CITY COUNCIL MEETING AGENDA

City of Lake Stevens Vision Statement

We are a thriving community that promotes a vibrant economy, preserves natural beauty, and supports an exceptional quality of life for all.

July 1, 2025 - 6:00 PM
City Council Special Meeting
In person: The Mill, Sawyers Room, 1808 Main Street, Lake Stevens
or Join via Zoom: [Zoom Link] Passcode: 605800
or call in at (253) 215-8782 Meeting ID: 86366617704 **Passcode:** 605800

1.	**Call to Order**		
2.	**Pledge of Allegiance**		Mayor
3.	**Oath of Office for Councilmember Kurt Hilt**		
4.	**Roll Call**		
5.	**Approval of Agenda**		Council President
6.	**Citizen Comments**		
7.	**Council Business**		Council President
8.	**Mayor's Business**		
9.	**City Department Report**		
	A.	Everett Waterline	Russ Wright
	B.	Public Works 2025 Citywide Striping and Thermoplastic Update	Ben Romanaggi
10.	**Consent Agenda**		
	A.	Downtown Stormwater Facility Cost Sharing Agreement	Aaron Halverson
	B.	War Memorial Emblem Replacement	Jill Meis
	C.	PUD Easement on the Public Works property for the 131st Ave NE Project	Erik Mangold
11.	**Public Hearing**		
	A.	2026-2031 Six-Year Transportation Improvement Program - Resolution 2025-07	Kim Klinkers
	B.	Traffic Cameras	Aaron Halverson
12.	**Discussion Items**		

A. Council Subcommittees

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.

CITY DEPARTMENT REPORT

Agenda Date: 7/1/2025

Contact Person/Department: Russ Wright, Community Development

The city of Lake Stevens has been working with the city of Everett to draft and finalize an interlocal agreement (ILA), as authorized by Chapter 39.34 of the Revised Code of Washington. This agreement outlines shared responsibilities for maintenance, protection, and land use regulations adjacent to the designated waterline corridor. The draft ILA and all subsequent revisions have undergone review by the Lake Stevens City Attorney.

On April 16, 2025, Lake Stevens transmitted the latest version of the agreement to Everett, accompanied by a detailed memorandum identifying key issues. The memorandum highlighted major comments and unresolved concerns from prior versions of the proposed Waterline ILA, including the following:

- **Clarification of Language:** Remove vague or subjective terms to ensure consistent interpretation and implementation;
- **Agency Parity:** Ensure that the agreement reflects the interests of both cities regarding standards, permit notifications and code enforcement procedures;
- **Legal Soundness:** Confirm that the agreement meets legal standards, ensures due process, and avoids placing burdens on properties outside the waterline corridor; and
- **Permit Notification:** Guarantee the permit notice is practical, meets state and local requirements and has a nexus to the waterline operation.

Everett staff acknowledged receipt of the memorandum and the revised agreement on April 16. Lake Stevens staff requested a status update on June 13. In response, Everett staff noted that the agreement remained under administrative review and committed to providing a timeline the following week. On June 25, Everett staff stated they had met with their administration and planned another internal meeting for early July, after which a detailed response would be provided.

Next Step: Hold a joint meeting between Lake Stevens and Everett staff, legal counsel and administration to prepare a final ILA for council consideration.

CITY DEPARTMENT REPORT

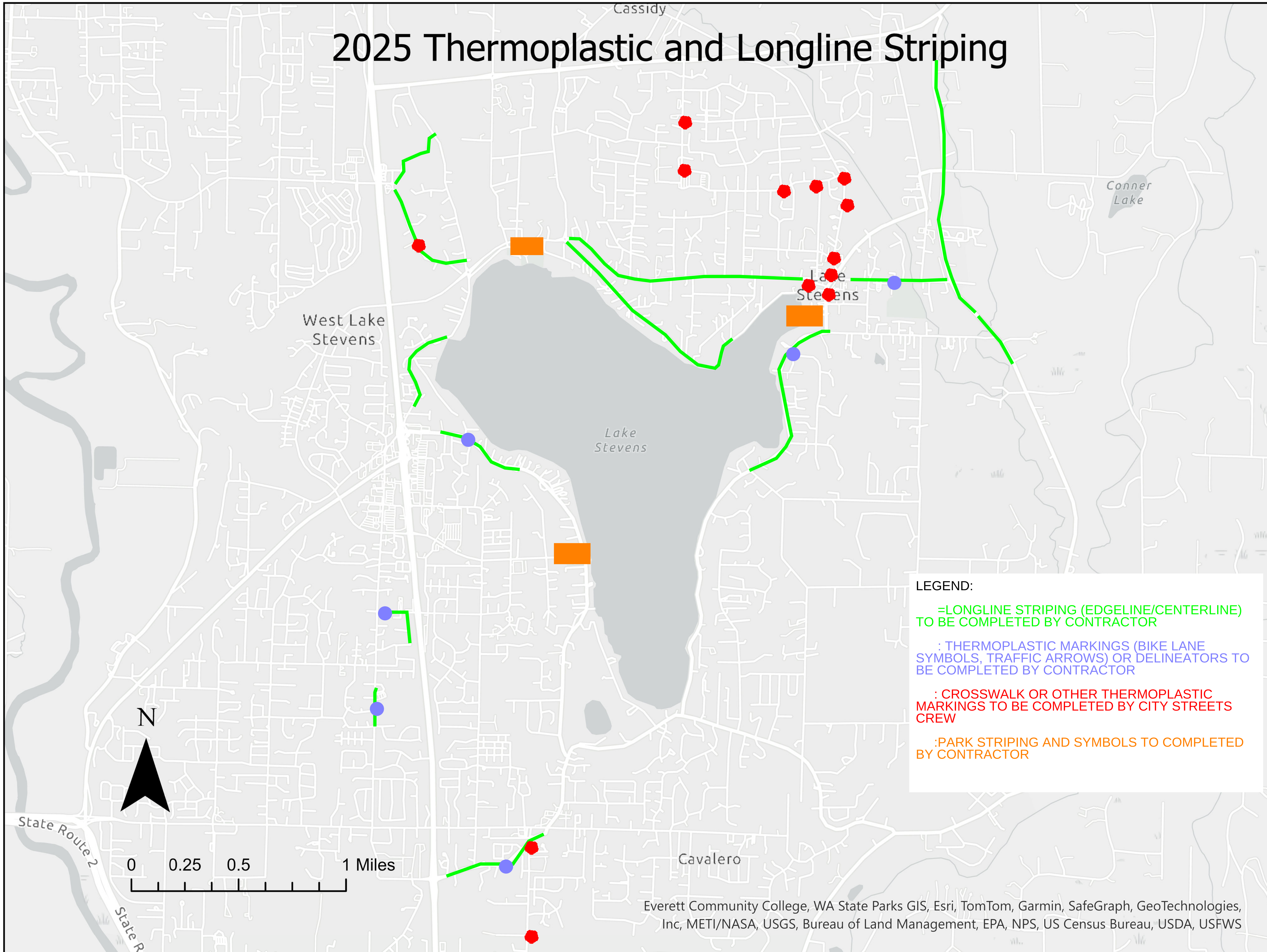
Agenda Date: 7/1/2025

Contact Person/Department: Ben Romanaggi, Public Works

As requested at the June 24th City Council meeting, Public Works will overview the citywide striping and thermoplastic work planned for this year.

Pavement markings such as center lines, edge lines and crosswalks are provided to guide drivers, pedestrians, and bicyclists. These markings fade and disappear due to regular traffic, salt/deicer, snowplows and sunlight. A regular part of roadway maintenance is refreshing these markings. This year, 91,000 linear-feet of paint lines (6.8 miles of roadway) and 11 thermoplastic crosswalks, bicycle and traffic symbols will be refreshed through the 2025 Pavement Preservation and Citywide Pavement Markings contract. Additional work by the Public Works Streets crew will refresh 13 more crosswalks this year.

2025 Thermoplastic and Longline Striping



CITY COUNCIL STAFF REPORT

Agenda Date: 7/1/2025

Subject: Downtown Stormwater Facility Cost Sharing Agreement

Contact Person/Department: Aaron Halverson, Public Works

Budget Impact: The City's proportional share of the total project cost is approximately 40.2%, which includes both design and construction of the regional stormwater detention facility. Preliminary cost estimates range from $1.5 million to $3.3 million, with the primary cost variable being the potential need for a pump system to convey stormwater given the very flat topography and adjacency of the lake outlet channel.

Legal Review: No

RECOMMENDATION(S)/ACTION REQUESTED:
Authorize the Mayor to sign the downtown stormwater facility cost-sharing agreement between the City and Snohomish Regional Fire and Rescue.

SUMMARY/BACKGROUND:

Snohomish Regional Fire and Rescue (SRFR) and the City of Lake Stevens will be undertaking major capital improvements in downtown Lake Stevens beginning in 2026. SRFR will construct a replacement facility for Fire Station 81, while the City will construct a roundabout at 20th Street NE and Main Street. These adjacent projects both require new stormwater flow control infrastructure to meet Department of Ecology standards.

To address this need efficiently, the City and SRFR have developed a revised Cost-Sharing Agreement that enables the joint construction of a regional stormwater detention facility located on SRFR and City-owned properties. This shared facility will manage stormwater runoff for both projects while reducing construction costs and redundant infrastructure.

The agreement outlines:

- **Design and construction responsibilities**, led by the City;
- **Cost-sharing for design, construction, and ongoing maintenance**, based on each party's impervious surface contribution (SRFR: 59.8%, City: 40.2%);
- **Access and easement rights** for facility construction and maintenance;
- **Ongoing coordination** to align project timelines and ensure regulatory compliance.

This agreement was previously approved by the City Council when North Cove LLC was a participating party. **The current version reflects the formal removal of North Cove LLC**, who withdrew from the project in 2025. This revised agreement now includes only the City and SRFR as the cooperating parties.

Adopting this agreement ensures coordinated infrastructure delivery, responsible use of public resources, and improved long-term stormwater management for downtown Lake Stevens.

APPLICABLE CITY POLICIES:

ATTACHMENTS:

1. 20250627_DTStormwaterCostShare

COST-SHARING AGREEMENT FOR STORMWATER DETENTION SYSTEM

This COST-SHARING AGREEMENT (this "**Agreement**") is made and entered into this ___ day of _______, 2025 by and between Snohomish Regional Fire and Rescue, a Washington municipal corporation ("**SRFR**"), and the City of Lake Stevens, a Washington municipal corporation ("**City**"), (individually a "**Party**" and collectively the "**Parties**") for the purposes set forth below.

Recitals

A. SRFR owns and operates Station 81, on real property which is comprised of tax parcel numbers 00562200000801, 00562200000802 and 00562200000706, located in the City of Lake Stevens, Snohomish County, Washington and is depicted on the map attached hereto as Exhibit A ("SRFR Map"). SRFR intends to design and construct a new, enlarged Station 81 in 2025 ("SRFR Project"). The SRFR Project will require the construction of stormwater detention facilities.

B. The City owns tax parcel number 00562200000708, located in the City of Lake Stevens, Snohomish County, Washington, adjacent to the SRFR Station 81 site, as depicted on the attached map as Exhibit B ("City Map"). The City intends to make roadway improvements to nearby Main Street ("City Project") in the year 2025. The City Project will require facilities for collecting stormwater runoff from the roadway.

C. SRFR and the City have agreed to share in the construction and maintenance costs for the stormwater detention system to be located on SRFR parcels 00562200000801 and/or 00562200000706, and/or City parcel 00562200000708; all parties will directly benefit from the stormwater detention system, subject to the terms and conditions herein.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties, their successors in interest, agents, employees, subcontractors and assigns covenant and agree as follows:

Agreement

1. Allocation of Design and Construction Responsibility, Costs and Methodology.

A. The City shall be responsible for contracting for the design and construction of the stormwater detention facility ("Facility"), meeting the needs of the SRFR and the City, and all Washington State Department of Ecology and other regulatory standards and requirements. Each of the Parties shall be solely responsible for the costs incurred to connect their Project's stormwater flow to the Facility. As reasonably possible, construction of the Facility shall be concurrent with the SRFR Project and the City Project. The City shall select the vendors and contractors to design and construct the Facility and be responsible for all necessary engineering design work, government approvals and permits, and administering the construction project. The Facility shall be designed to meet the regulatory conditions and requirements for stormwater detention associated with each of the Parties' development projects, including the City's Main Street Roundabout project and redevelopment of Station 81 by SRFR. SRFR shall work cooperatively with the City in providing the City with the information necessary for design of the Facility to meet their needs and provide the City with their written approval of the City approved design, construction plans, and engineer's cost estimate prior to the City's call for bids on the construction of the Facility.

