

## Marysville City Council Work Session

June 6, 2011

7:00 p.m.

City Hall

### Call to Order

### Pledge of Allegiance

### Roll Call

### Committee Reports

### Presentations

- A. Qwullott Trail Presentation

### Discussion Items

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

1. Approval of May 9, 2011 City Council Meeting Minutes.

### Consent

2. Approve the May 11, 2011 Claims in the Amount of \$1,346,831.46; Paid by Check Number's 70056 through 70186.
3. Approval of May 18, 2011 Claims in the Amount of \$2,144,061.62; Paid by Check Number's 70187 through 70344 with Check Number's 29197, 33408, 68719 and 70179 Voided.
4. Approval of May 25, 2011 Claims in the Amount of \$213,889.91; Paid by Check Number's 70345 through 70489 with Check Number 69460 Voided.
5. Approval of the June 1, 2011 Claims in the Amount of \$1,077,691.56; Paid by Check Number's 70490 through 70613.
6. Approval of May 20, 2011 Payroll in the Amount of \$791,772.83; Paid by Check Number's 24245 through 24306.

### Review Bids

7. Award Lakewood Triangle Access/156th Street Overcrossing Project.

### Public Hearings

8. Public Hearing for Consideration of the First Amendment to 2003 Agreement between the City of Marysville and Public Utility District No. 1 of Snohomish County for Water Supply. (*will be held June 13, 2011*)

### New Business

9. An **Ordinance** of the City of Marysville, Washington Authorizing the Condemnation, Appropriation, Taking, Damaging and Acquisition of Land and Other Property for the Purpose of Constructing 51st Avenue N.E. from 84th Street N.E. to 88th Street N.E. and Associated Street Improvements.



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### New Business

10. Professional Services Agreement with Materials Testing and Consulting, Inc. in the Amount of \$71,526.00 and Council Authorize a 5% Management Reserve in the Amount of \$3576.00 for a Total Allocation of \$75,102.00.
11. Application for The Village Restaurant to Conduct a Special Event as Described from June 17-18, 2011.
12. Application for GA Maxwell's to Conduct a Special Event as Described from June 17-18, 2011.
13. Supplemental 5 to the Professional Services Agreement with BergerABAM in the Amount of \$299,633.00, and the Council to Authorize a 5% Management Reserve in the Amount of \$14,982.00, for a Total Allocation of \$314,615.00.
14. Washington State Department of Corrections Project Agreement Addendum for Use of the Community Service Crews from July 1, 2011 to June 30, 2012.
15. Supplemental Number 1 to the Professional Services Agreement With FCS Group, Providing for a No Cost Extension of the Agreement End Date, to July 31, 2011.
16. A **Resolution** of the City of Marysville Amending the ICMA-RC Deferred Compensation Plan and Trust to Include the Associated Roth Amendment.
17. A **Resolution** of the City of Marysville Amending Resolution Number 2260, and Adopting Revisions to the Personnel Rules of the City of Marysville, Workplace Health and Safety - Return to Work Procedures and Temporary Light Duty Policy.
18. A **Resolution** of the Marysville City Council Enacted in Accordance with, and In Alignment to the Provisions of MMC 2.12.030 Adopting a Disaster Debris Management Plan for the City of Marysville, Washington.
19. An **Ordinance** of the City of Marysville, Washington Amending Marysville Municipal Code Section 9.20.080 Relating to Permits for Fireworks Stands.
20. An **Ordinance** of the City of Marysville, Washington Adopting a New Chapter 3.87 to Marysville Municipal Code "Natural Gas Tax."
21. An **Ordinance** of the City of Marysville, Washington Revising Rules for Utility Customers and General Fee Structure and Amending Sections 14.05.060, 14.05.070, 14.05.090 and 14.07.005 of the Marysville Municipal Code.
22. An **Ordinance** of the City of Marysville, Washington, Amending the City's Comprehensive Plan by Adopting the 88th Street Master Plan; Amending the City's Development Regulations by Adopting MMC Chapter 22C.085; and Amending MMC 22A.010.160 Related to Tracking Amendments to the City's Uniform Development Code.

### Legal

## Marysville City Council Work Session

June 6, 2011

7:00 p.m.

City Hall

**Mayor's Business**

**Staff Business**

**Call on Councilmembers**

**Executive Session**

**A. Litigation**

**B. Personnel**

**C. Real Estate**

**Adjourn**

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

***Work Sessions are for City Council study and orientation - Public Input will be received at the June 13, 2011 City Council meeting.***



**Regular Meeting**  
May 9, 2011

## Call to Order / Pledge of Allegiance

Mayor Nehring called the meeting to order at 7:00 p.m. and led those present in the Pledge of Allegiance. The invocation was given by Steven Thompson of Marysville Victory Four Square Church.

## Roll Call

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

- Mayor:** Jon Nehring
- Council:** Carmen Rasmussen, Jeff Seibert, John Soriano, Michael Stevens, and Jeff Vaughan
- Absent:** Donna Wright and Lee Phillips
- Also Present:** Chief Administrative Officer Gloria Hirashima, Finance Director Sandy Langdon, City Attorney Grant Weed, Public Works Director Kevin Nielsen, Parks and Recreation Director Jim Ballew, Police Chief Rick Smith, Recording Secretary April O'Brien.

**Motion** made by Councilmember Seibert, seconded by Councilmember Stevens to excuse absence of Councilmember Wright. **Motion** passed unanimously (5-0).

**Motion** made by Councilmember Vaughan, seconded by Councilmember Soriano to excuse absence of Councilmember Phillips. **Motion** passed unanimously (5-0).

## Committee Reports

- None

## Presentations

## B. Boys and Girls Club

Bill Tsoukalas, Executive Director Snohomish County, provided Council with a handout of his presentation. Highlights included the following:

- Assembly of advisory board to help with operation and fundraising.
- \$207,000 pledge to date to purchase building.
- Some building improvements include a computer lab, roofing, gutters, downspouts, electrical, siding, new gym floor, new glass back boards, and wall pads.
- PUD lighting package.
- Recipient of Keller Williams Red Day.

## Discussion

Councilmember Rasmussen asked what some of the current programs or activities are that are available during the limited hours the Boys and Girls Club is open. Mr. Tsoukalas stated the club is available for children to be in a safe environment, gym activities, arts and craft activities, leadership activities, and childcare in the morning.

## A. Snohomish County Red Cross

Chuck Morrison gave a PowerPoint presentation on the Snohomish County Red Cross. Highlights included the following:

- Red Cross provides a variety of different needs.
- The Red Cross responds to a disaster in Snohomish County on average 110 times a year.
- There are 8 staff members & 400 volunteers in Snohomish County.
- Facilitate communication between active military and families.
- Responds to on average 10 - 14 Marysville fire responses annually.
- Red Cross has 24 Shelter Agreements in Marysville to be prepared for huge disaster events.
- 9% of first aid attendees are Marysville residents.
- Safe in the Sound promotion will be going on for the next 3 years.

## Discussion

Councilmember Rasmussen commended the Red Cross for all their hard work and efforts.

## C.Proclamation

- National Police Week

## Audience Participation

Scott Allen, 3912 Sunnyside Blvd, Marysville, asked the Council when Sunnyside Blvd will be entirely repaved. Mayor Nehring explained the recent budget issues. **Public Works** Director Kevin Nielsen explained that the City has a Pavement Management Plan but currently there is no funding available. Currently, he is unable to give a date for the repavement. Mr. Nielsen explained that the City is aggressively seeking grant money for some of the overlays needed.

Councilmember Rasmussen explained that the Council has authority to charge an extra \$20 on license tabs. The extra funds could be used to fund street projects. Currently, Council has chosen not to impose the extra charge since it doesn't appear that is something the citizens want.

Councilmember Vaughn sympathized with Mr. Allen's concern and explained the City is trying to come up with funding for various street projects and the importance of sales tax dollars. Councilmember Vaughan explained the Report a Pot Hole form on the City website and encouraged him to use it.

## Approval of Minutes

1. Approval of April 25, 2011, City Council Meeting Minutes.

Councilmember Seibert referred to page 8 of 9; last bullet under Councilmember Seibert should indicate the Economic Development Committee would consist of Councilmember Seibert, Councilmember Soriano, and Councilmember Stevens with Councilmember Rasmussen as alternate.

Councilmember Rasmussen referred to page 6 of 9 under Mr. Ballew's comments, the comprehensive plans survey didn't go out in *The Herald*. The plans were mentioned in *The Herald*. The surveys were sent out to a random select group of citizens.

**Motion** made by Councilmember Seibert, seconded by Councilmember Vaughan, to approve the minutes of the April 25, 2011, City Council Meeting Minutes as amended. **Motion** passed unanimously (5-0).

## Consent

2. Approval of April 20, 2011, Claims in the Amount of \$383,375.08; Paid by Check Number's 69662 through 69800.
3. Approval of April 27, 2011, Claims in the Amount of \$277,253.12; Paid by

Check Number's 69801 through 69930.

4. Approval of April 20, 2011, Payroll in the Amount of \$793,483.37; Paid by Check Number's 24144 through 24178.

6. Authorize the Mayor to Sign the Professional Services Agreement with J.K. Eastbury Salvage Metals and Auto Wrecking (J.K. Eastbury) for Scrap Metal Disposal/Recycling Services Not to Exceed \$10,000 Per Year.

7. Authorize the Mayor to Sign the Interlocal Agreement with the Snohomish Regional Drug and Gang Task Force in the Amount of \$14,188.00.

8. Authorize the Mayor to Sign the One-Time 36 Month Plat Extension in Accordance with Section 20.12.120 MMC, for the 19 Lot Subdivision, Known as Emberly.

9. Authorize the Mayor to Sign the Installation and Use of Electronic Permit and Project Database Software System between CRW Systems, Inc., and City of Marysville.

10. Acceptance of the Public Safety Lighting Retrofit Project, Starting the 45-Day Lien Filing Period for Project Closeout.

11. Authorize the Mayor to Sign the Local Agency Agreement with WSDOT for the ITS Signal Controller and Communications Upgrade Project.

17. Authorize the Mayor to Sign the Strawberry Festival Master Permit Renewal with Maryfest.

18. Approval of May 5, 2011, Claims in the Amount of \$145,152.19; Paid by Check Number's 69931 through 70055.

19. Approval of the May 5, 2011, Payroll in the Amount of \$1,360,352.74; Paid by Check Number's 24179 through 24244.

**Motion** made by Councilmember Soriano seconded by Councilmember Stevens, to approve Consent Agenda item 2-4, 6-11, 17-18. **Motion** passed unanimously (5-0).

## **Review Bids**

5. Award Bid for the Waste Water Treatment Plant Backup Generator Project to Intermountain Electric in the Amount of \$323,857.15, Including Washington State Sales Tax and Approve a Management Reserve of \$11,142.85 for a Total Allocation of \$335,000.00.

**Motion** made by Councilmember Seibert, seconded by Councilmember Rasmussen, to Award the Waste Water Treatment Plant Generator Project to Intermountain Electric.  
**Motion** passed unanimously (5-0).

## **New Business**

13. A **Resolution** of the Marysville City Council Enacted in Accordance with Provisions of MMC 2.12.030 Adopting a Comprehensive Emergency Management Plan for the City of Marysville, Washington and Repealing Resolution 2131.

Chief Smith thanked Grant's office and Nancy Abel for their help with the Resolution.

**Motion** made by Councilmember Soriano, seconded by Councilmember Seibert, to approve **Resolution No. 2303**. **Motion** passed unanimously (5-0).

14. An **Ordinance** of the City of Marysville Amending Portions of Ordinances No.1589 and No. 2514 Codified in Marysville Municipal Code Chapter 2.45 Entitled "Jail Facilities" Providing for New Provisions Relating to Custodial Care Standards for the Marysville Jail/Detention Facility; and Providing for Severability.

Chief Smith stated the ordinance will save the City time and money. He thanked Cheryl Beyer and Grant Weed for their work.

**Motion** made by Councilmember Seibert, seconded by Councilmember Vaughan to approve **Ordinance No. 2859**. **Motion** passed unanimously (5-0).

15. An **Ordinance** of the City of Marysville Amending the 2011 Budget and Providing for the Increase of Certain Expenditure Items as Budgeted for in Ordinance No. 2839 as Amended.

| Sandy-Finance Director Langdon stated the parks construction budget was amended. A small payment was due for the 529 bridge lighting this year with a majority of the payment due next year.

**Motion** made by Councilmember Seibert, seconded by Councilmember Rasmussen to approve **Ordinance No. 2860**. **Motion** passed unanimously (5-0).

16. An **Ordinance** of the City of Marysville Amending Section 3.64.020 (2) Telephone Business to Include Cellular Telephone Service, Amending Section 3.64.020 (3) Correcting a Scrivener's and Adding Additional Language Concerning Cellular Telephones and Adding a New Section 3.64.020 (4) Defining Cellular Telephone Service.

Councilmember Seibert confirmed with [MsFinance Director](#). Langdon the ordinance would not add any new charges to phone bills.

**Motion** made by Councilmember Vaughan, seconded by Councilmember Stevens, to approve **Ordinance No. 2861**. **Motion** passed unanimously (5-0).

## Legal

### Mayor's Business

- Community Transit Board of Directors [meet met](#) last week making midyear budget amendments and solidified public testimony opportunities for service changes for 2012.
- [Cinco-Cinco](#) de Mayo was a great event at Totem Middle School.
- He was amazed by the 7lb fish caught at the Marysville Fishing Derby.
- Keller Williams partnered with the Tulalip Tribes for the Red Day Event to do some work at the Boys and Girls Club on Thursday.
- Government Affairs Committee meets tomorrow morning with the school district.
- Tuesday at 3 p.m. is Signing Day in Olympia for the first bill the City of Marysville had passed.

### Staff Business

Jim Ballew

- The Fishing Derby was a great success. Mr. Ballew thanked Everett Salmon Steel Club, John Sporting Goods, and Marysville Kiwanis for their help with the derby.
- The Wenatchee Circus will be coming on Sunday, June 19<sup>th</sup> and will be added to the Maryfest Agreement.
- Healthy Communities Challenge Day will be held on June 4<sup>th</sup>.
- Bike to Work Day on May 13<sup>th</sup>.
- The City received good news from WCIA today regarding the way the City conducts itself.
- Mr. Ballew is pleased with the approximate 26% of the parks surveys returned.
- The City will be working with the County to adopt new park standards.

Chief Smith

- Law Enforcement Memorial Ceremony will be held at the library on May 13<sup>th</sup> at 9:15 a.m.

Kevin [Nielsen](#)

- Public Works will be paving across Allen Stream due to pedestrian safety.
- ½ Marathon had a good turn out and was good PR for Marysville.



- Washington 1 Call is new legislation passed in Olympia. The City is now required to locate everything in right away and site-side sewers that have been responsibility of homeowner in the past.

Sandy Langdon

- Utility Billing had ~~the highest~~ a higher -number of shut offs last week at 86, than last week.
- Employee Appreciation taco feed had a great turn out.

Grant Weed

- A 20 minute Executive Session needed to discuss two real-estate items with action planned.

Gloria Hirashima

- Doug working hard on new City website.
- Economic Summit between the Tribes, City of Arlington, and City of Marysville will be on May 25<sup>th</sup>. The City needs the R.S.V.P. back right away due to limited space.
- Ms. Hirashima discussed the City's positive results from the Insurance Authority audit today regarding the Public Records Act and Premise Management.
- There is an Open House at Everett Community College on May 25<sup>th</sup> between 6-9 p.m. regarding federal and state redistricting forums.

## Call on Councilmembers

Carmen Rasmussen

- Congratulated Jim on the great job done with Fishing Derby and ~~Cineh-Cinco~~ de Mayo event.

John Soriano

- Fishing derby was a huge success.

Michael Stevens

- Sorry he missed all the great events over the weekend.

Jeff Vaughan

- Had no comments.

Jeff Seibert

- Confirmed with Grant Weed that the new street vendor ordinance took effect and expressed concern regarding street vendors being set up at certain intersections.
- Asked if Council could submit their own pictures ~~for~~ to update the website.
- Asked if forum for the redistricting could be posted on the City's website.

**Recess**

Mayor Nehring recessed the meeting at 8:16 p.m. for a short break before reconvening into Executive Session expected to last 20 minutes to discuss two real-estate items. Action expected on both items.

**Executive Session** – started at 8:21

- A. Litigation
- B. Personnel
- C. Real Estate – two items pursuant to RCW 42.30.110 (1) (b)

Mayor Nehring called the meeting back to order at 8:39.

**Motion** made by Councilmember Rasmussen, seconded by Councilmember Seibert , to approve the Lease Listing Extension as discussed in executive session. Motion passed unanimously (5-0).

**Motion** made by Councilmember Seibert, seconded by Councilmember Rasmussen, to authorize the Mayor to sign the lease with Gwendolyn K. Lewis in substantially the form as dictated in executive session. **Motion** passed unanimously (5-0).

**Motion** made by Councilmember Seibert, seconded by Councilmember Soriano to hold a Public Hearing on May 23, 2011, regarding a Purchase or Lease of Real Estate. Motion passed unanimously (5-0).

**Adjournment**

Seeing no further business Mayor Nehring adjourned the meeting at 8:42 p.m.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Mayor  
Jon Nehring

\_\_\_\_\_  
April O'Brien  
Deputy City Clerk

**CITY OF MARYSVILLE**

**EXECUTIVE SUMMARY FOR ACTION**

**CITY COUNCIL MEETING DATE: June 13, 2011**

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

Please see attached.

**RECOMMENDED ACTION:**

The Finance and Executive Departments recommend City Council approve the **May 11, 2011** claims in the amount of **\$1,346,831.46** paid by **Check No.'s 70056 through 70186.**

**COUNCIL ACTION:**



**CITY OF MARYSVILLE  
 INVOICE LIST  
 FOR INVOICES FROM 5/6/2011 TO 5/11/2011**

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
'0057	ADVANTAGE BUILDING S	JANITORIAL SERVICES	WATER FILTRATION PLANT	37.73
	ADVANTAGE BUILDING S		COMMUNITY CENTER	333.69
	ADVANTAGE BUILDING S		WASTE WATER TREATMENT	403.76
	ADVANTAGE BUILDING S		ADMIN FACILITIES	535.16
	ADVANTAGE BUILDING S		MAINT OF GENL PLANT	581.52
	ADVANTAGE BUILDING S		PUBLIC SAFETY FAC-GENL	605.88
	ADVANTAGE BUILDING S		UTIL ADMIN	653.74
	ADVANTAGE BUILDING S		PARK & RECREATION FAC	722.20
	ADVANTAGE BUILDING S		COURT FACILITIES	950.52
'0058	ALLIED EMPLOYERS	EXPENSES FOR DOC ARBITRATION	PERSONNEL ADMINISTRATIO	187.89
	ALLIED EMPLOYERS	DUES & PENSION - MAY 2011	PERSONNEL ADMINISTRATIO	2,426.13
'0059	ALTAIR GLOBAL RELOCA	UB 750735300001 4717 72ND DR N	WATER/SEWER OPERATION	20.81
'0060	AMERICAN PLANNING	DUES-GEMMER	COMMUNITY DEVELOPMENT-	200.00
	AMERICAN PLANNING	DUES-STEVENSON	COMMUNITY DEVELOPMENT-	500.00
'0061	AMERICAN WATER WORKS	DUES-NIELSEN	UTIL ADMIN	190.00
'0062	AOC FINANCIAL SERVIC	REGISTRATION-GILLINGS	MUNICIPAL COURTS	145.00
	AOC FINANCIAL SERVIC	REGISTRATION-TOWERS	MUNICIPAL COURTS	145.00
'0063	ARAMARK UNIFORM	UNIFORM CLEANING	MAINTENANCE	14.28
	ARAMARK UNIFORM		MAINTENANCE	14.28
	ARAMARK UNIFORM		MAINTENANCE	14.28
	ARAMARK UNIFORM		MAINTENANCE	14.61
	ARAMARK UNIFORM		EQUIPMENT RENTAL	28.86
	ARAMARK UNIFORM		EQUIPMENT RENTAL	41.34
'0064	AVEDISYAN, RUBEN	INTERPRETER SERVICES	COURTS	141.64
'0065	BARGER, JORDAN	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
'0066	BARRETT, SUZANNE	INSTRUCTOR SERVICES	RECREATION SERVICES	10.00
	BARRETT, SUZANNE		RECREATION SERVICES	45.00
	BARRETT, SUZANNE		RECREATION SERVICES	135.00
	BARRETT, SUZANNE		RECREATION SERVICES	240.00
	BARRETT, SUZANNE		RECREATION SERVICES	680.00
'0067	BICKFORD FORD	TURN SIGNAL	EQUIPMENT RENTAL	79.32
'0068	BLACK ROCK CABLE INC	I-NET TELEMTRY EXTENSION TO P	CENTRAL SERVICES	493.50
'0069	BRENNAN, SHANNON	INSTRUCTOR SERVICES	COMMUNITY CENTER	278.40
'0070	BROWN, CARMEN	CLASS REFUND	PARKS-RECREATION	20.00
'0071	BROWNS PLUMBING	(4 GAL) FOAM OUT	PARK & RECREATION FAC	251.74
'0072	C&K REAL ESTATE TEAM	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
'0073	CALIFORNIA STATE	UNCLAIMED PROPERTY (UB ACCT RE	WATER/SEWER OPERATION	116.26
'0074	CARDWELL, IRATXE	INTERPRETER SERVICES	COURTS	100.00
	CARDWELL, IRATXE		COURTS	150.00
'0075	CARQUEST	CORE RETURN	MAINTENANCE	-13.03
	CARQUEST	CORE CHARGE	MAINTENANCE	26.06
	CARQUEST	BATTERIES	MAINTENANCE	102.97
'0076	CARRS ACE	MISC. ITEMS FOR SIGN TRUCK	TRANSPORTATION MANAGEN	100.94
'0077	CATELANO LINDER, J	INSTRUCTOR SERVICES	RECREATION SERVICES	163.13
'0078	CERTIFIED LAB	GEAR OIL	MAINTENANCE	182.83
'0079	CNR, INC	MAINTENANCE CONTRACT-05/11	COMPUTER SERVICES	1,355.79
'0080	COLUMBIA PAINT	SUPPLIES FOR PSB	PUBLIC SAFETY FAC-GENL	63.05
'0081	COMCAST	ACCT# 8498 31 002 0149949-GOLF	PRO-SHOP	74.25
'0082	CONCRETE NOR'WEST	CONCRETE	MAINTENANCE	534.04
'0083	CONCUT, INC	16" SAW BLADES	WATER DIST MAINS	599.74
'0084	CONSOLIDATED ELECTRI	COMPACT FLOOR LAMPS-LIBRARY	LIBRARY-GENL	412.78
'0085	COOP SUPPLY	(48) 50# LIME	RECREATION SERVICES	249.69
'0086	CORPORATE OFFICE SPL	SHIPPING SUPPLIES	PURCHASING/CENTRAL STOF	128.04
'0087	COVAD COMMUNICATIONS	INTERNET SERVICES	COMPUTER SERVICES	262.75
'0088	DAMAREST, NAOMI	CLASS REFUND	PARKS-RECREATION	45.00
'0089	DB SECURE SHRED	SHREDDING SERVICES	PROBATION	16.45
	DB SECURE SHRED		MUNICIPAL COURTS	49.38

**CITY OF MARYSVILLE  
 INVOICE LIST**

**FOR INVOICES FROM 5/6/2011 TO 5/11/2011**

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
'0090	DEMAREST, KARALYN	CLASS REFUND	PARKS-RECREATION	45.00
'0091	DEPALMA, ARLINE	INSTRUCTOR SERVICES	COMMUNITY CENTER	285.00
'0092	DEROOY, DIRK & BEVER	UB 760380050000 7107 58TH ST N	WATER/SEWER OPERATION	25.01
'0093	DIAMOND B CONSTRUCT	REPLACE INDOOR FAN MOTOR-COURT	COURT FACILITIES	444.95
	DIAMOND B CONSTRUCT	REPLACE/REBUILD BLOWER-CEDARCR	GOLF ADMINISTRATION	1,982.35
	DIAMOND B CONSTRUCT	COMPRESSOR REPAIR-LIBRARY	LIBRARY-GENL	13,339.57
'0094	DUFFY, JOSEPH W	ARBITRATOR SERVICES	PERSONNEL ADMINISTRATIO	2,117.00
'0095	E&E LUMBER	GRAFFITI SUPPLIES	COMMUNITY DEVELOPMENT-	4.47
	E&E LUMBER	BROOM	PARK & RECREATION FAC	16.28
	E&E LUMBER	RAGS	PARK & RECREATION FAC	19.54
	E&E LUMBER	PRIMER PAINT-GRAFFITI	PARK & RECREATION FAC	43.40
	E&E LUMBER	GRATE, CLAMPS, SNAPS, PAINT TR	PARK & RECREATION FAC	93.93
	E&E LUMBER	PAINT SUPPLIES-GRAFFITI	PARK & RECREATION FAC	94.13
	E&E LUMBER	TRUCK WASH, RAGS, PAINT, ETC	ER&R	333.67
'0096	EAST JORDAN IRON WOR	8" VALVE TOPS	WATER DIST MAINS	576.77
'0097	ELLIS, BRANDY	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
'0098	EVERETT UTILITIES	WATER/FILTRATION SERVICE CHARG	SOURCE OF SUPPLY	106,346.67
'0099	FDIC	UB 245702123000 5702 123RD PL	WATER/SEWER OPERATION	50.00
'0100	FDIC	UB 241221556000 12215 56TH DR	WATER/SEWER OPERATION	50.00
'0101	FDIC	UB 241221956000 12219 56TH DR	WATER/SEWER OPERATION	50.00
'0102	FELDMAN & LEE P.S.	PUBLIC DEFENDER	LEGAL - PUBLIC DEFENSE	15,000.00
'0103	FLOYD, CHRIS	INSTRUCTOR SERVICES	RECREATION SERVICES	2,208.09
'0104	GENUINE AUTO GLASS	INSTALL NEW WINDSHIELD	EQUIPMENT RENTAL	190.05
'0105	HD FOWLER COMPANY	RETURNED PARTS	MAINTENANCE	-113.28
	HD FOWLER COMPANY	PVC UNION, SWING JOINTS	PARK & RECREATION FAC	58.01
	HD FOWLER COMPANY	VALVE BOXES	WATER DIST MAINS	62.33
	HD FOWLER COMPANY	PVC BUSHINGS, GLUE & PRIMER	MAINTENANCE	63.84
	HD FOWLER COMPANY	IRRIGATION PARTS & SUPPLIES	MAINTENANCE	187.79
	HD FOWLER COMPANY	SOIL PIPE	WATER DIST MAINS	253.04
	HD FOWLER COMPANY	COUPLINGS, METER STOPS & BALL	WATER/SEWER OPERATION	377.16
	HD FOWLER COMPANY	PLUGS FOR AC LINE-ED SPRINGS	SOURCE OF SUPPLY	430.06
'0106	HD SUPPLY WATERWORKS	3/4" COUPLINGS	WATER/SEWER OPERATION	119.03
'0107	HERNANDEZ, CATALINA	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
'0108	HILINE	MISC. HARDWARE	EQUIPMENT RENTAL	258.82
'0109	HOSKINS, MINDY & DRU	UB 982817000000 2817 68TH DR N	WATER/SEWER OPERATION	100.73
'0110	HYLARIDES, LETTIE	INTERPRETER SERVICES	COURTS	112.50
'0111	IKON OFFICE SOLUTION	COPIER CHARGES	MAINTENANCE	21.72
	IKON OFFICE SOLUTION		POLICE PATROL	33.19
	IKON OFFICE SOLUTION		WASTE WATER TREATMENT	37.86
	IKON OFFICE SOLUTION		COMMUNITY CENTER	44.53
	IKON OFFICE SOLUTION		GENERAL SERVICES - OVERT	87.90
	IKON OFFICE SOLUTION		PROBATION	119.46
	IKON OFFICE SOLUTION		POLICE INVESTIGATION	163.99
	IKON OFFICE SOLUTION		ENGR-GENL	197.12
	IKON OFFICE SOLUTION		PERSONNEL ADMINISTRATIO	221.97
	IKON OFFICE SOLUTION		DETENTION & CORRECTION	260.48
	IKON OFFICE SOLUTION		UTILITY BILLING	273.18
	IKON OFFICE SOLUTION		MUNICIPAL COURTS	299.18
	IKON OFFICE SOLUTION		CITY CLERK	304.71
	IKON OFFICE SOLUTION		FINANCE-GENL	304.71
	IKON OFFICE SOLUTION		PARK & RECREATION FAC	345.35
	IKON OFFICE SOLUTION		UTIL ADMIN	448.88
	IKON OFFICE SOLUTION		EXECUTIVE ADMIN	466.33
	IKON OFFICE SOLUTION		COMMUNITY DEVELOPMENT-	655.52
	IKON OFFICE SOLUTION		OFFICE OPERATIONS	1,021.93
'0112	KANE EQUIPMENT	REPAIR/REPLACE/FABRICATE TRAIL	STORM DRAINAGE	152.88
	KANE EQUIPMENT		ROADWAY MAINTENANCE	152.88

**CITY OF MARYSVILLE  
 INVOICE LIST**

**FOR INVOICES FROM 5/6/2011 TO 5/11/2011**

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
70113	KELLER SUPPLY COMPAN	TOILET SEATS & GASKETS	COMMUNITY CENTER	344.80
70114	KING, TIM	MEAL REIMBURSEMENT	SEWER MAIN COLLECTION	22.99
70115	KUNG FU 4 KIDS	INSTRUCTOR SERVICES	RECREATION SERVICES	87.50
	KUNG FU 4 KIDS		RECREATION SERVICES	97.58
	KUNG FU 4 KIDS		RECREATION SERVICES	331.80
	KUNG FU 4 KIDS		RECREATION SERVICES	624.40
70116	LANGUAGE EXCHANGE	INTERPRETER SERVICES	COURTS	276.50
70117	LEVIN, KATIE	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
70118	LICENSING, DEPT OF	BUMA, RONALD (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	CAMPBELL, ANTHONY (RENEWAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	DEBALD, PHILLIP (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	FLORES, RICARDO (RENEWAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	GAWAD, MARIE (RENEWAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	HOLLAND, DENNIS (RENEWAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	HOVIK, BRADLEY (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	LEBLANC, CECILE (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	LEE, THOMAS (RENEWAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	LONEY, BJORN (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	VARON, DANIEL (RENEWAL)	GENERAL FUND	18.00
70119	LOWES HIW INC	PUMP AND FLASHLIGHT	WATER SERVICES	113.90
	LOWES HIW INC	MULCH & PITCH FORK (1)	PARK & RECREATION FAC	151.38
70120	M LEE SMITH PUBLISH	REGISTRATION-KELLEY, MARCIA	PERSONNEL ADMINISTRATIO	347.00
70121	MAILFINANCE	POSTAGE MACHINE LEASE	PROBATION	123.80
	MAILFINANCE		MUNICIPAL COURTS	371.42
70122	MARYSVILLE, CITY OF	WTR/SWR-7115 GROVE ST	MAINTENANCE	238.18
	MARYSVILLE, CITY OF	WTR/SWR/GBG-7007 GROVE ST	MAINTENANCE	1,035.04
70123	MCLOUGHLIN & EARDLEY	STROBE POWER SUPPLY	ER&R	-36.58
	MCLOUGHLIN & EARDLEY		EQUIPMENT RENTAL	461.93
70124	MCNEILUS TRUCK & MFG	ROLLER, CRASH BAR	EQUIPMENT RENTAL	381.93
70125	MEASUREMENT SPECIALT	LEVEL SENSORE REPLACEMENT	WATER RESERVOIRS	1,600.01
70126	MIZELL, TARA	TRAVEL REIMBURSEMENT	RECREATION SERVICES	389.76
70127	NATIONAL SAFETY INC	VESTS	ER&R	56.26
70128	NELSON, PAUL & SUSAN	UB 761303690001 7516 74TH DR N	WATER/SEWER OPERATION	79.15
70129	NEWMAN, ADAH	UB 452171000000 5305 139TH PL	WATER/SEWER OPERATION	115.61
70130	NEXTEL	ACCT #495802314	IS REPLACEMENT ACCOUNTS	18.92
	NEXTEL		IS REPLACEMENT ACCOUNTS	18.92
	NEXTEL		IS REPLACEMENT ACCOUNTS	18.92
	NEXTEL		IS REPLACEMENT ACCOUNTS	37.84
	NEXTEL		IS REPLACEMENT ACCOUNTS	37.84
	NEXTEL		IS REPLACEMENT ACCOUNTS	37.84
	NEXTEL	ACCT # 495802314	IS REPLACEMENT ACCOUNTS	42.27
	NEXTEL	ACCT #495802314	IS REPLACEMENT ACCOUNTS	43.69
	NEXTEL		IS REPLACEMENT ACCOUNTS	53.02
	NEXTEL		IS REPLACEMENT ACCOUNTS	56.76
	NEXTEL	ACCT # 495802314	IS REPLACEMENT ACCOUNTS	60.30
	NEXTEL	ACCT #495802314	IS REPLACEMENT ACCOUNTS	110.14
	NEXTEL		IS REPLACEMENT ACCOUNTS	114.41
	NEXTEL		IS REPLACEMENT ACCOUNTS	133.50
	NEXTEL		IS REPLACEMENT ACCOUNTS	140.81
	NEXTEL		IS REPLACEMENT ACCOUNTS	174.77
	NEXTEL		IS REPLACEMENT ACCOUNTS	175.18
	NEXTEL		IS REPLACEMENT ACCOUNTS	189.86
	NEXTEL		IS REPLACEMENT ACCOUNTS	202.84
	NEXTEL		IS REPLACEMENT ACCOUNTS	272.52
	NEXTEL		IS REPLACEMENT ACCOUNTS	466.78
	NEXTEL		IS REPLACEMENT ACCOUNTS	470.36
	NEXTEL		IS REPLACEMENT ACCOUNTS	531.95

**CITY OF MARYSVILLE  
 INVOICE LIST**

**FOR INVOICES FROM 5/6/2011 TO 5/11/2011**

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
'0130	NEXTEL	ACCT #495802314	IS REPLACEMENT ACCOUNTS	1,537.56
'0131	NORTH COAST ELECTRIC	REPLACEMENT BULBS-CITY HALL	ADMIN FACILITIES	160.52
'0132	NORTH SOUND HOSE	PRESSURE WASHER HANDLE/FITTING	WATER DIST MAINS	80.13
'0133	NORTHWEST CASCADE	HONEY BUCKET	PARK & RECREATION FAC	112.68
'0134	NYITRAY, SANDRA	INSTRUCTOR SERVICES	COMMUNITY CENTER	27.00
'0135	OAKSTONE PUBLISHING	FOOD & FITNESS TRACKER	PERSONNEL ADMINISTRATIO	79.52
'0136	OFFICE DEPOT	OFFICE SUPPLIES	PARK & RECREATION FAC	27.46
	OFFICE DEPOT		ENGR-GENL	33.60
	OFFICE DEPOT		UTIL ADMIN	33.60
	OFFICE DEPOT		UTIL ADMIN	38.84
	OFFICE DEPOT		UTIL ADMIN	52.46
	OFFICE DEPOT		PARK & RECREATION FAC	97.15
	OFFICE DEPOT		UTILITY BILLING	190.04
	OFFICE DEPOT		MUNICIPAL COURTS	319.89
	OFFICE DEPOT		PROBATION	435.32
	OFFICE DEPOT		UTIL ADMIN	437.89
'0137	OFFICE INTERIORS INC	CUSTOM WALL MOUNT HUTCH & LIGH	UTIL ADMIN	330.14
'0138	OLASON, MONICA	INSTRUCTOR SERVICES OVERPAYMEN	RECREATION SERVICES	-55.20
	OLASON, MONICA	INSTRUCTOR SERVICES	RECREATION SERVICES	142.80
	OLASON, MONICA		RECREATION SERVICES	186.00
	OLASON, MONICA		RECREATION SERVICES	234.00
	OLASON, MONICA		RECREATION SERVICES	258.00
'0139	PACIFIC GEEK	HEATHER'S LAPTOP-PART 3	TRANSPORTATION MANAGEM	623.48
'0140	PACIFIC NW BUSINESS	TONER	COMMUNITY DEVELOPMENT-	35.27
	PACIFIC NW BUSINESS		UTIL ADMIN	35.27
'0141	PACIFIC POWER BATTER	BATTERIES	TRANSPORTATION MANAGEM	1,228.92
'0142	PACIFIC POWER PROD.	CLAMPS	MAINTENANCE	11.86
'0143	PARTS STORE, THE	NOZZLE, TESTERS, CLAMP, HOSE	MAINTENANCE	45.89
	PARTS STORE, THE	FUEL INJECTOR, FOAMER	MAINTENANCE	51.70
'0144	PATRICKS PRINTING	JUROR BIOGRAPHICAL FORMS	MUNICIPAL COURTS	128.08
	PATRICKS PRINTING	REGULAR ENVELOPES	MUNICIPAL COURTS	343.01
	PATRICKS PRINTING	WINDOW ENVELOPES	MUNICIPAL COURTS	521.28
'0145	PETTY CASH-COMM DEV	PETTY CASH REIMBURSEMENT	COMMUNITY DEVELOPMENT-	16.00
	PETTY CASH-COMM DEV		COMMUNITY DEVELOPMENT-	22.99
'0146	PHAM, JOSEPH	INTERPRETER SERVICES	COURTS	125.00
'0147	POWERS, MARIANNE	RENTAL DEPOSIT REFUND	GENERAL FUND	200.00
'0148	PREVIEW PROPERTIES N	UB 830135000000 7021 67TH DR N	WATER/SEWER OPERATION	28.06
'0149	PSSP - PUGET SOUND	SECURITY SERVICES	PROBATION	753.38
	PSSP - PUGET SOUND		MUNICIPAL COURTS	2,260.12
'0150	PUD	ACCT #2019-3119-3	PARK & RECREATION FAC	53.19
	PUD	ACCT #2026-7070-9	STREET LIGHTING	53.88
	PUD	ACCT #2022-2076-0	MAINTENANCE	62.24
	PUD	ACCT #2025-7611-2	STREET LIGHTING	106.03
	PUD	ACCT #2021-8367-9	TRANSPORTATION MANAGEM	108.12
	PUD	ACCT #2008-0070-4	STREET LIGHTING	117.13
	PUD	ACCT #2033-4458-5	STREET LIGHTING	182.50
	PUD	ACCT #2026-0420-3	STREET LIGHTING	1,393.10
	PUD	ACCT #2016-3963-0	MAINTENANCE	1,610.85
	PUD	ACCT #2026-0420-3	STREET LIGHTING	1,846.68
	PUD	ACCT #2025-7611-2	STREET LIGHTING	2,014.63
'0151	RAY, SCOTT	UB 114315100000 4315 103RD PL	WATER/SEWER OPERATION	168.77
'0152	REAL PROPERTY FUNDIN	UB 031512500000 8715 69TH DR N	WATER/SEWER OPERATION	94.62
'0153	ROBBINS, TAMARA	INSTRUCTOR SERVICES	COMMUNITY CENTER	327.37
'0154	ROBERTS, SHARON	UB 680361350005 10502 SHOULTES	WATER/SEWER OPERATION	59.21
'0155	RUSDEN, JOHN	PROTEM SERVICES	MUNICIPAL COURTS	185.00
'0156	RUTHERFORD, ANITA	CLASS REFUND	PARKS-RECREATION	45.00
'0157	SCHROEDER, LYNN	VOLUNTEER APPRECIATION EVENT	EXECUTIVE ADMIN	275.25



**CITY OF MARYSVILLE  
 INVOICE LIST**

**FOR INVOICES FROM 5/6/2011 TO 5/11/2011**

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
'0158	SHANKLE, CRAIG	INSTRUCTOR SERVICES	COMMUNITY CENTER	64.00
'0159	SIMPLOT PARTNERS	FERTILIZER	MAINTENANCE	260.64
	SIMPLOT PARTNERS	FUNGICIDE	MAINTENANCE	266.07
'0160	SMITH, RICHARD	TUITION REIMBURSEMENT PER CONT	POLICE ADMINISTRATION	1,815.00
'0161	SNO CO FINANCE	800 MHZ INTEREST BILLING-1ST H	REET I - POLICE	16,121.96
'0162	SNO CO PUBLIC WORKS	SOLID WASTE DISPOSAL FEES	SOLID WASTE OPERATIONS	120,388.00
'0163	SNO CO TREASURER	CRIME VICTIM/WITNESS FUNDS	CRIME VICTIM	778.72
'0164	SOUND SAFETY	MISC. CLOTHING ITEMS	ER&R	356.38
'0165	STERLING REF. LAB	BLOOD DRAW	DETENTION & CORRECTION	5.00
'0166	SWANSON, ELMA	UB 849000706502 6033 81ST PL N	WATER/SEWER OPERATION	119.18
'0167	TAB PRODUCTS CO	LABELS	MUNICIPAL COURTS	84.33
'0168	TIRE DIST SYSTEMS	FIRESTONE DESTINATION (4)	EQUIPMENT RENTAL	396.57
'0169	TITLEIST	SPECIAL ORDER-DILTZ	GOLF COURSE	124.92
'0170	TURNER, DANA	UB 820050000001 5412 GROVE ST	WATER/SEWER OPERATION	139.58
'0171	VEENTJER, ANNA	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
'0172	VERIZON/FRONTIER	ACCT #1101641995410	UTIL ADMIN	30.22
	VERIZON/FRONTIER	ACCT #107355912203	MUNICIPAL COURTS	48.18
	VERIZON/FRONTIER		ENGR-GENL	48.18
	VERIZON/FRONTIER		EXECUTIVE ADMIN	48.18
	VERIZON/FRONTIER		PERSONNEL ADMINISTRATIO	48.18
	VERIZON/FRONTIER		UTILITY BILLING	48.18
	VERIZON/FRONTIER		LIBRARY-GENL	48.18
	VERIZON/FRONTIER		COMMUNITY CENTER	48.18
	VERIZON/FRONTIER		POLICE PATROL	48.18
	VERIZON/FRONTIER		GENERAL SERVICES - OVERH	48.18
	VERIZON/FRONTIER	ACCT. # 03 0275 1093675586 10	TRAFFIC CONTROL DEVICES	50.11
	VERIZON/FRONTIER	ACCT. # 03 0275 1075678927 08	TRAFFIC CONTROL DEVICES	52.55
	VERIZON/FRONTIER	ACCT #106853520208	MAINT OF GENL PLANT	53.91
	VERIZON/FRONTIER	ACCT #107747568401	OFFICE OPERATIONS	53.91
	VERIZON/FRONTIER	ACCT. # 03 0254 1065427347 10	MAINT OF GENL PLANT	53.91
	VERIZON/FRONTIER	ACCT #1103241996301	UTIL ADMIN	65.73
	VERIZON/FRONTIER	ACCT #1108541996810	UTIL ADMIN	65.73
	VERIZON/FRONTIER	ACCT #105660553702	SEWER LIFT STATION	90.66
	VERIZON/FRONTIER	ACCT #106741103110	UTIL ADMIN	94.47
	VERIZON/FRONTIER	ACCT #107355912203	COMMUNICATION CENTER	96.37
	VERIZON/FRONTIER		DETENTION & CORRECTION	96.37
	VERIZON/FRONTIER		POLICE ADMINISTRATION	96.37
	VERIZON/FRONTIER		GOLF ADMINISTRATION	96.37
	VERIZON/FRONTIER	ACCT. # 03 0275 1085454631 00	WATER FILTRATION PLANT	102.64
	VERIZON/FRONTIER	ACCT #100152074306	ADMIN FACILITIES	107.82
	VERIZON/FRONTIER	ACCT #101451140308	PUBLIC SAFETY FAC-GENL	107.82
	VERIZON/FRONTIER	ACCT #107355912203	GOLF ADMINISTRATION	144.55
	VERIZON/FRONTIER		OFFICE OPERATIONS	144.55
	VERIZON/FRONTIER	ACCT #10624354707	TRANSPORTATION MANAGEM	180.99
	VERIZON/FRONTIER	ACCT #107355912203	ADMIN FACILITIES	192.73
	VERIZON/FRONTIER		COMMUNITY DEVELOPMENT-	192.73
	VERIZON/FRONTIER		WASTE WATER TREATMENT	192.74
	VERIZON/FRONTIER		PARK & RECREATION FAC	240.91
	VERIZON/FRONTIER		UTIL ADMIN	272.72
'0173	VERIZON/FRONTIER	METER READING PROFESSIONAL SER	METER READING	415.02
'0174	WA STATE BAR ASSOCIA	DANIEL MCLAFFERTY-RULE 9 INTER	LEGAL - PROSECUTION	50.00
'0175	WA STATE TREASURER	PUBLIC SAFETY & BLDG REVENUE	GENERAL FUND	819.00
	WA STATE TREASURER		GENERAL FUND	41,397.42
'0176	WASTE MANAGEMENT	YARDWASTE & RECYCLE SERVICE	RECYCLING OPERATION	79,457.20
'0177	WAXIE SANITARY SUPPL	JANITORIAL SUPPLIES	PARK & RECREATION FAC	250.95
	WAXIE SANITARY SUPPL		PARK & RECREATION FAC	401.06
'0178	WEED GRAAFSTRA	FORFEITURES - APRIL 2011	POLICE INVESTIGATION	42.50

**CITY OF MARYSVILLE  
 INVOICE LIST**

**FOR INVOICES FROM 5/6/2011 TO 5/11/2011**

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
'0178	WEED GRAAFSTRA	LEGAL SERVICES - APRIL 2011	STORM DRAINAGE	76.50
	WEED GRAAFSTRA		UTIL ADMIN	104.00
	WEED GRAAFSTRA		LEGAL-GENL	1,821.75
	WEED GRAAFSTRA		GMA - STREET	2,024.00
	WEED GRAAFSTRA		UTIL ADMIN	2,070.50
	WEED GRAAFSTRA		GMA - STREET	5,446.00
	WEED GRAAFSTRA		LEGAL-GENL	10,734.82
	WEED GRAAFSTRA		UTIL ADMIN	10,734.82
'0179	WEST & WEST INC REAL	UB 037815000000 7815 87TH ST N	WATER/SEWER OPERATION	128.57
'0180	WHITE CAP CONSTRUCT	BOLTS,SAW BLADES & ROTO HAMMER	WATER/SEWER OPERATION	-12.48
	WHITE CAP CONSTRUCT	10"X10" TAMPER	GENERAL FUND	-5.01
	WHITE CAP CONSTRUCT		PARK & RECREATION FAC	63.20
	WHITE CAP CONSTRUCT	BOLTS,SAW BLADES & ROTO HAMMER	SOURCE OF SUPPLY	157.62
'0181	WILBUR-ELLIS	FUNGICIDE	MAINTENANCE	293.22
'0182	WILCO-WINFIELD, LLC	PESTICIDE & AMENDMENTS	MAINTENANCE	300.00
'0183	WSSUA	UMPIRES FOR SPRING SOFTBALL LE	RECREATION SERVICES	1,122.00
'0184	WWCPA	REGISTRATION-BURKE	UTIL ADMIN	135.00
	WWCPA	REGISTRATION-KINNEY, PAUL	UTIL ADMIN	135.00
	WWCPA	REGISTRATION-SCHOOLCRAFT	UTIL ADMIN	135.00
'0185	YOUNG, GREG	UB 040553008101 6315 94TH ST N	WATER/SEWER OPERATION	116.74
'0186	ZEE MEDICAL SERVICE	FIRST AID RESUPPLY	PARK & RECREATION FAC	251.42

**WARRANT TOTAL: 500,912.83**

**PLUS PRE-PRINTED CHECK:**

**CHECK # 70056      MARYSVILLE FIRE DIST.      845,918.63**

**REASON FOR VOIDS:**

- INITIATOR ERROR
- WRONG VENDOR
- CHECK LOST IN MAIL
- UNCLAIMED PROPERTY

**WARRANT TOTAL: 1,346,831.46**

**CITY OF MARYSVILLE**

**EXECUTIVE SUMMARY FOR ACTION**

**CITY COUNCIL MEETING DATE: June 13, 2011**

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

Please see attached.

**RECOMMENDED ACTION:**


The Finance and Executive Departments recommend City Council approve the **May 18, 2011** claims in the amount of **\$2,144,061.62** paid by **Check No.'s 70187 through 70344 with Check No.'s 29197, 33408, 68719 and 70179 voided.**

**COUNCIL ACTION:**

BLANKET CERTIFICATION  
**CLAIMS**  
FOR  
**PERIOD-5**

I, THE UNDERSIGNED, DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE MATERIALS HAVE BEEN FURNISHED, THE SERVICES RENDERED OR THE LABOR PERFORMED AS DESCRIBED HEREIN AND THAT THE **CLAIMS** IN THE AMOUNT OF **\$2,144,061.62 PAID BY CHECK NO.'S 70187 THROUGH 70344 WITH CHECK NO.'S 29197, 33408, 68719 AND 70179 VOIDED** ARE JUST, DUE AND UNPAID OBLIGATIONS AGAINST THE CITY OF MARYSVILLE, AND THAT I AM AUTHORIZED TO AUTHENTICATE AND TO CERTIFY SAID CLAIMS.

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

  
\_\_\_\_\_  
DATE

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
DATE

WE, THE UNDERSIGNED COUNCIL MEMBERS OF MARYSVILLE, WASHINGTON DO HEREBY APPROVE FOR PAYMENT THE ABOVE MENTIONED **CLAIMS** ON THIS **18TH DAY OF MAY 2011.**

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

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

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COUNCIL MEMBER

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COUNCIL MEMBER

**CITY OF MARYSVILLE  
 INVOICE LIST**

**FOR INVOICES FROM 5/12/2011 TO 5/18/2011**

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
70187	REVENUE, DEPT OF	SALES & USE TAX-APRIL 2011	CITY CLERK	1.09
	REVENUE, DEPT OF		COMMUNITY DEVELOPMENT-	1.58
	REVENUE, DEPT OF		ER&R	9.42
	REVENUE, DEPT OF		POLICE ADMINISTRATION	18.28
	REVENUE, DEPT OF		CITY STREETS	43.71
	REVENUE, DEPT OF		INFORMATION SERVICES	51.43
	REVENUE, DEPT OF		DRUG ENFORCEMENT	81.51
	REVENUE, DEPT OF		GOLF COURSE	82.56
	REVENUE, DEPT OF		WATER/SEWER OPERATION	206.46
	REVENUE, DEPT OF		PRO-SHOP	400.35
	REVENUE, DEPT OF		GENERAL FUND	858.59
	REVENUE, DEPT OF		GOLF COURSE	5,923.73
	REVENUE, DEPT OF		STORM DRAINAGE	6,123.64
	REVENUE, DEPT OF		SOLID WASTE OPERATIONS	26,509.09
	REVENUE, DEPT OF		UTIL ADMIN	52,101.88
70188	ACCURINT	CRIMINAL BACKGROUND CHECKS	POLICE ADMINISTRATION	187.77
	ACCURINT		POLICE ADMINISTRATION	300.50
70189	ACE ACME SEPTIC SVC	PORTABLE TOILET	WATER RESERVOIRS	90.00
70190	ADVANTAGE BUILDING S	EXTRA CLEANING @ KBCC	COMMUNITY CENTER	50.00
70191	AIRGAS NOR PAC	COMPRESSED OXYGEN	ROADWAY MAINTENANCE	148.73
70192	ALBERTSONS	SUPPLY REIMBURSEMENT	RECREATION SERVICES	151.69
70193	ALBERTSONS	INMATE SUPPLIES	DETENTION & CORRECTION	159.12
70194	ALLWEST UNDERGROUND	TRAINING CLASSES	EXECUTIVE ADMIN	784.64
70195	AMERICAN CLEANERS	DRY CLEANING SERVICES	POLICE PATROL	10.86
	AMERICAN CLEANERS		POLICE ADMINISTRATION	43.59
	AMERICAN CLEANERS		OFFICE OPERATIONS	45.62
	AMERICAN CLEANERS		DETENTION & CORRECTION	54.28
	AMERICAN CLEANERS		POLICE INVESTIGATION	151.50
70196	AMERICAN RED CROSS	CPR TRAINING SUPPLIES	EXECUTIVE ADMIN	1,951.45
70197	AMSAN SEATTLE	JANITORIAL SUPPLIES-WWTP	WASTE WATER TREATMENT	118.52
	AMSAN SEATTLE	JANITORIAL SUPPLIES-CITY HALL	ADMIN FACILITIES	145.71
	AMSAN SEATTLE	JANITORIAL SUPPLIES-PW SHOP	MAINT OF GENL PLANT	265.14
	AMSAN SEATTLE	JANITORIAL SUPPLIES-PSB	PUBLIC SAFETY FAC-GENL	268.66
	AMSAN SEATTLE	JANITORIAL SUPPLIES-PW ADMIN	UTIL ADMIN	283.21
70198	AUTO VISUAL	WINDOW TINTING FOR K9 CAR	EQUIPMENT RENTAL	237.83
70199	BAKERS AFFORDABLE	(20) GOLF CAR SEAT RECOVER	PRO-SHOP	1,086.00
70200	BANDWIDTH.COM INC	MONTHLY SERVICE CHARGE	COMPUTER SERVICES	103.60
70201	BANK & OFFICE	CHAIR-CAO	EXECUTIVE ADMIN	321.46
	BANK & OFFICE	HR OFFICE CHAIRS	PERSONNEL ADMINISTRATIO	964.37
70202	BANK OF AMERICA	FEE REIMBURSEMENT	POLICE ADMINISTRATION	30.30
70203	BANK OF AMERICA	MEAL/SUPPLY REIMBURSEMENT	PARK & RECREATION FAC	299.94
70204	BANK OF AMERICA	REGISTRATION/MEAL REIMBURSEMEN	PERSONNEL ADMINISTRATIO	-185.00
	BANK OF AMERICA		EXECUTIVE ADMIN	75.50
	BANK OF AMERICA		EXECUTIVE ADMIN	120.19
	BANK OF AMERICA		CITY COUNCIL	950.00
70205	BANK OF AMERICA	PARKING REIMBURSEMENT	EXECUTIVE ADMIN	6.00
70206	BARNETT IMPLEMENT	(2) WHEELS	PARK & RECREATION FAC	49.01
70207	BELLMAN, AILEEN	WTR/SWR CONSERVATION REBATE	UTIL ADMIN	50.00
70208	BELMARK PROPERTY MNG	GEDDES MARINA MANAGEMENT	STORM DRAINAGE	4,640.86
70209	BICKFORD FORD	TURN SIGNAL MALFUNCTION SWITCH	EQUIPMENT RENTAL	79.32
70210	BLUMENTHAL UNIFORMS	UNIFORMS-DREYER,D	OFFICE OPERATIONS	9.77
	BLUMENTHAL UNIFORMS	NEW UNIFORMS - DUERMELL	OFFICE OPERATIONS	166.27
70211	BOBBY WOLFORD TRUCK	(2) 30YD BOXES	UTIL ADMIN	1,011.00
70212	BOYD, RAE	INMATE MEDICAL CARE	DETENTION & CORRECTION	3,100.00
70213	BOYS & GIRLS CLUBS	DONATION - 2011 AUCTION	CITY COUNCIL	400.00
	BOYS & GIRLS CLUBS		EXECUTIVE ADMIN	600.00
70214	BRINKS INC	ARMORED TRUCK SERVICE	GOLF ADMINISTRATION	102.91

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70214	BRINKS INC	ARMORED TRUCK SERVICE	UTIL ADMIN	177.41
	BRINKS INC		COMMUNITY DEVELOPMENT-	177.43
	BRINKS INC		POLICE ADMINISTRATION	323.36
	BRINKS INC		UTILITY BILLING	323.36
	BRINKS INC		MUNICIPAL COURTS	323.36
70215	BRK MANAGEMENT SRVCS	EHM-SCRAM MANGINI 03/11	DETENTION & CORRECTION	234.00
	BRK MANAGEMENT SRVCS	EHM - MARCH 2011	DETENTION & CORRECTION	2,689.50
70216	CANAM FABRICATIONS	BUSHING ARM REPAIR	EQUIPMENT RENTAL	781.92
70217	CAPTAIN DIZZYS EXXON	CAR WASHES	PARK & RECREATION FAC	4.50
	CAPTAIN DIZZYS EXXON		POLICE PATROL	139.50
70218	CARRS ACE	CABLE, THIMBLES & CABLE CLAMPS	WASTE WATER TREATMENT	9.84
	CARRS ACE	PLANT PRUNERS	BUILDING MAINTENANCE	24.97
	CARRS ACE	TIDFLEX REED VALVE ON DYKE RO	STORM DRAINAGE	57.67
70219	CASTANARES, DON	TRAINING REIMBURSEMENT	TRIBAL GAMING-GENL	100.00
70220	CEMEX	CLASS B ASPHALT	ROADWAY MAINTENANCE	141.72
	CEMEX		STORM DRAINAGE MAINTEN/	1,324.32
	CEMEX		WATER CAPITAL PROJECTS	1,534.15
70221	CHAMPION BOLT	TIDE VALVE ON DYKE ROAD	STORM DRAINAGE	51.22
70222	CI TECHNOLOGIES INC	I A PRO SOFTWARE UPDATE	POLICE ADMINISTRATION	1,954.80
70223	CLAWSON, CAMILLE	WTR/SWR CONSERVATION REBATE	UTIL ADMIN	50.00
70224	CLICK2MAIL	POSTAGE	COMMUNITY DEVELOPMENT-	764.75
70225	COMMERCE DEPT OF	LAKWOOD TRIANGLE ACCESS-PRINC	INTEREST & OTHER DEBT SE	2,812.50
	COMMERCE DEPT OF	WWTP UPGRADE-PRINCIPAL/INTERES	ENTERPRISE D/S	2,894.74
	COMMERCE DEPT OF		ENTERPRISE D/S	31,764.71
	COMMERCE DEPT OF		ENTERPRISE D/S	36,842.11
	COMMERCE DEPT OF		ENTERPRISE D/S	52,631.58
	COMMERCE DEPT OF	LAKWOOD TRIANGLE ACCESS-PRINC	REDEMPTION LONG TERM DE	187,500.00
	COMMERCE DEPT OF	WWTP UPGRADE-PRINCIPAL/INTERES	ENTERPRISE D/S	526,315.79
	COMMERCE DEPT OF		ENTERPRISE D/S	529,411.77
70226	CONKLIN, JENNIFER	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
70227	COOP SUPPLY	MOLASSES FOR 76TH ST DRIVEWAY	WATER CAPITAL PROJECTS	35.83
	COOP SUPPLY	36" X 50" FENCE & TIES	ROADWAY MAINTENANCE	42.33
	COOP SUPPLY	GRASS SEED	STORM DRAINAGE	65.14
	COOP SUPPLY	GRASS SEED AND SPREADER	GMA - STREET	115.08
70228	CORRECTIONS, DEPT OF	INMATE MEALS	DETENTION & CORRECTION	1,175.65
	CORRECTIONS, DEPT OF		DETENTION & CORRECTION	1,199.90
	CORRECTIONS, DEPT OF		DETENTION & CORRECTION	1,379.87
70229	COSTLESS SENIOR SRVC	INMATE PRESCRIPTIONS	DETENTION & CORRECTION	45.93
70230	CUZ CONCRETE PROD	48" SADDLE,RISERS,CONE & GASKE	SEWER MAIN COLLECTION	933.65
70231	DARLING, BUD & SCOTT	RECOVERY CONTRACT #253-SEWER	WATER/SEWER OPERATION	320.08
70232	DATEC, INC	SCANNER	DRUG ENFORCEMENT	2,631.16
70233	DAY WIRELESS SYSTEMS	INSTALL MODEM	POLICE PATROL	266.08
	DAY WIRELESS SYSTEMS		POLICE PATROL	267.55
	DAY WIRELESS SYSTEMS		POLICE PATROL	267.55
70234	DB SECURE SHRED	SHREDDING SERVICES	CITY CLERK	7.31
	DB SECURE SHRED		FINANCE-GENL	7.31
	DB SECURE SHRED		UTILITY BILLING	7.32
	DB SECURE SHRED		EXECUTIVE ADMIN	9.56
	DB SECURE SHRED		LEGAL - PROSECUTION	9.57
	DB SECURE SHRED		PERSONNEL ADMINISTRATIO	19.13
	DB SECURE SHRED		POLICE INVESTIGATION	45.85
	DB SECURE SHRED		DETENTION & CORRECTION	45.85
	DB SECURE SHRED		OFFICE OPERATIONS	45.85
	DB SECURE SHRED		POLICE PATROL	45.86
70235	DE AGUA VIVA MANTIAL	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
70236	DEAVER ELECTRIC	REPLACE LIFT STATION LIGHTING	WASTE WATER TREATMENT	2,938.29
70237	DICKS TOWING	TOWING EXPENSE MP11-2602	POLICE PATROL	43.44

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70237	DICKS TOWING	TOWING EXPENSE-#P119	EQUIPMENT RENTAL	43.44
	DICKS TOWING	TOWING EXPENSE MP11-2512	POLICE PATROL	70.59
70238	DIJULIO DISPLAYS INC	(200) BLUE C-9 LAMPS	PARK & RECREATION FAC	85.47
70239	DUNLAP INDUSTRIAL	30" LUTE & SPARK PLUGS	ROADWAY MAINTENANCE	142.83
70240	DUTTON ELECTRIC	NEW CIRCUIT, INSTALL HAND DRYE	GOLF ADMINISTRATION	1,530.72
70241	E&E LUMBER	TWINE	PARK & RECREATION FAC	4.33
	E&E LUMBER	DOOR VIEWER-CITY HALL	ADMIN FACILITIES	10.85
	E&E LUMBER	HOOKS	MAINT OF GENL PLANT	18.72
	E&E LUMBER	GRAFFITI SUPPLIES	COMMUNITY DEVELOPMENT-	20.47
	E&E LUMBER	WIRE STRIPPER, TAPE	PARK & RECREATION FAC	23.87
	E&E LUMBER	TIDE FLEX REED VALVE-PW	STORM DRAINAGE	24.25
	E&E LUMBER	GRAFFITI SUPPLIES	COMMUNITY DEVELOPMENT-	30.00
	E&E LUMBER	PAINT	PARK & RECREATION FAC	35.18
	E&E LUMBER	PAINT, SANDPAPER	PARK & RECREATION FAC	63.06
70242	EAST JORDAN IRON WOR	18" X 24" LOCKING GRATE	STORM DRAINAGE	544.36
	EAST JORDAN IRON WOR	18" X 24" GRATE LID	STORM DRAINAGE	653.23
70243	EDGE ANALYTICAL	LAB ANALYSIS	WATER QUAL TREATMENT	10.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	10.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	10.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	10.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	10.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	10.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	20.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	124.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	136.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	160.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	453.00
70244	ENECON USA, INC.	CERAMALLOY	STORM DRAINAGE	512.41
70245	EVERETT HERALD	00010372 DOUBLE PAYMENT	COMMUNITY DEVELOPMENT-	-48.72
	EVERETT HERALD	EMPLOYMENT ADVERTISING	UTIL ADMIN	377.00
70246	EVERETT STEEL CO	METAL CHANNEL	ROADWAY MAINTENANCE	212.31
70247	EVERGREEN SAFETY COU	MEMBERSHIP	EXECUTIVE ADMIN	245.00
70248	FCS GROUP	PROFESSIONAL SERVICES	WATER CAPITAL PROJECTS	14,288.75
70249	FOOTJOY	CONTOUR SHOES	GOLF COURSE	198.87
	FOOTJOY	SOCKS	GOLF COURSE	232.86
70250	FRED MEYER	JEANS-MORGISON	UTIL ADMIN	123.77
70251	GENERAL CHEMICAL	ALUMINUM SULFATE	WASTE WATER TREATMENT	3,349.21
70252	GRANITE CONST CO	1 1/4" ATB ASPHALT-90.71 TONS	WATER CAPITAL PROJECTS	1,710.30
	GRANITE CONST CO	HMA CL 1/2" 45.30 TONS	WATER CAPITAL PROJECTS	2,715.76
70253	GREENSHIELDS	1 1/2 X 100' FIRE HOSE COUPLED	WASTE WATER TREATMENT	273.00
70254	GREG RAIRDONS DODGE	REAR AXLE/BEARING/SEAL-#967	EQUIPMENT RENTAL	445.03
70255	GRIFFEN, CHRIS	PUBLIC DEFENDER	LEGAL - PUBLIC DEFENSE	262.50
	GRIFFEN, CHRIS		LEGAL - PUBLIC DEFENSE	300.00
	GRIFFEN, CHRIS		LEGAL - PUBLIC DEFENSE	300.00
	GRIFFEN, CHRIS		LEGAL - PUBLIC DEFENSE	300.00
70256	GUARDIAN SECURITY	ALARM MONITORING-COKE BUILDING	MAINT OF GENL PLANT	94.50
70257	HD FOWLER COMPANY	DRAIN PIPE	MAINTENANCE	52.13
	HD FOWLER COMPANY	STAKING FLAGS	ER&R	54.30
	HD FOWLER COMPANY	BRASS HARDWARE,BALL VALVES	WATER/SEWER OPERATION	159.82
	HD FOWLER COMPANY	CAUTION TAPE & MEASURING WHEEL	ER&R	187.92
	HD FOWLER COMPANY	12" RESETTERS	WATER/SEWER OPERATION	191.46
	HD FOWLER COMPANY	18" & 12" RESETTERS	WATER/SEWER OPERATION	204.62
	HD FOWLER COMPANY	SEWER PIPE & CONNECTIONS	SEWER MAIN COLLECTION	226.51
	HD FOWLER COMPANY	BRASS HARDWARE, BALL VALVES	WATER/SEWER OPERATION	356.54
	HD FOWLER COMPANY	COPPER TUBING, METER GASKET	WATER/SEWER OPERATION	499.35
70258	HERTZ EQUIPMENT RENT	EXCAVATOR & BUCKET RENTAL	SEWER MAIN COLLECTION	1,831.00
70259	HILINE	FASTNERS & NUTS	UTIL ADMIN	181.24



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70260	HOME DEPOT	BENCH GRINDER & WIRE WHEEL	WASTE WATER TREATMENT	56.73
70261	HULME, LAURIE	RENTAL DEPOSIT REFUND	GENERAL FUND	5.00
	HULME, LAURIE		GENERAL FUND	95.00
70262	HUMAN SERVICES	LIQUOR BOARD PROFIT/TAXES-1ST	NON-DEPARTMENTAL	1,532.52
	HUMAN SERVICES		NON-DEPARTMENTAL	2,219.95
70263	IAPMO	UNIFIED PLUMBING CODE	GENERAL FUND	-12.01
	IAPMO		COMMUNITY DEVELOPMENT-	151.65
70264	INFILCO DEGREMONT	TORQUE COUPLER	WASTE WATER TREATMENT	306.77
	INFILCO DEGREMONT	BALLASTS	WASTE WATER TREATMENT	1,372.10
70265	INFORMATION SERVICES	TELECOMMUNICATIONS SERVICES	OFFICE OPERATIONS	1,121.80
70266	IRON MOUNTAIN	1 1/4" MINUS ROCK	ROADWAY MAINTENANCE	669.67
70267	KAMAN INDUSTRIAL TEC	FLANGE BEARING	EQUIPMENT RENTAL	246.93
70268	KLEMENTSEN, TORY	INSTRUCTOR SERVICES	RECREATION SERVICES	3.50
	KLEMENTSEN, TORY		RECREATION SERVICES	140.00
70269	LAKE STEVENS SCHOOL	MITIGATION FEES 04/11	SCHOOL MIT FEES	12,140.00
70270	LAKEWOOD SCHOOL DIST	FACILITY USAGE-GYM	RECREATION SERVICES	130.33
70271	LASTING IMPRESSIONS	PARKS/GOLF UNIFORM	MAINTENANCE	578.24
	LASTING IMPRESSIONS		PARK & RECREATION FAC	1,516.71
70272	LICENSING, DEPT OF	BAILEY, KATHY (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	BANDY, TAMARA (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	BETSWORTH, BRYAN (RENEWAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	BUMGARNER, RONALD (RENEWAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	LINEBARGER, NORA (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	NILSON, SETH (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	POIRIER, ELIZABETH (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	WANTZ, KRISTOPHER (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	GOODRICH, TIMOTHY (LATE RENEWA	GENERAL FUND	21.00
	LICENSING, DEPT OF	REED, JEREMY (LATE RENEWAL)	GENERAL FUND	21.00
70273	LICENSING, DEPT OF	SALES TAX/LICENSE FEE-#P136	EQUIPMENT RENTAL	730.50
70274	LICENSING, DEPT OF	SALES TAX/LICENSE FEE-#P137	EQUIPMENT RENTAL	730.50
70275	LICENSING, DEPT OF	SALES TAX/LICENSE FEE-#P138	EQUIPMENT RENTAL	730.50
70276	LICENSING, DEPT OF	SALES TAX/LICENSE FEE-#P139	EQUIPMENT RENTAL	730.50
70277	LOWES HIW INC	SUPPLIES	WATER CROSS CNTL	12.65
	LOWES HIW INC	GORILLA TAPE	SOURCE OF SUPPLY	19.50
	LOWES HIW INC	CONDUIT, COUPLINGS, ETC	PARK & RECREATION FAC	23.72
70278	LYONS, RICK	RENTAL REFUND	PARKS-RECREATION	65.00
	LYONS, RICK		GENERAL FUND	100.00
70279	MARYSVILLE AWARDS	RETIREMENT PLAQUE	POLICE ADMINISTRATION	116.31
70280	MARYSVILLE NOON ROTA	DUES-SMITH,R	POLICE ADMINISTRATION	240.72
70281	MARYSVILLE PRINTING	IN CUSTODY FORMS	DETENTION & CORRECTION	82.10
	MARYSVILLE PRINTING	FORMS	LEGAL - PROSECUTION	99.68
70282	MARYSVILLE SCHOOL	MITIGATION FEES - 04/2011	SCHOOL MIT FEES	69,713.00
70283	MARYSVILLE, CITY OF	WTR-4 TH/I-5 IRR	PARK & RECREATION FAC	51.40
	MARYSVILLE, CITY OF	4" FIRELINE	ADMIN FACILITIES	63.88
	MARYSVILLE, CITY OF	WTR/SWR-316 CEDAR AVE	PARK & RECREATION FAC	95.14
	MARYSVILLE, CITY OF	WTR/SWR-514 DELTA AVE PARK RR	PARK & RECREATION FAC	100.54
	MARYSVILLE, CITY OF	WTR/SWR-1050 COLUMBIA AVE	PARK & RECREATION FAC	105.21
	MARYSVILLE, CITY OF	WTR/SWR-601 DELTA AVE	NON-DEPARTMENTAL	126.42
	MARYSVILLE, CITY OF	WTR/SWR/GBG-1327 5TH ST	NON-DEPARTMENTAL	142.02
	MARYSVILLE, CITY OF	WTR-1ST ST & STATE AVE IRR	PARK & RECREATION FAC	162.08
	MARYSVILLE, CITY OF	WTR/SWR-61 STATE AVE	PARK & RECREATION FAC	177.80
	MARYSVILLE, CITY OF	WTR/SWR-80 COLUMBIA AVE	MAINT OF GENL PLANT	178.88
	MARYSVILLE, CITY OF	YARD CONTAINER-80 COLUMBIA AVE	ROADWAY MAINTENANCE	575.00
	MARYSVILLE, CITY OF	WTR/SWR/GBG-1326 1ST ST #B	STORM DRAINAGE	643.16
	MARYSVILLE, CITY OF	WTR/SWR/GBG-514 DELTA AVE	COMMUNITY CENTER	674.02
	MARYSVILLE, CITY OF	WTR/SWR/GBG-1049 STATE AVE	ADMIN FACILITIES	707.46
	MARYSVILLE, CITY OF	WTR/SWR/GBG-1015 STATE AVE	COURT FACILITIES	745.00



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70283	MARYSVILLE, CITY OF	GARBAGE-80 COLUMBIA AVE	EQUIPMENT RENTAL	751.12
	MARYSVILLE, CITY OF	WTR/SWR/GBG-80 COLUMBIA	MAINT OF GENL PLANT	1,231.46
	MARYSVILLE, CITY OF	WTR/SWR/GBG-80 COLUMBIA AVE	WASTE WATER TREATMENT	1,618.38
	MARYSVILLE, CITY OF	WTR-80 COLUMBIA AVE	WASTE WATER TREATMENT	1,789.25
70284	MAYER, ANDREA	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
70285	MCLEOD, DERYCK	SUPPLIES	POLICE INVESTIGATION	11.92
70286	MICROFLEX INC	TAX AUDIT PROGRAM-APRIL 2011	FINANCE-GENL	76.88
70287	MONROE DOOR & MILLWO	DOOR-PSB	PUBLIC SAFETY FAC-GENL	130.55
70288	NATIONAL SAFETY INC	MISC. VESTS	ER&R	314.99
70289	NELSON PETROLEUM	GAS & DIESEL FUEL	MAINTENANCE	2,858.93
70290	NORDIC SERVICES	HYDRANT METER-DEPOSIT REFUND	WATER/SEWER OPERATION	1,060.80
70291	NORTH COAST ELECTRIC	MFZ TR1-8/10 FUS	WASTE WATER TREATMENT	118.46
70292	NORTH SOUND HOSE	SEWER HOSE & FITTINGS	SEWER MAIN COLLECTION	467.43
70293	NORTHWEST CASCADE	HONEY BUCKET	RECREATION SERVICES	338.03
70294	OFFICE DEPOT	OFFICE SUPPLIES	BUILDING MAINTENANCE	3.25
	OFFICE DEPOT		EQUIPMENT RENTAL	3.25
	OFFICE DEPOT		POLICE ADMINISTRATION	13.66
	OFFICE DEPOT		UTIL ADMIN	16.57
	OFFICE DEPOT		POLICE INVESTIGATION	17.95
	OFFICE DEPOT		UTIL ADMIN	41.72
	OFFICE DEPOT		PERSONNEL ADMINISTRATIO	53.93
	OFFICE DEPOT		ENGR-GENL	60.02
	OFFICE DEPOT		COMMUNITY CENTER	88.95
	OFFICE DEPOT		POLICE PATROL	145.79
	OFFICE DEPOT		POLICE PATROL	172.51
	OFFICE DEPOT		COMMUNITY DEVELOPMENT-	183.02
	OFFICE DEPOT		LEGAL-GENL	212.28
70295	PACIFIC NW BUSINESS	TONER	FINANCE-GENL	61.85
	PACIFIC NW BUSINESS		POLICE ADMINISTRATION	192.06
70296	PACIFIC POWER PROD.	BEDKNIVES	MAINTENANCE	162.57
70297	PACIFIC TOPSOILS	MATERIAL HAUL OFF	SEWER MAIN COLLECTION	30.00
	PACIFIC TOPSOILS		SEWER MAIN COLLECTION	30.00
	PACIFIC TOPSOILS		SEWER MAIN COLLECTION	60.00
	PACIFIC TOPSOILS		SEWER MAIN COLLECTION	60.00
	PACIFIC TOPSOILS		SEWER MAIN COLLECTION	60.00
	PACIFIC TOPSOILS		SEWER MAIN COLLECTION	60.00
	PACIFIC TOPSOILS		SEWER MAIN COLLECTION	60.00
	PACIFIC TOPSOILS		SEWER MAIN COLLECTION	60.00
	PACIFIC TOPSOILS		SEWER MAIN COLLECTION	60.00
	PACIFIC TOPSOILS		SEWER MAIN COLLECTION	60.00
	PACIFIC TOPSOILS		SEWER MAIN COLLECTION	60.00
70298	PARTS STORE, THE	CORE DEPOSIT	ER&R	-10.86
	PARTS STORE, THE	SCRAPERS	ER&R	8.09
	PARTS STORE, THE	WASHER BRUSHES	EQUIPMENT RENTAL	47.76
	PARTS STORE, THE	FILTERS	EQUIPMENT RENTAL	57.63
	PARTS STORE, THE	LAMPS,BATTERY/CORE,OIL FILTER	ER&R	256.49
	PARTS STORE, THE	MISC. ITEMS FOR INVENTORY	ER&R	448.11
70299	PEACE OF MIND	MINUTE TAKING SERVICE	CITY CLERK	114.70
	PEACE OF MIND		CITY CLERK	139.50
70300	PILCHUCK VETERINARY	HORSE CARE-CRIMINAL CASE	ANIMAL CONTROL	262.00
70301	PNPCA NW WA	MEMBERSHIP DUES (8)	WASTE WATER TREATMENT	80.00
70302	PUBLIC SAFETY TESTIN	QTRLY SUBSCRIPTION	CIVIL SERVICE	800.00
70303	PUD	ACCT #2011-4215-5	TRANSPORTATION MANAGEM	58.54
	PUD	ACCT #2004-9984-6	PARK & RECREATION FAC	72.14
	PUD	ACCT #2004-9950-7	PARK & RECREATION FAC	72.30
	PUD	ACCT #2008-1280-8	PUMPING PLANT	514.18

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70303	PUD	ACCT #2024-6155-4	SEWER LIFT STATION	1,050.83
	PUD	ACCT #2028-8209-8	STREET LIGHTING	8,081.51
	PUD		STREET LIGHTING	12,640.32
70304	PUGET SOUND ENERGY	ACCT #433-744-264-6	PRO-SHOP	82.97
	PUGET SOUND ENERGY	ACCT #616-190-400-5	COMMUNITY CENTER	88.82
	PUGET SOUND ENERGY	ACCT #922-456-500-3	MAINT OF GENL PLANT	93.47
	PUGET SOUND ENERGY	ACCT #856-208-715-8	NON-DEPARTMENTAL	154.22
	PUGET SOUND ENERGY	ACCT #433-744-084-8 DELTA BLDG	NON-DEPARTMENTAL	187.04
	PUGET SOUND ENERGY	ACCT #549-775-008-2 CITY HALL	ADMIN FACILITIES	359.68
	PUGET SOUND ENERGY	ACCT #835-819-211-3	COURT FACILITIES	423.44
	PUGET SOUND ENERGY	ACCT #435-851-700-3	MAINT OF GENL PLANT	438.24
	PUGET SOUND ENERGY	ACCT. # 549-775-373-0	MAINT OF GENL PLANT	484.95
	PUGET SOUND ENERGY	ACCT #753-901-800-7	PUBLIC SAFETY FAC-GENL	1,014.57
70305	REECE TRUCKING	PAY ESTIMATE #1-W0402	UTILITY CONSTRUCTION	-10,399.30
	REECE TRUCKING		WATER CAPITAL PROJECTS	225,872.85
70306	SAFETY-SOURCE LLC	STEEL PLATES, PICK TOOLS	SEWER MAIN COLLECTION	3,131.81
70307	SAFEWAY INC.	WATER FOR MEETINGS	EXECUTIVE ADMIN	6.00
70308	SEA-ALASKA INDUSTRIA	AERATOR MOTOR REPAIR	WASTE WATER TREATMENT	751.51
70309	SHACKLETON, CORI	MEAL REIMBURSEMENT	POLICE INVESTIGATION	244.83
70310	SHREDIT WESTERN WA	SHREDDING SERVICES	EXECUTIVE ADMIN	400.00
70311	SMOKEY POINT CONCRET	DUMP FEES	STORM DRAINAGE MAINTEN/	94.75
	SMOKEY POINT CONCRET		WATER DIST MAINS	94.76
70312	SMOKEY POINT CONCRET	19.35 TONS SOD	WATER CAPITAL PROJECTS	109.27
70313	SNO CO FLEET MANAGEM	FORD CROWN VICTORIA-#P136	EQUIPMENT RENTAL	8,000.00
	SNO CO FLEET MANAGEM	FORD CROWN VICTORIA-#P137	EQUIPMENT RENTAL	8,000.00
	SNO CO FLEET MANAGEM	FORD CROWN VICTORIA-#P138	EQUIPMENT RENTAL	8,000.00
	SNO CO FLEET MANAGEM	FORD CROWN VICTORIA-#P139	EQUIPMENT RENTAL	8,000.00
70314	SNO CO TREASURER	INMATE HOUSING-APRIL 2011	DETENTION & CORRECTION	40,133.46
70315	SNOPAC	DISPATCH SERVICES	COMMUNICATION CENTER	64,984.53
70316	SOLID WASTE SYSTEMS	REARVIEW CAMERA-#J011	EQUIPMENT RENTAL	653.40
70317	SONITROL	SECURITY SERVICE-MAY 2011	PUBLIC SAFETY FAC-GENL	93.00
	SONITROL		PARK & RECREATION FAC	122.00
	SONITROL		COMMUNITY CENTER	132.00
	SONITROL		WASTE WATER TREATMENT	232.33
	SONITROL		WATER FILTRATION PLANT	232.33
	SONITROL		ADMIN FACILITIES	308.00
	SONITROL		UTIL ADMIN	391.00
70318	SOUND PUBLISHING	LEGAL ADS	COMMUNITY DEVELOPMENT-	49.39
	SOUND PUBLISHING		CITY CLERK	73.64
70319	SOUND PUBLISHING		COMMUNITY DEVELOPMENT-	349.96
70320	SOUND SAFETY	EAR PLUGS,SAFETY GLASSES,GLOVE	ER&R	87.97
	SOUND SAFETY	EMERGENCY BACKPACKS-PW	MAINT OF GENL PLANT	191.65
	SOUND SAFETY		UTIL ADMIN	191.65
	SOUND SAFETY	MISC. GLOVES	ER&R	321.13
	SOUND SAFETY	MISC. RAINGEAR	ER&R	361.91
70321	SPECIALTY CIGARS	CIGARS	GOLF COURSE	285.70
70322	SPRINGBROOK NURSERY	(1 YD) FINE BARK	PARK & RECREATION FAC	33.93
70323	STALTER,PHILLIP	JURY DUTY	COURTS	10.50
70324	STATE PATROL	BACKGROUND CHECKS	PERSONNEL ADMINISTRATIO	230.00
70325	STRATEGIES 360	PROFESSIONAL SERVICES	NON-DEPARTMENTAL	1,750.00
	STRATEGIES 360		WASTE WATER TREATMENT	1,875.00
	STRATEGIES 360		GENERAL SERVICES - MAINTI	2,250.00
	STRATEGIES 360		UTIL ADMIN	3,375.00
70326	SUN MOUNTAIN	SPECIAL ORDER-ROSALES	GOLF COURSE	14.69
70327	TAKLO, ROBERT	WTR/SWR CONSERVATION REBATE	UTIL ADMIN	44.00
70328	TEES PLEASE INC	TEES	GOLF COURSE	-5.92
	TEES PLEASE INC		PRO-SHOP	74.67

**CITY OF MARYSVILLE  
 INVOICE LIST**

**FOR INVOICES FROM 5/12/2011 TO 5/18/2011**

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
70328	TEES PLEASE INC	TEES	GOLF COURSE	180.00
70329	TEXTRON FINANCIAL	EZGO CART LEASE	MAINTENANCE	435.00
70330	THYSSENKRUPP ELEVATO	PREVENTATIVE MAINT.-CITY HALL	ADMIN FACILITIES	182.86
	THYSSENKRUPP ELEVATO	PREVENTATIVE MAINT.-PSB	PUBLIC SAFETY FAC-GENL	182.86
70331	TOWN & COUNTRY FENCE	FENCE REPAIR	STORM DRAINAGE	526.72
	TOWN & COUNTRY FENCE	MATERIAL/LABOR	STORM DRAINAGE	1,053.42
70332	TRANSPORTATION, DEPT	BIA PROJECT COSTS	GMA - STREET	39,960.94
	TRANSPORTATION, DEPT		GMA - STREET	45,414.24
70333	TULALIP CHAMBER	BBH MEETING (7)	EXECUTIVE ADMIN	46.00
	TULALIP CHAMBER		CITY COUNCIL	92.00
70334	UNITED PARCEL SERVIC	SHIPPING EXPENSE	WATER SERVICE INSTALL	10.44
	UNITED PARCEL SERVIC		SEWER PRETREATMENT	13.18
	UNITED PARCEL SERVIC		POLICE PATROL	18.98
	UNITED PARCEL SERVIC		POLICE PATROL	56.50
	UNITED PARCEL SERVIC		POLICE PATROL	74.92
70335	UNITED RENTALS	PUMP REPLACEMENT	EQUIPMENT RENTAL	159.32
70336	VERIZON/FRONTIER	ACCT #POLE BLDG	POLICE PATROL	53.91
	VERIZON/FRONTIER	ACCT #103957234007	WASTE WATER TREATMENT	62.57
	VERIZON/FRONTIER	ACCT #1109792481505	UTIL ADMIN	74.92
	VERIZON/FRONTIER	ACCT #102746380105	COMMUNICATION CENTER	95.77
	VERIZON/FRONTIER	ACCT #106241644206	CENTRAL SERVICES	663.19
70337	VERIZON/FRONTIER	ACCT. # 970766244-00001	METER READING	420.07
70338	WABO BOOKSTORE, THE	NEC REFERENCE MATERIALS	COMMUNITY DEVELOPMENT-	533.77
70339	WEBCHECK	WEBCHECK SERVICES-APRIL 2011	UTILITY BILLING	870.00
70340	WEST PAYMENT CENTER	WEST INFORMATION CHARGES	LEGAL - PROSECUTION	570.16
70341	WESTERN GRAPHICS	GRAPHICS PACKAGE	EQUIPMENT RENTAL	669.25
70342	WHISTLE WORKWEAR	REPLACEMENT JEANS-KINNEY, S	GENERAL SERVICES - OVERF	68.77
70343	WILKES, WANNETTA	WTR/SWR CONSERVATION REBATE	UTIL ADMIN	44.00
70344	WOGGE, CHESTER	6 PACK USED GOLF BALLS	GOLF COURSE	90.00

**WARRANT TOTAL: 2,144,626.53**

**LESS VOIDED CHECK:**

**REASON FOR VOIDS:**

- INITIATOR ERROR
- WRONG VENDOR
- CHECK LOST IN MAIL
- UNCLAIMED PROPERTY

CHECK # 29197	UNCLAIMED PROPERTY	(104.11)
CHECK # 33408	UNCLAIMED PROPERTY	(12.15)
CHECK # 68719	INITIATOR ERROR	(320.08)
CHECK # 70179	INITIATOR ERROR	(128.57)

**WARRANT TOTAL: 2,144,061.62**

**CITY OF MARYSVILLE**

**EXECUTIVE SUMMARY FOR ACTION**

**CITY COUNCIL MEETING DATE: June 13, 2011**

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

Please see attached.

**RECOMMENDED ACTION:**

The Finance and Executive Departments recommend City Council approve the **May 25, 2011** claims in the amount of **\$213,889.91** paid by **Check No.'s 70345 through 70489 with Check No.69460 voided.**

**COUNCIL ACTION:**

BLANKET CERTIFICATION

**CLAIMS**  
FOR  
**PERIOD-5**

I, THE UNDERSIGNED, DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE MATERIALS HAVE BEEN FURNISHED, THE SERVICES RENDERED OR THE LABOR PERFORMED AS DESCRIBED HEREIN AND THAT THE **CLAIMS** IN THE AMOUNT OF **\$213,889.91 PAID BY CHECK NO.'S 70345 THROUGH 70489 WITH CHECK NO. 69460 VOIDED** ARE JUST, DUE AND UNPAID OBLIGATIONS AGAINST THE CITY OF MARYSVILLE, AND THAT I AM AUTHORIZED TO AUTHENTICATE AND TO CERTIFY SAID CLAIMS.

