

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 21, 2026 - 6:00 PM

City Council Special Meeting

In person: The Mill, Sawyers Room, 1808 Main Street, Lake Stevens

or Join Zoom Meeting: [Zoom Link](#)

or call in at (253) 215-8782

Meeting ID: 85201496852 Passcode: 228573

1. **Call to Order**
2. **Pledge of Allegiance** Mayor
3. **Roll Call**
4. **Approval of Agenda** Council President
5. **Guest Business**
 - A. Investment Policy Implementation with Peter Becker from TVI Lindsey Vaughn
6. **Citizen Comments**
7. **Consent Agenda**
 - A. 2026 Vouchers Lindsey Vaughn
 - B. City Council Meeting Minutes of July 7, 2026 Kelly Chelin
 - C. City Council Regular Meeting Minutes of July 14, 2026 Caitlin Weaver
 - D. Cancel the July 28, 2026, August 4, 2026, August 11, 2026 and August 18, 2026 Council Meetings for Summer Recess Kelly Chelin
 - E. Planning Commission Appointment-Tony Matesi Caitlin Weaver
 - F. Construction Contract Award to Northend Excavating, Inc. for Bayview Trail Improvements - Phase 0.5 Erik Mangold
8. **Public Hearing**
 - A. 20th ST NE / Grade RD ROW Vacation (LUA2026-0088) Jill Needham,
Russ Wright

9. Action Items

- | | | |
|----|---|-------------------------------------|
| A. | Authorization for Adopt A Stream Foundation to replace two fish barriers on city property | Shannon
Farrant, Taylor
Pesce |
|----|---|-------------------------------------|

10. Discussion Items

- | | | |
|----|--|---------------|
| A. | Critical Areas Ordinance (CAO) Update | David Levitan |
| B. | Parks Service Level | Sarah Garceau |
| C. | Strategic Planning: Projects and Initiatives - Finalize 2026-2027 Priorities | Lori Erickson |

11. City Department Report

- | | | |
|----|------------------------------|-----------------|
| A. | US-2 Trestle Planning Update | Aaron Halverson |
|----|------------------------------|-----------------|

12. Council Business

Council President

13. Mayor's Business**14. 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, 48 hours prior to this council meeting 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 COUNCIL STAFF REPORT



Agenda Date: 7/21/2026

Subject: Investment Policy Implementation with Peter Becker from TVI

Contact Person/Department: Lindsey Vaughn, Finance

Budget Impact: Increase interest revenue across all city funds.

Legal Review: No

RECOMMENDATION(S)/ACTION REQUESTED:

SUMMARY/BACKGROUND:

The City of Lake Stevens has an Investment Policy that was approved by City Council in 1992 and is still currently relevant. The main goal of the policy is to maximize the efficiency of the City of Lake Stevens's cash while protecting the City's funds, as outlined in the current policy by following all the appropriate legal guidelines set in place by the Revised Code of Washington (RCW).

The policy clearly outlines the objectives as the following in this order

1. Legality
2. Safety
3. Liquidity
4. Yield

The current Investment Policy adopted on August 24, 1992 has been attached for transparency.

Implementing the existing policy gains the ability to assist the budget process by generating a stable and predictable revenue source that will contribute to all the City

funds, allocated based on the fund balance of each individual fund. The City requires both short and long-term cash balances to be held and invested in order to operate smoothly and allow the cash balances to generate yield for the City. Most funds are restricted with revenue sources, however cash diversification is the only action that will positively contribute across all funds in addition to creating a more stable and predictable revenue source for the City.

The Finance Department is proposing implementing an already established Investment Policy to diversify the cash funds of the City, acting on an existing policy to diversify by reestablishing a long-term solution on a structured laddering method. Another advantage of moving forward with the implementation of the Investment Policy currently will transparently show in the upcoming 2027 budget.

As a new Finance Director to the City of Lake Stevens, the Investment Policy that has been adopted since 1992 is being brought back forward to be transparent with City Council and the Community about the action that will be occurring moving forward.

APPLICABLE CITY POLICIES:

Investment Policy adopted 8/24/1992

ATTACHMENTS:

1. P-3-92 Investment Policy

City of Lake Stevens

INVESTMENT POLICY



Adopted this 24th day of August, 1992

By

The Lake Stevens City Council

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I. INTRODUCTION

This statement is intended to outline the policies for maximizing the efficiency of the City's Cash Management System and for prudent investment of the City's Funds, and to provide guidelines for suitable investments.

The ultimate goal is to enhance the economic status of the City while protecting its funds.

The City's Cash Management System is designed to monitor and forecast expenditures and revenues accurately, thus enabling the City Finance Director/Treasurer to invest funds to the fullest extent possible. The City Finance Director/Treasurer shall attempt to obtain the highest yield, provided that all investments meet the criteria established for safety and liquidity.

The investment policies and practices of the City Finance Director/Treasurer for the City of Lake Stevens are based upon Federal, State, and Local law and prudent money management. The primary goals of these policies:

- 1) To assure compliance with all Federal, State and Local laws governing the investment of monies under the control of the City Finance Director/Treasurer.
- 2) To protect the principal monies entrusted to this Office.
- 3) To generate the maximum amount of investment income within the parameters of this Investment Policy and the guidelines for suitable investments.

All participants in the City's investment process shall act responsibly as custodians of the public trust. Investment officials shall recognize that the investment portfolio is subject to public review and evaluation. The overall program shall be designed and managed with a degree of professionalism that is worthy of the public trust.

II. SCOPE

This investment policy applies to the investment of available assets of all City funds under the direct management of the City's Investment Officer.

The policy for the Washington State Public Employees' Retirement System (PERS) and the Washington State Law Enforcement Officers' and Fire Fighters Retirement System (LEOFF) funds will be as determined by the appropriate Boards of Administration and not covered by this Policy.

Funds set aside to retire City debt in conjunction with an advance refunding agreement will be invested in accordance with appropriate bond documents and not necessarily in compliance with this policy.

Should bond covenants be more restrictive than this policy, funds will be invested in full compliance with those restrictions.

Funds held by the County Treasurer during tax collection periods shall be governed by the County's investment policies to the extent that they do not conflict with this policy and should be

invested by the County Treasurer for the benefit of the City of Lake Stevens as stipulated by the City in accordance with R.C.W.36.29.020.

All investments of the City of Lake Stevens must be made in compliance with Federal and State law and in accordance with applicable legal interpretations. Investment of any tax-exempt borrowing proceeds and of any debt service funds must comply with the 1986 Tax Reform Act if the act applies to the debt issued.

III. PRUDENCE

Investments shall be made with judgment and care—under circumstances then prevailing—that persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

The standard of prudence to be used by investment officials shall be the “prudent person” standard and shall be applied in the context of managing an overall portfolio. Investment officers acting in accordance with written procedures and the investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security’s credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

IV. OBJECTIVES

Funds of the City will be invested in accordance with the Revised Code of Washington (R.C.W.), the BARS manual, these policies and written administrative procedures.

The primary objectives, in order of priority, of the City of Lake Stevens investment activities are as follows:

Legality: The City’s investments will be in compliance with all statutes governing the investment of public funds.

Safety: Investments of the City will be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. To attain this objective, diversification is required in order that potential losses on individual securities do not exceed the income generated from other investments.

Liquidity: The City’s investment will remain sufficiently liquid to enable the City to meet all operating requirements that might be reasonably anticipated.

Yield: The City’s investments will be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the City’s investment risk constraints and cash flow characteristics.

V. DELEGATION OF AUTHORITY

The finance Director/Treasurer (or his designee) is the investment officer of the City. The Finance Director/Treasurer shall establish written procedures for the operation of the investment program consistent with this investment policy and approval by the City Administrator. Such procedures shall include explicit delegation of authority to persons responsible for investment transactions. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the Finance Director/Treasurer and approval by the City Administrator. The Finance Director/Treasurer shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials.

VI. ETHICS AND CONFLICTS OF INTEREST

Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program or that could impair their ability to make impartial investment decisions. Employees and investment officials shall disclose to the Mayor and City Administrator any material financial interests in financial institutions that conduct business within this jurisdiction, and they shall further disclose any large personal financial/investment positions that could be related to the performance of the City's portfolio. Employees and officers shall subordinate their personal investment transactions to those of the City, particularly with regard to the time of purchases and sales.

VII. AUTHORIZED FINANCIAL DEALERS AND INSTITUTIONS

The investment officer will maintain a list of financial institutions authorized to provide investment services. The selection process for inclusion on this list will be detailed in the written procedures for investments.

In addition, a list also will be maintained of approved security brokers/dealers selected by credit worthiness, which maintain an office in the State of Washington. These may include "primary" dealers or regional dealers that qualify under Securities & Exchange Commission Rule 15C3-1 (uniform net capital rule). Employees of any firm or financial institutions offering securities or investments to the City are expected to be trained in the precautions appropriate to public-sector investments and are expected to familiarize themselves with the City's investment objectives, policies, and constraints. These firms and financial institutions are expected to make reasonable efforts to preclude imprudent transactions involving the City's funds.

At the request of the City, the firms performing investment services for the City shall provide their most recent financial statements or Consolidated Report of Condition ("call report") for review.

No public deposit shall be made except in a qualified public depository as established by state laws.

VIII. AUTHORIZED INVESTMENTS

The City of Lake Stevens is empowered to invest in certain types of securities as detailed in R.C.W. 35A.40.050 and R.C.W. 43.84.080. Among the authorized investments are:

1. Non-negotiable certificates of deposit and other collateralized evidence of deposits with qualified public depositories.
2. Obligations of the U.S. Government, its agencies and instrumentalities. However, this authorization shall specifically exclude Collateralized Mortgage Obligations (CMOs), Real Estate Mortgage Investment Conduits (REMICs), and other Principal Only (POs) and Interest Only (IOs) obligations that are secured with mortgages issued by any federal agency, instrumentality or private firm.
3. Prime bankers' acceptances purchased on the secondary market with ratings of A1/P1.
4. Repurchase agreements for securities listed above, provided the transaction is structured so that the City obtains control over the underlying securities and a Master Repurchase Agreement has been signed with the bank or dealer.
5. Mutual funds and money market funds for bond proceeds subject to the arbitrage provision of Section 148 of the Federal Internal Revenue Code.
6. State of Washington Local Government Investment Pool.
7. Bonds of the State of Washington and any local government in the State of Washington, which bonds have at the time of investment one of the three highest credit ratings of a nationally recognized rating agency.
8. Any investments authorized by law for the Treasurer of the State of Washington or any local government of the State of Washington other than a metropolitan municipal corporation, except as provided in R. C. W. Chapter 39.58, such investments shall not include certificates of deposit of banks or bank branches not located in the State of Washington.

IX. COLLATERALIZATION

Collateralization will be required on all repurchase agreements. So as to anticipate market changes and provide an adequate level of security for all funds, the collateralization level will be 102% of market value of principal and accrued interest. Collateral is limited to the types of securities authorized in section VIII. above.

Collateral will always be held by an independent third party with whom the entity has a current custodial agreement. A clearly marked evidence of ownership (safekeeping receipt) must be supplied to the entity and retained.

X. SAFEKEEPING AND CUSTODY

To protect against potential fraud, embezzlement, or losses caused by collapse of individual securities dealers, all investment securities purchased by the City, including collateral on repurchase agreements, shall be held by the City or in safekeeping by the City's custodian bank or a third party bank trust department, acting as agent for the City. The primary agent shall issue a safekeeping receipt to the City listing the specific instrument, rate, maturity, and other pertinent information.

All securities transactions conducted by the custodian on behalf of the City are to be on a delivery-versus-payment (DVP) only basis.

Investment officials shall be bonded to protect the City against loss due to possible embezzlement and malfeasance.

XI. DIVERSIFICATION

The City will diversify its investments by security type and institution. With the exception of U.S. Treasury securities and authorized pools, no more than **twenty-five percent** of the City's total investment portfolio will be invested in a single security type or with a single financial institution.

XII. MATURITIES

To the extent possible, the City will attempt to match its investments with anticipated cash flow requirements. Unless matched to a specific cash flow, the City will not directly invest in securities maturing more than three (3) years from the date of purchase. However, the City may collateralize its repurchase agreements using longer-dated investment.

Reserve or Capital Improvement Project monies may be invested in securities not to exceed five (5) years if the maturity of such investments is made to coincide as nearly as possible with the expected use of the funds.

XIII. INTERNAL CONTROLS

Day-to-day procedures concerning investment management and accounting are outside the scope of this policy. The City is subject to annual independent review of its internal controls by the Office of State Auditor. This review will provide internal control by assuring that policies and procedures are being complied with. Such review also may result in recommendations to change operating procedures to improve internal control. The controls shall be designed to prevent loss of public funds due to fraud, error, and misrepresentation by third parties, unanticipated market changes or imprudent actions by employees or officers of the City. The specific internal controls maintained by the City are contained in normal operating procedures of the Treasury.

XIV. PERFORMANCE STANDARDS

The City's investment portfolio will be designed to obtain a market average rate of return during budgetary and economic cycles, taking into account the City's investment risk constraints and cash flow needs.

Market Yield (Benchmark): The City investment strategy is passive, but the investment officer stays in touch with market conditions weekly and is available to take advantage of market opportunities. Given this strategy, the basis used by the investment officer to determine whether market yields are being achieved shall be the current six-month U.S. Treasury Bill and /or the Average Fed Funds rate. Since these indices are relatively risk-free benchmarks they comprise a minimum standard for the portfolio's rate of return. The investment program shall seek to augment returns above this threshold, consistent with prudent investment principles and the risk limitations identified herein.

XV. REPORTING

The investment officer shall submit quarterly an investment report to the City Council that summarizes recent market conditions, economic developments and anticipated investment conditions. The report shall summarize the investment strategies employed in the most recent quarter, description of the portfolio in terms of investment securities, maturities, risk characteristics and other features. The report shall explain the quarter's total investment return; compare the return with target rate of return projections and budgetary expectations.

XVI. SAVINGS CLAUSE

In the event any state or federal legislation or regulation should further restrict instruments or institutions authorized by this policy, such restrictions shall be deemed to be immediately incorporated in this policy.

If new legislation or regulation should liberalize the permitted instruments or institutions, such changes shall be available and included in this policy only after written notification to the City Council and their subsequent approval of said changes.

XVII. INVESTMENT POLICY ADOPTION

The City's investment policy shall be adopted by resolution of the City Council. The policy shall be reviewed annually by the investment officer and any modifications made thereto must be approved by the City Council.

The original Investment Policy was adopted by the City Council on August 24, 1992.

XVIII. GLOSSARY

ACCRUAL BOND: Also known as an accretion bond or a Z-bond in a CMO issue. A bond on which interest accrues, but is not paid out to the investor during the time of accrual; instead, the amount accrued is added to the amount of remaining principal and is paid at maturity.

ACCRUED INTEREST: Interest earned but not yet paid on a security since the later of the security's issue date or last record date.

ACTIVE TRANCHE: A CMO tranche that is currently receiving principal payments.

ADJUSTABLE-RATE MORTGAGE ("ARM"): A mortgage which features predetermined adjustments of the interest rate at regular intervals. An ARM's interest rate is tied to an index outside the control of the lender.

AGENCIES: Federal agency securities.

ASKED: The price at which securities are offered.

BANKERS' ACCEPTANCE (BA): A draft or bill or exchange accepted by a bank or trust company. The accepting institution guarantees payment of the bill, as well as the issuer.

BASIS POINT: A measurement of changes in prices or yields for fixed income securities. One basis point equals 1/100 of 1 percent.

BEARER SECURITY: A security the owner of which is not registered on the books of the issuer. A bearer security is payable to the holder.

BID: The price at which a buyer is willing to buy a security.

BOND: A long-term debt security, (IOU) issued by a government or corporation. Generally pays a state rate of interest, and returns the face value at maturity.

BOOK-ENTRY TRANSFER: A method of transferring securities through computerized entries, which may eliminate the need for physical certificates.

BROKER: A broker brings buyers and sellers together for a commission paid by the initiator of the transaction or by both sides; he does not position. In the money market, brokers are active in markets in which banks buy and sell money and in interdealer markets.

CALL OPTION: The right to purchase a security at a predetermined price on or before a specified future date.

CERTIFICATE OF DEPOSIT (CD): A time deposit with a specific maturity evidenced by a certificate. Large denomination CD's are typically negotiable.

CMO RESIDUAL: A CMO residual represent the equity interest in a CMO. The residual is the cash flow remaining on each payment date after all payments on the CMO tranches have been made. The primary source of the residual is cash generated by the collateral that is greater than the payments due on the CMO tranches.

COLLATERAL: Securities, evidence of deposit or other property, which a borrower pledges to secure repayment of a loan. Also refers to securities pledged by a bank to secure deposits of public monies.

COMMERCIAL PAPER: Corporate promissory notes issued to provide short-term financing, sold at a discount and redeemed at face value. A principal component of money market funds portfolios, because of the high yield.

CONFIRMATION: A document used to state and supplement in writing the terms of a transaction, which have previously been agreed to verbally.

COUPON: (a) The annual rate of interest that a bond's issuer promises to pay the bondholder on the bond's face value. (b) A certificate attached to a bond evidencing interest due on a payment date.

CURRENT FACE: Also known as the outstanding loan balance. The current monthly remaining principal of a certificate computed by multiplying the original face of the certificate by the current principal balance "factor".

CUSIP NUMBER (COMMITTEE ON UNIFORM SECURITIES IDENTIFICATION PROCEDURES): An identifying number assigned to a publicly traded security. A nine digit code is permanently assigned to each issue and is generally printed on the face of the security if it is in physical form.

DEALER: A dealer, as opposed to a broker, acts as a principal in all transactions, buying and selling for his own account.

DEBENTURE: A bond secured only by the general credit of the issuer.

DELIVERY VERSUS PAYMENT: There are two methods of delivery of securities: delivery versus payment and delivery versus receipt (also called free). Delivery versus payment is delivery of securities with an exchange of money for the securities. Delivery versus receipt is delivery of securities with an exchange of a signed receipt for the securities.

DEPOSITORY: An entity, which accepts securities for deposit. A depository facilities delivery and transfer between dealers by making account entries reflecting ownership instead of physically moving securities.

DISCOUNT: The difference between the cost price of a security and its value at maturity when quoted at lower than face value. A security selling below original offering price shortly after sale also is considered to be at a discount.

DISCOUNT SECURITIES: Non-interest bearing money market instruments that are issued at a discount and redeemed at maturity for full face value, e.g., U.S. Treasury bills.

DIVERSIFICATION: Dividing investment funds among a variety of securities offering independent returns.

FACE VALUE: The par value of a security. Face value is not an indication of market value.

FACTOR: The proportion of the outstanding principal balance of a security to its original principal balance expressed as a decimal. *The Bond Buyer* publishes the "Monthly Factor Report", which contains a list of factors for GNMA, FNMA and FHLMC securities.

FARM CREDIT DISCOUNT NOTES AND BONDS: Secured joint obligations of Farm Credit Banks that are issued with a minimum face value of \$50,000 with maturities ranging from 5 to 360 days.

FED BOOK-ENTRY: An electronic registration, transfer and settlement system for securities on the Federal Reserve System.

FEDERAL CREDIT AGENCIES: Agencies of the Federal government set up to supply credit to various classes of institutions and individuals, e.g., S & L's, small business firms, students, farmers, farm cooperatives, and exporters.

FEDERAL FUNDS RATE: The rate of interest at which Fed funds are traded. This rate is currently pegged by the Federal Reserve through open market operations.

FEDERAL OPEN MARKET COMMITTEE (FOMC): Consists of seven members of the Federal Reserve Board and five of the twelve Federal Reserve Bank Presidents. The President of the New York Federal Reserve Bank is a permanent member while the other Presidents serve on a rotating basis. The Committee periodically meets to set Federal Reserve guidelines regarding purchases and sales of Government Securities in the open market as a means of influencing the volume of bank credit and money.

FEDERAL RESERVE SYSTEM: The central bank of the United States created by Congress and consisting of a seven member Board of Governors in Washington, D. C., 12 Regional Banks and about 5,700 commercial banks that are members of the system.

FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC): A federal agency that insures bank deposits, currently up to \$100,000 per deposit.

FEDERAL HOME LOAN BANKS (FHLB): The institutions that regulate and lend to savings and loan associations. The Federal Home Loan Banks play a role

analogous to that played by the Federal Reserve Banks vis-à-vis member commercial banks.

FEDERAL NATIONAL MORTGAGE ASSOCIATION (FNMA): FNMA, like GNMA was chartered under the Federal National Mortgage Association Act in 1938. FNMA is a federal corporation working under the auspices of the Department of Housing & Urban Development, H.U.D. It is the largest single provider of residential mortgage funds in the United States. Fannie Mae, as the corporation is called, is a private stockholder-owned corporation. The corporation's purchases include a variety of adjustable mortgages and second loans in addition to fixed-rate mortgages. FNMA's securities are also highly liquid and are widely accepted. FNMA assumes and guarantees that all security holders will receive timely payment of principal and interest.

FEE (1) Commitment fee: a payment to investors or prospective investors, which may or may not be refundable, for the purpose of obtaining a commitment to purchase securities; (2) Standby fee: a non-refundable amount received or paid for the sale or purchase of a standby commitment; (3) Up-front fee: a commitment fee paid in advance of the settlement date to an investor as part of a future purchase.

FIXED-RATE MORTGAGE: A mortgage which features level monthly payments that are determined at the outset of the mortgage and remain constant throughout the life of the mortgage.

FLAT: A security trades "flat" when it is traded with no accrued interest.

FORWARD TRADE: A transaction where the settlement will occur on a specified date in the future at a price agreed upon on the trade date.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION (GNMA OR GINNIE MAE): Securities guaranteed by GNMA and issued by mortgage bankers, commercial banks, savings and loan associations and other institutions. Security holder is protected by full faith and credit of the U.S. Government. Ginnie Mae securities are backed by FHA, VA, or FMHM mortgages. The term pass-throughs is often used to describe Ginnie Maes.

GOVERNMENT SECURITIES: Any debt obligation issued by the U.S. Government, its agencies or instrumentalities. Certain securities (such as Treasury Bonds and Ginnie Maes) are backed by the government as to both principal and interest payments. Other securities, (such as those issued by the Federal Home Loan Mortgage Corporation, or Freddie Mac) are backed by the issuing agency.

GNMA IS: Pass-through mortgage-backed securities on which registered holders receive separate principal and interest payments on each of their certificates. GNMA I securities are single-issuer pools. Investors may expect to receive principal and interest payments on the 15th day of each month.

GNMA IIS: Pass-through mortgage-backed securities on which registered holders receive an aggregate principal and interest payment from a central paying agent on all of their GNMA II certificates. Principal and interest payments are disbursed on the 20th day of each month. GNMA II securities are collateralized by multiple-issuer pools or custom pools (one issuer but different interest rates that may vary within one percentage point). Multiple-issuer pools are known as “Jumbos”. Jumbo pools are generally larger and often contain mortgages that are more geographically diverse than single-issuer pools. Jumbo pool mortgages have interest rates that may vary within one percentage point.

GRADUATED PAYMENT MORTGAGE (“GPM”): A mortgage that features negative amortization in which early payments are insufficient to pay the interest due on the outstanding principal. As a result, the unpaid interest is added to the principal thereby increasing the borrower’s balance owed. The payments must graduate or increase over time until they can completely amortize the loan’s remaining principal balance by its maturity. The number, frequency and rate of increases are specified in the original contract.

INTEREST: Compensation paid or to be paid for the use of money. Interest is generally expressed as an annual percentage rate.

INTEREST ONLY (“I/O”): The interest only portion of a stripped mortgage-backed security. For I/O securities, all of the interest distribution is due to the registered holder based on the current face of the underlying mortgage-backed security.

INTEREST RATE: The face coupon rate of a security.

ISSUE DATE: The date on which a security is issued or originated.

ISSUER: An entity, which issues and is obligated to pay amounts due on securities.

LIQUIDITY: A liquid asset is one that can be converted easily and rapidly into cash without a substantial loss of value. In the money market, a security is said to be liquid if the spread between bid and asked prices is narrow and reasonable size can be done at those quotes.

LOCAL GOVERNMENT INVESTMENT POOL (LGIP): The aggregate of all funds from political subdivisions that are placed in the custody of the State Treasurer for investment and reinvestment.

MARKET PRICE: For securities sold on an exchange, the last reported price at which the securities were sold. For

securities sold over-the counter, the current price of the securities in the market.

MARKET VALUE: The price at which a security is trading and could presumably be purchased or sold.

MASTER REPURCHASE AGREEMENT: A written contract covering all future transactions between the parties to repurchase-reverse repurchase agreements that establish each party’s rights in the transactions. A master agreement will often specify, among other things, the right of the buyer-lender to liquidate the underlying securities in the event of default by the seller-borrower.

MATURITY DATE: The date on which the principal amount of the security is due and payable to the registered owner of the security.

MONEY MARKET: The market in which short-term debt instruments (bills, commercial paper, bankers’ acceptances, etc.) are issued and traded.

MORTGAGE: A legal instrument that creates a lien upon real estate securing the payment of a specified debt, such as a mortgage note.

MORTGAGE-BACKED BOND: A mortgage-backed bond is a general obligation of the issuer, secured by mortgage collateral, where the issuer retains ownership of the mortgages. The bond is secured by the market value of the underlying mortgages. Since the value of the mortgages will decrease over time as a result of principal amortization and prepayments, the market value of the collateral must exceed the value of the bonds issued. Unlike pass-through securities, the cash flow on a mortgage-backed bond is not directly related to the cash flow of the underlying mortgage collateral. Interest on the bond is paid semiannually at a predetermined rate and principal is paid at maturity.

MORTGAGE-BACKED SECURITIES: The term mortgage-backed securities is a generic term that refers to securities backed by mortgages, including pass-through securities, mortgage-backed bonds, mortgage pay-through securities and CMOs.

MORTGAGE BANKERS: An entity that originates mortgage loans, sells them to other investors and services the loans.

MORTGAGE PAY-THROUGH BONDS: These bonds combine features of pass-through securities and mortgage-backed bonds. A pay-through bond, like a mortgage-backed bond, is a debt obligation of the issuer, secured by mortgage collateral that is owned by the issuer. However, like a pass-through security, the cash flow on a pay-through bond is related to the cash flow on the mortgage collateral. Therefore, the cash flow generated by the mortgage collateral must be sufficient to cover principal and interest payments on the bonds. Prepayments on the mortgage collateral will be passed on to the bondholders thereby causing fluctuations in the principal payment on the bonds.

ODD-LOT: A quantity of securities which is less than the accepted unit of trading.

OFFER: The price at which a seller will sell a security.

OPEN MARKET OPERATIONS: Purchases and sales of government and certain other securities in the open market by the New York Federal Reserve Bank as directed by the FOMC in order to influence the volume of money and credit in the economy. Purchases inject reserves into the bank system and stimulate growth of money and credit; sales have the opposite effect. Open market operations are the Federal Reserve's most important and flexible monetary policy tool.

ORIGINAL FACE: The face value (original principal amount) of a security as of its issue date.

PAR: The face amount of a security.

PAYMENT DATE: Also known as the payable date. The date that actual principal and interest payments are made to the registered holder of a security. For GNMA Is, the payment date is the 15th day of the month following the record date. For GNMA IIs, the payment date is the 20th day of the month following the record date. For FHLMC PCs, the payment date is the 15th day of the second month following the record date. For FNMA MBSs, the payment date is the 25th day of the month following the record date.

P&I (Principal and Interest): In the case of mortgage-backed securities and other asset-backed securities, P&I includes regularly scheduled payments as well as prepayments, if any.

POOL: A collection of mortgages assembled by an originator of master servicer as the basis for a security. Pools are identified by a number.

PORTFOLIO: Collection of securities held by an investor.

PREPAYMENT: The unscheduled partial or complete payment of the principal amount outstanding on a debt obligation before it is due.

PRICE: The dollar amount to be paid for a security expressed as a percentage of its current face value.

PRIMARY DEALER: A group of government securities dealers that submit daily reports of market activity and positions and monthly financial statements to the Federal Reserve Bank of New York and are subject to its informal oversight. Primary dealers include Securities and Exchange commission (SEC) registered securities broker-dealers, banks, and a few unregulated firms.

PRINCIPAL: The face amount of a bond, exclusive of accrued interest and payable at maturity.

PRINCIPAL ONLY ("P/O"): The principal only portion of a stripped mortgage-backed security. For P/O securities, all of the principal distribution is due to the registered holder based on the current face of the underlying mortgage-backed security.

PRUDENT PERSON RULE: An investment standard. In some states the law requires that a fiduciary, such as a trustee, may invest money only in a list of securities selected by the state; the so-called legal list. In other states the trustee may invest in a security if it is one which would be bought by a prudent person of discretion and intelligence who is seeking a reasonable income and preservation of capital.

PUT OPTION: The right to sell a security at a predetermined price on or before a specified future date.

QUALIFIED PUBLIC DEPOSITORIES: A financial institution which does not claim exemption from the payment of any sales or compensating use or ad valorem taxes under the laws of this state, which has segregated for the benefit of the commission eligible collateral having a value of not less than its maximum liability and which has been approved by the Public Deposit Protection Commission to hold public deposits.

RATE OF RETURN: The yield obtainable on a security based on its purchase price or its current market price. This may be the amortized yield to maturity on a bond or the current income return.

REPURCHASE AGREEMENT (RP OR REPO): A holder of securities sells these securities to an investor with an agreement to repurchase them at a fixed price on a fixed date. The security "buyer" in effect lends the "seller" money for the period of the agreement, and the terms of the agreement are structured to compensate him for this. Dealers use RP extensively to finance their positions. Exception: When the Fed is said to be doing RP, it is lending money, that is, increasing bank reserves.

RATINGS: Designations used by investors' services to give relative indications of credit quality.

RECORD DATE: The date for determining who is entitled to payment of principal and interest (and prepayment) on a security. The record date for most mortgage-backed securities is the last calendar day of the month (however, the last day on which they can be presented for transfer is the last business day of the month.) the record date for CMOs and ABSs varies with each issue.

REGISTERED HOLDER: The name in which a security is registered as stated on the certificate itself or on the books of the paying agent. All principal and interest payments are made to the registered holder regardless of beneficial ownership on the record date.

REVERSE REPURCHASE AGREEMENT ("REVERSE REPO"): An agreement of one party to purchase securities at a specified price from a second party and simultaneous agreement by the first party to resell the securities at a specified price to the second party on demand or at a specified later date.

SAFEKEEPING: The storage and protection of customers' securities (i.e., held in the vault) provided as a service by a bank or institution acting as agent for the customer.

SECONDARY MARKET: A market made for the purchase and sale of outstanding issues following the initial distribution.

SEC Rule 15C3-1: See uniform net capital rule.

SECURITIES & EXCHANGE COMMISSION: Agency created by Congress to protect investors in securities transactions by administering securities legislation.

SERVICING FEE: The amount withheld from the monthly interest payments made by a mortgagor and retained by the mortgage servicer.

SERVICING: The duties of the servicer for which a fee is received. Servicing consists of collecting and pooling principal, interest and escrow payments as well as certain operational procedures covering accounting, bookkeeping, insurance, tax records, loan payment follow-up, delinquency loan follow-up, and loan analysis.

SETTLEMENT DATE: The date agreed upon by the parties to a transaction for the payment of funds and the delivery of securities.

TAIL: The portion of a GNMA pool that is not divisible by \$5,000. For physical GNMA's the tail must remain intact. For example, on a GNMA with an original face of \$6,038,921.65 the tail equals \$3,921.65. For book-entry FNMA and FHLMC securities, tails may be split into multiples of one dollar (\$1).

TRANSFER AGENT: A transfer agent is appointed to maintain records of securities owners, to cancel and issue certificates and to address issues arising from lost, destroyed or stolen certificates.

TREASURY BILLS: A non-interest bearing discount security issued by the U. S. Treasury to finance the national debt. Most bills are issued to mature in three months, six months, or one year.

TREASURY BOND: Long-term U. S. Treasury securities having initial maturities of more than ten years.

TREASURY NOTES: Intermediate term coupon bearing U. S. Treasury securities having initial maturities of from one to ten years.

UNIFORM NET CAPITAL RULE: Securities and Exchange Commission requirement that member firms as well as nonmember broker-dealers in securities maintain a maximum ratio of indebtedness to liquid capital of 15 to 1; also called *net capital rule* and *net capital ratio*. Indebtedness covers all money owed to a firm, including margin loans and commitments to purchase securities, one reason new public issues are spread among members of underwriting syndicates. Liquid capital includes cash and assets easily converted into cash.

WEIGHTED AVERAGE COUPON ("WAC"): An arithmetic mean of the coupon rate of the underlying mortgages that collateralize a security.

WEIGHTED AVERAGE MATURITY ("WAM"): An arithmetic mean of the remaining term of the underlying mortgages that collateralize a security.

WHOLE LOAN: An unsecuritized residential or commercial mortgage.

YIELD: The annual percentage return, as computed in accordance with standard industry practices, that is earned on a security.

Z-BOND: See, Accrual Bond.

BLANKET VOUCHER APPROVAL
2026

Payroll Direct Deposits		
Electronic Funds Transfers	ACH	\$582,024.70
Claims	66428-66497	\$375,541.68
Void Checks		
Total Vouchers Approved:		\$957,566.38

This 21st day of July 2026

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

Finance Director, Lindsey Vaughn

Mayor, Kurt Hilt

July 21, 2026



City expenditures by type for this voucher packet		
Personnel Costs	\$0	0%
Payroll Federal Taxes	\$185,004	19%
Excise Tax	\$4,324	0%
Retirement Benefits - Employer	\$77,295	8%
Medical Benefits - Employer	\$279,588	29%
Other Employer Paid Benefits	\$9,930	1%
Employee Paid Benefits	\$35,370	4%
Supplies	\$40,117	4%
Professional Services	\$253,021	26%
Refunds	\$0	0%
Capital *	\$52,904	6%
Debt Payments	\$20,013	2%
Void Checks	\$0	0%
Total	\$957,566	100%

Large Purchases *

*LS Main Street Improvements \$50,314

City of Lake Stevens Blanket Voucher Report
Checks to be approved for period 07/10/2026 - 07/16/2026

Total for Period
\$957,566.38

Vendor Name	Invoice #	Account #	Account Name	Description	Check #	Amount
Ace Hardware	82456	001 013 518 20 31 00	GG-Operating Costs	Deadbolt/ID Tags/Keys - 10515 20th St	66431	\$77.09
Ace Hardware	82462	001 012 569 00 31 00	CS- Senior Services-Supplies	PVC Parts/Cement Primer/Electrical Tape - Senior Center	66431	\$85.81
Ace Hardware	82468	001 013 518 20 31 00	GG-Operating Costs	Syn Lubricant	66431	\$35.01
Ace Hardware	82468	101 016 544 90 31 02	ST-Operating Cost	Syn Lubricant	66431	\$1.57
Ace Hardware	82468	410 016 531 10 31 02	SW - Operating Costs	Syn Lubricant	66431	\$2.75
Ace Hardware	82470	001 013 518 20 31 00	GG-Operating Costs	RD Run Capacitor - Library	66431	\$30.65
Ace Hardware	82472	001 008 521 50 30 00	LE-Facilities Supplies	Switch Boxes	66431	\$19.49
Ace Hardware	82493	410 016 531 10 31 02	SW - Operating Costs	Marking Paint	66431	\$49.13
Ace Hardware	82501	001 012 557 30 31 00	CS- Visitor Center	LED Bulbs - VIC	66431	\$37.14
Ace Hardware	82505	001 012 557 30 31 00	CS- Visitor Center	White Bath Silicone - VIC	66431	\$14.20
					66431 Total	\$352.84
AFLAC	184597	001 000 284 00 00 00	Payroll Liability Other	Employee Paid Insurance Prem	EFT	\$675.94
					EFT Total	\$675.94
Alexander Printing Co Inc	103473	001 007 559 30 31 01	PB-Operating Supplies	Business Cards - Barron	66432	\$81.87
					66432 Total	\$81.87
Amazon Capital Services	196Y-D4P1-P7GC	001 010 576 80 31 00	PK-Operating Supplies	Trash Bags	66433	\$571.05
Amazon Capital Services	1GD7-MMV9-1VDR	001 013 518 20 31 00	GG-Operating Costs	Trimmer Line/Garden Hose Nozzle	66433	\$47.61
Amazon Capital Services	1GD7-MMV9-1VDR	101 016 544 90 31 02	ST-Operating Cost	Trimmer Line/Garden Hose Nozzle	66433	\$6.69
Amazon Capital Services	1GD7-MMV9-1VDR	410 016 531 10 31 02	SW - Operating Costs	Trimmer Line/Garden Hose Nozzle	66433	\$8.29
Amazon Capital Services	1H3R-MMVT-LX4C	001 010 576 80 31 07	PK-Recreation Supplies	Ping Pong Balls	66433	\$43.70
Amazon Capital Services	1L3Q-M7W9-JQYT	410 016 531 10 31 02	SW - Operating Costs	Sign Holders	66433	\$51.57
Amazon Capital Services	1M6T-QL73-1PKD	101 016 544 90 31 02	ST-Operating Cost	Timmer Line	66433	\$53.50
Amazon Capital Services	1Q9P-4P43-KGYT	001 005 518 10 31 01	HR- Operating Supplies	Mouse Pad	66433	\$26.21
Amazon Capital Services	1YDJ-PCK9-Y4DK	001 010 576 80 31 00	PK-Operating Supplies	Tow Hitch Truck Vise	66433	\$127.17
					66433 Total	\$935.79
Arrow Construction Supply LLC	S36875	101 016 544 90 31 02	ST-Operating Cost	Thermoplastic for Crosswalks & Stop Bars	66434	\$7,984.37
					66434 Total	\$7,984.37
Assoc of Washington Cities EFT	84611	001 000 283 00 00 00	Payroll Liability Medical	Medical Insurance Premium	EFT	\$276,010.70
Assoc of Washington Cities EFT	84611	001 004 514 23 20 00	FI-Benefits	Medical Insurance Premium - Vaughn	EFT	\$1,108.30
					EFT Total	\$277,119.00
Beavers Northwest	INV-24260	410 016 531 10 41 01	SW - Professional Services	Monitoring/Maint/Reporting	66435	\$3,083.36
					66435 Total	\$3,083.36
BlueTriton Brands Inc	06G8750288168	001 007 558 50 31 01	PL-Operating Supplies	Bottled Water for CH	66436	\$26.00
BlueTriton Brands Inc	06G8750288168	001 007 559 30 31 01	PB-Operating Supplies	Bottled Water for CH	66436	\$26.00
BlueTriton Brands Inc	06G8750288168	001 013 518 20 31 00	GG-Operating Costs	Bottled Water for CH	66436	\$133.60
					66436 Total	\$185.60
Business Card	BARNES 07-2026	001 008 521 40 49 01	LE- Staff Development	Adv Peer Support Hotel - Barnes	66437	\$272.38
Business Card	BARNES 07-2026	001 008 521 20 31 06	LE - Uniform Clothing	Flashlight & Handcuff Cases	66437	\$323.94
Business Card	BARNES 07-2026	001 008 521 40 49 01	LE- Staff Development	TCTI Registration Refund - Barnes	66437	(\$299.00)
Business Card	BARNES 07-2026	001 008 521 20 31 09	LE - Supply- Opioid Settlement	Uniform Shirt/Pants/Misc	66437	\$1,248.46
Business Card	BEAZIZO 07-2026	111 008 521 20 31 01	Drug Seize - Canine Supplies	Aches Awat/Joint Support	66437	\$113.09
Business Card	BEAZIZO 07-2026	111 008 521 20 31 01	Drug Seize - Canine Supplies	Dog Food	66437	\$75.79
Business Card	BRAZEL 07-2026	001 002 513 11 49 00	AD-Staff Development	AWWA Conf Airport Parking Fees - Brazel	66437	\$185.00
Business Card	BRAZEL 07-2026	001 002 513 11 49 00	AD-Staff Development	AWWA Conf Hotel - Brazel	66437	\$1,595.48
Business Card	BRAZEL 07-2026	001 002 513 11 49 00	AD-Staff Development	AWWA Conf Uber Fees - Brazel	66437	\$264.99

Vendor Name	Invoice #	Account #	Account Name	Description	Check #	Amount
Business Card	BRAZEL 07-2026	001 002 513 11 49 00	AD-Staff Development	DC Fly In Hotel - Brazel	66437	\$1,340.40
Business Card	BRAZEL 07-2026	001 001 513 10 30 00	Executive - Retreat	Executive Retreat Meal	66437	\$358.66
Business Card	BRAZEL 07-2026	001 002 513 11 49 00	AD-Staff Development	ICMA Conf Registration - Brazel	66437	\$778.00
Business Card	BRAZEL 07-2026	101 016 542 30 49 01	ST-Staff Development	ICMA Conf Registration - Halverson	66437	\$242.50
Business Card	BRAZEL 07-2026	410 016 531 10 49 01	SW - Staff Development	ICMA Conf Registration - Halverson	66437	\$242.50
Business Card	BRAZEL 07-2026	001 005 518 10 49 01	HR-Staff Development	ICMA Conf Registration - Warrington	66437	\$485.00
Business Card	BRAZEL 07-2026	001 007 558 50 49 01	PL-Staff Development	ICMA Conf Registration - Wright	66437	\$242.50
Business Card	BRAZEL 07-2026	001 007 559 30 49 01	PB-Staff Development	ICMA Conf Registration - Wright	66437	\$242.50
Business Card	BRAZEL 07-2026	001 002 513 11 49 00	AD-Staff Development	Monthly MAG Meeting Lunch - Brazel	66437	\$19.02
Business Card	BRYANT 07-2026	001 008 521 50 30 02	LE-Fleet Minor Equipment	ATO 15Pro-TE	66437	\$13.11
Business Card	CHELIN 07-2026	001 001 513 10 49 01	Executive - Prof. Development	NLC Summit Registration - Hilt	66437	\$1,240.00
Business Card	CHELIN 07-2026	120 016 595 61 60 05	TBP05: 91st - 20th to 12th	Postage for Mailing DOE ESAF Permit #WAR315810	66437	\$33.10
Business Card	CLIFTON 07-2026	101 016 542 30 48 00	ST-Repair & Maintenance	Vehicle Repair Services 2016 Ford Transit	66437	\$788.30
Business Card	DREHER 07-2026	001 008 521 20 31 00	LE-Office Supplies	Biometric Supply Kit	66437	\$201.09
Business Card	DREHER 07-2026	001 008 521 40 49 01	LE- Staff Development	CAST Basic Hotel Refund	66437	(\$212.56)
Business Card	DREHER 07-2026	001 008 521 20 31 04	LE-Donation Exp - Other	Drone Arm Replacement	66437	\$470.98
Business Card	DREHER 07-2026	001 008 521 20 31 09	LE - Supply- Opioid Settlement	GoJak Rolling Storage Rack	66437	\$173.47
Business Card	DREHER 07-2026	001 008 521 20 31 02	LE-Minor Equipment	LSPD Coins/Patches	66437	\$4,010.50
Business Card	FOX 07-2026	001 008 521 20 49 00	LE-Dues & Memberships	NAGARA Membership - Morgan	66437	\$89.00
Business Card	FOX 07-2026	001 008 521 40 49 01	LE- Staff Development	PRA Deep Dive Registration - Morgan	66437	\$45.00
Business Card	FOX 07-2026	001 008 521 40 49 01	LE- Staff Development	WAPRO Certification - Suarez	66437	\$100.00
Business Card	FOX 07-2026	001 008 521 20 49 00	LE-Dues & Memberships	WAPRO Membership - Morgan	66437	\$25.00
Business Card	GARCEAU 07-2026	001 010 576 80 49 01	PK-Staff Development	ASLA Conf Flight - Meis	66437	\$286.80
Business Card	GARCEAU 07-2026	001 010 576 80 31 05	PK-R&M Supplies	Landscape Trimmer/Cement Sealant/Asphalt Patch	66437	\$613.89
Business Card	GARCEAU 07-2026	001 010 576 80 31 08	PK-Special Event Supplies	Movie in the Park Flyers	66437	\$52.69
Business Card	GARCEAU 07-2026	001 010 576 80 31 07	PK-Recreation Supplies	NC Basketball Hoop	66437	\$2,677.84
Business Card	GARCEAU 07-2026	001 010 576 80 31 00	PK-Operating Supplies	NC Basketball Posts	66437	\$771.87
Business Card	GARCEAU 07-2026	001 010 576 80 31 00	PK-Operating Supplies	NC Basketball Tension Cables	66437	\$64.00
Business Card	GARCEAU 07-2026	001 010 576 80 31 07	PK-Recreation Supplies	Park Replacement Rubber Tiles	66437	\$163.96
Business Card	GARCEAU 07-2026	001 010 576 80 31 00	PK-Operating Supplies	Storage Bins	66437	\$39.33
Business Card	HALVERSON 07-2026	101 016 542 90 31 01	ST-Clothing	Boots - Mangold	66437	\$93.50
Business Card	HALVERSON 07-2026	410 016 531 10 31 00	SW - Clothing	Boots - Mangold	66437	\$93.49
Business Card	HALVERSON 07-2026	101 016 542 30 49 01	ST-Staff Development	Grammarly Annual Subscription	66437	\$120.65
Business Card	HALVERSON 07-2026	410 016 531 10 49 01	SW - Staff Development	Grammarly Annual Subscription	66437	\$120.65
Business Card	MACDONALD 07-2026	001 010 576 80 31 00	PK-Operating Supplies	Air Filters/Knife/Micron Hyd PW20	66437	\$177.35
Business Card	MACDONALD 07-2026	101 016 544 90 31 02	ST-Operating Cost	Air Filters/Knife/Micron Hyd PW20	66437	\$177.35
Business Card	MACDONALD 07-2026	410 016 531 10 31 02	SW - Operating Costs	Air Filters/Knife/Micron Hyd PW20	66437	\$177.35
Business Card	MACDONALD 07-2026	001 010 576 80 31 05	PK-R&M Supplies	Brake Pads/Oil Filter/Air Filter PW13	66437	\$129.41
Business Card	MACDONALD 07-2026	101 016 544 90 31 02	ST-Operating Cost	Brake Pads/Oil Filter/Air Filter PW13	66437	\$129.40
Business Card	MACDONALD 07-2026	410 016 531 10 31 02	SW - Operating Costs	Brake Pads/Oil Filter/Air Filter PW13	66437	\$129.40
Business Card	MACDONALD 07-2026	101 016 542 30 32 00	ST-Fuel	VP 50:1 Premix Fuel	66437	\$437.18
Business Card	MACDONALD 07-2026	410 016 531 10 32 00	SW - Fuel	VP 50:1 Premix Fuel	66437	\$656.07
Business Card	POOLOS 07-2026	001 006 518 80 31 00	IT- Operating Supplies	Haiku Pro Annual	66437	\$524.64
Business Card	POOLOS 07-2026	001 006 518 80 31 00	IT- Operating Supplies	Wireless Keyboard/Mouse Combo (1)	66437	\$43.71
Business Card	POOLOS 07-2026	001 006 518 80 31 00	IT- Operating Supplies	Wireless Keyboard/Mouse Combo (8)	66437	\$358.41
Business Card	STEVENS B 07-2026	001 004 514 23 49 01	FI-Staff Development	WFOA Membership Dues - B Stevens	66437	\$75.00
Business Card	STEVENS T 07-2026	001 006 518 80 42 00	IT-Communications	Postage for Axis Communications	66437	\$12.15
Business Card	UBERT 07-2026	001 008 521 20 31 08	LE - Business Meeting Supplies	Aquafest Lunch on 07/11 for PD	66437	\$265.57
Business Card	UBERT 07-2026	001 008 521 20 31 08	LE - Business Meeting Supplies	Aquafest Snacks/Drinks for PD	66437	\$484.86

