of Publication:

Effective Date:
(5 days after publication)



COMMUNITY DEVELOPMENT SERVICES
80 Columbia Avenue ♦ Marysville, WA 98270
(360) 363-8211 ♦ (360) 651-5099 FAX

MEMORANDUM

TO: Planning Commission

FROM: Gloria Hirashima, Community Development Director

DATE: July 2, 2007

RE: Development Code Revisions

Following is a list of proposed code amendments. The proposed amendment suggestions are compiled from staff as a result of (1) housekeeping suggestions to clarify existing code; (2) code revisions identified during project reviews or public forums that appear reasonable to accomplish city policy objectives; (3) letters and suggestions received by the department from citizens, developers and property owners. The Department tracks issues throughout the year and brings revisions through the Planning Commission at least annually.

1. 19.06.193 Family definition
2. 19.06.317 Senior housing definitions
3. 19.12.030 Delete RU zone references
4. 19.12.030 Maximum building coverage: Percentage – revise building coverage requirements.
5. 19.12.030 Residential zones Densities and Dimensions. Minimum side yard setback change notes related to townhomes in MF zones.
6. 19.12.030 Residential zones Densities and Dimensions. Change heights to 25' in R-4.5 and R-6.5 zones.
7. 19.12.030 Add Whiskey Ridge zones to matrix
8. 19.12.030(2)(14) Delete note.
9. 19.12.040(1) Resource and commercial/industrial zones Densities and Dimensions. MU zone - change interior setback, to side and rear. Add side at 5' note to go to 0' if common wall. Rear setback at 20'.
10. 19.12.040 adds the Whiskey Ridge zones to the chart.
11. 19.12.040(2)(17)- Downtown Commercial densities. DC – Eliminate note. Densities regulated by height only (no max)
12. 19.12.210, Building setbacks-Multiple-family dwellings and townhouse buildings. Repeal reference to 15' separation between buildings.
13. 19.14.100 & 19.14.110 Replace the open space requirements, outlined in Section 19.14.100 & 19.14.110, for small projects with a fee in lieu of provision.
14. 19.16.090 - Landscaping requirements- revise matrix.
15. 19.18.160 Spaces Required. Change parking ratios for townhouses and identify whether tandem parking is allowed.
16. 19.37 Repeal chapter.

17. 20.24.060 last sentence should be revised as follows: Proposals to alter geologic hazard areas will be reviewed in accordance with Chapter 19.24 MMC, Critical Areas Management.

Code Amendment No. 1:

Change definition for “family”. Our current definition is not compliant with the Federal Fair Housing Act as reflected by the United State Supreme Court's decision in Edmonds v. Oxford House, 115 S.Ct.1776 (1995). The following revised definition should address the concerns:

19.06.193 Family or household.

“Family” or “household” means an individual, two or more persons related by blood or marriage, ~~six or less unrelated persons~~, six or less related or unrelated persons, up to eight persons consisting of one or two adults and up to six persons under the age of 18 that may or may not be related, a group of two or more disabled residents protected under the Federal Fair Housing Amendment Act of 1988, adult family homes as defined under Washington State law, or a group living arrangement where eight or fewer residents receive supportive services such as counseling, foster care, or medical supervision at the dwelling unit by resident or nonresident staff. Up to six residents not related by blood or marriage who live together in a single-family dwelling or in conjunction with any of the above individuals or groups, shall also be considered a family. For purposes of this definition, minors living with parent or legal guardian shall not be counted as part of the maximum number of residents. (~~Ord. 2131, 1997~~).

Code Amendment No. 2:

Add a definition for “master planned senior community” that will be referenced in the use matrices.

19.06.317 Master planned senior community. A “master planned senior community” means a master plan for a site that incorporates a range of care options for senior citizens or disabled persons, including but not limited to independent senior housing, senior assisted living, and nursing homes. The proposed development must offer a continuum of care that offers varying degrees of assistance for individuals as it is needed. The community must include an integration of residential living units or beds, recreation, congregate dining, and on site medical facilities/services.

Code Amendment No. 3, 4, 5, 6, 7 & 8:

These amendments relate to the Residential zones, Densities and Dimensions chart. Several revisions are proposed within the chart. **Code amendment No. 3** is to repeal remove references to the RU (Rural Use) zone, as we no longer have any property zoned RU within the city limits. This was a transition zone used in the initial annexation of the Sunnyside area. Properties have since been rezoned to urban and recreation zones. **Code amendment No. 4** revises the building code coverage requirements. **Code amendment No. 5** revises the minimum side yard setback notes related to townhomes in MF zones. We are beginning to see townhome proposals which may or may not involve individual lots. The current code requires a 10’ side yard setback. This proposal would reduce the setback to 10’ structure separation, or 5’ side yard if on separate lots similar to single family residential dwellings and 0’ on an interior lot line where the townhome is a common

wall. **Code amendment No. 6** revises heights to 30' in R-4.5 and R-6.5 zones. Snohomish County and many other cities have a 25' building height maximum. We are beginning to see more 3 story dwellings in the City's single family zones which often look out of scale with adjoining single family houses and neighborhoods. We have received complaints from the public living in adjoining neighborhoods as more of these structures are built. This issue has become more apparent as we have annexed areas previously regulated by Snohomish County. **Code amendment No. 7** would add Whiskey Ridge zones to the use matrix. These zones were incorporated within the Whiskey Ridge subarea plan. A couple revisions are proposed: 1) changing the maximum building coverage in the WR 4-8 zone from 40% to 50%, similar to the R-8 zone; 2) incorporates the reference to notes 11 and 12 from code amendment No. 5 above; and 3) provides a broader allowance for dealing with split zoned parcels through density averaging. Incorporating the zones into the City's municipal code provides greater ease to the general public and greater consistency within the matrix notes. **Code amendment No. 8** would delete note 14 relating to minimum lot sizes outside Planning area 1. This note has been superseded by the small lot and PRD code revisions completed last year.

19.12.030 Residential zones.

(1) Densities and Dimensions.

	<u>RU</u>	R-4.5	R-6.5	R-8	R-12 (4 513)	R-18 (4 513)	R-28 (4 513)	<u>WR- R4-8</u> (16)(17)	<u>WR-R6-18</u> (13)(16)(17)
Density: Dwelling unit/acre (6)	0.4 <u>du/ae</u>	4.5 du/ac	6.5 du/ac	8 du/ac	12 du/ac	18 du/ac	28 du/ac	<u>4.5 du/ac</u>	<u>6 du/ac (detached sf)</u> <u>10 du/ac (attached multifamily)</u>
Maximum density: Dwelling unit/acre (1)	-	-	-	-	18 du/ac	27 du/ac	36 du/ac	<u>8 du/ac</u>	<u>18 du/ac</u>
Minimum street setback (3) (4 815)	30 ft	20 ft (8)	20 ft (8)	20 ft (8)	20 ft	25ft	25 ft	<u>20 ft (8)</u>	<u>20 ft</u>
Minimum side yard setback (3)	35 ft (9)	5 ft (10)	5 ft (10)	5 ft (10)	10 ft (10, <u>11, 12</u>)	10 ft (10, <u>11, 12</u>)	10 ft (10)	<u>5 ft (10, 11, 12)</u>	<u>10 ft (10, 11, 12)</u>
Minimum rear yard setback (3)	35 ft (9)	20 ft	20 ft	20 ft	25 ft	25 ft	25 ft	<u>20 ft</u>	<u>25 ft</u>
Base height	40 ft	30 ft	35 <u>30</u> ft	35 <u>30</u> ft	35 ft (4)	45 ft (4)	45 ft (4)	<u>30 ft</u>	<u>35 ft (4)</u>
Maximum building coverage: Percentage (5)	4% (11) (12)	35%	35%	40 <u>50</u> %	40 <u>50</u> %	45 <u>50</u> %	50%	<u>50%</u>	<u>40%</u>
Maximum	45%	45%	45%	50%	70%	70%	75%	<u>50%</u>	<u>70%</u>

impervious surface: Percentage (5)	(13)								
Minimum lot area	2.3 acres	5,000 sq. ft	5,000 sq. ft	4,000 sq. ft (14)	–	–	–	5,000 sf	=
Minimum lot area for duplexes (2)	2.3 acres	12,500 sq. ft	7,200 sq. ft	7,200 sq. ft	–	–	–	7,200 sf	=
Minimum lot width (3)	135 ft	60 ft	50 ft	40 ft	70 ft	70 ft	70 ft	40 ft	70 ft
Minimum lot frontage on cul-de-sac, sharp curve, or panhandle (1614)	20 ft	20 ft	20 ft	20 ft	–	–	–	20 ft	=
WCF height (17)	–	60 ft	60 ft	–	60 ft	60 ft	60 ft		

(2) Development Conditions.

1. a. The maximum density for [R-12, R-18 and R-28](#) multiple-family zones may be achieved only through the application of residential density incentive provisions outlined in Chapter 19.26 MMC.

b. The maximum net density for the single-family zones is the same as the base density; provided, that for PRD developments the maximum density may be increased by up to 20 percent only through the application of residential density incentive provisions outlined in Chapter 19.26 MMC.

[c. The maximum density for Whiskey Ridge subarea plan zones may be achieved only through the application of residential density incentive provisions outlined in Chapter 19.26 MMC.](#)

2. The minimum lot sizes for duplexes apply to lots or parcels which existed on or before the effective date of the ordinance codified in this chapter. All new duplex lots created through the subdivision or short subdivision process shall be a minimum of 7,200 square feet in size, must include a “duplex disclosure,” and comply with the density requirements of the comprehensive plan (six units per acre for the R-4.5 zone and eight units per acre for the R-6.5, ~~and R-8,~~ and WR R4-8 zones).

3. These standards may be modified under the provisions for zero lot line and townhome developments.

4. a. Height limits may be increased when portions of the structure which exceed the base height limit provide one additional foot of street and interior setback beyond the required setback for each foot above the base height limit; provided, that the maximum height may not exceed 60 feet.

b. Multiple-family developments, located outside of Planning Area 1, abutting or adjacent to areas zoned as single-family, or areas identified in the comprehensive plan as single-family, may have no more floors than the adjacent single-family dwellings, when single-family is the predominant adjacent land use.

5. Applies to each individual lot. Building coverage and impervious surface area standards for:

a. Regional uses shall be established at the time of permit review; or

b. Nonresidential uses in residential zones shall comply with MMC 19.12.200.

6. a. The densities listed for the single-family zones [and Whiskey Ridge zones WR4.5-8 & WR 6-18](#) are maximum net densities.

b. Mobile home parks shall be allowed a maximum density of eight dwelling units per acre, unless located in the R-4.5 or R-6.5 zones, in which case they are limited to the density of the underlying zone.

7. The standards of the R-4.5 zone shall apply if a lot is less than 15,000 square feet in area.

8. On a case-by-case basis, the street setback may be reduced to 10 feet; provided, that at least 20 linear feet of driveway is provided between any garage, carport, or other fenced parking area and the street property line, or the lot takes access from an alley. The linear distance shall be measured in a straight line from the nearest point of the garage, carport or fenced area to the access point at the street property line. In the case of platted lots, no more than two consecutive lots may be reduced to 10 feet.

9. Residences shall have a setback of at least 50 feet from any property line if adjoining an agricultural zone either within or outside the city limits.

10. For townhomes or apartment developments, the setback shall be the greater of:

a. 20 feet along any property line abutting R-4.5 through R-8, and [RU-WR R4-8](#) zones; or

b. The average setback of the R-4.5 through R-8 zoned [and platted](#) single-family detached dwelling units from the common property line separating said dwelling units from the adjacent townhome or apartment development, provided the required setback applied to said development shall not exceed 60 feet. The setback shall be measured from said property line to the closest point of each single-family detached dwelling unit, excluding projections allowed per MMC 19.12.160 and accessory structures existing at the time the townhome or apartment development receives approval by the city.

[11. Townhome setbacks are reduced to zero \(0\) on an interior side yard setback where the units have a common wall for zero lot-line developments.](#)

[12. Townhome setbacks are reduced to five \(5\) feet on side yard setbacks provided the buildings meet a ten \(10\) feet separation between structures.](#)

~~11. On any lot over one acre in area, an additional five percent may be used for buildings related to agricultural or forestry practices.~~

~~12. The maximum building coverage shall be 10 percent where the lot is between 1.0 and 1.25 acres in area. The maximum shall be 15 percent where the lot is less than one acre in area.~~

~~13. The impervious surface area shall be:~~

~~a. Twenty percent when the lot is between 1.0 and 1.25 acres; and~~

~~b. Thirty-five percent when the lot is less than one acre in area.~~

~~14. Outside Planning Area 1, in the single-family high density zone, the small lot zone will be allowed through the PRD process with the minimum lot size being 5,000 square feet.~~

~~4513. Single-family detached units on individual lots within the R-12-28, and WR 6-18 zones shall utilize the dimensional requirements of the R-8 zone, except the base density.~~

~~4614. Provided that the front yard setback shall be established as the point at which the lot meets the minimum width requirements. On a case-by-case basis, the street setback may be reduced to the minimum of 20 feet; provided, that the portion of the structure closest to the street is part of the "living area," to avoid having the garage become the predominant feature on the lot.~~

~~17. Heights may be increased to 160 feet on nonresidential land uses in R zones, including publicly owned facilities, if co-location is provided.~~

~~4815. Subject to MMC 19.06.580(2).~~

~~16. Required landscaping setbacks for developments on the north side of Soper Hill Road are 25 feet from the edge of sidewalk.~~

~~17. Projects with split zoning (two or more distinct land use zones) may propose a master site plan to density average at the zone edge or modify the zone boundaries using topography, access, critical areas, or other site characteristics in order to provide a more effective transition between land uses and zones. Approval is at the discretion of the Community Development Director.~~

(Ord. 2413 §§ 1, 2, 3, 2002; Ord. 2298 §§ 13, 14, 1999; Ord. 2151 § 10, 1997; Ord. 2145 §§ 5, 6, 1997; Ord. 2131, 1997).

Code Amendments No. 9, 10, and 11:

These amendments relate to the Resource and Commercial/Industrial zones Densities and Dimensions chart (MMC 19.12.040).

Code Amendment No. 9 would revise the MU zone setbacks. This would provide for rear setback for ground floor residential structures of 20'.

Code Amendment No. 10 would incorporate the Whiskey Ridge zones within the chart. The setbacks for townhomes are revised consistent with code amendment No. 5 above.

Code Amendment No. 11 would eliminate note 17 within the Downtown Commercial zones, and result in limiting densities by height and setback only.

1. MU zone - change interior setback, to side and rear. Add side at 5' note to go to 0' if common wall. Rear setback at 20'.
2. 19.12.030 Residential zones Densities and Dimensions. Change heights to 25' in R-4.5 and R-6.5 zones.
3. 19.12.040 Add Whiskey Ridge zones to matrix
4. 19.12.040(2)(17)- Downtown Commercial densities. DC – Eliminate note. Densities regulated by height only (no max)

19.12.040 Resource and commercial/industrial zones.

(1) Densities and Dimensions.

Standards	NB	CB	GC	DC	MU (4615)	BP	LI	GI	REC	P/I	<u>WR- MU (18)</u>	<u>WR- CB (18)</u>
Base density: Dwelling unit/acre	(8)	12	12	12	28 (1)	–	–	–	–	–	<u>12</u>	<u>–</u>
Maximum density: Dwelling unit/acre	–	None (4716)	None (4716)	None (47)	34 (2)	–	–	–	–	–	<u>18 (16)</u>	<u>–</u>
Minimum street setback (4)	20 ft.	None (10)	None (10)	None (10)	None (10) (11)	None (10)	None (10)	None (10)	20 ft.	None (10) (11)	<u>None (10) (11) (17)</u>	<u>None (10) (17)</u>
Minimum interior setback	10 ft. side 20 ft. rear	25 ft. None (6)	None ft. (6)	25 ft. None (6)	5 ft. (12) 20 ft. (12) 40 ft. (13)		25 ft. None (6) 50 ft. (7)	25 ft. None (6) 50 ft. (7)	25 ft. None (6)	25 ft. None (6)	<u>5 ft. (12) (19) (20)</u>	<u>None (6)</u>
Base height (9)	25 ft.	55 ft.	35 ft.	85 ft.	45 ft., 65 ft. (4413)	45 ft.	65 ft.	65 ft.	35 ft.	45 ft.	<u>45 ft.</u>	<u>55 ft.</u>
Maximum impervious surface: Percentage	75%	85%	85%	85%	85%, 75% (4514)	75%	85%	85%	35%	75%	<u>85%, 75% (21)</u>	<u>85%</u>
WCF height (18)	60 ft.	85 ft.	85 ft.	85 ft.	85 ft.	120 ft.	120 ft.	120 ft.	–			

(2) Development Conditions.

1. These densities are allowed only through the application of mixed use development standards.

2. These densities may only be achieved in the downtown portion of Planning Area 1 through the application of residential density incentives, see Chapter 19.26 MMC.
3. (Reserved).
4. Gas station pump islands shall be placed no closer than 25 feet to street front lines. Pump island canopies shall be placed no closer than 15 feet to street front lines.
5. (Reserved).
6. A 25-foot setback ~~only is~~ required on property lines adjoining residentially designated property; ~~otherwise no specific interior setback requirement.~~
7. A 50-foot setback only required on property lines adjoining residentially designated property for industrial uses established by conditional use permits, otherwise no specific interior setback requirement.
8. Residential units are permitted if located above a ground level commercial use.
9. Height limits may be increased when portions of the structure building which exceed the base height limit provide one additional foot of street and interior setback beyond the required setback for each foot above the base height limit.
10. Subject to sight distance review at driveways and street intersections.
11. A 20-foot setback is required for multiple-family structures outside of the downtown portion of Planning Area 1.
12. A ~~2015~~-foot setback is ~~only~~ required for ~~1) commercial~~ or multiple family structures on property lines adjoining single-family residentially designated property, and 2) a rear yard of a multi-story residential structure; otherwise no specific interior setback requirement. Interior setbacks may be reduced where features such as critical area(s) and buffer(s), public/private right of way or access easements, or other conditions provide a comparable setback or separation from adjoining uses.
- ~~13. A 10-foot setback is only required for multiple-family structures on property lines adjoining single-family residentially designated property, otherwise the minimum setback is five feet.~~
- ~~1413.~~ The 65-foot base height applies only to the downtown portion of Planning Area 1. The 45-foot base height applies to the southeast sector of the downtown vision plan area, as incorporated into the city of Marysville comprehensive plan.
- ~~1514.~~ The 85 percent impervious surface percentage applies to commercial developments, and the 75 percent rate applies to multiple-family developments.
- ~~1615.~~ Reduced building setbacks and height requirements may be approved on a case-by-case basis to provide flexibility for innovative development plans; provided, that variance requests which are greater than 10 percent of the required setback shall be considered by the hearing examiner.

~~1716.~~ Subject to the application of the residential density incentive requirements of Chapter 19.26 MMC.

~~18. Heights may be increased to 120 feet in commercial zones, 140 feet in industrial zones, including publicly owned facilities, if co-location is provided.~~

17. Required landscaping setbacks for developments on the north side of Soper Hill Road are 25 feet from the edge of sidewalk.

