



Everett City Council Preliminary Agenda
6:30 p.m., Wednesday, August 7, 2024
City Council Chambers

Roll Call

Pledge Of Allegiance

Land Acknowledgment

Approval Of Minutes: July 31, 2024

Mayor's Comments

Public Comment

Council Comments/Liaison Reports

Administration Update

City Attorney

CONSENT ITEMS:

(1) Adopt Resolution Authorizing Claims Against The City Of Everett In The Amount Of \$2,251,144.07 For The Period Ending July 20, 2024 Through July 26, 2024.

Documents:

[RES CLAIMS PAYABLE JUL 20, 2024 - JUL 26, 2024.PDF](#)

(2) Authorize City Staff To Apply For And If Awarded Authorize The Mayor To Sign All Necessary Documents And Agreements With The US Department Of Justice, Bureau Of Justice Assistance, Regarding The Application, Acceptance, And Utilization Of The BJA FY 24 Field Initiated: Encouraging Innovation Grant, In The Amount Of \$1,000,000.

Documents:

[BJA FY24 FIELD INITIATED ENCOURAGING INNOVATION GRANT.PDF](#)

(3) Authorize The Mayor To Sign Amendment No. 4 To Agreement No. WQC-2019-EverPW-00052 With The Washington State Department Of Ecology.

Documents:

[DOE-PGB OUTFALLS WQ RETROFIT-AMENDMENT.PDF](#)

(4) Authorize Staff To Apply For And If Awarded Authorize The Mayor Or Mayor's Designee To Sign All Necessary And Required Documents To Accept The Gary Sinise Foundation First Responder Outreach Program Grant.

Documents:

[GARY SINISE FOUNDATION GRANT.PDF](#)

(5) Authorize The Mayor To Sign The 2024 Mukilteo Water And Wastewater District Biosolids Storage Agreement.

Documents:

[MUKILTEO WATER AND WASTEWATER DISTRICT-BIOSOLIDS STORAGE AGREEMENT.PDF](#)

(6) Accept The Water Main Replacement "W" Project As Complete And Authorize The Mayor To Sign The Certificate Of Completion.

Documents:

[QUILCEDA EXCAVATION-WATER MAIN W-FINAL.PDF](#)

(7) Adopt A Resolution Accepting Policy Updates To The Policy Relating To Compliance With The Public Records Act, As Established By Resolution No. 7026.

Documents:

[RESOLUTION - UPDATE TO PRA POLICY.PDF](#)

PROPOSED ACTION ITEM:

(8) CB 2407-15 – 2nd Reading - Adopt An Ordinance Creating A Special Improvement Project Entitled "WFP Air Scour Blower Building Replacement" Fund 336, Program 034. (3rd & Final Reading 8/14/24)

Documents:

[CB 2407-15.PDF](#)

ACTION ITEM:

(9) CB 2407-14 – 3rd & Final Reading - Adopt An Ordinance Creating A Special Improvement Project Entitled "Water Main Replacement "Y" – Phase 2" Fund 336, Program 042.

Documents:

[CB 2407-14.PDF](#)

Executive Session

Adjourn

PARTICIPATION IN REMOTE COUNCIL MEETINGS

- o Call in to listen to the Council meetings: 425.616.3920, conference ID: 724 887 726#
- o Participate remotely via Zoom by registering to speak at everettwa.gov/speakerform. You must register no later than 30 minutes prior to the meeting. Or contact Angela Ely at 425.257.8703 or aely@everettwa.gov and identify the topic you wish to address.

- o Provide written public comments by email to Council@everettwa.gov or mail to 2930 Wetmore Avenue, Suite 9A, Everett, WA 98201. Emailing comments 24 hours prior to the meeting will ensure your comment is distributed to councilmembers and appropriate staff.
- o Persons seeking to comment on non-agenda items may be asked to submit the comments in writing if the comment does not address an issue of broad public interest.

AGENDAS, BROADCAST AND RECORDINGS

- o The Council agendas and meeting recordings can be found, in their entirety, at everettwa.gov/citycouncil.
- o The Council meetings are broadcast on government-access cable Comcast Channel 21 and Frontier Channel 29. They are rebroadcast on Monday and Tuesday at noon; Thursday at 2 p.m. and 7 p.m.; Friday and Sunday at 7 p.m.; Saturday at 10 a.m.
- o Watch live meetings and recordings at [YouTube.com/EverettCity](https://www.youtube.com/EverettCity).

CONTACT THE COUNCIL

If you do not wish to participate in the meeting, we provide these other methods of contacting your elected officials: Email the Council at Council@everettwa.gov.

- o Call the Council offices at 425.257.8703
- o You may call in just to listen to the meeting: 425.616.3920, conference ID 724 887 726#

The City of Everett does not discriminate on the basis of disability in the admission or access to, or treatment in, its programs or activities. Requests for assistance or accommodations can be arranged by contacting the Everett City Council Office at 425.257.8703. For additional information, please visit our website at <https://www.everettwa.gov/3129/American-Disabilities-Act-ADA-and-Title->.

Council President



City Council Agenda Item Cover Sheet

Project title: DOJ, BJA FY 24 Field Initiated: Encouraging Innovation Grant

Council Bill # *interoffice use*

Agenda dates requested:

Briefing
Proposed action
Consent 08/07/24
Action
Ordinance
Public hearing
Yes X No

Budget amendment:

x Yes No

PowerPoint presentation:

Yes X No

Attachments:

Department(s) involved:

Police, Legal, Procurement

Contact person:

Jeff Hendrickson

Phone number:

425-257-8550

Email:

jhendrickson@everettwa.gov

Initialed by:

JD

Department head

Administration

Council President

Project: Field Initiated: Encouraging Innovation Grant

Partner/Supplier: US Dept. Of Justice, Bureau of Justice Assistance

Location: Everett, WA

Preceding action: N/A

Fund: 031/Police, 156/Criminal Justice

Fiscal summary statement:

The Everett Police Department is requesting to apply for the Bureau of Justice Assistance, Field Initiated: Encouraging Innovation Grant in the amount of \$1,000,000. There is no Federal match, and there would need to be a budget amendment.

Project summary statement:

This is a request to apply for a Bureau of Justice Assistance grant for a total of \$1,000,000 over the next three years for a community lead violence interruption program. A portion of the funds would be passed through to a trusted community partner to implement a violence interruption program for young people who are at-risk. Another portion of the funds would be used to obtain technology that would detect gunshots in the community. This technology would be used to increase the identification of persons involved in gun violence and those around them to divert appropriate individuals into the program described above. A research partner will be identified to evaluate the effectiveness of the program and develop materials to potentially replicate this project to other communities.

There will be no city funds required for this project beyond staff time.

Recommendation (exact action requested of Council):

Authorize city staff to apply for and if awarded authorize the Mayor to sign all necessary documents and agreements with the US Department of Justice, Bureau of Justice Assistance, regarding the application, acceptance, and utilization of the BJA FY 24 Field Initiated: Encouraging Innovation Grant, in the amount of \$1,000,000.

Project title: Authorize Additional Ecology Funding to Grant Agreement for Port Gardner Bay Outfalls Water Quality Treatment Retrofit Project

Council Bill #**Agenda dates requested:**

Briefing
Proposed action
Consent 08/07/24
Action
Ordinance
Public hearing
Yes X No

Budget amendment:

Yes X No

PowerPoint presentation:

Yes X No

Attachments:

Amendment No. 4 to
Agreement WQC-2019-
EverPW-00052

Department(s) involved:

Public Works

Contact person:

Grant Moen

Phone number:

425-257-8947

Email:

gmoen@everettwa.gov

Initialed by:

RLS

Department head

Administration

Council President

Consideration: Amendment to Grant Agreement

Project: Port Gardner Bay (PGB) Outfalls Water Quality (WQ) Treatment Retrofit Project

Partner/Supplier: Washington State Department of Ecology

Location: City of Everett

Preceding action: Authorization to sign Amendment No. 1 – [10/20/21](#)
Authorization to sign Amendment No. 2 – [2/1/23](#)
Authorization to sign Amendment No. 3 – [12/13/23](#)

Fund: 336 – Water & Sewer System Improvements Fund

Fiscal summary statement:

The funding source for this project will be a WA State Department of Ecology (Ecology) grant and local matching funds from Fund 401 Water and Sewer Utility Fund. The programmed available funding for the project is \$1,400,000.

Amendment No. 4 is for additional funding awarded by Ecology and increasing the agreement total eligible cost from \$1,177,030.67 to \$1,211,783.67.

Project summary statement:

The PGB Outfalls WQ Treatment Retrofit Project involved the construction of four Modular Wetlands stormwater treatment units along outfalls in the vicinity of West Marine View Drive, which have now been completed. The City requested additional grant funding from Ecology to reimburse unanticipated project costs due to additional required cultural resources processes during construction. Ecology has agreed to grant additional funding in the amount of \$34,753.00. These additional funds will not require a recipient match.

Recommendation (exact action requested of Council):

Authorize the Mayor to sign Amendment No. 4 to Agreement No. WQC-2019-EverPW-00052 with the Washington State Department of Ecology.



**AMENDMENT NO. 4
TO AGREEMENT NO. WQC-2019-EverPW-00052
BETWEEN
THE STATE OF WASHINGTON DEPARTMENT OF ECOLOGY
AND
CITY OF EVERETT**

PURPOSE: To amend the above-referenced agreement (AGREEMENT) between the state of Washington Department of Ecology (ECOLOGY) and City of Everett (RECIPIENT) for the Port Gardner Bay Outfalls Water Quality Treatment Retrofit (PROJECT).

Additional funding has been awarded to this agreement due to cultural resource findings at one of the project sites. This amendment is needed to increase the agreement Total Eligible Cost in the amount of \$34,753.00, from \$1,177,030.67 to \$1,211,783.67. This amendment will also formally redistribute \$320.20 from Task 1 to Task 2, and \$15,293.41 from Task 1 to Task 3.

1) The budget in Funding Distribution EG190416 is adjusted as follows:

Task 1 is reduced by \$15,613.61, from \$24,000.00 to \$8,386.39.

Task 2 is increased by \$320.20, from \$36,000.00 to \$36,320.20.

Task 3 is increased by \$15,293.41, from \$24,500.00 to \$39,793.41.

2) Additional Stormwater Financial Assistance Program (SFAP) funds of \$34,753.00 are added through the funding distribution EG250009 (SFAP - Cultural Resources) to Task 3 Construction Management. The new total for Task 3 Construction Management is \$74,546.41.

IT IS MUTUALLY AGREED that the AGREEMENT is amended as follows:

Total Cost:

Original: 1,177,030.67 Amended: 1,211,783.67

Total Eligible Cost:

Original: 1,177,030.67 Amended: 1,211,783.67

CHANGES TO THE BUDGET

Funding Distribution EG250009

Funding Title: SFAP - Cultural Resources
Funding Type: Grant
Funding Effective Date: 07/01/2018 Funding Expiration Date: 06/30/2024
Funding Source:

Title: SFAP - SFY19
Fund: FD
Type: State
Funding Source %: 100%
Description: Environmental Legacy Stewardship Account (ELSA) - State

Approved Indirect Costs Rate: Approved State Indirect: 30%
Recipient Match %: 0%
InKind Interlocal Allowed: No
InKind Other Allowed: No
Is this Funding Distribution used to match a federal grant? No

SFAP - Cultural Resources	Task Total
Construction Management	\$ 34,753.00

Total: \$ 34,753.00

CHANGES TO THE BUDGET

Funding Distribution EG190416

Funding Title: SFAP
Funding Type: Grant
Funding Effective Date: 07/01/2018 Funding Expiration Date: 06/30/2024
Funding Source:

Title: SFAP - SFY19
Fund: FD
Type: State
Funding Source %: 100%
Description: Environmental Legacy Stewardship Account (ELSA) - State

Approved Indirect Costs Rate: Approved State Indirect: 30%
Recipient Match %: 25%
InKind Interlocal Allowed: No
InKind Other Allowed: No
Is this Funding Distribution used to match a federal grant? No

SFAP	Task Total
Project Administration/Management	\$ 8,386.39
Design Plans and Specs, Environmental Review	\$ 36,320.20
Construction Management	\$ 39,793.41
Construction	\$ 1,092,530.67

Total: \$ 1,177,030.67

CHANGES TO SCOPE OF WORK

Task Number: 1 **Task Cost: \$8,386.39**

Task Title: Project Administration/Management

Task Description:

A. The RECIPIENT shall carry out all work necessary to meet ECOLOGY grant or loan administration requirements. Responsibilities include, but are not limited to: maintenance of project records; submittal of requests for reimbursement and corresponding backup documentation; progress reports; and a recipient closeout report (including photos).

B. The RECIPIENT shall maintain documentation demonstrating compliance with applicable procurement, contracting, and interlocal agreement requirements; application for, receipt of, and compliance with all required permits, licenses, easements, or property rights necessary for the project; and submittal of required performance items.

C. The RECIPIENT shall manage the project. Efforts include, but are not limited to: conducting, coordinating, and scheduling project activities and assuring quality control. Every effort will be made to maintain effective communication with the RECIPIENT's designees; ECOLOGY; all affected local, state, or federal jurisdictions; and any interested individuals or

groups. The RECIPIENT shall carry out this project in accordance with any completion dates outlined in this agreement.

Task Goal Statement:

Properly managed and fully documented project that meets ECOLOGY's grant or loan administrative requirements.

Task Expected Outcome:

- * Timely and complete submittal of requests for reimbursement, quarterly progress reports, and RECIPIENT closeout report.
- * Properly maintained project documentation

Deliverables

Number	Description	Due Date
1.1	Quarterly Progress Reports	
1.2	Recipient Closeout Report	
1.3	Project Outcome Summary Report	

CHANGES TO SCOPE OF WORK

Task Number: 2 **Task Cost:** \$36,320.20

Task Title: Design Plans and Specs, Environmental Review

Task Description:

Task Goal Statement:

Task Expected Outcome:

DRAFT

Deliverables

Number	Description	Due Date
2.1	Copy of SEPA determination documentation. Upload to EAGL and notify Ecology when upload is complete.	
2.2	Submit ECOLOGY 05-05/106 Form and any supplemental cultural resources documentation including Cultural Resource surveys directly to the Ecology Project Manager. Upload the Final Determination Letter to EAGL.	
2.3	Inadvertent Discovery Plan. Upload to EAGL and notify Ecology when upload is complete.	
2.4	Design Report. Upload to EAGL and notify Ecology when upload is complete.	
2.5	Responses to Ecology Design Report Comments. Upload to EAGL and notify Ecology when upload is complete.	
2.6	Ecology Design Report Acceptance Letter. Upload to EAGL and notify Ecology when upload is complete.	
2.7	90 Percent Design Package. Upload to EAGL and notify ECOLOGY when upload is complete.	
2.8	Reponses to Ecology 90 percent Design Plan comments. Upload to EAGL and notify Ecology when upload is complete.	
2.9	Ecology 90 percent Design Acceptance letter. Upload to EAGL and notify Ecology when upload is complete.	
2.10	List of permits acquired, and environmental review documents. Upload to EAGL and notify ECOLOGY when upload is complete.	
2.11	Final Bid Package. Upload to EAGL and notify ECOLOGY when upload is complete.	
2.12	Ecology Final Bid Package Acceptance Letter. Upload to EAGL and notify ECOLOGY when upload is complete.	

