

**LYNNWOOD  
CITY COUNCIL  
Work Session**

**Date: Monday, March 1, 2021**

**Time: 6:00 PM**

**Place: This meeting will be held electronically via  
Zoom. See the City of Lynnwood website for  
details.**

---

- 6:00 PM     **A**    Roll Call
- 6:05 PM     **B**    Comments and Questions on Memo Items
- 6:10 PM     **C**    Community Justice Center Project Update
- 7:10 PM     **D**    Break
- 7:20 PM     **E**    Briefing: 2024 Comprehensive Plan Update
- 8:10 PM     **F**    Mayor Comments and Questions
- 8:15 PM     **G**    Council Comments
- 8:20 PM     **H**    Executive Session, If Needed
- Adjourn

**Memorandums for Future Agenda Items:**

- M-1        Garage Pole Building
- M-2        Resolution - Confirmation of Emergency Declaration - Utility Billing Special Rate  
            Deadline Waiver
- M-3        Contract Supplement: for Construction Engineering Services, Sanitary Sewer Lift Stations  
            4 & 8 Improvements

**Memorandums for Your Information:**

**Contact: Executive Office (425) 670-5001**

**CITY COUNCIL ITEM A**

**CITY OF LYNNWOOD  
Executive**

---

**TITLE:** Roll Call

**DEPARTMENT CONTACT:** Leah Jensen

**DOCUMENT ATTACHMENTS**

**Description:**

**Type:**

---

No Attachments Available

**CITY COUNCIL ITEM B**

**CITY OF LYNNWOOD  
Executive**

---

**TITLE:** Comments and Questions on Memo Items

**DEPARTMENT CONTACT:** Leah Jensen

**DOCUMENT ATTACHMENTS**

**Description:**

**Type:**

---

No Attachments Available

## CITY COUNCIL ITEM C

### CITY OF LYNNWOOD Police Department

---

**TITLE:** Community Justice Center Project Update

**DEPARTMENT CONTACT:** Chief Jim Nelson; Deputy Chief Chuck Steichen

**SUMMARY:**

Council will be provided with a two-part presentation on the Community Justice Center Project, and then have the opportunity to ask questions of staff and the design and financial teams, and discuss the project.

The first part of the presentation will be a project update. This will include a recap of the project's background, an updated schedule, a facility design update, and the project's budget parameters. This presentation will be provided by both the design firm (MacKenzie) and the police department.

The second part of the presentation will be an update on the city's financial position and the project's financing. This will include updates to the city's debt capacity, projected growth, debt affordability, and repayment plan. This presentation will be provided by PFM, the city's financial consultants, and the police department.

**POLICY QUESTION(S) FOR COUNCIL CONSIDERATION:**

Not applicable.

**ACTION:**

Discussion.

**BACKGROUND:**

The following meetings were held regarding the Community Justice Center project:

11/5/18 - Council Presentation by Chief Davis – Criminal Justice Facility Improvements as part of Capital Projects presentation in conjunction with Director Franz.

2/20/19 - City Council presentation by Chief Davis – Lynnwood Community Justice Center.

4/25/19 - Council Finance Committee Meeting to discuss Community Justice Center Financing Considerations

9/9/19 – Council Awards Design Contract to MacKenzie

11/18/19 – Legislative Engagement Council Meeting – Presentation of Community Justice Center

1/21/20 - Council Finance Committee – Design Options and Costing Update for Community Justice Center

2/3/20 – Council Presentation – Design Options and Costing for Community Justice Center with MacKenzie Project Manager Brett Hanson

2/27/20 – Council Finance Committee Meeting – Funding Options and Bonding Presentation for Community Justice Center

3/23/2020 - Council Presentation at Business Meeting - Funding Options and Bonding Presentation for Community Justice Center. City council unanimously approved funding through schematic design and the financing through councilmatic (LTGO) bonds.

9/8/2020 - Council Presentation at Work Session - Community Justice Center Design Contract Amendment. Sought approval for remaining funding for design services through Phases II and III.

**PREVIOUS COUNCIL ACTIONS:**

On September 9, 2019 the City Council awarded the Design Contract for the Community Justice Center to MacKenzie.

On March 23, 2020 City Council unanimously approved funding through schematic design. Council also identified the funding mechanism to be LTGO bonds to be paid back through expenditure reductions, existing criminal justice taxes, and contracted bed revenues.

On September 14, 2020 City Council unanimously approved Community Justice Center Design Contract Amendment #2, which approved full design funding and project management through project completion. Contract extended through February 2023.

**FUNDING:**

Not applicable.

**ADMINISTRATION RECOMMENDATION:**

Not applicable.

**DOCUMENT ATTACHMENTS**

Description:	Type:
<a href="#">City and CJC Financing Update</a>	Presentation



# City of Lynnwood, Washington

## Community Justice Center Financing | Debt Capacity and Affordability

March 1, 2021

---

PFM Financial Advisors  
LLC

---

600 First Avenue  
Suite 600B  
Seattle, WA 98104

---

Thomas Toepfer  
(206) 858-5360  
  
Steven Amano  
(206) 858-5366

C-3



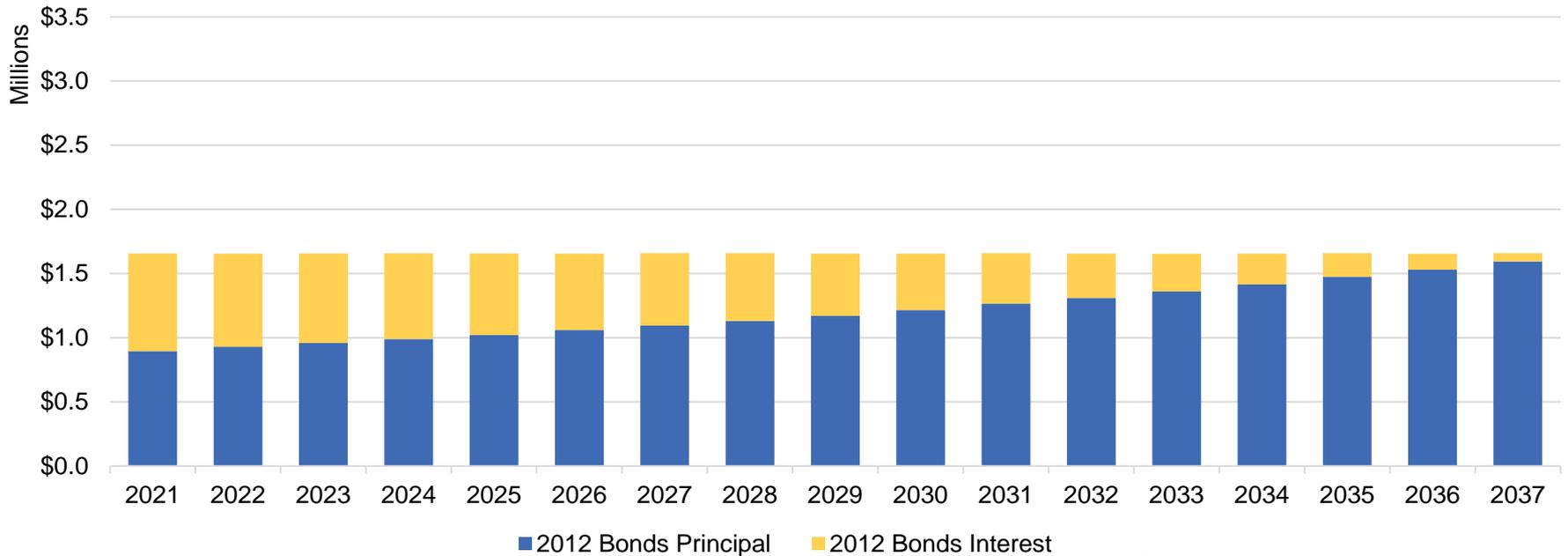
# Debt Capacity



## Outstanding Limited Tax General Obligation Bonds

Series	Purpose	Issue Size	Delivery Date	Final Maturity	Call Date	Outstanding Coupons	Outstanding Par
LTGO Refunding Bonds, 2012	Refunding of 2008 LTGO Note (Recreation Center)	\$24,955,000	2/27/2012	12/1/2037	12/1/2022	2.75% - 4.00%	\$20,415,000

### Limited Tax General Obligation Bonds



C-5

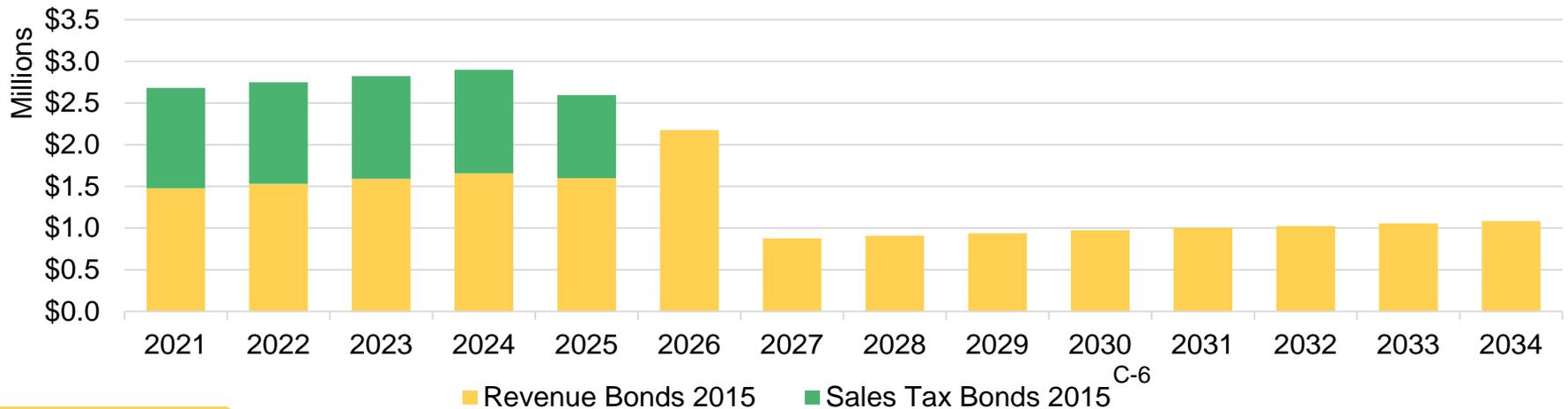


## Outstanding Public Facilities District Bonds

Series	Purpose	Issue Size	Delivery Date	Final Maturity	Call Date	Outstanding Coupons	Outstanding Par
Convention Center Revenue Refunding Bonds, 2015	Current refunding of the Revenue Bonds, 2005 (Convention Center)	\$15,605,000	4/15/2015	12/1/2034	12/1/2024	3.63% - 5.00%	\$13,770,000
Convention Center Sales Tax Refunding Bond, 2015 <sup>(1)</sup>	Current refunding of the Revenue Bonds, 2004 Series B (Convention Center)	9,877,100	6/15/2015	12/1/2025	N/A	2.48%	5,485,400
<b>Total</b>							<b>\$19,255,400</b>

(1) Bank Placement with Pinnacle Public Finance Inc.

## Public Facilities District Debt Service





## General Obligation Debt Capacity

- Remaining General Obligation debt capacity is governed by the City's assessed value
- Over the next 5 years (through 2025), approximately \$15.6 million of outstanding general obligation principal will be paid down (approximately 39% of currently outstanding LTGO and PFD debt)

<b>Non-Voted General Obligation Debt Capacity</b>	
Assessed Valuation for 2021 Tax Year	\$7,953,751,038
Non-Voted Debt Capacity (1.5% of AV)	\$119,306,266
Less: Outstanding Non-Voted LTGO Debt	(20,415,000)
Less: Outstanding Public Facilities Sales Tax Debt <sup>(1)</sup>	<u>(19,255,400)</u>
<b>Remaining Non-Voted (LTGO) Debt Capacity</b>	<b>\$79,635,866</b>
<b>Total General Obligation Debt Capacity for General Purposes</b>	
Assessed Valuation for 2021 Tax Year	\$7,953,751,038
Total Debt Capacity (2.5% of AV) <sup>(2)</sup>	\$198,843,776
Less: Outstanding Voted UTGO Debt	-
Less: Outstanding Non-Voted LTGO Debt	(20,415,000)
Less: Outstanding Public Facilities Sales Tax Debt <sup>(1)</sup>	<u>(19,255,400)</u>
<b>Total Debt Capacity Remaining</b>	<b>\$159,173,376</b>

