

CITY COUNCIL MEETING AGENDA



City of Lake Stevens Vision Statement

By 2030, we are a sustainable community around the lake with a vibrant economy, unsurpassed infrastructure and exceptional quality of life.

March 28, 2023 - 6:00 PM

HYBRID COUNCIL MEETING - TWO WAYS TO PARTICIPATE:

In Person: The Mill, Sawyers Room, 1808 Main Street OR

Join Zoom Meeting: <https://us02web.zoom.us/j/81355789704>

or call in at (253) 215-8782 Meeting ID 813 5578 9704

1. **Call to Order**
2. **Pledge of Allegiance** Mayor
3. **Roll Call**
4. **Approval of Agenda** Council President
5. **Guest Business**
6. **Citizen Comments**
7. **Council Business** Council President
8. **Mayor's Business**
- A. Proclamation to Lower the Flag for Ron McEntire
9. **City Department Report**
- A. Internal Guidelines for Parks Maintenance and Operation Sarah Garceau
10. **Consent Agenda**
- A. 2023 Vouchers Barb Stevens
- B. Participation Agreement for Washington State Settlement with Five Opioid Manufacturers and Pharmacies Barb Stevens
- C. Ordinance 1161 Adding New Lake Stevens Municipal Code Section 2.16.050 Providing an Annual Review Process for the City Administrator Kelly Chelin
- D. March 14, 2023 City Council Meeting Minutes Caitlin Weaver
11. **Action Items**

- A. Ordinance 1157 Amending LSMC Title 10 Parks and Recreation Sarah Garceau

12. Discussion Items

- A. Amendments to Council Rules of Procedure Kelly Chelin
- B. Special Event In-Kind Donation Program Sarah Garceau
- C. Lake Stevens ADA Transition Plan Kim Klinkers,
Aaron Halverson
- D. Draft Agenda for April 4, 2023 Council Workshop
(Handed out at the meeting)

13. Adjourn

THE PUBLIC IS INVITED TO ATTEND

The City of Lake Stevens strives to provide accessible opportunities for individuals with disabilities. Please contact Human Resources, City of Lake Stevens ADA Coordinator, (425) 622-9400, at least five business days prior to any City meeting or event if any accommodations are needed. For TDD users, please use the state's toll-free relay service, (800) 833-6384, and ask the operator to dial the City of Lake Stevens City Hall number.

NOTICE: All proceedings of this meeting are audio recorded, except Executive Sessions.



PROCLAMATION

WHEREAS, Ron McEntire has lived in and served our community; and

WHEREAS, Ron McEntire served his country as a member of the Vietnam War Era, US Navy; and

WHEREAS, American Legion Post No. 181 requested the American Flag be lowered to half-staff to honor those individuals who have served their country on behalf of freedom for others; and

WHEREAS, it is important to honor the patriotic service and dedicated efforts of those who have served their community and country.

NOW THEREFORE I, Brett Gailey, Mayor of the City of Lake Stevens, hereby proclaim that on the 15th day of April, in the year Two Thousand and Twenty-Three, the flags of the Lake Stevens War Memorial shall be lowered to half-staff in order to honor the life and contributions of Ron McEntire.

The community should know of those who give so much for liberty.

Brett Gailey, Mayor
Lake Stevens, Washington
United States of America

CITY DEPARTMENT REPORT



Agenda Date: 3/28/2023

Contact Person/Department: Sarah Garceau, Parks Department

The Parks and Recreation Department has created Internal Guidelines for the Maintenance and Operation of Parks.

This internal document will be used on a weekly basis as a guideline to ensure that larger tasks are performed on a routine basis to keep the parks safe and usable for the public. Information can be filtered by location, type of work, or by week. A pdf copy is attached for council review, but is best used in the electronic format, where items can be sorted and filtered.

A "y" in yellow indicates the task must occur during the indicated week.

A "x" in green indicates the task should be completed in the indicated week, but could be shifted to another week if resources do not allow or high priority work emerges.

The department is also working on Maintenance and Operation Management Standards, which will include best practices and guiding principles for how our parks are maintained.

City of Lake Stevens, Parks and Recreation Department

Internal Guidelines for Parks Maintenance and Operation

[illegible]

[illegible]

CITY COUNCIL STAFF REPORT



Agenda Date: 3/28/2023

Subject: 2023 Vouchers

Contact Person/Department: Barb Stevens, Finance

Budget Impact:

Legal Review: No

RECOMMENDATION(S)/ACTION REQUESTED:

SUMMARY/BACKGROUND:

APPLICABLE CITY POLICIES:

ATTACHMENTS:

1. Voucher Packet 03-28-2023

BLANKET VOUCHER APPROVAL
2023

Payroll Direct Deposits	3/10/2023	\$321,564.77
Payroll Checks	57728	\$1,841.67
Electronic Funds Transfers	ACH	\$419,942.72
Claims	57809-57817, 57819-57911	\$911,454.89
Void Checks		
Total Vouchers Approved:		\$1,654,804.05

This 28th day of March 2023

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment or a contractual obligation, and that the claim is a just, due and unpaid obligation against the City of Lake Stevens, and that I am authorized to authenticate and certify to said claim.

Finance Director/Auditing Officer, Barb Stevens

Mayor, Brett Gailey

March 28, 2023



City expenditures by type for this voucher packet			
Personnel Costs	\$	323,406	20%
Retirement Benefits - Employer	\$	122,631	7%
Medical Benefits - Employer	\$	205,362	12%
Other Employer Paid Benefits	\$	8,472	1%
Employee Paid Benefits	\$	97,965	6%
Supplies	\$	44,740	3%
Professional Services	\$	735,117	44%
Refunds	\$	835	0%
Capital *	\$	114,038	7%
Debt Payments	\$	2,238	0%
Total	\$	1,654,804	100%

Large Purchases *

City of Lake Stevens Blanket Voucher Report
Checks to be approved for period 03/15/2023 - 03/23/2023

Total for Period
\$1,331,397.61

Vendor Name	Invoice #	Account #	Account Name	Description	Check #	Amount
911 Supply Inc	INV-2-27228	001 008 521 20 31 05	LE-Equipment - New Officers	Uniform Gear - J Brecht	57819	\$141.83
911 Supply Inc	INV-2-27400	001 008 521 20 31 01	LE-Fixed Minor Equipment	Polos for Explorers	57819	\$785.78
911 Supply Inc	INV-2-27416	001 008 521 20 31 01	LE-Fixed Minor Equipment	Jackets/Beanies for PD Records Unit	57819	\$502.86
					57819 Total	\$1,430.47
Ace Hardware	75968	001 008 521 50 30 00	LE-Facilities Supplies	Concrete Patch/Seal/ Wallpaper Paste/Padlock/Pail	57820	\$130.84
Ace Hardware	75977	101 016 544 90 31 02	ST-Operating Cost	Paper Towels	57820	\$24.54
Ace Hardware	75977	410 016 531 10 31 02	SW - Operating Costs	Paper Towels	57820	\$24.54
Ace Hardware	76039	101 016 544 90 31 02	ST-Operating Cost	Stihl MotorMix Fuel/Bar and Saw Chain Oil	57820	\$64.35
Ace Hardware	76143	410 016 531 10 31 02	SW - Operating Costs	Caulk/Ladder Hook/Rags/Paper Towel Holder/Level	57820	\$77.38
Ace Hardware	76171	101 016 544 90 31 02	ST-Operating Cost	Bleach/Cleaner/Cell Charger	57820	\$31.88
Ace Hardware	76177	001 007 558 50 31 02	PL-Permit Related Op. Costs	Stakes for Land Use Notice Boards	57820	\$33.91
Ace Hardware	76178	001 007 558 50 31 02	PL-Permit Related Op. Costs	Stakes for Land Use Notice Boards	57820	\$33.91
Ace Hardware	76184	410 016 531 10 31 02	SW - Operating Costs	Wheel Handle Valve	57820	\$13.89
Ace Hardware	76195	101 016 544 90 31 02	ST-Operating Cost	Utility Pull	57820	\$10.90
Ace Hardware	76200	101 016 544 90 31 02	ST-Operating Cost	Janitorial Supplies PW	57820	\$167.43
Ace Hardware	76200	410 016 531 10 31 02	SW - Operating Costs	Janitorial Supplies PW	57820	\$167.42
Ace Hardware	76213	101 016 544 90 31 02	ST-Operating Cost	Cleaning Supplies PW	57820	\$34.34
Ace Hardware	76213	410 016 531 10 31 02	SW - Operating Costs	Cleaning Supplies PW	57820	\$34.34
Ace Hardware	76223	101 016 544 90 31 02	ST-Operating Cost	Barrel Bolt	57820	\$2.72
Ace Hardware	76223	410 016 531 10 31 02	SW - Operating Costs	Barrel Bolt	57820	\$2.72
Ace Hardware	76234	101 016 544 90 31 02	ST-Operating Cost	Key Rack	57820	\$9.81
Ace Hardware	76266	101 016 544 90 31 02	ST-Operating Cost	Door Stop/Dbl Grmnt Hook/Switch Comm	57820	\$32.96
Ace Hardware	76292	001 008 521 50 30 00	LE-Facilities Supplies	Janitorial Supplies PD	57820	\$74.78
					57820 Total	\$972.66
AFLAC	698219	001 000 284 00 00 00	Payroll Liability Other	Employee Paid Insurance Prem	0	\$896.36
					0 Total	\$896.36
Alexander Printing Co Inc	76199	001 007 559 30 31 00	PB-Office Supplies	Business Cards - N Held	57821	\$106.10
					57821 Total	\$106.10
Almquist	030423 ALMQUIST	001 013 582 10 00 00	Refund of Deposit	LS22-Almquist_ 3-4-23 Mill Deposit Refund	57822	\$100.00
					57822 Total	\$100.00
Amazon Capital Services	1693-47XR-3N7H	001 008 521 20 31 05	LE-Equipment - New Officers	Duty Belt Keeper/Flex Radio	57823	\$50.07
Amazon Capital Services	1DR7-DDKL-3YWQ	001 008 521 20 31 00	LE-Office Supplies	Toughbook Screen Protectors (4)	57823	\$143.92
Amazon Capital Services	1RM9-9L96-7VRN	001 008 521 20 31 00	LE-Office Supplies	Stamp Pad Ink	57823	\$32.28
					57823 Total	\$226.27
Amazon Capital Services	13CF-YNNW-3FFD	410 016 531 10 31 01	SW - Office Supplies	Microsoft Mouse	57824	\$56.72
Amazon Capital Services	14V4-7YC4-9FXN	101 016 544 90 31 02	ST-Operating Cost	Sealant	57824	\$26.83
Amazon Capital Services	14V4-7YC4-9FXN	410 016 531 10 31 02	SW - Operating Costs	Sealant	57824	\$26.84
Amazon Capital Services	1667-Q1CY-767R	101 016 542 66 31 00	ST-Snow & Ice - Sply	PowerSmart Snow Blower	57824	\$763.69
Amazon Capital Services	1CJV-JQMV-3HF7	410 016 531 10 31 00	SW - Clothing	Chest Waders	57824	\$316.38
Amazon Capital Services	1FFR-XY6X-6L1J	001 013 518 20 31 00	GG-Operating Costs	Soap/Duster/Pens	57824	\$60.48

Vendor Name	Invoice #	Account #	Account Name	Description	Check #	Amount
Amazon Capital Services	1GPY-1FWC-379C	101 016 544 90 31 02	ST-Operating Cost	Dell LCD Monitor	57824	\$141.83
Amazon Capital Services	1GPY-1FWC-379C	410 016 531 10 31 02	SW - Operating Costs	Dell LCD Monitor	57824	\$141.82
Amazon Capital Services	1K4J-9KPK-7NL1	001 010 576 80 31 03	PK- Equipment & Tools	Sceptre 4K Monitors (2)	57824	\$436.34
Amazon Capital Services	1PFN-J4R4-Q73Q	001 007 559 30 31 00	PB-Office Supplies	Batteries Credit	57824	(\$5.62)
Amazon Capital Services	1TW6-6JKF-PCMG	001 007 558 50 31 00	PL-Office Supplies	2023 Calendar Credit	57824	(\$15.25)
Amazon Capital Services	1WQF-7PNT-379M	101 016 544 90 31 02	ST-Operating Cost	Door Locks	57824	\$214.18
Amazon Capital Services	1WQF-7PNT-379M	410 016 531 10 31 02	SW - Operating Costs	Door Locks	57824	\$214.19
Amazon Capital Services	1YVL-6377-1DHW	001 007 558 50 31 00	PL-Office Supplies	Batteries	57824	\$5.21
					57824 Total	\$2,383.64
Assoc of Washington Cities EFT	41392	001 000 283 00 00 00	Payroll Liability Medical	Medical Insurance Premium	0	\$204,648.05
Assoc of Washington Cities EFT	41392	001 008 521 20 20 00	LE-Benefits	Medical Insurance Premium-Brecht	0	\$2,725.90
Assoc of Washington Cities EFT	41392	001 000 283 00 00 00	Payroll Liability Medical	Medical Insurance Premium-Christensen	0	(\$2,725.89)
					0 Total	\$204,648.06
Bassett	040223 BASSETT	001 008 521 20 43 00	LE-Travel & Per Diem	Bloodstain Pattern Analysis Training Meal PerDiem	57825	\$323.00
					57825 Total	\$323.00
Bendiksen	LSPD 1	001 008 521 20 41 00	LE-Professional Services	Pre-Employment Polygraph Exam	57826	\$300.00
					57826 Total	\$300.00
Brazel	032823 BRAZEL	001 002 513 11 43 00	AD-Travel & Meetings	WMCA Conf Fairbanks Alaska Meal PerDiem	57827	\$154.00
					57827 Total	\$154.00
BSA Troop 88	031723 BSA	003 000 345 81 00 00	Zoning-Subdivision Fees	Event Withdrawn - Refund EVT2023-0010	57828	\$35.00
					57828 Total	\$35.00
Canon Financial Services Inc	30136253	001 013 518 20 48 00	GG-Repair & Maintenance	Copier Lease CH Admin	57829	\$285.53
Canon Financial Services Inc	30136255	001 008 521 20 48 00	LE-Repair & Maintenance Equip	Copier Lease PD	57829	\$275.97
					57829 Total	\$561.50
CDW Government Inc	GX19151	001 006 518 80 31 00	IT-Office Supplies	APC Replacement Battery	57830	\$506.58
CDW Government Inc	GZ77581	510 006 518 80 49 18	LR - Microsoft Enterprise Agmt	Microsoft EA Pro	57830	\$618.47
CDW Government Inc	HC47583	001 006 518 80 31 00	IT-Office Supplies	APC Replacement Battery	57830	\$506.58
CDW Government Inc	HC92495	520 008 594 21 63 00	Vehicles - Capital Equip	2023 PD Vehicle Accessories	57830	\$4,534.38
CDW Government Inc	SE2304631	001 006 518 80 41 00	IT-Professional Services	Microsoft Sharepoint Deployment Services	57830	\$6,600.00
					57830 Total	\$12,766.01
Central Welding Supply Co Inc	RN02230996	001 010 576 80 31 00	PK-Operating Costs	Argon Gas/Centrasheild/Propane	57831	\$23.69
Central Welding Supply Co Inc	RN02230996	101 016 544 90 31 02	ST-Operating Cost	Argon Gas/Centrasheild/Propane	57831	\$23.68
Central Welding Supply Co Inc	RN02230996	410 016 531 10 31 02	SW - Operating Costs	Argon Gas/Centrasheild/Propane	57831	\$23.68
					57831 Total	\$71.05
Cintas Loc 460	4148220338	001 010 576 80 41 00	PK-Professional Services	PW Uniform Service	57832	\$155.44
Cintas Loc 460	4148220338	101 016 542 30 41 02	ST-Professional Service	PW Uniform Service	57832	\$155.44
Cintas Loc 460	4148220338	410 016 531 10 41 01	SW - Professional Services	PW Uniform Service	57832	\$155.45
					57832 Total	\$466.33
City of Everett	I23008327	410 016 531 10 41 01	SW - Professional Services	Laboratory Analysis	57833	\$551.00
					57833 Total	\$551.00
City of Marysville	LKS23-002	001 011 515 91 41 00	LG-General Public Defender	Marysville Court Citations 02-2023	57834	\$5,288.44
					57834 Total	\$5,288.44
Code Publishing LLC	GC0010107	001 003 514 20 41 00	CC-Professional Services	Muni Code Web Update	57835	\$561.32
					57835 Total	\$561.32

Vendor Name	Invoice #	Account #	Account Name	Description	Check #	Amount
Comcast	0223 COMCAST	001 010 576 80 42 00	PK-Communication	Internet Services - 20 S Davies Rd	57836	\$401.67
Comcast	0223 COMCAST	001 010 576 80 42 00	PK-Communication	Internet Services - Frontier Park	57836	\$401.67
Comcast	0223 COMCAST	001 010 576 80 42 00	PK-Communication	Internet Services - Parks/Rec Office	57836	\$138.21
Comcast	0223 COMCAST	101 016 542 64 47 00	ST-Traffic Control -Utility	Traffic Signal Control	57836	\$326.67
					57836 Total	\$1,268.22
Cory De Jong and Sons Inc	L315813	101 016 544 90 31 02	ST-Operating Cost	All Purpose Soil	57837	\$175.92
					57837 Total	\$175.92
Crystal Springs	5249844 030123	001 007 558 50 31 01	PL-Operating Costs	Bottled Water - City Hall	57838	\$42.80
Crystal Springs	5249844 030123	001 007 559 30 31 01	PB-Operating Cost	Bottled Water - City Hall	57838	\$42.80
Crystal Springs	5249844 030123	001 013 518 20 31 00	GG-Operating Costs	Bottled Water - City Hall	57838	\$110.18
					57838 Total	\$195.78
David Evans and Associates Inc	530911	001 007 558 50 41 04	Permit Related Professional Sr	Engineering Svcs 22-14 Batcheldor Construction	57839	\$929.20
					57839 Total	\$929.20
Dept of Licensing	031123 DOL	633 000 589 30 00 05	Gun Permit - State DOL	Weapons Permits 03/05/23 - 03/11/23	57840	\$549.00
Dept of Licensing	031823 DOL	633 000 589 30 00 05	Gun Permit - State DOL	Weapons Permits 03/12/23 - 03/18/23	57840	\$657.00
					57840 Total	\$1,206.00
Dept of Retirement (Deferred Comp)	31023	001 000 282 00 00 00	Payroll Liability Retirement	Employee Portion-State Deferre	0	\$5,255.20
					0 Total	\$5,255.20
Dept of Retirement PERS LEOFF	31023	001 000 282 00 00 00	Payroll Liability Retirement	PERS LEOFF Contributions	0	\$72,486.68
Dept of Retirement PERS LEOFF	31023	001 000 282 00 00 00	Payroll Liability Retirement	PERS LEOFF Contributions-State Contributions	0	\$164.22
					0 Total	\$72,650.90
Dept of Transportation	RE-313-ATB30213021	307 000 595 30 60 00	Project Construction Account	SR9/Lake Stevens Rd Roundabout	57841	\$37,183.63
Dept of Transportation	RE-313-ATB30213029	101 016 595 64 63 00	ST-Traffic Control-Capital	Foundation/Wall City Gateway	57841	\$137.47
					57841 Total	\$37,321.10
Dunlap Industrial Hardware	375681-1	410 016 531 10 35 00	SW - Small Tools	Construction Wrench Spuds	57842	\$222.00
					57842 Total	\$222.00
Economic Alliance Snohomish County	14622	001 002 513 11 49 00	AD-Staff Development	DC Fly In Registration/Lodging/Meals - Brazel	57843	\$1,800.00
Economic Alliance Snohomish County	14622	001 001 511 60 49 01	Legislative - Prof. Developmen	DC Fly In Registration/Lodging/Meals - Ewing	57843	\$1,800.00
Economic Alliance Snohomish County	14622	001 001 513 10 49 01	Executive - Prof. Development	DC Fly In Registration/Lodging/Meals - Gailey	57843	\$1,800.00
Economic Alliance Snohomish County	14622	001 001 511 60 49 01	Legislative - Prof. Developmen	DC Fly In Registration/Lodging/Meals - Jorstad	57843	\$1,800.00
Economic Alliance Snohomish County	14622	001 001 511 60 49 01	Legislative - Prof. Developmen	DC Fly In Registration/Lodging/Meals - Tageant	57843	\$1,800.00
Economic Alliance Snohomish County	14623	001 001 511 60 49 01	Legislative - Prof. Developmen	DC Fly In Registration/Lodging/Meals - Petershagen	57843	\$1,800.00
					57843 Total	\$10,800.00
EFTPS	31023	001 000 281 00 00 00	Payroll Liability Taxes	Federal Payroll Taxes	0	\$122,466.41
					0 Total	\$122,466.41
Electronic Business Machines	AR243882	001 007 558 50 48 00	PL-Repairs & Maint.	Copier Copy Cost CH - 2YJ04075	57844	\$163.68
Electronic Business Machines	AR243882	001 007 559 30 48 00	PB-Repair & Maintenance	Copier Copy Cost CH - 2YJ04075	57844	\$163.69
Electronic Business Machines	AR243882	001 013 518 20 48 00	GG-Repair & Maintenance	Copier Copy Cost CH - 2YJ04075	57844	\$163.69
Electronic Business Machines	AR243961	001 008 521 50 48 00	LE-Facility Repair & Maint	Copier Copy Cost PD - 2WU09725	57844	\$47.27
Electronic Business Machines	AR244287	001 008 521 50 48 00	LE-Facility Repair & Maint	Copier Copy Cost PD - 2XW05905	57844	\$83.13
					57844 Total	\$621.46
Enterprise FM Trust	FBN4701099	530 016 594 48 70 00	Capital Lease Principal	Vehicle Leases 03-2023	57845	\$2,237.59
					57845 Total	\$2,237.59
Eustace	030223 EUSTACE	001 010 576 80 49 01	PK-Staff Development	Pesticide Exam Fee Reimbursement	57846	\$75.00
					57846 Total	\$75.00

Vendor Name	Invoice #	Account #	Account Name	Description	Check #	Amount
Fastenal Company	WAARN164089	101 016 544 90 31 02	ST-Operating Cost	Hlt Pin Clips/Hex Nuts/Galv SPA	57847	\$197.54
Fastenal Company	WAARN164089	410 016 531 10 31 02	SW - Operating Costs	Hlt Pin Clips/Hex Nuts/Galv SPA	57847	\$197.54
Fastenal Company	WAARN164249	101 016 544 90 31 02	ST-Operating Cost	Eye Hooks/Screws/Washers	57847	\$33.22
Fastenal Company	WAARN164249	410 016 531 10 31 02	SW - Operating Costs	Eye Hooks/Screws/Washers	57847	\$33.22
Fastenal Company	WAARN164397	101 016 544 90 31 02	ST-Operating Cost	Hairpin Cotter	57847	\$0.64
Fastenal Company	WAARN164397	410 016 531 10 31 02	SW - Operating Costs	Hairpin Cotter	57847	\$0.64
					57847 Total	\$462.80
Fauth	031023 FAUTH	001 007 559 30 49 01	PB-Staff Development	Property Maint & Housing Inspector Course Reimbursement	57848	\$290.00
					57848 Total	\$290.00
Feldman & Lee PS	02-2023 FELDMAN	001 011 515 91 41 00	LG-General Public Defender	Public Defender Services 02-2023	57849	\$10,600.00
					57849 Total	\$10,600.00
Florida State Disbursement Unit	200000082DR34	001 000 284 00 00 00	Payroll Liability Other	200000082DR34 Child Support	57809	\$177.57
					57809 Total	\$177.57
GCP WW Holdco LLC	CM2010000299	101 016 542 30 26 00	ST-Clothing - Boot Allowance	Boots - J Evans Return	57850	(\$192.47)
GCP WW Holdco LLC	INV2010005625	101 016 542 30 26 00	ST-Clothing - Boot Allowance	Boots - J Evans	57850	\$187.92
GCP WW Holdco LLC	INV2010005636	101 016 542 30 26 00	ST-Clothing - Boot Allowance	Boots - J Evans	57850	\$164.99
GCP WW Holdco LLC	INV2010005659	410 016 531 10 26 00	SW - Clothing - Boot Allowance	Boots - K Stone	57850	\$208.79
GCP WW Holdco LLC	INV2010005660	410 016 531 10 31 00	SW - Clothing	Hoodie/Jacket - K Stone	57850	\$210.66
GCP WW Holdco LLC	INV2010005661	410 016 531 10 31 00	SW - Clothing	Safety Vest - J Case	57850	\$34.61
GCP WW Holdco LLC	INV2010005662	410 016 531 10 31 00	SW - Clothing	Vest/Overalls/Boots/Hoodie/Jacket - S Bishop	57850	\$619.12
GCP WW Holdco LLC	INV2010005663	410 016 531 10 31 00	SW - Clothing	Hoodie/Jacket - T Piland	57850	\$232.42
					57850 Total	\$1,466.04
Glens Welding & Machine Inc	S17205	101 016 544 90 31 02	ST-Operating Cost	GTA Z6	57851	\$185.46
					57851 Total	\$185.46
Gordon Truck Centers Inc	PC304011863-01	101 016 544 90 31 02	ST-Operating Cost	Hose-Rad SLC Outlet/Clamp	57852	\$85.12
Gordon Truck Centers Inc	PC304011863-01	410 016 531 10 31 02	SW - Operating Costs	Hose-Rad SLC Outlet/Clamp	57852	\$85.12
					57852 Total	\$170.24
Granite Construction Supply	98320	101 016 542 64 31 00	ST-Traffic Control - Supply	Parking Signs	57853	\$70.34
Granite Construction Supply	98321	101 016 542 64 31 00	ST-Traffic Control - Supply	Sign Posts	57853	\$4,577.34
Granite Construction Supply	98322	101 016 544 90 31 02	ST-Operating Cost	Phone Charger Cords	57853	\$8.23
Granite Construction Supply	98322	410 016 531 10 31 02	SW - Operating Costs	Phone Charger Cords	57853	\$8.22
Granite Construction Supply	98350	101 016 542 64 31 00	ST-Traffic Control - Supply	Street Signs	57853	\$882.77
Granite Construction Supply	98351	101 016 544 90 31 02	ST-Operating Cost	Corner Bolts/Flanged Nuts/Head Drive Rivets	57853	\$326.95
Granite Construction Supply	98369	101 016 544 90 31 02	ST-Operating Cost	Pry Bar	57853	\$122.37
Granite Construction Supply	98394	101 016 542 64 31 00	ST-Traffic Control - Supply	Anchors	57853	\$1,373.75
Granite Construction Supply	98397	101 016 542 64 31 00	ST-Traffic Control - Supply	Anchors	57853	\$1,373.75
Granite Construction Supply	98420	101 016 544 90 31 02	ST-Operating Cost	Wanco Balloon Light Carts (2)	57853	\$9,451.40
Granite Construction Supply	98505	101 016 542 64 31 00	ST-Traffic Control - Supply	Street Signs	57853	\$206.89
Granite Construction Supply	98510	101 016 544 90 31 02	ST-Operating Cost	Ratchet Straps	57853	\$18.22
					57853 Total	\$18,420.23
Green Dot Concrete LLC	50097	101 016 542 61 31 00	ST-Sidewalk Repair Supply	Concrete Ready Mix	57854	\$210.02
					57854 Total	\$210.02
Greenshields Industrial Supply Inc	128353	101 016 544 90 31 02	ST-Operating Cost	Motorsports Hazmat Recycler/Filler Hose/LED Lights	57855	\$61.71
Greenshields Industrial Supply Inc	128353	410 016 531 10 31 02	SW - Operating Costs	Motorsports Hazmat Recycler/Filler Hose/LED Lights	57855	\$61.71
Greenshields Industrial Supply Inc	128358	410 016 531 10 31 02	SW - Operating Costs	Supplies for Vactor Repairs PW77	57855	\$404.10

Vendor Name	Invoice #	Account #	Account Name	Description	Check #	Amount
Greenshields Industrial Supply Inc	128473	101 016 544 90 31 02	ST-Operating Cost	Ball Valve Kit/Pipe Nipple	57855	\$14.39
Greenshields Industrial Supply Inc	128473	410 016 531 10 31 02	SW - Operating Costs	Ball Valve Kit/Pipe Nipple	57855	\$14.39
					57855 Total	\$556.30
Hathaway	34649	001 007 558 50 31 00	PL-Office Supplies	Nameplates - M Place/ N Held/Morton	57856	\$58.48
					57856 Total	\$58.48
Hingtgen	032123 HINGTGEN	001 008 521 20 43 00	LE-Travel & Per Diem	Program Creation Meal PerDiem Bellingham	57857	\$34.00
					57857 Total	\$34.00
HRA VEBA Trust YA20192	31023	001 000 283 00 00 00	Payroll Liability Medical	Employee VEBA Contributions	57810	\$3,418.48
					57810 Total	\$3,418.48
HSA Bank	31023	001 000 284 00 00 00	Payroll Liability Other	Health Savings Account Employee Contriubutions	57811	\$200.00
					57811 Total	\$200.00
J Thayer Co Inc	1636627-0	001 010 576 80 31 02	PK-Office Supplies	Office Supplies for PW	57858	\$45.62
J Thayer Co Inc	1636627-0	101 016 544 90 31 01	ST-Office Supplies	Office Supplies for PW	57858	\$45.62
J Thayer Co Inc	1636627-0	410 016 531 10 31 01	SW - Office Supplies	Office Supplies for PW	57858	\$45.62
J Thayer Co Inc	1637919-0	001 008 521 20 31 00	LE-Office Supplies	Copy Paper/Legal Pads	57858	\$337.94
J Thayer Co Inc	1638118-0	001 008 521 20 31 00	LE-Office Supplies	Copy Paper	57858	\$243.95
J Thayer Co Inc	1638929-0	001 008 521 20 31 00	LE-Office Supplies	Envelopes	57858	\$23.03
J Thayer Co Inc	C1637919-0	001 008 521 20 31 00	LE-Office Supplies	Copy Paper Credit	57858	(\$305.26)
					57858 Total	\$436.52
Justice	030523 JUSTICE	001 013 582 10 00 00	Refund of Deposit	LS23-Justice_3-5 Mill Deposit Refund	57859	\$150.00
					57859 Total	\$150.00
Kwake	030523 KWAKE	001 013 582 10 00 00	Refund of Deposit	LS23-Kwake_3-5 Mill Deposit Refund	57860	\$100.00
					57860 Total	\$100.00
Lake Stevens Community Food Bank	030823 FOODBANK	004 013 518 63 40 01	PR - Food Bank Service Org	Food Bank Constuction	57861	\$536,711.14
					57861 Total	\$536,711.14
Lake Stevens Cub Scout Pack 41	030323 CUBSCOUT	001 013 582 10 00 00	Refund of Deposit	LS23-Delgado_3-3 Mill Deposit Refund	57862	\$150.00
					57862 Total	\$150.00
Lake Stevens Police Guild	31023	001 000 284 00 00 00	Payroll Liability Other	Employee Paid Union Dues	57812	\$1,051.50
					57812 Total	\$1,051.50
Lake Stevens Sewer District	12326 0323	001 010 576 80 47 00	PK-Utilities	Sewer - Boat Launch Restrooms Acct 12326-01	57863	\$100.00
Lake Stevens Sewer District	13135 0323	101 016 543 50 47 00	ST-Utilities	Sewer - Decant Facility Acct 13135-01	57863	\$49.50
Lake Stevens Sewer District	13135 0323	410 016 531 10 47 00	SW - Utilities	Sewer - Decant Facility Acct 13135-01	57863	\$49.50
Lake Stevens Sewer District	2538 0323	001 010 576 80 47 00	PK-Utilities	Sewer - Lundeen Park Acct 2538-02	57863	\$198.00
Lake Stevens Sewer District	3628 0323	001 010 576 80 47 00	PK-Utilities	Sewer - Davies Beach Acct 3628-02	57863	\$99.00
Lake Stevens Sewer District	6294 0323	001 008 521 50 47 00	LE-Facility Utilities	Sewer - PD Evidence Bldg Acct 6294-04	57863	\$99.00
Lake Stevens Sewer District	6296 0323	001 008 521 50 47 00	LE-Facility Utilities	Sewer - Police Station Acct 6296-03	57863	\$198.00
Lake Stevens Sewer District	6390 0323	001 013 518 20 47 02	GG-Utilities for Rentals	Sewer - Leased Comm Building Acct 6390-03	57863	\$468.88
Lake Stevens Sewer District	6666 0323	001 012 575 30 47 00	CS- Museum - Utilities	Sewer - Museum Acct 6666-01	57863	\$99.00
Lake Stevens Sewer District	6671 0323	001 013 518 20 47 00	GG-Utilities	Sewer - City Hall Acct 6671-01	57863	\$99.00
Lake Stevens Sewer District	6810 0323	001 012 575 50 47 00	CS- The Mill- Utilities	Sewer - The Mill Acct 6810-01	57863	\$198.00
Lake Stevens Sewer District	7002 0323	001 010 576 80 47 00	PK-Utilities	Sewer - North Cove Park Restroom 7002-01	57863	\$99.00
Lake Stevens Sewer District	8710 0323	001 008 521 50 47 00	LE-Facility Utilities	Sewer - Police Training Bldg Acct 8710-03	57863	\$99.00
Lake Stevens Sewer District	9902 0323	001 012 572 20 47 00	CS- Library-Utilities	Sewer - Library Grade Rd Acct 9902-01	57863	\$99.00
					57863 Total	\$1,954.88
Land Development Consultants Inc	30485	309 016 595 61 60 03	S. Lake Stevens Path Design	SLSR Multi Use Trail Phase II & III	57864	\$46,457.69
					57864 Total	\$46,457.69

Vendor Name	Invoice #	Account #	Account Name	Description	Check #	Amount
LeadsOnline LLC	403809	001 008 521 20 41 01	LE-Professional Serv-Fixed	LeadsOnline SelectSearch Investigation System Renewal	57865	\$3,081.00
					57865 Total	\$3,081.00
Lemay Mobile Shredding Inc	4784216S185	001 013 518 20 41 00	GG-Professional Service	Shredding Services CH	57866	\$12.58
					57866 Total	\$12.58
Lowes Companies	911861	101 016 544 90 31 02	ST-Operating Cost	Blower Hammers/Masonry Drill Bits	57867	\$321.14
Lowes Companies	961279	101 016 544 90 31 02	ST-Operating Cost	Band Saw/Starter Punch	57867	\$355.99
Lowes Companies	961921	101 016 544 90 31 02	ST-Operating Cost	Joiners/End Caps/Impact Wrenches (2)	57867	\$749.30
					57867 Total	\$1,426.43
Mackenzie Engineering Inc	1082163	004 013 518 20 40 00	RR - Professional Services	Lake Stevens Industrial Analysis	57868	\$19,544.79
					57868 Total	\$19,544.79
MissionSquare - 108991	6413641	001 000 282 00 00 00	Payroll Liability Retirement	ICMA Deferred Comp - Employer Contribution	57813	\$483.62
					57813 Total	\$483.62
MissionSquare - 307428	6125870	001 000 282 00 00 00	Payroll Liability Retirement	ICMA Deferred Comp - Employee Contribution	57814	\$1,871.22
					57814 Total	\$1,871.22
Nationwide Retirement Solution	31023	001 000 282 00 00 00	Payroll Liability Retirement	Employee Portion-Nationwide	0	\$5,669.69
					0 Total	\$5,669.69
Nelson Petroleum Inc	0825792-IN	001 002 513 11 43 00	AD-Travel & Meetings	Fuel	57869	\$84.86
Nelson Petroleum Inc	0825792-IN	001 007 559 30 32 00	PB-Fuel	Fuel	57869	\$63.18
Nelson Petroleum Inc	0825792-IN	001 008 521 20 32 00	LE-Fuel	Fuel	57869	\$3,110.25
Nelson Petroleum Inc	0825792-IN	001 010 576 80 32 00	PK-Fuel Costs	Fuel	57869	\$723.51
Nelson Petroleum Inc	0825792-IN	101 016 542 30 32 00	ST-Fuel	Fuel	57869	\$1,447.03
Nelson Petroleum Inc	0825792-IN	410 016 531 10 32 00	SW - Fuel	Fuel	57869	\$1,447.02
Nelson Petroleum Inc	0825792-IN	001 007 558 50 31 02	PL-Permit Related Op. Costs	Fuel PW51	57869	\$23.98
					57869 Total	\$6,899.83
New York Life	Feb-23	001 000 284 00 00 00	Payroll Liability Other	Whole Life Insurance Premiums	57815	\$199.00
					57815 Total	\$199.00
New York Life EFT	Feb-23	001 001 511 60 20 00	Legislative - Benefits	Life/Disability Ins Premiums	0	\$9.06
New York Life EFT	Feb-23	001 002 513 11 20 00	AD-Benefits	Life/Disability Ins Premiums	0	\$66.52
New York Life EFT	Feb-23	001 003 514 20 20 00	CC-Benefits	Life/Disability Ins Premiums	0	\$60.43
New York Life EFT	Feb-23	001 004 514 23 20 00	FI-Benefits	Life/Disability Ins Premiums	0	\$224.57
New York Life EFT	Feb-23	001 005 518 10 20 00	HR-Benefits	Life/Disability Ins Premiums	0	\$190.16
New York Life EFT	Feb-23	001 006 518 80 20 00	IT-Benefits	Life/Disability Ins Premiums	0	\$103.73
New York Life EFT	Feb-23	001 007 558 50 20 00	PL-Benefits	Life/Disability Ins Premiums	0	\$328.54
New York Life EFT	Feb-23	001 007 559 30 20 00	PB-Benefits	Life/Disability Ins Premiums	0	\$214.37
New York Life EFT	Feb-23	001 008 521 20 20 00	LE-Benefits	Life/Disability Ins Premiums	0	\$1,288.79
New York Life EFT	Feb-23	001 010 576 80 20 00	PK-Benefits	Life/Disability Ins Premiums	0	\$432.89
New York Life EFT	Feb-23	001 013 518 30 20 00	GG-Benefits	Life/Disability Ins Premiums	0	\$176.95
New York Life EFT	Feb-23	101 016 542 30 20 00	ST-Benefits	Life/Disability Ins Premiums	0	\$506.47
New York Life EFT	Feb-23	410 016 531 10 20 00	SW-Benefits	Life/Disability Ins Premiums	0	\$766.76
					0 Total	\$4,369.24
NPR Commercial Construction Inc	6028	410 016 531 10 48 00	SW - Repairs & Maintenance	Install Chain Link Fence Decant Facility	57870	\$4,284.36
					57870 Total	\$4,284.36

Vendor Name	Invoice #	Account #	Account Name	Description	Check #	Amount
O Reilly Auto Parts	2960-382922	101 016 544 90 31 02	ST-Operating Cost	AntiFreeze	57871	\$87.23
O Reilly Auto Parts	2960-382922	410 016 531 10 31 02	SW - Operating Costs	AntiFreeze	57871	\$87.22
O Reilly Auto Parts	2960-384139	101 016 544 90 31 02	ST-Operating Cost	Oil Filter/Motor Oil/Lube	57871	\$228.50
O Reilly Auto Parts	2960-384139	410 016 531 10 31 02	SW - Operating Costs	Oil Filter/Motor Oil/Lube	57871	\$228.50
O Reilly Auto Parts	2960-384350	101 016 544 90 31 02	ST-Operating Cost	Battery PW14	57871	\$83.41
O Reilly Auto Parts	2960-384350	410 016 531 10 31 02	SW - Operating Costs	Battery PW14	57871	\$83.42
O Reilly Auto Parts	2960-385295	101 016 544 90 31 02	ST-Operating Cost	V-Belt	57871	\$3.71
O Reilly Auto Parts	2960-385295	410 016 531 10 31 02	SW - Operating Costs	V-Belt	57871	\$3.70
					57871 Total	\$805.69
Petersen Brothers Inc	2217401	101 016 542 64 48 01	ST-Traf Control - Guardrail	Guardrail Repairs Pal Rd & Callow Rd 50% Payment	57872	\$11,568.83
Petersen Brothers Inc	2217401	101 000 382 20 00 00	PW - Retainage	Guardrail Repairs Pal Rd & Callow Rd 50% Retainage	57872	(\$5,784.42)
					57872 Total	\$5,784.41
Pitney Bowes Global Financial Services	3317238618	001 013 518 20 45 00	GG-Rental & Services	Postage Machine Rental 01/23/23 - 04/22/23	57873	\$215.99
					57873 Total	\$215.99
Pope	030523 POPE	001 013 582 10 00 00	Refund of Deposit	LS23-Pope Mill Deposit Refund	57874	\$150.00
					57874 Total	\$150.00
Proforce Marketing Inc	513034	001 008 521 20 31 02	LE-Minor Equipment	Firearm Supplies for PD - PO# 1903	57875	\$87.01
					57875 Total	\$87.01
Public Safety Testing Inc	PSTI23-70	001 008 521 20 41 00	LE-Professional Services	Background Investigation - Police Officer Candidates	57876	\$2,703.60
					57876 Total	\$2,703.60
Puget Sound Energy	200003723810 0323	001 012 575 30 47 00	CS- Museum - Utilities	Natural Gas - Museum	57877	\$378.24
Puget Sound Energy	200024316495 0323	001 010 576 80 47 00	PK-Utilities	Natural Gas - PW Shop	57877	\$371.86
Puget Sound Energy	200024316495 0323	101 016 543 50 47 00	ST-Utilities	Natural Gas - PW Shop	57877	\$371.85
Puget Sound Energy	200024316495 0323	410 016 531 10 47 00	SW - Utilities	Natural Gas - PW Shop	57877	\$371.85
Puget Sound Energy	220022339471 0323	001 012 575 50 47 00	CS- The Mill- Utilities	Natural Gas - The Mill	57877	\$1,168.54
Puget Sound Energy	220024770236 0323	001 008 521 50 47 00	LE-Facility Utilities	Natural Gas - Police Dept Evidence Bldg	57877	\$377.31
Puget Sound Energy	220028663866 0323	001 008 521 50 47 00	LE-Facility Utilities	Natural Gas - Police Dept	57877	\$603.42
Puget Sound Energy	220028663874 0323	001 013 518 20 47 02	GG-Utilities for Rentals	Natural Gas - 1819 S Lake Stevens Rd	57877	\$150.15
					57877 Total	\$3,793.22
Redefined Corp	382315	001 006 518 80 41 00	IT-Professional Services	Contract IT Services 01-2023	57878	\$9,240.00
Redefined Corp	382316	001 006 518 80 41 00	IT-Professional Services	Contract IT Services 02-2023	57878	\$8,400.00
					57878 Total	\$17,640.00
Rexel USA Inc	3T53428	101 016 544 90 31 02	ST-Operating Cost	Flex Connectors/Crimpmaster/Drill Tap Bit Kit	57879	\$45.47
Rexel USA Inc	3T53428	410 016 531 10 31 02	SW - Operating Costs	Flex Connectors/Crimpmaster/Drill Tap Bit Kit	57879	\$45.46
					57879 Total	\$90.93
Root Cause LLC	1282	101 016 542 61 48 00	ST-Sidewalk R&M	Sidewalk Repair Project 50% Payment	57880	\$25,638.50
Root Cause LLC	1282	101 000 382 20 00 00	PW - Retainage	Sidewalk Repair Project 50% Retainage	57880	(\$12,819.25)
					57880 Total	\$12,819.25
Smarsh Inc	INV-85679	510 006 518 80 49 05	LR - Smarsh	Verizon MG Cloud MT	57881	\$549.12
					57881 Total	\$549.12
Snohomish Conservation District	6775	410 016 531 10 41 01	SW - Professional Services	Youth Education Q4 2022	57882	\$1,400.00
					57882 Total	\$1,400.00
Snohomish County Public Works	I000607540	101 016 542 30 48 00	ST-Repair & Maintenance	Signal/Sign Repair & Maint 01-2023	57883	\$941.91
Snohomish County Public Works	I000607540	410 016 531 10 48 00	SW - Repairs & Maintenance	Signal/Sign Repair & Maint 01-2023	57883	\$941.91
					57883 Total	\$1,883.82

Vendor Name	Invoice #	Account #	Account Name	Description	Check #	Amount
Snohomish County PUD	100714718	101 016 542 63 47 00	ST-Lighting - Utilities	223687294 Street Lights	57884	\$17.81
Snohomish County PUD	105991858	001 010 576 80 47 00	PK-Utilities	201487055 2424 Soper Hill Mobile Water/Electric	57884	\$105.56
Snohomish County PUD	105992250	101 016 542 63 47 00	ST-Lighting - Utilities	201860178 Traffic Signal 9101 Market Pl	57884	\$62.86
Snohomish County PUD	109273923	101 016 542 63 47 00	ST-Lighting - Utilities	202013249 Traffic Signal 1933 79th Ave SE	57884	\$132.18
Snohomish County PUD	109273923	101 016 542 64 47 00	ST-Traffic Control -Utility	202013249 Traffic Signal 7441 20th St SE	57884	\$74.02
Snohomish County PUD	109274552	001 010 576 80 47 00	PK-Utilities	222191314 20th St Ballfield Water	57884	\$47.93
Snohomish County PUD	109279065	101 016 542 63 47 00	ST-Lighting - Utilities	202624367 Street Lights	57884	\$11,516.08
Snohomish County PUD	109279066	101 016 542 63 47 00	ST-Lighting - Utilities	202648101 Street Lights Soper Hill Annex	57884	\$1,534.46
Snohomish County PUD	109279067	101 016 542 63 47 00	ST-Lighting - Utilities	202670725 Street Lights	57884	\$1,279.24
Snohomish County PUD	122465829	001 010 576 80 47 00	PK-Utilities	202340527 Decant Yard	57884	\$8.48
Snohomish County PUD	122465829	101 016 543 50 47 00	ST-Utilities	202340527 Decant Yard	57884	\$8.48
Snohomish County PUD	122465829	410 016 531 10 47 00	SW - Utilities	202340527 Decant Yard	57884	\$8.48
Snohomish County PUD	122469436	001 012 575 30 47 00	CS- Museum - Utilities	200558690 Museum Electric/Water	57884	\$79.34
Snohomish County PUD	125796400	001 013 518 20 47 00	GG-Utilities	200206019 City Hall Admin Electric	57884	\$276.47
Snohomish County PUD	125796400	001 013 518 20 47 00	GG-Utilities	200206019 City Hall Electric	57884	\$416.81
Snohomish County PUD	125796400	001 013 518 20 47 00	GG-Utilities	200206019 City Hall Water	57884	\$181.30
Snohomish County PUD	125796400	001 010 576 80 47 00	PK-Utilities	200206019 North Cove Park Electric	57884	\$24.65
Snohomish County PUD	125796400	001 010 576 80 47 00	PK-Utilities	200206019 Parks Electric	57884	\$94.11
Snohomish County PUD	125796400	001 010 576 80 47 00	PK-Utilities	200206019 Parks Water	57884	\$58.63
Snohomish County PUD	125796400	101 016 542 63 47 00	ST-Lighting - Utilities	200206019 Street Lights	57884	\$42.00
Snohomish County PUD	125796400	001 012 575 50 47 00	CS- The Mill- Utilities	200206019 The Mill Electric	57884	\$469.35
Snohomish County PUD	125796400	001 012 575 50 47 00	CS- The Mill- Utilities	200206019 The Mill Water	57884	\$55.82
Snohomish County PUD	129068502	101 016 542 63 47 00	ST-Lighting - Utilities	201595113 Street Lights	57884	\$147.40
Snohomish County PUD	132371868	101 016 542 63 47 00	ST-Lighting - Utilities	201973682 Street Lights	57884	\$129.32
Snohomish County PUD	135663701	101 016 542 63 47 00	ST-Lighting - Utilities	203728159 Traffic Signal	57884	\$56.61
Snohomish County PUD	135671627	001 013 518 20 47 00	GG-Utilities	222931883 Row Club Wtr/Electric 12308 17th Pl NE	57884	\$123.18
Snohomish County PUD	135671628	001 010 576 80 47 00	PK-Utilities	222942633 North Cove BBQ Shelter Electric	57884	\$349.08
Snohomish County PUD	142200531	101 016 542 63 47 00	ST-Lighting - Utilities	203731153 Traffic Signals	57884	\$179.37
Snohomish County PUD	142201242	101 016 542 63 47 00	ST-Lighting - Utilities	204719074 Catherine Creek Bridge Lights	57884	\$28.94
Snohomish County PUD	145535607	001 010 576 80 47 00	PK-Utilities	222191298 North Cove Park Water	57884	\$63.75
Snohomish County PUD	148823076	101 016 542 63 47 00	ST-Lighting - Utilities	202988481 Street Lights	57884	\$117.05
Snohomish County PUD	148827580	001 010 576 80 47 00	PK-Utilities	223477167 Mill Spur Electric	57884	\$94.76
Snohomish County PUD	152107260	001 010 576 80 47 00	PK-Utilities	203582010 Lundeen Restrooms Electric	57884	\$429.48
Snohomish County PUD	152107260	001 010 576 80 47 00	PK-Utilities	203582010 Lundeen Restrooms Water	57884	\$375.03
Snohomish County PUD	152107260	101 016 542 63 47 00	ST-Lighting - Utilities	203582010 Street Lights	57884	\$35.33
Snohomish County PUD	152107260	001 012 557 30 40 01	CS- VIC Utilities	203582010 Visitor Information Center Electric	57884	\$234.43
Snohomish County PUD	152114564	001 012 575 51 47 00	CS- Grimm House Utilities	223357641 Grimm House Electric	57884	\$226.80
Snohomish County PUD	161718798	001 010 576 80 47 00	PK-Utilities	221860174 Frontier Park Electric	57884	\$25.44
Snohomish County PUD	168085480	001 010 576 80 47 00	PK-Utilities	222947715 Hartford Industrial Electric/Water	57884	\$120.56
Snohomish County PUD	168085480	101 016 543 50 47 00	ST-Utilities	222947715 Hartford Industrial Electric/Water	57884	\$120.56
Snohomish County PUD	168085480	410 016 531 10 47 00	SW - Utilities	222947715 Hartford Industrial Electric/Water	57884	\$120.57
					57884 Total	\$19,471.72
Snohomish County Treasurer	FY2023 (1)	001 013 518 20 47 01	GG-Storm Drainage	2023 Real Estate Tax State Fire	57885	\$23.50
Snohomish County Treasurer	FY2023 (2)	001 013 518 20 47 01	GG-Storm Drainage	2023 Real Estate Tax 400 Sunnyside Blvd	57885	\$6,663.60
					57885 Total	\$6,687.10

Vendor Name	Invoice #	Account #	Account Name	Description	Check #	Amount
Sound Publishing Inc	EDH972163	001 007 558 50 41 04	Permit Related Professional Sr	LUA2022-0167/0168	57886	\$96.44
Sound Publishing Inc	EDH972353	001 007 558 50 41 04	Permit Related Professional Sr	LUA2022-0183 Gravity Main Major Land Disturbance	57886	\$67.20
Sound Publishing Inc	EDH972354	001 007 558 50 41 04	Permit Related Professional Sr	LUA2022-0050 Shoreline Substantial Development	57886	\$72.36
Sound Publishing Inc	EDH972374	001 007 558 50 41 03	PL-Advertising	LUA2023-0025/0026/0027 Sunset Beach Park	57886	\$120.52
Sound Publishing Inc	EDH972479	001 007 558 50 41 03	PL-Advertising	Comp Plan 2023 Docket Ratification	57886	\$151.60
Sound Publishing Inc	EDH972524	001 007 558 50 41 04	Permit Related Professional Sr	LUA2022-0098 DNS Wilde Dock	57886	\$91.28
Sound Publishing Inc	EDH972596	001 013 518 30 41 01	GG-Advertising	Ordinance 1156	57886	\$37.96
Sound Publishing Inc	EDH972597	001 013 518 30 41 01	GG-Advertising	Ordinance 1158	57886	\$43.12
Sound Publishing Inc	EDH972696	001 007 558 50 41 04	Permit Related Professional Sr	LUA2022-0092 Re-Zone Batcheldor PH 1 & 2	57886	\$115.36
Sound Publishing Inc	EDH972698	001 007 558 50 41 04	Permit Related Professional Sr	LUA2022-0091/0094 Batcheldor PH 1 & 2	57886	\$141.16
Sound Publishing Inc	EDH972700	001 013 518 30 41 01	GG-Advertising	CC Meeting Cancelled	57886	\$20.76
Sound Publishing Inc	EDH973034	001 007 558 50 41 03	PL-Advertising	LUA2023-0019 Trailhead & Dog Park 20th St Ballfields	57886	\$93.00
					57886 Total	\$1,050.76
Sound Security Inc	1083822	001 008 521 20 41 01	LE-Professional Serv-Fixed	Fire Monitoring 10518 18th St SE	57887	\$65.00
					57887 Total	\$65.00
Springbrook Nursery & Trucking Inc	340816	101 016 542 30 45 01	ST-Dumpster Service	Dump Fees - Brush/Stumps	57888	\$24.00
					57888 Total	\$24.00
Stericycle Inc	3006383297	001 008 521 20 41 01	LE-Professional Serv-Fixed	Hazardous Water Disposal PD	57889	\$10.36
					57889 Total	\$10.36
Sturgill	030523 STURGILL	001 013 582 10 00 00	Refund of Deposit	LS23-Kwake2_3-5 Mill Deposit Refund	57890	\$150.00
					57890 Total	\$150.00
Tannen	021623 TANNEN	001 008 521 20 31 05	LE-Equipment - New Officers	Patrol Jumpsuit Reimbursement	57891	\$696.25
					57891 Total	\$696.25
Teamsters Local No 763	Feb-23	001 000 284 00 00 00	Payroll Liability Other	Union Dues	57816	\$1,744.00
					57816 Total	\$1,744.00
Teamsters Welfare Trust Dental EFT	Feb-23	001 000 282 00 00 00	Payroll Liability Retirement	Teamsters Dental Premium	0	\$3,440.00
					0 Total	\$3,440.00
Technological Services Inc	25843	001 008 521 20 48 00	LE-Repair & Maintenance Equip	Vehicle Services K9-18-85	57892	\$985.86
Technological Services Inc	25851	001 008 521 20 48 00	LE-Repair & Maintenance Equip	Vehicle Services T-17-72	57892	\$431.63
Technological Services Inc	25880	001 008 521 20 48 00	LE-Repair & Maintenance Equip	Vehicle Services PT-19-83	57892	\$1,099.53
Technological Services Inc	25948	001 008 521 20 48 00	LE-Repair & Maintenance Equip	Vehicle Services S-18-78	57892	\$158.40
					57892 Total	\$2,675.42
The Watershed Co	2023-0376	001 007 558 50 41 00	PL-Professional Servic	Environmental Consulting Shoreline Mater Program	57893	\$5,803.75
					57893 Total	\$5,803.75
Ubert	022123 UBERT J	001 008 521 20 43 00	LE-Travel & Per Diem	Tyler NewWorld Conf Flight Reimbursement	57894	\$1,597.80
					57894 Total	\$1,597.80
ULINE	159901873	001 010 576 80 31 00	PK-Operating Costs	Plastic Standing Dust Pan	57895	\$117.67
ULINE	159901873	410 016 531 10 31 02	SW - Operating Costs	Workstation & Supplies	57895	\$1,722.16
ULINE	159902956	101 016 544 90 31 02	ST-Operating Cost	Stack Bins/Tool Racks/Paper Towels	57895	\$919.80
ULINE	160155728	001 010 576 80 31 00	PK-Operating Costs	Gloves	57895	\$163.42
ULINE	160155728	101 016 544 90 31 02	ST-Operating Cost	Gloves	57895	\$163.41
ULINE	160155728	410 016 531 10 31 02	SW - Operating Costs	Gloves	57895	\$163.41
ULINE	160155728	410 016 531 10 31 02	SW - Operating Costs	Tool Rack/Brooms/Dehumidifier	57895	\$901.56
ULINE	160155728	001 010 576 80 31 00	PK-Operating Costs	Trash Bags	57895	\$808.28
ULINE	160286170	101 016 544 90 31 02	ST-Operating Cost	Mud Mats/Sign Holders/Leather Drivers	57895	\$686.94
					57895 Total	\$5,646.65

Vendor Name	Invoice #	Account #	Account Name	Description	Check #	Amount
Ultimate Training Munitions Inc	215909	001 008 521 20 31 01	LE-Fixed Minor Equipment	9mm UTX Red Rounds	57896	\$778.03
					57896 Total	\$778.03
UPS	0000074Y42093	001 008 521 20 42 00	LE-Communication	Evidence Shipping	57897	\$13.01
UPS	0000074Y42103	001 008 521 20 42 00	LE-Communication	Evidence Shipping	57897	\$10.33
					57897 Total	\$23.34
US Postal Service	030123 USPOSTAL	001 013 518 20 41 00	GG-Professional Service	Annual Post Office Box Rental Fee	57898	\$332.00
					57898 Total	\$332.00
VanOstrand	020723 VANOSTRAND	101 016 542 30 26 00	ST-Clothing - Boot Allowance	Boots - R VanOstrand Reimbursement	57899	\$325.00
					57899 Total	\$325.00
Verizon Northwest	9929035050	001 001 511 60 42 00	Legislative - Communication	Wireless Phone Service	57900	\$294.77
Verizon Northwest	9929035050	001 001 513 10 42 00	Executive - Communication	Wireless Phone Service	57900	\$42.11
Verizon Northwest	9929035050	001 002 513 11 42 00	AD-Communications	Wireless Phone Service	57900	\$47.11
Verizon Northwest	9929035050	001 003 514 20 42 00	CC-Communications	Wireless Phone Service	57900	\$89.22
Verizon Northwest	9929035050	001 004 514 23 42 00	FI-Communications	Wireless Phone Service	57900	\$94.22
Verizon Northwest	9929035050	001 005 518 10 42 00	HR-Communications	Wireless Phone Service	57900	\$178.44
Verizon Northwest	9929035050	001 006 518 80 42 00	IT-Communications	Wireless Phone Service	57900	\$216.35
Verizon Northwest	9929035050	001 007 558 50 42 00	PL-Communication	Wireless Phone Service	57900	\$508.22
Verizon Northwest	9929035050	001 007 559 30 42 00	PB-Communication	Wireless Phone Service	57900	\$1,109.27
Verizon Northwest	9929035050	001 010 576 80 42 00	PK-Communication	Wireless Phone Service	57900	\$257.66
Verizon Northwest	9929035050	101 016 543 30 42 00	ST-Communications	Wireless Phone Service	57900	\$971.57
Verizon Northwest	9929035050	410 016 531 10 42 00	SW - Communications	Wireless Phone Service	57900	\$971.58
					57900 Total	\$4,780.52
VersaTube Building Systems	100047082	411 016 594 31 60 08	Capital Equipment	Carport Pinnacle Series	57901	\$16,498.12
					57901 Total	\$16,498.12
Washington Cities Insurance	15811	001 008 521 40 49 01	LE-Registration Fees	Harasement - No Show Training Invoice - M Hingtgen	57902	\$50.00
Washington Cities Insurance	15813	001 008 521 40 49 01	LE-Registration Fees	Harasement - No Show Training Invoice - J Wachtveitl	57902	\$50.00
					57902 Total	\$100.00
Washington State Dept of Ecology	23-WAR045523B-1	410 016 531 10 41 01	SW - Professional Services	Muni Stormwater Phase 2	57903	\$14,434.46
					57903 Total	\$14,434.46
Washington State Dept of Enterprise Svcs	71141417	410 016 531 10 49 01	SW - Staff Development	Crucial Conversations For Accountability - C Jones/N Nedrow	57904	\$936.00
					57904 Total	\$936.00
Washington State Support Registry	31023	001 000 284 00 00 00	Payroll Liability Other	Employee Paid Child Support	0	\$546.86
					0 Total	\$546.86
WatchGuard Video	4BOINV0008506	520 008 594 21 63 04	LE - Body Worn Cameras	VAAS Managed Instal/Onsite/Train/Configuration	57905	\$5,450.00
WatchGuard Video	ACCINV0034275	520 008 594 21 63 04	LE - Body Worn Cameras	Body Camera Batteries (35)	57905	\$3,776.85
					57905 Total	\$9,226.85
Wave Broadband	103946401-0010023	510 006 518 80 49 04	LR - WaveBroadband Fiber Lease	Fiber Leases	57906	\$633.27
Wave Broadband	103946401-0010023	001 002 513 11 42 00	AD-Communications	Telephone Service	57906	\$70.34
Wave Broadband	103946401-0010023	001 003 514 20 42 00	CC-Communications	Telephone Service	57906	\$140.68
Wave Broadband	103946401-0010023	001 004 514 23 42 00	FI-Communications	Telephone Service	57906	\$140.68
Wave Broadband	103946401-0010023	001 005 518 10 42 00	HR-Communications	Telephone Service	57906	\$70.34
Wave Broadband	103946401-0010023	001 006 518 80 42 00	IT-Communications	Telephone Service	57906	\$211.02
Wave Broadband	103946401-0010023	001 007 558 50 42 00	PL-Communication	Telephone Service	57906	\$457.45
Wave Broadband	103946401-0010023	001 007 559 30 42 00	PB-Communication	Telephone Service	57906	\$70.34
Wave Broadband	103946401-0010023	001 008 521 20 42 00	LE-Communication	Telephone Service	57906	\$2,392.53

Vendor Name	Invoice #	Account #	Account Name	Description	Check #	Amount
Wave Broadband	103946401-0010023	001 012 575 30 42 00	CS- Museum - Communications	Telephone Service	57906	\$70.34
Wave Broadband	103946401-0010023	001 012 575 50 42 00	CS- The Mill- Communication	Telephone Service	57906	\$70.34
Wave Broadband	103946401-0010023	001 013 518 20 42 00	GG-Communication	Telephone Service	57906	\$281.36
Wave Broadband	103946401-0010023	101 016 543 30 42 00	ST-Communications	Telephone Service	57906	\$404.82
Wave Broadband	103946401-0010023	410 016 531 10 42 00	SW - Communications	Telephone Service	57906	\$404.82
					57906 Total	\$5,418.33
Weaver	031423 WEAVER	001 003 514 20 43 00	CC-Travel & Meetings	2023 WMCA Clerk Conf Gas Credit - C Weaver	57907	(\$43.21)
Weaver	031423 WEAVER	001 003 514 20 43 00	CC-Travel & Meetings	2023 WMCA Clerk Conf Meal PerDiem - C Weaver	57907	\$148.00
Weaver	031423 WEAVER	001 003 514 20 43 00	CC-Travel & Meetings	2023 WMCA Clerk Conf Mileage PerDiem - C Weaver	57907	\$314.14
					57907 Total	\$418.93
West Coast Code Consultants Inc	2023-LKS-FEB	001 007 558 50 41 04	Permit Related Professional Sr	Building Inspection Services 02-2023	57908	\$2,741.70
					57908 Total	\$2,741.70
Western Conference of Teamsters Pension Trust	31023	001 000 282 00 00 00	Payroll Liability Retirement	Employee Contributions - Teamster Pension	57817	\$4,647.74
					57817 Total	\$4,647.74
Willards Pest Control Co	403672	001 008 521 50 48 00	LE-Facility Repair & Maint	Monthly Rodent Service - PD	57909	\$79.94
Willards Pest Control Co	403676	001 008 521 50 48 00	LE-Facility Repair & Maint	All Nuisance Ants - PD	57909	\$149.89
					57909 Total	\$229.83
Zachor Stock & Krepps Inc PS	23-LKS-0003	001 011 515 41 41 02	Ext Consult - Prosecutor Svs	Prosecution Services 03-2023	57910	\$14,294.00
					57910 Total	\$14,294.00
Ziply Fiber	03-2023 ZIPLY	001 012 575 30 47 00	CS- Museum - Utilities	Telephone Services Museum	57911	\$236.43
Ziply Fiber	03-2023 ZIPLY	101 016 542 64 47 00	ST-Traffic Control -Utility	Traffic Control Modem	57911	\$74.52
					57911 Total	\$310.95

CITY COUNCIL STAFF REPORT



Agenda Date: 3/28/2023

Subject: Participation Agreement for Washington State Settlement with Five Opioid Manufacturers and Pharmacies

Contact Person/Department: Barb Stevens, Administration

Budget Impact: No Budget Amendment Needed

Legal Review: Yes

RECOMMENDATION(S)/ACTION REQUESTED:

Authorize the Mayor to sign and execute the Washington State Allocation Agreement Governing the Allocation of Funds Paid by Certain Settling Opioid Manufacturers and Pharmacies dated January 27, 2023, and any future opioid settlement agreements.

SUMMARY/BACKGROUND:

The State Attorney General has joined the national settlements against Walmart, Teva, Allergan, CVS, and Walgreens.

The Attorney General's Office estimates could total:

- CVS: \$110.6 million to Washington state over 10 years;
- Walgreens: \$120.3 million to Washington state over 15 years;
- Walmart: \$ 62.6 million to Washington state and 97% of that paid in the first year;
- Teva: \$90.7 million to Washington state over the next 13 years; and
- Allergan: \$50 million to Washington state over the next 7 years.

If the City chooses to participate in these settlements, it must join the allocation agreement by April 18, 2023. The allocation will be similar to the allocation from the settlement with opioid distributors (City Council previously voted to join the agreement).

APPLICABLE CITY POLICIES:

ATTACHMENTS:

1. Explanation Sheet - Opioid Settlement
2. Allocation Agreement II - with Certain Manufacturers and Pharmacies - Opioids

National Opioid Settlements: Teva, Allergan, CVS, Walgreens, and Walmart

Lake Stevens city, WA

Reference Number: CL-393474

**TO LOCAL POLITICAL SUBDIVISIONS AND SPECIAL DISTRICTS:
THIS NOTICE CONTAINS IMPORTANT INFORMATION ABOUT NATIONAL OPIOID SETTLEMENTS.**

SETTLEMENT OVERVIEW

Proposed nationwide settlement agreements (“Settlements”) have been reached that would resolve opioid litigation brought by states, local political subdivisions, and special districts against two pharmaceutical manufacturers, Teva and Allergan (“Manufacturers”), and three pharmacies, CVS, Walgreens, and Walmart (“Pharmacies”). Local political subdivisions and special districts are referred to as “subdivisions.”

The Settlements require the settling Manufacturers and Pharmacies to pay billions of dollars to abate the opioid epidemic. The Settlements total over \$20 billion. Of this amount, approximately \$17 billion will be used by participating states and subdivisions to remediate and abate the impacts of the opioid crisis. Depending on participation by states and subdivisions, the Settlements require:

- Teva to pay up to \$3.34 billion over 13 years and to provide either \$1.2 billion of its generic version of the drug Narcan over 10 years or an agreed upon cash equivalent over 13 years;
- Allergan to pay up to \$2.02 billion over 7 years;
- CVS to pay up to \$4.90 billion over 10 years;
- Walgreens to pay up to \$5.52 billion over 15 years; and
- Walmart to pay up to \$2.74 billion in 2023, and all payments to be made within 6 years.

As provided under the Agreements, these figures are net of amounts attributable to prior settlements between the Defendants and certain states/subdivisions, and include amounts for attorneys’ fees and costs.

The Settlements also contain injunctive relief governing opioid marketing, sale, distribution, and/or dispensing practices.

Each of the proposed settlements has two key participation steps.

First, each eligible state decides whether to participate in each Settlement. A list of participating states for each settlement can be found at <https://nationalopioidsettlement.com>.

Second, eligible subdivisions within each participating state decide whether to participate in each Settlement. The more subdivisions that participate, the more funds flow to that state and its subdivisions. Any subdivision that does not participate cannot directly share in any of the settlement funds, even if the subdivision’s state is settling and other participating subdivisions are sharing in settlement funds. If the state does not participate in a particular Settlement, the subdivisions in that state are not eligible to participate in that Settlement.

WHO IS RUBRIS INC. AND WHAT IS THE IMPLEMENTATION ADMINISTRATOR?

The Settlements provide that an Implementation Administrator will provide notice and manage the collection of participation forms. Rubris Inc. is the Implementation Administrator for these new Settlements and was also retained for the 2021 national opioid settlements.

WHY IS YOUR SUBDIVISION RECEIVING THIS NOTICE?

Your state has elected to participate in one or more of the Settlements with the Manufacturers and/or the Pharmacies, and your subdivision may participate in those Settlements in which your state has elected to participate. This notice is also sent directly to counsel for such subdivisions if the Implementation Administrator has their information.

If you are represented by an attorney with respect to opioid claims, please contact them. **Subdivisions can participate in the Settlements whether or not they filed a lawsuit or are represented.**

WHERE CAN YOU FIND MORE INFORMATION?

Detailed information about the Settlements, including each settlement agreement, may be found at: <https://nationalopioidsettlement.com>. This website also includes information about how the Settlements are being implemented in most states and how funds will be allocated within your state.

You are encouraged to review the settlement agreement terms and discuss the terms and benefits with your counsel, your Attorney General's Office, and other contacts within your state. Information and documents regarding the Settlements and your state allocation can be found on the settlement website at <https://nationalopioidsettlement.com>.

Your subdivision will need to decide whether to participate in the proposed Settlements, and subdivisions are encouraged to work through this process before the **April 18, 2023** deadline.

HOW DO YOU PARTICIPATE IN THE SETTLEMENTS?

The Settlements require that you take affirmative steps to "opt in" to the Settlements.

In the next few weeks, you will receive documentation and instructions from the Implementation Administrator or, in some cases, your Attorney General's Office. In order to participate in a settlement, a subdivision must sign and return the required Participation Form for that settlement.

Please add the following email addresses to your "safe" list so emails do not go to spam / junk folders: dse_na3@docusign.net and opioidsparticipation@rubris.com. Please monitor your email for the Participation Forms and instructions.

All required documentation must be signed and returned on or before **April 18, 2023**.

**WASHINGTON STATE ALLOCATION AGREEMENT GOVERNING THE
ALLOCATION OF FUNDS PAID BY CERTAIN SETTLING OPIOID
MANUFACTURERS AND PHARMACIES**

JANUARY 27, 2023

This Washington State Allocation Agreement Governing the Allocation of Funds Paid by Certain Settling Opioid Manufacturers and Pharmacies (the “Allocation Agreement II”) governs the distribution of funds obtained from (1) Walmart, (2) Teva, (3) Allergan, (4) CVS, and (5) Walgreens (the “Settling Entities”) in connection with the resolution of any and all claims by the State of Washington and the counties, cities, and towns in Washington State (“Local Governments”) against the Settling Entities via the following settlements:

- Walmart Settlement Agreement dated November 12, 2022 and any subsequent amendments (“Walmart Settlement”).
- Teva Public Global Settlement Agreement dated November 22, 2022 and any subsequent amendments (“Teva Settlement”).
- Allergan Public Global Settlement Agreement dated November 22, 2022 and any subsequent amendments (“Allergan Settlement”).
- CVS Settlement Agreement dated December 9, 2022 and any subsequent amendments (“CVS Settlement”).
- Walgreens Settlement Agreement dated December 9, 2022 and any subsequent amendments (“Walgreens Settlement”).

Collectively, the Walmart Settlement, the Teva Settlement, the Allergan Settlement, the CVS Settlement, and the Walgreens Settlement shall be referred to as “the Settlements”. Each of the Settlements can be accessed at <https://nationalopioidsettlement.com/>. The terms and definitions of each of the respective Settlement are incorporated into this Allocation Agreement II, and any undefined terms in this Allocation Agreement II are as defined in the Settlements.

1. This Allocation Agreement II is intended to be a State-Subdivision Agreement as defined in the Settlements. This Allocation Agreement II shall be interpreted to be consistent with the requirements of a State-Subdivision Agreement in the Settlements.
2. This Allocation Agreement II shall become effective only if all of the following occur:
 - A. The State of Washington joins one of the Settlements and becomes a Settling State as provided for in the respective Settlement.
 - B. One of the Settlements becomes final and effective and a Consent Judgment is filed and approved as provided for in the respective Settlement.

- C. The number of Local Governments that execute and return this Allocation Agreement II satisfies the participation requirements for a State-Subdivision Agreement as specified in one of the Settlements, Washington is a Settling State for that Settlement, and a Consent Judgment has been filed and approved for that Settlement.
3. Requirements to become a Participating Local Government. To become a Participating Local Government that can participate in this Allocation Agreement II with respect to any one of the Settlements, a Local Government must do all of the following:
- A. The Local Government must execute and return this Allocation Agreement II.
 - B. The Local Government must release its claims against the Settling Entities identified in the respective Settlement and agree to be bound by the terms of the Settlement by timely executing and returning the Participation Form for that Settlement. The forms are attached hereto as Exhibits 1-5.
 - C. Litigating Subdivisions, also referred to as Litigating Local Governments, must dismiss the Settling Entities identified in the respective Settlement with prejudice from their lawsuits.
 - D. Each of the Local Governments that is eligible to participate in this Allocation Agreement II has previously executed and signed the One Washington Memorandum of Understanding Between Washington Municipalities (“MOU”) agreed to by the Participating Local Governments in Washington State, which is attached hereto as Exhibit 6. By executing this Allocation Agreement II, the local government agrees and affirms that the MOU applies to and shall govern the Local Government Share as modified by this Allocation Agreement II for each of the Settlements in which the Local Government participates.
- A Local Government that meets all of the conditions in this paragraph for any of the Settlements shall be deemed a “Participating Local Government” for that Settlement. A Local Government can be a “Participating Local Government” for less than all of the Settlements. If a Local Government is a Participating Local Government for less than all of the Settlements, the Local Government can only receive a portion of the Washington Abatement Amount for the specific Settlement(s) for which it is a Participating Local Government.
4. This Allocation Agreement II applies to the following, all of which collectively shall be referred to as the “Washington Abatement Amount”:
- A. For the Walmart Settlement, the State of Washington’s allocation of the (1) Global Settlement Remediation Amount and (2) Additional Remediation Amount.

- B. For the Teva Settlement, the State of Washington's allocation of the (1) Net Abatement Amount and (2) Additional Restitution Amount.
- C. For the Allergan Settlement, the State of Washington's allocation of the (1) Global Settlement Abatement Amount and (2) Additional Restitution Amount.
- D. For the CVS Settlement, the State of Washington's allocation of the (1) Maximum Remediation Payment and (2) Additional Remediation Amount.
- E. For the Walgreens Settlement, the State of Washington's allocation of the (1) Adjusted State Remediation Payment and (2) Additional Remediation Amount.

As specified in each of the Settlements, the Washington Abatement Amount will vary dependent on the percentage of Participating Local Governments and whether there are any Later Litigating Subdivisions.

- 5. The Teva Settlement provides the option for Settling States to obtain Settlement Product or the discretion to convert any portion of the Settlement Product allocated to the Settling State into a cash value equaling twenty percent (20%) of the WAC value of the Settling State's allocated Settlement Product in specified years. It shall be solely the decision of the State regarding whether to convert any portion of the Settlement Product allocated to Washington into a cash value or to obtain the Settlement Product. If the State elects to obtain Settlement Product, the State in its sole discretion shall make all decisions related to the Settlement Product, including but not limited to where, how, and to whom it shall be distributed. For purposes of calculating the division of the Washington Abatement Amount in Paragraph 10 of this Allocation Agreement II, the Settlement Product allocated to Washington shall be considered "State Share" and shall have the cash value assigned to it in the Teva Public Global Settlement Agreement dated November 22, 2022.
- 6. This Allocation Agreement II does not apply to the State Cost Fund, State AG Fees and Costs, or any attorneys' fees, fees, costs, or expenses referred to in the Settlement or that are paid directly or indirectly via the Settlements to the State of Washington ("State's Fees and Costs").
- 7. This Allocation Agreement II and the MOU are a State Back-Stop Agreement. The Settling Entities are paying a portion of the Local Governments' attorneys' fees and costs as provided for in the Settlements. The total contingent fees an attorney receives from the Contingency Fee Fund in the Settlements, the MOU, and this Allocation Agreement II combined cannot exceed 15% of the portion of the LG Share paid to the Litigating Local Government that retained that firm to litigate against the Settling Entities (i.e., if City X filed suit with outside counsel on a contingency fee contract and City X receives \$1,000,000 from the Walmart

Settlement, then the maximum that the firm can receive is \$150,000 for fees as to the Walmart Settlement; if City X did not retain the same firm for potential litigation against CVS and City X receives \$1,000,000 from the CVS Settlement, then the firm receives no fees from the CVS Settlement.)

8. No portion of the State's Fees and Costs and/or the State Share as defined in Paragraphs 6 and 10 of this Allocation Agreement II shall be used to fund the Government Fee Fund ("GFF") referred to in Paragraph 12 of this Allocation Agreement II and Section D of the MOU, or in any other way to fund any Participating Local Government's attorneys' fees, costs, or common benefit tax.
9. The Washington Abatement Amount shall and must be used by the State and Participating Local Governments for future Opioid Remediation as defined in the Settlements, except as allowed by the Settlements.
10. The State and the Participating Local Governments agree to divide the Washington Abatement Amount as follows:
 - A. Fifty percent (50%) to the State of Washington ("State Share").
 - B. Fifty percent (50%) to the Participating Local Governments ("LG Share").
11. The LG Share shall be distributed to Participating Local Governments pursuant to the MOU attached hereto as Exhibit 6 as amended and modified in this Allocation Agreement II.
12. For purposes of this Allocation Agreement II only, the MOU is modified as follows and any contrary provisions in the MOU are struck:
 - A. Exhibit A of the MOU is replaced by Exhibit E of each of the respective Settlements.
 - B. The definition of "Litigating Local Governments" in Section A.4 of the MOU shall mean Litigating Subdivisions as defined in each the respective Settlements.
 - C. The definition of "National Settlement Agreement" in Section A.6 of the MOU shall mean the Settlements.
 - D. The definition of "Settlement" in Section A.14 of the MOU shall mean the Settlements.
 - E. The MOU is amended to add new Section C.4.g.vii, which provides as follows:

"If a Participating Local Government receiving a direct payment (a) uses Opioid Funds other than as provided for in the respective Settlements, (b) does not comply with conditions for receiving

direct payments under the MOU, or (c) does not promptly submit necessary reporting and compliance information to its Regional Opioid Abatement Counsel (“Regional OAC”) as defined at Section C.4.h of the MOU, then the Regional OAC may suspend direct payments to the Participating Local Government after notice, an opportunity to cure, and sufficient due process. If direct payments to Participating Local Government are suspended, the payments shall be treated as if the Participating Local Government is foregoing their allocation of Opioid Funds pursuant to Section C.4.d and C.4.j.iii of the MOU. In the event of a suspension, the Regional OAC shall give prompt notice to the suspended Participating Local Government and the Settlement Fund Administrator specifying the reasons for the suspension, the process for reinstatement, the factors that will be considered for reinstatement, and the due process that will be provided. A suspended Participating Local Government may apply to the Regional OAC to be reinstated for direct payments no earlier than five years after the date of suspension.”

- F. The amounts payable to each law firm representing a Litigating Local Government from the GFF shall be consistent with the process set forth in the *Order Appointing the Fee Panel to Allocate and Disburse Attorney’s Fees Provided for in State Back-Stop Agreements*, Case No. 1:17-md-02804-DAP Doc #: 4543 (June 17, 2022). JoJo Tann (the “GFF Administrator”), who is authorized by the MDL Fee Panel (David R. Cohen, Randi S. Ellis and Hon. David R. Herndon (ret.)) to calculate the amounts due to eligible counsel from each State Back-Stop fund (i.e., the GFF) (*see id.* at p. 4), will oversee and confirm the amounts payable to each law firm representing a Litigating Local Government from the GFF. Upon written agreement between the law firms representing the Litigating Local Governments on the one hand and the Washington Attorney General’s Office on the other, in consultation with the Washington State Association of Counties and the Association of Washington Cities, the GFF Administrator may be replaced by another person, firm, or entity.
- G. The GFF set forth in the MOU shall be funded by the LG Share of the Washington Abatement Amount only. To the extent the common benefit tax is not already payable by the Settling Entities as contemplated by Section D.8 of the MOU, the GFF shall be used to pay Litigating Local Government contingency fee agreements and any common benefit tax referred to in Section D of the MOU, which shall be paid on a pro rata basis to eligible law firms as determined by the GFF Administrator.
- H. To fund the GFF, fifteen percent (15%) of the LG Share shall be deposited in the GFF from each LG Share settlement payment until the Litigating Subdivisions’ contingency fee agreements and common benefit tax (if any) referred to in Section D of the MOU are satisfied. Under no

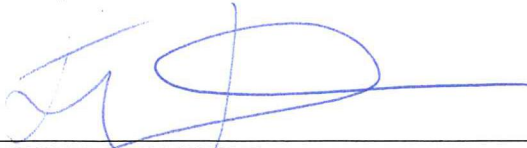
circumstances will any Primary Subdivision or Litigating Local Government be required to contribute to the GFF more than 15% of the portion of the LG Share allocated to such Primary Subdivision or Litigating Local Government. In addition, under no circumstances will any portion of the LG Share allocated to a Litigating Local Government be used to pay the contingency fees or litigation expenses of counsel for some other Litigating Local Government.

- I. The maximum amount of any Litigating Local Government contingency fee agreement (from the Contingency Fee Fund of the respective Settlements) payable to a law firm permitted for compensation shall be fifteen percent (15%) of the portion of the LG Share paid to the Litigating Local Government that retained that firm (i.e., if City X filed suit with outside counsel on a contingency fee contract and City X receives \$1,000,000 from the Walmart Settlement, then the maximum that the firm can receive is \$150,000 for fees.) The firms also shall be paid documented expenses due under their contingency fee agreements that have been paid by the law firm attributable to that Litigating Local Government. Consistent with Agreement on Attorneys' Fees, Costs, and Expenses, which is Exhibit R of the Settlements, amounts due to Participating Litigating Subdivisions' attorneys under this Allocation Agreement II shall not impact (i) costs paid by the subdivisions to their attorneys pursuant to a State Back-Stop agreement, (ii) fees paid to subdivision attorneys from the Common Benefit Fund for common benefit work performed by the attorneys pursuant to Exhibit R of the Settlements, or (iii) costs paid to subdivision attorneys from the MDL Expense Fund for expenses incurred by the attorneys pursuant to the Settlements.
- J. Under no circumstances may counsel receive more for its work on behalf of a Litigating Local Government than it would under its contingency agreement with that Litigating Local Government. To the extent a law firm was retained by a Litigating Local Government on a contingency fee agreement that provides for compensation at a rate that is less than fifteen percent (15%) of that Litigating Local Government's recovery, the maximum amount payable to that law firm referred to in Section D.3 of the MOU shall be the percentage set forth in that contingency fee agreement.
- K. For the avoidance of doubt, both payments from the GFF and the payment to the Participating Litigating Local Governments' attorneys from the Contingency Fee Fund in the respective Settlements shall be included when calculating whether the aforementioned fifteen percent (15%) maximum percentage (or less if the provisions of Paragraph 10.J of this Allocation Agreement II apply) of any Litigating Local Government contingency fee agreement referred to above has been met.

