

**SULTAN CITY COUNCIL
AGENDA ITEM COVER SHEET**

ITEM NO: A -8
DATE: December 13, 2007
SUBJECT: Resolution No. 07-34 Road Alignment Clarification
CONTACT PERSON: Deborah Knight, City Administrator *D. Knight*

ISSUE:

The issue before the City Council is a discussion of a Resolution No. 07-34 clarifying the City Council's desire to provide that no part of the property located at 33021 Cascade View Drive, owned by Snohomish County Fire District Five, will be used for roadway purposes without the consent and approval of the Fire District.

STAFF RECOMMENDATION:

Approve Resolution No. 07-34 (Attachment A) clarifying the City Council's desire to provide that no part of the property located at 33021 Cascade View Drive, owned by Snohomish County Fire District Five, will be used for roadway purposes without the consent and approval of the Fire District.

PLANNING BOARD RECOMMENDATION:

The Planning Board discussed this issue at its December 4, 2007 and recommends that the City Council adopt a resolution that T-35 (Cascade View Drive Realignment) and NM-1 (Cascade View Drive Trail) be removed from the Snohomish County Fire District 5 property located at 33021 Cascade View Drive as shown in the 2004 Comprehensive Plan as recommended by the Fire District in its June 27, 2007 letter to the City Council.

SUMMARY:

On August 9, 2007, the City Council passed Resolution 07-14 adopting the six-year Transportation Improvement Plan for the Years 2008-2013 (Attachment B) with the following project description for T-35, "Reconstruct Cascade View Drive to collector arterial intersection with signal at US 2, provided any new roadway alignment will not bisect Sno Co Fire District 5 property".

On September 10, 2007, Snohomish County Fire District 5 sent a letter to the City (Attachment C) stating that the word "bisect" used in the description of T-35 could be interpreted to mean that although no roads would be placed on the property in such a way as to leave property on either side of the road, that there would be no prohibition against taking a large swath of property out of the east end of the Fire District Property.

In that same letter, Snohomish County Fire District 5 requested that the City make a change to the Transportation Improvement Plan to provide that no part of the District property would be used for roadway purposes without the consent and approval of the Fire District.

The City responded with a letter dated September 14, 2007 (Attachment D). The letter was written to "clarify and make clear that the City plans no road extension off of Highway 2 that would affect the Fire District's property in any fashion, whether by bisecting the property or taking any portion of the property."

At the November 15, 2007 City Council meeting, Fire Commissioner Steven Fox made two requests to the City Council during public comment; 1) asking for all plans to be revised so that they don't put roads through the Fire Department property; and 2) a document that the City Council approves that the road won't go through the property.

From the City's perspective, the current issue is a not a question of the City Council's intent and desire to amend the TIP to accommodate the Fire District's request, rather, it is a question of timing. The TIP and Capital Facilities Plan (CFP) have been found non-compliant under the Growth Management Act (GMA). The City is currently adopting a strategy to revise and adopt these documents consistent with the GMA. City staff estimate the tasks involved in this work will take 9-12 months to complete (Attachment E).

The concern is amending the TIP and corresponding documents outside of the nine to twelve month process to adopt a revised Capital Facilities Plan and other Comprehensive Plan Elements compliant with the Growth Management Act. The City has tried unsuccessfully in the past to adopt a TIP and Capital Facilities Plan outside of the larger update to the Comprehensive Plan. Each attempt to move forward with an independent action has been appealed to the Growth Management Hearings Board.

BACKGROUND:

On June 27, 2007 the Fire District sent a letter to the City requesting that the projects shown as T-35 and NM-1 be removed from the District's property and returned to the road alignment shown in the 2004 Comprehensive Plan prior to submittal to the Growth Management Hearings Board (Attachment F).

The City of Sultan conducted public hearings on the six-year Transportation Improvement Plan (TIP) for the Years 2008-2013 on July 17, 2007 and July 26, 2007, and July 31, 2007 as required by RCW 35.77.010.

On July 26, 2007, the City Council held a public hearing on the six-year Transportation Improvement Plan for the Years 2008-2013 and Fire District Commissioner Steve Fox provided a letter for the public record expressing the Fire District's concern over the proposed roadway through the District's property.

On July 31, 2007 the Planning Board made a motion stating its intent to not have a roadway through the Fire District's property at 33021 Cascade View Drive and recommend the same to the City Council (Attachment G).

On August 9, 2007, the City Council passed Resolution 07-14 adopting the six-year Transportation Improvement Plan for the Years 2008-2013 with the following project description for T-35, "Reconstruct Cascade View Drive to collector arterial intersection with signal at US 2, provided any new roadway alignment will not bisect Sno Co Fire District 5 property".

The Central Puget Sound Growth Management Hearings Board found the TIP in continuing noncompliance and established December 31, 2007 as the deadline for appropriate legislative action.

The City of Sultan is currently adopting a strategy to revise and adopt the TIP and other elements of the Comprehensive Plan consistent with the Growth Management Act.

Amending the TIP and corresponding documents to adopt a revised Comprehensive Plan compliant with the Growth Management Act is expected to take nine to twelve months to complete.

It is the sense and direction of the City Council to provide that no part of the Snohomish County Fire District 5 property located at 33021 Cascade View Drive would be used for roadway or trail purposes without the consent and approval of the Fire District.

Any future changes to the TIP will be adopted following the public participation process as required by City ordinance and the Growth Management Act.

ALTERNATIVES:

After speaking with the City's legal counsel there are several options to potentially address the Fire District's request in its September 10, 2007 letter that "the City make a change to the Transportation Improvement plan to provide that no part of the District property would be used for roadway purposes without the consent and approval of the Fire District":

1. Change the Transportation Improvement Plan to provide that no part of the Fire District property would be used for roadway purposes without the consent and approval of the Fire District as proposed by the Fire District in its September 10, 2007 letter and immediately amend (through Council action) the TIP and corresponding documents including the Transportation Element of the Comprehensive Plan, six-year Capital Improvement Plan (CIP), and the 20-year Capital Facilities Plan (CFP).

Pros

Immediately addresses the Fire District's concerns by removing the road (T-35) and trail (NM-1) through the District's property and returning the road to the alignment shown in the 2004 Comprehensive Plan prior to submittal to the Growth Management Hearings Board as requested in the District's June 27, 2007 letter (Attachment F).

Cons

The City would amend and adopt a TIP that is not compliant with the Growth Management Act as determined by the Central Puget Sound Growth Management Hearings Board in Fallgatter VIII and Fallgatter IX. The City could be appealed to the Growth Management Hearings Board. The City could choose to either address the appeal or not respond. The Board could find this action disregards its direction to the City in Fallgatter VIII and Fallgatter IX. Sanctions to the Governor could be considered.

2. Do not change the Transportation Improvement Plan to provide that no part of the District's property would be used for roadway purposes without the consent and approval of the Fire District and do not amend the TIP and corresponding documents.

Pros

The City would complete its process to update the TIP and corresponding documents consistent with a meaningful compliance schedule. Amending the TIP consistent with the Fire District's request would happen in mid-2008 during the public comment period prior to the City adopting a compliant comprehensive plan.