As of February 15, 2021

C-7

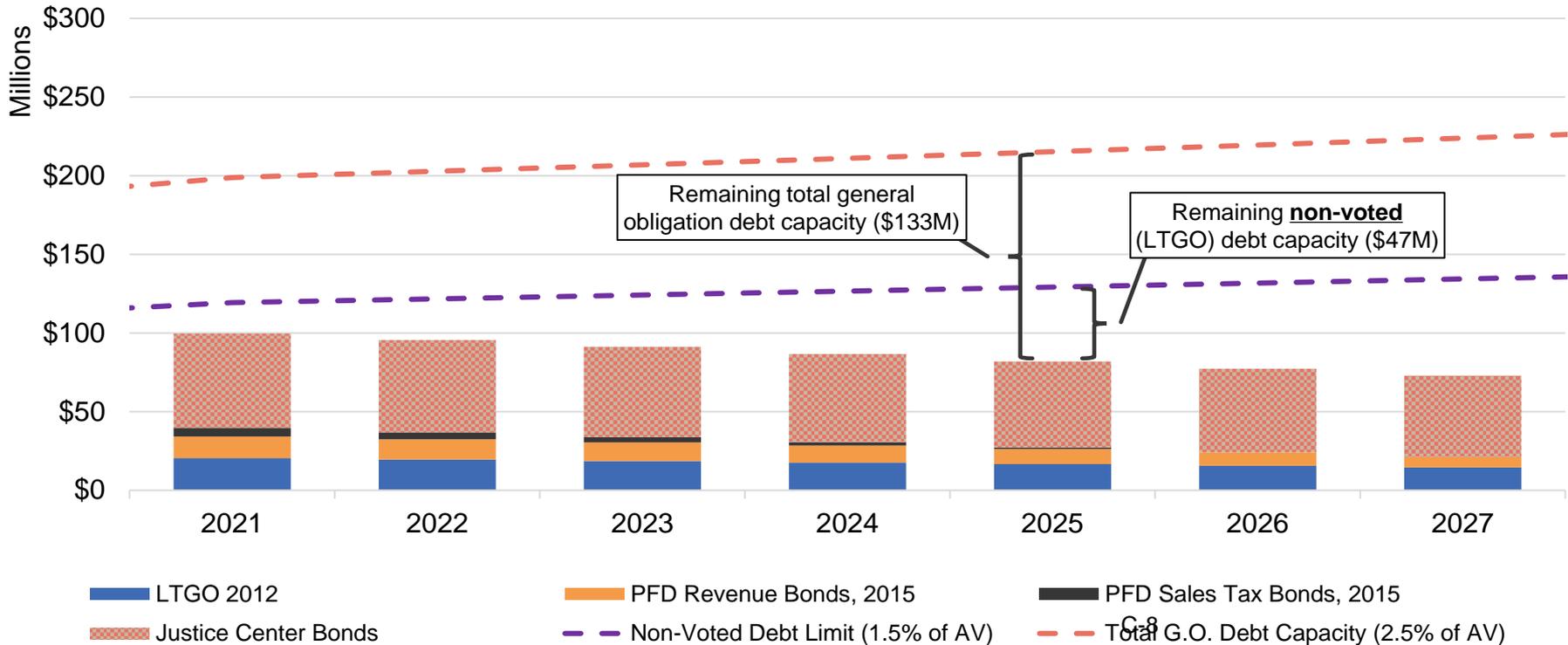
(1) The City has pledged its full faith and credit to support the Public Facilities District Bonds, if necessary

(2) The City has additional capacity – 2.5% for utility debt and 2.5% for open space/park facilities for a total of 7.5% of AV



## Debt Capacity Projection (2.0% AV Growth)

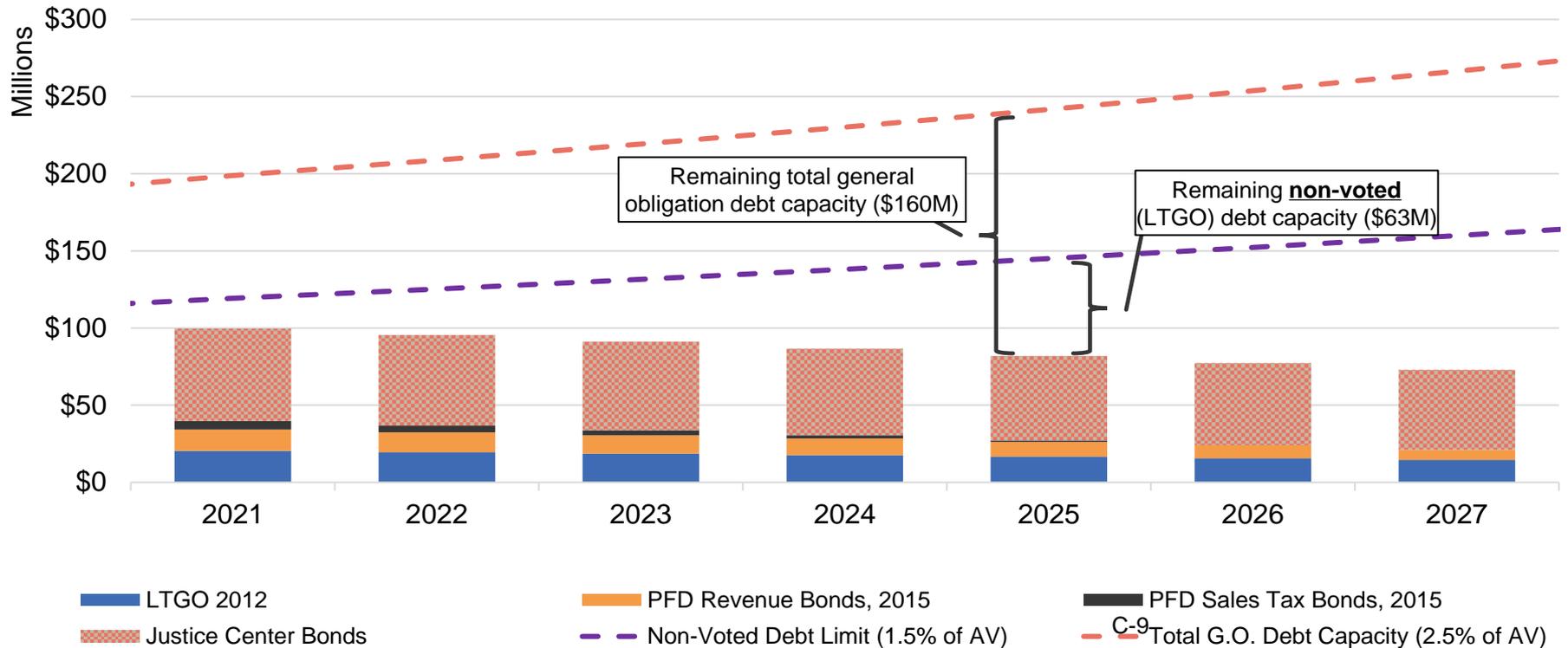
- The City is projected to have at least **\$19 million** (16.5%) of non-voted (LTGO) debt capacity remaining following the issuance of the Community Justice Center Bonds
- Assuming annual assessed value growth of **2.0%** and with the pay down of existing principal, the City is projected to have approximately **\$47 million** (37%) of available non-voted capacity by 2025





## Debt Capacity Projection (5.0% AV Growth)

- The City is projected to have at least **\$19 million** (16.5%) of non-voted (LTGO) debt capacity remaining following the issuance of the Community Justice Center Bonds
- Assuming annual assessed value growth of **5.0%** and with the pay down of existing principal, the City is projected to have approximately **\$63 million** (43%) of available non-voted capacity by 2025





# Debt Affordability

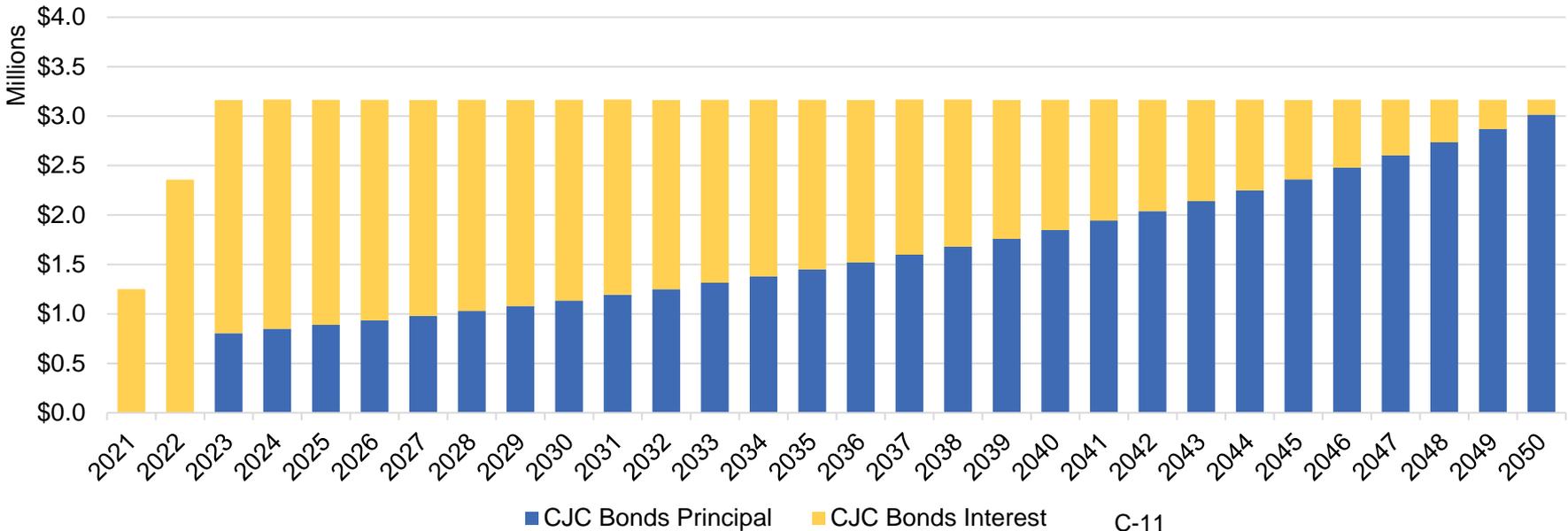


# Community Justice Center Bonds

- Based on current market rates<sup>(1)</sup>, a 30-year financing is expected to cost the City approximately **\$3.165 million** in annual debt service payments
- Interest only payments through the construction phase of the Project (i.e., first principal payment on 12/1/2023)
  - Estimated interest payments due in 2021 and 2022 are \$1.2 million and \$2.3 million, respectively

Justice Center Bonds (30-year term) <sup>(1)</sup>	
<b>Avg. Annual Debt Service</b>	\$3,165,000
<b>TIC (True Interest Cost)</b>	3.00%
<b>Total Debt Service</b>	\$92,217,152

Community Justice Center Bonds (LTGO 2021)



(1) Assumes Justice Center Bonds are issued in May 2021 to finance \$60 million of project costs, current market rates assume AA MMD plus 0.50% interest rate cushion (5% coupons); \$200k costs of issuance and \$4 per bond in UW compensation



# Primary Sources of Debt Repayment

1. **Net Budget Expenditure Reduction** (estimate: \$1,147,364)
  - a) Contract savings – reduce # of contracted beds (SCORE & Yakima County Jail); terminate contract with Snohomish County Jail
  - b) Evidence facility lease savings
  - c) Increased operating costs related to food, supplies, and additional staffing needs (i.e. 2 Custody Officers, 1 – Step 1 and Step 3)
  
2. **Designated criminal justice sales tax revenue** (Fund 105; estimate: \$500,000)
  - a) Currently, a portion of these revenues are being set aside and used for one-time expenditures
  - b) \$500,000 estimate represents approximately 2/3 of 2019 criminal justice sales tax revenues of the City
  - c) Approximately \$2 million of Fund 105 reserves may be available to support debt service payments related to the Justice Center Bonds
  
3. **Increased City of Lynnwood jail bed revenue** (total estimate: \$1,596,875)
  - a) Annual jail bed revenue of the City is currently estimated to be \$160,000 per year<sup>(1)</sup>
  - b) With an expanded facility, the City's jail bed revenue projection assumes 25 beds/day are contracted to local jurisdictions at a rate of \$175/day (1 bed ~ \$63,875/year; 25 beds ~ \$1,596,875/year)

(Note: revenues not available until the jail is online, expected to be in late 2022/early 2023. Revenues depend on actual number of contracted beds.)