- L. To the extent there are any excess funds in the GFF, the GFF Administrator and the Settlement Administrator shall facilitate the return of those funds to the Participating Local Governments as provided for in Section D.6 of the MOU.
13. In connection with the execution and administration of this Allocation Agreement II, the State and the Participating Local Governments agree to abide by the Public Records Act, RCW 42.56 *et seq.*
14. All Participating Local Governments, Regional OACs, and the State shall maintain all non-transitory records related to this Allocation Agreement II as well as the receipt and expenditure of the funds from the Settlements for no less than five (5) years.
15. If any party to this Allocation Agreement II believes that a Participating Local Government, Regional OAC, the State, an entity, or individual involved in the receipt, distribution, or administration of the funds from the Settlements has violated any applicable ethics codes or rules, a complaint shall be lodged with the appropriate forum for handling such matters, with a copy of the complaint promptly sent to the Washington Attorney General, Complex Litigation Division, Division Chief, 800 Fifth Avenue, Suite 2000, Seattle, Washington 98104.
16. To the extent (i) a region utilizes a pre-existing regional body to establish its Opioid Abatement Council pursuant to the Section 4.h of the MOU, and (ii) that pre-existing regional body is subject to the requirements of the Community Behavioral Health Services Act, RCW 71.24 *et seq.*, the State and the Participating Local Governments agree that the Opioid Funds paid by the Settling Entities are subject to the requirements of the MOU and this Allocation Agreement II.
17. Upon request by any of the Settling Entities, the Participating Local Governments must comply with the Tax Cooperation and Reporting provisions of the respective Settlement.
18. Venue for any legal action related to this Allocation Agreement II (separate and apart from the MOU or the Settlements) shall be in King County, Washington.
19. Each party represents that all procedures necessary to authorize such party's execution of this Allocation Agreement II have been performed and that such person signing for such party has been authorized to execute this Allocation Agreement II.

FOR THE STATE OF WASHINGTON:

ROBERT W. FERGUSON
Attorney General



JEFFREY G. RUPERT
Division Chief

Date: 1-27-23

FOR THE PARTICIPATING LOCAL GOVERNMENT:

Name of Participating Local Government: _____

Authorized signature: _____

Name: _____

Title: _____

Date: _____

EXHIBIT 1
Subdivision Settlement Participation Form
(Exhibit K of the Walmart Settlement)

EXHIBIT K

Subdivision Participation Form

Governmental Entity:	State:
Authorized Official:	
Address 1:	
Address 2:	
City, State, Zip:	
Phone:	
Email:	

The governmental entity identified above ("Governmental Entity"), in order to obtain and in consideration for the benefits provided to the Governmental Entity pursuant to the Settlement Agreement dated November 14, 2022 ("Walmart Settlement"), and acting through the undersigned authorized official, hereby elects to participate in the Walmart Settlement, release all Released Claims against all Released Entities, and agrees as follows.

1. The Governmental Entity is aware of and has reviewed the Walmart Settlement, understands that all terms in this Election and Release have the meanings defined therein, and agrees that by this Election, the Governmental Entity elects to participate in the Walmart Settlement and become a Participating Subdivision as provided therein.
2. The Governmental Entity shall promptly, and in any event within 14 days of the Effective Date and prior to the filing of the Consent Judgment, dismiss with prejudice any Released Claims that it has filed. With respect to any Released Claims pending in In re National Prescription Opiate Litigation, MDL No. 2804, the Governmental Entity authorizes the Plaintiffs' Executive Committee to execute and file on behalf of the Governmental Entity a Stipulation of Dismissal With Prejudice substantially in the form found at <https://nationalopioidsettlement.com/>.
3. The Governmental Entity agrees to the terms of the Walmart Settlement pertaining to Subdivisions as defined therein.
4. By agreeing to the terms of the Walmart Settlement and becoming a Releasor, the Governmental Entity is entitled to the benefits provided therein, including, if applicable, monetary payments beginning after the Effective Date.
5. The Governmental Entity agrees to use any monies it receives through the Walmart Settlement solely for the purposes provided therein.



6. The Governmental Entity submits to the jurisdiction of the court in the Governmental Entity's state where the Consent Judgment is filed for purposes limited to that court's role as provided in, and for resolving disputes to the extent provided in, the Walmart Settlement.
7. The Governmental Entity has the right to enforce the Walmart Settlement as provided therein.
8. The Governmental Entity, as a Participating Subdivision, hereby becomes a Releasor for all purposes in the Walmart Settlement, including but not limited to all provisions of Section X (Release), and along with all departments, agencies, divisions, boards, commissions, districts, instrumentalities of any kind and attorneys, and any person in their official capacity elected or appointed to serve any of the foregoing and any agency, person, or other entity claiming by or through any of the foregoing, and any other entity identified in the definition of Releasor, provides for a release to the fullest extent of its authority. As a Releasor, the Governmental Entity hereby absolutely, unconditionally, and irrevocably covenants not to bring, file, or claim, or to cause, assist or permit to be brought, filed, or claimed, or to otherwise seek to establish liability for any Released Claims against any Released Entity in any forum whatsoever. The releases provided for in the Walmart Settlement are intended by the Parties to be broad and shall be interpreted so as to give the Released Entities the broadest possible bar against any liability relating in any way to Released Claims and extend to the full extent of the power of the Governmental Entity to release claims. The Walmart Settlement shall be a complete bar to any Released Claim.
9. In connection with the releases provided for in the Walmart Settlement, each Governmental Entity expressly waives, releases, and forever discharges any and all provisions, rights, and benefits conferred by any law of any state or territory of the United States or other jurisdiction, or principle of common law, which is similar, comparable, or equivalent to § 1542 of the California Civil Code, which reads:

General Release; extent. A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release that, if known by him or her, would have materially affected his or her settlement with the debtor or released party.

A Releasor may hereafter discover facts other than or different from those which it knows, believes, or assumes to be true with respect to the Released Claims, but each Governmental Entity hereby expressly waives and fully, finally, and forever settles, releases and discharges, upon the Effective Date, any and all Released Claims that may exist as of such date but which Releasors do not know or suspect to exist, whether through ignorance, oversight, error, negligence or through no fault whatsoever, and which, if known, would materially affect the Governmental Entities' decision to participate in the Walmart Settlement.

10. Nothing herein is intended to modify in any way the terms of the Walmart Settlement, to which Governmental Entity hereby agrees. To the extent this Election and Release is interpreted differently from the Walmart Settlement in any respect, the Walmart Settlement controls.



I have all necessary power and authorization to execute this Election and Release on behalf of the Governmental Entity.

Signature: _____

Name: _____

Title: _____

Date: _____



EXHIBIT 2
Subdivision Settlement Participation Form
(Exhibit K of the Teva Settlement)

Exhibit K
Subdivision and Special District Settlement Participation Form

Governmental Entity:	State:
Authorized Signatory:	
Address 1:	
Address 2:	
City, State, Zip:	
Phone:	
Email:	

The governmental entity identified above (“*Governmental Entity*”), in order to obtain and in consideration for the benefits provided to the Governmental Entity pursuant to the Agreement dated November 22, 2022 (“*Teva Settlement*”), and acting through the undersigned authorized official, hereby elects to participate in the Teva Settlement, release all Released Claims against all Released Entities, and agrees as follows.

1. The Governmental Entity is aware of and has reviewed the Teva Settlement, understands that all terms in this Election and Release have the meanings defined therein, and agrees that by this Election, the Governmental Entity elects to participate in the Teva Settlement as provided therein.
2. Following the execution of this Settlement Participation Form, the Governmental Entity shall comply with Section III.B of the Teva Settlement regarding Cessation of Litigation Activities.
3. The Governmental Entity shall, within 14 days of the Reference Date and prior to the filing of the Consent Judgment, file a request to dismiss with prejudice any Released Claims that it has filed. With respect to any Released Claims pending in In re National Prescription Opiate Litigation, MDL No. 2804, the Governmental Entity authorizes the Plaintiffs’ Executive Committee to execute and file on behalf of the Governmental Entity a Stipulation of Dismissal With Prejudice substantially in the form found at <https://nationalopioidsettlement.com>.
4. The Governmental Entity agrees to the terms of the Teva Settlement pertaining to Subdivisions as defined therein.
5. By agreeing to the terms of the Teva Settlement and becoming a Releasor, the Governmental Entity is entitled to the benefits provided therein, including, if applicable, monetary payments beginning after the Effective Date.
6. The Governmental Entity agrees to use any monies it receives through the Teva Settlement solely for the purposes provided therein.
7. The Governmental Entity submits to the jurisdiction of the court in the Governmental Entity’s state where the Consent Judgment is filed for purposes limited to that court’s role as provided in, and for resolving disputes to the extent provided in, the Teva Settlement.



8. The Governmental Entity has the right to enforce the Teva Settlement as provided therein.
9. The Governmental Entity, as a Participating Subdivision or Participating Special District, hereby becomes a Releasor for all purposes in the Teva Settlement, including but not limited to all provisions of Section V (Release), and along with all departments, agencies, divisions, boards, commissions, districts, instrumentalities of any kind and attorneys, and any person in their official capacity elected or appointed to serve any of the foregoing and any agency, person, or other entity claiming by or through any of the foregoing, and any other entity identified in the definition of Releasor, provides for a release to the fullest extent of its authority. As a Releasor, the Governmental Entity hereby absolutely, unconditionally, and irrevocably covenants not to bring, file, or claim, or to cause, assist or permit to be brought, filed, or claimed, or to otherwise seek to establish liability for any Released Claims against any Released Entity in any forum whatsoever. The releases provided for in the Teva Settlement are intended by Released Entities and the Governmental Entity to be broad and shall be interpreted so as to give the Released Entities the broadest possible bar against any liability relating in any way to Released Claims and extend to the full extent of the power of the Governmental Entity to release claims. The Teva Settlement shall be a complete bar to any Released Claim.
10. The Governmental Entity hereby takes on all rights and obligations of a Participating Subdivision or Participating Special District as set forth in the Teva Settlement.
11. In connection with the releases provided for in the Teva Settlement, each Governmental Entity expressly waives, releases, and forever discharges any and all provisions, rights, and benefits conferred by any law of any state or territory of the United States or other jurisdiction, or principle of common law, which is similar, comparable, or equivalent to § 1542 of the California Civil Code, which reads:

General Release; extent. A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release that, if known by him or her, would have materially affected his or her settlement with the debtor or released party.

A Releasor may hereafter discover facts other than or different from those which it knows, believes, or assumes to be true with respect to the Released Claims, but each Governmental Entity hereby expressly waives and fully, finally, and forever settles, releases and discharges, upon the Effective Date, any and all Released Claims that may exist as of such date but which Releasors do not know or suspect to exist, whether through ignorance, oversight, error, negligence or through no fault whatsoever, and which, if known, would materially affect the Governmental Entities' decision to participate in the Teva Settlement.

12. Nothing herein is intended to modify in any way the terms of the Teva Settlement, to which Governmental Entity hereby agrees. To the extent this Election and Release is interpreted differently from the Teva Settlement in any respect, the Teva Settlement controls.



I have all necessary power and authorization to execute this Election and Release on behalf of the Governmental Entity.

Signature: _____

Name: _____

Title: _____

Date: _____



EXHIBIT 3
Subdivision Settlement Participation Form
(Exhibit K of the Allergan Settlement)

EXHIBIT K
Subdivision and Special District Settlement Participation Form

Governmental Entity:	State:
Authorized Signatory:	
Address 1:	
Address 2:	
City, State, Zip:	
Phone:	
Email:	

The governmental entity identified above (“*Governmental Entity*”), in order to obtain and in consideration for the benefits provided to the Governmental Entity pursuant to the Agreement dated November 22, 2022 (“*Allergan Settlement*”), and acting through the undersigned authorized official, hereby elects to participate in the Allergan Settlement, release all Released Claims against all Released Entities, and agrees as follows.

1. The Governmental Entity is aware of and has reviewed the Allergan Settlement, understands that all terms in this Election and Release have the meanings defined therein, and agrees that by this Election, the Governmental Entity elects to participate in the Allergan Settlement as provided therein.
2. Following the execution of this Settlement Participation Form, the Governmental Entity shall comply with Section III.B of the Allergan Settlement regarding Cessation of Litigation Activities.
3. The Governmental Entity shall, within fourteen (14) days of the Reference Date and prior to the filing of the Consent Judgment, file a request to dismiss with prejudice any Released Claims that it has filed. With respect to any Released Claims pending in *In re National Prescription Opiate Litigation*, MDL No. 2804, the Governmental Entity authorizes the MDL Plaintiffs’ Executive Committee to execute and file on behalf of the Governmental Entity a Stipulation of Dismissal With Prejudice substantially in the form found at <https://nationalopioidsettlement.com>.
4. The Governmental Entity agrees to the terms of the Allergan Settlement pertaining to Subdivisions and Special Districts as defined therein.
5. By agreeing to the terms of the Allergan Settlement and becoming a Releasor, the Governmental Entity is entitled to the benefits provided therein, including, if applicable, monetary payments beginning after the Effective Date.
6. The Governmental Entity agrees to use any monies it receives through the Allergan Settlement solely for the purposes provided therein.



7. The Governmental Entity submits to the jurisdiction of the court in the Governmental Entity's state where the Consent Judgment is filed for purposes limited to that court's role as provided in, and for resolving disputes to the extent provided in, the Allergan Settlement.
8. The Governmental Entity has the right to enforce the Allergan Settlement as provided therein.
9. The Governmental Entity, as a Participating Subdivision or Participating Special District, hereby becomes a Releasor for all purposes in the Allergan Settlement, including, but not limited to, all provisions of **Section V (Release)**, and along with all departments, agencies, divisions, boards, commissions, Subdivisions, districts, instrumentalities of any kind and attorneys, and any person in their official capacity whether elected or appointed to serve any of the foregoing and any agency, person, or other entity claiming by or through any of the foregoing, and any other entity identified in the definition of Releasor, provides for a release to the fullest extent of its authority. As a Releasor, the Governmental Entity hereby absolutely, unconditionally, and irrevocably covenants not to bring, file, or claim, or to cause, assist in bringing, or permit to be brought, filed, or claimed, or to otherwise seek to establish liability for any Released Claims against any Released Entity in any forum whatsoever. The releases provided for in the Allergan Settlement are intended to be broad and shall be interpreted so as to give the Released Entities the broadest possible bar against any liability relating in any way to Released Claims and extend to the full extent of the power of the Governmental Entity to release claims. The Allergan Settlement shall be a complete bar to any Released Claim.
10. The Governmental Entity hereby takes on all rights and obligations of a Participating Subdivision or Participating Special District as set forth in the Allergan Settlement.
11. In connection with the releases provided for in the Allergan Settlement, each Governmental Entity expressly waives, releases, and forever discharges any and all provisions, rights, and benefits conferred by any law of any state or territory of the United States or other jurisdiction, or principle of common law, which is similar, comparable, or equivalent to § 1542 of the California Civil Code, which reads:

General Release; extent. A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release that, if known by him or her, would have materially affected his or her settlement with the debtor or released party.

A Releasor may hereafter discover facts other than or different from those which it knows, believes, or assumes to be true with respect to the Released Claims, but each Governmental Entity hereby expressly waives and fully, finally, and forever settles, releases and discharges, upon the Effective Date, any and all Released Claims that may exist as of such date but which Releasors do not know or suspect to exist, whether through ignorance, oversight, error, negligence or through no fault whatsoever, and which, if known, would materially affect the Governmental Entities' decision to participate in the Allergan Settlement.

12. Nothing herein is intended to modify in any way the terms of the Allergan Settlement, to which the Governmental Entity hereby agrees. To the extent this Settlement Participation Form is interpreted differently from the Allergan Settlement in any respect, the Allergan Settlement controls.



I have all necessary power and authorization to execute this Settlement Participation Form on behalf of the Governmental Entity.

Signature: _____

Name: _____

Title: _____

Date: _____



EXHIBIT 4
Subdivision Settlement Participation Form
(Exhibit K of the CVS Settlement)

EXHIBIT K

Subdivision Participation and Release Form

Governmental Entity:	State:
Authorized Signatory:	
Address 1:	
Address 2:	
City, State, Zip:	
Phone:	
Email:	

The governmental entity identified above ("*Governmental Entity*"), in order to obtain and in consideration for the benefits provided to the Governmental Entity pursuant to the Settlement Agreement dated December 9, 2022 ("*CVS Settlement*"), and acting through the undersigned authorized official, hereby elects to participate in the CVS Settlement, release all Released Claims against all Released Entities, and agrees as follows.

1. The Governmental Entity is aware of and has reviewed the CVS Settlement, understands that all terms in this Participation and Release Form have the meanings defined therein, and agrees that by executing this Participation and Release Form, the Governmental Entity elects to participate in the CVS Settlement and become a Participating Subdivision as provided therein.
2. The Governmental Entity shall promptly, and in any event no later than 14 days after the Reference Date and prior to the filing of the Consent Judgment, dismiss with prejudice any Released Claims that it has filed. With respect to any Released Claims pending in *In re National Prescription Opiate Litigation*, MDL No. 2804, the Governmental Entity authorizes the Plaintiffs' Executive Committee to execute and file on behalf of the Governmental Entity a Stipulation of Dismissal with Prejudice substantially in the form found at <https://nationalopioidsettlement.com>.
3. The Governmental Entity agrees to the terms of the CVS Settlement pertaining to Participating Subdivisions as defined therein.
4. By agreeing to the terms of the CVS Settlement and becoming a Releasor, the Governmental Entity is entitled to the benefits provided therein, including, if applicable, monetary payments beginning after the Effective Date.
5. The Governmental Entity agrees to use any monies it receives through the CVS Settlement solely for the purposes provided therein.



6. The Governmental Entity submits to the jurisdiction of the court in the Governmental Entity's state where the Consent Judgment is filed for purposes limited to that court's role as provided in, and for resolving disputes to the extent provided in, the CVS Settlement. The Governmental Entity likewise agrees to arbitrate before the National Arbitration Panel as provided in, and for resolving disputes to the extent otherwise provided in, the CVS Settlement.
7. The Governmental Entity has the right to enforce the CVS Settlement as provided therein.
8. The Governmental Entity, as a Participating Subdivision, hereby becomes a Releasor for all purposes in the CVS Settlement, including without limitation all provisions of Section XI (Release), and along with all departments, agencies, divisions, boards, commissions, districts, instrumentalities of any kind and attorneys, and any person in their official capacity elected or appointed to serve any of the foregoing and any agency, person, or other entity claiming by or through any of the foregoing, and any other entity identified in the definition of Releasor, provides for a release to the fullest extent of its authority. As a Releasor, the Governmental Entity hereby absolutely, unconditionally, and irrevocably covenants not to bring, file, or claim, or to cause, assist or permit to be brought, filed, or claimed, or to otherwise seek to establish liability for any Released Claims against any Released Entity in any forum whatsoever. The releases provided for in the CVS Settlement are intended by the Parties to be broad and shall be interpreted so as to give the Released Entities the broadest possible bar against any liability relating in any way to Released Claims and extend to the full extent of the power of the Governmental Entity to release claims. The CVS Settlement shall be a complete bar to any Released Claim.
9. The Governmental Entity hereby takes on all rights and obligations of a Participating Subdivision as set forth in the CVS Settlement.
10. In connection with the releases provided for in the CVS Settlement, each Governmental Entity expressly waives, releases, and forever discharges any and all provisions, rights, and benefits conferred by any law of any state or territory of the United States or other jurisdiction, or principle of common law, which is similar, comparable, or equivalent to § 1542 of the California Civil Code, which reads:

General Release; extent. A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release that, if known by him or her would have materially affected his or her settlement with the debtor or released party.

A Releasor may hereafter discover facts other than or different from those which it knows, believes, or assumes to be true with respect to the Released Claims, but each Governmental Entity hereby expressly waives and fully, finally, and forever settles, releases and discharges, upon the Effective Date, any and all Released Claims that may exist as of such date but which Releasors do not know or suspect to exist, whether through ignorance, oversight, error, negligence or through no fault whatsoever, and which, if known, would materially affect the Governmental Entities' decision to participate in the CVS Settlement.



11. Nothing herein is intended to modify in any way the terms of the CVS Settlement, to which Governmental Entity hereby agrees. To the extent this Participation and Release Form is interpreted differently from the CVS Settlement in any respect, the CVS Settlement controls.

I have all necessary power and authorization to execute this Participation and Release Form on behalf of the Governmental Entity.

Signature: _____

Name: _____

Title: _____

Date: _____



EXHIBIT 5
Subdivision Settlement Participation Form
(Exhibit K of the Walgreens Settlement)

EXHIBIT K

Subdivision Participation and Release Form

Governmental Entity:	State:
Authorized Signatory:	
Address 1:	
Address 2:	
City, State, Zip:	
Phone:	
Email:	

The governmental entity identified above (“*Governmental Entity*”), in order to obtain and in consideration for the benefits provided to the Governmental Entity pursuant to the Settlement Agreement dated December 9, 2022 (“*Walgreens Settlement*”), and acting through the undersigned authorized official, hereby elects to participate in the Walgreens Settlement, release all Released Claims against all Released Entities, and agrees as follows.

1. The Governmental Entity is aware of and has reviewed the Walgreens Settlement, understands that all terms in this Participation and Release Form have the meanings defined therein, and agrees that by executing this Participation and Release Form, the Governmental Entity elects to participate in the Walgreens Settlement and become a Participating Subdivision as provided therein.
2. The Governmental Entity shall promptly, and in any event no later than 14 days after the Reference Date and prior to the filing of the Consent Judgment, dismiss with prejudice any Released Claims that it has filed. With respect to any Released Claims pending in *In re National Prescription Opiate Litigation*, MDL No. 2804, the Governmental Entity authorizes the Plaintiffs’ Executive Committee to execute and file on behalf of the Governmental Entity a Stipulation of Dismissal with Prejudice substantially in the form found at <https://nationalopioidsettlement.com>.
3. The Governmental Entity agrees to the terms of the Walgreens Settlement pertaining to Participating Subdivisions as defined therein.
4. By agreeing to the terms of the Walgreens Settlement and becoming a Releasor, the Governmental Entity is entitled to the benefits provided therein, including, if applicable, monetary payments beginning after the Effective Date.
5. The Governmental Entity agrees to use any monies it receives through the Walgreens Settlement solely for the purposes provided therein.



6. The Governmental Entity submits to the jurisdiction of the court in the Governmental Entity's state where the Consent Judgment is filed for purposes limited to that court's role as provided in, and for resolving disputes to the extent provided in, the Walgreens Settlement. The Governmental Entity likewise agrees to arbitrate before the National Arbitration Panel as provided in, and for resolving disputes to the extent otherwise provided in, the Walgreens Settlement.
7. The Governmental Entity has the right to enforce the Walgreens Settlement as provided therein.
8. The Governmental Entity, as a Participating Subdivision, hereby becomes a Releasor for all purposes in the Walgreens Settlement, including without limitation all provisions of Section XI (Release), and along with all departments, agencies, divisions, boards, commissions, districts, instrumentalities of any kind and attorneys, and any person in their official capacity elected or appointed to serve any of the foregoing and any agency, person, or other entity claiming by or through any of the foregoing, and any other entity identified in the definition of Releasor, provides for a release to the fullest extent of its authority. As a Releasor, the Governmental Entity hereby absolutely, unconditionally, and irrevocably covenants not to bring, file, or claim, or to cause, assist or permit to be brought, filed, or claimed, or to otherwise seek to establish liability for any Released Claims against any Released Entity in any forum whatsoever. The releases provided for in the Walgreens Settlement are intended by the Parties to be broad and shall be interpreted so as to give the Released Entities the broadest possible bar against any liability relating in any way to Released Claims and extend to the full extent of the power of the Governmental Entity to release claims. The Walgreens Settlement shall be a complete bar to any Released Claim.
9. The Governmental Entity hereby takes on all rights and obligations of a Participating Subdivision as set forth in the Walgreens Settlement.
10. In connection with the releases provided for in the Walgreens Settlement, each Governmental Entity expressly waives, releases, and forever discharges any and all provisions, rights, and benefits conferred by any law of any state or territory of the United States or other jurisdiction, or principle of common law, which is similar, comparable, or equivalent to § 1542 of the California Civil Code, which reads:

General Release; extent. A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release that, if known by him or her would have materially affected his or her settlement with the debtor or released party.

A Releasor may hereafter discover facts other than or different from those which it knows, believes, or assumes to be true with respect to the Released Claims, but each Governmental Entity hereby expressly waives and fully, finally, and forever settles, releases and discharges, upon the Effective Date, any and all Released Claims that may exist as of such date but which Releasors do not know or suspect to exist, whether through ignorance, oversight, error, negligence or through no fault whatsoever, and which, if known, would materially affect the Governmental Entities' decision to participate in the Walgreens Settlement.



11. Nothing herein is intended to modify in any way the terms of the Walgreens Settlement, to which Governmental Entity hereby agrees. To the extent this Participation and Release Form is interpreted differently from the Walgreens Settlement in any respect, the Walgreens Settlement controls.

I have all necessary power and authorization to execute this Participation and Release Form on behalf of the Governmental Entity.

Signature: _____

Name: _____

Title: _____

Date: _____



EXHIBIT 6
One Washington Memorandum of Understanding Between Washington Municipalities

ONE WASHINGTON MEMORANDUM OF UNDERSTANDING BETWEEN WASHINGTON MUNICIPALITIES

Whereas, the people of the State of Washington and its communities have been harmed by entities within the Pharmaceutical Supply Chain who manufacture, distribute, and dispense prescription opioids;

Whereas, certain Local Governments, through their elected representatives and counsel, are engaged in litigation seeking to hold these entities within the Pharmaceutical Supply Chain of prescription opioids accountable for the damage they have caused to the Local Governments;

Whereas, Local Governments and elected officials share a common desire to abate and alleviate the impacts of harms caused by these entities within the Pharmaceutical Supply Chain throughout the State of Washington, and strive to ensure that principals of equity and equitable service delivery are factors considered in the allocation and use of Opioid Funds; and

Whereas, certain Local Governments engaged in litigation and the other cities and counties in Washington desire to agree on a form of allocation for Opioid Funds they receive from entities within the Pharmaceutical Supply Chain.

Now therefore, the Local Governments enter into this Memorandum of Understanding (“MOU”) relating to the allocation and use of the proceeds of Settlements described.

A. Definitions

As used in this MOU:

1. “Allocation Regions” are the same geographic areas as the existing nine (9) Washington State Accountable Community of Health (ACH) Regions and have the purpose described in Section C below.
2. “Approved Purpose(s)” shall mean the strategies specified and set forth in the Opioid Abatement Strategies attached as Exhibit A.
3. “Effective Date” shall mean the date on which a court of competent jurisdiction enters the first Settlement by order or consent decree. The Parties anticipate that more than one Settlement will be administered according to the terms of this MOU, but that the first entered Settlement will trigger allocation of Opioid Funds in accordance with Section B herein, and the formation of the Opioid Abatement Councils in Section C.
4. “Litigating Local Government(s)” shall mean Local Governments that filed suit against any Pharmaceutical Supply Chain Participant pertaining to the Opioid epidemic prior to September 1, 2020.

5. “Local Government(s)” shall mean all counties, cities, and towns within the geographic boundaries of the State of Washington.

6. “National Settlement Agreements” means the national opioid settlement agreements dated July 21, 2021 involving Johnson & Johnson, and distributors AmerisourceBergen, Cardinal Health and McKesson as well as their subsidiaries, affiliates, officers, and directors named in the National Settlement Agreements, including all amendments thereto.

7. “Opioid Funds” shall mean monetary amounts obtained through a Settlement as defined in this MOU.

8. “Opioid Abatement Council” shall have the meaning described in Section C below.

9. “Participating Local Government(s)” shall mean all counties, cities, and towns within the geographic boundaries of the State that have chosen to sign on to this MOU. The Participating Local Governments may be referred to separately in this MOU as “Participating Counties” and “Participating Cities and Towns” (or “Participating Cities or Towns,” as appropriate) or “Parties.”

10. “Pharmaceutical Supply Chain” shall mean the process and channels through which controlled substances are manufactured, marketed, promoted, distributed, and/or dispensed, including prescription opioids.

11. “Pharmaceutical Supply Chain Participant” shall mean any entity that engages in or has engaged in the manufacture, marketing, promotion, distribution, and/or dispensing of a prescription opioid, including any entity that has assisted in any of the above.

12. “Qualified Settlement Fund Account,” or “QSF Account,” shall mean an account set up as a qualified settlement fund, 468b fund, as authorized by Treasury Regulations 1.468B-1(c) (26 CFR §1.468B-1).

13. “Regional Agreements” shall mean the understanding reached by the Participating Local Counties and Cities within an Allocation Region governing the allocation, management, distribution of Opioid Funds within that Allocation Region.

14. “Settlement” shall mean the future negotiated resolution of legal or equitable claims against a Pharmaceutical Supply Chain Participant when that resolution has been jointly entered into by the Participating Local Governments. “Settlement” expressly does not include a plan of reorganization confirmed under Title 11 of the United States Code, irrespective of the extent to which Participating Local Governments vote in favor of or otherwise support such plan of reorganization.

15. “Trustee” shall mean an independent trustee who shall be responsible for the ministerial task of releasing Opioid Funds from a QSF account to Participating Local Governments as authorized herein and accounting for all payments into or out of the trust.

16. The “Washington State Accountable Communities of Health” or “ACH” shall mean the nine (9) regions described in Section C below.

B. Allocation of Settlement Proceeds for Approved Purposes

1. All Opioid Funds shall be held in a QSF and distributed by the Trustee, for the benefit of the Participating Local Governments, only in a manner consistent with this MOU. Distribution of Opioid Funds will be subject to the mechanisms for auditing and reporting set forth below to provide public accountability and transparency.

2. All Opioid Funds, regardless of allocation, shall be utilized pursuant to Approved Purposes as defined herein and set forth in Exhibit A. Compliance with this requirement shall be verified through reporting, as set out in this MOU.

3. The division of Opioid Funds shall first be allocated to Participating Counties based on the methodology utilized for the Negotiation Class in *In Re: National Prescription Opiate Litigation*, United States District Court for the Northern District of Ohio, Case No. 1:17-md-02804-DAP. The allocation model uses three equally weighted factors: (1) the amount of opioids shipped to the county; (2) the number of opioid deaths that occurred in that county; and (3) the number of people who suffer opioid use disorder in that county. The allocation percentages that result from application of this methodology are set forth in the “County Total” line item in Exhibit B. In the event any county does not participate in this MOU, that county’s percentage share shall be reallocated proportionally amongst the Participating Counties by applying this same methodology to only the Participating Counties.

4. Allocation and distribution of Opioid Funds within each Participating County will be based on regional agreements as described in Section C.

C. Regional Agreements

1. For the purpose of this MOU, the regional structure for decision-making related to opioid fund allocation will be based upon the nine (9) pre-defined Washington State Accountable Community of Health Regions (Allocation Regions). Reference to these pre-defined regions is solely for the purpose of

drawing geographic boundaries to facilitate regional agreements for use of Opioid Funds. The Allocation Regions are as follows:

- King County (Single County Region)
- Pierce County (Single County Region)
- Olympic Community of Health Region (Clallam, Jefferson, and Kitsap Counties)
- Cascade Pacific Action Alliance Region (Cowlitz, Grays Harbor, Lewis, Mason, Pacific, Thurston, and Wahkiakum Counties)
- North Sound Region (Island, San Juan, Skagit, Snohomish, and Whatcom Counties)
- SouthWest Region (Clark, Klickitat, and Skamania Counties)
- Greater Columbia Region (Asotin, Benton, Columbia, Franklin, Garfield, Kittitas, Walla Walla, Whitman, and Yakima Counties)
- Spokane Region (Adams, Ferry, Lincoln, Pend Oreille, Spokane, and Stevens Counties)
- North Central Region (Chelan, Douglas, Grant, and Okanogan Counties)

2. Opioid Funds will be allocated, distributed and managed within each Allocation Region, as determined by its Regional Agreement as set forth below. If an Allocation Region does not have a Regional Agreement enumerated in this MOU, and does not subsequently adopt a Regional Agreement per Section C.5, the default mechanism for allocation, distribution and management of Opioid Funds described in Section C.4.a will apply. Each Allocation Region must have an OAC whose composition and responsibilities shall be defined by Regional Agreement or as set forth in Section C.4.

3. King County's Regional Agreement is reflected in Exhibit C to this MOU.

4. All other Allocation Regions that have not specified a Regional Agreement for allocating, distributing and managing Opioid Funds, will apply the following default methodology:

- a. Opioid Funds shall be allocated within each Allocation Region by taking the allocation for a Participating County from Exhibit B and apportioning those funds between that Participating County and its Participating Cities and Towns. Exhibit B also sets forth the allocation to the Participating Counties and the Participating Cities or Towns within the Counties based on a default allocation formula. As set forth above in Section B.3, to determine the allocation to a county, this formula utilizes: (1) the amount of opioids shipped to the county; (2) the number of opioid deaths that occurred in that county; and (3) the number of people who suffer opioid use disorder in that county. To determine the allocation within a county, the formula utilizes historical federal data showing how the specific Counties and the Cities and Towns within the Counties have

made opioids epidemic-related expenditures in the past. This is the same methodology used in the National Settlement Agreements for county and intra-county allocations. A Participating County, and the Cities and Towns within it may enter into a separate intra-county allocation agreement to modify how the Opioid Funds are allocated amongst themselves, provided the modification is in writing and agreed to by all Participating Local Governments in the County. Such an agreement shall not modify any of the other terms or requirements of this MOU.

b. 10% of the Opioid Funds received by the Region will be reserved, on an annual basis, for administrative costs related to the OAC. The OAC will provide an annual accounting for actual costs and any reserved funds that exceed actual costs will be reallocated to Participating Local Governments within the Region.

c. Cities and towns with a population of less than 10,000 shall be excluded from the allocation, with the exception of cities and towns that are Litigating Participating Local Governments. The portion of the Opioid Funds that would have been allocated to a city or town with a population of less than 10,000 that is not a Litigating Participating Local Government shall be redistributed to Participating Counties in the manner directed in C.4.a above.

d. Each Participating County, City, or Town may elect to have its share re-allocated to the OAC in which it is located. The OAC will then utilize this share for the benefit of Participating Local Governments within that Allocation Region, consistent with the Approved Purposes set forth in Exhibit A. A Participating Local Government's election to forego its allocation of Opioid Funds shall apply to all future allocations unless the Participating Local Government notifies its respective OAC otherwise. If a Participating Local Government elects to forego its allocation of the Opioid Funds, the Participating Local Government shall be excused from the reporting requirements set forth in this Agreement.

e. Participating Local Governments that receive a direct payment maintain full discretion over the use and distribution of their allocation of Opioid Funds, provided the Opioid Funds are used solely for Approved Purposes. Reasonable administrative costs for a Participating Local Government to administer its allocation of Opioid Funds shall not exceed actual costs or 10% of the Participating Local Government's allocation of Opioid Funds, whichever is less.

f. A Local Government that chooses not to become a Participating Local Government will not receive a direct allocation of Opioid Funds. The portion of the Opioid Funds that would have been allocated to a Local Government that is not a Participating Local Government shall be

redistributed to Participating Counties in the manner directed in C.4.a above.

g. As a condition of receiving a direct payment, each Participating Local Government that receives a direct payment agrees to undertake the following actions:

- i. Developing a methodology for obtaining proposals for use of Opioid Funds.
- ii. Ensuring there is opportunity for community-based input on priorities for Opioid Fund programs and services.
- iii. Receiving and reviewing proposals for use of Opioid Funds for Approved Purposes.
- iv. Approving or denying proposals for use of Opioid Funds for Approved Purposes.
- v. Receiving funds from the Trustee for approved proposals and distributing the Opioid Funds to the recipient.
- vi. Reporting to the OAC and making publicly available all decisions on Opioid Fund allocation applications, distributions and expenditures.

h. Prior to any distribution of Opioid Funds within the Allocation Region, The Participating Local Governments must establish an Opioid Abatement Council (OAC) to oversee Opioid Fund allocation, distribution, expenditures and dispute resolution. The OAC may be a preexisting regional body or may be a new body created for purposes of executing the obligations of this MOU.

i. The OAC for each Allocation Region shall be composed of representation from both Participating Counties and Participating Towns or Cities within the Region. The method of selecting members, and the terms for which they will serve will be determined by the Allocation Region's Participating Local Governments. All persons who serve on the OAC must have work or educational experience pertaining to one or more Approved Uses.

j. The Regional OAC will be responsible for the following actions:

- i. Overseeing distribution of Opioid Funds from Participating Local Governments to programs and services within the Allocation Region for Approved Purposes.

- ii. Annual review of expenditure reports from Participating Local Jurisdictions within the Allocation Region for compliance with Approved Purposes and the terms of this MOU and any Settlement.
- iii. In the case where Participating Local Governments chose to forego their allocation of Opioid Funds:
 - (i) Approving or denying proposals by Participating Local Governments or community groups to the OAC for use of Opioid Funds within the Allocation Region.
 - (ii) Directing the Trustee to distribute Opioid Funds for use by Participating Local Governments or community groups whose proposals are approved by the OAC.
 - (iii) Administrating and maintaining records of all OAC decisions and distributions of Opioid Funds.
- iv. Reporting and making publicly available all decisions on Opioid Fund allocation applications, distributions and expenditures by the OAC or directly by Participating Local Governments.
- v. Developing and maintaining a centralized public dashboard or other repository for the publication of expenditure data from any Participating Local Government that receives Opioid Funds, and for expenditures by the OAC in that Allocation Region, which it shall update at least annually.
- vi. If necessary, requiring and collecting additional outcome-related data from Participating Local Governments to evaluate the use of Opioid Funds, and all Participating Local Governments shall comply with such requirements.
- vii. Hearing complaints by Participating Local Governments within the Allocation Region regarding alleged failure to (1) use Opioid Funds for Approved Purposes or (2) comply with reporting requirements.

5. Participating Local Governments may agree and elect to share, pool, or collaborate with their respective allocation of Opioid Funds in any manner they choose by adopting a Regional Agreement, so long as such sharing, pooling, or collaboration is used for Approved Purposes and complies with the terms of this MOU and any Settlement.

6. Nothing in this MOU should alter or change any Participating Local Government's rights to pursue its own claim. Rather, the intent of this MOU is to join all parties who wish to be Participating Local Governments to agree upon an allocation formula for any Opioid Funds from any future binding Settlement with one or more Pharmaceutical Supply Chain Participants for all Local Governments in the State of Washington.

7. If any Participating Local Government disputes the amount it receives from its allocation of Opioid Funds, the Participating Local Government shall alert its respective OAC within sixty (60) days of discovering the information underlying the dispute. Failure to alert its OAC within this time frame shall not constitute a waiver of the Participating Local Government's right to seek recoupment of any deficiency in its allocation of Opioid Funds.

8. If any OAC concludes that a Participating Local Government's expenditure of its allocation of Opioid Funds did not comply with the Approved Purposes listed in Exhibit A, or the terms of this MOU, or that the Participating Local Government otherwise misused its allocation of Opioid Funds, the OAC may take remedial action against the alleged offending Participating Local Government. Such remedial action is left to the discretion of the OAC and may include withholding future Opioid Funds owed to the offending Participating Local Government or requiring the offending Participating Local Government to reimburse improperly expended Opioid Funds back to the OAC to be re-allocated to the remaining Participating Local Governments within that Region.

9. All Participating Local Governments and OAC shall maintain all records related to the receipt and expenditure of Opioid Funds for no less than five (5) years and shall make such records available for review by any other Participating Local Government or OAC, or the public. Records requested by the public shall be produced in accordance with Washington's Public Records Act RCW 42.56.001 *et seq.* Records requested by another Participating Local Government or an OAC shall be produced within twenty-one (21) days of the date the record request was received. This requirement does not supplant any Participating Local Government or OAC's obligations under Washington's Public Records Act RCW 42.56.001 *et seq.*

D. Payment of Counsel and Litigation Expenses

1. The Litigating Local Governments have incurred attorneys' fees and litigation expenses relating to their prosecution of claims against the Pharmaceutical Supply Chain Participants, and this prosecution has inured to the benefit of all Participating Local Governments. Accordingly, a Washington

Government Fee Fund (“GFF”) shall be established that ensures that all Parties that receive Opioid Funds contribute to the payment of fees and expenses incurred to prosecute the claims against the Pharmaceutical Supply Chain Participants, regardless of whether they are litigating or non-litigating entities.

2. The amount of the GFF shall be based as follows: the funds to be deposited in the GFF shall be equal to 15% of the total cash value of the Opioid Funds.

3. The maximum percentage of any contingency fee agreement permitted for compensation shall be 15% of the portion of the Opioid Funds allocated to the Litigating Local Government that is a party to the contingency fee agreement, plus expenses attributable to that Litigating Local Government. Under no circumstances may counsel collect more for its work on behalf of a Litigating Local Government than it would under its contingency agreement with that Litigating Local Government.

4. Payments from the GFF shall be overseen by a committee (the “Opioid Fee and Expense Committee”) consisting of one representative of the following law firms: (a) Keller Rohrback L.L.P.; (b) Hagens Berman Sobol Shapiro LLP; (c) Goldfarb & Huck Roth Riojas, PLLC; and (d) Napoli Shkolnik PLLC. The role of the Opioid Fee and Expense Committee shall be limited to ensuring that the GFF is administered in accordance with this Section.

5. In the event that settling Pharmaceutical Supply Chain Participants do not pay the fees and expenses of the Participating Local Governments directly at the time settlement is achieved, payments to counsel for Participating Local Governments shall be made from the GFF over not more than three years, with 50% paid within 12 months of the date of Settlement and 25% paid in each subsequent year, or at the time the total Settlement amount is paid to the Trustee by the Defendants, whichever is sooner.

6. Any funds remaining in the GFF in excess of: (i) the amounts needed to cover Litigating Local Governments’ private counsel’s representation agreements, and (ii) the amounts needed to cover the common benefit tax discussed in Section C.8 below (if not paid directly by the Defendants in connection with future settlement(s), shall revert to the Participating Local Governments *pro rata* according to the percentages set forth in Exhibits B, to be used for Approved Purposes as set forth herein and in Exhibit A.

7. In the event that funds in the GFF are not sufficient to pay all fees and expenses owed under this Section, payments to counsel for all Litigating Local Governments shall be reduced on a *pro rata* basis. The Litigating Local Governments will not be responsible for any of these reduced amounts.

8. The Parties anticipate that any Opioid Funds they receive will be subject to a common benefit “tax” imposed by the court in *In Re: National Prescription Opiate Litigation*, United States District Court for the Northern District of Ohio, Case No. 1:17-md-02804-DAP (“Common Benefit Tax”). If this occurs, the Participating Local Governments shall first seek to have the settling defendants pay the Common Benefit Tax. If the settling defendants do not agree to pay the Common Benefit Tax, then the Common Benefit Tax shall be paid from the Opioid Funds and by both litigating and non-litigating Local Governments. This payment shall occur prior to allocation and distribution of funds to the Participating Local Governments. In the event that GFF is not fully exhausted to pay the Litigating Local Governments’ private counsel’s representation agreements, excess funds in the GFF shall be applied to pay the Common Benefit Tax (if any).

E. General Terms

1. If any Participating Local Government believes another Participating Local Government, not including the Regional Abatement Advisory Councils, violated the terms of this MOU, the alleging Participating Local Government may seek to enforce the terms of this MOU in the court in which any applicable Settlement(s) was entered, provided the alleging Participating Local Government first provides the alleged offending Participating Local Government notice of the alleged violation(s) and a reasonable opportunity to cure the alleged violation(s). In such an enforcement action, any alleging Participating Local Government or alleged offending Participating Local Government may be represented by their respective public entity in accordance with Washington law.

2. Nothing in this MOU shall be interpreted to waive the right of any Participating Local Government to seek judicial relief for conduct occurring outside the scope of this MOU that violates any Washington law. In such an action, the alleged offending Participating Local Government, including the Regional Abatement Advisory Councils, may be represented by their respective public entities in accordance with Washington law. In the event of a conflict, any Participating Local Government, including the Regional Abatement Advisory Councils and its Members, may seek outside representation to defend itself against such an action.

3. Venue for any legal action related to this MOU shall be in the court in which the Participating Local Government is located or in accordance with the court rules on venue in that jurisdiction. This provision is not intended to expand the court rules on venue.

4. This MOU may be executed in two or more counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument. The Participating Local Governments approve the use of electronic signatures for execution of this MOU. All use of electronic signatures

shall be governed by the Uniform Electronic Transactions Act. The Parties agree not to deny the legal effect or enforceability of the MOU solely because it is in electronic form or because an electronic record was used in its formation. The Participating Local Government agree not to object to the admissibility of the MOU in the form of an electronic record, or a paper copy of an electronic document, or a paper copy of a document bearing an electronic signature, on the grounds that it is an electronic record or electronic signature or that it is not in its original form or is not an original.

5. Each Participating Local Government represents that all procedures necessary to authorize such Participating Local Government's execution of this MOU have been performed and that the person signing for such Party has been authorized to execute the MOU.

[Remainder of Page Intentionally Left Blank – Signature Pages Follow]

This One Washington Memorandum of Understanding Between Washington Municipalities is signed this _____ day of _____, 2022 by:

Name & Title _____

On behalf of _____

4894-0031-1574, v. 2

EXHIBIT A

OPIOID ABATEMENT STRATEGIES

PART ONE: TREATMENT

A. TREAT OPIOID USE DISORDER (OUD)

Support treatment of Opioid Use Disorder (OUD) and any co-occurring Substance Use Disorder or Mental Health (SUD/MH) conditions, co-usage, and/or co-addiction through evidence-based, evidence-informed, or promising programs or strategies that may include, but are not limited to, the following:

1. Expand availability of treatment for OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction, including all forms of Medication-Assisted Treatment (MAT) approved by the U.S. Food and Drug Administration.
2. Support and reimburse services that include the full American Society of Addiction Medicine (ASAM) continuum of care for OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction, including but not limited to:
 - a. Medication-Assisted Treatment (MAT);
 - b. Abstinence-based treatment;
 - c. Treatment, recovery, or other services provided by states, subdivisions, community health centers; non-for-profit providers; or for-profit providers;
 - d. Treatment by providers that focus on OUD treatment as well as treatment by providers that offer OUD treatment along with treatment for other SUD/MH conditions, co-usage, and/or co-addiction; or
 - e. Evidence-informed residential services programs, as noted below.
3. Expand telehealth to increase access to treatment for OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction, including MAT, as well as counseling, psychiatric support, and other treatment and recovery support services.
4. Improve oversight of Opioid Treatment Programs (OTPs) to assure evidence-based, evidence-informed, or promising practices such as adequate methadone dosing.
5. Support mobile intervention, treatment, and recovery services, offered by qualified professionals and service providers, such as peer recovery coaches, for persons with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction and for persons who have experienced an opioid overdose.
6. Support treatment of mental health trauma resulting from the traumatic experiences of the opioid user (e.g., violence, sexual assault, human trafficking, or adverse childhood experiences) and family members (e.g., surviving family members after an overdose

or overdose fatality), and training of health care personnel to identify and address such trauma.

7. Support detoxification (detox) and withdrawal management services for persons with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction, including medical detox, referral to treatment, or connections to other services or supports.
8. Support training on MAT for health care providers, students, or other supporting professionals, such as peer recovery coaches or recovery outreach specialists, including telementoring to assist community-based providers in rural or underserved areas.
9. Support workforce development for addiction professionals who work with persons with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction.
10. Provide fellowships for addiction medicine specialists for direct patient care, instructors, and clinical research for treatments.
11. Provide funding and training for clinicians to obtain a waiver under the federal Drug Addiction Treatment Act of 2000 (DATA 2000) to prescribe MAT for OUD, and provide technical assistance and professional support to clinicians who have obtained a DATA 2000 waiver.
12. Support the dissemination of web-based training curricula, such as the American Academy of Addiction Psychiatry's Provider Clinical Support Service-Opioids web-based training curriculum and motivational interviewing.
13. Support the development and dissemination of new curricula, such as the American Academy of Addiction Psychiatry's Provider Clinical Support Service for Medication-Assisted Treatment.

B. SUPPORT PEOPLE IN TREATMENT AND RECOVERY

Support people in treatment for and recovery from OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction through evidence-based, evidence-informed, or promising programs or strategies that may include, but are not limited to, the following:

1. Provide the full continuum of care of recovery services for OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction, including supportive housing, residential treatment, medical detox services, peer support services and counseling, community navigators, case management, and connections to community-based services.
2. Provide counseling, peer-support, recovery case management and residential treatment with access to medications for those who need it to persons with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction.

3. Provide access to housing for people with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction, including supportive housing, recovery housing, housing assistance programs, or training for housing providers.
4. Provide community support services, including social and legal services, to assist in deinstitutionalizing persons with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction.
5. Support or expand peer-recovery centers, which may include support groups, social events, computer access, or other services for persons with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction.
6. Provide employment training or educational services for persons in treatment for or recovery from OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction.
7. Identify successful recovery programs such as physician, pilot, and college recovery programs, and provide support and technical assistance to increase the number and capacity of high-quality programs to help those in recovery.
8. Engage non-profits, faith-based communities, and community coalitions to support people in treatment and recovery and to support family members in their efforts to manage the opioid user in the family.
9. Provide training and development of procedures for government staff to appropriately interact and provide social and other services to current and recovering opioid users, including reducing stigma.
10. Support stigma reduction efforts regarding treatment and support for persons with OUD, including reducing the stigma on effective treatment.

**C. CONNECT PEOPLE WHO NEED HELP TO THE HELP THEY NEED
(CONNECTIONS TO CARE)**

Provide connections to care for people who have – or are at risk of developing – OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction through evidence-based, evidence-informed, or promising programs or strategies that may include, but are not limited to, the following:

1. Ensure that health care providers are screening for OUD and other risk factors and know how to appropriately counsel and treat (or refer if necessary) a patient for OUD treatment.
2. Support Screening, Brief Intervention and Referral to Treatment (SBIRT) programs to reduce the transition from use to disorders.
3. Provide training and long-term implementation of SBIRT in key systems (health, schools, colleges, criminal justice, and probation), with a focus on youth and young adults when transition from misuse to opioid disorder is common.

4. Purchase automated versions of SBIRT and support ongoing costs of the technology.
5. Support training for emergency room personnel treating opioid overdose patients on post-discharge planning, including community referrals for MAT, recovery case management or support services.
6. Support hospital programs that transition persons with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction, or persons who have experienced an opioid overdose, into community treatment or recovery services through a bridge clinic or similar approach.
7. Support crisis stabilization centers that serve as an alternative to hospital emergency departments for persons with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction or persons that have experienced an opioid overdose.
8. Support the work of Emergency Medical Systems, including peer support specialists, to connect individuals to treatment or other appropriate services following an opioid overdose or other opioid-related adverse event.
9. Provide funding for peer support specialists or recovery coaches in emergency departments, detox facilities, recovery centers, recovery housing, or similar settings; offer services, supports, or connections to care to persons with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction or to persons who have experienced an opioid overdose.
10. Provide funding for peer navigators, recovery coaches, care coordinators, or care managers that offer assistance to persons with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction or to persons who have experienced on opioid overdose.
11. Create or support school-based contacts that parents can engage with to seek immediate treatment services for their child; and support prevention, intervention, treatment, and recovery programs focused on young people.
12. Develop and support best practices on addressing OUD in the workplace.
13. Support assistance programs for health care providers with OUD.
14. Engage non-profits and the faith community as a system to support outreach for treatment.
15. Support centralized call centers that provide information and connections to appropriate services and supports for persons with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction.
16. Create or support intake and call centers to facilitate education and access to treatment, prevention, and recovery services for persons with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction.

17. Develop or support a National Treatment Availability Clearinghouse – a multistate/nationally accessible database whereby health care providers can list locations for currently available in-patient and out-patient OUD treatment services that are accessible on a real-time basis by persons who seek treatment.

D. ADDRESS THE NEEDS OF CRIMINAL-JUSTICE-INVOLVED PERSONS

Address the needs of persons with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction who are involved – or are at risk of becoming involved – in the criminal justice system through evidence-based, evidence-informed, or promising programs or strategies that may include, but are not limited to, the following:

1. Support pre-arrest or post-arrest diversion and deflection strategies for persons with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction, including established strategies such as:
 - a. Self-referral strategies such as the Angel Programs or the Police Assisted Addiction Recovery Initiative (PAARI);
 - b. Active outreach strategies such as the Drug Abuse Response Team (DART) model;
 - c. “Naloxone Plus” strategies, which work to ensure that individuals who have received naloxone to reverse the effects of an overdose are then linked to treatment programs or other appropriate services;
 - d. Officer prevention strategies, such as the Law Enforcement Assisted Diversion (LEAD) model;
 - e. Officer intervention strategies such as the Leon County, Florida Adult Civil Citation Network or the Chicago Westside Narcotics Diversion to Treatment Initiative;
 - f. Co-responder and/or alternative responder models to address OUD-related 911 calls with greater SUD expertise and to reduce perceived barriers associated with law enforcement 911 responses; or
 - g. County prosecution diversion programs, including diversion officer salary, only for counties with a population of 50,000 or less. Any diversion services in matters involving opioids must include drug testing, monitoring, or treatment.
2. Support pre-trial services that connect individuals with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction to evidence-informed treatment, including MAT, and related services.
3. Support treatment and recovery courts for persons with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction, but only if these courts provide referrals to evidence-informed treatment, including MAT.

4. Provide evidence-informed treatment, including MAT, recovery support, or other appropriate services to individuals with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction who are incarcerated in jail or prison.
5. Provide evidence-informed treatment, including MAT, recovery support, or other appropriate services to individuals with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction who are leaving jail or prison have recently left jail or prison, are on probation or parole, are under community corrections supervision, or are in re-entry programs or facilities.
6. Support critical time interventions (CTI), particularly for individuals living with dual-diagnosis OUD/serious mental illness, and services for individuals who face immediate risks and service needs and risks upon release from correctional settings.
7. Provide training on best practices for addressing the needs of criminal-justice-involved persons with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction to law enforcement, correctional, or judicial personnel or to providers of treatment, recovery, case management, or other services offered in connection with any of the strategies described in this section.

E. ADDRESS THE NEEDS OF PREGNANT OR PARENTING WOMEN AND THEIR FAMILIES, INCLUDING BABIES WITH NEONATAL ABSTINENCE SYNDROME

Address the needs of pregnant or parenting women with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction, and the needs of their families, including babies with neonatal abstinence syndrome, through evidence-based, evidence-informed, or promising programs or strategies that may include, but are not limited to, the following:

1. Support evidence-based, evidence-informed, or promising treatment, including MAT, recovery services and supports, and prevention services for pregnant women – or women who could become pregnant – who have OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction, and other measures to educate and provide support to families affected by Neonatal Abstinence Syndrome.
2. Provide training for obstetricians or other healthcare personnel that work with pregnant women and their families regarding treatment of OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction.
3. Provide training to health care providers who work with pregnant or parenting women on best practices for compliance with federal requirements that children born with Neonatal Abstinence Syndrome get referred to appropriate services and receive a plan of safe care.
4. Provide enhanced support for children and family members suffering trauma as a result of addiction in the family; and offer trauma-informed behavioral health treatment for adverse childhood events.

5. Offer enhanced family supports and home-based wrap-around services to persons with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction, including but not limited to parent skills training.
6. Support for Children's Services – Fund additional positions and services, including supportive housing and other residential services, relating to children being removed from the home and/or placed in foster care due to custodial opioid use.

PART TWO: PREVENTION

F. PREVENT OVER-PRESCRIBING AND ENSURE APPROPRIATE PRESCRIBING AND DISPENSING OF OPIOIDS

Support efforts to prevent over-prescribing and ensure appropriate prescribing and dispensing of opioids through evidence-based, evidence-informed, or promising programs or strategies that may include, but are not limited to, the following:

1. Training for health care providers regarding safe and responsible opioid prescribing, dosing, and tapering patients off opioids.
2. Academic counter-detailing to educate prescribers on appropriate opioid prescribing.
3. Continuing Medical Education (CME) on appropriate prescribing of opioids.
4. Support for non-opioid pain treatment alternatives, including training providers to offer or refer to multi-modal, evidence-informed treatment of pain.
5. Support enhancements or improvements to Prescription Drug Monitoring Programs (PDMPs), including but not limited to improvements that:
 - a. Increase the number of prescribers using PDMPs;
 - b. Improve point-of-care decision-making by increasing the quantity, quality, or format of data available to prescribers using PDMPs or by improving the interface that prescribers use to access PDMP data, or both; or
 - c. Enable states to use PDMP data in support of surveillance or intervention strategies, including MAT referrals and follow-up for individuals identified within PDMP data as likely to experience OUD.
6. Development and implementation of a national PDMP – Fund development of a multistate/national PDMP that permits information sharing while providing appropriate safeguards on sharing of private health information, including but not limited to:
 - a. Integration of PDMP data with electronic health records, overdose episodes, and decision support tools for health care providers relating to OUD.

- b. Ensuring PDMPs incorporate available overdose/naloxone deployment data, including the United States Department of Transportation’s Emergency Medical Technician overdose database.
- 7. Increase electronic prescribing to prevent diversion or forgery.
- 8. Educate Dispensers on appropriate opioid dispensing.

G. PREVENT MISUSE OF OPIOIDS

Support efforts to discourage or prevent misuse of opioids through evidence-based, evidence-informed, or promising programs or strategies that may include, but are not limited to, the following:

- 1. Corrective advertising or affirmative public education campaigns based on evidence.
- 2. Public education relating to drug disposal.
- 3. Drug take-back disposal or destruction programs.
- 4. Fund community anti-drug coalitions that engage in drug prevention efforts.
- 5. Support community coalitions in implementing evidence-informed prevention, such as reduced social access and physical access, stigma reduction – including staffing, educational campaigns, support for people in treatment or recovery, or training of coalitions in evidence-informed implementation, including the Strategic Prevention Framework developed by the U.S. Substance Abuse and Mental Health Services Administration (SAMHSA).
- 6. Engage non-profits and faith-based communities as systems to support prevention.
- 7. Support evidence-informed school and community education programs and campaigns for students, families, school employees, school athletic programs, parent-teacher and student associations, and others.
- 8. School-based or youth-focused programs or strategies that have demonstrated effectiveness in preventing drug misuse and seem likely to be effective in preventing the uptake and use of opioids.
- 9. Support community-based education or intervention services for families, youth, and adolescents at risk for OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction.
- 10. Support evidence-informed programs or curricula to address mental health needs of young people who may be at risk of misusing opioids or other drugs, including emotional modulation and resilience skills.
- 11. Support greater access to mental health services and supports for young people, including services and supports provided by school nurses or other school staff, to

address mental health needs in young people that (when not properly addressed) increase the risk of opioid or other drug misuse.

H. PREVENT OVERDOSE DEATHS AND OTHER HARMS

Support efforts to prevent or reduce overdose deaths or other opioid-related harms through evidence-based, evidence-informed, or promising programs or strategies that may include, but are not limited to, the following:

1. Increase availability and distribution of naloxone and other drugs that treat overdoses for first responders, overdose patients, opioid users, families and friends of opioid users, schools, community navigators and outreach workers, drug offenders upon release from jail/prison, or other members of the general public.
2. Provision by public health entities of free naloxone to anyone in the community, including but not limited to provision of intra-nasal naloxone in settings where other options are not available or allowed.
3. Training and education regarding naloxone and other drugs that treat overdoses for first responders, overdose patients, patients taking opioids, families, schools, and other members of the general public.
4. Enable school nurses and other school staff to respond to opioid overdoses, and provide them with naloxone, training, and support.
5. Expand, improve, or develop data tracking software and applications for overdoses/naloxone revivals.
6. Public education relating to emergency responses to overdoses.
7. Public education relating to immunity and Good Samaritan laws.
8. Educate first responders regarding the existence and operation of immunity and Good Samaritan laws.
9. Expand access to testing and treatment for infectious diseases such as HIV and Hepatitis C resulting from intravenous opioid use.
10. Support mobile units that offer or provide referrals to treatment, recovery supports, health care, or other appropriate services to persons that use opioids or persons with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction.
11. Provide training in treatment and recovery strategies to health care providers, students, peer recovery coaches, recovery outreach specialists, or other professionals that provide care to persons who use opioids or persons with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction.
12. Support screening for fentanyl in routine clinical toxicology testing.

PART THREE: OTHER STRATEGIES

I. FIRST RESPONDERS

In addition to items C8, D1 through D7, H1, H3, and H8, support the following:

1. Current and future law enforcement expenditures relating to the opioid epidemic.
2. Educate law enforcement or other first responders regarding appropriate practices and precautions when dealing with fentanyl or other drugs.

J. LEADERSHIP, PLANNING AND COORDINATION

Support efforts to provide leadership, planning, and coordination to abate the opioid epidemic through activities, programs, or strategies that may include, but are not limited to, the following:

1. Community regional planning to identify goals for reducing harms related to the opioid epidemic, to identify areas and populations with the greatest needs for treatment intervention services, or to support other strategies to abate the opioid epidemic described in this opioid abatement strategy list.
2. A government dashboard to track key opioid-related indicators and supports as identified through collaborative community processes.
3. Invest in infrastructure or staffing at government or not-for-profit agencies to support collaborative, cross-system coordination with the purpose of preventing overprescribing, opioid misuse, or opioid overdoses, treating those with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction, supporting them in treatment or recovery, connecting them to care, or implementing other strategies to abate the opioid epidemic described in this opioid abatement strategy list.
4. Provide resources to staff government oversight and management of opioid abatement programs.

K. TRAINING

In addition to the training referred to in various items above, support training to abate the opioid epidemic through activities, programs, or strategies that may include, but are not limited to, the following:

1. Provide funding for staff training or networking programs and services to improve the capability of government, community, and not-for-profit entities to abate the opioid crisis.
2. Invest in infrastructure and staffing for collaborative cross-system coordination to prevent opioid misuse, prevent overdoses, and treat those with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction, or implement other

strategies to abate the opioid epidemic described in this opioid abatement strategy list (e.g., health care, primary care, pharmacies, PDMPs, etc.).

L. RESEARCH

Support opioid abatement research that may include, but is not limited to, the following:

1. Monitoring, surveillance, and evaluation of programs and strategies described in this opioid abatement strategy list.
2. Research non-opioid treatment of chronic pain.
3. Research on improved service delivery for modalities such as SBIRT that demonstrate promising but mixed results in populations vulnerable to opioid use disorders.
4. Research on innovative supply-side enforcement efforts such as improved detection of mail-based delivery of synthetic opioids.
5. Expanded research on swift/certain/fair models to reduce and deter opioid misuse within criminal justice populations that build upon promising approaches used to address other substances (e.g. Hawaii HOPE and Dakota 24/7).
6. Research on expanded modalities such as prescription methadone that can expand access to MAT.

EXHIBIT B

County	Local Government	% Allocation
<u>Adams County</u>		
	Adams County	0.1638732475%
	Hatton	
	Lind	
	Othello	
	Ritzville	
	Washtucna	
	County Total:	0.1638732475%
<u>Asotin County</u>		
	Asotin County	0.4694498386%
	Asotin	
	Clarkston	
	County Total:	0.4694498386%
<u>Benton County</u>		
	Benton County	1.4848831892%
	Benton City	
	Kennewick	0.5415650564%
	Prosser	
	Richland	0.4756779517%
	West Richland	0.0459360490%
	County Total:	2.5480622463%
<u>Chelan County</u>		
	Chelan County	0.7434914485%
	Cashmere	
	Chelan	
	Entiat	
	Leavenworth	
	Wenatchee	0.2968333494%
	County Total:	1.0403247979%
<u>Clallam County</u>		
	Clallam County	1.3076983401%
	Forks	
	Port Angeles	0.4598370527%
	Sequim	
	County Total:	1.7675353928%

EXHIBIT B

County	Local Government	% Allocation
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Clark County

Clark County	4.5149775326%
Battle Ground	0.1384729857%
Camas	0.2691592724%
La Center	
Ridgefield	
Vancouver	1.7306605325%
Washougal	0.1279328220%
Woodland***	
Yacolt	
County Total:	6.7812031452%

Columbia County

Columbia County	0.0561699537%
Dayton	
Starbuck	
County Total:	0.0561699537%

Cowlitz County

Cowlitz County	1.7226945990%
Castle Rock	
Kalama	
Kelso	0.1331145270%
Longview	0.6162736905%
Woodland***	
County Total:	2.4720828165%

Douglas County

Douglas County	0.3932175175%
Bridgeport	
Coulee Dam***	
East Wenatchee	0.0799810865%
Mansfield	
Rock Island	
Waterville	
County Total:	0.4731986040%

Ferry County

Ferry County	0.1153487994%
Republic	
County Total:	0.1153487994%

EXHIBIT B

County	Local Government	% Allocation
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Franklin County

Franklin County	0.3361237144%
Connell	
Kahlotus	
Mesa	
Pasco	0.4278056066%
County Total:	0.7639293210%

Garfield County

Garfield County	0.0321982209%
Pomeroy	
County Total:	0.0321982209%

Grant County

Grant County	0.9932572167%
Coulee City	
Coulee Dam***	
Electric City	
Ephrata	
George	
Grand Coulee	
Hartline	
Krupp	
Mattawa	
Moses Lake	0.2078293909%
Quincy	
Royal City	
Soap Lake	
Warden	
Wilson Creek	
County Total:	1.2010866076%

EXHIBIT B

County	Local Government	% Allocation
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Grays Harbor County

Grays Harbor County	0.9992429138%
Aberdeen	0.2491525333%
Cosmopolis	
Elma	
Hoquiam	
McCleary	
Montesano	
Oakville	
Ocean Shores	
Westport	
County Total:	1.2483954471%

Island County

Island County	0.6820422610%
Coupeville	
Langley	
Oak Harbor	0.2511550431%
County Total:	0.9331973041%

Jefferson County

Jefferson County	0.4417137380%
Port Townsend	
County Total:	0.4417137380%

EXHIBIT B

County	Local Government	% Allocation
<u>King County</u>		
	King County	13.9743722662%
	Algona	
	Auburn***	0.2622774917%
	Beaux Arts Village	
	Bellevue	1.1300592573%
	Black Diamond	
	Bothell***	0.1821602716%
	Burien	0.0270962921%
	Carnation	
	Clyde Hill	
	Covington	0.0118134406%
	Des Moines	0.1179764526%
	Duvall	
	Enumclaw***	0.0537768326%
	Federal Way	0.3061452240%
	Hunts Point	
	Issaquah	0.1876240107%
	Kenmore	0.0204441024%
	Kent	0.5377397676%
	Kirkland	0.5453525246%
	Lake Forest Park	0.0525439124%
	Maple Valley	0.0093761587%
	Medina	
	Mercer Island	0.1751797481%
	Milton***	
	Newcastle	0.0033117880%
	Normandy Park	
	North Bend	
	Pacific***	
	Redmond	0.4839486007%
	Renton	0.7652626920%
	Sammamish	0.0224369090%
	SeaTac	0.1481551278%
	Seattle	6.6032403816%
	Shoreline	0.0435834501%
	Skykomish	
	Snoqualmie	0.0649164481%
	Tukwila	0.3032205739%
	Woodinville	0.0185516364%
	Yarrow Point	
	County Total:	26.0505653608%

EXHIBIT B

County	Local Government	% Allocation
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Kitsap County

Kitsap County	2.6294133668%
Bainbridge Island	0.1364686014%
Bremerton	0.6193374389%
Port Orchard	0.1009497162%
Poulsbo	0.0773748246%
County Total:	3.5635439479%

Kittitas County

Kittitas County	0.3855704683%
Cle Elum	
Ellensburg	0.0955824915%
Kittitas	
Roslyn	
South Cle Elum	
County Total:	0.4811529598%

Klickitat County

Klickitat County	0.2211673457%
Bingen	
Goldendale	
White Salmon	
County Total:	0.2211673457%

Lewis County

Lewis County	1.0777377479%
Centralia	0.1909990353%
Chehalis	
Morton	
Mossyrock	
Napavine	
Pe Ell	
Toledo	
Vader	
Winlock	
County Total:	1.2687367832%

EXHIBIT B

County	Local Government	% Allocation
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Lincoln County

Lincoln County	0.1712669645%
Almira	
Creston	
Davenport	
Harrington	
Odessa	
Reardan	
Sprague	
Wilbur	
County Total:	0.1712669645%

Mason County

Mason County	0.8089918012%
Shelton	0.1239179888%
County Total:	0.9329097900%

Okanogan County

Okanogan County	0.6145043345%
Brewster	
Conconully	
Coulee Dam***	
Elmer City	
Nespelem	
Okanogan	
Omak	
Oroville	
Pateros	
Riverside	
Tonasket	
Twisp	
Winthrop	
County Total:	0.6145043345%

Pacific County

Pacific County	0.4895416466%
Ilwaco	
Long Beach	
Raymond	
South Bend	
County Total:	0.4895416466%

EXHIBIT B

County	Local Government	% Allocation
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Pend Oreille County

Pend Oreille County	0.2566374940%
Cusick	
Ione	
Metaline	
Metaline Falls	
Newport	
County Total:	0.2566374940%

Pierce County

Pierce County	7.2310164020%
Auburn***	0.0628522112%
Bonney Lake	0.1190773864%
Buckley	
Carbonado	
DuPont	
Eatonville	
Edgewood	0.0048016791%
Enumclaw***	0.0000000000%
Fife	0.1955185481%
Fircrest	
Gig Harbor	0.0859963345%
Lakewood	0.5253640894%
Milton***	
Orting	
Pacific***	
Puyallup	0.3845704814%
Roy	
Ruston	
South Prairie	
Steilacoom	
Sumner	0.1083157569%
Tacoma	3.2816374617%
University Place	0.0353733363%
Wilkeson	
County Total:	12.0345236870%

San Juan County

San Juan County	0.2101495171%
Friday Harbor	
County Total:	0.2101495171%

EXHIBIT B

County	Local Government	% Allocation
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Skagit County

Skagit County	1.0526023961%
Anacortes	0.1774962906%
Burlington	0.1146861661%
Concrete	
Hamilton	
La Conner	
Lyman	
Mount Vernon	0.2801063665%
Sedro-Woolley	0.0661146351%
County Total:	1.6910058544%

Skamania County

Skamania County	0.1631931925%
North Bonneville	
Stevenson	
County Total:	0.1631931925%

Snohomish County

Snohomish County	6.9054415622%
Arlington	0.2620524080%
Bothell***	0.2654558588%
Brier	
Darrington	
Edmonds	0.3058936009%
Everett	1.9258363241%
Gold Bar	
Granite Falls	
Index	
Lake Stevens	0.1385202891%
Lynnwood	0.7704629214%
Marysville	0.3945067827%
Mill Creek	0.1227939546%
Monroe	0.1771621898%
Mountlake Terrace	0.2108935805%
Mukilteo	0.2561790702%
Snohomish	0.0861097964%
Stanwood	
Sultan	
Woodway	
County Total:	11.8213083387%

EXHIBIT B

County	Local Government	% Allocation
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Spokane County

Spokane County	5.5623859292%
Airway Heights	
Cheney	0.1238454349%
Deer Park	
Fairfield	
Latah	
Liberty Lake	0.0389636519%
Medical Lake	
Millwood	
Rockford	
Spangle	
Spokane	3.0872078287%
Spokane Valley	0.0684217500%
Waverly	
County Total:	8.8808245947%

Stevens County

Stevens County	0.7479240179%
Chewelah	
Colville	
Kettle Falls	
Marcus	
Northport	
Springdale	
County Total:	0.7479240179%

Thurston County

Thurston County	2.3258492094%
Bucoda	
Lacey	0.2348627221%
Olympia	0.6039423385%
Rainier	
Tenino	
Tumwater	0.2065982350%
Yelm	
County Total:	3.3712525050%

Wahkiakum County

Wahkiakum County	0.0596582197%
Cathlamet	
County Total:	0.0596582197%

EXHIBIT B

County	Local Government	% Allocation
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Walla Walla County

Walla Walla County	0.5543870294%
College Place	
Prescott	
Waitsburg	
Walla Walla	0.3140768654%
County Total:	0.8684638948%

Whatcom County

Whatcom County	1.3452637306%
Bellingham	0.8978614577%
Blaine	
Everson	
Ferndale	0.0646101891%
Lynden	0.0827115612%
Nooksack	
Sumas	
County Total:	2.3904469386%

Whitman County

Whitman County	0.2626805837%
Albion	
Colfax	
Colton	
Endicott	
Farmington	
Garfield	
LaCrosse	
Lamont	
Malden	
Oakesdale	
Palouse	
Pullman	0.2214837491%
Rosalia	
St. John	
Tekoa	
Uniontown	
County Total:	0.4841643328%

EXHIBIT B

County	Local Government	% Allocation
<u>Yakima County</u>		
	Yakima County	1.9388392959%
	Grandview	0.0530606109%
	Granger	
	Harrah	
	Mabton	
	Moxee	
	Naches	
	Selah	
	Sunnyside	0.1213478384%
	Tieton	
	Toppenish	
	Union Gap	
	Wapato	
	Yakima	0.6060410539%
	Zillah	
	County Total:	2.7192887991%

Exhibit C

KING COUNTY REGIONAL AGREEMENT

King County intends to explore coordination with its cities and towns to facilitate a Regional Agreement for Opioid Fund allocation. Should some cities and towns choose not to participate in a Regional Agreement, this shall not preclude coordinated allocation for programs and services between the County and those cities and towns who elect to pursue a Regional Agreement. As contemplated in C.5 of the MOU, any Regional Agreement shall comply with the terms of the MOU and any Settlement. If no Regional Agreement is achieved, the default methodology for allocation in C.4 of the MOU shall apply.

CITY COUNCIL STAFF REPORT



Agenda Date: 3/28/2023

Subject: Ordinance 1161 Adding New Lake Stevens Municipal Code Section
2.16.050 Providing an Annual Review Process for the City Administrator

Contact Person/Department: Kelly Chelin, Administration

Budget Impact: N/A

Legal Review: No

RECOMMENDATION(S)/ACTION REQUESTED:

Approve Ordinance 1161 Adding new Lake Stevens Municipal Code Section
2.16.050 Providing an Annual Review Process for the City Administrator

SUMMARY/BACKGROUND:

At the Council's February retreat, the annual review process for the City Administrator was discussed as part of the City Council Procedures.

As discussed, the review process is more appropriately set forth in Chapter 2.16 City Administrator of the Lake Stevens Municipal Code (LMSMC).

The attached Ordinance would remove the Section 17 City Administrator Evaluation Annual Process from the Council Procedures and provide the same within Chapter 2.16 in the LMSMC along with the other code provisions concerning the appointment, duties, responsibilities, and compensation of the City Administrator,

APPLICABLE CITY POLICIES:

ATTACHMENTS:

1. Ordinance 1161

**CITY OF LAKE STEVENS,
WASHINGTON
ORDINANCE NO. 1161**

**AN ORDINANCE OF THE CITY OF LAKE STEVENS, WASHINGTON, ADDING
NEW SECTION 2.16.050 PROVIDING AN ANNUAL REVIEW PROCESS FOR
THE CITY ADMINISTRATOR; PROVIDING FOR SEVERABILITY, SUMMARY
PUBLICATION, AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, an annual review process for the City Administrator by the Mayor has been included in Section 17 of the City Council Procedures; and

WHEREAS, the review process is more appropriately set forth in Chapter 2.16 CITY ADMINISTRATOR of the Lake Stevens Municipal Code, the City Council has determined should remove the Section 17 city administrator evaluation annual process from the Council Procedures and provide the same within Chapter 2.16 along with the other code provisions concerning the appointment, duties, responsibilities, and compensation of the City Administrator,

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

Section 1. LSMC Chapter 2.16 Amended. Chapter 2.16 of the Lake Stevens Municipal Code is hereby amended (additions shown by underline) to read as follows:

**Chapter 2.16
CITY ADMINISTRATOR**

Sections:

- 2.16.010 Position Established**
- 2.16.020 Appointment**
- 2.16.030 Duties - Responsible To**
- 2.16.040 Compensation**
- 2.16.050 Annual Evaluation Process**

2.16.010 Position Established.

There is hereby created a position known as City Administrator who shall serve as the Chief Administrative Officer (CAO) pursuant to the executive authority provided by the Mayor.

2.16.020 Appointment.

The Mayor shall have the power of appointment and removal of the City Administrator. The terms of employment for the City Administrator may be governed by a contractual agreement as entered into by the Mayor and City Administrator and made with the consent of the majority of the City Council.

2.16.030 Duties - Responsible To.

The duties and responsibilities of the City Administrator shall be as set forth in a job description to be prepared and approved by the Mayor and the City Council. The City Administrator shall be responsible to and shall act under the direction of the Mayor.

2.16.040 Compensation.

The City Administrator shall receive a salary in such amount as provided for by agreement between the parties and/or that amount that Council may, from time to time, establish by the City's annual or biennial budget ordinance.

2.16.50 Annual Evaluation Process.

A. The Mayor will determine the evaluation criteria and format for the process. As the city Administrator's immediate supervisor, the Mayor shall issue the final annual evaluation. Council members will be given the opportunity to provide their observations, comments and recommendations.

B. The final step of the City Administrator evaluation process is for the Mayor to prepare amendments, if any, to the City Administrator's employment contract. This contract and any amendment thereto must be approved by the City Council at a Council meeting.

Section 2. Corrections. The City Clerk and codifiers of the ordinance are authorized to make necessary corrections to this Ordinance including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 3. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 4. Effective Date. This Ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City and shall take effect and be in full force five (5) days after such publication.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF LAKE STEVENS, WASHINGTON,
AT A REGULAR MEETING THEREOF THIS ____ DAY OF _____ 2023.

CITY OF LAKE STEVENS

Brett Gailey, Mayor

ATTEST/AUTHENTICATED

Kelly Chelin, City Clerk

APPROVED AS TO FORM:

Greg Rubstello, City Attorney
Ogden Murphy Wallace, PLLC

Passed by the City Council: _____
Date of Publication: _____

**CITY OF LAKE STEVENS
CITY COUNCIL MEETING MINUTES**

Tuesday, March 14, 2023, at 6:00 p.m.

By Remote Participation via Zoom and In Person at The Mill, 1808 Main Street, Lake Stevens.

CALL TO ORDER: 6:01 p.m. by Mayor Brett Gailey

ELECTED OFFICIALS PRESENT: Mayor Brett Gailey, Councilmembers Kim Daughtry, Gary Petershagen, Ryan Donoghue, Mary Dickinson, Anji Jorstad, Steve Ewing and Marcus Tageant.

Call to Order

Mayor Brett Gailey called the meeting to order at 6:01 p.m.

Pledge of Allegiance

Mayor Brett Gailey led the Pledge of Allegiance.

Roll Call

All Councilmembers were present.

Approval of the Agenda

Councilmember Ewing spoke to the council retreat minutes and asked if dates could be included for the retreat takeaways. City Administrator Brazel stated that he is preparing a spreadsheet that would include the retreat takeaways with completion dates.

MOTION. Councilmember Daughtry made a motion, seconded by Councilmember Tageant, to approve the agenda as is. The motion passed 7-0-0-0.

Citizen Comments

Jack Johnson, Lake Stevens-Citizen spoke in support of the Creator Zone.

Antoinette Morales-Tanner, Lake Stevens-Citizen provided an update on the library construction.

Council Business

Councilmember Jorstad reported that the Snohomish County Health Department formed an executive committee.

Councilmember Dickinson reported that she attended the Senior Center board meeting.

Councilmember Donoghue reported that he attended the Planning Commission meeting on March 1, 2023.

Councilmember Daughtry reported that he attended the Community Transit board meeting.

Guest Business:

Swearing in new police officer Jess Brecht.

Mayor Business:

Mayor Gailey shared that he had been engaged in public safety legislative advocacy in Olympia, WA.

City Department Report

All Well City Department Report.

Consent Agenda

MOTION. Councilmember Tageant made a motion, seconded by Councilmember Ewing, to approve the consent agenda. The motion passed 7-0-0-0.

The consent agenda included the following:

- 2023 Vouchers
- City Council Meeting Minutes of February 21, 2023
- City Council Meeting Minutes of February 28, 2023
- Seattle City Light Agreement
- Resolution 2023-02-Support of Community Economic Revitalization Board (CERB) Grant
- Authorize the Mayor to sign Contract amendment for additional right-of-way consulting on the main street improvements design project.

Discussion Items:

Climate Mitigation Plan Draft Strategies and Actions: A presentation was made, and discussion occurred. No action was taken.

Action Items:

Ordinance 1157 Amending LSMC Title 10 Parks and Recreation: Discussion occurred, council requested revisions and that it be brought back at a later date.

Ordinance 1159 Public Use of Controlled Substances: City Attorney Rubstello presented on the ordinance. Discussion occurred.

MOTION. Councilmember Tageant made a motion, seconded by Councilmember Daughtry, to approve Ordinance 1159. The motion passed 6-1-0-0 with Councilmember Jorstad voting no.

Adjourn:

MOTION. Councilmember Tageant made a motion, seconded by Councilmember Petershagen, to adjourn the meeting. The motion passed 7-0-0-0.

The meeting was adjourned at 7:34 p.m.

Brett Gailey, Mayor

Caitlin Weaver, Deputy City Clerk

CITY COUNCIL STAFF REPORT



Agenda Date: 3/28/2023

Subject: Ordinance 1157 Amending LSMC Title 10 Parks and Recreation

Contact Person/Department: Sarah Garceau, Parks Department

Budget Impact:

Legal Review: Yes

RECOMMENDATION(S)/ACTION REQUESTED:

Approve Ordinance 1157 to amend Title 10 for Parks and Recreation.

SUMMARY/BACKGROUND:

The Parks and Recreation Department is requesting updates to the Lake Stevens Municipal Code, Title 10. These updates will help provide clarification on the intent of the code and provide greater flexibility to park users in some areas of recreation. Some of these updates came from staff observation of how parks are being used, in addition to ensuring that the code is written for current trends in parks and recreation.

An overview of changes are as follows:

- Changing the Department from "Planning and Community Development" to "Parks and Recreation".
 - Adding and updating wording throughout the code for clarification.
 - Adding 10.03.025 "Adoption of Rules and Regulations by Director" (replaces 10.03.260).
 - Update 10.03.140 to allow portable propane barbeques.
 - Update 10.03.170 to clearly define what activities are required for permits and contracts.
 - Update 10.03.180 to allow for temporary canopies up to 12 x 12 feet.
 - Update 10.03.195 "Radio/Remote Control Aircraft and Devices", which are not allowed without a permit.
-

- Update wording on how the code will be enforced - "Violations and Penalties" sections.

During the first reading on March 14th, changes were discussed and requested by the council members. These changes were made, with two exceptions.

