

City of Lake Stevens Mission Statement



The City of Lake Stevens' mission is not only to preserve the natural beauty that attracted so many of its citizens, but to enhance and harmonize with the environment to accommodate new people who desire to live here. Through shared, active participation among Citizen, Mayor, Council, and City Staff, we commit ourselves to quality living for this and future generations.

Growth in our community is inevitable. The City will pursue an active plan on how, when, and where it shall occur to properly plan for needed services, ensure public safety, and maintain the unique ambience that is Lake Stevens.



CITY COUNCIL REGULAR MEETING AGENDA
Lake Stevens School District Educational Service Center (Admin. Bldg.)
12309 22nd Street NE, Lake Stevens
Monday, May 14, 2012 - 7:00 p.m.

NOTE: **WORKSHOP ON VOUCHERS AT 6:45 P.M.**

CALL TO ORDER: 7:00 p.m.
Pledge of Allegiance

ROLL CALL:

GUEST BUSINESS:

CONSENT AGENDA:

*A.	Approve May 2012 vouchers.	Barb
*B.	Approve minutes of April 23, 2012 regular Council and special Council/Planning Commission meetings.	Norma
*C.	Approve minutes of May 7, 2012 Council workshop.	Norma
*D.	Approve contract increase with Rogers Machinery for aerator pump repair.	Mick
*E.	Award contract to Precision Electric Group for electrical services at City Shop.	Mick

ACTION ITEMS:

*A.	Relay for Life proclamation.	Mayor
*B.	Resolution No. 2012-2, Lake Stevens Sewer District Annexation.	Russ
*C.	First and final reading of Ordinance No. 873, Title 9 criminal code amendments.	Randy
*D.	Lake Stevens Center and 20 th Street SE Corridor Subarea Plan – Preferred Alternative Selection.	Becky
*E.	Approve 2012 Aquafest Requests: (1) Event Permit Fee Waiver (2) Serve Beer & Wine in the VIP Booth	Becky

DISCUSSION ITEMS:

*A.	First quarter financials.	Barb
*B.	Draft Medical Cannabis Collective Gardens regulations.	Russ

COUNCIL PERSON'S BUSINESS:

MAYOR'S BUSINESS:

Lake Stevens City Council Meeting

May 14, 2012

STAFF REPORTS:

**INFORMATION
ITEMS:**

**EXECUTIVE
SESSION:**

ADJOURN:

* ITEMS ATTACHED	** ITEMS PREVIOUSLY DISTRIBUTED	# ITEMS TO BE DISTRIBUTED
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***THE PUBLIC IS INVITED TO ATTEND
Special Needs***

The City of Lake Stevens strives to provide accessible opportunities for individuals with disabilities. Please contact Steve Edin, City of Lake Stevens ADA Coordinator, (425) 377-3227, at least five business days prior to any City meeting or event if any accommodations are needed. For TDD users, please use the state's toll-free relay service, (800) 833-6384, and ask the operator to dial the City of Lake Stevens City Hall number.

NOTICE:

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

**BLANKET VOUCHER APPROVAL
 2012**

We, the undersigned Council members of the City of Lake Stevens, Snohomish County, Washington, do hereby certify that the merchandise or services hereinafter specified have been received and that the following vouchers have been approved for payment:

Payroll Direct Deposits	905694-905759	\$119,887.52
Payroll Checks	33423	\$2,299.53
Claims	33424, 33426-33524	\$422,739.75
Electronic Funds Transfers	452-457	\$137,840.89
Void Checks		
Tax Deposit(s)	5/1/2012	\$41,174.91
Total Vouchers Approved:		\$723,942.60

This 14th day of May 2012:

Mayor

Councilmember

Finance Director

Councilmember

Councilmember

Councilmember



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Direct Deposit Register

01-May-2012

Wells Fargo - AP

Lake Stevens

Direct Deposits to Accounts

01-May-2012	<u>Vendor</u>	<u>Source</u>	<u>Amount</u>	<u>Draft#</u>	<u>Bank Name</u>	<u>Transit</u>	<u>Account</u>
12112	AFLAC	C	\$2,027.94	452	Wells Fargo	121000248	4159656917
101	Assoc. Of Washington Cities	C	\$79,519.21	453	Wells Fargo	121000248	4159656917
9407	Department of Retirement (Pers	C	\$49,768.57	454	Wells Fargo	121000248	4159656917
9408	NATIONWIDE RETIREMENT SOL	C	\$1,048.25	455	Wells Fargo	121000248	4159656917
1418	Standard Insurance Company	C	\$5,024.46	456	Wells Fargo	121000248	4159656917
9405	Wash State Support Registry	C	\$452.46	457	Wells Fargo	121000248	4159656917
Total:			\$137,840.89		Count:	6.00	

Direct Deposit Summary

<i>Type</i>	<i>Count</i>	<i>Total</i>
C	6	\$137,840.89

Pre-Note Transactions

Detail Check Register

01-May-12

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
33424	01-May-12	13824	Wash Teamsters Welfare Trust		\$1,256.31
05/01/12		Insurance Premiums		\$1,256.31	\$0.00
001010576802000		Parks - Benefits		\$48.86	
101016542002000		Street Fund - Benefits		\$537.42	
410016542402000		Storm Water - Benefits		\$670.03	
			Total Of Checks:		\$1,256.31

Detail Check Register

10-May-12

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount		
33426	14-May-12	13328	ACES			\$569.00
8611			Chain Saw Safety training	\$569.00	\$0.00	\$569.00
			001003517620000 Admin. Safety program	\$134.28		
			101016517620000 safety program	\$252.64		
			410016517620000 safety program	\$182.08		
33427	14-May-12	13933	ACF West Inc			\$6,333.01
10148237			geo fabric	\$6,333.01	\$0.00	\$6,333.01
			101016595616440 36th Street Bridge Repair	\$6,333.01		
33428	14-May-12	13938	Apollo Neon, Inc			\$23.18
SIGN2012-2			Refund on permit SIGN2012-2	\$23.18	\$0.00	\$23.18
			001000322001000 Building Permits	\$23.18		
33429	14-May-12	137	Barmon Door and Plywood, Inc.			\$86.88
A64575			barrels for garbage cans	\$86.88	\$0.00	\$86.88
			001010576803100 Parks - Operating Costs	\$86.88		
33430	14-May-12	166	Bickford Motors, Inc.			\$237.01
1005085			Heater Repair PW4	\$237.01	\$0.00	\$237.01
			101016542004800 Street Fund - Repair & Mainten	\$237.01		
33431	14-May-12	174	Bills Blueprint			\$16.29
454667			Laminating	\$16.29	\$0.00	\$16.29
			101016542003102 Street Fund Operating Costs	\$16.29		
33432	14-May-12	179	Blumenthal Uniforms			\$892.47
924197			Patrol Jacket/Sgt R. Brooks	\$439.72	\$0.00	\$439.72
			001008521002600 Law Enforcment Clothing	\$439.72		
924199			Patrol Jacket/Sgt. C. Valvick	\$452.75	\$0.00	\$452.75
			001008521002600 Law Enforcment Clothing	\$452.75		
33433	14-May-12	11952	Carquest Auto Parts Store			\$105.32
2421-174079			Gas cap	\$14.81	\$0.00	\$14.81
			101016542004800 Street Fund - Repair & Mainten	\$7.41		
			410016542404800 Storm Water - Repairs & Maint.	\$7.40		
2421-174186			wiper blade	\$6.82	\$0.00	\$6.82
			101016542004800 Street Fund - Repair & Mainten	\$3.41		
			410016542404800 Storm Water - Repairs & Maint.	\$3.41		
2421-174360			battery	\$4.24	\$0.00	\$4.24

Detail Check Register

10-May-12

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Check No	Check Date	VendorNo	Vendor	Check Amount	
001008521004800			Law Enforcement - Repair & Mai	\$4.24	
2421-174509			Oil, air, fuel filters	\$79.45	\$0.00 \$79.45
101016542004800			Street Fund - Repair & Mainten	\$39.73	
410016542404800			Storm Water - Repairs & Maint.	\$39.72	
33434	14-May-12	13585	Cascade Engineering Services		\$990.00
ML-12032703865			Multiple Speed gun repairs	\$990.00	\$0.00 \$990.00
001008521004800			Law Enforcement - Repair & Mai	\$990.00	
33435	14-May-12	13550	Case Power & Equipment		\$110.13
728110			Hydra filter	\$55.51	\$0.00 \$55.51
101016542004800			Street Fund - Repair & Mainten	\$55.51	
728118			Air Filter	\$54.62	\$0.00 \$54.62
101016542004800			Street Fund - Repair & Mainten	\$54.62	
33436	14-May-12	13793	Cashmere Valley Bank		\$47,456.09
06/12 133357			2010 Series A Bond Pmt	\$37,082.09	\$0.00 \$37,082.09
212000591007100			2010 Bond Principal Payment	\$29,688.83	
212000592008300			2010 Bond Interest Payment	\$7,393.26	
06/12 133358			2010 Series B Bond Pmt	\$10,374.00	\$0.00 \$10,374.00
212000592008300			2010 Bond Interest Payment	\$10,374.00	
33437	14-May-12	12182	Central Welding Supply		\$250.07
171731			metal saw	\$250.07	\$0.00 \$250.07
101016543504802			Facilities R&M (City Shop)	\$250.07	
33438	14-May-12	13776	Chris L Griffen		\$187.50
C6294L			Public defender services	\$187.50	\$0.00 \$187.50
001013512800000			Court Appointed Attorney Fees	\$187.50	
33439	14-May-12	274	City of Everett		\$1,570.00
i12000974			Lab analysis	\$175.00	\$0.00 \$175.00
410016542404101			Storm Water - Professional Ser	\$175.00	
i12001040			Animal shelter services March 2012	\$1,395.00	\$0.00 \$1,395.00
001008539004100			Code Enforcement - Professiona	\$1,395.00	
33440	14-May-12	276	City Of Lake Stevens		\$35.05
1205			Retainage - New Chapter cleaning	\$35.05	\$0.00 \$35.05

Detail Check Register

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Check No	Check Date	VendorNo	Vendor	Check Amount		
001007558004100			Planning - Professional Servic	\$1.15		
001007559004100			Building Department - Professi	\$1.15		
001008521004100			Law Enforcement - Professional	\$20.10		
001013519904100			General Government - Professio	\$5.75		
001013555504100			Community Center - Cleaning	\$4.60		
101016542004100			Street Fund - Professional Ser	\$1.15		
410016542404101			Storm Water - Professional Ser	\$1.15		
33441	14-May-12	12004	CITY OF MARYSVILLE			\$28,692.74
12-007			Court Citations April 2012	\$11,766.50	\$0.00	\$11,766.50
001013512500001			Municipal Court Fees	\$11,766.50		
5888			Hwy 9 Prof services	\$651.54	\$0.00	\$651.54
001013519904100			General Government - Professio	\$651.54		
POLIN11-0166			Prisoner Medical	\$185.00	\$0.00	\$185.00
001008523005100			Law Enforcement - Jail	\$185.00		
POLIN11-0167			Prisoner Housing Okanogan Mar/Ap	\$16,089.70	\$0.00	\$16,089.70
001008523005100			Law Enforcement - Jail	\$16,089.70		
33442	14-May-12	13361	Clover Island Inn			\$832.64
202178/202187			Bernhard/Barnes room charges train	\$832.64	\$0.00	\$832.64
001008521004301			Boating - Travel/Training	\$832.64		
33443	14-May-12	290	Co-Op Supply			\$217.17
600035/4			Weed spray	\$65.15	\$0.00	\$65.15
001010576803103			Parks-Lundeen-Operating Costs	\$65.15		
600086/4			Weed spray	\$86.87	\$0.00	\$86.87
001010576803103			Parks-Lundeen-Operating Costs	\$86.87		
600151/4			Weed spray	\$65.15	\$0.00	\$65.15
101016542003102			Street Fund Operating Costs	\$65.15		
33444	14-May-12	13030	COMCAST			\$116.90
04/12 0827887			Traffic signal control	\$116.90	\$0.00	\$116.90
101016542640000			Street Fund - Traffic Control	\$116.90		
33445	14-May-12	13030	COMCAST			\$71.90
04/12 0692756			Internet - satelite PD station	\$71.90	\$0.00	\$71.90

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Check No	Check Date	VendorNo	Vendor	Check Amount	
001008521004200			Law Enforcement - Communicatio	\$71.90	
33446	14-May-12	13841	Comcast		\$89.89
04/12 0810218			Internet - shop	\$89.89	\$0.00
101016542004200			Street Fund - Communications	\$44.95	
410016542404200			Storm Water - Communications	\$44.94	
33447	14-May-12	91	Corporate Office Supply		\$1,606.04
125491i			paper and supplies	\$335.83	\$0.00
001008521003100			Law Enforcement - Office Suppl	\$335.83	
127545i			Office supplies	\$158.19	\$0.00
101016542003101			Street Fund Office Supplies	\$158.19	
127578i			Supplies	\$56.52	\$0.00
001003516103100			Human Resources-Office Supplie	\$19.58	
001013519903100			General Government - Operating	\$36.94	
127953i			File folders, tape, stir sticks, white o	\$164.36	\$0.00
001007559003100			Building Department - Office S	\$164.36	
127954i			Hanging file folders, labels and offic	\$386.96	\$0.00
410016542403101			Storm Water - Office Supplies	\$386.96	
128211i			Paper Order for Planning & PW	\$504.18	\$0.00
101016542003101			Street Fund Office Supplies	\$504.18	
33448	14-May-12	13196	Correctional Industries		\$209.33
WINV312905			Transfer Tape	\$71.22	\$0.00
101016542003102			Street Fund Operating Costs	\$71.22	
WINV312968			Signs	\$138.11	\$0.00
101016542640000			Street Fund - Traffic Control	\$138.11	
33449	14-May-12	349	Crossons Auto Repair		\$332.09
35633			Electronics repair to PW-1	\$166.83	\$0.00
101016542004800			Street Fund - Repair & Mainten	\$166.83	
36544			PW13 - diagnostic	\$165.26	\$0.00
101016542004800			Street Fund - Repair & Mainten	\$165.26	
33450	14-May-12	13090	Daily Journal of Commerce		\$2,395.75
3260880			Advertising - Prof services	\$2,395.75	\$0.00

Detail Check Register

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Check No	Check Date	VendorNo	Vendor	Check Amount	
101016542004100			Street Fund - Professional Ser	\$1,197.88	
410016542404101			Storm Water - Professional Ser	\$1,197.87	
33451	14-May-12	13545	DataQuest LLC		\$45.50
CILKSTEVENS-201204			Background check	\$45.50	\$0.00
001003516104100			Human Resources-Professional S	\$45.50	
33452	14-May-12	13084	De Jong Sawdust & Shavings		\$45.07
L188427			Top soil for tree planting	\$45.07	\$0.00
101016542004800			Street Fund - Repair & Mainten	\$45.07	
33453	14-May-12	13182	Dean Thomas		\$28.00
5/7/12			Parking	\$28.00	\$0.00
001008521004300			Law Enforce - Travel & Mtgs	\$28.00	
33454	14-May-12	13027	DEPARTMENT OF LICENSING		\$273.00
51971-52005			Weapons permits	\$273.00	\$0.00
633008586000000			Gun Permit - State Remittance	\$273.00	
33455	14-May-12	13027	DEPARTMENT OF LICENSING		\$252.00
51973-52000			Weapons permits	\$252.00	\$0.00
633008586000000			Gun Permit - State Remittance	\$252.00	
33456	14-May-12	13027	DEPARTMENT OF LICENSING		\$165.00
52006-52014			Weapons permits	\$165.00	\$0.00
633008586000000			Gun Permit - State Remittance	\$165.00	
33457	14-May-12	13027	DEPARTMENT OF LICENSING		\$144.00
51968-52030			Weapons permits	\$144.00	\$0.00
633008586000000			Gun Permit - State Remittance	\$144.00	
33458	14-May-12	13616	Diking District #2		\$19,956.00
2012			2012 Annual payment	\$19,956.00	\$0.00
410016598501000			Diking District Contribution	\$19,956.00	
33459	14-May-12	473	Electronic Business Machines		\$220.82
074940			copier maint	\$175.38	\$0.00
001007558004800			Planning - Repairs & Maint.	\$87.69	
101016542004800			Street Fund - Repair & Mainten	\$43.85	
410016542404800			Storm Water - Repairs & Maint.	\$43.84	
074983			copier maint	\$156.00	\$0.00

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Check No	Check Date	VendorNo	Vendor	Check Amount	
001008521004800			Law Enforcement - Repair & Mai	\$156.00	
075581			Copier maint	\$82.75	\$0.00 \$82.75
001007558004800			Planning - Repairs & Maint.	\$41.38	
101016542004800			Street Fund - Repair & Mainten	\$20.69	
410016542404800			Storm Water - Repairs & Maint.	\$20.68	
41804A credit			Toner returned	(\$193.31)	\$0.00 (\$193.31)
001008521003100			Law Enforcement - Office Suppl	(\$193.31)	
33460	14-May-12	485	Employment Security Department		\$10,910.24
Q1.2012			Q1.2012 UI Tax	\$10,910.24	\$0.00 \$10,910.24
501000517007800			Payments To Claiments	\$10,910.24	
33461	14-May-12	13937	Everett Hydraulics		\$273.00
17299			Cylinder Repair	\$273.00	\$0.00 \$273.00
101016542003102			Street Fund Operating Costs	\$273.00	
33462	14-May-12	13935	Everett Steel		\$453.44
504177			Greenwood Vault - steele beam at s	\$453.44	\$0.00 \$453.44
101016543504802			Facilities R&M (City Shop)	\$453.44	
33463	14-May-12	12711	EVERGREEN SECURITY SYSTEMS		\$103.17
27936			Service call	\$103.17	\$0.00 \$103.17
001008521004800			Law Enforcement - Repair & Mai	\$103.17	
33464	14-May-12	13907	Fastenal Company		\$70.75
WAEV117354			Poly4mil	\$70.75	\$0.00 \$70.75
410016542403102			Storm Water - Operating Costs	\$70.75	
33465	14-May-12	13468	Feldman & Lee		\$5,250.00
04/2012			Public Defender services	\$5,250.00	\$0.00 \$5,250.00
001013512800000			Court Appointed Attorney Fees	\$5,250.00	
33466	14-May-12	13926	Fishers Towing		\$298.65
6379			Evidence Towing	\$298.65	\$0.00 \$298.65
001008521003104			Law Enforcement-Operating Cost	\$298.65	
33467	14-May-12	549	Foster Press		\$151.84
29329			Field release forms	\$151.84	\$0.00 \$151.84
001008521003100			Law Enforcement - Office Suppl	\$151.84	

Detail Check Register

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Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount		
33468	14-May-12	13764	Frontier			\$122.77
04/12 42533408350116		Communications		\$122.77	\$0.00	\$122.77
001013519904200		General Government - Communica		\$40.92		
101016542004200		Street Fund - Communications		\$40.93		
410016542404200		Storm Water - Communications		\$40.92		
33469	14-May-12	12393	GLENS RENTAL SALES & SERVICE			\$50.12
S4000		Wrench, Nuts, Linehead		\$50.12	\$0.00	\$50.12
101016542004800		Street Fund - Repair & Mainten		\$25.06		
410016542404800		Storm Water - Repairs & Maint.		\$25.06		
33470	14-May-12	13010	Grainger			\$317.41
9804619402		GOJO soap Dispensers x 10		\$177.66	\$0.00	\$177.66
001010576804800		Parks - Repair & Maintenance		\$177.66		
9810021718		Cleaning and Storage Solutions		\$50.81	\$0.00	\$50.81
410016531503104		DOE-G1100060 SW Capacity Exp		\$50.81		
9819279200		Coveralls		\$57.82	\$0.00	\$57.82
001010576803100		Parks - Operating Costs		\$57.82		
9819279218		Bee Hood		\$31.12	\$0.00	\$31.12
001010576803100		Parks - Operating Costs		\$31.12		
33471	14-May-12	13785	Group Health Coop			\$170.00
74000326		employee screening		\$170.00	\$0.00	\$170.00
001007559004100		Building Department - Professi		\$35.00		
001008521004100		Law Enforcement - Professional		\$70.00		
101016542004100		Street Fund - Professional Ser		\$32.50		
410016542404101		Storm Water - Professional Ser		\$32.50		
33472	14-May-12	13500	HB Jaeger Co LLC			\$261.36
129007/1		2311 Callow Road - Yard Drain		\$186.43	\$0.00	\$186.43
410016542403102		Storm Water - Operating Costs		\$186.43		
129008/1		Bag Jet Set		\$74.93	\$0.00	\$74.93
410016542404800		Storm Water - Repairs & Maint.		\$74.93		
33473	14-May-12	673	Home Depot			\$405.51
7132629		City Shop Shower		(\$28.26)	\$0.00	(\$28.26)
101016543504802		Facilities R&M (City Shop)		(\$28.26)		
7132630		City Shop Shower		(\$47.31)	\$0.00	(\$47.31)

Detail Check Register

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Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
101016543504802			Facilities R&M (City Shop)	(\$47.31)	
7132631			City Shop Shower	\$268.90	\$0.00 \$268.90
101016543504802			Facilities R&M (City Shop)	\$268.90	
8013935			Plexiglass and drill bit	\$121.77	\$0.00 \$121.77
101016542004800			Street Fund - Repair & Mainten	\$121.77	
8013937			Electrical Wiring - Shop Lights	\$90.41	\$0.00 \$90.41
101016543504802			Facilities R&M (City Shop)	\$90.41	
33474	14-May-12	13232	Integra Telecom, Inc		\$879.55
9555057			Communications	\$879.55	\$0.00 \$879.55
001003513104200			Administration-Communications	\$6.64	
001003514104200			City Clerks-Communications	\$7.75	
001003516104200			Human Resources-Communications	\$7.19	
001003518104200			IT Dept-Communications	\$18.81	
001004514234200			Finance - Communications	\$14.94	
001007558004200			Planning - Communication	\$55.23	
001007559004200			Building Department - Communci	\$36.87	
001008521004200			Law Enforcement - Communicatio	\$141.78	
001010575304200			Historical - Communications	\$36.87	
001013519904200			General Government - Communica	\$273.73	
00101355504200			Community Center-Communication	\$36.87	
101016542004200			Street Fund - Communications	\$120.26	
410016542404200			Storm Water - Communications	\$122.61	
33475	14-May-12	13386	Jerad Wachtveitl		\$7.32
04/26/12			Parking	\$7.32	\$0.00 \$7.32
001008521004300			Law Enforce - Travel & Mtgs	\$7.32	
33476	14-May-12	13863	Johns Cleaning Service		\$70.90
843			Uniform cleaning	\$70.90	\$0.00 \$70.90
001008521002600			Law Enforcment Clothing	\$70.90	
33477	14-May-12	13885	Lake Industries LLC		\$1,219.03
255705			lake vied drive shoulder rock	\$312.50	\$0.00 \$312.50
101016542004800			Street Fund - Repair & Mainten	\$312.50	
255732			lake vied drive shoulder rock	\$77.23	\$0.00 \$77.23
101016542004800			Street Fund - Repair & Mainten	\$77.23	
255750			lake vied drive shoulder rock	\$154.25	\$0.00 \$154.25

Detail Check Register

10-May-12

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
101016542004800			Street Fund - Repair & Mainten	\$154.25	
255778			lake vied drive shoulder rock	\$254.55	\$0.00
101016542004800			Street Fund - Repair & Mainten	\$254.55	
255900			lake vied drive shoulder rock	\$150.50	\$0.00
101016542004800			Street Fund - Repair & Mainten	\$150.50	
25686			ditch debris removal	\$120.00	\$0.00
410016542404800			Storm Water - Repairs & Maint.	\$120.00	
25693			ditch debris removal	\$60.00	\$0.00
410016542404800			Storm Water - Repairs & Maint.	\$60.00	
25697			ditch debris removal	\$90.00	\$0.00
410016542404800			Storm Water - Repairs & Maint.	\$90.00	
33478	14-May-12	13885	Lake Industries LLC		\$90.00
25692			ditch debris removal	\$30.00	\$0.00
410016542404800			Storm Water - Repairs & Maint.	\$30.00	
26080			ditch debris removal	\$60.00	\$0.00
410016542404800			Storm Water - Repairs & Maint.	\$60.00	
33479	14-May-12	11777	Lake Stevens Fire		\$2,790.00
Q1.2012			Fire fees	\$2,790.00	\$0.00
633000589500000			Fire Dept Fee Remittance	\$2,790.00	
33480	14-May-12	852	Lake Stevens Journal		\$438.85
77058			Advertising - legal	\$187.60	\$0.00
101016542004100			Street Fund - Professional Ser	\$93.80	
410016542404101			Storm Water - Professional Ser	\$93.80	
77122			Advertising - legal	\$53.60	\$0.00
001007558004400			Planning - Advertising	\$53.60	
77155			Advertising - legal	\$73.70	\$0.00
001007558004400			Planning - Advertising	\$73.70	
77156			Advertising - legal	\$90.45	\$0.00
001007558004400			Planning - Advertising	\$90.45	

Detail Check Register

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Lake Stevens

Check No	Check Date	VendorNo	Vendor		Check Amount
77230			Advertising - legal	\$33.50	\$0.00 \$33.50
001013514304400			General Government - Advertisin	\$33.50	
33481	14-May-12	854	Lake Stevens Mini Mart		\$286.89
03/23/12			Fuel	\$182.52	\$0.00 \$182.52
001008521003202			Boating - Fuel	\$182.52	
04/27/12			Fuel	\$104.37	\$0.00 \$104.37
001008521003202			Boating - Fuel	\$27.93	
001013519903200			General Government - Fuel	\$76.44	
33482	14-May-12	12751	LAKE STEVENS POLICE GUILD		\$1,121.00
05/01/12			Union dues	\$1,121.00	\$0.00 \$1,121.00
001000281000000			Payroll Liabilities	\$1,121.00	
33483	14-May-12	9340	Lake Stevens School District		\$263.75
8395			Facility rental	\$263.75	\$0.00 \$263.75
001001511604501			Legislative - Rentals	\$263.75	
33484	14-May-12	860	Lake Stevens Sewer District		\$630.00
05/01/12			Utilities - sewer	\$630.00	\$0.00 \$630.00
001008521004700			Law Enforcement - Utilities	\$70.00	
001010576804700			Parks - Utilities	\$140.00	
001012572504700			Library - Utilities	\$70.00	
001013519904700			General Government - Utilities	\$280.00	
101016542004700			Street Fund - Utilities	\$35.00	
410016542404700			Storm Water-Aerat. Utilities	\$35.00	
33485	14-May-12	12618	LAKESIDE INDUSTRIES		\$814.50
3240680MB			Street Repair Materials -	\$814.50	\$0.00 \$814.50
101016542003102			Street Fund Operating Costs	\$814.50	
33486	14-May-12	13844	Larry Skinner		\$100.00
050712			Boots	\$100.00	\$0.00 \$100.00
001007559003101			Building Department - Operatin	\$100.00	
33487	14-May-12	12603	LES SCHWAB TIRE CENTER		\$32.85
40200030605			Flat repair	\$32.85	\$0.00 \$32.85
101016542004800			Street Fund - Repair & Mainten	\$32.85	
33488	14-May-12	12215	LOWES COMPANIES		\$321.31
11069			Lights	\$93.13	\$0.00 \$93.13

Detail Check Register

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Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
001012572504800			Library - Repair & Maint.	\$93.13	
11070			PVC connectors	\$5.30	\$0.00 \$5.30
101016542004800			Street Fund - Repair & Mainten	\$5.30	
11112			Porch post and paint	\$99.57	\$0.00 \$99.57
001013519904800			General Government - Repair/Ma	\$99.57	
11411			Cork board	\$37.30	\$0.00 \$37.30
410016542403102			Storm Water - Operating Costs	\$37.30	
11426			Lumber	\$86.01	\$0.00 \$86.01
001010576804800			Parks - Repair & Maintenance	\$86.01	
33489	14-May-12	13345	Macks Towing		\$385.16
54609			Evidence towing	\$192.58	\$0.00 \$192.58
001008521003104			Law Enforcement-Operating Cost	\$192.58	
54610			Evidence towing	\$192.58	\$0.00 \$192.58
001008521003104			Law Enforcement-Operating Cost	\$192.58	
33490	14-May-12	13774	Maltby Container & Recycling		\$85.00
22615			Dump fees	\$85.00	\$0.00 \$85.00
101016542004800			Street Fund - Repair & Mainten	\$85.00	
33491	14-May-12	13711	New Chapter Cleaning		\$1,490.60
04/25/12			Retainage reimb - New Chapter	\$824.65	\$0.00 \$824.65
621000586000005			Janitorial Retainage Reimb	\$824.65	
1205			Janitorial Services	\$665.95	\$0.00 \$665.95
001007558004100			Planning - Professional Servic	\$21.85	
001007559004100			Building Department - Professi	\$21.85	
001008521004100			Law Enforcement - Professional	\$381.90	
001013519904100			General Government - Professio	\$109.25	
00101355504100			Community Center - Cleaning	\$87.40	
101016542004100			Street Fund - Professional Ser	\$21.85	
410016542404101			Storm Water - Professional Ser	\$21.85	
33492	14-May-12	13920	Northend Truck Equipment Inc		\$10,234.46
1026649			flat bed, sander, plow	\$10,234.46	\$0.00 \$10,234.46
530018594006400			Purchase Of Capital Equipment	\$10,234.46	