Cons

This does not immediately address Fire Commissioner Steve Fox's November 15, 2007 request to the City Council during public comment to: 1) revise all plans so that they don't put roads through the Fire Department property; and 2) adopting a document that the City Council approves that the road won't go through the property.

The Fire District Commissioners may continue to raise concerns regarding the comprehensive plan and the City's ability to effectively manage its long-range planning processes.

3. Adopt a Resolution by Council action that T-35 (Cascade View Drive Realignment) and NM-1 (Cascade View Drive Trail) be removed from the Snohomish County Fire District 5 property located at 33021 Cascade View Drive and returned to the road alignment as shown in the 2004 Comprehensive Plan as recommended by the Fire District in its June 27, 2007 letter to the City Council.

Amend the TIP at the appropriate time following the public participation process as required under the Growth Management Act.

Pros

This alternative goes further than a letter stating the Council's intent but doesn't actually go as far as adopting a revised TIP. The resolution would be published triggering a 60 day appeal period.

The City would then complete its process to update the TIP and corresponding documents consistent with a meaningful compliance schedule. Amending the TIP would happen in mid-2008 with the appropriate public participation process in conjunction with adopting a compliant comprehensive plan.

Cons

This does not immediately address the Fire District's concerns to revise all plans so they don't put roads through the Fire Department property. The Fire District Commissioners may continue to raise concerns regarding T-35 and NM-1.

FISCAL IMPACT:

If the City Council chose to select an alternative that is appealed, the fiscal impact would be the legal costs of defending an appeal (approximately \$4,000 to \$8,000).

RECOMMENDED ACTION:

APPROVE RESOLUTION NO. 07-34 CLARIFYING THE CITY COUNCIL'S DESIRE TO PROVIDE THAT NO PART OF THE PROPERTY LOCATED AT 33021 CASCADE VIEW DRIVE, OWNED BY SNOHOMISH COUNTY FIRE DISTRICT FIVE, WILL BE USED FOR ROADWAY PURPOSES WITHOUT THE CONSENT AND APPROVAL OF THE FIRE DISTRICT.

ATTACHMENTS:

- A – Resolution No. 07-34
- B – Resolution 07-14 TIP for the Years 2008-2013
- C – Snohomish County Fire District letter dated September 10, 2007
- D – City of Sultan response letter dated September 14, 2007
- E - Proposed Comprehensive Plan Compliance Schedule
- F – Snohomish County Fire District letter dated June 27, 2007
- G - Planning Board Minutes dated July 31, 2007

**CITY OF SULTAN
RESOLUTION NO. 07-34**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SULTAN CLARIFYING THE CITY COUNCIL'S DESIRE TO PROVIDE THAT NO PART OF THE PROPERTY LOCATED AT 33021 CASCADE VIEW DRIVE, OWNED BY SNOHOMISH COUNTY FIRE DISTRICT FIVE, WILL BE USED FOR ROADWAY PURPOSES WITHOUT THE CONSENT AND APPROVAL OF THE FIRE DISTRICT

Whereas, Snohomish County Fire District #5 (Fire District) requested via a letter dated June 27, 2007 removing projects T-35 and NM-1 through the District's property and returning the road alignment as shown in the 2004 Comprehensive Plan submitted to the Growth Management Hearing's Board; and

Whereas, the City of Sultan conducted public hearings on the six-year Transportation Improvement Plan (TIP) for the Years 2008-2013 on July 17, 2007 and July 26, 2007, and July 31, 2007 as required by RCW 35.77.010; and

Whereas, on July 26, 2007, the City Council held a public hearing on the six-year Transportation Improvement Plan for the Years 2008-2013 and Fire District Commissioner Steve Fox provided a letter for the public record expressing the Fire District's concern over the proposed roadway through the District's property; and

Whereas, on July 31, 2007 the Planning Board made a motion stating its intent to not have a roadway through the Fire District's property at 33021 Cascade View Drive and recommend the same to the City Council; and

Whereas, on August 9, 2007, the City Council passed Resolution 07-14 adopting the six-year Transportation Improvement Plan for the Years 2008-2013 with the following project description for T-35, "Reconstruct Cascade View Drive to collector arterial intersection with signal at US 2, provided any new roadway alignment will not bisect Sno Co Fire District 5 property"; and

Whereas, on September 10, 2007, Snohomish County Fire District 5 sent a letter to the City stating that the word "bisect" used in the description of T-35 could be interpreted to mean that although no roads would be placed on the property in such a way as to leave property on either side of the road, that there would be no prohibition against taking a large swath of property out of the east end of the Fire District Property and;

Whereas, in that same letter, Snohomish County Fire District 5 requested that the City make a change to the Transportation Improvement Plan to provide that no part of the District property would be used for roadway purposes without the consent and approval of the Fire District; and

Whereas, the Central Puget Sound Growth Management Hearings Board found the TIP in continuing noncompliance and established December 31, 2007 as the deadline for appropriate legislative action; and

Whereas, the City of Sultan is currently adopting a strategy to revise and adopt these documents consistent with the Growth Management Act; and

Whereas, amending the TIP and corresponding documents to adopt a revised Comprehensive Plan compliant with the Growth Management Act is expected to take nine to twelve months to complete; and

Whereas, it is the sense and direction of the City Council to provide that no part of the Snohomish County Fire District 5 property located at 33021 Cascade View Drive would be used for roadway or trail purposes without the consent and approval of the Fire District and;

Whereas, any future changes to the TIP will be adopted following the public participation process as required by City ordinance and the Growth Management Act;

NOW, THEREFORE, the City Council of the City of Sultan, Washington hereby resolves and clarifies its desire as follows:

Section 1. That T-35 (Cascade View Drive Realignment) and NM-1 (Cascade View Drive Trail) be removed from the Snohomish County Fire District 5 property located at 33021 Cascade View Drive and returned to the road alignment as shown in the 2004 Comprehensive Plan, at such time as the City amends the TIP consistent with the Growth Management Act and prior to submittal to the Growth Management Hearings Board, as recommended by the Fire District in its June 27, 2007 letter to the City Council and that said project neither bisect nor take nor use any portion of the Fire District's property.

Section 2. This resolution shall become effective five days after publication.

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

CITY OF SULTAN

By _____
BEN TOLSON, Mayor

ATTEST:

By _____
LAURA KOENIG, City Clerk

Approved as to form:

By _____
THOM H. GRAAFSTRA, City Attorney

Date of Publication: _____

RESOLUTION NO. 07-14

A RESOLUTION OF THE SULTAN CITY COUNCIL ADOPTING A SIX-YEAR TRANSPORTATION IMPROVEMENT PROGRAM FOR THE YEARS 2008-2013 AND DIRECTING THE SAME TO BE FILED WITH THE STATE SECRETARY OF TRANSPORTATION AND THE TRANSPORTATION IMPROVEMENT BOARD.