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

\_\_\_\_\_  
DATE

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
DATE

WE, THE UNDERSIGNED COUNCIL MEMBERS OF MARYSVILLE, WASHINGTON DO HEREBY APPROVE FOR PAYMENT THE ABOVE MENTIONED **CLAIMS** ON THIS **25TH DAY OF MAY 2011.**

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

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COUNCIL MEMBER

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COUNCIL MEMBER

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COUNCIL MEMBER

**CITY OF MARYSVILLE  
 INVOICE LIST**

**FOR INVOICES FROM 5/19/2011 TO 5/25/2011**

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
70345	ABELL, NANCY	SHIPPING EXPENSE REIMBURSEMENT	EXECUTIVE ADMIN	19.42
70346	ABLEMARK CORPORATION	REUSABLE BANNER-SHRED-A-THON	EXECUTIVE ADMIN	254.12
70347	AFTS	REMITTANCE PROCESSING-APRIL 20	UTILITY BILLING	816.75
	AFTS	WEB PAYMENT SERVICES-APRIL 201	UTILITY BILLING	879.50
	AFTS	BILL PRINTING SERVICES-APRIL 2	UTILITY BILLING	6,061.23
70348	ALBERTSONS	REFRESHMENT REIMBURSEMENT	UTIL ADMIN	15.98
70349	ALPINE PRODUCTS INC	NEW TIPS FOR ROW PAINTING	TRAFFIC CONTROL DEVICES	257.12
70350	AMSAN SEATTLE	DEGREASER	ER&R	243.18
70351	ANDES LAND SURVEY	PROFESSIONAL SERVICES	GMA - STREET	700.00
70352	ANGEVINE, MERLE J	JURY DUTY	COURTS	53.66
70353	ARAMARK UNIFORM	UNIFORM CLEANING	EQUIPMENT RENTAL	28.86
	ARAMARK UNIFORM		EQUIPMENT RENTAL	28.86
70354	ATLAS FENCE COMPANY	FENCE REPAIR	WATER RESERVOIRS	2,174.17
70355	BAMBOLO, ALEX & ERIN	UB 042370000004 6503 95TH ST N	WATER/SEWER OPERATION	59.89
70356	BANK OF AMERICA	TRAVEL REIMBURSEMENT	POLICE ADMINISTRATION	87.13
70357	BANK OF AMERICA	EMPLOYMENT AD REIMBURSEMENT	UTIL ADMIN	448.00
70358	BANK OF AMERICA	TRAVEL/TRAINING REIMBURSEMENT	TRIBAL GAMING-GENL	159.00
	BANK OF AMERICA		POLICE INVESTIGATION	1,017.04
70359	BICKFORD FORD	DOOR LOCK SWITCH #P103	EQUIPMENT RENTAL	34.95
	BICKFORD FORD	TURN SIGNAL MALFUNCTION SWITCH	EQUIPMENT RENTAL	79.32
70360	BRAINARD, KATHLEEN	JURY DUTY	COURTS	38.87
70361	BROWNS PLUMBING	POOL NET	WASTE WATER TREATMENT	30.36
70362	BUDNICK, SAMUEL	WITNESS FEES	MUNICIPAL COURTS	25.30
70363	BUDNICK, VALERIE		MUNICIPAL COURTS	10.00
70364	BUILDERS EXCHANGE	PUBLISH PROJECT ONLINE	SEWER CAPITAL PROJECTS	56.75
70365	BURGESS, MARYKE	COFFEE FOR EASTER EGG HUNT	RECREATION SERVICES	28.13
70366	CARRS ACE	BRASS HARDWARE	WATER DIST MAINS	10.30
	CARRS ACE	2 GAL SPRAYER	SIDEWALKS MAINTENANCE	32.57
	CARRS ACE	MISC SUPPLIES	TRANSPORTATION MANAGEM	72.01
	CARRS ACE	MISC. BRASS PLUMBING	WATER DIST MAINS	105.06
70367	CARVER, VICKI	INSTRUCTOR SERVICES	RECREATION SERVICES	354.00
70368	CEMEX	CLASS B ASPHALT	WATER SERVICE INSTALL	141.38
	CEMEX		STORM DRAINAGE MAINTEN/	141.38
	CEMEX	LIQUID ASPHALT	ROADWAY MAINTENANCE	143.10
	CEMEX	MOD B ASPHALT	ROADWAY MAINTENANCE	152.88
	CEMEX	LIQUID/MOD B ASPHALT	STORM DRAINAGE MAINTEN/	352.23
	CEMEX		SEWER MAIN COLLECTION	769.22
	CEMEX	ASPHALT	WATER CAPITAL PROJECTS	1,706.82
70369	CENTRAL WELDING SUPP	TAC WELDING BOLT ON TIDE FLEX	STORM DRAINAGE	45.35
70370	CHAMPION BOLT	FLAP DISCS	MAINTENANCE	64.50
70371	CLEAN CUT	TREE REMOVAL	PARK & RECREATION FAC	543.00
70372	COMCAST	ACCT. # 8498 31 002 0001355-KB	BAXTER CENTER APPRE	48.94
70373	COOP SUPPLY	ROSE CARE (1)	PARK & RECREATION FAC	10.85
	COOP SUPPLY	LAWN OVERSEED (25 LB)	WATER SERVICES	43.43
	COOP SUPPLY	STRAW BALES (6)	WATER SERVICES	65.09
	COOP SUPPLY	CHAIN	TRANSPORTATION MANAGEM	76.79
	COOP SUPPLY	BMP FOR SHOP DIRT	STORM DRAINAGE	347.26
70374	CORPORATE OFFICE SPL	PERMANENT MARKERS & WYPALL WIP	ER&R	159.33
70375	CRAFT MART	SUPPLIES-EMPLOYEE APPRECIATION	PERSONNEL ADMINISTRATIO	16.28
70376	D & G BACKHOE, INC.	RETAINAGE RELEASE	UTILITY CONSTRUCTION	4,881.53
70377	DAILY JOURNAL OF COM	LEGAL ADS	UTIL ADMIN	284.40
70378	DODD, JEFFERSON	JURY DUTY	COURTS	22.55
70379	E&E LUMBER	CARPENTER ANT KILLER-PSB	PUBLIC SAFETY FAC-GENL	9.32
	E&E LUMBER	HOOKS - PW	UTIL ADMIN	10.73
	E&E LUMBER	SPACKLE, BRACKET & POST CAP	NON-DEPARTMENTAL	11.33
	E&E LUMBER	FASTNERS - CITY HALL	ADMIN FACILITIES	16.29
	E&E LUMBER	MISC. FASTENERS-CITY HALL	ADMIN FACILITIES	21.29

**CITY OF MARYSVILLE  
 INVOICE LIST**

**FOR INVOICES FROM 5/19/2011 TO 5/25/2011**

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
0379	E&E LUMBER	65W BULBS	PARK & RECREATION FAC	23.39
	E&E LUMBER	TRASH BAGS	STREET CLEANING	25.39
	E&E LUMBER	CEMENT (6)	PARK & RECREATION FAC	97.67
	E&E LUMBER	CONCRETE & GROUT	SEWER MAIN COLLECTION	140.96
	E&E LUMBER	POSTS & LUMBER	SIDEWALKS CONSTRUCTION	250.82
0380	EDWARDS, CHRISTINA	UB 985212000001 5212 61ST DR N	GARBAGE	18.00
0381	EMERALD HILLS	COFFEE SERVICE & SUPPLIES @ KB	BAXTER CENTER APPRE	177.62
0382	ENGINEERING BUSINESS	MAINTENANCE AGREEMENT	UTIL ADMIN	106.43
0383	EVERETT BAYSIDE	MISC. SUPPLIES - #WC01	EQUIPMENT RENTAL	45.68
0384	EVERETT HYDRAULICS	O-RING KIT	EQUIPMENT RENTAL	21.84
0385	EVERETT TIRE & AUTO	GOODYEAR TIRES (3)	ER&R	332.21
	EVERETT TIRE & AUTO	GOODYEAR TIRES (4)	ER&R	378.64
	EVERETT TIRE & AUTO		EQUIPMENT RENTAL	598.05
0386	FERRELLGAS	PROPANE	WATER SERVICE INSTALL	67.54
	FERRELLGAS		TRAFFIC CONTROL DEVICES	67.54
	FERRELLGAS		ROADWAY MAINTENANCE	67.54
	FERRELLGAS		SOLID WASTE OPERATIONS	67.55
0387	FLORES, LUPE YBARRA	JURY DUTY	COURTS	25.10
0388	FRANK LUMBER & HARDW	NEW DOOR-WILLIAMS HOUSE	NON-DEPARTMENTAL	85.93
0389	FRANSON, BARBARA	JURY DUTY	COURTS	30.20
0390	FRED MEYER	JEANS-BROWN, E	UTIL ADMIN	108.57
0391	GARCIA, DANIEL	JURY DUTY	COURTS	25.10
0392	GENERAL CHEMICAL	ALUMINUM SULFATE	WASTE WATER TREATMENT	3,125.34
	GENERAL CHEMICAL		WASTE WATER TREATMENT	3,333.60
0393	GOLDEN CORAL	EMPLOYEE APPRECIATION LUNCHEON	PERSONNEL ADMINISTRATIO	150.00
0394	GOSS, AMANDA	JURY DUTY	COURTS	40.40
0395	GOVCONNECTION INC	MISC. PERIPHERL & POWER SURGE	WASTE WATER TREATMENT	106.43
	GOVCONNECTION INC		COMPUTER SERVICES	113.29
0396	GRAINGER	GPH METER	PUMPING PLANT	240.44
0397	GRANITE & PRECASTING	SUPPLIES-4TH ST CURBING REPAIR	TRAFFIC CONTROL DEVICES	270.41
0398	GRANITE CONST CO	DUMP FEES	ROADWAY MAINTENANCE	19.13
0399	GRAY AND OSBORNE	PROFESSIONAL SERVICES	WATER CAPITAL PROJECTS	1,087.91
	GRAY AND OSBORNE		SEWER CAPITAL PROJECTS	4,662.91
0400	GRAYBAR ELECTRIC CO	SUPPLIES-LIGHTING/SIGNAL	TRANSPORTATION MANAGEM	208.70
0401	GRIFFEN, CHRIS	PUBLIC DEFENDER	LEGAL - PUBLIC DEFENSE	300.00
	GRIFFEN, CHRIS		LEGAL - PUBLIC DEFENSE	300.00
0402	GROUP HEALTH	MEDICAL SERVICES	UTIL ADMIN	65.00
	GROUP HEALTH		GENERAL SERVICES - OVERF	65.00
	GROUP HEALTH		SOLID WASTE OPERATIONS	65.00
	GROUP HEALTH		PARK & RECREATION FAC	65.00
	GROUP HEALTH		POLICE ADMINISTRATION	80.00
	GROUP HEALTH		EXECUTIVE ADMIN	105.00
	GROUP HEALTH		EXECUTIVE ADMIN	156.40
	GROUP HEALTH		UTIL ADMIN	390.00
	GROUP HEALTH		EXECUTIVE ADMIN	400.00
0403	HD FOWLER COMPANY	MISC. BOLTS	SOURCE OF SUPPLY	65.98
	HD FOWLER COMPANY	JUTE MATTING	STORM DRAINAGE	153.69
	HD FOWLER COMPANY	PVC PIPE, CONNECTIONS & TAPE	SEWER MAIN COLLECTION	165.68
	HD FOWLER COMPANY	QUICK JOINTS	WATER/SEWER OPERATION	188.80
	HD FOWLER COMPANY	1.5" PSI POLY TUBING/STIFFENER	WATER SERVICES	454.27
	HD FOWLER COMPANY	COPPER TUBING & 8" VALVE BOX T	WATER/SEWER OPERATION	520.82
	HD FOWLER COMPANY	11" X 18" POLYMER CONCRETE LID	WATER/SEWER OPERATION	589.08
0404	HD SUPPLY WATERWORKS	12" GASKETS	SOURCE OF SUPPLY	29.89
	HD SUPPLY WATERWORKS	BORING BAR	WATER DIST MAINS	536.45
0405	HESSLER, JANE	JURY DUTY	COURTS	23.57
0406	HORNUNG, CHRIS	TRAVEL REIMBURSEMENT	PROBATION	436.09
0407	INTEGRA TELECOM	ACCT #769949	CRIME PREVENTION	12.29



**CITY OF MARYSVILLE  
 INVOICE LIST**

**FOR INVOICES FROM 5/19/2011 TO 5/25/2011**

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
0407	INTEGRA TELECOM	ACCT #769949	SOLID WASTE CUSTOMER EX	12.29
	INTEGRA TELECOM		PURCHASING/CENTRAL STOF	12.79
	INTEGRA TELECOM		LEGAL-GENL	15.15
	INTEGRA TELECOM		ANIMAL CONTROL	15.80
	INTEGRA TELECOM		BUILDING MAINTENANCE	24.65
	INTEGRA TELECOM		CITY CLERK	24.99
	INTEGRA TELECOM		COMMUNITY CENTER	29.77
	INTEGRA TELECOM		RECREATION SERVICES	36.86
	INTEGRA TELECOM		YOUTH SERVICES	38.28
	INTEGRA TELECOM		EQUIPMENT RENTAL	40.46
	INTEGRA TELECOM		STORM DRAINAGE	47.33
	INTEGRA TELECOM		PERSONNEL ADMINISTRATIO	48.46
	INTEGRA TELECOM		GOLF ADMINISTRATION	51.01
	INTEGRA TELECOM		LEGAL - PROSECUTION	65.43
	INTEGRA TELECOM		FINANCE-GENL	66.71
	INTEGRA TELECOM		EXECUTIVE ADMIN	74.72
	INTEGRA TELECOM		PARK & RECREATION FAC	79.51
	INTEGRA TELECOM		COMPUTER SERVICES	85.55
	INTEGRA TELECOM		COMMUNITY DEVELOPMENT-	92.82
	INTEGRA TELECOM		POLICE ADMINISTRATION	99.44
	INTEGRA TELECOM		GENERAL SERVICES - OVERH	106.41
	INTEGRA TELECOM		UTILITY BILLING	111.95
	INTEGRA TELECOM		WASTE WATER TREATMENT	126.03
	INTEGRA TELECOM		POLICE INVESTIGATION	126.25
	INTEGRA TELECOM		ENGR-GENL	141.90
	INTEGRA TELECOM		OFFICE OPERATIONS	144.22
	INTEGRA TELECOM		MUNICIPAL COURTS	147.53
	INTEGRA TELECOM		COMMUNITY DEVELOPMENT-	177.15
	INTEGRA TELECOM		DETENTION & CORRECTION	197.38
	INTEGRA TELECOM		UTIL ADMIN	269.28
	INTEGRA TELECOM		POLICE PATROL	496.96
0408	IRON MOUNTAIN	4 X 8 ROCK	STORM DRAINAGE	87.73
	IRON MOUNTAIN	2" MINUS	ROADWAY MAINTENANCE	182.27
0409	IRWIN-RAINEY, CIMBAL	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
0410	KUMEROW, RICHARD	JURY DUTY	COURTS	21.53
0411	LEOBARDO GALVAN & RA	UB 761601300009 6716 64TH PL N	WATER/SEWER OPERATION	163.68
0412	LEWIS, TIFFANY	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
0413	LICENSING, DEPT OF	GILSTAD, JAMES (RENEWAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	MCKINNEY, BOBBIE (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	PERKINS, ANTHONY (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	STANTON, CASEY (ORIGINAL)	GENERAL FUND	18.00
0414	LINDQUIST, GARY & KA	UB 130520000001 11317 48TH DR	WATER/SEWER OPERATION	66.50
0415	LINDSTRAND, CRAIG W	UB 761644350000 6512 75TH DR N	WATER/SEWER OPERATION	293.01
0416	LOOP, RON	UB 870330100007 7704 51ST AVE	WATER/SEWER OPERATION	267.17
0417	LOWES HIW INC	CONCRETE FASTENERS	PARK & RECREATION FAC	5.63
	LOWES HIW INC	LIGHT COVERS	ADMIN FACILITIES	24.96
	LOWES HIW INC	1/2" BALL VALVE, BRASS HARDWAR	WATER FILTRATION PLANT	35.18
	LOWES HIW INC	PVC JUNCTION BOX, LTC, ETC.	PARK & RECREATION FAC	36.90
	LOWES HIW INC	BLOCKS	SIDEWALKS CONSTRUCTION	1,161.15
0418	MARYSVILLE AWARDS	ENGRAVING	UTIL ADMIN	27.04
0419	MARYSVILLE EQUIP	DITCH WITCH RENTAL	PARK & RECREATION FAC	597.30
0420	MARYSVILLE PRINTING	PRINTING-GIFT SHOW FLYERS	COMMUNITY CENTER	69.50
	MARYSVILLE PRINTING	BUSINESS CARDS	COMMUNITY CENTER	126.95
0421	MARYSVILLE SCHOOL	FACILITY USAGE-TOTEM	RECREATION SERVICES	128.00
	MARYSVILLE SCHOOL	FACILITY USAGE - CEDARCREST MI	RECREATION SERVICES	136.00
	MARYSVILLE SCHOOL	FACILITY USAGE-MMS	RECREATION SERVICES	208.26
0422	MARYSVILLE, CITY OF	WTR/SWR-6802 84TH ST NE	PRO-SHOP	176.72



**CITY OF MARYSVILLE  
 INVOICE LIST**

**FOR INVOICES FROM 5/19/2011 TO 5/25/2011**

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
0423	MCGUIRE, CHERYL	JURY DUTY	COURTS	22.04
0424	MCLOUGHLIN & EARDLEY	WARNING FLASHER	WATER/SEWER OPERATION	-39.87
	MCLOUGHLIN & EARDLEY		STORM DRAINAGE	503.47
0425	MILLER, DARYL & DIAN	UB 361547000000 14202 29TH AVE	WATER/SEWER OPERATION	105.04
	MILLER, DARYL & DIAN		WATER/SEWER OPERATION	144.28
0426	MIZELL, KAYLEY	STATISTICS SOFTWARE	PARK & RECREATION FAC	94.86
0427	NATIONAL BARRICADE	TRUCK RESTRICTION SIGNS	TRANSPORTATION MANAGEM	697.21
0428	NATIONAL SAFETY INC	LABOR/REPAIR IN BATTERY GX2003	SEWER MAIN COLLECTION	203.64
0429	NEWMAN TRAFFIC SIGNS	PATCHES FOR FILL STATION SIGN	WATER/SEWER OPERATION	-2.64
	NEWMAN TRAFFIC SIGNS		WATER CROSS CNTL	33.38
0430	NORTH COAST ELECTRIC	CREDIT FOR TP LAMP	WASTE WATER TREATMENT	-59.40
	NORTH COAST ELECTRIC	TD FUSES	WASTE WATER TREATMENT	134.38
0431	NORTH RIDGE PARK HOA	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
0432	NORTHSTAR CHEMICAL	SODIUM HYPOCHLORITE	WATER FILTRATION PLANT	1,089.48
	NORTHSTAR CHEMICAL		WATER QUAL TREATMENT	1,551.68
0433	NORTHWEST CASCADE	HONEY BUCKET	PARK & RECREATION FAC	124.50
0434	OFFICE DEPOT	OFFICE SUPPLIES	COMPUTER SERVICES	5.72
	OFFICE DEPOT		COMMUNITY DEVELOPMENT-	21.08
	OFFICE DEPOT		ENGR-GENL	21.08
	OFFICE DEPOT		UTIL ADMIN	21.08
	OFFICE DEPOT		ENGR-GENL	34.80
	OFFICE DEPOT		PARK & RECREATION FAC	71.65
	OFFICE DEPOT		EXECUTIVE ADMIN	317.38
	OFFICE DEPOT		UTIL ADMIN	454.75
0435	OKANOGAN COUNTY JAIL	HOUSING/MEDICAL-APRIL 2011	DETENTION & CORRECTION	15,095.60
	OKANOGAN COUNTY JAIL	HOUSING/MEDICAL-MARCH 2011	DETENTION & CORRECTION	20,467.98
0436	OLIPHANT, GINGER	INSTRUCTOR SERVICES	COMMUNITY CENTER	180.00
0437	PACIFIC POWER BATTER	DCA BATTERIES	WASTE WATER TREATMENT	195.48
0438	PACIFIC POWER PROD.	72" MULCH BLADES	PARK & RECREATION FAC	135.20
0439	PACIFIC TOPSOILS	TOPSOIL	SEWER MAIN COLLECTION	116.20
	PACIFIC TOPSOILS		SEWER MAIN COLLECTION	116.20
	PACIFIC TOPSOILS		SEWER MAIN COLLECTION	116.20
	PACIFIC TOPSOILS	DUMP FEES	WATER CAPITAL PROJECTS	121.00
	PACIFIC TOPSOILS		WATER CAPITAL PROJECTS	121.00
	PACIFIC TOPSOILS		WATER CAPITAL PROJECTS	121.00
	PACIFIC TOPSOILS		WATER CAPITAL PROJECTS	121.00
	PACIFIC TOPSOILS		WATER CAPITAL PROJECTS	121.00
	PACIFIC TOPSOILS		WATER CAPITAL PROJECTS	121.00
	PACIFIC TOPSOILS		WATER CAPITAL PROJECTS	121.00
	PACIFIC TOPSOILS		WATER CAPITAL PROJECTS	121.00
	PACIFIC TOPSOILS		WATER CAPITAL PROJECTS	122.00
0440	PARTS STORE, THE	DRIVE AXLE SEAL	EQUIPMENT RENTAL	7.70
	PARTS STORE, THE	OUTLET BOX	EQUIPMENT RENTAL	21.33
	PARTS STORE, THE	OUTLET & ACCESORY RELAY	EQUIPMENT RENTAL	30.82
	PARTS STORE, THE	LOWER BALL JOINT	EQUIPMENT RENTAL	53.03
	PARTS STORE, THE	FRONT BRAKE PAD SET	EQUIPMENT RENTAL	84.30
	PARTS STORE, THE	OUTLET & ACCESORY RELAY	EQUIPMENT RENTAL	92.46
	PARTS STORE, THE	RACK & PINION ASSMBLY	EQUIPMENT RENTAL	271.87
	PARTS STORE, THE	TRUNK WEATHERSTRIP	EQUIPMENT RENTAL	417.93
0441	PERKINS COIE	LEGAL FEES	WASTE WATER TREATMENT	15,159.24
	PERKINS COIE		WASTE WATER TREATMENT	17,369.50
0442	PETROCARD SYSTEMS	FUEL CONSUMED	COMPUTER SERVICES	49.70
	PETROCARD SYSTEMS		BUILDING MAINTENANCE	65.32
	PETROCARD SYSTEMS		EQUIPMENT RENTAL	94.61
	PETROCARD SYSTEMS		ENGR-GENL	193.42
	PETROCARD SYSTEMS		COMMUNITY DEVELOPMENT-	542.51
	PETROCARD SYSTEMS		PARK & RECREATION FAC	774.82
	PETROCARD SYSTEMS		GENERAL SERVICES - OVERH	2,969.90

**CITY OF MARYSVILLE  
 INVOICE LIST**

**FOR INVOICES FROM 5/19/2011 TO 5/25/2011**

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
0442	PETROCARD SYSTEMS	FUEL CONSUMED	SOLID WASTE OPERATIONS	3,581.87
	PETROCARD SYSTEMS		MAINT OF EQUIPMENT	6,176.49
	PETROCARD SYSTEMS		POLICE PATROL	7,432.21
0443	PITTS, EDWARD	JURY DUTY	COURTS	37.34
0444	PORTLAND PRECISION I	TIP, REMOVABLE	ENGR-GENL	4.26
0445	PRESCIENT INC	UB 031490134601 8706 75TH DR N	WATER/SEWER OPERATION	20.74
0446	PRESCIENT INC	UB 710730000007 4810 84TH ST N	WATER/SEWER OPERATION	51.33
0447	PREVIEW PROPERTIES N	UB 334318000000 4318 150TH ST	WATER/SEWER OPERATION	68.81
0448	PROUD, MARK	JURY DUTY	COURTS	26.63
0449	PUD	ACCT #2024-6102-6	MAINT OF GENL PLANT	35.24
	PUD	ACCT #2009-7395-6	SEWER LIFT STATION	38.48
	PUD	ACCT #2021-7595-6	TRAFFIC CONTROL DEVICES	58.07
	PUD	ACCT #2031-9973-2	TRANSPORTATION MANAGEM	76.55
	PUD	ACCT #2004-4880-1	TRANSPORTATION MANAGEM	94.95
	PUD	ACCT #2016-7563-4	WASTE WATER TREATMENT	152.19
	PUD	ACCT #2020-0351-3	PUMPING PLANT	178.68
	PUD	ACCT #2016-2888-0	WASTE WATER TREATMENT	383.85
	PUD	ACCT #2011-4725-3	PUMPING PLANT	441.66
	PUD	ACCT #2015-8728-4	WASTE WATER TREATMENT	972.48
	PUD	ACCT #2021-7733-3	MAINT OF GENL PLANT	1,405.64
	PUD	ACCT #2003-0347-7	WATER FILTRATION PLANT	1,473.68
	PUD	ACCT #2016-3968-9	MAINT OF GENL PLANT	2,703.92
0450	PUGET SOUND SECURITY	KEYS	GENERAL SERVICES - OVERF	28.86
0451	PUGET SOUND SECURITY	RE-KEY	EQUIPMENT RENTAL	27.13
	PUGET SOUND SECURITY	KEYS	WATER DIST MAINS	34.07
0452	PUMPTECH INC	RETAINAGE RELEASE	UTILITY CONSTRUCTION	3,676.45
0453	QUINTEL, VICKEY	INSTRUCTOR SERVICES	COMMUNITY CENTER	246.00
0454	RALSTON, NELLY	RENTAL REFUND	PARKS-RECREATION	60.00
	RALSTON, NELLY		GENERAL FUND	100.00
0455	RAMOS, JOSE M	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
0456	REYES, ADRIANA		GENERAL FUND	100.00
0457	RIDGETOP, INC	RELEASE OF RETAINAGE	GOLF COURSE	1,975.00
0458	ROY ROBINSON	MISC. PARTS - A003	EQUIPMENT RENTAL	237.73
0459	SCHINDLER, TIMOTHY	JURY DUTY	COURTS	30.20
0460	SIMPLOT PARTNERS	PESTICIDES	MAINTENANCE	1,438.95
0461	SISKUN POWER EQUIPME	SAW DRIVE BELT	EQUIPMENT RENTAL	110.79
0462	SMITH, BRAD	K9 SUPPLY REIMBURSEMENT	DRUG ENFORCEMENT	849.37
0463	SMOKEY POINT CONCRET	5.5SK - 2.5YD	WATER CAPITAL PROJECTS	262.00
	SMOKEY POINT CONCRET	1 1/4 MINUS ROCK	SEWER MAIN COLLECTION	514.84
	SMOKEY POINT CONCRET	PIT RUN	SEWER MAIN COLLECTION	1,236.13
	SMOKEY POINT CONCRET		SEWER MAIN COLLECTION	1,940.01
0464	SNAP-ON INCORPORATED	RIGHT ANGLE AIR DRILL	STORM DRAINAGE	208.95
0465	SNOOK, JUNE	REFUND	PARKS-RECREATION	45.00
0466	SOREN, WILLIAM C	UB 800411800002 6503 58TH AVE	WATER/SEWER OPERATION	190.90
0467	SOUND PUBLISHING	REQUEST-PROPOSAL SPECIAL EVENT	RECREATION SERVICES	84.96
0468	SOUND SAFETY	JEANS-WINELAND	GENERAL SERVICES - OVERF	36.82
	SOUND SAFETY	LATEX GLOVES	ER&R	54.96
	SOUND SAFETY	JEANS-PETEK	UTIL ADMIN	98.23
	SOUND SAFETY	SAFETY GLASSES,EARPLUGS,ETC	ER&R	375.62
	SOUND SAFETY	MISC. JACKETS	ER&R	399.11
0469	SPRINGBROOK NURSERY	5/8" GRAVEL	PARK & RECREATION FAC	21.00
	SPRINGBROOK NURSERY		PARK & RECREATION FAC	21.00
0470	STATE PATROL	FINGERPRINT SERVICES	COMMUNITY DEVELOPMENT-	52.00
	STATE PATROL		GENERAL FUND	269.50
0471	STEPHENS, MICHAEL &	UB 130260000000 11204 47TH AVE	WATER/SEWER OPERATION	32.98
0472	SUBURBAN PROPANE	PROPANE	MAINTENANCE	727.58
0473	SUPERIOR SOLE WELDIN	FIX ALUMINUM HINGES	SEWER LIFT STATION	543.00

**CITY OF MARYSVILLE  
 INVOICE LIST**

**FOR INVOICES FROM 5/19/2011 TO 5/25/2011**

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
70474	TORO NSN	IRRIGATION SOFTWARE LEASE	MAINTENANCE	134.00
70475	TRAFFIC SAFETY SUPPL	12' QUICK PUNCH POSTS	TRANSPORTATION MANAGEM	2,136.71
70476	TRANSPORTATION, DEPT	BILLING PERIOD 10/1-10/31/10	GMA-PARKS	5,265.88
	TRANSPORTATION, DEPT	BILLING PERIOD 11/1-11/30/10	GMA-PARKS	5,402.29
	TRANSPORTATION, DEPT	BILLING PERIOD 02/01-02/28/11	GMA-PARKS	9,231.00
	TRANSPORTATION, DEPT	BILLING PERIOD 1/1-1/31/11	GMA-PARKS	9,231.00
70477	UNITED PARCEL SERVIC	SHIPPING EXPENSE	TRANSPORTATION MANAGEM	173.97
70478	UNITED PIPE & SUPPLY	3 OMNI METERS	WATER SERVICE INSTALL	1,924.39
70479	UTILITIES UNDERGROUN	EXCAVATION NOTIFICATION-04/11	UTILITY LOCATING	362.50
70480	VERIZON/FRONTIER	ACCT. # 03 0275 1054427570 10	EXECUTIVE ADMIN	23.99
	VERIZON/FRONTIER	ACCT #109471572710	POLICE INVESTIGATION	56.58
	VERIZON/FRONTIER	ACCT #404449227007	PERSONNEL ADMINISTRATIO	56.60
	VERIZON/FRONTIER	ACCT #109471572710	RECREATION SERVICES	81.43
	VERIZON/FRONTIER	ACCT #102857559902	LIBRARY-GENL	105.10
	VERIZON/FRONTIER	ACCT #404449227007	MUNICIPAL COURTS	212.94
70481	VERIZON/FRONTIER	ACCT # 971967546-00001	STORM DRAINAGE	43.12
	VERIZON/FRONTIER		ENGR-GENL	54.83
	VERIZON/FRONTIER		MUNICIPAL COURTS	54.83
	VERIZON/FRONTIER		FINANCE-GENL	54.83
	VERIZON/FRONTIER		POLICE ADMINISTRATION	54.83
	VERIZON/FRONTIER		PERSONNEL ADMINISTRATIO	54.83
	VERIZON/FRONTIER		LEGAL-GENL	64.02
	VERIZON/FRONTIER		EXECUTIVE ADMIN	109.66
	VERIZON/FRONTIER		LEGAL - PROSECUTION	109.66
	VERIZON/FRONTIER		UTIL ADMIN	144.12
	VERIZON/FRONTIER		TRIBAL GAMING-GENL	526.55
70482	VINYL SIGNS & BANNER	REPAIR SIGN	PARK & RECREATION FAC	65.16
70483	WAHLQUIST, INGRID	JURY DUTY	COURTS	30.20
70484	WAXIE SANITARY SUPPL	JANITORIAL SUPPLIES	PARK & RECREATION FAC	169.98
70485	WESTERN GRAPHICS	MISC.K-9 GRAPHICS-P135	EQUIPMENT RENTAL	131.53
	WESTERN GRAPHICS	EXTERIOR GRAPHICS-P136	EQUIPMENT RENTAL	485.84
	WESTERN GRAPHICS	EXTERIOR GRAPHICS-P137	EQUIPMENT RENTAL	485.84
	WESTERN GRAPHICS	EXTERIOR GRAPHICS-P138	EQUIPMENT RENTAL	485.84
	WESTERN GRAPHICS	EXTERIOR GRAPHICS-P139	EQUIPMENT RENTAL	485.84
70486	WILBUR-ELLIS	FUNGICIDE	MAINTENANCE	293.22
70487	WINDERMERE REAL ESTA	UB 764050000000 6429 64TH PL N	WATER/SEWER OPERATION	78.70
70488	WOOD, HEIDI	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
70489	WRIGHT, DONNA	MILEAGE REIMBURSEMENT	CITY COUNCIL	19.28

**WARRANT TOTAL: 213,934.91**

LESS VOIDED CHECK:

CHECK # 69460 INITIATOR ERROR (45.00)

**WARRANT TOTAL: 213,889.91**

REASON FOR VOIDS:

- INITIATOR ERROR
- WRONG VENDOR
- CHECK LOST IN MAIL
- UNCLAIMED PROPERTY

**CITY OF MARYSVILLE**

**EXECUTIVE SUMMARY FOR ACTION**

**CITY COUNCIL MEETING DATE: June 13, 2011**

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 **June 1, 2011** claims in the amount of **\$1,077,691.56** paid by **Check No.'s 70490 through 70613.**

**COUNCIL ACTION:**

BLANKET CERTIFICATION  
**CLAIMS**  
FOR  
**PERIOD-6**

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 **\$1,077,691.56 PAID BY CHECK NO.'S 70490 THROUGH 70613** 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

5/27/11  
\_\_\_\_\_  
DATE

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
DATE

WE, THE UNDERSIGNED COUNCIL MEMBERS OF MARYSVILLE, WASHINGTON DO HEREBY APPROVE FOR PAYMENT THE ABOVE MENTIONED **CLAIMS** ON THIS **1ST DAY OF JUNE 2011.**

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

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COUNCIL MEMBER

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COUNCIL MEMBER

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COUNCIL MEMBER

**CITY OF MARYSVILLE  
 INVOICE LIST**

**FOR INVOICES FROM 5/26/2011 TO 6/1/2011**

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
70490	ADAMS, CHERYL	UB 761808250000 6812 69TH PL N	WATER/SEWER OPERATION	300.00
70491	ADAMS, FRANK	JURY DUTY	COURTS	18.16
70492	ALBERTSONS	INMATE SUPPLY REIMBURSEMENT	DETENTION & CORRECTION	343.24
70493	ALPINE PRODUCTS INC	TIP HOLDERS & SEALS	TRAFFIC CONTROL DEVICES	160.04
70494	ASCHENBRENNER, KATHR	JURY DUTY	COURTS	20.20
70495	BERGSTROM, JON		COURTS	12.55
70496	BOAST, GAYLA	CLASS REFUND	PARKS-RECREATION	30.00
70497	BOB BARKER COMPANY	INMATE SUPPLIES	DETENTION & CORRECTION	998.43
70498	BOYER, NATALIE	CLASS REFUND-SCHEDULE CONFLICT	PARKS-RECREATION	84.00
70499	BREVIK, KYLE	JURY DUTY	COURTS	11.53
70500	BREWER, MARTY	USED GOLF BALLS	GOLF COURSE	250.00
70501	BRK MANAGEMENT SRVCS	EHM - FEBRUARY 2011	DETENTION & CORRECTION	585.00
70502	CASCADE NATURAL GAS	NATURAL GAS SERVICES-STILLY	WATER FILTRATION PLANT	2,094.81
70503	CEMEX	CLASS B MOD ASPHALT	ROADWAY MAINTENANCE	758.82
70504	CITIES & TOWNS	SNO CO CITIES DINNER MTG (4)	EXECUTIVE ADMIN	35.00
	CITIES & TOWNS		CITY COUNCIL	105.00
70505	CMS COMMUNICATIONS	5220 MITEL PHONE REPAIR	COMPUTER SERVICES	226.34
70506	COLE, MARIEA	JURY DUTY	COURTS	13.57
70507	COMCAST	ACCT. # 8498 31 002 0149949	PRO-SHOP	74.26
	COMCAST	MONTHLY BROADBAND CHARGE	COMPUTER SERVICES	209.90
70508	COOP SUPPLY	PARTS FOR REPAIR VACTOR TRAILER	SIDEWALKS MAINTENANCE	15.51
	COOP SUPPLY		SIDEWALKS MAINTENANCE	16.55
	COOP SUPPLY	HOES (2), GRABBER (1)	PARK & RECREATION FAC	57.53
	COOP SUPPLY	STRAW BALES (15)	STORM DRAINAGE	162.74
70509	CORRECTIONS, DEPT OF	INMATE MEALS	DETENTION & CORRECTION	1,049.20
	CORRECTIONS, DEPT OF		DETENTION & CORRECTION	1,259.00
70510	CUES	TEST CABLE-JCCTV #M016	STORM DRAINAGE	230.73
	CUES		SEWER MAIN COLLECTION	230.74
70511	DAWSON, REBECCA	JURY DUTY	COURTS	11.02
70512	DAY WIRELESS SYSTEMS	PINPOINT X MODEM INSTALL	TRIBAL GAMING-GENL	267.55
	DAY WIRELESS SYSTEMS		TRIBAL GAMING-GENL	267.55
	DAY WIRELESS SYSTEMS		TRIBAL GAMING-GENL	267.55
	DAY WIRELESS SYSTEMS		TRIBAL GAMING-GENL	267.55
	DAY WIRELESS SYSTEMS		TRIBAL GAMING-GENL	267.55
70513	DB SECURE SHRED	SHREDDING SERVICES	PROBATION	10.97
	DB SECURE SHRED		MUNICIPAL COURTS	32.91
70514	DEPALMA, ARLINE	INSTRUCTOR SERVICES	COMMUNITY CENTER	216.60
70515	DICKS TOWING	TOWING EXPENSE MP 11-2892	POLICE PATROL	43.44
70516	DOBSON, IAN	HEALTHY COMMUNITIES DAY	COMMUNITY EVENTS	580.00
70517	DYER, ROBERT L	LEOFF1 REIMBURSEMENT	POLICE ADMINISTRATION	2,599.98
70518	E&E LUMBER	3/4 ADAPTER & CLAMPS	SIDEWALKS MAINTENANCE	4.97
	E&E LUMBER	3/4 ADAPTER	SIDEWALKS MAINTENANCE	5.74
	E&E LUMBER	GRAFFITI SUPPLIES	COMMUNITY DEVELOPMENT-	11.44
	E&E LUMBER	CABLE TIES	RECREATION SERVICES	15.14
	E&E LUMBER	GRAFFITI SUPPLIES	COMMUNITY DEVELOPMENT-	16.38
	E&E LUMBER	ACTION HOE (1)	PARK & RECREATION FAC	17.37
	E&E LUMBER	STAKES	MAINTENANCE	28.13
	E&E LUMBER	TEMP COVER FOR BROKEN WINDOW	BUILDING MAINTENANCE	46.30
	E&E LUMBER	WEED PREVENTER,WEEDER	WATER FILTRATION PLANT	131.33
	E&E LUMBER	MISC. SHOP ITEMS	ER&R	253.12
70519	EDGE ANALYTICAL	LAB ANALYSIS	WATER QUAL TREATMENT	10.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	10.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	10.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	10.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	10.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	10.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	10.00

**CITY OF MARYSVILLE  
 INVOICE LIST**

FOR INVOICES FROM 5/26/2011 TO 6/1/2011

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
70519	EDGE ANALYTICAL	LAB ANALYSIS	WATER QUAL TREATMENT	20.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	20.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	150.00
70520	ELLINGWOOD, KEITH	JURY DUTY	COURTS	13.06
70521	EMINETH, TAMMY & TIM	UB 761302559105 8107 80TH DR N	WATER/SEWER OPERATION	0.04
	EMINETH, TAMMY & TIM		GARBAGE	35.99
70522	EVERETT AREA CHAMBER	FED.ISSUES UPDATE LUNCHEON	EXECUTIVE ADMIN	35.00
70523	EVERETT BAYSIDE	THERMO SWITCH	EQUIPMENT RENTAL	147.74
70524	EVERETT TIRE & AUTO	GOODYEAR TIRES (5)	ER&R	473.30
70525	EVERETT UTILITIES	WATER/FILTRATION SERVICE CHARG	SOURCE OF SUPPLY	101,607.94
70526	EVERETT, CITY OF	TRAINING INTERLOCAL PSR	POLICE PATROL	400.00
70527	EVERETT, CITY OF	ANIMALS TO SHELTER-APRIL 2011	ANIMAL CONTROL	5,115.00
70528	FAUCETT, JEFFREY	JURY DUTY	COURTS	13.57
70529	FLOYD, CHRIS	INSTRUCTOR SERVICES	RECREATION SERVICES	2,267.13
70530	FOOTJOY	SPECIAL ORDER	GOLF COURSE	62.47
	FOOTJOY		GOLF COURSE	123.48
70531	GBS LLC	UB 452160560000 5722 138TH PL	WATER/SEWER OPERATION	66.04
70532	GBS LLC	UB 720260000000 6931 22ND DR N	WATER/SEWER OPERATION	132.87
70533	GC SYSTEMS INC	3/8" SPEED CONTROL	WATER DIST MAINS	410.32
	GC SYSTEMS INC	MISC. SUPPLIES-PRV MAINT. PROG	WATER DIST MAINS	2,295.46
70534	GEBAUER, SUSAN	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
70535	HACH COMPANY	DPD CHLORINE	WASTE WATER TREATMENT	136.18
	HACH COMPANY	CHLORINE & STABLCAL	WATER FILTRATION PLANT	570.29
70536	HASLER, INC	POSTAGE	PERSONNEL ADMINISTRATIO	48.82
	HASLER, INC		LEGAL-GENL	84.71
	HASLER, INC		PARK & RECREATION FAC	152.84
	HASLER, INC		UTIL ADMIN	156.42
	HASLER, INC		UTILITY BILLING	205.21
	HASLER, INC		COMMUNITY DEVELOPMENT-	288.89
	HASLER, INC		EXECUTIVE ADMIN	307.76
	HASLER, INC		POLICE ADMINISTRATION	361.27
	HASLER, INC		FINANCE-GENL	394.08
70537	HD FOWLER COMPANY	RELAY/SPLICE KITS	PARK & RECREATION FAC	197.16
70538	HENDRICKSON, JOHN	SUPPLY REIMBURSEMENT	POLICE INVESTIGATION	47.40
	HENDRICKSON, JOHN		POLICE INVESTIGATION	132.71
70539	HEWLETT PACKARD	DATACENTER D.R. PROJECT SAN	CENTRAL SERVICES	31,703.43
70540	HSBC BUSINESS SOLUTI	STAINLESS STEEL CLEANER	WATER/SEWER OPERATION	-53.22
	HSBC BUSINESS SOLUTI		WATER RESERVOIRS	672.10
70541	HUSON, HARVEY	JURY DUTY	COURTS	27.34
70542	HUTTON, JULIE	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
70543	ILLINGWORTH, MELISSA	JURY DUTY	COURTS	13.47
70544	IRON MOUNTAIN	1 1/4" MINUS ROCK	WATER MAINS INSTALL	138.37
	IRON MOUNTAIN		STORM DRAINAGE	138.37
	IRON MOUNTAIN		ROADWAY MAINTENANCE	138.37
70545	JET PLUMBING	SERVICE CALL-DEERING WILDFLOWE	PARK & RECREATION FAC	175.91
70546	JOHNSON, ISAIAH	JURY DUTY	COURTS	13.06
70547	KIKKOR GOLF INC.	GOLF SHOES-2ND OF 3 PAYMENTS	GOLF COURSE	300.00
70548	KRAFT, KEN	UB 986332380000 6332 38TH PL N	WATER/SEWER OPERATION	95.42
70549	KUNG FU 4 KIDS	INSTRUCTOR SERVICES	RECREATION SERVICES	981.23
70550	KUSS, CANDACE	JURY DUTY	COURTS	11.02
70551	LASTING IMPRESSIONS	WOOL HATS W/EMBLEMS	ER&R	203.38
70552	LEAHY, VERONICA	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
70553	LICENSING, DEPT OF	BRENNICK, JAMES (RENEWAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	BRIDGEMAN, LILA (RENEWAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	EDDY, AMY (RENEWAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	HELLMAN, DONALD (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	LANGLEE, JOHN (RENEWAL)	GENERAL FUND	18.00



**CITY OF MARYSVILLE  
 INVOICE LIST**

**FOR INVOICES FROM 5/26/2011 TO 6/1/2011**

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
70553	LICENSING, DEPT OF	LEIGHTY, JUSTON (RENEWAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	STAMEY, STEVEN (RENEWAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	WOODS, JOHNNY (LATE RENEWAL)	GENERAL FUND	21.00
70554	LOWES HIW INC	PAVERS, SAND & CABLE TIES	PARK & RECREATION FAC	26.07
70555	LUIS MEZA & MARTHA U	UB 040553014001 9325 64TH AVE	WATER/SEWER OPERATION	40.30
70556	MARYFEST	FASHION SHOW LUNCHEON	EXECUTIVE ADMIN	216.00
70557	MARYSVILLE FIRE DIST	SUPPLIES	POLICE PATROL	288.95
70558	MARYSVILLE FIRE DIST	FIRE CONTROL/EMERGENCY AID SER	FIRE-GENL	223,268.21
	MARYSVILLE FIRE DIST		FIRE-GENL	622,650.42
70559	MARYSVILLE FLORAL	FLOWERS FOR MEMORIAL WEEK	POLICE ADMINISTRATION	188.91
70560	MARYSVILLE PRINTING	BUSINESS CARDS - INGRAM	YOUTH SERVICES	42.30
	MARYSVILLE PRINTING	PLAIN WHITE ENVELOPES	PARK & RECREATION FAC	59.77
	MARYSVILLE PRINTING	NATIONAL NIGHT OUT FLYERS	CRIME PREVENTION	1,211.25
70561	MCGREW, BRIAN	JURY DUTY	COURTS	13.06
70562	MESKE, JOYCE		COURTS	13.06
70563	MONTEREY CLUB	SPECIAL ORDER	GOLF COURSE	260.66
70564	MOUNT, HERMAN	LEOFF1 REIMBURSEMENT	POLICE ADMINISTRATION	98.00
70565	NAIOP	NAIOP MAY 2011 BREAKFAST MTG	EXECUTIVE ADMIN	35.00
70566	NELSON PETROLEUM	GAS & DIESEL FUEL	MAINTENANCE	1,044.50
70567	NEXTEL	ACCT #844448815	ENGR-GENL	32.50
	NEXTEL		POLICE ADMINISTRATION	32.50
	NEXTEL		POLICE ADMINISTRATION	64.99
	NEXTEL		UTIL ADMIN	64.99
	NEXTEL		COMPUTER SERVICES	129.94
70568	NORTH COUNTY OUTLOOK	AD FOR KBCC	COMMUNITY CENTER	86.80
70569	NORTHWEST CASCADE	HONEY BUCKET	RECREATION SERVICES	225.35
	NORTHWEST CASCADE		RECREATION SERVICES	225.35
70570	NYITRAY, SANDRA	INSTRUCTOR SERVICES	COMMUNITY CENTER	72.00
70571	OFFICE DEPOT	OFFICE SUPPLIES	UTIL ADMIN	3.76
	OFFICE DEPOT		COMMUNITY DEVELOPMENT-	3.76
	OFFICE DEPOT		UTIL ADMIN	4.68
	OFFICE DEPOT		ENGR-GENL	4.69
	OFFICE DEPOT		ENGR-GENL	9.10
	OFFICE DEPOT		UTIL ADMIN	9.11
	OFFICE DEPOT		EXECUTIVE ADMIN	26.69
	OFFICE DEPOT		EXECUTIVE ADMIN	29.37
	OFFICE DEPOT		COMMUNITY DEVELOPMENT-	44.19
	OFFICE DEPOT		POLICE INVESTIGATION	45.59
	OFFICE DEPOT		POLICE PATROL	45.96
	OFFICE DEPOT		OFFICE OPERATIONS	52.06
	OFFICE DEPOT		MUNICIPAL COURTS	84.93
70572	OFFICE DEPOT		CITY CLERK	8.17
	OFFICE DEPOT		FINANCE-GENL	35.83
	OFFICE DEPOT		CITY COUNCIL	35.83
	OFFICE DEPOT		COMMUNITY DEVELOPMENT-	92.44
	OFFICE DEPOT		UTILITY BILLING	107.48
	OFFICE DEPOT		COMMUNITY DEVELOPMENT-	113.56
	OFFICE DEPOT		POLICE PATROL	124.65
	OFFICE DEPOT		POLICE PATROL	170.20
70573	ORR, RYLAND C	REFUND-DANGEROUS DOG PERMIT	NON-BUS LICENSES AND PEF	100.00
70574	PACIFIC POWER BATTER	MISC. BATTERIES	ER&R	103.47
70575	PARTS STORE, THE	BELTS & SCREWS	MAINTENANCE	76.58
	PARTS STORE, THE	BATTERY	MAINTENANCE	79.47
	PARTS STORE, THE	AIR HOSE	EQUIPMENT RENTAL	86.86
70576	PATRICKS PRINTING	MT TO MODIFY FORMS	MUNICIPAL COURTS	101.57
70577	PAYDIRT, LLC	TRENCH BOX RENTAL	STORM DRAINAGE	111.86
70578	PEAVEY,LYNN COMPANY	SUPPLIES	POLICE PATROL	77.75



**CITY OF MARYSVILLE  
 INVOICE LIST**

FOR INVOICES FROM 5/26/2011 TO 6/1/2011

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
70579	PLATT	TOOLS & MISC. ITEMS	MAINT OF GENL PLANT	165.20
70580	POORTVLIET, REBECCA	JURY DUTY	COURTS	10.57
70581	PSSP - PUGET SOUND	SECURITY SERVICES	PROBATION	753.38
	PSSP - PUGET SOUND		MUNICIPAL COURTS	2,260.12
70582	PUD	ACCT #2023-7865-9	MAINT OF GENL PLANT	29.23
	PUD	ACCT #2020-0032-9	PARK & RECREATION FAC	44.18
	PUD	ACCT #2016-7213-6	SEWER LIFT STATION	44.32
	PUD	ACCT #2006-5074-5	TRANSPORTATION MANAGEM	49.51
	PUD	ACCT #2030-0516-0	STREET LIGHTING	76.38
	PUD	ACCT #2027-2901-8	TRANSPORTATION MANAGEM	80.50
	PUD	ACCT #2008-2727-7	TRANSPORTATION MANAGEM	113.25
	PUD	ACCT #2025-5745-0	STREET LIGHTING	135.99
	PUD	ACCT #2023-6854-4	TRANSPORTATION MANAGEM	142.74
	PUD	ACCT #2024-6354-3	SEWER LIFT STATION	145.91
70583	PUD	ACCT #2021-4311-1	TRANSPORTATION MANAGEM	147.88
	PUD	ACCT #2023-6855-1	PARK & RECREATION FAC	167.70
	PUD	ACCT #2032-3100-6	TRANSPORTATION MANAGEM	226.34
	PUD	ACCT #2010-6528-1	PARK & RECREATION FAC	256.55
	PUD	ACCT #2002-2385-7	PARK & RECREATION FAC	363.84
	PUD	ACCT #2010-2160-7	PARK & RECREATION FAC	670.33
	PUD	ACCT #2010-2169-8	PARK & RECREATION FAC	671.60
	PUD	ACCT #2008-2454-8	MAINT OF GENL PLANT	1,325.54
	PUD	ACCT #2005-8648-5	SEWER LIFT STATION	1,675.95
	PUD	ACCT #2015-7792-1	PUMPING PLANT	2,468.13
70584	PUD	ACCT #2014-6303-1	PUBLIC SAFETY FAC-GENL	2,834.00
	PUD	ACCT #2020-0499-0	LIBRARY-GENL	3,146.14
	PUD	ACCT #2014-2063-5	WASTE WATER TREATMENT	9,412.07
	PUD	ACCT #2020-7500-8	WASTE WATER TREATMENT	10,125.40
	PUD	ACCT #2017-2118-0	WASTE WATER TREATMENT	14,673.30
70585	PUGET SOUND SECURITY	SPARE KEYS	POLICE PATROL	6.35
70586	RAIN FOR RENT	STANDBY PUMP	STORM DRAINAGE	1,084.64
70587	ROSE, TAMI	JURY DUTY	COURTS	11.53
70588	SAHLSTROM, JILL	INSTRUCTOR SERVICES	RECREATION SERVICES	54.00
	SAHLSTROM, JILL		RECREATION SERVICES	70.80
70589	SCHY, TYRA E	WITNESS FEES	MUNICIPAL COURTS	20.20
70590	SISKUN POWER EQUIPME	SUPPLIES FOR SUMMER MOWING	STORM DRAINAGE	234.33
70591	SLOAN, CARMEN	JURY DUTY	COURTS	11.53
70592	SNO CO PUBLIC WORKS	MOVE RADIO/MODEM	EQUIPMENT RENTAL	558.54
70593	SNO CO SUPERIOR	BAIL POSTED	GENERAL FUND	500.00
70594	SNO CO TREASURER	INMATE MEDICATIONS	DETENTION & CORRECTION	2,037.92
70595	SOUND SAFETY	SHORTS-LEWIS	BUILDING MAINTENANCE	60.06
70596	SPRINGBROOK NURSERY	GRAVEL	MAINTENANCE	50.08
70597	STATE PATROL	FINGERPRINTING SERVICES	GENERAL FUND	462.00
70598	STROUD, JUDAH	JURY DUTY	COURTS	15.10
70599	SUNNYSIDE NURSERY	GERANIUMS (24)	PARK & RECREATION FAC	93.62
70600	TAYLOR, JANET	JURY DUTY	COURTS	17.14
70601	THOMPSON PUBLISHING	FMLA HANDBOOK	PERSONNEL ADMINISTRATIO	428.50
70602	THORLEIFSON, AMY	JURY DUTY	COURTS	15.10
70603	TOWER, MELISSA		COURTS	14.08
70604	ULTRA ELECTRIC LLC	ELECTRICAL REPAIR @ RESTAURANT	GOLF ADMINISTRATION	234.58
70605	UNITED PARCEL SERVIC	SHIPPING EXPENSE	POLICE PATROL	16.83
70606	VAUGHAN, MARY	JURY DUTY	COURTS	17.14
70607	VERIZON/FRONTIER	ACCT #102241136800	MUNICIPAL COURTS	53.91
	VERIZON/FRONTIER	ACCT #103441136808	MUNICIPAL COURTS	53.91
	VERIZON/FRONTIER	ACCT #102954091901	UTIL ADMIN	54.84
	VERIZON/FRONTIER		COMMUNITY DEVELOPMENT-	54.84
	VERIZON/FRONTIER	ACCT. # 03 0278 1025645669 04	PARK & RECREATION FAC	55.73

DATE: 5/26/2011  
TIME: 9:50:06AM

**CITY OF MARYSVILLE**  
**INVOICE LIST**  
**FOR INVOICES FROM 5/26/2011 TO 6/1/2011**

PAGE: 5

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
70608	WALSH, KATHLEEN	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
70609	WESTERN FACILITIES	UNCOLLECTED SALES TAX	DETENTION & CORRECTION	2.06
	WESTERN FACILITIES		PARK & RECREATION FAC	2.96
	WESTERN FACILITIES		DETENTION & CORRECTION	13.87
	WESTERN FACILITIES		MAINTENANCE	19.80
	WESTERN FACILITIES	CAN LINERS	MAINTENANCE	69.10
70610	WILBUR-ELLIS	FERTILIZER	MAINTENANCE	291.87
70611	WINDERMERE REAL ESTA	UB 764050000000 6429 64TH PL N	WATER/SEWER OPERATION	21.18
70612	WISCHMANN, DONALD	JURY DUTY	COURTS	15.10
70613	ZEE MEDICAL SERVICE	FIRST AID RESUPPLY	MAINT OF GENL PLANT	48.99
	ZEE MEDICAL SERVICE		GENERAL SERVICES - OVERT	49.00
	ZEE MEDICAL SERVICE	MEDICAL SUPPLIES-WWTP	WASTE WATER TREATMENT	109.95
<b>WARRANT TOTAL:</b>				<b><u><u>1,077,691.56</u></u></b>

REASON FOR VOIDS:

INITIATOR ERROR  
WRONG VENDOR  
CHECK LOST IN MAIL  
UNCLAIMED PROPERTY

**CITY OF MARYSVILLE**

**EXECUTIVE SUMMARY FOR ACTION**

**CITY COUNCIL MEETING DATE: June 13, 2011**


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

RECOMMENDED ACTION: The Finance and Executive Departments recommend City Council approve the May 20, 2011 payroll in the amount \$791,772.83 Check No.'s 24245 through 24306.
COUNCIL ACTION:

**CITY OF MARYSVILLE AGENDA BILL**

**EXECUTIVE SUMMARY FOR ACTION**

**CITY COUNCIL MEETING DATE: June 13, 2011**

AGENDA ITEM: Contract Award: Lakewood Triangle Access / 156 <sup>th</sup> Street Overcrossing Project	
PREPARED BY: Patrick Gruenhagen, Project Manager	DIRECTOR APPROVAL: 
DEPARTMENT: Public Works / Engineering	
ATTACHMENTS: Certified Bid Tabulation	
BUDGET CODE: 30500030.563000 R0604	AMOUNT: \$ X

**SUMMARY:**

The Lakewood Triangle Access / 156<sup>th</sup> Street Overcrossing Project proposes to improve 156th Street NE in from just west of Twin Lakes Avenue to Smokey Point Boulevard. The focal point of the project involves construction of a two-lane bridge over Interstate 5, connecting portions of 156th Street NE to the east and west of the freeway. Additional elements of the project include construction of new surface streets; storm-water and infiltration systems; sanitary sewers; water mains; roadway illumination and pedestrian facilities; and a new traffic signal at the intersection of 156<sup>th</sup> Street NE / Smokey Point Boulevard. This project has been identified in the Six Year Transportation Improvement Plan.

The project was advertised for a June 2, 2011 bid opening, and X (X) bids were received as shown on the attached bid tabulation. The low bidder is X. References have been checked and found to be satisfactory.

Contract Bid (Includes Sales Tax):	\$ X
Management Reserve:	\$ X
Total:	\$ X

**RECOMMENDED ACTION:** Staff recommends that Council authorize the Mayor to award the bid for the Lakewood Triangle Access / 156<sup>th</sup> Street Overcrossing Project to X in the amount of \$X including Washington State Sales Tax and approve a management reserve of \$X for a total allocation of \$X.



**NOTICE OF PUBLIC HEARING  
BEFORE THE MARYSVILLE CITY COUNCIL**

NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL OF THE CITY OF MARYSVILLE SHALL HOLD A PUBLIC HEARING FOR CONSIDERATION OF THE FIRST AMENDMENT TO 2003 AGREEMENT BETWEEN CITY OF MARYSVILLE AND PUBLIC UTILITY DISTRICT NO. 1 OF SNOHOMISH COUNTY FOR WATER SUPPLY. THE HEARING WILL BE HELD AT MARYSVILLE CITY HALL, 1049 STATE AVENUE, MARYSVILLE, WASHINGTON ON MONDAY, JUNE 13, 2011, AT 7:00 P.M. OR SUCH TIME THEREAFTER AS THE MATTER COMES BEFORE THE MARYSVILLE CITY COUNCIL.

ANY PERSON MAY APPEAR AT THE HEARING AND BE HEARD IN SUPPORT OF OR OPPOSITION TO THIS PROPOSAL. ADDITIONAL INFORMATION MAY BE OBTAINED AT THE MARYSVILLE CITY CLERK'S OFFICE, 1049 STATE AVENUE, MARYSVILLE, WASHINGTON 98270, (360) 363-8000.

THE CITY OF MARYSVILLE

APRIL O'BRIEN  
DEPUTY CITY CLERK

DATED: May 26, 2011

PUBLISHED MARYSVILLE GLOBE: June 1, 2011

SPECIAL ACCOMMODATIONS: THE CITY OF MARYSVILLE STRIVES TO PROVIDE ACCESSIBLE MEETINGS FOR PEOPLE WITH DISABILITIES. PLEASE CONTACT THE CITY CLERK'S OFFICE AT (360) 363-8000 OR 1-800-833-6384 (VOICE RELAY), 1-800-833-6388 (TDD RELAY) TWO DAYS PRIOR TO THE MEETING DATE IF ANY SPECIAL ACCOMMODATIONS ARE NEEDED FOR THIS MEETING.

\*\*\*\*\*

**THIS NOTICE IS NOT TO BE REMOVED, MUTILATED OR  
CONCEALED IN ANY WAY BEFORE DATE OF HEARING.**

**FIRST AMENDMENT TO 2003 AGREEMENT BETWEEN CITY OF MARYSVILLE  
AND PUBLIC UTILITY DISTRICT NO. 1 OF SNOHOMISH COUNTY  
FOR WATER SUPPLY**

THIS FIRST AMENDMENT TO THE 2003 AGREEMENT BETWEEN CITY OF MARYSVILLE AND PUBLIC UTILITY DISTRICT NO. 1 OF SNOHOMISH FOR WATER SUPPLY is entered into by and between THE CITY OF MARYSVILLE (“CITY”), and PUBLIC UTILITY DISTRICT NO. 1 OF SNOHOMISH COUNTY (“PUD”), and is effective upon execution by both parties.

WHEREAS, in 2003 the City and the PUD entered into an agreement for water supply (the “2003 Agreement”); and

WHEREAS, Section II(A) of the 2003 Agreement provides in part that “At such time as the City extends its corporate boundaries to include areas within that “overlap area” described in Exhibit 1, attached hereto and incorporated by this reference, any applicable service area and any part(s) of the PUD’s “Distribution Facilities” used to serve PUD water utility customers within such areas, upon written request of the City, shall to the extent and in the manner provided by law, be conveyed by the PUD to the City”; and

WHEREAS, the City has annexed all portions of the original “overlap area” for which it desires to take ownership of the PUD’s Distribution Facilities and service area; and

WHEREAS, the City has made written request for conveyance of the Distribution Facilities within the annexed portion of the “overlap area” and the City and PUD wish to implement the conveyance of the Distribution Facilities and service area intended by the 2003 Agreement; and

WHEREAS the 2003 Agreement did not include any provisions addressing the timing and schedule for transferring ownership and control of PUD Distribution Facilities, nor any detail about the actions the parties would need to take to adjust their water system boundaries to avoid adverse impacts on the PUD system, and to take into account each party’s respective water system hydraulics and prudent engineering and water system operating practices; and

WHEREAS, the parties have reevaluated the extent of the original “overlap area” defined in 2003 and the compensation to be paid to the PUD for conveying a portion of its Distribution Facilities and service area, and have evaluated and agreed upon the actions the parties ought to take to provide for an orderly and efficient transfer of ownership to the City; and

WHEREAS, the parties have concluded it is beneficial to request a legislative amendment to RCW 54.16.180 in order to implement the conveyance by the PUD to the City “to

the extent and in the manner provided by law” as specified in Section II(A) of the 2003 Agreement, and to amend the 2003 Agreement as set forth herein.

FOR AND IN CONSIDERATION OF THE AGREEMENTS SET FORTH HEREIN, THE 2003 AGREEMENT IS HEREBY AMENDED AS FOLLOWS:

Capitalized terms used in this Amendment not defined herein shall have the same meaning as set forth in the 2003 Agreement unless the context shall clearly indicate that another meaning is intended.

1. **Amendment of “Overlap Area.”** The area described in Section II(A) and Exhibit 1 of the 2003 Agreement referenced as the “overlap area” is hereby amended as depicted in **Exhibit 1(A)** attached hereto and incorporated by this reference and as legally described in **Exhibit 1(B)**, also attached hereto and incorporated by this reference (hereinafter the “Amended Overlap Area”), and Exhibits 1(A) and 1(B) are hereby substituted for Exhibit 1. The Amended Overlap Area to be transferred to the City is generally described as the area north of Soper Hill Road and west of SR-9 and will exclude any area east of SR-9 which shall not be subject to future transfer to the City. The Distribution Facilities and service area to be conveyed pursuant to this Section II(A) are generally depicted in **Exhibit 5(A)** attached hereto and incorporated by this reference, and consist of approximately the following (hereinafter the “Transferred Facilities”):

- 11,823 Lineal Feet (LF) of AC mains, sizes 4-inch to 8-inch
- 101,581 LF of DI mains, sizes 4-inch to 12-inch
- 168 Fire Hydrants
- Approximately 1,800 services
- Various associated valves and other appurtenances
- Easements or partial assignments of easements for such facilities

2. **Construction of Improvements by City.** In order to provide the customers in the Amended Overlap Area with a level of water utility service consistent with the service level presently provided by PUD, prior to closing of the transfer of ownership and operation of the Transferred Facilities to the City, the City shall construct, at its expense, the system improvements referenced below entitled “Phase 1 Water Main Improvements.” Said improvements are also depicted in **Exhibit 2(A)** attached hereto and incorporated by this reference. The construction of said improvements shall be completed by December 31, 2013, or such dates as may be mutually agreed to by the parties.

**Phase 1 Water Main Improvements  
Construct 2013**

Location			Proposed Diameter (inches)	Length (LF)
In	Start	End		
Soper Hill Rd	87 <sup>th</sup> Ave	71 <sup>st</sup> Ave	12	6,120
83 <sup>rd</sup> Ave	60 <sup>th</sup> St	~47 <sup>th</sup> St.	16	4,110
49 <sup>th</sup> St	~70 <sup>th</sup> Dr	71 <sup>st</sup> Dr	8	145
Sunnyside Blvd	~32 <sup>nd</sup> St	71 <sup>st</sup> Ave	12	2,974
*99 <sup>th</sup> Ave	~SR 92	42 <sup>nd</sup> St	12	2,200
*42 <sup>nd</sup> St NE	99 <sup>th</sup> Ave	SR9	12	3,000

\*[Subject to (3) below]

3. **Construction of New 12-Inch Main by City.** In addition to those improvements referenced in Section (2) above and in **Exhibit 2(A)**, and prior to the closing of the transfer of ownership and operation of the Transferred Facilities to the City, the City will construct and convey by bill of sale substantially in the form attached as **Exhibit 3(A)**, at no cost to the PUD, a new 12-inch main from the end of the PUD's existing 6-inch AC main south of SR-92, north along 99<sup>th</sup> Avenue, N.E., to 42<sup>nd</sup> Street, N.E., and then west along 42<sup>nd</sup> Street, N.E., to the intersection of 42<sup>nd</sup> Street, N.E., and SR-9 (approximately one mile). For a period of ten years from the date of closing of the transfer and conveyance to the City of the Transferred Facilities, the PUD will pay to the City the applicable portion of each Distribution System Charge collected by PUD for any new connection to this 12-inch main pursuant to Section 3.3.9 of its published Water System Policies and Procedures, as amended from time to time. "Distribution System Charge" means the Distribution System Charge required by the PUD as a condition of approving and installing a new water service connection, as set forth in the most current version of the PUD's published water rate schedules, as amended from time to time. Payment shall be made to the City approximately thirty days of PUD's receipt of the Distribution System Charge from the customer.

4. **Amendment of Purchase Price.**

A. 2003 Agreement. The following language of Section II(A) of the 2003 Agreement is hereby deleted and replaced with the language below, identified for this Amendment as subsections 4(B) and 4(C) below:

"The purchase price to be paid by the CITY for facilities subject to such conveyance shall be based upon the annexed customer's pro-rated share of the PUD's outstanding water system bonded indebtedness, including any bonded indebtedness relating



to the JOA-1 Pipeline, as determined by the revenues derived by the PUD from the annexed customers compared to the total rate revenues of the PUD water system.”

B. The purchase price to be paid by the City for the Transferred Facilities shall be based upon the fair market value of the facilities and service area to be conveyed, to be negotiated and mutually agreed upon as set forth herein,

C. Establishment of final purchase price. The City and PUD have agreed to retain the firm of FCS Group to perform an analysis and determine a fair market value or range of fair market value for the facilities and service area to be conveyed. The contracted-for amount for such analysis shall not exceed a total of \$49,530. Each party agrees to share the cost of such analysis equally whether the sale from the PUD to the City closes or not. While this analysis shall serve as a guide regarding the fair market value of the facilities and service area to be transferred to the City, neither party shall be bound thereby unless the fair market value established by FCS Group or a different value for the purchase price is mutually agreed upon. In the event the City and PUD are unable to agree upon the final purchase price for the facilities and service area described in Section II(A) and **Exhibit 5(A)**, the parties agree to the establishment of the final purchase price through the dispute resolution process set forth in Section IX of the 2003 Agreement, or in the alternative, but only by mutual agreement, through final binding arbitration pursuant to Chapter 7.04A, RCW.

**5. Flow Control Valve and Meters.** Prior to the closing referenced in Section 8 below, the City will move the flow control valve on the JOA Pipeline referenced in Section V(B) of the 2003 Agreement to a point mutually agreed upon north of Soper Hill Road. PUD agrees to pay Marysville \$10,000 toward the cost of moving said flow control valve. There are presently two meters at the Hewitt location. The master meter used for the City of Everett billing information will remain in its present location. The mag-meter owned by the City of Marysville at the same location will be removed at the City’s expense.

**6. Operation and Maintenance Charge.** Section VI of the 2003 Agreement requires PUD to compensate the City for its operation and maintenance costs of the JOA-1 Pipeline. Prior to the closing referenced in Section 8 below, PUD agrees to pay Marysville past due operation and maintenance charges for the time period of 2003 to 2010 in the amount of \$115,626.54. Said amount shall be exclusive of any other operation and maintenance charges due and owing by PUD under the 2003 Agreement for the period of January 1, 2011 to the date of closing.

**7. Pending Legislation.** Except as provided in Section 4(C) above with respect to the third party fair market value analysis, this First Amendment to the 2003 Agreement shall be subject to and conditioned upon an amendment to RCW 54.16.180, in substantially the form attached hereto as **Exhibit 4(A)**, becoming law. Provided, however, in the event such an

amendment to RCW 54.16.180 does not become law and this Agreement does not become effective, neither party hereto waives any rights or remedies it may have under the 2003 Agreement or in law or equity.

8. **Closing.** The conveyance by PUD to the City of the Transferred Facilities shall be closed by the firm of Weed, Graafstra and Benson, Inc., P.S. upon the satisfaction of each of the events referenced in Sections 1, 2, 3, 4(C), 5, 6 and 7 and **Exhibit 2(A)** of this Agreement. The parties anticipate closing on or before December 31, 2013, but may upon mutual agreement extend the closing date. The costs associated with closing shall be divided equally.

9. **2003 Agreement.** Except as provided herein, all provisions of the 2003 Agreement shall remain in full force and effect, unchanged. In the event of any inconsistency between this First Amendment and the 2003 Agreement, this Amendment shall control.

10. **Entirety.** Except as provided in the JOA between the parties, and the 2003 Agreement as specifically modified herein, all prior negotiations and agreements between the parties hereto relating to the subject matter hereof are merged into and superseded by this First Amendment to the 2003 Agreement, and shall constitute the entire final and exclusive agreement between the PUD and the CITY.

11. **Equal Bargaining.** This agreement has been drafted by the mutual efforts of the parties. City and PUD acknowledge and represent that each of them is fully competent to negotiate and to enter into this agreement with the other and that they have freely entered into it with adequate opportunity for prior consultation with legal counsel of their choosing. All terms and provisions shall be given their fair and reasonable interpretation without reference to which party, or its counsel, drafted any particular term or provision in question.

This Agreement shall be executed in two duplicate counterparts, each of which shall be deemed an original, but both of which together shall constitute one and the same instrument.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2011.

PUBLIC UTILITY DISTRICT NO. 1  
OF SNOHOMISH COUNTY

By: \_\_\_\_\_  
\_\_\_\_\_ Date

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Anne Spangler, General Counsel for PUD

CITY OF MARYSVILLE

By: \_\_\_\_\_ Date \_\_\_\_\_  
Jon Nehring, Mayor

Attest: \_\_\_\_\_  
April O'Brien, Deputy City Clerk

APPROVED AS TO FORM:

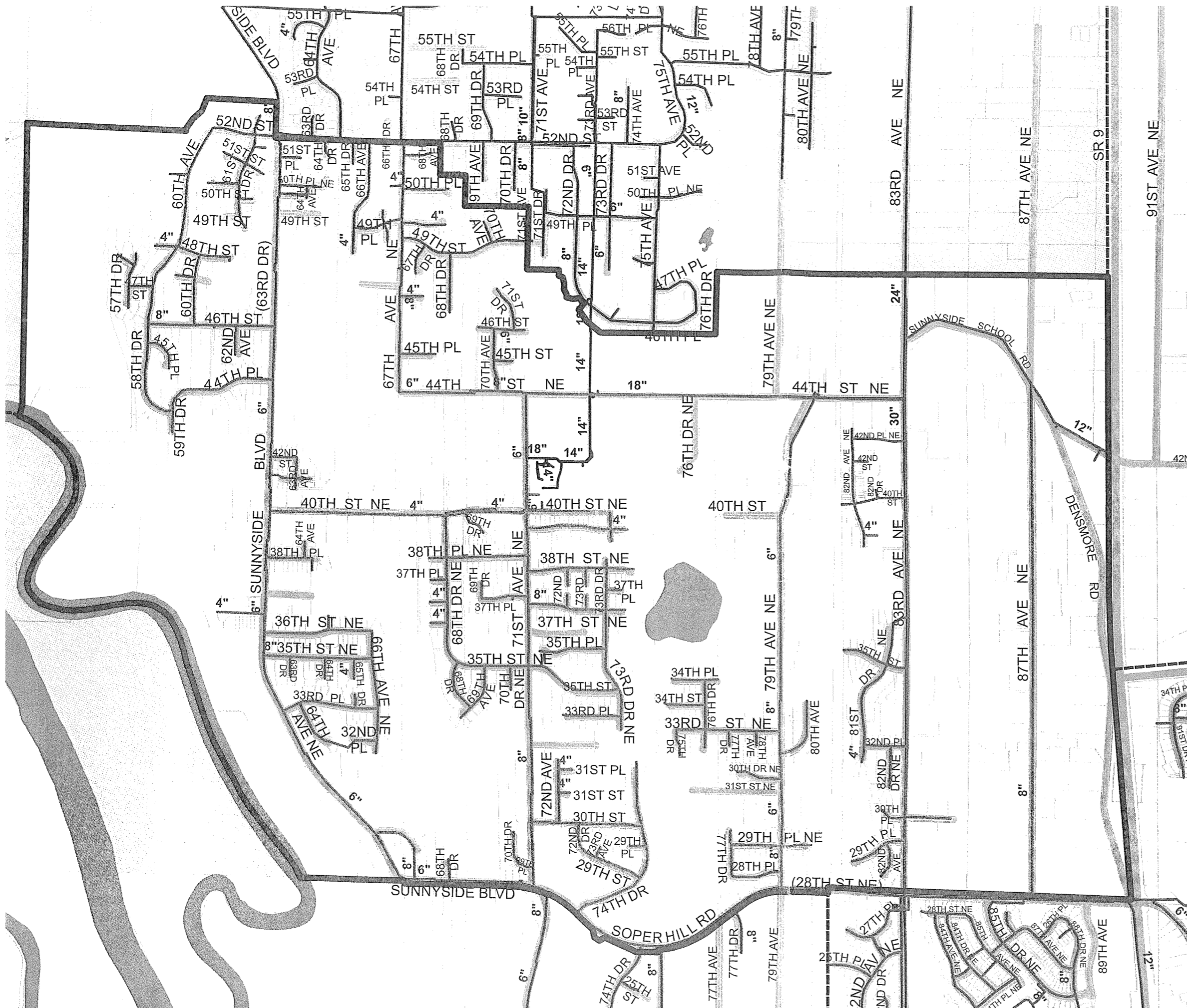
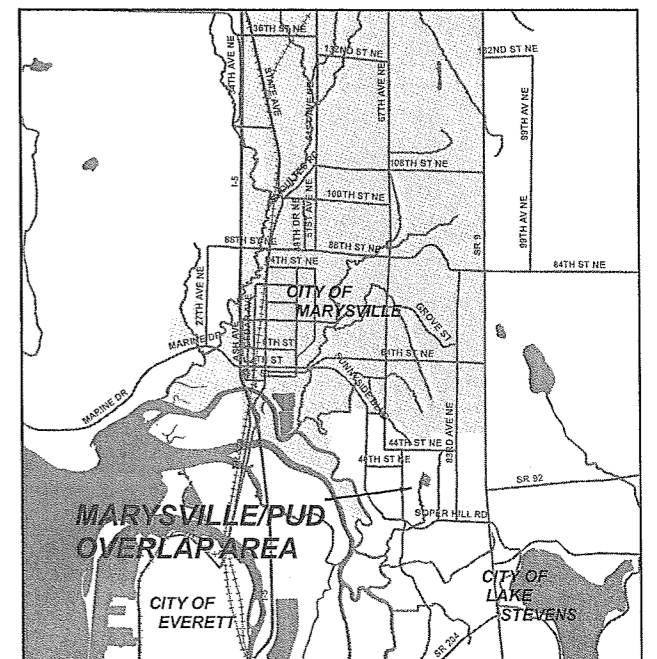
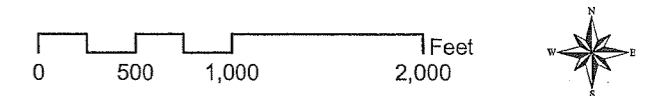
By: \_\_\_\_\_  
Grant K. Weed, City Attorney



CITY OF MARYSVILLE  
PUD Distribution Facilities  
and Utility Customers Purchase

**Exhibit 1(A)  
Overlap Area**

- PUD Water
- Marysville Water
- City Limits
- Marysville Water Service Area
- Marysville/PUD Overlap Area



## EXHIBIT 1B

### Legal Description

(January, 2011)

page 1 of 2

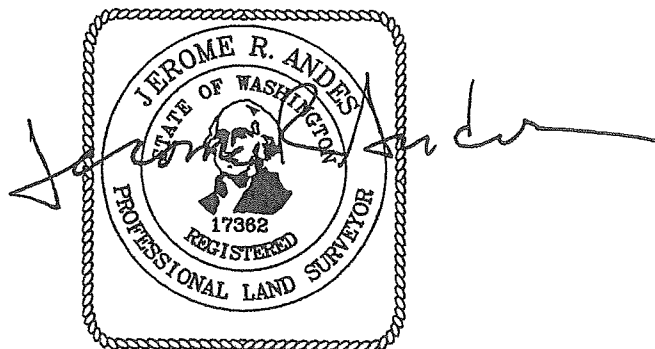
That portion of Section 1, all of Section 2, that portion of Section 3 and that portion of Section 11, Township 29 North, Range 5 East, WM; TOGETHER WITH those portions of Sections 34, 35 and 36, Township 30 North, Range 5 East, WM; described as follows:

Commencing at the southeast corner of Section 3, Township 29 North, Range 5 East, WM; thence westerly, along the south line of said Section 3, to the centerline of Ebey Slough, being the true point of beginning; thence easterly, along said south line to the southwesterly right-of-way line of Sunnyside Boulevard; thence easterly, along the south right-of-way line of said Sunnyside Boulevard and along the south right-of-way line of Soper Hill Road, to the west line of SOPERWOOD, recorded under Auditor's File Number 9402025003, records of Snohomish County, Washington; thence northerly, along the northerly projection of the west line of said SOPERWOOD, to the north right-of-way line of said Soper Hill Road; thence easterly, along said north right-of-way line, to the west right-of-way line of State Highway 9; thence northerly, along said west right-of-way line, to the north line of Tract 149, SUNNYSIDE FIVE ACRE TRACTS, recorded under Auditor's File Number 122901, records of Snohomish County, Washington; thence westerly, along the north line of said Tract 149 and along the north line of Tract 150, to the northwest corner of said Tract 150; thence westerly to the northeast corner of Tract 151 of said Plat; thence westerly, along the north line of said Tract 151 and along the north line of Tract 152 of said Plat, to the northwest corner of said Tract 152; thence westerly to the northeast corner of Tract 153 of said Plat; thence westerly, along the north line of said Tract 153 and along the north line of Tract 154 of said Plat, to the northwest corner of said Tract 154; thence westerly to the northeast corner of Tract 155 of said Plat; thence westerly, along the north line of said Tract 155, to the northwest corner of said Tract 155, also being the northeast corner of SUNNYSIDE WEST, recorded under Auditor's File Number 9711075002, records of Snohomish County, Washington; thence southerly, along the east line of said Plat, to the southeast corner of said Plat; thence westerly, along the south line of said Plat, to the southwest corner of Lot 1 of said Plat; thence westerly to the southeast corner of Lot 26, JEFFERSON HILL, recorded under Auditor's File Number 200008115001, records of Snohomish County, Washington; thence westerly, along the south line of said Plat, to the most southeasterly corner of Tract 999 of said Plat;

EXHIBIT 1B

page 2 of 2

thence northwesterly, along the northeasterly line of said Tract 999, to the north line of said Tract 999; thence westerly, along said north line to the northwest corner of said Tract 999, also being the southeast corner of EASTWOOD HILLS, recorded under Auditor's File Number 9209225003, records of Snohomish County, Washington; thence northerly, along the east line of said Plat, to the northeast corner of said Plat; thence westerly, along the north line of said Plat, to the northwest corner of said Plat, also being the southeast corner of EASTWOOD HILLS 4, recorded under Auditor's File Number 9412285001, records of Snohomish County, Washington; thence northerly, along the east line of said Plat to the northeast corner of said Plat; thence westerly, along the north line of said Plat, to the east line of HERITAGE PLACE SHORT PLAT Number PA 9809054, recorded under Auditor's File Number 200102065004, records of Snohomish County, Washington; thence northerly, along the east line of said Short Plat, to the southerly right-of-way line of 52<sup>ND</sup> Street N.E.; thence westerly, along said southerly right-of-way line, to the westerly right-of-way line of Sunnyside Boulevard, according to HARBOR VIEW VILLAGE, recorded under Auditor's File Number 200102065008, records of Snohomish County, Washington; thence northerly, along said westerly right-of-way line, to the northeast corner of said Plat; thence westerly, along the north line of said Plat, to the northwest corner of Tract 994 of said Plat; thence southwesterly, along the northwesterly line of said Tract 994, to the north line of the Southeast Quarter of Section 34, Township 30 North, Range 5 East, W.M.; thence westerly, along said north line and along the north line of the Southwest Quarter of said Section 34, to the northwest corner of the East Half of the Southwest Quarter of said Section 34; thence southerly, along the west line of said East half and along the west line of Government Lot 3, Section 3, Township 29 North, Range 5 East, W.M., to the centerline of Ebey Slough; thence southeasterly, along the centerline of Ebey Slough, to true point of beginning.



1/28/2011

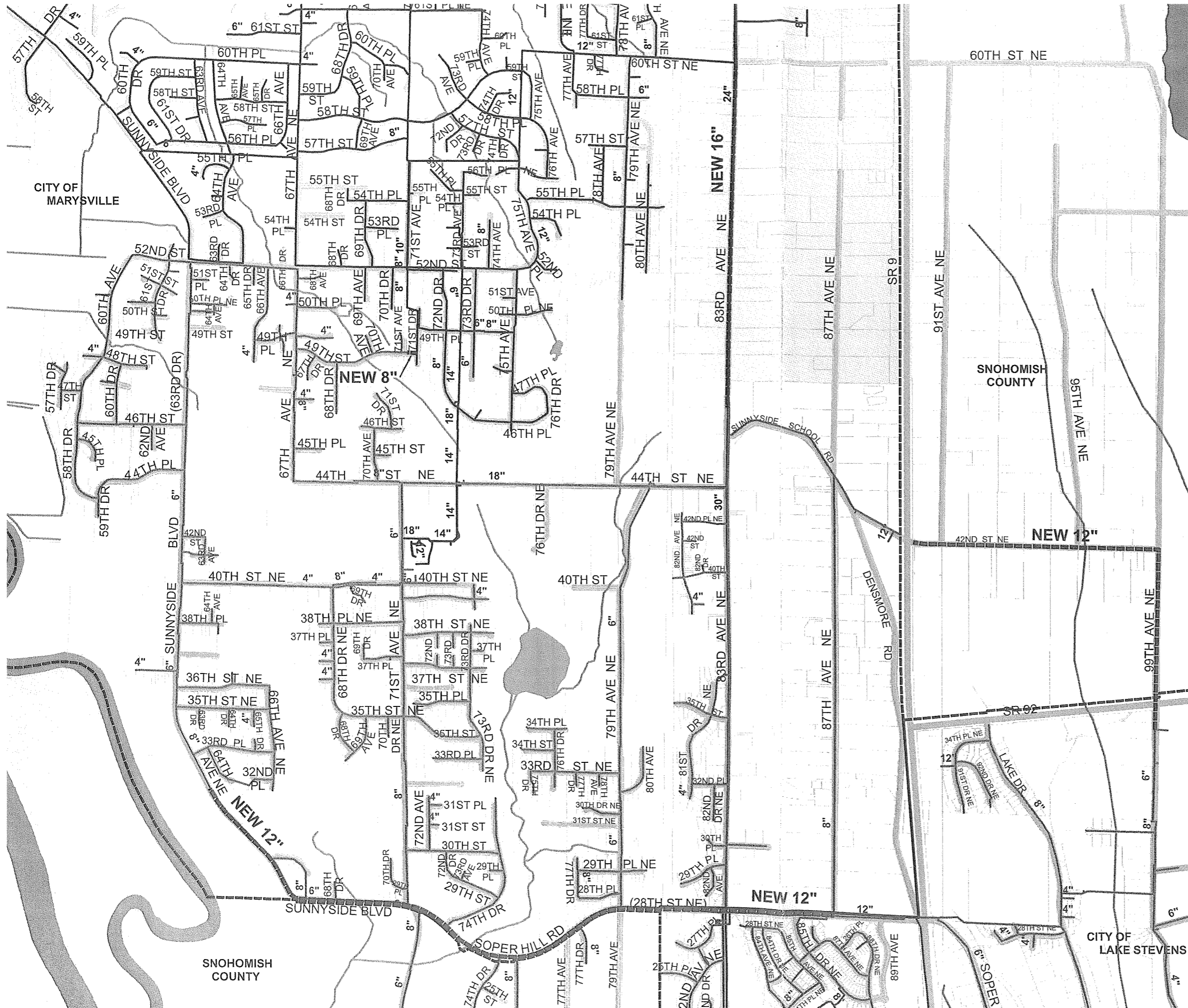
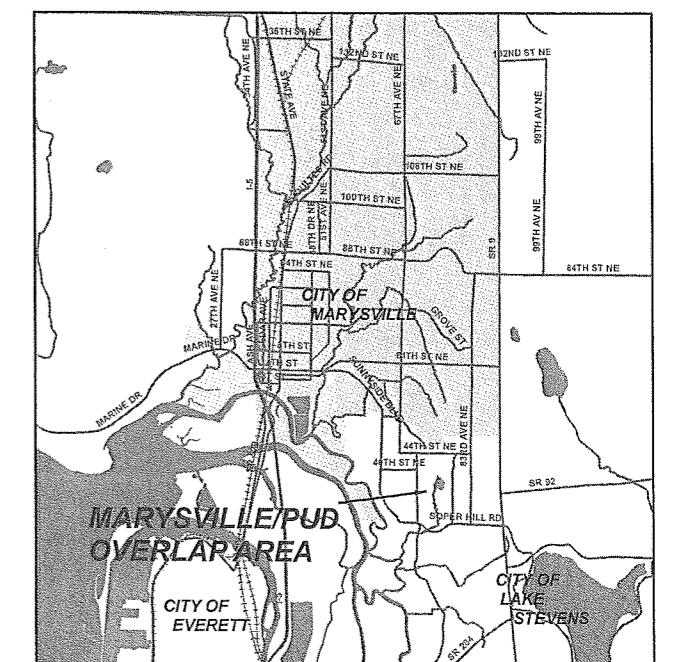
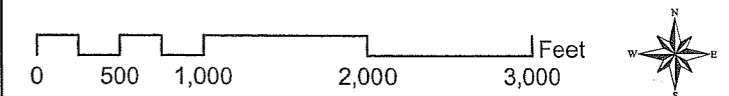




CITY OF MARYSVILLE  
PUD Distribution Facilities  
and Utility Customers Purchase

**Exhibit 2(A)**  
**Future Improvements**

- Future Improvements
- PUD Water
- Marysville Water
- City Limits
- Marysville Water Service Area
- Marysville/PUD Overlap Area



**EXHIBIT 3(A)**

**Form of Bill of Sale**



CITY OF MARYSVILLE  
1049 STATE AVENUE  
MARYSVILLE, WA 98270

Please print or type information

<b>Document Title(s)</b> (or transactions contained therein):  BILL OF SALE
<b>Grantor(s)</b> (Last name first, then first name and initials)  Additional names on page ___ of document.
<b>Grantee(s)</b> (Last name first, then first name and initials)  Additional names on page ___ of document.
<b>Legal description</b> (abbreviated: i.e., lot, block, plat or section, township, range, qtr./qtr.)  Additional legal is on page ___ of document.
<b>Reference Number(s) of Documents assigned or released:</b>  Additional numbers on page ___ of document.
<b>Assessor's Property Tax Parcel/Account Number</b>  Property Tax Parcel ID is not yet assigned Additional parcel numbers on page ___ of document.
The Auditor/Recorder will rely on the information provided on the form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.

BILL OF SALE – WATER

THE UNDERSIGNED hereby conveys and transfers to City of Marysville, a municipal corporation, (the “City”) the following described personal property:

See Attachment “A”

This conveyance is made in consideration of the First Amendment to 2003 Agreement Between City of Marysville and Public Utility District No. 1 of Snohomish County for Water Supply dated \_\_\_\_\_, 2011, which is incorporated by this reference.

The undersigned and its successors and assigns covenants and agrees to and with the City, its successors and assigns, that the undersigned is the owner of said property and has good right and authority to sell and transfer the same and that it will, and does, hereby warrant and agree to defend the sale and transfer of said property to the City, its successors and assigns, against all and every person or persons whomsoever lawfully claiming or to claim the same.

The undersigned further guarantees that the property is fit for purposes intended, i.e., as fur use as a water distribution system including distribution and supply lines adequate for the service intended.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2011.

PUBLIC UTILITY DISTRICT NO. 1 OF  
SNOHOMISH COUNTY

By \_\_\_\_\_  
\_\_\_\_\_

STATE OF WASHINGTON    )  
  ) ss.  
COUNTY OF SNOHOMISH    )

I certify that I know or have satisfactory evidence that \_\_\_\_\_ is the person who appeared before me, and said person acknowledged that \_\_\_\_\_ signed this instrument, on oath stated that \_\_\_\_\_ was authorized to execute the instrument and acknowledged it as the \_\_\_\_\_ of Public Utility District No. 1 of Snohomish County to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
\_\_\_\_\_  
(Legibly print name of notary)  
NOTARY PUBLIC in and for the State of  
Washington, residing at \_\_\_\_\_  
My commission expires \_\_\_\_\_

ATTACHMENT A

**Facilities and Assets to be Transferred**

11.823 LF of AC mains sizes 4" to 8"

101.581 LF of D1 mains sizes 4" to 12"

168 fire hydrants

Approximately 1,800 services

Various associated valves and other appurtenances

Exhibit 4(A)

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1407

62nd Legislature  
2011 Regular Session

Passed by the House April 14, 2011  
Yeas 90 Nays 7

\_\_\_\_\_  
Speaker of the House of Representatives

Passed by the Senate April 4, 2011  
Yeas 44 Nays 2

\_\_\_\_\_  
President of the Senate

Approved

\_\_\_\_\_  
Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is HOUSE BILL 1407 as passed by the House of Representatives and the Senate on the dates hereon set forth.

\_\_\_\_\_  
Chief Clerk

FILED

Secretary of State  
State of Washington

---

HOUSE BILL 1407

---

AS AMENDED BY THE SENATE

Passed Legislature - 2011 Regular Session

State of Washington                      62nd Legislature                      2011 Regular Session

By Representatives Ryu, Hope, Dunshee, Angel, and Kagi

Read first time 01/20/11. Referred to Committee on Local Government.

1            AN ACT Relating to the negotiated sale and conveyance of all or  
2 part of water systems owned by a municipal corporation; and amending  
3 RCW 54.16.180.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5            **Sec. 1.** RCW 54.16.180 and 2008 c 198 s 5 are each amended to read  
6 as follows:

7            (1) A district may sell and convey, lease, or otherwise dispose of  
8 all or any part of its works, plants, systems, utilities and  
9 properties, after proceedings and approval by the voters of the  
10 district, as provided for the lease or disposition of like properties  
11 and facilities owned by cities and towns. The affirmative vote of  
12 three-fifths of the voters voting at an election on the question of  
13 approval of a proposed sale((7)) shall be necessary to authorize such  
14 a sale.

15            (2) A district may, without the approval of the voters, sell,  
16 convey, lease, or otherwise dispose of all or any part of the property  
17 owned by it that is located:

18            (a) Outside its boundaries, to another public utility district,  
19 city, town or other municipal corporation; or

1 (b) Within or without its boundaries, which has become  
2 unserviceable, inadequate, obsolete, worn out or unfit to be used in  
3 the operations of the system and which is no longer necessary, material  
4 to, and useful in such operations, to any person or public body.

5 (3) A district may sell, convey, lease or otherwise dispose of  
6 items of equipment or materials to any other district, to any  
7 cooperative, mutual, consumer-owned or investor-owned utility, to any  
8 federal, state, or local government agency, to any contractor employed  
9 by the district or any other district, utility, or agency, or any  
10 customer of the district or of any other district or utility, from the  
11 district's stores without voter approval or resolution of the  
12 district's board, if such items of equipment or materials cannot  
13 practicably be obtained on a timely basis from any other source, and  
14 the amount received by the district in consideration for any such sale,  
15 conveyance, lease, or other disposal of such items of equipment or  
16 materials is not less than the district's cost to purchase such items  
17 or the reasonable market value of equipment or materials.

18 (4) A district located within a county with a population of from  
19 one hundred twenty-five thousand to less than two hundred ten thousand  
20 may sell and convey to a city of the first class, which owns its own  
21 water system, all or any part of a water system owned by the district  
22 where a portion of it is located within the boundaries of the city,  
23 without approval of the voters, upon such terms and conditions as the  
24 district shall determine.

25 (5) A district located in a county with a population of from twelve  
26 thousand to less than eighteen thousand and bordered by the Columbia  
27 river may, separately or in connection with the operation of a water  
28 system, or as part of a plan for acquiring or constructing and  
29 operating a water system, or in connection with the creation of another  
30 or subsidiary local utility district, provide for the acquisition or  
31 construction, additions or improvements to, or extensions of, and  
32 operation of, a sewage system within the same service area as in the  
33 judgment of the district commission is necessary or advisable to  
34 eliminate or avoid any existing or potential danger to public health  
35 due to lack of sewerage facilities or inadequacy of existing  
36 facilities.

37 (6) A district located within a county with a population of from  
38 one hundred twenty-five thousand to less than two hundred ten thousand

1 bordering on Puget Sound may sell and convey to any city or town with  
2 a population of less than ten thousand all or any part of a water  
3 system owned by the district without approval of the voters upon such  
4 terms and conditions as the district shall determine.

5 (7) A district located within a county with a population of from  
6 six hundred fifty thousand to less than seven hundred fifty thousand  
7 bordering on Puget Sound may sell and convey to any city or town with  
8 a population of less than sixty-five thousand which owns its own water  
9 system all or any part of a water system owned by the district without  
10 approval of the voters upon such terms and conditions as the district  
11 shall determine.

12 (8) A district may sell and convey, lease, or otherwise dispose of,  
13 to any person or entity without approval of the voters and upon such  
14 terms and conditions as it determines, all or any part of an electric  
15 generating project owned directly or indirectly by the district,  
16 regardless of whether the project is completed, operable, or operating,  
17 as long as:

18 (a) The project is or would be powered by an eligible renewable  
19 resource as defined in RCW 19.285.030; and

20 (b) The district, or the separate legal entity in which the  
21 district has an interest in the case of indirect ownership, has:

22 (i) The right to lease the project or to purchase all or any part  
23 of the energy from the project during the period in which it does not  
24 have a direct or indirect ownership interest in the project; and

25 (ii) An option to repurchase the project or part thereof sold,  
26 conveyed, leased, or otherwise disposed of at or below fair market  
27 value upon termination of the lease of the project or termination of  
28 the right to purchase energy from the project.

29 (~~(8)~~) (9) Districts are municipal corporations for the purposes  
30 of this section. A commission shall be held to be the legislative  
31 body, a president and secretary shall have the same powers and perform  
32 the same duties as a mayor and city clerk, and the district resolutions  
33 shall be held to be ordinances within the meaning of statutes governing  
34 the sale, lease, or other disposal of public utilities owned by cities  
35 and towns.

--- END ---

## EXHIBIT 5(A)

### Facilities and Assets to be Transferred

11.823 LF of AC mains sizes 4" to 8"  
101.581 LF of DI mains sizes 4" to 12"  
168 fire hydrants  
Approximately 1,800 services  
Various associated valves and other appurtenances



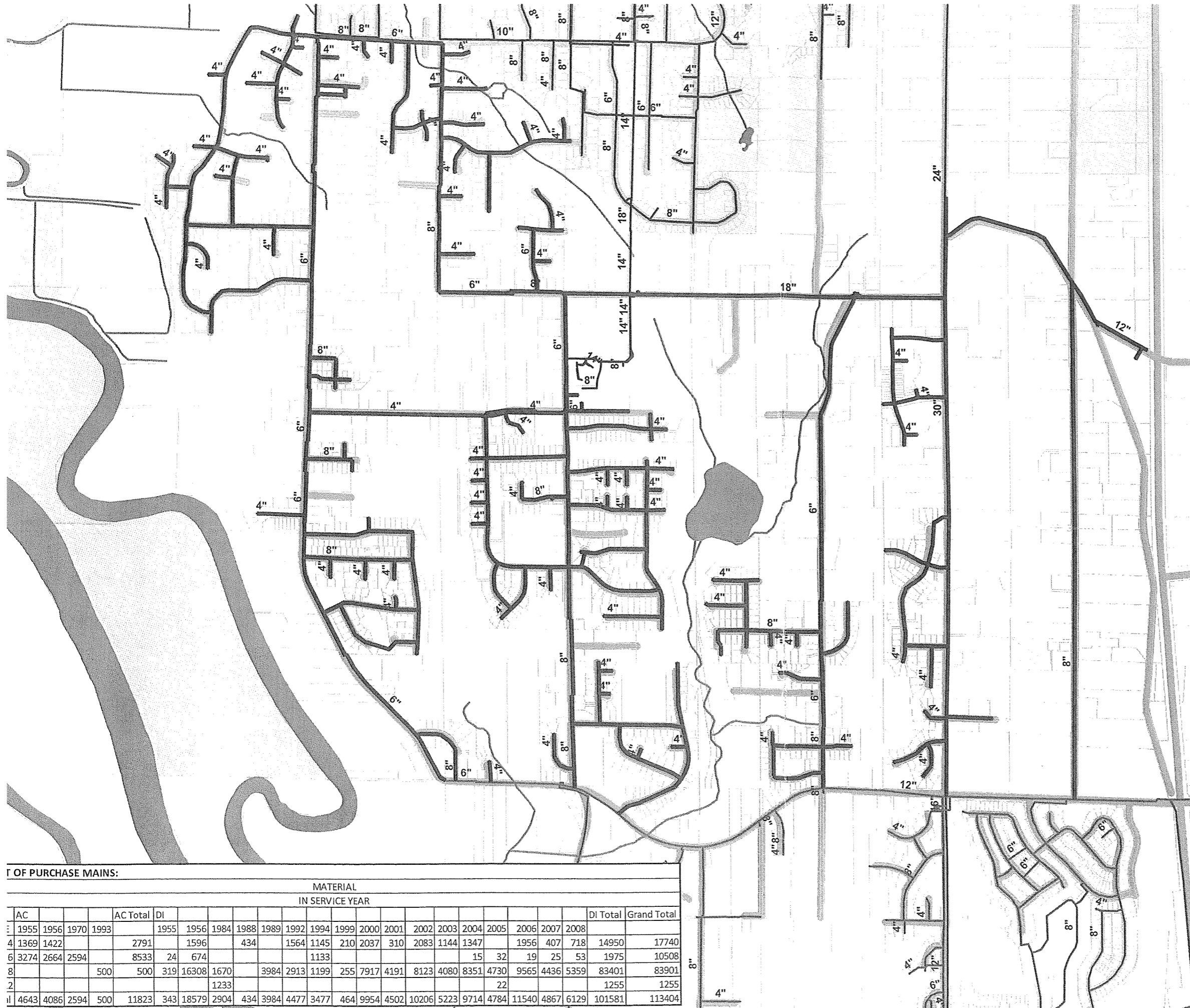
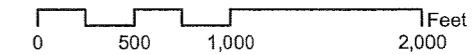


CITY OF MARYSVILLE  
 PUD Distribution Facilities  
 and Utility Customers Purchase

**Facilities**

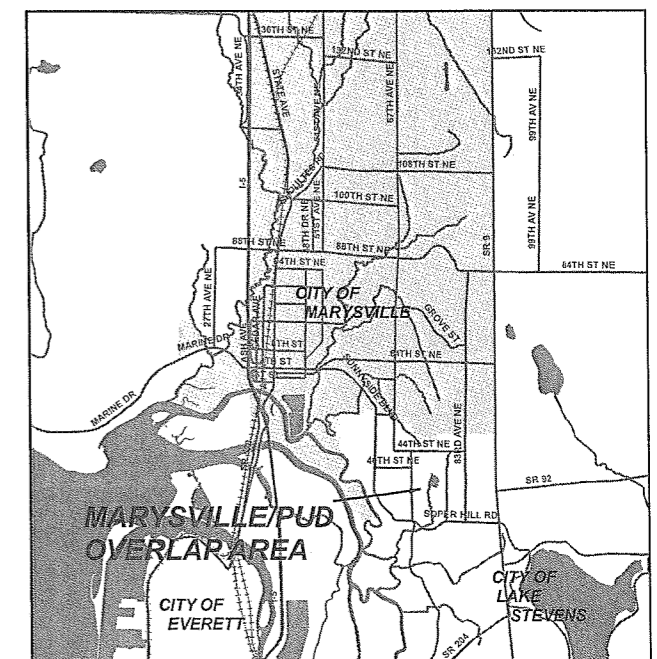
EXHIBIT 5A

- PUD Water
- Marysville Water
- Marysville Water Service Area
- Marysville/PUD Overlap Area



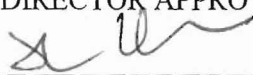
LIST OF PURCHASE MAINS:

AC	MATERIAL IN SERVICE YEAR																	DI Total	Grand Total					
	1955	1956	1970	1993	1955	1956	1984	1988	1989	1992	1994	1999	2000	2001	2002	2003	2004			2005	2006	2007	2008	
4	1369	1422			2791	1596	434			1564	1145	210	2037	310	2083	1144	1347		1956	407	718	14950	17740	
6	3274	2664	2594		8533	24	674			1133						15	32		19	25	53	1975	10508	
8				500	500	319	16308	1670		3984	2913	1199	255	7917	4191	8123	4080	8351	4730	9565	4436	5359	83401	83901
2							1233															1255	1255	
11	4643	4086	2594	500	11823	343	18579	2904	434	3984	4477	3477	464	9954	4502	10206	5223	9714	4784	11540	4867	6129	101581	113404



**CITY OF MARYSVILLE AGENDA BILL**  
**EXECUTIVE SUMMARY FOR ACTION**

**CITY COUNCIL MEETING DATE: 6/13/2011**

AGENDA ITEM: 51 <sup>st</sup> Ave NE Connector Project - Condemnation Ordinance	
PREPARED BY: Jeff Laycock, Project Engineer DEPARTMENT: Public Works, Engineering	DIRECTOR APPROVAL: 
ATTACHMENTS: Condemnation Ordinance No. _____ including Exhibit A Excerpt from Washington Administrative Code	
BUDGET CODE: 30500030.563000, R1001	AMOUNT: \$0.00

**SUMMARY:**

The City of Marysville has begun the full property acquisition phase for the 51<sup>st</sup> Ave NE Connector project — for the purposes of constructing a new north south arterial between 84<sup>th</sup> St NE and 88<sup>th</sup> St NE.