CHANGES TO SCOPE OF WORK

Task Number: 3

Task Cost: \$74,546.41

Task Title: Construction Management

Task Description:

- A. The RECIPIENT will provide construction oversight and management of the project.
- B. The RECIPIENT will submit a detailed construction quality assurance plan to ECOLOGY for review and acceptance before the start of construction. This plan must describe how the RECIPIENT will perform adequate and competent construction oversight. Once accepted by Ecology, upload to EAGL.
- C. The RECIPIENT will conduct a pre-construction conference meeting and invite ECOLOGY to attend.
- D. The RECIPIENT will submit an updated project schedule with projected cash flow to ECOLOGY within 30 days of the start of construction. The RECIPIENT will revise and/or update the project schedule whenever major changes occur and at a minimum of every three months. The RECIPIENT will submit the updated schedule to ECOLOGY with the quarterly report. When changes in the construction schedule affect previous cash flow estimates, The RECIPIENT must submit revised cash flow projections to ECOLOGY.
- E. Prior to execution, the RECIPIENT will submit in writing any eligible change orders that are a significant deviation from ECOLOGY-accepted plans and specifications for ECOLOGY review and acceptance for payment. ECOLOGY must review and accept all change orders that impact grant eligible activities prior to implementation. ECOLOGY must review all other change orders for technical merit and should be submitted within 30 days after execution. Change orders are to be signed by the contractor, the engineer (if appropriate), and the RECIPIENT prior to submittal to ECOLOGY for acceptance.
- F. The RECIPIENT will operate and maintain the constructed facility for the design life of the facility. Additionally, the RECIPIENT will develop and submit an operations and maintenance (O&M) plan for all Water Quality Best Management Practices to ECOLOGY for review. The O&M plan will describe how the RECIPIENT will ensure project success consistent with the design manual used. The O&M plan must also address long-term activities to assure ongoing pollutant removal and flow-control capability of the project in accordance with the design manual.
- G. Upon completion of construction, the RECIPIENT will provide to ECOLOGY:
 - 1. A Stormwater Construction Completion Form signed by a professional engineer indicating that the project was completed in accordance with the plans and specifications and major change orders approved by ECOLOGY's Project Engineer and shown on the Record Drawings. The Stormwater Construction Completion Form can be found on the ECOLOGY website.
 - 2. GIS compatible project area in Shapefile, Geodatabase file, or ECOLOGY-Approved Equivalent. The project area should include features for treatment facilities and contributing areas.

Task Goal Statement:

The RECIPIENT will oversee and manage construction, communicate with ECOLOGY in a timely fashion, and provide ECOLOGY with all requested project documentation.

Task Expected Outcome:

Project will be constructed on schedule and in accordance with accepted plans.

Deliverables

Number	Description	Due Date
3.1	Construction Quality Assurance Plan. Submit to ECOLOGY for review and acceptance. Upload to EAGL and notify ECOLOGY when upload is complete.	
3.2	Pre-construction conference meeting minutes. Upload to EAGL and notify Ecology when upload is complete.	
3.3	Project Schedule. Upload to EAGL using naming convention D3.3 SCHEDULE MO-DA-YEAR and notify Ecology when upload is complete.	
3.4	Revised Cash Flow Estimates when changes in construction schedule occur. Upload to EAGL using naming convention D3.4 CASHFLOW MO-DA-YEAR and notify Ecology when upload is complete.	
3.5	Change Order(s). Upload to EAGL and notify Ecology when upload is complete.	
3.6	Copy of Facility Operation and Maintenance Plan. Submit to ECOLOGY for review and acceptance. Upload to EAGL and notify ECOLOGY when upload is complete.	
3.7	Stormwater Construction Completion Form. Upload to EAGL and notify Ecology when upload is complete.	
3.8	Project Area Shapefile, Geodatabase file, or ECOLOGY-approved Equivalent. The project area should include features for treatment facilities and contributing areas. Upload to EAGL and notify ECOLOGY when upload is complete.	

Funding Distribution Summary

Recipient / Ecology Share

Funding Distribution Name	Recipient Match %	Recipient Share	Ecology Share	Total
SFAP	25 %	\$ 294,257.67	\$ 882,773.00	\$ 1,177,030.67
SFAP - Cultural Resources	0 %	\$ 0.00	\$ 34,753.00	\$ 34,753.00
Total		\$ 294,257.67	\$ 917,526.00	\$ 1,211,783.67



City Council Agenda Item Cover Sheet

Project title: Gary Sinise Foundation First Responder Outreach Program Grant

Council Bill # *interoffice use*

Agenda dates requested:

Briefing
Proposed action
Consent 08/07/24
Action
Ordinance
Public hearing
Yes X No

Budget amendment:

Yes X No

PowerPoint presentation:

Yes X No

Attachments:

Grant Application
Scott RIT pack information

Department(s) involved:

Fire

Contact person:

Dave DeMarco

Phone number:

425-257-8101

Email:

DDeMarco@everettwa.gov

Initialed by:

Department head

Administration

Council President

Project: RIT Pack replacement

Partner/Supplier: Gary Sinise Foundation (GSF), Scott Fire & Safety

Location: N/A

Preceding action: N/A

Fund: 032 Fire

Fiscal summary statement:

This grant would provide the city with firefighting equipment at a value of approximately \$60,000. Upon award, the grantor would purchase requested equipment.

Project summary statement:

Grantor would purchase eleven new 3M Scott Rapid Intervention Team (RIT)-Pak emergency air-supply kits. Each of Everett's eleven fire engines carries a RIT kit used for firefighter rescue. The kit is specifically designed to deliver additional breathing air to trapped firefighters. Existing kits are near end of life and planned for replacement in 2025.

Recommendation (exact action requested of Council):

Authorize staff to apply for and if awarded authorize the Mayor or Mayor's designee to sign all necessary and required documents to accept the Gary Sinise Foundation First Responder Outreach Program Grant.



Grant Application Approval Form

Date: 7/24/2024Department: FireGrant Title RIT Pack ReplacementGrant Administrator Daniel Pope
Ext. 8106

Grant Description/Purpose

Gary Sinise Foundation, First Responder Outreach program is offering \$50,000 donation towards firefighter safety through replacement of RIT Packs for firefighter rescue.

Does the granting agency require indemnification? ☐ Yes ☒ NoDoes the grant encumber assets in the future? ☐ Yes ☒ NoDoes the grant create ongoing programmatic impacts? ☐ Yes ☒ NoDoes this grant have non-supplanting rules? ☐ Yes ☒ NoDoes this grant have a required match? ☐ Yes ☒ NoWhat type of match is required? ☐ Monetary ☐ In-kind ☒ N/A

What is the required match amount? _____ x N/A

Will a budget amendment be required? ☐ Yes ☒ No

Estimated budget amendment amount? _____ x N/A

Equipment Replacement Lifecycle? Year: 2039 (15 years) Amount: \$60,000

Estimated Financial Impact

Grant Revenue

	Year 2	Year 3	Year 4	Year 5
2024	2025	2026	2027	2028
\$50,000	0	0	0	0

Required Expenditures from Current Resources

Grant Application Prep	0				
Grant Administration	0				
Grant Match Monetary	0				
Grant Match Labor	0				
Additional Labor not covered by grant	0				
Additional M&O	0				
Total	0	0	0	0	0

Required Expenditures from current resources as a percent of grant amount:

0%

First Responder Grant Application

Grants are reserved for 'First Responder Departments'. The Gary Sinise Foundation First Responder Outreach Team defines First Responders as "Those individuals called upon in the early stages of an incident that are responsible for the protection and preservation of life, property, evidence, and the environment."

Authorized by the First Responder Outreach Team as:

- Law Enforcement Organizations
- Fire Fighting Organizations
- Emergency Medical Service (EMS) Organizations
- Search and Rescue (SAR) Organizations

Grant requests are limited to Equipment and Training.

- Building and operating costs, such as construction, utility, or land fees, are not covered under this grant.

Departments are limited to one (1) First Responder Outreach Grant application per calendar year regardless of approval/denial of the application.

All First Responder Departments mentioned above are eligible to submit grant applications. However, the Gary Sinise Foundation First Responder Outreach Department prioritizes volunteer, low, and underfunded departments.

Fire departments awarded grants for turnout gear will be sent Gary Sinise Foundation "Donated By" patches to be added to the coats, at no cost to the department.

NOTE for Law Enforcement Departments: The Gary Sinise Foundation does NOT provide funding for weapons of any type. For the purpose of this grant 'weapons' when used here refers to objects, both lethal and non-lethal, that are used to inflict harm to any degree and may include, but are not limited to:

- Firearms

- Explosives
- Tasers
- Batons
- Tear Gas
- Pepper Spray

The Gary Sinise Foundation First Responder Outreach Team reserves the right to alter, edit, exempt, deny, and/or authorize grants on a case-by-case basis. All questions about the grant process, eligibility, timelines, etc., should be directed to firstresponder@garysinisefoundation.org

Organization Name

Application Date*

Date of application submission



First and Last Name*

Title within Department*

Phone Number*

Email address*

Department Address*

Mailing Address (if different from department address)

Type of Request*

Items Requested*

Total Request Amount*

Ex. 1234

Quotes/Invoices (upload all here)*

Click to upload files, or drag & drop files here

In detail, please explain your need for this equipment. *

Name of Community/Communities Served*

Primary Population Total*

Ex. 1234

Secondary (Mutual Aid) Population Total*

Ex. 1234

Primary Impact Area (sq.mi.)*

Ex. 1234

Secondary Impact Area (sq.mi)*

Ex. 1234

Calls Responded To (annual average)*

Ex. 1234

Budget Overview*

Please provide an overview of your Organization's current budget – including basic income and expense information.

Budget Documents*

Please provide available budget documents for our review.
(Balance Sheet and/or income statement)

Click to upload files, or drag & drop files here

Number of Personnel in Department*

Ex. 1234

Employer ID Number (EIN) (xx-xxxxxxx)*

Is your organization a Non-Profit 501(c)3 or 501(c)4?*

Is your department a Volunteer department?*

Submit

Never submit passwords or credit card details through WorkForms



SCOTT™
Fire & Safety

3M™ Scott™ RIT-Pak Fast Attack

Emergency Air-Supply System





3M™ Scott™ RIT-Pak Fast Attack

A small, lightweight and compact solution for rapid intervention teams (RIT).

When a call comes in for a structure fire with possible entrapment, or a mayday is issued for a firefighter in distress, the last thing that should be on the minds of the RIT team is the equipment needed to perform the rescue. The RIT-Pak Fast Attack is another example of 3M Scott Fire & Safety listening to the fire services community to deliver a user-friendly and intuitive product solution that firefighters can rely on.

3M Scott's RIT-Pak Fast Attack offers a small, lightweight, and compact solution for rapid entry and air replenishment to a firefighter in distress. Developed with input from firefighters and RIT instructors across the country, the RIT-Pak Fast Attack provides an intuitive design enabling RIT teams to focus on locating and assessing the downed firefighter.

Carrying Device

- High-visibility orange fabric makes it easier to identify the bag in low visibility conditions, while also offering improved durability to meet the rigors of the fireground
- Two color-coded storage compartments provide separation and easy identification of low-pressure and high-pressure components
- Tactile pull handles offer easy identification of low-pressure and high-pressure compartments in low visibility conditions
- Low-pressure compartment sized to allow for facepiece and mask-mounted breathing regulator to remain pre-connected for storage
- 3M™ Scotchlite™ Reflective Material provides enhanced visibility in low light conditions, offers abrasion and water resistance, and is easy to clean
- An easy-to-remove and adjustable length shoulder strap allows for convenient carrying and provides supplementary use as a pick-off strap during RIT removal

- A fixed point carabiner on each end of the bag allows for easy attachment to the firefighter being rescued; captive bar design ensures proper orientation of the carabiner each and every time
- A reinforced protective bottom provides added durability and reduces friction when dragging

Pneumatics

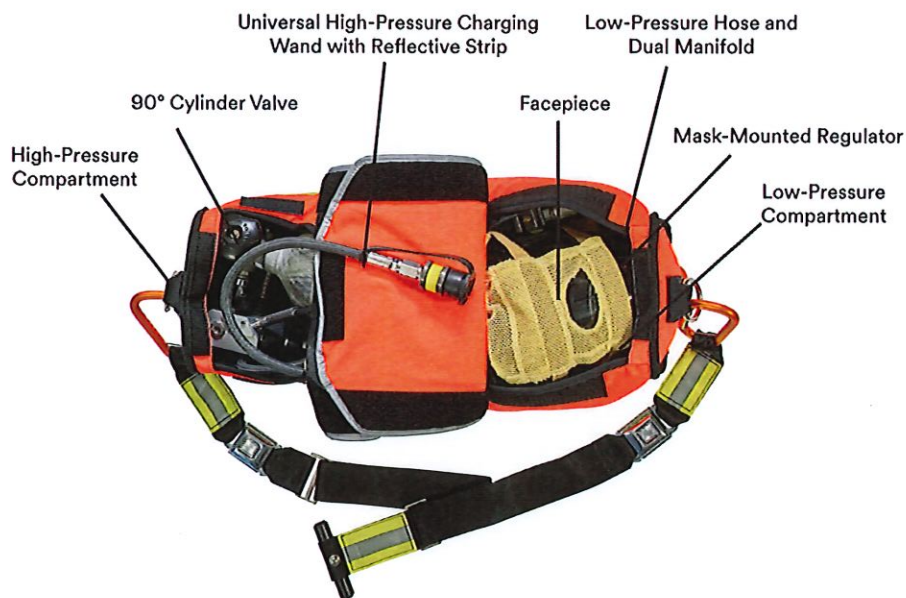
- An external pressure gauge with photoluminescent display provides continuous monitoring of air pressure remaining
- A distinct, audible whistle alarm provides notification when the RIT-Pak Fast Attack has reached 25% of the rated cylinder pressure
- A universal high-pressure charging wand and a low-pressure hose with dual manifold offer maximum versatility for providing emergency breathing air to a firefighter in distress
- 3M™ Scotchlite™ Reflective Material makes it easier to locate the mask-mounted regulator, universal high-pressure charging wand, and low-pressure hose with dual manifold in low light conditions

- Multiple storage options for the universal high-pressure charging wand provide user flexibility

Facepiece

- The facepiece, a modified 3M™ Scott™ AV-3000 SureSeal Facepiece or 3M™ Scott™ Vision C5 Facepiece, has a simple-to-use donning handle, helping to strap onto a downed firefighter or victim





Features



Low-Pressure Hose and Dual Manifold (with Hansen or Rectus fittings)



Facepiece with Mask-Mounted Regulator



Pressure Gauge and Whistle



Shoulder Strap with Quick Adjustment Pull Handle



Carabiner with Captive Bar (Fixed)

High-Pressure Compartment includes:

- Universal Charging Wand
- Pressure Reducer
- Cylinder Valve

Low-Pressure Compartment includes:

- Facepiece
- Regulator
- Hose and Manifold

Bag Specifications:

Small Bag

- Length: ~22 in.
- Width: ~7 in.
- Height: ~7 in.
- Weight: 10.5 lbs (less cylinder)

Medium Bag

- Length: ~27 in.
- Width: ~7 in.
- Height: ~7 in.
- Weight: 10.8 lbs (less cylinder)

Cylinder Specifications:

- Cylinder, 4.5, 15 min
- Weight: 7.16 lbs (full)

- Cylinder, 4.5, 30 min
- Weight: 11.24 lbs (full)

- Cylinder, 5.5, 30 min
- Weight: 10.44 lbs (full)

- Cylinder, 5.5, 45 min
- Weight: 14.15 lbs (full)

3M™ Scott™ RIT-Pak Fast Attack

Specifications and Ordering Information.

