



City of Bothell™

BOTHELL CITY COUNCIL

*****VIRTUAL MEETING*****

AGENDA

June 16, 2020

6:00 PM

BOTHELL CITY HALL

18415 101st AVE NE

BOTHELL, WA 98011

Public Notice: Pursuant to Governor Inslee's Stay Home, Stay Healthy Proclamation 20-25 and in effort to curtail the spread of the COVID-19 virus, this City Council meeting will be conducted remotely. We encourage members of the public to attend and participate in the meeting remotely, as described in more detail below.

To attend the meeting:

- [Watch the meeting LIVE](#) online
- Watch the meeting live on BCTV Cable Access Channels 21/26 (must have Frontier/Comcast Cable)
- Listen to the meeting live by phone: +1-510-338-9438 USA Toll / Access code: 126-901-6966
- Council meetings are also recorded and available the next day on the [City of Bothell YouTube Channel](#).

To provide written or verbal comments:

- [Sign-up HERE](#) to give your comment (submissions must be received by 3PM, day of meeting).

MEMBERS OF THE CITY COUNCIL

Mayor Liam Olsen

Deputy Mayor Jeanne Zornes

Councilmember Davina Duerr

Councilmember James McNeal

Councilmember Tom Agnew

Councilmember Rosemary McAuliffe

Councilmember Mason Thompson

REGULAR SESSION

Call to Order, Roll Call and Pledge of Allegiance

1. Meeting Agenda Approval

During this item, the City Council may identify agenda items to be continued, withdrawn, or added.

2. Presentations, Reports, & Briefings

A. Public Engagement Opportunities

- None at this time.

Pgs. 5-6
Pgs. 7-8

- B. Proclamations
 - Pride Month
 - Juneteenth
- C. Special Presentations
 - None at this time.
- D. Staff Briefings
 - None at this time.
- E. City Manager Reports
 - Update of City's COVID-19 Response
- F. Council Committee Reports

3. Visitor Comment

If you wish to comment (either in writing or verbally) please [submit a form HERE](#) prior to 3PM (day of meeting). Verbal comments will be allowed 3 minutes to speak via phone. All comments will be made part of the record.

4. Consent Agenda

All items under this section will be passed with a single motion and vote. These items are of a routine nature. Prior to approval, City Council may request items be withdrawn from the consent agenda for separate discussion. Approval of the consent agenda authorizes the City Manager to implement each item in accordance with the staff recommendation.

Pgs. 9-10

- A. AB # 20-075 - Approval of May 2020 Vouchers
Recommended Action: Approve vouchers for May 2020 totaling \$3,570,529.06

Pgs. 11-20

- B. AB # 20-076 - Approval of an Ordinance Extending Comcast's Cable Television Franchise Agreement until May 2025
Recommended Action: Adopt the proposed Ordinance Extending Comcast's Cable Television Franchise Agreement until May 2025.

Pgs. 21-34

- C. AB # 20-077 - Approval of an Interlocal Agreement for Fire Marshal Services with King County Fire Protection District No. 16 (Northshore Fire Department)
Recommended Action: Authorize the City Manager to execute the Interlocal Agreement for Fire Marshal Services between King County Fire Protection District No. 16 and the City of Bothell in substantially the same form as presented.

5. Public Hearings

Pgs. 35-60

- A. AB # 20-078 - Public Hearing to Consider Adoption of a Resolution Approving the 2021-2026 Six-Year Transportation Improvement Program (TIP)
Recommended Action: Adopt the proposed resolution approving the 2021-2026 Six-Year Transportation Improvement Program.

BREAK

6. Ordinances & Resolutions

- Pgs. 61-70 A. AB # 20-079 - Consideration of an Ordinance adopting the State Sales Tax Credit and Direct Revenues Received to the A Regional Coalition for Housing (ARCH) Trust Fund
Recommended Action: Approve the Ordinance adopting the sales tax credit and direct staff to use the revenue received to fund a the annual ARCH trust fund contribution to ARCH for amounts received in 2020 and subsequent periods, unless a different qualifying use is identified in subsequent adopted budgets.
- Pgs. 71-82 B. AB #20-080 – Consideration of Ordinance Prohibiting the Sale and Use of Fireworks in Bothell
Recommended Action: Approve or deny the attached ordinance prohibiting the sale and use of fireworks within City limits.

BREAK

7. Contracts and Agreements

- Pgs. 83-98 A. AB # 20-081 – Consideration of the Snohomish County Public Works Assistance Fund Loan Agreement for Sewer Lift Station 4 (Camden Crest) Replacement
Recommended Action: Authorize the City Manager to enter into a Snohomish County Public Works Assistance Fund Loan Agreement for Sewer Lift Station 4 replacement.

8. Other Items

- Pgs. 99-132 A. AB # 20-082 – Update on Progress towards Council’s 2019-2020 Biennium Goals
Recommended Action: No action is requested at this time.
- Pgs. 133-140 B. AB # 20-083 – First Quarter 2020 Financial Report and Fourth Quarter 2019 Financial Report
Recommended Action: Presentation only.

9. Study Session/Update/Discussion Items

- None at this time.

10. Council Conversations

During this item, Council members have the opportunity to informally discuss topics of city interest.

11. Executive Session/Closed Session

- None at this time.

Pursuant to the Washington Open Public Meetings Act, Title 42, Chapter 30, Revised Code of Washington, Sec. 42.30.110 (1), Executive Sessions or Closed Sessions may be held, under certain exceptions, at any time during the meeting that a need arises for the City Council to seek advice from the City Attorney as to the posted subject matter of this City Council meeting.

12. Adjourn

CERTIFICATE

I hereby certify that the above agenda was posted on June 11, 2020 by 6:00 P.M., on the official website and bulletin board at Bothell City Hall, 18415 101st Avenue NE, Bothell, WA, 98011, in accordance with RCW 42.30.077, at least 24 hours in advance of the published start time of the meeting.

Laura Hathaway, City Clerk

SPECIAL ACCOMODATIONS: The City of Bothell strives to provide accessible meetings for people with disabilities. If special accommodations are required, please contact the ADA Coordinator at (425) 806-6151 at least one day prior to the meeting.

Copies of agenda bills and attachments listed in this agenda may be obtained from the City Clerk's Office the Friday before the meeting.

Bothell City Council meetings are aired live on Bothell Community Television (BCTV) Channel 21/26 (Comcast/Frontier) (available to Comcast and Frontier Cable customers within Bothell City limits). Meetings are generally replayed according to the following schedule (subject to change): Wednesday following the meeting at 10 a.m.; Friday, Saturday and Sunday following the meeting at 10 a.m. and 7 p.m. City Council and Planning Commission meetings and the BCTV schedule are viewable online at www.bothellwa.gov



PROCLAMATION

Pride Month

Whereas, LGBTQIA people are our family, friends, neighbors, and co-workers and provide meaningful contributions to our community each and every day; and

Whereas, Pride events are held in June to commemorate the June 28, 1969 Stonewall riots that were sparked in response to ongoing harassment of New York's trans community, and resulted in the establishment of safe places to express sexual orientation and gender identity without fear; and

Whereas, equal protection of all people continues to be debated and discussed in legislative bodies and courts at the state and national level and progress continues to be made toward protecting the rights of all people regardless of sexual orientation or gender identity; and

Whereas, the Bothell City Council celebrates the LGBTQIA community and affirms the City's commitment to protect and serve everyone who resides in, works in, or visits Bothell without discrimination;

Now, therefore, I, Liam Olsen, Mayor of the City of Bothell, do hereby proclaim June 2020 as "PRIDE MONTH" in the City of Bothell.

Signed this 16th day of June, 2020.

Liam Olsen, Mayor

(This page intentionally left blank)



PROCLAMATION

Juneteenth

WHEREAS, we acknowledge on June 19, 1865, the last group of enslaved African Americans were informed of their liberation in Texas, two and half years after the implementation of the Emancipation Proclamation; and

WHEREAS, in order that we may never forget the evils of slavery and its aftermath, we acknowledge the injustices and suffering Blacks experienced under slavery; and

WHEREAS, Juneteenth celebrates the freedom, achievement, and contribution of Black Americans, past, present, and future; and

WHEREAS, to promote racial healing, reconciliation, and justice, it is important to recognize the significance of Juneteenth and continue engaging in dialogue on race relations; and

WHEREAS, during this Juneteenth event, we appreciate the African American experience and celebrate the inclusion of all races, ethnicities, and nationalities as we commit to working together toward equitable experiences and opportunities for all those in our community;

NOW, THEREFORE, I, Liam Olsen, Mayor of the City of Bothell, do hereby proclaim June 19, 2020 to be "*Juneteenth 2020*" in the City of Bothell, and I encourage all to join me in this celebration.

Signed this 16th day of June, 2020.

Liam Olsen, Mayor

(This page intentionally left blank)



City of Bothell™

TO: Mayor Olsen and Members of the Bothell City Council

FROM: Chris Bothwell, Finance Director
Maureen Schols, Deputy Finance Director (Presenter)

DATE: June 16, 2020

SUBJECT: Approval of May 2020 Vouchers

POLICY CONSIDERATION: This item asks the City Council to consider approval of vouchers for the period of May 1 – 31, 2020 totaling \$3,570,529.06 that were approved and paid for by the City Auditor.

- ✓ Check transactions #213090-213344
- ✓ Wire transactions #472, 473, 477, 704 & 46901

HISTORY:	DATE	ACTION
	JUNE 5, 2000	Ordinance 1810 appointed Finance Director/City Treasurer as City Auditor

In accordance with state statues, vouchers approved by the City Auditor are required to be ratified by the City Council and notated in the minutes.

DISCUSSION: None.

FISCAL IMPACTS: Expenditure funding included in the Adopted 2019-2020 Budget.

ATTACHMENTS: Att-1. May 2020 Voucher Listing.
(For Council distribution only. Voucher listings are available for review in the Finance Department.)

RECOMMENDED ACTION: Approve vouchers for May 2020 totaling \$3,570,529.06 .

(This page intentionally left blank)



City of Bothell™

TO: Mayor Olsen and Members of the Bothell City Council

FROM: Paul Byrne, City Attorney
Darcey Eilers, Deputy City Attorney
Elana Zana, Ogden Murphy Wallace (City’s telecommunications counsel)

DATE: June 16, 2020

SUBJECT: Approval of an Ordinance Extending Comcast’s Cable Television Franchise Agreement until May 2025

POLICY CONSIDERATION: This item asks the City Council to consider if the City should adopt an ordinance extending the existing cable franchise agreement with Comcast for an additional five years to May 2025.

If approved, it has the potential to impact community members and businesses by continuing to allow existing cable service and maintaining the existing number of cable service providers in the City. If approved, it will also positively impact the City by maintaining the existing no-cost institutional fiber optic cable network (I-Net) that exclusively serves several City buildings (City Hall, Police Department, and Fire Station 42). In addition, the City will continue to collect revenue from franchise activities and reimbursement for previously-incurred capital costs associated with public, educational, and government (PEG) channel programming.

HISTORY:	DATE	ACTION
	NOVEMBER 3, 1997	City Council granted a cable franchise to Vista Television d/b/a TCI of Washington (Ord. No. 1709)
	JANUARY 16, 2001	City Council approved a three-year franchise extension to Vista Television Cable (Ord. 1843)
	DECEMBER 17, 2001	City Council approved an additional two-year franchise extension to Vista Television Cable (Ord. 1866)
	JUNE 17, 2002	City Council approved the transfer of control of the cable franchise from TCI of Washington (a subsidiary of AT&T) to the newly-merged AT&T Comcast (Resolution No. 1138)

APRIL 21, 2009	City Council approved a franchise extension for Comcast of Washington II, Inc. (Ord. No. 2018)
APRIL 19, 2011	City Council adopted a cable franchise renewal by approving a new seven-year franchise agreement with Comcast of Washington II, Inc. (Ord. No. 2065); the agreement was effective May 20, 2011 (Agreement No. 11-140)
JUNE 2, 2020	Council accepted the first reading of the franchise agreement extension on the consent agenda.

Comcast provides cable services to Bothell customers, operating its cable system in City rights-of-way under a franchise agreement. Comcast's current franchise is the successor to an original 1997 franchise, granted to Vista Television d/b/a TCI of Washington. Like many telecommunication companies, Comcast has experienced corporate name changes and business mergers. The most recent franchise with Comcast expired in May 2018.

DISCUSSION: Since prior to the expiration of Comcast's franchise, the City's outside telecommunications counsel, Elana Zana with Ogden Murphy Wallace, and the City's legal staff have been negotiating with Comcast representatives for a new franchise agreement that will be more consistent with other franchise agreements. In the meantime, Comcast and the City have continued operating under the existing franchise. For reference, Comcast currently has approximately 6,000 cable subscribers.

City staff are recommending an extension at this point rather than a new franchise, based on the recent changes in the law promulgated by the Federal Communications Commission ("FCC"), specifically the impact the 2019 FCC Order will have on franchise fee revenues, the in-kind services provided by Comcast, and the City's I-Net.

One issue that has delayed a new agreement is that Comcast determined that it would no longer provide the no-cost institutional fiber optic cable network (I-net) that exclusively serves the City. Currently, several City buildings (City Hall, the Police Department, and Fire Station 42) are served by a I-net system that Comcast installed solely for City use. Loss of Comcast's no-cost I-net will result in future operating costs. City staff is developing a plan to provide necessary fiber optic cable to City buildings without relying on outside providers in order to reduce anticipated future operating expenses.

Comcast has agreed to continue the status quo of the existing franchise for an additional five years through May 2025. The status of this extension may change prior to that date depending on the enforceability of the 2019 FCC Order and potential new orders or rules expected in the coming year.

The proposed extension ordinance is attached as **Attachment 1**.

FISCAL IMPACTS: The revenue associated with this franchise agreement is unchanged and consistent with budgeted amounts. Comcast pays a 5% franchise fee to the City, which results in a franchise fee payment of approximately \$135,000 per quarter. Comcast also remits to the City approximately \$6,500 per quarter in PEG fees and approximately \$9,500 per quarter in utility taxes.

ATTACHMENTS: Att-1. Proposed Ordinance Extending the Comcast Cable Franchise

RECOMMENDED ACTION: Adopt the proposed Ordinance Extending Comcast's Cable Television Franchise Agreement until May 2025.

(This page intentionally left blank)

ORDINANCE NO. _____ (2020)

AN ORDINANCE OF THE CITY OF BOTHELL, WASHINGTON, GRANTING A CABLE TELEVISION FRANCHISE EXTENSION TO COMCAST CABLE COMMUNICATIONS MANAGEMENT, LLC, AND FIXING AN EFFECTIVE DATE.

WHEREAS, the City of Bothell (the "City") granted a cable franchise to Comcast Cable Communications Management, LLC ("Comcast"), dated May 20, 2011, by Ordinance No. 2065, which is also filed as Agreement No. 11-140 (the "Franchise"); and

WHEREAS, the Franchise expired on May 20, 2018; and

WHEREAS, Section 2.9 of the Franchise contemplates that the parties will discuss an extension of the Franchise; and

WHEREAS, Comcast and the City have been engaged in negotiations in accordance with the provisions of 47 U.S.C. § 546(h); and

WHEREAS, Comcast and the City find it mutually beneficial to extend the existing Franchise for five (5) years.

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

Section 1. FRANCHISE EXTENSION. The term of the Franchise is hereby extended up to and through May 20, 2025. This extension is expressly conditioned upon the City's receipt of Comcast's written acceptance as described in Section 4.

Section 2. COMPLIANCE WITH FRANCHISE TERMS. As a condition of the extension granted by this Ordinance, both parties shall agree to continue to abide by the terms of the Franchise. Subject to applicable law, all provisions in the Franchise shall remain in effect throughout the duration of the Franchise extension identified in this Ordinance, except that the provision for the duration of the Franchise is extended to May 20, 2025.

Section 3. INSURANCE. The insurance policies maintained by Comcast pursuant to the Franchise shall remain in effect during the extension period.

Section 4. ACCEPTANCE. The rights and privileges granted pursuant to this Ordinance shall not become effective until its terms and conditions are accepted by Comcast. Acceptance shall be accomplished by the submission of a written instrument executed and sworn to by a corporate officer of Comcast before a Notary Public and filed with the City within sixty (60) days after the effective date of this Ordinance, in a form substantially attached as Exhibit A hereto.

Section 5. RESERVATION OF RIGHTS AND NO WAIVER. Both the City and Comcast reserve and retain all of their rights under both the formal renewal process and informal renewal process under 47 U.S.C. § 546. By extending and accepting the Franchise, neither party waives any rights it may have under the law.

Section 6. SEVERABILITY. If any section, sentence, clause, or phrase of this ordinance should be held to be invalid by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this ordinance.

Section 7. EFFECTIVE DATE. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

Section 8. CORRECTIONS. 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 references thereto.

APPROVED:

LIAM OLSEN
MAYOR

ATTEST/AUTHENTICATED:

LAURA HATHAWAY
CITY CLERK

APPROVED AS TO FORM:

PAUL BYRNE
CITY ATTORNEY

FILED WITH THE CITY CLERK: _____
PASSED BY THE CITY COUNCIL: _____
PUBLISHED: _____
EFFECTIVE DATE: _____
ORDINANCE NO.: _____ (2020)

SUMMARY OF ORDINANCE NO. _____ (2020)

City of Bothell, Washington

On the _____ day of _____, 2020, the City Council of the City of Bothell passed Ordinance No. _____ (2020). A summary of the content of said Ordinance, consisting of the title, is provided as follows:

AN ORDINANCE OF THE CITY OF BOTHELL, WASHINGTON, GRANTING A CABLE TELEVISION FRANCHISE EXTENSION TO COMCAST CABLE COMMUNICATIONS MANAGEMENT, LLC AND FIXING AN EFFECTIVE DATE.

The full text of this Ordinance will be mailed upon request.

LAURA HATHAWAY
CITY CLERK

FILED WITH THE CITY CLERK: _____
PASSED BY THE CITY COUNCIL: _____
PUBLISHED: _____
EFFECTIVE DATE: _____
ORDINANCE NO.: _____ (2020)

**EXHIBIT A
ACCEPTANCE OF EXTENSION OF FRANCHISE**

This Acceptance of Extension of Franchise is made this _____ day of _____, _____, by and between Comcast Cable Communications Management, LLC (“Comcast”) and the City of Bothell, Washington (the “City”).

WHEREAS, the City conferred a franchise on Comcast (the “Franchise”) and recently adopted Ordinance No. ____ extending the term of the Franchise; and

WHEREAS, the City and Comcast wish to agree to and acknowledge the continued effect of the Franchise until May 10, 2025.

Now, therefore, Comcast and the City acknowledge and agree as follows:

1. Term. The Franchise is hereby acknowledged and agreed to be extended until May 10, 2025.
2. Ratification. All terms and conditions of the Franchise are hereby ratified, accepted and confirmed, except that the provision for the duration of the Franchise is hereby extended to May 10, 2025. Comcast confirms hereby that it will maintain during this extended term insurance policies as described in the Franchise.

CITY OF BOTHELL

By: _____
MAYOR

Dated: _____

COMCAST

By: _____
Its: _____
Dated: _____

STATE OF WASHINGTON)
) ss.
COUNTY OF _____)

On this ____ day of _____, 2020, before me personally appeared _____, to me known to be the _____ of the corporation that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation for the uses and purposes therein mentioned, and on oath stated that _____ was authorized to execute said instrument.

In witness whereof I have hereunto set my hand and affixed my official seal the day and year first above written.

NOTARY PUBLIC in and for the State
of Washington, residing at _____
My commission expires: _____



City of Bothell™

TO: Mayor Olsen and Members of the Bothell City Council

FROM: Bruce Kroon, Fire Chief

DATE: June 16, 2020

SUBJECT: Approval of an Interlocal Agreement for Fire Marshal Services with King County Fire Protection District No. 16 (Northshore Fire Department)

POLICY CONSIDERATION: This item asks the City Council to approve the City of Bothell entering into an interlocal agreement (ILA) with the King County Fire Protection District No. 16 known as Northshore Fire Department (NFD) to provide Fire Marshal services from June 8, 2020 through December 31, 2020. The City’s Deputy Fire Chief/Fire Marshal will oversee and manage fire prevention activities for both agencies for a limited time period.

HISTORY:	DATE	ACTION
	SEPTEMBER 15, 2003	City Council approved Bothell Fire Department to provide Fire Marshal services to NFD.

City Council had previously approved an ILA with King County Fire Protection District No. 16 for the same need.

DISCUSSION: One of our partners, Northshore Fire Department, is missing key leadership positions at this time. Staff believes it is in the best interest of public safety that our neighboring partners are able to respond, fully staffed, to any challenges that confront them without requesting emergency assistance from its local partners.

Under the proposed ILA, the City would provide Fire Marshal services for oversight and management of fire prevention activities to both agencies. NFD’s need for this service is based on their desire to explore their options before making a decision on whether NFD will fill the vacant Fire Marshal’s position.

The City’s Fire Chief believes capacity exists within the Fire Department to offer these services, with manageable impacts to the City’s current or future services. If the service demands ultimately have a negative impact on the Department, the City has the option of providing NFD with 30 days written notice to terminate the ILA. Conversely, if the services provided do not meet with NFD’s expectations,

NFD can provide the City with 30 days written notice to terminate the agreement.

FISCAL IMPACTS: NFD will pay Bothell \$6,817.23 per month (pro-rated for any partial months) for the duration of the ILA. The Fee is based on NFD paying 40 percent of the Bothell Deputy Fire Chief/Fire Marshal's total cost of compensation. Bothell will issue a monthly invoice for the fee on the last day of each month.

ATTACHMENTS: Att-1. Interlocal Agreement between King County Fire Protection District No. 16 and the City of Bothell for Fire Marshal Services

RECOMMENDED ACTION: Authorize the City Manager to execute the Interlocal Agreement for Fire Marshal Services between King County Fire Protection District No. 16 and the City of Bothell in substantially the same form as presented.

**INTERLOCAL AGREEMENT
BETWEEN
KING COUNTY FIRE PROTECTION DISTRICT NO. 16
AND
THE CITY OF BOTHELL
FOR
FIRE MARSHAL SERVICES**

THIS INTERLOCAL AGREEMENT FOR FIRE MARSHAL SERVICES (the “Agreement”) is made and entered into by and between **KING COUNTY FIRE PROTECTION DISTRICT NO. 16**, a Washington municipal corporation (“Northshore”), and **THE CITY OF BOTHELL**, a Washington municipal corporation (“Bothell”). Northshore and Bothell are referred to collectively as the “Parties” and individually as “Party”.

I. RECITALS

WHEREAS, Northshore is without a full-time Fire Marshal;

WHEREAS, Northshore requires support in its fire prevention division beginning June 8, 2020;

WHEREAS, the Parties desire for Bothell’s Fire Marshal to provide such services to Northshore on the terms and conditions herein; and

WHEREAS, the Parties are authorized, pursuant to Chapter 39.34 of the Revised Code of Washington, to enter into this Agreement to allow the Parties to cooperate with each other to provide high-quality services to the public in the most efficient manner possible.

NOW, THEREFORE, in consideration of the mutual promises, covenants, and terms hereinafter set forth and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

II. TERMS

1. **Purpose.** The purpose of this Agreement is to establish a contractual arrangement under which Bothell shall provide the services, as defined herein, to Northshore.
2. **Headings.** The headings in this Agreement are for convenience only and do not in any way limit or amplify the provisions of this Agreement.
3. **Term.** This Agreement shall become effective on June 8, 2020 (the “Effective Date”) and shall remain in effect until December 31, 2020 (the “Termination Date”), unless otherwise terminated as provided below. The Parties may renew this Agreement for additional 30-day terms upon written approval of each Party’s legislative body.

3.1 This Agreement may be terminated: (1) without cause prior to the Termination Date upon 30 days’ advance written notice by either Party to the other; or (2) for cause based on a material breach of this Agreement prior to the Termination Date upon 15 days’ advance written notice to the breaching party and opportunity to cure. Upon termination, Bothell shall be relieved from any further obligation to provide services hereunder, and Northshore shall be

liable only for payment attributable to the services rendered prior to the effective date of termination.

4. **Services.** Bothell shall, upon request, provide the services generally outlined in **Exhibit A** (the “Services”) to Northshore. It is recognized that Bothell’s Fire Marshal will ordinarily perform the Services from Bothell’s administrative offices; provided, however, that Bothell’s Fire Marshal shall make regular visits to the Northshore administrative offices, as appropriate, to carry out the intent of this Agreement. It is anticipated that Bothell’s Fire Marshal shall spend 40 percent of his time providing service to Northshore and 60 percent of his time providing service to Bothell.

5. **Compensation for Services.** Northshore shall pay Bothell \$6,817.23 per month (prorated for any partial months) (the “Fee”), which the Parties agree is full and true value for the Services.

5.1 The Fee is based on the Northshore paying 40 percent of the Bothell Fire Marshal’s total cost of compensation. Bothell shall provide not less than ten (10) calendar days’ notice of any increase in the Fire Marshal’s total cost of compensation, and the Fee shall be adjusted thereafter to account for the increase in such total cost of compensation.

5.2 Bothell shall issue a monthly invoice for the Fee on the last day of the month; payment shall be due from Northshore within 30 days of receipt.

5.3 Any adjustments to the Fee, other than that set out in 5.1 above, shall be mutually agreed upon in a written addendum to this Agreement.

6. **Indemnification.** To the extent permitted by law, each Party shall defend, indemnify and hold the other Party, its officers, officials, employees and volunteers harmless from any and all claims, damages, losses and expenses, including, but not limited to attorneys’ and expert’s fees, (collectively a “claim”) arising out of or resulting from the acts, errors or omissions of that Party, its officers and employees under this Agreement. A Party’s indemnification duty shall not apply to liability for damages arising out of claims caused by or resulting in whole from the negligence of the other Party or its agents or employees. A Party’s indemnification duty for liability for damages arising out of claims caused by or resulting from the concurrent negligence of (a) the other Party, and its agents or employees, and (b) that Party, and its agents or employees, shall apply only to the extent of negligence of that Party, and its agents or employees.

