

**CITY OF SULTAN
COUNCIL MEETING – COMMUNITY CENTER
June 27, 2013**

7:00 PM CALL TO ORDER – Pledge of Allegiance and Roll Call

CHANGES/ADDITIONS TO THE AGENDA

COMMENTS FROM THE PUBLIC: Citizens are requested to keep comments to a 3 minute maximum to allow time for everyone to speak. It is also requested that you complete a comment form for further contact.

COUNCILMEMBER COMMENTS

CITY ADMINISTRATOR COMMENTS

STAFF REPORTS – Written Reports Submitted

1. Animal Control
2. Public Works Report

HEARINGS: Transportation Improvement Plan – 2014-19

CONSENT AGENDA: The following items are incorporated into the consent agenda and approved by a single motion of the Council.

- 1) Approval of the June 13, 2013 Council Meeting Minutes
- 2) Approval of the June 13, 2013 Public Hearing minutes on the Timber Ridge Building Moratorium
- 3) Approval of Vouchers

ACTION ITEMS:

- 1) Resolution 13-03 2014-19 Transportation Improvement Plan
- 2) Planet Power Grant Memorandum of Agreement (MOA)
- 3) Blueline Contract – Engineering design for 4th Street and High Avenue Projects
- 4) Conservation Futures Grant Application

DISCUSSION: Time Permitting

- 1) UGA Update

PUBLIC COMMENT ON AGENDA ITEMS ONLY

COUNCILMEMBER RESPONSE TO PUBLIC COMMENT ON AGENDA ITEMS

Executive Session:

Adjournment – 10:00 PM or at the conclusion of Council business.

ADA NOTICE: City of Sultan Community Center is accessible. Accommodations for persons with disabilities will be provided upon request. Please make arrangements prior to the meeting by calling City Hall at 360-793-2231.

For additional information please contact the City at cityhall@ci.sultan.wa.us or visit our web site at www.ci.sultan.wa.us

**SULTAN CITY COUNCIL
AGENDA COVER SHEET**

ITEM NO: SR-1
DATE: June 27, 2013
SUBJECT: Community Service Officer
CONTACT PERSON: Victoria Forte', Community Service Officer 
Robert Martin, Community Development Director

ISSUE:
Transmitting report from Victoria Forte, Community Services Officer

STAFF RECOMMENDATION:
Receive report, no action required.

BACKGROUND:
Current update on Animal Control Program

Attachment A: Community Service Officer work log

| | Sent to rescue | Euthanized | Dog at Large/ leash law violation calls | Barking Dog/Crowing Rooster Complaints | Dead on arrival (DOA) Domestic and Wildlife | Animals Abandoned/ tied out | Aggressive Animal Complaints | Bite Dogs/Cats | Cruelty/Neglect Investigation Complaints | Cat Complaints and/or Calls | Other |
|----------------------|----------------|------------|---|--|---|-----------------------------|------------------------------|----------------|--|-----------------------------|-------|
| January | 0 | 0 | 10 | 4 | 0 | 0 | 0 | 0 | 0 | 1 | 0 |
| February | 0 | 0 | 9 | 1 | 0 | 0 | 0 | 0 | 0 | 5 | 1 |
| March | 0 | 0 | 9 | 4 | 0 | 4 | 0 | 0 | 0 | 0 | 4 |
| April | 0 | 0 | 9 | 8 | 0 | 6 | 1 | 1 | 1 | 3 | 2 |
| May | 1 | 0 | 15 | 1 | 2 | 3 | 0 | 2 | 2 | 1 | 1 |
| June (19th) | 7 | 0 | 13 | 2 | 1 | 4 | 1 | 0 | 0 | 1 | 1 |
| July | | | | | | | | | | | |
| August | | | | | | | | | | | |
| September | | | | | | | | | | | |
| October | | | | | | | | | | | |
| November | | | | | | | | | | | |
| December | | | | | | | | | | | |
| Yearly Totals | | | | | | | | | | | |

Morning and Afternoon School and Park Patrols are performed every day the CSO is assigned to work.

SULTAN CITY COUNCIL AGENDA ITEM COVER SHEET

ITEM NO: SR – 2

DATE: June 27, 2013

SUBJECT: Public Works Monthly Report

CONTACT PERSON: Mick Matheson, P.E., Public Works Director



ISSUE:

Provide monthly reports to Council regarding:

- City of Sultan Water Plant Production and Operation
- Everett Meter Readings
- 2013 Fire Hydrant Exercising Program
- 2013 Water Meter Replacement Program
- City of Sultan Wastewater Treatment Plant Operation
- Recycling and Garbage Reports
- Cemetery Report

SUMMARY:

There are eleven total attachments. Seven attachments are designed to provide information regarding the City of Sultan's water production, a water supply comparison, fire hydrant exercising program, water meter replacement program and information on the Everett meter readings.

Lastly, there are four attachments designed to provide information with respect to the City of Sultan's Wastewater Treatment Plant operation, garbage collection, recycling and cemetery. The attachments are updated monthly.

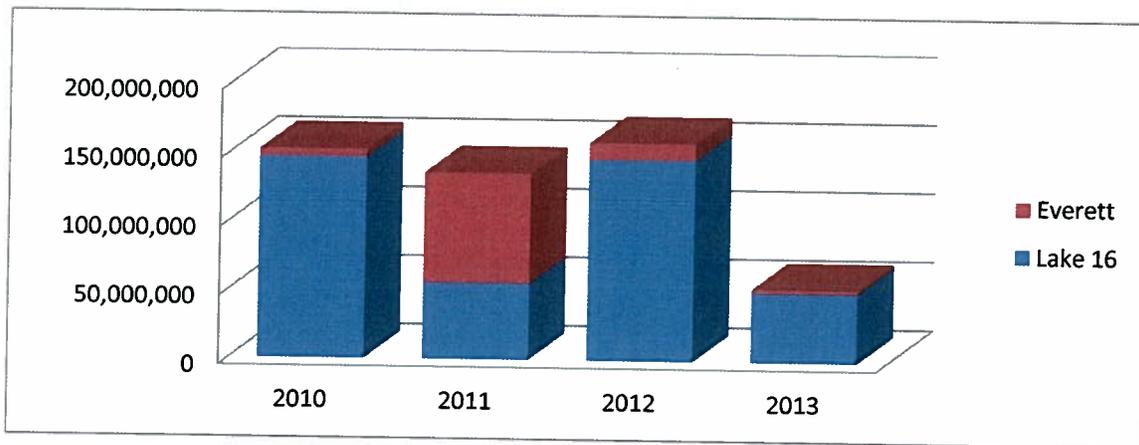
ATTACHMENTS:

| | |
|-----------------|--|
| Attachment A-1 | Lake 16 vs. City of Everett Water Supply Comparison |
| Attachment A-2 | Lake 16 Production for 2013 |
| Attachment A-3 | City of Sultan Water Plant Production Past 6 Years |
| Attachment A-4 | Yearly Totals for Lake 16 Production |
| Attachment A-5 | 2013 Fire Hydrant Exercising Program |
| Attachment A-6 | 2013 Water Meter Replacement Schedule |
| Attachment A-7 | Everett Meter Readings for 2013 |
| Attachment A-8 | City of Sultan Wastewater Treatment Plant Operational Report |
| Attachment A-9 | Garbage Report |
| Attachment A-10 | Recycling Report |
| Attachment A-11 | Cemetery Report |

Lake 16 vs. City of Everett Water Supply Comparison

Yearly Totals for Lake 16 and Everett Productions

| | 2010 | 2011 | 2012 | 2013 |
|---------------|-------------|-------------|-------------|------------|
| Lake 16 | 146,834,350 | 55,707,050 | 146,762,070 | 50,830,840 |
| Everett | 5,542,680 | 80,360,632 | 11,943,316 | 2,557,412 |
| Total Gallons | 152,377,030 | 136,067,682 | 158,705,386 | 53,388,252 |
| % Everett | 4% | 59% | 8% | 5% |



NOTE: ALL NUMBERS ARE IN GALLONS

LAKE 16 ANNUAL PRODUCTION

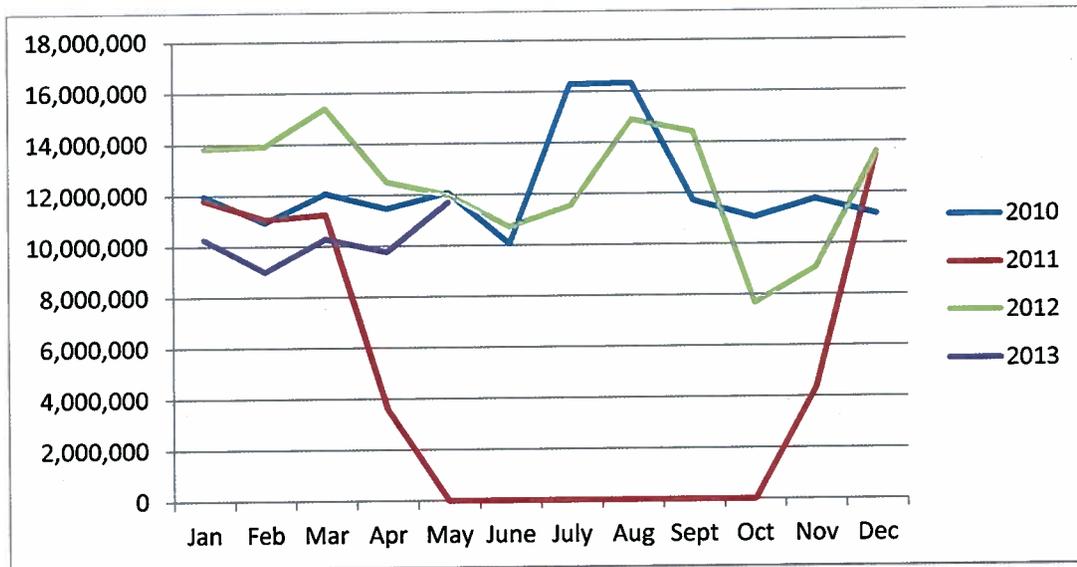
| MONTH | RUN TIME HOURS | FLOW | FLUSHES | BACKWASH | FILTER TO WASTE | TOTAL TO TOWN | CHLORINE POUNDS | FILTER AID/POUNDS | COAGULANT LBS | CAUSTIC LBS | FLUORIDE LBS |
|----------------|----------------|-------------------|------------------|------------------|------------------|-------------------|-----------------|-------------------|---------------|--------------|--------------|
| Jan-13 | 285.7 | 12,695,000 | 855,000 | 1,200,500 | 368,000 | 10,271,500 | 122 | 1.4 | 1,392 | 1,341 | 93.0 |
| Feb-13 | 240.0 | 10,821,000 | 540,000 | 939,900 | 562,500 | 8,778,600 | 98 | 1.2 | 1,207 | 1,095 | 70.0 |
| Mar-13 | 277.0 | 12,453,000 | 621,000 | 1,131,200 | 405,000 | 10,295,800 | 113.3 | 1.4 | 1,394 | 1,334 | 73.0 |
| Apr-13 | 274.0 | 12,330,000 | 612,000 | 1,571,000 | 371,250 | 9,775,750 | 113 | 1.5 | 1,492 | 1,023 | 85.0 |
| May-13 | 310.9 | 14,516,000 | 748,800 | 1,290,010 | 768,000 | 11,709,190 | 128.7 | 1.7 | 1,761 | 1,153 | 96.0 |
| Jun-13 | | | | | | 0 | | | | | |
| Jul-13 | | | | | | 0 | | | | | |
| Aug-13 | | | | | | 0 | | | | | |
| Sep-13 | | | | | | 0 | | | | | |
| Oct-13 | | | | | | 0 | | | | | |
| Nov-13 | | | | | | 0 | | | | | |
| Dec-13 | | | | | | 0 | | | | | |
| TOTALS | 1,387.6 | 62,815,000 | 3,376,800 | 6,132,610 | 2,474,750 | 50,830,840 | 575 | 7.2 | 7,246 | 5,946 | 417.0 |
| AVERAGE | 277.5 | 12,563,000 | 675,360 | 1,226,522 | 494,950 | | 115 | 1.4 | 1,449 | 1,189 | 83.4 |

FLOW/FLUSHES/BACKWASH/FILTER TO WASTE/ TOTAL TO TOWN NUMBERS ARE ALL IN GALLONS

YEARLY TOTALS FOR LAKE 16 PRODUCTION

| | 2010 | 2011 | 2012 | 2013 |
|--------------|--------------------|-------------------|--------------------|-------------------|
| Jan | 11,986,600 | 11,816,800 | 13,837,500 | 10,271,500 |
| Feb | 10,940,800 | 11,059,100 | 13,917,500 | 8,992,250 |
| Mar | 12,070,300 | 11,246,150 | 15,413,700 | 10,295,800 |
| Apr | 11,473,900 | 3,636,500 | 12,509,700 | 9,775,750 |
| May | 12,080,100 | 0 | 11,994,500 | 11,709,190 |
| June | 10,055,300 | 0 | 10,721,850 | |
| July | 16,291,400 | 0 | 11,536,100 | |
| Aug | 16,332,850 | 0 | 14,897,550 | |
| Sept | 11,716,200 | 0 | 14,403,400 | |
| Oct | 11,049,000 | 0 | 7,669,000 | |
| Nov | 11,755,700 | 4,359,500 | 9,048,000 | |
| Dec | 11,159,200 | 13,589,000 | 13,589,000 | |
| TOTAL | 146,911,350 | 55,707,050 | 149,537,800 | 51,044,490 |
| AVG | 12,242,613 | 4,642,254 | 12,461,483 | 10,208,898 |

ALL NUMBERS ARE IN GALLONS



2013 FIRE HYDRANT EXERCISING SCHEDULE

| Month-Year | Actual # of FH's Exercised | Program Goal | Remaining FH's at Month End |
|------------|----------------------------------|-----------------|-----------------------------------|
| | | | 233 |
| Mar-13 | 42 | 24 | 191 |
| Apr-13 | 32 | 40 | 159 |
| May-13 | 35 | 40 | 124 |
| Jun-13 | | 40 | |
| Jul-13 | | 40 | |
| Aug-13 | | 40 | |
| Sep-13 | | 9 | |
| Oct-13 | | 0 | |
| Nov-13 | | 0 | |
| Dec-13 | | 0 | |
| TOTAL | | 233 | |

2013 WATER METER EXCHANGE SCHEDULE

| Month-Year | Actual # Meters Changed | Program Goal | Remaining Meters at Month End |
|------------|----------------------------|-----------------|-------------------------------------|
| Jan-13 | 0 | | 613 |
| Feb-13 | 68 | 56 | 545 |
| Mar-13 | 51 | 56 | 494 |
| Apr-13 | 32 | 56 | 462 |
| May-13 | 34 | 56 | 428 |
| Jun-13 | | 56 | |
| Jul-13 | | 56 | |
| Aug-13 | | 56 | |
| Sep-13 | | 56 | |
| Oct-13 | | 55 | |
| Nov-13 | | 55 | |
| Dec-13 | | 55 | |
| TOTAL | | 613 | |

CITY OF SULTAN
Wastewater Treatment Plant
Operational Report
2012 - 2013

| MONTH | Influent Flow (Max High allowed 0.72 MGD) | | | | Total Rainfall Inches | Effluent PH (Range allowed 6.0 - 9.0) | | Biological Oxygen Demand (Range allowed 85% to 100%) | Avg Suspended Solids (Range allowed 85% to 100%) | Sludge Wasted Gallons | Hauled Wet Tons |
|--------|--|--------------|---------------|--------------|-----------------------------|--|---------|--|---|--------------------------|--------------------|
| | Total (MG) | Avg (MGD) | High (MGD) | Low (MGD) | | PH Low | PH High | | | | |
| Jan-12 | 10,965 | 0.353 | 0.650 | 0.262 | 5.28 | 6.5 | 6.9 | 97.2 | 96.0 | 96,723 | 24.72 |
| Feb-12 | 11,468 | 0.395 | 1.511 | 0.249 | 6.22 | 6.3 | 6.8 | 97.2 | 95.2 | 122,915 | 48.16 |
| Mar-12 | 11,161 | 0.36 | 0.586 | 0.251 | 7.12 | 6.5 | 6.8 | 96.5 | 95.2 | 119,228 | 35.87 |
| Apr-12 | 9,143 | 0.305 | 0.413 | 0.238 | 4.58 | 6.2 | 6.7 | 97.5 | 96.4 | 104,348 | 21.98 |
| May-12 | 10,191 | 0.329 | 0.510 | 0.275 | 5.03 | 6.5 | 6.5 | 98.3 | 97.6 | 106,900 | 33.02 |
| Jun-12 | 9,818 | 0.327 | 0.393 | 0.281 | 4.7 | 6.3 | 6.8 | 98.2 | 97.4 | 87,077 | 22.48 |
| Jul-12 | 8,118 | 0.262 | 0.326 | 0.22 | 1.54 | 6.3 | 6.8 | 98.7 | 98.0 | 107,479 | 28.47 |
| Aug-12 | 6,615 | 0.213 | 0.233 | 0.189 | 0 | 6.3 | 6.8 | 98.5 | 96.6 | 80,222 | 18.68 |
| Sep-12 | 6,235 | 0.208 | 0.235 | 0.168 | 0.40 | 6.2 | 6.9 | 98.8 | 97.6 | 62,517 | 20.98 |
| Oct-12 | 8,461 | 0.273 | 0.497 | 0.203 | 7.82 | 6.4 | 6.8 | 98.3 | 97.3 | 68,736 | 20.88 |
| Nov-12 | 11,936 | 0.398 | 0.861 | 0.297 | 6.96 | 6.3 | 6.5 | 98.4 | 97.2 | 105,762 | 23.18 |
| Dec-12 | 13,499 | 0.435 | 0.778 | 0.290 | 7.74 | 6.1 | 6.4 | 96.1 | 91.5 | 67,761 | 23.03 |

| | | | | | | | | | | | |
|--------|--------|-------|-------|-------|-------|-----|-----|------|------|--------|-------|
| Jan-13 | 12,675 | 0.409 | 1.093 | 0.237 | 10.3 | 6.1 | 6.6 | 95.0 | 92.4 | 83,787 | 34.82 |
| Feb-13 | 8,804 | 0.314 | 0.395 | 0.260 | 5.25 | 6.3 | 6.7 | 96.0 | 93.1 | 72,960 | 35.17 |
| Mar-13 | 10,701 | 0.345 | 0.485 | 0.27 | 7.09 | 6.2 | 6.5 | 96.6 | 95.5 | 64,315 | 23.23 |
| Apr-13 | 11,602 | 0.387 | 0.628 | 0.217 | 11.28 | 6.3 | 6.4 | 97.6 | 97.7 | 58,980 | 23.98 |
| May-13 | 9,415 | 0.304 | 0.377 | 0.259 | 4.27 | 6.2 | 6.5 | 98.2 | 98.0 | 79,250 | 35.77 |
| Jun-13 | | | | | | | | | | | |
| Jul-13 | | | | | | | | | | | |
| Aug-13 | | | | | | | | | | | |
| Sep-13 | | | | | | | | | | | |
| Oct-13 | | | | | | | | | | | |
| Nov-13 | | | | | | | | | | | |
| Dec-13 | | | | | | | | | | | |

2013 GARBAGE REPORT

| | 2012 TONS | 2012 COST | 2013 TONS | 2013 COST |
|---------------|-----------------|---------------------|---------------|------------------|
| January | 130.73 | \$13,732.00 | 141.21 | \$14,830.00 |
| February | 132.41 | \$13,911.00 | 130.45 | \$13,702.00 |
| March | 160.53 | \$16,861.00 | 140.42 | \$14,750.00 |
| April | 146.87 | \$15,431.00 | 148.68 | \$15,613.00 |
| May | 144.69 | \$15,202.00 | 153.33 | \$16,103.00 |
| June | 146.97 | \$15,441.00 | | |
| July | 144.48 | \$15,181.00 | | |
| August | 150.09 | \$15,770.00 | | |
| September | 167.22 | \$17,567.00 | | |
| October | 146.92 | \$15,429.00 | | |
| November | 174.61 | \$18,337.00 | | |
| December | 145.76 | \$15,308.00 | | |
| TOTALS | 1,791.28 | \$188,170.00 | 714.09 | 74,998.00 |



**City of Sultan
Tonnage**

| <u>Sector</u> | <u>Commodity</u> | <u>Jan-13</u> | <u>Feb-13</u> | <u>Mar-13</u> | <u>Apr-13</u> | <u>May-13</u> | <u>Jun-13</u> | <u>Jul-13</u> | <u>Aug-13</u> | <u>Sep-13</u> | <u>Oct-13</u> | <u>Nov-13</u> | <u>Dec-13</u> | <u>Total</u> |
|---------------|------------------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|
| Commercial | Recycle | 2.69 | 2.89 | 2.55 | 3.26 | - | - | - | - | - | - | - | - | 11.39 |
| Multifamily | Recycle | 2.68 | 2.30 | 2.56 | 3.26 | - | - | - | - | - | - | - | - | 10.80 |
| Residential | Recycle | 35.50 | 32.27 | 34.51 | 43.15 | - | - | - | - | - | - | - | - | 145.43 |
| | Total Recycle | 40.87 | 37.46 | 39.62 | 49.67 | - | - | - | - | - | - | - | - | 167.62 |
| Commercial | Yardwaste | 0.12 | 0.21 | 0.47 | 0.50 | - | - | - | - | - | - | - | - | 1.30 |
| Multifamily | Yardwaste | 1.74 | 3.01 | 6.82 | 5.95 | - | - | - | - | - | - | - | - | 17.52 |
| Residential | Yardwaste | 8.88 | 15.36 | 34.76 | 37.91 | - | - | - | - | - | - | - | - | 96.91 |
| | Total Yardwaste | 10.74 | 18.58 | 42.05 | 44.36 | - | - | - | - | - | - | - | - | 115.73 |

The May report was not available at the time of this printing.

CEMETERY REPORT
BURIALS

103 Cemetery Operating Fund

| Description | 2013 BUDGET | 2013 ACTUAL |
|---------------------|------------------------|------------------------|
| Revenue | | |
| Beginning Balance | 0 | 11,703 |
| Cemetery Fees | 25,000 | 15,871 |
| Investment Interest | 0 | 0 |
| Total Resources | <u>25,000</u> | <u>27,573</u> |
| Expenditures | | |
| Total Expenditures | <u>738</u> | <u>13,395</u> |
| Ending Fund Balance | 266 | 14,179 |

| Burials | YTD 2013 |
|----------------|---------------------|
| Ash | 2 |
| Full | 4 |

**SULTAN CITY COUNCIL
AGENDA ITEM COVER SHEET**

ITEM NO: H-1
DATE: June 27, 2013
SUBJECT: 2014-2019 Transportation Improvement Plan
Hold a Public Hearing for June 27, 2013
CONTACT PERSON: Mick Matheson, P.E. Public Works Director



ISSUE:

The issues before the City Council are twofold. The first issue is to review the staff recommended changes to the 2014-2019 Transportation Improvement Plan (TIP). The second issue is to hold the public hearing to take comment on the 2014-2019 Transportation Improvement Plan.

STAFF RECOMMENDATION:

City staff recommends the City Council review the staff recommended changes to the 2014-2019 Transportation Improvement Plan (TIP), and hold the public hearing on June 27, 2013 to take public comment on the 2014-2019 Transportation Improvement Plan.

SUMMARY:

State and Regional Transportation Planning

State law (RCW 35.77.010) mandates that all local jurisdictions annually adopt and submit to the state a six-year program of transportation improvements known as the Local TIP.

The six-year local TIP serves as a work plan for the development of local transportation systems and, as such, represents an important planning component under the State's Growth Management Act.

The Washington State Department of Transportation (WSDOT) and the Puget Sound Regional Council (PRSC) use Local TIPs as a tool for coordinating the transportation programs of local jurisdictions with those of regional agencies.

PSRC also monitors Local TIPs for projects of regional significance (to be modeled for Air Quality conformity) and projects supported by federal funds. These projects are incorporated into the Regional TIP, which is then forwarded for inclusion in the State TIP.

Local Transportation Planning

In 2011, the City updated its Comprehensive Plan which includes a Capital Facilities Element and Transportation Element. Transportation capital projects are a subset of the 2011 Capital Facilities Element. Transportation capital projects are generated out of the 20-year list of projects included in the Transportation Element. The funded projects included in the six-year TIP are included in the six-year Capital Improvement Plan adopted by the City Council during the budget process.

The importance of the City of Sultan TIP is that, in most cases, projects must be included on the Local TIP to be eligible for state and federal grant programs. The proposed Local TIP includes several projects that would compete well against state and federal grant program criteria.