Vendor Name	Invoice #	Account #	Account Name	Description	Check #	Amount
Business Card	UBERT 07-2026	001 008 521 20 42 00	LE-Communication	Evidence Shipping	66437	\$157.25
Business Card	UBERT 07-2026	001 008 521 20 41 01	LE-Professional Serv-Fixed	Fubo TV Monthly Subscription	66437	\$95.07
Business Card	UBERT 07-2026	001 008 521 40 49 01	LE- Staff Development	Good2Go Account Refill	66437	\$30.00
Business Card	VALVICK 07-2026	001 008 521 20 31 08	LE - Business Meeting Supplies	Water/Snacks/Fuit - LSPD Hosted Training	66437	\$58.96
Business Card	WARRINGTON 07-2026	001 005 518 10 49 01	HR-Staff Development	AWC Conf Registration - Warrington	66437	\$747.34
Business Card	WARRINGTON 07-2026	001 005 518 10 41 01	HR - Advertising/Marketing	HR Manager Job Advertisment	66437	\$799.00
Business Card	WARRINGTON 07-2026	001 005 518 10 49 01	HR-Staff Development	ICMA Luncheon Registration - Warrington	66437	\$70.00
Business Card	WARRINGTON 07-2026	001 005 517 90 41 01	HR-City Training Program	Meal for HR Manager Interviews	66437	\$73.24
Business Card	WARRINGTON 07-2026	001 005 518 10 49 01	HR-Staff Development	Safety Conf Uber Fees - Frederick	66437	\$350.30
Business Card	WARRINGTON 07-2026	001 005 518 10 41 00	HR-Professional Services	Scribe Pro Team Subscription	66437	\$852.54
Business Card	WARRINGTON 07-2026	001 005 517 90 41 01	HR-City Training Program	Snacks/Fruit for Intership Program Orientation	66437	\$45.24
Business Card	WARRINGTON 07-2026	001 005 518 10 41 00	HR-Professional Services	Survey Monkey Subscription	66437	\$327.90
Business Card	WEAVER 07-2026	001 001 511 60 49 01	Legislative - Prof. Developmen	AWC Conf Hotel - Araya	66437	\$947.91
Business Card	WEAVER 07-2026	001 001 511 60 49 01	Legislative - Prof. Developmen	AWC Conf Hotel - Jorstad	66437	\$915.68
Business Card	WEAVER 07-2026	001 001 511 60 49 01	Legislative - Prof. Developmen	AWC Conf Hotel Cancellation Fee - McManus	66437	\$196.69
Business Card	WEAVER 07-2026	001 001 511 60 31 00	Legislative - Operating Costs	Federal Delegation Photo Frames	66437	\$225.88
Business Card	WEAVER 07-2026	001 013 518 20 31 00	GG-Operating Costs	Federal Delegation Photos	66437	\$18.54
Business Card	WEAVER 07-2026	001 001 513 10 49 01	Executive - Prof. Development	ICMA Conf Registration - Hilt	66437	\$1,845.00
Business Card	WEAVER 07-2026	001 001 511 60 49 01	Legislative - Prof. Developmen	Muni Budgeting Workshop Registration - Edwards/McManus	66437	\$543.00
Business Card	WRIGHT 07-2026	001 007 559 30 49 01	PB-Staff Development	Erosion & Sediment Control Cert Training - Glaser/Kehler	66437	\$300.00
Business Card	WRIGHT 07-2026	001 007 558 50 41 04	Permit Related Professional Sr	Postcard Mailers LUA2026-0088	66437	\$27.51
Business Card	WRIGHT 07-2026	001 007 558 50 41 04	Permit Related Professional Sr	Postcard Mailers LUA2026-0092	66437	\$89.34
Business Card	WRIGHT 07-2026	001 007 558 50 41 04	Permit Related Professional Sr	Postcard Mailers LUA2026-0107	66437	\$26.80
					66437 Total	\$32,327.91
Canon Financial Services Inc	43495863	001 007 591 58 70 01	PL -Lease Agreements	2YJ04075 Copier Lease CH	66438	\$70.56
Canon Financial Services Inc	43495863	001 007 591 59 70 01	PB - Lease Agreements	2YJ04075 Copier Lease CH	66438	\$70.56
Canon Financial Services Inc	43495863	001 013 591 18 70 01	Lease Agreements	2YJ04075 Copier Lease CH	66438	\$70.56
Canon Financial Services Inc	43495863	001 007 558 50 48 00	PL-Repairs & Maint.	2YJ04075 Copier Lease CH Tax	66438	\$6.56
Canon Financial Services Inc	43495863	001 007 559 30 48 00	PB-Repair & Maintenance	2YJ04075 Copier Lease CH Tax	66438	\$6.56
Canon Financial Services Inc	43495863	001 013 518 20 48 00	GG-Repair & Maintenance	2YJ04075 Copier Lease CH Tax	66438	\$6.57
Canon Financial Services Inc	43527855	001 013 518 20 48 00	GG-Repair & Maintenance	XTZ01787 Copier Lease CH Admin Month to Month Le	66438	\$286.05
					66438 Total	\$517.42
CDW Government Inc	AJ9248R	001 001 511 60 31 00	Legislative - Operating Costs	Surface - Araya	66439	\$1,857.79
CDW Government Inc	AJ93P6N	001 001 511 60 31 00	Legislative - Operating Costs	Surface Warranty - Araya	66439	\$158.93
CDW Government Inc	AJ96J6C	001 006 518 80 31 00	IT- Operating Supplies	Surface Pro Pen	66439	\$186.81
CDW Government Inc	AJ9SD3T	510 006 518 80 49 51	Sft Lcns & Maint - Infra Srvs	Quest Rapid Rec Annual	66439	\$4,283.74
CDW Government Inc	AJ9XG7X	510 006 518 80 49 50	Sft Lcns & Maint - Clnt Srvs	Lucid Core Bundle	66439	\$6,887.74
					66439 Total	\$13,375.01
Central Welding Supply Co Inc	2735657	001 010 576 80 31 00	PK-Operating Supplies	Argon/Centrashield/Propane	66440	\$40.81
Central Welding Supply Co Inc	2735657	101 016 544 90 31 02	ST-Operating Cost	Argon/Centrashield/Propane	66440	\$40.81
Central Welding Supply Co Inc	2735657	410 016 531 10 31 02	SW - Operating Costs	Argon/Centrashield/Propane	66440	\$40.80
					66440 Total	\$122.42
Certerra Northwest LLC	6721	304 013 594 18 60 00	R2 - Historical Museum	Museum Project Professional Services	66441	\$2,302.45
					66441 Total	\$2,302.45
City of Marysville	LKS26-006A	001 013 518 20 49 00	GG-Miscellaneous	Restitution Reimbursement	66442	\$540.04
					66442 Total	\$540.04
ClearGov Inc	2026-19316	510 006 518 80 49 51	Sft Lcns & Maint - Infra Srvs	ClearGov Digital Budget Book Renewal	66443	\$5,904.87
					66443 Total	\$5,904.87

Vendor Name	Invoice #	Account #	Account Name	Description	Check #	Amount
Comcast	06-2026 COMCAST	001 010 576 80 42 00	PK-Communication	Comcast Internet/Telecom Services Davies	66444	\$401.71
Comcast	06-2026 COMCAST	001 010 576 80 42 00	PK-Communication	Comcast Internet/Telecom Services Frontier Park	66444	\$401.71
Comcast	06-2026 COMCAST	101 016 542 64 47 00	ST-Traffic Control -Utility	Traffic Signal Control	66444	\$329.98
					66444 Total	\$1,133.40
Cory de Jong and Sons Inc	Z363187	001 008 521 50 30 00	LE-Facilities Supplies	Mulch	66445	\$79.52
					66445 Total	\$79.52
Criminal Justice Training Commission	201143221	001 008 521 40 49 01	LE- Staff Development	Use of Force/Control Defense Tactics - Holland	66446	\$1,256.95
					66446 Total	\$1,256.95
DataQuest LLC	27637	001 005 518 10 41 00	HR-Professional Services	Background Checks	66447	\$63.94
DataQuest LLC	27637	001 006 518 80 41 00	IT-Professional Services	Background Checks	66447	\$153.02
DataQuest LLC	27637	001 007 558 50 41 00	PL-Professional Servic	Background Checks	66447	\$89.08
DataQuest LLC	27637	001 010 576 80 41 00	PK-Professional Services	Background Checks	66447	\$89.08
DataQuest LLC	27637	101 016 542 30 41 02	ST-Professional Service	Background Checks	66447	\$44.54
DataQuest LLC	27637	410 016 531 10 41 01	SW - Professional Services	Background Checks	66447	\$44.54
					66447 Total	\$484.20
David Evans and Associates Inc	619798	001 007 558 50 41 04	Permit Related Professional Sr	LUA2026-0103 Gamble Plat	66448	\$2,556.50
					66448 Total	\$2,556.50
Delta T LLC	10655086	001 012 575 50 31 00	CS- The Mill- Ops	Ceiling Fan - The Mill	66449	\$2,459.25
					66449 Total	\$2,459.25
Dept of Licensing	070426 DOL	633 000 589 30 00 05	Gun Permit - State DOL	Weapons Permits 06/28/26 - 07/04/26	66450	\$195.00
					66450 Total	\$195.00
Dept of Retirement (Deferred Comp)	7102026	001 000 282 00 00 00	Payroll Liability Retirement	Employee Portion-State Deferred	EFT	\$9,058.81
					EFT Total	\$9,058.81
Dept of Retirement PERS LEOFF	7102026	001 000 282 00 00 00	Payroll Liability Retirement	PERS LEOFF Contributions	EFT	\$76,994.48
Dept of Retirement PERS LEOFF	7102026	001 000 282 00 00 00	Payroll Liability Retirement	PERS LEOFF Contributions - State	EFT	\$300.24
					EFT Total	\$77,294.72
Dept of Revenue EFT	06-2026 EXCISE	001 013 518 90 49 06	GG-Excise Tax	Excise Taxes 06-2026	EFT	\$2,290.90
Dept of Revenue EFT	06-2026 EXCISE	410 016 531 10 44 00	SW-Excise Taxes	Excise Taxes 06-2026	EFT	\$1,950.47
Dept of Revenue EFT	06-2026 EXCISE	633 000 589 30 00 11	DOR - Sales Tax Remittance	Excise Taxes 06-2026 Lean Class	EFT	\$82.41
Dept of Revenue EFT	06-2026 EXCISE	001 010 576 80 31 05	PK-R&M Supplies	Replacement Hustler Mower Parts Tax	EFT	\$1.79
					EFT Total	\$4,325.57
Dreher	080426 DREHER D	001 008 521 40 49 01	LE- Staff Development	Glock Armorer Training Meal PerDiem - D Dreher	66451	\$20.00
					66451 Total	\$20.00
EFTPS	7102026	001 000 281 00 00 00	Payroll Liability Taxes	Federal Payroll Taxes	EFT	\$185,004.08
					EFT Total	\$185,004.08
Electronic Business Machines	AR335983	001 013 518 20 48 00	GG-Repair & Maintenance	Printer Copy Fees CH Admin XTZ10787	66452	\$428.52
Electronic Business Machines	AR336633	001 010 576 80 48 00	PK-Repair & Maintenance	Printer Copy Fees PW - QNN08471	66452	\$7.41
Electronic Business Machines	AR336633	101 016 542 30 48 00	ST-Repair & Maintenance	Printer Copy Fees PW - QNN08471	66452	\$7.40
Electronic Business Machines	AR336633	410 016 531 10 48 00	SW - Repairs & Maintenance	Printer Copy Fees PW - QNN08471	66452	\$7.41
					66452 Total	\$450.74
Enterprise FM Trust	604558-070326	530 016 594 48 70 00	Capital Lease Holding Account	City Vehicle Lease/Mgmt/Tax Fees 07-2026	66453	\$19,801.65
					66453 Total	\$19,801.65
Fastenal Company	MN0191040809	001 010 576 80 41 00	PK-Professional Services	FAST Program Fees 07-2026	66454	\$3.65
Fastenal Company	MN0191040809	101 016 542 30 41 02	ST-Professional Service	FAST Program Fees 07-2026	66454	\$3.64
Fastenal Company	MN0191040809	410 016 531 10 41 01	SW - Professional Services	FAST Program Fees 07-2026	66454	\$3.64
					66454 Total	\$10.93
Feldman & Lee PS	06-2026 FELDMAN	001 011 515 91 41 00	LG-General Public Defender	Public Defender Services 06-2026	66455	\$28,500.00
					66455 Total	\$28,500.00

Vendor Name	Invoice #	Account #	Account Name	Description	Check #	Amount
Fireshield Inc	13340	001 008 521 50 48 00	LE-Facility Repair & Maint	Elevator Smoke Detector Repairs at PD	66456	\$672.20
					66456 Total	\$672.20
GLPK LLC	2159	001 008 521 20 41 01	LE-Professional Serv-Fixed	Janitorial Service - PD	66457	\$1,886.00
GLPK LLC	2159	001 000 382 20 00 00	Retainage	Janitorial Service - PD Retainage	66457	(\$188.60)
GLPK LLC	2160	001 010 576 80 41 00	PK-Professional Services	Janitorial Service - PW/Parks Shop	66457	\$451.33
GLPK LLC	2160	101 016 542 30 41 02	ST-Professional Service	Janitorial Service - PW/Parks Shop	66457	\$451.34
GLPK LLC	2160	410 016 531 10 41 01	SW - Professional Services	Janitorial Service - PW/Parks Shop	66457	\$451.33
GLPK LLC	2160	001 000 382 20 00 00	Retainage	Janitorial Service - PW/Parks Shop Retainage	66457	(\$45.13)
GLPK LLC	2160	101 000 382 20 00 00	PW - Retainage	Janitorial Service - PW/Parks Shop Retainage	66457	(\$45.14)
GLPK LLC	2160	410 000 382 20 00 00	SW-Retainage	Janitorial Service - PW/Parks Shop Retainage	66457	(\$45.13)
GLPK LLC	2186	001 013 518 20 41 00	GG-Professional Service	Janitorial Service - CH	66457	\$1,354.00
GLPK LLC	2186	001 000 382 20 00 00	Retainage	Janitorial Service - CH Retainage	66457	(\$135.40)
GLPK LLC	2191	001 013 518 20 41 00	GG-Professional Service	Janitorial Service - 10515 20th St	66457	\$280.00
GLPK LLC	2191	001 000 382 20 00 00	Retainage	Janitorial Service - 10515 20th St Retainage	66457	(\$28.00)
GLPK LLC	2192	001 013 518 20 41 00	GG-Professional Service	Janitorial Service - The Mill	66457	\$3,200.00
GLPK LLC	2192	001 000 382 20 00 00	Retainage	Janitorial Service - The Mill Retainage	66457	(\$320.00)
					66457 Total	\$7,266.60
Grainger	9001499145	410 016 531 10 31 02	SW - Operating Costs	Pipettor	66458	\$222.06
Grainger	9001914499	410 016 531 10 31 02	SW - Operating Costs	Pipette Tip	66458	\$30.36
					66458 Total	\$252.42
Granite Construction Supply	111189	101 016 542 90 31 01	ST-Clothing	Lime Pants	66459	\$20.33
Granite Construction Supply	111254	101 016 542 90 31 01	ST-Clothing	Lime Vest	66459	\$51.08
					66459 Total	\$71.41
Honey Bucket	555631797	001 010 576 80 45 00	PK-Equipment Rental	Honey Bucket Rental - Eagle Ridge	66460	\$163.90
Honey Bucket	555631798	001 010 576 80 45 00	PK-Equipment Rental	Honey Bucket Rental - Cavalero Dog Park	66460	\$305.25
Honey Bucket	555631799	001 010 576 80 45 00	PK-Equipment Rental	Honey Bucket Rental - Cavalero Skate Park	66460	\$305.25
Honey Bucket	555643495	001 010 576 80 45 00	PK-Equipment Rental	Honey Bucket Rental - Swim Beach	66460	\$191.40
Honey Bucket	555649058	001 010 576 80 45 00	PK-Equipment Rental	Honey Bucket Rental - Sunset Beach	66460	\$305.25
					66460 Total	\$1,271.05
HRA VEBA Trust YA20192	7102026	001 000 283 00 00 00	Payroll Liability Medical	Employee VEBA Contributions	EFT	\$5,707.35
					EFT Total	\$5,707.35
HSA Bank	7102026	001 000 284 00 00 00	Payroll Liability Other	Health Savings Account Employee Contributions	EFT	\$325.00
					EFT Total	\$325.00
IEH Analytical Laboratories	185462	410 016 531 10 41 01	SW - Professional Services	Lab Sample Analysis	66461	\$660.00
					66461 Total	\$660.00
Industrial Bolt and Supply Inc	910443-1	101 016 544 90 31 02	ST-Operating Cost	Plugs/Nuts/Washers/Retainer Heads	66462	\$86.04
Industrial Bolt and Supply Inc	910443-1	410 016 531 10 31 02	SW - Operating Costs	Plugs/Nuts/Washers/Retainer Heads	66462	\$86.03
					66462 Total	\$172.07
Ink It Your Way LLC	14556	001 007 558 70 31 00	PL - Citywide Beautification	Sweatshirts/Work Shirts/Polos/Hi Vis Vests/Beanies - Bldg Dept	66463	\$1,272.23
Ink It Your Way LLC	14610	001 005 518 10 31 03	HR-Emp Recognition Supplies	Service Awards	66463	\$380.07
					66463 Total	\$1,652.30
KBA Inc	3010355	304 016 595 30 60 05	R2 - Main Street	LS Main Street Improvements	66464	\$24,393.76
KBA Inc	3010418	304 016 595 30 60 05	R2 - Main Street	LS Main Street Improvements	66464	\$25,920.38
					66464 Total	\$50,314.14
Kolomyza	111925 KOLOMYZA	001 008 521 20 26 00	LE-Clothing Allowance	Footwear Reimb 2025 - Kolomyza	66465	\$300.00
					66465 Total	\$300.00
Lake Industries LLC	312619	410 016 531 10 41 03	SW - Disposal Fees	Dump Site Fill Material Clean - Hauled In - Per Yard	66466	\$540.00
					66466 Total	\$540.00

Vendor Name	Invoice #	Account #	Account Name	Description	Check #	Amount
Lake Stevens Police Guild	7102026	001 000 284 00 00 00	Payroll Liability Other	Employee Paid Union Dues	66428	\$1,883.35
					66428 Total	\$1,883.35
Lake Stevens Sewer District	1195 07-2026	001 010 576 80 47 00	PK-Utilities	Sewer - Cedarwood Park Acct 1195-01	66467	\$127.66
Lake Stevens Sewer District	12326 07-2026	001 010 576 80 47 00	PK-Utilities	Sewer - Boat Launch Restrooms Acct 12326-01	66467	\$134.04
Lake Stevens Sewer District	13135 07-2026	101 016 543 50 47 00	ST-Utilities	Sewer - Decant Facility Acct 13135-01	66467	\$450.15
Lake Stevens Sewer District	13135 07-2026	401 070 535 10 47 01	Sewer Dist Utilities	Sewer - Decant Facility Acct 13135-01	66467	\$900.30
Lake Stevens Sewer District	13135 07-2026	410 016 531 10 47 00	SW - Utilities	Sewer - Decant Facility Acct 13135-01	66467	\$450.14
Lake Stevens Sewer District	14035 07-2026	001 013 518 20 47 00	GG-Utilities	Sewer - 12404 Mill Spur	66467	\$127.66
Lake Stevens Sewer District	2538 07-2026	001 010 576 80 47 00	PK-Utilities	Sewer - Lundeen Park Acct 2538-02	66467	\$831.68
Lake Stevens Sewer District	3628 07-2026	001 010 576 80 47 00	PK-Utilities	Sewer - Davies Beach Acct 3628-02	66467	\$1,988.67
Lake Stevens Sewer District	5189 07-2026	005 000 518 20 40 01	Rental Property Utilities	Sewer - 10519 20th St SE 5189-04	66467	\$960.61
Lake Stevens Sewer District	6294 07-2026	001 008 521 50 47 00	LE-Facility Utilities	Sewer - PD Evidence Bldg Acct 6294-04	66467	\$127.66
Lake Stevens Sewer District	6296 07-2026	001 008 521 50 47 00	LE-Facility Utilities	Sewer - Police Station Acct 6296-03	66467	\$127.66
Lake Stevens Sewer District	6390 07-2026	005 000 518 20 40 01	Rental Property Utilities	Sewer - 1819 S Lake Stevens Acct 6390-03	66467	\$127.66
Lake Stevens Sewer District	6666 07-2026	001 012 575 30 47 00	CS- Museum - Utilities	Sewer - Museum Acct 6666-01	66467	\$127.66
Lake Stevens Sewer District	6671 07-2026	001 013 518 20 47 00	GG-Utilities	Sewer - City Hall Acct 6671-01	66467	\$127.66
Lake Stevens Sewer District	6810 07-2026	001 012 575 50 47 00	CS- The Mill- Utilities	Sewer - The Mill Acct 6810-01	66467	\$255.31
Lake Stevens Sewer District	7002 07-2026	001 010 576 80 47 00	PK-Utilities	Sewer - North Cove Park Restroom 7002-01	66467	\$127.66
Lake Stevens Sewer District	8710 07-2026	001 008 521 50 47 00	LE-Facility Utilities	Sewer - Police Training Bldg Acct 8710-03	66467	\$127.66
Lake Stevens Sewer District	9902 07-2026	001 012 572 20 47 00	CS- Library-Utilities	Sewer - Library Acct 9902-01	66467	\$127.66
					66467 Total	\$7,247.50
Lowes Companies	974611	001 010 576 80 31 00	PK-Operating Supplies	Timber - General Stock	66468	\$23.95
Lowes Companies	974611	001 010 576 80 31 05	PK-R&M Supplies	Timber - Sign Repairs	66468	\$23.96
Lowes Companies	980033	001 010 576 80 31 05	PK-R&M Supplies	Timber/Asphalt - Lundeen Asphalt Patch & Signs	66468	\$288.87
Lowes Companies	984846	101 016 544 90 31 02	ST-Operating Cost	Utility Tube	66468	\$2,388.31
					66468 Total	\$2,725.09
McDaniels Do It Center	3360	410 016 531 10 31 02	SW - Operating Costs	Nuts	66469	\$32.66
McDaniels Do It Center	3361	001 013 518 20 31 00	GG-Operating Costs	Hedge Trim Set/Battery/120V Charger	66469	\$477.69
McDaniels Do It Center	3361	101 016 544 90 31 02	ST-Operating Cost	Hedge Trim Set/Battery/120V Charger	66469	\$21.47
McDaniels Do It Center	3361	410 016 531 10 31 02	SW - Operating Costs	Hedge Trim Set/Battery/120V Charger	66469	\$37.58
					66469 Total	\$569.40
MissionSquare - 108991	6938402	001 000 282 00 00 00	Payroll Liability Retirement	ICMA Deferred Comp - Employer Contribution	EFT	\$545.23
					EFT Total	\$545.23
MissionSquare - 307428	6101116	001 000 282 00 00 00	Payroll Liability Retirement	ICMA Deferred Comp - Employee Contribution	EFT	\$1,554.57
Nationwide Retirement Solution	7102026	001 000 282 00 00 00	Payroll Liability Retirement	Employee Portion-Nationwide	EFT	\$7,988.51
					EFT Total	\$9,543.08
New Restoration and Recovery Services	INV26945	410 016 531 10 41 10	SW - Prof Service - CCTV	24007 Stormwater CCTV Project Pymt #11	66470	\$38,589.40
New Restoration and Recovery Services	INV26945	410 016 531 10 41 10	SW - Prof Service - CCTV	24007 Stormwater CCTV Project Pymt #11 Retainage	66470	(\$1,929.47)
					66470 Total	\$36,659.93
New York Life	Y6W_20260703	001 000 284 00 00 00	Payroll Liability Other	Whole Life Insurance Premiums	EFT	\$147.00
					EFT Total	\$147.00
New York Life EFT	Jun-26	001 001 513 10 20 00	Executive - Benefits	Life/Disability Insurance Premiums	EFT	\$9.63
New York Life EFT	Jun-26	001 002 513 11 20 00	AD-Benefits	Life/Disability Insurance Premiums	EFT	\$76.66
New York Life EFT	Jun-26	001 003 514 20 20 00	CC-Benefits	Life/Disability Insurance Premiums	EFT	\$165.69
New York Life EFT	Jun-26	001 004 514 23 20 00	FI-Benefits	Life/Disability Insurance Premiums	EFT	\$167.61
New York Life EFT	Jun-26	001 005 518 10 20 00	HR-Benefits	Life/Disability Insurance Premiums	EFT	\$321.44
New York Life EFT	Jun-26	001 006 518 80 20 00	IT-Benefits	Life/Disability Insurance Premiums	EFT	\$284.05
New York Life EFT	Jun-26	001 007 558 50 20 00	PL-Benefits	Life/Disability Insurance Premiums	EFT	\$191.47
New York Life EFT	Jun-26	001 007 559 30 20 00	PB-Benefits	Life/Disability Insurance Premiums	EFT	\$65.92

Vendor Name	Invoice #	Account #	Account Name	Description	Check #	Amount
New York Life EFT	Jun-26	001 008 521 20 20 00	LE-Benefits	Life/Disability Insurance Premiums	EFT	\$2,341.14
New York Life EFT	Jun-26	001 010 576 80 20 00	PK-Benefits	Life/Disability Insurance Premiums	EFT	\$780.53
New York Life EFT	Jun-26	001 013 518 30 20 00	GG-Benefits	Life/Disability Insurance Premiums	EFT	\$308.34
New York Life EFT	Jun-26	003 007 559 30 20 00	PT - Permit Benefits	Life/Disability Insurance Premiums	EFT	\$1,026.87
New York Life EFT	Jun-26	005 013 518 20 20 00	RP-Benefits	Life/Disability Insurance Premiums	EFT	\$27.30
New York Life EFT	Jun-26	101 016 542 30 20 00	ST-Benefits	Life/Disability Insurance Premiums	EFT	\$946.20
New York Life EFT	Jun-26	410 016 531 10 20 00	SW-Benefits	Life/Disability Insurance Premiums	EFT	\$1,116.30
					EFT Total	\$7,829.15
O Reilly Auto Parts	2960-214120	101 016 544 90 31 02	ST-Operating Cost	Bed Liners/Rpt 1K Kit PW91	66471	\$72.89
O Reilly Auto Parts	2960-214120	410 016 531 10 31 02	SW - Operating Costs	Bed Liners/Rpt 1K Kit PW91	66471	\$72.89
O Reilly Auto Parts	2960-214481	410 016 531 10 31 02	SW - Operating Costs	Transmission Fluid PW89	66471	\$78.67
O Reilly Auto Parts	2960-214486	101 016 544 90 31 02	ST-Operating Cost	Polish Pads/Micros PW91	66471	\$41.24
O Reilly Auto Parts	2960-214486	410 016 531 10 31 02	SW - Operating Costs	Polish Pads/Micros PW91	66471	\$41.23
O Reilly Auto Parts	2960-216220	101 016 544 90 31 02	ST-Operating Cost	Brake Control PW91	66471	\$46.44
O Reilly Auto Parts	2960-216220	410 016 531 10 31 02	SW - Operating Costs	Brake Control PW91	66471	\$46.45
O Reilly Auto Parts	2960-217251	101 016 544 90 31 02	ST-Operating Cost	Oil Filters	66471	\$5.78
O Reilly Auto Parts	2960-217251	410 016 531 10 31 02	SW - Operating Costs	Oil Filters	66471	\$5.78
O Reilly Auto Parts	2960-219231	410 016 531 10 31 02	SW - Operating Costs	Oil Filter/Motor Oil PW1	66471	\$77.90
O Reilly Auto Parts	2960-225217	101 016 544 90 31 02	ST-Operating Cost	Horn PW91	66471	\$14.61
O Reilly Auto Parts	2960-225217	410 016 531 10 31 02	SW - Operating Costs	Horn PW91	66471	\$14.61
					66471 Total	\$518.49
Ogden Murphy Wallace PLLC	913508	001 011 515 41 41 00	Ext Consultation - City Atty	Legal Services 06-2025	66472	\$21,244.40
Ogden Murphy Wallace PLLC	913508	001 011 515 41 41 01	Ext Consult - PRA	Legal Services 06-2025 PRR	66472	\$4,463.40
Ogden Murphy Wallace PLLC	913508	001 011 515 45 41 02	Ext Litigation - Sewer	Legal Services 06-2025 Sewer	66472	\$3,493.20
Ogden Murphy Wallace PLLC	913508	001 011 515 41 41 00	Ext Consultation - City Atty	Legal Services 06-2025 Sunset Grill Const	66472	\$10,607.20
					66472 Total	\$39,808.20
Otak Inc	62600290	304 010 594 76 60 07	R2 - Davies Pier Resurfacing	Davies Beach Resurfacing	66473	\$254.00
					66473 Total	\$254.00
Pacific Power Batteries	11460353	001 012 572 20 48 00	CS- Library-Repair & Maint	Renata 3V Lithium Battery	66474	\$8.24
					66474 Total	\$8.24
Plantscapes Inc	RC203067	001 013 518 20 41 00	GG-Professional Service	Landscape Maint 10515 20th St	66475	\$275.44
Plantscapes Inc	RC203067	005 000 518 20 40 02	Rental Property Services	Landscape Maint 1819 S Lake/10519 20th St	66475	\$550.86
Plantscapes Inc	RC203067	005 000 382 20 00 00	Rental Property Retainage	Landscape Maint 1819/10519 Retainage	66475	(\$50.40)
Plantscapes Inc	RC203067	001 008 521 20 41 01	LE-Professional Serv-Fixed	Landscape Maint 1825 S Lake	66475	\$275.44
Plantscapes Inc	RC203067	001 000 382 20 00 00	Retainage	Landscape Maint 1825/2211/10515 Retainage	66475	(\$75.60)
Plantscapes Inc	RC203067	001 012 572 20 41 00	CS- Library-Professional Svc	Landscape Maint 2211 Grade Rd	66475	\$275.44
					66475 Total	\$1,251.18
PODS Enterprises LLC	PODS012175438	001 013 518 20 41 00	GG-Professional Service	POD Rental for Museum Storage	66476	\$179.25
					66476 Total	\$179.25
ProCom LLC	152058	001 008 521 20 41 00	LE-Professional Services	Pre-Employment Drug Screening	66477	\$72.00
					66477 Total	\$72.00
Puget Sound Energy	200003723810 07-2026	001 012 575 30 47 00	CS- Museum - Utilities	Natural Gas - Museum	66478	\$111.62
Puget Sound Energy	200024316495 07-2026	001 010 576 80 47 00	PK-Utilities	Natural Gas - PW Shop	66478	\$25.64
Puget Sound Energy	200024316495 07-2026	101 016 543 50 47 00	ST-Utilities	Natural Gas - PW Shop	66478	\$25.64
Puget Sound Energy	200024316495 07-2026	410 016 531 10 47 00	SW - Utilities	Natural Gas - PW Shop	66478	\$25.64
Puget Sound Energy	220022339471 07-2026	001 012 575 50 47 00	CS- The Mill- Utilities	Natural Gas - The Mill	66478	\$131.86
Puget Sound Energy	220024770236 07-2026	001 008 521 50 47 00	LE-Facility Utilities	Natural Gas - Police Dept Evidence Bldg	66478	\$97.70
Puget Sound Energy	220028663866 07-2026	001 008 521 50 47 00	LE-Facility Utilities	Natural Gas - Police Dept	66478	\$128.96
Puget Sound Energy	220028663874 07-2026	005 000 518 20 40 01	Rental Property Utilities	Natural Gas - 1819 S Lake Stevens Rd	66478	\$69.68

Vendor Name	Invoice #	Account #	Account Name	Description	Check #	Amount
Puget Sound Energy	220037870619 07-2026	005 000 518 20 40 01	Rental Property Utilities	Natural Gas - 10519 20th St SE #106	66478	\$69.68
Puget Sound Energy	220040604898 07-2026	001 013 518 20 47 00	GG-Utilities	Natural Gas - 10515 20th St SE #130	66478	\$91.37
Puget Sound Energy	220041285648 06-2026	001 013 518 20 47 00	GG-Utilities	Natural Gas - 10515 20th St SE #202	66478	\$101.05
Puget Sound Energy	220041285648 07-2026	001 013 518 20 47 00	GG-Utilities	Natural Gas - 10515 20th St SE #202	66478	\$81.25
Puget Sound Energy	220041285655 07-2026	001 013 518 20 47 00	GG-Utilities	Natural Gas - 10515 20th St SE #100	66478	\$127.52
					66478 Total	\$1,087.61
Puget Sound Properties Comm Real Estate Svcs	6681-01	005 000 518 20 40 00	RP - Broker Fess	Broker Fees - Snohomish Pie Co 12404 Mill Spur Rd 1	66479	\$1,675.79
Puget Sound Properties Comm Real Estate Svcs	6681-02	005 000 518 20 40 00	RP - Broker Fess	Broker Fees - Snohomish Pie Co 12404 Mill Spur Rd 1	66479	\$1,675.79
					66479 Total	\$3,351.58
Rexel USA Inc	7M00087	001 012 569 00 31 00	CS- Senior Services-Supplies	Dura-Blok Rooftop Channel Support/Strut Clamps	66480	\$591.16
Rexel USA Inc	7M00196	001 008 521 50 30 00	LE-Facilities Supplies	Exhaust Fan	66480	\$256.30
					66480 Total	\$847.46
Sherwin-Williams Co	74372185640626	001 013 518 20 31 00	GG-Operating Costs	Paint & Supplies	66481	\$116.92
Sherwin-Williams Co	85964185640726	001 010 576 80 31 00	PK-Operating Supplies	Cavalero Parking Lot Paint	66481	\$65.58
					66481 Total	\$182.50
Snohomish Conservation District	9989	410 016 531 50 41 00	DOE - Capacity Grant Services	Grant Reimbursement Q2 2026	66482	\$7,053.93
					66482 Total	\$7,053.93
Snohomish County Dept of Emergency Mgmt	I000716501	001 013 525 10 41 00	GG-Emergency	Q3 2026 Emergency Mgmt Services	66483	\$15,762.00
					66483 Total	\$15,762.00
Snohomish County PUD	100883799	101 016 542 63 47 00	ST-Lighting - Utilities	202624367 Street Lights	66484	\$18,068.48
Snohomish County PUD	113229893	101 016 542 63 47 00	ST-Lighting - Utilities	200178218 Traffic Signal/Street Lights	66484	\$186.22
Snohomish County PUD	113241571	101 016 542 63 47 00	ST-Lighting - Utilities	202648101 Street Lights Soper Hill Annex	66484	\$2,103.38
Snohomish County PUD	113241572	101 016 542 63 47 00	ST-Lighting - Utilities	202670725 Street Lights	66484	\$1,733.10
Snohomish County PUD	116537217	001 012 575 30 47 00	CS- Museum - Utilities	200558690 Museum Electric/Water	66484	\$107.04
Snohomish County PUD	116539337	101 016 542 63 47 00	ST-Lighting - Utilities	201595113 Street Lights	66484	\$229.21
Snohomish County PUD	119839957	101 016 542 63 47 00	ST-Lighting - Utilities	201973682 Street Lights	66484	\$175.03
Snohomish County PUD	129731206	101 016 542 63 47 00	ST-Lighting - Utilities	204719074 Catherine Creek Bridge Lights	66484	\$39.11
Snohomish County PUD	136366311	101 016 542 63 47 00	ST-Lighting - Utilities	202988481 Street Lights	66484	\$160.82
Snohomish County PUD	146285642	001 013 518 20 47 00	GG-Utilities	223034448 Old WWTP Area Lighting	66484	\$36.48
Snohomish County PUD	165739262	101 016 542 63 47 00	ST-Lighting - Utilities	203731153 Traffic Signals	66484	\$221.36
					66484 Total	\$23,060.23
Snohomish Regional Fire and Rescue	Q2 2026 FIRE	633 000 589 30 00 02	Fire District Fee Remit	Q2 2026 Fire Fees	66485	\$20,622.35
					66485 Total	\$20,622.35
Sound Mettle Inc	1116716	101 016 544 90 31 02	ST-Operating Cost	Aluminum Flat Bars/Square Tubes/Hot Rolled Round Bar	66486	\$1,338.93
Sound Mettle Inc	1116716	410 016 531 10 31 02	SW - Operating Costs	Aluminum Flat Bars/Square Tubes/Hot Rolled Round Bar	66486	\$1,338.93
					66486 Total	\$2,677.86
Sprague Pest Solutions	6235536	001 010 576 80 41 00	PK-Professional Services	Pest Control - PW Shop	66487	\$73.11
Sprague Pest Solutions	6235536	101 016 542 30 41 02	ST-Professional Service	Pest Control - PW Shop	66487	\$73.12
Sprague Pest Solutions	6235536	410 016 531 10 41 01	SW - Professional Services	Pest Control - PW Shop	66487	\$73.11
Sprague Pest Solutions	6235575	001 013 518 20 41 00	GG-Professional Service	Pest Control - Senior Center	66487	\$112.57
Sprague Pest Solutions	6235576	001 013 518 20 41 00	GG-Professional Service	Pest Control - Senior Center	66487	\$225.14
					66487 Total	\$557.05
Summit Law Group PLLC	172876	001 011 515 41 41 03	Ext Consult - Labor Relations	Police Guild Bargaining	66488	\$4,109.45
					66488 Total	\$4,109.45
Teamsters Local No 763	Jun-26	001 000 284 00 00 00	Payroll Liability Other	Union Dues	66429	\$2,315.00
					66429 Total	\$2,315.00

Vendor Name	Invoice #	Account #	Account Name	Description	Check #	Amount
Teamsters Welfare Trust Dental EFT	Aug-26	001 000 283 00 00 00	Payroll Liability Medical	Teamsters Dental Premium	EFT	\$3,577.60
					EFT Total	\$3,577.60
The Wide Format Co	153888	001 010 576 80 31 05	PK-R&M Supplies	Plotter Repair	66489	\$202.21
The Wide Format Co	153888	101 016 542 30 48 00	ST-Repair & Maintenance	Plotter Repair	66489	\$101.10
The Wide Format Co	153888	410 016 531 10 48 00	SW - Repairs & Maintenance	Plotter Repair	66489	\$101.10
					66489 Total	\$404.41
Thyssenkrupp Elevator Corporation	1000773608	001 008 521 50 48 00	LE-Facility Repair & Maint	Elevator Service - 1825 S Lake Stevens Rd	66490	\$2,875.88
					66490 Total	\$2,875.88
Trueheart Family Counseling	2049	001 005 517 90 41 00	HR-Wellness Program Services	Mental Health Counseling Services	66491	\$3,000.00
					66491 Total	\$3,000.00
ULINE	209940917	001 012 575 50 31 00	CS- The Mill- Ops	Toilet Paper/Paper Towels/Toilet Cleaner/Stainless Steel Cleaner	66492	\$285.46
					66492 Total	\$285.46
Verizon Wireless	6147513197	001 010 576 80 42 00	PK-Communication	Sunset Beach Cradlepoint	66493	\$40.05
					66493 Total	\$40.05
Washington City/County Management Assoc	E1603	001 005 518 10 49 01	HR-Staff Development	WCMA Conf Registration - Warrington	66494	\$561.00
					66494 Total	\$561.00
Washington State Support Registry	7102026	001 000 284 00 00 00	Payroll Liability Other	Employee Paid Child Support	EFT	\$872.17
					EFT Total	\$872.17
Western Conference of Teamsters Pension Trust	7102026	001 000 282 00 00 00	Payroll Liability Retirement	Employee Contribution-Teamster Pension	66430	\$4,989.79
					66430 Total	\$4,989.79
Whispr Innovations Inc	7406	001 010 576 80 41 00	PK-Professional Services	South LS Trail Landscaping 05-2026	66495	\$2,576.20
Whispr Innovations Inc	7406	001 000 382 20 00 00	Retainage	South LS Trail Landscaping 05-2026 Retainage	66495	(\$1,288.10)
					66495 Total	\$1,288.10
ZiPLY Fiber	07-2026 ZIPLY CH	101 016 542 64 47 00	ST-Traffic Control -Utility	Traffic Control Modem	66496	\$86.58
ZiPLY Fiber	07-2026 ZIPLY CH	001 002 513 11 42 00	AD-Communications	ZiPLY Internet/Telecom Services	66496	\$5.53
ZiPLY Fiber	07-2026 ZIPLY CH	001 003 514 20 42 00	CC-Communications	ZiPLY Internet/Telecom Services	66496	\$11.06
ZiPLY Fiber	07-2026 ZIPLY CH	001 004 514 23 42 00	FI-Communications	ZiPLY Internet/Telecom Services	66496	\$11.06
ZiPLY Fiber	07-2026 ZIPLY CH	001 005 518 10 42 00	HR-Communications	ZiPLY Internet/Telecom Services	66496	\$5.53
ZiPLY Fiber	07-2026 ZIPLY CH	001 006 518 80 42 00	IT-Communications	ZiPLY Internet/Telecom Services	66496	\$16.58
ZiPLY Fiber	07-2026 ZIPLY CH	001 007 558 50 42 00	PL-Communication	ZiPLY Internet/Telecom Services	66496	\$35.96
ZiPLY Fiber	07-2026 ZIPLY CH	001 007 559 30 42 00	PB-Communication	ZiPLY Internet/Telecom Services	66496	\$5.52
ZiPLY Fiber	07-2026 ZIPLY CH	001 008 521 20 42 00	LE-Communication	ZiPLY Internet/Telecom Services	66496	\$188.06
ZiPLY Fiber	07-2026 ZIPLY CH	001 012 575 30 42 00	CS- Museum - Communications	ZiPLY Internet/Telecom Services	66496	\$5.53
ZiPLY Fiber	07-2026 ZIPLY CH	001 012 575 50 42 00	CS- The Mill- Communication	ZiPLY Internet/Telecom Services	66496	\$5.53
ZiPLY Fiber	07-2026 ZIPLY CH	001 013 518 20 42 00	GG-Communication	ZiPLY Internet/Telecom Services	66496	\$22.12
ZiPLY Fiber	07-2026 ZIPLY CH	101 016 543 30 42 00	ST-Communications	ZiPLY Internet/Telecom Services	66496	\$31.82
ZiPLY Fiber	07-2026 ZIPLY CH	410 016 531 10 42 00	SW - Communications	ZiPLY Internet/Telecom Services	66496	\$31.82
ZiPLY Fiber	07-2026 ZIPLY CH	005 000 518 20 40 01	Rental Property Utilities	ZiPLY Internet/Telecom Services 10515 20th St	66496	\$68.39
ZiPLY Fiber	07-2026 ZIPLY CH	001 012 575 30 47 00	CS- Museum - Utilities	ZiPLY Internet/Telecom Services Museum	66496	\$108.47
ZiPLY Fiber	07-2026 ZIPLY PD	001 008 521 20 42 00	LE-Communication	Ethernet Internet Access 1825 S Lake Stevens Rd	66496	\$728.00
					66496 Total	\$1,367.56
Zoom Communications Inc	INV360902088	510 006 518 80 49 51	Sft Lcns & Maint - Infra Svcs	Zoom Overages 06-2026	66497	\$91.50
					66497 Total	\$91.50

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

Tuesday, July 7, 2026, at 6:00 p.m.

