

# Everett City Council Agenda 12:30 P.M. November 23, 2016 City Council Chambers

Roll Call

Pledge of Allegiance

Approval of Minutes: November 16, 2016

Mayor's Comments

Council Comments/Liaison Reports

Administration Update on prior business

City Attorney

Citizen Comments

COUNCIL BRIEFING AGENDA: (These items come before the City Council serving as a Council Committee of the Whole and are likely to be scheduled at a future meeting.)

- (1) Adopt Resolution establishing Human Needs Priorities for 2017 Grant funding.

Documents:

[2017 Human Needs.pdf](#)

PROPOSED ACTION ITEMS:

- (2) CB 1610-45 – 2nd Reading – Adopt the Proposed Ordinance adjusting water, filtration, sewer and storm water rates as recommended. (3rd and final reading on 11-30-16)

Documents:

[CB 1610-45-1.pdf](#)

CONSENT ITEMS:

- (3) Adopt Resolution No. \_\_\_\_ authorizing claims against the City of Everett in the amount of \$1,320,940.60 for the period of November 5, 2016 through November 10, 2016.

Documents:

[res-112.pdf](#)

- (4) Accept the 2016 Hot Mix Asphalt Overlay Project as complete and Authorize the Mayor to sign the Certificate of Completion with Granite Construction Company.

Documents:

[Granite-1.pdf](#)

(5) Accept the 2016 Biosolids Disposal Project as complete and Authorize the Mayor to sign the Certificate of Completion with Karl Needham Enterprises, Inc.

Documents:

[Karl Needham-1.pdf](#)

ACTION ITEMS:

(6) CB 1611-47 – 3rd and final Reading – Adopt the Proposed Ordinance relating to Municipal Court Judge Positions, amending Ordinance No. 1259-86 as amended by Ordinance No. 2228-97. (Chap. 2.108.080 EMC).

Documents:

[CB 1611-47.pdf](#)

(7) Authorize the Mayor to sign the Agreement between the City of Everett and Steadfast Everett Mall, LLC to utilize Mall property for police/role-playing training at no cost to the City.

Documents:

[Steadfast-1.pdf](#)

(8) Award Request for Proposal 2016-057 for NEC Telephone Network Maintenance to Black Box Network Services in the amount of \$247,519.27 including Washington State sales tax.

Documents:

[Black Box.pdf](#)

(9) Authorize the purchase of a Vactor 2110 J6 HXX suction body from Owen Equipment Company under Washington State Contract #01912 in the amount of \$394,241.20, including Washington State sales tax.

Documents:

[Owen Equipment.pdf](#)

Executive Session

Adjourn

Everett City Council agendas can be found, in their entirety, on the City of Everett Web Page at [www.everettwa.gov/citycouncil](http://www.everettwa.gov/citycouncil).

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at 425 257-8703.

EVERETT CITY COUNCIL AGENDA ITEM COVER SHEET

**PROJECT TITLE:**

Resolution establishing Human Needs Priorities for 2017 Grant funding

11/23/16	Briefing
_____	Proposed Action
_____	Consent
12/7/16	Action
_____	First Reading
_____	Second Reading
_____	Third Reading
_____	Public Hearing

COUNCIL BILL #	_____
Originating Department	Planning
Contact Person	Rebecca McCrary
Phone Number	425-257-7133
FOR AGENDA OF	November 23, 2016

Initialed by:  
 Department Head \_\_\_\_\_  
 CAA \_\_\_\_\_  
 Council President Am

<u>Location</u>	<u>Preceding Action</u>	<u>Attachments</u>	<u>Department(s) Approval</u>
	10/27/16 Human Needs Advisory Committee recommendation of approval of priorities for 2017 funding	Resolution	Planning

Amount Budgeted	-0-	
Expenditure Required	-0-	Account Number(s):
Budget Remaining	-0-	
Additional Required	-0-	

**DETAILED SUMMARY STATEMENT:**

Each year the Human Needs Advisory Committee makes a recommendation to City Council establishing the priorities for allocation of Human Needs Grant funds for the following year. The Committee met on October 27, 2016, to review the priorities for 2017.

The Mayor has again proposed an additional \$1 per capita in Human Needs funding for 2017 to provide services to respond to needs identified by the Everett Community Streets Initiative. The Human Needs Committee proposes priorities as specified in the attached resolution, including priorities for the additional funding if approved.

The criteria by which grant applications will be reviewed are also included in the resolution.

**RECOMMENDATION** (Exact action requested of Council):

Adopt a Resolution establishing Human Needs Priorities for 2017 Grant funding.