RIT-Pak Fast Attack (Less Cylinder)

Part Number	Bag Size	Pressure (psig)	Carrying Bag	6' EBSS Hose	5' RIC Hose	Facepiece Model	Regulator Model	Fixed Carabiner
201564-01	Medium	4500	•	Hansen	•	AV-3000 SureSeal	E-Z Flo	•
201564-02	Medium	5500	•	Hansen	•	AV-3000 SureSeal	E-Z Flo	•
201564-03	Small	4500	•	Hansen	•	AV-3000 SureSeal	E-Z Flo	•
201564-11	Medium	4500	•	Rectus	•	AV-3000 SureSeal	E-Z Flo	•
201564-12	Medium	5500	•	Rectus	•	AV-3000 SureSeal	E-Z Flo	•
201564-13	Small	4500	•	Rectus	•	AV-3000 SureSeal	E-Z Flo	•
201564-21	Medium	4500	•	Hansen	•	Vision C5	E-Z Flo C5	•
201564-22	Medium	5500	•	Hansen	•	Vision C5	E-Z Flo C5	•
201564-23	Small	4500	•	Hansen	•	Vision C5	E-Z Flo C5	•
201564-31	Medium	4500	•	Rectus	•	Vision C5	E-Z Flo C5	•
201564-32	Medium	5500	•	Rectus	•	Vision C5	E-Z Flo C5	•
201564-33	Small	4500	•	Rectus	•	Vision C5	E-Z Flo C5	•

Cylinders

Part Number	Description
201561-01	4.5, 15 min, Cylinder and Valve (90°)
200870-01	4.5, 30 min, Cylinder and Valve (90°)
201567-01	5.5, 30 min, Cylinder and Valve (90°)
201568-01	5.5, 45 min, Cylinder and Valve (90°)

Replacement Parts (Spares)

Part Number	Description
201558-01	RIT-Pak Fast Attack, Bag, Medium
201558-02	RIT-Pak Fast Attack, Bag, Small
201600-01	RIT-Pak Fast Attack, Shoulder Strap Assembly
201595-01	RIT-Pak Fast Attack, Facepiece
201605-02	RIT-Pak Fast Attack, E-Z Flo Regulator, Hansen
201605-03	RIT-Pak Fast Attack, E-Z Flo Regulator, Rectus
31003648	RIT-Pak Fast Attack, Carabiner
201825-01	Vision C5 Facepiece, RIT-Pak Variant
201673-03	RIT-Pak Fast Attack, E-Z Flo C5 Regulator, Hansen
201673-04	RIT-Pak Fast Attack, E-Z Flo C5 Regulator, Rectus



3M Scott Fire & Safety
 Personal Safety Division
 Monroe Center, P.O. Box 569
 Monroe, NC 28111

Phone 1-800-247-7257
 Email US-3M-ScottMonroeCSR@mmm.com
 Web 3M.com/ScottFire
 3M.ca/ScottFire

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Project title: 2024 Mukilteo Water & Wastewater District Biosolids Storage Agreement

Council Bill #

Agenda dates requested:

Briefing
Proposed action
Consent 08/07/24
Action
Ordinance
Public hearing
Yes ☒ No ☐

Budget amendment:

Yes ☐ No ☒

PowerPoint presentation:

Yes ☐ No ☒

Attachments:

License Agreement

Department(s) involved:

Public Works

Contact person:

Jeff Marrs

Phone number:

425-257-8967

Email:

jmarrs@everettwa.gov

Initialed by:

RLS

Department head

Administration

Council President

Project: Biosolids

Partner/Supplier: Public Works

Location: Everett Water Pollution Control Facility

Preceding action: n/a

Fund: 401 – Water and Sewer Utility

Fiscal summary statement:

If this agreement is activated, total revenue of this agreement is \$750.

Project summary statement:

The City previously had an agreement with Mukilteo Water and Wastewater District (MWWD) authorizing the use of Everett's biosolids pad as an emergency storage location. MWWD transports their biosolids across the Cascade Mountains, which may be closed or prohibit travel by its hauler during the winter months. The previous agreement expired on June 30, 2024.

The 2024 agreement is a 1-year agreement that will continue to allow MWWD to temporarily store their biosolids on a 30-40 square foot area of Everett's Biosolids pad at the Water Pollution Control Facility for emergency biosolids storage for a maximum of 30 days. MWWD is approved to store solids on City property and will pay the City \$750 if this agreement is activated.

Recommendation (exact action requested of Council):

Authorize the Mayor to sign the 2024 Mukilteo Water and Wastewater District Biosolids Storage Agreement.

LICENSE TO USE CITY PROPERTY FOR TEMPORARY BIOSOLIDS STORAGE

("LICENSE AGREEMENT")

Grantor: City of Everett

Grantee: Mukilteo Water and Wastewater District

Property: See attached Exhibit A

WHEREAS, Mukilteo Water and Wastewater District, hereinafter referenced to as "MUKILTEO," and whose address is 7824 Mukilteo Speedway, WA 98275, desires to utilize **City of Everett** (the "City") owned property for the purposes hereinafter set forth; and

WHEREAS, the City is willing to grant MUKILTEO authority to use the City's property in exchange for the fees described below.

NOW, THEREFORE, in consideration of the premises, the promises contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby expressly acknowledged, the City licenses MUKILTEO to use certain City property, and MUKILTEO agrees to pay the City, upon 30 days of receipt of invoice, upon the following terms and conditions:

- 1. LICENSED PROPERTY/USE NOTICE/FEES.** The property subject to this License Agreement is described on Exhibit A. The property described on Exhibit A is referred to in this License Agreement as the "Biosolids Pad."

MUKILTEO may use the Biosolids Pad where designated by the City for biosolids storage from time to time. Prior to each such use, MUKILTEO must provide the City 24 hours prior notice, as described in Exhibit B. By such notice, Mukilteo agrees to pay a use fee of \$750, which will allow biosolids storage for up to 30 calendar days, with the 30-day count beginning on the date that MUKILTEO gives the notice. Unless otherwise determined by the City at the City's sole discretion, MUKILTEO must remove all MUKILTEO biosolids from the Biosolids Pad by the end of such 30 days. There will be no proration or other refund if the MUKILTEO biosolids are on the Biosolids Pad for less than 30 days.

- 2. TERM.** This License Agreement shall take effect upon signing by both parties and shall expire June 30, 2025, unless terminated earlier upon 30-days' notice under Section 7, below.

3. **AUTHORIZED USE.** MUKILTEO may only use the Biosolids Pad for temporary storage of MUKILTEO's biosolids. All use of the Biosolids Pad must be in accordance with Exhibit B.
4. **BIOSOLIDS STORAGE.** At its sole cost, MUKILTEO shall transport and manage all biosolids in accordance with all applicable laws and Exhibit B. MUKILTEO has sole responsibility for MUKILTEO's biosolids, including without limitation all responsibility for biosolids transportation, storage, and reuse.
5. **INDEMNIFICATION.** To the maximum extent permitted by law and except to the extent caused by the sole negligence of the City, MUKILTEO shall defend, indemnify, and hold the City harmless from any and all Claims, including without limitation Claims for injury to people or damage to property, arising out of or related to (A) MUKILTEO's use of the Biosolids Pad, (B) any biosolids or any other material delivered to the Biosolids Pad by MUKILTEO, (C) any failure by MUKILTEO to transport, store, treat or dispose of biosolids or any other material in accordance with Exhibit B and all applicable laws or (D) any release by MUKILTEO of biosolids or another material. This defense and indemnification obligation shall survive any termination, revocation, or expiration of this Agreement.

For the purposes of this Section 5:

- A. "City" means the City, its officers, employees and agents.
- B. "MUKILTEO" means, its officers, employees, agents, contractors, and subcontractors.
- C. "Claims" means any loss, injury, demand, settlement, or lawsuit (including without limitation those based on environmental laws and regulations) and further includes any and all reasonable litigation costs such as attorney's fees, expert fees and costs, and court costs.
- D. "Injury to people" includes, but is not limited to, bodily injury and death.
- E. "Damage to property" includes, but is not limited to, damage or injury to any City property, including the Biosolids Pad, any City facilities, and any property owned by third parties.
- F. "Release" shall have the meaning that it has under RCW 70.105D.020{25}.

Solely and expressly for the purpose of its duties to indemnify and defend the City, MUKILTEO specifically waives any immunity it may have under the State Industrial Insurance Law, Title 51 RCW. MUKILTEO recognizes that this waiver of immunity under Title 51 RCW was specifically entered into pursuant to the provisions of RCW 4.24.115 and was the subject of mutual negotiation.

6. **HAZARDOUS MATERIALS.** MUKILTEO shall not place any materials on the Biosolids Pad or cause any materials to be transported onto any other property owned by the City that are classified as hazardous or dangerous under the Washington Model Toxic Control Act. Breach of this provision shall be considered "damage to property" for the purposes of Section 5, above.

- 7. TERMINATION.** Either party may terminate this License Agreement upon thirty (30) days prior written notice to other party.
- 8. NOTICE.** For the purposes of this License Agreement, the Agreement Administrators are: Operations Superintendent Jeff Marrs or designee for the City; and General Manager Dave Barnes or designee for MUKILTEO. Notices sent pursuant to this License Agreement shall be sent to the Agreement Administrators at the following addresses:

CITY OF EVERETT

Attn: Operations Superintendent
Everett Public Works
3200 Cedar Street
Everett, Washington 98201

MUKILTEO

Attn: General Manager 7824
Mukilteo Speedway
Mukilteo, Washington 98275

- 9. NO ASSIGNMENT.** This License Agreement is personal to MUKILTEO and may not be transferred, assigned, conveyed, pledged, encumbered, or hypothecated.
- 10. COMPLIANCE WITH LAW.** MUKILTEO shall comply with all applicable local, State, and Federal regulations and laws.
- 11. INSURANCE.** MUKILTEO shall, throughout the term of this License Agreement, at its own expense, keep and maintain in full force and effect the following policy, which shall be endorsed as needed to provide that the insurance afforded by the policy is primary and that all insurance or self-insured retention carried or maintained by the City is strictly excess and secondary and shall not contribute with MUKILTEO's liability insurance:

A policy of commercial general liability insurance insuring against claims of bodily injury and death or property damage or loss with a combined single limit at the Effective Date of this License Agreement of not less than Two Million Dollars (\$2,000,000.00) per occurrence. MUKILTEO shall include the City as an additional insured.

The insurance policy required under this Section shall be with companies having a rating according to Best's Insurance Key Rating Guide for Property - Casualties of no less than A-Class VIII. The policy shall provide that it is not subject to cancellation, lapse, or

reduction in coverage except after thirty (30) days' written notice to the City. MUKILTEO shall deliver to the City, prior to the commencement of its use of the Biosolids Pad and from time to time thereafter, at the City's request, certificates evidencing the existence and amounts of such policy and copies of such insurance policy.

12. NON-INTERFERENCE WITH CITY USE. MUKILTEO's use of the Biosolids Pad shall not interfere in any way with any City, or authorized third party, use of the property, including utilities and travel.

13. VACANT.

14. REPAIR OF PROPERTY. MUKILTEO shall use care to avoid damaging or destroying property by reason of its operations pursuant to this License Agreement. Any damage caused by MUKILTEO to City or other property shall be promptly repaired or replaced by MUKILTEO to the satisfaction of the City, or in lieu of such repair or replacement, MUKILTEO shall pay, to the City or owner of other property, money in an amount sufficient to compensate for the loss sustained by reason of damage to or destruction of the City's or another party's property or improvements.

15. RISK OF LOSS TO MUKILTEO'S PROPERTY. MUKILTEO bears all risk of any and all damage and loss to its property being stored on the site. All biosolids delivered to the Biosolids Pad under this License Agreement are the property of MUKILTEO.

16. VACANT.

17. NO WARRANTY. The City does not warrant its title and ownership of the Biosolids Pad.

18. NON-EXCLUSIVE. This License Agreement is not exclusive. The City is not prohibited from granting permission to others to occupy or use portions of the Biosolids Pad, where such uses are not inconsistent with this License Agreement.

19. RESERVATION OF RIGHTS. The City reserves all rights not expressly restricted by this License Agreement.

20. NO THIRD-PARTY RIGHTS. This License Agreement does not create any rights in any third party.

21. APPLICABLE LAW AND VENUE. The laws of the State of Washington shall apply to this License Agreement. Venue for any lawsuit arising out of or related to this License Agreement shall be in Snohomish County Superior Court, Washington.