WHEREAS, the growth of the region in housing and employment has created increasing demands and needs for a reliable transportation system; and

WHEREAS, Sultan is committed to short and long range planning to protect, preserve and enhance its roadways; and

WHEREAS, The City Council has reviewed the work accomplished to the Transportation Plan, determined current and future City street and arterial needs and based upon these findings, has prepared a Six-Year Transportation Improvement Program for the ensuing six (6) calendar years; and

WHEREAS, the Six-Year Transportation Improvement Program is based on the City's adopted 20-Year Transportation Element of the City's Facilities Plan and

WHEREAS, the Transportation Improvement Program has been updated for 2008-2013 in accordance with the State requirements and is consistent with the City's Capital Facility and Transportation elements of the City's GMA Comprehensive Plan; and

WHEREAS, the Six-Year Transportation Improvement Program is critical for identifying funding needs for both the City and the State; and

WHEREAS, the City expects to construct all projects contained within the Six-Year Transportation Improvement Program provided that funding can be secured;

WHEREAS, public hearings have been held on the Six-Year Transportation Improvement Program as required by RCW 35.77.010 as follows:

July 13, 2007 and July 23, 2007 for Plan B

July 23, 2007 for Council

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SULTAN, WASHINGTON HEREBY RESOLVES AS FOLLOWS:

Section 1 - Six-Year Transportation Improvement Program Adopted

The Six-Year Transportation Improvement Program for the City of Sultan, as revised and extended for the ensuing six (6) calendar years (2008-2013), a copy of which is attached hereto as Exhibit A and which Program sets forth the project location, type of improvement and the estimated 2007 cost thereof is hereby adopted and approved.

City approval of the Six-Year Transportation Improvement Program is subject to annual prioritization and City appropriation of funds.

Section 2

The City of Sultan shall give priority to transportation projects which address concurrency requirements under the State Growth Management Act. City goals to meet State concurrency requirements may be jeopardized by inconsistent availability of State and regional funding.

Section 3 – Filing of Six-Year Transportation Improvement Program

Pursuant to Chapter 35.77 RCW, within 30 days of the adoption of this resolution, the City Clerk is hereby authorized and directed to file certified copies of Resolution No. 07-14 together with Exhibit A attached hereto, with the Secretary of Transportation and the Transportation Improvement Board for the State of Washington. Notice of this legislative enactment will be given to the Central Puget Sound Growth Management Hearings board in accordance with existing order(s) of that Board.

REGULARLY ADOPTED by the City Council this ____ day of _____, 2007

City of Sultan

Ben Tolson, Mayor

ATTEST:

Laura J. Koenig, City Clerk/Treasurer



Six Year Transportation Improvement Program

From **2008** to **2013**

Agency: Sultan

Co. No.: 31 Co. Name: Snohomish Co.

City No.: 1255 MPO/RTPO: PSRC

Hearing Date: _____ Adoption Date: _____

Amend Date: _____ Resolution No.: _____

Functional Class	Priority Number	Project Identification		Improvement Type(s)	Status	Total Length	Utility Codes	Project Costs in Thousands of Dollars						Expenditure Schedule (Local Agency)				Federally Funded Projects Only						
								Phase Start (mm/dd/yyyy)	Fund Source Information			Total Funds	1st	2nd	3rd	4th Thru 6th	Envr. Type	R/W Required Date (MM/YY)						
									Federal Fund Code	Federal Fund Code	State Fund Code													
09	2	A. Federal Aid No. B. Bridge No.	C. Project Title	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	CE	NA	
		Date Avenue Phase II - First Street to Third Street		07	S	.25	W	PE CN	8-1-2007	CDBG CDBG	120				120									
		from: _____ to: _____ Ties in with W- _____						Totals			120				120									
06		Sultan Basin Road - widening/overlay		05 12 07	S	.75	W								250								CE	NA
		Sultan Basin Road													250									
		from: _____ to: _____ Widen SBR from US 2 to Timber Ridge						Totals			250				250									
09		2nd Street Reconstruction/Overlay - Main St to Cedar Avenue		07	S	.25	G W	ALL		CDBG	25				25								CE	NA
		from: Main Street to: Cedar Avenue Reconstruct 2nd Street to urban standards						Totals			25				25									
00		Railroad Crossing Improvements - Foundry Drive		06 12	S	.01	P	PE CN	9-1-2008	BNSF RR	20000		20000		40000								CE	NA
		from: _____ to: _____ Reconstruct the Foundry Drive crossing with the BNSF Rail line within the ED zone - Partnership, BNSF/City Developer						Totals			20000		20000		40000									
								Totals			20000		20000		40000									

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Washington State Department of Transportation

Six Year Transportation Improvement Program
From 2006 to 2011

Agency: Sultan
 Co. No.: 31 Co. Name: Snohomish Co.
 City No.: 1255 MPO/RTPO: PSRC
 Hearing Date: Adoption Date:
 Amend Date: Resolution No.:

Functional Class	Priority Number	Project Identification A. Federal Aid No. B. Bridge No. C. Project Title D. Street/Road Name or Number E. Beginning MP or road - Ending MP or road F. Describe Work to be Done	Improvement Type(s)	Status	Total Length	Utility Codes	Project Costs in Thousands of Dollars							Expenditure Schedule (Local Agency)				Federally Funded Projects Only					
							Phase Start (mm/dd/yyyy)	Federal Funding			State Fund Code				Total Funds	1st	2nd	3rd	4th Thru 6th	Envt. Type	RAW Required Date (MM/YY)		
								Federal Fund Code	Federal Cost by Phase	State Fund Code	State Funds	Local Funds											
02	2	US 2/Rice Road Intersection from: Signalize existing intersection of US 2 at Rice Road (339th) to:	05 12	P	.01	G P W T	8	9	10	11	12	13	14	15	16	17	18	19	20	21	EA	1-1-09	
00		Pine Street Extension from: Extend Phd Street east to Walbrun to provide east west access from Sultan Basin Road to downtown Sultan. Emergency Evacuation Route. to:	32	P	.05		Totals						1250	1250	1250							EIS	1-1-11
08		Cascade View Drive Realignment from: Reconstruct Cascade View Drive to collector arterial intersection with signal at US 2, provided any new roadway alignment will not be sect Sno Co Fire Chief's L.P. Dist. to: Walbrun Road Re-Routing	01 02 12 06	S	.02		Totals	PE PE PE ON	1-1-2013				124	500	500							EIS	12-1-12
09		Walbrun Road Re-Routing from: 11th Street to: Sultan Basin Road Re-design the road to remove access from US 2 recouting access to Sultan Basin Road north of Wagfey Creek.	02 12	P	.2	C W T P G	Totals	ALL	6-1-2012				500	1	1							EIS	6-1-12
Totals							ALL	3-15-2011					124	124	124								

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Washington State Department of Transportation

Six Year Transportation Improvement Program

Agency: Sultan

Co. No.: 31 Co. Name: Snohomish Co.