B. SRFR will be provided an opportunity to review the consultant fee proposal and scope of work along with an engineer's estimate for construction costs. Within five (5) business days of receiving the consultant fee proposal and scope of work from the City via email, SRFR shall notify the City of its approval or denial of the professional services contract. If SRFR denies continued engineering and design of the facility through the professional services contract, the Parties shall meet within five (5) business days of such denial to discuss options for renegotiating or re-advertising. If denial of the consultant fee proposal and scope of work along with an engineer's estimate for construction costs is not received by the City from SRFR within five (5) business days of receiving the consultant fee proposal and scope of work via email, the City shall continue engineering and design in accordance with its existing contract.

C. Prior to the City's contract award for construction services, SRFR will be provided an opportunity to review the bids received by the City. Within five (5) business days of receiving the bid tabulation from the City via email, SRFR shall notify the City of its approval or denial of an award of the contract to the lowest responsible bidder determined by the City. If approval or denial of a contract award is not received by the City from SRFR within five (5) business days of receiving the bid tabulation via email, the City may award the contract without delay. If SRFR denies the award of the contract, the City may not award the contract, and the Parties shall meet within five (5) business days of such denial to discuss options for rebidding. The City may also proceed with contract award despite a denial from SRFR , after the five-day period for a meeting has expired, if the lowest responsible bid is within 120% of the engineer's pre-bid estimate or SRFR notifies the City of their approval of the bid award.

D. The actual design and construction costs for the Detention System shall be allocated between SRFR and the City as follows: 59.8% to SRFR and 40.2% to the City, as depicted in Exhibit C ("Areas of Responsibility Map") and Exhibit D ("Detention Facility Feasibility Map"). This cost allocation is based upon the contribution of new or replaced impervious surfaces that are tributary to the Detention System associated with each development project, including the Main Street Roundabout by the City and redevelopment of Station 81 by SRFR. Each of the Parties acknowledges and agrees that the benefits arising to them from this Agreement, both individually and collectively, adequately compensate them for their individual contributions.

2. Facility Location, Access, and Easement Rights. SRFR shall designate to City as soon as reasonably practical in the exercise of good faith the location on its property for the construction of the Facility and necessary appurtenances to facilitate the planning of their projects and responsibilities under this Agreement. SRFR by this Agreement, conveys to the City such easement and access rights to the real property on which the Facility and its appurtenances are designated to accommodate the design and construction of the Facility, its maintenance and repair, the connection of each Project to the Facility, as well as reasonably necessary to fulfill their rights and obligations hereunder. Compensation by the City to SRFR for easement rights will be based on the appraised property value of affected property and proportionate share (59.8% to SRFR and 40.2% to the City) of facility surface area once the design of the facility is complete. The City will complete the appraisal and recover costs from SRFR for appraisal in accordance with the proportionate share of the facility. When the specific location of the Facility is designated, written easement agreements from SRFR conveying easements to the City consistent with this Agreement shall be entered into by the Parties and recorded with Snohomish County. The compensation due SRFR from the City for the easements shall be due within thirty (30) days of the recording of the easements.

3. Timing. All Parties intend to begin construction of their individual projects in the year 2026. The Parties agree to use due diligence and in good faith to do all actions necessary to time the construction of their projects concurrently with one another so as not to interfere with or delay the construction of the Facility or their respective projects.

4. Allocation of Maintenance Responsibility, Costs and Methodology. The City shall be responsible for maintaining the Facility in good working order. The actual maintenance costs for the Detention System shall be allocated between SRFR and the City as follows: 59.8% to SRFR and 40.2% to the City. This cost allocation is the contribution of new or replaced impervious surfaces that are tributary to the Detention System associated with each development project, including the Main Street Roundabout by the City and redevelopment of Station 81 by SRFR.

5. Payment. The City shall provide monthly itemized invoices to SRFR for actual design and construction costs, including itemized administrative costs not to exceed 10% of actual costs, as they occur during the design and construction of the Facility. Post construction, the City shall provide an annual itemized invoice to SRFR for maintenance costs, including administrative costs (not to exceed 10% of the actual costs). In the event of any unanticipated emergency maintenance, repair or reconstruction costs the City may submit invoices when actual costs are known. The City will provide SRFR with estimated annual maintenance costs each year to aid in their budgeting. SRFR agrees to pay the City within thirty (30) days of receipt of an invoice.

6. Events of Default; Remedies. Any breach by SRFR or the City of its obligations hereunder shall constitute an event of default under this Agreement. Upon the occurrence of an event of default, the dispute shall be submitted to arbitration for resolution in accordance with the procedures described in Section 10. If any invoice is not paid within thirty (30) days after the due date, then the invoice shall accrue interest at a rate of ten percent (10%) per annum or the maximum legally permitted rate, whichever is less, from the date due until paid.

7. Notices. Any demand, request or notice made hereunder shall be in writing and shall be deemed given when personally delivered, delivered by private courier service (such as

Federal Express), or three (3) days after being deposited in the United States Mail in registered or certified form, return receipt requested, and addressed as follows:

To SRFR: Snohomish Regional Fire and Rescue
163 Village Court
Monroe, WA 98272
Attn: _______________

To City: The City of Lake Stevens
1812 Main Street
Lake Stevens, WA 98258
Attn: Aaron Halverson, Public Works Director

or to such other single address and person as any party may communicate to all others by like written notice.

8. Attorneys' Fees. In the event of litigation between the Parties, declaratory or otherwise, in connection with this Agreement, the substantially prevailing party shall recover its costs and reasonable attorneys' fees, including for appeals, which shall be determined and fixed by the court as part of the judgment.

9. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Washington.

10. Dispute Resolution. All disputes arising hereunder or in connection herewith that the parties are unable to resolve through good faith discussion and settlement efforts and any other mutually agreed dispute resolution process, including mediation and binding arbitration, may be resolved through a judicial determination by commencing the civil action in the appropriate court in Snohomish County, Washington.

11. Amendments. This Agreement is binding on the Parties and their successors and assigns and may not be amended or modified without a written amendment signed by the Parties.

12. Counterparts. This Agreement may be signed in any number of counterparts, all of which together shall be deemed to be a single instrument.

13. Term. Due to the subject matter of this Agreement the term of this Agreement is perpetual and the Parties successors in interest, agents, employees, subcontractors, and assigns shall be subject to rights and obligations of each party set forth herein.

14. Legal Responsibilities. Each of Parties to this Agreement shall be solely responsible for compliance with any law or regulatory requirement affecting their Project contributing stormwater to the Facility, connection of their Project to the Facility, and the discharge of stormwater from their property to the Facility. The Parties shall be jointly responsible for meeting all regulatory requirements applicable to the Facility in its design, construction and maintenance and operation subject to the provisions of this Agreement.

[*Remainder of Page Left Blank; Signatures on the following page*]

Dated as of the date first above written.

FIRE DISTRICT:

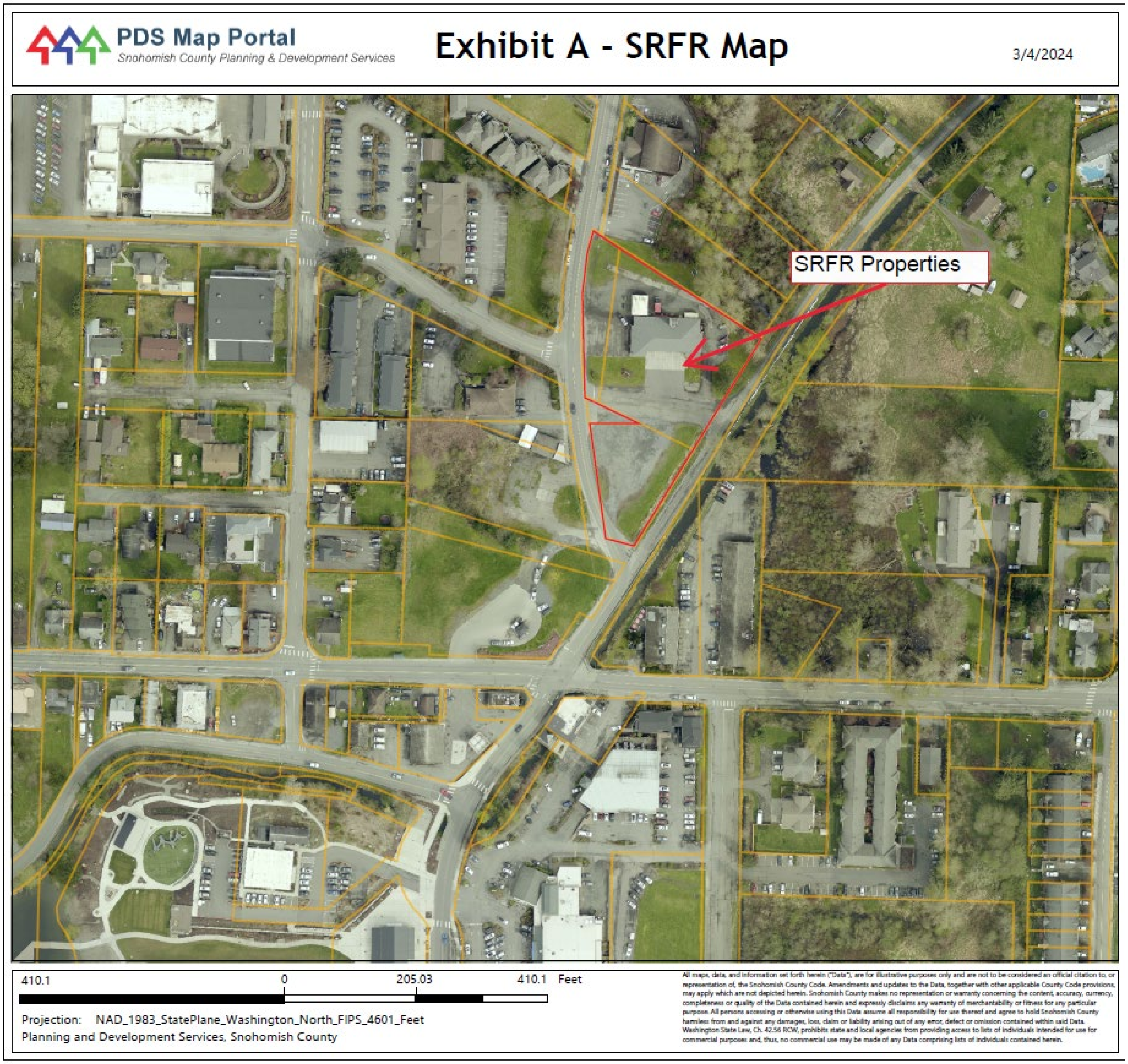
Snohomish Regional Fire and Rescue, a Washington
Municipal Corporation

By: ________________________________
Name: ______________________________
Its: ________________________________

CITY:

City of Lake Stevens, a Washington
Municipal Corporation

By: ________________________________
Name: ______________________________
Its: ________________________________


PDS Map Portal
Snohomish County Planning & Development Services
Exhibit A - SRFR Map
3/4/2024
SRFR Properties
410.1
0
205.03
410.1 Feet
Projection: NAD_1983_StatePlane_Washington_North_FIPS_4601_Feet
Planning and Development Services, Snohomish County
All maps, data, and information set forth herein ("Data"), are for illustrative purposes only and are not to be considered an official citation to, or representation of, the Snohomish County Code. Amendments and updates to the Data, together with other applicable County Code provisions, may apply which are not depicted herein. Snohomish County makes no representation or warranty concerning the content, accuracy, currency, completeness or quality of the Data contained herein and expressly disclaims any warranty of merchantability or fitness for any particular purpose. All persons accessing or otherwise using this Data assume all responsibility for use thereof and agree to hold Snohomish County harmless from and against any damages, loss, claim or liability arising out of any error, defect or omission contained within said Data. Washington State Law, Ch. 42.56 RCW, prohibits state and local agencies from providing access to lists of individuals intended for use for commercial purposes and, thus, no commercial use may be made of any Data comprising lists of individuals contained herein.