<b>Summary of Primary Repayment Sources (estimated)</b>	
Budget Expenditure Reduction (less increased operating costs)	\$1,147,364
Criminal Justice Tax (Existing)	500,000
Contracted Bed Revenue	1,596,875
<b>Total – Estimated Repayment Sources</b>	<b>\$3,244,239</b>



## Summary

- Based on 2021 Assessed Value, the City has sufficient debt capacity to finance \$60 million of project costs related to its Community Justice Center expansion project
  
- The City is projected to have at least \$19 million of non-voted capacity remaining following the issuance of Justice Center Bonds in 2021
  
- The City anticipates paying the debt service due on the Justice Center Bonds with the following repayment sources:
  - Net budget expenditure reductions
  - Existing criminal justice sales tax
  - Contracted bed revenues (*subject to agreements with other jurisdictions*)



## Community Justice Center Bonds – Key Dates

MARCH							APRIL							MAY						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
	1	2	3	4	5	6					1	2	3							1
7	8	9	10	11	12	13	4	5	6	7	8	9	10	2	3	4	5	6	7	8
14	15	16	17	18	19	20	11	12	13	14	15	16	17	9	10	11	12	13	14	15
21	22	23	24	25	26	27	18	19	20	21	22	23	24	16	17	18	19	20	21	22
28	29	30	31				25	26	27	28	29	30		23	24	25	26	27	28	29
														30	31					

<u>Activity</u>	<u>Date</u>
City Council Meeting to discuss Plan of Finance	March 1 <sup>st</sup>
City Council Meeting to discuss draft Bond Ordinance (6:00 PM)	March 8 <sup>th</sup>
<b>City Council Meeting to consider Bond Ordinance (6:00 PM)</b>	<b>March 22<sup>nd</sup></b>
Call with Rating Agency	Week of April 12 <sup>th</sup>
<b>Bond pricing</b>	<b>May 5<sup>th</sup></b>
Bond closing – funds delivered to the City	May 20 <sup>th</sup>

**PFM Financial Advisors LLC**

600 First Avenue | Suite 600B | Seattle, WA 98104

**Thomas Toepfer, Director**

(206) 858-5360 | [toepfert@pfm.com](mailto:toepfert@pfm.com)

**Steven Amano, Senior Managing Consultant**

(206) 858-5366 | [amanos@pfm.com](mailto:amanos@pfm.com)



**CITY COUNCIL ITEM D**

**CITY OF LYNNWOOD  
City Council**

---

**TITLE:** Break

**DEPARTMENT CONTACT:** George Hurst, Council President

**DOCUMENT ATTACHMENTS**

**Description:**

**Type:**

---

No Attachments Available

## CITY COUNCIL ITEM E

### CITY OF LYNNWOOD Community Development

---

**TITLE:** Briefing: 2024 Comprehensive Plan Update

**DEPARTMENT CONTACT:** Ashley Winchell, Community Planning Manager; David Kleitsch  
DBS Director

#### **SUMMARY:**

This agenda item is to brief Council on the Lynnwood 2024 Comprehensive Plan Update. Over the next three years staff within the Community Planning Division, Development and Business Services Department (DBS), will be facilitating the effort to update Lynnwood's Comprehensive Plan. Community Planning staff will be working with all departments of the City to coordinate efforts and identify over-arching policies for Council consideration. Council is the final decision making body to approve the comprehensive plan update and any requested changes.

#### **POLICY QUESTION(S) FOR COUNCIL CONSIDERATION:**

No policy questions at this time. The Council will have the opportunity to discuss and provide direction as the Comprehensive Plan Update progresses.

#### **ACTION:**

Receive the presentation, provide feedback regarding the process, and ask staff clarifying questions.

#### **BACKGROUND:**

The Growth Management Act (GMA) requires all jurisdictions within Pierce, King, and Snohomish Counties to update their comprehensive plans and development regulations every eight years [RCW 36.70A.130(5)]. The State of Washington requires these periodic updates to ensure local government planning and regulations remain consistent with the Growth Management Act (GMA). The Comprehensive Plan Update is required to be completed by June 30, 2024.

The planning horizon year for the upcoming comprehensive plan update is 2044. In 2044 Lynnwood is projected to have approximately 65,000 residents within the existing city boundaries. The ST2 extension will have been running for 20 years. The ST3 station will have been open and running for approximately 8 years. Lynnwood will be better connected than ever to both Everett and Seattle.

To prepare for 2044, the comprehensive plan will consider a wide variety of important values and issues. These considerations include embedding race and social equity into the planning process and plan content; strengthening and preserving a strong sense of community in the face of changes; responding to Lynnwood's new role as a regional transit and transportation hub connecting King and Snohomish counties more thoroughly than ever before; improving the quality of life for its residents; and considering community resilience as a core value in responding to disruptive regional, national, or global events such as the COVID-19 pandemic. The updated comprehensive plan will address these values and issues in a cohesive, accessible document that expresses continuity in community vision, goals, policies, strategies, and implementation actions.

Council will receive a series of memos and presentations throughout the process that provide regular updates, discuss items of policy consideration, and to request policy direction.

**FUNDING:**

A contract has been executed with Otak, Inc; a professional consulting firm that will assist with initial work to launch the Comprehensive Plan Update. This contract will span 2021 and result in a review and audit of the existing comprehensive plan document, a template and guidance on the layout of the updated document, graphic materials, a work plan, and public engagement plan.

Funding requests for the Comprehensive Plan Update were included in the 2021-2022 budget. No additional funds are requested at this time.

**KEY FEATURES AND VISION ALIGNMENT:**

The Comprehensive Plan Update serves to align Lynnwood policies and regulations with the Community Vision:

The City of Lynnwood will be a regional model for a sustainable, vibrant community with engaged citizens and an accountable government.

- To be a welcoming city that builds a healthy and sustainable environment.
- To encourage a broad business base in sector, size and related employment, and promote high quality development.
- To invest in preserving and expanding parks, recreation, and community programs.
- To be a cohesive community that respects all citizens.
- To invest in efficient, integrated, local and regional transportation systems.
- To ensure a safe environment through rigorous criminal and property law enforcement.
- To be a city that is responsive to the wants and needs of our citizens.

**ADMINISTRATION RECOMMENDATION:**

Receive the presentation, provide feedback regarding the process, and ask staff clarifying questions.

**DOCUMENT ATTACHMENTS**

Description:	Type:
<a href="#">Comp Plan Update Presentation</a>	Presentation



**LYNNWOOD**  
WASHINGTON

*A great deal more*

# ***2024 Comprehensive Plan Update***

City Council  
March 1, 2021

*Ashley Winchell, AICP, Community Planning Manager*

# Why do we plan?

- Communities plan because it:
  - Enhances Public Decision-Making
  - Coordinates Community Investments
  - Promotes the Public Interest
  - Mitigates Negative Impacts
  - Improves Community Outcomes



# What is a Comprehensive Plan?

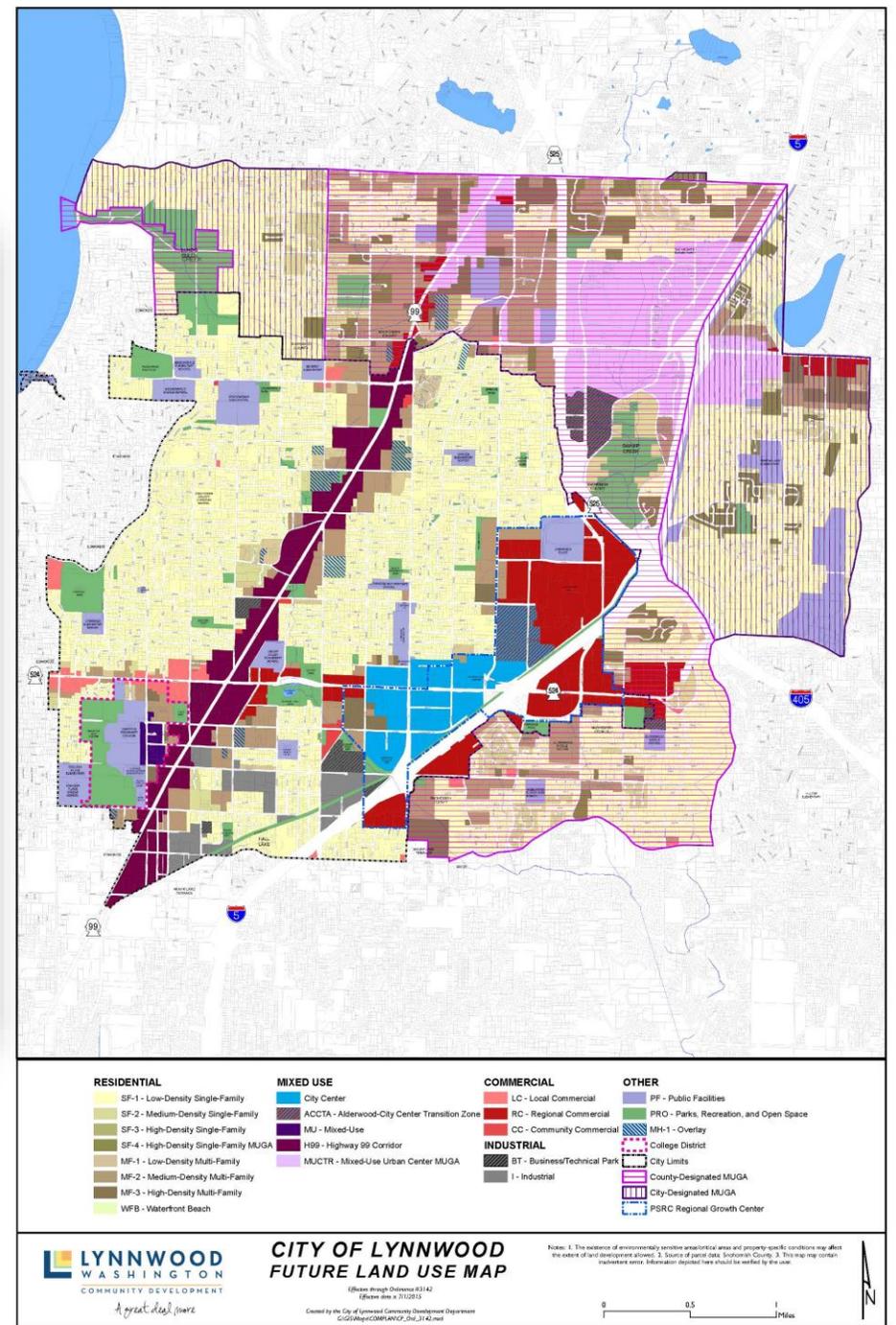
**CITY OF LYNNWOOD  
2020 Comprehensive Plan**

LYNNWOOD  
WASHINGTON  
Revised: July 11, 2011

June 22, 2015

**CITY OF LYNNWOOD  
WASHINGTON**

## Comprehensive Plan



# Planning in Washington State

---

- Growth Management Act (1990)
  - Address uncoordinated development and urban sprawl
  - Manage threats to the quality of life in Washington
  - Require local planning, guided by state law, and regionally enforced



# Growth Management Act (GMA) Goals

---

1. Encourage compact urban growth
2. Reduce sprawl
3. Encourage coordinated, multimodal transportation
4. Encourage affordable housing
5. Encourage economic development
6. Protect property rights
7. Predictable permitting
8. Maintain natural resource industries
9. Retain open space, enhance recreation
10. Protect the environment
11. Encourage participation
12. Ensure availability of public facilities and services
13. Encourage historic preservation
14. Manage shoreline development



# Framework

Growth Management Act (GMA)

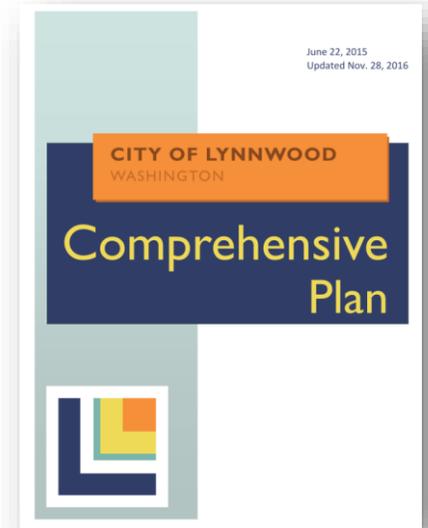
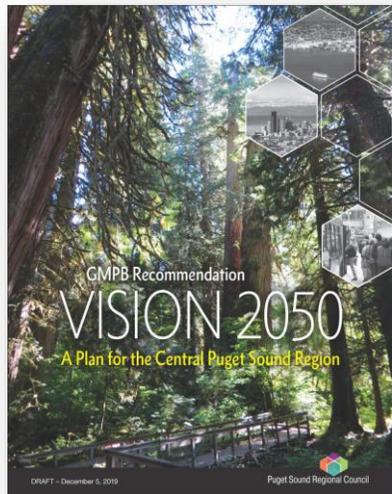
Multicounty Planning Policies (MPPs)