Detail Check Register

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Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
33493	14-May-12	12684	NORTHWEST CASCADE INC.		\$697.00
1-446987			Honey bucket rental	\$479.00	\$0.00 \$479.00
001010574204500			Special Events - Equipt Rental	\$479.00	
1-456436			Honey bucket rental	\$218.00	\$0.00 \$218.00
001010576804500			Parks - Equipment Rental	\$218.00	
33494	14-May-12	1091	Office Of The State Treasurer		\$14,957.92
04/2012			April 2012 State Court Fees	\$14,957.92	\$0.00 \$14,957.92
633008559005100			Building Department - State Bl	\$148.50	
633008589000003			Public Safety And Ed. (1986 As	\$6,883.80	
633008589000004			Public Safety And Education	\$4,329.35	
633008589000005			Judicial Information System-Ci	\$1,451.34	
633008589000008			Trauma Care	\$584.96	
633008589000009			school zone safety	\$155.80	
633008589000010			Public Safety Ed #3	\$187.53	
633008589000011			Auto Theft Prevention	\$806.33	
633008589000012			HWY Safety Act	\$60.86	
633008589000013			Death Inv Acct	\$52.42	
633008589000014			WSP Highway Acct	\$297.03	
33495	14-May-12	12450	PITNEY BOWES		\$48.34
9619164-AP12			Postage machine rental	\$48.34	\$0.00 \$48.34
001013519904500			General Government-Equip Renta	\$48.34	
33496	14-May-12	1140	PLATT ELECTRIC SUPPLY		\$80.33
1579475			Light Ballist	\$80.33	\$0.00 \$80.33
101016542004800			Street Fund - Repair & Mainten	\$80.33	
33497	14-May-12	12520	PUBLIC SAFETY TESTING		\$425.00
2012-4391			Q1.2012 Recriuting Assistance	\$425.00	\$0.00 \$425.00
001003516904100			Civil Service - Professional S	\$425.00	
33498	14-May-12	1177	Puget Sound Clean Air Agency		\$3,179.25
Q2.2012			Q2.2012 Clean Aire Assessment	\$3,179.25	\$0.00 \$3,179.25
001013531705100			General Government - Air Pollu	\$3,179.25	
33499	14-May-12	13304	Purchase Power		\$420.00
04/12 80009000018319			Postage	\$420.00	\$0.00 \$420.00

Detail Check Register

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Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
001007558004200			Planning - Communication	\$23.87	
001013519904200			General Government - Communica	\$374.68	
101016542004200			Street Fund - Communications	\$10.73	
410016542404200			Storm Water - Communications	\$10.72	
33500	14-May-12	11946	RANDY CELORI		\$674.55
1/22-3/13/2012			Flex medical reimb	\$674.55	\$0.00
001000281000000			Payroll Liabilities	\$674.55	
33501	14-May-12	13836	SCCFOA		\$40.00
05/24 mtg			05/24 meeting SCCFOA	\$40.00	\$0.00
001003514104300			City Clerks-Travel & Mtgs	\$22.00	
001004514234300			Finance - Travel & Mtgs	\$18.00	
33502	14-May-12	13842	Shannon & Wilson Inc		\$300.00
86457			Environment Engineering services	\$300.00	\$0.00
101016595616440			36th Street Bridge Repair	\$300.00	
33503	14-May-12	13745	Shelton Finish LLC		\$11,482.66
2011-323			re-roofing Lundeen shelter & restroo	\$11,482.66	\$0.00
001010576804803			Parks-Lundeen-Repair & Maint	\$11,482.66	
33504	14-May-12	13939	Sno Co Committee Improved Tran		\$400.00
2012 dues			2012 Dues	\$400.00	\$0.00
001013519904900			General Government - Miscellan	\$400.00	
33505	14-May-12	1379	Snohomish County Human Service		\$1,480.37
I000298167			Liquor excise taxes	\$1,480.37	\$0.00
001013567005100			General Government - Alcoholis	\$1,480.37	
33506	14-May-12	1382	Snohomish County Public Works		\$85,786.42
I000297400			800 MHZ O&M Assessment	\$62,349.00	\$0.00
001008528005100			Law Enforcement - Snopac Dispa	\$62,349.00	
I000297437			2012 Capital Costs	\$22,618.00	\$0.00
303008528005100			800 MHZ Capital Costs	\$22,618.00	
I000297472			Agreement G0800610 Match	\$46.54	\$0.00
410016531503102			G0800610 - M/TAC Exp	\$46.54	
I000297901			Signal repair and maint	\$772.88	\$0.00
101016542004800			Street Fund - Repair & Mainten	\$772.88	

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Check No	Check Date	VendorNo	Vendor	Check Amount	
33507	14-May-12	12961	SNOHOMISH COUNTY PUD		\$12,211.79
110506512			Utilities - electric	\$263.59	\$0.00
					\$263.59
001010576804700			Parks - Utilities	\$87.86	
101016542004700			Street Fund - Utilities	\$87.86	
410016542404701			Storm Water Utilities	\$87.87	
117150552			Utilities - electric	\$238.17	\$0.00
					\$238.17
101016542630000			Street Fund - Street Lighting	\$238.17	
120470694			Utilities - electric	\$8,938.57	\$0.00
					\$8,938.57
101016542630000			Street Fund - Street Lighting	\$8,938.57	
120470695			Utilities - electric	\$811.20	\$0.00
					\$811.20
101016542630000			Street Fund - Street Lighting	\$811.20	
120470696			Utilities - electric	\$1,101.11	\$0.00
					\$1,101.11
101016542630000			Street Fund - Street Lighting	\$1,101.11	
123787893			Utilities - electric	\$338.65	\$0.00
					\$338.65
101016542630000			Street Fund - Street Lighting	\$338.65	
130413554			Utilities - electric	\$159.47	\$0.00
					\$159.47
101016542630000			Street Fund - Street Lighting	\$159.47	
133719772			Utilities - electric	\$361.03	\$0.00
					\$361.03
101016542630000			Street Fund - Street Lighting	\$361.03	
33508	14-May-12	12961	SNOHOMISH COUNTY PUD		\$136.86
107195095			Utilities - electric	\$42.12	\$0.00
					\$42.12
101016542630000			Street Fund - Street Lighting	\$42.12	
127104436			Utilities - electric	\$66.44	\$0.00
					\$66.44
001010576804700			Parks - Utilities	\$66.44	
140264661			Utilities - electric	\$28.30	\$0.00
					\$28.30
001010576804700			Parks - Utilities	\$28.30	
33509	14-May-12	1388	Snohomish County Treasurer		\$316.38
04/2012			April 2012 Crime Victims Comp	\$316.38	\$0.00
					\$316.38
633008589000001			Crime Victims Compensation	\$316.38	
33510	14-May-12	1356	SNOPAC		\$25,069.02

Detail Check Register

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Lake Stevens

Check No	Check Date	VendorNo	Vendor		Check Amount
5353			Dispatch services	\$25,069.02	\$0.00 \$25,069.02
		001008528005100	Law Enforcement - Snopac Dispa	\$25,069.02	
33511	14-May-12	13139	Steven Edin		\$271.92
04/30/12			Supplies/AWC Labor Relations Conf	\$271.92	\$0.00 \$271.92
		001003516104300	Human Resources-Travel & Mtgs	\$224.18	
		001003517400000	Admin. Wellness program	\$47.74	
33512	14-May-12	12579	SUMMIT LAW GROUP		\$2,175.00
56531			Professional services Labor relation	\$2,175.00	\$0.00 \$2,175.00
		001008521004100	Law Enforcement - Professional	\$2,175.00	
33513	14-May-12	13891	Tacoma Screw Products Inc		\$247.58
10305956			Screws, nuts and bolts	\$81.07	\$0.00 \$81.07
		101016542003102	Street Fund Operating Costs	\$40.54	
		410016542403102	Storm Water - Operating Costs	\$40.53	
10314109			Screws, nuts and bolts	\$63.31	\$0.00 \$63.31
		101016542003102	Street Fund Operating Costs	\$31.66	
		410016542403102	Storm Water - Operating Costs	\$31.65	
10314765			Screws, nuts and bolts	\$103.20	\$0.00 \$103.20
		101016542003102	Street Fund Operating Costs	\$51.60	
		410016542403102	Storm Water - Operating Costs	\$51.60	
33514	14-May-12	11787	Teamsters Local No. 763		\$548.00
05/01/12			Union dues	\$548.00	\$0.00 \$548.00
		001000281000000	Payroll Liabilities	\$548.00	
33515	14-May-12	11934	The Bank of New York		\$73,824.38
05/03/2012-91870			LAKSGOREF08A - Series 2008A B	\$73,824.38	\$0.00 \$73,824.38
		210000592008300	2008 Bond Interest Payment	\$73,824.38	
33516	14-May-12	11934	The Bank of New York		\$20,309.38
05/03/2012-91869			LAKSTELTGO04 - Series 2004 Bon	\$20,309.38	\$0.00 \$20,309.38
		206008591008300	Police Station Int. Payment	\$20,309.38	
33517	14-May-12	1491	The Everett Herald		\$289.00
1778187-01			Advertising - employment	\$289.00	\$0.00 \$289.00
		001007558004400	Planning - Advertising	\$144.50	
		101016542004400	Street Fund - Advertising	\$144.50	
33518	14-May-12	13940	Troy Terry		\$39.91
BP2012-91			Partial Refund Permit BP2012-91	\$39.91	\$0.00 \$39.91

Detail Check Register

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Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
001000322001000			Building Permits	\$39.91	
33519	14-May-12	11788	United Way of Snohomish Co.	\$325.68	
05/12			Employee Contributions	\$325.68	\$0.00
001000281000000			Payroll Liabilities	\$325.68	
33520	14-May-12	13045	UPS	\$20.71	
74Y42152			Evidence shipping	\$14.02	\$0.00
001008521004200			Law Enforcement - Communicatio	\$14.02	
74Y42172			Evidence shipping	\$6.69	\$0.00
001008521004200			Law Enforcement - Communicatio	\$6.69	
33521	14-May-12	12158	VERIZON NORTHWEST	\$2,665.04	
1078245176			Wireless Phones	\$2,665.04	\$0.00
001003511104200			Executive - Communication	\$58.54	
001003513104200			Administration-Communications	\$87.86	
001003514104200			City Clerks-Communications	\$35.02	
001003516104200			Human Resources-Communications	\$57.84	
001003518104200			IT Dept-Communications	\$114.34	
001007558004200			Planning - Communication	\$121.81	
001008521004200			Law Enforcement - Communicatio	\$1,582.38	
001010576804200			Parks - Communication	\$202.41	
101016542004200			Street Fund - Communications	\$202.42	
410016542404200			Storm Water - Communications	\$202.42	
33522	14-May-12	1579	VILLAGE ACE HARDWARE	\$845.87	
04/30/12			supplies	\$845.87	\$0.00
001008521004800			Law Enforcement - Repair & Mai	\$58.62	
001010576804800			Parks - Repair & Maintenance	\$81.14	
001010576804803			Parks-Lundeen-Repair & Maint	\$15.71	
001012572504800			Library - Repair & Maint.	\$23.85	
001013519904800			General Government - Repair/Ma	\$214.64	
101016542003102			Street Fund Operating Costs	\$106.85	
101016542004800			Street Fund - Repair & Mainten	\$81.68	
101016542640000			Street Fund - Traffic Control	\$53.20	
410016542403102			Storm Water - Operating Costs	\$188.50	
410016542404800			Storm Water - Repairs & Maint.	\$21.68	
33523	14-May-12	1604	WASHINGTON AUDIOLOGY SERVICES	\$35.25	
38600			Audio testing	\$35.25	\$0.00
001007559004100			Building Department - Professi	\$11.75	
001008521004100			Law Enforcement - Professional	\$23.50	

Detail Check Register

10-May-12

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
33524	14-May-12	12845	ZACHOR & THOMAS, INC. P.S.	\$7,524.56	
603		Prosecutor services		\$7,524.56	\$0.00
001013515210000		Prosecutor fees		\$7,524.56	
Total Of Checks:				\$421,483.44	



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**CITY OF LAKE STEVENS
REGULAR CITY COUNCIL AND JOINT SPECIAL MEETING WITH
PLANNING COMMISSION MINUTES**

Monday, April 23, 2012
Lake Stevens School District Educational Service Center (Admin. Bldg.)
12309 22nd Street N.E. Lake Stevens

CALL TO ORDER: 7:00 p.m. by Mayor Pro Spencer

COUNCILMEMBERS PRESENT: Todd Welch, Suzanne Quigley, Kathy Holder, Kim Daughtry, Neal Dooley, and Mayor Vern Little

COUNCILMEMBERS ABSENT: Marcus Tageant

STAFF MEMBERS PRESENT: City Administrator Jan Berg, City Attorney Cheryl Beyer, Planning Director Becky Ableman, Finance Director/Treasurer Barb Lowe, Public Works Director Mick Monken, Human Resource Director Steve Edin, Senior Planner Russell Wright, Principal Planner Karen Watkins, Police Chief Randy Celori, and City Clerk/Admin. Asst. Norma Scott

OTHERS: Samuel Low

Mayor Little announced since he is not feeling well that Council President John Spencer will preside over the meeting.

Excused Absence. Councilmember Daughtry moved to excuse Marcus, seconded by Councilmember Welch; motion carried unanimously. (6-0-0-1)

Certificates of Appreciation. Mayor Pro Tem Spencer congratulated and provided certificates of appreciation to the following for their years of City service: Becky Ableman, Ron Brooks, Steve Edin, Jackie Eilert, Scotty Swift, Robert Miner, and James Wellington.

Consent Agenda. The minutes were removed from the Consent Agenda due to some corrections requested by Councilmember Holder.

MOTION: Councilmember Holder move to approve April 2012 vouchers (Payroll Direct Deposits 905969-905693 in the amount of \$128,344.47, Payroll Checks 33340 for \$2,401.45, Claims 33341-33422 for \$188,394.41, Electronic Funds Transfers 447-451 for \$27,485.77, Tax Deposit 4.13.2012 for \$46,012.48 for total vouchers approved of \$392,638.58); seconded by Councilmember Dooley; motion carried unanimously. (6-0-0-1)

Minutes of April 9, 2012 regular meeting. Councilmember Holder noted that on the second page of the minutes, third paragraph the word "al" should read "all" and under Council Person's Business where sewer online says in "12" weeks should read "2" weeks.

MOTION: Councilmember Dooley moved to approve April 9, 2012 minutes with changes made by Councilmember Holder, seconded by Councilmember Daughtry; motion carried with Councilmember Quigley abstaining. (5-0-1-1)

Guest Business. Samuel Low, 8409 4th Place SE, Lake Stevens, commented he was not able to speak at Council's presentation by Washington State Department of Transportation (WSDOT) on SR9/204. As a Lake Stevens resident, he believes none of the four plans presented are acceptable. Pedestrians and crosswalks were not discussed. Councilmember Daughtry mentioned he gave a copy of the plan Mr. Low provided to Russ East at WSDOT.

Public Hearing and consideration of first and final reading of Ordinance No. 872, permanent innovative housing options program code amendment (Cottage Housing). City Clerk Scott read the public hearing procedure. Principal Planner Watkins noted that in 2008 and 2009 several public hearings and meetings were held. The adopted Ordinance had a sunset clause of May 20, 2012. To date no projects have been submitted under the demonstration program due to the economic downturn. Staff recommends retaining this chapter on innovative housing options as it could be useful as a transition between the higher intensity subareas and existing residential developments. .

Councilmember Quigley asked if this is a narrow definition. Principal Planner Watkins responded the code is currently for Cottage Housing only. Councilmember Quigley suggested removing the Innovative Housing Review Panel and replacing with the already established Design Review Board.

Public comments. None

MOTION: Councilmember Daughtry moved to close public comments, seconded by Councilmember Dooley; motion carried unanimously. (6-0-0-1)

Councilmember Daughtry and Dooley agreed with Councilmember Quigley's comment on the Design Review Board.

MOTION: Councilmember Dooley moved to close the Public Hearing, seconded by Councilmember Holder; motion carried unanimously. (6-0-0-1)

Principal Planner Watkins reviewed the change to Section 14.46.015 (c) by replacing the Planning Commission as the innovative housing review panel with panel being changed to Design Review Board throughout the document.

MOTION: Councilmember Quigley moved for first and final reading of Ordinance 872 to substitute Innovative Housing Review Panel with Design Review Board and correcting any redundancy within the ordinance, seconded by Councilmember Dooley; motion carried unanimously. (6-0-0-1)

Council Person's Business: Councilmembers reported on the following meetings: Holder – Fire District did a sprinkler demonstration and has two chaplains now; and Daughtry – PSRC, SCCIT, and Highway 9 Coalition updates, and attended Shoreline Management Program (SMP) public meeting.

Mayor's Business: None

Staff Reports: Staff reported on the following meetings: Planning Director Ableman – SMP hearing, Showcase Lake Stevens and SR 9 Coalition; Public Works Director/Engineer Monken

Lake Stevens City Council Regular and Special Meeting Minutes April 23, 2012

– WSDOT open house on SR92/113th roundabout; and Police Chief Celori – home invasion and car prowl ended in an accident.

Mayor Pro-Tem Spencer noted the retreat is still scheduled for one half day on May 12.

Adjourn. Councilmember Dooley moved to adjourn at 7:38 p.m., seconded by Councilmember Daughtry; motion carried unanimously. (6-0-0-1)

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JOINT CITY COUNCIL AND PLANNING COMMISSION SPECIAL MEETING MINUTES

- CALL TO ORDER: 7:44 p.m. by Mayor Pro Tem John Spencer
- COUNCILMEMBERS PRESENT: Todd Welch, Suzanne Quigley, Kathy Holder, Kim Daughtry, Neal Dooley, and Mayor Vern Little
- COUNCILMEMBERS ABSENT: Marcus Tageant
- PLANNING COMMISSION MEMBERS PRESENT: Jennifer Davis, Janice Huxford, Linda Hoult, Dean Franz, and Gary Petershagen
- PLANNING COMMISSION MEMBERS ABSENT: Sammie Thurber and Pamela Barnet
- STAFF MEMBERS PRESENT: City Administrator Jan Berg, City Attorney Cheryl Beyer, Planning Director Becky Ableman, Finance Director/Treasurer Barb Lowe, Public Works Director Mick Monken, Human Resource Director Steve Edin, Senior Planner Russell Wright, Principal Planner Karen Watkins, Police Chief Randy Celori, and City Clerk/Admin. Asst. Norma Scott
- OTHERS: Samuel Low, Bill Trimm

Select 20th Street SE Corridor and Lake Stevens Center Subarea Plan Alternatives.

Planning Director Ableman noted that five Planning Commission members are present and was part of the public process. Senior Planner Wright reviewed the following discussion items: identify preferred alternative, Draft Environmental Impact Statement, market analysis, preliminary revenue forecast, public comment and draft capital improvement plan. Mr. Wright reviewed the following Lake Stevens Center Alternatives: No action alternative – The City does not adopt a subarea plan, Alternative 2 – focuses on intensive employment with residential, and Alternative 3 – enhanced employment with increased residential (increase in multi-family). 20th Street SE Corridor Subarea alternatives were reviewed as follows: Alternative 1 – No action alternative, Alternative 2 – intensive employment area, focused south of 20th Street, and Alternative 3: employment reduced as well as retail, but dramatic increase in innovative housing. Common impacts to both subarea plans were reviewed for transportation, public

services and utilities. Market Analysis was reviewed including retail centers (key factors to support the centers), market areas (primary and secondary) and employment growth.

Finance Director/Treasurer Lowe reviewed the preliminary revenue forecasts which were separated into two categories: one time revenues (spread evenly over 15 years – based on full build-out) and ongoing revenues (continual annual inflow).

Councilmember Quigley asked what it would take for the City to support the higher population. Planning Director Ableman responded they have only looked at infrastructure. Councilmember Spencer suggested using economy of scale to provide the dollar amount.

Senior Planner Wright reviewed public/agency comments specific to SEPA, which included concerns about traffic.

Planning Director Ableman noted the Capital Improvement Plan and Implementation Strategy Plan include: gateways and wayfinding, parks and recreation, water, sewer, and transportation.

Public Works Director/Engineer Monken reviewed the transportation projects, potential funding sources, and transportation implementation strategy.

Planning Director Ableman noted the next steps include: adopt a preferred alternative – reviewed selection options and implementation (primary and secondary tasks).

Councilmember Quigley requested more budget information and Councilmember Spencer requested more specifics on the transportation projects.

Planning Director Ableman introduced Bill Trimm who is helping with economic development and previously worked for Mill Creek.

Planning Director Ableman will bring back to Council additional information on the transportation implementation plan and costs in terms of service levels.

Councilmember Spencer noted the trestle has an impact on future development.

Consensus of Council was to continue these alternatives to May 7.

Adjourn. Councilmember Dooley moved to adjourn at 9:13 p.m. seconded by Councilmember Welch; motion carried unanimously. (6-0-0-1)

Vern Little, Mayor

Norma J. Scott, City Clerk/Admin. Asst.

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

Monday, May 7, 2012
Lake Stevens School District Educational Service Center (Admin. Bldg.)
12309 22nd Street N.E. Lake Stevens

CALL TO ORDER: 7:00 p.m. by Council President John Spencer

COUNCILMEMBERS PRESENT: Todd Welch, Kathy Holder, Kim Daughtry, Marcus Tageant, Neal Dooley, Suzanne Quigley and Mayor Vern Little

COUNCILMEMBERS ABSENT:

STAFF MEMBERS PRESENT: City Administrator Jan Berg, Planning Director Becky Ableman, Finance Director/Treasurer Barb Lowe, Public Works Director Mick Monken, Police Chief Randy Celori, Senior Planner Russ Wright; and Principal Planner Karen Watkins

OTHERS: Bill Trimm

Council discussed the following: Subarea plans preferred alternatives selection.

Adjourn. 8:55 p.m.

John Spencer, Council President

Norma J. Scott, City Clerk/Admin. Asst.



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LAKE STEVENS CITY COUNCIL
STAFF REPORT

Council Agenda Date: 14 May 2012

Subject: Lake Stevens Aerator Pump Motor Repair Contract – Approval of Increase

Contact Mick Monken **Budget Impact:** \$267.83
Person/Department: Public Works

RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL: Approve contract increase with Rogers Machinery Company Inc. for \$267.83 for a final contract amount of \$13,304.38.

SUMMARY/BACKGROUND:

In December 2011, the Council awarded a contract to Rogers Machinery Company Inc to remove, repair, and replace the motor for the aerator air pump and approve a budget of \$13,036.55 that included a \$3,000 contingency. Work was begun in January 2012 and the motor was reinstalled in March.

After the installation it was discovered that there was an electrical circuit problem with the power supply and controller to the motor. Change Orders were executed to perform these repairs. It was expected at the time of the execution of the Change Orders that the repairs would come in within the contingency amount. Upon the completion of the contract, it was discovered that sales tax was miscalculated and the final budget exceed the contract amount by \$267.83.

The system has been tested successfully and the Contractor has fulfilled the terms of the contract in the performance of the repairs. Final payment and project closeout will be performed once this budget increase has been approved.

The cost of this work will be shared between the County (11%) and the City (89%).

APPLICABLE CITY POLICIES: Contract amounts greater than \$5,000 and exceeding a Council approved budget require the Council approval for an increase budget.

BUDGET IMPACT: \$267.83

ATTACHMENTS:

▶ None



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LAKE STEVENS CITY COUNCIL
STAFF REPORT

Council Agenda Date: 9 April 2012

Subject: Award Contract to Precision Electric Group to perform electrical services for the City Shop

Contact Mick Monken **Budget Impact:** \$726.10
Person/Department: Public Works

RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL: Award the contract to Precision Electric Group Inc to perform electrical services for the City Shop in an amount of \$9,110.45 and authorize a management reserve in the amount of \$500.00.

SUMMARY/BACKGROUND: At the 9th April 2012 Council meeting, the Council authorized a contract budget for electrical services at the City shop for \$9,610.45 from Precision Electric Group Inc. During the execution of the contract, it was found that the contractor did not include overhead for prevailing wages as required by the City. A correction was made and the results showed that Precision was still the lowest bidder. The increase in the original contract budget is \$726.10.

Shop improvement budget for 2012 is \$28,962 and of this amount \$10,000 was allocated for the electrical work. With this increase, the budget total for the electrical work comes to \$10,336.55. A reduction in other improvement areas will be made to remaining within the total shop improvement budget.

In this action the original approved budget of \$9,610.54 will be increased to \$10,336.55. Any change orders that exceed this amount will be brought before the Council for authorization.

APPLICABLE CITY POLICIES: Council must authorize contracts exceeding \$5,000.

BUDGET IMPACT: \$726.10 increase for a total approved budget of \$10,336.55.

ATTACHMENTS:

▶ Exhibit A: None



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Proclamation

In recognition and support of the American Cancer Society Relay for Life

- WHEREAS,** Relay for Life is the signature activity of the American Cancer Society and honors cancer survivors and remembers those lost of the disease, and
- WHEREAS,** There are an estimated 11 million Americans with a history of cancer alive today, and
- WHEREAS** This year alone, more than 1.4 million new cases of cancer will be diagnosed in the United States and more than 32,000 in the State of Washington, and
- WHEREAS** Money raised during the American Cancer Society Relay for Life of Lake Stevens helps support research, education, advocacy and patient services, and
- WHEREAS** Relay for Life helps fund more than \$100 million in cancer research a year, and
- NOW
THEREFORE,** Be it resolved that we, the City Council of Lake Stevens do hereby proclaim May 19 as “Relay for Life” in Lake Stevens and encourage citizens to participate in Relay for Life at Lake Stevens High School.

So proclaimed this 14th day of May, 2012.

**Vern Little, Mayor
City of Lake Stevens**





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LAKE STEVENS CITY COUNCIL
STAFF REPORT

Council Agenda Date: May 14, 2012

Subject: Lake Stevens Sewer District (LSSD) Annexation

Contact Person/Department: Russ Wright, Planning &
Community Development

Budget Impact: none

RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL: Consider Resolution 2012-2 consenting to the proposed LSSD annexation.

SUMMARY:

Revised Code of Washington (RCW) 57.04.020 authorizes sewer districts to establish service areas within local jurisdiction boundaries, with the consent of the jurisdiction's legislative authority by resolution. As the LSSD is proposing to annex additional territory to include the remainder of the properties within Lake Stevens, the Council would consent to this proposed expansion by adopting the attached resolution.

BACKGROUND/HISTORY:

Following years of partnerships, the City and LSSD entered into a Unified Sewer Services and Annexation Agreement in May 2005. This agreement relates to the transition of services and facilities for the collection, conveyance and treatment of wastewater as well as future annexations. Under the agreement, neither agency will oppose requests for lawful annexation by the other. Approximately 1500 acres of the City are outside of the LSSD boundary. To increase public service, the LSSD desires to annex this remaining area into the district by a public election.

The LSSD Board of Commissioners adopted Resolution 861 at its April 26, 2012 regular meeting. This resolution initiates the annexation process, pursuant to RCW 57.24.230. The LSSD will transmit the resolution to Snohomish County and Boundary Review Board for action leading to a public vote on the upcoming November ballot, pursuant to RCW 57.24.240 - .250.

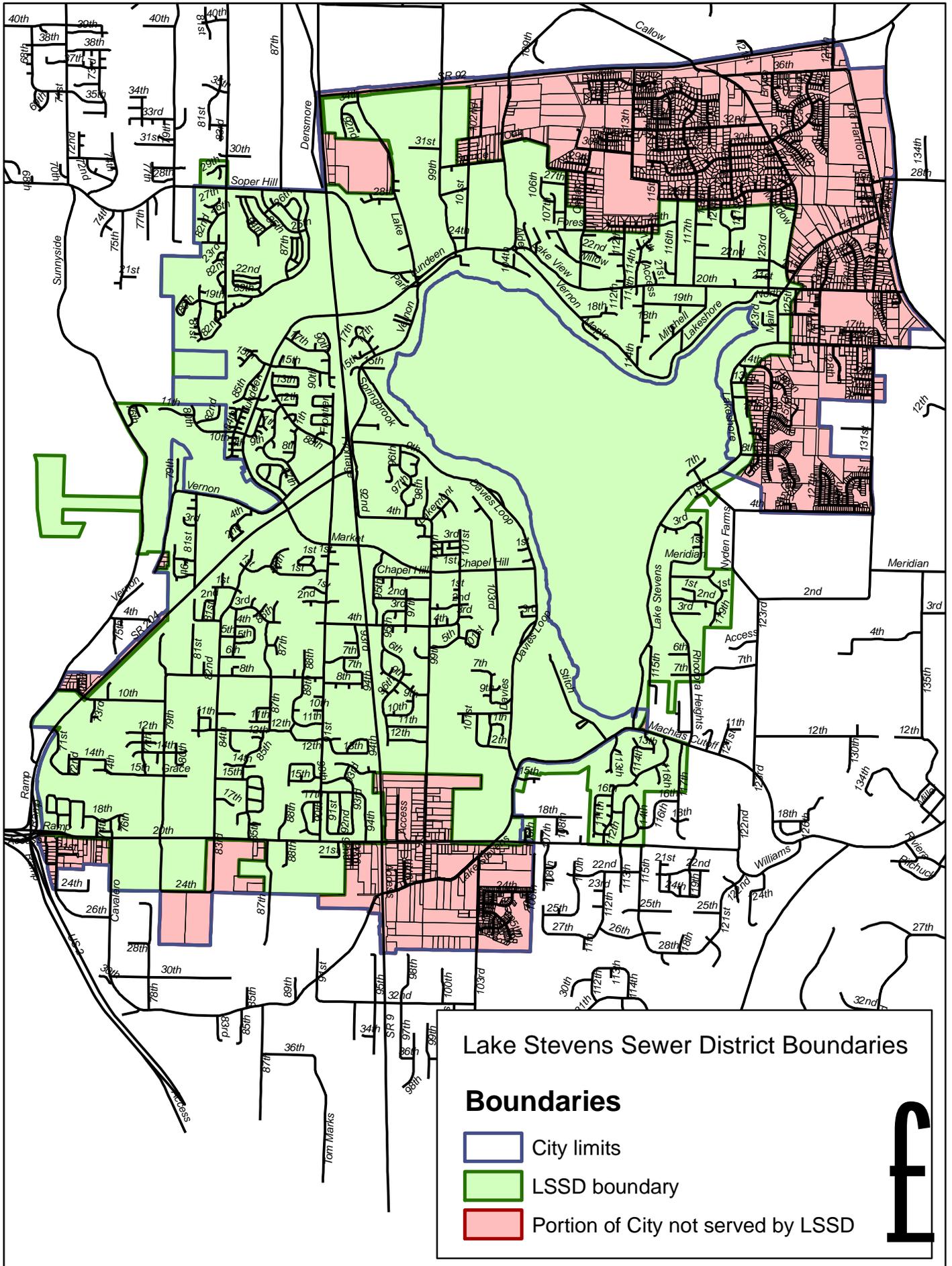
APPLICABLE CITY POLICIES: Unified Sewer Services and Annexation Agreement

BUDGET IMPACT: There is not a budget impact from this action

ATTACHMENTS:

Annexation Vicinity Map

Resolution 2012-2



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

RESOLUTION 2012-2

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE STEVENS, WASHINGTON, CONSENTING TO THE LAKE STEVENS SEWER DISTRICT BOARD OF SEWER COMMISSIONERS' RESOLUTION TO ANNEX ALL REAL PROPERTY LOCATED WITHIN THE INCORPORATED BOUNDARIES OF THE CITY OF LAKE STEVENS INTO THE OFFICIAL BOUNDARIES OF THE DISTRICT.

