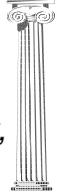


## **City of Lake Stevens Vision Statement**

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



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**CITY COUNCIL REGULAR MEETING AGENDA**  
**Lake Stevens School District Educational Service Center (Admin. Bldg.)**  
**12309 22<sup>nd</sup> Street NE, Lake Stevens**  
**Monday, June 10, 2013 - 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 June vouchers. Barb  
\*B. Approve Council regular meeting minutes of May 28, Norma  
2013.

**PUBLIC HEARINGS:** PUBLIC HEARING FORMAT:

1. Open Public Hearing
2. Staff presentation
3. Council's questions of staff
4. Proponent's comments
5. Comments from the audience
6. Close public comments portion of hearing
7. Discussion by City Council
8. Re-open the public comment portion of the hearing for additional comments (optional)
9. Close Hearing
10. COUNCIL ACTION:
  - a. Approve
  - b. Deny
  - c. Continue

\*A. Public Hearing in consideration of first and final reading of Ordinance No. 894, medical marijuana-cannabis / collective gardens regulations. Becky/  
Russ

\*B. Public Hearing in consideration of first and final reading of Ordinance No. 895, medical marijuana- cannabis / collective gardens moratorium. Becky/  
Russ

\*C. Public Hearing in consideration of Resolution No. 2013- 4, Six-Year Transportation Improvement Plan (TIP) for 2014-2019. Mick

**Lake Stevens City Council Regular Meeting Agenda**

**June 10, 2013**

- ACTION ITEMS:**
- \*A. Confirm appointment of Andy Powers to the Library Board. Vern
  - \*B. Approve Department of Corrections agreement for work project services. Mick
  - \*C. Approve 2013 Aquafest request to serve beer and wine in the VIP Booth. Becky

**DISCUSSION  
ITEMS:**

**COUNCIL PERSON'S  
BUSINESS:**

**MAYOR'S BUSINESS:**

**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  
**2013**

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	907286-907350	\$117,804.73
Payroll Checks	35207	\$2,360.57
Electronic Funds Transfers	602-606	\$134,203.59
Claims	35206, 35208-35282	\$1,300,281.31
Void Checks	35145	(\$4,740.92)
Tax Deposit(s)	5/31/2013	\$45,500.62
Total Vouchers Approved:		\$1,595,409.90

**This 10th day of June 2013:**

\_\_\_\_\_  
 Mayor

\_\_\_\_\_  
 Councilmember

\_\_\_\_\_  
 Finance Director

\_\_\_\_\_  
 Councilmember

\_\_\_\_\_  
 Councilmember

\_\_\_\_\_  
 Councilmember



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**Direct Deposit Register**

04-Jun-2013

**Wells Fargo - AP**

**Lake Stevens**

**Direct Deposits to Accounts**

04-Jun-2013	<u>Vendor</u>	<u>Source</u>	<u>Amount</u>	<u>Draft#</u>	<u>Bank Name</u>	<u>Transit</u>	<u>Account</u>
101	Assoc. Of Washington Cities	C	\$80,442.08	602	Wells Fargo	121000248	4159656917
9407	Department of Retirement (Pers	C	\$47,287.08	603	Wells Fargo	121000248	4159656917
9408	NATIONWIDE RETIREMENT SOL	C	\$1,148.25	604	Wells Fargo	121000248	4159656917
1418	Standard Insurance Company	C	\$4,923.72	605	Wells Fargo	121000248	4159656917
9405	Wash State Support Registry	C	\$402.46	606	Wells Fargo	121000248	4159656917
<b>Total:</b>			\$134,203.59		<b>Count:</b>	5.00	

***Direct Deposit Summary***

<u>Type</u>	<u>Count</u>	<u>Total</u>
C	5	\$134,203.59

**Pre-Note Transactions**

# Detail Check Register

24-May-13

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount		
<b>35206</b>	<b>24-May-13</b>	<b>969</b>	<b>Business Card</b>			<b>\$4,664.59</b>
05/13 0979			Smart Tray/Postage/Anchor	\$1,154.81	\$0.00	\$1,154.81
001008521003102			Law Enforcement - Boating Oper	\$114.98		
001008521004200			Law Enforcement - Communicatio	\$400.00		
001008521004300			Law Enforce - Travel & Mtgs	\$25.45		
001008521006400			Law Enforcement - Capital Outl	\$614.38		
05/13 1056			Recruiting Exps/Mayor offc setup	\$512.58	\$0.00	\$512.58
001003513104300			Administration - Travel & Mtgs	\$12.31		
001008521003100			Law Enforcement - Office Suppl	\$90.04		
001008521004300			Law Enforce - Travel & Mtgs	\$351.67		
001013519903100			General Government - Operating	\$58.56		
05/13 1324			CESL training/Econ Alliance mtg	\$745.74	\$0.00	\$745.74
001001511604300			Legislative - Travel & Mtgs	\$100.00		
001003513104300			Administration - Travel & Mtgs	\$75.00		
001007558004300			Planning - Travel & Mtgs	\$95.00		
001007558004400			Planning - Advertising	\$50.74		
410016531503104			DOE-G1100060 SW Capacity Exp	\$425.00		
05/13 7750			Capacity Grant/Training/Trvl/Parks	\$1,369.40	\$0.00	\$1,369.40
001010576803100			Parks - Operating Costs	\$527.50		
101016542003200			Street Fund - Fuel	\$50.11		
101016542004001			Street Fund - Staff Developmen	\$80.00		
101016542004300			Street Fund - Travel & Mtgs	\$9.00		
410016531503104			DOE-G1100060 SW Capacity Exp	\$702.79		
05/13 8877			Passport sup/Spring clean/battiers	\$142.77	\$0.00	\$142.77
001008521003100			Law Enforcement - Office Suppl	\$106.56		
001008521003104			Law Enforcement-Operating Cost	\$18.02		
001013531007000			Earth Day Clean-Up	\$18.19		
05/13 8957			Domain name/Record clerk testing	\$739.29	\$0.00	\$739.29
001003514104900			City Clerks-Miscellaneous	\$2.29		
001008521003104			Law Enforcement-Operating Cost	\$612.00		
510013519103101			License Renewal/Annual Maint	\$125.00		
<b>Total Of Checks:</b>						<b>\$4,664.59</b>

## Detail Check Register

04-Jun-13

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount		
<b>35208</b>	<b>04-Jun-13</b>	<b>12112</b>	<b>AFLAC</b>			<b>\$1,820.68</b>
703140			Insurance Premiums	\$1,820.68	\$0.00	\$1,820.68
001000281000000			Payroll Liabilities	\$1,820.68		
<b>35209</b>	<b>04-Jun-13</b>	<b>13824</b>	<b>Wash Teamsters Welfare Trust</b>			<b>\$1,308.60</b>
05/31/2013			Insurance Premiums	\$1,308.60	\$0.00	\$1,308.60
101016542002000			Street Fund - Benefits	\$581.60		
410016542402000			Storm Water - Benefits	\$727.00		
<b>Total Of Checks:</b>						<b>\$3,129.28</b>

# Detail Check Register

06-Jun-13

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount		
<b>35210</b>	<b>10-Jun-13</b>	<b>1579</b>	<b>ACE HARDWARE</b>		<b>\$433.33</b>	
38162			Plywood	\$65.12	\$0.00	\$65.12
	410016542404400		Storm Water - Advertising	\$65.12		
38185			Cutoff blades/Drills	\$39.54	\$0.00	\$39.54
	101016542003102		Street Fund Operating Costs	\$39.54		
38234			Duct tape/moisture absorber/lock	\$86.25	\$0.00	\$86.25
	001008521003104		Law Enforcement-Operating Cost	\$86.25		
38256			weedeater head/power bits	\$42.88	\$0.00	\$42.88
	101016542003102		Street Fund Operating Costs	\$42.88		
38289			trash bags/nut set/powerbit/cable tie	\$41.76	\$0.00	\$41.76
	001010576803100		Parks - Operating Costs	\$41.76		
38301			Bolts	\$54.46	\$0.00	\$54.46
	001008521003104		Law Enforcement-Operating Cost	\$54.46		
38310			JB Weld/marketing paint	\$38.49	\$0.00	\$38.49
	001008521003104		Law Enforcement-Operating Cost	\$21.68		
	101016542003102		Street Fund Operating Costs	\$16.81		
38353			30 Keys	\$64.83	\$0.00	\$64.83
	001008521003104		Law Enforcement-Operating Cost	\$64.83		
<b>35211</b>	<b>10-Jun-13</b>	<b>1579</b>	<b>ACE HARDWARE</b>			<b>\$168.10</b>
38170			Padlock shield	\$16.28	\$0.00	\$16.28
	001008521003104		Law Enforcement-Operating Cost	\$16.28		
38195			Paint-RAB ground breaking shovels	\$21.14	\$0.00	\$21.14
	101016542003102		Street Fund Operating Costs	\$21.14		
38235			Cable clip	\$28.17	\$0.00	\$28.17
	001010576803100		Parks - Operating Costs	\$28.17		
38244			cleaner/car soap	\$33.08	\$0.00	\$33.08
	001008521003104		Law Enforcement-Operating Cost	\$33.08		
38245			Batteries	\$34.73	\$0.00	\$34.73
	001008521003104		Law Enforcement-Operating Cost	\$34.73		

# Detail Check Register

06-Jun-13

Lake Stevens

Check No	Check Date	VendorNo	Vendor		Check Amount
38311			Car washing soap	\$17.35	\$0.00 \$17.35
		001008521003104	Law Enforcement-Operating Cost	\$17.35	
38315			Pliers/turtle wax	\$17.35	\$0.00 \$17.35
		001008521003104	Law Enforcement-Operating Cost	\$17.35	
<b>35212</b>	<b>10-Jun-13</b>	<b>12921</b>	<b>ADVANTAGE BUILDING SERVICES</b>		<b>\$651.70</b>
03-0274			Janitorial Services	\$651.70	\$0.00 \$651.70
		001007558004100	Planning - Professional Servic	\$21.38	
		001007559004100	Building Department - Professi	\$21.38	
		001008521004100	Law Enforcement - Professional	\$373.73	
		001013519904100	General Government - Professio	\$106.91	
		001013555504100	Community Center - Cleaning	\$85.53	
		101016542004100	Street Fund - Professional Ser	\$21.38	
		410016542404101	Storm Water - Professional Ser	\$21.39	
<b>35213</b>	<b>10-Jun-13</b>	<b>13876</b>	<b>Bitco Software LLC</b>		<b>\$5,430.00</b>
499			Annual Maintenance agreement	\$5,430.00	\$0.00 \$5,430.00
		001007558006400	Planning - Capital Outlay	\$5,430.00	
<b>35214</b>	<b>10-Jun-13</b>	<b>179</b>	<b>Blumenthal Uniforms</b>		<b>\$120.49</b>
4409			Duty belt pouches	\$120.49	\$0.00 \$120.49
		001008521002600	Law Enforcment Clothing	\$120.49	
<b>35215</b>	<b>10-Jun-13</b>	<b>14026</b>	<b>Bourne Orthodontics</b>		<b>\$75.00</b>
SPE2013-0004			Refund SPE2013-0004	\$75.00	\$0.00 \$75.00
		001000345008100	Zoning and Subdivision Fees	\$75.00	
<b>35216</b>	<b>10-Jun-13</b>	<b>13305</b>	<b>Carin Hinman</b>		<b>\$46.33</b>
06/04/13			Training Mileage	\$46.33	\$0.00 \$46.33
		001003514104300	City Clerks-Travel & Mtgs	\$46.33	
<b>35217</b>	<b>10-Jun-13</b>	<b>14001</b>	<b>Cascade Surveying &amp; Eng Inc</b>		<b>\$1,525.00</b>
57667			Sidewalk design 20th St NE	\$1,525.00	\$0.00 \$1,525.00
		309016595616301	Sidewalk Construction	\$1,525.00	
<b>35218</b>	<b>10-Jun-13</b>	<b>12404</b>	<b>CDW GOVERNMENT INC</b>		<b>\$130.17</b>
CH55052			Power supply replacement/PT45	\$130.17	\$0.00 \$130.17
		001008521004800	Law Enforcement - Repair & Mai	\$130.17	
<b>35219</b>	<b>10-Jun-13</b>	<b>12182</b>	<b>Central Welding Supply</b>		<b>\$94.60</b>
EV184832			Monocoil and compressed gas	\$94.60	\$0.00 \$94.60