- 10.03.180 (d). The Parks and Recreation Department staff recommend that metal detectors are only allowed with a permit. This suggested permit would be free of charge and have no expiration date and would serve the purpose of ensuring that individuals using metal detectors are aware of LSMC, park rules, and regulations by other agencies, such as the Washington Department of Archaeology and Historic Preservation (DAHP).
 - The parks crew did state there have been instances of metal detectors being misused in parks. Most recently was in the last week of February, when a man was found to be digging a good sized hole at the base of a tree and exposing roots at Catherine Creek Park. He was asked to stop and fill it back in; he complied.
 - There are locations within the City that are of archeological importance. As an example, North Cove Park is a registered historical site, and historical items found on city property are owned by the City and should be logged by staff and retained until consultation with DAHP has occurred, such as pioneer artifacts and tools.
- 10.03.195. This language was added to help regulate the use of airborne remote control devices within parks.
 - Any regulations that the City wants to consider for drones will need additional research, as FAA is the organization who governs airspace.
 - The Parks and Recreation Director recommends that any code specific to drones would be best added to a chapter that can be enforced city-wide.

APPLICABLE CITY POLICIES:

ATTACHMENTS:

1. Ordinance 1157 Amending Title 10
2. Title 10 - Parks and Recreation - Updated March 24 2023

**CITY OF LAKE STEVENS
LAKE STEVENS, WASHINGTON**

ORDINANCE NO. 1157

AN ORDINANCE OF THE CITY OF LAKE STEVENS, WASHINGTON AMENDING LAKE STEVENS MUNICIPAL CODE (LSMC) TITLE 10. ENTITLED “PARKS AND RECREATION”; UPDATING DIRECTOR TO BE CONSISTENT WITH THE FORMATION OF THE PARKS AND RECREATION DEPARTMENT; UPDATING VIOLATION AND PENALTY SECTIONS; UPDATING DEFINITIONS; ALLOWING FLEXIBILITY FOR PARK USES; CONSOLIDATING VAPING AND TOBACCO USE; REFERENCING TITLE 9 FOR NUDE SUNBATHING ENFORCEMENT; UPDATING SHORELINE TO INCLUDE ENTIRE LAKE AND OTHER WATER TO BE CONSISTENT WITH ANNEXATION; PROVIDING FOR SEVERABILITY, SUMMARY PUBLICATION BY ORDINANCE TITLE ONLY AND AN EFFECTIVE DATE.

WHEREAS, the City of Lake Stevens owns, operates and manages a number of public parks and outdoor recreation facilities within the City; and

WHEREAS, the City has the authority to regulate conduct within public parks in the City, and has enacted such regulations in LSMC Title 10; and

WHEREAS, the City Council has formed a Parks and Recreation Department; and

WHEREAS, the City Council has identified the need for enhanced efficiency; and

WHEREAS, the City annexed the entire lake shoreline; and

WHEREAS, the City has observed uses consistent with recreation and wishes to provide flexibility for those uses; and

WHEREAS, the City has observed a proliferation of new recreation forms and needs to update the definition of recreational wheeled devices; now, therefore,

THE CITY COUNCIL OF THE CITY OF LAKE STEVENS, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Title 10 of the Lake Stevens Municipal Code is amended to read as follows:
See attached revision of the chapter.

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

Section 3. Effective Date and Publication. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force and effect five days after its publication in the City’s official newspaper.

PASSED by the City Council of the City of Lake Stevens this ____ day of March 2023.

Brett Gailey, Mayor

ATTEST/AUTHENTICATION:

Kelly Chelin, City Clerk

APPROVED AS TO FORM:

Greg Rubstello, City Attorney

First Reading: March 14, 2023

Final Reading: March 28, 2023

Published: _____

Effective Date: _____

TITLE 10

PARKS AND RECREATION

Chapters:

- 10.03 Park Rules and Regulations
- 10.04 General Provisions
- 10.08 Accidents and Enforcement
- 10.12 Restricted Areas and Obstructions
- 10.16 Swimming, Diving and Waterskiing Recreation
- 10.20 Operation of Watercraft
- 10.24 Equipment Requirements
- 10.28 Piers and Marinas
- 10.32 Nuisances and Debris
- 10.36 Miscellaneous

(Lake Stevens 3/19)

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Chapter 10.03

10.03.270 by Director
Violation and Penalty

PARK RULES AND REGULATIONS

Sections:

- 10.03.010 Short Title
- 10.03.020 Definitions
- [10.03.025 Adoption of Rules and Regulations by Director](#)
- 10.03.030 Construction of Provisions
- 10.03.040 Purpose
- 10.03.050 Hours
- 10.03.060 Posting Signs, Posters, and Notices
- 10.03.070 Damage to Park Property Unlawful
- 10.03.080 Animals at Large Prohibited
- 10.03.090 Horses Prohibited
- 10.03.100 Firearms and Explosives
- 10.03.110 Teasing, Annoying, or Injuring Animals Prohibited
- 10.03.120 Restriction on Vehicles
- 10.03.130 Depositing Refuse and Litter
- 10.03.140 Building Fires
- 10.03.150 Intoxicating Liquor and Drugs Prohibited
- 10.03.155 Smoking and Tobacco Use Prohibited
- 10.03.157 Vaping Prohibited
- 10.03.160 Camping
- 10.03.170 Selling Refreshments, Merchandise or Services for Recreational Rentals
- 10.03.180 Certain Vocations Prohibited
- 10.03.190 Practicing and Playing Certain Games
- [10.03.195 Radio/Remote Control Aircraft and Devices](#)
- 10.03.200 Permit for Assemblies and Events Required
- 10.03.210 Racing Regulations
- 10.03.220 Watercraft
- 10.03.230 Emergency Aid by Watercraft
- 10.03.240 Testing Vehicles Prohibited
- 10.03.250 Amplified Music and Public Address Systems
- 10.03.260 Adoption of Rules and Regulations

- 10.03.280 Reward for Assisting in Enforcing Chapter and
10.03.290 Principal Offender Defined
10.03.300 Conflicts

10.03.010 Short Title.

This chapter shall constitute the “Park Rules and Regulations for the City of Lake Stevens” and may be cited as such. (Ord. 821, Sec. 2, 2009)

10.03.020 Definitions.

The terms used, unless clearly contrary to or inconsistent with the context in which used, shall be construed as follows:

- (a) “Department” means the City of Lake Stevens ~~Planning and Community Development~~Parks and Recreation Department.
- (b) “Director” means the Director of the ~~Planning and Community Development~~Parks and Recreation Department for the City of Lake Stevens, or his or her designee.
- (c) Event. Refer to Chapter 14.08.
- (d) Event Permit. Refer to Chapter 14.08.
- (e) “Park” means a site designed, developed or designated by the City for recreational use or activities by the public including, but not limited to:
 - (1) Indoor facilities, such as:
 - (i) Gymnasiums;
 - (ii) Swimming pools; or
 - (iii) Community and activity centers; and
 - (2) Outdoor facilities, such as:
 - (i) Sport fields;
 - (ii) Playgrounds;
 - (iii) Skate parks;
 - (iv) Docks, piers, boardwalks and fishing areas;
 - (v) Swim and beach areas;
 - (vi) Boat launches and marinas;
 - (vii) Parking lots; or
 - (viii) Gazebos, picnic shelters and related outdoor activity areas;

- (3) Areas and trails for:
 - (i) Pedestrians;
 - (ii) Bicyclists; or
 - (iii) Dogs or equestrians; and
- (4) Any other public property or facility that the City has designed, identified or designated for recreational use or activities.
- (f) "Park Permit". A park permit allows for special park use, including gatherings, of by more than 50 people. A park permit is required for any activity, assembly, gathering, meeting or other organized activity, of more than 50 but less than 100 persons, held in a City park, public property or facility, and that is not likely to cause a significant impact on the park, public property or facility or other property or facility users and the general public. Park permits are issued for events such as family reunions, birthday parties and other small group or organization meetings.
- (g) "Person" means all natural persons, firms, partnerships, corporations, clubs, and all associations or combinations of persons whenever acting for themselves or by an agent, servant, or employee.
- (g)(h) "Recreational wheeled device" means any device that has wheels, and is used for recreation, and is designed to propel the person using that device, which includes but is not limited to bicycles, skates and skateboards whether powered by gravity, hand, foot, pedal power, internal combustion or electric motor, whether it be stood on, sat upon or ridden in, including but not limited to bicycles, skate boards and scooters.
- (h)(i) "Smoking and tobacco use" means the carry- ing or smoking of any kind of lighted tobacco- containing pipe, cigarette, cigar, or the carry- ing or smoking of any other lighted smoking equipment using tobacco and any other chew- ing, tasting or ingesting of tobacco products.
- (h)(j) "Vape" or "vaping" means the use of a vapor product, or inhaling of vapor or aerosol from a vapor product.

(k) "Vapor product" means any (1) device that employs a battery or other mechanism to heat a solution or substance to produce a vapor or aerosol intended for inhalation; (2) cartridge or container of a solution or substance intended to be used with or in such a device or to refill such a device; or (3) solution or substance intended for use in such a device, including, but not limited to, concentrated nicotine. "Vapor product" includes any electronic cigarettes, electronic nicotine delivery systems, electronic cigars, electronic cigarillos,

electronic pipes, vape pens, steam stones, or similar products or devices, as well as any parts that can be used to build such products or devices. "Vapor product" does not include any drug, device, or combination product approved for sale by the United States Food and Drug Administration that is marketed and sold for such approved purpose. (Ord. 1000, Sec. 1, 2017; Ord. 821, Sec. 2, 2009; Ord. 771, Sec. 2, 2008)

10.03.025 Adoption of Rules and Regulations by Director.

The Director shall have the ~~power~~ authority, to promulgate and adopt rules and regulations consistent with the provisions of this chapter pertaining to the operation, maintenance and use of the parks, and shall post the same in conspicuous places in the parks. Such rules and regulations may include the establishment of hours during which any park or portion thereof, as designated by signs located within the designated portion, shall be closed to the general public; such closures may be for reasons of public safety, welfare and convenience, or for reasons of park maintenance. It is unlawful for any person to violate or fail to comply with any park rule or regulation duly adopted and posted by the department.

10.03.030 Construction of Provisions.

This chapter is declared to be an exercise of the police ~~power~~ authority of the City enacted for the public peace, health, safety and welfare. The provisions of this chapter shall be liberally construed to accomplish the purpose of this chapter. (Ord. 821, Sec. 2, 2009)

10.03.040 Purpose.

Parks may from time to time be set aside by the City for park and recreational purposes. The City may organize public recreation programs consisting primarily of activities planned and directed by the ~~Planning and Community Development~~ Parks and Recreation Department. The Director of the ~~Planning and Community~~

~~Development~~ Parks and Recreation Department is authorized to contract with community groups to organize recreation activities in City parks that are open to the general public and for which a fee may be charged. (Ord. 821, Sec. 2, 2009)

10.03.050 Hours.

Park hours shall be 7:00 a.m. till dusk unless posted otherwise. Park hours may be extended as part of a permitted event or with prior written permission from the Director. No person shall enter or be present at a Lake Stevens park area after closing time. (Ord. 821, Sec. 2, 2009)

10.03.060 Posting Signs, Posters, and Notices.

- (a) No person shall, without prior written permission of the Director, attach any notice, bill,

poster, sign, wire, rod, or cord to any tree, shrub, railing, post or structure within any park; provided, that the Director may permit the erection of temporary directional signs or decorations on occasions of public celebration and picnics.

- (b) No person shall, without prior written permission of the Director, use, place, or erect any signboard, sign, billboard, bulletin board, post, pole, or device of any kind for advertising in any park, or place or erect in any park, a permanent or temporary structure of any kind; provided, that before granting permit, the Director shall establish general rules and regulations pertaining hereto, including provisions requiring removal, protecting City employees, the general public interest, and persons using City parks.
- (c) It is further unlawful for any person to distribute literature of any kind in any park within the City without first obtaining written permission to do so from the Director. The Director shall establish rules and regulations relating to the distribution of literature which may prohibit the distribution of literature of a purely commercial advertising nature and shall require the deposit with the City of a "litter" cleanup deposit in an amount to be determined by the Director prior to the issuance of any such written permit. (Ord. 821, Sec. 2, 2009)

10.03.070 Damage to Park Property Unlawful.

No person shall remove, destroy, or mutilate, injure, cut, disturb, misuse, or mark or write upon any structure or building, or any part of any structure or any building, or any fixture therein, or attached thereto, or any monument, statue, vase, fountain, wall, fence, railing, vehicle, bench, or pick, alter, cut or remove any shrub, tree, fern, plant, flower, lighting system, or sprinkling system, or dig or disturb soils and grounds, or any other property lawfully located within a park area. (Ord. 821, Sec. 2, 2009)

10.03.080 Animals at Large Prohibited.

No person shall allow or permit any dog or other pet to run at large in any park or public property. Any person with a dog or other pet in his/her possession in any park or on public property shall be responsible for both the conduct of the animal, damage caused by the animal, and removal from the park or public property of feces deposited by such animal. Dogs or pets on park or public property must be on a leash of no more than eight feet in length, and under the control and direction of the owner or guardian, except;

- (a) Dogs used by public law enforcement agencies and under control of a law enforcement officer.
- (b) In areas specifically designated as "off-leash areas" by the Director and posted as such, for the exercising of pets. Dogs and pets must still be under the control and direction of the owner or guardian.
- (c) When exceptions or conditions are applied as part of a permitted event.
- (d) The Director may ban dogs and other pets from areas of any parks or public property where she or he determines the same may be a nuisance. The Director may ban dogs and other pets from areas of any park or public property during a permitted event or where organized public recreation activities may be conducted. (Ord. 821, Sec. 2, 2009)

10.03.090 Horses Prohibited.

No person shall permit any horse, except horses used by and under the control of a public law enforcement agency, to be in any park, whether at large or under the direct control of its rider, except in areas specifically designated by the Director and posted as such or as part of a permitted event. (Ord. 821, Sec. 2, 2009)

10.03.100 Firearms, Projectiles and Explosives.

No person shall shoot, fire, or explode any fireworks, firecrackers, torpedoes, or explosives of any kind or throw any projectiles, or shoot or fire

any firearm, air gun, bow and arrow, BB gun, or use any slingshot on any park properties except a law enforcement officer in the line of duty. The Director may issue a permit for the purpose of conducting a public fireworks display under RCW 70.77.260. The permit must meet the requirements of Section 9.64.030, Public Display of Fireworks. (Ord. 881, Sec. 1, 2013; Ord. 821, Sec. 2, 2009)

10.03.110 Teasing, Annoying, or Injuring Animals Prohibited.

No person shall tease, annoy, disturb, molest, catch, injure, kill, or throw any stone or missile of any kind at or strike with any stick or weapon any animal, bird, or fowl. No person shall fish on the park properties except at areas designated by the Director and posted as such. No person shall feed any fowl or other wildlife in the park. ~~except in designated areas.~~ (Ord. 821, Sec. 2, 2009)

10.03.120 Restriction on Vehicles.

- (a) At all times and at all locations within any park, pedestrians shall enjoy the right-of-way over any motorized or unmotorized ~~vehicle, bicycle, triecyle, animal, skates, or skateboard recreational wheeled device.~~
- (b) No person shall ride, drive, or operate any ~~bicycle, skates, or skateboard recreational wheeled device~~ in any area within any park where such activity is prohibited by means of posted notice. The Director is authorized to place the appropriate notice or notices at such times, and/or within such areas of any park which shall make it unlawful to ride, drive, or operate any bicycle, skates, or skateboard within such designated areas, according to the posted notice.
- (c) No motorized or nonmotorized vehicle or trailer shall be parked in a City park overnight unless part of an event for which an event permit has been issued and for which the Director has specifically addressed and conditioned as part of the permit. (Ord. 821, Sec. 2, 2009)

10.03.130 Depositing Refuse and Litter.

No person shall throw any refuse, litter, cigarette butts, broken glass, crockery, nails, shrubbery, trimmings, junk or advertising matter in any park area or trail, or deposit any waste or abandoned material therein except in designated receptacles. No person shall deposit any refuse not generated in parks in any receptacle within any park or upon any park properties. (Ord. 821, Sec. 2, 2009)

10.03.140 Building Fires.

No person shall build a fire in any park. Charcoal barbecues are prohibited except ~~for~~ City-pro- vided barbecue grills, ~~which can be when used for cooking food.~~ Small portable propane barbecues no more than 36 inches in length or less than 30 inches in height are allowed for cooking food, provided they do not damage or endanger park property and are properly functioning (Ord. 821, Sec. 2, 2009)

10.03.150 Intoxicating Liquor and Drugs Prohibited.

- (a) No person shall bring into any park or consume by mouth, inhalation, or injection, or possess while in any park, any intoxicating liquor, narcotic, or dangerous drugs or consume by any method any material or substance (such as glue, for example) capable of producing a state of intoxication or euphoria; provided, however, that this section shall not be applied to any person consuming a drug obtained by such person by lawful prescription and taken pursuant to the medical direction of a licensed health care practitioner; further provided, the Director or designee may permit the sale and consumption of alcoholic beverages within a confined licensed area pursuant to an event permit issued by the City and a permit issued by the Washington State Liquor and Cannabis Board subject to reasonable conditions. Any application for such a permit shall include a site plan identifying the specific areas to be licensed. In granting such a permit,

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the Director may apply restrictions
reasonably calculated to comply with the
purpose of the Public/Semi-Public Zone as
set forth in the Lake Stevens Land Use
Ordinance.

(b) Alcohol may be served or sold within a fully enclosed City building pursuant to an approved rental agreement or event permit that includes permission by the Director or designee and ~~a permit~~must comply with all rules and requirements of permit or license issued by the Washington State Liquor and Cannabis Board. (Ord. 1083, Secs. 1, 2, 2020; Ord. 821, Sec. 2, 2009)

10.03.155 V a p i n g , Smoking and Tobacco Use Prohibited.

Vaping, sSmoking, marijuana and tobacco use are prohibited in all City parks under the control and jurisdiction of the City. (Ord. 821, Sec. 2, 2009; Ord. 771, Sec. 1, 2008)

~~10.03.157 Vaping Prohibited.~~

~~No person may vape or use a vapor product in any public playground, park, beach, athletic field, trail and/or other similar public facility owned by or under the control and jurisdiction of the City. (Ord. 1000, Sec. 2, 2017)~~

10.03.160 Camping.

~~It~~As provided in Chapter 9.80 of this code, it is unlawful for any person or group of persons to camp out in any park except at places set aside for such purposes by the Director and so designated by signs. (Ord. 821, Sec. 2, 2009)

10.03.170 Selling Refreshments, Merchandise, Services or ~~Services for~~ Recreational Rentals.

(a) No person or organization shall ~~sell refreshments, merchandise, services or provide services for recreational rentals~~perform the activities set forth below in any park without first entering into a concession contract with the City according to the rules and regulations established by the Director or unless commercial sales are in conjunction with an event for which an event or park permit ~~per mit~~ has been issued pursuant

to 14.16C.065.-

- (b) Operating a fixed or mobile concession or event or traveling exhibition.
- (c) Soliciting , selling, offering for sale, peddling, hawking, or vending any goods or services.
- (d) Advertising any goods or services.
- (e) Filming, recording, or photographing for commercial purposes without authorization from the Director.
- (f) Conducting classes or organized competitions.
- (g) Distributing any commercial circular notice, leaflet, pamphlet or printed material of any kind in structure or building. These facilities are not public forums or limited public forums and are designated solely to the specific purposes for which they are dedicated.
- (h) Entering upon, using or traversing any portion of a park for commercial purpose, including fund raising and/or fund solicitation.
- (a)(i) Attaching or securing to any vehicle or structure any commercial circular notice, leaflet, pamphlet or printed material of any kind.
- (b)(i) To be eligible to sell goods or services the business/individual must address and comply with the provisions of Section 14.16C.065.
(Ord. 954, Sec. 1, 2016; Ord. 821, Sec. 2, 2009)

10.03.180 Certain Vocations Prohibited.

- (a) No person shall take up collections for any purpose nor solicit for any services or products with the exception of approved concessions that follow the process provided for in Section 10.03.170.
- (b) No person shall hold, operate or conduct a circus, carnival, or traveling exhibition on any park property, except such activities as may be a regular part of the parks and recreation program, without first obtaining a written permit from the Director or except as part of an event for which an event permit has been issued.
- (c) Except as provided in Sections 10.03.040 and 10.03.170, it is unlawful for persons to conduct activities in a City of Lake Stevens park area for ~~private-voluntary~~ personal gain ~~(profit).~~
- (d) No person shall use a metal detector in any City park without a permit.
- (e) Except as part of an event or an approved concession for which an event permit has been issued or contract executed:
 - (1) No person shall erect a canopy, tent, shelter or other temporary or permanent structure in a City park. Except temporary canopies up to 12 feet by 12 feet are allowed when properly weighted to prevent wind movement.
 - (2) No person shall operate an inflatable bouncy house, castle or similar type of apparatus in a City park or facility. (Ord. 954, Sec. 2, 2016; Ord. 821, Sec. 2, 2009; Ord. 797, Sec. 1, 2009)

10.03.190 Practicing and Playing Certain Games.

~~No~~ Persons shall only practice or play games, or engage in activity, in which objects are projected or air borne golf, baseball, volleyball, horseshoes, ericket, polo, laerosse, archery, or hockey except at park areas set apart or designated for such purposes by the Director so as not to conflict with normal park usage. (Ord. 821, Sec. 2, 2009)

10.03.195 Radio/Remote Control Aircraft and Devices

No person shall operate any radio/remote controlled unmanned aircraft or self-propelled device within any park without a permit.

10.03.200 Permit for Assemblies and Events Required.

- (a) Except as provided elsewhere in this chapter, no person, group or organization shall hold, host or sponsor any organized event, assembly, meeting or other organized activity in a park that would likely attract 50 or more persons except as part of an event or activity for which a park or event permit has been issued.
- (b) A park permit is required for any activity, assembly, gathering, meeting or other organized activity, of more than 50 but less than ~~a~~ 100 persons, held in a City park or public property, or for uses determined by the Director, to be not commonly carried out in a park.
 - (1) A person or group desiring to hold, host, sponsor or organize such activity, as outlined above, shall apply for a park permit by filing a complete application with payment of all applicable fees (per the current City of Lake Stevens Fee Resolution) and all supporting and required documents with the City at least 14 days prior to the date on which the activity, assembly, gathering or meeting is to occur.
 - (2) Additional permits and fees (per the current City of Lake Stevens Fee Resolution) may be required to rent or lease additional park or public facilities.
- (c) An event permit is required for any person, group or organization desiring to host, sponsor or organize an event in the City of Lake Stevens likely to attract participants and spectators of 100 persons or more pursuant to Chapter ~~44.44~~ 14.16C.065 LSMC.
- (d) When such an event will be an exercise of rights protected by the First and Fourteenth

Amendments to the United States Constitution, the application shall be processed promptly, without charging a fee for political or religious activities or imposing terms or conditions that infringe constitutional freedoms, and in a manner that respects the liberty

of applicants and the public. (Ord. 821, Sec. 2, 2009)

10.03.210 Racing Regulations.

No person shall engage in, conduct, or hold any trials or competitions for speed, endurance, or hill climbing involving any vehicle, boat, aircraft, or animal in any park area, without first obtaining an event permit to do so. Said permit will outline specified places and times designated for such activities by the Director upon his/her determination that:

- (a) Adequate provision has been made to ensure that the health and safety of participants and spectators of any activities will not be subject to undue hazard; and
- (b) Such activities will be conducted in such a manner as to minimize potential damage to public or private property. (Ord. 821, Sec. 2, 2009)

10.03.220 Watercraft.

No person shall have, keep, or operate any boat, float, trailer, raft, or other watercraft in or upon any bay, lake, slough, river, or creek within the limits of any park, or land on the shore bordering any park, except at places set apart by the ~~Planning~~ Director and designated by signs. No boat, float, trailer, raft, watercraft, motorized or nonmotorized vehicle will be parked or left overnight in any park, except as part of an event for which an event permit has been issued. (Ord. 821, Sec. 2, 2009)

10.03.230 Emergency Aid by Watercraft.

No person shall land or dock a boat at any swimming dock or float, nor shall any boat be allowed within a swimming area except in an emergency involving rescue or lifesaving. The Director shall have the ~~power~~authority to permit exceptions for special events. (Ord. 821, Sec. 2, 2009)

10.03.240 Testing Vehicles Prohibited.

No person shall operate any motor vehicle or motorcycle for the purpose of testing it, or ascertaining its fitness for service, along or upon any park drive, parkway, or park boulevard. (Ord. 821, Sec. 2, 2009; Ord. 491, 1995)

10.03.250 Amplified Music and Public Address Systems.

No person shall operate a powered public address system or amplified music speaker system or other means of amplifying sound at any park areas without a written permit from the ~~Planning~~ Director; provided, that the Director shall establish general rules and regulations pertaining thereto. Vehicle-operated portable radios, music and other media players are permitted on City-owned, operated or maintained property, provided they shall only be operated at a volume that does not allow the sound to be heard by a person with normal hearing that is more than 25 feet from the sound device, nor in any manner which unreasonably disturbs the peace of others as provided for in Chapter 9.56, Noise Control. (Ord. 821, Sec. 2, 2009; Ord. 551, 1997; Ord. 491, 1995)

~~10.03.260 Adoption of Rules and Regulations by Director.~~

~~The Director shall have the power to promulgate and adopt reasonable rules and regulations pertaining to the operation, management, and use of the parks, and shall post the same in conspicuous places in the parks. Rules and regulations shall include a procedure for granting blanket permits encompassing any particulars of this chapter to locally and nationally recognized organizations or associations. Rules and regulations may include the establishment of hours during which any park or portion thereof as designated by signs located within the designated portion shall be closed to the general public; such closures may be for reasons of public safety, welfare and convenience, or for reasons of park maintenance. No person shall violate~~

~~or fail to comply with any park rule or regulation duly adopted and posted by the Director. (Ord. 821, Sec. 2, 2009; Ord. 491, Sec. 3, 1995)~~

10.03.270 Violation and Penalty.

Failure to comply with any provision of this chapter or violation of any provision of this chapter ~~is an infraction for the first offense and for a second offense within a 365-day period is subject to enforcement under Title 17 of this code title "Uniform Enforcement Code", including civil enforcement penalties in Chapter 17.60 and criminal penalties in Chapter 17.90.~~

- ~~(a) For the first offense the fee of such violation shall be set equivalent to the basic rule violation as set forth in the Justice Information System (JIS) Law Table as published by the Administrative Office of the Courts.~~
- ~~(b) For the second offense, the fee of such violation shall be set equivalent to double the basic rule violation as set forth in the Justice Information System (JIS) Law Table as published by the Administrative Office of the Courts.~~
- ~~(c) Third or subsequent offenses of this chapter in a 365-day period shall either be:
 - ~~(1) A misdemeanor subject to a jail term of not more than 90 days, a fine of not more than \$1,000, or both such fine and imprisonment; or~~
 - ~~(2) Subject to enforcement pursuant to Title 17 of the Lake Stevens Municipal Code.~~~~
- ~~(d) Payment of a civil fine within three business days of the issuance of the notice of infraction issued under this chapter shall reduce the amount of the fine owing by 50 percent. (Ord. 821, Sec. 2, 2009; Ord. 771, Sec. 3, 2008; Ord. 604, Sec. 9, 1999; Ord. 491, Sec. 3, 1995)~~

10.03.280 Reward for Assisting in Enforcing Chapter.

The Director may offer, post, and pay a suitable reward not exceeding \$100.00 for information leading to the arrest and conviction of anyone violating the provisions of this chapter. (Ord. 821, Sec. 2, 2009)

10.03.290 Principal Offender Defined.

Anyone concerned in the violation of this chapter, whether directly committing the act of omitting to do the thing constituting the offense, or who aids or abets the same, whether present or absent, and anyone who directly or indirectly counsels, encourages, hires, commands, induces, or otherwise procures another to commit such offense is, and shall be, a principal under the terms of this chapter, and shall be proceeded against and prosecuted as such. (Ord. 821, Sec. 2, 2009)

10.03.300 Conflicts.

All City ordinances shall be in force in all City parks. In the event of a conflict between this chapter and any other provisions of the Lake Stevens Municipal Code, this chapter shall control. (Ord. 821, Sec. 2, 2009; Ord. 491, Sec. 3, 1995)

Chapter 10.04

GENERAL PROVISIONS

Sections:

- 10.04.010 Short Title
- 10.04.020 Authorization - Waters Defined
- 10.04.030 Application - Provisions
Supplemental
- 10.04.040 Definitions
- 10.04.050 Public Employees - Compliance
Required
- 10.04.060 Application of Water Safety and
Watercraft Code - Exemptions
- 10.04.070 Public Health
- 10.04.080 Liability for Damages
- 10.04.090 Adoption of Statutes by Reference

10.04.010 Short Title.

This title shall constitute the “Water Safety and Watercraft” code of the City and may be cited as such. (Ord. 881, Sec. 2, 2013)

10.04.020 Authorization - Waters Defined.

- (a) The City, in the exercise of its police ~~power~~authority, assumes control and jurisdiction over all waters within its limits.
- (b) As authorized by RCW 35A.21.090, the powers and jurisdiction of the City with boundaries adjacent to or fronting on any lake, or other navigable waters, shall extend into and over such waters and over any tidelands intervening between any such boundary and any such waters to the middle of such lake or other waters in every manner and for every purpose that such ~~power~~authorities and jurisdiction could be exercised if the waters were within the City limits. (Ord. 881, Sec. 2, 2013)

10.04.030 Application - Provisions Supplemental.

The provisions of this title shall be applicable to all vessels and watercraft operating in the waters of the City. The provisions of this title shall be construed to supplement United States laws and state laws and regulations when not expressly inconsistent therewith in the waters where such United States and state laws and regulations are applicable. (Ord. 881, Sec. 2, 2013)

10.04.040 Definitions.

For the purpose of this title:

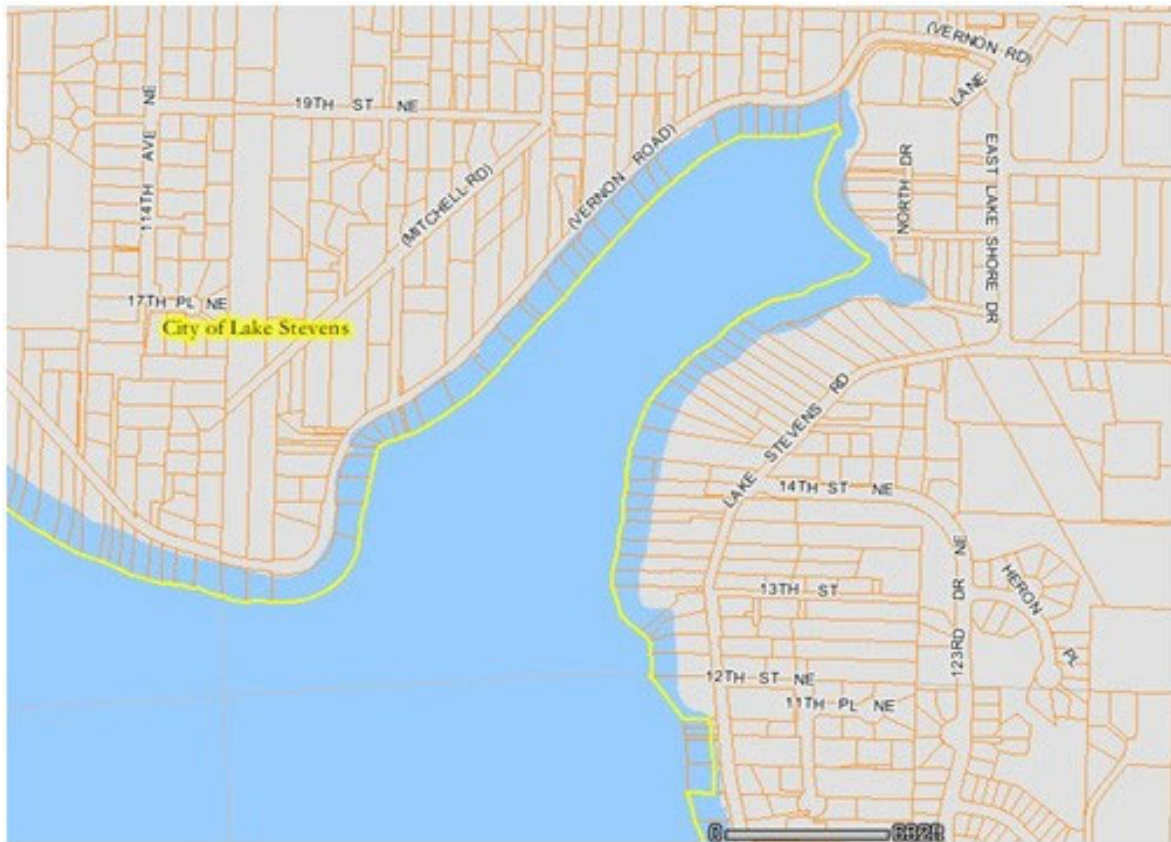
“Anchorage” means a designated position where vessels or watercraft may anchor or moor.

“Aquatic event” means any organized water event of limited duration which is duly sanctioned ~~at least seven days in advance~~ by duly constituted authority and which is conducted according to a prearranged schedule and in which general public interest is manifested.

“Authorized emergency vessel” means any authorized vessel or watercraft of the Lake Stevens Police Department, Snohomish County Sheriff’s Department, Lake Stevens Fire, the United States government, and state and authorized patrol vessels, fire rescue boats or watercraft.

“Commission” means the State Parks and Recreation Commission.

“Cove” means that area of Lake Stevens set forth in the figure below including swim beach on northern shore:



“Darkness” means that period between sunset and sunrise.

“Diver’s flag” means a red flag, five units of measurement on the hoist by five units of measurement on the fly with a white stripe of one unit crossing the red diagonally, the flag to have a stiffener to make it stand out from a pole or mast. This flag shall only pertain to skindiving and SCUBA (self-contained underwater breathing apparatus) diving and shall supplement any nationally recognized diver’s flag or marking. A unit of measurement shall not be less than two inches.

“Idling speed” means that speed of any motorboat while underway when its propulsion machinery is set at the machine’s lowest possible speed.

“Motor driven boats and vessels” means all boats and vessels which are self propelled.

“Muffler” or “muffler system” means a sound suppression device or system, including an under-water exhaust system, designed and installed to abate the sound of exhaust gases emitted from an internal combustion engine and that prevents excessive or unusual noise.

“Observer” means the individual riding in a vessel who is responsible for observing a water skier at all times.

“Obstruction” means any vessel or watercraft or any matter which may in any way blockade, interfere with or endanger any vessel or watercraft or impede navigation.

“Oil” means any oil or liquid, whether of animal, vegetable, mineral or chemical origin, or a mixture, compound or distillation thereof.

“Operate” means to steer, direct, or otherwise have physical control of a vessel that is underway.

“Operator” means an individual who steers, directs, or otherwise has physical control of a vessel that is underway or exercises actual authority to control the person at the helm.

“Owner” means a person who has a lawful right to possession of a vessel by purchase, exchange, gift, lease, inheritance, or legal action whether or not the vessel is subject to a security interest.

“Personal flotation device” means a buoyancy device, life preserver, buoyant vest, ring buoy, or buoy cushion that is designed to float a person in the water and that is approved by the [U.S. Coast Guard](#).

“Personal watercraft” means a vessel of less than 16 feet that uses a motor powering a water jet pump as its primary source of motive power and that is designed to be operated by a person sitting, standing, or kneeling on, or being towed behind, the vessel, rather than in the conventional manner of sitting or standing inside the vessel.

“Pier” means any pier, wharf, dock, flat, grid-iron or other structure which promotes the convenient loading or unloading or other discharge from vessels or watercraft, or the repair thereof.

“Reckless” or “recklessly” means acting carelessly and heedlessly in a willful and wanton disregard of the rights, safety, or property of another.

“Restricted area” means an area that is closed to all water traffic or where water traffic is regulated for the health, safety and welfare of the public.

“Safety marker” means a floating marker buoy owned by the City of Lake Stevens and anchored to the lake bottom, delineating an area from the shoreline waterward to the marker where vessels must not travel at a speed greater than idling speed or eight miles per hour, whichever is the lesser.

“Towboat” means any vessel or watercraft engaged in towing or pushing another vessel or watercraft.

“Underway” means that a vessel is not at anchor, or made fast to the shore, or aground.

“Vessel” includes every description of watercraft on the water, other than a seaplane, used or capable of being used as a means of transportation on the water. However, it does not include inner tubes, air mattresses, and small rafts or flotation devices or toys customarily used by swimmers.

“Wake” means more than a six-inch swell in the water created by the movement of any watercraft.

“Water skiing” means the physical act of being [propelled or](#) towed behind a vessel on, but not limited to, any skis, aquaplane, kneeboard, tube, or any other similar device. (Ord. 1042, Sec. 1, 2018; Ord. 881, Sec. 2, 2013; Ord. 543, 1997; Ord. 453, 1994)

10.04.050 Public Employees - Compliance Required.

The provisions of this title shall apply to the operator of any vessel or watercraft owned by or used in the service of the United States government or of this state, or of any political subdivision thereof. (Ord. 881, Sec. 2, 2013)

10.04.060 Application of Water Safety and Watercraft Code - Exemptions.

The provisions of this title shall be applicable to the operation of any and all vessels or watercraft in the waters of the City, except that they shall not apply to any authorized emergency vessel or watercraft actually responding to an emergency call or in immediate pursuit of an actual or suspected violator of the law; provided, that the provisions of this section shall not relieve the operator of an authorized emergency vessel or watercraft of the duty to operate with due regard for the safety of all persons using the waters of the City. (Ord. 881, Sec. 2, 2013)

10.04.070 Public Health.

All watercraft and vessels entering the waters of the City shall comply with the applicable public health laws and regulations of the United States,

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the state, and its political subdivisions. (Ord. 881, Sec. 2, 2013)

10.04.080 Liability for Damages.

Nothing in this title shall be construed so as to release any person owning or controlling any vessel, watercraft, pier, obstruction or other structure from any liability for damages. The safeguards to life and property required in this title shall not be construed as relieving any person from installing and maintaining any other safeguards which may be required by law. (Ord. 881, Sec. 2, 2013)

10.04.090 Adoption of Statutes by Reference.

The City of Lake Stevens hereby adopts and incorporates by reference the following sections of the Revised Code of Washington as presently enacted and as may be subsequently amended:

RCW 79A.60.020 Violations of chapter punishable as misdemeanor - Circumstances - Violations designated as civil infractions

RCW 79A.60.030 Operation of vessel in a negligent manner - Penalty

RCW 79A.60.040 Operation of vessel in a reckless manner - Penalty

RCW 79A.60.080 Failure to stop for law enforcement officer

RCW 79A.60.100 Enforcement - Chapter to supplement federal law

RCW 79A.60.110 Equipment standards - Rules - Penalty

RCW 79A.60.120 Tampering with vessel lights or signals - Exhibiting false lights or signal - Penalty

RCW 79A.60.130 Muffler or underwater exhaust system required - Exemptions - Enforcement - Penalty

RCW 79A.60.140 Personal flotation devices - Inspection and approval - Rules

RCW 79A.60.150 Failure of vessel to contain required equipment - Liability of operation or owner - Penalty

RCW 79A.60.160 Personal flotation devices required - Penalty

RCW 79A.60.170 Water skiing safety - Requirements

RCW 79A.60.180 Loading or powering vessel beyond safe operating ability - Penalties

RCW 79A.60.190 Operation of personal watercraft - Prohibited activities - Penalties

RCW 79A.60.200 Duty of operator involved in collision, accident, or other casualty - Immunity from liability of persons rendering assistance - Penalty

RCW 79A.60.210 Casualty and accident reports - Confidentiality - Use as evidence

RCW 79A.60.220 Boating accident reports by local government agencies - Investigation - Report of coroner

RCW 79A.60.230 Vessels adrift - Owner to be notified

RCW 79A.60.500 Uniform waterway marking system

RCW 88.02.550 Registration and display of registration number and decal required - Penalty - Exemptions

RCW 88.02.790 Vessel dealer display decals - Use

(Ord. 881, Sec. 2, 2013)

Chapter 10.08

ACCIDENTS AND ENFORCEMENT

Sections:

- 10.08.010 Accident - Reports
- 10.08.020 *Repealed*
- 10.08.030 Filing False Information and Concealment of Pertinent Facts
- 10.08.040 Duties of Lake Stevens Police Department
- 10.08.050 Aiding and Abetting Violation
- 10.08.060 Violation - Penalty

10.08.010 Accident - Reports.

- (a) Initial Accident Report. In the event of any boating accident in City waters which results in the death of any person, the disappearance of any person, injury to any person which requires medical treatment beyond first aid, damage to vessels and other property totaling \$2,000 or more, or if the vessel is a complete loss, the master, owner or operator of any involved vessel shall immediately report the same to the Lake Stevens Police Department.
- (b) Written Accident Report. In addition to subsection (a) of this section, the master, owner or operator of any involved vessel shall file a written Washington State boating accident report within 48 hours of any accident except for an accident involving death of a person, personal injury requiring medical attention beyond first aid, or disappearance of a person under circumstances that indicate death or injury from a vessel then within 24 hours of the accident.
- (c) Written Accident Report for All Other Accidents. For accidents not meeting the requirements in subsection (b) of this section, the master, owner or operator of any involved vessel shall file a written Washington State Boating Accident Report with the Lake Stevens

Police Department within 10 days of the occurrence or death for all other boating accidents. (Ord. 881, Sec. 3, 2013)

10.08.020 Reports Confidential - Inadmissible as Evidence.

Repealed by Ord. 881.

10.08.030 Filing False Information and Concealment of Pertinent Facts.

It is a violation of this title for any master, owner, operator or other occupants of any vessel or watercraft involved in a reportable accident under the provisions of this title or involved in any violation of this title to willfully and knowingly file false information with and/or conceal pertinent facts to the accident or violation from the persons duly authorized to investigate the accident or violation. This section shall constitute a separate violation and shall not preclude prosecution for the original violation or accident. (Ord. 881, Sec. 3, 2013)

10.08.040 Duties of Lake Stevens Police Department.

The duties of the Lake Stevens Police Department and such agencies or persons the City may contract with to enforce the provisions of this title shall be as follows:

- (a) To enforce the ordinances and regulations of the City upon the waters adjacent thereto;
- (b) To maintain patrols in the waters of the City for the protection of life and property including but not limited to the removal and disposition of drifting debris and nuisances from the waters of the City;
- (c) To investigate and report upon accidents in City waters;
- (d) To perform all necessary functions in connection with search and rescue in City waters;
- (e) To cooperate with the authorities of the United States, the state and its political subdivisions in the enforcement of the laws and regulations of

the United States, the state and its political subdivisions;

- (f) To designate, indicate the location of, and to patrol anchorage locations for vessels within areas set forth by the ordinances of the City. (Ord. 881, Sec. 3, 2013)

10.08.050 Aiding and Abetting Violation.

It is unlawful to counsel, aid or abet the violation of, or failure to comply with, any of the provisions of this title. (Ord. 881, Sec. 3, 2013)

10.08.060 Violation - Penalty.

Any person who violates or fails to comply with any provisions of this title shall be guilty of a misdemeanor unless otherwise stated herein. (Ord. 881, Sec. 3, 2013)

Chapter 10.12

- (1) Vessel, watercraft or obstruction made fast to any buoy, pier or other structure

RESTRICTED AREAS AND OBSTRUCTIONS

Sections:

- 10.12.010 Restricted Areas and Markings
10.12.020 Obstructions - Moving of Same

10.12.010 Restricted Areas and Markings.

- (a) In the interests of safe navigation, life safety and the protection of property, the Chief of the Lake Stevens Police Department and Parks Director shall designate vessel restricted areas up to 100 feet away from any public swimming area; provided, that this section shall not apply to patrol or rescue craft or in the case of an emergency.
- (b) The Chief of Police and Parks Director shall be authorized to install buoys, designed in compliance with the State Uniform Waterway Marking System, in such locations on the waters of the City as the City Council may designate from time to time. Such buoys shall establish the boundaries of speed control area, swimmers only, or swimmer restricted areas; vessel-type restricted area; or other water and restriction zones within the waters of the City. Such boundaries shall become effective when the buoys, as designated, are installed. (Ord. 881, Sec. 4, 2013)

10.12.020 Obstructions - Moving of Same.

- (a) No master or person having charge of any vessel, watercraft or obstruction shall anchor the same fast to any buoy, pier or other structure owned by or under the authority and control of the City without first obtaining written permission from the Police Chief.
- (b) The Chief of Police or any duly authorized officer of the Department shall have the power~~authority~~ to cause the removal of any:

- owned by or under the authority and control of the City;
- (2) Vessel, watercraft or obstruction lying at any pier in City waters, which is obstructing any slip or other vessel or watercraft.
- (c) No person shall fail to remove or refuse to remove any vessel, watercraft or obstruction after being requested to do so by any police officer. (Ord. 881, Sec. 4, 2013)

Chapter 10.16

SWIMMING, DIVING AND WATERSKIING RECREATION

Sections:

- 10.16.010 Operational Regulations for Waterskiing or Other Devices
- 10.16.015 Towing Skiers or Other Devices
- 10.16.020 Boat Direction
- 10.16.030 Restrictions on Hours of Operation of Vessels
- 10.16.040 Water Users - Swimmers
- 10.16.050 Water Users - Divers
- 10.16.060 *Repealed*
- 10.16.070 Private Buoys or Markers
- 10.16.080 Violation and Penalties

10.16.010 Operational Regulations for Waterskiing or Other Devices.

Due to the speed required for waterskiing and other recreational devices where a person or persons is being towed by or is attached to or using a vessel for propulsion including but not limited to tubing, knee boarding, wake boarding, etc., and the large area of the lake required for maneuvering vessels and person(s) being towed and the substantial interference with other water users, or danger of impact and wake damage presented to other water users and health hazards, the operation of vessels for towing water skiers and other devices is allowed only during daylight hours.

Unless conditions of the water, traffic congestion, weather, freedom from obstruction or view, or other circumstances demand greater distance, it shall be unlawful for any persons to waterski or use other devices:

- (a) Within 100 feet of any swimmer, bather, skin and/or SCUBA diver's flag or artificially illuminated marker buoys, other vessels, except for the towing vessel, floating objects except the waterward side of safety zone markers,

jumps and slalom marker buoys, or other water persons being towed except those persons being towed by the same vessel;

- (b) Between the shoreline and a City designated safety buoy and/or safety buoy line except for launching and returning any persons being towed by a vessel approach within 100 feet of any shoreline, float or wharf, provided:

- (1) While moving outward from any shoreline, float or wharf, said person(s) being towed by a vessel shall leave the shoreline at an angle of not less than 45 degrees nor more than 60 degrees with the shoreline on the right-hand side of the person(s) being towed by a vessel,
- (2) While moving inward toward the shoreline, said person(s) being towed by a vessel shall approach the shoreline at an angle of not less than 45 degrees nor more than 60 degrees with the shoreline on the right-hand side of the water skier,
- (3) That no launching or returning persons being towed by a vessel shall be allowed from a dock or shoreline without the owner's permission,
- (4) That no launching or returning persons being towed by a vessel shall be allowed within 100 feet of a designated public swimming area, swimmer or wader,
- (5) This provision does not create an additional 100 feet buffer area waterward of a safety buoy or marker. (Ord. 1042, Sec. 2, 2018; Ord. 881, Sec. 5, 2013)

10.16.015 Towing Skiers or Other Devices.

If towing a person on water skis or other devices, the vessel must be rated to carry at least the number of persons on board plus those being towed. You may not exceed the vessel's safe carrying capacity. (Ord. 1042, Sec. 2, 2018; Ord. 881, Sec. 5, 2013)

10.16.020 Boat Direction.

Any motor driven vessel or personal watercraft on the lake shall operate in a counterclockwise direction. No person(s) may be towed or use a vessel for propulsion except in a counterclockwise direction. (Ord. 1042, Sec. 2, 2018; Ord. 881, Sec. 5, 2013; Ord. 453, 1994)

10.16.030 Restrictions on Hours of Operation of Vessels.

- (a) Except as allowed in subsection (b) of this section, it shall be unlawful to operate any motor driven vessel or personal watercraft in excess of eight miles per hour, or such speed as to create a wake, whichever is less, within the cove area of Lake Stevens after 1:00 p.m. local time.
- (b) The following shall be exempt from the prohibitions of subsection (a) of this section:
 - (1) Vessels used in conjunction with a special event for which a special event permit has been issued and which specifically allows faster speeds.
 - (2) Emergency response vessels. (Ord. 881, Sec. 5, 2013; Ord. 529, 1996; Ord. 453, 1994)

10.16.040 Water Users - Swimmers.

- (a) Where waterskiing or other devices are permitted, the swimming, bathing and floating restricted area is any area more than 100 feet out into the lake from any shoreline when the operation of such waterskiing or similar activity is authorized.
- ~~(b)~~ Where waterskiing or similar activities are permitted, swimming, bathing and floating are permitted at distances greater than 100 feet from the shoreline if the swimmer is accompanied by and within 50 feet of said vessel and a skier-down flag is displayed on the vessel. (Ord. 1042, Sec. 2, 2018; Ord. 881, Sec. 5, 2013)

(b)

- (c) ~~(e)~~ Nude Sunbathing Prohibited— see 9.16.100

10.16.050 Water Users - Divers.

All persons engaging in diving shall mark the water areas where such operations are being conducted. Where such operations are being conducted during daylight hours, the water areas shall be marked with one or more diver's flags. Where such operations are conducted during the hours of darkness, the water area shall be marked with one or more artificially illuminated marker buoys of sufficient size and illumination to be visible at a distance of not less than 100 yards. No person shall display such markers except during the time and in the water areas where diving operations are actually being conducted. (Ord. 881, Sec. 5, 2013)

10.16.060 Swimming and Diving Prohibited Areas.

Repealed by Ord. 881.

10.16.070 Private Buoys or Markers.

- (a) It shall be unlawful for any person or nongovernmental agency to place any buoy or marker or other floating object within the jurisdiction of Lake Stevens, except as provided by this section.
- (b) Residential property owners, on Lake Stevens, with no dock may place a mooring buoy as near to the shore as practical and at least 10 feet from the property lines extended into the lake consistent with the Shoreline Master Program, Uniform Waterway Marking System (Chapter 352-66 WAC) and RCW 79.105.430. A second buoy to help secure moorage to the first buoy is allowed. A separate private buoy or marker permit is required from the City. The buoys are also required to be authorized by the Washington State Department of Natural Resources and the authorization number placed on the buoy.
- (c) Waterskiing or similar activities which require the placement of buoys, jumps or floats will only be allowed when such fixtures are placed and maintained in accordance both with a valid and current aquatic lands use permit or

lease where such permits or leases are required by the Washington State Department of Natural Resources; valid and current HPA, or exemption, issued by the Department of Fish and Wildlife; and a private buoy or marker permit issued by the City of Lake Stevens. The City of Lake Stevens shall have no responsibility to establish or maintain such buoys, jumps or floats for waterskiing activities.

- (d) Use of temporary buoys, markers, jumps or floats for activities associated with a special event requiring a special event permit from the City do not require a separate private buoy or marker permit. However, the event sponsor shall contact the Department of Fish and Wildlife early in the review process to determine if an HPA is required for placement and use of the temporary facilities.
- (e) The ~~Planning~~ Director in consultation with the Chief of Police is hereby authorized to issue permits for private buoys or markers. The permit fee for such buoys or markers shall be set by the City Council by resolution. In deciding whether or not to issue such a permit the ~~Planning~~ Director and Chief of Police shall consider the purpose and the location of the proposed buoys or markers, the proximity of the proposed buoys or markers to the shoreline, adjacent property, other buoys and markers, traffic congestion hazards to navigation, regulations in the Shoreline Master Program, and any other issue bearing on public safety and health. A denial of a permit application shall be done in writing setting forth the factors which the ~~Planning~~ Director and Chief of Police considered and the reasons for the denial.
- (f) In the event the ~~Planning~~ Director and Chief of Police deny an application the proponent can appeal the decision pursuant to Chapter 14.16A.
- (g) When found to be in violation of this chapter, pursuant to Title 17, no person shall fail to remove or refuse to remove any obstruction or

buoy after being requested to do so by any police officer or code enforcement officer. (Ord. 1042, Sec. 2, 2018; Ord. 881, Sec. 5, 2013)

10.16.080 Violation and

Penalties.

~~Failure to comply with any provision of this chapter or violation of any provision of this chapter is subject to enforcement under Title 17 of this code title "Uniform Enforcement Code", including civil enforcement penalties in Chapter 17.60 and criminal penalties in Chapter 17.90. A violation of any section of this chapter shall be an infraction punishable by a fine of up to \$250.00 per violation; provided, however, that any person who commits two infractions of this chapter within a one year period shall upon the commission of the third identical offense within the one year period be guilty of a misdemeanor and shall be prosecuted for such. (Ord. 881, Sec. 5, 2013)~~

Chapter 10.20

OPERATION OF WATERCRAFT

Sections:

- 10.20.010 Boat Launching Prohibited at Public Beach
- 10.20.020 Vessel Operators -- Age Restrictions
- 10.20.030 Vessel Operators -- Minimum Crew
- 10.20.040 Rules of the Road
- 10.20.050 Speed -- General Regulations
- 10.20.060 Speed -- Hours of Darkness
- 10.20.070 Speed
- 10.20.080 Speed Regulations -- Special Circumstances
- 10.20.090 Motorboats -- Right-of-Way
- 10.20.100 Vessel operation -- Overloading
- 10.20.110 Yielding Right-of-Way to Authorized Emergency Vessels
- 10.20.120 Aircraft
- 10.20.130 Inattention
- 10.20.140 Interference with Navigation or Disturbing Other Boats
- 10.20.145 Public Nuisance Noises Emanating from Watercraft
- 10.20.150 Intoxication -- Impounding
- 10.20.160 Incapacity of Operator
- 10.20.170 License Required
- 10.20.180 Violation and Penalties

10.20.010 Boat Launching Prohibited at Public Beach.

It shall be unlawful for any motor driven vessel to be launched, operated or retrieved from the water at a public beach.

10.20.020 Vessel Operators - Age Restrictions.

- A. No person under the age of fourteen (14) years shall operate any motor boat powered by an engine of ten horsepower or more unless such person is accompanied by a person who is over the age of sixteen (16) years.

- B. No person owning or in charge of any motor boat powered by an engine of ten horsepower or more shall permit any person under the age of fourteen (14) years to operate such a motor boat unless the underage child is accompanied by a person who is over the age of sixteen (16) years.

10.20.030 Vessel Operators -- Minimum Crew.

- (a) Every vessel towing water skiers, other similar devices attached to or towed by a vessel either stationary or moving requiring propulsion shall carry an observer in addition to the operator. Such observer shall be a minimum of 10 years of age, and shall have the duty of keeping a lookout for hazards to, or created by, the tow and of reporting same to the operator.
- (b) All persons in motorboats traveling in excess of eight miles per hour shall remain seated, unless such vessel is specifically designed for persons to not be seated while underway. (Ord. 1042, Sec. 2, 2018)

10.20.040 Rules of the Road.

Except as otherwise specified in this title, vessels shall be subject to the "Navigation Rules, International -- Inland, CG 169, May 1, 1977" promulgated by the United States Coast Guard pursuant to Act of Congress, as such rules are now or hereafter be amended or updated; and provided further that sailing vessels or other watercraft, while engaged in a sanctioned or authorized race, predicted log race, regatta or similar event, shall be subject to the applicable rules for such event including, but not limited to, differing right-of-way rules.

10.20.050 Speed -- General Regulations.

- A. No person shall operate any vessel in other than a careful and prudent manner or at a rate of speed greater than is reasonable and proper under the conditions existing at the time and point of operation, taking into account the con-

dition of the water, amount and character of traffic and congestion, weather, size and configuration of the Lake, freedom from obstruction to view around or other circumstances so as not to unduly or unreasonably endanger the life, limb, property, or other rights of any person.

- B. Operating a watercraft in excess of the posted speed limit shall be prima facie evidence of reckless operation of a watercraft.

10.20.060 Speed -- Hours of Darkness.

It shall be unlawful for any person to operate any vessel at a speed greater than eight (8) miles per hour during hours of darkness.

10.20.070 Speed.

It shall be unlawful for any person to operate a motorboat at a speed greater than 35 miles per hour. (Ord. 1042, Sec. 2, 2018)

10.20.080 Speed Regulations -- Special Circumstances.

- (a) Unless conditions of the water, traffic and congestion, weather, size and configuration of the Lake cover area, freedom from obstruction to view, or other circumstances demand greater distance and/or slower speed, no person shall operate any vessel:
- (1) At a speed greater than idling speed or eight miles per hour, whichever is the lesser, within 100 feet of any swimmer, skin and/or scuba diver's flag or artificially illuminated marker buoy, other vessel, floating objects, except the waterward side of jumps and slalom marker buoys or water skier or other person being towed by or attached to a vessel, except when being towed by said vessel;
 - (2) In any water area designated as a public "swimming only" area, or as a "vessel prohibited" area, except this provision

does not apply to vessels actually used in their rescue of persons in distress;

- (3) At a speed greater than idling speed or eight miles per hour, whichever is the lesser, within 100 feet of any shoreline, float, or wharf, or between the shoreline and the safety buoy and/or safety buoy line except as provided in subsection (b) of this section.
- (b) For the purpose of launching and returning any water skier or other person being towed by or attached to a vessel and only for such purpose, any vessel towing said person(s) may be operated within 100 feet of any shoreline, float, or wharf, or in the water area of the Lake between the shoreline and a safety buoy and/or safety buoy line; provided, that:
 - (1) While launching or returning, said vessel moves at a speed not greater than 35 miles per hour;
 - (2) While moving outward away from the shoreline, float or wharf, said vessel shall leave the shoreline at an angle of not less than 45 degrees nor more than 60 degrees with the shoreline on the starboard side of said vessel;
 - (3) While moving inward toward the shoreline, float or wharf, said vessel shall approach the shoreline at an angle of not less than 45 degrees nor more than 60 degrees with the shoreline on the starboard side of said vessel;
 - (4) That after any returning water skier or other person being towed releases the tow rope of said vessel, said vessel shall move at a speed not greater than idling speed or eight miles per hour, whichever is the less;
 - (5) That no launching or returning person(s) being towed shall be allowed from a dock or shoreline without the owner's prior permission;
 - (6) That no launching or returning person(s) being towed shall be allowed within 100

feet of a designated swimming area or swimmer, wader or scuba diver; and

Provided, further that if water ski launch floats or jumps be provided for the launching or use of water skiers, the City Council may regulate use operations to and from such floats or jumps.

Provided further, that nothing herein shall require the City of Lake Stevens to install, mark or maintain such flats or jumps. (Ord. 1042, Sec. 2, 2018)

10.20.090 Motorboats - Right-of-Way.

Every motorboat shall at all times yield right-of-way to sailboats, rowboats, water skiers, swimmers and divers. Every motorboat shall yield to other motorboats in accordance with the "Inland Steering and Sailing Rules" promulgated by the United States Coast Guard.

10.20.100 Vessel Operation -- Overloading.

No person shall operate, or being owner or in charge shall authorize any person to operate, any vessel loaded with passengers or cargo which exceeds the particular vessel's maximum safe loading capacity. In addition to penalties which are provided for the unlawful operation of such vessels, the officer may require that any such overloaded vessel immediately put to shore to lighten its load.

The maximum safe loading capacity of any vessel shall be determined by the officer, taking into consideration the size, configuration, construction, type and condition of the particular vessel; provided, that where the manufacturer of any vessel has specified the maximum safe loading capacity for the particular vessel, such specified maximum shall be considered the maximum safe loading capacity of the particular vessel for the purposes of this title.

Provided, further, that in the absence of capacity plates, the following formula may be considered:

A. First, a check of the number of persons.

$$\frac{L \times B}{15} = \text{number of persons}$$

L = Overall length

B = Maximum width (both dimensions in feet and tenths of a foot). The result taken to the nearest whole number gives the number of persons that can be put aboard without crowding in good weather conditions.

B. Second, the weight-carrying capacity shall be ascertained by determining the allowable weight in pounds from the expression:

$$7.5 \times L \times B \times De = \text{pounds for persons, engine, fuel and equipment}$$

L = Overall length

B = Maximum width

De = Minimum effective depth of the boat

Measure "De" at the lowest point that water can enter. This takes account of low transom cut-outs or credits an acceptable engine well. All dimensions are in feet and tenths of a foot.

The weather and water conditions shall also be taken into account. If the water is rough, the number of persons carried shall be reduced.

10.20.110 Yielding Right-of-Way to Authorized Emergency Vessels.

It shall be the duty of the master, owner or operator of a vessel or watercraft to reduce speed and if necessary stop ~~his~~their vessel or watercraft, at the same time yielding right-of-way as otherwise specified in this title, upon the approach of an authorized emergency vessel or watercraft displaying an emergency light and/or sounding a siren and while actually responding to an emergency or in immediate pursuit of any violator of the law.

10.20.120 Aircraft.

- A. All vessels or watercraft shall keep clear of seaplanes landing within any area now or hereafter set aside by law for such purpose.
- B. All aircraft must comply with the Civil Air Regulations (14 CFR 91.69) as now enacted or hereafter amended which govern seaplanes upon the navigable water of the United States and conform with the Inland Rules of CG-169 applicable to vessels.

10.20.130 Inattention.

It is unlawful for any operator of a watercraft, vessel or personal watercraft to operate such craft in an inattentive manner. For the purpose of this section "inattentive" means operation of the watercraft or vessel in a lax or slack manner.

10.20.140 Interference with Navigation --
Disturbing Other Boats.

- A. No person shall operate any watercraft or vessel in a manner which shall unreasonably or unnecessarily interfere with other watercraft or vessels or with the free and proper navigation in the waters of the City.
- B. No person shall operate any watercraft in such a manner as to unjustifiably or unnecessarily annoy, frighten or endanger the occupants of any other watercraft, or throw up a dangerous wake when approaching another watercraft or other property.

10.20.145 Public Nuisance Noises Emanating
from Watercraft.

- (a) Watercraft Noise. The use or operation of any audio system such as radio, tape player, disc player, portable media players, docking stations, or any other electronic sound reproduction device located on or within a watercraft being operated or moored on any public waterways or place accessible to the public, in such manner as to disturb the peace, and reasonable comfort and repose of persons, in their homes,

businesses, owners or possessors of real property on the waterway or public use area of the waterway is prohibited.

- (b) The operation of such audio system, such as radio, tape player, disc player, portable media player, docking stations or any other electronic sound reproduction device, from a watercraft in such a manner to be audible to those outside the watercraft at a distance of 100 feet or more from the source, as best that point can be estimated without the use of any distance-measuring device, regardless of the time of day, shall be prima facie evidence of a violation of this section.
- (c) And provided further, that vessels or watercraft participating in a City sponsored or permitted event in which watercraft participation is a planned element of the event shall not be in violation of this section.
- (d) Violation and Penalty.
 - (1) Failure to comply with any provision of this chapter or violation of any provision of this chapter is a civil infraction for first and second offenses occurring within a 365-day period. For the first and second offense the fee for such violation shall be set equivalent to the basic rule violation as set forth in the Justice Information System (JIS) Law Table as published by the Administrative Office of the Courts.
 - (2) Third or subsequent offenses of this chapter within a 365-day period shall either be a misdemeanor subject to a jail term of not more than 90 days, a fine of not more than \$1,000, or both such fine and imprisonment.
 - (3) Failure to comply with any provision of this chapter may also be subject to enforcement pursuant to Title 17 of the Lake Stevens Municipal Code. (Ord. 881, Sec. 6, 2013)

10.20.150 Intoxication -- Impounding.

- A. Operating a motorcraft while under the influence. See 10.04.090.
- B. Permitting operation. It is unlawful for the owner of any vessel or watercraft or any person having such in charge or in control to authorize or knowingly permit the same to be operated by any person who is under the influence of intoxicating liquor or any drug as defined in RCW 88.12.025.
- C. Whenever it appears reasonably necessary to protect property, an arresting officer may impound a watercraft or vessel when it cannot be otherwise secured or released. The arresting officer, in lieu of impound may release the watercraft to a person who, in the officer's opinion, can safely operate the watercraft or vessel or secure said watercraft or vessel to a moorage facility when same has been approved for such purpose. The owner or operator of the watercraft or vessel must sign a waiver of impound to allow the arresting officer an option other than impounding the watercraft or vessel.

10.20.160 Incapacity of Operator.

No owner or person in charge of a watercraft or vessel shall authorize or knowingly permit the same to be operated by any person who is physically or mentally incapable of operating the vessel or watercraft in a safe manner under the prevailing circumstances.

10.20.170 License Required.

- A. All vessels and watercraft operated or moored on the waters of the City or in the cove must be properly licensed and/or registered in accordance with applicable federal, state, county and local law or regulations. Vessels and watercraft required to be licensed and/or registered shall display appropriate decals and numbers showing such licensing and/or registration in accordance with WAC 308-93-140 and WAC 308-93-145.

- B. All vessels and watercraft required to be licensed and/or registered shall carry such certificate of license or registration in the vessel or watercraft and shall present same to any federal, state, county or local law enforcement officer upon request.

10.20.180 Violation and Penalties.

Failure to comply with any provision of this chapter or violation of any provision of this chapter is subject to enforcement under Title 17 of this code title "Uniform Enforcement Code", including civil enforcement penalties in Chapter 17.60 and criminal penalties in Chapter 17.90.~~A violation of any section of this Chapter with the exception of 10.20.150 shall be an infraction punishable by a fine of up to \$250.00 per violation. Provided, however, that any person who commits two infractions of this Chapter within a one year period shall upon the commission of the third identical offense within the one year period be guilty of a misdemeanor and shall be prosecuted for such.~~

Chapter 10.24

EQUIPMENT REQUIREMENTS

Sections:

- 10.24.010 Whistles and lights
- 10.24.020 Equipment
- 10.24.030 Violation and Penalties

10.24.010 Whistles and lights.

- A. No master, owner or any other person in charge of the watercraft or vessel, while lying at any pier, or while navigating in City waters, shall cause any whistle or siren to be blown or sounded, nor shall any person flash the rays of a searchlight or other blinding light onto the bridge or into the pilot house of any vessel or watercraft underway for any purpose other than those authorized by law.
- B. The rules concerning navigation lights shall be complied with in all weather sunset to sunrise, and during such time no other lights which may be mistaken for the proscribed lights shall be exhibited. Both the Navigation Rules (CG-169) adopted by Section 10.20.040 and the Federal Requirements for Recreational Boats (CG-290), shall be complied with regarding proper lighting.

10.24.020 Equipment.

- A. In addition to the requirements imposed by the Navigation Rules adopted by Section 10.20.040, recreational boats shall be subject to safety requirements imposed by Federal Requirements for Recreational Boats, CG-290, 1978, promulgated by the United States Coast Guard, pursuant to Act of Congress, as

such rules are now or may hereafter be amended or adopted.

- B. All watercraft or vessels shall carry the equipment required by any applicable United States laws as now or hereafter amended.

10.24.030 Violations and Penalties.

Failure to comply with any provision of this chapter or violation of any provision of this chapter is subject to enforcement under Title 17 of this code title "Uniform Enforcement Code", including civil enforcement penalties in Chapter 17.60 and criminal penalties in Chapter 17.90. A violation of any section of this Chapter shall be an infraction and punishable by a fine of up to \$250.00 per violation. Provided, however, that any person who commits two infractions of this Chapter within a one-year period shall upon the commission of the third identical offense within the one-year period be guilty of a misdemeanor and shall be prosecuted for such.

TITLE 10 - WATER SAFETY AND WATERCRAFT

Chapter 10.28

PIERS AND MARINAS

Sections:

- 10.28.010 Unsafe piers
- 10.28.020 Mooring at private docks without permission
- 10.28.030 Boat rental records
- 10.28.040 Violation and Penalties

Such record shall be preserved for not less than six (6) months after the departure date of such watercraft and shall be kept available for inspection by any duly authorized agency or authority. Prior to departure from the premises of such boat rental or charter operation, any

such watercraft shall carry the equipment required by this title.

10.28.040 Violations and Penalties.

Failure to comply with any provision of this chapter or violation of any provision of this chapter is subject to enforcement under Title 17 of this code title "Uniform Enforcement Code", including civil enforcement penalties in Chapter 17.60 and criminal penalties in Chapter 17.90. A violation of any section of this chapter shall be a misdemeanor.

10.28.010 Unsafe piers. Whenever any pier or gangway devoted to public use appears to be dangerous for such use, the Chief of Police shall report the matter to the City Building Official who shall inspect the same and shall order any unsafe portion barricaded with proper fencing until such time as necessary repairs shall be made. If the owner, agent or lessee of such pier fails to comply with the orders of the building official immediately, the building official shall prohibit the use of the unsafe portion of such pier and may erect the necessary fencing or barricade, and the expense shall be paid by and recoverable from the owner, agent, or lessee of such pier to the City. It is unlawful for any person to allow any such pier or gangway to be used or open to use.

10.28.020 Mooring at private docks with permission. No person shall moor a watercraft or vessel to a private seawall or dock or beach it upon private property within the City without the permission of the owner thereof, except in emergency situations.

TITLE 10 - WATER SAFETY AND WATERCRAFT

10.28.030 Boat rental records. The owner or proprietor of a boat rental or charter operation shall cause to be kept a record of the name and address of the person or persons hiring any watercraft, the identification number of such watercraft, the departure date and time and the date and time of the return of such watercraft.

Chapter 10.32

NUISANCES AND DEBRIS

Sections:

- 10.32.010 Floating objects
- 10.32.020 Drifting debris
- 10.32.030 Nuisances
- 10.32.040 Oil spillage prohibited
- 10.32.050 Sunken vessels
- 10.32.060 Penalties

10.32.010 Floating objects.

All vessels, watercraft logs, piling, building material, scows, unauthorized or unpermitted buoy or marker, or any other article of value found adrift in City waters may be taken in charge by the Police Department and shall be subject to reclamation by the owner thereof, on payment by the owner to the City of any expenses incurred by the City, and in case of failure to reclaim may be sold or disposed of according to law. (Ord. 1042, Sec. 2, 2018)

10.32.020 Drifting debris.

It is unlawful for the owner, agent or lessee in charge of any pier to allow the whole or any part thereof to fall into or remain adrift in the navigable waters or to drift away. Fender piles, broken or loose, shall be removed by the owner, agent or lessee of any pier, and, upon failure to do so, the same may be removed by the Chief of Police and the expense thereof shall be paid by and recoverable from the owner, agent or lessee of such pier to the City.

10.32.030 Nuisances.

Sunken or swamped vessels or watercraft, refuse of all kinds, structure or pieces of any structure, dock sweepings, dead fish or parts thereof, dead animals or parts thereof, timber logs, piles, boom sticks, lumber, boxes, empty containers, grass clippings and garden refuse, and oil of any

kind floating uncontrolled on the water, and all other substances or articles of a similar nature, are declared to be public nuisances. It is unlawful for any person to throw or place in, or cause or permit to be thrown or placed any of the above-named articles or substances in water of the City, or upon the shores thereof, or in such position that the same may or can be washed into said waters, either by high waters, storms, floods or otherwise. Any person causing or permitting said nuisances to be placed as aforesaid shall remove the same and upon his failure to do so, the same may be removed by the police department and the expense thereof shall be paid by and recoverable from the person creating said nuisance. In all case such nuisances may be abated in the manner provided by law. The abatement of any such public nuisances shall not excuse the person responsible therefor from prosecution hereunder.

10.32.040 Oil spillage prohibited.

No owner, master, or other person aboard or in charge of any vessel or watercraft, and no owner, lessee, agent, employee, or other person in charge of or employed in or about any pier or other structure, and no person along or upon the shore of the harbor, shall spill, throw, pump or otherwise cause oil of any description to be in or float upon the waters of the City. Any person causing oil to be in or upon the same and, upon his or her failure to do so, the same may be removed by the police department and the expense thereof shall be paid by and recoverable from the person causing the oil to be in or upon the water. The payment of such sum, or the maintenance of an action therefor, shall not be deemed to exempt such person from prosecution for causing such oil spillage.

10.32.050 Sunken vessels.

When any vessel or watercraft or obstruction has been sunk or grounded, or has been delayed in such manner as to stop or seriously interfere with or endanger navigation, the Chief of Police may order the same immediately removed and if the

owner or other person in charge thereof, after being so ordered, does not proceed immediately with such removal, the Chief of Police may take immediate possession thereof and remove the same, using such methods as in his judgment will prevent unnecessary damage to such vessel or watercraft, or obstruction. The expense incurred by such removal shall be paid by such vessel or watercraft or obstruction or the owner or other person in charge thereof, and, in case of failure to pay the same, the City may maintain an action for the recovery thereof.

10.32.060 Penalties.

A violation of any section of this chapter shall be a misdemeanor.

Chapter 10.36

MISCELLANEOUS

Sections:

- 10.36.010 Special Regulations Establishment
- 10.36.020 Police Chief Duties
- 10.36.030 Vessels and Watercraft -- Habitation Prohibited
- 10.36.040 Local Excise Tax -- Payment Required
- 10.36.050 Severability

10.36.010 Special Regulations Establishment.

Special regulations for permitting a specific water use activity, establishment of course or limitation of hours of operation may be enacted by presentation to the City Council of a plan for implementation of such regulations including establishment and maintenance of floats, buoys, safety patrols, and other measure to permit the activity without undue restriction on other permitted water uses and without undue demand on the comfort, repose and safety of other water and shoreline users. Water use activities or facilities may also be regulated by the Shoreline Master Program. (Ord. 881, Sec. 7, 2013)

10.36.020 Police Chief Duties.

The Police Chief or designee is hereby authorized and directed to prepare, post and maintain at convenient public places adjacent to the Lake in this City public notices which shall specify the current specified restrictions as set out in this title. Such notices shall be conspicuously posted on or adjacent to every public launching ramp and/or wharf and at such other locations as will reasonably inform the public of these restrictions. (Ord. 1042, Sec. 2, 2018)

10.36.030 Vessels and Watercraft -- Habitation Prohibited.

No boat, vessel, watercraft or houseboat, moored in the ~~eeve-lake~~ or off ~~the-any~~ shoreline of the City, shall be used as a place of habitation.

10.36.040 Local Excise Tax -- Payment

Required.

No person shall moor, store, or operate a vessel within the City's jurisdiction without displaying evidence of compliance with the applicable Snohomish County ordinance or resolution which imposes a local excise tax pursuant RCW 82.49.070.

Any and all fines collected for violation of this section shall be in addition to the tax required to be paid under the applicable Snohomish County ordinance or resolution.

10.36.050 Severability.

If any court shall find any provision of this title or its application to any person or circumstance to be unconstitutional or otherwise invalid, such finding shall not affect the validity of all remaining portions of this title or the applicability of this title to other persons or circumstances. (Ord. 453, 1994; Ord. 334, 1989; Ord. 314, 1988; Ord. 150, 1976; Ord. 23, 1963)

CITY COUNCIL STAFF REPORT



Agenda Date: 3/28/2023

Subject: Amendments to Council Rules of Procedure

Contact Person/Department: Kelly Chelin, Administration

Budget Impact: n/a

Legal Review: No

RECOMMENDATION(S)/ACTION REQUESTED:

Review amendments to the Council Procedures

SUMMARY/BACKGROUND:

At the Council's February retreat, staff introduced proposed changes to the Council Rules of Procedure. The revisions are highlighted for review. After discussion, the revised procedures will come back to a future meeting for approval and adoption.

APPLICABLE CITY POLICIES:

ATTACHMENTS:

1. Revised Procedures



An;

COUNCIL PROCEDURES

(Highlighted sections to review)

ADOPTED

March 27, 2018

Revised September 11, 2018

Revised January 22, 2019

Revised March 10, 2020

Revised March 2023

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SECTION 1. AUTHORITY

- 1.1 Pursuant to RCW 35A.12.120, and other applicable law, the Lake Stevens City Council hereby establishes the following rules for the conduct of Council meetings, proceedings and business. These rules shall be in effect upon adoption by the Council and until such time as they are amended, or new rules adopted in the manner provided by these rules.

SECTION 2. COUNCIL MEETINGS

2.1 TYPES OF MEETINGS:

1. Regular - the Council meeting held as set by Ordinance.
2. Workshop – the Council meeting held as set by Ordinance.
3. Special - any Council meeting other than the Regular Council meeting. Notice shall be given at least 24 hours in advance. A Special Council meeting may be scheduled by the Mayor, Council President, City Administrator or at the request of not less than 4 Councilmembers.
4. Emergency - a Special Council meeting called without the 24-hour notice. An Emergency meeting deals with an emergency involving injury or damage to persons or property or the likelihood of such injury or damage, when time requirements of a 24-hour notice would make notice impractical and increase the likelihood of such injury or damage. Emergency meetings may be called by the City Administrator, the Mayor or Council President with the consent of not less than 4 Councilmembers. The minutes will indicate the reason for the emergency.

- 2.2 The time and day of Council's regular meetings shall be set by ordinance and will be held at the location set by ordinance unless otherwise publicly announced.

Regular Council meetings times shall be set by ordinance and will normally adjourn no later than ~~9:00 p.m.~~ 8:00 p.m., unless pending business must be concluded. Extensions beyond ~~9:00 p.m.~~ 8:00 p.m. shall require passage of a motion by Council.

- 2.3 Council's Workshop Sessions will be scheduled as special meetings and may be held, when needed, as follows: From the hour of ~~7:00 p.m.~~ 6:00 p.m. and will adjourn no later than the hour of ~~9:00 p.m.~~ 8:00 p.m., on the first and third Tuesdays, of each month. To continue past this time of adjournment, passage of a motion by a majority of the Council will be required. Alternatively, Workshop Sessions may be scheduled immediately preceding a Regular Council meeting, with the start time to be determined based on the agenda, but in no event earlier than 5:00 p.m., and ending no later than 6:45 p.m. Council workshops may also be scheduled on other dates and times by special meeting notice.

Special Workshop sessions may be called by the Mayor, City Administrator, Council President or by three (3) or more Councilmembers.

Workshop Sessions will be informal meetings for the purpose of reviewing forthcoming programs, receiving progress reports on current programs or projects, or receiving other similar information. The Council President, Council Vice-President and City Staff will determine on-going dedicated schedules for regular workshop sessions.

No final decisions will be made at a Workshop Session. Decisions on workshop matters will be scheduled for a Regular or Special Council meeting.

2.4 Information will be available to the public at each meeting stating a summary of the Rules of Procedure.

2.5 Staff/consultants will provide brief information and respond to questions by Councilmembers or as requested by the City Administrator or Presiding Officer.

2.6 Citizen comment/public hearing sign-ups will be available at each regular Council meeting.

2.7 All regular, workshop and special meetings will be electronically recorded and uploaded to the City's YouTube channel.

The City Clerk will keep an account of all proceedings of the Council in accordance with the statutory requirements, and proceedings will be entered into a minute book constituting the official record of the Council.

City Council meeting minutes will not be revised without a majority affirmative vote of the Council at a regularly scheduled Council meeting.

2.8 ORDER OF REGULAR COUNCIL MEETING AGENDA:

1. Call Meeting To Order:

The Presiding Officer calls the meeting to order.

2. Pledge of Allegiance:

The Mayor, Council President or designee leads the flag salute.

3. Roll Call:

The Council President will announce the attendance of Councilmembers and indicate any Councilmember who is not in attendance. The Council shall approve excused absences by vote. The official meeting minutes will always reflect the vote count on each action item.

4. Approval of Agenda:

The Council President, with the concurrence of the Councilmembers, may take agenda items out of order or add or remove agenda items.

5. Guest Business:

Persons or organizations invited or requesting to speak to the Council on specific identified topics will be scheduled under Guest Business. Guest speakers will not be restricted to a limited amount of time for speaking unless requested by Council at the time of the meeting.

5.6. Citizen Comments:

Members of the audience may comment on items relating to any matter not on the meeting agenda under Citizen Comments. Unless this rule is waived by motion of the Council, each speaker will be limited to three minutes to make their comments.

Council may, at its discretion, allow citizen comment on individual agenda items at times during any regularly scheduled City Council meeting after the item is introduced for Council but prior to Council discussion. The Presiding Officer will limit the amount of time permitted for each speaker to three minutes, until all persons have had an opportunity to speak. These agenda items include, but are not limited to, ordinances, resolutions and Council Business issues. Public testimony will be taken during Council's consideration of quasi-judicial matters.

7. Council Business:

Councilmembers may report on any Board/Commission meetings or significant activities or any other matter pertaining to City business since the last meeting. Subcommittee chairpersons will report on the activities of their respective subcommittees.

8. Mayor's Business:

Under Mayor's Business the Mayor usually addresses significant activities since the last meeting and items not previously discussed, such as future meetings of interest to the Council.

9. City Department Report:

City staff updates the Council on current issues or items of Council interest.

10. Consent Agenda:

Consent Agenda items are considered to be routine, non-controversial, or are items which have previously been studied and reviewed so as to not require additional discussion or debate. Such items may be approved by a single motion. Items on the Consent Agenda may include but are not limited to, minutes, resolutions and ordinances discussed at a previous City Council or Committee meeting, and previously authorized agreements. Any Councilmember may remove any item from the Consent Agenda for separate discussion and action.

11. Public Hearing:

Citizens may comment on public hearing items. The Presiding Officer may limit the amount of time permitted each speaker until all persons have had an opportunity to speak. Further testimony from those who have spoken may be allowed at the discretion of the Presiding Officer. The public hearing will be continued to another date to take additional testimony when the existing available time is not sufficient or as determined by the Council.

At the Public Hearing, staff's presentation is to give background and frame the issues for the Council and audience.

During public comment or public testimony, Council shall refrain from interactive exchanges with the audience. Council requests for clarification from audience should occur prior to the closure of the public portion of the hearing. Staff may be asked clarifying questions by Council during Council deliberations.

12. Action Items:

a. Proclamations:

A Proclamation is defined as an official announcement made by either the City Council or the Mayor.

b. Introduction and First Reading of Ordinances:

Discussion and debate by the City Council will be held at this time. Councilmembers shall decide whether to amend the ordinance, direct staff to further review the ordinance, or approve placing the ordinance on the Consent Agenda or as a separate agenda topic for second or third reading at an upcoming Regular Council meeting for enactment as an enforceable City law. The number of ordinance readings shall be considered item by item.

c. Resolutions:

A resolution is adoption of a City policy, practice or decision.

d. Other:

Any contract, agreement, or other form of business that requires formal action that is necessary to conduct City business.

e. Such other and additional items as required by law or by Council direction.

13. Citizen Comments:

Members of the audience may comment on items relating to any matter not on the meeting agenda under Citizen Comments. Unless this rule is waived by motion of the Council, each speaker will be limited to three minutes to make their comments.