City No.: 1255 MPO/RTPO: PSRC

Hearing Date: _____ Adoption Date: _____

Amend Date: _____ Resolution No.: _____

From 2006 to 2011

Functional Class	Priority Number	Project Identification		Improvement Type(s)	Status	Total Length	Utility Codes	Project Costs in Thousands of Dollars					Expenditure Schedule (Local Agency)				Federally Funded Projects Only							
		A. Federal Aid No.	B. Bridge No.					Phase Start (mm/dd/yyyy)	Fund Source Information		State Fund Code	Local Funds	Total Funds	1st	2nd	3rd	4th Thru 6th	Envir. Type	R/W Required Date (MM/YY)					
		C. Project Title	D. Street/Road Name or Number						Federal Fund Code	Federal Cost by Phase										State Funds				
1	2		3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21			
02		US 2 downtown limited access from: 3RD to: MAIN Focus access to US 2 on 3rd, 6th, 8th and Main Street to reduce congestion. US 2 RDP.		05 07 12	P	.5	C G O P T W	PE CN						4	4						EIS		1-1-13	
02		New 330th Ave Arterial from: US 2 to: 124th Construct new north-south arterial from US 2 through the Industrial Park north to 124th St SE.		01	P	1.0	C G O P T W	Totals PE CN	1-15-10	15	2500	2500	2500	2500	2500						EIS		12-15-14	
07		1st Street Reconstruction from: High Ave to: Trout Farm Road Reconstruct First Street to collector arterial standard from High Avenue to Trout Farm Road. Project will be coordinated with water, sewer and stormwater districts.		03 06	P	.5	C G O P T W	Totals ALL						2500	2500						CE		1-1-14	
08		138th St Extension from: Dogwood Court to: Rice Road Reconstruct and extend 138th Street between Sultan Basin Road and Rice Road.			P	.5	C G O P T W	Totals ALL						2500	2500	3							1-1-14	
Totals														3	3									

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Washington State Department of Transportation

Six Year Transportation Improvement Program

From 2006 to 2011

Agency: Sultan

Co. No.: 31 Co. Name: Snohomish Co.

Hearing Date:

Amend Date:

City No.: 1255 MPO/RTPO: PSRC

Adoption Date:

Resolution No.:

Functional Class	Priority Number	Project Identification A. Federal Aid No. B. Bridge No. C. Project Title D. Street/Road Name or Number E. Beginning MP or road - Ending MP or road F. Describe Work to be Done	Improvement Type(s)	Status	Total Length	Utility Codes	Project Costs in Thousands of Dollars						Expenditure Schedule (Local Agency)				Federally Funded Projects Only							
							Phase Start (mm/dd/yyyy)	Fund Source Information			Total Funds	1st	2nd	3rd	4th Thru 6th	Envir. Type	RW Required Date (MM/YY)							
								Federal Fund Code	Federal Cost by Phase	State Fund Code								State Funds	Local Funds					
07	2	3 Trout Farm Road Reconstruction from: 1st Reconstruct TFR to arterial standard from 1st Street north to 125th St SE. Proposed joint city/county project. to: 125th	03 02 04 12	P	1.0	C G O T P W	8	9	10	11	12	13	14	15	16	17	18	19	20	21	EA	1-1-14		
Totals							ALL	1-14-1014	9050	9050	15510	15510	1	1	1	1	1	1	1	1	1	EIS	1-1-17	
00		New North Industrial Park Collector from: Sultan Basin Road Provide east/west access and traffic collector through the Industrial Park from Rice Road to Sultan Basin Road. to: Rice Road	01 06 12 32	P	.25	C G O T W P	6-30-2014							15510	15510						EA			
Totals							ALL	10-1-1014	2720	2720	1	1	1	1	1	1	1	1	1	1	1	1	EA	1-1-14
09		Industrial Park Rail Spur from: 10TH Petition BNSF and contribute to construct a rail spur access to the Industrial Park. to: Foundry Drive	01 32	S	.25	C G O P T W	10-1-1014							2720	2720						EA			
Totals							ALL	10-1-1014	2720	2720	1	1	1	1	1	1	1	1	1	1	1	1	EA	

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Washington State Department of Transportation

Six Year Transportation Improvement Program
From 2006 to 2011

Agency: Sultan

Co. No.: 31 Co. Name: Snohomish Co.

City No.: 1255 MPO/RTPO: PSRC

Hearing Date: _____ Adoption Date: _____

Amend Date: _____ Resolution No.: _____

Functional Class	Priority Number	Project Identification A. Federal Aid No. B. Bridge No. C. Project Title D. Street/Road Name or Number E. Beginning MP or road - Ending MP or road F. Describe Work to be Done	Improvement Type(s)	Status	Total Length	Utility Codes	Project Costs in Thousands of Dollars						Expenditure Schedule (Local Agency)				Federally Funded Projects Only						
							Phase Start (mm/dd/yyyy)	Federal Funding		State Fund Code	State Funds	Local Funds	Total Funds	1st	2nd	3rd	4th Thru 6th	Envir. Type	R/W Required Date (MM/YY)				
								Federal Fund Code	Federal Cost by Phase														
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21			
06		Rice Road (338th Avenue) Reconstruction from: Sultan Startup Rd to: 132nd Reconstruct Rice Road from Sultan/Startup Road north to 132nd Street SE to arterial standard with curbs, gutter and sidewalks.	03 06 32	P			ALL						8350	8350						CE			6-30-15
07		Sultan Basin Road Sidewalk from: 140th Sidewalk connection between xxx and xxx. Constructed in conjunction with Sultan Basin Road widening in 2007.		S	.05		Totals	FE 6-1-2007					250	250						CE			
00		Light Guard Crossing signals at 3rd and High Avenue / 4th and from: Improve pedestrian safety.	12 32	S			Totals	PE 6-1-2007	CDBG	60			250	250						CE			NA
00		Sidewalk spot improvements from: Repair, replace and reconstruct missing sidewalks within the City.	12 32	P	.05		Totals	ALL 1-1-2008		60			40	40						CE			NA
							Totals						40	40									NA

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Washington State Department of Transportation

Six Year Transportation Improvement Program
From 2008 to 2013

Agency: Sultan

Co. No.: 31 Co. Name: Snohomish Co.

City No.: 1255 MPO/RTPO: PSRC

Hearing Date: 7/27/2006 Adoption Date:

Amend Date: Resolution No.:

Functional Class	Priority Number	Project Identification		Improvement Type(s)	Status	Total Length	Utility Codes	Project Costs in Thousands of Dollars				Expenditure Schedule (Local Agency)				Federally Funded Projects Only							
		A. Federal Aid No.	B. Bridge No.					Federal Fund Code	Federal Cost by Phase	State Fund Code	State Funds	Local Funds	Total Funds	1st	2nd	3rd	4th Thru 6th	Envir. Type	R/W Required Date (MM/YY)				
00	2	3		4	5	6	7		10	11	12	13	14	15	16	17	18	19	20	21			
		East Main Street Trail		12	P	.5							50								EIS		
		from: E. Main to: 330th / US2		32										50									
		Construct multipurpose trail from the east end of E. Main Street north to Cascade View Drive and 330th Avenue for non-motorized and emergency access.		12										350									
09		US 2 Multi-purpose trail		32	P	1.0								350							EIS	12-30-14	
		from: Construct multipurpose trail to provide non-motorized safety and connectivity as part of the US 2 RDP reconstruction/widening.		12										350									NA
00		Connector Trails		32	P	2.0								70									
		from: Sultan River to: Ilman Creek		12										70									
		Acquire land and develop property to provide non-motorized travel to and from residential, commercial, parks and natural areas.												70									
		from: Willow/Bryant Trail to: Acquire land and develop property to provide non-motorized travel to and from residential, commercial, parks and natural areas.		12										350									
00		Willow/Bryant Trail		32	P	1.0								400								EIS	1-1-2014
		from: Acquire land and develop property to provide non-motorized travel to and from residential, commercial, parks and natural areas.												400									
		Totals												400									
		Totals												350									