# Detail Check Register

06-Jun-13

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
101016542003102			Street Fund Operating Costs	\$70.95	
410016542403102			Storm Water - Operating Costs	\$23.65	
<b>35220</b>	<b>10-Jun-13</b>	<b>13776</b>	<b>Chris L Griffen</b>		<b>\$187.50</b>
320457075			Public Defender svcs	\$187.50	\$0.00
001013512800000			Court Appointed Attorney Fees	\$187.50	
<b>35221</b>	<b>10-Jun-13</b>	<b>274</b>	<b>City of Everett</b>		<b>\$1,085.00</b>
113001076			Animal shelter services	\$1,085.00	\$0.00
001008539004100			Code Enforcement - Professiona	\$1,085.00	
<b>35222</b>	<b>10-Jun-13</b>	<b>276</b>	<b>City Of Lake Stevens</b>		<b>\$34.30</b>
03-0274			Retainage - Advantage	\$34.30	\$0.00
001007558004100			Planning - Professional Servic	\$1.13	
001007559004100			Building Department - Professi	\$1.13	
001008521004100			Law Enforcement - Professional	\$19.67	
001013519904100			General Government - Professio	\$5.63	
001013555504100			Community Center - Cleaning	\$4.50	
101016542004100			Street Fund - Professional Ser	\$1.12	
410016542404101			Storm Water - Professional Ser	\$1.12	
<b>35223</b>	<b>10-Jun-13</b>	<b>296</b>	<b>Code Publishing Co.</b>		<b>\$1,155.99</b>
43650			Minicipal Code publishing	\$1,155.99	\$0.00
001003514104100			City Clerks-Professional Servi	\$1,155.99	
<b>35224</b>	<b>10-Jun-13</b>	<b>13841</b>	<b>Comcast</b>		<b>\$85.71</b>
05/13 0810218			Internet N Lakeshore Dr	\$85.71	\$0.00
001008521004200			Law Enforcement - Communicatio	\$85.71	
<b>35225</b>	<b>10-Jun-13</b>	<b>13841</b>	<b>Comcast</b>		<b>\$75.71</b>
05/13 0692756			Internet Market Place Station	\$75.71	\$0.00
001008521004200			Law Enforcement - Communicatio	\$75.71	
<b>35226</b>	<b>10-Jun-13</b>	<b>13757</b>	<b>Comdata Corporation</b>		<b>\$94.69</b>
20190087			Fue - PT45 Boat	\$94.69	\$0.00
001008521003202			Boating - Fuel	\$94.69	
<b>35227</b>	<b>10-Jun-13</b>	<b>14011</b>	<b>Contech Engineered Sol, LLC</b>		<b>\$4,651.56</b>
B326665			Stormwater filters	\$4,651.56	\$0.00
410016531503104			DOE-G1100060 SW Capacity Exp	\$4,651.56	
<b>35228</b>	<b>10-Jun-13</b>	<b>13743</b>	<b>Dept of Commerce</b>		<b>\$1,190,760.62</b>
2013 PC08-951-023			PWTF Loan #PC08-951-023	\$596,170.32	\$0.00

# Detail Check Register

06-Jun-13

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
209080591007100			PWTF Loan Principle Payment	\$553,179.82	
209080592008300			PWTF Loan Interest Payment	\$42,990.50	
2013 PE10-951-003			PWTF Loan #PE10-951-003	\$976.27	\$0.00 \$976.27
211016591007100			2010 PWTF Loan Principal Pymt	\$633.94	
211016592008300			2010 PWTF Loan Interest Pymt	\$342.33	
2013 PW-02-691-029			PWTF Loan #PW-02-691-029	\$89,975.73	\$0.00 \$89,975.73
205080591007100			PWTF Principal Pymt	\$85,691.17	
205080592008300			PWTF Loan Interest Pymt	\$4,284.56	
2013 PW-05-691-PRE-			PWTF Loan #PW-05-691-PRE-137	\$66,315.79	\$0.00 \$66,315.79
208080591007100			Principal Payment	\$52,631.58	
208080592008300			PWTF Loan Interest Payment	\$13,684.21	
2013 PW-06-962-020			PWTF Loan #PW-06-962-020	\$437,322.51	\$0.00 \$437,322.51
207080591007100			PWTF Principal Pymt	\$409,539.47	
207080592008300			PWTF Loan Interest Payment	\$27,783.04	
<b>35229</b>	<b>10-Jun-13</b>	<b>12800</b>	<b>DEPT OF CORRECTIONS</b>		<b>\$246.95</b>
MCC4591 0413			Work Crew	\$246.95	\$0.00 \$246.95
101016542004800			Street Fund - Repair & Mainten	\$206.26	
410016542404800			Storm Water - Repairs & Maint.	\$40.69	
<b>35230</b>	<b>10-Jun-13</b>	<b>12482</b>	<b>ECONOMY FENCE CENTER</b>		<b>\$3,372.03</b>
0020937-IN			Handrail North side 1st St SE	\$3,372.03	\$0.00 \$3,372.03
101016542004800			Street Fund - Repair & Mainten	\$3,372.03	
<b>35231</b>	<b>10-Jun-13</b>	<b>13468</b>	<b>Feldman &amp; Lee</b>		<b>\$5,250.00</b>
05/2013			Public Defender svcs	\$5,250.00	\$0.00 \$5,250.00
001013512800000			Court Appointed Attorney Fees	\$5,250.00	
<b>35232</b>	<b>10-Jun-13</b>	<b>549</b>	<b>Foster Press</b>		<b>\$410.82</b>
31395			Laminate 12 24x36 caution signs for	\$100.69	\$0.00 \$100.69
410016542404400			Storm Water - Advertising	\$100.69	
31396			Newsletters	\$310.13	\$0.00 \$310.13
001007558804111			Planning-Economic Development	\$310.13	
<b>35233</b>	<b>10-Jun-13</b>	<b>12393</b>	<b>GLENS RENTAL SALES &amp; SERVICE</b>		<b>\$602.53</b>
S8101			Hydraulic Hoses	\$602.53	\$0.00 \$602.53
101016542003102			Street Fund Operating Costs	\$331.39	
410016531503104			DOE-G1100060 SW Capacity Exp	\$192.81	
410016542403102			Storm Water - Operating Costs	\$78.33	
<b>35234</b>	<b>10-Jun-13</b>	<b>13010</b>	<b>Grainger</b>		<b>\$380.09</b>

# Detail Check Register

06-Jun-13

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
9150032309			DeWalt Impact Wrench - tools	\$380.09	\$380.09
410016531503104			DOE-G1100060 SW Capacity Exp	\$380.09	
<b>35235</b>	<b>10-Jun-13</b>	<b>618</b>	<b>Granite Falls Towing</b>		<b>\$108.60</b>
42242			PT 33 Towing	\$108.60	\$108.60
001008521004800			Law Enforcement - Repair & Mai	\$108.60	
<b>35236</b>	<b>10-Jun-13</b>	<b>13509</b>	<b>Industrial Supply, Inc</b>		<b>\$95.24</b>
515724			Shovel	\$95.24	\$95.24
101016542003102			Street Fund Operating Costs	\$95.24	
<b>35237</b>	<b>10-Jun-13</b>	<b>11847</b>	<b>Janet Berg</b>		<b>\$250.67</b>
05/28/13			Econ Dev Conf	\$250.67	\$250.67
001003513104300			Administration - Travel & Mtgs	\$250.67	
<b>35238</b>	<b>10-Jun-13</b>	<b>13863</b>	<b>Johns Cleaning Service</b>		<b>\$131.67</b>
1125			Uniform cleaning	\$131.67	\$131.67
001008521002600			Law Enforcment Clothing	\$131.67	
<b>35239</b>	<b>10-Jun-13</b>	<b>14021</b>	<b>Joseph Stabile</b>		<b>\$85.00</b>
LUA2013-0045			Refund LUA2013-0045	\$85.00	\$85.00
001000342400000			Fire Inspection Fee	\$85.00	
<b>35240</b>	<b>10-Jun-13</b>	<b>13885</b>	<b>Lake Industries LLC</b>		<b>\$180.00</b>
26787			Haul away storm drainage spoil mat	\$90.00	\$90.00
410016542404800			Storm Water - Repairs & Maint.	\$90.00	
26805			Haul away storm drainage spoil mat	\$45.00	\$45.00
410016542404800			Storm Water - Repairs & Maint.	\$45.00	
26809			Haul away storm drainage spoil mat	\$30.00	\$30.00
410016542404800			Storm Water - Repairs & Maint.	\$30.00	
26811			Hauling spoil from storm water ditch	\$15.00	\$15.00
410016531503104			DOE-G1100060 SW Capacity Exp	\$15.00	
<b>35241</b>	<b>10-Jun-13</b>	<b>852</b>	<b>Lake Stevens Journal</b>		<b>\$134.00</b>
79380			LUA2013-0016 Sentinel II Short Plat	\$73.70	\$73.70
001007558004400			Planning - Advertising	\$73.70	
79412			Special Mtg-Park & Rec	\$20.10	\$20.10