Sultan Six-Year TIP

The proposed City of Sultan 2014-2019 Local TIP carries forward **all** of the projects from the 2013-2018 TIP:

1. T-23 Alder Avenue Reconstruction and Improvements
2. T-39 Pavement Overlay Program
3. T-66 Sultan Basin Road Overlay
4. T-67 4th Street Overlay
5. T-68 High Avenue Reconstruction
6. T-69 Alder Avenue Sidewalk
7. T-70 1st Street Sidewalk
8. NM-3 Sidewalk Spot Improvements
9. NM-4 Sidewalk/Trail Improvements/Enhancements
10. NM-8 US-2 Pedestrian Crossing

The city has spent the last ten years improving key intersections with US2 such as the WSDOT roundabout at Rice Road, key choke points such as 5th Street, Old Owen Road and Sultan Basin Road.

The 2014-2019 TIP focuses on street reconstruction and preservation projects. It is very important that the city maintains its existing roadway system before it reaches the point of failure. Years of productive life can be added to a roadway by focusing on preservation.

The City's TIP is predominantly grant driven. Transportation Impact Fees may only be used for projects that add capacity, and may not be used for preservation, maintenance, or reconstruction. Excise Tax (REET) is a revenue resource, but is a minor component of available funding and is partially dedicated to paying the debt service on the community center. The Street Fund (also a minor component of available funding) has historically been used for road preservation projects that are strategically selected annually to address street maintenance for those roadways that have not broken down to the point of requiring a total re-build.

Expenditures

T-23 (Alder Street Reconstruction and Improvements) has been modified to reflect a \$530,000 expenditure in 2014 to account for construction costs to reconstruct Alder Avenue from 5th Street to 8th Street. The City has received a \$500,000 legislative proviso, and a \$30,516 Community Development Block Grant for the transportation elements of this project.

T-39 (Pavement Overlay Program) has been modified to reflect a \$12,000 expenditure in 2014 to account for chip-sealing on a yet-to-be determined City street.

T-66 (Sultan Basin Road Overlay) has been modified to reflect a \$267,500 expenditure in 2014 to account for transportation related construction costs for this project. Construction drawings are approved and construction is anticipated to occur in the autumn of 2013. The City is retaining the project on the 2014-2019 TIP in case unforeseen events prevent construction from proceeding this year. The City has received a \$255,547 grant from the Surface Transportation Plan (STP), and a \$39,883 grant from the Transportation Improvement Board for this project.

T-67 (4th Street Overlay) has been modified to reflect a \$314,000 expenditure in 2014 to account for transportation related construction costs for this project. Construction drawings will be prepared in 2013, and construction is anticipated to occur in 2014. The City has received a \$337,156 grant from the Transportation Improvement Board.

T-68 (High Avenue Reconstruction) has been modified to reflect a \$466,500 expenditure in 2014 to account for transportation related construction costs for this project. Construction drawings will be prepared in 2013, and construction is anticipated to occur in 2014. The City has received a \$500,916 grant from the Transportation Improvement Board.

T-69 (Alder Avenue Sidewalk) has been modified to reflect a \$30,516 expenditure in 2014 to account for sidewalk construction on the north side of Alder Avenue from 7th Street to 8th Street. The City received a Community Development Block grant (CDBG) for this project.

T-70 (1st Street Sidewalk) has been modified to reflect a \$39,000 expenditure to account for design of a new sidewalk on the west side of 1st Street from High Avenue to Trout Farm Road.

NM-3 (Sidewalk Spot Improvements) has been modified to reflect a \$289,000 expenditure to fund the design and construction of a new sidewalk on the east side of Sultan Basin Road, north of the Timber Ridge subdivision. The City has applied for a Puget Sound Regional Council Rural Town Centers and Corridors Program grant for the full amount of funding.

NM-4 (Sidewalk/Trail Construction or Enhancements) has been modified to reflect a \$300,000 improvement to design and construct a trail system from Osprey Park to River Park adjacent to the Sultan River.

NM-8 (US2 Pedestrian Crossing) has been modified to reflect a cost of \$4,400,000 for construction of a pedestrian/bicycle bridge over the Sultan River.

Revenues

- Street Fund – \$12,500 in annual revenues from the Street Fund were added to incorporate the Council's decision to dedicate 1% of utility taxes to support street maintenance and reconstruction. \$75,000 over 6 years.
- REET anticipated for 2010 through 2030 from the 2011 Comprehensive Plan = \$2,750,162.
- Transportation Impact Fees anticipated for 2010 through 2030 from the 2011 Comprehensive Plan = \$25,152,712.
- Grants – Grant revenue is the sum of the grants needed to fund the proposed projects.
- Debt – no debt is proposed for the 2014-2019 TIP.

DISCUSSION:

Capital Improvement Plan

The Growth Management Act requires the Capital Facilities Plan (Attachment C) to contain an inventory of existing facilities, an assessment of future facility needs and a plan for financing, including a reassessment strategy to address potential funding or service shortfalls.

The Capital Facilities Element addresses all current infrastructure owned by the City and establishes a plan for the City to provide the infrastructure and facilities needed to serve its residents in the future. The CFP is based on the population, land use, UGA boundary and other fundamental planning assumptions.

The 6 year CIP prioritizes the City's 20 year investments into a shorter planning period and identified projects that will implement the Comprehensive Plan. The 6-year CIP is a subset of the 20-year Capital Facilities Element.

These documents are like concentric circles. Each one has common elements with the others.

- The Capital Facilities Plan (CFP) is the complete list of facilities (roads, parks, water, sewer and public buildings) necessary to meet the City's projected growth over the next 20 years.
- The Capital Improvement Plan is the list of facilities (including transportation projects) the City intends to build over the next 6 years to meet concurrency with the financing plan to pay for the projects.
- The Transportation Element of the Comprehensive Plan is the list of motorized and non-motorized projects necessary to meet concurrency and growth for the next twenty years.
- The Transportation Improvement Plan (TIP) identifies transportation projects the City intends to build over the next 6-years to meet the requirements of the Washington State Department of Transportation and to be eligible for federal funds.

Decisions that the City Council makes on the projects in the City's TIP will affect the CIP and CFP.

BACKGROUND:

The 2014-2019 TIP is based on the 2011 Comprehensive Plan. The Transportation element proposes a series of transportation improvements, both in facilities and in policy, to help Sultan address current and expected issues while maintaining an effective and acceptable transportation system.

The 2014-2019 TIP is compliant because it is based on a compliant Transportation Element that meets the standards of RCW 36.70A.070(6).

The 2014-2019 TIP provides a multiyear financing plan based on the needs identified in the comprehensive plan, the appropriate parts of which serve as the basis for the six-year TIP required by RCW 35.77.010.

FISCAL IMPACT:

The fiscal impact comes from including the TIP in the six-year Capital Improvement Plan. The six-year CIP is the list of facilities (including transportation projects) the City intends to build over the next six-years to meet concurrency with a financing plan to pay for the projects.

ALTERNATIVES:

Set, change, and/or modify the proposed 6-year TIP to include a project(s) listed in the 20-year list of projects included in the 2011 Transportation Element, and hold a public hearing to take public comment on the 2014-2019 Transportation Improvement Plan.

RECOMMENDATION

Accept the proposed changes to the 6-year TIP recommended by staff and hold the public hearing to take public comment on the 2014-2019 Transportation Improvement Plan.

ATTACHMENTS:

Attachment A – 2014-2019 Transportation Improvement Plan

Attachment B – RCW 35.77.010

Attachment C – Capital Facilities Plan

Attachment D – Figure 8-O: Recommended Arterial Improvement Projects

Attachment E – Figure 8-P: Recommended Non-motorized Improvement Projects

2014-2019 Transportation Improvement Plan (by year)

ATTACHMENT A

2014-2019 Expenditures By Year

| Project Number | Project Name | Project Description | Total Project Cost 20-yr CFP | 2014-2019 Expenditures By Year | | | | | | 2014-2019 Total Expenditure | |
|----------------|--|--|---------------------------------|--------------------------------|--------------------|-----------------|-----------------|-----------------|-----------------|-----------------------------------|--------------------|
| | | | | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | | |
| T-39 | Pavement Overlay Program | Overlay or chip seal streets within the city limits | \$550,000 | \$12,000 | \$12,500 | \$12,500 | \$12,500 | \$12,500 | \$12,500 | \$13,000 | \$75,000 |
| T-23 | Alder Street Reconstruction and Improvements | Reconstruct Alder Street from 5th Street to 8th Street. | \$728,000 | \$530,000 | | | | | | | \$530,000 |
| T-66 | Sullan Basin Rd - Overlay | Overlay SBR from Timber Ridge north to 325 feet north of 137th Place SE. | \$300,000 | \$267,500 | | | | | | | \$267,500 |
| T-67 | 4th Street - Overlay | Overlay 4th Street from Alder Avenue to Fir Avenue. | \$354,900 | \$314,000 | | | | | | | \$314,000 |
| T-68 | High Avenue Reconstruction | Reconstruct High Avenue from 1st Street to 4th Street. | \$527,280 | \$466,500 | | | | | | | \$466,500 |
| T-69 | Alder Avenue Sidewalk | Construct a sidewalk on the north side of Alder Avenue from 7th Street to 8th Street. | \$30,516 | \$30,516 | | | | | | | \$30,516 |
| T-70 | 1st Street Sidewalk | Construct a sidewalk from Osprey Park to Willow Avenue. | \$260,000 | \$39,000 | \$221,000 | | | | | | \$260,000 |
| NM-3 | Sidewalk Spot Improvements | Repair, replace and construct missing sidewalks within the city. | \$130,000 | \$289,000 | | | | | | | \$289,000 |
| NM-4 | Sidewalk /Trail Construction & Enhancements | Construct or renovate public sidewalks and trails. Stand alone projects not associated with road renovation. | \$310,000 | \$300,000 | \$10,000 | | | | | | \$310,000 |
| NM-8 | US-2 Pedestrian Crossing | Construct a non-motorized bridge crossing north of US 2 to provide increase ped/bike safety | \$4,000,000 | \$3,000,000 | \$1,400,000 | | | | | | \$4,400,000 |
| | | TOTAL EXPENDITURES | \$7,190,696 | \$5,248,516 | \$1,631,000 | \$12,500 | \$12,500 | \$12,500 | \$12,500 | \$13,000 | \$6,930,016 |

2014-2019 Transportation Improvement Plan (by fund)

2014-2019 Expenditures By Fund

ATTACHMENT A

| Motorized & Nonmotorized Projects | General Fund | Street Fund | REET | Transportation Impact Fee | Grant | Debt | Surface Water Management | Rev Totals |
|-----------------------------------|--|---|-----------------|---------------------------|-------------|--------------------|--------------------------|---------------------|
| | Revenues | \$75,000 | \$574,027 | \$5,699,800 | \$6,858,516 | \$0 | \$123,000 | \$12,157,827 |
| Project Number | Project Description | | | | | | | Expenditures |
| T-39 | Pavement Overlay Program | Overlay gravel streets within the City limits | \$75,000 | | | | | \$75,000 |
| T-23 | Alder Street Reconstruction and Improvements | Reconstruct Alder Street from 5th Street to 8th Street. | | \$30,000 | \$500,000 | | | \$530,000 |
| T-66 | Sultan Basin Road - Overlay | Overlay SBR from Timber Ridge north to 325 feet north of 137th Place SE. | | | \$267,500 | | | \$267,500 |
| T-67 | 4th Street - Overlay | Overlay 4th Street from Alder Avenue to Fir Avenue | | \$17,800 | \$314,000 | | | \$314,000 |
| T-68 | High Ave Reconstruction | Reconstruct High Avenue from 1st Street to 4th Street | | \$26,000 | \$490,000 | | | \$515,000 |
| T-69 | Alder Ave Sidewalk | Construct a sidewalk on the north side of Alder from 7th Street to 8th Street | | | \$30,516 | | | \$30,516 |
| T-70 | 1st Street Sidewalk | Overlay SBR from Timber Ridge north to 132nd Ave | | | \$267,500 | | | \$267,500 |
| NIM-3 | Sidewalk Spot Improvements | Repair, replace and construct missing sidewalks within the city | | | \$289,000 | | | \$289,000 |
| NIM-4 | Sidewalk Enhancements | Construct or renovate public sidewalks. Stand alone projects not associated with road renovation. | | \$10,000 | \$300,000 | | | \$310,000 |
| NIM-8 | US-2 Pedestrian Crossing | Construct a non-motorized bridge crossing on US 2 to provide increase ped/bike safety | | | \$4,400,000 | | | \$4,400,000 |
| | Total Expenditures | | \$75,000 | \$83,800 | \$0 | \$6,858,516 | \$0 | \$6,998,516 |

RCW 35.77.010

**Perpetual advanced six-year plans for coordinated transportation program expenditures --
Nonmotorized transportation -- Railroad right-of-way.**

(1) The legislative body of each city and town, pursuant to one or more public hearings thereon, shall prepare and adopt a comprehensive transportation program for the ensuing six calendar years. If the city or town has adopted a comprehensive plan pursuant to chapter 35.63 or 35A.63 RCW, the inherent authority of a first-class city derived from its charter, or chapter 36.70A RCW, the program shall be consistent with this comprehensive plan. The program shall include any new or enhanced bicycle or pedestrian facilities identified pursuant to RCW 36.70A.070(6) or other applicable changes that promote nonmotorized transit.

The program shall be filed with the secretary of transportation not more than thirty days after its adoption. Annually thereafter the legislative body of each city and town shall review the work accomplished under the program and determine current city transportation needs. Based on these findings each such legislative body shall prepare and after public hearings thereon adopt a revised and extended comprehensive transportation program before July 1st of each year, and each one-year extension and revision shall be filed with the secretary of transportation not more than thirty days after its adoption. The purpose of this section is to assure that each city and town shall perpetually have available advanced plans looking to the future for not less than six years as a guide in carrying out a coordinated transportation program. The program may at any time be revised by a majority of the legislative body of a city or town, but only after a public hearing.

The six-year plan for each city or town shall specifically set forth those projects and programs of regional significance for inclusion in the transportation improvement program within that region.

(2) Each six-year transportation program forwarded to the secretary in compliance with subsection (1) of this section shall contain information as to how a city or town will expend its moneys, including funds made available pursuant to chapter 47.30 RCW, for nonmotorized transportation purposes. (3) Each six-year transportation program forwarded to the secretary in compliance with subsection (1) of this section shall contain information as to how a city or town shall act to preserve railroad right-of-way in the event the railroad ceases to operate in the city's or town's jurisdiction.

Transportation Element 2011 Comprehensive Plan
Table 8-10: Planning Level Cost Estimates for Recommended Transportation Improvements

| Project # | Project Name | Project Description | Future Number of Lanes | Project Type | Arterial Functional Classification | Project Cost Estimate |
|-----------|-------------------------------------|---|------------------------|---------------------|------------------------------------|-----------------------|
| NM-1 | East Main St. Trail | Construct multipurpose trail from the east end of E. Main St north on Cascade View Dr to US 2 for nonmotorized and emergency access. | n/a | Non-motorized | n/a | \$500,000 |
| NM-3 | Sidewalk Spot Improvements | Repair, replace and construct missing sidewalks within the City | n/a | Existing Deficiency | n/a | \$130,000 |
| NM-4 | Sidewalk Enhancement | Renovate public sidewalks. Stand alone projects not associated with road renovation. | n/a | Existing Deficiency | n/a | \$310,000 |
| NM-5 | US-2 Route Corridor Trail | Construct multipurpose trail to provide nonmotorized safety and connectivity as part of US-2 RDP reconstruction/widening. | n/a | Nonmotorized | n/a | \$1,672,000 |
| NM-6 | Willow/Bryant Trail | Acquire land and develop property to provide nonmotorized travel to and from residential, commercial, parks and natural areas. | n/a | Non-motorized | n/a | \$390,000 |
| NM-7 | High/Kessler/140th Trail | Acquire land and develop property to provide nonmotorized travel to and from residential, commercial, parks and natural areas. | n/a | Nonmotorized | n/a | \$887,000 |
| NM-8 | US-2 Pedestrian Overcrossing | Construct a nonmotorized bridge crossing on US 2 to provide increased safety for pedestrians and improved traffic flow. Joint Project with WSDOT | n/a | Non-motorized | n/a | \$4,000,000 |
| T-23 | Alder St Reconstruction | Reconstruct Alder Street from 5th St. to 8th St. | 2 | Existing Conditions | Collector Arterial | \$728,000 |
| T-24 | New East/West Collector | Construct new east/west collector between 339th Ave SE and Sultan Basin Rd in the north section of the City (approx. location between 132nd and 124th St SE). | 2 | Circulation | Collector Arterial | \$11,040,000 |
| T-25 | Foundry Road Reconstruction | Reconstruct road to Collector arterial standards to serve industrial employment and residential areas. | 2 | Circulation | Collector Arterial | \$1,300,000 |
| T-26 | New North Industrial Park Collector | Provide east/west access and traffic collector through the Industrial Park from Rice Rd (339th) to Sultan Basin Rd. and US-2 | 2 | Circulation | Collector Arterial | \$15,510,000 |
| T-27 | East Main St Road Extension | Extend East Main St. east to connect to 149th St. SE within the Economic Development Zone south of US-2. | 2 | Circulation | Local Street | \$2,000,000 |
| T-29A | Kessler Drive Extension | Extend Kessler Dr. north from Bryant Rd. to UGA Boundary | 2 | Circulation | Proposed Collector Arterial | \$3,452,000 |

| Project # | Project Name | Project Description | Future Number of Lanes | Project Type | Arterial Functional Classification | Project Cost Estimate |
|-----------|---|--|------------------------|--------------|------------------------------------|-------------------------|
| T-29B | Kessler Drive Extension Non UGA portion | Extend Kessler Dr. north from UGA Boundary to 124th St. | 2 | Circulation | Proposed Collector Arterial | n/a |
| T-31a | New 330th Ave Arterial | Construct a new north-south arterial from US-2 through the Industrial Park north to 124th St SE. CITY LIMIT/UGA PORTION ONLY | 2 | Circulation | Proposed Collector Arterial | \$2,800,000 |
| T-32a | Rice Rd. (339th) St Extension | Extend Rice Rd. (339th Ave) north to 124th St. SE at County Rural Arterial road standards to provide arterial connectivity and access to US-2. Proposed joint project with Snohomish County. CITY LIMIT/UGA PORTION ONLY | 2 | Circulation | Proposed Minor Arterial | \$2,942,500 |
| T-33 | 229th Ave Extension or Highland Ave Extension | Develop an interior access arterial from Old Owen Rd. east to Sportsmans Park to provide access to existing roadside commercial properties and reduce curb cuts on US-2. | 2/3 | Circulation | Collector Arterial | \$2,720,000 |
| T-34 | US-2 RDP City Access Revisions | Downtown access to US 2 will be focused on 3rd, 5th, 8th, and Main Streets to reduce congestion. | | Circulation | | Awaiting WSDOT Estimate |
| T-35 | Cascade View Drive Reconstruction | Reconstruct Cascade View Dr to Collector arterial standard and provide intersection improvements at US-2 | 2 | Circulation | Collector Arterial | \$560,000 |
| T-36 | 138th St Extension | Reconstruct and extend 138th St. between Sultan Basin Rd. and 339th Ave SE. | 2 | Circulation | Collector Arterial | \$2,833,600 |
| T-38 | 1st Street Reconstruction Phase II | Reconstruct 1st St from High Ave to Trout Farm Rd. Project includes water, sewer and storm water utilities construction. | 3 | Capacity | Minor Arterial | \$2,800,000 |
| T-40 | US-2/Rice Rd (339th Ave) Signalization | Signalize existing intersection of US-2 at 339th Ave SE. | 3 | Capacity | Principal Arterial | \$1,400,000 |
| T-41 | Rice (339th Ave SE) Reconstruction | Reconstruct 339th Ave from Sultan Startup Rd. north to 132nd St. SE to arterial standard with curbs gutter and sidewalks. | 2/3 | Circulation | Proposed Minor Arterial | \$8,350,000 |
| T-42A | Sultan Basin Rd. Reconstruction Phase IV | Continue Sultan Basin Rd. improvements north to UGA Boundary | 3 | Capacity | Minor Arterial | \$6,092,724 |
| T-43 | Walburn Rd. Rerouting | Redesign the road to remove access from US-2 rerouting access to Sultan Basin Rd. north of Wagley Creek | 2 | Circulation | Collector Arterial | \$1,400,000 |
| T-44 | Pine Street Extension | Extend Pine St. East to Walburn to provide east west access from Sultan Basin Rd to downtown Sultan. Emergency Evacuation Route | 2 | Circulation | Collector Arterial | \$840,000 |

| Project # | Project Name | Project Description | Future Number of Lanes | Project Type | Arterial Functional Classification | Project Cost Estimate |
|----------------------------|--|---|------------------------|---------------------|------------------------------------|-----------------------|
| T-45 | Alder St Improvements | Install traffic signal and improvements from the intersection of 4th and Alder St to the intersection of 5th and US-2. Reconstruct Street to 8th St. Proposed joint project with Community Transit and Sultan School District | 2 | Circulation | Collector Arterial | \$650,000 |
| T-46 | Date Avenue Traffic Calming | Install traffic calming treatment to Date Ave. from 8th St west to the Elementary School | 2 | Existing Deficiency | Local Street | \$124,000 |
| T-47 | Trout Farm Rd Reconstruction | Reconstruct Trout Farm Rd. from 1st St. north to 125th St SE. Proposed joint City/County Project | 2/3 | Capacity | Collector Arterial | \$9,050,000 |
| T-48 | Gohr Rd Reconstruction | Reconstruct Gohr Rd to arterial standard from 1st St north to 311th Ave SE | 2 | Circulation | Collector Arterial | \$4,704,000 |
| T-49 | Gohr Rd Extension | Extend Gohr Rd north to the proposed 132nd Ave. Extension. | 2 | Circulation | Collector Arterial | \$3,920,000 |
| T-51 | 3rd St. Reconstruction | Repair, replace, and construct as necessary asphalt, sidewalks, and bike lanes. Project is combined with water, sewer, and stormwater system projects. | 2 | Existing Deficiency | Local Street | \$1,456,000 |
| T-52 | 8th St. Sidewalks | Install sections of missing sidewalks on 8th St. | | Circulation | Collector Arterial | \$310,000 |
| T-53 | 10th St. Railroad Crossing Improvement | Reconstruct the 10th St. crossing with the BNSF Rail Line Within the Economic Development zone. | 2 | Circulation | Local Street | \$100,000 |
| T-55 | Industrial Park Rail Spur Construction | Petition BNSF and contribute to construct a rail spur access to the Industrial Park | n/a | Circulation | n/a | \$1,000,000 |
| T-57 | 132nd Ave Arterial Extension | Extend 132nd St from Sultan Basin Rd. northwest connecting to Trout Farm Rd. near 307th St. | 3 | Capacity | Minor Arterial | \$17,480,000 |
| T-58 | 132nd Ave Reconstruction | Reconstruct 132nd St SE to arterial standard | 2 | Circulation | Proposed Minor Arterial | \$12,432,000 |
| T-59 | US 2/ 1st Avenue Interchange | Provide grade-separated ramp access to US-2 from 1st St. | 2 | Capacity | Minor Arterial | \$6,470,000 |
| T-60 | Sultan Basin Road Improvements Phase III | Realign Cascade View Drive and its intersection with US-2 to align with the recently improved Sultan Basin Rd. | 2 | Circulation | Proposed Collector Arterial | \$2,800,000 |
| T-61 | 6th Street Reconstruction | Reconstruct 6th St. to urban standards | 2 | Existing Deficiency | Local Access | \$1,680,000 |
| T-62A | 124th St. SE Reconstruction Phase I | Reconstruct 124th St SE to urban standards from west terminus to UGA Boundary | 2 | Circulation | Collector Arterial | \$4,312,000 |
| T-65 | 124th St. Extension | Extend 124th Ave. west to Trout Farm Rd. intersecting at approx. 125th St | 2 | Circulation | Collector Arterial | \$11,984,000 |
| Total Project Costs | | | | | | \$153,129,824 |

| Project # | Project Name | Project Description | Future Number of Lanes | Project Type | Arterial Functional Classification | Bicycle Facility | Transit Street |
|-----------|---------------------|--|------------------------|--------------|------------------------------------|---------------------|----------------|
| T-65 | 124th St. Extension | Extend 124th Ave. west to Trout Farm Rd. intersecting at approx. 125th St. | 2 | Circulation | Collector Arterial | Multi Purpose Trail | No |