EACH PARTY SPECIFICALLY AND EXPRESSLY WAIVES ANY IMMUNITY THAT MAY BE GRANTED IT UNDER THE WASHINGTON STATE INDUSTRIAL INSURANCE ACT, TITLE 51 RCW. FURTHER, THE INDEMNIFICATION OBLIGATION UNDER THIS AGREEMENT SHALL NOT BE LIMITED IN ANY WAY BY ANY LIMITATION ON THE AMOUNT OR TYPE OF DAMAGES, COMPENSATION OR BENEFITS PAYABLE TO OR FOR ANY THIRD PARTY UNDER WORKERS’ COMPENSATION ACTS, DISABILITY BENEFITS ACTS, OR OTHER EMPLOYEE BENEFITS ACTS PROVIDED THE INDEMNIFYING PARTY’S WAIVER OF IMMUNITY BY THE PROVISIONS OF THIS PARAGRAPH EXTENDS ONLY TO CLAIMS BETWEEN THE PARTIES, AND DOES NOT INCLUDE, OR EXTEND TO, ANY CLAIMS BY A PARTY’S EMPLOYEES DIRECTLY AGAINST THAT PARTY.

7. **Insurance.** The Parties shall procure and maintain without interruption during the term of this Agreement, in a company or companies lawfully authorized to do business in the State of Washington, an occurrence-based comprehensive general liability policy covering all claims for personal injury (including death) and/or property damage arising out of or related to this Agreement. The limits of liability shall be not less than One Million Dollars (\$1,000,000) for both bodily injury and property damage liability per occurrence and Two Million Dollars (\$2,000,000) general aggregate stop loss.

7.1 The insurance policies required to be maintained under this Agreement shall (a) name the other Party as additional named insureds on use of the Property; (b) be written as a primary policy and non-contributory insurance with respect to the other Party; (c) not contain a "cross liability" or similar exclusion that would bar coverage for claims between or among insureds; (d) contain a severability of interest provision in favor of the other Party; and (e) contain an express waiver of any right of subrogation by the insurance company against the other Party.

7.2 Northshore shall purchase and maintain employment practices liability insurance in the amount of \$1,000,000 per claim. Bothell shall be named as an additional insured on Northshore's employment practices insurance provided that such insurance shall apply to Bothell only while its employees are engaged in rendering services to Northshore under this Agreement. Evidence of employment practices liability insurance shall be furnished and approved by Bothell prior to commencement of service performance by Bothell for Northshore.

8. **Compliance with Laws.** The Parties, in performance of this Agreement, shall comply with all applicable local, State and/or Federal laws and ordinances, including standards for licensing, certification and operation of facilities, programs and accreditation, and licensing of individuals and any other standards or criteria as described in this Agreement to assure quality of services.

9. **Non-Discrimination in Employment and Services.** The Parties are equal opportunity employers, and shall not discriminate against any employee or applicant on the grounds of race, color, religion, sex, sexual orientation, national origin, creed, marital status, age, veteran status, or the presence of any disability; provided that the prohibition against discrimination in employment because of disability shall not apply if the particular disability prevents the particular worker involved from performing the occupational requirements of the job. The Parties shall not, on the grounds of race, color, sex, sexual orientation, religion, national origin, creed, marital status, age, veteran status or the presence of any disability deny any individual any services or other benefits provided under this Agreement.

10. **Not Employees of Other Party.** Nothing in this Agreement shall be interpreted as Northshore becoming the employer of Bothell's Fire Marshal or other personnel. Neither Party shall assume any liability for the direct payment of any salary, wages or other compensation of any type to any of the other Party's personnel performing services hereunder. No agent, employee or other representative of the Parties shall be deemed to be an employee of the other Party for any reason.

11. **Assignment.** The Parties shall not assign this Agreement or any interest, obligation or duty therein without the express written consent of the other Party.

12. **Dispute Resolution, Jurisdiction, and Venue.** In the event litigation ensues, each Party shall bear its own costs and expenses. The venue for any dispute related to this

19. **Counterparts.** This Agreement may be executed in any number of counterparts, and each such counterpart hereof shall be deemed to be an original instrument, but all such counterparts together shall constitute but one agreement.

20. **Entire Agreement.** This Agreement constitutes the entire agreement between the Parties hereto with respect to the administrative services contained in this Agreement, and this Agreement supersedes all their previous understandings and agreements, written and oral, with respect thereto. This Agreement may be amended only by written instrument executed by the Parties subsequent to the date hereof.

21. **Severability.** If any section, subsection, sentence, clause or phrase of this Agreement is for any reason found to be unconstitutional or otherwise invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions so long as the ultimate purposes of this Agreement are not frustrated by such ruling.

IN WITNESS WHEREOF, this Agreement has been executed by each Party on the date set forth below:

CITY OF BOTHELL

**KING COUNTY FIRE PROTECTION
DISTRICT NO. 16**

By: _____
Jennifer Phillips, City Manager

By: _____
David Maehren, Chair
Board of Fire Commissioners

Date: _____

Date: _____

APPROVED AS TO FORM:

Paul Byrne, City Attorney

Date: _____

EXHIBIT A

SCOPE OF WORK

Bothell and Northshore will continue to maintain separate policies and the two agencies' adopted level of service.

Bothell's Fire Marshal shall oversee and manage fire prevention activities at Northshore, including fire investigations, plan review processes, community education, fire code inspection and enforcement, permit issuance, training of District employees in the relevant areas of fire prevention, and the overall administration of the Fire Prevention Division's programs and services.

Bothell's Fire Marshal shall serve as Northshore's liaison to the cities of Kenmore and Lake Forest Park, working closely with them to meet their community development and code enforcement mandates; coordinate and collaborate with fire districts, fire departments and fire agencies regarding fire code development, adoption of standards and fire code enforcement; and advocate for fire service issues.

Bothell's Fire Marshall shall report to the Fire Chief and keep the Fire Chief informed of all functions and important matters concerning fire prevention activities. The position also supervises personnel assigned to Fire Prevention. The majority of work is performed in an office environment with trips to locations in the surrounding community for the purpose of performing inspections, investigating fires and emergency scenes, and speaking before community groups.

See Northshore's Fire Marshal job description, attached.

NORTHSHORE FIRE DEPARTMENT
JOB DESCRIPTION

Title:	Fire Marshal	Number:	2430-A8
Division:	Fire Prevention	Effective Date:	July 9, 2013
FLSA Class:	Exempt	Approved By:	Chief Torpin

JOB DESCRIPTION SUMMARY

The Fire Marshal directly oversees and manages fire prevention activities conducted by the District, including fire investigations, plan review process, community education, fire code inspection / enforcement, permit issuance, training of District employees in the relevant areas of fire prevention, and is responsible for the overall administration of the Fire Prevention Division’s programs and services; serves as District liaison to the cities of Kenmore and Lake Forest Park, working closely with them to meet their community development and code enforcement mandates; Coordinates and collaborates with fire districts, fire departments and fire agencies regarding fire code development, adoption of standards and fire code enforcement; advocates for fire service issues.

The Fire Marshal reports to the Fire Chief and keeps the Fire Chief informed of all functions and important matters concerning fire prevention activities. The position also supervises personnel assigned to Fire Prevention. The majority of work is performed in an office environment with trips to locations in the surrounding community for the purpose of performing inspections, investigating fires and emergency scenes, and speaking before community groups.

ESSENTIAL FUNCTIONS

Essential functions will vary according to the work environment and may include, but are not limited to, the following:

Develop, implement, and oversee a comprehensive Fire Prevention Division and associated community risk reduction programs. Evaluate Fire Prevention Division activities and goals on a regular basis and make adjustments as appropriate. Coordinate the fire prevention activities with other programs of the District and engine companies.

Directly supervise and evaluate assigned employees by applying District policies and procedures. Provide assistance and direct assigned employees on daily tasks and assignments. Maintain discipline through administration of District policies and procedures, including issuing discipline to the level authorized in policy, and make effective recommendations to the Fire Chief on other related personnel actions.

Oversee and review annual inspection program. Interpret codes and mitigate solutions for Fire Prevention and Suppression personnel and building/business owners.

Develop, implement and conduct procedural methods and practices for reviewing plans, conducting inspections and investigating fire loss incidents.

Conduct field inspections of construction projects and inspect buildings and facilities as necessary. Evaluate and enforce existing fire safety conditions and Federal, State and local codes applicable to fire safety.

Assist in the development and implementation of District policies, goals, objectives and priorities and recommend policy, procedure and ordinance revisions as necessary.

Prepare and administer Fire Prevention budget, based on goals and objectives of Fire Prevention Division and the District.

Make presentations before the Board of Fire Commissioners, city councils, commissions, boards and committees on fire prevention matters, as necessary.

Meet with and assist architects, engineers, contractors and others involved in development and construction activities where fire codes, ordinances or standards may affect such activities..

Provide fire prevention content training to District personnel.

Conduct and oversee emergency scene and fire investigations, determine cause and origin, and coordinate activities with law enforcement.

Maintain complete and permanent records of all Fire Prevention Division activities including: public education contacts, inspections made, conditions corrected, citizen complaints, special hazards, the cause of fires occurring within the District, the owner and occupant of the property involved, and loss of such property and other information considered necessary.

Submit monthly and annual reports to the Fire Chief summarizing fire prevention activities.

Attend regional and state meetings of related agencies, and other relevant meetings/ conferences to maintain current knowledge of regional affairs, with impact to Fire Prevention activities. Stay current with code interpretations, fire investigation and public education programs/techniques.

KNOWLEDGE, SKILLS, ABILITIES

Knowledge of:

- Principles, methods and practices of modern fire prevention management, fire suppression activities and investigation techniques;
- Pertinent Federal, State, and local laws, codes and regulations;
- Hazardous materials, associated properties of those materials, and the ability to apply applicable codes regulating those materials;
- Principles and practices of personnel management including training, performance evaluation, and conflict management;
- Fire investigation procedures;
- Budget preparation and administration;
- Current computer applications utilized by the District and utilize applications to perform and complete tasks and/or requirements of the job and ability to learn and apply new technologies and skills;
- Business letter writing, basic report preparation, and principles and procedures of record keeping;
- Modern office procedures, methods and equipment.

Skill in:

- Effectively handle difficult or sensitive issues, using professionalism and an understanding of organizational culture;
- Using interpersonal skills in a tactful, patient and courteous manner;
- Strong problem solving skills including anticipating, analyzing, diagnosing and resolving problems;
- Using initiative and independent judgment within established guidelines;
- Delivering effective instructor-led training, both formal and informal, to various audiences and ability to effectively present information to moderate size groups.

Ability to:

- Evaluate programs, policies and procedures, analyze Fire Prevention Division activities and take effective action to improve Fire Prevention division operations or resolve problems;
- Understand, interpret and apply documents such as operating instructions, applicable policies, procedures, codes, adopted ordinances and safety rules;
- Perform under considerable stress while confronted with emergency situations related to the job of a Fire Marshal;
- Plan, assign, supervise, and review the work of assigned employee(s);
- Maintain confidentiality;
- Maintain and establish effective and cooperative working relationships with District employees, public and public officials and to work effectively in a team environment;
- Adapt to changes in the work environment and to shifts in organizational philosophy and expectations;
- Conduct oneself in a professional manner as defined by District policy;
- Learn and possess working knowledge of geography and street locations of District response areas;
- Communicate in English clearly, concisely, and effectively, both orally and in writing;
- Add, subtract, multiply and divide in all units of measure, using whole numbers, common fractions, and decimals.

SUPERVISORY RESPONSIBILITIES

This position supervises assigned employees; provides technical support to operations personnel regarding code compliance matters; directs operations personnel during an incident's investigation phase.

EDUCATION/EXPERIENCE

2 years of college level course work in Fire Science, Public Administration or related field AND 10 years of progressive experience in fire service with at least 5 years of experience in fire prevention involving fire investigation, code enforcement, public education, instructional techniques and methodology OR equivalent education/experience. Supervisory experience is preferred.

CERTIFICATES AND LICENSES

- A valid Washington State Driver's License is required.
- International Code Council or IFSAC Fire Inspector I & II certifications are required.
- International Code Council Fire Plans Examiner certification or equivalent education/experience is required.
- IFSAC or IAAI Fire Investigator certification is required.
- NIMS certifications (as determined by the Fire Chief) are required within 90 days of hire.
- IFSAC Fire Instructor I certification is preferred.

PHYSICAL DEMANDS

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, an employee is regularly required to talk and hear; use hands or fingers to handle and feel; and frequent use of the telephone and computer while communicating with internal and external customers; requires manual dexterity and visual acuity to operate personal computer or other standard office equipment, job site inspections and investigations. Employee may sit for several hours each day but will also need mobility and ability to stand and walk continuously for long periods of time. Employee may seldom lift, push, or pull up to 50-100 pounds in the course of an investigation. Work may occasionally require the employee to climb, balance, bend, stoop, kneel, crouch, and/or crawl. This position may require the employee to work under stressful conditions due to deadlines and time constraints.

This position will require the employee to perform strenuous work seldom, for extended periods of time, while performing some or all of the following:

- Wear a respirator (SCBA);
- Wear and/or carry over 50lbs of protective clothing/equipment;
- Work in an overheated, extreme cold or wet environments;
- Work under adverse or stressful conditions.

WORK ENVIRONMENT

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job.

The work area will encompass a wide variety of settings including: administrative duties in an office setting; occasionally works outside, in poor weather conditions, in hazardous traffic areas, in and around structures that may be hazardous and/or unstable, and under unfavorable or unsanitary conditions, which may include biohazards, air and blood-borne pathogens. The noise level in the work environment is usually moderate but may reach extremes where hearing protection is required.

SPECIAL REQUIREMENTS

- Requires ability to pass a pre-employment drug screening examination and any subsequent testing.
- Requires ability to pass a comprehensive background check.
- Employee must be insurable under the District's existing vehicle and umbrella liability insurance carrier.

(This page intentionally left blank)



City of Bothell™

TO: Mayor Olsen and Members of the Bothell City Council

FROM: Erin Leonhart, Public Works Director
Sherman Goong, Transportation Planner (Presenter)

DATE: June 16, 2020

SUBJECT: Public Hearing to Consider Adoption of Resolution Approving 2021 – 2026 Six-Year Transportation Improvement Program (TIP)

**POLICY
CONSIDERATION:**

Council is being asked to review and adopt the projects and programs identified in the proposed Transportation Improvement Program (TIP) which will enable staff to seek grant and other funding sources for these projects and programs. Staff uses the follow criteria to identify projects and programs for the TIP:

- I. Continue to work on projects that have been started and those that have obtained grant funds for initial phases.
- II. Provide “seed” or “match” funding for projects that the City thinks it may want to apply for grants in the near term. The City’s dollars will go further if they are leveraged to obtain as many grants as possible.
- III. In addition to strict order of importance based on a prioritization process, the selection of projects should also consider such things as 1) whether projects are competitive for grants, 2) whether projects are design-ready, 3) timing of the project relative to other overlapping infrastructure needs, and 4) previous commitments/expectations.

Since projects must be identified in a TIP to qualify for funding grants, not approving this item would significantly hinder the City’s ability to implement major projects within Bothell due to lack of funding.

HISTORY:

DATE	ACTION
MAY 7, 2019	Council adopted a Resolution Approving the 2020-2025 Six-Year Transportation Improvement Program

DISCUSSION: What is the TIP?

The Revised Code of Washington, Title 35.77.010, requires a city to update its Six-Year Transportation Improvement Program (TIP) every year before July 1st. The TIP is a planning document, not a funding document. It lists the transportation projects that the City anticipates pursuing to make improvements in the six-year period. The TIP is developed in close coordination with the Capital Facilities Plan (CFP). It also lists on-going annual transportation programs such as Pavement Preservation and the Sidewalk/Walkway Programs. Grant funding entities require a project to be on the City's TIP to be eligible for funding. The TIP can be updated at any time with Council approval after a public hearing but must be done at least once a year. The City does not prioritize projects in the TIP.

How does this compare with the Capital Facilities Plan?

Since 2006, the City has developed and adopted a seven-year Capital Facilities Plan (CFP) in even years to align with the biennial budget. This plan includes all capital projects (transportation, utilities, facilities, parks) that have some funding available. It is a financially constrained plan that shows the anticipated capital facility projects for the next seven years. The transportation projects in the TIP are essentially the same as those listed in the CFP with the exception that transportation programs such as Pavement Preservation are not listed in the CFP and the Downtown Contaminated Soil & Groundwater Clean Up is listed in the transportation section of the CFP but it is not in the TIP. The 2019-2025 CFP also has a "Needs & Requests" section that lists projects that are currently unfunded. This list mirrors the attached Transportation Needs List that tracks necessary transportation projects that are not anticipated to be addressed in the next six years.

Funding

The Biennial Budget is the actual funding appropriation mechanism for the projects listed within the CFP. The CFP and Budget are well coordinated and adoption occurs in the same two-year cycle. The adopted Capital Budget includes the first two years of the adopted CFP.

TIP and CFP Coordination

Staff typically uses the same public input and prioritization process to create both the TIP and the transportation project list within the CFP. Unfortunately, the timing of the TIP and CFP adoption is a bit problematic. The TIP must be adopted by July 1st each year to meet the legal requirement. The CFP is typically adopted by the Council in the fall to give staff and Council time to work through the public and committee process. The CFP is also only adopted once every two years.

Given suspension of the CFP process due to COVID impacts, the TIP is consistent with this year's abbreviated process and focuses on projects already underway and grant opportunities.

If the Council-adopted CFP is different from this TIP, staff will return to the Council in early 2021 with an updated TIP that has been modified as necessary to align it with the CFP.

How Does This Year's TIP Differ from Last Year's TIP

Projects deleted because they are completed or anticipated to be completed by end of 2020

1. North Creek Trail 3
2. Park at Bothell Landing Pedestrian Bridge
3. Sammamish River Bridge Seismic Retrofit and Repair
4. Canyon Park Subarea Plan Update
5. NE 188th St Non-Motorized Improvements
6. 19th Ave SE / 232nd St SE / 23rd Ave SE Non-Motorized Improvements
7. 7th Ave SE / 88th Ave NE Non-Motorized Improvements

Projects deleted for other reasons and placed on Transportation Needs List

1. East Riverside Trail - King County has not placed a high priority on this project
2. Emergency Spot and Safety Improvements Program - Funding shortage
3. Concurrency Monitoring and Modeling Program - Funding shortage

New Projects/Programs added

1. Bothell Way NE Rockery Repair – Should be completed in 2020 but there are monitoring/maintenance requirements for stream for a five-year period (permitting requirements)
2. Conversion of Multiway Boulevard Street Lights to PSE – Potential need to alter power cabinets for PSE to assume maintenance.
3. 35th Ave SE/240th St SE Intersection Improvements - Grant opportunity
4. 228th Overlay (2nd Ave to 9th Ave) - Grant opportunity
5. 228th Overlay (2nd Ave to 5th Ave) Overlay - Grant opportunity
6. NE 195th St Overlay - Grant opportunity
7. Bothell Everett Highway Overlay - Grant opportunity

Projects to be modified

1. SR 522, Stage 2B - Sound Transit is likely to lead this project with a reduced scope

2. NE 185th St Transit Oriented Street - Sound Transit has been leading this project to date and it will likely have a reduced scope
3. Bothell Downtown Center Access Improvements – Only 102nd Ave NE received funds, no funds for other three streets.

In general, staff recommendations on which projects to include are as follows:

- IV. Continue to work on projects that have been started and those that have obtained grant funds for initial phases.
- V. Provide “seed” or “match” funding for projects that the City thinks it may want to apply for grants in the near term. The City’s dollars will go further if they are leveraged to obtain as many grants as possible.
- VI. In addition to strict order of importance based on a prioritization process, the selection of projects should also consider such things as 1) whether projects are competitive for grants, 2) whether projects are design-ready, 3) timing of the project relative to other overlapping infrastructure needs, and 4) previous commitments/expectations.

FISCAL IMPACTS: This is a planning document not a funding document. The actual funding of projects will occur as part of the Capital Facilities Plan and 2021-2022 Budget processes; however, the City is required to adopt a Transportation Improvement Program for transportation grant eligibility.

ATTACHMENTS: Att-1. 2021 – 2026 Six Year Transportation Improvement Program
Att-2. Transportation Needs List

RECOMMENDED ACTION: Adopt the proposed resolution approving the 2021-2026 Six-Year Transportation Improvement Program.

RESOLUTION NO. (_____ 2020)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOTHELL, WASHINGTON, ADOPTING THE 2021 - 2026 SIX-YEAR TRANSPORTATION IMPROVEMENT PROGRAM (TIP) AND DIRECTING THE SAME TO BE FILED WITH THE STATE SECRETARY OF TRANSPORTATION

WHEREAS, pursuant to the requirements of Section 35.77.010 of the Revised Code of Washington (RCW), the City Council of the City of Bothell has previously adopted, after one or more public hearings, a comprehensive Transportation Improvement Program for the ensuing six calendar years by resolution; and

WHEREAS, RCW Section 35.77.010 requires that each one-year extension and revision of the comprehensive transportation program be filed with the State Secretary of Transportation not more than thirty days after its adoption; and

WHEREAS, the City Council has reviewed the work accomplished under the previous program, reviewed the City Comprehensive Plan, determined current and future City transportation needs, and based upon these findings has prepared a Six-Year Transportation Improvement Program for the calendar years 2021 through 2026; and

WHEREAS, in June, 2020, the City Council held a public hearing to receive public input on the aforementioned 2021 - 2026 Six-Year Transportation Improvement Program.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BOTHELL, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. Program Adopted. The 2021 - 2026 Six-Year Transportation Improvement Program for the City of Bothell is hereby adopted and is attached hereto as Exhibit A and incorporated herein by this reference as if fully set forth.

Section 2. Filing of Program. Pursuant to RCW Section 35.77.010, the Public Works Department is hereby authorized and directed to file a copy of this resolution, together with Exhibit A attached hereto, with the State Secretary of Transportation.

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

PASSED this ____ day of _____, 2020.

APPROVED:

LIAM OLSEN
MAYOR

ATTEST/AUTHENTICATED:

LAURA K. HATHWAY
CITY CLERK

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
RESOLUTION NO.: (_____ 2020)

City of Bothell

2021-2026 Six Year Transportation Improvement Program (TIP)



City Council Presentation on June 16, 2020

Six-Year Transportation Improvement Plan (TIP) Summary

Contents

1. Introduction
2. Summary of Document
3. TIP Project List
4. TIP Map
5. Project Descriptions

Introduction

The TIP is a planning document that is required to be annually updated per Section 35.77.010 of the Revised Code of Washington (RCW). The TIP must be adopted by the Council after one or more public hearings. The TIP must be filed with the State Secretary of Transportation not more than thirty days after its adoption but no later than July 1st.

To be eligible for any federal grant funding, some state grant funding, and allocation of gas tax monies, projects must be listed in the TIP.

Summary of Document

The TIP is adopted in Bothell by Resolution. The project list is developed via the Capital Facilities Plan (CFP) process which occurs biennially along with the City's budget process in even numbered years. The CFP process is typically a nine-month process that starts in spring and ends with CFP adoption by Council in late fall. The TIP, reflecting the CFP, is brought forward to the Council early the following year to meet the July 1st deadline. The TIP will be updated in the CFP off-year as necessary to reflect changes to the program due to such things as unanticipated additional revenues and opportunities; emergency projects; and/or delay in existing projects.

The TIP Project List

The TIP lists individual projects as well as programs. Each project is labeled to identify what category it falls under. The category descriptions are as follows:

Capacity projects increase the volume that roads and/or intersections can carry. Many of these projects are generated through the City's comprehensive plan process. This process determines what improvements are required to meet level of service requirements as growth occurs. Congestion projects are strongly related since many of the areas of concern are the same areas where capacity is an issue.

Condition projects are those that are needed because the infrastructure has reached the end of its useful life or has been damaged.

Economic projects are those that are important in stimulating the local economy. Examples of these are Downtown Revitalization projects.

Safety projects address areas that have high accident rates or, due to professional judgement, are anticipated to be a safety issue.

Trail projects provide pedestrian and bicycle shared-use paths separate from vehicular traffic.

Sidewalk projects provide pedestrian paths.

Bicycle projects provide bicycle facilities.

Planning projects help define transportation facility needs by doing alternative analyses, public outreach, and costing.

Programs address issues/infrastructure citywide that are recurring and need to be continually funded.

Each line item provides the following project information:

1. Project/Program name
2. Project category
3. Total estimated cost of the project
4. Estimated expenditure by year
5. Estimated 6-year expenditure total
6. Estimated revenue sources
7. Estimated 6-year revenue total

In some cases, programs will generate separately listed projects. As an example, the sidewalk program is the source of local match funds that are often augmented by grants. When a particular sidewalk project is identified, it will be listed as a separate project. This is to track expenditures but also to provide clarity on which projects are anticipated to occur in the 6-year period. This results in the sidewalk program and the individual sidewalk projects being double counted on both the expenditure and revenue side. As such, the total expenditures and revenue totals at the bottom of the project list should be used only to determine relative magnitude rather than exact totals.