# Detail Check Register

06-Jun-13

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
001007558004400			Planning - Advertising	\$20.10	
79440			Ord no 891	\$40.20	\$0.00 \$40.20
001013514304400			General Government - Advertisin	\$40.20	
<b>35242</b>	<b>10-Jun-13</b>	<b>854</b>	<b>Lake Stevens Mini Mart</b>		<b>\$24.38</b>
18972			Oil	\$24.38	\$0.00 \$24.38
001008521003104			Law Enforcement-Operating Cost	\$24.38	
<b>35243</b>	<b>10-Jun-13</b>	<b>12751</b>	<b>LAKE STEVENS POLICE GUILD</b>		<b>\$962.00</b>
05/31/2013			Union dues	\$962.00	\$0.00 \$962.00
001000281000000			Payroll Liabilities	\$962.00	
<b>35244</b>	<b>10-Jun-13</b>	<b>13250</b>	<b>Lake Stevens Rowing Club</b>		<b>\$40.00</b>
SPE2013-0001			Refund SPE2013-0001	\$40.00	\$0.00 \$40.00
001000386000001			Refundable Customer Deposits	\$40.00	
<b>35245</b>	<b>10-Jun-13</b>	<b>9340</b>	<b>Lake Stevens School District</b>		<b>\$6,791.42</b>
701			Fuel	\$6,791.42	\$0.00 \$6,791.42
001008521003200			Law Enforcement - Fuel	\$6,791.42	
<b>35246</b>	<b>10-Jun-13</b>	<b>13844</b>	<b>Larry Skinner</b>		<b>\$60.00</b>
04/09/13			ICC Re-cert fee	\$60.00	\$0.00 \$60.00
001007559004900			Building Department - Miscella	\$60.00	
<b>35247</b>	<b>10-Jun-13</b>	<b>14024</b>	<b>Last Leaf Productions</b>		<b>\$500.00</b>
07/11/13			7/11/13 Music on the Lake concert	\$500.00	\$0.00 \$500.00
001010575304900			Arts Commission	\$500.00	
<b>35248</b>	<b>10-Jun-13</b>	<b>12841</b>	<b>Law Offices of Weed, Graafstra</b>		<b>\$6,266.00</b>
113			Prof services	\$6,266.00	\$0.00 \$6,266.00
001005515204100			Legal - Professional Service	\$3,759.60	
101016542004100			Street Fund - Professional Ser	\$1,879.80	
410016542404101			Storm Water - Professional Ser	\$626.60	
<b>35249</b>	<b>10-Jun-13</b>	<b>13147</b>	<b>LEIRA</b>		<b>\$50.00</b>
Smith			Smith -Disclosure Training	\$50.00	\$0.00 \$50.00
001008521004901			Law Enforcement - Staff Develo	\$50.00	
<b>35250</b>	<b>10-Jun-13</b>	<b>13535</b>	<b>Lexipol LLC</b>		<b>\$2,000.00</b>
8785			Daily Training Bulletins	\$2,000.00	\$0.00 \$2,000.00

# Detail Check Register

06-Jun-13

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
001008521004101			Prof Serv-Lexipool	\$2,000.00	
<b>35251</b>	<b>10-Jun-13</b>	<b>12215</b>	<b>LOWES COMPANIES</b>		<b>\$447.34</b>
961081			Dewalt cordless drill	\$310.18	\$0.00
101016542003102			Street Fund Operating Costs	\$232.64	
410016542403103			Tools	\$77.54	
961628			Eureka Vacuum	\$62.23	\$0.00
101016542003102			Street Fund Operating Costs	\$62.23	
961746			Staircase riser and treads	\$74.93	\$0.00
001010576803100			Parks - Operating Costs	\$74.93	
<b>35252</b>	<b>10-Jun-13</b>	<b>14018</b>	<b>Micro Data</b>		<b>\$443.91</b>
41416			Criminal citations	\$443.91	\$0.00
001008521003100			Law Enforcement - Office Suppl	\$443.91	
<b>35253</b>	<b>10-Jun-13</b>	<b>14023</b>	<b>Mike Wallace</b>		<b>\$500.00</b>
08/15/2013			8/15/13 Music on the Lake concert	\$500.00	\$0.00
001010575304900			Arts Commission	\$500.00	
<b>35254</b>	<b>10-Jun-13</b>	<b>1091</b>	<b>Office Of The State Treasurer</b>		<b>\$11,711.07</b>
05/2013			May 2013 State Court Fees	\$11,711.07	\$0.00
633008559005100			Building Department - State Bl	\$47.00	
633008589000003			Public Safety And Ed. (1986 As	\$5,786.53	
633008589000004			Public Safety And Education	\$3,400.75	
633008589000005			Judicial Information System-Ci	\$887.10	
633008589000008			Trauma Care	\$353.56	
633008589000009			school zone safety	\$93.44	
633008589000010			Public Safety Ed #3	\$241.25	
633008589000011			Auto Theft Prevention	\$507.81	
633008589000012			HWY Safety Act	\$71.16	
633008589000013			Death Inv Acct	\$48.36	
633008589000014			WSP Highway Acct	\$274.11	
<b>35255</b>	<b>10-Jun-13</b>	<b>13943</b>	<b>PartsMaster</b>		<b>\$96.10</b>
20668178			Bench Grinder wheel	\$96.10	\$0.00
101016542003102			Street Fund Operating Costs	\$72.07	
410016542403102			Storm Water - Operating Costs	\$24.03	
<b>35256</b>	<b>10-Jun-13</b>	<b>1177</b>	<b>Puget Sound Clean Air Agency</b>		<b>\$3,213.50</b>
Q2.2013			Q2.2013 Clean Air Assessment	\$3,213.50	\$0.00
001013531705100			General Government - Air Pollu	\$3,213.50	

# Detail Check Register

06-Jun-13

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
<b>35257</b>	<b>10-Jun-13</b>	<b>13304</b>	<b>Purchase Power</b>		<b>\$700.00</b>
05/13 01831977			Postage	\$700.00	\$0.00
001007558004200			Planning - Communication	\$80.85	
001013519904200			General Government - Communica	\$579.99	
101016542004200			Street Fund - Communications	\$19.58	
410016542404200			Storm Water - Communications	\$19.58	
<b>35258</b>	<b>10-Jun-13</b>	<b>14025</b>	<b>Sharon Mitchell</b>		<b>\$500.00</b>
07/18/13			7/18/13 Music on the Lake concert	\$500.00	\$0.00
001010575304900			Arts Commission	\$500.00	
<b>35259</b>	<b>10-Jun-13</b>	<b>12722</b>	<b>SHRED-it WESTERN WASHINGTON</b>		<b>\$73.50</b>
101307449			shredding svcs	\$73.50	\$0.00
001008521003104			Law Enforcement-Operating Cost	\$73.50	
<b>35260</b>	<b>10-Jun-13</b>	<b>12961</b>	<b>SNOHOMISH COUNTY PUD</b>		<b>\$12,499.26</b>
107352326			200206019	\$459.38	\$0.00
001013519904700			General Government - Utilities	\$459.38	
107352327			200321172	\$305.24	\$0.00
001013519904700			General Government - Utilities	\$305.24	
127251952			202624367	\$8,891.38	\$0.00
101016542630000			Street Fund - Street Lighting	\$8,891.38	
127251953			202648101	\$831.60	\$0.00
101016542630000			Street Fund - Street Lighting	\$831.60	
127251954			202670725	\$1,113.61	\$0.00
101016542630000			Street Fund - Street Lighting	\$1,113.61	
133858090			203203245	\$331.22	\$0.00
001010576804700			Parks - Utilities	\$331.22	
147026199			203115522	\$228.18	\$0.00
101016542630000			Street Fund - Street Lighting	\$228.18	
153600722			153600722	\$338.65	\$0.00
101016542630000			Street Fund - Street Lighting	\$338.65	
<b>35261</b>	<b>10-Jun-13</b>	<b>12961</b>	<b>SNOHOMISH COUNTY PUD</b>		<b>\$933.02</b>
110665075			202013249	\$142.97	\$0.00

# Detail Check Register

06-Jun-13

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
101016542630000			Street Fund - Street Lighting	\$142.97	
123939900	202289237			\$91.22	\$0.00
001010575304901			Historical Museum	\$45.61	
001010575304905			Grimm House Expenses	\$45.61	
133861569	201783685			\$162.10	\$0.00
001013519904700			General Government - Utilities	\$162.10	
137081827	202427720			\$85.02	\$0.00
410016542404700			Storm Water-Aerat. Utilities	\$85.02	
143711584	203582010			\$128.33	\$0.00
101016542630000			Street Fund - Street Lighting	\$128.33	
143712637	203730189			\$114.61	\$0.00
101016542630000			Street Fund - Street Lighting	\$114.61	
143712638	203731153			\$125.15	\$0.00
101016542630000			Street Fund - Street Lighting	\$125.15	
153598066	203728159			\$83.62	\$0.00
101016542630000			Street Fund - Street Lighting	\$83.62	
<b>35262</b>	<b>10-Jun-13</b>	<b>12961</b>	<b>SNOHOMISH COUNTY PUD</b>		<b>\$201.42</b>
107351694	201973682			\$42.12	\$0.00
101016542630000			Street Fund - Street Lighting	\$42.12	
113987567	202513354			\$32.03	\$0.00
001010576804700			Parks - Utilities	\$32.03	
120619419	202340527			\$31.41	\$0.00
001010576804700			Parks - Utilities	\$10.47	
101016542004700			Street Fund - Utilities	\$10.47	
410016542404701			Storm Water Utilities	\$10.47	
120623353	201513934			\$32.03	\$0.00
001010576804700			Parks - Utilities	\$32.03	
133861570	201956075			\$49.15	\$0.00
001013519904700			General Government - Utilities	\$49.15	

# Detail Check Register

06-Jun-13

Lake Stevens

Check No	Check Date	VendorNo	Vendor		Check Amount	
147025640		204719074		\$14.68	\$0.00	\$14.68
		101016542630000	Street Fund - Street Lighting	\$14.68		
<b>35263</b>	<b>10-Jun-13</b>	<b>14007</b>	<b>Snohomish County PW (S)</b>			<b>\$1,005.94</b>
I000327741			Signal repair & Maint	\$1,005.94	\$0.00	\$1,005.94
		101016542640000	Street Fund - Traffic Control	\$1,005.94		
<b>35264</b>	<b>10-Jun-13</b>	<b>1382</b>	<b>Snohomish County PW (V)</b>			<b>\$5,504.18</b>
I000326679			Vehicle repair	\$5,504.18	\$0.00	\$5,504.18
		001008521004800	Law Enforcement - Repair & Mai	\$5,378.62		
		410016542404800	Storm Water - Repairs & Maint.	\$125.56		
<b>35265</b>	<b>10-Jun-13</b>	<b>1388</b>	<b>Snohomish County Treasurer</b>			<b>\$261.41</b>
05/2013			May 2013 Crime Victims Comp	\$261.41	\$0.00	\$261.41
		633008589000001	Crime Victims Compensation	\$261.41		
<b>35266</b>	<b>10-Jun-13</b>	<b>14003</b>	<b>Sonsray Machinery LLC</b>			<b>\$76.19</b>
729979			Filters	\$76.19	\$0.00	\$76.19
		101016542003102	Street Fund Operating Costs	\$57.14		
		410016542403102	Storm Water - Operating Costs	\$19.05		
<b>35267</b>	<b>10-Jun-13</b>	<b>13415</b>	<b>Staples</b>			<b>\$727.98</b>
3200062363			Office supplies and soap	\$494.35	\$0.00	\$494.35
		001010576803103	Parks-Lundeen-Operating Costs	\$75.00		
		001013519903100	General Government - Operating	\$75.00		
		001013551503100	Community Center - Operations	\$75.00		
		101016542003101	Street Fund Office Supplies	\$150.00		
		101016542003102	Street Fund Operating Costs	\$119.35		
3200062364			office supplies	\$12.99	\$0.00	\$12.99
		001008521003100	Law Enforcement - Office Suppl	\$12.99		
3200340071			Supplies	\$144.51	\$0.00	\$144.51
		001013519903100	General Government - Operating	\$144.51		
3200411039			supplies	(\$35.58)	\$0.00	(\$35.58)
		001008521003100	Law Enforcement - Office Suppl	(\$35.58)		
3200731952			office supplies	\$111.71	\$0.00	\$111.71
		001008521003100	Law Enforcement - Office Suppl	\$111.71		
<b>35268</b>	<b>10-Jun-13</b>	<b>13994</b>	<b>Strategies 360</b>			<b>\$1,500.00</b>
772-9632			Hwy 9 Prof Services	\$1,500.00	\$0.00	\$1,500.00