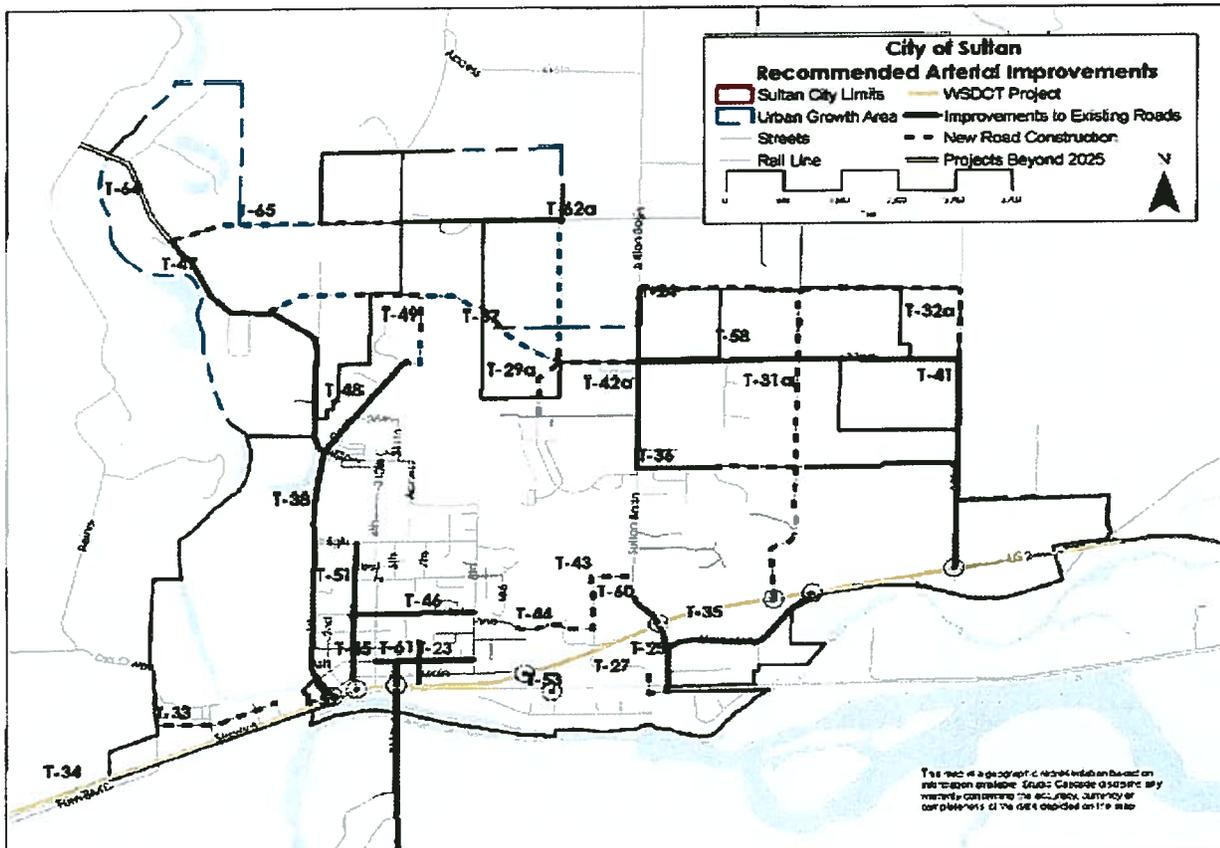


Figure 8-O: Recommended Arterial Improvement Projects

Table 8-8: Conceptual Improvement Project

| Project No. | Project Name | Project Description | Number of Lanes | Project Type | Arterial Functional Classification | Project Cost Estimate |
|-------------|--------------|---------------------|-----------------|--------------|------------------------------------|-----------------------|
|-------------|--------------|---------------------|-----------------|--------------|------------------------------------|-----------------------|

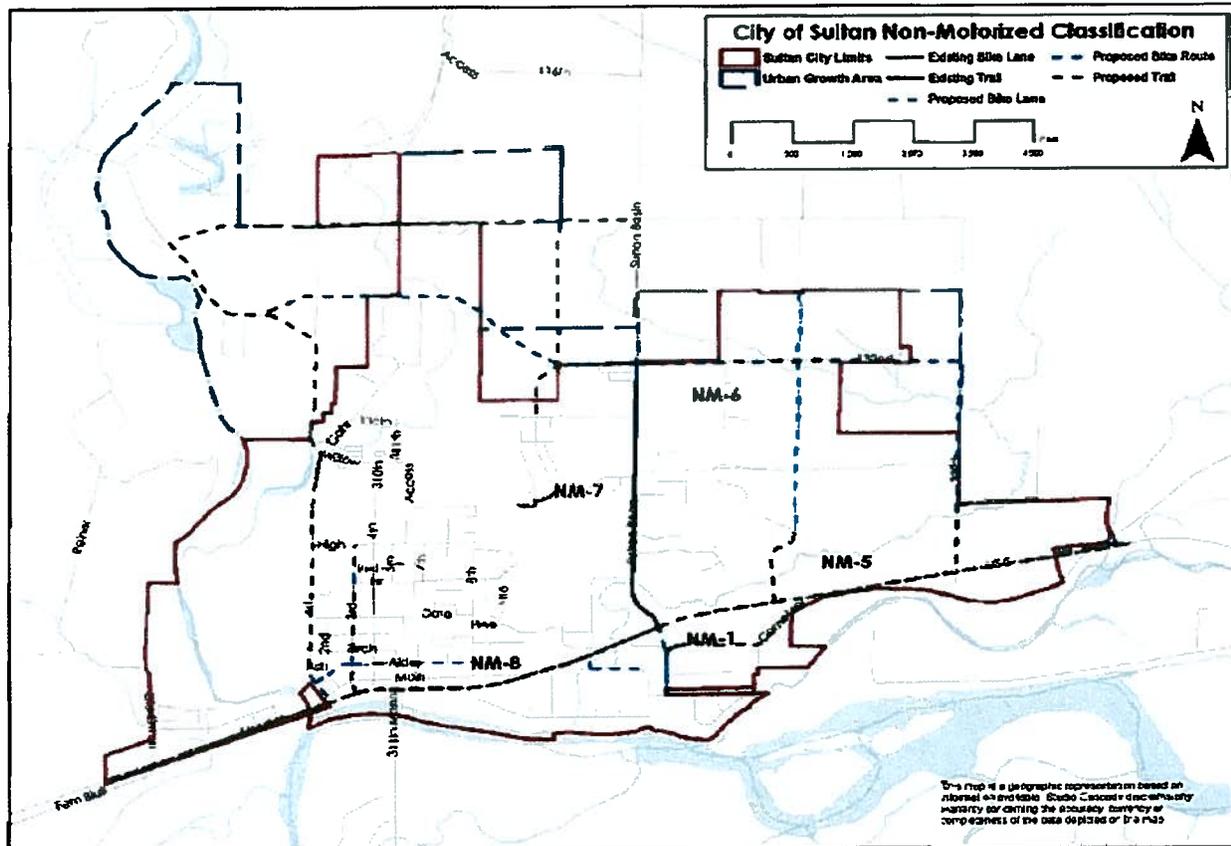


Figure 8-P. Recommended Non-motorized Improvement Projects

8.15 Financial Plan

Planning level cost estimates for each of the recommended City transportation improvement projects was prepared in 2007 and 2010. These estimates analyzed the cost of constructing the improvements as well as estimates for right-of-way purchase, project design costs, and environmental costs and mitigation. Table 8-10 provides the planning level cost estimates for the recommended 2011 – 2030 transportation improvements. A financial plan establishes how transportation improvements can be funded over the planning horizon year 2030.

The financial plan includes a long-range financial strategy that identifies the capacity of the City to fund its transportation needs described in this transportation element, a six-year capital improvement program for transportation and a reassessment strategy. Each year the City shall examine whether the City can fund the projects necessary to maintain required service levels set in this element. In the event the City cannot fund the improvements needed to maintain required service levels, the City shall consider and take one or a combination of actions that may include phasing of proposed developments, finding additional funding or instituting new financial measures, modifying the City’s adopted level of service standards to reflect service levels that can be maintained given known financial resources, and modifying the Future Land Use Map as it affects the need for services.

**SULTAN CITY COUNCIL
AGENDA ITEM COVER SHEET**

ITEM NO: Consent C 1
DATE: June 27, 2013
SUBJECT: Council Meeting Minutes

CONTACT PERSON: Laura Koenig, Clerk/Deputy Finance Director 

SUMMARY:

Attached are the minutes of the June 13, 2013 regular Council meeting as on file in the office of the City Clerk.

RECOMMENDED ACTION:

Approve as submitted

CITY OF SULTAN COUNCIL MEETING – June 13, 2013

Mayor Eslick called the regular meeting of the Sultan City Council to order in the Sultan Community Center. Councilmembers present: Marshall, Slawson, George, Davenport-Smith, Blair and Beeler. Absent: Neigel

CHANGES/ADDITIONS TO THE AGENDA:

Consent: Move Utility Report to Action
Action/Discussion: Add UGA County Docket

PRESENTATIONS:**Governor's Award:**

The City has received the Governor's Smart Community Award for the Comprehensive Plan. The Governor stated, "These projects help create and sustain a thriving economic climate and strengthen our ability to lead in the global economy. Washington is a great state in which to live and do business thanks to these examples of leadership and innovation".

Slawson: Congratulations to the Staff, Council and prior City Administrator for the work on the plan. Great work by the city and the work is recognized by other cities

Blair: Award is well deserved for the many hours and work done on the plan by the Staff, Council and Planning Board.

PUD – Osprey Park Dedication:

The City of Sultan and Snohomish County PUD will have a dedication ceremony on June 29, 2013 to announce the opening of improved salmon habitat and recreation areas along the Sultan River.

COMMENTS FROM THE PUBLIC:

Everett Williams: Urban Growth Area (UGA) proposed change was not discussed with the people involved. He purchased property on the east side of the city and does not want to be part of the UGA. Also talked to his neighbors and they do not want to be part of the UGA either. They do not want housing and would like remain as open space. They have all the services needed for utility and don't need them from the city. Forcing property into the UGA would allow annexation without the consent of the people. He has lived in small towns and everyone talks to each other and does what is best for the majority. The change would increase cost for permits. Requested not to be included in UGA.

Ron Fox: Concerned about the fluoride the City puts in the water. He has read and learned that there are reasons not to put in water. There are claims that it reduces cavities and studies show no difference between non-fluoride and fluoride use. Most western countries have rejected the use. It is an outdated form of forced medication and is considered unethical as there is no consent. Is not an essential nutrient and no process requires fluoride. He is paying the water system to poison him.

Mick Burch: Would like the UGA expansion to his property. He is just outside the UGA and it makes his property a white elephant. The City needs light industry to create jobs instead of burdening taxpayers just to generate revenue.

Carl Brida: Advised there will be a 5-K run in Osprey Park on September 28, 2013. Goal is to get the cross country and track teams involved. The 3 on 3 Basketball Tournament will be held on September 7, 2013. They are looking for sponsors and teams, including a wheelchair team.

CITY OF SULTAN COUNCIL MEETING – June 13, 2013**COUNCILMEMBER COMMENTS**

Blair: Requested the citizens stay for the discussion to clarify facts about the UGA. She has complained about fluoride in the past and there are interesting studies on the issue. She would like to hear more on the issue.

Davenport-Smith: Was upset about fluoride being in the water and would like to hear more about the issue. On the UGA change, she would like to have seen them during the public hearing process; it appears we have their attention now.

George: Is excited about the dedication at Osprey Park and she will attend and encourage others to come. Would like to hear more about the Fluoride in the water.

Slawson: The shooting range group met with representatives from the NRA and US Archery group. The Archery group is looking to place an Olympic sized archery range on the site. The toured the site and there is a potential for funding from the NRA, Archery and tourism grants. They are working on the non-profit status application. The plan is good and will draw people into the area for economic development.

Marshall: Regarding fluoride, he has had discussion with citizens and would like to hear more on the subject. Need volunteers for Shindig.

Makayla McNaughton: Attended State track finals during last council meeting. Graduation was held June 8th – school is out for the summer. Mayor Eslick presented a Certificate of Appreciate for serving as the student representative.

City Administrator: The Kiosk has been installed at City Hall by an Eagle Scout as a project. It will be maintained by a group working with the Chamber. Contract negotiations for law enforcement services have started with the Snohomish County Sheriff. The City will be reducing the budget for police services and is working with the County on levels of service. Staff is looking for ways to reduce costs and would like to encourage the Council to use electronic packets and work towards paperless packets. Staff is working on the Nuisance code and Utility code updates.

Mayor Eslick: Everett Community College is expanding services for math and business services. The application for the IPZ will be submitted to the state in September. The Boys/Girls will be phasing the rebuild project and held a pre-application meeting last week. Safe Stop will continue through the summer this year at the elementary school and they are looking for volunteers. A representative from Cabela's attended the recreation meeting and they are interesting in adopting the park across the river as a project and will provide funding and volunteers to do work. They would also like to be involved in the Return of the Pinks event. The City will be getting the award at the AWC conference and she will be making a presentation on the City's volunteer program.

STAFF REPORTS – Written Reports Submitted and are on file in the Office of the City Clerk.

- 1) Police Report
- 2) Code Enforcement
- 3) Planning Board Minutes

HEARINGS: Ordinance 1172-13, Timber Ridge Building Moratorium. Minutes are under separate report.

CITY OF SULTAN COUNCIL MEETING – June 13, 2013

CONSENT AGENDA: The following items are incorporated into the consent agenda and approved by a single motion of the Council. On a motion by Councilmember Slawson, seconded by Councilmember Marshall, the consent agenda was approved as amended. Marshall – aye; Slawson – aye; George – aye, nay on the vouchers; Davenport-Smith – aye, Blair – aye; Beeler - aye.

- 1) Approval of the May 23, 2013 Council Meeting Minutes
- 2) Approval of the May 23, 2013 Public Hearing Minutes on Medical Marijuana/Collective Gardens
- 3) Approval of Vouchers in the amount of \$144,288.15 and payroll through May 24, 2013 in the amount of \$88,971.71, to be drawn and paid on the proper accounts.

ACTION ITEMS:**Ordinance 1172-13 Timber Ridge Building Moratorium**

The ordinance is presented as an emergency ordinance relating to the health and safety of the public and shall be effective upon passage. As an emergency, the ordinance requires a vote of the majority plus one of the whole council in order to become effective. A public hearing was held on June 13, 2013 for the city council to consider public comment as required by RCW 35A.63.220 and RCW 36.70A.390.

On a motion by Councilmember Marshall, seconded by Councilmember Slawson, the Mayor was authorized to sign Ordinance No. 1172-13 extending an emergency moratorium on grading or building on lots within the plat of Timber Ridge for an additional six months, which is to take effect immediately upon passage. All ayes.

Utility Committee Report

The Council Sub-Committee met on May 23, 2013 to review requests for relief from excess utility billing charges and adjustments to billed amounts in accordance with the current adopted Council policy.

Councilmember Slawson requested the item be removed from the Consent Agenda. He does not like the process used as the water was used and others must bear the costs. The customers need to repair the water leak problems and pay for the water used. In one case, they approved relief in the amount of \$20,000 (sewer) because a business owner did not want to dig up the concrete covering the water line. He would like to see the policy amended.

Council discussion:

Beeler: The purpose of the committee is to help the residents because the only way they know there is a leak is when they receive a bill. The city is forgiving on water use and other cities are not. (Staff advised the customers are notified if there is a high meter read.)

Blair: There is an issue with other ratepayers having to pay the cost of granting relief. They have set a standard of 50% relief for those who make reasonable efforts to correct the problem. Requests for small dollar amounts does not make a lot of sense since they can't apply again for another 5 years. They do consider when the repair was done and try to be fair and base on facts and do not give relief for interior problems.

Davenport-Smith: Policy has been in place for many years. Need to have a benevolent fund.

George: The committee was selective about the policy and interpretation and does not feel we should have a relief policy. There is staff time involved also that must be considered as a cost to ratepayers.

On a motion by Councilmember Slawson, seconded by Councilmember Blair, the recommendations of the Council Sub-Committee for adjustments and credits to utility accounts were approved in the amount of \$52.06. All ayes.

CITY OF SULTAN COUNCIL MEETING – June 13, 2013**UGA Adjustment – County Docket:**

The City submitted an application to be included on the County docket to amend the Urban Growth Area (UGA). The city did not provide public notice as this is only an application to be included on the docket and the County must agree to consider the request. The Comprehensive Plan calls for the city to analysis services and the population allocation. In 2009, the City requested the County lower the population allocation and was told it would be beneficial for the city to wait until the 2015 docket opened. The population allocation has been reduced and the next step is to study the areas to be included in the UGA. The city must be able to provide utility service within the life span of the plan. Public notice will be provided if the item is included on the docket. Inclusion in the UGA means the property can be annexed at the request of the property owners.

Discussion:

Population allocation must be met by 2035; Trout Farm road area has wetland and flooding issues;

requirement for city services; annexation process; long range planning for next 30 years; Comp Plan requirement for change in UGA; notification requirements; impact of the new FEMA regulations on areas in the UGA; County zoning and regulations are in effective until property is annexed; next meeting is June 26th at the County.

At this time, the action does not put anyone in the UGA or in the City and does not change the relationship with the County it only puts the issue on the docket to study for next two years. If don't proceed, it would put the Comp Plan internally inconsistent and potentially out of compliance and subject to hearing board challenge.

Beeler: It is in the best interest of the city to proceed and it does not require annexation. The Trout Farm Road area is not viable. Supports the request.

Blair: City is required to plan and meet the population allocation. This is a planning tool and properties are not required to annex. The city may be able to lower impact fees. Supports the requests as it is proper planning for the city's future.

Davenport-Smith: Favors moving forward with the docket to prevent non-compliance issues. Would like to see information regarding potential cost to residents.

George: This is a fix for bureaucrats but not for the people we represent. Don't believe they were notified or given an opportunity for input. Does not support the request.

Slawson: 100% in favor of the request. Would like additional information on costs if they are included in the UGA. Comp Plan compliance is needed and it may change in the next 20 years.

Marshall: Need to follow decision made when the Comp Plan was adopted.

DISCUSSION:**Council Retreat Date**

The issue before the City Council is to discuss an alternate date for the council budget retreat originally set for June 22, 2013.

The Mayor is unavailable on June 22, 2013 and requests the retreat be rescheduled. July is a busy month with the Sultan Summer Shindig (July 12-14), Historic Society Mining Display (July 20) and Gold Dust Days (July 27-28). Staff is recommending the retreat be rescheduled to August 3rd or August 10th.

The Council set the retreat date for August 3rd.

Adjournment: On a motion by Councilmember Slawson, seconded by Councilmember Marshall, the meeting adjourned at 9:25 PM. All ayes.

Carolyn Eslick, Mayor

Laura J. Koenig, City Clerk

**SULTAN CITY COUNCIL
AGENDA ITEM COVER SHEET**

ITEM NO: Consent C 2
DATE: June 27, 2013
SUBJECT: Council Meeting Minutes

CONTACT PERSON: Laura Koenig, Clerk/Deputy Finance Director 

SUMMARY:

Attached are the minutes of the June 13, 2013 Public Hearing on the Timber Ridge Building Moratorium as on file in the office of the City Clerk.

RECOMMENDED ACTION:

Approve as submitted

CITY OF SULTAN COUNCIL MEETING – June 13, 2013**PUBLIC HEARING:**

Mayor Eslick called the Public Hearing on the Timber Ridge Building Moratorium to order. Councilmembers present: Slawson, George, Marshall, Davenport-Smith, Blair and Beeler.

Staff:

The city needs to hold a public hearing to take testimony on extending a six-month moratorium on grading or building on lots within the plat of Timber Ridge.

The Council adopted Ordinance 1136-12, an emergency moratorium on development within the plat of Timber Ridge at the February 9, 2012 council meeting. The city's consultants (WHPacific and Robinson Noble) continued to study the slope instability issue at Timber Ridge, and both consulting firms recommended to Council at the June 14, 2012 council meeting that the six month moratorium be extended an additional six months.

The Council subsequently adopted Ordinance 1155-12, an emergency moratorium on development within the plat of Timber Ridge at the July 26, 2012 council meeting. The city's geotechnical engineer subsequently developed "draft" special design requirements for lots within Timber Ridge, and WHPacific resurveyed a number of ground points in December 2012 to determine if the ground had moved. Additional work was necessary to finalize the specialized design requirements and the Council adopted Ordinance 1165-13, an emergency moratorium on development within the plat of Timber Ridge at the January 10, 2013 council meeting.

The emergency moratorium extension is necessary to give the city and its consultant's additional time to understand the slope stability issues at Timber Ridge. This is considered an emergency due to the fact the housing market appears to be improving in the greater Seattle area and there is potential for new building activity. It is critical that some or all new homes built in this plat have special foundation designs to address the unique conditions of onsite soils. Special design requirements are not in place at this time, and the potential exists for extreme structure damage due to possible earth settlement and landslide activity.

Ordinance No. 1165-13 established the following "findings of fact" to justify extension of the moratorium:

- In December 2010, the City discovered issues with slope stability, and damage to 141st Street SE
- In early 2011, the City discovered issues with damage to the storm conveyance system associated with 141st Street SE
- In early 2011, the City discovered issues with slope stability and damage to 142nd Street SE.
- Inclinometers installed by the developer to monitor movement of the site are showing creep of ¼ inch to ½ inch over a four-year period (2007-2011).
- The Hilfiger wall located south of 142nd Street SE was designed to settle between 6 to 14 inches. As such, special foundation requirements will need to be developed for houses affected by this significant settlement and perhaps additional requirements as well.
- The City has retained the services of a geotechnical engineer to evaluate groundwater levels to determine if the Hilfiger wall was designed properly, and to develop special building foundation requirements.

CITY OF SULTAN COUNCIL MEETING – June 13, 2013

- The City has retained the services of a civil engineer and land surveyor to monitor and evaluate horizontal and vertical movement throughout the plat.
- The City's geotechnical engineer has developed "draft" special design requirements for lots within Timber Ridge, which are currently being reviewed by the City Attorney, but additional work is needed to finalize these special design requirements before they are codified.

Ordinance 1172-13 will extend the moratorium for an additional six months to give the City and its consultants more time to understand the ongoing issues and to provide solutions.

Council Comments:

Time frame for the language for the code ordinance; continued correspondence with adjoining property owners; impact of the proposed ordinance on existing property.

Public Input

Written comments were received from Gerry Gibson and Judy Heydrick.

On a motion by Councilmember Davenport-Smith, seconded by Councilmember Beeler, the public hearing was closed. All ayes.

Carolyn Eslick, Mayor

Laura J. Koenig, City Clerk

SULTAN CITY COUNCIL
AGENDA ITEM COVER SHEET

ITEM #: Consent 3
DATE: June 27, 2013
SUBJECT: Voucher Approval
CONTACT PERSON: Laura Koenig, Clerk/Deputy Finance Director 

SUMMARY:

Attached are the vouchers for approval in the amount of \$361,137.16 and payroll through June 7, 2013, 2013 in the amount of \$71,608.53 to be drawn and paid on the proper accounts.

FISCAL IMPACT: \$432,745.69

RECOMMENDATION:

Approve the payment of vouchers as submitted.

**City Of Sultan
Voucher Approval
June 27, 2013**

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 hereon, and that the claim is just, due and an unpaid obligation against the City of Sultan, and that I am authorized to authenticate and certify to said claim.

