CITY COUNCIL COMMITTEE OF THE WHOLE: 5:30 PM

a. Good of the Order

b. Walden Park – park planning – Joint Planning Commission/City Council Workshop

WRITTEN REPORTS:

- February 2017 Sales Tax Report

CITY OF DUVALL
COUNCIL MEETING AGENDA
March 7, 2017
7:00 PM
Riverview Educational Service Center – 15510 – 1st Ave NE

Call to Order

Flag Salute

Roll Call

I. Additions or Corrections to the Agenda:

II. Adoption of the Council Agenda:

III. Consent Agenda:

Items listed below will be enacted by one motion. If separate discussion is desired on an item, that item may be removed from the Consent Agenda and placed on the regular Agenda at the request of a Councilmember.

1. Council Minutes and Committee of the Whole Minutes for February 21, 2017;
2. Payroll for February 16 – 28, 2017, in the amount of $_____
   (to be provided)
3. Claims in the amount of $_____
   (to be provided)

IV. Comments from the Audience:

V. Scheduled Items:

1. Mayor:

2. Council:

3. City Administrator
   a) Council appointment update
   b) Town Hall Meeting update
   c) Police Level of Service Study

4. Main Street Project Update

VI. Presentation: King County Councilmember Kathy Lambert

VII. Public Hearing: National Pollution Discharge Elimination System (NPDES)

Public Hearing: Park Impact Fee

Public Hearing: Big Rock Annexation 10% Petition

VIII. New Business:

1. (AB17-28) 2017 Comprehensive Plan Docket
discussion – L. Thomas

2. (AB17-29) Ordinance - Park Impact Fee
discussion – B. Benson

IX. Unfinished Business:

1. (AB17-30) Walden Property Transfer (Toll Brothers 2-acre parcel)
discussion/decision – M. Morton

2. (AB17-12) Approve and authorize the Mayor to sign Contract #2017-13 with Premier Field Development for the construction of the Big Rock Ball Fields Renovation Project in the amount of $2,264,737.88.
discussion/decision – B. Benson

3. (AB17-31) Approve and authorize the Mayor to sign Contract #2017-15 with Field Turf for the construction of the Big Rock Ball Fields Renovation Project, Synthetic Turf Surfacing in the amount of $783,997.80.
discussion/decision – B. Benson

4. (AB17-20) Adopt Ordinance amending various ordinances as codified in Duvall Municipal Code (DMC) Title 14, "Unified Development Regulations," to further update the City's Development Regulations for compliance with the City's 2015 Comprehensive Plan; providing for severability; and establishing an effective date.
discussion/decision – L. Thomas

5. (AB17-21) Big Rock Annexation 10% Petition
Discussion – L. Thomas

6. (AB17-22) Approve School Resource Officer Job Description
discussion/decision – M. Morton

7. (AB17-23) Approve and authorize the Mayor to sign Contract #2017-16 with Transpo Group USA, Inc. for the ADA Transition Plan consulting services.
discussion/decision – B. Benson

X. Executive Session: *None*

XI. Adjournment

CITY OF DUVALL
CITY COUNCIL
COMMITTEE OF THE WHOLE MINUTES
February 21, 2017 – 5:30 p.m.
Riverview Educational Service Center – 15510 – 1st Ave NE

Mayor Pro Tem Amy Ockerlander called the meeting to order at 5:30 p.m.

Council present: Amy Ockerlander, Jason Walker, Dianne Brudnicki, Leroy Collinwood, Scott Thomas, Becky Nixon

Staff present: Matthew Morton, Lara Thomas, Dean Rohla, Boyd Benson, Larissa Grundell, Jodi Wycoff

a. Good of the Order
There were no items for Good of the Order.

b. 2014/2015 Audit Exit Conference
Dean Rohla, Finance Director, introduced Wendy Choy and Kim Nguyen, from Washington State Auditor's Office. Ms. Nguyen explained that the documents they handed out are draft results of the 2014/2015 audit. Ms. Choy reviewed the draft accountability audit results and the management letter regarding small and attractive assets. Ms. Choy explained that the City will need to update the small and attractive asset policy and create a tracking system before the next accountability audit. Ms. Nguyen reviewed the exit item regarding credit card use and said that this policy will also need to be updated. Lastly, Ms. Nguyen reviewed the financial statement report.

c. Park Impact Fee Discussion
Boyd Benson, Public Works Director, and Larissa Grundell, Assistant City Engineer/Utility Inspector, gave a brief presentation showing how they are working to update the spreadsheet that drives the Park Impact Fee. Mr. Benson explained that during the last update in 2008, they used a phased plan to develop the fees and they are planning to remove the phasing plan and go with a more standard 20-year plan. Ms. Grundell explained that in the previous plan they used an average cost per acre to determine the amount each proposed park would cost and for this update they researched actual costs of improvements. Lara Thomas, Planning Director, provided an overview of the map from the 2008 Parks Trails and Open Space Plan (PTOS). Mr. Benson reviewed the proposed map for this update. Lastly, Mr. Benson said that they will hold a public hearing at the March 7th meeting and will ask Council for direction on certain costs to include or not include in the calculation for the new fee.

Adjournment
The Committee of the Whole adjourned at 6:55 p.m.

Written Reports – *There were no written reports distributed in the Committee of the Whole packet.*

ATTEST:

Amy Ockerlander, Mayor Pro Tem

Jodi Wycoff, City Clerk

CITY OF DUVALL
COUNCIL MEETING
February 21, 2017
7:00 P.M. – Riverview Educational Service Center
15510 – 1st Ave NE

Committee of the Whole: 5:30 P.M.

The City Council Meeting was called to order by Mayor Ibershof at 7:02 P.M.

Roll Call: Dianne Brudnicki, Amy Ockerlander, Jason Walker, Leroy Collinwood, Scott Thomas, Becky Nixon

Staff Present: Matthew Morton, Boyd Benson, Lara Thomas, Dean Rohla, Jodi Wycoff, City Attorney Rachel Turpin, Shaun Tozer

I. Additions or Corrections to the Agenda:

Under Consent Agenda add: Payroll in the amount of $197,954.44 and Claims in the amount of $676,618.49; Under Scheduled Items add: Councilmembers Ockerlander, Nixon and Walker and move Mayor and Council reports to the end of the meeting; and Under New Business add: New Item #1 Ordinance adopting a sixty-day Emergency Moratorium on the acceptance of new residential plat applications within the City of Duvall; Providing for severability; Declaring an Emergency and Establishing an immediate effective date, Move: Item #8 (AB17-26) to Item #2 and move all other New Business items to follow.

II. Adoption of Council Agenda:

It was moved and seconded (Brudnicki-Walker) to adopt the 02/21/17 Council Agenda. The motion carried (6 ayes).

III. Approval of Consent Agenda:

It was moved and seconded (Ockerlander-Walker) to approve the consent agenda which included approving the City Council minutes and Committee of the Whole minutes of 02/07/17; Payroll Checks #25450-25451 and #25452-25454 in the amount of $197,954.44 including EFTs in the amount of $190,726.27 and Claims Checks #25455-25514 in the amount of $676,618.49 including EFTs in the amount of $12,013.08.
The motion carried (6 ayes).

IV. Comments from the Audience:

Dean Williams, Duvall resident, thanked Councilmember Walker for thinking of ideas of how to pay for infrastructure created by development. Mr. Williams also expressed his concern regarding the Welcome City resolution on the agenda saying that he hoped it did not condone illegal immigration.

Erin Rodgers, Duvall resident, expressed her support for the Welcome City resolution.

Mr. Elbahouty, Duvall resident, expressed his support for the Welcome City.

Nick Daum, Duvall Chamber of Commerce, gave an update on upcoming Chamber events including their meeting on March 2nd where King County Councilmember Kathy Lambert

will be the guest speaker. Mr. Daum also encouraged everyone to go to the Chamber's event page on their website.

Crystal Frasier, Duvall resident, expressed her support for the Welcome City resolution.

Kristen Buck, Duvall resident, urged Council to think long term with regards to the Big Rock Annexation and how that would affect the ability to expand the park in the future. Ms. Buck also expressed her support for the Welcome City resolution.

Sherry Franchevic, Duvall resident, expressed her support for the Welcome City.

Kate Howard, Duvall resident, expressed her support for the Welcome City resolution and asked that the language in the resolution be more consistent.

Tamara Bernstein, Duvall resident, expressed her support for the Welcome City resolution and gave some suggested edits to the resolution language.

Megan Morris, Duvall resident, expressed her support for the Welcome City resolution.

Vanessa Pegueros, Duvall resident, expressed her support for the Welcome City resolution.

V. <u>Scheduled Items:</u>

1. Mayor:

2. Council:

Mayor and Council reports were moved to the end of the meeting; however, due to time constraints the reports were cancelled.

3. City Administrator:

a) Town Hall Meeting preview – Lara Thomas, Planning Director, reviewed a draft of one of the slides that will be used at a station during the Town Hall Meeting which is focused on growth and annexations. Ms. Thomas also reviewed a sample of survey questions that have been submitted.

b) Big Rock Ball Fields Contract Update – Boyd Benson, Public Works Director, said that six contractors have signed up on the registered bidder's list and attended a pre-bid meeting. Mr. Benson reviewed the bid schedule and the proposed construction schedule.

4. Main Street Project Update

Shaun Tozer, Project Manager, gave the latest update on the Main Street Project including current and upcoming construction activities.

5. King County Fire District 45

David Burke, Fire Chief, reviewed the call statistics for January and February and said that although January was an average month, February is already above average for calls. Chief Burke reviewed calls that took place during the recent storm event and said that the event proved how well our local agencies plan for and work together during a weather event. Lastly, Chief Burke said that they are preparing for an earthquake drill with the City and other regional agencies.

VI. Presentation: *None*

VII. Public Hearing: Ordinance – DMC Chapter 9.06 "Storm Drainage Utility" update

7:52 PM: The Public Hearing was opened.

Boyd Benson, Public Works Director, presented the staff report.

There were no public comments.

7:53 PM: The Public Hearing was closed.

Public Hearing: Ordinance – DMC Chapter 14 R20 and Parks/Open Space update

7:53 PM: The Public Hearing was opened.

Lara Thomas, Planning Director, presented the staff report.

There were no public comments.

7:58 PM: The Public Hearing was closed.

VIII. New Business:

1. Adopt Ordinance #1213 adopting a sixty-day Emergency Moratorium on the acceptance of new residential plat applications within the City of Duvall; Providing for severability; Declaring an Emergency and Establishing an immediate effective date.
It was moved and seconded (Ockerlander-Walker) to adopt Ordinance #1213 adopting a sixty-day Emergency Moratorium on the acceptance of new residential plat applications within the City of Duvall; Providing for severability; Declaring an Emergency and Establishing an immediate effective date.

It was moved and seconded (Ockerlander-Walker) to amend Ordinance #1213 as follows: amend the second paragraph of Section 1. Findings of Fact to read: "No new residential plat applications will be accepted within the corporate limits of the City of Duvall, Washington.". The motion to amend failed (6 nays).

It was moved and seconded (Ockerlander-Nixon) to amend Ordinance #1213 as follows: remove the second paragraph of Section 1. Findings of Fact: "No new residential applications will be accepted within the corporate limits of the City of Duvall, Washington.". The motion to amend carried (6 ayes).
The original motion, as amended, carried (5 ayes - Brudnicki, Collinwood, Nixon, Ockerlander, Walker; 1 nay - Thomas).

2. (AB17-26) Approve Resolution #17-04 proclaiming the City of Duvall to be an equitable, safe, and inviting community for everyone who lives, works, and visits Duvall.
It was moved and seconded (Ockerlander-Brudnicki) to approve Resolution #17-04 proclaiming the City of Duvall to be an equitable, safe, and inviting community for everyone who lives, works, and visits Duvall. The motion carried (6 ayes).

3. (AB17-19) Confirm Mayor Ibershof's appointment of Jason Brown to the Duvall Planning Commission Position 4, a vacant four-year term ending 12-31-19.
It was moved and seconded (Ockerlander-Nixon) to confirm Mayor Ibershof's appointment of Jason Brown to the Duvall Planning Commission Position 4, a vacant four-year term ending 12-31-19. The motion carried (6 ayes).

4. (AB17-20) Ordinance – DMC Chapter 14 (R20 and Parks/Open Space update)
Council did not have any questions or comments regarding this ordinance. This item will be brought back to the next meeting for action.

5. (AB17-21) Resolution – Big Rock Annexation 10% Petition
Mayor Ibershof said that he received communication from the owner's representative of the WPM property that offered to extend the Memorandum of Understanding (MOU) with the City if the City is willing to accept the 10% petition. Mayor Ibershof asked Council if they were comfortable allowing him to sit down with the owner's representative to discuss options. After discussion, there was general consensus to allow the Mayor to meet with the developer.

6. (AB17-22) SRO Job Description
Matthew Morton, City Administrator, said that he and Police Chief Hert met with Riverview School District to finalize the draft job description. Mr. Morton said that the draft will go to the Police Guild for review. This item will be brought back to a future meeting for action.

7. (AB17-23) Contract – ADA Transition Plan
Boyd Benson, Public Works Director, reviewed what the contract scope will entail and the history of why this work is needed. This item will be brought back to the next meeting for action.

8. (AB17-24) Resolution – Cherry Valley Village Final Plat
Boyd Benson, Public Works Director, reviewed the status of the Cherry Valley Village Plat. This item will be brought back to the next meeting for action.

9. (AB17-25) Resolution – Allen Street Village Final Plat
Boyd Benson, Public Works Director, reviewed the status of the Allen Street Village Plat. This item will be brought back to the next meeting for action.

IX. <u>Unfinished Business:</u>

1. (AB17-16) Approve Resolution #17-05 approving the work plan for full certification of the 2015 Comprehensive Plan.
It was moved and seconded (Ockerlander-Walker) to approve Resolution #17-05 proclaiming the City of Duvall to be an equitable, safe, and inviting community for everyone who lives, works, and visits Duvall. The motion carried (6 ayes).

2. (AB17-17) Approve Resolution #17-06 implementing a fee schedule for Big Rock Ballfields.
It was moved and seconded (Ockerlander-Collinwood) to approve Resolution #17-06 implementing a fee schedule for Big Rock Ballfields. The motion carried (6 ayes).

3. (AB17-27) Adopt Ordinance #1214 Repealing and Reinstating Chapter 9.06 of the Duvall Municipal Code, "Storm Drainage Utility"; providing for severability; and establishing an effective date.
It was moved and seconded (Nixon-Thomas) to adopt Ordinance #1214 Repealing and Reinstating Chapter 9.06 of the Duvall Municipal Code, "Storm Drainage Utility"; providing for severability; and establishing an effective date. The motion carried (6 ayes).

4. (AB17-13) Approve and Authorize the Mayor to sign the Dougherty Farmstead Lease Agreement with Josh Farm, The Goat Lady LLC, not to exceed three years.
It was moved and seconded (Nixon-Collinwood) to approve and Authorize the Mayor to sign the Dougherty Farmstead Lease Agreement with Josh Farm, The Goat Lady LLC, not to exceed three years. The motion carried (6 ayes).

X. <u>Executive Session:</u> Potential Litigation
RCW 42.30.110 (1) (i)

Potential Property Acquisition
RCW 42.30.110 (1) (b)

9:06 p.m. The Council Chambers were cleared for an Executive Session regarding potential litigation and an Executive Session regarding potential property acquisition.

In attendance at Executive Session: Councilmembers Amy Ockerlander, Jason Walker, Scott Thomas, Dianne Brudnicki, Leroy Collinwood and Becky Nixon, City Administrator, Matthew Morton, Planning Director Lara Thomas, Public Works Director Boyd Benson, City Attorney Rachel Turpin.

9:30 p.m. The Regular Council Meeting Resumed.

XI. <u>Adjournment:</u>
It was moved and seconded (Brudnicki-Thomas) to adjourn the meeting. The meeting adjourned at 9:30 P.M.

Signed_____
Will Ibershof, Mayor

Attest_____
Jodi Wycoff, City Clerk

City of Duvall
Small Town. Real Life.

Administration

To: Mayor and City Council
From: Matthew Morton, City Administrator
Date: March 7, 2017
Subject: Council Vacancy Application Schedule Update

BACKGROUND DISCUSSION:
Veronika Williams resigned from Council position #5 on January 21, 2017 effective immediately. The position is up for election during the November 2017 General Election; however, because the election is more than six months from the vacancy, Council will need to appoint someone to fill the vacancy.

NEXT STEPS:
Council procedures state that Council shall set the schedule for the appointment process. The City has received six (6) applications as of the March 2nd deadline. Staff is looking for direction on whether to close the application period or extend the deadline.

RECOMMENDATION:
If Council chooses to close the application period, then staff recommends the following appointment schedule:

- Council conducts personal interviews of applicants.
- Because there are more than 3 applicants:
    - Executive session to narrow to 3 occurs at March 21st meeting.
    - Public interviews/appointment occurs at April 4th meeting.

Council Vacancy & Appointment Procedures

(from Chapter 7 of Council Procedures adopted June 9, 2015)

7.2 Filling of City Council Vacancies

Pursuant to RCW 42.12, should a council position become vacant for any reason (resignation or removal) before the expiration of the Councilmember's term of office, the position shall be filled only until the next regular municipal election to serve the remainder of the unexpired term. A council position shall be officially declared vacant upon the occurrence of any of the causes of vacancy set forth in RCW 42.12.010, including resignation, recall, forfeiture, written intent to resign, or death of a Councilmember. The Councilmember vacating his/her position cannot participate in the appointment process.

As a matter of council policy, the Council shall schedule the appointment process and vote at the end of new business on the agenda where action is to be taken on the filling of City Council Vacancies.

7.3 Appointment Process

A. The City will advertise the position for a minimum of 21 days.

B. Staff receives and distributes applications to City Councilmembers after closing date (staff verifies the address of each applicant to verify they are residing in the City limits).

C. Each Councilmember telephones or personally interviews each candidate.

D. If there are 3 or less candidates, skip to step F. If more than 3 candidates apply, the field of candidates is narrowed to three 3 in the following manner:

   1. In a Council Meeting, Council goes into executive session to discuss the qualifications of each candidate.

   2. When the Council Meeting resumes, a vote by matrix is conducted in open secession.

   3. Each Councilmember receives one vote per candidate.

   4. Candidates with the top 3 quantities of tallied votes will be selected for subsequent interviews.

   5. Ties will be determined by a subsequent runoff vote, preferably conducted during the same meeting, until three candidates remain.

E. Staff notifies all candidates of status.

F. Remaining candidates attend a Council Meeting to be publicly interviewed and compete for selection in the following manner:

   1. Questions asked in the interviews will be determined in advance by the City Council. Each Councilmember will submit 1-2 questions by email to the Mayor Pro Tem at least one week prior the Council Meeting when interviews are scheduled. The Mayor Pro Tem will review those questions and come up with a slate of questions to be asked of candidates.

   2. During a Council Meeting, the Mayor Pro Tem will ask each candidate the same 2-3 questions while other candidates stay outside the room during individual interviews.

   3. After interview, candidate can make a 2 minute closing statement.

   4. After interviews are completed, Council shall go into executive session to discuss the qualifications of each candidate.

   5. When the Council Meeting resumes, a vote by matrix is conducted in open session.

   6. Each Councilmember receives one vote per candidate.

   7. Ties will be determined by a subsequent runoff vote, preferably conducted during the same meeting, until one candidate remains.

G. Councilmember to fill position is named and may be sworn-in at that time.

CITY COUNCIL AGENDA
STAFF REPORT

MEETING DATE: Tuesday, March 7, 2016
FROM: Matthew Morton, City Administrator
SUBJECT: Center for Public Safety Management Police LOS Study
ATTACHMENT(S): CPSM LOS Proposal

FISCAL IMPACT:

Budgeted: $22,000 **Current Year Cost:** **Annual Cost:**

Current Fiscal Year Revenue: **Sole Source:**

Funding Source(s): Combination of General Fund and Police Unanticipated Expenditure

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BACKGROUND INFORMATION:
One of the most difficult decisions any community makes, is how to staff public safety service departments such as fire and police. The City of Duvall Police Department enjoys the support of the City Council and the Community at large who view the Police Department as a cornerstone of Duvall's civic identity. As overall municipal budgets grow evermore challenging to manage, and with the PD budget accounting for an estimated 58% of general fund expenditures, a data-driven Level of Service (LOS) analysis is needed to have an expert, unbiased and data-driven component to our LOS conversation that will, among other things, help us understand present and future staffing needs, the officer deployment matrix, take a statistical analysis to scheduling to gain maximum efficiency and to ensure we plan appropriately for the success of the Duvall PD well into the future.

DISCUSSION:
The City of Duvall has begun work with the Center for Public Safety Management (CPSM) for a comprehensive Police LOS analysis. Part of the ICMA's mission is to assist local governments in achieving excellence through information and assistance. Following this mission, Center for Public Safety Management (CPSM), LLC acts as a trusted advisor, assisting local governments in an objective manner. In particular, CPSM's experience in dealing with public safety issues combined with its background in performance measurement, achievement of efficiencies, and genuine community engagement, makes CPSM a unique and beneficial partner.

RECOMMENDED ACTION(S):
No action required. This is informational to let you know the CPSM LOS Analysis has begun [February 24, 2017] and has an estimated 135-day work schedule. Updates will be provided periodically throughput the analysis as they become available

CENTER FOR PUBLIC SAFETY MANAGEMENT, LLC

PROPOSAL FOR

POLICE STAFFING STUDY

DUVALL, WA.

CPSM®

CENTER FOR PUBLIC SAFETY MANAGEMENT, LLC
475 K STREET NW STE 702 • WASHINGTON, DC 20001
WWW.CPSM.US • 800-998-3392

ICMA

Exclusive Provider of Public Safety Technical Services for
International City/County Management Association

CPSM®

Center for Public Safety Management, LLC

February 2, 2017

Mr. Mathew Morton
City Administrator
15535 Main Street, NE
Duvall, WA

Dear Mr. Morton

The *Center for Public Safety Management, LLC, (CPSM)* as the exclusive provider of public safety technical assistance for the International City/County Management Association, is pleased to submit this proposal to conduct a staffing study for the Duvall Police Department.

We propose to conduct a data-driven forensic analysis to identify actual workload for the police department. Using that data, we will develop an appropriate staffing model that will meet the demands of the agency.

This proposal is specifically designed to provide the local government with a thorough and unbiased analysis of police staffing in your community. The team assigned to the project will have hundreds of years of practical experience managing emergency service agencies, a record of research, academic, teaching and training, and professional publications, and extensive consulting experience completing hundreds of projects nation-wide. The team assembled for you will be true "subject matter experts" not research assistants or interns.

ICMA has provided direct services to local governments worldwide for over 100 years, which has helped to improve the quality of life for millions of residents in the United States and abroad. I, along with my colleagues at CPSM, greatly appreciate this opportunity and would be pleased to address any comments you may have. You may contact me at 716.969.1360 or via email at lmatarese@cpsm.us.

Sincerely,

Leonard A. Matarese, ICMA-CM, IPMA-HR
Director, Research and Project Development
Center for Public Safety Management. LLC

THE ASSOCIATION & THE COMPANY

International City/County Management Association (ICMA)

The International City/County Management Association (ICMA) is a 102 year old, non-profit professional association of local government administrators and managers, with approximately 9,000 members located in 32 countries.

Since its inception in 1914, ICMA has been dedicated to assisting local governments in providing services to its citizens in an efficient and effective manner. Our work spans all of the activities of local government – parks, libraries, recreation, public works, economic development, code enforcement, Brownfield's, public safety, etc.

ICMA advances the knowledge of local government best practices across a wide range of platforms including publications, research, training, and technical assistance. Our work includes both domestic and international activities in partnership with local, state and federal governments as well as private foundations. For example, we are involved in a major library research project funded by the Bill and Linda Gates Foundation and we are providing community policing training in Panama working with the U.S. State Department. We have personnel in Afghanistan assisting with building wastewater treatment plants and have teams in Central America providing training in disaster relief working with SOUTHCOM.

The **ICMA *Center for Public Safety Management* (ICMA/CPSM)** created in 2015 was one of four Centers within the Information and Assistance Division of ICMA providing support to local governments in the areas of police, fire, EMS, Emergency Management and Homeland Security. In addition to providing technical assistance in these areas we also represent local governments at the federal level and are involved in numerous projects with the Department of Justice and the Department of Homeland Security. In each of these Centers, ICMA has selected to partner with nationally recognized individuals or companies to provide services that ICMA has previously provided directly. Doing so will provide a higher level of services, greater flexibility and reduced costs in meeting member's needs as ICMA will be expanding the services that ICMA can offer to local government is expanding. For example, The Center for Productivity Management (CPM) is now working exclusively with SAS, one of the world's leaders in data management and analysis. And the Center for Strategic Management (CSM) is now partnering with nationally recognized experts and academics in local government management and finance.

Center for Public Safety Management, LLC (CPSM) since 2014 has been the exclusive provider of public safety technical assistance for ICMA and provides training and research for the Association's members and represents ICMA in its dealings with the federal government and other public safety professional associations such as CALEA. The Center for Public Safety Management, LLC maintains the same team of individuals performing the same level of service that it has for the past seven years for ICMA.

CPSM's local government technical assistance experience includes workload and deployment analysis, using our unique methodology and subject matter experts to examine department organizational structure and culture, identify workload and staffing needs as well as industry best practices. We have conducted over 275 such studies in 39 states and Canada and 195 communities ranging in size from 8,000 population Boone, IA to 800,000 population Indianapolis, IN.

PROJECT MANAGER

LEONARD A. MATARESE, MPA, ICMA-CM, IPMA-SCP

Director of Research and Project Development, Center for Public Safety Management, LLC

BACKGROUND

Mr. Matarese is a specialist in public sector administration with particular expertise in public safety issues. He has conducted or managed over 240 public safety studies. He has 45 years' experience as a law enforcement officer, police chief, public safety director, city manager and major city Human Resources Commissioner. He was one of the original advisory board members and trainer for the first NIJ/ICMA Community Oriented Policing Project which has subsequently trained thousands of municipal practitioners on the techniques of the community policing philosophy over the past 18 years. He has managed several hundred studies of emergency services agencies with particular attention to matching staffing issues with calls for service workload.

Recognized as an innovator by his law enforcement colleagues he served as the Chairman of the SE Quadrant, Florida, Blue Lighting Strike Force, a 71agency, U.S. Customs Service anti-terrorist and narcotics task force and also as president of the Miami-Dade County Police Chief's Association – one of America's largest regional police associations. He represents ICMA on national projects involving the United States Department of Homeland Security, The Department of Justice, Office of Community Policing and the Department of Justice, Office Bureau of Justice Assistance. He has also served as a project reviewer for the National Institute of Justice and is the subject matter expert on several ICMA / USAID police projects in Central America. As a public safety director he has managed fire / EMS systems including ALS transport. He was an early proponent of public access and police response with AEDs.

Mr. Matarese has presented before most major public administration organizations annual conferences on numerous occasions and was a keynote speaker at the 2011 annual PERF conference. He was a plenary speaker at the 2011 TAMSEC Homeland security conference in Linköping, Sweden and at the 2010 UN Habitat PPUD Conference in Barcelona, Spain.

He has a Master's degree in Public Administration and a Bachelor's degree in Political Science. He is a member of two national honor societies and has served as an adjunct faculty member for several universities. He holds the ICMA Credentialed Manager designation, as well as Certified Professional designation from the International Public Management Association-Human Resources. He also has extensive experience in labor management issues, particularly in police and fire departments. Mr. Matarese is a life member of the Internal Association of Chiefs of Police.

DATA ASSESSMENT TEAM

DOV CHELST, PH.D.

Director of Quantitative Analysis

BACKGROUND

Dr. Chelst is an expert in analyzing public safety department's workload and deployment. He manages the analysis of all public safety data for the Center. He is involved in all phases of The Center's studies from initial data collection, on-site review, large-scale dataset processing, statistical analysis, and designing data reports. To date, he has managed over 140 data analysis projects for city and county agencies ranging in population size from 8,000 to 800,000.

Dr. Chelst has a Ph.D. Mathematics from Rutgers University and a B.A. Magna Cum Laude in Mathematics and Physics from Yeshiva University. He has taught mathematics, physics and statistics, at the university level for 9 years. He has conducted research in complex analysis, mathematical physics, and wireless communication networks and has presented his academic research at local, national and international conferences, and participated in workshops across the country.

SENIOR PUBLIC SAFETY SUBJECT MATTER EXPERT

DAVID MARTIN, PH.D.

Senior Researcher in the Center for Urban Studies, Wayne State University

BACKGROUND

Dr. Martin specializes in public policy analysis and program evaluation. He has worked with several police departments to develop crime mapping and statistical analysis tools. In these projects he has developed automated crime analysis tools and real-time, dashboard-style performance indicator systems for police executive and command staff. Dr. Martin teaches statistics at Wayne State University. He is also the program evaluator for four Department of Justice Weed and Seed sites. He is an expert in the use of mapping technology to analyze calls for service workload and deployments.

SENIOR PUBLIC SAFETY DATA ANALYST

PRISCILA MONACHESI, M.S., B.A.

BACKGROUND

Priscila Monachesi is a Senior Data Analyst with CPSM and has worked on over 40 data analysis projects for city and county public safety agencies. She has over ten years' experience as a Project Leader/Senior System Analyst in auto manufacturing and financial systems.

She has a M.S in Statistics from Montclair State University, a B.A. in Economics from Montclair State University, and a Technical Degree in Data Processing from Pontifícia Universidade Católica in Brazil.

SENIOR PUBLIC SAFETY DATA ANALYST

SHAN ZHOU, PH.D.

BACKGROUND

Dr. Shan Zhou specializes in the analysis of police data. Shan brings extensive experience in scientific and clinical data analysis. Prior to CPSM, she worked as an associate scientist at Yale School of Medicine. Shan has a MS in Business Analytics and Project Management from University of Connecticut and a PhD in Cell biology, Genetics and Development from University of Minnesota.

PUBLIC SAFETY DATA ANALYST

SARAH WEADON, B.A.

BACKGROUND

Sarah Weadon has over 15 years' experience consulting with local, state, and federal government agencies in the areas of data and geospatial analysis, database and application development, and project management. She has worked with over 40 public safety agencies across the U.S. and Canada, providing data and geospatial analysis of response times, call trends, and station locations. Her skill in understanding the results of the analyses in the broader context of each client's budget, political, and overall reality, supports the development of practical, actionable recommendations. Ms. Weadon holds a Bachelor's degree in Classical Languages.

PUBLIC SAFETY DATA ANALYST

RYAN JOHNSON, B.A.