Grantor:

CITY OF EVERETT

By _____
Cassie Franklin, Mayor

Dated _____

ATTEST:

By _____
City Clerk

Dated _____

APPROVED AS TO FORM:

By _____
City Attorney

Dated _____

LICENSE AGREEMENT, TERMS AND CONDITIONS ACCEPTED BY:

Grantee:

MUKILTEO WATER AND WASTEWATER DISTRICT

By _____
Dave Barnes, General Manager

Dated _____

APPROVED AS TO FORM:

By _____
District Counsel

Dated _____

EXHIBIT A

LICENSE AGREEMENT AREA (Biosolids Pad)

Section 16 Township 29 Range OS Quarter NE - NE $\frac{1}{4}$ TGW NW $\frac{1}{4}$ SE $\frac{1}{4}$ & SW $\frac{1}{4}$ SE $\frac{1}{4}$ & TGW THAT PTN GOVT LOTS 1 & 4 IN NW $\frac{1}{4}$ LYE OF SR 1 & TGW TH PTN GOVT LOTS 8 & 11 IN SW $\frac{1}{4}$ LYE OF SR 1 & TGW GOVT LOTS 6 & 12 IN SE $\frac{1}{4}$

EXHIBIT B

BIOSOLIDS TEMPORARY STAGING PLAN

- A. MUKILTEO must notify the City of its intent to use the Biosolids Pad at least 24 hours in advance of hauling material to the Biosolids Pad. Once that notification is sent, payment to the City as set forth in the License Agreement is required, regardless of whether MUKILTEO uses the Biosolids Pad or not. Notification will be sent via email to the Operations Superintendent, Plant Manager, Senior Wastewater Operator, and Biosolids Manager, as well as by phone to the Senior Wastewater Operator or representative:

Operations Superintendent
Jeff Marrs
jmarrs@everettwa.gov

Plant Manager
John Smit
jsmit@everettwa.gov

Senior Wastewater Operator
Derek Kerlee
dkerlee@everettwa.gov
(425) 257-6790

These may be updated in writing by the City from time to time.

- B. Upon receiving notification, the City will designate and prepare an approximately 30 by 40-foot area on its Biosolids Pad for use by MUKILTEO. This area is large enough to temporarily stage five truckloads. Without the written consent of the City's Operations Superintendent, MUKILTEO may not use any other part of the Biosolids Pad.
- C. MUKILTEO must provide all appropriate equipment on-site to load biosolids onto their trucks for removal.
- D. The source of the biosolids is MUKILTEO's wastewater treatment plant at 7824 Mukilteo Speedway, WA 98275. MUKILTEO will cause all biosolids subject to this License Agreement to meet all Federal and State regulations for a Class B biosolids as defined in 40 CFR part 503 and WAC 173-308. MUKILTEO will cause all such biosolids to be at least 12% total solids. MUKILTEO may not under this License Agreement unload, temporarily stage, reload, or haul biosolids that do not comply with this Section of Exhibit B.
- E. MUKILTEO will not allow any biosolids to remain on the Biosolids Pad for more than 30 days from notification, unless otherwise approved by the City at the City's sole discretion. The City may, as a condition for such approval, require additional fees.

- F. MUKILTEO will utilize a dump truck and trailer combination to deliver the biosolids to the Biosolids Pad for temporary storage. MUKILTEO will then load truck and trailer units to transport the biosolids to MUKILTEO's existing end-use sites for beneficial reuse.
- G. Before leaving the Biosolids Pad, MUKILTEO will clean all trucks and trailers of all biosolids that may adhere to such vehicles during loading and unloading operations at the provided location on the Biosolids Pad. It is MUKILTEO's sole responsibility to promptly clean up any biosolids that are deposited on any roadways entering or leaving the Biosolids Pad as a result of MUKILTEO's activities.
- H. MUKILTEO is solely responsible for contacting the Snohomish County Public Works Department, or other applicable agency, regarding any haul routes to verify constraints or restrictions that might apply and complying with all applicable regulations.
- I. MUKILTEO will provide all equipment and personnel necessary to perform this task in a safe, reliable, and legally compliant manner.
- J. Prior to delivering any biosolids to the Biosolids Pad, MUKILTEO must obtain written approval of this License Agreement from the Department of Ecology Biosolids Coordinator for the Northwest Region. MUKILTEO will deliver a copy of such written approval to the City's Operations Superintendent prior to delivering any biosolids to the Biosolids Pad.
- K. In the event nuisance odors are generated, which determination will be made at the City's sole discretion, MUKILTEO shall cap the stockpiled biosolids with a 2 to 3-inch layer of material (i.e., sawdust or sand) capable of minimizing nuisance odors. The cap material will then be deemed part of the biosolids that must be hauled off-site by MUKILTEO. If the City determines in its sole discretion that the cap is insufficient to minimize odors, MUKILTEO shall haul off-site the biosolids causing the odors within 10 days after receiving notice from the City.
- L. Within 60 days of the initial notification of intended use of the Biosolids Pad, the City's Biosolids Program Manager or designee will confirm by a visual inspection that MUKILTEO has substantially removed all materials (including biosolids) MUKILTEO deposited on City Property under this License Agreement and that cleanup is satisfactory, i.e., the pad surface has been restored to its original condition. The City (Operations Superintendent or designee) will notify MUKILTEO in writing of the results of this inspection. If further action is necessary, the City will notify MUKILTEO of the time frame for further removal and clean up. If MUKILTEO fails to take further action within the timeframe specified or provide adequate cause as to why such further action cannot be accomplished within the timeframe specified, the City will take the necessary action to restore the site to its original condition through any means the City deems necessary. All costs associated with these activities will be paid by MUKILTEO.

M. MUKILTEO is responsible for any damage to any City equipment, appurtenance, or property caused by its activities at the site and shall schedule and complete repairs as soon as possible, at its expense. MUKILTEO will submit a repair schedule to the City's Operation Superintendent within 72 hours from the time damage occurred or is initially noted by MUKILTEO or City personnel. Any repair work must be pursuant to plans acceptable to the City and must be accomplished with parts, materials, and labor approved by City personnel. Upon completion of any necessary repairs, MUKILTEO will submit a written statement verifying that the repair work has been completed according to the approved repair schedule. If the repair work is not acceptable, the City's Operations Superintendent may have the repair work performed by City personnel or another private entity. All costs for this repair work will be paid by MUKILETO.

Project title: Water Main Replacement “W” Project UP-3766.

Council Bill #

Project: Water Main Replacement “W”

Agenda dates requested:

Partner/Supplier: Quilceda Excavation, Inc.

Briefing
Proposed action
Consent 08/07/24
Action
Ordinance
Public hearing

Location: Wilmington Avenue from 52nd Street to Evergreen Way; Hoyt Avenue from 41st Street to 44th Street

Preceding action: Ord 3813-21 [7/14/21](#); Award [6/1/22](#); Change Order #1 [1/31/24](#)

Fund: 336-Water and Sewer Systems Improvement Utilities Funds

Yes X No

Fiscal summary statement:

Original contract Amount: \$1,843,150.92

Budget amendment:

Yes X No

Final Contract Total: \$1,818,249.08

PowerPoint presentation:

Yes X No

Project summary statement:

Attachments:

Final pay estimate, final contract voucher certificate, subcontractor tracking log, affidavit of amounts paid DBE participants.

The project replaced approximately 3,900 feet of aging cast iron water mains that are prone to breaking and upsized water mains to provide the required fire suppression flow. The project included site restoration, pavement patch, replacement of sidewalks, and curb/gutter.

Department(s) involved:

Public Works, Admin

Recommendation (exact action requested of Council):

Contact person:

Tom Hood

Accept the Water Main Replacement “W” project as complete and authorize the Mayor to sign the Certificate of Completion.

Phone number:

(425) 257-8809

Email:

THood@everettwa.gov

Initialed by:

RLS

Department head

Administration

Council President

CERTIFICATE OF COMPLETION

Project:	Water Main Replacement "W" Project
Contractor:	Quilceda Excavation, Inc.
Work Order Number:	UP3766

The above-mentioned Project was constructed per the plans and specifications and to the satisfaction of the Public Works Department.

The Contractor physically completed the Project within the time allowed in the Contract.

It is recommended that the City accept this Project as complete.

This certificate waives no rights that the City may have under the Contract, including without limitation rights to enforce the Contract against the Contractor for defective work.

Recommended:



Ryan Sass, Director of Public Works

Date: 7-25-2024

Approved:

Cassie Franklin, Mayor

Date: _____

ATTEST:

Office of the City Clerk

STANDARD DOCUMENT
APPROVED AS TO FORM
OFFICE OF THE CITY ATTORNEY
FEBRUARY 8, 2023



Final Contract Voucher Certificate

Contractor Quilceda Excavation, Inc.			
Street Address 15505 66th Avenue NW			
City Stanwood	State WA	Zip 98292	Date February 22, 2024
Work Order No. UP-3766			
Project Title Water Main Replacement "W"			
Date Work Physically Completed July 28, 2023		Final Amount \$1,818,249.08 inclusive of Washington sales tax	

Contractor's Certification

I, the undersigned, certify and declare, under penalty of perjury under the laws of the State of Washington, that the foregoing is true and correct: I am authorized to sign for the claimant; that in connection with the work performed and, to the best of my knowledge, no loan, gratuity or gift in any form whatsoever has been extended to any employee of the City of Everett, nor have I rented or purchased any equipment or materials from any employee of the City of Everett; that the attached final estimate is a true and correct statement showing all the monies due the claimant from the City of Everett for work performed and material furnished under this Contract; that I have carefully examined said final estimate and understand the same and; that I, on behalf of the claimant, hereby release and forever discharge the City of Everett from any and all claims of whatsoever nature which I or the claimant may have, arising out of the performance of said Contract, which are not set forth in said final estimate.

DATED at Stanwood, WA this 20th day of March, 2024.
(City, State)


Contractor Authorized Signature

President
Title

Danny Simpson Jr
Printed Name

Public Works Department Certification

I certify to the best of my knowledge the attached final estimate to be based upon actual measurements, and to be true and correct.

Approved Date 07-25-2024

Keith Alewine 3/20/2024
Keith Alewine, Construction Manager


Ryan Sass, Director of Public Works

The Affidavit of Wages Paid must be prepared by the prime contractor, all subcontractors, and all subcontractor's agents and forwarded with the Final Contract Voucher Certification. Contractor's Claims, if any, must be included and the Contractor's Certification must be labeled indicating a claim attached. Scanned and/or e-signatures have same effect as ink signatures.

FINAL

Retainage not withheld
per Retainage Bond
#

CONTRACT ESTIMATE VOUCHER
Schedule: A

Date: 8/12/23

CM Check

Date: 8/22/2023

Recommended by: [Signature]

Date: 8/14/23

PM Review

Date: 8-22-2023

PM Director

Contractor: Quilceda Excavation, Inc
Project: Water Main Replacement "W"
Estimate: 9
W.O.# UP3766
Ends: 08/11/2023

SCHEDULE	ORG. CONTRACT	TO DATE	VARIANCE
A	\$ 1,843,150.92	\$ 1,818,249.08	\$ (24,901.85)
Total	\$ 1,843,150.92	\$ 1,818,249.08	\$ (24,901.85)

TOTAL	LESS RETENTION	SALES TAX	AMOUNTS PAID	DUE THIS ESTIMATE
\$ 1,843,150.92	\$ 73,552.20	\$ 125,039.00	\$ 1,044,559.72	\$ 1,044,559.72

TO DATE	PREVIOUS	PRESENT
\$ 1,654,457.76	\$ 1,637,885.31	\$ 16,572.45
\$ (82,722.89)	\$ (81,899.27)	\$ (823.62)
\$ 163,791.32	\$ 162,160.55	\$ 1,630.77
\$ 1,735,526.19	\$ 1,715,246.59	\$ 20,279.60