RESOLUTION # \_\_\_\_\_

**A RESOLUTION establishing  
Human Needs Priorities for 2017 Grant Funding**

**WHEREAS**, the mission of the Human Needs Advisory Committee is to annually review the human needs in the City of Everett, to prioritize those needs, and to allocate funds to most benefit those needs; and

**WHEREAS**, the Human Needs Advisory Committee met on October 27, 2016 to review and recommend priorities for 2017; and

**WHEREAS**, additional Human Needs funding may be made available in 2017 to target needs highlighted by the Everett Community Streets Initiative; and

**WHEREAS**, the Human Needs Advisory Committee recommends including needs highlighted by the Everett Community Streets Initiative in the priorities for Human Needs Grant funding; and

**WHEREAS**, the Human Needs Advisory Committee has recommended the following list of service priorities, in no order of particular priority, focusing on basic human needs of the community for 2017 funding to qualified programs inside the City of Everett:

1. YOUTH
  - a) Housing and Food Assistance
  - b) Health Services (i.e. Medical, Dental, Mental Health and Drug/Alcohol Treatment)
  - c) Counseling/Guidance/Legal Services
  - d) Abuse/Neglect
  - e) Violence/Delinquency Prevention
  
2. SENIORS
  - a) Housing and Food Assistance
  - b) Health Services (i.e. Medical, Dental, Mental Health and Drug/Alcohol Treatment)
  - c) Counseling/Guidance/Legal Services
  - d) Abuse/Neglect
  
3. PERSONS WITH DISABILITIES AND/OR BARRIERS
  - a) Housing and Food Assistance
  - b) Health Services (i.e. Medical, Dental, Mental Health and Drug/Alcohol Treatment)
  - c) Counseling/Guidance/Legal Services
  - d) Employment Support
  - e) Abuse/Neglect

and

**WHEREAS**, the Human Needs Advisory Committee recommends proposed programs be reviewed according to whether they meet one or more of the following criteria:

1. Increase self-sufficiency
2. Promote health and healing
3. Promote/address diversity
4. Reward coordination and collaboration

**NOW, THEREFORE**, the Everett City Council endorses the Human Needs Advisory Committee's priority and criteria lists for 2017 funding and encourages qualified agencies to submit their proposals.

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Councilmember Introducing Resolution

PASSED and APPROVED the \_\_\_\_\_ day of December, 2016.

---

Council President

EVERETT CITY COUNCIL AGENDA ITEM COVER SHEET

**PROJECT TITLE:**

An ordinance establishing current rates for water, filtration, sewer, and storm water for the City of Everett.

11/02/16 Briefing  
 \_\_\_\_\_ Proposed Action  
 \_\_\_\_\_ Consent  
 \_\_\_\_\_ Action  
 11/2/2016 First Reading  
 11/9/16 Second Reading  
 11/16/16 Third Reading  
 \_\_\_\_\_ Public Hearing  
 \_\_\_\_\_ Budget Advisory

COUNCIL BILL # 081610-45  
 Originating Department \_\_\_\_\_  
 Contact Person Matt Welborn  
 Phone Number 425 257-8974  
 FOR AGENDA OF Nov. 2, 2016

Initialed by:  
 Department Head \_\_\_\_\_  
 CAA \_\_\_\_\_  
 Council President dp  
jm

Location                      Preceding Action                      Attachments                      Department(s) Approval  
 \_\_\_\_\_  
 Ordinance #3299-12  
 Ordinance #3417-14  
 \_\_\_\_\_  
 Ordinance

Amount Budgeted	-0-	
Expenditure Required	-0-	Account Number(s):
Budget Remaining	-0-	
Additional Required	-0-	

**DETAILED SUMMARY STATEMENT:** Everett Utilities has completed the 2016 water, filtration, sewer, and storm water cost of service study. The study indicates increased water and filtration charges are necessary to fund capital expenditures, and to meet water quality, supply, regulatory and financial obligations of Everett Utilities. Water and filtration rates, based on consumption of 700 cubic feet per month, will increase annually from the current charge of **\$29.734** per month to **\$29.876** per month in 2017, **\$31.060** per month in 2018, **\$32.232** in 2019, and **\$33.454** in 2020. Increased sewer and surface water charges are necessary to continue to aggressively maintain, replace, and expand utility infrastructure. Sewer rates will increase annually from the current Single-Family charge of \$59.87 per month to **\$67.22** in 2017, **\$71.26** in 2018, **\$75.33** in 2019, and **\$79.65** in 2020. Surface water rates for unsewered accounts increases annually from the current Single-Family charge of \$17.44 per month to **\$22.67** in 2017, **\$24.48** in 2018, **\$26.44** in 2019, and **\$28.56** in 2020. The overall utility bill increase for a single-family customer using 700 cubic feet of water per month will be 8.0% in 2017, 5.2% in 2018, 4.9% in 2019, and 5.0% in 2020.

**RECOMMENDATION** (Exact action requested of Council): That City Council adopt the ordinance adjusting water, filtration, sewer, and storm water rates as recommended.