Fair market value compensation will be offered to the property owners in accordance with recently-completed appraisals. If the City and the property owners cannot reach a mutually agreeable settlement, the enclosed ordinance will allow the City to exercise eminent domain for the acquisition of property through condemnation proceedings. Purchase of property under this framework is also of substantial benefit to property owners, as the compensation they receive for the transfer of property to the City will not be subject to real estate excise tax. As the attached **WAC 458-61A-206** states:

*“Transfers of real property to a governmental entity under an imminent threat of the exercise of eminent domain, a court judgment or settlement with a government entity based upon a claim of inverse condemnation, or as a result of the actual exercise of eminent domain, are not subject to the real estate excise tax.”*

**RECOMMENDED ACTION:** Staff recommends that Council Authorize the Mayor to approve the Ordinance authorizing condemnation, appropriation, taking, and damaging of land and other property for construction of the 51<sup>st</sup> Ave NE Connector Project.

CITY OF MARYSVILLE  
Marysville, Washington

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON AUTHORIZING THE CONDEMNATION, APPROPRIATION, TAKING, DAMAGING AND ACQUISITION OF LAND AND OTHER PROPERTY FOR THE PURPOSE OF CONSTRUCTING 51<sup>st</sup> AVENUE N.E. FROM 84<sup>th</sup> STREET N.E. TO 88<sup>th</sup> STREET N.E. AND ASSOCIATED STREET IMPROVEMENTS

WHEREAS, the City Council of the City of Marysville (hereinafter the "City") finds as follows:

1. 51<sup>st</sup> Avenue N.E. is a north-south arterial that is interrupted between 84<sup>th</sup> Street N.E. and 88<sup>th</sup> Street N.E., impairing the flow of traffic in the vicinity.
2. Public safety, convenience, use and necessity demand completion of 51<sup>st</sup> Avenue N.E. by construction of street improvements from 84<sup>th</sup> Street N.E. to 88<sup>th</sup> Street N.E.
3. The City has conducted engineering studies and has determined that it will be necessary to acquire fee interests in property for the street construction project as more specifically described in **EXHIBIT "A,"** attached hereto and incorporated herein by this reference.
4. The entire cost of the acquisition provided by this ordinance shall be paid by the following funds of the City:

Fund No. 305 (GMA-Street)

or such other funds of the City as may be provided by law.

5. The City and the property owners may be unable to agree upon the compensation to be paid for properties and property rights to be acquired for the project.
6. The City has authority pursuant to RCW 8.12 to acquire, if necessary, title and rights to real property for public purposes.
7. Notice of this action has been duly given as required by RCW 8.25.290.

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

1. The City is hereby authorized to condemn, appropriate, take, damage and acquire the real property described in **EXHIBIT "A"** attached hereto.

2. The use of the property described in **EXHIBIT "A"** is for construction of a public street and associated improvements.

3. All lands, rights, privileges and other property as described in **EXHIBIT "A"** are hereby condemned, appropriated, taken and damaged for the purpose of constructing a public street and associated improvements. All lands, rights, privileges and other properties are to be taken, damaged and appropriated only after just compensation has been made, or paid into the court for the owners thereof in the manner provided by law. The City is further authorized to amend the legal descriptions contained in **EXHIBIT "A"** as may be necessary and appropriate to meet requirements of the project.

4. The cost of the acquisition provided for by this ordinance shall be paid by the following funds of the City:

Fund No. 305 (GMA-Street)

or such other funds as may be provided by law.

5. The City's attorneys should be and hereby are authorized and directed to begin and prosecute the actions and proceedings in a manner provided by law to carry out the provisions of this ordinance, and to enter into settlements to mitigate damages.

PASSED by the City Council and APPROVED by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

CITY OF MARYSVILLE

By \_\_\_\_\_ MAYOR

ATTEST:

By \_\_\_\_\_ CLERK

Approved as to form:

By \_\_\_\_\_ CITY ATTORNEY

Date of Publication: \_\_\_\_\_

Effective Date (5 days after publication): \_\_\_\_\_

## EXHIBIT "A"

### Parcel 1:

Lot 13, Quilceda Terrace Division No. 2, according to the plat thereof recorded in Volume 14 of Plats, Page 73, records of Snohomish County, Washington.

Property Address: 5104 - 86th Place NE, Marysville, WA 98270

Tax Account Number: 005507-000-013-00

### Parcel 2:

The South 260 feet of the East 115 feet of the Southeast quarter of the Northeast quarter of Section 21, Township 30 North, Range 5 East, W.M.,

EXCEPT any portion thereof lying within 84th Street N.E. on the South side thereof.

Situate in the County of Snohomish, State of Washington.

Property Address: 5031 - 84th Street NE, Marysville, WA 98270

Tax Account Number: 300521-001-081-00

### Parcel 3:

Lot 4, Quilceda Terrace Division No. 2, according to the plat thereof, recorded in Volume 14 of Plats, page 73, records of Snohomish County, Washington.

Property Address: 5103 - 86th Place NE, Marysville, WA 98270

Tax Account Number: 005507-000-004-00

### Parcel 4:

Commencing at the Northwest corner of the SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 22, Township 30 N. R. 5 E.W.M.;

Thence South  $3^{\circ}11'42''$  East for 20 feet to the South line of the County Road, the True Point of Beginning;

Thence South  $88^{\circ}25'42''$  East along the South line of County Road for 81.25 feet;

Thence South  $3^{\circ}11'42''$  East for 200 feet;

Thence North  $88^{\circ}25'42''$  West for 81.25 feet to the West Line of said SW  $\frac{1}{4}$  of NW  $\frac{1}{4}$ ;

Thence North  $3^{\circ}11'42''$  West along said West line for 200 feet to the True Point of Beginning.

Situate in the County of Snohomish, State of Washington.

Property Address: 5100 - 88th Street NE, Marysville, WA 98270

Tax Account Number: 300522-002-048-00

M-10-099 51<sup>st</sup> Avenue NE/Ordinance

**WAC 458-61A-206 Condemnation proceedings.** (1) **Introduction.** Transfers of real property to a governmental entity under an imminent threat of the exercise of eminent domain, a court judgment or settlement with a government entity based upon a claim of inverse condemnation, or as a result of the actual exercise of eminent domain, are not subject to the real estate excise tax.

(2) **Transfer must be to a governmental entity.** To qualify for this exemption, the threat of condemnation or the exercise of eminent domain must be made by a governmental entity with the actual power to exercise eminent domain.

(3) **Threat to exercise eminent domain must be imminent.** To qualify for this exemption, the governmental entity must have either filed condemnation proceedings against the seller/grantee; or:

(a) The governmental entity must have notified the seller in writing of its intent to exercise its power of eminent domain prior to the sale; and

(b) The governmental entity must have the present ability and authority to use its power of eminent domain against the subject property at the time of sale; and

(c) The governmental entity must have specific statutory authority authorizing its power of eminent domain for property under the conditions presented.

(4) **Inverse condemnation.** Inverse condemnation occurs when the government constructively takes real property even though formal eminent domain proceedings are not actually taken against the subject property. The seller must have a judgment against the governmental entity, or a court approved settlement, based upon inverse condemnation to claim the exemption.

(5) **Examples.** The following examples, while not exhaustive, illustrate some of the circumstances in which a sale to a governmental entity may or may not be exempt on the basis of condemnation or threat of eminent domain. The status of each situation must be determined after a review of all the facts and circumstances.

(a) The Jazz Port school district wants to purchase property for a new school. An election has been held to authorize the use of public funds for the purchase, and the general area for the site has been chosen. In order to proceed, the district will need to obtain a five-acre parcel owned by the Fairwood family. The district has been granted authority to obtain property by the use of eminent domain if required. The district has notified the Fairwoods in writing of its intention to exercise its powers of eminent domain if necessary to obtain the land. The Fairwoods, rather than allowing the matter to proceed to court, agree to sell the parcel to the Jazz Port district. The

school district will use the parcel for construction of the new school. The conveyance from the Fairwoods to Jazz Port school district is exempt from real estate excise tax because the transfer was made under the imminent threat of the exercise of eminent domain.

(b) The Sonata City Parks Department has the authority to obtain land for possible future development of parks. The department would like to obtain waterfront property for preservation and future development. They approach Frankie and Chaz Friendly with an offer to purchase the Friendlys' 20-acre waterfront parcel. The Parks Department does not have a current appropriation for actual construction of a park on the site, and the City Council has not specifically authorized an exercise of eminent domain to obtain the subject property. The conveyance from the Friendlys to the city is subject to the real estate excise tax, because the transfer was not made under the imminent threat of the exercise of eminent domain.

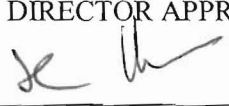
[Statutory Authority: RCW 82.32.300, 82.01.060(2), and 82.45.150 . 05-23-093, § 458-61A-206, filed 11/16/05, effective 12/17/05.]



**CITY OF MARYSVILLE AGENDA BILL**

**EXECUTIVE SUMMARY FOR ACTION**

**CITY COUNCIL MEETING DATE: June 13, 2011**

AGENDA ITEM: Professional services agreement with Materials Testing & Consulting, Inc., for materials testing and special inspection services on the Lakewood Triangle Access / 156 <sup>th</sup> Street Overcrossing Project	
PREPARED BY: Patrick Gruenhagen, Project Manager	DIRECTOR APPROVAL: 
DEPARTMENT: Public Works / Engineering	
ATTACHMENTS: Notice of Selection Letter to MTC Professional Services Agreement	
BUDGET CODE: 30500030.563000 R0604	AMOUNT: \$75,102.00

**SUMMARY:**

On April 26, the City issued a Request for Proposals to three firms from its on-call consultant roster that specialize in materials testing and special inspection – in anticipation of the need for such services on its Lakewood Triangle Access / 156<sup>th</sup> Street Overcrossing Project. Specifically, the firms came to include Mayes Testing out of Lynnwood, Materials Testing & Consulting (“MTC”) out of Burlington, and Geotest, Inc., out of Arlington.

Subsequent to the RFP, on May 4, the City received and began to review proposals from the three firms. After considerable deliberation, the City’s selection committee ultimately developed an appreciation that all of the firms were extremely high caliber and well-poised to take on the type of work anticipated on this project, but concluded that MTC was in fact the best equipped of the three. Upon completion of the selection process, the City therefore notified MTC of its decision on May 11, via the attached letter.

Specific elements of work to be undertaken by MTC involve sampling and laboratory testing of soils, aggregate, asphalt, and structural concrete. MTC will also play a key role in providing support to the City’s inspection staff during critical phases of the project involving the construction/pouring of drilled shafts for the bridge foundation, as well as construction of the extremely tall structural earth walls that will become an integral part of the east and west bridge approach embankments.

MTC impressed the City for having a strong background on projects very similar to the Lakewood Overcrossing Project, and they appear genuinely enthusiastic about the prospect of working with the City to ensure that the project becomes a success. Moreover, it is staff’s opinion that the negotiated fee of \$71,526.00 is fair and quite reasonable. In light of these facts, staff is confident that the City would be well-served by this contract.

**RECOMMENDED ACTION:** Staff recommends that Council authorize the Mayor to sign the enclosed professional services agreement with Materials Testing & Consulting, Inc. in the amount of \$71,526.00, and that Council authorize a 5% Management Reserve in the amount of \$3,576.00, for a total allocation of \$75,102.00.





**PUBLIC WORKS**

Kevin Nielsen, *Director*

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

May 11, 2011

Mr. Brian Steele, L.E.G.  
Materials Testing & Consulting, Inc.  
777 Chrysler Drive  
Burlington, WA 98233

Subject: Marysville Project No. R-0604  
Lakewood Triangle Access / 156<sup>th</sup> Street Overcrossing  
*Notice of Selection for Professional Services*

Dear Brian:

Congratulations!

As a follow-up to our conversation yesterday afternoon, I am writing to confirm that the City has formally selected your firm to provide material testing and inspection services on the subject project. Thanks again to you and your team for taking the time to prepare and submit a proposal pursuant to the City's April 26 request for proposals. I cannot emphasize enough how tight the competition was, so it reflects highly upon your firm — and your team — that you were able to prevail among such esteemed company.

As to next steps, you are aware that we will be recommending City Council authorization of our professional services agreement on Monday June 13<sup>th</sup>. With that authorization, we should be in a position to issue you Notice to Proceed shortly thereafter. As you perhaps already know, we're currently working toward a bid opening on June 2, and recommendation to award will be brought forward to our City Council concurrent with the MTC agreement on the 13<sup>th</sup> of June. Consequently, I anticipate that we should be poised to begin "turning dirt" on the project by early to mid-July, and I truly look forward to the opportunity to enter into this exciting next phase of the project with MTC on board as a partner.

Please feel free to call if you have anything you wish to discuss in the interim and, once again, congratulations for coming out on top in what was — by unanimous account — a very close race.

Sincerely,

CITY OF MARYSVILLE

Patrick L. Gruenhagen, P.E.  
Project Manager

CC: Project File, R-0604

**PROFESSIONAL SERVICES AGREEMENT BETWEEN  
CITY OF MARYSVILLE  
AND MATERIALS TESTING & CONSULTING, INC.  
FOR CONSULTANT SERVICES**

THIS AGREEMENT, made and entered into in Snohomish County, Washington, by and between CITY OF MARYSVILLE, hereinafter called the "City," and **Materials Testing & Consulting, Inc.**, a Washington corporation, hereinafter called the "Consultant."

WHEREAS, the Consultant has represented, and by entering into this Agreement now represents, that the firm and all employees assigned to work on any City project are in full compliance with the statutes of the State of Washington governing activities to be performed and that all personnel to be assigned to the work required under this agreement are fully qualified and properly licensed to perform the work to which they will be assigned.

NOW, THEREFORE, in consideration of the terms, conditions, covenants and performances contained hereinbelow, the parties hereto agree as follows:

**ARTICLE I. PURPOSE**

The purpose of this agreement is to provide the City with consultant services to **perform materials testing and inspection as well as "special inspection" services in support of the City's Lakewood Triangle Access / 156<sup>th</sup> Street Overcrossing Project**, as described in Article II. The general terms and conditions of relationships between the City and the Consultant are specified in this agreement.

**ARTICLE II. SCOPE OF WORK**

The scope of work is set out in the attached estimate of Professional Services for the **Lakewood Triangle Access / 156<sup>th</sup>**

**Street Overcrossing Project**, hereinafter referred to as the "scope of services," **Exhibit A**. All services and materials necessary to accomplish the tasks outlined in **Exhibit A** shall be provided by the Consultant unless noted otherwise in the scope of services or this agreement.

### **ARTICLE III. OBLIGATIONS OF THE CONSULTANT**

III.1 **MINOR CHANGES IN SCOPE.** The Consultant shall accept minor changes, amendments, or revision in the detail of the work as may be required by the City when such changes will not have any impact on the service costs or proposed delivery schedule. Extra work, if any, involving substantial changes and/or changes in cost or schedules will be addressed as follows:

**Extra Work.** The City may desire to have the Consultant perform work or render services in connection with each project in addition to or other than work provided for by the expressed intent of the scope of work in the scope of services. Such work will be considered as extra work and will be specified in a written supplement to the scope of services, to be signed by both parties, which will set forth the nature and the scope thereof. All proposals for extra work or services shall be prepared by the Consultant at no cost to the City. Work under a supplemental agreement shall not proceed until executed in writing by the parties.

III.2 **WORK PRODUCT AND DOCUMENTS.** The work product and all documents listed in the scope of services shall be furnished by the Consultant to the City, and upon completion of the work shall become the property of the City, except that the Consultant may retain one copy of the work product and documents for its records. The Consultant will be responsible for the accuracy of the work, even though the work has been accepted by the City.

In the event that the Consultant shall default on this agreement or in the event that this contract shall be terminated prior to its completion as herein provided, all work product of the Consultant, along with a summary of work done to date of default or termination, shall become the property of the City. Upon request, the Consultant shall tender the work product and summary to the City. Tender of said work product shall be a prerequisite to final payment under this contract. The summary of work done shall be prepared at no additional cost to the City.

Consultant will not be held liable for reuse of these documents or modifications thereof for any purpose other than those authorized under this Agreement without the written authorization of Consultant.

III.3 **TIME OF PERFORMANCE.** The Consultant shall be authorized to begin work under the terms of this agreement upon

signing of both the scope of services and this agreement and shall complete the work by **December 30, 2012**, unless a mutual written agreement is signed to change the schedule. An extension of the time for completion may be given by the City due to conditions not expected or anticipated at the time of execution of this agreement.

III.4 **NONASSIGNABLE.** The services to be provided by the Consultant shall not be assigned or subcontracted without the express written consent of the City.

III.5 **EMPLOYMENT.** Any and all employees of the Consultant, while engaged in the performance of any work or services required by the Consultant under this agreement, shall be considered employees of the Consultant only and not of the City, and any and all claims that may or might arise under the Workman's Compensation Act on behalf of any said employees while so engaged, and any and all claims made by any third party as a consequence of any negligent act or omission on the part of the Consultant or its employees while so engaged in any of the work or services provided herein shall be the sole obligation of the Consultant.

III.6 **INDEMNITY.**

a. The Consultant will at all times indemnify and hold harmless and defend the City, its elected officials, officers, employees, agents and representatives, from and against any and all lawsuits, damages, costs, charges, expenses, judgments and liabilities, including attorney's fees (including attorney's fees in establishing indemnification), collectively referred to herein as "losses" resulting from, arising out of, or related to one or more claims arising out of negligent acts, errors, or omissions of the Consultant in performance of Consultant's professional services under this agreement. The term "claims" as used herein shall mean all claims, lawsuits, causes of action, and other legal actions and proceedings of whatsoever nature, involving bodily or personal injury or death of any person or damage to any property including, but not limited to, persons employed by the City, the Consultant or other person and all property owned or claimed by the City, the Consultant, or affiliate of the Consultant, or any other person.

b. Should a court of competent jurisdiction determine that this agreement is subject to RCW 4.24.115, then, in the event of liability for damaging arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Consultant and the City, its members, officers, employees and agents, the Consultant's liability to the City, by way of

indemnification, shall be only to the extent of the Consultant's negligence.

c. The provisions of this section shall survive the expiration or termination of this agreement.

### III.7 **INSURANCE.**

a. **Minimum Limits of Insurance.** The Consultant shall, before commencing work under this agreement, file with the City certificates of insurance coverage to be kept in force continuously during this agreement, and during all work performed pursuant to all short form agreements, in a form acceptable to the City. Said certificates shall name the City as an additional named insured with respect to all coverages except professional liability insurance. The minimum insurance requirements shall be as follows:

(1) Comprehensive General Liability. \$1,000,000 combined single limit per occurrence for bodily injury personal injury and property damage; damage, \$2,000,000 general aggregate;

(2) Automobile Liability. \$300,000 combined single limit per accident for bodily injury and property damage;

(3) Workers' Compensation. Workers' compensation limits as required by the Workers' Compensation Act of Washington;

(4) Consultant's Errors and Omissions Liability. \$1,000,000 per occurrence and as an annual aggregate.

b. **Endorsement.** Each insurance policy shall be endorsed to state that coverage shall not be suspended, voiced, canceled, reduced in coverage or in limits except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to the City.

c. **Acceptability of Insurers.** Insurance to be provided by Consultant shall be with a Bests rating of no less than A:VII, or if not rated by Bests, with minimum surpluses the equivalent of Bests' VII rating.

d. **Verification of Coverage.** In signing this agreement, the Consultant is acknowledging and representing that required insurance is active and current.

### III.8 **DISCRIMINATION PROHIBITED AND COMPLIANCE WITH EQUAL OPPORTUNITY LEGISLATION.** The Consultant agrees to comply

with equal opportunity employment and not to discriminate against client, employee, or applicant for employment or for services because of race, creed, color, religion, national origin, marital status, sex, age or handicap except for a bona fide occupational qualification with regard, but not limited to, the following: employment upgrading; demotion or transfer; recruitment or any recruitment advertising; layoff or terminations; rates of pay or other forms of compensation; selection for training, rendition of services. The Consultant further agrees to maintain (as appropriate) notices, posted in conspicuous places, setting forth the provisions of this nondiscrimination clause. The Consultant understands and agrees that if it violates this nondiscrimination provision, this agreement may be terminated by the City, and further that the Consultant will be barred from performing any services for the City now or in the future, unless a showing is made satisfactory to the City that discriminatory practices have been terminated and that recurrence of such action is unlikely.

III.9 **UNFAIR EMPLOYMENT PRACTICES.** During the performance of this agreement, the Consultant agrees to comply with RCW 49.60.180, prohibiting unfair employment practices.

III.10 **AFFIRMATIVE ACTION.** Affirmative action shall be implemented by the Consultant to ensure that applicants for employment and all employees are treated without regard to race, creed, color, sex, age, marital status, national origin or the presence of any sensory, mental or physical handicap, unless based on a bona fide occupational qualification. The Consultant agrees to take affirmative action to ensure that all of its employees and agent adhere to this provision.

III.11 **LEGAL RELATIONS.** The Consultant shall comply with all federal, state and local laws and ordinances applicable to work to be done under this agreement. This contract shall be interpreted and construed in accordance with the laws of Washington. Venue for any action commenced relating to the interpretation, breach or enforcement of this agreement shall be in Snohomish County Superior Court.

III.12 **INDEPENDENT CONTRACTOR.** The Consultant's relation to the City shall at all times be as an independent contractor.

III.13 **CONFLICTS OF INTEREST.** While this is a non-exclusive agreement the Consultant agrees to and will notify the City of any potential conflicts of interest in Consultant's client base and will seek and obtain written permission from the City prior to providing services to third parties where a conflict of interest is apparent. If a conflict is irreconcilable, the City reserves the right to terminate this agreement.

III.14 **CITY CONFIDENCES.** The Consultant agrees to and will keep in strict confidence, and will not disclose, communicate or advertise to third parties without specific prior

written consent from the City in each instance, the confidences of the City or any information regarding the City or services provided to the City.

#### **ARTICLE IV. OBLIGATIONS OF THE CITY**

IV.1 **PAYMENTS.** The Consultant shall be paid by the City for completed work for services rendered under this agreement and as detailed in the scope of services as provided hereinafter. Such payment shall be full compensation for work performed or services rendered and for all labor, materials, supplies, equipment and incidentals necessary to complete the work. Payment shall be on a time and expense basis, provided, however, in no event shall total payment under this agreement exceed **\$71,526.00**. In the event the City elects to expand the scope of services from that set forth in **Exhibit A**, the City shall pay Consultant an additional amount based on a time and expense basis, based upon Consultant's current schedule of hourly rates.

a. Invoices shall be submitted by the Consultant to the City for payment pursuant to the terms of the scope of services. The invoice will state the time expended, the hourly rate, a detailed description of the work performed, and the expenses incurred during the preceding month. Invoices must be submitted by the 20th day of the month to be paid by the 15th day of the next calendar month.

b. The City will pay timely submitted and approved invoices received before the 20th of each month within thirty (30) days of receipt.

IV.2 **CITY APPROVAL.** Notwithstanding the Consultant's status as an independent contractor, results of the work performed pursuant to this contract must meet the approval of the City, which shall not be unreasonably withheld if work has been completed in compliance with the scope of work and City requirements.

#### **ARTICLE V. GENERAL**

V.1 **NOTICES.** Notices to the City shall be sent to the following address:

CITY OF MARYSVILLE  
ATTN: **Patrick Gruenhagen**  
80 Columbia Avenue  
MARYSVILLE, WA 98270

Notices to the Consultant shall be sent to the following address:



**Materials Testing & Consulting, Inc.**  
**777 Chrysler Drive**  
**Burlington, WA 98233**

Receipt of any notice shall be deemed effective three (3) days after deposit of written notice in the U.S. mail with proper postage and address.

V.2 **TERMINATION.** The right is reserved by the City to terminate this agreement in whole or in part at any time upon ten (10) days' written notice to the Consultant.

If this agreement is terminated in its entirety by the City for its convenience, a final payment shall be made to the Consultant which, when added to any payments previously made, shall total the actual costs plus the same percentage of the fixed fee as the work completed at the time of termination applied to the total work required for the project.

V.3 **DISPUTES.** The parties agree that, following reasonable attempts at negotiation and compromise, any unresolved dispute arising under this contract may be resolved by a mutually agreed-upon alternative dispute resolution of arbitration or mediation.

V.4 **NONWAIVER.** Waiver by the City of any provision of this agreement or any time limitation provided for in this agreement shall not constitute a waiver of any other provision.

DATED this \_\_\_\_\_ day of June, 2011.

CITY OF MARYSVILLE

By \_\_\_\_\_  
Jon Nehring, Mayor

Materials Testing & Consulting, Inc., CONSULTANT

By \_\_\_\_\_  
*Lerru Hackett*

Approved as to form:

\_\_\_\_\_  
GRANT K. WEED, City Attorney



# Materials Testing & Consulting, Inc.

Geotechnical Engineering • Materials Testing • Special Inspection • Environmental Consulting



Hand Deliver to office

Tuesday, May 17, 2011

EXHIBIT "A"

Patrick L. Gruenhagen  
City of Marysville Public Works / Engineering Division  
80 Columbia Avenue  
Marysville, Washington 98270

**RE: Scope of work for Testing and Inspection Services**  
*Lakewood Triangle Access/156th Street Overcrossing Project, City of Marysville, WA*

Dear Mr. Gruenhagen,

Enclosed you will find our estimate for your project. The scope of work is for testing and inspection services in accordance with 2010 WSDOT Standard Specifications and Plans and the direction of the City of Marysville (*Owner*):

1. Soils Inspection
  - a. **Site Work**
    - i. In-Place Density Testing, sampling and laboratory analysis of aggregate. *240 Hours*
    - ii. Proof rolling. *40 Hours*
    - iii. Geotechnical observation for project items - *84 Hours*
    - iv. Structural earth wall observation
    - v. Subsurface utility trench backfill monitoring and testing
  - b. **Overtime and material testing**
    - i. We have budgeted 40 hours of overtime to the estimate. The material acceptance for soils is included in the tests for the soils that are listed on the estimate.
2. Asphalt Inspection
  - a. **Bituminous Paving**
    - i. In-Place Density Testing. *56 Hours and a budget of 14 hours overtime*
  - b. **Bituminous Paving – Lab Work and Material sampling**
    - i. The material acceptance for asphalt is included in the tests for the asphalt that are listed on the estimate
3. Concrete Inspection
  - a. **Drilled Shaft Operation**
    - i. Inspection of Rebar and material acceptance for concrete pours. *112 Hours*
  - b. **Concrete Column and Abutment Wall Operation**
    - i. Inspection of Rebar and material acceptance for concrete pours. *128 Hours*

Corporate ~ 777 Chrysler Drive • Burlington, WA 98233 • Phone (360) 755-1990 • Fax (360) 755-1980  
NW Region ~ 2126 East Bakerview Rd., Suite #101 • Bellingham, WA 98226 • Phone (360) 647-6061 • Fax (360) 647-8111  
SW Region ~ 2118 Black Lake Blvd. SW • Olympia, WA 98517 • Phone (360) 534-7777 • Fax (360) 534-7779

Visit our website: [www.mtc-inc.net](http://www.mtc-inc.net)

# Materials Testing & Consulting, Inc.

Geotechnical Engineering • Materials Testing • Special Inspection • Environmental Consulting



- c. Bridge Substructure Operation*
  - i. Inspection of Rebar and material acceptance for concrete pours. 32 Hours
- d. Bridge Girder Operation*
  - i. Precast facility inspection. 8 Hours
- e. Bridge Deck Operation*
  - i. Inspection of Rebar and material acceptance for concrete pours. 56 Hours
- f. Bridge approach slabs, Concrete barrier and Miscellaneous pours*
  - i. Inspection of Rebar and material acceptance for concrete pours. 40 Hours
- g. Site Work Concrete – Curb & Gutter, Sidewalk, Driveway*
  - i. Inspection of Rebar and material acceptance for concrete pours. 4 Hours
- h. Overtime and material testing*
  - i. We have budgeted 56 hours of overtime to the estimate. We will cast and break 2 cylinders per set when we are performing material acceptance testing for Ready-Mix concrete.

#### 4. Project Management

- a.* We have budgeted 55 hours to the estimate. This is for construction meetings, report review and distribution by Digital Paper Route (DPR). Deficient item and budget tracking also via Digital Paper Route (DPR)

Thank you,

A handwritten signature in black ink, appearing to read 'M. Craig', is positioned below the 'Thank you,' text.

**Michael C. Craig**

*Regional Quality Manager*

Materials Testing & Consulting, Inc. (MTC)

Office (360) 755-1990

[michael.craig@mtc-inc.net](mailto:michael.craig@mtc-inc.net)

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- ▶ SW Region - 2118 Black Lake Blvd. S.W., Olympia WA 98532 phone 360-534-9777 fax 360-534-9779



Budget Estimate For: *City of Marysville Public Works / Engineering Division*

Project Name: *Marysville's Lakewood Triangle Access 156th Street Overcrossing Project*

Location: *Marysville, Washington*

**Budget Estimate Proposal for Services**

Prepared: *Tuesday, May 17, 2011*

<input checked="" type="checkbox"/> Earthwork ~ Soils						
Inspection and Lab Work	Budget Assumptions		Units	Hrs./Qty.	Rate	Cost
	Days	Hours "Per Day"				
IN-PLACE DENSITY TESTING - Soils: Site Grading	60	4	Hours	240	\$48.00	\$11,520.00
VISUAL SOILS - Subgrade Proof Roll	10	4	Hours	40	\$48.00	\$1,920.00
IN-PLACE DENSITY TESTING - Asphalt: Bituminous Paving	7	8	Hours	56	\$48.00	\$2,688.00
IN-PLACE DENSITY TESTING - Asphalt: Bituminous Paving (Overtime)	7	2	Hours	14	\$72.00	\$1,008.00
SOILS INSPECTION - Overtime Items	6	8	Hours	48	\$72.00	\$3,456.00
GEOTECHNICAL CONSULTING - Drilled Shafts	8	8	Hours	64	\$85.00	\$5,440.00
PROFESSIONAL ENGINEER - Drilled Shafts	10	2	Hours	20	\$125.00	\$2,500.00
Asphalt Extraction with Gradation (ASTM D 6307)			Each	9	\$200.00	\$1,800.00
Uncompacted Void Content			Each	5	\$80.00	\$400.00
Fracture Percentage			Each	10	\$60.00	\$600.00
Moisture Density Relationship with Sieve (Proctor)			Each	5	\$200.00	\$1,000.00
Rice Density			Each	7	\$65.00	\$455.00
Sand Equivalent			Each	41	\$75.00	\$3,075.00
Sieve Analysis with #200 Wash (Combined Gradation)			Each	35	\$90.00	\$3,150.00
<b>Earthwork ~ Soils - Subtotal:</b>						<b>\$39,012.00</b>

<input checked="" type="checkbox"/> Cast-In-Place Concrete - Including inspection of all reinforcement, pour observations, concrete sampling, and sample pick-up						
Inspection and Lab Work	Budget Assumptions		Units	Hrs./Qty	Rate	Cost
	Days	Hours "Per Day"				
CONCRETE POURS - Drilled Shafts - Inspection	8	8	Hours	64	\$48.00	\$3,072.00
CONCRETE POURS - Drilled Shafts - Material Acceptance	8	6	Hours	48	\$48.00	\$2,304.00
CONCRETE POURS - Columns - Pier #2 & Pier #3	4	8	Hours	32	\$48.00	\$1,536.00
CONCRETE POURS - Column Caps - Pier #2 & Pier #3	4	8	Hours	32	\$48.00	\$1,536.00
CONCRETE POURS - Abutment Walls - Pier #1 & Pier #4	4	8	Hours	32	\$48.00	\$1,536.00
CONCRETE POURS - Abutment Walls - Wing Walls, Miscellaneous Items	4	8	Hours	32	\$48.00	\$1,536.00
CONCRETE POURS - Sub Structure Pours - Diaphragms, Miscellaneous Items	3	8	Hours	24	\$48.00	\$1,152.00
PRECAST INSPECTION - Bridge Girders - Precast Facility	1	8	Hours	8	\$48.00	\$384.00
CONCRETE POURS - Bridge Deck Concrete Pour - Material Acceptance	4	8	Hours	32	\$48.00	\$1,536.00
CONCRETE POURS - Bridge Deck Concrete Pour - Pour Watch	3	8	Hours	24	\$48.00	\$1,152.00
CONCRETE POURS - Concrete Barrier, Bridge Sidewalks	4	8	Hours	32	\$48.00	\$1,536.00
CONCRETE POURS - Bridge Approach Slabs	2	4	Hours	8	\$48.00	\$384.00
CONCRETE POURS - Grout Girders	1	8	Hours	8	\$48.00	\$384.00
CONCRETE INSPECTION - Overtime Items	7	8	Hours	56	\$72.00	\$4,032.00
CONCRETE POURS - CIP Concrete Sidewalk, Driveway, Curb & Gutter	1	4	Hours	4	\$48.00	\$192.00
Concrete Compression Test Cylinders (4"x8")		4 Cylinders Per "Set"	Each	316	\$18.00	\$5,688.00
Grout Compressive Strength Test		3 Samples Per "Set"	Each	3	\$18.00	\$54.00
<b>Cast-In-Place Concrete - Subtotal:</b>						<b>\$28,014.00</b>

<input checked="" type="checkbox"/> Misc. Services & Fees						
Service or Fee	Units	Hrs./Qty	Rate	Cost		
Project Management	Hours	60	\$75.00	\$4,500.00		
Digital report production and distribution			No Charge	No Charge		
Mileage and travel (No Charge)	Round Trip		No Charge	No Charge		
<b>Misc. Services &amp; Fees - Subtotal:</b>						<b>\$4,500.00</b>

**Budget Estimate & Proposal for Services - Total: \$71,526.00**

The Total is only an estimate. Extra time for meetings, consultations, re-inspections, added inspections, standby time and applicable overtime, etc. that is not listed in this estimate, although required and/or requested, will be billed as an additional charge to the Total, and in accordance with the applicable fee schedule. Proposal valid 90 days from issue.

Prepared by MTC, Inc.  
**Michael C. Craig**, Regional Quality Manager  
 Printed Name and Title

Accepted for Client

Client's Authorized Representative Signature and Date

# Materials Testing & Consulting, Inc.

Geotechnical Engineering & Consulting • Special Inspection • Materials Testing • Environmental Consulting



**Project Owner:** City of Marysville Public Works / Engineering Division  
**Exhibit A - Schedule of Charges**

**Project Name:** Marysville's Lakewood Triangle Access 156th Street Overcrossing Project  
**Date of Issue:** Friday, May 13, 2011

ENGINEERING & CIVIL INSPECTION / CONSULTING	Unit	Rate
Professional Engineer	hour	\$125.00
Staff Engineer	hour	\$85.00
Geotechnical Consulting	hour	\$85.00
CESCL Services / Turbidity and/or pH Monitoring	hour	\$65.00
Technician - Soils & Asphalt	hour	\$48.00

MATERIALS TESTING SERVICES	Unit	Rate
<b>LABORATORY TESTING FOR EARTHWORK &amp; ASPHALT</b>		
% Passing # 200 Sieve	each	\$50.00
Asphalt Extraction with Gradation (ASTM D 6307)	each	\$200.00
Asphalt Thickness – Minimum 3 cores	each	\$20.00
Atterberg Limits - 1 point	each	\$60.00
Atterberg Limits - 3 points	each	\$130.00
Bulk Specific Gravity – Minimum 3 cores	each	\$40.00
California Bearing Ratio 3-point	each	\$550.00
Clay Lumps and Friable Particles	each	\$75.00
Durability Index	each	\$180.00
Effect of Water on Cohesion of Compacted Mixes	each	\$255.00
Flat/Elongated Particles	each	\$70.00
Fracture Percentage	each	\$60.00
Hydrometer Analysis (includes sieve analysis)	each	\$155.00
In-Field Infiltration Rate	hour	\$85.00
In-Place Density (Sand Cone)	each	\$25.00
Marshall Stability & Flow, 3 specimens	each	\$300.00
Mix Design Marshall Method, 3 trials & specimens	each	\$1,300.00
Moisture Density Relationship with Sieve (Proctor)	each	\$200.00
Natural Moisture Content	each	\$20.00
Nuclear Densometer - Daily Charge	each	\$0.00
Organic Content	each	\$60.00
Organic Impurities	each	\$65.00
Relative Density	each	\$355.00
Rice Density	each	\$65.00
Sand Equivalent	each	\$75.00
Sieve Analysis – Dry Only (Gradation)	each	\$70.00
Sieve Analysis with #200 Wash (Combined Gradation)	each	\$90.00
Specific Gravity and Absorption – Coarse Aggregate	each	\$50.00
Specific Gravity and Absorption – Fine Aggregate	each	\$90.00
Specific Gravity of Soils	each	\$65.00
Sulfate Soundness	each	\$750.00
Uncompacted Void Content	each	\$80.00
Unconfined Compression - Intact Rock Cores	each	\$65.00
Unit Weight & Voids	each	\$40.00
Visual Classification	each	\$20.00
Soils-Cement Mix Design	quoted per project	

<b>ENVIRONMENTAL CONSULTING</b>	<b>Unit</b>	<b>Rate</b>
Environmental Site Assessment Phase I	quoted per project	
Environmental Site Assessment Phase II	quoted per project	

<b>SPECIAL INSPECTION &amp; CONSTRUCTION OBSERVATION</b>	<b>Unit</b>	<b>Rate</b>
A.W.S. Certified Welding Inspector (CWI)	hour	\$75.00
Anchor bolt pull testing - one-man crew	hour	\$75.00
Coring Services	hour	\$75.00
Floor Flatness and Floor Levelness	hour	\$85.00
Laboratory Technician	hour	\$50.00
Non-Destructive, Ultrasonic & Mag-Particle Testing	hour	\$80.00
Pachometer Testing (reinforcing steel locate)	hour	\$75.00
Project Manager	hour	\$75.00
Schmidt Hammer	hour	\$75.00
Special Inspector (All other <i>Except Structural Steel</i> ):	hour	\$48.00
Special Inspector (Structural Steel):	hour	\$55.00
Technical Director	hour	\$85.00
Commercial Building Inspector Plumbing Inspection – Electrical Inspection – Plans Examiner	quoted per project	

<b>MATERIALS TESTING SERVICES</b>	<b>Unit</b>	<b>Rate</b>
<b>LABORATORY TESTING FOR SPECIAL &amp; CONSTRUCTION INSPECTION</b>		
2 x 2 Mortar Cubes	each	\$18.00
Air Density of Concrete	each	\$40.00
Cohesion / Adhesion Tests	each	\$30.00
Concrete Compression Strength Test Sawed Section	each	\$55.00
Concrete Compression Test Cylinders (4"x8")	each	\$18.00
Concrete Compression Test Cylinders (6"x12")	each	\$20.00
Concrete Compression Test Cylinders (not cast by MTC)	each	\$30.00
Concrete Core Thickness	each	\$20.00
Concrete Shrinkage (minimum 3 samples)	each	\$100.00
Core Compression Test	each	\$20.00
Flexural Beams	each	\$40.00
Grout Compressive Strength Test	each	\$18.00
Masonry Compressive Strength Prisms	each	\$90.00
Masonry Units	each	\$90.00
Moisture Emission	each	\$60.00
Mortar Compressive Strength	each	\$18.00
Set Times, Initial and Final	hour	\$70.00
Shotcrete Compression Test (1-Panel includes 3-Cores)	each	\$200.00
Shotcrete Cores - Additional	each	\$85.00
Spray-Applied Fire Resistive Materials Density	each	\$60.00
Trimming Cores/Cylinders (not cast by MTC)	each	\$15.00
Unit Weight and Yield	each	\$30.00
Void and Density of Hardened Concrete	each	\$70.00
Trial Batch - 6 Cylinders	quoted per project	
<b>EQUIPMENT &amp; MISCELLANEOUS</b>		
Same-Day Inspection Service	hour	\$50.00
Third Party Rentals and/or Support Services	cost + 15 %	
Nuclear Densometer – Daily Equipment Charge	daily	\$0.00
Dynamic Cone Penetrometer – Daily Equipment Charge	daily	\$20.00
Dynamic Cone Penetrometer Drive Points	each	\$10.00
Turbidity Meter - Daily Equipment Charge	daily	\$20.00

Cylinder Mold (when not cast by MTC)	each	\$3.50
Core Bit Wear Charge	inch	\$3.50
Final Letter for Occupancy	hour	\$75.00
Additional photocopy	page	\$0.18
Mileage (portal to portal) - No Charge to Project Site, <i>for remote construction only</i>	mile	\$0.51

**GENERAL CONDITIONS**

1. MTC's standard hours of straight time operation begin at 7:00 AM and end at 4:00 PM, Monday thru Friday, with the exception of holidays and weekends. Overtime rates of 1.5 times the applicable straight-time rate will be billed for any work performed outside straight time operational hours, night work, work in excess of 8-straight-time hours per day; and Saturday work. Double-time rates are 2-times the applicable straight-time rate and will be billed for any work performed on Sundays and / or holidays.

2. Scheduling inspections must occur by 4:00 PM on the business-day preceding the request. All services are billed portal to portal from MTC's respective lab, with a **4-hour** minimum; night shifts shall incur an 8-hour minimum charge per call. Engineering services are subject to a two 2-hour minimum for "in-house" work, and a 4-hour minimum for field work. A standard show-up for services or cancellation will be billed a minimum of 2-hours at the applicable service rate; a show-up or cancellation without 4-hours notice is subject to a 4-hour minimum charge plus applicable mileage and travel (resident/full time projects excluded). Due to fluctuations in the price of gasoline an additional fuel surcharge may apply.

3. Remote jobs shall incur additional charges for subsistence in accordance with the Washington State Administrative and Accounting Manual (SAAM), and will be billed to the Client at cost + 15%; Project Management charges will be billed when applicable. "Rush" laboratory testing (turnaround less than 48-hours) will be billed at 1½ times the applicable straight-time laboratory rate. All samples will be disposed of one week after testing. Failing tests will be retained for 30-days. Laboratory testing does not include pickup and/ or delivery of samples to MTC's respective laboratory.

4. MTC maintains General Liability Insurance for bodily injury and property damage with an aggregate limit of \$1,000,000 per occurrence as well as professional errors and omissions insurance and will furnish certificates evidencing such insurance upon request. If Client requires insurance in excess of MTC's standard, and if such insurance is procurable, Client agrees to pay a minimum fee of \$250.00 for an Additional Insured Endorsement, and any additional fees plus 15% incurred by MTC to fulfill Clients request for such insurance.

5. Comprehensive cost estimates and pricing are available upon request and may vary from this Exhibit A - Schedule of Charges. Scheduling and sequencing of a construction project are controlled by individuals and organizations not owned or operated by MTC, therefore if an Estimate of Fees is generated, it shall not guarantee a maximum cost to complete the services required and or requested to complete the construction project. The quantities included in our Estimate of Fees are based on construction documents and schedules made available to MTC at the time of the proposal.

6. The rates as stated in this Exhibit A - Schedule of Charges are applicable through the last day of the calendar year issued, unless otherwise contracted. The Terms and Conditions as outlined in the General Conditions for Construction Materials Engineering & Testing Services Agreement are incorporated herein by reference.

7. MTC will not issue a final inspection letter until all outstanding invoices for that project have been paid.

8. All designs, drawings, specifications, notes, data, sample materials (exclusive of hazardous substances), report reproducible and other work developed by MTC are instruments of service and as such remain the property of MTC.

**CITY OF MARYSVILLE AGENDA BILL**

**EXECUTIVE SUMMARY FOR ACTION**

**CITY COUNCIL MEETING DATE: 6/13/2011**

AGENDA ITEM: Approval of Special Event Permit Application; The Village Restaurant	
PREPARED BY: Carol Mulligan DEPARTMENT: Community Development	DIRECTOR APPROVAL:
ATTACHMENTS: 1. Copy of Special Event Permit Application including Site Plans. 2. Copy of Certificate of Liability Insurance Naming the City as Co-Insured. 3. MMC 5.46.	
BUDGET CODE:	AMOUNT:

**SUMMARY:**

The Village Restaurant (220 Ash Avenue) has submitted an application to obtain a special event permit to conduct an outdoor beer garden during the Marysville Strawberry Festival weekend of June 17 – June 18, 2011. The applicant is proposing the use of their parking lot located east of the restaurant and north of the hotel for this purpose, while utilizing additional parking spaces located to the west of both the restaurant and hotel. There is also additional street parking available.

Additionally, the applicant has stated that they have obtained all necessary approvals and licenses from both the Snohomish County Health District and the Washington State Liquor Control Board. Finally, as required by the Washington State Liquor Control Board, a temporary fence will enclose the outdoor area from the general public. The Community Development Staff has reviewed all related department comments and determined that this application has been submitted in its entirety and to the satisfaction of all said departments.

<b>RECOMMENDED ACTION:</b> The Community Development Staff recommends City Council approve the application for The Village Restaurant to conduct a special event as described above from June 17 - 18, 2011.
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City of Marysville  
 80 Columbia Avenue  
 Marysville, WA 98270  
 (360) 363-8100

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

NAME OF SPONSORING ORGANIZATION AND/OR INDIVIDUAL REPRESENTATIVE:

The Village Restaurant

ADDRESS: 220 Ash Ave, Marysville, WA 98270

TELEPHONE NUMBER: 360-654-2305 Paul - 425.330.8303

PURPOSE OF EVENT: Beer garden in one portion of our parking lot during Strawberry Festival

INSURANCE COMPANY: Farmer's  
*(Please attach a copy of Proof of Insurance naming the City of Marysville as co-insured.)*

PROPOSED DATE OF EVENT: June 17<sup>th</sup> 11<sup>th</sup>

LOCATION: our parking lot

HOURS OF OPERATION: Fri 4pm - 11pm Sat 1pm - 11pm

SCHEDULE OF EVENTS: \_\_\_\_\_

ESTIMATED ATTENDANCE: 50 ppl

SPECIAL FACILITY REQUIREMENTS: barcade around area

CITY ASSISTANCE REQUIRED: none

Received

MAY 17 2011

*Alvin Olsen*

5/17/11

City of Marysville  
 Community Development

SIGNATURE OF APPLICANT

DATE

**FOR INTERNAL USE ONLY**

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

specialeventapp/rev.08.17.01



# Marysville, WA

48.05969 -122.176923

Directions Save Send  
Not what you wanted?

Marysville is a city in Snohomish County, Washington, United States. The population was 25,315 at the 2000 census. Marysville is known as "The Strawberry City" due to the large number of strawberry farms that...  
[Open Wikipedia article](#)

## NEARBY

- Restaurants
- Bars, Grills & Pubs
- Malls & Shopping Centers
- More



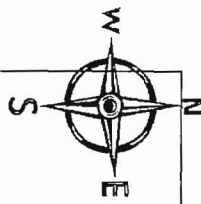
Done

Received

MAY 17 2011

City of Marysville  
Community Development

Ash Avenue



Parking Lot

Exit

Alley

Restaurant

3rd

Exit

Parking Lot

Beer Garden

Beach Street

MID-CENTURY INSURANCE COMPANY

MEMBERS OF THE FARMERS INSURANCE GROUP OF COMPANIES  
HOME OFFICE: 4660 WILSHIRE BLVD., LOS ANGELES, CALIFORNIA 90010

**POLICY DECLARATIONS**

1. RESTAURANTS - PRIMARY

Named - VILLAGE RESTAURANT, THE	CY16122	
Insured - SEE E0002	Acct. No.	Prod. Count
Mailing - 220 ASH AVE	79-07-327	60488-23-37
Address - MARYSVILLE WA 98270-4920	Agent No.	Policy Number

The named insured is an individual unless otherwise stated:

Partnership  Corporation  Joint Venture  Organization (Any other)

Type of Business RESTAURANT

2. Policy Period from 02/09/11 (not prior to time applied for) to 02/09/12 12:01 a.m. Standard Time

If this policy replaces other coverage that ends at noon standard time of the same day this policy begins, this policy will not take effect until the other coverage ends. **This policy will continue for successive policy periods as follows:** If we elect to continue this insurance, we will renew this policy if you pay the required renewal premium for each successive policy period subject to our premiums, rules and forms then in effect.

3. Insured location same as mailing address unless otherwise stated:

4. We provide insurance only for those coverages described below and for which a specific limit of insurance is shown.

**PROPERTY**

**COVERAGES AND LIMITS OF INSURANCE**

COVERAGES	PREM NO. 001 001
BUSINESS PERSONAL PROPERTY	\$400,000
PROPERTY DEDUCTIBLE	\$2,500
ACCOUNTS RECEIVABLE	\$5,000
VALUABLE PAPERS	\$5,000
BACKUP OF SEWER AND DRAIN	\$100
OFF PREMISES PERSONAL PROPERTY	\$5,000
MONEY AND SECURITIES	\$2,500
CRIME DEDUCTIBLE	\$500
OUTDOOR TREES, SHRUBS, PLANTS	\$2,500

Received  
MAY 17 2011  
City of Marysville  
Community Development

Business Income (All Listed Premises) 18 months-Actual Loss Sustained

**ADDITIONAL COVERAGES**

COVERAGE	All Premises





425-360-659-3111

# Commercial Certificate of Insurance



# FARMERS

Agency  
 Name • James Farmer  
 & • 104 Prospect St  
 Address • Bellingham, WA 98225-4402  
 • 360-714-8117

Issue Date (MM/DD/YY) 05/26/2011

This certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not amend, extend or alter the coverage afforded by the policies shown below.

St. 79 Dist. 07 Agent 327

### Companies Providing Coverage:

Insured  
 Name • VILLAGE RESTAURANT, THE  
 & • and/or City Of Marysville, WA  
 Address • 220 ASH AVE  
 • MARYSVILLE, WA 98270

Company A Truck Insurance Exchange  
 Letter  
 Company B Farmers Insurance Exchange  
 Letter  
 Company C Mid-Century Insurance Company  
 Letter  
 Company D \_\_\_\_\_  
 Letter

### Coverages

This is to certify that the policies of insurance listed below have been issued to the insured named above for the policy period indicated. Notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain, the insurance afforded by the policies described herein is subject to all the terms, exclusions and conditions of such policies. Limits shown may have been reduced by paid claims.

Co. Ltr.	Type of Insurance	Policy Number	Policy Effective Date (MM/DD/YY)	Policy Expiration Date (MM/DD/YY)	Policy Limits	
C	General Liability	604882337	02/09/2011	02/09/2012	General Aggregate	\$ 4,000,000
	⊗ Commercial General Liability				Products-Comp/OPS Aggregate	\$ 2,000,000
	⊗ - Occurrence Version				Personal & Advertising Injury	\$ 2,000,000
	Contractual - Incidental Only				Each Occurrence	\$ 2,000,000
	Owners & Contractors Prot.				Fire Damage (Any one fire)	\$ 75,000
					Medical Expense (Any one person)	\$ 5,000
	Automobile Liability				Combined Single Limit	\$
	All Owned Commercial Autos				Bodily Injury (Per person)	\$
	Scheduled Autos				Bodily Injury (Per accident)	\$
	Hired Autos				Property Damage	\$
	Non-Owned Autos				Garage Aggregate	\$
	Garage Liability					
	Umbrella Liability				Limit	\$
	Workers' Compensation and Employers' Liability				Statutory	
					Each Accident	\$
					Disease - Each Employee	\$
					Disease - Policy Limit	\$

### Description of Operations/Vehicles/Restrictions/Special items:

Period of coverage for additional Interest "City of Marysville, WA" June 2011 Strawberry Festival

### Certificate Holder

Name • City of Marysville  
 & • 1049 State Ave  
 Address • Marysville, WA 98270

### Cancellation

Should any of the above described policies be cancelled before the expiration date thereof, the issuing company will endeavor to mail 30 days written notice to the certificate holder named to the left, but failure to mail such notice shall impose no obligation or liability of any kind upon the company, its agents or representatives.

  
 Authorized Representative

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**Chapter 5.46  
SPECIAL EVENTS****Sections:**

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

**5.46.010 Definitions.**

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

**5.46.020 Permit required.**

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

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

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

(b) Funerals and weddings;

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

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

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

(f) Garage sales and rummage sales;

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

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

#### **5.46.030 Permit application.**

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

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

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

#### **5.46.040 Approval.**

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

(1) Approval by City Staff. Administrative approval for one-day events contained on a single site that could involve special parking arrangements and hiring of police officers for crowd control and traffic control. City staff shall include a representative from the police, planning, public works, parks and recreation and city clerk departments.

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

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

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

#### **5.46.050 Fees.**

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

#### **5.46.060 Departmental analysis.**

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

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

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

#### **5.46.070 Insurance required.**

The applicant is required to obtain and present evidence of comprehensive liability insurance naming the city of Marysville as an additional insured for use of streets, public rights of way and publicly owned property such as parks. The insurance requirement is a minimum of \$1,000,000 for individual incidents, \$2,000,000 aggregate, per event, against all claims arising from permits issued pursuant to this chapter. A certificate of insurance shall be required naming the city as an additional insured and indemnifying the city's, its officers, employees and agents from all causes of action, claims or liabilities occurring in connection with the permitted event. In circumstances posing an unusual risk of liability the city may, in its discretion, increase the minimum insurance requirements. (Ord. 2099 § 7, 1996).

#### **5.46.080 Denial of permit.**

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

- (1) The event will disrupt traffic within the city of Marysville beyond practical solution;
- (2) The event will protrude into the public space open to vehicle or pedestrian travel in such a manner as to create a likelihood of endangering the public;
- (3) The event will interfere with access to emergency services;
- (4) The location or time of the special event will cause undue hardship or excessive noise levels to adjacent businesses or residents;
- (5) The event will require the diversion of so many city employees that it would unreasonably affect other city services;
- (6) The application contains incomplete or false information;
- (7) The applicant fails to provide proof of insurance;
- (8) The applicant fails to obtain a city business license and/or fails to pay the special event permit fee;
- (9) The applicant does not meet current zoning requirements;
- (10) The applicant fails to obtain local, county, state and federal permits as required. (Ord. 2099 § 8, 1996).

#### **5.46.090 Appeal.**

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

#### **5.46.100 Sanitation.**



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

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

(2) A special event permit may be issued only after adequate restroom and washroom facilities have been identified and arranged for or obtained by the applicant subject to the Snohomish health district's review and certification process. (Ord. 2099 § 10, 1996).

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**This page of the Marysville Municipal Code is current through Ordinance 2851, passed February 14, 2011.**

Disclaimer: The City Clerk's Office has the official version of the Marysville Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

City Website: <http://www.marysvillewa.gov/>  
City Telephone: (360) 363-8000  
Code Publishing Company

**CITY OF MARYSVILLE AGENDA BILL**

**EXECUTIVE SUMMARY FOR ACTION**

**CITY COUNCIL MEETING DATE: 6/13/2011**

AGENDA ITEM: Approval of Special Event Permit Application; GA Maxwell's	
PREPARED BY: Carol Mulligan DEPARTMENT: Community Development	DIRECTOR APPROVAL:
ATTACHMENTS: 1. Copy of Special Event Permit Application 2. Special Event Proposal. 3. Site Plan. 4. Certificate of Liability Insurance Naming the City as Co-Insured. 5. MMC 5.46.	
BUDGET CODE:	AMOUNT:

**SUMMARY:**

GA Maxwell's (1204 – 3<sup>rd</sup> Street) has submitted an application to obtain a special event permit to allow for an outdoor dining / entertainment area during the Marysville Strawberry Festival weekend of June 17 – June 18, 2011. The applicant is proposing the use of their parking lot located east of the restaurant for this purpose, while utilizing their secondary lot located across the street at 1205 – 3<sup>rd</sup> Street for customer parking. There is also additional street parking available.

Additionally, the applicant has stated that they have obtained all necessary approvals and licenses from both the Snohomish County Health District and the Washington State Liquor Control Board. Finally, as required by the Washington State Liquor Control Board, a temporary fence will enclose the outdoor area from the general public. The Community Development Staff has reviewed all related department comments and determined that this application has been submitted in its entirety and to the satisfaction of all said departments.

**RECOMMENDED ACTION:** The Community Development Staff recommends City Council approve the application for GA Maxwell's to conduct a special event as described above from June 17 - June 18, 2011.



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

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

NAME OF SPONSORING ORGANIZATION AND/OR INDIVIDUAL REPRESENTATIVE:

GA Maxwells

ADDRESS: 1204 3rd St Marysville, WA 98270

TELEPHONE NUMBER: 360-659-1000 - contact Melissa, Rachel or Sheena

PURPOSE OF EVENT: outdoor dining / entertainment

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

PROPOSED DATE OF EVENT: June 17th & 18th

LOCATION: @ GA Maxwells

HOURS OF OPERATION: 4pm - 12am

SCHEDULE OF EVENTS: BBQ, live music

ESTIMATED ATTENDANCE: 50-100 max

SPECIAL FACILITY REQUIREMENTS:

CITY OF MARYSVILLE  
 PUBLIC WORKS &  
 COMMUNITY DEVELOPMENT

CITY ASSISTANCE REQUIRED: N/A

GA Maxwell's

A. Lorraine Anderson

5/4/11

SIGNATURE OF APPLICANT

DATE

FOR INTERNAL USE ONLY

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

Proposal for Special Event  
Permit

Location: GA Maxwell's 1204 3<sup>rd</sup> St.  
Marysville, Wa. 98270

Date: June 17-18<sup>th</sup>, 2011

Event: Strawberry Festival  
Weekend

Purpose: To extend our family  
dining experience outside to our  
parking lot.

Size: See attached diagram.

Hours of Operation: Friday 6/17  
4pm-12pm  
Saturday 6/18 4pm-12pm

Staff: Staff will include 11  
employees daily

Received  
MAY 13 2011  
City of Marysville  
Community Development

**Food service:** Food service will meet all Snohomish county health food requirements.

**Food Plan:** Friday&Saturday  
Oysters on the BBQ, Hot dogs, cheeseburgers, and individual bags of chips.

**Beverage Plan:** Beverages served will meet all Snohomish county health codes and Washington state liquor board requirements and has already been approved by our liquor control agent, Troy McAllister.

**Parking:** Taking away 14 parking stalls from the east side of the building and will have customers park in our north lot, which has 26 stalls. Street parking is also available with 42 stalls located on west & north side of the building.

**Misc. Supplies:** Will include garbage cans, tables, chairs, fencing (per liquor control board

requirements which has already been approved) and hand washing station per health code.

# Marysville, WA

48 05969 -122 176923

Directions Save Send  
Not what you wanted?

Marysville is a city in Snohomish County, Washington, United States. The population was 25,315 at the 2000 census. Marysville is known as "The Strawberry City" due to the large number of strawberry farms that...  
[Open Wikipedia article](#)

## NEARBY

- Restaurants
- Bars, Grills & Pubs
- Malls & Shopping Centers
- More



3RD ST.

--- FENCING

RAMP TO RESTAURANT  
UPSTAIRS

57 FT

RAMP TO  
DOWNSTAIRS

RESTAURANT

BAR

FOOD SERVICE

PROPOSED  
DIAGRAM  
FOR OUTDOOR  
DINING  
(EXISTING PARKING LOT)

BEVERAGE  
TABLE

HAND  
WASH  
STATION

EXISTING  
FIX.

PUMP TO BACK  
OF RESTAURANT

BAND

53 FT

ALLEY

OWNER: TRIVIA TRUCK

Received

MAY 13 2011

City of Marysville  
Community Development



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
**05/16/2011**

<b>PRODUCER</b> Unico Insurance Agency, Inc 19011 Woodinville - Snohomish Road NE Suite 270 Woodinville WA 98072	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.	
<b>INSURED</b>  GA Maxwells 1204 3rd St Marysville WA 98270	<b>INSURERS AFFORDING COVERAGE</b> INSURER A: <b>North Pacific Insurance Company</b> INSURER B: INSURER C: INSURER D: INSURER E:	<b>NAIC #</b>     

**COVERAGES**

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

INSR	ADD'L	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS
X		<b>GENERAL LIABILITY</b> <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY CLAIMS MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> <b>Liquor Liability</b> <input checked="" type="checkbox"/> <b>WA Stop Gap</b> GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	C01174328	09/11/2010	09/11/2011	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (EA occurrence) \$ 300,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
		<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS	City of Marysville Community Development			COMBINED SINGLE LIMIT (EA accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
		<b>GARAGE LIABILITY</b> <input type="checkbox"/> ANY AUTO	City of Marysville Community Development			AUTO ONLY - GA ACCIDENT \$ OTHER THAN AUTO ONLY: EA ACC. \$ AGG \$
		<b>EXCESS / UMBRELLA LIABILITY</b> <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE DEDUCTIBLE RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$
		<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> Y/N ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input type="checkbox"/> (Mandatory in NH) If yes, describe under SPECIAL PROVISIONS below				<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
		OTHER				

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS**  
 City of Marysville is named additional insured as respects their interest in the operations of the named insured to participate in the City of Marysville Strawberry Festival on June 17-18, 2011

<b>CERTIFICATE HOLDER</b>  City of Marysville 1049 State Ave, Suite 201 Marysville, WA 98270	<b>CANCELLATION</b>  SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL <u>45</u> DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES. AUTHORIZED REPRESENTATIVE 
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**IMPORTANT**

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

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

**DISCLAIMER**

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

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**Chapter 5.46  
SPECIAL EVENTS**

## Sections:

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

**5.46.010 Definitions.**

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

**5.46.020 Permit required.**

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

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

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

(b) Funerals and weddings;

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

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

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

(f) Garage sales and rummage sales;

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

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

#### **5.46.030 Permit application.**

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

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

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

#### **5.46.040 Approval.**

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

(1) Approval by City Staff. Administrative approval for one-day events contained on a single site that could involve special parking arrangements and hiring of police officers for crowd control and traffic control. City staff shall include a representative from the police, planning, public works, parks and recreation and city clerk departments.

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

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

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

#### **5.46.050 Fees.**

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

#### **5.46.060 Departmental analysis.**

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

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

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

#### **5.46.070 Insurance required.**

The applicant is required to obtain and present evidence of comprehensive liability insurance naming the city of Marysville as an additional insured for use of streets, public rights of way and publicly owned property such as parks. The insurance requirement is a minimum of \$1,000,000 for individual incidents, \$2,000,000 aggregate, per event, against all claims arising from permits issued pursuant to this chapter. A certificate of insurance shall be required naming the city as an additional insured and indemnifying the city's, its officers, employees and agents from all causes of action, claims or liabilities occurring in connection with the permitted event. In circumstances posing an unusual risk of liability the city may, in its discretion, increase the minimum insurance requirements. (Ord. 2099 § 7, 1996).

#### **5.46.080 Denial of permit.**

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

- (1) The event will disrupt traffic within the city of Marysville beyond practical solution;
- (2) The event will protrude into the public space open to vehicle or pedestrian travel in such a manner as to create a likelihood of endangering the public;
- (3) The event will interfere with access to emergency services;
- (4) The location or time of the special event will cause undue hardship or excessive noise levels to adjacent businesses or residents;
- (5) The event will require the diversion of so many city employees that it would unreasonably affect other city services;
- (6) The application contains incomplete or false information;
- (7) The applicant fails to provide proof of insurance;
- (8) The applicant fails to obtain a city business license and/or fails to pay the special event permit fee;
- (9) The applicant does not meet current zoning requirements;
- (10) The applicant fails to obtain local, county, state and federal permits as required. (Ord. 2099 § 8, 1996).

#### **5.46.090 Appeal.**

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

#### **5.46.100 Sanitation.**

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

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

(2) A special event permit may be issued only after adequate restroom and washroom facilities have been identified and arranged for or obtained by the applicant subject to the Snohomish health district's review and certification process. (Ord. 2099 § 10, 1996).

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**This page of the Marysville Municipal Code is current through Ordinance 2851, passed February 14, 2011.**

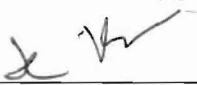
Disclaimer: The City Clerk's Office has the official version of the Marysville Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

City Website: <http://www.marysvillewa.gov/>  
City Telephone: (360) 363-8000  
Code Publishing Company

**CITY OF MARYSVILLE AGENDA BILL**

**EXECUTIVE SUMMARY FOR ACTION**

**CITY COUNCIL MEETING DATE: June 13, 2011**

AGENDA ITEM: Supplement No. 5 to existing professional services agreement with BergerABAM for design services on the Lakewood Triangle Access / 156 <sup>th</sup> Street Overcrossing Project	
PREPARED BY: Patrick Gruenhagen, Project Manager DEPARTMENT: Public Works / Engineering	DIRECTOR APPROVAL: 
ATTACHMENTS: PSA Supplement No. 5, with BergerABAM	
BUDGET CODE: 30500030.563000 R0604	AMOUNT: \$ 314,615.00

**SUMMARY:**

Supplement No. 5 to the City's Professional Services Agreement with BergerABAM will provide the framework for continued involvement by the consultant design team during the construction phase of the City's Lakewood Triangle Access / 156<sup>th</sup> Street Overcrossing Project.

Specific aspects of BergerABAM's supporting role during construction involve assistance in responding to contractor requests for information ("RFI's"), review of technical submittals and shop drawings, and preparation of supporting materials (*design/plan revisions, pricing information*) for contract change orders. In addition, Supplement No. 5 allows for construction phase involvement by BergerABAM's geotechnical sub-consultant, Geoengineers, at key milestones on the project where their expertise could prove useful: notably, during construction of the structural earth walls at the east and west bridge approach embankments and during construction of the drilled shafts. Lastly, this supplement includes budget to allow for "on call," *as needed* involvement by a BergerABAM structural inspector and periodic consultation with the environmental sub-consultant, Widener & Associates, pertaining to enforcement of permit-related erosion and sedimentation control measures during construction.

It is staff's opinion that the negotiated fee of \$299,633.00 is fair. In light of these facts, staff is confident that the City would be well-served by this contract.

In recognition of the inevitability of change on large, complex construction projects such as this, and in order to provide the City flexibility to respond swiftly to change as it may arise, staff also requests approval for a 5% Management Reserve in the amount of \$14,982.00 – to be utilized as circumstances warrant, and only upon prior approval by the Director of Public Works.

**RECOMMENDED ACTION:** Staff recommends that Council authorize the Mayor to sign the enclosed PSA Supplement No. 5 with BergerABAM in the amount of \$299,633.00, and that Council authorize a 5% Management Reserve in the amount of \$14,982.00, for a total allocation of \$314,615.00.



Washington State  
Department of Transportation

<b>Supplemental Agreement No. 5</b>	Organization and Address <b>BergerABAM</b>
Agreement Number	<b>1301 Fifth Avenue, Suite 1200 Seattle, WA 98101-2677</b>
Project Number <b>R-0604</b>	Phone <b>206.357.5616</b>
Project Title <b>Lakewood Triangle Access / 156<sup>th</sup> Street Overcrossing</b>	New Maximum Amount Payable <b>\$ 1,541,011.00</b>
Description of Work Supplement No. 5 to the Agreement establishes the framework by which BergerABAM can provide the City with design support and general assistance during the construction phase of the project. Specific elements of BergerABAM's anticipated role during construction involve assistance in responding to contractor requests for information ("RFI's"), review of technical submittals and shop drawings, and preparation of supporting materials (design/plan revisions, pricing information) for contract change orders. The scope further contemplates involvement by BergerABAM's geotechnical sub-consultant, Geoengineers, at key milestones on the project where their expertise could prove useful, "as needed" involvement by a BergerABAM structural inspector, and environmental support services.	

The Local Agency of the CITY OF MARYSVILLE  
desires to supplement the agreement entered into with BergerABAM  
and executed on October 22, 2007 and identified as Agreement No. N/A.

and Supplemental Agreement No. 1, executed on October 14, 2008 (\$602,489.00)  
and Supplemental Agreement No. 2, executed on May 24, 2010 (\$0)  
and Supplemental Agreement No. 3, executed on December 22, 2010 (\$0)  
and Supplemental Agreement No. 4, executed on April 25, 2011 (\$42,104.00).

All provisions in the basic agreement remain in effect except as expressly modified by this supplement. The changes to the agreement are described as follows:

I

Section IV, TIME FOR BEGINNING AND COMPLETION, is amended to change the number of calendar days for completion of the work to read: Complete all requirements by December 30, 2012.

II

Section V, PAYMENT, shall be amended as follows:

**Inclusive of a Management Reserve of Fourteen Thousand Nine Hundred Eighty Two Dollars (\$14,982.00), the additional services as described in Exhibit A-5, attached, will cause an increase of Three Hundred Fourteen Thousand Six Hundred Fifteen Dollars (\$314,615.00), as set forth in the attached Exhibit E-5 and by this reference made a part of this supplement. The Maximum Amount Payable under this Contract, including Management Reserve, shall be revised to One Million Five Hundred Forty One Thousand and Eleven Dollars (\$1,541,011.00).**

If you concur with this supplement and agree to the changes as stated above, please sign in the appropriate spaces below and return to this office for final action. Dated this \_\_\_\_\_ day of June, 2011.

By: Robert L. Fernandes, Vice President By: Jon Nehring, Mayor

Consultant Signature

Approving Authority Signature



**SUPPLEMENT NO. 5****Scope of Services  
City of Marysville  
156th Overcrossing  
Construction Support Services****Project Description**

The CONSULTANT shall provide engineering support, inspection, and assistance with construction administration for the Lakewood Access/156th Street Bridge project as described below. The project will be constructed by the successful low bidder for the project, hereafter referred to as the CONTRACTOR.

Services to be provided by the CONSULTANT during construction include shop drawing review, submittal review, responses to CONTRACTOR requests for information (RFIs) during construction, and structural inspection of the overcrossing. The CONSULTANT shall also provide periodic site observation services to the City of Marysville, hereafter referred to as the CITY.

**Estimated Level of Effort and Budget Tracking**

The level of effort associated with providing these construction administration services is shown in Exhibit E. The estimated level of effort is based upon the assumptions and task description provided below.

Work shall be performed only as required to complete construction of the project, in consultation with CITY staff. Efforts to complete these tasks can vary from the effort assumed for the preparation of the level of effort shown in Exhibit E. Some budget items may cost more and others may cost less. Budgets for some SUBCONSULTANTS may not be expended and may be used by the CONSULTANT or other SUBCONSULTANTS.

The CONSULTANT shall monitor total costs expended under this agreement and shall notify the CITY when total costs have exceeded 75 percent of the maximum amount payable under this agreement and will subsequently provide the CITY an estimated cost to complete the work. The CONSULTANT will not perform any work in excess of the maximum amount payable without prior written authorization from the CITY.

**Assumptions**

1. The CITY will provide a full time Construction Manager who will be responsible for overall management of the inspection team, as described below, and shall be the primary contact between the CITY and CONTRACTOR with regards to interpreting, and enforcing, the terms of the construction contract.

2. The CONSULTANT shall provide a part-time bridge inspector to assist the CITY's inspection staff and its materials testing/special-inspection consultant, as necessary, with inspection of the bridge overpass and retaining walls during construction.
3. The CITY will provide one full-time roadway inspector to inspect the construction of the east and west approaches to the new overpass. It is understood that the CITY's inspector will assume the role of chief/lead civil/roadway inspector. It is further understood that the CITY's inspector will, under the supervision of the CITY's Construction Manager, maintain general oversight over inspection staffing needs on the project, and particularly the anticipated division of responsibilities between CITY inspection staff and the CONSULTANT-provided bridge inspector. The CITY will strive to provide the CONSULTANT with as much notice as practical for those instances when the CITY anticipates that it may require the assistance of the CONSULTANT-provided bridge inspector.
4. The CONSULTANT shall provide a part-time office engineer to perform periodic reviews/quality assurance of project documentation.
5. The CONSULTANT shall provide technical assistance from members of the project design team to support the CITY in its inspection of the water, sewer, storm drainage, landscaping, geotechnical, signal, and roadway lighting elements of the project, if requested by the CITY.
6. Electrical inspections will be provided by the Washington State Department of Transportation.
7. The CONSULTANT shall provide support to the CITY during its review of RFIs and submittals for project elements designed by the CONSULTANT.
8. Responses to RFIs and submittal review will be prepared within a mutually agreed time frame. To the extent practical, the CITY will endeavor to take the lead in responding to RFIs, although it is assumed that many will require the technical input of the CONSULTANT.
9. The CONSULTANT shall provide design, cost estimating, and CAD drafting support for changes to the project elements designed by the CONSULTANT that the CITY may choose, through circumstance, to administer during construction.
10. Revisions to environmental documents and/or project permits will not be required. (except as expressly described in TASK 6 below)
11. To the extent that the CITY may be presented with notices, "claims," or protests from the CONTRACTOR during construction, and those notices, claims, or protests arise from and/or

are related to the (construction) contract documents, the CONSULTANT agrees to work with the CITY to support its efforts to craft a response, as appropriate, and as deemed necessary by the CITY.

12. The tasks described herein are to be performed by the CONSULTANT on a time-and-materials basis. These tasks have been developed in conjunction with the CITY as a means of estimating the anticipated level of effort that will be required. Accordingly, this work shall be performed only as required to complete construction of the project, in consultation with CITY staff. For the purpose of developing a level of effort estimate, it is assumed that the CONTRACTOR will achieve substantial completion within 18 months after award of the Construction Contract.
13. Contract administration and inspection duties, as described above and in the tasks below, will be provided for an additional three months beyond the substantial completion milestone, if required, to facilitate close out of the project. During this three-month period, the administrative and inspection services will be reduced or be discontinued as the project is completed.

### **TASK 1 – PROJECT ADMINISTRATION & MEETINGS**

The CONSULTANT will attend a preconstruction conference that will include representatives from the CITY, the CONTRACTOR, and all utility agencies affected by the project.

The CONSULTANT's field staff will attend site meetings once every two weeks or less frequently, depending on circumstance and need. The CONSULTANT shall attend other meetings with CITY staff as required for monitoring the CONTRACTOR's workplans, methods, and schedule.

The CONSULTANT shall also prepare monthly invoices for the CONSULTANT's services that include a brief description of services provided during the month. Invoices will be based on the task descriptions contained in this scope of work.

#### **Deliverables**

1. Monthly CONSULTANT invoices and progress reports
2. Input to list of deficiencies (punchlist) if requested
3. One set of all project-related inspection and correspondence at the end of the project (project close out)

### **TASK 2 – REQUESTS FOR INFORMATION (RFI'S) & SUBMITTAL REVIEW**

The CONSULTANT shall support the CITY in its efforts to respond to questions and RFIs by the CONTRACTOR, and shall review submittals. The CONSULTANT shall create and maintain a log of RFIs and submittals — tracking key pieces of information such status (i.e. OPEN, CLOSED, REVISE/RESUBMIT, etc.), "chain of custody," and dates received and returned. It is assumed that up to 100 RFIs will be submitted.

#### **Deliverables**

1. Responses to RFIs in format to be agreed to with the CONTRACTOR
2. RFI and submittal logs are "living documents" and, as such, they shall be updated regularly by the CONSULTANT and made available to the CITY on no less than a weekly basis, for the purposes of distribution by the CITY at the weekly construction progress meeting.
3. Submittals will be returned with comments written directly on the submittal material and/or accompanied by a memo if required
4. A record of telephone conversations will be prepared where required to coordinate the submittal review with the CONTRACTOR

### **TASK 3 – CHANGE ORDERS**

If requested by the CITY, the CONSULTANT shall evaluate change order requests and provide revised plans and specifications, as required, to execute agreed changes.

An allowance for assistance with change orders has been provided with the fee estimate. It is assumed that all change order requests will be successfully negotiated.

**Deliverables**

1. Independent estimate of proposed change orders
2. Revised plans and specifications will be provided if required
3. Change orders will be issued in a format as approved by the CITY

**TASK 4 – STRUCTURAL INSPECTIONS**

The CONSULTANT shall provide one part-time bridge inspector and other specialized structural inspection services on an as-needed basis. Inspectors shall observe the construction work in progress, the placement of materials, and monitor the overall adherence to the Contract Documents. It is assumed that the structural inspector will, on average, be required approximately one half day every two weeks, over a period of twelve (12) months. It is understood that the part-time bridge inspector and other CONSULTANT-provided inspectors shall coordinate with and report all issues of significance to the CITY’s Construction Manager. The CONSULTANT inspectors shall not provide “direction” to the CONTRACTOR. To the extent that “field directives” may be issued to the CONTRACTOR, they shall originate from and be delivered by the CITY.

**Deliverables**

1. Inspector’s Daily Report including Inspector’s Summary of Quantities, to be forwarded to the CITY’s Construction Manager no less than two days after the underlying inspection has occurred
2. Preconstruction photographs and/or videos, periodic photo records during construction, and post-construction project photos (digital photos, minimum resolution of two mega pixels, with dates affixed, and descriptive notes attached, as appropriate)
3. Inspection records, including records of conversation with the CONTRACTOR , WSDOT, and utility company representatives, and a record of field changes for use in preparing record drawings as described below

**TASK 5 – GEOTECHNICAL INSPECTIONS**

The CONSULTANT shall provide geotechnical inspections and construction phase geotechnical consultation services on an as-needed basis.

**Deliverables**

1. Shaft Inspector’s Daily Report for 8 drilled shafts. We assume one full day site visit for each shaft, for a total of eight full days for observing drilled shaft installation.
2. Inspection records and testing results for retaining wall and utility trench subgrades. We assume 8 partial day site visits for evaluating subgrades.

3. Summary letter at the conclusion of geotechnical installations, including our opinion as to whether the geotechnical elements have been constructed in accordance with the intent of the contract.

#### **TASK 6 – ENVIRONMENTAL SERVICES**

The CONSULTANT shall provide environmental inspections and construction phase permit consultation services on an as-needed basis. The CONSULTANT shall coordinate the Biological Assessment updates and provide assistance with Section Seven of the Endangered Species Act with the CITY. The CONSULTANT shall provide construction support for permit coordination based on proposed changes by the CONTRACTOR, and review CONTRACTOR temporary erosion and sedimentation control submittals.

##### **Deliverables**

1. Biological Assessment ESA update reports as required.

#### **TASK 7 – RECORD DRAWINGS & LOAD RATING**

The CONSULTANT shall prepare a set of record drawings for the CITY that reflects field changes (additions, modifications, or deletions) made from the bid drawing set during construction. The record drawing set shall include drawings revised or reissued during construction as a result of change orders and shall include changes resulting from RFI responses. These drawings shall be noted as "Record Drawings" in the drawing revision block, but shall not require seals or signatures of registered professionals. The intent of the record drawing set is to provide the best information available to capture significant field changes, but not necessarily every minor change that may occur.

The consultant shall load rate the bridge in accordance with the WSDOT load rating procedures.

##### **Deliverables**

1. One full-size mylar plan set of final record drawings, and one electronic file set of PDFs.
2. Load rating calculations and copies as required.

### **SERVICES PROVIDED BY THE CITY**

The CITY will provide overall contract management and supervision of the CONSULTANT field team, under the direction of the CITY's Construction Manager.

The CITY shall have primary responsibility for resolving all contractual matters identified by the CONSULTANT, or others, and shall provide final approval for all contract changes and payments.

The CITY shall provide all public notice/involvement services required, including notices regarding the closure of streets and other facilities affected by the project. The CITY shall take the lead in informing appropriate public interest on the progress of the project.

The CITY shall provide construction staking and other survey services if required by the construction administration team to validate the CONTRACTOR's survey or to resolve project issues related to surveying.

The CITY shall contract with WSDOT to provide at a minimum the following.

1. A record of materials (ROM)
2. Provide plant inspection of the prestressed concrete girders
3. Other services as deemed necessary and agreed upon by the CITY and WSDOT

### **EXPENSES**

Direct non-salary costs (expenses) listed in Exhibits E and G are considered billable expenses. The following is a summary of how the expenses will be treated for invoicing purposes.

#### **Computers and Phones**

No actual monthly expenses will be invoiced. The actual cost to purchase the equipment shall not be invoiced.

#### **Vehicles and Mileage**

Travel expenses for part-time and temporary inspection services by BergerABAM and its subconsultants shall be invoiced on the basis of mileage.

**EXHIBIT E-1  
CONSULTANT FEE DETERMINATION**

BergerABAM  
5/17/2011

**DIRECT SALARY COSTS (DSC) for BergerABAM**

<u>Personnel</u>	<u>Hours</u>		<u>Rate</u>		<u>Cost</u>
1 Project Manager	174	X	\$58.94	= \$	10,256
2 Project Engineer	461	X	\$52.08	= \$	24,007
3 Design Engineer	505	X	\$40.02	= \$	20,210
4 Inspector	124	X	\$36.61	= \$	4,540
5 CADD	120	X	\$26.98	= \$	3,238
6 Clerical	119	X	\$27.94	= \$	3,325
<hr/>					
BERGER/ABAM Hours, TOTAL	<b>1,503</b>		Subtotal Direct Salary Costs (DSC) = \$		65,576
Escalation of DSC @ 1.5% per year (assume 2/3 of work done in FY 2012 ) =	<b>2.00%</b>		\$		1,312
			Subtotal (DSC + SE) = \$		66,887
Overhead (OH) <b>155.00%</b>			of (DSC + SE) = \$		<b>103,675</b>
Fixed Fee (FF) <b>30.00%</b>			of (DSC + SE) = \$		<b>20,066</b>
<hr/>					
<b>TOTAL SALARY COSTS (DSC + SE + OH + FF) = \$</b>					<b>190,628</b>

**DIRECT NONSALARY COSTS (DNCS)**

Courier	20 packages @ \$	25.00	\$	500
Mileage	3,000 miles @ \$	0.510	\$	1,530
Miscellaneous Expendables (film, etc)	1 estimate @ \$	2,000	\$	2,000
<hr/>				
<b>TOTAL REIMBURSABLE EXPENSES (DNCS) = \$</b>				<b>4,030</b>

<b>TOTAL BERGER/ABAM FEE (DSC + SE + OH + FF + DNCS) = \$</b>	<b>194,658</b>
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**SUBCONSULTANTS**

Perteet	\$	34,922
GeoEngineers (Geotechnical Inspections)	\$	45,223
Widener and Associates	\$	24,830

<b>TOTAL SUBCONSULTANT FEES = \$</b>	<b>104,975</b>
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<b>TOTAL AUTHORIZED AMOUNT = \$</b>	<b>299,633</b>
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<b>MANAGEMENT RESERVE = \$</b>	<b>14,982</b>
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<b>TOTAL CONTRACT AMOUNT = \$</b>	<b>314,615</b>
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**EXHIBIT E-1  
CONSULTANT FEE DETERMINATION**

Blended Rates  
5/17/2011

Classification	Name	Rate (July 1, 2008 to June 30, 2009)	Percent (%) Participation	Blended Hourly Wage Rate
<b>Project Manager</b>	Bob Fernandes	\$74.52	10%	\$58.94
	Chris Walcott	\$57.21	90%	
<b>Project Engineer</b>	Daryl English	\$52.40	90%	\$52.08
	Ross French	\$49.16	10%	
<b>Design Engineer</b>	Scott Shih	\$48.07	50%	\$40.02
	Brian Bollen	\$31.97	50%	
<b>Inspector</b>	Bob Kohli	\$36.77	95%	\$36.61
	Santiago Aguilar	\$33.65	5%	
<b>CADD</b>	Mark Enos	\$28.00	50%	\$26.98
	Angel Montalvo	\$25.96	50%	
<b>Clerical</b>	Nora Bretana	\$28.49	10%	\$27.94
	Kelly Robinson	\$27.88	90%	

EXHIBIT E-1  
CONSULTANT FEE DETERMINATION

BergerABAM Hours  
5/17/2011

TASK DESCRIPTION	Task No.	Project Manager	Project Engineer	Design Engineer	Inspector	CADD	Clerical	BERGER/ ABAM Totals
<b>TASK 1 - Project Admin &amp; Meetings</b>	<b>1</b>	<b>68</b>	<b>181</b>	<b>39</b>	<b>8</b>	<b>-</b>	<b>115</b>	<b>411</b>
Project Preconstruction Meeting		8	8		8			24
39 Biweekly Site Meetings (2 hrs)			78	39				117
Mobilization & Documentation Set Up.		8	16				16	40
Weekly Document Filing and Maintenance (78 weeks)			39				39	78
Project Close-Out (1 month ramp down)		8	16				16	40
Audits and Follow-Up (2 total) - BY CITY				CITY				-
Subcontracts and Subconsultant Admin		8	24				8	40
Monthly Invoices and Progress Reports		36					36	72
<b>TASK 2 - RFI's &amp; Submittal Review</b>	<b>2</b>	<b>66</b>	<b>188</b>	<b>274</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>528</b>
Drilled Shaft Installation Methods		2	8					10
Cross Hole Sonic Log Test Review		2	4	8				14
Concrete Girder Shop Drawings			8	60				68
Bridge Bearings and Other Hardware			2	16				18
Girder Erection Methods			12	16				28
Formwork and Falsework			4	24				28
Reinforcement Shop Drawings			4	32				36
Metal Bridge Railing			4	8				12
Concrete Mix Design			4					4
Asphalt Mix Design			4	4				8
Aggregate Sources			4	4				8
Structural Earth Wall			8	24				32
Coping Design and Shop Dwg.			4	8				12
Water Line Pipe and Appurtenances				PERTEET				-
Storm Drain Pipe and Structures				PERTEET				-
Impact Attenuator and Other Traffic Items				PERTEET				-
Traffic Control Plans			4	4				8
RFI's (Assume 100)		10	50	50				110
Site Visits (12) for Resolution of Technical Issues		48	48					96
Signal & Illumination Submittals				PERTEET				-
Miscellaneous		4	16	16				36
<b>TASK 3 - Change Orders (Allowance)</b>	<b>3</b>	<b>32</b>	<b>40</b>	<b>80</b>		<b>80</b>		<b>232</b>
<b>TASK 4 - Inspections</b>	<b>4</b>	<b>8</b>	<b>8</b>	<b>-</b>	<b>104</b>	<b>-</b>	<b>-</b>	<b>120</b>
Bridge Inspector (4 hours every 2 weeks for 12 months)					104			104
Inspector Supervision and Coordination		8	8					16
<b>TASK 7 - Record Drawings and Load Rating</b>	<b>6</b>	<b>-</b>	<b>44</b>	<b>112</b>	<b>12</b>	<b>40</b>	<b>4</b>	<b>212</b>
Record Drawing Working Set			16	16				32
Meeting w/ Contractor			8	4				12
ACAD Production of Final Record Drawing Set			12	12	12	40		76
Load Rating			8	80			4	92
<b>TOTAL HOURS</b>		<b>174</b>	<b>461</b>	<b>505</b>	<b>124</b>	<b>120</b>	<b>119</b>	<b>1,503</b>

**EXHIBIT G-1  
SUBCONSULTANT STAFF HOUR ESTIMATE AND FEE DETERMINATION**

**PERTEET**

**DIRECT SALARY COSTS (DSC)**

<u>Personnel</u>	<u>Hours</u>		<u>Rate</u>		<u>Cost</u>
1 Principal	4	X	\$57.00	=	\$228.00
2 Sr. Project Manager	66	X	\$56.20	=	\$3,709.20
3 Project Manager	103	X	\$45.00	=	\$4,635.00
4 Project Engineer	45	X	\$40.90	=	\$1,840.50
5 CADD	24	X	\$34.00	=	\$816.00
6 Clerical	9	X	\$30.45	=	\$274.05

Total Hours **251** Subtotal Direct Salary Costs (DSC) = \$ **11,503**

Salary Escalation (SE) at 1.5%, with 50% of work performed 2011 = \$ **86**

Subtotal (DSC + SE) = \$ **11,589**

Overhead (OH) **162.58%** of (DSC + SE) = \$ **18,841**

Fixed Fee (FF) **30.00%** of (DSC + SE) = \$ **3,477**

**TOTAL SALARY COSTS (DSC + SE + OH + FF) = \$ 33,907**

**DIRECT NONSALARY COSTS (DNSC)**

Mileage	1500	miles @	\$ 0.510	\$	765
Reproduction				\$	250
Per Diem for Meals	0	days	\$ -	\$	-
Field Vehicle	0	days	\$ -	\$	-
Miscellaneous Expendables (photographs, equip rental, etc)				\$	-

**TOTAL REIMBURSABLE EXPENSES (DNSC) = \$ 1,015**

**TOTAL AUTHORIZED AMOUNT = \$ 34,922**

**EXHIBIT G-1  
SUBCONSULTANT STAFF HOUR ESTIMATE AND FEE DETERMINATION**

**GEOENGINEERS**

**DIRECT SALARY COSTS (DSC)**

<u>Personnel</u>	<u>Hours</u>		<u>Rate</u>		<u>Cost</u>
1 Principal	48	X	\$60.00	= \$	2,880
2 Project Engineer	74	X	\$38.00	= \$	2,812
3 Engineer 3	55	X	\$32.00	= \$	1,760
4 Engineer 2	55	X	\$31.00	= \$	1,705
5 Engineer 1	48	X	\$28.00	= \$	1,344
6 Word Processor	8	X	\$24.00	= \$	192
7 Project Assistant	20	X	\$25.00	= \$	500
	<u>308</u>				
Total Hours	<b>308</b>		Subtotal Direct Salary Costs (DSC) = \$		<b>11,193</b>
			Salary Escalation (SE) = \$		-
			Subtotal (DSC + SE) = \$		<b>11,193</b>
Overhead (OH)	<b>211.80%</b>		of (DSC + SE) = \$		<b>23,707</b>
Fixed Fee (FF)	<b>30.00%</b>		of (DSC + SE) = \$		<b>3,358</b>
			<b>TOTAL SALARY COSTS (DSC + SE + OH + FF) = \$</b>		<b>38,258</b>

**DIRECT NONSALARY COSTS (DNSC)**

Mileage	1500	miles @	\$ 0.510	\$	765
Reproduction				\$	200
Per Diem for Meals	0	days	\$ -	\$	-
Field Vehicle		days	\$ -	\$	1,000
Chemical Analysis/Testing				\$	3,000
Miscellaneous Expendables (photographs, equip rental, etc)				\$	2,000
					<u>6,965</u>
			<b>TOTAL REIMBURSABLE EXPENSES (DNSC) = \$</b>		<b>6,965</b>

<b>TOTAL AUTHORIZED AMOUNT = \$ 45,223</b>
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**EXHIBIT G-1  
SUBCONSULTANT STAFF HOUR ESTIMATE AND FEE DETERMINATION**

**WIDENER AND ASSOCIATES**

**BILLING RATES (Includes DSC, OH and FF)**

<u>Personnel</u>	<u>Hours</u>		<u>Rate</u>		<u>Cost</u>
1 Project Manager	158	X	\$51.00	= \$	8,058
2 Project Biologist	<u>24</u>	X	\$31.00	= \$	<u>744</u>
Total Hours		<b>182</b>	Subtotal Direct Salary Costs (DSC) = \$		<b>8,802</b>
			Salary Escalation (SE) = 1.5% for 50% of work performed in 2011 = \$		<b>66</b>
			Subtotal (All labor costs) = \$		<b>8,868</b>
Overhead (OH)	<b>150.00%</b>		of (DSC + SE) = \$		<b>13,302</b>
Fixed Fee (FF)	<b>30.00%</b>		of (DSC + SE) = \$		<b>2,660</b>
<b>TOTAL SALARY COSTS (DSC + SE + OH + FF) = \$</b>					<b>24,830</b>

**DIRECT NONSALARY COSTS (DNSC)**

<b>TOTAL REIMBURSABLE EXPENSES (DNSC) = \$</b>					<b>-</b>
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<b>TOTAL SUBCONSULTANTS FEE (DSC + SE + OH + FF + DNSC) = \$</b>	<b>24,830</b>
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**CITY OF MARYSVILLE AGENDA BILL**

**EXECUTIVE SUMMARY FOR ACTION**

**CITY COUNCIL MEETING DATE: 6/13/2011**

AGENDA ITEM: Washington State Department of Corrections Community Work Crew Agreement	
PREPARED BY: Jim Ballew DEPARTMENT: Parks and Recreation	DIRECTOR APPROVAL:
ATTACHMENTS: Project Renewal Addendum	
BUDGET CODE:	AMOUNT:

**SUMMARY:**

The City has utilized the DOC Community Work Crews since 1999. The attached Project Agreement Addendum provides for renewal of the program and related changes to equipping crews from July 1, 2011 to June 30, 2012.

**RECOMMENDED ACTION:** Staff recommends that Council Authorize the Mayor to sign the Washington State Department of Corrections Project Agreement Addendum for use of the Community Service Crews from July 1, 2011 to June 30, 2012.