13B: 9th Ave SE Pedestrian Improvements (Crystal Springs Elementary to SR 524)

1: North Creek Trail - Section 4

12A: 228th Street SE Pavement Preservation

7: 228th St SE from 35th Ave SE to 39th Ave SE Widening Project

12E: 228th St SE Pavement Preservation (2nd Ave to 5th Ave)

12C: 228th St SE Pavement Preservation (2nd Ave to 9th Ave)

26: 240th St SE / 35th Ave SE Intersection Improvements

4: 240th St SE/Meridian Ave S Roundabout Intersection

12F: Bothell Everett Highway Overlay

11: Bothell-Everett Highway Interim Rechannelization

25: Conversion of Multi Way Boulevard/Crossroad Lights

21: 243rd St SE/ NE 203rd St Connector

27: Bothell Way NE Rockery Repair

6: Beardslee Boulevard Widening (Campus to I-405)

10: Bothell Way NE Widening (Reder Way to 240 St SE)

13A: 130th PI NE and 132nd Ave NE Sidewalk Improvements

22: Bothell Downtown Center Access Improvements to SR 522 BRT and Transit

8: NE 185th Street Transit Oriented Street

2: Bothell Crossroads

3: SR 522, Stage 3 Improvements

9: SR 522 Stage 2B Improvements

24: 102nd Ave Bridge Replacement

- Not Shown on Map:**
- 5 - Adaptive Signal Control System, Phase 2
 - 12 - Annual Pavement Preservation Program
 - 12B- Juanita Woodinville Way/NE 160th St Pavement Preservation
 - 13 - Sidewalk/Walkway Program
 - 14 - Safety Upgrade and Replacement Program
 - 15 - Bridge Inspection, Maintenance, Repair & Rehabilitation Program
 - 16 - Neighborhood Traffic Calming Program
 - 17 - Bicycle Program
 - 18 - Collector Corridor Traffic Safety Program
 - 19 - Comprehensive Plan - Transportation Element
 - 20 - Citywide Child Pedestrian School and Park Zone Safety Program
 - 23 - Crosswalk Program
 - 23A - Rectangular Rapid Flashing Beacons at School Crossings

**2021 - 2026
Six Year Transportation
Improvement Program**



Map Printed: April 2020

The City of Bothell delivers this data (map) in an AS-IS condition. GIS data (maps) are produced by the City of Bothell for internal purposes. No representation or guarantee is made concerning the accuracy, currency, or completeness of the information provided.

Map prepared by: CIP Division

Path: Q:\P\W\Transportation\GIS_Rob_H\ArcMap\TIP_2021-2026.mxd

Six-Year Transportation Improvement Program (TIP)

Project Descriptions

TIP #1: North Creek Trail – Section 4

Project Type: Trail/Sidewalk

Description: North Creek Trail is a seven-mile regional, multi-use trail connecting the Burke-Gilman/Sammamish River Trail in King County and the Interurban Trail at McCollum Park in Snohomish County. This project will complete the missing link between the proposed Snohomish County portion of the trail and the existing Bothell portion of the trail. This trail will consist of a separated 12' wide multi-purpose paved path and will connect to the planned Snohomish County North Creek Trail north of the SR 524 and the North Creek Trail Section 3 in Bothell. This project may consist of an elevated boardwalk structure over the wetland areas. This project will be constructed in 3 phases – Phase 1 (Filbert Road to east side of Centennial Park entrance), Phase 2 (Centennial Park entrance to east side of North Creek bridge), and Phase 3 (east side of North Creek bridge to NCT3).

TIP #2: Bothell Crossroads

Project Type: Capacity/Economic

Description: The project realigned SR 522 to the south of the existing SR 522 to create new "T" intersections at Bothell Way and 98th Avenue NE. Bothell Way and 98th Ave NE were extended from Main Street to the new SR 522. The roadway consists of two lanes in each direction with turn lanes, sidewalks, and landscaping. This project will remain in the TIP until required mitigation area maintenance is completed in 2022.

TIP #3: SR 522, Stage 3 Improvements

Project Type: Capacity

Description: The project is a continuation of the SR 522 Stage 1 and 2 improvements. It will provide road improvements and business access and transit (BAT) lanes from the end of the Stage 1 and 2 improvements at 96th Ave NE to 83rd Place NE (the western city limits). Key elements include: Widening of general purpose lanes; adding BAT lanes in each direction (including the missing eastbound direction of the BAT lane from 91st Avenue NE to approximately 800 feet west of the 96th Avenue NE intersection); access management; center medians; interconnection of signals; sidewalk (north side only with the existing Sammamish River/Burke Gilman Trail on the south side); curb and gutters; retaining walls; street illumination; drainage improvements; landscaping; and utility undergrounding. The total project length is approximately 4,000 linear feet.

TIP #4: Meridian Avenue S and 240th Street SE Roundabout

Project Type: Safety/Capacity

Description: This project will construct a roundabout at the intersection of 240 Street SE and Meridian Ave S. In addition, sidewalks, crosswalks, Americans with Disabilities Act (ADA) ramps, drainage, and illumination will be installed.

TIP #5: Adaptive Signal Control System, Phase 2

Project Type: Capacity

Description: This project is the second phase of the project that will install adaptive signal control systems in City traffic signals to improve traffic circulation and reduce delay. This project will install the systems in thirteen (13) Bothell intersections along Bothell Way (NE 191st St to SR 522) and SR 522 (96th Ave NE to Campus Way S). A regional federal grant was awarded for this project which is under Snohomish County's lead. Adaptive signal control technology adjusts the timing of red, yellow, and green lights to accommodate changing traffic patterns and ease traffic congestion. The main benefits of adaptive signal control technology over conventional signal systems are that it can: 1) Continually distribute green light time equitably for all traffic movements, 2) Improve traffic time reliability by progressively moving vehicles through green lights, 3) Reduce congestion by creating smoother flow, and 4) prolong the effectiveness of traffic signal timing.

TIP #6: Beardslee Boulevard Widening (Campus to I-405)

Project Type: Capacity

Description: This project provides an additional eastbound lane along Beardslee Boulevard from 110th Avenue NE (the entrance to the UWB/CCC Campus) to I-405. The project will include roadway widening, concrete curb and gutter, bike lane, signal modifications, trail relocation, street illumination, retaining walls, and wetland mitigation.

TIP #7: 228th Street SE from 35th Avenue SE to 39th Avenue SE Widening Project

Project Type: Capacity

Description: This project will improve 228th St SE between 35th St SE and 39th Ave SE for approximately 1500 feet in length with an additional 300 feet of 228th St SE west of 35th St SE. Work will include improving intersections at 35th Ave and 39th Ave and widening 228th St SE as necessary to accommodate the heavy turning movements associated with the intersections. The project will include roadway widening, signal modifications, storm water improvements, concrete curbs, gutters, sidewalks, bike/pedestrian facilities, street lighting, landscaping and wetland mitigation.

TIP #8: NE 185th Street Transit-Oriented Street (Beardslee Blvd to Bothell Way)

Project Type: Capacity

Description: This project will provide transit improvements on 98th Ave NE, between SR 522 and Bothell Way NE, and on NE 185th Street, between Bothell Way NE and Beardslee Boulevard. Work on 98th Ave NE will primarily include intersection modifications/improvements at NE 183rd St as well as some channelization modifications north of the intersection. It will also include intersection modifications on NE 185th St at Bothell Way NE, 101st Ave NE and 102nd Ave NE with traffic signals installed at the 104th Avenue NE and Beardslee Boulevard. Transit stations are anticipated near the King County Library, at 104th Ave NE, and near Husky Village on Beardslee Boulevard. The work will be coordinated with necessary water, sewer, and storm water utility improvements along NE 185th St. If funding is available, pavement rehabilitation may occur. The project is currently a Sound Transit project that would be funded (except for utility work) by Sound Transit 3 funds. The project scope, budget, and timeline is dependent on Sound Transit's allocation of funding.

TIP #9: SR 522, Stage 2B Improvements

Project Type: Capacity

Description: This project will provide transit improvements on SR 522 between 96th Ave NE (Wayne Curve) and 98th Ave NE. Improvements could be in the form of a westbound or eastbound business, access, and transit (BAT) lane. If so, it will also install curb, gutter, drainage, landscape strip, sidewalk, and lighting on the side of the installation. The project could also install queue jumps to allow transit to efficiently move through the corridor at intersections. The project is currently a Sound Transit project that would be funded (except for utility work) by Sound Transit 3 funds. The project scope, budget, and timeline is dependent on Sound Transit's allocation of funding.

TIP #10: Bothell Way Widening (Reder Way to 240th Street SE)

Project Type: Capacity

Description: This project will widen Bothell Way NE from Reder Way to 240th Street NE from 2 lanes to 4 or 5 lanes: 2 through-lanes in each direction, a two-way left turn where needed, intersection improvements, protected bicycle lanes, landscaping strips, and sidewalks. The work includes street lighting, retaining walls, removing and replacing "fish barrier" culverts, storm drain system improvements, water / sewer improvements, and wetland mitigation. The project is anticipated to be divided into 3 segments: King County Phase 1 and 3, and Snohomish County Phase 2. The King County Phase 1 and Snohomish County Phase 2 segments will construct about 1/3 of the project at each end. The King County Phase 3 will construct the remaining middle third section.

TIP #11: Bothell-Everett Highway Interim Rechannelization at 242nd Street SE

Project Type: Condition

Description: The outer edge of the embankment on which Bothell-Everett Highway between 240th Street SE and 242nd Street SE was originally constructed is not stable. This became apparent after a geotechnical investigation/analysis was completed as a result of a failing rockery. This project will shift the Bothell-Everett Highway (BEH) north of 242nd Street SE to the west by approximately one lane's width to remove traffic loading from the edge of the slope. The median will be eliminated and the lanes restriped. This is an interim measure until such time that a permanent solution can be funded. The permanent solution is estimated to cost over \$3 million and will likely take place with the Bothell Way NE/Bothell-Everett Highway Widening project

TIP #12: Annual Pavement Preservation Program

Project Type: Program

Description: This is a program that analyzes and rates pavement condition throughout the City using a Pavement Management System and extends roadway life using various treatment methods such as crack sealing, slurry sealing, patching, and asphalt overlays. City funds are augmented with grant funding when available. See current overlay project TIP #12A to 12F below for potential grant-funded overlay projects.

TIP #12A: 228th Street SE Pavement Preservation (19th Avenue SE to Bothell-Everett Highway and Portions West)

Project Type: Condition

Description: This project includes rehabilitating the existing pavement on 228th Street SW from the West City limit to 6th Ave W, and on 228th Street SE from Bothell-Everett Highway to 19th Avenue SE. The project consists of milling, spot repairs, pavement overlay, and striping work for each segment of the roadway.

TIP #12B: Juanita-Woodinville Way and NE 160th Street Pavement Preservation

Project Type: Condition

Description: This project includes rehabilitating the existing pavement on Juanita-Woodinville Way NE (from NE 145th Street to 115th Avenue NE) and on NE 160th Street (from 121st Avenue NE to 124th Avenue NE). The project consists of milling, spot repairs, pavement overlay, and striping work for each segment of the roadway.

TIP #12C: 228th St SE from 2nd Ave SE to 9th Ave SE Pavement Preservation

Project Type: Condition

Description: This project includes rehabilitating the existing pavement on 228th St SE (from 2nd Ave SE to 9th Ave SE). The project consists of milling, spot repairs, pavement overlay, and striping work for each segment of the roadway.

TIP #12D: NE 195th Street Pavement Preservation (from just west of I405 to North Creek Parkway)

Project Type: Condition

Description: This project includes rehabilitating the existing pavement on NE 195th St (from just west of I-405 to North Creek Parkway). The project consists of milling, spot repairs, pavement overlay, and striping work for each segment of the roadway.

TIP #12E: 228th St SW & SE from 5th Ave W to 2nd Ave SE Pavement Preservation

Project Type: Condition

Description: This project includes rehabilitating the existing pavement on 228th St SW and SE (5th Ave W to 2nd Ave SE). The project consists of milling, spot repairs, pavement overlay, and striping work for each segment of the roadway.

TIP #12F: Bothell-Everett Highway Pavement Preservation

Project Type: Condition

Description: This project includes rehabilitating the existing pavement on Bothell-Everett Highway (240th St SE to just south of I-405). The project consists of milling, spot repairs, pavement overlay, and striping work for each segment of the roadway.

TIP #13: Sidewalk/Walkway Program

Project Type: Program

Description: This program addresses missing links in the City's pedestrian network and Americans with Disabilities Act (ADA) needs. Sidewalk needs are inventoried and prioritized using a methodology that accounts for proximity to schools, public services, and low-income housing; missing sidewalk and curb ramps; street classification; collision data; and citizen requests. ADA facilities such as ramps and pedestrian buttons are inventoried as well. See current overlay project TIP #13A to 13B below for potential grant-funded projects.

TIP #13A: 130th Place NE and 132nd Avenue NE Sidewalk Improvements

Project Type: Sidewalk

Description: The Proposed improvements consist of concrete sidewalk, planting strip buffer, curb and gutter, storm drainage, ADA curb ramps and crosswalks on the west side of 132nd Ave NE and 130th Pl NE between NE 184th Pl and NE 195th St in the City of Bothell and the City of Woodinville.

TIP #13B: 9th Ave SE Pedestrian Improvements: North Phase (North of Crystal Springs Elementary to SR 524)

Project Type: Sidewalk

Description: This project will provide a safe and continuous walk route for students who live north of Crystal Springs Elementary School, including the residential neighborhoods north of 208th Street SE (SR 524). The project will complete missing segments of sidewalk to provide a continuous sidewalk on the east side of the street between 209th Pl SE and 215th St SE. The improvements include sidewalk, curb, gutter, and storm drainage. Crossing improvements are proposed at the intersection of 9th Ave SE and 213th St SE, which include striped crosswalks, pedestrian flags, and ADA compliant curb ramps.

TIP #14: Safety Upgrade and Replacement Program

Project Type: Program

Description: This project provides funding for safety improvements to the transportation infrastructure. Types of safety upgrade and replacement include guardrails, signage, minor curb replacement, removal of line-of-sight obstructions.

TIP #15: Bridge Inspection, Maintenance, Repair, and Rehabilitation Program

Project Type: Program

Description: This program funds bridge inspection, maintenance, minor repair, and minor rehabilitation work to the City's existing bridges. The program upholds commuter and pedestrian safety as well as essential emergency access. Major bridge rehabilitation, repair or replacement needs that are identified via the inspection program are funded in the City's Capital Facilities Plan (CFP) as specific projects.

TIP #16: Neighborhood Traffic Calming Program

Project Type: Program

Description: This program consists of developing and implementing neighborhood traffic calming projects throughout the City based on the established criteria in the City's adopted Neighborhood Traffic Calming Program.

TIP #17: Bicycle Program

Project Type: Program

Description: This program inventories existing bicycle facilities to identify missing gaps and safety issues and maintains a City-wide bicycle system plan. The inventory and plan prioritizes the bicycle projects. The program provides funding to complete projects in order to meet the goals of the overall plan including but not limited to storage and bike racks.

TIP #18: Collector Corridor Traffic Safety Program

Project Type: Program

Description: This program addresses mobility and safety improvement needs along collectors. Many of these corridors are located in the residential areas where the residents experience high-speed traffic in large volumes.

TIP #19: Comprehensive Plan – Transportation Element

Project Type: Planning

Description: The City's Comprehensive Plan undergoes a comprehensive plan update every eight years. At that time significant transportation planning and analyses must be accomplished to support the plan vision. In intermediate years, amendments are made to the plan to address changing conditions, issues, and needs. Often, these amendments affect the City's transportation system and analyses must be completed to determine their effects. This line item provides resources to support this on-going planning process.

TIP #20: Citywide Child Pedestrian School and Park Zone Safety Program

Project Type: Program

Description: This program addresses child pedestrian safety needs specifically related to schools and parks. Projects associated with this program include, but are not limited to, street crossings, sidewalk gap fill-ins, and installation of signs.

TIP #21: 243rd Street SE/NE 203rd Street Connector

Project Type: Capacity

Description: This project includes a new street connection between Bothell-Everett Highway and 88th Avenue NE. The easterly portion of this new street has been constructed in conjunction with the developer of the Safeway property. The new roadway would traverse private properties located in the southerly portion of the Red Barn Village special district within the Country Village/Lake Pleasant/Bothell-Everett Highway Subarea. It is intended that the 243rd Street SE/NE 203rd Street Connector be constructed by the private sector in conjunction with the development of those properties through which the street would extend.

TIP #22: Bothell Downtown Center Access Improvements to SR 522 BRT and Transit (Phase 1 – 102nd Ave)

Project Type: Sidewalk

Description: This project will replace existing damaged sidewalks in the north-south direction on 102nd Ave NE between NE 185th Street and the north end of the 102nd Ave NE Bridge in order to connect transit users with the downtown businesses. The work will consist of reconstructing sidewalks, curb ramps, tree wells, and installing lighting to provide safe and accessible routes that meet ADA requirements to and from multimodal corridors.

TIP #23: Crosswalk Program

Project Type: Program

Description: This program addresses safe pedestrian crossings. The City has budget to design and build approximately one crosswalk a year, more if grant funding is obtained. The City maintains a list of proposed crosswalks based on scoring criteria. See current overlay project TIP #23A below for potential grant-funded projects.

TIP #23A: Rectangular Rapid Flashing Beacons at School Crossings

Project Type: Safety

Description: This project installs rectangular rapid flashing beacons (RRFB) at school crossings. The scope also includes construction of ADA ramps, curb work, necessary pedestrian landings, signs, and other associated work at pedestrian crossings on 9th Ave SE (at 226th St SE), 104th Ave NE (at NE 200th St), and 112th Ave NE (at NE 160th Pl).

TIP #24: 102nd Ave NE Bridge Replacement

Project Type: Condition

Description: This project will replace the existing 102nd Avenue NE Bridge, including reconstruction of the roadway approaches.

TIP #25: Conversion of Multiway Boulevard and Crossroads Street Lights to Puget Sound Energy

Project Type: Economic/Capacity

Description: The lighting system power cabinets need to be rehabilitated in order for Puget Sound Energy to take over maintenance of the lighting system.

TIP #26: 240th St SE & 35th Ave SE Intersection Improvements (Traffic Signal or Roundabout)

Project Type: Capacity

Description: Adds traffic signal or roundabout with required channelization modifications, lighting, sidewalk, and approach work.

TIP #27: Bothell Way NE Rockery Repair

Project Type: Condition

Description: This project provides a small, but critical, repair to an existing 8-foot tall retaining wall rockery that has experienced displacement of rocks. This repair will prevent the backfill supporting the adjacent road from washing out. While the repair work will likely be completed prior to 2021, monitoring and maintenance of the stream restoration requirements will be required for 5 years.

(This page intentionally left blank)

Transportation Needs List (2020)

Revised: 5/21/20

TNL #	Project Type	Project Name	Project Description	Source	Estimated costs (if available)
Transportation					
1	Economic	Main Street Enhancement, Phase 2: 102nd Ave NE to Kaysner Way	Implements improvements to Main Street from just east of 102nd Ave NE to Kaysner Way. The project reworks the entire streetscape within the existing right-of-way.	Previous TIP	\$5,654,000
2	Safety	5th Ave W Pedestrian Safety Improvements	Constructs an extruded curb along the east side of 5th Ave W between 240th St SE and the Shelton View Elementary School.	Previous TIP	\$73,000
3	Condition	240th Street Improvements (Fitzgerald Road to 240th St SE Bridge)	Rebuilds the 240th St SE roadway west of the bridge to Fitzgerald Road at a higher elevation to raise it above the 100 year flood elevation.	Previous TIP	\$3,184,000
4	Capacity	SR 522 Corridor, Phase 4: East of 101st	Installs sidewalks, access management, signal prioritization, and non-motorized connections. Improvements to Kaysner Way intersection.	Previous TIP/ Comp Plan/ Congestion List	
5	Capacity	SR 527: SR 524 to I405 Southbound Lane and Intersection Improvements	Widens roadway from 2 to 3 lanes southbound from SR 524 to 220th St SE	Previous TIP/ Comp Plan/ Congestion List	
6	Condition	Fitzgerald Road Improvements: 240th Street SE to 228th Street SE	Minor roadway widening including curb/gutter and sidewalks along east side of roadway to meet City standards	Previous TIP/ Comp Plan	

Transportation Needs List (2020)

Revised: 5/21/20

TNL #	Project Type	Project Name	Project Description	Source	Estimated costs (if available)
7	Capacity	9th Avenue SE Widening: 228th St SE to SR 524	Upgrades 9th Ave SE to meet existing Collector standards. Proposed improvements would provide: one travel lane in each direction; a center turn lane; a bicycle lane; curbs/gutters; sidewalks; drainage and utility improvements; and pedestrian improvements. This project will also include improvements at the 228th and SR 524 intersections.	Previous TIP	\$7,839,000
8	Safety/Capacity	SR 524 Safety and Access Improvements: SR 527 to 39th Ave SE (Also known as SR 524 Corridor Improvements)	Addresses the safety and access concerns on SR 524 between SR 527 and 39th Ave SE. Access improvements will be limited to roadway widening to provide for left turn pockets and improve sight distances.	Previous TIP/ Congestion List	
9	Condition	Sammamish River Bridge Replacement (BOT-10)	Replaces the existing bridge and make road, bicycle, and pedestrian improvements along Waynita Drive NE and 96th Avenue NE.	Previous TIP	\$8,742,000
10	Condition	108th Ave NE Roadway Rehabilitation	Rebuilds 108th Ave NE/112th Pl NE from approximately E. Riverside Dr to NE 164th St to address slope stability and drainage issues and provide pedestrian and bicycle facilities	Previous TIP	\$29,320,000
11	Capacity	Beardslee Boulevard Widening (NE 185th Street to 110th Avenue NE)	Widens to 4 or 5 lanes. Add northbound left turn lane (2 left) from 110th Avenue NE. Re-channelize southbound right turn lane to through/right configuration on Beardslee Boulevard	Previous TIP/ Comp Plan/ Congestion List	\$7,593,000
13	Capacity	240th St SE & 39th Ave SE Intersection Improvements (Traffic signal or roundabout)	Adds signal and eastbound right turn pocket or a roundabout.	Previous TIP/ Comp Plan/ Congestion List	\$1,394,000

Transportation Needs List (2020)

Revised: 5/21/20

TNL #	Project Type	Project Name	Project Description	Source	Estimated costs (if available)
14	Trail	East Riverside Drive Trail (102 nd Ave NE to City Limits)	This project constructs a 12' wide multi-use trail along the north side of East Riverside Drive within the old railroad right-of-way. This segment of trail will extend from just east of 102 nd Ave NE to the City's eastern City Limits east of Brickyard Road. It is assumed that the City will not need to purchase right-of-way for the approximately 8000 linear foot long trail segment. This project will have to be coordinated with King County.	Previous TIP	
15	Sidewalk	Bothell Downtown Center Access Improvements to SR 522 BRT and Transit (Phase 2 - 101st, 103rd, and 104th)	This project represents Phase 2 of the Downtown access improvements to transit facilities. The improvements will occur along 101st Ave, 103rd Ave, and 104th Ave (Phase 1 only includes 102nd Ave). The project will replace existing damaged sidewalks in the north-south direction between NE 185th and Main Street in order to connect transit users with the downtown businesses. The work will consist of reconstructing sidewalks, curb ramps, tree wells; and installing lighting to provide a safe and accessible route meeting ADA requirements to and from multimodal corridors.	Previous TIP	

Transportation Needs List (2020)

Revised: 5/21/20

TNL #	Project Type	Project Name	Project Description	Source	Estimated costs (if available)
16	Program	Emergency and Spot Improvements Program	This program provides funding for immediate actions to address landslides, erosion, deterioration, vandalism, and spot hazardous locations. The ability to maintain will be a determining factor for selection of improvements. Work on this program deals with emergency situations when work cannot be delayed.	Previous TIP	
17	Program	Concurrency Monitoring and Modeling Program	This program will gather annual traffic counts and compute intersection level of service throughout the City along arterial and collector streets. This work is required to ensure that the City is meeting its concurrency requirements per the comprehensive plan.	Previous TIP	
18	Capacity	35th Avenue SE (240th St SE to 228th St SE)	Widens to 3 lanes. Includes curb/gutter and sidewalk improvements. Shared bike facilities or bike lane.	Comp Plan	\$33,427,000
19	Capacity	SR 527 (211th Street SE to north of SR 524) (Also known as SR 527/SR 524 Intersection Improvements)	Adds third northbound through lane. Add southbound left turn lane at SR 524 (2 left)	Comp Plan/ Congestion List	\$5,609,000
20	Capacity	112th Ave NE & Juanita-Woodinville Way NE	Adds southbound right turn pocket on Juanita-Woodinville Way	Comp Plan/ Congestion List	\$900,000
21	Capacity	NE 160th St & 124th Ave NE	Adds southbound right turn pocket.	Comp Plan/ Congestion List	\$900,000
22	Capacity	228th Street SE and Fitzgerald Road	Adds eastbound right turn pocket.	Comp Plan/ Congestion List	\$900,000

Transportation Needs List (2020)

Revised: 5/21/20

TNL #	Project Type	Project Name	Project Description	Source	Estimated costs (if available)
23	Capacity	228th Street SE and 29th Drive SE	Adds westbound right turn pocket.	Comp Plan/ Congestion List	\$900,000
24	Capacity	228th Street SE and 31st Avenue SE	Adds westbound right turn pocket.	Comp Plan/ Congestion List	\$900,000
25	Capacity	220th Street SE and SR 527	Adds eastbound left turn lane (2 left).	Comp Plan/ Congestion List	\$700,000
26	Capacity	214th Street SE and SR 527	Re-channelizes westbound through/left lane to through/right.	Comp Plan/ Congestion List	
27	Capacity	SR 524 and 9th Avenue SE	Add northbound left turn lane (2 left)	Comp Plan/ Congestion List	\$900,000
28	Capacity	Bothell Everett Hwy/228th St SE Intersection Capacity Improvements	No definitive work scope. Planning and alternative analyses need to be completed.	Congestion Project List	
29	Capacity	228th St SE Corridor Improvements (Meridian Ave to Fitzgerald Rd)	No definitive work scope. Planning and alternative analyses need to be completed.	Congestion Project List	
30	Capacity	Adaptive Signal Control (228th)	Install an adaptive signal control system along 228th St SE.	Congestion Project List	
31	Capacity	NE 180th St/132nd Ave NE Intersection (SR 522 Interchange)	No definitive work scope. Planning and alternative analyses need to be completed.	Congestion Project List	
32	Capacity	SR 522/96th Ave NE Intersection Improvements (Northbound approach)	No definitive work scope. Planning and alternative analyses need to be completed.	Congestion Project List	
33	Capacity	100th Ave NE/NE 145th Street Intersection Improvements	No definitive work scope. Planning and alternative analyses need to be completed.	Congestion Project List	
34	Trail	North Creek Trail - Canyon Park	Replaces approximately 600 linear feet of a substandard section of the trail located within Canyon Park along 220th Street SE between North Creek and 20th Ave SE.	Previous CFP	

Transportation Needs List (2020)

Revised: 5/21/20

TNL #	Project Type	Project Name	Project Description	Source	Estimated costs (if available)
35	Capacity	Alternate North-South Corridor (Connect 120th Ave NE to 124th Ave NE)	Constructs an overpass across SR 522 to connect 120th Ave NE to 124th Ave NE to create a continuous north-south corridor.	New	
36	Planning	Downtown Circulation Study	Analyzes traffic within the Downtown Core to develop a plan to address congestion. This study will involve alternative analyses and public involvement.	New	\$100,000
37	Bike/Ped	Pedestrian/bicycle bridge over the Sammamish River	Constructs a bridge over the Sammamish River to connect the Brickyard Road area to the Sammamish River Trail.	New	
38	Condition	102nd Ave NE Sidewalk Replacement	Replace 102nd Ave NE sidewalk between East Riverside Drive and 102nd Ave Bridge.	New	
39	Planning	Downtown Parking Study: Phase 2	Evaluates the current and future parking situation in Downtown Bothell, sets goals for desired state, and looks further into various policy options for Council consideration. These may include: Changes to parking requirements on new buildings, Additional parking enforcement, Additional public parking facilities. If scope and budget allow, this could also include an evaluation and recommendations on time-limited parking zones and permit parking strategies in the downtown and surrounding area.	New	

Note: Sidewalk, crosswalk, and pavement preservation projects are listed in the inventory lists of their respective programs.