Council may, at its discretion, allow citizen comment on individual agenda items at times during any regularly scheduled City Council meeting after the item is introduced for Council but prior to Council discussion. The Presiding Officer will limit the amount of time permitted for each speaker to three minutes, until all persons have had an opportunity to speak. These agenda items include, but are not limited to, ordinances, resolutions and Council Business issues. Public testimony will be taken during Council's consideration of quasi-judicial matters.

13.14. Executive Session:

Executive session subjects are limited to considering such matters as are authorized under the Open Meetings Act or such other laws that authorize executive sessions. Executive session is a Council meeting that is closed except to the Council and authorized staff members and/or consultants. The public is restricted from attendance. Executive Sessions may be held during Regularly scheduled meetings or Special Council meetings and will be announced by the Mayor.

Before convening an Executive Session, the Mayor shall announce the purpose of the executive session and the anticipated time when the session will be concluded and if any action shall be taken. Should the session require more time, a public announcement shall be made that the Executive Session is being extended.

15. Study Session:

Discussion items are generally items of significance that may require future action by Council.

16. Adjournment:

With no further business to come before the Council, the Presiding Officer adjourns the meeting by requesting a motion for adjournment.

17. Transportation Benefit District:

Agenda Items regarding the Transportation Benefit District will be clearly set out and identified as such under the section of the Agenda where they best fit.

SECTION 3. AGENDA PREPARATION

- 3.1 The City Clerk will prepare an agenda for each Council meeting specifying the time and place of the meeting and set forth a brief general description of each item to be considered by the Council. The agenda is subject to approval by the Mayor and the City Administrator.

- 3.2 An item may be placed on a Council meeting agenda by any of the following methods:
1. By a Councilmember if the item does not require staff preparation;
 2. By any two (2) Councilmembers;
 3. By the City Administrator;
 4. By a Council Committee;
 5. By the Mayor.
- 3.3 An item may be placed on a regular Council meeting agenda after the agenda is closed if approved by the Mayor or City Administrator.
- 3.4 The City Clerk will endeavor to schedule sufficient time between public hearings and other scheduled items, so the public is not kept unreasonably waiting, and so the Council will have sufficient time to hear public comment or testimony and to deliberate matters among themselves.
- 3.5 Legally required and advertised public hearings will generally have a higher priority over other time-scheduled agenda items which have been scheduled for convenience rather than for statutory or other legal reasons.
- 3.6 Agenda items that are continued from one meeting to another will have preference on the agenda to the extent possible.
- 3.7 Agendas will be finalized by the **Thursday Friday** prior to the Council meeting. Agenda packets will be available electronically to Council by 5:00 p.m. on the **Thursday Friday** prior to the Council meeting, and available electronically to the public on the City's web page by 5:00 p.m. on the **Thursday Friday** prior to the Council meeting, unless posted otherwise. If late information becomes available after the packet is posted on the City's web page on the **Thursday Friday** prior to the meeting, or if information arrives from other sources, then a recess or delay may be considered by the Council.
- 3.8 All agenda item packet reports will be in the format provided by the City Clerk's Office.
- 3.9 The Council may use "Staff Recommendation Statement" language from staff reports or agenda item descriptions for making a motion.
- 3.10 Council agenda and packet material will be available to the public during regular meetings.

SECTION 4. COUNCIL DISCUSSION

- 4.1 All Council discussion shall be guided by **ROBERTS RULES OF ORDER, NEWLY REVISED**.

SECTION 5. COMMENTS, CONCERNS & TESTIMONY TO COUNCIL

- 5.1 Persons addressing the Council, who are not specifically scheduled on the agenda, will be requested to step up to the podium or raise their hand virtually, give their name and address for the record, and limit their remarks to three (3) minutes. All remarks will be addressed to the Council as a whole. Any person making personal, impertinent, or slanderous remarks, or who becomes boisterous, threatening, or personally abusive while addressing the Council, may be requested to leave the meeting.
- 5.2 The Presiding Officer has the authority to preserve order at all meetings of the Council, to cause the removal of any person from any meeting for disorderly conduct and to enforce the Rules of the Council. The Presiding Officer may command assistance of any peace officer of the City to enforce all lawful orders of the Presiding Officer to restore order at any meeting.
- 5.3 Citizens with complaints, concerns or questions, may be referred to separately bring the matter to the Mayor or relevant City staff, or ask that the matter be placed on a future City Council meeting, with the appropriate background information.

SECTION 6. MOTIONS AND VOTING

- 6.1 When making motions, Councilmembers will be encouraged to be clear and concise and to not include arguments for the motion within the motion.
- 6.2 After a motion has been made and seconded, the Council may deliberate and discuss their opinions on the issue prior to the vote. No further citizen comments may be heard when there is a motion and a second on the floor.
- 6.3 When the Council concurs or agrees to an item that does not require a formal motion, the Presiding Officer will summarize the agreement at the conclusion of the discussion and normally, a minute entry will be made.
- 6.4 A motion may be withdrawn by the maker of the motion, at any time, up until the question is called to vote without the consent of the Council.
- 6.5 A motion to table is undebatable and shall preclude all amendments or debates of the issue under consideration. If the motion to table prevails, the matter may be "taken from the table" only by adding it to the agenda of a future Regular or Special meeting at which time discussion will continue; and if an item is tabled, it cannot be reconsidered at the same meeting.
- 6.6 A motion to postpone to a certain time is debatable, is amendable, and may be reconsidered at the same meeting. The question being postponed must be considered at a later time at the same meeting, or to a time certain at a future Regular or Special City Council meeting.
- 6.7 A motion to postpone indefinitely is debatable, is not amendable, and may be reconsidered at the same meeting only if it received an affirmative vote.

- 6.8 A motion to call for the question shall close debate on the main motion and is undebatable. This motion must receive a second and fails without a two-thirds' (2/3) vote; debate is reopened if the motion fails.
- 6.9 A motion to amend is defined as amending a motion that is on the floor and has been seconded, by inserting or adding, striking out, striking out and inserting, or substituting.
- Motions that cannot be amended include motion to adjourn, agenda order, lay on the table, roll call vote, point of order, reconsideration and take from the table. A motion to amend an amendment is not in order.
- Amendments are voted on first, then the main motion as amended (if the amendment received an affirmative vote).
- 6.10 Discussion of the motion only occurs after the motion has been moved and seconded.
- 6.11 If a motion does not receive a second, it dies. Motions that do not need a second include nominations, withdrawal of motion, agenda order, request for a roll call vote, and point of order.
- 6.12 The Presiding Officer should acknowledge the motion and second prior to voting.
- 6.13 The City Clerk will repeat the motion and/or take a roll call vote, if requested by the Presiding Officer, a Councilmember, or as required by law.
- 6.14 Unless otherwise required by law, the passage or defeat of a motion shall be decided by a majority of those present and voting. Abstentions shall not be included in the vote tally, even if those voting in favor of the motion are less than a majority of the full City Council.
- A motion that receives a tie vote is deemed to have failed, except pursuant to RCW 35A.12.100 Duties and authority of the mayor--Veto--Tie-breaking vote, the Mayor "shall have a vote only in the case of a tie in the votes of the councilmen with respect to matters other than the passage of any ordinance, grant, or revocation of franchise or license, or any resolution for the payment of money."
- At the conclusion of any vote, the Presiding Officer will inform Council of the results of the vote.
- 6.15 When a question has been decided, any Councilmember who voted in the majority may move for a reconsideration and such motion must also be seconded by a member who voted in the majority. No motion for reconsideration of a vote shall be made after the meeting has adjourned but may be made at a subsequent meeting of the Council
- 6.16 The City Attorney shall decide all questions of interpretations of these rules and other questions of a parliamentary nature which may arise at a Council meeting. All cases not provided for in these rules shall be guided by Robert's Rules of Order, Newly Revised.

In the event of a conflict, these Council Rules shall prevail.

SECTION 7. ORDINANCES

- 7.1 All ordinances shall be prepared or reviewed by the City Attorney. No Council initiated ordinance shall be prepared for presentation to the Council, unless two Councilmembers support the ordinance and staff has been consulted.
- 7.2 The City Clerk shall assign a permanent ordinance number at the time the ordinance is initiated.
- 7.3 The Presiding Officer shall read the title of the ordinance or the Ordinance number prior to voting unless the ordinance is on the Consent Agenda.
- 7.4 Prior to placement of an ordinance on the agenda, the City Attorney shall approve the ordinance as to form. After the City Attorney's signature, and passage of the Ordinance the City Clerk or designee shall obtain the signature of the Mayor. After the Mayor's signature, the City Clerk or designee shall sign the ordinance.
- 7.5 Ordinances, or ordinance summaries, shall be published in the official newspaper, as a legal publication, immediately following enactment.
- 7.6 Ordinances become effective five (5) days after the date of publication of the ordinance unless otherwise specified.

SECTION 8. MAYOR, COUNCIL PRESIDENT, AND COUNCIL VICE-PRESIDENT

- 8.1 The Presiding Officer at all regular and special meetings of the Council shall be the Mayor and all workshop sessions shall be the Council President.

At regular and special meetings in the absence of the Mayor, the Council President will act as Presiding Officer or in his/her absence the Council Vice-President. If the Mayor, Council President, and Vice-President are absent, the Council present shall elect one of its members to serve as Presiding Officer until the return of the Mayor, Council President or Council Vice-President.

At workshop sessions in the absence of the Council President, the Council Vice-President will act as the Presiding Officer or in his/her absence the Mayor. If the Council President, Vice-President, and Mayor are absent, the Council present shall elect one of its members to serve as Presiding Officer until the return of the Council President, Council Vice-President, or Mayor.

- 8.2 The Presiding Officer shall:
 - 1. Preserve order and decorum in the Council chambers;
 - 2. Observe and enforce all rules adopted by the Council;
 - 3. Decide all questions on order, in accordance with these rules, subject to appeal by any Councilmember in which case the Presiding Officer will defer to the City Attorney; and

4. Recognize Councilmembers in the order in which they request the floor. The Presiding Officer, as a Councilmember, shall have only those rights, and shall be governed in all matters and issues by the same rules and restrictions as other Councilmembers.
5. From time to time, the Mayor and/or Council President may appoint Councilmembers to serve on ad hoc committees.

SECTION 9. COUNCIL RELATIONS WITH CITY STAFF

- 9.1 There will be mutual respect from both City staff and Councilmembers of their respective roles and responsibilities.
- 9.2 City staff will acknowledge the Council as policy makers, and the Councilmembers will acknowledge City staff as administering the Council's policies.
- 9.3 All written informational material requested by individual Councilmembers shall be submitted by City staff, after approval of the Mayor or City Administrator, to all Councilmembers with a notation indicating which Councilmember requested the information.
- 9.4 A Councilmember shall not attempt to influence City staff in the selection, evaluation or discipline of personnel, the awarding of contracts, the selection of consultants, the processing of development applications or the granting of City licenses or permits.
- 9.5 A Councilmember shall not attempt to change the operating rules and practices of any City department.
- 9.6 Mail that is addressed to the Mayor and Councilmembers shall be copied and circulated by the City Clerk, as soon as practicable after it arrives.
- 9.7 The City Clerk shall not open mail addressed to individual Councilmembers if it is marked personal and/or confidential.
- 9.8 No Councilmember shall direct the City Administrator to initiate any action or prepare any report that is significant in nature, or initiate any project or study without the consent of a majority of the Council.
- 9.9 Individual requests for information can be made directly to the Department Director. If the request would create a change in work assignments or City staffing levels, the request must be made through the Mayor or City Administrator and may be referred to the Council.

SECTION 10. COUNCIL MEETING STAFFING

- 10.1 The City Administrator shall attend all meetings of the Council unless excused by the Mayor. The City Administrator may make recommendations to the Council and shall have the right to take part in the discussions of the Council, but shall

have no vote. When the City Administrator has an excused absence, the designated Acting City Administrator shall attend the meeting.

- 10.2 The City Attorney shall attend all meetings of the Council unless excused by the Mayor, and shall, upon request, give an opinion, either written or oral, on legal questions. The City Attorney shall act as the Council's parliamentarian.
- 10.3 The City Clerk, or designee, shall attend Regular and Special meetings of the Council, keep the official journal (minutes), and perform such other duties, unless excused by the Mayor, as may be needed for the orderly conduct of the meeting.

SECTION 11. COUNCILMEMBER ATTENDANCE AT MEETINGS

- 11.1 Councilmembers will inform the Mayor, the Council President, the City Administrator or City Clerk if they are unable to attend any Council meeting, or if they knowingly will be late to any meeting. The minutes will show the Councilmember as having an excused absence if approved by the Council.

SECTION 12. PUBLIC HEARINGS

- 12.1 Quasi-judicial hearings require a decision be made by the Council using a certain process, which may include a record of evidence considered and specific findings be made.
- 12.2 Legislative (ordinance or miscellaneous) hearings do not require a decision be made even though information is presented.
- 12.3 Councilmembers shall comply with all applicable laws related to the conflict-of-interest requirements in the Appearance of Fairness Doctrine.

SECTION 13. MEDIA REPRESENTATION AT COUNCIL MEETINGS

- 13.1 All public meetings of the City Council and its boards/commissions shall be open to the media, freely subject to recording by radio, television and photographic services at any time, provided that such arrangements do not interfere with the orderly conduct of the meeting. Seating space shall be provided for the media at each public meeting.

SECTION 14. COUNCIL REPRESENTATION

- 14.1 If a Councilmember appears on behalf of the City before another governmental agency, such as the County Council or State Legislature, a community organization, or through the media, for the purpose of commenting on an issue, the Councilmember needs to state existing City policy and the majority position of the Council, if known, on such issue. Personal opinions and comments which differ from the Council majority may be expressed if the Councilmember clarifies that these statements do not represent the Council's position. If a Councilmember wishes to clarify the Council's position on a policy issue, they should do so by requesting a Council resolution be prepared and voted on by the Council.

Councilmembers need to have other Councilmember's concurrence before representing another Councilmember's view or position with the media, another governmental agency or community organization.

SECTION 15. CONFIDENTIALITY

- 15.1 Councilmembers shall keep confidential all written materials and verbal information provided to them during Executive Sessions or which are otherwise subject to the attorney-client privilege, to ensure that the City's position is not compromised. Any Councilmember having any contact or discussion needs to make full disclosure to the Mayor, City Administrator and/or the City Council in a timely manner.

SECTION 16. PUBLIC RECORDS

- 16.1 Public records created or received by the Mayor or any Councilmember should be transferred to the City Clerk's office for retention by the City in accordance with the Public Records Law. Public records that are duplicates of those received by, or in the possession of the City, are not required to be retained. Questions about whether or not a document is a public record or if it is required to be retained should be referred to the City Clerk.

SECTION 17. CITY ADMINISTRATOR EVALUATION ANNUAL PROCESS

- 17.1 ~~The Mayor will determine the evaluation criteria and format for the process. As the City Administrator's immediate supervisor the Mayor shall issue the final annual evaluation. Council members will be given the opportunity to provide their observations, comments and recommendations.~~
- 17.2 ~~The final step of the City Administrator evaluation process is for the Mayor to prepare amendments, if any, to the City Administrator's employment contract. This contract and any amendment thereto must to be approved by the City Council at a Council meeting.~~
(This will be removed from the procedures and addressed through Ordinance)

SECTION 18. MAYOR/COUNCIL PRESIDENT/VICE-PRESIDENT SELECTION PROCESS

- 18.1 Mayor. The Mayor is elected per RCW Title 35A and other applicable election laws.
- 18.2 Council President. At the first regular meeting in January of each year, the members of the City Council shall elect, from their number, a Council President.

Process:

1. The Mayor calls for nominations for Council President.
2. When there are no further nominations, the Mayor announces that nominations are closed.
3. The nominees are then voted on in the order the nominations were made. The vote is taken by voice and/or show of hands.
4. The process continues until a nominee receives a majority of the votes. This method requires that a Councilmember wishing to vote for a candidate appearing

later in the list of nominees withhold their vote from early nominees in order to reserve their vote for their favored nominee.

5. The first nominee receiving a majority vote is declared the new Council President. If there is a tie vote, the Mayor may choose whether or not to break the tie. If the

Council fails to select an appointee from the nominees presented, the Council may:

a. Make a motion to revote on the nominees.

b. Make a motion to reopen the nominations and add to the initial slate.

Once

nominated, no candidate is removed from consideration unless they withdraw.

c. Make a motion to postpone the vote on nominees.

d. Solicit additional information from the nominees.

e. Make any other allowable motion under Robert's Rules of Order.

- 18.3 Council Vice-President. At the first regular meeting in January of each year, the members of the City Council shall elect, from their number, a Vice-President. The above procedure is then repeated for electing the Council Vice-President.

SECTION 19. CITY BOARDS/COMMISSIONS

- 19.1 Lake Stevens' boards and commissions provide an invaluable service to the City. Their advice on a wide variety of subjects aids the Mayor and Councilmembers in the decision-making process. Effective citizen participation is an invaluable tool for local government.
- 19.2 These boards/commissions are generally established by ordinance.
- 19.3 Councilmembers will be assigned as board/commission liaisons in January of each year or as needed. Staff shall provide liaisons with agenda and support material for such meetings. The liaison's role will be as an observer and not an active participant on the board or commission. The liaison may provide updates on City activities, and the liaison may report to Council on actions and activities by their assigned board or commission.
- 19.4 Appointments and reappointments of board/commission members, when vacancies and term expirations occur, shall be as follows:
1. Vacancies to the City's boards and commissions will be advertised in the City newspaper, on the City's web page, at City Hall and such other locations as are deemed appropriate. Councilmembers will be provided with copies of applications of all qualified applicants received for boards/commissions vacancies.
 2. All qualified applicants for a board or commission will be interviewed by a panel consisting of the Mayor, the Department Head and/or staff liaison, the Council liaison or designee to that board or commission, up to two additional councilmembers selected to participate in the interview process for boards and commissions at the beginning of each year, and the Chairperson or designee of the board or commission the applicant applied for.

3. Following the interviews, the interview panel makes a recommendation and the Mayor nominates a candidate for appointment to the vacant position.
4. The nominated candidate will be notified and requested to complete a criminal background check. All criminal background checks will be conducted by The Human Resources Department.
5. Following successful completion of the criminal background check the Mayor reviews nominee recommendation with Council at a regular Council meeting or at a workshop session. The recommendation should include the number of applicants interviewed, qualifications, and reason for the selection.
6. Mayor appoints board/commission member with Council approval at the regular Council meeting or next regular meeting if recommendation is made at a workshop session.
7. The newly appointed board/commission member will be invited to a subsequent Council meeting to be sworn in. In the case where multiple appointments are made in one Council meeting, all appointees will be sworn in as a group.
8. If the City Council does not confirm or reject the Mayor's nomination for appointment within thirty (30) days of submittal, the Mayor may proceed with the appointment.

SECTION 20. COUNCIL SUBCOMMITTEES

- 20.1 Council subcommittees are policy review and discussion arms of the Council. Subcommittees may study issues and develop recommendations for consideration by the Council. Subcommittees may not take binding action on behalf of the City. Subcommittees generally involve three or fewer councilmembers and therefore are not subject to the Open Public Meetings act.

Subcommittees will be established on an as-needed basis by motion or other action of the City Council

At its first meeting each year, each subcommittee should select from its members a chairperson who will oversee the meeting and report on the activities of the subcommittee to the Council at regular City Council meetings during Council Business.

- 20.2 Each subcommittee will have staff support as needed and assigned by the City Administrator. Staff will work with the subcommittee chairs to set agendas, provide support materials (including any sensitive communications by staff), and prepare reports as needed. The City Clerk or designee will attend subcommittee meetings and may prepare minutes. Subcommittee meetings will not be electronically recorded.

- 20.3 Even though the Open Meetings Act does not generally apply, subcommittee meetings are open to the public for observation only; no citizen comments or participation will be allowed. Notice of the meeting will be advertised on the City's website calendar.
- 20.4 The Mayor or City Administrator may send issues directly to subcommittees for their review in lieu of being referred to committee by the entire Council.
- 20.5 Subcommittee appointments shall be made by the Council President or in his/her absence by the Council Vice-President. The Council President will take into account the interests, availability to serve and requests of individual Councilmembers in making subcommittee assignments.
- 20.6 Membership of each subcommittee will consist of a maximum of three (3) Councilmembers unless otherwise approved by Council.
- 20.6 The Mayor and/ or City Administrator shall be an "ex officio" member of each subcommittee.

SECTION 21. AD HOC CITIZEN ADVISORY BOARDS

21.1 PURPOSE

To effectively use valuable resources provided by the citizenry at large to deal with issues on which more citizen input is judged to be needed. Each Board shall be given a clearly defined goal and adequate information to help them understand their role in the governmental structure. Unless determined otherwise by action of the City Council the authority of such Boards will be limited to providing informal input and recommendations to the City Council.

21.2 APPOINTMENT PROCEDURES

The boards will consist of no more than five citizen members (selected by the Mayor and confirmed by the City Council), the Mayor or designee, a staff person, and Councilmember if desired.

21.3 STAFF SUPPORT

Each Ad Hoc Advisory Committee will have staff support as needed and assigned by the City Administrator. Staff will work with the committee to provide support materials and prepare reports.

SECTION 22. FILLING CITY COUNCIL VACANCIES

22.1 PURPOSE

To provide guidance to the City Council when a Lake Stevens Councilmember position becomes vacant before the expiration of the official's elected term of office. Pursuant to state law, a vacancy shall be filled only until the next regular municipal election, wherein the person elected will serve the remainder of the unexpired term.

22.2

REFERENCES

RCW 42.30.110(h) - Executive Session Allowed to Consider Qualifications of a Candidate for Appointment to Elective Office

RCW 42.30.060 - Prohibition on Secret Ballots

RCW 42.12 - Vacant Position

RCW 35A.12.050 - Vacancies - Filling of Vacancies in Council/Mayor Form of Government

22.3

APPOINTMENT PROCESS

1. A Council position shall be officially declared vacant upon the occurrence of any of the causes of vacancy set forth in RCW 42.12.010, including resignation, recall, forfeiture, written intent to resign, or death of a Councilmember. The Councilmember who is vacating his or her position cannot participate in the appointment process.
2. The City Council shall direct staff to begin the Councilmember appointment process and establish a notice, application, interview and appointment schedule, so that the position is filled at the earliest opportunity.
3. The City Clerk's Office shall prepare and submit to the City's Official Newspaper, with courtesy copies to all other local media outlets, a Notice of City Council Vacancy, which announces the vacancy consistent with the requirements necessary to hold public office. The City's web page and other social media may also be used to announce the Council vacancy.
4. The City Clerk's Office shall prepare an application form which requests appropriate information for City Council consideration of the applicants. Applications will be available at Lake Stevens City Hall, on the City web site, and such other locations that the City Council deems appropriate. Copies of the advertisement will be provided to current members of City of Lake Stevens' boards and commissions.
5. Applications received by the deadline date and time will be copied and circulated, by the City Clerk's Office to the Mayor and City Council. Packets may also contain additional information received such as endorsements, letters of reference and other pertinent materials.
6. The City Clerk's Office shall publish the required public notice(s) for the meeting scheduled for interviewing applicants for consideration to the vacant position. This meeting may be a regularly scheduled City Council meeting, or a special session City Council meeting.

7. The City Clerk's Office shall notify applicants of the location, date and time of City Council interviews.
8. Prior to the date and time of the interview meeting, the Mayor shall accept one interview question from each Councilmember.
9. Prior to the date and time of the interview the City Clerk or designee will make inquiry of each applicant to determine eligibility to hold office and to fill the Council vacancy in the City.

22.4 INTERVIEW MEETING

Depending on the number of applicants to be interviewed, each interview of an applicant/candidate shall be approximately 15 minutes in length as follows:

1. The City Council shall ask the predetermined set of questions which must be responded to by the applicant. Each applicant will be asked and will answer the same set of questions.
2. An informal question and answer period in which Councilmembers may ask and receive answers to miscellaneous questions.
3. The applicants' order of appearance will be determined by a random lot drawing performed by the City Clerk.
4. The Council may elect not to interview all of the applicants if the number exceeds six (6) candidates. The decision as to which applicants to interview will be based on the information contained in the application forms.

22.5 VOTING

Upon completion of the interviews, Councilmembers may convene into Executive Session to discuss the qualifications of the applicants. However, all interviews, nominations and votes taken by the Council shall be in open public session.

1. The Mayor shall ask for nominations from the Councilmembers.
2. In the case of one vacancy to be filled, balloting will continue until a nominee receives a majority of four (4) votes.
3. At any time during the balloting process, the City Council may postpone balloting until a date certain or regular meeting if a majority vote has not been received.
4. Nothing in this policy shall prevent the City Council from reconvening into Executive Session to further discuss the applicant/candidate qualifications.
5. The Mayor shall declare the nominee receiving the majority vote as the new Councilmember. The new Councilmember shall be sworn into office by any person authorized under state law to administer oaths, at the

earliest opportunity or no later than the next regularly scheduled City Council meeting.

6. In the case of a tie vote, the Mayor may cast a vote.
7. If the City Council does not fill the vacancy within 90 days of the declared vacancy, the Revised Code of Washington delegates appointment powers to Snohomish County.

SECTION 23. MISCELLANEOUS

- 23.1 When Councilmembers register to attend an official conference requiring voting delegates, such as the Association of Washington Cities, the Council shall designate the voting delegate(s) and alternate voting delegate(s) during a public meeting, by a majority vote; when possible, said selection of voting delegate(s) shall be done on a rotating basis for the purpose of allowing all Councilmembers the opportunity to be an official voting delegate.

SECTION 24. SUSPENSION AND AMENDMENT OF RULES

- 24.1 Any provision of these rules not governed by state law or ordinance, may be temporarily suspended or waived by a two-thirds (2/3) majority vote of the Council.
- 24.2 These rules may be amended, or new rules adopted, by a majority vote of the Council.
- 24.3 While not required, these Rules should be reviewed approximately every 2 years for the purpose of keeping up to date with legal requirements and for purposes of confirming that actual practices conform with these rules.

CITY COUNCIL STAFF REPORT



Agenda Date: 3/28/2023

Subject: Special Event In-Kind Donation Program

Contact Person/Department: Sarah Garceau, Parks Department

Budget Impact:

Legal Review: Yes

RECOMMENDATION(S)/ACTION REQUESTED:

Review the Special Event In-Kind Donation Program.

SUMMARY/BACKGROUND:

The Special Event In-Kind Donation Program has been created to provide structure for donation requests, including fee waivers, use of facilities, equipment and staff time.

Overview of the Special Event In-Kind Donation Program:

- 501(c)3 Organizations, or City Residents, can apply for support for special events open to the public.
- To qualify, the event must address these goals and objectives: promote tourism, quality of life, cultural/diversity.
- Events only for the purpose of fundraising (using The Mill to sell tables for an auction/dinner, an event with participation fees that doesn't have another public benefit).
- In-Kind donations will never exceed 50% of the event expenses.

Attached Documents:

- Agreement – This document explains the program and rules for the applicant.
-

- Program Application – This is not meant to duplicate the Event Application permitting process, but to give enough information to understand the event, the public benefit, and what in-kind donations/services are being requested.
- Scoring Rubric – This will be how the City determines if an event is qualified to receive in-kind donations. Scoring may need to be modified as time goes on. This does not determine the dollar amount of in-kind support, as each event and request can be very unique. There is a maximum limit of 50% of event expenses.

APPLICABLE CITY POLICIES:

ATTACHMENTS:

1. Special Event In Kind Donation Agreement
2. Special Event In Kind Donation Program Application
3. Special Event In Kind Donation Scoring Rubric



Special Event In-Kind Donation Program Agreement

Acceptance of Requirements, Eligibility, Criteria and Conditions

I. Purpose of the Program

The purpose of this facility donation policy is to set forth guidelines and criteria governing the granting of City of Lake Stevens in-kind services and fee waivers for the purpose of supporting community projects or programs, and special events, like local festivals, that benefit the city and city's residents.

The City recognizes that donations play an important role in supporting events and festivals that promote responsible recreation, inclusive cultural connections, foster partnerships, community pride, and attract visitors. The City also has a responsibility to be a good steward of public resources and ensure that any expenditure of city dollars, provided through donations, provides a significant benefit to the community.

II. Goals and Objectives

The City of Lake Stevens desires to support activities that promote or bring the community together in its richness and vibrancy. To support the Economic Development element of the City's Comprehensive Plan, donation of in-kind services (including but not limited to staff support, and use of City facilities and equipment) will be considered for special events, community projects or programs designed to accomplish one or more of the following goals and objectives:

- Promote the City of Lake Stevens as a visitor destination and/or bring tourism-associated revenue to the City.
- Enhance the quality of life and well-being of the community, including educational opportunities.
- Advance the City's commitment to, and pride in, being a diverse community, promoting cultural and/or artistic awareness.

III. Use of Donated City In-Kind Services

In-kind support is evaluated according to the effectiveness and impact the special event, community project or program has on the community-at-large. The in-kind city donation can be used for:

- Event permit fees.
- Reservation fees for facilities and use of equipment owned by the City of Lake Stevens.
- City staff time, if required, including Lake Stevens Police Department services.
- City resources, fees related to barricade placement, police services, trash receptacles, city permit fees, and/or facility rental fee(s) may be waived.

Other things to know about donation requests:

- State required permits, insurance fees and facility damage deposits are the responsibility of the recipient.
- Donation will not be considered for VIP or private events.
- Past donations are no assurance of future approval.
- Donation approvals are based on the general requirements, eligibility criteria and conditions.
- The City may terminate the program at any time due to unforeseen circumstance.

IV. General Requirements, Eligibility Criteria and Conditions

To be considered for donation, the following documents must be submitted as an application packet; partial or incomplete applications or application packets with missing documents will not be considered.

- Special Event In-Kind Donation Program Agreement (this document)
- Special Event In-Kind Donation Program Application
- Event Permit (or Parks Permit)

- Proposed Event Budget (including all projected revenues and expenses)
- List of the event's sponsorship opportunities (e.g., name/logo listing, banner, ad, reserved seats, etc.)

The applicant for donation of in-kind services for community and special events must meet all the following requirements, eligibility criteria, and conditions:

1. The applicant must be a resident of the city of Lake Stevens or a registered 501(c)(3) nonprofit organization and be in good standing with the City of Lake Stevens.
2. The community or special event support will support the goals and objectives listed in Section II.
3. The event must have other sources of funding sufficient to cover at least 50% of all event-related expenses.
4. The event must take place within the City of Lake Stevens limits and must comply with the City's Special Events Ordinance (Municipal Code, Chapter 10.03 and 14.16C.065) and Park Use Permit, if applicable, and obtain necessary permits.
5. The event is not conducted primarily as a fundraiser for a cause and is not intended to convey a religious message nor advocate a political position. Non-profit facility rental rates are available and encouraged for fundraising events. Fundraising events are defined as:
 - a. Events that require participants to fundraise in addition to an entry fee for participating in the event (e.g., races, walkathons, marathons).
 - b. Events that have an entry fee without any component that includes free or greatly reduced admission.
 - c. Events that require participants to pay an entrance fee or "purchase" a table.
6. The applicant will not discriminate on the grounds of race, creed, color, religion, national origin, marital status, gender identity, sexual orientation, age, or disability and fully complies to conform to the requirements of the Americans with Disabilities Act.
7. The applicant will be required to recognize the City for its contribution of in-kind donations in all marketing and event collateral material (invitation, program, posters, etc.). Additionally, the City's logo must be displayed whenever other sponsor logos are displayed.
8. Submissions of application packets are due at least 4 (four) months prior to the event.
9. Events must submit an after-event report within 14 days of the event, which is required to include the events budget with all revenues and expenses, number of participants, and other event facts.

By signing, I agree that I have read, understand, and agree to follow all guidelines and requirements in this Special Event In-Kind Donation Program Agreement.

Name of Organization

Phone Number

Print Name and Title (Must be President or Vice President)

Signature and Date

Return Completed Agreement To:

Mailing: PO Box 257, Lake Stevens WA 98258

Physical: 1812 Main Street, Lake Stevens WA 98258

City of Lake Stevens, Parks and Recreation Department

Email: parks@lakestevenswa.gov

Phone: (425) 622-9400



Special Event In-Kind Donation Program Application

Applicant's Information		
Organization Name:		
Registered Federal Tax-Exempt ID Number:		
Executive Director/President/CEO Name:		
Contact Person Name:	Contact Person Title:	
E-Mail Address:		
Mailing Address:		
City:	State:	Zip Code:
Primary Phone Number:	Secondary Phone Number:	
Provide an overview of your organization and its purpose/mission, including the services you provide, and number of people served annually.		
Sponsorship Request		
In-Kind Donation Requested: ☐ Waiver for Permit Fee(s) ☐ Police Services ☐ Park & Recreation Services (i.e. Staff Support) ☐ Waiver for Facility Rental Fee(s) ☐ Public Works Services (i.e. Road Closures) ☐ Other City Resources (list below or attach list)		
List type of recognition the City/Department will receive for the noted in-kind services requested (e.g., name/logo listing, banner, advertisement, etc.).		
Has the City of Lake Stevens donated services to your organization in the past? ☐ Yes ☐ No If yes, list the facility used, date of event, and type of donation:		

Event/Program**Event Title:****Purpose/Type of Event:****Event Date(s):****Event Hours:**

to

Event Location:**Is this an annual event?** ☐ Yes ☐ No*If yes, how many years event has taken place?**How many years has the event received city donations?*☐ **I understand that I must attach a detailed proposed event budget listing including all revenues and expenses.****Expected attendance:****Attendance at last year's event (if applicable):****Expected percentage of attendees who live in Lake Stevens:****Is the event open to the public?** ☐ Yes ☐ No*Describe target audience:***Is there a cost to attend/participate in the event?** ☐ Yes ☐ No*If yes, please provide cost and description:***Event Execution****Describe the overall community benefit of the special event, community project or program in relation to the goals and objectives as stated in section II of the Special Event Facility Donation Program Agreement.****Additional Documents Required**

Submit this completed application with the following:

- Special Event In-Kind Donation Program Agreement
- Event Permit (or Parks Permit)
- Proposed Event Budget (including all projected revenues and expenses)
- List of the event's sponsorship opportunities (e.g., name/logo listing, banner, ad, reserved seats, etc.)

The information provided in this Application is true and correct to the best of my knowledge. I understand that submitting a request for In-Kind Donations does not guarantee approval.

 Print Name and Title (Must be President or Vice President)

 Signature and Date

Special Event Donation Program Assessment Rubric

Event Name _____ Event Date _____ Scored By _____

SECTION I - Minimum Qualifications	No	Yes	Notes
Was a completed Special Event Facility Donation application, a Special Event permit application and the signed Program Agreement submitted?			
Is this event open and free to the public? (Select "no" if event is private, VIP or exclusively ticketed.)			
Is this event ran by a 501(c)(3) non-profit, or a resident of Lake Stevens, and in good standing with the City?			
Are other funding sources in place so that the request for in-kind services are less than 50% of overall expenses?			
Is the event taking place within the City of Lake Stevens limits?			
Mark "no" if the event is intended to convey a religious message or advocate a political position. (Event can be directed to rent the facility.)			
If the event is a fundraiser for a cause, does it provide other public utility that makes it eligible? (Non-profit rates are available for rentals!)			
Are the proposed ways of recognizing the City for its contribution agreeable?			
Has the City supported this event in the past? If Yes, was it successful in proving public benefit?			
If any questions above are a "no", the applicant is disqualified from support.			

SECTION II - Public Benefit	Score: 0 - 10 0 = Lowest (Not a Match) 10 = Highest (Fits All Criteria)	Notes - Provide an explanation of points.
Does the event promote the City of Lake Stevens as a visitor destination and/or bring tourism-associated revenue to the City?		
Does the event enhance the quality of life and well-being of the community, or provide educational opportunities?		
Does the event advance the City's commitment to, and pride in, being a diverse community, promoting cultural and/or artistic awareness?		
TOTAL POINTS (MAX. 30 POINTS)		Must score above 15

SECTION III - Event Specific	Score: 0 - 3 0 = Lowest (Not a Match) 3 = Highest (Fits All Criteria)	Notes - Provide an explanation of points.
Does the applicant have the ability and experience to produce a well-planned and safe event? Is there managerial and organizational capacity, i.e. does the event have enough internal support to be successful?		
Event Dates. Nov - Mar = 3 points. Apr - May = 2 points. If another date without annual events = 1 point.		
Is there a specific need this event addresses in the community or that is highly desired by residents?		
Is this a unique event that does not duplicate an existing public event within the City?		
The expected event expenses are reasonable in comparison to requested services.		
TOTAL POINTS (MAX. 15 POINTS)		Must score above 10

Section IV - City Considerations and Total Points	Points
Start up events. First year event = 10 points. Second year events = 5 points.	
Established events. 5,000+ attendance = 10 points. 2,000+ attendance = 5 points.	
Total from Section II	
Total from Section III	
TOTAL POINTS (MAX 65 POINTS)	

Must score a minimum of 35 points to qualify for in-kind city donation. Higher points will allow for a greater value of in-kind support. Actual value of monetary and non-monetary support are subject to availability.

CITY COUNCIL STAFF REPORT



Agenda Date: 3/28/2023

Subject: Lake Stevens ADA Transition Plan

Contact Person/Department: Kim Klinkers, Aaron Halverson, Public Works

Budget Impact: In August 2022, the City contracted with Transpo Group, Inc. to complete city-wide data collection for ADA compliance assessments and to prepare an ADA Transition Plan in accordance with State and Federal regulations. The total contract amount of \$316,500 is included in the approved 2023 Budget. This project is funded with Real Estate Excise Tax (REET2) and street/sidewalk capital funds.

Legal Review: No

RECOMMENDATION(S)/ACTION REQUESTED:

No action is requested. This is a presentation of the City's ADA Transition Plan. Council is invited to participate with questions or comments.

SUMMARY/BACKGROUND:

The Americans with Disabilities Act (ADA) is a federal civil rights law that prohibits discrimination against people with disabilities in everyday activities. The ADA guarantees that people with disabilities have the same opportunities as everyone else to enjoy employment opportunities, purchase goods and services, and participate in state and local government programs.

Title II of the ADA requires the City of Lake Stevens to provide people with disabilities an equal opportunity to benefit from all of our programs, services, and activities. The ADA also requires newly constructed or altered government facilities and public accommodations to be readily accessible to and usable by individuals with disabilities. This includes right-of-way elements like sidewalks, curb ramps, and pedestrian push buttons.

Unfortunately, equal access was not a consideration when much of the right-of-way infrastructure in the City was constructed over the previous century. In fact, the Americans with Disabilities Act was not made law until 1990 and the design standards were not complete until 2005 and again in 2011.

In the meantime, the City continued to grow, adding sidewalks, curb ramps and pedestrian push buttons that are not compliant with current ADA standards.

Government agencies that employ more than 50 personnel are to self-evaluate their public facilities and identify obstacles that limit accessibility, then develop a transition plan that identifies steps that will be taken to remove the obstacles (Code of Federal Regulations CFR 28.35.150.D(d)(3)).

The City of Lake Stevens ADA Transition Plan provides a framework for addressing pedestrian barriers in the City's public right-of-way. Council is being made aware of this document, as it will be used to help guide future planning and implementation of necessary accessibility improvements.

The ADA Transition Plan development process included:

- Collecting data and mapping sidewalk segments, curb ramps, and pedestrian pushbuttons throughout the City. This effort included approximately 137 miles of sidewalk, 3,095 curb ramps, and 97 pedestrian pushbuttons;
- Incorporating data into a geospatial (GIS) database for analysis;
- Developing an online public survey as part of the public outreach effort;
- Reviewing the City's Engineering Design and Development Standards (EDDS) and Municipal Code, and providing recommendations for revisions based on current federal guidelines;
- Developing a prioritized list and schedule to remove barriers based in part on location to public services, frequency of pedestrians, public survey results, and budgetary constraints;
- Formalize the ADA Transition Plan and seek public comments on the final draft;
- Finalize the ADA Transition Plan after incorporating any comments from the community and City staff.

The City is committed to achieving ADA compliance and will implement projects to remove barriers identified in this plan. In addition, the City is continually working towards maintaining ADA compliance for all future capital improvement projects, permitted development, and any other construction project that impacts access to public programs, services, and activities within Lake Stevens.

APPLICABLE CITY POLICIES:

The Lake Stevens ADA Transition Plan satisfies the requirements set forth by Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990 (CFR 28 Part 35), and WSDOT Local Agency Guidelines Manual (Chapter 29).

ATTACHMENTS:

1. Draft ADA Transition Plan



20

23

City of
Lake
Stevens

ADA Transition Plan

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WHAT TRANSPORTATION CAN BE.



CITY OF LAKE STEVENS

1812 Main Street
Lake Stevens, WA 98258
(425) 622-9400
www.lakestevenswa.gov

CITY ADMINISTRATION

Brett Gailey, Mayor
Gene Brazel, City Administrator
Kimberly Klinkers PE, City Engineer
Aaron Halverson, Public Works Director

CITY COUNCIL MEMBERS

Kim Daughtry, Councilmember
Gary Petershagen, Councilmember
Ryan Donoghue, Councilmember
Mary Dickinson, Councilmember
Anji Jorstad, Councilmember
Steve Ewing, Councilmember
Marcus Tageant, Councilmember

Additional copies of this document are available online at
<https://www.lakestevenswa.gov/561/ADA-Plan>

For questions about the City of Lake Stevens ADA Transition Plan or for access to an alternate format of this document email the City of Lake Stevens ADA Coordinator & Risk Manager Maximillian Roth at mroth@lakestevenswa.gov or by calling toll free, Voice: (425) 622-9440

For those who are deaf or hard of hearing, the Washington State Relay can be contacted at 711 or 1-800-833-6384 for assistance in making a request to the City.

PREPARED BY

Transpo Group
12131 113th Ave NE, Ste. 203
Kirkland, WA 98034



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Appendix B – Existing Data Inventory

Appendix C – WSDOT Letters

Appendix D – Prioritization Criteria

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Appendix G – Accessible Pedestrian Signal (APS) Policy

Appendix H – Grievance Procedure

Appendix I – MEF Documentation

Appendix J – ADA Terminology

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Executive Summary

The City of Lake Stevens' current public right-of-way (ROW) facilities include infrastructure in need of updates for ADA compliance. These facilities were constructed over the last century, many before the Americans with Disabilities Act (ADA) requirements were passed in 1990. In addition, since 1990, standards and requirements that define accessibility have been continuously developed, with periodic updates, clarifications, and changes to those standards. Many of the facilities in Lake Stevens were constructed during this period and likely met applicable state and federal standards at the time of construction.

This Americans with Disabilities Act Self-Evaluation and Transition Plan establishes the City of Lake Stevens' ongoing commitment to providing equal access for all, including those with disabilities. In developing this plan, the City of Lake Stevens has undertaken a comprehensive evaluation of its facilities and policies related to the public rights-of-way to determine what types of access barriers exist for individuals with disabilities. This plan will be used to help guide future planning and implementation of necessary accessibility improvements. The City desires to make its infrastructure accessible by all. Removing all ADA noncompliant features and barriers is an undertaking that will take many years to achieve. This plan identifies priorities and recommendations that the City can implement over time to achieve an ADA-compliant public right of way.

Both the Self-Evaluation and the Transition Plan are required elements of the federally mandated ADA Title II, which requires that government agencies provide equal access to programs and services they offer. The Self-Evaluation for facilities within the public right-of-way includes attributes of sidewalks, curb ramps, and pedestrian pushbuttons. This evaluation included a comparison of each facility to current ADA standards. This evaluation did not include an assessment of whether the facility was constructed to meet current ADA standards to the maximum extent feasible as allowed by the ADA. As such, the Self-Evaluation and resulting costs and schedule for full ADA transition are considered conservative. The Self-Evaluation also includes an assessment of practices, policies, and procedures that relate to the planning, design, and construction of these facilities. The Self-Evaluation identified the following:

- The physical inventory of pedestrian facilities, as shown in Figure 2-2, included:
 - 2,679 sidewalk segments, totaling approximately 137 miles
 - 3,095 curb ramps
 - 97 signal pushbuttons
- Approximately 89% of the 3,095 existing curb ramps do not meet current ADA standards (see Table 2-1 and Figure 2-7).
- Approximately 137 miles of sidewalk were inventoried with approximately 94% not meeting current ADA standards (see Table 2-2 and Figure 2-12).
- All of the 97 inventoried pedestrian pushbuttons were not fully ADA compliant.

The removal costs for all non-compliant assets within the public right-of-way is estimated to be \$37,628,000 (in 2023 dollars). This document also identifies a schedule for the removal of barriers and identifies how the City will address requests for accommodations in a consistent manner. The City is committed to removing these barriers and in future years will implement projects to remove barriers identified in this plan. In addition, the City is continually working towards maintaining ADA compliance for all future capital improvement projects, permitted development, and any other construction project that impacts access to public programs.

1 Introduction

1.1 Plan Requirement

The Americans with Disabilities Act (ADA) was enacted on July 26, 1990 and provides comprehensive civil rights protections to persons with disabilities in the areas of employment, state and local government services, and access to public accommodations, transportation, and telecommunications.

Cities and other government agencies are required to have an ADA self-evaluation and transition plan when they grow beyond a threshold of 50 employees. Accessibility requirements extend to all public facilities.

There are five titles, or parts, to the ADA. Title II of the ADA requires public entities to make their existing “programs” accessible “except where to do so would result in a fundamental alteration in the nature of the program or an undue financial and administrative burden.” Public right-of-way, public government buildings, and public parks all fall within the City’s programs.

This effort was initiated by the City of Lake Stevens to satisfy the requirements of ADA Title II Part 35, Subpart D – Program Accessibility § 35.150 (d)(3) which states:

The plan shall, at a minimum—

- (i) Identify physical obstacles in the public entity's facilities that limit the accessibility of its programs or activities to individuals with disabilities;
- (ii) Describe in detail the methods that will be used to make the facilities accessible;
- (iii) Specify the schedule for taking the steps necessary to achieve compliance with this section and, if the time period of the transition plan is longer than one year, identify steps that will be taken during each year
- (iv) Indicate the official responsible for implementation of the plan.

To determine the physical obstacles in a public entity’s facility, the proper standards and guidance must be identified for each feature type.

The 2010 ADA Standards for Accessible Design (ADAS), is the standards document in which all Federal ADA standards are collectively held. The 2010 ADAS and regulations from the 28 CFR Part 36 replaced the 1991 ADA (ADA Accessibility Guidelines (ADAAG)).

The [Revised Draft Guidelines for Accessible Public Rights-of-Way](#) was published by the United States Access Board in 2005 to provide guidance on establishing accessible facilities within the right-of-way. The United States Access Board’s [Proposed Guidelines for Pedestrian Facilities in the Public Right-of-Way](#), or PROWAG, was then published for comment in 2011 as a revised set of guidelines for right-of-way pedestrian facilities. Both the 2005 and 2011 guidelines have not yet been adopted as federal standards. Despite this delay, many public entities currently use the draft PROWAG as ‘best practice’ for features within the public rights-of-way. This practice has been endorsed by the Federal Highway Administration (FHWA), the US Access Board, and is the standard to which the Washington Department of Transportation adheres.

The public right-of-way facilities evaluated under this plan were evaluated against 2011 PROWAG as this is the latest guideline developed by the Access Board.

1.2 Plan Structure

The structure of this plan was organized to closely follow federal ADA transition plan requirements. This includes:

Chapter I – Introduction

Chapter 2 – Self-Evaluation Documents

Self-Evaluation methods and findings for policies, practices, design standards, and facilities that result in accessibility barriers.

Chapter 3 – Stakeholder Engagement

Documents public engagement methods and findings.

Chapter 4 – Pedestrian Barrier Removal Methods and Schedule

Provides an overview of existing barrier removal approaches employed by the City, describes barrier removal priorities, and develops a total planning level cost estimate for the removal of existing barriers and an accompanying schedule.

Chapter 5 – Recommendations and Next Steps

Provides a set of recommendations to inform the implementation of this Transition Plan and ongoing removal of pedestrian barriers.

Several associated appendix items are included to supplement this plan.

2 Self-Evaluation

Title II of the Americans with Disabilities Act (ADA) requires that jurisdictions evaluate services, programs, policies, and practices to determine whether they comply with the nondiscrimination requirements of the ADA.

This chapter describes the methods and findings of the Self-Evaluation. Section 2.1 provides an overview of ADA-related City policies. Next, Section 2.2 reviews City practices and design standards. Finally, Section 2.3 summarizes the Self-Evaluation's field data collection methods and findings.

2.1 Policy Review

The City of Lake Stevens primarily addresses pedestrian facilities in their City of Lake Stevens Engineering Design and Development Standards (EDDS) and the City of Lake Stevens Municipal Code (LSMC). The City of Lake Stevens Comprehensive Plan (2015) also includes goals and policies that address pedestrian connectivity.

The policies and standards were reviewed against the Access Board's *Proposed Guidelines for Pedestrian Facilities in the Public Right-of-Way*, PROWAG 2011 and recommendations were provided to fill gaps as they relate to the ADA.

2.1.1 Method

These documents were reviewed for content that relate to existing ADA programs, policies, and practices.

2.1.2 Findings

The City of Lake Stevens develops a Comprehensive Plan in order to complete long range planning for the City. The latest version of this plan was updated in December 2020. The plan covers topics including land use, housing, transportation, utilities, capital facilities, and shoreline master program policies.

Goals and policies connected to transportation, specifically pedestrian facilities, within the Comprehensive Plan and Transportation Element generally include the following:

- The city will develop an effective multimodal transportation system that emphasizes access, direct circulation and safety for vehicles, freight, public transportation, cyclists and pedestrians locally and to the region.
- The city will continue to look at options for maintenance, preservation and operational improvements to the existing road network as an essential component of the transportation plan and capital facilities decision-making process.
- The City will require that pedestrian connections take first priority over other means of non-motorized connection.

2.2 Practices and Design Standards

Practices and design standards that meet accessibility standards are essential to ensure that new or upgraded facilities are accessible.

This section summarizes a review of the City of Lake Stevens Engineering Design and Development Standards (EDDS) and the City of Lake Stevens Municipal Code (LSMC) to identify any barriers to accessible design. The review was conducted in February 2023. For greater detail on the practices and standards review, see **Appendix A** for a barrier audit memo.

2.2.1 Public ROW

Practices and design standards that meet accessibility standards are essential to ensure new or upgraded pedestrian facilities are accessible and that these upgrades contribute to the removal of accessibility barriers throughout the City. This section summarizes a review of City practices and design standards for barriers and includes major findings of this work. Complete documentation of this work can be found in **Appendix A**. The audit was conducted in February of 2023.

2.2.1.1 Method

The City of Lake Stevens Engineering Design and Development Standards (EDDS) and the City of Lake Stevens Municipal Code (LSMC) were reviewed for compliance with ADA guidelines found in the 2011 Proposed Guidelines for Pedestrian Facilities in the Public Right-of Way (PROWAG).

2.2.1.2 Findings

The City of Lake Stevens maintains the LSMC and adopted design standard plans for sidewalks and pathways, crossings, signals, and other pedestrian areas. The City's municipal code can be accessed at the following web address: <https://www.codepublishing.com/WA/LakeStevens/>

The City's design standards and code are limited to guidance for sidewalks and pathways, crossings, signals, and other pedestrian areas. This represents a portion of the design elements associated with ADA compliance. The review recommended several changes to the current City standards to achieve ADA compliance and improve clarity. Most recommendations to the City standards were intended to improve clarity, increase consistency across figures, and provide a greater level of detail for design elements that have not yet been addressed.

The City standards and code do not address or only partially address crosswalks, signals, transit stops, ramps, and handrails. It is recommended for many of these areas that the City:

- Modify the City of Lake Stevens EDDS to adopt the WSDOT Design Manual Chapter 15 **or**
- Modify the City of Lake Stevens EDDS to include a section detailing the recommended design requirements that are currently missing **or**
- Modify the City of Lake Stevens EDDS to adopt a City of Lake Stevens Design Manual with chapters pertaining to each of the design elements associated with ADA compliance.

2.3 Existing Facilities

The Self-Evaluation inventoried barriers to access as required by ADA Title II Part 35, Subpart D – Program Accessibility § 35.150 (d)(3). Each facility and associated barriers were field inventoried and cataloged. Field data was collected by Transpo from November 2022 to March 2023.

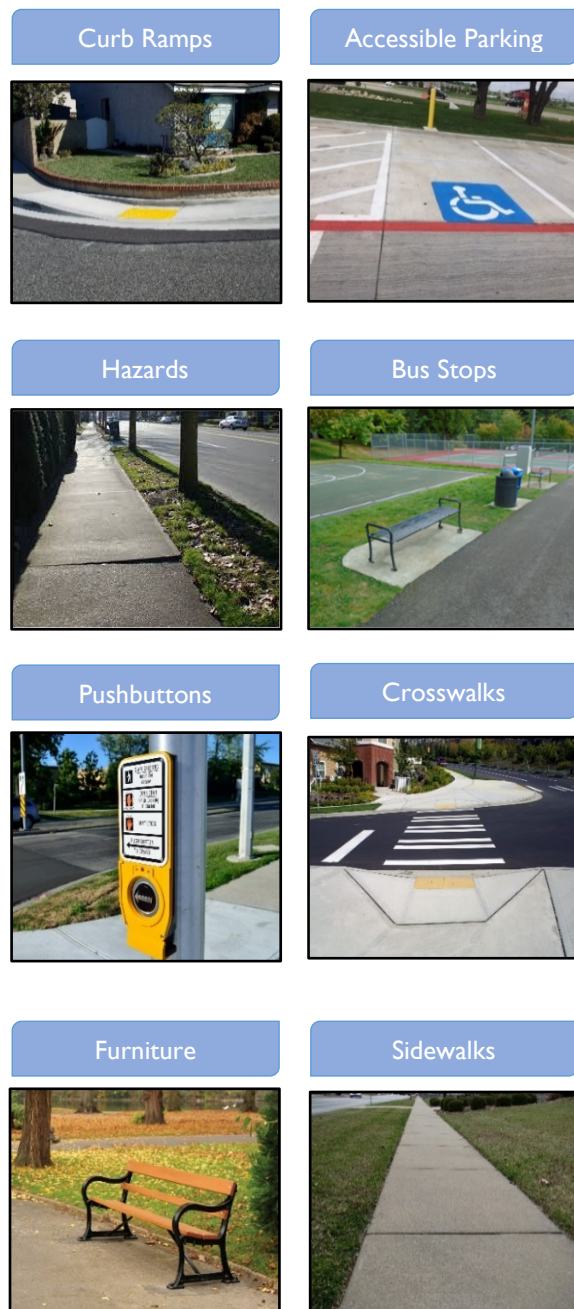


Figure 2-2 Public ROW Features

2.3.1 Public ROW

Many existing pedestrian features within Lake Stevens right-of-way contain barriers and require improvements to meet current ADA standards. It is important to note that many of these facilities were constructed before the adoption of current ADA standards, and likely met applicable state and federal standards at the time of construction. Additionally, it is important to note that ADA regulations require facilities to be made accessible to “the maximum extent feasible,” (MEF) in “circumstances when the unique characteristics of terrain prevent the incorporation of accessibility features” (U.S. Department of Justice, 28 CFR § 35.151 New construction and alterations). These circumstances are often a result of adjacent topography or otherwise constrained locations, which are common to the Lake Stevens road system. This plan’s Self-Evaluation examined whether facilities were compliant with current ADA design requirements; it did not examine whether non-compliant facilities were built to the maximum extent feasible or practical.

Additional detail regarding the Self-Evaluation’s findings for curb ramps, sidewalks, and pedestrian pushbuttons is provided in the following sections.

2.3.1.1 Method

A self-evaluation of facilities within the public right-of-way was conducted by Transpo group.

The physical inventory of pedestrian facilities, as shown in Figure 2-2, included:

- 2,679 sidewalk segments, totaling approximately 137 miles
- 3,095 curb ramps
- 97 signal pushbuttons

Inventory maps of collected pedestrian features can be found in **Appendix B**.

In addition to these efforts, and in response to specific complaints lodged by citizens of the City, the Washington Department of Transportation (WSDOT) performed an audit of several locations and identified facilities that

presented barriers to accessibility. WSDOT alerted the City of these barriers via letters dated September 28, 2022 and November 18, 2022 which are included in **Appendix C**. This information was incorporated into the transition plan as described in Section 4.2.1.

The City also acknowledges that other jurisdictions own public ROW facilities within Lake Stevens. Some of these facilities include state routes such as SR 9, SR 204 , and SR 92.

Curb Ramps

Field data was collected for existing curb ramps. The field data was then evaluated for their compliance with ADA standards. Figures 2-3 and 2-4 show the major components of typical perpendicular and parallel curb ramps, respectively, two common types of curb ramps. Less common ramp types, such as ramps that provide a transition from the end of a sidewalk to the road shoulder are also located in the city.

Each curb ramp was reviewed for compliance, then scored based on the degree to which the barrier impeded accessibility. Curb ramps were scored using a scale of 0-30 and categorized as follows:

- 0: Compliant
- 1-29: Minor Compliance Issue
- 30: Significant Compliance Issue

These scores are referred to as the Accessibility Index Score (AIS). Curb ramps that had running slopes that were too steep received a score of 30 and were considered non-compliant. Curb ramps that had cross slopes slightly above the compliant threshold received a score of 25 while steeper cross slopes received a score of 30. Other criteria relating to turning space, flare slopes, detectable warning surfaces (DWS), obstructions, and condition were weighted lower, but could cumulatively reach the threshold for non-compliance.

Scoring and compliance criteria are discussed in more detail in Section 4.2.1 and in **Appendix D**.

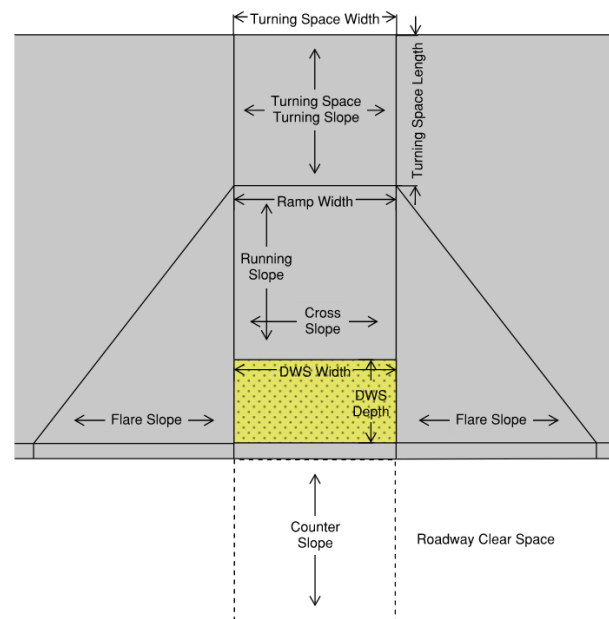


Figure 2-3 Perpendicular Curb Ramp Attributes

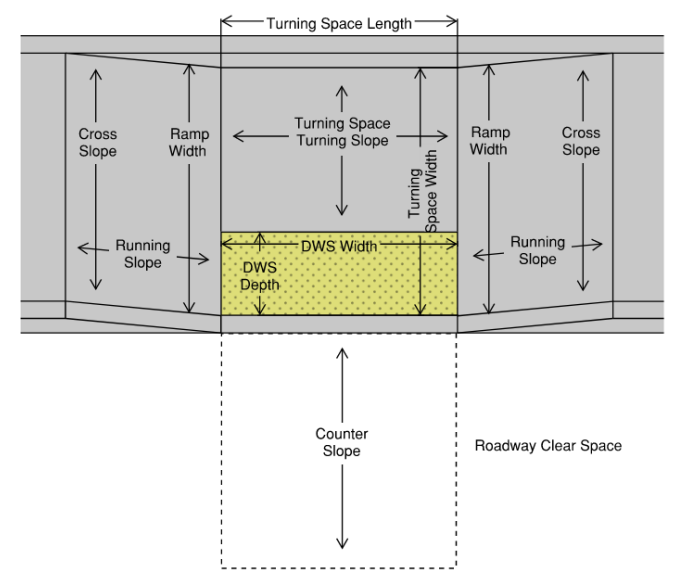


Figure 2-4 Parallel Curb Ramp Attributes

Sidewalks

The field data collection for sidewalks was completed along the length of each segment and evaluated for their compliance with ADA standards. Common attributes for sidewalks are shown in Figure 2-5.

Each sidewalk was reviewed for compliance, then score based on the degree to which the barrier impeded accessibility.

- Sidewalk Width, i.e., the sidewalk is too narrow,
- Sidewalk Condition, i.e., amount of cracking.
- Number of barriers, i.e., vertical discontinuity, vegetation, non-slip lid, protruding obstacles, etc.

Sidewalks were scored using a scale of 0-30 and categorized as follows:

- 0: Compliant
- 1-15: Minor Compliance Issue
- 16-30: Significant Compliance Issue

Scoring and compliance criteria are discussed in more detail in Section 4.2.1 and in **Appendix D**.

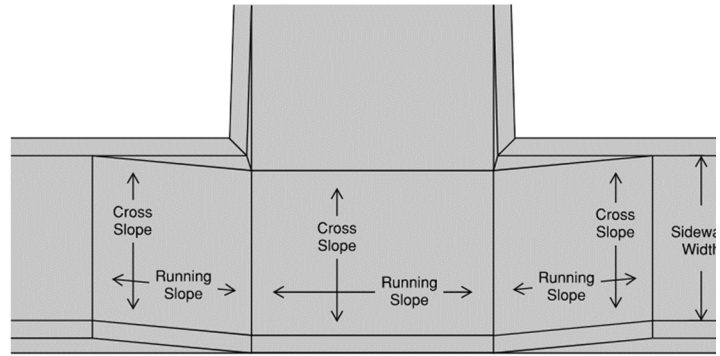


Figure 2-5 Sidewalk Attributes

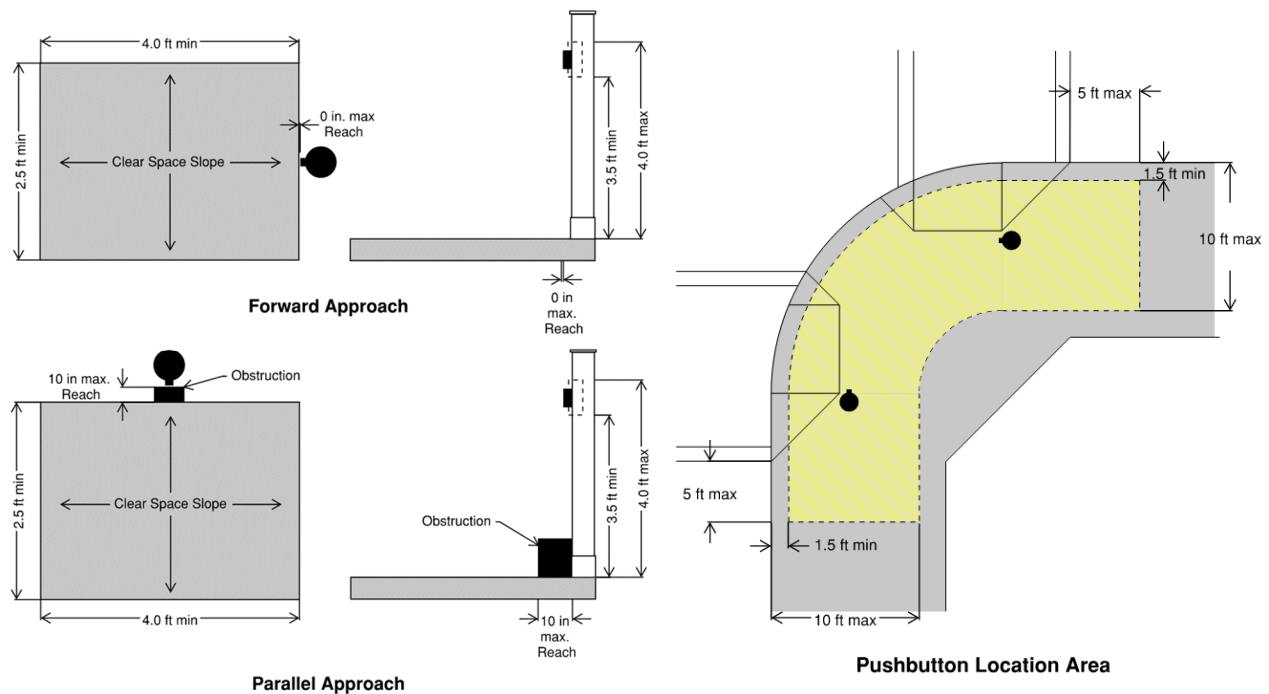


Figure 2-6 APS Pedestrian Pushbutton Location Attributes

Signal Pushbuttons

Accessible pedestrian signals and pushbuttons (APS) provide integrated visual, audible, and vibrotactile information to help pedestrians cross signalized intersections. Some pushbuttons can be programmed to request an extended crossing time or to make the name of the street being crossed audible when pushed for a longer time.

Field data was collected for pedestrian pushbuttons at traffic signals. Data collectors recorded location and design attributes for each pushbutton. Location attributes included reach distance to the button, availability of a clear and level area at the button, and the location relative to the intersection and corresponding crosswalk (see Figure 2-6). Design attributes included visual and tactile elements, such as a raised arrow pointing to the crossing, as well as features that provide audible and vibrational feedback.

Each pedestrian pushbutton was reviewed for compliance using fifteen criteria, then scored

based on the degree to which the barrier impeded accessibility.

Pushbutton scores ranged from 0-30 and were categorized as follows:

- 0: Compliant
- 1-15: Minor Compliance Issue
- 16-30: Significant Compliance Issue

Scoring and compliance criteria are discussed in more detail in Section 4.2.1 and in **Appendix D**.

2.3.1.2 Findings

Curb Ramps

Approximately 89% of the 3,095 existing curb ramps do not meet ADA standards (see Table 2-1 and Figure 2-7).

As discussed in Section 2.3.1, non-compliant ramps are those that have:

- Non-compliant ramp width, i.e., the ramping area is not present or too narrow (Figure 2-8).
- Non-compliant running slope, i.e., the ramp running slope is too steep (Figure 2-9). 770 curb ramps have running slopes greater than 8.3%.
- Non-compliant cross slope, i.e., the cross slope is too steep (Figure 2-10). 1,361 curb ramps have cross slopes greater than 2%, 889 of which have cross slopes greater than 3%.

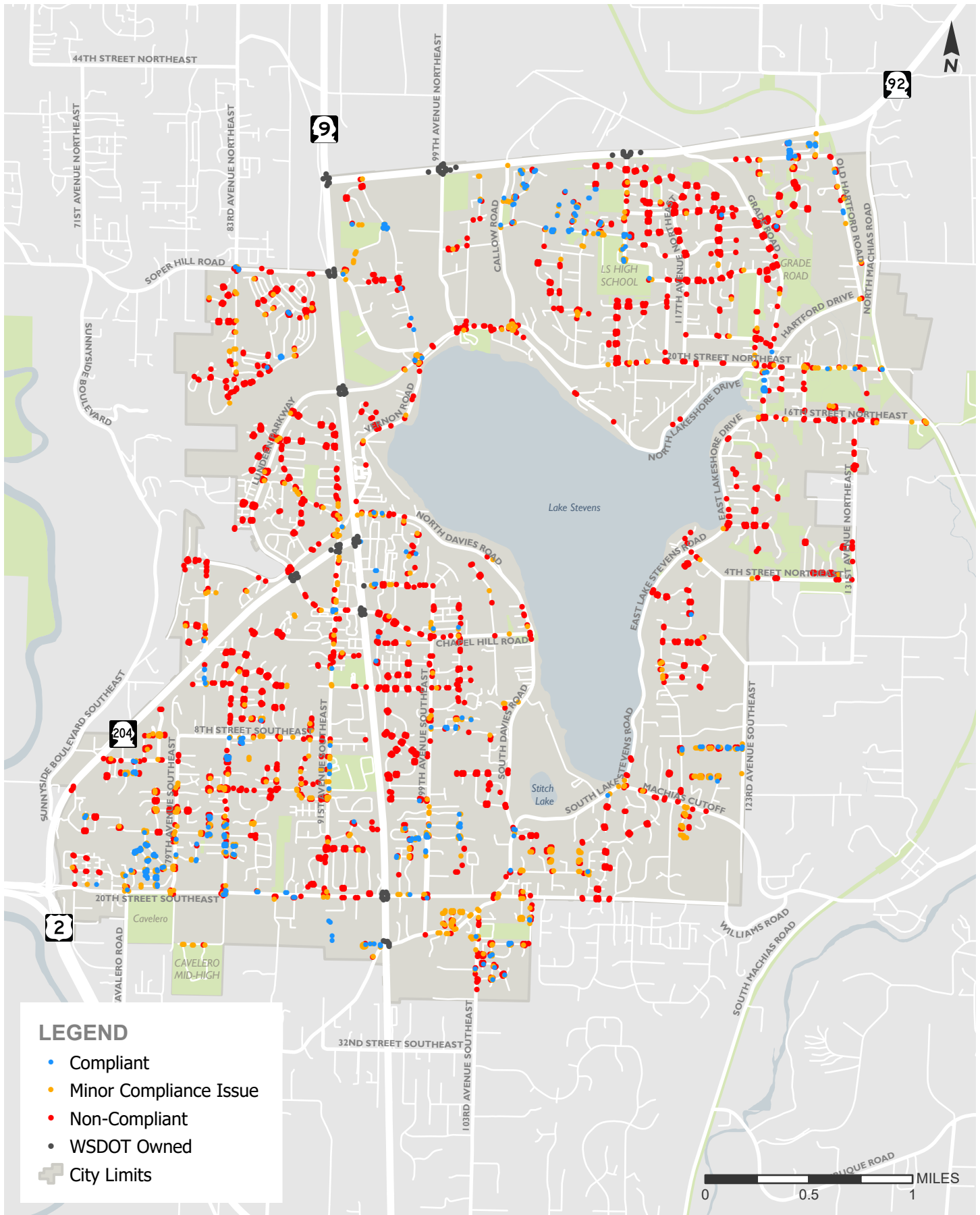
- Several minor non-compliant features, such as flare slope, detectable warning surface (DWS) placement, receiving ramp, etc.

Curb ramps are designed and constructed to tie into the existing roadway. As noted previously, steep or otherwise constrained locations may make it infeasible to meet ADA standards.

When it is not feasible to remove all curb ramp barriers, ramps may be built to the maximum extent feasible (MEF) to satisfy ADA requirements. This planning level Self-Evaluation did not examine whether non-compliant ramps were built to the maximum extent feasible. See Section 5.1 for additional information regarding MEF documentation.

Table 2-1 Existing curb ramp compliance

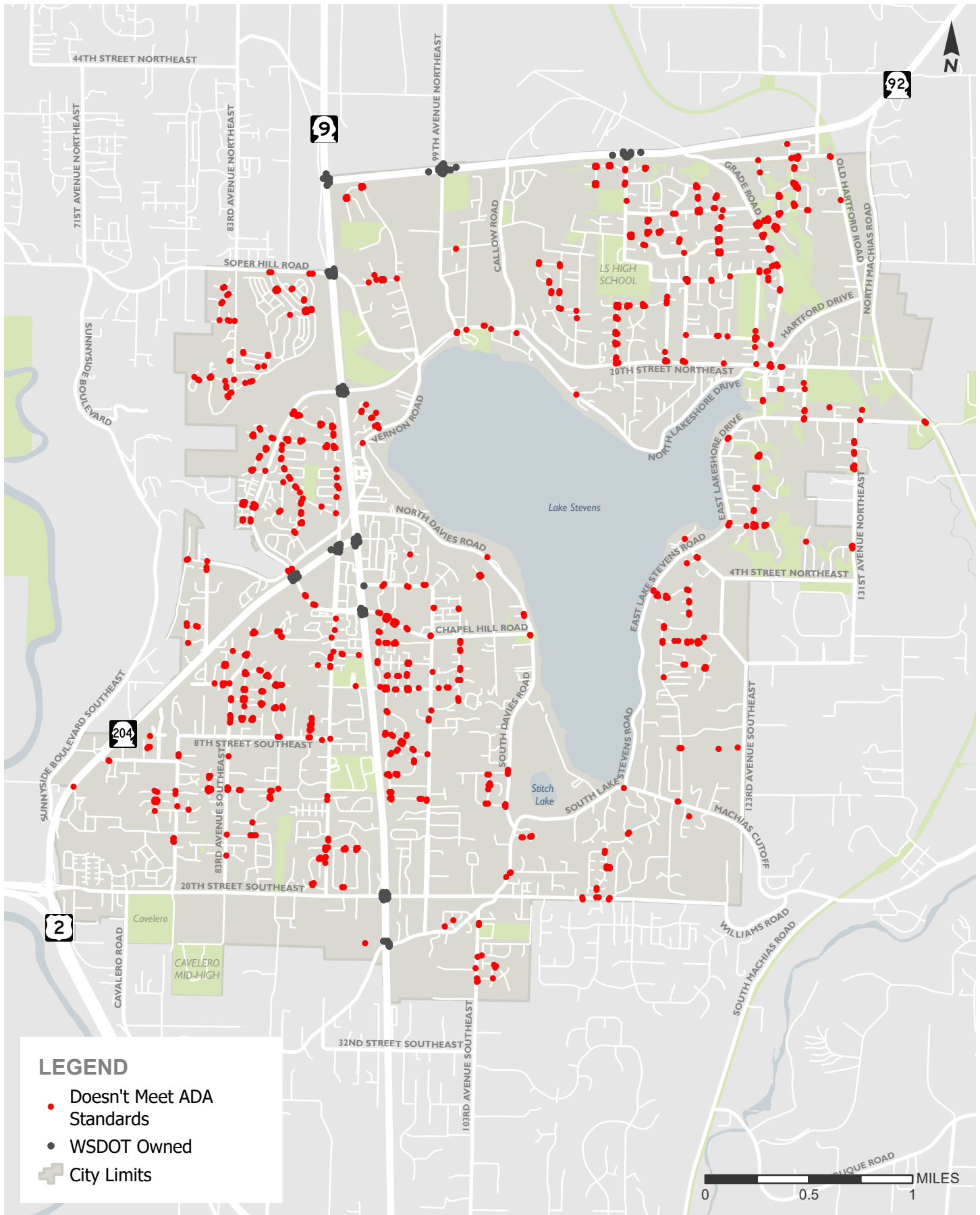
CURB RAMP COMPLIANCE	RAMPS	% OF TOTAL
Significant Compliance Issue	2,075	67%
Minor Compliance Issue	677	22%
Compliant ramps	343	11%
Total	3,095	



Non-Compliant Curb Ramp City of Lake Stevens ADA Transition Plan

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FIGURE
2-7

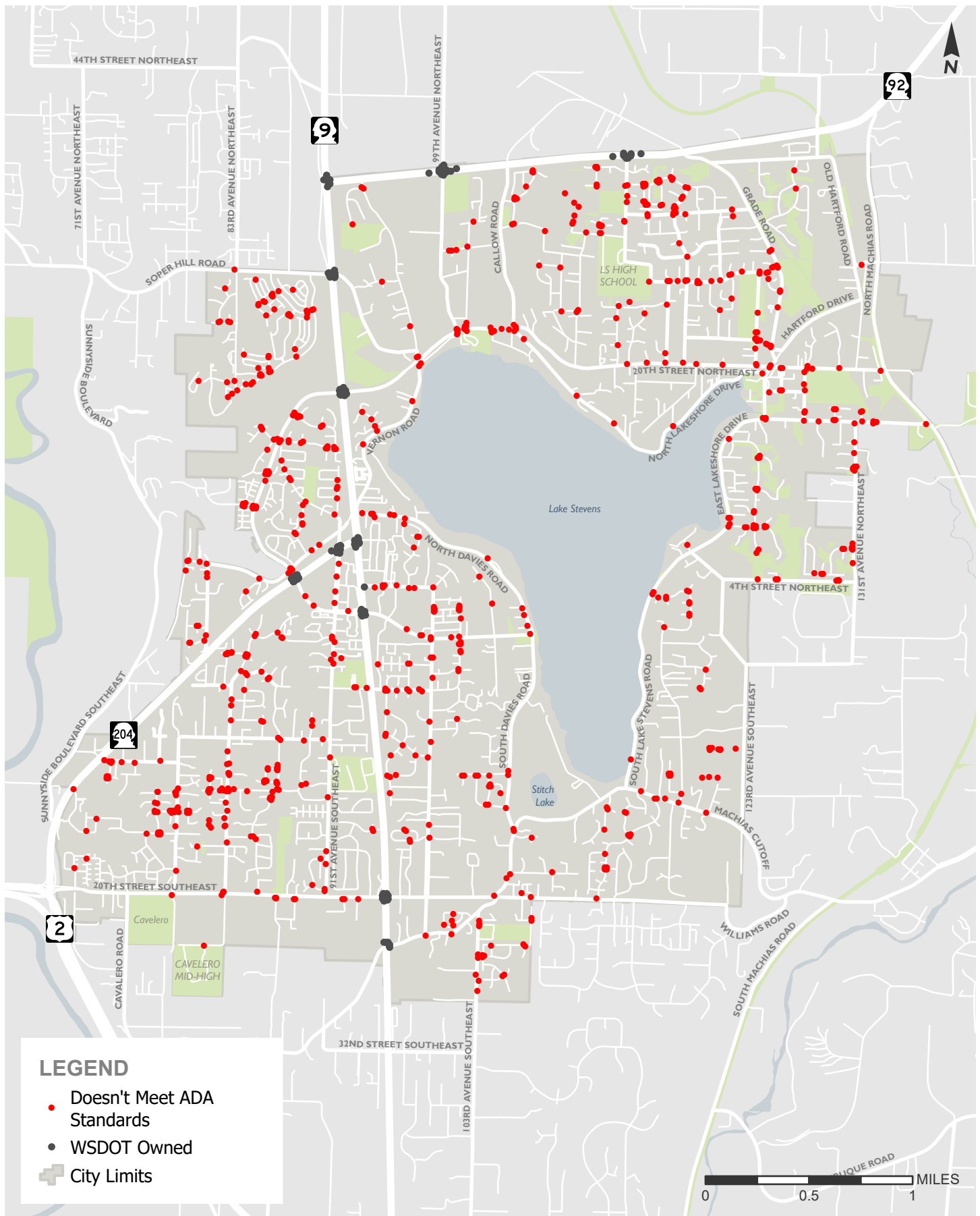


Curb Ramp Width

City of Lake Stevens ADA Transition Plan

transpogroup 

FIGURE
2-8

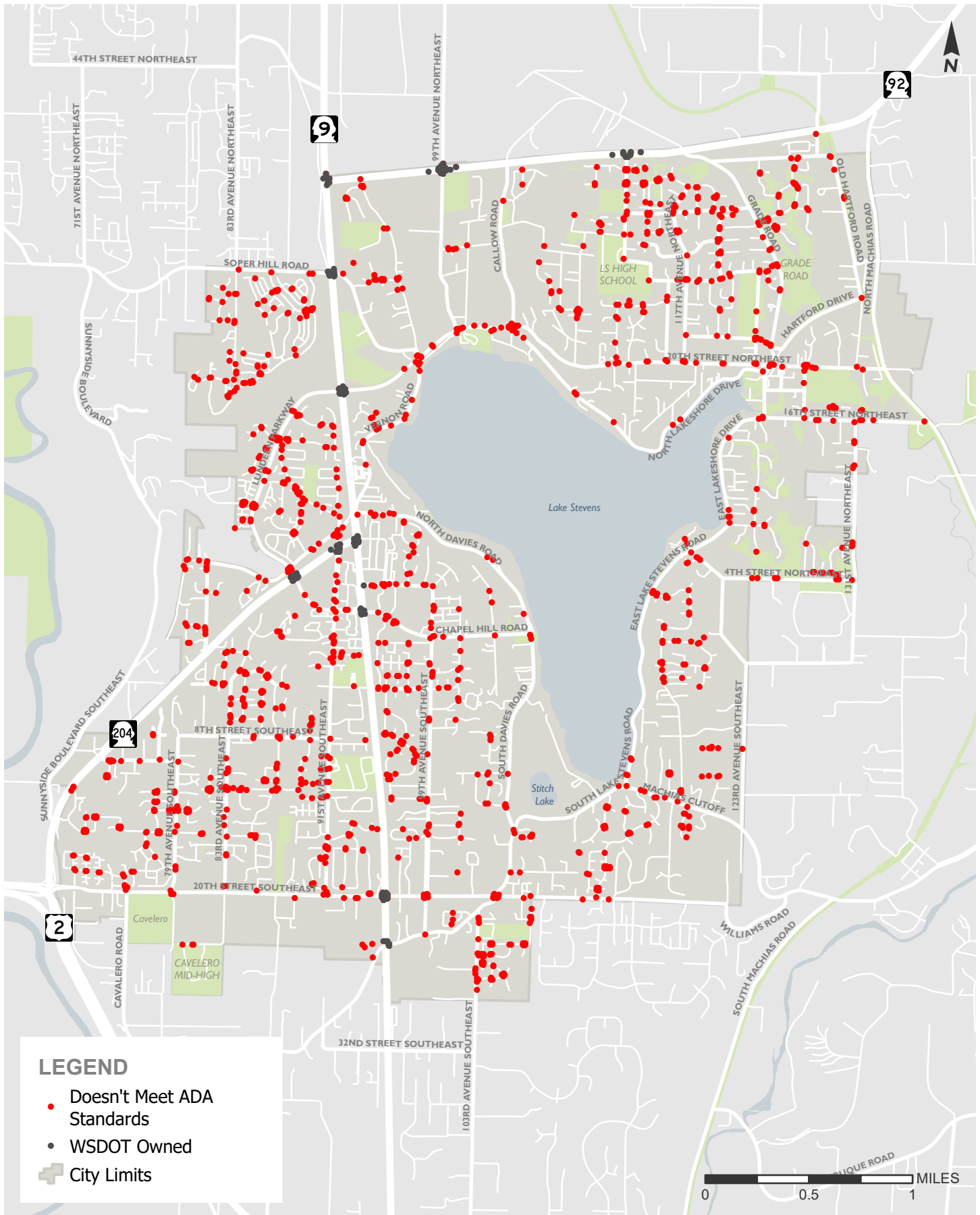


Curb Ramp Running Slope

City of Lake Stevens ADA Transition Plan

transpogroup 

FIGURE
2-9

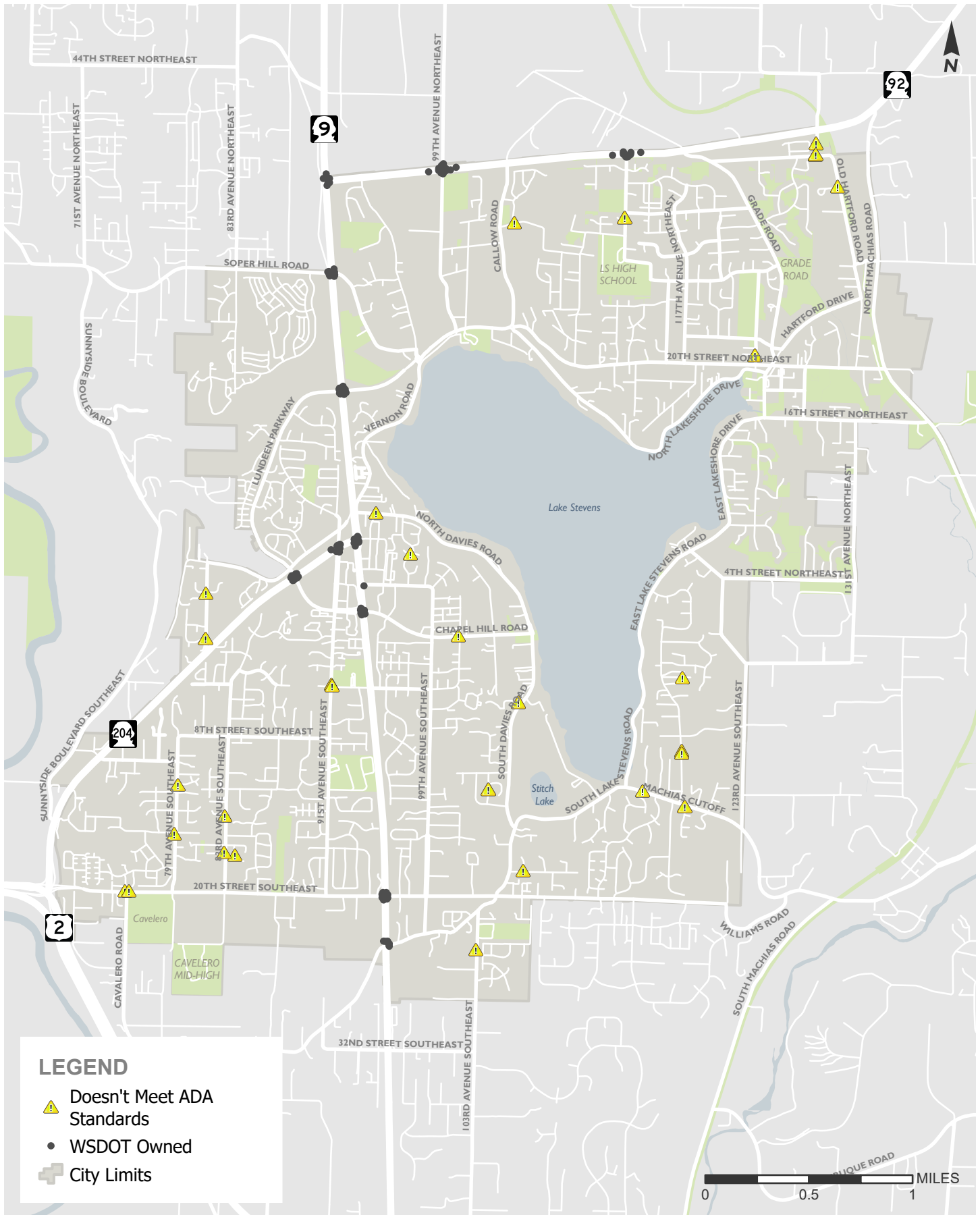


Curb Ramp Cross Slope

City of Lake Stevens ADA Transition Plan

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FIGURE
2-10



Curb Ramp No Receiving Ramp

City of Lake Stevens ADA Transition Plan

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FIGURE
2-11

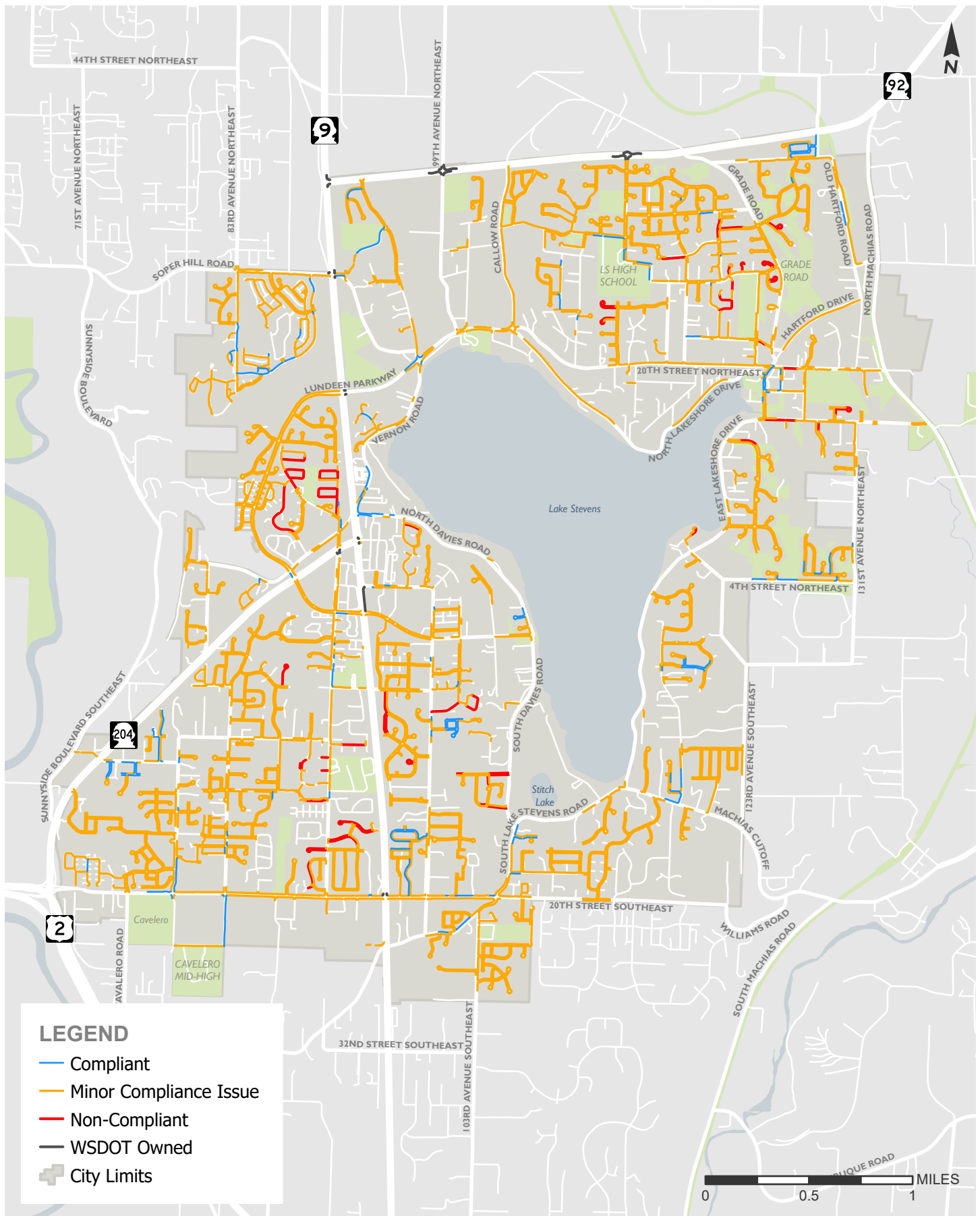
Sidewalks

Approximately 137 miles of sidewalk were inventoried with approximately 94% not meeting ADA standards (see Table 2-2 and

Figure 2-12). Grinding, patch repair, and full reconstruction are potential solutions for removing the sidewalk barriers depending on the severity of the barrier.