18. Projects with split zoning (two or more distinct land use zones) may propose a site plan to density average or adjust the zone boundaries using topography, access, critical areas, or other site characteristics in order to provide a more effective transition

19. Townhome setbacks are reduced to zero (0) on an interior side yard setback where the units have a common wall for zero lot-line developments.

20. Townhome setbacks are reduced to five (5) feet on side yard setbacks provided the buildings meet a ten (10) feet separation between structures.

21. 85 percent impervious surface percentage applies to commercial development area, and the 75 percent coverage applies to multiple family development area.

Code Amendment No. 12:

Code Amendment No. 12 proposes repeal of Section 19.12.210, Building setbacks-Multiple-family dwellings and townhouse buildings. The following code section would be repealed as follows:

~~19.12.210 Building setbacks—Multiple-family dwellings and townhouse buildings.~~

~~No multiple-family residential building or townhouse building, or portion of such building, shall be closer than 15 feet to any other building. (Ord. 2131, 1997).~~

Building setbacks are regulated in the bulk and dimensional sections of the code and are addressed within Code Amendments No. 5 & 9.

Code Amendment No. 13:

Code Amendment No. 13 proposed providing for a fee in lieu of option for recreation within Planning Area 1, or in the case of smaller projects. We have found that the open space requirements are difficult to meet in downtown infill projects. These provisions are likely restricting ability to redevelop multiple family within the downtown. In many smaller projects, the recreation areas are very limited and a fee-in-lieu of program could provide the basis for park improvements within the planning neighborhood.

(Ord. 2631 § 8, 2006; Ord. 2575 § 1, 2005; Ord. 2266 § 5, 1999; Ord. 2151 §§ 7, 8, 1997; Ord. 2131, 1997).

19.14.100 On-site recreation– Space required.

(1) Except when fees in lieu of commonly owned recreation space are provided pursuant to MMC 19.14.110 through 19.14.140, multiple-family developments in the R-12-28, P/I, or mixed use zones shall provide outdoor or active recreation space, or a combination thereof, in accordance with the following chart:

Type of dwelling unit	Outdoor open space	Active recreation facility
(a) Studio and one bedroom	90 square feet per unit	45 square feet per unit
(b) Two bedroom	130 square feet per unit	65 square feet per unit
(c) Three or more bedroom	170 square feet per unit	85 square feet per unit

(2) Any recreation space located outdoors shall:

- (a) Be of a grade and surface suitable for recreation;
- (b) Be on the site of the proposed development;
- (c) Be one continuous parcel if less than 3,000 square feet in size, not to be located in the front yard setback;
- (d) Have no dimensions less than 30 feet (except trail segments);
- (e) In an apartment or townhome development, have a street roadway or parking area frontage along 10 to 50 percent of the recreation space perimeter (except trail segments); and
- (f) Be centrally located and accessible and convenient to all residents within the development.

(3) Indoor recreation areas may be credited towards the total recreation space requirement, when the city determines that such areas are located, designed and improved in a manner which provides recreational opportunities functionally equivalent to those recreational opportunities available outdoors.

(4) Active recreation facilities may include, but are not limited to, exercise rooms, sport courts, swimming pools, tennis courts, game rooms, or community centers. Outdoor open space shall not include areas devoted to parking or vehicular access, and should be one continuous tract. (Ord. 2631 § 11, 2006; Ord. 2298 § 17, 1999; Ord. 2131, 1997).

19.14.110 On-site recreation– Play areas required.

(1) All apartment, and townhome development, excluding senior citizen apartments, shall provide tot/children play areas within the recreation space on-site, except when facilities are available within 1/4 mile that are developed as public parks or playgrounds and are accessible without the crossing of arterial streets.

(2) If any play apparatus is provided in the play area, the apparatus shall meet Consumer Product Safety Standards for equipment, soft surfacing and spacing, and shall be located in an area that is:

- (a) At least 400 square feet in size with no dimension less than 20 feet; and
- (b) Adjacent to main pedestrian paths or near building entrances;
- (c) Visual access from adjacent residential structures is provided. (Ord. 2131, 1997).

19.14.120 On-site recreation– Maintenance of recreation space or dedication.

(1) Unless the recreation space is dedicated to city of Marysville pursuant to subsection (2) of this section, maintenance of any recreation space retained in private ownership shall be the responsibility of the owner or other separate entity capable of long-term maintenance and operation in a manner acceptable to the city.

(2) Recreation space may be dedicated as a public park when the following criteria are met:

- (a) The dedicated area is at least 1.5 acres in size, except when adjacent to an existing or planned public park;

(b) The dedicated land provides one or more of the following:

- (i) Shoreline access,
- (ii) Regional trail linkages,
- (iii) Habitat linkages,
- (iv) Recreation facilities, or
- (v) Heritage sites;

(c) The entire dedicated area is located less than one mile from the project site. (Ord. 2131, 1997).

19.14.130 On-site recreation– Fee in-lieu of recreation space.

Nothing herein shall prohibit voluntary agreements with the city that allow a payment in lieu of providing on-site open space or recreation when a proposed development is located within 1,000 feet of an existing or proposed recreational facility, or if the project is located within Planning Area 1. Voluntary agreements for projects within Planning Area 1 must establish that the payments are utilized for park improvements within the Planning Area 1 boundary. (Ord. 2131, 1997).

19.14.140 On-site recreation– Acceptance criteria for fee in-lieu of recreation space.

City of Marysville acceptance of this payment is discretionary, and may be permitted if:

- (1) The proposed on-site recreation space does not meet the criteria of MMC 19.14.120(2); or
- (2) The recreation space provided within a public park in the vicinity will be of greater benefit to the prospective residents of the development. (Ord. 2131, 1997).

Code Amendment No. 14:

Code Amendment No. 14 proposed revising the landscape buffer table as follows:

19.16.090 Required landscape buffers.

Table 1

Proposed use	Adjacent use	Width of buffer	Type of buffer
Commercial	Property designated single-family by the Marysville comprehensive plan.	20'	A *
Commercial	Property designated multiple-family by the Marysville comprehensive plan.	10'	B *
Commercial, industrial, <u>multi-family</u> and business park parking areas and drive aisles	Public right-of-way or private access roads 30 feet wide or greater.	10'	C
Commercial, industrial, <u>multi-family</u> and business park parking areas and drive aisles	Public arterial right-of-way.	<u>20'15'</u>	C
Industrial and business parks	Property designated residential by the Marysville comprehensive plan.	25'	A
Industrial, <u>Commercial</u> and business park building and	I-5 or S.R. 9 right-of-way.	<u>25'15'</u>	B

parking areas			
Apartment, townhouse, or group residence	Property designated single-family by the Marysville comprehensive plan.	10'	A *
Storm water management facility	Public right-of-way or private access roads 30 feet wide or greater. ***	5'	E ***
Outside storage or waste area or above ground utility boxes		5'	A**
WCF and/or base station not in ROW	Property designated residential by the Marysville comprehensive plan or on property designated residential by the comprehensive plan.	10'	A*

* Plus a six-foot sight-obscuring fence or wall.

** Or a six-foot sight-obscuring fence or concrete wall.

*** Screening of storm water facilities shall be extended to cover all sides visible from a public right-of-way and shall be consistent with Section 4.1 (34-38) of the Administrative Landscaping Guidelines.

(Ord. 2625 § 5, 2006; Ord. 2480 § 2, 2003; Ord. 2412 § 1, 2002; Ord. 2298 § 18, 1999; Ord. 2151 § 13, 1997; Ord. 2145 § 9, 1997; Ord. 2131, 1997).

Code Amendment No. 15:

Code Amendment No. 15 would revise parking requirements to disallow tandem parking. The Marysville Fire District has expressed concerns about recent proposals to use tandem parking to meet minimum required parking spaces. They are concerned that this results in adequate functional parking within a development and results in illegally parked vehicles causing problems for public access.

We have also encountered proposals to use garages only without a driveway for the unit. This can also result in parking shortages if the homeowner uses the garage for storage instead of parking, has more than two vehicles, or when the unit has guests or visitors. In situations where there is only a private driveway access easement, there is no on-street parking available which can also result in vehicles illegally parking within required access drive aisles.

19.18.160 Spaces required.

The required number of off-street parking spaces shall be in conformance with the following, and where alternative standards prevail, the greater applied in conflicting computations.

LAND USE	MINIMUM REQUIRED SPACES
RESIDENTIAL USES	
Single-family dwellings, duplexes, townhouses, and mobile homes	Two per dwelling; driveways may be counted as one parking space; <u>a driveway or guest parking (1 space per unit) where an enclosed private garage is utilized to meet required parking.</u>
Accessory dwelling units	One space per dwelling unit

Multiple-family dwellings, one bedroom per unit	One and one-half per dwelling unit
Multiple-family dwellings, two or more bedrooms	One and three-fourths per dwelling unit
Retirement housing and apartments	One per dwelling
Mobile home parks	Two per unit, plus guest parking at one per four lots
Rooming houses, similar uses	One per dwelling
Bed and breakfast accommodations	One space for each room for rent, plus two spaces for the principal residential use
RECREATIONAL/CULTURAL USES	
Movie theaters	One per four seats
Stadiums, sports arenas and similar open assemblies	One per eight seats or one per 100 sq. ft. of assembly space without fixed seats
Dance halls and places of assembly w/o fixed seats	One per 75 sq. ft. of gross floor area
Bowling alleys	Five per lane
Skating rinks	One per 75 sq. ft. of gross floor area
Tennis courts, racquet clubs, handball courts and other similar commercial recreation	One space per 40 sq. ft. of gross floor area used for assembly, plus two per court
Swimming pools (indoor and outdoor)	One per 10 swimmers, based on pool capacity as defined by the Washington State Department of Health
Golf courses	Four spaces for each green, plus 50 percent of spaces otherwise required for any accessory uses (e.g., bars, restaurants)
Gymnasiums, health clubs	One space per each 200 sq. ft. of gross floor area
Churches, auditoriums and similar enclosed places of assembly	One per four seats or 60 lineal inches of pew or 40 sq. ft. gross floor area used for assembly
Art galleries and museums	One per 250 sq. ft. of gross floor area
COMMERCIAL/OFFICE USES	
Banks, business and professional offices (other than medical and dental) with on-site customer service	One per 400 sq. ft. gross floor area
Retail stores and personal service shops unless otherwise provided herein	If < 5,000 sq. ft. floor area, one per 600 sq. ft. gross floor area; If > 5,000 sq. ft. floor area, eight plus one per each 300 sq. ft. gross floor area
Grocery stores	One space per 200 sq. ft. of customer service area
Barber and beauty shops	One space per 200 sq. ft.
Motor vehicle sales and service	Two per service bay plus one per 1,000 sq. ft. of outdoor display
Motor vehicle or machinery repair,	Two plus two per service bay

without sales	
Mobile home and recreational vehicle sales	One per 3,000 sq. ft. of outdoor display area
Motels and hotels	One per unit or room
Restaurants, taverns, bars with on-premises consumption	If < 4,000 sq. ft. one per 200 sq. ft. gross floor area; If > 4,000 sq. ft. 20 plus one per 100 sq. ft. gross floor area
Drive-in restaurants and similar establishments, primarily for auto-borne customers	One per 75 sq. ft. of gross floor area. Stacking spaces shall be provided in accordance with MMC 19.18.095, Stacking spaces for drive-through facilities
Shopping centers	If < 15,000 sq. ft.: five spaces per 1,000 sq. ft. of gross floor area; If > than 15,000 sq. ft. of gross floor area: four spaces per 1,000 sq. ft. of gross floor area
Day care centers	One space per staff member, and one space per 10 students. A paved unobstructed pick-up area with adequate stacking spaces (as determined by the planning department) shall be set aside for dropping off and picking up children in a safe manner that will not cause the children to cross the parking area or lines of traffic
Funeral parlors, mortuaries or cemeteries	One per four seats or eight feet of bench or pew or one per 40 sq. ft. of assembly room used for services if no fixed seating is provided
Gasoline/service stations w/grocery	One per employee plus one per 200 sq. ft. gross floor area
Adult facilities as defined by MMC 19.06.012	One per 75 sq. ft. of gross floor area or, in the case of an adult drive-in theater, one per viewing space
HEALTH SERVICES USES	
Nursing homes, convalescent homes for aged	One per five beds plus one space per employee and medical staff
Medical and dental clinics	One per 200 sq. ft. gross floor area
Hospitals	One per two beds, excluding bassinets
EDUCATIONAL USES	
Elementary – Jr. high schools (public and private)	Five plus one per each employee and faculty member
Senior high schools (public and private)	One per each 10 students plus one per each employee or faculty member
Commercial/vocational schools	One per each employee plus one per each two students
PUBLIC/GOVERNMENT USES	
Public utility and governmental buildings	One per 400 sq. ft. of gross floor area
Libraries	One per 250 sq. ft. of gross floor area
MANUFACTURING/WAREHOUSE USES	
Manufacturing and industrial uses of	One per 500 sq. ft. of gross floor area plus one per each two

all types, except a building used exclusively for warehouse purposes	employees on maximum working shift
Warehouses, storage and wholesale businesses	One per each two employees on maximum working shift
Mini self-storage	One per each 50 storage cubicles equally distributed and proximate to storage buildings. In addition, one space for each 50 storage cubicles to be located at the project office

(Ord. 2526 § 12, 2004; Ord. 2298 § 22, 1999; Ord. 2131, 1997).

Code Amendment No. 16 would repeal Chapter 19.37, Freeway Service Zone. This zone is not used in the City and there are no properties zoned Freeway Service.

~~Chapter 19.37~~

~~FREEWAY SERVICE ZONE~~

~~Sections:~~

~~19.37.010 Purpose:~~

~~19.37.020 Establishing in certain areas:~~

~~19.37.030 Permitted uses:~~

~~19.37.040 Conditional uses:~~

~~19.37.050 Lot area:~~

~~19.37.060 Lot width:~~

~~19.37.070 Yards:~~

~~19.37.080 Height regulations:~~

~~19.37.090 Lot coverage:~~

~~19.37.100 Parking:~~

~~19.37.110 Screening:~~

~~19.37.120 Issuing building permits:~~

~~19.37.130 Granting permission for an FS zone:~~

~~19.37.010 Purpose:~~

~~The purpose of establishing the freeway service (FS) zone is to permit the location of needed freeway commercial facilities in the vicinity of on and off ramp frontage and access roads of limited access highways with a minimum of traffic congestion in the vicinity of the ramp. Permitted uses are therefore limited to commercial establishments required by highway users. Certain performance standards, subject to hearing examiner review, are included to protect the freeway design. (Ord. 2131, 1997).~~

~~19.37.020 Establishing in certain areas:~~

~~The FS zone is to be established only upon land abutting a frontage or access road of a limited access highway and under single ownership or unified control. The proposed development plan for the zone must include provisions for the elimination of existing uses which are made nonconforming by the rezoning amendments. (Ord. 2131, 1997).~~

~~19.37.030 Permitted uses:~~

~~The following are permitted uses in an FS zone:~~

- ~~(1) Motor vehicle and boat dealers;~~
- ~~(2) Motorcycle dealers;~~
- ~~(3) Building, hardware and garden materials;~~
- ~~(4) Department and variety stores;~~
- ~~(5) Gasoline service stations;~~
- ~~(6) Eating and drinking establishments;~~
- ~~(7) Drug stores;~~
- ~~(8) Liquor stores;~~
- ~~(9) Sporting goods and related stores;~~
- ~~(10) Books, stationery, video and art supply stores;~~
- ~~(11) Jewelry stores;~~
- ~~(12) Hobby, toy and game shops;~~
- ~~(13) Photographic and electronic shops;~~
- ~~(14) Fabric and crafts shops;~~
- ~~(15) Florist shops;~~
- ~~(16) Pet shops;~~
- ~~(17) Tire stores;~~
- ~~(18) Bulk retail;~~
- ~~(19) Retail stores similar to those otherwise named on this list;~~
- ~~(20) Theaters;~~
- ~~(21) Hotels/motels;~~
- ~~(22) Forest product sales;~~
- ~~(23) Banks;~~
- ~~(24) Grocery stores. (Ord. 2526 § 15, 2004; Ord. 2131, 1997).~~

~~19.37.040 Conditional uses:~~

~~The following are conditional uses in a FS zone:~~

- ~~(1) Mini-storage facilities;~~
- ~~(2) Park and ride facilities. (Ord. 2526 § 16, 2004; Ord. 2131, 1997).~~

~~19.37.050 Lot area:~~

~~No minimum site area shall be required except as required by the planning commission in considering the site plan for approval. (Ord. 2131, 1997).~~

~~19.37.060 Lot width:~~

~~There are no lot width requirements in an FS zone. (Ord. 2131, 1997).~~

~~19.37.070 Yards:~~

~~(1) There shall be a minimum setback from all public or private rights-of-way and all easements as outlined herein.~~

~~(2) There shall be a minimum setback of 25 feet from any FS zone rear or side property line adjoining a residential area or zone. If not adjoining a residential area or zone, the minimum setback shall be five feet from the side yard line and 15 feet from the rear yard line. (Ord. 2131, 1997).~~

~~19.37.080 Height regulations:~~

~~Buildings, sign and structure height shall not exceed 35 feet as measured at the front face of the building unless modified herein. (Ord. 2131, 1997).~~

~~19.37.090 Lot coverage:~~

~~There are no lot coverage requirements in an FS zone. (Ord. 2131, 1997).~~

~~19.37.100 Parking:~~

~~Parking shall be provided as outlined in Chapter 19.18 MMC. (Ord. 2131, 1997).~~

~~19.37.110 Screening:~~

~~Each development shall be permanently screened from adjoining and contiguous residential areas or zone by a wall, fence, greenbelt or other enclosure approved by the hearing examiner of minimum height of four feet and maximum height of seven feet. No signs shall be permitted on any part of a screening enclosure unless equivalent screening is provided by existing parks, parkways, recreational areas or by topography or other natural conditions. No screening shall be required when abutting existing parks, parkways, recreation areas or by topography or other natural conditions. (Ord. 2131, 1997).~~

~~19.37.120 Issuing building permits:~~

~~Prior to the issuance of the building permit for any structure in an FS zone, a site plan for the zone, indicating the provisions for acceleration and deceleration lanes, ingress and egress driveways, curbing, internal traffic circulation and parking, the location of structures, and the floor area devoted to accessory uses must be reviewed and approved by the planning commission. Where only partial development of the zone is involved, the hearing examiner will evaluate the partial development plans as they contribute to or limit the possible ultimate development of the zone. (Ord. 2131, 1997).~~

~~19.37.130 Granting permission for an FS zone:~~

~~Prior to formal hearing examiner consideration for the granting of an FS zone, the planning department shall have on file the engineer's written evaluation of the adequacy of the proposed traffic control measures and the effect of the applicant's proposal on the proper functioning of the freeway interchange. Where a state facility is involved, the county engineer's evaluation shall include an evaluation by the State Highway District Engineer. (Ord. 2131, 1997).~~

~~20.24.060 Building design with natural slope:~~

~~The design and development of subdivisions shall attempt to preserve the topography of the site by selection and location of buildings which fit the natural slope of the land. Proposals to alter geologic hazard areas will be reviewed in accordance with Chapter 18.28 MMC, Sensitive Areas Management. (Ord. 1986, 1994).~~

Code Amendment No. 17:

Code Amendment No. 17 proposed revision of a reference to the critical areas code that is incorrect. It should be revised as follows:

20.24.060 Building design with natural slope.

The design and development of subdivisions shall attempt to preserve the topography of the site by selection and location of buildings which fit the natural slope of the land. Proposals to alter geologic hazard areas will be reviewed in accordance with Chapter ~~18.28 MMC, Sensitive Areas Management~~[19.24 MMC, Critical Areas Management](#). (Ord. 1986, 1994).