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Six Year Transportation Improvement Program

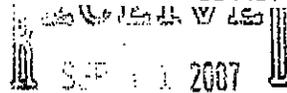
Agency: Sultan **From 2008 to 2013**

Co. No.: 31 Co. Name: Snohomish Co. Hearing Date: 7/27/2006 Adoption Date: _____

City No.: 1255 MPORTPO: PSRC Amend Date: _____ Resolution No.: _____

Functional Class	Priority Number	Project Identification						Improvement Type(s)	Status	Total Length	Utility Codes	Project Phase	Fund Source Information					Expenditure Schedule (Local Agency)				Federally Funded Projects Only					
		A. Federal Aid No.	B. Bridge No.	C. Project Title	D. Street/Road Name or Number	E. Beginning MP or road - Ending MP or road	F. Describe Work to be Done						Phase Start (mm/dd/yyyy)	Federal Fund Code	Federal Cost by Phase	State Fund Code	State Funds	Local Funds	Total Funds	1st	2nd	3rd	4th Thru 6th	Envir. Type	R/W Required Date (MM/YY)		
1	2	3					4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21			
00		High/Kessler/140th Trail					12	P	1.0		ALL	1-1-2016					390	390						EA		12-30-15	
from: Acquire land and develop property to provide non-motorized travel to and from residential, commercial, parks and natural areas.																											
to:																											
Grand Totals for Sultan												21537		20600		45622		87759		390		390					

B-10



LAW OFFICES OF
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RACHEL M. TALLON

Attachment C

September 10, 2007

Ms. Debra Knight
City Administrator
City of Sultan
PO Box 1199
Sultan, WA 98294

Re: Snohomish County Fire District #5

Dear Debra:

Thank you for taking my telephone call on September 10, 2007 and assisting in the resolution of the erroneous language contained in the Transportation Improvement Plan.

It is my understanding that there was testimony presented to the City Council and Planning Board by Snohomish County Fire District #5 stating their objections to any use of the Fire District property for the extension, relocation or realignment of Cascade View Drive (formerly known as Cemetery Road). It is my understanding that based upon that testimony, the Planning Board directed City staff to add a provision to the Transportation Improvement Plan stating that no roads or trails would cross the First District #5 property.

What ended up in the Transportation Improvement Plan was language that stated that no roads will bisect the District's property. This could be interpreted to mean that although no roads would be placed on the property in such a way as to leave property on either side of the road, that there would be no prohibition against taking a large sloth of property out of the east end of the Fire District property. This is clearly not what was intended by the Fire District. Based upon our conversation, this is not what was intended by either the Planning Board or City staff as well.

Ms. Debra Knight
September 10, 2007
Page 2

I would request that the City make a change to the Transportation Improvement Plan to provide that no part of the District property would be used for roadway purposes without the consent and approval of the Fire District.

Sincerely,

BELL & INGRAM, P.S.



DAVID S. CARSON

DSC:ks
cc: Fire District #5

LAW OFFICES OF
WEED, GRAAFSTRA AND BENSON, INC., P.S.

21 AVENUE A
SNOHOMISH, WASHINGTON 98290-2962

Attachment D

GEORGE E. BENSON
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CRAIG KNUTSON
of Counsel

By Fax: (425) 339-8450
And U.S. Mail

September 14, 2007

David Carson
Bell & Ingram
1604 Hewitt Avenue, Suite 700
Post Office Box 1789
Everett, WA 98206

Re: Snohomish County Fire District #5

Dear David:

City Administrator Deborah Knight has asked me to respond to your letter dated September 10, 2007. This letter is written to clarify and make clear that the City plans no road extension off of Highway 2 that would affect the Fire District's property in any fashion, whether by bisecting the property or taking any portion of the property.

City staff interprets the recently adopted 2008-2013 Transportation Improvement Plan (TIP) consistent with this letter and should the 2008-2013 TIP be revised or amended it will be revised or amended consistent with this letter.

I hope this completely and finally resolves this issue.

Sincerely,

*Sent Without Signature
To Avoid Delay*

Thom H. Graafstra

THG:kkp

cc: Mayor Ben Tolson
Sultan City Council
Deborah Knight, City Administrator

/s/Fallgatter VIII/Carson

D-1

Comprehensive Plan Draft Compliance Schedule

- 1) Inventory Existing Facilities - December 2007/January 2008**
 - Update Planning Board - January 22
 - Update City Council - January 24
- 2) Update Project Costs for existing inventory - February**
 - Update Planning Board - February 19
 - Update City Council - February 28
- 3) Prepare Needs Assessments Based on Alternative Levels-Of-Service and Project Cost Estimates**
 - Update Planning Board Update March 11
 - Public Meeting (Open House) March 18
 - City Council March 27
- 4) Adopt Levels-Of-Service - April/May**
 - Planning Board update
 - Joint City Council/Planning Board meeting
 - Public Hearing on adopting revised LOS
- 5) Perform Fiscal Analysis June**
 - Update City Council
 - Update Planning Board
- 6) Prepare TIP, 6-Year CIP And 20-Year CFP - July/August**
 - Public Meeting (Open House)
 - Update Planning Board
 - Update City Council
- 7) Review Land Use and Levels-Of-Service if Funding Shortfalls Exists**
 - Update City Council
 - Update Planning Board
- 8) Prepare Supplemental Environmental Impact Statement - September/October**
 - Public Meeting (Open House)
- 9) Take Public Comment**
- 10) Hold Public Hearings – November**
 - Public Hearing Planning Board
 - Public Hearing City Council
- 11) Adopt Plan - December**



Snokomish County Fire District #5

P.O. Box 149 • 304 Alder Street • Sultan • Washington • 98294
Phone: (360) 793-1179 Fax: (360) 793-1932

June 27, 2007

City of Sultan

Dear Councilpersons:

Snokomish County Fire District 5 purchased property located at 33021 Cascade View Drive in October 2005, with the purpose of establishing a new Headquarters Fire Station that could be staffed twenty four hours a day. One of the District's urgent objectives is to reduce the time it takes to respond to 911 emergency calls. This time reduction requires staffing a fire station twenty four hours a day, seven days a week. Our current station at 304 Alder was built as an *on call* volunteer station and is not suitable for around the clock staffing. There are no viable remodeling options available at the existing site because the building does not meet seismic standards, the station has flooded several times, and the lot is too small.

We first attempted to resolve our need for improved facilities by purchasing property from Mr. Sam Wold and had reached agreement with Mr. Wold for the purchase of properties common to U.S. 2 and the Sultan Basin road. This purchase was preempted by the City of Sultan's relocation of the Sultan Basin road. The remaining properties are now unusable to the Fire District. To that end, we purchased other property.