Table 2-2 Sidewalk compliance

SIDEWALK COMPLIANCE	TOTAL	
	MILES	% OF TOTAL
Significant Compliance Issue	6	4%
Minor Compliance Issue	123	90%
Compliant	8	6%
Total	137	

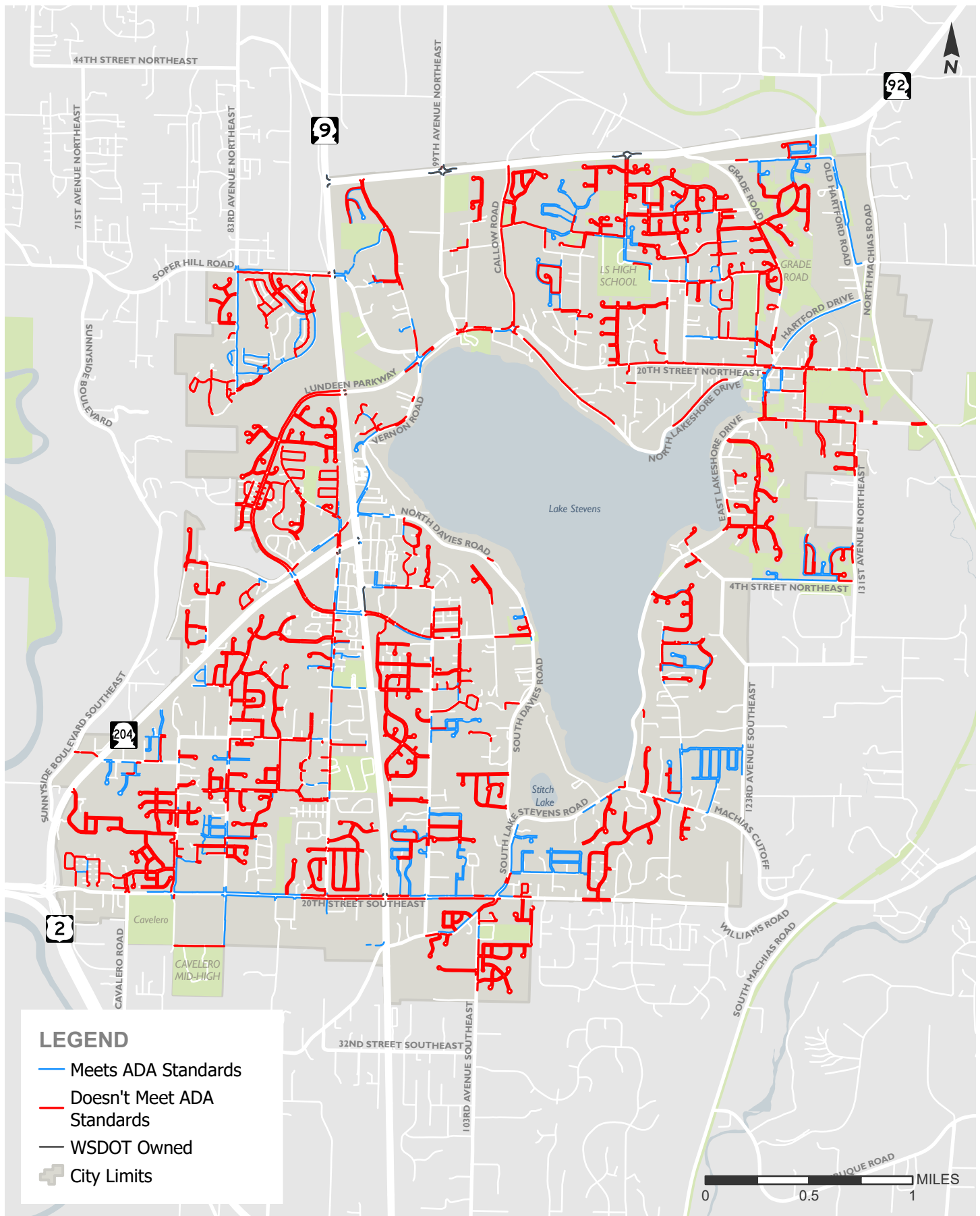


Non-Compliant Sidewalk

City of Lake Stevens ADA Transition Plan

transpogroup 

FIGURE
2-12

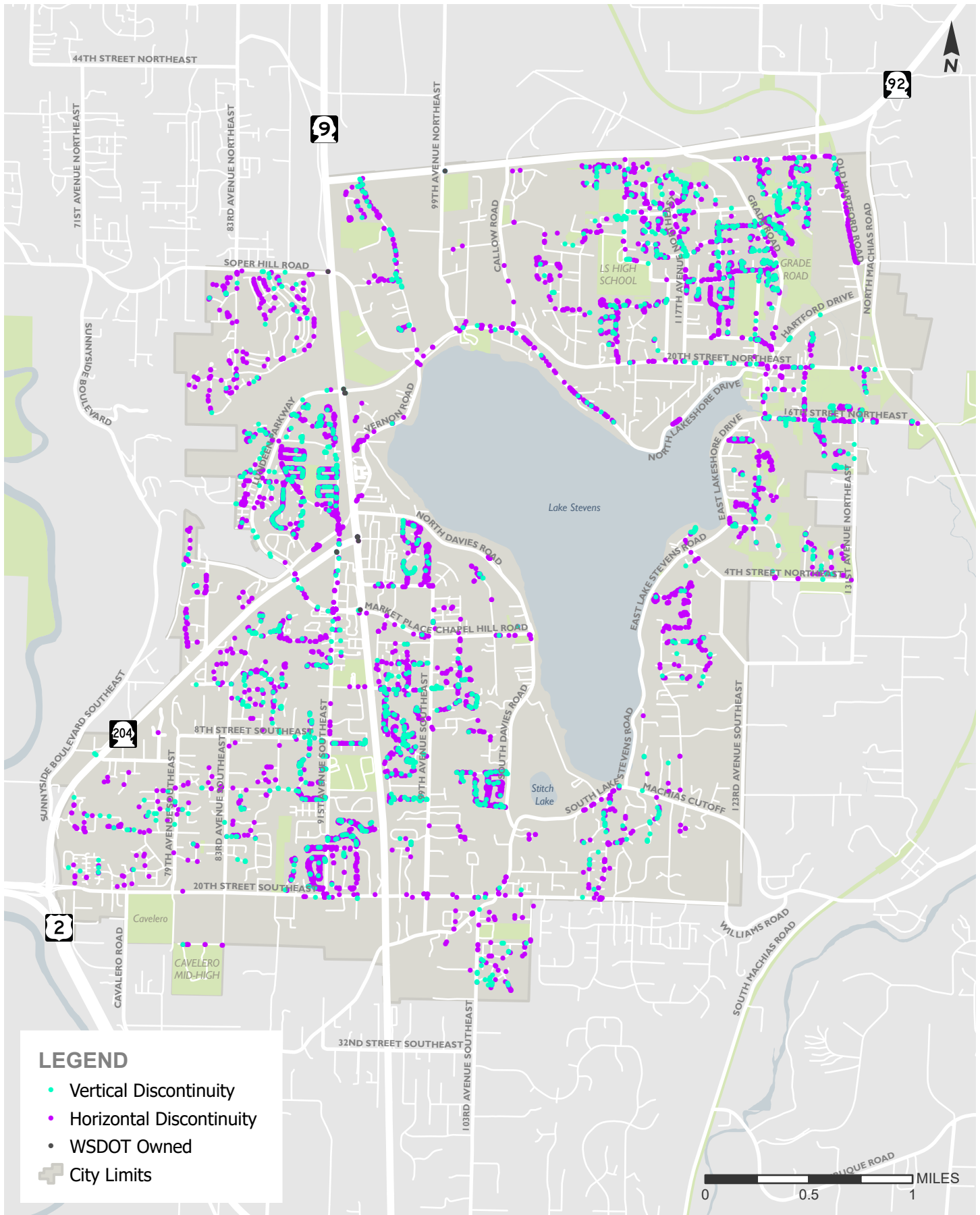


Sidewalk Width

City of Lake Stevens ADA Transition Plan

transpogroup

FIGURE
2-13



Sidewalk Barriers City of Lake Stevens ADA Transition Plan

transpogroup 

Signal Pushbuttons

All of the 97 inventoried pedestrian pushbuttons were not fully ADA compliant. The non-compliant pedestrian pushbuttons include non-APS style buttons and APS-style buttons that need to be reprogrammed or relocated.

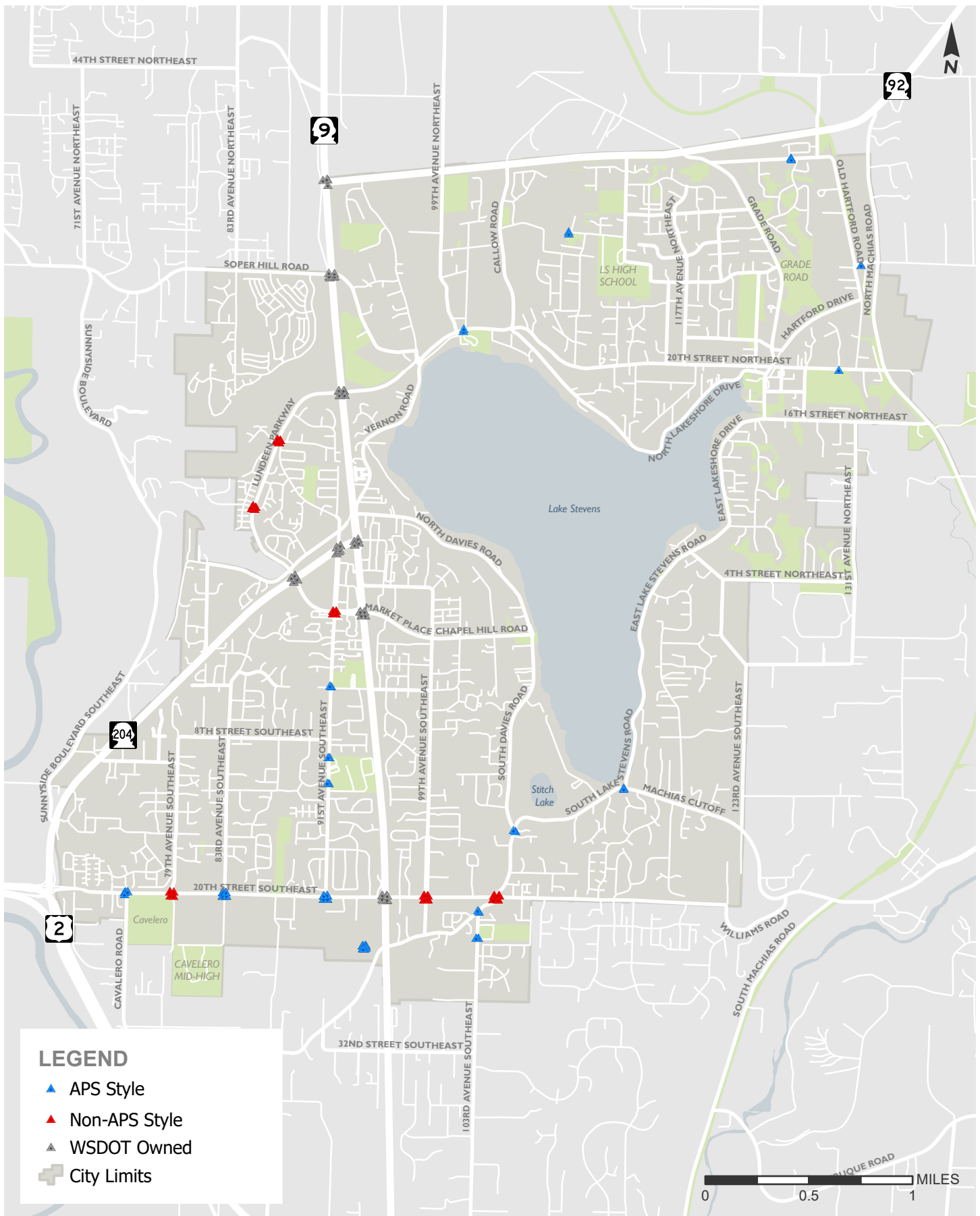
Approximately 47% of pedestrian pushbuttons in the city are an older “H-style” design (see Figure 2-15 top). This style of pushbutton can be upgraded to increase accessibility but must be fully replaced with an accessible pedestrian signal (APS)-style pushbutton to achieve full ADA compliance (see Figure 2-15 bottom).

The requirement to use APS-style pushbuttons is relatively new and lack of compliance is typically due to a crossing not being upgraded over time to reflect evolving requirements. Pushbuttons are typically upgraded to APS-style in groups rather than individually. As a result, APS-style additions and upgrades usually occur on an intersection-by-intersection basis.

Figure 2-16 demonstrates the type and locations of these pushbuttons throughout the city.



Figure 2-15 “H-style” (above) and APS-style pedestrian pushbutton (below)



Signal Push Buttons: APS and Non-APS

City of Lake Stevens ADA Transition Plan

transpogroup

FIGURE
2-16

2.3.2 Other Transportation Facilities within the City

The City of Lake Stevens acknowledges that there are facilities owned by other jurisdictions within Lake Stevens, including WSDOT. This report evaluates and prioritizes barriers within the City's public right of way; however, WSDOT owned facilities within City limits were also inventoried to provide a complete picture of accessibility within the City. Since these facilities are not maintained by the City, they were not included in subsequent analysis including prioritization and cost estimating. The following table summarizes the accessibility of WSDOT owned facilities within the City of Lake Stevens.

Table 2-1 Existing WSDOT owned facility compliance

CURB RAMP COMPLIANCE	RAMPS	% OF TOTAL
Significant Compliance Issue	62	51%
Minor Compliance Issue	45	37%
Compliant ramps	14	12%
Total	121	
SIDEWALK COMPLIANCE	MILES	% OF TOTAL
Significant Compliance Issue	0	0%
Minor Compliance Issue	0.62	94%
Compliant	0.04	6%
Total	1	
SIGNAL PUSH BUTTON COMPLIANCE	PUSH BUTTONS	% OF TOTAL
Non Compliant	54	96%
Compliant	2	4%
Total	56	

3 Stakeholder Engagement

Public and stakeholder input is an essential element in the transition plan development and self-evaluation processes. ADA implementation regulations require public entities to provide an opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the self-evaluation process and development of the transition plan by submitting comments (28 CFR 35.105(b) and 28 CFR 35.150(d)(1)). There were three primary goals for the public outreach activities prior to adopting the plan:

- Inform the public about the City's plan and processes regarding removal of barriers to accessibility within the right-of-way. Provide information to assist interested parties to understand the issues faced by the City, alternatives considered and planned actions.
- Obtain public comment to identify any errors or gaps in the proposed accessibility transition plan for the public rights-of-way, specifically on prioritization and grievance processes.
- Meet Title II requirements for public comment opportunity.

3.1 Engagement Methods

To generate public involvement and capture public feedback on the ADA Transition Plan, the City used several methods: a virtual open house, engagement survey, and online mapping tool. Promotion and advertising for these outreach methods utilized the City's website and social media channels, as well as hardy copy surveys and flyers delivered by City staff. The City of Lake Stevens developed a project website: <https://www.lakestevensada.com> for easy online access to project information and ways to provide feedback. A full account of the public engagement findings can be found in **Appendix E**.

3.1.1 Online Open House and Survey

An online open house that described the ADA transition plan project, goals and areas of focus of the project, was made available on the City's website. Within the open house an online survey and reporting tool was provided for the public to give feedback on gaps and barriers at specific locations.

The surveyed contained questions focusing on the following areas.

- Whether they have a disability or support a disabled person;
- Which type of accessibility barriers they currently experience;
- How they rate the accessibility conditions of existing facilities; and,
- What facility types they believe should be prioritized when removing accessibility barriers.

The survey was made available for public participation from December 7, 2022 to January 31, 2023. The City received 17 responses to the survey and this information was used to develop the transition plan.

The survey respondents were asked to identify their first and second priorities for improving pedestrian facilities within the city. The weighted rank priorities showed that the following three categories were highest priority:

- Schools and institutions
- Neighborhoods
- Transit facilities

This information was used to help prioritize facilities for improvement as discussed in Section 4.3.

4 Pedestrian Barrier Removal Methods and Schedule

Chapter 4 provides a summary of barrier removal methods and priorities to guide implementation of this plan. This chapter presents a total planning level cost estimate for the removal of existing pedestrian barriers. Finally, a schedule is presented that outlines the steps necessary to achieve compliance with current ADA standards.

4.1 Barrier Removal Methods – Public ROW

The City currently has a variety of barrier removal methods that are funded from sources that include Capital Improvement Plan (CIP) and Transportation Improvement Program (TIP) projects, Transportation Benefit District (TBD) projects, maintenance programs, and permitted development. Certain programs provide continual means of barrier removal while others vary based on outside influences such as permitted development and grants. The manner in which an existing pedestrian barrier is removed is typically a function of its complexity and cost. Less complex pedestrian barriers, such as minor vertical discontinuities, can be removed through maintenance and operations programs. More complex barriers, such as barriers associated with ramp or sidewalk design, typically require additional engineering as part of a more costly capital construction project.

For these methods to be effective, City practices and design standards must comply with federal ADA guidance. If standards are not updated and enforced, new or reconstructed pedestrian facilities may not be constructed to accessible standards, requiring costly revision, and increasing the duration it will take the City to remove accessibility barriers.

The following sections provide additional detail regarding the City's various funding mechanisms

for removing barriers to accessibility. Additional detail regarding the City's barrier removal programs and funding are included in **Appendix F**.

4.1.1 Capital Improvement Projects

The Capital Improvement Program (CIP) and Transportation Improvement Program (TIP) are rolling 6-year plans with a focus on maintaining the existing transportation network and improving it safely. Transportation projects include residential street projects, arterial street improvements, and pedestrian and bicycle facility projects. ADA compliant improvements (new or replacement) are often included as a component of these projects. With this transition plan, accessibility barriers are now easier to identify and include in CIP and TIP projects. The City's current planned Capital Improvement projects with ADA barrier removal elements include: South Lake Stevens Multi-Use Path Phase II & III, 16th Street NE Multi-Use Path, Mill Spur Downtown Parking Lot, 79th Avenue SE/8th Street SE Intersection, and Citywide Sidewalk Improvements (including this ADA Transition Plan). It should be noted that any projects with new sidewalk construction were not included in this funding estimate, as they are not removing existing ADA barriers. However, these facilities should be constructed to current ADA standards to the maximum extent feasible.

4.1.2 Transportation Benefit District (TBD) Projects

The City recently developed and passed a Transportation Benefit District (TBD). Planned TBD projects include the construction of street, sidewalk, walkways, and trail improvements within the City to improve transportation and pedestrian safety and access along with the overlay and repair of city streets included in the City's annual street preservation program. TBD

projects are funded from the City's sales and use tax. The City's TBD project with accessibility barrier removal elements include: Main Street Redevelopment, 91st Avenue NE Commercial Revitalization, 99th Avenue NE Redevelopment, 91st Street SE School Sidewalk Connections, 16th Street NE Centennial Trail Connector, 117th Street NE High School Sidewalk Connection, and the Soper Hill Road Pedestrian Connection to Lundeen Parkway. It should be noted that any projects with new sidewalk construction were not included in this funding estimate, as they are not removing existing ADA barriers.

4.1.3 Pavement Preservation and Overlay Program (Transportation Benefit District Overlays)

The City also has a dedicated Pavement Preservation and Overlay Program. Current funding for this program is approximately \$400,000. This program routinely removes barriers to accessibility by replacing and rebuilding non-compliant curb ramps. It was estimated that approximately \$75,000 of the total budget was used for this purpose. The TBD program is anticipated to increase total funding for the Pavement Preservation and Overlay Program to approximately \$650,000 in the future with approximately \$122,000 estimated for ADA barrier removal.

4.1.4 Sidewalk Construction Program

The City's Sidewalk Construction program is funded by the Real Estate Excise Tax and includes new or existing capital improvements. This program contributes to ADA barrier removal by constructing new sidewalk at locations of current non-compliance or barriers.

4.1.5 Sidewalk Repair and Maintenance Program

Operational and maintenance activities typically resolve less costly and less complex barriers to accessibility. The City's Sidewalk Repair and Maintenance program helps to remove ADA related barriers through curbs, streets, and sidewalk repairs. Though maintenance

investments for pedestrian facilities often do not bring sidewalks, ramps, and other pedestrian infrastructure fully up to ADA standards, these investments of staff time and resources typically result in critically important access improvements. These activities have included sidewalk panel grinding and panel replacement. Maintenance investments are crucial to increasing the longevity of the existing pedestrian network.

4.1.6 Permitted Development

Redevelopment of properties such as construction of new housing or commercial buildings or major remodels often removes barriers to accessibility. At times, private development results in street frontage improvements as a function of construction permit requirements. All such improvements should be designed and built to meet City and ADA standards.

4.2 Barrier Removal Plan and Schedule

The ADA requires agencies to specify a schedule for taking the steps necessary to make existing facilities ADA compliant. This plan section summarizes the three-step process used to develop a barrier removal implementation plan and schedule, consistent with ADA transition plan requirements:

1. Prioritization of pedestrian barriers. Physical barriers identified through the Self-Evaluation were prioritized based on the degree to which they physically impacted accessibility and their proximity to key pedestrian destinations. Community input received through stakeholder engagement informed the prioritization process.
2. Estimation of planning level costs to remove pedestrian barriers. Unit costs were applied to the barrier inventory to generate a total planning level cost estimate to remove Self-Evaluation identified barriers. This planning level cost estimate is the total estimated 'need' for barrier removal.
3. Development of a schedule for barrier removal. An estimate of available financial resources was generated and compared to the total estimated need to develop a schedule for barrier removal.

- Physical impact to accessibility
- Proximity to key pedestrian destinations, such as transit stops and schools.

The two resulting scores were added together to incorporate both factors into a single score for prioritization. Based on each facility's score, it was categorized as very high, high, medium, or low priority for barrier removal. Under this system, facilities that present greater barriers to accessibility and are located near multiple key pedestrian destinations are considered a high priority, while facilities with less significant physical barriers located farther from key pedestrian destinations are considered a low priority. Prioritization scoring factors are described below.

Physical impact to accessibility: Accessibility Index Score (AIS)

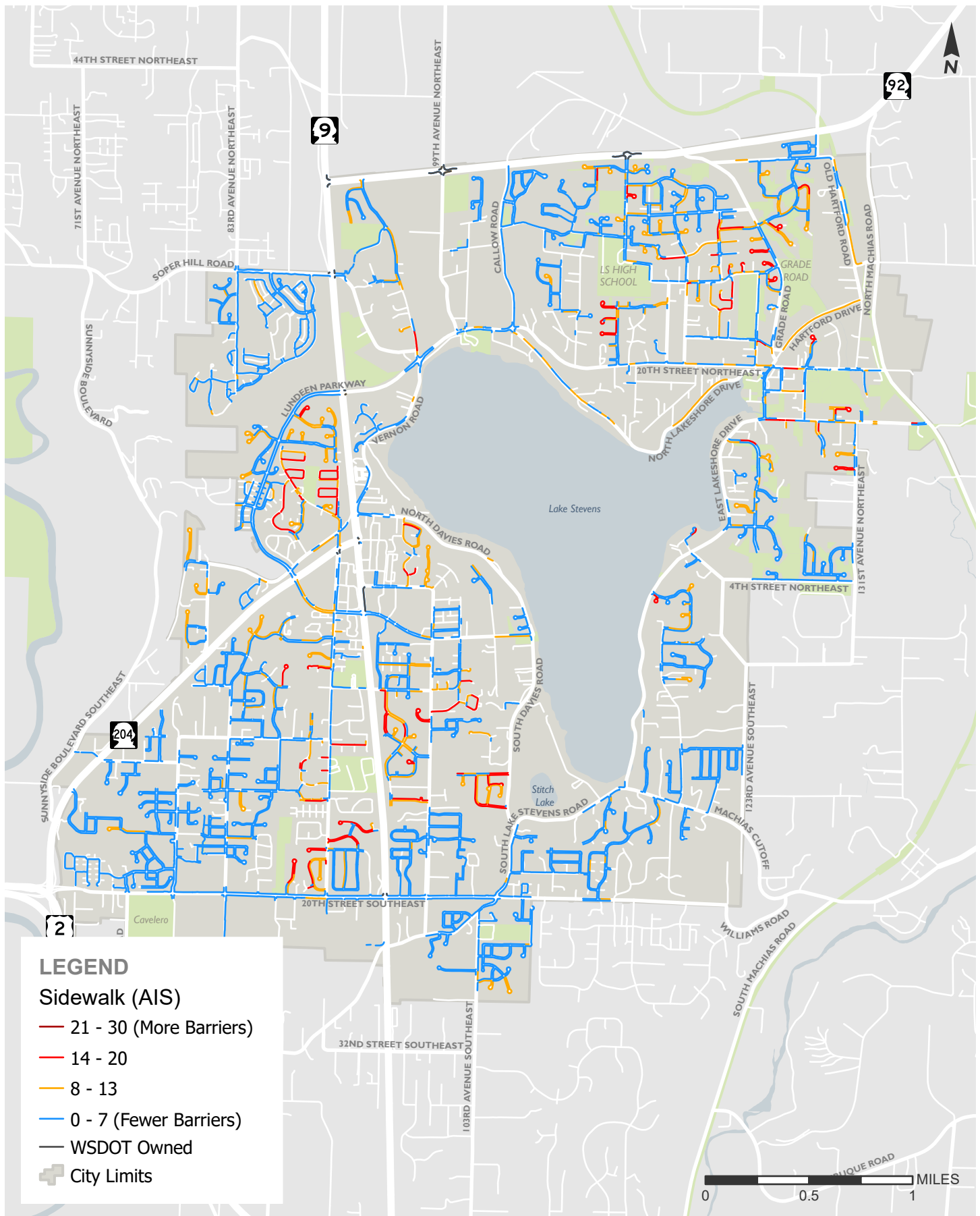
The Accessibility Index Score describes the degree to which each facility presents a physical barrier to accessibility. Criteria and weights were developed for sidewalks, curb ramps, and pedestrian pushbuttons. These criteria and weights are shown in **Appendix D**.

Potential scores for each facility range from 0 (compliant) to 30. Each facility's Accessibility Index Score is the sum of the individual criteria scores. Curb ramps with non-compliant ramp widths, running slopes, or cross-slopes greater than three percent were assigned the highest possible score of 30.

4.2.1 Prioritization

4.2.1.1 Pedestrian Barriers – Public ROW

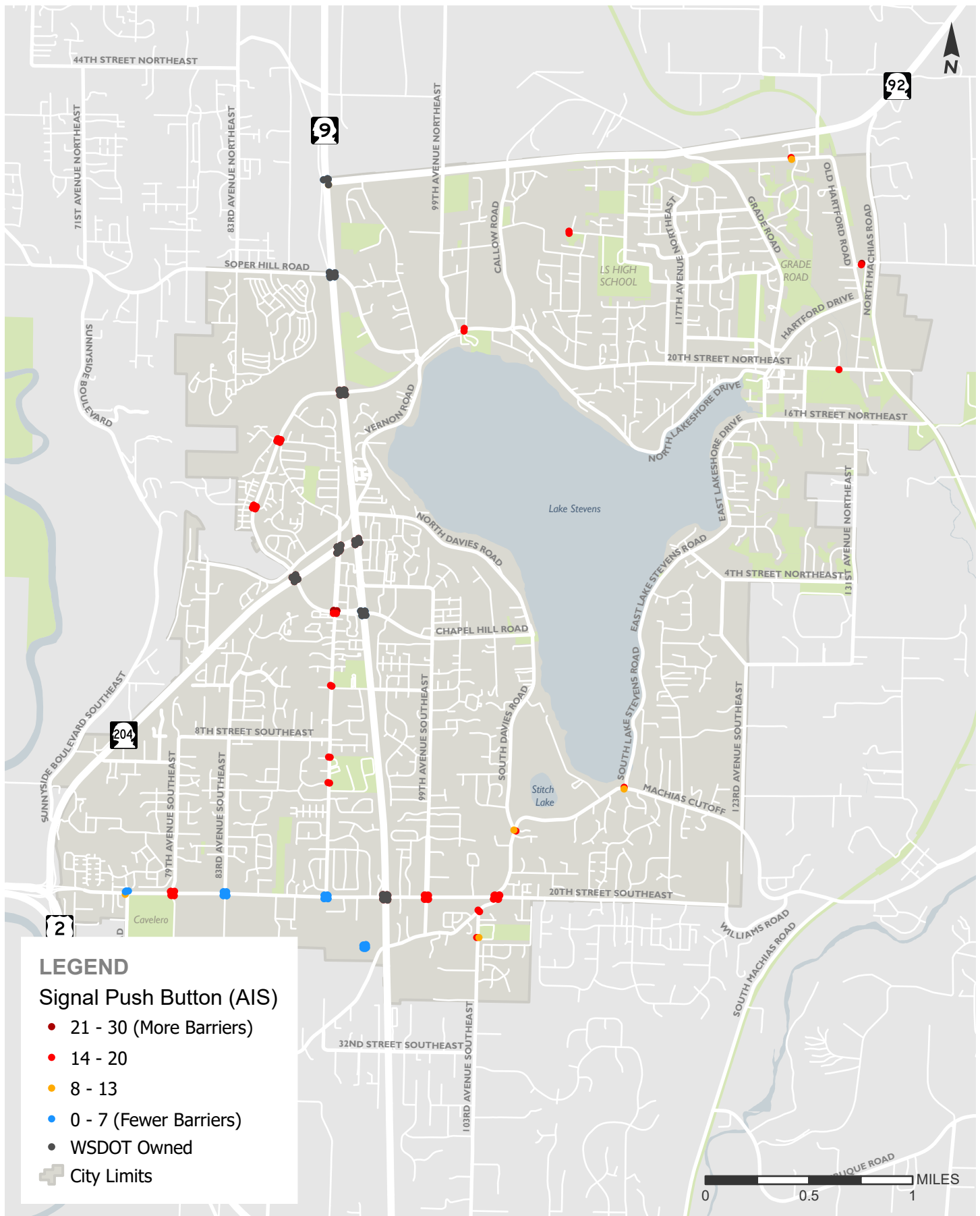
To inform the City's future project selection and understand the impact of barrier removal programs, a prioritization system was developed and used to score each pedestrian facility. This system was informed by the Self-Evaluation data, the community engagement process, and technical expertise. It reflects both a facility's physical characteristics and its importance to pedestrian travel. Under the prioritization system, each barrier was scored independently on two factors:



Accessibility Index Score Composite (Sidewalk) *City of Lake Stevens ADA Transition Plan*

transpogroup 

FIGURE
4-1



Accessibility Index Score Composite (Signal Push Button) City of Lake Stevens ADA Transition Plan

transpogroup

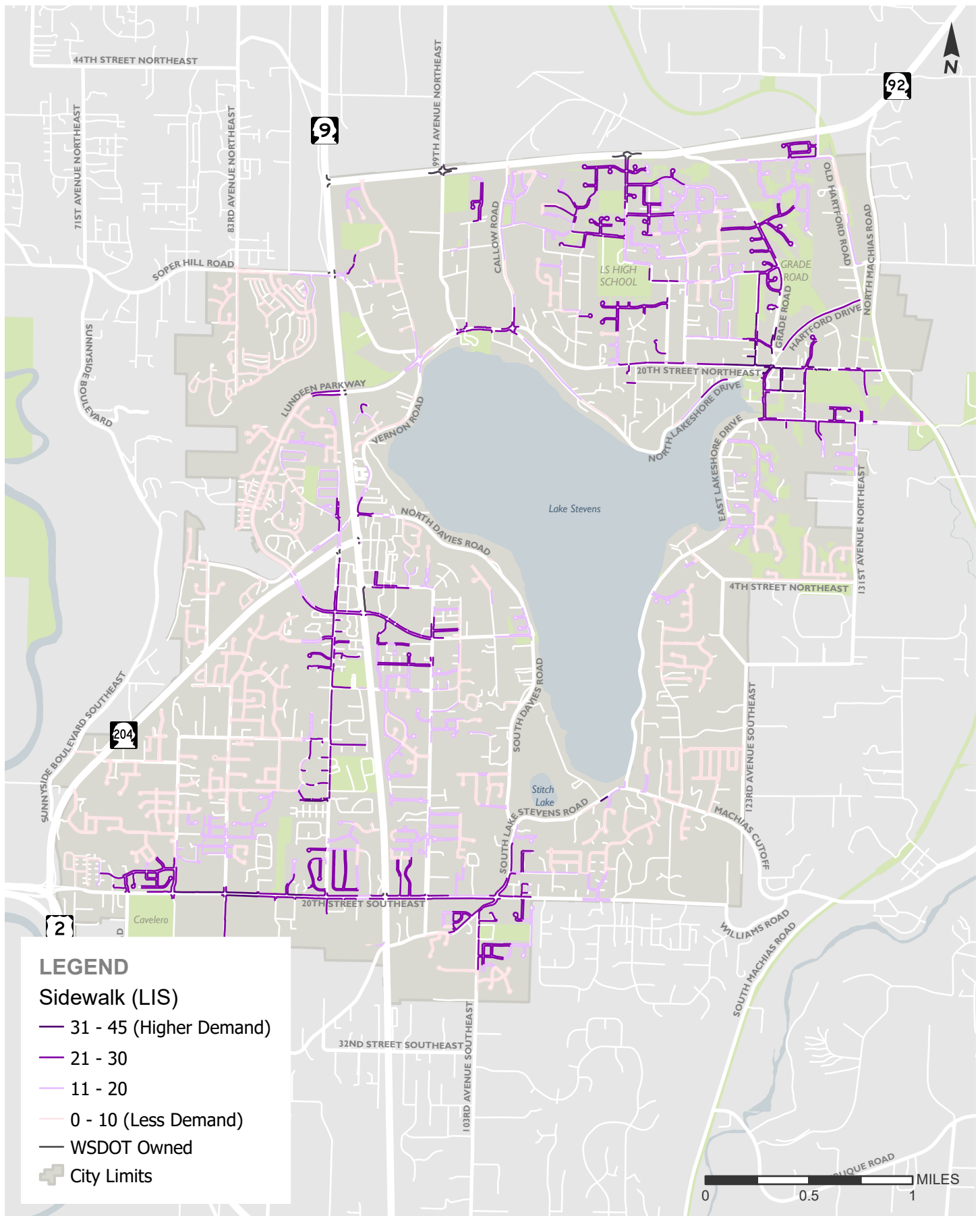
FIGURE
4-3

**Proximity to key pedestrian destinations:
Location Index Score (LIS)**

The Location Index Score describes the importance of the pedestrian facility to accessing key pedestrian destinations. Each existing pedestrian facility was scored based on its proximity to schools, parks, transit facilities, signals or roundabouts, public buildings, and downtown or commercial business centers. Facilities near schools and institutions, neighborhood streets, and transit facilities received a higher score to reflect feedback received through the public engagement survey. Higher priority was given to the specific neighborhood locations where survey respondents noted existing ADA barriers. In addition, special consideration was given to the locations identified in the WSDOT letters provided in **Appendix C**. These locations were given priority scoring that puts them in the highest priority barrier category, and will be prioritized first for barrier removal.

Location Index Scores reflect the number of types of key pedestrian destinations within a defined radius. The full score for each type of destination is assigned if at least one facility of that type is nearby; scores do not increase if a facility is within the radius of multiple destinations of the same type. For example, a facility within one-eighth mile of two parks will receive a score of 5, while a facility within one-eighth mile of a park and a school will receive a score of 10.

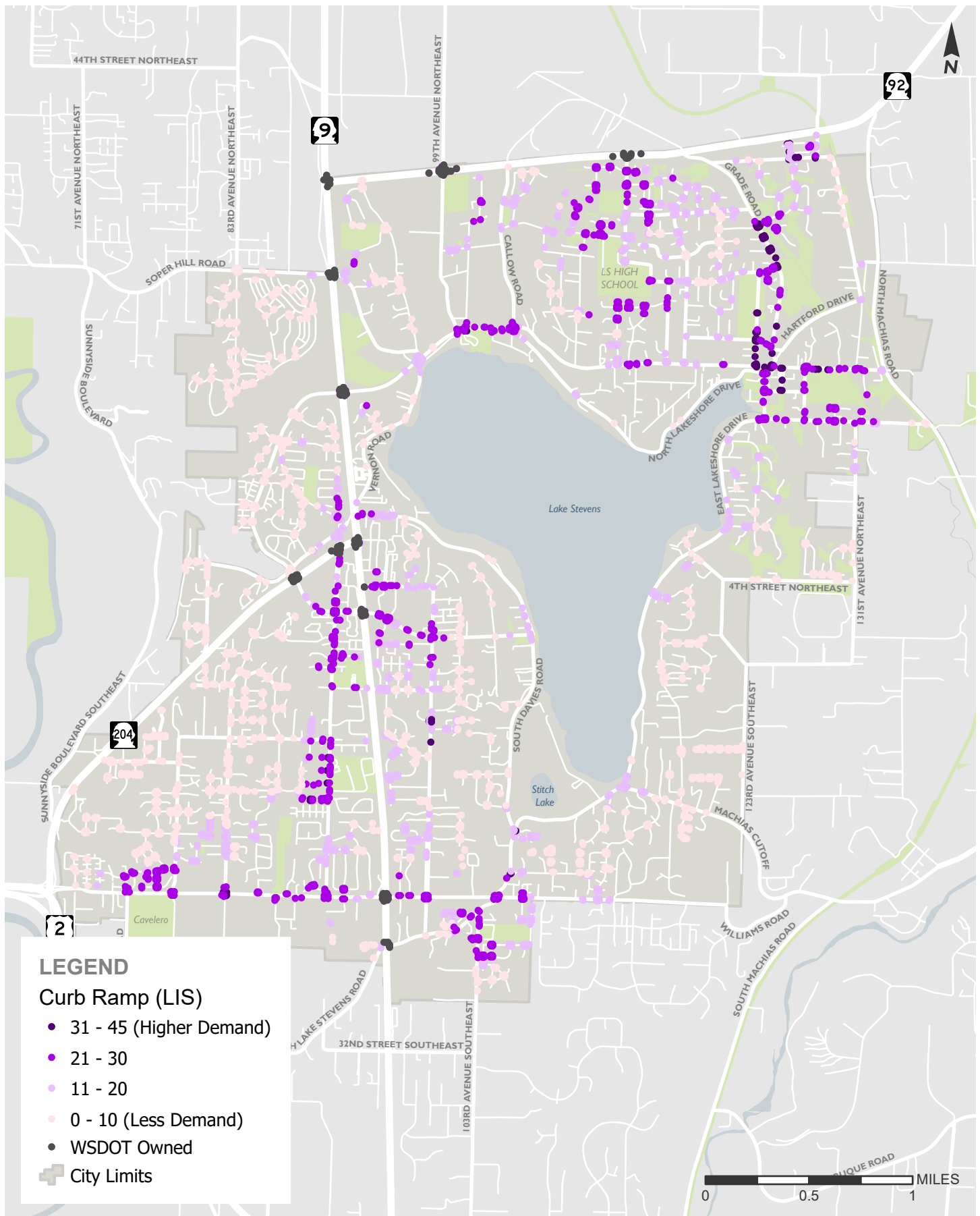
Total Location Index Scores ranged from 0 to 45. Location scoring criteria and weights are shown in **Appendix D**.



Location Index Score Composite (Sidewalk)
 City of Lake Stevens ADA Transition Plan

transpogroup 

FIGURE
4-5

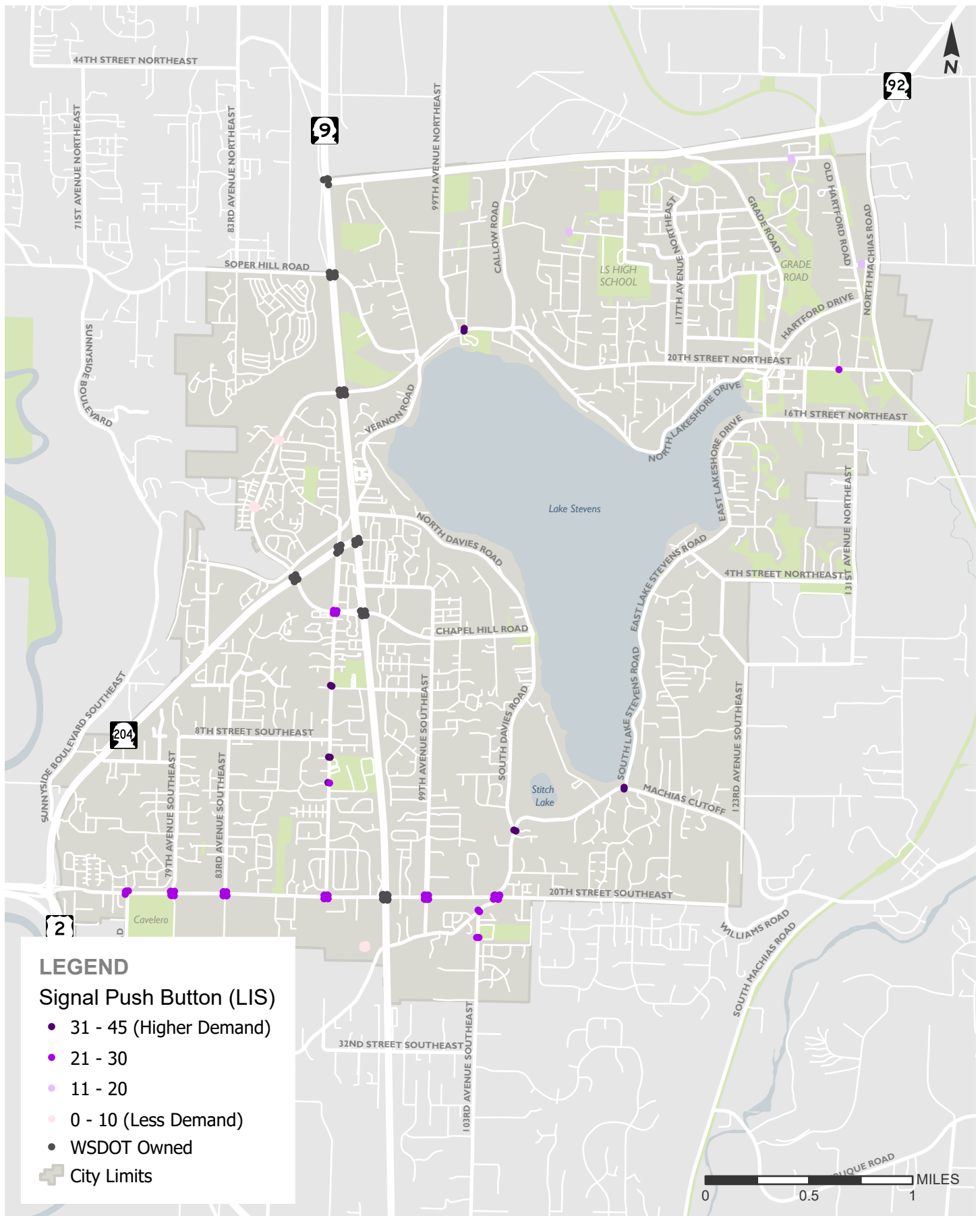


Location Index Score Composite (Curb Ramp)

City of Lake Stevens ADA Transition Plan

transpogroup

FIGURE
4-6

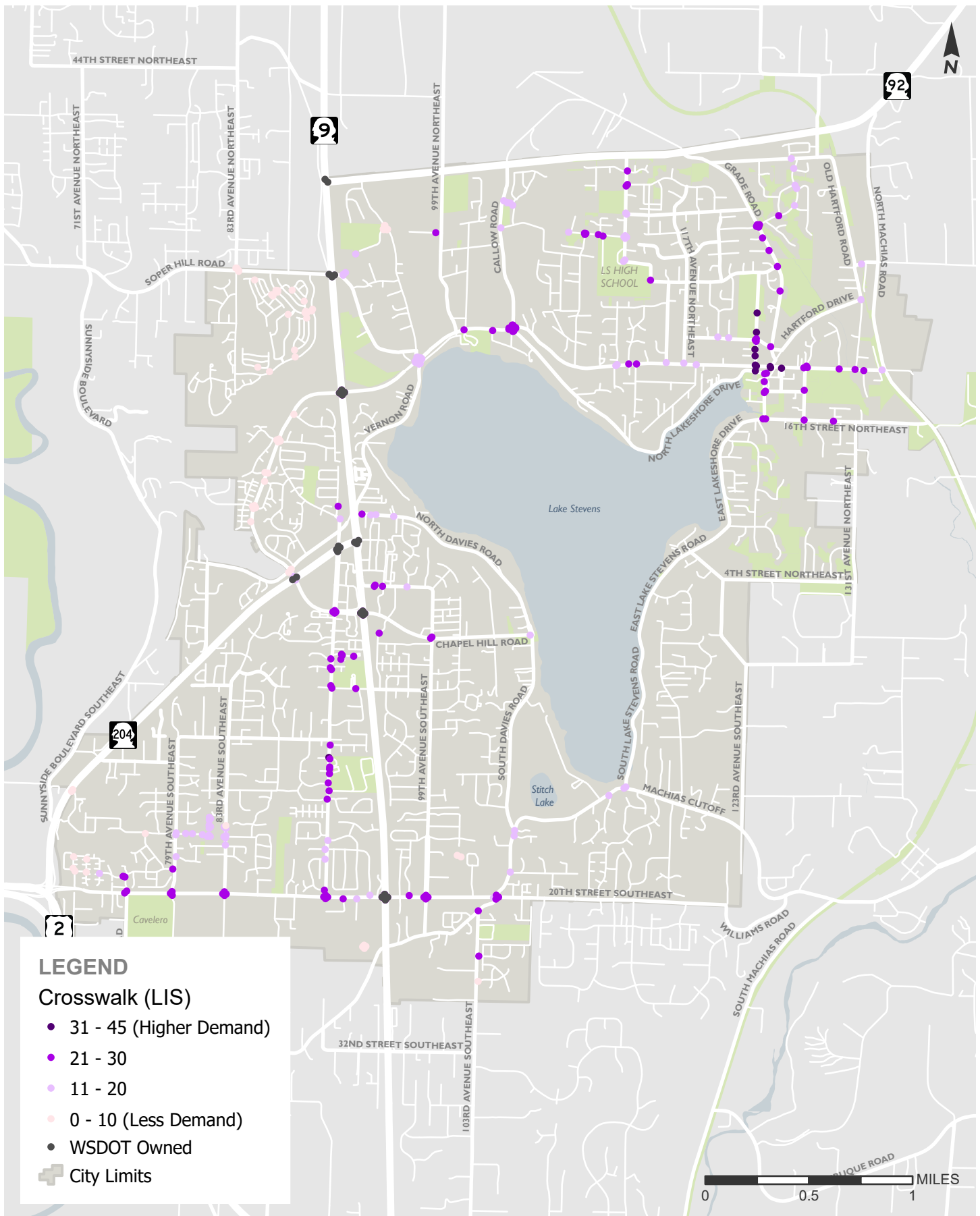


Location Index Score Composite (Signal Push Button)

City of Lake Stevens ADA Transition Plan

transpogroup 

FIGURE
4-7



Location Index Score Composite (Crosswalk)

City of Lake Stevens ADA Transition Plan

transpogroup

FIGURE
4-8

Combined Index Score

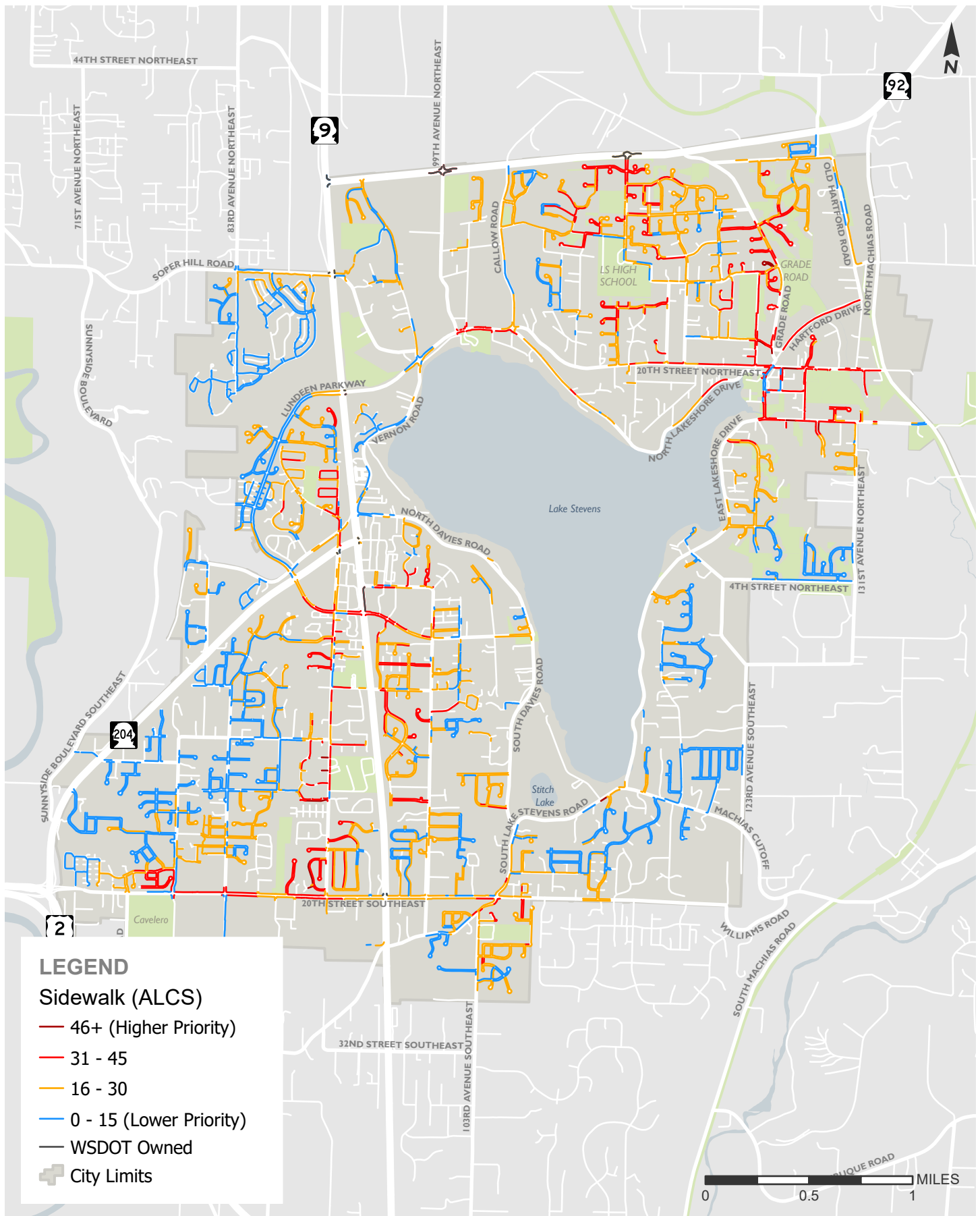
The Combined Index Score sums the Accessibility Index Score and Location Index Score to prioritize facilities with accessibility barriers in areas where pedestrians would be expected.

Scores were grouped into four categories:

- Very High: significant physical barriers in high-demand areas: 46-75 points
- High: 31-45 points
- Medium: 16-30 points
- Low: minor barriers in low-demand areas: 1-15 points

Scores reflect relative priority within each facility type; they do not indicate relative priority between facility types (ex., the importance of addressing a curb ramp barrier versus a sidewalk barrier).

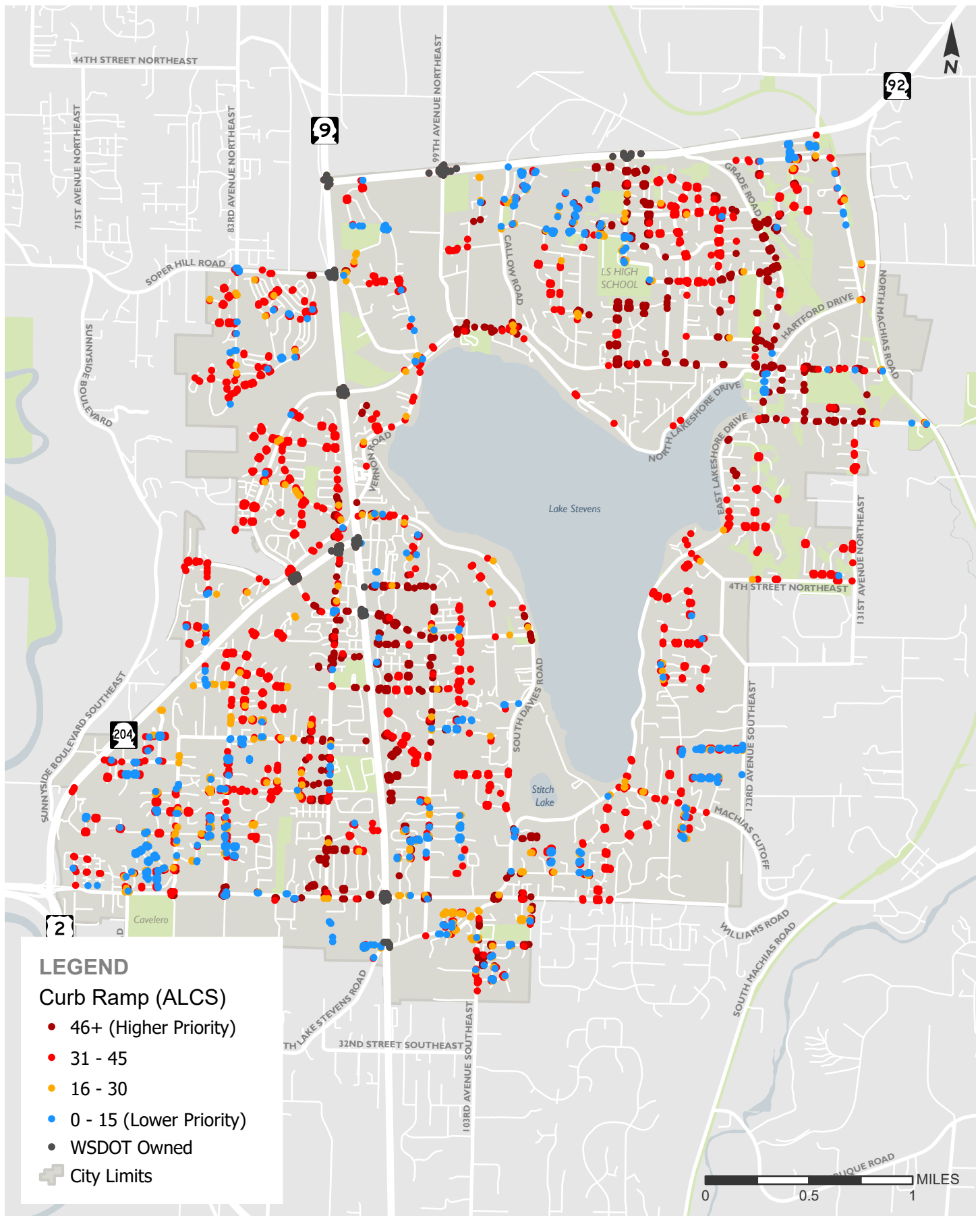
Combined index scores provide planning level context to barrier removal and overall accessibility needs within the city. As this Transition Plan is implemented, barrier removal will be guided by multiple factors, including funding availability, location of capital projects that include pedestrian elements, construction efficiency, project-level analysis, etc. Barriers of all priority levels will be removed over time.



Accessibility (AIS) & Location (LIS) Combined Score (Sidewalk)
City of Lake Stevens ADA Transition Plan

transpogroup

FIGURE
4-9



Accessibility (AIS) & Location (LIS) Combined Score (Curb Ramp)
City of Lake Stevens ADA Transition Plan

transpogroup 

FIGURE
4-10

4.2.2 Planning Level Cost Estimates to Remove Pedestrian Barriers

To meet the ADA transition plan requirement of demonstrating how barriers are to be removed over time, annual available financial resources were estimated and compared to the total estimated barrier removal costs.

Process

Unit costs were developed for the improvements needed to address the pedestrian barriers inventoried through the Self-Evaluation. Unit cost estimates for each barrier type were developed using recent WSDOT and other construction bid tabulations, input from subject matter experts, and planning level cost assumptions. Unit cost estimates assumed contract-based construction, instead of use of in-house crews.

Unit cost estimates were applied to the inventoried barriers, with adjustments made to account for construction efficiencies and to avoid applying redundant improvements to the same facility. All cost estimates are in 2023 dollars. Cost estimate assumptions are detailed in **Appendix F**.

Barrier removal construction cost estimates account for contingency, design, right-of-way, mobilization, temporary erosion control, traffic control, and construction management. Sales tax, structural impacts to buildings, permit fees, inflation, and potential changes to accessibility standards are not assumed in the cost estimate.

This planning level cost analysis did not assess whether non-compliant pedestrian facilities had been built to the maximum extent feasible. Therefore, this cost estimate may overstate the amount of feasible improvements.

Planning level cost estimate to remove all identified barriers were developed for the public right-of-way.

The removal costs for all non-compliant assets within the public right-of-way add to \$37,628,000 (in 2023 dollars). Cost estimates by facility and improvement type are shown in Table 4-1.

Table 4-1 Planning Level Cost Estimate within Public Right of Way

ADA DEFICIENCY	IMPROVEMENT TYPES	QUANTITY	UNIT COST	TOTAL COST
Sidewalk Improvements				
Non-compliant sidewalk	Reconstruct existing sidewalk/paved shoulder walkway	-	-	\$3,053,000
Subtotal				\$3,053,000
Curb Ramp Improvements				
Missing curb ramps	Install new curb ramp.	400 EA	\$6,000	\$2,400,000
Non-compliant ramp (running slope, cross slope, ramp width, flare slope, lip, grade break, etc.)	Remove and reconstruct existing ramp.	2,276 EA	\$6,000	\$13,656,000
Curb ramps without detectable warning surface (DWS), non-compliant DWS placement, non-compliant DWS depth, or non-compliant DWS Width	Install/replace detectable warning surface.	41 EA	\$1,030	\$43,000
Curb ramp at marked crosswalk does not end within crosswalk	Rechannelize crosswalk	24 EA	\$1,100	\$27,000
Subtotal				\$16,126,000
Pushbutton Improvements				
Non-APS pushbutton and pushbutton is located incorrectly.	Install new APS pushbutton and install new pole.	46 EA	\$5,900	\$272,000
APS pushbutton that has non-compliant dimensions and/or programming and located incorrectly.	Reprogram pushbutton, reorient pushbutton, and/or install tactile arrow and install new pole and relocate pushbutton.	22 EA	\$3,700	\$82,000
APS pushbutton located incorrectly.	Install new pole and relocate pushbutton.	17 EA	\$3,500	\$60,000
APS pushbutton that has non-compliant dimensions and/or programming	Reprogram pushbutton, reorient pushbutton, and/or install tactile arrow.	11 EA	\$200	\$3,000
Subtotal				\$417,000
Total				\$19,596,000
Contingency @ 20%				\$3,920,000
Design @ 12%				\$2,352,000
Mobilization @ 8%				\$1,568,000
TESC + Traffic Control @ 12%				\$2,352,000
Construction Management @ 20%				\$3,920,000
Right-of-Way @ 20%				\$3,920,000
PUBLIC RIGHT-OF-WAY TOTAL 2023 DOLLARS				\$37,628,000

4.2.3 Barrier Removal Funding

A requirement of this plan is to forecast available funding that may be used to support plan implementation. The following sections summarize an estimate of funding currently available for removal of barriers to accessibility.

4.2.3.1 Public ROW

A total annual funding level for barrier removal in the public ROW was estimated at approximately \$1,668,000 per year. Information describing how this estimation was calculated is detailed in **Appendix F**. Assumptions regarding the percentage of total project funding applied to barrier removal were coordinated with City staff. A summary of annual budget resources anticipated to be available to support pedestrian barrier removal implementation includes:

- Capital Improvement Projects: \$320,000
- Transportation Benefit District (TBD) Projects: \$1,050,000
- Pavement Preservation and Overlay Program (TBD Overlays): \$122,000
- Sidewalk Construction Program: \$100,000
- Sidewalk Repair and Maintenance Program: \$45,000
- Permitted Development: \$25,000

See Section 4.1 for details on these programs. These improvements may address low, medium, high, and very high priority barriers based on the location of a proposed larger project or maintenance program.

4.2.4 Schedule

Based upon the Self-Evaluation, planning-level cost estimates, identified barrier removal methods, and projected budgetary resources that may be available, a barrier removal budget and schedule was developed. Due to the large investment needed to remove accessibility barriers, it is important to identify the highest priority barriers and focus resources to remove them first.

An analysis of the barrier prioritization was completed to determine how many barriers found during the self-evaluation process are classified as 'very high' and 'high', 'medium', and 'low' priority as defined in Section 4.1. Highest priority level represents a significant barrier to accessibility in areas with higher pedestrian demand. Lower priority levels represent lesser barriers to accessibility in areas with lower pedestrian demand. Although some facilities will receive low ratings, all barriers to accessibility will need to be removed or built to the maximum extent feasible. Approximately 24% of barriers are classified as very high priority, 54% are classified as high priority, 17% are classified as medium priority, and 5% are classified as low priority.

The City should aim to remove the highest priority barriers first as targetable funding becomes available. This will support the goal of providing better access to the most needed programs in the shortest timeframe possible.

4.2.4.1 Public ROW

A transition plan was developed to target removal of barriers to accessibility. It was assumed that a greater percentage of current City funding would be allocated to higher priority barriers. Assumed funding allocation based on barrier priority is summarized in Table 4-2.

Table 4-2 Funding Allocation by Barrier Priority

Investment Priority	Percent of Funding Allocated to Barrier Removal
Very High	40%
High	30%
Medium	20%
Low	10%

With the City's current funding allocation, **approximately 23 transition years would be required to remove all right-of-way barriers**. An approximately 10- to 20-year plan was developed to estimate the additional annual

funding required to remove all barriers. The transition plan is summarized in Table 4-3.

determine if improvements to the facility are feasible in the engineering design phase.

Table 4-3 ADA Very High Barrier Removal Transition

Transition Years	Recommended Additional Annual Investment
20 Years	\$260,000
15 Years	\$760,000
10 Years	\$2,000,000

The City should create a two to five-year barrier removal plan with a list of projects to remove specific barriers. This program should focus on the highest priority barriers as funding allows. In order to inform the two-to-five-year program, a scoping effort should occur that includes site visits for areas identified as a high priority to determine the severity of the barrier and to brainstorm possible solutions to fix the issue. When selecting projects, site conditions and improvement feasibility should be taken into account. Areas with multiple barriers within close proximity can be grouped together to achieve cost savings.

Following completion of each two to five-year plan implementation cycle, lessons learned regarding costs, methods, schedule, and outcomes should be evaluated to inform the next two-to-five-year cycle of pedestrian barrier removal investments. If progress is slower than anticipated, additional funding may be required. If progress is faster than anticipated, a shorter timeline may be achievable. Several factors may contribute to differences between the estimated transition schedule and the actual rate and cost of implementation. Some of these factors include actual funding acquired, individual project cost, site specific design savings, additional deterioration of pedestrian facilities, and unanticipated capital projects. In addition, it may be determined that some barriers identified through this transition plan are on facilities that have been built to the maximum extent feasible as discussed in Section 5.1. Each project to remove barriers should be evaluated to

5 Recommendations and Next Steps

5.1 Recommended Actions

This chapter provides a set of recommendations intended to inform the implementation of this Transition Plan and ongoing removal of pedestrian barriers. Recommendations are not presented in priority order and represent near-term and longer-term Transition Plan implementation workplan tasks.

Recommendations identified as Pending require additional action from the City to implement. Underway recommendations are in progress at this time. On-going recommendations have been previously established and are continually in progress. Complete recommendations have been completed but may require additional action based on adjustments noted in this section.

Recommendation 1: Update City design standards to match ADA Standards

Status: Underway

A detailed audit of City design standards using *Proposed Guidelines for Pedestrian Facilities in the Public Right-of-Way 2011* (PROWAG) was conducted to inform Chapter 2. This audit, which is included in **Appendix A** and recommends specific changes and additions to the City's standard plans and municipal code. Recommendations were identified for updating existing sidewalk, curb ramp, and pushbutton standards and filling in ADA guidelines for areas not covered in the City's standards and code. The City should update these documents to meet PROWAG standards.

Recommendation 2: Identify an official responsible for Transition Plan implementation within the Public Works Department

Status: Complete

Maximillian Roth has been identified as the responsible official. This position, often referred

to as the "ADA Coordinator," is one of the four major federal requirements for every ADA transition plan. The ADA Coordinator is responsible for facilitating transition planning such as responding to grievance requests. They also function as a central figure for organizing the various programs within the City to maintain a consistent approach to barrier removal and achieving ADA standards across capital, maintenance, and operational activities.

Official Responsible for Plan Implementation:

Maximillian Roth

ADA Coordinator & Risk Manager

P.O. Box 257

Lake Stevens, WA 98258

425-622-9440

TTY Relay Service: 711 or 1-800-833-6384

mroth@lakestevenswa.gov

Recommendation 3: Adopt a Citywide Accessible Pedestrian Signal (APS) policy

Status: Pending

Accessible Pedestrian Signal (APS) policies serve as a means for cities to be consistent with ADA requirements at traffic signals. The APS policy covers when installation of APS devices that "communicate information about pedestrian timing in nonvisual formats such as audible tones, verbal messages, and/or vibrating surfaces" (MUTCD) is required. The recommended APS policy is included in **Appendix G**.

Recommendation 4: Educate City staff, consultants, and contractors on ADA standards

Status: On-going

Transition plans are often a learning experience for City staff, consultants, and contractors alike

since they change existing practices and expectations. The City should use updates to the City's design standards as an opportunity to teach and learn about accessibility and the barriers that those with limited mobility or sight experience when traveling in the City's public right-of-way. This should include clarifying guidance from the Department of Justice, for example, that when pedestrian facilities (curb ramps, sidewalks, crosswalks, pedestrian signals, etc.) within the public right-of-way are altered, they must be revised/replaced to meet current ADA standards. Education can take many forms from review of updated design standards with key individuals such as field inspectors and contractors, development and review of City specific design standards or checklists with City engineers, or training from groups that serve those with disabilities.

**Recommendations 5:
Develop a standard grievance process for barriers to accessibility**

Status: Underway

Public entities subject to Title II of the ADA are required to adopt and publish a grievance procedure as part of their transition plan. A grievance process allows community members to formally report denial of access to a City facility, program, or activity on the basis of disability.

Currently, the City has an established process to file a request for accommodation via the Public Works webpage under the ADA Accommodation section, or individuals may make a direct request with the City's ADA Coordinator. Individuals may also file an ADA grievance online, documenting the description of the complaint as well as the requested remedy. The request for accommodation, ADA grievance form, and ADA Coordinator contact information may be found at:

<https://www.lakestevenswa.gov/563/ADA-Accommodation>

The general City contact can be found at <https://www.lakestevenswa.gov/415/Contact> and includes information on when public meetings are as well as contact information.

The City's current grievance request forms can be found in **Appendix H**.

The following adjustments are recommended to the City's existing service request process:

- Integrate the ADA request for service and ADA grievance portals with the City Services section of the website. The ADA request for service and ADA grievance request process should be clearly labeled and available via the City's Request City Services webpage.
- Connect the reporting tool used in the public engagement effort for this plan to the Public Works Service Request webpage.

**Recommendation 6:
Develop a consistent and centralized MEF documentation database**

Status: Underway

The ADA dictates that alterations that could affect the usability of a facility must be made in an accessible manner to the maximum extent feasible (MEF). ADA Standards for Accessible Design (2010) dictates that:

Each facility or part of a facility altered by, on behalf of, or for the use of a public entity in a manner that affects or could affect the usability of the facility or part of the facility shall, to the maximum extent feasible, be altered in such manner that the altered portion of the facility is readily accessible to and usable by individuals with disabilities, if the alteration was commenced after January 26, 1992.

The City should document newly constructed or altered facilities that have been built to the maximum extent feasible rather than full ADA standards using standard template. The City's current MEF form can be found on the City's website at

<https://www.lakestevenswa.gov/DocumentCenter/View/10747/Maximum-Extent-Feasible-Form?bidId=> and is included in **Appendix I**.

Each project is to be evaluated to determine if improvements to the facility are feasible in the engineering design phase.

The reason for any variation from accessibility standards when it is infeasible to fully remove any barriers should be documented. To help organize MEF documentation, a central location for all MEF documentation can be established and geocoded to the facility location and ensure consistency of data for facilities designed and constructed by others. Consolidation of past MEF records into this data is also recommended.

**Recommendation 7:
Develop performance measures and
processes to track removal of barriers**

Status: Pending

The primary purpose of an ADA transition plan is to develop a plan for removal of accessibility barriers. To show progress towards this requirement, the City should develop a process of tracking barrier removal on an annual basis. It is recommended that the City actively update the GIS ADA self-evaluation database developed for this plan, tracking how and when ADA barriers are removed. This data can be used to provide two-to-five-year updates on progress and demonstrate to the public as well as federal regulators that the City is making progress to meet Title II requirements. These updates should coincide with the two-to-five-year planning efforts completed to outline future barrier removal efforts.

**Recommendation 9:
Evaluate all City Programs and Activities
as they relate to the ADA**

Status: Pending

The focus of the initial self-evaluation was on ADA barriers related to the public right-of-way within the City. The requirements for accessibility found in Title II of the ADA apply to many functions, programs, and activities the City may provide or engage in. In addition to the public right-of-way, self-evaluation and transition planning related to activities such as hiring communications, recreational programs, physical facilities, etc. should be performed to identify barriers within these programs and activities.

Appendix A - Standards Review Barrier Audit

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TECHNICAL MEMORANDUM

Date:	March 7, 2023	TG:	1.22273.00
To:	Kim Klinkers – City of Lake Stevens		
From:	Ryan Peterson, PE, PTOE, Transpo Group		
Subject:	Barrier Removal Audit – City of Lake Stevens ADA Transition Plan		

The City of Lake Stevens maintains road design standards and municipal code covering pedestrian facilities. The design standards are used for both public and private construction of transportation and storm-water facilities within the City. This memorandum describes design guidelines that meet the requirements of the Americans with Disabilities Act (ADA), common accessibility design issues, and references to specific design guidelines. The audit of the City's roadway design standards and municipal code as they relate to pedestrian features within the public right-of-way include the City's Engineering Design and Development Standards (EDDS) and the City of Lake Stevens Municipal Code (LSMC).

Design Guidelines

There are several key design measurements that ADA design guidelines address. These measures are used because they are important to the accessibility and safety of the facility. When pedestrian facility designs cannot be constructed to full design requirements, they should be built to conform to the maximum extent feasible. When this arises, the City should identify the location this occurs, provide justification, and document for future reference.

Several guidelines and references are available to assist the City of Lake Stevens in adhering to accessible design standards based on the needs for various projects. There are many opportunities to improve pedestrian conditions by identifying areas of need and establishing the appropriate accessibility design requirements.

2010 ADA Standards for Accessible Design (ADAS) (September 2010)

The Department of Justice published revised regulations for Titles II and III of the Americans with Disabilities Act of 1990 "ADA" in the Federal Register on September 15, 2010. These regulations adopted revised, enforceable accessibility standards called the 2010 ADA Standards for Accessible Design "2010 Standards". The 2010 Standards set minimum requirements – both scoping and technical — for newly designed and constructed or altered State and local government facilities, public accommodations, and commercial facilities to be readily accessible to and usable by individuals with disabilities.

Proposed Guidelines for Pedestrian Facilities in the Public Right-of Way (PROWAG) (November 2011)

The United States Access Board is the rule making body that guides ADA compliance across the US. Since the late 2000's the US Access Board has been in the process of updating its Guidelines for Pedestrian Facilities in the Public Rights-of-Way. These draft guidelines focus on accessibility of sidewalks, curb ramps and in the soon to be released versions address shared-use trails. The draft guidelines cover legislative background, administration requirements, and design requirements.

Many public entities currently use the 2005 draft PROWAG as 'best practice' for features within the public right-of-ways. This practice has been endorsed by the Federal Highway Administration (FHWA), the US Access Board, and is the standard the Washington Department of Transportation adheres to. The City's standards and codes were evaluated against 2011 PROWAG as this is the latest guideline developed by the Access Board. PROWAG sections

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referenced in this memo refer to 2011 PROWAG sections. When these standards conflict with the 2010 ADA, the PROWAG standard is recommended.

Design Requirements

Although the City of Lake Stevens has standards in place it is important for the standards to be consistent and compliant with the above standards and guidelines. To that end, this memo will provide recommendations to improve and clarify the existing city documents. As well, recommended actions are included where necessary to meet ADA design standards and best practice. The following tables describe requirements for specific design elements, how they are addressed in City standards, and recommendations for modifications. In addition to the following tables, Attachment A includes markups on the city standard details to expand on the recommendations below

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Sidewalks and Pathways

Sidewalks are mentioned in the City's standard details and city code. These standards cover desired dimensions and materials to be used for construction of these facilities. Sidewalks are a common element found in a pedestrian access route (PAR).

Design Element	Requirement	Review	Recommendations
Pedestrian Access Route (PAR) and Pedestrian Circulation Path (PCP)	Various	Sidewalks, pathways, and trails shown on multiple standard details and within the EDDS text.	N/A
Sidewalk Width	Minimum clear width of PAR is 4 ft. excluding the curb; however, on PAR less than 5 ft. wide, passing space of 5 ft. by 5 ft. is required every 200 ft. minimum (PROWAG R302.3 and R302.4) Clear width of walking surfaces shall be 36 inches minimum. The clear width shall be permitted to be reduced to 32 inches minimum for a length of 24 inches maximum provided that reduced width segments are separated by segments that are 48 inches long minimum and 36 inches wide minimum. Additional space is required at turns (ADAS 403.5.1).	5 ft. – 6ft. sidewalk width (EDDS Std. Plans 2-010 and 2-020). 5 ft. min. sidewalk width (EDDS Std. Plans 2-011, 2-021, 2-031, 2-041, and 6-020). 5 ft. sidewalk width (EDDS Std. Plans 2-030, 2-121, 2-122, and 2-141). 6 ft. sidewalk width (EDDS Std. Plan 2-040). 5 ft. shoulder walkway width (EDDS Std. Plan 2-110). 5ft. passing width around mailbox cluster (EDDS Std. Plan 6-140)." "At least five ft. wide on access streets" (EDDS Section 6-112).	N/A
Sidewalk Running Slope	Where the PAR is contained within a street or highway right-of-way, its grade shall not exceed the general grade established for the adjacent street or highway. When the PAR is not contained within the street or highway right-of-way, the grade of shall not exceed 5 percent (PROWAG R302.5). The running slope of walking surfaces shall not be steeper than 1:20 (ADAS 403.3).	"Sidewalks shall not exceed maximum grade permitted for slope standards of the ADA" (EDDS Section 6-112).	N/A
Sidewalk Cross Slope	The cross slope of a PAR shall be 2 percent maximum (PROWAG R302.6). The cross slope of walking surfaces shall not be steeper than 1:48 (ADAS 403.3).	Sidewalk cross slope shown as 2%. (EDDS Std. Plans 2-010, 2-020, 2-030, 2-040, 2-121, 2-122, and 8-050). Sidewalk cross slope shown as 0.02 FT./FT. (EDDS Std. Plans 2-100, 2-120, 2-040, and 6-010). "Sidewalks shall not exceed maximum grade permitted for slope standards of the ADA" (EDDS Section 6-112).	Recommend including a desired cross slope of 1.5% or flatter to allow for construction tolerances with 2% as the maximum cross slope. Update slope units to be consistent across standard details. Label the cross slope requirement on standard plans missing the information, see Attachment A.