ORDINANCE NO. \_\_\_\_\_

**An ORDINANCE establishing rates for Everett sewer service and surface water management, rates for water and filtration for inside and outside City customers, rates for wholesale master meters, and repealing Ordinance Nos. 3417-14 (EMC 14.04.020) and 3299-12 (EMC 14.16.710-13).**

**WHEREAS**, Ordinance 3417-14 was adopted on December 17, 2014 establishing current sewer and surface water management rates for Everett sewer customers; and

**WHEREAS**, Ordinance 3299-12 was adopted on November 21, 2012, establishing current water and filtration rates for Everett water customers; and

**WHEREAS**, the 2016 cost of service study has been completed; and

**WHEREAS**, to cover the cost of service, a general rate increase is necessary to cover operations, maintenance and capital expenditures; and

**WHEREAS**, the City Council finds that the charges herein are reasonable;

**NOW, THEREFORE**, the City of Everett does ordain:

**Section 1:** Effective January 1, 2017, and thereafter, service charges for the City of Everett sewer system are hereby fixed as follows:

A. Single family residence: \$67.22 per month

(The monthly charge includes Surface Water Quality Protection and Enhancement and the current state utility tax.)

B. For other than single family residence (multiple family residence, commercial, and industrial users, etc.) the rate shall be computed in accordance with the following formula:

Sewer services charge per month = \$7.47 per 100 cubic feet of metered water consumption

(The monthly charge includes Surface Water Quality Protection and Enhancement and the current state utility tax.)



EVERETT CITY COUNCIL AGENDA ITEM COVER SHEET

**PROJECT TITLE:**

Final Acceptance & Certification of Completion with Granite Construction Company for the 2016 Hot Mix Asphalt Overlay Project	<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Briefing Proposed Action Consent Action First Reading Second Reading Third Reading Public Hearing Budget Advisory	COUNCIL BILL # Originating Department Contact Person Phone Number FOR AGENDA OF	_____ Public Works Tom Fuchs 425-257-8931 November 23, 2016
			Initialed by: Department Head CAA Council President	_____ _____  

<b><u>Location</u></b>	<b><u>Preceding Action</u></b>	<b><u>Attachments</u></b>	<b><u>Department(s) Approval</u></b>
See attached Vicinity Map	3/22/2015 Bid 4/13/2016 Award	Final Contract Voucher Certification, Certificate of Completion, Final Estimate, Vicinity Map	Public Works

Amount Budgeted	\$1,950,000.00	Account Number: WO# PW 3619
Expenditure Required	-0-	
Budget Remaining	\$93,073.70	
Additional Required	-0-	

**DETAILED SUMMARY STATEMENT:**

The general contractor, Granite Construction Company, completed the Hot Mix Overlay 2016 Project in accordance with the plans and specifications and to the satisfaction of the Public Works Department.

The amounts paid to the contractor under this contract are as follows:

- Contract total paid to date: \$1,856,926.30
- The amount of retainage withheld: \$92,846.32
- Amount currently paid to Contractor: \$1,764,079.98

**RECOMMENDATION** (Exact action requested of Council):

Accept the 2016 Hot Mix Asphalt Overlay Project as complete and authorize the Mayor to sign the Certificate of Completion with Granite Construction Company.

# CERTIFICATE OF COMPLETION

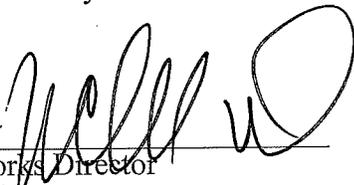
Project: Hot Mix Overlay 2016 Project  
Contractor: Granite Construction Company  
Work Order No. PW 3619

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

The Contractor physically completed the project, within the time allowed in the contract.

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

Recommended by:

  
\_\_\_\_\_  
Public Works Director  
Dave Davis

  
\_\_\_\_\_  
Date

Approved by:

\_\_\_\_\_  
Mayor, City of Everett  
Ray Stephanson

\_\_\_\_\_  
Date

Attest: \_\_\_\_\_  
City Clerk  
Sharon Fuller

APPROVED AS TO FORM

\_\_\_\_\_

By: \_\_\_\_\_  
Jim Iles, City Attorney

\_\_\_\_\_  
Date

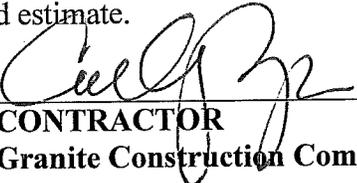
CITY OF EVERETT  
FINAL CONTRACT VOUCHER CERTIFICATION

DATE: October 21, 2016  
CONTRACTOR: Granite Construction Company  
PROJECT TITLE: HMA Overlay 2016 Project  
DATE WORK COMPLETE: August 12, 2016

ADDRESS: 1525 E. Marine View Dr.  
CITY/STATE: Everett, WA 98201  
WORK ORDER NO. PW 3619  
FINAL AMOUNT: \$ 1,856,926.30  
Exclusive of State Sales Tax

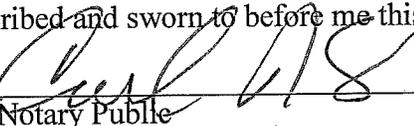
**CONTRACTOR'S CERTIFICATION**

I, the undersigned, having first been duly sworn, certify that the attached bill is a proper charge for work performed and material furnished to the City of Everett, that the same or any part thereof has not been paid, and that I am authorized to sign for the claimant; that I have not rented or purchased any equipment or materials from any employee of the City; I further certify that the attached final estimate is a true and correct statement showing all the monies due me from the City of Everett under this contract; that I have carefully examined said final estimate and understand the same and that I hereby release the City of Everett from any and all claims of whatsoever nature which I may have, arising out of the performance of said contract, which are not set forth in said estimate.