Hybrid Meeting - By Remote Participation via Zoom & in Person at The Mill Building

CALL ORDER: 6:00 p.m. Mayor Pro Tem Jorstad

ELECTED OFFICIALS PRESENT: Councilmembers Anji Jorstad, Ryan Donoghue, Brian McManus, Tosha Edwards, Kymm Shipman and Nathan Packard

ELECTED OFFICIAL ABSENT: Councilmember Sabina Araya

Call to Order

Mayor Pro Tem Jorstad called the meeting to order at 6:00 p.m.

Pledge of Allegiance

Mayor Pro Tem Jorstad led the Pledge of Allegiance.

Roll Call

All Councilmembers were present except Councilmember Araya.

MOTION. Councilmember Jorstad made a motion, seconded by Councilmember Packard, to excuse Councilmember Araya. The motion passed 6-0-0-1.

Approval of Agenda

MOTION. Councilmember Shipman made a motion, seconded by Councilmember McManus, to approve the agenda. The motion passed 6-0-0-1.

Guest Business

Introduce Lindsey Vaughn, Finance Director

Citizen Comments

Gary Petershagen, Lake Stevens. Gary spoke to the trestle input study.

Consent Agenda

MOTION. Councilmember Edwards made a motion, seconded by Councilmember McManus, to approve the consent agenda. The motion passed 6-0-0-1.

The consent agenda items were as follows:

- 2026 Vouchers
- City Council Meeting Minutes of June 2, 2026
- City Council Meeting Minutes of June 10, 2026.

- City Council Meeting Minutes of June 16, 2026

Action Items**Evergreen HVAC Removal and Replacement Contract Award - Johansen Mechanical Inc.**

Director Halverson explained that the HVAC units at the Evergreen building (10519 20th Street SE), on the new civic campus, have reached the end of their life cycle and need to be removed and replaced. The City's procurement policy requires City Council authorization for any contract valued at \$250,000 or more, and although staff does not anticipate the final cost of this contract will exceed the current estimate of \$247,297.81, the amount is close enough to the threshold that staff is bringing it forward for Council approval at this time. Additionally, because the policy allows the City Administrator to approve change orders up to 20% of the contract value, any such change order could increase the total contract amount beyond the \$250,000 limit, making advance Council authorization the appropriate and precautionary step.

MOTION. Councilmember McManus made a motion, seconded by Councilmember Shipman, to authorize the Mayor to sign the public works contract with Johansen Mechanical, Inc. for the removal and replacement of the HVAC system at the Evergreen Building on the new civic campus. The motion passed 6-0-0-1.

City Campus Bid Award

Director Wright explained that funding for the Civic Campus includes diverse revenue sources including city bonds, property sales, REET funds, a state grant and pandemic recovery funds. The identified budget for the project from these funds is nearly \$6.8 million, including dedicated general-purpose bonds. The final project estimate is within scope and budget. He asked the Council to approve the construction contract with Faber Construction Corporation as the low bidder and approve a construction budget. Council and staff engaged in a discussion.

MOTION. Councilmember Shipman made a motion, seconded by Councilmember Packard, to approve Faber Construction Corporation as the selected contractor for the Lake Stevens Civic Campus as the responsive low bidder. The motion passed 6-0-0-1.

MOTION. Councilmember Shipman made a motion, seconded by Councilmember Jorstad, to adopt a construction budget not to exceed \$4,793,955 for construction costs, soft costs and supplemental costs as identified in Attachment 1 in the packet, acknowledging the total project budget is higher, as identified in the staff report, subject to a future budget amendment. The motion passed 6-0-0-1.

Discussion Items**Strategic Plan Review: Projects & Initiatives – Part 1**

Management Analyst Erickson explained that at the February City Council Retreat, Council requested a deeper review and discussion of the City's Strategic Plan. In response to that request, this agenda item represents Part 1 of a two-part Strategic Plan discussion, with a focus on reviewing the City's key projects and initiatives and

positioning City Council to provide guidance for 2026–2027 priorities. The purpose of this discussion is to deepen City Council's understanding of the project and initiative portfolio tied to the Strategic Plan and provide space for clarifying questions about the projects and initiatives.

The Strategic Plan Review: Projects & Initiatives – Part 2 will be held on July 24, 2026.

City Department Report
Internship Program Report

Increase in Cyber Ransomware Protection Limit

Council Business

Executive Session

The meeting was recessed to Executive Session at 7:00 p.m. to discuss Collective Bargaining and Property for approximately 45 minutes with 2 minutes to clear the room and a return time of 7:47 p.m.

At 7:47 p.m. an extension was requested for approximately 15 minutes with a return time of no later than 8:00 p.m. with action to follow.

The meeting was reconvened at 7:55 p.m.

MOTION. Councilmember Jorstad made a motion, seconded by Councilmember McManus, to direct staff to prepare a Resolution to surplus 2111 Grade Road, 12301 North Lakeshore Drive per RCW 39.33 and LSMC 2.98 and negotiate sales of these properties subject to approving the surplus. The motion passed 6-0-0-1.

Adjournment

MOTION. Councilmember Shipman made a motion, seconded by Councilmember Packard, to adjourn the meeting. The motion passed 6-0-0-1.

The meeting adjourned at 7:58 p.m.

Anji Jorstad, Mayor Pro Tem

Kelly M. Chelin, City Clerk

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

Tuesday, July 14, 2026, at 6:00 p.m.

Hybrid Meeting - By Remote Participation via Zoom & in Person at The Mill Building

CALL ORDER: 6:00 p.m. Mayor Kurt Hilt

ELECTED OFFICIALS PRESENT: Councilmembers Anji Jorstad, Ryan Donoghue, Brian McManus, Tosha Edwards, Kymm Shipman and Nathan Packard

ELECTED OFFICIAL ABSENT: Councilmember Sabina Araya

Call to Order

Mayor Hilt called the meeting to order at 6:00 p.m.

Pledge of Allegiance

Mayor Hilt led the Pledge of Allegiance.

Roll Call

All Councilmembers were present except Councilmember Araya.

MOTION. Councilmember Jorstad made a motion, seconded by Councilmember McManus, to excuse Councilmember Araya. The motion passed 6-0-0-1.

Councilmember Donoghue had technical difficulties and joined the meeting virtually at 6:04 p.m.

Approval of Agenda

MOTION. Councilmember Shipman made a motion, seconded by Councilmember McManus, to approve the agenda. The motion passed 6-0-0-1.

Citizen Comments

Robin Handley, Lake Stevens. Spoke to The Mill rental policy.

Jim Steinruck, Lake Stevens. Spoke to Aquafest boat parade safety.

Consent Agenda

MOTION. Councilmember Donoghue made a motion to move item 7b. Resolution 2026-07 Property Surplus from the consent agenda to an Action item seconded by Councilmember Shipman. The motion passed 6-0-0-1.

MOTION. Councilmember Shipman made a motion, seconded by Councilmember Packard, to approve the consent agenda as amended. The motion passed 6-0-0-1.

The consent agenda items were as follows:

- 2026 Vouchers
- 2026 Pavement Preservation Contract Award

Action Items

36th St Bridge Project Update and Public Works Board Loan Application Certification
Environmental Programs Manager Shannon Farrant presented on the 36th Street NE Bridge over Catherine Creek. It was stated that the City has an opportunity to apply for a Public Works Trust Fund Loan. If awarded, the PWB construction loan would allow the City to construct the new bridge next year and repay the cost over time. Discussion occurred.

MOTION. Councilmember Jorstad made a motion, seconded by Councilmember McManus, to authorize the Mayor to sign the Public Works Board Applicant Certification to apply for a \$3,600,000 construction loan for the replacement of the 36th Street NE Bridge over Catherine Creek. The motion passed 6-0-0-1.

Resolution 2026-07 for Property Sale

City Administrator Brazel presented to council that this action was authorizing staff to prepare the city properties described in resolution 2026-07 for sale. It was confirmed that any related purchase and sale agreements would be brought back to council for review and approval. Discussion occurred.

MOTION. Councilmember Jorstad made a motion seconded by Councilmember Donoghue to approve Resolution 2026-07 authorizing the mayor or designee to convey or sell real property pursuant to Chapter 2.98 LSMC. The motion passed 6-0-0-1.

Discussion Items

Coffee with Council

Deputy Clerk Weaver facilitated a discussion around the idea of connecting councilmembers with the community through a periodic event called "Coffee with Council". Details of what a pilot of this program could look like were discussed by Council. It was asked that this be brought back to council for more discussion at a later date.

Council Fall Retreat Planning

Deputy Clerk Weaver asked for feedback and discussion on scheduling the fall City Council retreat that will be focused on the annual budget. It was state that staff would follow up with council on scheduling this event after reviewing available dates and scheduling conflicts.

Chapter 5-Animal regulations Update

Planning Manager Christi Schmidt and Community Service Officer Margaret Cooper presented proposed changes to animal regulations. The targeted updates to the animal code address two longstanding operational issues: persistent noise and nuisance concerns caused by roosters, and the ineffectiveness of the current pet licensing system. Discussion occurred. It was requested that this item be brought back at a later date for further discussion and review.

MOTION. Councilmember Jorstad made a motion seconded by Councilmember McManus to extend the meeting to 8:30 p.m. The motion passed 6-0-0-1.

Strategic Plan Review: Projects and Initiatives-Part 2

City Council was asked to prioritize projects and initiatives from the Strategic Plan for staff to focus on through 2027. This item will be brought back for further discussion at the July 21, 2026 meeting.

City Department Report**OpenGov and Citizen Request Portal Update**

MOTION. Councilmember McManus made a motion seconded by Councilmember Packard to extend the meeting to 8:45 p.m. Council agreed that Mayor's Business and Council Business would be skipped in the interest of time. The motion passed 6-0-0-1.

Executive Session

The meeting was recessed to Executive Session at 8:30 p.m. to discuss property sale for approximately 15 minutes with a few moments to clear the room and a return time of 8:45p.m. with possible action to follow.

The meeting was reconvened at 8:45 p.m. with no action.

Adjournment

MOTION. Councilmember Jorstad made a motion, seconded by Councilmember McManus, to adjourn the meeting. The motion passed 6-0-0-1.

The meeting adjourned at 8:45 p.m.

Kurt Hilt, Mayor

Caitlin Weaver, Deputy City Clerk

CITY COUNCIL STAFF REPORT



Agenda Date: 7/21/2026

Subject: Planning Commission Appointment-Tony Matesi

Contact Person/Department: Caitlin Weaver, Administration

Budget Impact:

Legal Review: No

RECOMMENDATION(S)/ACTION REQUESTED:

SUMMARY/BACKGROUND:

There is currently a vacancy on the Planning Commission. The staff issued a press release for interested applicants. An interview was held on July 9, 2026 with Councilmember Edwards, Councilmember Shipman, Planning Director Wright and Planning Commission Chair Bruce Morton. The interview committee has recommended, and the Mayor has nominated, the appointment of Tony Matesi to the Planning Commission for a mid-term appointment ending December 31, 2026.

APPLICABLE CITY POLICIES:

ATTACHMENTS:

None

CITY COUNCIL STAFF REPORT



Agenda Date: 7/21/2026

Subject: Construction Contract Award to Northend Excavating, Inc. for Bayview Trail Improvements - Phase 0.5

Contact Person/Department: Erik Mangold, Public Works

Budget Impact: The low bid of \$474,061 for the construction contract is within the approved 2026 budget of \$773,000.

Legal Review: No

RECOMMENDATION(S)/ACTION REQUESTED:

Authorize the Mayor to award and execute the contract with Northend Excavating, Inc. to construct phase 0.5 of the Bayview Trail Improvement project.

SUMMARY/BACKGROUND:

The Bayview Trail Improvement project is a multiphase project, planned and constructed, in coordination with our neighboring City of Marysville.

The previous phase of the project, completed by our city, constructed a multi-use, non-motorized trail along the powerline corridor from 20th St. SE to 8th St. SE. The project included enhancements to the dog park, the addition of parking lots, park and playground elements, and the re-establishment of a natural turf field.

This next phase (0.5) of the project continues improvements to the powerline corridor by extending the multi-use trail from 12th St. SE to 8th St. SE. The project also includes realignment and channelization of the intersection of 12th St. SE and 87th Ave SE.

The Public Works Department solicited bids on July 1, 2026. A bid opening was held on the afternoon of July 15, 2026. Twelve bids were received, with the low bid from Northend Excavating, Inc., at \$474,061.

Northend Excavating has met the bidder's responsibility criteria and has previously contracted with the city, achieving positive results, including the prior phase of the Bayview Trail Improvement project.

Public Works seeks authorization from the Council for the Mayor to award and execute the construction contract with Northend Excavating, Inc. This contract has a 60-working-day term, which is approximately three months.

APPLICABLE CITY POLICIES:

ATTACHMENTS:

1. 24012_Northend Excavating_Contract
2. 24012_Bid Tabulation_verified_260715

PUBLIC WORKS CONTRACT

This Contract is made and entered into in duplicate this ____ day of _____, 2026 by and between the City of Lake Stevens, a non-charter code city of the State of Washington, hereinafter referred to as "the City", and Northend Excavating, Inc., a Washington Corporation ("Contractor").

WITNESSETH:

Whereas, the City desires to have certain public work performed as hereinafter set forth, requiring specialized skills and other supportive capabilities; and

Whereas, the Contractor represents that it is qualified and possesses sufficient skills and the necessary capabilities to perform the services set forth in this Contract.

NOW, THEREFORE, in consideration of the terms, conditions, and agreements contained herein, the parties hereto agree as follows:

I. Scope of Work.

The Contractor shall do all work and furnish all tools, materials, and equipment in order to accomplish the following project:

Bayview Trail Improvements – Phase 0.5, Project 24012

in accordance with and as described in

- A. this Contract, and
- B. the Project Manual, which include the attached plans, Specifications, Special Provisions, submittal requirements, attachments, addenda (if any), Bid Form, Performance and Payment Bond, and
- C. the Standard Specifications for Road, Bridge, and Municipal Construction prepared by the Washington State Department of Transportation, as may be specifically modified in the attached Specifications and/or Special Provisions, hereinafter referred to as "the standard specifications",
- D. ☐ City of Lake Stevens Engineering Standards (referenced but not attached)
- E. Other _____
- F. Addenda (If any)

and shall perform any alterations in or additions to the work provided under this Contract and every part thereof.

The Contractor shall provide and bear the expense of all equipment, work, and labor of any sort whatsoever that may be required for the transfer of materials and for constructing and

completing the work provided for in this Contract, except as may otherwise be provided in the Project Manual.

II. Time for Performance and Liquidated Damages / Termination of Contract.

- A. Time is of the essence in the performance of this Contract and in adhering to the time frames specified herein. The Contractor shall commence work within ten (10) calendar days after notice to proceed from the City, and said work shall be physically completed within **30** working days after said notice to proceed, unless a different time frame is expressly provided in writing by the City.
- B. If said work is not completed within the time for physical completion, the Contractor may be required at the City's sole discretion to pay to the City liquidated damages as set forth in the Project Manual, for each and every day said work remains uncompleted after the expiration of the specified time.
- C. Termination of Contract.
 - 1. Except as otherwise provided under this Contract, either party may terminate this Contract upon ten (10) working days' written notice to the other party in the event that said other party is in default and fails to cure such default within that ten-day period, or such longer period as provided by the non-defaulting party. The notice of termination shall state the reasons therefore and the effective date of the termination.
 - 2. The City may also terminate this Contract in accordance with the provisions of Section 1-08.10 of the Standard Specifications.

III. Compensation and Method of Payment.

- A. The City shall pay the Contractor for work performed under this Contract as detailed in the bid, as incorporated in the Project Manual.
- B. Payments for work provided hereunder shall be made following the performance of such work, unless otherwise permitted by law and approved in writing by the City. No payment shall be made for any work rendered by the Contractor except as identified and set forth in this Contract.
- C. Progress payments shall be based on the timely submittal by the Contractor of the City's standard payment request form.
- D. Payments for any alterations in or additions to the work provided under this Contract shall be in accordance with the Request For Information (RFI) and/or Construction Change Order (CCO) process as set forth in the Project Manual. Following approval of the RFI and/or CCO, the Contractor shall submit the standard payment request form(s).
- E. The Contractor shall submit payment requests with a completed Application for Payment form, an example of which is included in the Attachments to this Contract. This form includes a lien waiver certification and shall be notarized before submission. Applications for payment not signed or notarized shall be considered incomplete and ineligible for payment consideration. The City shall initiate authorization for payment after receipt of a

satisfactorily completed payment request form and shall make payment to the Contractor within approximately thirty (30) days thereafter.

IV. Independent Contractor Relationship.

The relationship created by this Contract is that of independent contracting entities. No agent, employee, servant, or representative of the Contractor shall be deemed to be an employee, agent, servant, or representative of the City, and the employees of the Contractor are not entitled to any of the benefits the City provides for its employees. The Contractor shall be solely and entirely responsible for its acts and the acts of its agents, employees, servants, subcontractors, or representatives during the performance of this Contract. The Contractor shall assume full responsibility for payment of all wages and salaries and all federal, state, and local taxes or contributions imposed or required, including, but not limited to, unemployment insurance, workers compensation insurance, social security, and income tax withholding.

V. Prevailing Wage Requirements.

The Contractor shall comply with applicable prevailing wage requirements of the Washington State Department of Labor & Industries, as set forth in Chapter 39.12 RCW and Chapter 296-127 WAC. The Contractor shall document compliance with said requirements and shall file with the City appropriate affidavits, certificates, and/or statements of compliance with the State prevailing wage requirements. The Washington State Prevailing Wage Rates For Public Works Contracts, Snohomish County, incorporated in this Contract have been established by the Department of Labor & Industries and are included as an Attachment to this Contract. The Contractor shall also ensure that any subcontractors or agents of the Contractor shall comply with the prevailing wage and documentation requirements as set forth herein.

VI. Indemnification and Hold Harmless.

- A. The Contractor shall defend, indemnify, and hold harmless the City, its officers, officials, employees, and volunteers against and from any and all claims, injuries, damages, losses, or suits, including attorney fees, arising out of or in connection with the performance of this Contract, except for injuries and damages caused by the sole negligence of the City.
- B. The Contractor's duty to indemnify the City shall not apply to liability for damages arising out of bodily injury to persons or damage to property caused by or resulting from the sole negligence of the City or its elected officials, agents, officers and/or employees.
- C. The Contractor's duty to indemnify the City for liability for damages arising out of bodily injury to persons or damage to property caused by or resulting from the concurrent negligence of (a) the City and/or its elected officials, agents, officers and/or employees, and (b) the Contractor and/or its directors, officers, agents, employees, consultants, and/or subcontractors, shall apply only to the extent of negligence of Contractor and/or its directors, officers, agents, employees, consultants, and/or subcontractors
- D. Should a court of competent jurisdiction determine that this Contract is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Contractor and the City, its officers, officials, employees, and volunteers, the Contractor's liability hereunder shall be only to the extent of the Contractor's negligence.

It is further specifically and expressly understood that the indemnification provided herein constitutes the Contractor's waiver of immunity under Industrial Insurance, Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated by the parties.

- E. Nothing contained in this section or Contract shall be construed to create a liability or a right of indemnification by any third party.
- F. The provisions of this section shall survive the expiration or termination of this Contract.

VII. Insurance.

A. Insurance Term

The Contractor shall procure and maintain for the duration of the Agreement, insurance against claims for injuries to persons or damage to property which may arise, as required in this Section, without interruption from or in connection with the performance commencement of the Contractor's work through the term of the work hereunder by the Contractor, their agents, representatives, employees or subcontractors contract and for thirty (30) days after the Physical Completion date, unless otherwise indicated herein.

B. No Limitation

Contractor's maintenance of insurance, its scope of coverage and limits as required herein shall not be construed to limit the liability of the Contractor to the coverage provided by such insurance, or otherwise limit the City's recourse to any remedy available at law or in equity.

C. Minimum Scope of Insurance

Contractors required insurance shall be of the types and coverage as stated below:

1. Automobile Liability insurance covering all owned, non-owned, hired and leased vehicles. Coverage shall be written on at least as broad as Insurance Services Office (ISO) form CA Automobile 00 01 or a substitute form providing equivalent liability coverage. If necessary, the policy shall be endorsed to provide contractual liability coverage.
2. Commercial General Liability insurance shall be written on at least as broad as ISO occurrence form CG 00 01 and shall cover liability arising from premises, operations, stop gap liability, independent contractors, products-completed operations, personal injury and advertising injury, and liability assumed under an insured contract. The Commercial General Liability insurance shall be endorsed to provide the per project general aggregate limit using ISO form CG 25 03 05 09 or an equivalent endorsement There shall be no e exclusion for liability arising from explosion, collapse or underground property damage. The City shall be named as an additional insured under the Contractor's Commercial General Liability insurance policy with respect to the work performed for the City using ISO Additional Insured endorsement CG 20 10 10 01 and Additional Insured-Completed Operations endorsement CG 20 37 10 01 or substitute endorsements providing at least as broad of coverage.
3. Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington

4. ☐ Required. Builders Risk insurance covering interests of the City, the Contractor, Subcontractors, and Sub-contractors in the work. Builders Risk insurance shall be on a special perils policy form and shall insure against the perils of fire and extended coverage and physical loss or damage including flood, earthquake, theft, vandalism, malicious mischief, and collapse. The Builders Risk insurance shall include coverage for temporary buildings, debris removal and damage to materials in transit or stored off-site. This Builders Risk insurance covering the work will have a deductible of \$5,000 for each occurrence, which will be the responsibility of the Contractor. Higher deductibles for flood and earthquake perils may be accepted by the City upon written request by the Contractor and written acceptance by the City. Any increased deductibles accepted by the City will remain the responsibility of the Contractor. The Builders Risk insurance shall be maintained until final acceptance of the work by the City.
5. ☐ Required. Contractors Pollution Liability insurance covering losses caused by pollution conditions that arise from the operations of the Contractor. Contractors Pollution Liability insurance shall be written in an amount of at least \$1,000,000 per loss, with an annual aggregate of at least \$1,000,000. Contractors Pollution Liability shall cover bodily injury, property damage, cleanup costs and defense including costs and expenses incurred in the investigation, defense, or settlement of claims.

If the Contractors Pollution Liability insurance is written on a claims-made basis, the Contractor warrants that any retroactive date applicable to coverage under the policy precedes the effective date of this contract; and that continuous coverage will be maintained or an extended discovery period will be exercised for a period of three (3) years beginning from the time that work under the contract is completed.

The City shall be named by endorsement as an additional insured on the Contractors Pollution Liability insurance policy.

If the scope of services as defined in this contract includes the disposal of any hazardous materials from the job site, the Contractor must furnish to the City evidence of Pollution Liability insurance maintained by the disposal site operator for losses arising from the insured facility accepting waste under this contract. Coverage certified to the City under this paragraph must be maintained in minimum amounts of \$1,000,000 per loss, with an annual aggregate of at least \$1,000,000.

Pollution Liability coverage at least as broad as that provided under ISO Pollution Liability-Broadened Coverage for Covered Autos Endorsement CA 99 48 shall be provided, and the Motor Carrier Act Endorsement (MCS 90) shall be attached.

D. Minimum Amounts of Insurance

The Contractor shall maintain the following insurance limits:

1. Automobile Liability insurance with a minimum combined single limit for bodily injury and property damage of \$1,000,000 per accident.
2. Commercial General Liability insurance shall be written with limits no less than \$2,000,000 each occurrence, \$2,000,000 general aggregate and a \$2,000,000 products-completed operations aggregate limit.

3. ☐ Required. Builders Risk insurance shall be written in the amount of the completed value of the project with no coinsurance provisions.
4. ☐ Required. Contractors Pollution Liability shall be written in the amounts set forth above.

E. City Full Availability of Contractor Limits

If the Contractor maintains higher insurance limits than the minimums shown above, the City shall be insured for the full available limits of Commercial General and Excess or Umbrella liability maintained by the Contractor, irrespective of whether such limits maintained by the Contractor are greater than those required by this contract or whether any certificate of insurance furnished to the City evidences limits of liability lower than those maintained by the Contractor.

F. Other Insurance Provisions

The Contractor's Automobile Liability, Commercial General Liability and Builders Risk insurance policies are to contain, or be endorsed to contain that they shall be primary insurance as respect the City. Any insurance, self-insurance, or self-insured pool coverage maintained by the City shall be excess of the Contractor's insurance and shall not contribute with it.

G. Acceptability of Insurers

Insurance is to be placed with insurers with a current A.M. Best rating of not less than A: VII.

H. Verification of Coverage

The Contractor shall furnish the City with original certificates and a copy of the amendatory endorsements, including but not necessarily limited to the additional insured endorsement, evidencing the Automobile Liability and Commercial General Liability insurance of the Contractor before commencement of the work. Throughout the term of this Contract, upon request by the City, the Contractor shall furnish certified copies of all required insurance policies, including endorsements, required in this contract and evidence of all subcontractors' coverage.

☐ Required. Before any exposure to loss may occur, the Contractor shall file with the City a copy of the Builders Risk insurance policy that includes all applicable conditions, exclusions, definitions, terms and endorsements related to this Project.

☐ Required. Before any exposure to loss may occur, the Contractor shall file with the City a copy of the Pollution Liability insurance that includes all applicable conditions, exclusions, definitions, terms and endorsements related to this Project.

I. Contractor's Insurance for Other Losses

The Contractor shall assume full responsibility for all loss or damage from any cause whatsoever to any tools, Contractor's employee owned tools, machinery, equipment, or motor vehicles owned or rented by the Contractor, or the Contractor's agents, suppliers or subcontractors as well as to any temporary structures, scaffolding and protective fences.

J. Subcontractors

The Contractor shall include all subcontractors as insured under its policies or shall furnish separate certifications and endorsements for each subcontractor. All coverage for subcontractors shall be subject to all of the same insurance requirements as stated herein for the Contractor.

The Contractor shall cause each and every Subcontractor to provide insurance coverage that complies with all applicable requirements of the Contractor-provided insurance as set forth herein. The Contractor shall ensure that the City is an additional insured on each and every Subcontractor's Commercial General liability insurance policy using an endorsement at least as broad as ISO Additional Insured endorsement ISO CG 20 10 10 01 for ongoing operations and CG 20 37 10 01 for completed operations.

K. Waiver of Subrogation

The Contractor and the City waive all rights against each other, any of their subcontractors, lower tier subcontractors, agents and employees, each of the other, for damages caused by fire or other perils to the extent covered by Builders Risk insurance or other property insurance obtained pursuant to the Insurance Requirements Section of this Contract or other property insurance applicable to the work. The policies shall provide such waivers by endorsement or otherwise.

L. Notice of Cancellation of Insurance

The Contractor shall provide the City and all Additional Insureds for this work with written notice of any policy cancellation within two business days of their receipt of such notice.

M. Failure to Maintain Insurance

Failure on the part of the Contractor to maintain the insurance as required shall constitute a material breach of contract, upon which the City may, after giving five business days' notice to the Contractor to correct the breach, immediately terminate the contract or, at its discretion, procure or renew such insurance and pay any and all premiums in connection therewith, with any sums so expended to be repaid to the City on demand, or at the sole discretion of the City, offset against funds due the Contractor from the City.

VIII. Compliance with Laws.

- A. The Contractor shall comply with all applicable federal, state, and local laws, including regulations for licensing, certification, and operation of facilities and programs, and accreditation and licensing of individuals, and any other standards or criteria as set forth in the Project Manual.
- B. The Contractor shall pay any applicable business and permit fees and taxes which may be required for the performance of the work.
- C. The Contractor shall comply with all legal and permitting requirements as set forth in the Project Manual.

IX. Non-discrimination.

During the performance of this Contract, the Contractor shall comply with all applicable equal opportunity laws and/or regulations and shall not discriminate on the basis of race, age, color, sex, sexual orientation, religion, national origin, creed, veteran status, marital status, political affiliation, or the presence of any sensory, mental or physical handicap. This provision shall include but not be limited to the following: employment, upgrading, demotion, transfer, recruitment, advertising, layoff or termination, rates of pay or other forms of compensation, selection for training, and the provision of work and services under this Contract. The Contractor further agrees to maintain notices, posted in conspicuous places, setting forth the provisions of this nondiscrimination clause. The Contractor understands that violation of this provision shall be cause for immediate termination of this Contract and the Contractor may be barred from performing any services or work for the City in the future unless the Contractor demonstrates to the satisfaction of the City that discriminatory practices have been eliminated and that recurrence of such discriminatory practices is unlikely.

- A. The parties will maintain open hiring and employment practices and will welcome applications for employment in all positions from qualified individuals who are members of the above-stated minorities.
- B. The parties will comply strictly with all requirements of applicable federal, state or local laws or regulations issued pursuant thereto, relating to the establishment of nondiscriminatory requirements in hiring and employment practices and assuring the service of all patrons and customers without discrimination with respect to the above-stated minority status.

X. Assignment and Subcontractors.

- A. The Contractor shall not assign this Contract or any interest herein, nor any money due to or to become due hereunder, without first obtaining the written consent of the City.
- B. The Contractor shall not subcontract any part of the services to be performed hereunder without first obtaining the consent of the City and complying with the provisions of this section.
- C. In the event the Contractor does assign this contract or employ any subcontractor, the Contractor agrees to bind in writing every assignee and subcontractor to the applicable terms and conditions of the contract documents.
- D. The Contractor shall, before commencing any work, notify the Owner in writing of the names of any proposed subcontractors. The Contractor shall not employ any subcontractor or other person or organization (including those who are to furnish the principal items or materials or equipment), whether initially or as a substitute, against whom the Owner may have reasonable objection. Each subcontractor or other person or organization shall be identified in writing to the Owner by the Contractor prior to the date this Contract is signed by the Contractor. Acceptance of any subcontractor or assignee by the Owner shall not constitute a waiver of any right of the Owner to reject defective work or work not in conformance with the contract documents. If the Owner, at any time, has reasonable objection to a subcontractor or assignee, the Contractor shall submit an acceptable substitute.
- E. The Contractor shall be fully responsible for all acts and omissions of its assignees, subcontractors and of persons and organization directly or indirectly employed by it and

of persons and organizations for whose acts any of them may be liable to the same extent that it is responsible for the acts and omissions of person directly employed by it.

- F. The divisions and sections of the specifications and the identifications of any drawings shall not control the Contractor in dividing the work among subcontractors or delineating the work to be performed by any specific trade.
- G. Nothing contained in the contract documents shall create or be construed to create any relationship, contractual or otherwise, between the Owner and any subcontractor or assignee. Nothing in the contract documents shall create any obligation on the part of the Owner to pay or to assure payment of any monies due any subcontractor or assignee.
- H. The Contractor hereby assigns to the City any and all claims for overcharges resulting from antitrust violations as to goods and materials purchased in connection with this Contract, except as to overcharges resulting from antitrust violations commencing after the date of the bid or other event establishing the price of this Contract. In addition, the Contractor warrants and represents that each of its suppliers and subcontractors shall assign any and all such claims for overcharges to the City in accordance with the terms of this provision. The Contractor further agrees to give the City immediate notice of the existence of any such claim.
- I. In addition to all other obligations of the contractor, if the contractor does employ any approved subcontractor, the contractor shall supply to every approved subcontractor a copy of the form, provided in the project manual, to establish written proof that each subcontract and lower-tier subcontract is a written document and contains, as a part, the current prevailing wage rates. The contractor, each approved subcontractor and each approved lower-tier subcontractor shall complete and deliver the form directly to the City.

XI. Contract Administration and Notices.

This Contract shall be administered for the City by the Project Manager, Aaron Halverson, and shall be administered for the Contractor by the Contractor's Contract Representative, Todd Zuanich. Unless stated otherwise herein, all notices and demands shall be in writing and sent or hand-delivered to the parties at their addresses as follows:

To City:

City of Lake Stevens
Attn: City Clerk
1812 Main Street (Physical Address)
Post Office Box 257 (Mailing Address)
Lake Stevens, WA 98258
Telephone: 425.622-9400

To Contractor:

Northend Excavating, Inc
Attn: Todd Zuanich
10014 149th Ave NE
Granite Falls, WA 98252
Telephone: 425-343-4976

or to such addresses as the parties may hereafter designate in writing. Notices and/or demands shall be sent by registered or certified mail, postage prepaid, or hand-delivered. Such notices shall be deemed effective when mailed or hand-delivered at the addresses specified above.

XII. Interpretation and Venue.

This Contract shall be interpreted and construed in accordance with the laws of the State of Washington. The venue of any litigation between the parties regarding this Contract shall be Snohomish County, Washington.

XIII. Severability

- A. If a court of competent jurisdiction holds any part, term or provision of this Contract to be illegal or invalid, in whole or in part, the validity of the remaining provisions shall not be affected, and the parties' rights and obligations shall be construed and enforced as if the Contract did not contain the particular provision held to be invalid.
- B. If any provision of this Contract is in direct conflict with any statutory provision of the State of Washington, that provision which may conflict shall be deemed inoperative and null and void insofar as it may conflict, and shall be deemed modified to conform to such statutory provision.

XIV. Non-Waiver.

A waiver by either party hereto of a breach of the other party hereto of any covenant or condition of this Contract shall not impair the right of the party not in default to avail itself of any subsequent breach thereof. Leniency, delay or failure of either party to insist upon strict performance of any Contract, covenant or condition of this Contract, or to exercise any right herein given in any one or more instances, shall not be construed as a waiver or relinquishment of any such Contract, covenant, condition or right.

XV. Survival

Any provision of this Contract which imposes an obligation after termination or expiration of this Contract shall survive the term or expiration of this Contract and shall be binding on the parties to this Contract.

XVI. Authority

The person executing this Agreement on behalf of Contractor represents and warrants that he or she has been fully authorized by Contractor to execute this Agreement on its behalf and to legally bind Contractor to all the terms, performances and provisions of this Agreement. The person executing this Contractor on behalf of the City represents and warrants that he or she has been fully authorized by the City to execute this Contractor on its behalf and to legally bind the City to all the terms, performances and provisions of this Contractor.

XVII. Counterparts and Signatures

This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same Agreement. Digital, electronic, and PDF signatures will constitute an original in lieu of the "wet" signature.

XVIII. ☒ Debarment and Uniform Guidance

If this contract involves the use, in whole or in part, of federal award(s), the Contractor must certify that it, and its subcontractors, have not been and are not currently on the Federal or the Washington State Debarment List and if the Contractor or its subcontractors become listed on

the Federal or State Debarment List, the City will be notified immediately. Additionally, if this contract involves the use, in whole or in part, of federal award(s), provisions (A)-(K) in Appendix II to Part 200 of the Uniform Guidance (2 CFR Ch. 11 (1-1-14 edition) are hereby incorporated, as applicable, as if fully set forth herein. See attached Exhibit A, if applicable.

IN WITNESS WHEREOF, the parties hereto have caused this Contract to be executed the day and year first hereinabove written.

CITY OF LAKE STEVENS

Northend Excavating, Inc.

By: _____
Kurt Hilt, Mayor

By: _____
Todd Zuanich, President

Attest:

Kelly Chelin, City Clerk

Approved as to Form:

Greg Rubstello, City Attorney

					A-1 Landscaping		Northend Excavating		Colacurcio Brothers		CR Construction		Faber Construction		Tastad Construction		Kamins Construction	
Item No.	Spec Section	Description	Unit	Quantity	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
1	1-04.4	Minor Change	EST	1	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00
2	1-05.4 SP	Roadway Surveying	LS	1	\$ 14,300.00	\$ 14,300.00	\$ 15,000.00	\$ 15,000.00	\$ 20,000.00	\$ 20,000.00	\$ 8,310.40	\$ 8,310.40	\$ 9,114.00	\$ 9,114.00	\$ 12,000.00	\$ 12,000.00	\$ 11,880.00	\$ 11,880.00
3	1-05.18 SP	Record Drawings (Min. Bid \$2,000)	LS	1	\$ 2,800.00	\$ 2,800.00	\$ 2,005.00	\$ 2,005.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,430.00	\$ 2,430.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00
4	1-07.15	SPCC Plan	LS	1	\$ 3,980.00	\$ 3,980.00	\$ 100.00	\$ 100.00	\$ 1,000.00	\$ 1,000.00	\$ 500.00	\$ 500.00	\$ 1,078.00	\$ 1,078.00	\$ 600.00	\$ 600.00	\$ 1,000.00	\$ 1,000.00
5	1-09.7	Mobilization	LS	1	\$ 71,800.00	\$ 71,800.00	\$ 65,000.00	\$ 65,000.00	\$ 62,000.00	\$ 62,000.00	\$ 83,250.00	\$ 83,250.00	\$ 106,289.00	\$ 106,289.00	\$ 60,000.00	\$ 60,000.00	\$ 72,242.00	\$ 72,242.00
6	1-10	Traffic Control Supervisor	LS	1	\$ 49,800.00	\$ 49,800.00	\$ 500.00	\$ 500.00	\$ 39,700.00	\$ 39,700.00	\$ 43,500.00	\$ 43,500.00	\$ 101,240.00	\$ 101,240.00	\$ 52,000.00	\$ 52,000.00	\$ 35,640.00	\$ 35,640.00
7	1-10	Flaggers	HR	1440	\$ 89.00	\$ 128,160.00	\$ 10.00	\$ 14,400.00	\$ 35.00	\$ 50,400.00	\$ 135.00	\$ 194,400.00	\$ 60.00	\$ 86,400.00	\$ 50.00	\$ 72,000.00	\$ 1.00	\$ 1,440.00
8	1-10	Other Traffic Control Labor	HR	480	\$ 91.00	\$ 43,680.00	\$ 10.00	\$ 4,800.00	\$ 40.00	\$ 19,200.00	\$ 135.00	\$ 64,800.00	\$ 60.00	\$ 28,800.00	\$ 20.00	\$ 9,600.00	\$ 1.00	\$ 480.00
9	1-10	Construction Signs Class A	SF	110	\$ 14.00	\$ 1,540.00	\$ 20.00	\$ 2,200.00	\$ 30.00	\$ 3,300.00	\$ 16.80	\$ 1,848.00	\$ 13.00	\$ 1,430.00	\$ 10.00	\$ 1,100.00	\$ 27.00	\$ 2,970.00
10	1-10 SP	Project Temporary Traffic Control	LS	1	\$ 20,770.00	\$ 20,770.00	\$ 500.00	\$ 500.00	\$ 23,000.00	\$ 23,000.00	\$ 19,600.00	\$ 19,600.00	\$ 2,975.00	\$ 2,975.00	\$ 500.00	\$ 500.00	\$ 119,880.00	\$ 119,880.00
11	2-01 SP	Clearing and Grubbing	AC	1.2	\$ 22,190.00	\$ 26,628.00	\$ 9,500.00	\$ 11,400.00	\$ 38,000.00	\$ 45,600.00	\$ 43,623.67	\$ 52,348.40	\$ 10,872.00	\$ 13,046.40	\$ 60,000.00	\$ 72,000.00	\$ 34,740.00	\$ 41,688.00
12	2-02 SP	Removal of Structures and Obstructions	LS	1	\$ 14,320.00	\$ 14,320.00	\$ 4,200.00	\$ 4,200.00	\$ 14,000.00	\$ 14,000.00	\$ 10,272.08	\$ 10,272.08	\$ 7,687.00	\$ 7,687.00	\$ 75,000.00	\$ 75,000.00	\$ 4,460.40	\$ 4,460.40
13	2-02 SP	Removing Drainage Structure	EA	1	\$ 1,443.00	\$ 1,443.00	\$ 700.00	\$ 700.00	\$ 250.00	\$ 250.00	\$ 51,364.04	\$ 51,364.04	\$ 1,286.00	\$ 1,286.00	\$ 8,000.00	\$ 8,000.00	\$ 631.80	\$ 631.80
14	2-02 SP	Removing Cement Conc. Curb and Gutter	LF	300	\$ 28.00	\$ 8,400.00	\$ 10.00	\$ 3,000.00	\$ 6.00	\$ 1,800.00	\$ 33.96	\$ 10,188.00	\$ 4.00	\$ 1,200.00	\$ 25.00	\$ 7,500.00	\$ 22.07	\$ 6,621.00
15	2-02 SP	Removing Cement Conc. Sidewalk	SY	180	\$ 32.00	\$ 5,760.00	\$ 20.00	\$ 3,600.00	\$ 15.00	\$ 2,700.00	\$ 58.93	\$ 10,607.40	\$ 18.00	\$ 3,240.00	\$ 43.00	\$ 7,740.00	\$ 34.86	\$ 6,274.80
16	2-02 SP	Sawcutting Existing Pavement	LF	690	\$ 5.00	\$ 3,450.00	\$ 3.00	\$ 2,070.00	\$ 5.00	\$ 3,450.00	\$ 7.84	\$ 5,409.60	\$ 4.00	\$ 2,760.00	\$ 6.00	\$ 4,140.00	\$ 3.24	\$ 2,235.60
17	2-03	Roadway Excavation Incl. Haul	CY	1290	\$ 63.00	\$ 81,270.00	\$ 45.00	\$ 58,050.00	\$ 45.00	\$ 58,050.00	\$ 63.80	\$ 82,302.00	\$ 35.00	\$ 45,150.00	\$ 70.00	\$ 90,300.00	\$ 71.88	\$ 92,725.20
18	2-03	Gravel Borrow Incl. Haul	TON	420	\$ 58.00	\$ 24,360.00	\$ 48.00	\$ 20,160.00	\$ 17.00	\$ 7,140.00	\$ 76.11	\$ 31,966.20	\$ 31.00	\$ 13,020.00	\$ 42.00	\$ 17,640.00	\$ 58.42	\$ 24,536.40
19	2-09	Structure Excavation Class B Incl. Haul	CY	40	\$ 81.00	\$ 3,240.00	\$ 70.00	\$ 2,800.00	\$ 80.00	\$ 3,200.00	\$ 143.10	\$ 5,724.00	\$ 44.00	\$ 1,760.00	\$ 70.00	\$ 2,800.00	\$ 102.60	\$ 4,104.00
20	2-09	Shoring or Extra Excavation Class B	SF	210	\$ 14.00	\$ 2,940.00	\$ 2.00	\$ 420.00	\$ 1.00	\$ 210.00	\$ 10.00	\$ 2,100.00	\$ 8.00	\$ 1,680.00	\$ 1.00	\$ 210.00	\$ 10.80	\$ 2,268.00
21	4-04	Crushed Surfacing Top Course	TON	680	\$ 72.00	\$ 48,960.00	\$ 33.00	\$ 22,440.00	\$ 46.00	\$ 31,280.00	\$ 90.80	\$ 61,744.00	\$ 36.00	\$ 24,480.00	\$ 25.00	\$ 17,000.00	\$ 64.29	\$ 43,717.20
22	5-04 SP	HMA Cl. 1/2 In. PG 58H-22	TON	360	\$ 220.00	\$ 79,200.00	\$ 195.00	\$ 70,200.00	\$ 176.00	\$ 63,360.00	\$ 184.80	\$ 66,528.00	\$ 201.00	\$ 72,360.00	\$ 190.00	\$ 68,400.00	\$ 192.75	\$ 69,390.00
23	5-04 SP	Planing Bituminous Pavement	SY	370	\$ 33.00	\$ 12,210.00	\$ 32.00	\$ 11,840.00	\$ 21.00	\$ 7,770.00	\$ 42.56	\$ 15,747.20	\$ 20.00	\$ 7,400.00	\$ 44.00	\$ 16,280.00	\$ 55.20	\$ 20,424.00
24	5-04 SP	Asphalt Cost Price Adjustment	CALC	1	\$ 1.00	\$ 1.00	\$ 1.00	\$ 1.00	\$ 1.00	\$ 1.00	\$ 1.00	\$ 1.00	\$ 1.00	\$ 1.00	\$ 1.00	\$ 1.00	\$ 1.00	\$ 1.00
25	7-01 SP	Dispersion Trench	LF	50	\$ 42.00	\$ 2,100.00	\$ 200.00	\$ 10,000.00	\$ 120.00	\$ 6,000.00	\$ 260.64	\$ 13,032.00	\$ 87.00	\$ 4,350.00	\$ 260.00	\$ 13,000.00	\$ 244.51	\$ 12,225.50
26	7-01 SP	Cleanout 6 In. Diam.	EA	3	\$ 1,980.00	\$ 5,940.00	\$ 400.00	\$ 1,200.00	\$ 690.00	\$ 2,070.00	\$ 1,688.31	\$ 5,064.93	\$ 510.00	\$ 1,530.00	\$ 600.00	\$ 1,800.00	\$ 848.88	\$ 2,546.64
27	7-01	Underdrain Pipe 6 In. Diam.	LF	50	\$ 166.00	\$ 8,300.00	\$ 20.00	\$ 1,000.00	\$ 12.00	\$ 600.00	\$ 105.30	\$ 5,265.00	\$ 58.00	\$ 2,900.00	\$ 11.00	\$ 550.00	\$ 58.10	\$ 2,905.00
28	7-01	Drain Pipe 6 In. Diam.	LF	16	\$ 170.00	\$ 2,720.00	\$ 25.00	\$ 400.00	\$ 50.00	\$ 800.00	\$ 199.07	\$ 3,185.12	\$ 63.00	\$ 1,008.00	\$ 13.00	\$ 208.00	\$ 76.71	\$ 1,227.36
29	7-04	Schedule A Storm Sewer Pipe 12 In. Diam	LF	25	\$ 220.00	\$ 5,500.00	\$ 100.00	\$ 2,500.00	\$ 80.00	\$ 2,000.00	\$ 282.09	\$ 7,052.25	\$ 72.00	\$ 1,800.00	\$ 20.00	\$ 500.00	\$ 98.50	\$ 2,462.50
30	7-05 SP	Connection to Drainage Structure	EA	1	\$ 2,380.00	\$ 2,380.00	\$ 250.00	\$ 250.00	\$ 800.00	\$ 800.00	\$ 5,052.04	\$ 5,052.04	\$ 1,757.00	\$ 1,757.00	\$ 500.00	\$ 500.00	\$ 810.00	\$ 810.00
31	7-05	Catch Basin Type 1	EA	3	\$ 4,567.00	\$ 13,701.00	\$ 1,800.00	\$ 5,400.00	\$ 2,200.00	\$ 6,600.00	\$ 4,218.42	\$ 12,655.26	\$ 2,123.00	\$ 6,369.00	\$ 2,800.00	\$ 8,400.00	\$ 2,233.80	\$ 6,701.40
32	7-12 SP	Adjust Water Valve Box	EA	2	\$ 1,450.00	\$ 2,900.00	\$ 250.00	\$ 500.00	\$ 700.00	\$ 1,400.00	\$ 5,612.04	\$ 11,224.08	\$ 1,040.00	\$ 2,080.00	\$ 800.00	\$ 1,600.00	\$ 523.80	\$ 1,047.60
33	7-15 SP	Relocate Water Meter Box	EA	1	\$ 1,870.00	\$ 1,870.00	\$ 2,000.00	\$ 2,000.00	\$ 550.00	\$ 550.00	\$ 4,240.04	\$ 4,240.04	\$ 1,701.00	\$ 1,701.00	\$ 1,200.00	\$ 1,200.00	\$ 2,062.80	\$ 2,062.80
34	8-01 SP	Erosion/Water Pollution Control	EST	1	\$ 34,000.00	\$ 34,000.00	\$ 34,000.00	\$ 34,000.00	\$ 34,000.00	\$ 34,000.00	\$ 34,000.00	\$ 34,000.00	\$ 34,000.00	\$ 34,000.00	\$ 34,000.00	\$ 34,000.00	\$ 34,000.00	\$ 34,000.00
35	8-01	High Visibility Silt Fence	LF	3000	\$ 19.00	\$ 57,000.00	\$ 1.00	\$ 3,000.00	\$ 5.00	\$ 15,000.00	\$ 7.75	\$ 23,250.00	\$ 10.00	\$ 30,000.00	\$ 7.00	\$ 21,000.00	\$ 6.48	\$ 19,440.00
36	8-01	Inlet Protection	EA	7	\$ 235.00	\$ 1,645.00	\$ 30.00	\$ 210.00	\$ 40.00	\$ 280.00	\$ 1,015.09	\$ 7,105.63	\$ 191.00	\$ 1,337.00	\$ 80.00	\$ 560.00	\$ 86.40	\$ 604.80
37	8-01	ESC Lead	DAY	60	\$ 430.00	\$ 25,800.00	\$ 2.00	\$ 120.00	\$ 10.00	\$ 600.00	\$ 1,744.03	\$ 104,641.80	\$ 143.00	\$ 8,580.00	\$ 800.00	\$ 48,000.00	\$ 108.00	\$ 6,480.00
38	8-01	Stabilized Construction Entrance	SY	230	\$ 41.00	\$ 9,430.00	\$ 2.00	\$ 460.00	\$ 33.00	\$ 7,590.00	\$ 56.12	\$ 12,907.60	\$ 17.00	\$ 3,910.00	\$ 38.00	\$ 8,740.00	\$ 35.22	\$ 8,100.60
39	8-02 SP	Property Restoration	EST	1	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00
40	8-02	Seeding and Mulching	AC	1	\$ 6,900.00	\$ 6,900.00	\$ 7,000.00	\$ 7,000.00	\$ 9,000.00	\$ 9,000.00	\$ 5,600.00	\$ 5,600.00	\$ 6,076.00	\$ 6,076.00	\$ 10,000.00	\$ 10,000.00	\$ 5,940.00	\$ 5,940.00
41	8-04	Cement Conc. Traffic Curb and Gutter	LF	520	\$ 65.00	\$ 33,800.00	\$ 46.00	\$ 23,920.00	\$ 42.00	\$ 21,840.00	\$ 42.56	\$ 22,131.20	\$ 45.00	\$ 23,400.00	\$ 44.00	\$ 22,880.00	\$ 61.19	\$ 31,818.80
42	8-04	Cement Conc. Pedestrian Curb	LF	31	\$ 55.00	\$ 1,705.00	\$ 50.00	\$ 1,550.00	\$ 54.00	\$ 1,674.00	\$ 67.20	\$ 2,083.20	\$ 45.00	\$ 1,395.00	\$ 68.00	\$ 2,108.00	\$ 98.59	\$ 3,056.29
43	8-04 SP	Cement Conc. Rolled Curb and Gutter	LF	21	\$ 78.00	\$ 1,638.00	\$ 50.00	\$ 1,050.00	\$ 114.00	\$ 2,394.00	\$ 67.20	\$ 1,411.20	\$ 46.00	\$ 966.00	\$ 68.00	\$ 1,428.00	\$ 89.74	\$ 1,884.54
44	8-04 SP	Cement Conc. Curb and Gutter Transition	LF	5	\$ 550.00	\$ 2,750.00	\$ 50.00	\$ 250.00	\$ 150.00	\$ 750.00	\$ 67.20	\$ 336.00	\$ 46.00	\$ 230.00	\$ 68.00	\$ 340.00	\$ 169.56	\$ 847.80
45	8-06	Cement Conc. Driveway Entrance Type 3	SY	40	\$ 190.00	\$ 7,600.00	\$ 185.00	\$ 7,400.00	\$ 100.00	\$ 4,000.00	\$ 145.60	\$ 5,824.00	\$ 109.00	\$ 4,360.00	\$ 150.00	\$ 6,000.00	\$ 179.69	\$ 7,187.60
46	8-13	Adjust Monument Case and Cover	EA	1	\$ 2,100.00	\$ 2,100.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 1,714.02	\$ 1,714.02	\$ 2,248.00	\$ 2,248.00	\$ 500.00	\$ 500.00	\$ 1,080.00	\$ 1,080.00
47	8-14 SP	Cement Conc. Sidewalk	SY	25	\$ 270.00	\$ 6,750.00	\$ 165.00	\$ 4,125.00	\$ 94.00	\$ 2,350.00	\$ 100.80	\$ 2,520.00	\$ 97.00	\$ 2,425.00	\$ 104.00	\$ 2,600.00	\$ 139.10	\$ 3,477.50
48	8-14 SP	Cement Conc. Curb Ramp Type Blended Transition	SY	39	\$ 270.00	\$ 10,530.00	\$ 220.00	\$ 8,580.00	\$ 135.00	\$ 5,265.00	\$ 249.76	\$ 9,740.64	\$ 316.00	\$ 12,324.00	\$ 260.00	\$ 10,140.00	\$ 281.13	\$ 10,964.07
49	8-14 SP	Cement Conc. Curb Ramp Type Single Direction	SY	22	\$ 325.00	\$ 7,150.00	\$ 220.00	\$ 4,840.00	\$ 196.00	\$ 4,312.00	\$ 179.20	\$ 3,942.40	\$ 292.00	\$ 6,424.00	\$ 184.00	\$ 4,048.00	\$ 220.42	\$ 4,849.24
50	8-14 SP	Cement Conc. Bicycle Ramp	SY	6	\$ 450.00	\$ 2,700.00	\$ 175.00	\$ 1,050.00	\$ 240.00	\$ 1,440.00	\$ 140.00	\$ 840.00	\$ 146.00	\$ 876.00	\$ 144.00	\$ 864.00	\$ 658.80	\$ 3,952.80
51	8-18	Mailbox Support Type 1	EA	1	\$ 1,980.00	\$ 1,980.00	\$ 300.00	\$ 300.00	\$ 500.00	\$ 500.00	\$ 1,826.02	\$ 1,826.02	\$ 656.00	\$ 656.00	\$ 250.00	\$ 250.00	\$ 540.00	\$ 540.00
52	8-21	Permanent Signing	LS	1	\$ 6,690.00	\$ 6,690.00	\$ 1,000.00	\$ 1,000.00	\$ 6,550.00	\$ 6,550.00	\$ 2,240.00	\$ 2,240.00	\$ 2,430.00	\$ 2,430.00	\$ 10,000.00	\$ 10,000.00	\$ 6,480.00	\$ 6,480.00
53	8-22																	

CITY COUNCIL STAFF REPORT



Agenda Date: 7/21/2026

Subject: 20th ST NE / Grade RD ROW Vacation (LUA2026-0088)

Contact Person/Department: Jill Needham, Russ Wright, Community Development

Budget Impact: Vacation Compensation

Legal Review: No

RECOMMENDATION(S)/ACTION REQUESTED:

1. Hold a public hearing; and
2. Approve the proposed Right-of-Way Vacation by the adoption of Ordinance 1222 (**Attachment 1**).

SUMMARY/BACKGROUND:

The City of Lake Stevens and Urbal Architecture have been working together to establish the right-of-way (ROW) needs for the city's proposed roundabout project at Main Street and 20th Street NE and a proposed private mixed-use development. The applicant applied for a right-of-way (ROW) vacation (Project File No. LUA 2026-0088) requesting the city relinquish approximately 387 square feet of roadway fronting 20th Street NE and Grade Road (**Attachment 1**). The proposal would affect portions of 20th Street NE and Grade Road and be adjoined to Parcel Nos. 0056220000-0603 and 0704. Dedications proposed on Parcel Nos. 0056220000-0604, 0605, 0606 and 0704 are being reviewed separately as part of the mixed-use project. The applicant has provided an exhibit illustrating the proposed vacation in support of their request (**See Attachment 2**).

The 60% design for the roundabout identifies areas needed to be dedicated as ROW for the city's project and existing ROW areas that will not be needed but would benefit the applicant's proposal. In return for the ROW vacation, the city would receive a public benefit by acquiring portions of right-of-way necessary to complete its project. The Public Works Director and applicant have agreed to a fair market value using

information from the Snohomish County Assessor, subject to Lake Stevens Municipal Code 14.16C.095(e)(1), in the separate offset agreement referenced in **Attachment 3** to establish a square foot value of \$24.69 per square foot.

The city's municipal code LSMC 14.16C.095 classifies ROW vacations as Type V applications, which means the project is a legislative action and the City Council is the final decision-maker following a mandatory public meeting and public hearing.

APPLICABLE CITY POLICIES: FINDINGS OF FACT AND PROJECT ANALYSIS:

A. Process

1. The city received a Type V application and supporting materials on January 30, 2024, identified as File No. LUA2026-0088 (**Attachments 2**).
2. The city duly issued the notice of application and public meeting on or around June 12, 2026 by publication in the Everett Herald, mailing postcards to residents within 300-feet of the properties and posting the notice on the city bulletin board in accordance with Chapter 14.16B LSMC, Part V. Three public comments were received, but were not related to the vacation criteria. (**Attachment 4**).
3. The city staff held a duly noticed public meeting on June 25, 2026. Two members of the public attended.
4. The city duly issued the notice of public hearing on or around July 11, 2026 and July 18, 2026 (second publication) by publication in the Everett Herald, mailing postcards to residents within 300-feet of the properties and posting the notice on the city bulletin board in accordance with Chapter 14.16B LSMC, Part V. No comments were received.

B. Project Criteria

1. LSMC 14.16C.095 (a through e) establishes the procedure and decision criteria for right-of-way vacations.
 - a. Erin Kelly, on behalf of Urbal Architecture, LLC (applicant) petitioned the city to consider a right-of-way vacation of approximately 387 square feet.
 - b. Ordinance 1222 is attached for City Council's consideration (**Attachment 1**).
 - c. The applicant has provided surveys and legal descriptions for the affected portions of the properties proposed for dedication and vacation, as completed by Pacific Coast Surveys, Inc. The city engineer approved the surveys and legal descriptions on March 05, 2024 (**Attachment 2**).
 - d. City staff have provided documentation for the assessed value of the adjacent property on a square foot basis using Snohomish County
-

Assessor's information (**Attachment 3**). The Public Works Director has found the valuations to be fair and accurate.

2. Decision Criteria pursuant to LSMC 14.16C.095(f):

1. This criterion is not applicable, as the property does not adjoin any fresh water body.
2. The City Council shall use the following criteria for deciding the request:
3. *The vacation will provide a public benefit, and/or will be for a public purpose;*

Staff analysis: The vacation of a portion of the ROW along the existing roads as outlined in the attachments will aid the city in acquiring the needed ROW in the construction of the proposed Roundabout at Main ST and 20th ST NE.

- ii. *The right-of-way vacation shall not adversely affect the street pattern or circulation of the immediate area or the community as a whole;*

Staff analysis: Preliminary design plans have been prepared to determine the required ROW needed for the proposed roundabout.

- iii. *The public need shall not be adversely affected;*

Staff analysis: As stated above, no adverse impact to the public need is anticipated.

- iv. *The right-of-way is not contemplated or needed for future public use; and*

The vacated portion of the right-of-way is not needed for the future proposed roundabout.

(v) No abutting owner will become landlocked or its access will not be substantially impaired (i.e., there must be an alternative mode of ingress and egress, even if less convenient); provided, that the City Council may, at the time of its public hearing, determine that the City may retain an easement or right to exercise and grant easements in respect to the vacated land for the construction, repair, and maintenance of public utilities and services.

Staff analysis: The three vacated portions of the Right of Way will not adversely affect any other nearby property owners. No change in access to neighboring properties is proposed.

3. The City Council will, at the time of the public hearing, determine the amount of compensation to be paid to the City by the petitioners as a condition of the vacation, consistent with the following:

4. *Where the street or alley has been part of a dedicated public right-of-way for 25 years or more, an amount that does not exceed the full appraised value of the area vacate.*

Staff analysis: Staff provided a table (Attachment 3) identifying an aggregate area of approximately 387 square feet to be vacated. Based on the calculations, the right-of-way to be vacated is valued at \$9,555.03.

- e. The ordinance upon approval will be recorded with Snohomish County along with the record of survey.

CONCLUSIONS:

1. The proposal has met the procedural and noticing requirements for Type V permits per Chapters 14.16A and 14.16B LSMC.
2. The proposal as conditioned meets the criteria to approve a Right-of-Way vacation per LSMC 14.16C.095.
3. The city engineer has verified that no discrepancies exist in the legal descriptions or survey.
4. The Public Works Director has verified that the assessed values are fair and accurate.

CONDITION OF APPROVAL:

1. The applicant or successor shall simultaneously record the proposed dedications and vacations of rights-of-way for the mutual benefit of the city's project and the developer's project along with the vacation ordinance and any necessary tax affidavits within 30 days of approval.

RECOMMENDATION

Staff recommend that the City Council **APPROVE** the proposed Right-of-Way Vacation (LUA2026-0088) subject to the condition listed above and referenced in Ordinance No. 1222.

APPEALS

The decision of the City Council on a Type V application is the final decision and may be appealed to Snohomish County Superior Court by filing a land use petition, which meets the requirements set forth in Chapter 36.70C RCW. The petition must be filed and served upon all necessary parties as set forth in State law and within the 21-days as set forth in RCW 36.70C.040. The appeal period shall commence upon the City Council's final decision and not upon expiration of the reconsideration period.

APPLICABLE CITY POLICIES: Lake Stevens Municipal Code 14.16C.095 – Right-of-Way Vacation and Chapter 14.16B LSMC, Part V – Type V Review - Quasi-Judicial, City Council Decisions

ATTACHMENTS:

1. Ordinance No. 1222
2. Legal Descriptions and Vacation Survey for Parcels 00562200000704 and 00562200000606
3. Right-of-Way Appraisal Figure
4. Public Comments Received

ATTACHMENTS:

1. Attachment 3 -Valuation Calculations
2. Attachment 2 - ROW Vacation Survey
3. Attachment 1 - Ordinance No. 1222 - 20th ST NE_Grade Road_ROW_Vacation
4. Attachment 4 - Public Comments Received

Vacation Valuation Calculations

Parcel	Valuation	Acreage	Square Footage	Cost Per Square Foot (Average)
00562200000704	\$1,265,500	1.12	48,787.2	\$24.69/sf
00562200000606	\$831,600	.83	36,154.8	\$24.69/sf
Total	\$2,097,100	1.95	84,942	

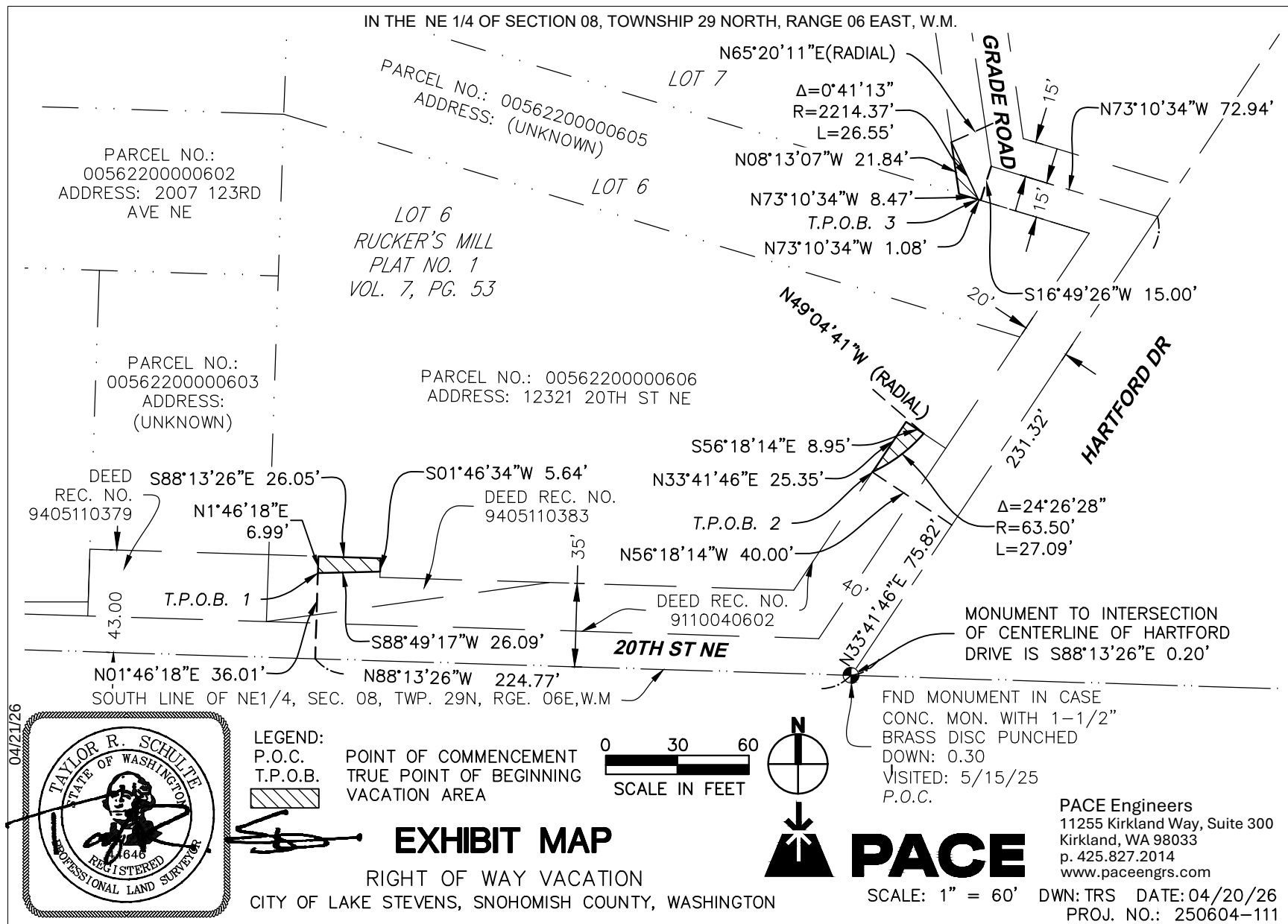
The cost per square foot, calculated using the current Snohomish County land assessment value and averaged among the two parcels involved, was used to calculate the valuation of \$24.69 per square foot.

Vacated square footage:

387 sf

Value of vacated ROW:

\$9,555.03



RIGHT OF WAY VACATION LEGAL DESCRIPTION

THAT PORTION OF LOT 6, RUCKER'S MILL PLAT NO. 1, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 7 OF PLATS, PAGE 53, RECORDS OF SNOHOMISH COUNTY, WASHINGTON, ALSO BEING A PORTION OF 20TH STREET NORTHEAST AS ACQUIRED BY EMINENT DOMAIN, DESCRIBED IN WARRANTY DEED FOR ROAD PURPOSES, RECORDED UNDER RECORDING NUMBER 9405110383, RECORDS OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT A FOUND BRASS DISC IN MONUMENT CASE AT THE CENTERLINE OF 20TH STREET NORTHEAST AND NORTH 88°13'26" WEST, 0.20 FEET FROM THE CENTERLINE OF HARTFORD DRIVE;

THENCE NORTH 88°13'26" WEST, ALONG SAID CENTERLINE OF 20TH STREET NORTHEAST, 224.77 FEET;

THENCE DEPARTING SAID CENTERLINE, NORTH 01°46'18" EAST, 36.01 FEET TO TRUE POINT OF BEGINNING 1;

THENCE CONTINUING NORTH 01°46'18" EAST, 6.99 FEET TO THE NORTH RIGHT OF WAY MARGIN DESCRIBED IN SAID WARRANTY DEED;

THENCE SOUTH 88°13'26" EAST, ALONG SAID MARGIN, 26.05 FEET;

THENCE SOUTH 01°46'34" WEST, 5.64 FEET;

THENCE DEPARTING SAID MARGIN, SOUTH 88°49'17" WEST, 26.09 FEET TO TRUE POINT OF BEGINNING 1;

AND

THAT PORTION OF LOT 6, RUCKER'S MILL PLAT NO. 1, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 7 OF PLATS, PAGE 53, RECORDS OF SNOHOMISH COUNTY, WASHINGTON, ALSO BEING A PORTION OF HARTFORD DRIVE AS ACQUIRED BY EMINENT DOMAIN, DESCRIBED IN WARRANTY DEED FOR ROAD PURPOSES, RECORDED UNDER RECORDING NUMBER 9110040602, RECORDS OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT A FOUND BRASS DISC IN MONUMENT CASE AT THE CENTERLINE OF 20TH STREET NORTHEAST AND NORTH 88°13'26" WEST, 0.20 FEET FROM THE CENTERLINE OF HARTFORD DRIVE;

THENCE SOUTH 88°13'26" EAST, 0.20 FEET TO THE CENTERLINE OF HARTFORD DRIVE;

THENCE NORTH 33°41'46" EAST, ALONG SAID CENTERLINE OF HARTFORD DRIVE, 75.82 FEET;

THENCE DEPARTING SAID CENTERLINE, NORTH 56°18'14" WEST, 40.00 FEET TO THE WEST RIGHT OF WAY MARGIN AS DESCRIBED IN SAID WARRANTY DEED AND TRUE POINT OF BEGINNING 2;

THENCE NORTH 33°41'46" EAST, ALONG SAID MARGIN, 25.35 FEET;

THENCE SOUTH 56°18'14" EAST, 8.95 FEET, TO A NON TANGENT CURVE, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 63.50 FEET AND A RADIAL BEARING OF NORTH 49°04'41" WEST;

THENCE DEPARTING SAID MARGIN, SOUTHWESTERLY ALONG SAID CURVE, AN ARC LENGTH OF 27.09 FEET, THROUGH A CENTRAL ANGLE OF 24°26'28" TO POINT OF BEGINNING 2;

AND

THAT PORTION OF LOT 7, RUCKER'S MILL PLAT NO. 1, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 7 OF PLATS, PAGE 53, RECORDS OF SNOHOMISH COUNTY, WASHINGTON, ALSO BEING A PORTION OF GRADE ROAD, THE DEDICATION OF WHICH IS UNKNOWN;

COMMENCING AT A FOUND BRASS DISC IN MONUMENT CASE AT THE CENTERLINE OF 20TH STREET SOUTHEAST AND NORTH 88°13'26" WEST, 0.20 FEET FROM THE CENTERLINE OF HARTFORD DRIVE;

THENCE SOUTH 88°13'26" EAST, 0.20 FEET TO THE CENTERLINE OF HARTFORD DRIVE;

THENCE NORTH 33°41'46" EAST, 231.32 FEET TO THE CENTERLINE OF GRADE ROAD;

THENCE NORTH 73°10'34" WEST, ALONG SAID CENTERLINE, 72.94 FEET;

THENCE DEPARTING SAID CENTERLINE, SOUTH 16°49'26" WEST, 15.00 FEET TO THE SOUTH RIGHT OF WAY MARGIN OF SAID ROAD;

THENCE NORTH 73°10'34" WEST ALONG SAID MARGIN, 1.08 FEET TO TRUE POINT OF BEGINNING 3;

THENCE CONTINUING NORTH 73°10'34" WEST, 8.46 FEET TO THE WEST RIGHT OF WAY MARGIN OF SAID ROAD;

THENCE NORTH 08°13'07" WEST, ALONG SAID WEST MARGIN, 21.84 FEET TO A NON TANGENT CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 2214.37 FEET AND A RADIAL BEARING TO THE CENTER WHICH BEARS NORTH 65°20'11" EAST;

THENCE SOUTHERLY ALONG SAID CURVE, AN ARC LENGTH OF 26.55 FEET, THROUGH A CENTRAL ANGLE OF 00°41'13" TO TRUE POINT OF BEGINNING 3;

CONTAINING AN AREA OF 387 SQUARE FEET;

SITUATE IN THE CITY OF LAKE STEVENS, SNOHOMISH COUNTY, WASHINGTON.



04/21/26

NORTH COVE INVESTORS LLC

ELOWEN

TAYLOR R. SCHULTE, P.L.S. NO. 44646

PACE JOB NO. 250604-111

APRIL 20, 2026

PACE ENGINEERS

11255 KIRKLAND WAY, SUITE 300

KIRKLAND, WA 98033

(425) 827-2014

ATTACHMENT 1

**CITY OF LAKE STEVENS
Lake Stevens, Washington
ORDINANCE NO. 1222**

**AN ORDINANCE OF THE CITY OF LAKE STEVENS PROVIDING FOR A
RIGHT-OF-WAY VACATION OF APPROXIMATELY 387 SQUARE FEET
OF LAND ALONG 20th STREET NE AND GRADE ROAD.**

WHEREAS, the City of Lake Stevens is the owner of public rights-of-way located on 20th Street NE and Grade Road; and

WHEREAS, Urbal Architecture, representing North Cove Investors LLC the owner of Parcels Numbers 00562200000603, 00562200000604, 00562200000605, 00562200000606 and 00562200000704, did petition the City Council to vacate portions of 20th Street NE and Grade Road, described and shown in **Exhibit 1**, in accordance with the provisions of Lake Stevens Municipal Code (LSMC) 14.16C.095; and

WHEREAS, Right-of-way vacations are Type V (quasi-judicial) land use permits subject to public notice and a public hearing before the City Council; and

WHEREAS, Planning and Community Development staff prepared a staff report for City Council's consideration describing the project and provided an analysis, conclusions and recommendations in coordination with the Public Works Department; and

WHEREAS, Public notice for the land use application, public meeting and hearing was provided by publication in the Everett Herald, mailing postcards to residents within 300-feet of the properties; and posting the site, in accordance with Chapter 14.16B LSMC, Part V; and

WHEREAS, City staff held a public meeting on June 25, 2026 to inform citizens about the proposal in accordance with Chapter 14.16B.525 LSMC.

WHEREAS, The Lake Stevens City Council held a public hearing on July 16, 2026 to receive public comment and testimony, in accordance with Chapter 14.16B LSMC, Part V.

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

Section 1. The City Council hereby adopts the following findings and conclusions, in addition to the analysis, conclusions and recommendations contained in the staff report dated July 21, 2026, in support of the proposed request.

FINDINGS OF FACT AND PROJECT ANALYSIS:

A. Process

1. The city received a Type V application and supporting materials on April 29, 2026, identified as File No. LUA2026-0088.
2. The city duly issued the notice of application and public meeting on or around June 12, 2026 by publication in the Everett Herald, mailing postcards to residents within 300-feet of the properties and posting the notice on the city bulletin board in accordance with Chapter 14.16B LSMC, Part V. Three public comments were received, but were not related to the vacation criteria.
3. The city staff held a duly noticed public meeting on June 25, 2026. The applicant's representative and two members of the public attended.
4. The city duly issued the notice of public hearing on or around July 11, 2026 and July 18, 2026 (second publication) by publication in the Everett Herald, mailing postcards to residents within 300-feet of the properties and posting the notice on the city bulletin board in accordance with Chapter 14.16B LSMC, Part V. No comments were received.

B. Project Criteria

1. LSMC 14.16C.095 (a through e) establishes the procedure and decision criteria for right-of-way vacations.
 - a. Erin Kelly, on behalf of Urbal Architecture (applicant) and North Cove Investors LLC (owner) petitioned the city to consider a right-of-way vacation of approximately 387 square feet.
 - b. Ordinance 1222 is attached for City Council's consideration.
 - c. The applicant has provided surveys and legal descriptions for the affected portions of the properties proposed for dedication and vacation, as completed by PACE Engineers.
 - d. The assessed value for the property was assessed on a square foot basis using Snohomish County Assessor's information. The Public Works Director has found the valuations to be fair and accurate.
2. Decision Criteria pursuant to LSMC 14.16C.095(f):
 - (1) This criterion is not applicable, as the property does not adjoin any freshwater body.
 - (2) The City Council shall use the following criteria for deciding the request:

(i) The vacation will provide a public benefit, and/or will be for a public purpose;

Staff analysis: The vacation of a portion of the ROW along the existing roads as outlined in the attachments will aid the city in acquiring the needed ROW in the construction of the proposed Roundabout at Main ST and 20th ST NE.

(ii) The right-of-way vacation shall not adversely affect the street pattern or circulation of the immediate area or the community as a whole;

Staff analysis: Preliminary design plans have been prepared to determine the required ROW needed for the proposed roundabout.

(iii) The public need shall not be adversely affected;

Staff analysis: As stated above, no adverse impact to the public need is anticipated.

(iv) The right-of-way is not contemplated or needed for future public use; and

Staff analysis: The vacated portion of the right-of-way is not needed for the future proposed roundabout.

(v) No abutting owner will become landlocked or its access will not be substantially impaired (i.e., there must be an alternative mode of ingress and egress, even if less convenient); provided, that the City Council may, at the time of its public hearing, determine that the City may retain an easement or right to exercise and grant easements in respect to the vacated land for the construction, repair, and maintenance of public utilities and services.

Staff analysis: The three vacated portions of the Right of Way will not adversely affect any other nearby property owners. No change in access to neighboring properties is proposed.

(3) The City Council will, at the time of the public hearing, determine the amount of compensation to be paid to the City by the petitioners as a condition of the vacation, consistent with the following:

(i) Where the street or alley has been part of a dedicated public right-of-way for 25 years or more, an amount that does not exceed the full appraised value of the area vacate.

Staff analysis: Staff provided a table identifying an aggregate area of approximately 387 square feet to be vacated. Based on the calculations, the right-of-way to be vacated is valued at \$9,555.03.

CONCLUSIONS:

1. The proposal has met the procedural and noticing requirements for Type V permits per Chapters 14.16A and 14.16B LSMC.
2. The proposal as conditioned meets the criteria to approve a Right-of-Way vacation per LSMC 14.16C.095.
3. The Public Works Director has verified that the assessed values are fair and accurate.

Section 2. The city of Lake Stevens does hereby vacate the portion of 20th Street NE and Grade Road, described and shown in **Exhibits 1** to North Cove Investors LLC to become part of the adjacent parcels. Recording of this ordinance in accordance with Section 3 hereof shall confirm satisfaction of the condition to this right-of-way vacation; and

Section 3. Pursuant to LSMC 14.16C.095 (g) North Cove Investors LLC, on behalf of the owner or successor shall record the surveys for the right-of-way vacation and a certified copy of Ordinance No. 1222 along with any necessary tax affidavits and return conformed copies to the City Clerk. North Cove LLC, on behalf of the owner or successor, shall be responsible for all recording costs; and

Section 4. Severability. If any section, subsection, sentence, clause, phrase or work of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance; and

Section 5. Effective Date. This Ordinance shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

ADOPTED by the City Council and **APPROVED** by the Mayor this 21st day of July 2026.

CITY OF LAKE STEVENS

By: _____
Kurt Hilt, Mayor

ATTEST/AUTHENTICATED:

By: _____
Kelly Chelin, City Clerk

APPROVED AS TO FORM:

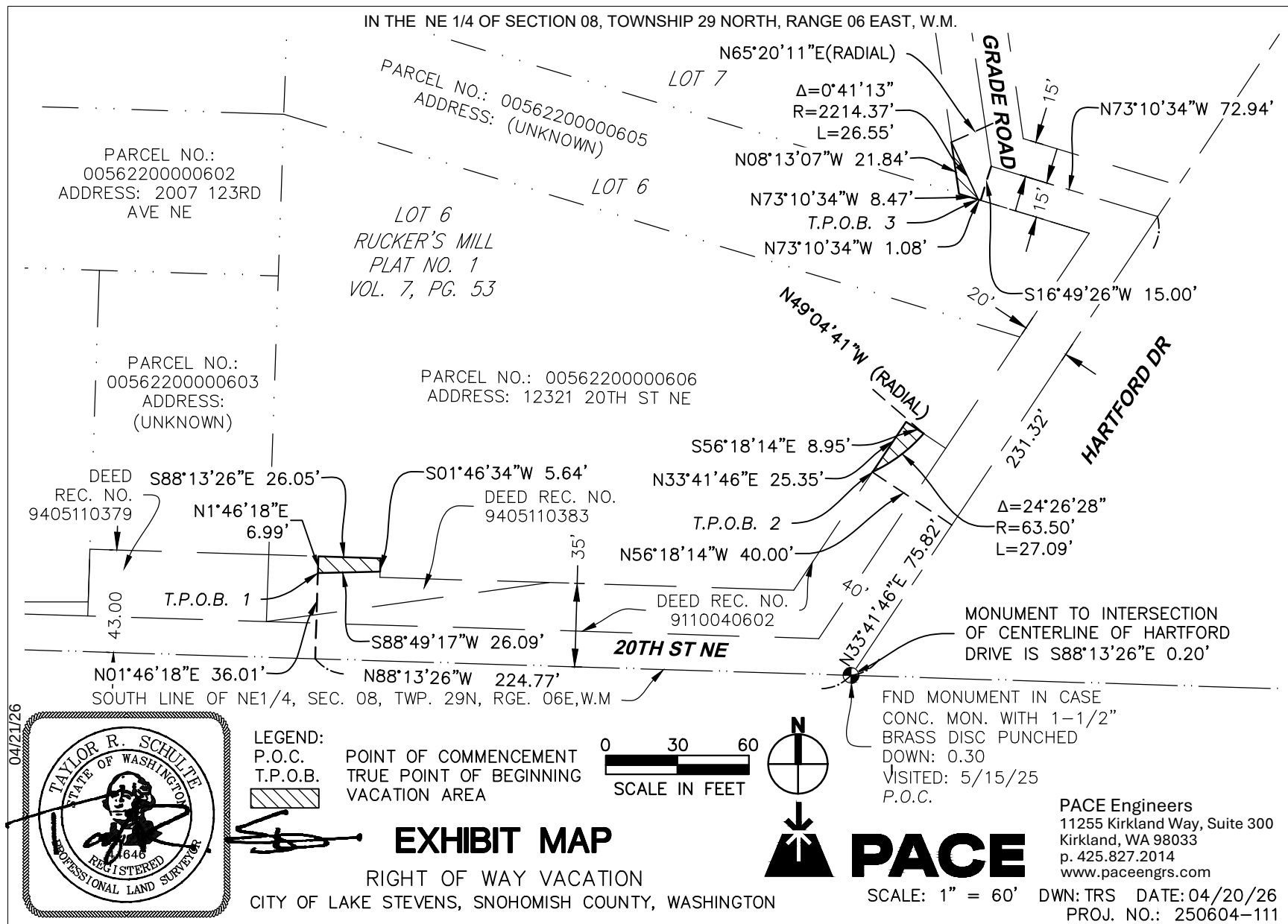
By: _____
Greg Rubstello, City Attorney

1st and Final Reading: July 21, 2026

Date of Publication:

Effective Date:

Exhibit 1 on the following page



RIGHT OF WAY VACATION LEGAL DESCRIPTION

THAT PORTION OF LOT 6, RUCKER'S MILL PLAT NO. 1, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 7 OF PLATS, PAGE 53, RECORDS OF SNOHOMISH COUNTY, WASHINGTON, ALSO BEING A PORTION OF 20TH STREET NORTHEAST AS ACQUIRED BY EMINENT DOMAIN, DESCRIBED IN WARRANTY DEED FOR ROAD PURPOSES, RECORDED UNDER RECORDING NUMBER 9405110383, RECORDS OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT A FOUND BRASS DISC IN MONUMENT CASE AT THE CENTERLINE OF 20TH STREET NORTHEAST AND NORTH 88°13'26" WEST, 0.20 FEET FROM THE CENTERLINE OF HARTFORD DRIVE;

THENCE NORTH 88°13'26" WEST, ALONG SAID CENTERLINE OF 20TH STREET NORTHEAST, 224.77 FEET;

THENCE DEPARTING SAID CENTERLINE, NORTH 01°46'18" EAST, 36.01 FEET TO TRUE POINT OF BEGINNING 1;

THENCE CONTINUING NORTH 01°46'18" EAST, 6.99 FEET TO THE NORTH RIGHT OF WAY MARGIN DESCRIBED IN SAID WARRANTY DEED;

THENCE SOUTH 88°13'26" EAST, ALONG SAID MARGIN, 26.05 FEET;

THENCE SOUTH 01°46'34" WEST, 5.64 FEET;

THENCE DEPARTING SAID MARGIN, SOUTH 88°49'17" WEST, 26.09 FEET TO TRUE POINT OF BEGINNING 1;

AND

THAT PORTION OF LOT 6, RUCKER'S MILL PLAT NO. 1, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 7 OF PLATS, PAGE 53, RECORDS OF SNOHOMISH COUNTY, WASHINGTON, ALSO BEING A PORTION OF HARTFORD DRIVE AS ACQUIRED BY EMINENT DOMAIN, DESCRIBED IN WARRANTY DEED FOR ROAD PURPOSES, RECORDED UNDER RECORDING NUMBER 9110040602, RECORDS OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT A FOUND BRASS DISC IN MONUMENT CASE AT THE CENTERLINE OF 20TH STREET NORTHEAST AND NORTH 88°13'26" WEST, 0.20 FEET FROM THE CENTERLINE OF HARTFORD DRIVE;

THENCE SOUTH 88°13'26" EAST, 0.20 FEET TO THE CENTERLINE OF HARTFORD DRIVE;

THENCE NORTH 33°41'46" EAST, ALONG SAID CENTERLINE OF HARTFORD DRIVE, 75.82 FEET;

THENCE DEPARTING SAID CENTERLINE, NORTH 56°18'14" WEST, 40.00 FEET TO THE WEST RIGHT OF WAY MARGIN AS DESCRIBED IN SAID WARRANTY DEED AND TRUE POINT OF BEGINNING 2;

THENCE NORTH 33°41'46" EAST, ALONG SAID MARGIN, 25.35 FEET;

THENCE SOUTH 56°18'14" EAST, 8.95 FEET, TO A NON TANGENT CURVE, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 63.50 FEET AND A RADIAL BEARING OF NORTH 49°04'41" WEST;

THENCE DEPARTING SAID MARGIN, SOUTHWESTERLY ALONG SAID CURVE, AN ARC LENGTH OF 27.09 FEET, THROUGH A CENTRAL ANGLE OF 24°26'28" TO POINT OF BEGINNING 2;

AND

THAT PORTION OF LOT 7, RUCKER'S MILL PLAT NO. 1, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 7 OF PLATS, PAGE 53, RECORDS OF SNOHOMISH COUNTY, WASHINGTON, ALSO BEING A PORTION OF GRADE ROAD, THE DEDICATION OF WHICH IS UNKNOWN;

COMMENCING AT A FOUND BRASS DISC IN MONUMENT CASE AT THE CENTERLINE OF 20TH STREET SOUTHEAST AND NORTH 88°13'26" WEST, 0.20 FEET FROM THE CENTERLINE OF HARTFORD DRIVE;

THENCE SOUTH 88°13'26" EAST, 0.20 FEET TO THE CENTERLINE OF HARTFORD DRIVE;

THENCE NORTH 33°41'46" EAST, 231.32 FEET TO THE CENTERLINE OF GRADE ROAD;

THENCE NORTH 73°10'34" WEST, ALONG SAID CENTERLINE, 72.94 FEET;

THENCE DEPARTING SAID CENTERLINE, SOUTH 16°49'26" WEST, 15.00 FEET TO THE SOUTH RIGHT OF WAY MARGIN OF SAID ROAD;

THENCE NORTH 73°10'34" WEST ALONG SAID MARGIN, 1.08 FEET TO TRUE POINT OF BEGINNING 3;

THENCE CONTINUING NORTH 73°10'34" WEST, 8.46 FEET TO THE WEST RIGHT OF WAY MARGIN OF SAID ROAD;

THENCE NORTH 08°13'07" WEST, ALONG SAID WEST MARGIN, 21.84 FEET TO A NON TANGENT CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 2214.37 FEET AND A RADIAL BEARING TO THE CENTER WHICH BEARS NORTH 65°20'11" EAST;

THENCE SOUTHERLY ALONG SAID CURVE, AN ARC LENGTH OF 26.55 FEET, THROUGH A CENTRAL ANGLE OF 00°41'13" TO TRUE POINT OF BEGINNING 3;

CONTAINING AN AREA OF 387 SQUARE FEET;

SITUATE IN THE CITY OF LAKE STEVENS, SNOHOMISH COUNTY, WASHINGTON.