PDS Map Portal
Snohomish County Planning & Development Services

Exhibit B - City Map

3/4/2024

410.1 0 205.03 410.1 Feet

Projection: NAD_1983_StatePlane_Washington_North_FIPS_4601_Feet
Planning and Development Services, Snohomish County

Exhibit C – Areas of Responsibility

	Contributing Impervious Surface	Percent Contribution
City	29,183	40.2%
SRFR	43,447	59.8%
Total	72,630	100.0%

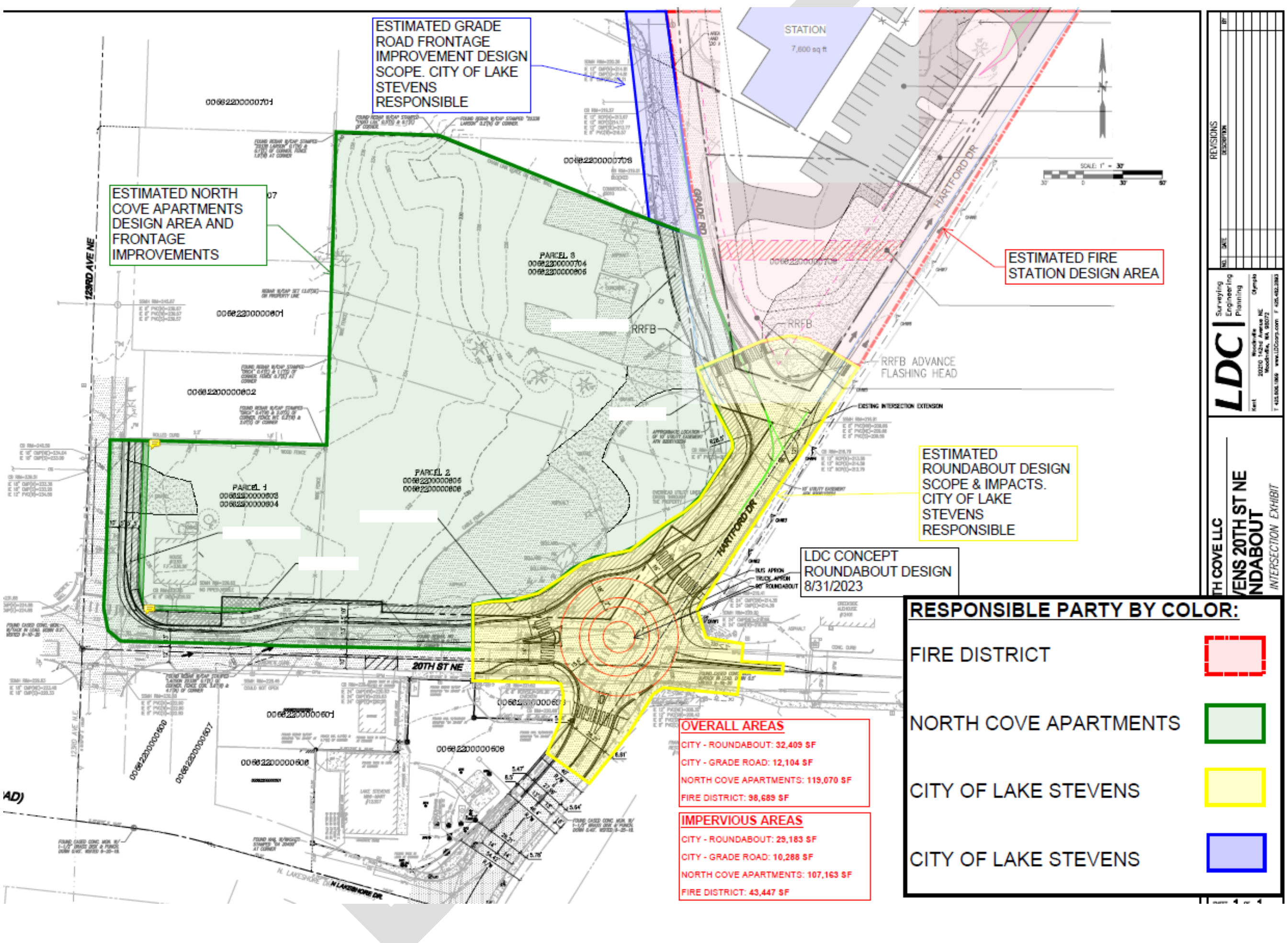
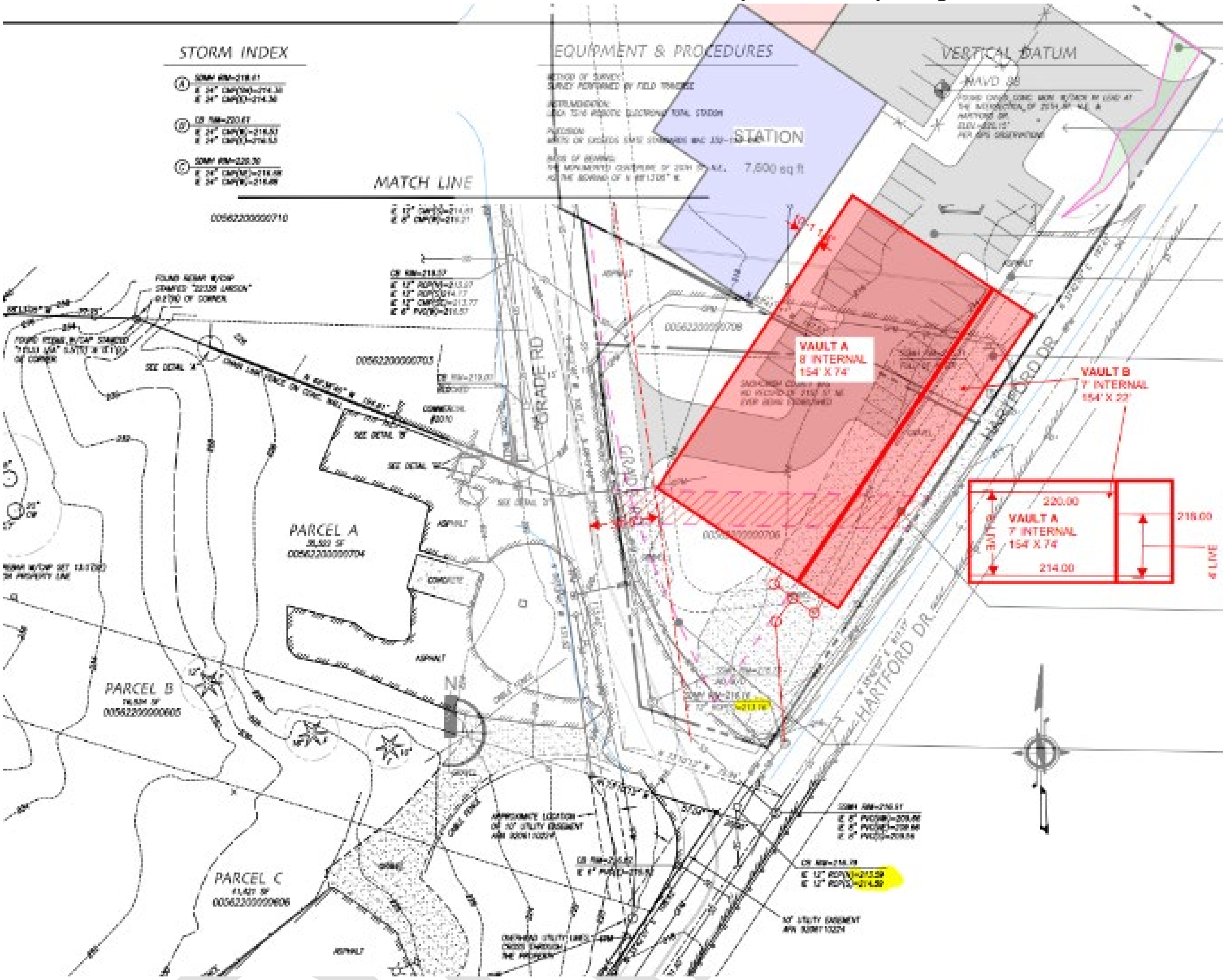


Exhibit D – Detention Facility Feasibility Map



CITY COUNCIL STAFF REPORT

Agenda Date: 7/1/2025

Subject: War Memorial Emblem Replacement

Contact Person/Department: Jill Meis, Parks Department

Budget Impact: Not to exceed $10,000.00

Legal Review: No

RECOMMENDATION(S)/ACTION REQUESTED:
Approve up to $10,000.00 to replace the emblems on the War Memorial

SUMMARY/BACKGROUND:
The American Legion Post 181 visited City Council in January to share some concerns that the memorial was in need of some maintenance such as cleaning, and the emblems displaying the branches of the United States Armed Forces at the war memorial were undersized. A subsequent inspection revealed that the existing emblems are damaged, and the Space Force emblem was not included in the original design.

The Parks department met with the Legion and placed the War Memorial on a maintenance schedule to ensure that it is regularly cleaned. Staff placed small permanent plaques on the stacked stone seating that read no eating or drinking at the memorial. Staff and the Legion scheduled a meeting to discuss the emblem replacement and the timeline for the project. Various designs were considered and resurfacing the wall was also offered to the Legion, but they requested that the surface of the wall remain in its current condition. Three members of the Legion, Bud Sperry, Dave Amlin and Vern Rassmussen, and city staff worked together to select a 12-inch bronze emblem that correctly reflects the armed services branches and a method of affixing the emblems to the war memorial wall. The current emblems are approximately 8-inches and the new ones will be placed in the same location. The new bronze emblems will be counter-sunk to deter vandalism and a concrete cutting company is necessary for prepping the wall. Those costs are included in this request. After the wall

is prepped, parks staff will affix the emblems. The cost of the installation prep work and the emblems is $7,776.27 and the work can be completed by Veterans Day 2025, the original timeline for the project. Staff is requesting a "not to exceed" amount to cover any costs for products used in attaching the emblems and any additional work required by the concrete cutter that would be revealed as the current emblems are removed. Costs will be in a supplemental budget.
An image of the new emblems example is attached.

APPLICABLE CITY POLICIES:

ATTACHMENTS:

1. 12-inch cast bronze military emblem


DEPARTMENT OF THE AIR FORCE
MCMXLVII
UNITED STATES OF AMERICA
DEPARTMENT OF THE ARMY
1775
UNITED STATES OF AMERICA
DEPARTMENT OF THE NAVY
UNITED STATES OF AMERICA
RURAL WELLNESS
STROUD HOSPITAL
Is A Proud Supporter Of
Our Veterans And Active Duty.
Thank You For Your Service!
UNITED STATES SPACE FORCE
MMXIX
DEPARTMENT OF THE AIR FORCE
UNITED STATES COAST GUARD
SEMPER
PARATUS
1790
DEPARTMENT OF THE NAVY
UNITED STATES MARINE CORPS

CITY COUNCIL STAFF REPORT

Agenda Date: 7/1/2025

Subject: PUD Easement on the Public Works property for the 131st Ave NE Project

Contact Person/Department: Erik Mangold, Public Works

Budget Impact: The City will receive compensation of $750 plus any applicable real estate excise tax.

Legal Review: Yes

RECOMMENDATION(S)/ACTION REQUESTED:
Authorize the Mayor to sign the Distribution Easement for Snohomish County PUD

SUMMARY/BACKGROUND:
To support upcoming sewer improvements and the planned multi-use path along 131st Avenue NE, SnoPUD will relocate several utility poles within the project corridor. As part of this work, SnoPUD is requesting a utility easement on City-owned property near the Public Work/Parks and Recreation building to install an underground power facility. The proposed easement is approximately 6 by 7.5 feet, located outside of the site's fence line and the adjacent roadway—identified as the most practical and least disruptive location.

Staff recommends Council authorize the Mayor to execute the easement to support project coordination and timely utility upgrades aligned with City infrastructure goals.

APPLICABLE CITY POLICIES:

ATTACHMENTS:
1. Easement Packet
2. W9 Rev March 2024

SNOHOMISH COUNTY
PUD
PUBLIC UTILITY DISTRICT NO. 1
Your Community Energy Partner

June 18, 2025

City of Lake Stevens
Attn: Erik Mangold
PO Box 257
Lake Stevens, WA 98258

RE: Parcel 29060800103000

Dear Erik,

Due to the upcoming sidewalk project for the City of Lake Stevens along 131st Avenue NE, PUD will need to relocate and install a secondary vault behind the new sidewalk which impact the City's property.

To move forward, we'll need a standard easement from the City of Lake Stevens as the property owner. I've attached the easement document for your review. Signing this grants the District permission to install and maintain the new underground facilities on a 6' x 7.5' portion of your property as shown on the exhibit page of the easement document.

The District will provide compensation of $750.00 and will also cover any applicable real estate excise tax. We'll also need the attached W-9 completed, as required by the IRS.

The easement must be signed in front of a notary. I'm a notary myself and would be happy to meet at a time and place that works best for you. Once we receive the signed original documents, we'll send your compensation check within approximately two weeks.