BACKGROUND

Ryan Johnson is a new addition to the CPSM data analyst team, specializing in the analysis of fire data. He has helped complete fire analysis projects for several cities and has handled ad hoc requests for modeling optimum staffing levels for police departments. Ryan brings experience in financial data analysis from the telecom expense industry, where he was the lead analyst for four clients; 3 fortune 500 companies and the Top Architectural Engineering Firm in the country. He also brings experience in spatial analytics from his time with Homeland Security. Ryan has a B.S. in Economics from Georgia State University and he is completing his M.A. in Economics from Rutgers University.

Workload vs. deployment analysis sample

This is one of the ways we show the amount of available, non-committed patrol time compared to workload. As you can see we break out the various activities, convert them to time and then compare to available manpower. The deployment is based upon actual hours worked.

So in this example, at noon there are approximately 17 hours of work (including citizen initiated & officer initiated calls for services, including traffic) and administrative activities (meals, vehicle, reports, etc.). There are approximately 30 man hours of available resources meaning that at that hour, on average, of the 30 officers on duty 16 are busy on activities.

The area shown in green and brown is uncommitted time. This is the area where staffing decisions impact – it becomes a policy issue as to how much uncommitted time a city wants, and is willing to pay for.

Figure 7: Workload by Hour. Weekdays, Summer

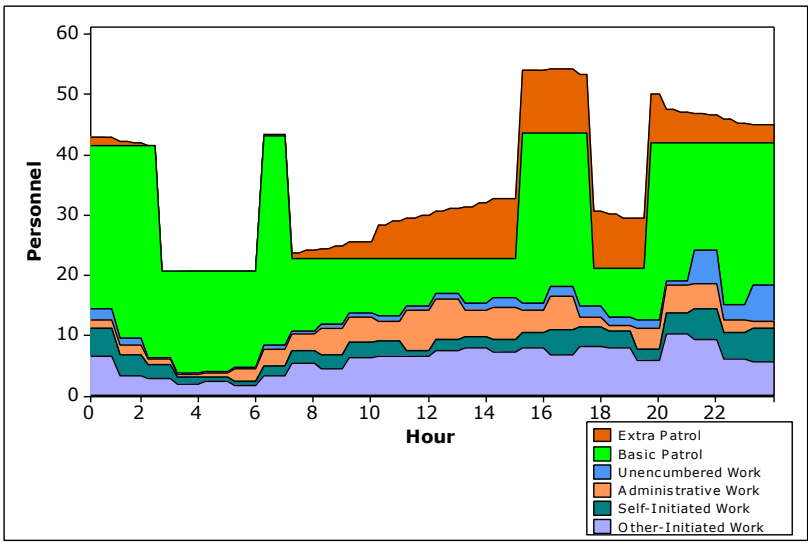
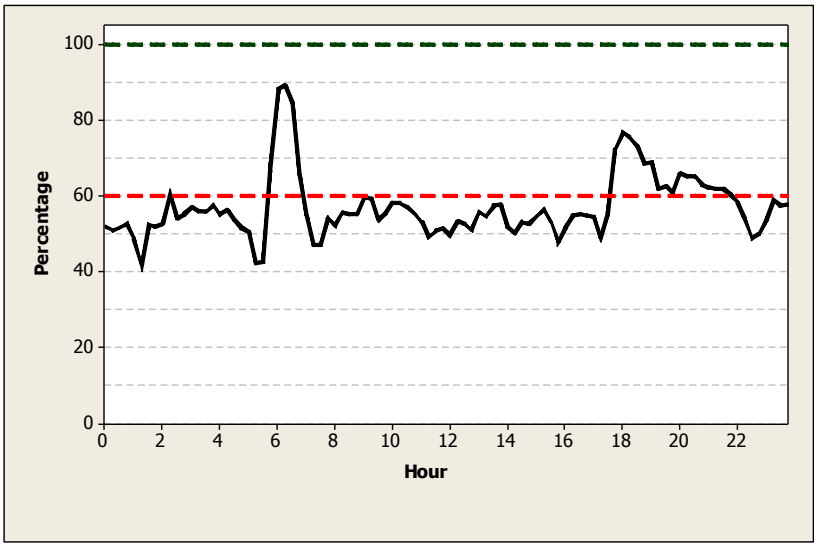


Figure 8: Workload Percentage by Hour, Weekdays, Summer



Workload vs. Deployment – Weekdays, Summer

Avg. Workload:	6.5 officers per hour
Avg. % Deployed (SI):	57 percent
Peak SI:	89 percent
Peak SI Time:	6:15 a.m.

PROPOSED FEES

The quotation of fees and compensation shall remain firm for a period of 180 days from this proposal submission.

CPSM will conduct the analysis of the police, fire, and EMS departments for $22,000 exclusive of travel. The project would be billed in three installments: 40% upon signing the contract; 40% with delivery of the police draft data analysis; 20% with delivery of the final report. Following delivery of the draft reports, the city will have 30 days to provide comments as to accuracy and a final report will be delivered within 30 days of the comment period.

Travel expenses will be billed as incurred, with no administrative fee or overhead charges.

Deliverables"
Draft reports for police, fire/EMS will be provided for department review in electronic format.

To be ecologically friendly, CPSM will deliver the final report in computer readable material either by email or CD or both. The final reports will incorporate the operational as well as data analysis. Should the municipality desire additional copies of the report, CPSM will produce and deliver whatever number of copies the client request and will invoice the client at cost.

Should the City desire additional support or in-person presentation of findings, CPSM will assign staff for such meetings at a cost of $2,5 00 per day/per meeting along with reimbursement of travel expenses.

CONCLUSION

Part of ICMA's mission is to assist local governments in achieving excellence through information and assistance. Following this mission, Center for Public Safety Management, LLC acts as a trusted advisor, assisting local governments in an objective manner. In particular, CPSM's experience in dealing with public safety issues combined with its background in performance measurement, achievement of efficiencies, and genuine community engagement, makes CPSM a unique and beneficial partner in dealing with issues such as those being presented in this proposal. We look forward to working with you further.

PAST & CURRENT ENGAGMENTS

Locality	State	Project
Leduc County	AB	Fire Consolidation Plan
Edmonton Intl Airport	AB	Comprehensive Analysis of Fire Services.
Leduc, Canada	AB	Fire/EMS Master Plan.
Kenai	AK	Fire Master Plan
Anniston	AL	Comprehensive Analysis of Police Services
Auburn	AL	Comprehensive Analysis of Fire Services
Auburn	AL	Comprehensive Analysis of Police Services
Dothan	AL	Comprehensive Analysis of Police Services
Casa Grande	AZ	Comprehensive Analysis of Police Services
Florence	AZ	Comprehensive Analysis of Police Services
Lake Havasu	AZ	Comprehensive Analysis of Police Services
Lake Havasu	AZ	Comprehensive Analysis of Fire Services
Pinal County	AZ	Comprehensive Analysis of Sheriff's Office
Prescott	AZ	Comprehensive Analysis of Fire Services
Prescott	AZ	Comprehensive Analysis of Police Services
Queen Creek	AZ	Police Strategic Plan
Queen Creek	AZ	Comprehensive Analysis of Fire services
Scottsdale	AZ	Comprehensive Analysis of Police Services
Tucson	AZ	Comprehensive Analysis of Police Services
Youngtown	AZ	Comprehensive Analysis of Police Services
Alameda	CA	Comprehensive Analysis of Police Services
Burbank	CA	Analysis of Investigations Workload / Staffing
Carlsbad	CA	Comprehensive Analysis of Police Services
El Centro	CA	Comprehensive Analysis of Police Services
Hermosa Beach	CA	Comprehensive Analysis of Fire services
Hermosa Beach	CA	Comprehensive Analysis of Police Services
Laguna Woods	CA	Review of Sheriff's Office Service
Morgan Hill	CA	Comprehensive Analysis of Police Services
Morgan Hill	CA	Comprehensive Analysis of Fire Services
Palm Desert	CA	Comprehensive Analysis of Fire Services
Palo Alto	CA	Comprehensive Analysis of Fire Services
San Jose	CA	SWOT Analysis of Police and Fire Services
San Mateo Co.	CA	Dispatch Operations Review
Santa Ana	CA	Comprehensive Analysis of Police Services
Santa Clara	CA	Comprehensive Analysis of Police Services
Santa Monica	CA	Police Chief Selection
Sonoma County	CA	Performance Measurement Analysis
Stockton	CA	Comprehensive Analysis of Police Services
Stockton	CA	Comprehensive Analysis of Fire Services
Yuba City	CA	Comprehensive Analysis of Fire Services
Yuba City	CA	Comprehensive Analysis of Police Services

Federal Heights	CO	Comprehensive analysis of Police Services
Federal Heights	CO	Comprehensive analysis of Fire Services
Littleton	CO	Comprehensive Analysis of Fire Services
Steamboat Springs	CO	Comprehensive Analysis of Fire Services
Cheshire	CT	Police Management Review
Southington	CT	Comprehensive Analysis of Fire Services
Dover	DE	Comprehensive Analysis of Police Department
Dover	DE	Comprehensive Analysis of Fire Services
Alachua	FL	Expert Witness Law Enforcement Issues
BCCMA	FL	Analysis of Sheriff's Contract Services
Citrus County	FL	Comprehensive Analysis of Fire Services
Delray Beach	FL	Comprehensive Analysis of Police Services
Delray Beach	FL	Comprehensive Analysis of Fire Services
Dunedin	FL	Police Consolidation Review
Hollywood	FL	Police Internal Affairs Review
Indian River Shores	FL	Public Safety Staffing Analysis
Indian River Shores	FL	Public Safety Study
Jacksonville Beach	FL	Police Chief Selection
Jupiter	FL	Police and Fire
Jupiter Island	FL	Public Safety Consolidation
Kenneth	FL	Comprehensive Analysis of Police Services
Miami Beach	FL	Comprehensive analysis of Fire Services
North Port	FL	Comprehensive Analysis of Police Services
Orange County	FL	Expert Witness Law Enforcement Issues
Pasco County	FL	Comprehensive Analysis of Fire Services
Pompano Beach	FL	Comprehensive Analysis of Police Services
Venice	FL	Comprehensive Analysis of Fire Services
Camden County	GA	Comprehensive Analysis of Fire Services
Kingsland	GA	Fire Consolidation Study
Camden County	GA	Police Consolidation Study
Garden City	GA	Preliminary Analysis Public Safety Merger
Johns Creek	GA	Analysis of Fire Services
Sandy Springs	GA	Comprehensive Analysis of Police Department
St. Marys	GA	Fire Consolidation Study
Boone	IA	Public Safety Consolidation
Boone	IA	Performance Measurement of Municipal Operations
Hayden	ID	Comprehensive Analysis of Police Services
Jerome	ID	Analysis of Police Services
Algonquin	IL	Performance Measurement Analysis
Glenview	IL	Comprehensive Analysis of Police & Fire Services
Glenview	IL	Comprehensive Analysis of Police Services
Glenview	IL	Dispatch Operations Review
Highland	IL	Comprehensive Analysis of Fire Services
Highland Park	IL	Comprehensive Analysis of Fire Consolidation
Highwood	IL	Comprehensive Analysis of Fire Consolidation
Lake Bluff	IL	Analysis of Fire Consolidation

Lake Bluff	IL	Fire Data Review
Lake Forest	IL	Analysis of Fire Consolidation
Lake Zurich	IL	Comprehensive Analysis of fire services
Naperville	IL	Workload, Staffing & Schedule Design
Roselle	IL	Comprehensive Analysis of Police Services
Western Springs	IL	Comprehensive Analysis of Police Services
Indianapolis	IN	Analysis of Police Workload & Deployment Services
Plainfield	IN	Comprehensive Analysis of Police Services
Topeka	KS	Preliminary review of Fire Department
Northborough	MA	Comprehensive Analysis of Police Services
Northborough	MA	Comprehensive Analysis of Fire Services
Algonquin	MD	Performance Measurement Study
Annapolis	MD	Comprehensive Analysis of Police Services
Ocean City	MD	Dispatch Operations Review
Ann Arbor	MI	Comprehensive Analysis of Fire Services
Auburn Hills	MI	Comprehensive Analysis of Fire Services
Auburn Hills	MI	Comprehensive Analysis of Police Services
Benton Harbor	MI	Public Safety Consolidation
Chesterfield Twp.	MI	Comprehensive Analysis of Police Services
Delta Township	MI	Comprehensive Analysis of Police Services
Delta Township	MI	Comprehensive Analysis of Fire Services
Detroit Public Schools	MI	Police Department Review
Douglas	MI	Comprehensive Analysis of Police Services
Flint	MI	Comprehensive Analysis of Fire Services
Flint	MI	Comprehensive Analysis of Police Services
Grand Rapids	MI	Comprehensive Analysis of Police Services
Grand Rapids	MI	Comprehensive Analysis of Fire Services
Grand Travers Fire Dept.	MI	Comprehensive Analysis of Fire Services
Green Lake Twp.	MI	Comprehensive Analysis of Fire Services
Grosse Pointe	MI	Public Safety Consolidation
Grosse Pointe Park	MI	Public Safety Consolidation
Kentwood	MI	Comprehensive Analysis of Police & Fire Services
Kentwood	MI	Analysis of Police Services Consolidation
Kentwood	MI	Analysis of Fire Services Consolidation
Mott Community College	MI	Comprehensive Analysis of Public Safety Services
Novi	MI	Comprehensive Analysis of Police Services
Novi	MI	Comprehensive analysis of Fire Services
Oshtemo Township	MI	Police Workload / Contract for Services Analysis
Petoskey	MI	Public Safety Consolidation
Plymouth	MI	Fire Services Consolidation
Plymouth	MI	Future Service Analysis
Royal Oak	MI	Comprehensive Analysis of Police Services
Royal Oak	MI	Comprehensive Analysis of Fire Services
Saginaw	MI	Comprehensive Analysis of Police Services
Saginaw	MI	Comprehensive Analysis of Fire Services

So. Kalamazoo Fire Auth.	MI	Financial Analysis of Fire Authority
St. Joseph	MI	Public Safety Consolidation
Sturgis	MI	Public Safety Analysis
Troy	MI	Comprehensive Analysis of Police Services
Troy	MI	Review of Fire Administration and Inspections
Wyoming	MI	Comprehensive Analysis of Police Services 2012
Wyoming	MI	Comprehensive Analysis of Fire Services 2012
Wyoming	MI	Comprehensive Analysis of Police Services 2009
Wyoming	MI	Comprehensive Analysis of Fire Services 2009
Mankato	MN	Public Safety Study
Moorhead	MN	Comprehensive Analysis of Fire Services
St. Cloud	MN	Police Strategic Planning Review
St. Cloud	MN	Comprehensive Analysis of Police Services
Brentwood	MO	Comprehensive Analysis of Police Services
St. Louis	MO	Comprehensive Analysis of Fire Services
St. Louis	MO	Comprehensive Analysis of Police Services
St. Louis	MO	Standard of Response Cover and Risk assessment
Bald Head Island	NC	Public Safety Consolidation
Chapel Hill	NC	Comprehensive Analysis of police services
Cornelius	NC	Fire Consolidation Study
Davidson	NC	Fire Consolidation Study
Greenville	NC	Comprehensive Analysis of Fire Services
Oxford	NC	Comprehensive Analysis of Fire Services
Oxford	NC	Comprehensive Analysis of Police Services
Rocky Mount	NC	AED Grant assistance
Rocky Mount	NC	Comprehensive Analysis of Police Services
Grand Island	NE	Comprehensive Analysis of Police Services
Grand Island	NE	Comprehensive Analysis of Fire Services
South Sioux City	NE	Fire Services Strategic Plan
East Brunswick	NJ	EMS Study
Oradell	NJ	Comprehensive Analysis of Police Services
Paterson	NJ	Comprehensive Analysis of Police Services
South Orange	NJ	Comprehensive Analysis of Police Services
Westwood	NJ	Comprehensive Analysis of Police Services
Bernalillo	NM	Comprehensive Analysis of Fire Services
Ruidoso	NM	Comprehensive Analysis of Police Services
Las Cruces	NM	Comprehensive Analysis of Fire Services
Las Cruces	NM	Comprehensive Analysis of Police Services
Boulder City	NV	Police Organizational Study
Henderson	NV	Comprehensive Analysis of Police Services
Las Vegas	NV	Comprehensive Analysis of Fire Services
North Las Vegas	NV	Fire Workload Analysis
Briar Cliff Manor	NY	Analysis of police consolidation
Garden City	NY	Comprehensive Analysis of Fire Services
Long Beach	NY	Comprehensive Analysis of Fire and EMS services

North Castle	NY	Comprehensive Analysis of Police Services
Oneonta	NY	Comprehensive Analysis of Fire and EMS services
Oneonta	NY	Fire Apparatus Review
Orchard Park	NY	Comprehensive Analysis of Police Services
Ossining Town	NY	Analysis of police consolidation
Ossining Village	NY	Analysis of police consolidation
Rye	NY	Police Chief Selection
Watertown	NY	Comprehensive Analysis of Fire Services
Cincinnati	OH	Police Dispatch Review
Dayton	OH	Police Internal Affairs Review
Huron	OH	Comprehensive Analysis of Police Services
Huron	OH	Comprehensive Analysis of Fire Services
Independence	OH	Comprehensive Analysis of Police Services
Independence	OH	Comprehensive Analysis of Fire Services
Sandusky	OH	Comprehensive Analysis of Police Services
Broken Arrow	OK	Comprehensive Analysis of Police Services
Broken Arrow	OK	Comprehensive Analysis of Fire Services
Edmond	OK	Comprehensive Analysis of Police Services
Jenks	OK	Comprehensive Analysis of Police Services
Jenks	OK	Comprehensive Analysis of Fire Services
Muskogee	OK	Comprehensive Analysis of Police Services
Tulsa	OK	Comprehensive Analysis of Fire Services
Bend	OR	Comprehensive Analysis of Police Services
Grants Pass	OR	Comprehensive Analysis of Fire Services
Grants Pass	OR	Comprehensive Analysis of Police Services
Grants Pass	OR	Public Safety Strategic Plan Development
Ontario	OR	Comprehensive Analysis of Police Services
Ontario	OR	Comprehensive Analysis of Fire Services
Cumru Township	PA	Comprehensive Analysis of Police Services
Cumru Townsjip	PA	Police Chief Selection
Ephrata	PA	Comprehensive Analysis of Police Services
Farrell	PA	Comprehensive Analysis of Police Services
Jamestown	PA	Comprehensive Analysis of Police Services
Lower Windsor Twp.	PA	Comprehensive Analysis of Police Services
Tredyffrin Township	PA	Comprehensive Analysis of Police Services
East Providence	RI	Comprehensive Analysis of Fire Services
East Providence	RI	Expert Witness Fire Issues
Beaufort	SC	Comprehensive Analysis of Fire Services
Beaufort	SC	Comprehensive Analysis of Police Services
Walterboro	SC	Comprehensive Analysis of Public Safety Department
Germantown	TN	Comprehensive Analysis of Fire Services
Johnson City	TN	Fire Services Master Plan
Johnson City	TN	Comprehensive Analysis of Police Services
Smyrna	TN	Comprehensive Analysis of Police Services
Smyrna	TN	Comprehensive Analysis of Fire Services

Addison	TX	Comprehensive Analysis of Fire Services
Addison	TX	Comprehensive Analysis of Police Services
Baytown	TX	EMS Study
Belton	TX	Comprehensive Analysis of Police Services
Belton	TX	Comprehensive Analysis of Fire Services
Belton	TX	Police Chief Selection
Belton	TX	Fire Chief Selection
Buda	TX	Comprehensive Analysis of Police Services
Cedar Park	TX	Comprehensive Analysis of Police Services
Conroe	TX	Fire Services Analysis and Standard of Response
Frisco	TX	Comprehensive Analysis of Fire Services
Highland Village	TX	Fire Review
Hutto	TX	Comprehensive Analysis of Fire Services
Lucas	TX	Fire and EMS Analysis
Prosper	TX	Comprehensive Analysis of Police Services
Round Rock	TX	Comprehensive Analysis of Fire Services
Sugarland	TX	Fire Department Overtime Analysis
Sugarland	TX	Comprehensive Fire Master Plan
Victoria	TX	Comprehensive Analysis of Police Services
Washington City	UT	Comprehensive Public Safety Analysis
Hampton	VA	Police Chief Selection
Loudoun County	VA	Comprehensive Analysis of Sheriff Services
Loudoun County	VA	Comprehensive Analysis of Fire Services
Lacey	WA	Comprehensive Analysis of Fire Services
Snoqualmie	WA	Police Workload & Deployment Analysis
Spokane Valley	WA	Comprehensive Analysis of Police Services
Vancouver	WA	Comprehensive Analysis of Police Services
Vancouver	WA	Police Chief Selection
Wauwatosa	WI	Comprehensive Analysis of Fire Services
Wauwatosa	WI	Comprehensive Analysis of Police Services
Jackson Hole	WY	Police Consolidation Review
Laramie	WY	Comprehensive Analysis of Police Services
Teton County	WY	Police Consolidation Review

PUBLIC HEARING
re:

National Pollution Discharge Elimination System (NPDES)

City of Duvall
Small Town. Real Life.

Department of Public Works Staff Report

To: Duvall City Council

From: Boyd E. Benson, PE, LEG, Public Works Director/City Engineer

Date: March 7, 2017

Subject: NPDES Annual Report Update and Public Comment

INTRODUCTION

This Staff Report summarizes the City of Duvall's status with respect to the Western Washington Phase II Municipal Stormwater Permit for the National Pollutant Discharge and Elimination System (Phase II NPDES Permit). The Permit first became effective in 2007 with the City currently covered under the modified permit that went into effect on January 16, 2015. Coverage under the Phase II NPDES Permit authorizes discharge of stormwater to waters of the state of Washington. In summary:

- National Pollution Elimination Discharge System required by EPA under Federal Clean Water Act.
- Regulates discharge to state and federal waters (including the Snoqualmie River).
- Dept of Ecology (DOE) is administering permit. Compliance with the permit is required by regulated entities to discharge stormwater.

The City has an active Stormwater Management Program (SWMP) administered by the Public Works Department. The SWMP complies with all aspects of the NPDES permit. As required, the City completes annual reporting which includes the Stormwater Management Program Report (SWMPR). A Notice of Public Hearing was published in the Seattle Times on March 2, 2017 for the planned NPDES SWMPR hearing on March 7, 2017. The purpose of the hearing is to solicit SWMP and SWMPR feedback from the community and City Council. No formal City Council action is required as part of the annual reporting process.

SWMPR

The Draft 2016 SWMPR and backup documentation was developed by staff and added to the Duvall Website (http://wa-duvall.civicplus.com/ArchiveCenter/ViewFile/Item/323) with a paper copy available at City Hall. The Draft 2016 SWMPR summarizes activities completed as part of the SWMP in 2016. The changes between the 2015 SWMPR and the 2016 SWMPR were minor and the City of Duvall complied with all 2016 permit requirements.

The City of Duvall complies with all aspects of the NPDES Permit. However, the City adopted updated Low Impact Development (LID), Operations and Maintenance, Development requirements in Ordinance No. 1214 (February 21, 2017) after the December 31, 2016 deadline. The City reported the delay in adopting the standards to the Department of Ecology in a December 29, 2016 G20 Non-Compliance Notification letter and no further action is required at this time.

CITY OF DUVALL PHASE II NPDES STORMWATER MANAGEMENT PROGRAM REPORT FOR 2016

Revised March 31, 2017

Prepared by:

City of Duvall Public Works

PO Box 1300

Duvall, WA 98019

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Appendix A: Annual Report Form Questions

Appendix B: Low Impact Development (LID)

Appendix C: Illicit Discharge Detection and Elimination Program (NPDES Phase II Permit Section S5.C.3)

Appendix D: Program to Control Runoff from New Development, Redevelopment and Construction Sites (NPDES Phase II Permit Section S5.C.4)

Appendix E: Operations and Maintenance Program to Prevent of Reduce Pollutant Runoff from Municipal Operations (NPDES Phase II Permit Section S5.C.5)

Appendix F: Public Education Program and IDDE Summary Report (NPDES Phase II Permit Section S5.A.3.b, S5.C.3.d.e)

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Introduction

The City of Duvall (City) Stormwater Management Plan (SWMP) was prepared to guide the City in planning, funding, and implementing a comprehensive program for addressing current and future regulatory and policy requirements for managing stormwater runoff, water quality, and flooding problems.

The Public Works Department is responsible for Surface Water Management and the National Pollutant Discharge Elimination System (NPDES) Permit implementation. Other City departments are involved in program implementation including the Planning Department, Building Department, and City Administration along with consultant and citizen comment and feedback.

Purpose

The NPDES Permit Program is intended to protect and restore surface water quality. The City was designated by the Environmental Protection Agency (EPA) as a municipal separate storm sewer system (MS4) for inclusion in the Phase II NPDES Permit Program.

Coverage under the Phase II NPDES Permit (Permit) authorizes discharge of stormwater to waters of the State of Washington in accordance with the Federal Clean Water Act. Discharges covered under this Permit must effectively prohibit non-stormwater discharges into storm sewers that discharge to surface waters and must apply controls to reduce the discharge of pollutants. The Washington State Department of Ecology (DOE) is administering the Permit for the EPA.

The purpose of the Stormwater Management Plan is to develop and present the City's approach for addressing the many different but related regulations, adopted plans and programs, and policies that affect urban stormwater, flooding, and associated water-dependent resources. An overall stormwater plan is needed to address the interrelationships of the programs and provide efficient approaches because many of these requirements have different origins but affect the same activities. The plan must also be consistent with long-term goals, objectives and policies as outlined in the City of Duvall Comprehensive Plan, Comprehensive Stormwater Plan, and NPDES Phase II Permit requirements.

The development and annual maintenance of the SWMP is required as part of Permit compliance and annual reporting requirements of this SWMP Report (SWMPR). The City's SWMPR has been organized to reflect the structure of the August 1, 2012 Permit, modified on January 16, 2014, and addendums provided by the DOE. The SWMPR summarizes compliance for requirements within sections of the Permit including:

- Authorized Discharges (Permit section S2).
- Responsibilities of Permittees (S3).
- Compliance with Standards (S4).
- Development and implementation of a SWMP to reduce discharge of pollutants (S5.A and S5.B).
- Public Education and Outreach (S5.C.1).
- Public Involvement and Participation (S5.C.2).
- Illicit Discharge Detection and Elimination (S5.C.3).
- Controlling Runoff from New Development, Redevelopment and Construction Sites (S5.C.4).
- Municipal Operations and Maintenance (S5.C.5).
- Stormwater Management Program for Secondary Permittees (S6).
- Compliance with Total Maximum Daily Load Requirements (S7).
- Monitoring and Assessment (S8).
- Reporting Requirements (S9).
- The Annual Report Form from the previous year (Appendix 3).

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Various requirements are phased into effect throughout the five-year permit period that expires on July 31, 2018. The City is currently in compliance with the current permit and plans to comply with all requirements. The Permit requires the City to report on progress and submit related documentation on March 31st of each year during the Permit period. The annual reporting requirements include:

- Preparation of this SWMPR to demonstrate how the City has met the annual requirements and how the City plans to address future Permit requirements.
- Posting of this SWMPR on the City website.
- Submittal of an annual report documenting Permit compliance for the previous reporting year along with supporting documentation as required.

Additional Permit information, including the Western Washington Phase II Municipal Stormwater Permit Special and General Conditions, Annual Report Form for Cities, Towns, and Counties, Acronyms and Definitions from the Permit and Guidelines for City and County Annual reports are located on Ecology's website: http://www.ecy.wa.gov/programs/wq/stormwater/municipal/phaseIIww/wwphiipermit.html.

S2: Authorized Discharges

The Permit authorizes the discharge of stormwater to surface waters and ground waters of the State from the MS4 owned or operated by the City as covered by the Permit and as summarized in this SWMPR. In accordance with Section S2 of the Permit, the City shall allow authorized and permitted discharge into the stormwater system. The Permit does not relieve entities from responsibility or liability associated with oil spills or other hazardous substance spills.

Discharge to groundwater and non-stormwater flows are restricted in accordance with Section S2 of the Permit as follows: Discharges to groundwater regulated under the Underground Injection Control Program (WAC Chapter 173-218) and other the State Water Pollution Control Act (RCW Chapter 90.48) are not covered under the permit. The permit authorizes discharge of non-stormwater flows to surface waters if:

- The discharge is authorized by a separate NPDES permit or a State Waste Discharge permit.
- The discharge is from emergency fire-fighting activities.
- The discharge is from another source that is managed by the permittee that is:
  a. Relatively small or natural per S5.C.3.b (i.e. footing drains, flow from wetlands).
  b. Relatively small or natural for secondary permittees per S6.D.3.b (i.e. footing drains, flow from wetlands).

S3: Responsibilities of Permittees

In accordance with Section S3 of the Permit, the City shall be responsible for compliance with the terms of the Permit as summarized in this SWMPR.

S4: Compliance with Standards

In accordance with Section S4 of the Permit, the City is responsible for compliance with the following standards as summarized within this SWMPR:

- The discharge of toxicants to waters of the State of Washington (State) which would violate water quality standards is prohibited.
- The Phase II NPDES Permit does not authorize violation of the State water quality standards.
- The permittee shall reduce the discharge of pollutants to the Maximum Extent Possible (MEP).
- The permittee shall use All Known and Reasonable methods of prevention, control and Treatment (AKART) to prevent and control pollution to waters of the State.
- The permittee shall comply with all of the applicable requirements of the Permit.

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- The permittee remains in compliance with S4 despite any prohibited discharges (S4.A or S4.B) provided the permittee undertakes the long-term water quality improvement improvements required by S4.F.
- DOE may modify or revoke the Permit if DOE becomes aware of additional control measures, management practices, or other actions beyond what is required in the current Permit.

S5: Stormwater Management Program

S5.A: Develop & Implement a Stormwater Management Program

In accordance with Section S5.A of the Permit, each permittee shall develop and implement a SWMP. This SWMP is a set of actions and activities comprising the components listed in S5.B and S5.C.1 through S5.C.5. This SWMP is designed to reduce the discharge of pollutants from the City to the maximum extent practicable and to protect water quality.

This SWMPR serves as written documentation of the SWMP and is organized in accordance with the Permit and the program components in S5.C. This SWMPR shall be updated at least annually for submittal along with the annual report to the DOE. This SWMP includes ongoing programs for gathering, tracking, maintaining and using information to evaluate SWMP development, implementation, permit compliance, and to set priorities.