04/21/26

NORTH COVE INVESTORS LLC

ELOWEN

TAYLOR R. SCHULTE, P.L.S. NO. 44646

PACE JOB NO. 250604-111

APRIL 20, 2026

PACE ENGINEERS

11255 KIRKLAND WAY, SUITE 300

KIRKLAND, WA 98033

(425) 827-2014

Re: File No. LUA2026-0088 – 20th St NE Right-of-Way Vacation

From Ragen Claymore <ragen.nicole@hotmail.com>
Date Sat 6/13/2026 1:21 AM
To Jill Needham <jneedham@lakestevenswa.gov>

You don't often get email from ragen.nicole@hotmail.com. [Learn why this is important](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Lake Stevens City Council,

I am writing to express concerns regarding the proposed right-of-way vacation associated with File No. LUA2026-0088.

Although the amount of right-of-way proposed for vacation is relatively small, I am concerned about the broader implications of this r

Specifically, I ask the City to consider:

- Increased traffic on 20th Street NE, Grade Road, and surrounding local streets.
- Existing and future congestion at nearby intersections.
- Impacts on pedestrian safety, including safe routes for children and families.
- Whether the right-of-way may be needed in the future for road improvements, sidewalks, utilities, drainage, or emergency access.
- The cumulative impact of additional housing or development on local schools, parks, and public services.
- Whether existing infrastructure is sufficient to accommodate future growth associated with this area.

As Lake Stevens continues to grow, preserving options for future transportation and infrastructure improvements becomes increasingly

I respectfully request that the City provide clear information regarding the purpose of the vacation, any associated development plans,

Thank you for your time and consideration.

Sincerely,

Ragen Claymore

LUA2026-0088

From jacque.longley@gmail.com <jacque.longley@gmail.com>

Date Sat 6/13/2026 10:49 AM

To Jill Needham <jneedham@lakestevenswa.gov>

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Jacqueline Longley. I am commenting on the ROW vacation, LUA2026-0088.

In February 2025, Lake Stevens voters approved a \$314 million school construction bond. We had to do this to make up for the impact deficit caused by explosive growth. Now the same developer who will add 200 units to our overcrowded schools is asking for two public subsidies: an 8% MFTE tax break and now this ROW vacation.

Under LSMC 14.16C.095(f)(2)(i), a ROW vacation requires a public benefit. Beyond giving the developer a tax break on a separate permit, and bearing the financial cost of explosive growth on our roads and school system, we are also paying for the environmental costs of development. North Cove Park is a shadeless heat trap and our canopy loss is staggering from clearing land for new schools on top of tree loss from retail and housing development.

It is our responsibility to ensure this public land release includes environmental conditions tied to this vacation. I request the City of Lake Stevens to condition this ROW vacation on environmental public benefits, off-site if necessary:

A minimum of 50 canopy shade trees, each at least 2.5 inches in diameter at breast height, or the number of trees that the appraised value of this vacated right-of-way could purchase at local wholesale prices, whichever is greater. These trees shall be planted in North Cove Park, along the Centennial Trail, and areas within a one-mile radius of this project. The condition must also specifically state that ornamental trees do not satisfy this requirement, only native or adapted canopy shade trees and finally a 3-5 year maintenance and watering period to ensure tree survival.

Jacqueline Longley

Question for the Right of Way Vacation

From M Daly <therecanbeonly1otter@gmail.com>

Date Tue 6/23/2026 3:04 PM

To Jill Needham <jneedham@lakestevenswa.gov>

You don't often get email from therecanbeonly1otter@gmail.com. [Learn why this is important](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

My questions are: Will the round about accommodate school buses? The round about on Soper Hill by Panda Express is too small for buses, which is concerning since there'll be a new elementary nearby. Also, how will this new round about affect the local coffee stand? It is well supported by the community.

In addition, what research and evidence support the need for this new round about?

Next, how will this round about affect the other businesses and their space, like the Chicken Drive- In and Francisco?

Furthermore, what steps will be taken to environmentally protect the nearby steam?

Last, will there be continuous sidewalks to comply with ADA and for the many school children who frequent this area? Has the district been included in this conversation?

Looking forward to the meeting.

Maria

CITY COUNCIL STAFF REPORT



Agenda Date: 7/21/2026

Subject: Authorization for Adopt A Stream Foundation to replace two fish barriers on city property

Contact Person/Department: Shannon Farrant, Taylor Pesce, Public Works

Budget Impact: None

Legal Review: Yes

RECOMMENDATION(S)/ACTION REQUESTED:

A motion to authorize the Mayor to sign the landowner agreement with Adopt a Stream Foundation to replace two fish barrier culverts on Catherine Creek on city-owned property.

SUMMARY/BACKGROUND:

Adopt A Stream Foundation (AASF) has asked the City for permission to perform work on city-owned property to replace two concrete box culverts on Catherine Creek with a new pedestrian bridge. The culverts are located on a paved trail that connects Grade Road to the Catherine Creek and Lake Woods neighborhoods. These culverts have been identified as fish-passage barriers during high and low flow conditions. Funding is through the NOAA Restoring Fish Passage Through Barrier Removal grant program. Adopt A Stream is a project partner in the large grant award led by the Tulalip Tribes. Under this grant, AASF has until August 31, 2028, to correct seven fish-passages. The removal of these fish barriers is one of several coordinated efforts occurring between the City, the Tulalip Tribes, and Adopt A Stream to fully restore fish passage throughout Catherine Creek. The proposed work requires no financial contribution from the City, and the only anticipated impact on the City's budget is staff time dedicated to coordination, review, and communication. This project directly benefits the City's long-term environmental goals.

The project involves the full removal of the existing concrete culverts and construction of a new pedestrian bridge that meets City standards for width, safety, and future maintenance access. By replacing the culverts with a longer-span bridge, the stream will be able to function more naturally, improving sediment movement, flow characteristics, and access for juvenile and adult salmonids traveling through Catherine Creek. The estimated project cost is approximately \$300,000, fully funded through Adopt A Stream's federal grant.

During project outreach, the Lake Woods HOA raised several concerns, and both City staff and Adopt A Stream have worked to address them. These concerns were shared during a City Council meeting on May 19, 2026. Some residents expressed interest in installing a locking gate at the trail crossing; however, because this is public property with an established public trail and a designated NGPA, the City cannot restrict public access in that way. Others were concerned about unauthorized vehicle use on the trail, referencing unrelated incidents in the neighborhood. To address this, the City and Adopt A Stream agreed to install removable, lockable bollards to prevent general vehicle access while still allowing City maintenance vehicles to reach the site. A few HOA members asked whether the crossing could be removed entirely rather than replaced, but because the trail is publicly owned and regularly used, eliminating access is not an option. Continued communication with the HOA during the project design phase will help ensure residents understand the scope of work and, where feasible, address their concerns.

The project presents minimal risk to the City. Adopt A Stream is responsible for design, permitting, contracting, and construction oversight, including compliance with all local, state, and federal environmental requirements. The City's primary role is limited to coordination and ensuring that the landowner agreement aligns with City policies and standards. Maintenance responsibilities for the new bridge will fall to the City, but the updated structure is expected to require less long-term upkeep than the existing culverts, ultimately reducing future maintenance burdens.

Given the ecological benefits of restored fish passage, the opportunity to leverage federal funding at no cost to the City, and the alignment with regional salmon recovery initiatives, staff recommends that the City Council approve the landowner agreement and authorize the Mayor to sign. This partnership advances a shared goal of improving watershed health while strengthening infrastructure on City property, demonstrating a positive, cost-effective investment in the community's environmental resilience.

APPLICABLE CITY POLICIES:

ATTACHMENTS:

1. LandownerAgreement Lake Stevens Pedestrian bridge 2026
2. 20260721_staff report_additional information

Landowner Agreement

This Agreement, dated and effective beginning the 15th day of July, 2026, is made and entered into by and between the Landowner and Grantee identified herein. The parties intend that all terms of this Agreement shall remain in effect for a period of ten years from the date of project completion, and the agreement shall be binding on all successors in interest during this time.

Landowner Name (Landowner): City of Lake Stevens
Street Address: PO Box 257
City, State, Zip Code: Lake Stevens, WA 98258-0257

Project Sponsor (Grantee):

Grantee Name: Adopt A Stream Foundation
Street Address: 600 128th St SE
City, State, Zip Code: Everett, WA 98208

Purpose of Landowner Agreement

The purpose of this Agreement is to identify and confirm the terms, conditions and obligations agreed upon between the Grantee, who is undertaking a project (Project) funded through the Tulalip Tribes grant funds associated with the Tulalip Fish Passage Collaborative I funded through the U.S Department of Commerce National Oceanic and Atmospheric Administration (NOAA), and the Landowner, who owns the property on which the Project will take place.

The Grantee and Landowner agree to participate in implementing the fish passage improvement activities described below on lands owned by Landowner in WRIA 7 Watershed (Water Resource Inventory Area), Snohomish County, State of Washington, Tax Parcel No. 00888500051000.

The Grantee Agrees to:

1. Be responsible for the design and installation of the project, and the conduct and activities of its staff, agents, and representatives.
2. Provide the Landowner with a timeline of estimated dates of Project activities, including start and completion dates, and to keep the Landowner informed of progress.
3. Conduct the project-related activities described in the Project Description, as appended to this agreement.
4. Leave all remaining portions of the property in as near pre-project condition as reasonable, or as otherwise agreed upon in writing with Landowner.
5. Inform Landowner of project completion and the dates for this Agreement.
6. Hold harmless the landowner from any liability associated from injuries or damages occurring to workers implementing the project.
7. Identify the specific maintenance and/or monitoring activities that will be provided by grantee in Attachment A (Include frequency and duration).
8. Because the construction of the fish passage improvements by law, constitutes a lien or charge on any property of a municipality, the Grantee acknowledges such work is a public work subject to Washington State's prevailing wage requirements in Chapter 39.12 RCW. Grantee is responsible for compliance with all federal, state and local laws and regulations governing the project work.

The Landowner Agrees to:

1. Provide reasonable property access to the Grantee to plan, implement, and complete the project, and to conduct the long-term maintenance and monitoring activities, as described in the Attachment A. Project Description and Maintenance Responsibilities.
2. Provide the Grantee and Tulalip Tribes, or their employees, agents, representatives, contractors, or assignees, the right to enter the land, at reasonable times, and upon reasonable notice. Entry is solely for project implementation and management purposes, to inspect completed work and to monitor long-term success of the completed project. Except in case of emergency, reasonable notice shall be given at least 48 hours before entry.
3. Not intentionally compromise the integrity of the project;
4. Inform Grantee of all known safety hazards on the property;

5. Identify the specific maintenance and/or monitoring activities that will be provided by Landowner in Attachment A (Include frequency and duration).

Landowner has no obligation to provide access to parties other than the Grantee or The Tulalip Tribes, or their employees, agents, representatives, contractors, or assignees. For the purposes of viewing the Project for information or educational purposes, Landowner and Grantee must mutually agree before such third-party access is offered.

General Terms

The Landowner shall notify the Grantee of changes in ownership of the property on which the Project is located within thirty (30) days of transfer. In the event of such transfer of ownership, the Landowner shall provide a copy of this Agreement to the succeeding owner prior to such transfer. The Landowner's written notification to the Grantee will include the name of the new landowner. The sponsor then will contact the new landowner to determine whether or not the landowner agrees to continue the landowner's specific maintenance, monitoring, and reporting responsibilities as described in Attachment A (if applicable), and to not intentionally compromise the integrity of the project. If the new landowner agrees, please provide a copy of the new landowner-signed statement to continue the landowner's monitoring, maintenance, and reporting responsibilities as described in Attachment A.

To comply with Executive Order 05-05, Archaeological and Cultural Resources, Grantees may have to complete a cultural resources survey in response to any cultural resources concerns that might arise. Grantees will notify the landowner if a consultation is required. If required, consultations must be completed before construction begins.

This agreement may be terminated by the Grantee prior to the effective date of any contract that would alter site conditions at the existing fish passage barrier (WDFW Site ID: 603951) and/or effect construction of the project work described in Attachment A hereto, if in its discretion, it determines that circumstances have rendered the Purpose of this agreement impractical to achieve. Termination also may be sought by either party by providing written notice to the other party. Such termination shall be effective only after authorized representatives of both parties have agreed in writing to such termination and The Tulalip Tribes has been provided a thirty (30) day advance written notice of such termination. If, in the event the project is intentionally removed, destroyed, or otherwise compromised in function by the Landowner, or if successor Landowners do not agree to the terms of this Agreement, The Tulalip Tribes reserves the right to seek remedy, which requires the project sponsor to provide a new restoration site to serve as replacement.

This Agreement does not authorize the Grantee or The Tulalip Tribes to assume jurisdiction over, or any ownership interest in, the premises. The completed project work when completed and accepted by the Landowner shall become the property of the Landowner. The Landowner retains sole responsibility for taxes, assessments, damage claims, and controlling trespass. The

Landowner also retains all benefits and enjoyment of the rights of ownership except as are specifically provided in this agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement.

Grantee

Date

Landowner

Date

Attachment A: Project Description and Maintenance Responsibilities

1. Written description of the project-related activities that will occur on Landowner's Property (consistent with project cost elements) and the anticipated salmon or environmental quality benefits: (Include restoration/enhancement activities and any long-term maintenance needs and effectiveness monitoring activities that will occur in future years.)

In coordination with and subject to approval by the City of Lake Stevens, the project will develop preliminary and final engineering designs, obtain all required permits, and replace the existing fish passage barrier (WDFW Site ID: 603951) with a new pedestrian bridge designed to accommodate access by a side-by-side utility vehicle (minimum 6-foot bridge width and 3,500-pound load capacity).

The Adopt A Stream Foundation, in partnership with the Tulalip Tribes, will provide all funding and labor necessary to complete the project scope of work. The project will include cultural resources consultation and, if required, archaeological investigations; topographic surveying; engineering design and plan development; environmental permitting (anticipated to utilize the Fish Habitat Enhancement Project (FHEP) streamlined permitting pathway); removal of the existing crossing; procurement and installation of the new bridge structure; restoration of disturbed areas associated with construction; and post-construction site stabilization and revegetation as needed.

2. Describe the maintenance and monitoring responsibilities of both the Landowner and Grantee for the term of this agreement. Include the activities, frequency and duration of work to be performed.

The Adopt A Stream Foundation (AASF) will be allowed to inspect the site annually for four years to monitor success of project. AASF has no other maintenance responsibilities.

The landowner will be responsible for maintenance of the new bridge and road after installation of structure is complete and accepted by the City by resolution of the Lake Stevens City Council.

Culvert Replacement on Catherine Creek

A project by Adopt A Stream

Additional Information

Project Location

The project is located on a trail between Grade Road and Bryce drive in the northeast part of the city (Figure 1). The project is located on city-owned property (parcel 00888500051000). This parcel is designated as a Native Growth Protection Area (NGPA) (Figure 2). Several trails exist through this parcel that are utilized by the community including the Catherine Creek and Lake Woods neighborhoods.

Figure 1. Vicinity map.

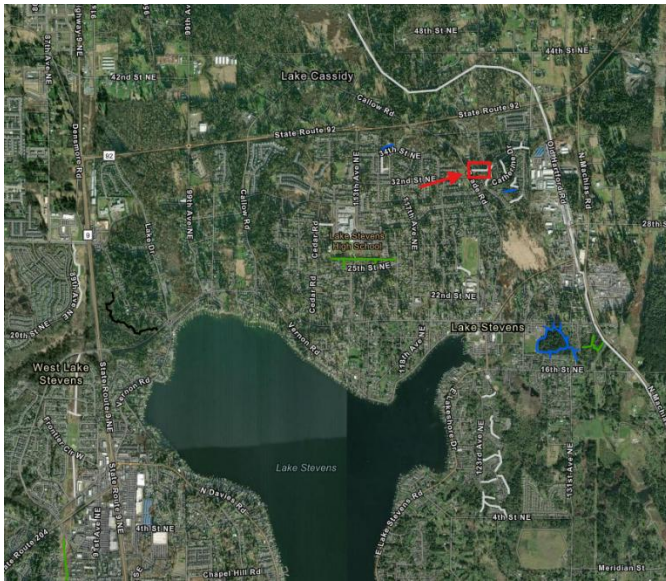
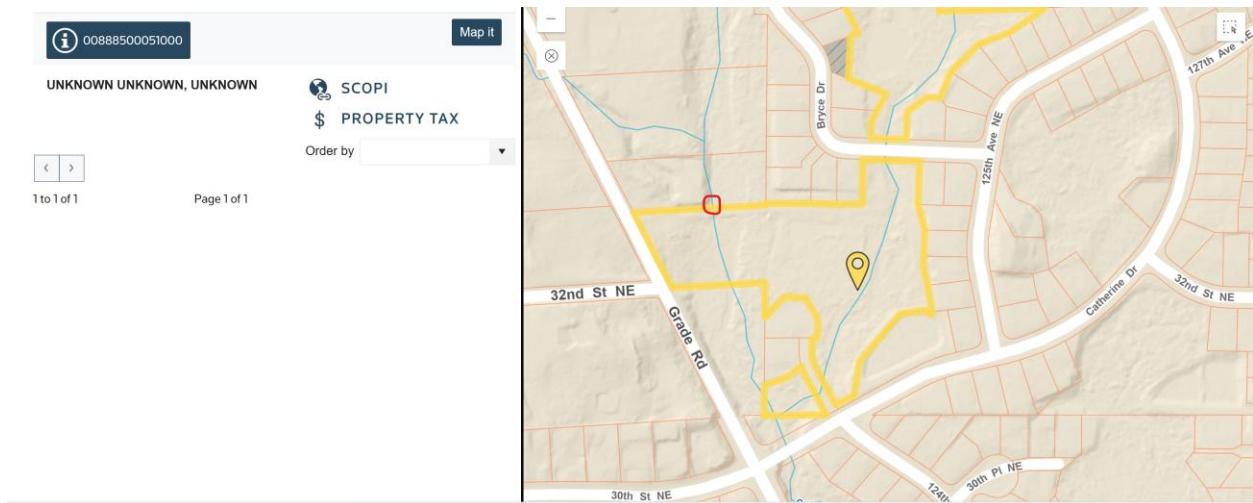


Figure 2. NGPA parcel boundary. The location of the culverts is highlighted in red.



The two culverts are located on two small reaches of Catherine Creek. Figure 3 highlights the two reaches and the location of each culvert. This map is at a finer scale than Figure 1, and therefore, shows the two reaches. The new pedestrian bridge will span both reaches to allow both reaches to merge under high flows.

Figure 3. Location of culverts on Catherine Creek.



Proposed Solution

The existing culverts are shown in Figure 4. The proposed solution is to remove these box culverts and replace them with a pedestrian bridge that spans both reaches of the stream. Figure 5 is an example of what a pedestrian bridge that might accommodate this site would look like.

Figure 4. Existing box culverts on Catherine Creek.



Figure 5. Example of a pedestrian bridge over a stream.



Importance of Fish Barrier Removal

Fish barrier removal has been identified as a priority action to restore salmon populations across Puget Sound. Throughout the region, aging culverts, small road crossings, dams, and other structural impediments block or limit access to upstream habitat that salmon and steelhead need to complete their life cycles. The Washington Department of Fish and Wildlife (WDFW) estimates that state-owned barriers alone block more than 1,100 miles of upstream habitat, limiting access to spawning and rearing areas essential to recovery efforts. In Snohomish County, fish passage has been identified as a top salmon-recovery priority.

Across the Puget Sound region, removing barriers has demonstrated significant ecological benefits. WSDOT reports that barrier-removal projects have restored over 500 miles of previously inaccessible habitat, often delivering instant improvements for Chinook, coho, chum salmon, and steelhead. Reopened habitat increases juvenile survival, expands spawning opportunities, reconnects floodplain wetlands, and improves stream temperature, sediment transport, and climate resilience. These outcomes are reflected in local recovery initiatives as well. The Snohomish Basin Salmon Recovery Forum identifies fish passage restoration as a “high priority recovery strategy,” emphasizing its importance for culturally significant salmon populations that depend on free movement between Catherine Creek, Lower Stevens Creek, the Pilchuck system, and broader basin.

Removing the culverts on Catherine Creek is therefore not an isolated project—it is part of a watershed-scale strategy to improve habitat connectivity across Lake Stevens and the Puget Sound basin. These actions advance salmon recovery, support Tribal cultural resources, improve climate-resilient infrastructure, and deliver long-term community

benefits. By supporting the Adopt A Stream culvert-removal project and continuing to advance the City's own barrier-removal efforts, Lake Stevens contributes meaningfully to regional goals and demonstrates leadership in restoring important ecological functions in Puget Sound.

CITY COUNCIL STAFF REPORT



Agenda Date: 7/21/2026

Subject: Critical Areas Ordinance (CAO) Update

Contact Person/Department: David Levitan, Community Development

Budget Impact: N/A

Legal Review: No

RECOMMENDATION(S)/ACTION REQUESTED:

No formal action is required. Staff will provide an overview of an updated draft of the city's Critical Areas Ordinance (CAO) Update, which was last presented to the City Council on April 21 and reviewed by the Planning Commission on June 17. Following additional public and agency outreach in July and August and circulation of the 60-notice of proposed adoption, the City Council is tentatively scheduled to hold the required public hearing on September 22.

SUMMARY/BACKGROUND:

At the City Council's [April 21, 2026 meeting](#) ([meeting video](#)), staff provided an overview of required updates to the Critical Areas Ordinance ([Chapter 14.88 LSMC](#)), which are necessary to comply with the Growth Management Act (GMA) and to reflect [best available science](#) (BAS). Highlighted changes included new regulations for critical aquifer recharge areas (CARAs; Chapter 14.88.700-740); updated stream buffer widths; and changes to buffer reductions and averaging.

Since that time, staff performed additional BAS analysis, re-mapped critical areas, reviewed approaches from other jurisdictions, and received additional input from state agencies, which have been incorporated into an updated draft of the CAO (Attachment 1). Staff provided an overview of the changes to the Planning Commission at their [June 17 meeting](#), which include:

- Several new definitions in Chapter 14.08 (Definitions).

- Clarification that the city's existing wetland buffers reflect BAS and are not proposed to be changed as part of this update.
- A hybrid approach for stream buffer widths for Type F (fish-bearing) streams in Section 14.88.430(b). Staff previously discussed its proposal to increase the existing 100-foot Type F buffer to 150 feet (the same as for Type S streams such as Catherine Creek that are subject to the Shoreline Management Act). The hybrid approach proposes 150 feet as the baseline, while potentially requiring a larger buffer width up to 235 feet based on site potential tree height (SPTH₂₀₀) – the maximum potential tree height for 200-year-old tree species present within the riparian corridor – when certain conditions warrant an expanded buffer adjacent to the stream. Attachment 2 illustrates the preferred alternative vs the SPTH alternative recommended by the Washington Department of Fish and Wildlife (WDFW) for the area north of Lundeen Park, which would further increase buffers by up to 135 feet in certain areas and citywide would impact dozens of additional acres of buildable land.

Staff believes this approach reflects BAS, which has found that the vast majority of pollution removal (95%) and surface nitrogen removal (85%) is provided within the first 100 feet ([WDFW 2020](#); page 11) of the buffer, even before factoring in other environmental protections such as stormwater regulations. 100 feet is the proposed buffer width for non-fish bearing perennial (Type Np) and seasonal (Type Ns) streams. As proposed, Type Np and Type Ns streams would not be subject to the hybrid approach.

As mentioned above, the hybrid approach would also reduce the number of acres removed from the city's buildable lands supply due to expanded stream buffers and better maintain the city's ability to meet its housing and employment growth targets. As noted below in the next bullet point, already developed parcels with houses/structures/driveways that functionally disconnect the buffers from the associated streams could still be redeveloped, as they disconnected areas would be exempt from buffer requirements. However, several dozen acres would still be impacted citywide, and staff believes other environmental regulations are already in place to ensure adequate protections. Staff continues to work on a quantitative analysis of buildable land impacts as part of its BAS analysis.

- New language related to functionally disconnected buffers, which are areas within a delineated buffer that no longer provide buffer function due to existing legal development, such as structures, roads or driveways (Section 14.88.296). Areas that have been functionally disconnected from the associated critical area (stream or wetland) and no longer provide habitat or water quality function are not subject to buffer requirements. The revised regulations align with the current [Department of Ecology Wetland BAS](#).

- General structural changes and consolidation of sections to remove repetitive and redundant language. Staff continue work in this area, including standardizing the use of the active tense.

Planning commissioners were generally supportive of the proposed approach and the draft code language. Most of the June 21 discussion ([meeting video](#)) focused on stream buffer widths and the concept of disconnected buffers, which are common in a built-out community such as Lake Stevens. To bolster the city's BAS analysis, staff recently incorporated 2017 tree canopy height data from the Washington Department of Fish and Wildlife (WDFW) to illustrate actual tree heights within riparian corridors, as opposed to SPTH₂₀₀ values. Attachment 3 includes examples of two riparian corridors compared with average modeled canopy height, with yellow being the shortest tree heights and red being the tallest.

The top set of maps is within Catherine Creek Park (disc-golf course) adjacent to Catherine Creek, a Type S stream with a current buffer of 150 feet (the same as proposed for Type F streams). As a reminder, Type S streams such as this portion of Catherine Creek are subject to the Shoreline Master Program (SMP) as opposed to the CAO, so are not covered by this update. The bottom set of maps is the portion of Lundeen Creek just south of Highway 92, which is Type F stream with an existing buffer of 100 feet (the turquoise area) and a proposed buffer of 150 feet (the additional maroon area).

Looking at the maps in Attachment 3, average canopy height generally ranges between 30 feet and 148 feet, with isolated areas of up to 170 feet that are primarily outside of the existing/proposed 150-foot stream buffers. This data shows that the proposed Type F stream buffer width of 150 feet is in line with (and at the higher end of) actual tree canopy heights in riparian corridors, which are much lower than SPTH. Catherine Creek Park includes some of the tallest trees in the city, but even within this area the tallest trees tend to be outside of the riparian corridor.

Recent Work and Next Steps

In recent weeks, staff met with the Surface Water Division to discuss alignment between the CAO Update and the [Salmonids Basin Plan](#); shared information about the project on the [project website](#) and at the city's Aquafest booth; met with the Master Builders Association to discuss the update and potential impacts on development; and worked on the city's BAS document to support the proposed CAO regulations, including for the hybrid approach to Type F streams. The city will be acquiring LIDAR tree canopy data in late 2026 from Snohomish County to document tree canopy within riparian corridors and will be using this update as a baseline for future restoration projects.

Staff is looking for Council feedback on the updated CAO shown in Attachment 1, with the most substantive changes being:

- New definitions
- Structural changes to the document
- Adoption of CARA regulations
- New stream buffers, including a hybrid approach with a 150 foot standard buffer for Type F streams and a standard 100 foot buffer for non-fish bearing streams.

If Council is comfortable with the above approach/recommendations, staff will issue the 60-day notice of intent to amend the development code, during which time the city will receive comments from state agencies such as the Department of Fish and Wildlife and Department of Ecology. Staff will also engage and seek input from local tribes, organizations, and the public. Staff will also issue the environmental threshold determination for the proposed CAO update during this time as required by WAC 197-11.

Once the 60-day notice is issued and staff begins to receive comments on the draft code language, staff is proposing to hold a final work session with the Planning Commission on August 19, followed by the Planning Commission's public hearing on September 2. A separate public hearing will be held with the City Council on September 22.

Should the CAO update be adopted at the City Council's September 22 meeting, staff proposed an effective date of November 15, 2026 to allow projects that have been designed under the existing critical area regulations to be submitted and vested under the current code. City staff will also be reaching out to the development community and existing project applicants about the proposed changes.

APPLICABLE CITY POLICIES:

Chapter 14.88 LSMC (Critical Areas Ordinance)

ATTACHMENTS:

1. Attachment 1 - Chapter 14.88 CAO Update July 2026 Draft
2. Attachment 2 - Preferred vs SPTH Stream Buffer Alternatives
3. Attachment 3 - Average Tree Canopy Height Examples

Chapter 14.08

DEFINITIONS (NEW AND REVISED DEFINITIONS)

Aquifer Recharger Area: Areas with a critical recharging effect on aquifers used for potable water, including areas where an aquifer that is a source of drinking water is vulnerable to contamination that would affect the potability of the water, or is susceptible to reduced recharge.

Channel Migration Zone: The area within which a stream or river channel is likely to move laterally over a specified period as part of natural processes.

Fish and Wildlife Habitat Conservation Areas (of Local Importance): Areas that serve a critical role in sustaining needed habitats and species for the functional integrity of the ecosystem, and which, if altered, may reduce the likelihood that the species will persist over the long term. These areas may include, but are not limited to, rare or vulnerable ecological systems, communities, and habitat or habitat elements including seasonal ranges, breeding habitat, winter range, and movement corridors; and areas with high relative population density or species richness. Counties and cities may also designate locally important habitats and species (WAC 365-190-030). ~~A seasonal range or habitat element with which a given species has a primary association, and which, if altered, may reduce the likelihood that the species will maintain and reproduce over the long term. These might include areas of relative density or species richness, breeding habitat, winter range, and movement corridors. These also include habitats of limited availability or high vulnerability to alteration, such as cliffs and wetlands.~~

Frequently Flooded Area: Lands in the flood plain subject to at least a one percent or greater chance of flooding in any given year, or within areas subject to flooding due to high groundwater. These areas include, but are not limited to, streams, rivers, lakes, coastal areas, wetlands, and areas where high groundwater forms ponds on the ground surface (WAC 365-190-030).

Functionally Disconnected Buffer Area: Portions of protective buffers that are functionally and effectively disconnected and isolated from the associated wetland or stream by an existing significant development and which no longer provide buffer function, as detailed in LSMC 14.88.296.

Hazardous Tree: Trees with significant structural defects that are likely to lead to failure.

No Net Loss: As it relates to critical areas, the finding that proposed activities or development would not alter or modify the physical limits of an existing critical area or their buffers or result in an overall reduction in ecosystem functions and values within critical areas and their buffers.

Priority Habitats: ~~Areas that support diverse, unique, and/or abundant communities of fish and wildlife, as determined by the Washington Department of Fish and Wildlife Map Products 2006.~~ A habitat type with unique or significant value to many species. An area identified and mapped as priority habitat has one or more of the following attributes: comparatively high fish and wildlife density, comparatively high fish and wildlife species diversity, important fish and wildlife breeding habitat, important fish and wildlife seasonal ranges, important fish and wildlife movement corridors, limited availability, high vulnerability to habitat alteration, and unique or dependent species.

Priority Species: ~~Wildlife species of concern due to their population status and their sensitivity to habitat alteration.~~ Fish and wildlife species requiring protective measures and/or management actions to ensure their survival. A species identified and mapped as priority species fit one or more of the following criteria: State-listed candidate species, vulnerable aggregations, and Species of recreational, commercial, and/or Tribal importance.

~~**Riparian Habitat Zone:** The riparian habitat zone includes those watercourses within the special flood hazard area.~~

~~**Riparian Management Zone:** The area that has the potential to provide full riparian functions, which for non-forest zones is defined as the greater of the outermost point of the riparian vegetative community or the pollution removal function at 100 feet.~~

Chapter 14.48

14.48.045 Accessory Structures.

(a) In single-family residential zones, accessory structures must meet the following conditions:

- (1) The gross floor area of all accessory structures shall not exceed 200 square feet without a building permit;
- (2) The height of the accessory structure shall not exceed 12 feet without a building permit; and
- (3) The accessory structure may be set back five feet from rear and side property lines but shall be no closer to the front property line than the front setback of the underlying zoning district. Accessory dwelling units shall adhere to the setbacks of the underlying zoning district unless otherwise permitted or authorized in Section [14.44.045](#). (Ord. 1179, Sec. 14, 2024; Ord. 1080, Sec. 8, 2020)

~~(4) For sites with critical areas or their buffers as defined in Chapter 14.08 LSMC and described in Chapter 14.88 LSMC, accessory structures may not be located within 10 feet of a critical area, critical areas tract or easement, per Section 14.88.285. Other site improvements identified in Section 14.88.285 may be located within the building setback area.~~

14.48.050 Exceptions to Building Setback Requirements.

(a) The following modifications to the setback requirements identified in Section [14.48.040](#) shall be allowed, ~~so long as they are compliant with Section 14.88.285 when a site contains critical areas or their buffers:~~

- (1) In all single-family residential zones, the building setbacks from the street of the underlying zone may be reduced by five feet for living portions of the principal house or open porches. This reduction does not apply to garages or carports.
- (2) Exterior mechanical equipment including air conditioners, heat pumps and similar may extend up to 32 inches into the required side setback provided emergency access is not impaired.
- (3) Eaves and other minor architectural features may project into the required setback up to 18 inches. (Ord. 1080, Sec. 8, 2020; Ord. 1063, Sec. 2 (Exh. B), 2019; Ord. 903, Sec. 39, 2013; Ord. 811, Sec. 56, 2010; Ord. 741, Sec. 7, 2007; Ord. 676, Sec. 45, 2003; Ord. 666, Sec. 9, 2002; Ord. 595, 1999; Ord. 468, 1995)

Chapter 14.88

CRITICAL AREAS

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14.88.010 Purpose and Intent

Part II. Definitions

14.88.100 Definitions

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- 14.88.710 ~~Repealed~~ Performance Standards – General Requirements
- 14.88.720 ~~Repealed~~ Performance Standards – Specific Uses
- 14.88.730 ~~Repealed~~ Performance Standards – Prohibited Uses
- 14.88.740 ~~Repealed~~ Critical Area Report Requirements

Part VIII. Wetlands

- 14.88.800 Purpose
- 14.88.805 Identification and Rating
- 14.88.810 Determination of Boundary
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Part IX. Transfer of Development Rights

- 14.88.900 Definitions
- 14.88.910 Intent and General Regulations of Transferring Development Rights (TDR)
- 14.88.920 Qualifications for Designation of Land as a Critical Area Sending or Receiving District
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Part X. Mitigation Plan Requirements

- 14.88.960 ~~Repealed~~
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Part I. Purpose and Intent

14.88.010 Purpose and Intent.

The purpose of this chapter is to designate, classify, and protect the critical areas, as defined by RCW 36.70A.030(12), of the Lake Stevens community by establishing regulations and standards for development and use of properties which contain or adjoin critical areas for protection of the public health, safety, and welfare. ~~The purpose and intent of this chapter is also—~~ It also provides a regulatory framework to ensure that there is no net loss of ~~the~~ acreage, ~~or~~ functions ~~and or~~ values of critical areas regulated by this chapter.

This chapter serves to:

(a) Establish the mitigation sequencing hierarchy by which Aa project proponent projects and activities shall make ~~are evaluated for making~~ all reasonable efforts to avoid and minimize impacts to critical areas and buffers, in the following sequential order of preference:

(1) Avoidance: Avoiding impacts altogether by not taking a certain action or parts of an action; ~~or~~

(2) Minimization: When avoidance is not possible, minimizing impacts by limiting the degree or magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps, such as project redesign, relocations, or timing, to avoid or reduce impacts ~~and mitigating for the affected functions and values of the critical area; and~~

(3) Rectification: Rectifying the impact by repairing, rehabilitating, or restoring the affected environment;

~~(4)~~ Reduction: Reducing or eliminating impacts over time by preservation and maintenance operations during the life of the action.

~~(5)~~ Compensation: Compensating for unavoidable impacts by replacing, enhancing or providing substitute resources or environments; and

(6) Monitoring: Monitoring the impact and taking appropriate corrective measures.

(b) Protect the public from personal injury, loss of life, or property damage due to flooding, erosion, landslides, seismic events, or soil subsidence.

(c) Protect against publicly financed expenditures due to the misuse of critical areas which cause:

(1) Unnecessary maintenance and replacement of public facilities;

(2) Publicly funded mitigation of avoidable impacts;

(3) Cost for public emergency rescue and relief operations where the causes are avoidable;

(4) Degradation of the natural environment.

(d) Protect aquatic resources.

(e) Protect unique, fragile, and valuable elements of the environment, including wildlife and its habitat.

(f) Alert appraisers, assessors, owners, potential buyers, or lessees to the development limitations of critical areas.

(g) Provide City officials with sufficient information to adequately protect critical areas when approving, conditioning, or denying public or private development proposals.

- (h) Give guidance to the development of Comprehensive Plan policies ~~in regard to~~about the natural systems and environment of the Lake Stevens Watershed~~;~~ and
- (i) Provide property owners and developers with succinct information regarding the City's requirements for property development. (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 903, Sec. 51, 2013; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)

Part II. Definitions

14.88.100 Definitions.

The definitions related to critical areas are included in Chapter 14.08. (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 855, Secs. 3, 23, 2011; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007; Ord. 590, 1998; Ord. 468, 1995)

Part III. General Provisions

14.88.200 Applicability.

The provisions of this chapter apply to all lands, land uses and development activity within the City. No person shall take action ~~No action shall be taken by any person~~ which results in any alteration of any critical areas except as consistent with the purposes, objectives, and goals of this chapter. The provisions of the current Lake Stevens Shoreline Master Program Appendix B apply to shoreline critical areas within Lake Stevens. (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)

14.88.210 Regulated Activities.

(a) For any regulated activity identified in subsection (b), a critical areas report ~~that meets~~meeting the requirements of LSMC 14.88.270 shall be prepared~~is required to support the requested activity~~. All land use and/or development activities on lands containing critical areas are subject to this chapter and are prohibited unless:

- (1) The use or activity is found to be exempt by the Planning and Community Development Director or designee per the "allowed activities" sections (14.88.220) of this chapter; or
 - (2) The use or activity meets the performance standards found in the "requirements" sections of this chapter; or
 - (3) It can be demonstrated that the denial of authorization of such an activity would deny all reasonable economic uses, as demonstrated per Section 14.88.310. In such a case, approval in writing shall be issued by the Planning and Community Development Director or designee. Approval of a reasonable economic use must be attached to another type of development permit obtained from the City of Lake Stevens prior to undertaking the regulated activity in the critical area or its buffer.
- (b) Land use and development activities include, but are not limited to, the following activities:
- (1) The removal, excavation, grading, or dredging of soil, sand, gravel, minerals, organic matter, or material of any kind.
 - (2) The dumping, discharging, or filling with any material.
 - (3) The draining, flooding, or disturbing of the water level or water table.
 - (4) The driving of pilings.
 - (5) The placing of obstructions.
 - (6) The construction, reconstruction, demolition, or expansion of any structure.
 - (7) The destruction or alteration of vegetation in a critical area through clearing, harvesting, shading, intentional burning, or planting of vegetation that would alter the character of a critical area.

(8) Class IV – General Forest Practices under the authority of Chapter 14.50, Part II (Forest Practices) and the 1992 Washington State Forest Practices Act Rules and Regulations per WAC 222-12-030, or as thereafter amended.

(9) Activities that result in a significant change of water temperature, a significant change of physical or chemical characteristics of water sources, including quantity, or the introduction of pollutants.

(10) Land that is located wholly within a critical area or its buffer may not be subdivided, unless specifically allowed elsewhere in this chapter. (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)

14.88.220 Allowed Activities.

Unless specifically prohibited elsewhere in this chapter, the following uses are allowed in any critical area or buffer; provided, that a site/resource-specific report is prepared when the activity may result in a loss of functions and values, that describes the environmental limitations of and proposed mitigation for the site, shall be submitted, reviewed, and approved by the City prior to permit issuance or land use approval:

(a) Existing and ongoing agricultural activities; provided, that they implement applicable best management practices (BMPs) contained in the latest editions of the USDA Natural Resources Conservation Service (NRCS) Field Office Technical Guide (FOTG); or develop a farm conservation plan in coordination with the local conservation district. BMPs and/or farm plans should address potential impacts from livestock, nutrient and farm chemicals, soil erosion and sediment control and agricultural drainage infrastructure. BMPs and/or farm plans should ensure that ongoing agricultural activities minimize their effects on water quality, riparian ecology, salmonid populations and wildlife habitat.

(b) Those activities and uses conducted pursuant to the Washington State Forest Practices Act and its rules and regulations, WAC 222-12-030, where state law specifically exempts local authority, except those developments requiring local approval for Class IV – General Forest Practice Permits (conversions) as defined in Chapter 76.09 RCW and Chapter 222-12 WAC.

(c) The harvesting of wild crops in a manner that is not injurious to natural reproduction of such crops and provided the harvesting does not require tilling of soil, planting of crops, chemical applications, or alteration of existing topography, water conditions, or water sources.

(d) Enhancement of a wetland-critical area or its buffer through the removal of nonnative invasive plant species. Removal of invasive plant species shall be restricted to hand removal unless permits from the appropriate regulatory agencies have been obtained for approved mechanical, biological or chemical treatments. All removed plant material shall be taken away from the site and appropriately disposed of. Plants that appear on the Washington State Noxious Weed Control Board list of noxious weeds must be handled and disposed of according to a noxious weed control plan appropriate to that species. Revegetation with appropriate native species at natural densities is allowed in conjunction with removal of invasive plant species.

(e) Educational and scientific research activities.

(f) Public and Private Pedestrian Trails.

(1) Existing trails may be maintained subject to subsection (i).

(2) ~~New~~ trails may be constructed within the outer 25 percent of the critical area buffers to wetlands and fish and wildlife conservation areas, when mitigation for impacts is provided in accordance with this chapter.

(3) ~~except that~~ New trails may be located within the remainder of the critical area buffer when it is demonstrated through the site/resource-specific report that:

- (i) No other alternative for the trail location exists which would provide the same educational and/or scientific research opportunities; and
- (ii) The critical area functions and values will not be diminished as a result of the trail, and mitigation for proposed impacts are provided in accordance with this chapter; and
- (iii) The materials used to construct the trail will not harm the critical area; and
- (iv) Raised boardwalks using nontreated pilings may be acceptable; and
- (v) Land disturbance is minimized to the greatest extent possible including removal of significant trees; and
- (vi) Where possible, the number of trails allowed in critical area buffers shall be limited.

~~(42)~~ Trails proposed in geologically hazardous areas shall be constructed in a manner that does not increase the risk of landslide or erosion in accordance with an approved geotechnical report.

(g) Navigation aids and boundary markers.

(h) Site investigative work necessary for land use application submittals such as surveys, soil logs, percolation tests and other related activities. In every case, impacts shall be minimized and disturbed areas shall be immediately restored.

(i) Normal maintenance, repair, or operation of existing structures, facilities, or improved areas.

(j) Installation or construction of City road right-of-way; or installation, replacement, operation, repair, alteration, or relocation of all water, natural gas, cable communication, telephone, or other utility lines, pipes, mains, equipment or appurtenances, not including substations or other buildings, only when required by the City and approved by the Planning and Community Development Director or designee and when avoidance of critical areas and impact minimization has been addressed during the siting of roads and other utilities and a detailed report/mitigation plan is submitted, reviewed, and approved by the City prior to permit issuance or land use approval.

(k) Minor expansion of uses or structures existing at the time of adoption of this code, and which are in compliance with all other chapters of this title; provided, that the applicant obtains all required local, State, and Federal permits, including but not limited to a Department of Fish and Wildlife Hydraulic Permit and a Clean Water Act 404 Permit, and the expansion does not create a loss of critical area and functions nor pose a significant threat to water quality. A site/resource-specific report and mitigation plan shall be prepared to describe the critical area, function, and water quality and submitted to the City for review and approval prior to permit issuance. For the purposes of this subsection, "minor expansion" refers to an addition to or alteration of a use or structure and shall be limited to a maximum of 1,000 square feet of impervious area.

(l) Stormwater Management Facilities. Dispersion outfalls, bioswales and other low impact facilities may be allowed within the outer 25 percent of the buffer to wetlands and fish and wildlife and conservation areas, when the location of such facilities will not degrade the function or values of the critical area based on the recommendation of a qualified professional for the specific critical area type. Stormwater management facilities in geologically hazardous areas shall be constructed in a manner that does not increase the risk of landslide or erosion in accordance with an approved geotechnical report. A wetland or its buffer can be physically or hydrologically altered to meet the requirements of an LID, runoff treatment or flow control BMP if the following criteria are met:

(1) There will be "no net loss" of functions and values of the wetland;

(2) The wetland does not contain a breeding population of any native amphibian species;

(3) The hydrologic functions of the wetland can be improved;

(4) The wetland lies in the natural routing of the runoff, and the discharge follows the natural routing;

(5) All regulations regarding stormwater and wetland management are followed, including but not limited to local and State wetland and stormwater codes, manuals, and permits;

(6) Modifications that alter the structure of a wetland or its soils will require permits. Existing functions and values that are lost would have to be compensated/replaced.