WHEREAS, Lake Stevens Sewer District (the "District") operates a system of sewerage in the vicinity of Lake Stevens, Snohomish County, Washington, pursuant to Title 57 RCW; and

WHEREAS, on May 23, 2005 the District and the City of Lake Stevens (City) entered into a Unified Sewer Services Agreement relating to the provision of public sanitary sewer service in the Lake Stevens Urban Growth Area ("UGA"); and

WHEREAS, the Unified Sewer Services Agreement describes, inter alia, the unification of the sewerage system within the UGA and coordination of capital projects and annexations of the District by the City and the ultimate transfer of the Unified Sewer System from the District to the City; and

WHEREAS, pursuant to the Unified Sewer Services Agreement the District acquired certain sewerage facilities from the City and agreed to provide sewerage services to customers within the City's incorporated boundaries and UGA during Step 1 as described in Article 4 of the Unified Sewer Services Agreement ("Step 1"); and

WHEREAS, the City and the District have determined and agree that it is in the public interest during Step 1 to ensure that the District's annexed boundaries include all real property located within the incorporated boundaries of the City, and accomplishment of that goal will require approximately 1,500 acres of real property currently in the City to be annexed into the District; and

WHEREAS, pursuant to RCW 57.24.230, et seq., the City and the District have entered into an inter-local agreement stating their mutual intention to allow the District to annex territory within City, and that the District Commissioners may initiate a process for the annexation of such territory by resolution;

WHEREAS, subject to the conditions set forth below, the Lake Stevens City Council concurs with the District's intention to annex real property located within the City's incorporated boundaries.

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

Section 1. Subject to Sections 2 and 3 below, the Lake Stevens City Council consents to the District's request to expand the District boundaries to include all real property within the incorporated boundaries of the city of Lake Stevens, pursuant to RCW 57.04.020, by annexation through election.

Section 2. The consent and agreement provided herein is subject to continued compliance with the Unified Sewer Services Agreement, as amended, and nothing contained in this resolution is intended to amend said agreement.

Section 3. Nothing contained in this resolution is intended to alter or waive Step 2 of Article 4 of the Unified Sewer Services Agreement which provides for the ultimate transfer of the Unified Sewer System from the District to the City.

PASSED by the City Council of the City of Lake Stevens this 14th day of May, 2012.

Vern Little, Mayor

ATTEST:

Norma J. Scott, City Clerk/Admin. Asst.

APPROVED AS TO FORM:

Grant K. Weed, City Attorney



LAKE STEVENS CITY COUNCIL
STAFF REPORT

Council Agenda Date: 5/14/12

Subject: Ordinance No. 873, Amending Portions of Title 9, Criminal Code of the Lake Stevens Municipal Code.

Contact Person/Department: Chief Randy W. Celori **Budget Impact:** N/A

RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL: Approve first and final reading of Ordinance No. 873 Amending portions of Title 9, Criminal Code, of the Lake Stevens Municipal Code.

SUMMARY/BACKGROUND:

With numerous changes in state laws over the past several years the Police Department requested the City Attorney and Prosecutors Office to review our Criminal Code. After a thorough review by both offices, it is recommended that the City approve Ordinance No. 873 which contains all the recommended changes by our City Attorney and Prosecutor's Office.

Major amendments include adoption of State Code related to misdemeanor and gross misdemeanor criminal behavior and penalties and the removal of the Curfew Ordinance. In the event a state code is amended or repealed by the Washington State Legislature, the Lake Stevens Municipal Code will automatically amend or repeal said chapters to conform to the State.

In regards to the curfew ordinance, during the 1990's a number of Washington Cities, to include Lake Stevens passed juvenile curfew ordinances. However, curfew ordinances have not fared well in Washington courts. In 2003, the state supreme invalidated a city of Sumner curfew and parental responsibility ordinance on the ground that it was unconstitutionally vague. The state court of appeals also invalidated a Bellingham curfew ordinance on the basis that, in addition to being unconstitutionally vague, it unconstitutionally restricted juveniles' freedom of movement and expression.

APPLICABLE CITY POLICIES:

BUDGET IMPACT: Not applicable

ATTACHMENTS:

► Exhibit A: Amended LSMC, Title 9, Criminal Code with markups.

CITY OF LAKE STEVENS
Lake Stevens, Washington

ORDINANCE NO. 873

AN ORDINANCE OF THE CITY OF LAKE STEVENS, WASHINGTON AMENDING PORTIONS OF TITLE 9 THE "CRIMINAL CODE" OF THE LAKE STEVENS MUNICIPAL CODE (LSMC) CHAPTERS 9.04, 9.08, 9.12, 9.16, 9.20, 9.28, 9.32, 9.36, 9.40, 9.44, 9.48, 9.52 and 9.54; AND PROVIDING FOR SEVERABILITY.

WHEREAS the City desires to update its Criminal Code Codified in LSMC Title 9;

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

Section 1. LSMC Chapter 9.04 entitled "GENERAL PROVISIONS" is amended to read as follows:

**Chapter 9.04
GENERAL PROVISIONS**

Sections:

- 9.04.010 Retroactive effect, and Construction, Adoption of State Code by Reference, Automatic amendments, Definitions.
- 9.04.020 Principles of liability
- 9.04.030 Defenses
- 9.04.040 Contempt
- 9.04.050 Anticipatory offenses prohibited
- 9.04.060 Penalty

9.04.010 Retroactive Effect and Construction.

1. The provisions of Revised Chapter 9.04 through 9.52 of Title 9 of the Lake Stevens Municipal Code do not apply to or govern the construction of a punishment for any offense committed prior to 12:01 am on July 1, 1994, or to the construction and application of any defense to a prosecution for such an offense. Such an offense must be construed and punished according to the provisions of law existing at the time of the commission thereof in the same manner as if this chapter had not been enacted.

2. When a state statute is adopted by reference and the statute uses the word "Title" or words "the title", these words shall be construed to mean and refer to the title of the Revised Code of Washington from which the state statute is adopted.

3. The Chapters and Sections of Title 9 of the Lake Stevens Municipal Code which are adopted by reference from the Revised Code of Washington shall be construed consistently with judicial decisions about state law.

4. Adoption of State Statutes by Reference.

a. Adoption of State Code generally.

All misdemeanor and gross misdemeanor criminal behavior and the penalties therefore as defined by the State of Washington, Revised Code of Washington, are adopted by reference by the City of Lake Stevens, to become a misdemeanor or gross misdemeanor of the City of Lake Stevens, and to the extent otherwise enforceable by the State of Washington, shall likewise be

enforceable by the City of Lake Stevens, through its Police Department and its prosecuting authority, all in the same manner and fashion as such enactment may be enforced or prosecuted in the name of the state.

b. The sections and chapters of the Revised Code of Washington are herewith adopted by reference, as set forth in Lake Stevens Municipal Code Title 9. This adoption shall not be to the exclusion of those sections not specifically mentioned by this direct reference; rather, this reference shall be a supplement to such adoption.

c. Statutes of the state of Washington Revised Code of Washington specified in the Lake Stevens Municipal Code are adopted by reference as and for a portion of the penal code of the City of Lake Stevens as if set forth in full, with the exception of the penalty provisions thereof which are superseded by the penalty provisions of said chapters, as set forth in LSMC 6.04.060.

5. The amendment or repeal by the Washington State Legislature of any of the statutes adopted in the LSMC by reference shall be deemed to automatically amend or repeal said chapters in conformity therewith, and it shall not be necessary for the legislative authority of the city to take any action with respect to such amendments or repealers.

6. Definitions – incorporated by Reference.
The following statute is incorporated in this chapter by reference.
9A.04.110 Definitions.

9.04.020 Principles of liability.

The following state statutes, including all future amendments, additions or deletions, are adopted by reference:

1. RCW 9A.08.010, General requirements of culpability.
2. RCW 9A.08.020, Liability for conduct of another--Complicity.
3. RCW 9A.08.030, Criminal liability of corporations and persons acting or under a duty to act in their behalf.

9.04.030 Defenses.

The following state statutes, including all future amendments, additions or deletions, are adopted by reference:

1. RCW 9A.12.010, Insanity.
2. RCW 9A.16.010, Definition.
3. RCW 9A.16.020, Use of Force--When lawful.
4. RCW 9A.16.040, Justifiable homicide or use or deadly force by public officer, peace officer, person aiding
5. RCW 9A.16.060, Duress.
6. RCW 9A.16.070, Entrapment.
7. RCW 9A.16.080, Action for being detained on mercantile establishment premises for investigation--"Reasonable grounds" as defense.
8. RCW 9A.16.090, Intoxication.

9.04.040 Contempt.

The following state statutes, including all future amendments, additions or deletions, are hereby adopted by reference:

1. RCW 7.21.010, Definitions.
2. RCW 7.21.020, Sanctions--Who may impose.
3. RCW 7.21.030, Remedial sanctions--Payment for losses.
4. RCW 7.21.040, Punitive sanctions--Fines.
5. RCW 7.21.050, Sanctions--Summary imposition--Procedure.
6. RCW 7.21.060, Administrative, actions or proceedings--Petition to court for imposition of sanctions.
7. RCW 7.21.070, Appellant review.

9.04.050 Anticipatory offenses prohibited.

The following state statutes, including all future amendments, additions or deletions, are adopted by reference:

1. RCW 9A.28.020(1), (2), (3) (d) and (e), Criminal attempt.
2. RCW 9A.28.030, Criminal solicitation.
3. RCW 9A.28.040(1), (2), (3) (d) and (e), Criminal conspiracy.

9.04.060 Penalty.

1. Any person convicted of a gross misdemeanor shall be punished by a fine not to exceed \$5,000.00 or by imprisonment in jail for a term not to exceed 364 days ~~one year~~, or by both such fine and imprisonment.
2. Unless otherwise provided, any person convicted of violating the provisions of this chapter shall be guilty of a misdemeanor and shall be punished by a fine not to exceed \$1,000.00 or by imprisonment in jail for a term not to exceed 90 days, or by both such fine and imprisonment.
3. A person who is convicted of a misdemeanor violation of any provision of RCW Ch. 69.50 adopted by reference by the City of Lake Stevens shall be punished by imprisonment for not less than 24 consecutive hours, and by a fine of not less than \$250.00. On a second or subsequent conviction, the fine shall not be less than \$500.00. These fines shall be in addition to any other fine or penalty imposed. Unless the court finds that the imposition of the minimum imprisonment will pose a substantial risk to the defendant's physical or mental well-being or that local jail facilities are in an overcrowded condition, the minimum term of imprisonment shall not be suspended or deferred. If the court finds such risk or overcrowding exists, it shall sentence the defendant to a minimum of 40 hours of community service. If a minimum term of imprisonment is suspended or deferred, the court shall state in writing the reason for granting the suspension or deferral and the facts upon which the suspension or deferral is based. Unless the court finds the person to be indigent, the minimum fine shall not be suspended or deferred. (Ord. 448, Sec. 3, 1994)

Section 2. LSMC Chapter 9.08 entitled "CRIMES RELATING TO PERSONS" is amended to read as follows:

Chapter 9.08 CRIMES RELATING TO PERSONS

Sections:

- 9.08.010 Assault and Other Crimes Involving Physical Harm--Adopted by Reference

- 9.08.020 Menacing
- 9.08.030 Aggressive Begging
- 9.08.040 Harassment
- 9.08.050 Custodial Interference
- 9.08.060 Violation of Civil Anti –Harassment Orders

9.08.010 Assault and other crimes involving physical harm - Adopted by Reference.

The following state statutes, including all future amendments, additions or deletions, are adopted by reference:

1. RCW 9A.36.041 Assault in the fourth degree.
2. RCW 9A.36.050 Reckless endangerment ~~in the second degree.~~
3. RCW 9A.36.070 Coercion.
4. RCW 9.61.330 Telephone calls to harass, intimidate, torment or embarrass.
5. RCW 9.61.240 Telephone calls to harass, intimidate, torment or embarrass-- Permitting telephone to be used.
6. RCW 9.61.250 Telephone calls to harass, intimidate, torment or embarrass-- offenses, where deemed committed.
7. RCW Chapter 10.99 Domestic Violence--Official Response.
8. 26.50.010 Definitions.
9. 26.50.020 Commencement of action Jurisdiction-Venue.
10. 26.50.030 Petition for an order of protection-availability of forms and instructional brochures.
11. 26.50.040 Application for leave to file in forma pauperis.
12. 26.50.050 Hearing-Service-Time.
13. 26.50.060 Relief.
14. 26.50.070 Exparte temporary order for protection.
15. 26.50.080 Issuance of order-assistance of peace officer-designation of appropriate law enforcement agency.
16. 26.50.090 Order-Service.
17. 26.50.100 Order-Transmittal to law enforcement agency-Record in law enforcement system-Enforceability.
18. 26.50.110 Violation of order-Penalties.
19. 26.50.120 Violation of order-Prosecuting attorney or attorney for municipality may be requested to assist-Costs and attorney's fees.
20. 26.50.130 Order-Modification-Transmittal.
21. 26.50.140 Peace officers-Immunity.
22. 26.50.200 Title to real estate-Effect.
23. 26.50.210 Proceedings additional.
24. RCW 9A.36.150 Interfering with the reporting of domestic violence.
25. RCW 26.09.300 Restraining orders - Notice - Refusal to comply - Arrest - Penalty - Defense - Peace officers, immunity.
26. RCW 9A.36.160 and 161. Failing to Summon Assistance and Penalty.
27. RCW 9A.42.037 Criminal Mistreatment in the fourth degree.
28. RCW 9A.42.080 Abandonment of a dependent person in the third degree – Exception.
29. RCW 9A.42.110 Leaving a child in the care of a sex offender.
30. RCW 9A.44.096 Sexual misconduct with a minor in the second degree.
31. RCW 9.61.260 Cyberstalking

(Ord. 536, 1996; Ord. 457, Sec. 1, 1994; Ord. 448, Sec. 3, 1994)

9.08.020 Menacing.

A person is guilty of menacing when he or she knowingly causes or attempts to cause another person to believe that he or she or any member of his or her family will be the victim of serious physical injury or death. Menacing is a gross misdemeanor.

9.08.030 Aggressive begging.

1. It is a crime for any person to engage in aggressive begging in any public place in the city as those terms are defined by this section.

2. As used in this section:

(a) Aggressive begging shall mean to beg with intent to intimidate another person into giving money or goods.

(b) Beg shall mean to ask for money or goods as a charity, whether by words, bodily gestures, signs or other means.

3. Intimidate shall mean to coerce or frighten into submission or obedience.

4. Public place shall mean any road, alley, lane, parking area, sidewalk or any place, private or other wise, adapted to and fitted for vehicular or pedestrian travel, that is in common use by the public with the consent, expressed or implied, of the owner or owners, and further, any public playground, school grounds, recreation grounds, parks, parkways, park drives, park paths and rights-of-way open to the use of the public.

9.08.040 Harassment.

The following state statutes, including all future amendments, additions or deletions, are adopted by reference:

1. RCW 9A.46.020, Definition--Penalties.
2. RCW 9A.46.030, Place where committed.
3. RCW 9A.46.040, Court-Ordered requirements upon person charged with crime--Violation.
4. RCW 9A.46.050, Arraignment--No-contact order.
5. RCW 9A.46.060, Crimes included in harassment.
6. RCW 9A.46.070, Enforcement of orders restricting contact.
7. RCW 9A.46.080, Order restricting contact--Violation.
8. RCW 9A.46.090, Nonliability of peace officer.
9. RCW 9A.46.100, "Convicted," time when.
10. RCW 9A.46.110, Stalking.
11. SB 6007, Chapter 271, Laws of 1994, Stalking.
12. RCW 10.14 "Harassment"
13. RCW 9.35.030 Soliciting undesired mail.

9.08.050 Custodial interference.

The following state statutes, including all future amendments, additions or deletions, are hereby adopted by reference:

1. RCW 9A.40.070, Custodial interference in the second degree.
2. RCW 9A.40.080, Custodial interference--Assessment of costs--Defense--Consent defenses, restricted.

9.08.060 Violation of civil anti-harassment orders.

It is a gross misdemeanor to willfully disobey a temporary or permanent anti-harassment order issued pursuant to RCW Ch. 10.14. (Ord. 448, Sec. 3, 1994)

Section 3. LSMC Chapter 9.12 entitled "CRIMES RELATING TO CHILDREN AND MINORS" is amended to read as follows:

Chapter 9.12
CRIMES RELATING TO CHILDREN AND MINORS

Sections:

- 9.12.010 Statute adopted
- 9.12.020 Leaving children unattended

9.12.010 Statute Adopted.

The following state statute, including all future amendment additions or deletions, is adopted by reference:

1. RCW 9.68A.090, Communicating with a minor for immoral purposes.
2. RCW 13.32A.080, Unlawful harboring of a minor--Penalties--Defense-- Prosecution of adult for involving child in commission of offense.

9.12.020 Leaving children unattended.

1. It is unlawful for any person having the care, custody and/or control of minor children under the age of eight years, to leave such children in a parked automobile unless attended by a person over the age of 12 years, while such vehicle is standing upon a street or alley or in a public place. Every person convicted of a violation of the provisions of this section shall be guilty of leaving children unattended, a misdemeanor. (Ord. 448, Sec. 3, 1994)

2. Statute Adopted

- a. RCW 9.91.060 Leaving children unattended in parked automobile.
- b. RCW 46.61.685 Leaving children unattended in standing vehicle with motor running.

Section 4. LSMC Chapter 9.16 entitled "CRIMES RELATING TO PUBLIC MORALS" is amended to read as follows:

Chapter 9.16
CRIMES RELATING TO PUBLIC MORALS

Sections:

- 9.16.010 Definitions
- 9.16.020 RCW 9A.88.010 Indecent Exposure adopted by reference
- 9.16.030 Locations of performers providing certain forms of entertainment restricted
- 9.16.040 Prostitution--Unlawful acts, penalty RCW 9A.88.030 Prostitution and 9A.88.090 Permitting prostitution adopted by reference
- 9.16.050 Probation violations
- 9.16.060 Prostitution--Sex of parties immaterial
- 9.16.070 Patronizing a prostitute RCW 9A.88.110 adopted by reference
- 9.16.080 Sexual exploitation of children and minor access to erotic materials
- 9.16.090 Urinating in public
- 9.16.100 Nude Sunbathing Prohibited

9.16.010 Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Act of prostitution shall mean engaging, offering, or agreeing to engage in sexual contact or sexual conduct with any person in return for a fee.

Actor shall mean a person who engages in conduct in violation of this article.

Exposed shall mean the state of being revealed, exhibited or otherwise rendered to public view.

Expressive dance shall mean any dance which, when considered in the context of the entire performance, constitutes an expression of theme, story, or ideas, but excluding any dance such as, but not limited to, common barroom type topless dancing which, when considered in the context of the entire performance, is presented primarily as a means of displaying nudity as a sales device or for other commercial exploitation without substantial expression of theme, story or ideas, and the conduct appeals to the prurient interest, depicts sexual conduct in a patently offensive way and lacks serious literary, artistic, political or scientific value.

Fee shall mean money, any negotiable instrument, any good or service having value, or any other consideration.

Known prostitute or panderer shall mean a person who, within one year prior to the date of arrest for a violation of this article, has been convicted of violating any ordinance or law of any jurisdiction within the state of defining and punishing acts of soliciting, committing or offering or agreeing to commit prostitution.

Person shall mean and include natural persons of either sex, firms, corporations and all associations of natural persons, whether acting by themselves or by an agent, servant or employee.

Sexual conduct shall mean:

1. Sexual intercourse within its ordinary meaning, occurring upon any penetration, however slight; or
2. Any penetration of the vagina or anus, however slight, by an object, when committed on one person by another, whether such persons are of the same or opposite sex, except when such penetration is accomplished for medically recognized treatment or diagnostic purposes; or
3. Any act of sexual contact between persons involving the sex organs of one person and the mouth or anus of another whether such persons are of the same or opposite sex; or
4. Masturbation; manual or instrumental, of one person by another.

Sexual contact shall mean any touching of the sexual or other intimate parts of a person done for the purpose of gratifying sexual desire of either party.

9.16.020 Indecent exposure

The following state statutes, including all future amendments, additions or deletions, are hereby adopted by reference:

1. 9A.88.010 Indecent Exposure

~~1. A person is guilty of indecent exposure if he or she intentionally makes any open and obscene exposure of his or her person to the person of another knowing that such conduct is likely to cause reasonable affront or alarm.~~

~~2. Indecent exposure is a misdemeanor unless such person exposes himself or herself to a person under the age of 14 years in which case indecent exposure is a gross misdemeanor.~~

9.16.030 Locations of performers providing certain forms of entertainment restricted.

No entertainer shall appear in any public place while unclothed or with any portion of the buttocks, genitals, pubic region or female breasts exposed, except upon a stage or other surface raised at least 18 inches above the level of the floor upon which the closest patrons are seated or standing, nor closer than six feet from the nearest patron. Any violation of this section is a misdemeanor.

9.16.040 Prostitution--Unlawful acts, penalty – Adoption of RCW 9A.88.030 Prostitution and RCW 9A.88.090 Permitting prostitution by reference.

1. It is unlawful for anyone to:
 - (a) Intentionally engage in or offer or agree to engage in an act of prostitution;or
 - (b) Intentionally secure or offer to secure another person for the purpose of engaging in an act of prostitution; or
 - (c) To intentionally transport a person into or within the city with the purpose of promoting that person's engaging in an act of prostitution, or procuring or paying for transportation with that purpose; or
 - (d) Intentionally receive, offer or agree to receive a person into any place or building for the purpose of performing an act of prostitution, or to knowingly permit a person to remain there for any such purpose; or
 - (e) Intentionally direct a person to any place for the purpose of engaging in an act of prostitution; or
 - (f) Intentionally in any way aid, abet or participate in an act of prostitution; or
 - (g) Remain in or near any street, sidewalk, alleyway or other place open to the public with the intent of engaging in, inducing, enticing, soliciting or procuring a person to commit an act of prostitution. Among the circumstances which may be considered in determining whether the actor intends such prohibited conduct are:
 - (1) That the actor is a known prostitute or panderer.
 - (2) The actor repeatedly beckons to, stops or attempts to stop, or engages passersby in conversation, or repeatedly stops or attempts to stop motor vehicle operators by hailing, waving of arms or any other bodily gesture.
 - (3) The actor circles an area in a motor vehicle and repeatedly beckons to, contacts, or attempts to stop pedestrians.
 - (4) The actor inquires whether a potential patron, procurer or prostitute is a police officer, searches for articles that would identify a police officer, or requests the touching or exposing of genitals or female breasts to prove that the person is not a police officer; or
 - (h) Intentionally enter or remain in any area of prostitution in violation of a condition of probation.

2. Prostitution is a misdemeanor.

3. RCW 9A.88.050 Prostitution including all future amendments, additions, or deletions is adopted by reference.

4. RCW 9A.88.090 Permitting prostitution including all future amendments, additions, or deletions is adopted by reference.

9.16.050 Probation violations.

1. As used in this section, "probationer" means any person who, after conviction of a violation of this article or RCW Ch.9A.88, has been placed on probation in connection with the suspension or deferral of sentence by either a district or municipal court of this county or the county superior court.

2. Whenever a police officer shall have probable cause to believe that a probationer, prior to the termination of the period of his or her probation, is, in such officer's presence, violating or failing to comply with any requirement or restriction imposed by the court as a condition of such probation, such officer may cause the probationer to be brought before the court wherein sentence was deferred or suspended, and for such purpose such police officer may arrest such probationer without warrant or other process.

9.16.060 Prostitution--Sex of parties immaterial.

In any prosecution for prostitution, the sex of the two parties or prospective parties to the sexual conduct engaged in, contemplated, or solicited is immaterial and, therefore, no defense exists based upon the sex of the parties.

9.16.070 Permitting Patronizing a prostitute. RCW 9A.88.110 is adopted by reference.

A. A person is guilty of the misdemeanor of patronizing a prostitute if:

1. Pursuant to a prior understanding he or she intentionally pays a fee to another person as compensation for such person or a third person having engaged in sexual conduct or sexual contact with him or her; or

2. He or she intentionally pays or agrees to pay a fee to another person pursuant to an understanding that in return therefor such person will engage in sexual conduct or sexual contact with him or her; or

3. He or she intentionally solicits or requests another person to engage in sexual conduct or sexual contact with him or her in return for a fee.

B. RCW 9A.88.110 Patronizing a prostitute including all future amendments, additions, or deletions is adopted by reference.

9.16.080 Sexual exploitation of children and minor access to erotic materials.

The following state statutes, including all future amendments, additions or deletions, are hereby adopted by reference:

1. RCW 9.68A.011, Definitions.

2. RCW 9.68A.070, Possession of depictions of minor engaged in sexually explicit conduct.

3. RCW 9.68A.080, Processors of depictions of minor engaged in sexually explicit conduct--Report required.

4. RCW 9.68A.110(1),(2),(5), Certain defenses barred, permitted.

5. RCW 9.68A.120, Seizure and forfeiture of property.

6. RCW 9.68A.130, Recovery of costs of suit by minor.

7. RCW 9.68A.140, Definitions.

8. RCW 9.68A.150, Allowing minor on premises of live erotic performance.

9. RCW 9.68A.160, Penalty.

9.16.090 Urinating in public.

1. A person is guilty of urinating in public if he or she intentionally urinates or defecates in a public place, other than a washroom or toilet room, or at a place and under circumstances where such act could be observed by any member of the public.

2. Urinating in public is a misdemeanor.

9.16.100 Nude Sunbathing Prohibited.

1. A person is guilty of nude sunbathing if he or she intentionally makes any open or obscene exposure of his or her person at a public beach.
2. Every person who violates any provision of this section shall be guilty of a misdemeanor, and on conviction therefor shall be fined not more than two hundred fifty dollars. (Ord. 448, Sec. 3, 1994)

Section 5. LSMC Chapter 9.20 entitled "CRIMES RELATING TO PUBLIC PEACE" is amended to read as follows:

Chapter 9.20

CRIMES RELATING TO PUBLIC PEACE

Sections:

- 9.20.010 Disorderly conduct – RCW 9A.84.030 is adopted by reference
- 9.20.020 Riot; failure to disperse; obstruction
- 9.20.030 Privacy, violating right of
- 9.20.040 Malicious prosecution; abuse of process

9.20.010 Disorderly conduct.

1. ~~A person is guilty of disorderly conduct if her or she:
(a) Uses abusive language and thereby intentionally creates a risk of assault; or
(b) Intentionally disrupts any lawful assembly or meeting of persons without authority;~~
or
(c) Intentionally obstructs vehicular or pedestrian traffic without lawful authority; or
(d) Fights by agreement, except as a part of an organized athletic event.

2. ~~Disorderly conduct is a misdemeanor.~~
The following state statutes, including all future amendments, additions or deletions, are hereby adopted by reference

1. RCW 9A.84.030 Disorderly conduct.

9.20.020 Riot; failure to disperse; obstruction.

The following state statutes, including all future amendments, additions or deletions, are adopted by reference:

1. RCW 9A.84.010(1),(2)a (b), Riot.
2. RCW 9A.84.020, Failure to disperse.
3. RCW 9.27.015, Interference, obstruction of any court, building or residence--
Violations.

9.20.030 Privacy, violating right of.

The following state statutes, including all future amendments, additions or deletions, are adopted by reference:

1. RCW 9.73.010, Divulging telegram.
2. RCW 9.73.020, Opening sealed letter.
3. RCW 9.73.030, Intercepting, recording or divulging private communication--
Consent required--Exceptions.
4. RCW 9.73.070, Persons and activities excepted from chapter (as amended by 1991c312).

5. RCW 9.73.090, Certain emergency response personnel exempted from RCW 9.73.030 through 9.73.080, Standards--Court authorizations--Admissibility.
6. RCW 9.73.100, Recordings available to defense counsel.