ITEM #	ITEM DESCRIPTION	UNIT	UNIT PRICE	CONTRACT QUANTITY	CONTRACT TOTAL	UPDATED WITH CO & MOH QUANTITY	UPDATED WITH CO & MOH TOTAL	TO DATE QUANTITY	TO DATE TOTAL	PREVIOUS QUANTITY	PREVIOUS TOTAL	PRESENT QUANTITY	PRESENT TOTAL
1	MOBILIZATION	LS	\$ 90,000.00	1.00	\$ 90,000.00	1.00	\$ 90,000.00	1.00	\$ 90,000.00	1.00	\$ 90,000.00	0.00	\$ -
2	SURVEYING	LS	\$ 10,000.00	1.00	\$ 10,000.00	1.00	\$ 10,000.00	1.00	\$ 10,000.00	1.00	\$ 10,000.00	0.00	\$ -
3	FORCE ACCOUNT	FA	\$ 50,000.00	1.00	\$ 50,000.00	1.00	\$ 50,000.00	1.00	\$ 50,000.00	1.00	\$ 50,000.00	0.00	\$ -
4	TRAFFIC CONTROL LABOR	HR	\$ 76.00	1,900.00	\$ 144,400.00	1,900.00	\$ 144,400.00	1,900.25	\$ 125,039.00	1,609.25	\$ 122,903.00	36.00	\$ 2,736.00
5	MAINTENANCE AND PROTECTION OF TRAFFIC CONTROL	LS	\$ 50,000.00	1.00	\$ 50,000.00	1.00	\$ 50,000.00	1.00	\$ 50,000.00	1.00	\$ 50,000.00	0.00	\$ -
6	TRENCH EXCAVATION SAFETY SYSTEMS	LS	\$ 2,500.00	1.00	\$ 2,500.00	1.00	\$ 2,500.00	1.00	\$ 2,500.00	1.00	\$ 2,500.00	0.00	\$ -
7	STREET CLEANING AND SWEEPING	HR	\$ 135.00	100.00	\$ 13,500.00	100.00	\$ 13,500.00	122.00	\$ 16,470.00	116.00	\$ 15,660.00	6.00	\$ 810.00
8	EROSION/WATER POLLUTION CONTROL	FA	\$ 5,000.00	1.00	\$ 5,000.00	1.00	\$ 5,000.00	1.00	\$ 5,000.00	0.00	\$ -	1.00	\$ 5,000.00
9	SAW-CUTTING, ASPHALT CONCRETE PAVEMENT, FINAL JOINT CUT, UP TO 8-INCH THICKNESS	LF	\$ 3.00	8,925.00	\$ 26,775.00	8,925.00	\$ 26,775.00	7,442.00	\$ 22,326.00	7,442.00	\$ 22,326.00	0.00	\$ -
10	SAW-CUTTING, CEMENT CONCRETE CURB & GUTTER & SIDEWALK	LF	\$ 4.50	1,375.00	\$ 6,187.50	1,375.00	\$ 6,187.50	1,588.00	\$ 7,146.00	1,588.00	\$ 7,146.00	0.00	\$ -
11	FOUNDATION MATERIAL, CLASS A OR B	TON	\$ 52.00	1,157.00	\$ 60,400.00	1,157.00	\$ 60,400.00	584.00	\$ 30,504.00	584.00	\$ 30,504.00	0.00	\$ -
12	GRAVEL BORROW	TON	\$ 28.00	2,183.00	\$ 61,124.00	2,183.00	\$ 61,124.00	2,474.65	\$ 69,290.20	2,474.65	\$ 69,290.20	0.00	\$ -
13	DUCTILE IRON PIPE FOR WATERMAIN, 6-INCH DIAM.	LF	\$ 75.95	86.00	\$ 6,531.70	86.00	\$ 6,531.70	126.00	\$ 9,569.70	126.00	\$ 9,569.70	0.00	\$ -
14	DUCTILE IRON PIPE FOR WATERMAIN, 8-INCH DIAM.	LF	\$ 82.60	237.00	\$ 19,576.20	237.00	\$ 19,576.20	222.00	\$ 18,337.20	222.00	\$ 18,337.20	0.00	\$ -
15	DUCTILE IRON PIPE FOR WATERMAIN, 12-INCH DIAM.	LF	\$ 98.00	2,250.00	\$ 220,500.00	2,250.00	\$ 220,500.00	2,274.00	\$ 222,852.00	2,274.00	\$ 222,852.00	0.00	\$ -
16	DUCTILE IRON PIPE FOR WATERMAIN, 12-INCH DIAM.	LF	\$ 170.00	1,398.00	\$ 237,660.00	1,398.00	\$ 237,660.00	1,320.00	\$ 224,400.00	1,320.00	\$ 224,400.00	0.00	\$ -
17	GATE VALVE, 6-INCH	EA	\$ 2,300.00	11.00	\$ 25,300.00	11.00	\$ 25,300.00	11.00	\$ 25,300.00	11.00	\$ 25,300.00	0.00	\$ -
18	GATE VALVE, 8-INCH	EA	\$ 2,750.00	23.00	\$ 63,250.00	23.00	\$ 63,250.00	24.00	\$ 66,000.00	24.00	\$ 66,000.00	0.00	\$ -
19	GATE VALVE, 12-INCH	EA	\$ 4,300.00	9.00	\$ 38,700.00	9.00	\$ 38,700.00	7.00	\$ 30,100.00	7.00	\$ 30,100.00	0.00	\$ -
20	FIRE HYDRANT	EA	\$ 7,500.00	10.00	\$ 75,000.00	10.00	\$ 75,000.00	10.00	\$ 75,000.00	10.00	\$ 75,000.00	0.00	\$ -
21	DISPOSE OF EXISTING FIRE HYDRANT	EA	\$ 250.00	3.00	\$ 750.00	3.00	\$ 750.00	7.00	\$ 1,750.00	7.00	\$ 1,750.00	0.00	\$ -
22	SALVAGE EXISTING FIRE HYDRANT	EA	\$ 500.00	4.00	\$ 2,000.00	4.00	\$ 2,000.00	0.00	\$ -	0.00	\$ -	0.00	\$ -
23	ASSIST COE IN CONNECTING TO EXISTING WATERMAIN	EA	\$ 1,550.00	14.00	\$ 21,700.00	14.00	\$ 21,700.00	13.00	\$ 20,150.00	13.00	\$ 20,150.00	0.00	\$ -
24	CORPORATION STOP W/ SERVICE SADDLE, 1-INCH	EA	\$ 1,700.00	65.00	\$ 110,500.00	65.00	\$ 110,500.00	61.00	\$ 103,700.00	61.00	\$ 103,700.00	0.00	\$ -

ITEM #	ITEM DESCRIPTION	UNIT	UNIT PRICE	CONTRACT QUANTITY	CONTRACT TOTAL	UPDATED WITH CD & HIGH QUANTITY	UPDATED WITH CD & HIGH TOTAL	TO DATE QUANTITY	TO DATE TOTAL	PREVIOUS QUANTITY	PREVIOUS TOTAL	PRESENT QUANTITY	PRESENT TOTAL
26	SERVICE SADDLE AND VALVE ASSEMBLY, 2-INCH	EA	\$ 2,200.00	8.00	\$ 17,600.00	8.00	\$ 17,600.00	8.00	\$ 17,600.00	8.00	\$ 17,600.00	0.00	\$ -
27	WATER SERVICE, 1-INCH	LF	\$ 21.00	1,894.00	\$ 39,514.00	1,894.00	\$ 39,514.00	1,553.00	\$ 32,613.00	1,553.00	\$ 32,613.00	0.00	\$ -
28	WATER SERVICE, 2-INCH	LF	\$ 29.00	245.00	\$ 7,105.00	245.00	\$ 7,105.00	255.00	\$ 7,395.00	255.00	\$ 7,395.00	0.00	\$ -
29	CONNECT TO FIRE SERVICE, 6-INCH	EA	\$ 850.00	1.00	\$ 850.00	1.00	\$ 850.00	1.00	\$ 850.00	1.00	\$ 850.00	0.00	\$ -
30	RELOCATE EXISTING WATER METER, SETTER AND BOX	EA	\$ 500.00	4.00	\$ 2,000.00	4.00	\$ 2,000.00	12.00	\$ 6,000.00	12.00	\$ 6,000.00	0.00	\$ -
31	CATCH BASIN, TYPE 1	EA	\$ 1,500.00	1.00	\$ 1,500.00	1.00	\$ 1,500.00	1.00	\$ 1,500.00	1.00	\$ 1,500.00	0.00	\$ -
32	TOPSOIL, TYPE A AND SEEDING	SY	\$ 70.00	255.00	\$ 18,550.00	255.00	\$ 18,550.00	255.00	\$ 18,550.00	255.00	\$ 18,550.00	0.00	\$ -
33	MONUMENT CASES	EA	\$ 2,500.00	1.00	\$ 2,500.00	1.00	\$ 2,500.00	0.00	\$ -	0.00	\$ -	0.00	\$ -
34	TEMPORARY ROADWAY PATCH	LS	\$ 16,000.00	1.00	\$ 16,000.00	1.00	\$ 16,000.00	1.00	\$ 16,000.00	1.00	\$ 16,000.00	0.00	\$ -
35	CRUSHED SURFACING TOP COURSE	TON	\$ 36.00	880.00	\$ 31,680.00	880.00	\$ 31,680.00	641.81	\$ 23,105.16	627.75	\$ 22,599.00	14.06	\$ 506.16
36	CEMENT CONCRETE PAVEMENT BASE TYPE III (H.E.S.)	SY	\$ 120.00	262.00	\$ 31,440.00	262.00	\$ 31,440.00	323.31	\$ 38,797.20	323.31	\$ 38,797.20	0.00	\$ -
37	HMA, CL. 7' 76.64'-22 FOR PERMANENT TRENCH	TON	\$ 140.00	710.00	\$ 99,400.00	710.00	\$ 99,400.00	761.90	\$ 106,566.00	761.90	\$ 106,566.00	0.00	\$ -
38	PATCH	SY	\$ 95.00	155.00	\$ 14,725.00	155.00	\$ 14,725.00	27.20	\$ 2,584.00	27.20	\$ 2,584.00	0.00	\$ -
39	CEMENT CONCRETE DRIVEWAY RESTORATION	SY	\$ 110.00	300.00	\$ 33,000.00	300.00	\$ 33,000.00	360.16	\$ 39,617.60	360.16	\$ 39,617.60	0.00	\$ -
40	CEMENT CONCRETE SIDEWALK RESTORATION	LF	\$ 85.00	391.00	\$ 33,235.00	391.00	\$ 33,235.00	416.50	\$ 35,402.50	416.50	\$ 35,402.50	0.00	\$ -
41	EXTRUDED CEMENT CONCRETE CURB	LF	\$ 50.00	45.00	\$ 2,250.00	45.00	\$ 2,250.00	0.00	\$ -	0.00	\$ -	0.00	\$ -
42	CONCRETE CURB RAMP, TYPE B	EA	\$ 3,329.25	2.00	\$ 6,658.50	2.00	\$ 6,658.50	2.00	\$ 6,658.50	2.00	\$ 6,658.50	0.00	\$ -
43	CONCRETE CURB RAMP, TYPE D	EA	\$ 3,996.25	2.00	\$ 7,992.50	2.00	\$ 7,992.50	2.00	\$ 7,992.50	2.00	\$ 7,992.50	0.00	\$ -
44	PERMANENT PAVEMENT MARKING	LS	\$ 6,920.00	1.00	\$ 6,920.00	1.00	\$ 6,920.00	1.00	\$ 6,920.00	0.00	\$ -	1.00	\$ 6,920.00
45	BASELINE COVID-19 REQUIREMENTS	LS	\$ 100.00	1.00	\$ 100.00	1.00	\$ 100.00	1.00	\$ 100.00	1.00	\$ 100.00	0.00	\$ -
46	AIR-VACUUM VALVE ASSEMBLY, 2-INCH	EA	\$ 6,800.00	1.00	\$ 6,800.00	1.00	\$ 6,800.00	2.00	\$ 13,600.00	2.00	\$ 13,600.00	0.00	\$ -
100	MATERIALS ON HAND	LS	\$ 89,135.68	1.00	\$ 89,135.68	1.00	\$ 89,135.68	0.00	\$ -	0.00	\$ -	0.00	\$ -
101	MATERIALS ON HAND	LS	\$ 169,480.98	1.00	\$ 169,480.98	1.00	\$ 169,480.98	0.00	\$ -	0.00	\$ -	0.00	\$ -

Project: Water Main "W" Relacement Project

Contract Amount at Bid (excludes WSST)

\$1,846,338.02

L & I Check Date	2/12/2024
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City of Everett
Construction Management

Affidavit of Amounts Paid DBE Participants

Contractor: Quilceda Excavation Inc			Date: 03/20/2024	
Address: 2807A Norman Road		City: Stanwood	State: WA	Zip Code: 98292
Project Title: Water Main Replacement "W"			Project Work Order #: UP-3766	
Federal Aid Project Number (if Federally Funded)				
Contract Bid Price: \$ 1,843,150.92		DBE Condition of Award: \$ N/A		
DBE Participant Name and Address	Ethnic Code	Contract Type	Bid Item No.(s)	Amount Paid Participants (Including retainage held)
Quilceda Excavation Inc 2807A Norman Road, Stanwood, WA 98292	DBE/ MBE	GC	All	\$1,818,249.08
Sebastian GC Inc 3310 South 250th Place, Kent, WA 98032	MBE	S	38,39,40 42,43	\$99,119.90
Ethnic Code: B = Black H = Hispanic A = Asian American I = American Indian and Alaskan Native O = Other		Contract Type: S = Subcontractor M = Material Supplier JV = Joint Venture		Total DBE Participation Achieved \$ 99,119.90

Affidavit

I, the undersigned, do hereby certify that in connection with all work on the project for which this statement is submitted, each DBE participant contracted by me has been paid the amounts shown for bid items, or portions thereof, listed.

	Signature	<u>[Signature]</u>	Title	<u>President</u>
	Subscribed and sworn before me this: <u>20th</u> day of <u>March</u> , 2024			
	<u>[Signature]</u> Notary Public in and for the State of Washington			
	residing at <u>Stanwood, WA</u>			

THIS FORM IS REQUIRED WITH THE FINAL ESTIMATE
FROM THE PRIME CONTRACTOR ON ALL PROJECTS

Project title: A RESOLUTION accepting policy updates to the Policy Relating to Compliance with the Public Records Act, as established by Resolution No. 7026

Council Bill #

Agenda dates requested:

Briefing
Proposed action
Consent 08/07/24
Action
Ordinance
Public hearing
Yes No X

Budget amendment:

Yes No X

PowerPoint presentation:

Yes No X

Attachments:

Resolution

Department(s) involved:

Legal, Finance

Contact person:

Ramsey Ramerman

Phone number:

425-257-7009

Email:

rramerman@everettwa.gov

Initialed by:

DH

Department head

Administration

Council President

Project: PRA Policy updates

Partner/Supplier: N/A

Location: N/A

Preceding action: Resolution [7026](#), Ordinance [2367-99](#)

Fund:

Fiscal summary statement:

There is no fiscal impact for this policy updated.

Project summary statement:

The City is making clarification edits to our current policy to follow current practices of using our online portal, email and other technology standards to provide records and provide fullest assistance to requestors.

Recommendation (exact action requested of Council):

Adopt a Resolution accepting policy updates to the Policy Relating to Compliance with the Public Records Act, as established by Resolution No. 7026.



RESOLUTION NO. _____

A RESOLUTION accepting policy updates to the Policy Relating to Compliance with the Public Records Act, as established by Resolution No. 7026

WHEREAS,

- A. The City Council adopted Resolution No. 7026 on September 7, 2016.
- B. The City must stay updated with technology changes and additions and edit policies to maintain those changes.
- C. Most of the City's Public Records Act requests are provided via our online portal or email.
- D. The City is making clarification edits to our current policy to follow current practices of using our online portal, email and other technology standards to provide records and provide fullest assistance to requestors.

NOW, THEREFORE, BE IT RESOLVED THE FOLLOWING:

1.0 General

The City is required by Chapter 42.56 RCW (the Public Records Act) to adopt and enforce reasonable rules and regulations to provide full access to public records. This policy and procedure complies with the requirements of the Public Records Act by providing for consistent and predictable practices for responding to and fulfilling requests for public records in a manner consistent with the Act.

The policy portion of this document clarifies the City's goals and intent with respect to providing access to public records. The procedure portion of the document describes the process for requesting and fulfilling public records requests in keeping with legal requirements.

These policies include statutory requirements and best practices. Nothing in this policy is intended to create legal obligations or rights beyond those obligations and rights created by statute or other binding laws.

2.0 Definitions

For the purpose of this policy, the following definitions apply:

2.1 “Accessing a record” means viewing, downloading, inspecting online or in person, obtaining copies virtually or in person, and any other possible way a requestor may obtain requested records.

2.2 “All records relating to,” “all records regarding,” or “all records pertaining to” means those records that directly and fairly address the topics that are reasonably identifiable by the Records Liaison fulfilling the request. These phrases are inherently ambiguous and requestors are encouraged to avoid using such terms when possible to avoid unnecessary delays.

2.3 “City of Everett” means the City of Everett, Washington. The City of Everett is a general purpose governmental entity that provides the full range of municipal services allowed by statute or charter. These services include police, fire, emergency medical, street maintenance, planning and zoning, libraries, parks and recreation, and general administrative services. In addition to its general government services, the City operates five enterprises: water and sewer utility, solid waste (recycling) utility, two golf courses, a transit system, and a parking garage.