(7) Stormwater LID BMPs required as part of new and redevelopment projects can be considered within wetlands and their buffers. However, these areas may contain features that render LID BMPs infeasible. A site-specific characterization is required to determine if an LID BMP is feasible at the project site. (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)

(m) Emergency Activities. Those activities that are necessary to prevent an immediate threat to public health, safety, or welfare or pose an immediate risk of damage to private property, and that require remedial or preventative action in a time frame too short to allow for compliance with the requirements of this chapter.

(n) Development when the subject property is functionally and effectively separated from a critical area or its buffer by preexisting, intervening, and lawfully created structures, public roads, or other substantial improvements. Per LSMC 14.88.296, tThe preexisting improvements must be found to separate the subject property from the critical area or impair the delivery of buffer functions. (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)

(o) Hazardous tree removal, subject to the mitigation and replacement requirements in Section 14.88.295(b) and evaluation of the tree as critical habitat.

(p) Activities consistent with the species located within fish and wildlife conservation areas and all applicable State and Federal regulations regarding the species, when the requirements of Section 14.88.430 have been met and mitigation adequate to alleviate any other impacts has been proposed, as determined by the Planning and Community Development Director or designee, who may consult with other resource agencies as to their recommendations.

(q) Bridges and other crossings over streams for public and private rights-of-way, when the requirements of Section 14.88.430 have been met and mitigation adequate to alleviate any other impacts has been proposed. (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)

(r) For frequently flooded areas, those activities allowed per Section 14.64.030, when the requirements of Section 14.88.530 have been met and mitigation adequate to alleviate any other impacts has been proposed.

(s) For critical aquifer recharge areas, those activities that meet the performance standards in Sections 14.88.710 and .720, and which are not prohibited by Section 14.88.730.

(t) For wetlands, conservation or preservation of soil, water, vegetation, fish, shellfish, and/or other wildlife that does not entail changing the structure or functions of the existing wetland, when the requirements of Sections 14.88.830 and 14.88.840 have been met and mitigation adequate to alleviate any other impacts has been proposed.

14.88.230 Compliance.

All land uses or development applications shall be reviewed to determine whether or not a critical area exists on the property for which the application is filed, what the action's impacts to any existing critical area would be, and what actions are required for compliance with this chapter. No construction activity, including land clearing

or grading, shall be permitted until the information required by this section is reviewed and a plan is approved by the City. (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)

14.88.235 Best Available Science.

(a) ~~Criteria for Best Available Science.~~ The City shall use best available science (as defined in Chapter 14.08.010) is that scientific information applicable to the critical area prepared by local, State or Federal natural resource agencies, a qualified scientific professional, or team of qualified scientific professionals, when developing and implementing policies and development regulations to protect the functions and values of critical areas, as defined in RCW 36.70A.172 and ~~that is consistent with criteria established in~~ WAC 365-195-900 through 365-195-925.

(b) ~~Protection of Functions and Values and Fish Usage.~~ Critical area studies and decisions to alter critical areas shall rely on the best available science to protect the functions and values of critical areas and must give special consideration to conservation or protection measures necessary to preserve or enhance anadromous fish and their habitat, such as salmon and bull trout.

(c) ~~Lack of Scientific Information.~~ Where there is an absence of valid scientific information or incomplete scientific information relating to a critical area leading to uncertainty about the risk to critical area function or permitting an alteration of or impact to the critical area, the City shall:

(1) ~~Take a precautionary or no risk approach that strictly limits development and land use activities until the uncertainty is sufficiently resolved; and~~

(2) ~~Require application of an effective adaptive management program that relies on scientific methods to evaluate how well regulatory and nonregulatory actions protect the critical area. An adaptive management program is a formal and deliberative scientific approach to taking action and obtaining information in the face of uncertainty. To effectively implement an adaptive management program, the City hereby commits to:~~

(i) ~~Address funding for the research component of the adaptive management program;~~

(ii) ~~Change course based on the results and interpretation of new information that resolves uncertainties; and~~

(iii) ~~Commit to the appropriate time frame and scale necessary to reliably evaluate regulatory and nonregulatory actions affecting protection of critical areas and anadromous fisheries. (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)~~

14.88.240 Classification as a Critical Area.

~~Criteria for classification as a critical area will be listed under the applicable sections of this chapter. (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)~~

14.88.250 Procedures.

Prior to fulfilling the requirements of this chapter, the City of Lake Stevens shall not grant any approval or permission to conduct development or use in a critical area that requires a land use permit as identified in Chapter 14.16A or a building permit as regulated by Chapter 14.80. The Planning and Community Development Director or designee is authorized to adopt administrative procedures for the purpose of carrying out the provisions of this chapter. (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)

14.88.260 Submittal Requirements.

To enable the City to determine compliance with this chapter, at the time of application submittal, the applicant shall file a SEPA Environmental Checklist (if use is subject to SEPA per Title 16 LSMC), site/resource-specific reports as specified in Section 14.88.270, and any other pertinent information requested by the Department of Planning and Community Development. The applicant shall utilize the city's adopted critical areas maps (inventory) as a screening tool to determine the potential presence of critical areas. The Planning and

Community Development Director or designee may waive any of these submittal requirements if supported by best available science and deemed unnecessary to make a compliance determination.

The following critical areas information is required prior to making a determination of completeness per Chapter 14.16A.230(c) or issuing a building permit per Chapter 14.80.030(b):

- (a) A site-specific critical areas report, as detailed in Section 14.88.270;
- (b) A mitigation plan (when impacts to critical areas or their buffers are proposed), as detailed in Section 14.88.275;
- (c) A SEPA environmental checklist for projects that ~~don't~~ do not meet the exemption thresholds in Chapter 16.04.050, or for projects proposed on lands covered by water;
- (d) Any supplemental reports (geotechnical reports, drainage reports, etc.) necessary to determine the proposal's compliance with this chapter.

(Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)

14.88.270 Site/Resource-Specific Reports.

Unless waived per Section 14.88.260, all applications for land use, building or development permits proposed on properties containing or adjacent to critical areas or their defined setbacks or buffers shall include site/resource-specific reports prepared to describe the environmental limitations of the site. These reports shall conform in format and content to guidelines prepared by the Department of Planning and Community Development, which is hereby authorized to do so. The report shall be prepared by a qualified professional as defined in Chapter 14.08 ~~who is a biologist or a geotechnical engineer as applicable~~ with experience preparing reports for the relevant type of critical area, and must have been prepared within five years of the application date. The report and conclusions present in the critical area report shall be based on best available science and include mitigation sequencing analysis as established by Section 14.88.010(a). (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)

- (a) When required for geologically hazardous areas (Part VI), geotechnical studies shall be consistent with the requirements of LSMC 14.88.630(d).
- (b) When required for activities within critical aquifer recharge areas (Part VII), hydrogeologic reports shall be consistent with LSMC 14.88.740(b).
- (c) If channel migration zones are present, a channel migration zone report shall be prepared that assesses potential channel migration as well as riparian function.

14.88.275 Mitigation/Enhancement Plan Requirements.

~~In the event that~~ When best available science and a mitigation sequencing analysis determines that mitigation and/or enhancement is required, the Department of Planning and Community Development shall require the applicant to provide a mitigation plan for approval and a performance and maintenance bond in a form and amount acceptable to the City in accordance with Section 14.88.278. The plan shall provide information on land acquisition, construction, maintenance and monitoring of the replaced critical area that creates a no-net-loss area in function of the original area in terms of acreage, function, habitat, geographic location and setting. All mitigation plans shall include the following items, which shall be submitted by the applicant or a qualified ~~biologist, civil or geotechnical engineer~~ professional for the applicable critical area type:

- (a) Data collected and synthesized for the critical area and/or the newly restored site:
 - (1) Description of existing site conditions, critical areas and proposed buffers;
 - (2) Description of proposed impacts to critical areas and buffers and proposed plans to mitigate those impacts; and
 - (3) Documentation of best available science or site criteria supporting the proposed mitigation plan;

- (b) Specific goals and objectives describing site function, target species, selection criteria and measures to avoid and minimize impacts shall include:
- (1) Reducing or eliminating the impact over time by preservation and maintenance operations;
 - (2) Compensating for the impact by replacing, enhancing, or providing substitute resources or environments;
 - (3) Enhancing significantly degraded critical areas and buffers in combination with restoration or creation of wetlands and fish and wildlife conservation areas. Such enhancement should be part of a mitigation package that includes replacing the impacted area by meeting appropriate ratio requirements; and
 - (4) Unless it is demonstrated that a higher level of ecological functioning would result from an alternate approach, compensatory mitigation for ecological functions shall be either in-kind and on site, or in-kind and within the same stream reach, subbasin, or drift cell. Mitigation actions shall be conducted within the same subdrainage basin and on the same site as the alteration except as specifically provided for in Sections 14.88.440 and 14.88.840;
- (c) Performance standards, which shall include criteria for assessing project specific goals and objectives and whether or not the requirements of this chapter have been met;
- (d) Contingency plans which clearly define the course of action or corrective measures needed if performance standards are not met;
- (e) A legal description and a survey prepared by a licensed surveyor of the proposed development site and location of the critical area(s) on the site;
- (f) A scaled site plan that indicates the proposed timing, duration and location of construction in relation to zoning setback requirements and sequence of construction phases including cross-sectional details, topographic survey data (showing percent slope, existing and finished grade elevations at two-foot intervals or less), mitigation area, and water table elevation with sufficient detail to explain, illustrate and provide for:
- (1) Soil and substrate conditions, topographic elevations, scope of grading and excavation proposal, erosion and sediment treatment and source controls needed for critical area construction and maintenance;
 - (2) Planting plans specifying plant species, types, quantities, location, size, spacing, or density. The planting season or timing, watering schedule, and nutrient requirements for planting, and where appropriate, measures to protect plants from destruction; and
 - (3) Contingency or mid-course corrections plan and a minimum five-year monitoring and replacement plan establishing responsibility for removal of exotic and nuisance vegetation and permanent establishment of the critical area and all component parts. The monitoring plan is subject to the provisions of Sections 14.88.277 and 14.88.278;
- (g) A clearly defined approach to assess progress of the project, including the measurement of the success of a mitigation project by the presence of native species and an increase in the coverage of native plants over the course of the monitoring period;
- (h) The plan must indicate ownership, size, type, and complete ecological assessment including flora, fauna, hydrology, functions, etc., of the critical area being restored or created; and
- (i) The plan must also provide information on the natural suitability of the proposed site for establishing the replaced critical area, including water source and drainage patterns, topographic position, wildlife habitat opportunities, and value of existing area to be converted. (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)

14.88.276 Alternative Mitigation.

The Director or designee may approve the establishment and use of a mitigation bank or in-lieu fee mitigation program to provide mitigation required by this chapter. The approval may allow deviations from the requirements of Parts IV and VIII of this chapter with respect to the treatment of wetlands and fish and wildlife habitat conservation areas or buffers.

(a) Credits from a mitigation bank may be approved for use as compensation for unavoidable impacts to wetlands and fish and wildlife habitat conservation areas or buffers when:

- (1) Criteria in Sections 14.88.440 and 14.88.840 are met;
- (2) The bank is certified under Chapter 173-700 WAC;
- (3) The Department determines that the mitigation bank provides appropriate compensation for the authorized impacts and that at minimum all proposals using a mitigation bank shall have made reasonable efforts to avoid and minimize impacts to wetlands, fish and wildlife habitat conservation areas and buffers through sequencing;
- (4) The proposed use of credits is consistent with the terms and conditions of the bank's certification;
- (5) The compensatory mitigation agreement occurs in advance of authorized impacts;
- (6) Replacement ratios for projects using bank credits shall be consistent with replacement ratios specified in the bank's certification; and
- (7) The use of the mitigation bank will result in equivalent treatment of the functions and values of the critical area or buffer to offset the impacts on the project site such that the total net impact will be no net loss of critical area functions and values in the watershed in which the impacts will occur.

(b) In-lieu fee mitigation shall be established in accordance with the guidance contained in "Guidance on In-lieu Fee Mitigation" (Washington State Department of Ecology, December 2012, or latest edition, Publication No. 12-06-012) based upon the following order of preference:

- (1) A City or County approved program that gives priority to sites that will expand or improve habitat for Lake Stevens and associated tributaries;
- (2) A City or County approved program that utilizes receiving mitigation sites within the same subbasin as the approved impact; and
- (3) A City or County approved program that gives priority to sites within the same subbasin and/or a predefined service area that includes the City of Lake Stevens. (Ord. 984 Sec. 3 (Exh. C), 2019)

14.88.277 Mitigation Monitoring.

(a) All compensatory mitigation projects shall be monitored for the period necessary to establish that performance standards have been met, but in no event for less than five years following the acceptance of the installation/construction by the Planning and Community Development Director or designee.

(b) Monitoring reports on the status of the mitigation project shall be submitted to the Planning and Community Development Department. The reports shall be prepared by a qualified consultant and shall include monitoring information on wildlife, vegetation, water quality, water flow, stormwater storage and conveyance, and existing or potential degradation. Reports shall be submitted in accordance with the following schedule:

- (1) At the time of construction;
- (2) Thirty days after planting;
- (3) Early in the growing season of the first year;

- (4) End of the growing season of the first year;
- (5) Twice the second year (at the beginning and end of the growing season); and
- (6) Annually thereafter, to cover a total monitoring period of at least five growing seasons.

(c) The Planning and Community Development Director or designee shall have the authority to extend the monitoring and surety period and require additional monitoring reports and maintenance activities beyond the initial five-year monitoring period for any project that involves one or a combination of the following factors:

- (1) Creation or restoration of forested wetland or buffer communities;
- (2) Failure to meet the performance standards identified in the mitigation plan;
- (3) Failure to provide adequate replacement for the functions and values of the impacted critical area; or if
- (4) Additional monitoring is warranted. (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 773, Sec. 2, 2008)

14.88.278 Bonding (Security Mechanism).

(a) If the development proposal is subject to compensatory mitigation, the applicant shall enter into an agreement with the City to complete the mitigation plan approved by the City and shall post a mitigation performance surety to ensure mitigation is fully functional.

(b) The surety shall be in the amount of 150 percent of the estimated cost of the uncompleted actions or the estimated cost of restoring the functions and values of the critical area that are at risk, whichever is greater. The surety shall be based on a detailed, itemized cost estimate of the mitigation activity including clearing and grading, plant materials, plant installation, irrigation, weed management, monitoring and all other costs.

(c) The surety shall be in the form of an assignment of funds, bond, security device, or other means acceptable to the City Finance Director in consultation with the City Attorney.

(d) The performance surety authorized by this section shall remain in effect until the City determines, in writing, that the permit conditions, code requirements and/or standards bonded for have been met. Once the mitigation installation has been accepted by the Director or designee, the bond may be reduced to 20 percent of the original mitigation cost estimate and shall become a maintenance surety. Said maintenance surety shall generally be held by the City for a period of five years to ensure that the required mitigation has been fully implemented and demonstrated to function, and may be held for longer periods under Section 14.88.277(c).

(e) Depletion, failure, or collection of surety funds shall not discharge the obligation of an applicant to complete required mitigation, maintenance, monitoring, or restoration.

(f) Public development proposals shall be relieved from having to comply with the bonding requirements of this section if public funds have previously been committed for mitigation, maintenance, monitoring, or restoration.

(g) Any failure to satisfy critical area requirements established by law or condition including, but not limited to, the failure to provide a monitoring report within 30 days after it is due or comply with other provisions of an approved mitigation plan shall constitute a default. Upon notice of any default, the City may demand immediate payment of any financial guarantees or require other action authorized by the City code or any other law.

(h) Any funds paid or recovered pursuant to this section shall be used to complete the required mitigation or other authorized action.

- (i) The Director or designee may authorize a one-time temporary delay, up to 180 days, in completing mitigation activities when environmental conditions could produce a high probability of failure or significant construction difficulties. The delay shall not create or perpetuate hazardous conditions or environmental damage or degradation. The request for the temporary delay shall include a written justification documenting the environmental constraints that preclude implementation of the mitigation plan and shall include a financial guarantee. The justification shall be verified by the City before approval of any delay.
- (j) The provisions of Section 14.16A.180 (Security Mechanisms) shall also apply if necessary to ensure adequate protection of the public interest. (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 811, Sec. 73, 2010; Ord. 773, Sec. 2, 2008)

14.88.280 Maps and Inventory.

The approximate location and extent of critical areas in the City are displayed on various inventory maps available at the Department of Planning and Community Development. More data will be included as inventories are completed in compliance with the requirements of the Growth Management Act. Maps and inventory lists are guides to the general location and extent of critical areas. Critical areas not shown are presumed to exist in the City and are protected under all the provisions of this chapter. ~~In the event that~~ If any of the designations shown on the maps or inventory lists conflict with the criteria set forth in this chapter, the criteria and site-specific conditions shall control. Other mapping sources may include:

- (a) Washington Department of Fish and Wildlife Priority Habitat and Species maps.
- (b) Washington State Department of Natural Resources official water type reference maps, as amended.
- (c) Anadromous and resident salmonid distribution maps contained in the Habitat Limiting Factors reports published by the Washington Conservation Commission.
- (d) Washington State Department of Natural Resources State Natural Area Preserves and Natural Resource Conservation Area maps.
- (e) Washington State Department of Natural Resources Natural Heritage Program mapping data.
- (f) Lake Stevens and/or Snohomish County maps. (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)

14.88.283 Pesticide Management.

Pesticide use is not allowed in critical areas, including critical area buffers, unless it is determined by the Planning and Community Development Director or designee that there is no alternative to controlling invasive species using integrated pest management practices. If pest control is being proposed as mitigation measures to control invasive species, a pesticide management plan must be submitted to the Planning and Community Development Department. The pesticide management plan must be part of the critical areas report required in Section 14.88.270 for any development proposal, and shall include why there is no other alternative to pesticide use, mitigation of pesticide use, planned application schedules, types of pesticides proposed for use, and a means to prevent or reduce pesticide movement to groundwater and surface water. Any pesticides used within 25 feet of a wetland (100 feet if spraying) have to be listed in the MSDS as nontoxic to fish and aquatic invertebrates. The report shall be prepared by a qualified specialist. (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)

14.88.285 Building Setbacks.

Buildings and other structures shall maintain the standard building setbacks ~~per for~~ the underlying zoning district ~~as established by Chapter 14.48.040-050~~, depending on the site orientation, from all critical area buffer tracts or easements. ~~If no buffers are present or required, the minimum setback from the edge of critical areas or 10 feet from the edges of all critical areas, if no buffers are required shall be 10-feet,~~ to ensure adequate width for construction staging, maintenance and repair of primary buildings and accessory structures and use of improvements without disturbing the critical area buffer or critical area.

The following may be allowed in the building setback area:

- (a) Uncovered decks no higher than two (2) feet above grade;
- (b) Building overhangs, if such overhangs do not extend more than 18 inches into the setback area;
- (c) Impervious ground surfaces, such as driveways and patios; provided that such improvements may be subject to water quality regulations as adopted;
- (d) Accessory structures less than 200 square feet may be set back five-10 feet; and
- (e) Fences and walls are exempt when the fence or wall further separates incompatible uses outside of the critical area and its associated buffer and when any temporary or permanent impacts are mitigated according to this chapter and in compliance with other provisions of this title, based on the recommendation of a qualified professional for the specific critical area type. (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)

14.88.287 Fencing and Signage.

Permanent fencing and signage adjacent to a regulated wetland or stream corridor shall be required. Permanent signage may be required for geologically hazardous areas and setback buffers not approved for alteration under Section 14.88.670.

- (a) Fencing.
 - (1) The applicant shall install permanent fencing so as to not interfere with species migration, including fish runs, and fencing shall be constructed in a manner that minimizes impacts to the critical areas and associated buffer;
 - (2) The fence shall be designed and constructed to clearly demarcate the buffer from the developed portion of the site and to limit access of landscaping equipment, vehicles, or other human disturbances. Standard details for fencing shall be kept on file at the Planning and Community Development Department; and
 - (3) No pressure treated posts and rails will be used for signage or fencing, unless shown to be inert and have no negative impact on the critical area or buffer.
- (b) Signs designating the presence of a critical area shall be posted along the buffer boundary. ~~The signs shall be posted~~ at a minimum rate of one sign for every 100 lineal feet, or one per lot, whichever provides more coverage. Standard details for signage shall be kept on file at the Planning and Community Development Department. (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)

14.88.290 Critical Areas Tracts and Easements.

(a) Unless otherwise required in this chapter, native growth protection areas shall be used in all development proposals to delineate and protect the following critical areas and buffers:

- (1) All geologically hazardous areas not approved for alteration and associated setback buffers;
 - (2) All wetlands and buffers; and
 - (3) All fish and wildlife habitat conservation areas and buffers.
- (b) Native growth protection areas created pursuant to this chapter shall be designated on the face of the plat, short plat or other recorded drawing pursuant to Sections 14.16C.105 and 14.18.040 and shall be protected by one of the following methods:
- (1) Development proposals for subdivisions, short subdivisions, binding site plans and similar land use actions that segregate property shall use separate critical area tracts to delineate and protect native growth

protection areas. The critical area tract shall be held by each lot owner in the development in an undivided interest or held by a homeowner's association or other legal entity, which assures the ownership, maintenance, and protection of the tract; or

(2) For development proposals that do not segregate lots, the permit holder shall record a native growth protection area easement with the Snohomish County Auditor stating the location of and the limitations associated with all of the critical areas and associated buffers or mitigation sites on the property, prior to release of the associated permit. Restrictions and limitations shall be stated on the face of the deed applicable to the property and recorded with the Snohomish County Auditor.

(c) Such easements or tracts shall cover the critical area as delineated by its defined boundaries and buffers. (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)

14.88.295 Permanent Protection for Streams, Wetlands and Buffers.

All streams and wetlands under this chapter and their required buffers shall be permanently protected by designating them as native growth protection areas (NGPAs) in accordance with Section 14.88.290. NGPAs are to be left permanently undisturbed in a substantially or environmentally enhanced natural state. No clearing, grading, filling, building construction or placement, or road construction is allowed except the following:

(a) On a case by case basis when supported by a critical areas ~~assessment study~~report consistent with 14.88.270, crossings for underground utility lines which utilize the shortest alignment possible and for which no alignment that would avoid such a crossing is feasible.

(b) Removal of hazardous trees by the property owner, when based on a recommendation by a qualified arborist and an assessment of hazardous tree risk study and when approved by the City.

(1) Any trees removed in an established NGPA, ~~a critical area or its buffer~~ shall be replaced at a 3:1 ratio or at a 1.5:1 ratio when four-to-six-foot-tall native evergreen trees are planted with the total count being rounded up to the next whole number. Replacement trees shall be native to the specific habitat type and be planted within six months of project approval, unless otherwise recommended by a qualified professional or arborist and approved by the city.

(2) Any tree removed should only be cut to a point that it does not present a danger to adjacent properties or structures but can provide wildlife habitat.

(c) Existing legally (ongoing) established structures with no expansion in building footprint, and nonnative or ornamental landscaping, including, but not necessarily limited to, gardens, yards, pastures, and orchards, are not required to be designated as NGPAs. (Ord. 1179, Sec. 22, 2024; Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)

14.88.296 Functionally Disconnected Buffer Areas

Stream and wetland buffers, as identified in Sections 14.88.430 and 14.88.830, may exclude areas that are functionally and effectively disconnected by a significant site development, such as an existing public or private road, driveway/alley, or residential or commercial structure. "Functionally and effectively disconnected" means that said development or right-of-way blocks the protective measures provided by the buffer. The excluded buffer area shall be limited to just the portion of the buffer that is affected by the significant site development.

Disconnected buffer areas and their functionality shall be evaluated in a site-specific critical areas report prepared by a qualified professional, per LSMC 14.88.270. The report shall clearly identify the extent of the disconnected buffer, be based on best available science, and be reviewed and approved by the Planning and Community Development Director or their designee.

14.88.297 Limited On-Site Density Transfer for Critical Areas.

On-site density transfers may be permitted when critical areas are located on the property subject to the following provisions:

- (a) Only the area contained in the following critical areas and their associated buffers are eligible to be used in the density transfer calculation:
 - (1) Category II, III, and IV wetlands;
 - (2) Fish and wildlife conservation areas; and
 - (3) Geologically hazardous areas, not approved for alteration.
- (b) The development must be proposed to connect to sewer service and sewer service must be available.
- (c) The base density shall be consistent with the densities set forth in Chapter 14.36 for the zoning districts. The site density shall be calculated using the area of the subject property divided by the minimum lot size of the applicable zone.
- (d) The overall density of the proposed site may be transferred from the undevelopable portion to the developable part of the site and the development when the development is not using other allowed reductions or modifications to critical areas and buffers defined in this chapter.
- (e) The development shall meet applicable policies, setbacks and other standards of the City except:
 - (1) The minimum lot size of the underlying zoning district may be reduced by 30 percent in order to accommodate the transfer in densities;
 - (2) Lot widths of Chapter 14.48, Table 14.48-I may not be less than 40 feet;
 - (3) The front setbacks specified in Chapter 14.48, Table 14.48-I may be reduced by five feet, but in no instance may the garage setback be less than 19 feet;
 - (4) The proposed development must be compatible with the character of the area and adjacent uses; and
 - (5) The area to which density is transferred must not be constrained by other critical areas. (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 773, Sec. 2, 2008)

14.88.298 Innovative Development Design.

A project permit applicant may request approval of an innovative design, which addresses wetland, fish and wildlife habitat conservation area or buffer treatment in a manner that deviates from the standards set forth in Sections 14.88.400 through 14.88.440, Fish and Wildlife Conservation Areas, and Sections 14.88.800 through 14.88.840, Wetlands.

- (a) An innovative development design will be considered in conjunction with the primary land use project approval or building permit approval, when the project is consistent with subsection (b) of this section and utilizes the mitigation sequencing standards in Section 14.88.010(a) and provides any necessary mitigation. An applicant may include the innovative development design proposal in the project pre-application review packet for review.
- (b) The applicant shall demonstrate in a site/resource-specific report required pursuant to Section 14.88.270 how the innovative development design complies with the following requirements, as well as those identified in Section 14.88.440 (for streams) and 14.88.840 (for wetlands):
 - (1) The innovative development design will achieve protection equivalent to or better than the treatment of the functions and values of the critical areas that would be obtained by applying the standard prescriptive measures contained in this chapter;

(2) ~~Applicants for innovative development design must consider measures prescribed in guidance documents, such as watershed conservation plans or other similar conservation plans, and low impact stormwater management strategies which address wetlands, fish and wildlife habitat conservation areas or buffer protection consistent with this chapter;~~

(23) The innovative development design will not be materially detrimental to the public health, safety or welfare or injurious to other properties or improvements located outside of the subject property; and

(34) ~~Applicants for~~The innovative development design ~~are encouraged to consider measures prescribed in the Puget Sound Action Team 2012 Technical Guidance Manual for Low Impact Development or as amended~~utilizes low impact design. (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 773, Sec. 2, 2008)

14.88.300 Dedication of Land and/or Easements in Lieu of Park Mitigation.

The dedication of critical areas and their buffers as open space may not be used to satisfy park mitigation requirements. ~~Park land must be dedicated or fees in lieu of dedication must be paid as set forth in this title. However, if an applicant provides recreation amenities in buffers as allowed under this chapter, the cost of those amenities may be subtracted from the total park mitigation calculated for a given project with prior approval of the Planning and Community Development Director.~~ (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)

14.88.310 Demonstration of Denial of All Reasonable Economic Uses.

In order to conduct a regulated activity in a critical area where the applicant is claiming that denial of authorization of such an activity would deny all reasonable economic uses of the property, the applicant must demonstrate that such is the case and include a mitigation sequencing analysis per Section 14.88.010(a). If a regulated activity is allowed within a critical area, it must minimize impacts per the “requirements” sections, below. If the Planning and Community Development Director or designee determines that alteration of a critical area is necessary and unavoidable, written findings addressing each of the items listed in this section shall be placed in the official project file. Demonstration of denial of all reasonable economic uses shall be accomplished as follows:

(a) An applicant must demonstrate that denial of the permit would impose an extraordinary hardship on the part of the applicant brought about by circumstances peculiar to the subject property.

(b) For water-dependent activities, unavoidable and necessary impact can be demonstrated where there are no practicable alternatives which would not involve a wetland or fish and wildlife conservation area or which would not have less adverse impact on a wetland or fish and wildlife conservation area, and would not have other significant adverse environmental consequences.

(c) Where non-water-dependent activities are proposed, it shall be presumed that adverse impacts are avoidable. This presumption may be rebutted upon a demonstration that:

(1) The basic project purpose cannot reasonably be accomplished utilizing one or more other sites in the general region that would avoid, or result in less, adverse impact on regulated critical areas;

(2) A reduction in the size, scope, configuration, or density of the project as proposed and all alternative designs of the project as proposed that would avoid, or result in less, adverse impact on a critical area or its buffer will not accomplish the basic purpose of the project; and

(3) In cases where the applicant has rejected alternatives to the project as proposed due to constraints such as zoning, deficiencies of infrastructure, or parcel size, the applicant has made reasonable attempt to remove or accommodate such constraints. (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 903, Sec. 52, 2013; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)

14.88.320 Allowance of Regulated Use in a Critical Area Where Denial of All Economic Use is Demonstrated.

If an applicant for an activity or development proposal demonstrates to the satisfaction of the Planning and Community Development Director or designee that application of these standards would deny all reasonable economic use of the property as provided by Section 14.88.220, development, as may be conditioned, shall be allowed if the applicant also demonstrates all of the following to the satisfaction of the Director:

- (a) If proposed in a wetland, stream, creek, river, lake or other surface water, that the proposed project is water-dependent or requires access to the wetland as a central element of its basic function; or
- (b) If proposed in a critical area not listed in subsection (a) of this section, that it is not water-dependent but has no practicable alternative; and
- (c) That no reasonable use with less impact on the critical area and its buffer is possible (e.g., agriculture, aquaculture, transfer or sale of development rights or credits, sale of open space easements, etc.);
- (d) That there is no feasible on-site alternative to the proposed activities, including reduction in density, phasing of project implementation, change in timing of activities, revision of road and lot layout, and/or related site planning considerations, that would allow a reasonable economic use with less adverse impacts to the critical area and its buffer;
- (e) That the proposed activities will result in minimum feasible alteration or impairment to the functional characteristics of the critical area and its existing contours, vegetation, fish and wildlife resources, hydrological, and geologic conditions;
- (f) That disturbance of the critical area has been minimized by locating any necessary alteration in buffers to the extent possible;
- (g) That an analysis of surrounding properties within ¼ mile with similar physical and regulatory constraints has been completed and demonstrates that the request is consistent with the reasonable use criteria.
- ~~(h)~~ That the proposed activities will not jeopardize the continued existence of endangered, threatened, or sensitive species as listed by the Federal Government or the State of Washington. An applicant is required to confirm with the State of Washington that special conditions or recommendations are not required for candidate or monitor species;
- ~~(i)~~ That the proposed activities will not cause significant degradation of groundwater or surface water quality;
- ~~(j)~~ That the proposed activities comply with all State, local and Federal laws, including those related to sediment control, pollution control, floodplain restrictions, and on-site wastewater disposal;
- (j) That any and all alterations to critical areas and their buffers will be adequately mitigated;
- (k) That there will be no damage to nearby public or private property and no threat to the health or safety of people on or off the property;
- (l) That the inability to derive reasonable economic use of the property is not the result of actions by the applicant in segregating or dividing the property and creating the undevelopable condition after the effective date of this chapter; and
- (m) That deliberate measures have been taken to minimize the impacts. Minimizing impacts shall include but not be limited to:

- (1) Limiting the degree or magnitude of the prohibited activity;

- (2) Limiting the implementation of the prohibited activity;
- (3) Using appropriate and best available technology;
- (4) Taking affirmative steps to avoid or reduce impacts;
- (5) Sensitive site design and siting of facilities and construction staging areas away from critical areas and their buffers;
- (6) Involving resource agencies early in site planning;
- (7) Providing protective measures such as siltation curtains, hay bales and other siltation prevention measures; and
- (8) Scheduling the prohibited activity to avoid interference with wildlife and fisheries rearing, resting, nesting or spawning activities. (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 903, Sec. 53, 2013; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)

14.88.330 Nonconforming Activities.

A regulated use or activity that was approved prior to the passage of this chapter and to which significant economic resources have been committed pursuant to such approval but which is not in conformity with the provisions of this chapter may be continued subject to Chapter 14.32, including the following:

- (a) No such activity shall be expanded, modified, or substituted in any way that increases the extent of its nonconformity without a permit issued pursuant to the provisions of this chapter;
- (b) Except for cases of discontinuance as part of normal agricultural practices, if a nonconforming activity is discontinued for 180 days, any resumption of the activity shall conform to this chapter;
- (c) If a nonconforming use or activity is destroyed by human activities or a natural occurrence, it shall not be resumed except in conformity with the provisions of this chapter;
- (d) Activities or adjuncts thereof that are or become nuisances shall not be entitled to continue as nonconforming activities. (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)

14.88.340 Assessment Relief.

~~The Snohomish County Assessor's office considers~~ The presence of critical area regulations may be considered when in determining the fair market value of land. ~~Any owner of an~~ Owners of undeveloped critical area who ~~have~~ dedicated an easement or entered into a perpetual conservation restriction with the City of Lake Stevens or a nonprofit organization to permanently control some or all regulated activities in that portion of land assessed consistent with these restrictions ~~shall~~ may be considered for exemption from special assessments to defray the cost of municipal improvements such as sanitary sewers, storm sewers, and water mains. The final determination shall be made by the Snohomish County Assessor's office. (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)

Part IV. Fish and Wildlife Conservation Areas

14.88.400 Classification.

Fish and wildlife conservation areas include:

- (a) Lands containing priority habitats and species, including plant and/or animal species listed on Federal or State threatened or endangered species lists.
- (b) Naturally occurring ponds under 20 acres and their submerged aquatic beds that provide fish or wildlife habitat. These do not include ponds deliberately designed and created from dry sites such as canals, detention facilities, waste-water treatment facilities, farm ponds, temporary construction ponds (of less than three years'

duration), and landscape amenities. However, naturally occurring ponds may include those artificial ponds intentionally created from dry areas in order to mitigate conversion of ponds, if permitted by a regulatory authority.

(c) Waters of the State, as defined in WAC Title 222, Forest Practices Rules and Regulations. Waters of the State shall be classified using the system in WAC 222-16-030. In classifying waters of the State as fish and wildlife habitats the following shall be used:

- (1) Species are present which are endangered, threatened or sensitive;
- (2) Existing surrounding land uses are incompatible with salmonid and other game fish habitat;
- (3) Presence and size of riparian ecosystem;
- (4) Existing water rights.

(d) Lakes, ponds, and streams planted with game fish (defined at RCW 77.08.020), including those planted under the auspices of Federal, State, local, or tribal programs, or which support priority fish species as identified by the Department of Fish and Wildlife.

(e) State natural area preserves and natural resource conservation areas.

(f) Habitats or species of local importance. Such habitats or species may be locally listed per the process elucidated in Section 14.88.415.

(g) Streams shall be classified according to the stream type system as provided in WAC 222-16-030, Stream Classification System, as amended.

(1) Type S Stream. Those streams, within their ordinary high water mark, as inventoried as shorelines of the State under Chapter 90.58 RCW and the rules promulgated pursuant thereto.

(2) Type F Stream. Those streams that are not Type S streams and are either perennial or intermittent and have fish use or the potential to support fish use. segments within the ordinary high water mark that are not Type S streams, and which are demonstrated or provisionally presumed to be used by fish. Stream segments which have a width of two feet or greater at the ordinary high water mark and have a gradient of 16 percent or less for basins less than or equal to 50 acres in size, or have a gradient of 20 percent or less for basins greater than 50 acres in size, are provisionally presumed to be used by fish. A provisional presumption of fish use may be refuted at the discretion of the Planning and Community Development Director where any of the following conditions are met:

(i) ~~It is demonstrated to the satisfaction of the City that the stream segment in question is upstream of a complete, permanent, natural fish passage barrier, above which no stream section exhibits perennial flow;~~

(ii) ~~It is demonstrated to the satisfaction of the City that the stream segment in question has confirmed, long term, naturally occurring water quality parameters incapable of supporting fish;~~

(iii) ~~Sufficient information about a geomorphic region is available to support a departure from the characteristics described above for the presumption of fish use, as determined in consultation with the Washington Department of Fish and Wildlife, the Department of Ecology, affected tribes, or others;~~

(iv) ~~The Washington Department of Fish and Wildlife has issued a hydraulic project approval, pursuant to RCW 77.55.100, which includes a determination that the stream segment in question is not used by fish; and~~

(v) ~~No fish are discovered in the stream segment in question during a stream survey conducted according to the protocol provided in the Washington Forest Practices Board Manual, Section 13,~~

~~Guidelines for Determining Fish Use for the Purpose of Typing waters under WAC 222-16-031; provided, that no unnatural fish passage barriers have been present downstream of said stream segment over a period of at least two years.~~

(3) Type Np Stream. Those stream segments within the ordinary high water mark that are perennial and are not Type S or Type F streams. However, for the purpose of classification, Type Np streams include intermittent dry portions of the channel below the uppermost point of perennial flow. If the uppermost point of perennial flow cannot be identified with simple, nontechnical observations (see Washington Forest Practices Board Manual, Section 23), then said point shall be determined by a qualified professional selected or approved by the City.

(4) Type Ns Stream. Those stream segments within the ordinary high water mark that are not Type S, Type F, or Type Np streams. These include seasonal, non-fish habitat streams in which surface flow is not present for at least some portion of a year of normal rainfall and are not located downstream from any stream reach that is a Type Np Water. Ns Waters must be physically connected by an above-ground channel system to Type S, F, or Np Waters. ~~seasonal streams in which surface flow is not present for at least some portion of a year of normal rainfall that are not located downstream from any Type Np stream segment.~~

(Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 903, Sec. 54, 2013; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)

14.88.410 Determination of Boundary.

(a) The boundaries of fish and wildlife conservation areas shall be determined by the Planning and Community Development Director or designee, who may rely on a Departmental approved biological resources survey prepared by a qualified ~~wildlife biologist per the Department's Biological Resources Survey~~ Guidelines professional. Such a report would be supplied by the applicant of a permit.

(b) The boundary of the creek, stream, river, lake, or other surface water shall be determined by the Planning and Community Development Director or designee, relying on a delineation by a licensed surveyor or other comparable expert. Such boundary shall be contiguous with the 100-year floodplain designations as adopted by the City, or where such a designation has not been adopted by the City, the 100-year floodplain designation of the Federal Emergency Management Agency (FEMA) and the National Flood Insurance Program where it has been delineated (shown on Flood Insurance Rate Maps (FIRM)). Where this information does not exist, the boundary determination shall be made by a licensed surveyor and based upon the same criteria used by FEMA. This determination shall be confirmed by the City Engineer. (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)

14.88.415 Species/Habitats of Local Importance.

(a) Species or habitats may be listed as a species or habitat of local importance by the City Council according to the following process:

(1) An individual or organization must:

(i) Demonstrate a need for special consideration based on:

- a. Declining populations;
- b. Sensitivity to habitat manipulation; or
- c. Commercial or game value or other special value, such as public appeal.

(ii) Propose relevant management strategies considered effective and within the scope of this chapter.

(iii) Provide species or habitat location(s) on a map.

(2) Submitted proposals will be reviewed by the Planning and Community Development Director or designee and forwarded to the Departments of Fish and Wildlife and Natural Resources, and/or other local,

State, Federal, or tribal agencies or experts for comment and recommendation regarding accuracy of data and effectiveness of proposed management strategies.

(3) The City Council will hold a public hearing for proposals found to be complete, accurate, potentially effective, and within the scope of this chapter. Approved nominations will become designated a species or habitat of local importance and will be subject to the provisions of this chapter.

(b) Species or habitats of local importance include:

(1) [None adopted as of May 1, 1995] (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)

14.88.420 — Allowed Activities.

~~Except where regulated by other sections of this or any other title or law, the following uses shall be allowed within fish and wildlife conservation areas when the requirements of Section 14.88.430 have been met and mitigation adequate to alleviate any other impacts has been proposed:~~

~~(a) Those activities listed in Section 14.88.220.~~

~~(b) Activities consistent with the species located there and all applicable State and Federal regulations regarding the species, as determined by the Planning and Community Development Director or designee, who may consult with other resource agencies as to their recommendations.~~

~~(c) Bridges and other crossings over streams for public and private rights of way. (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)~~

14.88.430 Stream Buffer Requirements and Modifications.

(a) Except as provided in this subsection, a ~~100~~50-foot buffer shall be required ~~for all regulated activities adjacent to fish and wildlife conservation areas, as best available science shows this is the minimum necessary width to provide adequate biofiltration and infiltration of runoff for water quality pollutant protection and achieves the majority of ecological function provided by a riparian management zone.~~ All buffers shall be measured from the fish and wildlife conservation area boundary as surveyed in the field. The width of the buffer may be increased depending on the habitat value and the proposed land use.

(b) Buffer widths may be increased beyond those identified in Table 14.88-I based on:

(1) recommendations by the Department of Fish and Wildlife based on their Management Recommendations for Priority Habitats and Species; or

(2) For Type F streams, conditions exist within the adjacent buffer that warrant expanding the buffer to reflect the site potential tree height (SPTH₂₀₀), as described in the Washington Department of Fish and Wildlife's "Guidelines for Determining Site Potential Tree Height" (2025) and measured in the Site Potential Tree Height Calculator tool. The assessment of whether to utilize SPTH shall be made by the Planning and Community Development Director or their designee following a review of the critical areas report, and shall factor in the presence of:

(i) Steep slopes that could lead to increased runoff and erosion;

(ii) Vegetation that is degraded, non-native or sparse;

(iii) Inadequate areas for pollutant removal and water quality treatment;

(iv) Sensitive species that require upland habitat function;

(v) Unstable stream channels;

(vi) Compacted or poorly infiltrative soils; or

(vii) Inadequate tree canopy or height to provide necessary shade.

Should SPTH₂₀₀ be required, the critical areas report shall be revised to reflect the updated stream buffer widths.

(c) To retain the natural functions of streams and stream corridors and provide adequate buffer protection and function, the following streamside buffers shall be maintained:

- (1) For ravines with banks greater than 10 feet in depth, maintain the existing or native vegetation within the ravine and a strip 25 feet from the top of the bank;
- (2) Where there is no ravine or the bank is less than 10 feet in depth, maintain existing or native vegetation on both sides of the stream as measured from the ordinary high water mark (OHWM), in accordance with Table 14.88-I, which sets forth the required buffer widths based on classification of stream types:

Table 14.88-I: Stream Buffer Width

Stream Type	Buffer
S	150 feet
F	100-150 feet
Np	50-100 feet
Ns	50-100 feet

(d) Widths shall be measured outward in each direction, on the horizontal plane, from the ordinary high water mark, or from the top of the bank if the ordinary high water mark cannot be identified, or from the outer edge of the channel migration zone when present.

(e) The Planning and Community Development Director may modify the buffer widths in the above table in accordance with the following:

- (1) Buffer widths may be increased as necessary to fully protect riparian functions. For example, the buffer may be extended to the outer edge of the floodplain or windward into an area of high tree blow-down potential as determined by an arborist.
- (2) Buffer widths may be reduced up to 25% in exchange for restoration and enhancement of degraded areas in accordance with an approved plan, or for buffer averaging in accordance with Section 14.88.275 and subsection (e)(4) of this section.
- (3) If the stream enters an underground culvert or pipe, and is unlikely to ever be restored aboveground, the Planning and Community Development Director may waive the buffer along the undergrounded stream; provided, that where the stream enters and emerges from the pipe the opposite outer edges of the buffer shall be joined by a radius equal to the buffer width, with said radius projecting over the piped stream.
- (4) Stream buffer widths may be modified by averaging. In no instance shall the buffer width be reduced by more than 25 percent of the standard buffer, to a minimum of 100 feet. Stream buffer width averaging shall only be allowed when the applicant demonstrates the following:

(i) A site-specific evaluation and documentation of buffer adequacy is based on consideration of the best available science as described in Section 14.88.235. For any buffer that utilizes averaging to reduce portions of the buffer width below the 100 foot minimum threshold established by subsection (a), the critical areas report shall specifically address how buffer averaging will provide the same or better functionality; and

(ii) A buffer enhancement plan is proposed that would significantly improve the functions and values of the stream buffer(s); and

(iii) The averaging will not impair or reduce the habitat, water quality purification and enhancement, stormwater detention, groundwater recharge, shoreline protection and erosion and other functions and values of the stream and buffer.