X   
CONTRACTOR  
Granite Construction Company.

X VP  
TITLE

Subscribed and sworn to before me this 25 day of Oct, 2016

X   
Notary Public

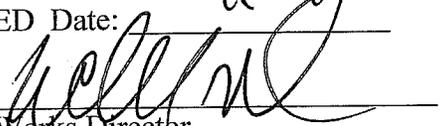
in and for the State of Washington, residing at Lynnwood

**Notary Public**  
**State of Washington**  
**Carol L. Johnson**  
**Commission Expires 06-08-2018**

**PUBLIC WORKS DEPARTMENT CERTIFICATION**

I Certify the attached final estimate to be based upon actual measurements and to be true and correct.

X   
Construction Manager  
Tom Fuchs

APPROVED Date: 10-7-16  
X   
Public Works Director  
Dave Davis

**INSTRUCTIONS**

The Affidavit of Wages Paid must be prepared by the prime contractor, all subcontractors, and all subcontractor's agents and forwarded with the Final Contract Voucher Certification.

Contractor's Claims, if any, must be included and the Contractor's Certification must be labeled indicating a claim attached.

Run Date: 9/14/2016

Time: 10:17 AM

Project: 332

2016 HOT MIX ASPHALT OVERLAY

WO 3619 BID: \$1,861,639.50

TOTAL BID: \$1,861,639.50

City of Everett - Public Works Department

Contract Estimate Voucher

For Work Order #3619

Estimate #5

Contractor: GRANITE CONSTRUCTION

PO BOX 742478

LOS ANGELES, CA 90074

Cutoff Date: 8/26/2016

	Total Amt	Previous Amt	Present Amt
Contract Totals to Date	\$1,856,926.30	\$1,817,698.37	\$39,227.93
Retained Amounts	\$92,846.31	\$90,884.92	\$1,961.40
State Tax Amounts	\$0.00	\$0.00	\$0.00
Amounts Paid	\$1,764,079.98	\$1,726,813.45	
Amount to be Paid This Estimate			\$37,266.53

(53)

Checked By [Signature] Miss Kanaks  
 Recommended By [Signature]  
 Public Works Director [Signature]