We understand that you are developing a new Transportation Improvement Plan (TIP) as the result of the recent Growth Management Hearings Board (GMHB) Final Decision and Order. Our review of the draft dated June 22, 2007, of your current TIP found a proposed future new road and trail proposed to travel north south directly through our most probable location for this new Fire Station, or at least through the middle of the District's property. These are shown as Projects T-35 and NM-1. This proposed road and trail through the District's property is an unacceptable impediment to the District's intended use of the property.

We believe that this is an unintentional error. It is also inconsistent with Section 8 (Intergovernmental Coordination) of the proposal. This error can easily be corrected by removing this road and trail through the District's property and returning to the road alignment shown in the 2004 Comprehensive Plan prior to submittal to the GMHB.

Sincerely,

Steve Clark Fox
Commissioner Fox

Myra Insalls
Commissioner Insalls

Roger E. Knowlton
Commissioner Knowlton

SULTAN PLANNING BOARD MEETING

319 MAIN STREET

July 31, 2007

The meeting was called to order at 7:04 p.m. by Chairperson Latimore

Planning Board members Present: Kurt Latimore, Sarah Davenport Smith, Charles Van Pelt, and Jeff Cofer; Absent: George Schmidt.

Staff Present: Community Development Director Rick Cisar, Public Works Director Connie Dunn, and Planning Commission Secretary Tami Pevey.

COMMENTS FROM THE PUBLIC:

None from the public.

CHANGES/ADDITIONS TO THE AGENDA

PB/M Latimore proposed to move forward the EIS schedule for Mr. Shockey to the top, ahead of the public hearing.

Comprehensive Plan Supplemental EIS Schedule - Reid Shockey

Reid Shockey advised the report will be available for public review on August 15th, for 45 days until October 1st to submit comments on the comp plan to include the supplemental environmental impact statement. An open house will be on August 29th. The planning board will have another opportunity to provide their final comments on EIS before the plan goes to the council in late October for adoption of the plan. On track and the issues with the hearings board have been addressed.

Public Hearing

Continuation of 6-Year Transportation Improvement Plan Public Hearing from July 17, 2007 Meeting

Connie Dunn, Public Works Director, presented the 2008 – 2013 TIP in an effort to have the planning board make a recommendation to the city council. Referred the board members to attachment A showing the changes; as well as attachment G

which was a requested addition. Although many projects were addressed thru public comments the only changed was the Cascade realignment where the language was removed referencing the fire department's concern about the project going through their property.

PB/M Latimore opened the floor to public comment.

Merlin Halvorsen, Snohomish County Fire District 5 – Again reiterating opposition to a road going through their property in reference to the Cascade Road realignment. Looking for clarification on the planning board's decision to clarify if their problem is in fact resolved.

PB/M Latimore opened the floor to planning board questions.

PB/M Van Pelt – is it correct that 330th wouldn't cross.

Connie Dunn, Public Works Director – Yes, it wouldn't cross, but to find another way that would not disturb the fire department's property; considering moving the road east or west so as not to affect it.

PB/M Van Pelt – other property owners wouldn't be happy either.

Connie Dunn – recognize you can't make everyone happy; however there is a need for a traffic flow connector from the east end of Cascade View to US 2.

PB/M Cofer – omitting the language to include 330th specifically; at some point there would need to be a realignment of Cascade View Drive to intersect with Hwy 2. We know we need to do this, we just don't know where.

Connie Dunn – Correct; we're leaving it open on where a street would connect coming up off the east end of Cascade View Drive.

Rick Cisar – Referred the board members with the road going up to the airport, part of the development requirements is vehicle access for the fire department, but as you go north and get to the bottom of the hill they would move the road east; that would be our north south collector. In connection with that there would be an east/west connector going east/west in the industrial park.

PB/M Van Pelt – when it's developed people would be able to come down to Hwy 2?

Rick Cisar – Initially walking, but at some point in the future driving down to US 2 with a bus stop.

PB/M Van Pelt – What timeframe are we looking at?

Rick Cisar – development driven; and sewer capacity is pending. From the top of the hill it will be a paved section, then halfway down the hill the road would change to an impervious surface due to drainage issues.

PB/M Latimore – with the existing language as it is now, if the fire district put forth permit applications would they have to dedicate property for it.

Rick Cisar – would be looking at a binding site plan; probably not because the plan isn't really showing that designation.

PB/M Latimore – Perhaps useful later for the fire department and suggest an inclusion to disallow the use.

Rick Cisar – It all depends on which comes first.

Merlin Halvorson – we seem not to get any clear statements. The question is will the fire department be required to designate property for this element? No clear yes or no yet. They would like to be allowed to do their plan of the building first before being included in that plan.

Steven Fox, Fire Commission Chair – Has been working with the city planning and the council to address their concerns. The planning commission seems to be willing to delete the specific reference to 330th. He presented a topographical map of the area to the board members; Cascade View Drive on the eastern end stops because the slopes run steeply down to the stream. When asked to move the road to the east but see no point due to the geography. Thereby it again forces the road to come back to its original intent. Would like to have it explicitly state that our property at 33021 Cascade View Drive be removed from this proposal; Have asked Mr. Cisar and the city council twice, but no answers back.

On a motion by PB/M Van Pelt, seconded by PB/M Cofer to close the public portion of the public hearing; All in agreement.

PB/M Latimore – in the past comp plan efforts have there been specific parcel references.

Rick Cisar – not that he is aware of.

PB/M Latimore – Is aware the emergency plan is to move services outside of the flood plain; any reference documents of the comp plan that currently acknowledge that site as an emergency site for the fire district?

Rick Cisar – No; water/sewer gives an easement across the property for that purpose.

PB/M Latimore – Current zoning is Highway Development?

Rick Cisar – Yes.

PB/M Latimore – I believe it's our intent not to put a roadway through the fire district's property; any precedent for how that language would be established?

Rick Cisar – Language as far as the corridor alignment so that it doesn't impact that specific parcel; he can have the city attorney clarify or modify that language if that is your desire.

PB/M Van Pelt – make a motion to not have a road put thru there and recommend that to the city council?

PB/M Latimore – by a resolution, or how would we do that?

Rick Cisar – additional motion; motion on overall TIP and then add an additional motion to include addressing the fire department's property.

PB/M Latimore – the transportation element map; is it appropriate to indicate that area on that map? It may be useful in recognizing the cohesiveness of that area.

Rick Cisar – could describe it as being west of that intersection.

PB/M Davenport Smith – When the valuation was done on the rating of projects, was that by staff or a council committee?

Connie Dunn – staff

PB/M Davenport Smith – concerned about the Dyer/Skywall connection; went down and looked at it in person and Mr. Gibson showed her around in person and also explained where the major flooding happens; Skywall neighborhood is more in danger of flooding; however Dyer flooding issue can be taken care of by the storm water project. Skywall area floods so they couldn't get out to access the T28 area and she is not convinced it is a good emergency access route period; thereby feeling it is an irrelevant project.

Rick Cisar – In case of an emergency it would provide two points of access for the Dyer neighborhood. Would be development driven in the event it is necessary. Easement wouldn't allow thru traffic, just emergency access due to flooding or a train wreck.