Laura J. Koenig, Clerk/Deputy Finance Director

We, the undersigned City Council of Sultan Washington, do hereby certify that the merchandise or services hereinafter specified have been received and the claims are approved for payment in the following amounts:

| | |
|--------------------------------------|-------------------|
| Payroll Check #28142-44 | \$ 4,414.04 |
| Direct Deposit #12 | \$ 27,196.36 |
| Benefits Check #28145-51 | \$ 27,266.56 |
| Tax Deposit #PR 12 | \$ 12,731.57 |
| Accounts Payable Checks #28153-28200 | \$ 351,548.29 |
| ACH Transactions - DOR | \$ 9,588.87 |
| TOTAL | \$ 432,745.69 |

Kenneth Marshall, Councilmember

Steve Slawson, Councilmember

Kay George, Councilmember

Sarah Davenport-Smith, Councilmember

Joseph Neigel, Councilmember

Kristina Blair, Councilmember

Jeffrey Beeler, Councilmember

Checks for Approval

| Check Number | Check Date | Fund Name | Account Name | Vendor Name | Amount |
|--------------|------------|---------------------------|-----------------------|--------------------------|--------|
| 28145 | 06/12/2013 | GENERAL FUND | Deferred Comp Payable | Department of Retirement | 87.76 |
| 28145 | 06/12/2013 | STREET FUND | Deferred Comp Payable | Department of Retirement | 41.00 |
| 28145 | 06/12/2013 | CEMETERY FUND | Deferred Comp Payable | Department of Retirement | 3.76 |
| 28145 | 06/12/2013 | BUILDING MAINTENANCE FUND | Deferred Comp Payable | Department of Retirement | 8.99 |
| 28145 | 06/12/2013 | UTILITY WATER FUND | Deferred Comp Payable | Department of Retirement | 155.99 |
| 28145 | 06/12/2013 | UTILITY SEWER FUND | Deferred Comp Payable | Department of Retirement | 245.50 |
| 28145 | 06/12/2013 | UTILITY GARBAGE FUND | Deferred Comp Payable | Department of Retirement | 25.75 |
| 28145 | 06/12/2013 | STORMWATER UTILITY FUND | Deferred Comp Payable | Department of Retirement | 31.25 |
| 28146 | 06/12/2013 | GENERAL FUND | PERS Payable | Department of Retirement | 55.23 |
| 28146 | 06/12/2013 | GENERAL FUND | PERS Payable | Department of Retirement | 38.30 |
| 28146 | 06/12/2013 | GENERAL FUND | PERS Payable | Department of Retirement | 428.67 |
| 28146 | 06/12/2013 | STREET FUND | PERS Payable | Department of Retirement | 159.27 |
| 28146 | 06/12/2013 | CEMETERY FUND | PERS Payable | Department of Retirement | 18.53 |
| 28146 | 06/12/2013 | BUILDING MAINTENANCE FUND | PERS Payable | Department of Retirement | 23.06 |
| 28146 | 06/12/2013 | UTILITY WATER FUND | PERS Payable | Department of Retirement | 462.92 |
| 28146 | 06/12/2013 | UTILITY SEWER FUND | PERS Payable | Department of Retirement | 452.39 |
| 28146 | 06/12/2013 | UTILITY GARBAGE FUND | PERS Payable | Department of Retirement | 224.32 |
| 28146 | 06/12/2013 | STORMWATER UTILITY FUND | PERS Payable | Department of Retirement | 139.02 |
| 28146 | 06/12/2013 | GENERAL FUND | PERS Payable | Department of Retirement | 666.21 |
| 28146 | 06/12/2013 | STREET FUND | PERS Payable | Department of Retirement | 247.44 |
| 28146 | 06/12/2013 | CEMETERY FUND | PERS Payable | Department of Retirement | 28.82 |
| 28146 | 06/12/2013 | BUILDING MAINTENANCE FUND | PERS Payable | Department of Retirement | 35.81 |
| 28146 | 06/12/2013 | UTILITY WATER FUND | PERS Payable | Department of Retirement | 719.28 |
| 28146 | 06/12/2013 | UTILITY SEWER FUND | PERS Payable | Department of Retirement | 703.01 |
| 28146 | 06/12/2013 | UTILITY GARBAGE FUND | PERS Payable | Department of Retirement | 348.54 |
| 28146 | 06/12/2013 | STORMWATER UTILITY FUND | PERS Payable | Department of Retirement | 215.98 |
| 28147 | 06/12/2013 | CEMETERY FUND | AFLAC Payable | AFLAC | 0.06 |
| 28147 | 06/12/2013 | UTILITY WATER FUND | AFLAC Payable | AFLAC | 5.92 |
| 28147 | 06/12/2013 | UTILITY SEWER FUND | AFLAC Payable | AFLAC | 8.00 |
| 28147 | 06/12/2013 | STORMWATER UTILITY FUND | AFLAC Payable | AFLAC | 0.07 |
| 28147 | 06/12/2013 | CEMETERY FUND | AFLAC Payable | AFLAC | 0.16 |
| 28147 | 06/12/2013 | UTILITY WATER FUND | AFLAC Payable | AFLAC | 15.77 |
| 28147 | 06/12/2013 | UTILITY SEWER FUND | AFLAC Payable | AFLAC | 25.80 |
| 28147 | 06/12/2013 | STORMWATER UTILITY FUND | AFLAC Payable | AFLAC | 0.17 |
| 28147 | 06/12/2013 | CEMETERY FUND | AFLAC Payable | AFLAC | 0.07 |
| 28147 | 06/12/2013 | UTILITY WATER FUND | AFLAC Payable | AFLAC | 5.92 |
| 28147 | 06/12/2013 | UTILITY SEWER FUND | AFLAC Payable | AFLAC | 8.00 |
| 28147 | 06/12/2013 | STORMWATER UTILITY FUND | AFLAC Payable | AFLAC | 0.06 |
| 28147 | 06/12/2013 | CEMETERY FUND | AFLAC Payable | AFLAC | 0.17 |
| 28147 | 06/12/2013 | UTILITY WATER FUND | AFLAC Payable | AFLAC | 15.77 |

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|-------|------------|---------------------------|-----------------------------|----------------------------|--------|
| 28147 | 06/12/2013 | UTILITY SEWER FUND | AFLAC Payable | AFLAC | 25.80 |
| 28147 | 06/12/2013 | STORMWATER UTILITY FUND | AFLAC Payable | AFLAC | 0.16 |
| 28148 | 06/12/2013 | GENERAL FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 32.75 |
| 28148 | 06/12/2013 | STREET FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 14.00 |
| 28148 | 06/12/2013 | CEMETERY FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 0.76 |
| 28148 | 06/12/2013 | BUILDING MAINTENANCE FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 2.37 |
| 28148 | 06/12/2013 | UTILITY WATER FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 23.21 |
| 28148 | 06/12/2013 | UTILITY SEWER FUND | Med/Dental/Vis Payable | AWC Employee Benefit Trust | 21.53 |
| 28148 | 06/12/2013 | UTILITY GARBAGE FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 12.27 |
| 28148 | 06/12/2013 | STORMWATER UTILITY FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 13.20 |
| 28148 | 06/12/2013 | GENERAL FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 71.98 |
| 28148 | 06/12/2013 | STREET FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 13.47 |
| 28148 | 06/12/2013 | CEMETERY FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 4.68 |
| 28148 | 06/12/2013 | BUILDING MAINTENANCE FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 1.66 |
| 28148 | 06/12/2013 | UTILITY WATER FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 175.44 |
| 28148 | 06/12/2013 | UTILITY SEWER FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 95.20 |
| 28148 | 06/12/2013 | UTILITY GARBAGE FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 57.73 |
| 28148 | 06/12/2013 | STORMWATER UTILITY FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 28.16 |
| 28148 | 06/12/2013 | GENERAL FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 116.94 |
| 28148 | 06/12/2013 | STREET FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 105.25 |
| 28148 | 06/12/2013 | CEMETERY FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 58.47 |
| 28148 | 06/12/2013 | UTILITY WATER FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 304.04 |
| 28148 | 06/12/2013 | UTILITY SEWER FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 210.48 |
| 28148 | 06/12/2013 | UTILITY GARBAGE FUND | Med/Dental/Vis Payable | AWC Employee Benefit Trust | 245.57 |
| 28148 | 06/12/2013 | STORMWATER UTILITY FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 128.62 |
| 28148 | 06/12/2013 | GENERAL FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 45.50 |
| 28148 | 06/12/2013 | STREET FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 2.68 |
| 28148 | 06/12/2013 | UTILITY WATER FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 2.67 |
| 28148 | 06/12/2013 | UTILITY SEWER FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 2.68 |
| 28148 | 06/12/2013 | GENERAL FUND | Med/Dental/Vis Payable | AWC Employee Benefit Trust | 193.04 |
| 28148 | 06/12/2013 | STREET FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 52.65 |
| 28148 | 06/12/2013 | UTILITY WATER FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 140.40 |
| 28148 | 06/12/2013 | UTILITY SEWER FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 140.39 |
| 28148 | 06/12/2013 | UTILITY GARBAGE FUND | Med/Dental/Vis Payable | AWC Employee Benefit Trust | 105.29 |
| 28148 | 06/12/2013 | STORMWATER UTILITY FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 70.20 |
| 28148 | 06/12/2013 | GENERAL FUND | Med/Dental/Vis Payable | AWC Employee Benefit Trust | 0.83 |
| 28148 | 06/12/2013 | STREET FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 0.22 |
| 28148 | 06/12/2013 | UTILITY WATER FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 0.60 |
| 28148 | 06/12/2013 | UTILITY SEWER FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 0.60 |
| 28148 | 06/12/2013 | UTILITY GARBAGE FUND | Med/Dental/Vis Payable | AWC Employee Benefit Trust | 0.45 |
| 28148 | 06/12/2013 | STORMWATER UTILITY FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 0.30 |
| 28148 | 06/12/2013 | GENERAL FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 32.75 |
| 28148 | 06/12/2013 | STREET FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 13.99 |
| 28148 | 06/12/2013 | CEMETERY FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 0.77 |
| 28148 | 06/12/2013 | BUILDING MAINTENANCE FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 2.37 |

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|-------|------------|---------------------------|--------------------------------|----------------------------|----------|
| 28148 | 06/12/2013 | UTILITY WATER FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 23.18 |
| 28148 | 06/12/2013 | UTILITY SEWER FUND | Med/Dental/Vis Payable | AWC Employee Benefit Trust | 21.56 |
| 28148 | 06/12/2013 | UTILITY GARBAGE FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 12.29 |
| 28148 | 06/12/2013 | STORMWATER UTILITY FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 13.18 |
| 28148 | 06/12/2013 | GENERAL FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 71.97 |
| 28148 | 06/12/2013 | STREET FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 13.45 |
| 28148 | 06/12/2013 | CEMETERY FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 4.71 |
| 28148 | 06/12/2013 | BUILDING MAINTENANCE FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 1.66 |
| 28148 | 06/12/2013 | UTILITY WATER FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 175.40 |
| 28148 | 06/12/2013 | UTILITY SEWER FUND | Med/Dental/Vis Payable | AWC Employee Benefit Trust | 95.21 |
| 28148 | 06/12/2013 | UTILITY GARBAGE FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 57.73 |
| 28148 | 06/12/2013 | STORMWATER UTILITY FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 28.19 |
| 28148 | 06/12/2013 | GENERAL FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 1,680.30 |
| 28148 | 06/12/2013 | STREET FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 341.48 |
| 28148 | 06/12/2013 | CEMETERY FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 75.53 |
| 28148 | 06/12/2013 | BUILDING MAINTENANCE FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 63.23 |
| 28148 | 06/12/2013 | UTILITY WATER FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 1,942.09 |
| 28148 | 06/12/2013 | UTILITY SEWER FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 2,255.87 |
| 28148 | 06/12/2013 | UTILITY GARBAGE FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 1,355.70 |
| 28148 | 06/12/2013 | STORMWATER UTILITY FUND | Med/Dental/Vis Payable | AWC Employee Benefit Trust | 577.56 |
| 28148 | 06/12/2013 | GENERAL FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 45.50 |
| 28148 | 06/12/2013 | STREET FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 2.67 |
| 28148 | 06/12/2013 | UTILITY WATER FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 2.68 |
| 28148 | 06/12/2013 | UTILITY SEWER FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 2.68 |
| 28148 | 06/12/2013 | GENERAL FUND | Med/Dental/Vis Payable | AWC Employee Benefit Trust | 855.16 |
| 28148 | 06/12/2013 | STREET FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 491.82 |
| 28148 | 06/12/2013 | CEMETERY FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 27.77 |
| 28148 | 06/12/2013 | BUILDING MAINTENANCE FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 90.64 |
| 28148 | 06/12/2013 | UTILITY WATER FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 2,529.07 |
| 28148 | 06/12/2013 | UTILITY SEWER FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 622.02 |
| 28148 | 06/12/2013 | UTILITY GARBAGE FUND | Med/Dental/Vis Payable | AWC Employee Benefit Trust | 371.78 |
| 28148 | 06/12/2013 | STORMWATER UTILITY FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 394.00 |
| 28148 | 06/12/2013 | GENERAL FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 1,140.70 |
| 28148 | 06/12/2013 | STREET FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 67.10 |
| 28148 | 06/12/2013 | UTILITY WATER FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 67.08 |
| 28148 | 06/12/2013 | UTILITY SEWER FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 67.11 |
| 28148 | 06/12/2013 | GENERAL FUND | Med/Dental/Vis Payable | AWC Employee Benefit Trust | 13.59 |
| 28148 | 06/12/2013 | STREET FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 4.02 |
| 28148 | 06/12/2013 | CEMETERY FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 0.59 |
| 28148 | 06/12/2013 | BUILDING MAINTENANCE FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 0.64 |
| 28148 | 06/12/2013 | UTILITY WATER FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 11.66 |
| 28148 | 06/12/2013 | UTILITY SEWER FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 10.01 |
| 28148 | 06/12/2013 | UTILITY GARBAGE FUND | Med/Dental/Vis Payable | AWC Employee Benefit Trust | 7.01 |
| 28148 | 06/12/2013 | STORMWATER UTILITY FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 3.48 |
| 28148 | 06/12/2013 | GENERAL FUND | Med/Den/Vision/Life Payable | AWC Employee Benefit Trust | 1,002.83 |
| | | | Benefits - Disability Insuranc | | |

Exhibit 'A' to the Contract Agreement for Professional Services
between The City of Sultan and The BlueLine Group, LLC
for the High Avenue and 4th Street Project, dated June 11, 2013

Task 016 – HIGH AVENUE DESIGN – SEWER Fixed Fee: **\$11,200**

Using the information gathered in Task 015, BlueLine will provide the design, plans, and specifications for the Sewer Main design portion of the Project. The services under this task will include:

- **Sewer Main Design:** BlueLine will prepare plan sheets for the design of ±500-1,000 lineal feet of 8" PVC sewer main rehabilitation or replacement along High Avenue from 1st Street to 4th Street. This will include:
 - Analyzing the results of the sewer condition assessment to determine whether the sewer system should be replaced or rehabilitated and if so, determining the most cost-effective method of the improvements.
 - Sewer main connections to existing at 3rd Street, and possibly at 1st Street and/or 4th Street, depending on the existing sewer system configuration.
 - Side sewer connections (to the existing customer side sewer) in the corridor if applicable.
- Sewer Main plans (plan and profile views) prepared similar to (and included with) the Roadway and Storm Drainage plans described in Task 013.
- Sewer Main specifications prepared similar to (and included with) the Roadway and Storm Drainage specifications described in Task 013.
- Engineer's Estimates, design stage submittals, review of comments, constructability review, and QA/QC all similar to (and included with) Task 013.

Deliverables: *See Task 013*

Task 017 – HIGH AVENUE OPEN HOUSE Fixed Fee: **\$1,200**

BlueLine will coordinate two public meetings with the City, including one after the Preliminary Design Stage and one after the Bidding & Award process. The City will coordinate public notices and/or mailings and arrange the meeting time and location.

Deliverables: *Exhibits mounted on foam board for use at the meetings.*

Task 018 – HIGH AVENUE BIDDING & AWARD Fixed Fee: **\$1,700**

BlueLine will provide consulting services during the bidding process, including:

- Uploading Contract Documents to Builder's Exchange.
- Addressing questions from prospective bidders, if necessary.
- Generally assisting the City during the bidding process as needed.
- Preparing and issuing addenda to clarify the construction documents, if necessary.
- Attending and conducting the bid opening.
- Preparing the bid tabulation, reviewing apparent low bidder references, and preparing recommendation for contract award.

Deliverables: *Contract Documents uploaded to Builder's Exchange; Addenda if necessary; Bid Tabulation, and Award Recommendation Letter.*

Exhibit 'A' to the Contract Agreement for Professional Services
between The City of Sultan and The Blueline Group, LLC
for the High Avenue and 4th Street Project, dated June 11, 2013

Task 019 – HIGH AVENUE CULTURAL RESOURCES ASSESSMENT Hourly NTE: \$5,000
See Exhibit E for Scope of Work from Cultural Resources Assessment Subconsultant.

Task 020 – 4TH STREET PROJECT MANAGEMENT.....Fixed Fee: \$2,400
This task is for general coordination and meetings on the project, plus subconsultant coordination and contract management, constructability review and QA/QC, TIB coordination, additional funding source coordination, and monthly invoice preparation.

Task 021 – 4TH STREET SURVEY & BASE MAPPING..... Fixed Fee: \$11,000
See Exhibit B for Scope of Work from Axis Survey & Mapping.

Task 022 – 4TH STREET GEOTECHNICAL EXPLORATIONSFixed Fee: \$8,400
See Exhibit C for Scope of Work from Associated Earth Sciences, Inc.

Task 023 – 4TH STREET DESIGN – ROAD & STORM DRAINAGE..... Fixed Fee: \$21,800
Using the base maps prepared in Task 021 and the geotechnical recommendations prepared in Task 022, Blueline will provide the design, plans, and specifications for the Road and Storm Drainage design portion of the Project. The services under this task will include:

- Kick-off Meeting with the City.
- Blueline will prepare plan sheets for the design of ±1,520 lineal feet of roadway improvements along 4th Street from Fir Avenue to Alder Avenue, including:
 - Determining the project limits on the north and south ends based on condition of pavement, pavement marking, ADA ramps, and sidewalks relative to available funding.
 - Pavement evaluation and restoration/rehabilitation recommendations and design for the entire length and width of 4th Street within the project limits. It is anticipated this will generally consist of grinding and overlaying the entire roadway along 4th Street.
 - Retaining the existing curb, gutter, and sidewalk where possible, and replacing it where it has failed.
 - Upgrading all access ramps within the project to current ADA standards.
 - Design of drainage improvements as necessary to collect and convey runoff and prevent ponding.
 - Improving all pavement markings, including crosswalks, while retaining existing in-pavement crosswalk lights.
 - General temporary erosion and sedimentation control notes and details as necessary.
- Roadway and Storm Drainage plans prepared as follows:
 - Proposed alignments shown in plan and profile per City standards.
 - City standard details cross-referenced where applicable and specialized details developed as necessary.
 - 22"x34" sheets with roughly an 18"x28" drawing area.
 - 1"=20' horizontal scale and 1"=5' vertical scale.

**Exhibit 'A' to the Contract Agreement for Professional Services
between The City of Sultan and The BlueLine Group, LLC
for the High Avenue and 4th Street Project, dated June 11, 2013**

- Technical specifications for Roadway and Storm Drainage designs, including Proposal, Contract Forms, General Conditions, and Measurement and Payment in WSDOT format, using City-provided standard specifications when available.
- Engineer's Estimates of probable construction costs.
- Preliminary, 60%, 90%, and Final Design stage submittals.
- Review of comments with City staff at each stage of design and incorporation of City comments into the next submittal.
- SEPA Checklist.

Deliverables: *Preliminary Design, 60% Design, & 90% Design Submittals: 2 sets of 22"x34" Plans, PDF of Plans, 2 sets of Specifications, and an Engineer's Estimate.*
SEPA Checklist and Notice of Intent (City to publish and pay associated fees).
Final Design Submittal: 3 sets of 22"x34" Plans, PDF of Plans, 3 sets of Specifications, and an Engineer's Estimate, plus all documents in digital format (Word, PDF, & AutoCAD) on a CD.
Submittal of Contract Documents to TIB Authority as required.

Task 024 – 4TH STREET DESIGN – WATER..... Fixed Fee: \$14,600

BlueLine will provide the design, plans, and specifications for Water Main design portion of the Project. The services under this task will include:

- **Water Main Design:** BlueLine will prepare plan sheets for the design of ±1,500 lineal feet of proposed 8" DI water main along 4th Street from Fir Avenue to Alder Avenue. This will include:
 - Water main connections to existing at Fir Avenue, Sultan Elementary School, Date Avenue, Cedar Avenue, Birch Avenue and Alder Avenue.
 - Fire hydrant replacement.
 - Water service replacement (to the existing water meter) along the corridor.
 - Fittings and other associated appurtenances as necessary.
- Water Main plans (plan view only) prepared similar to (and included with) the Roadway and Storm Drainage plans described in Task 023.
- Water Main specifications prepared similar to (and included with) the Roadway and Storm Drainage specifications described in Task 023.
- Engineer's Estimates, design stage submittals, review of comments, constructability review, and QA/QC all similar to (and included with) Task 023.

Deliverables: *See Task 023*

Task 025 – 4TH STREET SEWER CONDITION ASSESSMENT..... Hourly NTE: \$6,000

See Exhibit D for Scope of Work from Bravo Environmental. Scope includes CCTV Condition Assessment plus allowances for Sewer Cleaning and Smoke Testing, if determined necessary.

Exhibit 'A' to the Contract Agreement for Professional Services
between The City of Sultan and The Blueline Group, LLC
for the High Avenue and 4th Street Project, dated June 11, 2013

Task 026 – 4TH STREET DESIGN – SEWER..... Fixed Fee: \$14,200

Blueline will provide the design, plans, and specifications for the Sewer Main design portion of the Project. The services under this task will include:

- **Sewer Main Design:** Blueline will prepare plan sheets for the design of ±1,500 lineal feet of proposed 8" PVC sewer main along 4th Street from Fir Avenue to Alder Avenue. This will include:
 - Analyzing the results of the sewer condition assessment to determine whether the sewer system should be replaced or rehabilitated and if so, determining the most cost-effective method of the improvements.
 - Sewer main connections to existing at Fir Avenue, Date Avenue, and Birch Avenue, as well as several alleys in between.
 - Side sewer connections (to the existing customer side sewer) in the corridor if applicable.
 - Fittings and other associated appurtenances as necessary.
- Sewer Main plans (plan and profile views) prepared similar to (and included with) the Roadway and Storm Drainage plans described in Task 023.
- Sewer Main specifications prepared similar to (and included with) the Roadway and Storm Drainage specifications described in Task 023.
- Engineer's Estimates, design stage submittals, review of comments, constructability review, and QA/QC all similar to (and included with) Task 023.

Deliverables: See Task 023

Task 027 – 4TH STREET OPEN HOUSE..... Fixed Fee: \$800

Blueline will coordinate two public meetings with the City, including one after the Preliminary Design Stage and one after the Bidding & Award process. The City will coordinate public notices and/or mailings and arrange the meeting time and location.

Deliverables: Exhibits mounted on foam board for use at the meetings.

Task 028 – 4TH STREET BIDDING & AWARD..... Fixed Fee: \$1,100

Blueline will provide consulting services during the bidding process, including:

- Uploading Contract Documents to Builder's Exchange.
- Addressing questions from prospective bidders, if necessary.
- Generally assisting the City during the bidding process as needed.
- Preparing and issuing addenda to clarify the construction documents, if necessary.
- Attending and conducting the bid opening.
- Preparing the bid tabulation, reviewing apparent low bidder references, and preparing recommendation for contract award.

Deliverables: Contract Documents uploaded to Builder's Exchange; Addenda if necessary; Bid Tabulation, and Award Recommendation Letter.

Exhibit 'A' to the Contract Agreement for Professional Services
between The City of Sultan and The Blueline Group, LLC
for the High Avenue and 4th Street Project, dated June 11, 2013

Task 029 - UNASSIGNED SERVICES RESERVE Not to Exceed: \$5,000

This task provides for unanticipated services deemed to be necessary during the course of the Project that are not specifically identified in the scope of work tasks defined above. Any additional work or funds under this item are not to be used unless explicitly authorized by the City.

Deliverables: None yet identified.

Task 030 - EXPENSES..... Not to Exceed: \$3,000

Reimbursable expenses such as large format copies (larger than letter/legal size), mileage, and plots.

GENERAL ASSUMPTIONS & NOTES

- Scope and fees outlined above are based on the following information (any changes to these documents may result in changes to the fees):
 - City of Sultan's Request for Qualifications dated April 2013.
 - Scoping Meeting with the City of Sultan on May 29, 2013 and additional coordination with the City in early June.
- We do not anticipate that Traffic Engineering, Ground Penetrating Radar, or Wetland Services will be necessary for this Project. If it is determined during the design phase that either is needed, we will provide an Additional Services Authorization request for that effort.
- Traffic Control Plans are not included in this proposal.
- NPDES Permit and SWPPP are not required and are not included in this proposal.
- Construction Services are not included in this proposal. Upon request, we will provide an Additional Services Authorization request for that effort.
- Project stops/starts and significant changes to the Project Schedule may result in changes to the fees provided above and a separate fee proposal will be provided.
- Agency fees (if any) are not included as part of the fees outlined above.
- Offsite easements (if required) will be the responsibility of the Client.
- These fees stated above are valid if accepted within 30 days of the date of the proposal.
- Client revisions requested after the work is completed will be billed as Time and Expense under a new task called Client Requested Revisions. A fee estimate can be provided to the Client prior to proceeding with the revisions.