WASHINGTON STATE  
DEPARTMENT OF CORRECTIONS

CLASS IV WORK PROJECT DESCRIPTION

Contract Number: CDCI 4592

Employer: CITY OF MARYSVILLE  
Contact: Mike Robinson Telephone: 360-651-5085

Work Project Description: DOC will provide offender work crews who will do general labor for the contractor. Each work crew shall consist of approximately 8 Minimum Custody offenders supervised by a first aid qualified Correctional Officer.

Project Period: July 1, 2011 through June 30, 2012.

Projected Number of Offender Work Crew Hours: Dependent upon work needing to be done. Crews work a 10 hour day from departure of facility and return.

Special Payment Terms:

- A. Inmate crew wages of \$1.10 per hour.
- B. Workers compensation of \$0.3151 per hour worked per offender.
- C. All tools will be provided by employer
- D. Vehicle operating costs charged at the prevailing rate.

Current Washington mileage is \$ 0.51 per mile.

Personal Protective Equipment: Hard hats, goggles, hearing & eye protection & work boots will be provided by DOC.

Equipment/Tools: On July 1, 2011 tools will be supplied solely by the contractor in order to extend the contract further.

Safety Training: Employer will provide job and safety training in compliance with all applicable laws or regulations such as, but not limited to WISHA.

Additional Terms: Crews may be held in for facility need at any time. Crews may be held in or redirected in the event of a natural disaster; i.e. fire, earthquake, or flood. Crews may also be recalled early due to institutional safety and security.

EMPLOYER

DEPARTMENT OF CORRECTIONS

Signature

  
Superintendent

Title

MCC  
Institution


Date

S-17-11  
Date

**CITY OF MARYSVILLE AGENDA BILL**

**EXECUTIVE SUMMARY FOR ACTION**

**CITY COUNCIL MEETING DATE: 6/13/2011**

AGENDA ITEM: Supplemental No. 1 to PSA with FCS Group for appraisal of existing PUD water system in Sunnyside / Whiskey Ridge area	
PREPARED BY: Paul Federspiel DEPARTMENT: Engineering	DIRECTOR APPROVAL: 
ATTACHMENTS: FCS PSA Supplemental	
BUDGET CODE: 40220594.563000	AMOUNT: \$0.00

**SUMMARY:**

The City and FCS Group entered into an Agreement on December 22<sup>nd</sup>, 2010 for an appraisal of the PUD water system in the Sunnyside / Whiskey Ridge area. That Agreement ended on April 30<sup>th</sup>, 2011. Supplemental No. 1 extends the time of performance to July 31<sup>st</sup>, 2011 with no addition to the amount payable.

**RECOMMENDED ACTION:** Staff recommends that Council Authorize the Mayor to sign Supplement No. 1 to the Professional Services Agreement with FCS Group, providing for a no cost extension of the Agreement end date to July 31<sup>st</sup>, 2011.



**SUPPLEMENTAL AGREEMENT NO. 1  
TO  
PROFESSIONAL SERVICES AGREEMENT  
FOR  
CITY OF MARYSVILLE  
AND  
FCS GROUP**

This Supplemental Agreement No. 1 is made and entered into on the \_\_\_\_ day of \_\_\_\_\_, 2011, between the City of Marysville, hereinafter called the "City" and FCS GROUP, hereinafter called the "Consultant."

WITNESSETH THAT:

WHEREAS, the parties hereto have previously entered into an Agreement for providing water system appraisal services, hereinafter called the "Project," said Agreement being dated December 22, 2010; and

WHEREAS, both parties desire to supplement said Agreement, by extending the Time of Performance and leaving the Scope of Services unchanged,

NOW THEREFORE, in consideration of the terms, conditions, covenants and performance contained herein or attached and incorporated, and made a part hereof, the parties hereto agree as follows:

Each and every provision of the Original Agreement for Professional Services dated December 22, 2010, shall remain in full force and effect, except as modified in the following sections:

The Total Amount payable to the Consultant is summarized as follows:

Original Agreement	\$49,530
Supplemental Agreement No.1	\$0
Grand Total	\$49,530

PROFESSIONAL SERVICES AGREEMENT - 1  
Supplement

/wpf/forms/municipal/MV0038.B

1. Article III, Section 3.3 of the Original Agreement, "TIME OF PERFORMANCE", is amended to provide that all work shall be completed by **July 31, 2011**.

IN WITNESS WHEREOF, the parties hereto have executed this SUPPLEMENTAL AGREEMENT NO. 1 as of the day and year first above written.

CITY OF MARYSVILLE

FCS GROUP

By: \_\_\_\_\_  
Mayor

By: David W. Fridley  
Its President

ATTEST/AUTHENTICATED:

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


APPROVED AS TO FORM:

\_\_\_\_\_  
Marysville City Attorney

# CITY OF MARYSVILLE AGENDA BILL

## EXECUTIVE SUMMARY FOR ACTION

**CITY COUNCIL MEETING DATE: 6/13/2011**

AGENDA ITEM: Amendment to ICMA-RC Deferred Compensation Plan	
PREPARED BY: Kristie Guy, Assistant HR Director DEPARTMENT: Human Resources	DIRECTOR APPROVAL: 
ATTACHMENTS: 1. Statement of Intent to Add Roth Provisions 2. Resolution amending the ICMA-RC Deferred Compensation Plan Document 3. ICMA-RC Governmental 457 Deferred Comp Plan & Trust Amendment	
BUDGET CODE:	AMOUNT:

### SUMMARY:

The Small Business Jobs Act of 2010, which was signed into law on September 27, 2010, made Roth provisions available in 457 plans beginning in 2011 to expand retirement savings options. The new Roth elective deferral provision allows participants to make Roth (after-tax) deferrals to an existing ICMA-RC plan. An amendment to the ICMA-RC plan document is needed before the Roth provisions can be offered to participants (see attached).

### New Roth Provisions – Summary

#### 1) Roth Elective Deferrals

This provision allows participants to designate a percentage (or all) of their contributions to the 457 plan as Roth (after-tax) deferrals. Roth deferrals and associated earnings can later be withdrawn tax-free if the requirements for a qualified distribution are met.

#### 2) In-Plan Roth Conversions

This provision permits participants who are eligible to withdraw assets from the plan, as part of an eligible rollover distribution, to convert pre-tax assets to Roth assets through an in-plan rollover (currently, participants must roll their assets out of the plan to a Roth IRA to perform this type of conversion).

### Benefits to Plan Participants

In addition to tax-free distributions, potential benefits to plan participants include:

*Higher after-tax contribution limits than Roth IRAs* – 457 plans allow for greater after-tax savings.

*Eligibility at all income levels* – Unlike Roth IRAs, a participant's eligibility to make Roth contributions to the 457 plan is not restricted by income.

*Tax planning* – Having both pre-tax assets and Roth assets available in retirement can be a valuable benefit to participants, allowing them to choose the source of funds most advantageous to their situation at the time of distribution.

<b>RECOMMENDED ACTION:</b> Staff recommends that Council Authorize the Mayor to sign the Resolution amending the ICMA-RC Deferred Compensation Plan Document.
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**STATEMENT OF INTENT TO ADD ROTH PROVISIONS TO  
ICMA-RC's 457 GOVERNMENTAL DEFERRED COMPENSATION PLAN & TRUST**

Plan Number: 30 

0	7	7	5
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Name of Employer: City of Marysville State: WA

**I. Employer Intention**

The Employer intends to offer the Roth Provisions described in the ICMA Retirement Corporation Governmental 457 Deferred Compensation Amendment to Add Roth Provisions, which added Article X to the ICMA-RC 457 Governmental Deferred Compensation Plan & Trust ("ICMA-RC Roth Amendment").

**II. Employer Instructions Regarding Plan Administration**

The Employer instructs ICMA-RC to begin administering the Roth Provisions as of the Effective Date of this statement of intent.

**III. Effective Date**

This statement of intent shall be effective as of the date when ICMA-RC advises that the Roth Provisions are operational or the date specified below, *whichever is later*.

\_\_\_\_\_ (date)

**IV. Employer Signature**

NAME OF OFFICIAL PLAN COORDINATOR (PLEASE PRINT): \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

TITLE: \_\_\_\_\_

TELEPHONE NUMBER: \_\_\_\_\_

DATE: \_\_\_\_\_

EMAIL ADDRESS: \_\_\_\_\_

**A copy of the completed statement of intent should be returned to ICMA-RC (retain the original for your records):**

**Fax to:**  
202-962-4601  
ATTN: NBU Analyst

**OR**

**Mail to:**  
ICMA-RC  
ATTN: NBU Analyst  
777 North Capitol Street, NE  
Washington, DC 20002-4240

**RESOLUTION FOR A LEGISLATIVE BODY RELATING  
TO AMENDING A DEFERRED COMPENSATION PLAN**

Plan Number: 30 0 7 7 5

Name of Employer: City of Marysville State: WA

Resolution of the above named Employer ("Employer")

WHEREAS, the Employer has employees rendering valuable services; and

WHEREAS, the Employer has established a deferred compensation plan for such employees that serves the interest of the Employer by enabling it to provide reasonable retirement security for its employees, by providing increased flexibility in its personnel management system, and by assisting in the attraction and retention of competent personnel; and

WHEREAS, the Employer has determined that the continuance of the deferred compensation plan will serve these objectives; and

NOW THEREFORE BE IT RESOLVED that the Employer hereby amends and restates the deferred compensation plan (the "Plan") in the form of: (select one)

The ICMA Retirement Corporation 457 Governmental Deferred Compensation Plan & Trust, to include the associated Roth amendment<sup>1</sup>

**OR**

The Plan and Trust and any associated amendments provided by the Employer (executed copies attached hereto)<sup>2</sup>

BE IT FURTHER RESOLVED that the assets of the Plan shall be held in trust, with the Employer serving as trustee ("Trustee"), for the exclusive benefit of Plan participants and their beneficiaries, and the assets shall not be diverted to any other purpose. The Trustee's beneficial ownership of Plan assets held in VantageTrust shall be held for the further exclusive benefit of the Plan participants and their beneficiaries;

BE IT FURTHER RESOLVED that the employer hereby agrees to serve as Trustee under the Plan.

I, \_\_\_\_\_, Clerk of the (City, County, etc.) \_\_\_\_\_, do hereby certify that the foregoing resolution, proposed by (Council Member, Trustee, etc.) \_\_\_\_\_, was duly passed and adopted in the (Council, Board, etc.) \_\_\_\_\_ of the (City, County, etc.) of \_\_\_\_\_ at a regular meeting thereof assembled this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by the following vote:

AYES:

NAYS:

ABSENT:

(Seal)

\_\_\_\_\_  
CLERK OF THE (CITY, COUNTY, ETC.)

<sup>1</sup> If you are adopting ICMA-RC's plan document and associated Roth amendment without modification, there is no need to return this resolution to ICMA-RC unless your plan's internal governance procedures require it.

<sup>2</sup> If you are amending your own individually designed plan document, this executed resolution should be returned to ICMA-RC as instructed below.

**Fax to:**

202-962-4601

ATTN: NBU Analyst

**OR**

**Mail to:**

ICMA-RC

ATTN: NBU Analyst

777 North Capitol Street, NE

Washington, DC 20002-4240

**ICMA RETIREMENT CORPORATION  
GOVERNMENTAL 457 DEFERRED COMPENSATION PLAN & TRUST  
AMENDMENT TO ADD ROTH PROVISIONS**

Pursuant to Article XII of the ICMA Retirement Corporation 457 Governmental Deferred Compensation Plan & Trust (the "Plan"), the Plan is hereby amended to add a new Article X regarding Roth contributions. If the Employer affirmatively elects to allow Roth Elective Deferrals and In-Plan Roth Conversions, the provisions of this Amendment shall be effective for Participants as of [the date when ICMA-RC advises that the Roth Provisions are operational] or the date specified by the Employer in the *Statement of Intent to Add Roth Provisions to a ICMA-RC 457 Governmental Deferred Compensation Plan & Trust*, whichever is later. If no election is made by the Employer, the provisions of this section will not be available to Participants.

**FIRST**

The following is hereby added as a new Article X to the Plan document as follows:

**X. ROTH PROVISIONS** – This Article X has no effect unless and until the Employer affirmatively elects to permit Roth Elective Deferrals.

**10.01 Definitions**

- (a) **Designated Roth Account.** A bookkeeping account established and maintained to record the Participant's Roth Elective Deferrals, In-Plan Roth Conversions, rollovers from designated Roth accounts under other eligible retirement plans, and the income gains and losses thereon. Unless specifically stated otherwise, all references in the Plan to a Participant's Account shall include a Participant's Designated Roth Account.
- (b) **In-Plan Roth Conversion.** A distribution from a Participant's Pre-Tax Account that is rolled over to the Participant's Designated Roth Account under the Plan, pursuant to Code section 402A(c)(4). Notwithstanding anything herein to the contrary, an amount is not eligible for an In-Plan Roth Conversion unless it is distributable under the terms of the Plan and such distribution is an eligible rollover distribution within the meaning of Code section 402(c)(4).
- (c) **Pre-Tax Account.** A bookkeeping account established and maintained to record the portion of the Participant's Account attributable to amounts other than Roth Elective Deferrals, In-Plan Roth Conversions, rollovers from designated Roth accounts under other eligible retirement plans, and the income gains and losses thereon. Unless specifically stated otherwise, all references in the Plan to a Participant's Account shall include a Participant's Pre-Tax Account.
- (d) **Qualified Roth Contribution Program.** A program described in paragraph (1) of Code section 402A(b), under which a Participant may make Roth Elective Deferrals in lieu of all or a portion of the elective deferrals the Participant is otherwise eligible to make under the Plan.
- (e) **Roth Elective Deferral.** Deferred Compensation contributed pursuant to Section 10.02 by a Participant, which amounts are:
  - (i) designated irrevocably by the Participant at the time of the deferral as a Roth elective deferral that is being made in lieu of all or a portion of the pre-tax elective deferrals the Participant is otherwise eligible to make under the Plan; and
  - (ii) treated by the Employer as includible in the Participant's income at the time the Participant otherwise would have received that amount as Includible Compensation.

**10.02 Permitted Roth Elective Deferrals**

- (a) As of the effective date of this Article, a Participant shall be permitted to make Roth Elective Deferrals from his or her Includible Compensation in such amount or percentage as may be specified in the Joinder Agreement. A Participant's Roth Elective Deferrals will be allocated to a Designated Roth Account maintained for such deferrals.
- (b) Unless specifically stated otherwise, Roth Elective Deferrals will be treated as Deferred Compensation for all purposes under the Plan.

### **10.03 Separate Accounting**

- (a) Contributions and withdrawals of Roth Elective Deferrals, In-Plan Roth Conversions and rollovers from a designated Roth account under an eligible retirement plan will be credited and debited to a Participant's Designated Roth Account.
- (b) The Plan will maintain a record of the amount of Roth Elective Deferrals, In-Plan Roth Conversions, and rollovers from a designated Roth account under an eligible retirement plan in each Participant's Designated Roth Account.
- (c) Gains, losses, and other credits or charges must be separately allocated on a reasonable and consistent basis to each Participant's Designated Roth Account and the Pre-Tax Account under the Plan.
- (d) No contributions other than Roth Elective Deferrals, In-Plan Roth Conversions, and rollovers from a designated Roth account under an eligible retirement plan and properly attributable income gains and losses thereon will be credited to a Participant's Designated Roth Account.

### **10.04 Direct Rollovers**

- (a) Notwithstanding anything to the contrary in the Plan, a direct rollover of a distribution from a Designated Roth Account under the Plan shall be made only to another designated Roth account under an eligible retirement plan or to a Roth IRA described in section 408A of the Code, and only to the extent the rollover is permitted under the rules of section 402(c) of the Code.
- (b) Notwithstanding anything to the contrary in the Plan, the Plan will accept a rollover contribution to a Designated Roth Account only if it is a direct rollover from another designated Roth account under an eligible retirement plan, or if the rollover is an In-Plan Roth Conversion defined in section 10.05 of this document.
- (c) Eligible rollover distributions from a Participant's Designated Roth Account are taken into account in determining whether the total amount of the Participant's Account under the Plan exceeds \$1,000 for purposes of mandatory distributions from the Plan.

### **10.05 In-Plan Roth Conversion. Unless otherwise elected by the Employer, as of the effective date of this Article the Plan shall allow for In-Plan Roth Conversions.**

- (a) Tax Treatment. The amount of an In-Plan Roth Conversion shall be includible in the Participant's gross income, as though it were not part of a qualified rollover contribution.
- (b) Irrevocability. Any election made by the Participant pursuant to Section 10.05(a) shall be irrevocable.
- (c) Treatment of Loans. Outstanding plan loans shall be excluded from In-Plan Roth Conversions. Notwithstanding anything herein to the contrary, an In-Plan Roth Conversion shall not accelerate or otherwise cause a Participant to default on an outstanding plan loan.

### **10.06 Availability of Loans from Designated Roth Accounts.** A participant's Designated Roth Account balance can be included to determine a Participant loan amount under Article VIII. However, unless the Employer elects otherwise, Designated Roth Accounts will not be available as a source for loans under the Plan.

## **SECOND**

Former Articles X through XIV of the Plan document are hereby re-numbered XI through XV to reflect the addition of the Roth Provisions.

CITY OF MARYSVILLE  
Marysville, Washington

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY OF MARYSVILLE AMENDING ICMA-RC  
DEFERRED COMPENSATION PLAN AND TRUST TO INCLUDE THE  
ASSOCIATED ROTH AMENDMENT

WHEREAS, the Employer has employees rendering valuable services; and

WHEREAS, the Employer has established a deferred compensation plan for such employees that serves the interest of the Employer by enabling it to provide reasonable retirement security for its employees, by providing increased flexibility in its personnel management system, and by assisting in the attraction and retention of competent personnel; and

WHEREAS, the Employer has determined that the continuance of the deferred compensation plan will serve these objectives;  
and

NOW THEREFORE BE IT RESOLVED that the Employer hereby amends and restates the deferred compensation plan (the "Plan") in the form of: (select one)

The ICMA Retirement Corporation 457 Governmental Deferred Compensation Plan & Trust, to include the associated Roth amendment.

OR

The Plan and Trust and any associated amendments provided by the Employer (executed copies attached hereto)

BE IT FURTHER RESOLVED that the assets of the Plan shall be held in trust, with the Employer serving as trustee ("Trustee"), for the exclusive benefit of Plan participants and their beneficiaries, and the assets shall not be diverted to any other purpose. The Trustee's beneficial ownership of Plan assets held in VantageTrust shall be held for the further exclusive benefit of the Plan participants and their beneficiaries;

BE IT FURTHER RESOLVED that the employer hereby agrees to serve as Trustee under the Plan.

CITY OF MARYSVILLE

\_\_\_\_\_  
MAYOR

ATTEST:

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

APPROVED AS TO FORM:

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



CITY OF MARYSVILLE  
Marysville, Washington

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY OF MARYVILLE AMENDING RESOLUTION NUMBER 2260, AND ADOPTING REVISIONS TO THE PERSONNEL RULES OF THE CITY OF MARYSVILLE, WORKPLACE HEALTH AND SAFETY – RETURN TO WORK PROCEDURES AND TEMPORARY LIGHT DUTY POLICY.

WHEREAS, the City Council adopted Resolution No. 2260 on May 11, 2009 revising the Personnel Rules of the City of Marysville;

WHEREAS, the Personnel Rules, Workplace Health and Safety – Return to Work Procedures and Temporary Light Duty Policy, attached hereto as Exhibit A, was created to provide policies and procedures for managing the return to work of injured City employees.

WHEREAS, the Personnel Rules, Workplace Health and Safety – Return to Work Procedures and Temporary Light Duty Policy, attached hereto as Exhibit A, was designed to return eligible workers to employment to speed recovery from injury or illness, minimize time loss and reduce insurance costs .

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

1. All provisions set forth in Resolution No. 2260, pertaining to the Workplace Health and Safety Section of the Personnel Rules, are hereby updated by this resolution, to include a Return to Work Procedures and Temporary Light Duty Policy.
2. That the Personnel Rules of the City of Marysville, Workplace Health and Safety – Return to Work Procedures and Temporary Light Duty Policy, attached hereto as Exhibit A, are hereby adopted and approved in all respects.

PASSED by the City Council and APPROVED by the Mayor the \_\_\_\_\_ day of June 2011.

CITY OF MARYSVILLE

\_\_\_\_\_  
MAYOR

ATTEST:

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

APPROVED AS TO FORM:

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

# **WORKPLACE HEALTH AND SAFETY**

## **Return to Work Procedures and Temporary Light Duty**

The City of Marysville values the safety, health and well being of all its employees. We want to provide safe and healthful working conditions in all of our operations and to follow all laws and regulations in regards to the safety and health of our employees.

The City supports the practice of bringing injured employees back to work, as soon as they are medically able, to a position compatible with any physical restrictions they may have. The Return to Work program is intended to restore employees to gainful employment as soon as possible when there is little probability of re-injury to themselves and no direct threat to others.

It is the City's policy to provide temporary alternatives to normal employment activities for employees who, as the result of an injury, have been released to lighter duties than their regular job requires. Temporary ("light") duty assignments are provided when the medical prognosis indicates that the employee is expected to return to full duty following a course of medical treatment.

The City will make every reasonable effort to place returning employees in existing positions that are the same as, or equivalent to, those held prior to the illness or injury. However, the City is under no affirmative obligation to create a position solely for this purpose. If the only suitable position is in a lower classification the employee will receive the salary within that classification. Employees in positions that are at a reduced pay level may be entitled to loss of earnings (LOE) from the Department of Labor and Industries. LOE payments help offset the difference between the employees original wage and the temporary wage.

### **GENERAL**

Employees with an injury that results in disability of more than 5 consecutive working days off may request to be assigned to temporary light duty work or, at the City's request, the employee may agree to work light duty. Employees injured on the job will be given preference in filling temporary light duty assignments. Consideration for temporary light duty assignments will be made on a case by case basis and will be contingent upon the following:

1. The employee presenting a physician's statement that includes a complete description of the physical restrictions or limitations and releasing the employee for temporary light duty;
2. The City's ability, consistent with operational requirements, to temporarily modify the employee's regular job to accommodate the restrictions or limitations as stated by the medical professional OR the availability of light duty work, either in the employee's assigned work group or any other work group within the City, that does not exceed the identified restrictions/limitation;

3. The employee being otherwise qualified, i.e., possessing the necessary knowledge, skills and abilities, and certifications, as determined by Human Resources, to perform the work.
4. Temporary light duty assignments shall be short-term and shall mean 30 days or less. After 30 days, the need for additional light duty will be reviewed on a case by case basis and must be approved by the Chief Administrative Officer. Nothing in this policy or procedure establishes a right to be placed on temporary light duty or, once placed, to continue in such an assignment for any specified length of time.

Human Resources has the overall responsibility for the coordination and administration of this program and will work with Department Directors, or their designee, to identify appropriate temporary light duties. If possible, employees will be returned to their regular department. In instances where there are no modifications that are compatible with the restrictions, the temporary position may be in another department. First priority will be placement within the employee's job classification. Second priority will be placement within the employee's department, and third priority will be placement in another department.

#### PROCEDURE

An employee must submit to Human Resources a physician's statement, typically a completed Return to Work Authorization form, with specific information indicating that they are temporarily unable to perform the scope of duties of their position. The **worker cannot return to work without a release** from the treating physician.

Human Resources will contact the employee's Director/Manager and notify them that the physician has indicated that an employee has work restrictions. The Director/Manager and Human Resources will determine whether an appropriate temporary light duty assignment is available.

If clarification is needed to determine whether an employee can safely perform temporary light duty, Human Resources will notify the treating physician that the injured worker may be considered for temporary light duty and provide a Temporary Job Analysis Form. This form will list tasks available and describe the required physical capabilities.


If temporary light duty is approved, Human Resources will contact the employee. All tasks assigned/performed are to be within the limits defined by the physician. The Director/Manager is to explain/review limitations with the employee prior to work so that the recovering employee will not aggravate his/her condition while performing temporary light duty.

Human Resources should be contacted immediately if problems arise with the employee and/or temporary light duty assignments.

**CITY OF MARYSVILLE AGENDA BILL**

**EXECUTIVE SUMMARY FOR ACTION**

**CITY COUNCIL MEETING DATE: 6/13/2011**

AGENDA ITEM: City of Marysville - Disaster Debris Management Plan	
PREPARED BY: Kevin Nielsen, Public Works Director DEPARTMENT: Public Works	DIRECTOR APPROVAL: 
ATTACHMENTS: Resolution Adopting Disaster Debris Management Plan Disaster Debris Management Plan	
BUDGET CODE: None Required	AMOUNT: \$0.00

**SUMMARY:**

The purpose of the City of Marysville Disaster Debris Management Plan is to establish a framework to prepare the City for the possibility of a small, large or city-wide disaster requiring removal of debris in the city right-of-way or impeding movement of responders or relocation/evacuation of citizens to a staging site for temporary storage/recycling and transport to disposal.

Corresponding county, regional, state, and federal response activities are outlined in their respective response plans, policies, protocols, and procedures.

By having a formalized and recognized Disaster Debris Management Plan in place, the City of Marysville will be covered for reimbursement by FEMA of accumulated costs associated with the removal and disposal of debris in the event of a declared disaster.

The City's Disaster Debris Management Plan was put together by Public Works staff with the support and help of the Snohomish County Department of Emergency Management and Snohomish County Public Works Solid Waste Division.

<b>RECOMMENDED ACTION:</b> Staff recommends that Council Authorize the Mayor to sign the resolution to adopt the City of Marysville Disaster Debris Management Plan.
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CITY OF MARYSVILLE  
Marysville, Washington

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE MARYSVILLE CITY COUNCIL ENACTED IN ACCORDANCE WITH, AND IN ALIGNMENT TO THE PROVISIONS OF MMC 2.12.030 ADOPTING A DISASTER DEBRIS MANAGEMENT PLAN FOR THE CITY OF MARYSVILLE, WASHINGTON.

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

Section 1. That the City of Marysville Disaster Debris Management Plan dated April 26, 2011, or as amended by the City, and on file with the City Clerk, the original of which shall be attached to the original of this Resolution is hereby adopted as the Disaster Debris Management Plan for the City.

Section 2. The City of Marysville Disaster Debris Management Plan shall be supplied to the Snohomish County Department of Emergency Services.

Section 3. Copies of the City of Marysville Disaster Debris Management Plan shall be available to the public at City Hall during all business hours. Copies available to the public shall be redacted to exclude from public examination sensitive information exempt from disclosure under Federal or Washington State law.

PASSED by the City Council and APPROVED by the Mayor this \_\_\_\_\_ day of June, 2011.

CITY OF MARYSVILLE

By \_\_\_\_\_  
JON NEHRING, Mayor

ATTEST:

By \_\_\_\_\_  
APRIL O'BRIEN, Deputy City Clerk

Approved as to form:

By \_\_\_\_\_  
GRANT K. WEED, City Attorney

RESOLUTION -1

W/M-11-002/res.Disaster Debris Management Plan 5-24-11

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**City of Marysville**

**Disaster Debris Management Plan**

**April 26, 2011**

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**City of Marysville  
Public Works Department**

# CITY OF MARYSVILLE DISASTER DEBRIS MANAGEMENT PLAN

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## **Plan Purpose**

The purpose of the City of Marysville Disaster Debris Management Plan is to establish a framework to prepare the city for the possibility of a small, large or citywide disaster requiring removal of debris in the city right-of-way or impeding movement of responders or relocation/evacuation of citizens to a staging site for temporary storage/recycling and transport to disposal. This plan also serves in a regional disaster; laying the groundwork for cooperative response and recovery.

## **Scope**

This Disaster Debris Management Plan covers the response and recovery to all debris-causing incidents within the Jurisdictional boundaries of The City of Marysville. This plan also covers additional tasks required to maintain jurisdictional disaster debris management readiness, including training, exercises, and plan maintenance.

## **Alignment with Other Plans**

City of Marysville Disaster Debris Management Plan

This plan is an annex to the Snohomish County Public Works Disaster Debris Management Plan.

City of Marysville Emergency Plans

This plan is designed to stand-alone, but it aligns with other plans including:

- a. City of Marysville Vulnerability Assessment
- b. City of Marysville Water System Emergency Response Plan
- c. City of Marysville Public Works Emergency Response Plan

This plan was assembled by City of Marysville Public Works staff with input from City of Marysville Solid Waste and Engineering staff. Ongoing maintenance of the plan is the responsibility of the Public Works Director and assigned staff.

## **Plan Revisions**

Because of changes in staffing, organization, and external factors, this plan will be reviewed semi-annually prior to the fire season (April) and prior to the storm season (September), and updated as needed. This semi-annual plan review schedule aligns with the Snohomish County Disaster Debris Management Plan review schedule. In the event a revision is required outside of the normal review period, it is the responsibility of the Plan Manager to ensure that revised pages are distributed to plan holders. During plan review, specific attention will be directed to key plan components, including specific assigned roles and responsibilities, contact information for internal staff and external resources, and the location and status of identified Debris Management Sites (DMS).

Corresponding county, regional, state, and federal response activities are outlined in their respective response plans, policies, protocols, and procedures.

## **Mission**

This plan integrates crisis and consequence management consistent with the National Homeland Security Strategy, Homeland Security Presidential Directive – 8, the National Response Framework and the National Incident Management System (NIMS). These documents integrate the concepts by establishing a set of incident management priorities concerning emergency and major disaster incident outlined below:

1. Save lives and protect the health and safety of the public, responders, and recovery workers.
2. Protect property and mitigate damages and impact to individuals, communities, and the environment.
3. Facilitate recovery of individuals, families, businesses, governments, and the environment.

This Disaster Debris Management Plan supplements the City of Marysville Comprehensive Emergency Management Plan (CEMP) already in effect as well as existing departmental plans and procedures for preparedness, response and recovery.

## **Situation and Assumptions**

### **Situation:**

Marysville, Washington is located five (5) miles north of Everett with a population of 60,000. A major disaster, especially involving a catastrophic earthquake or flood will cause significant damage resulting in debris in the city right-of-way and road systems requiring activation of the Snohomish County Public Works Solid Waste Division Disaster Debris Management Plan. This plan encompasses the City of Marysville’s response to an incident requiring the staging and/or disposal of debris. The city will also rely on existing policies, plans, and procedures to respond to and recover from such an incident.

Due to the agreements in place between jurisdictional, governmental and nongovernmental organizations, the management of a large or small-scale debris staging and/or disposal will become a multi-agency coordinated event. One of these agreements includes our Snohomish County Department of Emergency Management (DEM) Interlocal Agreement (ILA). A copy of this ILA is located at the City Clerk’s office as well as the Public Works department files.

### **Assumptions:**

A citywide catastrophic disaster would quickly overwhelm the city's resources. Debris management involving the City of Marysville will likely involve local, county and state agencies. Initial response operations will likely be limited to city resources. Public anxiety related to a catastrophic disaster will require effective delivery of accurate and concise risk communication by the City of Marysville through the Emergency Operations Center.

### **Applicable Rules and Regulations:**

This section provides an overview of the state and local regulations and policies that affect how the City of Marysville handles disaster debris including debris reduction and debris management site (DMS) and neighborhood collection site operations. This section also addresses the environmental and policy considerations for reducing, recycling and disposing of the disaster debris at debris sites.

#### **Planning:**

The City of Marysville has identified two (2) debris management sites within its jurisdictional boundaries. A representative from the Snohomish County Health District has reviewed the debris management site and neighborhood collection site locations and given provisional approval of the operations plan associated with those sites. The City of Marysville will notify the Health District prior to activating the sites.

#### **Response:**

The City of Marysville will initiate debris and neighborhood site preparation activities during the response phase. A preliminary plan will be developed for reducing, recycling and disposing of the debris based on general estimates of the type of material generated by the event. Once a preliminary determination has been made, this plan will be communicated to the Snohomish Health District for their guidance on the applicability of regulations to the operations and monitoring of the debris sites and disposition of the disaster debris. Since homeowners will be waiting for insurance companies to take pictures and document damages for claims purposes, there is no emergent need to open these sites within hours of the event but rather within days.

The Debris Removal Manager will initiate site preparation activities. In the event that disaster debris crosses jurisdictional boundaries, the Debris Removal Manager will contact his or her counterparts within neighboring jurisdictions and the County to coordinate efforts in understanding the rules and regulations that will affect operations and recordkeeping at the debris management sites and to coordinate operations and information.

Contact information for the key environmental agencies is provided in Appendix A, Debris Resources. These include; Puget Sound Clean Air Agency, Snohomish County Health District, City of Marysville Solid Waste Department, and Waste Management Northwest.

# CONCEPT OF OPERATIONS

## General

Pre-Planning for an emergency or disaster situation that would trigger the need for large scale debris collection and disposal will aid in the city's ability to successfully respond and recover. The following outline is a summary of the primary planning considerations required when an incident of such magnitude and destruction forces the decision to relocate/evacuate all or part of the city.

1. Activate the City EOC.
2. The Mayor and or Council request an Emergency Declaration.
3. If not already activated, the City EOC Manager will request through Snohomish County Department of Emergency Management (DEM) that the Snohomish County Public Works Solid Waste Division Disaster Debris Management Plan be activated.
4. The City Public Works Department will prioritize debris removal areas based on required response routes, relocation/evacuation routes or other criteria. These response routes are listed in the City of Marysville Public Works Emergency Response Plan. This plan is located on the City server as well as a hard copy in the Public Works Offices

This plan will be used by City of Marysville staff when a command structure is established in response to a debris-causing incident that impacts all or part of the jurisdiction or neighboring jurisdictions.

## Roles and Responsibilities:

This section identifies roles and responsibilities for internal and external agencies during a disaster debris incident.

### Debris Management Team:

Immediately following a disaster event, Marysville will assemble its disaster debris management team. This team will convene as a group to facilitate successful coordination following a disaster event. This team is comprised of City personnel and the County. Each member of the team is responsible for implementing debris operations in accordance with the planned goals and objectives, and in compliance with Federal, State, and local laws. The debris management team will be lead by the Debris Removal Manager who will identify staff for the group.

### City of Marysville Departments:

Supporting disaster debris management operations will involve multiple departments and divisions in the City. This section outlines the roles and responsibilities for each involved agency.

*Public Works:* The public works department is the lead department responsible for pre-event debris management planning and actual operations during an event. Public works staff will direct debris operations during response and recovery.

*Office of Emergency Management:* The Marysville Office of Emergency Management will coordinate activities and resource needs through the Snohomish County Department of

Emergency Management (DEM) EOC. This Office is also the applicant agent for FEMA reimbursement.

*Police Department:* City of Marysville's Police Department will be in charge of closing roads and helping with access to damaged areas. They will control crowds and help coordinate clean-up efforts after the demands of life safety have been met.

*Fire Department:* The Fire Department will administer first-aid and supply the resources to control fire and inspections of damaged homes and businesses.

*Street Department:* The City's Street Department will open/close roads and make repairs to City streets as necessary on major north/south- east/west arterials.

*Parks Department:* The City's Parks Department staff will be responsible for right of way debris removal, documentation, and debris site operations.

*Water/Sewer Department:* City crews will make repairs to the City's Utility infrastructure and helping with debris clean-up as directed.

*Solid Waste Department:* The City's Solid Waste Department will be responsible for removing and staging debris within City boundaries as directed.

*Finance Department:* Will track costs and expenditures for reimbursement. Finance will also ensure any contracts are compliant with Federal / FEMA requirements and ensure tracking documents are sufficient to obtain maximum reimbursement.

### **Direction and Control:**

The City of Marysville EOC will coordinate with Snohomish County DEM and the State of Washington to request necessary resources and assistance.

### **Contractors and Vendors**

Contractors and vendors are often used to augment local resources in support of debris management operations.

### **Solid Waste Collection Companies**

Solid waste collection companies are private entities that provide daily municipal solid waste service through the transportation and/or disposal of solid waste. During debris-causing incidents, these companies are expected to maintain existing municipal solid waste service, and can be additionally tasked with providing additional resources to assist with debris clearance, processing, and disposal activities. Copies of agreements with outside waste collection companies can be found in the Public Works department files.

Debris management contractors provide additional resources to assist with debris clearance, and separation during debris-causing incidents. These contractors can be put under contract prior to an incident to ensure efficient response and manageable costs during or after an actual incident or event. Federal agencies, such as the United States Army Corps of Engineers (USACE) and U.S. Environmental Protection Agency (EPA), may also have contract resources available to assist with debris management operations.

### **Debris Management Monitoring Contractors**

Debris monitoring contractors provide oversight and documentation of debris management operations. This may include supervising other debris management contractors, documenting debris clearance and disposal operations for potential reimbursement, and operations of debris management sites.

Snohomish County has developed an emergency on-call contract with Debris Contractors for disaster debris monitoring following an incident. Contact Snohomish County Solid Waste Division for more information. The City of Marysville will lean on this contract to staff their neighborhood collection sites in a large debris generating event.

### **Recycling and Composting Facilities**

During an incident it may be necessary to utilize a variety of resources to recycle, compost, or otherwise reduce different types of debris. These resources provide an alternative to divert waste from landfills and may provide additional economic and environmental benefits. Additionally, use of local resources keeps the jobs and revenue in this County.

### **Additional Resources:**

This section lists additional resources that are available to support jurisdictional debris management resources.

*Local and County Resources:* Additional resources may be available from neighboring jurisdictions and county departments.

*Federal Resources:* The Snohomish County Public Works Disaster Debris Management Plan has additional information on State and Federal Resources available.

## **Debris Collection and Hauling Operations**

### **Debris Operations**

Debris-clearing and removal operations predominately focus on public roads and other critical infrastructure; they should be prioritized based on the debris removal priorities listed in the Snohomish County Public Works Disaster Debris Management Plan.

### **Debris Clearance**

Initial debris clearance will focus on removing debris from public property and public rights of way based on the priorities listed in the Snohomish County Public Works Disaster Debris Management Plan and the City of Marysville Lifeline Route Maps. Additional debris clearance from private or commercial property may be necessary if the debris presents a health or safety risk to the community.

Items to be considered during debris clearance and collection include the following:

- Debris composition: Commingling of debris creates problems with reduction and recycling techniques, which may impact future reimbursement. Whenever possible, immediate action should be taken to prevent or reduce commingling of debris during debris collection operations.

- Location of debris: There will often be different reimbursement and operational guidelines for debris clearance on public property, private residential, and private commercial property. While debris clearance on private property is not usually a reimbursable expense, some jurisdictions have cleared debris from private property in the past when it presented a health or safety risk to the community.

## **Collection Methods**

Based on the types and distribution of debris, several collection methods are available during a debris causing incident:

**Curbside:** Residents may be asked to place their debris at the edge of the right of way for pickup. If curbside pickup is used, residents should be instructed to separate their debris into multiple categories including municipal solid waste, vegetative waste, construction and demolition debris, household hazardous waste, and putrescibles.

**Debris Management Site or Neighborhood Collection Site:** Residents may be asked to bring disaster debris to collection sites to temporarily store, segregate, and process debris before it is hauled to its final disposal site. If possible, the sites should remain at the same location for each debris-causing incident and should be included in the incident communication strategy. Facilities that can be used for drop-offs include debris drop boxes, debris management sites, large empty parking lots not used to stage equipment or personnel, farm fields that are not located in the floodway or plain.

Debris collection methods should be coordinated with neighboring jurisdictions and the Jurisdiction’s solid waste collection company.

## **Debris Management and Neighborhood Collection Sites**

The City of Marysville has identified two classes or sites for use during debris management operations.

- A neighborhood collection site is a temporary solid waste handling site used to consolidate debris within a local jurisdiction or area for transfer to a debris management site (DMS) or a permanent solid waste handling facility. The City has identified two such sites in the City.
- A debris management site is a temporary solid waste handling site used to collect, sort, and reduce debris, including special waste, prior to final recycling or disposal. The City will work with the County plan to use either Cavalero Hill Park DMS or the closed Lake Stevens Landfill.

## **Site Management**

Debris Management Site preparation and operation may be managed by the City of Marysville or a contractor. To meet overall debris management strategy goals and to ensure that the site operates efficiently, a site manager, debris monitoring personnel, and safety personnel should be assigned for each site. City of Marysville personnel identified for staffing of each of these positions, with responsibilities as follows:

- **Site Manager:** The site manager is responsible for supervising day-to-day operations, maintaining daily logs, preparing site progress reports, and enforcing safety and permitting



requirements during site operations. The site manager is also responsible for scheduling the environmental monitoring and updating the site layout. The site manager has oversight of the activities of the debris removal contractors and the onsite debris processing contractors to ensure that they comply with the terms of their contracts.

- **Monitoring Staff and Assignments:** Regional monitors (whether jurisdiction employees or contractors) should be placed at ingress and egress points to quantify debris loads, issue load tickets, inspect and validate truck capacities, check loads for hazardous waste, and perform quality control checks. The specific duties of the monitors would depend on how debris is collected.
- **Safety Personnel:** Safety personnel are responsible for traffic control and ensuring that site operations comply with local, state, and federal occupational safety regulations.

### **Establishment and Operations Planning**

Whenever possible, debris sites should be identified and established prior to an incident to allow appropriate planning and permitting to be completed. The Snohomish County Public Works Disaster Debris Management Plan has a full discussion of debris management site planning, development, and operations.

### **Debris Management and Neighborhood Collection Site Locations**

The City of Marysville has located 2 debris management sites for use during disaster debris operations that meet the criteria discussed below. Debris Reuse, Reduction, and Disposal Methods

Numerous methods are available that reduce the overall volume of disaster debris and limit the amount of debris remaining for landfill disposal. The Snohomish County Public Works Disaster Debris Management Plan has additional information on reuse, reduction, and disposal methods for use during disaster debris operations.

### **Debris Sorting and Diversion**

When establishing and operating debris management and neighborhood collection sites the site manager is responsible for ensuring appropriate staff are available to monitor debris and ensure debris are sorted into appropriate categories for recycling, reuse, special waste processing, and disposal.

### **Debris Management Operations Monitoring**

Debris monitoring operations document the debris clearance and removal operations, including the location and amount of debris collected. Monitoring is needed to ensure that the any debris removal contractor(s) are performing the scope of work required by the contract, and to determine eligibility for FEMA reimbursement.

Debris monitoring can be accomplished by City of Marysville staff, or by a debris monitoring contractor hired by Marysville.

The key elements to observe and record when monitoring and documenting debris operations include:



- Type of debris collected
- Amount of debris collected
- Original collection location
- Equipment usage
- Staff labor hours
- Amount processed and final disposition for each type of debris (reuse, recycle, special waste, etc).

**Documentation and Reporting Requirements**

During the operation of debris management sites, any operations that will have a bearing on site closeout need to be documented, such as petroleum spills at fueling sites; hydraulic fluid spills at equipment breakdowns; discovery of household hazardous waste; and commercial, agricultural, or industrial hazardous and toxic waste storage and disposal. This information will be used during site closeout operations.

**Debris Management Contractor Monitoring**

All jurisdictions that contract for debris operations should establish a contract monitoring plan. The purpose of this plan is to protect a municipality’s financial interest. Monitoring debris removal operations achieves two objectives:

- Verification that the work completed by the contractor is in the contract scope of work
- Documented justification, as required, for Public Assistance grant reimbursement

Contractor monitoring can be accomplished by Marysville staff, or by a separate contract company. Failure to document eligible work and costs may jeopardize Public Assistance Program funding. In federally declared disasters, FEMA periodically validates a region’s monitoring efforts to ensure that eligible debris is being removed and processed efficiently. The Snohomish County Public Works Disaster Debris Management Plan has additional information on contract monitoring planning and establishment.

**ORGANIZATION AND ASSIGNMENT OF RESPONSIBILITIES**

During disasters requiring activation of this plan, the Mayor shall have authority to designate command of the implementation of this plan and will coordinate with Snohomish County DEM to request additional resources.

In accordance with EOC structure, the command makeup during such events will be as follows:

1. Mayor
2. Mayor pro tem
3. City Administrator
4. Public Works Director

- A. In a small scale event, debris will usually be handled by the City of Marysville’s Public Works Department
- B. A medium to large scale disaster with debris in public right-of-way will require activation of the Snohomish County Public Works Solid Waste Division Disaster Debris Management Plan. The City will request activation through Snohomish County DEM.

## **RESPONSE**

Marysville Public Works will be the lead department for this plan. Coordination of debris management issues is a critical response activity and will be the responsibility of the City EOC.

### **Health and Safety Strategy:**

Debris operations involve the use of heavy equipment to move and process various types of debris. Many of these actions can pose safety hazards to emergency response and recovery personnel as well as the public. In addition to those safety hazards, exposure to certain types of debris, such as building materials that contain asbestos and mixed debris that contains hazardous materials, can pose potential health risks to emergency workers.

All debris operations shall be in compliance with the health and safety requirements found in the Snohomish County Public Works Disaster Debris Management Plan. A copy of this plan can be found at the Snohomish County web site. The Health and Safety plan enables the agency and their contractors to avoid accidents during debris recovery operations and to protect workers from exposure to hazardous materials. The health and safety strategy establishes minimum safety standards for the agency and contractor personnel to follow. In addition, the strategy provides emergency workers with information on how to identify hazardous conditions and specific guidelines on the appropriate and proper use of personal protective equipment (PPE).

To facilitate compliance, the health and safety strategy specifies how the safety information will be disseminated to all emergency employees and contractors, and how compliance with minimum safety standards will be monitored. The strategy also includes specific corrective actions to be taken if workers do not comply with the minimum safety standards.

### **Current Resources:**

This chapter identifies the internal and external resources that the City of Marysville has for debris clearance, removal, and disposal.

#### **Staff**

Debris operations staff is responsible for directing debris operations during and after an incident. The size and composition of staff needed to deal with debris clearance, removal and disposal depends on the magnitude of the disaster. City of Marysville staff may work in cooperation with staff from the County and other jurisdictions. Debris removal staff likely will be comprised of a combination of full-time personnel, personnel from other agencies, and/or contractors depending on the requirements of the incident.

During an incident, staff may be needed to assume one or more roles, including the following:

- Debris Removal Manager: A Debris Removal Manager coordinates all debris removal activities related to an incident. Activities include communication among other members of the disaster management team, communication and reporting of project status activity, and dissemination and implementation of policy directives to debris removal personnel.
- Debris Collection Supervisor: A Debris Collection Supervisor oversees collection activities prior to debris arrival at the disposal site and coordinates the debris routing, staffing, and field reporting activities.
- Debris Site Supervisor: A Debris Site Supervisor manages one or more debris management or neighborhood collection sites and is responsible for overseeing waste separation and environmental protection concerns, as well as filling out paperwork and reporting documentation.
- Finance, Administration, and Logistical Staff: These positions track time for personnel, equipment, and incident costs. These positions also assist with contracting and purchasing resources, completing documentation required for reimbursement of expenses, and provides check-in for demobilizing and restoration resources.

Additional specialized staff may be needed to act as technical specialists during planning, response, and recovery for a debris-causing incident. These include the following:

- Debris Management Subject Matter Expert (SME): A debris management SME provides information and advice to command staff working in the operations and planning sections to help guide disaster operations.
- Quality Assurance Personnel: Quality Assurance Personnel ensures the debris operations are cost effective. They do this by monitoring the type and amount of debris during collection, sorting, reduction, and disposal.
- Structural Engineer: A Structural Engineer oversees, inspects, and assesses impacted structures and makes appropriate recommendations on building condemnation and demolition.
- Legal Staff: Legal department staff conducts reviews and manages all legal matters in the debris management planning process. In addition to advising the debris management planning staff, the legal department may also perform the following tasks:
  - Contract review
  - Rights-of-entry permits
  - Community liability
  - Indemnification
  - Condemnation of buildings
  - Land acquisition for debris management sites
  - Site closure/restoration and insurance

- **Public Information Officer:** A Public Information Officer (PIO) familiar with debris management issues should be assigned to the Incident Commander or Joint Information Center (JIC), as necessary. Responsibilities include coordinating with PIOs of other agencies to keep the public informed about all debris removal activities and schedules. Immediately after a disaster and throughout the removal and disposal operation, the PIO is responsible for arranging for public notification of all ongoing and planned debris clearance, removal, and disposal activities.
- **Joint Information Center (JIC):** Communications should be coordinated through the Joint Information Center (JIC) or Joint Information System (JIS); if a JIC or JIS has not been established, coordination should take place through the jurisdiction's PIO.
- **Message Maps:** Message mapping is a process by which users can predict 95 percent of questions likely to be asked by the media and others. In preparation of an incident, the City of Marysville is developing prepared clear and concise answers to anticipated questions along with supporting information; effective message delivery is practiced before a crisis occurs.

#### **Developing Messages in Alternate Languages and Formats**

Message materials have been developed in alternate languages that are spoken in the community. Based on community demographics in Marysville, messages may need to be developed in the following languages:

- Spanish
- Russian
- Korean

Alternate formats or message materials have also been developed to assist the special needs population within the community.

## **RESTORATION AND RECOVERY**

### **Restoration**

Restoration of debris staging areas will be a major issue following a catastrophic disaster. Sites will be restored to their pre-debris collection state. Debris Team Staff will photograph the sites prior to placing boxes and / or debris to document the pre-event status. Sites will be restored to that state. For sites that managed larger quantities of debris on the ground, Debris Team Staff will have ground samples taken before and after the event to ensure that any contamination caused by debris is cleaned up prior to returning the site to its pre-event use.

### **Recovery**

The primary recovery issue following the disposal of the debris from a catastrophic disaster will be the restoration of staging areas and the cost recovery of the debris collection and disposal. Section 4.0 of the Snohomish County Public Works Disaster Debris Management Plan lists

specific regulatory requirements that must be followed during the recovery phase of debris management. The City of Marysville will adhere to these requirements.

## **ADMINISTRATION AND LOGISTICS**

See the City of Marysville Comprehensive Emergency Management Plan for details.

## **TRAINING AND EXERCISES**

This plan is considered a working document that will evolve in response to ever-changing conditions. City of Marysville works closely with the Snohomish County Department of Emergency Management to develop and complete a training schedule.

### **Training**

Any training will be conducted in conjunction with the training plan outlined by Snohomish County Public Works Solid Waste Division. Training will be conducted on this plan consistent with the Basic Comprehensive Emergency Management Plan.

### **Exercises**

Any exercises will be conducted in conjunction with the exercise plan outlined by Snohomish County Public Works Solid Waste Division. Conducting regular exercises may help identify areas of the Plan that require revision, enhancement, or additional detail. Exercises can also help identify additional training or equipment necessary to improve the capabilities of responding personnel to implement debris management efforts. Exercises will be conducted on this Plan consistent with the Basic Comprehensive Emergency Management Plan.

## **PLAN DEVELOPMENT AND MAINTENANCE**

The City of Marysville Public Works Department will be responsible for updating this plan. Lessons learned from exercises will be used to modify this plan.

## **AUTHORITIES AND REFERENCES**

This plan is an annex to the Snohomish County Public Works Solid Waste Division Debris Management Plan.

## **APPENDIX A DEBRIS RESOURCES**

### **Puget Sound Clean Air Agency:**

Main Agency Numbers:

206-343-8800

800-552-3565

800-585-4341

Address: 1904 Third Avenue – Suite 105  
Seattle, WA 98101

### **Snohomish County Health District:**

Main Agency Numbers:

425-339-5250 – Garbage and Dumping

425-339-5250 – Hazardous Waste

425-339-5230 – Community Health

425-339-5200 – General

9 1 1 – Public Health Emergency after hours

Address: 3020 Rucker Ave. Suite 306,  
Everett, WA 98201

### **Waste Management N.W.**

Main Agency Numbers:

1-800-592-9995 – Customer Service

425-487-0593 – District Operations Manager

425-402-1556 – Community and Municipality Relations

Address: 13225 N.E. 126<sup>th</sup> Place  
Kirkland, WA 98034

### **City of Marysville Solid Waste Operations:**

Main Agency Numbers:

360-363-8022 – Customer Service

360-363-8100 – Public Works

360-363-8161 – Operations Manager

360-363-8096 – Risk Management Officer

360-363-8323 – Police – Emergency Response Manager

Address: City of Marysville Public Works  
80 Columbia Ave  
Marysville, WA 98270

## Appendix B City of Marysville Disaster Debris Sites

### Investigation of Site Suitability

**Site Name:** KELLOGG MARSH **Parcel Number** 30051500101900  
**Site Address:** 6605 100<sup>th</sup> ST NE, MARYSVILLE, WA **Site Coordinates:** N  
 98270  
**Estimated Property Size:** 2 acres **W**

**Site Owner:** City of Marysville  
**Ownership Type:**  Jurisdiction Property  County Property  Private Property  
 Other (describe)  
**Owner Address:** City of Marysville Marysville WA 98270  
**Owner Phone:** 360 363 8100  
**Owner Email:**

#### Site and Neighboring Properties Characterization

Characteristic	Comments
Current Use	Limb spoils
Proposed Future Land Use	Unknown
Current Land use/Zoning	Utility
Restoration Time Requirements	Unknown
Proximity to School, Church, or Community Center	1.5 miles
Property Topography	Flat
Environmental Considerations	Homes within .25 miles / Some trees on site
Open Water or Wetlands	No natural waters nearby
Proximity to Ground Water Wells (wellhead protection area)	No wells nearby
Within 100-year floodplain	Out of floodplain
Soil/Slope Integrity	Unknown/ should be suitable
Surface Water Drainage	Into ground and along storm ditches – Perimeter berm would be constructed before use
Suitable for use in wet weather	Yes
Prevailing Wind Direction	Unknown
Brownfield Site	No
Superfund Site	No
Archeological or Historic Properties or Artifacts	NA
Underground Utilities (water, wastewater, natural gas, electricity)	Yes
Noise Control Buffer	NA
Adjacent to Airport/Airfield	No. Arlington Airfield 9 miles away
Access to Electrical Service	Yes
Access to Water Service	Yes
Access to Sewer Service	No
Existing Lighting	No – Portable available
Traffic Ingress/Egress Capacity	Entrance and egress from 100 <sup>th</sup> St NE
Transportation accessibility (topography, traffic congestion)	Suitable
Capable of Accepting Heavy Trucks (site and neighboring roads)	Yes
Proximity to Major Roadway	3 miles





# Investigation of Site Suitability

Site Name: **MARYSVILLE PUBLIC WORKS**

Parcel Number **30053300400800**

Site Address: **80 COLUMBIA AVE**

Site Coordinates: **N**

Estimated Property Size: **3 acres**

**W**

Site Owner: **City of Marysville**

Ownership Type:  Jurisdiction Property     County Property     Private Property

Other (describe)

Owner Address: **City of Marysville    Marysville    WA    98270**

Address:

Owner Phone: **360 568 5901**

Owner Email:

## Site and Neighboring Properties Characterization

Characteristic	Comments
Current Use	Limb spoils
Proposed Future Land Use	Unknown
Current Land use/Zoning	Commercial
Restoration Time Requirements	Unknown
Proximity to School, Church, or Community Center	1.5 miles
Property Topography	Flat
Environmental Considerations	Potential for ground/ surface water contamination
Open Water or Wetlands	Close to Ebey Slough
Proximity to Ground Water Wells (wellhead protection area)	Unknown
Within 100-year floodplain	Yes. May not be suitable after flood events
Soil/Slope Integrity	Unknown/ should be suitable
Surface Water Drainage	Into Slough – Natural Occurrence
Suitable for use in wet weather	Yes
Prevailing Wind Direction	Unknown
Brownfield Site	No
Superfund Site	No
Archeological or Historic Properties or Artifacts	NA
Underground Utilities (water, wastewater, natural gas, electricity)	Yes
Noise Control Buffer	NA
Adjacent to Airport/Airfield	No. Arlington Airfield 11 miles away
Access to Electrical Service	Yes
Access to Water Service	No
Access to Sewer Service	No
Existing Lighting	No – Portable available
Traffic Ingress/Egress Capacity	Entrance and egress – Public Works
Transportation accessibility (topography, traffic congestion)	Suitable
Capable of Accepting Heavy Trucks (site and neighboring roads)	Yes
Proximity to Major Roadway	.5 miles
Fencing and Other Security Features	Yes

Site Preparation Level of Effort     High     Medium     Low  
 Suitability to Wet Weather     High     Medium     Low

Ability to Serve Spatial Area     High     Medium     Low

**Recommended Uses for This Site:**

- C&D     Vegetative     White Goods  
 Hazardous Waste     Other (describe)

**Reduction Methods Acceptable for This Site:**

- Open Burning     Incineration  
 Grinding     Other (describe) Not proposed as Reduction Site

**Site Map:** Please indicate intended use areas, traffic management patterns, utilities, and any other elements that will involve or impact operation of the site.

List Jurisdictions that could utilize this site: **City of Marysville, Snohomish County**

Closest DMS to This Site: **Lake Stevens Debris Management Site or Cavalero Hill**



List pictures or other observations taken during site visit:

Potential Site Rating     Primary     Secondary     Tertiary

**CITY OF MARYSVILLE AGENDA BILL**

**EXECUTIVE SUMMARY FOR ACTION**

**CITY COUNCIL MEETING DATE: 6/13/2011**

AGENDA ITEM: Approval of Fireworks Stand Permits	
PREPARED BY: Carol Mulligan, Program Specialist and Gloria Hirashima, CAO	DIRECTOR APPROVAL:
DEPARTMENT: Community Development	
ATTACHMENTS: 1. Copies of Retail Firestand Stand Permit Applications. 2. Copies of Washington State Fireworks Licenses. 3. Copies of the Certificates of Insurance Naming the City as Co-insured. 4. Copies of Site Plans. 5. MMC 9.20. 6. Letter from Bethlehem Lutheran Church 7. Fireworks Stand comparisons by City. 8. Draft ordinance revising Chapter 9.20, MMC.	
BUDGET CODE:	AMOUNT:

**SUMMARY:**

The City has received eight (9) Fireworks Stand Permit Applications for the following locations:

<u>Applicant</u>	<u>Location</u>
Kiwanis Club of Marysville	1052 State Avenue (Gold's Gym)
Kiwanis Club of Marysville	1258 State Avenue (Safeway)
Kiwanis Club of Marysville	3733 – 116 <sup>th</sup> Street NE (Rite Aid)
Kiwanis Club of Marysville	6610 - 64 <sup>th</sup> Street NE (Allen Creek Shopping Center)
Kiwanis Club of Marysville	1631 – 4 <sup>th</sup> Street (Vacant Pad Next to Espresso Stand)
Kiwanis Club of Marysville	17305 – 27 <sup>th</sup> Avenue NE (Vacant Pad / Burger King)
Marysville First Assembly	11401 State Avenue (Albertsons #412 - North)
Mountain View Assembly of God	9925 State Avenue (Fred Meyer)
Bethlehem Lutheran Church Youth Ministries	301 Marysville Mall (Albertson's South)

TNT Fireworks is the vendor for the first eight applications, submitted on January 3, 2011. Western Fireworks submitted on 5/12/11 on behalf of Bethlehem Lutheran Church Youth Ministries.

All applicants meet requirements specified in MMC 9.20. The Marysville Fire District inspects each stand and the Fire District distributes permits upon determining a satisfactory inspection. Staff annually monitors parking at stand locations. There continues to be no apparent problems at the proposed locations.

Staff has researched other community firework stand ordinances. Of the communities that allow private sales (most do not), limits are not common. State law requires that if cities adopt fireworks codes that are more stringent than state law, advance notice of one year must be provided prior to enactment. Current state law does not provide for maximum stand limits within a jurisdiction. Therefore, if the City were to consider increasing the limits, for example to 10, it would still require one year advance notice prior to enactment. Another option is to repeal the stand limits. Since this is not more stringent than state law, the change could take effect immediately.

Other alternatives would be to maintain the existing city code limit of 8. In that case, the City Council could issue all 8 permits to TNT Fireworks, or issue 7 to TNT Fireworks and 1 to Western Fireworks. TNT applies for all 8 permits on the first working day of the year in order to obtain all Marysville stand permits. Bethlehem Lutheran has argued that TNT holds a monopoly on sales in Marysville, excluding them from participating in this fundraising in the community. Applicants have obtained site leases for their proposed locations. All applicants represent nonprofit, charitable service organizations who intend to use the fireworks sales to further their service within the community.

Restating the three options, they are as follows:

- Option 1. Remove stand limits and issue all 9 fireworks stand permits.
- Option 2. Approve 8 fireworks stand permits submitted by TNT Fireworks.
- Option 3. Approve 7 fireworks stand applications—7 to TNT Fireworks, and 1 to Western Fireworks.

<b>RECOMMENDED ACTION:</b> Staff recommends that the City Council amend Chapter 9.20 of the Marysville Municipal Code to remove the stand limits and allow for the approval of all nine of the firework stand permit applications received.
<b>COUNCIL ACTION:</b>



Jan. 03, 2011

**Carol Mulligan  
City of Marysville  
Public Works & Community Development  
80 Columbia Ave  
Marysville, WA 98270**

Received

JAN - 2011

City of Marysville  
Community Development

Dear Carol Mulligan,

In preparation for the upcoming 2009 4<sup>th</sup> of July season, please find enclosed with this letter all information to apply for 8 retail fireworks stand permits.

I have also enclosed 8 checks, totaling \$400.00, check #s 30006783, 30006787, 30006784, 3006788, 30006785, 30006789, 30006786, & 30006790 for the Permit Fees.

If you have any questions or require further information please feel free to contact me at (253) 922-0800.

Thank you for your time and attention to this matter.

Sincerely,

*Brenda Merritt*  
Brenda Merritt  
Licensing & Permits

American Promotional Events, Inc. - Northwest

Enclosure(s)

Received

JAN - 2011

City of Marysville  
Community Development

**AMERICAN PROMOTIONAL EVENTS, INC.  
2120 MILWAUKEE WAY · TACOMA, WA 98421  
TACOMA (253) 922-0800 · SEATTLE (253) 838-1099  
FAX (253) 830-2930  
www.tntfireworks.com**

**APPLICATION  
FOR RETAIL FIREWORKS STAND PERMIT**

WWH2455

<b>TO:</b> Governing body of city, town, or county in which fireworks stand will be located.	<b>DATE OF APPLICATION:</b> JAN.02, 2011
<b>Applicant Name:</b> KIWANIS CLUB OF MARYSVILLE	<b>Address, City, State:</b> 2120 MILWAUKEE WAY, TACOMA,, WA 98421
<b>Sponsor (If other than applicant):</b> DAN STEFFEN	<b>Address, City, State:</b> 2120 MILWAUKEE WAY, TACOMA,, WA 98421
<b>Location of proposed fireworks stand:</b> [Enclose drawing of stand location] 1052 STATE ST MARYSVILLE, WA                      GOLD'S GYM	
<b>Manner and place of storage prior, during, and after sales dates:</b> ON SITE WITH SECURITY	
<b>State Licensed Fireworks Supplier:</b> American Promotional Events NW                      2120 Milwaukee Way, Tacoma, WA 98421	

# FIREWORKS STAND PERMIT

For The Fireworks Sales Year Of: 2011  
(Must be conspicuously displayed at all times while the stand is open to the public)

By virtue of having been granted a license by the State of Washington and this permit from CITY OF MARYSVILLE the local governing authority, the named person, firm or organization is hereby authorized to sell U.N. 0336 1.4G Consumer fireworks at the location designated herein between the following date and times:

Sales For July 4<sup>th</sup>

Sales For December 31<sup>st</sup>

From: \_\_\_\_\_ From: \_\_\_\_\_

To: \_\_\_\_\_ To: \_\_\_\_\_

Sponsor: MARYSVILLE KIWANIS

Location: GOLD'S GYM 1052 STATE ST MARYSVILLE, WA

/s/ \_\_\_\_\_ /s/ Brenda Merritt FOR DAN STEFFEN  
Signature of Official Granting Permit                      Signature of Applicant

Title: \_\_\_\_\_ Agency: \_\_\_\_\_

Date: \_\_\_\_\_ Permit Number: \_\_\_\_\_

Licensee Name: MARYSVILLE KIWANIS License Number: 000673

Washington State Patrol  
Fire Protection Bureau  
Office Of The State Fire Marshal

11797

# Fireworks Stand License

## Washington State Fireworks License

*License is Non-Transferable and Valid for Only One Stand*

### Licensee Information

Marysville Kiwanis  
2120 Milwaukee Way  
Tacoma, WA 98421

License Number: WSPFL-00673

  
\_\_\_\_\_  
State Fire Marshal Signature

Detach this wallet card and carry with you for  
verification of certification.

### Stand Information

Contact Person: Arthur Dan Steffen  
Phone Number: (425) 501-1746  
County: Snohomish  
Stand Number: SN-05419

Date of Expiration  
January 31, 2012

Date of Issue  
January 3, 2011


Washington State Patrol 11797  
Fire Protection Bureau  
Office Of The State Fire Marshal

### ANNUAL FIREWORKS STAND LICENSE

Licensee: Marysville Kiwanis  
Contact Person: Arthur Dan Steffen  
License Number: WSPFL-00673  
Stand Number: SN-05419 [Valid For One Stand]  
Date of Expiration: January 31, 2012  
Location: \_\_\_\_\_

Stand Location: \_\_\_\_\_  
*[Stand Location To Be Completed By Licensee]*

3000-420-012 (R 9/05)

  
\_\_\_\_\_  
State Fire Marshal Signature

\_\_\_\_\_  
Licensee Signature

**ACORD**<sup>TM</sup>**CERTIFICATE OF INSURANCE**

ISSUE DATE

10/29/2010

**PRODUCER**

MCGRUFF, SEIBELS & WILLIAMS, INC.  
 P.O. Box 10265  
 Birmingham, AL 35202  
 PHONE: 800-476-2211

This certificate is issued as a matter of information only and confers no rights upon the Certificate Holder. This Certificate does not amend, extend or alter the coverage afforded by the policies below.

**COMPANIES AFFORDING COVERAGE**

Company A Liberty Surplus Insurance Company

Company B

Company C

Company D

Company E

**INSURED**

American Promotional Events, Inc.  
 dba TNT Fireworks  
 P.O. Box 1318  
 Florence, AL 35631

This is to certify that the policies of insurance described herein have been issued to the Insured named herein for the policy period indicated. Notwithstanding any requirement, term or condition of contract or other document with respect to which this certificate may be issued or may pertain, the insurance afforded by the policies described herein is subject to all the terms, conditions and exclusions of such policies. Limits shown may have been reduced by paid claims.

CO LT	TYPE OF INSURANCE	POLICY NUMBER	EFFECTIVE EXPIRATION	LIMITS OF LIABILITY	
A	<b>GENERAL LIABILITY</b> <input checked="" type="checkbox"/> Commercial General Liability <input type="checkbox"/> Claims Made <input checked="" type="checkbox"/> Occurrence <input type="checkbox"/> Owners' and Contractors' Protection <input type="checkbox"/> <input type="checkbox"/> General Aggregate Limit applies per: <input type="checkbox"/> Policy <input type="checkbox"/> Project <input checked="" type="checkbox"/> Location	DGLBO0810581	11/01/2010 11/01/2011	EACH OCCURRENCE	\$ 1,000,000
				FIRE DAMAGE	\$ 100,000
				MEDICAL EXPENSE	\$ EXCLUDED
				PERS. AND ADVERTISING INJURY	\$ 1,000,000
				GENERAL AGGREGATE	\$ 2,000,000
				PRODUCTS AND COMP. OPER. AGG.	\$ 2,000,000
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> Any Automobile <input type="checkbox"/> All Owned Automobiles <input type="checkbox"/> Scheduled Automobiles <input type="checkbox"/> Hired Automobiles <input type="checkbox"/> Non-owned Automobiles <input type="checkbox"/>			COMBINED SINGLE LIMIT	\$
				BODILY INJURY (Per person)	\$
				BODILY INJURY (Per accident)	\$
				PROPERTY DAMAGE (Per accident)	\$
				COMPREHENSIVE	
				COLLISION	
	<b>WORKERS' COMPENSATION AND EMPLOYERS' LIABILITY</b>			WC Statutory Limit	Other
				EL EACH ACCIDENT	\$
				EL DISEASE (Each employee)	\$
				EL DISEASE (Policy Limit)	\$
	<b>EXCESS LIABILITY</b> <input type="checkbox"/> Occurrence <input type="checkbox"/> Claims Made			EACH OCCURRENCE	\$
				AGGREGATE	\$
					\$
					\$
					\$
					\$

This certificate only applies to Re: Gold's Gym located at 1052 State St in Marysville, WA 98270 (loc #VWH2455);.

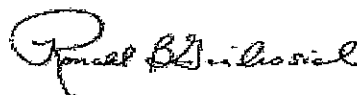
The Certificate Holders are named as Additional Insureds with respect to General Liability as required by written contract subject to policy terms, conditions, and exclusions.

**CERTIFICATE HOLDER**

Kiwanis Club of Marysville  
 Gold's Gym  
 City of Marysville  
 1049 State Ave #201  
 Marysville, WA 98270

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

Authorized Representative

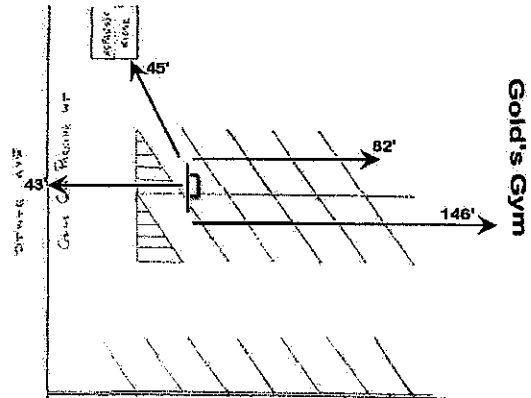




# SITE DIAGRAM

Date Drawn: June 9, 2010  
 Ordinance of: City of Marysville  
 Address: 1052 State Street  
 Store/Center: Gold's Gym  
 City & State: Marysville, Washington  
 Stand Faces Direction of: Facing State St  
 Stand Size: 24'  
 Parcel No: \_\_\_\_\_

Loc No: WWH-2455



North



**APPLICATION  
FOR RETAIL FIREWORKS STAND PERMIT**

WWH2462

<b>TO:</b>	Governing body of city, town, or county in which fireworks stand will be located.	<b>DATE OF APPLICATION:</b>	JAN.02, 2011
<b>Applicant Name:</b> KIWANIS CLUB OF MARYSVILLE		<b>Address, City, State:</b> 2120 MILWAUKEE WAY, TACOMA,, WA 98421	
<b>Sponsor (If other than applicant):</b> DAN STEFFEN		<b>Address, City, State:</b> 2120 MILWAUKEE WAY, TACOMA,, WA 98421	
<b>Location of proposed fireworks stand:</b> [Enclose drawing of stand location] 3733- 116 <sup>TH</sup> ST NE MARYSVILLE, WA RITE AID #6503			
<b>Manner and place of storage prior, during, and after sales dates:</b> ON SITE WITH SECURITY			
<b>State Licensed Fireworks Supplier:</b> American Promotional Events NW 2120 Milwaukee Way, Tacoma, WA 98421			

# FIREWORKS STAND PERMIT

For The Fireworks Sales Year Of: 2011  
(Must be conspicuously displayed at all times while the stand is open to the public)

By virtue of having been granted a license by the State of Washington and this permit from CITY OF MARYSVILLE the local governing authority, the named person, firm or organization is hereby authorized to sell U.N. 0336 1.4G Consumer fireworks at the location designated herein between the following date and times:

Sales For July 4<sup>th</sup>

Sales For December 31<sup>st</sup>

From: \_\_\_\_\_ From: \_\_\_\_\_

To: \_\_\_\_\_ To: \_\_\_\_\_

Sponsor: MARYSVILLE KIWANIS

Location: RITE AID #6503 3733- 116<sup>TH</sup> ST NE MARYSVILLE, WA

/s/ \_\_\_\_\_ /s/ Brenda Bennett FOR DAN STEFFEN  
Signature of Official Granting Permit Signature of Applicant

Title: \_\_\_\_\_ Agency: \_\_\_\_\_

Date: \_\_\_\_\_ Permit Number: \_\_\_\_\_

Licensee Name: MARYSVILLE KIWANIS License Number: 00673

Washington State Patrol  
Fire Protection Bureau  
Office Of The State Fire Marshal

11798

**Washington State Fireworks License**

**Fireworks Stand License**

*License is Non-Transferable and Valid for Only One Stand.*

**Licensee Information**

Marysville Kiwanis  
2120 Milwaukee Way  
Tacoma, WA 98421

License Number: WSPFL-00673

  
\_\_\_\_\_  
State Fire Marshal Signature

Detach this wallet card and carry with you for  
verification of certification.

**Stand Information**

Contact Person: Marysville Kiwanis  
Phone Number: (425) 501-1746  
County: Snohomish  
Stand Number: SN-05420

Date of Expiration  
January 31, 2012


Date of Issue  
January 3, 2011

Washington State Patrol  
Fire Protection Bureau 11798

Office Of The State Fire Marshal  
**ANNUAL FIREWORKS STAND LICENSE**

Licensee: Marysville Kiwanis  
Contact Person: Marysville Kiwanis  
License Number: WSPFL-00673  
Stand Number: SN-05420 [Valid For One Stand]  
Date of Expiration: January 31, 2012  
Location: \_\_\_\_\_

Stand Location: \_\_\_\_\_  
*[Stand Location To Be Completed By Licensee]*

  
\_\_\_\_\_  
State Fire Marshal Signature

\_\_\_\_\_  
Licensee Signature

3000-420-012 (R 9/05)

**ACORD™****CERTIFICATE OF INSURANCE**

ISSUE DATE

10/29/2010

**PRODUCER**

MCGRUFF, SEIBELS & WILLIAMS, INC.  
 P.O. Box 10265  
 Birmingham, AL 35202  
 PHONE: 800-476-2211

This certificate is issued as a matter of information only and confers no rights upon the Certificate Holder. This Certificate does not amend, extend or alter the coverage afforded by the policies below.

**COMPANIES AFFORDING COVERAGE**

Company A Liberty Surplus Insurance Company

Company B Ironshore Specialty Ins. Co.

Company C

Company D

Company E

**INSURED**

American Promotional Events, Inc.  
 dba TNT Fireworks  
 P.O. Box 1318  
 Florence, AL 35631

This is to certify that the policies of insurance described herein have been issued to the Insured named herein for the policy period indicated. Notwithstanding any requirement, term or condition of contract or other document with respect to which this certificate may be issued or may pertain, the insurance afforded by the policies described herein is subject to all the terms, conditions and exclusions of such policies. Limits shown may have been reduced by paid claims.

CO LT	TYPE OF INSURANCE	POLICY NUMBER	EFFECTIVE EXPIRATION	LIMITS OF LIABILITY	
A	<b>GENERAL LIABILITY</b> <input checked="" type="checkbox"/> Commercial General Liability <input type="checkbox"/> Claims Made <input checked="" type="checkbox"/> Occurrence <input type="checkbox"/> Owners' and Contractors' Protection <input type="checkbox"/> <input type="checkbox"/> General Aggregate Limit applies per: <input type="checkbox"/> Policy <input type="checkbox"/> Project <input checked="" type="checkbox"/> Location	DGLBO0810581	11/01/2010 11/01/2011	EACH OCCURRENCE	\$ 1,000,000
				FIRE DAMAGE	\$ 200,000
				MEDICAL EXPENSE	\$ EXCLUDED
				PERS. AND ADVERTISING INJURY	\$ 1,000,000
				GENERAL AGGREGATE	\$ 2,000,000
				PRODUCTS AND COMP. OPER. AGG.	\$ 2,000,000
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> Any Automobile <input type="checkbox"/> All Owned Automobiles <input type="checkbox"/> Scheduled Automobiles <input type="checkbox"/> Hired Automobiles <input type="checkbox"/> Non-owned Automobiles <input type="checkbox"/>			COMBINED SINGLE LIMIT	\$
				BODILY INJURY (Per person)	\$
				BODILY INJURY (Per accident)	\$
				PROPERTY DAMAGE (Per accident)	\$
				COMPREHENSIVE	
				COLLISION	
	<b>WORKERS' COMPENSATION AND EMPLOYERS' LIABILITY</b>			WC Statutory Limit	Other
				EL EACH ACCIDENT	\$
				EL DISEASE (Each employee)	\$
				EL DISEASE (Policy Limit)	\$
B	<b>EXCESS LIABILITY</b> <input checked="" type="checkbox"/> Occurrence <input type="checkbox"/> Claims Made Retention/Deductible 10,000	000788300	11/01/2010 11/01/2011	EACH OCCURRENCE	\$ 1,000,000
				AGGREGATE	\$ 1,000,000
					\$
					\$
					\$
					\$
					\$

Re: Rite Aid located at 3733-116th St NE in Marysville, WA (loc#VWH2462)

The Certificate Holders are named as Additional Insureds with respect to General Liability as required by written contract subject to policy terms, conditions, and exclusions.

**CERTIFICATE HOLDER**

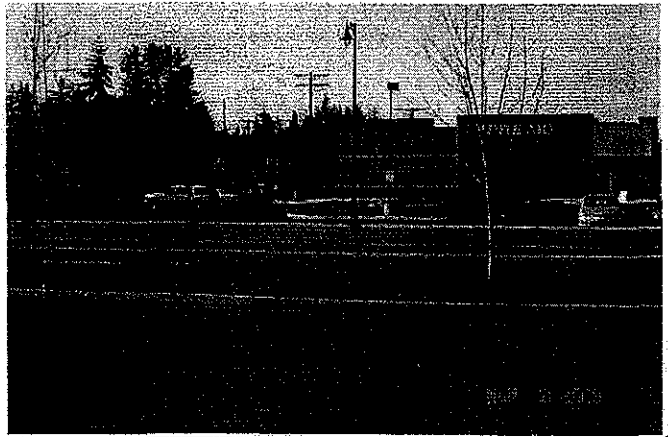
Kiwanis Club of Marysville  
 Rite Aid  
 City of Marysville  
 1049 State Ave #201  
 Marysville, WA 98270

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

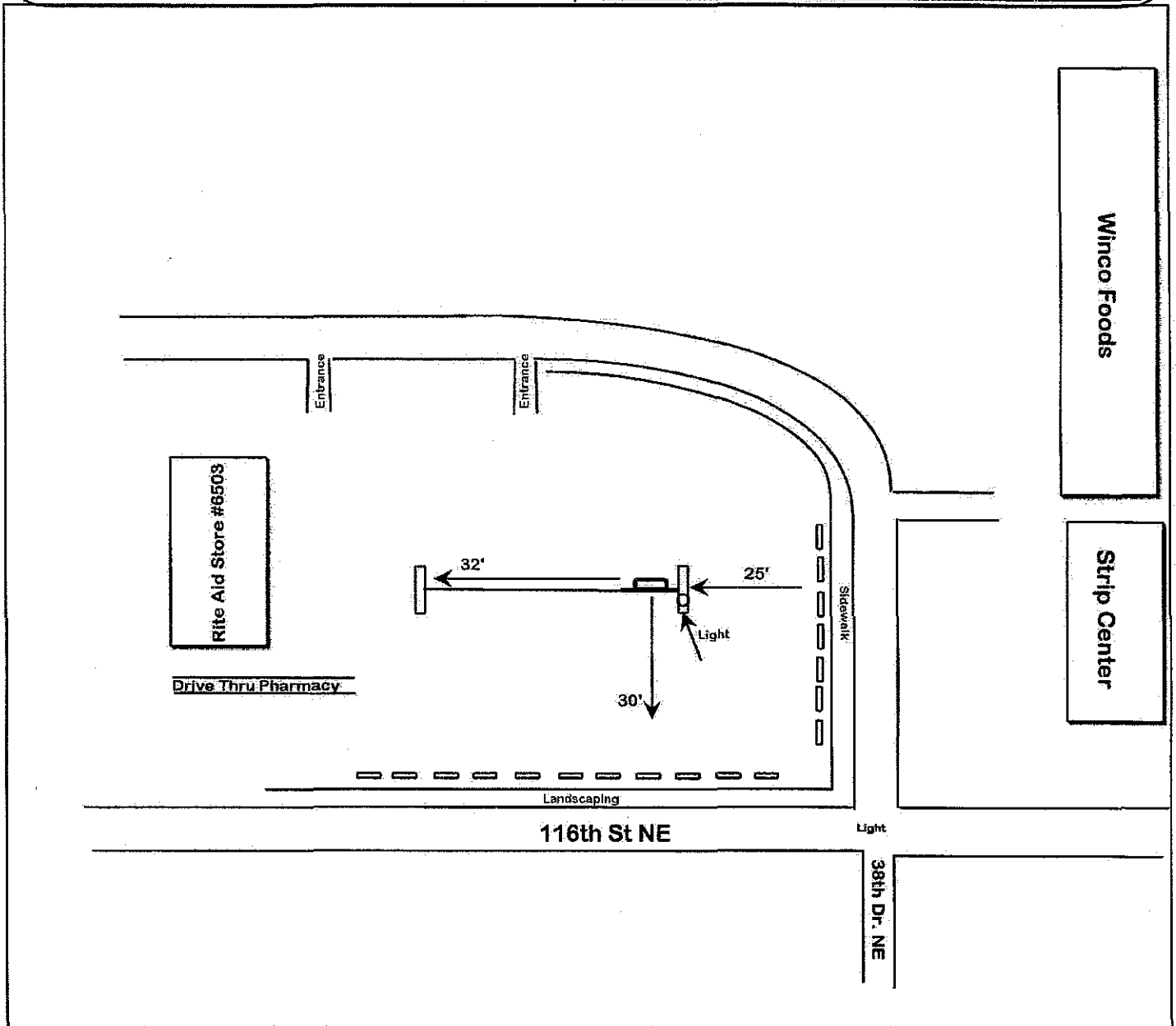
Authorized Representative

# SITE DIAGRAM

Loc No: WWH-2462



Date Drawn: November 30, 2009  
 Ordinance Of: City of Marysville  
 Address: 3733 - 116th Street NE  
 Store/Center/Lot: Rite Aid Store 6503  
 City & State: Marysville Washington  
 Parcel No: 30050900206400  
 Stand Faces The Direction Of: 116th St NE  
 Stand Size: 16'



**APPLICATION  
FOR RETAIL FIREWORKS STAND PERMIT**

WWH2451

<b>TO:</b> Governing body of city, town, or county in which fireworks stand will be located.	<b>DATE OF APPLICATION:</b> JAN.02, 2011
<b>Applicant Name:</b> KIWANIS CLUB OF MARYSVILLE	<b>Address, City, State:</b> 2120 MILWAUKEE WAY, TACOMA,, WA 98421
<b>Sponsor (If other than applicant):</b> DAN STEFFEN	<b>Address, City, State:</b> 2120 MILWAUKEE WAY, TACOMA,, WA 98421
<b>Location of proposed fireworks stand:</b> [Enclose drawing of stand location] 1258 STATE AVE MARYSVILLE, WA      SAFEWAY PLAZA	
<b>Manner and place of storage prior, during, and after sales dates:</b> ON SITE WITH SECURITY	
<b>State Licensed Fireworks Supplier:</b> American Promotional Events NW      2120 Milwaukee Way, Tacoma, WA 98421	

# FIREWORKS STAND PERMIT

For The Fireworks Sales Year Of: 2011  
(Must be conspicuously displayed at all times while the stand is open to the public)

By virtue of having been granted a license by the State of Washington and this permit from CITY OF MARYSVILLE the local governing authority, the named person, firm or organization is hereby authorized to sell U.N. 0336 1.4G Consumer fireworks at the location designated herein between the following date and times:

**Sales For July 4<sup>th</sup>**

**Sales For December 31<sup>st</sup>**

From: \_\_\_\_\_ From: \_\_\_\_\_

To: \_\_\_\_\_ To: \_\_\_\_\_

Sponsor: MARYSVILLE KIWANIS

Location: SAFEWAY PLAZA 1258 STATE AVE MARYSVILLE, WA

/s/ \_\_\_\_\_ /s/ Brenda Bennett FOR DAN STEFFEN  
Signature of Official Granting Permit      Signature of Applicant

Title: \_\_\_\_\_ Agency: \_\_\_\_\_

Date: \_\_\_\_\_ Permit Number: \_\_\_\_\_

Licensee Name: MARYSVILLE KIWANIS License Number: 00673

Washington State Patrol  
Fire Protection Bureau  
Office Of The State Fire Marshal

11799

**Washington State Fireworks License**

**Fireworks Stand License**

*License is Non-Transferable and Valid for Only One Stand*

**Licensee Information**

Marysville Kiwanis  
2120 Milwaukee Way  
Tacoma, WA 98421

**License Number:** WSPFL-00673

  
State Fire Marshal Signature

Detach this wallet card and carry with you for  
verification of certification.

**Stand Information**

**Contact Person:** Arthur Dan Steffen  
**Phone Number:** (425) 501-1746  
**County:** Snohomish  
**Stand Number:** SN-05421

**Date of Expiration**  
January 31, 2012

**Date of Issue**  
January 3, 2011

Washington State Patrol  
Fire Protection Bureau  
Office Of The State Fire Marshal

11799

**ANNUAL FIREWORKS STAND LICENSE**

**Licensee:** Marysville Kiwanis  
**Contact Person:** Arthur Dan Steffen  
**License Number:** WSPFL-00673  
**Stand Number:** SN-05421 [Valid For One Stand]  
**Date of Expiration:** January 31, 2012  
**Location:** \_\_\_\_\_

*[Stand Location To Be Completed By Licensee]*

  
State Fire Marshal Signature

\_\_\_\_\_  
Licensee Signature

**Stand Location:** \_\_\_\_\_  
*[Stand Location To Be Completed By Licensee]*

3000-420-012 (R 9/05)

**ACORD**<sup>TM</sup>**CERTIFICATE OF INSURANCE**

ISSUE DATE

10/29/2010

**PRODUCER**

MCGRUFF, SEIBELS & WILLIAMS, INC.  
 P.O. Box 10265  
 Birmingham, AL 35202  
 PHONE: 800-476-2211

This certificate is issued as a matter of information only and confers no rights upon the Certificate Holder. This Certificate does not amend, extend or alter the coverage afforded by the policies below.

**COMPANIES AFFORDING COVERAGE**

Company A Liberty Surplus Insurance Company

Company B

Company C

Company D

Company E

**INSURED**

American Promotional Events, Inc.  
 dba TNT Fireworks  
 P.O. Box 1318  
 Florence, AL 35631

This is to certify that the policies of insurance described herein have been issued to the Insured named herein for the policy period indicated. Notwithstanding any requirement, term or condition of contract or other document with respect to which this certificate may be issued or may pertain, the insurance afforded by the policies described herein is subject to all the terms, conditions and exclusions of such policies. Limits shown may have been reduced by paid claims.

CO LT	TYPE OF INSURANCE	POLICY NUMBER	EFFECTIVE EXPIRATION	LIMITS OF LIABILITY	
A	<b>GENERAL LIABILITY</b> <input checked="" type="checkbox"/> Commercial General Liability <input type="checkbox"/> Claims Made <input checked="" type="checkbox"/> Occurrence <input type="checkbox"/> Owners' and Contractors' Protection <input type="checkbox"/> <input type="checkbox"/> General Aggregate Limit applies per: <input type="checkbox"/> Policy <input type="checkbox"/> Project <input checked="" type="checkbox"/> Location	DGLBO0810581	11/01/2010 11/01/2011	EACH OCCURRENCE	\$ 1,000,000
				FIRE DAMAGE	\$ 100,000
				MEDICAL EXPENSE	\$ EXCLUDED
				PERS. AND ADVERTISING INJURY	\$ 1,000,000
				GENERAL AGGREGATE	\$ 2,000,000
				PRODUCTS AND COMP. OPER. AGG.	\$ 2,000,000
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> Any Automobile <input type="checkbox"/> All Owned Automobiles <input type="checkbox"/> Scheduled Automobiles <input type="checkbox"/> Hired Automobiles <input type="checkbox"/> Non-owned Automobiles <input type="checkbox"/>			COMBINED SINGLE LIMIT	\$
					BODILY INJURY (Per person)
				BODILY INJURY (Per accident)	\$
				PROPERTY DAMAGE (Per accident)	\$
				COMPREHENSIVE	
				COLLISION	
	<b>WORKERS' COMPENSATION AND EMPLOYERS' LIABILITY</b>			WC Statutory Limit	
					Other
				EL EACH ACCIDENT	\$
				EL DISEASE (Each employee)	\$
				EL DISEASE (Policy Limit)	\$
	<b>EXCESS LIABILITY</b> <input type="checkbox"/> Occurrence <input type="checkbox"/> Claims Made			EACH OCCURRENCE	\$
					AGGREGATE
					\$
					\$
					\$
					\$
					\$

This certificate only applies to Re: Safeway Plaza located at 1258 State Ave in Marysville, WA 98270 (loc #WWH2451);

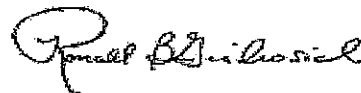
The Certificate Holders are named as Additional Insureds with respect to General Liability as required by written contract subject to policy terms, conditions, and exclusions.

**CERTIFICATE HOLDER**

Kiwanis Club of Marysville  
 Safeway Plaza  
 City of Marysville  
 1049 State Ave #201  
 Marysville, WA 98270

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

Authorized Representative

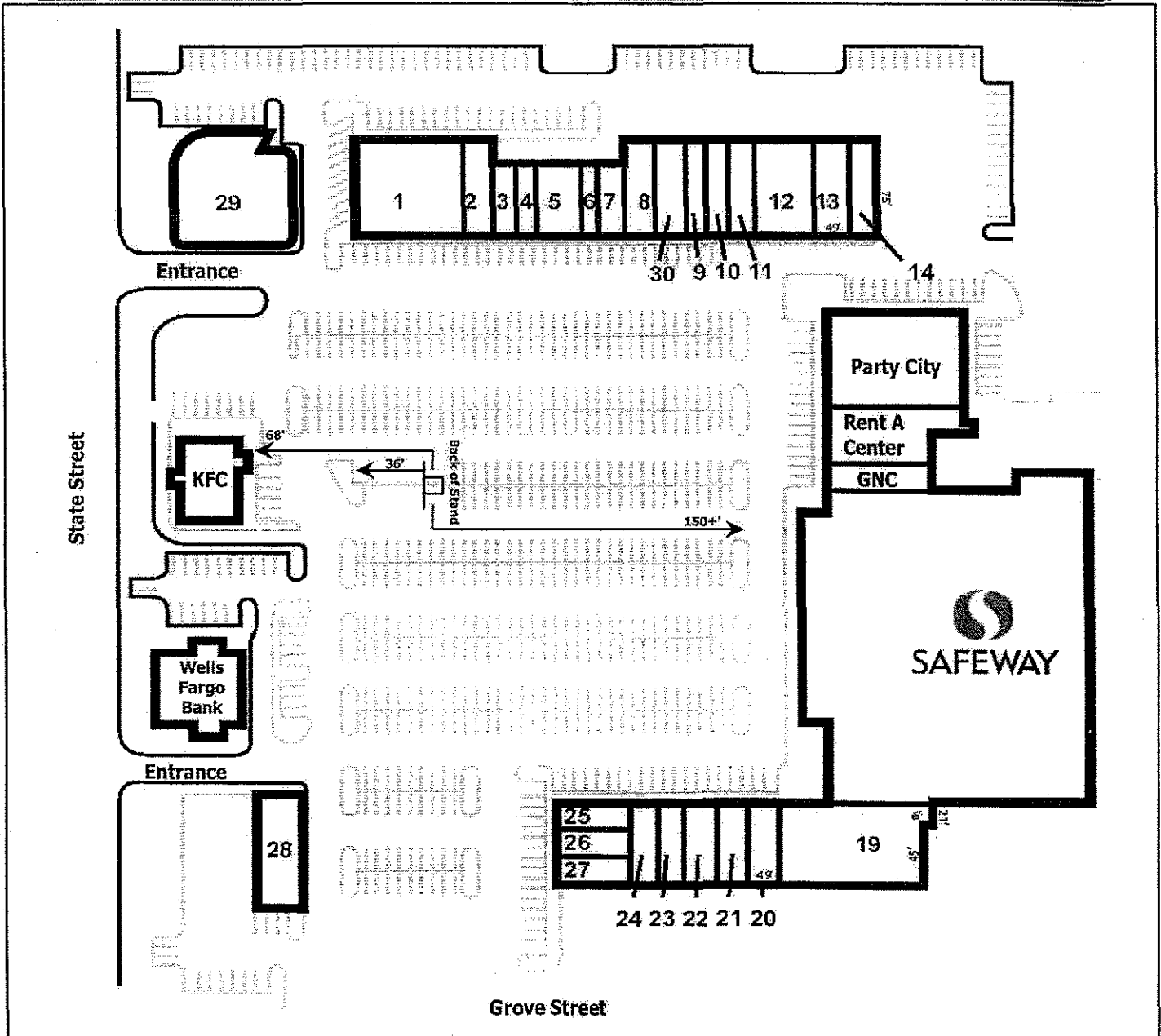
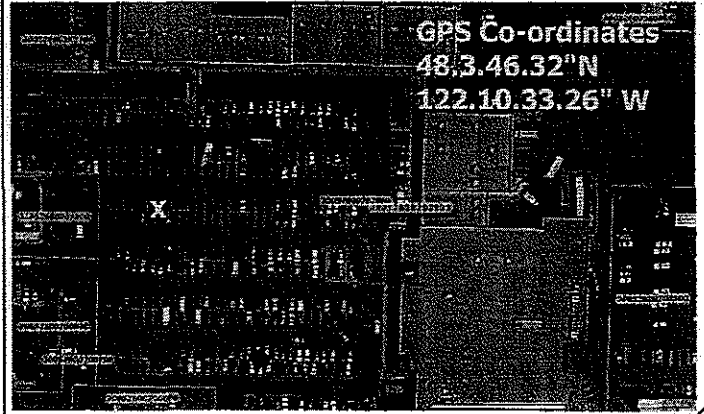




# SITE DIAGRAM

**Date Drawn:** April 9, 2009  
**Ordinance Of:** City of Marysville  
**Address:** 1242 State Avenue  
**Store/Center/Lot:** Plaza at Marysville/Safeway  
**City & State:** Marysville Washington  
**Parcel No:** 30052800202600  
**Stand Faces The Direction Of:** State Ave  
**Stand Size:** 24'

**Loc No:** WWH-2451



**APPLICATION  
FOR RETAIL FIREWORKS STAND PERMIT**

WWT2452

<b>TO:</b>	Governing body of city, town, or county in which fireworks stand will be located.	<b>DATE OF APPLICATION:</b>	JAN.02, 2011
<b>Applicant Name:</b> KIWANIS CLUB OF MARYSVILLE		<b>Address, City, State:</b> 2120 MILWAUKEE WAY, TACOMA., WA 98421	
<b>Sponsor (If other than applicant):</b> DAN STEFFEN		<b>Address, City, State:</b> 2120 MILWAUKEE WAY, TACOMA., WA 98421	
<b>Location of proposed fireworks stand:</b> [Enclose drawing of stand location] 6610- 64 <sup>TH</sup> ST NE MARYSVILLE, WA                      ALLEN CREEK S/C			
<b>Manner and place of storage prior, during, and after sales dates:</b> ON SITE WITH SECURITY			
<b>State Licensed Fireworks Supplier:</b> American Promotional Events NW    2120 Milwaukee Way, Tacoma, WA 98421			

# FIREWORKS STAND PERMIT

For The Fireworks Sales Year Of: 2011

(Must be conspicuously displayed at all times while the stand is open to the public)

By virtue of having been granted a license by the State of Washington and this permit from CITY OF MARYSVILLE the local governing authority, the named person, firm or organization is hereby authorized to sell U.N. 0336 1.4G Consumer fireworks at the location designated herein between the following date and times:

**Sales For July 4<sup>th</sup>**

**Sales For December 31<sup>st</sup>**

From: \_\_\_\_\_ From: \_\_\_\_\_

To: \_\_\_\_\_ To: \_\_\_\_\_

Sponsor: MARYSVILLE KIWANIS

Location: ALLEN CREEK S/C 6610- 64<sup>TH</sup> ST NE MARYSVILLE, WA

/s/ \_\_\_\_\_ /s/ Brenda Merritt FOR DAN STEFFEN  
Signature of Official Granting Permit    Signature of Applicant

Title: \_\_\_\_\_ Agency: \_\_\_\_\_

Date: \_\_\_\_\_ Permit Number: \_\_\_\_\_

Licensee Name: MARYSVILLE KIWANIS License Number: 00673

Washington State Patrol  
Fire Protection Bureau  
Office Of The State Fire Marshal

11794

## Washington State Fireworks License

# Fireworks Stand License

*License is Non-Transferable and Valid for Only One Stand*

### Licensee Information

Marysville Kiwanis  
2120 Milwaukee Way  
Tacoma, WA 98421

License Number: WSPFL-00673



State Fire Marshal Signature

Detach this wallet card and carry with you for verification of certification.