Date 9-15-16  
 Date 9/15/16  
 Date 9/15/16

Work Order Number: 3619

FINAL

Run Date: 9/14/2016

Time: 10:17 AM

City of Everett - Public Works Department

Cutoff Date: 8/26/2016

Project: 332

Contract Estimate Voucher  
For Work Order #3619  
Estimate #5

Contractor: GRANITE CONSTRUCTION  
PO BOX 742478  
LOS ANGELES, CA 90074

2016 HOT MIX ASPHALT OVERLAY  
WO 3619 BID: \$1,861,639.50  
TOTAL BID: \$1,861,639.50

Item #	Description	Units	Unit Price	Plan Quantity	Total Quantity	Previous Quantity	Present Quantity	Total Amount	Previous Amount	Present Amount
0001	Mobilization	LS	50,000.00	1.00	1.0000	1.0000	0.0000	50,000.00	50,000.00	0.00
0002	Flaggers & Spotters	HR	70.00	3,470.00	4,745.2500	4,354.7500	390.5000	332,167.50	304,882.50	27,335.00
0003	Temp. Traffic Control	LS	74,400.00	1.00	1.0000	0.8700	0.1300	74,400.00	64,728.00	9,672.00
0004	HMA Class 1/2", PG 64-22	TN	70.00	13,283.00	13,106.6900	13,106.6900	0.0000	917,468.30	917,468.30	0.00
0005	Portable Changeable Message Sign	HR	2.50	1,344.00	2,616.0000	2,616.0000	0.0000	6,540.00	6,540.00	0.00
0006	Adjust Manhole to Grade	EA	400.00	55.00	21.0000	19.0000	2.0000	8,400.00	7,600.00	800.00
0007	Adjust Catch Basin / Inlet to Grade	EA	400.00	125.00	53.0000	51.0000	2.0000	21,200.00	20,400.00	800.00
0008	Adjust Valve Box to Grade	EA	300.00	115.00	89.0000	89.0000	0.0000	26,700.00	26,700.00	0.00
0009	Adjust Exst. Monument Casing to Grade	EA	300.00	14.00	18.0000	18.0000	0.0000	5,400.00	5,400.00	0.00
0010	Planting Bituminous Pavement (2" deep)	SY	1.30	109,765.00	120,649.0000	120,649.0000	0.0000	156,843.70	156,843.70	0.00
0011	Vehicle Loop Detectors	LF	13.50	7,660.00	5,430.3000	5,430.3000	0.0000	73,309.05	73,309.05	0.00
0012	Temporary Pavement Markings	LF	0.15	128,700.00	124,852.0000	124,852.0000	0.0000	18,727.80	18,727.80	0.00
0013	Plastic Wide Line	LF	2.75	2,440.00	3,078.0000	3,078.0000	0.0000	8,464.50	8,464.50	0.00
0014	Plastic Traffic Arrow	EA	185.00	65.00	87.0000	87.0000	0.0000	16,095.00	16,095.00	0.00
0015	24" Plastic Crosswalk Line	LF	11.00	2,110.00	2,429.0000	2,429.0000	0.0000	26,719.00	26,719.00	0.00
0016	24" Plastic Stop Line	LF	11.00	835.00	876.0000	876.0000	0.0000	9,636.00	9,636.00	0.00
0017	Paint Line	LF	0.40	19,180.00	22,044.0000	22,044.0000	0.0000	8,817.60	8,817.60	0.00
0018	Plastic Line	LF	1.15	43,540.00	50,654.0000	50,654.0000	0.0000	58,252.10	58,252.10	0.00
0019	Profiled Plastic Line	LF	0.75	16,220.00	14,072.0000	14,072.0000	0.0000	10,554.00	10,554.00	0.00
0020	Plastic Traffic Letter	EA	100.00	12.00	12.0000	12.0000	0.0000	1,200.00	1,200.00	0.00
0021	Street Cleaning	HR	130.00	100.00	189.5000	189.5000	0.0000	24,635.00	24,635.00	0.00
0022	Resolve Above Ground Conflicts	FA	1.00	5,000.00	1,396.7400	775.8100	620.9300	1,396.74	775.81	620.93
0023	Replace Junction Box	EA	1,600.00	1.00	0.0000	0.0000	0.0000	0.00	0.00	0.00
0024	Loop Detector Lead-In Cable	LF	3.00	200.00	0.0000	0.0000	0.0000	0.00	0.00	0.00

Work Order Totals: 1,856,926.29 1,817,698.36 39,227.93





CITY OF EVERETT  
FINAL CONTRACT VOUCHER CERTIFICATION

DATE: September 28, 2016  
CONTRACTOR: Karl Needham Enterprises  
PROJECT TITLE: 2016 Biosolids Disposal  
DATE WORK COMPLETE: August 9, 2016

ADDRESS: 4901 E. Mariposa RD.  
CITY/STATE: Stockton, CA 95215  
WORK ORDER NO. 2600F  
FINAL AMOUNT: \$511,786.47  
Exclusive of State Sales Tax

**CONTRACTOR'S CERTIFICATION**

I, the undersigned, having first been duly sworn, certify that the attached bill is a proper charge for work performed and material furnished to the City of Everett, that the same or any part thereof has not been paid, and that I am authorized to sign for the claimant; that I have not rented or purchased any equipment or materials from any employee of the City; I further certify that the attached final estimate is a true and correct statement showing all the monies due me from the City of Everett under this contract; that I have carefully examined said final estimate and understand the same and that I hereby release the City of Everett from any and all claims of whatsoever nature which I may have, arising out of the performance of said contract, which are not set forth in said estimate.

X   
CONTRACTOR  
Karl Needham Enterprises

X Secretary / Treasurer  
TITLE

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2015

X \_\_\_\_\_  
Notary Public

in and for the State of Washington, residing at see attached

**PUBLIC WORKS DEPARTMENT CERTIFICATION**

I Certify the attached final estimate to be based upon actual measurements and to be true and correct.

APPROVED Date: 11-2-16

X   
Construction Manager  
Tom Fuchs

X   
Public Works Director  
Dave Davis

**INSTRUCTIONS**

The Affidavit of Wages Paid must be prepared by the prime contractor, all subcontractors, and all subcontractor's agents and forwarded with the Final Contract Voucher Certification.

Contractor's Claims, if any, must be included and the Contractor's Certification must be labeled indicating a claim attached.

## ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of San Joaquin )

On 10-31-2016 before me, Beverly Sandoval, Notary Public  
(insert name and title of the officer)

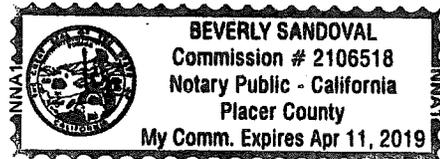
personally appeared Karl Needham  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature *Beverly Sandoval*

(Seal)



# CERTIFICATE OF COMPLETION

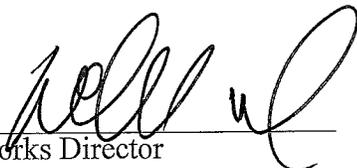
Project: 2016 Biosolids Disposal  
Contractor: Karl Needham Enterprises  
Work Order No. 2600F

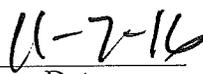
The above mentioned project was constructed per the plans and specifications and to the satisfaction of the Public Works Department.