- The City has implemented cost tracking for development and implementation of each component of the SWMP using the City's SpringBrook financial software system. This information will be provided upon DOE's request.
- The City has implemented tracking of the number of inspections, official enforcement actions, training, and public outreach activities as stipulated in the individual program components.
- The Program includes internal coordination mechanisms among City Departments to eliminate barriers to compliance as required by S5.A.5.b. The coordination mechanisms apply to City fieldwork, project review, and management staff including representatives from the Public Works, Engineering, Building, Project Management, and Planning Departments. Coordination mechanisms include in-house training, coordinated inspection and response, CESCL certification for field staff, and coordinated review and comment of the SWMP and SWMPR.

S5.B: All Known Available & Reasonable Methods of Treatment

In accordance with Section S5.B of the Permit, this SWMP is designed to reduce the discharge of pollutants to the maximum extent practicable (MEP), meet State All Known Available and Reasonable Methods of Treatment requirements (AKART), and protect water quality. Water quality protection activities will not be reduced in response to the Permit and SWMP requirements currently being completed in the City. Compliance activities already in effect will be continued regardless of the timeline contained with the Permit.

S5.C.1: Public Education and Outreach

General Requirements

In accordance with Section S5.C.1 of the Permit, this SWMP includes a public education and outreach program aimed at residents, businesses, industries, elected officials, policy makers and employees of the City. The goal of the education program is to reduce or eliminate behaviors and practices that cause or contribute to adverse stormwater impacts.

The City's program includes education and outreach that is designed to achieve measurable improvements in the specified audience's understanding of stormwater issues and how they can improve stormwater quality. The resulting measurements are used to direct education and outreach resources most effectively, as well as to evaluate changes in adoption of the targeted behaviors.

Education and Outreach Audiences

The City's public education and outreach program prioritizes and targets activities to specified audiences to reduce or eliminate behaviors and practices that cause or contribute to adverse stormwater impacts. Education and outreach efforts are prioritized to target the following target audiences, subject areas, and BMPs:

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General public including school age children

- General impacts of stormwater flows into surface waters.
- Impacts from impervious surfaces.
- Source control BMPs and environmental stewardship actions and opportunities in the areas of pet waste, vehicle maintenance, landscaping and buffers.

General public, businesses, including home-based and mobile businesses

- BMPs for use and storage of automotive chemicals, hazardous cleaning supplies, carwash soaps and other hazardous materials.
- Impacts of illicit discharges and how to report them.

Residents, landscapers, and property managers

- Yard care techniques protective of water quality.
- BMPs for use and storage of pesticides and fertilizers.
- BMPs for carpet cleaning and auto repair and maintenance.
- Low Impact Development (LID) techniques, including site design, on-site stormwater management and retention of forests and mature trees.
- Stormwater facility maintenance.

Engineers, contractors, developers, review staff and land use planners

- Technical standards for stormwater site and erosion control plans.
- LID techniques, including site design, on-site stormwater management and retention of forests and mature trees.
- Stormwater treatment and flow control BMPs and facilities.

Stewardship

SWMP stewardship opportunities have been created to encourage participation in surface water protection and active incorporation of SWMP principle and goals. General residential stewardship activities such as volunteer plantings are emphasized during public venues such as Public Works Day, Earth / Arbor Day, and other public educational events. A partnership between the City and the Riverview School District has developed to complete stormwater educational activities for elementary school children. Stewardship is also encouraged through interaction and volunteer planting/maintenance parties and storm drain marking with the Boy Scouts of America, Riverview School District students, and groups and individuals that are requesting or required to complete volunteer service hours.

Understanding and Adoption of Targeted Behaviors

In August of 2012, the City of Duvall and six other Puget Sound cities participated in a regional study to assess understanding and adoption of targeted stormwater behaviors. The report is available here: http://www.duvallwa.gov/DocumentCenter/Home/View/339. The study was completed by Hebert Research, Inc. to measures Duvall-specific and regional public stormwater knowledge and practices. The 2012 study was based on a similar study in Duvall completed by Hebert Research, Inc., in 2009. Comparing the results of the two studies provides a statistical basis for measuring the understanding and adoption of the targeted behaviors. These results are used by the City to select target behaviors, measure change in targeted behaviors, and revise and direct education and outreach resources to best improve the targeted behaviors. An additional study is planned in 2017or 2018 to continue the long-term evaluation of targeted behaviors.

Education and Outreach Activities

The City tracks and maintains records of public education and outreach activities. Specific activities are summarized in Appendix F of the SWMPR. General Public Education and Outreach activities, along with target audiences and status, are presented in Table 1.

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Table 1: S5.C.1 Public Education and Outreach Activities

Activity	Target Audience	Status	Schedule Notes
Educational activities for children and adults at Earth Day / Arbor Day and Public Works Open House Events	General Public / Students	On-going	
Presentations to local elementary school classes	Students	On-going	
Ongoing utility bill inserts to reach all households within the City. Various topics including the following information: • Landscaping and Yard Care including design, plant selection, mulch, fertilizers, pesticides, herbicides and compost/disposal • Car washing and proper disposal of Household Waste including recycling, storm drain awareness and proper disposal for specific pollutants such as paint, hydrocarbons, and antifreeze	General Public / Businesses	On-going	
Education and outreach information and links on the City's NPDES web page and City Facebook page	General Public / Businesses / Engineers / Contractors	On-going	
Annual City-sponsored recycling event including used motor oil and household hazardous waste recycling	General Public	On-going	
Collaboration with the Stormwater Outreach for Regional Municipalities (STORM) campaign		On-going	
Developing and promote natural yard care education programs through utility billing inserts, City NPDES web pages, and City Facebook page	General Public / Businesses	On-going	
Continued installation of "Puget Sound Starts Here" storm drain buttons	General Public	On-going	
Participation in the 2013 Preparedness Calendar that included a month dedicated to Stormwater education. The calendar was mailed to approximately 7,900 households within Duvall and the Snoqualmie Valley	General Public / Businesses	Completed in 2013	
Updating and summarizing public education and outreach activities in the annual SWMPR, Appendix F	General Public	On-Going	
Review and implementation of recommendations from the 2009 and 2012 Stormwater Community Outreach Report (Hebert Research) that measured the public's knowledge and practices regarding stormwater		Completed in 2009 & 2012	Update in 2017 or 2018

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Activity	Target Audience	Status	Schedule Notes
Developing an Illegal Dumping and Littering program including additional awareness, signage, and trash receptacles	General Public	Future	Under consideration
Providing additional used motor oil and hazardous waste recycling events	General Public	Future	Under consideration
Measurement of audiences understanding of, and improvement with respect to, stormwater and how they can improve stormwater as summarized in the 2012 Stormwater Community Outreach Report (Hebert Research)	General Public	Completed in 2012	Update in 2017 or 2018
Updating the education and outreach program and the annual report	General Public / students	On-going	
Developing additional elementary school education programs or events	Students	On-going	
Additional updates of the Stormwater Community Survey Program in conjunction with other NPDES municipalities to be conducted by Hebert Research.	General Public / Staff	Future	Update in 2017 or 2018
Developing a LID education and outreach program. LID measures commonly utilized in Duvall are presented in Appendix B, "Low Impact Development (LID)"	General Public / students	Future	2017 or 2018
Developing theme-based education events (i.e. Clean Water Awareness Month)	General Public / students	On-going	
Continued collaboration with other NPDES municipalities to develop program elements and evaluation techniques	Staff	On-going	
Continued collaboration with other programs and citizen groups to provide community activities, outreach and volunteer activities	General Public	On-going	
Developing a Business-oriented spill education program including on-site visits and spill kit distribution	Businesses	Future	2017 or 2018

S5.C.2: Public Involvement and Participation

General Requirements

In accordance with Section S5.C.2 of the Permit, this SWMP provides ongoing opportunities for public involvement through advisory councils, public hearings, participation in developing rate structures, stewardship programs, environmental activities and other similar activities. Section S5.C.2 requires the City to:

- Create opportunities for the public to participate in the decision making process involving the development, implementation and update of the City's entire SWMP.
- Make the SWMP, the annual Permit report, and the all other submittals available to the public. The City posts the latest annual report and the SWMPR submitted with the latest annual report on the City's NPDES web page.

Public Involvement and Participation Activities

The City tracks and maintains records of Public Involvement and Participation activities. General Public Involvement and Participation activities, along with target audiences and status, are presented in Table 2.

Table 2: S5.C.2 Public Involvement and Participation Activities

Activity	Target Audience	Status	Schedule Notes
Implementation of a public hotline comment and reporting phone number and email address posted at City Hall and the City's NPDES web page to provide for and document public involvement and participation	General Public	On-going	
Soliciting public involvement and participation using newsletter articles	General Public	On-going	
Completing public notices, City Council presentations and other public presentations to collect, document and implement public feedback	General Public	On-going	
Public notice and hearing requesting review and comment of the draft annual report and SWMPR and posting of the documents on the City website with copies available at City Hall	General Public	Yearly In March	
Posting of the latest annual report and the SWMPR submitted with the latest annual report on the City's NPDES web page following public review and submittal to the DOE	General Public	Yearly By March 31	
Summarizing public involvement and participation activities in the annual report	General Public	Yearly By March 31	
Making the SWMPR, the annual Permit report and the all other submittals available to the public on the City's NPDES web page	General Public	Yearly By March 31	
Continue support of the "Adopt-a-Road" program to promote this anti-litter and litter cleanup program	General Public	On-going	
Maintain a public comment section with dedicated email link within the City's NPDES web page to provide an on-line avenue for public involvement and participation	General Public	On-going	
On-going volunteer installation of "Puget Sound Starts Here" storm drain buttons	General Public	On-going	
Updating the Stormwater Community Survey Program with other NPDES municipalities conducted by Hebert Research	General Public	Completed in 2009 & 2012	Update in 2017 or 2018
Develop a Neighborhood or Home Owner Association Volunteer monitoring program	General Public	Future	Under consideration
Developing an "Adopt a Stormwater Facility" volunteer program	General Public	Future	Under consideration

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S5.C.3: Illicit Discharge Detection and Elimination

General Requirements

In accordance with Section S5.C.3 of the Permit, this SWMP includes an ongoing illicit discharge detection and elimination (IDDE) program to detect and remove illicit discharge, illicit connections, illicit discharges, and improper disposal, including any spills into the municipal separate storm sewer system owned or operated by the City. In accordance with the Definitions and Acronyms section of the Permit, an illicit connection means any man-made conveyance that is connected to a municipal separate storm sewer without a permit (examples include sanitary sewer, floor drain, or other non-stormwater sources or conveyances) excluding roof drains and other similar type connections. In accordance with the Definitions and Acronyms section of the Permit, an illicit discharge means any discharge to the municipal storm sewer system that is not composed entirely of stormwater except discharges pursuant to another NPDES Permit or firefighting activities. The City's ongoing IDDE program is summarized in Appendix C of this Report. Section S5.C.3 requires the City to:

a. Develop a storm sewer map. The City has developed a storm sewer map in a Geographic Information System (GIS) base. The storm sewer map is periodically updated and includes the following information:
   i. Known MS4 outfalls and known MS4 discharge points.
   ii. Receiving waters, other than ground water.
   iii. The location of all known storm sewer outfalls, receiving waters and structural storm water BMP's/Facilities owned, operated, or maintained by the City.
   iv. All storm sewer outfalls with a 24-inch nominal diameter or equivalent cross-sectional area are mapped to include tributary conveyance (type, material, and size), associated drainage areas and land use.
   v. All authorized or allowed connections to the separate storm sewer system after February 16, 2007.
   vi. Connections between the City of Duvall MS4 and any other municipalities or public entities (none known).
   vii. Geographic areas served by the City that do not discharge stormwater to surface waters.
   viii. The MS4 map will be made available to Ecology upon request.
   ix. The MS4 map will be made available to federally-recognized Indian Tribes, municipalities, and other Permittees upon request.

b. Implement an ordinance prohibiting non-stormwater, illegal discharges, and/or dumping into the storm sewer system to the maximum extent allowable under State and Federal law. The City adopted Stormwater Ordinance No. 1090 on August 13, 2009 and updated Stormwater regulations and restrictions in Ordinance No. 1214 on February 21, 2017. The ordinance will be updated to comply with newer permit requirements prior to the February 2, 2018 deadline.

c. Develop and implement an on-going illicit discharge detection program. The City's on-going illicit discharge and detection program includes:
   i. On-going investigations of Duvall's MS4, including field screening and methods for identifying potential sources. The City will complete screening of 40 percent of the MS4 by the December 31, 2017 compliance date and 12 percent of the MS4 each year after the compliance date. The City has completed annual dry weather outfall screening at three locations since 2011 and added additional screening to the annual catch basin cleaning program in 2015. The field screening is completed in general accordance with the document titled "Illicit Discharge Detection and Elimination: A Guidance Manual for Program Development and Technical Assessments" (Center for Watershed Protection, October 2004). Dry weather outfall screening complies with the Outfall Reconnaissance Inventory approach outlined in Table 20 and Table 21 of the Guidance Manual. Visual inspection during catch basin cleaning was identified as a methodology of comparable and improved effectiveness because it provides City-wide information, is cost-effective and efficient, and augments the existing catch basin cleaning program, Catch basin inspection and investigation is completed in general accordance with Table 20 of the Guidance Manual and the following:
      a. Step 1: Catch basin GIS/GPS information, including a unique identifier and other attributes, was collected for all City catch basins as part of the on-going improvements to the MS4 map.

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b. Step 2: Visual Inspection and/or cleaning is completed during dry weather. Staff inspect for physical IDDE indicators such as odor, color, turbidity, and floatables in general accordance with Figure 32 of the Guidance Manual and catch basin/outfall damage, deposits/stains, abnormal vegetation/algae growth, poor catch basis pool quality, or benthic growth in general accordance with Figure 37 of the Guidance Manual.

c. Step 3: Additional test measurements (Temperature, pH, Chlorine Residual, Turbidity, and other as required) at locations with physical IDDE indicators.

d. Step 4: Identification/removal of illicit discharge source and/or development of a monitoring strategy at locations with suspect illicit discharge.

ii. Publically listed and publicized hotline including a City public telephone hotline and email hotline.

iii. An on-going training program for all municipal staff who, as part of their normal duties, might come into contact with or observe an illicit discharge or illicit connection to the MS4.

iv. Informing public employees, businesses, and the general public of hazards associated with illicit discharge and improper disposal of waste.

d. Develop and implement an on-going program to address, eliminate, and report illicit discharges.

e. Develop and implement an ongoing training program for IDDE response staff and document and maintain records of the training provided and staff trained.

f. Tracking and record keeping for the IDDE activities.

Illicit Discharge Detection and Elimination Activities

General Illicit Discharge Detection and Elimination activities, along with target audiences and status, are presented in Table 3.

Table 3: S5.C.3 Illicit Discharge and Elimination Activities

Activity	Target Audience	Status	Schedule Notes
Updating the GIS storm sewer map based on existing in-house information and field mapping as required	Staff, other	On-going	
Update IDDE Ordinance	General Public	Future	Prior to February 2, 2018 deadline
Maintain an IDDE public hotline posted at City Hall and the City's NPDES web page	General Public	On-going	
Maintain a non-emergency email reporting link within the City's NPDES web page	General Public	On-going	
Implementation of an "Illicit Discharge Detection and Elimination Program" summarized in Appendix C of this Report	Staff	On-going	
Complete on-going investigations and field screening	Staff	On-going	Complete at least 40% prior to 2017 deadline
Additional IDDE public outreach	General Public	On-going	

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S5.C.4: Controlling Runoff from New Development, Redevelopment, and Construction Sites

General Requirements

In accordance with Section S5.C.4 of the Permit, this SWMP includes a program to control runoff from new development, redevelopment and construction sites. The program applies to private and public development, including roads and includes the "Technical Thresholds" in Appendix 1 of the Phase II NPDES Permit. The City program to control runoff is summarized in Appendix D of this Report. Section S5.C.4 requires the City to:

a. Implement an ordinance or other enforceable mechanism or program that addresses runoff from new development, redevelopment and construction sites. The City adopted Stormwater Ordinance No. 1090 on August 13, 2009 and updated and adopted Stormwater Ordinance 1214 on February 21, 2017 to address this requirement. Ordinance 1214 was adopted after the December 31, 2016 deadline as summarized in the G20 Non-Compliance Notification sent to the Department of Ecology on December 29, 2016.

b. Implement a permitting process with plan review, inspections and enforcement capabilities in accordance with the Permit, including the minimum requirements in Appendix 1 of the Permit.

c. Implement a program to verify adequate long-term operation and maintenance of post-construction storm water facilities and BMP's.

d. The program shall make available as applicable copies of "Notice of Intent for Construction Activity" and copies of "Notice of Intent for Industrial Activity" to representatives of proposed new development and redevelopment. The City makes available copies of the "Notice of Intent for Construction Activity" and the "Notice of Intent for Industrial Activity" upon request.

e. Ensure that all staff responsible for implementation of the program to control runoff from new development, redevelopment and construction are trained to complete these activities.

f. Low impact development code-related requirements include:

   i. No later than December 31, 2016 Permittees shall review, revise and make effective their local development-related codes, rules, standards, or other enforceable documents to incorporate and require LID principles and LID BMPs. The City adopted Stormwater Ordinance 1214 on February 21, 2017 to address this requirement. Ordinance 1214 was adopted after the December 31, 2016 deadline as summarized in the G20 Non-Compliance Notification sent to the Department of Ecology on December 29, 2016.

   ii. Each Permittee shall submit a summary of the results of the review and revision process in (i) above with the annual report due no later than March 31, 2017. The City submitted the summary as required (see Appendix A).

g. Each Permittee that has all or part of its coverage area under this Permit in a watershed selected by a Phase I county for watershed-scale stormwater planning under condition S5.C.4.c of the Phase I Municipal Stormwater General Permit shall participate with the watershed-scale stormwater planning process led by the Phase I county. This requirement is not applicable to Duvall per note 25 (Page 31 of 74) of the Permit. However, the City of Duvall completed a Watershed Plan for Duvall Urban Growth Area and adjacent drainage area (Adopted on September 15, 2015). The City is also completing a watershed-based Storm and Surface Water Plan update in 2017.

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Table 4: S5.C.4 Controlling Run-off Activities

Activity	Target Audience	Status	Schedule Notes
Standards and Code requirements that address runoff from new development, redevelopment and construction sites	Development and Construction	Completed	
An existing permitting program that includes review of stormwater runoff from new development, redevelopment and construction sites. Elements of the review program are based on the 2016 King County Surface Water Design Manual (KCSWDM, as updated) and NPDES requirements	Development and Construction	On-going	
An existing program to verify adequate long-term operation and maintenance of post-construction stormwater facilities	Development and Construction	On-going	
Maintaining a spreadsheet-based record keeping system in conjunction with the storm sewer map from Permit Section S5.C.3	Staff	On-going	
Availability of the "Notice of Intent for Construction Activity" and the "Notice of Intent for Industrial Activity" on the City's NPDES web page and as requested by the applicant during the permitting process	Development and Construction	On-going	
Summarizing activities to control runoff from new development, redevelopment and construction sites in the annual report	Staff	On-going	
Updated and provided training for field staff yearly	Staff	On-going	
Update Low Impact Development Code	Development and Construction	Completed, On-Going	
Developing a GIS and spreadsheet based record keeping system in conjunction with the storm sewer map from Permit Section S5.C.3	Staff	On-going	

S5.C.5: Municipal Operations and Maintenance

General Requirements

Each Permittee shall implement an operations and maintenance (O&M) program that includes a training component and has the ultimate goal of preventing or reducing pollutant runoff from municipal operations. This SWMP includes a pollution prevention and operation and maintenance program for municipal operations program. This City program includes a training component with the ultimate goal of preventing or reducing runoff from municipal operations. The City program to control runoff is summarized in Appendix D of this Report.

Section S5.C.5 requires the City to:

a. Implement maintenance standards that are as, or more, protective of facility function than those specified in Chapter 4 of Volume V of the 2012 Stormwater Management Manual for Western Washington. For facilities which do not have maintenance standards, the Permittee shall develop a maintenance standard no later than December 31, 2016. The City adopted Stormwater Ordinance 1214 on February 21, 2017 to address this requirement. Ordinance 1214 was adopted after the December 31, 2016 deadline as summarized in the G20 Non-Compliance Notification sent to the Department of Ecology on December 29, 2016.

b. Complete annual inspection and maintenance (if required) of permanent stormwater treatment or flow control facilities other than catch basins. The annual inspection requirement may be reduced based on inspection records.

c. Complete spot checks and maintenance (if required) of potentially damaged stormwater treatment or flow control facilities after major storm events (greater than 24-hour, 10-year recurrence interval rainfall).

d. Inspect all catch basins and inlets and cleaning (if required) at least once before 2017 and every two years thereafter.

e. Comply with above inspection requirements to achieve inspection of 95 percent of all sites.

f. Implement policies and procedures to reduce stormwater impacts from all lands owned or maintained by the City.

g. Implement an on-going training program for maintenance staff with job functions that may impact stormwater quality.

h. Develop and implement a Stormwater Pollution Prevention Plan (SWPPP) for heavy equipment maintenance or storage yards and material storage facilities owned or operated by the City.

i. Maintain records of inspections and maintenance or repair activities conducted by the Permittee.

Table 5: S5.C.5 Municipal Operations and Maintenance Activities

Activity	Status	Schedule Notes
Compliance with the King County Surface Water Design Manual	On-going	
Update Maintenance Standards as required	Completed, On-Going	
Annual inspections of stormwater treatment and flow control facilities	On-going	
Spot check inspection of stormwater treatment or flow control facilities following major storm events	On-going, as needed	
Annual catch basin cleaning program	On-going	
Operations, maintenance and BMP training for the field crew	On-going	
Updating the SWPPP for heavy equipment maintenance or storage yards and material storage facilities owned or operated by the City	On-going	
Implementing an on-going training program for maintenance staff with job functions that may impact stormwater quality	On-going, yearly	
Baseline evaluations and yearly inspection and maintenance (unless reduced frequency is determined and documented by the City) of all permanent stormwater treatment or flow control facilities other than catch basins. Evaluations, inspections and maintenance is documented using spreadsheets	On-going, yearly	

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Activity	Status	Schedule Notes
Inspection and documentation program for spot checks and maintenance (if required) of potentially damaged stormwater treatment or flow control facilities after major storm events. The spot check inspections and maintenance (if required) is documented using log books and/or spreadsheets	On-going	
Catch basin inspection, mapping and cleaning program. The catch basin inspection, mapping and cleaning program is documented using log books, spreadsheets and/or the GIS based record keeping system	On-going	Inspect all prior to 2017 deadline, then every 2 years thereafter
Implementing and documenting practices to reduce stormwater impacts associated with runoff from streets, parking lots and roads owned or maintained by the City along with road maintenance activities completed by the City	On-going	
Implementing and documenting policies and procedures to reduce pollutants in discharge from property owned or maintained by the City	On-going	
Recording inspections and maintenance or repair activities using the GIS based record keeping system in conjunction with the storm sewer map from Permit Section S5.C.3.	Developing & on-going	

S6: Stormwater Management Program for Secondary Permittees

Requirements from Section S6 of the Permit do not apply to the City because the City is not a secondary permittee to a primary permittee. There are no secondary permittees to the City.

S7: Compliance with TMDL Requirements

Total Maximum Daily Load (TMDL) requirements from Section S7 of the Permit do not apply to the City because there are no TMDL's listed for the City within Appendix 2 of the Permit.

S8: Monitoring and Assessment

General Requirements

In accordance with Section S8 of the Permit, each permittee is responsible for compliance with the following monitoring requirements:

A. Permittees are required to provide a description of any stormwater monitoring or stormwater related studies conducted during the reporting period in the Annual Report. The annual report shall include a description of any completed monitoring or studies and an assessment of the appropriateness of the BMP's identified for each component of the SWMP. No City of Duvall independent stormwater studies were completed in 2016. The City of Duvall completed a Watershed Plan for Duvall Urban Growth Area and adjacent drainage area (Adopted on September 15, 2015). The City is also completing a watershed-based Storm and Surface Water Plan update in 2017.

B. By December 1, 2013 Permittees shall notify Ecology in writing which status and trends monitoring option chosen to carry out during the permit term. Duvall selected to participate in the Regional Stormwater Monitoring Program (RSMP) to satisfy this requirement and notified Ecology prior to the deadline.

C. By December 1, 2013 Permittees shall notify Ecology in writing which Stormwater Management Effectiveness option chosen to carry out during permit term. Duvall selected to participate in the RSMP to satisfy this requirement and notified Ecology prior to the deadline.

D. Source Identification and Diagnostic Monitoring: Duvall selected to participate in the RSMP to satisfy this requirement.

Table 6: S8 Monitoring and Assessment Activities

Activity	Status	Schedule Notes
Summarizing monitoring activities in the annual report. Currently, no stormwater sampling or monitoring activities are being completed by the City.	On-going	Required annually
Completing SWMP status and trends monitoring, effectiveness monitoring, and source identification and diagnostic monitoring as part of the Regional Stormwater Monitoring Program		Starting 2014
Stormwater Related Studies	Completed	Watershed Plan adopted in 2015.
Watershed-based Storm and Surface Water Plan Update	On-Going	2016-2017
Summarizing monitoring activities in the annual report	On-going	

S9: Reporting Requirements

The City is complying with the following reporting requirements in accordance with Section S9 of the Permit:

A. The City shall submit an annual report no later than March 31st of each year beginning March 31, 2008.

B. Records related to the Permit and SWMP shall be retained for at least five years.

C. Records related to the Permit and SWMP shall be made available to the public at the Public Works Office during business hours along with electronic and printed copy of the SWMPR

D. Each annual report shall include a copy of the updated SWMPR, Submittal of the Annual Report Form, associated attachments and required documents, and notification of any annexations, incorporations, or jurisdictional boundary changes.

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APPENDIX A: ANNUAL REPORT FORM QUESTIONS (DOE APPENDIX 3)

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CATEGORY	#	QUESTION	ANSWER	ATTACHMENT
General Obligations	1	Attach updated annual Stormwater Management Program Plan (SWMP Plan). (S5.A.2)	Yes. The updated Annual SWMP Plan is attached.	
General Obligations	2	Attach a copy of any annexations, incorporations or boundary changes resulting in an increase or decrease in the Permittee's geographic area of permit coverage during the reporting period per S9.D.5.	There were no annexations or boundary changes in 2016.	see attachment 02_Annexations
General Obligations	3	Implemented an ongoing program to gather, track, and maintain information per S5.A.3, including costs or estimated costs of implementing the SWMP.	Yes. Financial tracking was implemented in the City's Springbrook accounting software program. Program element tracking such as training, public outreach, and IDDE / Spill response is tracked using spreadsheets.	
General Obligations	4	Coordinated among departments within the jurisdiction to eliminate barriers to permit compliance. (S5.A.5.b)	Yes. The Program includes internal coordination mechanisms among City Departments to eliminate barriers to compliance as required by S5.A.5.B. The coordination mechanisms apply to City field work. Project review and management staff include representatives from the Public Works, Engineering, Building, and Planning Departments. Coordination mechanisms include in-house training, coordinated inspection and response, CESCL certification for field staff. and coordinated review and comment of the SWMP and WSMPR.	
Public Outreach	5	Attach description of public education and outreach efforts conducted per S5.C.1.a.i and ii.	The City's program includes education and outreach that is designed to achieve measurable improvements in the specified audience's understanding of stormwater issues and how they can improve stormwater quality. The resulting measurements are used to direct education and outreach resources most effectively, as well as to evaluate changes in adoption of the targeted behaviors. The program prioritizes and targets education and outreach activities to specified audiences to reduce or eliminate behaviors and practices that cause or contribute to adverse stormwater impacts. Education and outreach efforts are prioritized to target the general public, businesses, and homeowners. General Public Education and Outreach activities are presented in the attached table.	see attachment 05_Public Education Tracking
Public Outreach	6	Created stewardship opportunities (or partnered with others) to encourage resident participation in activities such as those described in S5.C.1.b.	Yes. SWMP stewardship opportunities have been created to encourage participation in surface water protection and active incorporation of SWMP principles and goals. General residential stewardship activities such as volunteer plantings are emphasized during public events such as Public Works Day, Earth Day, and other public educational events. A partnership between the City and the Riverview School District has developed to complete stormwater educational activities for elementary school children. Stewardship is also encouraged through interaction and volunteer planting / maintenance parties and storm drain marking with the Boy Scouts of America, Riverview School District students, and citizens that are required to complete volunteer service hours.	
Public Outreach	7	Used results of measuring the understanding and adoption of targeted behaviors among at least one audience in at least one subject area to direct education and outreach resources and evaluate changes in adoption of targeted behaviors. (Required no later than February 2, 2016, S5.C.1.b)	In August of 2012, the City of Duvall and six other Puget Sound cities participated in a regional study to assess understanding and adoption of targeted stormwater behaviors. The study was completed by Hebert Research, Inc. to measures the Duvall-specific and regional public stormwater knowledge and practices. The 2012 study was based on a similar study in Duvall completed by Hebert Research, Inc., in 2009. Comparing the results of the two studies provides a statistical basis for measuring the understanding and adoption of the targeted behaviors. These results are currently used by Duvall to select target behaviors, measure change in targeted behaviors, and revise and direct education and outreach resources to best improve the targeted behaviors. An additional study is planned in 2017 or 2018 to continue the long-term evaluation of targeted behaviors. Hebert Survey Report available online:	http://www.duvallwa.gov/DocumentCenter/Home/View/339
Public Outreach	7b	Attach description of how this requirement was met.	The results of the Hebert Research, Inc., studies are currently used by Duvall to select target behaviors, measure change in targeted behaviors, and revise and direct education and outreach resources to best improve the targeted behaviors. Hebert Survey Report available online	http://www.duvallwa.gov/DocumentCenter/Home/View/339