### Stand Information

Contact Person: Arthur Dan Steffen  
Phone Number: (425) 501-1746  
County: Snohomish  
Stand Number: SN-05416

Date of Expiration  
January 31, 2012

Date of Issue  
January 3, 2011

Stand Location: \_\_\_\_\_

*[Stand Location To Be Completed By Licensee]*

3000-420-012 (R 9/05)

Washington State Patrol  
Fire Protection Bureau 11794

Office Of The State Fire Marshal

### ANNUAL FIREWORKS STAND LICENSE

Licensee: Marysville Kiwanis  
Contact Person: Arthur Dan Steffen  
License Number: WSPFL-00673  
Stand Number: SN-05416 [Valid For One Stand]  
Date of Expiration: January 31, 2012  
Location: \_\_\_\_\_

*[Stand Location To Be Completed By Licensee]*



State Fire Marshal Signature

Licensee Signature

ACORD™

CERTIFICATE OF INSURANCE

ISSUE DATE  
10/29/2010

PRODUCER  
MCGRIFF, SEIBELS & WILLIAMS, INC.  
P.O. Box 10265  
Birmingham, AL 35202  
PHONE: 800-476-2211

This certificate is issued as a matter of information only and confers no rights upon the Certificate Holder. This Certificate does not amend, extend or alter the coverage afforded by the policies below.

COMPANIES AFFORDING COVERAGE

Company A Liberty Surplus Insurance Company

Company B

Company C

Company D

Company E

INSURED  
American Promotional Events, Inc.  
dba TNT Fireworks  
P.O. Box 1318  
Florence, AL 35631

This is to certify that the policies of insurance described herein have been issued to the Insured named herein for the policy period indicated. Notwithstanding any requirement, term or condition of contract or other document with respect to which this certificate may be issued or may pertain, the insurance afforded by the policies described herein is subject to all the terms, conditions and exclusions of such policies. Limits shown may have been reduced by paid claims.

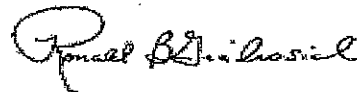
CO LT	TYPE OF INSURANCE	POLICY NUMBER	EFFECTIVE EXPIRATION	LIMITS OF LIABILITY	
A	<b>GENERAL LIABILITY</b> <input checked="" type="checkbox"/> Commercial General Liability <input type="checkbox"/> Claims Made <input checked="" type="checkbox"/> Occurrence <input type="checkbox"/> Owners' and Contractors' Protection <input type="checkbox"/> <input type="checkbox"/> General Aggregate Limit applies per: <input type="checkbox"/> Policy <input type="checkbox"/> Project <input checked="" type="checkbox"/> Location	DGLBO0810581	11/01/2010 11/01/2011	EACH OCCURRENCE	\$ 1,000,000
				FIRE DAMAGE	\$ 100,000
				MEDICAL EXPENSE	\$ EXCLUDED
				PERS. AND ADVERTISING INJURY	\$ 1,000,000
				GENERAL AGGREGATE	\$ 2,000,000
				PRODUCTS AND COMP. OPER. AGG.	\$ 2,000,000
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> Any Automobile <input type="checkbox"/> All Owned Automobiles <input type="checkbox"/> Scheduled Automobiles <input type="checkbox"/> Hired Automobiles <input type="checkbox"/> Non-owned Automobiles <input type="checkbox"/>			COMBINED SINGLE LIMIT	\$
				BODILY INJURY (Per person)	\$
				BODILY INJURY (Per accident)	\$
				PROPERTY DAMAGE (Per accident)	\$
				COMPREHENSIVE	
				COLLISION	
	<b>WORKERS' COMPENSATION AND EMPLOYERS' LIABILITY</b>			WC Statutory Limit	Other
				EL EACH ACCIDENT	\$
				EL DISEASE (Each employee)	\$
				EL DISEASE (Policy Limit)	\$
	<b>EXCESS LIABILITY</b> <input type="checkbox"/> Occurrence <input type="checkbox"/> Claims Made			EACH OCCURRENCE	\$
				AGGREGATE	\$
					\$
					\$
					\$
					\$
					\$

This certificate only applies to Re: Allen Creek S/C located at 6610 64th St NE in Marysville, WA (loc #WWT2452); The Certificate Holders are named as Additional Insureds with respect to General Liability as required by written contract subject to policy terms, conditions, and exclusions.

CERTIFICATE HOLDER  
  
Kiwanis Club of Marysville  
Allen Creek Shopping Center  
City of Marysville  
1049 State Ave #201  
Marysville, WA 98270

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

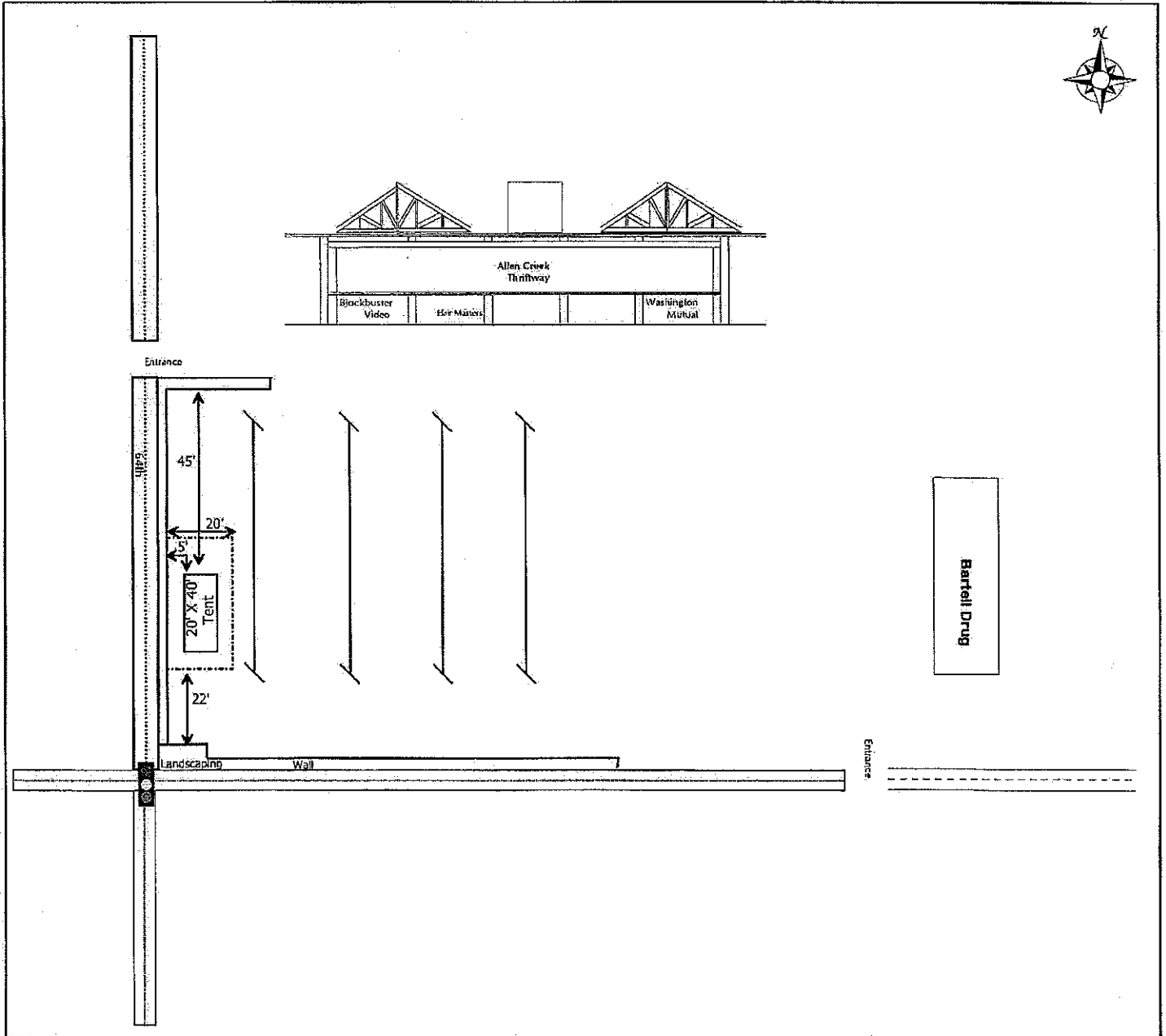
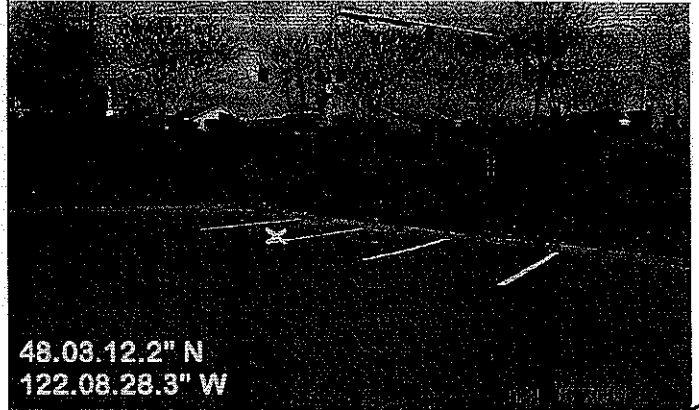
Authorized Representative



# SITE DIAGRAM

Date Drawn: April 28, 2009  
 Ordinance of: City of Marysville  
 Address: 6610 - 64th St. NE  
 Store/Center: Allen Creek S/C  
 City & State: Marysville, Washington  
 Tent Faces Direction of: Faces Center  
 Tent Size: 20 X 40  
 Parcel No: 30052700401100

Loc No: WWT-2452



# Certificate of Flame Resistance



REGISTERED

Fabric No.

F-308.01

ISSUED BY

Meridian Manufacturing  
5050 Poplar Ave., Ste. 1432  
Memphis, TN 38157

Date 12-20-95  
manufactured

This is to certify that the materials described on the reverse side hereof have been flame-retardant treated (or are inherently nonflammable).

FOR Key Manufacturing & Rental ADDRESS 5030 Rockdale St. NE  
CITY Brooks STATE OR

Certification is hereby made that: (Check "a" or "b")

(a) The articles described on the reverse side of this Certificate have been treated with a flame-retardant chemical approved and registered by the State Fire Marshal and that the application of said chemical was done in conformance with the laws of the State of California and the Rules and Regulations of the State Fire Marshal.  
Name of chemical used..... Chem. Reg. No.....  
Method of application.....

(b) The articles described on the reverse side hereof are made from a flame-resistant fabric or material registered and approved by the State Fire Marshal for such use.  
Trade name of flame-resistant fabric..... Group I..... No. M11605

The Flame Retardant Process Used will not Be Removed By Washing  
(will or will not)

JINMIE ROBERTSON  
Name of Applicator or Production Superintendent

By Joe Orbach / Sals  
Title

CONTROL NO. 14924  
CUSTOMER ORDER NO. 4227  
CUSTOMER INVOICE NO. 80222  
YARDS OR QUANTITY 760 yards  
COLOR red  
STYLE Apex II Chrome  
DATE PROCESSED 1-11-96

# Certificate of Flame Resistance



REGISTERED

Fabric No.

W-306.01

ISSUED BY

Meridian Manufacturing  
5050 Poplar Ave., Ste. 1432  
Memphis, TN 38157

Date 1-10-95  
manufactured

This is to certify that the materials described on the reverse side hereof have been flame-retardant treated (or are inherently nonflammable).

FOR Key Manufacturing & Rental ADDRESS 5030 Rockdale St. NE  
CITY Brooks STATE OR

Certification is hereby made that: (Check "a" or "b")

(a) The articles described on the reverse side of this Certificate have been treated with a flame-retardant chemical approved and registered by the State Fire Marshal and that the application of said chemical was done in conformance with the laws of the State of California and the Rules and Regulations of the State Fire Marshal.

Name of chemical used..... Chem. Reg. No.....  
Method of application.....

(b) The articles described on the reverse side hereof are made from a flame-resistant fabric or material registered and approved by the State Fire Marshal for such use.

Trade name of flame-resistant fabric ..... Group I ..... No. M11605

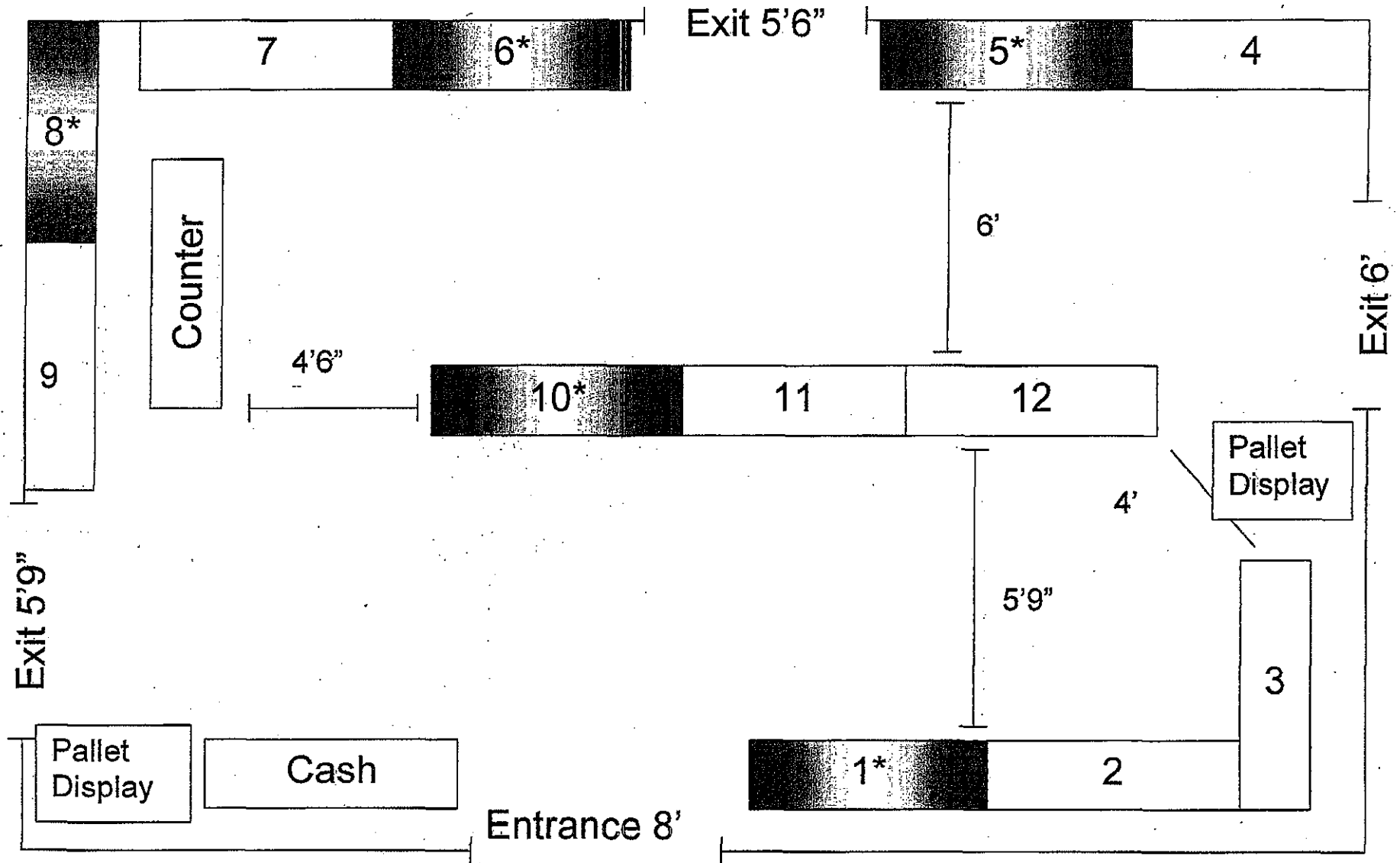
The Flame Retardant Process Used will not Be Removed By Washing  
(will or will not)

Jimmie Robertson  
Name of Applicator or Production Superintendent

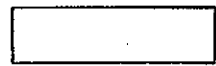
By Jimmie Robertson / Sales  
Title

CONTROL NO. 14824  
CUSTOMER ORDER NO. 4227  
CUSTOMER INVOICE NO. 80222  
YARDS OR QUANTITY 750 yards  
COLOR white  
STYLE Apex II White Chrome  
DATE PROCESSED 1-12-96

# Mad Dog 40 X 20 Tent Layout



4020Tentlayout2K

 = 8' Table

 = 6' Table





Washington State Patrol  
Fire Protection Bureau  
Office Of The State Fire Marshal

11795

## Washington State Fireworks License

# Fireworks Stand License

*License is Non-Transferable and Valid for Only One Stand*

### Licensee Information

Marysville Kiwanis  
2120 Milwaukee Way  
Tacoma, WA 98421

License Number: WSPFL-00673

  
\_\_\_\_\_  
State Fire Marshal Signature

Detach this wallet card and carry with you for  
verification of certification.

### Stand Information

Contact Person: Arthur Dan Steffen  
Phone Number: (425) 501-1746  
County: Snohomish  
Stand Number: SN-05417

Date of Expiration  
January 31, 2012

Date of Issue  
January 3, 2011

Washington State Patrol  
Fire Protection Bureau  
Office Of The State Fire Marshal

11795

### ANNUAL FIREWORKS STAND LICENSE

Licensee: Marysville Kiwanis  
Contact Person: Arthur Dan Steffen  
License Number: WSPFL-00673  
Stand Number: SN-05417 [Valid For One Stand]  
Date of Expiration: January 31, 2012

Location: \_\_\_\_\_  
*[Stand Location To Be Completed By Licensee]*

  
\_\_\_\_\_  
State Fire Marshal Signature

\_\_\_\_\_  
Licensee Signature

Stand Location: \_\_\_\_\_  
*[Stand Location To Be Completed By Licensee]*

3000-420-012 (R 9/05)

**ACORD™****CERTIFICATE OF INSURANCE**

ISSUE DATE

10/29/2010

**PRODUCER**

MCGRIFF, SEIBELS & WILLIAMS, INC.  
 P.O. Box 10265  
 Birmingham, AL 35202  
 PHONE: 800-476-2211

This certificate is issued as a matter of information only and confers no rights upon the Certificate Holder. This Certificate does not amend, extend or alter the coverage afforded by the policies below.

**COMPANIES AFFORDING COVERAGE**

Company A Liberty Surplus Insurance Company

**INSURED**

American Promotional Events, Inc.  
 dba TNT Fireworks  
 P.O. Box 1318  
 Florence, AL 35631

Company B

Company C

Company D

Company E

This is to certify that the policies of insurance described herein have been issued to the Insured named herein for the policy period indicated. Notwithstanding any requirement, term or condition of contract or other document with respect to which this certificate may be issued or may pertain, the insurance afforded by the policies described herein is subject to all the terms, conditions and exclusions of such policies. Limits shown may have been reduced by paid claims.

CO LT	TYPE OF INSURANCE	POLICY NUMBER	EFFECTIVE EXPIRATION	LIMITS OF LIABILITY	
A	<b>GENERAL LIABILITY</b> <input checked="" type="checkbox"/> Commercial General Liability <input type="checkbox"/> Claims Made <input checked="" type="checkbox"/> Occurrence <input type="checkbox"/> Owners' and Contractors' Protection <input type="checkbox"/> <input type="checkbox"/> General Aggregate Limit applies per: <input type="checkbox"/> Policy <input type="checkbox"/> Project <input checked="" type="checkbox"/> Location	DGLBO0810581	11/01/2010 11/01/2011	EACH OCCURRENCE	\$ 1,000,000
				FIRE DAMAGE	\$ 200,000
				MEDICAL EXPENSE	\$ EXCLUDED
				PERS. AND ADVERTISING INJURY	\$ 1,000,000
				GENERAL AGGREGATE	\$ 2,000,000
				PRODUCTS AND COMP. OPER. AGG.	\$ 2,000,000
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> Any Automobile <input type="checkbox"/> All Owned Automobiles <input type="checkbox"/> Scheduled Automobiles <input type="checkbox"/> Hired Automobiles <input type="checkbox"/> Non-owned Automobiles <input type="checkbox"/>			COMBINED SINGLE LIMIT	\$
				BODILY INJURY (Per person)	\$
				BODILY INJURY (Per accident)	\$
				PROPERTY DAMAGE (Per accident)	\$
				COMPREHENSIVE COLLISION	
				WC Statutory Limit   Other	
				EL EACH ACCIDENT	\$
EL DISEASE (Each employee)	\$				
EL DISEASE (Policy Limit)	\$				
	<b>EXCESS LIABILITY</b> <input type="checkbox"/> Occurrence <input type="checkbox"/> Claims Made			EACH OCCURRENCE	\$
				AGGREGATE	\$
				\$	
				\$	
				\$	
				\$	
				\$	

Re: Vacant Pad at 1631-4th St in Marysville, WA (loc # WWT2461)

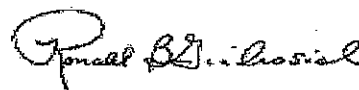
The Certificate Holder is named as Additional Insured with respect to General Liability as required by written contract subject to policy terms, conditions, and exclusions.

**CERTIFICATE HOLDER**

MARYSVILLE KIWANIS  
 CITY OF MARYSVILLE  
 1049 STATE AVE #201  
 MARYSVILLE, WA 98270

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

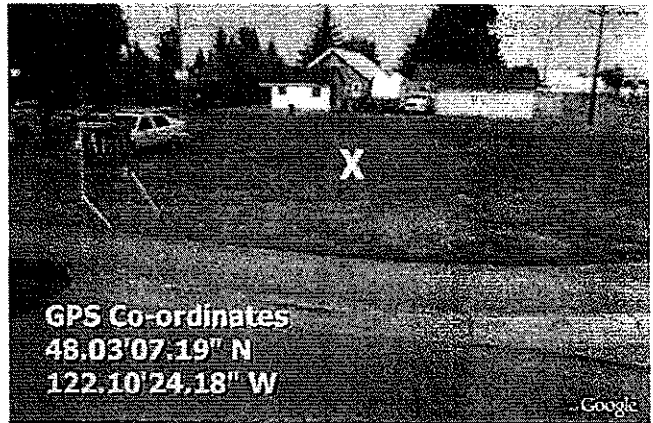
Authorized Representative



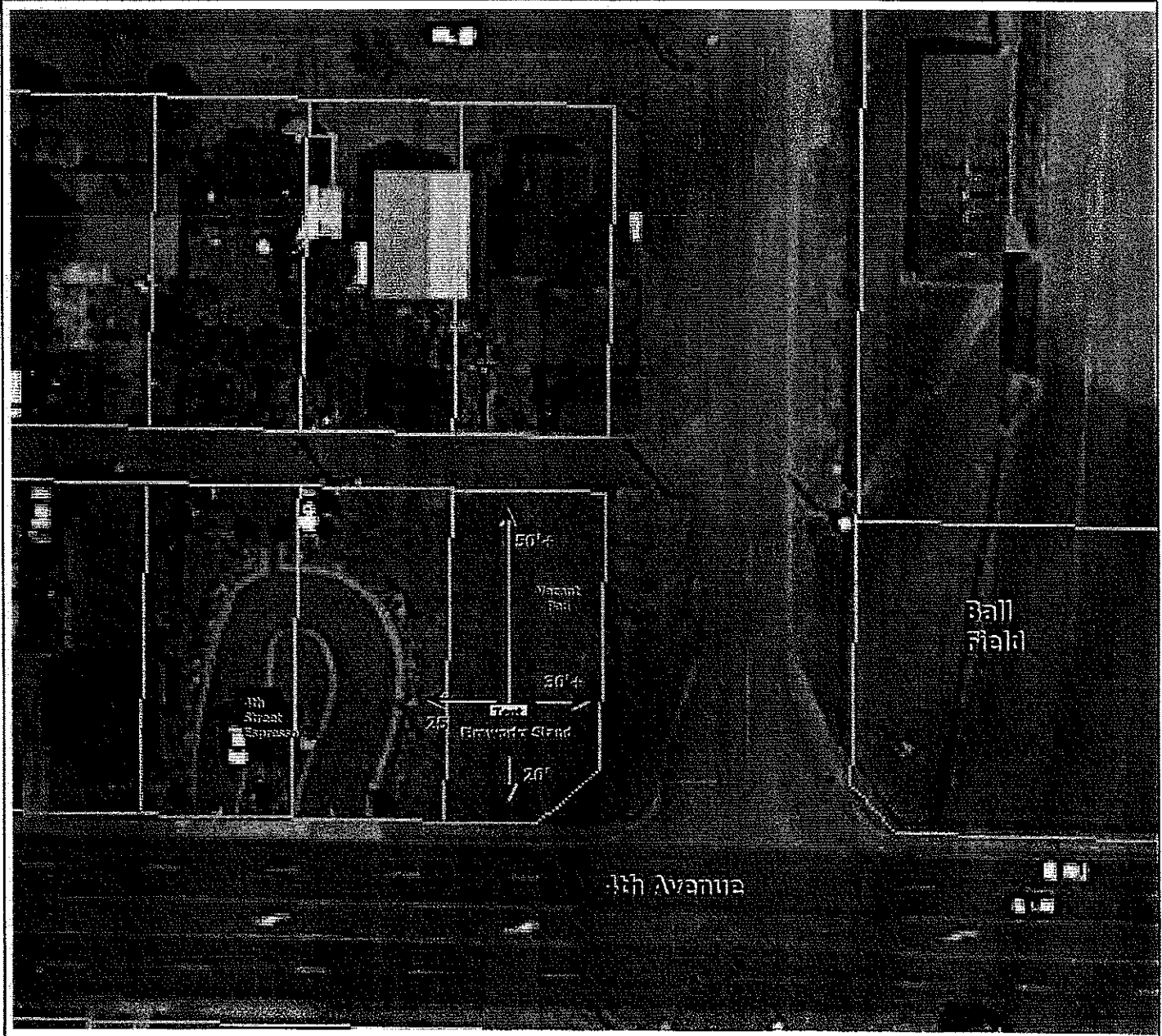
# SITE DIAGRAM

Date Drawn: September 9, 2009  
Ordinance Of: City of Marysville  
Address: 1631 4th Street  
Store/Center/Lot: Vacant Lot next to 4th Street Espresso  
City & State: Marysville Washington  
Parcel No: 00528700701700  
Tent Faces The Direction Of: Towards 4th Street  
Tent Size: 20 x 40

Loc. No WWT-2461



GPS Co-ordinates  
48.03'07.19" N  
122.10'24.18" W



# Certificate of Flame Resistance



REGISTERED

Fabric No.

F-306,01

ISSUED BY

Meridian Manufacturing  
5050 Poplar Ave., Ste. 1432  
Memphis, TN 38157

Date 12-20-95  
manufactured

This is to certify that the materials described on the reverse side hereof have been flame-retardant treated (or are inherently nonflammable).

FOR Key Manufacturing & Rental ADDRESS 5030 Rockdale St. NE  
CITY Brooks STATE OR

Certification is hereby made that: (Check "a" or "b")

(a) The articles described on the reverse side of this Certificate have been treated with a flame-retardant chemical approved and registered by the State Fire Marshal and that the application of said chemical was done in conformance with the laws of the State of California and the Rules and Regulations of the State Fire Marshal.

Name of chemical used..... Chem. Reg. No.....

Method of application.....

(b) The articles described on the reverse side hereof are made from a flame-resistant fabric or material registered and approved by the State Fire Marshal for such use.

Trade name of flame-resistant fabric..... Group I No. M11805

The Flame Retardant Process Used will not Be Removed By Washing  
(will or will not)

JIMMIE ROBERTSON

Name of Applicant or Production Superintendent

By Joe DeBree / Sals  
Test

CONTROL NO. 14924

CUSTOMER ORDER NO. 4227

CUSTOMER INVOICE NO. 80222

YARDS OR QUANTITY 760 yards

COLOR red

STYLE Apex II Chrome

DATE PROCESSED 1-11-96

TOTAL P 02

# Certificate of Flame Resistance



REGISTERED

Fabric No.

F-306.01

ISSUED BY

Meridian Manufacturing  
5050 Poplar Ave., Ste. 1432  
Memphis, TN 38157

Date 11-10-95  
manufactured

This is to certify that the materials described on the reverse side hereof have been flame-retardant treated (or are inherently nonflammable).

FOR Key Manufacturing & Rental ADDRESS 5030 Rockdale St. NE  
CITY Brooks STATE OR

Certification is hereby made that: (Check "a" or "b")

(a) The articles described on the reverse side of this Certificate have been treated with a flame-retardant chemical approved and registered by the State Fire Marshal and that the application of said chemical was done in conformance with the laws of the State of California and the Rules and Regulations of the State Fire Marshal.

Name of chemical used..... Chem. Reg. No.....

Method of application.....

(b) The articles described on the reverse side hereof are made from a flame-resistant fabric or material registered and approved by the State Fire Marshal for such use.

Trade name of flame-resistant fabric..... Group I..... No. M11605

The Flame Retardant Process Used will not Be Removed By Washing  
(will or will not)

Jimmie Robertson

Name of Applicant or Production Superintendent

By Jimmie Robertson / Sales  
Title

CONTROL NO. 14824

CUSTOMER ORDER NO. 4227

CUSTOMER INVOICE NO. 80222

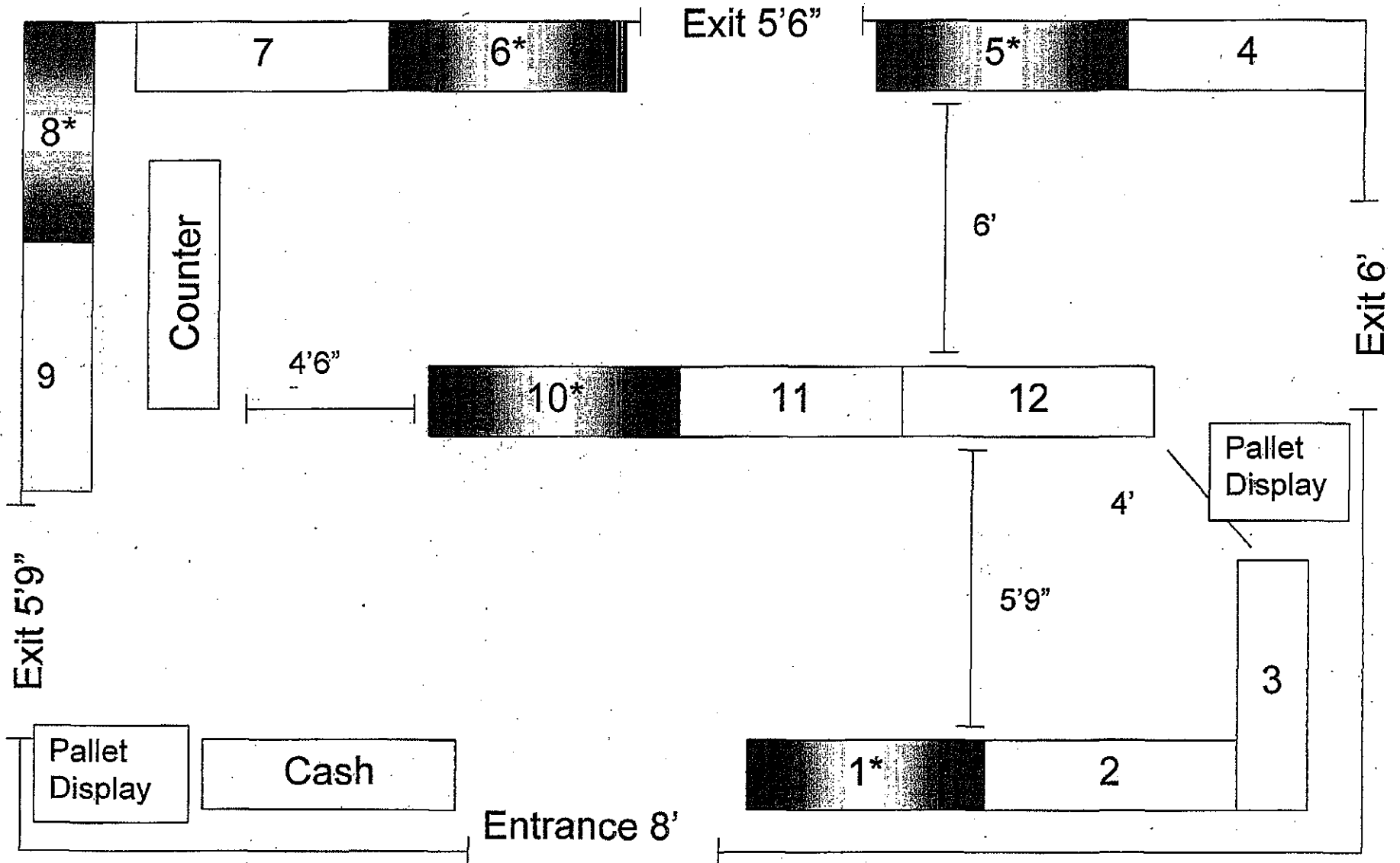
YARDS OR QUANTITY 750 yards

COLOR white

STYLE Apex II White Chrome

DATE PROCESSED 1-12-95

# Mad Dog 40 X 20 Tent Layout



4020Tentlayout2K

= 8' Table
  \* = 6' Table





Washington State Patrol  
Fire Protection Bureau  
Office Of The State Fire Marshal

11796

## Washington State Fireworks License

# Fireworks Stand License

License is Non-Transferable and Valid for Only One Stand

### Licensee Information

Marysville Kiwanis  
2120 Milwaukee Way  
Tacoma, WA 98421

License Number: WSPFL-00673

  
\_\_\_\_\_  
State Fire Marshal Signature

Detach this wallet card and carry with you for  
verification of certification.

### Stand Information

Contact Person: Arthur Dan Steffen  
Phone Number: (425) 501-1746  
County: Snohomish  
Stand Number: SN-05418

Date of Expiration  
January 31, 2012

Date of Issue  
January 3, 2011

Stand Location: \_\_\_\_\_

[Stand Location To Be Completed By Licensee]

3000-420-012 (R 9/05)

Washington State Patrol 11796  
Fire Protection Bureau  
Office Of The State Fire Marshal  
ANNUAL FIREWORKS STAND LICENSE

Licensee: Marysville Kiwanis  
Contact Person: Arthur Dan Steffen  
License Number: WSPFL-00673  
Stand Number: SN-05418 [Valid For One Stand]  
Date of Expiration: January 31, 2012  
Location: \_\_\_\_\_

\_\_\_\_\_  
[Stand Location To Be Completed By Licensee]  
State Fire Marshal Signature Licensee Signature

**ACORD**<sup>TM</sup>**CERTIFICATE OF INSURANCE**

ISSUE DATE

10/29/2010

**PRODUCER**

MCGRUFF, SEIBELS & WILLIAMS, INC.  
 P.O. Box 10265  
 Birmingham, AL 35202  
 PHONE: 800-476-2211

This certificate is issued as a matter of information only and confers no rights upon the Certificate Holder. This Certificate does not amend, extend or alter the coverage afforded by the policies below.

**COMPANIES AFFORDING COVERAGE**

Company A Liberty Surplus Insurance Company

Company B

Company C

Company D

Company E

**INSURED**

American Promotional Events, Inc.  
 dba TNT Fireworks  
 P.O. Box 1318  
 Florence, AL 35631

This is to certify that the policies of insurance described herein have been issued to the Insured named herein for the policy period indicated. Notwithstanding any requirement, term or condition of contract or other document with respect to which this certificate may be issued or may pertain, the insurance afforded by the policies described herein is subject to all the terms, conditions and exclusions of such policies. Limits shown may have been reduced by paid claims.

CO LT	TYPE OF INSURANCE	POLICY NUMBER	EFFECTIVE EXPIRATION	LIMITS OF LIABILITY	
A	<b>GENERAL LIABILITY</b> <input checked="" type="checkbox"/> Commercial General Liability <input type="checkbox"/> Claims Made <input checked="" type="checkbox"/> Occurrence <input type="checkbox"/> Owners' and Contractors' Protection <input type="checkbox"/> <input type="checkbox"/> General Aggregate Limit applies per: <input type="checkbox"/> Policy <input type="checkbox"/> Project <input checked="" type="checkbox"/> Location	DGLBO0810581	11/01/2010 11/01/2011	EACH OCCURRENCE	\$ 1,000,000
				FIRE DAMAGE	\$ 200,000
				MEDICAL EXPENSE	\$ EXCLUDED
				PERS. AND ADVERTISING INJURY	\$ 1,000,000
				GENERAL AGGREGATE	\$ 2,000,000
				PRODUCTS AND COMP. OPER. AGG.	\$ 2,000,000
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> Any Automobile <input type="checkbox"/> All Owned Automobiles <input type="checkbox"/> Scheduled Automobiles <input type="checkbox"/> Hired Automobiles <input type="checkbox"/> Non-owned Automobiles <input type="checkbox"/>			COMBINED SINGLE LIMIT	\$
				BODILY INJURY (Per person)	\$
				BODILY INJURY (Per accident)	\$
				PROPERTY DAMAGE (Per accident)	\$
				COMPREHENSIVE COLLISION	
	<b>WORKERS' COMPENSATION AND EMPLOYERS' LIABILITY</b>			WC Statutory Limit	Other
				EL EACH ACCIDENT	\$
				EL DISEASE (Each employee)	\$
				EL DISEASE (Policy Limit)	\$
				EACH OCCURRENCE	\$
	<b>EXCESS LIABILITY</b> <input type="checkbox"/> Occurrence <input type="checkbox"/> Claims Made			AGGREGATE	\$
					\$
					\$
					\$
					\$
					\$

Re: Lakewood Point located at 172nd St NE & 27th Ave in Marysville, WA (loc# VVWH2459)

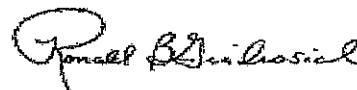
The Certificate Holders are named as Additional Insureds with respect to General Liability as required by written contract subject to policy terms, conditions, and exclusions.

**CERTIFICATE HOLDER**

Kiwanis Club of Marysville  
 Lakewood Point  
 City of Marysville  
 1049 State Ave #201  
 Marysville, WA 98270

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

Authorized Representative



**ACORD**<sup>TM</sup>

# CERTIFICATE OF INSURANCE

ISSUE DATE

10/29/2010

**PRODUCER**

MCGRUFF, SEIBELS & WILLIAMS, INC.  
P.O. Box 10265  
Birmingham, AL 35202  
PHONE: 800-476-2211

This certificate is issued as a matter of information only and confers no rights upon the Certificate Holder. This Certificate does not amend, extend or alter the coverage afforded by the policies below.

**COMPANIES AFFORDING COVERAGE**

Company A Liberty Surplus Insurance Company

**INSURED**

American Promotional Events, Inc.  
dba TNT Fireworks  
P.O. Box 1318  
Florence, AL 35631

Company B

Company C

Company D

Company E

This is to certify that the policies of insurance described herein have been issued to the Insured named herein for the policy period indicated. Notwithstanding any requirement, term or condition of contract or other document with respect to which this certificate may be issued or may pertain, the insurance afforded by the policies described herein is subject to all the terms, conditions and exclusions of such policies. Limits shown may have been reduced by paid claims.

CO LT	TYPE OF INSURANCE	POLICY NUMBER	EFFECTIVE EXPIRATION	LIMITS OF LIABILITY	
A	<b>GENERAL LIABILITY</b> <input checked="" type="checkbox"/> Commercial General Liability <input type="checkbox"/> Claims Made <input checked="" type="checkbox"/> Occurrence <input type="checkbox"/> Owners' and Contractors' Protection <input type="checkbox"/> General Aggregate Limit applies per: <input type="checkbox"/> Policy <input type="checkbox"/> Project <input checked="" type="checkbox"/> Location	DGLB00810581	11/01/2010 11/01/2011	EACH OCCURRENCE	\$ 1,000,000
				FIRE DAMAGE	\$ 100,000
				MEDICAL EXPENSE	\$ EXCLUDED
				PERS. AND ADVERTISING INJURY	\$ 1,000,000
				GENERAL AGGREGATE	\$ 2,000,000
				PRODUCTS AND COMP. OPER. AGG.	\$ 2,000,000
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> Any Automobile <input type="checkbox"/> All Owned Automobiles <input type="checkbox"/> Scheduled Automobiles <input type="checkbox"/> Hired Automobiles <input type="checkbox"/> Non-owned Automobiles <input type="checkbox"/>			COMBINED SINGLE LIMIT	\$
				BODILY INJURY (Per person)	\$
				BODILY INJURY (Per accident)	\$
				PROPERTY DAMAGE (Per accident)	\$
				COMPREHENSIVE COLLISION	
	<b>WORKERS' COMPENSATION AND EMPLOYERS' LIABILITY</b>			WC Statutory Limit	Other
				EL EACH ACCIDENT	\$
				EL DISEASE (Each employee)	\$
				EL DISEASE (Policy Limit)	\$
				EACH OCCURRENCE	\$
	<b>EXCESS LIABILITY</b> <input type="checkbox"/> Occurrence <input type="checkbox"/> Claims Made			AGGREGATE	\$
					\$
					\$
					\$
					\$
					\$

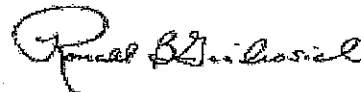
Re: Albertsons #412 located at 11401 State Ave in Marysville, WA (loc #WWT2453)  
The Certificate Holder is named as Additional Insured with respect to General Liability as required by written contract subject to policy terms, conditions, and exclusions.

**CERTIFICATE HOLDER**

Marysville First Assembly  
Albertsons #412  
City of Marysville  
1049 STATE AVE #201  
MARYSVILLE, WA 98270

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

Authorized Representative



Washington State Patrol  
Fire Protection Bureau  
Office Of The State Fire Marshal

11801

# Fireworks Stand License

## Washington State Fireworks License

*License is Non-Transferable and Valid for Only One Stand*

### Licensee Information

Marysville First Assembly  
2120 Milwaukee Way  
Tacoma, WA 98421

License Number: WSPFL-00733

  
State Fire Marshal Signature

Detach this wallet card and carry with you for  
verification of certification.

### Stand Information

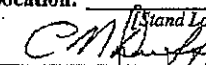
Contact Person: Fawnda Faucett  
Phone Number: (360) 659-3536  
County: Snohomish  
Stand Number: SN-05423

Date of Expiration      Date of Issue  
January 31, 2012      January 4, 2011

Washington State Patrol      11801  
Fire Protection Bureau  
Office Of The State Fire Marshal  
**ANNUAL FIREWORKS STAND LICENSE**  
Licensee: Marysville First Assembly  
Contact Person: Fawnda Faucett  
License Number: WSPFL-00733  
Stand Number: SN-05423 [Valid For One Stand]  
Date of Expiration: January 31, 2012  
Location: \_\_\_\_\_

Stand Location: \_\_\_\_\_  
*[Stand Location To Be Completed By Licensee]*

3000-420-012 (R 9/05)

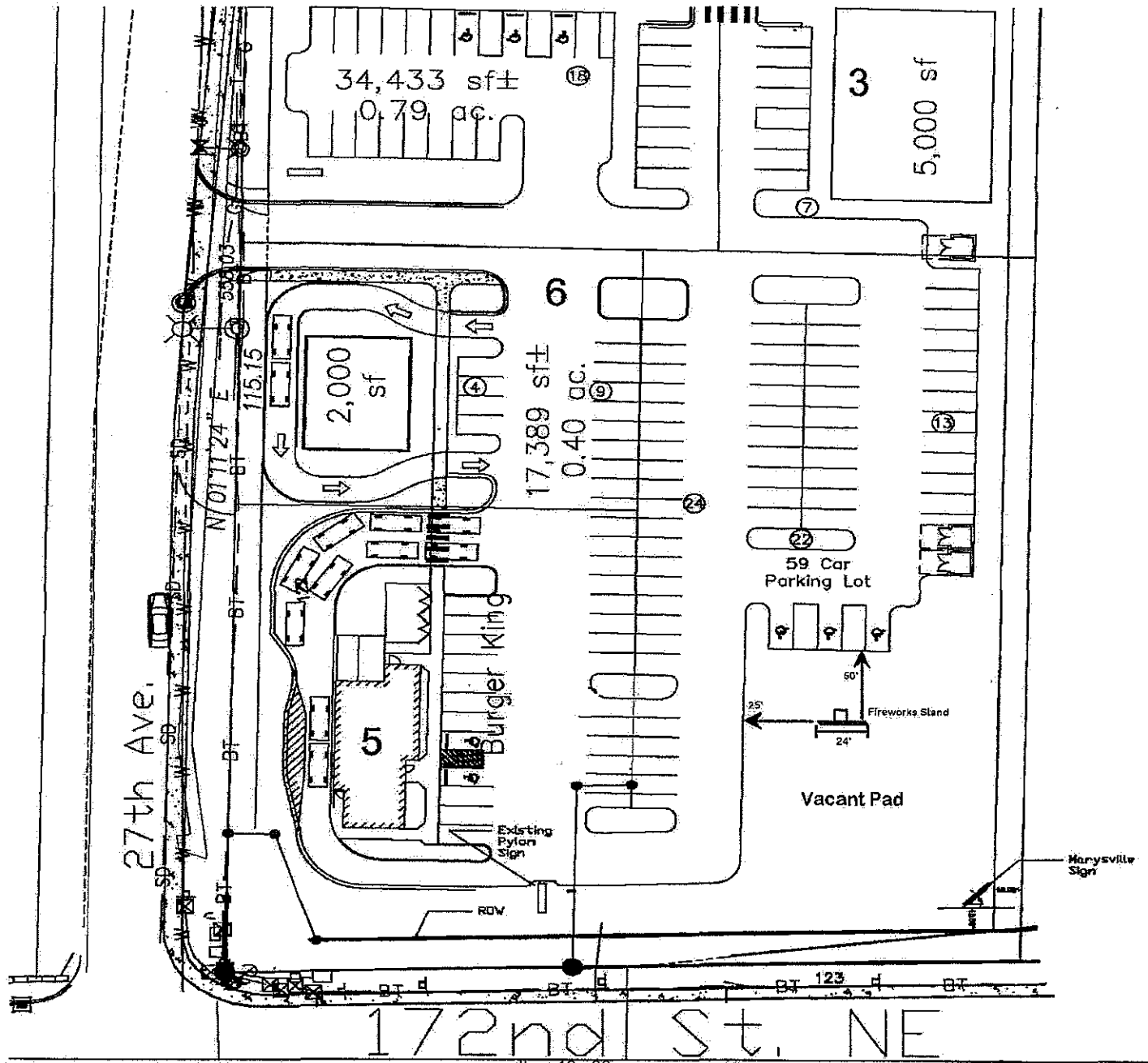
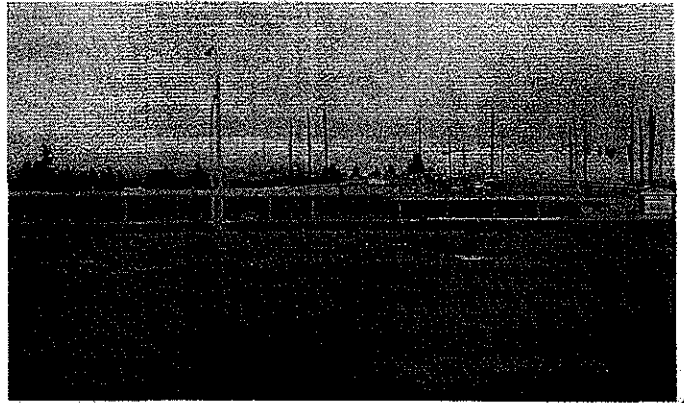
  
State Fire Marshal Signature      Licensee Signature



# SITE DIAGRAM

**Date Drawn:** November 30, 2009  
**Ordinance Of:** City of Marysville  
**Address:** 17305 - 27th Ave NE  
**Store/Center/Lot:** Vacant Pad/Burger King  
**City & State:** Marysville Washington  
**Parcel No:** 3105200404000  
**Stand Faces The Direction Of:** Faces 172nd St NE  
**Stand Size:** 24'

**Loc No:** WWH-2459



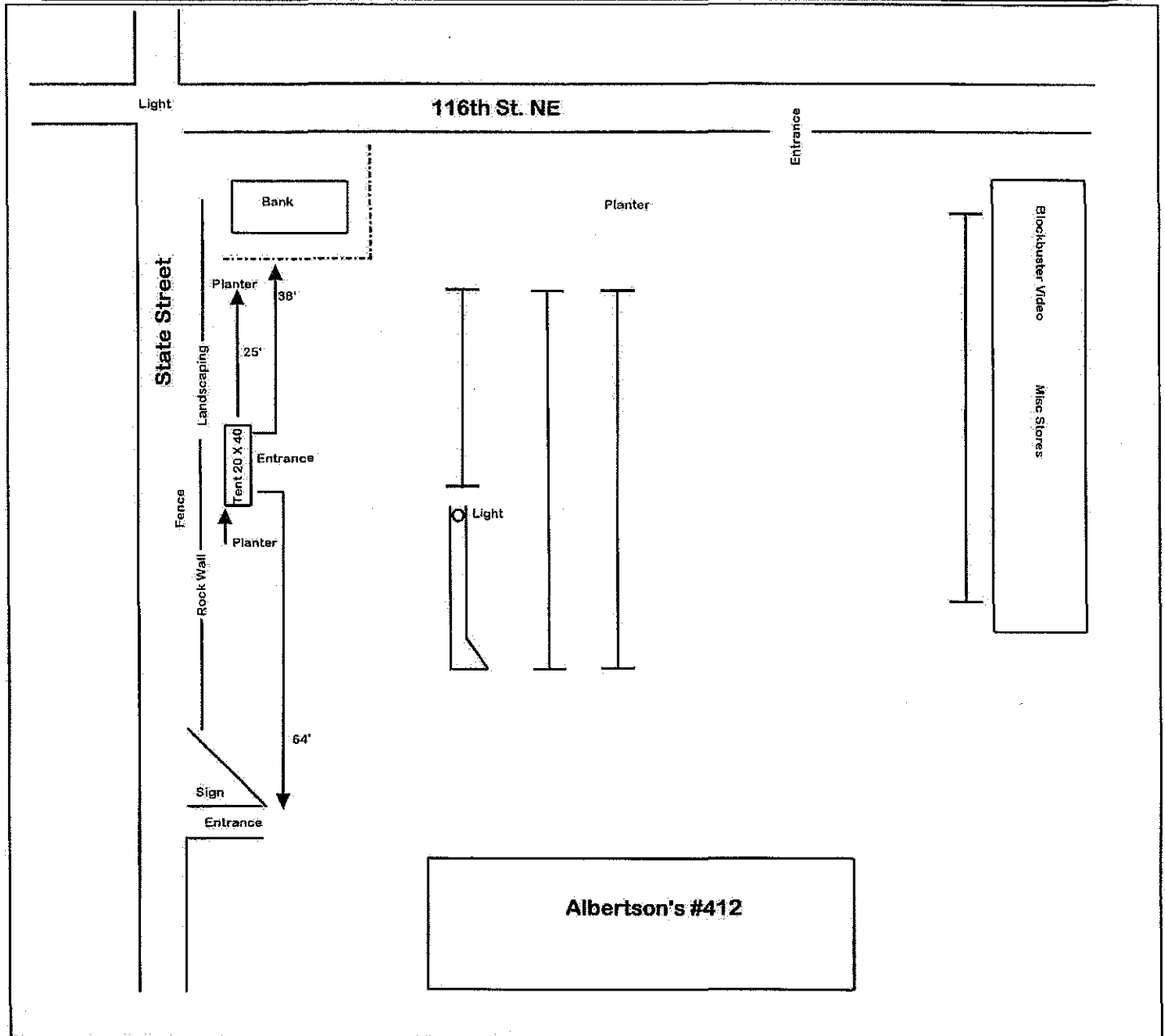
# SITE DIAGRAM

Date Drawn: April 28, 2009  
 Ordinance of: City of Marysville  
 Address: 11401 State Ave  
 Store/Center: Albertsons #412  
 City & State: Marysville Washington  
 Tent Faces Direction of: East  
 Tent Size: 20 x 40  
 Parcel No: 30050900302800

Loc No: WWT-2453



48.05.57.14" N  
 122.10.28.69" W



# Certificate of Flame Resistance



REGISTERED

Fabric No.

F-306.01

ISSUED BY

Meridian Manufacturing  
5050 Poplar Ave., Ste. 1432  
Memphis, TN 38157

Date 12-20-95  
manufactured

This is to certify that the materials described on the reverse side hereof have been flame-retardant treated (or are inherently nonflammable).

FOR Key Manufacturing & Rental ADDRESS 5030 Rockdale St. NE  
CITY Brooks STATE OR

Certification is hereby made that: (Check "a" or "b")



(a) The articles described on the reverse side of this Certificate have been treated with a flame-retardant chemical approved and registered by the State Fire Marshal and that the application of said chemical was done in conformance with the laws of the State of California and the Rules and Regulations of the State Fire Marshal.

Name of chemical used..... Chem. Reg. No.....

Method of application.....



(b) The articles described on the reverse side hereof are made from a flame-resistant fabric or material registered and approved by the State Fire Marshal for such use.

Trade name of flame-resistant fabric..... Group I..... No. M11605

The Flame Retardant Process Used will not Be Removed By Washing  
(will or will not)

JIMMIE ROBERTSON

Name of Applicator or Production Superintendent

By Joe Orbach / Sales  
Title

CONTROL NO. 14924

CUSTOMER ORDER NO. 4227

CUSTOMER INVOICE NO. 80222

YARDS OR QUANTITY 760 yards

COLOR red

STYLE Apex II Chrome

DATE PROCESSED 1-11-96



# Certificate of Flame Resistance



REGISTERED

Fabric No.

4-306.01

ISSUED BY

Meridian Manufacturing  
5050 Poplar Ave., Ste. 1432  
Memphis, TN 38157

Date 11-10-95  
manufactured

This is to certify that the materials described on the reverse side hereof have been flame-retardant treated (or are inherently nonflammable).

FOR Key Manufacturing & Rental ADDRESS 5030 Rockdale St. NE  
CITY Brooks STATE OR

Certification is hereby made that: (Check "a" or "b")

(a) The articles described on the reverse side of this Certificate have been treated with a flame-retardant chemical approved and registered by the State Fire Marshal and that the application of said chemical was done in conformance with the laws of the State of California and the Rules and Regulations of the State Fire Marshal.

Name of chemical used..... Chem. Reg. No.....  
Method of application.....

(b) The articles described on the reverse side hereof are made from a flame-resistant fabric or material registered and approved by the State Fire Marshal for such use.

Trade name of flame-resistant fabric..... Group I No. M11605

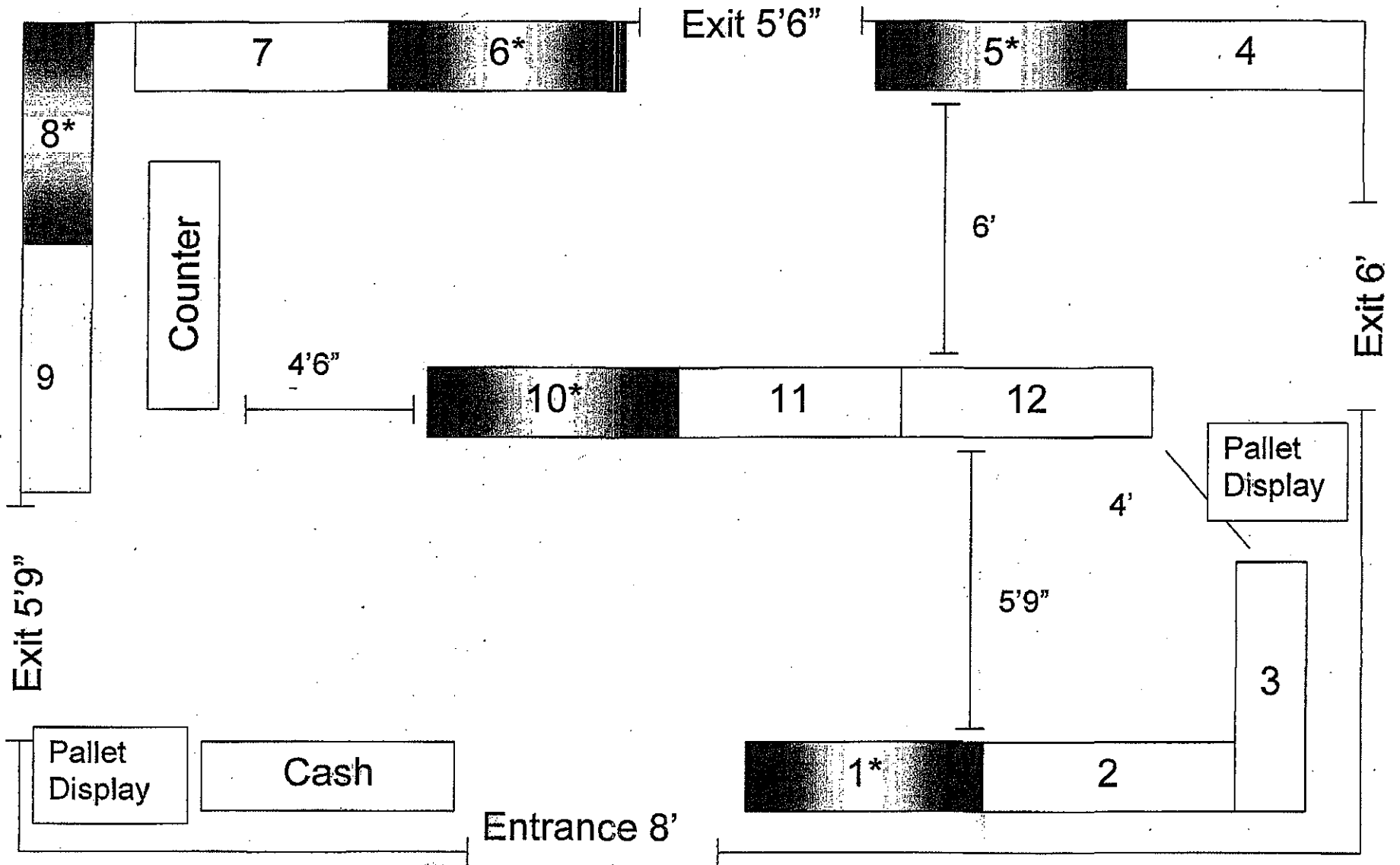
The Flame Retardant Process Used will not Be Removed By Washing  
(will or will not)

Jimmie Robertson  
Name of Applicator or Production Superintendent

By Jimmie Robertson / Sales  
Title

CONTROL NO. 14824  
CUSTOMER ORDER NO. 4227  
CUSTOMER INVOICE NO. 80222  
YARDS OR QUANTITY 750 yards  
COLOR white  
STYLE Apex II White Chrome  
DATE PROCESSED 1-12-96

# Mad Dog 40 X 20 Tent Layout



4020Tentlayout2K

= 8' Table

\* = 6' Table



Washington State Patrol  
Fire Protection Bureau  
Office Of The State Fire Marshal

11800

# Fireworks Stand License

## Washington State Fireworks License

*License is Non-Transferable and Valid for Only One Stand*

### Licensee Information

Mountain View Assembly of God  
2120 Milwaukee Way  
Tacoma, WA 98421

License Number: WSPFL-01101

  
State Fire Marshal Signature

Detach this wallet card and carry with you for verification of certification.

### Stand Information

Contact Person: Scott Cooper  
Phone Number: (425) 691-7464  
County: Snohomish  
Stand Number: SN-05422

Date of Expiration  
January 31, 2012

Date of Issue  
January 4, 2011

Washington State Patrol  
Fire Protection Bureau  
Office Of The State Fire Marshal  
11800

### ANNUAL FIREWORKS STAND LICENSE

Licensee: Mountain View Assembly of God  
Contact Person: Scott Cooper  
License Number: WSPFL-01101  
Stand Number: SN-05422 [Valid For One Stand]  
Date of Expiration: January 31, 2012  
Location: \_\_\_\_\_

*[Stand Location To Be Completed By Licensee]*

  
State Fire Marshal Signature

\_\_\_\_\_  
Licensee Signature

Stand Location: \_\_\_\_\_

*[Stand Location To Be Completed By Licensee]*

3000-420-012 (R 9/05)

**ACORD**<sup>TM</sup>**CERTIFICATE OF INSURANCE**

ISSUE DATE

10/29/2010

**PRODUCER**

MCGRUFF, SEIBELS & WILLIAMS, INC.  
 P.O. Box 10265  
 Birmingham, AL 35202  
 PHONE: 800-476-2211

This certificate is issued as a matter of information only and confers no rights upon the Certificate Holder. This Certificate does not amend, extend or alter the coverage afforded by the policies below.

**COMPANIES AFFORDING COVERAGE**

Company A Liberty Surplus Insurance Company

Company B

Company C

Company D

Company E

**INSURED**

American Promotional Events, Inc.  
 dba TNT Fireworks  
 P.O. Box 1318  
 Florence, AL 35631

This is to certify that the policies of insurance described herein have been issued to the Insured named herein for the policy period indicated. Notwithstanding any requirement, term or condition of contract or other document with respect to which this certificate may be issued or may pertain, the insurance afforded by the policies described herein is subject to all the terms, conditions and exclusions of such policies. Limits shown may have been reduced by paid claims.

CO LT	TYPE OF INSURANCE	POLICY NUMBER	EFFECTIVE EXPIRATION	LIMITS OF LIABILITY	
A	<b>GENERAL LIABILITY</b> <input checked="" type="checkbox"/> Commercial General Liability <input type="checkbox"/> Claims Made <input checked="" type="checkbox"/> Occurrence <input type="checkbox"/> Owners' and Contractors' Protection <input type="checkbox"/> <input type="checkbox"/> General Aggregate Limit applies per: <input type="checkbox"/> Policy <input type="checkbox"/> Project <input checked="" type="checkbox"/> Location	DGLBO0810581	11/01/2010 11/01/2011	EACH OCCURRENCE	\$ 1,000,000
				FIRE DAMAGE	\$ 100,000
				MEDICAL EXPENSE	\$ EXCLUDED
				PERS. AND ADVERTISING INJURY	\$ 1,000,000
				GENERAL AGGREGATE	\$ 2,000,000
				PRODUCTS AND COMP. OPER. AGG.	\$ 2,000,000
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> Any Automobile <input type="checkbox"/> All Owned Automobiles <input type="checkbox"/> Scheduled Automobiles <input type="checkbox"/> Hired Automobiles <input type="checkbox"/> Non-owned Automobiles <input type="checkbox"/>			COMBINED SINGLE LIMIT	\$
				BODILY INJURY (Per person)	\$
				BODILY INJURY (Per accident)	\$
				PROPERTY DAMAGE (Per accident)	\$
				COMPREHENSIVE	
				COLLISION	
	<b>WORKERS' COMPENSATION AND EMPLOYERS' LIABILITY</b>			WC Statutory Limit	Other
				EL EACH ACCIDENT	\$
				EL DISEASE (Each employee)	\$
				EL DISEASE (Policy Limit)	\$
				EACH OCCURRENCE	\$
	<b>EXCESS LIABILITY</b> <input type="checkbox"/> Occurrence <input type="checkbox"/> Claims Made			AGGREGATE	\$
					\$
					\$
					\$
					\$
					\$
					\$

This certificate only applies to Re: Fred Meyer located at 9925 State Ave in Marysville, WA (loc #WWT2450);.

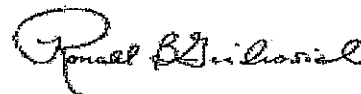
The Certificate Holders are named as Additional Insureds with respect to General Liability as required by written contract subject to policy terms, conditions, and exclusions.

**CERTIFICATE HOLDER**

Mountain View Assembly of God  
 Fred Meyer  
 City of Marysville  
 1049 State Ave #201  
 Marysville, WA 98270

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

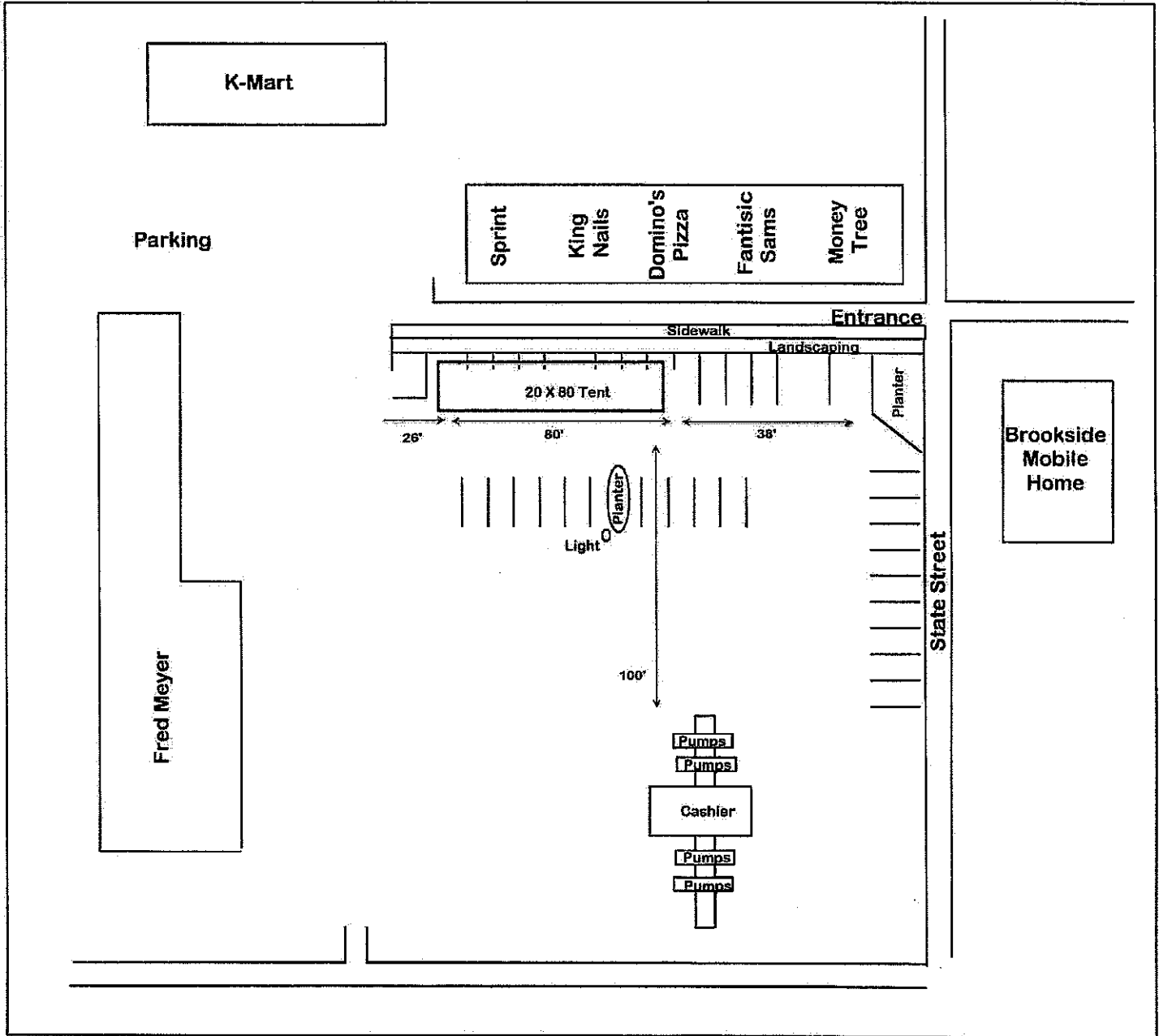
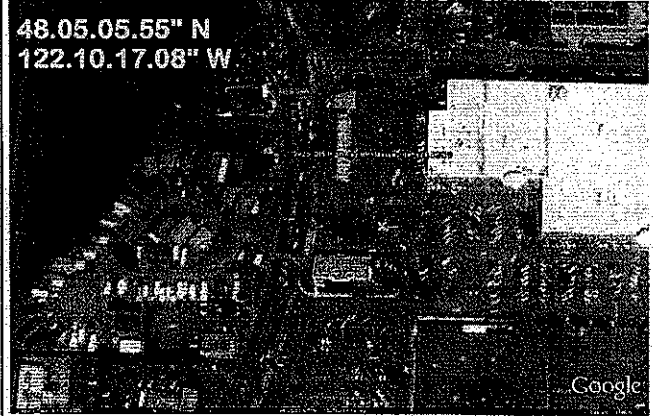
Authorized Representative



# SITE DIAGRAM

Date Drawn: April 28, 2009  
 Ordinance of: City of Marysville  
 Address: 9925 Old Hwy 99  
 Store/Center: Fred Meyer  
 City & State: Marysville, Washington  
 Tent Size: 20 X 80  
 Tent Faces Direction of: North  
 Parcel No: 30051600402400  
**NO STAKES**

Loc No: WWT-2450



# Certificate of Flame Resistance



REGISTERED

Fabric No.

F-308.01

ISSUED BY

Meridian Manufacturing  
5050 Poplar Ave., Ste. 1432  
Memphis, TN 38157

Date 12-20-95  
manufactured

This is to certify that the materials described on the reverse side hereof have been flame-retardant treated (or are inherently nonflammable).

FOR Key Manufacturing & Rental ADDRESS 5030 Rockdale St. NE  
CITY Brooks STATE OR \_\_\_\_\_

Certification is hereby made that: (Check "a" or "b")



(a) The articles described on the reverse side of this Certificate have been treated with a flame-retardant chemical approved and registered by the State Fire Marshal and that the application of said chemical was done in conformance with the laws of the State of California and the Rules and Regulations of the State Fire Marshal.

Name of chemical used..... Chem. Reg. No.....

Method of application.....



(b) The articles described on the reverse side hereof are made from a flame-resistant fabric or material registered and approved by the State Fire Marshal for such use.

Trade name of flame-resistant fabric ..... Group I ..... No. M11605

The Flame Retardant Process Used will not Be Removed By Washing  
(will or will not)

JINNIE ROBERTSON

Name of Applicator or Production Superintendent

By Joe Orbach / Sals

Title

CONTROL NO. 14924

CUSTOMER ORDER NO. 4227

CUSTOMER INVOICE NO. 80222

YARDS OR QUANTITY 760 yards

COLOR red

STYLE Apex II Chrome

DATE PROCESSED 1-11-96

# Certificate of Flame Resistance



REGISTERED  
Fabric No.

F-306.01

ISSUED BY

Meridian Manufacturing  
5050 Poplar Ave., Ste. 1432  
Memphis, TN 38157

Date 11-10-95  
manufactured

This is to certify that the materials described on the reverse side hereof have been flame-retardant treated (or are inherently nonflammable).

FOR Key Manufacturing & Rental ADDRESS 5030 Rockdale St. NE  
CITY Brooks STATE OR

Certification is hereby made that: (Check "a" or "b")

(a) The articles described on the reverse side of this Certificate have been treated with a flame-retardant chemical approved and registered by the State Fire Marshal and that the application of said chemical was done in conformance with the laws of the State of California and the Rules and Regulations of the State Fire Marshal.

Name of chemical used.....Chem. Reg. No.....  
Method of application.....

(b) The articles described on the reverse side hereof are made from a flame-resistant fabric or material registered and approved by the State Fire Marshal for such use.

Trade name of flame-resistant fabric.....Group I.....No. M11605

The Flame Retardant Process Used will not Be Removed By Washing  
(will or will not)

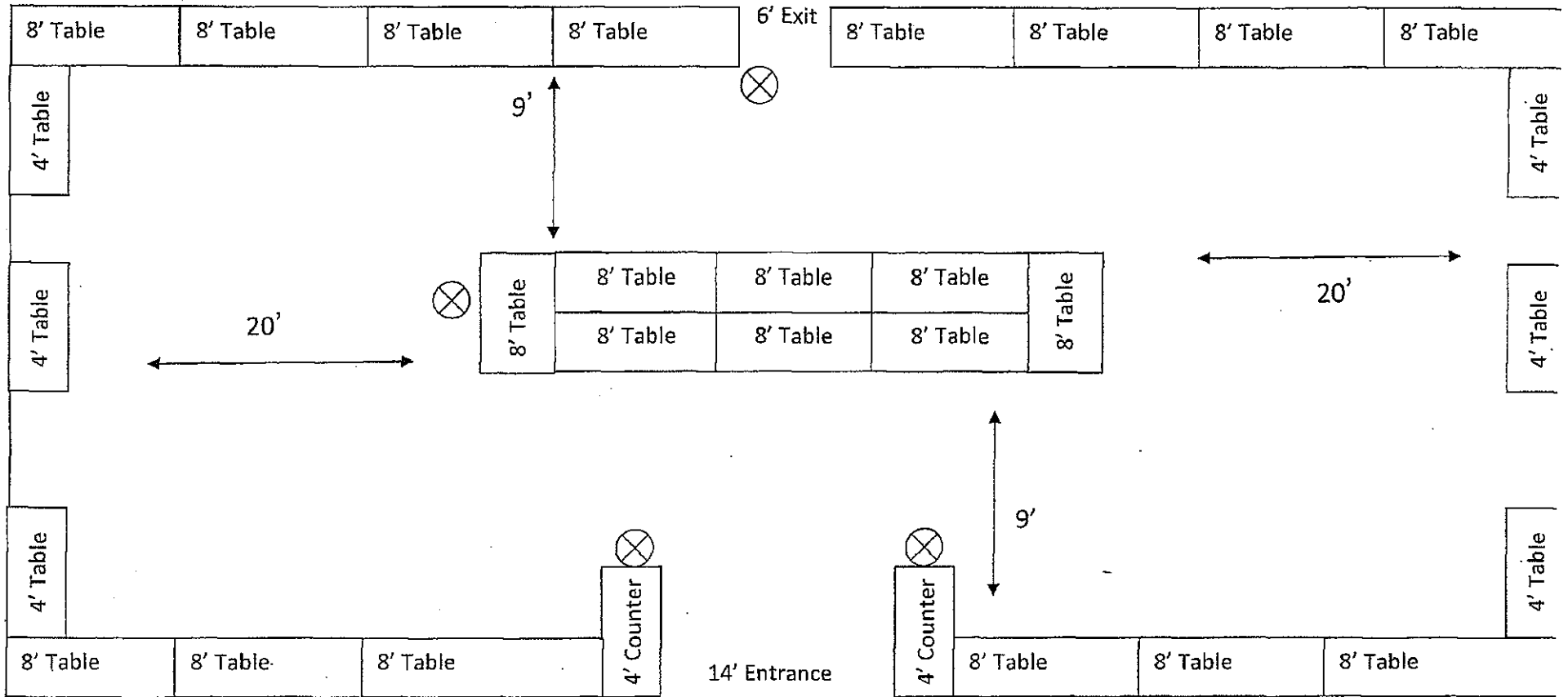
Jimmie Robertson  
Name of Applicator or Production Superintendent

By Jimmie Robertson / Sales  
Title

CONTROL NO. 14824  
CUSTOMER ORDER NO. 4227  
CUSTOMER INVOICE NO. 80222  
YARDS OR QUANTITY 750 yards  
COLOR white  
STYLE Apex II White Chrome  
DATE PROCESSED 1-12-96



# TNT 20 X 80 Tent Layout



⊗ = Fire Extinguisher



May 10, 2011

RECEIVED

MAY 12 2011

CITY OF MARYSVILLE  
PUBLIC WORKS &  
COMMUNITY DEVELOPMENT

City of Marysville  
Attn.: Carol Mulligan  
80 Columbia Ave  
Marysville, WA 98270

Re: Permit Application for Retail Sales of Fireworks

Enclosed please find one (1) Retail Fireworks Permit Application for the 2011 season.

**Bethlehem Lutheran Church Youth Ministries**

If you should have any questions and/or need more information, please do not hesitate to contact me directly at 800-869-7391 or [MarkM@WesternFireworks.com](mailto:MarkM@WesternFireworks.com)

Thank you,

Mark Madeira  
Western Fireworks, Inc.

Permit Application Enclosed

CONSUMER FIREWORKS IMPORTER ★ WHOLESALE DISTRIBUTOR  
P.O. Box 426 ★ Aurora, OR 97002  
503-678-2378 ★ 1-800-869-7391 ★ Fax: 503-678-1419  
[www.westernfireworks.com](http://www.westernfireworks.com)



FIRE PROTECTION BUREAU  
 FIREWORKS LICENSING PROGRAM  
 PO Box 42600  
 Olympia WA 98504-2600  
 (360) 596-3914 FAX: (360) 596-3934



APPLICATION  
 FOR RETAIL FIREWORKS STAND PERMIT

TO	Governing body of city, town, or county in which fireworks stand will be located.	DATE OF APPLICATION	5-10-11
Applicant Name		Address, City, State	
Bethlehem Lutheran Church Youth Ministries		7215 51 <sup>st</sup> Ave NE, Marysville, WA 98270	
Sponsor (If other than applicant)		Address, City, State	
Same		Same	
Location of proposed fireworks stand [Enclose drawing of stand location]			
301 Marysville Mall, Marysville, WA 98270			
Manner and place of storage prior, during, and after sales dates			
In tent			
State-Licensed Fireworks Supplier			
Western Fireworks, Inc.			

# FIREWORKS STAND PERMIT

For the Fireworks Sales Year of: 2011  
 (Must be conspicuously displayed at all times while the stand is open to the public)

By virtue of having been granted a license by the State of Washington and this permit from \_\_\_\_\_ as the local governing authority, the named person, firm or organization is hereby authorized to sell U.N. 0336 1.4G Consumer fireworks at the location designated herein between the following date and times:

Sales for July 4 <sup>th</sup>	Sales for December 31 <sup>st</sup>
From: <u>June 28<sup>th</sup></u>	From: _____
To: <u>July 4<sup>th</sup></u>	To: _____

Sponsor Bethlehem Lutheran Church Yout Ministries

Location 301 Marysville Mall, Marysville, WA 98270

/s/ \_\_\_\_\_ /s/ \_\_\_\_\_  
 Signature of Official Granting Permit Signature of Applicant

Title \_\_\_\_\_ Agency \_\_\_\_\_

Date \_\_\_\_\_ Permit Number \_\_\_\_\_

Licensee Name \_\_\_\_\_ License Number \_\_\_\_\_

Washington State Patrol  
Fire Protection Bureau  
Office Of The State Fire Marshal

12761

# Fireworks Stand License

## Washington State Fireworks License

License is Non-Transferable and Valid for Only One Stand

### Licensee Information

BLC Youth Ministries  
Post Office Box 426  
Aurora, OR 97002

License Number: WSPFL-02057

  
State Fire Marshal Signature

Detach this wallet card and carry with you for  
verification of certification.

### Stand Information

Contact Person: Ryan Brown  
Phone Number: (503) 678-2378  
County: Snohomish  
Stand Number: SN-06147

Date of Expiration      Date of Issue  
January 31, 2012      April 27, 2011

Stand Location: 301 Marysville Mall, Marysville, WA 98270  
*[Stand Location To Be Completed By Licensee]*

Washington State Patrol  
Fire Protection Bureau  
Office Of The State Fire Marshal

12761

### ANNUAL FIREWORKS STAND LICENSE

Licensee: BLC Youth Ministries  
Contact Person: Ryan Brown  
License Number: WSPFL-02057  
Stand Number: SN-06147  
Date of Expiration: January 31, 2012  
Location: 301 Marysville Mall, Marysville, WA 98270  
*[Stand Location To Be Completed By Licensee]*

  
State Fire Marshal Signature

Licensee Signature



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
4/25/2011

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

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

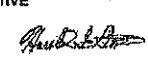
<b>PRODUCER</b> Britton-Gallagher and Associates, Inc. 6240 SOM Center Rd. Cleveland OH 44139	<b>CONTACT NAME:</b> PHONE (A/C No, Ext): 440-248-4711		FAX (A/C, No): 440-544-1234	
	<b>E-MAIL ADDRESS:</b> <b>PRODUCER CUSTOMER ID #:</b>			
<b>INSURED</b> Western Fireworks, Inc. P.O. Box 426 Aurora OR 97002	<b>INSURER(S) AFFORDING COVERAGE</b>		<b>NAIC #</b>	
	<b>INSURER A:</b> Lexington Insurance Co			
	<b>INSURER B:</b> James River Insurance Co			
	<b>INSURER C:</b>			
	<b>INSURER D:</b>			
	<b>INSURER E:</b>			

**COVERAGES**                      **CERTIFICATE NUMBER:** 472267648                      **REVISION NUMBER:**

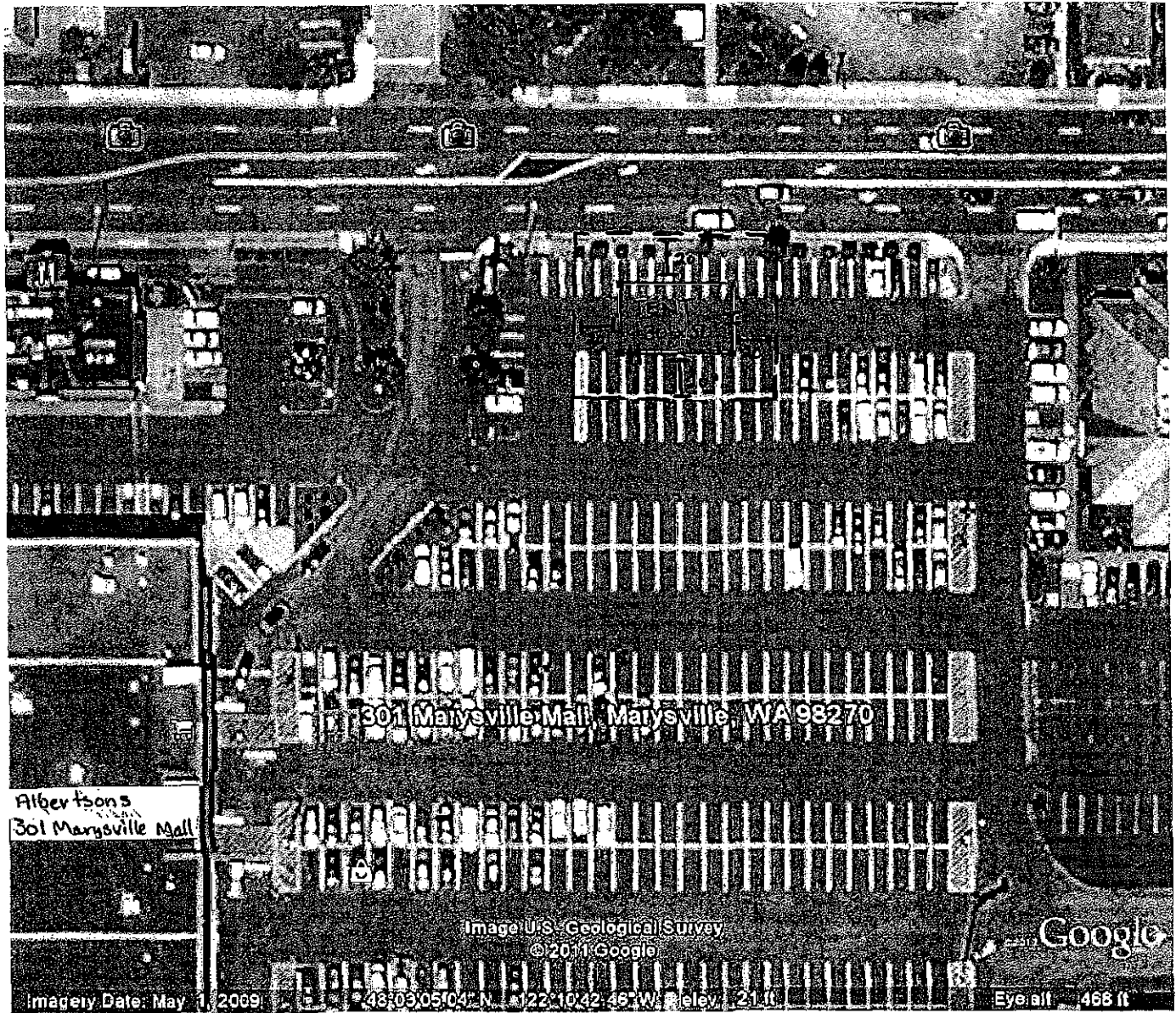
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE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

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<b>GENERAL LIABILITY</b> <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GENL AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input checked="" type="checkbox"/> LOC			2695723-03	3/1/2011	3/1/2012	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$50,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 \$
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$ \$
B	<input type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DEDUCTIBLE \$ RETENTION \$			00047211-0	3/1/2011	3/1/2012	EACH OCCURRENCE \$1,000,000 AGGREGATE \$1,000,000 \$ \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				<input type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES** (Attach ACORD 101, Additional Remarks Schedule, if more space is required)  
 Location Marysville Albertson's #471, 301 Marysville Mall, Marysville, WA 98270.  
 Additional Insured: Bethlehem Lutheran Church; BLC Youth Ministries; Ryan Brown: The City of Marysville; New Albertson's Inc. & Store #471, its owners, officers, directors, agents, & employees.

<b>CERTIFICATE HOLDER</b>  Bethlehem Lutheran Church; BLC Youth Ministries 301 Marysville Mall Marysville WA 98270	<b>CANCELLATION</b> SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	<b>AUTHORIZED REPRESENTATIVE</b>  

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## Chapter 9.20 FIREWORKS

### Sections:

- 9.20.010 State statutes adopted.
- 9.20.015 Additional definitions.
- 9.20.020 Date and time limits for sale or discharge of consumer fireworks.
- 9.20.070 Permit procedure.
- 9.20.080 Action by city council.
- 9.20.090 Issuance of – Nontransferable.
- 9.20.110 Operation of fireworks stands.
- 9.20.120 Temporary fireworks stand specifications.
- 9.20.125 Enforcement – Revocation of permit.
- 9.20.130 Penalties for violations.

### **9.20.010 State statutes adopted.**

The following sections of the State Fireworks Law (Chapter 70.77 RCW) are adopted by reference, including any amendments to the same which may hereafter be enacted by the state of Washington:

### RCW

- 70.77.126 Definition of "fireworks."
- 70.77.131 Definition of "display fireworks."
- 70.77.136 Definition of "consumer fireworks."
- 70.77.138 Definition of "articles pyrotechnic."
- 70.77.141 Definition of "agricultural and wildlife fireworks."
- 70.77.146 Definition of "special effects."
- 70.77.160 Definition of "public display of fireworks."
- 70.77.165 Definition of "fire nuisance."
- 70.77.180 Definition of "permit."
- 70.77.190 Definition of "person."
- 70.77.205 Definition of "manufacturer."
- 70.77.210 Definition of "wholesaler."
- 70.77.215 Definition of "retailer."
- 70.77.230 Definition of "pyrotechnic operator."
- 70.77.255 Acts prohibited without a license.
- 70.77.285 Public display permit – Bond.
- 70.77.290 Public display permit.
- 70.77.295 Public display permit – Amount of bond.
- 70.77.311 Exemptions from licensing.
- 70.77.335 License authorizes activities of salesmen, employees.
- 70.77.405 Authorized sales of toy caps, tricks, novelties.
- 70.77.410 Public displays not to be hazardous.
- 70.77.415 Supervision of public displays.
- 70.77.420 Storage permit required.
- 70.77.425 Approved storage facilities required.
- 70.77.430 Sale of stock after revocation or expiration of license.
- 70.77.450 Examination, inspection of books and premises.

- 70.77.480 Prohibited transfers of fireworks.
- 70.77.485 Unlawful possession of fireworks – Penalties.
- 70.77.488 Unlawful discharge or use of fireworks – Penalty.
- 70.77.510 Sales or transfers of display fireworks – Penalty.
- 70.77.515 Sales or transfers of consumer fireworks – Penalty.
- 70.77.520 Unlawful to permit fire nuisance where fireworks kept – Penalty.
- 70.77.535 Articles pyrotechnic, special fireworks for entertainment media.
- 70.77.545 Violation a separate, continuing offense.
- 70.77.547 Civil enforcement not precluded.
- 70.77.580 Posting by retailers of lists of allowed fireworks.

(Ord. 2737 § 1, 2008; Ord. 2409 § 1, 2002; Ord. 1942 § 1, 1993; Ord. 1778 § 1, 1990; Ord. 1376 § 2, 1984).

#### **9.20.015 Additional definitions.**

The following additional definitions shall apply in this chapter:

“Permittee” means any person issued a fireworks permit in conformance with this chapter. (Ord. 2737 § 1, 2008; Ord. 2409 § 2, 2002).

#### **9.20.020 Date and time limits for sale or discharge of consumer fireworks.**

No fireworks shall be sold or discharged within the city except as follows:

- (1) The sale of consumer fireworks shall be allowed from 12:00 noon to 11:00 p.m. on June 28th and from 9:00 a.m. to 11:00 p.m. on June 29th through July 4th.
- (2) Consumer fireworks may be discharged July 4th only from 9:00 a.m. to 11:00 p.m. and December 31st from 9:00 a.m. to 2:00 a.m. on January 1st. (Ord. 2737 § 1, 2008; Ord. 2529 § 1, 2004; Ord. 2409 § 3, 2002; Ord. 2031 § 1, 1995; Ord. 1942 § 2, 1993).

#### **9.20.070 Permit procedure.**

Any adult person, firm, partnership, corporation or association may apply for a fireworks permit; provided, that the applicant must hold a current business license issued by the city, and must be, or be sponsored by, a person or entity which has a permanent address within the city limits. The application shall be in writing and shall be filed with the city clerk at least 30 days in advance of the proposed sale of fireworks. The application shall include the following:

- (1) Proof that the applicant has been issued a fireworks license or permit by the Chief of the Washington State Patrol acting through the Director of Fire Protection;
- (2) A description of the proposed location of the fireworks;
- (3) Proof that the applicant has an insurance policy with bodily injury liability limits of \$50,000/ \$1,000,000 for each person and occurrence and \$50,000 for property damage liability for each occurrence. The city shall be named as an additional insured on the policy;
- (4) An annual license fee of \$50.00;
- (5) Subject to MMC 9.20.080, such permit shall be issued if the application meets the requirements of Chapter 70.77 RCW and all ordinances of the city of Marysville within the earlier of 30 days after the receipt of the application or by June 10th of the calendar year. (Ord. 2737 § 1, 2008; Ord. 2409 § 4, 2002; Ord. 2031 § 2, 1995; Ord. 1592, 1987; Ord. 1241 § 2, 1982;



Ord. 1235 § 3, 1982).

**9.20.080 Action by city council.**

Upon seven days' advance written notice to the applicant, the city council shall hold a public meeting on the issuance of a fireworks permit. The city council shall have power, in its discretion, to grant or deny the application, subject to reasonable conditions, if any, as it shall prescribe. No more than eight fireworks stands shall be permitted within the city limits. The decision of the city council with respect to an application shall be final. (Ord. 2737 § 1, 2008; Ord. 1241 § 3, 1982; Ord. 1235 § 4, 1982).

**9.20.090 Issuance of – Nontransferable.**

Upon approval by the city council of a fireworks permit, the city clerk shall issue the same to the applicant, who thereafter shall be the permittee. The permit shall be for a term of one year. No permit shall be transferable without express approval by the city council. (Ord. 2737 § 1, 2008; Ord. 2409 § 5, 2002; Ord. 1235 § 5, 1982).

**9.20.110 Operation of fireworks stands.**

The party holding the fireworks permit shall operate the fireworks stand exclusively by and through its employees, members or designees. At least one adult person (age 18 or over) shall be present at all times a fireworks stand is open to the public. No person under 16 years of age shall be allowed to sell fireworks or remain within a fireworks stand when it is open to the public. (Ord. 2737 § 1, 2008; Ord. 1778 § 2, 1990; Ord. 1241 § 4, 1982; Ord. 1235 § 6, 1982; Ord. 479 § 11, 1962).

**9.20.120 Temporary fireworks stand specifications.**

All retail sales of consumer fireworks shall be permitted only from a retailer at a retail fireworks stand or outlet that is temporary, and the sale from any other building or structure is prohibited.

A retail fireworks stand shall be subject to the following provisions, unless preempted by state-wide standards, in which event the state-wide standards shall apply:

- (1) No retail fireworks stand shall be located within 25 feet of any other building, nor within 50 feet of any gasoline station.
- (2) Retail fireworks stands shall be temporary and need not comply with the provisions of the building code of the city; provided, however, that all stands shall be erected under the supervision of the fire chief, as defined elsewhere in this code, who shall require that the stand be constructed in a manner which shall ensure the safety of attendants and patrons, shall be wired according to state or national electrical code, and shall satisfy any state-wide standards issued by the State Director of Fire Protection. At least two approved fire extinguishers with 2.5 gallons apiece, or equivalent, shall be maintained at each stand at all times.
- (3) Each stand must have two exits.
- (4) No retail fireworks stand shall be located closer than 600 feet to another fireworks stand.
- (5) All weeds and combustible material shall be cleared from the location of the stand, including a distance of at least 20 feet surrounding the stand.
- (6) "No Smoking" signs shall be prominently displayed on the fireworks stand.
- (7) Each retail fireworks stand shall be operated by adults only. No fireworks shall be left

unattended in a stand.