Countywide Planning Policies

Lynnwood  
Comprehensive Plan

Regulations

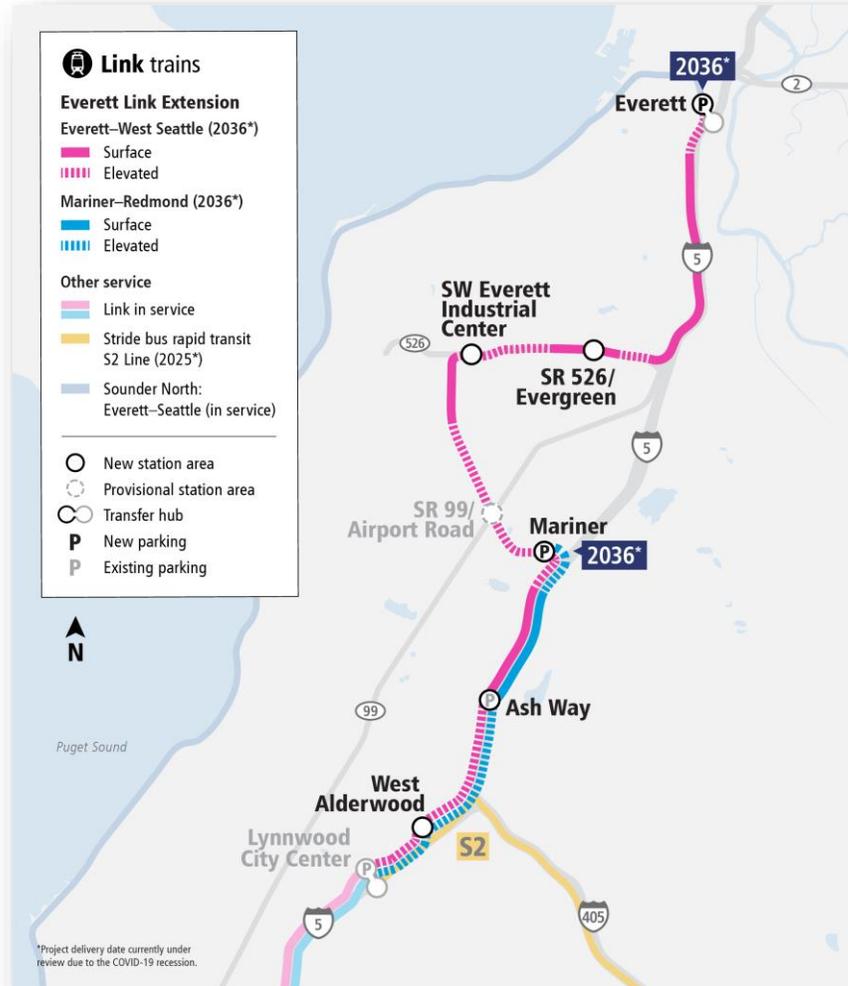
Projects



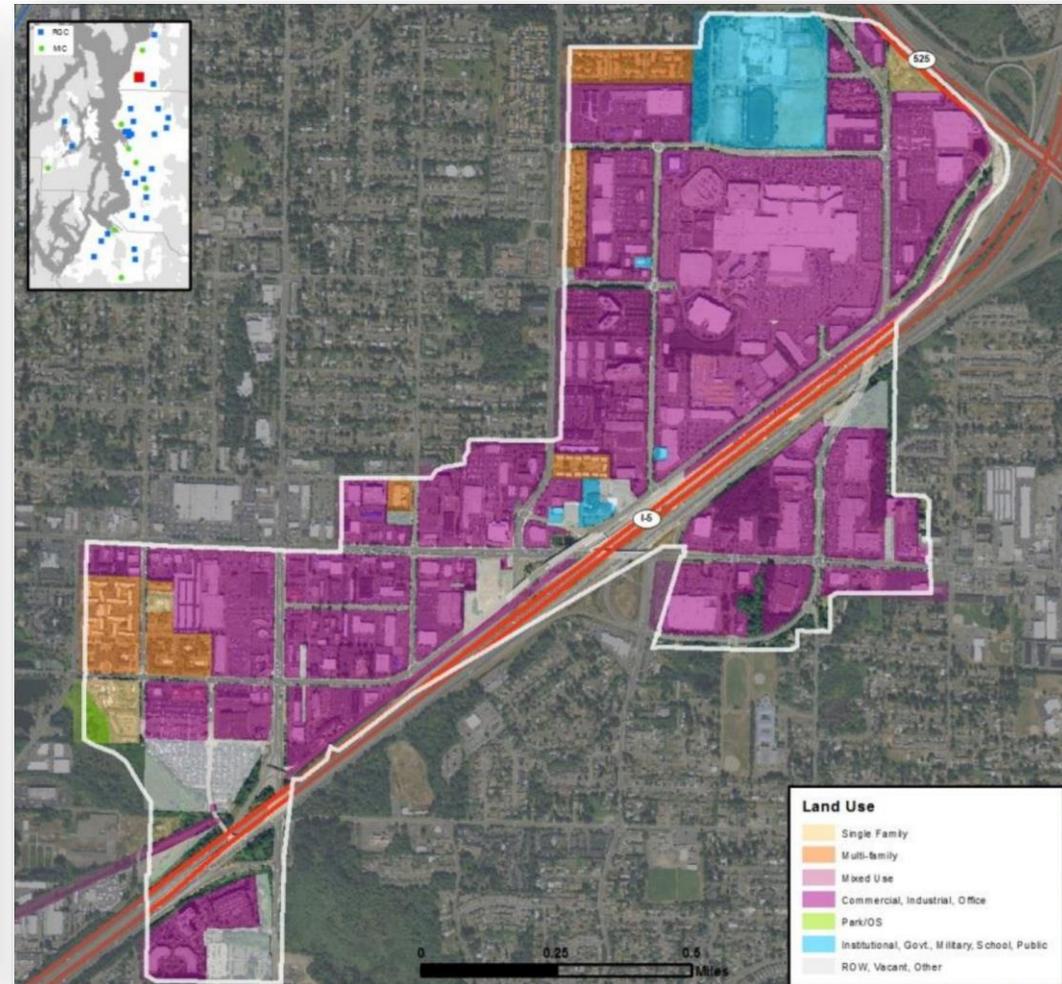
# 2024 Comprehensive Plan Update



# Planning for 2044



Everett Link Extension



Regional Growth Center



# 2024 Update Themes



Coordination



Race and Social Equity



Quality of Life



Regional Connectivity



Economic Prosperity



Community Engagement



E-11

Achievable



User-Friendly



# Comprehensive Plan Elements

---



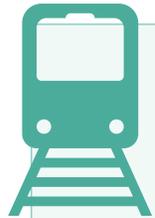
**Land Use**



**Community Character \***



**Economic Development**



**Transportation**



**Parks, Recreation & Open Space**



**Housing**



**Human Services \***



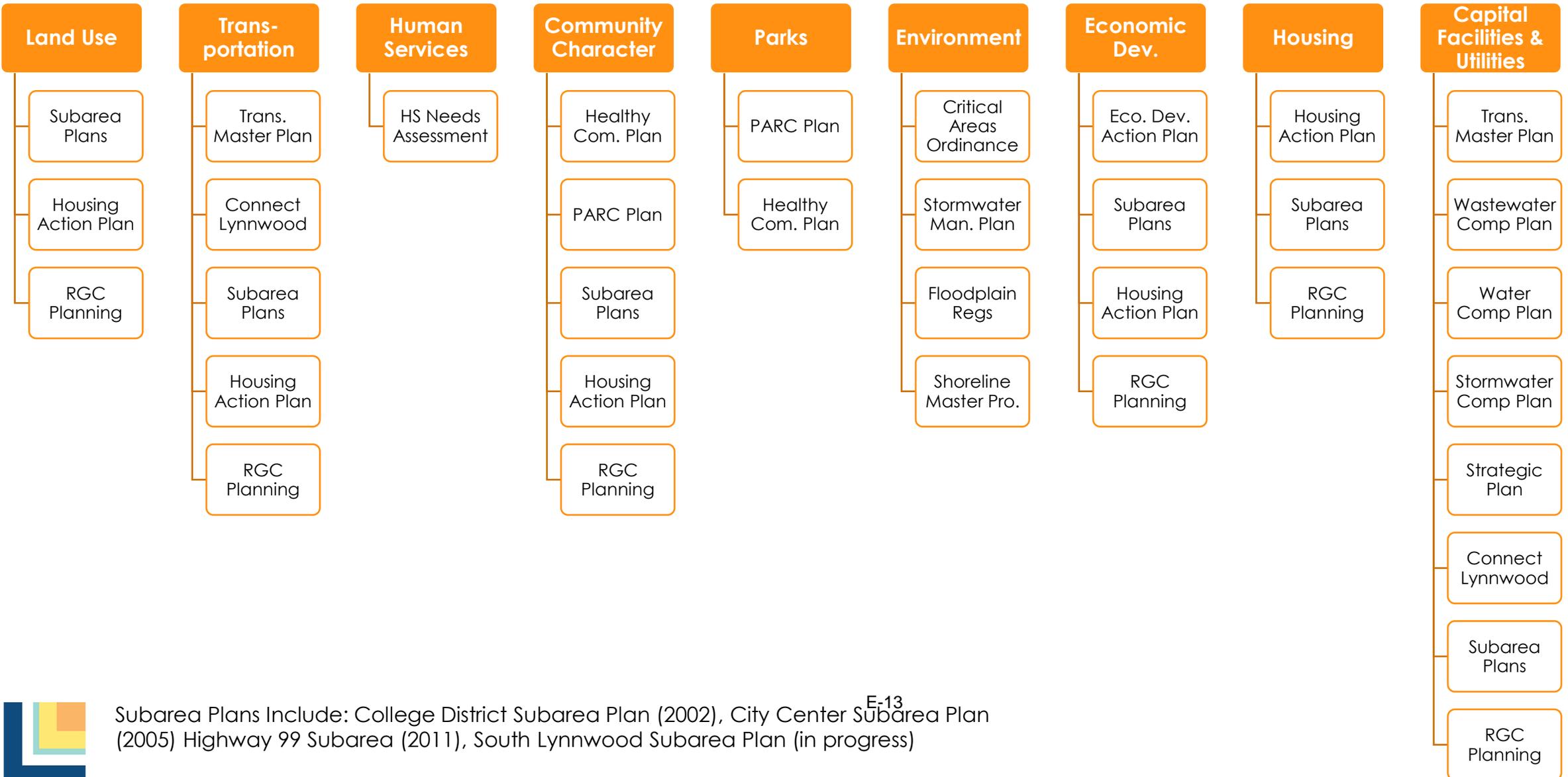
**Environment**



**Capital Facilities & Utilities**



# Build on Existing Efforts



Subarea Plans Include: College District Subarea Plan (2002), City Center Subarea Plan (2005) Highway 99 Subarea (2011), South Lynnwood Subarea Plan (in progress)



# Audit and Guide

---



# Work Plan

---



**Align Elements**



**Coordinate Efforts**



**Engage Community**



**Inform Decision Makers**



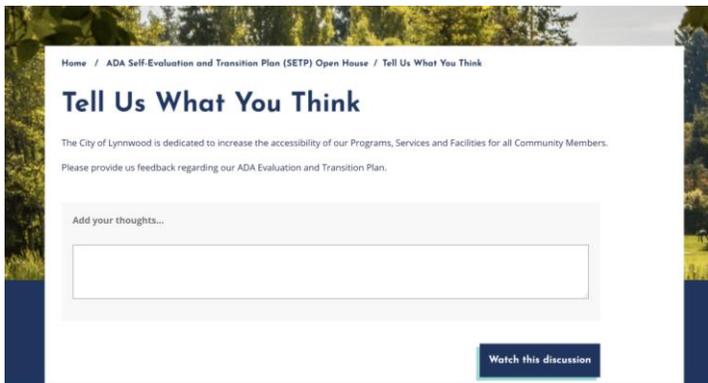
**Be Efficient**



**Deliver**



# Outreach Plan



# What is next for Council?

---

- **April 5:** FYI Memo – Snohomish County Buildable Lands Report
- **April 19:** FYI Memo – Snohomish County Countywide Planning Policies
- **July 2021:** Lynnwood Comp Plan Audit Presentation
- **November 2021:** Lynnwood Comp Plan Work Plan Presentation
- **January 2022:** Lynnwood Public Engagement & Stakeholder Plan Presentation
- **2022-2023:** Updates on Lynnwood Comp Plan Element Progress
- **Early 2024:** Briefings on Lynnwood Comp Plan in preparation for Adoption
- **June 2024:** Lynnwood Comp Plan Adoption



**CITY COUNCIL ITEM F**

**CITY OF LYNNWOOD  
Executive**

---

**TITLE:** Mayor Comments and Questions

**DEPARTMENT CONTACT:** Mayor Smith

**DOCUMENT ATTACHMENTS**

**Description:**

**Type:**

---

No Attachments Available

**CITY COUNCIL ITEM G**

**CITY OF LYNNWOOD  
City Council**

---

**TITLE:** Council Comments

**DEPARTMENT CONTACT:** George Hurst, Council President

**DOCUMENT ATTACHMENTS**

**Description:**

**Type:**

---

No Attachments Available

**CITY COUNCIL ITEM H**

**CITY OF LYNNWOOD  
Executive**

---

**TITLE:** Executive Session, If Needed

**DEPARTMENT CONTACT:** Leah Jensen

**DOCUMENT ATTACHMENTS**

**Description:**

**Type:**

---

No Attachments Available

# CITY COUNCIL ITEM M-1

## CITY OF LYNNWOOD Administrative Services

---

**TITLE:** Garage Pole Building

**DEPARTMENT CONTACT:** Cathy Robinson, Interim Procurement Manager

**SUMMARY:**

The City's Operations and Maintenance Facility requires a new garage pole building.

**ACTION:**

Authorize the Mayor to execute a construction service contract with Permabilt Industries in the amount of \$223,587.91.

**BACKGROUND:**

Bids were solicited from the MRSC Small Works Roster as the estimated cost was under \$350,000. The contract is awarded to the lowest, responsive, responsible bidder.

**FUNDING:**

The funding for this project is included in the currently adopted biennium budget for Public Works.

**ADMINISTRATION RECOMMENDATION:**

Approve.

**DOCUMENT ATTACHMENTS**

**Description:**

[Procurement Report](#)

**Type:**

Backup Material

**Procurement Report**  
**#3275 - Garage Pole Building**

---

**Purpose of Contract:** The City's Operations and Maintenance Facility requested the construction of a new Garage Pole Building for storage of operational vehicles, weather sensitive material and future mechanic workspace. The scope of work includes design, permitting, materials and construction of the pole building.

**Estimated cost:** The lowest responsible bidder total cost for the project, including WA sales tax, is \$223,587.91

**Advanced Planning:** This is the second solicitation for this project. The first solicitation was almost \$300K, which was over the allotted budget. Working with the project manager and site manager, several cost efficiencies were identified which brought the new cost estimate down significantly.