Exhibit 'B' to the Contract Agreement for Professional Services
between The City of Sultan and The Blueline Group, LLC
for the High Avenue and 4th Street Project, dated June 11, 2013

SCOPE OF WORK (Axis Survey & Mapping)

Axis Survey and Mapping will prepare base mapping for the areas specified in the Project Description above. AutoCad drawings will be prepared at a scale of 1"=20'. Services will include the following:

- High Avenue (1st Street to 4th Street)
- 4th Street (Alder Avenue to Fir Avenue) 25' East/West along adjacent alleys and side streets.
- Establish rights-of-ways and roadway centerlines within above-described area as available from recorded plats and public records.
- Establish lot lines from Snohomish County Parcel GIS lines. (Independent verification of individual property lines is not necessary and will not be performed.)
- Project Datum will be NAD 83/91 for horizontal and NAVD '88 for vertical.
- Set project benchmarks onsite (2 per project area).
- Show and label all control points and with elevations and point numbers.
- Locate topographic features sufficient for 2' contours inside/outside roadway area.
- Depict hard and soft surfaces on individual layers per accepted APWA standards.
- Show known utilities by surface evidence, utility pre-marks, or as-built location.
- Retrieve, interpret, and include existing as-builts as readily available from local agencies and purveyors.

Assumptions: *Locates will be provided by CNI Locates. Topographic survey work for both project areas will be done concurrently. City will close 4th Street and High Avenue of vehicle on-street parking during the survey.*

Project Statistics: *High Avenue (1st Street to 4th Street) = ±1,375 LF of road topo.
4th Street (Alder Avenue to Fir Avenue) ±1,800LF of road topo.*

Deliverables: *AutoCad 2007 or 2013 drawing file with point database, dtm files, photo's, and aerial imagery available from GIS.*

Fee: *High Avenue \$7,088 + 10% Blueline Markup = \$7,800
4th Street \$10,032 + 10% Blueline Markup = \$11,000*

Exhibit 'C' to the Contract Agreement for Professional Services
between The City of Sultan and The BlueLine Group, LLC
for the High Avenue and 4th Street Project, dated June 11, 2013

SCOPE OF WORK (Associated Earth Sciences, Inc.)

High Avenue

Phase I - Subsurface Exploration and Geotechnical Report Preparation

Our proposed scope of work consists of preparation of a subsurface exploration and geotechnical engineering report. Subsurface exploration for our study would consist of a series of exploration pits along the alignment at locations identified during an initial site visit with the BlueLine Group (BlueLine) and the City of Sultan. The pits will be excavated with a backhoe provided by the City of Sultan to a maximum depth of 10 feet. The City of Sultan will perform all site restoration work after each pit is backfilled with the excavated soil. No compaction of the soils will be provided unless the City performs this work. Subsurface conditions encountered in the explorations would be logged by an experienced engineer or geologist from our firm.

Secured samples from below the proposed pavement grade will be tested for grain-size distribution, cation exchange capacity (CEC), and total organic content (TOC) for storm water disposal water quality characteristics. CEC and TOC analyses will be performed by a subcontracted laboratory. The results of the grain-size analysis and soil conditions within each exploration will also be used to provide a preliminary infiltration rate for the storm water disposal improvements. Once a preliminary design is available, we can develop a separate scope of work and cost proposal for in-situ infiltration testing, if necessary.

We will make a one-call utility locate request to mark publicly owned on-site utilities. Given that the work will be performed in the street, we anticipate that the one-call service will mark all utilities. We have included additional field costs in this proposal to make a site visit specifically to coordinate boring locations with BlueLine and the City and mark the locations in the field to avoid utility conflicts and to obtain data in desired locations. Utility locators may not be able to mark non-conductible utilities, such as plastic water and sewer lines, plastic gas lines, fiber optic cables, concrete water and drain pipes, irrigation pipes, and any other non-conductive utilities. The only way to locate non-conductive privately owned utilities is by the use of accurate and complete as-built drawings. We request that we be provided with as-built plans of known existing utilities prior to completion of our exploration work. Associated Earth Sciences, Inc. (AESI) will not be responsible for damage to buried utilities that are not marked on the ground prior to our work, or shown on as-built plans that are provided to us.

This work will also require traffic control services and generation of a traffic control plan for each area we explore. We assume that the City of Sultan will provide traffic control plans, equipment, and flagging services. We have also assumed that the City of Sultan will obtain any Street Use Permits that may be required. If you would prefer we obtain these permits or provide subcontracted traffic control services, please let us know.

Upon completion of the exploration program, AESI will prepare a report describing subsurface conditions and providing geotechnical and preliminary infiltration recommendations. Specific items that will be covered in the report will include:

- A site plan provided to us showing exploration locations.
- Summary of soil and ground water conditions.
- A summary of mapped and readily available geological data for the site and immediate vicinity.
- Laboratory testing, including grain-size testing, CEC, and TOC tests at each pit location.

**Exhibit 'C' to the Contract Agreement for Professional Services
between The City of Sultan and The BlueLine Group, LLC
for the High Avenue and 4th Street Project, dated June 11, 2013**

- General site preparation, drainage, and erosion control recommendations.
- Roadway improvement recommendations including overlay and/or new pavement section designs, as appropriate.
- Utility re-construction recommendations related to temporary cut slope configurations, conceptual dewatering recommendations, and structural fill placement and compaction.
- Preliminary infiltration evaluation based on visual review and laboratory testing;
- Recommendations for further study, if required.

Our preliminary exploration services do not include costs for developing excavation shoring recommendations or recommendations for extensive dewatering systems for utility replacement. Our scope also does not include infiltration testing or provision of a design infiltration rate. Once the project design has been developed and our preliminary evaluation has been presented to the design team, we can provide a separate cost proposal for any additional services that are needed.

Phase II - Permit Documents and Construction/Bid Documents

We will provide civil plan and earthwork specification review to confirm that our geotechnical recommendations have been properly interpreted and incorporated into the project documents. For costing purposes, we have assumed one plan review session and project manager attendance at one project meeting.

Fee: High Avenue \$5,830 + 10% BlueLine Markup = **\$6,400**

4th Street

Phase I - Subsurface Exploration and Geotechnical Report Preparation

Our proposed scope of work consists of preparation of a subsurface exploration and geotechnical engineering report. Subsurface exploration for our study would consist of a series of exploration pits along the alignment at locations previously agreed upon by the City of Sultan and the BlueLine Group (BlueLine) during our initial site walk. The test pits will be advanced to a maximum depth of 10 feet with a backhoe provided by the City of Sultan. Subsurface conditions encountered in the explorations would be logged by an experienced engineer or geologist from our firm. All test pits will be backfilled with excavated soils and restored by the City. No compaction will be provided unless the City provides these services.

Secured samples will be tested for grain-size distribution, cation exchange capacity (CEC), and total organic content (TOC) for storm water disposal water quality characteristics. We propose to complete the grain-size analysis in house. However, the CEC and TOC analysis will be subcontracted to an outside laboratory. The results of the grain-size analysis and soil conditions within each exploration will also be used to provide a preliminary infiltration rate for the storm water disposal improvements, if soil and ground water conditions appear appropriate for infiltration. Once a preliminary design is available, we can develop a separate scope of work and cost proposal for in-situ infiltration testing, if necessary.

We will make a one-call utility locate request to mark publicly owned on-site utilities. Given that the work will be performed in the street, we anticipate that the one-call service will mark all utilities. We have included additional field costs in this proposal to make a site visit specifically to coordinate

**Exhibit 'C' to the Contract Agreement for Professional Services
between The City of Sultan and The Blueline Group, LLC
for the High Avenue and 4th Street Project, dated June 11, 2013**

boring locations with Blueline and the City and mark the locations in the field to avoid utility conflicts and to obtain data in desired locations. Utility locators may not be able to mark non-conductible utilities, such as plastic water and sewer lines, plastic gas lines, fiber optic cables, concrete water and drain pipes, irrigation pipes, and any other non-conductive utilities. The only way to locate non-conductive privately owned utilities is by the use of accurate and complete as-built drawings. We request that we be provided with as-built plans of known existing utilities prior to completion of our exploration work. Associated Earth Sciences, Inc. (AESI) will not be responsible for damage to buried utilities that are not marked on the ground prior to our work, or shown on as-built plans that are provided to us.

This work will also require traffic control services and generation of a traffic control plan for each area we drill. We assume that the City of Sultan will provide all traffic control plans, equipment and flaggers. We have also assumed that the City of Sultan will obtain any Street Use Permits that may be required. If you would prefer we obtain these permits and subcontracted traffic control services, please let us know.

Upon completion of the exploration program, AESI will prepare a report describing subsurface conditions and providing geotechnical and preliminary infiltration recommendations. Specific items that will be covered in the report will include:

- A site plan provided to us showing exploration locations.
- Summary of soil and ground water conditions.
- A summary of mapped and readily available geological data for the site and immediate vicinity.
- Laboratory testing, including grain-size testing, CEC, and TOC tests at each exploration location.
- General site preparation, drainage, and erosion control recommendations.
- Roadway improvement recommendations including overlay and/or new pavement section designs, as appropriate.
- Utility re-construction recommendations related to temporary cut slope configurations, conceptual dewatering recommendations, and structural fill placement and compaction.
- Preliminary infiltration evaluation based on visual review and laboratory testing.
- Recommendations for further study, if required.

Our preliminary exploration services do not include costs for developing excavation shoring recommendations or recommendations for extensive dewatering systems for utility replacement. Our scope also does not include infiltration testing or provision of a design infiltration rate. Once the project design has been developed and our preliminary evaluation has been presented to the design team, we can provide a separate cost proposal for any additional services that are needed.

Phase II - Permit Documents and Construction/Bid Documents

We will provide civil plan and earthwork specification review to confirm that our geotechnical recommendations have been properly interpreted and incorporated into the project documents. For costing purposes, we have assumed one plan review session and project manager attendance at one project meeting.

| | | |
|-------------|------------------------------|--|
| Fee: | 4th Street | \$7,650 + 10% Blueline Markup = \$8,400 |
|-------------|------------------------------|--|

**Exhibit 'D' to the Contract Agreement for Professional Services
between The City of Sultan and The BlueLine Group, LLC
for the High Avenue and 4th Street Project, dated June 11, 2013**

SCOPE OF WORK (Bravo Environmental)

Bravo Environmental will complete a CCTB condition assessment with Pipe Assessment Cert Program (PACP) reporting of ±2,000-2,500 LF of 6" to 10" sanitary sewer. This includes the following:

- The CCTV Condition Assessment will be completed and billed on an hourly basis.
- Allowance for Sewer Main Cleaning with a vactor truck on an hourly basis if needed.
- Allowance for Smoke Testing on an hourly basis if needed.

Fee:

*High Avenue**

CCTV Condition Assessment = \$1,677

Sewer Main Cleaning Allowance = \$1,366

Smoke Testing Allowance = \$944

Total = \$4,000

*4th Street**

CCTV Condition Assessment = \$2,515

Sewer Main Cleaning Allowance = \$2,049

Smoke Testing Allowance = \$1,416

Total = \$6,000

**Fees include 10% BlueLine Markup*

Exhibit 'E' to the Contract Agreement for Professional Services
between The City of Sultan and The BlueLine Group, LLC
for the High Avenue and 4th Street Project, dated June 11, 2013

SCOPE OF WORK (Cultural Resources Assessment)

Cultural Resources Assessment as required by the TIB.

Fee: High Avenue \$4,500 + 10% BlueLine Markup = **\$5,000**

CITY OF SULTAN
AGENDA ITEM COVER SHEET

ITEM: A-4
DATE: June 27, 2013
SUBJECT: Conservation Futures Grant

Donna Murphy
KW

CONTACT PERSON: Donna Murphy Grants and Economic Development Coordinator

ISSUE:

The issue before the Council is to direct staff to apply for a Snohomish County Conservation Futures Grant to fund the purchase of property along the Sultan River between Osprey and River Parks, build a trail system connecting the two parks and direct the Mayor to sign the necessary documents to submit the grant application.

STAFF RECOMMENDATION:

Motion to direct staff to apply for a Snohomish County Conservation Futures Grant to fund the purchase of property along the Sultan River between Osprey and River Parks, build a trail system connecting the two parks and direct the Mayor to sign the necessary documents to submit the grant application.

SUMMARY STATEMENT:

The Snohomish County Executive's Office called for grant applications for the Snohomish County Conservation Futures Grant Program. Funding for this new round comes from Snohomish County's recent bond sale with \$25 million available for Conservation Futures purchases.

Snohomish County Conservation Futures Program resources can only be used for the acquisition of real property, easements, development rights, covenants, or other contractual rights necessary to protect, preserve, maintain, improve, restore, limit the future use of, or otherwise conserve, selected open space land, farm and agricultural land, and timber land for public use and enjoyment, provided they are passive improvements within the legislative intent of the statute.

Any improvements to the Protected Property shall be limited to those which are passive in nature. Passive improvements include, but are not limited to, trails, interpretive centers, viewpoints, picnicking facilities, access, restrooms, playgrounds and restoration projects. Active recreational improvements are prohibited. Such improvements include, but are not limited to ball fields, use by motorized vehicles, swimming pools and recreation centers.

The City of Sultan's proposed Transportation Improvement Plan that is on the agenda for approval at the June 27, 2013 council meeting identifies "**Sidewalk/Trail**

Construction and Enhancements”; Construct or renovate public sidewalks and trails. Stand alone projects not associated with road renovation.

Constructing a trail along the Sultan River, connecting Osprey and River Parks is an important Economic and Community Development Project in the City of Sultan and is an eligible project for the Conservation Futures Grant Program. Connecting the two parks with a trail is the first step in the connectivity of the City’s park system and Downtown Core. Design and construction of the Pedestrian and Bicycle Bridge crossing the Sultan River will extend the experience further to Sportsmen’s Park.

The project cost for this project will include purchasing properties along the route, and that estimate has not been determined at the time of writing this agenda cover. Construction cost for the trail is estimated at \$300,000.

MOTION: Direct staff to apply for a Snohomish County Conservation Futures Grant to fund the purchase of property along the Sultan River between Osprey and River Parks, build a trail system connecting the two parks and direct the Mayor to sign the necessary documents to submit the grant application.

FISCAL IMPACTS:

Matching funds are not a requirement of this grant program.

Attachment A: Grant Announcement

Attachment B: City of Sultan TIP

Attachment B: Grant Application

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Conservation Futures

Snohomish County is now accepting applications for Conservation Futures grants.

Funding for this new round comes from Snohomish County's recent bond sale with \$25 million available for Conservation Futures purchases.

Application materials are available [here](#). Applications are due July 19 and should be returned to Snohomish County Parks and Recreation, 6705 Puget Park Drive, Snohomish, WA.

The Snohomish County Conservation Futures Program was started in 1988 as a way to distribute Conservation Futures Property Tax Funds as authorized by RCW 84.34.230. The purpose of this funding is to acquire interests or rights in real property for the preservation of open space, farm and agricultural land, and timber land per SCC 4.14.010. These resources are available through the County's authority to levy up to six and one-quarter cents per thousand dollars on all taxable property within the County for the purpose of acquiring open space.

Distribution of funds is made available through a competitive process that is overseen by the [Snohomish County Conservation Futures Program Advisory Board](#) (CFPAB).

The CFPAB makes annual recommendations to the Council for projects to be funded while also developing strategic, long-range plans for the program. Recommendations from the CFPAB are forwarded to the County Executive for transmittal to the County Council for final action.

The CFPAB consists of the County Executive (or designee); two members of County Council; one elected official selected by all cities & towns whose population base, independently, is 10,000 or greater; one elected official selected by all cities and towns whose population base, independently, is less than 10,000; and two members representing citizens of Snohomish County. Board members serve 4-year terms.

Since 1988 approximately \$80 million has been used to acquire land or easements throughout the [county](#).

For more information, contact 425-388-6622 or 425-388-6616.

Past meeting minutes:

- [April 2, 2013](#)
- [January 1, 2013](#)
- [September 26, 2012](#)
- [May 22, 2012](#)





Agency: Sultan

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

Hearing Date: 6-27-

City No.: 1255 MPO/RTPO: PSRC

Amend Date:

| Functional Class | Priority Number | Project Identification | | Improvement Type(s) | Status | Total Length | Utility Codes | Project Costs in Thousands of Dollars | | | | | | E: | | | |
|------------------|-----------------|---|-------------------------------|---------------------|--------|--------------|---------------|---------------------------------------|-------------------|-------------------|-----------------------|-----------------|-------------|-------|-------------|-------------|-----|
| | | A. PIN/Federal Aid No. | B. Bridge No. | | | | | Fund Source Information | | | | | | | | | |
| | | C. Project Title | D. Street/Road Name or Number | | | | | Phase Start (mm/dd/yyyy) | Federal Fund Code | Federal Fund Code | Federal Cost by Phase | State Fund Code | State Funds | | Local Funds | Total Funds | |
| 1 | 2 | | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 1st |
| 08 | 8 | Pavement Overlay Program N/A from: N/A to: N/A Annual program for rating, repairing, and resurfacing existing local access and minor arterial roadways. | | 07 | S | | | CN | 6/1/2014 | STP(R) | | SCPP | | 75 | 75 | 1 | |
| 07 | 9 | Sidewalk spot improvements N/A from: N/A to: N/A Repair, replace and construct missing sidewalks within the city. | | 32 12 | P | | | | | | | | | | | | |
| 00 | 10 | Sidewalk/Trail Construction & Enhancements N/A from: N/A to: N/A Construct or renovate public sidewalks and trails. Stand alone projects not associated with road renovation. | | 32 | P | 2 miles | | | 1/1/2014 | | | OTHER | 300 | 10 | 310 | 30 | |
| | | | | | | | | Totals | | 300 | | 10 | | 310 | | 30 | |
| | | | | | | | | Totals | | 5,200 | | 115 | | 5,315 | | 3,84 | |
| | | | | | | | | Grand Totals for Sultan | | | | | | | | | |



**SNOHOMISH COUNTY
CONSERVATION FUTURES PROGRAM**

APPLICATION FOR CONSERVATION FUTURES FUNDS

APPLICATION PACKAGE

**PROGRAM YEAR 2013
General Obligation Bond**

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ATTACHMENT 1: GRANT APPLICATION.....

ATTACHMENT 2: EVALUATION CRITERIA.....

INTRODUCTION

The Snohomish County Conservation Futures Program (the "SCCFP") was started in 1988 as a mechanism for distributing Conservation Futures Property Tax Funds for the preservation of open space land, farm and agricultural land, and timber land as authorized by RCW 84.34.230. The purpose of the Conservation Futures Program Fund is to acquire interests or rights in real property for the preservation of open space land, farm and agricultural land, and timber land per SCC 4.14.010. Approximately **\$25,000,000** will be available for distribution in 2013-2014 for those purposes. These resources are available through a County-issued Limited Tax General Obligation Bond (Bond) which will be repaid by the County's authority to levy up to six and one-quarter cents per thousand dollars on all taxable property within the County for the purpose of acquiring open space (RCW 84.34.230). The County has three years to expend the Bond issued funding. For this reason successful applicants must acquire property within twelve months of the date of execution of the required Interlocal or grant agreement (see Awardee Requirement discussion below). Should successful applicants fail to acquire within this timeframe, the funding will be returned to fund balance. Returned funding may be reallocated.

ALLOCATION POLICIES

- Snohomish County allocates Conservation Futures Program funds on a competitive basis through an application and evaluative project selection process.
- Conservation Futures Program resources are allocated on a county-wide basis to assure that the most highly rated projects receive funding.
- Matching funds are encouraged.
- Projects may be funded at a level below the amount requested by the project sponsor, as recommended by the Snohomish County Program Advisory Board (the "CFPAB") and forwarded through the County Executive to the Snohomish County Council for review and final consideration for funding approval.

APPLICATION SUBMISSION AND DUE DATE

Grant applications and accompanying attachments (ten color copies) should be submitted no later than **5 pm July 19, 2013**. Submissions received after this time will not be accepted. Detailed instructions for completing the application and submitting it are found within this packet. Final grant applications can be submitted by mail, email or hand delivery, using this application packet. If submitting by mail, the packet submittal must be postmarked by the submission deadline. A ".docx" of this document will be available at:

<http://www1.co.snohomish.wa.us/Departments/Executive/Information/ConservationFutures.htm>

STAFF CONTACTS

Questions, comments and application submittals should be directed to Dianne Bailey, Sharon Swan or David McConnell at the contact information below:

| | |
|--|--|
| <p>Dianne Bailey, Snohomish County Staff Contact Phone (425) 388-6622 E-mail dianne.bailey@snoco.org Snohomish County Conservation Futures Program 6705 Puget Park Drive Snohomish, WA 98296-4214</p> | <p>Sharon Swan, Snohomish County Staff Contact Phone (425) 388-6616 E-mail sharon.swan@snoco.org Snohomish County Conservation Futures Program 6705 Puget Park Drive Snohomish, WA 98296-4214</p> |
| <p>David McConnell, Snohomish County Staff Contact Phone (425) 388-6627 E-mail david.mcconnell@snoco.org Snohomish County Conservation Futures Program 6705 Puget Park Drive Snohomish, WA 98296-4214</p> | |

OVERVIEW OF SCCFP GRANT PROGRAM REQUIREMENTS

ELIGIBLE APPLICANTS

Eligible applicants include *cities, county agencies, and conservation organizations* as defined below by RCW [84.34.210](#):

Any county, city, town, metropolitan park district, metropolitan municipal corporation, nonprofit historic preservation corporation as defined in RCW [64.04.130](#), or nonprofit nature conservancy corporation or association, as such are defined in RCW [84.34.250](#), may acquire by purchase, gift, grant, bequest, devise, lease, or otherwise, except by eminent domain, the fee simple or any lesser interest, development right, easement, covenant, or other contractual right necessary to protect, preserve, maintain, improve, restore, limit the future use of, or otherwise conserve, selected open space land, farm and agricultural land, and timber land as such are defined in chapter [84.34](#) RCW for public use or enjoyment. Among interests that may be so acquired are mineral rights. Any county, city, town, metropolitan park district, metropolitan municipal corporation, nonprofit historic preservation corporation as defined in RCW [64.04.130](#), or nonprofit nature conservancy corporation or association, as such are defined in RCW [84.34.250](#), may acquire such property for the purpose of conveying or leasing the property back to its original owner or other person

under such covenants or other contractual arrangements as will limit the future use of the property in accordance with the purposes of chapter 243, Laws of 1971 ex. sess.

In addition, due to the policies related to bond issuance, grants made to nongovernmental entities, such as nonprofit historic preservation or nature conservancy organizations are permissible, but may need to be structured to meet the standards set forth in [IRS Private Letter Ruling 200502012](#).

ELIGIBLE PROJECTS

For proposals to be eligible for consideration and funding, they should conform to the policies listed below:

1. Snohomish County Conservation Futures Program resources can only be used for the acquisition of real property, easements, development rights, covenants, or other contractual rights necessary to protect, preserve, maintain, improve, restore, limit the future use of, or otherwise conserve, selected open space land, farm and agricultural land, and timber land as defined in Chapter RCW [84.34](#) for public use and enjoyment. Other sources of revenue may be used to improve properties acquired with Conservation Futures Program funds, provided they are passive improvements within the legislative intent of the statute.
2. Any improvements to the Protected Property shall be limited to those which are passive in nature and meet the requirements and intent of RCW [84.34.200-220](#). Passive improvements include, but are not limited to, trails, interpretive centers, viewpoints, picnicking facilities, access, restrooms, playgrounds and restoration projects. Active recreational improvements are prohibited. Such improvements include, but are not limited to ball fields, use by motorized vehicles, swimming pools and recreation centers.

NOTE: Please be advised that the use of *eminent domain* in the acquisition of property with Conservation Futures Program funds is expressly *forbidden* by statute. Projects must be purchased from a willing seller.

PROJECT ELIGIBILITY GUIDELINES

All projects will be reviewed to assure that they fall under statutory eligibility guidelines meeting the following criteria:

1. Does the property fall within the definitions of open space, farm and agricultural land, or timber land as such are defined in RCW [84.34.020](#)?
2. After satisfactorily meeting the open space eligibility criteria, does the property have "significant recreational, social, scenic, or aesthetic values," as defined in RCW [84.34.200](#)?
3. Is the property immediately threatened by development or is it threatened with respect to its truly unique or inherent physical characteristics?
4. Does the sponsoring agency have a guaranteed plan or program to manage and maintain the property so as to preserve those characteristics that make the property eligible for Conservation Futures Program resources?

AWARDEE REQUIREMENTS

1. An Interlocal Cooperation Agreement, or other similar contractual document, will be required of all SCCFP grant awardees and will contain provisions for annual reporting, a site Maintenance Plan, and the requirement for placement of a conservation easement on property acquired with Conservation Futures funding.
2. SCCFP grant awardees must submit to the County a one page long-term Maintenance Plan for the acquired property and a description of any planned improvements within three (3) months of the completed property acquisition. The Maintenance Plan should include details of how the project sponsor will maintain the parcel(s) purchased using their Conservation Futures grant award. The Maintenance Plan will be finalized in the contract, or agreement, for successfully funded projects.