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CATEGORY	#	QUESTION	ANSWER	ATTACHMENT
Public Outreach	8	Describe the opportunities created for the public to participate in the decision making processes involving the development, implementation and updates of the Permittee's SWMP. (S5.C.2.a)	The City provide opportunities for public involvement through public hearings, stewardship programs, and environmental activities.	
Public Outreach	9	Posted the updated SWMP Plan and latest annual report on your website no later than May 31. (S5.C.2.b)	Yes the annual SWMP is posted to the city's website no later than May 31 and is also available for review at City Hall and the Permit Center.	
Public Outreach	9b	List the website address.	http://www.duvallwa.gov/159/Stormwater-System-Information	
IDDE	10	Maintained a map of the MS4 including the requirements listed in S5.C.3.a.i.-vi.	Yes a storm drainage map of the City is being maintained as part of the GIS based mapping program. Updating the map continues as needed.	
IDDE	11	Implemented a compliance strategy, including informal compliance actions as well as enforcement provisions of the regulatory mechanism described in S5.C.3.b. (S5.C.3.b.v)	Yes. Ordinance 1090 was adopted August 13, 2009. The ordinance will be revised and adopted to meet the February 2, 2018 deadline.	
IDDE	12	Updated, if necessary, the regulatory mechanism to effectively prohibit illicit discharges into the MS4 per S5.C.3.b.vi. (Required no later than February 2, 2018)	The ordinance will be revised and adopted to meet updated permit requirements no later than the February 2, 2018.	
IDDE	12b	Cite the Prohibited Discharges code reference	DMC 9.06.035 - Illicit discharge detection and elimination.	
IDDE	13	Implemented procedures for conducting illicit discharge investigations in accordance with S5.C.3.c.i.	Yes. Illicit discharge investigating and field screening will be completed in accordance with the document titled "Illicit Discharge Detection and Elimination: A Guidance Manual for Program Development and Technical Assessments" (Center for Watershed Protection, October 2004) or another methodology of comparable or improved effectiveness.	
IDDE	13b	Cite methodology	Illicit discharge investigating and field screening will be completed in accordance with the document titled "Illicit Discharge Detection and Elimination: A Guidance Manual for Program Development and Technical Assessments" (Center for Watershed Protection, October 2004) or another methodology of comparable or improved effectiveness. The City will complete screening of 40 percent of the MS4 by the December 31, 2017 compliance date and 12 percent of the MS4 each year after the compliance date.	
IDDE	14	Percentage of MS4 coverage area screened in reporting year per S5.C.3.c.i. (Required to screen 40% of MS4 no later than December 31, 2017 (except no later than June 30, 2018 for the City of Aberdeen) and 12% on average each year thereafter. (S5.C.3)	Approximately 57% based on inspections completed as part of the annual catch basin inspection and cleaning program. The City is tracking the coverage area to insure that at a minimum 40% is screened by 12/31/17.	Percent needs to be updated with 2016 number
IDDE	15	List the hotline telephone number for public reporting of spills and other illicit discharges. (S5.C.3.c.ii)	425.939.8042, 425.419.3748 (after hours, Emergency Only). Non-emergency information may also be sent to stormwater@duvallwa.gov.	
IDDE	15b	Number of hotline calls received.	1	
IDDE	16	Implemented an ongoing illicit discharge training program for all municipal field staff per S5.C.3.c.iii.	Yes. All public works maintenance staff are trained yearly on illicit discharges and response methods.	
IDDE	17	Informed public employees, businesses, and the general public of hazards associated with illicit discharges and improper disposal of waste. (S5.C.3.c.iv)	Yes	
IDDE	17b	Describe the information sharing actions. (S5.C.3.c.iv)	The public is educated through articles in the city's monthly newsletter and postings on the city NPDES web page. In addition, all public works staff are trained yearly on illicit discharges and response methods.	
IDDE	18	Implemented an ongoing program to characterize, trace, and eliminate illicit discharges into the MS4 per S5.C.3.d.	Yes. Included in "Illicit Discharge Detection and Elimination Program" summarized in Appendix D of SWMPR.	
IDDE	19	Number of illicit discharges, including illicit connections, eliminated during the reporting year. (S5.C.3.d.iv)	6 spills, no illicit connections.	
IDDE	20	Attach a summary of actions taken to characterize, trace and eliminate each illicit discharge found by or reported to the permittee. For each illicit discharge, include a description of actions according to required timeline per S5.C.3.d.iv		See 20_IDDE_Summary of Actions, Appendix C of this Report
IDDE	21	Municipal illicit discharge detection staff are trained to conduct illicit discharge detection and elimination activities as described in S5.C.3.e.	Yes. All public works maintenance staff are trained yearly on illicit discharges and response methods.	
Runoff Controls	22	Implemented an ordinance or other enforceable mechanism to address runoff from new development, redevelopment and construction sites per the requirements of S5.C.4.a.	Yes. Ordinance 1090 was adopted August 13, 2009. The ordinance will be revised and adopted to meet updated permit requirements no later than the December 31, 2016 deadline.	
Runoff Controls	23	Revised ordinance or other enforceable mechanism to effectively address runoff from new development, redevelopment and construction sites per the requirements of S5.C.4.a.i-iii. (Required no later than December 31, 2016, except no later than June 30, 2017 for Permittees in Lewis and Cowlitz counties, and no later than June 30, 2018 for the City of Aberdeen)	Ordinance No. 1214 (February 21, 2017) titled "An ordinance of the City of Duvall, Washington, Repealing and Reinstating Chapter 9.06 of the Duvall Municipal Code, "Storm Drainage Utility;" Providing for Severability; and Establishing an Effective Date"	

CATEGORY	#	QUESTION	ANSWER	ATTACHMENT
Runoff Controls	23b	Cite code reference for revised ordinance or other enforceable mechanism to address runoff from new development, redevelopment and construction sites.	Duvall Municipal Code 9.06	
Runoff Controls	24	Number of exceptions granted to the minimum requirements in Appendix 1. (S5.C.4.a.i., and Section 6 of Appendix 1)	0. No exceptions were granted.	
Runoff Controls	25	Number of variances granted to the minimum requirements in Appendix 1. (S5.C.4.a.i., and Section 6 of Appendix 1)	0. No variances were granted.	
Runoff Controls	26	Reviewed Stormwater Site Plans for all proposed development activities that meet the thresholds adopted pursuant to S5.C.4.a.i. (S5.C.4.b.i)	Yes. Site plan review is a part of the existing process.	
Runoff Controls	26b	Number of site plans reviewed during the reporting period.	Approximately 42 (North hill, Bowe Court, Hower Hill, Allen Street Village, Cherry Valley Village, Willow Ridge Lot 21, Main Street Project, Big Rock Ballfield Project, 34 building permits)	
Runoff Controls	27	Inspected, prior to clearing and construction, permitted development sites that have a high potential for sediment transport as determined through plan review based on definitions and requirements in Appendix 7 Determining Construction Site Sediment Damage Potential, or alternatively, inspected all construction sites meeting the minimum thresholds adopted pursuant to S5.C.4.a.i. (S5.C.4.b.ii)	Yes. Inspections required during construction at all development sites as part of existing permitting and construction process.	
Runoff Controls	27b	Number of construction sites inspected per S5.C.4.b.ii.	Approximately 41 (North Hill, Bowe Court, Hower Hill, Allen Street Village, Cherry Valley Village, Willow Ridge Lot 21, Main Street Project, 34 building permits)	
Runoff Controls	28	Inspected permitted development sites during construction to verify proper installation and maintenance of required erosion and sediment controls. (S5.C.4.b.iii)	Yes. Inspections required during construction at all development sites as part of existing permitting and construction process.	
Runoff Controls	28b	Number of construction sites inspected per S5.C.4.b.iii.	Approximately 41 (North Hill, Bowe Court, Hower Hill, Allen Street Village, Cherry Valley Village, Willow Ridge Lot 21, Main Street Project, 34 building permits)	
Runoff Controls	29	Number of enforcement actions taken during the reporting period (based on construction phase inspections at new development and redevelopment projects). (S5.C.4.b.ii, iii and v)	0	
Runoff Controls	30	Inspected all permitted development sites that meet the thresholds in S5.C.4.a.i upon completion of construction and prior to final approval or occupancy to ensure proper installation of permanent stormwater facilities. (S5.C.4.b.iv)	Yes. Final inspection required at all development sites prior to final approval as part of existing permitting and construction approximately 35 (Hower Hill, 34 building permits)process.	
Runoff Controls	31	Achieved at least 80% of scheduled construction-related inspections. (S5.C.4.b.ii-iv)	Yes	
Runoff Controls	32	Verified a maintenance plan is completed and responsibility for maintenance is assigned for projects. (S5.C.4.b.iv)	Yes. Maintenance plan required at all development sites prior to final approval as part of existing permitting and construction process.	
Runoff Controls	33	Implemented provisions to verify adequate long-term operation and maintenance (O&M) of stormwater treatment and flow control BMPs/facilities that are permitted and constructed pursuant to S5.C.4. a and b. (S5.C.4.c)	Yes. Included in "Program to Control Runoff from New Development, Re-Development and Construction Sites" summarized in Appendix E of SWMPR.	
Runoff Controls	34	Updated provisions to verify long-term operation and maintenance of stormwater treatment and flow control BMPs/facilities that are permitted pursuant to S5.C.4.a and b. (Required no later than December 31, 2016, except no later than June 30, 2017 for Permittees in Lewis and Cowlitz counties, and no later than June 30 2018 for the City of Aberdeen, S5.C.4.c.i and ii	Yes, as presented in Duvall Municipal Code 9.06 as adopted in Ordinance No. 1214 (February 21, 2017), titled "An ordinance of the City of Duvall, Washington, Repealing and Reinstating Chapter 9.06 of the Duvall Municipal Code, "Storm Drainage Utility;" Providing for Severability; and Establishing an Effective Date"	
Runoff Controls	35	Annually inspected stormwater treatment and flow control BMPs/facilities per S5.C.4.c.iii.	Yes	
Runoff Controls	35b	If using reduced inspection frequency for the first time during this permit cycle, attach documentation per S5.C.4.c.iii	No reduced inspection frequency at this time.	
Runoff Controls	36	Inspected new residential stormwater treatment and flow control BMPs/facilities and catch basins every 6 months per S5.C.4.c.iv to identify maintenance needs and enforce compliance with maintenance standards.	Yes. Final inspection required at all development sites prior to final approval and as part of performance and maintenance bond inspections as part of existing permitting and construction process. Approximately 40 (North Hill, Bowe Court, Hower Hill, Allen Street Village, Cherry Valley Village, Willow Ridge Lot 21, 34 building permits)	
Runoff Controls	37	Achieved at least 80% of scheduled inspections to verify adequate long-term O&M. (S5.C4.c.v)	Yes	
Runoff Controls	38	Verified that maintenance was performed per the schedule in S5.C.4.c.vi when an inspection identified an exceedance of the maintenance standard.	Yes. Annual maintenance completed at all facilities as needed to meet maintenance standards.	
Runoff Controls	38b	Attach documentation of any maintenance delays. (S5.C.4.c.vi)	Not applicable. No delays.	See attachment 38b_Maintenance Delays
Runoff Controls	39	Provided copies of the Notice of Intent for Construction Activity and Notice of Intent for Industrial Activity to representatives of proposed new development and redevelopment. (S5.C.4.d)	Yes. Link to NOI provided on city's NPDES webpage and provided, if requested, during the permitting process.	

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CATEGORY	#	QUESTION	ANSWER	ATTACHMENT
Runoff Controls	40	All staff responsible for implementing the program to control stormwater runoff from new development, redevelopment, and construction sites, including permitting, plan review, construction site inspections, and enforcement are trained to conduct these activities. (S5.C.4.e)	Yes. IDDE and TESC Training (8), CESCL Erosion & Sediment Control & Inspection (2)	
Runoff Controls	41	Reviewed, revised and made effective the low impact development-related enforceable documents per S5.C.4.f.i. (Required by December 31, 2016, except by June 30, 2017 for Permittees in Lewis and Cowlitz counties, and by June 30, 2018 for the City of Aberdeen)	Yes, as presented in Duvall Municipal Code 9.06 as adopted in Ordinance No. 1214 (February 21, 2017), titled "An ordinance of the City of Duvall, Washington, Repealing and Reinstating Chapter 9.06 of the Duvall Municipal Code, "Storm Drainage Utility;" Providing for Severability; and Establishing an Effective Date"	
Runoff Controls	41b	Attach a summary of the LID review and revision process that includes the requirements listed in S5.C.4.f.ii. (Required with annual report due no later than March 31, 2017, except no later than March 31, 2018 for Permittees in Lewis and Cowlitz counties, and with the Fifth Year annual report for the City of Aberdeen)	Yes, see attached summary letter.	Pending- LAG
Runoff Controls	42	Participated and cooperated with the watershed-scale stormwater planning process led by a Phase I county. (S5.C.4.g)	Not applicable to Duvall per note 25 (Page 31 of 74) of the Permit. However, the City of Duvall completed a Watershed Plan for Duvall Urban Growth Area and adjacent drainage area (Adopted on September 15, 2015). The City is also completing a watershed-based Storm and Surface Water Plan update in 2017.	
O & M	43	Updated and implemented maintenance standards as protective, or more protective, of facility function as those specified in Chapter 4 of Volume V of the Stormwater Management Manual for Western Washington (as amended 2014). (Required no later than December 31, 2016, except no later than June 30, 2017 for Permittees in Lewis and Cowlitz counties, and no later than June 30, 2018 for the City of Aberdeen, S5.C.5.a).	Yes. Adopted 2016 KCSWDM, associated maintenance standards, and Technical Appendix 1 of the NPDES Phase II Permit for Western Washington as presented in Duvall Municipal Code 9.06 as adopted in Ordinance No. 1214 (February 21, 2017), titled "An ordinance of the City of Duvall, Washington, Repealing and Reinstating Chapter 9.06 of the Duvall Municipal Code, "Storm Drainage Utility;" Providing for Severability; and Establishing an Effective Date"	
O & M	44	Applied a maintenance standard that is not specified in the Stormwater Management Manual for Western Washington.	No. No non-specified maintenance standards were used.	
O & M	44b	Please note what kinds of facilities are covered by this alternative maintenance standard. (S5.C.5.a)	No. No non-specified maintenance standards were used.	
O & M	45	Performed timely maintenance per S5.C.5.a.ii.	Yes. Inspections completed at all facilities at this time.	
O & M	46	Annually inspected all municipally owned or operated permanent stormwater treatment and flow control BMPs/facilities. (S5.C.5.b)	Yes. Inspections completed at all facilities at this time.	
O & M	46b	Number of known municipally owned or operated stormwater treatment and flow control BMPs/facilities. (S5.C.5.b)	125	
O & M	46c	Number of facilities inspected during the reporting period. (S5.C.5.b)	121	
O & M	46d	Number of facilities for which maintenance was performed during the reporting period. (S5.C.5.b)	38	
O & M	47	If using reduced inspection frequency for the first time during this permit cycle, attach documentation per S5.C.5.b.	No reduced inspection frequency at this time.	
O & M	48	Conducted spot checks and inspections (if necessary) of potentially damaged stormwater facilities after major storms as per S5.C.5.c.	Yes. Spot checks and inspections were conducted as needed and as outlined in the "Operations and Maintenance Program to Prevent or Reduce Runoff from Municipal Operations" summarized in Appendix E of SWMPR.	
O & M	49	Inspected all municipally owned or operated catch basins and inlets as per S5.C.5.d, or used an alternative approach. (Required once no later than August 1, 2017 and every two years thereafter, except once no later than June 30, 2018 and every two years thereafter for the City of Aberdeen)	Yes. Catch basins are inspected on schedule and according to the "Operations and Maintenance Program to Prevent or Reduce Runoff from Municipal Operations" summarized in Appendix E of SWMPR.	
O & M	49b	Number of known catch basins.	1890	
O & M	49c	Number of catch basins inspected during the reporting period.		
O & M	49d	Number of catch basins cleaned during the reporting period.		
O & M	50	Attach documentation of alternative catch basin cleaning approach, if used. (S5.C.5.d.i or ii)	Not Applicable. No alternative catch basin cleaning approach was used.	See attachment 50_Alternative CB Cleaning
O & M	51	Implemented practices, policies and procedures to reduce stormwater impacts associated with runoff from all lands owned or maintained by the Permittee, and road maintenance activities under the functional control of the Permittee. (S5.C.5.f)	Yes. Stormwater runoff impacts are managed as outlined in "Operations and Maintenance Program to Prevent or Reduce Runoff from Municipal Operations" summarized in Appendix E of SWMPR.	

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CATEGORY	#	QUESTION	ANSWER	ATTACHMENT
O & M	52	Implemented an ongoing training program for Permittee employees whose primary construction, operations or maintenance job functions may impact stormwater quality. (S5.C.5.g.)	Yes. Training program implemented for all employees involved with construction, operations and maintenance functions. 8 employees attended training for IDDE/TESC and 2 employees attended CESCL Erosion and Sediment Control and Inspection training and certification	
O & M	53	Implemented a Stormwater Pollution Prevention Plan for all heavy equipment maintenance or storage yards, and material storage facilities owned or operated by the Permittee in areas subject to this Permit that are not required to have coverage under an NPDES permit that covers stormwater discharges associated with the activity. (S5.C.5.h)	Yes. Implemented as summarized in the "City of Duvall Stormwater Pollution Prevention Plan, Heavy Equipment Maintenance, Storage Yards, and Material Storage Facilities".	http://www.duvallwa.gov/DocumentCenter/Home/View/343
TMDL	54	Complied with the Total Maximum Daily Load (TMDL)-specific requirements identified in Appendix 2. (S7.A)	Not applicable. There are no TMDLs listed in Appendix 2 of the Permit.	
TMDL	55	For TMDLs listed in Appendix 2: Attach a summary of relevant SWMP and Appendix 2 activities to address the applicable TMDL parameter(s). (S7.A)	Not applicable. There are no TMDLs listed in Appendix 2 of the Permit.	See attachment 55_Summary TMDL
Monitoring	56	Attach a description of any stormwater monitoring or stormwater-related studies as described in S8.A.	No City of Duvall independent stormwater studies were completed in 2016. However, the City of Duvall completed a Watershed Plan for Duvall Urban Growth Area and adjacent drainage area (Adopted on September 15, 2015). The City is also completing a watershed-based Storm and Surface Water Plan update in 2017.	See attachment 56_Stormwater Monitoring
Monitoring	57	Participated in cost-sharing for the regional stormwater monitoring program (RSMP) for status and trends monitoring. (S8.B.1)	Yes	
Monitoring	57B	If choosing to conduct individual status and trends monitoring, attach an annual stormwater monitoring report in accordance with S8.B.2. (Required to submit reports beginning March 31, 2016)	NA. No City of Duvall individual status and trends monitoring was completed in 2016.	See attachment 57b_Individual Status and Trends Monitoring
Monitoring	58	Participated in cost-sharing for the regional stormwater monitoring program (RSMP) for effectiveness studies. (S8.C.1) (Required to begin no later than August 15, 2014)	Yes	
Monitoring	58b	If choosing to conduct discharge monitoring, attach an annual stormwater monitoring report in accordance with S8.C.2 and Appendix 9. (Required to submit reports beginning March 31, 2016)	NA. The City of Duvall did not choose to conduct discharge monoitoring in 2016.	See attachment 58b_Discharge Monitoring
Monitoring	59	Contributed to the RSMP for source identification and diagnostic monitoring information repository in accordance with S8.D.1. (Required to begin no later than August 15, 2014)	Yes	
Monitoring	60	Notified Ecology in accordance with G3 of any discharge into or from the Permittees MS4 which could constitute a threat to human health, welfare or the environment. (G3)	No information to report.	
General Obligations 2	61	Number of G3 notifications provided to Ecology.	No information to report.	
General Obligations 2	62	Took appropriate action to correct or minimize the threat to human health, welfare, and/or the environment per G3.A.	No action required.	
General Obligations 2	63	Notified Ecology within 30 days of becoming aware that a discharge from the Permittee's MS4 caused or contributed to a known or likely violation of water quality standards in the receiving water. (S4.F.1)	No information to report.	
General Obligations 2	64	If requested, submitted an Adaptive Management Response report in accordance with S4.F.3.a.	No report required.	
General Obligations 2	65	Attach a summary of the status of implementation of any actions taken pursuant to S4.F.3 and the status of any monitoring, assessment, or evaluation efforts conducted during the reporting period. (S4.F.3.d)	No information to report.	See attachment 65_Summary of Monitoring
General Obligations 2	66	Notified Ecology of the failure to comply with the permit terms and conditions within 30 days of becoming aware of the non-compliance. (G20)	See attachment _December 29, 2016 G20 Non-Compliance Notification. City became compliant as adopted in Ordinance No. 1214 (February 21, 2017), titled "An ordinance of the City of Duvall, Washington, Repealing and Reinstating Chapter 9.06 of the Duvall Municipal Code, "Storm Drainage Utility;" Providing for Severability; and Establishing an Effective Date"	See attachment _December 29, 2016 G20 Non-Compliance Notification
General Obligations 2	67	Number of non-compliance notifications (G20) provided in reporting year.	One	
General Obligations 2	67b	List the permit conditions described in non-compliance notification(s).	NPDES Permit Sections C.4.a-f and C.5.a. City became compliant as adopted in Ordinance No. 1214 (February 21, 2017), titled "An ordinance of the City of Duvall, Washington, Repealing and Reinstating Chapter 9.06 of the Duvall Municipal Code, "Storm Drainage Utility;" Providing for Severability; and Establishing an Effective Date"	

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2. Attach a copy of any annexations, incorporations or boundary changes resulting in an increase or decrease in the Permittee's geographic area of permit coverage during the reporting period per S9.D.5.

There were no annexations or boundary changes in 2016.

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DATE	DESCRIPTION	COMMENTS
2/1/2016	Local Household Battery Recycling article in City Newsletter	
2/25/2016	Public Notice regarding SWMP Annual Report Public Hearing	
2/25/2016	Draft SWMP Annual Report posted to website, one copy at City Hall and one copy at Public Works	
3/1/2016	Public Hearing for Annual Stormwater Report	no comments received
3/3/2016	Dog Bone Dispensers to Public Works - 10	
3/22/2016	Cherry Valley Elementary 1st Grade Storm education	Reach approx 75 students, 4 teachers
4/23/2016	Earth Day and Arbor Day Festival	165 registered in drawing, approx 250 attendees.
4/26/2016	PSSH Coffee Sleeves delivered to CCs Espresso	
5/1/2016	PSSH Game Night Notice in City Newsletter, Kiosk, website and FB	
5/25/2016	4th grade Storm and Science Education	approx 90 students, 4 teachers
6/1/2016	4th Grade Storm education field trip	approx 25 students, 2 teachers, 4 volunteers
6/30/2016	Dog Bone Dispensers to City Hall - 30	
7/1/2016	Dog Bone Dispensers to Public Works - 15	
7/23/2016	Special Recycle Collection Event	
8/6/2016	Public Works at National Night Out Against Crime, stormwater information / education provided	
8/6/2016	48 Chinook Book cards distributed	
9/9/2016	Chinook Book / Stormwater Survey posted to FB	
9/13/206	12 Chinook Book Cards distributed for completion of Survey	
9/15/2016	~100 Chinook Book cards distributed to RVSD Teachers	
9/18/2016	Chinook Book / Stormwater Survey posted to FB	
9/26/2016	Salmon returning info posted on FB	
10/1/2016	Hazardous Waste Event Notice in City Newsletter	
10/7/2016	stormwater information video posted to FB	
12/22/2016	Fee Auto Leaks workshops info posted on FB	
1/1/16-5/16/16	Healthy Water Healthy Soil, WS Dynamics Enviroscape Classes at Cherry Valley Elementary	192 2nd graders

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Illicit Discharge Summary

Date	Discharge Incident Address / Location	Discharge Incident Description and Response to Trace and Eliminate Discharge	Characterize Discharge				Compliance with Timeline per S5.C.3.d.iv				Hotline? 425-649-7000
			IDDE/IC	Type of Spill	Emergency / Hazmat Spill	Non-Emergency Discharge	Notification to DOE within 24 hours	Investigated within 7 Days	Investigated IC within 21 Days	Eliminated IC within 6 Months	
1/25/2016	14525 Main Street NE	Approximately 10 gallons of unleaded gasoline was spilled during fuel tank filling at the Public Works Facility at approximately 10:30 am. Fueling was being completed by private fueling company and spill was almost entirely contiained within the spill containment pad. Fuel was immediately cleaned up by the contractor using absorbant pads and then area sprayed with Microblaze. No fuel reached the storm system. Absorbant pads were removed for disposal by the private contractor.	IDDE	Fuel Spill	NA	X	NA	NA	NA	NA	N
3/17/2016	16011 Main Street NE	Approximately 5 to 10 gallons of milky white water accumulation was observed by Public Works Staff within the Park-and-Ride parking lot immediately south of the property at 16011 Main Street NE. BEB repsonded and observed that the water appeared to have originated from a 1.5-inch to 2-inch diameter PVC pipe at the property line that appeared to orginate at a catch basin/pressure wash station on the subject property. Contacted property owner and discussed options to remove any off-site discharge. Property owner is working to install a water-recycling system (closed system, no discharge) for pressure washer. City to follow up.	IDDE	Discharge of turbid water	NA	X	NA	NA	NA	NA	N
4/1/2016	North Hill Development	Complaint of construction sediment/impacts from property owner north of Cherry Valley Road (see emails at: \\file01\publicworksrepository$\DATA\Public Works\Residential\PPA13-001 North Hill\Engineering\DOE Complaint). BEB visited site and observed that no construction has occured since site was stabilized in 2014. Sent photo of stabilized site to DOE. No action from City of Duvall required at this time.	IDDE	Construction Sediment/impact	X	NA	ERTS 663998				Y
4/15/2016	14328 278th Ave NE	14:30, Jim Bobin (425-420-1703 desk) North Sound Route Manager from WM called to report spill. Spill measure approx 4' x 6' and was cleaned up imediatley by WM. BEB visited the site and observed slight remaining staining of pavment. PW crew responded with MicroBlze to provide additonal cleanup.	IDDE	Waste management truck: hydraulic hoze failure	NA	X	NA	NA	NA	NA	N

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Date	Discharge Incident Address / Location	Discharge Incident Description and Response to Trace and Eliminate Discharge	Characterize Discharge				Compliance with Timeline per S5.C.3.d.iv				Hotline? 425-649-7000
			IDDE/IC	Type of Spill	Emergency / Hazmat Spill	Non-Emergency Discharge	Notification to DOE within 24 hours	Investigated within 7 Days	Investigated IC within 21 Days	Eliminated IC within 6 Months	
5/20/2016	SR-203 at Virginia	A spill on SR-203 was reported today just after 2pm. The spill appears to be diesel fuel, and is a 1' to 2' wide continuous spill. The spill appears to have originated near the River Road/Woodinville-Duvall Road intersection within Unincorporated King County, extended east on Woodinville-Duvall Road to SR-203 within City Limits, and then extended north on SR-203 outside of City limits. Staff responded immediately following our spill prevention protocol: Staff responded immediately following our spill prevention protocol: City Hall notified PW superintendent, PW supervisor, and Police Department; City Hall notified WSDOT, WSDOT notified State Patrol. It is our understanding that WSDOT notified the Department of Ecology. Staff follwed up with King County Roads; PW crew mobilized immediately and commenced to place absorbant and Micro-Blaze (Microbial spill control) with traffic control provided by Police Department. Micro-Blaze remediates petroleum products, absorbant absorbs petroleum products and provided traction control; PW superintendent and City Engineer followed up with WSDOT maintenance. WSDOT plans to respond; PW Crew will continue to clean/treat spill within City Limits to address safety/environmental impacts.	IDDE	Fuel Spill	WSDOT Reported	X	NA	NA	NA	NA	NA
12/2/2016	SR-203 at NE 145th St	PW staff present during trench excavation for installation of new 18" storm pipe, contractor hit and broke the 8" sewer main that runs down NE 145th St. to the WWTP. Excavation was stopped and flow was diverted from the trench to the westside of SR-203 SSMH using one 2" pump and one 4" pump. Excavation resumed to investigate sewer main and remove debris from the pipe. Once the concrete sewer pipe was exposed and debris were removed flow resumed to the down stream MH. City staff provided the 10" steel repair sleeve, and the contractor cut the bell joint section out and installed the 10" steel sleeve. The repair holds with not leaks. ~1.5 hour response time. Discharge was not considered an immediate threat, but will be reported to DOE once the city engineer is notified.	IDDE	Sewer Main	NA	X	NA	NA	NA	NA	N

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38b. Attach documentation of any maintenance delays. (S5.C.4.c.vi)

Not Applicable. No delays.

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S5.C.5.b If using reduced inspection frequency for the first time during this permit cycle, attach documentation per S5.C.5.b.

Not Applicable. No reduced inspection frequency at this time.

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S5.C.5.d.i-ii Attach documentation of alternative catch basin cleaning approach, if used. (S5.C.5.d.i or ii)

Not Applicable. No alternative catch basin cleaning approach was used.

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55. S7.A For TMDLs listed in Appendix 2: Attach a summary of relevant SWMP and Appendix 2 activities to address the applicable TMDL parameter(s). (S7.A)

Not applicable. There are no TMDLs listed in Appendix 2 of the Permit.

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56. Attach a description of any stormwater monitoring or stormwater-related studies as described in S8.A.

No City of Duvall independent stormwater studies were completed in 2016. The City of Duvall is undertaking a Watershed Plan for Duvall Urban Growth Area and adjacent drainage area with an expected winter 2015/2016 adoption date. The Watershed Plan includes an LID analysis.

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57b. If choosing to conduct individual status and trends monitoring, attach an annual stormwater monitoring report in accordance with S8.B.2. (Required to submit reports beginning March 31, 2016)

No City of Duvall individual status and trends monitoring was completed in 2016.

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58b. If choosing to conduct discharge monitoring, attach an annual stormwater monitoring report in accordance with S8.C.2 and Appendix 9. (Required to submit reports beginning March 31, 2016

No City of Duvall discharge monitoring was completed in 2016.

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65. Attach a summary of the status of implementation of any actions taken pursuant to S4.F.3 and the status of any monitoring, assessment, or evaluation efforts conducted during the reporting period. (S4.F.3.d)

No information to report.

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December 29, 2016

Rachel McCrea, Municipal Stormwater Specialist
Department of Ecology NWRO
rmcc461@ECY.WA.GOV

RE: City of Duvall, G20 Non-Compliance Notification

The City of Duvall has an active Stormwater Management Program (SWMP) and strives to comply with all requirements of the Western Washington Phase II NPDES Permit. Unfortunately, the City was unable to comply with the following requirements by the December 31, 2016 deadline due to extended outside agency review time:

1. NPDES Permit Section C.4.a-f: Implement an Ordinance or other enforceable mechanism that addresses runoff from new development, redevelopment, and construction site projects. Staff was unable to complete the requirement because of extended outside agency review time as summarized below:
    a. 2014 to present: Staff required compliance with this requirement in accordance with existing language in Duvall Municipal Code (DMC) Section 9.06.
    b. August/September/October 2016: Staff prepared and processed DMC updates to specifically address this requirement with the intent to adopt prior to the 2016 deadline (see attached draft DMC 9.06 revisions).
    c. October/November 2016: Staff was informed that the DMC revisions were to be considered "development regulations" and that revision were to be reviewed by the Washington State Department of Commerce (Commerce). Staff submitted the language to Commerce with completion of Commerce review anticipated by the end of January 2017.
    d. Staff anticipates adoption of the DMC updates to fully address this requirement by March 2017.

2. NPDES Permit Section C.5.a: Revise Operation and Maintenance standards to comply with revised manual/ code standards. Staff was unable to complete the requirement because of extended outside agency review time as summarized below:
    a. 2014 to present: Staff required compliance with this requirement in accordance with existing language in Duvall Municipal Code (DMC) Section 9.06 and existing SWMP requirements.