Design Element	Requirement	Review	Recommendations
Protruding Objects	Objects with leading edges more than 2.25 ft. and not more than 6.7 ft. above the finish surface shall protrude 4 in. maximum horizontally into the pedestrian circulation path (PCP) (PROWAG R402.2 & ADAS 307.2). Objects mounted on free-standing posts or pylons more than 2.25 ft. and not more than 6.7 ft. above the finish surface shall overhang pedestrian circulation paths 4 in. maximum measured horizontally from the post or pylon base. The base dimension shall be 2.5 in. thick minimum. Where objects are mounted between posts or pylons and the clear distance between the posts or pylons is greater than 1.0 ft, the lowest edge of the object shall be 2.25 ft. maximum or 6.7 ft. minimum above the finish surface (PROWAG R402.3). Free-standing objects mounted on posts or pylons shall overhang circulation paths 12 inches maximum when located 27 inches minimum and 80 inches maximum above the finish floor or ground. Where a sign or other obstruction is mounted between posts or pylons and the clear distance between the posts or pylons is greater than 12 inches, the lowest edge of such sign or obstruction shall be 27 inches maximum or 80 inches minimum above the finish floor or ground (ADAS 307.3).	Bottom of sign should be mounted at 7' min. (EDDS Std. Plans 6-440 and 6-441). 5ft. passing width around mailbox cluster (EDDS Std. Plan 6-140). "Installation of poles and other aboveground appurtenances will not be permitted in sidewalks, walkways or bikeways unless approved by the Engineer (EDDS Section 6-111). "There shall be an unobstructed vertical clearance of at least 7 feet above the surface of any sidewalk or walkway" (EDDS Section 6-111). "No temporary sign shall obstruct or impair access to a public sidewalk" (LSMC 14.68.015). "If placed above a pedestrian passable area such as a sidewalk, entrance, or access point, the lowest part of the banner must be higher than eight feet" (LSMC 14.68.015). "No portion of the sign or supporting structure may hang or protrude below eight feet above a sidewalk or other area accessible to pedestrians" (LSMC 14.68.100).	Add minimum height requirement over sidewalk for tree branches (EDDS Std. Plan 6-132). Add maximum height requirement for mailbox cluster (EDDS Std. Plan 6-140).
Surface Discontinuities	Vertical surface discontinuities shall not exceed 0.5 in. maximum. Vertical discontinuities between 0.25 in. and 0.5 in. maximum shall be beveled not steeper than 50 percent (PROWAG R302.7.2) Horizontal openings shall not permit passage of a sphere more than 0.5 in. in diameter. Elongated openings in grates shall be placed so that the long dimension is perpendicular to the dominate travel direction (PROWAG R302.7.3). Vertical. Changes in level of ¼ inch high maximum shall be permitted to be vertical. Changes in level between ¼ inch high minimum and ½ inch high maximum shall be beveled with a slope not steeper than 1:2 (ADAS 302.2 & 302.3).	Dummy joints shown as ¼" "V" groove and expansion joints shall be 3/8" x 2 ½" min. (EDDS Std. Plan 6-250). Expansion joints shall be 3/8" x 2 ½" pre-molded joint material (EDDS Section 6-114).	Add requirement that utility boxes located in sidewalks shall have non-slip lids (EDDS Section 6-111).

Crossings

Crosswalks are part of the PAR at intersections, midblock crossings, and pedestrian refuge islands. These are important connections across streets to enable pedestrians travelling from one side to the other.

Design Element	Requirement	Review	Recommendations
Crosswalk Running Slope	The running slope shall be 5 percent maximum, measured parallel to the direction of pedestrian travel in the crossing (PROWAG R302.5.1).	Not mentioned.	Include reference to WSDOT Design Manual Chapter 1510 crosswalk slope requirements (EDDS Std. Plan 6-260).
Crosswalk Cross Slope	Crosswalk cross slope at crossings without yield or stop control shall be 5 percent maximum (PROWAG R302.6.1). Crosswalk cross slope at yield or stop control crossings shall be 2 percent maximum (PROWAG Advisory R302.6.1). Crosswalks cross slope at midblock crossings shall be permitted to equal the street or highway grade (PROWAG R302.6.2).	Not mentioned.	Include reference to WSDOT Design Manual Chapter 1510 crosswalk slope requirements (EDDS Std. Plan 6-260).
Refuge Islands	Detectable warning surfaces at cut-through islands shall be located at placed at the edges of the pedestrian island and separated by a 2.0 ft. minimum length of surface between detectable warning surfaces (PROWAG R305.2.4). The clear width of a PAR with median and pedestrian refuge islands shall be 5.0 ft. minimum (PROWAG R302.3.1).	Not mentioned.	Include reference to WSDOT Design Manual Chapter 1510 refuge island requirements (EDDS Std. Plan 6-260).

Curb Ramps

Curb ramps are the immediate junctions between the sidewalk and street crosswalk. Perpendicular and diagonal curb ramps have a running slope that cuts through the curb at right angles, while parallel curb ramps have a running slope that is in-line with the sidewalk. Combination ramps include elements of both parallel and perpendicular curb ramps.

Design Element	Requirement	Review	Recommendations
Ramp Width	The clear width of curb ramp runs and blended transitions, excluding flares, shall be 4.0 ft. minimum (PROWAG R304.5.1). The clear width of a ramp run shall be 36 inches minimum (ADAS 405.5).	The following note is included “All curb ramps shall meet the WSDOT Standard Plans and American with Disability Act” (EDDS Std. Plan 6-260). “Curb ramps shall be design and constructed in accordance with the latest WSDOT standard plans” (EDDS Section 6-115).	N/A
Running Slope	The running slope shall be 5 percent minimum and 8.3 percent maximum but shall not require the ramp length to exceed 15.0 ft. (PROWAG R304.2.2). The running slope of blended transitions shall be 5 percent maximum (PROWAG R304.4.1). Ramp runs shall have a running slope not steeper than 1:12. In existing sites, buildings, and facilities, ramps shall be permitted to have running slopes steeper than 1:12 complying with Table 405.2 where such slopes are necessary due to space limitations (ADAS 405.2).	The following note is included “All curb ramps shall meet the WSDOT Standard Plans and American with Disability Act” (EDDS Std. Plan 6-260). “Curb ramps shall meet all ADA standards included maximum grade and cross-slope requirements. Curb ramps shall be design and constructed in accordance with the latest WSDOT standard plans” (EDDS Section 6-115).	N/A
Cross Slope	The cross slope shall be 2 percent maximum. At pedestrian street crossing without yield or stop control and at midblock pedestrian street crossings, the cross slope shall be permitted to equal the street or highway grade (PROWAG R304.5.3). Cross slope of ramp runs shall not be steeper than 1:48 (ADAS 405.3).	The following note is included “All curb ramps shall meet the WSDOT Standard Plans and American with Disability Act” (EDDS Std. Plan 6-260). “Curb ramps shall meet all ADA standards included maximum grade and cross-slope requirements. Curb ramps shall be design and constructed in accordance with the latest WSDOT standard plans” (EDDS Section 6-115).	N/A
Flared Sides	Flared sides with a slope of 10 percent maximum, measured parallel to the curb line, shall be provided where a pedestrian circulation path crosses the curb ramp (PROWAG R304.2.3). Curb ramp flares shall not be steeper than 10 percent (ADAS 406.3).	The following note is included “All curb ramps shall meet the WSDOT Standard Plans and American with Disability Act” (EDDS Std. Plan 6-260). “Curb ramps shall meet all ADA standards included maximum grade and cross-slope requirements. Curb ramps shall be design and constructed in accordance with the latest WSDOT standard plans” (EDDS Section 6-115).	N/A

Design Element	Requirement	Review	Recommendations
Direction	Perpendicular curb ramps shall have a running slope that cuts through or is built up to the curb at right angles or meets the gutter grade break at right angles. Parallel curb ramps shall have a running slope that is in-line with the direction of sidewalk travel (PROWAG Advisory R304.1).	The following note is included “All curb ramps shall meet the WSDOT Standard Plans and American with Disability Act” (EDDS Std. Plan 6-260). “Curb ramps shall be design and constructed in accordance with the latest WSDOT standard plans” (EDDS Section 6-115). “Dual ramps layouts are preferred unless technically infeasible (EDDS Section 6-115). “Whenever curb and gutter construction is used on public streets, wheelchair ramps for disabled persons shall be provided at intersections and other major points of pedestrian flow. Wheelchair ramps and depressed curbs shall be constructed in accordance with published standards of the Washington State Building Code addressing accessibility” (LSMC 14.56.200).	N/A
Counter Slope	The counter slope of the gutter or street at the foot of curb ramp run, blended transitions, and turning space shall be 5 percent maximum (PROWAG R304.5.4). Counter slopes of adjoining gutters and road surfaces immediately adjacent to the curb ramp shall not be steeper than 5%. The adjacent surfaces at transitions at curb ramps to walks, gutters, and streets shall be at the same level (ADAS 406.2).	The following note is included “All curb ramps shall meet the WSDOT Standard Plans and American with Disability Act” (EDDS Std. Plan 6-260). “Curb ramps shall meet all ADA standards included maximum grade and cross-slope requirements. Curb ramps shall be design and constructed in accordance with the latest WSDOT standard plans” (EDDS Section 6-115).	N/A
Grade Breaks	Grade breaks at the top and bottom of curb ramps shall be perpendicular to the direction of ramp run. Grade breaks shall not be permitted on the surface of ramp runs and turning spaces. Surface slopes that meet at grade breaks shall be flush (PROWAG R304.5.2). Changes in level other than the running slope and cross slope are not permitted on ramp runs (ADAS 405.4).	The following note is included “All curb ramps shall meet the WSDOT Standard Plans and American with Disability Act” (EDDS Std. Plan 6-260). “Curb ramps shall be design and constructed in accordance with the latest WSDOT standard plans” (EDDS Section 6-115).	N/A

Design Element	Requirement	Review	Recommendations
Turning Space/Landing Size	For perpendicular curb ramps, a turning space 4.0ft. by 4.0ft. minimum shall be provided at the top of the curb ramp. If the turning space is constrained at the back of sidewalk, the turning space shall be 4.0ft. by 5.0ft. minimum. The 5.0ft. dimension shall be provided in the direction of the ramp run. (PROWAG R304.2.1). For parallel curb ramps, a turning space 4.0ft. by 4.0ft. minimum shall be provided at the bottom of the curb ramp. If the turning space is constrained on 2 or more sides, the turning space shall be 4.0ft. by 5.0ft. minimum. The 5.0ft. dimension shall be provided in the direction of the pedestrian crossings. (PROWAG R304.3.1). The landing clear length shall be 36 inches minimum. The landing clear width shall be at least as wide as the curb ramp, excluding flared sides, leading to the landing (ADAS 406.4).	The following note is included "All curb ramps shall meet the WSDOT Standard Plans and American with Disability Act" (EDDS Std. Plan 6-260). "Curb ramps shall be design and constructed in accordance with the latest WSDOT standard plans" (EDDS Section 6-115).	N/A
Turning Space/Landing Slope	The running slope of turning spaces shall be 2 percent maximum (PROWAG R402.2 & PROWAG R304.3.2). The cross slopes of turning spaces shall be 2 percent maximum. At pedestrian street crossings without yield or stop control and at midblock pedestrian street crossings, the cross slope shall be permitted to equal the street or highway grade. (PROWAG R304.5.3).	The following note is included "All curb ramps shall meet the WSDOT Standard Plans and American with Disability Act" (EDDS Std. Plan 6-260). "Curb ramps shall meet all ADA standards included maximum grade and cross-slope requirements. Curb ramps shall be design and constructed in accordance with the latest WSDOT standard plans" (EDDS Section 6-115).	N/A

Design Element	Requirement	Review	Recommendations
Clear Space	Beyond the bottom grade break, a clear space 4.0ft. by 4.0ft. minimum shall be provided within the width of the pedestrian crossing and wholly outside the parallel vehicle travel lane (R304.5.5). Diagonal or corner type curb ramps with returned curbs or other well-defined edges shall have the edges parallel to the direction of pedestrian flow. The bottom of diagonal curb ramps shall have a clear space 48 inches minimum outside active traffic lanes of the roadway. Diagonal curb ramps provided at marked crossings shall provide the 48 inches minimum clear space within the markings. Diagonal curb ramps with flared sides shall have a segment of curb 24 inches long minimum located on each side of the curb ramp and within the marked crossing (ADAS 406.6).	The following note is included “All curb ramps shall meet the WSDOT Standard Plans and American with Disability Act” (EDDS Std. Plan 6-260). “Curb ramps shall be design and constructed in accordance with the latest WSDOT standard plans” (EDDS Section 6-115).	N/A
Detectable Warning Surfaces	Detectable warning surfaces shall extend 2.0 ft. minimum in the direction of pedestrian travel and the full width of the curb ramp (exclusive of flares), the turning space, or the blended transition. (PROWAG R305.1.4). The truncated domes in a detectable warning surface shall have a base diameter of 0.9 in. minimum and 1.4 in. maximum, a top diameter of 50 percent of the base diameter minimum and 65 percent of the base diameter maximum, and a height of 0.2 in. (PROWAG R305.1.1 & ADAS 705.1.1). The truncated domes shall have a center-to-center spacing of 1.6 in. minimum and 2.4 in. maximum, and a base-to-base spacing of 0.65 in. minimum, measured between the most adjacent domes (PROWAG R305.1.2 & ADAS 705.1.2) Detectable warning surfaces shall contrast visually with adjacent gutter, street or highway, or walkway surfaces, either light-on-dark or dark-on-light (PROWAG R305.1.3). Detectable warning surfaces shall contrast visually with adjacent walking surfaces either light-on-dark, or dark-on-light (ADAS 705.1.3).	The following note is included “All curb ramps shall meet the WSDOT Standard Plans and American with Disability Act” (EDDS Std. Plan 6-260). “Curb ramps shall be design and constructed in accordance with the latest WSDOT standard plans” (EDDS Section 6-115).	N/A

Design Element	Requirement	Review	Recommendations
Detectable Warning Surface Placement	On perpendicular curb ramps, detectable warning surfaces shall be placed as follows: - Where the ends of the bottom grade break are in front of the back of curb, detectable warning surfaces shall be placed at the back of curb. - Where the ends of the bottom grade break are behind the back of curb and the distance from either end of the bottom grade brake to the back of curb is 5.0 ft. or less, detectable warning surfaces shall be placed on the ramp run within one dome spacing of the bottom grade break. - Where the ends of the bottom grade break are behind the back of curb and the distance from either end of the bottom grade brake to the back of curb is more than 5.0 ft, detectable warning surfaces shall be placed on the lower landing at the back of curb. (PROWAG R305.2.1). On parallel curb ramps, detectable warning surfaces shall be placed on the turning space at the flush transition between the street and sidewalk at the back of curb. (PROWAG R305.2.2). On blended transitions, detectable warning surfaces shall be placed at the back of curb. Where raised pedestrian street crossings, depressed corners, or other level pedestrian street crossings are provided, detectable warning surfaces shall be placed at the flush transition between the street and the sidewalk (PROWAG R305.2.3).	The following note is included “All curb ramps shall meet the WSDOT Standard Plans and American with Disability Act” (EDDS Std. Plan 6-260). “Curb ramps shall be design and constructed in accordance with the latest WSDOT standard plans” (EDDS Section 6-115).	N/A
Receiving Ramp	A crosswalk served by a curb ramp must also have an existing curb ramp in place on the receiving end unless there is no curb or sidewalk on that end of the crosswalk Revised Code of Washington (RCW) 35.68.075.	“Where a ramp is constructed on one side of the street, a ramp shall also be provided on the opposite side of the street” (EDDS Section 6-115).	Revise sentence to include a receiving ramp on opposite side of street except where there is no curb or sidewalk (EDDS Section 6-115).

Signals

Signals are important connections in the pedestrian network that provide crossings at intersections for all roadway users. Where pedestrian signals are provided at pedestrian street crossings, they shall include accessible pedestrian signals and pedestrian pushbuttons complying with sections 4E.08 through 4E.13 of the MUTCD (PROWAG R209.1).

Design Element	Requirement	Review	Recommendations
Accessible Pedestrian Signals and Pedestrian Pushbuttons	Where pedestrian signals are provided at pedestrian street crossings, they shall include accessible pedestrian signals and pedestrian pushbuttons complying with sections 4E.08 through 4E.13 of the MUTCD. An accessible pedestrian signal and pedestrian pushbutton is an integrated device that communicates information about the WALK and DON'T WALK intervals at signalized intersections in non-visual formats (i.e., audible tones and vibrotactile surfaces) to pedestrians who are blind or have low vision. (PROWAG R209.1). Existing pedestrian signals shall comply with R209.1 when the signal controller and software are altered, or the signal head is replaced (PROWAG R209.2).	"General design criteria are contained in Chapter 8 of the WSDOT Design Manual and Chapter 4 of the MUTCD as adopted by WSDOT. The Public Works Department shall provide specific design criteria and guidance for signal design" (EDDS Section 6-125).	Revise reference to WSDOT Design Manual to reference Chapter 1330 and Chapter 1510 (EDDS Section 6-125).
Accessible Pedestrian Pushbuttons Clear Space	Clear spaces shall be 2.5 ft. minimum by 4.0 ft. minimum with additional space needed if it is confined on all or part of three sides (PROWAG R404.3). One full unobstructed side of a clear space shall adjoin a pedestrian access route or adjoin another clear space (PROWAG R404.6).	"General design criteria are contained in Chapter 8 of the WSDOT Design Manual and Chapter 4 of the MUTCD as adopted by WSDOT. The Public Works Department shall provide specific design criteria and guidance for signal design" (EDDS Section 6-125).	Revise reference to WSDOT Design Manual to reference Chapter 1330 and Chapter 1510 (EDDS Section 6-125).
Accessible Pedestrian Pushbutton Reach Ranges	Where a forward reach is unobstructed, the high forward reach shall be 4.0 ft. maximum and the low forward reach shall be 1.25 ft. minimum above the finish surface. Forward reach over an obstruction is not permitted (PROWAG R406.2). Where a clear space allows a parallel approach to an element and the side reach is unobstructed, the high side reach shall be 4.0 ft. maximum and the low side reach shall be 1.25 ft. minimum above the finish surface. An obstruction shall be permitted between the clear space and the element where the depth of the obstruction is 10 in. maximum (PROWAG R406.3).	"General design criteria are contained in Chapter 8 of the WSDOT Design Manual and Chapter 4 of the MUTCD as adopted by WSDOT. The Public Works Department shall provide specific design criteria and guidance for signal design" (EDDS Section 6-125).	Revise reference to WSDOT Design Manual to reference Chapter 1330 and Chapter 1510 (EDDS Section 6-125).
Pedestrian Crossing Times	All pedestrian signal phase timing shall comply with section 4E.06 of the MUTCD, shall be based on a pedestrian clearance time that is	"General design criteria are contained in Chapter 8 of the WSDOT Design Manual and Chapter 4 of the MUTCD as	Revise reference to WSDOT Design Manual to reference Chapter 1330 and Chapter 1510 (EDDS Section 6-125).

Design Element	Requirement	Review	Recommendations
	calculated using a pedestrian walking speed of 3.5 ft./s. or less (PROWAG R306.2).	adopted by WSDOT. The Public Works Department shall provide specific design criteria and guidance for signal design" (EDDS Section 6-125).	
At Roundabouts	At roundabouts with multi-lane pedestrian street crossings, a pedestrian activated signal shall be provided for each multi-lane segment of each pedestrian street crossing, including the splitter island (PROWAG R306.3.2).	"General design criteria are contained in Chapter 8 of the WSDOT Design Manual and Chapter 4 of the MUTCD as adopted by WSDOT. The Public Works Department shall provide specific design criteria and guidance for signal design" (EDDS Section 6-125).	Revise reference to WSDOT Design Manual to reference Chapter 1330 and Chapter 1510 (EDDS Section 6-125).
At multi-lane channelized turn lanes	At signalized intersections and roundabouts with multi-lane channelized turn lane crossings, pedestrian activated signals shall be provided (PROWAG R306.4 & PROWAG R306.5).	"General design criteria are contained in Chapter 8 of the WSDOT Design Manual and Chapter 4 of the MUTCD as adopted by WSDOT. The Public Works Department shall provide specific design criteria and guidance for signal design" (EDDS Section 6-125).	Revise reference to WSDOT Design Manual to reference Chapter 1330 and Chapter 1510 (EDDS Section 6-125).

Other Pedestrian Areas

Other pedestrian areas include transit stops and work zones. Transit provides a critical lifeline of access and independence for those with limited mobility or vision. Transit stops have additional width requirements for boarding and alighting passengers, and work zones should provide the same level of accessibility as permanent pedestrian facilities.

Design Element	Requirement	Review	Recommendations
Transit Stops			
Boarding and Alighting Area Dimensions	Bus stop boarding and alighting areas shall provide a clear length of 8.0 ft. minimum, measured perpendicular to the curb or vehicle street or highway edge, and a clear width of 5.0 ft. minimum, measured parallel to the vehicle street or highway (PROWAG R308.1.1.1 & ADAS 810.2.2).	"All [bus] pullout designs must follow applicable guidelines for facilities used by the handicapped (Americans with Disabilities Act)" (EDDS Section 6-119). "Chapter 1060 entitled Transit Benefit Facilities, WSDOT Design Manual" (EDDS Section 6-119). "9'x15' Passenger Landing Pad" (EDDS Std. Plan 6-280).	See Attachment A for specific note changes (EDDS Std. Plan 6-280).
Boarding and Alighting Area Slopes	Parallel to the street or highway, the grade of the bus stop boarding and alighting areas shall be the same as the street or highway, to the extent practicable. Perpendicular to the street or highway, the grade of the bus stop boarding and alighting areas shall not be steeper than 2 percent (PROWAG R308.1.1.2 & ADAS 810.2.4).	"All [bus] pullout designs must follow applicable guidelines for facilities used by the handicapped (Americans with Disabilities Act)" (EDDS Section 6-119). "Chapter 1060 entitled Transit Benefit Facilities, WSDOT Design Manual" (EDDS Section 6-119). Cross slope shown as .02'/FT. for shoulder section (EDDS Std. Plan 6-280).	Recommend including a desired cross slope of 1.5% or flatter to allow for construction tolerances with 2% as the maximum cross slope. Update slope units to be consistent across standard details. See Attachment A for additional notes (EDDS Std. Plan 6-280).
Transit Shelters	Transit shelters shall be connected by PARs to boarding and alighting areas. Transit shelters shall provide a minimum clear space complying with R404 entirely within the shelter. Where seating is provided within transit shelters, the clear space shall be located either at one end of a seat or shall not overlap the area within 1.5 ft. from the front edge of the seat (PROWAG R308.2). Bus shelters shall provide a minimum clear floor or ground space complying with 305 entirely within the shelter. Bus shelters shall be connected by an accessible route complying with 402 to a boarding and alighting area complying with 810.2 (ADAS 810.3).	"All [bus] pullout designs must follow applicable guidelines for facilities used by the handicapped (Americans with Disabilities Act)" (EDDS Section 6-119). "Chapter 1060 entitled Transit Benefit Facilities, WSDOT Design Manual" (EDDS Section 6-119).	Revise reference to WSDOT Design Manual to reference Chapter 1730 (EDDS Section 6-119).

Design Element	Requirement	Review	Recommendations
Parking			
Parking Spaces	Where parking spaces are marked with lines, width measurements of parking spaces and access aisles shall be made from the centerline of the markings (ADAS 502.1). Car parking spaces shall be 96 inches wide minimum and van parking spaces shall be 132 inches wide minimum, shall be marked to define the width, and shall have an adjacent access aisle (ADAS 502.2). Van parking spaces shall be permitted to be 96 inches wide minimum where the access aisle is 96 inches wide minimum (ADAS 502.2 Exception).	Not mentioned.	Add a statement in a location EDDS Section 6-110 that states accessible parking stalls shall meet WSDOT and ADA standards.
Parking Access Aisles	Access aisles shall adjoin an accessible route. Two parking spaces shall be permitted to share a common access aisle (ADAS 502.3). Access aisles serving car and van parking spaces shall be 60 inches wide minimum (ADAS 502.3.1). Access aisles shall extend the full length of the parking spaces they serve (ADAS 502.3.2). Access aisles shall be marked so as to discourage parking in them (ADAS 502.3.3). Access aisles shall not overlap the vehicular way. Access aisles shall be permitted to be placed on either side of the parking space except for angled van parking spaces which shall have access aisles located on the passenger side of the parking spaces (ADAS 502.3.4).	Not mentioned.	Add a statement in a location EDDS Section 6-110 that states accessible parking stalls shall meet WSDOT and ADA standards.
Parking identification.	Parking space identification signs shall include the International Symbol of Accessibility complying with 703.7.2.1. Signs identifying van parking spaces shall contain the designation "van accessible." Signs shall be 60 inches minimum above the finish floor or ground surface measured to the bottom of the sign (ADAS 502.6).	Not mentioned.	Add a statement in a location EDDS Section 6-110 that states accessible parking stalls shall meet WSDOT and ADA standards.
Parallel Parking Spaces	Where the width of the adjacent sidewalk or available right-of-way exceeds 14.0 ft, an access aisle 5.0 ft. wide minimum shall be provided at street level the full length of the parking space and shall connect to a pedestrian access route. The access aisle shall comply with R302.7 and	Not mentioned.	Add a statement in a location EDDS Section 6-110 that states accessible parking stalls shall meet WSDOT and ADA standards.

Design Element	Requirement	Review	Recommendations
	shall not encroach on the vehicular travel lane (PROWAG R309.2.1). In alterations where the street or sidewalk adjacent to the parking spaces is not altered, an access aisle shall not be required provided the parking spaces are located at the end of the block face (PROWAG R309.2.1.1). An access aisle is not required where the width of the adjacent sidewalk or the available right-of-way is less than or equal to 14.0 ft. When an access aisle is not provided, the parking spaces shall be located at the end of the block face (PROWAG R309.2.2).		
Perpendicular or Angled Parking Spaces	Where perpendicular or angled parking is provided, an access aisle 8.0 ft. wide minimum shall be provided at street level the full length of the parking space and shall connect to a pedestrian access route. The access aisle shall comply with R302.7 and shall be marked so as to discourage parking in the access aisle. Two parking spaces are permitted to share a common access aisle (PROWAG R309.3).	Not mentioned.	Add a statement in a location EDDS Section 6-110 that states accessible parking stalls shall meet WSDOT and ADA standards.

Alternative Pedestrian Access Routes

Alternate Pedestrian Access Route	When a pedestrian circulation path is temporarily closed by construction, alterations, maintenance operations, or other conditions, an alternate pedestrian access route complying with sections 6D.01, 6D.02, and 6G.05 of the MUTCD shall be provided. Where provided, pedestrian barricades and channelizing devices shall comply with sections 6F.63, 6F.68, and 6F.71 of the MUTCD (PROWAG R205).	Traffic control shall follow the guidelines of Section 1-07.23 of the WSDOT Standard Specifications (EDDS Section 9-104).	Include reference to Section 1-10 of the WSDOT Standard Specifications and WSDOT Design Manual Chapter 1510 (EDDS Section 9-104).
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Driveways

Driveways	The cross slope shall be 2 percent maximum (PROWAG R304.5.3). Cross slope of ramp runs shall not be steeper than 1:48. (ADAS 405.3) The running slope shall be 5 percent minimum and 8.3 percent maximum but shall not require the ramp length to exceed 15.0 ft. (PROWAG R304.2.2).	EDDS Std. Plan 3-020 shows grade breaks that are not perpendicular to the path of travel. Running slope shown as 1:12 (EDDS Std. Plan 3-020). Cross slope shown as 0.02 FT/FT max. (EDDS Std. Plan 3-020).	Recommend including a desired cross slope of 1.5% or flatter to allow for construction tolerances with 2% as the maximum cross slope. Update slope units to be consistent across standard details.
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Design Element	Requirement	Review	Recommendations
Ramps			
Ramp Width	The clear width of a ramp run and, where handrails are provided, the clear width between handrails shall be 3.0 ft. minimum (PROWAG R407.4 & ADAS 405.5).	Not mentioned.	Add a minimum ramp width (EDDS Section 6-116).
Running Slope	Ramp runs shall have a running slope between 5 percent minimum and 8.3 percent maximum (PROWAG R407.2) Ramp runs shall have a running slope not steeper than 1:12. In existing sites, buildings, and facilities, ramps shall be permitted to have running slopes steeper than 1:12 complying with Table 405.2 where such slopes are necessary due to space limitations (ADAS 405.2).	"Ramps used to provide handicapped access shall be no steeper than 12:1" (EDDS Section 6-116).	Recommend including a desired running slope of 7.5 percent or flatter to allow for construction tolerances with 8.3 percent as the maximum running slope.
Cross Slope	The cross slope of ramp runs shall be 2 percent maximum (PROWAG R407.3). Cross slope of ramp runs shall not be steeper than 1:48. (ADAS 405.3)	Not mentioned.	Include the required cross slope for ramps (EDDS Section 6-116). Recommend including a desired cross slope of 1.5% or flatter to allow for construction tolerances with 2% as the maximum cross slope.
Rise	The rise for any ramp run shall be 2.5 ft. maximum (PROWAG R407.4 & ADAS 405.6).	"Maximum rise of 30 inches between landings" (EDDS Section 6-116).	N/A
Landing Size	Ramps shall have landings at the top and the bottom of each ramp run (PROWAG R407.6 & ADAS 405.7). The landing clear width shall be at least as wide as the widest ramp run leading to the landing (PROWAG R407.6.2 & ADAS 405.7.2) The landing clear length shall be 5.0 ft. long minimum (PROWAG R407.6.3 & ADAS 405.7.3) Ramps that change direction between runs at landings shall have a clear landing 5.0 ft. by 5.0 ft. minimum (PROWAG R407.6.4 & ADAS 405.7.4).	"Landings shall have a minimum length of five feet and should be sufficient to allow wheelchairs to pass, generally five feet minimum width for two way traffic (EDDS Section 6-116).	N/A
Landing Slope	Landing slopes shall be 2 percent maximum in any direction (PROWAG R407.6.1 & ADAS 405.7.1).	Not mentioned.	Include the required cross slope for ramps (EDDS Section 6-116). Recommend including a desired cross slope of 1.5% or flatter to allow for construction tolerances with 2% as the maximum cross slope.
Stairways			
Stairway Treads and Risers	All steps on a flight of stairs shall have uniform riser heights and uniform tread depths. Risers shall be 4 in. high minimum and 7 in. high maximum. Treads shall be 11 in.	Note states "Risers: Per UBC requirements" (EDDS Std. Plan 6-090).	N/A

Design Element	Requirement	Review	Recommendations
	deep minimum (PROWAG R408.2 & ADAS 504.2). Open risers are not permitted (PROWAG R408.3 & ADAS 504.3). The radius of curvature at the leading edge of the tread shall be 0.5 in. maximum. Nosings that project beyond risers shall have the underside of the leading edge curved or beveled. Risers shall be permitted to slope under the tread at an angle of 30 degrees maximum from vertical. The permitted projection of the nosing shall extend 1.5 in. maximum over the tread below (PROWAG R408.5 & ADAS 504.5).	Note states "Treads: Per UBC requirements" (EDDS Std. Plan 6-090). Risers not shown as open (EDDS Std. Plan 6-090). Note states "All Steps: Per UBC requirements" (EDDS Std. Plan 6-090).	
Handrails			
Handrails	Stairways shall have handrails (PROWAG R408.6). Handrails are required on ramp runs with a rise greater than 6 in. and on certain stairways (PROWAG R407.8 & ADAS 405.8). Edge protection complying shall be provided on each side of ramp runs and landings (PROWAG R407.9 & ADAS 405.9). Where required handrail shall be provided on both sides of ramps and stairways (PROWAG R409.2 & ADAS 505.2). Top of gripping surfaces of handrails shall be 2.8 ft. minimum and 3.2 ft. maximum vertically above walking surfaces, ramp surfaces, and stair nosings. Handrails shall be at a consistent height above walking surfaces, ramp surfaces, and stair nosings (PROWAG R409.4 & ADAS 505.4). Clearance between handrail gripping surfaces and adjacent surfaces shall be 1.5 in. minimum (PROWAG R409.5 & ADAS 505.5). Handrail gripping surfaces shall be continuous along their length and shall not be obstructed along their tops or sides. The bottoms of handrail gripping surfaces shall not be obstructed for more than 20 percent of their length. Where provided, horizontal projections shall occur 1.5 in. minimum below the bottom of the handrail gripping surface (PROWAG R409.6 & ADAS 505.6).	Height of railing on stairs is per UBC requirements (EDDS Std. Plan 6-090). Note states "Location of metal handrail and guardrail per UBC requirements" (EDDS Std. Plan 6-090).	Add a statement that handrails for ramps shall meet WSDOT and ADA requirements (EDDS Section 6-116).

Design Element	Requirement	Review	Recommendations
Handrail Extension on Ramps	Ramp handrails shall extend horizontally above the landing for 1.0 ft. minimum beyond the top and bottom of ramp runs. Extensions shall return to a wall, guard, or the landing surface, or shall be continuous to the handrail of an adjacent ramp run. (PROWAG R409.10.1 & ADAS 505.10.1).	Not mentioned.	Add a statement that handrails for ramps shall meet WSDOT and ADA requirements (EDDS Section 6-116).
Handrail Extension on Stairways	At the top of a stair flight, handrails shall extend horizontally above the landing for 1.0 ft. minimum beginning directly above the first riser nosing. Extensions shall return to a wall, guard, or the landing surface, or shall be continuous to the handrail of an adjacent stair flight (PROWAG R409.10.2 & ADAS 505.10.2). At the bottom of a stair flight, handrails shall extend at the slope of the stair flight for a horizontal distance at least equal to one tread depth beyond the last riser nosing. Extensions shall return to a wall, guard, or the landing surface, or shall be continuous to the handrail of an adjacent stair flight. (PROWAG R409.10.3 & ADAS 505.10.3).	Bottom extension for staircase handrail shown as horizontal and 1'-6". No top extension dimension shown (EDDS Std. Plan 6-090). Note states "Location of metal handrail and guardrail per UBC requirements" (EDDS Std. Plan 6-090).	N/A
Handrail Cross Section	Handrail gripping surfaces with a circular cross section shall have an outside diameter of 1.25 in. minimum and 2 in. maximum (PROWAG R409.7.1 & ADAS 505.7). Handrail gripping surfaces with a non-circular cross section shall have a perimeter dimension of 4 in. minimum and 6.25 in. maximum, and a cross-section dimension of 2.25 in. maximum (PROWAG R409.7.2 & ADAS 505.7).	Note for handrails and pedestrian guardrails states "Round or oval pipe, size per IBC requirements (EDDS Std. Plan 6-090). "Horizontal rails...shall be 2" diameter" (EDDS Std. Plan 6-091). "Horizontal rails...shall be 1.9" OD" (EDDS Std. Plan 6-091).	N/A

Railways

Railroad Flangeway Gaps	Flangeway gaps at pedestrian at-grade rail crossings shall be 2.5 in. maximum on non-freight rail track and 3 in. maximum on freight rail track (PROWAG R302.7.4). Where a circulation path serving boarding platforms crosses tracks, it shall comply with 402. Openings for wheel flanges shall be permitted to be 2 1/2 inches maximum (ADAS 810.10).	Not mentioned.	No recommendation as there are no railroad crossings with pedestrian facilities in City of Lake Stevens.
Detectable Warning Surfaces at Rail Crossings	At pedestrian at-grade rail crossings not located within a street or highway, detectable warning surfaces shall be placed on each	Not mentioned.	No recommendation as there are no railroad crossings with pedestrian facilities in City of Lake Stevens.

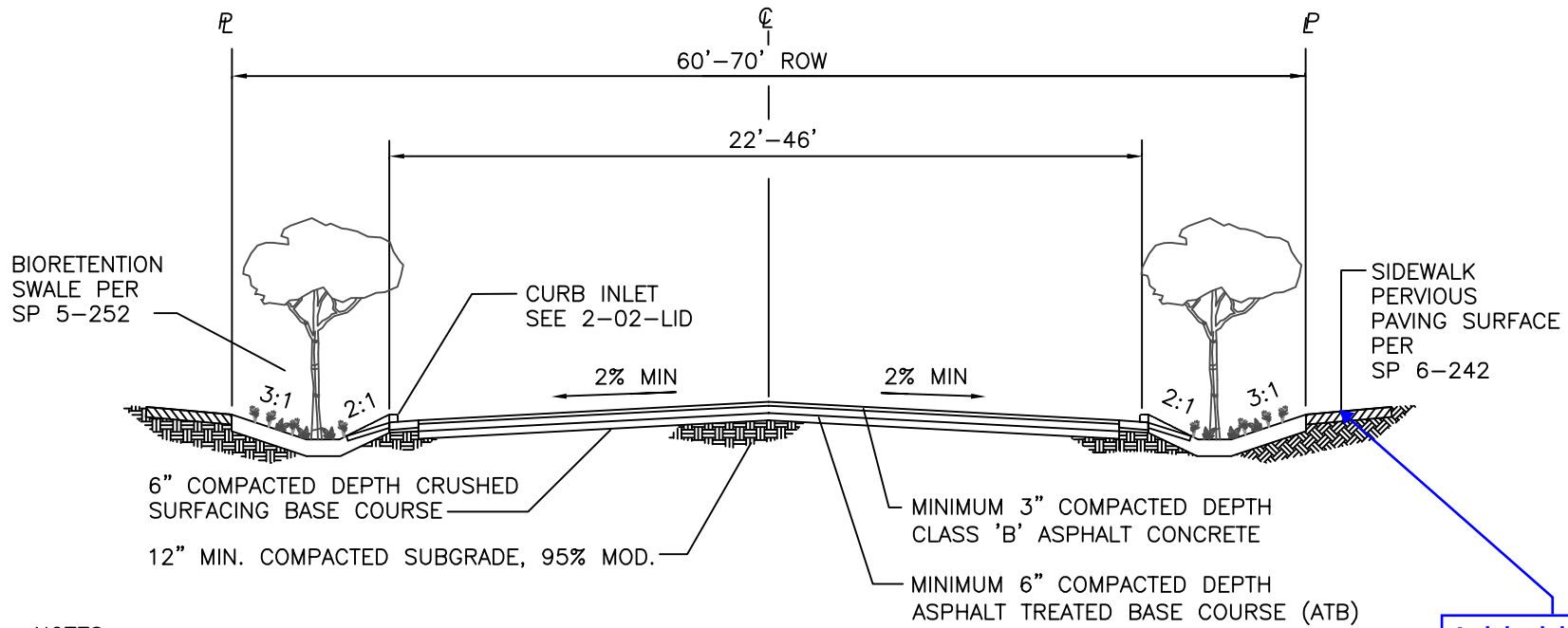
Design Element	Requirement	Review	Recommendations
	side of the rail crossing. The edge of the detectable warning surface nearest the rail crossing shall be 6.0 ft. minimum and 15.0 ft. maximum from the centerline of the nearest rail. Where pedestrian gates are provided, detectable warning surfaces shall be placed on the side of the gates opposite the rail. (PROWAG R305.2.5).		
Detectable Warning Surfaces at Rail Boarding Areas	At boarding platforms for rail vehicles, detectable warning surfaces shall be placed at the boarding edge of the platform (PROWAG R305.2.6). At boarding and alighting areas at sidewalk or street level transit stops for rail vehicles, detectable warning surfaces shall be placed at the side of the boarding and alighting area facing the rail vehicles (PROWAG R305.2.7).	Not mentioned.	No recommendation as there are no railroad crossings with pedestrian facilities in City of Lake Stevens.

Attachments:

Attachment A: City of Lake Stevens Standard Plan Markups

DRAFT

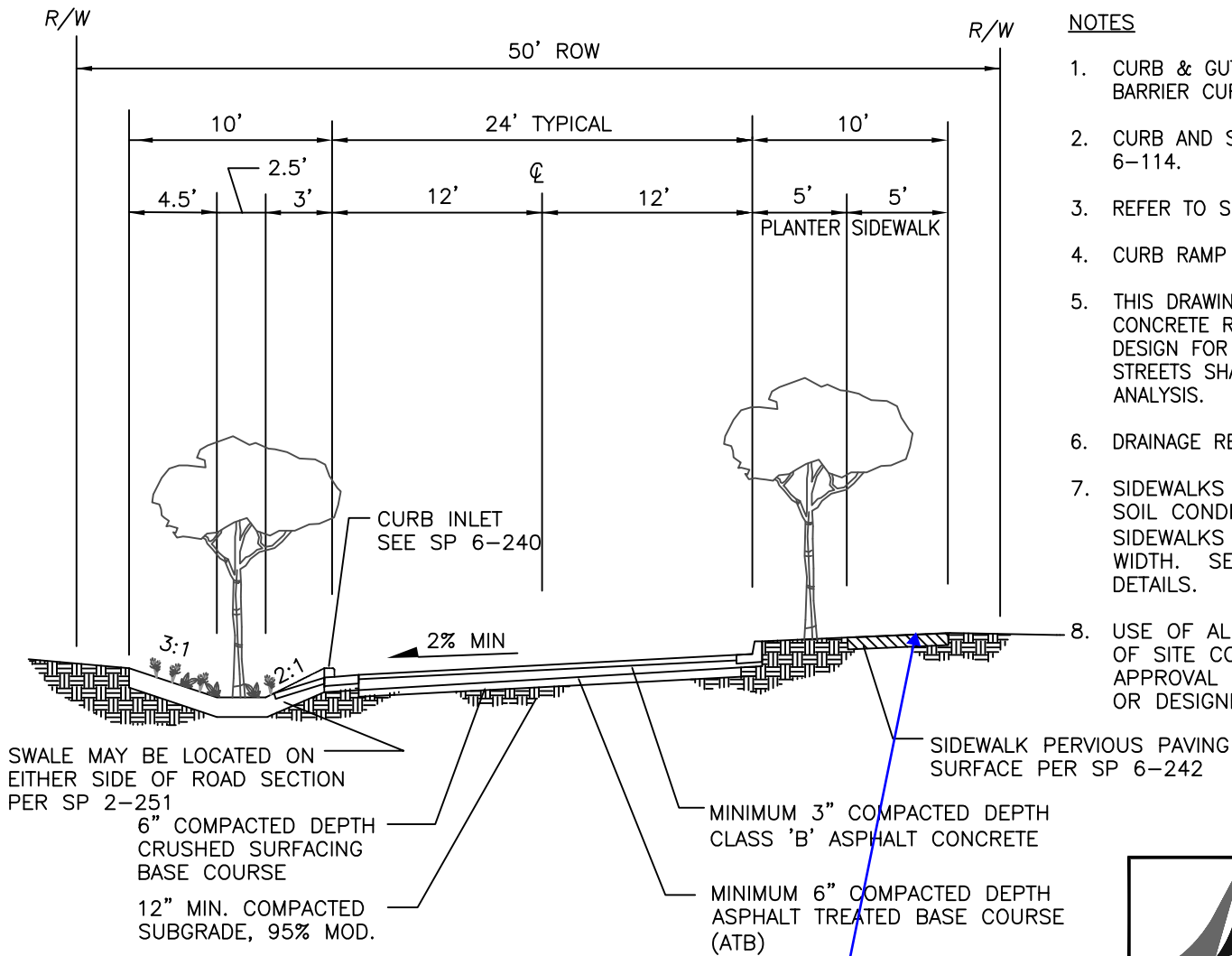
Attachment A: City of Lake Stevens Standard Plan Markups



NOTES

1. CURB & GUTTER SHALL BE CEMENT CONCRETE BARRIER CURB & GUTTER PER MARYSVILLE SECTION 6-113.
2. CURB AND SIDEWALK JOINTS AS PER MARYSVILLE SECTION 6-114.
3. REFER TO SECTION 3-103 FOR DRIVEWAY DETAILS.
4. CURB RAMP DETAILS AS PER MARYSVILLE SECTION 6-115.
5. THIS DRAWING ILLUSTRATES A MINIMUM ASPHALT CONCRETE ROAD SECTION. ACTUAL SURFACING DESIGN FOR ARTERIALS AND COMMERCIAL ACCESS STREETS SHALL BE BASED ON SOILS AND TRAFFIC ANALYSIS.
6. DRAINAGE REQUIRED BEHIND WALK IN CUT AREAS.
7. SIDEWALKS MAY BE PERVIOUS WHERE SITE AND SOIL CONDITIONS MAKE LID FEASIBLE. SIDEWALKS SHALL BE A MIN. OF 5'-0" IN WIDTH. SEE 2-04-LID FOR PERVIOUS PAVING DETAILS.
8. USE OF ALL LID PRACTICES ARE DEPENDANT OF SITE CONDITIONS AND REQUIRE THE APPROVAL OF THE PUBLIC WORKS DIRECTOR OR DESIGNEE.

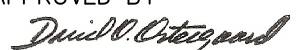
 LAKE STEVENS PUBLIC WORKS	LID MINOR ARTERIAL 60'-70' RIGHT-OF-WAY
	STANDARD PLAN 2-011
APPROVED BY <i>David D. Osterland</i> LAKE STEVENS CITY ENGINEER	05/09 DATE

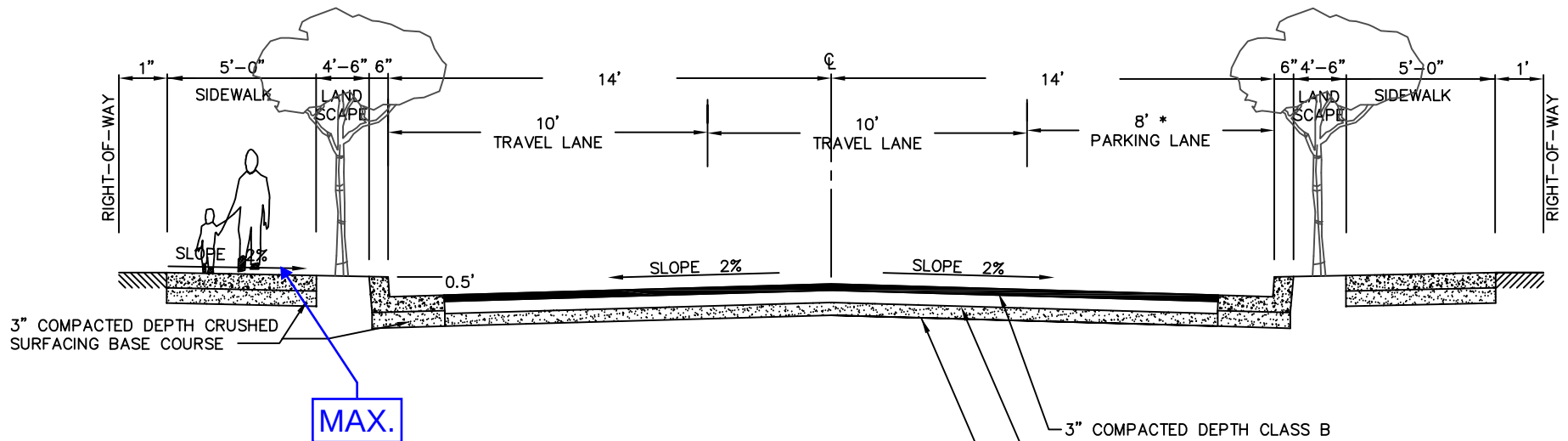


NOTES

1. CURB & GUTTER SHALL BE CEMENT CONCRETE BARRIER CURB & GUTTER PER SECTION 6-113.
2. CURB AND SIDEWALK JOINTS AS PER SECTION 6-114.
3. REFER TO SECTION 3-103 FOR DRIVEWAY DETAILS.
4. CURB RAMP DETAILS AS PER SECTION 6-115.
5. THIS DRAWING ILLUSTRATES A MINIMUM ASPHALT CONCRETE ROAD SECTION. ACTUAL SURFACING DESIGN FOR ARTERIALS AND COMMERCIAL ACCESS STREETS SHALL BE BASED ON SOILS AND TRAFFIC ANALYSIS.
6. DRAINAGE REQUIRED BEHIND WALK IN CUT AREAS.
7. SIDEWALKS MAY BE PERVIOUS WHERE SITE AND SOIL CONDITIONS MAKE LID FEASIBLE. SIDEWALKS SHALL BE A MIN. OF 5'-0" IN WIDTH. SEE SP 6-242 FOR PERVIOUS PAVING DETAILS.
8. USE OF ALL LID PRACTICES ARE DEPENDANT OF SITE CONDITIONS AND REQUIRE THE APPROVAL OF THE PUBLIC WORKS DIRECTOR OR DESIGNEE.

Add sidewalk cross slope requirement.

		LID COLLECTOR 50' RIGHT-OF-WAY	
APPROVED BY  LAKE STEVENS CITY ENGINEER		STANDARD PLAN 2-021 05/09 DATE	



NOTES:

1. CURB & GUTTER SHALL BE CEMENT CONCRETE BARRIER CURB & GUTTER PER SECTION 6-113.
2. CURB AND SIDEWALK JOINTS AS PER SECTION 6-114.
3. REFER TO SECTION 3-103 FOR DRIVEWAY DETAILS.
4. CURB RAMP DETAILS AS PER SECTION 6-115.
5. THIS DRAWING ILLUSTRATES A MINIMUM ASPHALT CONCRETE ROAD SECTION. ACTUAL SURFACING DESIGN FOR ARTERIALS AND COMMERCIAL STREETS SHALL BE BASED ON SOILS AND TRAFFIC ANALYSIS.
6. THE RIGHT-OF-WAY WIDTH SHALL BE WIDENED AN ADDITIONAL 5 FEET FOR FIRE HYDRANTS AND MAILBOX CLUSTERS.
7. DRAINAGE REQUIRED BEHIND WALK IN CUT AREAS.
- * PARKING ON ONE SIDE ONLY. ALTERNATE EVERY 300 FEET AS APPROVED BY CITY ENGINEER.



**CITY OF
LAKE STEVENS
PUBLIC WORKS**

**LOCAL ACCESS
50' RIGHT-OF-WAY**

APPROVED BY

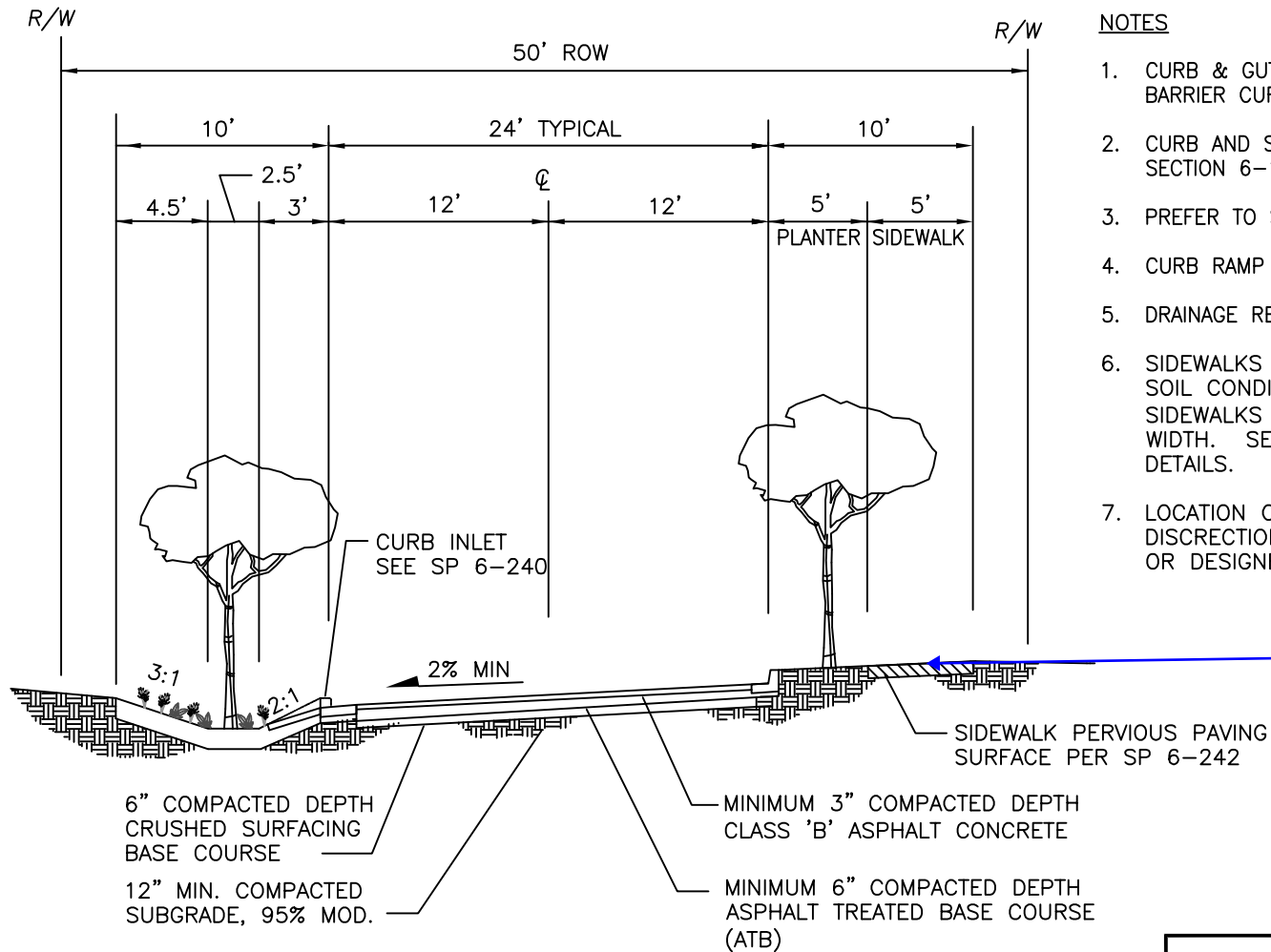


LAKE STEVENS CITY ENGINEER

STANDARD PLAN 2-030

05/09

DATE



NOTES

1. CURB & GUTTER SHALL BE CEMENT CONCRETE BARRIER CURB & GUTTER PER SECTION 6-113.
2. CURB AND SIDEWALK JOINTS AS PER LAKE STEVENS SECTION 6-114.
3. PREFER TO SECTION 3-103 FOR DRIVEWAY DETAILS.
4. CURB RAMP DETAILS AS PER SECTION 6-115.
5. DRAINAGE REQUIRED BEHIND WALK IN CUT AREAS.
6. SIDEWALKS MAY BE PERVIOUS WHERE SITE AND SOIL CONDITIONS MAKE LID FEASIBLE. SIDEWALKS SHALL BE A MIN. OF 5'-0" IN WIDTH. SEE SP 6-242 FOR PERVIOUS PAVING DETAILS.
7. LOCATION OF SIDEWALK IS TO BE AT THE DISCRETION OF THE PUBLIC WORKS DIRECTOR OR DESIGNEE.

Add sidewalk
cross slope
requirement.

LID LOCAL ACCESS
50' RIGHT-OF-WAY

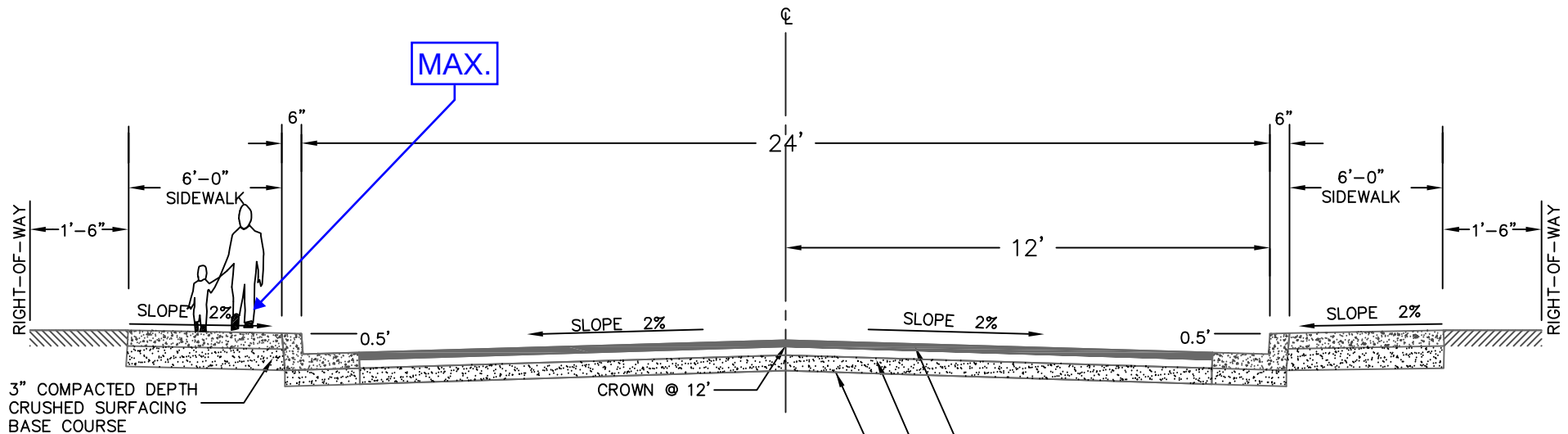


**CITY OF
LAKE STEVENS
PUBLIC WORKS**

STANDARD PLAN 2-031

APPROVED BY
David D. Osterland
LAKE STEVENS CITY ENGINEER

05/09
DATE



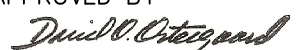
1. CURB & GUTTER SHALL BE CEMENT CONCRETE BARRIER CURB & GUTTER PER SECTION 6-113.
2. CURB AND SIDEWALK JOINTS AS PER MARYSVILLE SECTION 6-114.
3. REFER TO SECTION 3-103 FOR DRIVEWAY DETAILS.
4. CURB RAMP DETAILS AS PER SECTION 6-115.
5. THIS DRAWING ILLUSTRATES A MINIMUM ASPHALT CONCRETE ROAD SECTION. ACTUAL SURFACING DESIGN FOR ARTERIALS AND COMMERCIAL ACCESS STREETS SHALL BE BASED ON SOILS AND TRAFFIC ANALYSIS.
6. THE RIGHT-OF-WAY WIDTH SHALL BE WIDENED AN ADDITIONAL 5 FT MIN FOR PLACEMENT OF FIRE HYDRANTS AND MAILBOX CLUSTERS.
7. DRAINAGE REQUIRED BEHIND WALK IN CUT AREAS.

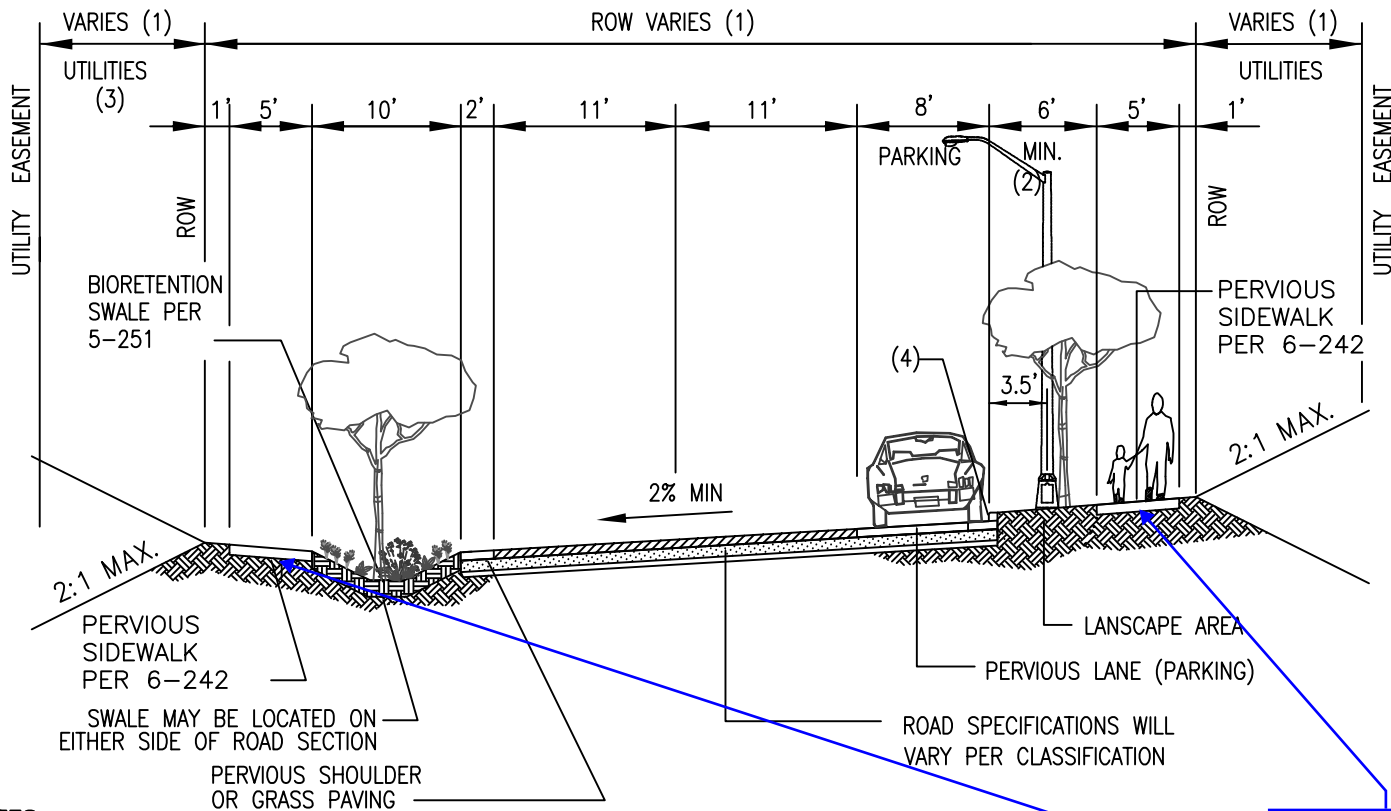


REDUCED STANDARD LOCAL ACCESS
40' RIGHT-OF-WAY

CITY OF LAKE STEVENS PUBLIC WORKS

STANDARD PLAN 2-040

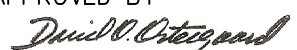
APPROVED BY  CITY LAKE STEVENS ENGINEER	05/09 DATE
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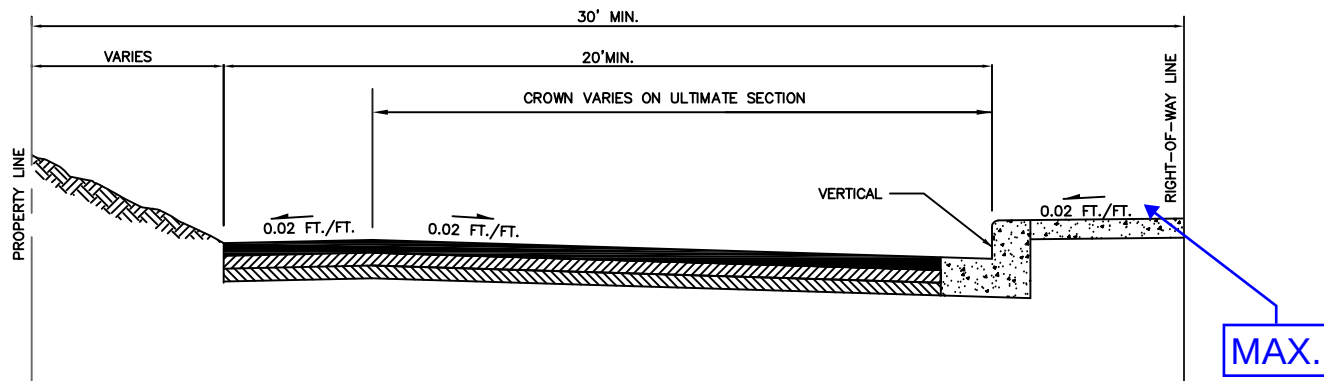


NOTES

1. CURB & GUTTER SHALL BE CEMENT CONCRETE BARRIER CURB & GUTTER PER SECTION 6-113.
2. CURB AND SIDEWALK JOINTS AS PER SECTION 6-114.
3. REFER TO SECTION 3-103 FOR DRIVEWAY DETAILS.
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5. THIS DRAWING ILLUSTRATES A MINIMUM ASPHALT CONCRETE ROAD SECTION. ACTUAL SURFACING DESIGN FOR ARTERIALS AND ACCESS STREETS SHALL BE BASED ON SOILS AND TRAFFIC ANALYSIS.
6. DRAINAGE REQUIRED BEHIND WALK IN CUT AREAS.
7. SIDEWALKS MAY BE PERVIOUS WHERE SITE AND SOIL CONDITIONS MAKE LID FEASIBLE. SIDEWALKS SHALL BE A MIN. OF 5'-0" IN WIDTH. SEE SP 6-242 FOR PERVIOUS PAVING DETAILS.
8. USE OF ALL LID PRACTICES ARE DEPENDANT OF SITE CONDITIONS AND REQUIRE THE APPROVAL OF THE PUBLIC WORKS DIRECTOR OR DESIGNEE.

Add sidewalk
cross slope
requirement.

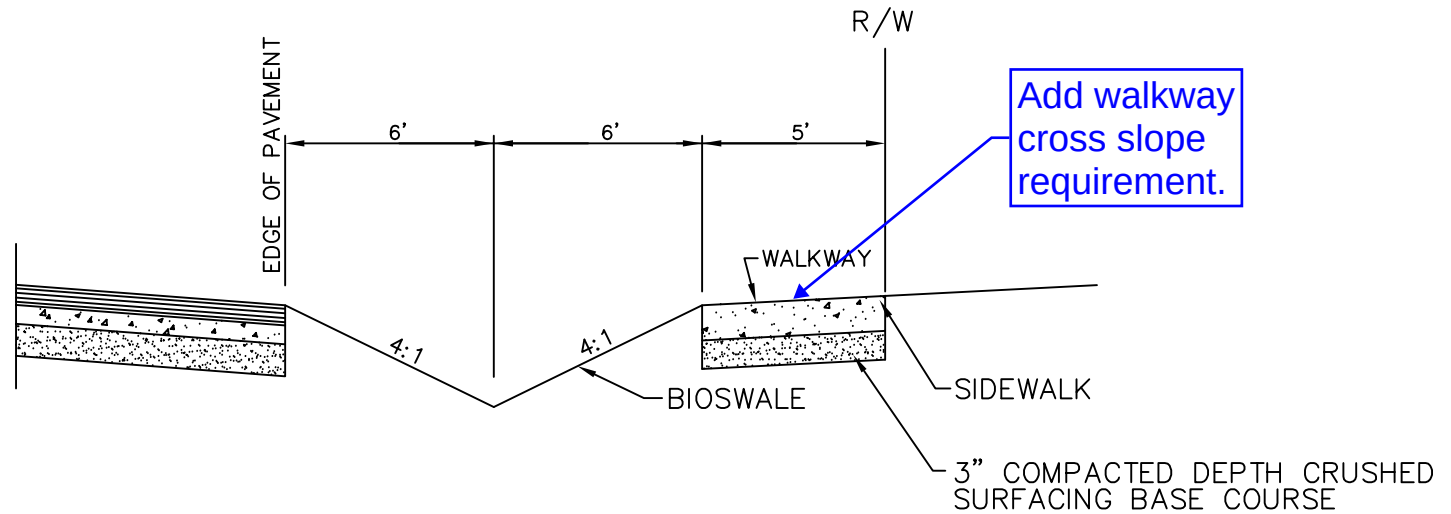
		LID TYPICAL ROAD SECTION	
APPROVED BY  CITY LAKE STEVENS ENGINEER		STANDARD PLAN 2-041 05/09 DATE	



NOTE:

1. FOR ACTUAL ROADWAY SECTION SEE APPLICABLE STANDARD PLAN. SEE SECTION 2-107.

		HALF-STREET	
CITY OF LAKE STEVENS PUBLIC WORKS		STANDARD PLAN 2-100	
APPROVED BY <i>David D. Osterlund</i> CITY LAKE STEVENS ENGINEER		05/09 DATE	

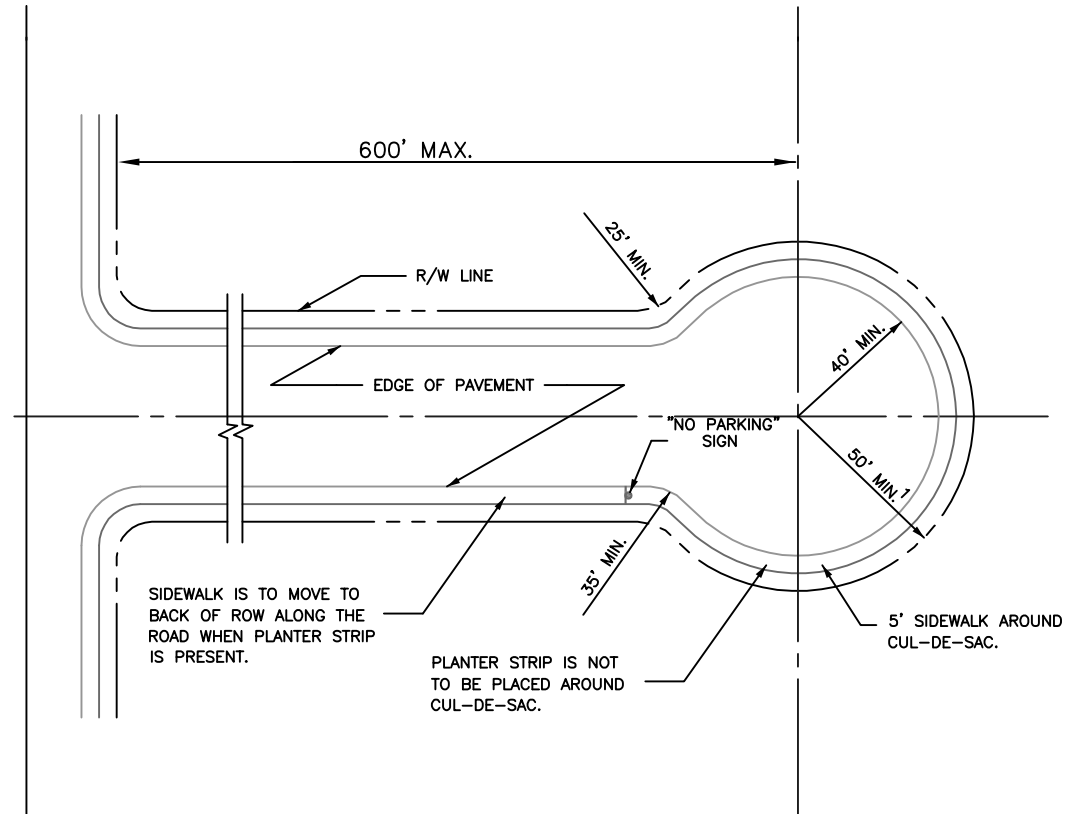
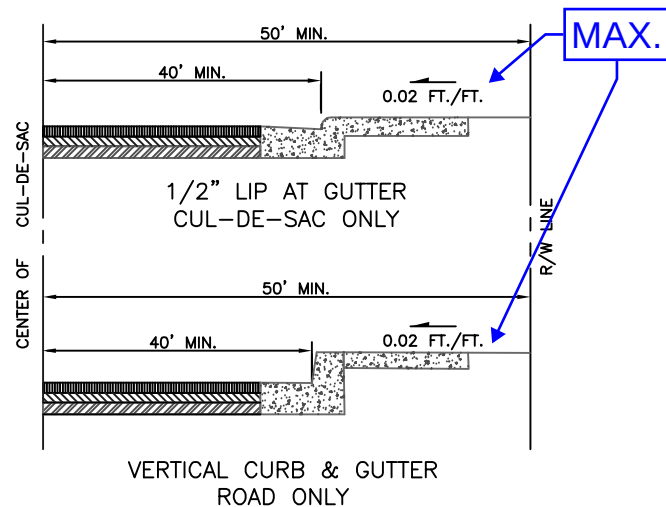


NOTES:

1. BIOSWALE SHALL BE DESIGNED PER THE WASHINGTON STATE DEPARTMENT OF ECOLOGY REQUIREMENTS AND THE CITY OF LAKE STEVENS DRAINAGE STANDARDS.
2. SEE APPLICABLE ROADWAY SECTION FOR PAVEMENT THICKNESSES. DESIGN OF THE ROADWAY SHALL BE IN ACCORDANCE WITH SECTIONS 2-102 AND 2-103. ADDITIONAL SUBGRADE TREATMENT MAY BE REQUIRED DEPENDING ON SOIL CONDITIONS.
3. SEE SECTION 6-118 FOR SEPARATED WALKWAY

* USE OF THIS SECTION SHALL BE APPROVED BY THE PUBLIC WORKS DIRECTOR OR DESIGNEE

 CITY OF LAKE STEVENS PUBLIC WORKS	ALTERNATE SHOULDER SECTION		
STANDARD PLAN 2-110			
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%; padding: 5px;"> APPROVED BY <i>David D. Osterland</i> LAKE STEVENS CITY ENGINEER </td> <td style="width: 40%; padding: 5px; text-align: center;"> 05/09 DATE </td> </tr> </table>		APPROVED BY <i>David D. Osterland</i> LAKE STEVENS CITY ENGINEER	05/09 DATE
APPROVED BY <i>David D. Osterland</i> LAKE STEVENS CITY ENGINEER	05/09 DATE		



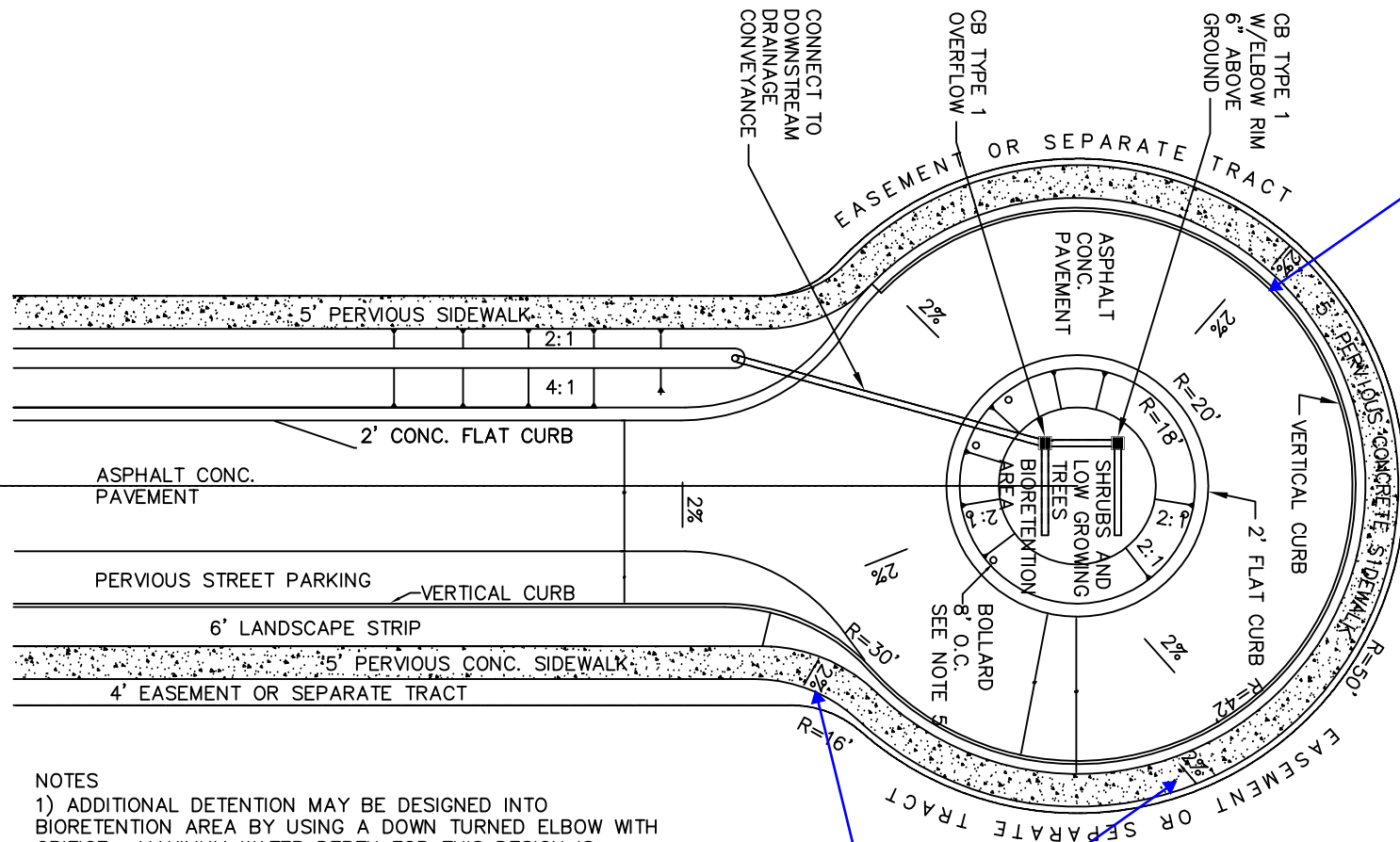
NOTES:

1. ALL PERMANENT CUL-DE-SACS SHALL BE CONSTRUCTED WITH A VERTICAL CURB AND GUTTER SECTION ALONG THE ROAD. A 1/2" LIP WILL BE MAINTAINED AT THE GUTTER WITHIN THE CUL-DE-SAC.
2. SEE SECTION 2-108 FOR CUL-DE-SAC LENGTH EXCEPTION.
3. SEE STANDARD PLAN 3-020 FOR TRANSITION FROM VERTICAL CURB IN ROAD WAY TO A 1/2" LIP AT GUTTER AROUND THE CUL-DE-SAC.
4. A "NO PARKING IN CUL-DE-SAC" SIGN IS REQUIRED.

LAST REVISED 05/09

		CUL-DE-SAC	
APPROVED BY		STANDARD PLAN 2-120	
		05/09	
LAKE STEVENS CITY ENGINEER		DATE	

CUL-DE-SAC LENGTH 500' MAX.



MAX.

MAX.

NOTES

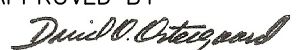
- 1) ADDITIONAL DETENTION MAY BE DESIGNED INTO BIORETENTION AREA BY USING A DOWN TURNED ELBOW WITH ORIFICE. MAXIMUM WATER DEPTH FOR THIS DESIGN IS 1.5- FEET FROM GROUND SURFACE TO DESIGNATED OVERFLOW ELEVATION. OVERFLOW DEVICE CAN BE SECOND CATCH BASIN WITH NO ELBOW OR ORIFICE.
- 2) TOPOGRAPHY WILL VARY GRADING PATTERN BUT EVERY ATTEMPT SHOULD BE MADE TO SLOPE IMPERVIOUS AREA TOWARDS BIORETENTION AREA.
- 3) TRANSITION TO THROAT AREA IS SHOWN AS AN EXAMPLE AND WILL VARY DEPENDING ON THROAT CROSS-SECTION.
- 4) BOLLARDS ON EITHER SIDE OF CENTERLINE AT ENTRANCE TO CUL-DE-SAC WILL HAVE VERTICAL PANELS WITH REFLECTIVE ORANGE AND WHITE STRIPES.
- 5) USE OF ALL LID PRACTICES ARE DEPENDANT OF SITE CONDITIONS AND REQUIRE THE APPROVAL OF THE PUBLIC WORKS DIRECTOR OR DESIGNEE.
- 6) BIORETENTION SWALE TO BE PER SP 5-252



LID CUL-DE-SAC
50' ROW DIAMETER

STANDARD PLAN 2-121

APPROVED BY



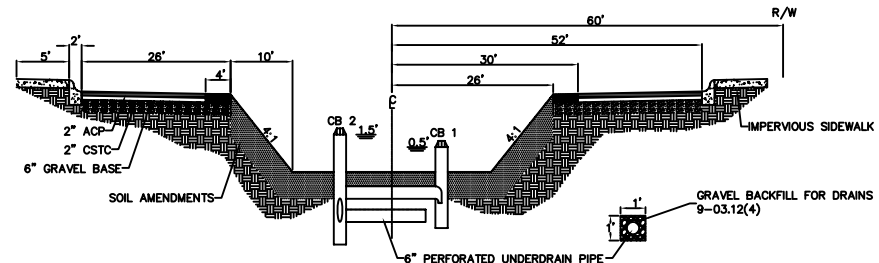
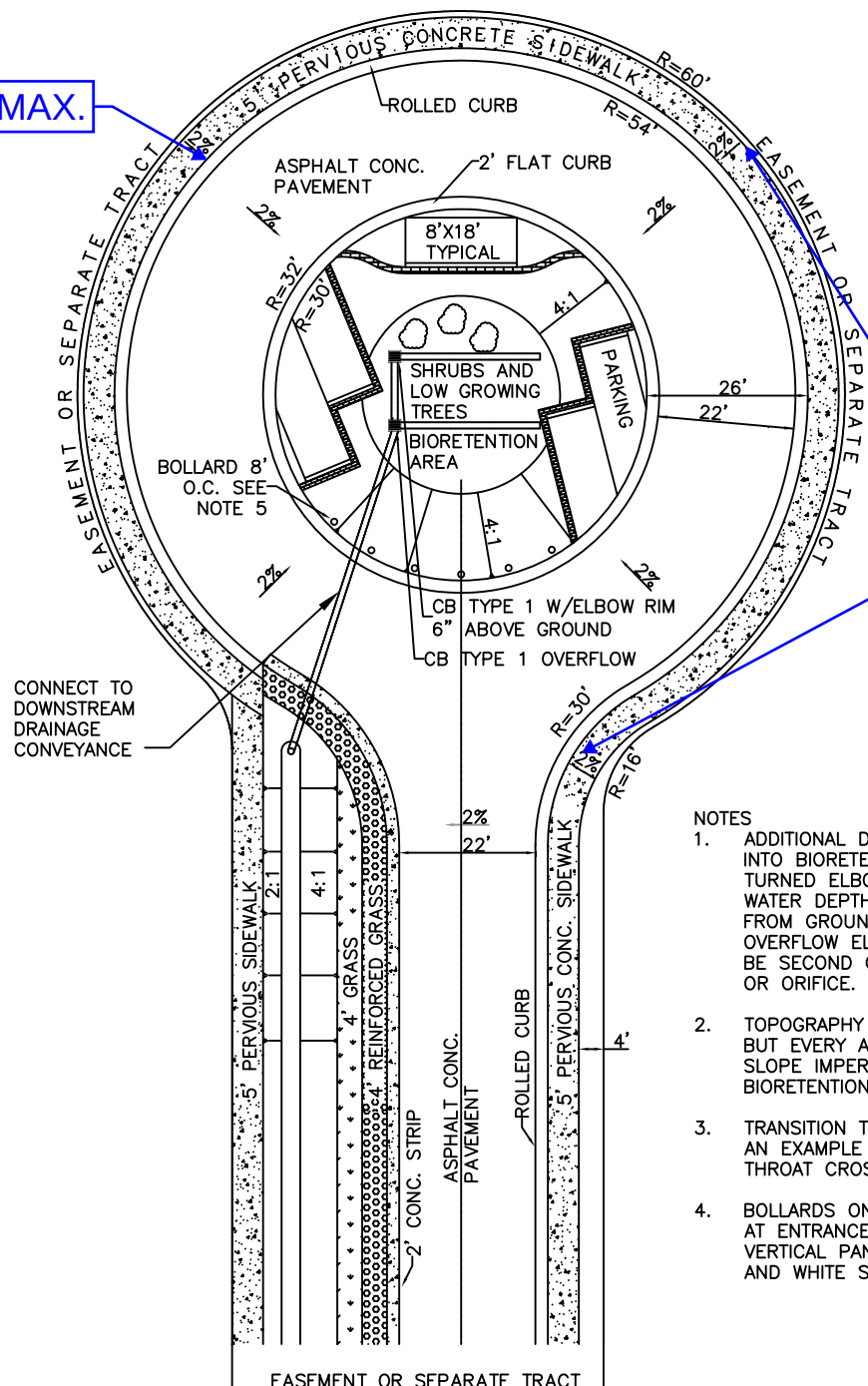
CITY LAKE STEVENS ENGINEER

05/09

DATE

MAX.