APPLICATION MATERIALS

Project application materials are located within the attachment section of this document. Attachment 1 consists of all materials to be submitted with the completed application and includes a submittal checklist, project application and cost worksheet. All portions of the application *must* be completely filled out and applicants should address all of the questions thoroughly. Attachment 2 provides application scoring criteria and is for information purposes only. Please review materials thoroughly and provide all listed information with application package.

DECISION MAKING PROCESS

REVIEW PROCESS

Application packages will be available on **May 20, 2013**. Completed final application packets will be due on **July 19, 2013**. Staff will review application packages for completeness. Applications will be reviewed and evaluated by the CFPAB in mid **August 2013**. Application review meetings will be scheduled for date to be determined in August. Applicants will be asked to give a short presentation of approximately **5 minutes** at the meeting and address questions from the CFPAB. Projects will be reviewed by the CFPAB for eligibility and will also be ranked for possible funding. Funding recommendations will then be sent through the Snohomish County Executive to the Snohomish County Council for review and final consideration of funding approval.

EVALUATION CRITERIA

Evaluation of projects will be based on the criteria found in Attachment 2 of the application packet. The evaluation criteria detail how the applications will be evaluated for each question. Be sure to thoroughly address each question and provide supporting evidence and documentation.

ANTICIPATED TIMELINE

Below is the anticipated timeline for the CFPAB grant process.

1. Grant application packets will be available on **May 20, 2013**.
2. Completed applications shall be due (or postmarked if delivered by mail) no later than **July 19, 2013**.
3. CFPAB will hear **5 minute** grant application presentations in **August 2013** (date TBD).
4. CFPAB makes final recommendations through the County Executive to Snohomish County Council for review and final consideration (September TBD).
5. Interlocal Cooperation Agreements and/or other contracts will accompany the grant award letter for execution by both parties and are anticipated to be sent in **October 2013**.

ATTACHMENTS

Attachment 1: Grant Application Package

- Submittal Checklist
- Application
- Cost Worksheet

Attachment 2: Evaluation Criteria

ATTACHMENT 1: GRANT APPLICATION

SNOHOMISH COUNTY CONSERVATION FUTURES PROGRAM

APPLICATION FOR CONSERVATION FUTURES FUNDS

PROJECT NAME: _____

PROJECT SPONSOR: _____

APPLICATION NO (TO BE ASSIGNED BY STAFF): CF13-_____

SUBMITTAL CHECKLIST

CHECKLIST OF REQUIRED DOCUMENTS

The following documents should be submitted with the completed application. Please organize required documents in the order below and provide ten color copies of the complete grant application as well as one “.pdf” copy (on disk or via email) of the completed grant package. Additional documents beyond what are listed here may be included at the discretion of the applicant.

| No. | Type of Document Attached | Check if Included |
|-----|--|-------------------|
| 1 | Submittal checklist | |
| 2 | General project information | |
| 3 | Project review criteria responses | |
| 4 | Cost worksheet | |
| 5 | “Willing Seller” letter | |
| 6 | Site vicinity map | |
| 7 | Site aerial photograph | |
| 8 | Any other supporting documents (please list below) | |
| 9 | | |
| 10 | | |
| 11 | | |

GENERAL PROJECT INFORMATION

SECTION I – APPLICANT INFORMATION

1. PROJECT TITLE: _____

2. AMOUNT REQUESTED (from Cost Worksheet) \$ _____

3. PROJECT SPONSOR: _____

Address: _____

Sponsor is: Unit of Local Government: _____

Private/Non-Profit Agency*: _____

*Eligible per RCW 84.34.250 and additional criteria associated with bond

4. CONTACT PERSON:

Name: _____ Title: _____

Address: _____

Phone: _____ Hours Available: _____

Email Address: _____

SECTION II – PROJECT BACKGROUND

1. PROJECT LOCATION:

Address: _____

Section: _____ Township: _____ Range: _____

Assessor Tax Account Number(s): _____

Property Legal Description: _____

2. EXISTING CONDITIONS:

Number of Parcels: _____ Total Acres: _____

Addition to Existing Site: YES ___ NO ___ If yes, which site: _____

Current Zoning: _____

List Existing Structures/Facilities: _____

Current Use: _____

Waterfront? (name of body of water): _____

Shoreline? (lineal ft.): _____

Owner of Tidelands/Shoreline (State or private): _____

3. CURRENT OWNERSHIP:

Current Owner(s): _____

Is the property owner a willing seller? YES* ___ NO ___

*Please include an owner signed "Willing Seller" letter or real estate listing and attach with application.

4. TYPE OF INTEREST:

Please describe the type of interest contemplated for the acquisition process.

Warranty Deed: ___ *Easement: ___ **Other: ___

*Please note that acquired easements must comply with the intent of the Conservation Futures Program and the text must be preapproved by Snohomish County staff listed within the Staff Contact Section.

**If 'Other,' please explain:

5. SITE DESCRIPTION:

Please summarize the physical characteristics of the site which is proposed for acquisition with Conservation Futures Program funds including: vegetation, threatened or endangered species, topography, surrounding land use, relationship to other parks, trails, or open space and related history, as appropriate. At a minimum, please attach an aerial photograph and vicinity map for the property in the supporting documents section of the application and, if the acquisition adds to an existing site, please show relationship to existing site on the vicinity map.

6. PROJECT COST (Cost Worksheet)*:

Estimated total cost must be derived from one or more of the following sources and include supporting documentation:

1. Independent appraisal.
2. Opinion of value from a qualified representative of the real estate industry.
3. Valuation from recent Snohomish County property tax assessment.

Describe the basis for estimate for land and improvements (1 through 3 listed above):

*Estimated total cost shall include all of the costs of acquisition and incidental costs selected by applicant for anticipated reimbursement by Conservation Futures funding.

Estimated Total Cost from Project Cost Worksheet \$ _____

Matching funds are not a requirement; however, additional consideration may be awarded during the evaluation process for projects with matching funds.

Will your agency or other agencies contribute money or other resources to the acquisition and/or passive development of the proposed site? YES ___ NO ___

| Source of Match | Type of Match (e.g. cash, donation, etc.) | Value of Match |
|-----------------|---|----------------|
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

9. PROJECT STEWARDSHIP AND RESPONSIBILITY:

Long-term maintenance of the site is a requirement for funding consideration.

Please describe to what degree the sponsoring agency and/or long term property manager is prepared to provide long-term stewardship (maintenance, management, etc.) for the proposed project site. Detail existing programs or plans that may apply to the site. In addition, please describe if there is the potential for future private business use on the site. Finally, please note that award of Conservation Futures funds requires development and submission of a Maintenance Plan with the funding agreement or contract.

SECTION III – PROJECT REVIEW CRITERIA

PROJECT REVIEW CRITERIA: Snohomish County Code Section [4.14.100 \(2\)](#) and [4.14.100 \(3\)](#) establishes baseline criteria with which projects are to be evaluated. Please respond to the questions below and explain which of the following criteria the proposed project addresses and how the criteria are addressed.

NOTE: Each project criterion in the application is referenced to a corresponding evaluation criterion in Attachment 2.

1. How does the acquired property preserve wetland resources and/or wildlife habitat?

2. How does the project address the preservation of a State of Washington priority habitat and/or species, Federal threatened or endangered species, or qualify as an early action project with respect to potential listing as a threatened or endangered species?

3. How does the project conserve opportunities which are otherwise threatened by development?

4. How does the project establish trail corridors and/or natural linkages?

5. How does the project comprise a portion of a continuum of projects which collectively implement a complete project or objective?

6. How does the project enhance or complement an ongoing conservation or preservation program?

7. Will the project provide regional or community-wide significance?

8. How does the project comply with one or more open space program policies and criteria?

9. How does the project provide multi-jurisdictional benefit?

10. How will the project provide for public use and enjoyment?

11. Does this project represent a unique or special opportunity?

Other Criteria:

For each question, please respond yes or no and provide supporting information.

A. The CFPAB will evaluate how proposed projects compare with existing Conservation Futures funded sites and promote the goal of distributing Conservation Futures funding throughout the County.

B. Does the project comprise an entire project?

YES ___

NO ___

C. Does the project site involve contributions from groups or agencies that will reduce the need to utilize Conservation Futures Program funds?

YES ___

NO ___

D. Is the project sponsor prepared to provide long-term stewardship for the proposed project?

YES ___

NO ___

COST WORKSHEET

| ESTIMATE OF COSTS | | |
|---|---------------------------|---------------------|
| <i>Property Costs</i> | | |
| Land | | |
| Improvements | | |
| SUBTOTAL | \$ | |
| <i>Reimbursable Incidental Costs</i> | | |
| | <i>Quantity \$</i> | <i>Notes</i> |
| Applicable taxes | | |
| Appraisal review | | |
| Appraisal(s) | | |
| Baseline inventory | | |
| Boundary survey | | |
| Closing (escrow/recording fees) | | |
| Cultural resources study | | |
| Demolition | | |
| Fencing | | |
| Hazardous subsidence report | | |
| Noxious weed control | | |
| Other (Specify) | | |
| Signage | | |
| Title reports/insurance | | |
| Wetland delineation | | |
| SUBTOTAL | \$ | |
| TOTAL | \$ | |

ATTACHMENT 2: EVALUATION CRITERIA

Provided for Information Only

EVALUATION CRITERIA

The following discussion describes guidelines with which the Conservation Futures Program Advisory Board will evaluate project proposals. Evaluation judgments will be made taking into consideration all the information and documentation provided in the application by the project sponsor, as well as data gathered from proponent presentations.

NOTE: Projects will be evaluated and points will be assigned using the CFPAB approved scoring method. For each question scored points will be assigned based on a point range of 1 – 10 with 1 being the lowest points possible and 10 being the highest possible points. Please review the evaluation criteria as you write your responses to application questions. The CFPAB, at its discretion, may apply weights to criteria it chooses to emphasize.

SCC 4.14.100 SCORING CRITERIA

Fund Allocation Criteria. To identify and select projects for acquisition by the county, each proposal shall be evaluated against the following points:

1. TO WHAT DEGREE DOES THE ACQUIRED PROPERTY PRESERVE WETLAND RESOURCES AND/OR WILDLIFE HABITAT?

Maximum points will be awarded to project proposals that preserve both wetland resources and wildlife habitat. Lesser points will be awarded to those project proposals that demonstrate the preservation of either a wetland resource or a wildlife habitat. The least amount of potential points will be awarded to a project proposal that does not preserve wetland resources and/or wildlife habitat.

- a. Project Preserves Wetland Resources and Wildlife Habitat (highest scoring).
- b. Project Preserves Wetland Resources or Wildlife Habitat.
- c. Project does not Preserve Wetland Resources and/or Wildlife Habitat (lowest scoring).

2. TO WHAT DEGREE DOES THE PROJECT ADDRESS THE PRESERVATION OF A STATE OF WASHINGTON PRIORITY HABITAT SPECIES, FEDERAL THREATENED OR ENDANGERED SPECIES, OR QUALIFY AS AN EARLY ACTION PROJECT WITH RESPECT TO POTENTIAL LISTING AS A THREATENED OR ENDANGERED SPECIES?

Maximum points will be awarded to a proposal which documents the preservation or protection of a WDFW identified Priority Habitat or Species, a USFWS listed Threatened or Endangered Species or that successfully argues that it may qualify as an early action project. No points will be awarded to a project that fails to demonstrate any of these criteria.

- a. Addresses preservation of WDFW Priority Habitat or Species, USFWS identified Threatened or Endangered Species, or qualifies as an early action project (highest scoring).
- b. Does not address criteria (lowest scoring).

3. TO WHAT DEGREE DOES THE PROJECT CONSERVE OPPORTUNITIES WHICH ARE OTHERWISE THREATENED BY DEVELOPMENT?

Maximum points will be awarded to projects that are immediately threatened by development or because of their truly unique or inherent physical characteristics present a preservation opportunity which may be lost. The following guidelines will guide in the scoring process:

- a. **Significantly Threatened:** Because of development, or the unique physical features of the site, this is the last opportunity, or one of the last opportunities, to acquire a property of this variety (highest scoring).
- b. **Moderately Threatened:** Other opportunities to acquire property of this variety exist, but this type of site or sites with these physical features is in fairly short supply.
- c. **Slightly Threatened:** This variety of property is reasonably common and available today, but may be threatened in the future (lowest scoring).

4. TO WHAT DEGREE DOES THE PROJECT ESTABLISH A TRAIL CORRIDOR AND/OR A NATURAL LINKAGE?

Maximum points will be awarded to project proposals that create or preserve both a trail corridor and a natural area linkage. Lesser points will be awarded to those project proposals that create or preserve a trail corridor or a natural area linkage.

- a. Establishes a **Trail Corridor** and a **Natural Area Linkage** (highest scoring)
- b. Establishes a **Trail Corridor** or a **Natural Area Linkage**
- c. Does not establish either a **Trail Corridor** or a **Natural Area Linkage** (lowest scoring)

5. TO WHAT DEGREE DOES THE PROJECT COMPRISE A PORTION OF A CONTINUUM OF PROJECTS WHICH COLLECTIVELY IMPLEMENT A COMPLETE PROJECT OR OBJECTIVE?

This evaluation criterion responds to the desire that, as often as possible, funds from the Conservation Futures Program, should support well defined larger projects or objectives.

- a. **Completes a Phase of a Larger Project:** Project funding plus applicable sponsor match will provide for a well-defined phase of a larger project for which there is a comprehensive acquisition and passive development plan with defined completion schedule and identified funding (highest scoring).
- b. **Comprises a Portion of a Project:** Project funding plus applicable sponsor match provides for a portion of a larger project for which there is no identified funding, plan, or completion schedule (lowest scoring).

6. TO WHAT DEGREE DOES THE PROJECT ENHANCE OR COMPLEMENT AN ONGOING CONSERVATION, OR PRESERVATION PROGRAM?

Maximum points will be awarded to those proposals for which sponsors clearly demonstrate a relationship between the project and an adopted open space, conservation, or resource preservation program or plan. These plans and programs may be those of the sponsoring agency or a jurisdiction which has oversight regarding the property in question. The applicant must cite the applicable program or plan and show how their project proposal meets the goal in the cited plan.

- a. **Enhances Documented Program:** The sponsor demonstrates that the proposed project builds upon an existing adopted open space, conservation, or resource preservation plan or program which specifically includes the project site (highest scoring).
- b. **Complements Ongoing Program:** The sponsor demonstrates that the proposed project will fill a need documented by an existing adopted open space, conservation, or resource preservation plan or program without identifying a specific site.
- c. **Stand-Alone Project:** The sponsor does not demonstrate a relationship between the project proposal and any existing adopted open space, conservation, or resource preservation plan or program (lowest scoring).

7. WILL THE PROJECT PROVIDE REGIONAL OR COMMUNITY-WIDE SIGNIFICANCE?

Points will be awarded with regard to the geographical service area of the project. The following definitions and standards will be used as guidelines in the scoring process:

- a. **Regional Benefit:** These sites must serve large geographical areas which may encompass several towns, cities, and unincorporated communities with benefit to a significantly large population. For example, Puget Sound or all of Snohomish County (highest scoring).
- b. **Community Benefit:** These sites will typically serve a single, well defined residential area and a relatively small number of people. For example, the area around a city or town, or a complex of closely associated communities such as Lynnwood and south Everett or the unincorporated area immediately surrounding Monroe (lowest scoring).

8. TO WHAT DEGREE DOES THE PROJECT COMPLY WITH ONE OR MORE OPEN SPACE PROGRAM POLICIES AND CRITERIA?

This evaluation criteria responds to the desire that projects support and promote applicable jurisdictional open space policies. Project sponsors should demonstrate degree of compliance with open space policy (ies) applicable to their jurisdictional location.

- a. Project **strongly demonstrates** support of the Conservation Futures Program purpose and compliance with more than two applicable open space policies (highest scoring).
- b. Project **moderately demonstrates** support of the Conservation Futures Program purpose and compliance with applicable open space policies, meeting at least one specific policy.
- c. Project **generally demonstrates** support of Conservation Futures Program purpose (lowest scoring).

9. TO WHAT DEGREE DOES THE PROJECT PROVIDE MULTI-JURISDICTIONAL BENEFIT?

Multi-jurisdictional Benefit: Maximum points will be awarded to those proposals which serve and/or are sponsored by several jurisdictions (i.e. DNR, WDFW, County, Cities, School Districts, and Tribes) with associated multijurisdictional benefit.

- a. **High Jurisdictional Benefit:** These sites serve four or more jurisdictions as listed above (highest scoring).
- b. **Moderate Jurisdictional Benefit:** These sites serve two or three jurisdictions as listed above.
- c. **Low Jurisdictional Benefit:** These sites serve one jurisdiction as listed above (lowest scoring).

10. TO WHAT DEGREE DOES THE PROJECT PROVIDE FOR PUBLIC USE AND ENJOYMENT?

Public Use and Enjoyment: Maximum points will be awarded to those proposals which provide for the greatest degree of public use and enjoyment. Public use and enjoyment can be defined in general as the ability of the public to access and appreciate the site (i.e. access to a river by a trailhead allows appreciation of scenery, fishing & rafting; preservation of a nesting site allows for appreciation of rare birds but may have seasonally restricted access).

- d. **High Jurisdictional Benefit:** These sites allow for multiple kinds of use and appreciation as listed above (highest scoring).
- e. **Moderate Jurisdictional Benefit:** These sites allow for at least one kind of access and one or more ways to appreciate the site as listed above.
- f. **Low Jurisdictional Benefit:** These sites allow for appreciation of the site but may have more limited access or restricted access as listed above (lowest scoring).

11. TO WHAT DEGREE DOES THE PROJECT REPRESENT A UNIQUE OR SPECIAL OPPORTUNITY?

Unique or special opportunity: Maximum points will be awarded to those proposals which provide to the greatest degree possible a unique or special opportunity that occurs infrequently or which is one of a kind (i.e. the acquisition of a large or very rare property of great habitat, open space, recreation, or historical value). This question will be evaluated on a case by case basis to determine the significance and degree of the opportunity.

- g. **Extremely Rare and Unique:** These sites allow for once in a lifetime opportunities which rarely if ever occur (highest scoring).
- h. **Moderately Rare and Unique:** These sites allow for opportunities that occur once in a few decades or which are becoming increasingly rare due to growth and development.
- i. **Fairly Common:** These sites allow for opportunities that are valuable to the conservation futures program but which are fairly common and readily available (lowest scoring).

OTHER BOARD SELECTED CRITERIA

A. DOES THE PROJECT PROMOTE THE GOAL OF DISTRIBUTING CONSERVATION FUTURES FUNDING, OVER TIME, THROUGHOUT THE COUNTY?

The CFPAB will evaluate how proposed projects compare with existing Conservation Futures funded sites and promote the goal of distributing Conservation Futures funding throughout the County.

Yes ___ No ___

B. DOES THE PROJECT COMPRISE AN ENTIRE PROJECT?

This evaluation criteria responds to the desire that, as often as possible, funds from the Conservation Futures Program, in tandem with matching funds and resources provided, by the project sponsor, are used to fund entire projects. Maximum points will be awarded to fully funded projects.

Comprises an Entire Project: Project funding plus applicable sponsor match will provide for a complete project.

Yes ___ No ___

C. DOES THE PROJECT SITE INVOLVE CONTRIBUTIONS FROM GROUPS OR AGENCIES THAT WILL REDUCE THE NEED TO UTILIZE CONSERVATION FUTURES PROGRAM FUNDS?

Does the project proposal include matching fund support which, as a result, will reduce the need to utilize Conservation Futures Program funds? The sponsoring agency must clearly document that the matching funds are indeed available. Documentation should accompany the proposal worksheet. Consideration will reflect the percentage of total project costs that is provided by outside resources. If match falls through, the sponsor must provide alternative resources. No Conservation Futures Program resources will be expended prior to contractual provision of match.

Yes ___ No ___

D. IS THE PROJECT SPONSOR PREPARED TO PROVIDE LONG-TERM STEWARDSHIP FOR THE PROPOSED PROJECT?

Does the Maintenance Plan guarantee long-term maintenance and upkeep of the project site? Sponsors should detail their maintenance and upkeep program including their readiness to implement the program, who will do the job, and how the job will be done. Non-profit agencies can have arrangements with local government or some other agency for long-term care of the project site.

Yes ___ No ___

**SULTAN CITY COUNCIL
AGENDA ITEM COVER SHEET**

ITEM NO: D-1

DATE: June 27, 2013

SUBJECT: City Urban Growth Area Amendment Application; County Comprehensive Plan 2015 Docket

CONTACT PERSON: Robert Martin, Community Development Director

ISSUE. Update on current and upcoming activities concerning City's proposed Urban Growth Area (UGA) amendments through the Snohomish County 2015 Plan Amendment Docket process.

SUMMARY:

- The current UGA was drawn in the mid-1990's and fully adopted in the 2004 Comprehensive Plan. It is a highly irregular alignment contributing to very expensive utility development costs.
- The 2004 plan provided no explanation of how utilities would be funded to serve the undeveloped areas of the City and the UGA. The Plan was challenged and found invalid by the Growth Management Hearings Board (GMHB) because it failed to provide a plan for how utilities would be funded.
- For this reason the 2011 Comprehensive Plan calls for removal from the UGA of the northwest peninsula along Trout Farm Road and the Sultan River, and inclusion of the area nearly enclosed by City Limits and UGA in the 124th St./Sultan Basin Road area, and inclusion of an area east of Rice Road north of US-2 (**See Attachment A**).
- The City applied for the County's Plan Amendment Docket to adjust the UGA in 2015 as part of the 2015 comprehensive plan amendment schedule for the County and all cities.
- The Docket is a study process leading to decisions about amendment of the plans in 2015.
- Failure to pursue the proposed amendments would cause the 2011 Comprehensive Plan to be internally inconsistent and would potentially subject the City to challenges based on prior land use cases raised against the 2004 Plan.

BACKGROUND:

2004 Plan:

In 2004 the City adopted a comprehensive plan that included the current Urban Growth Area (See Attachment A; "Future Land Use Map, 2011 Comprehensive Plan). This plan was controversial and was appealed to the Growth Management Hearing Board (GMHB) several times. The Board decided against the City in eight cases. The essential issue of most of the challenges was that the plan failed to meet State Growth Management Act requirements for utility and public facility planning, particularly the budget process to show how utilities would be paid for to support development of land in the City Limits and the UGA. Significant parts of the plan were declared invalid due to these utility and public service funding issues.

2008 Plan:

Starting in 2007, the City began an intensive effort to come into compliance with the GMHB orders, completing the first step with adoption of the 2008 Revisions to the 2004 plan. The GMHB orders were lifted in response.

2011 Plan:

Recognizing that the 2008 revisions were a stop-gap measure, and that commitments made in the 2008 revisions needed to be addressed to avoid further GMHB challenges, the City undertook development of the 2011 Comprehensive Plan. This included refinement of the required detailed utility and public facilities analysis, budgeting, and impact/development fee programs to pay for the extensive utility work required to serve the proposed city and UGA development areas.

Due in part to configuration of the UGA and the extreme costs associated with serving a UGA with such disorganized boundaries, Sultan's impact/development fees for utilities are among the highest in the area. This results in a disincentive for new development instead of a mechanism for new development to pay its fair share of cost.

NEXT STEPS

2015 Plan:

The County and all cities in the county are scheduled to update their plans in 2015. Sultan's last step in moving beyond the issues of the 2004 Plan is to complete the 2015 update. This plan will:

- Formalize the new reduced population allocation in concert with all other cities.
- Adopt the new UGA called for in the 2011 Plan.
- Adjust the UGA to:
 - Provide for regular boundaries that can be much more economically served by city water, sewer, streets, and other urban facilities.
 - Accommodate the new population allocation according to minimum lot density of the Zoning Code, the City Critical Areas Regulation, and the County Buildable Lands Analysis.
- Revise the Water System Plan and General Sewer Plan to:
 - Exclude approximately \$8,500,000 of main extension and replacement for development of the Trout Farm UGA. **(See Attachment B)**
 - Include approximately \$2,500,000 of main extension and replacement for development of the two areas to be included in the UGA. **(See Attachment B)**
- Recalculate development/impact and related utility fees to incorporate potential \$6,000,000 savings resulting from the more efficient utility system configuration of the new UGA.