PB/M Latimore – The TIP putting forth doesn't include either of the two projects addressed, correct?

Rick Cisar – also would be a 45 day window for public comment beyond this point.

A motion was made by PB/M Latimore to put forth this TIP as proposed to the city council with the addition of an indication on the map recognizing the fire district property with the intent of designating that as a cohesive part of land not intended to be included in a right of way.

PB/M Van Pelt – with no intention of a roadway going through that property.

Rick Cisar – any roadway alignment going through.

Connie Dunn - Shall not have a roadway having a negative impact going across this property.

PB/M Van Pelt seconded the motion; All in agreement.

Sewer Rate Increase

PB/M Latimore opened the public hearing at approximately 7:45 p.m. No objections from public to board members present; no objections from board members about their presence.

Connie Dunn presented the background information and introduced Angie Sanchez from FCS Group to present a highlight of the presentation presented on July 17th.

Angie Sanchez presented the rate study update as presented in the agenda packet. Proposed revised methodology would be to update the GFC each year to include future capital approved within the budget year; referenced page 6 and the future calculation examples that shows this updated methodology proposed. Charges are really based on growth projections and estimates were updated to match other current city plans and their estimated growth projections. Page 9 references the projection of an annual rate adjustment being recommended; and it shows there would need to be a rate adjustment each year from 2008 – 2010 to meet the debt service requirements. A rate adjustment would be in addition to the existing adopted rate increases of 3.85% as of 12/1/2007, and 3.7% on 12/1/2008. Angie Sanchez referenced Option 2 and pointed out the significant debt requirements as well as the length of time in order to meet the cash flow needs if this option was chosen. The rate impact is so great in Option 2 the feeling is that the city could not accomplish it without assistance from community stakeholders; presented developer contribution options that could be pursued. Also a question in this option on whether or not the city could meet the debt service coverage requirements.

PB/M Latimore opened the floor to public comment.

Hearing none; Motion by PB/M Van Pelt, seconded by PB/M Davenport Smith to close the public hearing; All in agreement.

PB/M Van Pelt – typical 2007 rate?

Angie Sanchez – additional is \$2.70 the first year; \$2.20 the second year.

PB/M Van Pelt – takes place the first of January.

Connie Dunn – effective 12/1/2007, so will be on the January 1st bill.

PB/M Davenport Smith – the 5% increase is in addition to the 3.5% and 3.7% already in place; are we really asking the rate payers to increase the bill by 8.5%?

Angie Sanchez – yes, it would be.

PB/M Latimore – What is the likelihood of developer's response?

Rick Cisar – trying to set up meetings; a few have expressed an interest in the system.

Angie Sanchez – At the first public meeting there appeared to be developer interest; It is more tangible now and there are guidelines in terms of the magnitude so it should help improve communications.

PB/M Van Pelt – all dealing with waste water, not storm water?

Connie Dunn – will not change storm water utility rates; have taken that all into consideration.

PB/M Latimore – Option 1 pg 9, net cash flow after rate increase has dipped into the negative.

Angie Sanchez – correct.

PB/M Latimore – the general fund would have to fund the difference?

Angie Sanchez – the sewer fund; revenue from rates generated a reserve that will take and cover the deficiency in 2008.

PB/M Davenport Smith – the developer contributions; this is scheduled to go to city council August 9th.

Connie Dunn – August 21st first reading; September 14th is the second reading of the ordinance.

PB/M Davenport Smith – is there a push for staff or committees to meet with the developer groups to get a better potential?

Connie Dunn – Yes, August 9th meeting would have a discussion so a decision could be made to have staff move forward on getting commitments.

Rick Cisar – recommended in motion to increase the rates based on the study; recommend expanding to include developer contributions.

PB/M Latimore – putting forth option 1, while recommending they pursue option 2 as an alternative?

Connie Dunn – accepting the entire rate study and recommending that the council work from there.

PB/M Davenport Smith – how do we compare with other cities in terms of our rates?

Angie Sanchez – Can come back with and provide it as a comparison, however, probably in the middle. Carnation estimated at \$80/\$85 dollars. Sultan definitely not the highest; however once Sultan bridges the gap between the current cash flow and generate the development; the build it and they will come theory, but Sultan doesn't have the money to build it and we need to find out how to meet our financial requirements to accomplish that.

PB/M Davenport Smith – in relation to business owners; they pay per ERU for connection, but a monthly fee is calculated differently.

Connie Dunn – calculated on their water usage; charged for overage on water, also charged on sewer.

Angie Sanchez – many times people like to have it based on volume as have more control.

PB/M Latimore – plan seems in accordance with sewer plan discussed earlier, population forecast, and is a necessary increase. On a motion by PB/M Latimore, seconded by PB/M Van Pelt the planning board recommended to the City Council the increases in the sewer general facility charge and rates as recommended by Financial Consulting Solutions Group (FCS) Inc. in order to fund the Wastewater Treatment Plant upgrade; All in agreement.

COMMITTEE REPORTS AND STAFF PRESENTATIONS

Transportation Element Financial Chapter - Eric Ireland

Eric Ireland presented the Transportation Element Financial Chapter 7 that is now complete; He gave a background on why this chapter and the entire transportation element is necessary. The current financial picture shows that the city will have a transportation funding shortfall of \$16 million between now and 2025. He gave ways to handle the funding in balance and further advised the board that there has been no adjustment to traffic impact fee rates since 1995 when the transportation element was implemented; it is recommended to increase the traffic fee impact rate to \$7,021 for additional PM peak hour trips generated by development.

PB/M Latimore – the recommended increase from 1,837 to between 7,000 and 13,000 is for PM peak.

Eric Ireland – That is per PM peak trip generated from new proposed development.

PB/M Latimore – new single family residential homes; how many PM Peak trips per home, two?

Eric Ireland – 1.02 trips in the PM generated from a single family unit.

PB/M Latimore – So that essentially would translate to 7 to 13,000 per residential unit.

Eric Ireland – based on the traffic impact fee rate report, yes; folded back into the transportation element to an increase the rate to \$7,021 for PM peak trips. What you see in the impact fee rate report is a range based on the city ordinance for calculating that rate.

PB/M Van Pelt – that fee is paid at the time the house is built.

Rick Cisar – paid at the time of the building permit.

Eric Ireland – That rate applies not only to residential development, but commercial development and the impact fee is calculated from that.

Traffic Impact Fee Analysis Report - Eric Ireland

Eric Ireland gave a description of the traffic impact fee as described based on RCW 82.02.050 and the designated criteria for use of the funds. The impact fee report gives an updated impact fee rate based on the new information provided in the draft transportation element. The rate calculated to just over \$12,000 for additional pm peak trips. Transportation grant revenue forecasts were included in the report as an average 15% minimum. A survey of 14 cities around Puget Sound is included in the report as a comparison. Inflation indexing also considered and realized that the current rate has lost over 40% of its purchasing power. With all of these issues combined the city now has a clear picture of the funding needed to complete the projects on the transportation list through the year 2025.

Rick Cisar asked Eric Ireland to explain how the traffic impact fee credit program might work.