Feel free to reach out to me directly at (425) 319-4294 if you have any questions or would like to set up a time to meet. You're also welcome to contact our engineer, Sam Whisler, at (425) 783-8281 for any technical questions or to arrange a site visit.

Thank you for your time and consideration.

Sincerely,

Heidie C. Waxham

Heidie Waxham
Real Estate Services

Enclosures

AFTER RECORDING, PLEASE RETURN TO:

Public Utility District No. 1 of Snohomish County
Attn: H. Waxham
Real Estate Services
P.O. Box 1107
Everett, Washington 98206-1107

E-________________________
WO#100131371 NOT# 10000201904

DISTRIBUTION EASEMENT

Grantor ("Owner"): City of Lake Stevens, a municipal corporation

Grantee: Public Utility District No. 1 of Snohomish County

Short Legal Description: SE ¼ NE ¼ Section 08; Township 29N; Range 06E, W.M.

Tax Parcel No: 290608 00103 000

THIS DISTRIBUTION EASEMENT ("Easement") is made this ________ day of _____ 202___, by and between City of Lake Stevens, a municipal corporation ("Owner"), and Public Utility District No. 1 of Snohomish County, a Washington State municipal corporation ("District"). The Owner and the District are sometimes referred to herein as "Party" and collectively as "Parties". The District is referred to as "Grantee".

WHEREAS, Owner is the owner of certain lands and premises situated in the County of Snohomish, State of Washington, legally described as follows (hereinafter "Property"):

SEE EXHIBIT A FOR LEGAL DESCRIPTION ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE.

Situate in the County of Snohomish, State of Washington

WHEREAS, the Grantee is desirous of acquiring certain rights and privileges across, over, under, upon and through the Property.

NOW, THEREFORE, the Parties agree as follows:

1. Distribution Easement. Owner, for good and valuable consideration, receipt of which is hereby acknowledged, hereby conveys and grants to Grantee, its agents, contractors, successors and assigns, a non-exclusive easement for the perpetual right, privilege, and authority to patrol, construct, erect, reconstruct, alter, improve, extend, repair, operate, and maintain overhead and/or underground electric distribution lines and facilities, Grantee-owned communication wires and cables, and other necessary or convenient appurtenances, across,

over, under, through and upon the following portion of Owner's Property (hereinafter "Easement Area"):

The East 7.5 feet of the South 194 feet less the South 188 feet coincident with the West margin of 131st Avenue NE of the above described real property as approximately shown on Exhibit "B" attached hereto and incorporated as a part hereof.

2. Access To and Across Property. Grantee has the right of ingress to and egress from the Easement Area across the adjacent Property of Owner where same is reasonably necessary for the purpose of exercising its easement rights described in Section 1.

3. Owner's Reservation of Rights and Use of Easement Area. Owner reserves the right to use the Easement Area in a manner that does not interfere with the Grantee's use of the Easement Area, and/or present a hazard to Grantee's electric distribution lines and facilities, communication wires and cables, and other appurtenances. The Owner shall not construct or permit to be constructed any structures of any kind in the Easement Area without prior approval of the Grantee.

4. Clearing of Power Line Right of Way. Grantee has the right at all times to clear said Easement Area and keep the same clear of all brush, debris and trees.

5. Trimming or Removal of Hazardous/Danger Trees. Grantee has the right at all times to cut, slash, or trim and remove brush, timber or trees from the Property which in the opinion of Grantee constitute a hazard to said lines and facilities, communication wires and cables, and other appurtenances or the Grantee's access thereto. Trees, brush or other growth shall be deemed hazardous to the lines or facilities or access of the Grantee when they are of such a height that they could, upon falling, strike the nearest edge of the Easement Area at a height of more than fifteen feet (15'). Except in emergencies, Grantee shall, prior to the exercise of such right, identify such trees and make a reasonable effort to give Owner prior notice that such trees will be trimmed or removed.

6. Title to Removed Trees, Vegetation and Structures. The title to all brush, debris, trees and structures removed from the Easement Area and the Property pursuant to Sections 4 and 5 shall be vested in the Grantee, and the consideration paid for this Easement and rights herein described is accepted by Owner as full compensation for said removed brush, debris, trees and structures. Owner shall be entitled to request fallen timber be set aside for Owner's personal use. Grantee shall make reasonable effort to set aside said fallen timber provided doing the same is safe in Grantee's sole opinion. Title to any fallen timber set aside in this manner shall revert to the Owner.

7. Restoration Provision. To the extent that Owner's Property is disturbed and/or damaged by Grantee's exercise of its rights hereunder, Grantee shall restore the condition of the Property as nearly as reasonably possible to its existing condition prior to said exercise of its rights.

8. Title to Property. The Owner represents and warrants having the lawful right and power to sell and convey this Easement to Grantee.

9. Binding Effect. This Easement and the rights and obligations under this Easement are intended to and shall run with the Property and shall benefit and bind the Parties and their respective heirs, successors and assigns.

10. Governing Law and Venue. This Easement shall be governed by and construed in accordance with the laws of the State of Washington. The venue for any action to enforce or interpret this Easement shall lie in the Superior Court of Washington for Snohomish County, Washington.

11. Authority. Each party signing this Easement, if on behalf of an entity, represents that they have full authority to sign this Easement on behalf of such entity.

12. Grantee Acceptance. By recording this Easement, Grantee hereby accepts all provisions set forth under this agreement.

IN WITNESS WHEREOF, this instrument has been executed the day and year first above written

OWNER(S):

City of Lake Stevens

By: ___________________________

Name: ________________________

Its: ____________________________

REPRESENTATIVE ACKNOWLEDGMENT

State of ____________________

County of ______________________

I certify that I know or have satisfactory evidence that _________________signed this instrument, on oath stated that he/she/they is/are authorized to execute the instrument and acknowledged it as the ______________________of City of Lake Stevens, a municipal corporation, and acknowledged said instrument to be the free and voluntary act of said company on behalf of said limited liability company for the uses and purposes mentioned in the instrument.

Dated ________________________

(Seal or Stamp)

Signature of
Notary Public ________________________

My appointment expires ________________

EXHIBIT A

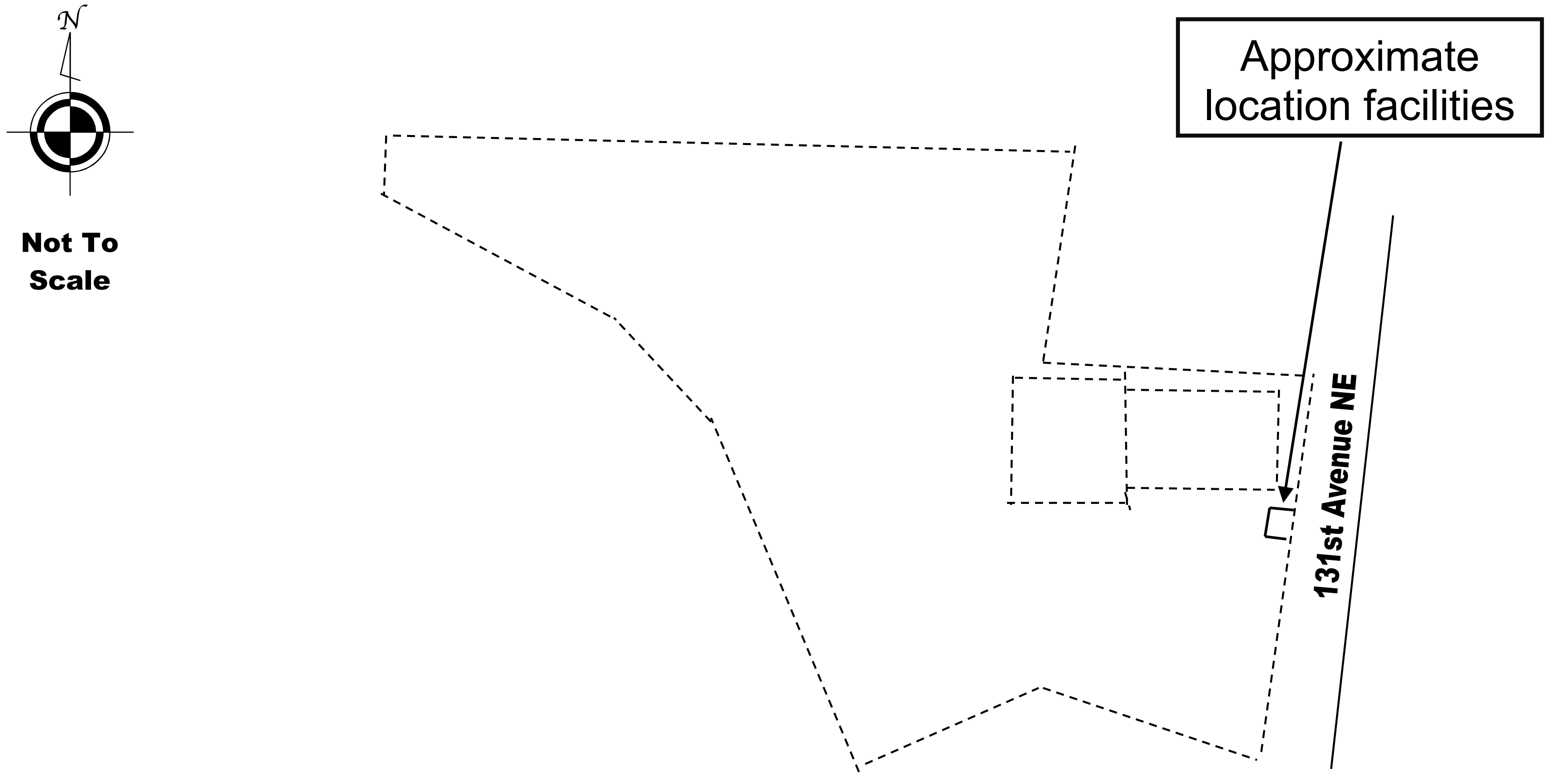
THAT PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 29 NORTH, RANGE 6 EAST, W. M.
RECORDS OF SNOHOMISH COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER;
THENCE NORTH 89°48'41" WEST ALONG THE SOUTH LINE OF SAID SUBDIVISION 30.07 FEET TO THE WESTERLY RIGHT-OF-WAY MARGIN OF 131ST AVENUE NE;
THENCE NORTH 3°58'36" EAST ALONG SAID RIGHT-OF-WAY MARGIN AND PARALLEL WITH THE EAST LINE OF SAID SUBDIVISION 125.0 FEET TO THE **TRUE POINT OF BEGINNING**;
THENCE NORTH 86°01'24" WEST 68.0 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT, THE RADIUS CENTER OF WHICH BEARS NORTH 3°58'36" EAST 101.29 FEET DISTANT;
THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 57°32' 03* AN ARC DISTANCE OF 101.71 FEET;
THENCE SOUTH 55°50'41" WEST 142.53 FEET TO A LINE PREVIOUSLY DESCRIBED AS LYING 25.0 FEET NORTHEASTERLY OF THE APPROXIMATE CENTERLINE OF CATHERINE CREEK;
THENCE ALONG SAID LINE BY THE FOLLOWING FIVE (5) COURSES:
NORTH 17°00'01* WEST 186.09 FEET;
NORTH 20°25'34" WEST 158.45 FEET;
NORTH 33°58'03* WEST 122.45 FEET;
NORTH 56°18'36" WEST 164.42 FEET;
NORTH 43°40'04" WEST 24.61 FEET TO THE WESTERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER;
THENCE NORTH 3°04'18" EAST 56.53 FEET TO THE NORTH LINE OF SAID SUBDIVISION;
THENCE SOUTH 89°47'24 EAST ALONG SAID NORTH LINE 456.25 FEET TO THE WEST LINE OF THE EAST 210.0 FEET, AS MEASURED ALONG THE NORTH LINE OF SAID RIGHT-OF-WAY MARGIN
THENCE SOUTH 3°58'36" WEST ALONG SAID WEST LINE, 210.0 FEET;
THENCE SOUTH 89°47'24" EAST 179.94 FEET TO A POINT THAT LIES 30.0 FEET WEST OF, AS MEASURED AT RIGHT ANGLES TO, THE EAST LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER, BEING THE WESTERLY RIGHT-OF-WAY MARGIN OF 131ST AVENUE NE;
THENCE SOUTH 3°58'36" WEST PARALLEL WITH SAID SUBDIVISION LINE AND ALONG SAID RIGHT-OF-WAY MARGIN 359.91 FEET TO THE TRUE POINT OF BEGINNING;

EXCEPT THAT PORTION WITHIN PHASES I AND II OF HARTFORD INDUSTRIAL PARK, SURVEY MAP AND PLANS RECORDED UNDER AUDITOR'S FILE NUMBERS 8307275008 AND 8505165006.