(8) All unsold stock and accompanying litter shall be removed from the location by 12:00 noon on the sixth day of July of each year.

(9) The retail fireworks stand shall be disassembled and removed from the location by 12:00 noon on the sixth day of July of each year. (Ord. 2737 § 1, 2008; Ord. 2409 § 6, 2002; Ord. 1778 § 3, 1990; Ord. 479 § 12, 1962).

**9.20.125 Enforcement – Revocation of permit.**

The city fire marshal shall be authorized to enter and inspect all fireworks stands to assure compliance with the provisions of this chapter and to protect the public health, safety and welfare. The fire marshal is authorized to temporarily revoke any permit, for cause. Any party aggrieved by such revocation shall have the right to appeal the same to the city council within 10 days thereafter. The decision of the city council shall be final. (Ord. 2737 § 1, 2008; Ord. 1235 § 7, 1982).

**9.20.130 Penalties for violations.**

(1) Any person violating this chapter shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding \$1,000, or by imprisonment in the jail for a period not exceeding 90 days, or by both such fine and imprisonment. Further, the license shall be revoked.

(2) Any person violating portions of this chapter specifically designated by this chapter or by RCW as gross misdemeanor or misdemeanor, upon conviction shall be guilty and punished for gross misdemeanor by a fine not to exceed \$5,000 or by imprisonment in jail for a period not to exceed 365 days or by both such fine and imprisonment; for misdemeanor by a fine not to exceed \$1,000 or by imprisonment in jail for a period not to exceed 90 days or by both such fine and imprisonment.

(3) Civil Infraction.

(a) Violations involving possession or discharge of small quantities of fireworks, unless specifically designated in this chapter or RCW as gross misdemeanor or misdemeanor, is a civil infraction, and may be cited as a "civil infraction."

(i) Upon finding that a violation has been committed the person committing the act shall be assessed an amount not to exceed \$500.00 plus applicable statutory assessments.

(ii) Such penalty is in addition to any other remedies or penalties specifically provided by law; nothing in this section precludes the charging of a misdemeanor or gross misdemeanor crime as defined under this chapter or RCW.

(iii) Three or more of said "civil infractions" within any consecutive two-year period of time shall be cited as a misdemeanor as set forth in subsection (1) of this section.

(b) "Civil infraction" has the meaning given that term by Chapter 7.80 RCW, the Infraction Rules for Courts of Limited Jurisdiction ("IRLJ") and any local rule adopted by the Marysville municipal court. (Ord. 2737 § 1, 2008; Ord. 479 § 13, 1962).

**This page of the Marysville Municipal Code is current through Ordinance 2851, passed February 14, 2011.**

Disclaimer: The City Clerk's Office has the official version of the Marysville Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

City Website: <http://www.marysvillewa.gov/>  
City Telephone: (360) 363-8000  
Code Publishing Company



Bethlehem Lutheran Church  
7215 51<sup>st</sup> Avenue NE  
Marysville, Washington 98270

*Reach Seekers † Encourage Believers † Strengthen Disciples † Send Out Servants*

**Dr. Joe Kutzke, Senior Pastor † Bob Roiko, Visitation Pastor**  
• Ryan Brown, Director of Children, Youth, and Family Ministry •  
• Tracy Smith, Associate Director of Children, Youth, and Family Ministry •  
• Kelly Stadum, School Director •

RECEIVED  
MAY 19 2011  
CITY OF MARYSVILLE  
EXECUTIVE DEPARTMENT  
5.11.2011

Dear Ms. Hirashima,

It has come to our attention that BLCYouth Ministries (BLCY), a ministry of Bethlehem Lutheran Church, has been denied the opportunity for permit to sell fireworks within the City of Marysville due to the inability to obtain permit from the city.

As a ministry in Marysville, we rely on fundraising to help support our activities and trips on a yearly basis. Western Fireworks Inc. approached BLCY in April 2011 with a unique opportunity to raise money by retailing fireworks in the Marysville Mall parking lot south of 4<sup>th</sup> Street. This fundraiser came at an opportune moment as we require additional funding to provide for our 2011 Senior High Trip.

As Western Fireworks Inc. was aware (and city code requires) permits need to be submitted 30 days prior to sales. It does not specify within the code that permits will be handed out on a "first come, first serve" basis. We understand that there are 8 permits available, and TNT has been granted them all. TNT now holds a monopoly on sales within the City of Marysville, excluding us from participating, thereby eliminating our fundraising ability in this market.

We would like for the city council to approve our application for permit and allow us to operate within the guidelines of the City, and help us to provide a valuable fundraising opportunity for our Youth Ministry. Either of us can be reached on the phone numbers listed below.

Thank you for your time in this matter,

Ryan Brown  
Director of Children, Youth, and Family Ministry  
Bethlehem Lutheran Church  
360.920.1359

Brian Kalab  
Council President  
Bethlehem Lutheran Church  
425.308.7744

Office: (360) 659-2022 • School: (360) 653-2882 • Fax: (360) 651-2772  
website: [www.blcyouth.org](http://www.blcyouth.org) e-mail: [blcyouthandfamily@gmail.com](mailto:blcyouthandfamily@gmail.com)

**FIREWORKS STANDS – COMPARISON BY CITY**

City or Town	Application Submittal	Number of Stands	Fees	Vendor(s)	Date(s) of Sale	Date(s) of Discharge
Bothell	On or after April 1st of the year for which the permit is issued until the closing filing date of May 31st.	No limit  (Currently at a total of 7 for the year.)	\$100 permit fee per stand plus \$122 deposit for clean-up of debris. If debris is cleaned within 24 hours of sales, deposit is returned.	Most applicants submit through primary vendor, TNT Fireworks. Applicants tend to be church and sports groups, and social organizations. Has one school submitting this year.	From 12:00 noon until 11:00 p.m. on the first day of July, 9:00 a.m. until 11:00 p.m. on the second and third days of July, and from 9:00 a.m. until 9:00 p.m. on the fourth day of July.	July 4 <sup>th</sup> , 9:00 a.m. to 11:00 p.m.
Everett	30 days in advance of proposed fireworks display	General Sales Not Permitted – Public Display Permits Only				
Lynnwood	Submitted to the office of the finance director no later than June 1 <sup>st</sup> .	No limit on number of permits – each stand must have a separate permit	\$100 permit fee per stand plus \$150.00 deposit per stand, conditioned upon the removal of the temporary stand and the cleaning up of all debris and litter from the site and adjoining area of the temporary stand by 11:59 p.m., July 15th		12:00 noon on July 1st to 10:00 p.m. on July 4th.	9:00 a.m. until 11:00 p.m. on July 4th only.
Marysville	30 days in advance of proposed fireworks sales	8	\$50 per stand	TNT Fireworks is the primary vendor.	From 12:00 noon to 11:00 p.m. on June 28th and from 9:00 a.m. to 11:00 p.m. on June 29th through July 4th.	July 4th only from 9:00 a.m. to 11:00 p.m. and December 31st from 9:00 a.m. to 2:00 a.m. on January 1st.
Mountlake Terrace	30 days in advance of the proposed display	General Sales Not Permitted – Public Display Permits Only	No fee – per RCW 70.77.311(2)(d)			
Mukilteo	14 days prior to proposed event	General Sales Not Permitted – Public Display Permits Only	\$50			

**CITY OF MARYSVILLE**

Marysville, Washington

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF MARYSVILLE,  
WASHINGTON AMENDING MARYSVILLE MUNICIPAL CODE  
SECTION 9.20.080 RELATING TO PERMITS FOR FIREWORKS  
STANDS.**

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

**Section 1.** MMC 9.20.080 is hereby amended to read as follows:

**”9.20.080 Action by city council.**

Upon seven days’ advance written notice to the applicant, the city council shall hold a public meeting on the issuance of a fireworks permit. The city council shall have power, in its discretion, to grant or deny the application, subject to reasonable conditions, if any, as it shall prescribe. ~~No more than eight fireworks stands shall be permitted within the city limits.~~ The decision of the city council with respect to an application shall be final.”

**Section 2.** Severability. If any word, phrase, sentence, provision, or portion of this ordinance is declared to be invalid or unenforceable, it shall not affect validity or enforceability of the remaining words, phrases, sentences, provisions or portions of this ordinance.

**Section 3.** Effective Date. This ordinance shall take effect and be in force five (5) days after its passage, approval and publication as provided by law.

PASSED by the City Council and APPROVED by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

CITY OF MARYSVILLE

\_\_\_\_\_  
Jon Nehring, Mayor

ATTEST:

\_\_\_\_\_  
Sandy Langdon, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Grant K. Weed, City Attorney.

Date of Publication: \_\_\_\_\_

MARYSVILLE, WASHINGTON  
ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON ADOPTING A  
NEW CHAPTER 3.87 MARYSVILLE MUNICIPAL CODE “NATURAL GAS TAX.”**

WHEREAS, the City of Marysville currently imposes a use tax under MMC 3.84.010 upon the occurrence of any taxable event as defined in Chapter 82.08 and 82.12 RCW; and

WHEREAS, the City of Marysville wishes to clarify its imposition of a use tax on the use of natural gas or manufactured gas in the City of Marysville;

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

Section 1. A new Chapter 3.87 Natural Gas Tax is hereby adopted reading as follows:

**Chapter 3.87  
NATURAL GAS TAX**

Sections

- 3.87.010 Imposed
- 3.87.020 Rate
- 3.87.030 Exemptions
- 3.87.040 Credit
- 3.87.050 Payment
- 3.87.060 Administration and collection
- 3.87.070 Records inspection

**3.87.010 Imposed**

A use tax, as previously generally imposed by MMC 3.84.010, is hereby fixed and imposed upon every person or entity for the privilege of using natural gas or manufactured gas in the city of Marysville as a consumer.

**3.87.020 Rate**

The tax is fixed and imposed in an amount equal to the value of the article used by the consumer multiplied by the rate of five percent (5%) on that amount of gas used monthly.

The “value of the article used” shall have the meaning set forth in RCW 82.12.010 (1) and does not include any amounts that are paid for the hire or use of a natural gas business in transporting the gas subject to tax under this chapter if those amounts are subject to tax under MMC 3.64.030 of this Title or RCW 35.21.870.

**3.87.030 Exemptions**

The tax imposed under this chapter shall not apply to the use of natural or manufactured gas if the person who sold the gas to the consumer has paid a tax under MMC 3.64.030 of this Title or RCW 35.21.870.

**3.87.040 Credit**

There shall be a credit against the tax levied under this chapter in an amount equal to any tax paid by:



(a) The person who sold the gas to the consumer when that tax is a gross receipts tax similar to that imposed pursuant to RCW 35.21.870 by another municipality or other unit of local government with respect to the gas for which a credit is sought under this subsection; or

(b) The person consuming the gas upon which a use tax similar to the tax imposed by this section was paid to another municipality or other unit of local government with respect to the gas for which a credit is sought under this subsection.

**3.87.050 Payment**

The use tax imposed shall be paid by the consumer.

**3.87.060 Administration and collection**

The City shall contract with the Department of Revenue for the administration and collection of this use tax.

**3.87.070 Records inspection**

The city of Marysville consents to the inspection of such records as are necessary to qualify the city for inspection of records of the Department of Revenue, pursuant to RCW 82.32.330.

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

Section 3. Effective Date. This ordinance shall become effective five days after the date of its publication by summary.

PASSED by the City Council and APPROVED by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

CITY OF MARYSVILLE

By \_\_\_\_\_  
MAYOR

Attest:

By \_\_\_\_\_  
CITY CLERK

Approved as to form:

By \_\_\_\_\_  
CITY ATTORNEY

Date of publication: \_\_\_\_\_

Effective Date: \_\_\_\_\_

**DRAFT - CITY OF MARYSVILLE**

Marysville, Washington

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON  
REVISING RULES FOR UTILITY CUSTOMERS AND GENERAL FEE  
STRUCTURE AND AMENDING SECTIONS 14.05.060, 14.05.070, 14.05.080,  
14.05.090 AND 14.07.005 OF THE MARYSVILLE MUNICIPAL CODE.**

WHEREAS, the City Council of the City of Marysville finds that from time to time it is necessary and appropriate to review and revise the City's rules for customers and general fee structure; and

WHEREAS, the practice of administrating customers accounts requires adjustments to policy to allow for the effective and efficient management, and

WHEREAS, the cost of labor and administration of services has increased for the City;

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

Section 1: MMC 14.07.005 is hereby amended to read as follows:

**14.05.060 Voluntary discontinuance of water service.**

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

(2) In the event that the occupants of premises have allowed delinquent utility bills to accrue, the owner of the premises, or the owner of a delinquent mortgage thereon, may give the city written notice to discontinue water service. The notice shall be accompanied by payment of all delinquent and unpaid charges owed to the city with respect to the premises, together with a shutoff charge, as specified in MMC [14.07.005](#). The city shall then discontinue water service to the premises, and no fees, charges or liens [associated with water or sewer service](#) shall accrue

thereafter with respect to the premises until the service is reconnected. (Ord. 2816 § 1 (Exh. A), 2010; Ord. 2106 § 14, 1996; Ord. 1434, 1985).

**14.05.070 Involuntary discontinuance of water service.**

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

- (a) For delinquent and unpaid charges, as specified in MMC [14.05.030](#);
- (b) For the use of water and sewer utilities for purposes or properties other than that specified in the application;
- (c) For willful waste of water through improper or imperfect piping, equipment or otherwise;
- (d) When a customer's piping or equipment does not meet the city's standards, or fails to comply with other applicable codes and regulations;
- (e) For tampering with property of the city utility system;
- (f) In case of vacation of the premises by the customer;
- (g) For the use of the utility lines in a manner which adversely affects the city's service to its other customers;
- (h) For fraudulent or improper obtaining or use of utility service.

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

- (a) The city shall send the owner and occupant of the premises, using addresses shown in the city utility records, written notice that water service to the property will be shut off on a date not less than 10 days thereafter unless the delinquencies are paid in full. The notice shall state that the owner and occupant of the premises have a right to a hearing before the city administrator for the purpose of resolving disputed accounts. A request for such a hearing must be made not less than five days prior to the shutoff date. At the hearing the city administrator is authorized to compromise and settle disputes in the interest of justice; provided, the city administrator shall not be authorized to waive or reduce bills which are legitimately due, or to lend the city's credit by allowing a deferred payment schedule.
- (b) If service is not discontinued within three days after the stated shutoff date, unless other mutually acceptable arrangements have been made, the shutoff notice shall become void and a new notice shall be required before the service can be disconnected thereafter.

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

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

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

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

~~(eg)~~ Charges for disconnection and reconnection of water service, as specified in MMC [14.05.080](#), shall be added to the account, and shall be paid in full prior to reconnection.

~~(3) At any time that an owner or occupant of premises requests a closing statement on a water account, or requests a change of the customer's name on such account, the city shall read the water meter and shall issue a statement showing the then-current account balance. If the account is in a delinquent status, the city shall immediately disconnect the water service without the necessity of advance written notice pursuant to subsection (2) of this section. (Ord. 2816 § 1 (Exh. A), 2010; Ord. 1570, 1987; Ord. 1434, 1985).~~

#### **14.05.080 Disconnection and reconnection charges.**

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

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

(~~23~~) If service is shut off by reason of an account being delinquent at a single premises more than once within a 12-month period, the shutoff and reconnection charges after the first time during the 12-month period shall be doubled. (Ord. 2816 § 1 (Exh. A), 2010; Ord. 2106 § 15, 1996; Ord. 1434, 1985).

**14.05.090 Fees for utility search services.**

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

- (1) Twenty-~~five~~-~~eight~~ dollars per real property parcel for electronic inquiries by persons or companies who use the city of Marysville website. Such fee shall allow multiple electronic inquiries for said parcel within a 70-day time period.
- (2) Thirty-~~three~~ dollars for each manual search conducted by the city for those persons or companies who choose not to use such electronic search means of accessing lien records. Such fee shall be imposed for each manual search conducted regarding each parcel of real property. (Ord. 2816 § 1 (Exh. A), 2010; Ord. 2612 § 1, 2005; Ord. 2598 § 1, 2005).

**14.07.005 General fee structure.**

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

Type of Activity	Fee
Land development review and construction inspection fees	See Chapter <a href="#">15.12</a> MMC
Street closure notice	\$60.00
Install/repair street sign	Materials and expenses
Street code variance	See Chapter <a href="#">15.12</a> MMC
Application for vacation of streets, roads and alleys	\$500.00, plus appraisals, cost of preparing legal descriptions
Vegetation abatement	Cost to abate plus a 10 percent surcharge (see MMC 12.36.020 and 12.36.030)
Storm connection fee	\$100.00

Construction water	\$3.50/1,000 gallons used
Hydrant water	\$50.00 setup + \$3.50/1,000 gallons used base rate + usage (MMC 14.07.060)
Sanitary sewer extension inspection charge	See Chapter 15.12 MMC
Sanitary sewer inspection fee (right-of-way to residence)	\$100.00 per connection
Segregations (local improvement district fees)	\$100.00, plus actual engineering costs incurred by the city
<u>Voluntary Disconnection/Reconnection</u> charges:	\$10.00 per trip \$5.00
<del>Voluntary disconnection of service</del>	<del>\$10.00; \$20.00 if the utility department is required to make a special trip for a single account in an involuntary disconnection situation</del>
<del>Involuntary disconnection of service</del>	<del>\$10.00; \$20.00 if the utility department is required to make a special trip for a single account in an involuntary disconnection situation</del>
<u>Involuntary Disconnection/Reconnection</u> charges:	\$5.00 \$30.00; charge is doubled if involuntary disconnection per MMC 14.05.080 (2)
<del>Voluntary reconnection</del>	<del>\$10.00; \$20.00 if the utility department is required to make a special trip for a single account in an involuntary reconnection situation</del>
<del>Involuntary reconnection</del>	<del>\$10.00; \$20.00 if the utility department is required to make a special trip for a single account in an involuntary reconnection situation</del>
Shut-off/turn-on fee after hours (water)	\$75.00 \$250.00
Unauthorized connection, <u>reconnection or tampering</u> : water or sewer	\$200.00, \$400 for second offense within 12 months
Variances: water/sewer	See Chapter 15.12 MMC (\$250.00)
Water system extension inspection fee	See Chapter 15.12 MMC
Miscellaneous utility relocation (hydrants, meters, blow-offs)	Time and materials
Water use violation:	
Commercial	\$200.00

Residential	\$50.00
Water and/or sanitary sewer plan review	See Chapter <a href="#">15.12</a> MMC
Water/sewer connection filing fee	\$20.00
Water/sewer system design standard specifications manual	\$10.00 – \$50.00
Account change <del>water meter read</del>	\$15.00
Recovery contract	\$500.00 minimum or one percent of project + \$100.00 collection fee
Emergency locate (after hours)	\$100.00
Late payment fees	Five percent of account for first notice; additional five percent of account for second notice
Bank returned item fee	\$40.00
Photocopies	See MMC 1.16.070
Blueprint copies	See MMC 1.16.070
Staff time	See MMC 1.16.070
Tape duplication	See MMC 1.16.070
Mailing costs	See MMC 1.16.070

(Ord. 2816 § 1 (Exh. A), 2010; Ord. 2780 § 4, 2009; Ord. 2756 § 1, 2008; Ord. 2554 § 1, 2004; Ord. 2346 § 1, 2000; Ord. 2267 § 1, 1999; Ord. 2106 § 2, 1996).

Section 2: 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 work of this ordinance.

Section 3: Effective Date. This Ordinance and the fee structure provided herein shall be effective July 1, 2011.

PASSED by the City Council and APPROVED by the Mayor this \_\_\_\_\_ day of June, 2011.

CITY OF MARYSVILLE

By \_\_\_\_\_

MAYOR

ATTEST:

By \_\_\_\_\_

CLERK

Approved as to form:

By \_\_\_\_\_

ATTORNEY

Date of Publication: \_\_\_\_\_



**CITY OF MARYSVILLE**

**EXECUTIVE SUMMARY FOR ACTION**

**CITY COUNCIL MEETING DATE: June 13, 2011**

<b>AGENDA ITEM:</b> PA 10024 – 88th Street Master Plan	<b>AGENDA SECTION:</b> New Business	
<b>PREPARED BY:</b> Chris Holland, Senior Planner	<b>APPROVED BY:</b>	
<b>ATTACHMENTS:</b> 1. 88th Street Master Plan (PC Recommended Red-Line) 2. PC Recommendation (includes PH minutes) 3. PC Workshop Minutes 02/08/11, 03/08/11, 04/12/11 4. Public Comment letters 5. SEPA Addendum No. 19 6. Department of Commerce acknowledgement letter 03/15/11 7. Ordinance	<b>MAYOR</b>	<b>CAO</b>
<b>BUDGET CODE:</b>	<b>AMOUNT:</b>	

**DESCRIPTION:**

A NON-PROJECT action amendment to the Marysville Comprehensive Plan, adopting the 88th Street Master Plan, and amending the City’s development regulations by adopting Chapter 22C.085, codifying the development and design regulations of the 88th Street Master Plan.

The 88th Street Master Plan proposes adoption of form based design standards that would establish allowable land uses, access, open space, site and building design standards within the master plan area (MPA). The MPA is located north of 80th Street NE, east of Quilceda Creek, south of 88th Street NE and west of State Avenue and BNSF rail right-of-way. The MPA is comprised of approximately 33.19 acres, of which approximately 13.96 acres are developable due to setbacks from Quilceda Creek and associated critical area buffers and access requirements.

The Planning Commission (PC) held a Public Hearing on May 10, 2011 and considered two (2) form based land use alternatives, described in Section 6.0 of the 88th Street Master Plan. Following testimony received from staff and the public, the PC made a motion to forward to City Council a recommendation of APPROVAL of the NON-PROJECT action amendment to the Marysville Comprehensive Plan, proposing adoption of the 88th Street Master Plan with form based land use Alternative 2.

**RECOMMENDED ACTION:**

Affirm the PC Recommendation adopting the NON-PROJECT action 88th Street Master Plan and amend the City’s development regulation by adopting Chapter 22C.085, by Ordinance.

**COUNCIL ACTION:**



## MARYSVILLE PLANNING COMMISSION

February 8, 2010

7:00 p.m.

City Hall

### CALL TO ORDER

Chair Leifer called the February 8, 2011 meeting to order at 7:02 p.m. noting the excused absences of Matthew Chapman, Eric Emery.

**Chairman:** Steve Leifer

**Commissioners:** Jerry Andes, Deirdre Kvangnes, Marvetta Toler, Rob Toyer

**Staff:** CAO/Community Development Director Gloria Hirashima,  
Senior Planner Chris Holland, Recording Secretary Amy Hess

**Absent:** Matthew Chapman, Eric Emery

### APPROVAL OF MINUTES:

January 11, 2011

**Motion** made by Commissioner Kvangnes, seconded by Commissioner Andes to approve the January 11, 2011 meeting minutes as presented. Motion carries, (5-0).

### PUBLIC COMMENT:

Chair Leifer solicited any comment from the audience other than what is on the agenda. Seeing only comments for the agenda item, he welcomed the audience to submit any comments in writing at this point and attending the Public Hearing when that point was reached.

### NEW BUSINESS:

#### 88<sup>th</sup> Street Master Plan

Chris Holland began a description of the working draft of the 88<sup>th</sup> Street Master Plan. He explained how the 2005 City Master Plan called for a rezone of this area subject to the adoption of a master plan. He reiterated that this was only a draft and in rough draft form. Mr. Holland added that notice had been sent out to all property owners of the area as well as any properties within 300 feet of the area in question.

Mr. Holland continued on describing the total land in the area including areas which are limited by Quil Ceda creek and wetland and steep slope requirements. He outlined the zoning that is currently in place and the dwelling units allowed in each zone. He explained

the small farm zoning designation that was within the development area and the history behind this zoning designation. Critical areas were discussed along with the requirements which would have to be met in order to develop those areas. Mr. Holland explained the buffers and setbacks that are associated with critical areas, wetlands, and steep slopes. Commissioner Andes questioned what the city's stance is on OHWM is since DOE has been changing the requirements which has been detrimental to many property owners. Commissioner Andes added that he did not believe that the RCW had been changed, but that in some cases the determination had gone overboard. Mr. Holland responded that they typically fall back on RCW, but he would look into getting a definition. Chair Leifer commented that he thought there was a 150 foot setback in the Master Plan; he wanted to know when it changed to 200 feet. Mr. Holland responded that the Critical Areas Plan was last updated in 2004 and had not been changed. He added that different stream types had different setbacks, depending on their designation. CAO Hirashima added further clarification, noting that setbacks were specific to Quil Ceda Creek and were adopted due to the 200' shoreline jurisdiction for Quilceda Village.

Buildable Area was discussed by Mr. Holland. He explained the estimates that were used in determining the actual buildable area adding that the estimates could be changed as the plan moves forward. He noted that the roadway would not be a high speed roadway, but a very slow one with speeds under 30 mph. CAO Hirashima added that the amount of buildable area had been considered when the type of road was proposed. Chair Leifer described concern regarding the percent developable and whether a property owner would be responsible for contributing to costs of building the road and having minimal usable land left. Mr. Holland replied that the layout of the road was purely conceptual at this point, but that there were constraints with regards to the Rail Road and critical areas. CAO Hirashima echoed the limitations of the area and the few choices actually available.

Commissioner Kvangnes questioned an access point from 38<sup>th</sup> Dr. CAO Hirashima responded that Public Works Engineering Department felt that this would be the best point, but that the neighborhood on 38<sup>th</sup> would suffer greatly and was not a good option from a planning perspective. From an engineering standpoint, access from 38<sup>th</sup> was ideal.

Commissioner Toler questioned if there was any potential for another BNSF crossing at 84<sup>th</sup>. Mr. Holland responded that the property owner at Quil Ceda Tanning had been working with BNSF on this for the past few years. CAO Hirashima added that a couple of years ago, city engineers had met with BNSF about a new crossing and the BNSF was in favor of this but that it would be a privately funded project and that the development would need to be in place.

Chair Leifer questioned if any of the current owners had given any input as far as the type of development that was being proposed on their property. Mr. Holland responded that he had been in contact with Quil Ceda Tanning owners and the floriculture home based business property owner. He noted that he didn't get much comment from the floriculture home based business owner, but had gotten very positive feedback from the owner of Quil Ceda Tannery. CAO Hirashima added that this project had had a couple of starts and stops in the past including neighborhood meetings, noting that the owner of Quil Ceda Tanning had been encouraging the City to proceed with this throughout.

Mr. Holland explained the idea and regulations of the Form Based Codes being proposed. He explained the differences in Form Based Codes and traditional zoning. He went through all of the requirements being proposed. Mr. Holland requested more time and input from the Commission to develop and refine the actual design standards for the area. He described the initial concept for the Access and Road Design Standards and the three proposals included in the packet.

Chair Leifer asked again for clarification on the Appendices for the 2 different development standards. Mr. Holland responded with further clarification between the 88-MU and 88-MF standards. He added that he felt it was important to separate them out to keep things clear as the project moves forward. Chair Leifer was specifically concerned about the Required Motor Vehicular Spaces. Mr. Holland gave clarification.

Commissioner Andes questioned what the trigger would be for the 84<sup>th</sup> Street intersection. Mr. Holland responded that traffic count models were being run right now and that he was hoping to have that information by the next meeting. He felt that emergency service would be the big concern. CAO Hirashima added that she didn't feel this area should be piecemealed. It should all go in at once or stay the way it is to avoid adversely affecting surrounding areas. She reiterated that this was a difficult site and the idea was to promote some movement through the area, but not too much and to discourage its use as a short cut. Chair Leifer questioned if the infrastructure would be built by an RID or if public funds would be available. CAO Hirashima responded that the interested owners had been informed that it would not be publicly funded; it would have to be privately funded.

Commissioner Toler commented that she felt it was a good idea to utilize some of the existing concept drawings in order to reduce costs. She added that the market should be kept in mind; would people want to live that close to the rail road tracks? CAO Hirashima responded that she felt it would have to be made desirable and design standards would have to be kept in mind in order for the project to be a success.

Commissioner Kvangnes questioned if the property owners were aware that there would be no public funding. CAO Hirashima replied that yes, the large property owners were aware. Commissioner Kvangnes questioned if there would be a light at 84<sup>th</sup> Street. Mr. Holland responded that he believed that there was a light proposed. Lastly, Commissioner Kvangnes questioned the size of the wall that would be proposed for Les Schawb and the Co-Op properties for the proposed installation of the 84<sup>th</sup> Street access. Mr. Holland replied that he did not know those specifics at this time, but that staff was working with those properties regarding the effects construction of the 84<sup>th</sup> Street crossing would have on the adjacent parcels.

Commissioner Toler questioned if there was a concept to widen 84<sup>th</sup> Street. Mr. Holland responded that he felt that the way the street is currently is wide enough; it is not striped correctly, but that it was wide enough to handle a left turn if restriped. CAO Hirashima added that there were many moving pieces to this project. Coordination would be crucial between property owners and funding and there were many pieces that were not yet settled.

Mr. Holland noted that there was a conflict with the next meeting date, so there would not be another meeting until March 8<sup>th</sup>. He also hoped to hold the Neighborhood Meeting before the next Planning Commission meeting. He was striving for more refinement in the draft as well.

Commissioner Kvangnes proposed having the Quil Ceda Tannery owners attend a meeting to describe their intentions and ideas for this area.

**ADJOURNMENT:**

**Motion** made by Commissioner Kvangnes, seconded by Commissioner Toler to adjourn the meeting at 8:15 p.m. Motion carries, (5-0).

**NEXT MEETING:**

March 8, 2011

  
\_\_\_\_\_  
Amy Hess, Recording Secretary



**MARYSVILLE PLANNING COMMISSION**

**March 8, 2010**

**7:00 p.m.**

**City Hall**

**CALL TO ORDER**

Chair Leifer called the March 8, 2011 meeting to order at 7:07 p.m. noting the excused absence of Rob Toyer.

**Chairman:** Steve Leifer

**Commissioners:** Jerry Andes, Deirdre Kvangnes, Marveta Toler, Matthew Chapman, Eric Emery

**Staff:** CAO/Community Development Director Gloria Hirashima, Senior Planner Chris Holland, Recording Secretary Amy Hess

**Absent:** Rob Toyer

**APPROVAL OF MINUTES:**

February 8, 2011

**Motion** made by Commissioner Toler, seconded by Commissioner Andes to approve the February 8, 2011 meeting minutes as presented. Motion carries, (6-0).

**PUBLIC COMMENT:**

Chair Leifer solicited any comment from the audience other than what is on the agenda. Seeing none, he closed this portion of the meeting.

**NEW BUSINESS:**

**88<sup>th</sup> Street Master Plan – Neighborhood Meeting Update**

Chris Holland overviewed the neighborhood meeting that had taken place, adding that it was well attended by neighbors as well as staff. Mr. Holland noted that there were many good questions and comments generated by the meeting. He overviewed the questions and concerns and Staffs Response to each. Chair Leifer questioned what the depth or length was that could be deviated from a main arterial before a loop system had to be installed. Mr. Holland responded that, off the top of his head, he thought it was 180 feet before a hammer head or turn around would be necessary. He continued to outline the concerns brought up at the neighborhood meeting and discussed the schedule for the remainder of this project. He solicited comments from the commissioners that were in

attendance. Commissioner Andes questioned whether 84<sup>th</sup> would become a public road. Mr. Holland responded that at least over the tracks would have to be public. Commissioner Andes was curious about the access from 84<sup>th</sup> being a main entrance for some people. Mr. Holland noted that there were some distribution studies in process.

Commissioner Chapman noted that a concern about the attachment of a road to 38<sup>th</sup> having a negative effect on the single family homeowners in the area was voiced at the neighborhood meeting. Mr. Holland responded that staff would be coming back with a determination on this; adding that from a planning perspective, this connection was not desirable.

Commissioner Toler questioned the affect on the salmon and habitats in the area. She wanted to know when that would be addressed. Mr. Holland responded that it would likely be done on a project level. He added that the protections required by the state and the Marysville Municipal Code would be provided.

Chair Leifer questioned the proposed road layout pointing out that there seemed to be a large number of people that would prefer not to be involved with this project. He wanted to know staffs stand on just leaving out the lower connection and making a loop back to 88<sup>th</sup>. Mr. Holland responded that this would be addressed in Staff's recommendation and that change was not necessarily easy to swallow, but that in staffs forecast of the next 20 years, this proposed type of redevelopment was desirable.

Commissioner Emery questioned if anything could be done if none of the properties in question ever left. Mr. Holland responded that nothing could happen until the property owners chose to redevelop. Commissioner Emery also questioned if there had been any letters received in favor of this change. Mr. Holland responded that there were none to his knowledge, but he had had conversations with Mike Harden, who is the Quilceda Tannery property owner and he is in favor of the master plan. Commissioner Emery was concerned about the turmoil being caused to these people when potentially no change would ever take place as it seemed the property owners had been here for quite some time and had no intention of leaving. Mr. Holland replied that the planning effort is being looked at over a year 20 horizon.

Chair Leifer questioned if property owner taxes would increase if an overlay rezone was approved. Mr. Holland responded that he wasn't exactly sure, but that he would do some research and get back to the commission.

There was further discussion regarding the rezone of certain parcels and the possible preclusions that could result from certain types of overlays as well as the uncertainties that would go along with it. The overlay option could become problematic with the current master plan in place.

### **Impact Fee Deferral Ordinance/House Bill 1702**

CAO Hirashima passed out copies of House Bill 1702, which would negate the need to create a local ordinance until we find out what the state legislature decides. She

recommended that the local ordinance be halted as she was told that the bill had a very good chance of passing. She added that she definitely has concerns with the language in the House Bill. The tracking provisions outlined in the House bill would be very difficult for the City to follow. She discussed the provisions of the House bill which raised concerns. Chair Leifer questioned if the City ordinance would have been more or less aggressive than the House bill. Ms. Hirashima responded that it would have been more aggressive in some areas and less in others. It does give relief to builders, but also opens doors for additional problems for the City. There was further discussion on how the city would have to respond to this bill if it passed.

**ADJOURNMENT:**

**Motion** made by Commissioner Emery, seconded by Commissioner Toler to adjourn the meeting at 8:02 p.m. Motion carries, (6-0).

**NEXT MEETING:**

March 22, 2011

  
\_\_\_\_\_  
Amy Hess, Recording Secretary





**MARYSVILLE PLANNING COMMISSION**

**April 12, 2011**

**7:00 p.m.**

**City Hall**

**CALL TO ORDER**

Chair Leifer called the April 12, 2011 meeting to order at 7:05 p.m. noting the excused absences of Eric Emery and Deirdre Kvangnes.

**Chairman:** Steve Leifer

**Commissioners:** Jerry Andes, Marvetta Toler, Matthew Chapman, Rob Toyer

**Staff:** CAO/Community Development Director Gloria Hirashima,  
Senior Planner Chris Holland, Recording Secretary Amy Hess

**Absent:** Eric Emery, Deirdre Kvangnes

**APPROVAL OF MINUTES:**

March 8, 2011

**Motion** made by Commissioner Toler, seconded by Commissioner Chapman to approve the March 8, 2011 meeting minutes as presented. Motion carries, (5-0).

**PUBLIC COMMENT:**

Chair Leifer solicited any comment from the audience other than what is on the agenda. Seeing none, he closed this portion of the meeting and proceeded on with the workshop.

**OLD BUSINESS:**

**88<sup>th</sup> Street Master Plan – Workshop**

Chris Holland summarized the public comments that had come in regarding the Master Plan. He noted that the main points included traffic safety, zoning designation overlays, and property taxes. Mr. Holland noted that staff had taken into consideration all public comment received to date as well as comments from the Planning Commission. He then overviewed some of the changes and alternatives that were being proposed for consideration based on the comments received. He described the specifics of each alternative.

Commissioner Andes questioned ramifications if the 80<sup>th</sup> Street extension were to be applied. Mr. Holland responded that there had been some traffic studies done which gave an idea of the number of average daily trips with different types of development. Level of

*Marysville Planning Commission  
April 12, 2011 Meeting Minutes  
Page 1 of 4*

**ORIGINAL**

Service Standards had also been evaluated and showed that none of the intersections would fall below an acceptable level of service with development of this area. He noted that this took into consideration some of the proposed improvements in the Six and Twenty Year Transportation Improvements outlined in the Transportation Plan. He discussed the traffic models in detail for each of the intersections in the area.

Land Uses and Maximum Height had been modified based on public comments; Mr. Holland described these modifications. Chair Leifer questioned why there were height differences for different zones. Mr. Holland responded that it was based on what was adjacent to each zone and that Figure 9 would go away if Alternative 2 were to be chosen. Chair Leifer also questioned why there were no density restrictions included in this designation. Mr. Holland responded that they wanted the market to be able to dictate the development and not limit potential development. CAO Hirashima added that it was a foray into the Form Based Codes. CAO Hirashima explained that the City would be more involved in the design, rather than what the development is. The intent was to have more control over what the development looks like.

Commissioner Toler thought that the form based codes and height restrictions seemed to limit what would be possible. Mr. Holland replied that he had seen creative solutions such as Jiffy Lube, which were designed to fit into these types of form based design standards.

Chair Leifer wanted to know if Mr. Holland had researched the effects on taxes of an overlay zone. He wanted to know if there were any pros and cons or advantages or disadvantages. Mr. Holland described what would be advantageous with an overlay. CAO Hirashima noted that she would not recommend an overlay, noting that they had tried this in the past and it had been very difficult to manage. She felt that a firm decision should be made, as overlays had not been beneficial from a planning standpoint in the past. Chair Leifer questioned if Ms. Hirashima was opposed to overlays in all circumstances. Ms. Hirashima responded that she was not opposed to them but didn't feel that this situation was appropriate for an overlay.

Chair Leifer questioned if Alternative 2 were to be adopted was there any way that the people on the South end could be pulled into paying for an RID. Mr. Holland responded that they would have to sign on, but that the City was not intending this to be a publicly funded road project. This was echoed by CAO Hirashima.

Commissioner Andes questioned if the 84<sup>th</sup> Street crossing were implemented and if the property owners would lose access to the adjacent properties. Mr. Holland responded that the developer would have to work with the property owners in order for the 84<sup>th</sup> Street NE Crossing to be installed and the two private crossings eliminated.

Commissioner Toler questioned where emergency access would be. Mr. Holland responded that it would be provided via 88<sup>th</sup> Street and 84<sup>th</sup> Street.

There was further discussion regarding property taxes and assessment values.

Chris Holland solicited additional feedback from the Commission or information that the Planning Commission would like to see. Mr. Holland noted that he would do some fine tuning, and if the Commission felt that the alternatives were good options, a Public Hearing could be scheduled.

### **Impact Fee Deferral Ordinance**

CAO Hirashima explained that EHB 1702 was very likely to pass. There had been a lot of changes since the last time this topic was discussed, noting that a big one was that if the City had an ordinance in place by July, they would be exempt from these provisions. She then explained the drafts that had been created by Staff for a City Impact Fee Deferral Ordinance. CAO Hirashima also noted that the City Ordinance did not focus on the Single Family side, as this has remained strong in our area; adding that the City ordinance would provide more emphasis on other areas. She discussed some numbers as far as the state standards compared to our City's impact fees. She noted that the State Ordinance only would include traffic and parks; the City Ordinance would include traffic, parks, schools, water, and sewer.

Chair Leifer questioned how we could get around the standards of the EHB 1702. CAO Hirashima responded that we would be exempt if a City Ordinance was passed by July 1. He also wanted to know when the 18 month deferral timeline began. GH thought it was from date of occupancy. There was a difference in the date between single family and commercial because no Certificate of Occupancy was issue for single family residences. GH noted that there would be language regarding early payoff in the event of land sales.

Commissioner Andes questioned recorded plats that were just sitting right now and how these would be addressed. Would they be able to defer? GH responded that if this Ordinance was passed, they could defer.

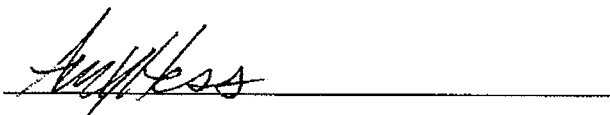
Commissioner Toler noted that she would strongly consider moving forward with this ordinance at this time based on the current economic climate. Chair Leifer was concerned about the July time limit and making it before that date. There was consensus that we move forward with this sooner than later. Commissioner Toler noted that Marysville has the most vacant commercial lots from the Canadian border South to Yelm and that this would be a great opportunity to enact this type of legislation.

### **ADJOURNMENT:**

**Motion** made by Commissioner Andes, seconded by Commissioner Toler to adjourn the meeting at 8:14 p.m. Motion carries, (5-0).

### **NEXT MEETING:**

April 26, 2011



*Marysville Planning Commission  
April 12, 2011 Meeting Minutes  
Page 3 of 4*

Amy Hess, Recording Secretary

## Chris Holland

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**From:** Gloria Hirashima  
**Sent:** Wednesday, February 09, 2011 1:00 PM  
**To:** Chris Holland  
**Subject:** FW: Master plan

fyi

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**From:** [littlelearners1@comcast.net](mailto:littlelearners1@comcast.net) [mailto:[littlelearners1@comcast.net](mailto:littlelearners1@comcast.net)]  
**Sent:** Wednesday, February 09, 2011 12:59 PM  
**To:** Gloria Hirashima  
**Subject:** Master plan

Hello,

If this email is not sent to the correct person, please forward it to city planning department. I am sending this email in regards to the plan to a build a road through 2 of my properties. My properties are located a 8813 38th Dr Ne and 3909 80th st ne. According to the draft I have, this road would eliminate the majority of one of my properties and part of the other. Obviously I am against this plan. I would like to be contacted when there is a revision to the plan and when there are any public meetings regarding this plan. I have a home daycare, which I have had for the past 11 years, and this plan will greatly effect my business and my family. We have been in contact with an attorney and after we meet with them I am sure they will be contacting you as well. I would also love to meet with someone from the Marysville planning department so they can explain more clearly how this road would run through both of my propert ies.

Thank You,

Lisa Thorne  
8113 38th Dr Ne  
Marysville, WA 98270  
360-659-8018  
[littlelearners1@comcast.net](mailto:littlelearners1@comcast.net)

February 9, 2011

City of Marysville  
Community Development Department

re PA 10024 "88th street master plan"

attn: Chris Holland, senior planner

I attended the planners meeting last night and listened to the proposal that affects my property and that of my neighbors with growing alarm and deep concerns.

I picked up your master plan to read more and brought it home to review. I can see quite a lot of work has gone into this planning already.

And I listened to the questions from commissioners and your responses.

This is Judy Zugish, the owner of the home and small farm at 8220. We talked some the day you posted a use sign at my driveway, but at no time did you mention a roadway proposal intruding on all properties south of 84th street, or the major changes envisioned from a rezone of the scope proposed.

I find it amazing, and disturbing, that repeated consults with Quilceda tannery have been influencing this planning, but there has been no direct contact with all the homeowners who now have a proposed roadway marching thru our properties, our family homes, our livelihoods. Surely common sense says our opinions should have been considered before such intrusive planning got into a proposal that appears to serve the petition of one non-resident owner who already has the zoning for commercial use.

Meanwhile, carving up the properties with a service road compromises every resident, every piece of ground, every owner from 84th south to 80th.

Really, as one commissioner asked, "have you talked with the people who **live** in this neighborhood"?

The qualities of a peaceful garden, a small town community, and a natural working livelihood are the elements that drew me with my family to this land in Marysville over 35 years ago. I have been living that intent, caretaking this remarkable home ever since. Likewise, my neighbors and their families **live and sleep here**, "over the tracks". We garden, fish, work, play ball, grow, thrive. Our lives cause little intrusion on this fertile Marysville ground and natural streamland. We think there is harmony in our use of this unique site alongside the Quilceda Creek.

I would invite you, and each of the commissioners to come visit my property in person to talk candidly about these proposals. It is a different experience of a space to put your feet on the ground.

In the meantime, I intend to talk with my neighbors, solicit advice from land use experts, continue to listen and comment further.

sincerely,

Judy Zugish 8220 State Ave. Marysville, Wa. 98270 360 659 4938

## Chris Holland

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**From:** Robert Roeder, Judy Zugish [fishsticks@clearwire.net]  
**Sent:** Thursday, February 10, 2011 10:51 AM  
**To:** Chris Holland  
**Subject:** Re: 88th street master plan  
**Attachments:** chris holland letter to city of marysville.pdf

thanks Chris,  
the pagemaker file probably won't reach you. I am reattaching in pdf.  
Judy Zugish

On Thu, Feb 10, 2011 at 9:05 AM, Chris Holland <[CHolland@marysvillewa.gov](mailto:CHolland@marysvillewa.gov)> wrote:  
Judy-

Unfortunately, I am not allowed to give out the PC members e-mail addresses and contact information. However, I will make sure that your letter is forwarded to them and that you are included in all future meeting notices. The City will be conducting a neighborhood meeting regarding the 88th Street Master Plan on Thursday, February 24th from 6:00 - 8:00PM at City Council Chambers, located at 1049 State Avenue. The notice for the neighborhood meeting will be sent to you directly.

If you have any additional questions or comments, prior to the neighborhood meeting, please let me know.

Thank you,

Chris Holland  
Senior Planner  
360-363-8207

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**From:** Robert Roeder, Judy Zugish [fishsticks@clearwire.net]  
**Sent:** Thursday, February 10, 2011 8:34 AM  
**To:** Chris Holland  
**Subject:** 88th street master plan

Good morning Chris,

I am attaching a letter written yesterday re first impressions of the master plan meeting.

and I would like contact addresses/and or emails for each of the commissioners please.

somehow the mailing re meetings was not sent to me, so I only heard the news through a neighbor. please be sure my address is on board.

thanks, I hope to talk more soon.

Judy Zugish

## Chris Holland

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**From:** Mary Armstrong [bobnmarya@gmail.com]  
**Sent:** Monday, February 14, 2011 11:01 AM  
**To:** Chris Holland  
**Subject:** 88th Street Master Plan

Notice of Neighborhood Meeting  
Thursday February 24, 6-8pm

File Number PA 10024 "88th Street Master Plan"

Thank you for your rapid response for a scheduled neighborhood meeting. There should be a good turnout. I have a few suggestions which would help to educate all of us in attendance:

**MAPS:** A large hard copy wall hanging with either addresses or tract numbers on the individual parcels. The original Notice of Application had the individual parcel numbers, while the Notice of Neighborhood Meeting has street addresses. Standardization should reduce confusion and make the data assimilation easier and faster.

**PROPOSED ACCESS:** Should be drawn to scale for the entire south to north road, to reflect the 50' width as is available on 38th Drive

**OVERLAYS TO MAP:** Any of these should be easily removable, and when laid on top of each other should not obstruct the map of the Master Plan area.

**A LIST OF PROPERTY OWNERS AND MAP DESIGNATION:** Either address or parcel number, starting from 88th Street south, or alphabetical. If each attendee has a copy, they can follow the discussion more easily.

**ROAD WIDTH:** The proposed access north of the potential 84th Street BNSF crossing should be examined, to see if there is 50' west of the RR Right of Way, as well as the property line and building location of the Powder Coating business.

**NAME TAGS:** It would help if your office could prepare sticky tags with name or names of property owners, plus either addresses or parcel numbers, depending on your standardization, above.

**SPEAKERS:** When someone wants to voice a concern, it would help if either you or they could identify themselves by name and lot/address, pointing to that area on the wall hanging map (power point designation for the audience would obscure projection and make it harder to follow).

**WRITTEN COMMENTS:** There needs to be a change of date for written comments and ideas. Notice of Application listed the date on or before February 25, but Neighborhood Meeting to be held on February 24.



February 11, 2011  
Marysville Planning Commission  
Chris Holland, Senior Planner

RECEIVED

FEB 15 2011

Mr. Holland & members of the planning commission  
Re: 88<sup>th</sup> Street Master Plan

CITY OF MARYSVILLE  
PUBLIC WORKS &  
COMMUNITY DEVELOPMENT

I am writing this in response to the planning commission meeting on 2/7/11. I am enclosing the letter I wrote to Steve Roberge in 2007 on the subject. I believe that it is still very applicable today. There are 2 groups of people who own the properties that fall into this "88<sup>th</sup> st. master plan." Those groups are those of us who are living on the property we own, have raised our families and now have grown children and grandchildren living on these properties. Judy Zugish has raised her family on this property and now has a nursery and garden business established on her property & Lisa Thorpe has a daycare business in which they have done a huge amount of work on the yard to make it safe for the children. The other group of property owners are landlords who use their property for rentals and their goals are to develop it to increase revenue. They then sell it and move on. The south end of this "master Plan" are those who live on their property while this is not true of the north end.

Significant concerns of this plan are, the multi-family designation that we objected to in 2007. At that time we very clearly stated our concerns to Gloria and the planning board. We do not want (then or now) to have duplexes and apartments north of 80<sup>th</sup> st. It will destroy our neighborhood

It is a fact that along with our eco system, the biggest source of pollution is this area of the QuilCeda Creek comes from the storm sewers that come through my property and others that dump into this creek untreated. There are basins on some that get the heavy material but oil, anti-freeze, soap, pet wastes and anything else that floats, goes right into the creek. There are no storm drains in this area. It is just sewer pipes coming through. By changing the zoning from single family to multi-family would only increase the problem by increasing the amount of storm run off and erosion of our 40+ feet of steep bank. Keep in mind that this is supposed to be a salmon-bearing creek.

We object to the 84<sup>th</sup> street crossing and the proposed access that come through the properties on the south end. These changes will reduce the value, and the livability of all of the properties central and south of this crossing. It will only enhance that of the one property owner to the north. This change with it's elevated 84<sup>th</sup> street crossing and traffic signal would only add to the already congested State Street. At present, we get north-bound left turn onto 88<sup>th</sup> street backed up through this intersection. I don't believe Co-op or Les Schwab would be in favor of the raised roadway here either. Keep in mind this owner (North) has access to his property from 88<sup>th</sup> st. and if he wants to improve access to his property, he should work on that access and leave our neighborhood intact.

In summary we object to the multi-family designation of all property that is now zoned single family. We object to the 84<sup>th</sup> st. crossing and any proposed access road that would run south or central to this crossing. We want to preserve our existing neighborhood.

Sincerely

*Ed and Madeline Majchzak*  
OWNER & Residents of Parcel # 3-011  
And North Cedar Tracts 5 & 6

EXHIBIT  
14

February 28, 2007

Steve Roberge  
Senior Planner  
City of Marysville  
80 Columbia Ave.  
Marysville, Wa. 98270

**RECEIVED**

FEB 15 2011

Re: 88<sup>th</sup> Street Sub-area Plan

CITY OF MARYSVILLE  
PUBLIC WORKS &  
COMMUNITY DEVELOPMENT

Mr. Roberge:

We believe that one of the principles for good planning is the preservation of long standing neighborhoods and that our area on the south end, formally part of the Barr Annexation, qualifies as just such a neighborhood. We all live in single family homes that we own. The majority of us moved here long before the annexation in 1996. We like one another and work well as a community.

We see two things you perpetuated at that meeting which would destroy our neighborhood and our way of life;

The first is the extension of 38<sup>th</sup> Drive beyond the cul de sac. If the road were to be put through it would become the partial relief of the 88<sup>th</sup> St., State St., railroad bottleneck at the expense of our quiet existing neighborhood.

The second threat is to rezone us to a denser level than what we are now, single family medium density. This rezone would have the effect of our being taxed out of our homes.

This is the first time we have been lumped with the area on the north end, which is zoned light industrial. This north area was a part of the city long before we were annexed and we do not feel that this property should have an effect on us, nor do we feel that this property should be enhanced in any way at our expense.

In conclusion, I saw nothing that you presented that would make us a better community. We wish to be left alone and zoned accordingly. The only improvement would be to rezone all of the south end to the same single family medium density and preserve our neighborhood as it is.

Sincerely,

Ed and Nadine Maychrzak  
Owners and residents of parcel #3-011 and north cedar tracts #5 and #6.  
8200 38<sup>th</sup> Dr. N.E.  
360-659-6063

Dear Ms. Holland,

I live on the west side, or opposite from the area the master plan is talking about.

I just wanted to be sure a large enough green belt was left to protect the Quillceda Creek

This is a very sensitive area, a lot of birds & animals down there.

Not just possums & raccoons. we have the giant Bendern water shrew western jumping mouse Gophers and sores

otter, beaver, muskrat. Just a whole lot of stuff.

Also a lot of amphibians.

Pacific giant salamander, and the Oregon ensatina or ensatina escholtzii.

These two are fairly common at the creek

No rotting trees or stumps and their habitat is gone for good.

Maybe even a small man bridge from the east to west side of creek my side. Ros trails we worked on since 1951. I am 72 years old now.

Just some thought to protect the east side habitat. I also have made out a large bird list from the waste water area by your group.

I believe about 150 species. could improve on that considerably

— Thank you very much,

Al Elliott

360-659-3180

8219 36<sup>TH</sup> AVE. NE.  
Marysville, Wash. 98270

## Chris Holland

---

**From:** Chris Holland  
**Sent:** Friday, March 04, 2011 8:11 AM  
**To:** 'Steve Santose'  
**Subject:** RE: 88th St Master Plan

Steve-

The neighborhood meeting was well attended last night. Some of the concerns raised by the neighbors include:

Fire/Emergency Access to the area

Some neighbors would prefer to keep the southern portion single-family, not multi-family, as proposed

Rezone as development occurs, not prior to development

Future road alignment

Stormwater (i.e. impacts to Quilceda Creek)

Tax increases

We do not take minutes or record neighborhood meetings, however, if you have any questions regarding the meeting, please let me know.

Thank you,

**Chris Holland** | Senior Planner

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

360-363-8100 Office  
360-363-8207 Direct Line  
360-651-5099 Fax

[cholland@marysvillewa.gov](mailto:cholland@marysvillewa.gov)  
<http://marysvillewa.gov>

---

**From:** Steve Santose [<mailto:ssantose@frontier.com>]  
**Sent:** Wednesday, March 02, 2011 9:26 PM  
**To:** Chris Holland  
**Cc:** [ssantose@frontier.com](mailto:ssantose@frontier.com)  
**Subject:** 88th St Master Plan

Chris,

I am a property owner on the west side of State Ave between 88<sup>th</sup> St and 80<sup>th</sup> St. I have owned this property since 1977 and count on this property for retirement income.

My concerns center around what the Master plan will do to my property value and the path of the proposed road. I am against running the path of road through my property. With the stream setback and the path of the road, I would be left with little usable land. Any property owner in my situation would be concerned.

Since I will be out of town on the 3<sup>rd</sup>, please let me know via email what occurs, Thursday night, concerning this project.

Sincerely,

March 5, 2011

We the owners, residents included in the 88<sup>th</sup> Street Master Plan and the residents of 38<sup>th</sup> Dr. NE, which would be effected by this plan hereby petition the planning committee to leave the area, presently zoned single family as single family. This is all of the property south of 8430. We feel this is absolutely necessary for the preservation of our existing neighborhood.

**Received**

MAR 09 2011

City of Marysville  
Community Development

Signature	Print Name	Address
<i>Edward Maychszak</i>	Edward Maychszak	8200 38 Dr NE
<i>Nadine S Maychszak</i>	Nadine Maychszak	8200 38 Dr NE
<i>Norman Olsen</i>	NORMAN OLSEN	5103 38 DR NE
<i>Linda Olsen</i>	Linda Olsen	8103 38 <sup>th</sup> Drive NE
<i>Jerry Lewis</i>	Jerry Lewis	8100 38 <sup>th</sup> Drive N.E.
<i>Paul E. Maychszak</i>	Paul E. Maychszak	8110 38 <sup>th</sup> Dr NE
<i>Patrick H Lewis</i>	PATRICK H LEWIS	8310 STATE Hwy 99
<i>Kathryn M. Lewis</i>	KATHRYN M. Lewis	8100-38 <sup>th</sup> DR NE
<i>Danniel Thorne</i>	Danniel Thorne	8113 38 <sup>th</sup> Dr NE + 3909 80 <sup>th</sup> St NE
<i>Lisa Thorne</i>	Lisa Thorne	8113 38 <sup>th</sup> Dr NE + 3909 80 <sup>th</sup> St NE
<i>Robert Peit</i>	Robert Peit	8021 38 <sup>th</sup> DR NE
<i>Bog Armstrong</i>	BOG ARMSTRONG	8018 38 <sup>th</sup> Dr. N.E.
<i>Mary Armstrong</i>	Mary Armstrong	8018-38 <sup>th</sup> DR. N.E.
<i>Judy Zughish</i>	JUDY ZUGISH	8220 STATE AVE.
<i>Brett Maychszak</i>	Brett Maychszak	8115 38 <sup>th</sup> Dr. NE.

**EXHIBIT**  
19

**BOB AND MARY ARMSTRONG**

**8018 38<sup>th</sup> DRIVE N.E.  
MARYSVILLE, WA 98270  
(360)653-6548  
bobnmarya@gmail.com**

**8 March, 2011**

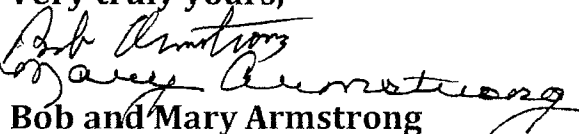
**City of Marysville  
Planning Commission  
File Number PA 10024 " 88<sup>th</sup> Street Master Plan"**

**Planning Commission:**

**We would like to give our objection to the proposed "88<sup>th</sup> Street Master Plan." We have lived at 8018 38<sup>th</sup> Drive NE since March 1993. We have been annexed by the city and have opposed the opening up of our no-outlet street in both 2005 and 2007. The neighborhood status of our area has been retained.**

**The proposed Master Plan would increase the population density in the area designated 88-MV by 200 dwellings – apartments, townhouses, and/or condominiums. This would necessitate additional access to the entire area. If the 84<sup>th</sup> Street railroad crossing is not judged to be economically feasible by either MATICO LLC, the principal property owner in the MV area, or by the City of Marysville because of the adverse effect it would have on traffic and business on State Avenue, the only option would be: Open 38<sup>th</sup> Drive to through traffic. Not only would this completely change our neighborhood, but it would drastically increase traffic on the intersection of 80<sup>th</sup> Street and Cedar Avenue.**

**We recognize the City of Marysville's desire to increase the urban density within its boundaries, What we do not support is a permanent change to a long standing neighborhood, resulting in its inevitable deterioration.**

**Very truly yours,**  
  
**Bob and Mary Armstrong**



# Department of Justice

U.S. Attorney's Office  
Southern District of Texas

José Angel Moreno • United States Attorney

FOR IMMEDIATE RELEASE

ANGELA DODGE

April 16, 2010

PUBLIC AFFAIRS OFFICER

[WWW.JUSTICE.GOV/USAO/TXS/](http://WWW.JUSTICE.GOV/USAO/TXS/)

(713) 567-9388

## **MISSION ATTORNEY INDICTED FOR FRAUD AND THEFT OF AN EMPLOYEE BENEFIT PLAN**

(HOUSTON) - An attorney and former bank chairman has been indicted for allegedly defrauding clients of his law firm as well as customers and employees of a title company he owned, United States Attorney José Angel Moreno announced today.

Rogelio "Roy" Ibanez Jr., 44, of Mission, Texas, was charged with wire fraud and theft from an employee benefit plan in an 11-count indictment returned by a Houston grand jury on Wednesday, March 14, 2010. This morning, Ibanez surrendered himself to federal authorities in McAllen, Texas, and made his initial appearance. A hearing is set for 3:00 p.m. today before U.S. Magistrate Judge Peter Ormsby in McAllen, at which time the decision will be made whether Ibanez will be detained pending trial or released on bond.

The FBI's two-year investigative effort was assisted by the Federal Deposit Insurance Corporation – Office of Inspector General, the Texas Department of Insurance and the U.S. Department of Labor - Employee Benefits Security Administration.

According to the indictment, Ibanez was a major owner of Bank of South Texas, in McAllen, Texas, as well as Southern Star Title Company L.L.C., in Edinburg, Texas. Ibanez also ran a law practice in McAllen where real estate closings took place. The indictment alleges Ibanez directed employees of his law firm to transfer approximately \$550,000 out of Southern Star Title's escrow accounts in 2008 without the knowledge or approval of title company employees and that Ibanez stole smaller sums of money from the title company's 401(k) plan. The indictment also alleges that between 2001 and 2009, Ibanez took money from his own law firm's bank accounts without informing the persons to whom the money belonged and used it for purposes other than for what the money was intended, including to benefit his own personal business interests. The indictment alleges that two such withdrawals occurred in 2009.

The six counts of wire fraud each carry a maximum statutory penalty of 20 years and a fine of not more than \$250,000. The five theft counts each carry a maximum statutory penalty of five years and a fine of not more than \$250,000.

Assistant U.S. Attorney John R. Lewis will be prosecuting the case.

This law enforcement action is part of President Barack Obama's Financial Fraud Enforcement Task Force. President Obama established the interagency Financial Fraud Enforcement Task Force to wage an aggressive, coordinated and proactive effort to investigate and prosecute financial crimes. The task force includes representatives from a broad range of federal agencies, regulatory authorities, inspectors general, and state and local law enforcement who, working together, bring to bear a powerful array of criminal and civil enforcement resources. The task force is working to improve efforts across the federal executive branch, and with state and local partners, to investigate and prosecute significant financial crimes, ensure just and effective punishment for those who perpetrate financial crimes, combat discrimination in the lending and financial markets, and recover proceeds for victims of financial crimes.



###



# LIMITED LIABILITY COMPANY



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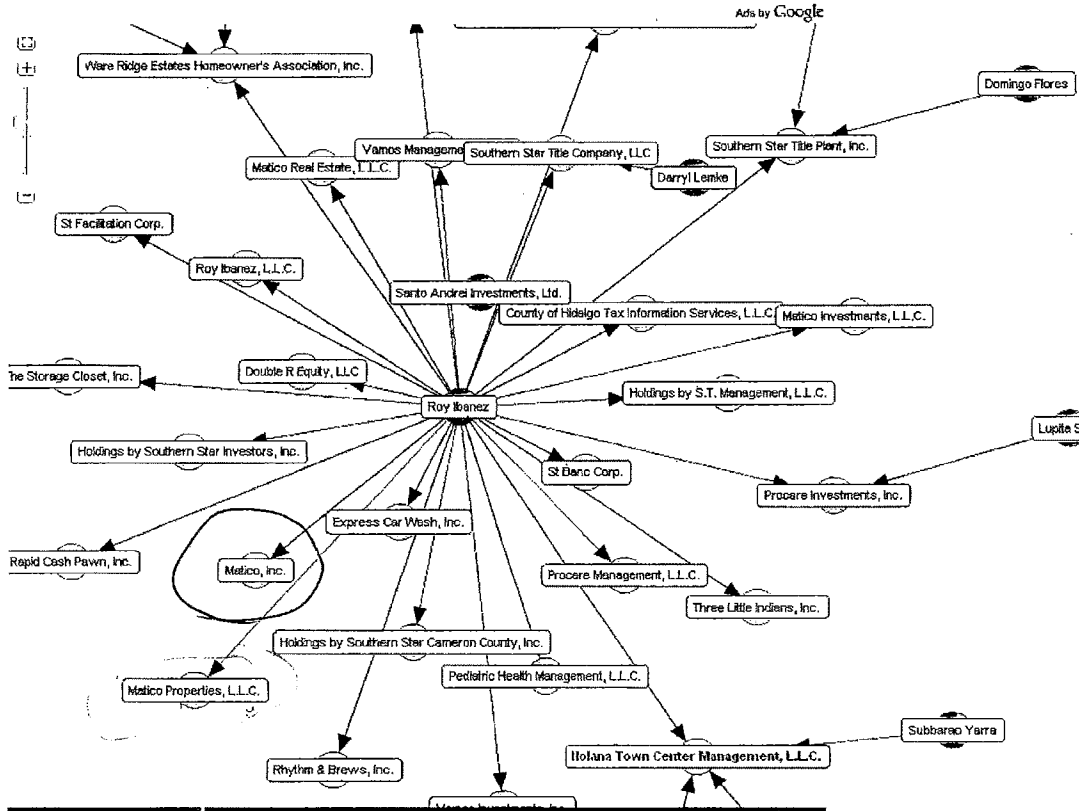
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March 15, 2011

RECEIVED

To: Planning Commission via Chris Holland, Senior Planner

MAR 18 2011

Re: 88th Street Master Plan

CITY OF MARYSVILLE  
PUBLIC WORKS &  
COMMUNITY DEVELOPMENT

After attending the development meetings and reviewing the information presented, I have some further comments not yet expressed.

I appreciate the wider attendance from traffic engineers, the mayor, councilmembers and planners that came to the neighborhood meeting. And I think I can appreciate that one of your jobs is the longer view, but I do not agree this is the time or place for this plan.

This is not "Mill Creek", nor anything near it. Each day there are numerous emergency sirens running by on State; each day trains whistle and clatter stops conversation and rattles dishes; alarms go off from commercial business across the street. I-5 traffic skims along. Often we very few residents wait a good while for traffic just to enter onto State.

Even with a light at 84th, does anyone really believe 200 residents could get around safely?

It is highly unlikely with our limitations and noise pollution that a "high end" buyer would find this area to be their dream home or business site, regardless of development standards.

From your own comments on space, costs, and feasibility--it does not appear anyone expects it to be developed. So why pursue an elaborate detailed plan at this time which seriously disrupts the existing neighborhood and the long time Marysville citizens?

It seems far more fair minded and realistic to use an overlay zoning designation that would apply if and when someone was authentically seeking to develop. To my mind, with the current plan, you create uncertainty for us about property taxes and land use in the present and further uncertainty and value concerns in the future.

Finally, who's interests are truly being heard here? Is it the long term citizens of Marysville, or is Matico LLC, a real estate holding company with owners in Texas with some very questionable business practices, but no genuine investment in our town who is being heard?

For my small farm and my home of 35 years, every square foot is productive and necessary- the current plan would destroy my livelihood and devalue my present and future use.

If there are amendments or changes to the planning, please notify. As our homes and lives are here; we are thinking about this everyday.

thank you for your time and attention,



Judy A Zugish 8220 State Ave. Marysville, Wa. 98270

EXHIBIT  
22



**Received**

APR - 1 2011

City of Marysville  
Community Development

March 31, 2011

Mr. Chris Holland, Senior Planner  
City of Marysville, Department of Community Development  
80 Columbia Avenue,  
Marysville, WA 98270

RE: 88<sup>th</sup> Street Master Plan (Draft)

Dear Chris,

Thank you for the opportunity to comment upon the Draft 88<sup>th</sup> Street Master Plan, dated February 04, 2011.

We feel that this planning effort and the resulting Comprehensive Plan amendment are vitally important to the City in fulfilling the cities' vision for the 88<sup>th</sup> Street neighborhood. We also feel that this will bring closure to the long process of addressing access and safety issues regarding the 88<sup>th</sup> Street intersection as well as the BNSF rail line and its problematic private crossings.

We have worked for several years to bring information, concepts and solutions to the City for inclusion in the Comprehensive Plan. With continued encouragement from the City, we have initiated positive dialog with BNSF to offer an alternative to the two private crossings and to create a safe, effective means of site access at the 84<sup>th</sup> Street intersection in order to create conditions that allow for economically viable future development of the land within the Master Plan area. These comprehensive solutions to clearly identified problem areas will provide for a higher level of safety along the rail corridor, resolve access and life-safety issues for the site, and provide for additional development areas at a prime location within the City.

It is of the utmost importance that this Master Plan proposal be incorporated into the City's Comprehensive Plan.

We are in substantial agreement with the proposed Plan. We would, however like to offer the following observations and recommendations regarding some elements of the Draft plan. Our comments are specific to the 88-MU zone only.

**EXHIBIT**  
23

**Figure 6: Allowed Uses**

We are very concerned that only non-residential uses are allowed on the ground floor. This would require that approximately 1/3 of all development on the site be non-residential, and that all residential development on the site be restricted to upper floors.

Under this scenario, a retirement community or full spectrum continuous care facility (very likely and appropriate candidates for this site) would be required to provide non-residential, commercial uses on the first floor. This proposed mix does not work in the marketplace, and would essentially preclude any use of the site as a retirement community. This is a very attractive use in that it is a stable community with minimum traffic impact that offers excellent employment opportunities in health care. It also represents a growing market segment that would be particularly attracted to this site.

From a site programming and economics point of view, it is very likely that 1/3 of all square footage to be developed on the site would not survive as retail/commercial use. Burdening the eventual development with this requirement will severely constrain the marketability or developability of the site, and almost certainly lead to economic failures of the resultant retail uses.

From a development financing point of view, a vertical mix of retail and residential is extremely problematic. The development finance market is very focused on market segments, and does not look favorably on vertically mixed product. Additionally, the mix of leased commercial below owned or rented residential, probably with a Home Owners Association to deal with, presents extraordinary ownership and management complexity to the development.

In recognition of the recent (and long term) focus on the part of Boeing to consolidate and expand their north Puget Sound footprint, it will also be important to enable sites to meet the need for commercial office, R+D, and technical or light manufacturing support services. These types of uses should also be allowed in the 88-MU zone.

We fully support the idea of mixed use for this planning area, however to achieve this objective, horizontal mixing must be allowed in order that financing appropriate to use type can be found, and that development flexibility in response to site planning and marketplace requirements can take place.

Our recommendation is that Residential be an Allowed Use on the first floor. This simple modification completely changes the development equation, allowing development that is congruent with market expectations and financing mechanisms.

We also strongly recommend that there be no specific requirement for the amount of non-residential use on the site. Let the marketplace and other zoning requirements give guidance to this.

## **Figure 6: Height**

Retail consultants advise us that the minimum ceiling height for retail space is 17', with a preference for 20'. Residential product currently requires approximately 9' clear ceilings. Taken together with structural requirements, this quickly gets to a 40' eave or parapet height. With the currently proposed 45' overall limit, the roof slope is constrained to a very shallow slope, negating an important form-giving characteristic of a reasonably sloped roof (min. 8 in 12).

Building code, fire code and ladder heights, as well as elevator technologies all point to a height cut off for residential buildings at approximately 58' (eave/top plate of top floor). This allows for a concrete base structure (residential/parking or retail) of one floor at grade, with wood frame construction above. There are numerous examples of this type of development throughout Puget Sound, particularly adjacent to urbanizing cores and transit-oriented intersections. We attach examples of this development type from other jurisdictions such as Kirkland, Sammamish, and Mill Creek Town Center. With successful apartment developments in mind, we encourage you to allow this type.

Given the difficulty of vertically mixing retail and residential, we encourage you to develop two height allowances:

1. Residential and mixed use: up to 58' eave or top plate, with 68' available within a sloped roof of at least 8 in 12, or other roofline modulation, to an absolute maximum of 73' (sketch attached).
2. Commercial/Retail/Office: 2 floors minimum, up to 35' eave or top plate, to an absolute maximum of 45' with a roof slope of 8:12 min. or other roofline modulation (sketch attached).

## **2.2 Site Orientation**

2.2.1 Requires that "primary entries along the **east**" of buildings along Quilceda Creek. This results in the "back" of the buildings facing the Creek. I would like to think that a portion of a well-planned site would respect the high amenity value of the creek environment and include it as a feature of a welcoming "front" door arrival experience or trail system along the top of bank. It is usual for residential developments to take advantage of such natural systems by incorporating them into the primary "view" façade. If the objective is to preclude a predominance of parking associated with the "front" door along the creek, then limit the parking to the "back" or "alley" on the east side of the building, while allowing a gracious drive with limited guest parking along the creek side.

2.2.3 States that vehicle access "shall be parallel to the BNSF to the greatest extent feasible". The site is predominantly north-south in its orientation, this will by default result in a parallel system. We are concerned that the language in conjunction with Figure 4 will be interpreted to mean that the roadway shall be "adjacent" to the BNSF right of way. Given that the entry point to the site is at the north, and the only exit at the south, this language (2.2.3) is not necessary. On-site traffic should contribute to community building by participating in the use of a central, north-south "boulevard" street section, with sidewalks and buildings on each side, so that the use of this public space is

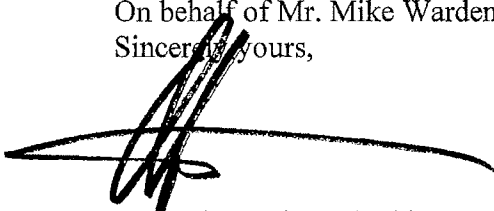
maximized and protected from the impacts of railway traffic. We believe that 2.2.3 is not necessary.

2.4.1 States that "Pedestrian access should be separated from internal motor vehicle access". We believe that the creation of a gracious urban streetscape as illustrated in figure 6 and 7 requires that pedestrians and vehicles inhabit the urban space between building forms. We agree with 2.4.5 that "pedestrian circulation (be) adjacent to public rights of way and internal access roads". Streets, sidewalks and building forms all contribute to a quality community environment. We are concerned that there seems to be a conflict in the proposed language.

Our recommendations for this section is to eliminate language that places specific design constraints on a site which at this point in time has unknown uses. Since new development will be reviewed for compliance with the 88<sup>th</sup> Street Master Plan Design Guidelines, Section 2.5.1 "Unifying Site Planning Concept", the City will have review opportunity at time of application. Discussions regarding building placement, access and relationships to open space are much more appropriate and productive at the time of application in that an actual design will be on the table for review.

We strongly encourage the City to include the above changes to the 88<sup>th</sup> Street Master Plan Draft. We believe it will ensure the economically viable development of the site while enhancing the design and city review opportunities.

On behalf of Mr. Mike Warden, I am  
Sincerely yours,

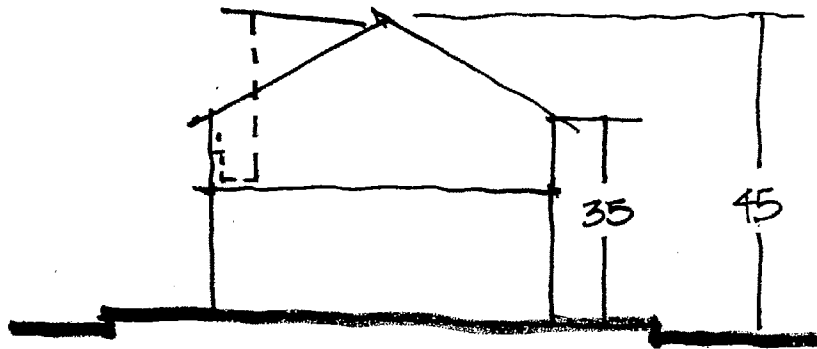
A handwritten signature in black ink, appearing to read 'K. Olsen', with a long horizontal flourish extending to the right.

Kenneth F. Olsen, Architect  
Principal, Olsen Associates

Attachments: 2 sketches, 5 code examples

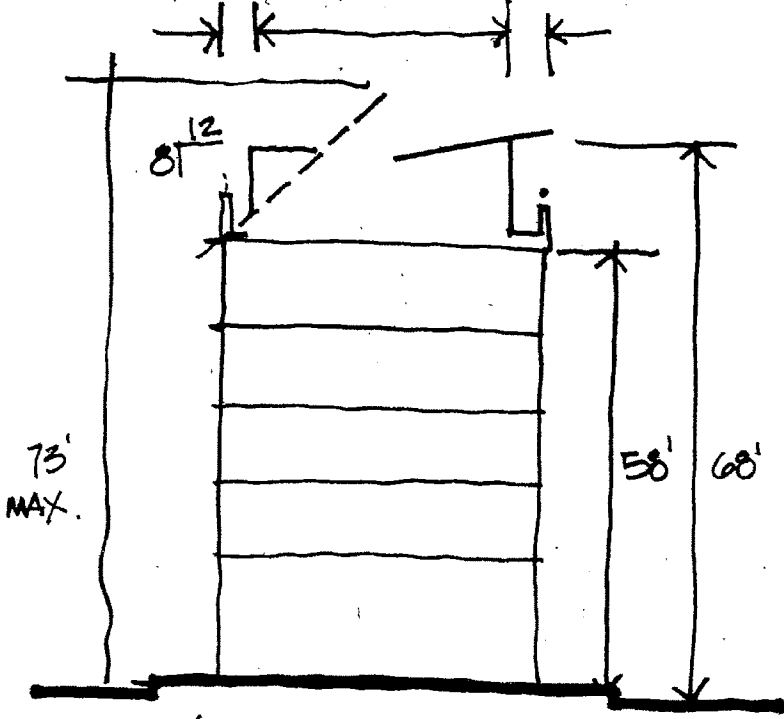
Cc: Mr. Mike Warden, Matico LLC

TOP FLOOR  
SETBACK



COMMERCIAL/RETAIL/OFFICE

TOP FLOOR  
SETBACK



RESIDENTIAL/MIXED USE

**Goal H-6: Provide affordable housing in a variety of forms, serving various income levels, and integrated into all of the housing types projected for the Town Center.**

H-6.1 Affordable dwelling units shall be of similar tenure and mix as to what the market is providing.

## **Recommended Implementation Actions**

1. **Adopt land use regulations that accommodate desired residential development.** This includes up to 2,000 dwelling units, emphasizing multi-family units in the mixed-use areas (up to six stories in the Core Mixed-Use area and up to five stories in other mixed-use areas), apartments and townhouses up to five floors in the residential focus area, and single-family and cottage housing uses in the low-intensity areas.
2. **Adopt design guidelines and a design review process.** Together, design guidelines and a design review process will guide residential development in the Town Center consistent with the vision, goals, and policies.
3. **Adopt development regulations requiring all residential developments to provide housing affordable to persons of low and moderate income.** Specifically, each development shall include or otherwise provide an amount of housing equal to 10 percent of the units in new housing developments that is affordable to persons of low or moderate income levels. The specific affordability levels will be established in the development regulations and may include different affordability thresholds for rental and ownership housing.
4. **Adopt development regulations encouraging affordable housing above and beyond the minimum 10 percent requirements.** The development regulations will include additional incentives for development that provides more than the minimum required affordability. One incentive will be density incentives for providing additional



ARCHITECTURAL CHARACTER

Design Consistency

Intent:

- To create an ensemble of buildings that presents a unified character while allowing for the individual architectural expression of each building.
1. The design character of an individual building should be compatible with (share similar features with) its neighbors but also include other features or characteristics that are different. Applicants should be prepared to demonstrate how proposed buildings are similar to or dissimilar from neighboring buildings, including those across the street, with regard to:
    - Building forms and massing.
    - Rooflines and parapet features.
    - Special building features such as signs, artwork, special canopies, landscaping elements, entries, etc.
    - Building fenestration—the size, orientation, and treatment of windows and glazed areas.
    - Materials and color.
    - Relationship to site.

The City will review architects' proposals and determine the features to be similar to neighboring buildings.

2. Residential buildings shall be designed to complement nearby commercial buildings, and shall be urban, rather than suburban, in character. An urban character can be achieved through the use of a well defined entrance and lobby, elevators (to avoid exterior stairwells), and flat roofs.

Building Scale

- To create a consistent building scale throughout the Town Center.
- To provide a consistent architectural scale throughout the Town Center that is appropriate to a pedestrian environment.
- To create a more focused character near plazas and along the commercial street.
- To achieve an inviting and interesting set of buildings with distinctive character.
- To ensure that the buildings present a varied response to streets and public spaces.

Building Height

Commercial/office: Generally, 1-3 stories. Minimum height 20 feet, maximum height 50 feet measured from ground to top of cornice or eave. The City will consider higher building heights if applicant can demonstrate consistency with overall design guidelines intent.

2. Except for residential buildings, buildings shall include eight-foot minimum setback at floors above second level. Building focal points do not need to be set back.  
For residential buildings, the maximum height is 60 feet, allowing for ground floor retail and/or commercial and up to four stories of residential units.

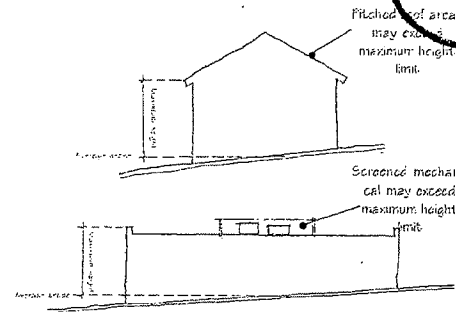


Figure 17: Building height determination diagram

Building Articulation

Liner Modulation:

1. In order to prevent long stretches of monotonous façade, buildings over 100 feet in length as measured parallel to a roadway or public open space should be vertically articulated along the façade at regular intervals (see Figure 19). Articulation may be accomplished in several ways, including:
  - Modulation—the stepping back or projection of a portion of the façade.
  - Including significant building elements such as balconies, porches, canopies, towers, entry areas, etc. that visually break up the façade.
  - Building focal points which include distinctive entry features, etc.
  - Changing the roofline.
  - Changing materials.
  - Using other methods acceptable to the City.

Vertical Modulation:

Each building over 100 feet in length should be articulated into sections averaging not more than 36 feet in length as measured along the building front roughly parallel to the roadway or public open space. Figure 19 illustrates the intent of the provisions to articulate long façades.

17. Within the CBC overlay zone, an upper story setback of 10 feet from the property line is required for any part of a building above 40 feet.

18. Permitted Locations of FAR Incentives.

a. FAR incentives shall be used only on sites within the CBC overlay zone.

b. Cultural uses, as defined in NMC 18.08.040, shall be exempt from minimum and maximum FAR requirements. (Ord. 2009-403 § 3; Ord. 2007-364 § 2; Ord. 2005-311 § 1; Ord. 2001-248 § 18; Ord. 2000-210 § 25; Ord. 45 § 1, 1994; Ord. 18 § 1, 1994).

18.12.040 Commercial/industrial and mixed use zones.

A. Densities and Dimensions.

STANDARDS	ZONES	NEIGHBORHOOD BUSINESS	COMMUNITY BUSINESS	OFFICE	MIXED USE	MIXED USE/ INDUSTRIAL
		NB	CB	O	MU, MU-R, MU-C	MU/I
Base Density: Dwelling Unit/Acre		8 du/ac (2)	N/A	N/A	N/A	N/A
Maximum Density: Dwelling Unit/Acre		12 du/ac (2) (3)	N/A	N/A	N/A	N/A
Maximum Front Setback (1)		0 ft (5)	0 ft (5) (9)	0 ft	0 ft (9)	25 ft
Minimum Side Setback		20 ft (7)	20 ft (7)	20 ft (7)	20 ft (7) (8)	20 ft (7) 50 ft (10)
Minimum Rear Setback		20 ft (7)	20 ft (7)	20 ft (7)	20 ft (7)	20 ft (7) 50 ft (10)
Base Height		35 ft	75 ft (14) (15)	75 ft (14) (15)	75 ft (14) (15)	75 ft (14) (15)
Minimum Floor Area Ratio (FAR) (17)		N/A	0.75:1	0.75:1	0.75:1	0.75:1
Maximum Floor Area Ratio (FAR) (17)		N/A	4:1 (3)	4:1 (3)	4:1 (3)	4:1 (3)
Maximum Floor/Lot Ratio: Square Feet		1/1	N/A		N/A	
Maximum Building Coverage: Percentage		N/A	N/A	N/A	70%	N/A
Maximum		85%	100%	75%	85%	90%

Impervious Surface Percentage (16)

B. Development Co

1. The front set... percent of the l... way. The corn... of the frontage... seating, public... included within

2. These densi... standards.

3. These densi... incentives; see... only be achieve

4. Reserved.

5. Gas station ;

6. Reserved.

7. Twenty-foot... zones, otherwis

8. The minimur

9. Where the e... widths, building... sidewalk width.

10. Fifty-foot se... industrial uses... setback require

11. Reserved.

12. Reserved.

13. Reserved.

14. An upper st... building above .

15. Within the C... expanded deve

HEIGHT

XV.1. NORTH/SOUTH JUANITA NEIGHBORHOOD  
8. JUANITA BUSINESS DISTRICT

*Two primary types of development are available in the JBD.*

**JBD 1**

There are two primary types of development available in this subarea: individual parcel development and master-planned mixed use development.

**① Individual Parcel Development**

Where a development is proposed on a site containing fewer than eight acres, retail, office, and/or multifamily are allowed. The maximum height for this development type is two stories, and the project would be subject to Design Review. Individual projects should be designed to combine vehicular and pedestrian access points whenever possible.

**② Master-Planned Mixed Use Development**

The second type of development may require assembly of properties (of at least eight acres) to create a master-planned, mixed use project which clusters development to the north part of the subdistrict. If almost the entire area of JBD 1 (eleven acres minimum) is assembled, then a development could be proposed with a maximum height of six stories on the north end stepping down to two stories toward the south end. If only eight acres are assembled, then the maximum height at the north end would be four stories stepping down to two stories toward the south end. Proposals with a minimum of eight acres would be required to have vehicular access off at least two of the following streets: 98th Avenue NE, Juanita Drive, and 97th Avenue NE.

In the master-planned mixed use development, the allowed uses would be retail, office, and multifamily. At least two of these uses would be required for the project to be considered mixed use. Pedestrian-oriented businesses should be located on the ground floor of all buildings; however, some multifamily units could be located on the ground level if they are part of a mixed use development, or if they face 97th Avenue NE. This type of master-

planned development should be reviewed at a public hearing and could be approved if it provides a high order of public amenities and urban design.

*Design standards are discussed.*

The following are design standards for both development types. These are further described in the Design Guidelines for the business district. Options should be explored for (i) establishing and maintaining the view corridor to the lake shown in Figure J-9, and (ii) establishing and maintaining pedestrian connections across the block. Appropriate types of pedestrian connections include sidewalks along building fronts and landscaped public open spaces tied to a pedestrian system which connects East Ridge to Juanita Beach Park.

In addition, the master-planned development must include a plan for the entire development parcel. Individual increments of development must show how they relate to adjacent developed properties in terms of common access, and a complementary arrangement of facilities, spaces, and linkages. For example, shared accesses and reciprocal vehicular easements should be established in order to reduce the number of curb cuts on the major streets to the minimum necessary. Similarly, shared parking/service areas are strongly encouraged. Sign systems should be coordinated.

*Retail, office, and residential uses should be allowed in JBD 2.*

**JBD 2**

In this area, retail, office, and residential uses should be allowed. As in JBD 1, residential units may be allowed on the ground floor of mixed use projects. To provide flexibility for developers in Juanita, drive-through facilities should be allowed in JBD 2 as stand-alone uses. Buildings up to a maximum of two stories should be allowed. Buildings up to three stories could be approved by the Design Review Board if views from East Ridge are preserved. More efficient parking lots, combined drives, and a more

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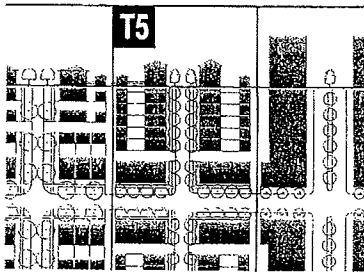
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(see Table 1)

**i. BUILDING FUNCTION** (see Table 10 & Table 12)

Residential	open use
Lodging	open use
Office	open use
Retail	open use

**k. BUILDING CONFIGURATION** (see Table 8)

Principal Building	5 stories max. 2 min.
Outbuilding	2 stories max.

**f. LOT OCCUPATION** (see Table 14f)

Lot Width	18 ft min 180 ft max
Lot Coverage	80% max

**i. BUILDING DISPOSITION** (see Table 9)

Edgeward	not permitted
Sideward	permitted
Rearward	permitted
Courtyard	permitted

**g. SETBACKS - PRINCIPAL BUILDING** (see Table 14g)

(g.1) Front Setback Principal	2 ft. min. 12 ft. max.
(g.2) Front Setback Secondary	2 ft. min. 12 ft. max.
(g.3) Side Setback	0 ft. min. 24 ft. max.
(g.4) Rear Setback	3 ft. min.*
Frontage Buildout	80% min at setback

**h. SETBACKS - OUTBUILDING** (see Table 14h)

(h.1) Front Setback	40 ft. max. from rear prop.
(h.2) Side Setback	0 ft. min. or 2 ft at corner
(h.3) Rear Setback	3 ft. max.

**j. PRIVATE FRONTAGES** (see Table 7)

Common Yard	not permitted
Porch & Fence	not permitted
Terrace or Lightwell	permitted
Forecourt	permitted
Stoop	permitted
Shopfront & Awning	permitted
Gallery	permitted
Arcade	permitted

Refer to Summary Table 14

**PARKING PROVISIONS**

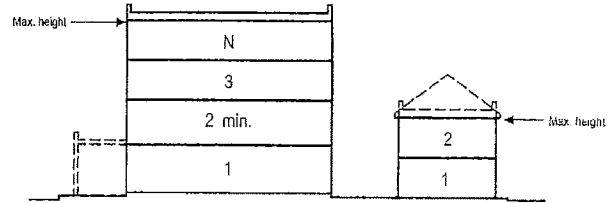
See Table 10 & Table 11

\*or 15 ft. from center line of alley

"N" stands for any Stories above those shown, up to the maximum. Refer to metrics for exact minimums and maximums

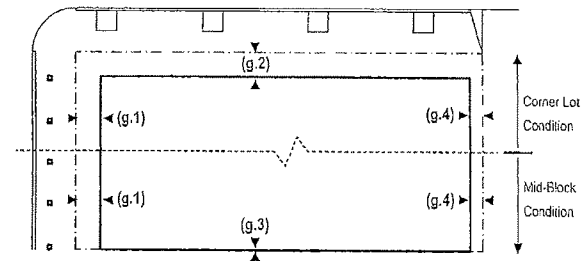
**BUILDING CONFIGURATION**

1. Building height shall be measured in number of Stories, excluding Attics and raised basements.
2. Stories may not exceed 14 feet in height from finished floor to finished ceiling, except for a first floor Commercial function which must be a minimum of 11 ft with a maximum of 25 ft.
3. Height shall be measured to the eave or roof deck as specified on Table 8.
4. Expression Lines shall be as shown on Table 8.



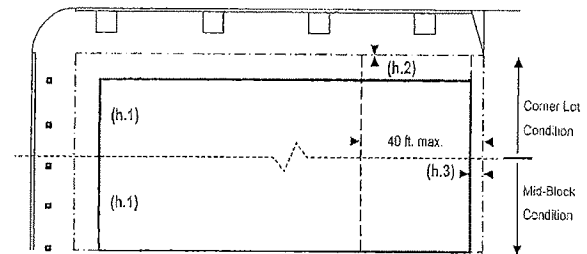
**SETBACKS - PRINCIPAL BLDG**

1. The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as shown.
2. Facades shall be built along the Principal Frontage to the minimum specified width in the table.



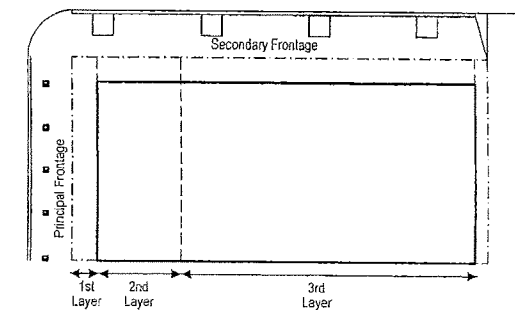
**SETBACKS - OUTBUILDING**

1. The Elevations of the Outbuilding shall be distanced from the Lot lines as shown.



**PARKING PLACEMENT**

1. Uncovered parking spaces may be provided within the third Layer as shown in the diagram (see Table 17d).
2. Covered parking shall be provided within the third Layer as shown in the diagram (see Table 17d).
3. Trash containers shall be stored within the third Layer.



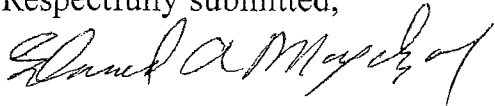
April 11, 2011

Mr. Chris Holland, Senior Planner & the Marysville Planning Commission:

Re: 88<sup>th</sup> Street Master Plan (Draft)

Marvetta Toler challenged me to come up with an "alternative" plan. My alternative would be to put a bridge across Quilceda Creek and access 36<sup>th</sup> Ave NE. This plan would alleviate the need to cross the railroad at 84<sup>th</sup> St. and could replace the private crossings. There are at least 2 places that look good for this plan. One is 87<sup>th</sup> across the back of Appleby's where they plan to access 36<sup>th</sup> Ave. The 2<sup>nd</sup> is at 86<sup>th</sup> where it would work well because of the closeness of the creek. 8603 has a doublewide mobile home on it. By not adding, but getting rid of RR crossings this plan would make this area and Marysville safer. By not adding to State St. congestion there would be no need to put in a traffic light at 84<sup>th</sup>. This would provide easy access to Appleby's, Walmart, Haggens, the freeway and Home Depot. This plan would also remove the necessity to have a proposed access through any properties south of 8430. My plan would greatly enhance the property on the north end by giving it a good access rather than 3 poor choices. The North end could then be developed without affecting us on the south end and forcing us to buy in to the plan. This is a fairer alternative because it would put the burden of accessing the north end of the 88 MU properties on Matico LLC and anyone else who want to develop instead of saddling us who are already developed on the south and having restrictions on our properties that would in no way enhance the value and livability of our properties. As I said, we are already developed as single family and do not want the MF designation.

Respectfully submitted,



Edward A Maychrzak  
Owner of property at  
8200 38<sup>th</sup> Dr NE

**Received**

APR 11 2011

City of Marysville  
Community Development

**EXHIBIT**  
24



**Received**

APR 21 2011

City of Marysville  
Community Development

April 20, 2011

Mr. Chris Holland, Senior Planner  
City of Marysville, Department of Community Development  
80 Columbia Avenue,  
Marysville, WA 98270

RE: 88<sup>th</sup> Street Master Plan, Draft of April 12, 2011

Dear Chris,

Thank you for the opportunity to comment upon the Draft 88<sup>th</sup> Street Master Plan, dated April 12, 2011.

We feel that this planning effort and the resulting Comprehensive Plan amendment are vitally important to the City in fulfilling the cities' vision for the 88<sup>th</sup> Street neighborhood. We are particularly supportive of actions and policies that will allow these properties to make a positive contribution to the City's quality of life as well as its tax base. It is therefore crucial that land use policies are in alignment with marketplace economics so that an attractive, economically viable mixed-use development concept can be brought forward for review by the City under the provisions of the Master Plan.

We strongly support mixed-use development on this site; the City and we are very much on the same page on this concept. Our concern is in the specific language in the current draft and the ways in which it may prove very problematic for the eventual development of the property.