# Detail Check Register

06-Jun-13

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
001013511204101			Advisory Srvs - Lobbying	\$1,500.00	
<b>35269</b>	<b>10-Jun-13</b>	<b>13891</b>	<b>Tacoma Screw Products Inc</b>		<b>\$154.49</b>
30370121			Safety glasses/screws	\$58.16	\$0.00
101016542003102			Street Fund Operating Costs	\$58.16	
30371570			screws/nuts/safety glasses	\$96.33	\$0.00
101016542003102			Street Fund Operating Costs	\$72.25	
410016542403102			Storm Water - Operating Costs	\$24.08	
<b>35270</b>	<b>10-Jun-13</b>	<b>11787</b>	<b>Teamsters Local No. 763</b>		<b>\$570.00</b>
05/31/2013			Union dues	\$570.00	\$0.00
001000281000000			Payroll Liabilities	\$570.00	
<b>35271</b>	<b>10-Jun-13</b>	<b>1491</b>	<b>The Everett Herald</b>		<b>\$239.68</b>
1821335			Public Hearing Cannabis garden	\$96.56	\$0.00
001007558004400			Planning - Advertising	\$96.56	
1821601			Auth hearing Comp Plan Amendme	\$124.08	\$0.00
001007558004400			Planning - Advertising	\$124.08	
1821838			Road Closure for Mem Day Ceremo	\$19.04	\$0.00
001007558004400			Planning - Advertising	\$19.04	
<b>35272</b>	<b>10-Jun-13</b>	<b>13701</b>	<b>The Sharp Shop</b>		<b>\$88.97</b>
788143			Sharpening blades on PW29 wood c	\$88.97	\$0.00
101016542004800			Street Fund - Repair & Mainten	\$88.97	
410016542404800			Storm Water - Repairs & Maint.	\$0.00	
<b>35273</b>	<b>10-Jun-13</b>	<b>13922</b>	<b>The Watershed Co</b>		<b>\$3,693.00</b>
2013-0277			Environmental consulting	\$3,693.00	\$0.00
001007558004100			Planning - Professional Servic	\$3,693.00	
<b>35274</b>	<b>10-Jun-13</b>	<b>14022</b>	<b>Thunder Fireworks</b>		<b>\$85.00</b>
LUA2013-0054			Refund LUA2013-0054	\$85.00	\$0.00
001000342400000			Fire Inspection Fee	\$85.00	
<b>35275</b>	<b>10-Jun-13</b>	<b>14020</b>	<b>TNT Fireworks</b>		<b>\$510.00</b>
LUA2013-0031			Refund LUA2013-0031	\$85.00	\$0.00
001000342400000			Fire Inspection Fee	\$85.00	
LUA2013-0030			Refund LUA2013-0030	\$85.00	\$0.00

# Detail Check Register

06-Jun-13

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
001000342400000			Fire Inspection Fee	\$85.00	
LUA2013-0032			Refund LUA2013-0032	\$85.00	\$0.00
001000342400000			Fire Inspection Fee	\$85.00	
LUA2013-0034			Refund LUA2013-0034	\$85.00	\$0.00
001000342400000			Fire Inspection Fee	\$85.00	
LUA2013-0035			Refund LUA2013-0035	\$85.00	\$0.00
001000342400000			Fire Inspection Fee	\$85.00	
LUA2013-0036			Refund LUA2013-0036	\$85.00	\$0.00
001000342400000			Fire Inspection Fee	\$85.00	
<b>35276</b>	<b>10-Jun-13</b>	<b>11788</b>	<b>United Way of Snohomish Co.</b>		<b>\$315.68</b>
05/13/2013			Employee contributions	\$315.68	\$0.00
001000281000000			Payroll Liabilities	\$315.68	
<b>35277</b>	<b>10-Jun-13</b>	<b>12158</b>	<b>VERIZON NORTHWEST</b>		<b>\$2,418.50</b>
9705451307			Wireless phone service	\$2,418.50	\$0.00
001003511104200			Executive - Communication	\$83.06	
001003513104200			Administration-Communications	\$83.06	
001003514104200			City Clerks-Communications	\$30.42	
001003516104200			Human Resources-Communications	\$53.04	
001003518104200			IT Dept-Communications	\$106.08	
001007558004200			Planning - Communication	\$143.50	
001008521004200			Law Enforcement - Communicatio	\$1,403.38	
001010576804200			Parks - Communication	\$30.42	
101016542004200			Street Fund - Communications	\$242.77	
410016542404200			Storm Water - Communications	\$242.77	
<b>35278</b>	<b>10-Jun-13</b>	<b>1604</b>	<b>WASHINGTON AUDIOLOGY SERVICES</b>		<b>\$36.00</b>
41204			Employee audio exams	\$36.00	\$0.00
001008521004100			Law Enforcement - Professional	\$36.00	
<b>35279</b>	<b>10-Jun-13</b>	<b>12253</b>	<b>WFOA</b>		<b>\$425.00</b>
2013 conf			2013 WFOA Conference	\$425.00	\$0.00
001004514234901			Finance - Staff Development	\$425.00	
<b>35280</b>	<b>10-Jun-13</b>	<b>13997</b>	<b>WHPacific</b>		<b>\$525.50</b>
37956-04			Surveying 91st Ave/SR 204	\$525.50	\$0.00

## Detail Check Register

06-Jun-13

Lake Stevens

Check No	Check Date	VendorNo	Vendor	Check Amount	
301016544404101			Street Op- Pln&Dsg - 204/91st	\$525.50	
<b>35281</b>	<b>10-Jun-13</b>	<b>13419</b>	<b>WSDA</b>		<b>\$33.60</b>
865			Small Scale Inspection	\$33.60	\$0.00
001008521003104			Law Enforcement-Operating Cost	\$33.60	
<b>35282</b>	<b>10-Jun-13</b>	<b>12845</b>	<b>ZACHOR &amp; THOMAS, INC. P.S.</b>		<b>\$8,250.00</b>
618			Prosecutor svcs	\$8,250.00	\$0.00
001013515210000			Prosecutor fees	\$8,250.00	
<b>Total Of Checks:</b>					<b>\$1,292,487.44</b>

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

Tuesday, May 28, 2013  
Lake Stevens School District Educational Service Center (Admin. Bldg.)  
12309 22<sup>nd</sup> Street N.E. Lake Stevens

CALL TO ORDER: 6:00 p.m. by Mayor Vern Little

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

COUNCILMEMBERS ABSENT: John Spencer

STAFF MEMBERS PRESENT: City Administrator Jan Berg, City Attorney Cheryl Beyer, Senior Planner Russ Wright, Finance Director Barb Stevens, Public Works Director Mick Monken, Human Resource Director Steve Edin, Interim Police Chief Dan Lorentzen, and City Clerk/Admin. Asst. Norma Scott

OTHERS: Mike Painter and Rod Baker

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**SPECIAL MEETING**

The Special Meeting was called to order at 6:00 p.m.

**Purpose: Police Chief Recruitment.** In attendance were Mike Painter from Washington Association of Sheriffs and Police Chiefs (WASPC) and Rod Baker Police Chief applicant.

**Adjourn.** 6:45 p.m.

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**REGULAR MEETING**

The Regular Meeting was called to order at 7:00 p.m.

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

**Guest Business.** None

**Consent Agenda.** Councilmember Holder moved to approve the consent agenda (A. Approve May vouchers [Payroll Direct Deposits 907230-907285 for \$125,047.28; Payroll Checks 35139 for \$2,460.45; Electronic Funds Transfers 597-601 for \$4,551.00; claims 35140-35205 for \$212,460.06; Tax Deposit 5.15.13 for \$49,708.95; for total vouchers approved of \$394,227.74]; B. Approve Council Regular meeting of May 13, 2013; C. First and final reading of Ordinance No. 893, 2013 budget amendment, seconded by Councilmember Dooley; motion carried unanimously. (6-0-0-1)

**Park Plan update.** Senior Planner Wright presented the proposed 2013 Parks and Recreation Element of the Comprehensive Plan, which will be updated during the 2013 docket process. The City has 146 acres of park land and 122 acres of open space mostly Native Growth Protection Area. Mr. Wright reviewed the proposed amendments, types of parks, level of parks (community, neighborhood), and level of service analysis. The next steps include the following: distribute public survey, complete needs assessment, plan revisions, update Capital Facilities Plan, update survey/impact fees and adopt the Park Element with the 2013 Comprehensive Plan schedule. Some of the public input received includes skate park, access around the lake, and increased access for non-motorized watercraft.

Councilmember Holder suggested looking at density of population when determining level of service for certain areas.

**First Quarter National Incident Base Reporting System (NIBRS) update.** Interim Police Chief Lorentzen reviewed calls for services, arrival response time, traffic stops, DUI calls, reportable collisions, and evidence processed (includes found property).

**Mayor's Business:** Mayor Little reported on the following: met with Senator Hobbs on Highway 9 transportation plan and Health Board update.

**Staff Reports:** Staff reported on the following: City Administrator Berg – Senator Hobbs very supportive of the transportation plan; Public Works Director Monken – groundbreaking ceremony on Friday for roundabouts on SR92, and alum treatment update; Interim Police Chief Lorentzen – attended WASPC conference; and Human Resources Director Edin – update on oral board interviews for Police Clerk.

**Adjourn.** Councilmember Tageant moved to adjourn at 7:58 p.m., seconded by Councilmember Welch; motion carried unanimously. (6-0-0-1)

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Vern Little, Mayor

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



LAKE STEVENS CITY COUNCIL  
**STAFF REPORT**

**Council Agenda Date:** 6/10/13

**Subject:** Medical Cannabis Regulations (Ordinance No. 894)

**Contact Person/Department:** Russ Wright, Planning & Community Development      **Budget Impact:** none

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**RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:** Hold a public hearing for and take action on Ordinance No. 894 amending Lake Stevens Municipal Code (LSMC) sections 14.08.010, which adds definitions for cannabis, medical cannabis (marijuana) collective garden, and medical cannabis (marijuana) dispensary and 14.40.040, which prohibits the establishment of medical cannabis (marijuana) collective gardens and medical cannabis (marijuana) dispensaries.