City of Bothell™

TO: Mayor Olsen and Members of the Bothell City Council

FROM: Chris Bothwell, Finance Director

DATE: June 16, 2020

SUBJECT: Consideration of an Ordinance Adopting the State Sales Tax Credit and Direct Revenues Received to the A Regional Coalition for Housing (ARCH) Trust Fund

POLICY CONSIDERATION: This item asks the City Council to adopt an Ordinance to participate in a program to receive funding from the State of Washington to support affordable housing in the community and to use the revenue received to fund the City’s annual ARCH trust fund contribution in the amount of approximately \$108,000.

HISTORY:

DATE	ACTION
SEPTEMBER 3, 2019	City Council adopted Resolution 1391 signaling an intent to participate in the program.

The 2019 State Legislature approved House Bill 1406, creating a program to share a portion of the State’s sales tax collected (the Shared Tax Revenue) with cities and counties to be used for qualifying purposes supporting affordable housing (the Program). The Legislation did not increase the amount of sales tax to be paid by consumers in participating cities, rather the State is sharing a portion of the sales tax that it already collects.

In late 2019, the Bothell City Council passed a resolution of intent to participate in the Program. Additionally, the State legislation requires the City Council to also pass an ordinance adopting the tax credit by July 27, 2020 to formalize the City’s participation in the Program.

DISCUSSION: Approximately 65% of the sales and use tax collected in Bothell goes to the State of Washington; the rest of the tax collected goes to various other entities, including the City of Bothell (the City). The City receives approximately 8.5% of the sales and use tax collected in Bothell.

Bothell will receive approximately \$108,000 annually of shared tax revenue, if it chooses to participate in the Program described above. It should be noted that under current law, the annual value of the shared tax revenue is based on 2019

retail sales in a city, and will not increase or decrease when retail sales increase or decrease in the city. The shared tax revenue is available for 20 years.

Qualifying Purposes

The shared tax revenue received by participating cities can be used for the following qualifying purposes:

- Acquiring, rehabilitating, or constructing affordable housing;
- Operating and maintaining new affordable or supportive housing facilities; and/or
- Rental assistance (for cities with population under 100,000)

The shared tax revenue can be pooled with other local governments or a public housing authority for qualifying purposes, such as ARCH, pursuant to an interlocal agreement. The shared tax revenue can also be used for debt service for qualifying projects. Additionally, the benefits of the program can only be provided to persons whose income is at or below sixty percent of the adjusted median income for the city imposing the tax. The sixty-percent 2019 adjusted median income for King/Snohomish county area is approximately \$65,000 for a four-person household.

Staff recommends that Council direct revenues received from this source to the City's trust fund contribution to ARCH for amounts received in 2020 and subsequent periods, unless a different qualifying use is identified in subsequent adopted budgets.

FISCAL IMPACTS: This item will cause the City to receive approximately \$108,000 annually for the next twenty years to be used for a qualifying use, supporting affordable housing. The item is considered budget neutral because the City will have to budget additional expenditures in an amount equal to the revenue it receives.

ATTACHMENTS: Att-1. Proposed Ordinance Imposing the Local Sales and Use Tax Authorized by HB 1406 for Affordable Housing
Att-2. Adopted Resolution 1391

RECOMMENDED ACTION: Approve the Ordinance adopting the sales tax credit and direct staff to use the revenue received to fund the annual ARCH trust fund contribution for amounts received in 2020 and subsequent periods, unless a different qualifying use is identified in subsequent adopted budgets.

ORDINANCE NO. _____ (2020)

AN ORDINANCE OF THE CITY OF BOTHELL, WASHINGTON, RELATING TO LOCAL SALES AND USE TAXES; AUTHORIZING THE MAXIMUM CAPACITY OF THE TAX AUTHORIZED UNDER THE PROVISIONS OF SUBSTITUTE HOUSE BILL 1406 FOR AFFORDABLE AND SUPPORTIVE HOUSING AND RENTAL ASSISTANCE, TO BE CODIFIED AT CHAPTER 3.23 OF THE BOTHELL MUNICIPAL CODE

WHEREAS, in 2019, Washington State enacted Substitute House Bill 1406 (“SHB 1406”), codified at RCW 82.14.540, a revenue sharing program with local governments for affordable housing which is intended to encourage investments in affordable and/or supportive housing; and

WHEREAS, on September 3, 2019, the City Council adopted Resolution No. 1391 declaring its intent to adopt an ordinance authorizing the tax allowed by SBH 1406; and

WHEREAS, the state legislation requires the City to adopt an ordinance authorizing the tax within twelve (12) months of the effective date of SHB 1406, or by July 27, 2020; and

WHEREAS, the local sales and use tax will be credited against the state sales and use tax so that the total tax paid by the consumer will not increase; and

WHEREAS, the revenues generated, an estimated \$108,000 annually, are eligible to be spent on the acquisition, construction or rehabilitation of affordable housing or facilities providing supportive housing, and for the operations and maintenance costs of affordable or supportive housing, and providing rental assistance to tenants; and

WHEREAS, the revenues may be used to finance grants or loans to non-profit organizations or public housing authorities to carry out these provisions; and

WHEREAS, the City has the authority to issue general obligation or revenue bonds for affordable or supportive housing and may use, and is authorized to pledge, the revenues collected for repayment of such bonds; and

WHEREAS, the City may enter into interlocal agreements with other cities or municipal corporations in the execution of these provisions; and

WHEREAS, the city will contribute the proceeds of the revenue generated to the ARCH trust fund, unless the funds are budgeted for another purpose in the adopted city budget;

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

Section 1. **Chapter 3.23 of the Bothell Municipal Code Established.** A chapter of the Bothell Municipal Code entitled “Sales and Use Tax for Affordable and Supportive Housing,” to be codified as Bothell Municipal Code (BMC) Chapter 3.23, is hereby established to read as follows:

**CHAPTER 3.23
SALES AND USE TAX FOR AFFORDABLE AND SUPPORTIVE HOUSING**

Sections:

- 3.23.010 Imposition of Sales and Use Tax for Affordable and Supportive Housing
- 3.23.020 Purpose of Tax
- 3.23.030 Administration and Collection - Statutory Compliance

3.23.010 Imposition of Sales and Use Tax for Affordable and Supportive Housing

- A. There is imposed a sales and use tax as authorized by RCW 82.14.540, upon every taxable event, as defined in RCW 82.14, occurring within the City of Bothell. The tax shall be imposed upon and collected from those persons from whom the State sales tax or use tax is collected pursuant to RCW 82.08 and 82.12.
- B. The rate of the tax imposed by this chapter shall be 0.0073 percent of the selling price or value of the article used.
- C. The tax imposed under this chapter shall be deducted from the amount of tax otherwise required to be collected or paid to the Department of Revenue under RCW 82.08 or 82.12. The Department of Revenue will perform the collection of such taxes on behalf of the City of Bothell at no cost to the City.
- D. The Department of Revenue will calculate the maximum amount of tax distributions for the City of Bothell based on the taxable retail sales in the City beginning in fiscal year 2019. The tax imposed under this chapter will cease to be distributed to the City of Bothell for the remainder of any fiscal year in which the amount of tax exceeds the maximum amount of tax distributions for the City

as properly calculated by the Department of Revenue. Distributions to the City that have ceased during a fiscal year shall resume at the beginning of the next fiscal year and in any event shall continue for each successive year as provided by RCW 82.14.540 as it exists or as it may be amended in the future.

3.23.020 Purpose of Tax

- A. The City may use the moneys collected by the tax imposed under this chapter only for the following purposes:
 - 1. Acquiring, rehabilitating, or constructing affordable housing, which may include new units of affordable housing within an existing structure or facilities providing supportive housing services under RCW 71.24.386; and
 - 2. Providing the operations and maintenance costs of new units of affordable or supportive housing; and
 - 3. Providing rental assistance to tenants.
- B. The housing and services provided under this chapter may only be provided to persons whose income is at or below 60 percent of the median income of the City.
- C. In determining the use of funds under this chapter, the City must consider the income of the individuals and families to be served, the leveraging of the resources made available, and the housing needs within the City.
- D. The City must report annually to the Washington State Department of Commerce, in accordance with the Department's rules, on the collection and use of the revenue from the tax imposed under this chapter.
- E. The tax imposed by the City under this chapter will expire 20 years after the date on which the tax is first imposed unless extended by state law.

3.23.030 Statutory Compliance

The administration and collection of the tax imposed by this chapter shall be in accordance with the provisions of RCW 82.14.540.

Section 2. The Finance Director is authorized to provide any necessary notice to the Department of Revenue to effectuate the tax enacted by this ordinance and to execute, for and on behalf of the City of Bothell, any necessary agreement with the Department of Revenue for the collection and administration of the tax enacted by this ordinance.

Section 3. SEVERABILITY. If any section, sentence, clause or phrase of this ordinance should be held to be invalid by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 4. EFFECTIVE DATE. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

Section 5. CORRECTIONS. 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 references thereto.

APPROVED:

LIAM OLSEN
MAYOR

ATTEST/AUTHENTICATED:

LAURA HATHAWAY
CITY CLERK

APPROVED AS TO FORM:

PAUL BYRNE
CITY ATTORNEY

FILED WITH THE CITY CLERK: _____

PASSED BY THE CITY COUNCIL: _____
PUBLISHED: _____
EFFECTIVE DATE: _____
ORDINANCE NO.: _____ (2020)

SUMMARY OF ORDINANCE NO. _____ (2020)

City of Bothell, Washington

On the 16th day of June, 2020, the City Council of the City of Bothell passed Ordinance No. XX (2020). A summary of the content of said Ordinance, consisting of the title, is provided as follows:

AN ORDINANCE OF THE CITY OF BOTHELL, WASHINGTON, RELATING TO LOCAL SALES AND USE TAXES; AUTHORIZING THE MAXIMUM CAPACITY OF THE TAX AUTHORIZED UNDER THE PROVISIONS OF SUBSTITUTE HOUSE BILL 1406 FOR AFFORDABLE AND SUPPORTIVE HOUSING AND RENTAL ASSISTANCE, TO BE CODIFIED AT CHAPTER 3.23 OF THE BOTHELL MUNICIPAL CODE

The full text of this Ordinance will be mailed upon request.

LAURA HATHAWAY
CITY CLERK

FILED WITH THE CITY CLERK: _____
PASSED BY THE CITY COUNCIL: _____
PUBLISHED: _____
EFFECTIVE DATE: _____
ORDINANCE NO.: _____ (2020)

RESOLUTION NO. 1391 (2019)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOTHELL, WASHINGTON FORMALIZING AN INTENT TO PARTICIPATE IN A PROGRAM TO RECEIVE FUNDS FROM THE STATE TO BE USED FOR AFFORDABLE AND SUPPORTIVE HOUSING IN ACCORDANCE WITH SUBSTITUTE HOUSE BILL 1406

WHEREAS, in the 2019 Regular Session, the Washington State Legislature approved, and the Governor signed, Substitute House Bill 1406 (Chapter 338, Laws of 2019) ("SHB 1406"); and

WHEREAS, SHB 1406 authorizes the governing body of a city or county to impose a local sales and use tax for the acquisition, construction or rehabilitation of affordable housing or facilities providing supportive housing, for the operations and maintenance costs of affordable or supportive housing, or, if eligible, for providing rental assistance to tenants; and

WHEREAS, the tax will be credited against state sales taxes collected within the City and, therefore, will not result in higher sales and use taxes within the City and will represent an additional source of funding to address housing needs in the City; and

WHEREAS, the tax must be used to assist persons whose income is at or below sixty percent of the City median income; and

WHEREAS, the City lacks affordable housing and has determined that imposing the sales and use tax to address this need will benefit its citizens; and

WHEREAS, in order for a city or county to impose the tax, within six months of the effective date of SHB 1406, or January 28, 2020, the governing body must adopt a resolution of intent to authorize the maximum capacity of the tax, and within twelve months of the effective date of SHB 1406, or July 28, 2020, must adopt legislation to authorize the maximum capacity of the tax; and

WHEREAS, this resolution constitutes the resolution of intent required by SHB 1406; and

WHEREAS, the Bothell City Council now desires to declare its intent to impose a local sales and use tax as authorized by SHB 1406 as set forth herein.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BOTHELL, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. Resolution of Intent. The City Council declares its intent to adopt legislation to authorize the maximum capacity of the sales and use tax authorized by SHB 1406 within one year of the effective date of SHB 1406, or by July 28, 2020.

Section 2. The City Clerk is authorized to make necessary corrections to this resolution including, but not limited to, the correction of scrivener's/clerical errors, references, resolution numbering, section/subsection numbers, and any references thereto.

PASSED this 3rd day of September, 2019.

APPROVED:



ANDREW J. RHEAUME
MAYOR

ATTEST/AUTHENTICATED:


LAURA HATHAWAY
CITY CLERK

FILED WITH THE CITY CLERK: 08/29/2019
PASSED BY THE CITY COUNCIL: 09/03/2019
RESOLUTION NO.: 1391 (2019)



City of Bothell™

TO: Mayor Olsen and Members of the Bothell City Council

FROM: Jennifer Phillips, City Manager (Presenter)
Paul Byrne, Legal

DATE: June 16, 2020

SUBJECT: Consideration of Ordinance Prohibiting the Sale and Use of Fireworks in Bothell

POLICY CONSIDERATION: This item asks the City Council to consider if the City should join neighboring jurisdictions and prohibit the sale and use of fireworks or leave intact Chapter 8.37 of the Bothell Municipal Code, allowing for the sale and use of certain fireworks.

If approved, it has the potential to impact public safety by eliminating a known cause of accidental fires and particulate matter pollution.

If City Council wishes to ban fireworks in 2021, City Council must take action on this item this evening because any restrictions greater than those found under state law do not become effective until one year after passage.

If City Council wishes to rescind any decision made tonight, if any is made, City Council must take action to do so before June 30, 2020.

HISTORY:

	DATE	ACTION
	MAY 16, 1964	City Council adopts Ordinance #426 allowing fireworks in Bothell.
	JULY 2, 1984	City Council adopts Ordinance #1127, recodifying Bothell Municipal Code to create Chapter 8.37 "Fireworks"
	July 15, 2002	City Council adopts Ordinance #1878, prohibiting sale and use of fireworks from December 27 th – December 31 st .
	NOVEMBER 8, 2016	Bothell resident vote on advisory ballot measure regarding a ban on fireworks.

The vote yielded an advisory result of 46.65% in favor of a ban on fireworks and 53.35% opposing a ban on fireworks.

DISCUSSION: State laws regarding fireworks are codified in Chapter 70.77 RCW. Pursuant to RCW 70.77.250(4), any ordinances adopted by a city that are more restrictive than state law shall have an effective date no sooner than one year after their adoption. Any decision that City Council were to make regarding fireworks would not be effective until 2021.

FISCAL IMPACTS: None.

ATTACHMENTS: Att-1. Proposed Ordinance Prohibiting Sale and Use of Fireworks

RECOMMENDED ACTION: Approve or deny the attached ordinance prohibiting the sale and use of fireworks within City limits.

ORDINANCE NO. _____ (2020)

AN ORDINANCE OF THE CITY OF BOTHELL, WASHINGTON, RELATING TO FIREWORKS; DECLARING THE SALE, POSSESSION, USE, DISCHARGE AND DISPLAY OF FIREWORKS TO BE UNLAWFUL, WITH CERTAIN EXCEPTIONS.

WHEREAS, Chapter 70.77 RCW relates to the sale and use of fireworks; and

WHEREAS, Chapter 70.77 does not prevent a city from enacting an ordinance more prohibitive than RCW 70.77.395 as to the dates and times that fireworks may be sold and used; and

WHEREAS, RCW 70.77.250(4) provides that any local rules more restrictive than State law must have an effective date no sooner than one (1) year after adoption, and

WHEREAS, the sale and use of fireworks within the City increases the risks of fires and the associated danger to public safety, public and private property, and

WHEREAS, fireworks are involved in fires within the Puget Sound region,

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

Section 1. Section 8.37.010 of the Bothell Municipal Code is hereby amended as follows, with new text shown by underline and deleted text and graphics shown in ~~striketrough~~; all other provisions of this section shall remain unchanged and in full force, including those portions that are omitted in the text here as indicated by three asterisks (* * *):

8.37.010 Definitions.

* * *

R. "Permanent storage" means storage of ~~display~~ fireworks, ~~at any time and/or storage of consumer fireworks at any time other than the periods allowed under BMC 8.37.100 and~~ which shall be in compliance with the requirements of Chapter 70.74 RCW.

S. ~~"Temporary storage" means the storage of consumer fireworks during the periods allowed under BMC 8.37.100.~~

T. ~~“Emergency fireworks ban” means retail sales and use of consumer fireworks are prohibited.~~

Section 2. Section 8.37.020 of the Bothell Municipal Code is hereby amended as follows.

8.37.020 Acts prohibited without a permit.

No person shall do any of the following acts in the city without having first obtained and having in full force and effect a valid permit issued by the city to do so:

- A. Manufacture, import, possess or sell any fireworks, including agricultural and wildlife fireworks, at wholesale or retail for any use; ~~provided, however, no permit is required for the possession or use of consumer fireworks lawfully purchased at retail;~~
- B. Discharge display fireworks at any place;
- C. Make a public display of fireworks; or
- D. Transport fireworks, except as a licensee or as a public carrier delivering to a licensee or permittee.

Section 3. Section 8.37.030 of the Bothell Municipal Code is hereby amended as follows.

8.37.030 Application for permit.

A. Any person desiring to do any act set forth in BMC 8.37.020 shall first make written application for a permit to the fire chief. The application for a permit shall be signed by the applicant. If the application is made by a partnership, it shall be signed by each partner of the partnership, and, if the application is made by a corporation, it shall be signed by an officer of the corporation and bear the seal of the corporation.

The application shall be in such form as the fire chief shall require and shall include, at a minimum, the following information:

- 1. The true name, address and telephone number of the applicant and for any retail operation the person in charge and responsible;
- 2. A statement by the applicant that the applicant is over the age of 18 years;
- 3. A valid and current license issued by the chief of the Washington State Patrol, through the director of fire protection, pursuant to Chapter 70.77 RCW authorizing the applicant thereto to engage in the requested activity;
- 4. The proposed location at which the applicant intends to perform the act for which the permit is sought, ~~and, for retail sales, a diagram showing the proposed site plan of the stand location which includes distances from property lines, distances from structures, distances from other fireworks stands and vehicular traffic routes.~~

B. All applications for permits pursuant to this chapter shall be accompanied by a nonrefundable permit fee to be established by resolution of the city. The city council finds that this charge is necessary to cover the legitimate administrative costs for permit processing and inspection. ~~The applicant shall post a \$100.00 cash bond, conditioned~~

~~upon the prompt removal of the temporary stand and the clearing up of all debris from the site by the sixth day of July of each year. Failure to do so shall cause the bond to be forfeited to the city.~~

C. All applications for permits pursuant to this chapter shall be accompanied by a certificate of insurance coverage evidencing the carrying of a comprehensive general liability insurance policy with a minimum coverage of \$500,000 and \$2,000,000 for bodily injury liability for each person and event, respectively, and not less than \$500,000 for property damage liability for each event. Such general liability policy shall name the city as an additional named insured, must be in full force and effect for the duration of the permit, and shall include a provision prohibiting cancellation of the policy without 30 days' written notice to the city. The policy and certificate shall be in a form approved by the city attorney.

D. Applications for public display of fireworks shall be made in writing at least 10 days in advance of the proposed display. All applications shall be accompanied by a nonrefundable permit fee to be determined by resolution of the city. The applicant shall post a ~~\$2,500~~ \$400.00 cash bond, conditioned upon the prompt removal of all debris from the site within 24 hours of such display. Failure to do so shall cause the bond to be forfeited to the city.

~~E. Applications for sale of fireworks shall be made annually on or after April 1st of the year for which the permit is issued and the filing period shall close on May 31st of such year. Applications shall be signed before a notary public by the retail seller, if an individual, or by the duly authorized officer, if an association or corporation. It is unlawful for a fireworks manufacturer, wholesaler or supplier to make application for or to obtain a retail sales permit on behalf of any retailer.~~

Section 4. Section 8.37.100 of the Bothell Municipal Code is hereby amended as follows.

8.37.100 Sale and Use of Fireworks Prohibited. Dates and times consumer fireworks may be sold or discharged.

A. No consumer fireworks shall be sold, offered for sale, or exposed for sale within the city ~~except from 12:00 noon until 11:00 p.m. on the first day of July, 9:00 a.m. until 11:00 p.m. on the second and third days of July, and from 9:00 a.m. until 9:00 p.m. on the fourth day of July.~~

B. No person shall ignite or discharge any fireworks anywhere within the city at any time ~~except on July 4th of any year between the hours of 9:00 a.m. and 11:00 p.m.~~

C. No person shall discharge without a permit any consumer fireworks upon any city or publicly owned parks.

D. The prohibitions set out in subsections A and B of this section shall not apply in the following cases:

1. Public displays as authorized by a state license and city permit pursuant to RCW 70.77.260(2);
2. Use for religious purposes pursuant to RCW 70.77.311; and

3. Agricultural and wildlife fireworks used by government agencies as authorized by RCW 70.77.311.

E. Except as herein provided, it is unlawful for any person to possess, store, offer for sale, sell at retail, use, explode, fire, ignite, or discharge any fireworks in the city.

Section 5. Section 8.37.110 of the Bothell Municipal Code is hereby repealed in its entirety.

8.37.110 Repealed Sales of consumer fireworks.

~~No person shall sell consumer fireworks to a consumer or user thereof other than at a fixed place of business of a retailer for which a license and permit have been issued.~~

Section 6. Section 8.37.120 of the Bothell Municipal Code is hereby repealed in its entirety.

8.37.120 Repealed All sales to be from temporary stands.

~~All sales of consumer fireworks shall be from temporary stands, which shall not be erected prior to the twenty-fifth day of June of any year and which shall be removed not later than the sixth day of July of the same year.~~

Section 7. Section 8.37.130 of the Bothell Municipal Code is hereby repealed in its entirety.

8.37.130 Repealed. Standards for fireworks stands.

~~The fireworks stands of all those persons engaging in the sale of consumer fireworks pursuant to a permit issued under this chapter shall conform to the following minimum standards and conditions:~~

~~A. Fireworks stands shall comply with all provisions of the building code and shall be constructed in such a manner so as not to endanger the safety of attendants and patrons.~~

~~B. No fireworks stand shall be located within 50 feet of any other building or structure, nor within 250 feet of any gasoline station, oil storage tank or premises where flammable liquids are kept or stored. No fireworks stand shall be located nearer than 600 feet from another fireworks stands.~~

~~C. Each fireworks stand must have at least two exits which shall be unobstructed at all times.~~

~~D. Each fireworks stand shall have, in a readily accessible place, at least two two-and-one-half-gallon pressurized water fire extinguishers approved by the fire chief.~~

~~E. All weeds, grass and combustible material shall be cleared from the location of the fireworks stand and the surrounding area a distance of not less than 50 feet, measured from the exterior walls on each side of the fireworks stand.~~

~~F. No smoking shall be permitted in or within 25 feet of a fireworks stand, and the same shall be posted with proper "No Smoking" signs on all four sides of such stand with prominent bold lettering at least three inches in height.~~

~~G. Each fireworks stand shall have an adult in attendance at all times that the stand is stocked. No person under the age of 18 shall be allowed in the stands during business hours.~~

~~H. No heating unit or device with a surface temperature capable of igniting fireworks or having an open flame shall be allowed within a fireworks stand.~~

~~I. No fireworks stand shall be permitted where the same would be in violation of any applicable zoning laws.~~

~~J. Each fireworks stand shall post prominently a list of fireworks that may be sold to the public.~~

~~K. No person shall discharge any fireworks within 250 feet of the exterior of any fireworks stand and the same shall be posted with signs stating "No discharge of fireworks within 250 feet" on the exterior of all sides of the temporary stand with prominent bold lettering at least three inches in height.~~

~~L. At all times that fireworks stock is kept or stored within a temporary stand, a competent seller, authorized representative, or other employee of the permittee, over 18 years of age shall be at the site location.~~

~~M. All temporary fireworks stand locations shall be provided with a sturdy barrier consisting of bollards and rope or similar construction, erected at least 25 feet from the stand on all sides to prevent the parking of motor vehicles and to define the no smoking boundary.~~

Section 8. Section 8.37.150 of the Bothell Municipal Code is hereby repealed in its entirety.