2.4 “Court records request” means any request for Everett Municipal Court records. Everett Municipal Court records are exempt from the Public Records Act and are subject to release directly through the Everett Municipal Court under General Rule 31.1.

2.5 “Exempt record” means records or portions of records that are exempt from public disclosure. Exemptions include those identified in the Public Records Act or in other statutes incorporated by RCW 42.56.070. Exemption from disclosure of a portion of a record does not automatically exempt the remainder of the record from disclosure. Exempt portions of records may be subject to redaction.

2.6 “Public record” means any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics. Electronic data, including email, that meet this definition shall be considered a public record. Records created or received by employees using non-city devices only meet the definition of public record if the employee was acting within the scope of employment when the record was created or received.

2.7 “Public records request” means a request made to the City of Everett pursuant to the Public Records Act for disclosure of public records. Requests for public records made pursuant to other statutory rights of access to public records shall not be considered “public records requests” but may be otherwise handled under this policy.

2.8 “Public Records Liaison” and “Records Liaison” means the person or persons designated by a department director or designee to accept, track by log, and arrange for fulfillment of requests for disclosure of public records within a City department.

2.9 “**Public Records Officer**” means the City Clerk or designee.

2.10 “**Record holder**” means the department or particular staff person in custody of a primary record.

2.11 “**Requestor**” means the individual making the request for public records by submitting an official public records request.

3.0 Policy

3.1 General

Public records maintained by the City of Everett are and remain the property of the City. It is the policy of the City of Everett to provide access to public records in accordance with the requirements of Chapter 42.56 RCW. Procedures governing access to public records shall ensure access to public records without discrimination to requestors and shall provide appropriate safeguards for information exempted from or prohibited from disclosure by statute.

In order to fully assist the public in requesting public records, the City shall encourage the use of available electronic resources whenever possible for accessing, requesting, and fulfilling requests for public information records, including use of email and provision of information on the City’s website.

3.2 Public Records Officer

The City Clerk shall serve as the Public Records Officer of the City of Everett. The City Clerk may appoint a designee to fulfill the responsibilities of the Public Records Officer.

The Public Records Officer shall oversee compliance with the Public Records Act throughout the City by serving as a point of contact for City staff and members of the public seeking access to public records; however, not every request must be addressed to the Public Records Officer, nor is it intended that every request be reviewed by the Public Records Officer prior to fulfillment. In the interest of providing effective access to public records, the Public Records Officer may refer parties requesting public records to a department Records Liaison as appropriate.

The Public Records Officer shall maintain a list of department Records Liaisons who are designated to accept and fulfill requests for disclosure of public records on a regular basis, and shall provide advice and instruction to Records Liaisons and other staff members regarding fulfillment of such requests.

The Public Records Officer shall distribute updates on laws, legal precedents, and policy changes affecting fulfillment of records requests, as appropriate, and shall approve all forms for requesting and responding to requests of public records.

3.3 Public Records Liaisons

There shall be a network of Records Liaisons with representatives in every department of the City to assist the public in obtaining access to public records. Each department director shall designate at least one Records Liaison and one backup Records Liaison. Each department will inform the Public Records Officer of all Records Liaisons and designated backups.

Under the oversight of the Public Records Officer, Records Liaisons may accept requests for public records in the possession of their respective departments and may respond to requestors in accordance with the requirements of state statutes and this policy and procedure.

In consultation with the Public Records Officer, Record Liaisons may communicate directly with requestors, forward requests to other City employees as necessary, compile requested records, arrange for the supervised public inspection and copying of requested records, maintain files and logs of official requests fulfilled by the department, and provide periodic statistical reporting of disclosure activity to the Public Records Officer.

3.4 Police Records

The Police Department is responsible for the coordination, tracking, and fulfillment of requests for police records. The Public Records Officer will serve as an advisor to the Police Records Liaisons, but will not provide oversight of the fulfillment process.

3.5 Public Records Requests

Requests for public records should be made in writing. The City shall provide an official form for submission of public records requests. Forms for the purpose of requesting public records shall be approved by the Public Records Officer for general use by City staff. These forms shall not be edited for distribution without the approval of the Public Records Officer. As needed, the Public Records Officer may approve alternate request forms that are specialized for request of records with unique statutory considerations, such as law enforcement records.

Acceptance of requests by means other than on official forms approved by the Public Records Officer shall be in accordance with the procedures outlined in this policy and procedure.

3.6 City Response

Staff shall respond promptly to requests for public records in accordance with the requirements of RCW 42.56.520 and this policy and procedure. **The deadline for initial response to the records request is five (5) business days after receipt of the request.** Business days do not include weekends and City holidays.

Initial and final responses from staff to official requests for public records shall be made in writing and may be by fax, letter, notation on a request form, or email. Staff may ask for clarification of a request in order to properly identify the records being requested. Clarification of requests may be obtained in writing or verbally.

All requests for public records shall be afforded the same treatment and consideration, without distinction among persons, and without regard to the intent of the request.

To reduce proliferation of paper copies and in the interest of efficiently and expeditiously responding to requests for disclosure of public records, the Public Records Officer and Records Liaisons are encouraged to use electronic means to respond to, fulfill, and track public records requests.

This policy shall not obligate staff to create electronic or other records, or to convert electronic records into a format or medium in which the records are not already maintained. When asked by a requestor to convert an electronic record into a different format, staff is encouraged to do so when reasonable and technologically feasible, provided such conversion is not unduly burdensome and does not interfere with other essential City functions. Requestors may request paper copies of electronic records subject to applicable copying charges adopted by the City.

Responses to requests of public records, including responses by email, become public records in their own right, subject to the provisions of the Public Records Act and the retention requirements of the Office of the Secretary of State, and shall be maintained accordingly.

3.7 Exemption

The Public Records Act and other statutes exempt or prohibit disclosure of certain public records. It is the policy of the City of Everett to provide prompt and helpful access to all public records in the City's custody that State statutes do not exempt or prohibit from disclosure. Requested records may only be withheld or redacted consistent with statutory requirements, which shall be documented for the requestor in accordance with the requirements of RCW 42.56.210.

Some public records may contain specific content that is exempt from disclosure. The presence of exempt information does not necessarily exempt an entire record from disclosure. Exempt portions of an otherwise disclosable record shall be redacted prior to inspection or copying and such redactions shall be documented. The requestor shall be notified of the redaction in accordance with the requirements of RCW 42.56.210.

The following are summaries of common exemptions relied upon by the City. Note, the City reserves the right to assert any exemptions permitted by law when the City determines non-disclosure serves the public interest and is not limited to the exemptions listed below:

- 3.7.1** Records that are protected by trade secrets law (RCW 19.108);
- 3.7.2** Valuable formulae, designs, drawings, computer source code or object code, and research data obtained by the City within five years of the request for disclosure when disclosure would produce private gain and public loss (RCW 42.56.270 (1));
- 3.7.3** Personal information in files maintained for council members and City employees to the extent that disclosure would violate their right to privacy, including but not limited to addresses, phone numbers, Social Security numbers, driver license numbers, voluntary deductions, marriage status, information about dependents, and any garnishment deductions (RCW 42.56.230(3) & .250(3));

- 3.7.4** Preliminary drafts, recommendations, and intra-agency memoranda in which opinions are expressed or policies formulated or recommended, except that a specific record shall not be exempt when publicly cited by the City in connection with any City action (RCW 42.56.280);
- 3.7.5** All applications for public employment, including the names of applicants, resumes, and other related materials submitted with respect to an applicant (RCW 42.56.250(1));
- 3.7.6** Records in investigative files, including police and code enforcement investigations, to the extent that nondisclosure is essential for effective law enforcement or for the protection of any person's right to privacy (RCW 42.56.240(1));
- 3.7.7** Identifying information for victims or witnesses of crimes under certain circumstances (RCW 42.56.240(2) & (5));
- 3.7.8** Records created in anticipation of litigation (RCW 42.56.290); or
- 3.7.9** Records reflecting communications between attorneys and City employees where legal advice is sought or received (RCW 5.60.060(2)).

3.8 Broad Requests and Installments

When a request is received that appears to be broad in nature, staff shall request clarification from the requestor to ensure that the appropriate records are identified. Clarification shall focus on information needed to identify responsive records. Any information provided about the purpose of the request shall not be used as a basis for denying the request.

When appropriate, as part of the clarification process, staff may work with the requestor to find ways to narrow the request. When a requestor agrees to narrow a request, nothing prevents the requestor from later expanding the request back to its original scope.

Large or complex requests may be fulfilled through an installment process as described in this policy and procedure. When installments are provided and are not claimed, reviewed, accessed, or inspected, the City may postpone compilation of subsequent installments and/or treat the request as abandoned and closed. In such cases, staff shall consult with the Public Records Officer before postponing compilation of an installment.

4.0 Procedure

4.1 Applicability

This policy and procedure shall apply to all employees of the City of Everett, the Everett Elected Officials, and all advisory boards and commissions of the City of Everett. This policy and procedure does not apply to responses to legal discovery requests governed by State or Federal Rules of Civil Procedure.

4.2 Public Records Officer

The Public Records Officer shall oversee the City's compliance with the Public Records Act and shall serve as primary point of contact for public records access. The Public Records Officer shall have the following responsibilities:

- Oversee compliance with disclosure laws;
- Serve as primary point of contact for the public for access to public records;
- Serve as a single point of contact to coordinate the City's response when a request involves multiple record holders, is broad in scope, or is otherwise complicated to fulfill;
- Direct the public to appropriate Records Liaisons in possession of particular records;
- Serve as a resource to staff on topics related to disclosure of public records;
- Maintain a list of department Records Liaisons;
- Consult with Records Liaisons and other staff about fulfillment of records requests;
- Approve forms for use in processing records requests;
- Disseminate legal updates and policy changes affecting records requests;
- Collect and analyze relevant information related to the City's performance of public records disclosure; and
- Maintain the City of Everett Public Records webpage.

Current names and contact information for all Records Liaisons and backups shall be provided by City departments to the Public Records Officer.

4.3 Form of Request

It is recommended that public records requests be made in writing using the City's approved submittal form. Requests shall include, at a minimum, the following information:

- An indication that the request is being made for access to a public record pursuant to the Public Records Act;
- The requestor's name, address, and convenient means of contact such as email address, phone number, fax, etc.;
- The date of the request;
- A description of the records requested sufficient to identify the records;
- Whether the requestor wants to inspect records or wants copies.

When paper copies are requested, the requestor should indicate if they wish to be contacted by the City if copy costs will exceed twenty dollars (\$20.00).

Written requests submitted by mail, email, fax, personal delivery, or other means should include a completed request form. When a written request is received that does not include a completed request form or the information listed above, staff may ask the requestor to complete and submit a form to obtain information needed to identify records or respond effectively. In cases where a requestor refuses to submit a request form, staff shall transcribe the request for the requestor, ask the requestor to verify in writing that it correctly memorializes the request, and consult with the Public Records Officer to ensure an appropriate response.

Receipt by Staff

Records requests may be accepted by any department staff person under the general direction of the Public Records Officer. Such requests shall be receipt stamped or dated on the face of the request and forwarded to the Public Records Officer by electronic means. If the staff person does not have the immediate capability to forward the request to the Public Records Officer, the staff member shall inform and provide the supervisor or Records Liaison with the request for immediate transmittal to the Public Records Officer.

Until the Public Records Officer provides confirmation, the request is the responsibility of the department supervisor or Records Liaison.

Unnoticed Requests

It is the requestor's obligation to provide the City with fair notice that a Public Records Act request has been made. When a requestor does not use an official request form, or makes a request to an employee who is not a Records Liaison or the Public Records Officer, or includes a request as part of other documents provided to the City for reasons other than making a Public Records Act request, the requestor may not be providing fair notice to the City. To ensure fair notice is provided, requestors are encouraged to use official forms, make the request through the Clerk's office, and/or take other steps to clearly identify their request. For example, when a request is submitted with other documents not related to disclosure of public records, it shall be the responsibility of the requestor to provide reasonable notice that a public records request is included. This notice may be in the form of an entry on a cover or transmittal sheet.

Lists of Individuals

Requests for public records that include lists of individuals require a signed certification by the requestor that such lists shall not be used for commercial purposes. A certification provision is included on the City's official records request form. The Public Records Officer may do research to confirm that the request is not for commercial purposes.

4.4 Personnel and Employment Records

All personnel and employment records must be reviewed by the Human Resources Department prior to release.

4.5 Police Records

The Public Records Officer shall transfer all requests for police records received by the City Clerk's Office or other City departments to the Police Department and document the transfer. The Public Records Officer will also provide the requestor with information confirming the transfer and contact information. The Public Records Officer will log all transferred requests with notation and date of transfer.

Once transferred, coordination, tracking, and fulfillment of the request becomes the responsibility of the Police Department and no further oversight or action will be required of the Public Records Officer. The Police Department shall maintain files and tracking logs for all Police

requests as required by this policy and procedure. Requests that encompass both Police Department records and records in other departments shall be treated as separate requests.

4.6 Municipal Court Records

Although not covered under the Public Records Act or under this policy and procedure, any public records request received by Everett Municipal Court for other City department records shall be forwarded to the Public Records Officer immediately upon receipt.

4.7 Five (5) Day Response

The five-day (5) response period begins on the business day immediately following receipt of the request. Business days do not include weekends or City holidays.

The initial response to the requestor will be made within five (5) business days of receipt of a request, shall acknowledge receipt of the request, and may take one of the following forms:

- When possible, the initial response may include the requested records.
- If the records requested are available via the City website, staff may provide a direct link to the requestor to the online documents. This option should not be used if the requestor has requested a hard copy of the document, unless the requestor expressly agrees to accept the link in lieu of a different format. Appropriate care shall be taken to ensure that this option is not mistaken as a refusal to provide the requested record in paper or other approved format.
- An initial response may ask for clarification or refinement of the request if needed to identify the record requested.
- An initial response may indicate that the City does not have records responsive to the request.
- If the City does not have records responsive to the request, the initial response may direct the requestor to another agency believed to have the records requested.
- If the initial response does not include copies of the requested records, the City shall provide a reasonable estimate of when the request can be fulfilled. When providing a reasonable estimate of time required to fulfill a public records request, the Records Liaison may take into account the time required to refine or clarify a request, locate or retrieve requested records, redact or withhold exempt records and create associated documentation, consult with appropriate staff regarding potential exemptions, and notify third parties or other agencies of requests for information of a sensitive nature consistent with the provisions of RCW 42.56.540.
- An initial response may propose fulfilling large or complicated requests on an installment basis and provide an estimated time frame for preparation of the first installment.
- An initial response may be a written denial of the request based on exemptions under Washington State Law.