9.20.040 Malicious prosecution; abuse of process.

The following state statutes, including all future amendments, additions or deletions, are adopted by reference:

1. RCW 9.62.010, Malicious prosecution.
2. RCW 9.62.020, Instituting suit in name of another. (Ord. 448, Sec. 3, 1994)

Section 6. LSMC Chapter 9.28 entitle "CRIMES RELATING TO PROPERTY" is amended to read as follows:

Chapter 9.28

CRIMES RELATING TO PROPERTY

Sections:

- 9.28.010 Theft, unauthorized issuance of bank checks and possession of stolen property
- 9.28.020 Malicious mischief and obscuring identity of machines
- 9.28.030 Trespass and related crimes
- 9.28.040 Disruption of school activities

9.28.010 Theft, unauthorized issuance of bank checks and possession of stolen property.

The following state statutes, including all future amendments, additions or deletions, are adopted by reference:

1. RCW 9A.56.010, Definitions.
2. RCW 9A.56.020, Theft--Definition, defense.
3. RCW 9A.56.050, Theft in third degree.
4. RCW 9A.56.060, (1), (2), (3), (5), Unlawful issuance of checks or drafts.
5. RCW 9A.56.140, Possessing stolen property--Definition, credit cards, presumption.
6. RCW 9A.56.170, Possessing stolen property in the third degree.
7. RCW 9A.56.220, Theft of cable subscription television services.
8. ~~RCW 9A.56.230, Unlawful sale of cable television services.~~
9. RCW 9A.56.240, Forfeiture and disposal of device used to commit violation.
10. RCW 9A.56.270, Shopping cart theft.
11. RCW 9A.56.063 Making or possessing motor vehicle theft tools.
12. RCW 9A.56.096 Theft of rental, leased, lease-purchased or loaned property.
13. RCW 9A.56.330 Possession of another's identification.

9.28.020 Malicious mischief and obscuring identity of machines.

The following state statutes, including all future amendments, additions or deletions, are adopted by reference:

1. RCW 9A.48.090, Malicious mischief in the third degree.
2. RCW 9A.48.100(1), Malicious mischief--"Physical damage" defined.
3. RCW 9A.56.180, Obscuring identity of a machine.
4. RCW 9A.56.105 Criminal Street Gang Tagging and Graffiti.

9.28.030 Trespass and related crimes.

The following state statutes, including all future amendments, additions or deletions, are adopted by reference:

1. RCW 9A.52.010, Definitions.
2. RCW 9A.52.060, Making or having burglary tools.
3. RCW 9A.52.070, Criminal trespass in the first degree.
4. RCW 9A.52.080, Criminal trespass in the second degree.
5. RCW 9A.52.090, Criminal trespass--Defenses.
6. RCW 9A.52.100, Vehicle prowling in the second degree.
7. RCW 9A.52.120, Computer trespass in the second degree.
8. RCW 9A.52.130, Computer trespass--Commission of other crime.

9.28.040 Disruption of school activities.

A person is guilty of disruption of school activities if he or she comes into or remains in a school building, classroom or upon any school ground, or street, sidewalk or public way adjacent thereto, and intentionally causes disruption of the activities of the school. (Ord. 448, Sec. 3, 1994)

Section 7. LSMC Chapter 9.32 entitled "CRIMES RELATING TO FRAUD AND FALSE REPRESENTATIONS" is amended to read as follows:

Chapter 9.32

CRIMES RELATING TO FRAUD AND FALSE REPRESENTATIONS

Sections:

- 9.32.010 Frauds
- 9.32.020 False representations

9.32.010 Fraud.

The following state statutes, including all future amendments, additions or deletions, are adopted by reference:

1. RCW 9.04.010, False advertising.
2. RCW 9.45.060, Encumbered, leased or rented personal property.
3. RCW ~~9.45.062, Failure to deliver leased personal property--Requisites for presentation--Construction.~~ RCW 9A.56.096 Theft of rental, leased, lease-purchased, or loaned property.
4. RCW 9.45.070, Mock auctions.
5. RCW 9.45.080, Fraudulent removal of property.
6. RCW 9.45.090, Knowingly receiving fraudulent conveyance.
7. RCW 9.45.100, Fraud in assignment for benefit of creditors.
8. RCW ~~9A.60.045~~ 040, Criminal impersonation in the second degree.
9. RCW 9A.60.050, False certification.
10. RCW 9A.61.010, Definitions.
11. RCW 9A.61.020, Defrauding public utility.
12. RCW 9A.61.050, Defrauding a public utility in the third degree.
13. RCW 9A.61.060, Restitution and cost.

14. RCW 9A.60.070 False academic credentials – unlawful issuance or use – definitions-penalties.

9.32.020 False representations.

The following state statutes, including all future amendments, additions or deletions, are adopted by reference:

1. RCW 9.38.010, False representation concerning credit.
2. RCW 9.38.020, False representation concerning title. (Ord. 448, Sec. 3, 1994)

Section 8. LSMC Chapter 9.36 entitled "CRIMES RELATING TO PUBLIC OFFICERS" is amended to read as follows:

Chapter 9.36

CRIMES RELATING TO PUBLIC OFFICERS

Sections:

- 9.36.010 ~~Obstructing a law enforcement officer, public officers~~Obstructing justice, criminal assistance, introducing contraband, official misconduct, making a false or misleading statement and related offenses - RCW
Adopted by reference
- ~~9.36.020~~ ~~Public officer defined~~
- ~~9.36.030~~ ~~Obstructing justice, criminal assistance, introducing contraband and related offenses~~
- 9.36.040 Escape
- 9.36.050 Vehicles resembling police or fire vehicles
- 9.36.060 Interference with and abuse of police dogs prohibited

~~9.36.010 Obstructing public officers.~~

~~It is unlawful for any person to make any willfully untrue, misleading or exaggerated statement to, or to willfully hinder, delay or obstruct any public officer in the discharge of his or her official powers or duties. Obstructing public officers is a misdemeanor.~~

~~9.36.020 Public officer defined.~~

~~Public officer, as used in this article, comprises police officers; fire chief and his or her designees; city administrator, health officers; and the public works director and his or her designees; city clerk and his or her designee; code enforcement personnel; and other city personnel authorized for enforcement of city ordinances, statutes and codes.~~

9.36.030 9.36.010 Obstructing a law enforcement officer, Obstructing justice, criminal assistance, introducing contraband, Official Misconduct, Making a false or misleading statement and related offenses.

The following state statutes, including all future amendments, additions or deletions, are adopted by reference:

1. RCW 9.69.100, Duty of witness of offense against child or any violent offense--Penalty.
2. RCW 9A.72.010, Definitions.
3. RCW 9A.72.040, False swearing.
4. RCW 9A.72.060, Perjury and false swearing--Retraction.
5. RCW 9A.72.070, Perjury and false swearing--Irregularities no defense.
6. RCW 9A.72.080, Statement of what one does not know to be true.

7. RCW 9A.72.140, Jury tampering.
8. RCW 9A.72.150, Tampering with physical evidence.
9. RCW 9A.76.010, Definitions.
10. RCW 9A.76.030, Refusing to summon aid for a peace officer.
11. RCW 9A.76.040, Resisting arrest.
12. RCW 9A.76.050, Rendering criminal assistance--Definition of terms.
13. RCW 9A.76.060, Relative defined.
14. RCW 9A.76.080, Rendering criminal assistance in the second degree.
15. RCW 9A.76.090, Rendering criminal assistance in the third degree.
16. RCW 9A.76.100, Compounding.
17. RCW 9A.76.160, Introducing contraband in the third degree.
18. RCW 9A.76.170(1),(2)and 3(d) Bail jumping.
19. RCW 9A.84.040, False reporting.
20. RCW.9A.76.020 Obstructing a law enforcement officer
21. RCW 9A.76.175 Making a false or misleading statement to a public servant.
22. RCW 9A.80.110 Official Misconduct.

9.36.040 Escape.

The following state statutes, including future amendments, additions or deletions, are adopted by reference:

1. RCW 9.31.090, Escaped prisoner recaptured.
2. RCW 9A.76.130, Escape in the third degree.

9.36.050 Vehicles resembling police or fire vehicles.

No person shall operate a motor vehicle within the city which is painted and contains decals, numbers, name or insignia so as to simulate a city or county police or fire department vehicle, or city vehicle, without prior authorization from the police chief, fire chief, city manager, or their designees. Violation of this section is a misdemeanor.

9.36.060 Interference with and abuse of police dogs prohibited.

It is a misdemeanor for any person to willfully or maliciously interfere with, obstruct, torture, beat, kick, strike, or in any way abuse or harass any dog used by any police officer in discharging or attempting to discharge any legal duty or power of his or her office, under circumstances not amounting to "Harming a Police Dog," as defined in RCW 9A.76.200. (Ord. 448, Sec. 3, 1994)

Section 9. LSMC Chapter 9.40 entitled "CRIMES RELATING TO CONTROLLED SUBSTANCES, DRUG PARAPHERNALIA, POISONS AND TOXIC FUMES" is amended to read as follows:

Chapter 9.40

CRIMES RELATING TO CONTROLLED SUBSTANCES, DRUG PARAPHERNALIA, POISONS, AND TOXIC FUMES

Sections:

- 9.40.010 Statutes adopted
- 9.40.020 ~~Drug paraphernalia--Possession prohibited~~
- 9.40.030 ~~Definitions~~
- 9.40.040 Minors

- 9.40.050 Minors excluded
- 9.40.060 Sale and display rooms
- 9.40.070 Sale restriction
- 9.40.080 Nuisance
- 9.40.090 Violation; penalty
- 9.40.100 Inhaling toxic fumes
- 9.40.110 Poisons

9.40.010 Statutes adopted.

The following state statutes, including all future amendments, additions or deletions, are adopted by reference:

1. RCW 69.50.101, Definitions.
2. RCW 69.50.102 Definitions.
- ~~32.~~ RCW 69.50.204(d)(13), Schedule I--Marijuana.
- ~~43.~~ RCW 69.50.309, Containers.
- ~~54.~~ RCW 69.50.401(e), Prohibited acts: A--Penalties.
- ~~65.~~ RCW 69.50.412, Prohibited acts: E--Penalties.
7. RCW RCW 69.50.4121 Drug paraphernalia — Selling or giving — Penalty.

8. RCW 69.50.4014 Possession of forty grams or less of marihuana -- Penalty
9. RCW 69.50.425 Misdemeanor violations — Minimum penalties
- ~~106.~~ RCW 69.50.505, Seizure and forfeiture.
- ~~117.~~ RCW 69.50.506, Burden of proof; liabilities.
- ~~128.~~ RCW 69.50.509, Search and seizure of controlled substances.

9.40.020 Drug paraphernalia--Possession prohibited.

No person shall possess any drug paraphernalia as defined in 9.40.030. Possession of drug paraphernalia is a misdemeanor.

9.40.030 Definitions.

1. As used in this article, "drug paraphernalia" means all equipment, products, and materials of any kind which are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, smoking, or otherwise introducing into the human body a controlled substance. It includes, but is not limited to:

- (a) Kits used, intended for use or designed for use in planting, propagating, cultivating, growing, or harvesting of any species of plant which is a controlled substance or from which a controlled substance can be derived;
- (b) Kits used, intended for use, or designed for use in manufacturing, compounding, converting, producing, processing or preparing controlled substances;
- (c) Isomerization devices used, intended for use or designed for use in increasing the potency of any species of plant which is a controlled substance;
- (d) Testing equipment used, intended for use or designed for use in identifying or in analyzing the strength, effectiveness or purity of controlled substances.
- (e) Scales and balances used, intended for use or designed for use in weighing or measuring controlled substances;
- (f) Diluents and adulterants, such as quinine hydrochloride, mannitol, mannite, dextrose and lactose, used, intended for use or designed for use in cutting controlled substances;
- (g) Separation gins and sifters used, intended for use, or designed for use in removing twigs and seeds from, or in otherwise cleaning or refining, marijuana;

~~(h) Blenders, bowls, containers, spoons and mixing devices used, intended for use or designed for use in compounding controlled substances;~~

~~(i) Capsules, balloons, envelopes and other containers used, intended for use or designed for use in compounding controlled substances;~~

~~(j) Containers and other objects used, intended for use or designed for use in storing or concealing controlled substances;~~

~~(k) Hypodermic syringes, needles and other objects used, intended for use or designed for use in parenterally injecting controlled substances into the human body.~~

~~(l) A device "designed primarily for" such smoking or ingestion set forth in subsection (i) of this section is a device which has been fabricated, constructed, altered, adjusted or marked especially for use in the smoking, ingestion or consumption of marijuana, hashish, hashish oil, cocaine or any other "controlled substance," and is peculiarly adapted to such purposes by virtue of a distinctive feature or combination of features associated with drug paraphernalia, notwithstanding the fact that it might also be possible to use such device for some other purpose. Paraphernalia includes, but is not limited to, the following items or devices:~~

~~(1) Metal, wooden, acrylic, glass, stone, plastic or ceramic pipes with or without screens, permanent screens, hashish heads or punctured metal bowls;~~

~~(2) Water pipes;~~

~~(3) Carburetion tubes and devices;~~

~~(4) Smoking and carburetion masks;~~

~~(5) Roach clips; meaning objects used to hold burning material, such as a marijuana cigarette, that has become too small or too short to be held in the hand;~~

~~(6) Miniature cocaine spoons and cocaine vials;~~

~~(7) Chamber pipes;~~

~~(8) Carburetor pipes;~~

~~(9) A smokable pipe which contains a heating unit, whether device is known as an "electrical pipe" or otherwise;~~

~~(10) Air-driven pipes;~~

~~(11) Chillums;~~

~~(12) A device constructed so as to prevent the escape of smoke into the air and to channel smoke into a chamber where it may be accumulated to permit inhalation or ingestion of larger quantities of smoke than would otherwise be possible, whether the device is known as a "bong" or otherwise;~~

~~(13) A device constructed so as to permit the simultaneous mixing and ingestion of smoke and nitrous oxide or other compressed gas, whether the device is known as a "buzz bomb" or otherwise;~~

~~(14) A canister, container or other device with a tube, nozzle or other similar arrangement attached thereto so constructed as to permit the forcing of smoke accumulated therein into the user's lungs under pressure, whether the device is known as a "power hitter" or otherwise;~~

~~(15) A device for holding a marijuana cigarette, whether the device is known as a "roach clip" or otherwise;~~

~~(16) A spoon for ingestion of a controlled substance through the nose;~~

~~(17) A straw or tube for ingestion of a controlled substance through the nose or mouth;~~

~~(18) A smokable pipe constructed with a receptacle or container in which water or other liquid may be placed into which smoke passes and is cooled in the process of being inhaled or ingested;~~

~~(19) Ice pipes or chillers.~~

~~2. In determining whether an object is drug paraphernalia under this section, a court or other authority should consider, in addition to all other logically relevant factors, the following:~~

~~(a) Statements by an owner or by anyone in control of the object concerning its use;~~

~~(b) Prior convictions, if any, of an owner, or of anyone in control of the object, under any state or federal law relating to any controlled substance;~~

~~(c) The proximity of the object, in time and space, to a direct violation of this article;~~

- ~~(d) The proximity of the object to controlled substances;~~
- ~~(e) The existence of any residue of controlled substances on the object;~~
- ~~(f) Direct or circumstantial evidence of the intent of an owner, or of anyone in control of the object, to deliver it to persons whom he or she knows, or should reasonably know, intend to use the object to facilitate a violation of this article; the innocence of an owner, or of anyone in control of the object, as to a direct violation of this article shall not prevent a finding that the object is intended or designed for use as drug paraphernalia;~~
- ~~(g) Instructions, oral or written, provided with the object concerning its use;~~
- ~~(h) Descriptive materials accompanying the object which explain or depict its use;~~
- ~~(i) National and local advertising concerning its use;~~
- ~~(j) The manner in which the object is displayed for sale;~~
- ~~(k) Whether the owner, or anyone in control of the object is a legitimate supplier of like or related items to the community, such as a licensed distributor or dealer of tobacco products;~~
- ~~(l) Direct or circumstantial evidence of the ratio of sales of the object to the total sales of the business enterprise;~~
- ~~(m) The existence and scope of legitimate uses for the object in the community; and~~
- ~~(n) Expert testimony concerning its use.~~

9.40.040 Minors.

No owner, manager, proprietor or other person in charge of any room in any place of business where any device, contrivance, instrument or paraphernalia which is primarily designed for or intended to be used for the smoking, ingestion, or consumption of marijuana, hashish, PCP, or any controlled substance, other than prescription drugs and devices to ingest or inject prescription drugs, is sold, or displayed for the purpose of sale, may allow or permit any person under the age of eighteen (18) years to be in, remain in, enter or visit such room unless such minor person is accompanied by one (1) of his or her parents or his or her legal guardian.

9.40.050 Minors excluded.

No person under the age of eighteen (18) years may be in, remain in, enter or visit any room in any place used for the sale or displaying for sale of devices, contrivances, instruments or paraphernalia which are primarily designed for or intended to be used for the smoking, ingestion or consumption of marijuana, hashish, PCP or any controlled substance, other than prescription drugs and devices to ingest or inject prescription drugs unless such person is accompanied by one (1) of his or her parents or his or her legal guardian.

9.40.060 Sale and display rooms.

No person may maintain, in any place of business to which the public is invited, the display for sale or the offering to sell of devices, contrivances, instruments or paraphernalia which are primarily designed for or intended to be used for the smoking, ingestion or consumption of marijuana, hashish, PCP or any controlled substance other than prescription drugs and devices to ingest or inject prescription drugs unless within a separate room or enclosure to which minors not accompanied by a parent or legal guardian are excluded. Each entrance to such a room or enclosure shall be posted with a sign in reasonably visible and legible words to the effect that items which are defined as drug paraphernalia under this chapter are being offered for sale in such a room and that minors, unless accompanied by a parent or legal guardian, are excluded.

9.40.070 Sale restriction.

No person shall sell or give, or permit to be sold or given to any person under the age of eighteen (18) years any device, contrivance, instrument or paraphernalia which is primarily designed for or intended to be used for the smoking, ingestion or consumption of marijuana, hashish, PCP, or any controlled substance other than prescription drugs and devices to ingest or inject prescription drugs.

9.40.080 Nuisance.

The distribution or possession for the purpose of sale, exhibition or display, in any place of business from which minors are not excluded as set forth in this chapter of devices, contrivances, instruments or paraphernalia which are primarily designed for or intended to be used for the smoking, ingestion or consumption of marijuana, hashish, PCP or any controlled substance other than prescription drugs and devices to ingest or inject prescription drugs is declared to be a public nuisance and may be abated by the city. This remedy shall be in addition to any other remedy provided by the law including the penalty provision applicable for the violation of the terms and provision of this chapter.

9.40.090 Violation; penalty.

Any person convicted of having violated section 9.40.040, 9.40.050, 9.40.060, or 9.40.070 shall be guilty of a misdemeanor and shall be punished by a fine of not more than one thousand dollars (\$1,000.00) or imprisonment for not more than ninety (90) days, or both such fine and imprisonment. In addition, a second subsequent conviction of section 9.40.040, 9.40.050, 9.40.060, or 9.40.070 may result in revocation of the business license of the place of business where the violations occurred.

9.40.100 Inhaling toxic fumes.

The following state statutes, including all future amendments, additions or deletions, are adopted by reference:

1. RCW 9.47A.010, Definition.
2. RCW 9.47A.020, Unlawful inhalation--Exception.
3. RCW 9.47A.030, Possession of certain substances prohibited, when.
4. RCW 9.47A.040, Sale of certain substances prohibited, when.
5. RCW 9.47A.050 RCW Penalty.

9.40.110 Poisons.

The following state statutes, including all future amendments, additions or deletions, are adopted by reference:

1. RCW 69.38.010, Poison defined.
2. RCW 69.38.020, Exceptions from chapter.
3. RCW 69.38.030, Poison register--Identification of purchaser.
4. RCW 69.38.040, Inspection of poison register--Penalty for failure to maintain register.
5. RCW 69.38.050, False representations--Penalty.
6. RCW 69.38.060, Manufacturers and sellers of poisons--License required--Penalty. (Ord. 448, Sec. 3, 1994).

Section 10. LSMC Chapter 9.44 entitled "CRIMES RELATING TO ALCOHOLIC BEVERAGES" is amended to read as follows:

Chapter 9.44
CRIMES RELATING TO ALCOHOLIC BEVERAGES

Sections:

- 9.44.010 Adoption of statutes
- ~~9.44.020 Furnishing liquor to persons underage; possession; use~~
- 9.44.030 Opening or consuming liquor or possession open container of liquor in public place (reserved)

9.44.010 Adoption of Statutes.

The following state statutes, including all future amendments, additions or deletions, are adopted by reference:

1. RCW 66.04.010, Definitions
2. RCW 66.20.200, Unlawful acts relating to card of identification and certification card.
3. RCW 66.20.210, Licensee's immunity to prosecution or suit--Certification card as evidence of good faith.
4. RCW 66.28.090, Licensed premises or banquet permit premises open to inspection--Failure to allow.
5. RCW 66.44.010, Local officers to enforce law--Authority of board--Liquor enforcement officers.
6. RCW 66.44.040, Sufficiency of description of offenses in complaints, information, process, etc.
7. RCW 66.44.050, Description of offense in words of statutes--Proof required.
8. RCW 66.44.060, Proof of unlawful sale establishes prima facie intent.
9. RCW 66.44.070, Certified analysis is prima facie evidence for alcoholic content.
10. RCW 66.44.080, Service of process on corporation.
11. RCW 66.44.090, Acting without license.
12. RCW 66.44.100, Opening or consuming liquor in public - Penalty.
13. RCW 66.44.120, Unlawful use of seal.
14. RCW 66.44.130, Sale of liquor by drink or bottle.
15. RCW 66.44.140, Unlawful sale, transportation of spirituous liquor without stamp or seal Unlawful operation, possession of still or mash.
16. RCW 66.44.150, Buying liquor illegally.
17. RCW 66.44.160, Illegal possession, transportation of alcoholic beverages.
18. RCW 66.44.170, Illegal possession of liquor with intent to sell--Prima facie evidence, what is.
19. RCW 66.44.175, Violations of law.
20. RCW 66.44.180, General penalties--Jurisdiction for violation.
21. RCW 66.44.200, Sales to persons apparently under the influence of liquor.
22. RCW 66.44.210, Obtaining liquor for ineligible person.
23. RCW 66.44.240, Drinking in public conveyance--Penalty against carrier--Exception.
24. RCW 66.44.250, Drinking in public conveyance--Penalty against individual--Restricted application.
25. RCW 66.44.270, Furnishing liquor to minors — Possession, use — Penalties — Exhibition of effects — Exceptions
265. RCW 66.44.280, Minor applying for permit.
276. RCW 66.44.290, Minor purchasing or attempting to purchase liquor.

- ~~27. RCW 66.44.291, Minor purchasing or attempting to purchase liquor--Penalty against person between ages of eighteen and twenty, inclusive~~
28. RCW 66.44.300, Treating minor, etc, in public place where liquor sold.
29. RCW 66.44.310, Minor frequenting tavern or cocktail lounge--Misrepresentation of age--Penalty--Classification of licenses.
30. RCW 66.44.320, Sales of liquor to minors a violation.
31. RCW 66.44.325, Unlawful transfer to a minor of an identification of age.
32. RCW 66.44.328, Preparation or acquisition and supply to persons under age 21--one of facsimile or official identification card--Penalty.
33. RCW 66.44.340, Employees 18 years and over allowed to sell and handle beer and wine for Class E and/or Class F employers.
34. RCW 66.44.350, Employees 18 years and over allowed to serve and carry liquor, clean up, etc., for Class A, C, D and/or H licensed employers.
35. RCW 66.44.370, Resisting or opposing officers in enforcement of title.

9.44.020 Furnishing liquor to persons underage; possession; use.

1. ~~It is unlawful for any minor under the age of 21 years to acquire or have possession or consume any liquor.~~
2. ~~It is unlawful for any person to sell, give or otherwise supply liquor to any minor. It is unlawful for any person to permit any minor to consume liquor on his or her premises.~~
3. ~~This section shall not apply when liquor is given or permitted to be given to a person under the age of 21 years by his or her parent or guardian and consumed in the presence of the parent or guardians. This subsection shall not authorize consumption or possession of liquor by a person under the age of 21 years on any premises licensed under RCW Ch. 66.24.~~
4. ~~This section does not apply to liquor given for medicinal purposes to a person under the age of 21 years by a parent, guardian, physician or dentist.~~
5. ~~This section does not apply to liquor given to a person under the age of 21 years when such liquor is being used in connection with religious services and the amount consumed is the minimal amount necessary for the religious service.~~
6. ~~Violation of this section is a misdemeanor. (Ord. 448, Sec. 3, 1994)~~

Section 11. LSMC Chapter 9.48 entitled "CRIMES RELATING TO FIREARMS AND DANGEROUS WEAPONS" is amended to read as follows:

Chapter 9.48

CRIMES RELATING TO FIREARMS AND DANGEROUS WEAPONS

Sections:

- 9.48.010 Firearms and dangerous weapons; prohibitions
- 9.48.020 Unlawful use of air guns and archery equipment, penalty
- 9.48.030 Weapons prohibited on liquor sale premises
- 9.48.040 ~~Firearms prohibited in certain places; exceptions; penalty~~
- 9.48.050 Discharge of firearms prohibited

9.48.010 Firearms and dangerous weapons; prohibitions.

The following state statutes, including all future amendments, additions or deletions, are adopted by reference:

1. RCW 9.41.010, Terms defined.
2. RCW 9.41.050, Carrying pistol.
3. RCW 9.41.060, Exception to restriction on carrying pistol.
4. ~~RCW 9.41.080, Delivery to minors and others forbidden.~~

5. RCW 9.41.098, Forfeiture of firearms, order by courts--Disposition--Confiscation by law enforcement officer.
6. RCW 9.41.100, Dealers to be licensed.
7. ~~RCW 9.41.120, Certain transfers forbidden.~~
8. ~~RCW 9.41.130, False information forbidden.~~
9. RCW 9.41.140, Alteration of identifying marks prohibited.
10. ~~RCW 9.41.150, Exceptions--Antique firearms.~~
11. ~~RCW 9.41.170, Alien's license to carry firearms--Exception.~~
12. RCW 9.41.230, Aiming or discharging firearms.
13. RCW 9.41.240, Use of firearms by minor.
14. RCW 9.41.250, Dangerous weapons--Evidence.
15. RCW 9.41.260, Dangerous exhibitions.
16. RCW 9.41.270, Weapons apparently capable of producing bodily harm--Unlawful carrying or handling--Penalty--Exceptions.
17. RCW 9.41.280, Carrying dangerous weapons on school facilities--Penalty--Exceptions. (Ord. 448, Sec. 3, 1994)
18. RCW 9.41.300 Weapons prohibited in certain places — Local laws and ordinances — Exceptions — Penalty.
19. RCW 9.41.810 Penalties.

9.48.020 Unlawful use of air guns and archery equipment, penalty.

A. It is unlawful for any person to point or shoot an air gun or archery equipment at any person or property of another, or to aim or discharge such weapon in the direction of the person or residence of another, while within such range as to cause or inflict injury to the person or damage the property of another.

B. As used in this section, "air gun" means and includes but is not limited to the following; air gun, air pistol, air rifle, pellet, paintball, BB gun and toy or other guns of any kind or nature when so designed, contrived, modified and used to propel, by compressed air, spring-loaded plunger, or any other means, any pellet, dart, hard-tipped arrow, bean, pea, BB, rock or other hard substance a distance of more than 25 feet with sufficient force to break windows or inflict injury upon persons or animals.

C. Any person convicted of a violation of the provisions of this section is guilty of a misdemeanor and, in addition to any other punishment imposed by the court, the court shall direct that the weapon so used in violation of the provisions hereof be confiscated, and shall thereafter be disposed of in accordance with statutes or ordinances governing the disposal of confiscated or found weapons.

D. Nothing in this code section prevents a use otherwise permitted under Lake Stevens Municipal Code. (Ord. 624, Sec. 1, 2001; Ord. 448, Sec. 3, 1994)

9.48.030 Weapons prohibited on liquor sale premises.

1. It is a misdemeanor for anyone, on or in any premises in the city where alcoholic beverages are dispensed by the drink to:

(a) Carry in any manner any firearm, rifle or handgun, whether such person has a license or permit to carry such firearm or not, and whether such firearm is concealed or not; or

(b) Carry any knife, sword, dagger or other cutting or stabbing instrument, with a blade of a length of three inches or more, or any razor with an unguarded blade, whether such weapon or instrument is concealed or not; or

(c) Carry any instrument or weapon of the kind usually known as a slingshot, taser, throwing star, bow, sand club, blackjack, metal knuckles, or any stick, chain, metal pipe, bar, club or combination thereof including a device known as numchuk sticks, or any like device having the same or similar components or parts, whether or not connected by a rope, chain or other device, or any explosive or any poison or injurious gas, or any other instrument or weapon apparently capable of producing bodily harm, whether such instrument or weapon is concealed or not.

2. The provisions of subsection (a) of this section shall not apply to or affect the following:

(a) Any lawful act committed by a person while in his or her fixed place of business; or

(b) Any person who by virtue of his or her office or public employment is vested by law with a duty to preserve public safety, maintain public order, or to make arrests for offenses, whether during regular duty hours or not; or

(c) Any person making or assisting in making a lawful arrest for the commission of a felony.

3. Upon conviction, the weapon or instrument involved may be confiscated by order of the court and shall thereafter be disposed of in accordance with statutes or ordinances governing the disposal of confiscated or found property.

~~9.48.040 Firearms prohibited in certain places; exceptions; penalty.~~

~~1. It is unlawful for any person to enter the council chambers of the city council when he or she knowingly possesses or knowingly has under his or her control a firearm:~~

~~2. The provisions of this section do not apply to:~~

~~(a) Law enforcement personnel; or~~

~~(b) Security personnel while engaged in official duties.~~

~~3. Any person violating this section is guilty of a misdemeanor.~~

9.48.050 Discharge of firearms prohibited.

1. It is unlawful for any person to knowingly discharge a firearm within the city.

2. The provisions of this section do not apply to:

(a) Law enforcement personnel; or

(b) Security or military personnel while engaged in official duties;

(c) A person utilizing a properly licensed instructional, membership and/or commercial shooting range.