CURRENT ISSUES:

The County's Docket for 2015 UGA Amendments was open in the Spring of this year. As called for in the 2011 Sultan Comprehensive Plan **(See Attachment A)**, the City submitted its application to:

- Exclude the Trout Farm Road UGA area
- Include the 124th St. "Donut Hole" area nearly enclosed by city and current UGA
- Include an area east of Rice Road north of US-2.
 - Note: The original Rice Road area submitted by the City was larger than the area recommended to the County Council by county staff. The size of the area was reduced to bring it into conformance with the County Buildable Lands Analysis and the newly reduced Sultan population allocation to be adopted in 2015 along with the revised UGA. The City is required by the GMA to provide the amount of land needed to accommodate its allocated population. The City cannot have more or less land in its combined City Limits and UGA than is required to accommodate its population allocation.

County staff has determined that the City's UGA Amendment Proposal, as amended to reduce the size of the Rice Road area, meets all of the requirements to be placed on the County's 2015 Docket. **(See Attachment C)**

Certain property owners have objected to the proposed changes, others have supported them. It is universal that changes in UGA's result in some people objecting to being included while others object to not being included or to being excluded. The current UGA was drawn based solely on property owner input with no analysis of the long term utility and public facility costs associated with the highly irregular boundary that resulted. (Irregular means that it contains a peninsula that requires utilities to extend long distances to an area with little development potential, and excludes areas from utility service that are directly in contact with existing utilities and are served by city water at this time.)

The UGA that generates these issues was drawn almost entirely based on the input of individual property owners regarding their interest in being in or out of the UGA, with no analysis of the costs to the City and its utility customers. This is the ultimate in public involvement, but it can clearly be seen that it is not an exercise that results in a long term land use plan that achieves the overall good of the community and the mandates of the Growth Management Act (GMA). It is understandable and completely to be expected that some individuals do not agree with or appreciate large-scale issues of State mandated comprehensive planning. That does not, as demonstrated in the issues of the 2004 Comprehensive Plan, excuse the City and County from pursuing the appropriate course of action.

Based on testimony at the County Council's May 29th public hearing to establish the County 2015 UGA Amendment Docket, the City was asked to provide additional information related to utility costs for the Sultan UGA. Staff provided that information in a June 17th letter. (**See Attachment B**). This letter uses data taken directly from the 2011 Water System Plan and the 2011 General Sewer Plan. The data shows conclusively that utility service to the Trout Farm Road area is vastly more expensive than providing service to the 124th St. and Rice Road areas on a total dollar basis and on a per-capita basis.

Mr. Cliff Morris, whose family owns some land in the Trout Farm Road area has hired Carson Law Group P.S. (Carson) to prevent removal of this area from the UGA. Carson filed a letter of objection at the County Council's public hearing. City staff has developed a detailed response to that letter. The City's response letter, dated June 19th, is attached as **Attachment D**. The Carson letter is Attachment A to the City's letter.

City staff has also responded to general issues related to the City's 2015 Docket Proposal (**See Attachment E**). This letter makes clear that the proposed UGA Amendment is part of a long-term (currently 7 years) process, with 2 ½ more years yet to go. Public involvement has been extensive and will continue at the City and County levels.

At the end of 2015, the City of Sultan will be adopting a comprehensive plan that:

- Is fully coordinated with the County and other cities in the county;
- Is in full compliance with the GMA;
- Erases all vestiges of the GMHB noncompliance and invalidity orders;
- Most importantly, provides the Sultan community with a reality-based plan that
 - Combines public input and financial and development realities to achieve a coherent and serviceable UGA
 - Reduces costs for the City's utility rate payers, new developers, and new residents to the lowest possible levels, eliminating unnecessary cost to serve areas that have little development potential.

Permit Fees:

At the previous regular City Council meeting of June 13, it was asserted by a citizen residing outside of the City in the Rice Road area that his fees for various permits would significantly increase if his property was included in the UGA.

City staff has followed up on this question and it is simply not the case that fees are determined by UGA status. **(See Attachment G)**

ATTACHMENTS:

Attachment A: Excerpt from 2011 Comprehensive Plan

Attachment B: Utility Cost Analysis, June 17, 2013 Letter to Snohomish County Council Docket Hearing

Attachment C: County Staff Report, Sultan Docket Amendment Application, March 29, 2013

Attachment D: Cliff Morris Response Letter, June 19, 2013, to Snohomish County Council Hearing

Attachment E: City UGA Amendment Position Paper, June 19, 2013 Letter to Snohomish County Council Docket Hearing

Attachment F: Snohomish County E-mail concerning permit fees in UGA

ATTACHMENT A

EXCERPT FROM 2011 SULTAN COMPREHENSIVE PLAN

The following very important guiding language is contained in the 2011 Comprehensive Plan at Page 3-46. It is in the Plan partly in response to prior Growth Management Hearing Board orders on invalidity of the 2004 Sultan Comprehensive Plan which formalized the current UGA and did nothing to analyze how utilities would be served to the City and the UGA.

The UGA's configuration presents challenges, however, particularly as Sultan considers accommodating its forecast population and providing for an effective transportation system, affordable utilities systems and a sustainable residential, retail and employment landscape. There are three portions of the UGA that will need to be reexamined in the next comprehensive plan update process when Snohomish County is prepared to consider UGA amendments proposed by its local jurisdictions. Those areas are in the extreme northwest along the Sultan River, to the immediate north along Sultan Basin Road, and to the northeast, including both sides of Rice Road as it extends north of US 2. Revising the UGA boundary will help by removing from the UGA land that is virtually impossible to develop to urban levels of intensity along the Sultan River and by including land to the north and east that would facilitate provision of an efficient utility services system and an effective transportation network. (emphasis added)

FILE COPY

City of Sultan



DELIVERED IN HAND
TO STEVE SKORNEY
10:30AM 6-17-13

June 17, 2013

Mr. Steve Skorney
Senior Planner
Planning & Technology Division
Snohomish County
Department of Planning & Development Services

Subject: County Docket XVII, SLN 2, City of Sultan UGA

At the May 29, 2013 County Council Public Hearing on Docket XVII, the Council requested additional analysis of the cost to extend utilities to the various areas under review for deletion and addition to the Sultan Urban Growth Area (UGA). The City provides this analysis in response to that request.

Purpose:

As called for in the City's 2011 Comprehensive Plan, the City has proposed this amendment to facilitate developer-funded utility extension, and to potentially reduce utility impact fees for incoming development.

Cost of Service Summary Table:

Trout Farm Road:

- o Sewer Main Cost: \$6,031,824
- o Water Main Cost: \$2,464,000
- o Total Cost: \$8,496,424
- o ÷ Households: 297
- o Cost Per Household for Water and Sewer : \$28,607

Rice Road:

- o Sewer Main Cost: \$ 215,389
- o Water Main Cost: \$1,105,100
- o Total Cost: \$1,320,489
- o ÷ # Households: 77
- o Cost Per Household for Water and Sewer : \$17,149

124th St:

- o Sewer Main Cost: \$ 843,728
- o Water Main Cost: \$ 351,600
- o Total Cost: \$1,195,328
- o ÷ Households: 150
- o Cost Per Household for Water and Sewer : \$ 7,968

Analysis

Trout Farm Road:

The reason that this area is so expensive to serve is as follows:

- It is a long narrow peninsula that requires utility extensions for a north-south distance of approximately 1.5 miles.
- The area is heavily constrained by floodplain, elevation, and critical areas.
- It takes 380 acres of land to accommodate 655 new population compared to 214 acres to accommodate the same population in the areas proposed for addition.
- Only WM-7 of the Trout Farm utilities can be partially charged to any other part of the City's utility systems. All other Trout Farm utilities are exclusively for serving the Trout Farm UGA area. This compounds the cost per household.
- From the perspective of new development in the area, there are no existing utilities. Only a small neighborhood in the south part of the area is served by City Water. The entire remaining area will require new water and sewer mains.

Rice Road:

Rice Road is less than ½ of the cost of Trout Farm. Pertinent issues are:

- The area is a logical and coherent extension of existing City Limits and UGA instead of a peninsula. Such an extension is defined in Boundary Review Board standards as a "Regular Boundary".
- Utilities built to serve the area also serve other areas inside of the City and in the current UGA, providing economies of scale and more rational service boundaries.
- Some properties in the area are served by City Water as extraterritorial customers in the City's designated Water Service Area. These areas should be brought into the City's UGA and ultimately into City Limits.
- Utilities developed in this area also make future UGA extensions available at essentially no additional cost. (There are no such further UGA additions available in the Trout Farm area.)

124th Street:

This area costs approximately 1/3 of the cost of Trout Farm. Pertinent issues are:

- It is already surrounded by City Water mains, and several of the properties are served by City Water as extraterritorial customers in the City's designated Water Service Area.
- It is on main arterial service alignments for existing roads and sewers, and is enclosed on three sides by existing City Limits and UGA. It is an artificially created "Irregular Boundary" in the language of Boundary Review Boards.
- To serve additional utilities to existing City Limits and UGA, the corridor, as currently configured, requires repeated crossing of jurisdictional boundaries, another conflict with Boundary Review Board standards.
- Utility extensions through the area serve other areas, providing economies of scale and rational future development patterns.

Methodology and Supporting Documentation

Population Allocation:

County staff has determined that the combination of deleted and included areas results in an equivalent population at full build-out.

Analysis Methodology:

City staff used detailed supporting information from the 2011 General Sewer Plan and the 2011 Water System Plan. (Detailed supporting documents are attached.)

Calculated numbers are the cost of providing sewer and water service mains necessary to enable residential subdivision development in the respective study areas as determined by the 2011 Sewer and Water Plans. No costs are assigned to the cost of subdivision development (mains and services inside the development). The costs studied in this analysis are referred to as "off-site" development costs.

The 2011 Sewer and Water Plans distinguish between "Developer Installed" mains and "City Installed" mains. For the purposes of this analysis, these categories were consolidated to provide a complete cost for "opening up" the area to residential development.

Where mains are needed solely for development within a study area, 100% of the cost is assigned to the area. Where mains serve needs in the study area and in other areas, the cost is assigned a proportional % based on the relative need met by the main.

The final number is arrived at by the following formula:

- Population accommodated in the study areas from County Buildable Land Analysis (divided by)
- Population Per household (Yields)
- Number of Households at full build-out
- Cost of all mains (divided by)
- Number of Households (yields)
- Cost of Utility Extensions required for each household.

Summary

Historic perspective:

The current Sultan UGA was, with minor changes, drawn in the early 1990's. Very little analysis of utility and public facility service issues was conducted. Property owners were essentially asked whether they wanted "in or out", and that became the UGA. While that is highly responsive to public input, it does not constitute long range municipal planning as defined by the Growth Management Act.

The City of Sultan has invested heavily in the 2011 Comprehensive Plan, the 2011 Water System Plan, and the 2011 General Sewer Plan.

Taken together these documents lay the ground work for the proposal before the County Council leading to coordinated adoption of City and County Comprehensive Plans in 2015. This Docket Item must be allowed to proceed to keep this planning program on track, and to prevent the Sultan Comprehensive Plan from becoming internally inconsistent.

The City of Sultan will continue to pursue this proposal with additional information at the upcoming continuation of the docket hearing.

Thank you for your assistance with this complex issue.

Sincerely,



Robert C. Martin AICP
Community Development Director.

Attachments:

- Attachment A; Trout Farm Utility Improvement Table
- Attachment B; Rice Road Utility Improvement Table
- Attachment C; 124th Street Utility Improvement Table

Snohomish County Planning and Development Services
 Docket XVII Initial Review and Evaluation of Docketing
 Proposal to the GMA Comprehensive Plan
 March 29, 2013

Applicant: City of Sultan

File: SLN2

12-109658-DA

DESCRIPTION OF PROPOSAL

| | | |
|---|-------------------------|---|
| GPP FLUM Designations and Urban Growth Area (UGA) adjustments: | Proposed removal: | <u>Remove</u> 380 acres from the Sultan UGA and redesignate from Urban Low Density Residential (ULDR) to Rural Residential (RR) |
| | Proposed addition 1: | <u>Add</u> 138 acres to the Sultan UGA and redesignate from RR and Rural Urban Transition Area (RUTA) to ULDR |
| | Proposed addition 2: | <u>Add</u> 76 acres to the Sultan UGA and redesignate from RR and RUTA to ULDR |
| Zoning: | Proposed removal: | <u>Rezone</u> 380 acres from R-7,200 & R-9,600 to R-5 |
| | Proposed addition 1: | <u>Rezone</u> 138 acres from R-5 to R-7,200 |
| | Proposed addition 2: | <u>Rezone</u> 76 acres from R-5 to R-7,200 |
| Acres: | UGA removal area total: | 380 acres |
| | UGA addition area 1: | 138 acres |
| | UGA addition area 2: | 76 acres |
| | Total: | 214 acres |

SITE RELATED INFORMATION

| | |
|------------------------------|--|
| Location: | UGA removal - NW portion of the Sultan UGA in the area of Trout Farm Road and east of the Sultan River. |
| | UGA addition 1 - North of the Sultan UGA, SW and SE corners of the intersection of Sultan Basin Road and 124 th St SE. |
| | UGA addition 2 - East of the Sultan UGA, east of 339 th Ave SE (Rice Road) and north of 140 th St SE. |
| Existing Land Use: | UGA removal - Large and small parcel rural residential. UGA addition 1 - Large parcel rural residential UGA addition 2 - Large parcel rural residential |
| Adjacent Land Use: | UGA removal - North/northeast - commercial forest lands; west – rural residential; south/southeast – city of Sultan and single family development. UGA addition 1 - North/northeast – rural residential; southeast, south, west and northwest – primarily vacant parcels within the UGA with one single family residential subdivision west of the site within the city limits. UGA addition 2 - North – commercial forest lands; east – large lot rural residential; south and west – single family residential within the UGA. |
| Site Characteristics: | UGA removal - Mix of forested and open areas along the Sultan River with very steep slopes along the eastern edge of the site. UGA addition 1 - Mix of forested and open areas; moderate grade with steep slopes along western portion of site. UGA addition 2 - Relatively flat grade with moderate slopes along the north boundary; primarily open pasture land; Wagleys Creek flows north to south through the site. |

Infrastructure:

The UGA removal site is accessed by 307th Ave. SE and Trout Farm Road and is within the city's public water service area. No sanitary sewer service is available to the removal site. Residences in the removal site rely on-site sewage disposal systems.

The Sultan Basin Road, a minor arterial is the primary access road to UGA Addition 1. No significant impacts were identified to county roads as a result of this addition. However, there may be local impacts to city streets and SR2.

339th Ave. SE (Rice Road), a collector arterial, is the primary access road to UGA Addition 2. No significant impacts were identified to county roads as a result of this addition. However, there may be local impacts to city streets and SR2.

The two UGA addition sites currently rely on individual wells and on-site sewage disposal systems. The city states that public water and sanitary sewers can reasonably be extended to serve these two sites.

Critical Areas:

UGA removal – Sultan River 100-year floodplain is located along the west portion of the site; steep slopes along the east portion of the site; lake and stream in the north portion of the site.

UGA addition 1 - Steep slopes along west portion of site

UGA addition 2 – Wagleys Creek flows north to south through the site

EVALUATION

PDS shall conduct an initial review and evaluation of proposed amendments and assess the extent of review that would be required under the State Environmental Policy Act (SEPA). PDS shall recommend to the county council that an amendment be further processed only if all of the following criteria are met, except as provided in SCC 30.74.040.

Initial Review and Evaluation Criteria (SCC 30.74.030(1)):

Criterion "a": The proposed amendment is consistent with the countywide planning policies (CPPs), the multicounty planning policies (MPPs), the Growth Management Act (GMA), and other applicable state and federal laws.

Yes. The proposed adjustment of the UGA boundaries by the city of Sultan is consistent with the GMA, the MPPs, and the CPPs.

GMA

The proposal is consistent with the UGA requirements in RCW 36.70A.110(3):

(3) Urban growth should be located first in areas already characterized by urban growth that have adequate existing public facility and service capacities to serve such development, second in areas already characterized by urban growth that will be served adequately by a combination of both existing public facilities and services and any additional needed public facilities and services that are provided by either public or private sources, and third in the remaining portions of the urban growth areas . . .

The primary purpose of Sultan's proposed adjustments to the UGA boundaries is to include only those areas where infrastructure, particularly roads, sewer and water, can be adequately provided. According to Sultan, the isolated nature of the proposed UGA removal area would require costly road and utility improvements in order to provide urban levels of service. The city states that the areas proposed for addition to the UGA can more cost effectively be served by public sewer and water.

MPPs

The proposal is consistent with following *Vision 2040* MPP:

DP-1 Provide a regional framework for the designation and adjustment of the urban growth area to ensure long-term stability and sustainability of the urban growth area consistent with the regional vision.

The proposed adjustment to the Sultan UGA is consistent with the MPP DP-1 which allows for adjustments to UGAs in order to plan for more efficient land uses and infrastructure to better accommodate population and employment growth within a UGA.

CPPs

The proposal is consistent with CPP DP-3:

Following consultation with the affected city or cities, the County may adjust urban growth areas – defined in this policy as concurrent actions to expand an Urban Growth Area (UGA) in one location while contracting the same UGA in another location – without resulting in net increase of population or employment land capacity. Such action may be permitted when consistent with adopted policies and the following conditions:

- a. The area being removed from the UGA is not already characterized by urban development, and without active permits that would change it to being urban in character; and*
- b. The land use designation(s) assigned in the area removed from the UGA shall be among the existing rural or resource designations in the comprehensive plan for Snohomish County.*

Sultan's proposed UGA adjustments will not result in a net increase of population land capacity. For the proposed UGA removal area, there would be a population reduction

of 655. The two proposed addition areas would add a total population of 655. This adjustment would result in no net increase in population land capacity. The residential densities used in the land capacity analysis were derived from Snohomish County Tomorrow's draft 2012 Buildable Lands Report.

The city's proposal is consistent with conditions "a" and "b" for adjusting UGAs under CPP DP-3. The proposed removal area is characterized by single family rural residences that are served by individual on-site sewage disposal systems. There are no active permits for urban development as the area is not served by urban infrastructure, including sanitary sewers. The RR land use designation assigned to the area proposed for removal from the UGA is an existing rural land use designation in the GPP.

Criterion "b": Any proposed change in the designation of agricultural lands, forest lands, and mineral resource lands is consistent with the designation criteria of the GMA and the comprehensive plan.

N/A. This criterion is not applicable. The proposal will not change any GMA resource lands designation.

Criterion "c": If the proposed amendment has been reviewed by the planning commission or county council as part of a previous proposal, circumstances related to the current proposal have significantly changed and support a plan or regulation change at this time.

N/A. The proposed amendment has not been previously reviewed by the planning commission or county council as part of a previous proposal.

Criterion "d": If the next docket cycle to be set is limited to minor amendments by SCC 30.74.015(2)(a), the proposal satisfies all of the following conditions:

N/A. This criterion is not applicable to the proposal since Docket XVII, the next docket cycle to be set, is scheduled for processing of both major and minor amendments according to SCC 30.74.015(2)(c).

Initial Review of Rezone Requests (SCC 30.74.040):

(1) The rezone request is for an implementing zone consistent with a concurrent proposed amendment to the future land use map that meets the criteria of SCC 30.74.030.

Yes. Since the rezone requests are for implementing zones consistent with the concurrent proposed future land use map amendments that meet the criteria of SCC 30.74.030(1), the proposed rezones are consistent with this criterion.

(2) Public facilities and services necessary for development of the site, as defined in applicable capital facilities plans, are available or programmed to be provided consistent with the comprehensive plan and development regulations as determined by applicable service providers.

Yes. According to Sultan, public facilities and services, including sewer and water, will be programmed to serve the proposed UGA additions and would be provided by the city.

(3) Site plan approval would not be required concurrent with the rezone under chapters 30.31A, 30.31B, or 30.31F SCC.

Yes. A site plan approval would not be required concurrent with the rezone under chapters 30.31A, 30.31B, or 30.31F SCC.

Summary of Consistency with Review Criteria

| Consistent with Initial Docket Review Criteria: SCC 30.74.030(1) | | | | Consistent with Rezone Criteria: SCC 30.74.040 | | |
|---|-----|-----|-----|---|-----|-----|
| "a" | "b" | "c" | "d" | "1" | "2" | "3" |
| Y | N/A | N/A | N/A | Y | Y | Y |

Recommendation:

According to SCC 30.74.030 and 30.74.040, PDS is required to recommend to the county council that proposed docket amendments be further processed only if all of the initial review and evaluation criteria are met. The city of Sultan docket proposal does meet all of the applicable initial review and evaluation criteria, therefore, PDS recommends that the proposal be further processed.

FILE COPY
City of Sultan



DELIVERED
IN HAND
COUNTY FRONT DESK
3:00 PM 6-19-13
RC He

June 19, 2013

Mr. Steve Skorney
Senior Planner
Planning & Technology Division
Snohomish County
Department of Planning & Development Services

Subject: County Docket XVII, SLN 2, City of Sultan UGA

Dear Mr. Skorney,

This letter is provided for entry into the record of the County Council's continuing hearing on the City of Sultan Urban Growth Area (UGA) Docket application for the 2015 Comprehensive Plan Amendment cycle.

This is sent under direction of Mayor Eslick and the City Council as affirmed at the Council's June 13, 2013 meeting.

Executive Summary:

Mr. Clifford Morris, represented by Carson Law Group, P.S., submitted a letter into the record of the County Council's public hearing on this UGA Docket application. The letter, dated May 29, 2013, is enclosed as Attachment A.

Mr. Morris has attempted for many years to generate interest in development of family-owned property in Sultan's northwest UGA area. He has had no success with this cause in nearly 20 years, largely due to the cost of utility and transportation services needed to develop the area. The City proposes this portion of the UGA for deletion in favor of other properties with fewer environmental constraints and greater development potential.

Mr. Ojala of Carson Law Group has used the presence of a sub-standard 6" water main in the southern part of the UGA as evidence of "urban development", and proceeds to infer that development of Mr. Morris' property and the rest of the UGA should be easily accomplished due to the presence of this substandard main. This is an attorney's conjecture, having nothing to do with public utility service realities.

From there, Carson Law Group contends that the City's application constitutes a "spot zone" and a "de-facto moratorium", among other unfounded assertions. The following information presents an item-by-item clarification of the issues raised in the Carson letter. City points are assigned the same numbers as the Carson letter.

Response to Carson items (addressed by same numbering as May 29th letter)

1. There is no validity to the assertion that inclusion in the UGA results in higher taxes. County Zoning is in place. Taxes are based on County Zoning. There is no differential taxing status based on UGA alignment. Whatever development potential the property has is based on County Zoning until it is annexed. It then changes to the list of taxing districts and land values applied to incorporated land.
2. Docketing of this proposal is a legislative action for amendment of the Comprehensive Plan through the prescribed Snohomish County amendment process leading to adoption of the City and County 2015 Comprehensive Plans. It has nothing whatsoever to do with a site specific rezone. There is no requirement for documentation of changed circumstances at this point in the docketing process. The proposed amendment is called for in the adopted City of Sultan 2011 Comprehensive Plan. Analysis will follow over the ensuing 2 ½ years as provided by the Snohomish County Docket process.
3. Sultan is not required to "analyze removing only a portion of the NW Area" in its legislative proposal to docket Comprehensive Plan Amendments as called for by the Snohomish County Docket process.
The "extreme northwest area along the Sultan River" is the language used in the Comprehensive Plan to address the large peninsula of land accessed by Trout Farm Road, and to distinguish it from the other UGA in the northwest area of the community that is north of 124th St.
Mr. Ojala's repeated emphasis of the term "extreme" is employed out of context of the Plan. His interpretation of the UGA geography on behalf of his client does nothing to alter the City Council's legislative intent when adopting the 2011 Comprehensive Plan. The 2011 Comprehensive Plan clearly calls for the area served by Trout Farm Road to be removed from the UGA.
4. Using the Future Land Use Map to contend that the proposed amendment is inconsistent with the plan is a contradictory proposition in that it is specifically the Future Land Use Map that is being proposed for amendment. If the current configuration of the Map is to be used as evidence that the Map cannot be amended, then the Comprehensive Plan Map cannot be amended once adopted.

This would mean that the Plan is "Cast in Stone" which is the very thing that much of the public fears about the planning process. During adoption proceedings jurisdictions consistently explain that the Plan is a fluid document and is subject to change over time through public processes in response to changing circumstances and new plan proposals. That is exactly what the City and the County are undertaking in this proposal.

The original UGA was drawn with no analysis of the realities of urban service delivery. That lack of planning has been addressed by the 2011 Sultan Comprehensive Plan, the 2011 Water System Plan and the 2011 General Sewer

Plan (See NOTE below). Amendment of the UGA is one of the main remaining steps to complete this process.

NOTE:

It is necessary at this point to explain why the 2011 Water System Plan and the 2011 General Sewer System Plan include the description of utilities needed to serve the Trout Farm UGA.