(ALSO KNOWN AS PORTION OF LOT 4 SHORT PLAT RECORDED UNDER AUDITOR'S FILE NUMBER 7806260149).

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

Exhibit "B"



THIS DRAWING IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT INTENDED TO BE AN ACCURATE SURVEY

NE 08-29-06

SNOHOMISH COUNTY PUD PUBLIC UTILITY DISTRICT NO. 1	City of Lake Stevens	Tax Lot #29060800103000	W.O. #100131371 N #10000201904	6/18/2025

Form **W-9**
(Rev. March 2024)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

Go to *www.irs.gov/FormW9* for instructions and the latest information.

Give form to the requester. Do not send to the IRS.

Before you begin. For guidance related to the purpose of Form W-9, see *Purpose of Form*, below.

Print or type. See *Specific Instructions* on page 3.

1 Name of entity/individual. An entry is required. (For a sole proprietor or disregarded entity, enter the owner's name on line 1, and enter the business/disregarded entity's name on line 2.)

2 Business name/disregarded entity name, if different from above.

3a Check the appropriate box for federal tax classification of the entity/individual whose name is entered on line 1. Check only **one** of the following seven boxes.

☐ Individual/sole proprietor ☐ C corporation ☐ S corporation ☐ Partnership ☐ Trust/estate

☐ LLC. Enter the tax classification (C = C corporation, S = S corporation, P = Partnership) . . . . . ____

Note: Check the "LLC" box above and, in the entry space, enter the appropriate code (C, S, or P) for the tax classification of the LLC, unless it is a disregarded entity. A disregarded entity should instead check the appropriate box for the tax classification of its owner.

☐ Other (see instructions) ____

3b If on line 3a you checked "Partnership" or "Trust/estate," or checked "LLC" and entered "P" as its tax classification, and you are providing this form to a partnership, trust, or estate in which you have an ownership interest, check this box if you have any foreign partners, owners, or beneficiaries. See instructions . . . . ☐

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) ____

Exemption from Foreign Account Tax Compliance Act (FATCA) reporting code (if any) ____

(Applies to accounts maintained outside the United States.)

5 Address (number, street, and apt. or suite no.). See instructions.

Requester's name and address (optional)

6 City, state, and ZIP code

7 List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. See also *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number

☐☐☐ – ☐☐ – ☐☐☐☐

or

Employer identification number

☐☐ – ☐☐☐☐☐☐☐

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and, generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here **Signature of U.S. person** **Date**

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to *www.irs.gov/FormW9*.

What's New

Line 3a has been modified to clarify how a disregarded entity completes this line. An LLC that is a disregarded entity should check the appropriate box for the tax classification of its owner. Otherwise, it should check the "LLC" box and enter its appropriate tax classification.

New line 3b has been added to this form. A flow-through entity is required to complete this line to indicate that it has direct or indirect foreign partners, owners, or beneficiaries when it provides the Form W-9 to another flow-through entity in which it has an ownership interest. This change is intended to provide a flow-through entity with information regarding the status of its indirect foreign partners, owners, or beneficiaries, so that it can satisfy any applicable reporting requirements. For example, a partnership that has any indirect foreign partners may be required to complete Schedules K-2 and K-3. See the Partnership Instructions for Schedules K-2 and K-3 (Form 1065).

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS is giving you this form because they must obtain your correct taxpayer identification number (TIN), which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

• Form 1099-INT (interest earned or paid).

• Form 1099-DIV (dividends, including those from stocks or mutual funds).

• Form 1099-MISC (various types of income, prizes, awards, or gross proceeds).

• Form 1099-NEC (nonemployee compensation).

• Form 1099-B (stock or mutual fund sales and certain other transactions by brokers).

• Form 1099-S (proceeds from real estate transactions).

• Form 1099-K (merchant card and third-party network transactions).

• Form 1098 (home mortgage interest), 1098-E (student loan interest), and 1098-T (tuition).

• Form 1099-C (canceled debt).

• Form 1099-A (acquisition or abandonment of secured property).

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

Caution: If you don't return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See *What is backup withholding*, later.

By signing the filled-out form, you:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued);

2. Certify that you are not subject to backup withholding; or

3. Claim exemption from backup withholding if you are a U.S. exempt payee; and

4. Certify to your non-foreign status for purposes of withholding under chapter 3 or 4 of the Code (if applicable); and

5. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting is correct. See *What Is FATCA Reporting*, later, for further information.

Note: If you are a U.S. person and a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

• An individual who is a U.S. citizen or U.S. resident alien;

• A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States;

• An estate (other than a foreign estate); or

• A domestic trust (as defined in Regulations section 301.7701-7).

Establishing U.S. status for purposes of chapter 3 and chapter 4 withholding. Payments made to foreign persons, including certain distributions, allocations of income, or transfers of sales proceeds, may be subject to withholding under chapter 3 or chapter 4 of the Code (sections 1441–1474). Under those rules, if a Form W-9 or other certification of non-foreign status has not been received, a withholding agent, transferee, or partnership (payor) generally applies presumption rules that may require the payor to withhold applicable tax from the recipient, owner, transferor, or partner (payee). See Pub. 515, Withholding of Tax on Nonresident Aliens and Foreign Entities.

The following persons must provide Form W-9 to the payor for purposes of establishing its non-foreign status.

• In the case of a disregarded entity with a U.S. owner, the U.S. owner of the disregarded entity and not the disregarded entity.

• In the case of a grantor trust with a U.S. grantor or other U.S. owner, generally, the U.S. grantor or other U.S. owner of the grantor trust and not the grantor trust.

• In the case of a U.S. trust (other than a grantor trust), the U.S. trust and not the beneficiaries of the trust.

See Pub. 515 for more information on providing a Form W-9 or a certification of non-foreign status to avoid withholding.

Foreign person. If you are a foreign person or the U.S. branch of a foreign bank that has elected to be treated as a U.S. person (under Regulations section 1.1441-1(b)(2)(iv) or other applicable section for chapter 3 or 4 purposes), do not use Form W-9. Instead, use the appropriate Form W-8 or Form 8233 (see Pub. 515). If you are a qualified foreign pension fund under Regulations section 1.897(l)-1(d), or a partnership that is wholly owned by qualified foreign pension funds, that is treated as a non-foreign person for purposes of section 1445 withholding, do not use Form W-9. Instead, use Form W-8EXP (or other certification of non-foreign status).

Nonresident alien who becomes a resident alien. Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a saving clause. Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the payee has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement to Form W-9 that specifies the following five items.

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.

2. The treaty article addressing the income.

3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.

4. The type and amount of income that qualifies for the exemption from tax.

5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

Example. Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if their stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first Protocol) and is relying on this exception to claim an exemption from tax on their scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a nonresident alien or a foreign entity, give the requester the appropriate completed Form W-8 or Form 8233.

Backup Withholding

What is backup withholding? Persons making certain payments to you must under certain conditions withhold and pay to the IRS 24% of such payments. This is called "backup withholding." Payments that may be subject to backup withholding include, but are not limited to, interest, tax-exempt interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, payments made in settlement of payment card and third-party network transactions, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will not be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

Payments you receive will be subject to backup withholding if:

1. You do not furnish your TIN to the requester;

2. You do not certify your TIN when required (see the instructions for Part II for details);

3. The IRS tells the requester that you furnished an incorrect TIN;

4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only); or

5. You do not certify to the requester that you are not subject to backup withholding, as described in item 4 under "*By signing the filled-out form*" above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See *Exempt payee code*, later, and the separate Instructions for the Requester of Form W-9 for more information.

See also *Establishing U.S. status for purposes of chapter 3 and chapter 4 withholding*, earlier.

What Is FATCA Reporting?

The Foreign Account Tax Compliance Act (FATCA) requires a participating foreign financial institution to report all U.S. account holders that are specified U.S. persons. Certain payees are exempt from FATCA reporting. See *Exemption from FATCA reporting code*, later, and the Instructions for the Requester of Form W-9 for more information.

Updating Your Information

You must provide updated information to any person to whom you claimed to be an exempt payee if you are no longer an exempt payee and anticipate receiving reportable payments in the future from this person. For example, you may need to provide updated information if you are a C corporation that elects to be an S corporation, or if you are no longer tax exempt. In addition, you must furnish a new Form W-9 if the name or TIN changes for the account, for example, if the grantor of a grantor trust dies.

Penalties

Failure to furnish TIN. If you fail to furnish your correct TIN to a requester, you are subject to a penalty of $50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

Civil penalty for false information with respect to withholding. If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a $500 penalty.

Criminal penalty for falsifying information. Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

Misuse of TINs. If the requester discloses or uses TINs in violation of federal law, the requester may be subject to civil and criminal penalties.

Specific Instructions

Line 1

You must enter one of the following on this line; **do not** leave this line blank. The name should match the name on your tax return.

If this Form W-9 is for a joint account (other than an account maintained by a foreign financial institution (FFI)), list first, and then circle, the name of the person or entity whose number you entered in Part I of Form W-9. If you are providing Form W-9 to an FFI to document a joint account, each holder of the account that is a U.S. person must provide a Form W-9.

• **Individual.** Generally, enter the name shown on your tax return. If you have changed your last name without informing the Social Security Administration (SSA) of the name change, enter your first name, the last name as shown on your social security card, and your new last name.

Note for ITIN applicant: Enter your individual name as it was entered on your Form W-7 application, line 1a. This should also be the same as the name you entered on the Form 1040 you filed with your application.

• **Sole proprietor.** Enter your individual name as shown on your Form 1040 on line 1. Enter your business, trade, or "doing business as" (DBA) name on line 2.

• **Partnership, C corporation, S corporation, or LLC, other than a disregarded entity.** Enter the entity's name as shown on the entity's tax return on line 1 and any business, trade, or DBA name on line 2.

• **Other entities.** Enter your name as shown on required U.S. federal tax documents on line 1. This name should match the name shown on the charter or other legal document creating the entity. Enter any business, trade, or DBA name on line 2.

• **Disregarded entity.** In general, a business entity that has a single owner, including an LLC, and is not a corporation, is disregarded as an entity separate from its owner (a disregarded entity). See Regulations section 301.7701-2(c)(2). A disregarded entity should check the appropriate box for the tax classification of its owner. Enter the owner's name on line 1. The name of the owner entered on line 1 should never be a disregarded entity. The name on line 1 should be the name shown on the income tax return on which the income should be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a single owner that is a U.S. person, the U.S. owner's name is required to be provided on line 1. If the direct owner of the entity is also a disregarded entity, enter the first owner that is not disregarded for federal tax purposes. Enter the disregarded entity's name on line 2. If the owner of the disregarded entity is a foreign person, the owner must complete an appropriate Form W-8 instead of a Form W-9. This is the case even if the foreign person has a U.S. TIN.

Line 2

If you have a business name, trade name, DBA name, or disregarded entity name, enter it on line 2.

Line 3a

Check the appropriate box on line 3a for the U.S. federal tax classification of the person whose name is entered on line 1. Check only one box on line 3a.

IF the entity/individual on line 1 is a(n) . . .	THEN check the box for . . .
• Corporation	Corporation.
• Individual or • Sole proprietorship	Individual/sole proprietor.
• LLC classified as a partnership for U.S. federal tax purposes or • LLC that has filed Form 8832 or 2553 electing to be taxed as a corporation	Limited liability company and enter the appropriate tax classification: P = Partnership, C = C corporation, or S = S corporation.
• Partnership	Partnership.
• Trust/estate	Trust/estate.

Line 3b

Check this box if you are a partnership (including an LLC classified as a partnership for U.S. federal tax purposes), trust, or estate that has any foreign partners, owners, or beneficiaries, and you are providing this form to a partnership, trust, or estate, in which you have an ownership interest. You must check the box on line 3b if you receive a Form W-8 (or documentary evidence) from any partner, owner, or beneficiary establishing foreign status or if you receive a Form W-9 from any partner, owner, or beneficiary that has checked the box on line 3b.

Note: A partnership that provides a Form W-9 and checks box 3b may be required to complete Schedules K-2 and K-3 (Form 1065). For more information, see the Partnership Instructions for Schedules K-2 and K-3 (Form 1065).

If you are required to complete line 3b but fail to do so, you may not receive the information necessary to file a correct information return with the IRS or furnish a correct payee statement to your partners or beneficiaries. See, for example, sections 6698, 6722, and 6724 for penalties that may apply.

Line 4 Exemptions

If you are exempt from backup withholding and/or FATCA reporting, enter in the appropriate space on line 4 any code(s) that may apply to you.

Exempt payee code.