3. Any person violating this section is guilty of a misdemeanor. (Ord. 448, Sec. 3, 1994)

Section 12. LSMC Chapter 9.52 entitled "MISCELLANEOUS CRIMES" is amended to read as follows:

Chapter 9.52

MISCELLANEOUS CRIMES

Sections:

9.52.010 Conduct prohibited

9.52.020 Littering and pollution

9.52.030 Injury to animals

9.52.040 Wounding or trapping of animals

9.52.050 Throwing objects at moving vehicles

9.52.010 Conduct prohibited.

The following state statutes, including all future amendments, additions or deletions, are adopted by reference:

1. RCW 9.91.010, Denial of civil rights--Terms defined.
2. RCW 9.91.020, Operating railroad, steamboat, vehicle, etc., while intoxicated.
3. RCW 9.91.025, Unlawful bus conduct.
4. ~~RCW 9.91.110, Meal buyers--Records of purchases--Penalty.~~
4. RCW 9.91.140 Food Stamps --Unlawful sale.
5. RCW 9.03.010, Abandoning, discarding refrigeration equipment.
6. RCW 9.03.020, Permitting unused equipment to remain on premises.
7. RCW 9.03.030, Violation of RCW 9.03.010 or 9.03.020.
8. RCW 9.03.040, Keeping or storing equipment for sale.
9. HB 1652 (Chapter 261, Laws of 1994) Cruelty to Animals.
10. RCW 9.91.130 Disposal of trash in a charity donation receptacle.
11. RCW 9.91.170 Interfering with dog guide or service animal.
12. RCW 9.91.175 Interfering with search and rescue dog.

9.52.020 Littering and pollution.

The following state statutes, including all future amendments, additions or deletions, are adopted by reference:

1. RCW 70.93.060, Littering prohibited--Penalties.
2. RCW 70.54.010, Polluting water supply--Penalty.

9.52.030 Injury to animals.

Any person who willfully and without authority in law kills, maims or disfigures an animal belonging to another, or exposes any poisons or noxious substance with intent that it should be taken by such animal, is guilty of a misdemeanor.

9.52.040 Wounding or trapping of animals.

Any person who willfully and without authority in law kills, wounds or traps an animal or bird, or removes or destroys the young of any such animal or the egg of any such bird is guilty of a misdemeanor.

9.52.050 Throwing objects at moving vehicles.

Any person who throws, pushes, rolls, drops, swings or otherwise propels or projects any object, thing or substance in such a manner as to strike or be likely to strike any moving vehicle on the public highways or streets is guilty of a misdemeanor. (Ord. 448, Sec. 3, 1994)

Section 13. LSMC Chapter 9.54 entitled "CURFEW" is amended to read as follows:

Chapter 9.54

CURFEW

Sections:

- ~~9.54.010~~ Findings of Fact
- ~~9.54.020~~ Curfew
- ~~9.54.030~~ Definitions
- ~~9.54.040~~ Exemptions
- ~~9.54.050~~ Temporary Custody Procedure

~~9.54.060 Parental Responsibility
9.54.070 Violations~~

9.54.010 Findings of Fact.

~~A. The City of Lake Stevens values the safety and welfare of juveniles and has a vested interest in preserving and nurturing these persons.~~

~~B. The physical, psychological and moral well-being of juveniles is threatened by increasing juvenile crime and abuse of alcohol and illegal narcotics.~~

~~C. The Police Department has documented an increasing rate of incidents of juvenile related crime and use of alcohol and illegal narcotics. This has occurred during the late night hours in the business district, park areas, and lake beaches, including the boat launch. These incidents include, but are not limited to, the following:~~

~~1. 50 to 70 teenagers ranging from 13 to 17 years old, roaming the downtown core on July 26; and~~

~~2. A 15 year old passed out in the driveway of a beach resident from an overdose of alcohol and marijuana use; and~~

~~3. The finding of hypodermic needles and other associated drug materials at the boat launch and city beach during late night hours; and~~

~~4. Vandalism to downtown businesses.~~

~~D. The business district, park areas and beach areas attract juveniles from both inside and outside the City because of the regional nature of these facilities.~~

~~E. In addition, both the Lake Stevens High School and North Lake Middle School are located within the City, and juveniles are therefore congregating in the City's business district, park areas, and beach areas.~~

~~F. The City of Lake Stevens has no effective tools or alternatives at this time to protect minors from the crime, dangers and temptations that exist in these areas.~~

~~G. The City of Lake Stevens believes that parental responsibility and supervision must be encouraged and promoted. (Ord. 531, Sec. 1, 1997)~~

9.54.020 Curfew.

~~No minor under the age of eighteen (18) shall be in or upon any public street, highway, alley, park, vacant lot or other public place in the City between the hours of 11:00 p.m. and 5:00 a.m. Sunday through Thursday and between the hours of 12:00 a.m. and 5:00 a.m. Friday and Saturday except as permitted by Section 4 herein. (Ord. 531, Sec. 2, 1997)~~

9.54.030 Definitions.

~~A. "Public Place," as used in this Ordinance, means an area generally visible to public view, and includes but is not limited to streets, sidewalks, bridges, alleys, plazas, parks, driveways, parking lots, automobiles (whether moving or not), and buildings open to the general public, including those which serve food or drink or provide entertainment, and the doorways and entrances to building or dwellings and the grounds enclosing them. (Ord. 531, Sec. 3, 1997)~~

9.54.040 Exemptions.

~~The provisions of this Ordinance shall not apply in the following situations:~~

~~A. At any time, if the minor is accompanied by his or her parent, legal guardian, or other responsible person who is over the age of twenty-one and approved by the minor's parent, guardian, custodian or other adult person having custody or control of such minor to accompany said minor;~~

~~B. If the minor is on an errand as directed by his or her parent, guardian, custodian or other adult person having custody or control of such minor;~~

~~C. If the minor is legally employed, for the period one-half hour before to one-half hour after work, while going directly between his or her home and place of employment. This exception shall also apply if the minor is in a public place during curfew hours in the course of his or her employment;~~

D.— If the minor is coming directly home from an adult organized/supervised activity or a place of public entertainment, such as a movie, play or sporting event. This exception will apply for one-half hour after the completion of such event;

E.— If the minor is on an emergency errand directed or permitted by his/her parent, guardian, custodian or other adult person having custody or control of such minor;

F.— If the minor is traveling by direct routes to or from an event sponsored by an accredited educational institution; and

G.— If the minor is in a motor vehicle and engaged in interstate travel with the consent of a parent, guardian, custodian or other adult person having custody or control of such minor through the State of Washington. (Ord. 531, Sec. 4, 1997)

9.54.050 Temporary Custody Procedure.

A Police officer who reasonably believes that a minor is violating any of the provisions of this Ordinance shall have authority to take the minor into custody and deliver or arrange to deliver the minor either to:

A.— The minor's parent, guardian, custodian or other adult person having custody or control of such minor; or

B.— The Lake Stevens Police station or other facility operated by the Lake Stevens Police Department; or

C.— The appropriate juvenile authority. (Ord. 531, Sec. 5, 1997)

9.54.060 Parental Responsibility.

It shall be unlawful for the parent, guardian or other adult person having custody or control of a minor under the age of eighteen (18) years to permit or by inefficient control to allow a violation of this Ordinance by a minor in his or her custody or control. (Ord. 531, Sec. 6, 1997)

9.54.070 Violations.

A.— A violation of any of the provisions of this Ordinance is designated a civil infraction.

B.— A person found to have committed an infraction under this Ordinance shall be assessed a monetary penalty. No penalty may exceed \$100.00 for the first offense in a one year period, for all succeeding offenses no penalty may exceed \$250.00 for each offense. In lieu of payment for all or part of the monetary penalty, the court may provide for the performance of community service. (Ord. 531, Sec. 7, 1997)

Section 14. Severability.

If any section, clause, phrase, or term of this ordinance is held for any reason to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance, and the remaining portions shall be in full force and effect.

Section 15. Effective Date and Publication.

A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force five days after the date of publication.

PASSED by the City Council of the City of Lake Stevens this ___ day of _____, 2012.

Vern Little, Mayor

ATTEST/AUTHENTICATION:

Norma J. Scott, City Clerk/Admin Asst.

APPROVED AS TO FORM:

Grant K. Weed, City Attorney

First Reading:
Published:
Effective Date:



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**LAKE STEVENS CITY COUNCIL
 STAFF REPORT**

Council Agenda Date: May 14, 2012

Subject: Subarea Plans Preferred Alternatives Selection

Contact Person/ Department:	Russ Wright , Senior Planner Karen Watkins , Principal Planner Rebecca Ableman , Planning & Community Development Director	Budget Impact:	Subarea Revenue & Capital Improvement/ Service Costs
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RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL: Review and discuss the subarea plan alternatives and make a motion directing staff to prepare final documents for a preferred land use alternative for each subarea.

SUMMARY:

Over the past few months, Council has reviewed information including public comments, infrastructure improvements, and draft financial forecasts for subarea plan alternatives build-out. Following direction from Council on the preferred alternatives, Staff will begin preparing final documents for the subarea plans. The Council could consider any of the Draft Alternatives below (graphics are found in Attachments 1-4) or decide on a hybrid of the alternatives. Note that for 20th Street SE, additional analysis budget would be needed if the highest numbers from the draft alternatives are selected. Final Documents are indicated in the Subarea Planning Process Steps shown in Attachment 5.

Lake Stevens Center

Alternative 1 (No Action): 2025 Growth Assumptions				
Land Use	Net Housing Increase	Net Population Increase	Net Commercial Increase (Gross Sq. Ft.)	Net Jobs Increase
Mix of retail, office & residential	100-120 dwelling units	290-350	Retail: 50,000-60,000 Office: 30,000-40,000	190-240
Alternative 2: 2025 Growth Assumptions				
Emphasis on Retail & Office, w/ some Residential	180-200 dwelling units	520-575	Retail: 140,000-150,000 Office: 140,000-150,000	700-750
Alternative 3: 2025 Growth Assumptions				
Mix of Retail & Office, greater Residential focus	500-600 dwelling units	1,440-1,720	Retail: 140,000-150,000 Office: 100,000-120,000	580-660

20th Street SE

Alternative 1 (No Action): 2025 Growth Assumptions				
Land Use	Net Housing Increase	Net Population Increase	Net Commercial Increase (Gross Sq. Ft.)	Net Jobs Increase
Focus on Residential, limited Commercial	600-1,200 dwelling units	1,722 -3,444	Retail: 150,000-180,000 Office: 20,000-30,000	360-465
Alternative 2: 2025 Growth Assumptions				
Mix of Retail, Office, & Residential	900-1,000 dwelling units	2,600-2,900	Retail: 400,000-450,000 Office: 1-1.25 million	3,800-4,500
Alternative 3: 2025 Growth Assumptions				
Mix of Retail, Office & Residential	1,200-1,400 dwelling units	3,500-4,000	Retail: 300,000 -350,000 Office: 600,000-750,000	2,400-3,000

BACKGROUND:

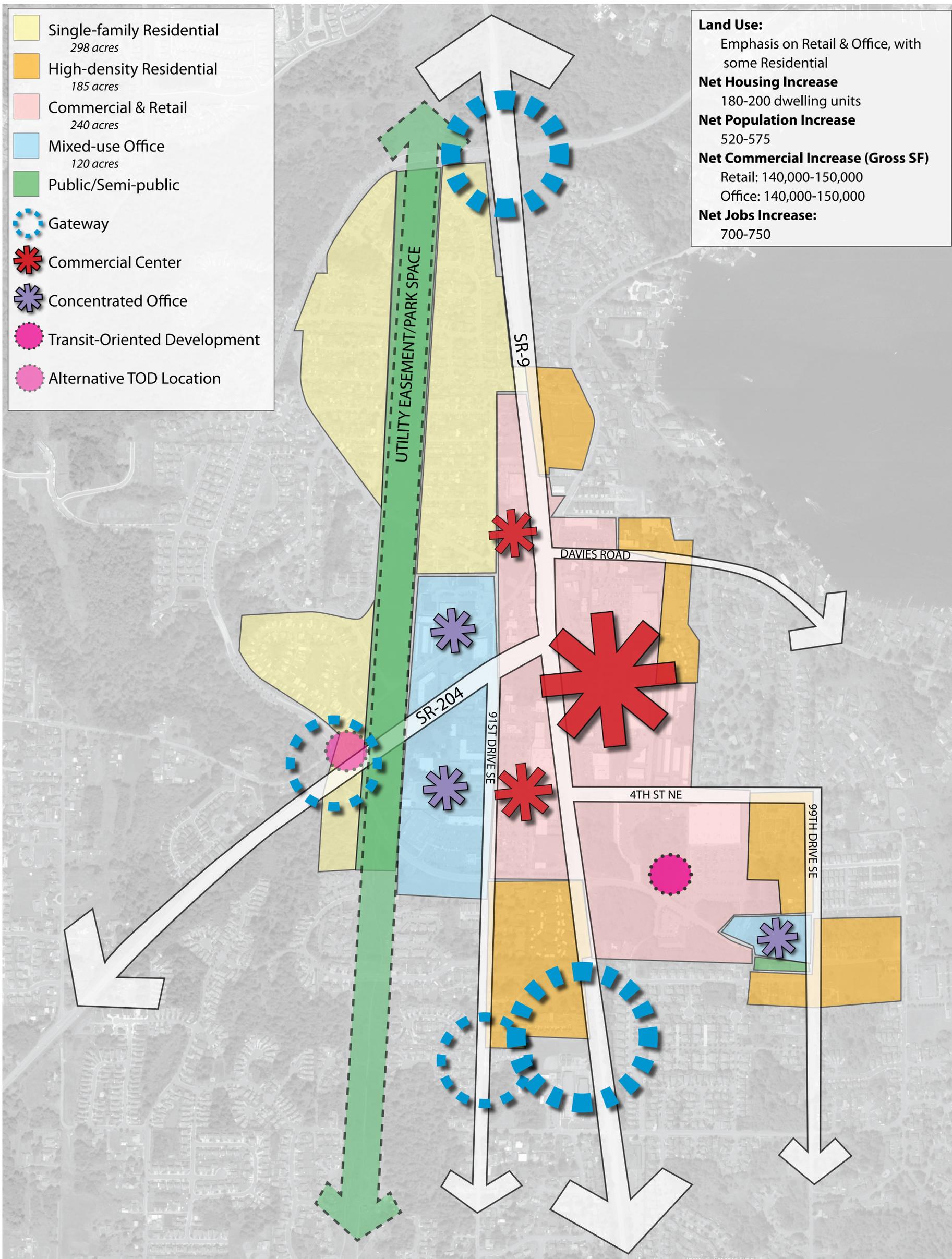
- The City held public visioning sessions in late March 2011;
- The City issued a SEPA Determination of Significance for the proposed subareas on June 28, 2011;
- The City held a Public Scoping Meeting to introduce the development alternatives for both subareas on July 14, 2011;
- Staff has met with several service and utility providers to determine any impacts to facilities or services resulting from potential growth including:
 - Lake Stevens Fire District
 - Lake Stevens School District
 - Lake Stevens Sewer District;
 - PUD – Water
 - PUD - Electric
- The City's subarea consultant submitted draft subarea outlines on August 05, 2011 and draft alternative graphics for staff review;
- The City's environmental consultant submitted a combined scoping report for both subareas on August 17, 2011 to identify topics for inclusion in the Environmental Impact Statements;
- Staff briefed the Planning Commission on the subarea and DEIS processes September 07, 2011 and October 05, 2011;
- The City issued the DEIS for the Lake Stevens Center on December 27, 2011;
- The City held a public meeting on January 12, 2012 to discuss the Lake Stevens Center DEIS land use alternatives and impacts;
- Staff briefed Council on the Lake Stevens Center Draft EIS January 9, 2012 and Subarea Plan January 23, 2012 and the Planning Commission on February 01, 2012;
- The City issued the DEIS for the 20th Street SE Corridor on January 24, 2012;
- The City held a public meeting on February 16, 2012 to discuss the 20th Street SE Corridor DEIS land use alternatives and impacts;
- Staff briefed Council on the 20th Street SE Corridor Draft EIS and Subarea Plan February 13, 2012 and the Planning Commission on March 07, 2012;
- Joint meeting with Planning Commission and City Council April 23, 2012 to discuss preferred alternatives; and
- Follow up meeting with Planning Commission May 2, 2012.
- A Council Workshop was held on May 7, 2012 for further discussion on a preferred alternatives selection.

APPLICABLE CITY POLICIES: Subarea plans related to the Comprehensive Plan pursuant to RCW 36.70A.080 (Growth Management Policy Act – Optional Elements) and Environmental Impact Statements pursuant to WAC 197-11, Part Four and Chapter 16.16 LSMC (State Environmental Policy Act - Environmental Impact Statements)

BUDGET IMPACT: Subarea revenue and capital improvement / service costs

ATTACHMENTS:

1. Lake Stevens Center – Alternative 2
2. Lake Stevens Center – Alternative 3
3. 20th Street SE Corridor – Alternative 2
4. 20th Street SE Corridor – Alternative 3
5. Subarea Planning Process

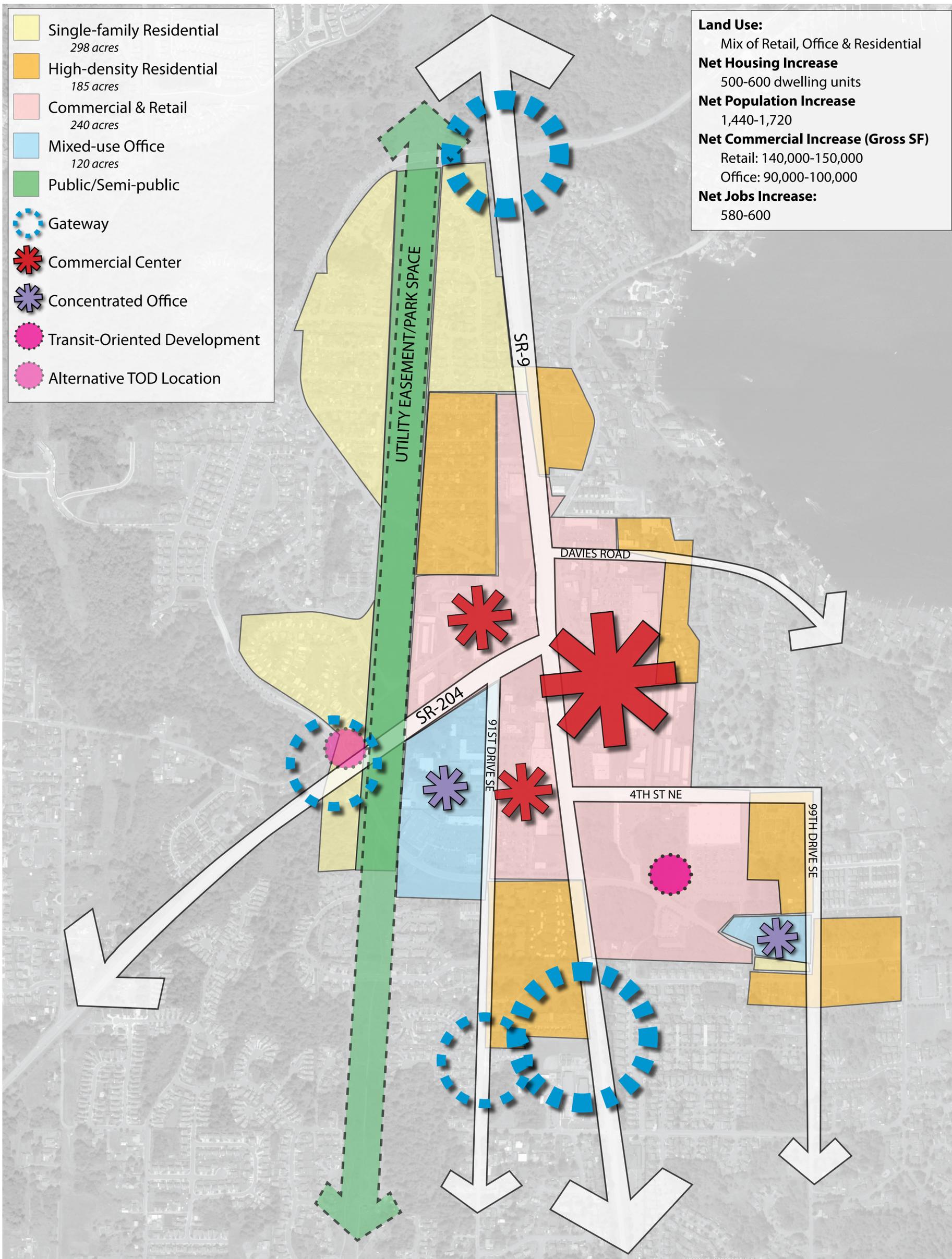


LSC Alt. 2: Intensive Employment with Residential



September 22, 2011



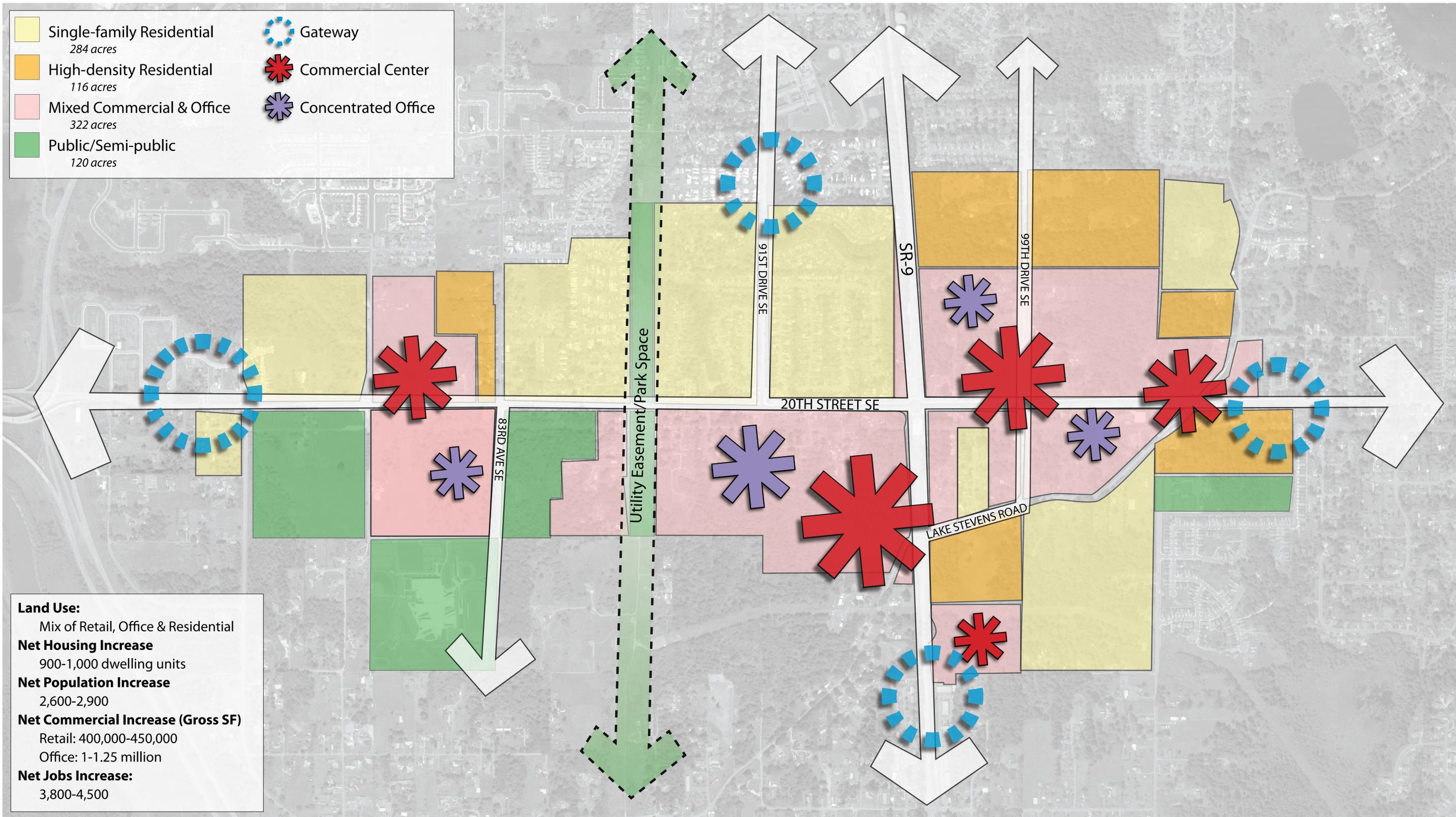


LSC Alt. 3: Enhanced Employment/Increased Residential



September 22, 2011





20th Street Corridor Alternative 2: Intensive Employment with Residential



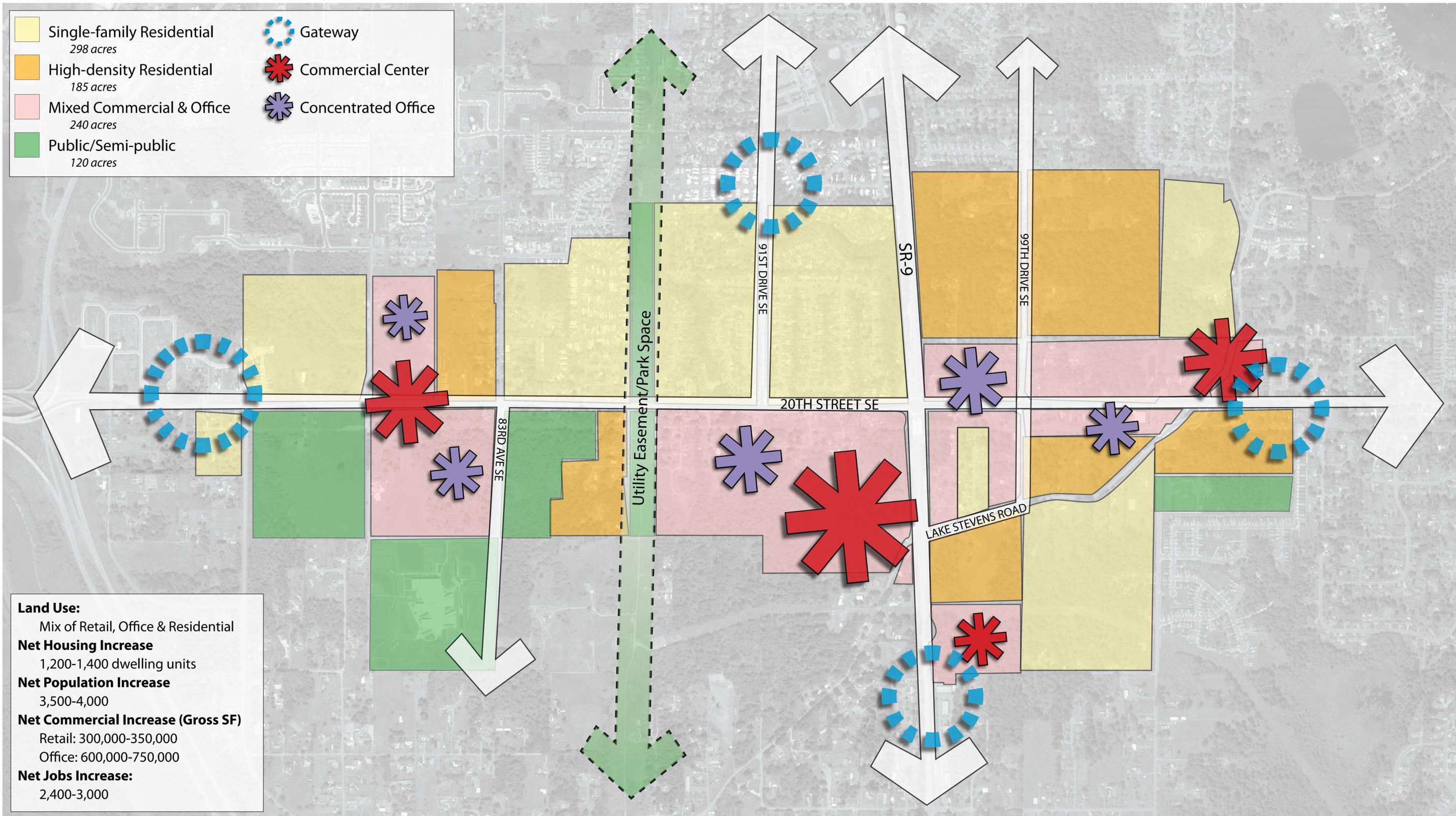
September 22, 2011

Weinman Consulting, LLC

fp
FEHR & PEERS

AHBL

LMN



20th Street Corridor Alternative 3: Enhanced Employment/Increased Residential



September 22, 2011

Weinman Consulting, LLC

fp
FEHR & PEERS

AHBL

LMN



ATTACHMENT 5
Lake Stevens Center and 20th Street SE Corridor
SUBAREA PLANNING PROCESS & Implementing Tools

SUBAREA PLANS AND PLANNED ACTIONS

A. Create VISION for subarea

- The vision proposed for a land use plan developed through a public process.
 - The Lake Stevens Center vision that proposes a redeveloped commercial center with additional employment and high-density housing was determined at a Public Open House and a Public Workshop held on March 29, 2011.
 - The 20th Street SE Corridor vision that proposes an employment center with additional commercial opportunities and higher-density housing was determined at a Public Open House and a Public Workshop held on March 29, 2011.