MARYSVILLE PLANNING COMMISSION

June 12, 2007

7:00 p.m.

City Hall

CALL TO ORDER

Chairman Muller called the June 12, 2007 meeting of the Marysville Planning Commission to order at 7:00 p.m. The following staff and commissioners were noted as being in attendance.

Chairman: Steve Muller

Commissioners: Deirdre Kvangnes, Jerry Andes, Dave Voigt, Becky Foster
Steve Leifer, Toni Mathews

Staff: Gloria Hirashima, Community Development Director
Kevin Nielsen, City Engineer/Asst. Public Works Director
Laurie Hugdahl, Recording Secretary

Other: Michael Stringan, Perteet Inc., Consultant

APPROVAL OF MINUTES

May 22, 2007

Motion made by Commissioner Kvangnes, seconded by Commissioner Andes, to approve the 5/22/07 Planning Commission minutes as presented. Motion passed unanimously (6-0).

AUDIENCE PARTICIPATION

Chairman Muller explained that the meeting was a workshop and there would be not public comments taken other than those regarding items not already on the agenda. He noted that there had been a misprint in the *Herald* about the date of the hearing regarding the Whiskey Ridge roads. That hearing was expected to occur on July 24, not tonight. He then solicited public comment on items not already on the agenda. There were none.

HEARING

None.

NEW BUSINESS

1. 2007 City-initiated Comprehensive Plan Amendments (Whiskey Ridge roads)

Community Development Director Gloria Hirashima explained that the City Council had remanded the alignment issue back to the Planning Commission. City Engineer Kevin Nielsen reviewed the history of this issue and discussed the various alternative alignments of the two sections: 67th Avenue to 71st Avenue and 40th Street extension to SR 92.

Consultant Michael Stringan of Perteet, Inc. reviewed the City's 2005 Comprehensive Plan regarding the Whiskey Ridge area. He also discussed the principles considered when planning arterial streets. He reviewed previous planning efforts and discussed the increased traffic in the area and the proposed connections between 67th and 71st.

Chairman Muller asked about the capacity of roundabouts. Mr. Stringan said that it depended on the number of lanes and the diameter of the roundabout. He noted that larger volumes of traffic require larger diameters. He explained that the benefit of roundabouts is experienced primarily during the times when it is not peak traffic because traffic can flow smoothly without traffic lights.

He then reviewed the proposed 40th Street NE to SR 92 alignment. He commented that this could be done between Highway 9 and 87th although it would have some restrictions.

Commissioner Leifer asked if there was an assumption of five lanes on north-south arterials. Mr. Stringan replied that they were trying to avoid five lanes because of the additional right-of-way that would be required. He explained that they also had to accommodate bicycle lanes and transit.

Commissioner Leifer asked why the principles behind road development would not apply here. Mr. Stringan replied that they wouldn't work here because this neighborhood is already developed. Commissioner Leifer suggested that they might need to consider the principles even though there are impacts to neighborhoods. Mr. Stringan responded that their opinion was that this neighborhood would be okay in the long term with what is being proposed. He discussed the possibility that Highway 9 might become a controlled access highway in the future and noted that the City would need to consider this. He pointed out that in other areas, such as Smokey Point, Perteet has recommended more progressive planning.

Vice Chairman Voigt asked what modeling numbers justified the five lanes for the SR 92 leg going west for the 87th/40th Street/SR 92 alignment. Mr. Stringan referred to Figure 1 of the Transportation Needs Evaluation on the tech memo which showed the actual traffic volumes. He noted that there was 15,000 vehicles per day east of

83rd. This was in addition to the additional through traffic that would result from 87th and would be above the threshold for a 3-lane arterial. Kevin Nielsen explained that they have met with the State regarding this and they appear to be favorable to this location.

Vice Chairman Voigt asked what the traffic counts were going south from the intersection at Soper Hill/Sunnyside/71st. Mr. Stringan explained that the information on page 10 shows traffic projections for 2025, not actual traffic counts. The area south of Soper Hill is outside of the City's jurisdiction and therefore outside of the model. However, this is the area where there are some major discrepancies. The inputs they had used were from the previous PSRC traffic model from 2000. The consultants found that Sunnyside just south of Soper Hill in 1999 was about 200 vehicles per hour. The current counts in 2007 indicate that that has increased to nearly 500 vehicles per hour. The projection from the old Marysville model was that by 2025 that volume would be 572. The new PSRC model is showing a figure in excess of 1000 vehicles/hour. The consultants are concerned that the numbers they derived using the old Marysville model are a little bit low. He commented that they think this is probably due to through traffic.

Vice Chairman Voigt then referred to the spacing guidelines that had been stated. He said that this area doesn't seem to be well-suited to applying those guidelines in a strict sense, noting complicated issues in this area such as topography, ponds, and sensitive areas. He expressed concern regarding the steepness of the grade on the 67th to 71st alignment. He was concerned that this might be a poor choice for an arterial. Vice Chairman Voigt stated that he would prefer Sunnyside as an arterial since it is much more driveable and would be more suited to heavier traffic flow.

Chairman Muller commented that it appeared that roundabouts would mitigate a lot of concerns from landowners and also accommodate the projected traffic volumes. He asked why they couldn't apply the same thing between 67th and 71st. Mr. Stringan stated that they could if they used the 44th Street alignment. Mr. Muller asked if it would have an effect on the level of service in that area. Mr. Stringan replied that it would have a marginal effect on the level of service. He did not think it could be done on the 40th Street alignment. This alignment would have too many issues with topography and the amount the traffic that is already projected for the east-west direction on 40th. There was discussion about various alignments and locations for roundabouts. Chairman Muller discussed trying to minimize impacts to developers and residents in that area by working with existing grids and avoiding the curved roads through the area. Mr. Nielsen said they could have the consultants run the numbers on his proposal to see how that would work.

Commissioner Kvangnes asked about the benefits of roundabouts. Mr. Stringan explained that they move cars more safely. There was a discussion of roundabouts versus intersections.

Mr. Stringan commented that a roundabout at 67th and 44th would probably need to be about 150 feet in diameter.

Chairman Muller thanked Mr. Stringan and Kevin Nielsen for the information.

2. 2007 Development Regulations Update (postponed to next meeting)

3. Planning Commission Training – Legal Updates

City Attorney Craig Knutson delivered legal training to the Planning Commission regarding the following:

- Appearance of Fairness Doctrine
- Conflict of Interest Law
- Regulatory Takings Law
- Recent Court Decisions

COMMENTS FROM COMMISSIONERS

None.

NEXT MEETING

- **June 26, 2007**

ADJOURNMENT

Seeing no further business, Chairman Muller solicited a motion to adjourn. **Motion** made by Commissioner Foster, seconded by Commissioner Kvangnes to adjourn at 9:34 p.m. **Motion** passed unanimously (6-0).

Laurie Hugdahl, Recording Secretary

MARYSVILLE PLANNING COMMISSION

June 26, 2007

7:00 p.m.

City Hall

CALL TO ORDER

Vice Chairman Dave Voigt called the June 26, 2007 meeting of the Marysville Planning Commission to order at 7:10 p.m. The following staff and commissioners were noted as being in attendance.

Vice Chairman: Dave Voigt

Commissioners: Jerry Andes, Becky Foster, Steve Leifer, Toni Mathews

Staff:
Gloria Hirashima, Community Director
Chris Holland, Senior Planner
Valeri Dean, Recording Secretary

Absent: Chairman Steve Muller and Commissioner Deirdre Kvangnes

APPROVAL OF MINUTES

June 12, 2007

Motion made by Commissioner Foster, seconded by Commissioner Matthews, to approve the 6/12/07 Planning Commission minutes as written. Motion passed unanimously (4-0).

AUDIENCE PARTICIPATION

Vice Chairman Voigt solicited public comment on items not already on the agenda. There were none.

PUBLIC HEARING - None

NEW BUSINESS

1. 2007 Citizen-Initiated Comprehensive Plan Amendments

Amendment 1

Mr. Holland noted that the proposal involved a.4 acre parcel on the southeast corner of 47th and 3rd. Wayne Christianson has requested that the parcel be re-designated from a high-density-single-family use to mixed-use.

Staff has reviewed the request and believes that a neighborhood business classification would better fit the existing neighborhood and would limit the uses as opposed to the mixed-

use designation which also allows high-density-multi-family... The staff brings this recommendation subject to three conditions: 1) right-of-way dedication along 47th; 2) access restricted to 47th only; 3) any future action is required to comply with the neighborhood-business design and development standard outlined in the Marysville Comprehensive Plan.

Mr. Holland then inquired if there were any other needs of the Commission prior to setting a date for the public hearing.

Vice Chairman Voigt asked if there was anything new in the packet submitted today. Mr. Holland said that there was a little more in-depth analysis based on the code comp plan criteria and standards that applies.

Commissioner Mathews inquired about a letter received from a law firm. Mr. Holland confirmed that a letter was received from Anderson Hunter Law Firm, who represents Madeline Villa, which is directly south of the project site. They had concerns about the mixed-use land use designation and the types of uses that it would allow. Any commercial land use is required to provide protection to residential land uses. Madeline Villa is in a residential designated neighborhood, therefore, any projects on the south side would be required to provide both landscaping and fencing along the south and east boundary to protect the residential designated neighborhood properties. The proposed change includes the protection from the surrounding land uses.

Vice Chairman Voigt asked if the proponent was still seeking mixed use. Senior Planner Holland said that they were comfortable with the staff recommendation because it still allows them to move forward with their plan.

Commissioner Mathews asked if the recommendation indeed allows the proponent to do what they are planning. Mr. Holland said yes, the neighborhood business and the mixed-use designations allow very similar land uses for commercial. The difference is mixed use allows you to build apartment complexes at a high density rate; where the neighborhood business specifies that all multi-family uses have to be above the ground floor of commercial use.

Vice Chairman Voigt asked what action the Commission was being asked to take. Mr. Holland said he was seeking any additional information the Commission might want in preparation for the public hearing. None noted by the Commissioners.

Amendment 2

The second citizen-imitated amendment is located in the Lakewood area and submitted by Joel Hylback and Ronald Young. This parcel is currently designated to general commercial and is butting Twin Lakes Park on the north boundary. The initial request was a larger request area (one individual parcel and a ½ of parcel to the east). The applicants have requested to withdraw the western most parcels from the request. They are requesting to change the land use from general commercial to mixed-use only on the eastern 3 acres. Staff reviewed and recommends approval with the condition of right-of-way for future improvements along 164th Street, NE and 27th Avenue, NE.

Note: Both of these recommendations have been forwarded to both applicants with a potential date of July 24, 2007 for a public hearing.

City-Initiated Amendments

Amendment 1

Director Hirashima reviewed the proposed comprehensive plan amendment to repeal ordinance 2487 which allows a master site plan over sixty acres to designate twenty percent of the gross site area for residential uses and infrastructure. This applies to the Smokey Point Subarea Plan boundary (east of Interstate 5, west of Hayho Creek, north of 152nd Street NE and south of the city of Arlington. This was a provision that was adopted within the subarea plan in 2004. This amendment would repeal the subarea plan. Currently the City Council has adopted a moratorium ordinance to prohibit new applications from being submitted under the residential site plan allowance. Council has directed staff to review repeal of the provisions during this cycle.

Commissioner Foster asked if after and when this is repealed, we will re-do the plan. Director Hirashima said, no, because when this plan was adopted, the city concurrently rezoned the area to general commercial so this would repeal the allowance for residential use.

Amendment 2

Director Hirashima - Comprehensive plan text amendment to page 4-6 of the Comprehensive Plan regarding rezones to bordering zones. This is a language change. Currently it says, "Property at the edges of land use districts can make application to rezone property to the bordering zone without applying for a comprehensive plan amendment. However, the burden of proof is on the applicant to demonstrate basis for the rezone. At the last workshop we discussed the size limitation and excluding critical areas in the calculation. This change is now reflected in the amendment.

Vice Chairman Voigt asked if the acreage number is still a loose/flexible number. Director Hirashima said that here it is not because it is limited to 10 acres. Beyond the 10 acres a request can be made through the comprehensive plan amendment cycle. This also provides more guidance for applicants.

Amendment 3

Director Hirashima - Lakewood and Smokey Point Arterial Maps. The classification terminology used by Perteet is different from the City's Engineering design standards. A request has been made to Perteet to update the maps conforming to the City's standard. Example: Blue lines are our minors, the map shows collectors.

Commissioner Leifer asks to confirm what our terminology means. Director Hirashima responds with minor = 3 lanes, principles = 5 lanes, and collectors = 2 lanes. Commissioner

Leifer notes that wording in the second paragraph should be “a minor arterial is 3 lanes”. Director Hirashima will correct.

Commissioner Andes clarified that State Avenue as it goes north to 116th will be a principle arterial at 5 lanes. He also asked if there was anything bigger than that proposed. Director Hirashima said no.

Commissioner Andes asked about 4th street and what it is supposed to be. Director Hirashima said that 4th street is designated a principle arterial and it is a five-lane plan section except for 4 lanes across the bridge. 4th street will soon be re-stripped as the five-lane section. Also, some of the new roads, for instance 156th street is shown as a minor but that will go to principle and then will be a major road and potentially a new interchange.

Amendment 4

Director Hirashima - The City has studied extension of Delta Avenue between 10th Street and Grove Street. The City of Marysville owns a strip of land along the east edge of the Burlington Northern Railroad tracks along several of these properties as depicted in the attached map. An alley paralleling State Avenue would provide an alternate point of access to properties along State Avenue. The alley width will be a minimum of 20' in width. This would provide internal connectivity along the west side of State Avenue.

Commissioner Leifer asked about the Dunn Lumber building and if there was room to squeeze by. Director Hirashima said that it was a challenge due to the right-of-way does not exist presently or a tract of land does not exist. In order to provide an alley there would have to have a strip along the west edge of the property.

Vice Chairman Voigt asked if this would reduce the driveway accesses off of State Avenue. Director Hirashima said that it would potentially mean that people can go from business to business without going out onto State Avenue; this would provide an additional roadway that would eliminate some of the access movement onto State Avenue.

Vice Chairman Voigt stated that he was not convinced that the effort and expense and trouble is worth it; and asked if there were any definitive trip studies or anything to confirm that this is a problem presently. Director Hirashima said that these properties only have one point of access onto State Avenue and that it would be a benefit to have a through access and to give better access to the businesses and properties. Also there is a strip that exists that goes from 10th Street to the back of this property that we are in.

Note: The Commission did not receive map in packet. The Commissioners took time to review copy from Vice Chairman Voigt.

Vice Chairman Voigt asked if the businesses affected by this were willing to do it as an LID, if it benefits them. Director Hirashima said that this would likely be a City project due to the fact that the City owns most of the property.

Commissioner Andes asked if there would be light at Delta and 4th. Director Hirashima said there was no light proposed at Delta and 4th. Commission Andes went on to express concern about a potentially congested alley due to the significant traffic from 4th to 9th. Director Hirashima said that it would be something they could look at. Vice Chairman Voigt said that it might have some complicating factors whether left turns off the north end can go across the tracks or not, maybe right out only/right in only. Commissioner Foster added that while making a left turn across the tracks a train comes, there would be a backup. Vice Chairman fell that more discussion and the financial piece needs further discussion.

Commissioner Mathews said that she believed that this would only be used for a shortcut through town. Director Hirashima asked if the concern is overuse of the proposed alley. Vice Chairman Voigt confirmed that he felt that it would not get used for what it is intended purpose. Director Hirashima confirmed that the concern is that it would become a main thoroughfare.

Director Hirashima asked what kinds of things they wanted to see prior to the public hearing.

Commissioner Foster asked what business was on the north end and asked if it would entail demolition of the building. Commissioner Leifer said that it was Dunn Lumber. Director Hirashima said that this would not happen unless there was redevelopment of the site.

Vice Chairman Voigt suggested a cul-de-sac turnaround at the Dunn property line, although, it would change the character of the road. Director Hirashima asked if there were concerns about public funding of a dead end road. Vice Chairman Voigt and Commissioner Leif noted that this was a concern.

Director Hirashima asked to confirm that some on the Commission felt that it would have value as another through access to State, but were concerned that it needed to be larger/wider than 20'. Commissioner Mathews said yes, that she feels the proposals not wide enough for the traffic anticipated. As an entry into the businesses it could help, but is it really going to help enough for the cost of the project. Vice Chairman Voigt agreed. Director Hirashima will make note to have the engineering department look at the size of the road and volume of traffic it would be expected to serve.

Commissioner Leifer stated that a road like this that is adjacent to a right-of-way like the railroad has no interference from traffic coming in from one side of it which allows it to act as a good smooth flowing road. Commissioner Andes adds that there is the potential that people would like to put some offices facing that road too. Director Hirashima said that one of the things that staff is looking at are the uses of the downtown and planning for increased densities and increased redevelopment. One of the goals for this kind of improvement is to prepare the downtown for increased intensity of use. The city has been looking at ways to spur redevelopment including building a city center within the downtown. We are looking at ways to maximize the downtown.

Director Hirashima confirms that the following will be addressed in the final report:

1. Size of the road.
2. The volume of traffic it could serve.

3. Alley vs. Street
4. Cul-de-sac or go through
5. Funding sources.
6. Traffic light at 4th street.

Amendment 5

Director Hirashima - This is the Council remand from East Sunnyside/Whisky Ridge master plan hearing. The Commission received a map in their packets showing the various options. At the last meeting Michael Stringham of Perteet, Inc. provided the Commission with an overview of the report and reviewed various alignment options. The Commission previously reviewed option 1, 2, and 3 which were shown on the public works engineering analysis of the three roads. There was an option 4 that Commissioner Steve Muller proposed which was to straighten out the road and put roundabouts on either side which is shown. At the last meeting, engineering staff had indicated that option 4 might be a good compromise to option 2. However, after drawing it up they felt that it consumed as much right-of-way as option 2. Therefore, they felt that option 2 would still be the best alternative because in option 4 the roundabouts themselves consume quite a bit of right-of-way.