The Contractor physically completed the project, within the time allowed in the contract.

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

Recommended by:

  
\_\_\_\_\_  
Public Works Director  
Dave Davis

  
\_\_\_\_\_  
Date

Approved by:

\_\_\_\_\_  
Mayor, City of Everett  
Ray Stephanson

\_\_\_\_\_  
Date

Attest: \_\_\_\_\_  
City Clerk  
Sharon Fuller

APPROVED AS TO FORM

\_\_\_\_\_

By: \_\_\_\_\_  
Jim Iles, City Attorney

\_\_\_\_\_  
Date

Run Date: 9/27/2016  
Time: 9:22 AM

City of Everett - Public Works Department  
Contract Estimate Voucher

Cutoff Date: 9/23/2016

For Work Order #2600F  
Estimate #4

Contractor: KARL NEEDHAM ENTERPRISES  
4901 E. MARIPOSA RD.  
STOCKTON CA 95215

Project: 335  
2016 BIOSOLIDS DISPOSAL  
WO 2600F BID: \$608,510.00  
TOTAL BID: \$608,510.00



FINAL

	Total Amt	Previous Amt	Present Amt
Contract Totals to Date	\$511,786.47	\$464,850.30	\$46,936.11
Retained Amounts	\$25,589.32	\$23,242.52	\$2,346.80
State Tax Amounts	\$47,084.35	\$42,766.23	\$4,318.12
Amounts Paid	\$533,281.50	\$484,374.07	\$48,907.43

(25)

Amount to be Paid This Estimate

Checked By [Signature] Date 9/28/16  
Recommended By [Signature] Date 9/28/16  
Public Works Director [Signature] Date 9/28/16

Run Date: 9/27/2016  
 Time: 9:22 AM

City of Everett - Public Works Department  
 Contract Estimate Voucher

Cutoff Date: 9/23/2016

Project: 335  
 2016 BIOSOLIDS DISPOSAL  
 WO 2600F BID: \$608,510.00  
 TOTAL BID: \$608,510.00

For Work Order #2600F  
 Estimate #4

Contractor: KARL NEEDHAM ENTERPRISES  
 4901 E. MARIPOSA RD.  
 STOCKTON CA 95215

Item #	Description	Units	Unit Price	Plan Quantity	Total Quantity	Previous Quantity	Present Quantity	Total Amount	Previous Amount	Present Amount	
0001	Transportation and Disposal	TN	86.93	7,000.00	5,887.3400	5,347.4100	539.9300	511,786.47	464,850.35	46,936.11	
								<b>Work Order Totals:</b>	511,786.47	464,850.35	46,936.11



Oxidation Pond

Biosolids Pad

Aeration Cell 2

Aeration Cell 1





ORDINANCE NO. \_\_\_\_\_

An Ordinance Relating to Municipal Court Judge Positions,  
amending Ordinance No. 1259-86 as amended by Ordinance No.  
2228-97 (Chapter 2.108 EMC).

**WHEREAS**, Chapter 2.108 EMC concerns the Everett Municipal Court; and

**WHEREAS**, the City wishes to provide a mechanism for the appointment of interim judges;

**NOW, THEREFORE, THE CITY OF EVERETT DOES ORDAIN:**

**Section 1.** EMC 2.108.080 (Ord. 2228-97 § 5, 1997; Ord. 1259-86 § 8, 1986) entitled  
“Judicial Vacancy,” which reads as follows:

Any vacancy in the municipal court due to a death, disability, or resignation of a municipal court judge shall be filled by an appointment made by the mayor until the next municipal election. The appointment shall be subject to confirmation by the city council. City council confirmation shall be by a majority of the whole membership. The appointed judge shall be qualified to hold the position of judge of the municipal court as provided herein. .

is hereby amended to be entitled “Interim Appointments” and to read as follows:

Any vacancy in the municipal court due to a death, disability, or resignation of a municipal court judge shall be filled by an interim appointment or appointments made by the mayor, so that the vacant position is filled until the next municipal election. The Each interim appointment shall be subject to confirmation by the city council. City council confirmation shall be by a majority of the whole membership. The-An appointed interim judge shall be qualified to hold the position of judge of the municipal court as provided herein, except that the judge must be a Snohomish County resident but need not be an Everett resident.

**Section 2.** The enactment of this Ordinance shall not affect any case, proceeding, appeal, or other matter currently pending in any court or in any way modify any right or liability, civil or criminal, which may be in existence on the effective date of this Ordinance.