(5) Buffer widths may be modified if the subject property is separated from the stream channel by preexisting, intervening, and lawfully created structures, public roads, or other substantial preexisting intervening improvements, as identified in Section 14.88.296. The intervening structures, public roads, or other substantial improvements must separate the subject upland property from the stream channel by height or width, preventing or impairing the delivery of biological or hydrological buffer functions to the stream channel. ~~In such cases, the reduced buffer width shall reflect the buffer functions that can be delivered to the stream channel.~~

(6) Functionally and effectively disconnected areas may be excluded from the buffer area, per LSMC 14.88.296.

(f) Development in the shorelines of State-wide significance is regulated under Appendix B of the City's State-approved Shoreline Master Program (SMP).

(g) To protect the natural functions and aesthetic qualities of a stream and stream buffer, a detailed temporary erosion control plan which identifies the specific mitigating measures to be implemented during construction to protect the water from erosion, siltation, landslides and hazardous construction materials shall be required. The City shall review the plan with the appropriate State, Federal and tribal agencies and any adjacent jurisdiction. (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 898, Sec. 8, 2013; Ord. 811, Sec. 92, 2010; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)

14.88.440 Mitigation.

~~In order to~~ To avoid significant environmental impacts, the applicant for a land use or development ~~permit may consider performing~~ must perform the following actions, listed in order of preference. What is considered adequate mitigation will depend on the nature and magnitude of the potential impact as determined in accordance with Section 14.88.275.

(a) Dedicate an exclusive open space easement or tract for the protection of wildlife and/or habitat, creeks, streams, rivers, lakes, or other surface water over the creeks, streams, rivers, lakes, or other surface water and a buffer consistent with the standards listed in Section 14.88.430. Where such mitigation leads to or would in the opinion of the Planning and Community Development Director lead to a court finding of a taking, the below listed mitigation may be considered.

(b) Where on-site protection is not possible, dedicate an exclusive easement for the protection of an equivalent (in type and value) waterway over the waterway and a 1050-foot buffer on an off-site waterway at a 2:1 ratio. The location of any off-site waterway shall be located as near to the site as possible, in accordance with the following preferred order:

- (1) Contiguous to the impacted waterway;
- (2) Within the same drainage basin;
- (3) Elsewhere within the City;

(4) Within the Lake Stevens UGA;

(5) Within the region.

(c) The applicant may propose innovative site design based on the best available science and pursuant to Section 14.88.298 if the innovative development design will achieve protection equivalent to or better than the standard provisions of this chapter. Approval of the innovative site design will be considered in combination with criteria listed in Section 14.88.298 if the design achieves the following:

(1) The site design avoids all impacts to the critical area and minimizes buffer impacts; or

(2) The site design increases the functions and/or values of the stream channel and buffer with a combination of the following measures:

(i) Increasing canopy-cover shade in the riparian zone to maintain cool stream temperatures and regulate micro-climates in the stream-riparian corridor;

(ii) Reducing fine sediment input in the stream system through hydrologic retention, filtration and stream bank protection;

(iii) Stabilizing stream banks, and minimizing stream bank erosion;

(iv) Filtering and reducing potential of impact pollutants from groundwater and surface water runoff;

(v) Increasing large woody debris and coarse particulate matter into the stream channel for habitat and to moderate stream flow;

(vi) Increasing critical wildlife habitat along stream-associated migration corridors;

(vii) Increasing in-stream habitat for aquatic, amphibian, invertebrate and resident and/or anadromous fish species. (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)

Part V. Frequently Flooded Areas

14.88.500 Classification.

Classification for flood zones shall be consistent with the regulatory floodplain designations as adopted by the City per Chapter 14.64, or where such a designation has not been adopted by the City, by the special flood hazard area designations of the Federal Emergency Management Agency and the National Flood Insurance Program. Any such designations adopted by the City shall consider the following criteria if and when designating and classifying these areas:

(a) Flooding impact to human health, safety, and welfare and to public facilities and services; and

(b) Documentation including Federal, State and local laws, regulations and programs, local maps and federally subsidized flood insurance programs. (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 860, Sec. 5 (Exh. 3), 2011; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)

14.88.510 Determination of Boundary.

The boundary of a flood zone shall be contiguous with the regulatory floodplain as adopted by the City, per Chapter 14.64, or where such a designation has not been adopted by the City, the special flood hazard area designations of the Federal Emergency Management Agency (FEMA) and the National Flood Insurance Program where it has been delineated [shown on Flood Insurance Rate Maps (FIRM)]. Where this information does not exist, the boundary determination shall be made by a licensed engineer and based upon the same criteria used by FEMA. The Planning and Community Development Director or designee shall confirm this

determination. (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 860, Sec. 5 (Exh. 3), 2011; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)

~~14.88.520 Allowed Activities.~~

~~Except where regulated by other sections of this or any other title or law, the following uses shall be allowed within the regulatory floodplain when the requirements of Section 14.88.530 have been met and mitigation adequate to alleviate any other impacts has been proposed:~~

~~(a) Those activities allowed per Section 14.88.220.~~

~~(b) Those activities allowed per Section 14.64.030. (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 860, Sec. 5 (Exh. 3), 2011; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)~~

14.88.530 Requirements.

All land uses and development proposals shall comply with the applicable provisions of the Lake Stevens Municipal Code for general and specific flood hazard protection (see Chapter 11.06, Stormwater Management).

(a) Development shall not reduce the effective flood storage volume. Reduction of the floodwater storage capacity due to grading, construction, or other regulated activities shall provide compensatory storage per Section 14.64.055(b).

(b) The final recorded subdivision plat or site plan shall include a notice that the property contains land within the regulatory floodplain including special flood hazard areas and protected areas, as applicable. (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 860, Sec. 5 (Exh. 3), 2011; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)

14.88.540 Mitigation.

If potential flooding impacts from development cannot be avoided by design or if the use is not an allowed or exempt use, the applicant shall provide a habitat impact assessment and/or habitat mitigation plan to mitigate impacts on Federal, State or locally protected species and habitat, water quality and aquatic and riparian habitat, per Section 14.64.055(c) and (d). (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 860, Sec. 5 (Exh. 3), 2011; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)

Part VI. Geologically Hazardous Areas

14.88.600 Classification.

(a) Geologically hazardous areas include areas susceptible to erosion, sliding, earthquakes, liquefaction, or other geological events. Geologically hazardous areas shall be classified based upon the history or existence of landslides, unstable soils, steep slopes, high erosion potential or seismic hazards. In determining the significance of a geologically hazardous area the following criteria shall be used:

- (1) Potential economic, health, and safety impact related to construction in the area;
- (2) Soil type, slope, vegetative cover, and climate of the area;
- (3) Available documentation of history of soil movement, the presence of mass wastage, debris flow, rapid stream incision, stream bank erosion or undercutting by wave action, or the presence of an alluvial fan which may be subject to inundation, debris flows, or deposition of stream-transported sediments.

(b) The different types of geologically hazardous areas are defined as follows:

(1) Erosion hazard areas are as defined by the USDA Soil Conservation Service, United States Geologic Survey, or by the Department of Ecology Coastal Zone Atlas. The following classes are high erosion hazard areas:

- (i) Class 3, class U (unstable) includes severe erosion hazards and rapid surface runoff areas;

- (ii) Class 4, class UOS (unstable old slides) includes areas having severe limitations due to slope; and
 - (iii) Class 5, class URS (unstable recent slides).
- (2) Landslide hazard areas shall include areas subject to severe risk of landslide based on a combination of geologic, topographic and hydrologic factors. Some of these areas may be identified in the Department of Ecology Coastal Zone Atlas, or through site-specific criteria. Landslide hazard areas include the following:
- (i) Areas characterized by slopes greater than 15 percent; and impermeable soils (typically silt and clay) frequently interbedded with permeable granular soils (predominantly sand and gravel) or impermeable soils overlain with permeable soils; and springs or groundwater seepage;
 - (ii) Any area which has exhibited movement during the Holocene epoch (from 10,000 years ago to present) or which is underlain by mass wastage debris of that epoch;
 - (iii) Any area potentially unstable due to rapid stream incision, stream bank erosion or undercutting by wave action;
 - (iv) Any area located on an alluvial fan presently subject to or potentially subject to inundation by debris flows or deposition of stream-transported sediments;
 - (v) Any area with a slope of 40 percent or greater and with a vertical relief of 10 or more feet except areas composed of consolidated rock;
 - (vi) Any area with slope defined by the United States Department of Agriculture Soil Conservation Service as having a severe limitation for building site development; and
 - (vii) Any shoreline designated or mapped as class U, UOS, or URS by the Department of Ecology Coastal Zone Atlas.
- (3) Slopes.
- (i) Moderate slopes shall include any slope greater than or equal to 15 percent and less than 40 percent.
 - (ii) Steep slopes shall include any slope greater than or equal to 40 percent.
- (4) Seismic hazard areas shall include areas subject to severe risk of earthquake damage as a result of seismic induced settlement, shaking, slope failure or soil liquefaction. These conditions occur in areas underlain by cohesionless soils of low density usually in association with a shallow groundwater table. (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)

14.88.610 Determination of Boundary.

Determination of a boundary of a geologically hazardous area shall be made by the Planning and Community Development Director, relying on a geotechnical or similar technical report and other information where available and pertinent. Such reports or information shall be provided by an applicant for an activity or permit at the request of the City. (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)

~~14.88.620 Allowed Activities.~~

~~Except where regulated by other sections of this or any other title or law, the following uses shall be allowed within geologically hazardous areas when the requirements of Section 14.88.630 have been met and mitigation adequate to alleviate any other impacts has been proposed:~~

~~(a) Those activities allowed per Section 14.88.220.~~

~~(b) Any other use allowed per the zone; provided, that it meets the requirements of Section 14.88.630 and will not have a detrimental impact on the health, safety, and welfare of the public, or will not negatively impact neighboring properties. (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)~~

14.88.630 Geological Assessment Requirements.

Development proposals on or within 200 feet of any areas which are designated as geologically hazardous, or which the City has reason to believe are geologically hazardous based on site-specific field investigation, shall be required to submit a geological assessment.

(a) The geological assessment shall be submitted with the minimum required content as set forth in subsection (d) of this section and in the format established by the Planning and Community Development Director, and shall be consistent with the following:

(1) A geotechnical letter is required when the geologist or geotechnical engineer finds that no active geological hazard area exists on or within 200 feet of the site.

(2) A geotechnical report is required when the geologist or geotechnical engineer finds that an active geological hazard area exists on or within 200 feet of the proposed project area.

(b) The Department shall review the geological assessment and either accept or reject the assessment and require revisions or additional information. When the geological assessment has been accepted, the Department shall issue a decision on the land use permit application.

(c) Per Section 14.88.270, Aa geological assessment for a specific site may be valid for a period of up to five years when the proposed land use activity and site conditions affecting the site are unchanged. However, if any surface and subsurface conditions associated with the site change during the five-year period or if there is new information about a geological hazard, the applicant may be required to submit an amendment to the geological assessment.

(d) A geological assessment shall include the following minimum information and analysis:

(1) A field investigation that may include the use of historical air photo analysis, review of public records and documentation, and interviews with adjacent property owners or others knowledgeable about the area, etc.

(2) An evaluation of any areas on the site or within 200 feet of the site that are geologically hazardous as set forth in Section 14.88.600.

(3) An analysis of the potential impacts of the proposed development activity on any potential geological hazard that could result from the proposed development either on site or off site. For landslide hazard areas, the analysis shall consider the run-out hazard of landslide debris to the proposed development that starts upslope whether the slope is part of the subject property or starts off site. Where slope instability is a concern, the city may require that the analysis include subsurface exploration (borings and test pits), reasonable groundwater monitoring and slope stability calculations.

(4) Identification of any mitigation measures required to eliminate potentially significant geological hazards both on the proposed development site and any potentially impacted off-site properties. When hazard mitigation is required, the mitigation plan shall specifically address how the proposed activity maintains or reduces the preexisting level of risk to the site and adjacent properties on a long term basis. The mitigation plan shall include recommendations regarding any long term maintenance activities that may be required to mitigate potential hazards.

(5) The geological assessment shall document the field investigations, published data and references, data and conclusions from past geological assessments, or geotechnical investigations of the site, site-specific measurements, tests, investigations, or studies, as well as the methods of data analysis and calculations that support the results, conclusions, and recommendations.

(6) The geological assessment shall contain a summary of any other information the geologist identifies as relevant to the assessment and mitigation of geological hazards.

(e) Geological assessments shall be prepared under the responsible charge of a geologist or geotechnical engineer, and shall be signed, sealed, and dated by the geologist or geotechnical engineer. (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)

14.88.640 Setback Buffer Requirements.

(a) The setback buffer width shall be based upon information contained in a geological assessment, and shall be measured on a horizontal plane from a vertical line established at the edge of the geologically hazardous area limits (both from the top and toe of slope). In the event that a specific setback buffer is not included in the recommendation of the geological assessment, the setback buffer shall be based upon the standards contained in Chapter 18 of the International Building Code (IBC), or as the IBC is updated and amended.

(1) If the geological assessment recommends setback buffers that are less than the standard buffers that would result from application of Chapter 18 of the IBC, the specific rationale and basis for the reduced buffers shall be clearly articulated in the geological assessment.

(2) The City may require increased setback buffer widths under any of the following circumstances:

(i) The land is susceptible to severe erosion and erosion control measures will not effectively prevent adverse impacts.

(ii) The area has a severe risk of slope failure or downslope stormwater drainage impacts.

(iii) The increased buffer is necessary to protect public health, safety and welfare based upon findings and recommendations of geological assessment.

(b) Unless otherwise permitted as part of an approved alteration, the setback buffers required by this section shall be maintained in native vegetation to provide additional soil stability and erosion control. If the buffer area has been cleared, it shall be replanted with native vegetation in conjunction with any proposed development activity.

(c) The City may impose seasonal restrictions on clearing and grading within 200 feet of any geologically hazardous areas. (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)

14.88.650 Allowed Alterations.

Unless associated with another critical area, the Planning and Community Development Director or designee may allow alterations of an area identified as a geologically hazardous area or the setback buffers specified in the IBC if an approved geotechnical report demonstrates that:

(a) The proposed development will not create a hazard to the subject property, surrounding properties or rights-of-way, or erosion or sedimentation to off-site properties or bodies of water;

(b) The proposal addresses the existing geological constraints of the site, including an assessment of soils and hydrology;

(c) The proposed method of construction will reduce erosion potential, landslide and seismic hazard potential, and will improve or not adversely affect the stability of slopes;

(d) The proposal uses construction techniques which minimize disruption of existing topography and natural vegetation;

(e) The proposal is consistent with the purposes and provisions of this chapter and mitigates any permitted impacts to critical areas in the vicinity of the proposal;

- (f) The proposal mitigates all impacts identified in the geotechnical letter or geotechnical report;
- (g) All utilities and access roads or driveways to and within the site are located so as to require the minimum amount of modification to slopes, vegetation or geologically hazardous areas; and
- (h) The improvements are certified as safe as designed and under anticipated conditions by a geologist or geotechnical engineer. (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)

14.88.660 Prohibited Alterations.

Modification of geologically hazardous areas shall be prohibited under the following circumstances:

- (a) Where geologically hazardous slopes are located in a stream, wetland, and/or a fish and wildlife habitat conservation area or their required buffers, alterations of the slopes are not permitted, except as allowed in Section 14.88.220. The required buffer for such slopes shall be determined through the site-specific geological assessment, but in no case shall be less than 25 feet from the top of slopes of 25 percent and greater.
- (b) Any proposed alteration that would result in the creation of or which would increase or exacerbate existing geological hazards, or which would result in substantial unmitigated geological hazards either on or off site shall be prohibited.
- (c) No new development or creation of new lots is allowed that would cause foreseeable risk from geological conditions to people or improvements during the life of the development (WAC 173-26-221(2)(c)(ii)(B)).
- (d) No new development is allowed that would require structural shoreline stabilization over the life of the development. Exceptions may be made for the limited instances where stabilization is necessary to protect allowed uses where no alternative locations are available and no net loss of ecological functions will result. (WAC 173-26-221(2)(c)(ii)(C)). (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)

14.88.670 Mitigation.

- (a) In addition to the other requirements of this chapter, as part of any approval of development on or adjacent to geologically hazardous areas or within the setback buffers required by this section:

- (1) The City shall require:

- (i) Geologically hazardous areas not approved for alteration and their setback buffers shall be placed in a native growth protection area as set forth in Section 14.88.290.
- (ii) Any geologically hazardous area or required setback buffer that is allowed to be altered subject to the provisions of this chapter shall be subject to a covenant of notification and indemnification/hold harmless agreement in a form acceptable to the City Attorney. Such document shall identify any limitation placed on the approved alterations.

- (2) The City may require:

- (i) The presence of a geologist on the site to supervise during clearing, grading, filling, and construction activities which may affect geologically hazardous areas, and provide the City with certification that the construction is in compliance with the geologist's or geotechnical engineer's recommendations and has met approval of the geologist or geotechnical engineer, and other relevant information concerning the geologically hazardous conditions of the site.
- (ii) Vegetation and other soil stabilizing structures or materials be retained or provided.
- (iii) Long term maintenance of slopes and on-site drainage systems.

(b) If potential geologic impacts cannot be avoided by adhering to the above requirements and the other requirements of this chapter, other forms of mitigation may be considered. Applicants must provide mitigation plans exploring and analyzing any proposed mitigation measures. What is considered adequate mitigation will depend on the nature and magnitude of the potential impact. For example, some potential risk due to construction in geologically hazardous areas may be reduced through structural engineering design. (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)

Part VII. ~~Streams, Creeks, Rivers, Lakes and Other Surface Water~~Critical Aquifer Recharge Areas (CARAs)

14.88.700 ~~Classification, Designation, Mapping and Rating.~~

(a) Areas with a critical recharging effect on aquifers used for potable water as defined by WAC 365-190-030(2) are hereby designated critical areas and shall be subject to the provisions of this chapter.

(b) The approximate location and extent of known or suspected critical aquifer recharge areas are shown on the city's critical area maps. These maps shall be used as a guide for the city, applicants and/or property owners, and may be continuously updated as new critical areas are identified. It is the responsibility of project proponents to determine whether a site contains a regulated CARA and is regulated pursuant to this chapter. The department will verify on a case-by-case basis the presence of critical aquifer recharge areas identified by project proponents.

(c) For purposes of this chapter, CARAs include the following:

(1) Areas within the 10-year travel zone of Group A wellhead protection areas, determined in accordance with delineation methodologies specified by the Washington Department of Health under authority of chapter 246-290 WAC.

(2) Areas of high, medium, low sensitivity to groundwater contamination, based on depth to groundwater and in accordance with The Ground-Water System and Ground-Water Quality in Western Snohomish County, Washington (United States Geological Survey, Water Resources Investigations, Report #96-4312, 1997).

(3) Sole source aquifers designated by the U.S. Environmental Protection Agency in accordance with the Safe Drinking Water Act of 1974

(4) Maps, if any, as provided by the city, Snohomish County Public Utility District and Washington State Department of Health

Repealed by Ord. 741.

14.88.710 ~~Allowed Activities, Performance Standards – General Requirements.~~

(a) Impact Avoidance and Minimization

(1) Project proponents shall make all reasonable efforts to avoid and minimize impacts to CARAs in the following sequential order of preference:

(i) Avoiding impacts altogether by refraining from specific actions or portions of actions that would affect CARAs;

(ii) Minimizing impacts by reducing the scale or intensity of the action, utilizing appropriate technology, or implementing design modifications, relocation, or timing adjustments to reduce potential harm;

(iii) Where avoidance is not feasible, mitigating impacts to CARAs through approved mitigation measures consistent with this chapter.

(b) Prohibited Impacts in Group A Wellhead Protection Areas

(1) Any activity or use listed in LSMC 14.88.730 that occurs within a Group A wellhead protection area and results in unavoidable impacts to CARAs shall not be approved. Mitigation is not permitted for such activities due to the necessity of protecting public drinking water sources.

(c) Activities listed in LSMC 14.88.730 shall comply with:

(1) All regulated activities within CARAs shall implement Best Management Practices (BMP) appropriate to the scale, type, and potential risk of the proposed use. BMPs may include, but are not limited to:

- (i) Spill prevention and containment systems for hazardous materials.
- (ii) Secondary containment for above ground and underground storage tanks.
- (iii) Stormwater management systems shall be designed to prevent infiltration of contaminants.
- (iv) Use of non-toxic or low-toxicity substances in industrial or commercial processes.
- (v) Proper handling, storage, and disposal of chemicals, fertilizers, and waste.
- (vi) Employee training programs for pollution prevention and emergency response.

(2) Where a hydrogeologic report is required under LSMC 14.88.740, the applicant shall:

- (i) Identify potential pathways for contaminant migration to the aquifer.
- (ii) Quantify the risk to groundwater quality and quantity.
- (iii) Propose mitigation measures that reduce or eliminate identified risks.
- (iv) Demonstrate that mitigation measures are feasible, effective, and enforceable.
- (v) Include monitoring protocols and contingency plans for system failure or unexpected impacts.

(d) In addition to BMPs and mitigation plans, applicants shall comply with:

- (i) Reporting and documentation standards outlined in the Critical Area Report requirements.
- (ii) Any site-specific conditions imposed by the City based on vulnerability ratings or proximity to public water supply wells.
- (iii) Applicants shall comply with applicable provisions of the Washington Administrative Code (WAC) and Revised Code of Washington (RCW), including WAC 173-200 (Groundwater Quality Standards) and RCW 90.48 (Water Pollution Control Act).
- (iv) Any additional conditions or performance standards adopted by the City through administrative rules or technical guidance documents.

14.88.720 Requirements, Performance Standards – Specific Uses.

(a) The following uses and development activities, proposed within designated CARA, shall be subject to special conditions to ensure protection of groundwater resources. These conditions shall be based on:

- (1) Applicable state and federal regulations;
- (2) Recommendations from a hydrogeologic report prepared in accordance with LSMC 14.88.740; or

(3) Input from affected Group A public water systems, where applicable.

(b) The following uses are subject to review and conditioning when proposed within CARAs:

Table 14.88.720(b)

<u>Activity/Uses</u>	<u>Applicable Regulations and Guidance</u>
<u>Animal feedlots</u>	<u>Chapter 173-216 WAC; Chapter 173-220 WAC</u>
<u>Animal feeding operations / Concentrated animal feeding operations</u>	<u>40 CFR Parts 122, 123, 412</u>
<u>Automobile washing facilities</u>	<u>Chapter 173-216 WAC; Ecology BMPs (WQ-R-95-56)</u>
<u>Chemical treatment, storage, disposal</u>	<u>WAC 173-303</u>
<u>Dangerous waste handling</u>	<u>RCW 70.105; Chapter 173-303 WAC; Snohomish County Board of Health Ordinances</u>
<u>Junk yards and salvage yards</u>	<u>WAC 173-304, 173-350, 173-351; BMPs for Vehicle and Metal Recyclers (Washington State Department of Ecology Publication No. 94-146, or latest edition)</u>
<u>Pesticide, herbicide, fertilizer use/storage</u>	<u>Chapter 15.54 RCW; Chapter 17.21 RCW; Chapters 16-200 through 173-232 WAC</u>
<u>Reclaimed water for recharge</u>	<u>RCW 90.46; WAC 173-218</u>
<u>Petroleum processing/recycling</u>	<u>40 CFR 443, 419; RCW 70A.224, 90.56</u>
<u>Sawmills</u>	<u>Chapter 173-303 WAC; Chapter 173-304 WAC; Industrial Stormwater General Permit Implementation Manual for Log Yards (Washington Department of Ecology Publication No. 04-10-031, or latest edition)</u>
<u>Solid waste handling/recycling</u>	<u>Chapter 173-304 WAC; Chapter 173-350 WAC; Chapter 173-351 WAC</u>
<u>Storage tanks, above ground</u>	<u>WAC 173-303-640</u>
<u>Storage tanks, below ground</u>	<u>Chapter 173-360A WAC; Chapter 90.76 RCW; RCW 43.131.394</u>
<u>Surface mining</u>	<u>Chapter 332-18 WAC</u>
<u>Wastewater application to land surface</u>	<u>Chapter 173-216 WAC; Chapter 173-200 WAC</u>

14.88.730 Determination of Boundary Performance Standards – Prohibited Uses.

(a) The following activities and uses are prohibited in sole source aquifers, Group A wellhead protection areas, and critical aquifer recharge areas with high or medium sensitivity:

- (1) Landfills, outdoor storage facilities, or outdoor recycling centers for: hazardous or dangerous waste, electronic waste, contaminated soil or dredged materials, municipal solid waste, special waste, wood waste, or inert and demolition waste;
- (2) Underground injection control (UIC) wells prohibited in Washington State under WAC 173-218-040;
- (3) Mining of metals and hard rock;
- (4) Wood treatment facilities located over permeable surfaces (natural or manmade); and
- (5) Facilities that store, process, or dispose of radioactive substances.

14.88.740 ~~Mitigation~~ Critical Area Report Requirements

(a) A hydrogeologic report prepared by a qualified professional is required for any development proposal within a designated CARA when:

- (1) The proposed activity is listed in LSMC 14.88.720 and occurs within a CARA of any sensitivity level.
- (2) The proposed activity is located within a Group A wellhead protection area, sole source aquifer, or a CARA rated as high or moderate vulnerability, except for residential development that:
 - (i) Does not involve on-site sewage disposal systems;
 - (ii) Does not include private wells or groundwater withdrawals;
 - (iii) Does not store or use hazardous materials in quantities regulated under WAC 173-303;
 - (iv) Does not exceed 10,000 square feet of impervious surface per parcel; or
 - (v) Is not located within a Group A wellhead protection area or sole source aquifer boundary, unless the Director determines that site-specific conditions indicate elevated risk to groundwater quality or quantity, in which case a hydrogeologic report may still be required.
- (3) The proposed activity does not meet the non-endangerment standards outlined in WAC 173-218-080 through 173-218-100.
- (4) The City determines that the proposed activity, although not specifically listed, has the potential to impair groundwater quality or quantity.

(b) The hydrogeologic report shall include the following information relevant to CARAs, at minimum:

- (1) Site Characterization
 - (i) Location and extent of CARAs on or adjacent to the site.
 - (ii) Soil permeability and unsaturated zone characteristics.
 - (iii) Depth to groundwater, flow direction, and gradient.
- (2) Nearby Water Resources
 - (i) Currently available data on wells and springs within one fourth mile of the site;
 - (ii) Currently available information on the location of surface waters within one fourth mile of the site;

(3) Historic water quality data for the area to be affected by the proposed activity or use compiled for at least the previous five-year period, if available;

(4) Impact Analysis

(i) Predictive evaluation of groundwater withdrawal effects.

(ii) Predictive evaluation of contaminant transport modeling for potential releases.

(iii) Recharge potential including transmissivity and permeability.

(iv) Water source description or confirmation from a purveyor.

(5) Best management practices relevant to the proposed activity or use;

(6) Monitoring and Spill Response

(i) Groundwater monitoring protocols.

(ii) Spill prevention and response plan that identifies equipment and structures that could fail, resulting in an impact to the critical aquifer recharge area. Spill plans shall include provisions for regular inspection, repair, and replacement of structures and equipment with the potential to fail, and a remediation plan should clean-up become necessary. The plan shall include provisions for regular inspection, repair, and replacement of equipment.

(7) Evaluation of consistency with protection standards in LSMC 14.88.710 and applicable state regulations.

(8) If the hydrogeologic report identifies impacts to critical aquifer recharge areas, the project applicant will be required to:

(i) Identify and provide an analysis of alternatives by which such impacts could be avoided or prevented; and

(ii) When mitigation is allowed, provide a detailed mitigation plan for any unavoidable impacts. The mitigation plan should include preventative measures, monitoring, process control and remediation, and a contingency plan, as appropriate.

(9) Recommendations for implementation and operation of activities, including size limitations, monitoring, reporting and BMPs

(10) An evaluation of potential nitrate and nitrite impacts on the aquifer, including cumulative impacts of adjacent or surrounding developments and activities, and provide recommendations for monitoring and BMP of nitrate and nitrite generating activities; and

(11) Any other data or analysis necessary to determine compliance with this chapter as determined by the Director.

Part VIII. Wetlands

14.88.800 Purpose.

The purposes of this chapter are to:

(a) Recognize and protect the beneficial functions performed by wetlands, which include, but are not limited to, providing food, breeding, nesting and/or rearing habitat for fish and wildlife; recharging and discharging

groundwater; contributing to stream flow during low flow periods; stabilizing stream banks and shorelines; storing storm and flood waters to reduce flooding and erosion; and improving water quality through biofiltration, adsorption, and retention and transformation of sediments, nutrients, and toxicants.

- (b) Regulate land use to avoid adverse effects on wetlands and maintain the functions and values of wetlands throughout Lake Stevens.
- (c) Establish review procedures for development proposals in and adjacent to wetlands.
- (d) Compliance with the provisions of the chapter does not constitute compliance with other federal, State, and local regulations and permit requirements that may be required (for example, Shoreline Substantial Development Permits, HPA permits, Army Corps of Engineers Section 404 permits, NPDES permits). The applicant is responsible for complying with these requirements, apart from the process established in this chapter. (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 855, Sec. 24, 2011; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)

14.88.805 Identification and Rating.

(a) Identification and Delineation. Wetlands, buffers and their boundaries shall be identified and delineated in accordance with the approved Federal wetland delineation manual and applicable regional supplement. All areas within the City meeting the wetland designation criteria in that procedure are hereby designated critical areas and are subject to the provisions of this chapter. Wetland delineations are valid for five years; after such date, the City shall determine whether a revision or additional assessment is necessary. Sources used to identify designated wetlands include, but are not limited to:

- (1) United States Department of the Interior, Fish and Wildlife Service, National Wetlands Inventory.
- (2) Areas identified as hydric soils, soils with significant soil inclusions and wet spots with the United States Department of Agriculture/Soil Conservation Service Soil Survey for Snohomish County.
- (3) Washington State Department of Natural Resources, Geographic Information System, Hydrography and Soils Survey Layers.
- (4) City of Lake Stevens Critical Areas Inventory Maps.

(b) Rating. Wetlands shall be rated according to the Washington Department of Ecology wetland rating system, as set forth in the Washington State Wetland Rating System for Western Washington: 2014 Update Version 2.0 (Ecology Publication No. 2344-06-00929, or as revised and approved by Ecology) and in accordance with WAC 173-22-035, which contains the definitions and methods for determining whether the criteria below are met.

- (1) Category I. Category I wetlands represent unique or rare wetland types; are more sensitive to disturbance than most wetlands; are relatively undisturbed and contain ecological attributes that are impossible to replace within a human lifetime; or provide a high level of functions. In Lake Stevens Category I wetlands may include:
 - (i) Wetlands of high conservation value that are identified by scientists of the Washington Natural Heritage Program/DNR;
 - (ii) Bogs;
 - (iii) Mature and old-growth forested wetlands larger than one acre; and
 - (iv) Wetlands that perform many functions well (scoring 23 points or more).

(2) Category II. In Lake Stevens Category II wetlands may include wetlands with a moderately high level of functions (scoring between 20 and 22 points) that are difficult though not impossible to replace and provide high levels of some functions.

(3) Category III. In Lake Stevens Category III wetlands may include:

- (i) Wetlands with a moderate level of functions (scoring between 16 and 19 points);
- (ii) Can often be adequately replaced with a well-planned mitigation project; and
- (iii) Wetlands scoring between 16 and 19 points generally have been disturbed in some ways and are often less diverse or more isolated from other natural resources in the landscape than Category II wetlands.

(4) Category IV. In Lake Stevens Category IV wetlands have the lowest levels of functions (scoring fewer than 16 points) and are often heavily disturbed. These are wetlands that functions may be replaced, or in some cases improved. These wetlands may provide some important functions, and should be protected to some degree.

(c) Illegal Modifications. Wetland rating categories shall not change due to illegal modifications made by the applicant or with the applicant's knowledge. (Ord. 984 Sec. 3 (Exh. C), 2019)

14.88.810 Determination of Boundary.

(a) The Planning and Community Development Director or designee, relying on a field investigation supplied by an applicant and applying the wetland definition provided in this chapter, shall determine the location of the wetland boundary. Qualified professional and technical scientists shall perform wetland delineations as part of a wetland identification report in accordance with WAC 173-22-035. Criteria to be included in a required wetland identification report may be found in Section 14.88.275, Mitigation/Enhancement Plan Requirements. The applicant is required to show the location of the wetland boundary on a scaled drawing as a part of the permit application.

(b) When the applicant has provided a delineation of the wetland boundary, the Planning and Community Development Director or designee shall verify the accuracy of, and may render adjustments to, the boundary delineation. In the event the adjusted boundary delineation is contested by the applicant, the Planning and Community Development Director shall, at the applicant's expense, obtain expert services to render a final delineation.

(c) The Planning and Community Development Director, when requested by the applicant, may waive the delineation of boundary requirement for the applicant and, in lieu of delineation by the applicant, perform the delineation. The Planning and Community Development Director or designee shall consult with qualified professional scientists and technical experts or other experts as needed to perform the delineation. The applicant will be charged for the costs incurred. Where the City performs a wetland delineation at the request of the applicant, such delineation shall be considered a final determination. (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 855, Sec. 25, 2011; Ord. 797, Sec. 6, 2009; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)

14.88.820 Allowed Activities.

Except where regulated by other sections of this or any other title or law, and provided they are conducted using best management practices, the following uses and activities shall be allowed and regulated within wetlands and their buffers when the requirements of Sections 14.88.830 and 14.88.840 have been met and mitigation adequate to alleviate any other impacts has been proposed:

(a) Those uses listed in Section 14.88.220.

(b) Conservation or preservation of soil, water, vegetation, fish, shellfish, and/or other wildlife that does not entail changing the structure or functions of the existing wetland.

(c) Stormwater management facilities. A wetland or its buffer can be physically or hydrologically altered to meet the requirements of an LID, runoff treatment or flow control BMP if the following criteria are met:

- (1) The location of the stormwater management facility is restricted to the outer 25 percent of the buffer around the wetland;
- (2) There will be “no net loss” of functions and values of the wetland;
- (3) The wetland does not contain a breeding population of any native amphibian species;
- (4) The hydrologic functions of the wetland can be improved;
- (5) The wetland lies in the natural routing of the runoff, and the discharge follows the natural routing;
- (6) All regulations regarding stormwater and wetland management are followed, including but not limited to local and State wetland and stormwater codes, manuals, and permits;
- (7) Modifications that alter the structure of a wetland or its soils will require permits. Existing functions and values that are lost would have to be compensated/replaced.
- (8) Stormwater LID BMPs required as part of new and redevelopment projects can be considered within wetlands and their buffers. However, these areas may contain features that render LID BMPs infeasible. A site-specific characterization is required to determine if an LID BMP is feasible at the project site. (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)

14.88.825 Exemptions.

The following wetlands may be exempt from the requirement to avoid impacts and they may be filled if the impacts are fully mitigated based on the remaining actions, pursuant to State and Federal requirements. If available, impacts should be mitigated through the purchase of credits from an in-lieu fee program or mitigation bank, consistent with the terms and conditions of the program or bank.

(a) All isolated Category IV wetlands less than 4,000 square feet:

- (1) Not associated with riparian areas or their buffers;
- (2) Not associated with shorelines of the State or their associated buffers;
- (3) Not part of a wetland mosaic;
- (4) Do not score six or more points for habitat function based on the 2014 update to the Washington State Wetland Rating System for Western Washington: 2014 Update (Ecology Publication No. 14-06-029, or as revised and approved by Ecology); and
- (5) Do not contain a priority habitat or a priority area for a priority species identified by the Washington Department of Fish and Wildlife, do not contain Federally listed species or their critical habitat, or species of local importance.

(b) All categories of Wwetlands less than 1,000 square feet that meet the above criteria and do not contain Federally listed species or their critical habitat are exempt from the buffer provisions contained in this chapter. (Ord. 984 Sec. 3 (Exh. C), 2019)

14.88.830 Wetland Buffer Requirements and Allowed Modifications.

(a) Buffers. Wetland buffers shall be required for all regulated activities adjacent to regulated wetlands as provided in Table 14.88-II, unless modified elsewhere in this chapter.

- (1) Any wetland created, restored, or enhanced as compensation for approved wetland alterations shall also include the standard buffer required for the category of the created, restored, or enhanced wetland. All

buffers shall be measured from the wetland boundary as surveyed in the field. The width of the wetland buffer zone shall be determined according to wetland category and the proposed land use.

(2) To facilitate long-range planning using a landscape approach, the Planning and Community Development Director or designee may pre-assess wetlands using the rating system and establish appropriate wetland buffer widths for such wetlands. The Administrator will prepare maps of wetlands that have been pre-assessed in this manner.

(3) All buffers shall be measured perpendicular from the wetland boundary as surveyed in the field. The buffer for a wetland created, restored, or enhanced as compensation for approved wetland alterations shall be the same as the buffer required for the category of the created, restored, or enhanced wetland. Buffers must be fully vegetated ~~in order to~~ be included in buffer area calculations. ~~Lawns, walkways, driveways, and other mowed or paved areas will not be considered buffers or included in buffer area calculations.~~

(4) Functionally and effectively disconnected areas may be excluded from the buffer area, per LSMC 14.88.296.

(b) The buffer widths in Table 14.88-II assume that the standard buffer is vegetated with a native plant community appropriate for the ecoregion or includes a habitat corridor and impact minimization measures. If the existing buffer is unvegetated, sparsely vegetated, or vegetated with invasive species that do not perform needed functions, the buffer should be planted to create the appropriate plant community, or the nonmitigated buffer should be widened to ensure that adequate functions of the buffer are provided.

Table 14.88-II Wetland Buffer Requirements

Wetland Category	Buffer Condition*	Buffer width in feet based on habitat scores		
		3 – 5	6 – 7	8 – 9
Category I	Standard	75	110	225
	No Mitigation	100	150	300
Category I (High Value)	Standard	190		225
	No Mitigation	250		300
Category II	Standard	75	110	225
	No Mitigation	100	150	300
Category III	Standard	60	110	225
	No Mitigation	80	150	300
Category IV	Standard	40		
	No Mitigation	50		

* The buffer condition directly affects the required buffer width. A standard buffer width is to be used when the buffer is vegetated or will be planted to comply with Section 14.88.830(b) and Table 14.88-III; otherwise, the buffer is considered to have no mitigation and an increased buffer is required when limited vegetation exists or no mitigation is proposed to enhance buffer functions.

Table 14.88-III Required Measures to Minimize Impacts to Wetlands (measures are required if applicable to a specific proposal)

Disturbance	Required Measures to Minimize Impacts
Lights	• Direct lights away from wetland
Noise	• Locate activity that generates noise away from wetland • If warranted, enhance existing buffer with native vegetation plantings adjacent to noise source • For activities that generate relatively continuous, potentially disruptive noise, such as certain heavy industry or mining, establish an additional 10-foot heavily vegetated buffer strip immediately adjacent to the outer wetland buffer
Toxic runoff	• Route all new, untreated runoff away from wetland while ensuring wetland is not dewatered • Establish covenants limiting use of pesticides within 150 feet of wetland • Apply integrated pest management
Stormwater runoff	• Retrofit stormwater detention and treatment for roads and existing adjacent development • Prevent channelized flow from lawns that directly enters the buffer • Use low intensity development techniques (for more information refer to the drainage ordinance and manual)
Change in water regime	• Infiltrate or treat, detain, and disperse into buffer new runoff from impervious surfaces and new lawns
Pets and human disturbance	• Use privacy fencing or plant dense vegetation to delineate buffer edge and to discourage disturbance using vegetation appropriate for the ecoregion • Place wetland and its buffer in a separate tract or protect with a conservation easement
Dust	• Use best management practices to control dust

(c) Increased Wetland Buffer Widths. The Planning and Community Development Director shall require increased standard buffer zone widths on a case-by-case basis when a larger buffer is necessary to protect wetland functions and values based on local conditions. This determination shall be supported by appropriate documentation showing that it is reasonably related to protection of the functions and values of the regulated wetland. Such determination shall be attached as a permit condition and shall demonstrate that:

- (1) The wetland is used by a State or Federally listed plant or animal species or has essential or outstanding habitat for those species, or has unusual nesting or resting sites such as heron rookeries or raptor nesting trees; or
- (2) The adjacent land is susceptible to severe erosion, and erosion control measures will not effectively prevent adverse wetland impacts; or
- (3) The adjacent land has minimal vegetative cover or slopes greater than 30 percent.

(d) Wetland Buffer Averaging. Wetland buffer widths may be modified by averaging. In no instance shall the buffer width be reduced by more than 25 percent of the standard buffer. Wetland buffer width averaging shall be allowed only where the applicant demonstrates all of the following as demonstrated in accordance with an approved critical areas report:

- (1) The averaging will not impair or reduce the habitat, water quality purification and enhancement, stormwater detention, groundwater recharge, shoreline protection, erosion protection, and other functions and values of the wetland and buffer;
- (2) The buffer is increased adjacent to the higher functioning area and decreased adjacent to lower functioning area; and
- (3) The total area contained within the wetland buffer after averaging is no less than that contained within the standard buffer prior to averaging.

(e) Buffer Conditions. Except as otherwise specified, wetland buffers shall be retained in their natural condition.

- (1) Where buffer disturbance may or has occurred during construction, revegetation with native wetland vegetation may be required appropriate for the ecoregion or with vegetation performing similar functions.
- (2) If the existing buffer is unvegetated, sparsely vegetated, or vegetated with invasive species that do not perform needed functions, the buffer ~~should be planted to create the appropriate plant community or the buffer should be widened to ensure that adequate functions of the buffer are provided.~~shall comply with subsection (b).

(f) Buffer Reductions. Buffer reductions may be allowed for Category III or IV wetlands, provided the applicant demonstrates the proposal meets the criteria in subsections (f)(1) through (4) of this section and either subsection (f)(5) or (6) of this section. Buffer width reduction proposals that meet the criteria as determined by the Planning and Community Development Director or designee shall be reduced by no more than 25 percent of the required buffer. Buffer reductions are distinct from functionally disconnected buffer areas as identified in Section 14.88.296, which may apply to all wetland categories.

- (1) The buffer area meets buffer area planting requirements in Section 14.88.275 and has less than 15 percent slopes; and
- (2) A site-specific evaluation and documentation of buffer adequacy is based on consideration of the best available science as described in Section 14.88.235; and
- (3) Buffer width averaging as outlined in subsection (d) of this section is not being used; and
- (4) A buffer enhancement plan is proposed that would significantly improve the function and value of a degraded wetland and buffer, specifically the required buffer enhancement plan should improve the ability of a degraded buffer to protect the water quality and hydrologic functions even if the width of the buffer is reduced, subject to mitigation requirements of Section 14.88.840; and either
- (5) The subject property is separated from the wetland by preexisting, intervening, and lawfully created structures, public roads, or other substantial improvements. The preexisting improvements must be found to separate the subject upland property from the wetland by height or width that prevents or impairs the delivery of buffer functions to the wetland. In such cases, the reduced buffer width shall reflect the buffer functions that can be delivered to the wetland; or
- (6) The wetland scores five or less points for wildlife habitat in accordance with the rating system applied in Section 14.88.800, and mitigation is provided based on Section 14.88.840(b) and Table 14.88-III, when determined appropriate based on the evaluation criteria in Sections 14.88.275 and 14.88.276.

(g) Buffers may be modified when approved for the purpose of implementing innovative development design in accordance with Section 14.88.298. (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 811, Sec. 92, 2010; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)

14.88.840 Mitigation.

The mitigation sequence set forth in this section should be applied after impact avoidance and minimization measures have been taken, and should follow the mitigation preference hierarchy established by 2008 Federal Mitigation Rule (33 CFR Part 332.3[b] and 40 CFR Part 230.93[b]).

(a) Location and Timing of Mitigation.