Records Liaisons must respond to the Public Records Officer within two (2) business days as to whether the records can be provided within five (5) business days or provide an estimated date for fulfillment if to exceed five (5) business days.

Records liaisons shall advise department record holders of the five-day response deadline when forwarding records requests and consult with record holders when estimating the fulfillment date.

4.8 Locating Responsive Records

Staff shall make a reasonable effort to identify and locate any and all responsive records. When identifying records, the Records Liaison or Public Records Officer may ask the requestor for clarification or refinement of the request. Such clarifications may be verbal or in writing. In the case of verbal clarification, staff involved in the conversation shall document the clarification in writing and include the information in the request file. Staff shall not conclude that a request is overly broad or does not adequately identify the records requested without attempting to obtain clarification from the requestor.

Records Liaisons and staff are not required to create new records in response to a request for public records, but shall when deemed feasible, tailor existing informational databases or indexes to provide a report responsive to a request that otherwise would not be produced in the normal course of business. The determination of the feasibility of creating such reports shall take into account the ability to redact or withhold exempt information. When the production of a tailored report requires additional resources such as customized programming or fact-specific analysis, or would otherwise interfere with other essential functions, the City is not required to produce such tailored reports but should instead consult with the requestor.

The City is only required to provide records that exist at the time a request is made. The City cannot fulfill “standing” requests or requests for records that may be created at a future date.

Fulfillment of requests shall be processed in the order that provides the timeliest response. Requests may be fulfilled in the order of receipt as long as easily fulfilled requests are not postponed behind larger or more complicated requests strictly because they were received later.

4.9 Immediate Provision or Inspection of Records “Over the Counter”

Staff may respond immediately to verbal requests for records without the need for completion of a written request, entry into a request log, or a written response by the City when all of the following conditions exist:

- The records requested are easily accessible to staff ;
- The requested records do not contain lists of individuals;
- The requestor is seeking only inspection of records and no copies are provided by the City;
- Staff can fulfill the request without referring it to Records Liaisons or the Public Records Officer; and
- The request is not for records that are subject to withholding or redaction due to disclosure exemptions or confidentiality considerations.

When a request is received in writing and the requested records are provided to the requestor in person at the time of the request, a separate written response by staff is not required. In such

cases, a notation shall be made on or attached to the request listing the records produced, the number of copies made, the fees charged, if any, the name of the staff person providing the record, and the date of fulfillment.

4.10 Internal Review Prior to Public Inspection

Questions of Exemption

Record holders and/or departments are responsible for identifying potential exempt records or records that contain potentially exempt information. When doubt arises as to whether records or portions of records subject to a request are exempt from disclosure, the Records Liaison shall consult the Public Records Officer and City Attorney, who may inspect the subject records before authorizing the disclosure. Records Liaisons or record holders will be responsible for redacting exempt information from departmental records.

Questions of Overly Broad Requests

If staff is not able to identify with confidence, the records sought by a requestor, or when a request appears to be overly broad and unsuccessful attempts have been made to obtain clarification from the requestor, staff shall consult with the Public Records Officer who shall review the request and provide direction to staff regarding its fulfillment. Staff may also consult with the City Attorney on such requests and shall do so in the absence of the Public Records Officer.

4.11 Forms of Response

Final responses shall either include copies of the requested records or provide direction to the requestor to arrange for inspection of the records (if wanted by the requestor). When the City is not able to provide requested records within five (5) business days, the Public Records Officer shall provide a written updated estimate to the requestor at the earliest possible opportunity.

Inspection of Responsive Records

Requestors may choose to inspect requested records prior to City staff making copies and should be encouraged to do so, especially when the volume of records is large. Inspection prior to copying may serve to narrow the scope of the request and can be useful for identifying and providing the appropriate responsive records to requestors. Requestors may make arrangements with the Public Records Officer to inspect records on City premises during normal business hours at a mutually convenient time. Staff shall make every effort to accommodate reasonable requests for appointment times while ensuring the security of public records during inspection.

The Records Liaison fulfilling the request shall provide for the security of records during inspection, which shall be supervised by City staff as deemed appropriate. Requestors shall return all records inspected to the Records Liaison in the condition and order they were provided. Records shall not be altered in any way, rearranged, or removed from folders or removed from City premises during inspection. A requestor may flag selected pages for copying but shall not alter the original record.

The City reserves the right to make copies of records for inspection rather than provide the original records for inspection. The requestor will not be responsible for copy costs if the requestor only inspects records.

Electronic Copies

Records available in electronic form that do not require redaction may be provided to a requestor in native format unless the requestor specifically asks that they be provided in paper or other form. When requested and deemed feasible, electronic records may be converted from one format to another provided such conversion is not unduly burdensome to staff. **Should conversion be unduly burdensome, conversions fees may be assessed.**

Installments

If appropriate, records requests may be fulfilled in partial installments to provide the fullest assistance to requestors. Installments are subject to the same deadlines for claiming and inspecting records described in this section. **If an installment is not claimed, accessed, reviewed, or if arrangements for inspection of an installment are not made prior to 30 calendar days from notification of availability, the City may discontinue compiling subsequent installments of the same disclosure request.** The Public Records Officer may attempt to contact the requestor prior to deeming an installment request abandoned, but is not required to make such contact when a requestor has been previously warned of this consequence.

Requestor Responsibility

Requestors shall arrange to inspect, **review, access,** or claim ~~copies~~ requested records within 30 calendar days following notification by the City that responsive records are available. The 30 calendar days begins on the business day immediately following the City's notice that the records are available for ~~inspection or copying~~ and includes weekends and City holidays. The Public Records Officer may extend this time period as appropriate to ensure fullest assistance to requestors. Requestors must respond to requests for clarification within 30 calendar days of being contacted or a request will be deemed abandoned and closed.

If a requestor fails to claim, **review, access or arrange for inspection of requested records after the expiration of the 30 calendar days, the request shall be deemed abandoned and closed.**

Prior to closing the request, the Public Records Officer may attempt to confirm whether the requestor still wants the requested records, but is not required to do so.

Multiple Requests by Same Party

When the same requestor simultaneously submits multiple, separate requests or makes one or more additional requests when previous requests are open, staff may queue the requests in the order in which they were received. Staff is not required to work on an additional request until the initial requests are completed and closed. Requestors are responsible for informing the Public Records Officer if they want to reprioritize the fulfillment of their requests.

4.12 Exemption from Disclosure

Withholding or Redaction of Records

Requested records may be subject to exemption from disclosure under the Public Records Act or other statutes. Exempt records shall be withheld or redacted, when necessary, consistent with statutory requirements and the withholding or redaction shall be documented for the requestor in accordance with the requirements of RCW 42.56.210 and this policy and procedure.

The presence of exempt content does not necessarily exempt an entire record from disclosure. Exempt portions of an otherwise disclosable record shall be redacted, when necessary, prior to inspection or copying.

Prior to withholding exempt records or redacting portions of records, the Records Liaison shall consult with the Public Records Officer and City Attorney. Departments may adopt standard procedures for withholding or redacting portions of commonly requested exempt records.

When requested records are redacted, the Records Liaison shall keep a copy of the redacted records for the request file. A listing only of the redacted records provided to the requestor is not sufficient in accordance with the provisions of the official Washington State records retention schedules.

Exemption Log

When records are withheld or redacted, the requestor shall be informed in writing of the reason and be provided the statutory citation supporting the exemption. An exemption log shall be prepared for the requestor listing the information withheld and the statutory basis for each redaction or record withheld. Individual occurrences of the same redaction may be listed generally in the exemption log. For example, an exemption log need not list separately every occurrence of the redaction of an individual's social security number, but may list one time that the number has been redacted throughout the record.

Administrative Review of Denial

A requestor may ask for review of a decision to withhold or redact exempt records by submitting a written petition to the Public Records Officer that includes a copy of or detailed description of the City's statement of withholding. The request for review and any relevant information shall be forwarded immediately to the City Attorney, who shall consider the petition and either reverse or affirm the denial within two days of the City's receipt of the petition. The City and the requestor may mutually agree to a longer period of time for consideration of a petition for review. If the withholding or redaction is affirmed, the decision shall be considered the City's final action for the purposes of judicial review. If the decision to withhold or redact is reversed, the Public Records Officer shall make the subject records available to the requestor for inspection in accordance with the provisions of this policy and procedure.

4.13 Requests Log and Retention

Requests Log

The Public Records Officer shall maintain a log of all requests and associated documents.

Records Liaisons shall maintain logs of public records requests received for their departments that shall include at a minimum:

- The request tracking number from the Public Records Officer;
- Name and convenient contact information for the requestor;
- Date of receipt;
- Due date of request;
- A brief description of the requested records;
- Search efforts performed to acquire records;
- Description of any clarifications of the request; and
- A dated notation of the closure of the request.

Requests logs are a public record subject to disclosure and retention in accordance with the requirements of the official Washington State records retention schedules and this policy and procedure. On a quarterly basis, Records Liaisons shall provide tracking reports to the Public Records Officer.

Retention

Public records requests and associated logs are considered a public record subject to disclosure and retention in accordance with the requirements of the Washington State Local Government Common Records Retention Schedule.

5.0 Fees

Fees for the provision of responsive records totaling more than ten (10) ~~pages~~ **records** will be based on cost in accordance with RCW 42.56.120. A current fee schedule is available on the City's website and posted in the City Clerk's Office. The fee schedule will be maintained by the City Clerk and updated administratively as costs change.

There is no charge for inspection of records. Fees will be waived if a request is made by a state or local agency. Fees will be waived when the number of responsive records totals fewer than ten (10) pages of records or ten **electronic records** ~~emails~~ that do not contain attachments. Such costs will not be waived, however, when it appears that the request has been tailored to take advantage of this waiver. The City reserves the right to use an outside vendor for large-scale requests and odd-sized or larger color copies, and to charge the requestor for those costs.

Copy charges may be remitted by cash, check, money order, MasterCard, or Visa payment. The City Clerk's office shall provide for collection of copy fees if a department is not able to do so. A deposit of up to ten percent of the estimated total cost may be required for large requests before records are copied. When requested records are provided on an installment basis, fees shall be collected for copies prior to provision of the next installment. Failure to pay for an installment shall place compilation of subsequent installments on hold **or deem the request abandoned and closed.**

If payment arrangements are not made within 30 calendar days of notice that records are available, the entire request may be deemed abandoned and closed. ~~An reasonable attempt~~ **shall**



may be made by the Public Records Officer to contact the requestor prior to deeming a request abandoned and closed but is not required to make such contact when a requestor has been previously warned of this consequence.

6.0 References

Chapter 42.56 RCW
Chapter 40.14 RCW
Chapter 82.12 RCW
Chapter 44-14 WAC
Chapter 434-615 WAC
Washington State Local Government Common Records Retention Schedule

7.0 General duty

It is expressly the purpose of this policy to provide for and promote the health, safety and welfare of the general public and not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this policy. It is the specific intent of this policy that no provision nor any term used in this policy is intended to impose any duty whatsoever upon the City or any of its officers or employees. Nothing contained in this policy is intended nor shall be construed to create or form the basis of any liability on the part of the City, or its officers, employees or agents, for any injury or damage resulting from any action or inaction on the part of the City related in any manner to the enforcement of this policy by its officers, employees or agents.

8.0 Corrections

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

Councilmember introducing resolution

Passed and approved this ____ day of _____, 2024.

Council President

Project title: An Ordinance creating a special improvement project entitled “WFP Air Scour Blower Building Replacement” Fund 336, Program 034, and repealing Ordinance No. 3915-22

Council Bill #

CB 2407-15

Agenda dates requested:1st Reading 07/31/24

Proposed action 08/07/24

Consent

3rd Reading 08/14/24

Ordinance X

Public hearing

Yes X No

Budget amendment:

Yes X No

PowerPoint presentation:

Yes X No

Attachments:

Proposed Ordinance

Department(s) involved:

Public Works, Admin

Contact person:

Tom Hood

Phone number:

425-257-8809

Email:

Thood@everettwa.gov

Initialed by:

RLS

Department head

Administration

Council President

Consideration: Plans & Systems Ordinance**Project:** WFP Air Scour Blower Building Replacement**Partner/Supplier:** TBD**Location:** Water Filter Plant**Preceding action:** Ordinance No. 3915-22, approved [12/14/22](#)**Fund:** 336 – Water & Sewer System Improvements Fund**Fiscal summary statement:**

The funding source for this project will be Fund 401 Water and Sewer Utility Fund. The programmed available funding for the project is \$1,350,000.

Project summary statement:

This project includes the demolition and replacement of an existing 250 square-foot building located on the south end of the filter building. A new structure will be constructed adjacent to the existing building, which will house two air scour blowers and associated electrical and control components.

The air scour blower system agitates water filtration media during the filter backwash process and is a critical component of the filtration system.

Recommendation (exact action requested of Council):

Adopt an Ordinance creating a Special Improvement Project entitled “WFP Air Scour Blower Building Replacement” Fund 336, Program 034.



ORDINANCE NO. _____

An ORDINANCE creating a special improvement project entitled “WFP Air Scour Blower Building Replacement” Fund 336, Program 034, to accumulate all costs for the improvement and repealing Ordinance No. 3915-22.

WHEREAS,

- A.** The City of Everett is committed to a planned water system infrastructure maintenance improvement and replacement program.
- B.** The City of Everett has identified the need and obtained funds to design and construct certain structural improvements to the Water Filter Plant.

NOW, THEREFORE, THE CITY OF EVERETT DOES ORDAIN:

Section 1. A special improvement project is hereby established as Fund 336, Program 034, entitled “WFP Air Scour Blower Building Replacement” to accumulate all costs for the improvement. Ordinance No. 3915-22 is hereby repealed. Authorization is hereby given to accumulate costs and distribute payments for the improvement project.

Section 2. Authorization is hereby granted for the “Public Works Director” or “City Engineer” under the direction of the Mayor, to assume full and complete responsibility for conducting all tasks and doing all things to accomplish the actions authorized in this ordinance.

Section 3. The sum of \$1,350,000 is hereby appropriated to Fund 336, Program 034, “WFP Air Scour Blower Building Replacement” as follows:

A. Estimated Project Costs	\$ 1,350,000
B. Source of Funds	
Fund 401 – Water/Sewer Utility Fund	\$ 1,350,000

Section 4. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance including, but not limited to, the correction of scrivener’s/clerical errors, references, ordinance numbering, section/subsection numbers, and any internal references.

Section 5. The City Council hereby declares that should any section, paragraph, sentence, clause or phrase of this ordinance be declared invalid for any reason, it is the intent of the City Council that it would have passed all portions of this ordinance independent of the elimination of any such portion as may be declared invalid.