• Generally, individuals (including sole proprietors) are not exempt from backup withholding.

• Except as provided below, corporations are exempt from backup withholding for certain payments, including interest and dividends.

• Corporations are not exempt from backup withholding for payments made in settlement of payment card or third-party network transactions.

• Corporations are not exempt from backup withholding with respect to attorneys' fees or gross proceeds paid to attorneys, and corporations that provide medical or health care services are not exempt with respect to payments reportable on Form 1099-MISC.

The following codes identify payees that are exempt from backup withholding. Enter the appropriate code in the space on line 4.

1—An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(f)(2).

2—The United States or any of its agencies or instrumentalities.

3—A state, the District of Columbia, a U.S. commonwealth or territory, or any of their political subdivisions or instrumentalities.

4—A foreign government or any of its political subdivisions, agencies, or instrumentalities.

5—A corporation.

6—A dealer in securities or commodities required to register in the United States, the District of Columbia, or a U.S. commonwealth or territory.

7—A futures commission merchant registered with the Commodity Futures Trading Commission.

8—A real estate investment trust.

9—An entity registered at all times during the tax year under the Investment Company Act of 1940.

10—A common trust fund operated by a bank under section 584(a).

11—A financial institution as defined under section 581.

12—A middleman known in the investment community as a nominee or custodian.

13—A trust exempt from tax under section 664 or described in section 4947.

The following chart shows types of payments that may be exempt from backup withholding. The chart applies to the exempt payees listed above, 1 through 13.

IF the payment is for . . .	THEN the payment is exempt for . . .
• Interest and dividend payments	All exempt payees except for 7.
• Broker transactions	Exempt payees 1 through 4 and 6 through 11 and all C corporations. S corporations must not enter an exempt payee code because they are exempt only for sales of noncovered securities acquired prior to 2012.
• Barter exchange transactions and patronage dividends	Exempt payees 1 through 4.
• Payments over $600 required to be reported and direct sales over $5,000[1]	Generally, exempt payees 1 through 5.[2]
• Payments made in settlement of payment card or third-party network transactions	Exempt payees 1 through 4.

[1] See Form 1099-MISC, Miscellaneous Information, and its instructions.

[2] However, the following payments made to a corporation and reportable on Form 1099-MISC are not exempt from backup withholding: medical and health care payments, attorneys' fees, gross proceeds paid to an attorney reportable under section 6045(f), and payments for services paid by a federal executive agency.

Exemption from FATCA reporting code. The following codes identify payees that are exempt from reporting under FATCA. These codes apply to persons submitting this form for accounts maintained outside of the United States by certain foreign financial institutions. Therefore, if you are only submitting this form for an account you hold in the United States, you may leave this field blank. Consult with the person requesting this form if you are uncertain if the financial institution is subject to these requirements. A requester may indicate that a code is not required by providing you with a Form W-9 with "Not Applicable" (or any similar indication) entered on the line for a FATCA exemption code.

A—An organization exempt from tax under section 501(a) or any individual retirement plan as defined in section 7701(a)(37).

B—The United States or any of its agencies or instrumentalities.

C—A state, the District of Columbia, a U.S. commonwealth or territory, or any of their political subdivisions or instrumentalities.

D—A corporation the stock of which is regularly traded on one or more established securities markets, as described in Regulations section 1.1472-1(c)(1)(i).

E—A corporation that is a member of the same expanded affiliated group as a corporation described in Regulations section 1.1472-1(c)(1)(i).

F—A dealer in securities, commodities, or derivative financial instruments (including notional principal contracts, futures, forwards, and options) that is registered as such under the laws of the United States or any state.

G—A real estate investment trust.

H—A regulated investment company as defined in section 851 or an entity registered at all times during the tax year under the Investment Company Act of 1940.

I—A common trust fund as defined in section 584(a).

J—A bank as defined in section 581.

K—A broker.

L—A trust exempt from tax under section 664 or described in section 4947(a)(1).

M—A tax-exempt trust under a section 403(b) plan or section 457(g) plan.

Note: You may wish to consult with the financial institution requesting this form to determine whether the FATCA code and/or exempt payee code should be completed.

Line 5

Enter your address (number, street, and apartment or suite number). This is where the requester of this Form W-9 will mail your information returns. If this address differs from the one the requester already has on file, enter "NEW" at the top. If a new address is provided, there is still a chance the old address will be used until the payor changes your address in their records.

Line 6

Enter your city, state, and ZIP code.

Part I. Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. If you are a resident alien and you do not have, and are not eligible to get, an SSN, your TIN is your IRS ITIN. Enter it in the entry space for the Social security number. If you do not have an ITIN, see *How to get a TIN* below.

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN.

If you are a single-member LLC that is disregarded as an entity separate from its owner, enter the owner's SSN (or EIN, if the owner has one). If the LLC is classified as a corporation or partnership, enter the entity's EIN.

Note: See *What Name and Number To Give the Requester*, later, for further clarification of name and TIN combinations.

How to get a TIN. If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local SSA office or get this form online at *www.SSA.gov*. You may also get this form by calling 800-772-1213. Use Form W-7, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can apply for an EIN online by accessing the IRS website at *www.irs.gov/EIN*. Go to *www.irs.gov/Forms* to view, download, or print Form W-7 and/or Form SS-4. Or, you can go to *www.irs.gov/OrderForms* to place an order and have Form W-7 and/or Form SS-4 mailed to you within 15 business days.

If you are asked to complete Form W-9 but do not have a TIN, apply for a TIN and enter "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, you will generally have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

Note: Entering "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon. See also *Establishing U.S. status for purposes of chapter 3 and chapter 4 withholding*, earlier, for when you may instead be subject to withholding under chapter 3 or 4 of the Code.

Caution: A disregarded U.S. entity that has a foreign owner must use the appropriate Form W-8.

Part II. Certification

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if item 1, 4, or 5 below indicates otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). In the case of a disregarded entity, the person identified on line 1 must sign. Exempt payees, see *Exempt payee code*, earlier.

Signature requirements. Complete the certification as indicated in items 1 through 5 below.

1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983. You must give your correct TIN, but you do not have to sign the certification.

2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983. You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.

3. Real estate transactions. You must sign the certification. You may cross out item 2 of the certification.

4. Other payments. You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments made in settlement of payment card and third-party network transactions, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).

5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), ABLE accounts (under section 529A), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions. You must give your correct TIN, but you do not have to sign the certification.

What Name and Number To Give the Requester

For this type of account:	Give name and SSN of:
1. Individual	The individual
2. Two or more individuals (joint account) other than an account maintained by an FFI	The actual owner of the account or, if combined funds, the first individual on the account[1]
3. Two or more U.S. persons (joint account maintained by an FFI)	Each holder of the account
4. Custodial account of a minor (Uniform Gift to Minors Act)	The minor[2]
5. a. The usual revocable savings trust (grantor is also trustee)	The grantor-trustee[1]
b. So-called trust account that is not a legal or valid trust under state law	The actual owner[1]
6. Sole proprietorship or disregarded entity owned by an individual	The owner[3]
7. Grantor trust filing under Optional Filing Method 1 (see Regulations section 1.671-4(b)(2)(i)(A))**	The grantor*

For this type of account:	Give name and EIN of:
8. Disregarded entity not owned by an individual	The owner
9. A valid trust, estate, or pension trust	Legal entity[4]
10. Corporation or LLC electing corporate status on Form 8832 or Form 2553	The corporation
11. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
12. Partnership or multi-member LLC	The partnership
13. A broker or registered nominee	The broker or nominee
14. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The public entity
15. Grantor trust filing Form 1041 or under the Optional Filing Method 2, requiring Form 1099 (see Regulations section 1.671-4(b)(2)(i)(B))**	The trust

[1] List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.

[2] Circle the minor's name and furnish the minor's SSN.

[3] You must show your individual name on line 1, and enter your business or DBA name, if any, on line 2. You may use either your SSN or EIN (if you have one), but the IRS encourages you to use your SSN.

[4] List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.)

* **Note:** The grantor must also provide a Form W-9 to the trustee of the trust.

** For more information on optional filing methods for grantor trusts, see the Instructions for Form 1041.

Note: If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.

Secure Your Tax Records From Identity Theft

Identity theft occurs when someone uses your personal information, such as your name, SSN, or other identifying information, without your permission to commit fraud or other crimes. An identity thief may use your SSN to get a job or may file a tax return using your SSN to receive a refund.

To reduce your risk:

- Protect your SSN,
- Ensure your employer is protecting your SSN, and
- Be careful when choosing a tax return preparer.

If your tax records are affected by identity theft and you receive a notice from the IRS, respond right away to the name and phone number printed on the IRS notice or letter.

If your tax records are not currently affected by identity theft but you think you are at risk due to a lost or stolen purse or wallet, questionable credit card activity, or a questionable credit report, contact the IRS Identity Theft Hotline at 800-908-4490 or submit Form 14039.

For more information, see Pub. 5027, Identity Theft Information for Taxpayers.

Victims of identity theft who are experiencing economic harm or a systemic problem, or are seeking help in resolving tax problems that have not been resolved through normal channels, may be eligible for Taxpayer Advocate Service (TAS) assistance. You can reach TAS by calling the TAS toll-free case intake line at 877-777-4778 or TTY/TDD 800-829-4059.

Protect yourself from suspicious emails or phishing schemes. Phishing is the creation and use of email and websites designed to mimic legitimate business emails and websites. The most common act is sending an email to a user falsely claiming to be an established legitimate enterprise in an attempt to scam the user into surrendering private information that will be used for identity theft.

The IRS does not initiate contacts with taxpayers via emails. Also, the IRS does not request personal detailed information through email or ask taxpayers for the PIN numbers, passwords, or similar secret access information for their credit card, bank, or other financial accounts.

If you receive an unsolicited email claiming to be from the IRS, forward this message to *phishing@irs.gov*. You may also report misuse of the IRS name, logo, or other IRS property to the Treasury Inspector General for Tax Administration (TIGTA) at 800-366-4484. You can forward suspicious emails to the Federal Trade Commission at *spam@uce.gov* or report them at *www.ftc.gov/complaint*. You can contact the FTC at *www.ftc.gov/idtheft* or 877-IDTHEFT (877-438-4338). If you have been the victim of identity theft, see *www.IdentityTheft.gov* and Pub. 5027.

Go to *www.irs.gov/IdentityTheft* to learn more about identity theft and how to reduce your risk.

Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons (including federal agencies) who are required to file information returns with the IRS to report interest, dividends, or certain other income paid to you; mortgage interest you paid; the acquisition or abandonment of secured property; the cancellation of debt; or contributions you made to an IRA, Archer MSA, or HSA. The person collecting this form uses the information on the form to file information returns with the IRS, reporting the above information. Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation and to cities, states, the District of Columbia, and U.S. commonwealths and territories for use in administering their laws. The information may also be disclosed to other countries under a treaty, to federal and state agencies to enforce civil and criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism. You must provide your TIN whether or not you are required to file a tax return. Under section 3406, payors must generally withhold a percentage of taxable interest, dividends, and certain other payments to a payee who does not give a TIN to the payor. Certain penalties may also apply for providing false or fraudulent information.

CITY COUNCIL STAFF REPORT

Agenda Date: 7/1/2025

Subject: 2026-2031 Six-Year Transportation Improvement Program - Resolution 2025-07

Contact Person/Department: Kim Klinkers, Public Works

Budget Impact: There is no direct financial impact associated with the TIP. The TIP is a planning document and does not commit the City to any financial obligations. The project costs listed are preliminary estimates and align with the City's current 6-year Capital Improvement Plan and 20-year Capital Facilities Plan, both within the City's Comprehensive Plan, in addition to the Transportation Benefit Program (TBP) Implementation Plan.

Legal Review: Yes

RECOMMENDATION(S)/ACTION REQUESTED:

1. Conduct a Public Hearing on the 2026-2031 Six-Year Transportation Improvement Program (TIP).

2. Approve Resolution 2025-07 adopting the 2026-2031 Six-Year Transportation Improvement Program (TIP).

SUMMARY/BACKGROUND:

A Notice of Public Hearing for the proposed Resolution to adopt the 2026-2031 Six-Year Transportation Improvement Program (TIP) was posted at City Hall on June 3, 2025, and posted on the City's website on June 4, 2025. Staff presented a draft 2026-2031 Six-Year Transportation Improvement Program (TIP) at the June 24th City Council Workshop Meeting. Council discussed the draft TIP but did not request revisions to the TIP as presented.

The TIP outlines the City's transportation priorities for the upcoming six years and includes proposed roadway, pedestrian, bicycle, and safety improvement projects.