**Method of Procurement:** The Small Works Roster bid process was used as the estimated cost was less than \$350K.

**Type of Contract:** One Time – Construction Services Contract

**Term of Contract:** The estimated completion of the project is 3 months after the Notice to Proceed.

**Solicitation:** Bids were issued to the MRSC Small Works Roster.

**Recommended Action:** Approve contract award with Permabilt Industries in the amount of \$223,587.91.

**Procurement Officer:** Stan Hernandez

**Date:** February 22, 2021

## CITY COUNCIL ITEM M-2

### CITY OF LYNNWOOD Administrative Services

---

**TITLE: Resolution - Confirmation of Emergency Declaration - Utility Billing Special Rate Deadline Waiver**

**DEPARTMENT CONTACT: Corbitt Loch**

#### **SUMMARY:**

The purpose of this agenda item is to confirm the Mayor's February 4 Emergency Declaration that waived the 2021 renewal requirement for one of the City's utility rate discount programs. Council approval of the attached resolution is requested on March 8.

#### **POLICY QUESTION(S) FOR COUNCIL CONSIDERATION:**

Should the draft resolution be approved as written? The resolution confirms the Mayor's use of emergency powers as called for by LMC 7.20.070A.1:

#### **7.20.070 Emergency and disaster powers. (Excerpt, in relevant part)**

A. Chief Elected Official. In the event of a declaration of emergency as herein provided, or upon a proclamation of a state of emergency by the Governor, the mayor, or successor as designated in LMC 7.20.090, is hereby empowered:

1. To make and issue rules, regulations and orders on all matters reasonably related to the protection of life and property as affected by such disaster; provided, however, that such rules, regulations and orders that suspend or alter provisions of an existing ordinance must be confirmed by means of a resolution within 30 days if possible by the city council; ...

#### **ACTION:**

On March 8, approve the attached resolution.

#### **BACKGROUND:**

This emergency action stems from the impacts of the COVID-19 pandemic, which has created financial hardship for local households while also making it difficult for citizens to access County and City services needed to obtain the utility discount.

For low-income households, Lynnwood offers two utility rate discounts and three types of utility rate rebates. The most-commonly used benefit is the rate discount available to persons approved for exemption from property tax. Depending upon income level, qualifying households receive a 50%, 55%, or a 60% discount on City-owned utilities (water, sewer, and stormwater). Once this discount has been approved, recipients must reconfirm their eligibility each year by providing a certificate of property tax exemption obtained from Snohomish County. The renewal deadline specified by the Lynnwood Municipal Code is December 31 of each year.

Each of Lynnwood's utility benefits for low-income households includes a requirement for annual renewal. Finance's Utility Billing team sends reminders, but utility customers routinely neglect to submit the required renewal information. As of January 1, 2021, approximately 40 account holders missed the renewal deadline. Without a renewal, this discount ended on December 31. These customers can submit a new application at any time, but a newly-approved discount applies only to future statements. M-2-1

It is clear that the COVID-19 pandemic has resulted in economic hardship and it is important that the City offer support to Lynnwood households in need. The pandemic has closed City and County offices to the public and struggling households are disadvantaged in their ability to communicate and transmit documents electronically with the City and the County officials.

Typically, when low-income customers receive their first utility statement of the year without the discount, they contact the City to reinstate the discount they received during the prior year. Per the LMC, staff can apply the discount only to future statements.

The base (lowest) rate for City-owned utilities is \$192.54 bi-monthly. The lowest-income households can receive a 60% discount, which equals \$116.86 savings bi-monthly. The 55% discount level saves customers \$105.90 bi-monthly, and the 50% discount level saves customers \$96.27 bimonthly.

Unlike when this discount program was established in 1982, Snohomish County is now capable of transmitting a list of the properties designated for the property tax exemption for the year. This means there is little need for each account holder to obtain and provide their certificate of exemption to the City. As a result, the need for account holders to reapply each year is negligible. For administrative purposes, it is necessary to retain the renewal requirements for other four discount/rebate programs offered by the City.

As discussed previously with the City Council, staff is currently preparing legislation to update several regulations relating to utility billing and payments. It is likely that this particular renewal requirement will be proposed for adjustment on a permanent basis. Waiving the renewal requirement on an emergency basis is expected to avoid the administrative costs of removing and then reinstating the discount, and the administrative cost of issuing refunds.

Customer records indicate that approximately 40 utility customers who received the property tax exemption discount during 2020 did not submit a renewal request by December 31, 2020. This means many customers will receive their first statement of 2021 without a discount. The total value of the discount benefits preserved by Mayor Smith's emergency proclamation is approximately \$4,800.

### **PREVIOUS COUNCIL ACTIONS:**

None specifically.

### **FUNDING:**

City-owned utilities are accounted for in a self-sustaining enterprise fund (Fund 411), which is separate from the General Fund. Formulas for setting utility rates accounts for a portion of utility customers receiving discounts or rebates. This discount program has no impact on the General Fund.

### **KEY FEATURES AND VISION ALIGNMENT:**

Supporting households in need is consistent with being a responsive government and promoting a community that is safe, welcoming, and livable.

### **ADMINISTRATION RECOMMENDATION:**

On March 8, approve the draft resolution as written.

### **DOCUMENT ATTACHMENTS**

<b>Description:</b>	<b>Type:</b>
<a href="#">Declaration of Emergency, February 9, 2021</a>	Backup Material
<a href="#">Draft Resolution</a>	Backup Material



---

MAYORAL DECLARATION OF EMERGENCY  
CITY OF LYNNWOOD  
COVID-19 RESPONSE

**WHEREAS**, the US Center for Disease Control (CDC) identifies the potential public health threat posed by COVID-19 both globally and in the United States as “very high,” and has advised that person-to-person spread of COVID-19 will continue to occur globally, including within the United States and Snohomish County; and

**WHEREAS**, on February 29, 2020, Washington State Governor Jay Inslee proclaimed a public health emergency for COVID-19, beginning February 29, 2020

**WHEREAS**, on March 4, 2020, Snohomish County Executive David Somers declared that a State of Emergency exists in Snohomish County for COVID-19; and

**WHEREAS**, on March 4, 2020, I declared that a State of Emergency exists in the City of Lynnwood for COVID-19; and

**WHEREAS**, on March 17, 2020, I reconfirmed that a State of Emergency exists in the City of Lynnwood for COVID-19; and

**WHEREAS**, on April 17, 2020, Governor Inslee issued Proclamation No 20-23.2, “Ratepayer Assistance and Preservation of Essential Services,” which recognized the severe negative impact of the COVID-19 pandemic on the financial and economic resources of individuals and businesses, and prohibited water and other utilities from taking certain actions in response to a customer’s inability to pay, and this Proclamation, as amended, continues in effect today; and

**WHEREAS**, on May 29, 2020, Governor Inslee issued Proclamation No. 20-23.4, which extended Proclamation No. 20.23.2 and also required water and other utilities to develop Customer Support Programs designed to help ensure that customers experiencing economic hardship as a result of the COVID-19 pandemic maintain access to essential services; and

**WHEREAS**, the City developed and adopted a Customer Support Program and other customer assistance in accordance with Proclamation No. 20-23.4; and

**WHEREAS**, the City has determined that to provide additional assistance to customers of the City’s utility systems, the City should waive the process for a customer to re-apply to continue to be eligible for certain special utility rates, which re-application process is currently required under LMC 13.20.080A.4; and

**WHEREAS**, the threat to public health and safety cause by the COVID-19 pandemic necessitates the utilization of emergency powers granted pursuant to RCW 38.52.070(2), and



**LYNNWOOD**  
WASHINGTON

---

Chapter 7.20 LMC, and LMC 2.92.090; and

**NOW, THEREFORE, I, Nicola Smith, Mayor of the City of Lynnwood, to further protect the health and safety of the people of the city, the economy of the City of Lynnwood, and in an emergency that affects life, health, property, or the public peace, and declare a state of emergency continues to exist under the authority of Lynnwood Municipal Code 7.20.060 and RCW 38.52.070(2).**

I hereby direct the Finance and Public Works Departments to waive the reapplication provision of LMC 13.20.080A.4, in order that customers eligible for certain special utility rates during a previous year remain eligible while the State of Emergency so declared remains in effect.

DocuSigned by:

*Nicola Smith*

Nicola Smith, Mayor

Dated 2/9/2021



**CITY OF LYNNWOOD**

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION OF THE CITY OF LYNNWOOD, WASHINGTON, RATIFYING, CONFIRMING AND ADOPTING RULES AND REGULATIONS STATED IN THE MAYOR’S DECLARATION OF EMERGENCY – CITY OF LYNNWOOD COVID-19 RESPONSE DATED FEBRUARY 9, 2021.

WHEREAS, Art. XI, Sec. 11 of the Washington State Constitution grants the City broad police powers to “make and enforce within its limits all such local police, sanitary and other regulations as are not in conflict with general laws”, including during public health emergencies and disasters; and

WHEREAS, RCW 38.52.070 establishes emergency and disaster response powers, and authorizes the City to, among other things, protect the health and safety of persons and property, and provide emergency assistance to the victims of such emergencies or disasters; and

WHEREAS, pursuant to LMC 7.20.060A, the Mayor has the authority to declare that an emergency exists; and

WHEREAS, pursuant to LMC 7.20.070A, when the Mayor has issued a declaration of emergency under LMC 7.20.060A, the Mayor has authority to “make and issue rules, regulations and orders on matters reasonably related to the protection of life and property as affected by such disaster,” provided, that rules, regulations or orders that suspend or alter provisions of an existing ordinance must be confirmed by the City Council by means of a resolution within 30 days if possible; and

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services declared a public health emergency based on COVID-19, which is a respiratory disease that can result in serious illness or death, and which can easily spread from person to person; and

WHEREAS, on February 29, the Governor of the State of Washington declared that a state of emergency exists due to COVID-19, and Snohomish County and other counties state-wide have issued similar declarations of emergency; and

1  
2           WHEREAS, on March 4, 2020, the Snohomish County Health District issued a declaration  
3 of emergency regarding the COVID-19 pandemic, and other local health districts have done the  
4 same throughout the State; and  
5

6           WHEREAS, in the exercise of the authority granted under Chapter 7.20 of the City code,  
7 including LMC 7.20.060A, on March 4, 2020, the Mayor of the City of Lynnwood determined  
8 that the threat to public health necessitates the use of emergency powers granted under RCW  
9 38.52.070 and Chapters 7.20 and 2.92 of the City code, and therefore to protect the health,  
10 safety and welfare of the people of the City, the Mayor issued the Mayoral Declaration of  
11 Emergency – City of Lynnwood COVID-19 Response; and  
12

13           WHEREAS, on March 17, 2020, the Mayor issued a second Mayoral Declaration of  
14 Emergency – City of Lynnwood COVID-19 Response, confirming the continued existence of an  
15 emergency; and  
16

17           WHEREAS, all of these Declarations of Emergency based on the COVID-19 pandemic  
18 continue in effect today; and  
19

20           WHEREAS, pursuant to the authority granted in LMC 7.20.070A, in the March 17, 2020  
21 Declaration of Emergency, among other things, the Mayor declared and ordered that the  
22 response to COVID-19 may require the waiver of water service discontinuation otherwise  
23 required under LMC 13.34.070A; and  
24

25           WHEREAS, based on the circumstances described in the recitals above and in the  
26 Mayor’s March 4, 2020 and March 17, 2020 Declarations of Emergency, on June 8, 2020 the  
27 City Council adopted Resolution No. 2020-06, ratifying and confirming the rules or regulations  
28 stated in the Mayor’s Declarations of Emergency; and  
29

30           WHEREAS, on April 17, 2020, Governor Inslee issued Proclamation No 20-23.2,  
31 “Ratepayer Assistance and Preservation of Essential Services,” which recognized the severe  
32 negative impact of the COVID-19 pandemic on the financial and economic resources of  
33 individuals and businesses, and prohibited water and other utilities from taking certain actions  
34 in response to a customer’s inability to pay, and this Proclamation, as amended, continues in  
35 effect today; and  
36

37           WHEREAS, on May 29, 2020, Governor Inslee issued Proclamation No. 20-23.4, which  
38 extended Proclamation No. 20-23.2 and also required water and other utilities to develop  
39 Customer Support Programs designed to help ensure that customers experiencing economic  
40 hardship as a result of the COVID-19 pandemic maintain access to essential services; and  
41

42           WHEREAS, the City developed a Customer Support Program and other customer  
43 assistance in accordance with Proclamation No. 20-23.4; and

1  
2 WHEREAS, City staff determined that to provide additional assistance to customers of  
3 the City’s utility systems, the City should waive the process for a customer to re-apply to  
4 continue to be eligible for certain special utility rates, which is currently required under LMC  
5 13.20.080A.4; and  
6

7 WHEREAS, pursuant to LMC 7.20.060A and LMC 7.20.070A, on February 9, 2021, the  
8 Mayor of the City of Lynnwood determined that the state of emergency caused by the COVID-  
9 19 pandemic continues to exist, and to further protect public health and safety, and the  
10 economy of the City, the Mayor directed the Finance and Public Works Departments to waive  
11 the reapplication process under LMC 13.20.080A.4, so that customers eligible for the special  
12 utility rates authorized under LMC 13.20.080A during a previous year may remain eligible for  
13 those rates while the State of Emergency remains in effect; and  
14

15 WHEREAS, based on the circumstances described above and in the Mayor’s February 9,  
16 2021 Declaration of Emergency, the City Council wishes to ratify and confirm the rules or  
17 regulations stated in that Declaration of Emergency, and any and all acts of City departments  
18 and staff that have been taken pursuant to those rules or regulations; now, therefore  
19

20 THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON, DO RESOLVE AS  
21 FOLLOWS:  
22

23 Section 1. Findings. The recitals stated above, and in the March 4, 2020, March 17, 2020  
24 and February 9, 2021 Mayoral Declarations of Emergency – City of Lynnwood COVID-19 Response,  
25 are incorporated by reference as support for this Resolution.  
26

27 Section 2. Ratification and Confirmation.  
28

- 29 A. The City Council hereby ratifies, confirms and adopts the provisions of the February 9,  
30 2021 Mayoral Declaration of Emergency -- City of Lynnwood COVID-19 Response that  
31 “direct the Finance and Public Works Departments to waive the reapplication provision  
32 of LMC 13.20.080A.4, in order that customers eligible for certain special utility rates  
33 during a previous year remain eligible while the State of Emergency so declared remains  
34 in effect.”  
35 B. Any and all acts taken by City departments and staff consistent with or pursuant to the  
36 February 9, 2021 Mayoral Declaration of Emergency -- City of Lynnwood COVID-19  
37 Response are ratified, confirmed and authorized.  
38

39 Section 3. Effective Date. This Resolution shall take effect on its date of passage.  
40  
41  
42  
43

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13

PASSED BY THE CITY COUNCIL this \_\_\_ day of March, 2021.