Eric Ireland described the methodology to create an adjustment for commercial type developments to be granted as a credit based on the property tax it would generate after being developed. Referenced page 3 of the agenda packet and referenced SMC 16.112.050 which grants the ability to give a credit and how to accomplish the credit amount in reference to impact fees.

PB/M Latimore – someone proposing intensive retail such as a supermarket that would generate high PM peak trips; that would be someone where this credit would be granted.

Eric Ireland and Rick Cisar in agreement.

PB/M Van Pelt – Is there any way that the city can collect from the county due to county folks coming through the city.

Rick Cisar – considered and have received some funds from a developer in the county.

Connie Dunn – yes.

Rick Cisar - We could receive some additional credits and requested Eric Ireland to explain.

Eric Ireland – The way the impact fee rate is calculated on the forecasted cost of growth related transportation and transportation projects; a local urban access roadway is not a growth related cost, it just provides basic access to property. A growth related cost is one that provides a city wide benefit, such as a bike path; as well as a project located on a transit route such as a bus stop. If a developer came in and built the street to a minor arterial standard, the cost to provide improvements would be costs that would be credited to the traffic impact fee that the developer would be required to pay. Referenced the 3rd street project and the element of a bike path would create a way for impact fees to fund that part of the project.

PB/M Latimore – were you surprised at 7,000?

Eric Ireland – the total cost of projects recommended in the plan is significant because most of the area has no roadways or county roadways not even built to county standards. Above the average, but the rate hasn't been adjusted in years so wasn't too surprised when it was mapped out.

Rick Cisar – is it your recommendation that we consider an annual update as allowed by our current ordinance?

Eric Ireland – because it does allow it, yes, because you want to be able to make sure you are adjusting for inflation and not losing potential money you could be collecting.

Rick Cisar – same situation occurred with the sewer fund and the park fund.

Eric Ireland – it is good to do incremental adjustments as they are easier than a significant rate increase.

PB/M Davenport Smith – if it is already in our ordinance that we can adjust for inflation, why haven't we?

Rick Cisar – presented to council several years ago, but they took no action to increase the fee.

PB/M Davenport Smith – inflation based on construction costs or consumer inflation?

Rick Cisar – construction costs; conducted a study similar to Eric in 2000 and the fee went up substantially which caused concern to the council.

PB/M Davenport Smith – With our storm water utility we decided to not put the fee in the ordinance and have it separate in the fee schedule, is that a better idea for this, or does the ordinance allow sufficiently?

Rick Cisar – will go back and modify the ordinance to make sure it does allow an annual increase and adopt it into our fee schedule.

PB/M Cofer – That equates to an LOS level of what?

Eric Ireland – Moving from LOS B to LOS D.

PB/M Cofer – and this number represents us operating under LOS D.

Eric Ireland – LOS standard D for traffic, yes.

PB/M Latimore – the road standards that we have that the estimates are based on, would you consider them typical?

Eric Ireland – I don't believe so; the language is pretty standard and having sidewalks on both sides is something this community seems to want in their projects.

PB/M Latimore – do you know anything about the Sammamish number and how they arrived at their figure?

Eric Ireland – do not know; many different ways to calculate the fees. RCW specifies there needs to be a connection, felt this was the fairest way to calculate the impact fee rate.

PB/M Latimore – will move on to public comment?

Eric Ireland – yes, this section is complete and will fold it into the plan that will be open to public for review in August. Complimented the city on their public involvement and the number of public meetings that have been held in regards to this issue.

PB/M Davenport Smith – You're going to update table 8 with the recommendations we made tonight in regards to the references to the transportation projects.

Rick Cisar & Eric Ireland – yes.

PB/M Davenport Smith – When we improve roadways to include bus stops; how does that work with Community Transit, do they chip in a portion of that or does the city impact fees cover that?

Rick Cisar – haven't developed one; when we do will provide that to Community Transit and will have the developer take care of that.

Eric Ireland – pretty simple; just a bench and a shelter and CT has a warehouse of those.

Connie Dunn – deceleration and acceleration is very rough on the concrete, so the city provides a concrete pad for them to start and stop on. CT agrees to those, but they haven't contributed to those.

PB/M Davenport Smith – they've never contributed to communities?

Connie Dunn – asked, but only contribute shelters and benches.

Rick Cisar – will be our first real push to have them provide service on the Sultan Basin Road. Staff wise there is a lot of activity going on up there and it needs to have service there.

ACTION ITEMS:

Approval of the June 26, 2007 Minutes

Connie Dunn – correction on pg 1, opening line under committee reports; he did not present the TIP, presented the Transportation Element.

PB/M Cofer – pg 6, paragraph 6, spoke with Fire Chief Halverson.

On a motion by PB/M Van Pelt, seconded by PB/M Davenport Smith the minutes were approved with the changes recommended; All in agreement.

Approval of the July 17, 2007 Minutes

On a motion by PB/M Davenport Smith, seconded by PB/M Van Pelt the minutes were approved; All in agreement, except for PB/M Cofer who abstained as he was not present at the meeting.

Set Public Hearing for Adoption of Sultan School District #311 Capital Facilities Plan 2006-2011

Rick Cisar discussed the city has been in conversation with the school district in regards to their capital facilities plan; he referenced the last page of the school capital facility plan for the final fee that is being recommended; gave the current fee and the recommendation as referenced. The city collects the fees on behalf of the school district and transfer the fees on a quarterly basis. We collect a \$35 fee for performing this task. The public hearing is set to August 7, 2007 at the next meeting.

PB/M Latimore – don't need a motion for that?

Rick Cisar – already advertised. Advised a copy was sent to the board members early on for their review and asked them to review the fees to ensure our capital facility fee and the school's facility fee match.

PUBLIC COMMENT ON AGENDA ITEMS ONLY

No public comment.

PLANNING BOARD COMMENTS

PB/M Davenport Smith – while at the last council meeting, lawyer for Sky Ridge Development brought a letter to council and staff that the Sky Ridge developers are willing to help out the city financial with future updates; requesting staff provide copies of the letter to the board. Congratulated Eric and Angie for their expertise and hard work.

PB/M Van Pelt – thanked the staff and consultants for coming to talk to us; feels is a heavy load and feels like every time he turns around there is a rate increase; understands wasn't done in the past and is needed.

PB/M Cofer – echoed previous comments to Eric; legible, easy to understand; first look at sewer rate study and as major ERU stakeholder sighs from the burden of an increase; see all these fees coming simultaneously and is a tough pill to swallow. Concerned and all seems high even though we are in the range; look forward to the value in these investments even though it's hard to see since nothing seems to be happening.

Rick Cisar – getting close and explained the progress on several developments and the hold up's they face with various organizations outside of the City.

PB/M Cofer – My understanding is we are treading water until these projects take place; in the meantime the coffers are bare and we are going after people for the almighty dollar.

Rick Cisar – informed the board on some of the things they are to expect at their upcoming meetings.

PB/M Latimore – PB/M Schmidt let us know ahead of time he would be absent so his absence is excused. PB/M Davenport Smith noted she will be gone on August 7th.

Adjournment

On a motion by PB/M Van Pelt, seconded by PB/M Davenport Smith the meeting was adjourned; All in agreement. Planning Board meeting ended at 9:08 p.m.