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b. August/September/October 2016: Staff prepared and processed DMC updates to specifically address this requirement with the intent to adopt prior to the 2016 deadline.
c. October/November 2016: Staff was informed that the DMC revisions were to be considered "development regulations" and that revision were to be reviewed by the Washington State Department of Commerce (Commerce). Staff submitted the language to Commerce with completion of Commerce review anticipated by the end of January 2017.
d. Staff anticipates adoption of the DMC updates to fully address this requirement by March 2017.

We look forward to fully complying with the stated requirements summarized above. Please call me at (425) 939-8042 if you have any questions.

Sincerely,

Boyd E. Benson, PE, LEG
City Engineer/Interim Public Works Director

cc: File

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APPENDIX B: LOW IMPACT DEVELOPMENT (LID)

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LOW IMPACT DEVELOPMENT (LID)

Introduction

In accordance with Section S5.C.4 of the Permit, each permittee is responsible for evaluating the use of Low Impact Development (LID) measures. LID is a planning and engineering stormwater management approach applied at the parcel and subdivision scale that emphasizes conservation and use of on-site natural features integrated with engineered, small-scale hydrologic controls to more closely mimic pre-development hydrologic functions. The City will comply with the S5.C.4.f LID code-related updates including:

i. No later than December 31, 2016 Permittees shall review, revise and make effective their local development-related codes, rules, standards, or other enforceable documents to incorporate and require LID principles and LID BMPs. The City adopted Stormwater Ordinance 1214 on February 21, 2017 to address this requirement. Ordinance 1214 was adopted after the December 31, 2016 deadline as summarized in the G20 Non-Compliance Notification sent to the Department of Ecology on December 29, 2016.

ii. Each Permittee shall submit a summary of the results of the review and revision process in (i) above with the annual report due no later than March 31, 2017. The City will submit the summary prior to the March 31, 2017 deadline. The City submitted the summary as required (see Appendix A).

The City of Duvall (City) supports the use of LID measures and requires evaluation and incorporation of the Low Impact Development Performance Standards contained in Section 4.5 of Permit Appendix 1, Minimum Technical Requirements for New Development and Redevelopment. The City uses the 2016 King County Surface Water Design Manual (KCSWDM, or as updated) to evaluate required stormwater improvements for development activities on the parcel and subdivision scale. The KCSWDM requires matching developed stormwater run-off to particular pre-development flow conditions. The KCSWDM also encourages LID practices by awarding design credits that allow for the downsizing of flow control facilities required under King County's Core Requirement #3, Flow Control. The credits allow the designer to assume conditions that produce less runoff, thereby requiring smaller facilities. The City also requires compliance with LID requirements within Appendix 1 of the NPDES Permit.

The City's goal is to promote the use of LID measures for all development projects. This goal is being pursued by identifying, promoting and measuring LID use during the development design and permitting process. However, because of financial, physical and geotechnical constraints, there is no plan to require implementation of non-structural and LID techniques on a broader scale in the future beyond what is required in the KCSWDM or by Section 4.5 of Permit Appendix 1.

LID Practices that are currently available

All LID practices identified in Section 4.5 of Permit Appendix 1 and the KCSWDM are currently available for use within the City. Such development practices include:

- Soil Quality and Depth.
- Full dispersion.
- Full infiltration.
- Limited infiltration.
- Basic dispersion.
- Bioretention.
- Rain gardens.
- Permeable pavement (non-grassed).
- Grassed modular grid pavement.
- Rainwater harvesting.
- Vegetated roofs.

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- Wheel strip driveways.
- Minimum disturbance foundation.
- Open grid decking over pervious area.
- Native growth retention.
- Perforated pipe connections.
- Others as identified.

The City has also identified potential non-structural actions and LID techniques to reduce stormwater impacts. These actions include:

- Revising the Duvall Municipal Code Section 9.06.125 (Service Charges) in 2011 to provide a stormwater fee discount for non-residential sites utilizing pervious surfacing and on-site stormwater management practices.
- Prioritization of resources for cleaning streets and catch basins.
- Use of check dams and vegetation within open stormwater conveyances.

Possible Future Incentives to Promote LID Practices
The City supports the use of LID practices and has considered potential incentives to promote LID implementation. The City plans to evaluate possible future incentives that could include:

- Providing maximum credits and flexibility for storm water systems as allowed within Section 4.5 of Permit Appendix 1, the KCSWDM, and City codes, standards and requirements.
- Priority permit processing for projects that include LID approaches.
- Adjustments to required landscape components to provide additional area for LID implementation.

Identified Barriers to the use of LID
The City of Duvall identified barriers to the use of LID and provides measures to address each barrier. Several of the more frequently used LID measures are not generally feasible within the City because of local geologic, topographic and hydrologic constraints. The City has identified the following barriers and methods to address each barrier in the following table:

Table B-1: LID Measures, Barriers and Methods

LID Measure	Potential Barrier	Method to Address
Infiltration	- Relatively impermeable till soils	Continue to recommend that developers consider infiltration if suitable soils are present.
Dispersion	- Steep slopes - Lack of vegetated flow path	Continue to recommend that developers consider dispersion if adverse impacts from steep slopes are minimized and vegetated flow paths can be maintained.
Permeable Pavement	- Relatively impermeable till soils - Lack of longevity when compared with standard treatments - Higher maintenance and replacement costs	Continue to recommend that developers consider use of permeable pavements in low impact areas such as parking lots, trails or internal pathways.

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APPENDIX C: ILLICIT DISCHARGE DETECTION AND ELIMINATION PROGRAM (NPDES PHASE II PERMIT SECTION S5.C.3)

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Illicit Discharge Detection and Elimination Program (NPDES Phase II Permit Section S5.C.3)

Summary

This section summarizes the City of Duvall Illicit Discharge Detection and Elimination Program as required by Section S5.C.3 of the NPDES Phase II Permit (Permit).

Program Requirements and Compliance

The City of Duvall Storm Water Management Plan (SWMP) includes an ongoing program to detect and remove illicit connections and discharges as defined in 40 CFR 122.26(b)(2), including any spills not under the purview of another responding authority, into the municipal separate storm sewers owned or operated by the City of Duvall. The following sections summarize the minimum performance measures for the City of Duvall Illicit Discharge Detection and Elimination Program.

Section S5.C.3.a: Development of a Municipal Storm Sewer System Map

A municipal storm sewer system map was developed using the City's Geographic Information System (GIS) database and complies with all of the requirements of Section S5.C.3.a of the NPDES Permit. The map is periodically updated and improved over time.

Section S5.C.3.b: Illicit Discharge Detection and Elimination Ordinance

A City of Duvall Illicit Discharge Detection and Elimination (IDDE) Ordinance was developed and adopted into the Duvall Municipal Code (Section 9.06.35) on August 13, 2009 (Ordinance 1090). The City of Duvall IDDE ordinance effectively prohibits non-stormwater, illicit discharges into the City's municipal separate storm sewer system to the maximum extent allowable under State and Federal law. The Illicit Discharge Detection and Elimination Ordinance complies with all of the requirements of Section S5.C.3.b of the NPDES Permit and will be updated to reflect Permit changes and revisions prior to the February 2, 2018 deadline.

Section S5.C.3.c: Detecting and Addressing Illicit Discharges

The City of Duvall has developed and implemented an ongoing program to detect and address non-stormwater discharges, including spills, and illicit connections into the City's municipal separate storm sewer system. Specific activities are described below.

- S5.C.3.c.i: Procedures for conducting investigations of the MS4 including field screening and methods for identifying potential illicit discharge sources. The City will complete field screening of at least 40% of the MS4 no later than December 31, 2017 as required by the permit.
- S5.C.3.c.ii: The City maintains an IDDE public hotline posted at City Hall and the City's NPDES web page.
- S5.C.3.c.iii: The City implements an on-going IDDE training program as described in Section S5.C.3.e.
- S5.C.3.c.iv: The City of Duvall informs public employees, businesses, and the general public of hazards associated with illegal discharges and improper disposal of waste. Appropriate information is distributed to target audiences identified pursuant to S5.C.1 as part of the City's public outreach and education effort. In addition, a publicly listed and publicized hotline telephone number for public reporting of spills and other illicit discharges has been posted at City Hall, distributed in the City's utility bill newsletter and is posted at the City's website. A record of calls received and follow-up actions taken is documented by the City in accordance with S5.C.3.c.ii and reported in the City's annual report as required by S9 Reporting and Record Keeping Requirements.

Section S5.C.3.d: IDDE Program

The City of Duvall has implemented an ongoing program designed to address illicit discharges including spills and illicit connections. The program includes:

- S5.C.3.d.i: Procedures for characterizing the nature of, and potential public and environmental threat posed by, an illicit discharge.

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- S5.C.3.d.ii: Procedures for tracing the source of an illicit discharge.
- S5.C.3.d.iii: Procedures for eliminating the illicit discharge.
- S5.C.3.d.iv: Compliance with this provision is achieved by investigating (or referring to the appropriate agency) within 7 days, on average, any complaints, reports or monitoring information that indicates a potential illicit discharge, including spills; and immediately investigating (or referring) problems and violations determined to be emergencies or otherwise judged to be urgent or severe. The investigation procedure includes:
  - Evaluation whether the discharge must be immediately contained and steps to be taken to contain and control the discharge. Notify the Department of Ecology Emergency Spill Response hotline (**1-425-649-7000**) and emergency response if required (fire or police, dial **911**).
  - Implement corrective steps to contain and control the discharge.
  - Documentation of the reported or found illicit discharge including: the location and nature of the illicit discharge; complainant or reporting staff; investigatory staff; time, date, weather; description of illicit discharge, description of storm system; storm system map including spill location and impacts; and photographs of the site.
  - Identify source of discharge and contact responsible party. Assist in identifying measures to remove the risk of future illicit discharge and enforce corrective action in accordance with DMC 9.06.35.

Section S5.C.3.e: IDDE Training

The City of Duvall provides appropriate training for municipal field staff on the identification and reporting of illicit discharges. The annual training includes a video presentation describing IDDE identification and response, discussion of illicit discharge and spills identified during the previous 12 months, question and answer session, and lessons learned summary. The City trains all municipal field staff who are responsible for identification of, or might come into contact with or otherwise observe, an illicit discharge. Staff is trained in identification, investigation, termination, cleanup, and reporting illicit discharges including spills and illicit connections. Staff trained includes Public Works Field Staff, Planning Field Staff and Building Department Field Staff. Follow-up training is provided as needed to address changes in procedures, techniques or requirements. The City documents and maintains records of the training provided and the staff trained.

Section S5.C.3.f: Recordkeeping

The City maintains a spreadsheet tracking and recordkeeping system to track all activities conducted to meet the IDDE requirements.

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APPENDIX D: Program to Control Runoff from New Development, Redevelopment, and Construction Sites (NPDES Phase II Permit Section S5.C.4)

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Program to Control Runoff from New Development, Redevelopment, and Construction Sites (NPDES Phase II Permit Section S5.C.4)

Summary

This section summarizes the City of Duvall Program to Control Runoff from New Development, Redevelopment and Construction Sites as required by Section S5.C.4 of the NPDES Phase II Permit.

Program Requirements and Compliance

The City of Duvall Program to Control Runoff from New Development, Redevelopment, and Construction Sites is modeled to comply with the requirements of Section S5.C.4 of the NPDES Phase II Permit. The program applies to private and public development, including roads, and includes the "Technical Thresholds" in Appendix 1 of the Phase II NPDES Permit.

The following sections summarize the minimum performance measures for the City of Duvall Program to Control Runoff from New Development, Redevelopment, and Construction Sites.

Section S5.C.4.a: Runoff from New Development, Redevelopment & Construction

The Duvall Municipal Code (DMC) Section 9.06 (Stormwater Utility) addresses runoff from new development, redevelopment and construction site projects. Specific requirements and activities are described below.

- S5.C.4.a.i Requirement: The Minimum Requirements, technical thresholds, and definitions in Appendix 1 or an equivalent approved by Ecology under the NPDES Phase I Municipal Stormwater Permit, for new development, redevelopment and construction sites.
- S5.C.4.a.i Compliance: The City has adopted the 2016 King County Surface Water Design Manual (KCSWDM) to meet this requirement along with the Low Impact Development Performance Standards contained in Section 4.5 of Permit Appendix 1, Minimum Technical Requirements for New Development and Redevelopment.
- S5.C.4.a.ii Requirement: A site planning process and BMP selection and design criteria that, when used to implement the minimum requirements in Appendix 1 of the Permit will protect water quality, reduce the discharge of pollutants to the maximum extent practicable and satisfy the State requirement under Chapter 90.48 RCW to apply all known, available and reasonable methods of prevention, control and treatment (AKART) prior to discharge.
- S5.C.4.a.ii Compliance: The City has adopted the 2016 KCSWDM to meet this requirement along with the Low Impact Development Performance Standards contained in Section 4.5 of Permit Appendix 1, Minimum Technical Requirements for New Development and Redevelopment.
- S5.C.4.a.iii Requirement: The legal authority, through the approval process for new development, to inspect private stormwater facilities that discharge to the Permittee's MS4.
- S5.C.4.a.iii Compliance: The City requires the right to access, inspect, and approve private stormwater facilities as part of the permitting approval process and for maintenance as described in DMC 9.06.080 (Stormwater Utility, Inspections).

Section S5.C.4.b: Permitting Process

The City of Duvall Stormwater program includes a permitting process with plan review, inspection and enforcement capability to meet the standards listed in (i) through (vi) below, for both private and public projects, using qualified personnel (as defined in *Definitions and Acronyms* in the Phase II NPDES permit). The program applies to private and public development, including roads and includes the "Technical Thresholds" in Appendix 1 of the Phase II NPDES Permit.

Specific requirements and compliance activities are described below.

- S5.C.4.b.i Requirement: Review of all stormwater site plans for proposed development activities.

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- S5.C.4.b.i Compliance: The City reviews all stormwater site plans for proposed development activities as part of the permitting process and as required in DMC 9.06, the 2016 KCSWDM, and the Public Works Development Design Standards.
- S5.C.4.b.ii Requirement: Inspect, prior to clearing and construction, all known development sites that have a high potential for sediment transport as determined through plan review based on definitions and requirements in Appendix 7 Determining Construction Site Sediment Damage Potential.
- S5.C.4.b.ii Compliance: The City inspects all permitted development sites that have a high potential for sediment transport as determined through plan review based on definitions and requirements in Appendix 7 Determining Construction Site Sediment Damage Potential. Pre-clearing inspection and documentation is completed by the Public Works Inspector for all permitted development sites.
- S5.C.4.b.iii Requirement: Inspect all known permitted development sites during construction to verify proper installation and maintenance of required erosion and sediment controls. Enforce as necessary based on the inspection.
- S5.C.4.b.iii Compliance: The City inspects all permitted development sites to verify proper installation and maintenance of required erosion and sediment controls in accordance with DMC 9.06.060 (Stormwater Utility, Operation and maintenance requirements). Erosion and sediment control inspection, documentation, and enforcement is completed by the Public Works Inspector for all permitted development sites.
- S5.C.4.b.iv Requirement: Inspect all permitted development sites upon completion of construction and prior to final approval or occupancy to ensure proper installation of permanent stormwater controls such as stormwater facilities and structural BMPs. Also, verify a maintenance plan is completed and responsibility for maintenance is assigned. Enforce as necessary based on the inspection.
- S5.C.4.b.iv Compliance: The City inspects all permitted development sites upon completion of construction or prior to final approval or occupancy to ensure proper installation of permanent stormwater controls such as stormwater facilities and structural BMPs. The City also verifies that a maintenance plan is completed and responsibility for maintenance is assigned. The final inspection and approval is completed and documented by the Public Works Inspector and City Engineer.
- S5.C.4.b.v Requirement: Compliance with the inspection requirements in (ii), (iii) and (iv) above shall be determined by the presence and records of an established inspection program designed to inspect all sites. Compliance during this permit term shall be determined by achieving at least 80% of scheduled inspections.
- S5.C.4.b.v Compliance: The City inspects all sites and documents inspections and any required and/or completed maintenance. The City will achieve at least 80% of scheduled inspections during the permit term.
- S5.C.4.b.vi Requirement: An enforcement strategy shall be developed and implemented to respond to issues of non-compliance.
- S5.C.4.b.vi Compliance: The City's stormwater facility non-compliance enforcement strategy is summarized in DMC 9.06.130 (Stormwater Utility Enforcement).

<u>Section S5.C.4.c: Permitting Process</u>

The program includes a provisions to verify adequate long-term operation and maintenance (O&M) of post-construction stormwater facilities and BMPs that are permitted and constructed pursuant to (b) above. Specific requirements and compliance activities are described below.

- S5.C.4.c.i Requirement: Adoption of an ordinance or other enforceable mechanism that clearly identifies the party responsible for maintenance, requires inspection of facilities in accordance with the requirements in (ii) through (iv) below, and establishes enforcement procedures.
- S5.C.4.c.i Compliance: The City identifies the responsible party and requires maintenance of and inspection of facilities in accordance with DMC 9.06.060 (Stormwater Utility, Operation and maintenance requirements).

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- S5.C.4.c.ii Requirement: Each Permittee shall establish maintenance standards that are protective as or more protective of facility function than those specified in Chapter 4 of Volume V of the 2012 Stormwater Management Manual for Western Washington.
- S5.C.4.c.ii Compliance: The City utilizes existing facility maintenance plans for facilities with O&M plans. Otherwise, maintenance is completed in accordance with 2016 King County Surface Water Design Standards.
- S5.C.4.c.iii Requirement: Annual inspections of all stormwater treatment and flow control facilities (other than catch basins) permitted by the Permittee.
- S5.C.4.c.iii Compliance: The City completes inspections and annual maintenance on all stormwater treatment and flow control facilities (other than catch basins).
- S5.C.4.c.iv Requirement: Inspections of all new flow control and water quality treatment facilities, including catch basins, for new residential developments that are a part of a larger common plan of development or sale, every 6 months until 90 percent of the lots are constructed (or when construction is stopped and the site is fully stabilized) to identify maintenance needs and enforce compliance with maintenance standards as needed.
- S5.C.4.c.iv Compliance: Public Works Inspector(s) inspects all new flow control and water quality treatment facilities, including catch basins, for new residential developments that are a part of a larger common plan of development or sale, at least every 6 months until the site is fully constructed or stabilized to identify maintenance needs and enforce compliance with maintenance standards as needed. In addition, the City Engineer and Public Works Inspector complete performance and maintenance bond inspections prior to release of performance bond (at or after final plat) and maintenance bond (two years or more after final plat). The City enforces compliance with maintenance standards as needed based on the results of the inspections.
- S5.C.4.c.v Requirement: Compliance of (iii) and (iv) shall be determined by achieving at least 80% of the scheduled inspections.
- S5.C.4.c.v Compliance: The City target is to complete 100% of inspections and actual inspection exceeds the 80% threshold.
- S5.C.4.c.vi Requirement: Unless there are circumstances beyond the City's control, when an inspection identifies an exceedance of the maintenance standard, maintenance shall be performed:
  - Within 1 year for typical maintenance of facilities, except catch basins.
  - Within 6 months for catch basins.
  - Within 2 years for maintenance that requires capital construction of less than $25,000.
  - If circumstances beyond the Permittee's control include denial or delay of access by property owners, denial or delay of necessary permit approvals, and unexpected reallocations of maintenance staff to perform emergency work, maintenance shall be completed as soon as possible. For each exceedance of the required timeframe, the Permittee must document the circumstances and how they were beyond their control.
- S5.C.4.c.vi Compliance: The City complies with the S5.C.4.c.vi requirement as stated.
- S5.C.4.c.vii Requirement: The program includes a procedure for keeping records of inspections and enforcement actions by staff, including inspection reports, warning letters, notices of violations, and other enforcement records. Records of maintenance inspections and maintenance activities shall be maintained.
- S5.C.4.c.vii Compliance: The City keeps records of all projects that are approved after the effective date of this Permit.

<u>Section S5.C.4.d: Notice of Intent</u>

The program makes available copies of the "Notice of Intent for Construction Activity" and copies of the "Notice of Intent for Industrial Activity" to representatives of proposed new development and redevelopment at City Hall, the

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Public Works Department, and the City Website. The City will continue to enforce local ordinances controlling runoff from sites that are also covered by stormwater permits issued by Ecology.

Section S5.C.4.e: Training

Staff responsible for implementing the program to control stormwater runoff from new development, redevelopment and construction sites, including permitting, plan review, construction site inspections, and enforcement, are trained to conduct these activities. Follow-up training is provided as needed to address changes in procedures, techniques or staffing. The City documents and maintains records of the training provided and the staff trained.

Section S5.C.4.f: Low Impact Development Code Related Requirements

The program includes the current Low Impact Development requirements based on Section 4.5 of Permit Appendix 1, and the KCSWDM. The City adopted Stormwater Ordinance 1214 on February 21, 2017 to specifically address this requirement. Ordinance 1214 was adopted after the December 31, 2016 deadline as summarized in the G20 Non-Compliance Notification sent to the Department of Ecology on December 29, 2016.

Section S5.C.4.g: Watershed-Scale Stormwater Planning

The permit requires jurisdiction participation, if selected, in any watershed-scale planning process led by a Phase 1 county. This requirement is not applicable to Duvall per note 25 (Page 31 of 74) of the Permit and the City knows of no other current plans for this type of county-led effort but will participate as required in possible future efforts. However, the City of Duvall completed a Watershed Plan for Duvall Urban Growth Area and adjacent drainage area (Adopted on September 15, 2015). The City is also completing a watershed-based Storm and Surface Water Plan update in 2017.

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APPENDIX E: Operations and Maintenance Program to Prevent or Reduce Pollutant Runoff from Municipal Operations (NPDES Phase II Permit Section S5.C.5)

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Operations and Maintenance Program to Prevent or Reduce Pollutant Runoff from Municipal Operations (NPDES Phase II Permit Section S5.C.5)

Summary

This section summarizes the City of Duvall Program for the Operations and Maintenance Program to Prevent or Reduce Pollutant Runoff from Municipal Operations as required by Section S5.C.5 of the NPDES Phase II Permit.

Program Requirements and Compliance

The City developed and implemented a Pollution Prevention and Operation and Maintenance for Municipal Operations (O&M) program that includes a training component that has the ultimate goal of preventing or reducing pollutant runoff from municipal operations. The following sections summarize the minimum performance measures for the City of Duvall Pollution Prevention and Operation and Maintenance for Municipal Operations program.

S5.C.5 a. Operations and Maintenance Standards for Stormwater Facilities

The City utilizes maintenance standards contained within the adopted King County Surface Water Design Manual (KCSWDM). Inspections are completed annually at all stormwater facilities and following significant storm events. Maintenance is performed within the following time periods:

- Within one year for typical maintenance of facilities, except catch basins.
- Within six months for catch basins.
- Within two years for maintenance that requires capital construction of less than $25,000.
- If maintenance cannot be completed within the above time frame then the City completes the maintenance activities as soon as possible and documents the circumstances and how they were beyond their control.

S5.C.5 b. Annual Inspections for Stormwater Facilities

The City completes annual inspection of all municipally owned or operated permanent stormwater treatment and flow control facilities other than catch basins. On average, the City inspects catch basins every-other year or more frequently. Appropriate maintenance actions in completed in accordance with the City and KCSWDM requirements.

S5.C.5 c. Inspections for Stormwater Facilities following Major Storm Events

The City completes spot checks of potentially damaged permanent treatment and flow control facilities (other than catch basins) after 10 year, 24 hour storms (at least 3 inches of rain in a 24-hour period based on DOE Isopluvial maps contained within Volume III of "Stormwater Management in Western Washington) or greater storm events. If spot checks indicate widespread damage/maintenance needs, the City inspects all stormwater treatment and flow control facilities that may be affected. The City conducts repairs or takes appropriate maintenance action in accordance with maintenance standards established above, based on the results of the inspections.

S5.C.5 d. Inspection of Catch Basins and Inlets

The City inspects catch basins every other year or more frequently. This inspection period complies with the Permit requirement to inspect all catch basins and inlets owned or operated by the City at least once before the end of the permit term and every two years thereafter. Catch basins are cleaned if needed to comply with maintenance standards described within the Heavy Equipment Maintenance, Storage Yards, and Material Storage Facilities SWPPP (http://www.duvallwa.gov/departments/publicworks/021610%20Maintenance%20Yard%20SWPPP.pdf). Decant water and sediment is disposed of at an appropriate discharge facility.

S5.C.5 e. Compliance with Inspection Requirements

The City inspection program complies with the inspection requirements in b, c, and d above. Compliance is completed and documented by the Public Works Department. Compliance during this permit term shall be completed by the City by achieving an annual rate of at least 95% of inspections.

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S5.C.5 f. Implementation of Practices to Reduce Stormwater Impacts

The City has implemented practices to reduce stormwater impacts associated with runoff from streets, parking lots, roads or highways owned or maintained by the City, and road maintenance activities conducted by the City. The City utilizes maintenance requirements and BMPs from the City's Maintenance Yard SWPPP, the KCSWDM, Public Works Standards, and the King County Road Services - Regional Road Maintenance Endangered Species Act (ESA) Program Guidelines for the following activities:

- Pipe cleaning.
- Cleaning of culverts that convey stormwater in ditch systems.
- Ditch maintenance.
- Street cleaning.
- Road repair and resurfacing, including pavement grinding.
- Snow and ice control.
- Utility installation.
- Pavement striping maintenance.
- Maintaining roadside areas, including vegetation management.
- Dust control.
- Minimize environmental impact associated with application of fertilizers, pesticides, and herbicides.
- Sediment and erosion control.
- Landscape maintenance and vegetation disposal.
- Trash and pet waste management.
- Building exterior cleaning and maintenance.

S5.C.5 g. On-Going Training Program for Employees

The City has established and implemented an on-going training program for City employees whose construction, operations or maintenance job functions may impact stormwater quality. The training program addresses the importance of protecting water quality, the requirements of the NPDES Permit, operation and maintenance standards, inspection procedures, selecting appropriate BMPs, ways to perform their job activities to prevent or minimize impacts to water quality, and procedures for reporting water quality concerns, including potential illicit discharges. Follow-up training is provided as needed to address changes in procedures, techniques or requirements. The City documents and maintains records of training provided.

S5.C.5 h. SWPPP for Equipment Maintenance and Storage Yards

The City developed and implemented a Stormwater Pollution Prevention Plan (SWPPP) for all heavy equipment maintenance or storage yards and material storage facilities owned by the City. The three Public Works facilities requiring a SWPPP, according to NPDES Permit requirements, include the Public Works Maintenance Shop, the Public Works Fuel Station, and the Tech Center Storage Yard. The SWPPP provides information for the Implementation of non-structural BMPs including requirements, descriptions, and implementation schedule. The SWPPP also includes periodic visual observation of discharges from the facility to evaluate the effectiveness of the BMP. The SWPPP document is available at: http://www.duvallwa.gov/DocumentCenter/Home/View/2111

S5.C.5 j. Records of Inspection and Maintenance or Repair Activities

The City maintains records of inspections and maintenance or repair activities conducted by the in accordance with NPDES Permit S9 Reporting Requirements. Records are maintained as part of the SWPPP for heavy equipment maintenance or storage yards and material storage facilities. Records are also maintained for training, facility inspections, operation and maintenance, and other associated activities.

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APPENDIX F: Public Education Program and IDDE Summary Report (NPDES Phase II Permit Section S5.A.3.b, S5.C.3.d, .e)

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Public Education Program and IDDE Summary Report (NPDES Phase II Permit Section S5.A.3.b, S5.C.3.d, .e)

Summary

This report summarizes the City of Duvall Public Education Program as required by Sections S5.A.3.b, S5.C.3.d, and S5.C.3.e of the NPDES Phase II Permit (Permit). The purpose of this section is to summarize the general Public Education Program and Illicit Discharge Detection and Elimination (IDDE) education efforts.

Program Requirements and Compliance

The City of Duvall Storm Water Management Plan (SWMP) includes an ongoing public education program aimed at school aged children, residents, businesses, industries, engineers, contractors, developers, elected officials, policy makers, planning staff and other City employees.

Permit section S5.A.3.b requires tracking of the number of inspection, official enforcement actions and types of public education activities. Permit sections S5.C.3.d and S5.C.3.e further require that public employees, businesses and the general public be informed of the hazards associated with the illegal discharges and improper disposal of waste.

The City documents public education and other activities including IDDE reports and inspections on several spreadsheets. These records are used to report the number of activities as required in the annual report. This report provides additional information about public education activities and IDDE reports and response.

2016 Education Activities

The City of Duvall completed 26 public education activities during 2016. In addition, the City participates in the Stormwater Outreach for Regional Municipalities (STORM) program, a partnership of 57 regional governments dedicated to improving water quality in Puget Sound. STORM activities include regional education and outreach and the Puget Sound Starts Here (PSSH) campaign. Specific City of Duvall activities are summarized in Table F-1.

2016 Spill Reports and Response

The City of Duvall responded to 6 discharge incidents and received 1 hotline or other Spill/IDDE reports in 2016. City response to all of the reports occurred within hours of receipt. In general, the spills included hydraulic fluid leaks and inappropriate discharge of paint and cleaning water to the storm system. The majority of the reporting parties utilized the Hotline report phone number which demonstrates Hotline effectiveness. The 2016 Spill/IDDE reports and responses are summarized in Table F-2.