Discussion between council members on options took place with the following highlights:

- Expense
- Impact on existing roads
- Timeframe
- Radius of curves
- Design speed
- Affected structures
- Traffic lights
- City Council satisfaction of their original intent to remand.
- Traffic volumes
- Proposed roads
- Property owner's needs
- Poor planning
- Sunnyside development as option 5
- Removing option 3 – All concurred to remove due to the impact it would have.
- Removing option 1 – Although financially expensive, Chairman Voigt agreed to leave on for the sake of the people testifying.
- Neighborhood input

Amendment 6

Director Hirashima reviewed the proposal for 40th street (map attached). This proposal shows an alternative to the road that was identified in the master plan that went between 83rd and 87th Avenue. She indicated that there was no new information on this and asked if the Commission wanted additional information for the hearing. Vice Chairman Voigt referred to a new piece of correspondence from the Nixon's in the packet and asked if it was applicable to this amendment 6. Director Hirashima said that she did not receive a copy of the letter and would need a copy for the file. Vice Chairman Voigt stated that the last time we looked at this

there were no questions. Commissioner Andes asked if 83rd would still be a major road north and south. Director Hirashima responded that it would and noted that the reason 87th was used vs. 83rd was because 83rd will be a major north/south minor arterial. 83rd Avenue could not be used because it would end up consuming north/south capacity which is needed. The new proposed road from SR 92 actually carries the east/west traffic. The reason staff felt 87th Ave was a better candidate was because 87th Avenue was perceived as an essential north-south arterial and this proposal would convert it into an east-west component tying into 40th. This also reduces the need to do an additional road between 83rd and 87th to carry east/west traffic and provides a disconnect on 87th so you wouldn't have people shortcutting through. Commissioner Andes observed that looking at the other streets; the City is trying to provide a curvilinear design while this proposal suggests a design with sharp lefts and sharp rights. This seems contrary to the goal of trying to provide a more direct route from Highway 9. Director Hirashima stated that the difficulty is that there are so many property owners involved and in the beginning we had a centrally curved road proposed but the difficulty in that concept was that several parcels would be split in half. Staff was concerned that the road would never get built as the ownership pattern and right of way was so complicated. . This road would be an important arterial for carrying southeast Marysville traffic and by utilizing an existing right-of-way it vastly increases the likelihood that it will be constructed. If the City controlled all the properties or they were under single ownership than a gentler road design could be proposed. Commissioner Andes observed that a nice curve at 40th and 87th could substitute for a roundabout. He noted that there may be a problem with 87th and SR 92 as there is a pretty good size house on that corner. He asked if instead a bigger radius could avoid it. Director Hirashima indicated that that should be considered.

Amendment 7

Director Hirashima noted that this proposal is a plan map amendment to Lakewood land use designation and zoning. This corresponds with amendment number 3 which introduces a new road concept for the Lakewood area. One of the things that staff considered in providing for that new road alignment is 156th was that it is going to become a major principle arterial with an over-crossing over I-5. This reduces desirability of residential along 156th. A future interchange could actually be developed at 156th which makes it more desirable for commercial land instead. Staff is recommending extension of the existing community business zone onto the map amendment site. It is currently multi-family. This has also been discussed with the owner.

Amendment 8

Director Hirashima noted that this is simply a map correction. Staff became aware of this when a property owner who was requested a zoning letter for his bank. This site is developed for duplexes and it is zoned general commercial. We researched it historically and found no record of deliberately rezoning the land so we concluded that it was a mapping error. We would like to change that back to a residential zone. We are recommending an R18 which is what the adjoining land is developed. It is currently GC. Commissioner suggested R6.5 instead.

Director Hirashima noted that she would bring back the information requested on addendum 4 and 5 and advertise the hearing for July 24th. Vice Chairman Voigt noted that the Commission has another workshop on July 10th.

Development Code Revisions

Director Hirashima reviewed the proposed revisions.

1. Changing the definition for family to make it legally compliant with federal fair housing act. I had the City Attorney review this and he recommended this revision to correspond with some of the court cases on this.
2. This is providing a definition for master plan senior community. There has been interest in doing a master plan senior community. This will simply provide a definition. It will not provide the zone and the matrix. She noted that these codes will come separately.
 - 3, 4, 5, 6, and 7 deal with the residential zone density and dimensional chart. There are a number of revisions being made to the chart including:
3. Delete the RU zone because we no longer have any properties zoned RU (rural use/transition).
4. Revises the building coverage requirements and increases the building coverage allowances for some of the smaller lot zones.
5. Revises minimum side-yard setback related to town homes. We are seeing a lot of town home proposals that are being submitted. The current code requires a 10' side-yard setback. This proposal would reduce the side-yard setback to 5' if on separate lots similar to single-family residential dwellings. We have seen proposals come in where town homes were on individual lots and when you have a 10' side-yard, you are looking at 20' separation which is pretty large for side setbacks. We are also recommending 0' on an interior lot line where the town home is common wall.
6. Revises heights to 30' in the R4.5 and R6.5 zones. As we annex properties, Snohomish County and many other cities have 25' building height maximum. In the city we are starting to see more 3-story dwellings in the single-family zones which often look out of scale. We have received complaints from the public living in the adjoining neighborhoods as more of these structures are built. Commissioner Andes asked if site average grade is measured from the front to the back of the lot. Director Hirashima indicated that from where the building is, you take the four corners of the building and average it.
7. Adds the Whisky Ridge zones to the matrix. These zones were incorporated with the Whisky Ridge subarea plan. This would bring them into our overall municipal code. All the notes apply. Recommended revisions to the Whisky Ridge zones are 1) changing the maximum building coverage in the Whisky Ridge 4-8 zone from 40% to 50% similar to R8; 2) incorporates the reference to notes 11 and 12 from code amendment number 5 above which relates to changing the town home setback requirements; and 3) provides a broader allowance to dealing with a split zoned parcels through density averaging. We had a 15 acre master plan requirement and this basically says that you can do it if you have topography to clear or other reasons to justify the density averaging.
8. Deletes note 14 relating to minimum lot size outside planning area 1. This has not been superseded by the small lot and PRD code revisions.
 - Code amendments 9, 10, and 11 relate to the commercial zone matrix which is 19.12.040.
9. Revises the mixed-use zone setbacks. This provides for rear setbacks for ground floor residential uses of 20'. The mixed-use zone has a 5' setback currently. The mixed-use

zone states that there is a minimum 5' setback is required when adjacent to non-residential designated property, which could be another mix –use zone. What can result is having a town house proposed towering over the single-family uses that were in the mixed-use zone. This does not provide for a nice setback in addition for fire requirements which should be at least 15'. We are recommending that if it's a ground floor residential, use should be treated like a residential rear yard and have 20' instead of 5'. This would provide for greater compatibility. Director Hirashima – shares a map showing this type of situation where the old code was in affect. A copy will be made for all. Parking is also an issue.

12. Change setbacks to 10' separation between buildings. This section of the code referred to a 15' separation.
13. Providing for a fee in lieu of option for recreation within planning area 1 or in the case of smaller projects. We have found that open space requirements are difficult to meet in downtown info projects. This is for multi-family projects. These provisions are likely restricted the ability to redevelopment multi-family within the downtown. In many smaller projects the recreation areas are very limited. A fee in lieu of program could provide the basis for park improvements on a planned basis with the city providing for public improvement.
14. Revising landscape buffer as shown in the table. It includes buffers for multi-family development along the parking and drive isles similar to commercial uses. Also changes the 25' setback that applies to SR9 and I-5 right-of-way and the matrix showed industrial and business building and parking areas. When the Smokey Point area was changed to industrial/commercial, the code provision no longer applied. This brings back industrial/commercial and business park areas, so it includes Smokey Point area. It also reduces the setback from 25' to 15' due to comments from property owners that 25' is a rather large landscape setback along the back of the property. We also reduced the setback from 20' to 15' along public arterial right-of-ways.
15. A fire district concern of tandem parking being used to meet minimum required parking spaces. This would result in inadequate functions parking within a development. The fire district contend that it is not used for parking therefore we are not requiring enough parking if we allow tandem parking to be counted the required spaces. While going through the small lot provisions there was a desire on part of the development committee to allow tandem parking because it reduces the amount of area for driveways and they showed where tandem parking was used effectively in Redmond and Kirkland. This would change the spaces required for single-family dwelling, duplexes, town houses and mobile homes to say 2 per dwelling driveway, minimum one car width is also required for enclosed garage parking.
16. Repeal the freeway service zone. It is not a zone that we are using any more and there are no properties zoned for freeway service.
17. Correction to reference the current critical areas code.

ADDITIONAL DISCUSSION

Commissioner Foster asked what the City's stance is on the proposed rural clusters in the Happy Valley area. Director Hirashima indicated that the City has written a letter expressing concern about that the proposed rezone. Commissioner Foster asked if it puts way too many cars on the roads and lowers our level of service. Director Hirashima concurred that traffic

was one of the concerns the City has raised. In addition changing the zoning would increase the density of rural housing project. The other thing we expressed in our letter was that there is plenty of capacity within the UGA's, in particular the Marysville UGA's is at less than 10% of our additional capacity for 2025. The City is concerned that about increased density and the potential for a fully contained community proposal. The county planning director has indicated that the County is in discussion with the applicant about this potential. The applicant has a legal right to do rural clusters now, but what they are proposing is to increase density and to qualify for up to 100% density bonus by changing the zoning from R5 to R5 Basic under the provisions in the county code. This would take rural zone to a higher level and in future if this becomes a fully contained community there would essentially be a city created. She noted that staff is going to meet with McNaughton's staff tomorrow. They contacted the City because they wanted to explain their project so we could understand what they are trying to accomplish. Stanwood and Arlington have both written letters against the proposal as well. Commissioner Foster stated that one of the concerns of the Smokey Point Chamber is that when we lose the level of service to the residential it prohibits us from creating the job base and the taxes that are building the roads and fixing the infrastructure. Director Hirashima agreed and noted that an additional concern is the additional infrastructure needs it creates. Vice Chairman Voigt noted that this would distract from the other existing needs.

Vice Chairman Voigt asked if there were any other topics or issues, or a motion to adjourn.

Director Hirashima asked if there were any remaining questions on the development revision codes. Vice Chairman Voigt confirmed that it was ready for hearing.

COMMENTS FROM COMMISSIONERS - None

NEXT MEETING

- July 10, 2007 – Work Session in preparation for July 24, 2007 Public Meeting

ADJOURNMENT

Seeing no further business, Vice Chairman Voigt solicited a motion to adjourn. **Motion** made by Commissioner Foster, *seconded by Commissioner Leifer to adjourn at 9:23 p.m. Motion passed unanimously (4-0).*

Respectively submitted,

Valeri Dean, Recording Secretary

MARYSVILLE PLANNING COMMISSION

July 10, 2007

7:06 p.m.

City Hall
Council Chambers

CALL TO ORDER

Vice Chairman Dave Voigt called the July 10, 2007 meeting of the Marysville Planning Commission to order at 7:06 p.m. The following staff and commissioners were noted as being in attendance.

Vice Chairman: Dave Voigt

Commissioners: Jerry Andes, Steve Leifer, and Toni Mathews

Staff: Gloria Hirashima, Community Director
John Tatum, Traffic Engineer
Valeri Dean, Recording Secretary

Absent: Chairman Steve Muller, Commissioner Becky Foster, and Commissioner Deirdre Kvangnes

APPROVAL OF MINUTES

June 26, 2007 – A revised version will be distributed with the packet for the July 24th, 2007 meeting to be sent out Friday, July 13, 2007. Vice Chairman asked the council members to review the revised minutes to confirm when they were speaking.

AUDIENCE PARTICIPATION

Vice Chairman Voigt solicited public comment on items not already on the agenda. There were none.

CURRENT BUSINESS

1. Development Code Revisions

Director Hirashima – reviewed the following updates to the development codes:

1. Page 3 of 18 – 19.12.030 – Residential Zones – Note 11. *Townhome setbacks are reduced to zero on an interior side yard setback where the units have a common wall for zero lot-line developments. Note 12. Townhome setbacks are reduced to 5' on side yard setbacks provided the buildings meet a 10' separation between structures.*
2. Page 7 of 18 – 19.12.040 – Resource and Commercial/Industrial Zones – Note 12. A 15' (was 20') setback is required for 1) commercial or *multiple-family* structures on property lines adjoining *single-family* residentially designated property; **and** 2) *a rear yard of a multi-story residential structure* otherwise no specific interior setback requirement. *Interior setbacks may be reduced where features such as critical area(s) and buffer(s), public/private right-of-way or access easements, or other conditions provide a comparable setback or separation from adjoining uses.*

Commissioner Leifer pointed out that Note 12 of item 2 above, the word “**and**” should be “**or**”. Director Hirashima will correct in final report.

Director Hirashima expressed the following concerns:

1. Transition issues for the existing neighborhood may prevent infill projects due to small lots
2. Single-family dwellings, duplexes, townhomes, and multiple mobile homes parking requirements of 2 per dwelling. Driveways used to count as 1 space. This will no longer

be allowed with what is proposed. Developments with enclosed garages and no driveways would now need an additional parking space.

Director Hirashima also noted that

Amendment 18 - Create new Master Planned Senior community overlay zone and 19 – Tax Exemption for multi-family housing as allowed under RCW84.14 have not been finalized and will come separately.

2. City-Initiated Amendments

Amendment 4 – Delta Avenue Extension

Director Hirashima – noted that Traffic Engineer John Tatum has written a letter outlining technical issues that were of concern to the commission. Vice Chairman Voigt stated that the letter did clarify questions they had from a technical standpoint. The letter also mentioned that there was not significant traffic increase with this project due to the turning restriction at both ends. He then asked if this would continue to be a low-volume road. Mr. Tatum said yes that it would and that he did not see this changing in the future. Commissioner Leifer asked if the road would be a one-way or a two-way road. Mr. Tatum said that he saw the concept developed as a two-way road all the way to Dunn Lumber. With two more feet of pavement it's possible and he believes that this would be cost effective. Commissioner Leifer asked about funding. Director Hirashima responded that the project might be city funded due to the fact that they own most of the area. Mr. Tatum added that it would improve access to water and sewer facilities for this area. Vice Chairman Voigt asked if the properties would be redeveloped and if there is an opportunity to remove some curb cuts or entries off of State Avenue to smooth out the flow of traffic? Mr. Tatum said he had not looked at that, but it could be possible. Vice Chairman Voigt added with redevelopment they could look at reconfiguring parking lots with fewer entries to State Avenue to streamline the flow. Director Hirashima agreed that this was worth looking into especially if there are multiple access points. Commissioner Andes asked how they were planning to go from two lanes to one lane. Mr. Tatum said that it depended on the access in the back of each of the businesses can be accommodated. Ideally the two lanes would go into a parking area, essentially a back driveway. He also noted that that this road could be extended parcel by parcel and did not have to be done all at once. Commissioner Andes expressed his concern of this becoming a shortcut. Mr. Tatum assured him that this would only be an access from business to business. Commissioner Leifer asked about the funding being paid by public funds since it is only a benefit to the businesses. Director Hirashima said that would be addressed at a later date as this amendment does not identify a funding source.

Sunnyside Proposal

Director Hirashima noted that the additional information the council requested had been prepared and will be included in the final report.

Vice Chairman Voigt noted receipt of letters from property owners addressing their concerns. He asked if any of the owners were present and encouraged them to come to the public hearing on July 24, 2007. He also stated that their letters would be incorporated into the file.

Amendment 6 – Whisky Ridge

Director Hirashima said that the original road concept was a new road on the back of the properties between 83rd and 87th. The alternative currently discussed proposed use of 87 th Ave NE. This was intended to reduce overall ROW needs. She also noted that she had received feedback from some property owners that they prefer the original route. She will include the original route in the report for reference as an alternative alignment.

3. 2007 Citizen-Initiated Comprehensive Plan Amendments

Vice Chairman Voigt confirmed that there were no loose ends with the Citizen-Initiated Amendments

COMMENTS FROM THE STAFF:

Director Hirashima said:

- Packets will be distributed on Friday, July 13th, 2007
- Engineering and our consultant will be at the public hearing to address questions.

Director Hirashima asked if the July 24, 2007 meeting could begin at 6:30 pm with the Puget Sound Regional Council's presentation. All agreed.

COMMENTS FROM COMMISSIONERS:

- Vice Chairman Voigt notified all present that Deputy City Clerk, Lilly Lein had passed away and that there is a memorial fund set up for the family at North County Bank in lieu of flowers. Commissioner Mathews said that she will purchase a card for the council members to sign. It will be available at her office. If for some reason this is not convenient, she is willing to come to you. Director Hirashima said she would notify everyone not present about the card and when she learns of the details of the service, she will notify the Commission.

CITY COUNCIL ACTION

Minutes available online on city website: www.ci.marysville.wa.us

ADJOURNMENT

Seeing no further business, Vice Chairman Voigt solicited a motion to adjourn. **Motion** made by Commissioner Mathews, seconded by Commissioner Andes to adjourn at 7:42 p.m. **Motion** passed unanimously (3-0).

NEXT MEETING

July 24, 2007 at 6:30 pm – Public Hearing

Respectfully submitted,

Valeri Dean, Recording Secretary

MARYSVILLE PLANNING COMMISSION

July 24, 2007

7:00 p.m.

City Hall
Council Chambers

CALL TO ORDER

Chairman Steve Muller called the July 24, 2007 meeting of the Marysville Planning Commission to order at 6:33 p.m. The following staff and commissioners were noted as being in attendance.

Chairman: Steve Muller

Vice Chairman: Dave Voigt

Commissioners: Jerry Andes, Becky Foster, Steve Leifer

Toni Mathews arrived at 6:53 p.m.

Deirdre Kvangnes arrived at 7:01 p.m.

Staff: Gloria Hirashima, Community Director

Chris Holland, Senior Planner

Kevin Nielsen, City Engineer/System Public Works Director

John Tatum, Traffic Engineer

Craig Knudsen, City Attorney

Valeri Dean, Recording Secretary

Other: Michael Stringam, Perteet

Robin McClellan, Puget Sound Regional Council

APPROVAL OF MINUTES:

June 26, 2007 – Commissioner Voigt asked that the following corrections/additions be made to the minutes: 1) page 2, discussion of amendment 2 – the paragraph should read “The second citizen-initiated...” and 2) page 6, under amendment 5 bullet list, add “[City control vs. developer driven factor.](#)”

Motion made by Commissioner Foster to approve the 6/26/07 Planning Commission minutes with the two noted changes above; seconded by Commissioner Andes; motion passed unanimously (6-0).

July 10, 2007

Motion made by Commissioner Voigt to approve the 7/10/07 Planning Commission minutes as written; seconded by Commissioner Andes; motion passed unanimously (6-0).

AUDIENCE PARTICIPATION

Chairman Muller gave direction to the audience that wished to be heard on this evening’s agenda to sign-in including which amendment number they wish to address, and wait to be called.

PRESENTATIONS:

- Ms. McClellan presented the Vision 2040 Preferred Growth Alternative and Multi-County Policies.
- Hardcopies were made available to the commission along with a schedule for public meetings and open houses.
- This presentation can also be viewed by going to their website: www.PSRC.org

- Public comment can be made to VISION2040@psrc.org or write to: Norman Abbott, SEPA Responsible Officer, Puget Sound Regional Council, 1011 Western Avenue, Suite 500, Seattle, WA 98104-1035. Public comment will be accepted until September 7, 2007.
- Questions:
 - Commissioner Leifer asked if the regional council had a vision for mass transit and highway system for the entire area developed to solve our transportation problems. Ms. McClellan said that they have a Destination 2030 which is their Transportation Plan on the website. She also mentioned that PSRC does fund transportation projects in the region on behalf of the federal government. She then described the flow of the funding. Chairman Muller asked how well the growth curve and new numbers fit (projected and realized growth). Ms. McClellan did not have this information on hand. She said that she would find out from financial management and get back to the commission, but felt that there was not much of a deviation.

Break at 7:03 p.m. in preparation of public hearing - Resumed at 7:07 p.m.