MAX.



- CB 1 - Detention CB
Rim Elev. set 6 inches above finished grade. Should be CB Type 1 or equivalent 18" # ADS type.
Outlet is downturned elbow with orifice. Connect outlet to CB 2.
- CB 2 - Overflow CB
Rim Elev. set 18 inches above finished grade. Connect perforated underdrain pipes to CB. Outlet to conveyance channel within the development or to dispersion trench adjacent to Natural Resource Protection Area.

- Notes
- 1) In bioretention area compost should be amended to a 13 inch depth (about 5 inches of compost to 8 inches of soil). Compact subsoils must be scarified at least 4 inches below the 13 inch deep amended layer. The recommended soil composition within a vegetated channel is a sandy loam topsoil layer, with an organic matter content of 10 to 20%, and no more than 20% clay.
 - 2) Bioretention area shall be vegetated with native trees and shrubs however vegetation within 6 feet of the inside radius edge of the reinforced grass shall not be over 18 inches in height.

NOTES

1. ADDITIONAL DETENTION MAY BE DESIGNED INTO BIORETENTION AREA BY USING A DOWN TURNED ELBOW WITH ORIFICE. MAXIMUM WATER DEPTH FOR THIS DESIGN IS 1.5- FEET FROM GROUND SURFACE TO DESIGNATED OVERFLOW ELEVATION. OVERFLOW DEVICE CAN BE SECOND CATCH BASIN WITH NO ELBOW OR ORIFICE.
2. TOPOGRAPHY WILL VARY GRADING PATTERN BUT EVERY ATTEMPT SHOULD BE MADE TO SLOPE IMPERVIOUS AREA TOWARDS BIORETENTION AREA.
3. TRANSITION TO THROAT AREA IS SHOWN AS AN EXAMPLE AND WILL VARY DEPENDING ON THROAT CROSS-SECTION.
4. BOLLARDS ON EITHER SIDE OF CENTERLINE AT ENTRANCE TO CUL-DE-SAC WILL HAVE VERTICAL PANELS WITH REFLECTIVE ORANGE AND WHITE STRIPES.



LID CUL-DE-SAC
60' ROW DIAMETER

CITY OF LAKE STEVENS PUBLIC WORKS

STANDARD PLAN 2-122

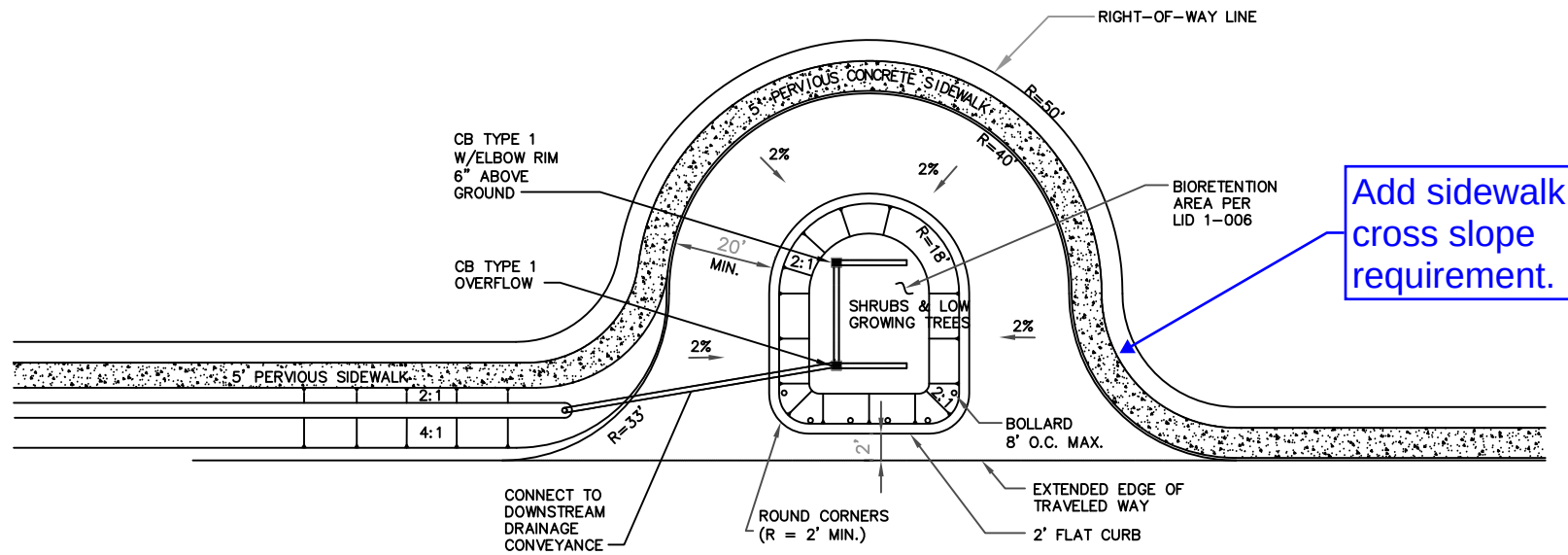
APPROVED BY

David D. Ortiz

CITY LAKE STEVENS ENGINEER

05/09

DATE

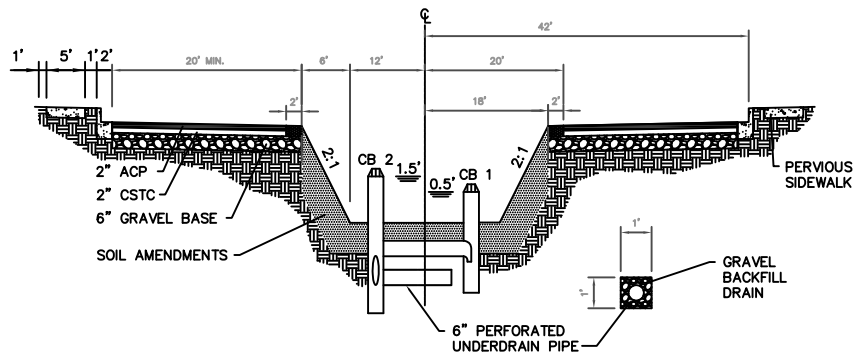


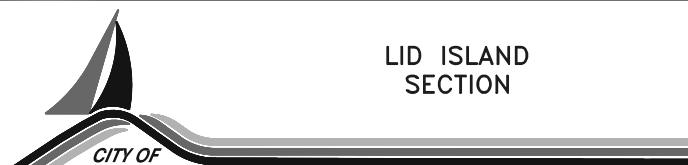
CB 1 - DETENTION CB
RIM ELEV. SET 6 INCHES ABOVE FINISHED GRADE.
SHOULD BE CB TYPE 1 OR EQUIVALENT 18" DIA. ADS TYPE.
OUTLET IS DOWN TURNED ELBOW WITH ORIFICE. CONNECT OUTLET TO CB 2.

CB 2 - OVERFLOW CB
RIM ELEV. SET 18 INCHES ABOVE FINISHED GRADE. CONNECT PERFORATED UNDERDRAIN PIPES TO CB. OUTLET TO CONVEYANCE CHANNEL WITHIN THE DEVELOPMENT OR TO DISPERSION TRENCH ADJACENT TO NATURAL RESOURCE PROTECTION AREA.

NOTES

1. IN BIORETENTION AREA COMPOST SHOULD BE AMENDED TO A 13 INCH DEPTH (ABOUT 5 INCHES OF COMPOST TO 8 INCHES OF SOIL). COMPACT SUBSOILS MUST BE SCARIFIED AT LEAST 4 INCHES BELOW THE 13 INCH DEEP AMENDED LAYER. BIORETENTION SOIL COMPOSITION AND pH LEVELS SHALL MEET THE STANDARDS SET FORTH IN THE LID TECHNICAL GUIDANCE MANUAL FOR PUGET SOUND (CURRENT EDITION).
2. BIORETENTION AREA SHALL BE VEGETATED WITH NATIVE TREES AND SHRUBS HOWEVER VEGETATION WITHIN 6 FEET OF THE INSIDE RADIUS EDGE OF THE REINFORCED GRASS SHALL NOT BE OVER 18 INCHES IN HEIGHT.
3. MINIMUM ISLAND DIAMETER SHALL BE 10 FEET.
4. ISLAND SHALL HAVE A FLAT CURB.





LID ISLAND SECTION

CITY OF LAKE STEVENS PUBLIC WORKS

STANDARD PLAN 2-141

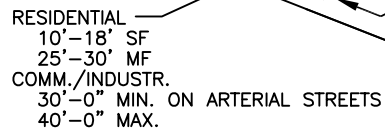
APPROVED BY

David D. Ostergaard

LAKE STEVENS CITY ENGINEER

05/09

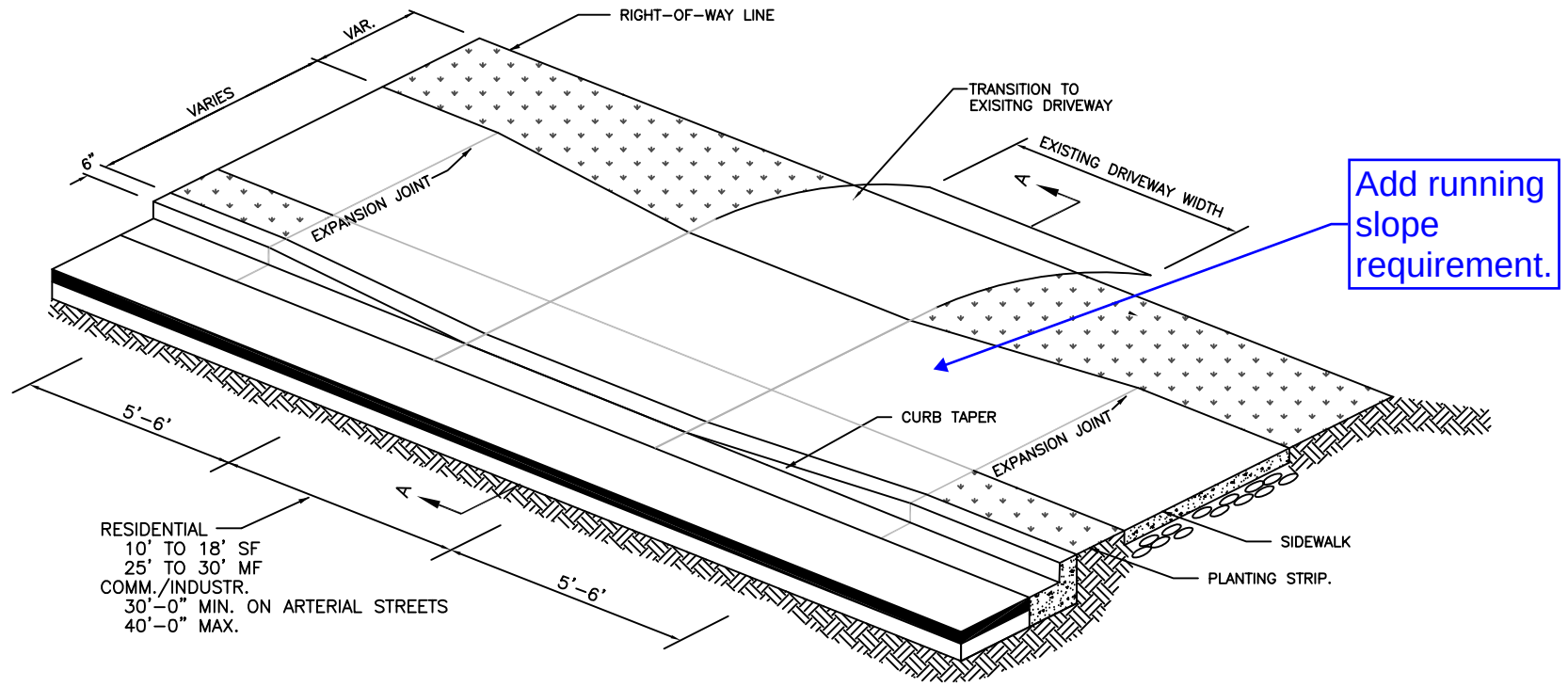
DATE



1. COMMERCIAL/INDUSTRIAL DRIVEWAYS WIDER THAN 40' MAY BE APPROVED BY THE ENGINEER CONSIDERING TRAFFIC SAFETY AND NEEDS OF THE ACTIVITY SERVED. ALL COMMERCIAL/INDUSTRIAL DRIVEWAYS SHALL HAVE AN EXPANSION JOINT LOCATED EVERY 15 LINEAL FEET.

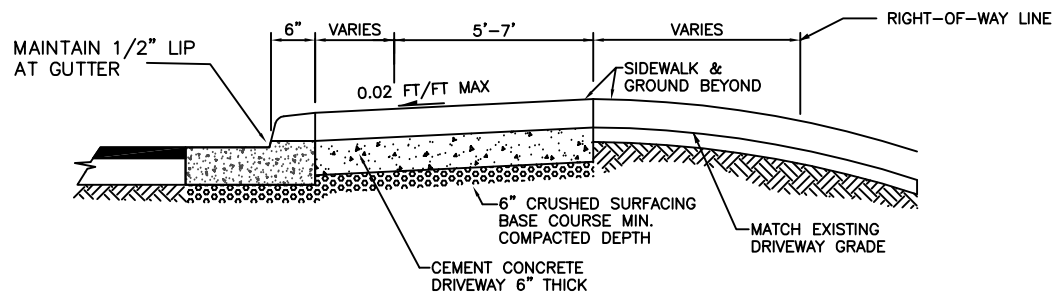


 CITY OF LAKE STEVENS PUBLIC WORKS	CURB & GUTTER DRIVEWAY SECTION
	STANDARD PLAN 3-020



NOTES:

1. A REVERSE SLOPE DRIVEWAY IS SUBJECT TO APPROVAL BY ENGINEER CONSIDERING NEED FOR AND COMPATIBILITY OF THIS FEATURE.
2. COMMERCIAL/INDUSTRIAL DRIVEWAYS WIDER THAN 40' MAY BE APPROVED CONSIDERING TRAFFIC SAFETY AND NEEDS OF THE ACTIVITY SERVED. ALL COMMERCIAL/INDUSTRIAL DRIVEWAYS SHALL HAVE AN EXPANSION JOINT LOCATED EVERY 15 LINEAL FEET.



SECTION A-A



**CITY OF
LAKE STEVENS
PUBLIC WORKS**

**CURB & GUTTER
DRIVEWAY SECTION
REVERSE SLOPE**

STANDARD PLAN 3-030

APPROVED BY

David D. Osterland

LAKE STEVENS CITY ENGINEER

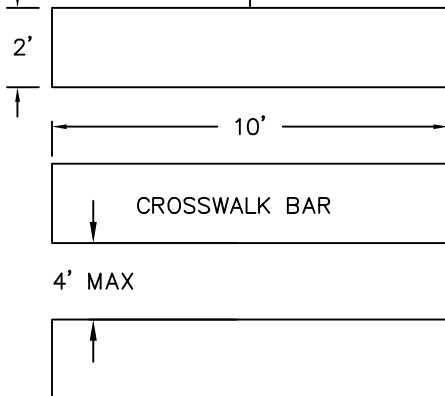
05/09

DATE

NOTE: ALIGN CROSSWALK BARS CENTER
OF HANDICAP ACCESS RAMP.

STOP SIGN

NOTE: PLACEMENT OF STOP SIGN
CENTERED ON LEADING EDGE OF
STOP BAR, OR AS APPROVED BY
PUBLIC WORKS DIRECTOR OR
DESIGNEE



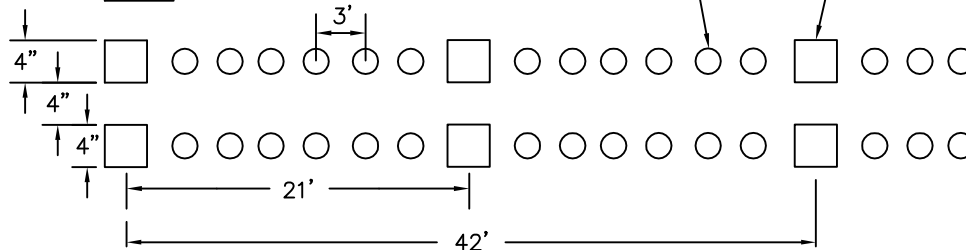
THERMOPLASTIC (TYP.)

STOP BAR

24"

RAISED PAVEMENT
MARKERS TYPE 1

RAISED PAVEMENT
MARKERS TYPE 2d



NOTE: NOT TO SCALE.

**INTERSECTION PAVEMENT
MARKERS PLACEMENT**

**CITY OF
LAKE STEVENS
PUBLIC WORKS**

STANDARD PLAN 4-010

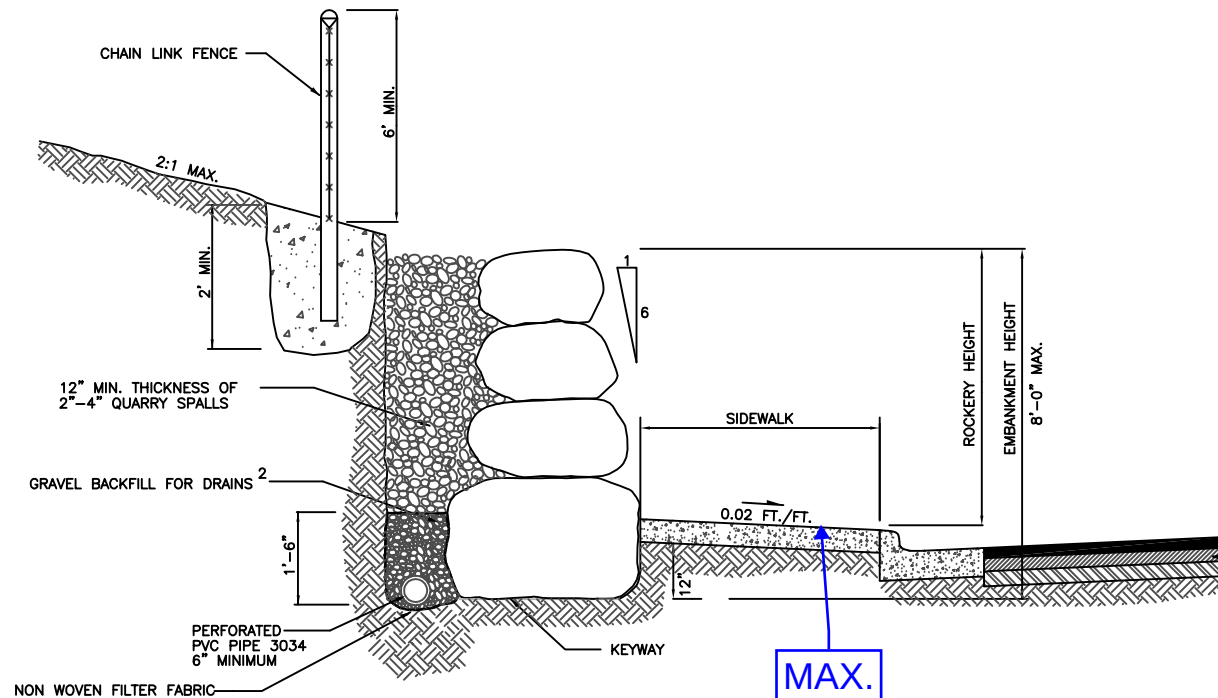
APPROVED BY

David W. Osterlund

LAKE STEVENS CITY ENGINEER

05/09

DATE



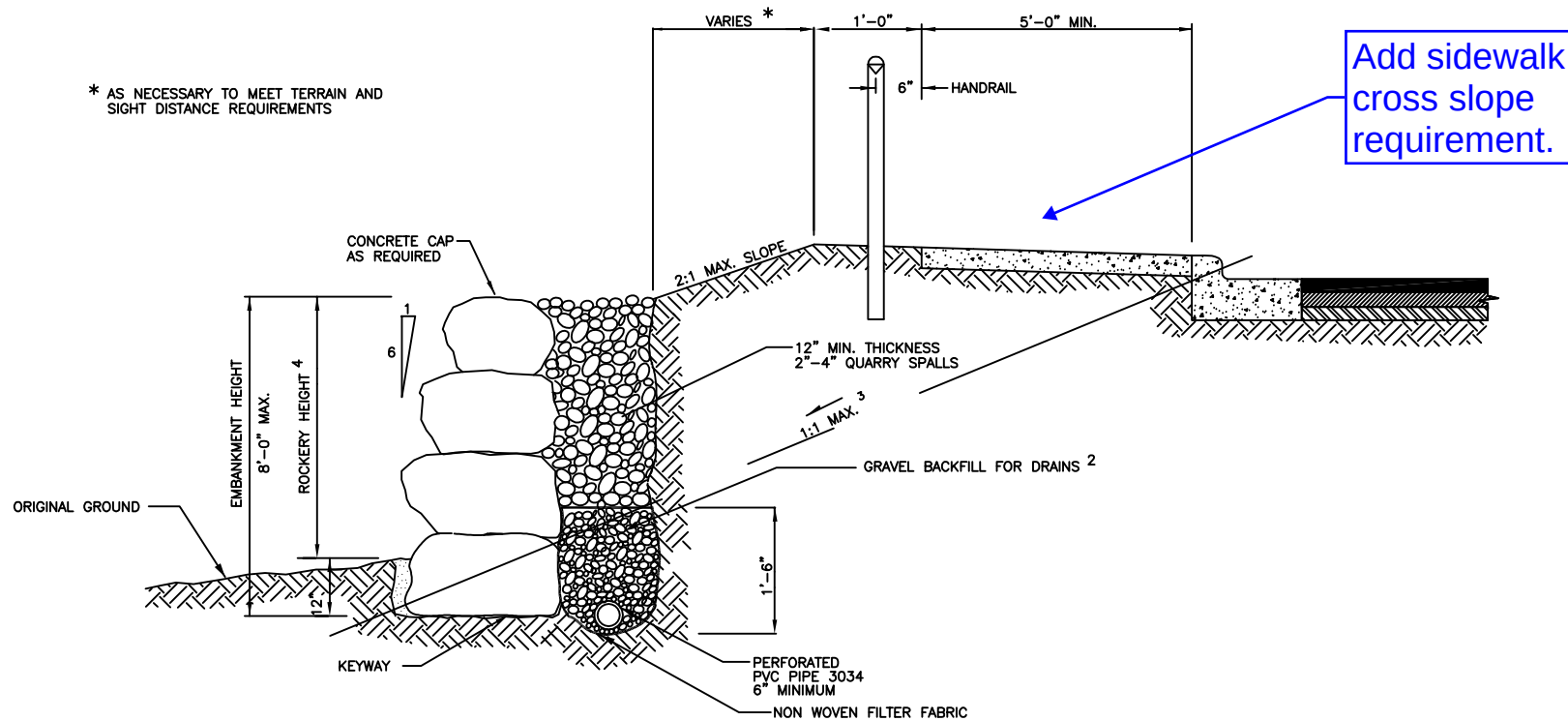
NOTES:

1. WSDOT 9-03.12[4]
2. IF ROCKERY OR RETAINING WALL IS BEHIND ROLLED CURB OR ON A RURAL SECTION, FACE OF ROCKERY OR RETAINING WALL MUST BE BEYOND THE CLEAR ZONE PER WSDOT DESIGN MANUAL.
3. CHAIN LINK FENCE SHALL COMPLY WITH STD. PLAN 6-110 AND IS REQUIRED WHEN ROCKERY HEIGHT IS 30" OR GREATER AND ROCKERY IS LOCATED ON PUBLIC RIGHT-OF-WAY OR EASEMENT.
4. MAXIMUM HEIGHT OF ROCKERY IS 8' UNLESS APPROVED BY THE CITY ENGINEER.

NOTE:

EMBANKMENT HEIGHTS 4'-0" AND ABOVE REQUIRES BUILDING PERMIT AND SET OF STAMPED ENGINEERING PLANS

		ROCK FACING CUT SECTION	
CITY OF LAKE STEVENS PUBLIC WORKS		STANDARD PLAN 6-010	
APPROVED BY <i>David D. Osterland</i> LAKE STEVENS CITY ENGINEER		05/09 DATE	

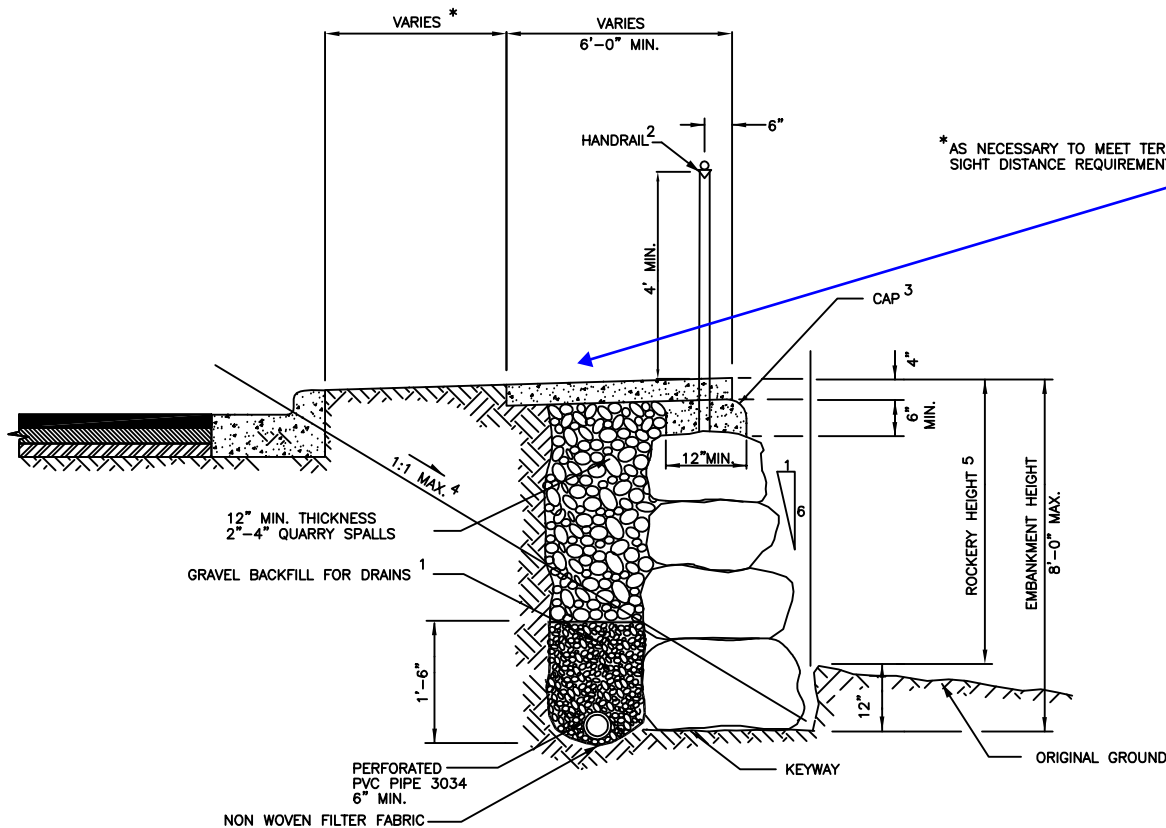


NOTE:
EMBANKMENT HEIGHT IN EXCESS OF 4'-0" REQUIRES
BUILDING PERMIT AND SET OF STAMPED ENGINEERING
PLANS

NOTES:

1. WSDOT 9-03.12[4].
2. FLATTER SLOPE MAY BE REQUIRED IN LESS STABLE SOIL.
3. HANDRAIL REQUIRED WHEN ROCKERY HEIGHT IS 30" OR GREATER. SEE DWG. NO. 6-090.
4. FOR ROCKERY HEIGHTS EXCEEDING 4', SEE DWG. NO. 6-040.
5. TRAFFIC BARRIERS MAY BE REQUIRED ON ROADS WITH POSTED SPEED LIMITS OF 35 MPH OR GREATER, WHERE ROCKERY HEIGHTS EXCEED 6'. SEE CHAPTER 7 OF THE WSDOT DESIGN MANUAL.

 LAKE STEVENS PUBLIC WORKS	ROCK FACING FILL SECTION
	STANDARD PLAN 6-020
APPROVED BY <i>David W. Osterland</i> LAKE STEVENS CITY ENGINEER	
05/09 DATE	



Add sidewalk
cross slope
requirement.

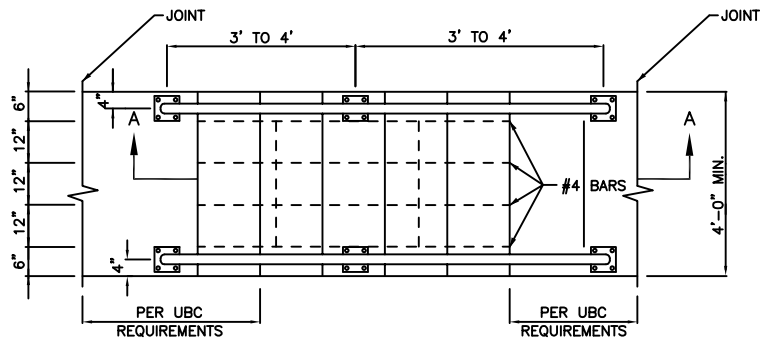
NOTES:

1. WSDOT 9-03.12[4].
2. HANDRAIL REQUIRED WHEN ROCKERY HEIGHT IS 30" OR GREATER. SEE DWG. 6-090.
3. CAP SHALL BE CONCRETE CLASS 3000.
4. FLATTER SLOPE MAY BE REQUIRED IN LESS STABLE SOILS.
5. FOR ROCKERY HEIGHTS EXCEEDING 4', SEE DWG. NO. 6-040.
6. TRAFFIC BARRIERS MAY BE REQUIRED ON ROADS WITH POSTED SPEED LIMITS OF 35 MPH OR GREATER. SEE CHAPTER 7 OF THE WSDOT DESIGN MANUAL.

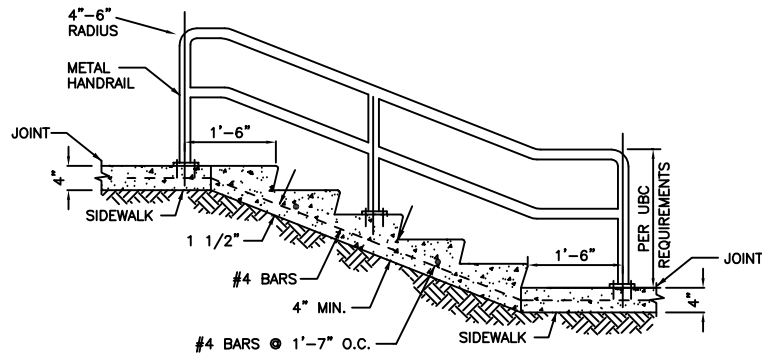
NOTE:

EMBANKMENT HEIGHTS 4'-0" AND ABOVE REQUIRES BUILDING PERMIT AND SET OF STAMPED ENGINEERING PLANS

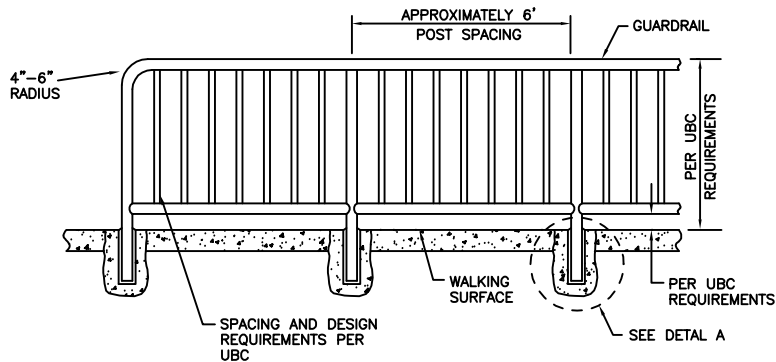
		ROCK FACING UNDER SIDEWALK	
CITY OF LAKE STEVENS PUBLIC WORKS		STANDARD PLAN 6-030	
APPROVED BY <i>David W. Osterlund</i> LAKE STEVENS CITY ENGINEER		05/09 DATE	



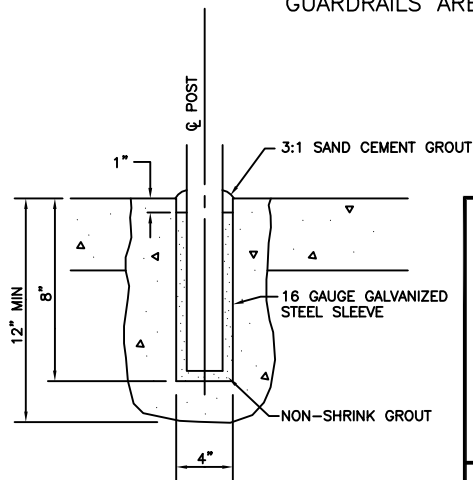
CONCRETE STEPS
PLAN



CONCRETE STEPS
SECTION A-A



PEDESTRIAN GUARDRAIL SECTION



DETAIL A

NOTES FOR CONCRETE STEPS:

1. CONCRETE: CEMENT CONCRETE CLASS 3000.
2. ALL STEPS: PER UBC REQUIREMENTS.
3. RISERS: PER UBC REQUIREMENTS.
4. TREADS: PER UBC REQUIREMENTS.
5. LOCATION OF METAL HANDRAIL AND GUARDRAIL PER UBC REQUIREMENTS, SEE NOTES BELOW.
6. REINFORCING BARS SHALL MEET THE REQUIREMENTS OF ASTM A-615, GRADE 60 .
7. SEE UBC SEC. 3306.
8. MAX. VERTICAL DISTANCE BETWEEN LANDINGS PER UBC REQUIREMENTS.

NOTES FOR HANDRAILS AND PEDESTRIAN GUARDRAILS:

1. GALVANIZED STEEL OR ALUMINUM.
2. ROUND OR OVAL PIPE, SIZE PER IBC REQUIREMENTS.
3. WELDED, WITH SMOOTH SURFACE AND JOINTS.
4. POSTS SET IN CLASS 3000 CONCRETE A MINIMUM OF 8".
5. SEE IBC SEC. 3306.
6. GALVANIZED STEEL OR ALUMINUM GUARDRAILS WHEN GUARDRAILS ARE REQUIRED BY IBC.



**CONCRETE STEPS,
METAL HANDRAIL,
& GUARDRAIL**

STANDARD PLAN 6-090

APPROVED BY

David D. Osterland

LAKE STEVENS CITY ENGINEER

05/09

DATE

HANDRAILS AND GUARDRAILS (GALVANIZED STEEL)

GALVANIZED HANDRAIL AND GUARDRAIL SHALL BE FABRICATED AND INSTALLED IN ACCORDANCE WITH THESE SPECIAL PROVISIONS AND STANDARD DRAWING.

GALVANIZED STEEL HANDRAIL AND GUARDRAIL SHALL CONFORM TO ASTM DESIGNATION A120. ALL WELDING SHALL CONFORM TO AMERICAN WELDING SOCIETY STRUCTURAL WELDING CODE AWS D1.1-72. AFTER FABRICATION EACH SECTION OF RAILING SHALL BE HOT-DIPPED GALVANIZED WITH A MINIMUM ZINC COATING OF 2 OUNCES PER SQUARE FOOT. ALL BURRS AND SHARP EDGES SHALL BE REMOVED PRIOR TO GALVANIIZING.

FIELD WELDS SHALL BE GALVANIZED WITH "GALVALLOY" OR APPROVED EQUAL. PAINTING OF WELDS WILL NOT BE PERMITTED.

HORIZONTAL RAILS AND VERTICAL POSTS SHALL BE 2 INCH DIAMETER AND BALUSTERS SHALL BE 1" DIAMETER STANDARD WEIGHT GALVANIZED STEEL PIPE. RAILS, POSTS AND BALUSTERS SHALL BE MACHINE CUT TO PROVIDE A UNIFORM LENGTH PRIOR TO ASSEMBLY.

RAILING SHALL BE ERECTED AND ADJUSTED, IF NECESSARY, TO ASSURE A CONTINUOUS LINE AND GRADE. FINISHED HEIGHT IS TO BE PER UBC REQUIREMENTS ABOVE PEDESTRIAN SURFACE. EXPANSION JOINTS SHALL BE PROVIDED AT INTERVALS SHOWN ON THE STANDARD DRAWING.

HANDRAILS AND GUARDRAILS (ALUMINUM)

ALUMINUM HANDRAIL AND GUARDRAIL SHALL BE FABRICATED AND INSTALLED IN ACCORDANCE WITH THESE SPECIAL PROVISIONS AND STANDARD DRAWING.

ALUMINUM HANDRAIL AND GUARDRAIL SHALL BE NATURAL ALUMINUM COLOR.

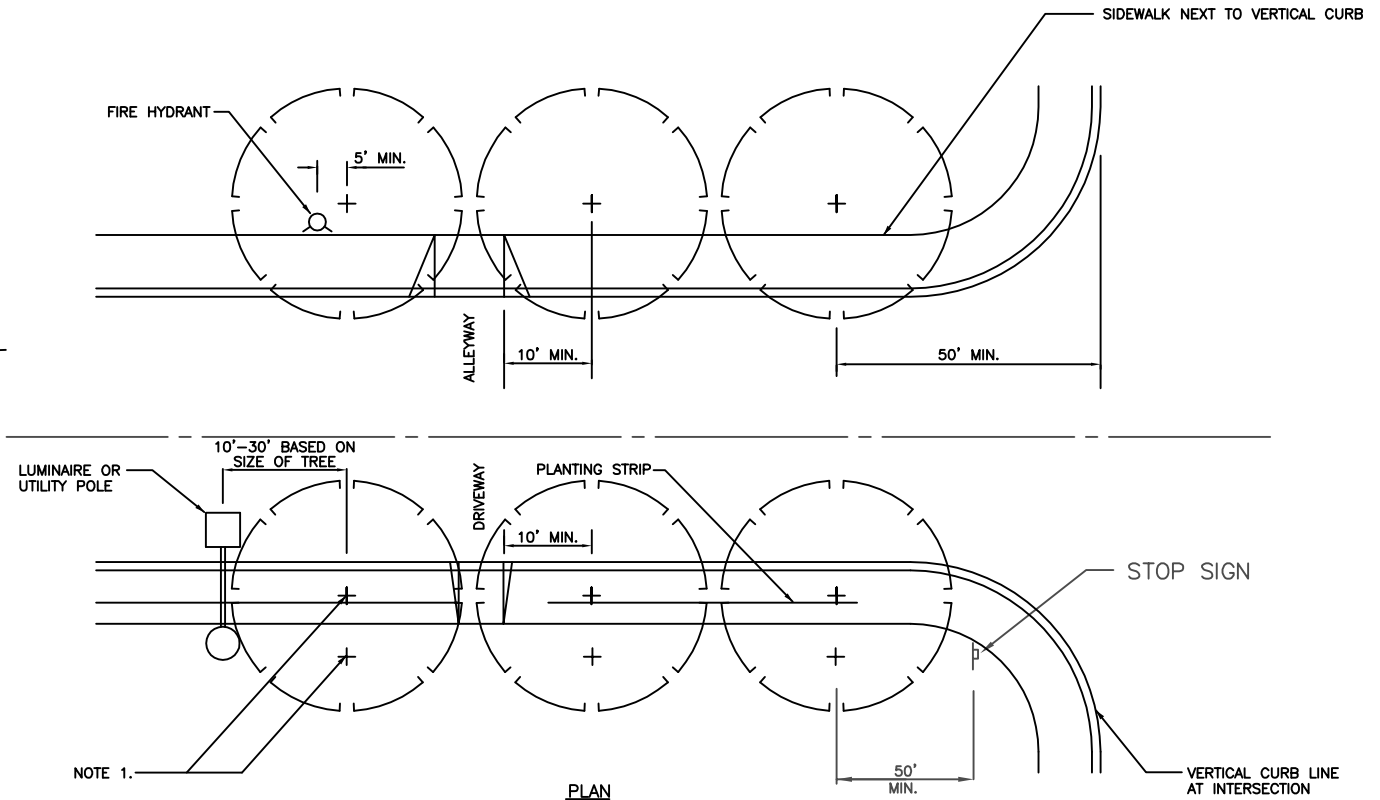
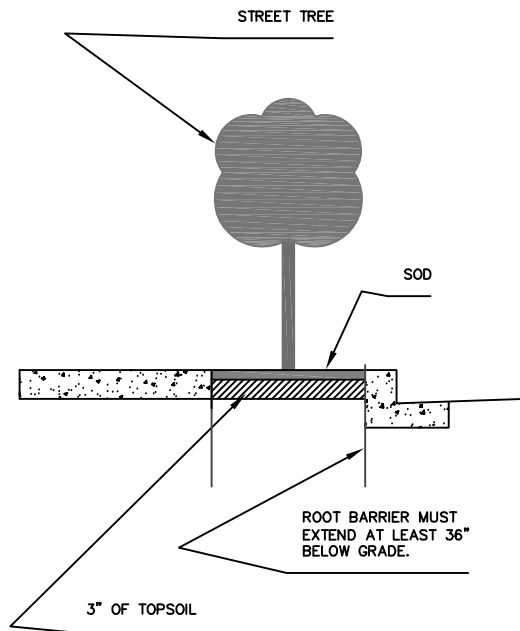
IF ANODIZATION IS SPECIFIED, ALL ALUMINUM PARTS SHALL BE GIVEN A CLEAR ANODIC COATING AT LEAST 0.0006 INCH THICK AND SHALL BE SEALED TO MEET THE REQUIREMENTS OF ASTM B 136 AND SHALL HAVE A UNIFORM FINISH.

WELDING OF ALUMINUM SHALL BE IN ACCORDANCE WITH THE "STRUCTURAL WELDING CODE ALUMINUM, AWS D 1.2".

ALL MATERIALS USED IN THE FABRICATION OF ALUMINUM HANDRAILS AND GUARDRAILS SHALL MEET THE REQUIREMENTS OF ASTM B241 OR B429 ALLOY 6061-T6 SCHEDULE 40(STD. PIPE).

HORIZONTAL RAILS AND VERTICAL SUPPORT POSTS SHALL BE 1.9" OD AND BALUSTERS SHALL BE 1.05" OD. STANDARD WEIGHT ALUMINUM PIPE. RAILS, POSTS AND BALUSTERS SHALL BE MACHINE CUT TO PROVIDE A UNIFORM LENGTH PRIOR TO ASSEMBLY.

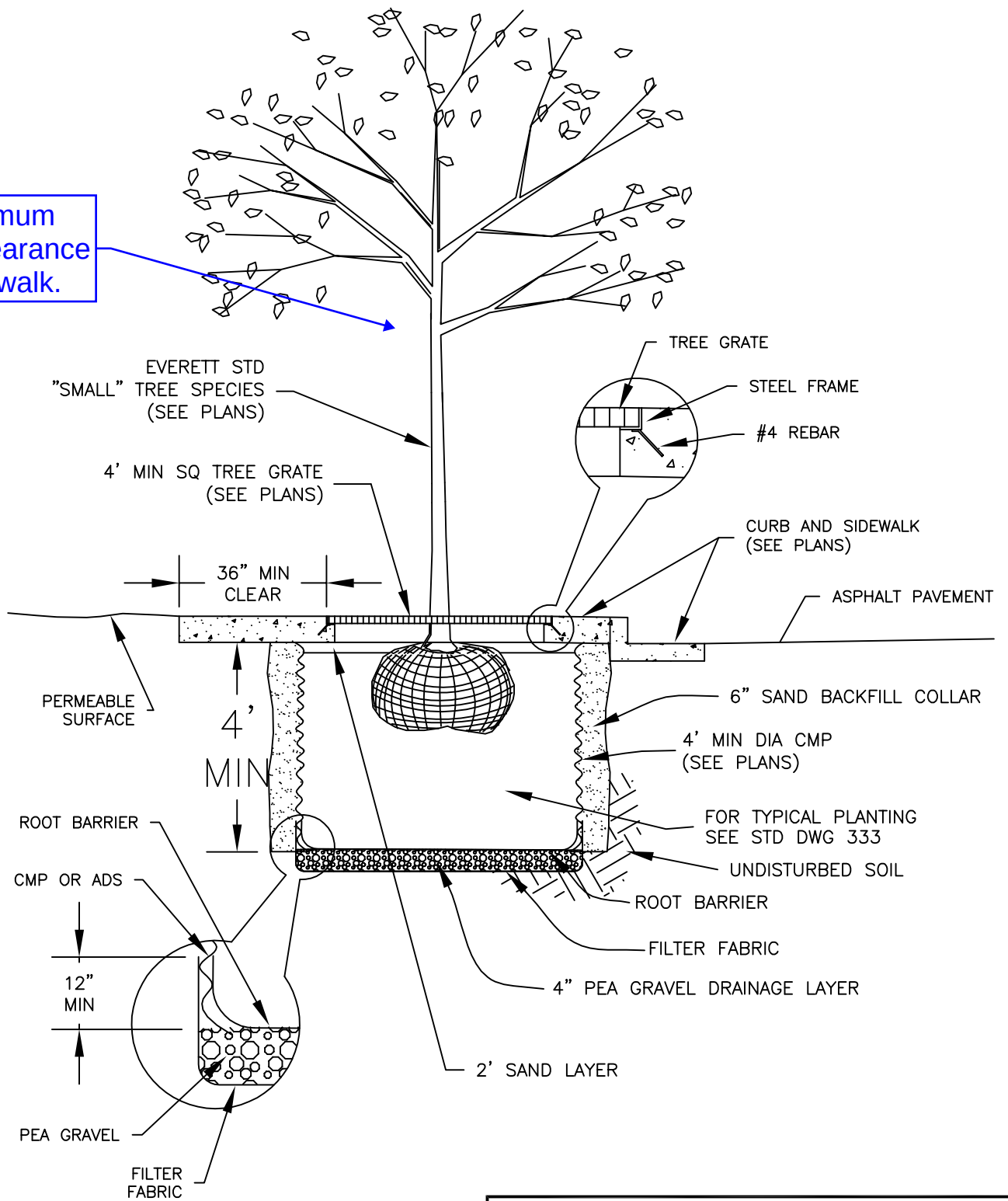
		HANDRAIL & GUARDRAIL NOTES	
LAKE STEVENS PUBLIC WORKS		STANDARD PLAN 6-091	
APPROVED BY 		05/09	
LAKE STEVENS CITY ENGINEER		DATE	



NOTES:

1. TREES SHALL GENERALLY BE PLANTED BACK OF THE SIDEWALK. PLANTING STRIPS WILL BE APPROVED ONLY AS PART OF A LANDSCAPING PLAN IN WHICH PLANT MAINTENANCE, COMPATIBILITY WITH UTILITIES, AND TRAFFIC SAFETY ARE DULY CONSIDERED.
2. IF PLANTING STRIPS ARE APPROVED:
 - A. MIN. DISTANCE FROM CENTER OF ANY TREE TO NEAREST EDGE OF VERTICAL CURB SHALL BE 2 FEET.
 - B. TREES SHALL BE STAKED IN A MANNER NOT TO OBSTRUCT SIDEWALK TRAFFIC.
 - C. ROOT BARRIERS SHALL BE PRECAST CONCRETE SECTIONS OR SIMILAR IMPERMEABLE DURABLE MATERIAL.

Add minimum height clearance over sidewalk.



TREE WELL IN SIDEWALK AREA



CITY OF
LAKE STEVENS
PUBLIC WORKS

STANDARD PLAN 6-132

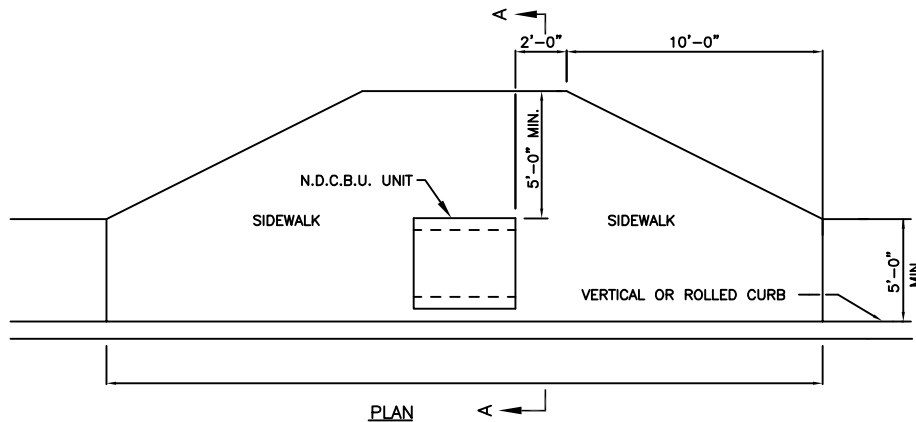
APPROVED BY

David V. Ostergaard

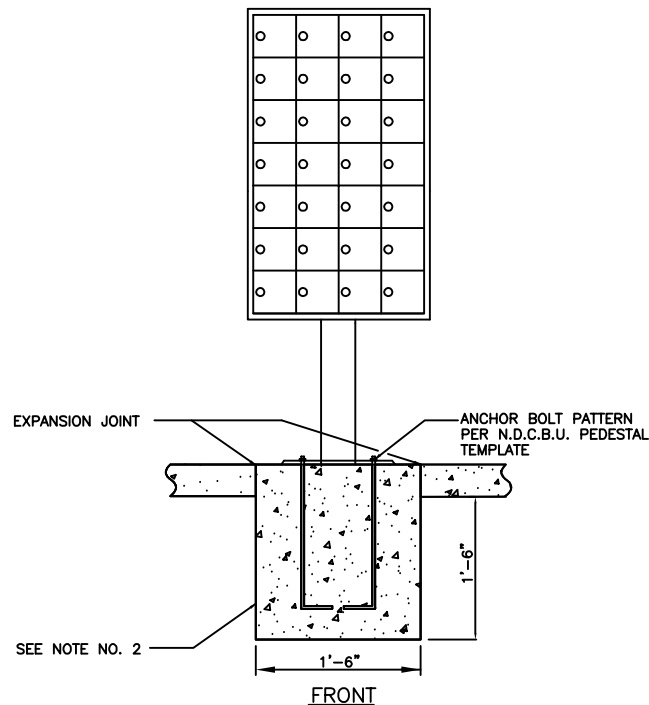
LAKE STEVENS CITY ENGINEER

05/09

DATE

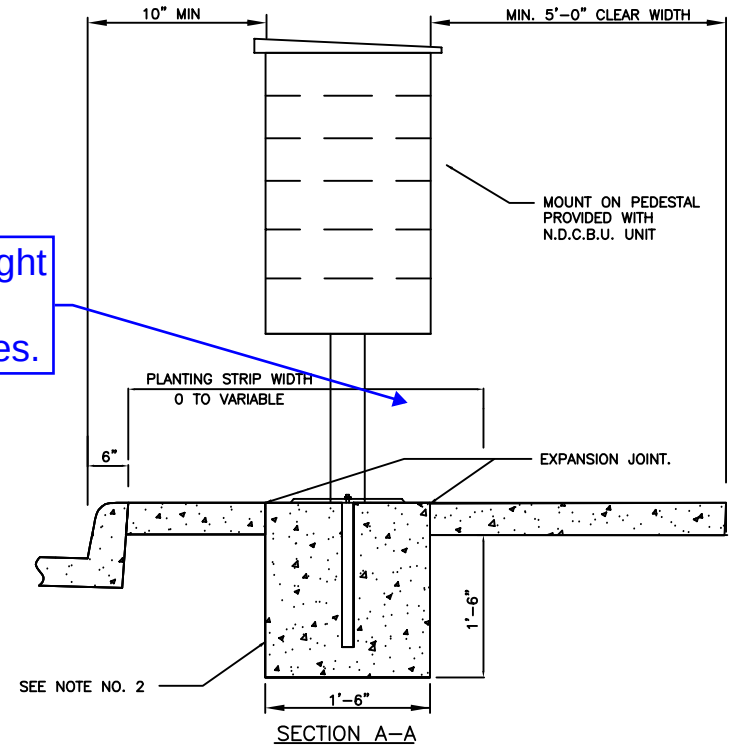


Add maximum height requirement to bottom of mailboxes.



NOTES:

1. INSTALLATION OF N.D.C.B.U. (INCLUDING CONSTRUCTION OF BASE) WILL BE DONE BY CONTRACTOR.
2. SEE SEC. 6-104 FOR JOINT REQUIREMENTS.
3. CITY RIGHT-OF-WAY PERMIT REQUIRED.





NEIGHBORHOOD DELIVERY &
COLLECTION BOX UNIT
INSTALLATION

STANDARD PLAN 6-140

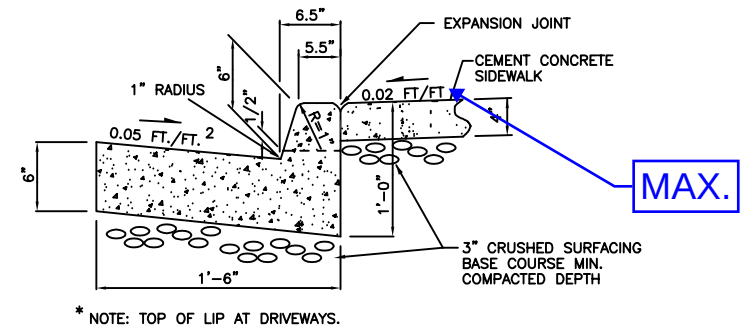
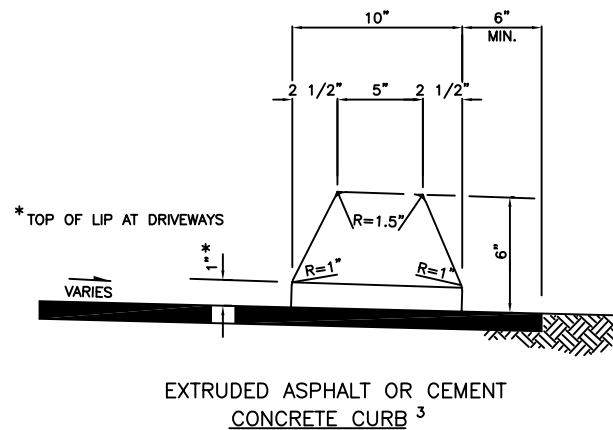
APPROVED BY

David D. Ostergaard

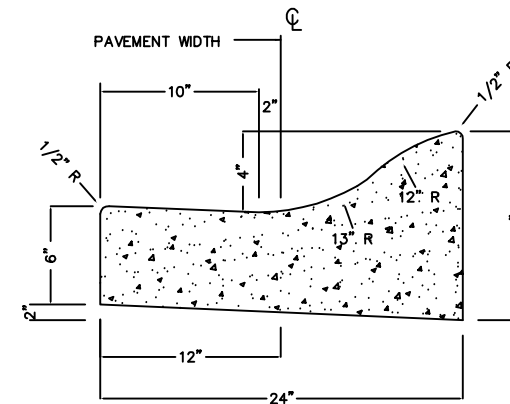
LAKE STEVENS CITY ENGINEER

05/09

DATE



CEMENT CONCRETE CURB & GUTTER



CEMENT CONCRETE ROLLED CURB & GUTTER

NOTES:

1. SEE SEC. 6-114 FOR JOINT REQUIREMENTS.
2. ROLL GUTTER TO MATCH POSITIVE SUPERELEVATION.
3. SEE SEC. 6-113 FOR EXTRUDED CURB ANCHORAGE.
4. VERTICAL CURB WILL BE REQUIRED EXCEPT AS NOTED IN SECTION 3-514

CURB DETAILS



CITY OF
LAKE STEVENS
PUBLIC WORKS

STANDARD PLAN 6-220

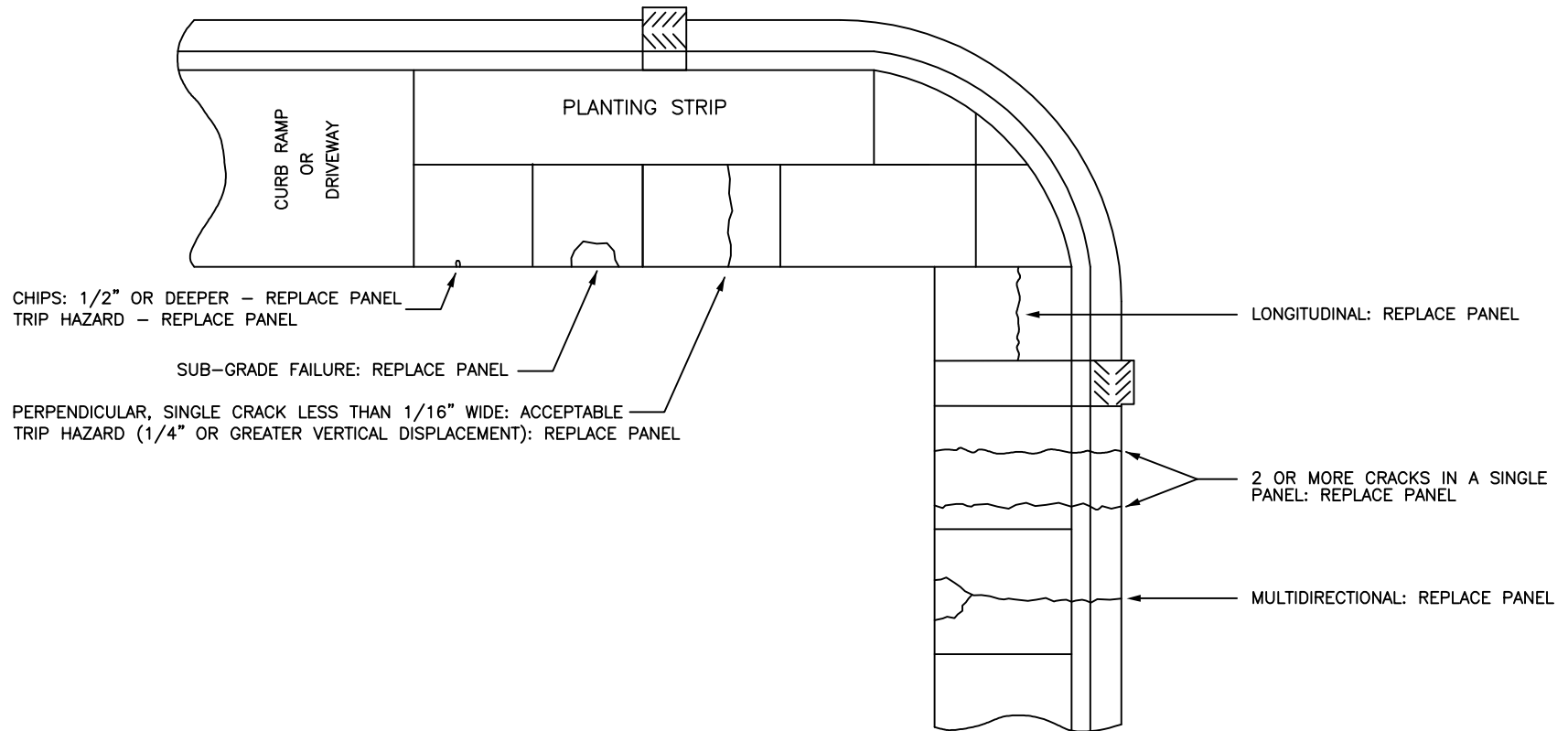
APPROVED BY

David D. Osterland

LAKE STEVENS CITY ENGINEER

05/09

DATE



NOTE:

1. PANEL EDGES ARE DEFINED BY EXPANSION JOINTS OR DUMMY JOINTS
2. PANEL REPLACEMENT AT DUMMY JOINTS SHALL BE SAWCUT
3. "PANEL" REFERS TO DRIVEWAY RAMPS, CURB & GUTTER, AND SIDEWALK.

LAST REVISED 05/09

**SIDEWALK REPLACEMENT
REQUIREMENTS**



**CITY OF
LAKE STEVENS
PUBLIC WORKS**

STANDARD PLAN 6-230

APPROVED BY



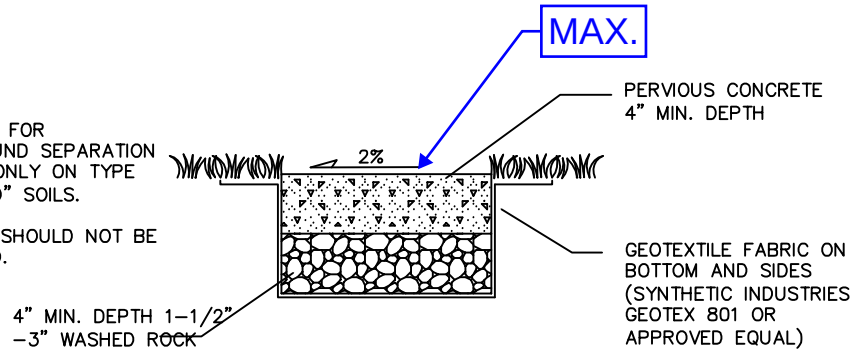
LAKE STEVENS CITY ENGINEER

05/09

DATE

NOTES:

1. GEOTEXTILE FOR UNDERGROUND SEPARATION REQUIRED ONLY ON TYPE "C" AND "D" SOILS.
2. SUBGRADE SHOULD NOT BE COMPACTED.

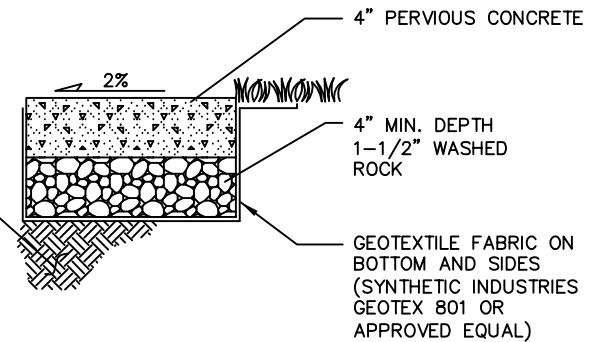


PERVIOUS CONCRETE SIDEWALK

REMOVE UNSUITABLE MATERIAL AND COMPACT SUBGRADE TO 90% OF MAXIMUM DRY DENSITY.

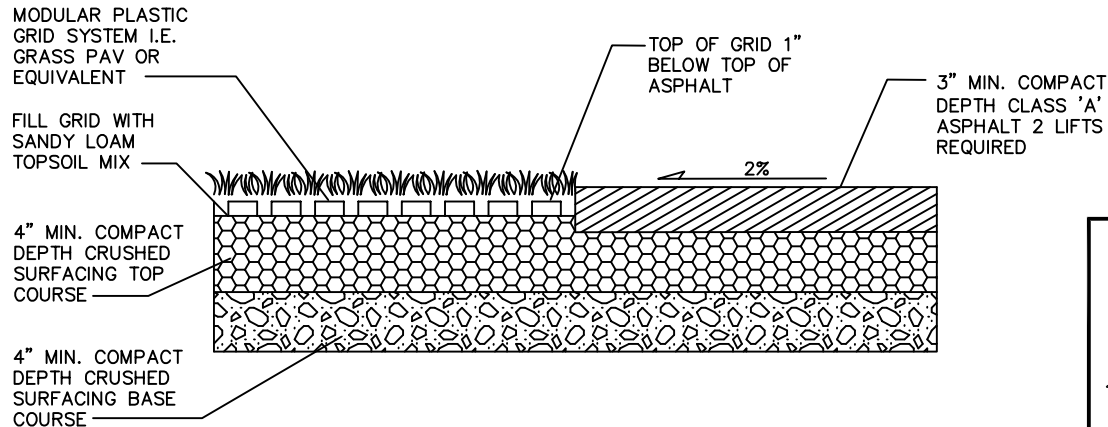
NOTES:

GEOTEXTILE FOR UNDERGROUND SEPARATION REQUIRED ONLY ON TYPE "C" AND "D" SOILS.



PERVIOUS CONCRETE SURFACING

DRIVABLE PERVIOUS SURFACING: DRIVE LANE, SHOULDERS, ON-STREET PARKING



GRASS PAVING



LID ALTERNATE SURFACING
PERVIOUS PAVING DETAILS

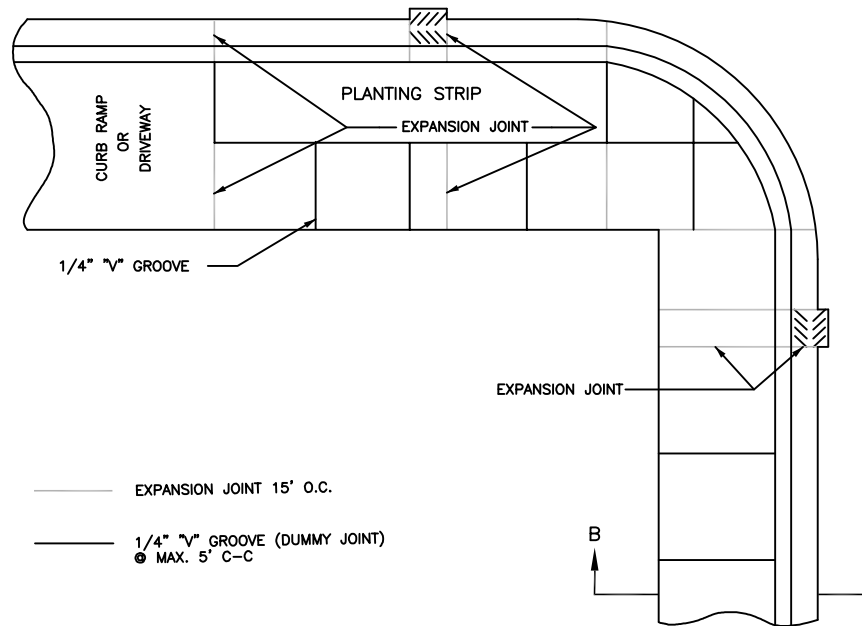
STANDARD PLAN 6-242

APPROVED BY

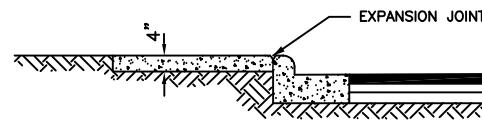
David D. Osterland
CITY LAKE STEVENS ENGINEER

05/09

DATE



VERTICAL CURB & SIDEWALK

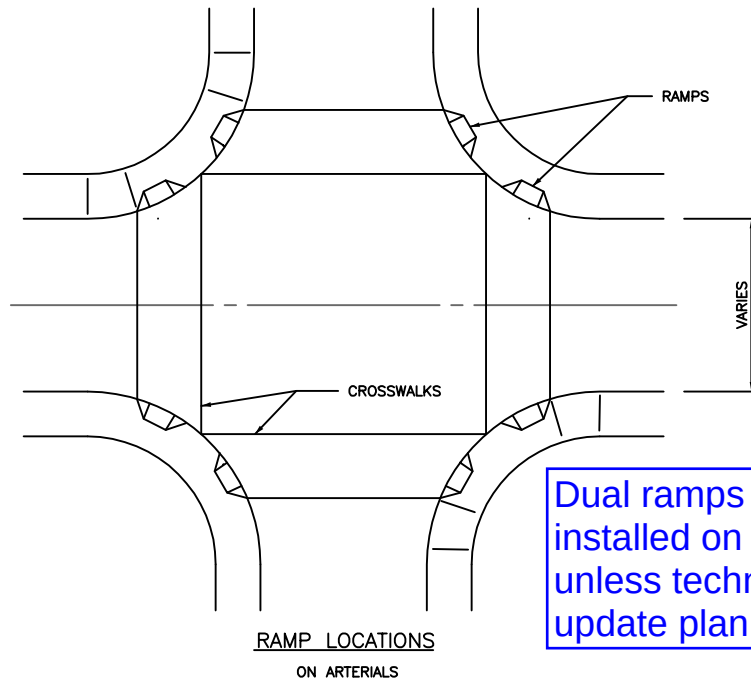


SECTION B-B

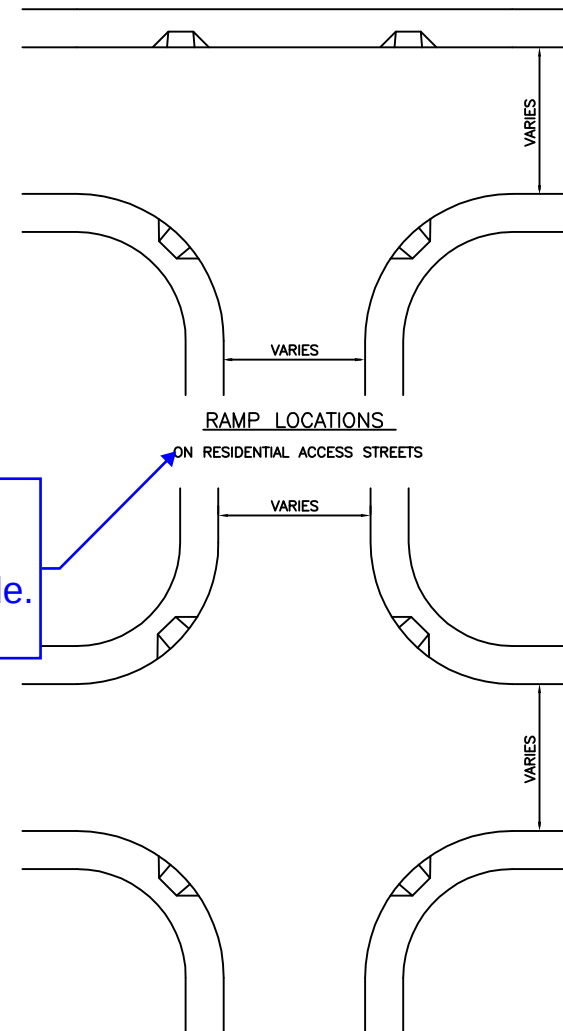
NOTE:

1. SEE SEC. 6-114 FOR JOINT REQUIREMENTS.
2. EXPANSION JOINTS IN SIDEWALK AND CURB TO BE ALIGNED WITH EACH OTHER.
3. EXPANSION JOINT SHALL BE 3/8"x2 1/2" MINIMUM.

	CURB & SIDEWALK JOINTS	
	STANDARD PLAN 6-250	
APPROVED BY		
		05/09
LAKE STEVENS CITY ENGINEER		DATE



Dual ramps should be installed on all corners unless technically infeasible. update plan to reflect this.



NOTES:

1. CATCH BASIN AND INLETS SHALL BE OUTSIDE THE CURB RAMP (24" MIN. CLEARANCE FROM RAMP).
2. CARE SHALL BE TAKEN TO KEEP THE RAMP FROM CONFLICTING WITH HYDRANTS, POLES, INLETS, AND OTHER UTILITIES.
3. CONSTRUCT RAMP IN ACCORDANCE WITH STANDARD WSDOT/APWA DETAILS.
4. CROSSWALKS ARE NOT ALWAYS MARKED.
5. WHEN RAMPS ARE CONSTRUCTED ON ONE SIDE OF STREET, RAMPS SHALL BE CONSTRUCTED AT CORRESPONDING LOCATIONS ON OPPOSITE SIDE OF STREET.
6. ALL CURB RAMPS SHALL MEET THE WSDOT STANDARD PLANS AND AMERICAN WITH DISABILITY ACT.



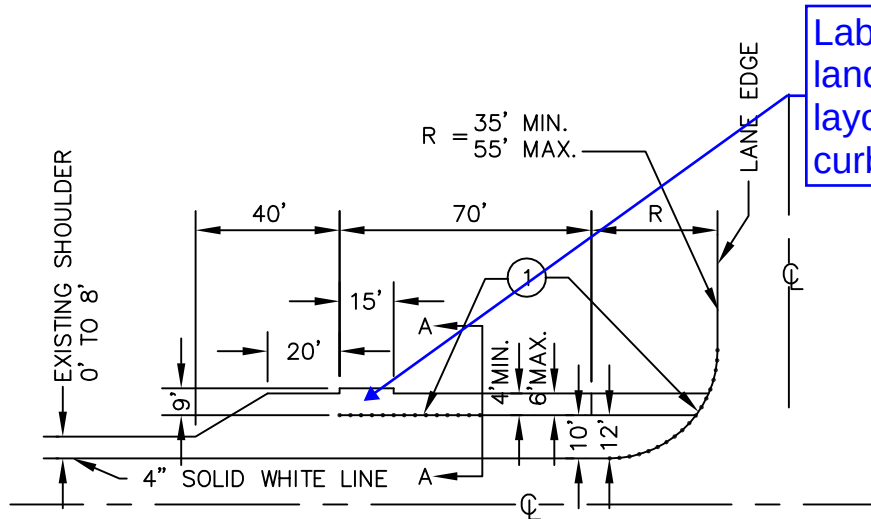
CURB RAMP LOCATIONS

CITY OF
LAKE STEVENS
PUBLIC WORKS

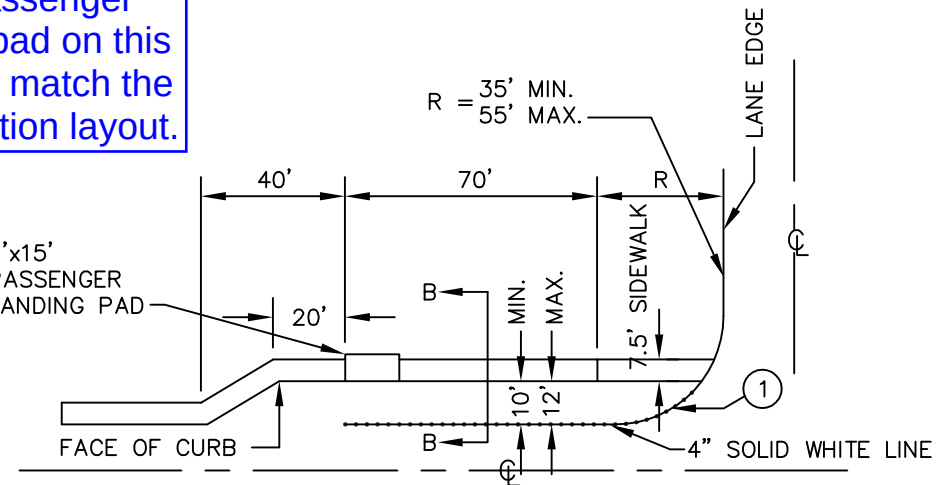
STANDARD PLAN 6-260

APPROVED BY
David D. Ostergaard
LAKE STEVENS CITY ENGINEER

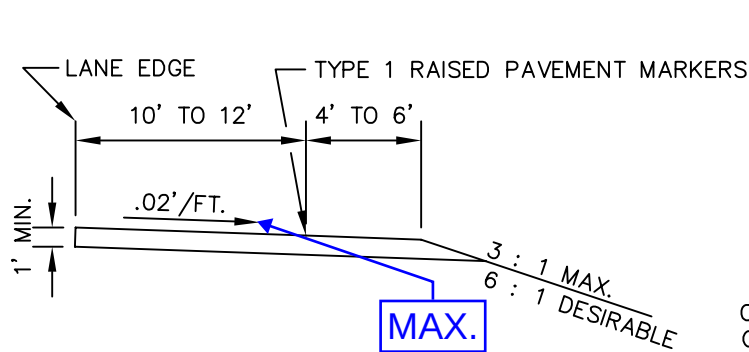
05/09
DATE



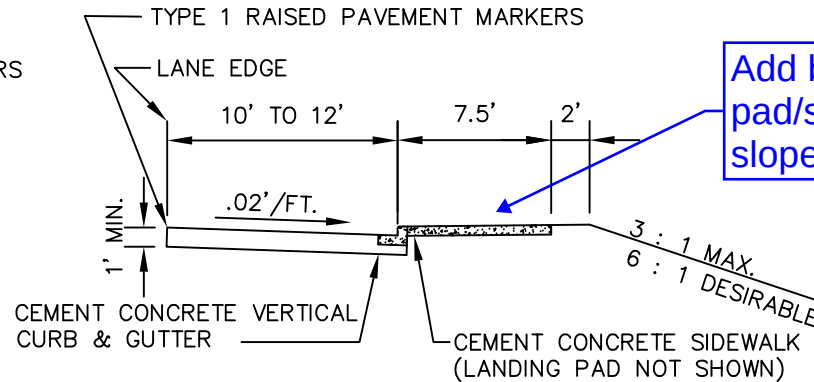
STD. FARSIDE BUS PULLOUT ②
(SHOULDER SECTION)



STD. FARSIDE BUS PULLOUT ②
(CURB SECTION)



SECTION A - A



SECTION B - B

NOTES:

1. TYPE 1 RAISED PAVEMENT MARKERS, 3' O.C. SEE WSDOT/APWA SPECIFICATIONS.
2. FARSIDE BUS PULLOUTS ARE PREFERRED. FOR DESIGN GUIDANCE RELATIVE TO NEAR SIDE AND MIDDLE BLOCK BUS PULLOUTS, SEE THE WSDOT DESIGN MANUAL, CHAPTER 1060.