Section 6. The enactment of this Ordinance shall not affect any case, proceeding, appeal or other matter currently pending in any court or in any way modify any right or liability, civil or criminal, which may be in existence on the effective date of this Ordinance.

Section 7. It is expressly the purpose of this Ordinance to provide for and promote the health, safety and welfare of the general public and not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this Ordinance. It is the specific intent of this Ordinance that no provision or any term used in this Ordinance is intended to impose any duty whatsoever upon the City or any of its officers or employees. Nothing contained in this Ordinance is intended nor shall be construed to create or form the basis of any liability on the part of the City, or its officers, employees, or agents, for any injury or damage resulting from any action or inaction on the part of the City related in any manner to the enforcement of this Ordinance by its officers, employees, or agents.

Cassie Franklin, Mayor

ATTEST:

Marista Jorve, City Clerk

PASSED: _____

VALID: _____

PUBLISHED: _____

EFFECTIVE DATE: _____

Project title: An Ordinance creating a special improvement project entitled “Water Main Replacement “Y” – Phase 2” Fund 336, Program 042.

Council Bill #

CB 2407-14

Agenda dates requested:

Briefing

1st Reading 07/24/24

Proposed Action 07/31/24

Consent

Action 08/07/24

Ordinance X

Public hearing

Yes X No

Budget amendment:

Yes X No

PowerPoint presentation:

Yes X No

Attachments:

Proposed Ordinance

Department(s) involved:

Public Works, Admin

Contact person:

Souheil Nasr

Phone number:

(425) 257-7210

Email:

snasr@everettwa.gov

Consideration: Plans & Systems Ordinance**Project:** Water Main Replacement “Y” – Phase 2**Partner/Supplier:****Location:** I-5 bridge from East Grand Avenue to 4th Street SE**Preceding action:** None**Fund:** 336 - Water & Sewer System Improvements Fund**Fiscal summary statement:**

The funding source for this project will be Fund 401 Water and Sewer Utility Fund. The programmed available funding for design and construction is \$2,333,000.

Project summary statement:

This project is for Phase 2 of the Water Main Replacement “Y” project. The project will install a new water main to replace an existing water main suspended from I-5 bridge that has a high consequence of failure, and recently prone to breaks. The upgrading of the water main will ensure reliability of water service for existing customers and future development, and that adequate fire flow, per the 2020 Comprehensive Water Plan, is provided. The project is scheduled for design in late 2024 and construction in 2025-2026.

Recommendation (exact action requested of Council):

Adopt an Ordinance creating a special improvement project entitled “Water Main Replacement “Y” – Phase 2” Fund 336, Program 042.

Initialed by:

RLS

Department head

Administration

Council President



ORDINANCE NO. _____

An ORDINANCE creating a special improvement project entitled “Water Main Replacement “Y” – Phase 2” Fund 336, Program 042, to accumulate all costs for the improvement.

WHEREAS,

- A.** The City of Everett is committed to a planned water main infrastructure replacement program.
- B.** The City of Everett has identified the need and obtained funds to construct certain improvements to aging water mains.

NOW, THEREFORE, THE CITY OF EVERETT DOES ORDAIN:

Section 1. A special improvement project is hereby established as Fund 336, Program 042, entitled “Water Main Replacement “Y” – Phase 2” to accumulate all costs for the improvement. Authorization is hereby given to accumulate costs and distribute payments for the improvement project.

Section 2. Authorization is hereby granted for the “Public Works Director” or “City Engineer” under the direction of the Mayor, to assume full and complete responsibility for conducting all tasks and doing all things to accomplish the actions authorized in this ordinance.

Section 3. The sum of \$2,333,000 is hereby appropriated to Fund 336, Program 042, “Water Main Replacement “Y” – Phase 2” as follows:

A. Estimated Project Costs	\$2,333,000
B. Source of Funds	
Fund 401 – Water/Sewer Utility Fund	\$ 2,333,000
Total Funds	<u>\$ 2,333,000</u>

Section 4. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance including, but not limited to, the correction of scrivener’s/clerical errors, references, ordinance numbering, section/subsection numbers, and any internal references.

Section 5. The City Council hereby declares that should any section, paragraph, sentence, clause or

phrase of this ordinance be declared invalid for any reason, it is the intent of the City Council that it would have passed all portions of this ordinance independent of the elimination of any such portion as may be declared invalid.

Section 6. The enactment of this Ordinance shall not affect any case, proceeding, appeal or other matter currently pending in any court or in any way modify any right or liability, civil or criminal, which may be in existence on the effective date of this Ordinance.

Section 7. It is expressly the purpose of this Ordinance to provide for and promote the health, safety and welfare of the general public and not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this Ordinance. It is the specific intent of this Ordinance that no provision or any term used in this Ordinance is intended to impose any duty whatsoever upon the City or any of its officers or employees. Nothing contained in this Ordinance is intended nor shall be construed to create or form the basis of any liability on the part of the City, or its officers, employees, or agents, for any injury or damage resulting from any action or inaction on the part of the City related in any manner to the enforcement of this Ordinance by its officers, employees or agents.

Cassie Franklin, Mayor

ATTEST:

Marista Jorve, City Clerk

PASSED: _____

VALID: _____

PUBLISHED: _____

EFFECTIVE DATE: _____



Jeanette G. Revoir
602 Kings Pl.
Everett, WA 98203

July 26, 2024

Everett City Council
2930 Wetmore Ave Ste 9-A
Everett, WA, 98201

Dear Scott Bader, Judy Tuohy, Mary Fosse, Pada Rhyne, Don Schwab, Liz Vogeli and Ben Zarlingo,

I just recently read the July 13, 2024, Everett Herald's article, "Everett council locks in building heights for Park District". I found it interesting that the City Council made no mention as to how they would assist with, and resolve the traffic situations that will automatically occur with the Park District. Traffic is one big snarl on Broadway. Drivers are constantly encroaching on other side city streets to weave around or crowd into lanes. Happening prior to the bridge closing also. Appears as "homeowners" are trapped on their streets because of traffic. The city council needs to address the traffic headaches before they start the construction of the Park District. The inclusion of retail space will also affect the traffic situation.

The Park District plans are to include a park of 1.5 acres for a guesstimate of about 4500 people. That park size can't adequately accommodate a development of this size. That's approximately the size of a softball field. This community requires more acreage for children, young families, and its neighborhood.

The other issue that hasn't been addressed are the schools in the area. Overcrowding, the lack of teachers, school upgrades, and security are big issues that need immediate addressing.

Finally, it's time the City of Everett officials, and the City Council address the unsightly conditions around north Broadway. Empty businesses that are boarded up, marked with graffiti, questionable businesses, and loitering individuals. It makes an ugly impression on the incoming and current students at the Northern Everett colleges. You can't make a new and thriving city community if you haven't taken care of its issues. Now's the time to clean up and make "Broadway Beautiful" again with new business owners and an evolving community.

P.S. I do know a bit of what I'm talking about because my parents, Jake & Ida Ruiter, owned and operated their bakery, "Broadway Bakery" at 1913 Broadway for over 20 years. In fact, where John's Sporting Goods is located now, is the building my parents sold to them. So, I know, and worked in North Everett for many years when it WAS a thriving community of good business owners, and a bustling community. As a matter of fact, I started my 40-year banking career at the little bank on the corner of 18th & Broadway. It's very sad and disheartening to see how North Broadway appears today. You, as elected leaders are asked to step up and better support this area of Everett. The future of Everett and its citizens are counting on you.



Jeanette Revoir
602 Kings Pl
Everett, WA. 98203

From: Russell Joe <rjoe@mbaks.com>
Sent: Friday, August 2, 2024 4:35 PM
To: DL-Council
Cc: Yorik Stevens-Wajda
Subject: [EXTERNAL] Housing Element Comment Letter
Attachments: Housing Element Comments August 2024.pdf

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

Dear Everett City Council,

Attached please find a Housing Element comment letter from Master Builders of King and Snohomish Counties.

Regards,

Russell Joe



Russell Joe
Snohomish County Manager
Master Builders Association of King and Snohomish Counties

p 425.460.8213
335 116th Ave. SE | Bellevue, WA 98004
mbaks.com
Find us on    

We believe everyone deserves a place to call home.



August 2, 2024

Everett City Council
City of Everett
2930 Wetmore Ave.
Everett, WA 98201

RE: Housing Element Goals and Policies Comment

Dear Everett City Council,

Master Builders Association of King and Snohomish Counties (MBAKS) thanks you for the opportunity to comment on the Housing Element of the 2024 Comprehensive Plan Update (Plan). In addition, the following comments are germane to the Planning Commission's upcoming August 6th discussion.

The Plan serves as the foundation for policies that shape housing choice, supply, and affordability. MBAKS appreciates the hard work conducted by City Council, Planning Commission, planning officials and staff to update the Plan and respectfully submits the following comments for consideration.

Permitting and Regulation

The Plan is a key component of our role as custodians of the environment. Planning for and updating options and opportunities residents have regarding where they live, work, and play is a crucial component guiding the city of Everett's future. We urge policymakers to remember new and revised goals and policies within the Housing Element often come along with unintended direct, or indirect, added costs to provide housing.

We ask that the Council and staff analyze the implementation of the proposal's revisions, new requirements arising from implementation, and potential costs to housing or delay in housing permit reviews to determine their impacts on the supply and cost of housing. (For example, see permit streamlining in HO-1.2).

MBAKS supports goals and policies contained within the Housing Element that recognize the city of Everett's role in providing attainable housing and a variety of housing types for all economic segments of the community and that encourages permit reform consistent with new and existing state law (HO-1.1). We include comments in the attached appendix, but support adding language to any provision that clarifies the goal expressed and does not result in increased permit fees and permit timelines.

Housing

❖ Accessory Dwelling Units:

MBAKS supports the city of Everett's overall recognition that ADUs should be one of the tools used to address the current housing crisis. Here, Everett recognizes in the Implementation Plan the need to "(d)velop an Accessory Dwelling Unit program featuring a standardize (*sic*) preapproval process to expedite the permitting of these projects."



MBAKS encourages the city to consider preapproved ADU plans that could help reduce the timeline for production and expedite the permitting process. There is a critical need to help all community members find housing in our rapidly growing region and ADUs are a vital component to addressing this need.

MBAKS would support the following policy changes currently under consideration that could impact ADU production that include:

- Streamline local review process with clear objective standards (HO-1.2)
- Allowing fee simple ownership through condominiums or a unit lot subdivision process (HO-1.10)
- Removing off-street parking requirements. (HO-2.9 in Affordable Housing section, but could also apply to ADUs?)
- Allowing lot splitting through an administrative process (HO-1.10 and 1.11)

❖ ***Missing Middle Housing:***

MBAKS thanks the city of Everett for the inclusion of provisions encouraging middle housing throughout this process. In fact, the growth alternative discussion has been shaped by the new middle housing laws. We support the hybrid growth alternative currently under consideration and encourage the city to engage in a community conversation to discuss utilizing this new tool for maximizing housing options and increasing the supply of housing. This will create diverse housing options, access to services and transit, and continue to improve the city of Everett's jobs to housing balance.

Thank you for the opportunity to comment on the Housing Element of the 2024 Comprehensive Plan. Please refer to the attached appendix to review our additional comments. MBAKS looks forward to engaging with the city of Everett as these policies are further developed and implemented to support the goal of creating a sustainable future. We appreciate your hard work and want to serve as a trusted resource for you, your staff, and the community. Please reach out with questions or if you would like more information.

Sincerely,

Russell Joe

Russell Joe
Snohomish County Government Affairs Manager
Master Builders Association of King and Snohomish Counties

Cc: Yorik Stevens-Wajda, Planning Director

Attachment A



Attachment A – Housing Element Draft goal and policy comments

2024-2044 HOUSING ELEMENT PROPOSED GOALS AND POLICIES		
HOUSING TYPES AND OPPORTUNITIES		MBAKS Comment
GOAL HO-1: Encourage development of 38,558 diverse housing units to meet the needs of Everett's growing community while ensuring the city's housing stock remains in excellent condition, with most existing homes preserved and well-maintained over the next 20 years.		MBAKS supports this goal and encourages the city of Everett to continue to seek ways to diversify its housing stock and to keep the 38,558 new housing units as a dynamic goal to plan for in the next 20 years and beyond.
Diverse and Sustainable Housing Choices		
Policy HO-1.1 Ensure a diverse housing stock throughout the city to meet the needs of all individuals and families of differing incomes, sizes, arrangements, and cultural backgrounds.		MBAKS supports this policy and encourages the city of Everett to plan to accommodate new attainable housing units at all income levels and sizes.
Homeownership		
Policy HO-1.9: Boost homeownership opportunities through administrative, regulatory, and financial benefits.		MBAKS supports this policy. One way to boost homeownership would be to reduce the cost of housing by streamlining permitting and reducing project timelines.
Policy HO-1.10 Provide for land division into small fee simple lots where condominium ownership of a housing unit would otherwise be allowed.		MBAKS supports this policy. Increasing the opportunities for homeownership by raising the supply of housing through a quick administrative method to divide a lot into two fee simple parcels should be pursued.
Policy HO-1.11 Allow lot splits to encourage homeownership by simplifying regulations and streamlining the approval process.		See comment above. In addition, any changes that reduce the administrative burden or shorten project timelines are encouraged by MBAKS.



Housing Targets			
Policy HO-1.14 Ensure development regulations accommodate the addition of 38,558 dwelling units in Everett by 2044.			MBAKS supports this goal and encourages the city of Everett to continue to seek ways to diversify its housing units and to keep planning to accommodate for the housing needs in 2044 and beyond.
AFFORDABLE HOUSING			
GOAL HO-2: Housing is available to rent at prices affordable to the economic segments of Everett's population, including 2,900 emergency shelter beds, 3,700 permanent supportive housing apartments, and 19,700 housing units affordable to very low-income households.			
Policy HO-2.3 Use streamlined permit procedures to expedite affordable housing construction and reduce costs to develop.			MBAKS would support this policy for all housing. Initially the expedited process could be focused on affordable housing. However, the lessons learned should be applied to housing of all types using any newly established processes.
Policy HO-2.6 Carefully evaluate the cost and supply implications of proposed regulations affecting housing development.			MBAKS supports this policy. As mentioned in the letter above, all new regulations or changes to current regulations do have an implicit or explicit cost and impact on the overall supply of housing.
Policy HO-2.9 Minimize off-street parking requirements to reduce housing costs and increase affordability			While this policy is recommended for affordable housing, as mentioned in the ADU section of the letter above, the practices could be applied to housing at all income levels to reduce the overall price of housing in the city.