State law requires adoption of the TIP (RCW 35.77.010) to ensure continued eligibility for regional, state, and federal transportation funding, in addition to ensuring that each city continually has available advanced plans as a guide in carrying out a coordinated transportation program. The adopted TIP is shared with adjacent local jurisdictions and utility districts to coordinate projects, as well as with the State for incorporation into the Statewide TIP (STIP). Most transportation grant sources require that projects be listed in the TIP prior to grant application or award. The TIP itself does not authorize projects to move forward nor provide funding for any of its listed projects; for that to occur, individual projects must be funded through the City's normal budget adoption process.

The TIP is developed to be consistent with the current 6-year Capital Improvement Plan (CIP) and 20-year Capital Facilities Plan (CFP). The CIP and CFP are documents within the City's Comprehensive Plan, which was adopted on October 22, 2024 through Ordinance 1188. The TIP projects are included in the City's overarching CIP, which also includes parks, facilities and surface water management projects. The most recent version of the CIP was adopted as an element of the 2025 Budget with passage of Ordinance 1191 by the Council on November 12, 2024.

APPLICABLE CITY POLICIES:

ATTACHMENTS:

1. Resolution 2025-07_TIP

CITY OF LAKE STEVENS
LAKE STEVENS, WASHINGTON

RESOLUTION NO. 2025-07

A RESOLUTION OF THE CITY OF LAKE STEVENS, WASHINGTON ADOPTING A SIX-YEAR TRANSPORTATION IMPROVEMENT PROGRAM FOR THE YEARS 2026-2031

WHEREAS, pursuant to RCW 35.77.010, the City Council of the City of Lake Stevens, State of Washington, considered a Six-Year Transportation Improvement Program for years 2026-2031, for the City; and

WHEREAS, the six-year transportation improvement program is required to be updated annually, in accordance with state law, and is necessary for the city to obtain state and federal funding for street, road, and transit programs; and

WHEREAS, the transportation improvement program establishes the schedule and funding for planned transportation and non-motorized transportation improvements; and

WHEREAS, adoption of the proposed transportation improvement program is consistent with the action to regularly update the transportation improvement program based on established level-of-service standards; and

WHEREAS, the proposed transportation improvement program is generally consistent with the City of Lake Stevens Comprehensive Plan; and

WHEREAS, on July 1, 2025, pursuant to notice duly published June 4, 2025, a public hearing was held to consider the adoption of said Transportation Improvement Program, and said Council having determined that the Program was in the best interests of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE STEVENS AS FOLLOWS:

Section 1. That the City Council of the City of Lake Stevens, Washington, does hereby accept and adopt the said Transportation Improvement Program, a copy of which is attached hereto as Exhibit A, and by this reference incorporated herein and made a part thereof; and

Section 2. That the City Engineer is hereby authorized and directed to file a copy thereof with the Director of the Department of Transportation.

ADOPTED by the City Council of the City of Lake Stevens, at its special meeting thereof, and **APPROVED** by the Mayor of the City of Lake Stevens this 1st day of July, 2025.

____

Brett Gailey, Mayor

ATTEST/AUTHENTICATION:

____

Kelly Chelin, City Clerk

APPROVED AS TO FORM:

____

Greg Rubstello, City Attorney

EXHIBIT A

City of Lake Stevens

2026 - 2031 Six-Year Transportation Improvement Program (TIP)

Acronym	Source Document	City Council Adoption Date	Reference Number
CIP	6-year Capital Improvement Plan	11/12/2024	Ord. 1191
CFP	20-year Capital Facilities Plan	11/12/2024	Ord. 1191
TBP	Transportation Benefit Program	7/12/2022	Res. 2022-10
Budget	Annual City Budget	10/22/2024	Ord. 1188

Type	Council Adopted Source Document	Project No.	Project Name	2026	2027	2028	2029	2030	2031	Future Years	6-Year Total
Capital Projects	CIP / CFP Budget / TBP	RD-113	**20th Street NE and Main Street Improvements** Main Street Roundabout	$ 2,000,000							**$ 2,000,000**
	CIP / CFP / TBP	RD-100	**79th Avenue SE Access Road** 20th Street SE to 83rd Avenue SE	$ 400,000	$ 2,780,000						**$ 3,180,000**
	CIP / CFP / TBP	RD-102I	**91st Ave NE Commercial Revitalization Phase I** Market Place to SR 204			$ 350,000	$ 3,500,000				**$ 3,850,000**
	CIP / CFP	RD-102II	**91st Ave NE Commercial Revitalization Phase II** SR 204 to Frontier Circle		$ 100,000	$ 1,000,000					**$ 1,100,000**
	CIP / CFP	CP-140S	**South Lake Stevens Multi-Use Path Phase II** SR 9 to 18th Street NE		$ 400,000	$ 250,000	$ 3,000,000				**$ 3,650,000**
	CIP / CFP / Budget	RD-211	**20th Street SE Corridor Improvements** US 2 / SR 204 to 83rd Avenue SE	$ 1,500,000	$ 1,500,000	$ 11,000,000					**$ 14,000,000**
	CFP	RD-206	**SR 92 and Grade Road Improvements** Grade Road Roundabout							$ 4,500,000	**$ -**
	CFP	RD-207	**US 2 Trestle Replacement** *WSDOT Project*								**$ -**
TBP Sidewalk and Non-motorized Projects	CIP / CFP / TBP	TBP-01	**16th Street NE** Main Street to Machias Cutoff		$ 350,000	$ 300,000	$ 2,500,000				**$ 3,150,000**
	CIP / CFP Budget / TBP	TBP-04	**117th Avenue NE** 20th Street NE to 26th Street NE	$ 1,200,000							**$ 1,200,000**
	CIP / CFP Budget / TBP	TBP-05	**91st Avenue SE** 20th Street SE to 12th Street SE	$ 300,000	$ 2,000,000						**$ 2,300,000**
	CIP / CFP / TBP	TBP-06	**N Lakeshore Drive** Main Street to 123rd Avenue NE		$ 100,000	$ 125,000					**$ 225,000**
	CIP / CFP Budget / TBP	TBP-07	**Soper Hill Road** Lake Drive to SR 9	$ 300,000	$ 3,000,000						**$ 3,300,000**
	TBP	TBP-08	**113th Avenue NE** 32nd Street NE to 36th Street NE	$ 217,000							**$ 217,000**
	TBP	TBP-09	**20th Street NE** Main Street to 131st Avenue NE					$ 335,000			**$ 335,000**
	TBP	TBP-10	**Grade Road** Hartford Drive to Library					$ 486,000			**$ 486,000**
	TBP	TBP-11	**Hartford Drive** 20th Street NE to 21st Street NE					$ 385,000			**$ 385,000**
	CFP / TBP	TBP-12	**123rd Avenue NE** 22nd Street NE to N Lakeshore Drive				$ 659,000				**$ 659,000**
	CFP / TBP	TBP-13	**83rd Avenue NE** 20th Street SE to 17th Street SE		$ 653,000						**$ 653,000**
	CFP / TBP	TBP-15	**N Lakeshore Drive** 123rd Avenue NE to N Lake Swim Beach				$ 2,408,000				**$ 2,408,000**
	CFP / TBP	TBP-16	**99th Avenue NE** Sunnycrest Elementary to 30th Street NE				$ 2,227,000				**$ 2,227,000**
	TBP	TBP-17	**99th Avenue SE** 20th Street SE to 8th Street SE			$ 4,098,000					**$ 4,098,000**
	CIP / CFP / TBP	TBP-18	**South Lake Stevens Multi-Use Path Phase III** Machias Cutoff - S Lake Stevens Road to 123rd Avenue SE				$ 500,000	$ 3,000,000			**$ 3,500,000**
	TBP	TBP-19	**20th Street SE** S Lake Stevens Road to 113th Drive SE							$ 3,547,000	**$ -**
	CFP / TBP	TBP-20	**4th Street NE** 97th Drive NE to 98th Drive NE			$ 1,030,000					**$ 1,030,000**
Programs	CIP / CFP Budget / TBP	RD-214	Annual Citywide Road Striping and Thermoplastic	$ 100,000	$ 100,000	$ 100,000	$ 100,000	$ 100,000	$ 100,000		**$ 600,000**
	CIP / CFP Budget / TBP	RD-202	Annual ADA & Sidewalk Improvements	$ 100,000	$ 100,000	$ 100,000	$ 100,000	$ 100,000	$ 100,000		**$ 600,000**
	CIP / CFP Budget / TBP	RD-203	Annual Pavement Preservation Program	$ 2,000,000	$ 2,000,000	$ 2,000,000	$ 2,000,000	$ 2,000,000	$ 2,000,000		**$ 12,000,000**
	CIP / CFP Budget / TBP	RD-205	Traffic Safety & Calming Program	$ 100,000	$ 100,000	$ 100,000	$ 100,000	$ 100,000	$ 100,000		**$ 600,000**
				$ 8,217,000	**$ 13,183,000**	**$ 20,453,000**	**$ 17,094,000**	**$ 6,506,000**	**$ 2,300,000**	**$ 8,047,000**	**$ 67,753,000**

CITY COUNCIL STAFF REPORT

Agenda Date: 7/1/2025

Subject: Traffic Cameras

Contact Person/Department: Aaron Halverson, Public Works

Budget Impact: The budget for this project is $25,000 in 2025. A budget amendment will be necessary to execute elements of this project should the ordinance pass.

Legal Review: Yes

RECOMMENDATION(S)/ACTION REQUESTED:
Listen to the staff presentation and public input on the draft ordinance.

SUMMARY/BACKGROUND:

Next Steps

1. Take public comment on the ordinance (current step)

2. At a future meeting, receive a staff presentation on the ordinance and consider for adoption, modification or rejection.

3. Upon adoption, state law requires the City to conduct a thorough analysis of potential camera locations. This evaluation must address factors such as equity, livability, accessibility, economic impact, education, and environmental health. The findings will be presented to the Council to support informed decision-making regarding site selection and enforcement parameters

Background

In 2024, the Washington State Legislature adopted new laws expanding and clarifying the authority of municipalities to use traffic safety cameras to enforce traffic violations.

These cameras may now be deployed to detect stoplight violations, railroad crossing violations, and speed violations in the following designated areas:

- School Zones
- School Walk Zones
- Park Zones
- Hospital Speed Zones
- Roadway Work Zones
- Other high-risk areas identified by the legislative authority, where crash rates exceed one per 10,000 residents due to excessive vehicle speeds

Traffic safety cameras act as a force multiplier for enforcement, especially in school and park zones. Research from the Washington Traffic Safety Commission indicates that these cameras reduce both the frequency of speeding and the median vehicle speed. Speed has a critical impact on pedestrian survival: at 25 mph, 9 out of 10 pedestrians survive a collision, while at 40 mph, the fatality rate increases dramatically.

State law requires that any revenue generated from this program be dedicated to roadway safety improvements, program administration, and operational support.

This topic has been or will be discussed with the City Council at the following meetings:

- September 13, 2024 - City Council Retreat
- March 25, 2025 - Introduction of the Ordinance
- April 24, 2025 - City Council Retreat
- May 20, 2025 - Ordinance Next Steps
- July 1, 2025 - Public Hearing
- Pending - Consideration of Ordinance Adoption

APPLICABLE CITY POLICIES:

ATTACHMENTS:

1. 20250325_LkStevens_TrafficOrdinance (1)

Draft

CITY OF LAKE STEVENS
LAKE STEVENS, WASHINGTON

ORDINANCE _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE STEVENS, WASHINGTON, ADDING A NEW CHAPTER 7.06 OF THE LAKE STEVENS MUNICIPAL CODE, RELATED TO AUTOMATED TRAFFIC SAFETY CAMERAS; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Lake Stevens is a non-charter optional municipal code city as provided in Title 35A RCW, incorporated under the laws of the state of Washington, and has the authority to regulate the use of City streets pursuant to RCW 35A.11.020; and

WHEREAS, the City has an interest in maintaining the safety and welfare of its citizens and ensuring City streets are monitored in a safe manner for their intended use; and

WHEREAS, tragic accidents involving school children are often the result of speeding in school zones; and

WHEREAS, the Washington State Legislature has adopted Chapter 46.63 RCW which authorizes local jurisdictions to use automated traffic safety cameras at arterial intersections and school zones, subject to the limitations set forth therein; and

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

Section 1. NEW CHAPTER. Chapter 7.06 LSMC, Automated traffic safety cameras - Detection of violations - Restrictions, is added as follows:

CHAPTER 7.06
AUTOMATED TRAFFIC SAFETY CAMERAS

Sections:

7.06.010 Definitions

The definitions in this section apply throughout this section and each section of this chapter.