PUBLIC HEARING:

Chairman Muller reviewed the process for speaking with audience (when called, state name and address for the record) prior to addressing the council. He also gave direction on the flow of this evening's hearing. He also confirmed that the meeting was advertised in accordance of the code. Director Hirashima replied that it was.

1. 2007 Citizen-initiated Comprehensive Plan Amendments (#1 and #2)

Citizen Initiated Map Amendment No. 1

Request: Amend the Comp Plan Map designation and concurrently rezone an approximately 0.40-acre parcel from High-density Single-family (R-6.5) to Mixed Use (MU).

Applicant: Wayne M. Christianson

Location: 4716 61st Street NE

Senior Planner Chris Holland reviewed the request and its impact on Madeleine Villa Healthcare Center. He also reviewed evaluation, and staff's recommendation to amend the Comp Plan Map and concurrently rezone the property from High-density Single-family (R-6.5) to Neighborhood Business (NB), subject to the conditions outlined in Section III. Staff concurred that the NB classification would be compatible with the surrounding community. Chairman Muller asked if the applicant was supportive with this recommendation. Mr. Holland said yes he was.

Commission Questions: None

Public Testimony: None

Chairman Muller closed public testimony.

Commission Discussion: Commissioners Foster, Kvangnes, and Chairman Muller spoke positively on the new business.

Motion made by Commissioner Foster to forward Citizen-initiated Amendment No.1 as amended to City Council for approval; seconded by Commissioner Mathews. Motion passed unanimously (6-0).

Citizen-initiated Map Amendment No. 2

Request: Amend the Comp Plan Map and concurrently rezone approximately 3.10 acres from General Commercial (GC) to Mixed Use (MU)

Applicant: Joel Hylback

Location: A portion of APN 31052900400900, abutting the northern boundary of Gissberg "Twin Lakes" Park

Senior Planner Chris Holland reviewed the request, evaluation, and staff's recommendation to amend the Comp Plan Map and concurrently rezone the property from General Commercial to Mixed Use subject to the conditions outlined in Section III.

Commission Questions: None

Public Testimony: None

Chairman Muller closed public testimony.

Commission Discussion: None

Motion made by Commissioner Voigt to forward Citizen-initiated Amendment No. 2 to City Council according to staff recommendation; seconded by Commissioner Kvangnes. Motion passed unanimously (6-0).

2. 2007 City-initiated Comprehensive Plan amendments (#1-8)

Director Hirashima gave a brief overview of the eight plan and text amendments. She also made note of the map on the side table that shows the physical locations.

City Initiated Text Amendment No. 1

Request: Repeal Ordinance No. 2487 which allows a master site plan over 60-acres to designate 20% of the gross site area for residential uses and infrastructure.

Location: Smokey Point Subarea Plan boundary (east of I-5, west of Hayho Creek, north of 152nd Street NE and south of the Marysville city limits).

Director Hirashima gave a brief overview of the request. This amendment was City Council directed and applies to multiple properties that are in Smokey Point subarea boundary. City Council passed an ordinance 2691 on March 19, 2007 which established a moratorium on the filing and receipt of new applications in the Smokey Point subarea. The staff recommendation is to repeal the Smokey Point Subarea Plan adopted by Ordinance 2487.

Public Testimony:

Bill Binford – 6513 132nd Ave., NE #345, Kirkland, WA 98033

Mr. Binford recommended additional language that would allow some multi-family uses in the event that a mixed use project is coming forth in the area. In the city transportation map including the work in amendment 3, there will be a lot of changes, there us a lot of opportunity to create a town center opportunity which makes the multi-family component like Mill Creek's town center a positive one. In the back they have four levels of multi-family over one level of retail which brings a lot of viability to the center as far as a 24/7 activity and a livelier place to live and be. Auburn, Renton, and South Everett are also doing these types of projects.

Chairman Muller closed public testimony.

Commission Questions: None

Commission Discussion: Commissioner Foster spoke about the residential element of having people around 24/7 and the importance of that. She also stated that she did not believe that single-family residences were needed. Agreeing with Mr. Binford, Commissioner Foster suggested language be added to allow the multi-family or mixed use

when it is applicable for certain projects. Director Hirashima stated that our current general commercial zone does allow above ground residential uses.

Motion made by Commissioner Foster to forward City-initiated Text Amendment No. 1 onto Council as presented; seconded by Commissioner Voigt. Motion passed unanimously (6-0).

City Initiated Text Amendment No. 2

Request: Amend the language on Page 4-6 of the Comp Plan regarding rezones to narrow the use of this provision and limit size and scope of rezones along edges outside a comprehensive plan amendment process.

Location: The proposed text amendment would affect properties located within Marysville Urban Growth Area.

Director Hirashima reviewed the request and staff recommendation to revise the text to limit size and scope of rezones along edges outside a comprehensive plan amendment process. The language is stated in item I of the amendment (this was read). She also added that this was a good tool; a good provision where no limits could potentially be a problem.

Commission Questions: None

Public Testimony: None; Chairman Muller closed public testimony.

Commission Discussion: None

Motion made by Commissioner Leifer to forward City-initiated Amendment No. 2 as written to City Council for approval; seconded by Commissioner Kvangnes. Motion passed unanimously (6-0).

City Initiated Text Amendment No. 3

Request: Amend the Lakewood and Smokey Point neighborhood maps depicting future road connections and amend the Transportation Element proposed road connector map and 20-year Transportation Improvements text amendment.

Location: The proposed map and text amendment would affect properties located within the Lakewood and Smokey Point neighborhoods.

Commissioner Foster asked to reclude herself due to conflict of interest. Chairman Muller granted her wishes.

Director Hirashima reviewed the request, evaluation, and staff's recommendation to revise the Comp Plan to reflect the arterial connections depicted in the Lakewood and Smokey Point neighborhood maps. (Area extends from 27th Ave. NE to the south to 31st Ave. and from 156th St. NE as an over-crossing concept.) Mr. Nielsen stated that the first option they looked at was tying it into a fire trail, however, the feasibility turned out that it was more cost effective and time wise to build the 156th over-crossing first.

Commission Questions: None

Public Testimony:

Bill Binford, Co-chair of the Trap Steering Committee – 6513 132nd Ave., NE #345, Kirkland, WA 98033 – 425.889.8770

Mr. Binford stated that the committee approved this amendment and extended congratulations to the Planning Commission for identifying a problem and finding a quick solution. He also wanted to encourage them to expedite the project. They also see the future of a full interchange.

Chairman Muller asked the Commission if they had any questions for Mr. Binford; there were none.

Kelly Foster – 15526 Smokey Point Blvd. – 206.501.8941

Mr. Foster stated that his family has owned the parcel at 11526 Smokey Point Blvd. for 25 years and this amendment would impact their property greatly. He encourages the planning commission to plan the ultimate design of the interchange now, to do things right the first time.

Gerald Osterman – 2605 169th St. NE, Marysville 98271 – 360.654.0144

Mr. Osterman is the president of the Lakewood Meadow Plat; he read and submitted his response to the amendment which states that the owners of this plat oppose the current plan due to the amount of traffic already experienced as a result of Target and Costco and suggests an alternate route.

Commission Questions: None

Mr. Nielsen said that Twin Lakes will be used with 152nd overpass and are working out details with right-away dedication and making a square loop to tie it into 156th. He also said that this use was development driven.

Chairman Muller closed public testimony.

Commission Discussion: Chairman Muller asked about the location of the retention ponds between 26th and the lots of the plat. Ms. Hirashima said they were not going through the neighborhood but next to it. Commissioner Leifer asked what 26th was going to be in the original Comp Plan. Mr. Nielsen clarified that 27th was always the primary connector.

Commissioner Leifer asked if it was a 2-lane collector originally. Mr. Nielsen responded that it would have always been a collector flowing south where it becomes a 3-lane.

Commissioner Kvangnes asked how the flow was in that area. Mr. Nielsen said he did not have the current trip numbers; however at full build out of Lakewood, there would be 29,000 trips into the development. He then asked Traffic Engineer John Tatum if he had updated numbers. Mr. Tatum responded that he did not. Chairman Muller added that there were not a lot of options in the area between the freeway and the railroad tracks; that there is little road to work with and a lot a traffic to deal with. Mr. Nielsen stated that Twin Lakes Blvd. would be used as a main road until development builds the connector road. Commissioner Kvangnes asked how soon the people would see relief. Mr. Nielsen said it would take a couple of years for construction; they are currently looking for a designer. He also added that striping of 172nd will be done very soon. Chairman Muller asked how many accidents had occurred with individuals taking a u-turn on 172nd and those entering 172nd off of 27th. Mr. Tatum said that he did not have that data. Chairman Muller shared his concern about people being in a hurry going onto 72nd. Mr. Tatum added that the area had been subject to enhanced enforcement. Commissioner Kvangnes asked about temporary relief. Mr. Nielsen said that Mr. Tatum has done some detailed analysis and will be giving an update once the work is done. He also said that he foresees a dramatic improvement. Someone from the audience suggested a slip ramp and further spoke about a free right turn on to I5 South that was added then removed. Chairman Muller said that he believed that this was shot down and asked Mr. Nielsen to clarify. Mr. Nielsen said that the right drop to 127th would be put back in the future; and that this was a WADOT plan.

Commission Discussion: None

Motion made by Commissioner Voigt to forward City-initiated Amendment No. 3 as presented to City Council for approval; seconded by Commissioner Andes. Motion passed unanimously (6-0).

Break: 7:53 – 7:55 – Commissioner Foster returns

City Initiated Text Amendment No. 4

Request: Amend the Downtown neighborhood maps depicting a future road (alley) extension of Delta Avenue between 10th Street and Grove Street.

Location: The proposed map amendment would affect properties within the Downtown neighborhood abutting the eastern BNSF right-of-way from 10th Street to Grove Street.

Director Hirashima reviewed the request, review, and staff's recommendation to revise the plan maps and text to provide for a 22' paved section in a 30' right-of-way, north from the current end of the Delta Ave. right-of-way, terminating in a right-in/right-out intersection at Delta and Gove Street. Optional northern treatment: Provided there is a two way width at the south property line to the parcel abutting Grove, property impact could be reduced and the creation of control at the Grove intersection simplified if the right-of-way across the last parcel is 20' with 20' paved one way north only as alleys on to State. Mr. Tatum was present to answer any questions that may be asked.

Commission Questions: None

Public Testimony: None; Chairman Muller closed public testimony.

Commission Discussion: Commissioner Kvangnes asked Chairman Muller what he thought about it. Chairman Muller said that it was a good relief valve; a good alternative to traffic. Mr. Nielsen added that it provided interconnection between businesses; from a technical view point. He also added that this would relieve the type of backups that happen at the post office and that this was a good connection for multiple business visitations.

Motion made by Commissioner Kvangnes to forward City-initiated Amendment No. 4 as written to City Council for approval; seconded by Commissioner Foster. Motion passed (5-0; 1 nay)

City Initiated Text Amendment No. 5

Request: Amend the future road connection maps for 67th/71st Avenues NE between 40th and 44th Streets NE and amend the 20-year Transportation Improvements text, as remanded to the Planning Commission for further consideration in regard to the final East Sunnyside – Whiskey Ridge Subarea Plan.

Location: The proposed map and text amendment would affect properties within the East Sunnyside – Whiskey Ridge Subarea Plan adjacent to the future road alignment connecting 67th Avenue NE with 71st Avenue NE between 40th and 44th Streets NE.

Ms. Hirashima reviewed the request, review, and staff's recommendation of approving alignment #2 which provides for a through connection of 67th Ave. NE to 71st Ave. NE. As referenced in the Perteet Inc. analysis, this connection provides maximum benefit to future transportation needs in the Sunnyside/Whiskey Ridge area. This roadway connection has been estimated to cost \$19 million. Mr. Nielsen said that this project is also developer driver, not a capital project. This has been a continuing process that staff was directed to do.; not only did they look at Sunnyside but they also did some detailed cost analysis. He encouraged the Commission to look at the entire project from the beginning to prior to forwarding to City Council. Mr. Stringam of Perteet, Inc. stated that he was present to respond to questions anyone might have. He also reviewed their findings and why they came to the conclusion that they did taking all the analysis and Comp Plan into consideration. He added that the project would cost \$35 million and eleven different properties would be impacted.

Commission Questions: None

Public Testimony:

Jennifer Dold - Bricklin, Newman, Dold, LLP – 1001 Fourth Avenue, Suite 3303, Seattle 98154 – 206.264.8600

Ms. Dold submitted a letter representing property owners, Beccie and Tim Nixon, Jim and Jeri Short, and Gerald McKinney. On behalf of her clients they are rejecting the staff proposal due to insufficient information regarding alignment two and that the focus should be on Sunnyside. She suggested less impact alignments should be considered prior to recommendation. She added that alignment two in its current configuration does not comply with GMA due to inconsistencies with the City's plan, policies, and goals; and does not provide an adequate funding plan under the GMA. Ms. Dold continued to talk about why they are asking the Planning Commission to remand back to staff to take another look before forwarding the amendment to the City Council for approval.

Jeri Short – 6917 40th Street, NE, Marysville – 425.348.5840

Ms. Short stated that she was concerned of the impact alignment two would have on her property/investment/retirement/families home life/everything that she has worked to have for twenty-eight years. She expressed her concern of the proposed road going through her property and not understanding why the road would take the route it would. She shared her concern of Sunnyside needing to be a 5-lane road. She referred to Bothell-Everett Highway which is a 5-lane road and leads to corridors to freeways, it has massive businesses, apartments, vs. Sunnyside that does not. Instead there are swamps... All ideas are taking her property and she is finding a hard time understanding why. Commissioner Leifer asked where her property was located. Ms. Short said that it was at the intersection of 40th and 71st where her dream would be to have her children have homes there as well.

Rebecca Nixon - 4024 71st Avenue, NE, Marysville – 425.335.7764

Ms. Nixon stated that she opposes the connector road for 67th and 71st Avenues NE between 40th and 44th Streets SE. She believes that several of the proposals are a waste of money and resources, and disrupt and displace many homes and families unnecessarily. She also said that she views this as a City growth vs. longtime residence issue and requests the Planning Commission to review the documentation presented by her attorney and take a visit to the location to see the affect on the community first-hand. She went on to say why she felt that alignments two, three, and four would not work; and concluded that alignment five would be the best option for traffic flow because it would not take any homes and that there is plenty of land to complete the project.

Tim Nixon – 4024 71st Avenue, NE, Marysville – 425.335.7764

Mr. Nixon stated that their property extends on 71st for quite a ways (from 40th up to 42nd). When looking at the proposed diagonal that will go through his property it would come very close to the doors of his dining room, living area, and pool and does not feel comfortable that a road would be put this close to his home where his children play. He added that 71st is a highly traveled road at high speeds. Also to the south where the proposal is to go from 40th to 79th to 71st. this are is all wetlands. He added that he feels the same way his wife, Jeri does. In closing he asks, how the commission members would like it if this was happening to them.

Jerry Mansfield - 2008 Sunnyside Blvd, Everett 98205 – 425.343.4365

Mr. Mansfield stated that he owns five lots south of the upper growth area. He said that he understands that no one want this to go through their yard and would prefer for it to go down Sunnyside Blvd. where it will take his home; which he is okay with. His concern is that traffic on Sunnyside is bad already, and when the interchanges are put in, people are going to use

Sunnyside; where they are traveling at 60-70 mph; which he avoids due to speeding, he was almost hit by someone passing in a no-passing zone. He is also a commissioner for district #4 (King Creek). There are water issues of flooding; storm drains do not work. We are all zoned AG10; most are poor farmers. He closed with requesting relief on Sunnyside Blvd. Chairman Muller closed public testimony.

Commission Discussion:

Chairman Muller explained that it is spoken about a developer-driven request; the City does not come in and demand where roads go; there is a lot of development taking place in the Sunnyside/Whisky Ridge area; there is not a place where the City puts a protective overlay where there are not roads required; roads are required. We are here saying that this is only a plan and not set in stone. We want to meet the needs of the residence as well as the needs of the city traffic. Commissioner Leifer asked Mr. Stringam when 67th was projected to be a 3-lane; what was 87th projected to be in that framework? Mr. Stringam said when they analyzed that particular area of 87th, they were concerned about the proximity of 87th to highway 9; leaving them to recommend 83rd to be a north/south arterial instead. Commissioner Leifer added that he was curious whether the 87th question could be isolated from the discussions of 67th or Sunnyside being a major arterial or a minor arterial; would that question whether one or the other is bigger, namely 67th or Sunnyside; would that impact the size of 87th? Mr. Stringam responded that 87th would not be widened. What they have recommended in the Whisky Ridge plan is using three north/south minor arterials instead of one principle and two collectors. What is shown in the Comp Plan is that 83rd Ave. and Sunnyside are collectors, and 67th/71st as a minor arterial (fig. 8.1). We recommended keeping the minor arterial and upgrading Sunnyside and 83rd Ave. to 3-lane minor arterials in the north/south direction. Going through history it is clear as to why we have made the recommendations. He suggested more analysis using 67th/71st as a five-lane arterial to see if the impact could be reduced. Commissioner Leifer said that if it became a 5-lane road, they would need to find a connection to 67th at the south end of 71st. Mr. Stringam concurred. Commissioner Leifer asked what the zoning in option two was. Ms. Hirashima responded that it is a single-family high density (R6.5). Commissioner Leifer asked how the sewers would be connected to that. Mr. Nielsen said that there is a sewer coming up 71st currently; the back side would drop down and connect; the hardest part is the hole on 40th. Commissioner Leifer then asked about moving option 4 to the north to 44th and adding a roundabout at the two intersections and whether it would be problematic due to topography? Mr. Stringam responded, yes due to topography and residence on the corner. There is not an easy solution. Commissioner Foster asked Mr. Stringam to clarify that he said that five lanes were impossible for Sunnyside due to the topography, creeks, and homes (110 homes)? Mr. Nielsen stated that Sunnyside is to be a 5-lane option from 52nd to 71st, 4 residents displaced, 145 property titles = \$1,000,000 for title reports. Condemnation is approximately 15 and right of way is \$35,000,000 for the 52nd to 71st 5-lane option. 47th to 52nd could be a 3-lane; with right-of-way, 4 residents, 1 business, 10 condemnations, 102 title reports = \$27,000,000. Chairman Muller asked when using option five, what happens when you get to 3rd Street; traffic is bad, where would a five-lane dump? Mr. Nielsen said that they would have to look at it further; he did not have any other answers right now. This is one alternative.

Ms. Dold asked Chairman Muller if he should recluse himself from this amendment due to his residency on Sunnyside. Director Hirashima introduced City Attorney, Mr. Craig Knudsen. Chairman Muller asked Mr. Knudsen if he should recluse himself. Mr. Knudsen

said that since it was a Comp Plan amendment of an area-wide nature, in his view it is clearly a legislative matter so the appearance of fairness doctrine does not apply.