BUS PULLOUTS

**LAKE STEVENS
PUBLIC WORKS**

STANDARD PLAN 6-280

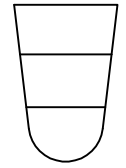
APPROVED BY

David D. Ostergard

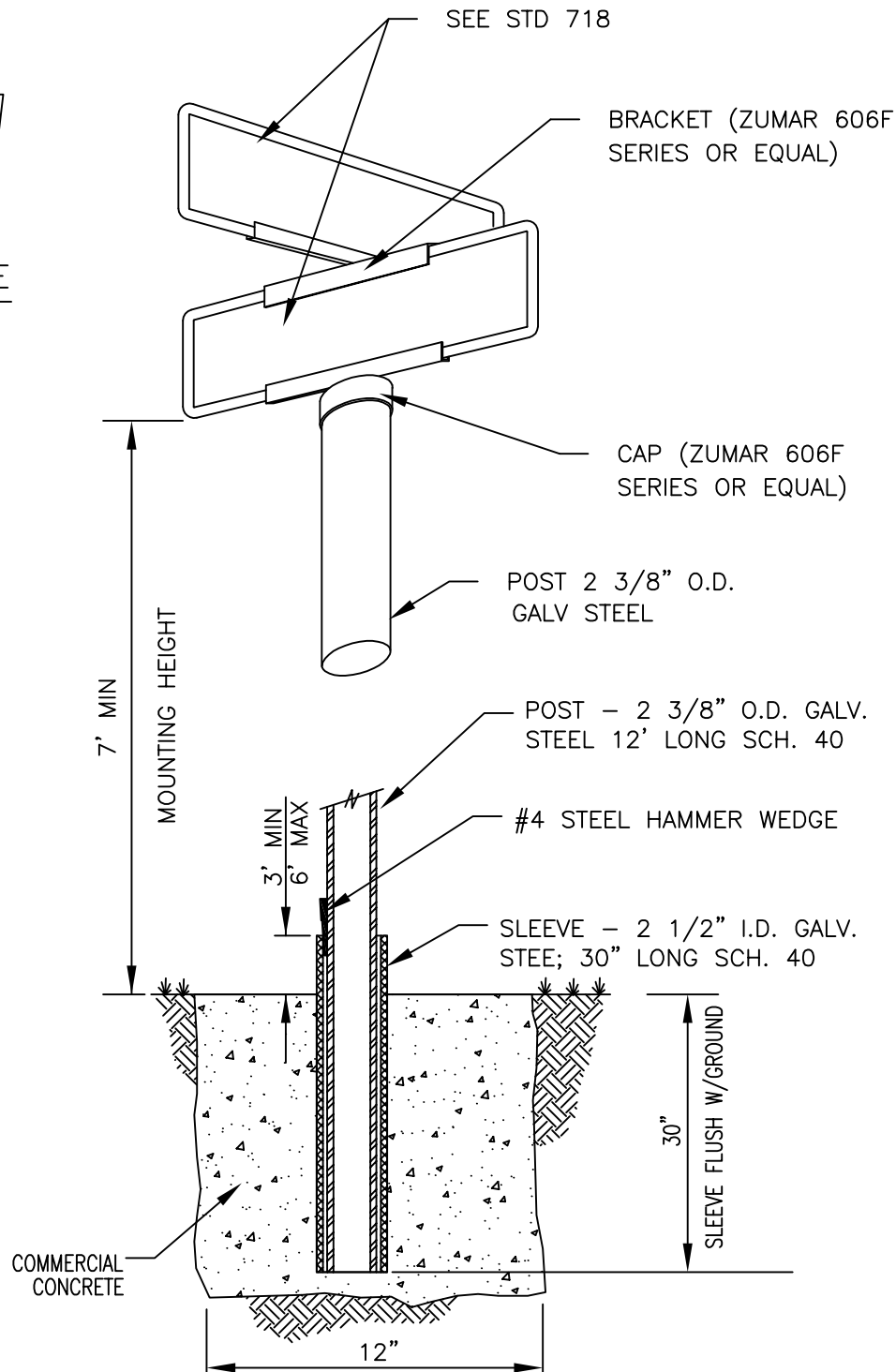
LAKE STEVENS CITY ENGINEER

05/09

DATE



WEDGE



TYPICAL SECTION

POST MOUNTING DETAIL FOR
STREET NAME SIGN

CITY OF
LAKE STEVENS
PUBLIC WORKS

STANDARD PLAN 6-440

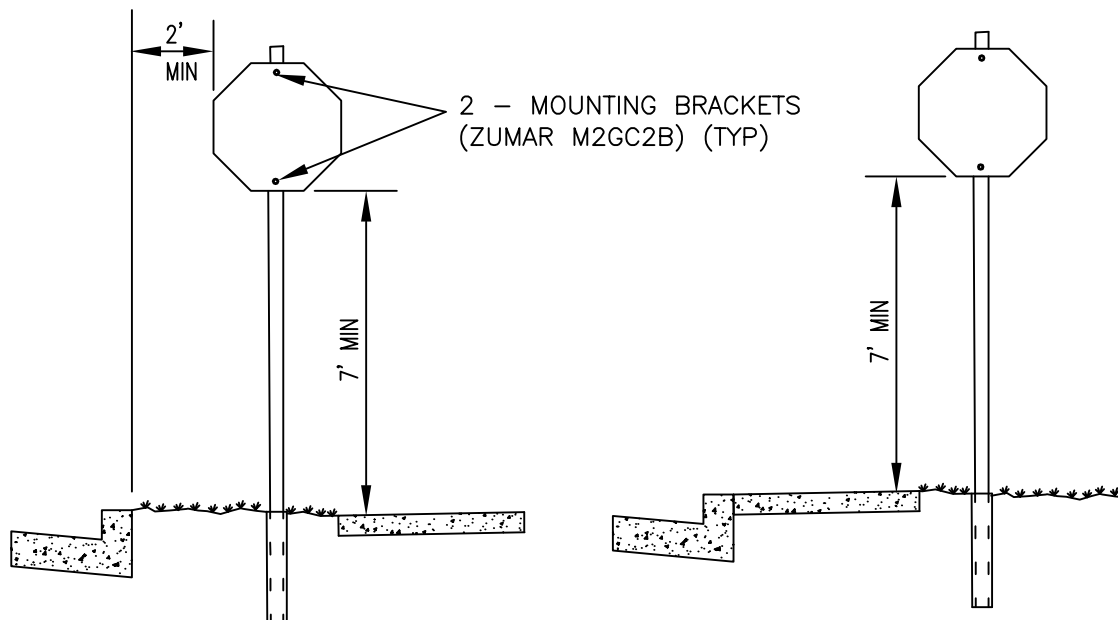
APPROVED BY

David V. Ortega

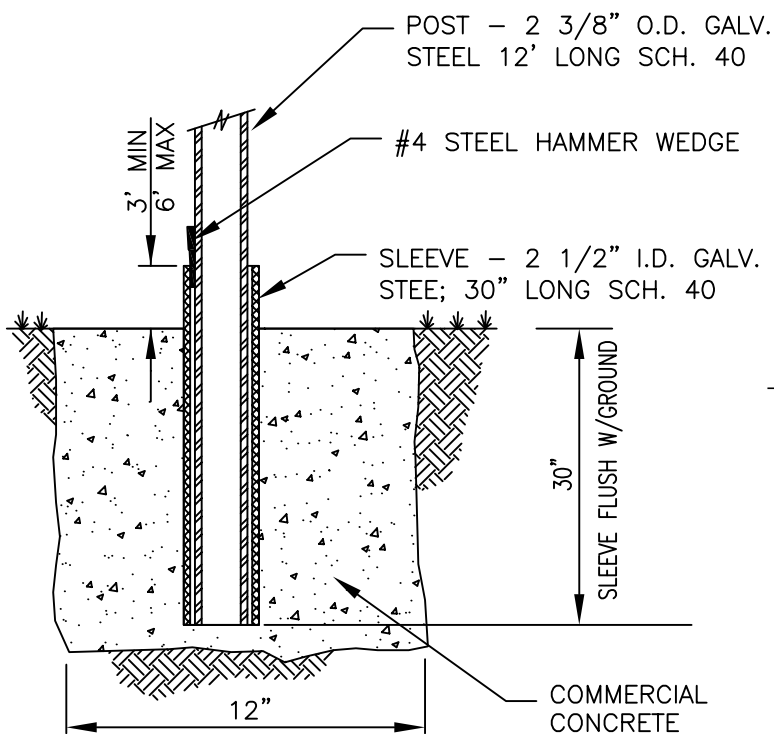
LAKE STEVENS CITY ENGINEER

05/09

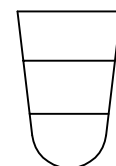
DATE



TYPICAL INSTALLATIONS



TYPICAL SECTION



WEDGE

NOTES:

- 1 STANDARD STOP SIGNS SHALL BE 30"x30" PER MUTCD #R1-1 UNLESS OTHERWISE APPROVED OR DIRECTED BY CITY OF EVERETT TRAFFIC ENGINEER.
- 2 STREET NAME SIGNS MAY BE INSTALLED AT TOP OF POST. SEE STANDARD PLAN 715.



**TRAFFIC REGULATORY SIGN
INSTALLATION**

**CITY OF
LAKE STEVENS
PUBLIC WORKS**

STANDARD PLAN 6-441

APPROVED BY

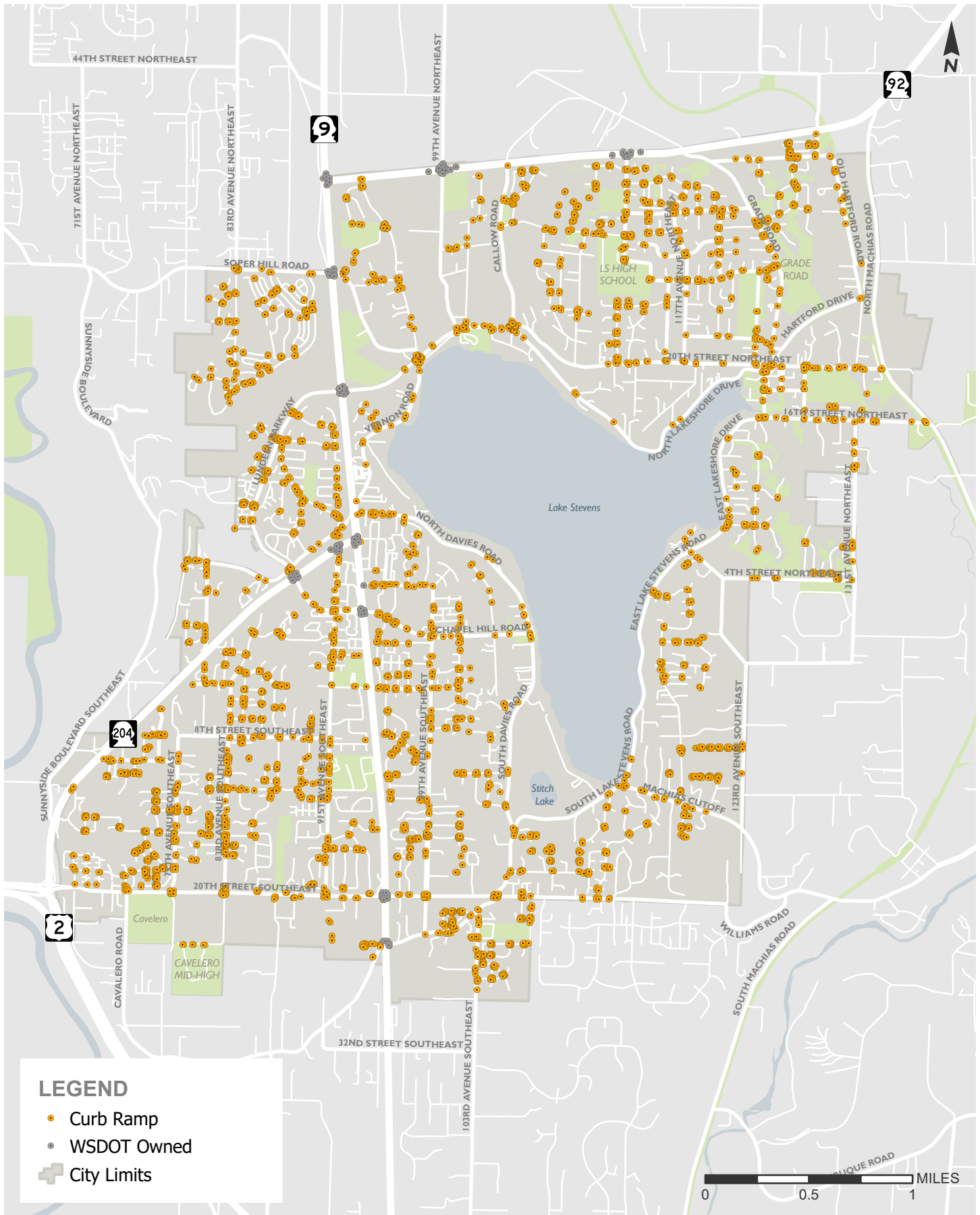
David V. Ostergaard

LAKE STEVENS CITY ENGINEER

05/09

DATE

Appendix B - Existing Data Inventory



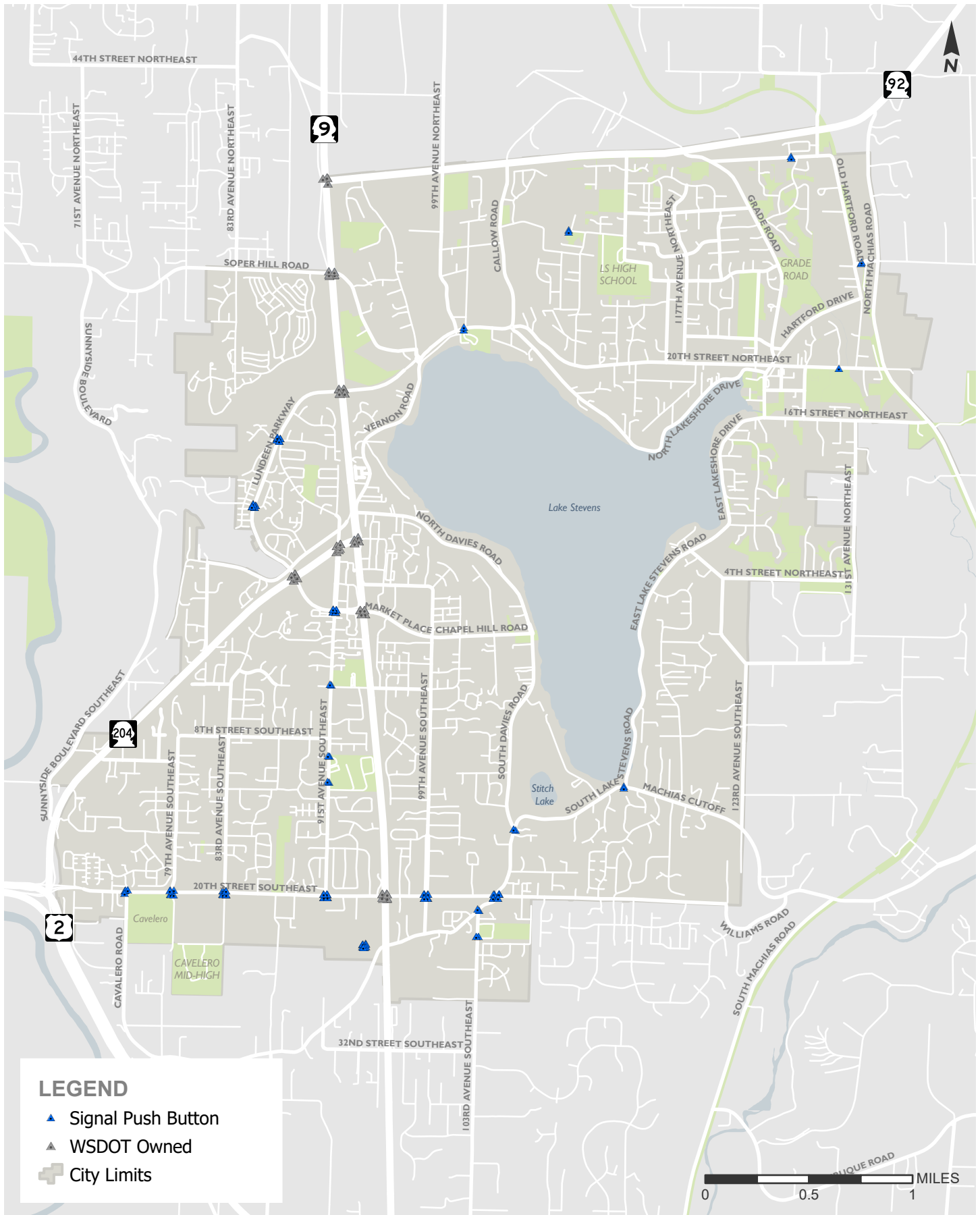
Inventory Curb Ramp

City of Lake Stevens ADA Transition Plan

transpogroup

FIGURE

I-1

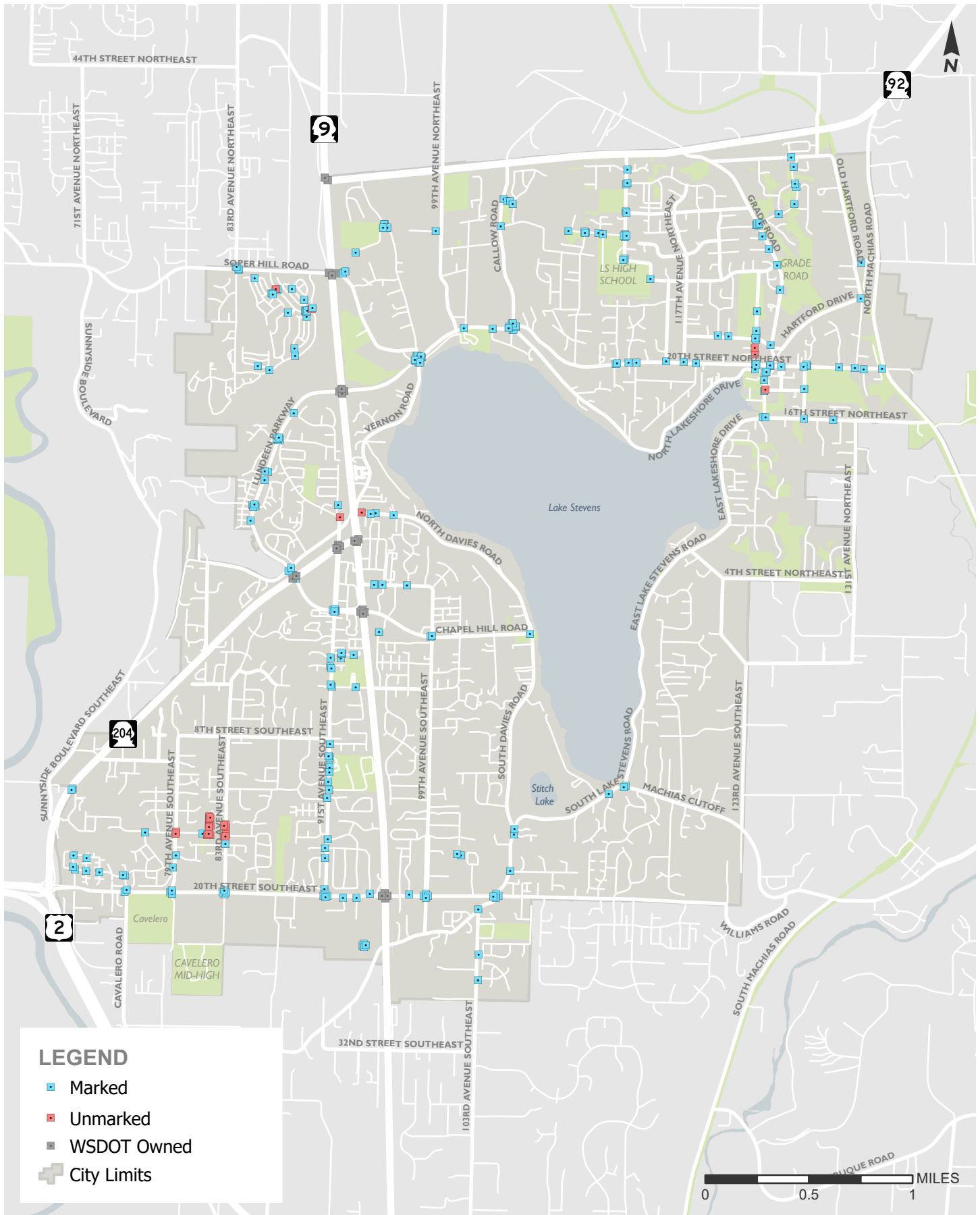


Inventory Signal Push Button

City of Lake Stevens ADA Transition Plan

transpogroup 

FIGURE
I-3



Inventory Crosswalk

City of Lake Stevens ADA Transition Plan

transpogroup

FIGURE
I-4

Appendix C - WSDOT Letters



September 28, 2022

Mr. Aaron Halverson
Public Works Director
City of Lake Stevens
P.O. Box 257
Lake Stevens, Washington 98258

Dear Mr. Halverson:

This letter will serve to notify that the City of Lake Stevens (the City) is out of compliance with Title II of the Americans with Disabilities Act of 1990, memorialize the actions which caused such noncompliance, and inform the City of the Washington State Department of Transportation's (WSDOT's) intent to withhold federal funding unless actions are taken to come into compliance with ADA requirements.

On May 8, 2020, a complaint (included as Exhibit 1) was sent to WSDOT regarding the City's noncompliance with the ADA. The allegations listed in the complaint included the following:

- Lack of an ADA transition plan.
- The existence of multiple non-compliant sidewalk ramps and crossings.
- The failure to comply with ADA and pedestrian accommodations during construction for both City and private development projects.
- Approval of private developments that did not meet ADA requirements.

Additional examples of non-compliant ramps and crossings were provided in a second letter (included as Exhibit 2).

In an April 13, 2021 email, Mehrdad Moini, the WSDOT Northwest Region Local Program's Engineer assigned to Lake Stevens, notified the City that an inquiry regarding the City's compliance with the ADA had been initiated. Subsequently, WSDOT scheduled a field visit which occurred on May 4, 2021. The field visit substantiated the claims made in the May 8, 2020, complaint. (The field visit summary is provided as Exhibit 3.) Based on the results of the field visit, the City was asked to complete an ADA transition plan that included information on how the deficiencies found in the field visit would be corrected. As of today, the City has yet to complete an ADA transition plan despite multiple warnings sent by WSDOT to do so.

Mr. Aaron Halverson
September 28, 2022
Page 2 of 2

Under [28 CFR §35.150\(d\)](#), ADA transition plans are required for agencies with more than 50 employees. Additional information about ADA/Section 504 requirements for local governments can be found on the Federal Highways Administration [Questions and Answers webpage](#). For an example of a compliant ADA transition for a mid-sized city, please see the City of Lynnwood's ADA transition plan, which can be found on the [City of Lynnwood's website](#).

Until the City has an ADA Transition Plan and develops a plan to address the issues outlined in the above-mentioned ADA complaint, the City remains out of compliance and is ineligible to receive FHWA funds through WSDOT.

If you have any questions regarding this notice, you may contact ADA compliance manager Shawn Murinko at murinks@wsdot.wa.gov or by calling 360.705.7097.

Sincerely,



Earl Key Esq. LL.M, M.S. CCEP, CFE
Director of the Office of Equal Opportunity

Enclosure

cc: Autumn Young, FHWA
Brian Nielsen, WSDOT NW Region
Jay Drye, WSDOT Local Programs
Shawn Murinko, WSDOT ADA Manager



November 18, 2022

Mr. Greg A. Rubstello
Ogden Murphy Wallace, LLC
901 Fifth Avenue, Suite 3500
Seattle, Washington 98164-2008
Sent via email: grubstello@omwlaw.com

Re: City of Lake Stevens Americans with Disabilities Act Non-Compliance

Dear Mr. Rubstello:

Thank you for your letter dated November 9, 2022. The Washington State Department of Transportation (WSDOT) appreciates the city's willingness to address its non-compliance with the Americans with Disabilities Act (ADA) regarding pedestrian facilities. As shared with the city in our letter dated September 22, 2022, WSDOT informed the city of its intent to withhold federal funding because of ongoing violations of the ADA, which included:

- Lack of an ADA transition plan.
- The existence of multiple non-compliant sidewalk ramps and crossings.
- The failure to comply with ADA and pedestrian accommodations during construction for both City and private development projects.
- Approval of private developments that did not meet ADA requirements.

The city subsequently responded to our letter on October 20, 2022. In this response, the city committed to:

- Training staff on providing accommodations in construction zones by November 15, 2022, and ongoing.
- Completing its ADA transition plan by March 31, 2023.
- Correcting non-compliant sidewalk ramps and crossings by September 15, 2023.
- Addressing ongoing ADA issues with private developers.

After reviewing the city's action plan, WSDOT has determined that it will not, at this time, withhold federal funding from the city. WSDOT will, however, require that the city meet its deadlines listed above and address the issues outlined in WSDOT's letter dated September 22, 2022. In addition, the city agrees to build all new pedestrian facilities in compliance with ADA standards and that existing transportation facilities will be modified to meet all ADA standards fully. Further, if doing so for existing

Mr. Greg A. Rubstello
November 18, 2022
Page 2 of 2

facilities is impracticable, such facilities will be built to meet ADA standards to the maximum extent feasible. Failure to do so will result in WSDOT exercising its authority to withhold federal funds due to non-compliance with the ADA.

As it relates to the transition plan, WSDOT will review the City of Lake Stevens' submission to confirm it meets the requirements under 28 CFR §35.150. For additional resources for complying with this regulation, the city may find it helpful to visit the FHWA's resource center for developing ADA self-evaluation and transition plans, available at https://www.fhwa.dot.gov/resourcecenter/teams/civilrights/cr_ppp7.cfm.

I thank you for addressing these issues per the timelines above to ensure equal access for people with disabilities. I look forward to receiving the city's response agreeing to the abovementioned resolution by Monday, November 28, 2022.

If you have any questions or need additional information, please contact Shawn Murinko, ADA Manager, at 360.705.7097 or by email at MurinkS@wsdot.wa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Earl Key".

Earl Key, Esq. LL.M, M.S. CCEP, CFE
Senior Director of the Office of Civil Rights & Equity
Washington State Department of Transportation

cc: Autumn Young, Federal Highway Administration
Matt Waldrop, U.S. Attorney's Office for the Western District of Washington
Brian Nielsen, WSDOT Northwest Region
Jay Drye, WSDOT Local Programs
Jackie Bayne, WSDOT Assistant Director Office of Civil Rights & Equity
Shawn Murinko, WSDOT ADA Manager

Appendix D - Prioritization Criteria

DRAFT ADA Transition Plan Prioritization Process

Public Right-of-Way

To focus efforts toward facilities that pose the largest barrier within the public right-of-way, an analysis of the accessibility of each pedestrian facility and its proximity to public destinations such as schools, libraries, parks, transit, and city buildings will be completed. The result of this analysis is a prioritized list of projects, with the highest benefit projects identified for removal first.

To complete this assessment, a multi-criteria analysis is conducted to determine which facilities do not meet existing sidewalks and curb ramp standards. Each attribute collected in the field is compared against PROWAG requirements.

If the facility does not meet PROWAG criteria or is located near public destinations, points are assigned, with the number of points dependent on the relative importance or proximity. Sidewalks or curb ramps with poor PROWAG compliance and a number of proximate destinations receive a high score and are prioritized for removal while PROWAG compliant ramps far from public destinations have a score of zero. Missing curb ramps are assigned the greatest number of points.

Accessibility Prioritization (aka Accessibility Index Score)

A number of criteria are used to establish the extent to which each pedestrian facility did or did not present a barrier to accessible mobility. Table shows these criteria, the threshold used to identify them as a barrier, and the score used to indicate the severity of each barrier relative to each other. Pedestrian facilities with a higher Accessibility Index Score (AIS) presented a large accessibility barrier and have a higher score. Facilities with fewer or no barriers have a lower score.

Below is an example of typical weighted values to equal a total possible score of 30

ACCESSIBILITY INDEX SCORE	CRITERIA	THRESHOLD	SCORE	MAX. POSSIBLE SCORE
Sidewalks	Width	<= 36 inches	4	8
	Width	< 48 inches	2	
	Width	< 60 inches	2	
	Vertical Discontinuity Issue > ¼ inch and <= ½ inch without bevel or >½ inch	Barriers Present >= 1	2	5
	Vertical Discontinuity Issue	Barriers Present >= 3	3	
	Horizontal Discontinuity Issue > ½ inch	Barriers Present >= 1	1	5
	Horizontal Discontinuity Issue	Barriers Present >= 5	2	
	Horizontal Discontinuity Issue	Barriers Present >= 10	2	
	Sidewalk Condition	(SCI) < 100	2	12

ACCESSIBILITY INDEX SCORE	CRITERIA	THRESHOLD	SCORE	MAX. POSSIBLE SCORE
	Sidewalk Condition	(SCI) <= 90	2	
	Sidewalk Condition	(SCI) <= 70	2	
	Sidewalk Condition	(SCI) <= 50	2	
	Sidewalk Condition	(SCI) <= 30	2	
	Sidewalk Condition	(SCI) <= 20	2	
	Maximum Sidewalk (AIS) Score			30
Curb Ramps (Max. Score)	Ramp Width	< 48 inches	30	30
	Run Slope	> 8.3% (less than 15 feet) or > 5% (Blended)	30	30
	Cross Slope	> 2% - <= 3%	20	30
	Cross Slope	> 3%	10	
	Curb Ramp Type	Non-Compliant Type	30	30
Curb Ramps	Accessible Path	No	2	2
	Turning Space	None or width < full width of ramp or length < 48 inches	5	5
	Turning Space Cross Slope	> 2%	3	3
	Truncated Domes (DWS)	No	3	3
	Truncated Domes (DWS) Placement	Other than Back of Curb	1	3
	Truncated Domes (DWS) Depth	< 2 feet	1	
	Truncated Domes (DWS) Width	Less than Full Width	1	
	Flare Slope	> 10%	2	2
	Grade Break	Not Concurrent	2	2
	Counter Slope	> 5%	2	2
	Lip	> 1/4 inch	2	2
	Roadway Clear Space	< 4ft x 4ft	2	2
	Receiving Ramp	No	2	2
	End inside of Marked Crosswalk if present	No	2	2
	Maximum Curb Ramp (AIS) Score			30
Signal Pushbuttons	Pushbutton is <= 10 feet from Curb in Direction of Travel	No	2	2
	Pushbutton is <= 5 feet from Extension of Crosswalk Width Edge	No	2	2
	Force to Activate Pushbutton is <= 5 lbs.	No	2	2
	Pushbutton Includes Vibe Feedback during "Walk" Phase	No	2	2
	Pushbutton is >= 2 inches in Diameter and Includes Visual Contrast from Housing	No	2	2

ACCESSIBILITY INDEX SCORE	CRITERIA	THRESHOLD	SCORE	MAX. POSSIBLE SCORE
	Tactile Arrow Present on Pushbutton	No	2	2
	Nearest Pushbutton > 10 feet Away or Pushbutton Includes Audible Speech Indicating "Walk" Phase	No	2	2
	Level Clear Space at Pushbutton that Includes Minimum 30 inch x 48 inch Landing Area and < 2% Slope in Any Direction	No	2	2
	Reach Depth from Landing to Pushbutton is <= 10 inches	No	2	2
	Mounting Height of Pushbutton	Mounting height of pushbutton from landing area is < 42 inches or > 48 inches	2	2
	Directional Arrow Exists on Pushbutton Face, Housing, or Mounting and is Parallel to Crossing	No	2	2
	Audible Tone indicating "Walk" Phase or Audible Speech indicating "Walk" Phase Present	No	2	2
	Locator Tone during "Don't Walk" Phases Present	No	2	2
	Street Name in Braille Present on Pushbutton	No	2	2
	APS-Style Pushbutton Housing	No	2	2
	Maximum Signal Pushbutton (AIS) Score			30
Crosswalks	Width	< 6 feet	6	6
	Run Slope	> 5%	12	12
	Cross Slope	> 5% at Non-Stop/Yield Controlled Intersections or > 2% at any other type except for mid-block crossings	12	12
	Maximum Crosswalk (AIS) Score			30

Location Prioritization (aka Location Index Score)

A number of destinations are used to identify high priority pedestrian facilities within the City. This is done by identifying public destinations such as public buildings, transit and parks and identifying pedestrian facilities within close proximity of one or more of these destinations.

Pedestrian facilities within the identified proximity were assigned points based on each destination they were close to, as shown in Table. This measure is called the Location Index

Score (LIS), which identifies high pedestrian generating overlapping areas. Ultimately the more pedestrian generating areas an asset is within, the higher number. Community Defined Destinations criteria is added to the Location Index Score (LIS) following comments and results received from open house attendees, City staff, other stakeholders during engagement and public outreach. This assists in factoring in what's important to the citizens and community to help with the overall prioritization.

Below is an example of typical weighted values to equal a total possible score of 45

LOCATION CRITERIA	RATING CRITERIA	POSSIBLE SCORE
WSDOT Identified Barrier	Feature Specific	45 (Automatic Maximum Score)
Schools		
Proximity to Schools	Within 1/8-mile radius of school	5
Walk-To-School Route Proximity	Within 1/2-mile radius of school	5
Parks	Within 1/8-mile radius of park	5
Transit		
Park and Ride	Within 1/8-mile of park and ride	5
Bus Stops	Within 1/8-mile of transit stop	5
Traffic Signal/Roundabout	Within 1/8-mile of signal or roundabout	5
Public Buildings	Within 1/8-mile of location	5
Downtown / Urban / Commercial Business Centers	Within 1/4-mile radius of Downtown, Urban and Commercial Business Center Zoning	5
Community Defined Destinations (defined by Stakeholder/Public Engagement*)	Within 1/8-mile of location	5
TOTAL LOCATION INDEX SCORE (LIS)		45

* Note: Community Defined Destinations to be identified based on public outreach, ADA surveys, etc. on what locations are more important, thus giving extra weight to those community defined destinations. (To be determined)

Barrier Removal Priorities (Combined Composite Index Score)

By combining the Accessibility Index Score and Location Index Score, a Combined Composite Index Score was developed. Together, these measures prioritize barrier removal at locations where pedestrian facilities present a barrier and where pedestrians would be expected.

Facilities with the highest score should be addressed first (46+ points) and represent facilities that present a clear physical barrier and are in high-demand areas. Facilities with lower scores should be address last (0 to 15 points), have minor barriers, and are in locations where pedestrian demand would be expected to be lower. These scores are relative, comparing one facility to the other. The ranges for medium and high priority were defined based on review of the identified barriers and assessment of the relative barrier they present. It should be noted that while some barriers have a lower priority, they still should be removed.

Appendix E - Stakeholder Engagement

MEMORANDUM

Date:	March 7, 2023	TG:	1.22273.00
To:	Kim Klinkers – City of Lake Stevens		
From:	Ryan Peterson, PE, PTOE – Transpo Group Francesca Liburdy, PE – Transpo Group		
Subject:	Lake Stevens ADA Transition Plan Stakeholder Engagement		

The following document summarizes the Lake Stevens ADA Transition Plan stakeholder engagement process and identifies trends and priorities based on the community's responses.

Public and stakeholder input is an essential element in the transition plan development and self-evaluation processes. ADA implementation regulations require public entities to provide an opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the self-evaluation process and development of the transition plan by submitting comments (28 CFR 35.105(b) and 28 CFR 35.150(d)(1)). The City's three primary goals for conducting public outreach activities prior to adopting the plan include the following:

- Inform the public about the City's plan and processes regarding removal of barriers to accessibility within the rights-of-way. Provide information to assist interested parties to understand the issues faced by the City, alternatives considered and planned actions.
- Obtain public comment to identify any errors or gaps in the proposed accessibility transition plan for the public rights-of-way, specifically on prioritization and grievance processes.
- Meet Title II requirements for public comment opportunity.

Engagement Survey

The engagement survey was promoted by the City of Lake Stevens between early December 2022 and late January 2023 to request responses via the City's virtual open house website and social media channels, including two Facebook posts on the City's page in December 2022.

An online survey was made available to residents through the City of Lake Stevens' website, <https://www.lakestevensada.com/survey>. The online open house provides context on the City's ADA Transition Plan process and allows viewers to respond to the feedback survey. The feedback survey asked respondents to provide input on their disability status, travel modes, barriers to travel that they experience, and priorities for improving ADA facilities. The survey contained several sections that asked the responder to comment on the following subtexts:

1. Whether they have a disability or support someone with one;
2. Which type of accessibility barriers they currently experience;
3. How they rate the accessibility conditions of existing right-of-way facilities; and,
4. What facility types they believe should be prioritized when removing accessibility barriers.

A full account of the survey findings can be found in Attachment A. In addition to the online survey, an interactive map was available for respondents to identify areas of concern.

The online survey received 17 respondents. Out of the 17 responses, 100 percent were residents of Lake Stevens. Respondents also worked in or frequented Lake Stevens for recreation, medical appointments, social or community services, or shopping. Of all respondents, 13 percent (3 respondents) indicated they have a disability that impacts the way they travel and 26 percent (6 respondents) reported supporting someone with a disability. Five of these respondents reported that they both have a disability and support someone with a disability. A summary of respondents' disability status is shown on Figure 1.

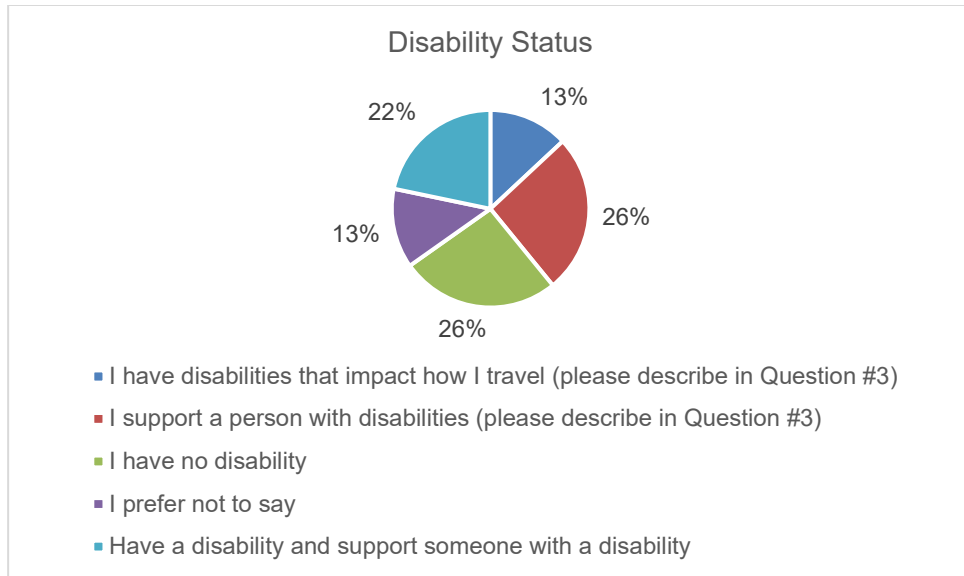


Figure 1 Disability Status

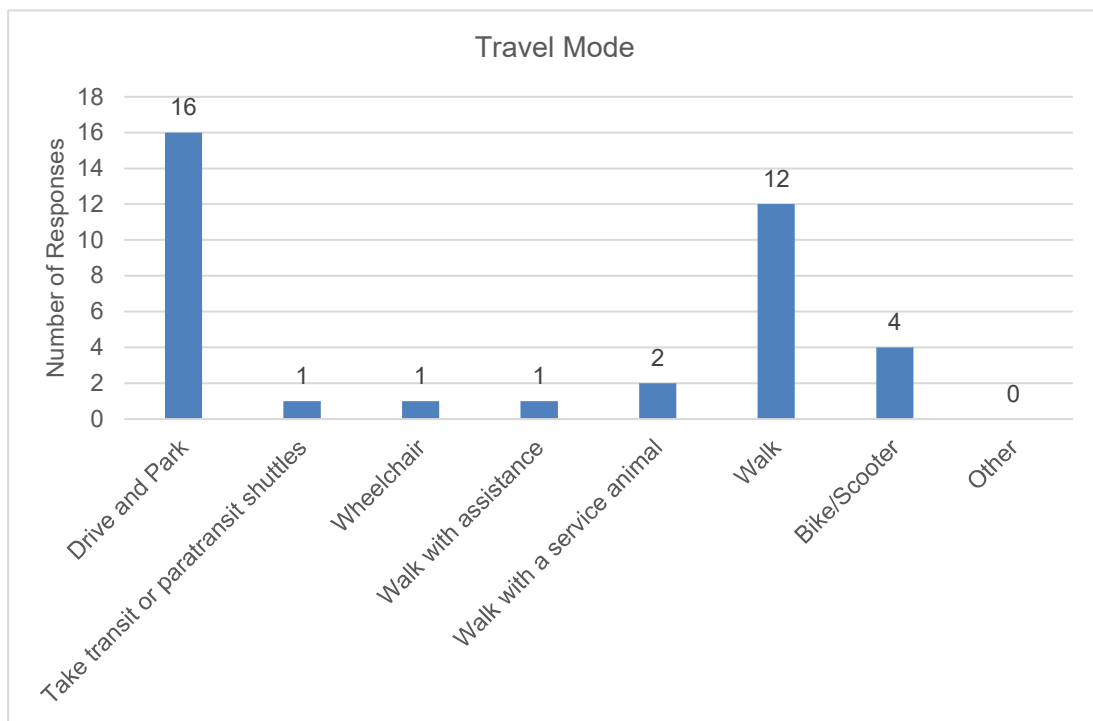


Figure 2 Travel Mode

The survey asked respondents to evaluate their use of frequent travel modes through the city, including driving, transit or paratransit shuttle, wheelchair, bike, or walk. Respondents were able to indicate if they use multiple travel modes.

As shown in Figure 3, the survey respondents predominantly drive and walk, with 16 of the 17 total respondents (94 percent) indicating that they drive, 12 respondents (71 percent) indicating that they walk. A smaller number of respondents use other modes, with one respondent using a wheelchair or using a bike/scooter and one respondent taking transit or paratransit shuttles. One respondent walks with assistance, and two walk with a service animal.

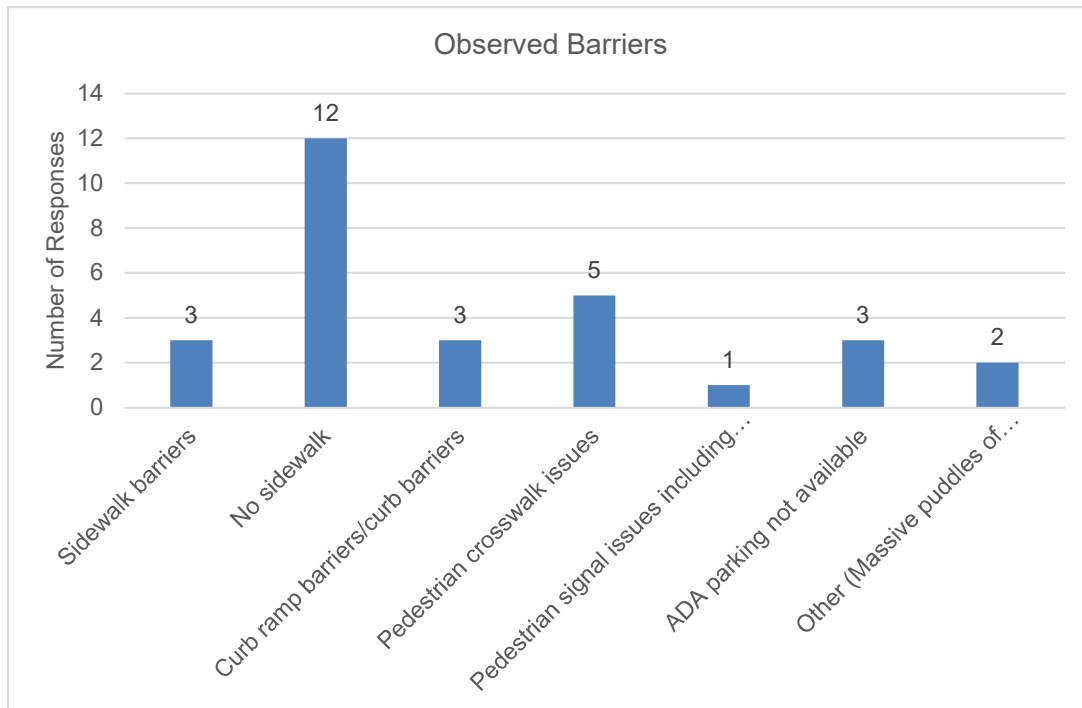


Figure 3 Observed Barriers in Public Right-of-Way

Survey respondents were asked to identify barriers in the public right-of-way that limit participation and access to services in the City of Lake Stevens. As shown on Figure 3

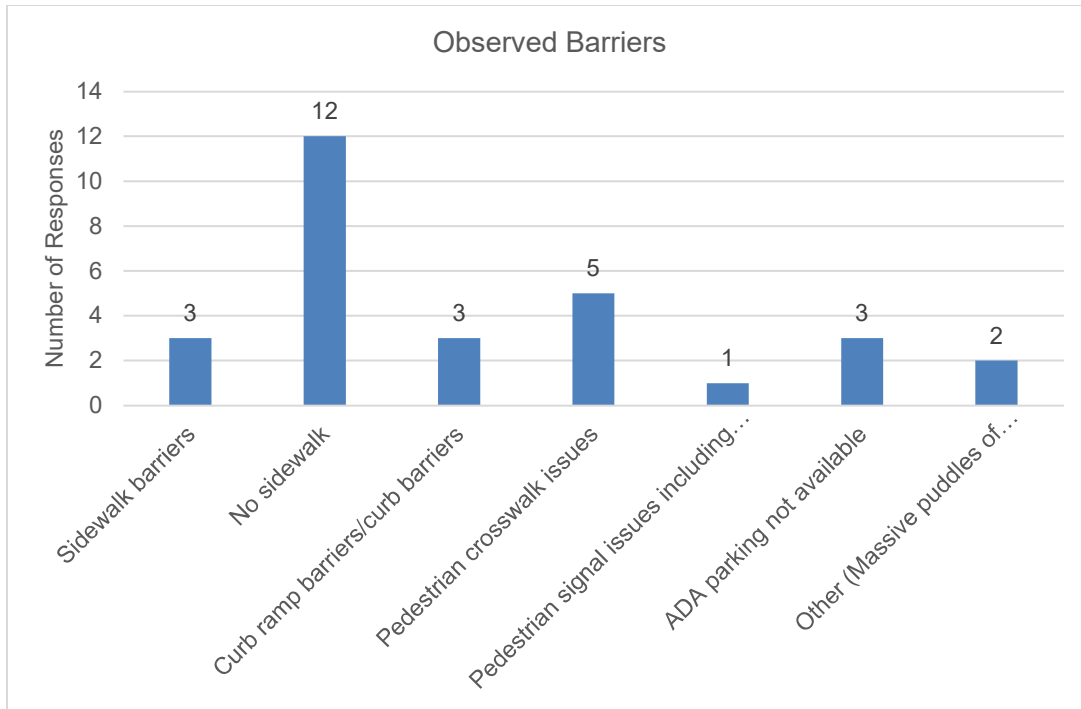


Figure 3, several barriers received significant response from the survey, with no sidewalk, pedestrian crosswalk issues being selected 12 and 5 times respectively. In addition, curb ramp barriers, lack of ADA parking, and sidewalk barriers were identified as challenges.

Improvement Priorities

The survey respondents both identified and ranked their accessibility priorities within the City's public right-of-way. Respondents ranked areas within City right-of-way as first and second priority. Ranking an item as a first priority improvement was given a greater weight than second priority to emphasize the improvement's importance. A first priority ranking scored 3 points in the weighted scoring system, while a second priority ranking scored one point. The first and second priority survey responses are shown in Figure 4.

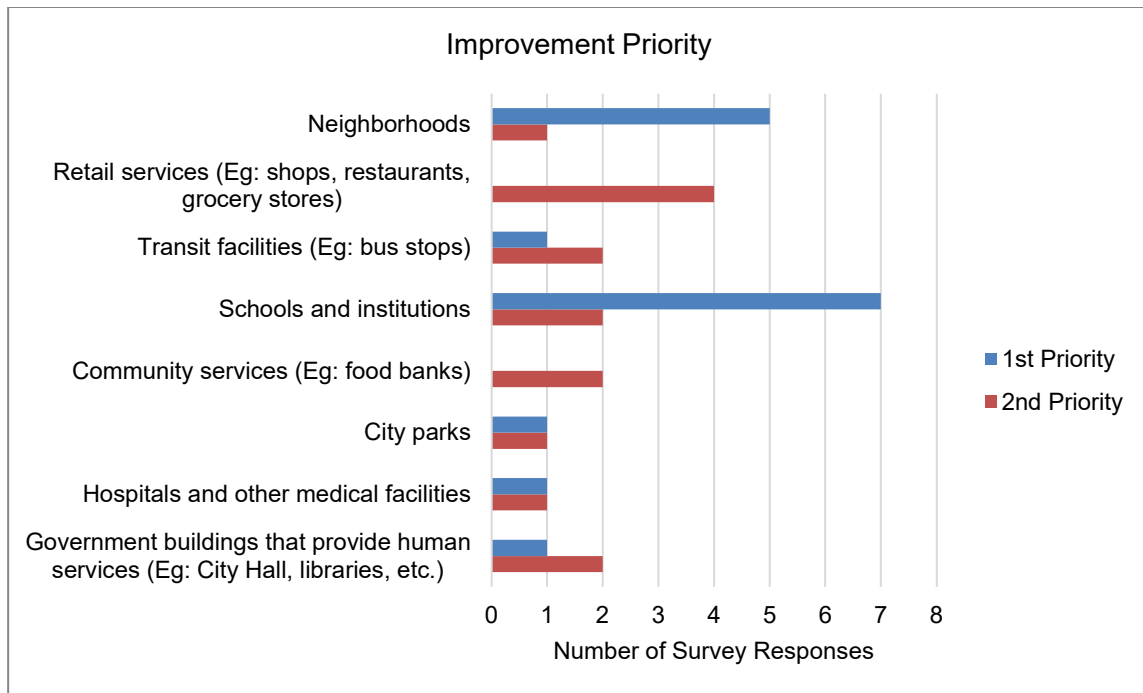


Figure 4 Unweighted First and Second Improvement Priority Ranking

When considering weighted scores, the top two priorities among survey respondents were schools and institutions and neighborhoods, with transit facilities and government buildings tied for third priority. A summary of the weighted ranked priority locations is included in Figure 5.

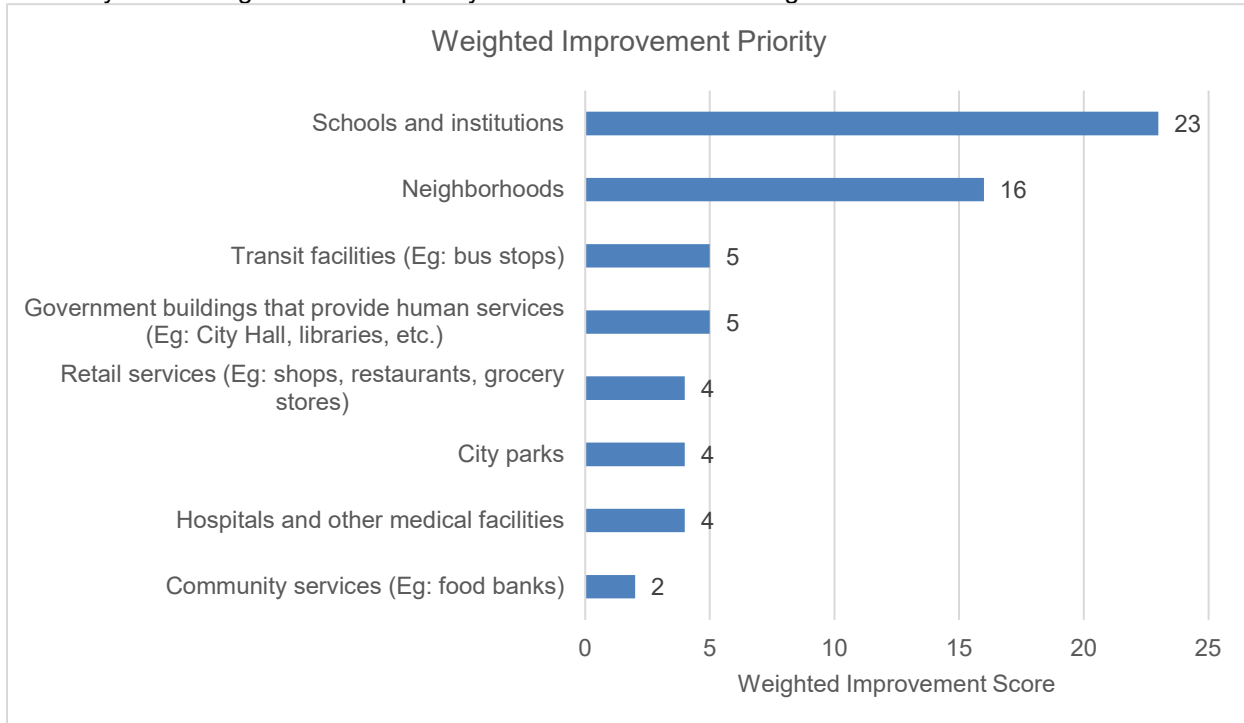


Figure 5 These weighted ranked priorities were utilized in the prioritization of barrier removal in the City's transition plan.

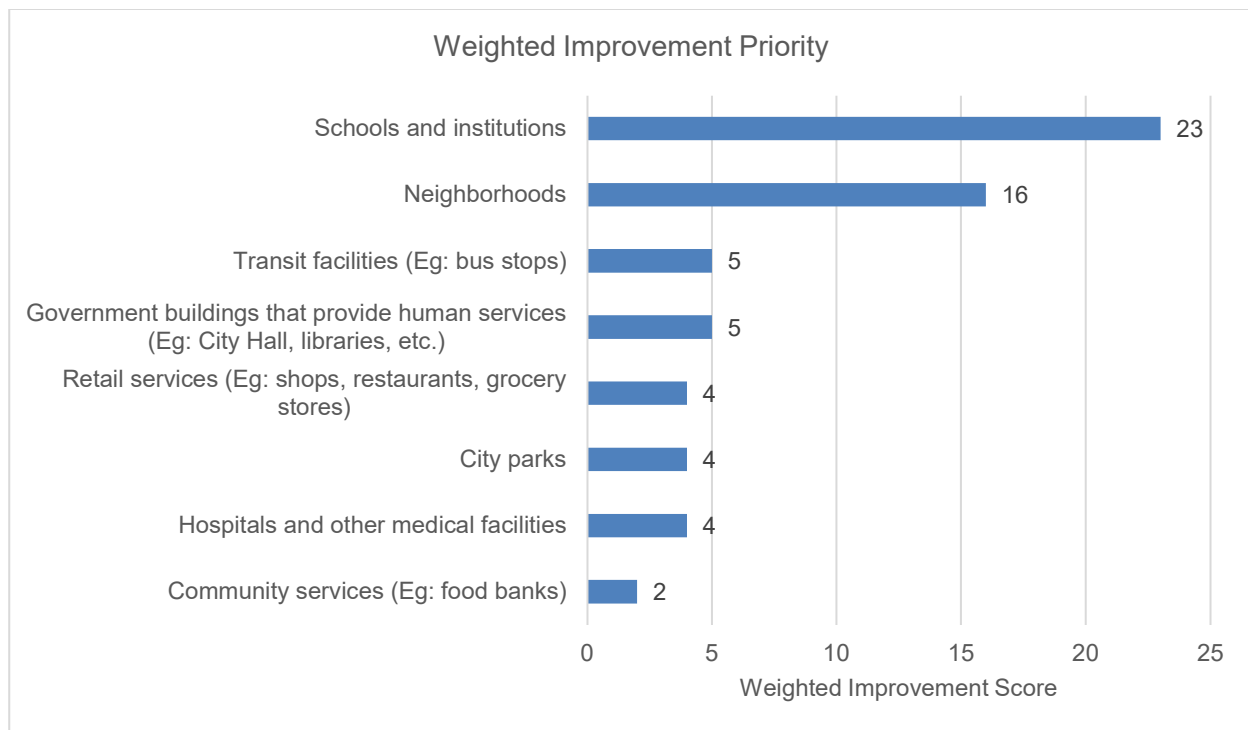


Figure 5 Weighted Improvement Priority Ranking

As shown Figure 5, schools and institutions and neighborhoods ranked the two highest with transit facilities and government buildings tied for third in the highest weighted priorities for improvement.

Respondents were also given the opportunity to identify locations where they have experienced mobility or accessibility challenges in the City of Lake Stevens. Locations were identified via written survey responses and the online mapping tool, which allows respondents to identify specific barrier locations with a pin on an online map. Key locations identified via written survey results and the online mapping tool are summarized in Table 1. Lack of sidewalk or limited access to sidewalks were identified as the most common barriers among the locations identified in Table 1. Many acknowledgements were given to the lack of sidewalk or safe crossings at Frontier Village, around schools, and on State Route 9.

Table 1. Identified Accessibility Barriers

City Locations and/or Landmarks	City Roadways or Roadway Segments
Around the Lake	North Lake Davis Road
Soper Hill	South Lake Davis Road
Frontier Village	16th Street NE between Main Street and 127th
Safeway Plaza on Highway 9	Roundabout on Vernon Road
Citywide schools	Corner of Buzz Lane
Downtown	91st Avenue
The Mill	20th Street
Low-Income Housing	Grade Road
Lundeen Park	East Lake Stevens Road
	116th Avenue
	Highway 9

In addition to the online survey, locations with mobility and accessibility barriers were identified by respondents via an online mapping and reporting tool.

Meeting ADA Standards

Per 28 CFR 35.150(d)(1), public involvement is required as follows: A public entity shall provide an opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the development of the transition plan by submitting comments. A copy of the transition plan shall be made available for public inspection.

The City has engaged with the public for feedback on developing the ADA transition plan in a manner that meets Title VI of the Civil Rights act. Title VI of the Civil Rights Act of 1964 is a Federal statute and provides that no person shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. This includes matters related to language access or limited English proficient (LEP) persons.

Additional Outreach

A draft version of the ADA transition plan will be made available for public comment. Notice will be sent out via a mailer to all address in the City, City e-news, and the City newsletter that will inform people how to view the plan and provide any comments.

Attachment A: Survey Response Data

Lake Stevens ADA Online Open House Survey Responses

Question 14: Please list up to three locations where you have experienced (or noticed) mobility challenges, accessibility challenges, trip hazards, etc. in the City of Snohomish*.

*For these open-ended questions, please provide the location/s where you have experienced challenges with pedestrian facilities as well as a description of the problem/s you encountered. For example:

Location: sidewalks on 1st Avenue, to the east of A Street.

Description: Sidewalk is raised creating a trip hazard

Location	Description
Around the Lake	Very limited access around the lake, outside of downtown. No sidewalks or walk paths to complete a trip around the lake.
Soper Hill	Limited access to sidewalks or pathways
Frontier village area	Lots of traffic and limited access to controlled sidewalks, pathways.
North & South Lake Davies Road by Davies Beach	We need a sidewalk up and down north and south Lake Davies Road. Ideally around the whole lake would be amazing!
Sidewalk on 16th St NE between main street and 127th	Severe cracks make it hazardous for anyone with walker, scooter, wheelchair or vision impaired
Safeway plaza intersection on highway 9	I'd love to be able to walk to Safeway for groceries, but there is no clear walking path at this intersection. Only one side of the lights has a crosswalk and it doesn't even connect to a sidewalk; pedestrians are forced to walk alongside the road, which is not safe. Also, in heavy rain events, water gathers in the corners of the entrance and make it impossible to cross. These are deep puddles that easily go up past my ankles; now imagine being in a wheelchair and trying to cross that much water.
Roundabout on Vernon road	This atrocious roundabout is the least pedestrian friendly I have ever seen. It is not properly lit; I almost hit a pedestrian as I drove through it at night because it was so dark, I couldn't see them. The crosswalks are only present on one side (and whoever did the lines must have been inebriated because they are not straight) and there are no pedestrian crossing lights to remind drivers to slow down and watch. I live close to Walgreens and like to walk there if I need to pick up a prescription, but there is currently no clear, safe path for me to do so. And if it's unsafe for me, someone without disabilities, again, imagine what it must be like for someone who does have one.
Around every school	There are no sidewalks to the schools once you are off school grounds. The sides of the roads are not safe for wheelchairs or walker use

Lake Stevens ADA Online Open House Survey Responses

Location	Description
Downtown	There are few sidewalks that are ADA compliant. None of the crosswalks are safe. None are made for those with hearing or vision issues
Frontier village area	There no safe crossing areas for wheelchair use, if you have vision or hearing issues. There are no lights for nighttime safety.
Front of mill corner/corner of Buzz Ln	Sidewalks don't align
91st Ave	There are no sidewalks leading up to the school and that seems like a safety issue for all the parents and children walking to school in the afternoon and the morning.
20th	I think this is self-evident. It's not even safe let alone usable for someone with disabilities.
Grade Road	Limited safe crossings and lack of sidewalk. Plus, you raised the speed limit.
East Lake Stevens Road	I think this is self-evident. It's not even safe let alone usable for someone with disabilities.
The Mill	Not enough external seating areas/ benches
116th Ave	No sidewalks for pedestrians walking to and from high school and Highland elementary
Frontier Village	No seating areas/benches out side of establishments to rest on
All schools lack appropriate sidewalks	Many kids walk to all of the schools and lack safe sidewalks in neighborhood school zones.
Low income housing to stores	Those living in low income housing need sidewalks to the nearest grocery store. These increase the walkability scores for a city.
Sidewalks around bus stops	Many disabled rely on public transportation. It is important to have appropriate ADA sidewalks near bus stops.
Lundeen	I walk my dog/kids to Lundeen Park but I live off of Lundeen and 10th. It is about a 2 mile walk and there is a stretch on lundeen just past HWY 9 that has no sidewalk on either side, just a bike lane and it is scary to walk. I cant walk on the uneven dirt on the side with my palsy neuropathy as I can trip easily.

Lake Stevens ADA Survey Response Data Summary

1. Why do you travel in Lake Stevens?

Answer	Count
I live in Lake Stevens	17
I work in Lake Stevens	4
Attend school/college	0
Recreation/recreational activities	7
Medical appointments	5
Shopping	9
Other community or social services	4
Other value (Church)	0
	17

2. Please tell us about yourself (select all that apply)

Answer	Count
I have disabilities that impact how I travel (please describe in Question #3)	3
I support a person with disabilities (please describe in Question #3)	6
I have no disability	6
I prefer not to say	3
Have a disability and support someone with a disability	5
<i>Subtotal</i>	23

3. Please describe your disability/disabilities or those of the person you support (select all that apply)

Answer	Count
Physical, mental, or emotional condition that limits learning, memory, or concentration	5
Blindness or serious difficulty seeing when wearing glasses	0
Condition that substantially limits one or more physical activities such as walking, climbing stairs, reaching, lifting, or carrying	6
Deafness or hearing difficulty	1
Use mobility device(s)	1
Use a wheelchair	0
Use assistive software technology such as a screen-reader	1
Use hearing aids or hearing assistive devices	1
Use a service animal	2
Other (Can't stand for long periods, need benches to sit on to rest)	1

4. What resources do you use to find information on ADA issues? (select all that apply)

Answer	Count
Washington State Department of Social and Health Services (DSHS)	9
Washington State Department of Services for the Blind (DSB)	1
City of Snohomish	3
Transit Service	1
Department of Veterans Affairs	1
Other (The City has limited resources. I have to go elsewhere.)	1

5. Please Provide your five-digit zip code.

Answer	Count
98258	16

6. How often do you travel in the City of Lake Stevens? (pre-pandemic)

Answer	Count
Less than weekly	0
1-2 days per week	1
3-4 days per week	3
5-7 days per week	13

7. How do you travel within the City of Lake Stevens?

Answer	Count
Drive and Park	16
Take transit or paratransit shuttles	1
Wheelchair	1
Walk with assistance	1
Walk with a service animal	2
Walk	12
Bike/Scooter	4
Other	0
<i>Subtotal</i>	37

8. If you use transit, how often do you use it in a typical week?

Answer	Count
Less than weekly	5
1 day per week	1
2-4 days per week	1
5 or more days per week	0

9. If you walk, how far are you willing/able to walk to your destination?

Answer	Count
Less than 1/2 mile	4
1/2 mile	4
1 mile	7
2 miles	1
More than 2 miles	1

10. Are you now or were you ever unable to participate in an event or obtain services in the City of Lake Stevens?

Answer	Count
No	10
Yes	7

11. Which of the following barriers in the public right-of-way are reasons you could not participate?

Answer	Count
Sidewalk barriers	3
No sidewalk	12
Curb ramp barriers/curb barriers	3
Pedestrian crosswalk issues	5
Pedestrian signal issues including access to push buttons	1
ADA parking not available	3
Other (Massive puddles of rainwater along sidewalk corners. , No benches to rest on)	2

12. What areas would be your first priority in improving pedestrian facilities?

Answer	Count
Government buildings that provide human services (Eg: City Hall, libraries, etc.)	1
Hospitals and other medical facilities	1
City parks	1
Community services (Eg: food banks)	0
Schools and institutions	7
Transit facilities (Eg: bus stops)	1
Retail services (Eg: shops, restaurants, grocery stores)	0
Neighborhoods	5

13. What areas would be your second priority in improving pedestrian facilities?

Answer	Count
Government buildings that provide human services (Eg: City Hall, libraries, etc.)	2
Hospitals and other medical facilities	1
City parks	1
Community services (Eg: food banks)	2
Schools and institutions	2
Transit facilities (Eg: bus stops)	2
Retail services (Eg: shops, restaurants, grocery stores)	4
Neighborhoods	1

15. What is your age? (optional)

Answer	Count
under 18	0
18 to 24	2
25 to 34	1
35 to 44	7
45 to 54	4
55 to 64	7
over 65	18

16. How do you identify yourself? (optional)

Answer	Count
African American/Black	0
Asian	1
Caucasian/White	13
Native American	1
Native Hawaiian/Pacific Islander	0
Other (Slavic, this data point is also counted in White)	1

17. Are you of Spanish, Hispanic, or Latino origin or descent? (optional)

Answer	Count
No	14
Yes	1

Appendix F - Funding Sources & Planning Cost Estimate

Planning Level Cost Estimate - Right-of-Way

PROJECT NAME: Lake Stevens ADA Transition Plan

TG PROJECT NUMBER: 1.22273.00

NOTE: This cost estimate is planning level in nature. It should be considered preliminary and for planning purposes only. It specifically excludes structural impacts to buildings and parking structures, inflation, and sales tax. Potential items such as retaining walls, earthwork, etc., are assumed to be included in the planning level estimate contingency unless otherwise indicated.

When features require multiple improvements, the cost of the smaller component is included in the larger task. (i.e. detectable warning surface is included with curb ramp reconstruction.)

Item No.	ADA Deficiency	Improvement Type	Quantity	Unit	Unit Price	Total Price
Sidewalk Improvements						
1	Non-compliant sidewalk (width, condition, slope, etc.)	Reconstruct existing sidewalk/paved shoulder walkway				\$ 3,053,000
Subtotal						\$ 3,053,000
Curb Ramp Improvements						
6	Missing curb ramps	Install new curb ramp.	400	EA	\$ 6,000	\$ 2,400,000
7	Non-compliant ramp (running slope, cross slope, ramp width, flare slope, lip, grade break, etc.)	Remove and reconstruct existing ramp.	2,276	EA	\$ 6,000	\$ 13,656,000
8	Curb ramps without detectable warning surface (DWS), non-compliant DWS placement, non-compliant DWS depth, or non-compliant DWS Width	Install/replace detectable warning surface.	41	EA	\$ 1,030	\$ 43,000
9	Curb ramp at marked crosswalk does not end within crosswalk.	Rechannelize crosswalk.	24	EA	\$ 1,100	\$ 27,000
Subtotal						\$ 16,126,000
Pushbutton Improvements						
10	Non-APS pushbutton and pushbutton is located incorrectly.	Install new APS pushbutton AND Install new pole.	46	EA	\$ 5,900	\$ 272,000
11	APS pushbutton that has non-compliant dimensions and/or programming and located incorrectly.	Reprogram pushbutton, reorient pushbutton, and/or install tactile arrow AND Install new pole and relocate pushbutton.	22	EA	\$ 3,700	\$ 82,000
12	APS pushbutton located incorrectly.	Install new pole and relocate pushbutton.	17	EA	\$ 3,500	\$ 60,000
13	APS pushbutton that has non-compliant dimensions and/or programming	Reprogram pushbutton, reorient pushbutton, and/or install tactile arrow.	11	EA	\$ 200	\$ 3,000
Subtotal						\$ 417,000
Total						\$ 19,596,000
Contingency @ 20%						\$ 3,920,000
Design @ 12%						\$ 2,352,000
Mobilization @ 8%						\$ 1,568,000
TESC + Traffic Control @ 12%						\$ 2,352,000
Construction Management @ 20%						\$ 3,920,000
Right-of-Way @ 20%						\$ 3,920,000
Grand Total 2023 Dollars						\$ 37,628,000

Planning Level Cost Estimate - Right-of-Way

PROJECT NAME: Lake Stevens ADA Transition Plan

TG PROJECT NUMBER: 1.22273.00

NOTE: This cost estimate is planning level in nature. It should be considered preliminary and for planning purposes only. It specifically excludes right-of-way acquisition and all associated costs, structural impacts to buildings and parking structures, and sales tax. Potential items such as retaining walls, earthwork, etc., are assumed to be included in the planning level estimate contingency unless otherwise indicated.

This planning cost estimate covers only the pedestrian features within the first stage of data collection.



Quantity by Priority

Feature	Low		Medium		High		Very High		Total
	1-15 (0-10 hazards)	%	16-30 (11-20 hazards)	%	31-45 (21-30 hazards)	%	46+ (31+ hazards)	%	
Sidewalks (Segments)	851	34%	1,209	49%	412	17%	12	0.5%	2,484
Curb Ramps (EA)	190	7%	323	12%	1,478	54%	748	27%	2,739
Pushbuttons (EA)	8	8%	20	21%	43	45%	25	26%	96

Cost by Priority

Feature	Low		Medium		High		Very High		Total
	1-15 (0-10 hazards)	%	16-30 (11-20 hazards)	%	31-45 (21-30 hazards)	%	46+ (31+ hazards)	%	
Sidewalks (Segments)	\$ 66,213	2%	\$ 1,377,332	45%	\$ 1,441,640	47%	\$ 167,547	5%	\$ 3,053,000
Curb Ramps (EA)	\$ 966,680	6%	\$ 1,805,820	11%	\$ 8,864,130	55%	\$ 4,488,000	28%	\$ 16,125,000
Pushbuttons (EA)	\$ 2,000	0%	\$ 97,000	23%	\$ 205,000	49%	\$ 112,000	27%	\$ 416,000

	Low 1-15	Medium 16-30	High 31-45	Very High 46+	Total
Total	\$ 1,035,000	\$ 3,281,000	\$ 10,511,000	\$ 4,768,000	\$ 19,594,000
Contingency @ 20%	\$ 207,000	\$ 657,000	\$ 2,103,000	\$ 954,000	\$ 3,919,000
Design @ 12%	\$ 125,000	\$ 394,000	\$ 1,262,000	\$ 573,000	\$ 2,352,000
Mobilization @ 8%	\$ 83,000	\$ 263,000	\$ 841,000	\$ 382,000	\$ 1,568,000
TESC + Traffic Control @ 12%	\$ 125,000	\$ 394,000	\$ 1,262,000	\$ 573,000	\$ 2,352,000
Const. Management @ 20%	\$ 207,000	\$ 657,000	\$ 2,103,000	\$ 954,000	\$ 3,919,000
Right-of-way @ 20%	\$ 207,000	\$ 657,000	\$ 2,103,000	\$ 954,000	\$ 3,919,000
Grand Total	\$ 1,989,000	\$ 6,303,000	\$ 20,185,000	\$ 9,158,000	\$ 37,623,000

City of Lake Stevens ROW Projected ADA Funding Sources

City of Lake Stevens ROW Project	Total Funding	Percentage of Total Budget Applied to ADA Barrier Removal	Funding Towards ADA	Term* (years)	Annualized Funding Level	Notes & Assumptions
Sidewalk Construction Program	\$ 100,000.00	100%	\$ 100,000	1	\$ 100,000	Assumed 100% of project funding applies to barrier removal per information provided by the City; includes Real Estate Excise Tax and capital improvements (new or existing)
Sidewalk Repair & Maintenance Program	\$ 45,000.00	100%	\$ 45,000	1	\$ 45,000	Assumed 100% of project funding applies to barrier removal per information provided by the City; includes maintenance, panel replacement, and sidewalk grinding
Pavement Preservation/Overlay Program (TBD Overlays)	\$ 650,000.00	19%	\$ 121,875	1	\$ 121,875	Assumed 19% of project funding applies to barrier removal per existing \$75K at \$400K total
Private Development	\$ 25,000.00	100%	\$ 25,000	1	\$ 25,000	Assumed 100% of project funding applies to barrier removal per information provided by the City
2023 - 2028 Capital Improvement Projects						Includes the projects listed below
South Lake Stevens Multi-Use Path Phase II & III	\$ 3,050,000.00	0%	\$ -	6	\$ -	Assumed 0% of project funding applied to ADA barrier removal as project includes construction of new multi-use path, not existing improvements.
16th Street NE Multi-Use Path	\$ 1,713,024.00	25%	\$ 428,256	6	\$ 71,376	Assumed 25% of project funding applied to ADA barrier removal as a portion of the project will improve existing facilities, while the majority includes new construction.
Mill Spur Downtown Parking Lot	\$ 160,400.00	0%	\$ -	6	\$ -	Assumed 0% of project funding applied to ADA barrier removal as project includes new construction. The city has identified potential parking locations in downtown Lake Stevens. Public parking is a goal of the downtown Lake
79th Ave SE/8th St SE Intersection	\$ 906,240.00	30%	\$ 271,872	6	\$ 45,312	Assumed 30% of project funding applied to ADA barrier removal as project includes vehicle intersection improvements in addition to pedestrian barrier removal. Improve the intersection at 79th Ave SE and 8th Street SE to provide
Sidewalk Improvements/ADA Transition Plan	\$ 1,200,000.00	100%	\$ 1,200,000	6	\$ 200,000	Assumed 100% of project funding applied to ADA barrier removal as project is focused on removal of barriers and ADA Transition Plan implementation. Repair & Maintenance
Transportation Benefit District (TBD) Projects						Assumed to include the projects listed below
Main Street Redevelopment	\$ 7,249,920.00	25%	\$ 1,812,480	6	\$ 302,080	Assumed 25% of project funding applied to ADA barrier removal as project includes vehicle intersection improvements (roundabout) as well as pedestrian barrier removal. Multi-use path, street frontage improvements and roundabout at
79th Ave SE Access Road	\$ 3,186,000.00	0%	\$ -	6	\$ -	Assumed 0% of project funding applied to ADA barrier removal as project includes construction of new roadway/sidewalks, not existing improvements. Construct new roadway including 7' bike lane, two 11' travel lanes, 5'
91st Ave NE Commercial Revitalization	\$ 6,846,800.00	25%	\$ 1,711,700	6	\$ 285,283	Assumed 25% of project funding applied to ADA barrier removal as project includes some barrier removal, but mostly vehicle improvements along the corridor. Upgrade road to minor arterial road standard including multi-use path or
99th Ave NE Redevelopment	\$ 4,180,032.00	25%	\$ 1,045,008	10	\$ 104,501	Assumed 25% of project funding applied to ADA barrier removal as project includes a portion of existing upgrades, and the rest new construction. Upgrade road to minor arterial road standard including multi-use path or sidewalk with
91st Street SE - School Sidewalk Connections	\$ 3,970,512.00	75%	\$ 2,977,884	10	\$ 297,788	Assumed 75% of project funding applied to ADA barrier removal as project largely involves improvements to existing facilities. Construct 5,000 linear feet of sidewalk with landscape strip buffer, install 18 ADA compliant ramps and
16th Street NE Centennial Trail Connector	\$ 1,623,024.00	25%	\$ 405,756	10	\$ 40,576	Assumed 25% of project funding applied to ADA barrier removal as project involves a portion of existing improvements, and largely new construction. Construct 1,900 linear feet of multi-use path and 4 ADA compliance
North Lakeshore Swim Beach Connection to Downtown	\$ 213,408.00	0%	\$ -	10	\$ -	Assumed 0% of project funding applied to ADA barrier removal as project involves new construction. Construct a sidewalk on North Lakeshore Drive between downtown Lake Stevens and North Lake Shore Swim Beach.
117th Street NE - High School Sidewalk Connection	\$ 1,224,288.00	10%	\$ 122,429	10	\$ 12,243	Assumed 10% of project funding applied to ADA barrier removal as project involves a small portion of existing improvements, and largely new construction. Construct 2,100 linear feet of sidewalks and 8 ADA compliant ramps on
Soper Hill Road Pedestrian Connection to Lundeen Parkway	\$ 1,714,284.00	10%	\$ 171,428	10	\$ 17,143	Assumed 10% of project funding applied to ADA barrier removal as project involves a small portion of existing improvements, and largely new construction. Construct 3,000 linear feet of sidewalk, 4 ADA compliant ramps and two
99th Ave NE - Sunnycrest Elementary to 30th Street NE	\$ 741,312.00	0%	\$ -	10	\$ -	Assumed 0% of project funding applied to ADA barrier removal as project involves new construction. Construct 1,300 linear feet of sidewalk and two ADA compliant ramps between Sunnycrest Elementary south and 30th St. NE. This
79th Ave SE - Sidewalk Connections	\$ 1,637,064.00	0%	\$ -	10	\$ -	Assumed 0% of project funding applied to ADA barrier removal as project involves new construction. Connect several sections of sidewalks on 79th Ave SE between 8th Street SE and 20th Street SE.
Total Investment within City					\$ 1,668,177	

* The term represents the duration used to calculate the annualized funding level. For recurring annual programs, the term is one year. For projects listed on the 6-year Transportation Improvement Plan, the term is 6 years. For projects listed in the TBD program, a term of 10 years was used.

Priority	Percent of Remaining Funding Allocated to Barrier Removal	Investment per priority
Very High Priority Investment	40%	\$ 667,271
High Priority Investment	30%	\$ 500,453
Medium Priority Investment	20%	\$ 333,635
Low Priority Investment	10%	\$ 166,818

Total Investment within City 100% \$ 1,668,177

City of Lake Stevens ROW Barrier Removal Transition Schedule

Priority	Percent of Remaining Funding Allocated to Barrier Removal	Investment per priority
Very High Priority Investment	40%	\$ 667,271
High Priority Investment	30%	\$ 500,453
Medium Priority Investment	20%	\$ 333,635
Low Priority Investment	10%	\$ 166,818

Total Investment within City \$ 1,668,177

Estimated Total Cost of Barrier Removal without Additional Investment

All Priorities Transition	
Cost of All Priorities	\$ 37,635,000
Annual Investment	\$ 1,668,177
Transition Years for All Priorities	23 years

Estimated Total Cost of Barrier Removal With Additional Investment

Very High Priorities Transition with Additional Investment

All Priorities Transition with Additional Investment			
Recommended Additional investment per year for All Priorities	\$ 260,000	Transition Years	Additional Annual Investment
Transition Years for All Priorities	20 years	23 years	\$ 50
		20 years	\$ 260,000.00
Recommended Additional investment per year for All Priorities	\$ 760,000	15 years	\$ 760,000.00
Transition Years for All Priorities	15 years	10 years	\$ 2,000,000.00
			\$ 2,000,000.00
Recommended Additional investment per year for All Priorities	\$ 2,000,000		
Transition Years for All Priorities	10 years		

Appendix G - Accessible Pedestrian Signal (APS) Policy

City of Lake Stevens - Policy for Installation of Accessible Pedestrian Signals and Pushbuttons

Intent:

It is the City's intention to be consistent with the most current version of the Public Right of Way Access Guidelines (PROWAG) in the provision of and location of accessible pedestrian signals and pushbuttons (APS) at traffic signals. Further guidance is available in 28 CFR Part 35 and Manual on Uniform Traffic Control Devices (MUTCD) section 4E.08 through 4E.13.

Purpose:

The purpose of this plan is to establish a reasonable and consistent policy for installing APS.

Scope:

1. *Requests:* Requests for APS systems from the public will be responded to in a timely manner and the consideration for installation will be done in accordance with applicable sections of the ADA.
2. *New construction:* New construction of traffic signal projects requires installation of APS and associated accessible features when pedestrian signals are installed.
3. *Alterations:* When the signal controller and software are altered, the pedestrian signal head is replaced, or pedestrian detectors are replaced, the existing pedestrian signals shall be upgraded to APS on poles in accessible locations.
4. *Curb ramp replacement at traffic signals:* Altering or replacing curb ramps does not require installation of APS unless the curb ramp cannot be altered or replaced without the alteration, installation or replacement of any pole to which a pedestrian pushbutton is attached. Then, installation of APS on poles in accessible locations is required.
5. In addition to the above conditions, APS will be installed through fulfillment of the City's obligations to complete its ADA Transition Plan.

Installation of APS is not required, unless otherwise noted, under the following conditions, but is recommended when inclusion in the project scope is possible:

1. *Minor work and routine maintenance at traffic signals:* Projects including but not limited to: emergency repairs, vehicular detection installation and repairs, installation and repair of CCTV or other cameras, vehicular signal head upgrades and repairs, and repair of pedestrian detection do not require installation of APS and associated accessible features.
2. *Signal timing changes:* Updating signal timing including cycle length, splits, offsets, and pedestrian clearance times do not require installation of APS and associated accessible features.

Appendix H - Grievance Procedure

ADA Grievance

Complainant Name: *

Designee Name (if applicable):

Designee relationship to Complainant (if applicable):

Contact Address:*

Contact Phone: *

Contact Email:

Detailed description of specific complaint, include all known details such as date, location, circumstance, persons involved, witness:*

Remedy requested, please be specific:*

* indicates required fields.

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ADA Public Request for Accommodation

[Sign in to Save Progress](#)

First Name*

Last Name*

Address1*

Address2*

City*

State*

Zip*

Your Phone Number*

Name of person requesting accommodation

Phone Number

Complete this section if the individual requesting accommodation is not the individual completing this form.

Address1

Address2

City

State

Zip

Program/Facility alleged to be inaccessible*

Description of the situation or way the Program/Facility is not accessible*

Please provide names of individuals who were involved in the situation and include as much detail as possible.

Photo of Program/Facility that is not accessible

No file chosen

If possible, please share a photo of the Program/Facility that is not accessible

Description of your disability*

Please explain the nature of your disability that limits your ability to participate, and how it impairs a major life function.

Proposed accommodation/resolution*

How would you propose to make the program/facility accessible?

E-Signature*

Please type your full name

Today's Date*

mm/dd/yyyy

mm/dd/yyyy

☒ Receive an email copy of this form.

Email address

This field is not part of the form submission.

Submit

* indicates a required field

Appendix I - MEF Documentation



City of Lake Stevens
PO Box 257
Lake Stevens, WA 98258
Phone: (425) 334 - 1012
lakestevenswa.gov

Maximum Extent Feasible Documentation for ADA Guidelines Compliance

*****This form is to be stamped and signed by a Professional Engineer licensed to practice in the State of Washington*****

This is to request an official City review of the maximum extent feasible (MEF) design documentation for the occasional case where a pedestrian facility (including driveways which include sidewalks) in the public-right-of-way cannot be altered to comply fully with accessibility standards.

Any features of a pedestrian facility that can be made accessible shall be accessible regardless of whether or not some features cannot be altered to fully comply with applicable accessibility standards. MEF Applications and supporting documentation shall not be approved where there is an attempt to justify acceptance of pedestrian facilities that were improperly designed or constructed.

One form shall be filled out for each facility (Curb Ramp, Driveway, etc.). This form shall be filled out and submitted with the Preliminary Land-use Submittal. In addition, after construction is complete this form shall be filled out for the as-built constructed conditions and submitted to the City for approval before Final is given for the project.

Project Name: _____

Project Location: _____

Facility Type(s): _____

Date: _____ **Prepared By:** _____

The purpose of this document is to provide a record of Americans with Disabilities Act (ADA) accessibility compliance for pedestrian facilities, curb ramps and associated elements for the above stated project.

MEF documentation shall provide sufficient detail to clearly identify the location of each pedestrian facility to be evaluated, and:

1. Reference the applicable accessibility standard for each pedestrian facility where standards cannot be fully complied with;
2. Describe the circumstances that make it virtually impossible to achieve full compliance;
3. Document design alternatives that were considered in an attempt to comply with standards;
4. Describe how accessibility standards are met to the maximum extent feasible; and
5. Attach drawing, engineering calculations, or other data to substantiate the request.

Project Overview

☐ Preliminary Land-use Submittal ☐ As-built Construction Submittal

Project Description (Attach additional pages if necessary)

Recommendation

Engineer Stamp

FOR STAFF USE ONLY

MEF REVIEW DETERMINATION

The pedestrian facilities in the public right-of-way described in the Applicant's supporting documentation comply with applicable accessibility standards to the "maximum extent feasible".

☐ Approved ☐ Approved with Conditions ☐ Denied

Conditions/Comments:

Public Works Director/City Engineer

Date

Appendix J - ADA Terminology

ADA Terminology

Accessible Pedestrian Signals. A device that communicates information about pedestrian signal timing in non-visual format such as audible tones, speech messages, and/or vibrating surfaces.

Barrier. Obstacle that prevents movement or access.

Cross Slope. The slope that is perpendicular to the direction of travel (see running slope).

Curb Ramp. A short ramp cutting through a curb or built up to it.

Detectable Warning. A standardized surface feature built in or applied to walking surfaces or other elements to warn of hazards on a circulation path. Also known as “truncated domes”.

Fixed Obstacles. Obstacles in pathways that cannot be moved without significant changes to the existing infrastructure.

Grade Break. Location where a pathway’s slope changes.

Hazard. Miscellaneous barrier along a pedestrian circulation route.

Maximum Extent Feasible. The situation in which the nature of an existing building or facility makes it virtually impossible to comply fully with accessibility standards.

Moveable Obstacles. Obstacles in pathways that can be moved without significant changes to the existing infrastructure.

Pedestrian Access Route. A continuous and unobstructed path of travel provided for pedestrians with disabilities within or coinciding with a pedestrian circulation path.

Pedestrian Circulation Path. A prepared exterior or interior surface provided for pedestrian travel in the public right-of-way.

Ramp. A walking surface that has a running slope steeper than 1:20.

Running Slope. The slope that is parallel to the direction of travel (see cross slope).

Ramp Flare. Transitions the curb line to the elevation of the street.

Stakeholder. Focused group of the general public with interest in outreach efforts.

Turning Space. Area that provides maneuvering space at the top/bottom of a ramp.