8.37.150 Repealed Approved storage facilities required.

~~It is unlawful for any person to store temporarily stocks of fireworks except in such places as approved by the fire chief. Unsold stocks of fireworks remaining after the authorized retail sales period from 12:00 noon on June 28th to 9:00 p.m. on July 4th shall be stored in an approved location and be returned on or before July 6th of the same year to approved permanent storage facilities of a licensed fireworks wholesaler, to a magazine or permanent storage place approved by the fire chief or to a place approved by the chief of the Washington State Patrol, through the director of fire protection. Upon receiving a written application at least 30 days prior to the date of proposed temporary storage, the fire chief shall investigate whether the character and location of the temporary storage as proposed meets the requirements of the zoning, building and fire codes or constitutes a hazard to any property or is dangerous to any person. Based upon the investigation, the fire chief may grant or deny any application~~

~~for temporary storage or to subject the same to such reasonable conditions, if any, as the fire chief shall prescribe.~~

Section 9. Section 8.37.165 of the Bothell Municipal Code is hereby repealed in its entirety.

8.37.165 Repealed. Sale of fireworks to persons under 18 years of age prohibited.

~~It is unlawful to sell fireworks to any person under the age of 18 years. Sellers shall require proof of age by means of display of a Washington State Driver's License or photo identification card issued by the Washington State Department of Licensing. No other forms of identification shall be accepted.~~

Section 10. Section 8.37.210 of the Bothell Municipal Code is hereby amended as follows.

8.37.210 Revocation or suspension of permit.

A. *Authority.* The fire chief may at any time suspend or revoke any permit issued under the provisions of this chapter, if the permittee has:

1. Violated any of the provisions of this chapter by the person holding such permit or any of the person's servants, agents or employees;
2. Made any false statement or misrepresentation of fact in connection with obtaining the permit; or
3. Failed to obtain or has had suspended or revoked any license required by the state of Washington to engage in any act prohibited by Chapter 70.77 RCW or this chapter to be done without a license; or
4. Has had any insurance coverage required by this chapter cancelled, revoked or lapsed.

B. *Effective Date of Revocation.* When the fire chief determines that there is cause for revoking or suspending any permit issued pursuant to this chapter, the fire chief shall notify the person holding such permit. The notice shall specify the grounds for the suspension or revocation of the permit. The suspension or revocation shall become effective immediately upon receipt of the notice of the permittee.

C. *Appeal.* The decision of the fire chief with respect to the revocation or suspension of any permit issued under this chapter shall be final. Any permittee whose permit is suspended or revoked may appeal the decision of the fire chief to the King County superior court by filing such appeal within 10 days of the date of the final decision of the fire chief. This shall be the exclusive remedy of any permittee under this chapter.

Section 11. Section 8.37.215 of the Bothell Municipal Code is hereby amended as follows.

8.37.215 Repealed. ~~Emergency fireworks ban sale and use.~~

~~Upon recommendation of the city manager, the city council may issue a city wide temporary order prohibiting the sale, possession and use of consumer fireworks. Said recommendation shall be based on a reasonable and articulable belief that hazardous conditions exist where the sale and use of consumer fireworks poses a severe wildland-urban interface fire hazard, increasing risk and/or threatening public safety. Prior to making the recommendation, the city manager shall consult the fire chief and police chief for best available public safety information pertinent to the conditions. Said information shall be communicated to the council as part of the city manager's recommendation. The temporary emergency order shall specify the time period it shall be in effect. The emergency order may be cancelled by the city council prior to its expiration date, based on recommendation from the city manager after consultation with the fire chief and police chief as to prevailing conditions.~~

Section 12. Section 8.37.220 of the Bothell Municipal Code is hereby repealed in its entirety.

8.37.220 Repealed. ~~Reckless discharge or use prohibited.~~

~~It is unlawful for any person to discharge or use fireworks in a reckless manner which creates a substantial risk of death or serious physical injury to another person or damage to the property of another.~~

Section 13. Section 8.37.221 of the Bothell Municipal Code is hereby repealed in its entirety.

8.37.221 Repealed. ~~Discharge of fireworks by person under 18 years of age.~~

~~It is unlawful for any person under the age of 18 to discharge fireworks except under the direct supervision of a competent adult.~~

Section 14. Section 8.37.230 of the Bothell Municipal Code is hereby amended as follows.

8.37.230 Penalties for violation.

Any person violating any of the provisions of this chapter shall, upon a finding by a court of competent jurisdiction that such violation was committed, be subject to imposition of a fine and/or imprisonment as follows:

A. Unlawful possession of fireworks weighing less than one pound, exclusive of external packaging, shall be punishable by imprisonment for a period of not to exceed 90 days, and/or payment of a fine not to exceed \$1,000.

B. Unlawful possession of fireworks weighing one pound or more, exclusive of external packaging, shall be punishable by imprisonment for a period of not to exceed one year, and/or payment of a fine not to exceed \$5,000.

C. Violation of the prohibition upon use or discharge of fireworks ~~in a reckless manner~~ shall be punishable by imprisonment for a period of not more than one year and/or payment of a fine not to exceed \$5,000.

D. A violation of the restrictions upon the sale of fireworks set forth in this chapter shall be punishable by imprisonment for a period of not to exceed one year and/or payment of a fine not to exceed \$5,000.

E. Any other violation of the provisions of this chapter shall be punishable by imprisonment of up to 90 days and/or payment of a fine not to exceed \$1,000.

Section 14. SEVERABILITY. If any section, sentence, clause or phrase of this ordinance should be held to be invalid by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this ordinance.

Section 15. EFFECTIVE DATE. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is subject to RCW 70.77.250(4), and shall take effect one (1) year after passage and publication of an approved summary thereof consisting of the title.

Section 16. CORRECTIONS. 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 references thereto.

APPROVED:

LIAM OLSEN
MAYOR

ATTEST/AUTHENTICATED:

LAURA HATHAWAY
CITY CLERK

APPROVED AS TO FORM:

PAUL BYRNE
CITY ATTORNEY

FILED WITH THE CITY CLERK: _____
PASSED BY THE CITY COUNCIL: _____
PUBLISHED: _____
EFFECTIVE DATE: _____
ORDINANCE NO.: _____ (2020)

SUMMARY OF ORDINANCE NO. _____ (2020)

City of Bothell, Washington

On the _____ day of _____, 2020, the City Council of the City of Bothell passed Ordinance No. _____ (2020). A summary of the content of said Ordinance, consisting of the title, is provided as follows:

AN ORDINANCE OF THE CITY OF BOTHELL, WASHINGTON, RELATING TO FIREWORKS; DECLARING THE SALE, POSSESSION, USE, DISCHARGE AND DISPLAY OF FIREWORKS TO BE UNLAWFUL, WITH CERTAIN EXCEPTIONS.

The full text of this Ordinance will be mailed upon request.

LAURA HATHAWAY
CITY CLERK

FILED WITH THE CITY CLERK: _____
PASSED BY THE CITY COUNCIL: _____
PUBLISHED: _____
EFFECTIVE DATE: _____
ORDINANCE NO.: _____ (2020)



City of Bothell™

TO: Mayor Olsen and Members of the Bothell City Council

FROM: Erin Leonhart, Public Works Director
Boyd E. Benson, P.E., Utility and Development Manager, Public Works
Department (Presenter)

DATE: June 16, 2020

SUBJECT: Consideration of the Snohomish County Public Works Assistance Fund
Loan Agreement for Sewer Lift Station 4 (Camden Crest) Replacement

POLICY CONSIDERATION: This item asks the City Council to consider if the City should enter into a Loan Agreement with Snohomish County to provide partial funding for Sewer Lift Station 4 (Camden Crest) replacement.

If approved, this action will result in securing a short-term, low interest loan to be repaid using Sewer Utility funds over the next 10 years. If not approved, existing Sewer Utility funds will be used to finance construction of the project.

HISTORY:

DATE	ACTION
------	--------

NOVEMBER 13, 2018	Adoption of the 2019-2025 Capital Facilities Plan
--------------------------	---

Lift Station 4 Replacement Project, Project S12, is included within the adopted 2019-2025 Capital Facilities Plan (CFP).

DISCUSSION: The City of Bothell applied for, and was awarded, a \$75,000 Snohomish County Public Works Assistance Fund Loan for the Lift Station 4 Replacement Project. This project, which is included in the 2019-2025 Adopted CFP, is scheduled for construction during the 2021-2022 biennium. Project design and permitting is scheduled for completion in 2020 and project construction is planned pending successful bid and City Council approval.

The Snohomish County Public Works Assistance Fund Loan Program is a low-interest, competitive program designed to provide funding to complete small but critical city infrastructure projects within Snohomish County. The \$75,000 City of Bothell loan offer was one of three loans awarded in 2019 out of the available \$1.1 Million in County loan funds.

Sewer Lift Station 4 is located within the 242nd Place SE cul-de-sac and serves approximately 23 homes. The station was built in 1984 and replacement parts for this system have been discontinued, station reliability has decreased, and required maintenance and repair has increased significantly as the equipment reaches the limits of its design life. Funding and completion of the project will provide immediate benefits by reducing the risk of lift station failure, reduced operations and maintenance burden, and provide a more resilient sewer utility.

FISCAL IMPACTS: Cost for construction of the Lift Station 4 replacement project is estimated at \$685,000. Sewer Utility Budget is available for completion of the project with or without the loan. However, staff is recommending consideration of the \$75,000 Loan Agreement because the 1.5 percent interest, 10-year term loan provides secure, outside funding that results in increased Sewer Utility Budget capacity and improves the potential for future loan and grant awards.

ATTACHMENTS: Att-1. Snohomish County Public Works Assistance Fund Loan Agreement for Sewer Lift Station 4 (Camden Crest) replacement

RECOMMENDED ACTION: Authorize the City Manager to enter into a Snohomish County Public Works Assistance Fund Loan Agreement for Sewer Lift Station 4 replacement.

SNOHOMISH COUNTY PUBLIC WORKS ASSISTANCE FUND
LOAN AGREEMENT
LOAN NUMBER 06-2019

This loan agreement (“AGREEMENT”) is made and entered into by and between Snohomish County, a political subdivision of the State of Washington, (“COUNTY”) and, the City of Bothell, a Washington municipal corporation (“BORROWER”).

I. PURPOSE

Pursuant to chapter 36.135 RCW, and chapter 4.117 SCC, the COUNTY has awarded the BORROWER a Public Works Assistance Fund loan. The COUNTY and the BORROWER enter into this AGREEMENT to memorialize the terms by which the COUNTY will make the loan to the BORROWER for the purpose of undertaking a public works project that furthers the goals and objectives of the Snohomish County Public Works Assistance Fund Program.

II. LOAN

2.1 Amount, Interest Rate, and Term of Loan.

2.1.1 The COUNTY promises to loan the BORROWER Seventy-five thousand dollars and no cents (\$75,000.00) and the BORROWER promises to repay this principal amount to the COUNTY, with interest payable on the unpaid principal at the rate of 1.5% per annum.

2.1.2 The BORROWER will repay the loaned amount over ten years in annual installments as required by Section 2.3.

2.2 Disbursement of Loan Proceeds.

Funds will be disbursed to BORROWER as follows:

- a. Twenty-five Percent (25%) upon formal execution of this AGREEMENT.
- b. Fifty Percent (50%) after the BORROWER has awarded the construction contract and provided its contractor with a Notice to Proceed.
- c. The final Public Works Assistance Fund loan disbursement shall be the lesser of the balance of the loan proceeds or an amount as determined after the BORROWER submits to the COUNTY a certification certifying the total actual costs to complete the Scope of Work. In the event the certification of total actual costs is less than the total amount of the loan stated above, the parties will amend the AGREEMENT to reflect the actual total costs, which will not exceed the amount listed above.

2.3 Repayment of Loan.

Loan repayment installments are due on or before July 1st of each year during the term of the loan. The first loan repayment is due on or before July 1, 2020, and will be for interest only. All subsequent payments shall consist of principal and accrued interest due on or before July 1st of each year during the remaining term of the loan.

Repayment of the loan under this AGREEMENT shall include an interest rate of 1.5% per annum based on a 360 day year of twelve 30 day months. Interest will begin to accrue from the date each warrant is issued to the BORROWER. The final payment shall be due on or before July 1, 2029, in an amount sufficient to bring the loan balance to zero.

The BORROWER has the right to repay the unpaid balance of the loan in full at any time or make accelerated payments without penalty.

The BORROWER will repay the loan in accordance with the preceding conditions through the use of a check, money order, or equivalent means made payable to Snohomish County, or its successor.

2.4 Loan Interest Earned.

All interest earned on Public Works Assistance Fund Monies held by the BORROWER shall accrue to the benefit of the BORROWER and be applied to the eligible costs of the approved project. Benefits shall accrue in one of two ways:

- a. Reduce the amount of the Public Works Assistance Fund loan, or
- b. Pay any part of eligible project costs in excess of ATTACHMENT I: SCOPE OF WORK estimates, if there is an overrun of project costs.

The BORROWER shall establish procedures to ensure that all monies received from the Public Works Assistance Fund loan can be readily identified and accounted for at any time during the life of this AGREEMENT. Such procedures shall consist of the establishment of a separate fund, account, sub-account or any other method meeting generally accepted accounting principles. In event of termination, all principal, interest earned on invested loan principal, and accrued interest payable shall be repaid in full within 30 days by the BORROWER.

2.5 Delinquent Payment

A payment not received within thirty (30) days of the due date shall be declared delinquent. Delinquent payments shall be assessed a monthly penalty beginning on the first (1st) day past the due date. The penalty will be assessed on the entire payment amount. The penalty will be one percent (1%) per month or twelve percent (12%) per annum.

2.6 Default

If the BORROWER defaults in the performance of any obligation under this Agreement, the COUNTY may declare the principal amount owing and interest due under this Agreement at that time to be immediately due and payable.

III. SCOPE OF WORK, TIME OF PERFORMANCE, and COMPLETION

3.1 Scope of Work and Time of Performance

In consideration of the loan, the BORROWER promises to use the borrowed funds solely for costs related to those activities identified in Attachment I, Scope of Work. The BORROWER shall begin the activities identified within Attachment I, Scope of Work, no later than three (3) months after mutual execution of this Agreement. The BORROWER must award a construction contract and issue a Notice to Proceed to the contractor performing the Scope of Work no later than twenty-four (24) months after mutual execution of this Agreement. The BORROWER must complete the Scope of Work no later than forty-eight (48) months after mutual execution of this Agreement.

3.2 Completion and Certification of Total Actual Costs

The BORROWER shall submit a certification of the total actual costs when the Scope of Work is complete.

At completion of the Scope of Work, BORROWER shall provide the following information to the COUNTY in the certification of total actual costs:

- a. A certified statement of the actual dollar amounts spent, from all fund sources, in completing the Scope of Work as described.
- b. A certified statement that the Scope of Work is complete and has been designed/constructed to required standards.
- c. Certification that all costs associated with the Scope of Work have been incurred; Costs are incurred when goods and services are received and/or contract work is performed.
- d. Provide status of performance measures identified in the Scope of Work as applicable.
- e. In accordance with Section 2.2 of this AGREEMENT, the BORROWER will submit, together with the certification of total actual costs, either (a) a request for a sum not to exceed the loan amount, or (b) a refund of any excess loan funds. Any final disbursement shall not occur prior to the completion of the Scope of Work.
- f. Repayment of excess loan funds disbursed to the BORROWER must be made within (30) days of completion of the Certified Closeout Amendment.

3.3 Contractor Compliance with Laws

BORROWER shall be responsible to ensure that all work its contractor(s) perform under this Agreement is performed in compliance with all applicable federal, state, and local laws.

3.4 Project Signs

If the BORROWER displays, during the period covered by this Agreement, signs or markers identifying those agencies participating financially in the approved project, the

sign or marker must identify the Snohomish County Public Works Assistance Fund as a participant in the project.

IV. INDEMNIFICATION & INSURANCE

BORROWER will defend, protect, indemnify, save, and hold harmless the COUNTY, and the state of Washington from and against any and all claims, costs, damages, expenses, or liability for any or all injuries to persons or property damage, arising from the acts or omissions of the BORROWER or any of its contractors or subcontractors, or any employees or agents in the performance of this AGREEMENT, however caused. In the case of concurrent negligence of both the COUNTY and the BORROWER, any damages allowed shall be levied in proportion to the percentage of negligence attributable to each party.

BORROWER will maintain its own insurance and/or self-insurance for its liabilities from damage to property and/or injuries to persons arising out of its activities associated with this AGREEMENT as it deems reasonably appropriate and prudent. The maintenance of, or lack thereof of insurance and/or self-insurance shall not limit the liability of the indemnifying party to the indemnified party(s). The BORROWER shall provide the COUNTY with a certificate of insurance or letter of self-insurance annually as the case may be. Further, the BORROWER shall assure that the contractor(s) associated with this AGREEMENT maintain its own insurance for its liabilities from damage to property and/or injuries to persons arising out of its activities and adds the BORROWER as an additional insured on said insurance.

V. SPECIAL CONDITIONS

There are no special conditions.

VI. SPECIAL ASSURANCES

BORROWER shall comply with all applicable federal, state and local laws, requirements, and ordinances as they pertain to public works projects.

VII. TERMINATION

7.1 Termination for Cause

If the BORROWER fails to comply with the terms of this Agreement, the COUNTY may declare the BORROWER in default and terminate the Agreement in whole or in part.

The COUNTY shall notify the BORROWER in writing of any default. The BORROWER shall have five (5) days to remedy said default. In the event the BORROWER fails to remedy the default within five (5) days of written notice, the COUNTY shall issue the BORROWER written notice of termination of this Agreement and declare the principal amount owing and interest due under this Agreement at that time to be immediately due and payable.

Nothing in this section shall affect the BORROWER's obligation to repay the unpaid balance of the loan. The BORROWER's obligations to repay the unpaid balance of the loan including any accrued interest shall survive early termination of this Agreement.

7.2 Termination for Convenience

The COUNTY may terminate this AGREEMENT in the event that COUNTY funds are no longer available to the COUNTY or are not appropriated for the purpose of meeting the COUNTY'S obligations under this Agreement. Termination will be effective when the COUNTY sends written notice of termination to the BORROWER.

Nothing in this section shall affect BORROWER's obligations to repay the unpaid balance of the loan. The BORROWER's obligations to repay the unpaid balance of the loan including any accrued interest shall survive early termination of this Agreement.

VIII. OTHER TERMS AND CONDITIONS

8.1 Recordkeeping and Access to Records

The COUNTY shall have full access and the right to examine, copy, excerpt, or transcribe any pertinent documents, papers, records, and books of the BORROWER and of persons, firms, or organizations with which the BORROWER may contract, involving transactions related to this Agreement.

The BORROWER agrees to retain all records pertaining to this project and this AGREEMENT for a period of six years from the date of project closeout or early termination of this Agreement. If any litigation, claim or audit is started before the expiration of the six-year period, the records shall be retained until all litigation, claims, or audit findings involving the records have been resolved.

8.2 Reports

The BORROWER shall furnish the COUNTY with quarterly progress reports, a Certified Closeout Amendment and other periodic reports at such times and on such forms as the COUNTY may require, pertaining to the activities undertaken pursuant to this Agreement.

8.3 Amendments, Modifications, Assignments, and Waivers

BORROWER may request an amendment to this AGREEMENT, which does not increase the amount of the loan, for the purpose of modifying the Scope of Work or for extending the time of performance as provided for in Section III. Neither this AGREEMENT nor any claims arising under this AGREEMENT may be transferred or assigned by the BORROWER without prior written consent of the COUNTY. No conditions or provisions of this AGREEMENT may be waived unless approved by the COUNTY in writing. No amendment or modification shall take effect until approved in writing by both the COUNTY and the BORROWER and attached hereto.

8.4 Governing Law and Venue

This AGREEMENT shall be construed and enforced in accordance with, and the validity and performance hereof shall be governed by, the laws of the state of Washington. Venue of any suit between the parties arising out of this AGREEMENT shall be the Superior Court of Snohomish County, Washington.

8.5 Severability

If any provision under this AGREEMENT or its application to any person or circumstances is held invalid by any court of rightful jurisdiction, this invalidity does not affect other provisions of the AGREEMENT which can be given effect without the invalid provision.

VIII. EXECUTION IN COUNTERPARTS

This Agreement may be executed in two or more counterparts, each of which shall constitute an original and all of which shall constitute one and the same agreement.

“COUNTY”

SNOHOMISH COUNTY

Signature

Print Name

Title

Date

Approved as to Form:

 8/16/19

Deputy Prosecuting Attorney

“BORROWER”

CITY OF BOTHELL

Signature

Print Name

Title

Date

Federal Taxpayer Identification Number

Approved as to Form:

BORROWER Attorney

ATTACHMENT I

SNOHOMISH COUNTY PUBLIC WORKS ASSISTANCE FUND
LOAN AGREEMENT

LOAN NUMBER 06-2019

SCOPE OF WORK AND LOAN APPLICATION

Project Title: Camden Crest Sewer Lift Station #4 Replacement

Sewer Lift Station 4 is located within the 242nd Place SE cul-de-sac and services approximately 23 homes in the Camden Crest Basin. The station was built in 1984 and includes a Smith and Loveless wet-well/drywell vacuum assisted lift pump system. Replacement parts have been discontinued, station reliability has decreased and required maintenance and repairs have significantly increased as the equipment reaches the limits of its design life.

The City will reconstruct the existing sewer lift station with new submersible pumps, pump rails, pump controls, lift station Supervisory Control and Data Acquisition (SCADA), telemetry, pumping port, emergency backup power, and wet well restoration or lining as required. All work will occur within the existing footprint of the facility located within the 242nd Place SE cul-de-sac island.

Snohomish County Public Works Assistance Fund

2019 Loan Application

BORROWING AGENCY INFORMATION

Agency Name: **City of Bothell**

Agency Address: **18415 101st Ave NE, Bothell WA** City/Zip Code: **98011**

Agency Contact: **Eddie Lowe of Boyd E. Benson** Phone Number: **425-806-6789**

Contact E-Mail Address: **boyd.benson@bothellwa.gov**

Project Title: **Camden Crest Sewer Lift Station #4 Replacement**

PROJECT TYPE

Check all categories that apply to your project

- | | | |
|--|--|--|
| <input type="checkbox"/> Water Systems | <input checked="" type="checkbox"/> Sanitary Sewer | <input type="checkbox"/> Storm Sewer |
| <input type="checkbox"/> Streets/Roads | <input type="checkbox"/> Bridge | <input type="checkbox"/> Solid Waste or Recycling Facility |

APPLICATION ATTACHMENTS

- Detailed vicinity map showing project location
- Detailed project cost estimate signed by a Professional Engineer registered in WA State
- Typical road sections (if applicable)
- Utility Plan View (if applicable)
- Documentation of funding commitment from all funding partners

PROJECT DESCRIPTION

(Expand each section below as needed)

Project Title: **Camden Crest Sewer Lift Station #4 Replacement**

Project Description: (Please describe individual project components i.e. utility work, landscaping, geometrics, illumination etc.)

Replace the obsolete Camden Crest Sewer Lift Station 4 to provide reliable, safe, sewerage and decrease potential impacts to adjacent downslope residences, slopes, stream, and wetland areas within the City of Bothell North Creek Forest Park and Open Space Area. Project will reconstruct the existing station with a new lift station with new pumps, controls, emergency backup power and other lift station components utilizing the existing wet well within the existing lift station footprint.

Describe Existing Conditions:

Sewer Lift Station 4 is located within the 242nd Place SE cul-de-sac and serves approximately 23 homes in the Camden Crest Basin. The station was built in 1984 and includes a Smith and Loveless wet-well/drywell vacuum assisted lift pump system. Replacement parts for this system have been discontinued, station reliability has decreased, and required maintenance and repair has increased significantly as the equipment reaches the limits of its design life. The City evaluated feasibility of two options to address the issue: 1) Replace the Lift Station with a new lift station; and 2) install a gravity sewer conveyance system alignment through the City-owned North Creek Forest Park and Open Space Area that extends from the site of the current lift station and terminates at existing City sewer main located along 112th Avenue NE. Based on a recent feasibility and cost benefit analysis study completed by the City after the Snohomish County Public Works Assistance fund loan application loan was awarded, the City selected Option #1, Lift Station replacement.

Describe Proposed Improvements

Reconstruct the existing sewer lift station with new submersible pumps, pump rails, pump controls, lift station Supervisory Control and Data Acquisition (SCADA), telemetry, pumping port, emergency backup power, and wet well restoration or lining as required. All work will occur within the existing footprint of the facility located within the 242nd Place SE cul-de-sac island.