B. INVENTORY and Data Collection

- The Consultants and Staff researched existing conditions in 2010 and 2011. Much of the detailed data is located in the EIS documents.

C. DRAFT SUBAREA PLAN

- This document includes goals and policies as well it graphically depicts the building types and road network for the subarea.
 - Staff presented the draft Lake Stevens Center subarea plan to Council on January 23, 2012.
 - Staff presented the draft 20th Street SE Corridor Subarea Plan to Council on February 13, 2012.

D. DRAFT ENVIRONMENTAL IMPACT STATEMENT

- An environmental impact statement is a document used to analyze potential impacts to the physical and built environment that may result in a specific project or proposed land use.
 - The City issued the DEIS for the Lake Stevens Center on December 27, 2011 with a comment period that ended February 10, 2012.

✓ Denotes subarea planning adoption document(s)



ATTACHMENT 5
Lake Stevens Center and 20th Street SE Corridor
SUBAREA PLANNING PROCESS & Implementing Tools

- The City issued the DEIS for the 20th Street SE Corridor on January 24, 2012 with a comment period that ended on March 8, 2012.

E. DRAFT INFRASTRUCTURE NEEDS for alternatives

- Collection of data for required upgrades to sewer system, transportation system, and other public utilities and infrastructure from the proposed alternatives examined as part of the DEIS including estimated costs, responsible parties and a timeframe for upgrades. Information can be used to determine Preferred Alternative.

F. PREFERRED ALTERNATIVES SELECTION

- A preferred alternative is a land use alternative or combination of alternatives, from the DEIS, selected by decision-making body to finalize a proposed land use action.
- Joint meeting with CC & PC to discuss with preferred alternative for both sub areas by CC in April.

G. FINAL SUBAREA PLANS ✓

- Subarea Plans are modified based on the Preferred Alternative selected for each area.

H. FINAL ENVIRONMENTAL IMPACT STATEMENTS

- The DEIS is updated based on the Preferred Alternative including environmental analysis and mitigation requirements.

I. FINALIZE INFRASTRUCTURE NEEDS for preferred alternative

- The information on sewer system, transportation system and other public utilities and infrastructure is updated based on the Preferred Alternative including costs, responsible parties and timeframes for construction to form a capital improvement plan, which will be an appendix to the subarea plan or FEIS.

✓ Denotes subarea planning adoption document(s)



ATTACHMENT 5
Lake Stevens Center and 20th Street SE Corridor
SUBAREA PLANNING PROCESS & Implementing Tools

J. ADOPT PLANNED ACTION ORDINANCES ✓

- The ordinance that allows streamlined development review for projects that are consistent with the subarea plan and FEIS.
- The ordinance will include qualifications (e.g., land use, development thresholds, building heights, transportation, concurrency, and off-site mitigation) and review criteria for proposed Planned Action projects.

K. ADOPT COMPREHENSIVE PLAN AMENDMENTS ✓

- The Subarea Plans are adopted as part of the Comprehensive Plan, so amendments will be required to the Plan to ensure consistency between the two plans. This can be done outside the Docket Process if no changes are made to the Goals and Policies of the Plan.

IMPLEMENTATION TOOLS

1. ADOPT LAND USE MAP AMENDMENTS ✓

- The Land Use Map needs to be amended to include the designated subareas.

2. ADOPT CODE & ZONING MAP AMENDMENTS ✓

- Minor code amendments to the existing land use code are required due to the Subarea Plans and the Zoning Map amended to include the designated subareas.

3. ADOPT DEVELOPMENT REGULATIONS ✓

- A new chapter for development regulations for the Subareas is required to guide future development in these areas.

4. ADOPT DESIGN GUIDELINES ✓

- New design guidelines are needed to guide the unique vision for the individual Subareas.

✓ Denotes subarea planning adoption document(s)



ATTACHMENT 5
Lake Stevens Center and 20th Street SE Corridor
SUBAREA PLANNING PROCESS & Implementing Tools

5. ADOPT CAPITAL FACILITIES PLANS & FINANCING MECHANISMS ✓

- The area specific capital facilities plans is a road map of infrastructure phasing and financing strategy including responsibility of

6. OTHER IMPLEMENTATION PROJECTS – Future

- Development can occur in the subareas under the adopted plan and regulations. The following programs can be completed following the subarea planning process to enhance and further implement the vision and goals for these areas and the City.
 - Develop a marketing and promotional strategy to attract desired retailers and employers. The strategy will likely include a “community asset mapping” exercise as well as business outreach and retention. Many of these actions are listed in the Action Plan developed by Leland Consulting Group.
 - Adopt a Wayfinding sign program that will help promote a welcoming atmosphere for visitors, shoppers, employees, and residents to Lake Stevens. The program will set out a design concept and potential funding mechanisms such as grants and/or sponsorship opportunities.
 - While tied in closely with the marketing and wayfinding programs, a tourism promotional strategy will highlight the City’s many features and events offered in the community and help bring visitors to the area year round.

✓ Denotes subarea planning adoption document(s)



LAKE STEVENS CITY COUNCIL
STAFF REPORT

Council Agenda Date: May 14, 2012

Subject: 2012 Aquafest Requests
A. Serve Beer & Wine in VIP Booth Saturday July 28, 2012
B. Fee Waiver

Contact Person: Rebecca Ableman **Budget** \$1,225
Department: Planning and Community Development Director **Impact:**

RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:

- A. Approve the Aquafest Committee's request to serve Beer and Wine in the VIP Booth during the 2012 Aquafest Celebration, Saturday, July 28th (**Attachment 1**).
- B. Additionally, the Council is asked to waive the event permit fee, the fireworks display permit fee (**Attachment 2**).

SUMMARY/BACKGROUND: On May 2, 2012, the Aquafest Committee submitted the permit application, EVNT2012-5, to include serving Beer and Wine in the VIP Booth located in North Cove Park (**Attachment 1**).

The Aquafest Committee is proposing that Beer and Wine be served in the VIP Booth on Saturday, July 28th for invited guests only. This proposal will have to meet the Washington State Liquor Control Board guidelines and requirements for a Banquet Permit. If Council approves the request the applicant will be required to provide a Certificate of Liability Insurance and endorsement, specifically addressing the service of Wine and Beer and naming the City of Lake Stevens as an additional insured and a copy of the approved Washington State Liquor Control Board Banquet Permit.

The Committee has also requested the permit fees to be waived and includes the following:

1. Level 4 Event Permit - \$1,050
2. Community Center Rental Fees - \$160
3. Fireworks Display Permit - \$15 (The full fee is \$100 of which \$85 is paid to the Fire District. The Fire District would need to waive their portion separately as the City would still be responsible for remitting the \$85 to them.)

APPLICABLE CITY POLICIES:

- A. Title 10.03.150 states, *the City Council may permit the sale and consumption of alcoholic beverages within a confined licensed area pursuant to an event permit issued by the City and a permit issued by the Washington State Liquor Control Board. Any application to the City Council for such a permit shall include a site plan identifying the specific areas to be licensed. In granting such a permit, the Council may apply restrictions reasonably calculated to comply with the purpose of the Public/Semi-Public Zone as set forth in the Lake Stevens Land Use Ordinance.*
- B. In accordance with the current fees resolution 2012-1, the City may waive the fees as follows:
Section 1.D. Waivers. Upon petition by the applicant, the City Council may waive any of the fees or portions thereof, for any non-profit organization that provides services for the necessary support of the poor or infirm.

The City Council has consistently waived the Event Permit Fees and the Community Center Rental Fees for Aquafest. The Council has not in the past approved a fee waiver for the Fireworks Display.

Please note that the Fireworks Display provider must obtain a separate Fireworks Display Permit from the City for that activity.

BUDGET IMPACT: \$1,225

ATTACHMENTS:

- ▶ **Attachment 1:** Aquafest Permit – VIP Tent Serving Beer and Wine in North Cove Park site Map
- ▶ **Attachment 2:** Permit Fee Waiver Request



Map Exhibit 11
VIP Tent Location
North Cove Park
Liquor license to be provided

ATTACHMENT 2



AQUAFEST

P.O. Box 670 • Lake Stevens, WA 98258 • (425) 397-2344 • www.aquafest.org

RECEIVED
MAY 01 2012
CITY OF LAKE STEVENS

Aquafest 2012
July 27, 28, 29
Executive Board

April 16, 2012

The Lake Stevens City Council
PO Box 257
Lake Stevens, WA 98258

Dave DeLorm
President

Re: Aquafest 2012

Sue Fernalld
First Vice President

Dear Council:

Christine Egelstad
Second Vice President

The Aquafest board is asking that you waive the permit application fees, as well as the fireworks fees for Aquafest 2012. Aquafest is the City's biggest celebration and as such brings a substantial increase to area business each year. As Aquafest is a non-profit corporation, it is my request that the City will show its support for this event by waiving these fees.

Ken Norton
Past President

If you have any further questions, please feel free to contact me.

Lisa Elder
Treasurer

Sincerely,

Donna Foster
Secretary

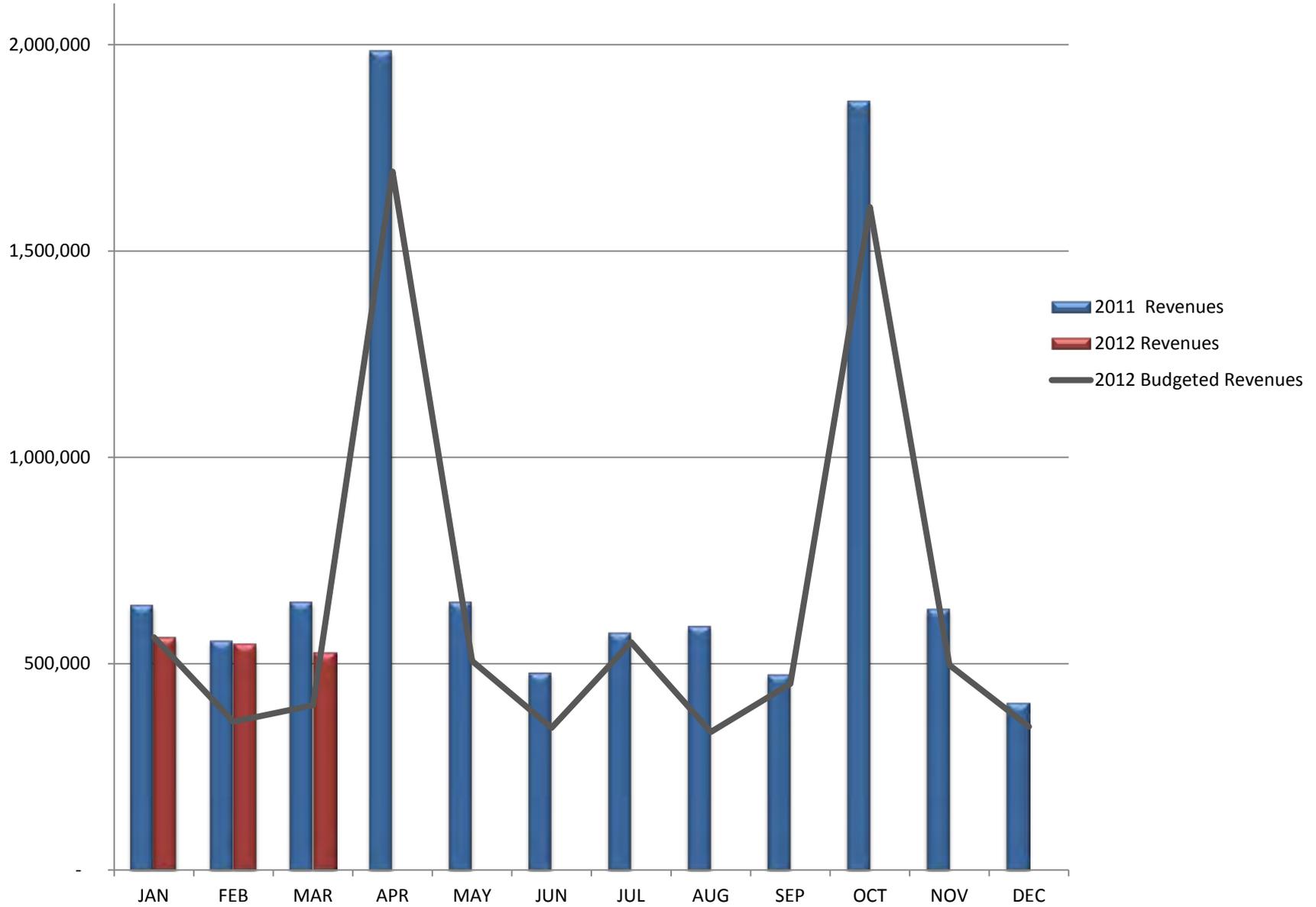
Dave DeLorm
2012 President
425-418-6972

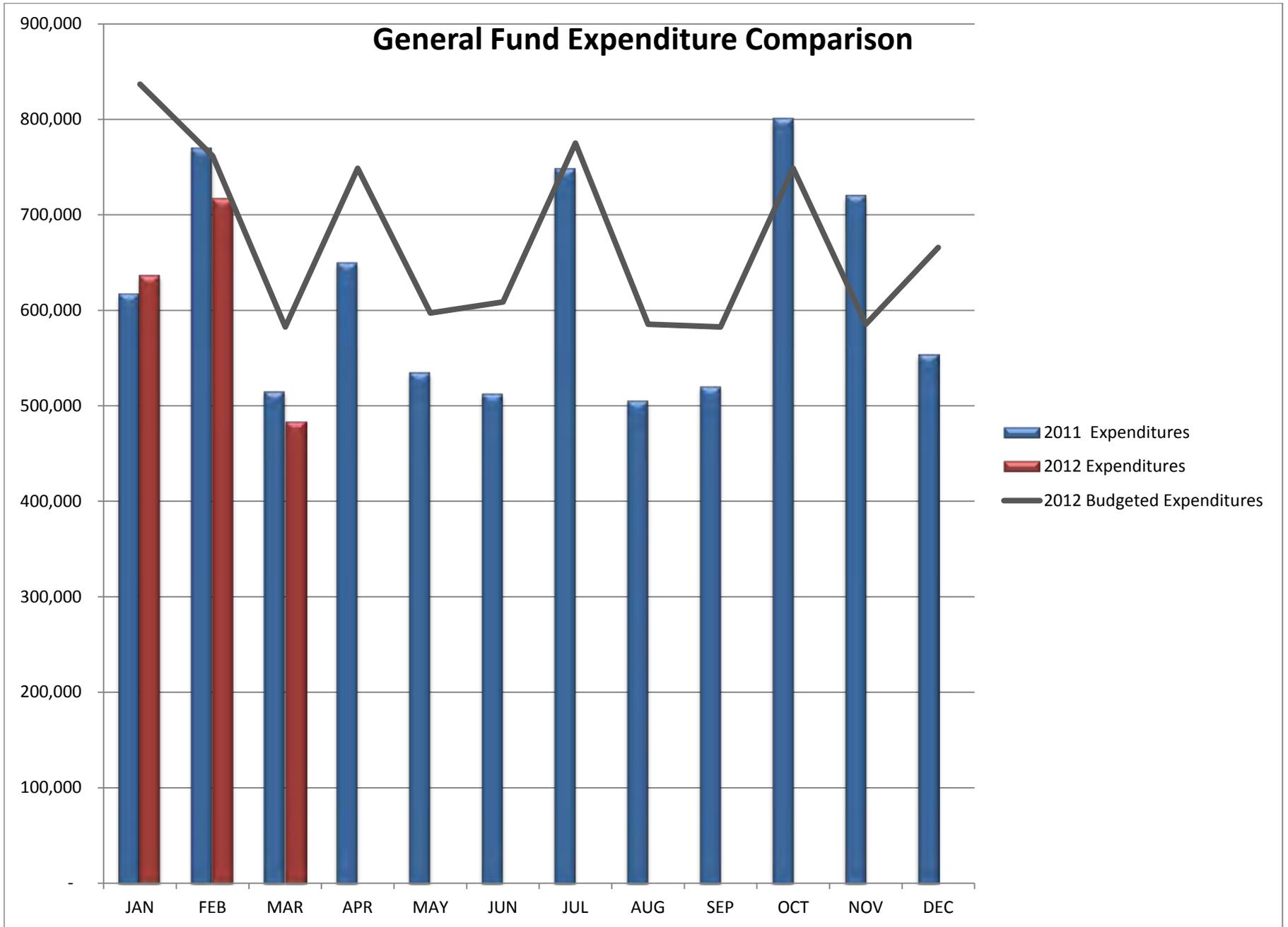
Site Managers
John Personius
Les McKinney

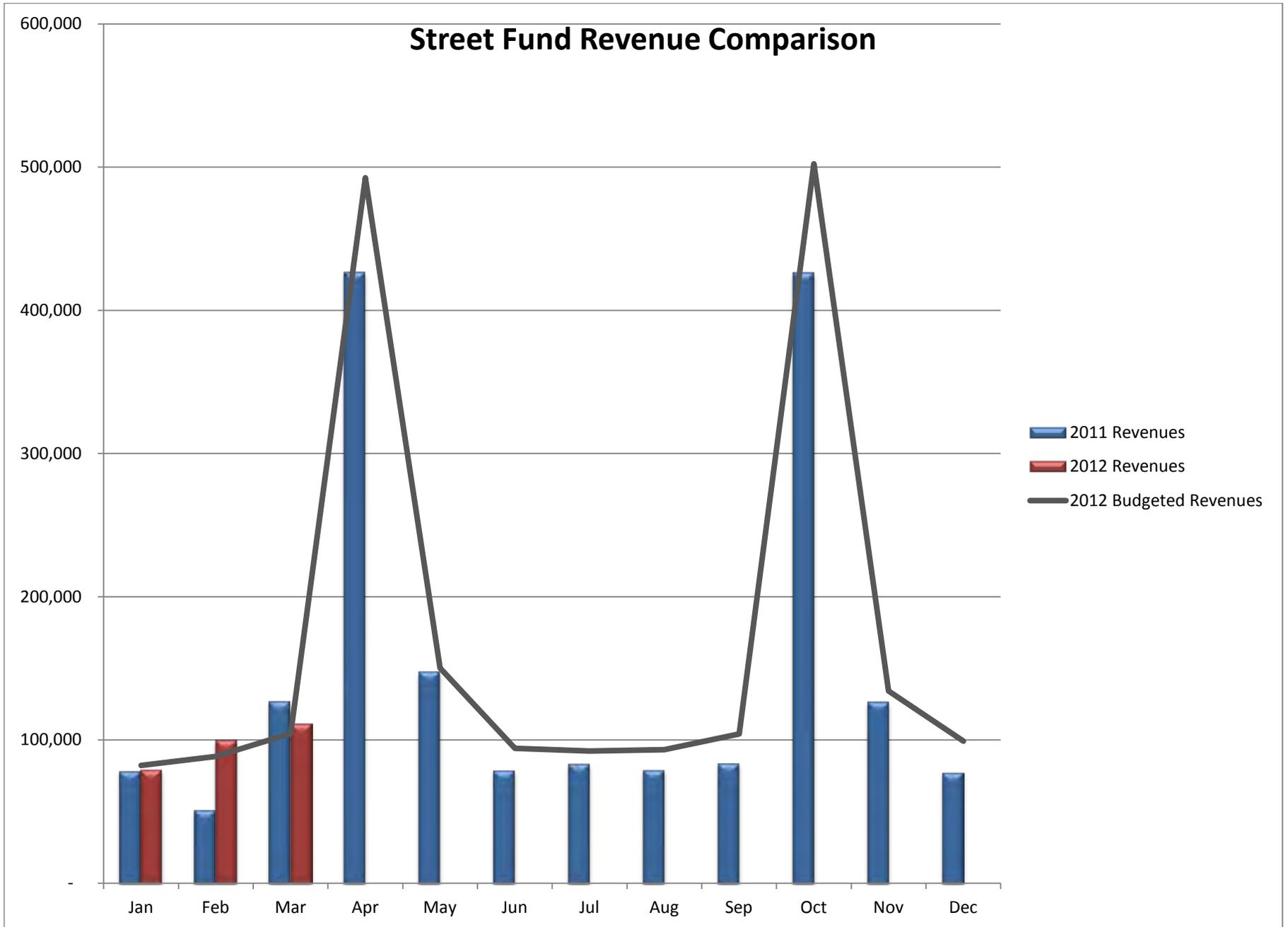
5/1/2012

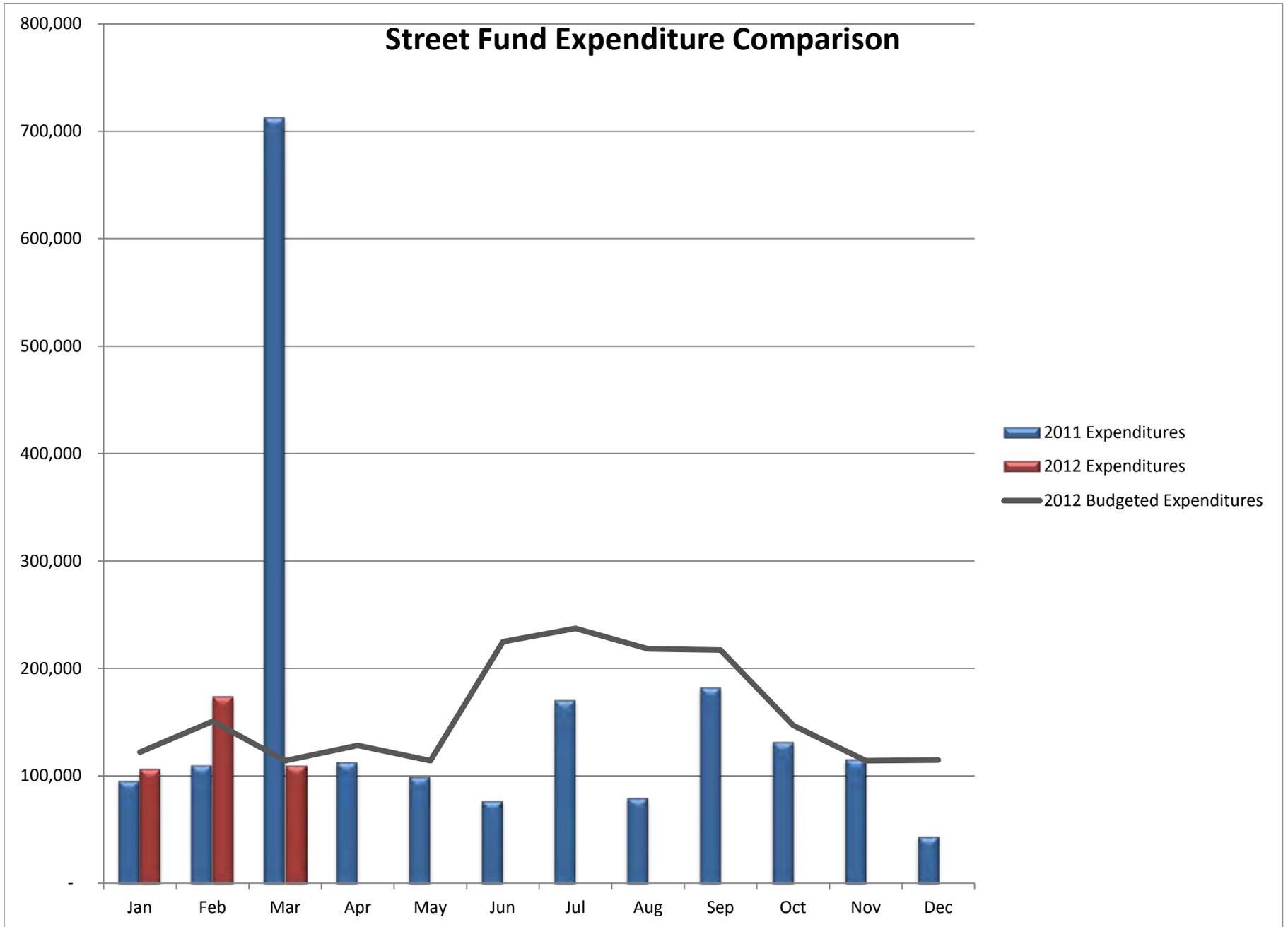
GENERAL FUND Line Item Description	As of	2012	As of	2013	2014	2015	2016	2017
	2011 Year End	Amended Budget	3/31/2012	Year 1	Year 2	Year 3	Year 4	Year 5
Estimated Beginning Fund Balance	1,213,310	3,276,971	3,276,971	2,851,349	2,424,898	1,850,695	1,069,875	31,463
	-	-	-	-	-	-	-	-
TOTAL Taxes	7,660,785	6,231,262	1,201,316	6,303,693	6,396,081	6,489,980	6,585,417	6,682,420
TOTAL Licenses and Permits	360,468	313,380	181,010	316,939	323,149	329,482	335,941	342,528
TOTAL Intergovernmental Revenue	584,288	368,574	101,132	466,544	496,877	498,225	499,589	500,967
TOTAL Charges For Services	372,267	363,996	52,668	377,168	386,308	395,664	405,244	416,840
TOTAL Fines And Forfeits	294,561	310,022	77,618	313,391	316,798	320,246	323,733	327,961
TOTAL Miscellaneous Revenue	68,392	65,684	20,509	62,059	61,273	60,192	58,699	56,691
TOTAL Capital Contributions	33,653	0	-	-	-	-	-	-
TOTAL Non- Revenue	134,311	500	110	500	500	500	500	500
TOTAL Other Financing Sources	-	0	-	-	-	-	-	-
TOTAL REVENUES	9,508,724	7,653,418	1,634,364	7,840,294	7,980,986	8,094,290	8,209,122	8,327,908
TOTAL RESOURCES	10,722,035	10,930,389	4,911,335	10,691,643	10,405,884	9,944,985	9,278,998	8,359,370
TOTAL LEGISLATIVE	29,838	51,798	9,012	51,872	51,932	51,994	52,058	52,124
TOTAL EXECUTIVE	17,522	18,647	4,337	18,726	18,803	18,882	18,965	19,052
TOTAL Administration	84,124	88,762	21,468	89,777	94,489	98,703	104,066	110,420
TOTAL Clerk	82,592	91,431	20,854	96,016	100,229	104,635	109,319	114,587
TOTAL HR	64,839	70,304	18,386	71,485	74,299	77,279	80,439	83,798
TOTAL CIVIL SERVICE	1,700	2,100	-	2,108	2,116	2,124	2,133	2,142
Total IT	159,299	162,910	40,025	171,729	180,152	189,253	199,106	209,793
TOTAL FINANCE	116,030	105,273	26,954	186,669	193,936	199,874	207,760	218,724
TOTAL LEGAL	54,955	65,000	8,174	66,820	68,691	70,614	72,592	74,624
TOTAL PLANNING	747,320	842,694	162,523	820,477	847,999	873,767	906,073	945,523
TOTAL BUILDING	184,145	200,111	46,844	211,342	222,373	234,320	247,286	261,383
TOTAL LAW ENFORCEMENT	4,282,048	4,917,843	1,172,489	5,028,563	5,222,406	5,451,404	5,719,219	6,045,694
TOTAL PARKS	155,359	206,131	41,389	164,509	170,499	176,256	183,176	191,194
TOTAL LIBRARY	8,172	11,179	1,400	9,392	9,639	9,893	10,155	10,423
TOTAL GENERAL GOVERNMENT	531,033	564,493	136,708	581,059	598,150	615,789	634,001	652,804
TOTAL COMMUNITY	26,434	15,359	2,322	30,458	30,835	31,222	31,620	32,030
TOTAL NON-EXPENDITURES	45	200	320	500	500	500	500	500
TOTAL OPERATING-TRANSFERS OUT	899,608	664,804	163,701	665,244	668,139	668,599	669,068	669,546
TOTAL EXPENDITURES	7,445,063	8,079,040	1,876,908	8,266,746	8,555,189	8,875,110	9,247,535	9,694,361
ENDING FUND BALANCE	3,276,972	2,851,349	3,034,427	2,424,898	1,850,695	1,069,875	31,463	(1,334,990)
Total Reserve %	34%	37%	186%	31%	23%	13%	0%	-16%