APPROVED:

\_\_\_\_\_

Nicola Smith, Mayor

ATTEST/AUTHENTICATED:

\_\_\_\_\_

Karen Fitzthum, City Clerk

## CITY COUNCIL ITEM M-3

### CITY OF LYNNWOOD Public Works

---

**TITLE: Contract Supplement: for Construction Engineering Services, Sanitary Sewer Lift Stations 4 & 8 Improvements**

**DEPARTMENT CONTACT: David Mach**

#### **SUMMARY:**

The purpose of this agenda item is to supplement an existing construction management/engineering contract with RH2 Engineering Inc. for the Sanitary Sewer Lift Stations 4 & 8 Improvements. The contract total currently is \$582,100. Public Works staff is requesting to increase the contract by \$39,800, which will result in a new contract total of \$621,900. This request/change is to cover additional construction management/engineering services as a result of prolonged construction.

#### **ACTION:**

Authorize the Mayor to enter into and execute on behalf of the City, a supplement to the contract with RH2 Engineering Inc. for construction engineering support services not to exceed a total contract value of \$621,900.

#### **BACKGROUND:**

##### Recent Background:

- The contractor experienced delays from a critical material supplier due to COVID-19 impacts, and their contract will be extended by approximately 4 months.
- The contractor has been behind schedule since the beginning of the project. Even with COVID-19 extension, they will likely be 4 more months late by the project completion, likely ending in March 2021.
- The City is in negotiations with the contractor regarding contractual financial penalties due to the delays.
- This request is for an additional \$39,800 authorization for the construction management/engineering consultant. The City will seek damages from the Contractor for this cost.

##### Background:

Sewer Lift Station #4 is located North of Alderwood Mall along Alderwood Mall Parkway adjacent to the Homewood Suites Hotel. The lift station and much of the sewer infrastructure in the vicinity were constructed in the 1980's. Sewer Lift Station #8 is located south of Alderwood Mall along Alderwood Mall Boulevard on the vacated Edmonds School District Bus Barn site. The lift station and much of the sewer infrastructure in the vicinity were constructed in the late-1960s. Lift Station #4 pumps to Lift Station #8 which pumps to Lift Station #10 (just south of the Lynnwood Transit Center) which pumps to the Wastewater Treatment Plant.

Lift Stations #4 and #8 have reached or are close to reaching their life expectancy and are currently operating at or near capacity. With future planned developments in the area, including Lynnwood Place Phase 2 (substantial mixed-use development), both lift stations will need to be reconstructed or improved to provide additional capacity both near-term and for the next 20+ years. In addition to the two lift stations, the plumbing infrastructure connecting these lift stations will also need to be upsized.

The improvements will be fully operational by March 2021. They will be constructed as four separate construction contracts, as follows:

- 1) Project #1: (Completed – constructed in 2016) A portion of force main #4. This project was constructed

prior to paving Alderwood Mall Parkway between Maple Road and 184th Street SW.

2) Project #2: (Completed – constructed in 2018-19) This project completed the remainder approximately 7,000 feet of force main #4, gravity main #4, and gravity main #8.

3) Project #3: (Completed – constructed in 2019) Sewer force main #8. The force main is approximately 4,000 feet in length and extends from Lift Station #8 to the intersection of 196th/40th.

4) Project #4: (Completion March 2021 - currently under construction) Lift Stations #4 and #8. Total project cost including design and construction is \$5.8 million. The project improves Lift Station #4 and replaces Lift Station #8. In addition to the Lift Stations there are sewer and storm pipes in need of upsizing and replacement. Approximately 1200 LF of gravity sewer will be upsized and a new section of 100 LF of force main will be installed. Also required is the replacement of approximately 700 LF of an existing 54” Storm pipe that has reached the end of its useful life that runs thru the vacated Edmonds School District Bus Barn site property and across Alderwood Mall Boulevard. The current funding request will supplement the construction engineering/management for this phase.

The city opened bids for project #4 on April 23, 2019. Five bids were received which ranged from \$4.1M to \$5.3M. The engineer’s estimate was \$4.5M. Council awarded the contract to the low bidder on May 28, 2019.

### **PREVIOUS COUNCIL ACTIONS:**

5/28/2019 Bid Award

5/28/2019 Construction Engineering Management Contract

5/26/2020 Construction Engineering Management Contract Supplement

### **FUNDING:**

Utility Fund 412

### **KEY FEATURES AND VISION ALIGNMENT:**

The Lynnwood Community Vision states that the City is to “be a welcoming city that builds a healthy and sustainable environment.”

The project supports that vision and results in an important improvement to the City’s infrastructure that links City of Lynnwood programs, policies, comprehensive plans, mission, and ultimately the Community Vision. The project provides the necessary utility infrastructure to support this vision.

### **DOCUMENT ATTACHMENTS**

**Description:**

**Type:**

---

No Attachments Available

**MACKENZIE.**

DESIGN DRIVEN | CLIENT FOCUSED

**CITY OF LYNNWOOD  
COMMUNITY JUSTICE CENTER**

CITY COUNCIL PRESENTATION

MARCH 1, 2021

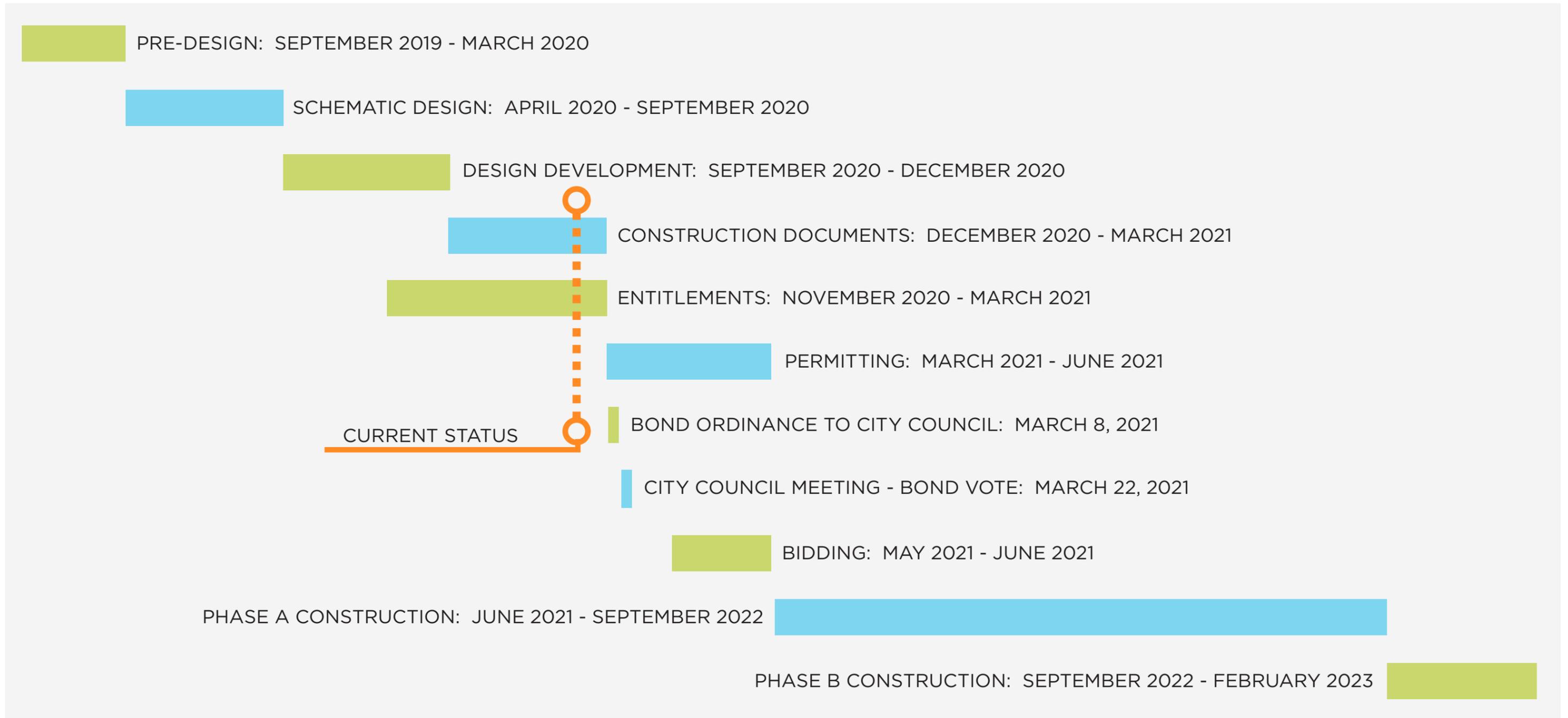
# Presentation Contents

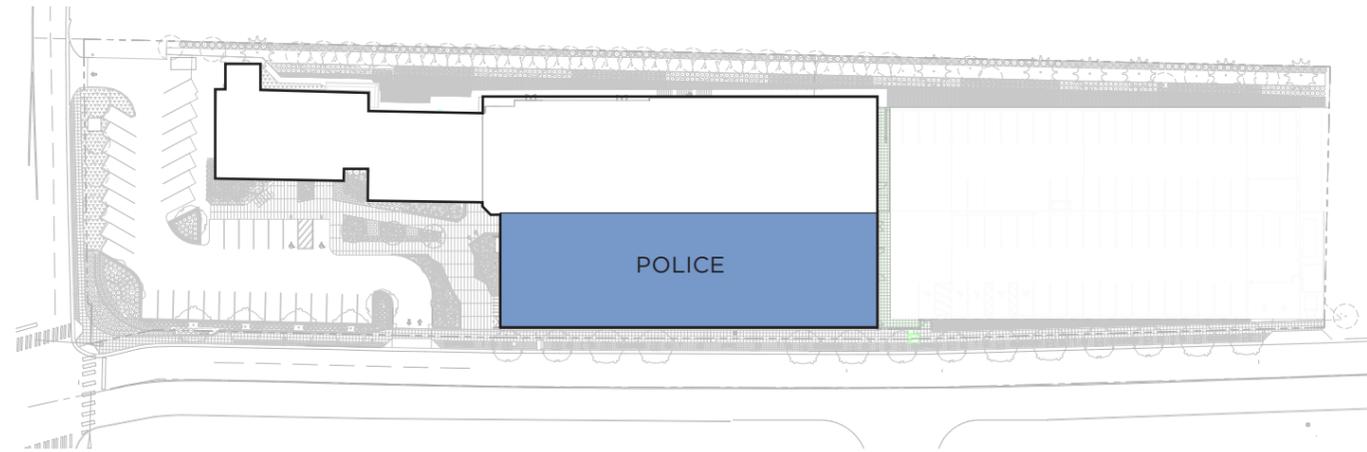
- Background
- Project Schedule
- Design Update
- Budget