Describe Project Benefits:

Completion of the project will provide immediate benefits by reducing the risk of lift station failure above slopes, trails, stream channels, and wetlands located within City of Bothell North Creek Forest Park and Open Space Area. In addition, completion of the project will reduced operations and maintenance burden and provide a more resilient sewer utility with respect to day-to-day operations and emergency management.

POLICY OBJECTIVES

(Expand each section below as needed)

Applications for Snohomish County Public Works Assistance Funds (SCPWAF) shall include descriptions on how the project meets the following policy objectives if applicable:

1. Are you applying for assistance due to a severe fiscal distress resulting from a natural disaster or emergency public works need? No Yes (If yes, explain)

2. Does your project address a health or safety issue? No Yes (If yes, explain)

The lift station is obsolete and presents a potential health issue from possible sewer discharge to slopes, trails, stream channels, and wetlands located within City of Bothell North Creek Forest Park and Open Space Area. This open space area was partially purchased by Snohomish Conservation District grant funding.

The lack of replacement parts, deteriorating components, and confined space presents an employment safety issue and there have been periods where weekly maintenance and repair has been required to prevent a sewer release. Replacement of the lift station with a new lift station would address these health, safety, and maintenance issues.

3. Does your project address a gap in your system or correct an infrastructure deficiency? No Yes (If yes, explain)

The project addresses an existing infrastructure deficiency as identified in the adopted 2018 City of Bothell Wastewater Comprehensive Plan Update (Project GV-15) and the adopted City of Bothell 2019-2025 Capital Facilities Plan (Project S-12).

4. Does this project provide a long term solution or does it rely on other measures for full improvement?

The project provides a long-term solution by replacing the existing lift station with new components that are meet current standards and are maintainable and replaceable. No other measures are required for full improvement.

5. Does your project expand capacity in order to meet projected population and employment growth? No Yes (If yes, explain)

The project provides additional sewer conveyance capacity to accommodate possible future development and re-development within the sewer drainage basin.

6. Does your project promote and improve economic development? No Yes
(If yes, explain how, including the estimated number of housing units and/or additional jobs created)

Project completion allows utilization of Sewer Utility resources elsewhere within the City which indirectly promotes economic development, housing units and/or additional jobs elsewhere within the City's service area.

7. What % of the total population of your jurisdiction receives a benefit from this project?

Approximately 0.15 percent directly benefit from the project. In addition, the project directly benefits park and recreation users by decreasing potential impacts to the City of Bothell North Creek Forest Park and Open Space Area. Approximately 50 percent of the City's population resides within the City's Sewer Service Area and completing the project in the near-term benefits these users by reducing the risk of future failure and costly emergency repair that would impact service area rates.

8. Describe the type of users who will benefit from this project, including minority, low-income and/or other protected classes as identified

No protected classes have been identified that directly benefit from the project. Completing the project in the near-term reduces the risk of future failure and costly emergency repair that would impact all users, including protected classes, within the service area.

PROJECT SCHEDULE

Milestone	Date
Start Design Engineering	February 2020
Contract Advertisement	July 2020
Start Project Construction	September 2020
Project Substantial Completion	November 2020

PROJECT FUNDING

Amount of Funds Requested: \$75,000

Phase	Project Cost Breakdown			
	SCPWAF \$	Local \$	Other \$	Total Project \$
Design/Engineering/Planning	\$75,000	\$39,268		\$114,268
Right of Way				
Construction Engineering		\$114,268		\$114,268
Construction		\$457,074		\$457,074
<i>Total Project Costs</i>	\$75,000	\$610,610		\$685,610

FUNDING PARTNERS

Source	Public/Private	Amount

(Expand as needed)

BORROWING AGENCY CERTIFICATION

Certification is hereby given that the information provided is accurate and the applicable attachments are complete and included as part of the application package.

Agency Official Signature

Date



City of Bothell

**PUBLIC WORKS DEPARTMENT
CAPITAL IMPROVEMENT PROJECT
PRELIMINARY PLANNING LEVEL ENGINEER'S ESTIMATE
Camden Crest Sewer Lift Station #4 Replacement**

11/26/2019

RM

ITEMS				Engineer's Cost Estimate	
No.	Bid Item Description	Qty.	Unit Measure	Unit Price	Total Cost
1	Survey	1	LS	\$ 3,000.00	\$ 3,000.00
2	SPCC Plan	1	LS	\$ 3,000.00	\$ 3,000.00
3	Mobilization, Cleanup & Demobilization	1	LS	\$ 28,132.00	\$ 28,132.00
4	Project Temporary Traffic Control	1	LS	\$ 2,000.00	\$ 2,000.00
5	Demo Existing Lift Station	1	LS	\$ 6,000.00	\$ 6,000.00
6	Prepackaged Lift Station with Control Panel	1	LS	\$ 195,000.00	\$ 195,000.00
7	Install Lift Station	1	LS	\$ 50,000.00	\$ 50,000.00
8	Connect sewer/water pipes to lift station	125	LF	\$ 70.00	\$ 8,750.00
9	Connect electrical to lift station	1	LS	\$ 5,000.00	\$ 5,000.00
10	Crushed Surfacing Base Course	3	TN	\$ 50.00	\$ 150.00
11	Commercial HMA	8	TN	\$ 200.00	\$ 1,600.00
12	Trench Excavation Safety Systems	1	LS	\$ 5,000.00	\$ 5,000.00
13	Erosion/Water Pollution Control	1	LS	\$ 2,000.00	\$ 2,000.00
14	Bypass Pumping	1	LS	\$ 5,000.00	\$ 5,000.00
15	Vegetation Restoration and Permanent Erosion Control	1	LS	\$ 5,000.00	\$ 5,000.00
Subtotal Base Bid Schedule:				\$	319,632.00
Contingency (30%)				\$	95,889.60
Washington State King County Sales Tax 10%:				\$	41,552.16
Total Construction Contract Cost:				\$	457,073.76
Construction Management Cost (25% of Total Construction Contract Cost):				\$	114,268.44
Design Cost (25% of Total Construction Contract Cost):				\$	114,268.44
TOTAL PROJECT COST:				\$	685,610.64





City of Bothell™

TO: Mayor Olsen and Members of the Bothell City Council

FROM: Jennifer Phillips, City Manager

DATE: June 16, 2020

SUBJECT: Update on Progress towards Council’s 2019-2020 Biennium Goals

POLICY CONSIDERATION:	The Council Goals serve as policy direction to the City Manager for the allocation of resources to achieve the Council’s agreed upon priorities. Typically, the Council is presented with quarterly updates on progress made toward achieving the Council’s goals. This update also offers the Council an opportunity to consider any new or modified policy direction that the Council may be interested in pursuing.
------------------------------	--

HISTORY:	<table border="0" style="width: 100%;"> <thead> <tr> <th style="text-align: left; border-right: 1px solid black; padding-right: 10px;">DATE</th> <th>ACTION</th> </tr> </thead> <tbody> <tr> <td style="border-right: 1px solid black; padding-right: 10px;">OCTOBER 16, 2018</td> <td>Council adopted goals for the 2019-2020 biennium.</td> </tr> <tr> <td style="border-right: 1px solid black; padding-right: 10px;">FEBRUARY 19, 2019</td> <td>Council adopted the Council Goals Scorecard for 2019-2020.</td> </tr> <tr> <td style="border-right: 1px solid black; padding-right: 10px;">MAY 21, 2019</td> <td>Staff presented Scorecard Update for 1st Quarter 2019-2020 biennium.</td> </tr> <tr> <td style="border-right: 1px solid black; padding-right: 10px;">SEPTEMBER 3, 2019</td> <td>Staff presented Scorecard Update for 2nd Quarter 2019-2020 biennium.</td> </tr> <tr> <td style="border-right: 1px solid black; padding-right: 10px;">NOVEMBER 19, 2019</td> <td>Staff presented Scorecard Update for 3rd Quarter 2019-2020 biennium</td> </tr> </tbody> </table>	DATE	ACTION	OCTOBER 16, 2018	Council adopted goals for the 2019-2020 biennium.	FEBRUARY 19, 2019	Council adopted the Council Goals Scorecard for 2019-2020.	MAY 21, 2019	Staff presented Scorecard Update for 1 st Quarter 2019-2020 biennium.	SEPTEMBER 3, 2019	Staff presented Scorecard Update for 2 nd Quarter 2019-2020 biennium.	NOVEMBER 19, 2019	Staff presented Scorecard Update for 3 rd Quarter 2019-2020 biennium
DATE	ACTION												
OCTOBER 16, 2018	Council adopted goals for the 2019-2020 biennium.												
FEBRUARY 19, 2019	Council adopted the Council Goals Scorecard for 2019-2020.												
MAY 21, 2019	Staff presented Scorecard Update for 1 st Quarter 2019-2020 biennium.												
SEPTEMBER 3, 2019	Staff presented Scorecard Update for 2 nd Quarter 2019-2020 biennium.												
NOVEMBER 19, 2019	Staff presented Scorecard Update for 3 rd Quarter 2019-2020 biennium												

DISCUSSION: The attached Scorecard has been updated with the steps that staff have taken since October 2019 to achieve the Council’s biennium goals, as well as upcoming actions. These strategic objectives were then “scored” with green, yellow, or red.

- Green: work is proceeding on schedule or has been accomplished.
- Yellow: a delay has occurred, and staff will continue to pursue this course of action.
- Red: re-evaluation of the objective is necessary and possibly a different course of action.

It is important to note that, due to this year’s unexpected pandemic, priorities and workloads for staff have had to be adjusted, thus causing a delay in work towards completing some of Council’s goals. The strategic objectives and targeted completion dates have been updated accordingly on the attached scorecard.

FISCAL IMPACTS: | No impacts from this report.

ATTACHMENTS: | Att-1. 2019-2020 Biennium Scorecard

RECOMMENDED ACTION: | No action is requested at this time.

CITY COUNCIL GOALS

Scorecard Update

4th Quarter 2019-2020

GOALS

- [Affordable Housing Strategy](#)
- [City-wide Teambuilding, Training, and Organizational Development](#)
- [Community Connections](#)
- [Community Health for Those In Need](#)
- [Economic Development](#)
- [Environmental Stewardship and Sustainability](#)
- [Fiscal Responsibility and Stability](#)
- [Parks/ Recreation/ Open Space Partnerships](#)
- [Public Safety Strategy](#)
- [Technology Strategy](#)

STATUS KEY



ON SCHEDULE



CAUTION



DELAYED

AFFORDABLE HOUSING STRATEGY

Strategic Objectives	Performance Measures	Responsible Dept(s)	Target Completion	Updates	Status
<p>Implement Housing Strategy, with an emphasis on affordable housing.</p>	<ol style="list-style-type: none"> 1. Continue to implement actions in Housing Work Program that encourage Affordable Dwelling Units (ADU) (e.g. code amendments, cost savings). 2. Enact additional affordable housing tools identified by Council in the Housing Work Program. 3. Pursue partnerships to create additional housing, especially affordable, around Transit-oriented Development (TOD). 	<p>CD, Legal, Finance, PW</p>	<ol style="list-style-type: none"> 1. Ongoing 2. Ongoing 3. Ongoing 	<ul style="list-style-type: none"> • Participated in review of final report and recommendations of Snohomish County Housing Affordability Regional Task Force (HART). Assisting with specific strategies. • Awarded contract to consultant to perform state grant-funded code amendments to increase the number of lots for short plats and allow duplexes on corner lots in single family zones. • Continued work with ARCH staff on Multifamily Tax Exemption (MFTE) program including identifying target areas with Planning Commission. • Initiated work on code amendments for reduced parking to facilitate affordable housing project on Parcel A and elsewhere. • Vacancy of one Long Range Planner position after Bruce’s retirement will require shifting some assignments and delay work on Affordable Housing strategies 	

[Return to Top](#)

CITY-WIDE TEAMBUILDING, TRAINING, AND ORGANIZATIONAL DEVELOPMENT

Strategic Objectives	Performance Measures	Responsible Dept(s)	Target Completion Date	Updates	tatus
<p>Hire levy and other positions in line with organizational goals/values, ensuring the City is obtaining the best possible talent available.</p>	<ol style="list-style-type: none"> 1. Take Levy hiring plan to Council in 1st Qtr 2019. 2. Implement levy plan as approved by the City Manager. 3. Develop and begin implementing diversity hiring plan. 4. Identify alternative recruitment resources and methods for difficult to hire positions including police officers, dispatchers, engineers, etc. 	<p>Exec, HR, Police, Fire, PW, IS</p>	<ol style="list-style-type: none"> 1. Q1 2019 2. Q2 2023 3. Q1 2020 4. Q3 2020 	<ul style="list-style-type: none"> • 23 out of 27 levy-funded positions are filled as of Q2 2020 – 4 firefighters, 13 officers, IS App Analyst, Probation Lead, Building Maintenance Specialist, Police Support Officer, Property Coordinator and Crime Analyst. • 4 levy-funded positions remain vacant as of Q2 2020: Community Engagement Coordinator, Navigator Mental Health Professional, and two firefighters. Recruitment for Community Engagement Coordinator and Navigator Mental Health Professional will be initiated in June. Recruitment currently underway to fill two Firefighter positions • Levy Team is preparing new project plan to reflect COVID-19 related delays • Hiring freeze in place due to financial impacts of COVID-19. Only absolutely essential positions being approved for fill • New recruiting model for Capital Project Engineer/Associate Engineer. First person hired in new Associate role. • Intern partnership with Northshore School District in Public Works that emphasizes providing high school seniors with disabilities opportunities to work in office environments. • City partnering with Archbright to review current workforce and community demographics to begin development of a diversity hiring plan 	

<p>Identify development gaps and succession planning opportunities. Conduct organization-wide training and other development activities to fill gaps and provide career development.</p>	<ol style="list-style-type: none"> 1. Develop leadership competency framework and begin including leadership job level professional competencies in job description, performance appraisals, training plan, etc. 2. Fill training gaps identified in 2017 WCIA audit. 	<p><u>HR</u></p>	<ol style="list-style-type: none"> 1. Q3 2020 2. Q4 2019 	<ul style="list-style-type: none"> • The City is partnering with Summit Law to provide various legal/supervisory trainings in the last quarter of 2019 and 2020 that will fill the gaps identified in the WCIA audit. • HR Director Mathew Pruitt has met with managers group to provide training on “just cause” requirements and the performance appraisal process. • Vast majority of training has been canceled for 2020 due to COVID 19. Developing training plan for 2021-2022 to ensure all required and highly valuable training is funded to ensure our 360 employees retain and enhance their skills 	
<p>Culture: To instill values that promote exceptional customer service, teamwork, innovation, safety and ethics in the workplace.</p>	<ol style="list-style-type: none"> 1. Link organizational values to competency framework. 2. Develop and conduct first annual employee engagement survey and develop a plan in response to employee feedback. 3. Join AWC retrospective rating program and begin implementing recommended changes. 4. Develop three safety-related programs by the end of 2019 to be included in newly developed accident prevention program, and five by the end of 2020. 5. Identify and implement ways to recognize/reward employees for living up to organizational values. 	<p><u>HR</u></p>	<ol style="list-style-type: none"> 1. Q2 2019 2. Q4 2019 3. Q2 2019 4. Q4 2020 5. Q1 2019 	<ul style="list-style-type: none"> • HR working with Archbright to finalize new competency framework that will be used in job descriptions and performance appraisals. • City joined AWC retrospective rating program. • Working with Edmonds Community College safety and health program to bring unpaid intern on board to assist with safety program development. • Employees given awards at Employee Appreciation Luncheon for reflecting City values. • Safety program has developed hearing conservation program and is working with the Fire Department to purchase hearing protection and reduce hearing related injuries. • New Return to Work process in the final stages of being developed. • Consultant hired and in the process of developing three safety programs including lock out/tag out, silica exposure, and confined space entry. 	

				<ul style="list-style-type: none"> • 2nd Annual Safety Rodeo was a huge success. • Defensive driving training provided to all city employees. • Active shooter training provided to all employees at BOC and City Hall. • Verbal de-escalation training scheduled for Q4. 	
Attain American Public Works Association (APWA) Accreditation	<ol style="list-style-type: none"> 1. Complete and submit Self-Assessment 2. On-site Evaluation 3. Accreditation awarded by APWA at Council 	<u>PW</u>	<ol style="list-style-type: none"> 1. Q4 2019 2. Q3 2020 3. Q4 2020 	Due to COVID-19, the APWA site visit was rescheduled from March to August 2020. Staffing reductions and workload are also impacting department's resources and ability to work on this strategic objective.	

[Return to Top](#)

COMMUNITY CONNECTIONS					
Strategic Objectives	Performance Measures	Responsible Dept(s)	Target Completion Date	Updates	Status
Events and Activities Plan	<ol style="list-style-type: none"> 1. Develop community partners for new events and activities. 2. Host Concert in the Park Series, 4th of July, Just Kidding Around (kids music concerts), Safe Halloween, Arbor Day. 3. Hire New Volunteer and Special Events Coordinator to develop and administer new citywide program. 4. Create new Special Event Permit Process for simpler, more efficient process. 	<u>P&R</u> , Exec	<ol style="list-style-type: none"> 1. Ongoing 2. Completed 3. Completed 4. Ongoing 	<ul style="list-style-type: none"> • 50 Special Events were permitted in 2019. • 23 permitted events were organized by the City. • 27 permitted events were organized by external groups. • 26 event sponsorships were secured for City organized special events bringing in over \$45K to help offset the costs to produce special events. • Staff met with internal and external stakeholders who completed surveys and gave feedback on current process Information presented to Council at February 4, 2020 Study Session • Based on feedback received and clarified objectives, staff is working on crafting a new Special Event Permit process for review and adoption by Council in 2020. 	

				<ul style="list-style-type: none"> • Due to COVID-19 Response, no new special event applications are currently being accepted. City staff continue to work with applicants who submitted applications pre-COVID to determine the best path forward. Under Governor Inslee’s Phased Plan for Re-opening, gatherings of 50 or more will be allowed in phase 4. • Recreation Coordination position was laid off. Director is evaluating innovative ways to deliver services in the future 	
Arts Commission Programs and Public Art	<ol style="list-style-type: none"> 1. Work to secure funding from King County's 4Culture program for creative consultant to assist Arts Commission with a cultural plan for the City. 2. Begin preparations for transition of Living Wall in City Hall into new art piece or venue. 3. Develop 2019-2020 work plan for Council consideration 4. Apply for grant funding from 4Culture to continue creative consultant work for Phase 3 and 4 of completed Cultural Plan. 5. Staff works with PW to incorporate art into construction of Fire Station #42 using 1% for Public Art Funds. 	<u>Exec</u> , PW	<ol style="list-style-type: none"> 1. Q2 2019 2. Q3 2019 3. Q2 2019 4. Q1 2020 5. Q2 2020 	<ul style="list-style-type: none"> • Funding received from 4Culture for \$15,000 to complete Phase 1 to hire creative consultant to develop a cultural plan. • Commission dedicates a portion of their budget to implement Phase 2 for the completion of the Cultural Plan in December 2019. • Living Wall plants removed, wall covered with decorative cloth so Arts Commission can begin prepping for art on wall. Commission cannot use one-percent for art funds to sheetrock wall and funds not available through general fund. Will request funding during 2021/2022 budget cycle. • Council adopted 2019 Arts Commission Work Plan on April 16. • Q1 2020: Arts Commission will return to Council with 2020 work plan after Phase 3 of Implementation of Cultural Plan is complete. • Arts Commission has not met due to COVID-19 delaying work plan and initiation of implementation of Cultural Plan • Q2 2020: Call for Artists RFQ 	

Communications program	Evaluate and refresh current communications program	<u>Exec</u>	Q2-Q3 2019	<ul style="list-style-type: none"> • Communications Team continues to streamline and standardize communications. • Continued analytics of website and social media to determine what people need and want to learn about. • Monthly eNews process formalized and team trained to provide more timely and relevant public information. Team researched direct email trends and redesigned eNews to simplify content and improve readability. • Used Annual Calendars to plan and deconflict engagement activity for 2020, but currently readjusting based on COVID. • Called 70+ senior communities/facilities in to discuss needs and disseminate information. Called 13 faith-based leaders to learn about needs and issues. • Drafted survey for non-profits and service agencies to learn more about community needs. • Added all stakeholder information and new contacts to Community Mapping database to help with future community engagement. • Transitioning printed Bothell Bridge to electric version; sending cards to all residents notifying of the change 	
Diversity Committee	Develop an internal Diversity Committee	<u>HR</u>	Q1	<ul style="list-style-type: none"> • Completed “welcome” window in City Hall Lobby. • Gave an update to council on April 2. • Developed City Council proclamation to recognize Pride Month. • Send out monthly newsletter to all employees. • Offering “race and family” series discussions to Bothell employees. 	

				<ul style="list-style-type: none"> Started “lunch with” program to allow employees of different background to share food and talk about their ethnicity/culture Planning mandatory implicit bias training for Spring 2020, now delayed due to COVID -19 	
Boards and Commissions Meet and Greet.	Host two events annually for members of all City Boards and Commissions to get to know each other.	<u>Exec</u>	Q2 May	Two Meet & Greet events were held in conjunction with Artist Receptions in 2019.	

COMMUNITY HEALTH FOR THOSE IN NEED					
Strategic Objectives	Performance Measures	Responsible Dept(s)	Target Completion Date	Updates	Status
Human Services Grants	<ol style="list-style-type: none"> Pursue deliberate strategy for program improvement in 2019/2020 in preparation for greater local focus of grants in the future. \$344,760 distribution of grants in 2019 to support human services in Bothell area. Held approximately \$50,000 in 2020 to fund a Program/Needs Assessment Work with the Human Services Committee and/or the full Council to determine direction of grant program for 2021-2022. 	<u>Exec</u>	<ol style="list-style-type: none"> Q4 2019 Q2 2019 Q3 2020 	<ul style="list-style-type: none"> Staff met with the Council’s Human Services Committee to discuss possible alternatives for managing the human services grants. Staff is currently gathering data to provide analyses of these alternatives by Sept. 2019. Contracts to fund the 46 programs were executed by end of May 2019. Agencies are submitting their quarterly reports and reimbursement requests. Due to COVID-19, work on revamping the Human Services grant program was placed on hold. The current grants will expire at the end of 2020. 	
Improve the Police Department response to those in the community who are impacted by mental health challenges, drug	<ol style="list-style-type: none"> Formalize and expand the North Sound RADAR Navigator program Crisis intervention training for commissioned staff Cops & Clergy 	<u>Police</u> , HR, Legal, Finance	<ol style="list-style-type: none"> Q4 2019 Q4 2019 Q4 2019 Q1 2020 Q2 2020 	<ul style="list-style-type: none"> Q1: The RADAR Navigator ILA was approved and signed. In Bothell, the Program received 30 case referrals and conducted 60 follow-ups from those referrals. Q2: The RADAR Navigator program continued to serve persons in need of 	

<p>addiction, and homelessness.</p>				<p>services, with 39 case referrals and over 60 follow-ups and co-responsive contacts.</p> <ul style="list-style-type: none"> • Q2: The Police Department held a well-attended Cops and Clergy meeting, with a full discussion on the topic of Homelessness and Mental Health in our City. • Q2: The Police Department, along with other City personnel and volunteers conducted an updated homeless count. • Q3: The RADAR program has assigned Renee Cox as the Acting RADAR Manager. • Q3: The Police Department, with the assistance of HR and Legal, has posted an updated Job announcement for the RADAR Manager position. • Q3: The Police Department, with the assistance of HR and Legal updated and completed contracts for the Acting RADAR Manager and RADAR Consultant. • Q3: Capt. Rogers and MPO O’Neal attended the CIT International Conference in Seattle. • Q3: As of Q3, 27 commissioned employees have completed the CIT annual refresher. • Q3: As of Q3, one additional officer has completed the 40 hr CIT course. • Q4: As of Q4, all commissioned employees have completed the mandatory CIT annual refresher. • Q4: No Cops and Clergy events were scheduled during the quarter. • Q4: RADAR Manager candidate currently in background. • Q4: 3 RADAR Navigators are currently in background. • Q4: Interview process on-going for 4th RADAR Navigator. 	
-------------------------------------	--	--	--	--	--

				<ul style="list-style-type: none"> • Q2: During the Stay Home, Stay Healthy proclamation, the chaplains have mainly been out of service. There have been no Cops and Clergy events schedules since the Stay Home, Stay Healthy proclamation went into effect. • Q2: Since the beginning of 2020, twenty commissioned personnel have completed the annual on-line 2 hour CIT Update course. • Q2: Employees of the Bothell Police Department with additional assistance from Bothell Fire Department hosted a “Food Drive-Through. The food drive brought in over \$5,000.00 in cash and 6,700 pounds of food. HopeLink stated that the money and food would provide 6,350 meals for those in need. • Q1: RADAR Manager Brook Buettner was hired and funded 100% through a MIDD grant. • Q2: RADAR Manager Buettner has hired two Navigators, with a third in Background. An additional Navigator, funded through WASPC, was provided through Kirkland PD. • Q2: RADAR Manager Buettner has provided a number of presentations with the partnering cities and to King County Council. • Q2: RADAR Manager Buettner has created a schedule to track all the Navigators work schedule and worked on writing the Navigator Program Policy and Procedure manual. 	
--	--	--	--	--	--

[Return to Top](#)

ECONOMIC DEVELOPMENT

Strategic Objectives	Performance Measures	Responsible Dept(s)	Target Completion Date	Updates	Status
Tourism Program	<ol style="list-style-type: none"> 1. Launch new website, utilizing new brand for program and new strategy of audience targeting and outreach. 2. Create work plan for Council review. Alter contracting strategy for greater efficiency in marketing and promotion work. 3. Explore a variety of vendor services in 2019 for greater effectiveness and generation of hotel stays. 4. Research event that brings in over-night stays to Bothell hotels. 5. Present 2020/2021 Streetsense contract to Council for considered adoption. 6. Program of work and Streetsense contract reduced due to loss in revenue from COVID-19 7. Revenue generating opportunity explored through JVA with Streetsense and Bandwango 	<u>Exec</u>	<ol style="list-style-type: none"> 1. Q2 2019 2. Q1 2019 3. Q4 2019 4. Q1 2020 5. Q2 2020 6. Q2 2020 	<ul style="list-style-type: none"> • New website launched in April. Traffic to website increased by 58.6% over old website in 1st month. • Council adopted work plan and new contract with StreetSense on Feb. 5, 2019. • Sip & Stay package launched with new brand. New contract began with Bandwango that created on-line packages, leveraging Bothell breweries, restaurants & shops, encouraging overnight hotel stays. • Q1: Over-night stays event research cancelled due to loss of hotel/motel tax revenue from COVID-19. All reserves dedicated to current program of work. • Q1: Streetsense 2020 contract adopted by Council on March 3. • Tourism program has been significantly impacted by COVID-19. Contract with StreetSense renegotiated. Assessing revenue projections and budget for 2020 and 2021-2022. 	