**Figure 8: Allowed Uses**

We have previously commented on the importance of allowing residential uses on the ground floor of buildings, un-encumbered by the need to mix vertically with commercial uses. We are encouraged to see that with approval by the Director, this may now occur.

Our concern with the current language is that it imposes extraordinarily detailed site design requirements which may run counter to not only the realistic development of the site, but to other policies enumerated by the City.

**EXHIBIT**  
29

For clarity, I quote the current draft at Figure 8; Allowed Uses:

*“(2) Residential, Convalescent, Nursing and retirement uses may be allowed by the Director, on the ground floor, if the units are **not** located on the edge of streets, access and sidewalks, and primary access is towards the rear of the building. Residential accessory uses (i.e. structured parking) along the street front are not allowed.”*

This seems to suggest that residential uses may not be located on a street, may not have a sidewalk at its front door, and must be entered from the back of the building. From an architectural and planning perspective this is extremely problematic.

The proposed Design Standards (section B 1.1 and 1.2) address building site placement with illustrations of buildings placed along streets and sidewalks (figure 3) as the preferred (“good”) solution. They further state that “The primary building entry shall face the street”, and that “Buildings with individual ground floor entries should face the street to the greatest extent possible”.

In addition, the design and placement of parking is addressed very well in section E 10 (page 65, 66), in which numerous requirements are spelled out that allow for parking to be closely associated with residential buildings, and simultaneously ensure a comfortable, safe pedestrian environment.

There are further excellent guidelines regarding residential development and its relationship to circulation and open space in section C and E, all of which establishes clear, rigorous and appropriate guidance for the design of buildings on the site.

In addition, in section F (page 68) we see specific examples of residential units with primary entries facing the street that with the use of landscaping and human scale elements create an attractive harmonious pedestrian scale to the streetscape.

We see direct conflicts between Figure 8 and numerous concepts and specifics of Appendix A, the Design Guidelines. We strongly encourage the City to eliminate the conflicting language contained in Figure 8, and to rely on the Design Guidelines of Appendix A, which give clear, unambiguous guidance for site and building design.

We recommend the following language for Figure 8, Allowed Uses, Ground Floor (2):

***(2) Residential, Convalescent, Nursing and Retirement uses are allowed on the ground floor as part of a Unified Site Planning Concept.***

This gives clarity to the issue of Land Use, allows economically viable development, and places the burden of compliance with the Design Guidelines where it belongs, i.e. at the time of site plan review by the Director. (From Appendix A, section A.2: “The Director will administer these guidelines, lead the review process, and ensure that new development meets their intent.”)

Our proposed language requires a Unified Site Planning Concept (as enumerated in Section B.3) because we believe, as does the City, that larger scale site planning can create design opportunities in support of community values, and that the intent of the design guidelines can be more effectively incorporated into the design.

With this in mind we suggest the following additions to section B.3 Multiple Building Developments and Special Sites (page 31) Intent:

**To encourage an appropriate mix of residential and other uses.**

**To encourage economically viable mixed use development through the creation of clearly recognizable areas of commercial and residential activity.**

We strongly encourage the City to include the above changes to the 88<sup>th</sup> Street Master Plan Draft. We believe it will ensure the economically viable development of the site while enhancing the design and city review opportunities.

We are of course available at any time to meet with the City to discuss these issues.

On behalf of Mr. Mike Warden, I am  
Sincerely yours,

Kenneth F. Olsen, Architect  
Principal, Olsen Associates

Cc: Mr. Mike Warden, Matico LLC





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

April 21, 2011

Dear Reader and Interested Citizen,

Addendum No. 19 to the Final Environmental Impact Statement (FEIS) for the Marysville Comprehensive Plan (issued in April 2005) has been prepared by the Marysville Community Development Department. This addendum provides additional environmental information and analysis relating to the NON-PROJECT action amendment to Chapter 4 – Land Use Element, Planning Area 6: *Downtown Marysville North/Pinewood Neighborhood*, of the Marysville Comprehensive Plan, adopting the 88th Street Master Plan.

This addendum adds further information to the analysis contained in the DEIS and the FEIS. The 88th Street Master Plan proposes adoption of form based design standards that would establish allowable land uses, access, open space, site and building design standards within the master plan area (MPA).

Review of the proposed amendments, is scheduled to occur at a public hearing before the Marysville Planning Commission on May 10, 2011, and at a subsequent briefing and public meeting before the Marysville City Council in June, 2011.

If you have any questions regarding Addendum No. 19 to the FEIS, please contact me at (360) 363-8207 or by e-mail at [cholland@marysvillewa.gov](mailto:cholland@marysvillewa.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Holland".

Chris Holland  
Senior Planner

cc: Gloria Hirashima, CAO/Community Development Director  
Cheryl Dungan, Planning Manager – Land Use

**EXHIBIT**

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**ADDENDUM NO. 19  
TO THE  
FINAL ENVIRONMENTAL IMPACT STATEMENT  
FOR THE CITY OF MARYSVILLE  
COMPREHENSIVE PLAN**

**NON-PROJECT Action Comprehensive Plan Amendment  
"88th Street Master Plan"**

Prepared Consistent with

The Washington State Environmental Policy Act of 1971  
Chapter 43.21C Revised Code of Washington  
Chapter 197-11, Washington Administrative Code  
Marysville Municipal Code Title 19



**COMMUNITY DEVELOPMENT DEPARTMENT**  
601 Delta Avenue ♦ Marysville, WA 98270  
(360) 363-8100 ♦ (360) 651-5099 FAX

Date of Issuance: April 21, 2011

## FACT SHEET

**File Number:** PA 10024 (88th Street Master Plan)  
PA 04024 (FEIS)

**Project Title:** 88th Street Master Plan

**Proposed Action:** NON-PROJECT action amendment to Chapter 4 – Land Use Element, Planning Area 6: *Downtown Marysville North/Pinewood Neighborhood*, of the Marysville Comprehensive Plan, adopting the 88th Street Master Plan.

**Purpose of the FEIS Addendum:** The purpose of this addendum is to add information and analysis relating to the NON-PROJECT action amendment to Chapter 4 – Land Use Element, Planning Area 6: *Downtown Marysville North/Pinewood Neighborhood*, of the Marysville Comprehensive Plan, adopting the 88th Street Master Plan. This information expands upon previously identified significant impacts of the alternatives to the Marysville Comprehensive Plan DEIS, dated January 13, 2005, and FEIS, dated April 2005, but does not substantially change the analysis.

No additional significant impacts beyond those identified in the FEIS are expected to occur. Revisions to the proposal may be considered during the public hearing process. No additional programmatic action level environmental review will be required to the extent that the existing environmental documents listed in this addendum or other published documents have analyzed such changes.

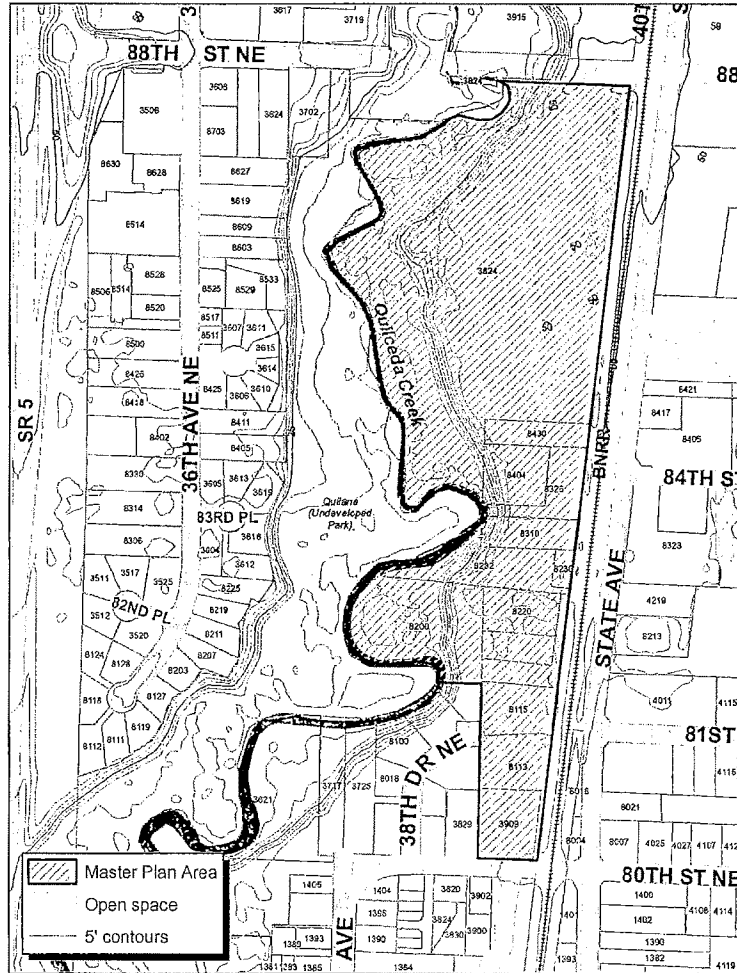
This addendum is being issued in accordance with WAC 197-11-625. Additional changes to the proposal may be considered during the public hearing process. The adopted environmental documents listed in this addendum meet the City of Marysville's environmental review needs for the current proposal.

**Description of Proposal:** NON-PROJECT action amendment to Chapter 4 – Land Use Element, Planning Area 6: *Downtown Marysville North/Pinewood Neighborhood*, of the Marysville Comprehensive Plan, adopting the 88th Street Master Plan.

The majority of the land area within the 88th Street Master Plan Area (MPA) does not have a specific Comprehensive Plan land use designation. The MPA is subject to a rezone upon adoption of a master plan for the area. The 88th Street Master Plan proposes adoption of form based design standards that would establish allowable land uses, access, open space, site and building design standards within the master plan area (MPA).

The MPA is comprised of approximately 33.19 acres, of which approximately 13.96 acres are developable due to setbacks from Quilceda Creek, a salmonid bearing stream within shoreline jurisdiction, associated critical area and steep slope buffers and access requirements.

**Location of Proposal:** The 88<sup>th</sup> Street Master Plan Area (MPA), is located within the western portion of Planning Area 6: *Downtown Marysville North/Pinewood Neighborhood*. The MPA is bounded by 88<sup>th</sup> Street NE to the north, Burlington Northern Santa Fe Railroad right-of-way and State Avenue to the east, 80<sup>th</sup> Street NE to the south, and Quilceda Creek to the west, as depicted below.



**Lead Agency:** City of Marysville  
 Community Development Department  
 80 Columbia Avenue  
 Marysville, WA 98270

**Required Approval:** City of Marysville Council – Ordinance Adoption

**Circulation and Comment:** This addendum, or notice of availability, is being sent to all recipients of the previously issued FEIS as required by WAC 197-11-625. No comment period is required for this addendum under WAC 197-11-502(8)(c).

**FEIS Contact Person:** Chris Holland  
 Senior Planner  
 (360) 363-8207  
[cholland@marysvillewa.gov](mailto:cholland@marysvillewa.gov)

**Date of Issuance:** April 21, 2011

**Responsible Official:** Gloria Hirashima  
**Position:** CAO/Community Development Director  
**Address:** 601 Delta Avenue  
Marysville, WA 98270

**Signature:**   
*Cheryl Dungan, Planning Manager – Land Use, for responsible official*

**Tentative Date of Implementation:** June 2011

**Public Hearings:** Review of the proposed NON-PROJECT action amendments to the Marysville Comprehensive Plan is scheduled to occur at a public hearing before the Marysville Planning Commission on May 10, 2011, and at a subsequent briefing and public meeting before the Marysville City Council in June, 2011.

**Documents:** The DRAFT 88th Street Master Plan can be accessed via the City of Marysville website <http://marysvillewa.gov/> and navigating to the Community Development Department home page. In addition hard copies of the DRAFT plan may be reviewed or purchased at the Community Development Department, located at 80 Columbia Avenue, Marysville, WA 98270.



STATE OF WASHINGTON

DEPARTMENT OF COMMERCE

1011 Plum Street SE • PO Box 42525 • Olympia, Washington 98504-2525 • (360) 725-4000  
www.commerce.wa.gov

March 15, 2011

Chris Holland  
Senior Planner  
City of Marysville  
80 Columbia Avenue  
Marysville, Washington 98270

Dear Mr. Holland:

Thank you for sending the Washington State Department of Commerce (Commerce) the following materials as required under RCW 36.70A.106. Please keep this letter as documentation that you have met this procedural requirement.

**City of Marysville - Proposed adoption of a master plan and form base design standards establishing allowable land uses, access, open space, site and building design standards (88th Street Master Plan). These materials were received on March 15, 2011 and processed with the Material ID # 16731.**

We have forwarded a copy of this notice to other state agencies.

If this submitted material is an adopted amendment, then please keep this letter as documentation that you have met the procedural requirement under RCW 36.70A.106.

If you have submitted this material as a draft amendment, then final adoption may occur no earlier than sixty days following the date of receipt by Commerce. Please remember to submit the final adopted amendment to Commerce within ten days of adoption.

If you have any questions, please call me at 360.725.3052.

Sincerely,

*Linda Weyl*  
*for*

Dave Andersen  
Planning Review Manager  
Growth Management Services

**EXHIBIT**

71

**CITY OF MARYSVILLE**  
**Marysville, Washington**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON, AMENDING THE CITY'S COMPREHENSIVE PLAN BY ADOPTING THE 88TH STREET MASTER PLAN; AMENDING THE CITY'S DEVELOPMENT REGULATIONS BY ADOPTING MMC CHAPTER 22C.085; AND AMENDING MMC 22A.010.160 RELATED TO TRACKING AMENDMENTS TO THE CITY'S UNIFORM DEVELOPMENT CODE.**

WHEREAS, the City of Marysville has proposed under RCW 36.70A.130(2)(a)(i) to amend its comprehensive plan by the adoption of the 88th Street Master Plan; and

WHEREAS, the State Growth Management Act, RCW Chapter 36.70A mandates that cities periodically review and amend the comprehensive plan and development regulations; and

WHEREAS, RCW 36.70A.106 requires the processing of amendments to the City's comprehensive plan and 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 comprehensive plan 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 comprehensive plan and development code (MMC Title 22); and

WHEREAS, public notice of the proposed comprehensive plan and development regulation revisions, soliciting comments from the public, was provided in accordance with MMC Chapter 22G.010 Article II, *Public Notice Requirements*, consisting of notice in the Marysville Globe, published on February 9, 2011, and posting notice at Marysville City Hall, Marysville Public Works Department, Marysville Post Office, City of Marysville web page and the subject property; and

WHEREAS, the Planning Commission discussed the above-referenced comprehensive plan and development regulation revisions during public meetings held on February 8, 2011, March 8, 2011 and April 12, 2011; and

WHEREAS, Marysville Community Development Department held a public meeting to introduce the proposed comprehensive plan and development regulation revisions to the community on March 3, 2011; and

WHEREAS, after providing notice to the public as required by law, on May 10, 2011, the Marysville Planning Commission held a public hearing on the proposed comprehensive plan and development regulation revisions; and

WHEREAS, at a public meeting on June 13, 2011, the Marysville City Council reviewed and considered the proposed comprehensive plan and development regulation revisions proposed by the Marysville Planning Commission; and

WHEREAS, the City of Marysville submitted the proposed comprehensive plan and development regulation revisions to the Washington State Department of Commerce as required by RCW 36.70A.106.

WHEREAS, the proposed comprehensive plan and development regulation revisions were received by the Washington State Department of Commerce on March 15, 2011, processed with the Material ID# 16731, and no comments were received from the Washington State Department of Commerce; and

WHEREAS, the City has complied with the requirements of the State Environmental Policy Act, RCW Ch.43.21C (SEPA) by issuing Addendum No. 19 to the Final Environmental Impact Statement (FEIS) of the Marysville Comprehensive Plan for the proposed comprehensive plan and development regulation revisions on April 21, 2011, in accordance with WAC 197-11-625 and no appeals were filed;

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

Section 1. Approval of Planning Commission's Recommendation and Adoption of Findings and Conclusions. The Planning Commission's May 10, 2011 Recommendation regarding the proposed comprehensive plan and development regulation revisions, including the Findings and Conclusions contained therein, as set forth in the attached **Exhibit A** is hereby adopted and incorporated herein by this reference.

Section 2. Required Findings. In accordance with MMC 22G.010.500, the following findings are made regarding the comprehensive plan and development regulation amendments subject of this ordinance:

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

Section 3. Adoption of 88th Street Master Plan. The City of Marysville Comprehensive Plan is hereby amended by adopting the 88th Street Master Plan, which is attached hereto as **Exhibit B** and is incorporated herein by this reference.

Section 4. MMC Title 22C *Land Use Standards* is hereby amended by adopting MMC Chapter 22C.085 to read as follows:



**Chapter 22C.085      88TH STREET MASTER PLAN – DESIGN REQUIREMENTS**

**Sections:**

- 22C.085.010            Purpose.
- 22C.085.010            Applicability and interpretations.

**22C.085.010 Purpose.**

The purpose of this chapter is to apply the design standards and guidelines in the 88th Street Master Plan, as adopted by **Ordinance No. \_\_\_\_\_**, as legally required standards for all new construction in the 88th Street Master Plan Area (88<sup>th</sup> Street MPA). It is also the purpose of this chapter to:

- (1) Encourage the realization and creation of a desirable and aesthetic environment in the 88th Street MPA;
- (2) Encourage and promote development which features amenities and excellence in site planning, streetscape, building design and contribution to community aesthetic appeal;
- (3) Encourage creative approaches to the use of land and related physical developments;
- (4) Minimize incompatible and unsightly surroundings and visual blight which prevent orderly community development;
- (5) Allow a mixture of complementary land uses that may include housing, retail, offices, and commercial services, in order to create economic and social vitality and encourage the linking of vehicle trips;
- (6) Develop mixed use areas that are safe, comfortable and attractive to pedestrians;
- (7) Support the use of streets as public places that encourage pedestrian and bicycle travel;
- (8) Reduce opportunities for crimes against persons and property;
- (9) Minimize land use conflicts and adverse impacts;
- (10) Provide roadway and pedestrian connections between residential and commercial areas;
- (11) Provide public places and open space networks to create gateways, gathering places, and recreational opportunities that enhance the natural and built environment.

**22C.085.010 Applicability and interpretations.**

- (1) Applicability.
  - (a) The design guidelines set forth in the 88th Street Master Plan, as adopted by **Ordinance No. \_\_\_\_\_**, shall apply to all new construction in the 88th Street MPA.
  - (b) The design guidelines shall be legally required standards, which shall be applied by the city to all development approvals and permits in the 88th Street MPA.
  - (c) The following activities shall be exempt from these standards:
    - (i) Construction activities which do not require a building permit;
    - (ii) Interior remodels of existing structures;
    - (iii) Modifications or additions to existing multifamily, commercial, industrial, office and public properties when the modification or addition:
      - (A) Constitutes less than 10 percent of the existing horizontal square footage of the use or structure; and
      - (B) Constitutes less than 10 percent of the existing building's exterior facade.
  - (d) These standards are intended to supplement the development standards in the Marysville Municipal Code. Where these standards and the land use standards conflict, the city shall determine which regulation applies based on which is more in the public interest and more consistent with the comprehensive plan.
- (2) Interpreting and Applying the Design Standards.
  - (a) These standards capture the community visions and values as reflected in the comprehensive plan's neighborhood planning areas. The city

community development director (director) retains full authority to determine whether a proposal meets these standards.

(b) Within these standards, certain words are used to indicate the relative importance and priority the city places upon a particular standard.

(i) The words "shall," "must," and "is/are required," or words with their equivalent meaning, mean that the development proposal must comply with the standard unless the director finds that:

(A) The standard is not applicable in the particular instance; or

(B) The development proposal meets the intent of the standards in some other manner.

(ii) The word "should," or words with its equivalent meaning, mean that the development proposal will comply with the standard unless the director finds that:

(A) The standard is not applicable in the particular instance;

(B) The development proposal meets the intent of the standards in some other manner; or

(C) There is convincing evidence that applying the standard would not be in the public interest.

(iii) The words "is/are encouraged," "can," "consider," "help," and "allow," or words with their equivalent meaning, mean that the action or characteristic is allowed and will usually be viewed as a positive element in the city's review.

(c) The project proponent may submit proposals that he/she feels meet the intent of the standards but not necessarily the specifics of one or more standards. The director will determine if the proposal meets the intent of the standard has been met.

Section 5. MMC 22A.010.160 is hereby amended to add the following reference to this adopted ordinance in order to track amendments to the City's Unified Development Code:

**"22A.010.160 Amendments.**

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

<u>Ordinance</u>	<u>Title (description)</u>	<u>Effective Date</u>
_____	Chapter 22C.085 88th Street Master Plan – Design Guidelines	_____, 2011"

Section 6. 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 June, 2011.

CITY OF MARYSVILLE

By: \_\_\_\_\_  
JON NEHRING, MAYOR

Attest:

By: \_\_\_\_\_  
CITY CLERK

Approved as to form:

By: \_\_\_\_\_  
GRANT K. WEED, CITY ATTORNEY

Date of Publication: \_\_\_\_\_

Effective Date: \_\_\_\_\_  
(5 days after publication)

# **EXHIBIT A**

## Planning Commission Recommendation



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

## PC Recommendation - 88th Street Master Plan

The Planning Commission (PC) of the City of Marysville, having held a public hearing on May 10, 2011, in review of a NON-PROJECT action amendment of the Marysville Comprehensive Plan, proposing adoption of the 88th Street Master Plan that integrates form based design standards and establishes allowable land uses, access, open space, site and building design standards within the master plan area (MPA) and having considered the exhibits and testimony presented, does hereby enter the following findings, conclusions and recommendation for consideration by the Marysville City Council:

### FINDINGS:

1. The Community Development Department held a public meeting to introduce the NON-PROJECT action 88th Street Master Plan to the community on March 3, 2011.
2. The proposal was submitted to the State of Washington Department of Commerce for 60-day review on March 15, 2011 and processed with the Material ID No. 16731, in accordance with RCW 36.70A.106.
3. The PC held public work session(s) to review the NON-PROJECT action amendments proposing adoption of the NON-PROJECT action 88th Street Master Plan, as described above, on February 8, 2011, March 8, 2011 and April 12, 2011.
4. Addendum No. 19 to the Final Environmental Impact Statement (FEIS) of the Marysville Comprehensive Plan was issued for the proposed NON-PROJECT action 88th Street Master Plan on April 21, 2011, in accordance with WAC 197-11-625.
5. The PC held a duly-advertised public hearing on May 10, 2011 and received testimony from city staff and the public.
6. At the public hearing the PC reviewed and considered two (2) form based land use alternatives, described in Section 6.0 of the proposed NON-PROJECT action 88th Street Master Plan.

### CONCLUSION:

At the public hearing, held on May 10, 2011, the PC recommended **APPROVING** the 88th Street Master Plan with form based land use Alternative 2, as the preferred alternative, as reflected in the PC Minutes, attached hereto as **EXHIBIT A**.

### RECOMMENDATION:

Forwarded to City Council as a Recommendation of **APPROVAL** of the NON-PROJECT action amendment to the Marysville Comprehensive Plan, proposing adoption of the 88th Street Master Plan with form based land use Alternative 2, this **10<sup>th</sup> day of May, 2011**.

By:   
Stephen Leifer, Planning Commission Chair



**MARYSVILLE PLANNING COMMISSION**

**May 10, 2011**

**7:00 p.m.**

**City Hall**

**CALL TO ORDER**

Chair Leifer called the May 10, 2011 meeting to order at 7:05 p.m. noting that Deirdre Kvangnes would be arriving late.

- Chairman:** Steve Leifer
- Commissioners:** Jerry Andes, Matthew Chapman, Rob Toyer, Eric Emery, Marvetta Toler
- Staff:** CAO/Community Development Director Gloria Hirashima, Senior Planner Chris Holland, Recording Secretary Amy Hess
- Absent:** Deirdre Kvangnes

**APPROVAL OF MINUTES:**

April 12, 2011

**Motion** made by Commissioner Chapman, seconded by Commissioner Toyer to approve the April 12, 2011 meeting minutes as presented. Motion carries, (5-0).

**PUBLIC COMMENT:**

Chair Leifer solicited any comment from the audience other than what is on the agenda. Seeing none, he closed this portion of the meeting and proceeded on with the Public Hearing.

**PUBLIC HEARING:**

**88<sup>th</sup> Street Master Plan**

Chris Holland gave a brief overview of a memo provided from staff related to land use and property taxes, written public comments that had been received to date and changes made to the master plan since the last commission workshop. He went over the only additional public written comment, received from Olsen Associates, and explained the concerns raised in that letter.

Chris Holland stated that staff is requesting the commission forward a recommendation approving 88<sup>th</sup> Street Master Plan Alternative 2.

**Public Comment:**

Cornelius Farkasosky, 6321 93<sup>rd</sup> PI NE, Marysville WA 98270

Mr. Farkasosky stated that he had not seen the Master Plan, but he wanted to know if some of the properties had been rezoned down to Cedar. Chris Mr. Holland responded that it had not been done, but was one of the options. Mr. Farkasosky stated that he felt it should remain single family and not be changed.

Ken Olsen, La Conner WA

Mr. Olsen stated that he was here representing Mike Warden and that he was an architect. He noted that they were in complete agreement with the draft as it sits tonight. He added that they were in support of staff's recommendation of Alternative 2.

Ed Maychrzak, 8200 30<sup>th</sup> Dr. NE, Marysville WA 98270

Mr. Maychrzak was concerned about the height of the buildings allowed in the north end of the project. He pointed out that this area was sand down a good 30-40 feet before it hit hard pan. He was concerned that pilings that would be necessary for buildings of this height could compromise the existing water wells. He also felt that developers should have the option of going across Quil Ceda Creek rather than across the railroad tracks, impacting one or two property owner's rather than six property owner's proposed with the current road alignment. He added that he felt this would be an unfair encumbrance to those property owners.

Chair Leifer solicited any further comment. Seeing none, he closed the hearing at 7:26 p.m.

**Commissioner Comment:**

Commissioner Andes felt that Alternative 2 looked good the way it was. He did disagree with the proposal of crossing the creek that Mr. Maychrzak had brought up; environmentally speaking, he felt it would be almost impossible.

Commissioner Chapman thanked staff for their hard work. He was pleased to see the increase in height restrictions and stated that he was in full support of the plan the way it is; adding that he was pleased to see that the existing single-family land use designations would be retained.

Commissioner Toyer concurred with Commissioner Chapman. He noted that he still has concerns about congestion that would result from Alternative 2, although he did support it.

Commissioner Toler was pleased that staff had come up with an alternative that would preserve the existing designation of the single-family property owners in the area.

Commissioner Emery questioned if there had been any comments received against Alternative 2. Mr. Holland responded that there had not been any received to date. **Motion** made by Commissioner Emery, seconded by Commissioner Toler to forward Alternative 2 of the 88<sup>th</sup> Street Master Plan onto Council for approval. Motion carries, (6-0).

Chair Leifer commented on Ed's concern about building height, noting that there were many restrictions for development on this type of soil and that if there were any adverse affects, 5 story buildings would not be allowed even though they were permitted.

Chris Holland and CAO Hirashima discussed the items that would be coming in the future. Chair Leifer questioned when the Deferral Impact Fee Ordinance might be brought back. CAO Hirashima responded that she wanted to meet with the Marysville, Lakewood and Lake Stevens school districts involved before bringing it back to the Commission. As long as the commission still was in favor of it, she felt she could have this back by June.

CAO Hirashima announced that there would be an Economic Summit with Arlington, Tulalip Tribes, and Marysville coming up. She encouraged the Commissioners to attend as she felt it would be a good collaborative effort being made by the 3 jurisdictions.

Chris Holland explained to the people in the audience what the next steps would be for the 88<sup>th</sup> Street Master Plan and the dates that it would be going to Council.

Chair Leifer noted that Commissioner Kvangnes had intended to be late, but as she had not shown, her absence would be considered excused.

**ADJOURNMENT:**

**Motion** made by Commissioner Emery, seconded by Commissioner Andes to adjourn the meeting at 7:46 p.m. Motion carries, (5-0).

**NEXT MEETING:**

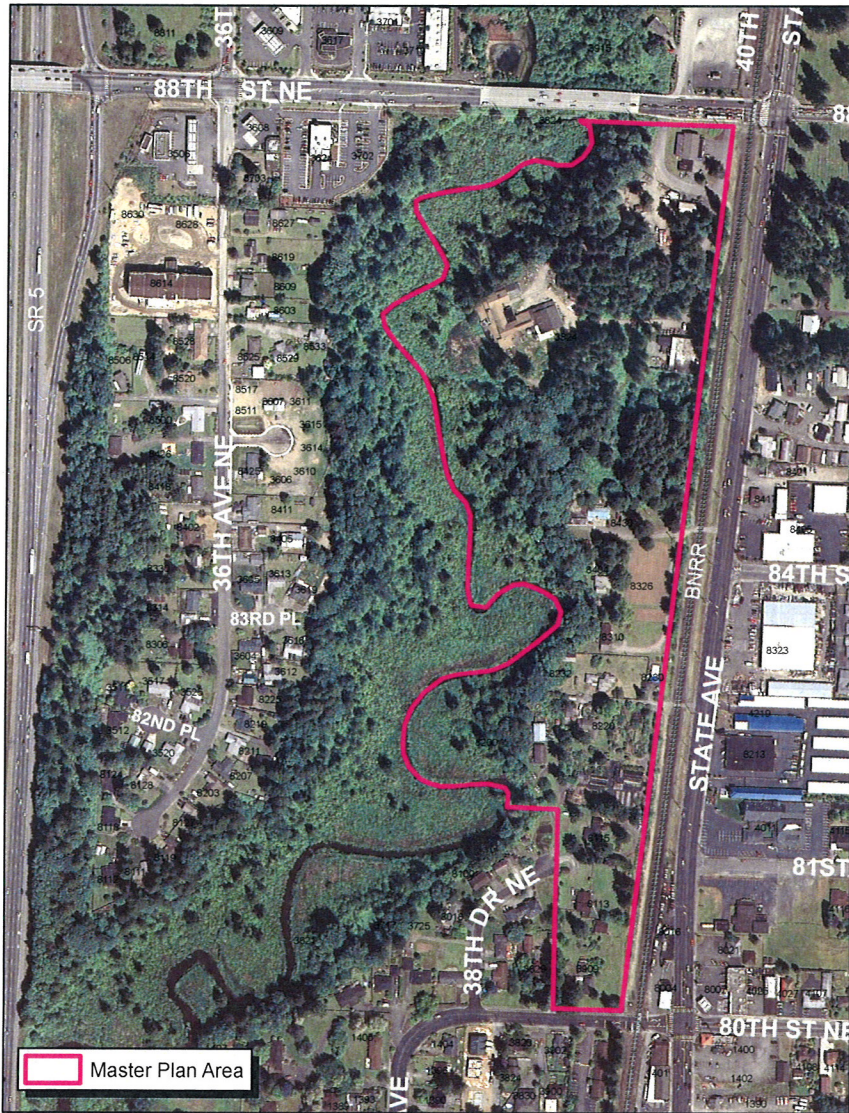
May 24, 2011

  
\_\_\_\_\_  
Amy Hess, Recording Secretary



**EXHIBIT B**  
88th Street Master Plan

# 88th Street Master Plan



PC Recommendation: May 10, 2011



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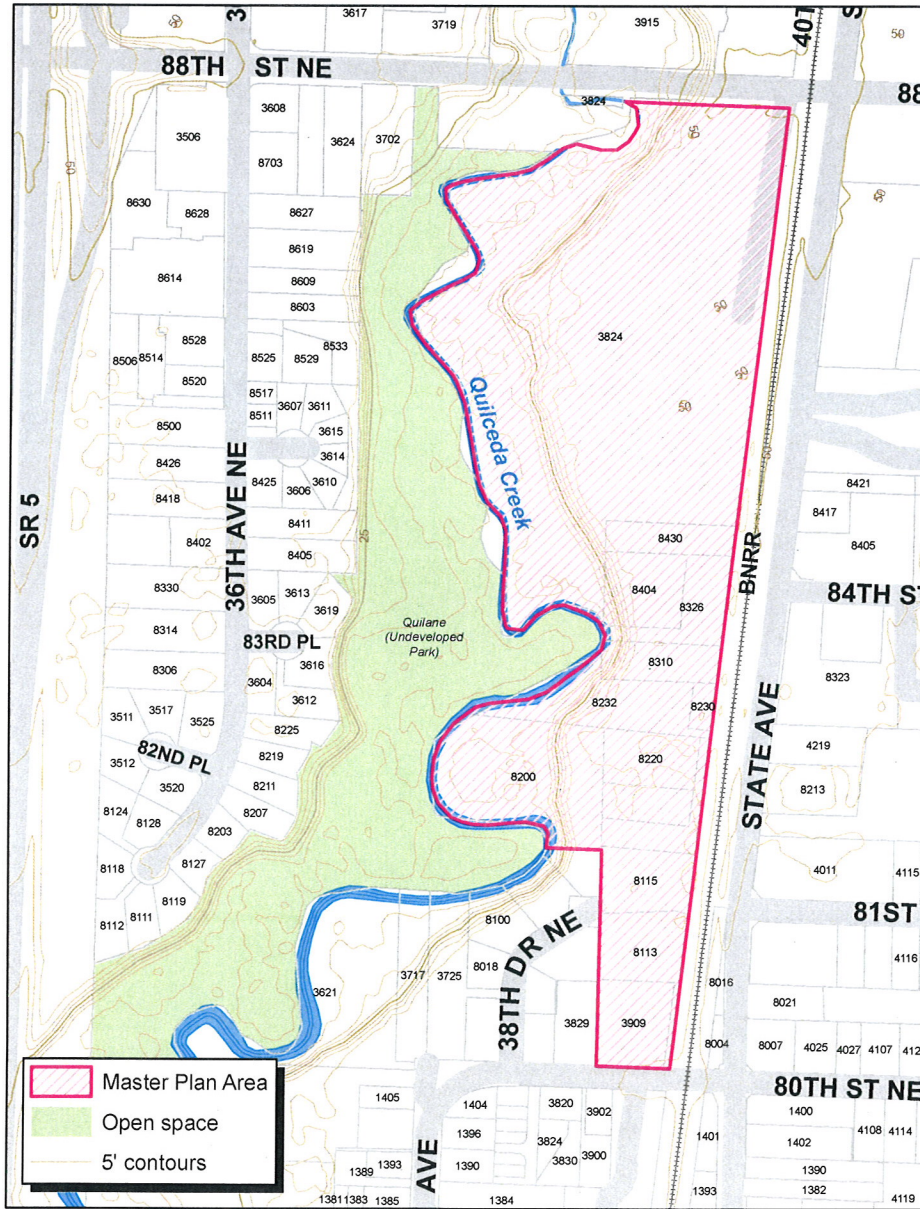
## **Section 1.0 Introduction**

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The 88<sup>th</sup> Street Master Plan Area (MPA), is located within the western portion of Planning Area 6: Downtown Marysville North/Pinewood Neighborhood. The MPA is bounded by 88<sup>th</sup> Street NE to the north, Burlington Northern Santa Fe Railroad right-of-way and State Avenue to the east, 80<sup>th</sup> Street NE to the south, and Quilceda Creek to the west, as depicted in Figure 1. The MPA is comprised of approximately 33.19 acres, of which approximately 13.96 acres are developable due to setbacks from Quilceda Creek, a salmonid bearing stream within shoreline jurisdiction, associated critical area and steep slope buffers and access requirements. The MPA is characterized by a treed stream corridor which is delineated from the developable, relatively flat, upland portion of the MPA by a significant topography break. All shorelands bordering on Quilceda Creek (except public rights-of-way, street and utility crossings) are designated as an Urban Conservancy Environment, as outlined in the Marysville Shoreline Management Master Program (SMP).

Presently, the two northernmost parcels within the MPA are developed with limited commercial and industrial uses. Commercial uses in this area consist of Quilceda Tanning and an accessory hide storage warehouse, a metal finishing company, a construction business, and a machine shop. The commercial uses are relatively small in scale, are sited on the upland portion of the properties, and are surrounded by trees and dense vegetation. The southern portion of the MPA is comprised of single family residences, mobile homes and a floriculture home based business located on larger parcels which are developed at a relatively low density.

Figure 1: MPA and Topography





## Section 2.0 Land Use

### 2.1 Comprehensive Plan

The MPA is located within Planning Area 6: Downtown Marysville North/Pinewood Neighborhood. The boundaries for the Downtown Marysville North/Pinewood neighborhood are 76th Street NE on the south, Interstate 5 on the west, 100th Street on the north, west of Quilceda Creek, and 92nd Street to the east of Quilceda Creek, and by Allen Creek on the west.

Downtown Marysville North/Pinewood forms the edge of downtown and is the first area that city expanded into as it outgrew its original core in the 1960s. This area is associated with the open space of the cemetery and church at 88th Street NE. The balance of the Planning Area contains the northern-most edge of downtown commercial uses and significant areas of single family residential.

The majority of the land area within the MPA does not have a specific Comprehensive Plan land use designation. The MPA is subject to a rezone upon adoption of a master plan for the area. The southern 2.9-acres are designated high density, single-family. The high density, single-family land use designation allows single-family residences ranging from 5 to 7 dwelling units per acre. Duplexes would be permitted outright on 7,200 SF lots at a density of 7 to 8 dwelling units per acre.

### 2.2 Zoning

The MPA is comprised of three land use zoning classifications, as depicted in Figure 2. The northern 20.81-acres is zoned LI (Light Industrial), the interior 9.50-acres is zoned R-4.5 (medium density, single-family) and the southern 2.89-acres is zoned R-6.5 (high-density, single-family), as summarized in Table 1.

**Table 1: Existing Zoning**

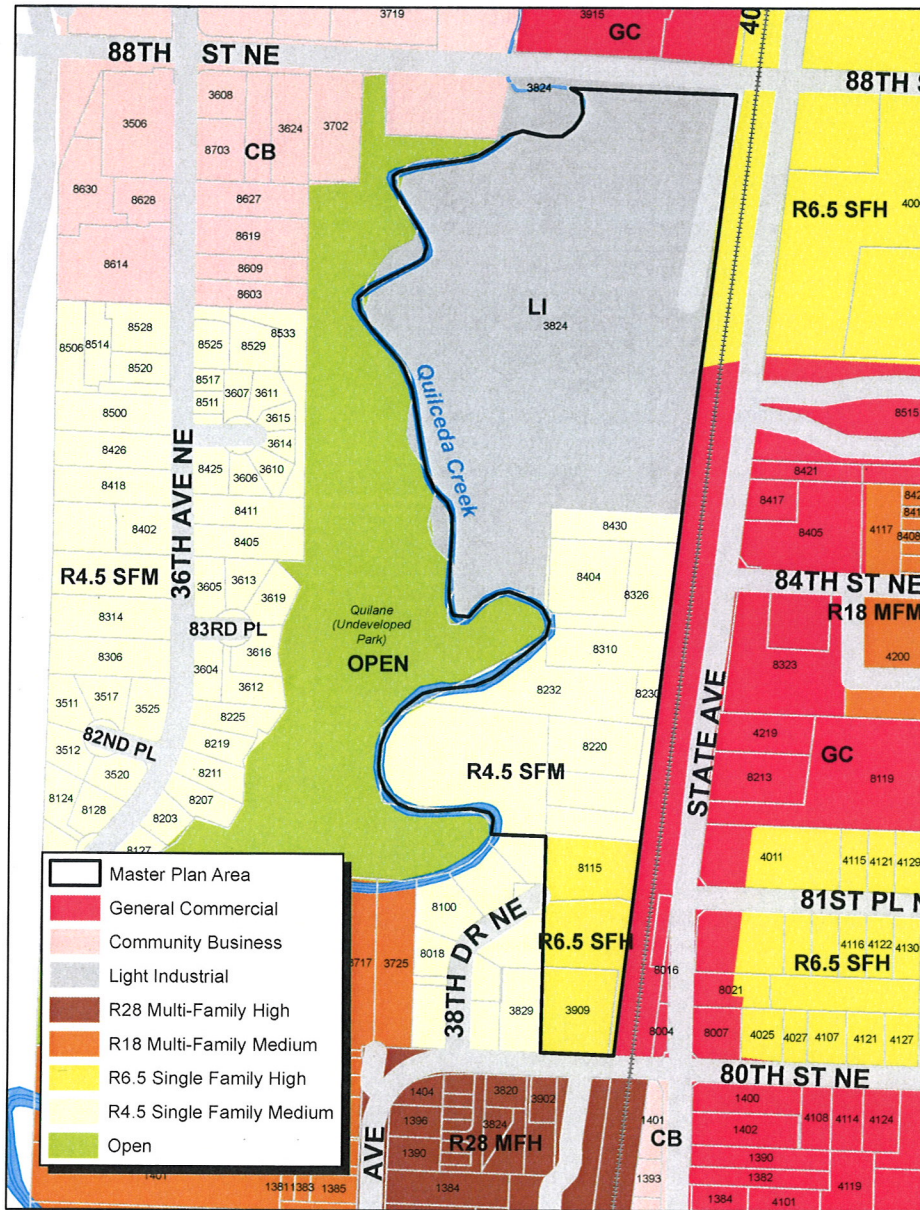
ZONING	SF	ACREAGE
LI	906,370	20.81
R-4.5	413,761	9.50
R-6.5	125,785	2.89
TOTAL	1,421,255	33.19

Three (3) parcels within the MPA, located at 8220 State Avenue (APN's 30052100300800, 30052100300400 & 30052100307300), have a Small Farms overlay zoning designation. The purpose of the Small Farms overlay zone is to provide an official recognition of the existence of the small farm, and to provide encouragement, for the preservation of such farms, as well as encouraging good neighbor relations between small farms and adjacent development.

Permitted uses within a Small Farm overlay zone include horticulture, floriculture, viticulture, animal husbandry, production of seed, hay and silage, Christmas tree farming, aquaculture, roadside stands and single-family detached residences. The existing use(s) located within the Small Farm overlay zone include a single-family residence and a floriculture business, named "Bouquet Banque," which specializes in potted ornamental plants, grown on site.

The Small Farms overlay zone also provides protections for the agricultural uses, including noise exemptions and construction of a sight-obscuring fence as neighboring properties develop.

Figure 2: Zoning





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## Section 3.0 Shoreline and Critical Areas

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The MPA is comprised of approximately 33.19 gross acres. However, the buildable area within the MPA is encumbered by setbacks from Quilceda Creek, a salmonid bearing stream within a shoreline jurisdiction and associated critical areas and steep slope buffers, as depicted in Figure 3. Sections 3.1 through 3.3 describe the natural vegetative setbacks and uses associated with Quilceda Creek and critical areas.

### 3.1 Marysville Shoreline Management Master Program

Quilceda Creek is located along the west boundary of the MPA. The Marysville Shoreline Master Program (MSMP) designates all shorelines bordering on Quilceda Creek, except public right-of-way, street and utility crossings, as an Urban Conservancy Environment. The Urban Conservancy Environment includes the upland areas extending 200 feet landward from the ordinary high water mark (OHWM) of Quilceda Creek.

The purpose of the Urban Conservancy Environment is to protect and restore ecological functions in urban and developed settings, while allowing limited water-oriented uses. The following uses are permitted in an Urban Conservancy Environment upon obtaining a *Shoreline Substantial Development Permit*:

- . Agriculture.
- . Flood hazard management.
- . Parking, accessory.
- . Water-enjoyment and water-dependent recreation.
- . Public highway.
- . Water-dependent transportation.
- . Beach restoration and enhancement and bioengineering, if for environmental restoration or if the City determines that there will be a net increase in desired shoreline ecological functions.
- . Hazardous waste cleanup.

The following uses are permitted in an Urban Conservancy Environment upon obtaining a *Conditional Shoreline Development Permit*.

- . Non-water oriented transportation, roads, and railroads and utilities may be allowed provided that there is no other feasible route or location.
- . Revetments, bulkheads, breakwaters/jetties/rock weirs/groins, dikes and levees, and fill may be allowed for environmental restoration or if the City determines that there will be a net increase in desired shoreline ecological functions.

Any use not listed above and not exempt from obtaining a shoreline development permit is prohibited in the Urban Conservancy Environment.

### 3.2 Critical Areas

Critical areas are regulated pursuant to Chapter 22E.010 MMC, *Critical Areas Management*. There are three types of critical areas that encumber the MPA, including a Type S stream, Category I wetlands and steep slopes.

**Quilceda Creek:**

Quilceda Creek is designated a Type S stream. Type S streams are those streams, within their ordinary high water mark, as inventoried as "shorelines of the state" under Chapter 90.58 RCW. A 200 foot natural vegetated buffer, measured from the edge of the OHWM, is required to a Type S stream.

The community development director may authorize low impact uses and activities within the outer 25% of the required buffer provided they are consistent with the purpose and function of the habitat buffer and do not detract from its integrity. These uses include pedestrian trails, viewing platforms, interpretive signage, utility easements and the installation of underground utilities pursuant to best management practices.

**Wetlands:**

The wetlands adjacent to Quilceda Creek are classified as Category I wetlands using the *Washington State Department of Ecology's Wetland Rating System for Western Washington, Publication No. 04-06-025*. A 125 foot natural vegetated buffer, measured from the edge of the wetland is required for Category I wetlands.

The community development director may authorize low impact uses and activities within the outer 25% of the required buffer provided they are consistent with the purpose and function of the habitat buffer and do not detract from its integrity. These uses include pedestrian trails, viewing platforms and interpretive signage.

**Steep Slopes:**

Slope means an inclined earth surface, the inclination of which is expressed as the ratio of horizontal distance to vertical distance. Steep slopes are those which exceed 25%. The banks of Quilceda Creek within the MPA meet the steep slope classification. Therefore, when the minimum buffer for a stream or associated wetland exceeds into an areas with a slope of greater than 25%, the required natural vegetated buffer shall be the greater of the minimum buffer for the stream or associated wetland, or twenty-five feet beyond the point where the slope becomes 25% or less.

**3.3 Setbacks from Shorelands and Critical Areas**

Except for the limited uses outlined in the MSMP and [Chapter 22E.010 MMC, Critical Areas Management](#), future development with the MPA shall comply with the setbacks outlined in Table 2:

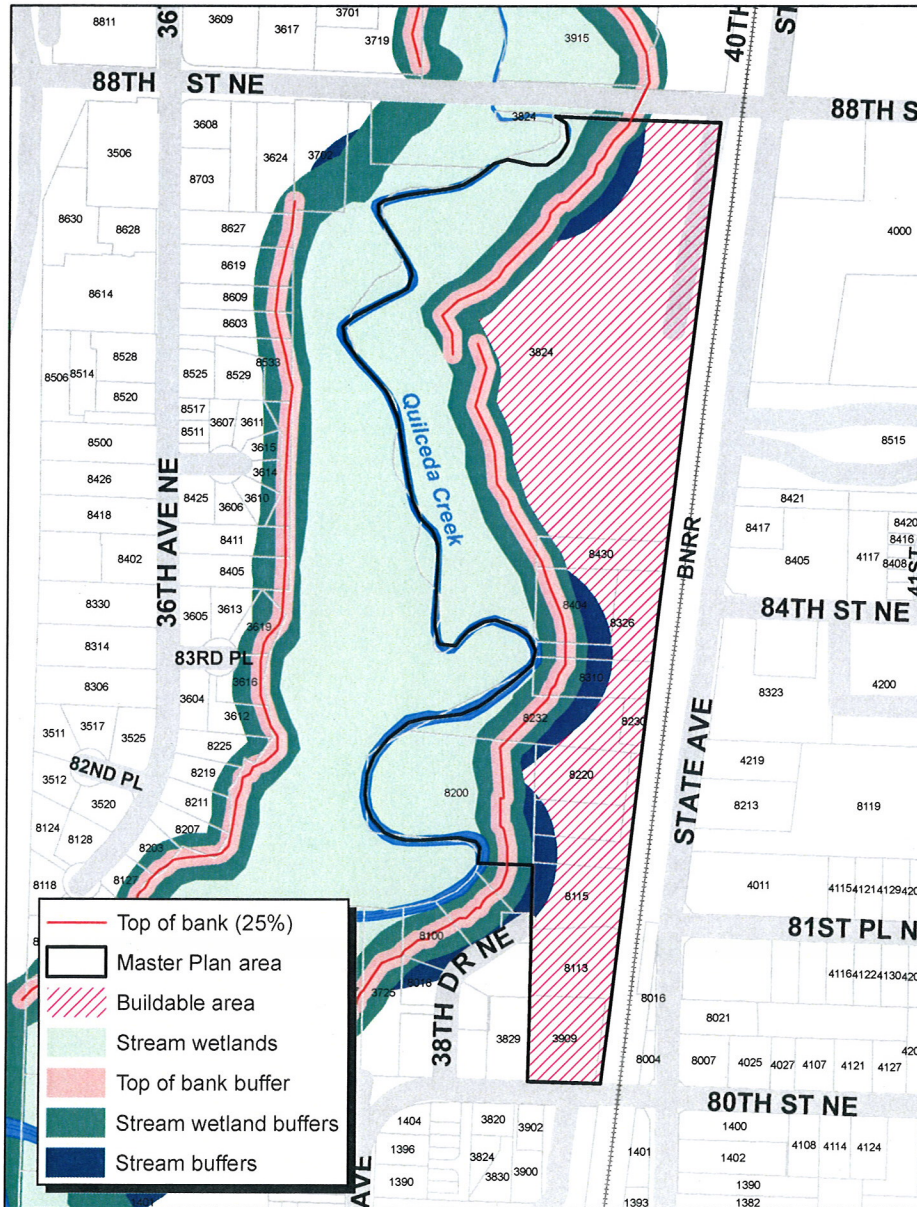
**Table 2: Shoreline and Critical Areas Setbacks**

Shoreline and Critical Areas	Setbacks (buffer)*
Quilceda Creek/Type S Stream	200'
Category I Wetlands	125'
Top of Bank (<25% slope)	25'
* The setback shall be measured from the OHWM or Quilceda Creek, from the edge of the wetland(s) or top of bank, whichever is greater.	

In addition to the setbacks outlined above, [MMC 22E.010.380, Building setbacks](#), requires buildings and other structures to be set back a distance of 15 feet from the edges of all critical area buffers or from the edges of all critical areas, if no buffers are required.



**Figure 3: Shoreline Environment and Critical Areas**



## Section 4.0 Buildable Area

The MPA is comprised of approximately 33.19 gross acres. However, the buildable area within the MPA is encumbered by setbacks from Quilceda Creek, a salmonid bearing stream within a shoreline jurisdiction and associated critical area and steep slope buffers, as depicted in Figure 3.

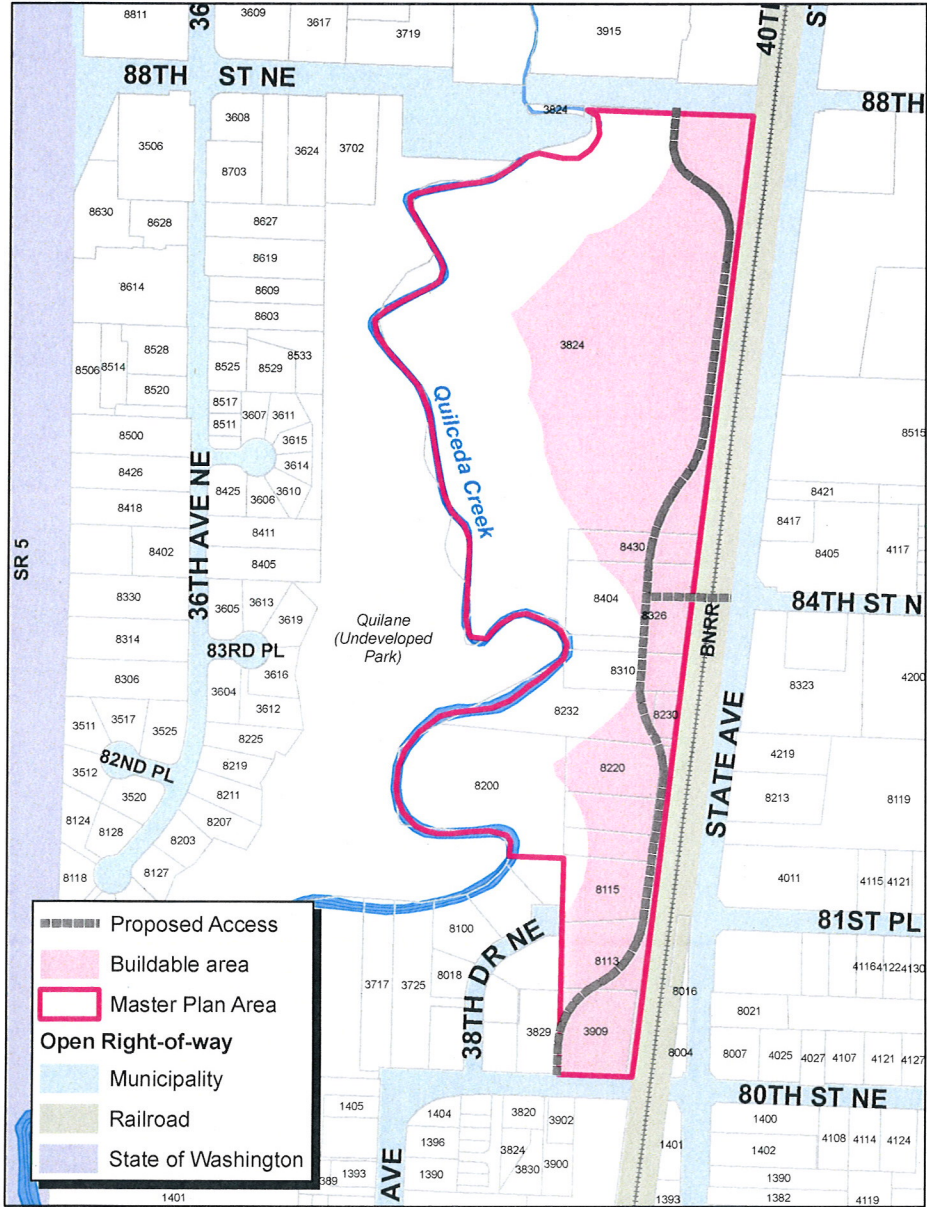
In addition to the shoreline and critical areas buffers, as development occurs, an access road will be required to be constructed to provide motor vehicle, bicycle, and pedestrian connectivity to 88th Street NE, 84th Street NE and 80th Street NE. The proposed future access is depicted in Figure 4. Therefore, after deducting the shoreline environment, critical areas buffers and access road from the gross acreage, approximately 14-acres or 42% of the gross acreage is buildable (see Table 3).

**Table 3: Developable Area**

APN	Gross Acres	Buffer Area (acres)	Access Road (acres)	Buildable Area (acres)	Percent Developable
30052100203800	20.81	10.90	1.12	8.78	42%
30052100204000	0.94	0.72	0.16	0.05	5%
30052100204200	0.62	0.11	0.08	0.43	69%
30052100206400	0.82	0.18	0.12	0.51	63%
30052100300100	0.71	0.46	0.10	0.16	22%
30052100300200	1.51	1.14	0.00	0.37	24%
30052100300300	0.17	0.00	0.10	0.07	43%
30052100300400	0.50	0.09	0.02	0.40	78%
30052100300500	0.91	0.15	0.12	0.64	70%
30052100300600	0.97	0.00	0.18	0.79	81%
30052100300700	1.01	0.00	0.24	0.77	76%
30052100300800	0.80	0.03	0.03	0.74	92%
30052100301100	2.86	2.82	0.00	0.04	1%
30052100307300	0.57	0.11	0.24	0.22	39%
<b>TOTAL</b>	<b>33.19</b>	<b>16.72</b>	<b>2.52</b>	<b>13.96</b>	<b>42%</b>



**Figure 4: Buildable Area**



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## Section 5.0 Utilities

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### 5.1 Water

Based upon a review of City GIS information and as-built documentation, the northern portion of the MPA (Quilceda Tannery) is served by 6 and 8" ductile iron water mains via a 12" asbestos cement water main located in State Avenue (see Figure 5).

A 24" ductile iron water main is located within 88th Street NE. As development occurs within the MPA it is recommended that the MPA is served by the 24" ductile iron water main within 88th Street NE. This water main is located within Pressure Zone 203 and can provide 33' (14.3 psi) more head than the 170 Zone that presently serves the property. The City's water model indicates that the 170 zone supplies about 50 psi at the hydrant by Quilceda Tannery and that the hydrant can provide adequate fire flow within the MPA, however, 50 psi at ground level does not leave great pressures on upper stories.

Therefore, in order to obtain the necessary water pressure for the upper floors, and maintain adequate fire flow, future development shall tap the existing 24" water main within 88th Street NE and loop the service connecting to the existing 8" watermain and installing pressure release valves, as necessary, in order to accommodate the looping of the two pressure zones (203 & 170).

In addition to the public water service provided to the MPA, Quilceda Tannery has an existing "Certificate of Water Right" from the State of Washington to draw water from Quilceda Creek for the industrial tanning activities. The Certificate of Water Right was executed in 1946 and is limited to an amount not to exceed 0.08 cubic feet per second. It is unclear whether or not the water usage would be allowed to continue for irrigation purposes, as redevelopment occurs.

### 5.2 Sewer

The City of Marysville operates and maintains its own sanitary sewer system and wastewater treatment facility. The city's facilities have adequate capacity to serve the MPA.

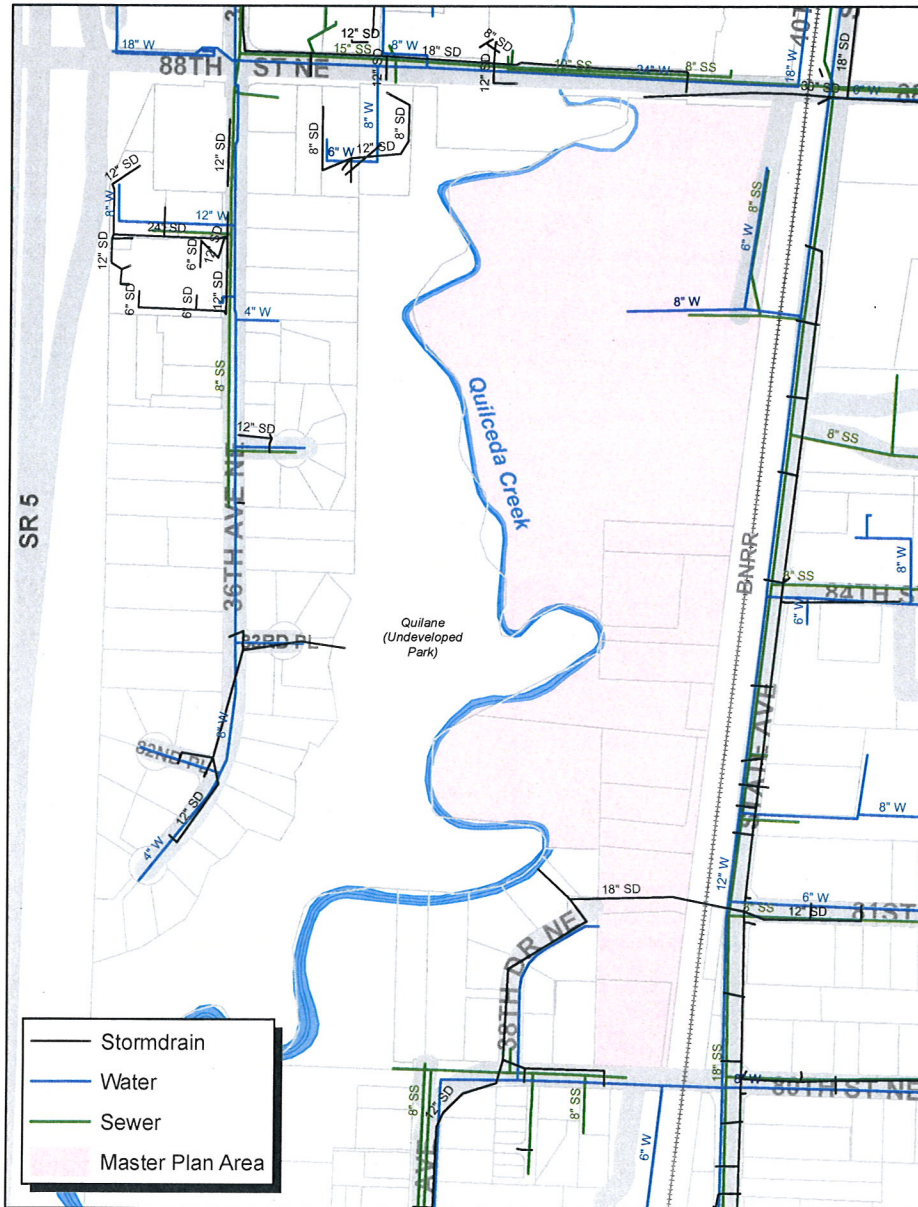
The existing lagoon wastewater treatment plant (WWTP) is located in southernmost Marysville adjacent to Ebey Slough. The WWTP was originally constructed at the current site in 1959 and was updated in 1980-81 and in 1992. The plant discharges to Steamboat Slough, a Class A Marine receiving water. Following the 2004 construction of a new effluent conveyance pipeline to Everett, the city now has a second discharge location necessary to meet low-flow permit requirements.

There is no as-built information for the sewer main serving the northern portion of the MPA (Quilceda Tannery) which connects to the 18" sewer main within State Avenue (see Figure 5). If the City is to assume that the existing sewer main under the BNSF Railway is 8" and installed at the proper minimum slope (0.4%), it would have theoretical capacity to provide service within the MPA. Therefore, the existing sewer main may be able to be utilized, but the service should be thoroughly inspected give the history of industrial use (tannery) and probably considered for lining.

The as-built information for the sewer in 80th Street NE indicates that the last manhole closest to the BNSF Railway is 10' from rim to invert and that there is an 8" diameter stub to the north that is 6' deep. The 10' depth at the manhole was likely provided in anticipation of bringing sewer from the north. Therefore, it is anticipated that the entire buildable area within the MPA can be covered by using the existing sewer crossing in the northern portion of the MPA (if usable) and extending the sewer up from 80th Street NE.



**Figure 5: Water, Sewer and Stormdrain**



### **5.3 Stormwater**

Development and redevelopment within the MPA will require addressing the stormwater impacts and ensuring that all development is in compliance with the adopted City and State Regulations. As of the date of this plan, the City Marysville has adopted the Department of Ecology 2005 Stormwater Management Manual for Western Washington.

### **5.4 Power and Franchise Utilities**

#### **5.4.1 Power**

The City of Marysville is served by the Snohomish County Public Utility District No. 1 (PUD). State law authorizes PUDs, and their powers are exercised through an elected board of commissioners. The Federal Energy Regulatory Commission directs some basic accounting practices and generation guidelines. The PUD obtains approximately 80 percent of its power from Bonneville Power Administration (BPA). The remaining power is supplied from the PUD Jackson Hydro Project and other long-term power contracts with various suppliers. The PUD serves all of Snohomish County and Camano Island.

The PUD uses three major BPA delivery points in Snohomish County as the source for the 115,000-volt transmission system. From these points, the power is delivered via the PUD's transmission system to the District's substations. The PUD electrical transmission system within the Marysville area consists of aboveground power lines.

At the PUD substations, the 115,000-volt transmission system voltage is transformed down to a 12,470-volt (12.47 kV) distribution system voltage. PUD residential, commercial, and public customers in the Marysville area are served by the 12.47 kV distribution system. The PUD electrical distribution system within Marysville consists of both aboveground and below-ground power lines. These distribution system power lines are typically located within the road right-of-way.

The PUD will continue to provide reliable and safe electric service to the City of Marysville and will continue to analyze the electric system and either upgrade and/or extend the electric system facilities as needed to handle development within the MPA. Underground electrical service shall be required within the MPA.

#### **5.4.2 Cable Television**

Cable television (CATV) services are provided by Comcast via overhead distribution that generally follows the overhead power distribution. The distribution system and associated appurtenances serve the MPA as well as locations outside the MPA.

Frontier Communications (FKA Verizon) has recently installed FIOS throughout Marysville, which will provide another cable TV option.

#### **5.4.3 Telephone**

Frontier Communication provides telephone communication services via overhead distribution that generally follows the overhead power distribution. The distribution system and associated appurtenances serve the MPA as well as locations outside the MPA.



#### **5.4.4 Natural Gas**

Puget Sound Energy provides natural gas to the MPA via underground distribution. The distribution system and associated appurtenances serve the MPA as well as locations outside the MPA.

Future growth and development will continue to increase the need for power distribution, cable television distribution, telephone communications distribution and natural gas distribution within the MPA. The City should coordinate with the agencies that provide services and facilities for growth, by planning and assisting in the siting and location of services and facilities, as stated in the Comprehensive Plan Public Facilities and Services Element. When development occurs, meet with utility purveyors to determine available capacity. Where available capacity is insufficient work with the utility purveyors to determine necessary utility improvements will be required to provide needed capacity.

## Section 6.0 Form Based Codes

---

Form-based codes (FBC) are a method of regulating development to achieve a specific urban form. FBC offer an alternative to conventional zoning, fostering predictable built results and a high-quality public realm by using physical form (rather than separation of uses) as the organizing principle for the code.

FBC address the relationship between building *facades* and the public realm, the form and mass of buildings in relation to one another, and the scale and types of streets and blocks. The regulations and standards in FBC are presented in both words and clearly drawn diagrams and other visuals. They are keyed to a regulating plan that designates the appropriate form and scale (and therefore, character) of development, rather than only distinctions in land-use types. Permitted use lists are minimal to non-existent.

This approach contrasts with conventional zoning's focus on the micromanagement and segregation of land uses, and the control of development intensity through abstract and uncoordinated parameters (e.g., FAR, dwellings per acre, setbacks, parking ratios, traffic LOS), to the neglect of an integrated built form. Not to be confused with design guidelines or general statements of policy, form-based codes are regulatory, not advisory. They are drafted to implement a community plan. They try to achieve a community vision based on time-tested forms of urbanism. Ultimately, a form-based code is a tool; the quality of development outcomes depends on the quality and objectives of the community plan that a code implements.

FBC commonly include the following elements:

- *Regulating Plan.* A plan or map of the regulated area designating the locations where different building form standards apply, based on clear community intentions regarding the physical character of the area being coded.
- *Public Space Standards.* Specifications for the elements within the public realm (e.g., sidewalks, travel lanes, on-street parking, street trees, street furniture, etc.).
- *Building Form Standards.* Regulations controlling the configuration, features, and functions of buildings that define and shape the public realm.
- *Administration.* A clearly defined application and project review process.
- *Definitions.* A glossary to ensure the precise use of technical terms.

Form-based codes may also include:

- *Architectural Standards.* Regulations controlling external architectural materials and quality.
- *Landscaping Standards.* Regulations controlling landscape design and plant materials on private property as they impact public spaces (e.g. regulations about parking lot screening and shading, maintaining sight lines, ensuring unobstructed pedestrian movement, etc.).
- *Signage Standards.* Regulations controlling allowable signage sizes, materials, illumination, and placement.
- *Environmental Resource Standards.* Regulations controlling issues such as storm water drainage and infiltration, development on slopes, tree protection, solar access, etc.
- *Annotation.* Text and illustrations explaining the intentions of specific code provisions.



The 88th Street Master Plan is a hybrid approach to an FBC. The hybrid FBC combines the graphic orientation and access *frontage*/site configuration provisions from an FBC model with use provisions and development standards and design guidelines.

Based on public comments received on the DRAFT 88th Street Master Plan the Community Development Department prepared two alternatives, for consideration.

**Alternative 1:**

~~Alternative 1 proposed dividing the MPA As depicted in Figure 6, the MPA has been divided into~~ two form based zones, 88-MU and 88-MF.

The 88-MU zone is a mixed land use which would allow pedestrian oriented service, retail, recreation, education and public assembly on the ground floor. Service, residential, convalescent, nursing and retirement uses would be allowed above the ground level in the upper floors. ~~In addition, residential, convalescent, nursing and retirement uses may be allowed by the Director, on the ground floor, if the units are not located on the edge of primary access streets and the site the site design adheres to the design guidelines of Appendix A.~~ ~~In addition, residential, convalescent, nursing and retirement uses may be allowed by the Director, on the ground floor, if the units are not located on the edge of pedestrian oriented streets, access and sidewalks, and primary access is towards the rear of the building.~~ Residential accessory uses (i.e. structured parking) along the pedestrian oriented street front would not be allowed.

There are no residential density restrictions within the 88-MU zone, however, development will be required to comply with all applicable development and design standards, related to access, off-street parking, open space and other site amenities outlined in [Figure 8-7](#) and [Appendix A](#).

The 88-MF zone ~~is was proposed to be~~ a multi-family land use which would allow multi-family residential, convalescent, nursing, retirement and ancillary uses on the ground floor and upper floors. Single-family home site development ~~would was not proposed to~~ be permitted in the 88-MF zone. ~~There are n~~No residential density restrictions ~~within were proposed in~~ the 88-MU-MF zone, however, development ~~will was proposed to~~ be required to comply with all applicable development and design standards, related to access, off-street parking, open space and other site amenities outlined in [Figure 9](#) and [Appendix A](#).

Drive-through facilities would be prohibited in both the 88-MU and 88-MF zones.

**Recommended Alternative-2:**

~~At the public hearing, held on May 10, 2011, the Planning Commission recommended Alternative 2, as the preferred alternative.~~ As depicted in [Figure 76](#), one form based zone is proposed (88-MU) within the MPA, generally located north of the future 84th Street NE BNSF Railway crossing. Properties generally located south of the future 84th Street NE BNSF Railway crossing would maintain the current zoning designations of R-4.5 and R-6.5.

Consistent with [proposed Alternative 1](#), the 88-MU zone is a mixed land use which would allow pedestrian oriented service, retail, recreation, education and public assembly on the ground floor. Service, residential, convalescent, nursing and retirement uses would be allowed above the ground level in the upper

floors. In addition, residential, convalescent, nursing and retirement uses *may* be allowed by the *Director*, on the ground floor, ~~if the units are not located on the edge of primary access streets and the site the site design adheres to the design guidelines of Appendix A.~~ ~~if the units are not located on the edge of pedestrian oriented streets, access and sidewalks, and primary access is towards the rear of the building.~~ Residential accessory uses (i.e. structured parking) along the pedestrian oriented street front would not be allowed.

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There are no residential density restrictions within the 88-MU zone, however, development will be required to comply with all applicable development and design standards, related to access, off-street parking, open space and other site amenities outlined in [Figure 8-7](#) and [Appendix A](#).

The R-4.5 zone is a medium-density single-family residential zone. It allows single family residences at a density of 4.5 dwelling units per acre. Duplexes are permitted as a conditional use with a maximum density of 6 dwelling units per acre. The major type of new development will be detached single-family residences.

The R-6.5 zone is a high-density single-family residential zone. It allows single family residences at a density of 6.5 dwelling units per acre. Duplexes are permitted outright on 7,200 SF lots with a maximum density of 8 dwelling units per acre. The major type of new development will be detached single-family residences and duplexes.

Development within the R-4.5 and R-6.5 zones would be required to comply with all of the applicable development standards outlined in [Title 22 MMC, Unified Development Code](#).

As depicted in [Figure\(s\) 6-8-7](#), the future private road alignment through the MPA shall be required to be planned for and constructed, as development occurs, ~~regardless if Alternative 1, Alternative 2, or another, yet to be developed, alternative is adopted.~~ Design standards for the future private access road are outlined in [Appendix B](#).



**Figure 6: Alternative 1 (Form Based Zones 88-MU & 88-MF)**

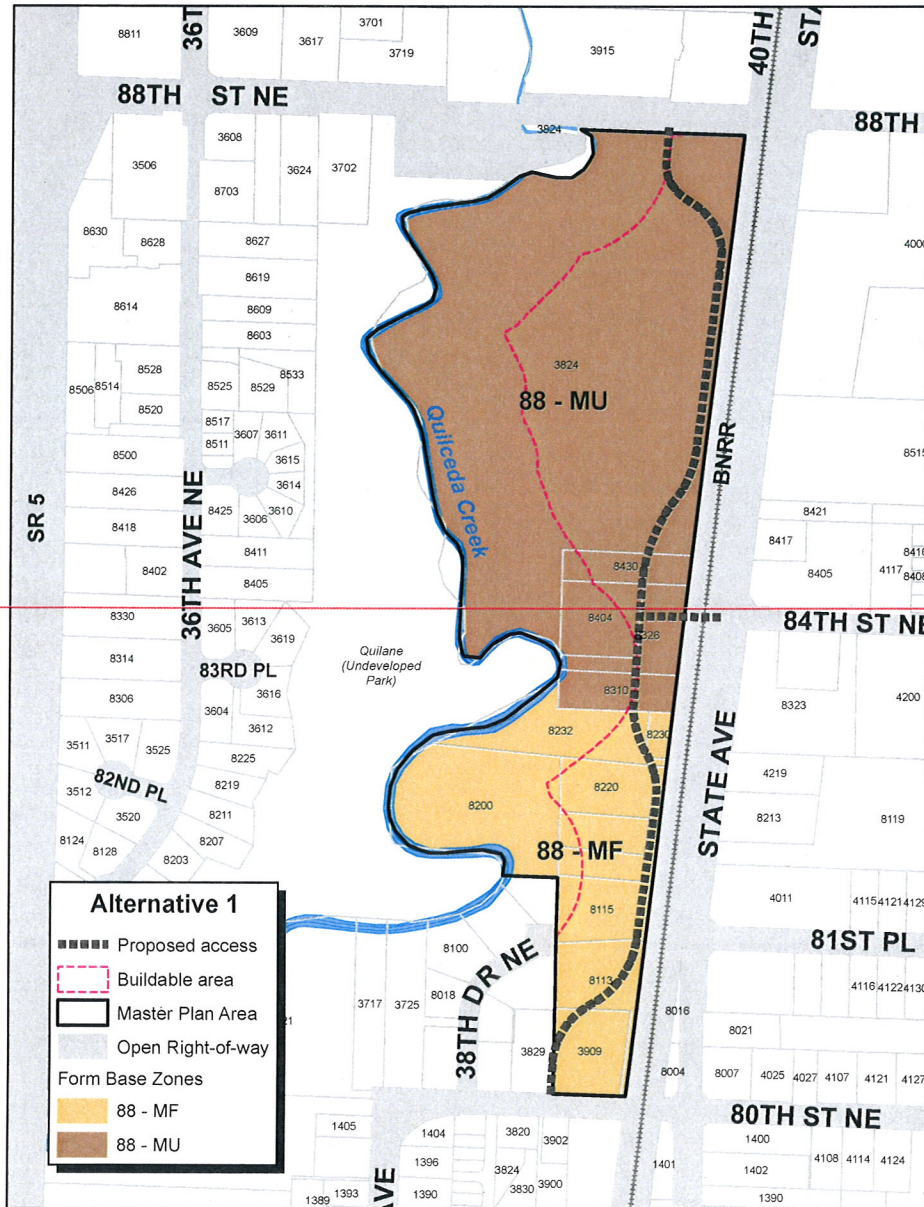
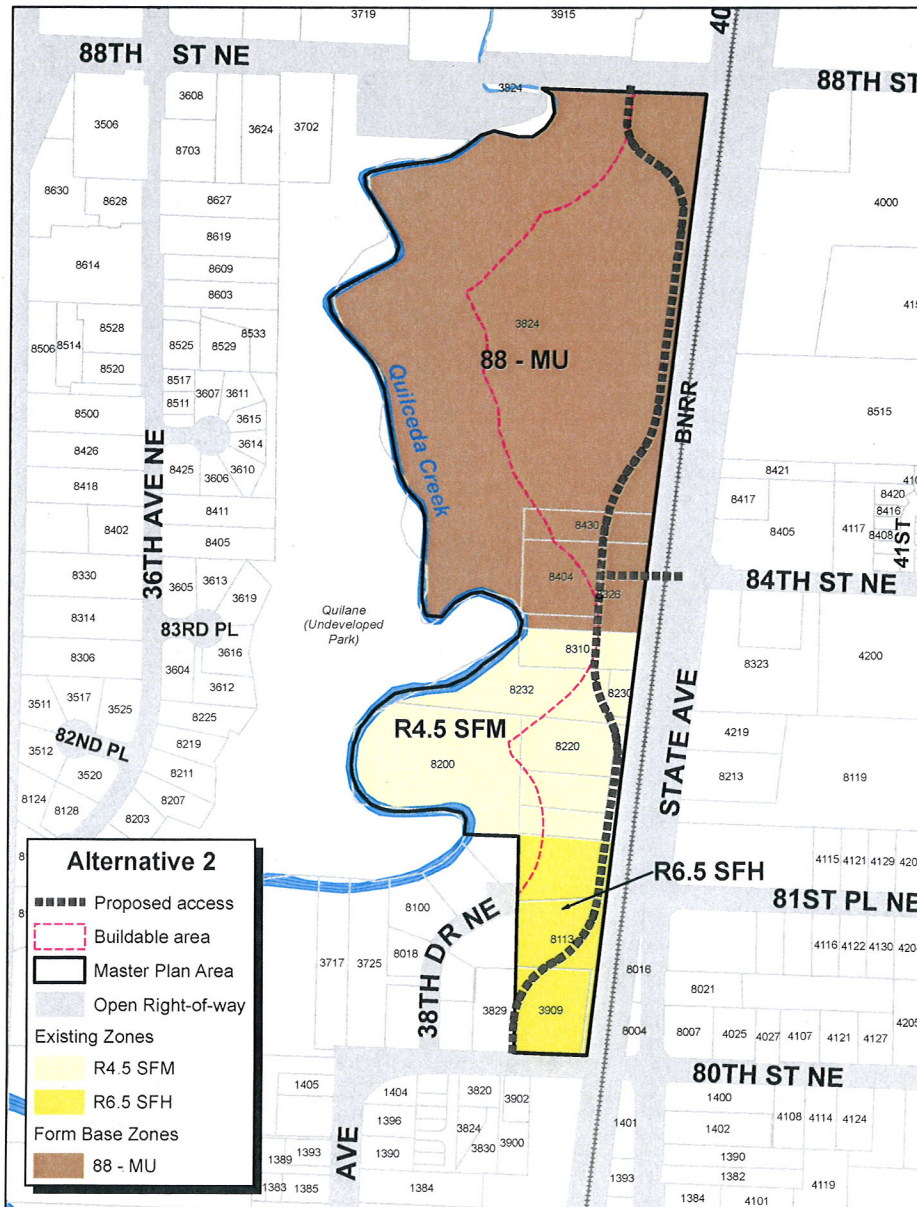


Figure 76: Recommended Alternative-2 (Form Based Zone 88-MU, R-4.5 & R-6.5)





**Figure 87: 88-MU Form Based Zone**

**Building Placement**

<b>Build-to Line (BTL)</b>	
Edge of Public Open Space	0'
Edge of Streets, Access & Sidewalks	0'

**Setbacks**

<b>Distance from Property Line</b>	
Side	10'
Side <i>Adjacent to R-zone</i>	20'
Rear	
<i>Adjacent to R-zone</i>	20'
<i>Adjacent to any other zone</i>	10'

**Shoreline and Critical Areas**

Quilceda Creek/Type S Stream	200'*
Category I Wetlands	125'*
Top of Bank (<25% slope)	25'*

\* The setback shall be measured from the OHWM of Quilceda Creek, from the edge of the wetland(s) or top of bank, whichever is greater.

Edge of Critical Areas & Buffers	15'
----------------------------------	-----

**Allowed Uses**

Ground Floor	Pedestrian Oriented Service, Retail, or Recreation, Education & Public Assembly <sup>(1)(2)</sup>
Upper Floor(s)	Service, Residential, Convalescent, Nursing and Retirement

- (1) Drive-through facilities are prohibited.  
 (2) Residential, Convalescent, Nursing and Retirement uses **may** be allowed by the *Director*, on the ground floor, if the units are not located on the edge of primary access streets and site design adheres to the design guidelines of Appendix A. Residential accessory uses (i.e. structured parking) along primary access streets are not allowed.

**Design Standards**

Development within the 88th Mixed Use (88-MU) zone is required to comply with all applicable design guidelines outlined in **Appendix A**.

**Height**

<b>North of 84th Street NE</b>	
Building (min.)	22'
Building (max.)	5 stories and 65'
Max. to Eave/Top of Parapet	58'
Finish Ground Floor Level	6' max above sidewalk
First Floor Ceiling Height	12' min. clear
Upper Floor(s) Ceiling Height	8' min. clear

**South of 84th Street NE**

Building (min.)	22'
Building (max.)	2 stories and 30'
Max. to Eave/Top of Parapet	25'
Finish Ground Floor Level	6' max above sidewalk
First Floor Ceiling Height	12' min. clear
Upper Floor(s) Ceiling Height	8' min. clear

**Parking**

**Location** (Distance from property line or access street)

Street or access	10'
Public Open Space	10'
Side Setback	5'
Rear Setback	5'

**Required Motor Vehicle Spaces**

Ground Floor	1 space/500 SF
Upper Floors	
Residential Uses	1 space/unit
Other Uses	1 space/1,000 SF

**Parking Space and Drive Aisle Dimensions**

See MMC 22C.130.050 Table 2

**Required Bicycle Spaces**

Bicycle Spaces	5% of motor vehicle spaces
Location	See MMC 22C.130.060
Design	See MMC 22C.130.060

**Figure 9: 88-MF Form Based Zone**

<b>Building Placement</b>	
<b>Build to Line (BTL)</b>	
Edge of Critical Areas & Buffers	15'
Edge of Public Open Space	0'
Edge of Streets, Access & Sidewalks	0'

<b>Setbacks</b>	
<b>Distance from Property Line</b>	
Side	10'
Side Adjacent to R-zone	20'
Rear	
— Adjacent to R-zone	20'
— Adjacent to any other zone	10'

<b>Shoreline and Critical Areas</b>	
Quilleeda Creek/Type S Stream	200'*
Category I Wetlands	125'*
Top of Bank (<25% slope)	25'*

\* The setback shall be measured from the OHWM of Quilleeda Creek, from the edge of the wetland(s) or top of bank, whichever is greater.

<b>Allowed Uses</b>	
Ground Floor	Multi-family Residential, Convalescent, Nursing, Retirement and ancillary uses.
Upper Floor(s)	Multi-family Residential, Convalescent, Nursing, Retirement and ancillary uses.

<b>Design Standards</b>	
Development within 88th Street Multi-Family (88-MU) zone is required to comply with all applicable design guidelines outlined in <b>Appendix A</b> .	

<b>Height</b>	
Building (min.)	22'
Building (max.)	3 stories and 45'
Max. to Eave/Top of Parapet	40'
Finish Ground Floor Level	6' max above sidewalk
First Floor Ceiling Height	12' min. clear
Upper Floor(s) Ceiling Height	8' min. clear

<b>Parking</b>	
<b>Location</b> (Distance from property line or access street)	
Street or access	10'
Public Open Space	10'
Side Setback	5'
Rear Setback	5'

<b>Required Motor Vehicle Spaces</b>	
Residential Uses	1 space/unit
Ancillary Uses	1 space/500 SF

<b>Parking Space and Drive Aisle Dimensions</b>	
See MMC 22C.130.050 Table 2	

<b>Required Bicycle Spaces</b>	
Spaces	5% of motor vehicle spaces
Location	See MMC 22C.130.060
Design	See MMC 22C.130.060



## Section 7.0 Access and Road Standards

### 7.1 Existing Conditions

#### 7.1.1 Streets

The MPA area is delineated by 88th Street NE to the north, BNSF Railway and State Avenue to the east, 80th Street NE to the south and Quilceda Creek to the west. 88th Street NE is classified as a Principal arterial and provides ramp access to I-5. State Avenue is also classified as a Principal arterial and is the main north-south arterial through Marysville providing access from southern Marysville north to the Arlington/Smokey Point area. 80th Street NE is classified as a minor arterial between Cedar Avenue and State Avenue.

**Table 4: Arterial Classification**

Arterial Classification	Street Name	Number of Lanes	Right-of-Way Width
Principal	88th Street NE (I-5 to State)	5	80'
Principal	State Avenue	5	80'
Minor	80th Street NE (Cedar to State)	3	60'

There are no existing public roads located within the MPA. Two private BNSF Railway crossing from State Avenue exist to provide local access to existing single-family residences and home based businesses within the MPA.

#### 7.1.2 Transit Service

The MPA is served by Community Transit routes. Local service in the MPA includes Routes 201, 202, 221, 227 and 247. One commuter route in the MPA provides service from Marysville to the Lynnwood Transit Center (Route 422).

### 7.2 Future Trip Generation

Future trip generation calculations for the MPA are based on the proposed zoning. The trip generation calculations have been performed using average trip generation rates contained in the Institute of Transportation Engineers' (ITE) *Trip Generation, 8th Edition (2008)*. Reductions to the trip generation have been applied for internal capture, which are trips between the residential and commercial uses on the site and pass-by trips, which accounts for trips that will be on the adjacent roadways.

Utilizing a conservative approach in anticipating future trip generation it has been estimated that a total of 140,000 SF of specialty retail and 281 multi-family units would be developed within the MPA. The trip generation utilizing the estimated specialty retail and multi-family uses is **5,694** average daily trips (ADT) and **388** PM peak hour trips (PMPHT) during the weekday.

**Table 5: Trip Generation Summary**

Land Use	Size/Units	Average Daily Trips	Inbound	PM Peak-Hour Outbound	Total
Specialty Retail	140,000	4,300	114	141	255
Multi-family	281	1,394	88	45	133
<b>TOTAL</b>		<b>5,694</b>	202	186	<b>388</b>

## 7.3 Future Conditions and Improvements

### 7.3.1 Level of Service Standards

Levels of service are typically evaluated based on methodologies documented in the *Highway Capacity Manual* (HCM), Transportation Research Board, 2000. The HCM is a nationally recognized and locally accepted method of measuring traffic operations. Criteria range from LOS A, indicating free-flow conditions with minimal vehicular delays, to LOS F, indicating extreme congestion and significant delays. LOS at intersection is measured in terms of the average vehicular delay.

The City of Marysville has adopted LOS standards to evaluate how intersections under its jurisdiction operate. The following criteria summarize the current LOS standards established by the City. The City applies the standards to weekday PM peak hour conditions. The City applies its LOS standard to intersections of state highways, arterials, and collectors within the City.

- ♦ LOS E "mitigated" for the following corridors. LOS E mitigated means that the congestion should be mitigated through improvements, transit, ridesharing, or other travel modes when the intersection falls below LOS E.
  - SR 529
  - State Avenue
  - Smokey Point Boulevard
  - 4th Street (SR 528) between I-5 and SR 9
- ♦ LOS D
  - All other intersections of arterials or collectors with another arterial or collector.

### 7.3.2 Level of Service Impacts

A six-year and twenty-year forecast intersection level-of-service (LOS) analysis was performed for the MPA. The additional trips (5,694 ADT, 388 PMPHT) that are anticipated to be generated from development of the MPA are not anticipated to cause any of the adjacent intersections to fall below an acceptable level of service, as adopted by the City of Marysville. However, roadway and intersection improvements appear to be warranted, as outlined in the Section 7.3.3.

### 7.3.3 Recommended Design Elements and Improvements

#### 88th Street NE access:

Ingress/egress from 88th Street NE to the MPA shall be restricted to a right-in/right-out only and located as far from the State Avenue/88th Street NE intersection, as possible. In addition, dedication of approximately 12' of right-of-way will be required along 88th Street NE to accommodate the additional eastbound through lane proposed for the 88th Street NE/State Avenue intersection.



84th Street NE future crossing of BNSF Railway:

Based on the anticipated trip generation and distribution, the eastbound 84th Street NE approach to the BNSF Railway/State Avenue, will require a three lane section providing 125-feet of left turn storage.

80th Street NE access to MPA:

Based on a check of the relative available sight distance for approaches to the proposed intersection and the existing 38th Avenue NE intersection, the Marysville Public Works Department affirms that the proposed intersection at the west property boundary of APN 30052100300600, though having sight limitations to the east, has less sight limitations than the existing 38th Avenue NE intersection. Therefore, the Marysville Public Works Department supports the proposed new access at the west property boundary of APN 30052100300600, instead of an access connection from 38th Avenue NE to the MPA.

The modeling at Year 2038 has the left turn queue from 80th Street NE/State Avenue backing up past the proposed new intersection. However, at this time no turn restrictions on the proposed access are proposed. Access difficulties would appear to be limited, long range, if at all.

88th Street MPA Internal Access:

The internal access road within the MPA shall be designed, as depicted in [Appendix B](#). The access road shall be private (not public) and generally designed with two (2) 11' travel lanes. Turning radii, speed tables and intersection improvements shall be designed in accordance with the Marysville Engineering Design and Development Standards, or as otherwise approved by the *Director*.

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## Appendix A: Design Guidelines

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### A. ADMINISTRATION

#### A.1 Purpose.

The general purpose of these Design Guidelines (Guidelines) is to implement the City's Comprehensive Plan vision, which calls for a vibrant, pedestrian friendly mixed-use center that includes an accessible shoreline environment and enhanced design and landscaped setting.

More specifically, the purposes of these Guidelines are to ensure attractive, functional development, promote social and economic vitality, and foster safety, comfort and interest between people and the surrounding shoreline environment.

#### A.2 Administrative Procedures.

The Community Development Director (*Director*) will administer these Guidelines, lead the review process, and ensure that new development meets their intent.

#### A.3 Applicability.

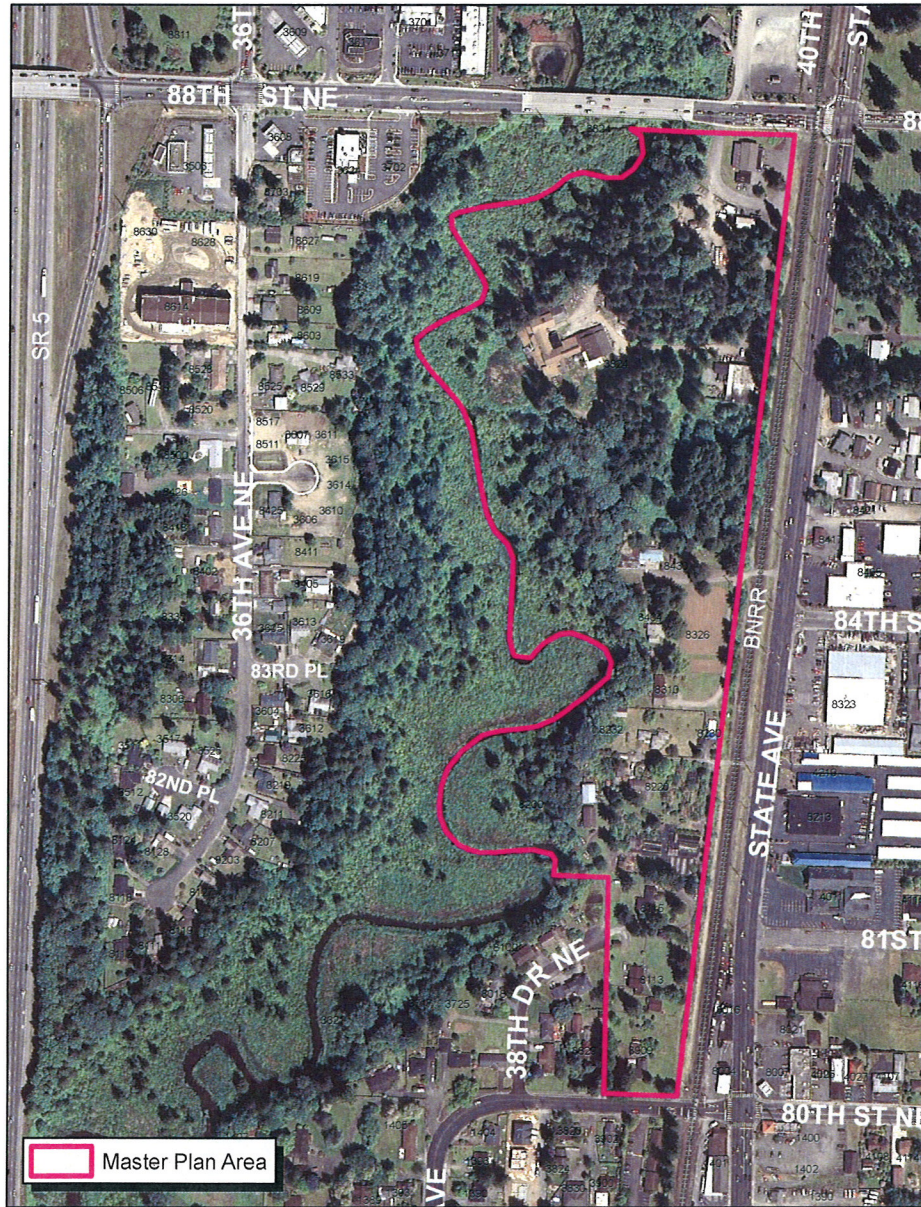
(1) All new construction within the 88th Street Master Plan area, as illustrated in Figure 1, shall be subject to the Guidelines as determined by the *Director*.

(2) Alteration of any structure on commercially designated property within the boundaries of the 88th Street Master Plan area that affects the exterior appearance of a building elevation visible from a public right-of-way or public space shall be subject to design review under the Guidelines.

(a) If 50 percent or more of a building elevation of a structure subject to design review is altered within a period of three years, the structure shall be subject to the applicable requirements that do not involve repositioning the building or reconfiguring site development as determined by the *Director*.

(b) If less than 50 percent of a building elevation of a structure subject to design review is altered within a period of three years, the requirement is only that the proposed improvements meet the standards and/or guidelines and do not lead to further nonconformance with the standards and guidelines. For example, if a property owner decides to replace a building façade's siding, then the siding shall meet the applicable exterior building material and color standards and/or guidelines, but elements such as building *modulation* would not be required.





**Figure 1:** 88th Street Master Plan Area (MPA)



## B. SITE PLANNING

### B.1 Relationship to Streetfront.

#### INTENT:

- ♦ To create an active, safe pedestrian environment.
- ♦ To enhance commercial areas and to establish visual identity for each area.
- ♦ To unify *streetscapes*.
- ♦ To improve circulation, including options for pedestrians, bicycles and vehicles.
- ♦ To enhance the visual character of streets within commercial areas.
- ♦ To enhance the visibility of commercial uses from the street.