**Section 3.** 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.

\_\_\_\_\_  
Ray Stephanson, Mayor

ATTEST:

\_\_\_\_\_  
Sharon Fuller, City Clerk

PASSED: \_\_\_\_\_

VALID: \_\_\_\_\_

PUBLISHED: \_\_\_\_\_

EFFECTIVE DATE: \_\_\_\_\_

EVERETT CITY COUNCIL AGENDA ITEM COVER SHEET

**PROJECT TITLE:**

Agreement between the City of  
Everett and Steadfast Everett  
Mall, LLC to utilize Mall  
property for police/role-playing  
training

\_\_\_\_\_ Briefing  
\_\_\_\_\_ Proposed Action  
\_\_\_\_\_ Consent  
\_\_\_\_\_ Action  
\_\_\_\_\_ First Reading  
\_\_\_\_\_ Second Reading  
\_\_\_\_\_ Third Reading  
\_\_\_\_\_ Public Hearing  
\_\_\_\_\_ Budget Advisory

COUNCIL BILL # \_\_\_\_\_  
Originating Depart. Police  
Contact Person D/C James Lever  
Phone Number 425-257-8418  
FOR AGENDA OF November 23, 2016

Initialed by:  
Department Head \_\_\_\_\_  
CAA db  
Council President AM

<u>Location</u>	<u>Preceding Action</u>	<u>Attachments</u>	<u>Department(s) Approval</u>
Everett Mall 1402 SE Everett Mall Way		Agreement	Police, Legal

Amount Budgeted	-0-	
Expenditure Required	-0-	Account Number(s):
Budget Remaining	-0-	
Additional Required	-0-	

**DETAILED SUMMARY STATEMENT:**

The Everett Police Department desires to utilize Everett Mall property after business hours for role-playing and training exercises. The purpose of this agreement is to outline the terms and conditions for facility use, including a hold harmless statement. The term of the agreement is January 1, 2017 through December 31, 2017 and, unless terminated prior, will automatically extend month-to-month until January 1, 2020. Steadfast Everett Mall, LLC agrees to provide the Everett Police Department access to the Everett Mall at no cost to the City of Everett.

**RECOMMENDATION (Exact action requested of Council):**

Authorize the Mayor to sign the Agreement between the City of Everett and Steadfast Everett Mall, LLC to utilize Mall property for police/role-playing training at no cost to the City.

**AGREEMENT BETWEEN THE CITY OF EVERETT  
AND STEADFAST EVERETT MALL, LLC**

**THIS AGREEMENT** is made and entered into on this \_\_\_1st\_\_\_ day of January, 2017, by and between the **CITY OF EVERETT**, a municipal corporation under the laws of the State of Washington, hereinafter referred to as the "City," and Steadfast Commercial Management Company Inc, hereinafter referred to as "the Mall."

**WHEREAS**, the City of Everett Police Department desires to utilize Mall property for police/role playing training; and

**WHEREAS**, the City of Everett Police Department and the Mall have agreed on a location and dates for the training;

**NOW, THEREFORE**, the parties herein do mutually agree as follows:

1. Purpose. The purpose of this Agreement is to define the terms for the Mall allowing the Everett Police Department to conduct police/role playing training activities at the Everett Mall, located in the city of Everett at the street address of 1402 SE Everett Mall Way (hereinafter referred to as "the training location") after the businesses at the training location have closed for business for the day (hereinafter referred to as "training activities").
2. Term. The term of this Agreement shall commence as of the date of execution hereof and shall continue in full force and effect until December 31<sup>st</sup>, 2017. Beginning January 1, 2018, this Agreement will automatically extend month-to-month, unless this Agreement is terminated under Section 3 below. However, the month-to-month extensions will not cause this Agreement to extend beyond January 1, 2020, after which date a new agreement will be necessary. City shall provide written notice at least 72 hours prior to conducting any training activities. Mall shall have the right to refuse such written request for reasonable cause and agrees to use its best efforts to reschedule to a mutually satisfactory time.
3. Termination. Either party shall have the right to cancel this Agreement at any time, upon giving ten (10) days written notice thereof.
4. Amendments. This Agreement may be amended only upon written agreement of the parties, executed in the same manner as provided by law for the execution of this Agreement.

5. Liability Insurance. The City is a self-insured entity and will furnish a letter detailing its self-insured status to the Mall prior to the commencement of training activities.
  
6. Hold Harmless and Indemnification. The City acknowledges that the Mall has not made any, and makes no, representations regarding the condition of the location of training activities. The City further acknowledges that the City and its agents/contractors assume all risk of injury from entry onto the location of the training activities and the structures thereon for the training activities. The City agrees that it will indemnify and hold the Mall (including the Mall's members, officers, directors, and employees) harmless from any and all claims (including claims for personal injury), damages, expenses, costs, fees (including any court costs and reasonable attorneys' fees), fees, fines and/or penalties which may be imposed or incurred by the Mall resulting from or related to entry onto the training location for training activities as provided under this Agreement. In the event of such a claim, the Mall will deliver to the City prompt written notice thereof, and the City may, at its option, assume the defense of such claim.