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**BACKGROUND/HISTORY:**

Currently, the city of Lake Stevens is in a moratorium temporarily restricting the establishment of medical marijuana / cannabis facilities. The Revised Code of Washington (RCW) 36.70A.390 authorizes temporary land use moratoria. The current moratorium will lapse June 15, 2013. To date, the proposal has generated mixed public opinion related to the establishment of medical cannabis gardens.

In 1998, Washington voters passed Initiative 692, the Medical Marijuana Act, which allows qualifying patients suffering terminal or debilitating medical conditions to use medical marijuana (cannabis) to treat medical conditions. Before the state codified the current medical cannabis regulations, Governor Gregoire vetoed portions of the bill that dealt with the licensing and dispensing of medical cannabis, based on legal opinion from the US Attorney's office. The US Attorney's office found portions of the bill conflicted with federal drug law, which could put producers and approving officials in jeopardy.

Chapter 69.51A RCW regulates medical cannabis and collective gardens. This law allows qualified patients and designated providers to create and 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.

Staff has been monitoring legal and jurisdictional issues related to medical cannabis over the last few months, specifically the effects of Initiative 502, which legalized the recreational use of marijuana and other local regulatory frameworks.

- The WA Liquor Control Board is currently establishing rules for the production, processing, and distribution of recreational marijuana. State law will continue to regulate medical marijuana and recreational marijuana separately.
- The three main mechanisms to regulate medical cannabis facilities (e.g., collective gardens) are
  - 1) Allow outright, 2) Allow through zoning or nuisance code, or 3) Ban outright.

Several Washington communities have adopted zoning regulations (Bellevue, Castle Rock, Ellensburg, Issaquah, Mukilteo, Redmond, and Shoreline); Everett and Snohomish regulate collective gardens under their city's nuisance codes; and several communities have prohibited medical marijuana facilities outright (Camas, Woodinville, Woodland, Kent, and Yakima). The Kent prohibition is under legal review.

At previous meetings staff has proposed draft zoning regulations related to collective gardens. The zoning approach would limit collective gardens to approximately 5 acres under the current Light and General Industrial Zones. The draft zoning regulations include the following elements:

- Limiting garden locations to industrial zoning districts with an administrative conditional use permit;
- Requiring gardens to be indoors; and
- Requiring a minimum 500-foot separation between gardens, youth-oriented facilities and residential and mixed-use areas.

Recently staff has coordinated with planning and police department staff from neighboring jurisdictions to discuss a regional approach to regulate medical cannabis facilities. The majority opinion was to emulate the ordinance adopted by Woodinville that would prohibit the establishment of medical cannabis facilities because of potential impacts to neighborhoods, the environment, public health, and criminal issues. A proposed zoning prohibition would not restrict individuals from producing medical cannabis for their own consumption as consistent with state law.

The City Council expressed its support for this regional approach at its May 13, 2013 meeting and directed staff to prepare an ordinance prohibiting the establishment of medical cannabis (marijuana) collective gardens and medical cannabis (marijuana) dispensaries.

The Planning Commission held a public hearing on June 5, 2013 and recommended that City Council adopt Ord. 894 establishing definitions and prohibiting the establishment of medical cannabis facilities.

If Council does not adopt Ord. 894, staff has prepared an ordinance extending the moratorium, which will be subject to a separate public hearing. This will allow Council the opportunity to direct staff on the underlying issue. If Council adopts Ord. 894, it can cancel the second public hearing and not take action on Ord. 895, which would extend the moratorium for an additional six months.

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**APPLICABLE CITY POLICIES:** Section 14.08.010 – Definitions and Section 14.40.040 - Permissible and Prohibited Uses of the Lake Stevens Municipal Code (LSMC)

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**BUDGET IMPACT:** There is no immediate budget effect other than staff and attorney time

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**ATTACHMENTS:**

1. Ordinance 894

**CITY OF LAKE STEVENS**  
**Lake Stevens, Washington**  
**ORDINANCE NO. 894**

**AN ORDINANCE OF THE CITY OF LAKE STEVENS, WASHINGTON AMENDING LAKE STEVENS MUNICIPAL CODE (LSMC) SECTIONS 14.08.010, ADDING DEFINITIONS FOR CANNABIS, MEDICAL CANNABIS (MARIJUANA) COLLECTIVE GARDEN, AND MEDICAL CANNABIS (MARIJUANA) DISPENSARY AND 14.40.040 PROHIBITING THE ESTABLISHMENT OF MEDICAL CANNABIS (MARIJUANA) COLLECTIVE GARDENS AND MEDICAL CANNABIS (MARIJUANA) DISPENSARIES; AND; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, Initiative Measure No. 692, approved by the voters of Washington State on November 30, 1998 and now codified as chapter 69.51A RCW, created an affirmative defense for “qualifying patients” to the charge of possession of cannabis (marijuana); and

**WHEREAS**, in 2011, the Washington State Legislature passed a bill (E2SSB 5073) to legalize the licensing of medical cannabis (marijuana) dispensaries, production facilities, and processing facilities; and

**WHEREAS**, on April 29, 2011, Governor Gregoire vetoed portions of E2SSB 5073 that would have provided the legal basis for legalizing and licensing medical cannabis (marijuana) dispensaries, processing facilities and production facilities; and

**WHEREAS**, E2SSB 5073, as approved, further authorized cities to adopt and enforce zoning requirements regarding production and processing of medical cannabis (marijuana); and

**WHEREAS**, Cannabis (marijuana) remains a controlled substance under the Controlled Substances Act, 21 U.S.C. Ch. 13 and the U.S. Department of Justice and United States Attorneys in the State of Washington have continued to maintain that cannabis (marijuana) is illegal to possess, distribute, dispense or manufacture under federal law; and

**WHEREAS**, the City Council adopted Ordinance 858, a six month moratorium and interim regulation prohibiting the establishment of medical marijuana dispensaries, collective gardens and the licensing and permitting thereof on May 11, 2011. The City Council adopted Ordinance 867, extending the moratorium established in Ordinance 858 for an additional six (6) months on January 9, 2012. The City Council adopted Ordinance 877, extending the moratorium established in Ordinance 858 and 867 for an additional six (6) months on June 25, 2012. The City Council adopted Ordinance 886, extending the moratorium established in Ordinance 858, 867, and 874 for an additional six (6) months on December 10, 2012.

**WHEREAS**, the City issued a Determination of Non-Significance for the proposed development regulations on April 18, 2012; and

**WHEREAS**, the City submitted the proposed development regulations to the Washington State Department of Commerce on April 18, 2012, as required by RCW 36.70A.106; and

**WHEREAS**, the Lake Steven Planning Commission held a public hearing on June 5, 2013 and recommended that the City Council adopt the proposed definitions for cannabis, medical cannabis (marijuana) dispensary, and medical cannabis (marijuana) collective garden and adopt

the land use regulations prohibiting the establishment of medical cannabis (marijuana) collective gardens and that medical cannabis (marijuana) dispensaries within Lake Stevens;

**WHEREAS**, the City Council finds and determines that such amendments authorized herein are not intended to regulate the individual use of cannabis (marijuana) for medical purposes by qualifying patients and designated providers as authorized pursuant to Chapter 69.51A RCW;

**WHEREAS**, the City Council seeks to identify changes in Title 14 LSMC necessary and or appropriate to clearly ban or prohibit collective gardens and dispensaries as that term is described in Chapter 69.51A RCW; and

**WHEREAS**, many jurisdictions around the country that have approved medical marijuana uses have experienced numerous land use impacts, such as:

- Conversion of residential uses into marijuana cultivation and processing facilities, removing valuable housing stock in a community;
- Degrading neighborhood aesthetics due to shuttered up homes, offensive odors, increased night-time traffic, parking issues, loitering from potential purchasers looking to buy from a collective member;
- Environmental damages from chemicals being discharged into surrounding and off-site soil and storm and sanitary sewer systems;
- Serious risk of fire hazard due to overload service connections used to operate grow lights and fans;
- Improper ventilation leading to high levels of moisture and mold;
- Illegal structural modifications; and
- Criminal issues such as home invasions, burglaries of medical marijuana facilities, theft and property damage; and

**WHEREAS**, the Lake Stevens City Council has considered all the land use impacts of medical cannabis (marijuana) collective gardens, medical cannabis (marijuana) dispensaries, draft regulations, and held a public hearing over regulations prohibiting medical cannabis (marijuana) collective gardens and medical cannabis (marijuana) dispensaries; and

**WHEREAS**, the Lake Stevens City Council has determined that medical cannabis (marijuana) collective gardens and that medical cannabis (marijuana) dispensaries are in conflict with current federal law, which recognizes cannabis (marijuana) as a controlled substance.

**WHEREAS**, the Lake Stevens City Council has determined that medical cannabis (marijuana) collective gardens and medical cannabis (marijuana) dispensaries shall not be permitted in the City of Lake Stevens.

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

**Section 1.** LSMC Section 14.08.010 is hereby amended by adding the following definitions (all other provisions of 14.08.010 remain unchanged and in effect):

“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, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. For the purposes of this definition, “cannabis” does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks, except the resin extracted therefrom, fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination. The term “cannabis” includes cannabis products and useable cannabis.

“Medical Cannabis (marijuana) collective gardens” or “collective garden” means a garden where qualifying patients 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 and in this ordinance.”

“Medical Cannabis (marijuana) dispensary” or “dispensary” means any facility or location where medical marijuana is grown, made available to and/or distributed by or to two or more of the following: a primary caregiver, a qualified patient, or a person with an identification card.

**Section 2.** LSMC Section 14.40.040 entitled “Permissible and Prohibited Uses” is hereby amended by adding a new subsection (b)(5), which shall read as follows(all other provisions of 14.08.040 remain unchanged and in effect):

(5) Medical cannabis (marijuana) collective gardens and medical cannabis (marijuana) dispensaries, as those terms are defined or described in this code and/or under state law are prohibited in all zoning districts of the City of Lake Stevens.

**Section 3.** Pursuant to RCW 36.70A.106, a copy of this ordinance shall be transmitted to the Washington State Department of Commerce.

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

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

**ADOPTED** by the City Council and **APPROVED** by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2013

CITY OF LAKE STEVENS

By: \_\_\_\_\_  
Vern Little, Mayor

ATTEST/AUTHENTICATED:

By: \_\_\_\_\_  
Norma Scott, City Clerk/Admin. Asst.

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Grant K. Weed, City Attorney

1st and Final Reading: June 10, 2013

Date of Publication:

Effective Date:

DRAFT



LAKE STEVENS CITY COUNCIL  
**STAFF REPORT**

**Council Agenda Date:** 6/10/13

**Subject:** Medical Marijuana / Cannabis Moratorium (Ordinance No. 895)

**Contact Person/Department:** Russ Wright, Planning & Community Development      **Budget Impact:** none

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**RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:** Hold a public hearing on Ordinance No. 894 amending Ordinances 858, 867, 874 and 886 extending the moratorium prohibiting the establishment of medical marijuana / cannabis dispensaries and collective gardens for an additional six (6) months.

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**SUMMARY:**

Pursuant to RCW 36.70A.390, the Lake Stevens City Council adopted a six-month moratorium (Ordinance No. 874) June 25, 2012 temporarily restricting the establishment of medical marijuana / cannabis facilities and held a public hearing. Council extended the moratorium because of the legislative uncertainty surrounding medical cannabis; staff recommends that Council consider an additional six-month moratorium.