# Background

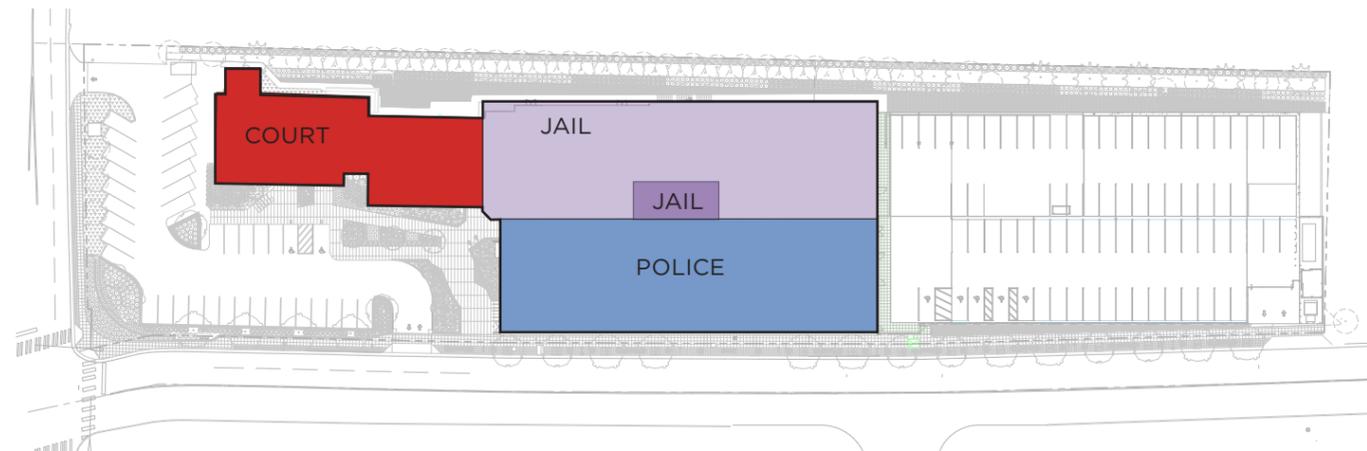
- Significant space challenges led to space needs examinations in 1999, 2004 and 2009
- Increased demand and expectations for services:
  - Jail housing standards, programing, inmate services, reducing recidivism
- Need for co-located work groups, efficient use of shared space, information flow and exchange
- Employee Wellness — Officers need to be mentally and physically healthy to best serve the community
- City needs an Emergency Operations Center that is built in a structure designed for that purpose

# PROJECT SCHEDULE

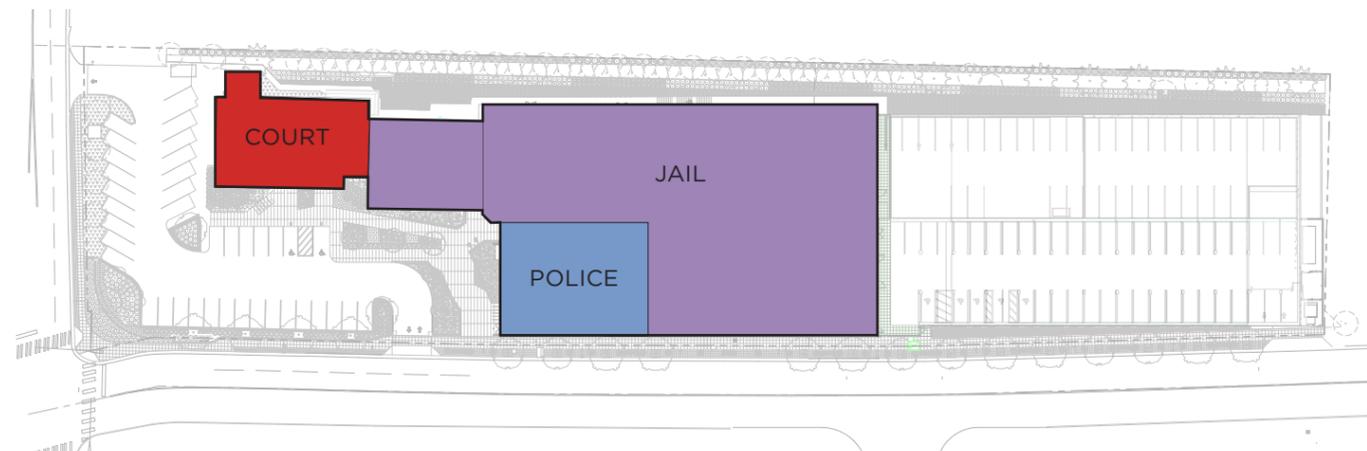




**LEVEL 3**



**LEVEL 2**



**LEVEL 1**

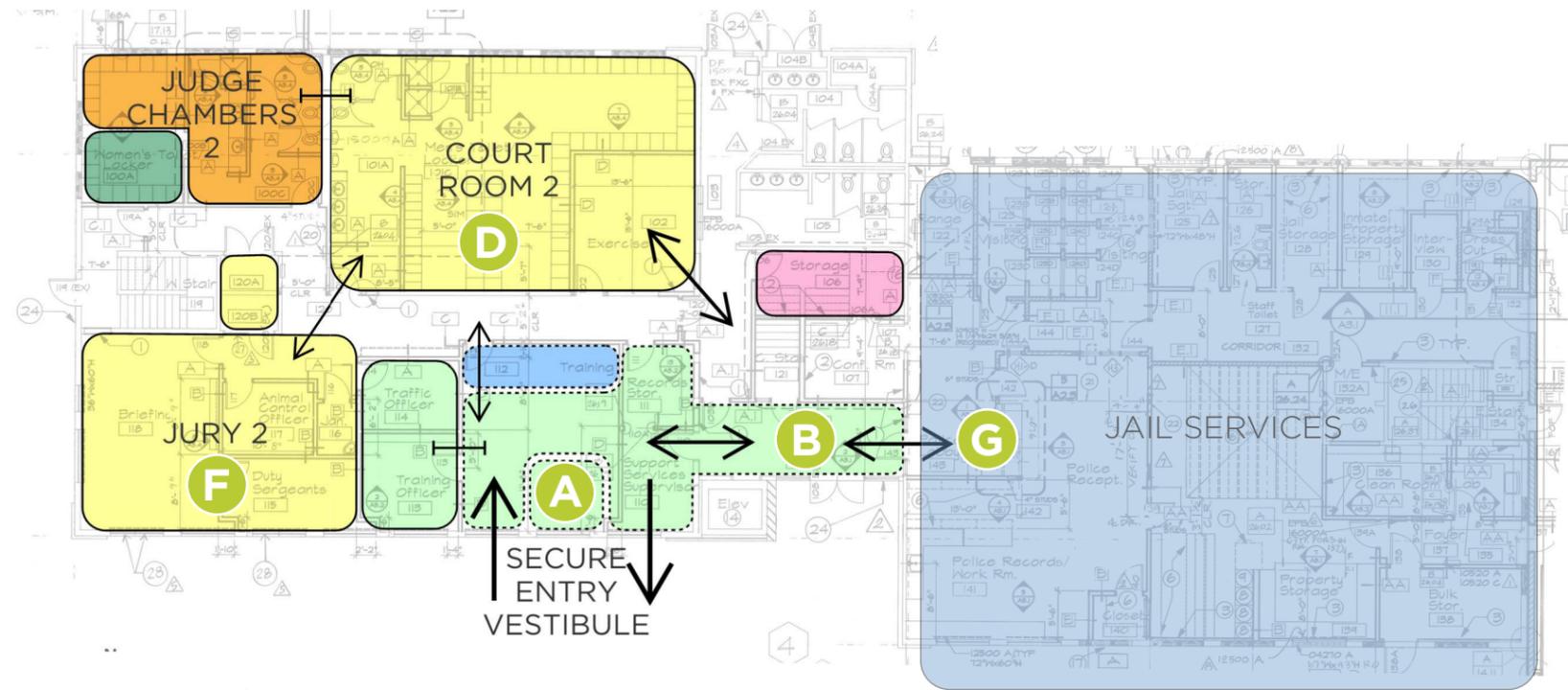
# PROGRAM SUMMARY

## BUILDING AREA

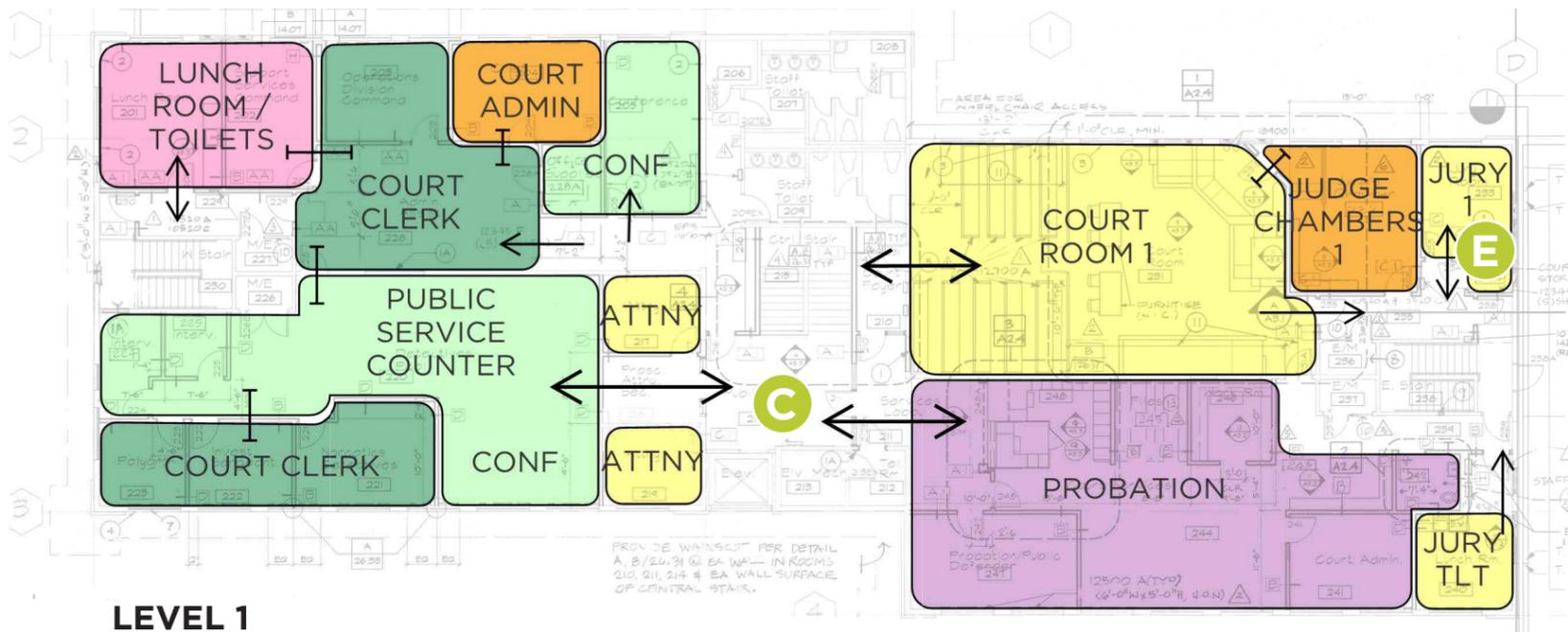
COURT	18,321 SF
JAIL	29,159 SF
POLICE	37,255 SF
<b>TOTAL</b>	<b>84,735 SF</b>