(1) Restoration, creation, preservation or enhancement actions should be undertaken on or adjacent to the site, or, where restoration, creation, preservation or enhancement of a former wetland is proposed, within the same watershed. In-kind replacement of the impacted wetland is preferred for creation, restoration, preservation or enhancement actions. The City may accept or recommend restoration, creation, or enhancement which is off site and/or out-of-kind, if the applicant can demonstrate that on-site or in-kind restoration, creation, or enhancement is unfeasible due to constraints such as parcel size or wetland type, or that a wetland of a different type or location is justified based on regional needs or functions;

(2) Whether occurring on site or off site, the mitigation project shall occur near an adequate water supply with a hydrologic connection to the wetland to ensure a successful wetlands development or restoration;

(3) Any approved proposal shall be completed before initiation of other permitted activities, unless a phased or concurrent schedule has also been approved by the Planning and Community Development Department;

(4) Wetland acreage replacement ratios shall be as specified in Table 14.88-IV;

(5) Credits from a wetland mitigation bank may be approved for use as compensation for unavoidable impacts to wetlands.

(i) This provision may be used when:

- a. The bank is certified under Chapter 173-700 WAC;
- b. The Planning and Community Development Director or designee determines that the wetland mitigation bank provides appropriate compensation for the authorized impacts; and
- c. The proposed use of credits is consistent with the terms and conditions of the bank's certification.

(ii) Replacement ratios for projects using bank credits shall be consistent with replacement ratios specified in the bank's certification.

(iii) Credits from a certified wetland mitigation bank may be used to compensate for impacts located within the service area specified in the bank's certification. In some cases, the service area of the bank may include portions of more than one adjacent drainage basin for specific wetland functions.

(b) Mitigation Performance Standards.

(1) All reasonable measures shall be taken to avoid and reduce impacts. When such avoidance and reduction is not reasonable, adverse impacts to wetland functions and values shall be mitigated. Mitigation actions shall be implemented in the preferred sequence identified in Section 14.88.010(a). Proposals which include less preferred or compensatory mitigation shall demonstrate that:

- (i) All reasonable measures will be taken to reduce impacts and losses to the original wetland;
 - (ii) No overall net loss will occur in wetland functions, values and acreage; and
 - (iii) The restored, created or enhanced wetland will be as persistent and sustainable as the wetland it replaces.
- (c) Wetland Replacement Ratios.
- (1) Where wetland alterations are permitted by this chapter, the applicant shall restore or create equivalent areas of wetlands in order to compensate for wetland losses. Equivalent areas shall be determined according to size, function, category, location, timing factors, and projected success of restoration or creation.
 - (2) Where wetland creation is proposed, all required buffers for the creation site shall be located on the proposed creation site. Properties adjacent to or abutting wetland creation projects shall not be responsible for providing any additional buffer requirements.
 - (3) The following acreage replacement ratios shall be used as targets. The Planning and Community Development Director may vary these standards if the applicant can demonstrate and the Planning and Community Development Director or designee agrees that the variation will provide adequate compensation for lost wetland area, functions and values, or if other circumstances as determined by the Planning and Community Development Department justify the variation.
 - (4) The qualified scientific professional in the wetlands report may, where feasible, recommend that restored or created wetlands shall be a higher wetland category than the altered wetland.
- (d) The Planning and Community Development Director may increase the ratios under the following circumstances:
- (1) Uncertainty exists as to the probable success of the proposed restoration or creation; or
 - (2) A significant period of time will elapse between impact and replication of wetland functions.
- (e) All wetland restoration, creation, preservation and/or enhancement projects required pursuant to this chapter either as a permit condition or as the result of an enforcement action shall follow a mitigation plan prepared in conformance to the requirements of Section 14.88.275, Mitigation/Enhancement Plan Requirements.
- (f) Mitigation ratios for the replacement of impacted wetlands shall be as listed in Table 14.88-IV. However, Table 14.88-IV shall not apply to bogs, because it is not possible to create or restore bogs due to their unique chemistry and hydrology. Therefore, impacts to bogs are considered to be a loss of functions and shall be avoided.

Table 14.88-IV: Wetland Mitigation Ratios

Affected Wetland	Mitigation Type and Ratio			
Category	Re-establishment or Wetland Creation	Rehabilitation	<u>Preservation</u>	Enhancement Only
Category IV	1.5:1	3:1	<u>6:1</u>	6:1 <u>Not considered an option</u>
Category III	2:1	4:1	<u>6:1</u>	8:1 <u>Not considered an option</u>

Affected Wetland Category	Re-establishment or Wetland Creation	Mitigation Type and Ratio		
		Rehabilitation	<u>Preservation</u>	Enhancement Only
Category II	3:1	6:1	<u>12:1</u>	42:1 <u>Not considered an option</u>
Category I – Forested	6:1	12:1	<u>24:1</u>	24:1
Category I – Score Based	4:1	8:1	<u>16:1</u>	16:1 (<u>Limited circumstances</u>)
Category I – Bog	Not considered possible	N/A	<u>24:1</u>	N/A

(g) Buffer Mitigation Ratios. Impacts to buffers shall be mitigated at a minimum 1:1 ratio. Compensatory buffer mitigation shall replace those buffer functions lost from development.

(h) The applicant may propose innovative site design based on the best available science and pursuant to Section 14.88.298 if the innovative development design will achieve protection equivalent to or better than the standard provisions of this chapter. Approval of the innovative site design will be considered in combination with criteria listed in Section 14.88.298 if the design achieves the following:

- (1) The site design avoids impacts to the critical area; or
- (2) The site design increases the functions and/or values of the wetland and buffer with a combination of the following measures:
 - (i) Improving water quality functions and values of the wetland and buffer by reducing fine sediment and pollutant input in the watershed by increasing hydrologic retention and filtration;
 - (ii) Improving the hydrologic functions and values of the wetland and buffer by providing increased flood control adjacent to a stream channel or by improving water storage ability in the wetland system to increase groundwater recharge potential; and
 - (iii) Increasing habitat for aquatic, amphibian and invertebrate species and associated wetland bird and mammal species.

(i) Credit/Debit Method. As an alternative to the mitigation ratios found in the joint guidance Wetland Mitigation in Washington State Parts I and II (Ecology Publication Nos. 2021-06-003 and 06-06-011a-b or as amended, Olympia, WA, March 2006), the Director or designee may allow mitigation based on the “credit/debit” method developed by the Department of Ecology in Calculating Credits and Debits for Compensatory Mitigation in Wetlands of Western Washington: Final Report, (Ecology Publication No. 10-06-011, Olympia, WA, March 2012, or as revised). (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 811, Sec. 92, 2010; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)

Part IX. Transfer of Development Rights

14.88.900 Definitions.

- (a) “Development rights” are those rights granted to a property owner under a particular zoning district.
- (b) “Transferable rights” include dwelling unit equivalents (density) and commercial/industrial square footage. (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)

14.88.910 Intent and General Regulations of Transferring Development Rights (TDR).

- (a) The purpose in allowing the transfer of density is:
- (1) To allow for the transfer of development rights out of critical areas into buildable areas; and
 - (2) To allow a property owner to recover a portion of the development value from property that may be used for a public purpose.
- (b) TDR is not a guarantee that full development value can be recovered from a parcel of land designated as a sending area. Certain market forces may limit demand for density transfers including limitations placed on critical area receiving district capacities; particularly where all such districts are built out. Value of development rights shall be determined by the market for said rights and shall in no way be the responsibility of the City of Lake Stevens.
- (c) All transfers must be consistent with the policies of the City's Comprehensive Plan and the provisions of this chapter. In particular, land developed within a critical area receiving district through the transfer of development rights shall comply with all use, dimensional, parking, screening, etc., requirements as set forth in this title.
- (d) Development rights may be transferred out of areas designated as critical area sending districts and only into areas designated as critical area receiving districts. They may be transferred within or across ownership boundaries.
- (e) When development rights are transferred off site, the property owners shall provide and enter into a contract with one another which, at a minimum, shall acknowledge their participation and acceptance. (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)

14.88.920 Qualifications for Designation of Land as a Critical Area Sending or Receiving District.

- (a) All areas classified as a critical area by this chapter shall be considered critical area sending districts. Additionally, land that does not qualify as a critical area but which has been determined by City Council to be land suitable for a public purpose may be designated as critical area sending districts by the Planning and Community Development Director with the concurrence of the majority ownership of the land.
- (b) Any parcel or portion of a parcel on which development can occur per this title may be designated as a critical area receiving district by the Planning and Community Development Director with the concurrence of the majority ownership of the land. (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)

14.88.930 Designation Process.

- (a) Critical area sending or receiving districts are considered overlay zones allowed per Section 14.88.920, Qualifications for Designation of Land as a Critical Area Sending or Receiving District. Designation as a critical area sending or receiving district is the equivalent of a rezone and shall be accomplished by the same process as specified in Section 14.16C.090.
- (b) Underlying land use and zoning designations may be changed by the legislative authority granted to the City through its normal Comprehensive Plan amendment or rezoning procedures. However, the land will retain the critical area sending district designation until that designation is specifically removed.
- (c) Land designated as a critical area sending or receiving district shall be shown as an overlay district on the Official Zoning Map. The map shall be modified upon each designation or revocation.
- (d) Designation or revocation as a critical area sending or receiving district shall be recorded with the Snohomish County Recorder's Office and shall run with the land. (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 903, Sec. 55, 2013; Ord. 811, Sec. 74, 2010; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)

14.88.940 Designation Revocation.

- (a) Land that has been designated as a critical area sending district shall retain its designation:
- (1) Until all development rights calculated for that parcel have been transferred; or
 - (2) For a period of three years, whereby the designation may be reviewed for reconsideration. The designation may be continued upon all of the following findings being met:
 - (i) The property retains the same characteristics that qualified it as a critical area receiving district in the first place.
 - (ii) The owner(s) of the property desire a continuation of the designation.
 - (iii) It is still in the public interest to continue the designation.
- (b) Land that has been designated a critical area receiving district shall retain its designation until the property has yielded its development potential.
- (c) The Council may reconsider designation revocation of a noncritical area when it determines that the property is no longer suitable for public use.
- (d) Revocation of a critical area sending or receiving district designation shall not affect the underlying land use designation or zone. (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)

14.88.950 Calculating Transferable Development Rights.

- (a) Maximum transferable development rights shall be calculated for each parcel or portion of a parcel by calculating the theoretical development capacity were the land not classified as a critical area. Theoretical development capacity is calculated based on the requirements of this title, in particular Chapter 14.48, Density and Dimensional Regulations, but also taking into account the requirements of all other chapters (e.g., parking, screening, fire code, building code, etc.).
- (b) Only like development rights may be transferred, and may only be transferred to a zone allowing a similar use, e.g., commercial square footage may be transferred out of a commercial district and into another commercial district or an industrial district that allows commercial uses. (Ord. 984 Sec. 3 (Exh. C), 2019; Ord. 773, Sec. 2, 2008; Ord. 741, Sec. 2, 2007)

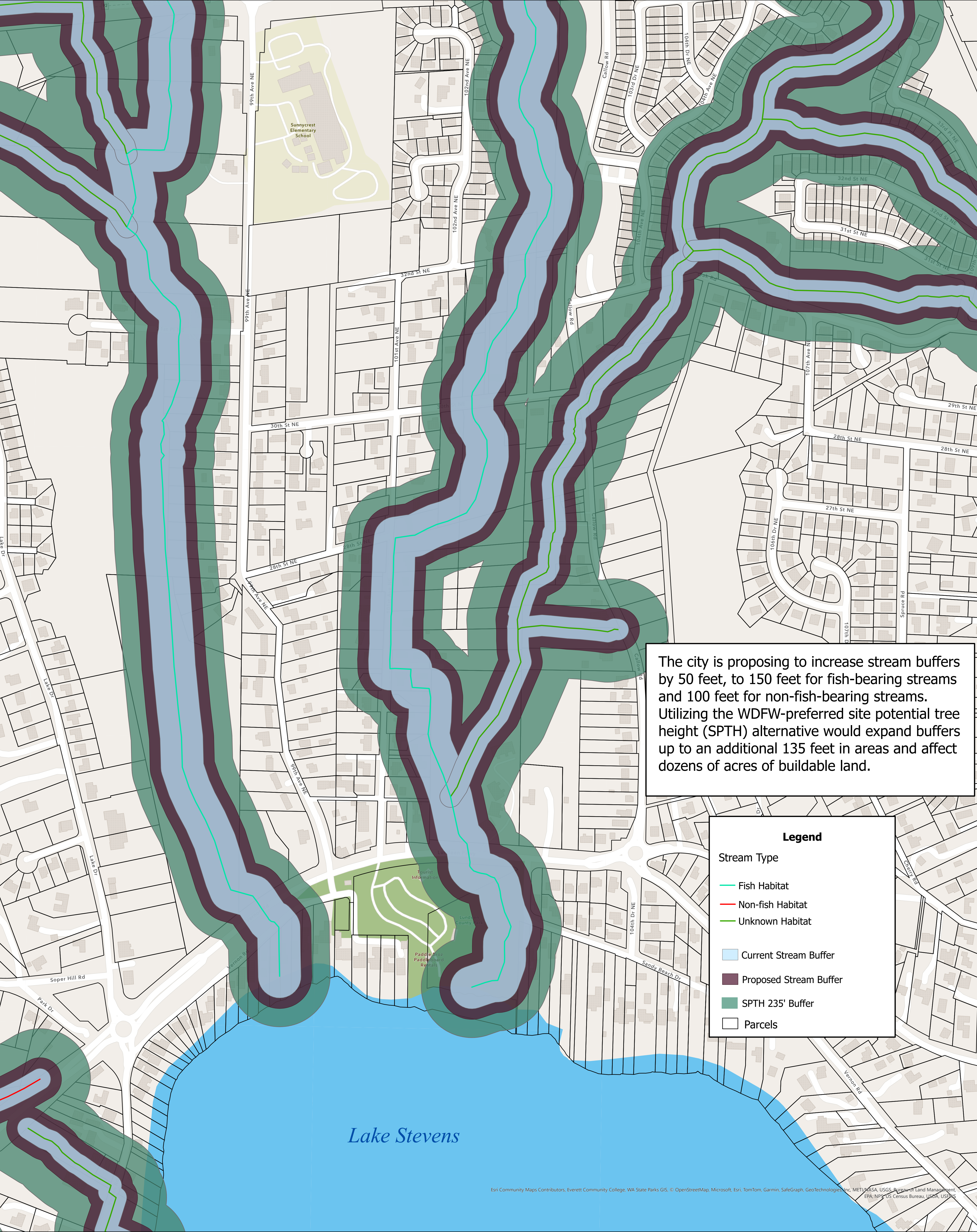
Part X. Mitigation Plan Requirements

14.88.960 Criteria.

Repealed by Ord. 741. (Ord. 468, 1995)

Critical Areas Ordinance Update

Preferred & SPTH Stream Buffer Alternatives



The city is proposing to increase stream buffers by 50 feet, to 150 feet for fish-bearing streams and 100 feet for non-fish-bearing streams. Utilizing the WDFW-preferred site potential tree height (SPTH) alternative would expand buffers up to an additional 135 feet in areas and affect dozens of acres of buildable land.

Legend

Stream Type

Fish Habitat

Non-fish Habitat

Unknown Habitat

Current Stream Buffer

Proposed Stream Buffer

SPTH 235' Buffer

Parcels

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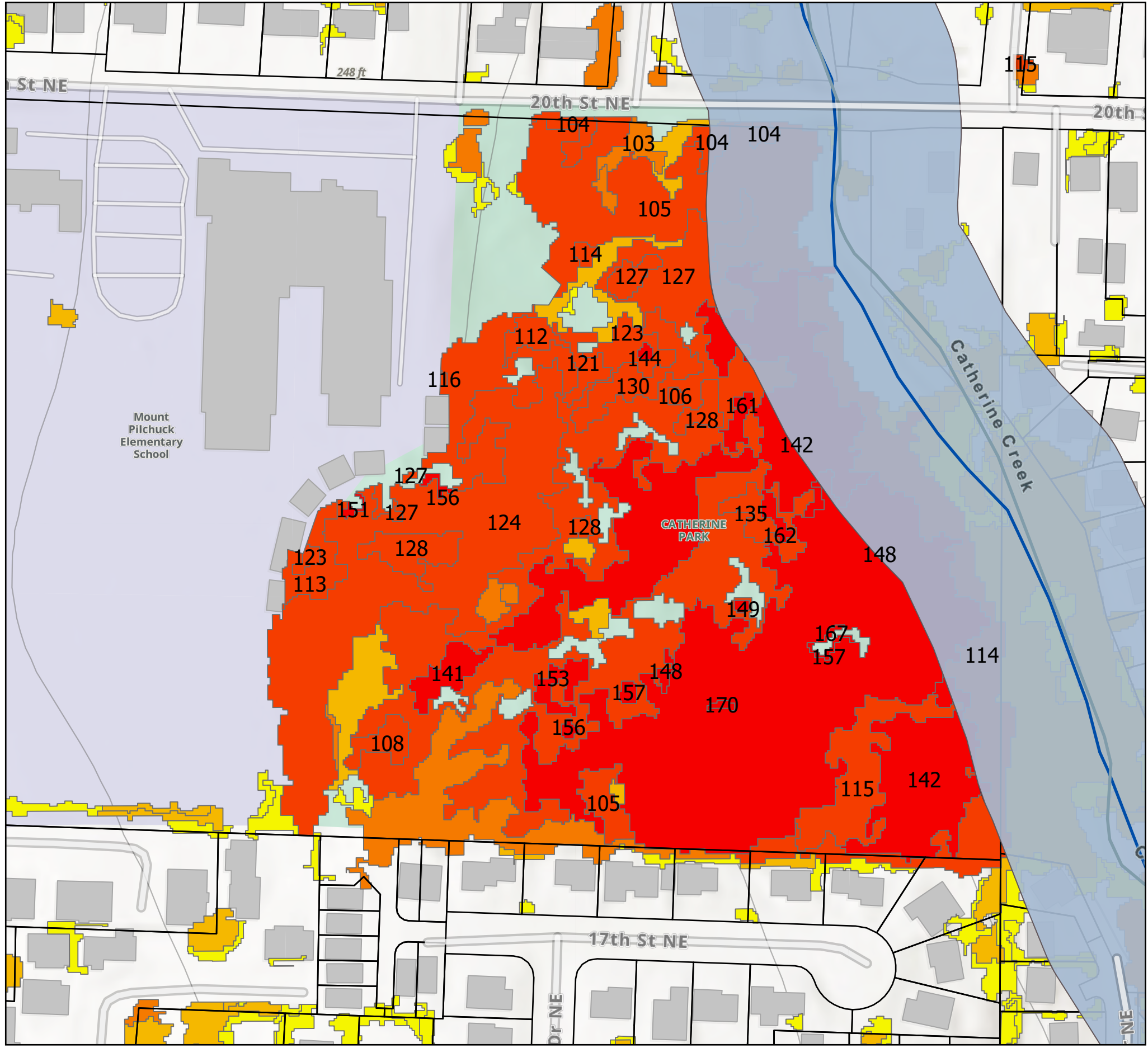
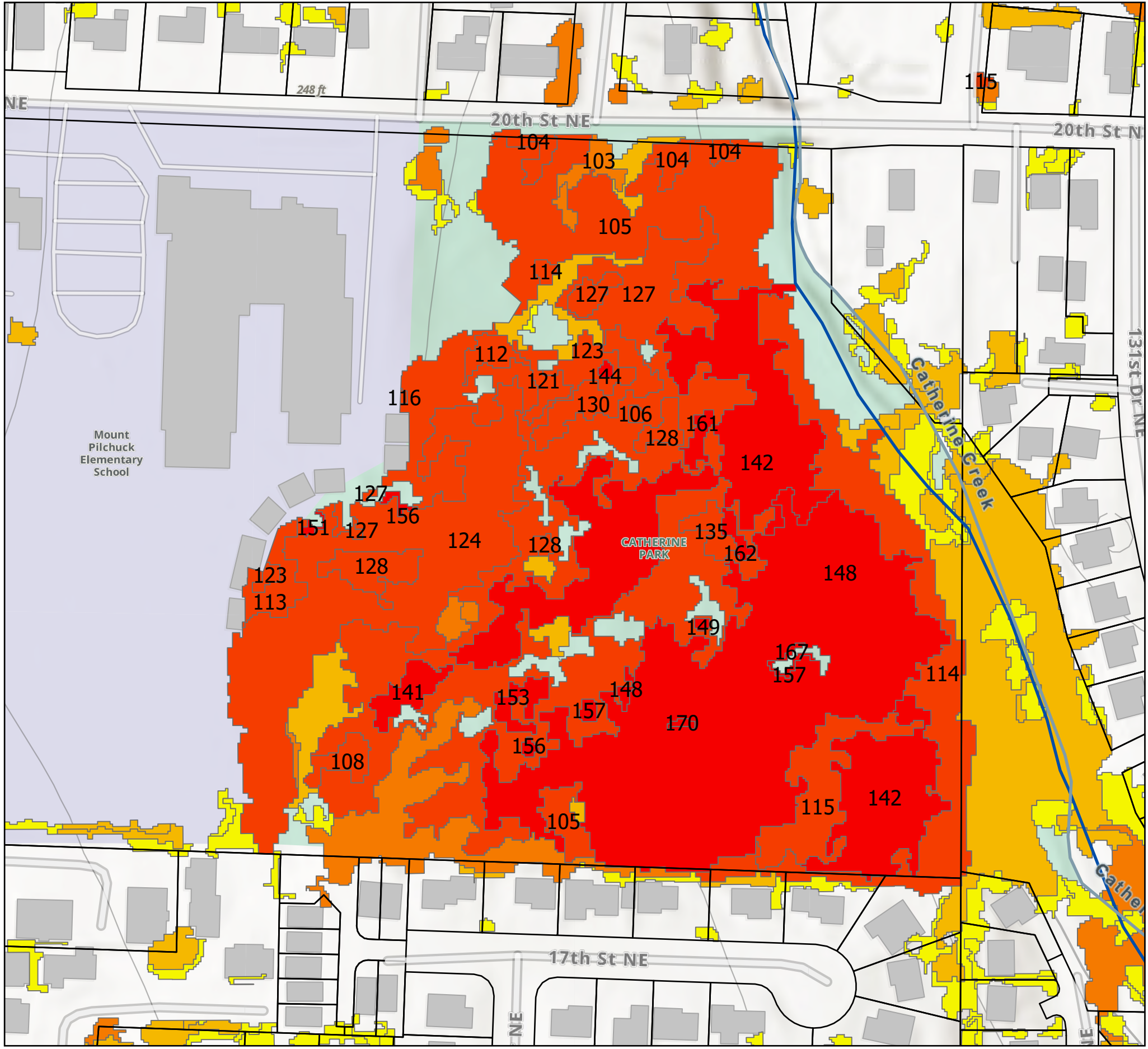
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Critical Areas Ordinance Update

Average Tree Canopy Height Analysis Example



Catherine Creek - Type S (Shoreline) - 150 foot Buffer

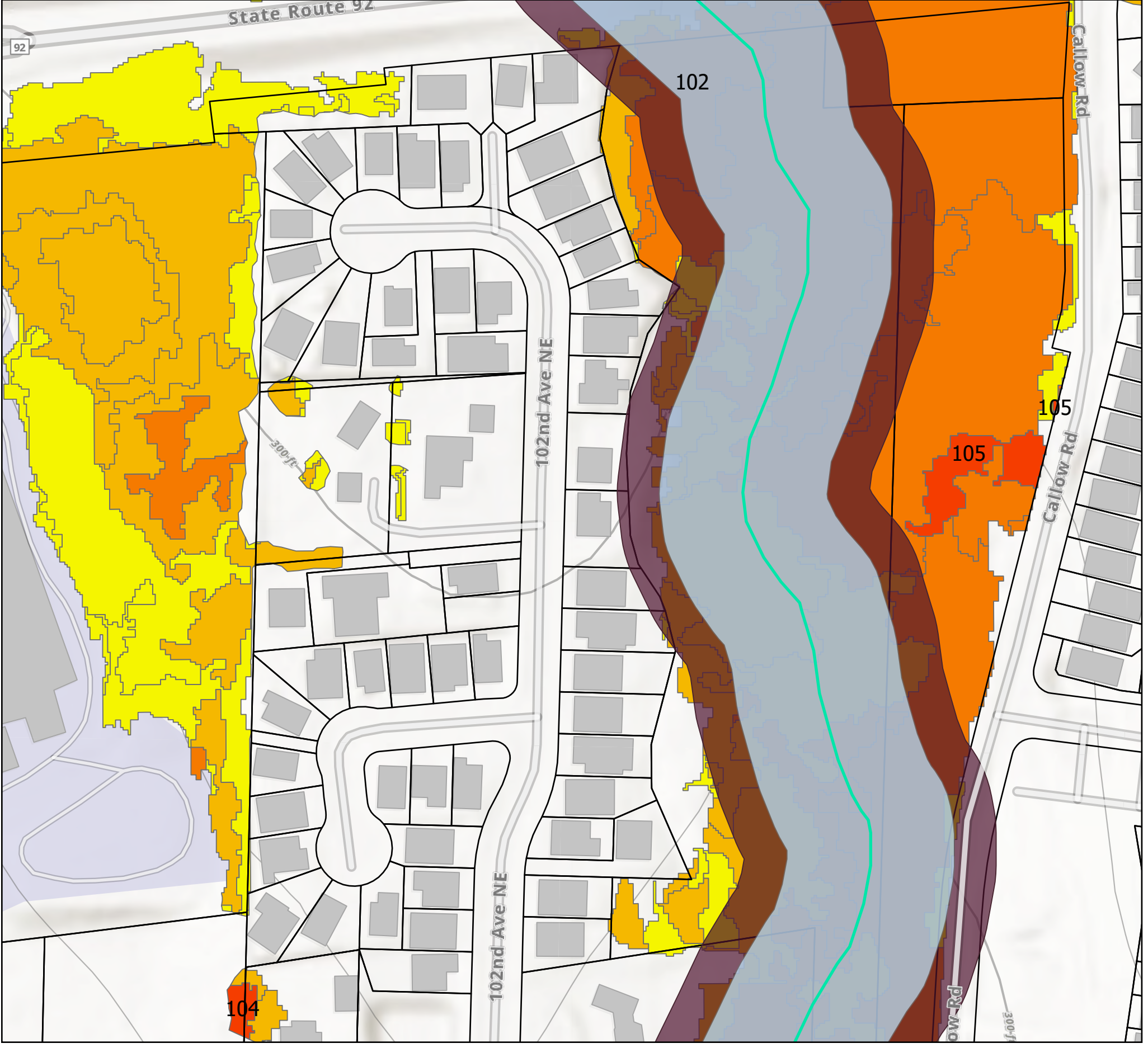
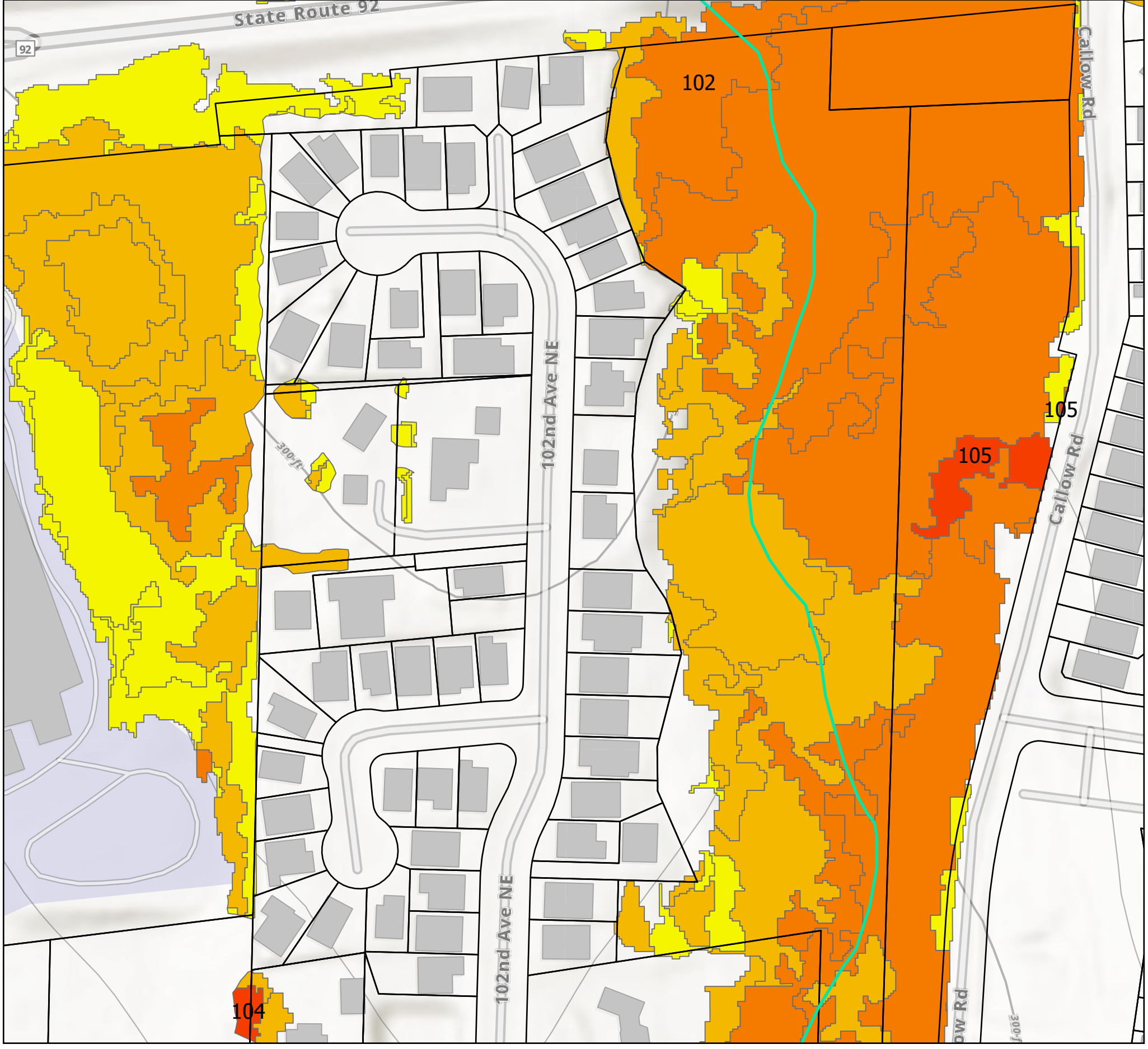


Legend

- | | |
|--|--|
| Stream Type | Average canopy height modeled (feet) |
| — Fish Habitat | ■ 3 - 36 |
| — Non-fish Habitat | ■ 37 - 70 |
| — Shoreline | ■ 71 - 103 |
| — Unknown Habitat | ■ 104 - 137 |
| Stream Buffers | ■ 138 - 170 |
| ■ Current | |
| ■ Proposed | |

This reach of Catherine Creek is a shoreline of the state (subject to the SMP) with a stream buffer of 150 feet, the same as proposed for Type F streams. While it has some of the tallest tree heights in the city, the maximum height within the stream buffer is still almost entirely below 150 feet.

Lundeen Creek - Type F Stream - 100 foot Current Buffer & 150 foot Proposed Buffer



This reach of Lundeen Creek is a Type F stream located just south of Highway 92 and has an existing buffer of 100 feet, which would be increased to 150 feet under the current proposal. Maximum tree heights are generally between 30 and 102 feet.



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CITY COUNCIL STAFF REPORT



Agenda Date: 7/21/2026

Subject: Parks Service Level

Contact Person/Department: Sarah Garceau, Parks Department

Budget Impact:

Legal Review: No

RECOMMENDATION(S)/ACTION REQUESTED:

SUMMARY/BACKGROUND:

The Parks and Recreation Department will review the service levels for the ten (10) locations that were previously managed by their surrounding neighborhoods. The Department will present these locations to Council and review their current service levels and short-term needs.

APPLICABLE CITY POLICIES:

ATTACHMENTS:

None

CITY COUNCIL STAFF REPORT



Agenda Date: 7/21/2026

Subject: Strategic Planning: Projects and Initiatives - Finalize 2026-2027 Priorities

Contact Person/Department: Lori Erickson, Human Resources

Budget Impact: N/A

Legal Review: No

RECOMMENDATION(S)/ACTION REQUESTED:

The recommendation is that City Council prioritizes 4-6 projects or initiatives from the City-Wide Strategic Plan to aid in budget planning and align with staff capacity.

SUMMARY/BACKGROUND:

Background:

During the July 7, 2026, and July 14, 2026, Council meetings, staff facilitated work sessions focused on advancing the Strategic Planning framework—specifically the Projects and Initiatives that are currently on the City-Wide Strategic Plan. The discussions centered on ensuring Council had a shared understanding of:

- The full list of strategic priorities and goals.
- All projects and initiatives associated with the Strategic Plan.
- An introduction to the City's Project Dashboard - specifically receiving a summary of the projects that are in-process in the queue.
- Which projects and initiatives are regulatory or compliance-driven and must be completed.
- Which remaining initiatives/projects require prioritization to guide resource and budget allocation for 2026–2027.

It was suggested at the end of the Strategic Planning: Projects and Initiatives - Part 2

Discussion on July 14th to conduct a survey with City Council and the Mayor to help further rank and prioritize the twelve (12) projects and initiatives that were discussed.

Format:

Survey results and staff recommendations will be presented during this discussion. Council will have dedicated time for discussion and refinement. The goal of this discussion is to establish clear direction from City Council on the top 4–6 projects and initiatives to prioritize through 2027.

APPLICABLE CITY POLICIES:

N/A

ATTACHMENTS:

None

CITY DEPARTMENT REPORT



Agenda Date: 7/21/2026

Contact Person/Department: Aaron Halverson, Public Works

See attached summary.

Status Update on the US-2 Trestle Planning & PEL Study

This department report is a high-level summary of the status of the US-2 Trestle planning study. In fall 2026, once the level 2A and 2B screening analysis of the alternatives is complete, staff will invite WSDOT to present the findings of the alternatives review to the City Council.

The Washington State Department of Transportation (WSDOT) is conducting a multi-year Planning and Environmental Linkages (PEL) Study to determine how best to replace and improve the US 2 Trestle. The study's purpose is to identify long-term transportation solutions that:

- Improve mobility for all travel modes (driving, freight, transit, biking, and walking)
- Enhance safety
- Strengthen the trestle's resiliency, including seismic and operational needs

Lake Stevens staff participated in the project's Technical Working Group (TWG) and received a project update in May 2026. This report summarizes that update.

WSDOT developed a [purpose and need statement](#) for the US-2 Trestle project. This statement is the first step to reviewing the different project alternatives and developing metrics to evaluate and consider different alternatives. The purpose and need statement focuses on three priorities:

1. Multimodal Mobility: Reduce recurring congestion and allow all users—including freight, transit, and active transportation—to move more efficiently.
2. Safety: Address injury and fatal crash trends within the corridor.
3. Resiliency: Improve seismic standards, asset condition, and the trestle's ability to withstand incidents and disruptions.

Currently, WSDOT is reviewing the alternative through a 2-level screening process. This assigns qualitative and quantitative results to each of the alternatives for consideration. The information below is a summary of the results from the level 1 and 2 screening process.

Prescreening (Level 1)

Early concepts were removed if they could not meet fundamental mobility or resiliency needs. Eliminated options included:

- Retrofit of the existing structure, which failed mobility and resiliency criteria.

- SR 526 Extension, a new east-west connection south of the trestle, which failed corridor resiliency criteria.

Level 2 Screening: Two Stages

To refine alternatives more precisely, WSDOT divided Level 2 screening into two parts:

Level 2A – Focus on the Trestle Itself

Key questions included:

How many lanes should the trestle have? and Which lane types best meet the Purpose & Need?

Findings from Level 2A:

- Three alternatives were eliminated for not meeting mobility, safety, and state-of-good-repair needs.
- A standard trestle configuration was established for all remaining alternatives:
 - Two general-purpose lanes
 - One HOV/transit lane
 - Full-time shoulders (24/7), which significantly improve safety and reliability.

What the traffic analysis showed:

- Morning peak:
 - 10–30% more westbound vehicles reach Everett compared to No Build
 - 10% reduction in travel time to Everett
 - Better travel time from US 2 to southbound I-5
- Afternoon peak:
 - Up to 10% higher throughput entering eastbound US 2
 - Less congestion on Hewitt and Pacific Avenues
 - Travel times for northbound I-5 and eastbound US 2 improve by at least 10 minutes

All of the alternatives considered in the level 2A screening process are shown in Figure 1. The draft results for the level 2A screening process are shown in Figure 2.

Figure 1. Level 2a alternatives considered.

Level 2a alternatives

Alt	Number of lanes				Trestle HOV	2-wy lower bridge	Added ramps	
	24-Hr		Pk-Use				West	East
	WB	EB	WB	EB				
No Build	2GP	2GP	0	1 GP	No	No	No	No
1	3GP	3GP	0	0	No	Yes	Yes ¹	No
2, 2a, 2aT	2GP 1HOV	2GP 1HOV	0	0	Yes	Yes	Yes ²	Yes
3	3GP	2GP	1 HOV	1 HOV	Pk Only	Yes	Yes ³	No
4	2GP 1HOV	2GP 1HOV	0	0	Yes	Yes	Yes ¹	Yes
5	3GP	3GP	1 HOV	1 HOV	Pk Only	Yes	Yes ²	Yes

Notes:

¹ WB off to Everett Ave

² WB off to Waterfront Access Rd

³ WB off to Hewitt Ave

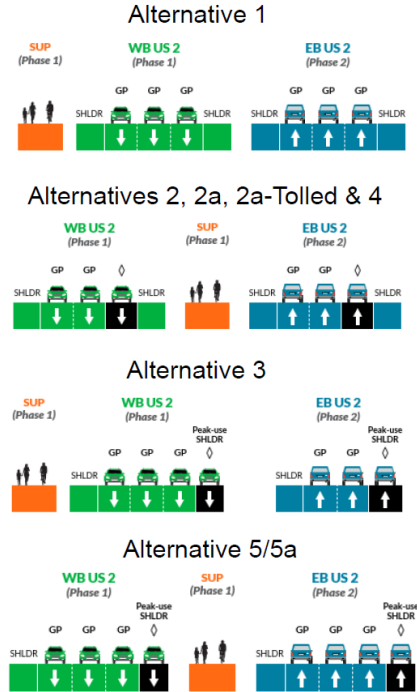
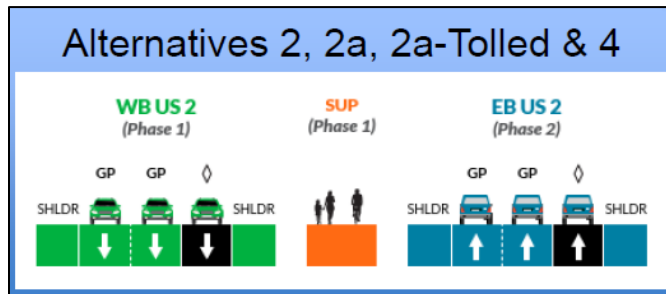


Figure 2. Level 2A draft alternative screening results.



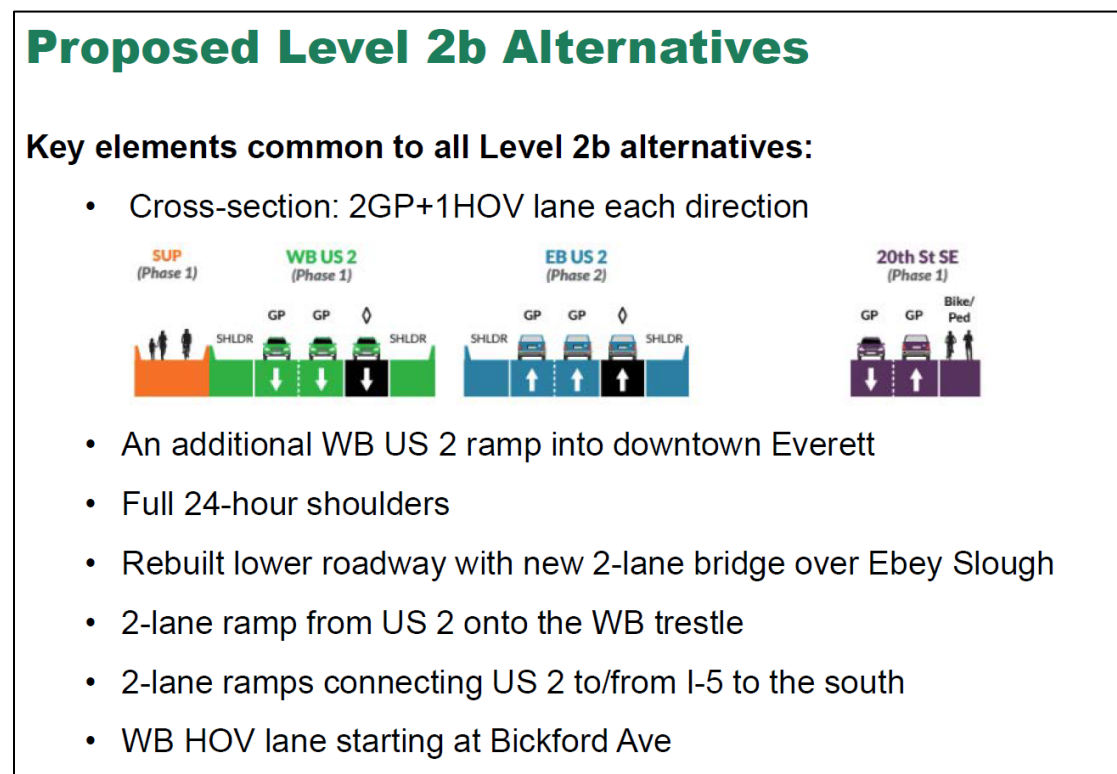
Level 2B – Focus on Interchanges and Connections

Level 2B examines how the trestle connects at the west end (Everett) and east end (Lake Stevens/Snohomish County). This stage evaluates:

- Ramp configurations
- Transit and HOV priority treatments
- Bike and pedestrian connections
- Potential tolling strategies

The key elements common to all Level 2B alternatives are shown in Figure 3. WSDOT is completing Level 2B screening now, and results will be presented later this summer.

Figure 3. Key elements common to all Level 2B alternatives.



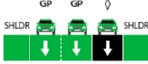
Current Project Status

- Level 2A is complete.
- Level 2B analysis is underway, including refined evaluation criteria and updated modeling.
- Remaining alternatives all share the same trestle cross-section:
 - 2 GP lanes
 - 1 HOV/transit lane
 - Full shoulders

Figure 4 summarizes the current status and key findings from the level 2A and 2B screening. Once 2B is complete, these alternatives will be carried forward into the federal National Environmental Policy Act (NEPA) process, where environmental benefits, effects, and tradeoffs will be assessed to identify a preferred alternative.

Figure 4. Current status of level 2A and 2B screening.

Level 2A and Level 2B Evaluation Status

Level 2A: Complete		Level 2B: In Progress	
8 Alternatives Evaluated		5 Alternatives To Evaluate	17 Criteria Considered
What was the Level 2A outcome?  Identified 3 lane (2 GP with 1 HOV lane with full shoulders) trestle cross-section as highest performing alternative to move forward into Level 2B as it provides:		What will be decided in Level 2B?  Level 2B will identify the highest-performing interchange configurations (east and west) for a 3 lane (2 GP, 1 HOV) trestle cross-section by considering²:	
Criteria Category¹  Mobility  Safety  State of Good Repair	What did we learn?		What are we working to better understand?
	- Sufficient trestle lane capacity to accommodate future demand - Improved HOV/transit performance compared to alternatives without full-time HOV lanes		Vehicle, freight, transit, and active user experiences at the east and west trestle connections
	- Better safety benefits than alternatives without full-time shoulders - Similar systemwide safety performance for all alternatives		Lane changes needed to reach the destinations
	- Better operational resilience than alternatives without full-time shoulders - Improved seismic resilience (all alternatives would be built to seismic standards)		- Interchange configurations requiring agreements with other agencies - Transportation system and operational resiliency, and assessing maintenance complexities
Level 2A eliminated alternatives that did not include full-time shoulders and alternatives that were more than 3 lanes		²Other considerations included in Level 2B: Environmental risks, cost, construction impacts	

Upcoming Deliverables and Key Dates

- Summer 2026: WSDOT releases Level 2B screening results (to TWG and partner agencies).
- Fall 2026 – Invite WSDOT to present the results of the level 2A and 2B alternatives screening to the City Council
- Fall/Winter 2026: Draft PEL Report published for public review.
- February 2027: Final PEL Report scheduled for completion.

Where to Learn More

WSDOT's project page provides ongoing updates, meeting materials, and background information:

[US 2 Trestle Capacity Improvements & Westbound Trestle Replacement | WSDOT](#)