To remain compliant with RCW 36.70A.390 and extend the moratorium an additional public hearing is required. The scope of the public hearing is limited to public comment on the moratorium extension restricting the establishment of collective gardens and dispensaries. The larger issue related to the use of medical marijuana / cannabis is beyond the scope of this public hearing.

**BACKGROUND AND FINDINGS:**

In 1998, Washington voters passed Initiative 692, the Medical Marijuana Act, which allows qualifying patients suffering terminal or debilitating medical conditions to use medical marijuana (cannabis) to treat medical conditions. The State Legislature recently passed amendments to Chapter 69.51A RCW (ESSB 5073), in part, to address the proliferation of medical cannabis dispensaries. The legislation adopted regulations related to the legal possession and distribution of medical cannabis by qualifying patients and designated providers. The Legislature envisioned that the regulations would include provisions for state licensing and distribution through dispensaries and collective gardens for medical cannabis. On April 29, 2011, Governor Gregoire issued a partial veto of ESSB 5073 based on legal opinion from the US Attorney's office that found portions of the bill would conflict with federal drug law and consequently puts producers and approving officials in jeopardy of prosecution. The Governor vetoed sections dealing with the state licensing of production and licensed dispensing of medical cannabis. This means dispensaries are illegal because the sale of cannabis is illegal and therefore cities cannot issue business licenses for them. Further, dispensaries cannot become "grandfathered"; as only legal uses can benefit from nonconforming use rights.

The codified portions of Chapter 69.51A RCW allow qualified patients and designated providers to create and 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.

Since the codification of the new sections of Chapter 69.51A RCW, Washington State Governor Christine Gregoire and Rhode Island State Governor Lincoln Chaffee have petitioned the United States Drug Enforcement Administration (DEA) to reclassify cannabis as a Schedule II prescription drug. Additionally, Washington voters will vote on the statewide legalization of marijuana/cannabis this fall.

Since the last moratorium extension, the state legislature did not modify current medical marijuana and there has been no change in the federal classification of marijuana. Additionally, Washington residents approved Initiative 502 decriminalizing the possession of marijuana. However, the initiative approving general use of marijuana will be legislated separately from the existing medical use of marijuana. I-502 does not make changes to current medical marijuana laws. The Liquor Control Board will develop rules for the production and distribution of marijuana for general use by December 2013.

It is the City's hope that the remaining legal issues related to medical cannabis are addressed statewide and federally, within this six-month moratorium. During the extension, staff will monitor legal issues and refine its draft zoning regulations related to collective gardens as needed. Long-term, the City could outright prohibit the formation of medical cannabis collective gardens, allow them with no regulations, or allow them with established zoning regulations. Zoning regulation may include:

- Limiting garden locations to certain zoning districts;
- Requiring gardens to be indoors;
- Requiring minimum spacing between gardens; and
- Requiring minimum distances from schools, daycares and other similar uses.

If Council does not adopt Ord. 894 establishing permanent regulations for medical cannabis, reviewed under a separate public hearing, staff recommends that City Council extend the moratorium. This will allow Council the opportunity to direct staff on the underlying issue of establishing regulations for medical cannabis facilities. If Council adopts Ord. 894, it can cancel the hearing for Ord. 895, which would extend the moratorium for an additional six months and take no further action.

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

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**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.

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**ATTACHMENTS:**

1. Ordinance 895
2. Revised Schedule

**CITY OF LAKE STEVENS  
Lake Stevens, Washington**

**ORDINANCE NO. 895**

**AN INTERIM ORDINANCE OF THE CITY OF LAKE STEVENS, WASHINGTON, ADOPTING AN EXTENSION OF A MORATORIUM ON THE ESTABLISHMENT OF MEDICAL MARIJUANA/CANNABIS DISPENSARIES, COLLECTIVE GARDENS AND THE LICENSING AND PERMITTING THEREOF; DEFINING “MEDICAL MARIJUANA/CANNABIS DISPENSARY”; PROVIDING FOR A PUBLIC HEARING; ESTABLISHING AN EFFECTIVE DATE; AMENDING ORDINANCES NO. 858, NO. 867, NO. 874 AND 886; AND PROVIDING THAT THE EXTENDED MORATORIUM WILL EXPIRE SIX (6) MONTHS FROM THE DATE OF ADOPTION.**

**WHEREAS**, Initiative Measure No. 692, approved November 3, 1998, created an affirmative defense for “qualifying patients” to the charge of possession of marijuana/cannabis; and

**WHEREAS**, the initiative and current Chapter 69.51A RCW are clear that nothing in its provisions are to be “construed to supersede Washington state law prohibiting the acquisition, possession, manufacture, sale or use of marijuana/cannabis for non-medical purposes”; and

**WHEREAS**, the Washington State Department of Health opines that it is “not legal to buy or sell” medical marijuana/cannabis and further opines that “the law [Chapter 69.51.A RCW] does not allow dispensaries,” leaving enforcement to local officials; and

**WHEREAS**, the City Council finds that the sale of marijuana/cannabis, no matter how designated by dispensaries, is prohibited by federal and state law; and

**WHEREAS**, ESSB 5073 – Chapter 181, Laws of 2011 (“the bill”) was adopted with a partial veto of the Governor becomes effective July 22, 2011; and

**WHEREAS**, Governor Gregoire vetoed 36 of the 58 provisions of ESSB 5073 and this has created considerable uncertainties and ambiguities regarding the meaning and enforcement of the bill; and

**WHEREAS**, Section 404 of the bill effectively eliminates medical marijuana/cannabis dispensaries as a legally viable model of operation under State law; and

**WHEREAS**, Section 403 of the bill provides that qualifying patients may create and participate in collective gardens for the purpose of producing, processing, transporting and delivering cannabis for medical use subject to compliance with specific statutory conditions; and

**WHEREAS**, the City Council finds that the secondary impacts associated with marijuana/cannabis dispensaries and collective gardens include but are not limited to the invasion of the business, burglary and robbery associated with the cash and drugs maintained on the site; and

**WHEREAS**, pursuant to Section 1102 of the bill and under their general zoning and police powers cities are authorized to adopt and enforce zoning requirements, business licensing requirements, health and safety requirements and business taxes on the production, processing or dispensing of cannabis or cannabis products; and

**WHEREAS**, the City currently has no zoning, licensing, and/or permitting requirements and/or regulations that address the medical marijuana/cannabis collective gardens; and

**WHEREAS**, marijuana/cannabis remains a Schedule I drug under the federal Controlled Substances Act (“CSA”) and is considered by the federal authorities to be a drug with no medical value, and its manufacture, distribution and/or possession are a violation of federal law; and

**WHEREAS**, there appears to be a conflict between state and federal law concerning the legal status of marijuana/cannabis and its manufacture, distribution, use and possession; and

**WHEREAS**, on or about November 30, 2011, Washington State Governor Christine Gregoire and Rhode Island State Governor Lincoln Chaffee petitioned the United States Drug Enforcement Administration (DEA) to reclassify marijuana/cannabis as a Schedule II drug that has therapeutic value and that should be treated as a prescription drug; and

**WHEREAS**, this conflict between federal and state law was highlighted by a January 17, 2012 letter to the Clark County Board of Commissioners, Joseph T. Rannazzisi, Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, U.S. Department of Justice, stated that anyone “who knowingly carries out the marijuana activities contemplated by Washington state law, as well as anyone facilitates such activities, or conspires to commit such violations, is subject to criminal prosecution as provided in the [Controlled Substances Act]” (underlining added); and

**WHEREAS**, reclassification of marijuana/cannabis as a Schedule II drug by DEA would allow marijuana/cannabis to be prescribed by physicians with restrictions and dispensed by pharmacies, and would potentially eliminate the current legal and planning dilemma Lake Stevens and other Washington cities and towns are currently struggling with concerning regulation, permitting and licensing issues surrounding medical marijuana/cannabis; and

**WHEREAS**, Initiative 502 was approved by popular vote on November 6, 2012 and will take effect over the course of a year, beginning on December 6, 2012. Initiative 502 defined and distinguished marijuana from other parts of the cannabis plant, legalizing small amounts of marijuana-related products for most adults, to tax them, and designate the revenue for healthcare and substance-abuse prevention and education. Cannabis is still classified as a schedule I controlled substance under federal law and subject to federal prosecution under the doctrine of dual sovereignty. Possession by anyone younger than 21, possession of larger amounts, and the growing of unlicensed or unregulated marijuana remains illegal under state law; and

**WHEREAS**, on July 5, 2011, the City Council passed Ordinance No. 858 that imposed a six (6) month moratorium on the establishment of medical marijuana/cannabis dispensaries, collective gardens and the licensing and permitting thereof; and

**WHEREAS**, on January 09, 2012, the City Council passed Ordinance No. 867 that imposed an additional six (6) month moratorium on the establishment of medical marijuana/cannabis dispensaries, collective gardens and the licensing and permitting thereof; and

**WHEREAS**, on June 25, 2012, the City Council passed Ordinance No. 874 that imposed an additional six (6) month moratorium on the establishment of medical marijuana/cannabis dispensaries, collective gardens and the licensing and permitting thereof; and

**WHEREAS**, on December 10, 2012, the City Council passed Ordinance No. 886 that imposed an additional six (6) month moratorium on the establishment of medical marijuana/cannabis dispensaries, collective gardens and the licensing and permitting thereof; and

**WHEREAS**, given the many complications, uncertainties and impacts that exist and that are described above, additional time is necessary to engage in a meaningful planning process related to the development of regulations that address zoning, licensing and/or permitting of medical marijuana/cannabis collective gardens and the impacts thereof; and

**WHEREAS**, a public hearing was held on June 10, 2013, before Lake Stevens City Council regarding an additional six (6) month moratorium concerning medical marijuana collective gardens and the licensing and permitting thereof; and

**WHEREAS**, the City Council finds it is in the best interest of the City of Lake Stevens and its citizens to extend the moratorium regarding the establishment of medical marijuana/cannabis collective gardens and the licensing and permitting thereof for an additional six (6) month period;

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

Section 1. The above “Whereas” clauses constitute findings of fact in support of the moratorium established by this Ordinance and said findings are fully incorporated into this Ordinance.

Section 2. Pursuant to the provisions of RCW 36.70A.390, the zoning moratorium established by Ordinance 858 in the City of Lake Stevens that prohibits licensing, permitting, establishment, maintenance or continuation of any use consisting of or including the sale, provision and/or dispensing of medical marijuana/cannabis to more than one person, the establishment of a medical marijuana/cannabis dispensary or creation of or participation in a medical marijuana/cannabis “collective garden” as referenced and defined in RCW 69.51A.085, is hereby extended for an additional six (6) month period from the date of adoption of this Ordinance, and the findings, terms and conditions of Ordinances No. 858, No. 867, No. 874 and No. 886 and those set forth herein are incorporated herein by this reference, and Ordinances No. 858, No. 867, No. 874 and No. 886 are hereby amended consistent herewith.