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Table F-1: 2016 Public Education Activities

DATE	DESCRIPTION	COMMENTS
2/1/2016	Local Household Battery Recycling article in City Newsletter	
2/25/2016	Public Notice regarding SWMP Annual Report Public Hearing	
2/25/2016	Draft SWMP Annual Report posted to website, one copy at City Hall and one copy at Public Works	
3/1/2016	Public Hearing for Annual Stormwater Report	no comments received
3/3/2016	Dog Bone Dispensers to Public Works - 10	
3/22/2016	Cherry Valley Elementary 1st Grade Storm education	Reach approx. 75 students, 4 teachers
4/23/2016	Earth Day and Arbor Day Festival	165 registered in drawing, approx. 250 attendees.
4/26/2016	PSSH Coffee Sleeves delivered to CCs Espresso	
5/1/2016	PSSH Game Night Notice in City Newsletter, Kiosk, website and FB	
5/25/2016	4th grade Storm and Science Education	approx. 90 students, 4 teachers
6/1/2016	4th Grade Storm education field trip	approx. 25 students, 2 teachers, 4 volunteers
6/30/2016	Dog Bone Dispensers to City Hall - 30	
7/1/2016	Dog Bone Dispensers to Public Works - 15	
7/23/2016	Special Recycle Collection Event	
8/6/2016	Public Works at National Night Out Against Crime, stormwater information / education provided	
8/6/2016	48 Chinook Book cards distributed	
9/9/2016	Chinook Book / Stormwater Survey posted to FB	
9/13/206	12 Chinook Book Cards distributed for completion of Survey	
9/15/2016	~100 Chinook Book cards distributed to RVSD Teachers	
9/18/2016	Chinook Book / Stormwater Survey posted to FB	
9/26/2016	Salmon returning info posted on FB	
10/1/2016	Hazardous Waste Event Notice in City Newsletter	
10/7/2016	stormwater information video posted to FB	
12/22/2016	Fee Auto Leaks workshops info posted on FB	
1/1/16-5/16/16	Healthy Water Healthy Soil, WS Dynamics Enviroscape Classes at Cherry Valley Elementary	192 2nd graders

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Table F2: Illicit Discharge Summary

Illicit Discharge Summary

Date	Discharge Incident Address / Location	Discharge Incident Description and Response to Trace and Eliminate Discharge	Characterize Discharge				Compliance with Timeline per S5.C.3.d.iv				Hotline? 425-649-7000
			IDDE/IC	Type of Spill	Emergency / Hazmat Spill	Non-Emergency Discharge	Notification to DOE within 24 hours	Investigated within 7 Days	Investigated IC within 21 Days	Eliminated IC within 6 Months	
1/25/2016	14525 Main Street NE	Approximately 10 gallons of unleaded gasoline was spilled during fuel tank filling at the Public Works Facility at approximately 10:30 am. Fueling was being completed by private fueling company and spill was almost entirely contiained within the spill containment pad. Fuel was immediately cleaned up by the contractor using absorbant pads and then area sprayed with Microblaze. No fuel reached the storm system. Absorbant pads were removed for disposal by the private contractor.	IDDE	Fuel Spill	NA	X	NA	NA	NA	NA	N
3/17/2016	16011 Main Street NE	Approximately 5 to 10 gallons of milky white water accumulation was observed by Public Works Staff within the Park-and-Ride parking lot immediately south of the property at 16011 Main Street NE. BEB repsonded and observed that the water appeared to have originated from a 1.5-inch to 2-inch diameter PVC pipe at the property line that appeared to orginate at a catch basin/pressure wash station on the subject property. Contacted property owner and discussed options to remove any off-site discharge. Property owner is working to install a water-recycling system (closed system, no discharge) for pressure washer. City to follow up.	IDDE	Discharge of turbid water	NA	X	NA	NA	NA	NA	N
4/1/2016	North Hill Development	Complaint of construction sediment/impacts from property owner north of Cherry Valley Road (see emails at: \\file01\publicworksrepository$\DATA\Public Works\Residential\PPA13-001 North Hill\Engineering\DOE Complaint). BEB visited site and observed that no construction has occured since site was stabilized in 2014. Sent photo of stabilized site to DOE. No action from City of Duvall required at this time.	IDDE	Construction Sediment/impact	X	NA	ERTS 663998				Y
4/15/2016	14328 278th Ave NE	14:30, Jim Bobin (425-420-1703 desk) North Sound Route Manager from WM called to report spill. Spill measure approx 4' x 6' and was cleaned up imediatley by WM. BEB visited the site and observed slight remaining staining of pavment. PW crew responded with MicroBlze to provide additonal cleanup.	IDDE	Waste management truck: hydraulic hoze failure	NA	X	NA	NA	NA	NA	N

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Date	Discharge Incident Address / Location	Discharge Incident Description and Response to Trace and Eliminate Discharge	Characterize Discharge				Compliance with Timeline per S5.C.3.d.iv				Hotline? 425-649-7000
			IDDE/IC	Type of Spill	Emergency / Hazmat Spill	Non-Emergency Discharge	Notification to DOE within 24 hours	Investigated within 7 Days	Investigated IC within 21 Days	Eliminated IC within 6 Months	
5/20/2016	SR-203 at Virginia	A spill on SR-203 was reported today just after 2pm. The spill appears to be diesel fuel, and is a 1' to 2' wide continuous spill. The spill appears to have originated near the River Road/Woodinville-Duvall Road intersection within Unincorporated King County, extended east on Woodinville-Duvall Road to SR-203 within City Limits, and then extended north on SR-203 outside of City limits. Staff responded immediately following our spill prevention protocol: Staff responded immediately following our spill prevention protocol: City Hall notified PW superintendent, PW supervisor, and Police Department; City Hall notified WSDOT, WSDOT notified State Patrol. It is our understanding that WSDOT notified the Department of Ecology. Staff follwed up with King County Roads; PW crew mobilized immediately and commenced to place absorbant and Micro-Blaze (Microbial spill control) with traffic control provided by Police Department. Micro-Blaze remediates petroleum products, absorbant absorbs petroleum products and provided traction control; PW superintendent and City Engineer followed up with WSDOT maintenance. WSDOT plans to respond; PW Crew will continue to clean/treat spill within City Limits to address safety/environmental impacts.	IDDE	Fuel Spill	WSDOT Reported	X	NA	NA	NA	NA	NA
12/2/2016	SR-203 at NE 145th St	PW staff present during trench excavation for installation of new 18" storm pipe, contractor hit and broke the 8" sewer main that runs down NE 145th St. to the WWTP. Excavation was stopped and flow was diverted from the trench to the westside of SR-203 SSMH using one 2" pump and one 4" pump. Excavation resumed to investigate sewer main and remove debris from the pipe. Once the concrete sewer pipe was exposed and debris were removed flow resumed to the down stream MH. City staff provided the 10" steel repair sleeve, and the contractor cut the bell joint section out and installed the 10" steel sleeve. The repair holds with not leaks. ~1.5 hour response time. Discharge was not considered an immediate threat, but will be reported to DOE once the city engineer is notified.	IDDE	Sewer Main	NA	X	NA	NA	NA	NA	N

DRAFT

PUBLIC HEARING
re:

Park Impact Fee

Please also see Agenda Bill AB17-29
in your Council Packet

City of Duvall
Small Town. Real Life.

Department of Public Works

To: Mayor Ibershof and City Council

From: Larissa Grundell and Boyd E. Benson, Public Works Department
Lara Thomas, Planning Department

Date: March 7, 2017

Subject: Public Hearing - Parks, Trails, and Open Space (PTOS): Park Impact Fee (PIF) Update

INTRODUCTION: City staff have commenced an update to the Capital Improvement Program (CIP) cost estimate and fee calculations contained within the 2008 PTOS at the request of the Mayor, City Council, and City Administration. The cost update includes the following:

- Update of project estimates to 2017 costs based on published values, information from recent park and landscaping construction projects, and a 20 percent design, permitting, and engineering cost
- Amendment of projects that are completed or infeasible:
    - Sidewalk and bicycle lane improvements removed:
        - If already included in the Transportation Improvement Program (TIP) project list and funding strategy.
        - If contingent and/or required as part of private development.
    - Depot Restroom Improvements (complete).
    - McCormick Park Restroom/Permanent stage Improvements (not feasible based on floodplain location and permitting).
- Incorporated the 2017 Big Rock Ballfields Improvement Project including turf improvements and associated non-grant/non-levy costs
- Addition of park projects from the adopted 2017-2022 Six Year Capital Improvement Plan
- Updated the PIF rate by simplifying the Phased project approach to one 20-year project list

STAFF RECOMMENDED ITEMS FOR CITY COUNCIL CONSIDERATION AND DIRECTION:

Staff completed evaluation of possible additional revisions to the PTOS CIP based on information contained within the adopted 2015 Comprehensive Plan Update. Staff requests City Council hold a public hearing, discussion, and provide direction for the following staff recommended considerations:

Park Impact Fee Alternatives	Developer Cost	City Cost	Grant Funding	Total Project Cost	2017 PIF	
					SFR	MFR
2017						
All Capital Improvement Projects	$ 19,391,181	$3,645,459	$5,225,636	$28,262,276	$ 9,304	$ 8,249
Defer East UGAR Neighborhood Park and Separate 3-acre BRBF Dedication	$ 15,808,689	$2,029,979	$4,648,083	$22,486,751	$ 7,585	$ 6,725
Separate 3-acre BRBF Dedication	$ 17,630,401	$3,645,459	$5,029,994	$26,305,854	$ 8,459	$ 7,500
Defer East UGAR Neighborhood Park	$ 17,885,919	$2,029,979	$4,878,887	$24,794,784	$ 8,582	$ 7,609
2008						
Current Fee (Phase 1 only, Phase 2 and 3 increase fee)	$ -	$ -	$ -	$26,707,643	$ 4,068	$ 3,606

SFR = Single Family Residential
MFR = Multi Family Residential (2 or More Attached Units)

Alternatives based on :

1. Defer funding of the East Urban Growth Area Reserve (UGAR), 6-acre Neighborhood Park: The adopted 2015 Comprehensive Plan Update does not include this annexation within the 20-year planning period.
   a. Currently, the PTOS includes acquisition and construction of a 6-acre neighborhood park within the north UGAR at a 2008 cost of $3,934,747 that represents 21 percent of the total cost of the 2008 CIP. ***Staff recommends that the project remain on the CIP list "Pending Possible Future Annexation" but that the cost for the project be removed from the 2017 PIF calculation.***
2. Consider seperating the 8-acre, Community Park Big Rock Ball Fields (BRBF) Expansion Project into:
   a. A 3-acre land dedication and improvement project as part of an adjacent annexation envisioned by the adopted 2015 Comperhensive Plan, reducing the future City and Developer cost burden (removes 3 acre acquisition cost)
   b. The remaining 5-acre acquisition and improvement projects to be completed at a later date

Staff recommends that City Council consider the second alternative, "Defer East UGAR Neighborhood Park and Separate 3-acre BRBF Dedication", with a PIF of $6,725 for MFR and $7,585 for SFR. This reccomendation relies on the City annexing the Big Rock Annexation.

Proposed Schedule:

- March 7, 2017 City Council Meeting: Public Hearing followed by Council discussion and direction on a PIF alternative.

Parks, Trail, and Open Space Impact Fee: 2017 Update

City of Duvall

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Overview – 2008 PTOS PLAN

- *The current Park Impact Fee (PIF) is based on formulas developed from a detailed Rate Study contained within the 2008 Parks, Trails, and Open Space (PTOS) Plan.*

- *2008 PIF calculated using a high Level of Service (LOS)*
  - *Neighborhood Parks: 2 acres per 1,000 pop.*
  - *Community Parks: 8 acres per 1,000 pop.*
  - *Trails: 0.5 miles per 1,000 pop.*

- *2008 PIF included a Three Phase project list approach from 2008-2028.*

- *The current fee was calculated using Improvements-Driven (Development) Impact Fee for Phase 1 only. Phases 2 and 3 have higher fees than Phase 1.*

- *PIF was based on 20-year projected population growth of 6,065 (2,090 Homes)*

2017 Impact Fee Update

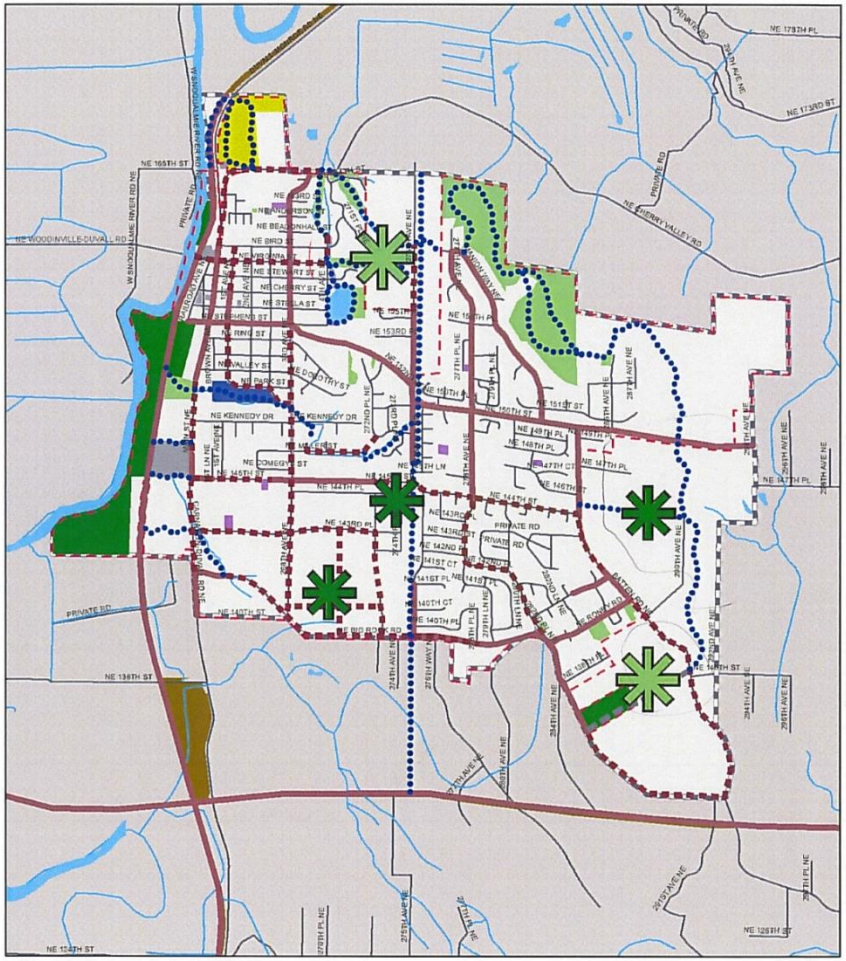
- *Updated/Amended the Capital Improvements Program (CIP) project list descriptions*
  - *Removed completed projects*
  - *Removed/revised projects that are not feasible (projects in McCormick Park)*

- *2017 cost adjustments based on:*
  - *published values*
  - *recent park & landscaping projects completed in the City*
  - *20% design, permitting, and construction costs*

- *Converted to a single 20-year project list with a uniform PIF rate*

- *Updated Developer portion of projects… "Growth pays for Growth"*

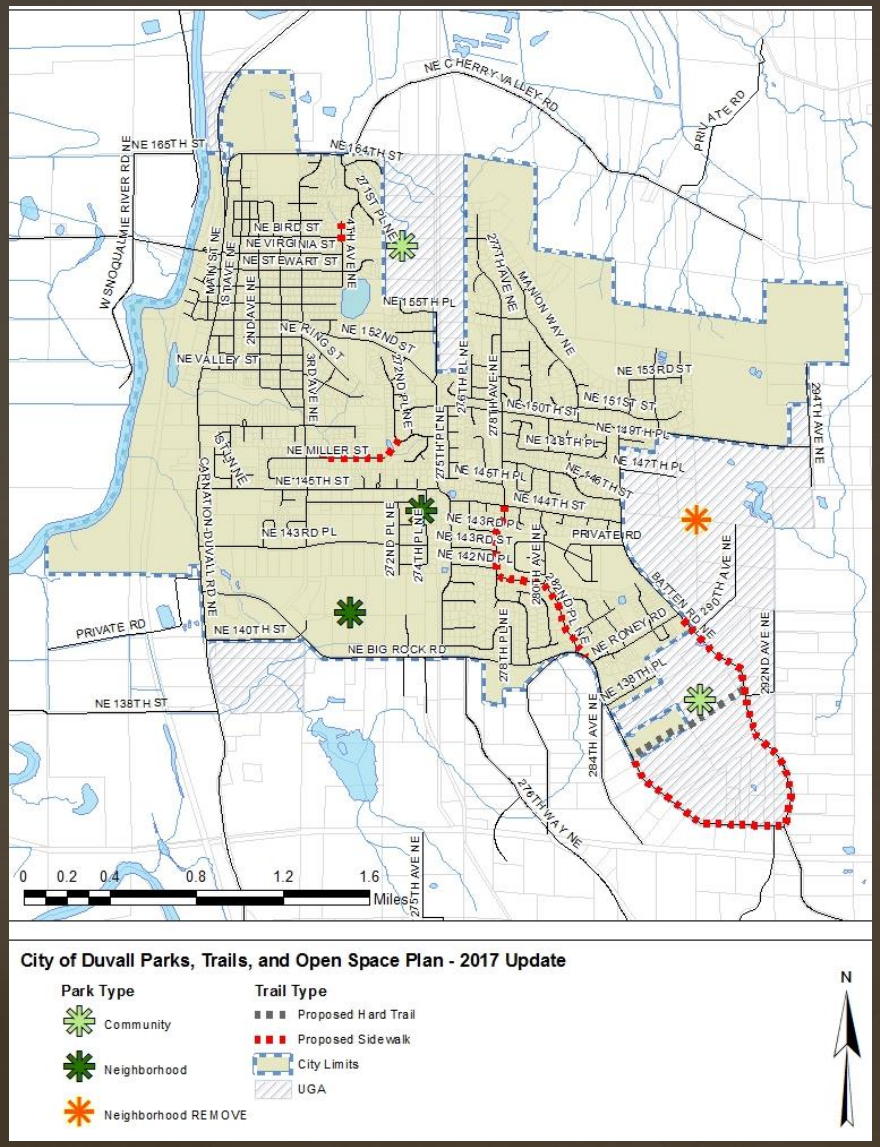
2008 PTOS Plan Map



- *2017 Update Identified/removed sidewalk and bike lane improvements that are:*
  - *already included in TIP funding strategy*
  - *contingent and/or required as part of private development*

- *Added projects from adopted 2017-2022 6-year Capital Improvement Program*

2017 PTOS Updated Map



***City Council Consideration**:*

- *Defer funding of the East UGAR, 6-acre Neighborhood Park (not in the 20-year Comp Plan)*
- *Consider separating the BRBF Expansion Project (Community Park, 8 acres) into:*
  - *3-acre improvement upon adjacent annexation, eliminating land acquisition cost*
  - *Remaining 5-acre acquisition/improvement project -completed at a later date*

Fee Comparisons: Single Family

2008 Fee

Single Family	
Monroe	$4,632
North Bend	$4,054
Duvall	$4,068
Issaquah	$3,147
Sammamish	$2,606

Proposed Fees

Single Family	
Duvall	$7,585-9,304
Sammamish	$6,739
Issaquah	$5,977
North Bend	$4,690
Monroe	$4,579

Fee Comparisons: Multi Family

2008 Fee

Multi Family	
Monroe	$3,551-3,946
Duvall	$3,606
North Bend	$3,431
Issaquah	$2,189
Sammamish	$1,505

Proposed Fee

Multi Family	
Duvall	$6,725-8,249
Issaquah	$5,147
Sammamish	$4,362
North Bend	$3,970
Monroe	$3,561-3,901

2017 PIF Alternatives

Park Impact Fee Alternatives	Developer Cost	City Cost	Grant Funding	Total Project Cost	2017 PIF	
					SFR	MFR
2017						
All Capital Improvement Projects	$ 19,391,181	$3,645,459	$5,225,636	$28,262,276	$ 9,304	$ 8,249
Defer East UGAR Neighborhood Park and Separate 3-acre BRBF Dedication	$ 15,808,689	$2,029,979	$4,648,083	$22,486,751	$ 7,585	$ 6,725
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Defer East UGAR Neighborhood Park	$ 17,885,919	$2,029,979	$4,878,887	$24,794,784	$ 8,582	$ 7,609
2008						
Current Fee (Phase 1 only, Phase 2 and 3 increase fee)	$ -	$ -	$ -	$26,707,643	$ 4,068	$ 3,606

SFR = Single Family Residential

MFR = Multi Family Residential (2 or More Attached Units)

Staff recommends that City Council consider the second alternative, "Defer East UGAR Neighborhood Park and Separate 3-acre BRBF Dedication", with a PIF of $6,725 for MFR and $7,585 for SFR.

CITY OF DUVALL
Parks Impact Fee Study
Capital Improvement Program

ADDED	Defer East UGAR 6-acre Neighborhood Park - *not incorporated in adopted 2015 Comprehensive Plan*
AMENDED	Separate the 8-acre BRBF acquisition and development into 3-acre dedication with 5-acre acquisition/development
REMOVED	

Project Description	2008 Total Project Cost	2017 Project Type	2017 Developer Percent	2017 Total Project Cost	2017 Project Cost Allocation			
					Growth (PIF)	City Share	Grant Funding [1]	Grant Percent
PHASE ONE								
Neighborhood Park 1, South of NE 145th St; Medium level development (~3 acres)	$ 1,019,696	Neighborhood	53%	$ 1,233,603	$ 582,877	$ 527,365	$ 123,360.26	10%
Neighborhood Park 2, South of NE 145th St; Acquisition (~3 acres)	$ 1,400,000	Neighborhood	53%	$ 1,050,000	$ 496,125	$ 448,875	$ 105,000.00	10%
Neighborhood Park 2, South of NE 145th St; Medium level development (~3 acres)	$ 1,019,696	Neighborhood	53%	$ 1,233,603	$ 582,877	$ 527,365	$ 123,360.26	10%
Construction 1.33 miles of soft surface trails	$ 230,000	Trails	90%	$ 253,614	$ 206,499	$ 21,753	$ 25,361.37	10%
Improvements at Big Rock Ballfield including restroom *and 2017 improvements*	$ 500,000	Community	100%	$ 4,007,916	$ 1,232,916	$ -	$ 2,775,000	Grants & Levy
Restore restroom facilities, improve lighting & traffic safety measures at Taylor Park	$ 350,000	Neighborhood	53%	$ 251,666	$ 118,912	$ 107,587	$ 25,166.60	10%
Improve basketball court at Taylor Park, *wall addition*	$ 20,000	Neighborhood	53%	$ 25,000	$ 11,813	$ 10,688	$ 2,500.00	10%
Add picnic shelters/shade covers at McCormick Park, Big Rock Ball fields, Taylor Park (6 tables)	$ 15,000	Community	100%	$ 18,750	$ 16,875	$ -	$ 1,875.00	10%
Improve internal walking trails within McCormick Park & Taylor Park	$ 15,000	Community	100%	$ 18,750	$ 16,875	$ -	$ 1,875.00	10%
New Park signage and wayfinding markers; interpretation & education signs & kiosks	$ 100,000	Community	100%	$ 125,000	$ 112,500	$ -	$ 12,500.00	10%
New play structure and general improvements to Hix Park	$ 75,000			$ -	$ -	$ -	$ -	
SUBTOTAL: PHASE ONE	**$ 4,744,392**			**$ 8,217,901**	**$ 3,378,270**	**$ 1,643,633**	**$ 3,195,998**	
PHASE TWO								
Community Park 1, North Island UGA, Acquisition (~10 acres)	$ 3,500,000	Community	100%	$ 3,500,000	$ 3,150,000	$ -	$ 350,000.00	10%
Community Park 1, North Island UGA, Construction; Medium level development (~ 6 acres)	$ 3,092,760	Community	100%	$ 1,896,225	$ 1,706,603	$ -	$ 189,622.50	10%
Construction of soft surface trails	$ 472,000	Trails	90%	$ 512,905	$ 417,622	$ 43,993	$ 51,290.52	10%
Stage at McCormick Park	$ 350,000	Community	100%	$ 175,000	$ 157,500	$ -	$ 17,500.00	10%
McCormick Park enhancements	$ 600,000	Community	100%	$ 200,000	$ 180,000	$ -	$ 20,000.00	10%
Develop a restroom at Taylor's Landing, upgrade playground equipment, renovate the entrance	$ 650,000	Neighborhood	53%	$ 148,553	$ 70,191	$ 63,506	$ 14,855.30	10%
Enhance tennis courts at Cherry Valley Elementary School. Add lighting to the courts	$ 35,000			$ -	$ -	$ -	$ -	
Add public art pieces to parks ~~& sidewalks where appropriate and throughout the community~~	$ 150,000	Community	100%	$ 50,000	$ 45,000	$ -	$ 5,000.00	10%
Add street trees throughout the City	$ -	TBD		$ -	$ -	$ -	$ -	
Trail and parking lot improvements at Duvall Village	$ -	Trails	90%	$ 495,000	$ 403,043	$ 42,457	$ 49,500.00	10%
McCormick Park property acquisition	$ -	Community	100%	$ 28,000	$ -	$ -	$ 28,000.00	Grants
Stabilize river bank at McCormick Park	$ -	Community	100%	$ 250,000	$ 225,000	$ -	$ 25,000.00	10%
SUBTOTAL: PHASE TWO	**$ 8,849,760**			**$ 7,255,683**	**$ 6,354,959**	**$ 149,956**	**$ 750,768**	
PHASE THREE								
Neighborhood Park 3, East UGA, Acquisition (6 acres)	$ 2,100,000	Neighborhood	53%	$ 2,100,000	$ 992,250	$ 897,750	$ 210,000.00	10%
Neighborhood Park 3, East UGA, Construction, High level development (6 acres)	$ 1,834,747	Neighborhood	53%	$ 1,719,103	$ 812,276	$ 734,916	$ 171,910.27	10%
Community Park 2, expansion of Big Rock Ball Fields, Acquisition (8 acres)	$ 2,800,000	Community	100%	$ 2,800,000	$ 2,520,000	$ -	$ 280,000.00	10%
Community Park 2, expansion of Big Rock Ball Fields, Construction, High level development (8 acres)	$ 3,153,744	Community	100%	$ 3,354,756	$ 3,019,280	$ -	$ 335,475.60	10%
Construction of soft surface trails	$ 463,000	Trails	90%	$ 383,484	$ 312,244	$ 32,892	$ 38,348.42	10%
Construction of hard surface trails	$ 112,000	Trails	90%	$ 815,004	$ 663,600	$ 69,904	$ 81,500.41	10%
Renovate Depot building, restrooms, meeting rooms/concessions, low level lighting in parking areas	$ 600,000		53%	$ -	$ -	$ -	$ -	10%
Civic Park/plaza in Old Town/Riverside Village Redevelopment area	$ 1,000,000	Community	100%	$ 1,000,000	$ 900,000	$ -	$ 100,000.00	10%
Add park furnishings, additional parking and improve the outbuildings at Dougherty Farmstead	$ 700,000	Community	100%	$ 303,845	$ 273,460	$ -	$ 30,384.45	10%
Construct a footbridge, install a public dock, enhance play area, and plantings at Lake Rasmussen	$ 250,000	Neighborhood	53%	$ 312,500	$ 147,656	$ 133,594	$ 31,250.00	10%
Park improvements to Big Rock Park including landscaping, holiday display, etc.	$ 100,000			$ -	$ -	$ -	$ -	
SUBTOTAL: PHASE THREE	**$ 13,113,491**			**$ 13,140,303**	**$ 9,957,216**	**$ 1,869,056**	**$ 1,314,030**	
TOTAL	**$ 26,707,643**			**$ 28,613,887**	**$ 19,690,445**	**$ 3,662,645**	**$ 5,260,797**	

[1] 10% grant funding is assumed for all projects unless alternative funding is applied and or noted

Jurisdictions	2008		2017		Avearge Home Price (Zillow)
Monroe					
Single Family Residential	$ 4,632	*per dwelling unit*	$ 4,579	*per dwelling unit*	$ 332,000
North Bend					
Single Family Residential	$ 4,054	*per dwelling unit*	$ 4,690	*per dwelling unit*	$ 486,200
Mill Creek					
Neighborhood Parks Where Land Acquisition & Development are Necessary					
Owner Occupied (Condo / Single Family)	$ 3,960	*per dwelling unit*	$ 3,304	*per dwelling unit*	
Renter Occupied (Multifamily)	$ 2,872	*per dwelling unit*	$ 2,227	*per dwelling unit*	
Neighborhood Parks Where Only Development is Necessary					
Owner Occupied (Condo / Single Family)	$ 2,173	*per dwelling unit*	$ 2,863	*per dwelling unit*	
Renter Occupied (Multifamily)	$ 1,576	*per dwelling unit*	$ 1,930	*per dwelling unit*	
Community Parks					
Owner Occupied (Condo / Single Family)	$ 1,172	*per dwelling unit*	$ 1,738	*per dwelling unit*	
Renter Occupied (Multifamily)	$ 850	*per dwelling unit*	$ 1,171	*per dwelling unit*	$ 500,900
Auburn	$ 3,500	*per dwelling unit*	Same		$ 316,700
Woodinville	$ 3,175	*per dwelling unit*	Same		$ 682,800
Issaquah					
Single Family Residential	$ 3,147	*per dwelling unit*	$ 5,977	*per dwelling unit*	
Multi Family Residential	$ 2,189	*per dwelling unit*	$ 5,147	*per dwelling unit*	$ 646,200
Bonney Lake	$ 2,974	*per dwelling unit*	$ 2,893	*per dwelling unit*	$ 347,500
Edgewood	$ 2,939	*per dwelling unit*	$ 2,940	*per dwelling unit*	$ 386,100
Sammamish					
Single Family Residential	$ 2,606	*per dwelling unit*	$ 6,739	*per dwelling unit*	
Multi Family Residential	$ 1,505	*per dwelling unit*	$ 4,362	*per dwelling unit*	$ 817,600
Kenmore					
Single Family Residential	$ 2,329	*per dwelling unit*	$ 2,565	*per dwelling unit*	
Multi Family Residential	$ 1,523	*per dwelling unit*	$ 1,677	*per dwelling unit*	$ 548,900
Puyallup	$ 2,300	*per dwelling unit*	Same		$ 298,500
Fife					
Single Family Detached Housing	$ 1,700	*per dwelling unit*			
2 Residential Unit Attached Housing (Duplex)	$ 1,450	*per dwelling unit*			
2 - 3 Residential Structure	$ 1,450	*per dwelling unit*	Same		
5 or More Residential Unit Structure	$ 1,300	*per dwelling unit*			
Manufactured Home in Mobile Home Park	$ 1,400	*per dwelling unit*			$ 300,600
Renton					
Single Family Residential	$ 531	*per dwelling unit*	$ 1,827	*per dwelling unit*	
Multi Family Residential	$ 355	*per dwelling unit*	$ 1,239	*per dwelling unit*	$ 397,900
Enumclaw					
Single Family Residential	$ 493	*per dwelling unit*	$ 1,209	*per dwelling unit*	
Multi Family Residential	$ 345	*per dwelling unit*	$ 801	*per dwelling unit*	
Group Home Bed	$ 179	*per dwelling unit*	$ 801	*per dwelling unit*	$ 350,600

PUBLIC HEARING
re:

Big Rock Annexation
10% Petition

Please also see Agenda Bill AB17-21
in your Council Packet

CITY OF DUVALL
Planning Department
PO Box 1300, Duvall, WA 98019 425.788.2779
www.duvallwa.gov

STAFF REPORT

TO: City Council

FROM: Troy Davis, Senior Planner

HEARING DATE: March 7, 2017

FILE: Big Rock Annexation (ANX16-003) – Notice of Intent to Annex

I. INTRODUCTION

A. APPLICATION

Applicant:	Barry Margolese 105 S. Main Street, Suite 230 Seattle, WA 98104
Property Owner A:	Jaydene G. Dazey PO Box 1406 Duvall, WA 98019
Parcel Number(s):	2129700240 and 2129700245
Total Acreage:	9.71 Acres (4.9 and 4.81 respectively)
Property Owner B:	Markham Quehrn on behalf of WPM-ONE LLC 10885 NE 4th Street, Suite 700 Bellevue, WA 98004
Parcel Number:	2129700260
Total Acreage:	9.76 Acres
Annexation Location:	Southeast Urban Growth Area (28400 Block of Big Rock)
Requested Action:	The Applicant is seeking acceptance of their 10% Petition for annexation of the above-mentioned parcels into the City.
Review Process:	Type VI, City Council Decision

Project Timelines:

Application Submitted:	December 29, 2016
Notice of Public Hearing before Planning Commission:	January 26, 2017
Notice of Public Hearing before City Commission:	January 26, 2017
Planning Commission Workshop:	January 25, 2017
City Council Workshop:	February 7, 2017
Planning Commission Public Hearing:	February 8, 2017
City Council Discussion:	February 21, 2017

City Council Public Hearing	March 7, 2017
60-day Review Period Ends:	February 27, 2017
Total Days in Review:	**68 Days**

B. EXHIBITS LIST

1. Staff Report
2. Notice of Intent to Annex Form
3. Annexation by Washington Cities and Towns (page 78-79, Section 7.4 Alternative Petition Annexation Method)
4. Project Narrative
5. Vicinity Map
6. Land Use Map
7. Zoning Map
8. Figure ES-4 Sensitive Areas Wetlands
9. Figure ES-6 Sensitive Areas
10. Figure ES-7 Watershed Areas and Subbasin Management
11. Upper Weiss Creek (PAU W3) Subbasin Folio
12. Unnamed Southern Tributary – Upper (PAU D7) Subbasin Folio
13. Dazey Title Report
14. Memorandum of Understanding WPM and City of Duvall
15. WPM Title Report
16. Tree Report Dazey
17. Tree Report WPM
18. Field Reconnaissance Letter Dazey
19. Field Reconnaissance Letter WPM
20. Conceptual Site Plan
21. Wetland Peer Review (WPM Property)
22. Public Hearing Documentation
23. Wetland Peer Review (Dazey Property)
24. Public Comments
25. City Council Summary Memo
26. WPM Property Downstream Path Memo
27. Drainage Basin Document Review
28. Big Rock Public Hearing Documentation for CC
29. Request for Continuance
30. Amendment to the term of the Memorandum of Understanding (draft)
31. Planning Commission Minutes from the February 8, 2017 Meeting (to be added at the March 21st Council Meeting)
32. Big Rock Watershed Basin
33. Public Comments Batch 1
34. Public Comments Batch 2

II. BACKGROUND INFORMATION

A. PROPOSED LAND USE ACTION

On December 29, 2016, Barry Margolese, on behalf of two property owners, submitted a 10% Notice of Intent Annexation Petition Form (more commonly referred to as the 10% Petition).