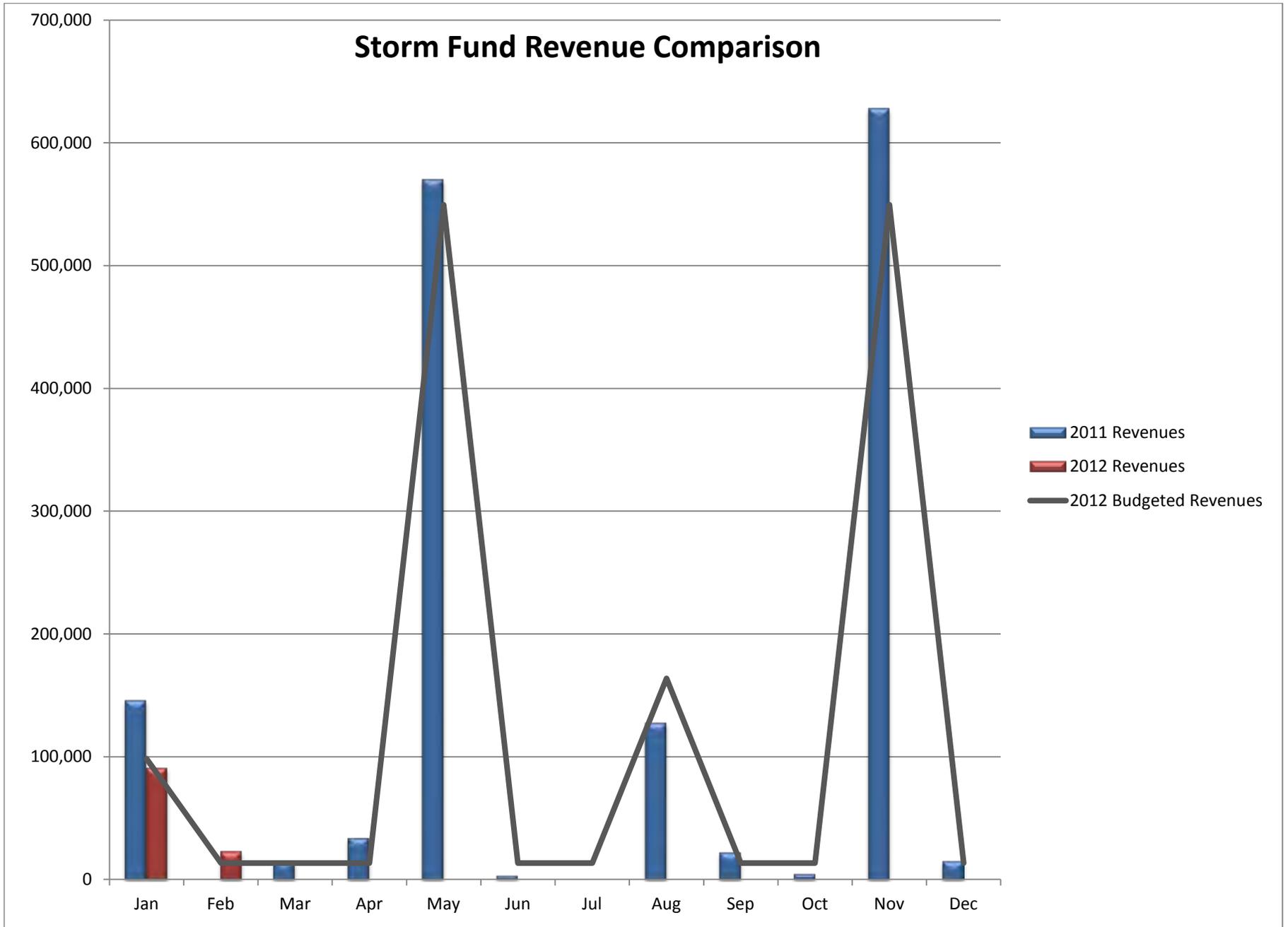
General Fund Revenue Comparison

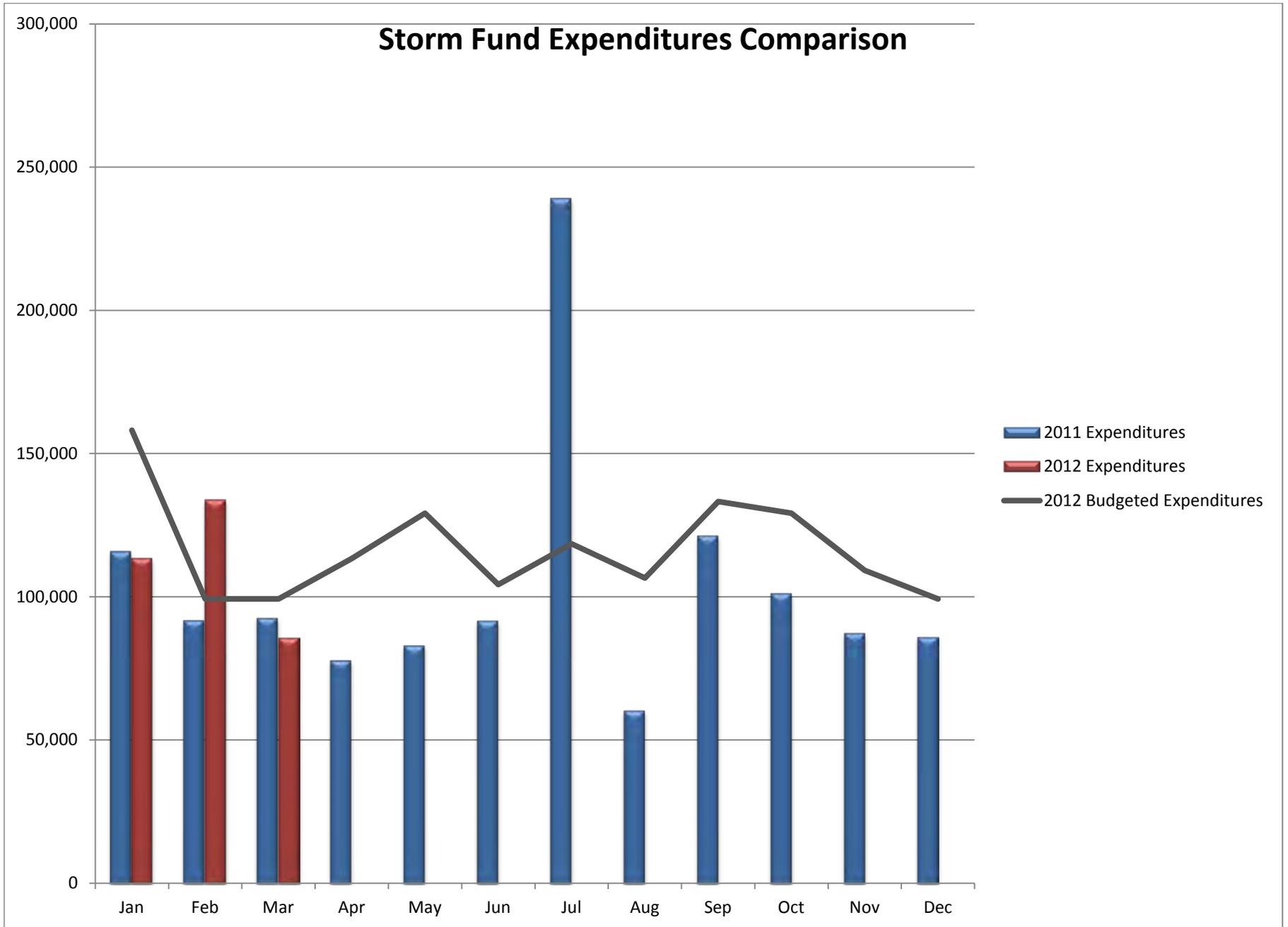












CITY OF LAKE STEVENS
TREASURERS REPORT
2012 First Quarter Financial Summary

General Fund - Summary

Description	Amended Budget	March 31, 2012	Percent +/- of 2012 Budget
Beginning Fund Balance	\$ 3,276,971	\$ 3,276,971	100.0%
Revenues	\$ 7,653,418	\$ 1,634,364	21.4%
Expenditures	\$ 8,079,040	\$ 1,876,908	23.2%
Ending Fund Balance	\$ 2,851,349	\$ 3,034,427	106.4%

- Total revenues are approximately 21% of budget.
- Total expenditures are approximately 23% of budget.

General Fund - Revenues

Revenue Category	Amended Budget	March 31, 2012	Percent +/- of 2012 Budget	March 31, 2011	% Change from 2011-2012
Taxes	\$ 6,231,262	\$ 1,201,316	19.3%	\$ 1,285,286	-6.5%
Licenses & Permits	\$ 313,380	\$ 181,010	57.8%	\$ 123,111	47.0%
Intergovernmental	\$ 368,574	\$ 101,132	27.4%	\$ 121,042	-16.4%
Charges for Services	\$ 363,996	\$ 52,668	14.5%	\$ 161,621	-67.4%
Fines and Forfeits	\$ 310,022	\$ 77,618	25.0%	\$ 100,560	-22.8%
Miscellaneous	\$ 65,684	\$ 20,509	31.2%	\$ 22,765	-9.9%
Non-Revenue/Other	\$ 500	\$ 110	22.0%	\$ 34,585	-99.7%
Total	\$ 7,653,418	\$ 1,634,363	21.4%	\$ 1,848,970	-11.6%

Total Receipts are approximately 21% of the budget. This is an 12% decrease over 2011.

- Taxes are 19% of the budgeted revenues, a 6.5% decrease over prior year. The majority of the decline is sales tax, due to the completion of the WWTP.
- Licenses & Permits are at 58% of budgeted revenues, the majority of which is building permit revenue. A large portion of the building permit activity projected to occur in 2012 has already begun in the early part of the year.
- Intergovernmental revenues are at 27% of current budget. This includes the liquor profits and excise taxes which will be reevaluated in the coming months as revenues are received under the new liquor distribution and sales model.
- Service Charges are at 15% of budget revenues due to the timing of receipts for the School Resource Officers, and the IT Services payment from the Fire District. These revenues were received early in 2011.
- Fines and Forfeit revenues are on target at 25% of budget.
- Miscellaneous Revenues are 31% of budget, a slight increase due to the receipt of a catch-up payment for facility lease received in 2011.
- The 2011 Non-Revenue budget includes an interfund loan repayment from the Repair & Demolition Fund.

General Fund - Expenditures

Expenditure Category	Amended Budget	March 31, 2012	Percent +/- of 2012 Budget	March 31, 2011	% Change from 2011-2012
Legislative	\$ 51,798	\$ 9,012	17.4%	\$ 8,313	8.4%
Executive	\$ 18,647	\$ 4,337	23.3%	\$ 4,497	-3.6%
Administration	\$ 88,762	\$ 21,468	24.2%	\$ 21,544	-0.4%
City Clerk	\$ 91,431	\$ 20,854	22.8%	\$ 19,557	6.6%
Human Resources	\$ 70,304	\$ 18,386	26.2%	\$ 15,518	18.5%
Civil Service	\$ 2,100	\$ -	0.0%	\$ -	-
IT Services	\$ 162,910	\$ 40,025	24.6%	\$ 39,196	2.1%
Finance	\$ 105,273	\$ 26,954	25.6%	\$ 26,680	1.0%
Legal	\$ 65,000	\$ 8,174	12.6%	\$ 7,513	8.8%
Planning	\$ 842,694	\$ 162,523	19.3%	\$ 99,751	62.9%
Building	\$ 200,111	\$ 46,844	23.4%	\$ 47,540	-1.5%
Law Enforcement	\$ 4,917,843	\$ 1,172,489	23.8%	\$ 1,139,046	2.9%
Parks	\$ 206,131	\$ 41,389	20.1%	\$ 32,167	28.7%
Library	\$ 11,179	\$ 1,400	12.5%	\$ 2,082	-32.8%
General Government	\$ 564,493	\$ 136,708	24.2%	\$ 210,861	-35.2%
Community	\$ 15,359	\$ 2,322	15.1%	\$ 1,907	21.8%
Refunds & Non Oper	\$ 665,004	\$ 164,021	24.7%	\$ 224,902	-27.1%
Total	\$ 8,079,039	\$ 1,876,906	23.2%	\$ 1,901,074	-1.3%

Total Expenditures are approximately 23% of the budget. This is a 1% decrease from the same period in the prior year.

- The Legislative Department increased 8% due partially to the addition of facility rental for Council meetings
- The City Clerk's expenditures increased 7% due to increased cost and use of Code Publishing.
- Human Resources increased due to the budgeted purchase of a fire proof safe in 2012.
- The Legal Department expenditures increased 9% due to the need for additional legal counsel and review.
- The Planning Department increased by 63% due to Economic Development related costs, as well as the budgeted purchase of a new permit tracking software program.
- Law Enforcement increased 3% due to the reallocation of insurance premiums, as well as the budgeted purchases of computer equipment.
- The Parks Department expenditures increased 29% due to the budgeted parks projects including reroofing the Lundeen Shelter and Restrooms.
- General Government decreased by 35% due to the reallocation of insurance premiums. In addition, capital outlay related to the cable PEG channel was completed in 2011.
- Non-Operating expenditures decreased by 27% due to the revised operating transfers to Capital funds and reserve funds.
- The remaining departments had no significant changes since prior year and are within budget expectations.

Street Fund - Summary

Description	Amended Budget	March 31, 2012	Percent +/- of 2012 Budget
Beginning Fund Balance	\$ 1,773,891	\$ 1,773,891	100.0%
Revenues	\$ 2,037,700	\$ 289,170	14.2%
Expenditures	\$ 1,902,277	\$ 388,664	20.4%
Ending Fund Balance	\$ 1,909,314	\$ 1,674,397	87.7%

- Total revenues are approximately 14% of budget.
- Total expenditures are approximately 20% of budget.

Street Fund - Revenues

Revenue Category	Amended Budget	March 31, 2012	Percent +/- of 2012 Budget	March 31, 2011	% Change from 2011-2012
Taxes	\$ 1,381,935	\$ 140,818	10.2%	\$ 119,524	17.8%
License & Permits	\$ 15,000	\$ 3,600		\$ -	100.0%
Intergovernmental	\$ 566,833	\$ 140,016	24.7%	\$ 136,289	2.7%
Charges for Service	\$ 2,000	\$ -	0.0%	\$ -	0.0%
Miscellaneous	\$ 3,678	\$ 4,736	128.8%	\$ 1,674	182.9%
Other Financing	\$ 68,255	\$ -	0.0%	\$ -	-
Total	\$ 2,037,701	\$ 289,170	14.2%	\$ 257,487	12.3%

Total Receipts are approximately 14% of the budget. This is a 12% increase over the same period in 2011.

- Taxes are at 10% of budget, a 18% increase over the same period in 2011. Currently the largest contributor is Electric utility tax receipts. Property tax is currently at 4% of budget due to the timing of those receipts.
- License & Permits - Prior to mid 2011, Right of Way permits were accounted for in the general fund.
- Intergovernmental Revenues increased 3% over 2011 due to a payment from PUD for street repair. Street Fuel Tax has decreased slightly over the prior year.
- Miscellaneous revenues have increased due to the insurance recovery funds received for street related incidents.
- Other Financing budget is for the PWTF Loan for the 36th Street Bridge Repair which has not been requested

Street Fund - Expenditures

Expenditure Category	Amended Budget	March 31, 2012	Percent +/- of 2012 Budget	March 31, 2011	% Change from 2011-2012
Salaries & Benefits	\$ 822,424	\$ 196,779	23.9%	\$ 190,322	3.4%
Supplies	\$ 48,020	\$ 10,659	22.2%	\$ 8,933	19.3%
Services	\$ 292,205	\$ 63,415	21.7%	\$ 57,619	10.1%
Transportation	\$ 593,362	\$ 103,601	17.5%	\$ 44,667	131.9%
Other Expenses	\$ 57,418	\$ 14,105	24.6%	\$ 610,891	-97.7%
Capital Projects	\$ 88,848	\$ 106	0.1%	\$ 6,420	-98.3%
Total	\$ 1,902,277	\$ 388,665	20.4%	\$ 918,852	-57.7%

Total Expenditures are approximately 20% of the budget, a 58% decrease over the same period in the prior year.

- Salaries & Benefits are within budget expectations.
- Supplies have increased 19% over 2011 due to the budgeted purchases of traffic counters and lockers.
- Service Charges have increased 10% over prior year due to additional R&M expenditures including light pole and fence replacements.
- Transportation expenditures are up significantly over 2011 due to additional street lighting costs within the annexation area, some snow & ice control costs due to the snow event earlier this year, as well as the budgeted completion of the City Shop project and purchase of School Zone Beacons which will be reimbursed under a grant.
- Other Expenses are made up of the budgeted quarterly contribution and interfund transfers. Fewer transfers were budgeted in 2012 than in 2011.
- Capital Projects decreased significantly over the prior year as most budgeted projects have not begun.

Surface/Storm Water Fund - Summary

Description	Amended Budget	March 31, 2012	Percent +/- of 2012 Budget
Beginning Fund Balance	\$ 652,249	\$ 652,249	100.0%
Revenues	\$ 1,468,559	\$ 113,862	7.8%
Expenditures	\$ 1,399,257	\$ 332,729	23.8%
Ending Fund Balance	\$ 721,551	\$ 433,382	60.1%

- Total revenues are approximately 8% of budget.
- Total expenditures are approximately 24% of budget.

Surface/Storm Water Fund Revenues

Revenue Category	Amended Budget	March 31, 2012	Percent +/- of 2012 Budget	March 31, 2011	% Change from 2011-2012
Intergovernmental	\$ 159,500	\$ 27,568	17.3%	\$ 56,608	-51.3%
Charges for Service	\$ 1,307,961	\$ 86,208	6.6%	\$ 104,820	-17.8%
Miscellaneous/Transfers	\$ 1,098	\$ 186	16.9%	\$ 174	6.9%
Total	\$ 1,468,559	\$ 113,962	7.8%	\$ 161,602	-29.5%

Total Receipts are 8% of budget, a decrease over the prior year.

- Intergovernmental Revenues are made up primarily of grant funding reimbursement more of which were received in early 2011.
- Charges for Services have decreased 18% due to the timing of SWM fee receipts.

Surface/Storm Water Fund Expenditures

Expenditure Category	Amended Budget	March 31, 2012	Percent +/- of 2012 Budget	March 31, 2011	% Change from 2011-2012
Salaries & Benefits	\$ 760,699	\$ 186,061	24.5%	\$ 178,165	4.4%
Operating	\$ 27,892	\$ 9,174	32.9%	\$ 3,957	131.8%
Services	\$ 137,696	\$ 57,469	41.7%	\$ 24,319	136.3%
Intergovernmental	\$ 254,507	\$ 15,862	6.2%	\$ 41,866	-62.1%
Aerator Expenses	\$ 104,721	\$ 49,968	47.7%	\$ 41,142	21.5%
Capital Projects	\$ 36,900	\$ -	0.0%	\$ 206	-100.0%
Operating Transfers	\$ 76,841	\$ 14,196	18.5%	\$ 10,974	29.4%
Total	\$ 1,399,256	\$ 332,730	23.8%	\$ 300,629	10.7%

Total Expenditures are approximately 24% of the budgeted amount, a 11% increase over the prior year.

- Salaries & Benefits are within budget expectations
- Operating and Service expenditures have both increased over prior year due to a more accurate allocation of related costs being accounted for in this fund. This includes a reallocation of insurance premiums and fuel usage.
- Intergovernmental revenues have decreased significantly due to more storm water grant expenditures occurring in early 2011 than in the same period in 2012.
- Aerator Expenses have increased 22% due to the budgeted repairs that occurred early this year.
- The Capital Projects budgeted in 2012 have not yet been started.
- Operating Transfers have increased due to the additional Equipment Replacement transfers budgeted in 2012.

4/9/12

CITY OF LAKE STEVENS
TREASURERS REPORT

TREASURERS REPORT				
GENERAL FUND	2012	As of	2012	As of
Line Item Description	Amended Budget	3/31/2012	% of Budget	3/31/2011
Estimated Beginning Fund Balance	3,276,971	3,276,971		1,213,310
Real and Personal Property Tax	2,611,547	95,443	4%	87,422
Local Retail Sales and Use Tax	1,607,585	542,050	34%	600,169
State Law & Justice	279,734	94,377	34%	91,500
Sales Tax Incentive	0	49,717	>100%	70,213
Utility Tax - Electric	336,154	103,702	31%	96,285
Utility Tax - Gas	355,735	84,562	24%	80,333
Franchise Tax - Television Cable	320,019	78,935	25%	79,227
B & O Telephone and Telegraph	703,738	148,357	21%	175,857
Leasehold Excise Tax	3,250	960	30%	342
Gambling Tax	13,500	3,214	24%	3,937
TOTAL Taxes	6,231,262	1,201,316	19%	1,285,286
Business Licenses and Permits	44,560	12,681	28%	12,052
Building Permits	258,000	164,214	64%	108,626
Animal Licenses	4,550	740	16%	1,132
Other Non-Business Licenses & Permits	4,270	1,801	42%	1,301
Event Permits	2,000	1,575	79%	-
TOTAL Licenses and Permits	313,380	181,010	58%	123,111
DOJ Grant	1,600	1,749	109%	
ARRA - JAG Grant	13,134	7,499	57%	
Misc. Police Grants	8,600	1,686	20%	7,997
Safer Boating Grant	25,000		0%	
Boating (VRF)	8,900		0%	8,898
Parks grant - Recycle	0		0%	
Shoreline Master Program Grant	0		0%	
Housing Authority Pay. In Lieu of Taxes	135		0%	135
PUD Privilege Tax	89,095		0%	
Criminal Justice-Low Population	500	1,549	310%	1,491
Criminal Justice-Special Programs	2,000	5,848	292%	5,630
DUI Distribution	6,895	1,352	20%	1,214
Liquor Excise Tax	22,715	33,216	146%	32,368
Liquor Board Profits	190,000	37,498	20%	51,909
City Assistance	0	10,735	>100%	11,400
TOTAL Intergovernmental Revenue	368,574	101,132	27%	121,042
IT Services	75,663	748	1%	73,210
Sale of Map/ Publications & Photocopies	2,581	653	25%	851
Public Record Request - Printing/Copy Fees	50	-	0%	33
Election Candidate Filing Fee	0	-	0%	
Passports	45,000	12,218	27%	12,175
Passport Photos	13,000	3,613	28%	3,284
Law Enforcement Services	4,202	1,230	29%	790
Law Enforcement Off-duty	19,000	5,074	27%	4,307
Law Enforcement Services-High School	120,000	24,621	21%	47,567
Fire Inspection Fee	1,000	125	13%	333
Zoning and Subdivision Fees	75,000	2,815	4%	18,529

GENERAL FUND	2012	As of	2012	As of
Line Item Description	Amended	3/31/2012	% of	3/31/2011
	Budget		Budget	
Planning - Developer Reimbursement	500	1,127	225%	
Boat Launch Parking	7,000	444	6%	392
Boat Launch Closure Fee	700	-	0%	
Boating Safety Classes	300	-	0%	150
TOTAL Charges For Services	363,996	52,668	14%	161,621
	-			
Mandatory Insurance - Admin Fee	350	98	28%	
Evergreen & Marysville Courts	282,821	72,166	26%	91,921
Violations	26,551	3,926	15%	8,639
Evidence Confiscations	0	-	0%	-
Impound Fees	300	1,428	476%	-
TOTAL Fines And Forfeits	310,022	77,618	25%	100,560
	-			
Investment Interest	5,879	873	15%	487
Real & Pers. Prop. Tax Interest	0	(20)	0%	(33)
Sales & Use Tax Interest	1,625	462	28%	528
Facilities Rental	10,000	2,814	28%	1,772
Special Event - Rental Reimb	4,500	431	10%	1,501
Lease (LT) Lundeen House	8,472	2,118	25%	2,824
Lease (LT) City Shop	23,533	5,753	24%	7,321
Arts sidewalk chalk/ Arts Commission Donation	125		0%	-
Donations - Parks Dept.-Dock	0		0%	-
Private grants/donations- HR	750		0%	480
Donations - Police Dept.	500		0%	-
Sale of Scrap & Junk	0		0%	714
Sale of confiscated property	200	-	0%	258
Misc. judgments & settlements	500	1,160	232%	-
Unclaimed Property	400	1,382	346%	-
Reimbursement - Snolsle Library	5,000	5,235	105%	5,415
Employee Reimbursement - Gun purchase	3,000	300	10%	1,158
Cash Overages/(Shortages)	0		0%	-
Miscellaneous Revenue	1,200		0%	340
TOTAL Miscellaneous Revenue	65,684	20,509	31%	22,765
	-			
Cable - Capital Contributions	0		0%	6,045
TOTAL Capital Contributions	0	-	0%	6,045
	-			
Interfund Loan Repayment	0		0%	28,029
Prior Year's correction	0		0%	-
Refundable Customer Deposit	0	90	0%	50
Refunds or Overpayments	500	20	4%	461
TOTAL Non- Revenue	500	110	22%	28,540
	-			
Insurance Recoveries	0	-	0%	-
TOTAL Other Financing Sources	0	-	0%	-
TOTAL REVENUES	7,653,418	1,634,364	21%	1,848,970
TOTAL RESOURCES	10,930,389	4,911,335	45%	3,062,280
Legislative - Salaries	42,000	7,550	18%	6,700
Legislative - Benefits	3,213	588	18%	513

GENERAL FUND	2012	As of	2012	As of
Line Item Description	Amended	3/31/2012	% of	3/31/2011
	Budget		Budget	
Legislative - Operating Sup	300	86	29%	-
Legislative - Travel	1,000	466	47%	595
Legislative - Rentals	2,000	223	11%	-
Legislative - Prof. Development	800	100	13%	505
Legislative - Capital	0		0%	-
Legislative - Retreat	2,485		0%	-
TOTAL LEGISLATIVE	51,798	9,012	17%	8,313
Executive - Salaries	14,400	3,600	25%	3,600
Executive - Benefits	1,392	285	20%	276
Executive - Communications	655	333	51%	115
Executive - Travel	1,000	120	12%	371
Executive - Miscellaneous	250		0%	-
Executive - Prof. Development	750		0%	135
Executive - Board appreciation	200		0%	-
TOTAL EXECUTIVE	18,647	4,337	23%	4,497
Administration - Salaries	65,346	16,285	25%	16,900
Administration - Benefits	18,936	4,455	24%	4,144
Administration - Office Supply	250	23	9%	-
Administration - Staff Development	1,100	35	3%	170
Administration - Communications	1,280	421	33%	142
Administration - Travel	1,600	250	16%	188
Administration - Miscellaneous	250		0%	-
Administration - Capital	0		0%	-
TOTAL Administration	88,762	21,468	24%	21,544
Clerk - Salaries	56,350	14,294	25%	13,928
Clerk - Benefits	19,699	4,447	23%	4,535
Clerk -Office supplies	600	217	36%	193
Clerk - Professional Services	12,000	1,581	13%	637
Clerk - Staff Development	800		0%	-
Clerk- Communications	482	113	23%	100
Clerk - Travel	800	36	5%	-
Clerk - R&M	0		0%	-
Clerk- Miscellaneous	0		0%	-
Clerk- Misc DOL CC fees	700	165	24%	164
Clerk - Capital	0		0%	-
TOTAL Clerk	91,431	20,854	23%	19,557
HR - Salaries	49,156	12,290	25%	11,931
HR - Benefits	13,391	3,046	23%	2,984
HR- Office supplies	500	112	22%	-
HR - Operating Supplies	2,500	2,474	99%	-
HR- Professional services	600	10	2%	81
HR Staff development	600		0%	-
HR Communications	757	176	23%	155
HR- Travel	400	17	4%	-
HR - Miscellaneous	150	49	33%	49
HR Wellness program	1,000		0%	-
HR Safety program	1,250	212	17%	318
TOTAL HR	70,304	18,386	26%	15,518

GENERAL FUND	2012	As of	2012	As of
Line Item Description	Amended Budget	3/31/2012	% of Budget	3/31/2011
Civil Service - Professional Service	1,700		0%	-
Civil Service - Supplies	400		0%	-
TOTAL CIVIL SERVICE	2,100	-	0%	-
IT- Salaries	110,564	27,642	25%	26,836
IT - Overtime	1,500	449	30%	291
IT - Benefits	45,931	10,979	24%	9,944
IT- Office supplies	200	168	84%	-
IT- Renewals & Annual Subscriptions	0		0%	1,780
IT - Fuel	450	51	11%	-
IT- Staff development	2,000		0%	-
IT- Communications	1,465	736	50%	299
IT- Travel	200		0%	46
IT - Repair & Maintenance	500		0%	-
IT - Miscellaneous	100		0%	-
Total IT	162,910	40,025	25%	39,196
Finance - Salaries	72,556	18,072	25%	17,239
Finance - Benefits	22,897	5,047	22%	4,485
Finance - Office Supplies	1,800	365	20%	877
Finance - Professional Service	1,000	846	85%	-
Finance - Communications	234	58	25%	57
Finance - Travel	700	28	4%	-
Finance - Advertising	400		0%	-
Finance - Insurance	136	122	90%	122
Finance - Financial Software Maint	2,550	2,100	82%	3,550
Finance - Miscellaneous	500	75	15%	300
Finance - Staff Development	500	50	10%	50
Finance - Banking Services	2,000	192	10%	-
Finance - Capital	0	-	0%	-
TOTAL FINANCE	105,273	26,954	26%	26,680
Legal - Professional Service	65,000	8,174	13%	7,513
TOTAL LEGAL	65,000	8,174	13%	7,513
Planning - Salaries	325,625	83,662	26%	65,737
Planning - Benefits	121,980	31,447	26%	19,778
Planning - Office Supplies	3,500	793	23%	174
Planning - Operating Supplies	2,500	49	2%	49
Planning - Tools & Equipment	900	900	100%	-
Planning - Professional Services	2,500	69	3%	2,709
Planning - Prof. Serv. UGA/RUTA	5,000		0%	-
Planning - Engineering - Biologist	2,000		0%	-
Planning - Prof. Serv. Hear. Exam.	2,500		0%	-
Planning - Critical Areas - Developer Reimb	9,000	1,463	16%	844
Planning - Prof Serv Eagle Ridge Graphics	0		0%	-
Planning - GIS mapping	0		0%	540
Planning - Communication	3,265	737	23%	636
Planning - Travel	1,200	168	14%	12
Planning - Advertising	10,000	551	6%	3,745