Commissioner Leifer asked Mr. Stringam for more clarity on the how the Sunnyside five-lane road proposal would affect 67th and 83rd and how would it affect the total cost. Mr. Stringam said that the amount shifted over to Sunnyside would not be sufficient to reduce 67th/71st down below. He added that he thought that it was 5,000 vehicles per day which is a classification between a collector street, a two-lane road, and a minor arterial, therefore 67th/71st would still be a minor arterial. The direct question may not be required, He also said that if we don't ensure a direct route that's comparable to Sunnyside and 83rd than we will find one getting loaded up unnecessarily and pushed to a level that it does not need to be. Commissioner Andes asked when speaking of widening Sunnyside is it just Sunnyside or also Soper Hill as well. Mr. Stringam said that Soper Hill would be three-lanes as well; this would depend on amendment six. Commissioner Andes stated that he thought a lot of new plots are going in along Sunnyside with a seventy foot right-of-way and a forty-four foot wide curb-to-curb. What does that allow you for three-lanes? Mr. Nielsen said that currently it looks like we can do three lanes. The question is having bike lanes and landscaping. The breakdown for the five-lane is eighty feet. Commissioner Andes added that the newer plats have detention ponds as well. Mr. Nielsen said that drainage might have to be taken up in the City's roadway systems increasing the land purchase of the ponds. This is not represented in the amendment at this time. Chairman Muller asked Kevin about options 1, 2, and 4 and what physically takes place at the intersection of 44th and 67th. Mr. Nielsen said that 44th ties back into the major road as the subdivisions come on; 71st would dead-end somewhere. Chairman Muller added to Mr. Nixon's comment on speed on 71st and attests to the speed on Sunnyside. He asked as we build these massive corridors through the cities, what are the calming events that we can put in? Mr. Nielsen stated that he had a different philosophy on arterials and what they are meant for; they are meant to move cars; therefore eliminate driveways and mailboxes and have roads come out to the main street. Calming measures on arterials are not favored and is difficult to do. He believes that this would be counter-productive. Chairman Muller asked if there was any philosophy that says you should stop traffic at some point and not have an extended roadway that goes more than one mile/two miles long before you stop to help avoid problems. Mr. Stringam stated that when the networks start being built out, there will be different traffic control devises at the different intersections (4-way stop). He also stated that he agrees 100% with Mr. Nielsen that the arterials are there to move traffic (not at 60-70 mph); you also attempt to restrict residential driveways and bring them in on side streets. This sets up a reasonable opportunity for "traffic calming" that is the use of landscape mediums. Commissioner Voigt asks Chairman Muller if they can move on. Chairman Muller agrees. Commissioner Voigt says that in his tenure he has never seen such a well organized, concise coach and argument put together by the public as they have done. He added that he had reviewed the documents submitted and is very familiar with the area and agrees that the options submitted by the staff are not good options, due to the steep grades it will be a problem, the modeling is very weak, and the costs presented are quite overstated.

Motion made by Commissioner Voigt to remand back City-initiated Amendment No. 5 to staff to do the necessary modeling to accurately forecast the traffic counts that are needed to make these decisions, to work on cost more, and to pursue Sunnyside as the principle arterial to carry the traffic, and remove lines off the map for the 67th/71st connectors; seconded by Commissioner Mathews; Motion passed unanimously (6-0).

City Initiated Text Amendment No. 6

Request: Amend the future road connection maps for 40th Street west of 87th Avenue NE and amend the 20-year Transportation Improvements text, as remanded to the Planning Commission for further consideration in regard to the final East Sunnyside – Whiskey Ridge Subarea Plan.

Location: The proposed map and text amendment would affect properties within the East Sunnyside – Whiskey Ridge Subarea Plan adjacent to the future road alignment connections for 40th Street NE west of 87th Avenue NE.

Ms. Hirashima reviewed the request, review, and staff's recommendation to revise the alignment to utilize 87th Ave. NE and roundabouts at the two intersections shown in Figure 2, and to revise the Comp Plan maps and charts depicting the arterial connector. She clarified that currently there is not a fourth leg at SR92 and that it was already accepted by the Council that a connection to SR92 is desirable; therefore the issue is how we make that connection. 87th Ave. NE was reviewed as well and found not to be recommended for a high-volume collector or arterial. Correspondence has been received in opposition to 87th Ave. NE as an alternative due to widening the road would bring it closer to structures. Commissioner Leifer asked if it would be a three or a five-lane road. Ms. Hirashima referred to Mr. Stringam who said that the proposal on 87th Ave. NE was not clear due to unknown fronting land use. He added that their recommendation at this time would be to preserve the option for five lanes on 87th Ave. NE. Commissioner Leifer asked Mr. Stringam to clarify if the original plan stated a three-lane road for 87th Ave. NE. Mr. Stringam said that he found that not 87th but 83rd was designated as a collector and not decided what it should be; this is what the analysis was for Whiskey Ridge. He also said that the important piece is the connection to Hwy. 9 thru to 40th St. giving another east/west connection other than Soper Hill; otherwise Soper Hill will be going to five-lanes. Commissioner Leifer asked how many lanes were planned north of 40th. Mr. Stringam said that they recommended disconnecting 87th north of 40th (cul-de-sac) therefore not attracting a lot of thru traffic in the north/south direction.

Commission Questions: None

Public Testimony:

Ken White 3303 87th Ave. NE, Marysville 98270 – 425.377.0282 – Submitted comments in writing.

Mr. White opposes amendment #6 due to the impact the changes would have on small property owners (1 acre). They will lose a significant portion of their land and be a high impact for neighborhood. At previous meetings it was clear that the Commission would not want to hurt the existing people and force them off their land. He added that amendments five and six are interlinked, therefore he recommends to send this amendment back to staff to take a closer look. In closing he stated that he was disappointed that the public had not been able to give feedback and help with the process. Due to lack of clarity, he believes more workshops with people from the neighborhood to work together to find a solution would be beneficial.

Shelly Thomas – 3626 87th Ave. NE – 425.238.3548

Ms. Thomas stated that she agrees with Mr. White. She said that a decision could not be made at this time with outdated information. A three-lane road would be twenty feet from her front door; with a five-lane road, her home would need to be condemned. The maps and text are not clear, roundabouts will slow down traffic, and there are fourteen homes that sit close to the road. Safety, speed, children, a disabled child, and senior citizens live there and they do not want to develop or move. In her opinion, the best route to 92 would be to bring 92

down to 83rd. She asked why there was a change to the original plan. Ms. Hirashima responded that either alternative works. The main reason they looked at an alternative is that they had anticipated the concerns about not looking at existing right-of-way. She added that they thought that this would be a better route and not affect as many people. Ms. Thomas asked how many properties per alternate, per option. Ms. Hirashima said that they believed that this would have a smaller impact and reduce new right-of-way creation. Ms. Thomas recommended the analysis of how many properties per option. Mr. Stringam responded to the question on why not use 83rd; he said, however, 83rd is designated as a minor north/south arterial, traffic would increase the traffic on the 92nd extension, therefore pushing the road to a five-lane road.

Don Bakker - 3811 87th Ave. NE, Marysville 98270 – 425.335.0751

Mr. Bakker stated that he agrees with his neighbors, Ken and Shelly. He believes that the idea is not a good one, it will disrupt a nice neighborhood, they would lose property value, it would increase traffic and road rage; we would have a loss of mature trees and animals. There would be difficulty leaving their driveways. In closing he stated that they live in the country because they like it and that there exist roads that require repair due to the traffic that would come into the city. He also added that the population forecast done by Puget Sound Regional Council states Marysville in 2040 will have 18, 700 more people. Mr. Bakker went on to talk about his concerns on a storm water charge and Chairman Muller directed him to City Council.

Tim Nixon – 4024 71st Ave. NE – 425.335.7764

Mr. Nixon inquired about the drawings on the map; 79th to 71st on 40th, there is no road but is it part of the plan. Ms. Hirashima said that the road from 40th street will connect all the way to 83rd Ave. NE that is reflected in the current Comp Plan. In addition due to plat activity between 71st Ave. and 83rd Ave. NE, the roadway has already been identified and will be required to be constructed by several subdivisions that have received preliminary approval. She continued to explain the responsibilities and plans. Mr. Nixon shared his additional concern for development in the wetlands. Chairman Muller stated that it would not happen due to environmental standards. He also asked Gloria if the approval was through Snohomish County. Ms. Hirashima said yes that four plats were approved through Snohomish County. Mr. Nixon then recommended 44th being extended down the hill to Sunnyside.

Chairman Muller asked Elaine Sykes (3306 87th Ave. NE, Marysville 98270 – 425.385.3626) if wanted to address the Commission; she declined.

Malcom McNaughton – 12203 9th Pl. NE, Lake Stevens

Mr. McNaughton stated that he was representing Brad Kirk who is a property owner on 40th and 87th; who asked him to speak on his behalf. First he commended the city for annexing this area; enabling these discussions here in Marysville. He went on to say that through his experience in working with the planning commission, he knows that although lines are on a map, they are not firm, only planning. His understanding is that this is a developer-driven project and not by the City. In closing he said that he supports additional input on this plan with community meetings for further study.

Jeri Short - 6917 40th Street NE – 425.348.8540

Ms. Short asked about changes in property value when the project is developer driven. Chairman Muller asked to speak on this question. He said that when you list your property currently zoned at 6.5 units per acre and developer wants to develop, they will make an offer

at a higher value drafted on feasibility basis. They meet with city staff and inquire about the property and work together to make it work. Ms. Short then asked what if you are selling to an individual and not a developer. Chairman Muller stated that zoning dictated land use. Mr. Nielsen added that a developer-driven project receives credit back for right-a-way and building the road. Commissioner Foster added the feedback she received from elderly couples attending workshops - how very happy they were in receiving a high value for their property. Ms. Hirashima addressed the fear on the roadways; she stated that the Comp Plan has policies including a transportation policy to guide this process. She said that we are looking for guidance for serving future development and growth of the area. She then explained the process and why staff goes through it.

Shelly Thomas - 3626 87th Avenue NE

Ms. Thomas requested clarification on the connection from 92 to 40th as developer-driven. Ms. Hirashima said yes it was what they anticipate due to lack of funding for capital projects. Chairman Muller added that if the project is not a need then it becomes developer-driven, he explained further and asked if this helped Ms. Thomas. Ms. Thomas replied yes, and that she was still in opposition. Ms. Hirashima added that there was land owned by the City and it would be taken care by the City.

Holly White – 3303 87th Ave. NE

Ms. White spoke to the emotionality in the room; the skyrocketing prices are nice and wow some people, but the bottom line for quite a few people in this area that have been annexed is the “quality of life.” She closed by stating that no amount of money would move her from her home.

Chairman Muller closed public testimony.

Commission Discussion:

Commissioner Kvangnes stated that she has lived here for 40 years, eight of which she has served as a volunteer on the commission. She agreed that we have a traffic problem and that we are way behind in fixing it. Either way someone is going to be impacted. She added that she is in agreement with Mr. White’s workshop idea. She complimented everyone on their involvement, however this is personal. She encouraged everyone to stay involved in their city to make it a better place. Last year we had a developer workshop to resolve a very difficult situation, this is another one of those types of situations; it will be very, very difficult to resolve it. She closed recommending a workshop with the community to work together. She also stated for the record, that she did not care for all the sweeping options.

Commissioner Andes – None

Commissioner Voigt – None

Motion was made by Commissioner Foster to remand City-initiated Amendment No. 6 back to staff for further review (workshops with the community); seconded by Commissioner Kvangnes. Motion passed unanimously with a hand vote of 6-0.

Ms. Hirashima requested Commission’s direction due to the fact that the Comp Plan, by state law, can only be amended once a year. This group of 2007 amendments must be submitted together. Therefore, the remand of these two amendments remands the entire package. She further requested a firm date to continue the meeting while having workshops in-between. Chairman Muller asked why the amendments had to stay together. Ms. Hirashima said that the City, by state law can amend the Comp Plan once a year; this is the 2007 Comp Plan amendment cycle. Chairman Muller then asked why these two items could not be remanded to the next cycle. Mr. Knudsen stated that a way to handle this would be to forward all the recommendations made tonight to the Council, including the two remanded (5

and 6) ones leaving up to the City Council to decide whether they agree with that or not. He further stated that this would allow them to move forward on all others and let the Council remand the two amendments back to staff. Chairman Muller asked to confirm that this would allow them to move on with the others. Mr. Knudsen said yes. Chairman Muller then asked if this process would then push the two amendments into the next cycle. Mr. Knudsen said yes, it could. Chairman Muller then stated that if the amendments were pushed into the 2008 cycle, they would become null and void and there would be no workshops. Commissioner Leifer asked if it stopped any of the other projects in that area. Ms. Hirashima clarified that it would not. She also clarified that the City currently has a connection plan within the Comp Plan and this would not alleviate anyone from doing road connections. Mr. Nielsen concurred. Ms. Hirashima added that it would affect the Whisky Ridge plan that states the credit towards their right-of-way and mitigation; the projects in the interim would not receive this credit. Chairman Muller stated that we would adhere to the vote taken but it would need to be amended. Mr. Knudsen recommended a motion to clarify the affect of both decisions on amendments five and six that the Commission is making a recommendation to the Council to remand both amendments to staff for further study (workshops).

Motion made by Commissioner Voigt to forward City-initiated Text Amendments No. 5 and No. 6 to City Council with the Commission's recommendation to remand them back to staff for further review (workshops); seconded by Commissioner Kvangnes; Motion passed unanimously (6-0).

City Initiated Text Amendment No. 7

Request: Amend the Comp Plan Map designation and concurrently rezone residentially designated property located north of 156th Street NE and east of BMSF railway, within the Lakewood neighborhood, from Low-Density Multi-family (R-12) to Community Business (CB).

Location: The proposal map and text amendment would affect the residentially designated properties located north of 156th Street NE, east of BNSF railway in the Lakewood neighborhood.

Director Hirashima reviewed request, review, and staff's recommendation to approve amendment as submitted.

Commission Questions: None

Public Testimony: None; Chairman Muller closed public testimony.

Commission Discussion:

Commissioner Voigt stated that there was nothing controversial about this request.

Motion made by Commissioner Foster to approve staff's recommendation as written; seconded by Commissioner Voigt. Motion passed unanimously (6-0).

City Initiated Text Amendment No. 8

Request: Amend the Comp Plan Map designation and concurrently rezone commercially designated property, as a map correction for properties that were short platted and developed with duplexes in 2001, from General Commercial (GC) to High-Single-Family (R 6.5).

Location: 8106, 8110, 8114, 8204, and 8207 43rd Avenue NE.

Director Hirashima reviewed request, review, and staff's recommendation to revise the comprehensive plan and zoning maps to reflect R-6.5, Single-Family-High land use designation and zoning. She stated that this was a mapping error approval of this request would correct it.

Commission Questions: None

Public Testimony: None; Chairman Muller closed public testimony.

Commission Discussion:

Commissioner Leifer asked for confirmation of the property location.

Motion made by Commissioner Kvangnes to forward City-initiated Text Amendment No.8 as submitted to City Council for approval; seconded by Commissioner Andes. Motion passed unanimously (6-0).

3. Development Regulations Update

Director Hirashima stated that the July 2nd 2007 Development code revisions are numerous code amendments that reflect residential and commercial zones.

Commission Questions: None

Public Testimony:

Aaron Metcalf, President, Belmark Land and Homes LLC - 505 Cedar Ave. Ste. B1, Marysville

Mr. Metcalf said that he was speaking due to the fact they have a project where they will be making application on Soper Hill Road and 83rd (north-east corner). They are producing a master plan project following the Whisky Ridge subarea plan. Their challenge is the interpretation they need to do following code. In doing so, they are finding issues with the City's subarea plan; one of the housekeeping issues is that the R6-18 zoned property in the Whisky Ridge area is currently going off "gross acres density" rather than "net." He then submitted his comments along with a map showing how this would affect his project of a loss of 14 lots. He added that although this is a housekeeping and small item, it has a great repercussions on the project. Mr. Metcalf recommends that more time be taken to make sure that they are correct. Chairman Muller asked about lot size and what is the housekeeping item. Mr. Metcalf responded with lot size of 45x90 and MMC 19120306a. Ms. Hirashima explained the reason for the amendment. Chairman Muller requests clarification to the loss of fourteen lots with the change. Mr. Metcalf said yes and added that it was costly. Discussion continued with Chairman Muller, Mr. Metcalf, and Ms. Hirashima on the cost, burden, and challenges.

Commission Questions: None

Commissioner Andes asked how long it would take to implement these revisions. Ms. Hirashima said that she hoped they would be adopted by September 2007. She then submitted a letter from Barclay North, Inc.

Chairman Muller closed public testimony.

Commission Discussion:

Commissioner Voigt asked Ms. Hirashima what she thought about Barclay's North's recommendations. Ms. Hirashima felt that their letter reflected confusion on what we are doing.

Motion made by Commissioner Voigt to forward the 2007 Code Revisions to City Council for action; seconded by Commissioner Andes. Motion passed unanimously (6-0).

COMMENTS FROM THE STAFF: None

COMMENTS FROM COMMISSIONERS:

Chairman Muller asked about the next step on City-initiated Amendments No. 5 and No. 6. Will we do a workshop? Commission Voigt recommended having the consultant scope and budget

an additional modeling effort. Discussion was had between the Commission and Ms. Hirashima on the affect of remanding the two amendments and how it would affect next steps.

CITY COUNCIL ACTION

Minutes available online on city website: www.ci.marysville.wa.us

ADJOURNMENT

Seeing no further business, Chairman Muller solicited a motion to adjourn. **Motion** made by Commissioner Foster, seconded by Commissioner Kvangnes to adjourn at 10:32 p.m. **Motion** passed unanimously (6-0).

NEXT MEETING

September 11, 2007 at 7:00 p.m. (No meeting scheduled in August)

Respectfully submitted,
Valeri Dean, Recording Secretary

Belmark Land & Homes, LLC

July 23, 2007

Planning Commission
City of Marysville

RE: Amendment of MMC 19.12.030 6a

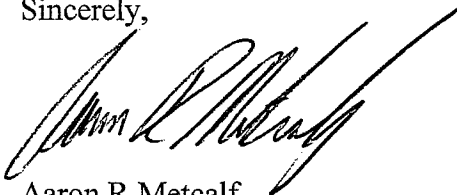
Dear Sir and Madam,

I am writing this letter in regards to the amendment of 19.12.030 6(a) MMC. This section of code currently reads that the single-family density will be calculated using net density. The revision being requested by City Staff is asking that the Whiskey Ridge zones WR R 4-8 & WR R6-18 be included in the net density.

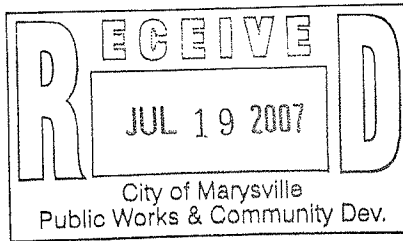
We are currently working on a layout in WR R6-18 zone and we are not able to achieve maximum density with the single-family lot layout while we are calculating with gross density pursuant to Whiskey Ridge Subarea Plan Section VIII (1) Densities and Dimensions sub note 6a. If we were to change to net density we will loose even more lots (+/- 14 lots), there by making the multi-family zone irrelevant.

Attached you will find the current layout using gross density. Approximately 14 lots would be displaced in the highlighted WR R 6-18 zone using the existing road layout.

Sincerely,



Aaron R Metcalf
President



July 18, 2007

Marysville Planning Commission
80 Columbia Avenue
Marysville, WA 98270

RE: Comments to Proposed Comprehensive Plan and Development Code Amendments

Dear Commissioners:

On behalf of Barclays North, Inc., I am writing to submit our comments regarding the proposed amendments to the city's Comprehensive Plan and proposed Development Code Revisions the Planning Commission will consider July 24.