Annexations are governed by RCW 35A.14. State statute requires "The City Council set a date for a meeting with the initiating parties, which may occur no later than 60 days after filing of notice of intention…"

The proposed annexation includes three tax parcels located adjacent to Big Rock Ball Fields (which is already within City limits) totaling 19.47 acres. These properties are located within the City's Southeast Urban Growth Area and were given the R4 land-use designation on the City's Future Land Use Map during the 2015 update of the City's Comprehensive Plan.

A Memorandum of Understanding (MOU) was entered into between the City and the owner of the 9.76-acre parcel adjacent to the park's southern border in 2016 (Exhibit 14). The MOU states that, upon annexation of the subject property into the City, up to 3 acres of the property within the Property Owner B Parcel would be dedicated to the City. The acreage to be dedicated would be that portion of the property adjacent to the park and would count towards the property's 10% open space requirement for residential development. The property owner is willing to work toward extending the expiration of the MOU another twelve months with an option at the end of the additional six months to extend the agreement. The council authorized the mayor to work with the property owner on an extension of the MOU. Since the last council meeting the below is draft language for two options for Council to consider:

> **Option 1 Term.** The term of this MOU shall commence as of the date first written above and shall continue through and until December 31, 2018 ("**Term**"); provided, however, from and after June 30, 2018, a Party may terminate this MOU by providing written notice of such termination to the other Party. Upon expiration of the Term, this MOU shall terminate and thereafter be null, void, and of no further force and effect.
>
> **Option 2 Term.** The term of this MOU shall commence as of the date first written above and shall continue through and until December 31, 2018 ("Term"); provided, however, from and after June 30, 2018, a Party may terminate this MOU by providing written notice of such termination to the other Party, <u>if such Party reasonably believes that substantial progress is not being made towards a satisfactory Pre-Annexation Agreement</u>. Upon expiration of the Term, this MOU shall terminate and thereafter be null, void, and of no further force and effect.

Conceptual site layouts for the subject parcels were designed to meet the City's 2015 Comprehensive Plan, including incorporating wildlife habitat corridors, saving clusters of significant trees, and retrofitting existing stormwater ponds to avoid use of stormwater vaults. Typically, as part of the 50% petition and pre-annexation process the applicant would refine the concept to meet Title 14, the Comprehensive Plan, and the Watershed Plan. At time of the 50% petition process the applicant would host a community meeting to gather community input.

The City's Watershed Plan designates the properties as being within three watershed areas:
The City's Watershed Plan designates the properties as being within three watershed areas: "D7 – Unnamed Southern Tributary – Upper (Group 2C Lowest Conservation), "W3 – Upper Weiss Creek" (Group 2B Moderate Conservation) and "W1 – Lower Weiss Creek (Group 2A Highest Conservation Group). The area allows development consistent with management strategies identified in Chapter 4 Subbasin Folios. If the annexation moves forward the 50% petition documents will include documentation that the Conceptual site layout is consistent with the goals of the Watershed Plan. Based on preliminary work by the applicant a portion of the annexation

that was identified with in the W1 – Lower Weiss Creek area may me in D7 – Unnamed Southern Tributary. Additional work would be completed at time of the 50% petition submittal.

Peer review consultant (ESA) is completing the review of two tree report(s) and the wetland reconnaissance letter(s) The applicant identified one small Category IV Wetland (2,226 square feet) on the eastern property (peer review indicates that the wetland may be a Category III wetland. The combined parcels have approximately 277 significant trees (existing tree protection policies, DMC 14.40 and sensitive area polices, DMC 14.42). Additional work would be completed at time of the 50% petition submittal to determine if the category IV wetland is eligible for fill/impacts.

B. GENERAL DESCRIPTION OF PROPOSED PUBLIC BENEFITS

The proposed annexation would provide the following public benefits:

1. Big Rock Ballfields would gain up to 3 acres of additional park area on the east side of the park. As proposed, the additional park area could be developed to include amenities such as additional parking, trails, and dog park areas;
2. Frontage improvements to the north side of Big Rock Road (currently an unimproved 2-land arterial) including the installation of on-street parking, curb, gutter, and sidewalk. As proposed, parking, sidewalk, paving, and landscape improvements would also be installed along the unimproved Big Rock Ballfields frontage as part of the stormwater conveyance and sewer main improvements extending from Parcel B to the northwest along Big Rock Road;
3. Existing stands of trees would be preserved within future residential developments;
4. Wildlife habitat corridors would be created in accordance with the Watershed Plan; and
5. Existing stormwater pond facilities serving Big Rock Ballfields would be expended and enhanced with joint use by neighboring future development—eliminating the use of any underground stormwater detention vault and allowing for regional detention.
6. Sewer extension that would allow for the development of restroom/concession at Big Rock Ball Fields.

C. EXISTING SITE CONDITIONS

Total Area Proposed for Annexation: 19.47 acres (plus adjoining rights-of-way)

Current Land Use: Parcel 2129700245 (Property Owner A, Dazey) contains a single-family dwelling. Parcels 2129700240 (Property Owner A, Dazey) and 2129700260 (Property Owner B, WPM-ONE) are undeveloped.

Current Zoning: Urban Reserve – 1 Dwelling Unit per 5 acres (King County Jurisdiction). **Note:** Upon annexation the City may zone the property as R4 or R4.5.

Comprehensive Plan Designation: R4-4.5 - Residential 4-4.5 Units per Acre

Site Description: The area proposed for annexation is undeveloped with the exception of an existing single family house located at 28438 NE Big Rock Road (Parcel 2129700240, Property Owner A, Dazey). The area is mostly forested with secondary growth consisting of both evergreen and conifer trees. A small (2200sf ±) Category IV Wetland is present

on Parcel 21297000260 (peer review indicates that the wetland may be a Category III wetland). Topography is mostly flat with a gentle slope toward the southwest.

Site and Situation: The area proposed for annexation is situated upland from the Snoqualmie River Valley to the west adjacent to the Big Rock Ridge developed residential area located at the geographical southeast corner of the City of Duvall. Highway 203 (Main Street) is approximately a mile to the west.

The area proposed for annexation is bordered by NE Big Rock Road (an unimproved 2-lane arterial) to the southwest and adjoins Big Rock Ballfields to the north and to the south.

Neighboring Development and Zoning:

North: The properties to the north contain suburban lot single-family residences and are zoned by the City as Residential 4 units per acre. Typical lot sizes of lots adjoining the Dazey property in the Big Rock Ridge neighborhood range in size from 6300 square feet to 6900 square feet.

East: The properties to the east contain large (rural) lot single-family residences and are zoned by King County as Urban Reserve (UR) - one dwelling unit per 5 acres.

South: The properties to the south contain large (rural) lot single-family residences and are zoned by King County as Urban Reserve (UR) - one dwelling unit per 5 acres.

West: The properties to the west contain large (rural) lot single-family residences and are zoned by King County as Rural Agriculture (RA) - one dwelling unit per 5 acres.

III. ANNEXATION PROCESS AND ANALYSIS

A. ANNEXATION PROCESS

The process for annexation is outlined in Chapter 35A.14 RCW. The Applicant (i.e., the petitioner) is proposing annexation via the Direct Petition Method. The Direct Petition Method annexation process is outlined as follows:

1. "The initiating parties, who shall be the owners of property not less than 10% in value, shall notify the legislative body in writing of their intention to commence annexation proceedings. The legislative body shall set a date within 60 days after the filing of the request, for a meeting to determine if the city will accept, reject, or geographically modify the proposed annexation, whether it shall require the assumption of all or a portion of any city indebtedness by the area to be annexed, and whether it will require the simultaneous adoption of a proposed zoning regulation. Approval of the City Council shall precede the circulation of the petition. There shall be no appeal from the decision of the City Council" (RCW 35A.14.120-150).

2. If the City Council agrees to accept the 10% petition by resolution after a public hearing, the petitioner(s) can then circulate a petition to be signed by the property owners holding at least 60% of the proposed annexation area's assessed value. During this time, staff may work with

the property owners within the proposed annexation area on preparing a pre-annexation agreement, a high-level master site plan for the area, environmental documentation, a density analysis, a plan for new parks and open space, and a financial analysis.

3. Once the 60% petition is submitted to the City by the petitioner(s), the City forwards the 60% petition to the County Assessor for validation of signatures.

4. If the 60% petition is deemed valid, the City Council holds a public hearing on whether or not to accept or reject the 60% petition by resolution.

5. If the City Council accepts the 60% petition by resolution, the annexation proposal is then sent to the King County Boundary Review Board for consideration (review criteria is set forth in Chapter 35A.14.200 RCW).

6. If approval is granted by the Boundary Review Board, the City Council holds a public hearing on whether or not to approve or deny the annexation by ordinance. (Note: A separate ordinance is required to establish zoning).

B. ENVIRONMENTAL REVIEW

The proposed annexation is Categorically Exempt from State Environmental Policy Act review per RCW 43.21C.222. Future development proposals in this area will be subject to environmental review under the State's Environmental Policy Act.

C. STAFF FINDINGS

Staff has reviewed the Notice of Intent to Annex Petition Form and finds the following:

1. The area proposed for annexation is located within the City's Southeast Urban Growth Area (SEUGA).
2. The area proposed for annexation was given a Future Land Use Designation of R4-R4.5 as part of the City's 2015 update of the City's Comprehensive Plan.
3. The submitted 10% Petition Form includes the signatures of property owners having ownership of more than 10% of the proposed annexation area's assessed value.
4. The area proposed for annexation meets the City's annexation policies but is not identified in the 2006 Annexation Plan.
5. The conceptual site plan meets the intent of the Memorandum of Understanding (WPM property) for park dedication.
6. The Parks Trails and Open Space Plan identify the expansion of Big Rock Ballfields. (Table 8-5 Capital Improvement Plan and Figure 8-8 Phasing of the City of Duvall Potential Future Park Improvements)

D. STAFF RECOMMENDED CONDITIONS

Should the City Council accept the Applicant's Notice of Intent to Annex, staff recommends that the City Council include the following conditions of acceptance:

1. The annexation area parcels will be required to assume their fair share of any city indebtedness;

2. The Applicant shall provide to the City a legal description of the entire area to be annexed (including adjacent right-of-way) from a licensed surveyor prior to submittal of the 50% petition.
3. The annexation area should be zoned R4 (Residential 4 units per acre).
4. Adoption of a Pre-Annexation Agreement between the City and Applicant shall be completed prior to annexation of the proposed area. If adoption of the Pre-Annexation Agreement precedes adoption of the 2017 Code Updates, the Pre-Annexation Agreement shall require the Project to comply with the 2017 Code Updates, Transportation Plan, Park Impact Fee update, and Stormwater Plan update, as expressed by the City Council in public meetings, and as further clarified by City staff.
5. The Applicant shall provide to the City a completed cost/benefit report regarding the annexation to the City prior to submittal of the 50% petition.
6. NE Big Rock Road NE located within an existing 60-foot wide right-of-way immediately south of the subject properties. The NE Big Rock Road frontage along the subject property and the Big Rock Ballfield Park shall be improved to provide two 11-foot wide drive lanes, 5-foot wide bicycle lane (north side) in accordance with the City of Duvall Transportation Plan, dedicated parking lane, 5-foot wide sidewalk, and 5-foot wide landscape strip. NE Big Rock Road improvements are eligible for Traffic Impact Fee Credits in accordance with the City of Duvall Transportation Plan.
7. The subject property is located within the City of Duvall water service area. An existing 12-inch diameter water main is present within the NE Big Rock Road right-of-way at the south edge of the subject parcels. Water service may be supplied to the subject properties following water main extension completed in accordance with City standards in association with development and payment of Water Utility Capital Improvement Charges.
8. The subject property will be located within the City of Duvall sanitary sewer service area upon annexation. An existing 8-inch diameter sewer main is located in NE Big Rock Road at the east edge of the Big Rock Ridge Plat/west edge of the subject properties (Parcel 2129700245, Property Owner A, Dazey). Sewer main extension in NE Big Rock Road along the full frontage subject property and Big Rock Ball Field Park, and internally within the subject properties, shall be completed in accordance with City standards in association with development and payment of Sewer Utility General Facility Charges.
9. Stormwater: The subject property will be located within the City of Duvall Municipal Separate Storm Sewer System (MS4) upon annexation. Stormwater facility improvements shall be completed in accordance with City standards in association with development and payment of Storm Area Drainage Charges. Accommodation of subject property stormwater in association with retrofit of existing stormwater pond facilities within Big Rock Ballfield Park will be allowed provided that the pond retrofits also accommodate stormwater from proposed Big Rock Ball Field improvements (frontage and improvements within the 3-acre dedication area).
10. The annexation shall be consistent with the 2015 Watershed Plan Goals.
11. The annexation shall be consistent with the 2015 Comprehensive Plan Goals.
12. Land Use Goal 10 *Future Urban Growth Area (UGA) annexations are consistent with Duvall's land use and circulation patterns and do not adversely impact the City and its finances* (LU10.1 – 10.7) shall be evaluated at time of pre-annexation agreement submittal.
13. The annexation will design the 50% petition to the new tree protection, sensitive area, and landscape polices.
14. The Dazey property shall provide for additional public benefit to the community. This could include a transition area adjacent to existing single-family homes within city limits,

additional trail amenities that coordinate with Big Rock Ball Fields, and additional consideration for wider habitat corridor.

15. The applicant shall host a community meeting to take additional public input on the conceptual design of the annexation area during the 50% petition.

IV. PLANNING COMMISSION RECOMMENDATION

The Planning Commission held a public hearing regarding this petition for annexation on February 8, 2017. Approximately 30 members of the public attended the hearing and many provided public testimony. Staff provided answers at the meeting to questions raised by the public. After the public hearing, the planning commission made a unanimous decision to recommend that the City Council accept the Big Rock Petition for Annexation submitted by Barry Margolese. While the Planning Commission consists of seven members (with one position vacant at the time), only four (enough to make a quorum) were at the meeting.

Testimony from the public consisted mostly of questions directed toward City staff and the applicant. The public wanted to know more background information regarding how the proposal came about, the logistics of the annexation, and what other options were possible regarding the annexation. Concerns were about growth and loss of small town feel, increase in traffic, loss of privacy (for adjoining neighbors), loss of ability to expand Big Rock Park in the future, and the impacts from stormwater and stormwater management.

V. CONCLUSION

The proposed Big Rock Annexation as presented is eligible for annexation should the City Council decide to accept the 10% Petition. Staff requests that the public hearing remain open until April 4, 2017. This will allow the city and staff to work with the applicant on an amendment MOU (term extension) and an amended site plan. Staff also requests that the Council provide staff with direction on whether to draft a resolution accepting the petition for annexation with conditions or whether to draft a resolution denying the petition for annexation during the public hearing process to allow the community to provide public input on the resolution.

VI. APPEALS

The City Council decision to accept or reject the 10% Petition is final and not appealable.

Received Stamp	City of Duvall Small Town. Real Life.	**Planning Department** 15535 Main St. NE PO Box 1300 Duvall, WA 98019 (425) 788-2779 www.duvallwa.gov

Notice of Intent to Annex Petition Form

This form must be completed (clearly printed or typed) and submitted to the City to file an application along with the Master Permit Application. In addition, the applicant shall provide all fees as determined by the Planning Director (see attached Fee Schedule). For questions, please contact the Planning Department at (425) 788-2779.

FOR STAFF USE ONLY		
File No.:	Received By:	Date Received:

Primary Applicant / Contact Name: Barry Margolese
Mailing Address: 105 S. Main Street, Suite 230
Seattle, WA 98104

Phone # (206) 910-2728

Signature: Barry Margolese

In addition to meeting the conditions and requirements of DMC 14.82, the applicant shall provide the following information:

1. Notice of Intent to Annex fee: $1000.00
2. Title Report (current within 90 days).
3. Legal description of property. (Exhibit A)
4. Map of properties, including Duvall vicinity map. (Exhibit B)
5. Notice of Intent Petition. (attached) Additional pages or individual signature sheets for each property owner may be submitted separately.
6. Certified excerpt of corporate bylaws if officer signing on behalf of corporation.

CITY OF DUVALL
NOTICE OF INTENT ANNEXATION PETITION FORM

This annexation petition must be signed by owners of not less than 10 percent of the assessed value of property within the area sought to be annexed.

ANNEXATION NAME Big Rock Annex

Total Area (size in acres) 19.47 **Total Acreage Represented by the signatures** 19.47

I / We, the undersigned, being the owners of the acreage of the real property lying contiguous to the City of Duvall, Washington known as the Big Rock Annexation do hereby petition that such territory be annexed to and made a part of the City of Duvall.

As a part of this petition attached hereto is **Exhibit "A",** a legal description of the boundary of the proposed annexation; **Exhibit "B",** a vicinity map which outlines the boundaries of the properties sought to be annexed;

WARNING: Every person who signs this petition with any other than his true name, or who knowingly signs more than one of these petitions, or signs this petition when he is otherwise not qualified to sign, or who makes herein any false statement, shall be guilty of a misdemeanor.

1. NAME (Print) Markham A Quehrn on behalf of WPM-ONE LLC SIGNATURE [signature]

ADDRESS 10885 NE 4th Street Suite 700 Bellevue, WA 98004 DATE 1/11/2017

PROPERTY DESCRIPTION Parcel # 2129700260 TOTAL ACREAGE TO BE ANNEXED 9.76
(Section and tax lot number or subdivision and lot number)

2. NAME (Print) Jaydene G Dazey SIGNATURE

ADDRESS PO BOX 1406 Duvall, WA 98019 DATE

PROPERTY DESCRIPTION Parcel # 2129700240 TOTAL ACREAGE TO BE ANNEXED 4.90
(Section and tax lot number or subdivision and lot number)

3. NAME (Print) Jaydene G Dazey SIGNATURE

ADDRESS PO BOX 1406 Duvall, WA 98019 DATE

PROPERTY DESCRIPTION Parcel # 2129700245 TOTAL ACREAGE TO BE ANNEXED 4.81
(Section and tax lot number or subdivision and lot number)

4. NAME (Print) SIGNATURE

ADDRESS DATE

PROPERTY DESCRIPTION TOTAL ACREAGE TO BE ANNEXED
(Section and tax lot number or subdivision and lot number)

CONTINUED ON NEXT PAGE

This is the second page of a two-sided petition. Please read the information contained on the front page before signing. Also included as part of this petition are Exhibits A & B, a legal description of the annexation area and a vicinity map of the properties affected.

CITY OF DUVALL
NOTICE OF INTENT ANNEXATION PETITION FORM

This annexation petition must be signed by owners of not less than 10 percent of the assessed value of property within the area sought to be annexed.

ANNEXATION NAME Big Rock Annex

Total Area (size in acres) 19.47 **Total Acreage Represented by the signatures** 19.47

I / We, the undersigned, being the owners of the acreage of the real property lying contiguous to the City of Duvall, Washington known as the Big Rock Annexation do hereby petition that such territory be annexed to and made a part of the City of Duvall.

As a part of this petition attached hereto is **Exhibit "A",** a legal description of the boundary of the proposed annexation; **Exhibit "B",** a vicinity map which outlines the boundaries of the properties sought to be annexed;

WARNING: Every person who signs this petition with any other than his true name, or who knowingly signs more than one of these petitions, or signs this petition when he is otherwise not qualified to sign, or who makes herein any false statement, shall be guilty of a misdemeanor.

1. NAME (Print) Markham A Quehrn on behalf of WPM-ONE LLC SIGNATURE

ADDRESS 10885 NE 4th Street Suite 700 Bellevue, WA 98004 DATE

PROPERTY DESCRIPTION Parcel # 2129700260 TOTAL ACREAGE TO BE ANNEXED 9.76
(Section and tax lot number or subdivision and lot number)

2. NAME (Print) Jaydene G Dazey SIGNATURE

ADDRESS PO BOX 1406 Duvall, WA 98019 DATE 1-11-2017

PROPERTY DESCRIPTION Parcel # 2129700240 TOTAL ACREAGE TO BE ANNEXED 4.90
(Section and tax lot number or subdivision and lot number)

3. NAME (Print) Jaydene G Dazey SIGNATURE

ADDRESS PO BOX 1406 Duvall, WA 98019 DATE 1-11-2017

PROPERTY DESCRIPTION Parcel # 2129700245 TOTAL ACREAGE TO BE ANNEXED 4.81
(Section and tax lot number or subdivision and lot number)

4. NAME (Print) SIGNATURE

ADDRESS DATE

PROPERTY DESCRIPTION TOTAL ACREAGE TO BE ANNEXED
(Section and tax lot number or subdivision and lot number)

CONTINUED ON NEXT PAGE

This is the second page of a two-sided petition. Please read the information contained on the front page before signing. Also included as part of this petition are Exhibits A & B, a legal description of the annexation area and a vicinity map of the properties affected.

5. NAME (Print) 2 SIGNATURE

ADDRESS DATE

PROPERTY DESCRIPTION TOTAL ACREAGE TO BE ANNEXED
(Section and tax lot number or subdivision and lot number)

6. NAME (Print) SIGNATURE

ADDRESS DATE

PROPERTY DESCRIPTION TOTAL ACREAGE TO BE ANNEXED
(Section and tax lot number or subdivision and lot number)

7. NAME (Print) SIGNATURE

ADDRESS DATE

PROPERTY DESCRIPTION TOTAL ACREAGE TO BE ANNEXED
(Section and tax lot number or subdivision and lot number)

8. NAME (Print) SIGNATURE

ADDRESS DATE

PROPERTY DESCRIPTION TOTAL ACREAGE TO BE ANNEXED
(Section and tax lot number or subdivision and lot number)

9. NAME (Print) SIGNATURE

ADDRESS DATE

PROPERTY DESCRIPTION TOTAL ACREAGE TO BE ANNEXED
(Section and tax lot number or subdivision and lot number)

10. NAME (Print) SIGNATURE

ADDRESS DATE

PROPERTY DESCRIPTION TOTAL ACREAGE TO BE ANNEXED
(Section and tax lot number or subdivision and lot number)

Staff Use Only

Total Area	**Total Assessed Valuation**	**Valuation Represented by Signers**	**% Value**

I certify that the information included in this table is true and correct according to the records maintained by the King County Department of Records and Elections.

Planning Director Signature: Date:

2. County Annexation Review Board for Code Cities (RCW 35A.14.220)
   The county annexation review board for code cities does not review annexations under the 60 percent petition method.

I. Effective Date of Annexation (RCW 35A.14.150)

The annexation, together with any provision relating to application of a proposed zoning regulation, is effective on the date fixed in the ordinance. The relevant statute, RCW 35A.14.150, does not specify any date by which the annexation must be made effective. Note, however, that there are important timing issues as to when an annexation occurs with respect to when the city's property tax levy can be effective in the newly annexed area and with respect to receipt of state-shared revenues, sales tax, and, if applicable, sales tax equalization payments. See Section 4.4.

J. Notice of Annexation (RCW 35A.14.150, RCW 35A.14.801, RCW 84.09.030)

For information on the notice that should be given following completion of the annexation process, see discussion in Section 7.1 M.

7.4 Alternative Petition Annexation Method

Code Cities

In response to the state supreme court declaring the 60 percent petition method unconstitutional, the 2003 legislature enacted a new petition method designed to address what the court determined were constitutional defects in the old petition method. Annexation petitions under this new method are to be signed both by property owners and by voters. Subsequently, the state supreme court reversed its earlier decision and determined the 60 percent petition method to be constitutional. So, cities now have a second, alternative petition method for annexing territory.

A. Initiation/Notice of Intention (RCW 35A.14.420)

An annexation under this method is initiated by written notice to the city council of an "intention to commence annexation proceedings" signed by owners of not less than 10 percent of the acreage of this area.

Note that, under RCW 28A.335.110, school district property can be annexed only if it constitutes the entire area proposed for annexation. Consequently, annexation of school district property can be initiated only by a school district.

B. Meeting with Initiators/Initial Decision by City Council (RCW 35A.14.420)

The city council must set a date for a meeting with the initiating parties, which may occur no later than 60 days after the filing of notice of intention, to determine whether the council will:

1. Accept the annexation as proposed;

2. Geographically modify the proposed annexation (and accept the proposed annexation as modified); or

3. Reject the annexation.

The decision of the council whether to "accept" the proposed annexation is entirely within the council's discretion. By accepting a proposed annexation, the council is not committing itself to ultimately annexing the territory proposed when a sufficient petition is presented to it. The decision to accept

merely allows the annexation to go forward procedurally. If the council rejects the proposed annexation, the initiating parties have no right of appeal.

If the council accepts the annexation, it must also decide:

1. Whether it will require the simultaneous adoption of a proposed zoning regulation, and

2. Whether it will require the assumption of all or any portion of existing city indebtedness by the area to be annexed.

If the council decides to require either or both of the above, that decision must be reflected in the meeting minutes.

C. Petition Requirements (RCW 35A.14.420)

If the city council accepts the initial annexation proposal, the initiating parties may draft and circulate a petition for signatures. The petition for annexation must:

1. Be in writing and be addressed to the city council;

2. Contain a legal description of the property;

3. Be accompanied by a drawing that outlines the boundaries of the area proposed for annexation;

4. If the city council is requiring the assumption of all or any portion of city or town indebtedness and/or the adoption of a comprehensive plan or proposed zoning regulation for the area to be annexed, state those facts, along with a quotation from the meeting minutes where the council imposed such requirements;

5. Be signed by:

    a. Owners of a majority of the acreage of the area proposed for annexation; and

    b. A majority of the registered voters residing in the area proposed for annexation; but, if there are no residents in the area proposed for annexation or no registered voters, by the owners of a majority of the acreage of the area. (For school district property, the petition is to be signed by the district board of directors.)

6. Comply with the rules for petitions in RCW 35A.01.040; and

7. Be filed with the city council.

D. Filing of Petition, Hearing on Petition, etc.

The rest of the procedures for this alternative petition method are identical to those for the 60 percent petition method in Sections 7.3 D-J. However, there are different statutory citations for: notice of hearing (RCW 35A.14.430); ordinance providing for annexation (RCW 35A.14.440); and effective date of annexation (RCW 35A.14.450).

7.5 Annexation for Municipal Purposes

Code Cities

Project Narrative

for Big Rock Annexation

The enclosed application is for the annexation of Tax Parcel #'s 2129700245, 2129700240 & 2129700260 into the City of Duvall, Washington. Currently, each parcel lies immediately outside the Duvall City Limits in what is now referred to as unincorporated King County, but noted as R4 Residential on the City's 2016 Zoning Map and R4-4.45 Residential on the City's 2016 Future Land Use Map.

The property between the two (2) subject developments is a City Park (Big Rock Ball Fields) and currently within the City of Duvall city limits. The city park isolates the northern two tax parcels from the current city limits along Big Rock Road. This annexation would correct the city boundary to be more uniform in appearance.

Parcel 2129700260 has a Memorandum of Understanding (MOU) that states upon annexation into the City of Duvall, up to three (3) acres will be dedicated to the City. The MOU expires December 31, 2017, and if the property is not annexed into the City by that time the dedication is no longer required. The three (3) acres are to be adjacent to the existing City Park and count towards the required 10% open space for the residential development. Refer to sheet C-1.1 "Preliminary Dedication Plan" for boundary of dedication area and Big Rock Road Preliminary Landscape Plan.