## PARKING

PUBLIC	39
SECURE	128
<b>TOTAL</b>	<b>167</b>



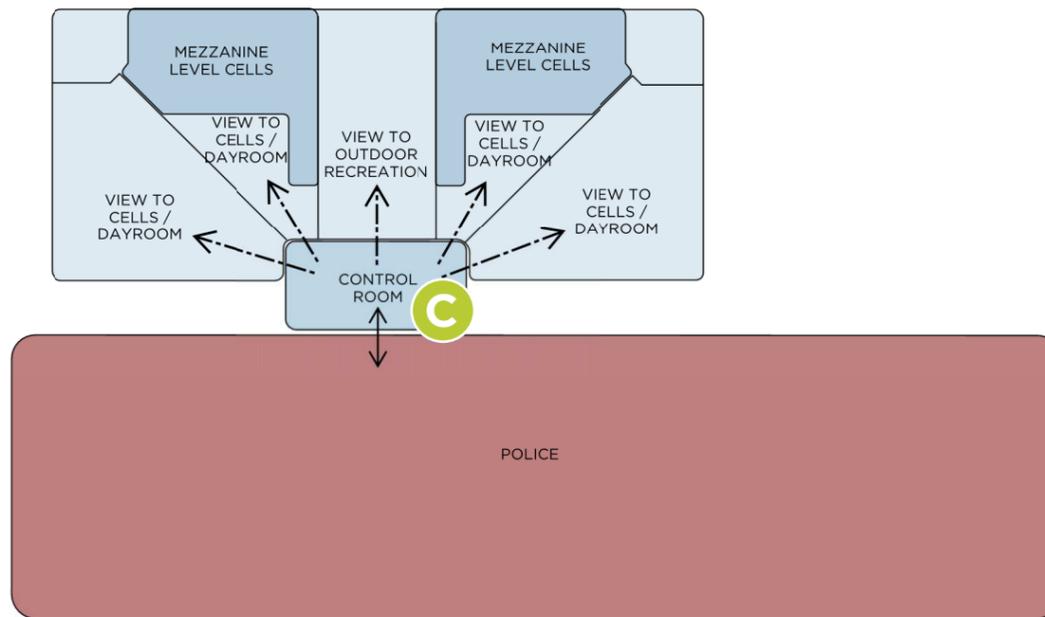
**LEVEL 2**



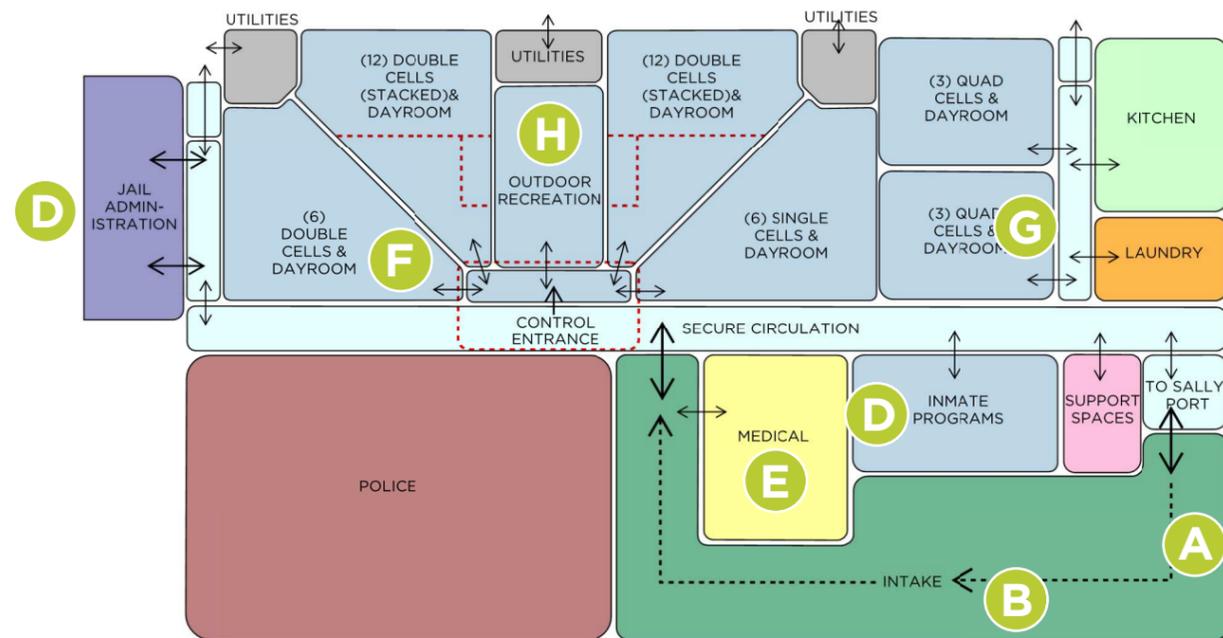
**LEVEL 1**

# COURT ADJACENCY DIAGRAM

- A** | Secure Public Entry
- B** | Improved Way Finding
- C** | Continuity of Services
- D** | Therapeutic Court Room
- E** | Dedicated Juror Space
- F** | After Hours Meeting Space
- G** | Out of Custody Programming/Services



LEVEL 2

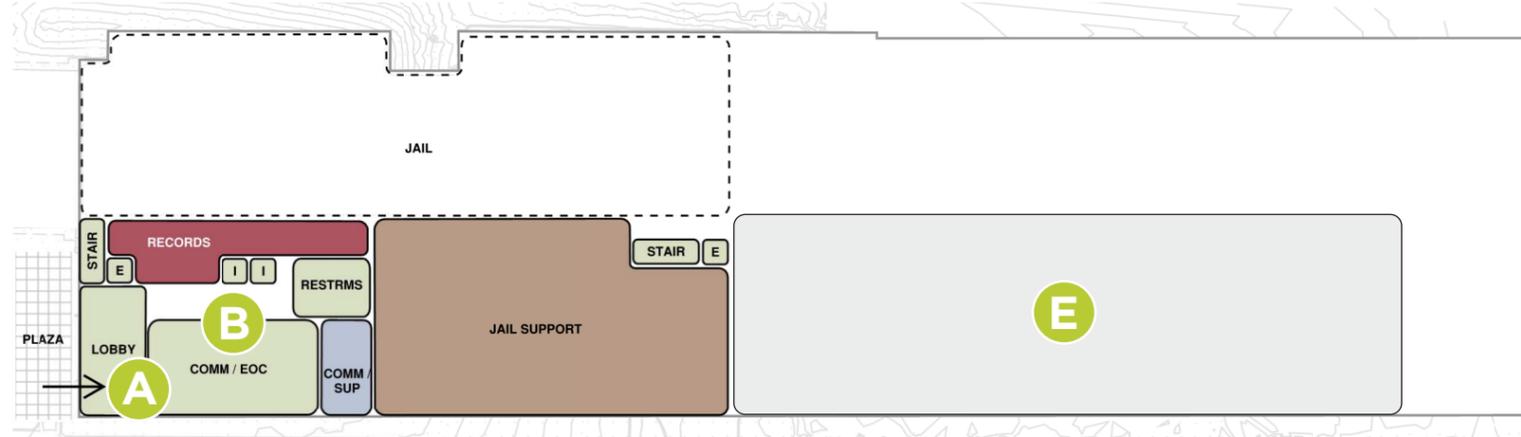
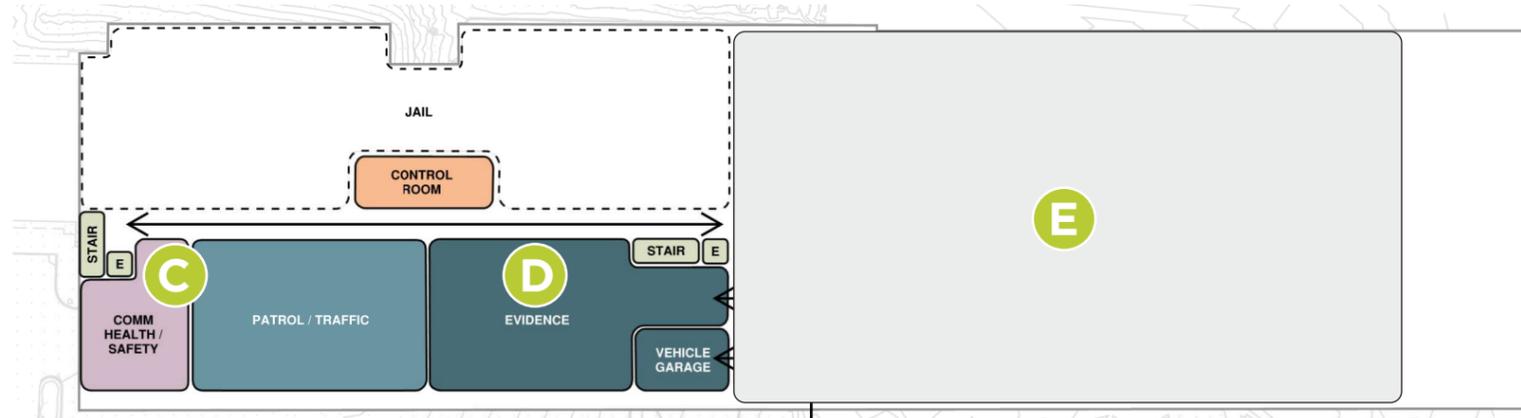
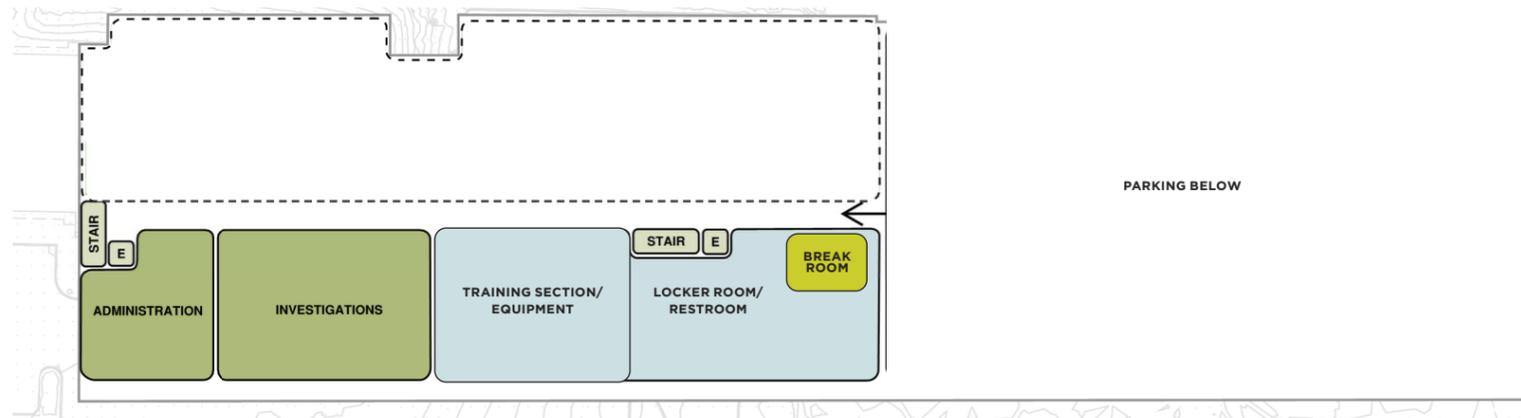


LEVEL 1

# JAIL ADJACENCY DIAGRAM

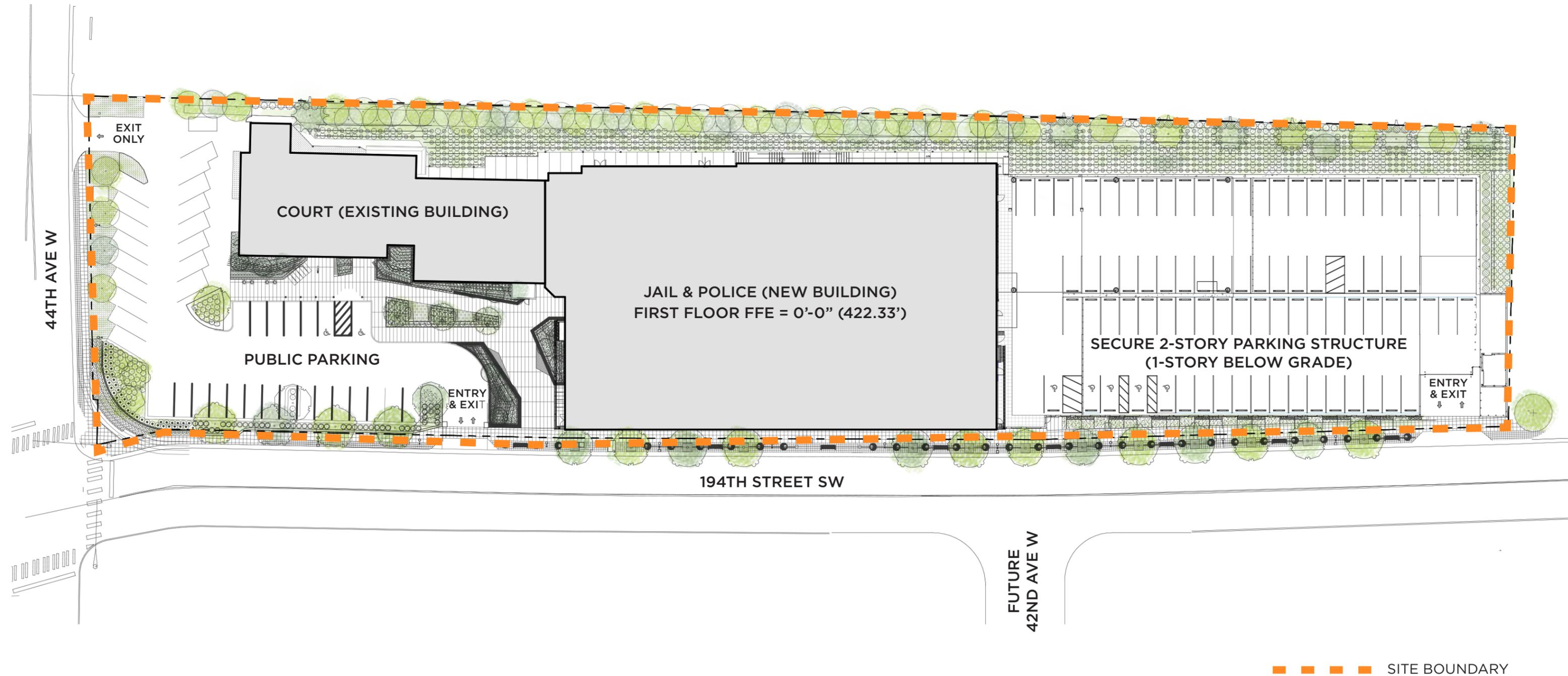
- A** | Modern Booking
- B** | Expanded Safety Cells
- C** | Direct Oversight
- D** | Programming Space
- E** | Medical Services
- F** | Expanded Housing Capacity
- G** | Outdoor Recreation
- H** | Expanded Classifications

# POLICE ADJACENCY DIAGRAM



- A** | Dedicated Police Lobby Services
- B** | Community Room / Emergency Operations Center (EOC)
- C** | Expanded Community Health Services
- D** | Onsite Evidence Storage
- E** | Dedicated Secure Parking

# SITE PLAN





- A** | Secure Court Entry
- B** | Dedicated Police Entry
- C** | Public Art Installation(s)
- D** | City Center Frontage Improvements
- E** | Secure Parking Entry











# Budget

- Total Project Budget — \$64 million
  - Hard Costs — \$45.7 million
  - Soft Costs — \$18.3 million

**Thank you!**

**MACKENZIE.**

833.317.9051 | [mcknze.com](https://mcknze.com)

Architecture · Interiors · Structural Engineering · Civil Engineering  
Land Use Planning · Transportation Planning · Landscape Architecture

Copyright © 2021 Mackenzie, All Rights Reserved.