**Figure 2:** An example of development that meets frontage requirements for pedestrian-oriented streets.

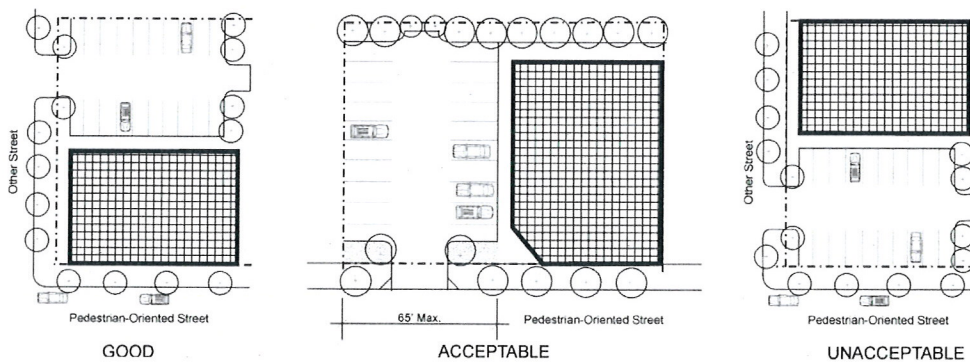
#### GUIDELINES:

##### B.1.1 Pedestrian Oriented Streetfronts

- a. All development for properties fronting on a pedestrian-oriented street or sidewalk shall include the following features and characteristics:
  - (1) Physically define the street edge with building(s), *landscaping*, or other features as approved by the *Director*;
  - (2) Provide sufficient room for a sidewalk at least 12-feet wide;

- (3) Provide direct access to building fronts from the streetfront or sidewalk. Preferably, these areas should be separate from the parking lot. If access traverses the parking lot, then it should be raised and/or specially marked.
- (4) Service areas and untreated *blank walls* shall not front a pedestrian oriented street or sidewalk.
- (5) Building entries must have direct access to the sidewalk. Such entries should face the street to the extent possible. Where entries are located on the side of the building, they must be visible from the street and connected by a pedestrian pathway.
- (6) Parking areas adjacent to the street must be screened in accordance with [Chapter 22C.120 MMC, Landscaping and Screening](#).
- (7) No large item display areas are permitted. Sidewalks shall not be enclosed as building space for retailing. Small, temporary displays for items such as groceries, hardware, nursery stock, books, etc., may be allowed provided the display does not unduly impede pedestrian sidewalk traffic. Large items, such as potting soil and compost bags, are not allowed.

- b.** Developments must adhere to the above standards, unless the *Director* determined that they prevent viable site development or the proposed alternative provides a greater public benefit in terms of the intent statement. Pedestrian-oriented open space may be substituted for all or a portion of the building orientation requirements.



**Figure 3:** Parking location and configuration options.

### B1.2 Site Orientation

Buildings shall be located and oriented towards streets and the shoreline environment and not parking lots or adjacent properties. Specifically:

- a.** Parking lots shall not be located between the building and the street.
- b.** The primary building entry shall face the street. Alternatively, building entries that face onto a *courtyard* which is oriented towards the street are acceptable.



- c. Buildings with individual ground floor entries should face the street to the extent possible. Configuration where entries face onto a *courtyard* or open space that is oriented to the street are acceptable.
- d. Buildings shall also provide windows that face the street to provide "eyes on the street" for safety. To meet this requirement, at least 15% of the *facade* shall be occupied by transparent windows or doors.
- e. Residential windows, balconies, and/or doors facing and overlooking the Quilceda Creek shoreline environment shall be provided, as approved by the *Director*.
- f. Departures will be considered by the *Director* provided they meet the intent of the standards and guidelines. For example, alternative configurations may be more desirable to take advantage of the Quilceda Creek shoreline environment or special views.

### B1.3 Drive-Through Facilities

Auto drive-through counters for services such as fast food, beverage service, banking, pharmaceuticals, etc., are not permitted within the 88th Street Master Plan area.

## B.2 General Pedestrian Access Requirements

### INTENT:

- ♦ To improve the pedestrian environment by making it easier, safer, and more comfortable to walk between businesses, on street sidewalks, to transit stops, and through parking lots.
- ♦ To provide pedestrian facilities such as sidewalks, crosswalks, and bus shelters connecting to all modes of transportation.
- ♦ To provide convenient pedestrian circulation connecting all on-site activities to adjacent pedestrian routes and streets.

### GUIDELINES:

#### B.2.1 Pedestrian Circulation

Provide safe convenient pedestrian circulation for all users. Specifically:

- a. Provide pedestrian access onto the site from 88th Street NE and 84th Street NE. Pedestrian access should be separated from the internal motor vehicle access roadway and provided adjacent to the buildings and the Quilceda Creek shoreline environment.  
  
Entries to buildings that front on a trail or a publically accessible pedestrian open space may orient to these spaces or trails.
- b. Pedestrian access and trails shall conform with Federal, State and local codes for the Americans with Disabilities Act.



**Figure 4:** Provide pedestrian access to the site from the street



- c. Developments must adapt building access to site conditions for level, convenient, clearly identified pedestrian entry.
- d. For developments with multiple buildings, provide for pedestrian circulation between the buildings.
- e. The project proponent shall be prepared to demonstrate that the site development provides for safe, efficient pedestrian circulation within the development and to adjacent public rights-of-way, internal access roads and the Quilceda Creek shoreline environment.

### **B.3 Multiple Building Developments and Special Sites**

#### **INTENT:**

- ♦ To encourage project designers to create integrated, innovative organization schemes to take advantage of special opportunities, such as the Quilceda Creek shoreline environment.
- ♦ To encourage economically viable mixed use development through the creation of clearly recognizable areas of commercial and residential activity.
- ♦ To reduce negative impacts to adjacent properties.
- ♦ To enhance pedestrian and vehicular circulation.
- ♦ To encourage transit use.
- ♦ To provide usable open space.
- ♦ To create focal points for pedestrian activity for developments.
- ♦ To enhance the visual character of the community.
- ♦ To create unique attractions within the 88th Street Master Plan area.

#### **GUIDELINES:**

##### **B.3.1 Unifying Site Planning Concept**

- a. All development permit application for sites over two acres or with multiple buildings must demonstrate that the project is based on a unifying site planning concept that meets the following criteria:
  - (1) Incorporates open space and *landscaping* as a unifying element.
  - (2) Where possible, incorporates screening, environmental mitigation, utilities, and drainage as positive elements (ex: create a "natural" open space or wet pond as a site feature to accommodate surface water runoff).
  - (3) Provides pedestrian paths or walkways connecting all businesses and the entries of multiple buildings.
  - (4) Incorporates stormwater management systems.
  - (5) Building entrances must not be focused around a central parking lot but be connected by a pathway system and/or open space(s).
  - (6) It may be acceptable for large lot developments to provide a major public entry serving several shops rather than providing a separate *storefront* entry for all shops. If the development employs the

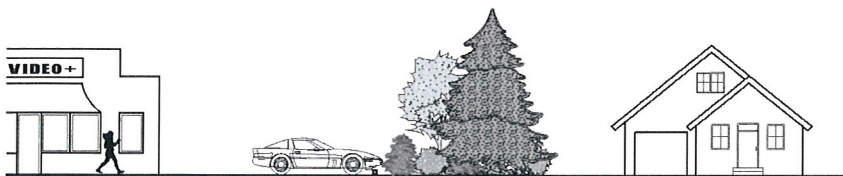
combined-entry option, then it must be at least 15 feet wide, with special entry features, weather protection, lighting, etc.

## B.4 Adjacent Property Compatibility and Service Area Location

### INTENT:

- ♦ To provide functional and visual compatibility between adjacent properties.

### SF Zone



*Figure 5: Provide landscape screening along property lines adjacent to incompatible uses.*

### GUIDELINES:

#### B.4.1 Service Area Impacts

- a. Locate outdoor storage areas and other uses that are incompatible with adjacent properties away from those properties.
- b. Outdoor storage areas, recycling areas, and similar intrusive uses and facilities must be screened from adjacent lots if they are within 20 feet of a property line. Specifically:
  - (1) Provide a landscaped buffer along the lot lines per the requirements of [Appendix A – Chapter F, Landscaping](#).
  - (2) Where outdoor storage is greater in size than 120 square feet and abuts another commercial area or industrial use, 10-foot width of L2 landscaping shall be provided.
  - (3) Integrate outdoor storage areas and loading facilities into the site design to minimize their size, reduce visual impact, and, where appropriate, allow for pedestrian and vehicular movement between site.

See also guideline B.5.1

## B.5 Mechanical Equipment and Service Areas

### INTENT:

- ♦ To minimize adverse visual, olfactory, or auditory impacts of mechanical equipment and service areas at ground and roof levels; and
- ♦ To encourage more thoughtful siting of trash containers and service areas.

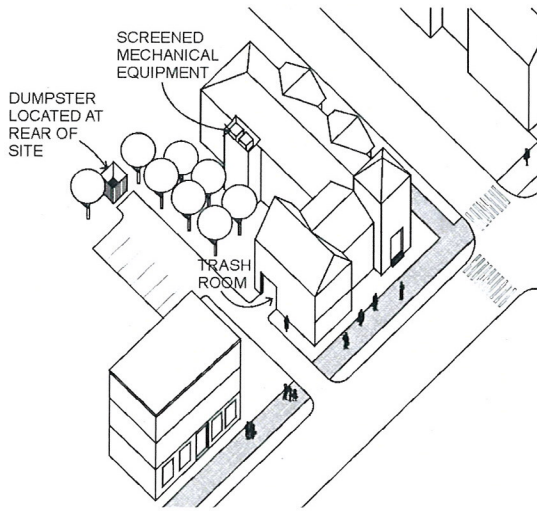
### GUIDELINES:

#### B.5.1 Service Area Impacts



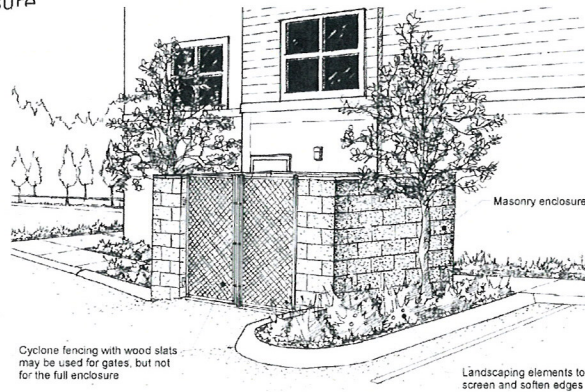
Reduce impacts of refuse containers and storage areas through the following implementation measures.

- a. Service areas (loading docks, trash dumpsters, compactors, and mechanical equipment areas) shall be located to avoid negative visual, auditory (noise), olfactory, or physical impacts on the street environment, the shoreline, and adjacent residentially zoned properties. The City may require evidence that such elements will not significantly impact neighboring properties or public areas. (For example, the City may require noise damping specifications for fans near residential zones.)



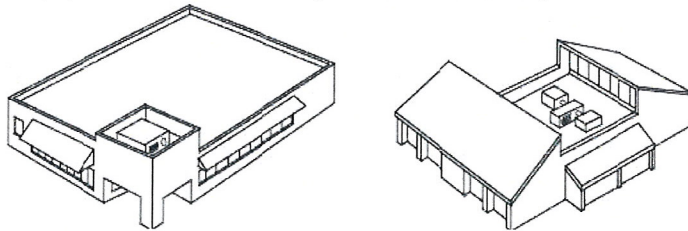
**Figure 6:** Locate service elements to reduce impacts on the pedestrian environment.

- b. Service areas must not be visible from the sidewalk, shoreline, and adjacent properties. Where the City finds that the only option for locating a service area is either visible from a public right-of-way or space or from an adjacent property, the area must be screened with a solid sight-obscuring enclosure. Cyclone fencing with wood slats may be used for gates but not for the enclosure



**Figure 7:** Service enclosure example

- c. Ground-mounted mechanical equipment must be located and screened to reduce visual impacts from streets and adjoining properties.
- d. Roof mounted mechanical equipment must be located and screened so the equipment is not visible within 150 feet of the structure when viewed from the ground level of adjacent properties. Match the color of roof mounted equipment with the exposed color of the roof to minimize visual impacts when equipment is visible from higher elevations nearby.



**Figure 8:** Examples of how to screen roof-mounted mechanical equipment.

- e. Locate and screen utility meters, electrical conduit, and other service and utilities apparatus so they are not visible from adjoining and nearby streets.

## B.6 Street Corners

### INTENT:

- To create and preserve visual images for identification and spatial reference at street corners; and
- To enhance the pedestrian environment at street corners.

### GUIDELINES:

#### B.6.1 Street Corner Treatments

All development proposals for street corner sites must include at least one of the design treatments described below (in order of preference):

- a. Locate a building towards the street corner (within 15 feet of corner property line);



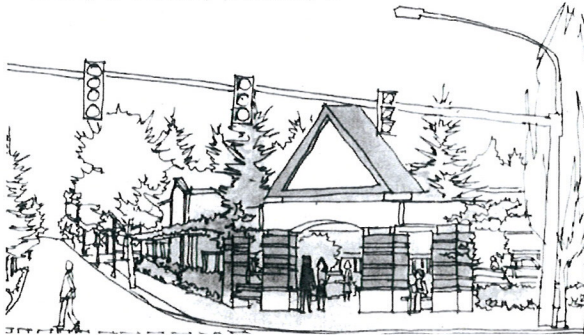
**Figure 9:** This example includes both a building located towards the street corner and a small pedestrian-oriented space.



- b. Provide *pedestrian-oriented space* at the corner leading directly to a building entry or entries;

If a or b are not feasible per the *Director*, consider the following options:

- c. Install substantial *landscaping* (at least 20 feet by 20 feet or 400 square feet of ground surface area with trees, shrubs, and or ground cover). The space may include a special architectural element, such as a trellis, to add identity or demarcation of the area. Such an architectural element may have a sign incorporated into it (as long as such sign does not identify an individual business or businesses);
- d. Install a decorative screen wall (at least 2-feet-6-inches high), a trellis, or other continuous architectural element, with a length of at least 20 feet along the front property line. Height and location of elements are not to create a visibility or security problem; or



**Figure 10:** *Decorative architectural element adjacent to the street corner.*



**Figure 11:** *This street corner successfully combines landscaping with architectural elements. Signage demarcates the area, not an individual store.*

- e. Other element or method would be considered for approval if the proposed element or method conforms with the intent of this section as determined by the *Director*.

## B.7 Vehicular Access and Circulation

### INTENT:

- ♦ To provide vehicular access routes by connecting public and/or private roadways;
- ♦ To create a safe, convenient network for vehicle circulation and parking;
- ♦ To mitigate traffic impacts and to conform to the City's objectives for better traffic circulation;
- ♦ To enhance the visual character of interior access roads;
- ♦ To minimize conflicts with pedestrian circulation and activity; and
- ♦ To provide safe, convenient access to commercial sites without diminishing quality pedestrian walking or visual experiences.

### GUIDELINES:

#### B.7.1 Vehicular Connections

- a. Provide interior vehicular connections between public and private streets as required by the City.
- b. Internal access roads should be designed to look and function like streets, utilizing street trees and sidewalks.



**Figure 12:** Redmond Town Center's internal roadways are one model. Note the on-street parking, crosswalks, wide sidewalks, street trees, signage, and pedestrian lighting.

- c. Parking lot entrances, driveways, and other vehicle access routes onto private property from a street or access road are restricted to no more than one entrance lane and one exit lane per three hundred linear feet of property as measured horizontally along the street face, unless the *Director* determines such restrictions are not in the public interest.
- d. Vehicular access to corner lots shall be located as close as practical to the property line most distant from the intersection.

## B.8 Site Planning for Security

### INTENT:

- ♦ To increase personal safety and property security.



**GUIDELINES:**

**B.8.1 Prohibitions**

In the planning of the site, avoid:

- a. Entrapment areas, where a person could become trapped with no exit route. Provide two means of egress from all outdoor spaces.
- b. Areas that are dark or not visible from a public space.
- c. Buildings, vegetation, or other objects (e.g., a storage enclosure) that block visibility into a space.

**B.8.2 Desirable Elements**

In the planning of the site and design of buildings and site elements, to the extent feasible provide for:

- a. Passive surveillance, the ability of people occupying buildings and public spaces to view all parts of accessible spaces.
- b. Provide security and pedestrian lighting.

**C. PEDESTRIAN ACCESS, AMENITIES, AND OPEN SPACE DESIGN**

**C.1 Sidewalks and Public Paths – Size and Materials**

**INTENT:**

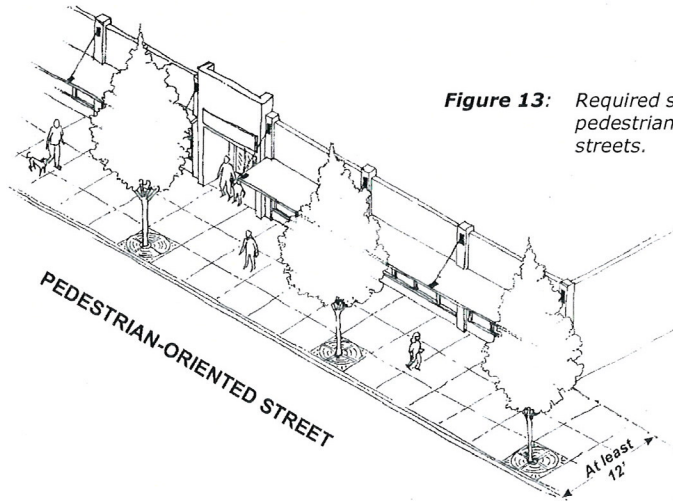
- To provide safe, convenient and pleasant pedestrian sidewalks for circulation along all streets; and
- To improve the character and identity of commercial areas consistent with the City's Comprehensive Plan.

**GUIDELINES:**

**C.1.1 Sidewalk Standards**

Unless otherwise noted in the 88th Street Master Plan, the following shall apply:

- a. Required minimum sidewalk widths along both sides of streets:
  - (1) 12 feet along pedestrian-oriented streets; and
  - (2) 8 feet along streets not designated as a pedestrian-oriented street.



**Figure 13:** Required sidewalks on pedestrian oriented streets.

- b. Sidewalks must be constructed per Marysville Public Works standards and Specifications unless otherwise directed by these Guidelines.



**Figure 14:** An example sidewalk for a pedestrian-oriented street. Note the street trees and pedestrian-style lighting.

- c. Unless otherwise noted, provide street trees at least every 30 feet on center or spaced as directed by the City. The street trees shall meet City standards for installation, specie types, size, and maintenance.
- d. Conduit for lighting. While pedestrian-oriented lighting is not a requirement for new development, when new sidewalks are installed, conduit for future pedestrian-oriented lighting and electrical service must be installed according to City specifications.
- e. The sidewalk design, materials, colors, and textures shall be determined by the *Director*, based on the following:



- (1) The adopted 88th Street Master Plan, where applicable.
- (2) Sidewalk improvements on the subject property or adjacent sites, when desirable.



**Figure 15:** *This decorative sidewalk pavement adds visual interest and character to the street. Where distinctive sidewalk patterns have been established, new development may be required to extend the pattern onto the project*

### **C.1.2 Quilceda Creek Shoreline Environment Trail**

Unless otherwise approved by the *Director*, the following shall apply:

- a.** Each trail corridor will required a minimum of a 14 foot clear zone to be free of all branches and obstacles within horizontal and vertical clear zone for all trail conditions.
- b.** 8 foot travel surface with a 1 foot shoulder on each side.
- c.** Thickness:
  - (1) 2 inch depth class "B" asphalt concrete
  - (2) 4 inch 5/8 inch minus crushed rock base
  - (3) 4 to 6 inch 1¼ inch crushed rock base.
 Thickness dependent on compaction of sub base.
- d.** Shoulder is a minimum of 6 inch 3/8 inch minus crushed rock base typically on both sides of paved surface.
- e.** Each crushed rock grade/material level is to be compacted mechanically at a minimum level of 85%. Finish asphalt to be rolled/compacted at a minimum level of 95% compaction.
- f.** Trail is to be designed to provide a 2% slope from center of trail for drainage.
- g.** A shoreline outlook, rest stop, or other amenity for every 500 linear feet of shoreline environment.
- h.** Trail bollards installed, as approved by the *Director*. Trail bollards should consist of a Kim Vandal-Resistant Bollard (VRB), 36-inch high, 8-inch diameter aluminum extrusion, 70 watt MH lamp, shielded as necessary to reduce light spill on aquatic habitats.

## C.2 Pedestrian Amenities

### INTENT:

- ♦ To provide pedestrian spaces that includes accommodations for seasonal climate conditions for a variety of activities.
- ♦ To provide amenities along sidewalks and pathways that enriches the pedestrian environment.
- ♦ To encourage walking, both as a recreational activity and as a means of transportation.

### GUIDELINES:

#### C.2.1 Amenities on Pedestrian-Oriented Streets

One or more of the desired amenities listed below must be included for each 100 lineal feet of pedestrian-oriented street *frontage*. Sites with less than 100 feet of *frontage* shall provide one amenity. Desired amenities include:

- a. Pedestrian-scaled lighting (spaced every 12 feet at a minimum of 14 inches above the ground).
- b. Pedestrian furniture, such as seating space, approved trash receptacles, bicycle racks, and drinking fountains. Seating areas and trash receptacles are particularly important where there is expected to be a concentration of pedestrian activity (such as near major building entrances).
- c. Planting beds, hanging flower baskets, large semi-permanent potted plants, and/or other ornamental *landscaping*.
- d. Decorative pavement patterns and tree grates,
- e. Informational kiosks,
- f. Decorative clocks,
- g. *Artwork*, including pavement *artwork*.
- h. Consolidated, permanently mounted newspaper racks.
- i. Other amenities that meet the Intent.

Features above that are publicly funded, already required by code, and/or obstruct pedestrian movement will not qualify as an amenity to meet this standard.





Figure 16: Examples of desired pedestrian amenities.



### C.3 Internal Pedestrian Paths and Circulation

**INTENT:**

- ♦ To provide safe and direct pedestrian access that accommodates all pedestrians, minimizes conflicts between pedestrians and vehicular traffic, and provides pedestrian connections to neighborhoods.
- ♦ To accommodate non-competitive/non-commuter bicycle riders who use bicycles on short trips for exercise and convenience.
- ♦ To provide attractive internal pedestrian routes that promote walking and enhance the character of the area.

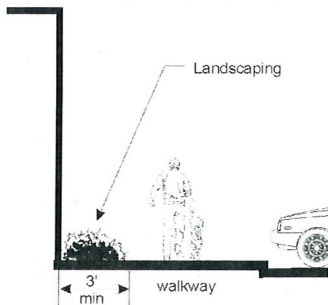
**GUIDELINES:**

**C.3.1 Pedestrian Circulation**

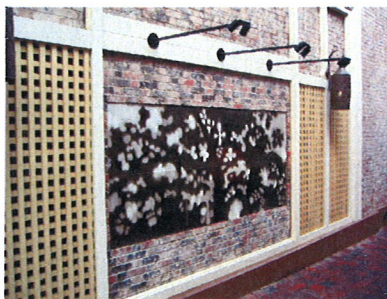
- a. Provide pedestrian circulation routes from building entries of businesses to services within the same development, building entries of nearby residential complexes, and sidewalks along abutting roadways.
- b. When abutting vacant sites or properties with the potential for redevelopment, new developments shall provide for the opportunity for future pedestrian connections per the *Director* through the use of pathway stub-outs, building configuration, and/or parking lot layout.
- c. For safety and access, adjacent *landscaping* shall not block visibility to and from a path, especially where it approaches a roadway or driveway.
- d. Pedestrian walks shall be separated from structures at least 3 feet for *landscaping* except where the adjacent building features a pedestrian oriented façade. The *Director* may consider other treatments to provide attractive pathways. Examples include sculptural, mosaic, *bas-relief artwork*, or other decorative treatments that meet the Intent.



**Figure 15:** An example of an attractive pedestrian connection through a large development.



**Figure 16:** Provide landscaping between walkways and structures



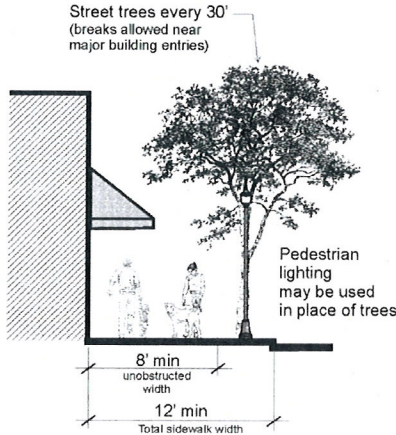
**Figure 17:** Wall treatment to provide interest along a walkway

- e. Pathways providing access to commercial and mixed-use buildings must be at least 8 feet wide. For all other interior pathways, the applicant must demonstrate to the *Director's* satisfaction that the proposed walkway is of sufficient width to accommodate the anticipated number of users. For example, a 10- to 12-foot pathway can accommodate two couples passing one another. An 8' pathway will accommodate three persons walking abreast, while a 6-foot pathway will allow two individuals to pass comfortably.

**C.3.1 Pedestrian Circulation Where Facades Face Parking Lots**

In commercial settings where buildings face onto a parking lot rather than the street, provide wide pathways adjacent to the façades of retail and mixed-use. Specifically, pathways along the front façade of mixed-use and retail buildings 100 feet or more in length (measured along the façade) that are not located adjacent to a street must be at least 12 feet wide with 8 feet minimum unobstructed width and include the following:

- a. Street trees, as approved by the *Director*, should be placed at an average of 30 feet on-center and placed in grates. Breaks in the tree coverage will be allowed near major building entries to enhance visibility. However, no less than 1 tree per 60 lineal feet of building façade must be provided;
- b. Planting strips may be used between any vehicle access or parking area and the pathway, provided that the required trees are included and the pathway is at least 8 feet in width and the combined pathway and planting strip is at least 15 feet in width; and
- c. Pedestrian-scaled lighting is required, mounted either on posts no more than 15 feet high or on the building.



**Figure 18:** Pathways standards adjacent to the facade of a mixed-use retail building 100' or more in length.



**Figure 19:** This off-street multi-tenant retail building incorporates wide walk-ways with street trees and pedestrian lighting. As a result, it looks more like a traditional city sidewalk rather than a utilitarian strip mall walkway.



## C.4 Pedestrian Activity and Plazas

### INTENT:

- To provide a variety of pedestrian areas to accommodate shoppers on designated pedestrian-oriented streets; and
- To provide safe, attractive, and usable open spaces that promote pedestrian activity and recreation.

### GUIDELINES:

#### C.4.1 Pedestrian-Oriented Open Space

Where "pedestrian-oriented green space" is required, design the green space according to the following criteria:

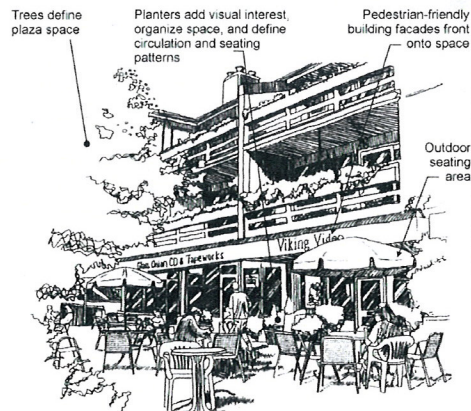
A *pedestrian-oriented space* is an area that promotes pedestrian activity, subject to the following:

**a.** Required pedestrian-oriented open space features:

- (1) Visual and pedestrian access (including handicapped access) into the site from a street, private access road, or non-vehicular *courtyard*.
- (2) Paved walking surfaces of either concrete or approved unit paving.
- (3) On-site or building-mounted lighting (fixtures no taller than 15 feet) providing at least 4 foot candles (average) on the ground.
- (4) Spaces must be located in areas with significant pedestrian traffic to provide interest and security, such as adjacent to or visible from a building entry.
- (5) *Landscaping* components that add visual interest and do not act as a visual barrier. This could include planting beds, potted plants, or both.

**b.** Desirable *pedestrian-oriented space* features:

- (1) Pedestrian amenities, such as a water feature, site furniture, *artwork*, drinking fountains, kiosks, etc.
- (2) At least 2 feet of seating area (a bench or ledge at least 16 inches deep and appropriate seating height) or one individual seat per 60 square feet of plaza area or open space.
- (3) Adjacent buildings with transparent window and doors covering 75 percent of the façade between 2 feet and 8 feet above the ground level.



**Figure 20:** Example of a small pedestrian-oriented space.

- (4) Consideration of the sun angle at noon and the wind pattern in the design of the space.
- (5) Transitional zones along building edges to allow for outdoor seating areas and a planted buffer.

c. A pedestrian-oriented space must not have:

- (1) Asphalt or gravel pavement.
- (2) Adjacent non-buffered parking lots or service areas (e.g., trash areas).
- (3) Adjacent chain-link fences.
- (4) Adjacent "blank walls" without "blank wall treatment."
- (5) Outdoor storage or retail sales that do not contribute to the pedestrian-oriented environment.

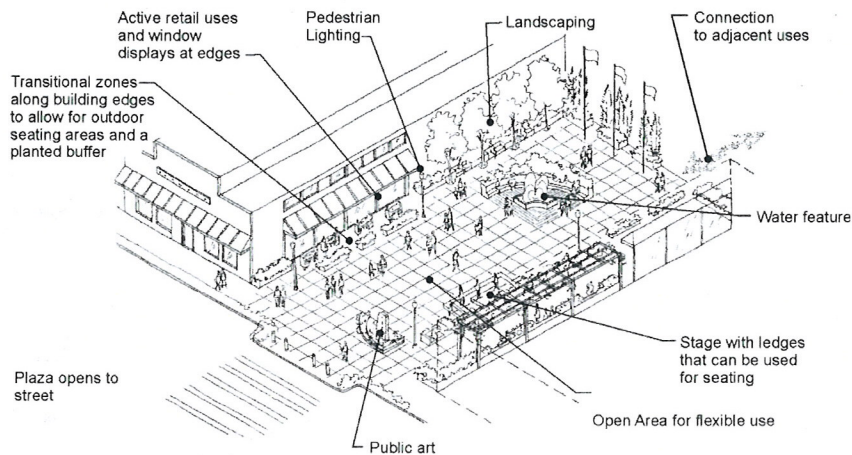


Figure 21: Example of a large pedestrian-oriented space.

## C.5 Residential Open Space

### INTENT:

- To create useable space that is suitable for leisure or recreational activities for residents; and
- To create open space that contributes to the residential setting.

### GUIDELINES:

#### C.5.1 Multi-Family Residential Open Space

Provide usable and attractive open space for multi-family residential uses. Specifically:

- a. Provide open space in accordance with MMC 22C.010.320 – 22C.010.360. Where there is a conflict with other Guidelines herein, the *Director* shall determine which standards apply.



- b. Common open space may be used for all of the required open space. This includes landscaped *courtyards* or *decks*, gardens with pathways, children’s play areas, or other multi-purpose green spaces. Special requirements and recommendations for common spaces include the following:
- (1) Minimum required setback areas will not count towards the open space requirement;
  - (2) Space should be large enough to provide functional leisure or recreational activity per the *Director*. For example, long narrow spaces (less than 20 feet wide) rarely, if ever, can function as usable common space;
  - (3) Space must contribute to the residential setting of the development;
  - (4) Space (particularly children’s play areas) must be visible from dwelling units and positioned near pedestrian activity;
  - (5) Residential units adjacent to the open space should have individual entrances to the space. Preferably, these units include a small area of semi-private open space enclosed by low level *landscaping* or hedges (no taller than 42”);
  - (6) Space should feature paths, seating, lighting, and other pedestrian amenities to make the area more functional and enjoyable;
  - (7) For large developments, provide for a range of activities that accommodate a range of age groups;
  - (8) Space should be oriented to receive sunlight, facing east, west or (preferably) south, when possible; and
  - (9) Separate common space from ground floor windows, streets, service areas, and parking lots with *landscaping* and/or low-level fencing. However, care should be used to maintain visibility from dwelling units towards open space for safety.



**Figure 21:** Good examples of common open space, including street level courtyards (top pictures), a children’s play area (lower left), and a pedestrian corridor (lower right).

- c. Individual balconies may be used to meet up to 50 percent of the required open space. To qualify as open space, balconies must be at least 35 square feet with no dimension less than 4 feet to provide a space usable for human activity.
- d. Rooftop *decks* may count for up to 50 percent of the required open space.
  - (1) Space must be accessible (ADA) to all dwelling units.
  - (2) Space must provide amenities such as seating areas, *landscaping*, and/or other features that encourage use as determined by the *Director*.
  - (3) Space must feature hard surfacing appropriate to encourage resident use.
  - (4) Space must incorporate features that provide for the safety of residents, such as enclosures and appropriate lighting levels.
- e. Indoor recreational areas may count for up to 50 percent of the required open space only in mixed-use buildings where other forms of open space are less feasible or desirable per the *Director's* approval. The following conditions must be met:
  - (1) Indoor spaces must be located in visible areas, such as near an entrance lobby and near high traffic corridors.
  - (2) Space must be designed to provide visibility from interior pedestrian corridors and to the outside. Windows should generally occupy at least one-half of the perimeter of the space to make the space inviting and encourage use.
  - (3) Space must be designed specifically to serve interior recreational functions and not merely be leftover unrentable space used to meet the open space requirement. Such space must include amenities and design elements that will encourage use by residents as determined by the *Director*.

## D. VEHICULAR ACCESS AND PARKING DESIGN

### D.1 Pathways Through Parking Lots

**INTENT:**

- To provide safe and convenient pedestrian paths from the street sidewalk through parking lots to building entries in order to encourage pleasant walking experiences between businesses; and
- To provide an inviting, pleasant pedestrian circulation system that integrates with parking and serves as access to nearby businesses.

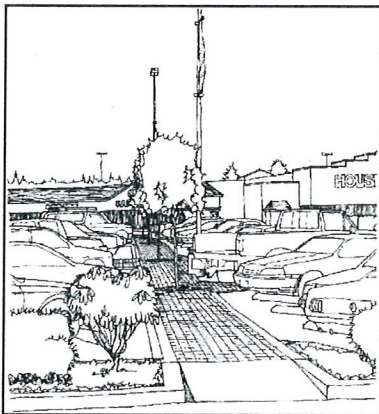


**GUIDELINES:**

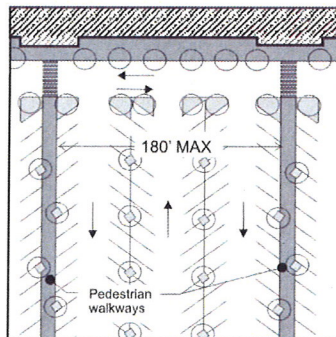
**D.1.1 Pathways Through Parking Lots**

Provide pathways through parking lots. Specifically:

- a. Developments must provide specially marked or paved walkways through parking lots. Generally, walkways should be provided every four rows and a maximum distance of 180 feet shall be maintained between paths. Where possible, align the pathways to connect with major building entries or other sidewalks, pathways, and destinations. The pathways must be universally accessible and meet ADA standards.



**Figure 22:** Parking lot pathway examples.



**Figure 22:** Parking lot pathway configuration.

## D.2 Parking Lot Landscaping

### INTENT:

- ♦ To reduce the visual presence of parking within the 88th Street Master Plan area and adjacent development.
- ♦ To increase the visual quality within the 88th Street Master Plan area.
- ♦ To increase the visual quality within the 88th Street Master Plan area.
- ♦ To increase tree canopy cover for environmental and aesthetic benefits.
- ♦ To improve water quality and improve stormwater management.

### GUIDELINES:

#### D.2.1 Parking Lot Landscaping

- a. Integrate on-site walkways with required parking lot *landscaping*.
- b. Comply with Chapter 22C.120 MMC, *Landscaping and Screening*.  
The *Director* may approve an alternate approach to parking lot *landscaping*, provided that (s)he finds that the alternate better meets the intent of this provision.

## D.3 Stormwater Management in Parking Lots

### INTENT:

- ♦ To increase stormwater runoff quality.

### GUIDELINES:

#### D.3.1 Stormwater Management in Parking Lots

Where the *Director* finds that there would be significant environmental benefit from feasible measures such as permeable pavements or bioswales, (s)he may require such measures be employed in parking lot design.

## D.4 Pavement Minimization

### INTENT:

- ♦ To reduce the amount of impervious surface.

### GUIDELINES:

#### D.4.1 Pavement Minimization

Impervious pavement, especially pavement for motor vehicle circulation, shall be minimized and be no more than necessary to accommodate the intended use. Other site areas shall be in *landscaping* or permeable pavements (e.g., unit pavers).



## **E. BUILDING DESIGN**

### **E.1 Building Design – Character**

#### **GENERAL NOTES:**

1. Many of these building design guidelines call for a building to feature one or more elements from a menu of items. In these cases, a single element, feature, or detail may satisfy multiple objectives. For example, a specially designed or fabricated covered entry with attractive detailing might be counted toward requirements for *human scale*, building corners, and building details.
2. The terms “decorative” and “ornamental” are not necessarily meant to mean “characterized by traditional patterns, nonstructural elements, or applied markings.” Elements may be considered “decorative,” “ornamental,” or “special” if they extend beyond the typical level of quality, use materials or forms in an unusual way, or show special architectural consideration. The *Director* shall determine what elements are “ornamental,” “decorative,” or “special.”

#### **INTENT:**

- ♦ To provide building design that has a high level of design quality and creates comfortable human environments.
- ♦ To incorporate design treatments that add interest and reduce the scale of large buildings.
- ♦ To encourage building design that is authentic and responsive to site conditions.
- ♦ To encourage functional, durable, and environmentally responsible buildings.

#### **GUIDELINES:**

##### **D.1.1 Pathways Through Parking Lots**

Provide pathways through parking lots. Specifically:

- a. Developments must provide specially marked or paved walkways through parking lots. Generally, walkways should be provided every four rows and a maximum distance of 180 feet shall be maintained between paths. Where possible, align the pathways to connect with major building entries or other sidewalks, pathways, and destinations. The pathways must be universally accessible and meet ADA standards.

### **E.2 Human Scale**

#### **INTENT:**

- ♦ To encourage the use of building components that relate to the size of the human body.
- ♦ To add visual interest to buildings.

**GUIDELINES:**

**E.2.1 Human Scale Elements**

"*Human scale*" addresses the relationship between a building and the human body. Generally, buildings attain a good *human scale* when they feature elements or characteristics that are sized to fit human activities, such as doors, porches, and balconies. Incorporate three *human scale* building elements into new developments.

*Human scale* measures include:

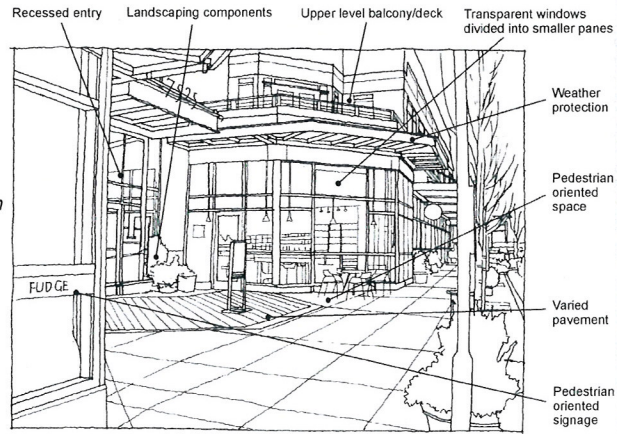
- a. Balconies or *decks* in upper stories, at least one *balcony* or *deck* per upper floor on the façades facing streets, provided they are integrated into the architecture of the building.
- b. *Bay windows* or other window treatments that extend out from the building face;
- c. At least 150 square feet of *pedestrian-oriented space* for each 100 lineal feet of building façade;
- d. First floor individual windows, generally less than 32 square feet per pane and separated from the windows by at least a 6" molding;
- e. A porch or covered entry;
- f. Spatially defining building elements, such as a trellis, overhang, canopy, or other element, that defines space that can be occupied by people;
- g. Upper story setbacks, provided one or more of the upper stories are set back from the face of the building at least 6 feet;
- h. Composing smaller building elements near the entry of pedestrian-oriented street fronts of large buildings (see Figure 41);
- i. *Landscaping* components that meet the intent of the guidelines; and/or
- k. The *Director* may consider other methods to provide human-scale elements not specifically listed here. The proposed methods must satisfy the Intent of the Guidelines.



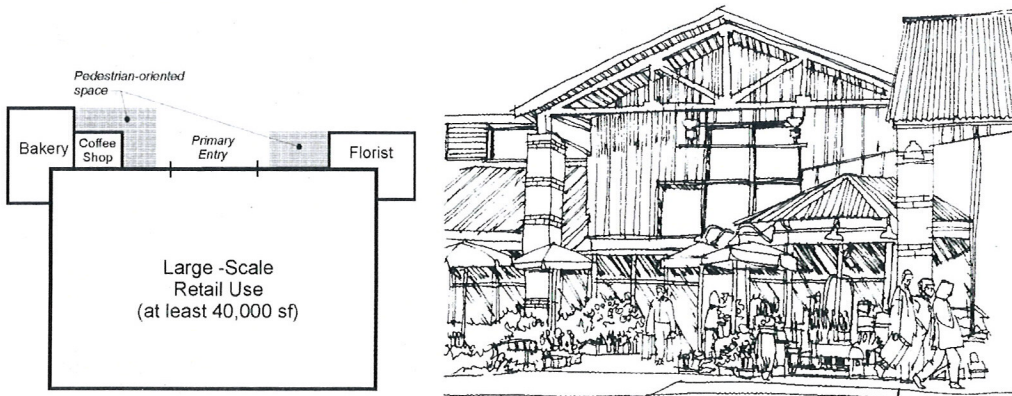
**Figure 23:** An example of balconies that have been integrated into the architecture of the building.



**Figure 23:** Illustrating a variety of human scale components on a building.



**Figure 24:** This mixed-use building incorporates decks, upper level setbacks, trellises, and landscaping to meet human scale guidelines.



**Figure 25:** Examples of composing smaller building elements near the entry of large buildings.



### E.3 Architectural Scale

#### INTENT:

- To encourage *architectural scale* of development that is compatible with nearby commercial areas that have the character of agrarian structures.
- To add visual interest to buildings.

#### GUIDELINES:

##### E.3.1 Scale of Large Buildings

- a. All new buildings over three stories, or over 5,000 square feet in gross building footprint, shall provide at least three *modulation* and/or *articulation* features as described below along any façade that is visible from a street or pedestrian route, and have entries at intervals of no more than 50 feet:
- (1) Horizontal building *modulation*. The depth of the *modulation* must be at least 2 feet when tied to a change in the roofline and at least 6 feet in other situations. Balconies may be used to qualify for this option, provided they have a floor area of at least 40 square feet, are integrated with the architecture of the building, and project at least 2 feet from the building facade.

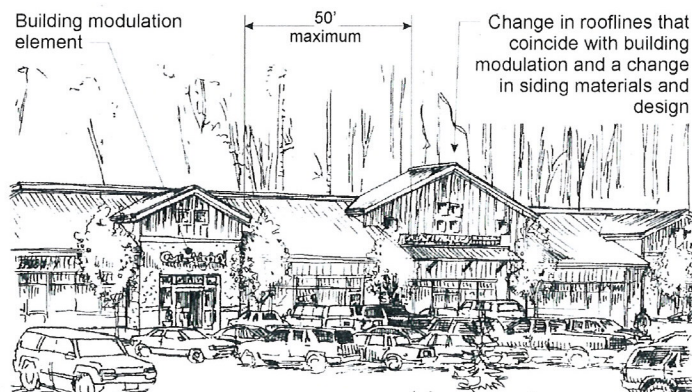
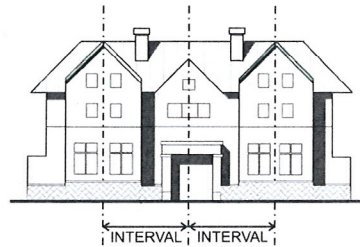


Figure 26: Building modulation example.

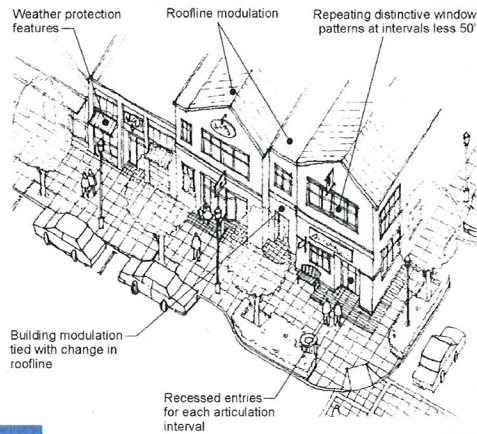
- (2) Modulated roof line. Buildings may qualify for this option by modulating the roof line of all façades visible from a street, park, or pedestrian pathway per the following standards:
  - (a) For flat roofs or façades with a horizontal wave, fascia, or parapet, change the roofline so that no unmodulated segment of roof exceeds 50 feet. Minimum vertical dimension of roof line *modulation* is the greater of 2 feet or 0.1 multiplied by the wall height (finish grade to top of wall);
  - (b) For gable, hipped, or shed roofs, a slope of at least 3 feet vertical to 12 feet horizontal; or

- (c) Other roof forms such as arched, vaulted, dormer, or sawtoothed may satisfy this design standard if the individual segments of the roof with no change in slope or discontinuity are less than 50 feet in width (measured horizontally).
- (3) Repeating distinctive window patterns at intervals less than the *articulation* interval.
- (4) Providing a porch, patio, *deck*, or covered entry for each *articulation* interval.
- (5) Changing the roofline by alternating dormers, stepped roofs, gables, or other roof elements to reinforce the *modulation* or *articulation* interval.
- (6) Changing materials with a change in building plane.
- (7) Providing lighting fixtures, trellises, trees, or other landscape feature within each interval.
- (8) Other design treatments that satisfy the Intent of the Guidelines as determined by the *Director*.



**Figure 27:** Building articulation.

The *Director* may increase or decrease the 50-foot interval for *modulation* and *articulation* to better match surrounding structures or to implement an adopted sub-area plan, where applicable.



**Figure 28:** These buildings illustrate a combination of horizontal building modulation, roofline modulation, and building articulation to reduce the architectural scale and provide visual interest.



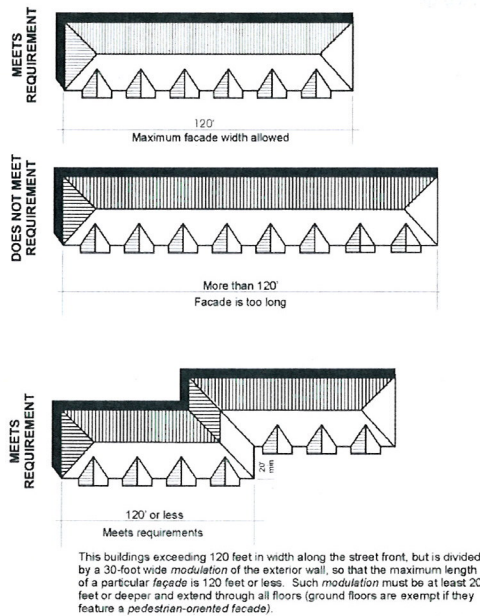
**Figure 29:** This Kirkland development uses a variety of roof forms and heights, different weather protection features, changing building materials and colors, and a modest amount of horizontal building modulation to reduce the overall architectural scale into smaller "storefront" components.



- b. The maximum façade width (the façade includes the apparent width of the structure facing the street and includes required *modulation*) of multi-story buildings visible from a street, public open space, or pedestrian-oriented space is 120 feet. Buildings exceeding 120 feet in width along the street front shall be divided by a *modulation* of the exterior wall, so that the maximum length of a particular façade is 120 feet. Such offset *modulation* must be at least 20 feet or deeper and extend through all floors (the first floor will be exempted if it includes a pedestrian-oriented façade). The break-up (*modulation*) of wide buildings may also be accomplished by gaps, indents, or extensions out from the front façade at least 10 feet.

The *Director* will consider other design methods that are effective at reducing the perceived width of the building.

**Figure 30:** Illustrating maximum façade widths.



## E.4 Pedestrian-Oriented Facades and Weather Protection

### INTENT:

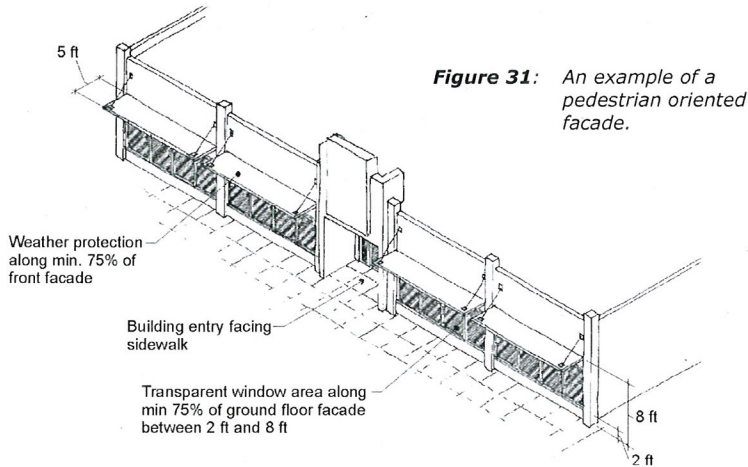
- ♦ To create a safe, attractive, welcoming pedestrian environment.
- ♦ To enhance retail activity.

### GUIDELINES:

#### E.4.1 Pedestrian-Oriented Facades

Building *façades* facing pedestrian-oriented streets, and wherever else pedestrian-oriented *façades* are required, shall exhibit the following:

- Transparent window areas or window displays or a combination of sculptural, mosaic, or *bas-relief artwork* and transparent window areas or window displays (as described above) over at least 75 percent of the ground floor façade between 2 feet and 8 feet above grade. For portions of buildings along a pedestrian-oriented street, pedestrian oriented open space at least 10 feet in width (average) may be substituted for the transparency and weather protection requirements.
- A primary building entry facing the streetfront.



**Figure 31:** An example of a pedestrian oriented facade.

- c. Weather protection at least 5 feet wide over at least 75 percent of the front facade.

**E.4.2 Pedestrian Weather Protection**

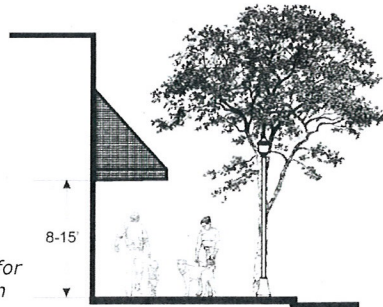
Provide pedestrian weather protection in public spaces such as transit stops, building entries, along display windows, and over outdoor dining areas. Specifically:

- a. Weather protection at least 5 feet deep is required over all primary building, individual business, and individual residence entries. This may include a recessed entry, canopy, porch, *marquee*, or building overhang.



**Figure 32:** Provide weather protection over building entries.

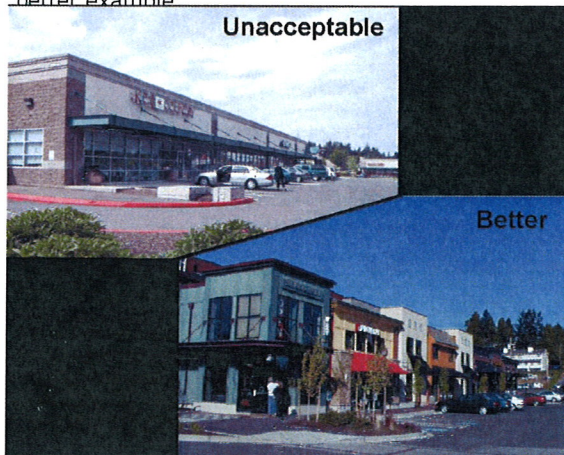
- b. Canopies, awnings, or other similar weather protection features shall not be higher than 15 feet above the ground elevation at the highest point or lower than 8 feet at the lowest point. The street-side edge of the canopy or awning shall be at least 8 feet above the walking surface.



**Figure 33:** Height standards for weather protection features.



- c. The color, material, and configuration of the pedestrian coverings shall be as approved by the *Director*. Coverings with visible corrugated metal or corrugated fiberglass are not permitted unless approved by the *Director*. Fabric and rigid metal awnings are acceptable if they meet the applicable standards. All lettering, color and graphics on pedestrian coverings must conform to the City's Sign Code (see MMC 21.20 Development Standards - Signs).
- d. Multi-tenant retail buildings are encouraged to use a variety of weather protection features to emphasize individual *storefronts* and reduce the *architectural scale* of the building. Figure 50 provides an unacceptable and better example



**Figure 34:** *The continuous canopy on top is monotonous and deemphasizes individual storefronts. The bottom example provides a variety of weather protection features and represents a more desirable example.*

## E.5 Building Corners

### INTENT:

- To create visual interest and increased activity at public street corners.

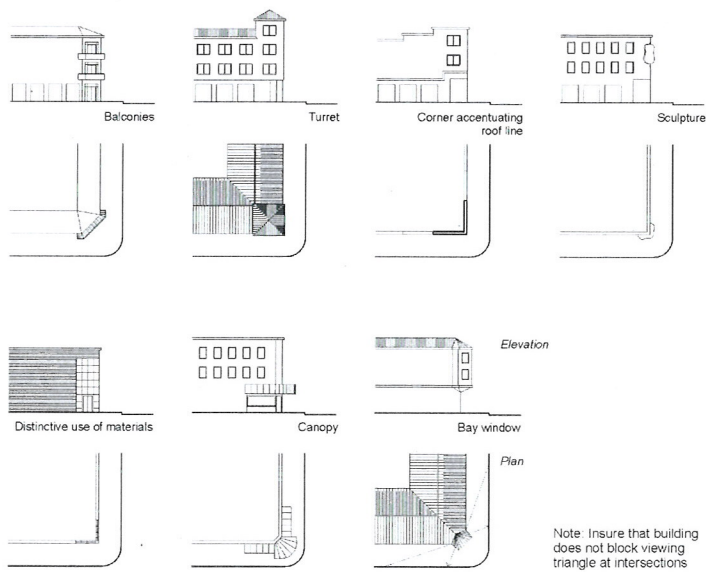
### GUIDELINES:

#### E.5.1 Building Corners

Architecturally accentuate building corners at street intersections. All new buildings located within 15 feet of a property line at the intersection of streets in which at least one street is a pedestrian-oriented street or high-visibility street are required to employ one or more of the following design elements or treatments to the building corner facing the intersection:

- a. Provide at least 100 square feet of *pedestrian-oriented space* between the street corner and the building(s). To qualify for this option, the building(s) must have direct access to the space;
- b. Provide a corner entrance to *courtyard*, building lobby, atrium, or pedestrian pathway;
- c. Include a corner architectural element such as:

- (1) Bay window or turret.
- (2) Roof deck or balconies on upper stories.
- (3) Building core setback "notch" or curved façade surfaces.
- (4) Sculpture or artwork, either *bas-relief*, figurative, or distinctive use of materials.
- (5) Change of materials
- (6) Corner windows.
- (7) Special lighting.



**Figure 35:** Corner building treatments

- d. Special treatment of the pedestrian weather protection canopy at the corner of the building; and/or
- e. Other similar treatment or element approved by the *Director*.

**Figure 36:** To emphasize its street corner location, this building uses a cropped corner, change in building materials, decorative facade elements, and a modulated roofline.



## E.6 Building Details

### INTENT:

- ♦ To ensure that buildings have design interest at all observable distances.
- ♦ To enhance the character and identity of Marysville's downtown.
- ♦ To enhance the pedestrian environment.
- ♦ To encourage creativity in the design of *storefronts*.

### DISCUSSION:

When buildings are seen from a distance, the most noticeable qualities are the overall form and color. A three-story commercial building that is 100 feet wide and 35 feet tall must be observed at least 200 feet away in order for the building to fit within a person's cone of vision so its overall shape can be perceived. At that distance, windows, doors, and other major features are clearly visible. However, within 60 feet to 80 feet from the building (approximately the distance across a typical downtown street), a person notices not so much the building's overall form as its individual elements. At closer distances, the most important aspects of a building are its design details, texture of materials, quality of its finishes, and small, decorative elements. In a pedestrian-oriented business area, it is essential that buildings and their contents be attractive up close. Therefore, these Guidelines require all buildings to incorporate design details and small scale elements into their façades.

### GUIDELINES:

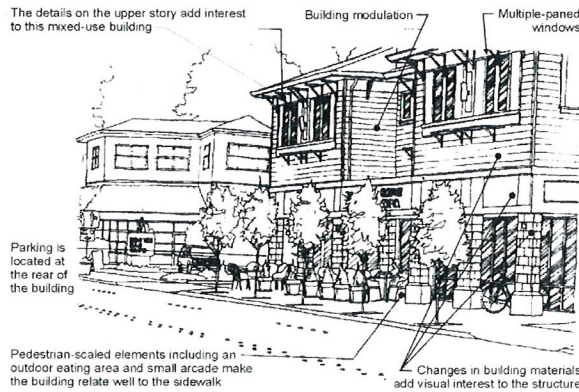
#### E.6.1 Design Details

- a. All new buildings and individual *storefronts* shall include on the façades that face a pedestrian-oriented street, park, or pedestrian route at least three of the following design features:
  - (1) Distinctive rooflines, such as an ornamental molding, entablature, frieze, or other roofline device visible from the ground level. If the roofline decoration is in the form of a linear molding or board, then the molding or board must be at least 8" wide.
  - (2) Special treatment of windows and doors, other than standard metal molding/framing details, around all ground floor windows and doors, decorative glazing, or door designs.
  - (3) Decorative light fixtures with a diffuse visible light source or unusual fixture.
  - (4) Decorative building materials, such as decorative masonry, shingle, brick, or stone.
  - (5) Individualized patterns or continuous wood details, such as fancy butt shingles (a shingle with the butt end machined in some pattern, typically to form geometric designs), decorative moldings, brackets, trim or lattice work, ceramic tile, stone, glass block, carrera glass, or similar materials.

The applicant must submit architectural drawings and material samples for approval.



- (6) A planting strip at least 16" wide between an adjacent pathway and the building façade or use of a *landscaping* treatment as part of the building's design, such as planters or wall trellises.



**Figure 37:** *The use of different building materials, window treatments, and roofline brackets adds to the visual interest of this building.*

- (7) Decorative or special railings, grill work, or landscape guards.
- (8) Landscaped trellises, canopies, or weather protection.
- (9) Decorative *artwork*, which may be freestanding or attached to the building and may be in the form of mosaic mural, *bas-relief* sculpture, light sculpture, water sculpture, fountain, free standing sculpture, art in pavement, or other similar *artwork*. Painted murals or graphics on signs or awnings do not qualify.
- (10) Sculptural or hand-crafted signs.
- (11) Special building elements, such as pilasters, entablatures, wainscots, canopies, or *marquees*, that exhibit nonstandard designs.
- (12) Other similar features or treatment that satisfies the Intent of the Guidelines as approved by the *Director*.



**Figure 37:** *This building provides a number of details that enhance the pedestrian environment, including decorative lighting, planter boxes, decorative awnings, historical plaques, and decorative facade elements.*

## E.7 Materials

### INTENT:

- To encourage the use of a variety of high-quality compatible materials that will upgrade the visual image of downtown Marysville.

### GUIDELINES:

#### E.7.1 Materials

The following are allowed only with special detailing, as described below:

- a. Metal siding. When used as a siding material over more than 25 percent of a building's façade visible from a public street, pathway, or park, metal siding must:
  - (1) Have a matte finish in a neutral or earth tone such as buff, gray, beige, tan, cream, white, or a dulled color, such as barn-red, blue-gray, burgundy, ocher, or other color specifically approved by the *Director*.
  - (2) Include two or more of the following elements:
    - (a) Visible window and door trim painted or finished in a complementary color.
    - (b) Color and edge trim that cover exposed edges of the sheet metal panels.
    - (c) A base of masonry, stone, or other approved permanent material extending up to at least 2 feet above grade that is durable and satisfies the Intent of the Guidelines. (The intent is to provide more durable materials near grade level.)
    - (d) Other detail/color combinations for metal siding approved by the *Director*, provided design quality and permanence meets the intent of this section.
- b. Concrete block walls. Concrete block construction used over 25 percent of a building façade visible from a public roadway, pathway, or park must be architecturally treated in one or more of the following ways:
  - (1) Use of textured blocks with surfaces such as split face or grooved.
  - (2) Use of other masonry types, such as brick, glass block, or tile in conjunction with concrete blocks.
  - (3) Use of decorative coursing to break up blank wall areas.
  - (4) Use of matching colored mortar where color is an element of architectural treatment for any of the options above.
  - (5) Other treatment approved by the *Director*.
- c. Requirements for Exterior Insulation and Finish System (EIFS) and similar troweled finishes:
  - (1) To avoid deterioration, EIFS should be trimmed and/or should be sheltered from extreme weather by roof overhangs or other methods.
  - (2) EIFS may only be used in conjunction with other approved building materials.

- (3) EIFS is prohibited within 2 vertical feet of the sidewalk or ground level.



**Figure 38:** This storefront effectively combines EIFS and concrete block with wood trim and metal detailing.

- d. Prohibited materials:
- (1) Mirrored glass.
  - (2) Corrugated fiberglass.
  - (3) Chain link fencing (except for temporary purposes such as a construction site).
  - (4) Crushed colored rock or tumbled glass.
  - (5) Any sheet materials, such as wood or metal siding, with exposed edges or unfinished edges, or made of nondurable materials as determined by the *Director*.

## E.8 Blank Walls

### INTENT:

- To reduce the visual impact of large, undifferentiated walls.
- To reduce the apparent size of large walls through the use of various architectural and *landscaping* treatments.
- To enhance the character and identity of Marysville's commercial areas.
- To ensure that all visible sides of buildings provide visual interest.

### GUIDELINES:

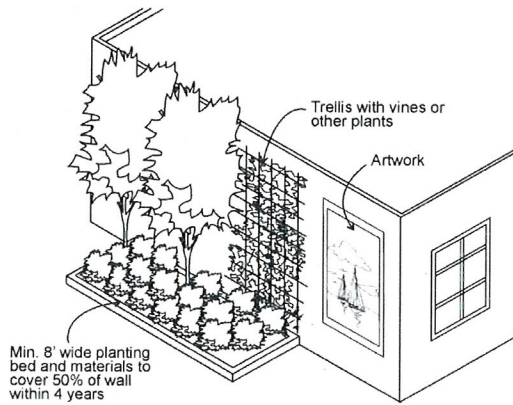
#### E.8.1 Blank Walls

All *blank walls* within 50 feet of the street, pedestrian pathway, park, or adjacent lot, and also visible from that street, pedestrian pathway, park, or adjacent lot, shall be treated in one or more of the following measures:

- a. Install a vertical trellis in front of the wall with climbing vines or plant materials. For large blank wall areas, the trellis must be used in conjunction with other treatments described below;



- b. Provide a landscaped planting bed at least 8 feet wide or a raised planter bed at least 2 feet high and 3 feet wide in front of the wall. Plant materials must be able to obscure or screen at least 50 percent of the wall's surface within 4 years;
- c. Provide *artwork* (mosaic, mural, sculpture, relief, etc.) over at least 50 percent of the blank wall surface; and/or
- d. Other method as approved by the *Director*. For example, *landscaping* or other treatments may not be necessary on a wall that employs high quality building materials (such as brick) and provides desirable visual interest.



**Figure 39:** Blank wall treatments.

**Figure 40:** Terraced planting beds effective screen a large blank wall.



## E.9 Building Entrances

### INTENT:

- ♦ To ensure that buildings and businesses are inviting and accessible.
- ♦ To encourage pedestrian activity.

### GUIDELINES:

#### E.9.1 Principal Building Entrances

The principal building entrances of all buildings shall feature the following improvements, unless the *Director* determines an alternate solution better addresses the guideline's intent:

- a. Pedestrian covering. Building entrances must be covered by at least 50 square feet of pedestrian weather protection. Entries may satisfy this requirement by being set back into the building façade.
- b. Lighting. Pedestrian entrances must be lit to at least four foot-candles as measured on the ground plane for commercial buildings and two footcandles for residential buildings.
- c. Building or business name. Entries must be identified with respect to building and/or business.
- d. Visibility. Building entrances must be visible from the roadway and/or major public pedestrian pathway.
- e. Transparency. Entries must feature glass doors, windows, or glazing (window area) near the door so that the visitor and occupant can view people opening the door from the other side.
- f. Security. To the extent feasible, entries must be visible from areas with high pedestrian activity or where residents can view the entry (passive surveillance).
- g. Architectural or *artwork* enhancements. Building entrances must be enhanced by one or more of the following measures. Entrances on pedestrian-oriented streets must feature two of the following measures.
  - (1) Special or ornamental doors, windows, or other architectural elements.
  - (2) Special paving or materials (e.g., decorative tilework).
  - (3) Special architectural lighting.
  - (4) *Landscaping*.
  - (5) *Artwork*.
  - (6) Other similar feature approved by the *Director*.
  - (7) Adjacent *pedestrian-oriented space*.

The *Director's* decision on the applicability of an element or treatment to meet this requirement is final.

### E.9.2 Secondary Public Access for Commercial Buildings

Although these Guidelines require businesses on a pedestrian-oriented street within the downtown to front on streets rather than parking lots, a large number of customers use the "secondary" entry off of a parking lot. Such businesses that have secondary public access shall comply with the following measures to enhance secondary public access (applies only to entries used by the public):

- a. Weather protection at least 3 feet deep is required over each secondary entry.
- b. A sign may be applied to the awning provided that the sign complies with other regulations and guidelines.
- c. There must be at least two foot-candles illumination on the ground surface.
- d. Two or more of the design elements noted in E.9.1.g above must be incorporated within or adjacent to the secondary entry.



Figure 41: Examples of secondary public access. Note the planters, window sign, and awning.

### E.10 Parking Garage Design

#### INTENT:

- ♦ To minimize negative visual impacts of parking garages.

#### GUIDELINES:

##### E.10.1 Parking Garage Design

- a. Parking garages must be designed to obscure the view of parked cars at the ground level.
- b. Ground-level parking along pedestrian-oriented streets is not allowed. Ground-level parking may be allowed on high-visibility streets if street trees approved by the City are provided.
- c. Where the garage wall is built to the sidewalk edge, the façade shall incorporate a combination of *artwork*, *grillwork*, *special building material* or *treatment/design*, and/or other treatments as approved by the City that



enhance the pedestrian environment. Small setbacks with terraced *landscaping* elements can be particularly effective in softening the appearance of a parking garage.

- d. Upper-level parking garages must use *articulation* treatments that break up the massing of the garage and add visual interest.

Figures 42 through 44 are good examples of parking garage treatments.

**Figure 42:** *The side of this parking garage includes some storefront retail space (left), decorative grillwork, and a raised brick planter to enhance the pedestrian environment.*



**Figure 43:** *This building uses opening on its second level parking area to resemble windows.*



**Figure 44:** *Design parking garages to obscure the view of parked cars. Note the landscaping that separates the garage from pedestrians.*



## F. LANDSCAPING

### F.1 Site Landscaping

#### INTENT:

- ♦ To encourage the abundant use of gardens and other *landscaping* in site and development design to improve site aesthetics, enhance the pedestrian experience, and increase environmental quality.
- ♦ To reduce surface water runoff by percolating water through landscaped areas.

#### GUIDELINES:

##### F.1.1 Compliance with the Marysville Municipal Code

Comply with Chapter 22C.120 MMC, *Landscaping and Screening*, unless otherwise noted.

##### F.1.2 Sites Over One-Quarter (1/4) Acre

For sites over a quarter acre, the applicant shall be prepared to demonstrate that the landscape plan has a unifying concept that:

- a. Includes an integrated pedestrian circulation system and a coordinated set of open spaces.
- b. Enhances buildings and pedestrian spaces.
- c. Features an organizational, spatial concept such as axial symmetry, informal-naturalistic design, orientation to views, or sequence of spaces.
- d. Takes advantage of natural features.
- e. Incorporates stormwater management systems and low-impact development (LID) practices.

If the City approves a landscape plan demonstrating the characteristics above, the *Director* may allow some departure from other *landscaping* requirements if the intent of those standards or guidelines is met.

##### F.1.3 Buffer Widths

The *Director* may reduce the buffer widths in MMC 22C.120.120 Table 1, if the City determines that an alternate solution, such as a masonry wall and trellis, adequately screens the parking area and provides an attractive pedestrian environment.

##### F.1.4 Multi-Family Dwellings

Multi-family dwelling units with private exterior ground floor entries (if approved by the *Director*) must provide at least 20 square feet of *landscaping* adjacent to the entry. Such landscaped areas shall be designed to soften the appearance of the building and highlight individual entries. Figure 45 on the following page illustrates one example without *landscaping* and two that would meet the standard. Also see Figure 46.





**A. No Landscaping**



**B. Better**



**C. Better**

**Figure 45:** Image "A" is an example where there is not landscaping near the entry. Images "B" and "C" are more desirable examples with individual planting strips that soften the building, highlight the individual entries, and help to deemphasize the garages.



**Figure 46:** The left photo is another good example of landscaping. These units face the street and provide the required landscaping in the front yard. Garages are off an alley, where, in this case, landscaping is not required.



## G. SIGNAGE

**NOTE:** Relationship to Sign Code. Adhere to Chapter 22C.160 MMC, Sign Code, unless otherwise noted below. Where the two conflict, adhere to the sign standards in this document.

### G.1 Sign Standards and Guidelines

#### INTENT:

- ♦ To encourage signage that is both clear and of appropriate scale for the project.
- ♦ To enhance the visual qualities of signage through the use of complementary sizes, shapes, colors, and methods of illumination.
- ♦ To encourage quality signage that contributes to the character of the area.
- ♦ To provide information to customers and visibility for businesses.

#### GUIDELINES:

##### G.1.1 Illumination Standards

- a. Back-lit signs are prohibited.  
Exception: Signs with individual backlit letters are acceptable for businesses.
- b. Neon signs are permitted.
- c. External sign lighting is permitted as long as light doesn't create a glare problem and doesn't project towards the sky.

##### G.1.2 Monument Sign Standards

Monument signs shall conform to the requirements of Table 1:

- a. No portion of a freestanding sign shall be in, or project over, a public right-of-way, and the minimum setback shall be five (5) feet, subject to sight distance review at intersection and driveways.
- b. The color, shape, material, lettering and other architectural details of freestanding signs shall be harmonious with the character of the primary structure.
- c. The base of a freestanding sign shall be constructed of landscape materials, such as brick, stucco, stonework, textured wood, tile or textured concrete, and shall be harmonious with the character of the primary structure. This limitation does not apply to structural elements that are an integral part of the overall design such as decorative metal or wood.



**Figure 47:** Back-lit signs, like these are prohibited.



**Figure 48:** Signs with individual back-lit letters like this are permitted.

- d. No angle irons, guy wires or braces shall be visible except those that are an integral part of the overall design.
- e. The width of the top of the sign structure can be no more than one hundred twenty (120%) percent of the width of the base.

**Table 1: 88-MU Monument Sign Standards**

Requirements <sup>(a, b)</sup>	Single and Multi-Tenant Developments (less than 25,000 sf floor area)	Single and Multi-Tenant Developments (25,000-50,000 sf floor area)	Single and Multi-Tenant Developments (more than 50,000 sf floor area)
Height Limit	42"	6'	6' <sup>(c)</sup>
Maximum Size Limit <sup>(d)</sup>	20sf	30sf	40sf
Minimum Setback	5'	5'	5'
Landscaping <sup>(e)</sup>	1 sf of landscaping per 1 sf of sign face	1 sf of landscaping per 1 sf of sign face	1 sf of landscaping per 1 sf of sign face
Minimum Separation <sup>(f)</sup>	150'	150'	150'

**Notes:**

- a. A minimum lettering height of four inches is recommended for readability.
- b. Monument signs for individual businesses should include the street address number with six-inch minimum lettering that is clearly readable from the street.
- c. Monument signs up to 8 feet in height are acceptable on high-visibility streets.
- d. Size limit per sign face, up to two faces.
- e. *Landscaping* includes a decorative combination of ground cover and shrubs to provide seasonal interest in the area surrounding the sign. *Landscaping* shall be well maintained at all times of the year. The *Director* may reduce the *landscaping* requirement where the signage incorporates stone, brick, or other decorative materials.
- f. An individual building, development, or complex may not display more than one monument sign on each street *frontage*. However, additional monument signs can be used on the site as long as they advertise a different business onsite and can be placed at least 150 feet from the first sign along applicable street *frontages*.

**G.1.3 Wall Sign Standards**

Specific *wall sign* standards:

- a. Tenants are allowed a maximum of one *wall sign* per *facade* that contains a public entry (open during all business hours), up to a maximum of two *facades*. However, businesses may include additional smaller signs describing the types of products and/or services that the business offers, provided the sign areas collectively comply with maximum size requirements.
- b. Maximum size – all individual retailers:
  - (1) Sign area shall not exceed 1.5 square feet for each lineal foot of the *facade* (the *facade* facing the street or as identified by the *Director*). Signs without internal lighting may contain a sign area of up to 2 square feet for each lineal foot of the *facade*.



**Figure 49:** Acceptable wall sign types, subject to size limitation



- (2) Signage not to exceed 2/3 of overall *storefront* dimension.
- (3) Stacked signage is permitted.
- (4) Signage not to encroach 3 feet of edge of tenant *frontage*.
- c. Maximum size – individual retailer 4,000 square feet or smaller:
  - (1) Maximum letter and logo height: 24 inches.
  - (2) Maximum area: 32 square feet
- d. Maximum size – individual retailer larger than 4,000 square feet, but less than 12,000 square feet:
  - (1) Maximum letter and logo height: 48 inches.
  - (2) Maximum area: 100 square feet
- e. Maximum size – individual retailer 12,000 square feet but less than 80,000 square feet:
  - (1) Maximum letter and logo height: 70 inches.
  - (2) Maximum area: 200 square feet
- f. Maximum size – individual retailer 80,000 square feet or larger:
  - (1) Maximum letter height: 8 feet.
  - (2) Maximum logo height: 10 feet.
 Maximum area: 300 square feet
- g. Maximum size – building or center name: A *wall sign* up to 100 square feet or 1 square foot for each lineal foot of the *facade* to identify the name of the building or shopping center.
- h. Maximum size – joint business directory: A *wall sign* up to 50 square feet for joint business directory signs identifying the occupants of a commercial building and located next to the entrance.
- i. Maximum height: *Wall signs* may not extend above the building parapet, soffit, the eave line or the roof of the building.
- j. Mounting: Building signs should be mounted plumb with the building, with a maximum protrusion of 1-foot unless the sign incorporates sculptural elements or architectural devices. The sign frame shall be concealed or integrated into the building's architectural character in terms of form, color, and materials.
- k. All *wall signs* must be in proportion to the size and design of the *facade*.
- l. *Wall signs* shall not cover windows, building trim, or ornamentation.
- m. The *Director* may allow *wall signage* to be placed on wall(s) which do not contain a public entry, subject to the general *wall sign* criteria and the following:
  - (1) It must be demonstrated that the *wall signage* would be visible from a public right-of-way;
  - (2) The *wall signage* must be comprised of individual letters;



**Figure 50:** Example of acceptable signage for large retailers.



- (3) Signs shall be non-illuminated;
  - (4) In multi-use complexes, said signs shall be mounted so that each tenant's *wall sign* will be located at the same level (height above-grade) as other tenants' signs.
  - (5) The color, shape, material, lettering and other architectural details shall be harmonious with the character of the primary structure. No angle irons, guy wires, or braces shall be visible except those that are an integral part of the overall design.
- n. If applicant demonstrates to the satisfaction of the *Director* that a *wall sign* is creative, artistic and an integral part of the architecture, the *Director* may waive the above restrictions.

**G.1.4 Projecting Signs**

*Projecting signs* meeting the following conditions are allowed for commercial uses adjacent to and facing a public street.

- a. Clearance: Shall clear sidewalk by 8 feet.
- b. Projection: Shall not project more than 5 feet from the building *facade*, unless the sign is a part of a permanent *marquee* or awning over the sidewalk. Vertically oriented signs shall not project more than 3 feet from the building *facade*.
- c. Size: Shall not exceed an area of 2 square feet per each 10 lineal feet of applicable building *frontage*.
- d. Height: Shall not extend above the building parapet, soffit, the eave line or the roof of the building, except for theaters.

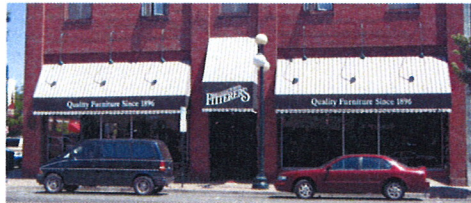


**Figure 51:** Acceptable projecting sign.

**G.1.5 Marquee or Awning Signs**

*Marquee* or *awning signs* may be used in place of permitted *wall signs*, provided they meet the following conditions:

- a. Maximum size. Signs shall not exceed 2 feet in height and extend no more than 2/3 of the width of the applicable *storefront* or awning.
- b. Location. *Marquee* signs may be placed on the front, above, or below the *marquee/canopy*.
- c. Clearance. Signs shall be placed a minimum of 8 feet above the sidewalk or walkway.



**Figure 52:** Acceptable awning sign.

**G.1.6 Blade/Bracket Signs**

*Blade/bracket signs* meeting the following conditions are allowed for commercial uses:

- a. Projection: Blade signs may project up to 3 feet. Bracket signs shall have 1-foot minimum between the sign and the outer edge of the *marquee*, awning, or canopy and between the sign and the building *facade*.

- b. Clearance: *Blade/bracket signs* shall maintain a minimum clearance of 8 feet between the walkway and the bottom of the sign.
- c. Dimensions: Blade signs shall not exceed 6 square feet in area. Bracket signs shall not exceed 2 feet in height.
- d. Mounting: Blade signs must avoid covering or modifying windows or other architectural feature.

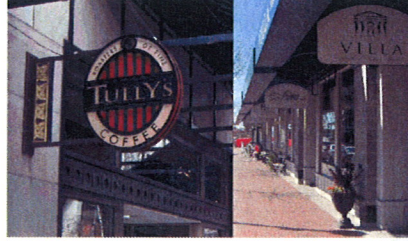


Figure 53: Blade and bracket sign examples

**G.1.7 Window Signs**

Window signs meeting the following conditions are allowed for commercial uses:

- a. Maximum size: Permanent and temporary window signs are limited to a maximum of 25% of the window area. Every effort should be made to integrate window signs with window display.
- b. Materials: Window signs constructed of neon, stained glass, gold leaf, cut vinyl, and etched glass are allowed. Painted signs shall display the highest level of quality and permanence as determined by the *Director*.
- c. An internally lit neon or stained glass window sign is allowed.

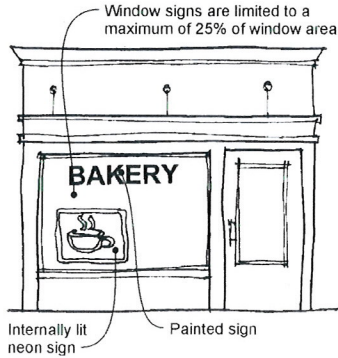


Figure 54: Window sign standards

**G.1.8 Prohibited Signs**

Prohibited signs include:

- a. Pole-mounted signs.
- b. Signs employing video footage
- c. Signs employing moving or flashing lights.
- d. Signs employing exposed electrical conduits.
- e. Visible ballast boxes or other equipment.
- f. Changeable letter signage (permanent and temporary), except for theaters and other uses designed for public assembly.
- g. Roof-mounted signs.
- h. A-frame signs.



Figure 55: A-frame signs are prohibited.

## H. LIGHTING

### H.1 Site Lighting

#### INTENT:

- ♦ To encourage the use of lighting as an integral design component to enhance buildings, *landscaping*, or other site features.
- ♦ To increase night sky visibility and to reduce the general illumination of the sky.
- ♦ To reduce horizontal light glare and vertical light trespass from a development onto adjacent parcels and natural features.
- ♦ To use lighting in conjunction with other security methods to increase site safety.
- ♦ To prevent the use of lighting for advertising purposes.

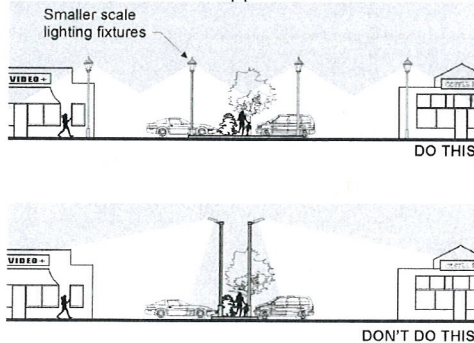
#### GUIDELINES:

##### H.1.1 Site Lighting Levels

- a. All publicly accessible areas shall be lighted with average minimum and maximum levels as follows:
  - (1) Minimum (for low or non-pedestrian and vehicular traffic areas) of 0.5 foot candles;
  - (2) Moderate (for moderate or high volume pedestrian areas) of 1-2 foot candles; and
  - (3) Maximum (for high volume pedestrian areas and building entries) of 4 foot candles.
- b. Lighting shall be provided at consistent levels, with gradual transitions between maximum and minimum levels of lighting and between lit areas and unlit areas. Highly contrasting pools of light and dark areas shall be avoided.

##### H.1.2 Light Quality and Shielding

- a. Parking lot lighting fixtures shall be full cut-off, dark sky rated and mounted no more than 25 feet above the ground, with lower fixtures preferable so as to maintain a *human scale*. Requests for higher lighting fixtures may be considered with the approval of the *Director*.



**Figure 56:** Acceptable and unacceptable parking lot lighting

- b. All fixtures over 15 feet in height shall be fitted with a full cut-off shield.



- c. Pedestrian-scaled lighting (light fixtures no taller than 15 feet) is encouraged in areas of pedestrian activity. Lighting shall enable pedestrians to identify a face 45 feet away in order to promote safety.
- d. Lighting should not be permitted to trespass onto adjacent private parcels nor shall light source (luminaire) be visible at the property line. All building lights shall be directed onto the building itself and/or the ground immediately adjacent to it. The light emissions shall not be visible above the roofline of the building.

## I. BNSF FENCING AND LANDSCAPING

### I.1 BNSF Railway Fencing

#### INTENT:

- To provide a protective barrier between the BNSF Railroad and development with the 88th Street Master Plan area in order to discourage unsafe pedestrian crossing of the railroad.
- Provide decorative and a protective *landscaping* barrier along the BNSF Railroad.

#### GUIDELINES:

##### I.1.1 Fence Standard

- a. A six (6) foot high chain link fence shall be provided along the entire edge of the BNSF Railway right-of-way.
- b. Chain link fencing shall be designed per the Marysville Engineering Design and Development Standards (EDDS) Standard Plan 3-501-007.

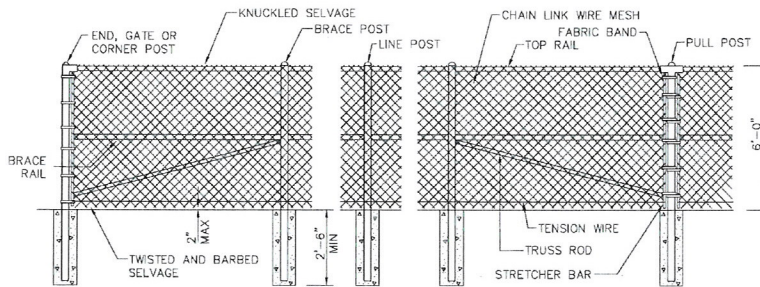


Figure 57:  
Chain Link Fence

- (1) Material shall be schedule 40;
- (2) Wire Mesh shall be 9 gauge wire;
- (3) Schedule 40 is required for all posts;
- (4) Tension wire shall be 7 gauge;
- (5) All chain link fence shall be black vinyl or powder coated.

### I.1.1 Landscaping Standard

- a. A protective *landscaping* hedge shall be planted within a five (5) foot *landscaping* buffer along the west portion of the fence between the MPA and BNSF right-of-way.
- b. *Landscaping* shall consist of decorative thorny hedge grown to a height of 6 feet. Alternative species and *landscaping* combinations may be substituted, if approved by the *Director*.
  - (1) Hawthorne (*Crataegus*);
  - (2) Holly (*Ilex*);
  - (3) Berberis (*Berberis Caldidula*);
  - (4) Mahonia (*Bealii*);
  - (5) Pyrocanthus;
  - (6) Rambling Rose;
  - (7) Berberis Hariequin.

## J. DEFINITIONS

### J.1 Undefined Words and Phrases

The definition of any word or phrase not listed in the definitions which are in question when administering this plan shall be defined by the *Director* from one of the following sources. The sources shall be utilized by finding the desired definition from source number one, but if it is not available there, then source number two may be used and so on. The sources are as follows:

- a. Any City of Marysville resolution, ordinance, code, or regulation.
- b. Any statute or regulation of the State of Washington.
- c. Legal definitions from Washington common law or a law dictionary.
- d. The common dictionary.
- e. *A Planners Dictionary* published by the American Planning Association.

### J.2 Defined Terms

**A-frame sign.** A portable sign capable of standing without support or attachment.

**Access Street.** A private street that is independent of parking lot circulation and connects public rights-of-way or provides primary access to and within a site.

**Architectural scale.** The perceived relative height and bulk of a building relative to that of neighboring buildings. A building's apparent height and bulk may be reduced by modulating façades.

**Articulation.** *Articulation* is the giving of emphasis to architectural elements (like windows, balconies, entries, etc.) that create a complementary pattern or rhythm dividing large buildings into smaller identifiable pieces.

**Artwork.** A device, element, or feature whose primary purpose is to express, enhance, or illustrate aesthetic quality, feeling, physical entity, idea, local condition,

historical or mythical happening, or cultural or social value. Examples of *artwork* include sculpture, *bas-relief* sculpture, mural, or unique specially crafted lighting, furniture, pavement, *landscaping*, or architectural treatment that is intended primarily, but not necessarily exclusively, for aesthetic purpose. Signs, upon approval by the *Director*, may be considered *artwork* provided they exhibit an exceptionally high level of craftsmanship, special material, or construction, and include decorative devices or design elements that are not necessary to convey information about the business or product. Signs that are primarily names or logos are not considered *artwork*.

**Awning sign.** A sign incorporated into or attached to an awning.

**Balcony.** An outdoor space built as an above-ground platform projecting from the wall of a building and enclosed by a parapet or railing.

**Bas-relief.** A sculptural carving, embossing, or casting that projects very little from the background.

**Bay Window.** A window that protrudes from the main exterior wall. Typically, the bay contains a surface which lies parallel to the exterior wall, and two surfaces which extend perpendicularly or diagonally out from the exterior wall. To qualify as a bay, the bay must contain a window pane which extends at least 60 percent of the length and 35 percent of the height of the surface of the bay which lies parallel to the exterior wall. There need not be windows in the surface which extend out from the exterior wall.

**Blade/bracket signs.** A small, pedestrian-oriented sign that projects perpendicular from a structure (*blade sign*) or is hung beneath a awning, canopy, or *marquee* (*bracket sign*).

**Blank walls.** A wall (including building *facades* and other exterior building walls and retaining walls) is considered a *blank wall* if:

- A ground floor wall or portion of a ground floor wall over 4 feet in height has a horizontal length greater than 15 feet and does not include a transparent window or door; or
- Any portion of a ground floor wall having a surface area of 400 square feet or greater does not include a transparent window or door.

**Courtyard.** A landscaped space enclosed on at least three sides by a single structure.

**Deck.** A roofless outdoor space built as an above-ground platform projecting from the wall of a building and connected to the ground by structural supports.

**Director.** The Community Development Director or designee.

**Facade.** The entire building front or street wall face of a building extending from the grade of the building to the top of the parapet or eaves and the entire width of the building elevation.

**Frontage.** As used in the code, *frontage* refers to the length of a property line along a street.

**Human scale.** The perceived size of a building relative to a human being. A building is considered to have "good" human scale if there is an expression of human activity or use that indicates the building's size. For example, traditionally sized doors, windows, and balconies are elements that respond to the size of the human body, so these elements in a building indicate a building's overall size.



**Landscaping.** An area is considered to be landscaped if it is:

- Planted with vegetation in the form of hardy trees, shrubs, or grass or evergreen ground cover maintained in good condition.
- Occupied by sculptures, fountains or pools, benches, or other outdoor furnishings.
- Occupied by such recreational facilities as playground equipment, swimming pools, game courts, etc.

**Marquee.** A permanent structure attached to, supported by, and projecting from a building and providing protection from the weather elements, but which does not include a projecting roof. For purposes of these standards, a free-standing, permanent, roof-like structure providing protection from the elements, such as a service station gas pump island, shall also be considered a *marquee*. The definition also includes an awning and a canopy.

**Marquee sign.** A sign incorporated into or attached to a *marquee*.

**Modulation.** A stepping back or projecting forward of portions of a building *façade* within specified intervals of building width and depth, as a means of lessening the apparent bulk of a structure's continuous exterior walls.

**Pedestrian-Oriented Building Façades.** Ground floor façades which employ at least one of the following characteristics:

- Transparent window areas or window displays along at least 75 percent of the ground floor façade. The window area must cover the area between 2 feet and 8 feet above the sidewalk or walkway surface.
- A combination of sculptural, mosaic, or *bas-relief artwork*, and transparent window areas or window displays (as described above) over at least 75 percent of the ground floor *façade*.

**Pedestrian-Oriented Space.** An area between a building and a street, access road, or along a pedestrian path which promotes visual and pedestrian access onto the site and which provides pedestrian-oriented amenities and landscaping to enhance the public's use of the space for passive activities such as resting, reading, picnicking, etc. To qualify as a *pedestrian-oriented space*, an area must have:

- Visual and pedestrian access (including handicapped access) into the site from a street or public area.
- Paved walking surfaces of either concrete or approved unit paving.
- On-site or building-mounted lighting (fixtures no taller than 15 feet) providing at least 4 foot candles (average) on the ground.
- Spaces must be positioned in areas with significant pedestrian traffic to provide interest and security, such as adjacent to a building entry.
- Landscaping components that add visual interest and do not act as a visual barrier. This could include planting beds, potted plants, or both.
- Pedestrian amenities, such as a water feature, site furniture, artwork, drinking fountains, kiosks, etc.
- At least 2 feet of seating area (a bench or ledge at least 16 inches deep and appropriate seating height) or one individual seat per 60 square feet of plaza area or open space.
- Adjacent buildings with transparent window and/or doors covering 75 percent of the façade between 2 feet and 8 feet above the ground level.

A *pedestrian-oriented space* shall not have:

- Asphalt or gravel pavement.
- Adjacent non-buffered parking lots or service areas.
- Adjacent chain-link fences.
- Adjacent "blank walls" without "blank wall treatment."
- Outdoor storage or retail sales that do not contribute to the pedestrian-oriented environment.

The Director may consider minor departures from the above requirements if the intent is met.

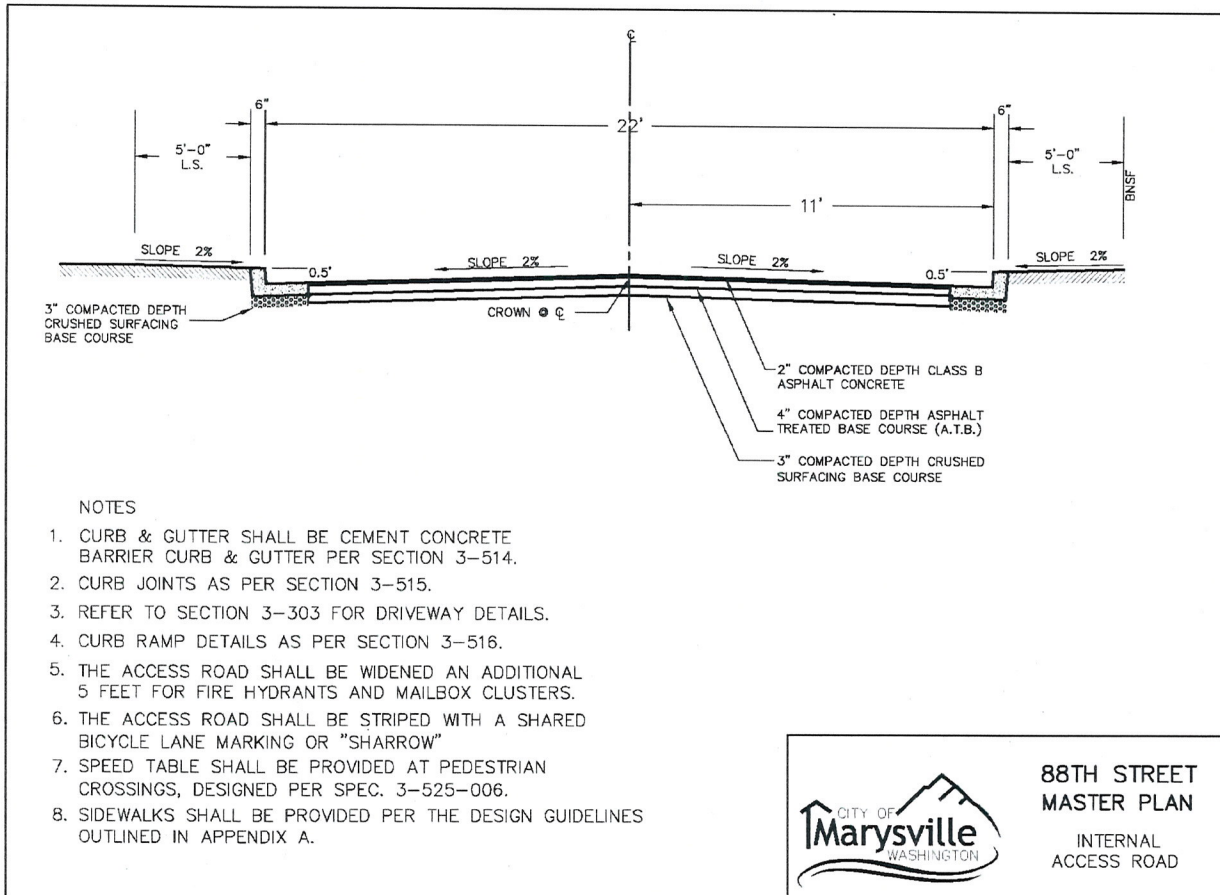
**Pedestrian-Oriented Use (or Business).** A commercial enterprise whose customers commonly arrive by foot; or whose signage, advertising, window display, and entryways are oriented toward pedestrian traffic. Pedestrian-oriented businesses may include restaurants, retail shops, personal service businesses, travel services, banks (except drive-through windows), and similar establishments.

**Projecting sign.** A sign attached to a building face and projecting away from that wall more than 12 inches.

**Storefront.** The front side of a store facing the street and including windows.

**Streetscape.** The streetscape is the visual character of a street as determined by various elements such as structures, greenery, open space, views, etc.

**Wall sign.** A sign mounted flat against the wall of a building.



Appendix B: Private Access Road Design Standard