Comprehensive Plan Amendments

- Amendment #2: We oppose this amendment as being overly restrictive. Marysville Municipal Code (MMC) 19.54.070 sets a sufficiently strict, yet fair, four-pronged test for applicants who desire a zone reclassification and should remain city policy. The proposed amendment unnecessarily burdens applicants, particularly those with limited knowledge of land use policy code and regulations.

Development Regulation Revisions

- Code Amendment 4: This amendment, which supplants building coverage requirements with impervious surface and setback controls, is very troublesome to us. We believe this provision will impact us negatively because we will have to include structures such as driveways in our impervious surface calculations, therefore decreasing structure size. If the goal of the city is to encourage the use of pervious surfaces where possible, it should consider the use of incentives without accompanying restrictions.
- Code Amendment 5: We support this amendment which relates to setbacks for townhomes built on individual lots. This increases our ability to utilize the different development tools available.

- Code Amendment 6: We are opposed to this amendment, which reduces the maximum height of buildings in certain zones. This reduces our ability to offer a product demanded by the marketplace.
- Code Amendment 13: We support this amendment, which allows for a fee in lieu of open space in certain zones. This is a good tool for urban infill development and an example of the type of innovative flexibility we encourage the city to implement more often.
- Code Amendment 15: We do not agree with the provisions of this amendment that eliminate the use of tandem parking. This practice is used nationwide and we disagree with the notion that it causes problems with overall parking in developments. Further, tandem parking is an important tool used in successful urban infill development. Removing this as an option is effectively a step back from the increased flexibility provided by such proposals as Code Amendment 13.

We hope that the Planning Commission will carefully consider our comments. When doing so we encourage you to keep in mind that increased flexibility and additional tools are what enable our industry to provide the types of development the city of Marysville desires for its future. Should you have questions, please do not hesitate to contact me at any time. Thank you for your time.

Sincerely,





Chris Bandoli
Government Affairs Manager

cc: Honorable Mayor Kendall
Ms. Gloria Hirashima, Director of Community Development
Marysville City Council

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: December 10, 2007

AGENDA ITEM: Interlocal Cooperative Agreement for Northwest Minichain services between the City of Marysville and Whatcom County	AGENDA SECTION:	
PREPARED BY: Commander R. Krusey	AGENDA NUMBER:	
ATTACHMENTS: Interlocal Cooperative Agreement	APPROVED BY: Chief John Turner	
	MAYOR: 	CAO: 
BUDGET CODE: 00103960551000	AMOUNT: \$32,826	

The Police Department is requesting the City Council authorize the Mayor to sign the Interlocal Cooperative Agreement between the City of Marysville and Whatcom County for the services of the Northwest Minichain. This service transports Marysville prisoner, housed in other facilities, to Marysville Jail on the Whatcom County Bus.

This is a recurring agreement and has been budgeted for in CY-2008 budget.

This agreement has been approved as to form by City attorney Grant Weed.

RECOMMENDED ACTION:
 Staff recommends that Marysville City Council authorize the Mayor to sign the Interlocal Cooperative Agreement.

COUNCIL ACTION:

**WHATCOM COUNTY
SHERIFF'S OFFICE**

BILL ELFO
SHERIFF

PUBLIC SAFETY BUILDING
311 Grand Avenue
Bellingham, WA 98225-4078



CAREY JAMES
UNDERSHERIFF

JEFF PARKS
CHIEF DEPUTY

KEVIN MOYES
CHIEF DEPUTY

WENDY JONES
CHIEF OF CORRECTIONS

November 9, 2007

Commander Ralph Krusey
City of Marysville
1635 Grove St.
Marysville, WA 98270

RE: Interlocal Cooperative Agreement for Mini Chain Services
Between the City of Marysville and Whatcom County

Dear Commander Krusey,

Enclosed please find two originals of the Interlocal Cooperative Agreement for Northwest Minichain Services between the City of Marysville and Whatcom County. Please have both of them signed and notarized where indicated and forward them to me at the address below. I will then forward you a fully executed original upon completion of the signing process.

Whatcom County Jail Administration
311 Grand Ave.
Bellingham, WA 98225
Attn: Karen Walker, Adm Coordinator

Thank you for your assistance in this process.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Karen Walker', written in black ink.

Karen Walker, Administrative Coordinator

Enclosures: (2)

**INTERLOCAL COOPERATIVE AGREEMENT
NORTHWEST MINICHAIN WITH MARYSVILLE**

THIS AGREEMENT is made and entered into by and between the City of Marysville, Washington ("Marysville") and Whatcom County, Washington ("County") pursuant to the authority granted by Chapter 39.34 RCW, INTERLOCAL COOPERATION ACT.

1. PURPOSE

The purpose of this agreement is to provide for transportation services for prisoners for Marysville for a period beginning on the First day of January, 2008 and ending on the Thirty-first day of December, 2008. Marysville and Whatcom County agree to the terms and conditions incorporated herein.

2. RESPONSIBILITIES:

Prior to signing this agreement, Marysville has determined that there exists a public need for the services to be provided hereunder, and that it is appropriate that public funds be expended to meet this need.

Marysville acknowledges Whatcom County's operational control of its jail facilities and agrees that prisoners transported on the Northwest Mini-Chain van by Whatcom County will be subject to Whatcom County Jail policies and procedures.

Whatcom County covenants to perform the following transportation services:

Provide inmate transportation services via the Northwest Mini-Chain for the City of Marysville with at least one (1) trip per weekday, the time of which shall be mutually agreeable to the County and the City of Marysville, as follows:

- a) To pick up inmates from any Northwest Mini Chain contracted city or county jail along the I-5 corridor, with King County Jail being the southernmost point.
- b) Provide driver and vehicle to accomplish above transportation services. Schedules will be set up in advance by telephone.

3. TERM OF AGREEMENT:

The term of this Agreement shall be from January 1, 2008 through December 31, 2008, regardless of date of signature.

The terms of this agreement shall be subject to review and revision in September of 2008 for renewal in January 2009.

4. MANNER OF FINANCING:

Funds for the payment of services to be rendered under this Agreement have been budgeted, allocated and are available for this purpose. This agreement shall not obligate Marysville in excess of the balance of funds available for this purpose, nor shall it obligate Whatcom County to perform services, which are not budgeted. The source of funds is the City of Marysville budget.

Whatcom County shall provide Marysville with an invoice for services rendered on a quarterly basis. The Contract Number, set forth above, shall be included on all billings or correspondence in connection therewith.

This compensation is calculated on the actual percentage of usage by Marysville of the total cost of the Northwest Minichain Transport System, and as such will not require a quarterly breakdown of actual transports.

Annual Compensation: \$34,410.00

Quarterly Invoices:

March 31, 2008	\$ 8,602.50
June 30, 2008	\$ 8,602.50
September 30, 2008	\$ 8,602.50
December 31, 2008	\$ 8,602.50

5. ADMINISTRATION: The following individuals are designated as representatives of the respective parties. The representatives shall be responsible for administration of this Agreement and for coordinating and monitoring performance under or greater than this Agreement. In the event such representatives are changed, the party making the change shall notify the other party.

5.1 The County's representative shall be the Whatcom County Executive, and Sheriff Bill Elfo

5.2 Marysville's representative shall be _____.

6. TREATMENT OF ASSETS AND PROPERTY: No fixed assets or personal or real property will be jointly or cooperatively, acquired, held, used, or disposed of pursuant to this Agreement.

7. INDEMNIFICATION: Each party agrees to be responsible and assume liability for its own wrongful and/or negligent acts or omissions or those of their officials, officers, agents, or employees to the fullest extent required by law, and further agrees to save, indemnify, defend, and hold the other party harmless from any such liability. It is further provided that no liability shall attach to the County by reason of entering into this contract except as expressly provided herein.

8. 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.

9. 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. The term of this Agreement may be extended by mutual agreement of the parties; provided, however, that the Agreement is in writing and signed by both parties.

10. 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.

11. 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.

IN WITNESS WHEREOF, the parties have executed this Agreement this ___ day of _____, _____.

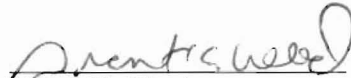
CONTRACTOR:

APPROVED:

Mayor, City of Marysville

Date

APPROVED AS TO FORM:


Marysville City Attorney

11-15-07
Date

STATE OF WASHINGTON)
) Ss.
COUNTY OF _____)

On this ___ day of _____, 20 __, before me personally appeared _____ to me known to be the Mayor of Marysville and who executed the above instrument and who acknowledged to me the act of signing and sealing thereof.

NOTARY PUBLIC in and for the State of Washington, residing at _____
My commission expires _____

WHATCOM COUNTY:

Recommended for Approval:

Bill Elfo, Sheriff Date 11-8-07

Approved as to form:

Renald J. Watts Prosecuting Attorney Date 10-31-07

Approved:

Accepted for Whatcom County:

By: _____
Pete Kremen, Whatcom County Executive

STATE OF WASHINGTON)
) Ss
COUNTY OF WHATCOM)

On this _____ day of _____, 20 __, before me personally appeared Pete Kremen, to me known to be the Executive of Whatcom County, who executed the above instrument and who acknowledged to me the act of signing and sealing thereof.

NOTARY PUBLIC in and for the State of Washington, residing at _____.
My commission expires _____.

CONTRACTOR INFORMATION:

City of Marysville

Dennis L. Kendall
Mayor

Address:
1049 State Avenue
Marysville, WA 98270

Contact Name: Commander Ralph Krusey
Contact Phone: 360.363.8300
Contact FAX: 360.651.5054
Contact Email: rkrusey@ci.marysville.wa.us

**CITY OF MARYSVILLE
EXECUTIVE SUMMARY FOR ACTION**

CITY COUNCIL MEETING: December 10th, 2007

AGENDA ITEM: Accept 6 year water conservation goals to meet the Water Efficiency Rule accepted by the State Legislature	AGENDA SECTION:	
PREPARED BY: Terry C. Hawley – Operations Manager- Public Works	AGENDA NUMBER:	
ATTACHMENTS: 1) Water Use Efficiency pamphlet #331-361 2) Summary of the Water Use Efficiency Rule pamphlet #331-302 3) Goal Setting and Performance Reporting Requirements pamphlet #331-305 4) Outline of Marysville’s Water Conservation Goal	APPROVED BY:	
	MAYOR	CAO
BUDGET CODE: N/A	AMOUNT:	

SUMMARY STATEMENT

The Water Use Efficiency Rule went in affect January 22nd, 2007. By January 22nd, 2008 all municipal water suppliers with 1,000 or more connections must set their initial conservation goal for the next six years.

The City’s goal is to save 136,500 gpd, on an annual basis, between January 1, 2008 and December 31, 2013.

This number is based on EWUC regional conservation program of 1.65 mgd as set in the Everett Comprehensive Plan. This assumes 7% (136,500 gpd) of the total projected saving of 1.65 mgd will be achieved in Marysville, since Marysville represents 7% of the daily EWUC demand.

The Public Process has been met by providing background material on the City’s web site and by having hardcopies of the Conservation goals available at the Public Works main office.

RECOMMENDED ACTION:

Public Works staff recommends approval to set the City of Marysville’s conservation goal at 136,500 gallons per day.

COUNCIL ACTION:



Questions & Answers

Water Use Efficiency Rule

March 2007
DOH PUB. #331-361

Why was the Water Use Efficiency Rule passed?

In 2003 the State Legislature passed the Municipal Water Law, which directed the Department of Health (DOH) to adopt a rule that establishes water use efficiency (WUE) requirements for all municipal water suppliers. The water use efficiency rule will help conserve water for the environment and future generations. It will also enhance public health by improving water system efficiency and reliability.

Is my water system affected by this rule?

All municipal water suppliers are affected by the rule requirements; this includes most Group A community water systems with 15 or more residential connections and some non-community water systems that serve water in a residential manner. The Department of Ecology can help you figure out whether these rules apply to your water system. See Ecology contacts below or view Ecology's policy on municipal water suppliers at www.ecy.wa.gov/programs/wr/rules/images/pdf/pol2030.pdf

Central Regional Office (Yakima):	Scott Turner	(509) 457-7106
Eastern Regional Office (Spokane):	Dan Tolleson	(509) 329-3526
Northwest Regional Office (Bellevue):	Paul Fabiniak	(425) 649-4342
Southwest Regional Office (Lacey):	Phil Crane	(360) 407-0238

What do we need to do, and by when?

The rule requirements and compliance deadlines are shown in the table below. The requirements are listed in order, by the date they are due. We are working on guidance documents to help water systems comply (see next page).

Rule Requirement	Deadline for water systems under 1,000 connections	Deadline for water systems w/ 1,000 or more connections
Collect consumption & production data	January 1, 2008	Now
Include WUE program in planning documents	January 22, 2008	January 22, 2008
Set your own WUE goals	January 22, 2009	January 22, 2008
Submit service meter installation schedule	July 1, 2009	July 1, 2008
Submit first annual performance report	July 1, 2009	July 1, 2008
Install service meters	January 22, 2017	January 22, 2017
Meet 10% leakage standard (based on 3-year average)	Three years after installing all service meters	Three years after installing all service meters



HELPING TO ENSURE SAFE AND RELIABLE DRINKING WATER



December 2006
DOH PUB. #331-302
(Update)

Fact Sheet

Water Use Efficiency Rule

Summary of the Water Use Efficiency Rule

Background

Growing communities, agriculture, industry, and the importance of conserving water for fish have placed an increasing demand on our state's water resources. To help meet these growing needs, the Washington State Legislature passed the Municipal Water Supply - Efficiency Requirements Act of 2003, better known as the Municipal Water Law. The law gives municipal water suppliers certain benefits and obligations. One of their obligations is to comply with the water use efficiency rule.

The water use efficiency rule affects all municipal water suppliers, which includes all Group A community water systems with 15 or more residential connections and some non-community water systems that use water in a residential manner (RCW 90.03.015).

Water Use Efficiency Rule

Effective Date
January 22, 2007

Water Use Efficiency Rule – Key Elements

- **Water Use Efficiency Planning Requirements** – As part of a water system plan or small water system management program, municipal water suppliers must collect data, forecast demand, evaluate leakage, evaluate rate structures that encourage water use efficiency, and evaluate or implement water use efficiency measures. For more information about this part of the rule, please see the Fact Sheet, *Planning Requirements* (DOH Pub. #331-303).
- **Distribution Leakage Standard** – Municipal water suppliers must meet a state distribution system leakage standard in order to minimize water loss in the distribution system. For more information about this part of the rule, please see the Fact Sheet, *Distribution Leakage Standard* (DOH Pub. #331-304).
- **Water Use Efficiency Goal-Setting and Performance Reporting** – Municipal water suppliers must set water use efficiency goals through a public process and report annually on their performance to customers, Department of Health, and also make the information available to the public. For more information about this part of the rule, please see the Fact Sheet, *Goal-Setting and Performance Reporting* (DOH Pub. #331-305).



HELPING TO ENSURE SAFE AND RELIABLE DRINKING WATER

For More Information

If you have any questions about the water use efficiency rule, please contact:

Michael Dixel

Water Resources Policy Lead

Office of Drinking Water

Department of Health

PO Box 47822

Olympia, Washington 98504-7822

Phone: 360-236-3154

Fax: 360-236-2252

E-mail: michael.dixel@doh.wa.gov

Additional information can be found on the Web at:

http://www.doh.wa.gov/ehp/dw/municipal_water/water_use_efficiency_rule.htm



The Department of Health is an equal opportunity agency. For persons with disabilities, this document is available on request in other formats. To submit a request, please call 1-800-525-0127 (TTY 1-800-833-6388). For additional copies of this publication, call 1-800-521-0323. This and other publications are available at <http://www.doh.wa.gov/ehp/dw>



December 2006
DOH PUB. #331-305
(Update)

Fact Sheet

Water Use Efficiency Rule

Goal-Setting and Performance Reporting Requirements

Background

One of the three elements of the water use efficiency rule is water use efficiency goal-setting and performance reporting. Municipal water suppliers must set water use efficiency goals through a public process and report annually on their performance to customers and the Department of Health (DOH), and also make this information available to the public.

Water Use Efficiency Rule

Effective Date
January 22, 2007

Water Use Efficiency Goal-Setting

All municipal water suppliers with 1,000 or more connections must set their initial water use efficiency goals within one year of the effective date of the rule, or within two years for water systems with fewer than 1,000 connections. These water use efficiency goals must be set through a public process and re-evaluated every six years. Municipal water suppliers may use their existing public processes as long as they meet the requirements of the rule.

All municipal water suppliers need to set water use efficiency goals and record these goals in planning documents and performance reports. When setting water use efficiency goals, the municipal water supplier must:

- Include a measurable outcome in terms of water production or consumption (for example: reduce peak production volumes by five percent, maintain current single family residential use, and reduce leakage from 30 percent to 10 percent).
- Address water supply and forecasted demand characteristics.
- Include an implementation schedule for meeting the goals.

Performance Report

All municipal water suppliers must report annually (by July 1) on their water use efficiency performance to customers and DOH, and also make this information available to the public. Municipal water suppliers may fulfill this requirement by including performance information in their Consumer Confidence Report (an annual water quality report mailed to customers).



HELPING TO ENSURE SAFE AND RELIABLE DRINKING WATER

Performance reports need to include the following elements:

- Annual water system production total.
- Annual distribution system leakage information. If a municipal water supplier is not fully metered, then it needs to report annually on its progress toward installing meters on all service connections (see Fact Sheet *Distribution Leakage Standard*, DOH Pub. #331-304 for more details).
- A description of the water system's water use efficiency goals and progress toward achieving those goals.

Performance Reporting Schedule

For municipal water suppliers with 1,000 or more connections, the initial performance report is due July 1, 2008.

For municipal water suppliers with fewer than 1,000 connections, the initial performance report is due July 1, 2009.

For More Information

If you have any questions about the water use efficiency rule, please contact:

Michael Dixel
Water Resources Policy Lead
Office of Drinking Water
Department of Health
PO Box 47822
Olympia, Washington 98504-7822
Phone: 360-236-3154
Fax: 360-236-2252
E-mail: michael.dixel@doh.wa.gov

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Setting Marysville's Water Conservation Goal

- 1) The Water Use Efficiency Rule (WUE) went in affect January 22nd, 2007. It was an outgrowth of the 2003 Municipal Water Law that was to foster supply-side and demand-side water use efficiencies.
- 2) There are seven WUE Rule Requirements, they are:
 - a. Meter all sources and service connections.
 - b. There must be data collection.
 - c. Distribution System Leakage must be 10% or less.
 - d. A Conservation Goal must be established publicly by January 22nd, 2008.
 - e. Implement or Evaluate 1-12 Measures. (based on connections; 9 for Marysville.
 - f. There must be demand forecasting.
 - g. There must be annual performance reports submitted.
- 3) There are ten Goal Requirements, they are:
 - a. Goals must be determined by the Municipal Water Supplier not the Department of Health.
 - b. Goals must be established by January 22nd, 2008 and re-established at a minimum of every 6 years.
 - c. Goals must be established using a public process.
 - d. Goals must consider water quality characteristics.
 - e. Goals must be measurable in terms of reduced or maintained water production or usage.
 - f. Goals can be expressed on per capita, per connection, total system, or another chosen basis that can be measured.
 - g. A schedule for implementing measures and achieving goals must be in place.
 - h. Goals can be modified at anytime, but must use a public process to do so.
 - i. If goals are not being met, must modify WUE program or goal.
 - j. Goals must be reported annually to DOH and to all customers.
- 4) Public Process Requirements:
 - a. Consumers and the public must have an opportunity to participate and comment on the goals.
 - b. All comments received need to be reviewed and considered.
 - c. Provide 2 week's notice of a public meeting.
 - d. Provide background material for public review (webpage or hardcopy)

5) Marysville's Conservation History:

- a. Current program includes 12 measures, four local measures and nine regional measures and targets all sectors, single family, multi-family and industrial/commercial.