**IN WITNESS WHEREOF**, the City and the Mall have executed this Agreement as of the date first above written.

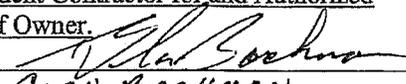
**CITY OF EVERETT, WASHINGTON**

**EVERETT MALL, LLC**

a Delaware limited liability company

By: \_\_\_\_\_  
Ray Stephanson, Mayor

**BY: Steadfast Commercial Management  
Company, Inc. a California corporation**  
Independent Contractor for and Authorized  
Agent of Owner.

By:   
GLEN BACHMAN  
Its VP RETAIL OPERATIONS

Date: \_\_\_\_\_

Date: 11/9/16

ATTEST:

\_\_\_\_\_  
Sharon Fuller, City Clerk  
Date: \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
James D. Iles, City Attorney  
Date: \_\_\_\_\_

EVERETT CITY COUNCIL AGENDA ITEM COVER SHEET

**PROJECT TITLE:**

Request For Proposal 2016-  
057 NEC Telephone Network  
Maintenance

\_\_\_\_\_ Briefing  
\_\_\_\_\_ Proposed Action  
\_\_\_\_\_ Consent  
  X   Action  
\_\_\_\_\_ First Reading  
\_\_\_\_\_ Second  
\_\_\_\_\_ Reading  
\_\_\_\_\_ Third Reading  
\_\_\_\_\_ Public Hearing

COUNCIL BILL # \_\_\_\_\_  
Originating Department Finance/Purchasing  
Contact Person Clark Langstraat  
Phone Number 425-257-8901  
FOR AGENDA OF November 23, 2016

Initialed by:  
Department Head \_\_\_\_\_  
CAA db  
Council President AM

<u>Location</u>	<u>Preceding Action</u>	<u>Attachments</u>	<u>Department(s) Approval</u> Information Technology, Finance/Purchasing
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Amount Budgeted	\$247,519.27 annually	
Expenditure Required	\$247,519.27 annually	Account Number(s): 507 5220000480
Budget Remaining	-0-	
Additional Required	-0-	

**DETAILED SUMMARY STATEMENT:**

The City's current NEC Service Agreement is due to expire at the end of 2016. Staff has identified the Request For Proposal (RFP) process as the appropriate method for selecting a vendor to provide continued support for the phone network.

The RFP was sent to six vendors, posted on the City's website and advertised in the Herald. A single response was received from Black Box Network Services, the current provider. This response was determined to be responsive and competitive and staff recommends an award to Black Box as the most advantageous to the City.

**RECOMMENDATION** (Exact action requested of Council):

Award Request For Proposal 2016-057 for NEC Telephone Network Maintenance to Black Box Network Services in the amount of \$247,519.27 including Washington State sales tax.

EVERETT CITY COUNCIL AGENDA ITEM COVER SHEET

**PROJECT TITLE:**

Purchase of a Vactor 2110 J6  
HXX suction body from  
Owen Equipment Company  
under Washington State  
Contract #01912

\_\_\_\_\_ Briefing  
\_\_\_\_\_ Proposed Action  
\_\_\_\_\_ Consent  
\_\_\_\_\_ x Action  
\_\_\_\_\_ First Reading  
\_\_\_\_\_ Second Reading  
\_\_\_\_\_ Third Reading  
\_\_\_\_\_ Public Hearing

COUNCIL BILL # \_\_\_\_\_  
Originating Department Finance/Purchasing  
Contact Person Clark Langstraat  
Phone Number 425-257-8901  
FOR AGENDA OF November 23, 2016

Initialed by:  
Department Head \_\_\_\_\_  
CAA db  
Council President SM

Location                      Preceding Action                      Attachments                      Department(s) Approval  
Motor Vehicles Division,  
Public Works,  
Finance/Purchasing

Amount Budgeted	\$394,241.20	
Expenditure Required	\$394,241.20	Account Number(s):
Budget Remaining	-0-	MV7H0062-401-N-640
Additional Required	-0-	

**DETAILED SUMMARY STATEMENT:**

Public Works has the need to purchase one Vactor 2110 J6 HXX suction body to be installed on a separately purchased chassis. This unit will replace H0050. This item is included in the pending 2017 Vehicle Replacement Budget and is available from competitively bid Washington State Contract # 01912. The City has an Interlocal Cooperative Purchasing Agreement with the State that allows us to make purchases from their competitively awarded contracts in lieu of soliciting bids on our own.

**RECOMMENDATION (Exact action requested of Council):**

Authorize the purchase of a Vactor 2110 J6 HXX suction body from Owen Equipment Company under Washington State Contract # 01912 in the amount of \$394,241.20, including Washington State sales tax.