Due largely to the complete lack of utility analysis in the Sultan 2004 Comprehensive Plan, the City was taken before the Growth Management Hearing Board (CPSGMHB). The City lost 8 cases. The CPSGMHB ordered that the City undertake detailed analysis of its utility plans and financing mechanisms necessary to serve its undeveloped incorporated areas and its UGA. This was a hugely complex and expensive proposition, requiring levels of analysis and budgeting that many larger jurisdictions do not undertake.

The City is constrained to include plans for utilities in the Trout Farm Road area to comply with the Growth Board orders and to achieve mandatory consistency between its Comprehensive Plan and its utility plans. Until the UGA can be amended by the County's 2015 docket process, the City must continue to include plans for this area.

A by-product of this issue is that the City is required to ensure that every cost for utility extension and facility upgrades is accommodated in its utility connection fees, impact fees, and general facility charges. This makes Sultan's development fees very high, resulting in the irony that the required planning for utilities to serve future development is a major deterrent to future development.

Trout Farm Road UGA is a major contributor to the utility budget calculations leading to high development costs. The City is dedicated to meeting its Hearing Board orders and its population allocation from Snohomish County. Exclusion of the Trout Farm UGA is an important component of that effort.

5. The "Proposed Plat Map" attached to the letter as Exhibit C has no validity or bearing on the City's Docket proposal. This paper purports to be part of an annexation proposal dated 2007. This annexation proposal was not pursued. It is not a plat map. A Plat Map is a subdivision proposal developed under the standards of a Subdivision Code and reviewed to conform to the applicable standards.

An engineer could be engaged to develop a drawing that put the greatest possible number of lots of a given size on a piece of land without regard for any other constraints. In this case the average lot size is listed as 4,700 sq.ft. Neither the County nor the City permits a lot size even remotely as small as 4,700 sq.ft. Further, these extremely small lots front directly on water features and wetlands without regard for critical area buffers and various subdivision design features.

The City residential zone adjacent to the subject property, and the zone most appropriate to be placed on the property, if annexed, requires a minimum lot size

of 10,890 sq.ft. , which is functionally twice as large as the lots shown on the "Proposed Plat Map". The appellant may argue that this "Plat" was to be a planned unit development, thereby permitting a doubling of the otherwise required density. Despite the fact that the City's Planned Unit Development provisions never allowed anything like a doubling of the required density, the point is moot. The Planned Unit Development system no longer exists in Sultan's new Land Division Code. (It was removed due to frequent egregious mis-use by developers.)

This drawing is analogous to the town site maps of the late 1800's wherein property owners laid lots across quarter sections without regard for rivers, lakes, cliffs, etc. It also addresses nothing regarding the availability of sewer and water service to such an extremely dense development so distant from city utility services.

It is correctly labeled as a "Conceptual Lot Layout". The "concept" was to put as many 4,700 sq.ft. lots on a parcel of land as possible in support of an annexation proposal that was never followed up on by the applicant. It simply has no validity or import to the discussion of the City's Docket proposal.

This item ends with the assertion that the City can propose an alternative docket proposal "next year". This statement is based on a misunderstanding of the 2015 Docket process. The City of Sultan first approached County staff with the proposal to modify the Sultan UGA in 2009. After extensive discussion, County staff and City staff agreed that the only reasonable and ultimately successful means to achieve this objective was to carry the proposal through to the 2015 Docket after the County and the other cities had agreed on the population allocation methodologies. This would bring Sultan into step with all other jurisdictions instead of the City having to unilaterally attempt adjustment of population allocations to other cities so that the countywide balance could be maintained. The City did as advised, and is now at the next step. "Next year" is not part of the UGA Docket process established by Snohomish County. That is why Sultan and the other jurisdictions are on the County's established UGA Amendment Docket schedule for this year.

6. The inferred premise that the Department of Ecology would weigh in in support of the proposed development of 244 lots averaging 4,700 sq.ft. as shown on Mr. Morris' "Plat Map" is left for the D.o.E. to comment on. That issue notwithstanding, road, water, and sewer services are at issue here. The property owner continuously over many years has chosen to overlook the reality that his property is over 1 mile from water and sewer mains that could even be considered for residential development at even ½ of the density proposed on his "Plat Map". The City's 2011 General Sewer Plan and 2011 Water System Plan provide cost estimates in the \$6,000,000 range for Sewer mains, and \$2,500,000 for water mains to serve this area (not including the cost of facilities within the development).

7. The "Purchase and Sale" agreement attached to the May 29th letter as Exhibit D contributes nothing to this discussion. It is an undocumented, unrecorded, undated, and unauthenticated paper that purports to assign a \$12,500,500 value to four pieces of property owned by the Morris family. Current Snohomish County Assessor's Fair Market Assessed Value for these four pieces of property is \$789,700.
Clearly no long-range planning decisions for configuration of the UGA or extension of extremely expensive utilities and roads can be made based on this document.
8. The "recent boundary line adjustments" do nothing whatsoever to indicate that the area is more urban than rural. Mr. Morris reconfigured lots around the existing residences on his property through the boundary line adjustment process so that they could be saleable as county –conforming separate lots . This informs nothing regarding the availability of urban services and the economics of urban development in an area significantly removed from city streets and utilities.
9. City services to the southern portion of the Trout Farm UGA consist only of an 8" water transmission main and a 6" residential water service main a rural residential development area south of the Morris property.
 - None of the area has sewer service, or is even close to city sewer which is the "Urban utility" referred to in the GMA as distinguishing between urban and rural areas.
 - Development of the Trout Farm UGA is dependent on replacement of 1.25 miles of 8" Asbestos Cement (AC) Transmission Main to a 12" Ductile Iron (DI) Transmission Main.
 - The existing 6" Asbestos Cement main cannot be used for any further development purposes.

The repeated statement in the Carson letter that "the area is served by city water" is intended to imply that city water service is prevalent or extensive throughout the Trout Farm UGA area. The opposite is the case.

10. The City of Sultan has no requirement to provide notice to land owners that it is filing a Docket Application to the County. The City is the applicant for the Docket process, the County is the reviewing agency. The County is responsible for sending out the notice as the reviewing agency. Legal notice for this process has been properly provided by Snohomish County for the 2015 Docket.

There is no State Environmental Policy Act (SEPA) process for the City to submit an application for the County Docket. There is a SEPA process required if the City and County move forward to amend their Comprehensive Plans to address the Docket proposal. This will be done in the appropriate sequence as the plans move through to the end of 2015.

11. This Docket proposal has nothing whatsoever to do with a moratorium, de-facto or otherwise. The property owner is fully possessed of all property rights that existed on the day prior to the City's filing of its Docket proposal. If he wishes to file a subdivision application with the County tomorrow for development at allowed County densities, he is completely free to do so, and the County is required to process his application under existing development standards.

If he wishes to file an annexation application with the City tomorrow, he is completely free to do so. The City is required to process his application under existing annexation standards as long as the property remains in the Sultan UGA unless the City adopts an annexation moratorium in conformance with standards of RCW 36.70A.390 or other applicable statute.

12. Sultan does not "claim" that the proposed UGA amendment conforms to population and other standards of the Countywide Planning Policies. County staff has reviewed the City's Docket application and determined that it meets the criteria, including the equivalence of population between the areas added and those removed (Snohomish County PDS, Docket XVII Staff Report, SLN 2, March 29, 2013).

The City has worked with County staff since late 2009 to develop a work plan and direction that would bring the City's Plan into conformance with the County Planning Policies, population allocation, and maintain compliance with the Growth Board orders. This UGA amendment is a crucial step to complete the City's planning process started with adoption of the 2008 Comprehensive Plan Revision.

The area in question is not characterized by urban services. The City of Sultan has a sub-standard 6" AC water main in the area (See item 9 above). The gas company has some residential gas service in the southern part of the area. The County has the only roads in the area, generally characterized as rural standard. Trout Farm Road is the only entry/exit corridor. It does not even approach the standard needed if the area somehow were to develop several hundred lots as asserted by this property owner. That is the extent of services. This does not constitute "urban services" as contemplated by the GMA.

The chief service that distinguishes urban from rural in the GMA is sewer service. Water is provided in many ways to many areas both urban and rural. Cities often have water service areas that extend beyond the city limits or UGA. Many generally rural-based water districts provide water service to incorporated urban areas. Many very rural areas have domestic water and fire service provided by exclusively rural water districts. City sewer is "the" urban service that characterizes urban development.

in this case, the closest available city sewer that could be connected to is 1.1 miles from the subject property, and 1.4 miles from the far northerly extent of the UGA as currently configured. Most of this distance would need to be traversed by 12" and 18" inch mains. The cost of this sewer main divided by the number of residences available in the entire area is \$20,309 per unit, not including utility investment within the developments themselves. This is simply infeasible when compared with utility costs for proposed UGA addition areas (124th St. and Rice Road) that have been documented and provided to County Staff .

Thank you for the opportunity to supplement the City's information on this proposal. City representatives will be at the continued hearing to present information and answer questions on this very important UGA Amendment Application.

Sincerely:



Robert C. Martin AICP
Community Development Director

Attachment A: Carson Law Group Letter, May 29, 2013

May 29, 2013

Snohomish County Council
3000 Rockefeller M/S 609
8th Floor Admin East
Everett, WA 98201

RE: Take No Action on Sultan's SLN 2 proposed amendment.

Dear Council:

My client owns land in an area of the Sultan UGA that Sultan has requested be docketed for removal from the UGA under SLN 2 on Docket XVII. They own the land shown as attached Exhibit A. Based upon this public comment and letter, we request more time for additional public comment, or that no action be taken on SLN 2.

My client respectfully request that the County Council take no action or otherwise defer the SLN 2 docketing request by Sultan. The proposed removal of the entire northwest area of the UGA is inconsistent with Sultan's own comprehensive plan and future land use map, which indicates only the *extreme* northwest area along the Sultan River be removed from the UGA. As shown in Sultan's comprehensive plan, the area consists of an area zoned R-9600 and R-7200. The area zoned R-7200 should not be removed from the UGA and is a separate traffic subarea analysis zone. There is also a mischaracterization of the urban services that are already provided to the area, and the area is more urban than rural in character.

The County Council should not docket SLN2 requested amendment, or defer a final docketing decision for the following reasons offered by my client:

1. They have been paying higher taxes over the years due to location within the UGA and higher density zoning.
2. The docketing of this is analogous to a site specific rezone or may also include a request for a rezone, because the proposal says to rezone from R-9600 and R-7200 to Rural-5 (R-5). There is no evidence of changed circumstances justifying the removal of the entire area from the UGA, since the original UGA was adopted—especially the area currently zoned R-7200.

3. Sultan did not analyze removing only a portion of the NW Area, rather than the entire NW Area. Simply removing from the NW Area that area that is zoned R-9600, and keeping the subarea that is zoned R-7200 as part of the UGA is what Sultan's comprehensive plan calls for, as it only says to alter the extreme northwest area along the Sultan River. The area zoned R7200 is not along the Sultan River. Sultan's Future Land Use Map plainly shows the R-7200 zoned area as consisting of a different sub-traffic analysis zone ("7")- the different zoning demonstrates a natural break. See Exhibit B.
4. The removal of the area zoned R-7200 from the Northwest area is inconsistent with Sultan's own Future Land Use Map and comprehensive land use plan. That map and plan, excerpts attached in Exhibit B indicates that the need is only to remove the "extreme" portions in the northwest along the Sultan River that can't be developed.

On page 12-13 of §3.8 of the Land Use Plan it provides:

"The UGA's configuration presents challenges, however, particularly as Sultan considers accommodating its forecast population and providing for an effective transportation system, affordable utilities systems and a sustainable residential, retail and employment landscape. There are three portions of the UGA that will need to be reexamined in the next comprehensive plan update process, when Snohomish County is prepared to consider UGA amendments proposed by its local jurisdictions. Those areas are the extreme northwest along the Sultan River, to the immediate north along the Sultan Bain Road, and to the northeast, including both sides of Rice Road as it extends north of US 2. Revising the UGA boundary will help by removing land that is virtually impossible to develop to urban levels of intensity along the Sultan River and by including land to the north and east that would facilitate provision of an efficient utility services system and an effective transportation network. (emphasis added).

5. The property zoned in R-7200 can demonstrably be developed as demonstrated by the attached plat map and purchase and sale agreement. A proposed plat map is attached hereto as Exhibit C. Accordingly, the proposed withdrawal of the entire NW area is inconsistent with the City's Future Land Use Map- and should not be docketed. If the reduction in the

NW area excluded the Subtraffic Analysis Zone 7 (the subarea where Morris' property is included), then the proposal would be more consistent with the Future Land Use Map of the City of Sultan. The City of Sultan can docket a modified proposal next year.

6. The area zoned R-7200 is not in the flood plain, while the R-9600 portion is. The Department of Ecology, as a matter of environmental considerations, would prefer all the area to be on City Sewer rather than septic systems.
7. The Purchase and Sale agreement for over \$9 million and the property demonstrably could be developed. The first page of that agreement is attached hereto as **Exhibit D**.
8. Recent boundary line adjustments show underlying lots are of number and configuration to be more urban than rural. A copy is attached hereto as **Exhibit A**.
9. The area has urban facilities. City services are provided, including water service. Urban gas is provided. The area includes some lands suitable for necessary green belts within the City. Sewer service by Sultan must be provided, though reasonable conditions may be imposed. *Mt Development LLC v. City of Renton*. It makes sense that developers would help offset the cost of sewer service.
10. The City of Sultan did not provide adequate notice to the landowners regarding their docketing proposal. There was no SEPA checklist provided to my client to review. The first my client learned of this was from notice from the Snohomish County Council.
11. The request by Sultan and the docketing of this decision constitutes a defacto moratorium under RCW 36.70A.390.
12. The proposal should not be docketed in its current form. The proposal to change the UGA is not consistent with RCW 36.70A.110(3) which provides that urban growth should be preferred in areas that already have urban services. Likewise, the proposal is **not** consistent with CPP DP-3, which provides:

Following consultation with the affected city or cities, the County may adjust urban growth areas – defined in this policy as concurrent actions to expand an Urban Growth Area (UGA) in one location while contracting the same UGA in another location – without resulting in net increase

of population or employment land capacity. Such action may be permitted when consistent with adopted policies and the following conditions:

- a. The area being removed from the UGA is not already characterized by urban development, and without active permits that would change it to being urban in character; and*
- b. The land use designation(s) assigned in the area removed from the UGA shall be among the existing rural or resource designations in the comprehensive plan for Snohomish County.*

While Sultan claims the proposed UGA adjustments apparently will not result in a net increase of population land capacity, the area proposed to be removed from the UGA is characterized by urban development and urban services (i.e. water service, gas service). Because the area already was within the UGA, it is inherently characterized as urban, RCW 36.70A.110(1). Municipal services are not allowed to be extended outside the UGA. RCW 36.70A.110(4). The area is served by municipal water service, and other services. Various boundary line adjustments for many of the properties and underlying parcels were performed in 2012 in anticipation of eventual annexation. The density of the current legal lots is more urban than rural. Any future development at urban densities would support the cost of extending any other needed municipal services, as is typically the case. Unlike as discussed in the Planning Departments recommendation and Sultan's , the area is served by urban infrastructure. It was not error to initially have this area within the UGA, and it should remain within the City's UGA.

The Morrisses respectfully request that the Council take no action on the SLN 2 and modify Motion No. 13-138 accordingly.

Sincerely,

CARSON LAW GROUP, P.S.



Peter C. Ojala
Attorney for Morris

File Copy
City of Sultan



June 19, 2013

Mr. Steve Skorney
Senior Planner
Planning & Technology Division
Snohomish County
Department of Planning & Development Services

DELIVERED
IN-HAND
COUNTY FRONT DESK
3:00 PM 6-19-13
RCM

Subject: County Docket XVII, SLN 2, City of Sultan UGA

Dear Mr. Skorney,

This letter is provided for entry into the record of the County Council's continuing hearing on the City of Sultan Urban Growth Area (UGA) Docket application for the 2015 Comprehensive Plan Amendment cycle.

This is sent under direction of Mayor Eslick and the City Council as affirmed at the Council's June 13, 2013 meeting.

Executive Summary:

The overarching objective of this communication is to make clear that the docket amendment is part and parcel of a planning program that the City of Sultan has undertaken at great effort and expense starting in 2008 with culmination in 2015 with coordinated adoption of City and County Comprehensive Plans as provided by state law.

The changes proposed in the UGA are specifically called for in the adopted 2011 Sultan Comprehensive Plan. The County has opened the Docket at this time for coordinated UGA amendment process. The City has followed its Comprehensive Plan and the County's docket procedures, and has every appropriate expectation that this item will be docketed and pursued through the 2015 Comprehensive Plan Update schedule.

Action to not schedule this proposal on the UGA Amendment Docket will create internal inconsistencies in the Sultan Comprehensive Plan.

Supporting Documentation:

The following information is provided to assist the County Council in understanding the background for the City's amendment application.

1. The action requested of the County is to place analysis of the proposal on the docket for study over the next 2 ½ years leading to adoption of the 2015 Plan.
2. Action requested does nothing to the properties in the ensuing 2 ½ years.

3. If docketed for analysis, City's proposal will be studied by City and County and final recommendations made for City and County Comprehensive Plans to be adopted by end of 2015.
4. If land is included in the UGA status of the properties does not change at all until the property owners petition for annexation. They could choose to remain under County jurisdiction for many years, or potentially, forever.
5. To object to these proposals being on the Docket is to say that there is no basis for even studying something that is clearly called for in the Sultan 2011 Comprehensive Plan, and is, in fact, an essential reason why the 2011 Comprehensive Plan was undertaken in the first place.
6. The following very important guiding language is contained in the 2011 Comprehensive Plan at Page 3-46. It is in the Plan partly in response to prior Growth Management Hearing Board orders on invalidity of the 2004 Sultan Comprehensive Plan which formalized the current UGA and did nothing to analyze how utilities would be served to the City and the UGA.

The UGA's configuration presents challenges, however, particularly as Sultan considers accommodating its forecast population and providing for an effective transportation system, affordable utilities systems and a sustainable residential, retail and employment landscape. There are three portions of the UGA that will need to be reexamined in the next comprehensive plan update process when Snohomish County is prepared to consider UGA amendments proposed by its local jurisdictions. Those areas are in the extreme northwest along the Sultan River, to the immediate north along Sultan Basin Road, and to the northeast, including both sides of Rice Road as it extends north of US 2. Revising the UGA boundary will help by removing from the UGA land that is virtually impossible to develop to urban levels of intensity along the Sultan River and by including land to the north and east that would facilitate provision of an efficient utility services system and an effective transportation network. (emphasis added)

It is uncommon to have more specific guidance for future legislative action in a Comprehensive Plan than the above directive. This course of action was coordinated with county staff starting in mid-2009 and continues to this day. This plan has been in effect for nearly two years and it lays the groundwork for completion of an 8-year recovery from the previous Sultan 2004 Comprehensive Plan that was under several orders from the Growth Management Hearings Board, largely for failing to properly plan and budget for extension of utility services.

7. The following 2011 Comprehensive Plan Policies are adopted to implement the directive cited above:

- o LU 1.3 Official Land Use Plan
Encourage future development in areas where: growth will be supported with adequate facilities and urban services consistent with capital facilities plan for public facilities and utilities and where adverse environmental impacts can be mitigated; and such development may enhance the area's vitality. (This implements: PSRC Policy DP-2; Snohomish County Policies DP-5, DP-12, ED-12)
 - o Program LU 1.3.5
Periodically update the comprehensive plan to reflect changes, opportunities and desires.
 - o LU 2.2 Collaborate with Snohomish County
Collaborate with Snohomish County to coordinate the proposed boundaries of the Sultan urban growth area, and suitable zoning protection of the lands within the proposed urban/rural transition area. (This implements: PSRC Policies DP-18, DP-19; Snohomish County Policies DP-8, DP-17, TR-1, JP-1, JP-6)
 - o LU 5.3 Serviceable Areas
Allocate urban uses onto capable and suitable lands that Sultan can provide sewer, water, storm, and other basic urban utilities. (This implements: PSRC Policy PS-4; Snohomish County Policies DP-5, DP-6, DP-8, PS-9)
8. The City has invested heavily to come into conformance with GMA requirements , and is engaged to continue that program to completion in 2015 with the County. Should the County not even docket this proposal, the following will be declared to be in effect:
- o The City and the County will be precluded from even studying one of the two essential issues raised in the Sultan 2011 Comprehensive Plan. This will generate internal inconsistencies, jeopardizing the integrity of the plan for an undetermined time until the County UGA docket is again opened.
 - o The planning process required by the GMA as relates to Urban Growth Areas and the effective and efficient provision of utilities to the developable areas will not be engaged.
 - o The existing UGA that was drawn largely without consideration of the practical, geographical, and financial realities of modern utility systems will be determined to be continued for many years into the future.
9. If the City and/or County analysis determines that any portion of the City's docket proposal is not appropriate, the drafts of the 2015 Comprehensive Plans will be finally drawn as appropriate in the 2015 Comprehensive Plans of the City and County.
10. The reason that the Council made the very hard financial and policy decisions to proceed with the 2011 Comprehensive Plan was to come into conformance with

- the GMA and the Snohomish Countywide Planning Policies in preparation for the 2015 County Comprehensive Plan Update cycle. The City Council bore up under significant opposition to honor the GMA and the Countywide Planning Policy program, as well as to fully resolve the several previous Growth Management Hearing Board mandates to "play the game according to the rules".
11. Urban Growth Areas are, first and foremost, created to define the areas where city utilities, particularly sewer service, will be provided and to facilitate service extension to property that can most effectively contribute to achieving the city's allocated population in the next 20+ years.
 12. The Urban Growth Area as it is currently configured is a public facility nightmare.
 - o It anticipates extension of extremely expensive utilities into a far reaching peninsula that has very little urban scale development potential.
 - o It requires utility extensions to exit the city, exit the UGA, enter the County, re-enter the UGA and return to the City, all to provide service to the most developable land currently in the UGA.
 - o It necessitates utilities to be extended that will only be able to provide service to one side of the street and leave the other side in the County with no chance of connection, thereby doubling the effective cost of the extension and wasting the urban capacity that could be developed on the other side if it were allowed into the UGA.
 13. The conflicts and service issues caused by the current configuration of the UGA result from the methodology previously used to draw the UGA. Essentially property owners were able to determine whether they wanted to be "in or out". The UGA was drawn to accommodate those desires with virtually no other criteria employed. While this can be characterized as the highest form of citizen input, it cannot be considered as planning in conformance with the GMA and the Countywide Planning Policies.
 14. Citizen input is important and has been an integral part of development of the Sultan 2011 Comprehensive Plan. The GMA and the Countywide Planning Policies call for active citizen involvement programs. They also require that UGA's be designated to provide reasonable utility service areas that can, over time, accommodate the population allocated to the City by the County. To this end, citizen input is always required to be balanced with the long-range planning process and the collective good of the community.
 15. If the County determines that the City's proposal is not even going to be on the 2015 Docket for further analysis and Comprehensive Plan Amendment proceedings, the following will be engaged as part and parcel of that decision:
 - o The City's investment in honoring the GMA, the Countywide Planning Policies, the PSRC Regional Planning Policies, and the GMHB orders will be largely nullified.

- o The City will go into the 2015 Countywide Plan Update program with no ability to reconcile internal Plan conflicts that have been generated by the Sultan 2011 Plan's groundwork for the final step of reconfiguring the UGA to meet the County 2035 population allocation.
- o Action taken to make the Sultan Comprehensive Plan internally inconsistent, thereby potentially exposing the City to renewed noncompliance orders from the Growth Management Hearing Board, will be a serious decision with far-reaching legal implications.

Thank you for the opportunity to supplement the City's information on this proposal. City representatives will be at the continued hearing to present information and answer questions on this very important UGA Amendment Application.

Sincerely:

A handwritten signature in black ink, appearing to read "Robert C. Martin". The signature is written in a cursive, flowing style with a large initial "R".

Robert C. Martin AICP
Community Development Director

ATTACHMENT F

E-MAIL FROM TOM ROWE SNOHOMISH COUNTY PERMITTING MANAGER

From: Rowe, Tom
Sent: Wednesday, June 19, 2013 3:24 PM
To: 'bob.martin@si.sultan.wa.us'
Subject: Snohomish County Development Activity Fees

Hi Bob,

To follow up on our earlier conversation I want to confirm that all fees for development activities in unincorporated Snohomish County are based on current cost recovery models. There is absolutely no difference in fees based on location inside or outside of Urban Growth Areas.

I hope this helps clarify the issue. Please let me know if you have further questions.

Tom

Tom Rowe
Permitting Manager, PDS
Snohomish County