Local measures include conservation pricing, bills showing consumption history, toilet rebates and AMR customer meter.

Regional measures include, school-based education, public outreach, indoor retrofit kits, outdoor irrigation kits, toilet leak detection, toilet rebates, clothes washer rebates, School irrigation system audits and commercial indoor audits.

6) Marysville's Draft Goal:

- a. Marysville draft goal is to save 136,500 gpd, on an annual basis, between January 1, 2008 and December 31, 2013.

Table of estimated saving attached.

7) Next Steps to implement goals:

- a. Obtain management approval to move forward with this draft goal.
- b. Obtain management input on the public process.
- c. Hold public meeting.
- d. Council approval by January 22nd 2008.

	2008		2009		2010		2011		2012		2013		Total	
	Units	Savings (mgd)	Units	Savings (mgd)	Units	Savings (mgd)	Units	Savings (mgd)	Units	Savings (mgd)	Units	Savings (mgd)	Units	Savings (mgd)
Education [#]	n/a	0.61	n/a	0.63	n/a	0.64	n/a	0.66	n/a	0.67			n/a	0.67
Indoor Retrofit Kits	8,250	0.07	8,250	0.07	8,250	0.07	8,250	0.07	8,250	0.07			41,250	0.37
Outdoor Irrigation Kits	7,500	0.05	7,500	0.05	3,750	0.03	3,750	0.03	3,750	0.03			26,250	0.17
Toilet Leak Detection	71,640	0.13	10,760	0.02	5,760	0.01	5,760	0.01	5,760	0.01			99,680	0.18
Toilet Rebates	750	0.01	1,610	0.02	1,610	0.02	1,610	0.02	1,620	0.02			7,200	0.08
Clotheswasher Rebates	750	0.01	1,610	0.02	1,610	0.02	1,610	0.02	1,620	0.02			7,200	0.11
School Irrigation System Audits	5	0.002	15	0.01	15	0.01	15	0.01	10	0.003			60	0.02
Commercial Indoor Audits	5	0.002	28	0.01	28	0.01	28	0.01	31	0.01			120	0.04
Annual Subtotal	n/a	0.89	n/a	0.83	n/a	0.81	n/a	0.83	n/a	0.84			n/a	1.65
Cumulative	n/a	0.89	n/a	1.11	n/a	1.29	n/a	1.47	n/a	1.65			n/a	1.65

1. From Table 5-8 in Everett 2007 Comprehensive Water Plan.

	2008		2009		2010		2011		2012		2013		Total	
	Units	Savings (gpd)	Units	Savings (gpd)	Units	Savings (gpd)	Units	Savings (gpd)	Units	Savings (gpd)	Units	Savings (gpd)	Units	Savings (gpd)
Toilet Rebates - 1.6 gpf ¹	60	1,620	60	1,620	60	1,620	60	1,620	60	1,620	60	1,620	360	9,720
Education ^{2,3}	n/a	42,910	n/a	44,030	n/a	45,080	n/a	46,200	n/a	47,110	n/a	47,110	n/a	47,110
Indoor Retrofit Kits ³	578	5,180	578	5,180	578	5,180	578	5,180	578	5,180	578	5,180	3,465	31,080
Outdoor Irrigation Kits ³	525	3,430	525	3,430	263	1,750	263	1,750	263	1,750	263	1,750	2,100	13,860
Toilet Leak Detection ³	5,015	8,960	753	1,610	403	784	403	784	403	784	403	784	7,381	13,706
Toilet Rebates - HETs ³	53	560	113	1,190	113	1,190	113	1,190	113	1,190	113	1,190	617	6,510
Clotheswasher Rebates ³	53	840	113	1,680	113	1,680	113	1,680	113	1,680	113	1,680	617	9,240
School Irrigation System Audits ³	0	140	1	350	1	350	1	350	1	210	1	210	5	1,610
Commercial Indoor Audits ³	0	140	2	700	2	700	2	700	2	770	2	770	11	3,780
Annual Subtotal	n/a	63,780	n/a	59,790	n/a	58,334	n/a	59,454	n/a	60,294	n/a	60,294	n/a	136,616
Cumulative	n/a	63,780	n/a	80,660	n/a	94,964	n/a	109,338	n/a	123,432	n/a	136,616	n/a	136,616

1. Based on 3.5 gpf pre-code toilets, 1.6 gpf code toilets, 5.1 flushes per person per day, 2.8 people per single family household, and 60 rebates a year.

2. Education savings are not cumulative over the six years since a continuous effort must be made to maintain savings each year.

3. Based on the EWUC regional conservation program in the 2007 Everett Comprehensive Water Plan. Assumes 7% of the EWUC savings will be achieved in Marysville, since Marysville represents 7% of the EWUC demand (2007 Everett Comprehensive Water Plan; Table 3-11). The EWUC program is for 2007-2012. It is assumed that EWUC will continue programs beyond 2012, therefore the 2012 numbers are used for 2013 as well.

7%

2013

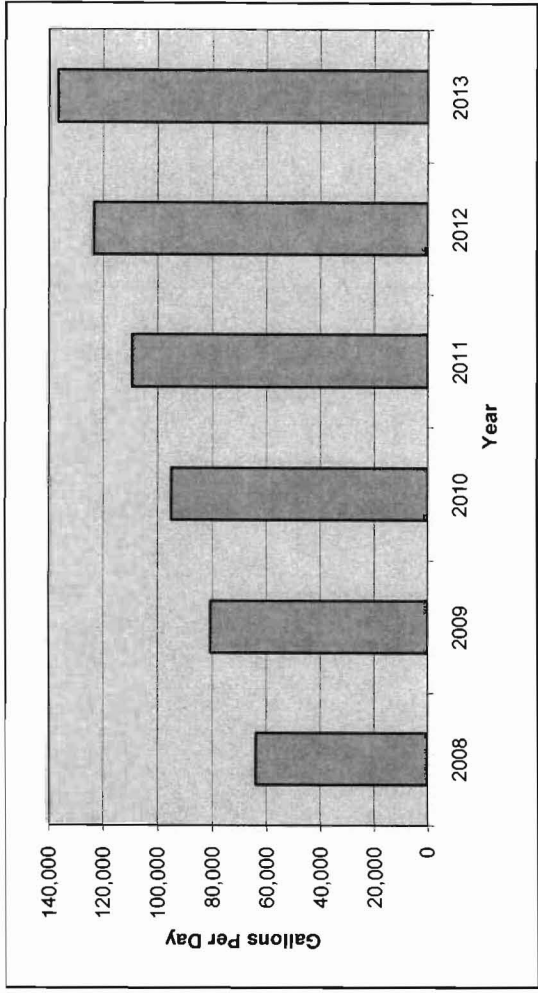
2012

2011

2010

2009


2008



CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: December 10, 2007

AGENDA ITEM: Project Acceptance: North 240 Zone Reservoir project	AGENDA SECTION: New Business	
PREPARED BY: David Zull, Project Manager I	AGENDA NUMBER:	
ATTACHMENTS: Notice of Physical Completion Location Map	APPROVED BY: 	
	MAYOR	CAO
BUDGET CODE: 40220594.563000 W0101	AMOUNT:	

The City Council awarded the “North 240 Zone Reservoir and Transmission Main” contract to T. Bailey, Inc., on July 10, 2006, in the amount of \$2,839,401.60, including State Sales Tax.

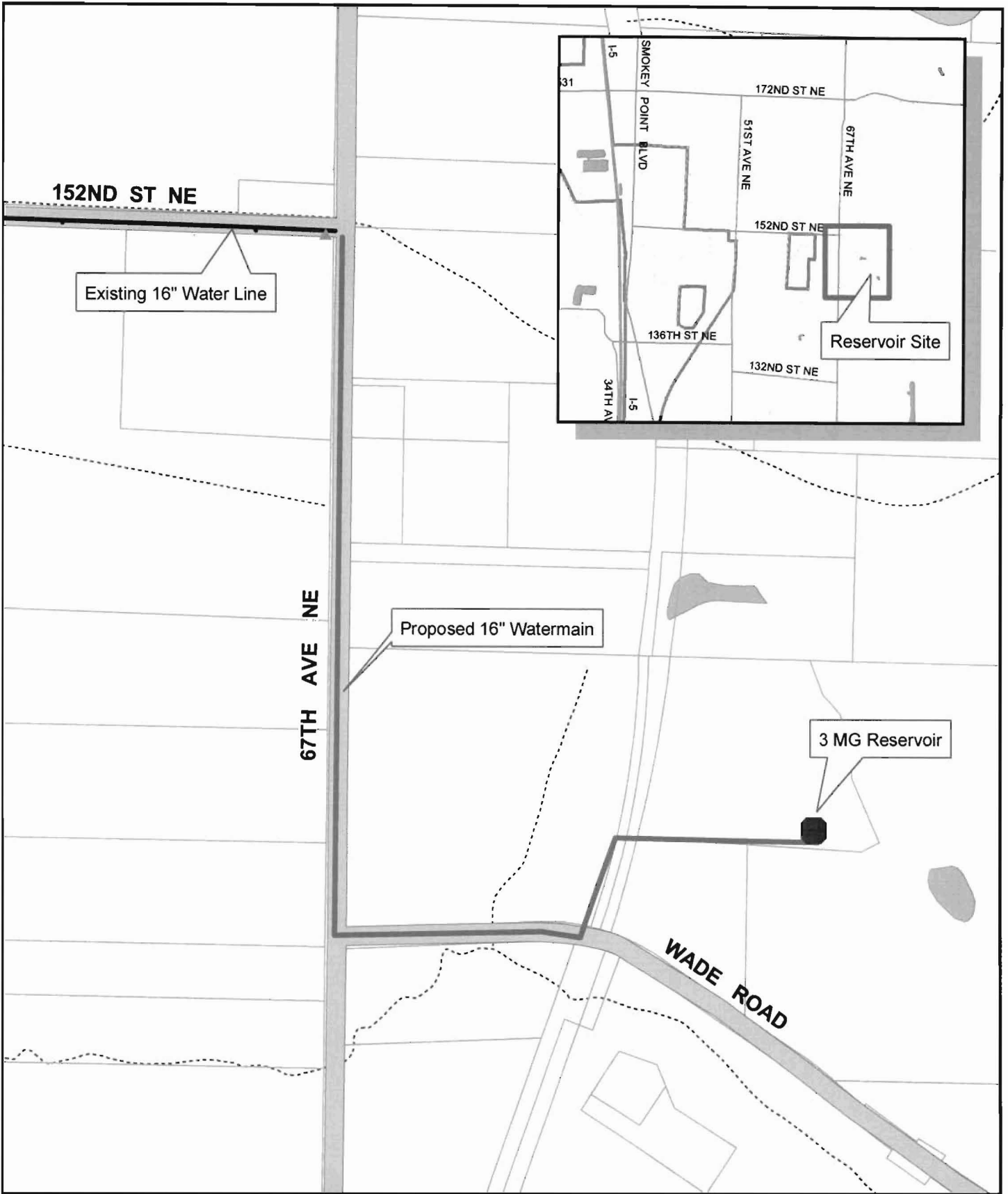
T. Bailey completed the work for this project on October 26, 2007. The project contract was completed at a total cost of \$2,933,201.31, which is \$93,799.71, or 3.3% above the original bid amount.

The work performed under this Contract was inspected by RH2 Engineering and City Engineering staff and found to be physically complete in accordance with the approved plans and specifications. Staff recommends Council’s acceptance of the project for closeout.

RECOMMENDED ACTION:



Staff recommends project acceptance of the North 240 Zone Reservoir and Transmission Main project to start the 45-day lien filing period for project closeout.

COUNCIL ACTION:



North 240 Zone Reservoir and Watermain Project



-  Proposed Water Line
-  Reservoir Site





PUBLIC WORKS

Paul A. Roberts, *Director*

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

December 11, 2007

Sherlock Hirning
T. Bailey, Inc.
12441 Bartholomew Rd.
Anacortes, WA 98221

Re: North 240 Zone Reservoir Project / **Notice of Physical Completion**

Dear Sherlock,

This is to inform you that work on the referenced project was considered Physically Complete and accepted by the City Council on December 10, 2007. The following documents or procedures are required prior to the City releasing your Retainage funds.

1. Signed Affidavit of Wages Paid.
2. Certificate of Release from Department of Labor and Industries.
3. Notification from the Department of Revenue that T. Bailey, Inc, has paid the appropriate sales tax.
4. A 45-day lien period must pass without liens being filed.

Sincerely,

David L. Zull, PE
Project Manager

CITY OF MARYSVILLE
Marysville, Washington

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF MARYSVILLE AMENDING MMC 3.51
RELATING TO THE AUTHORIZED PETTY CASH/CHANGE FUND, AN IMPREST
FUND OF THE CITY OF MARYSVILLE.**

WHEREAS, to decrease the security of City assets; and

WHEREAS, it was determined that fewer change funds were necessary:

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

Section 1. MMC 3.51.010 is hereby amended to read as follows:

There is created and established a change and imprest fund within the current expense fund, to be designated as the "petty cash fund." Four thousand two hundred dollars is authorized for the petty cash fund.

Section 2. MMC 3.51.020 is hereby amended to read as follows:

(6) Delete

(7) Two hundred dollars shall be used by the city's public works department as a petty cash fund.

(8) One hundred fifty dollars shall be used by the city's community development department, \$50.00 as a petty cash fund and \$100.00 as a change fund.

Section 3. MMC 3.51.030 is hereby amended as follows:

(5) Delete

(7) The community development director is designated as the custodian of the community development petty cash fund.

(8) The city's golf course superintendent is designated as the custodian of the Cedarcrest Golf Course change and petty cash fund.

PASSED by the City Council and APPROVED by the Mayor this ____ day of December 2007.

CITY OF MARYSVILLE

By _____
Dennis Kendall, Mayor

Attest:

By _____
Tracy Jeffries, City Clerk

Approved as to form:

By _____
Grant Weed, City Attorney

Date of Publication: _____

Effective Date (5 days after publication): _____

CITY ATTORNEY RETAINER AGREEMENT
CALENDAR YEAR 2008

I - PARTIES/EMPLOYMENT

The CITY OF MARYSVILLE (hereinafter "CITY") agrees to retain the law firm of WEED, GRAAFSTRA AND BENSON, INC., P.S., 21 Avenue A, Snohomish, Washington, and said law firm (hereinafter "CITY ATTORNEY") agrees to serve as CITY ATTORNEY on the terms and conditions stated below. The CITY ATTORNEY shall serve at the pleasure of the Mayor; PROVIDED, that all decisions relative to such employment, or termination of the same, shall be subject to confirmation by a majority vote of the City Council.

II - QUALITY OF SERVICES

The CITY ATTORNEY shall perform all legal services covered by this contract in a capable and efficient manner, and in accordance with the professional and ethical standards of the Washington State Bar Association.

III - COMPENSATION

A. Basic Retainer: The CITY shall pay the CITY ATTORNEY a retainer in the amount of \$6,000.00 per month, which retainer shall be compensation for up to 40 hours of work per month for the following legal services:

1. To act as prosecutor for the CITY in municipal court, including preparation and/or negotiation of all municipal court cases, but not including appeals to superior court.

2. To attend the four regularly scheduled meetings of the City Council per month.

3. To provide legal advice to the Mayor, Councilpersons, Chief Administrative Officer and administrative heads of the various departments of the CITY under the direction of the Chief Administrative Officer.

4. To prepare such ordinances, resolutions, and instruments as the Mayor, City Council and Chief Administrative Officer may direct, to render legal advice on all civil and criminal matters, and to prepare or review such correspondence, contracts, easements, and instruments as may be necessary and appropriate.

B. Additional Services: The CITY shall pay the CITY ATTORNEY for the following additional or special legal services at the rate of \$160.00 per hour, or, if said services are performed by a paralegal in the CITY ATTORNEY's office the same shall be compensated at the rate of \$125.00 per hour:

1. Time in excess of basic retainer. Any and all hours expended on legal services referred to in paragraph A above (Basic Retainer) in excess of 40 hours per month.

2. Extra meetings. Attendance, at the request of the Mayor or Chief Administrative Officer, at evening meetings of CITY boards, commissions or committees, except for regular City Council meetings held four times a month.

3. Local Improvement Districts. All legal services performed in connection with the formation and financing of any LID or ULID (although it is understood that the primary responsibility for this type of legal work will fall under the exceptions referred to in paragraph V below).

C. Litigation. The CITY shall pay the CITY ATTORNEY for all superior and appellate court litigation and all administrative hearings of a quasi-judicial nature, except those conducted by the CITY itself, at the rate of \$175.00 per hour.

D. Time Records. In order to determine appropriate compensation, the CITY ATTORNEY shall maintain accurate time records, copies of which shall be made available to the CITY.

E. Time for Payment. The CITY shall pay all compensation provided herein to the CITY ATTORNEY on a monthly basis, and within two weeks of the date on which each billing statement is received.

IV - REIMBURSEMENT

In addition to compensation for the legal services specified above, the CITY shall reimburse the CITY ATTORNEY for direct expenses incurred, and costs advanced, including but not limited to court costs, filing fees, witness fees, recording fees, copying expenses at cost, long distance phone calls, library charges for municipal law books, and the cost of travel, lodging and tuition relating to meetings of the Association of Washington Cities and Association of Municipal Attorneys. However, ordinary law office operating expenses, such as rent and secretarial services, shall not be compensated or reimbursed.

V - EXCEPTIONS

This contract shall not cover legal representation relating to insurance defense, the formation and financing of local improvement districts, or other specialized fields where it is agreed by the parties that outside legal counsel should be retained.

VI - INSURANCE COVERAGE

The CITY shall provide insurance coverage for the CITY ATTORNEY's errors and omissions, and malpractice, while acting in the capacity of CITY ATTORNEY, and shall indemnify and hold the CITY ATTORNEY harmless from any and all claims brought by third parties against the CITY ATTORNEY in said capacity.

VII - EFFECTIVE DATE AND DURATION

This contract shall take effect on and after January 1, 2008 and shall continue in effect until December 31, 2008 unless earlier terminated or renegotiated by either party upon 60 days' written notice. This contract shall also be renegotiable within the final 90 days of calendar year 2008 for the succeeding year. If no such renegotiation is undertaken, this contract shall be renewed automatically for one calendar year upon the same terms and conditions.

DATED this _____ day of _____, 2007.

WEED, GRAAFSTRA
AND BENSON, INC., P.S.

By _____
GRANT K. WEED, PRESIDENT
CITY OF MARYSVILLE

By _____
DENNIS KENDALL, MAYOR

ATTEST:

By _____
TRACY JEFFRIES, CITY CLERK