Section 3. “Medical marijuana/cannabis dispensary” is hereby defined as any person, business, corporation, partnership, joint venture, organization, association and/or other entity which: 1) sells, provides and/or otherwise dispenses marijuana/cannabis to more than one “qualifying patient” in any thirty (60) day period or to any person who does not meet the definition of “qualifying patient” under the terms of Chapter 69.51A RCW, and/or 2) maintains and/or possesses more than one sixty (60) day supply of marijuana/cannabis for one qualifying patient at any time. The receipt of cash or other legal tender in exchange for, contemporaneously with or immediately following the delivery of marijuana/cannabis to a qualifying patient shall be presumed to be a sale. Any person, business, corporation, partnership, joint venture, organization, association and/ or entity which sells, provides and/or otherwise dispenses marijuana/cannabis to more than one qualifying patient in any sixty (60) day period should be presumed to be a “medical marijuana/cannabis dispensary.”

Section 4. Medical marijuana/cannabis dispensaries and collective gardens are hereby designated as prohibited uses in the City of Lake Stevens, and in accordance with the provisions of RCW 35A.82.020,

no business license, permit, zoning or development approval shall be issued to be a medical marijuana/cannabis dispensary or collective garden.

Section 5. Ordinance to be Transmitted to Department. Pursuant to RCW 36.70A.106, a copy of this interim Ordinance shall be transmitted to the Washington State Department of Commerce.

Section 6. Severability. If any section, clause, and/or phrase of this Ordinance is held invalid by a court of competent jurisdiction, such invalidity and/or unconstitutionality shall not affect the validity and/or constitutionality of any other section, clause and/or phrase of the Ordinance.

Section 7. Effective Date. This Ordinance shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title, PROVIDED, HOWEVER, that unless extended by the act of the Lake Stevens City Council, this Ordinance shall automatically expire six (6) months following its effective date.

**ADOPTED** by the City Council and **APPROVED** by the Mayor this 10<sup>th</sup> day of June 2013.

CITY OF LAKE STEVENS

By: \_\_\_\_\_  
Vern Little, Mayor

ATTEST/AUTHENTICATED:

By: \_\_\_\_\_  
Norma Scott, City Clerk/Admin. Asst.

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Grant K. Weed, City Attorney

Date of Publication:

Effective Date:



LAKE STEVENS CITY COUNCIL  
**STAFF REPORT**

**Council Agenda Date:** 10 June 2013

**Subject:** Adoption of 2014- 2019 Six Year Transportation Improvement Plan

**Contact** Mick Monken  
**Person/Department:** Public Works

**Budget Impact:** NA

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**RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:** Hold the Public Hearing and comment on the projects proposed to be included in the 2014-2019 Six Year Transportation Improvement Plan (TIP). If no changes, adopt Resolution number 2013-4.

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**SUMMARY/BACKGROUND:** Each year the City is required under State statute RCW 35.77 to prepare a six year Transportation Improvement Plan (TIP). The intent of the TIP is to provide information to the State for regional and statewide planning that includes project type and location identification, potential impacted utilities, funding needs, and inter-agency coordination. The TIP is a subset of the City's current 20 year transportation list (2012-2032) in the Comprehensive Plan's Capital Element (Chapter 8).

The projects identified in the TIP have been selected by based on the priority established in the adopted 20 year transportation list. The list was recently updated to reflect the transportation needs identified in the Lake Stevens Center and 20<sup>th</sup> Street SE Corridor subarea plans and the Downtown Framework plan.

The TIP is important to the City when seeking grant funding for future transportation projects. This gives advance notice to the funding agencies of potential grant dollar demands. However, not listing a project does not prohibit seeking funding for a non-listed project. In this case, the TIP would require an amendment be adopted by Resolution. One of the key points of an agency's TIP is that it is suppose to be realistic. This means that the projects listed are suppose to be able to be constructed within the 6 year period if funding can be secured.

There are 28 projects on the 2014-2019 TIP. The total project cost estimate is \$85.5 million with \$34.5 million projected to be expended in the 6 year period. These dollars are comprised of local, grants, mitigation, and developer improvements. The local fund consists largely of mitigation dollars with a small potential covered by administration under salaries and possible street funds (typically planning and environmental preliminary work). Mitigation funds are dollars collected through the City's adopted Traffic Impact Fee plan for new development trips. Grant funding includes both State and Federal dollars and typically require match dollars. Developer improvements are road related improvements, including right-of-way dedication, which a new development construction associated with their adjacent site, such as frontage improvements.

A large portion of the project funding is expected to come from development mitigation and improvements with the approximately 40% balance coming from grants. Therefore, the actually of the TIP plan is based on a developing economy. Each year, the TIP is reviewed and updated to reflect what has occurred and adjustment made. If a mid-year change in priorities occurs or a new project is added, the TIP can be updated.

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**APPLICABLE CITY POLICIES:** NA

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**BUDGET IMPACT:** NA (Funding on the TIP comes from a variety of sources and are only preliminary estimates.)

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**ATTACHMENTS:**

- ▶ Exhibit A: Resolution 2013-4
  - Attachment A: Proposed 2014-2019 Six Year TIP with costs
  - Attachment B: Proposed 2014-2019 Six Year TIP with expenditure year projections

**EXHIBIT A**

**CITY OF LAKE STEVENS  
Lake Steven Washington**

**RESOLUTION NO. 2013-4**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE STEVENS, WASHINGTON, ADOPTING A SIX-YEAR TRANSPORTATION IMPROVEMENT PLAN FOR THE YEARS 2014-2019 AND DIRECTING THE SAME TO BE FILED WITH THE STATE SECRETARY OF TRANSPORTATION AND THE PUGET SOUND REGIONAL COUNCIL.**

**WHEREAS**, pursuant to the requirements of Chapters 35.77 and 47.26 RCW, the City Council of the City of Lake Stevens has previously adopted a comprehensive street plan, including an arterial street construction plan, and has thereafter periodically modified said as part of the City's Comprehensive Plan resolution, and

**WHEREAS**, the City Council has reviewed the work accomplished under the Plan, determined current and future City street and arterial needs and based upon these findings, has prepared a Six-Year Transportation Improvement Plan (TIP) for the ensuing six (6) calendar years, and

**WHEREAS**, a public hearing has been held on the TIP as required by RCW 35.77.0 10, and

**WHEREAS**, the TIP has been updated for 2014-2019 in accordance with the State requirements,

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKE STEVENS DOES RESOLVE AS FOLLOWS:**

**Section 1.** Plan Adopted. The Six-Year Transportation Improvement Plan for the City of Lake Stevens, as revised and extended for the ensuing six (6) calendar years (2014-2019), a copy of which is attached hereto as Attachment A and incorporated herein by this reference as if fully set forth, which Plan sets forth the project location, type of improvement and the estimated cost thereof, is hereby adopted and approved.

**Section 2.** Filing of Plan. Pursuant to Chapter 35.77 RCW, within 30 days of the adoption of this resolution the City Clerk is hereby authorized and directed to file a copy of this resolution, together with the Attachment A (Project Descriptions) and Attachment B (Expenditure year projections) attached hereto, with the Secretary of Transportation for the State of Washington.

ADOPTED this \_\_\_\_\_ day of June 2013

\_\_\_\_\_  
Vern Little, Mayor

ATTEST:

\_\_\_\_\_  
Norma Scott  
City Clerk

**Attachment A**  
TIP with project description and costs

**City of Lake Stevens** Start year: 2014  
**Transportation Improvement Program (2014 - 2019)**

Revision: 05/14/2013

Proj ID #	ROAD	FROM	TO	COST	Description	Local	State/Fed	Mitigation	Dev Imp	TOTAL Project			LOCAL	GRANT	
										Design	ROW	Constr			
2(1)	SR 9/4th NE - Intersection	4th St NE	-	3,000,000	Improve egress WB alignment right turn onto SR 9 and add a new right turn ingress for EB onto 4th St NE. Additional improvement is the construction of a new alignment N-S Village Way Road (93rd).	X	X	X	X		623,183	642,500	1,734,317	300,000	2,700,000
3	90th Ave NE Connector	SR 204	Vernon	1,140,000	Construction of a new roadway segment that would allow for right in-right out movement for SR 204. Roadway would be developer driven			X	X		114,000	200,000	826,000	1,140,000	-
7(4)	91st Ave NE	SR 204	Vernon	351,000	Upgrade roadway to create a pedestrian friendly downtown style streetscape	X		X	X		35,100	20,000	295,900	351,000	-
W 2	SR 92 and Lake Dr Re-channelization	Intersection		200,000	State driven safety project to reduce vehicle conflicts		X				30,000	-	170,000	-	200,000
7(1)	20th St SE - Segment 1	83rd Ave SE	91st Ave SE	4,843,380	Widening of existing two lane to four lane, providing non-motorized travel area with pedestrian sidewalks and improved drainage and lighting.	X	X	X	X		520,902	850,311	3,472,167	1,695,183	3,148,197
7(3)	20th St SE - Segment 2	79th Ave SE	83rd Ave SE	3,970,366	Widening of existing two lane to four lane, providing non-motorized travel area with pedestrian sidewalks and improved drainage and lighting.	X		X	X		397,838	921,922	2,650,606	1,389,628	2,580,738
7(5)	20th St SE - Segment 3	73rd Ave SE	79th Ave SE	2,770,169	Widening of existing two lane to four lane, providing non-motorized travel area with pedestrian sidewalks and improved drainage and lighting.	X	X	X	X		345,853	118,821	2,305,495	969,559	1,800,610
7(6)	20th St SE - Segment 4	US 2	73rd Ave SE	2,599,205	Widening of existing two lane to four lane, providing non-motorized travel area with pedestrian sidewalks and improved drainage and lighting.	X	X	X	X		294,930	341,610	1,962,665	909,722	1,689,483
6(1)	24th St SE/73rd SE - Intersection	73rd Ave SE	-	800,000	Construction of a new intersection to provide internal vehicle and non-motorized circulation adjacent to 20th Street SE. Construction is developer driven.			X	X		80,000	50,000	670,000	800,000	-
6(2)	24th St SE	73rd Ave SE	79th Ave SE	3,653,000	Construction of a new roadway segment to provide internal vehicle and non-motorized circulation adjacent to 20th Street SE. Construction is developer driven.			X	X		365,300	200,000	3,087,700	3,653,000	-
6(3)	24th St SE/79th SE - Intersection	79th Ave SE	-	800,000	Construction of a new intersection to provide internal vehicle and non-motorized circulation adjacent to 20th Street SE. Construction is developer driven.			X	X		80,000	50,000	670,000	800,000	-
6(4)	24th St SE	83rd Ave SE	87th Ave SE	5,278,000	Construction of a new roadway segment to provide internal vehicle and non-motorized circulation adjacent to 20th Street SE. Construction is developer driven.			X	X		527,800	200,000	4,550,200	5,278,000	-
6(5)	24th St SE/83rd SE - Intersection	83rd Ave SE	-	800,000	Construction of a new intersection to provide internal vehicle and non-motorized circulation adjacent to 20th Street SE. Construction is developer driven.			X	X		80,000	50,000	670,000	800,000	-
6(6)	24th St SE	SR 9	91st Ave SE	2,970,000	Construction of a new roadway segment to provide internal vehicle and non-motorized circulation adjacent to 20th Street SE. Construction is developer driven.			X	X		297,000	200,000	2,473,000	2,970,000	-