<p>Environmental Cleanup/ Disposition of Surplus Property</p>	<p>Bothell Service Center (BSC) (Impacts Block D)</p> <ol style="list-style-type: none"> 1. Install Bioremediation equipment 2. Complete Bioremediation and Soil Vapor Extraction (SVE) and groundwater compliance monitoring 3. Available for land development 4. Amend the CD to include the Wexler clean-up 5. Receive Department of Commerce \$1.5 million grant (Legislative appropriation) 	<p><u>PW</u>, Exec</p>	<ol style="list-style-type: none"> 1. Q1 2019 2. Q2 2021 3. Q1 2019 4. Q2 2019 	<ul style="list-style-type: none"> • Focused soil excavation was completed at the end of August. Soil vapor extraction ended in September. Bioremediation and groundwater monitoring to ensure that the system is operating efficiently. • The property can be developed during bioremediation activities within CD parameters. Ecology must be notified of any associated land transactions or work on the site that could affect clean-up to be consistent with agreements. Monitoring wells will have to be kept open and/or relocated, with Ecology approval, even after redevelopment. 	
<p>Environmental Cleanup/ Disposition of Surplus Property</p>	<p>Ultra Site (Impacts City Center Block & Lot EFG)</p> <ol style="list-style-type: none"> 1. Draft Remedial Investigation (RI), Feasibility Study (FS) and draft Clean-up Action Plan (dCAP) 2. Consent Decree finalized 3. Available for Land Development 	<p><u>PW</u>, Exec</p>	<ol style="list-style-type: none"> 1. Q4 2019 2. Q3 2020 3. Unknown 	<ul style="list-style-type: none"> • Further characterization of the contamination, per Ecology request, started in February 2020 and is anticipated to continue through Q3 2020. • Completion of characterization will provide an estimate of the timeline and cost of clean-up. 	
<p>Environmental Cleanup/ Disposition of Surplus Property</p>	<p>Petroleum Sites (Hertz, Paint, Bothell Landing)</p> <ol style="list-style-type: none"> 1. Record covenants associated with Agreed Orders (AOs) 2. Complete Groundwater Monitoring 3. Satisfaction of Order (close-out) 4. Available for Land Development 	<p><u>PW</u></p>	<ol style="list-style-type: none"> 1. Q2 2019 2. Q2 2019 3. Q3 2023 4. Q2 2019 	<ul style="list-style-type: none"> • The covenants were finalized by Ecology and recorded by the City in March 2020. • These sites are not currently restricting land development. Ecology must be notified of any associated land transactions or work on the site that could affect clean-up to be consistent with agreements. 	
<p>Environmental Cleanup/ Disposition of Surplus Property</p>	<p>Lot P South</p> <ol style="list-style-type: none"> 1. Supplemental site characterization 2. Supplemental cleanup 3. Enrollment in PLIA 4. Available for Land Development 	<p><u>PW</u>, Exec, Legal</p>	<ol style="list-style-type: none"> 1. Q4 2018 2. Q2 2019 3. Q2 2019 4. TBD 	<ul style="list-style-type: none"> • First monitoring sample was completed in January 2020. The second monitoring event was completed in April 2020. • PLIA sent the City an Opinion letter, and responses to the letter were sent in May 2020. Discussions with PLIA are ongoing • Availability for land development is contingent upon successful cleanup as determined by obtaining a series of clean groundwater monitoring results, estimating late 2020. 	

Environmental Cleanup/ Disposition of Surplus Property	Riverside Petroleum site (Impacts Lot EFG) Enter into new TPH-only cleanup Agreed Order	<u>PW</u> , Exec	Q3 2019	<ul style="list-style-type: none"> Ecology issued a Satisfaction of Order letter and delisted the TPH site in March 2020 since the clean-up has been completed. 	
Environmental Cleanup/ Disposition of Surplus Property	Riverside Solvent site (No Surplus Prop. Impact) 1. Enter into new solvent-only RI/FS/dCAP Agreed Order 2. Complete site characterization and RI/FS/dCAP	<u>PW</u>	1. Q3 2019 2. Q3 2020	<ul style="list-style-type: none"> Site characterization is underway, and the RI/FS/dCAP process is underway. 	
Environmental Cleanup/ Disposition of Surplus Property	Wexler 1. Remedial Investigations 2. BSC Consent Decree Amended 3. Implement cleanup 4. Available for Land Development	<u>PW</u> , Exec	1. Q4 2018 2. Q2 2019 3. Q3 2019 4. Q4 2019	<ul style="list-style-type: none"> The CD amendment was executed in October 2019. Construction plans for the cleanup were completed in October 2019 and the project was advertised for bids. Council approved the execution of a cleanup contract with Wyser Construction in December 2019. The soil excavation and disposal was completed in February 2020.. Groundwater monitoring is currently underway at the site The property will be ready for development , now that the Wexler excavation has been completed. Sale and development of the property is subject to purchaser's willingness to work around bioremediation and monitoring wells that will remain in place for several years. Ecology must be notified of any associated land transactions to be consistent with the Consent Decree. 	
Sound Transit 3 BRTs and Park & Ride	1. Complete Park & Ride siting process 2. Advocate for robust service from SR 522 and I-405 BRT, including long-term connection between the two BRT routes for incorporation into final projects. 3. SR 522, Stage 3 Construction Funding Agreement	<u>PW</u> , Exec, CD	1. Q3 2019 2. Q1 & Q2 2019 3. ST Board Action: 3/2019; Council Action:	<ul style="list-style-type: none"> Sound Transit considers Lot P South as its primary option. The City has provided information on three potential alternate locations to consider. Design of the SR 522/I-405 interchange with a transit facility to allow BRT connection continues. Design of an inline 	

	<p>4. Sound Transit mitigates capacity and other impacts of locating bus barn in Canyon Park Regional Growth Center</p> <p>5. SR 522, Stage 3 Construction begins</p>		<p>4/2019 4. TBD 5. Q2 2019</p>	<p>BRT stop along I-405 at the Brickyard park and ride continues.</p> <ul style="list-style-type: none"> • Sound Transit continues to work toward a 10% design of the SR 522/NE 145th St BRT project within Bothell, including the park and ride. Completion of the SEPA process has been delayed by a couple months since the project has not been finalized. ST has begun reaching out to potentially affected parcels and businesses along the SR 522 corridor to inform them of the project but has not yet done so in Bothell. It is anticipating this may occur in July 2020. • Due to the impacts of the COVID-19 pandemic, the Sound Transit Board will begin workshops in early June to realign the ST3 projects with available revenues. • Retaining wall work continues on the south side of the SR 522, Stage 3 project. It is estimated that work will switch to the north side in fall 2020. Unanticipated utility relocation work and soil conditions have added cost and time to the project. It is anticipated the project will be complete in July 2021 with one year of plant establishment to follow. • City staff has had ongoing discussions with ST since late 2019 to explore a transfer of development rights (TDR) approach for retaining capacity for regional growth center in light of bus base siting. ST has not yet agreed to this approach. Staff continues to work on resolving the SEPA appeal of the minimum development amendments by the business park owners association. Staff and consultants are moving forward on Canyon Park subarea plan update. • Vacancy of one long range planner position after Bruce's retirement will require re-assessing priorities and work on this 	
--	---	--	---	--	--

				approach, if pursued, will result in delaying other tasks.	
Disposition of Surplus Property - Civic Center Lot	Amend regulations as directed by Council to facilitate sale and ensure desired development.	<u>Exec</u> , CD	Q2 2019	No amendments required at this time.	
Disposition of Surplus Property - Lot A	Review and if directed amend regulations as directed by Council to facilitate sale and ensure desired development.	<u>Exec</u> , CD	Q2 2019	Boundary Line Adjustment completed. In discussion with buyer/developer to identify and implement code changes for proposed affordable housing development. Code amendments included in 2020 Docket approved by Council. PSA in negotiations. Option Agreement signed and developer due diligence in process. Developer signed extension to extend due diligence until November 2020.	
Develop Economic Development Program.	<ol style="list-style-type: none"> 1. Deliver consultant study with UW to create Economic Development Strategy 2. Create Economic Development "dashboard" 3. Initiate disposition of 5 city-owned parcels 4. Create business retention and expansion program 5. Develop connections with businesses, initiate discussion on business license and fees options 	<u>Exec</u>	<ol style="list-style-type: none"> 1. Q2 2019 2. Q2 2019 3. Q4 2019 for Lots A, D & P. TBD for Lots EFG and city hall block. 4. Q2 2019 5. Q1 2020 	<ul style="list-style-type: none"> • Economic Development dashboard completed and presented to Council. • Lot A is on the market. Lots D&P to follow 4th quarter 2019. • BRE program ongoing. • BRE 50 meetings/6 months campaign completed and report finalized. Unable to deliver results of campaign due to the disruption of COVID-19 • BRE program ongoing. All activities focused on COVID-19 mitigation, resiliency, and recovery • Completed review and recommendations for close to 100 applications for the Governor's Small Business Emergency Grant 	
Develop strategy for 4 acres of former Wayne Golf Course	Work closely with Economic Development Manager to develop the parameters for a feasibility study on economic development opportunities at the 4 acres of unrestricted land on the former Wayne Golf Course property	<u>Exec</u> , all other Depts	Q4 2019	A Request for Proposals went out seeking consultants to complete a feasibility study for the site and a consultant chosen for conduct feasibility study. Launch date was 7/24/19. Feasibility study completed and presented to Council. A Wayne Golf Course informational meeting was held at City Hall on January 16 to discuss the history of the Wayne Golf Course	

				purchase and the results of the feasibility study on the four acres of active space.	
Update Canyon Park Subarea Plan, including compliance with new criteria for Regional Growth Center (RGC)	<ol style="list-style-type: none"> 1. Engage stakeholders and general public in plan update. 2. Develop land use scenarios to inform plan update and SEPA 3. Draft plan and SEPA consistent with RGC requirements. 4. Complete SEPA and Final Plan update for Council action and implementation. 	CD, PW, Parks, Exec, Legal	<ol style="list-style-type: none"> 1. 2017-2019; Q1-Q3 2020 2. Q2-Q4 2019 3. Q1-Q4 2019 4. Q2-Q3 2020 	<ul style="list-style-type: none"> • Continued engagement with property and business owners, including major employers. • Conducted additional workshops with state, regional, county and local transportation and transit agencies to review extensive transportation analysis in preparation of DEIS. • Issued DEIS for public review and comment. • Refined several land use scenarios plus no action for DEIS analysis and leading toward a preferred alternative. • Met with PSRC staff to review progress on subarea plan and confirm direction is compliant with Regional Growth Center criteria. <p>Vacancy of one long range planner position after Bruce's retirement will require re-assigning staff to complete this project, resulting in delays to other projects.</p>	

[Return to Top](#)

ENVIRONMENTAL STEWARDSHIP AND SUSTAINABILITY					
Strategic Objectives	Performance Measures	Responsible Dept(s)	Target Completion Date	Updates	Status
Rebrand BothellCool to be a more comprehensive Sustainability Program aligned to all-City initiatives and communications	<ol style="list-style-type: none"> 1. Branding reflects City sustainability programs and priorities. 2. Organization-wide involvement. 	PW, Exec	Q1 2020	Sustainability staff archived BothellCool social media channels. Sustainability messaging, tips, and helpful information now incorporated into city channels and wider audience.	

Reduce Waste and Increase Recycling	<ol style="list-style-type: none"> 1. Increased diversion rates for single family, multi-family and commercial properties. 2. Clarify allowed recyclable materials in conjunction with the regional Responsible Recycling Taskforce. 3. Explore an ordinance to reduce use of select single-use plastics and Styrofoam in Bothell. 4. Expand multifamily Waste Wise program by signing up 50% more properties than 2018 (in summer 2018, five properties with 390 units signed up for the program.) 5. Increase City employee understanding and participation. 	<u>PW</u>	<ol style="list-style-type: none"> 1. Q4 2019 & Q4 2020 2. Q3 2019 3. Q3 2019 4. Q4 2019 5. Q4 2020 	<ul style="list-style-type: none"> • Worked with Northshore School District Adult Transitioning Students to audit multi-family containers in Q4 2019 and Q1 2020. Through this program, contamination was reduced by nearly 12,000 lbs. at participating properties. • The State of Washington adopted regulations restricting plastic bag use that will be effective in January 2021. Council repealed the City's Ordinance on April 7, 2020 to align with state law and in response to COVID-19 concerns. 	
Reduce impacts from improper disposal and handling of business hazardous waste	Complete 85 business site visits to assist with navigating regulations, waste handling techniques, spills, and proper disposal of dangerous wastes.	<u>PW</u>	Q4 2019	The consultant exceeded site visit goals for Q1 2020. In-person site visits are on hold due to COVID-19. The consultant is working on a process to conduct virtual site visits.	
Reduce chemical fertilizer use for aesthetic applications	Decrease use of chemical fertilizers by 75% among homeowners by education via the Natural Yard Care program <ol style="list-style-type: none"> a. Provide Natural Yard Care Workshops b. Survey participants of workshops to measure behavior change 	<u>PW</u>	<ol style="list-style-type: none"> a. Q4 2019 & Q3 2020 b. Q3 2020 	<ul style="list-style-type: none"> • Program launched a series of three workshops to 146 Bothell participants in Q3 2019. Another series of workshops will be offered during Q3 or Q4 2020, likely in an online format instead of in-person due to COVID-19-related social distancing guidelines. • Results of 2018 Natural Yard Care program evaluation indicate 83% of attendees planned to decrease or eliminate their use of chemical fertilizers. We will receive results from the 2019 Natural Yard Care program evaluation in Q4 2020 instead of Q3 2020. 	

<p>Raise awareness regarding stormwater pollution</p>	<ol style="list-style-type: none"> 1. Provide education on stormwater impacts, spills, and other pollutants to Bothell customers via print, electronic, and social media. 2. Conduct a citywide trend analysis survey to determine the understanding of stormwater concepts and adoption of various behaviors that impact local streams 	<p><u>PW</u></p>	<ol style="list-style-type: none"> 1. Q4 2019 & Q4 2020 2. Q1 2020 	<ul style="list-style-type: none"> • Thru Q1 2020, 19 videos, 5 blog posts, 23 Bridge articles, participated in 9 campaigns, 15 e-news articles, 31 flyers, 10 online surveys, 23 events, 171 social media posts, and 9 targeted outreach mailers • Conducted the citywide trend analysis survey in Q4 2019. Results available at https://bit.ly/3eelljV 	
<p>Determine stream health in Bothell to assist with directing programs and resources</p>	<p>Fill data gaps related to ambient monitoring program in order to complete watershed prioritization</p>	<p><u>PW</u></p>	<p>Q2 2020</p>	<p>Watershed prioritization in process to assess gaps by basin in process. Monitored 12 ambient locations monthly and watershed assessment for 12 sites.</p>	
<p>Increase water conservation</p>	<ol style="list-style-type: none"> 1. Develop and distribute "Water Conservation 101" brochure for Bothell Water customers, including link to online survey to measure attitudes and behaviors. 2. Redistribute educational materials and repeat survey to measure change in attitudes and behaviors. 	<p><u>PW</u></p>	<ol style="list-style-type: none"> 1. Q2 2019 2. Q3 2019 	<p>Utilized data collected through intercept interviews at Northshore Senior Center to inform water conservation communications.</p>	
<p>Complete state mandated update of Shoreline Master Program and Critical Areas Ordinance.</p>	<ol style="list-style-type: none"> 1. Work with Shorelines Board to prepare draft amendments. 2. Conduct public review and prepare final draft for Council action. 3. Update Critical Areas Ordinance 4. FEMA updates 	<p><u>CD</u></p>	<ol style="list-style-type: none"> 1. Complete 2. Complete 3. Q3 2020 4. Q2 2020 	<ul style="list-style-type: none"> • Received final approval of SMP amendments from Ecology. • Additional work on CAO per Council direction. Developed scope of work with consultant. Consultant contract awarded. Estimating completion of work in Q3 2020. • FEMA provided updated flood plain maps and regulatory requirements to maintain flood insurance program. PW, CD and Legal staff preparing code updates and coordinating with FEMA and state DOE – June 19, 2020 deadline for adoption. • Vacancy of one long range planner position after Bruce's retirement will require re-assessing priorities and work on the critical areas/best available science tasks may be delayed. 	

Reduce pesticide use in Parks	<ol style="list-style-type: none"> 1. Reduce pesticide use in Parks while educating the public on current Integrated Pest Management Program operational practices <ol style="list-style-type: none"> a. Provide Staff Briefing on subject at Council meeting b. Identify opportunities to provide public outreach c. Continue to implement pesticide-free practices d. Identify and market current pesticide free parks in Bothell's Park System 	<u>P&R</u>	Q2 2019	<p>Staff have eliminated pesticide/herbicide use in all parks and have not sprayed any pesticide/herbicide in 2019. The only exception to our pesticide/herbicide free approach is the noxious weeds that are required to be controlled by the State. Staff use approved injection methods which minimize the impact on the environment.</p> <ol style="list-style-type: none"> a. Council received a staff briefing including a video showcasing the Department's current and future Integrated Pest Management (IPM) program. b. A public outreach strategy is being developed. c. Staff are working with new Volunteer Coordinator to develop volunteer plan to assist with weed removal projects. d. Staff have installed new pesticide/herbicide free signage to communicate with park users. 	
-------------------------------	---	----------------	---------	--	---

[Return to Top](#)

FISCAL RESPONSIBILITY & STABILITY					
Strategic Objectives	Performance Measures	Responsible Dept(s)	Target Completion Date	Updates	Status
Implement Public Safety Levy	<ol style="list-style-type: none"> 1. Develop implementation strategy with levy committee and departments. 2. Interim Financing for Council approval. 3. Budget Amendment to Council for approval. 4. Create restricted fund and account codes. 5. Mid-biennial review for budget amendment. 6. Monitor COVID-19 related impacts to levy revenues and adjust 2021-2022 proposed budget accordingly 	<u>Exec</u> , all other Depts	<ol style="list-style-type: none"> 1. Q1 2019 2. Q1 2019 3. Q1 2019 4. Q1 2019 5. Q4 2019 6. Q4 2020 	<ul style="list-style-type: none"> • Implementation strategy developed, committee formed, and updates provided to Council on a quarterly basis. • March 5 2019, Council approved interfund loan from utility funds. • March 5 2019, Council approved Budget Amendment & CFP Addendum. • Public Safety M&O Levy Fund created 2019. • Q4 Budget Amendment approved by City Council for the 19-20 biennium. • Levy revenues are considered to be fairly stable. Staff is monitoring cash flow as property tax deadlines are extended in response to Covid-19. 	

Implement Public Safety Bond Measure	<ol style="list-style-type: none"> 1. Strategic planning with public safety bond committee. 2. Interim Financing for Council approval. 3. Budget amendment to Council for approval. 4. Create restricted funds and account codes. 5. CFP Addendum for Council approval. 6. Work with bond counsel in preparation for bond issuance and credit rating. 7. Issue bonds. 8. Mid-biennial review for budget amendment. 9. Add to 2020 property tax roll. 	<u>Exec</u> , all other Depts	<ol style="list-style-type: none"> 1. Q1 2019 2. Feb 2019 3. Feb 2019 4. Q1 2019 5. Q1 2019 6. Q3 2019 7. Q3 2019 8. Q4 2019 9. Q4 2019 	<ul style="list-style-type: none"> • Committee began strategic planning and hired contractor through RFQ process. • March 5, Council approved interfund loan from utility funds. • March 5, Council approved Budget Amendment. • Public Safety Capital Construction fund created. • March 5, Council approved CFP Addendum. • Preliminary bond preparation in process with financial advisors & bond counsel. • Q4, First bond sale completed for \$25.5M. • Q4 Budget Amendment approved by City Council for the 19-20 biennium. 	
Review and consider General Fund revenue options to bridge structural deficit	Research other revenue options and/or restructuring of fees.	<u>Exec</u> , all other Depts	Q4 2019	Revenue options will be provided as part of June Budget Workshop. General Fund revenue has been significantly impacted by COVID-19, as have other potential revenue options. Staff will seek Council policy direction on revenue options at Workshop.	
Prepare and Adopt Fiscal Policies	Prepare, update and formally adopt fiscal policies	<u>Finance</u>	Q1 2019 Q4 2019	Policies Adopted by the City Council in February 2020.	
Court Services Options Study	Hire Consultant to conduct study	<u>Exec</u>	Q1 2019	Karen Reed and Anne Pflug were contracted, gathered data in the first quarter of 2019. The data was presented to the City Council at the end of Q2 2019 on June 18. Direction from Council was to bring the item back for further consideration at a future date.	
Amend 2019-2020 Budget to include Levy and Bond	<ol style="list-style-type: none"> 1. Incorporate public safety levy and bond financial inflows and outflows into the 2019 budget amendment. 2. Develop report to provide financial transparency to Council and citizens. 3. Amend Comprehensive Plan and Capital Facilities Element to incorporate fire station projects. 	<u>Finance</u> , CD, PW	<ol style="list-style-type: none"> 1. Q4 2019 2. Q3 2019 3. Q4 2019 	Scheduled for adoption on 10/15/19. Council was scheduled to adopt CFP amendment to Comprehensive Plan in December. Adoption is suspended pending resolution of appeal of a SEPA determination. Q4, 19-20 Budget amendment approved by the City Council.	

PARKS/RECREATION/OPEN SPACE PARTNERSHIPS					
Strategic Objectives	Performance Measures	Responsible Dept(s)	Target Completion Date	Updates	Status
Complete negotiations on remaining easements at Former Wayne Golf Course	Work with King County to wrap up negotiations on the final easement language for the former back nine property	<u>P&R</u>	Q1 2019 - Completed	<ul style="list-style-type: none"> • Agreements with King County were finalized in June. 	
Complete major 10 Year update to the Parks, Recreation and Open (PROS) Plan	Develop a planning document that will strategically guide the Parks and Recreation Department for the next 10 years. (1) Prepare and implement a community outreach program focused on parks and recreational needs for underserved and underrepresented Bothell residents. (2) Conduct and prepare a recreation demand and a youth/young adult amenity study. (3) Prepare a condition assessment report of major park assets. (4) Prepare and recommend capital projects for next 6 years. (5) Identify potential project list for future Parks levy.	<u>P&R</u>	Q1 2020 - Completed	<ul style="list-style-type: none"> • Work is ongoing. • 18 public outreach events were held over the course of the year with internal and external stakeholders. • Over 1,200 completed PROS surveys and over 1,400 dog park surveys were been received. • Approximately 150 additional youth surveys were received from Bothell and Inglemoor High Schools students. • Survey data was analyzed and tabulated for discussion and presentations to stakeholders, the Bothell Parks and Recreation Board and City Council. • A PROS workshop for residents was held at City Hall focusing on values and priorities in October. • A Council study session on PROS was completed in November. • Council adopted the 2020 Parks, Recreation and Open Space (PROS) Plan at the February 4th, 2020 meeting. 	

Master Plan Former Wayne Golf Course Property	Identify potential funding sources for process in 2019. If additional funding is secured, begin Master Planning of the 89 Acres after completion of the PROS Plan in March of 2020.	<u>P&R</u>	Q4 2020	<ul style="list-style-type: none"> Funding for project is not currently identified in the 2019/2020 Biennial Parks and Recreation Budget. This item will likely be pushed off to future years when resources and funding become available. This item will be addressed in the June Budget Workshop 	
---	---	----------------	---------	---	---

[Return to Top](#)

PUBLIC SAFETY STRATEGY					
Strategic Objectives	Performance Measures	Responsible Dept(s)	Target Completion Date	Updates	Status
Provide safe and efficient fire facilities	<ol style="list-style-type: none"> Hire Contract Project Manager to assist staff with project from design through construction. Apply to Capital Projects Advisory Review Board/Project Review Committee (CPARB/PRC) for use of alternative delivery method Progressive Design Build. Select Design-Builder for entire project. Secure temporary location for FS 45 staff and equipment. Begin Construction of Fire Station 45. Design Fire Station 42. Secure temporary location for FS 42 staff and equipment. Complete Construction of Fire Station 45. Begin Construction of Fire Station 42. Complete Construction of Fire Station 42. 	<u>PW</u> , Fire	<ol style="list-style-type: none"> Q2 2019 Q2 2019 Q3, Q4 2019 Q1, Q2 2020 TBD Q1, Q2 2020 Q1, Q2 2020 TBD TBD TBD 	<ul style="list-style-type: none"> Council approved Design Builder contract and funded Phase 1A in November 2019. Staff and the Design-Build team will return to Council in Q3 2020 with a contract for the next phase of the project. Team is working with Design-Builder to develop future targets. Team and Design Builder have selected a resolution to temporary locate FS 45 staff and equipment. Team is working on conceptual design of FS 45. Team and Design Builder have completed conceptual design, continued progress to full design. Team and Design Builder have selected a resolution to temporary locate FS 42 staff and equipment. Team is working on conceptual design of FS 42. 	