(1) "Automated traffic safety camera" means a device that uses a vehicle sensor installed to work in conjunction with an intersection traffic control system, a railroad grade crossing

control system, or a speed measuring device, and a camera synchronized to automatically record one or more sequenced photographs, microphotographs, or electronic images of the front or rear of a motor vehicle at the time the vehicle fails to stop when facing a steady red traffic control signal or an activated railroad grade crossing control signal, or exceeds a speed limit as detected by a speed measuring device. "Automated traffic safety camera" also includes a device used to detect stopping at intersection or crosswalk violations; stopping when traffic obstructed violations; public transportation only lane violations; stopping or traveling in restricted lane violations; and public transportation bus stop zone violations detected by a public transportation vehicle-mounted system.
(2) "Hospital speed zone" means the marked area within hospital property and extending 300 feet from the border of the hospital property (a) consistent with hospital use; and (b) where signs are posted to indicate the location is within a hospital speed zone, where "hospital" has the same meaning as in RCW 70.41.020.
(3) "Public park speed zone" means the marked area within public park property and extending 300 feet from the border of the public park property (a) consistent with active park use; and (b) where signs are posted to indicate the location is within a public park speed zone.
(4) "Public transportation vehicle" means any motor vehicle, streetcar, train, trolley vehicle, ferry boat, or any other device, vessel, or vehicle that is owned or operated by a transit authority or an entity providing service on behalf of a transit authority that is used for the purpose of carrying passengers and that operates on established routes. "Transit authority" has the same meaning as provided in RCW 9.91.025.
(5) "Roadway work zone" means an area of any city roadway, including state highways that are also classified as city streets under chapter 47.24 RCW, or county road as defined in RCW 46.04.150, with construction, maintenance, or utility work with a duration of 30 calendar days or more. A roadway work zone is identified by the placement of temporary traffic control devices that may include signs, channelizing devices, barriers, pavement markings, and/or work vehicles with warning lights. A roadway work zone extends from the first warning sign or high intensity rotating, flashing, oscillating, or strobe lights on a vehicle to the end road work sign or the last temporary traffic control device or vehicle.
(6) "School speed zone" has the same meaning as described in RCW 46.61.440 (1) and (2).
(7) "School walk zone" means a roadway identified under RCW 28A.160.160 or roadways within a one-mile radius of a school that students use to travel to school by foot, bicycle, or other means of active transportation.

7.06.010 Automated traffic safety cameras - Detection of Violations - Restrictions

A. City law enforcement officers and persons commissioned by the Lake Stevens Police Chief are authorized to use automated traffic cameras and related automated systems to detect and record the image of:

(1) School speed zone violations;
(2) Speed zone violations on any roadway identified in a school walk zone;
(3 Public park speed zone violations,
Roadway work zones when workers are present;(5) Violations of traffic ordinances on state highways that are also classified as a city street under chapter 47.24 RCW;
(6) Speed violations in locations the city council has deemed high crash risk due to excessive vehicle speeds under RCW 46.63.250(3) restricting camera usage to one camera per 10,000 population; and

(7) Stoplight violations, subject to 46.63.220.

B. The City Council is required to prepare an analysis of the locations within Lake Stevens where automated traffic safety cameras are proposed to be located before adding traffic safety cameras to a new location or relocating any existing camera to a new location within the jurisdiction. The analysis must include equity considerations including the impact of the camera placement on livability, accessibility, economics, education, and environmental health when identifying where to locate an automated traffic safety camera. The analysis must also show a demonstrated need for traffic cameras based on one or more of the following in the vicinity of the proposed camera location: Travel by vulnerable road users, evidence of vehicles speeding, rates of collision, reports showing near collisions, and anticipated or actual ineffectiveness or infeasibility of other mitigation measures.

C. Automated traffic safety cameras may only take pictures of the vehicle and vehicle license plate and only while an infraction is occurring. Pictures taken by automated traffic safety cameras may not reveal the face of the driver or of the passengers in the vehicle. The installation of automated traffic safety cameras in a manner that minimizes the impact of camera flash on drivers must be considered by the City.

D. The City shall clearly mark all locations where automated traffic safety cameras are in use by placing signs at least 30 days prior to activation of the camera in locations that clearly indicate to the driver that: (a)The driver is entering an area where automated traffic safety cameras are authorized; or (b) they are entering a zone where traffic laws are enforced by an automated traffic safety camera. The signs must be visible to a driver approaching an automated traffic safety camera. Signs must follow the specifications and guidelines under the manual of uniform traffic control devices for streets and highways as adopted by the department of transportation under chapter 47.36 RCW.

E. The City shall post an annual report on the city's website of the number of traffic crashes that occurred at each location where an automated traffic safety camera is located, as well as the number of notices of infraction issued for each camera. Beginning January 1, 2026, the annual report must include the percentage of revenues received from fines issued from automated traffic safety camera infractions that were used to pay for the costs of the automated traffic safety camera program and must describe the uses of revenues that exceeded the costs of operation and administration of the automated traffic safety camera program by the city.

F. The compensation paid to the manufacturer or vendor of the equipment used must be based only upon the value of the equipment and services provided or rendered in support of the system and may not be based upon a portion of the fine or civil penalty imposed or the revenue generated by the equipment. If the contract between the City and manufacturer or vendor of the equipment does not provide for performance or quality control measures regarding camera images, the City must perform a performance audit of the manufacturer or vendor of the equipment every three years to review and ensure that images produced from automated traffic safety cameras are sufficient for evidentiary purposes as described in section 7.06.020 of this chapter.

G. Revenue generated by an automated traffic safety camera program may only be used for:

1. Traffic safety activities related to construction and preservation projects and maintenance and operations purposes including, but not limited to, projects designed to implement the complete streets approach as defined in RCW 47.04.010, changes in physical infrastructure to reduce speeds through road design, and changes to improve safety for active transportation users, including improvements to access and safety for road users with mobility sight, or other disabilities.

2. The cost to administer, install, operate, and maintain the automated traffic safety cameras, including the cost of processing infractions.

3. If used for the purposes described in G.1. of this subsection the use of revenue must include the use of revenue in census tracts of the city that have household incomes in the lowest quartile determined by the most currently available census data and areas that experience rates of injury crashes that are above average or the city. Funding contributed from the traffic safety program revenue must be, at a minimum proportionate to the share of the population of the city who are residents of these low income communities and communities experiencing high injury crash rates. This share must be directed to investments that provide direct and meaningful traffic safety benefits to these communities. Revenue use to administer, install, operate, and maintain automate traffic safety cameras, including the cost of processing infractions, are excluded from determination of the proportionate share of revenues under this subsection.

4. Beginning four years after an automated traffic safety camera authorized under this section is initially placed and in use, 25 percent of the noninterest money received for infractions issued by such cameras in excess of the cost to administer, install, operate, and maintain the cameras, including the cost of processing infractions, must be deposited into the Cooper Jones active transportation safety account created in RCW 46.68.480.

H. The restrictions on the use of automated traffic safety camerasn for enforcement of the traffic violations set forth in this section and any other automated traffic safety camera policies adopted by the city shall be posted on the city’s website.

7.06.020 Notice of Infraction.

A. Whenever any vehicle is photographed by an automated traffic safety camera, a notice of infraction shall be mailed to the registered owner of the vehicle within 14 days of the violation, or to the renter of a vehicle within 14 days of establishing the renter's name and address. A person receiving a notice of infraction based on evidence detected by an automated traffic safety camera may respond to the notice by mail.

B. If the registered owner of the vehicle is a rental car business, the law enforcement agency shall, before a notice of infraction is issued, provide a written notice to the rental car business that a notice of infraction may be issued to the rental car business if the rental car business does not, within 18 days of receiving the written notice, provide to the agency by return mail: (1) a statement under oath stating the name and known mailing address of the individual driving or renting the vehicle when the infraction occurred; or (2) a statement under oath that the business is unable to determine who was driving or renting the vehicle when the infraction occurred; or (3) in lieu of identifying the vehicle operator, the rental car business may pay the applicable penalty. Timely mailing of this statement to the agency shall relieve the rental car business of any liability under this chapter for the infraction.

C. The law enforcement officer issuing a notice of infraction shall include with it a certificate or facsimile thereof, based upon the inspection of photographs, microphotographs or electronic images produced by an automated traffic safety camera, citing the infraction and stating the facts supporting the notice of infraction. This certificate or facsimile shall be prima facie evidence of the facts contained in it and shall be admissible in a proceeding charging a violation under this chapter. The photographs, microphotographs or electronic images evidencing the violation must be available for inspection and admission into evidence in a proceeding to adjudicate the liability for the infraction.

D. The registered owner of a vehicle is responsible for an infraction detected through the use of an automated traffic safety camera unless the registered owner overcomes the presumption set forth in LSMC 7.06.030, or, in the case of a rental car business, satisfies the conditions under LSMC 7.06.030(B)(3). If appropriate, a renter identified under LSMC 7.06.030(B)(3) is responsible for an infraction.

E. All photographs, microphotographs or electronic images prepared under this chapter are for the exclusive use of law enforcement in the discharge of duties under this chapter and, as provided in 46.63.220(11) RCW, they are not open to the public and may not be used in a court in a pending action or proceeding unless the action or proceeding relates to a violation under this chapter. No photograph, microphotograph or electronic image may be used for any purpose other than enforcement of violations under this chapter nor retained longer than necessary to enforce this chapter.

7.06.030 Prima facie presumption.

A. In a traffic infraction case involving an infraction detected through the use of an automated traffic safety camera under this chapter, proof that the particular vehicle described in the notice of traffic infraction was involved in the stoplight violation or school speed zone violation, together with proof that the person named in the notice of infraction was at the time of the violation the registered owner of the vehicle, shall constitute in evidence a prima facie presumption that the registered owner of the vehicle was the person in control of the vehicle at the point where, and for the time during which, the violation occurred.

B. This presumption may be overcome only if the registered owner, under oath, states in a written statement to the court or in testimony before the court that the vehicle involved was, at the time, stolen or in the care, custody or control of some person other than the registered owner.

7.06.50 Fine.

A. The fine for an infraction detected under the authority of this chapter shall be a base monetary penalty of $145.00;

B. Provided that the fine for an infraction detected under the authority of this chapter for school speed zone cameras shall be as follows:

1. A base monetary penalty of $145.00 for the first offense; and

2. A base monetary penalty of $290 for repeat offenses; and

3. A base monetary penalty of $290 for any offense in excess of 11 miles per hour over the posted school zone speed limit.

C. The base monetary fine for all infractions shall automatically be adjusted for inflation every five years, beginning January 1. 2029, based on the changes in the consumer price index as calculated by the State Office of Financial Management for that time period.

D. Except as provided in this subsection, registered owners of vehicles who receive notices of infraction for automated traffic safety camera-enforced infractions and are recipients of public assistance under Title 74 RCW or participants in the Washington women, infants, and children program, and who request reduced penalties for infractions detected through the use of automated traffic safety camera violations, must be granted reduced penalty amounts of 50 percent of what would otherwise be assessed for a first automated traffic safety camera violation and for subsequent automated traffic safety camera violations issued within 21 days of issuance of the first automated traffic safety camera violation. Eligibility for Medicaid under 74.09.510 RCW is not a qualifying criterion under this subsection. Registered owners of vehicles who receive notices of infraction must be provided with information on their eligibility and the opportunity to apply for a reduction in penalty amounts through the mail, through electronic mail or other accepted means.

10.06.060 . Nonexclusive enforcement.

Nothing in this chapter prohibits a law enforcement officer from issuing a notice of traffic infraction to a person in control of a vehicle at the time a violation occurs under 46.63.030 RCW.

Section 2. SEVERABILITY. Should any portion of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 3. CORRECTIONS. The City Clerk is authorized to make necessary corrections to this ordinance, including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 4. EFFECTIVE DATE. This ordinance shall take effect five (5) days after passage and publication.

Section 5. COUNCIL AUTHORIZATION. The City Council shall authorize the placement and plan of operation for all automated traffic camera and related safety equipment including, but not limited to, traffic speed violations; the duration of its operation and the means for determining the effectiveness toward the goal of improved traffic safety within the City.

Draft

APPROVED BY A MAJORITY of the Lake Stevens City Council this ____ day of ______, 2025.

____
Brett Gailey, Mayor

ATTEST/AUTHENTICATED:

____
Kelly Chelin, City Clerk

APPROVED AS TO FORM:

____
Greg Rubstello, City Attorney

Date of Publication: _________________________

Effective Date: *This ordinance shall take effect _____________, 2025 or 5 days after its enactment, whichever date is last to occur.*