Revision: 05/14/2013

Proj ID #	ROAD	FROM	TO	COST	Description	Local	State/Fed	Mitigation	Dev Imp	TOTAL Project			LOCAL	GRANT
										Design	ROW	Constr		
1(1)	91st Ave NE/SR 204 - RTP	SR 204	200' north	337,000	Widen southbound outside lane to provide for a dedicated right turn lane	X	X	X	X	33,700	10,000	293,300	134,800	202,200
1(2)	91st Ave NE/SR 204 - RTP	SR 204	300' south	454,100	Widen north bound outside lane to provide for a dedicated right turn lane	X	X	X	X	45,410	20,000	388,690	181,640	272,460
2(2)	91st Ave SE	20th St SE	4th St SE	4,770,000	Widen to a three lane section with non-motorized improvements and pedestrian improvements that include sidewalk segments and curb separated walking paved shoulder areas along the east side of the roadway	X	X	X	X	477,000	300,000	3,993,000	715,500	4,054,500
2(3)	91st Ave SE	20th St SE	24th St SE	1,950,000	New connector roadway to 24th St SE				X	195,000	100,000	1,655,000	1,950,000	-
8(4)	99th Ave NE	Market	4th St NE	1,170,000	Enhance Streetscape with improvement with non-motorized enhancements and circulation improvements with a possible roundabout intersection at 4th NE	X	X	X	X	117,000	40,000	1,013,000	292,500	877,500
14(A)	4th St NE	91st Ave NE	SR 204	7,578,460	New internal connector and circulation roadway. Will require a new break in access on to SR 204. Intersection would be a right turn only.				X	757,846	500,000	6,320,614	7,578,460	-
14(7)	99th Ave SE	20th St SE	4th St SE	4,763,800	Widen to a three lane section with non-motorized improvements and pedestrian improvements that include sidewalk segments and curb separated walking paved shoulder areas along the east side of the roadway	X	X	X	X	476,380	200,000	4,087,420	1,905,520	2,858,280
14(8)	99th Ave SE	20th St SE	Lake Stevens Rd	5,507,800	Widen to a three lane section with non-motorized improvements and pedestrian improvements that include sidewalk segments and curb separated walking paved shoulder areas along the east side of the roadway				X	550,780		4,957,020	5,507,800	-
D(1A)	20th St NE & Main Intersection	Intersection		1,112,004	Widening to provide turn pockets or possible roundabout improvements	X	X	X	X	111,200		1,000,804	556,002	556,002
D(1B)	Grade Road	20th St NE	SR 92	15,607,836	Widen to a three lane section with non-motorized improvements and pedestrian improvements that include sidewalk segments and curb separated walking paved shoulder areas along the west side of the roadway	X	X	X	X	1,560,784	1,000,000	13,047,052	7,803,918	7,803,918
12(5)	91st Ave NE - Intersection	Vernon Rd	-	200,000	Minor widening and possible mini-roundabout to improvement safety and circulation	X		X	X	20,000		180,000	200,000	-
15(2)	Lundeen/Vernon - Intersection	Vernon Rd	-	400,000	Channelization enhancement to improvement safety and circulation. May restrict through movement for east-east crossing (Vernon)	X		X	X	40,000		360,000	400,000	-
15(1)	Vernon Road	91st Ave NE	SR 9	935,000	Minor widening to provide for turn movement and improved pedestrian movement	X		X	X	93,500		841,500	935,000	-
D(1C)	SR 92 & Grade Rd RAB	Intersection		4,105,221	Roundabout intersection improvement with gateway treatment	X	X	X	X	410,522		3,694,699	1,026,305	3,078,916
										8,681,028	6,015,164	67,370,149	50,243,537	31,822,804



Proj ID #	ROAD	COST	2014			2015			2016			2017			2018			2019			Beyond
			Design	ROW	Constr	Design	ROW	Constr	Design	ROW	Constr	Design	ROW	Constr	Design	ROW	Constr	Design	ROW	Constr	
1(2)	91st Ave NE/SR 204 - RTP	454,100				45,410	20,000			388,690										-	
2(2)	91st Ave SE	4,770,000									95,480				998,250					3,676,270	
2(3)	91st Ave SE	1,950,000									195,000	100,000			1,655,000					-	
8(4)	99th Ave NE	1,170,000									117,000	40,000			1,013,000					-	
14(A)	4th St NE	7,578,460												189,462			568,385	250,000		6,570,613	
14(7)	99th Ave SE	4,763,800															476,380			4,287,420	
14(8)	99th Ave SE	5,507,800															550,780			4,957,020	
D(1A)	20th St NE & Main Intersection	1,112,004												111,200					333,601	667,203	
D(1B)	Grade Road	15,607,836															780,392			14,827,444	
12(5)	91st Ave NE - Intersection	200,000						20,000		180,000										-	
15(2)	Lundeen/Vernon - Intersection	400,000															40,000		360,000	-	
15(1)	Vernon Road	935,000												93,500		233,750				607,750	
D(1C)	SR 92 & Grade Rd RAB	4,105,221												410,522		1,026,305			2,668,394	-	
			347,000	200,000	494,600	850,012	430,000	1,978,400	522,283	1,312,811	1,031,990	407,480	140,000	5,286,734	1,598,407	-	5,967,955	3,469,005	1,118,821	5,972,095	50,938,748

Office of the Mayor

To: City Council  
From: Mayor Little  
Re: Library Board Appointment  
Date: June 5, 2013

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One position on the Library Board was vacated by Darren Sylte. Last year Library Chair David Tremaine and I interviewed candidates for vacated positions. From this list of qualified applicants, we are recommending Council's confirmation of Andy Powers who has resided in Lake Stevens for nine years and has a background in construction management.

Thank you for your consideration.



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LAKE STEVENS CITY COUNCIL  
**STAFF REPORT**

**Council Agenda Date:** 10 June 2013

**Subject:** Authorization of Department of Corrections For Work Project Services

<b>Contact Person/</b>	Mick Monken	<b>Budget Impact:</b>	\$12,000
<b>Department:</b>	<u>Public Works</u>		<u>estimated</u>

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**RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:** **Authorize the Mayor to sign the Department of Corrections Class IV Work Service Agreement for July 2013-2014**

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**SUMMARY/BACKGROUND:** Over the past few years, the City has been using the services of Washington State Department of Corrections (DOC) to perform vegetation removal, liter cleanup work, and general cleaning services in street right-of-ways, storm facilities, and parks. This has consisted of low skill level tasks. The annual cost for this has ranged between \$5,200 and \$12,000.

Priority service that the DOC has been performing has been storm pond maintenance. The pond maintenance has been performed to meet requirements of the City's National Pollutant Discharge Elimination System (NPDES) permit. With the recent annexation this service area has significantly increased. Another significant service area has been weeding parks and landscaped public areas.

This is a very cost effective service. The DOC crew size typically consists of 7 workers and a Correctional Officer. The cost to the City per DOC crew member is approximately \$4.5 per hour which includes an hourly rate and overhead. Overhead consists of a vehicle, personal safety equipment, and a Correction Officer. While crew size has varied between 7 to 10 workers. The typical daily cost is estimated to be in the range of \$350 to \$450 or approximately \$45 per day per worker.

Funding for this program is paid from repairs and maintenance in the street, surface water, and park fund. The \$12,000 estimated for 2013 is based on the past year expenditures and projected work. The approval of this action allows the City to have a working agreement with the DOC but does not have a set expenditure contractual limit. This allows the City to use the DOE for non-planned activities, such as an emergency, without having to amend the agreement.

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**APPLICABLE CITY POLICIES:** Requirement of the City NPDES permit.

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**BUDGET IMPACT:** **\$12,000 estimated limit divided between Street, Surface Water, and Parks funds. Budget can be increased based on project specific tasks.**

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**ATTACHMENTS:**

- ▶ Exhibit A: Copy of DOC Service Agreement July 2013-2014

**EXHIBIT A**

WASHINGTON STATE DEPARTMENT OF CORRECTIONS

**Monroe Correctional Complex PO Box 888 Monroe, WA 98272-0888**

**CLASS IV Work Project Description – Local Government Entity**

**Contract Number:** CDCI 4591

**Employer:** City of Lake Stevens, a unit of local government.

**Employer Contact:** Monte Ervin **Phone:** 425-563-3513 **Email:** Mervin@ci.lake-stevens.wa.us

**Department Contact** Annie Williams **Phone:**360-794-2325 **Email:** annie.williams@doc.wa.gov

**Work Project Description:** DOC offenders will provide offender work crews who will do general labor for the employer.

**Crew:** Each crew will consist of 7 minimum custody offenders.

**Project Location:** Lake Stevens City Limits

**Project Period (*One year maximum*):** July 1, 2013 through June 30, 2014

**Projected Number of Work Crew Hours:**Dependent upon work needing to be done, crews work a 10 hour day from departure of facility to return.

**Work Hours:** Crews will arrive at approximately 0800 a.m. and depart at 1600 p.m.

**Special Payment Terms – (At current state rates.)**

1. Employer will pay DOC a gratuity of \$ 1.10 per hour for each offender providing services.
2. Employer will pay DOC \$ 0.57 per mile for transporting offenders to and from the work site.
3. DOC, on behalf of Employer, will pay \$ 0.33 per offender/per hour for state industrial insurance premiums.

**Personal Protective Equipment provided by DOC:** Hard hats, goggles, hearing and eye protection and work boots will be provided by DOC.

**Tools and Equipment provided by Employer:** Tools will be solely provided by the employer.

**Additional Terms:** Crews may be held in or recalled early for facility needs at any time. Crews may also be held in or redirected in the event of a natural disaster; i.e. fire, earthquake, or flood.

**City of Lake Stevens, EMPLOYER**

**DEPARTMENT OF CORRECTIONS**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature of Superintendent

\_\_\_\_\_  
Title

\_\_\_\_\_  
Institution

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date



LAKE STEVENS CITY COUNCIL  
**STAFF REPORT**

**Council Agenda Date:** June 10, 2013

**Subject:** 2013 Aquafest Request - Serve Beer & Wine in VIP Booth, Saturday July 27, 2013

**Contact Person:** Rebecca Ableman

**Budget**

**Department:** Planning and Community Development Director

**Impact:** \$0

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**RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:**

Approve the Aquafest Committee's request to serve Beer and Wine in the VIP Booth during the 2013 Aquafest Celebration, Saturday, July 27, 2013.

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**SUMMARY/BACKGROUND:** On May 5, 2013, the Aquafest Committee submitted the permit application, SPC2013-0011, 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 27<sup>th</sup> 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.

An Aquafest representative will be available at the June 10<sup>th</sup> meeting to answer questions and address concerns.

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**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.*

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**BUDGET IMPACT:** \$0

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**ATTACHMENTS:**

- **Attachment 1:** Aquafest Permit Map Exhibit 11 - VIP Tent Location, North Cove Park Site Map



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