GENERAL FUND	2012	As of	2012	As of
Line Item Description	Amended	3/31/2012	% of	3/31/2011
	Budget		Budget	
Planning - Repair & Maint.	500	160	32%	114
Planning - Miscellaneous	150		0%	-
Planning - Printing and Binding	1,000	235	24%	316
Planning - Capital	0		0%	-
Planning - Permit Tracking System Upgrade	4,344	4,344	100%	-
Planning - Permit Tracking Maint	5,430	5,430	100%	-
Planning - Permit Tracking Customer Module	0		0%	-
Planning - Staff Development	1,200	73	6%	-
Planning -Shoreline Master Program	0	481	4812500%	4,152
Planning - Economic Development	340,000	31,936	9%	828
Planning Commission - Miscellaneous	100	24	24%	117
TOTAL PLANNING	842,694	162,523	19%	99,751
	-			
Building Department - Salaries	134,068	31,996	24%	33,623
Building Department - Benefits	59,338	14,033	24%	13,178
Building Department - Office Supplies	500	129	26%	238
Building Department - Operating Supply	1,650	376	23%	259
Building Department - Professional	3,000	199	7%	131
Building Department - Communications	455	111	24%	111
Building Department - Travel	250		0%	-
Building Department - Repair & Maintenance	0		0%	-
Building Department - Miscellaneous	150		0%	-
Building Department - Staff Development	700		0%	-
Building - Capital Outlay	0		0%	-
TOTAL BUILDING	200,111	46,844	23%	47,540
Law Enforcement - Salaries	2,230,594	527,681	24%	556,539
Law Enforcement - Holiday Pay Out	83,200	-	0%	-
Law Enforcement - Extra Duty Salaries	15,000	-	0%	236
Law Enforcement - Overtime	300,000	51,243	17%	33,027
Law Enforcement - Benefits	904,389	219,992	24%	225,088
Law Enforcement - Clothing	37,000	17,514	47%	20,064
Law Enforcement - Office Supplies	25,000	6,801	27%	6,057
Law Enforcement - Operating	25,000	6,659	27%	6,738
Law Enforcement - Staff Purchases - union	2,500	1,869	75%	-
Law Enforcement - Emergency Mangement	0		0%	-
Law Enforcement - Fuel	103,500	15,495	15%	17,295
Law Enforcement - Professional Services	22,000	3,699	17%	5,925
Law Enforcement - Prof Serv Lexipol	2,450	2,450	100%	2,450
Law Enforcement - Legal	-	7,350		
Law Enforcement - Communication	28,490	5,512	19%	4,036
Law Enforcement - Travel	10,000	485	5%	59
Law Enforcement - Insurance	155,145	154,542	100%	111,870
Law Enforcement - Utilities	10,777	3,480	32%	3,406
Law Enforcement - Repair & Maintenance	110,000	11,333	10%	9,627
Law Enforcement - Miscellaneous	2,000	984	49%	570
Law Enforcement - Staff Development	7,500	5,593	75%	10
Law Enforcement - Drug Task Force	7,500	-	0%	-
Law Enforcement - Grants	4,000	3,245	81%	-
Law Enforcement - Alarm Costs	2,000	348	17%	696
Law Enforcement - Drug Investigations	1,000		0%	
Law Enforcement - Jail	326,000	22,652	7%	42,032
Law Enforcement - Snopac Dispatch/800 Mhz	351,273	77,862	22%	86,546

GENERAL FUND	2012	As of	2012	As of
Line Item Description	Amended	3/31/2012	% of	3/31/2011
	Budget		Budget	
Law Enforcement - Boating Salaries	32,000		0%	-
Law Enforcement - Boating Benefits	6,300		0%	-
Law Enforcement - Clothing - Boating	500	397	79%	-
Law Enforcement - Boating Travel	2,000	1,041	52%	-
Law Enforcement - Boating Operating Supplies	1,000		0%	460
Law Enforcement - R&M Boating	5,000		0%	-
Law Enforcement - Capital	0	600	>100%	-
Law Enf-NW IP Server Software	0		0%	-
Law Enf-NW Cisco port switch	4,000	3,616	90%	-
Law Enf-NW GPS/Receiver Antena	4,900		0%	-
Law Enf-NW Upgrade Internet conn	0		0%	-
Law Enf-NW Evidence Bar Coding	3,400		0%	-
Law Enf - NW Car Laptops	41,125	7,765	19%	-
Law Enf- 1 Ballistic Shield	3,800		0%	-
Law Enf- Patrol Car Audio/Video	7,500		0%	-
Law Enf- E Cabinet Filing	5,000	4,995	100%	-
LE - Seizure & Forfeiture State Remit	0		0%	-
Code Enforcement - Professional Service	35,000	7,285	21%	6,315
TOTAL LAW ENFORCEMENT	4,917,843	1,172,489	24%	1,139,046
	-			
Parks - Salaries	47,810	11,312	24%	11,661
Parks - Overtime	0		0%	-
Parks - Seasonal Workers Salaries	30,000		0%	-
Parks - Benefits	22,573	4,898	22%	4,748
Parks - Seasonal Workers - Benefits	5,000		0%	-
Parks - Clothing	2,900	1,935	67%	2,650
Parks - Operating Supplies	7,500	188	3%	290
Parks - Eagle Ridge Park/Soper Hill Operating	2,500	235	9%	92
Parks - Lundeen Op	5,000	758	15%	465
Parks - North Cove	200		0%	-
Parks - Swim Beach	500		0%	-
Parks - Boat Launch Expenses	500	40	8%	-
Parks - Fuel	2,732		0%	-
Parks - Professional Services	500		0%	-
Parks - Communications	2,125	533	25%	408
Parks - Travel	0		0%	-
Parks - Equipment Rental	6,000	654	11%	658
Parks - Insurance	3,225	3,030	94%	7,166
Parks - Utilities	9,884	2,338	24%	2,343
Parks - Storm Drainage	2,432		0%	-
Parks - Repair & Maintenance	6,000	1,985	33%	1,176
Parks - Repair & Maintenance - Lundeen	500		0%	-
Reroof Shelters and restrooms - Lundeen	18,000	13,483	75%	-
Parks - Miscellaneous	250		0%	-
Parks - Staff Development	500		0%	510
Parks - Capital Outlay -New Rowing Dock	0		0%	-
Parks - Lundeen Bskbal Court	0		0%	-
Eagle Ridge - House site demo	25,000		0%	-
Grates for ped pier & railing-North Cove	4,200		0%	-
Park Board - Miscellaneous	300		0%	-
Parks- DOE grant (Recycle)	0		0%	-
TOTAL PARKS	206,131	41,389	20%	32,167

GENERAL FUND	2012	As of	2012	As of
Line Item Description	Amended	3/31/2012	% of	3/31/2011
	Budget		Budget	
Library - Operating	794		0%	-
Library - Professional Service	206		0%	-
Library - Utilities	6,617	1,400	21%	1,317
Library - Storm Drainage	563		0%	-
Library - Repairs & Maintenance	2,000		0%	765
Library - Capital Outlay	1,000		0%	-
TOTAL LIBRARY	11,179	1,400	13%	2,082
	-			
General Gov't - Facilities Salaries	2,325	581	25%	334
General Gov't - Facilities Benefits	786	185	24%	180
General Government - Special Event Equip	2,890		0%	-
General Government - Election Costs	10,000		0%	-
General Government - Voters Registration	40,000	38,053	95%	38,839
General Government - Municipal Court Fees	175,000	14,564	8%	21,709
General Government - Court Appt. Attorney	70,000	11,550	17%	11,025
General Government - Advertising	300	47	16%	101
General Gov't - Prosecutor fees	88,403	15,049	17%	14,333
General Government - Fire Marshall	3,598		0%	-
General Government - Public Record Req - Print&C	200		0%	-
General Government - P.S.R.C.	11,308		0%	-
General Government - Operating Supply	9,000	922	10%	1,016
General Government - Fuel	200		0%	-
General Government - Professional Serv	6,000	1,220	20%	1,678
General Government - Communications	7,474	1,516	20%	1,829
General Government - Equipment rental	2,300	550	24%	553
General Government - Insurance	21,685	21,388	99%	51,181
General Government - Utilities	15,570	3,395	22%	3,025
General Government - Storm Drainage	2,778		0%	-
General Government - Repair/Maintenance	7,500	141	2%	1,549
General Government - Miscellaneous	2,500	408	16%	237
General Government - Economic Develop. Council	4,000	3,000	75%	3,000
General Government - Visitor Center	700		0%	-
General Government - A.W.C.	19,084	19,084	100%	18,042
General Government - Snohomish Co. Tomorrow	5,000		0%	4,397
General Government - Excise Tax	1,585	296	19%	425
General Government - Capital Expenditure	0		0%	1,651
General Government - Cable Capital	0		0%	25,173
General Government - Protect Insp - Reg Enforce	1,000		0%	-
General Government - Emergency Service	30,506		0%	7,062
General Government - Earth Day Clean Up	2,000		0%	-
General Government - Aquafest	2,000		0%	-
General Government - Air Pollution	12,000	3,179	26%	1,891
General Government - Liquor Board to State	6,800	1,580	23%	1,631
TOTAL GENERAL GOVERNMENT	564,493	136,708	24%	210,861
	-			
Historical Museum	1,000	449	45%	190
Arts Commission	2,268	-	0%	50
Grimm House Electricl	500	183	37%	62
Human Services	0	-	0%	-
Community Center - Operating & R&M	4,000	169	4%	108
Community Center- Cleaning	1,200	276	23%	306
Community Center- Communication	455	111	24%	111
Community Center- Utilities	4,437	878	20%	871

GENERAL FUND	2012	As of	2012	As of
Line Item Description	Amended	3/31/2012	% of	3/31/2011
	Budget		Budget	
New Senior Center	1,500	257	17%	209
TOTAL COMMUNITY	15,359	2,322	15%	1,907
Refunds	200	320	160%	-
TOTAL NON-EXPENDITURES	200	320	160%	-
Contribution To Cap Equip (Police)	100,000	25,000	25%	18,500
Contribution To Unemployment Fund	22,089	5,522	25%	9,913
Operating Trans to 633 (Trs. Trust)	10,000	-	0%	-
Contribution To Computer Equip Fund	32,715	8,179	25%	7,700
Transfer Library Annex Funds to Street	0		0%	-
Transfer Library Annex Funds to Gen. Fnd Reserv	500,000	125,000	25%	125,000
Transfer Increased % of Property tax to GF Resrv	0		0%	63,789
TOTAL OPERATING-TRANSFERS OUT	664,804	163,701	25%	224,902
TOTAL EXPENDITURES	8,079,040	1,876,908	23%	1,901,074
ENDING FUND BALANCE	2,851,349	3,034,427		1,161,205
Total Reserve %	37%	186%		63%
Council Reserve Policy 10%				
Amount in excess of policy 10%	2,086,007	2,870,990		976,308

4/9/2012

CITY OF LAKE STEVENS
 TREASURERS REPORT
 STREET FUND

Treasurer's Report				
STREET FUND		As of	2012	As of
<u>Line Item Description</u>	2012 Amended Budget	3/31/2012	% of Budget	3/31/2011
Street Fund				
Estimated Beginning Fund Balance	1,773,891	1,773,891		1,929,912
County Road Tax	-	-	0%	
Real and Personal Property Tax	1,015,602	37,117	4%	23,239
B & O Electric	366,333	103,702	28%	96,285
Total Taxes	1,381,935	140,818	10%	119,524
ROW Permits	15,000	3,600	24%	-
Total License & Permits	15,000	3,600		-
Street Fuel Tax	566,833	133,611	24%	136,289
FEMA Grant	-		0%	
PUD Street Repair Reimb	-	6,405	>100%	
ARRA Grant	-		0%	
Total Intergovernmental Revenue	566,833	140,016	25%	136,289
PW Services - Reimbursement	2,000		0%	
Total Charges for Services	2,000	-	0%	-
Investment Interest	3,178	538	17%	877
ROW - Special Assessment	0	72	>100%	48
Insurance Recovery	500	3,343	669%	749
Prior Year's Correction (PPA)	0		0%	
Miscellaneous Revenue	0	783	>100%	
Total Miscellaneous Revenue	3,678	4,736	129%	1,674
Transfer of Library Annex Funds	-	-	0%	
Transfer in from Bond Fund	-	-	0%	
Transfer in from PWTF Loan	68,255	-	0%	
Total Other Financing Sources	68,255	-	0%	-
TOTAL REVENUES	2,037,700	289,170	14%	257,487
TOTAL RESOURCES	3,811,591	2,063,061	54%	2,187,399
Street Fund - Salaries	547,159	126,468	23%	119,407
Street Fund - Overtime	25,000	12,027	48%	11,608
Street Fund - Benefits	244,745	55,837	23%	56,495
Street Fund - Clothing	5,520	2,447	44%	2,812
Total Salaries & Benefits	822,424	196,779	24%	190,322
Street Fund - Office Supplies	2,320	931	40%	824
Street Fund - Operating Supplies	13,700	5,728	42%	1,922
Street Fund - Fuel	32,000	4,000	13%	6,187
Total Supplies	48,020	10,659	22%	8,933
Street Fund - Safety program	2,355	399	17%	598
Street Fund - Staff Development	2,000	-	0%	66
Street Fund - Professional Services	40,000	4,511	11%	4,371

STREET FUND		As of	2012	As of
Line Item Description	2012 Amended Budget	3/31/2012	% of Budget	3/31/2011
SR9 Safety Corridor Study	-	-	0%	
20th Street SE Traffic Study	33,000	6,868	21%	
Street Fund - Street Sweeping	22,615	3,650	16%	5,675
GMA Traffic Mitigation Plan	39,000		0%	
Hwy 9/204/ LSC Circulation	15,967		0%	
Street Fund - Roundabout Landscape	3,000		0%	
Street Fund - Computer Software	910	450	49%	650
Professional Services - Legal	-	232	>100%	
Street Fund - Communications	4,100	1,033	25%	843
Street Fund - Travel	855	68	8%	149
Street Fund - Advertising	250	130	52%	
Street Fund - Rentals/Leases	2,465	20	1%	25
Street Fund - Insurance	7,848	7,848	100%	28,484
Street Fund - Utilities	4,580	827	18%	1,401
Street Fund - Repair & Maintenance	112,870	37,280	33%	15,202
Street Fund - Lundeen Street scape	-	-	0%	
Street Fund - Miscellaneous	390	100	26%	155
Total Services and Charges	292,205	63,415	22%	57,619
Street Fund - Storm Drainage	2,507	-	0%	
Street Fund - SWM Debt Service Charg	6,608	6,608	100%	
Overlays	342,075	-	0%	
Sidewalk Repairs	5,000	-	0%	
Street Fund - Street Lighting	132,760	36,909	28%	25,725
Street Fund - Traffic Control Devices	56,540	29,089	51%	2,019
Street Fund - Snow & Ice Control	14,910	6,408	43%	
Street Fund - Shoulders	4,000	300	8%	
Street Fund - PW Lot Rental/Lease	-	-	0%	
Street - Facilities R&M (PW Shop)	9,804	9,800	100%	13,293
Street - Facilities R&M (City Shop)	19,158	14,488	76%	3,630
Total Transportation	593,362	103,601	17%	44,667
Contribution to Municipal Arts	-			
Transfer for PWTF Debt Payment	1,000		0%	
Transfer to Sidewalk Capital Fund	-		0%	590,738
Transfer Out	-		0%	
Contribution to Unemployment Fund	3,721	930	25%	7,363
Contribution to Equipment Fund	41,097	10,274	25%	9,975
Contribution to Computer Repl	11,600	2,900	25%	2,815
Total Other Expenditures/Expense	57,418	14,105	25%	610,891
Total O & M Expenditures	1,813,429	388,558	21%	912,432
Capital Expenditures	-			
Vernon Rd/N Davies RAB/channalization	16,000		0%	
N Davies/Safeway Exit RAB	10,000		0%	
36th Street Bridge Repair	62,848	106	0%	
Main St. Emergency Repair	-		0%	6,214
Capital purchase	-		0%	206
PW Building Construction/Acquisition	-		0%	
Guard Rails	-		0%	
Sidewalks (Safer Routes)	-		0%	
Safer Routes to School Grant Match	-		0%	
Vernon/ Lundeen/ Soper round about	-		0%	

STREET FUND		As of	2012	As of
Line Item Description	2012 Amended Budget	3/31/2012	% of Budget	3/31/2011
Capital Expenditures	88,848	106	0%	6,420
TOTAL EXPENDITURES	1,902,277	388,664	20%	918,852
ENDING FUND BALANCE	1,909,314	1,674,397		1,268,547
Total Reserve %	94%	579%		493%
Council Reserve Policy 10%				
Amount in excess of policy 10%	1,528,155	1,468,091		1,049,807

4/9/2012

CITY OF LAKE STEVENS
TREASURERS REPORT
STORM/SURFACE WATER FUND

Treasurer's Report				
Storm Water Fund		As of	2012	As of
Line Item Description	2012 Amended Budget	3/31/2012	% of Budget	3/31/2011
Surface Water Utility Fund				
Estimated Beginning Fund Balance	652,249	652,249		332,103
Dept. of Ecology Grants	154,000	23,621	15%	51,112
DOE - Aquatic Weed Grant (Milfoil)	0	2,125	>100%	
County Areator O& M	5,500	1,722	31%	5,492
Sno Co Weed Abate (Milfoil) Contribution	0	0	0%	0
TOTAL Intergovernmental	159,500	27,468	17%	56,604
Storm Service Charges	1,307,961	86,208	7%	104,820
TOTAL Charges for service	1,307,961	86,208	7%	104,820
Misc (Sale of Scrap)	0			0
Investment Interest	1,098	186	17%	174
TOTAL Miscellaneous Revenue	1,098	186	17%	174
TOTAL REVENUES	1,468,559	113,862	8%	161,598
TOTAL RESOURCES	2,120,808	766,111	36%	493,701
Storm Fund - Salaries	528,275	130,053	25%	127,934
Storm Fund - Overtime	2,500	991	40%	644
Storm Fund - Benefits	225,686	52,990	23%	46,831
Storm Fund - Clothing	4,238	2,027	48%	2,756
Total Salaries & Benefits	760,699	186,061	24%	178,165
Storm Fund - Office Supplies	2,000	-	0%	58
Storm Fund - Operating Supplies	3,500	1,174	34%	264
Storm Fund - Tools	2,000	516	26%	289
Storm Fund - DOE annual permit	11,000	3,484	32%	3,346
Storm Fund - Fuel	9,392	4,000	43%	-
Storm Fund - Decant Facility	-	-	0%	-
Total Operating	27,892	9,174	33%	3,957
Storm Fund - Safety program	1,700	287	17%	431
Storm Fund - Professional Services	9,740	1,832	19%	2,592
Storm Fund - Street Sweeping	22,000	1,950	9%	-
Storm Fund - Computer Software	1,151	450	39%	800
Storm Fund - Communications	4,192	1,040	25%	850
Storm Fund - Travel	514	-	0%	-
Storm Fund - Advertising	689	130	19%	-
Storm Fund - Equipment Rental	2,500	20	1%	-
Storm Fund - Rentals/Leases	500	-	0%	-
Storm Fund - PW Lot Rental/Lease	0	-	0%	-
Storm Fund - Insurance (WCIA)	44,787	44,786	100%	13,931
Storm Fund - Utilities	4,173	722	17%	1,303
Storm Fund - Repair & Maintenance	20,000	4,642	23%	4,342

Storm Water Fund		As of	2012	As of
Line Item Description	2012 Amended Budget	3/31/2012	% of Budget	3/31/2011
Storm Fund - Excise Tax / Misc.	25,000	1,610	6%	-
Storm Fund - Staff Development	650		0%	70
Storm Fund - Misc	100		0%	-
Total Services & Charges	137,696	57,469	42%	24,319
DOE Grant - G1000229	0	-	0%	-
DOE Grant - M/TAC G0800610	25,000	1,910	8%	3,241
DOE Grant -Weeds G1000533	0	-	0%	1,895
DOE Grant - Milfoil G1200110	69,000	1,303	2%	-
DOE Grant - G1100060 Capacity	54,000	4,195	8%	36,730
DOE Grant - LID - G1100280	75,000	8,455	11%	-
Storm Drainage - SWM Fees	2,507	-	0%	-
Storm Fund - Billing Cost to County	29,000	-	0%	-
Total Intergovernmental	254,507	15,862	6%	41,866
Storm Fund -Aerator Utilities	25,700	496	2%	628
Storm Fund -Aerator O & M	8,000	-	0%	-
Storm Fund -Aerator Monitoring	15,121	2,195	15%	-
Storm Fund -Aerator Repairs	13,137	13,037	99%	2,989
Storm Fund - Aerator Salaries	5,000	-	0%	224
Storm Fund - Aerator Benefits	1,700	-	0%	101
Contrib Aert. to Equipment Replace	36,063	34,240	95%	37,200
Total Aerator Expenses	104,721	49,968	48%	41,142
GIS Site License	900	0	0%	-
114th @ 21st NE twin 16" Culvert Repl	18,000	0	0%	-
91st & Market drainage	3,000	0	0%	-
Capital Outlay - Fiber Optic & Ipad	-	-	0%	206
16th Street NE - Boys & Girls Club Drainage	-	-	0%	-
Alder Road new pond	-	-	0%	-
Secure Yard and Bldg	-	-	0%	-
Lundeen Creek Restoration	4,300	-	100%	-
Parkway Crossing Det Pond Pymt to SnoCo	10,700	-	0%	-
total Capital projects	36,900	0	0%	206
Repayment of gen. fund loan	0	-	0%	-
Storm Fund -Refunds	100	-	0%	-
Contribution to Equipment Fund	45,700	11,425	25%	3,000
Contribution to Computer Equi Fund	7,500	1,875	25%	1,250
Contribution to Unemployment Fund	3,585	896	25%	6,724
Annual Diking District Contribution	19,956		0%	-
Total Operating Transfers	76,841	14,196	18%	10,974
TOTAL USES	1,399,257	332,729	24%	300,629
Ending Fund Balance	721,551	433,382	12%	193,072
Reserve Percentage	49%	381%		119%
Council Policy Target	10%	10%		10%
Amount \$ Over/(Under)	509,470	356,771		143,702



LAKE STEVENS CITY COUNCIL
STAFF REPORT

Council Agenda Date: May 14, 2012

Subject: Medical Cannabis Collective Gardens

Contact Person/Department: Russ Wright, Planning &
Community Development

Budget Impact: none

RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL: Review and comment on draft medical cannabis collective garden regulations.

SUMMARY:

The Lake Stevens City Council adopted a six-month moratorium on July 11, 2011 temporarily restricting the formation of medical cannabis (marijuana facilities). Council extended the moratorium in January 2012 for an additional six months. At tonight's meeting, staff will introduce the draft regulations to allow Medical Cannabis Collective Gardens and discuss other implementation options with Council.

BACKGROUND:

In 1998, Washington voters passed Initiative 692, the Medical Marijuana Act, which allows qualifying patients suffering terminal or debilitating medical conditions to use medical cannabis. The State Legislature recently passed ESSB 5073, in part, to address the proliferation of dispensaries and regulate the legal possession and distribution of medical cannabis by qualifying patients and designated providers.

The codified portions of ESSB 5073 allow qualified patients and designated providers to participate in collective gardens to produce medical cannabis. A qualifying patient is a Washington resident 18 or older, with a diagnosed terminal or debilitating medical condition, who may benefit from the medical use of cannabis, as advised by a health care professional. A copy of the patient's proof of identity must be available at the collective garden. The following state rules apply to collective gardens:

- 10 qualifying patients may participate in a single garden;
- 15 plants per patient, up to a maximum of 45 plants in a single garden; and
- 24 ounces of usable medical cannabis per patient, up to a total of 72 ounces at a single garden.

Because collective gardens are currently the only legal way for most qualifying patients to obtain medical cannabis, the city is proposing zoning regulations related to the formation of collective gardens. The draft regulations include the following elements:

- Limiting garden locations;
- Requiring gardens to be indoors;
- Requiring minimum distances between individual collective gardens, residential areas, schools, daycares and other similar uses; and

- Defining the permitting process to establish collective gardens.

Council has three primary options as it moves forward to a public hearing:

1. Take no action – this would allow Collective Gardens to be located anywhere in this City so long as the garden complies with state law (this is the current model being followed by the city of Everett and Snohomish County);
2. Adopt development regulations, which could be prohibitive in nature or follow a standard permissible zoning strategy – this would allow the City to apply local zoning controls to direct the development and location of collective gardens (most regional cities implementing regulations are following permissible zoning strategy); or
3. Prohibit outright.

APPLICABLE CITY POLICIES: Chapters 14.40 Permissible Uses of the Lake Stevens Municipal Code (LSMC)

BUDGET IMPACT: There is no immediate budget effect other than staff and attorney time; however, the City may need to look at permitting fees in the future.

ATTACHMENTS:

1. Draft Regulations
2. Draft Overlay Map

Section 1. Section 14.08.010 LSMC Definitions - Amended. The City hereby adds the following definitions to LSMC 14.08.010 – Definitions:

“Marijuana” or “cannabis” means all parts of the plant cannabis, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. The term “cannabis” includes cannabis products or useable cannabis.

“Medical cannabis collective garden” or “collective garden” means any place, area or garden where qualifying patients share responsibility and engage in the production, processing, and delivery of cannabis for medical use as set forth in Chapter 69.51A RCW and subject to the limitations therein.

“Useable cannabis” means dried flowers of the cannabis plant having a tetrahydrocannabinol (THC) concentration greater than three-tenths of one percent per weight or volume. Useable cannabis excludes stems, stalks, leaves, seeds and roots. For purposes of this subsection, “dried” means containing less than fifteen percent moisture content by weight.

“Youth-oriented facility” means facilities owned or operated by non-profit organizations for the purpose of providing recreational and/or educational opportunities for youth, including but not limited to, Boys & Girls Clubs, little league baseball and other youth sports associations.

Section 2. LSMC 14.16A.210 Types of Review – Amended. The City hereby amends Table 14.16A-I: Classification of Permits and Decisions in subsection (d) of LSMC 14.16A.210(d) to include Medical Cannabis Collective Gardens as a Type II permit.

Section 3. Chapter 14.40 LSMC Permissible Uses – Amended.

A. The City hereby amends Table 14.40-I: Table of Permissible Uses By Zones to include the use category **Medical Cannabis Collective Garden** as Use No. 14.500, as an allowed use in the General Industrial and Light Industrial zoning districts.

B. The City hereby adds note No. 14, to the proposed Medical Cannabis Collective Garden category, to read as follows:

14. All Medical Cannabis Collective Gardens shall meet the development standards provided in Chapter 14.44 LSMC Supplementary Use Regulations, Part V Medical Cannabis Collective Garden Regulations.

Section 4. Chapter 14.44 LSMC Supplementary Use Regulations, Part V Medical Cannabis Collective Garden Regulations – New. The City hereby adopts Part V Medical Cannabis Collective Garden Regulations to Chapter 14.44 LSMC Supplementary Use Regulations, as part of the Lake Stevens Municipal Code to read as follows:

Sections:

14.44.430 Authority

14.44.440 Definitions

14.44.450 Creation of Collective Garden

14.44.460 Collective Garden Requirements

14.44.470 Public Safety and Welfare

14.44.430 Authority

The City of Lake Stevens adopts this part of Chapter 14.44 LSMC pursuant to Chapter 69.51A of the Revised Code of Washington (RCW) Medical Cannabis. This chapter contains the City's procedures and policies, which applicants must use in conjunction with Chapter 69.51A RCW or as amended. All collective gardens shall meet all state law requirements, including but not limited to, limitations on number of members, number of plants, amount of usable cannabis on site, and maintenance of each member's valid documentation of qualifying patient status.

14.44440. Definitions

The definitions in RCW 69.51A.010 and LSMC 14.08.010 shall apply.

14.44.450 Creation of Collective Garden

For purposes of this part of Chapter 14.44 LSMC, the creation of a "collective garden" means qualifying patients sharing responsibility for acquiring and supplying the resources required to produce and process cannabis for medical use such as, for example, a location for a collective garden; equipment, supplies, and labor necessary to plant, grow, and harvest cannabis; cannabis plants, seeds, and cuttings; and equipment, supplies, and labor necessary for proper construction, plumbing, wiring, and ventilation of a garden of cannabis plants.

14.44.460 Collective Garden Requirements

- (a) A collective garden must meet all requirements of RCW 69.51A.085 or as hereafter amended, including but not limited to the following:
 - (1) No more than ten (10) qualifying patients may participate in a single collective garden at any time;
 - (2) A collective garden may contain no more than fifteen (15) plants per patient up to a total of forty-five (45) plants;
 - (3) A collective garden may contain no more than twenty-four (24) ounces of useable cannabis per patient up to a total of seventy-two (72) ounces of useable cannabis;
 - (4) A copy of each qualifying patient's valid documentation or, including a copy of the patient's proof of identity, must be available at all times on the premises of the collective garden; and
 - (5) No useable cannabis from the collective garden is delivered to anyone other than one of the qualifying patients participating in the collective garden
- (b) No more than one (1) collective garden shall be located on a single parcel.
- (c) No more than one (1) collective garden shall be located in a single structure.
- (d) A qualifying patient cannot be a member of more than one collective garden, and must be a member of one collective garden for at least thirty (30) days before transferring their membership to another collective garden
- (e) Collective gardens shall be located fully within a permanent, non-mobile, legal structure that complies with the City's adopted building and fire codes regardless of the size or configuration of the structure.

- (f) No collective garden shall be located within five hundred (500) feet, measured in a straight line from property boundary to property boundary, of the following facilities or established uses:
 - (1) Another collective garden;
 - (2) Public park (excluding the Centennial Trail);
 - (3) Community center;
 - (4) Elementary or secondary school (public and private);
 - (5) Day care center; and
 - (6) Youth-oriented facility.
- (g) No collective garden shall be located within one hundred (100) feet, measured in a straight line from property boundary to property boundary, of a residential or mixed-use zoning district.
- (h) No production, processing, delivery or advertising of cannabis shall be visible to the public from outside of the structure nor may it be visible through windows.

14.44.470 Public Safety and Welfare

- (a) The collective garden operator/participants shall obtain a Certificate of Occupancy and associated approvals prior to the start of operations of any collective garden to ensure the collective garden does not impact the public's safety, health and general welfare.
- (b) Collective garden operators and participants shall operate the collective garden in compliance with all adopted public safety and development regulations.
- (c) Collective garden operators and participants shall not allow any odors to migrate beyond the interior portion of the structure where the garden is located.