<p>Improve Training delivery and efficiencies</p>	<p>Joint Training group formation with Northshore, Shoreline, Woodinville and Bothell Fire Departments.</p>	<p><u>Fire</u></p>	<p>1. Q1 2019 2. Q2 2019 3. Q4 2019 4. Q2 2020</p>	<p>North King County Training Consortium, fully-staffed and working. The impacts of COVID-19 actually enabled the staff to concentrate on administrative items and review lesson plans, which puts them ahead of schedule in regard to being fully-developed and delivering exceptional training.</p>	
<p>Implement Fire Strategic Plan Objectives for 2019-2020</p>	<p>1. Create a comprehensive succession plan committee (4A) 2. Establish a health and wellness committee (5A) 3. Analyze and determine gap between required and capacity in Training (3A) 4. Create and implement a nutrition program (5G) 5. Identify current community outreach programs and assess their effectiveness (7A) 6. Provide training programs for job titles, ranks, specialties and credentials (3B) 7. Create and implement a physical fitness program (5F) 8. Develop a comprehensive public information and outreach program to sure the community if fully informed of service delivery issues. (7D) 9. Determine staffing needs to accomplish training requirements (3F) 10. Develop a mentorship program (4D).</p>	<p><u>Fire</u></p>	<p>1. Q1 2019 2. Q1 2019 3. Q2 2019 4. Q3 2019 5. Q3 2019 6. Q4 2019 7. Q4 2019 8. Q1 2020 9. Q2 2020 10. Q2 2020</p>	<ul style="list-style-type: none"> • Succession Committee work put on hold due to implementation of new 4 Platoon shift schedule and issues related to vacation planning and debit day scheduling. Planning remains on hold due to COVID-19 restrictions. • No work on nutrition program in Q 4, due to time spent on new 4 Platoon scheduling. No work on this program. • Wellness Fitness Committee to finalize new annual fitness testing program with Peer Fitness Trainers in Q1, 2020. Planning is 60% complete. • Physical Fitness program is developed and educational training is being introduced to each of the 4 shifts. • 3 surveys were created, in Q3, to send out to schools, businesses and residents. Due to COVID-19, only 1 survey was sent out to schools. The remaining 2 surveys are due to be sent out in July, as the State reopens. 	
<p>Impact criminal activity through data analysis, community partnership, and proactive policing.</p>	<p>1. Improve response to incidents involving Protection Orders/Orders to Surrender Weapons/ Extreme Risk Protection Orders/DV 2. Implement collaboration between officers and the crime analyst to identify crime trends, hotspots, and offenders in order</p>	<p><u>Police</u></p>	<p>Q4 2019 Q2 2020</p>	<ul style="list-style-type: none"> • Q1: The PD spearheaded efforts to make updates and improvements to the Model Policy and to encourage consistency between the King County and Snohomish County versions of the policy. The policy is also now being looked at by Pierce County Sheriff and Chiefs. • Text to 911 was made available to residents. 	

	<p>to reduce, eliminate, or displace criminal activity.</p> <p>3. Partner with Local Hotels, business owners, and residents to reduce criminal behavior impacting our community.</p>			<ul style="list-style-type: none"> • The Patrol Operations Division implemented a new supervisor/manager meeting format with a strong focus on Problem Based Policing (PBP). PBP is a philosophy of policing focused on problem identification and problem solution, and prioritizes three components: 1) Statistical data review, 2) Citizen input, and 3) Officer observation. • Q2: New updates were made to the Court Orders / ERPO model policy, based on numerous changes to State laws. Training was provided to personnel, who have a greater understanding of how to respond to incidents involving ERPO. • Q3: Detectives from our Investigation Division testified in a King County Superior Court ERPO renewal hearing. The judge granted the renewal based on testimony. • Q4: During the 4th quarter, 57 officers were trained and/or reviewed policies and protocols regarding Protection Orders/Orders to Surrender Weapons/ Extreme Risk Protection Orders/DV. Additionally, 11 officers reviewed DV specific policies and protocols. • Q4: Levy-funded Swing-Shift was implemented for better patrol coverage and response during the busiest times of the day. • Q2: Since implementing PBP (Problem Based Policing) in Operations, officers have been better able to focus their attention on criminal “hot spots.” As a result, arrest (pre COVID-19) were double the three year average. Additionally, we have taken numerous guns out of the hands of felons, and off the street. • Q2: Since the beginning of 2020, 16 commissioned personnel have completed 	
--	--	--	--	---	--

				<p>a new course provided by CJTC that covers ERPOs. This is a two hour course and is required to be completed on an annual basis.</p> <ul style="list-style-type: none"> • Q2: Since the beginning of 2020, Officers served 11 Temporary Orders For Protection where firearms surrender was required. Of those orders served, firearms were collected in 3 cases. In the remaining services, waivers were obtained from the respondent claiming that they had either surrendered their firearms to another agency or that they did not possess firearms at the time of service. 	
Maintain community trust.	<ol style="list-style-type: none"> 1. WASPC Re-Accreditation. 2. Hire community engagement coordinator 3. Create new opportunities for positive police/community interactions. 4. Use of Force training to ensure compliance with I940. 	<u>Police</u> , HR	<ol style="list-style-type: none"> 1. Q2 2019 2. Q3 2019 3. Q4 2019 4. Q4 2019 5. Q1 2020 6. Q2 2020 	<ul style="list-style-type: none"> • Q1: In February 2019, the Police Department passed the WASPC assessor records review of all 137 required accreditation standards. The final site assessment occurred on 3/5/2019. During this phase, WASPC assessors conducted a Department site visit that included employee interviews, process tours, and physical verifications. The WASPC Director or Professional Services prepared a final written report that will be submitted to the WASPC Accreditation Commission. If approved by the Commission and Executive Board, the PD will receive the award and be formally recognized at the WASPC Spring Conference in May 2019. • Various PD personnel are registered to attend training at the CJTC, sponsored by WCIA. This training will address “Best Practices for Risk Managing Law Enforcement in the I-940 Era.” • A language ID poster was posted in the PD Public Lobby, and Records Staff now have a laminated Language ID card. This will assist visitors in identifying their preferred 	

				<p>language for purposes of providing translation services.</p> <ul style="list-style-type: none"> • PD and HR have worked collaboratively to develop a job description for the new Community Engagement Coordinator position. Position recruitment will begin in early Q2. • Command Staff attended several meetings and forums involving the regional Muslim community. This effort included sitting on discussion panels and participating in Q&A sessions. • Police Officers participated in “Reading Nights” at Crystal Springs and Westhill Elementary Schools. • Police Officers provided a tour of the PD to students from Japan who were in Bothell as guests of BHS students. • Q2: The PD was awarded WASPC re-accreditation during the WASPC Spring Conference held in Spokane in May. • Preliminary interviews were conducted with several highly qualified persons for the Community Engagement Coordinator position. Final interviews and a selection will be conducted in early Q3. • The PD engaged in several community meetings and events during Q2 to include: <ul style="list-style-type: none"> - SHAG Meet and Greet - YMCA Healthy Kids Day - Coffee With a Cop - Care Day • The PD provided Active Shooter Presentations and Training Sessions to ICOB and UCIC School. In addition, the PD provided Active Shooter Training Sessions to City employees. • Q3: The PD conducted a selection process to hire the Community Engagement 	
--	--	--	--	--	--

				<p>Coordinator. A candidate is currently in background. <u>(Note: Candidate Failed BG).</u></p> <ul style="list-style-type: none"> • Q3: The PD provided more Active Shooter/Acts of Violence training to businesses within the City, to include the Department of Revenue, Philips Electronics, Northshore School District, and Lockheed Martin. • Q3: Representatives of PD Command Staff attended Best Practices for Riskmanaging Law Enforcement in the I-940 Era. (Note: The Criminal Justice Training Commission has yet to finalize the I-940 curriculum.) • Q3: The PD engaged in several community meetings and events during Q3 to include: <ul style="list-style-type: none"> - Northshore School Dist Crossing Guard Training - Pop Up Dog Park Pet Parade - Multiple sessions of Just Kidding Around Music in the Park - School supply drive for children of Dawson’s Place - Participated at Sustainamania - National Night Out - Seahawks Practice / Scrimmage - Multiple events at the Senior Center and several of the care facilities presenting information on fraud and common scams targeting the elderly • Q4: The Chief attended a number of I-940 updates during this quarter. • Q4: Two officers and sergeants attended “Train the Trainer” course to become I-940 instructors. Courses may begin as early as 2020. • Q4: Completed a number of department audits as part of the Accreditation process. 	
--	--	--	--	---	--

				<ul style="list-style-type: none"> • Q4: The Department engaged in multiple community events/meetings, to include: <ul style="list-style-type: none"> - Special Olympics fundraiser at Seahawks Game - Shop with a Cop – Target - 3rd Annual Pet Food Drive - Officers escorted BHS football team buses from BHS to I-405 for the State Championship Game in Tacoma - Chief Seuberlich participated in Salvation Army’s “Ring the Bell” campaign – out fundraising the Bellevue Police and Fire Chief - Participated at the UWB Tailgate event - Annual Holiday Food Drive for Hopelinkl - Participated in an “Insta-along” virtual ride-along with night shift levy-funded officer - Participated in the “Train with a Hero” event at Bothell Crossfit - Coffee with a Cop - Participated in the Chamber “Chili-fest” • Q2: Completed all requirements needed to comply with annual accreditation standards for 2019. NOTE: I am not referring to the annual report we submitted in March of 2020, but to all of the steps needed to prepare for completion of that annual report. • Q2: Employees of the Bothell Police Department with additional assistance from Bothell Fire Department hosted a “Food Drive-Through. The food drive brought in over \$5,000.00 in cash and 6,700 pounds of food. HopeLink stated 	
--	--	--	--	---	--

				<p>that the money and food would provide 6,350 meals for those in need.</p> <ul style="list-style-type: none"> • Q2: During the Stay Home, Stay Healthy proclamation, officers have participated in over 20 “birthday parades” including a long time Bothell resident who turned 90 years old. • Q2: During the first half of 2020, the Department has continued to train officers and supervisors in proper application and documentation when it comes to using force. • Q2: The Department continues to participate in the Snohomish County Regional Investigative Team known as SMART. During the first half of the year, the team has been called out to two separate incidents where potentially deadly force was used by officers from member agencies. 	
Prepare and adopt required Emergency Management Plans	<ol style="list-style-type: none"> 1. Prepare, update and formally adopt the Comprehensive Emergency Management Plan (CEMP). 2. In coordination with King County Office of Emergency Management, begin the process of updating the City’s Hazard Mitigation Annex to the regional plan. 	Exec , all other Departments	<ol style="list-style-type: none"> 1. Q1 2019 2. Q2 2019 	<ul style="list-style-type: none"> • The CEMP was approved and adopted by Council on March 19, 2019 and currently in progress. • The City’s Hazard Mitigation Annex to the King County Regional Plan was accepted by King County and in the process of final approvals. • Council approved the City’s Hazard Mitigation Annex on June 2, 2020. 	
Identify emergency management training gaps and needs. Conduct applicable training and other development activities to fill gaps and provide public safety.	<ol style="list-style-type: none"> 1. Conduct a Continuity of Government Workshop. 2. Conduct a Recovery Planning Workshop. 3. Conduct 800 MHz radio training. 4. In partnership with Safety, train staff in evacuation procedures. 5. In cooperation with Snohomish County and King County apply for an 	Exec , all other Depts	<ol style="list-style-type: none"> 1. Q1 2019 2. Q1 2019 3. Q1 2019 4. Q3 2019 5. Q1 2019 	<ul style="list-style-type: none"> • Continuity of Government Workshop conducted on Feb. 28, 2019. • Recovery Planning Workshop conducted on March 14, 2019. • Conducted numerous training with CD and PW in March 2019. • Safety is now fully managing training staff in evacuation procedures. 	

	Integrated Emergency Management Course for federal consideration in FY 2020.			<ul style="list-style-type: none"> Submitted in March for the IEMC course. Obtained approval to host a September 2020 course. A request to postpone the 2020 IEMC has been forwarded to FEMA due to the amount of time needed to properly put on such training and staff time severely affected by COVID-19 response. 	
Establish new and strengthen existing relationships with community and regional leaders, schools, businesses and local residents to seek support and provide information about emergency management.	<ol style="list-style-type: none"> Apply for a WA Service Corps (AmeriCorps) staff member. Create a regional partnership with Northshore School District, Northshore Emergency Management Coalition, Northshore Council PTSA, and City of Woodinville for regional school preparedness. Begin creation of a Public Safety Coordination Group. Manage oversight of the Community Emergency Response Training (CERT). 	<u>Exec</u> , Fire	<ol style="list-style-type: none"> Q1 2019 Q1 2019 Q2 2019 Q1 2020 	<ul style="list-style-type: none"> Grant submitted in March 2019, was declined. Potential for resubmitting and funding for Q3. Second submission was approved and AmeriCorps member starts 10/16/19. Regular, ongoing efforts and meetings are occurring with partners. Public Safety Coordination Group creation is on-hold due to departmental staffing changes; however public safety staff are meeting to coordinate on projects. CERT – no changes to report to this program for Q2. Expected changes to occur in Q3 and Q4. Position refilled on 10/21/19. Secured WA Service Corps member for second year. CERT has been put on hold due to in-person restrictions with COVID-19, however an on-line option has been created and is currently being finalized. 	
Prepare and manage the Emergency Management Performance Grant (EMPG)	<ol style="list-style-type: none"> Submit Environmental and Historic Preservation Forms. Manage oversight of BOC Electrical Upgrade Project. Manage the oversight of the Community Posting Board Project. 	<u>Exec</u> , PW, Fire	<ol style="list-style-type: none"> Q1 2019 Q2-3 2019 Q2-3 2019 	<ul style="list-style-type: none"> Submitted EHP forms for BOC project which was approved by State, but denied Federally. Project denied by Feds. Restructured grant to provide for plug-load lighting for emergencies. Added a new Community Posting Board in Canyon Park bringing total to 15 signs in the city. 	

Return to Top

TECHNOLOGY STRATEGY

Strategic Objectives	Performance Measures	Responsible Dept(s)	Target Completion Date	Updates	
<p>Raise the City's technology standards to match the citizens' needs and local jurisdictions and become A Smart City in the future.</p>	<ol style="list-style-type: none"> 1. HR/Payroll/Timekeeping System. 2. Add Parks to existing Asset Management System. 3. Fire Mobile Fleet Replacement. 4. Police Digital Evidence System. 5. Fire Annual Inspections System. 6. Add Streets and Transportation to existing Asset Management System. 7. Digital electronic signature solution. 8. Utility Billing. 	<p><u>IS</u>, all other Depts</p>	<ol style="list-style-type: none"> 1. Q4 2020 2. Q1 2020 3. Q4 2019 4. Q4 2020 5. Q3 2020 6. Q2 2021 7. Q4 2019 8. Q3 2019 	<ol style="list-style-type: none"> 1. Beginning setup 2. Completed. 3. Completed (Below budget,Ahead of Schedule and with additional devices) 4. Project Kickoff (Delayed due to Covid) 5. Ready to GO Live (Go live delayed due to Covid) 7. Completed 8. Completed <p>IS has dedicated a significant amount of resources to transition over 200 staff from working at city buildings to full-time telecommuting, resulting in the delay of some projects</p>	

[Return to Top](#)

(This page intentionally left blank)



City of Bothell™

TO: Mayor Olsen and Members of the Bothell City Council

FROM: Chris Bothwell, Finance Director

DATE: June 16, 2020

SUBJECT: First Quarter 2020 Financial Report and Fourth Quarter 2019 Financial Report

POLICY CONSIDERATION: Presentation only

HISTORY:	DATE	ACTION
	NOVEMBER 27, 2018	City Council adopted the 2019-2020 biennial budget

DISCUSSION: The City Council adopted a budget for the 2019-2020 biennium. Staff has a responsibility to provide periodic financial updates to the City Council to ensure that the City Council is kept abreast of the City’s financial performance and other matters affecting the City’s finances. This is the first quarter 2020 financial report to the City Council.

Presentation of the fourth quarter 2019 financial report was delayed due to the Governor’s Stay Home Stay Healthy order, the report is attached to this agenda item for review, but is no longer timely and as such is not part of the presentation to the City Council.

FISCAL IMPACTS: None

- ATTACHMENTS:**
- Att-1. First Quarter 2020 Financial Report
 - Att-2. Fourth Quarter 2019 Financial Report

RECOMMENDED ACTION: Presentation only

(This page intentionally left blank)

**FIRST QUARTER 2020 FINANCIAL OVERVIEW**

The first quarter 2020 financial results were generally consistent with budgeted amounts and positive. 2020 was budgeted for a General Fund surplus and the City realized a modest surplus in the first quarter. It should be noted, however, that due to the timing of the pandemic and the timing of revenue recognition, the pandemic was not expected to significantly impact first quarter revenues.

Second quarter results are expected to be a vastly different story as sales tax revenues, the City's largest General Fund revenue, will be significantly impacted by the pandemic in the second quarter and beyond. Also, while the city has taken immediate and significant measures to curtail the financial impacts of the pandemic, the results of those efforts will not be fully realized until the third quarter of the year.

FIRST QUARTER 2020 FINANCIAL HIGHLIGHTS

- ❖ Revenues were generally consistent with budget and in line with expectations
- ❖ Disruptions to revenue from the pandemic were minimal
- ❖ Spending was consistent with the Adopted Budget
- ❖ The General Fund realized a small surplus, consistent with budget
- ❖ Real estate excise tax receipts remained strong throughout the first quarter

FIRST QUARTER 2020 FINANCIAL CHALLENGES AND CONCERNS

- ❖ Sales tax revenue was down approximately eleven percent compared March of the prior year
- ❖ The pandemic will negatively impact sales tax collections in the second quarter of the year, the impact is expected to be significant
- ❖ Property tax receipts in the second quarter are expected to be significantly lower than budgeted, due to non-payment and slow payment by property owners
- ❖ Real Estate Excise Tax receipts are expected to be significantly lower than budgeted amounts due to forecasted reductions in property transactions
- ❖ The economic effects of the pandemic are delayed due to the timing of the receipt of revenues
- ❖ Second quarter financial results are likely to be alarming
- ❖ Measures taken by the City to curtail the economic impacts of the pandemic will not be fully realized until the third quarter.

ECONOMIC UPDATE

The last several quarterly financial reports have noted economist predictions of either a recession or long period of very slow economic growth and the city was planning for those scenarios. No one predicted a global pandemic that would effectively shut the economy down for an extended period of time followed by a slow return to normal. Economists are struggling to get their collective arms around what this will mean in terms of future period financial results, the primary question is the depth and duration of the recession. Clarity regarding many of the questions surrounding the economic recovery is still a distance away, but staff will bring data and information forward as soon as it becomes available.

Despite the lack of data and reliable predictions regarding the recession, staff has modeled the impacts of the pandemic by reforecasting sales tax based on an industry-by-industry basis and by reforecasting certain other significant revenues, most notably development revenues. The results of this work revealed an operating deficit in the last nine months of 2020 of \$5.4 million. The City has already taken significant steps to curtail the projected operating deficit and continues to implement measures to ensure the financial stability of the organization as we navigate these historic and uncertain times.



Fourth Quarter 2019 Financial Report

June 16, 2020

City Council:

The following narrative and attached document are the budget status reporting for the fourth quarter of the 2019-2020 biennium, the period ending December 31, 2019. The purpose of this reporting is to ensure that: the City Council is kept abreast of positive or negative trends impacting the financial condition of the City; to provide a snapshot of the City's period-to-date financial results; and, to present an economic update and other financial matters affecting the City.

One of the benefits of frequent financial reporting is that it gives staff an opportunity to communicate trends and emerging issues timely. Unfortunately, the timing of the presentation of this report was delayed due to the Governor's Stay Home, Stay Healthy order. Fortunately, this reporting builds on and confirms items that have been communicated in prior 2019 reports, no new trends or emerging issues were identified in the fourth quarter. Staff is choosing to forego a discussion of economic matters occurring subsequent to the end of the fourth quarter 2019 due to the timing of the report's presentation to the City Council. A discussion of these matters can be found in the first quarter 2020 report.

The data contained in this report is representative of the calendar year 2019, however, the 2019 CAFR and audited financial statements represent the official 2019 financial report(s) and may vary from the data contained in this report. The official reports noted above will be posted to the website as soon as they become available.

Fourth Quarter Financial Report

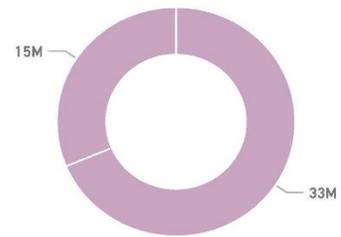
The General Fund

Thus far, the theme for the City's 2019 quarterly financial reports have reported a trend towards a smaller than budgeted deficit, despite lackluster sales and utility tax collections. Fourth quarter financial results are a continuation of that theme; no new trends emerged during the fourth quarter.

General Fund Revenues

General Fund revenues continued to lag budgeted amounts in the fourth quarter. While the revenue forecast used to develop the 2019-2020 budget was optimistic, the overall variance between budgeted revenues and actual revenue collections were not alarming in the fourth quarter. Sales tax and utility tax collections have been highlighted in prior reports for their lackluster collections, relative to budgeted amounts, the lackluster performance continued at approximately the same pace in the fourth quarter. Actual collections were under budget by more than \$1 million at year end.

Sales Tax, Percent of Budget Collected

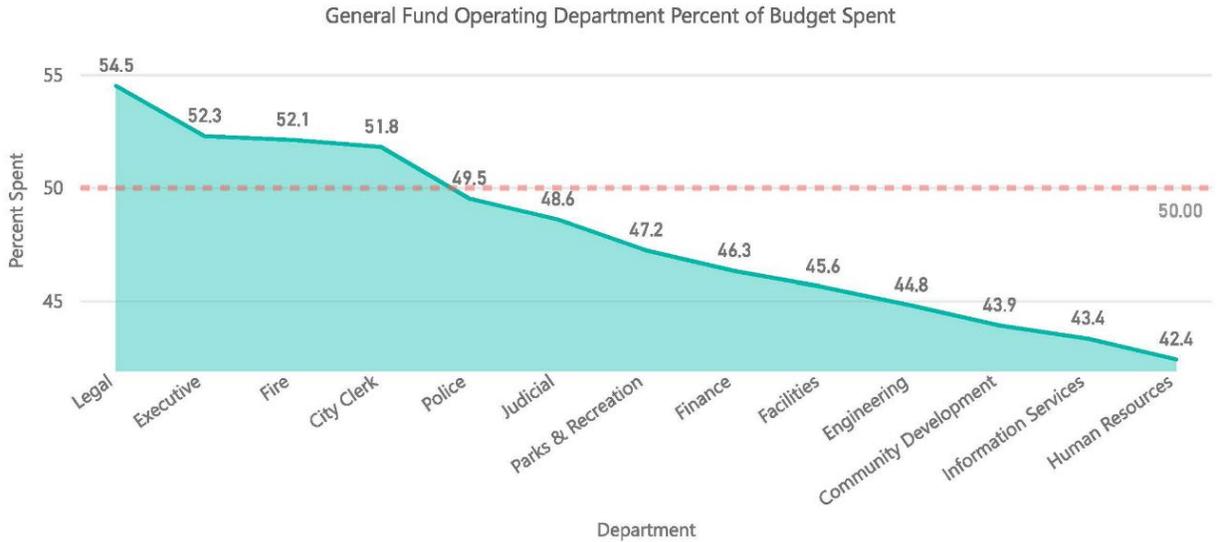


This chart is a graphical representation of period-to-date sales tax collections relative to the amounts in the biennial budget.

General Fund Expenditures

Throughout the year staff were told to hold the line with expenditures and identify savings where possible. As a whole, departments have listened and have exercised good budget discipline. As a result General Fund Expenditures came in slightly under budget for the year. A few departments have spent more than fifty percent of their respective biennial budget in 2019. This is a situation that staff will be closely monitoring in 2020, more about 2020 can be found later in this report.

The following chart is a graphical representation of departments' percentage of spending of their biennial budgets to date. The dotted red line represents our relative position in the biennium (50%). Department budgets were built with a modest escalation in the second year of the biennium, so a department was on target for the biennial spending if it is slightly below 50% at the end of the fourth quarter.



As has been the trend thus far in the year, the combined result of the lower than budgeted General Fund revenue plus the lower than budgeted expenditures is a General Fund operating deficit (the difference between revenue and expenditures). The 2019 General Fund operating deficit was smaller than budgeted at year end.

It is important to note that several transactions and adjustments are scheduled to be recorded in the General Fund before the books are closed on 2019. As a result, the end of year results will change.

Other Funds

Real estate excise tax (REET) collections continued on pace with budget during the fourth quarter after a cooling off in the third quarter. REET revenues ended the quarter with collections approximately \$200,000 in excess of period-to-date budgeted amounts.

As was reported in prior periods, utility revenues and expenditures are consistent with budgeted amounts and are unremarkable.

In conclusion, the fourth quarter financial results were generally consistent with theme communicated in past quarterly reports: lower than expected revenues; lower than budgeted expenditures; combined the result is a lower than budgeted operating deficit in the General Fund. Financial performance in all other funds is consistent with budgeted amounts and unremarkable.

Please contact me with any questions.

Best regards,

Chris Bothwell
Finance Director