Parcel 2129700260 proposes several **public purpose and benefit** enhancements as part of the development of the three acre dedication area and park property to include:

- 50 additional parking spaces
- Big and small breed off-leash dog park
- Soft surface connection trails throughout the development and dedication
- Big Rock Road street widening along Park frontage to include bike lane, parking, planter strip, and sidewalk
- Existing stormwater pond and swale enlargements
- New emergency vehicle access connection between park and Big Rock Road, mid-block connection through future plat access roadway and cul-de-sac turn-around

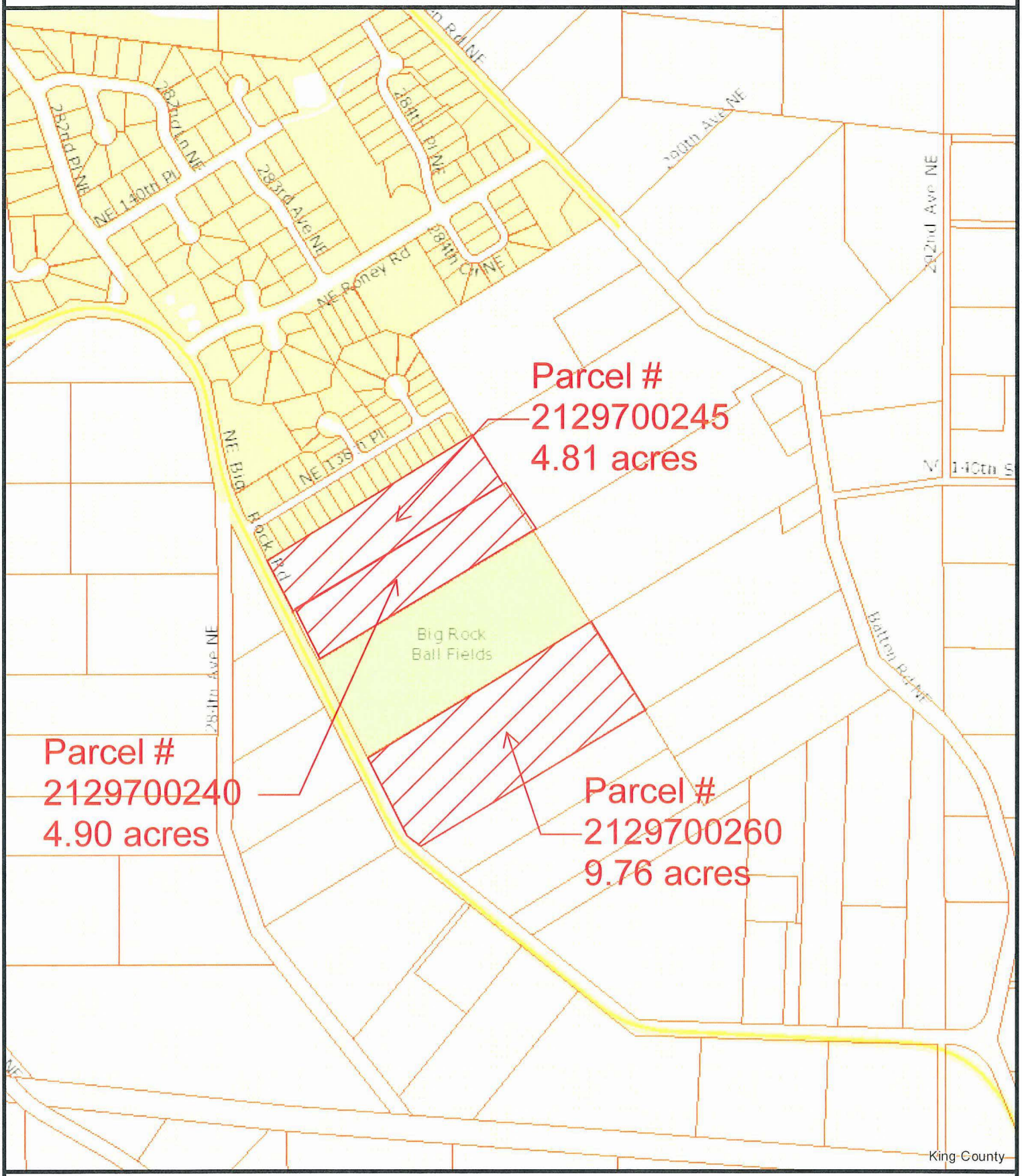
Parcel 2129700245 and 2129700240 propose a 24' (min.) wildlife habitat corridor as described in the City of Duvall 2015 Comprehensive Plan. The corridor proposed will extend across the property east and west and be located adjacent to the park boundary.

The development plan for both of the parcels adjoining the ballfield includes, in addition to the above, retention of significant clusters of trees and enlargement of existing stormwater ponds to avoid the use of stormwater vaults.

The City of Duvall's Watershed Plan designates the properties as being within the "D7 – Unnamed Southern Tributary – Upper" basin with a Group 2C designation, the lowest conservation designation. This designation is for subbasins where more intense development is appropriate, with focused protection of remaining important areas. The City of Duvall's Comprehensive Plan designates the properties as being within the "Southeast Urban Growth Area - The Southeast UGA contains approximately 20 acres, near Big Rock Ball Fields and has a future land use designation of Residential 4-4.5 units per acre." The three parcels as part of this annexation encompass the entire southeast UGA.

In accordance with the Future Land Use Map and the R4 Residential zoning per Duvall's Municipal Code, single-family residential homes are intended to be constructed on the subject parcels once annexed into the City of Duvall. The properties will respect the intended use, zoning, density and City of Duvall vision as it's prescribed in the comprehensive plan while complementing and adding to the City of Duvall's planned park improvements.

DAZEY BIG ROCK
EXHIBIT B - VICINITY MAP



The information included on this map has been compiled by King County staff from a variety of sources and is subject to change without notice. King County makes no representations or warranties, express or implied, as to accuracy, completeness, timeliness, or rights to the use of such information. This document is not intended for use as a survey product. King County shall not be liable for any general, special, indirect, incidental, or consequential damages including, but not limited to, lost revenues or lost profits resulting from the use or misuse of the information contained on this map. Any sale of this map or information on this map is prohibited except by written permission of King County.

King County
GIS Center

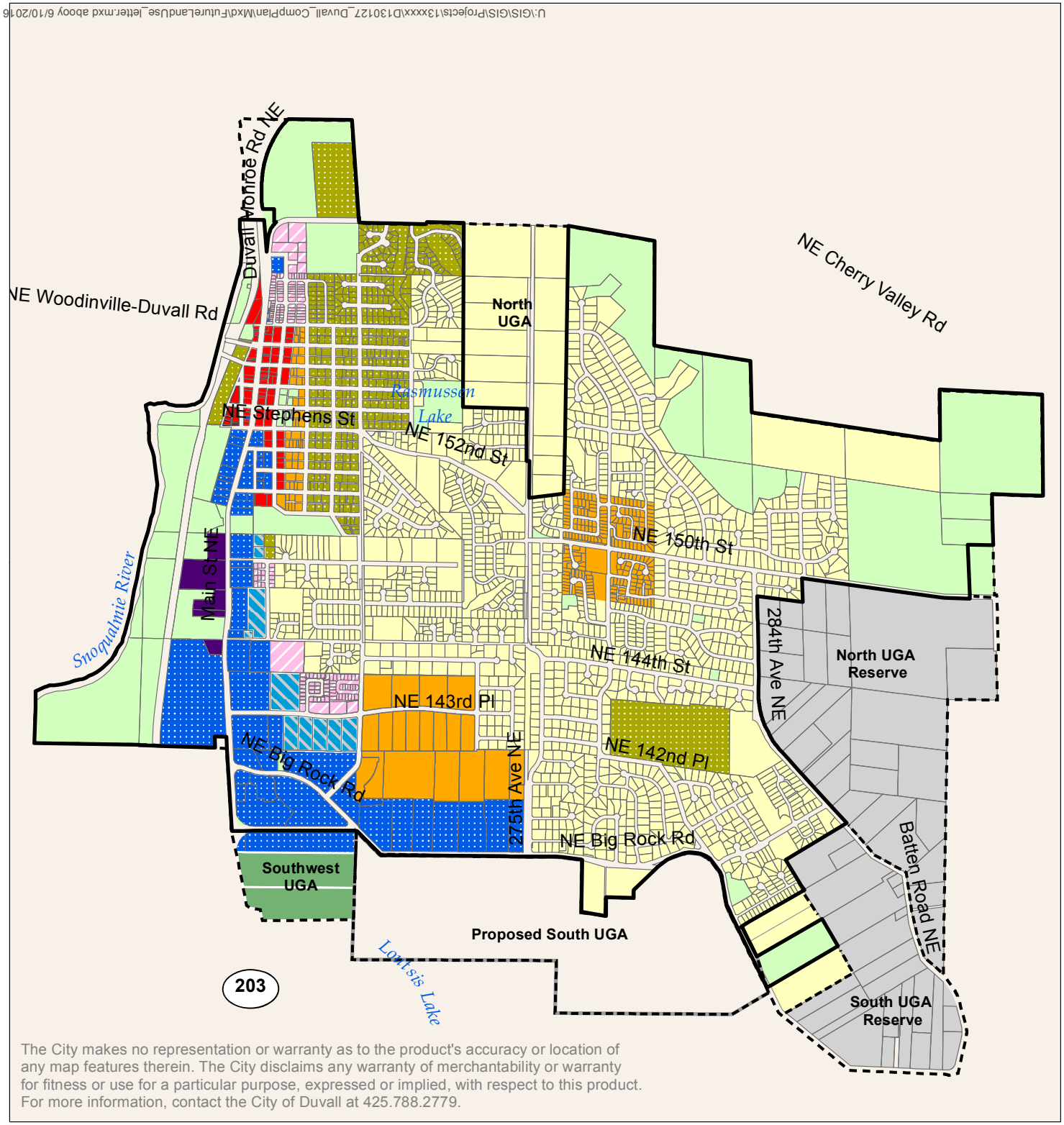
Date: 12/2/2016 Exhibit B - Vicinity May

Exhibit 6

City of Duvall

Future Land Use Map

Adopted by **Resolution No. 16-09**
approved on **June 7, 2016**



R4-4.5 Residential 4-4.5 Units Per Acre

R6 Residential 6 Units Per Acre

R8 Residential 8 Units Per Acre

R12 Residential 12 Units Per Acre

R20 Residential 20 units per Acre

MU Mixed Use Commercial and Residential

CO Commerical

LI Light Industrial

PF Public Facilities

PO Parks and Open Space

UGAR Urban Growth Area Reserve

Water Body

City of Duvall

Urban Growth Area

Proposed South UGA

0 2,000
Feet

N

City of Duvall
Small Town. Real Life.

City of Duvall Comprehensive Plan. 130127
SOURCE: ESA 2015; City of Duvall 2012.

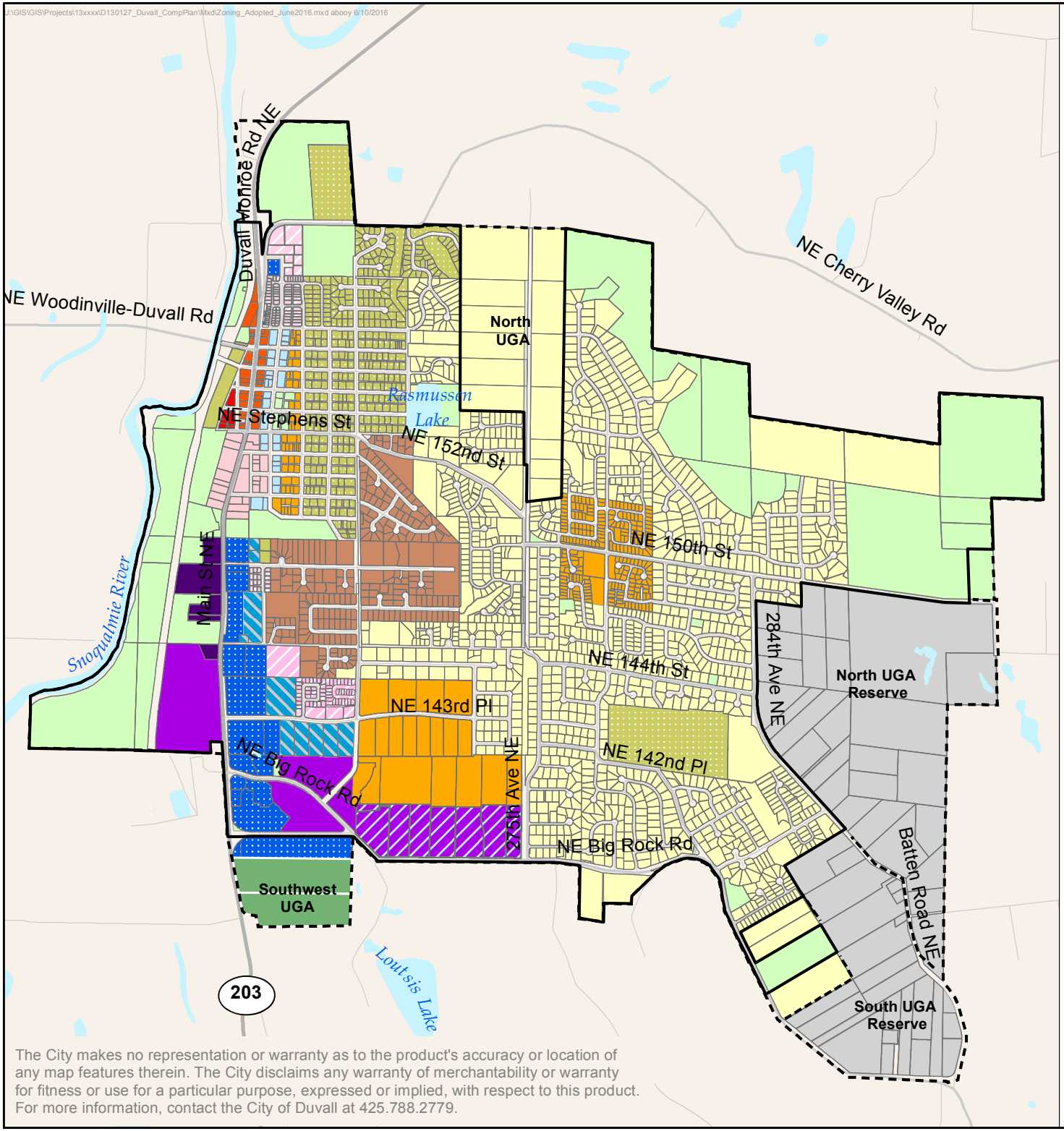
The City makes no representation or warranty as to the product's accuracy or location of any map features therein. The City disclaims any warranty of merchantability or warranty for fitness or use for a particular purpose, expressed or implied, with respect to this product. For more information, contact the City of Duvall at 425.788.2779.

Exhibit 7

J:\GIS\GIS\Projects\13xxxx\D130127_Duvall_CompPlan\Mxd\Zoning_Adopted_June2016.mxd abooy 6/10/2016

City of Duvall
Official Zoning Map

Adopted by **Ordinance No. 1194**
approved on **June 7, 2016**



- UGAR
- R4 Residential 4 units per acre
- R4.5 Residential 4.5 units per acre
- R6 Residential 6 units per acre
- R8 Residential 8 units per acre
- R12 Residential 12 units per acre
- R20 Residential 20 units per acre
- OT Old Town-Mixed Use - retail, office and residential
- UT1 Uptown - 1st Avenue - retail, office and residential
- MT Midtown - commercial and office
- MU12 Mixed Use - commercial and residential
- MUI Mixed Use - Institutional
- CO Commercial - retail and office
- LI Light Industrial - light industrial and office
- PF Public Facilities
- PO Parks and Open Space
- Water Body
- City of Limits
- Urban Growth Area

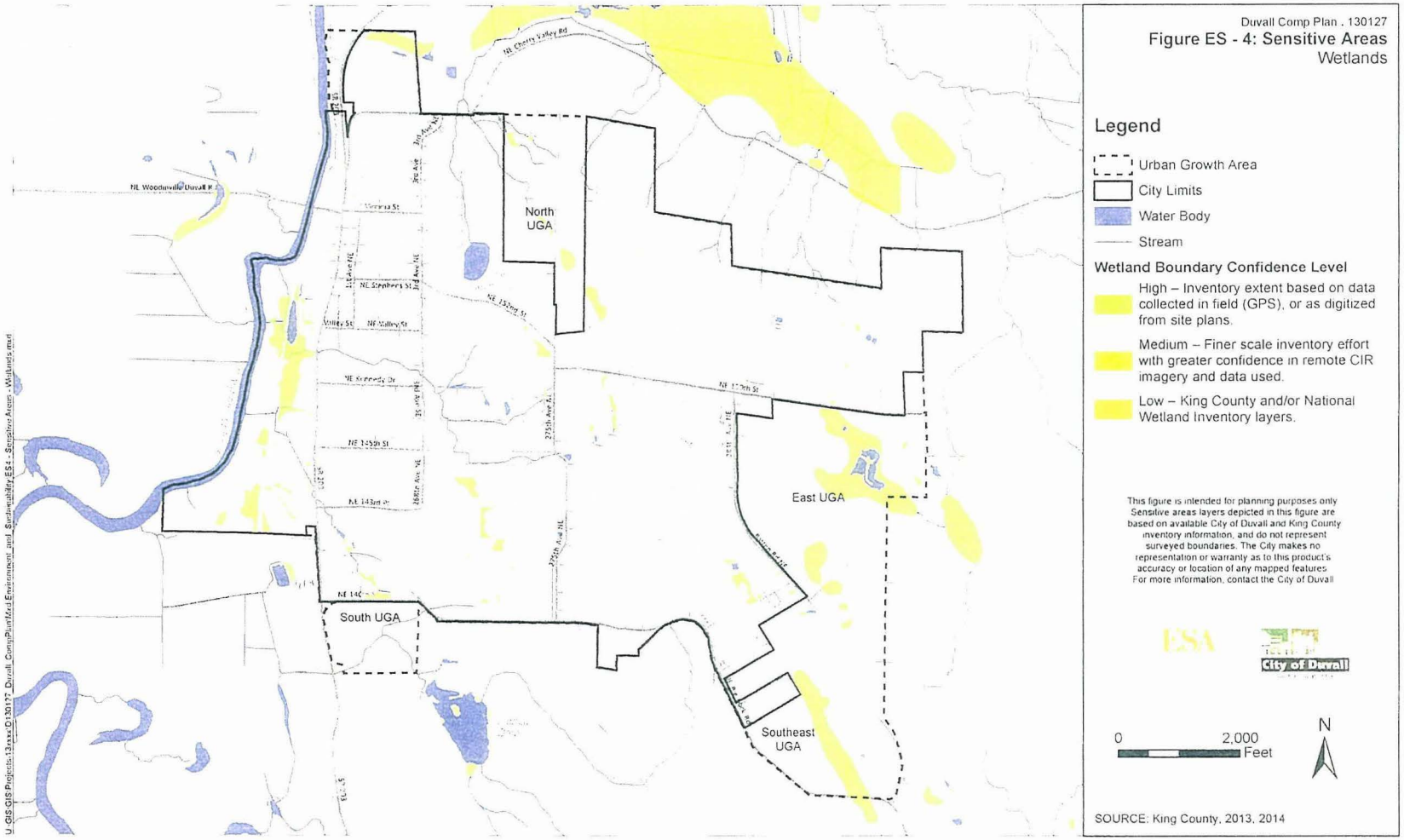
0 2,000
Feet

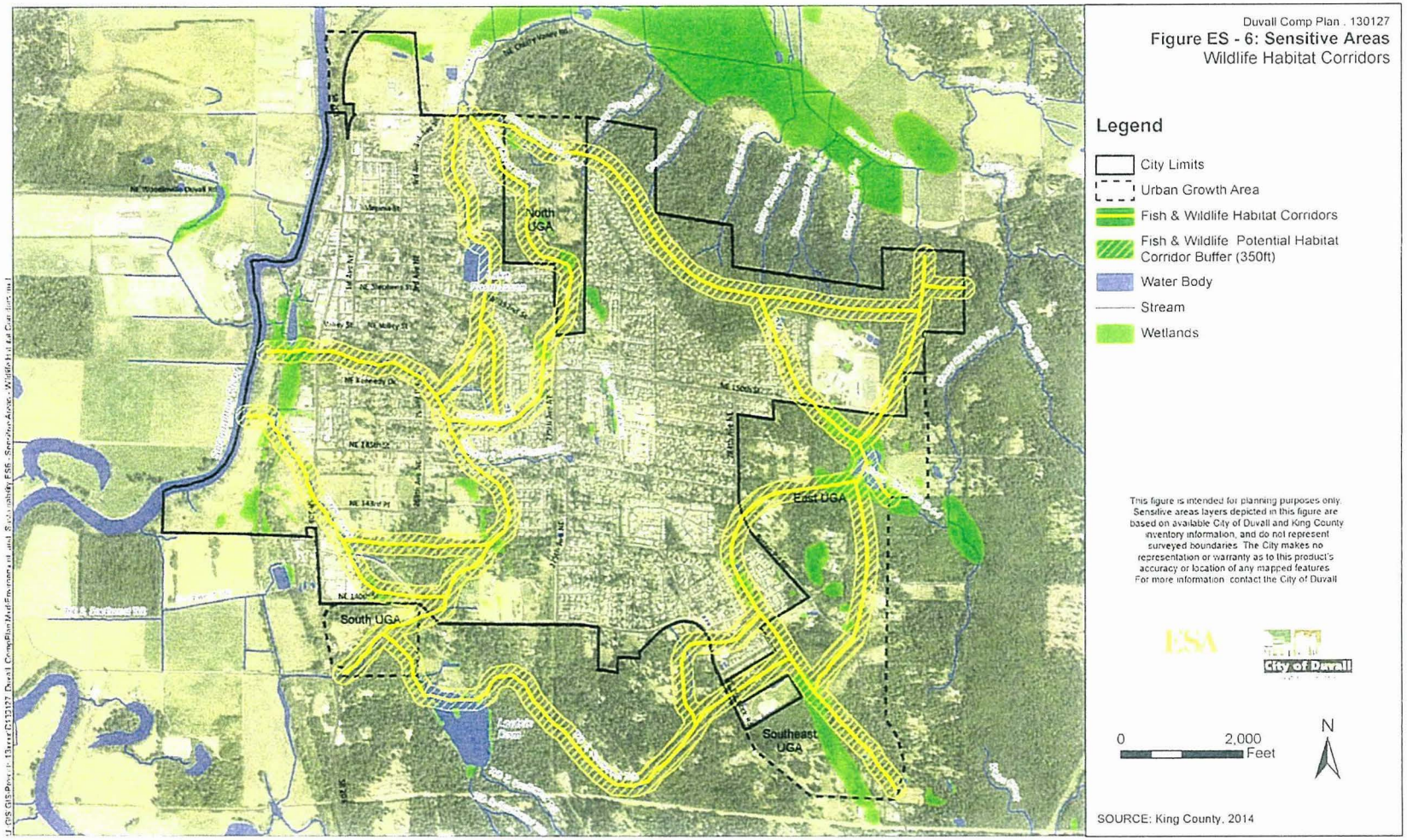
N

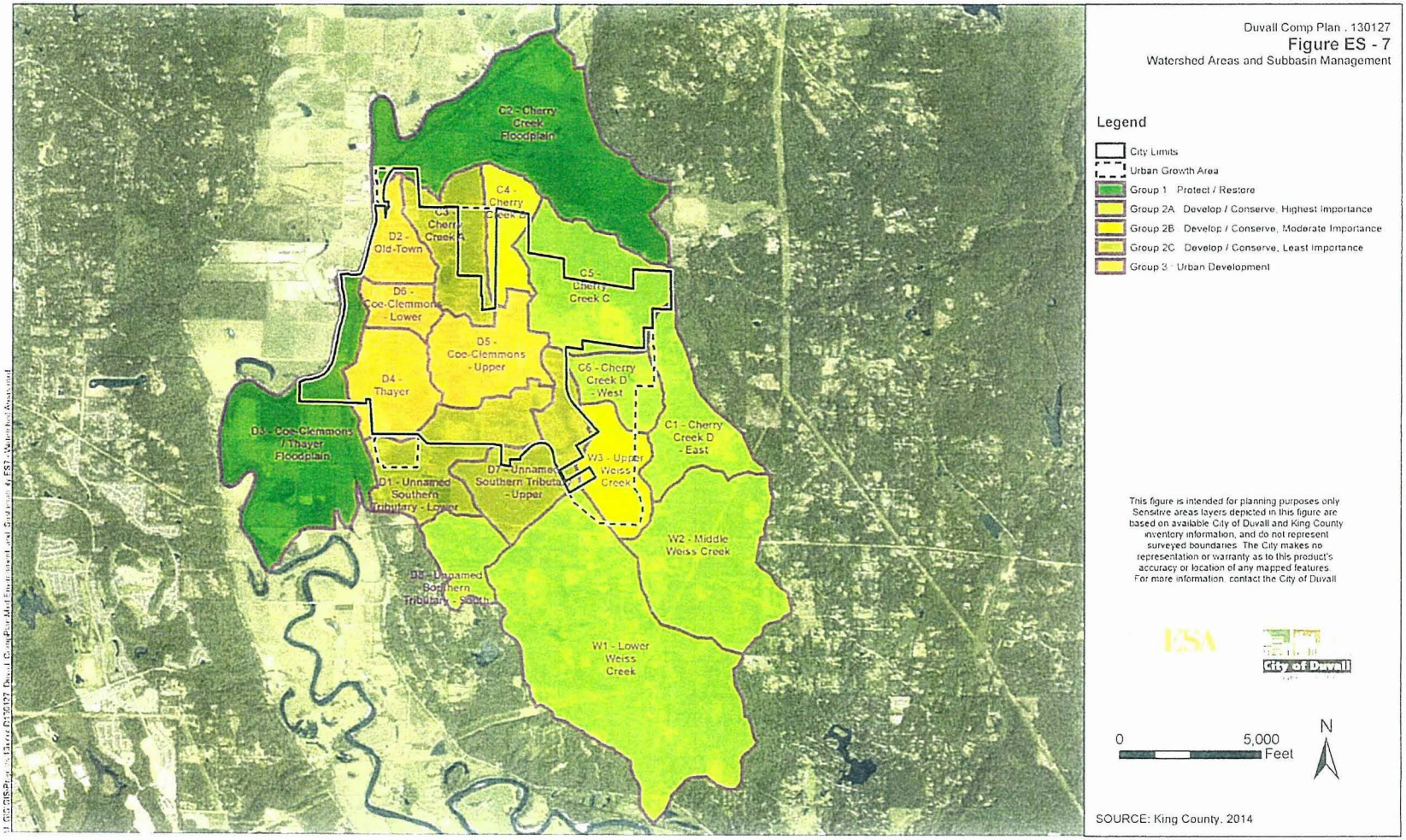
City of Duvall
Small Town. Real Life.

City of Duvall Comprehensive Plan. 130127
SOURCE: ESA 2015; City of Duvall 2012.

The City makes no representation or warranty as to the product's accuracy or location of any map features therein. The City disclaims any warranty of merchantability or warranty for fitness or use for a particular purpose, expressed or implied, with respect to this product. For more information, contact the City of Duvall at 425.788.2779.


Duvall Comp Plan . 130127
Figure ES - 4: Sensitive Areas
Wetlands
Legend
Urban Growth Area
City Limits
Water Body
Stream
Wetland Boundary Confidence Level
High – Inventory extent based on data collected in field (GPS), or as digitized from site plans.
Medium – Finer scale inventory effort with greater confidence in remote CIR imagery and data used.
Low – King County and/or National Wetland Inventory layers.
This figure is intended for planning purposes only. Sensitive areas layers depicted in this figure are based on available City of Duvall and King County inventory information, and do not represent surveyed boundaries. The City makes no representation or warranty as to this product's accuracy or location of any mapped features. For more information, contact the City of Duvall.
ESA
City of Duvall
0
2,000
Feet
N
SOURCE: King County, 2013, 2014
North UGA
East UGA
South UGA
Southeast UGA
NE Cherry Valley Rd
NE Woodinville-Duvall R
NE Stephens St
NE Valley St
NE Kennedy Dr
NE 135th St
NE 143rd St
NE 147th St
3rd Ave NE
15th Ave NE
275th Ave NE
285th Ave NE
375th Ave NE
U:\GIS\GIS\Projects\13xxx\D130127_Duvall_CompPlan\Final\Environment_and_Sustainability\ES4 - Sensitive Areas - Wetlands.mxd

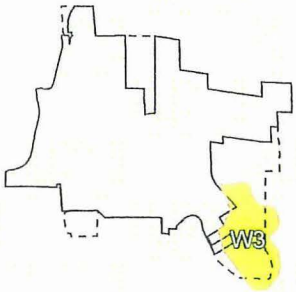

Duvall Comp Plan . 130127
Figure ES - 6: Sensitive Areas
Wildlife Habitat Corridors
Legend
City Limits
Urban Growth Area
Fish & Wildlife Habitat Corridors
Fish & Wildlife Potential Habitat Corridor Buffer (350ft)
Water Body
Stream
Wetlands
This figure is intended for planning purposes only. Sensitive areas layers depicted in this figure are based on available City of Duvall and King County inventory information, and do not represent surveyed boundaries. The City makes no representation or warranty as to this product's accuracy or location of any mapped features. For more information contact the City of Duvall
ESA
City of Duvall
0
2,000
Feet
N
SOURCE: King County, 2014
North UGA
East UGA
South UGA
Southeast UGA


Duvall Comp Plan . 130127
Figure ES - 7
Watershed Areas and Subbasin Management
Legend
City Limits
Urban Growth Area
Group 1 Protect / Restore
Group 2A Develop / Conserve, Highest Importance
Group 2B Develop / Conserve, Moderate Importance
Group 2C Develop / Conserve, Least Importance
Group 3 Urban Development
This figure is intended for planning purposes only. Sensitive areas layers depicted in this figure are based on available City of Duvall and King County inventory information, and do not represent surveyed boundaries. The City makes no representation or warranty as to this product's accuracy or location of any mapped features. For more information, contact the City of Duvall.
ESA
City of Duvall
0
5,000
Feet
N
SOURCE: King County, 2014
C2 - Cherry Creek Floodplain
C4 - Cherry Creek B
C3 - Cherry Creek A
D2 - Old-Town
C5 - Cherry Creek C
D6 - Coe-Clemmons - Lower
D5 - Coe-Clemmons - Upper
C6 - Cherry Creek D - West
D4 - Thayer
C1 - Cherry Creek D - East
D3 - Coe-Clemmons / Thayer Floodplain
W3 - Upper Weiss Creek
D7 - Unnamed Southern Tributary - Upper
D1 - Unnamed Southern Tributary - Lower
W2 - Middle Weiss Creek
D8 - Unnamed Southern Tributary - South
W1 - Lower Weiss Creek

SUBBASIN:

Upper Weiss Creek (PAU W3)

BASIN: Southern Tributaries - Weiss Creek



Management Recommendation: Group 2B Moderate Conservation

What Does this Management Recommendation Mean?

While this subbasin may be appropriate for some additional development, care should be taken to protect areas important for remaining watershed processes, especially delivery, discharge and habitat processes.

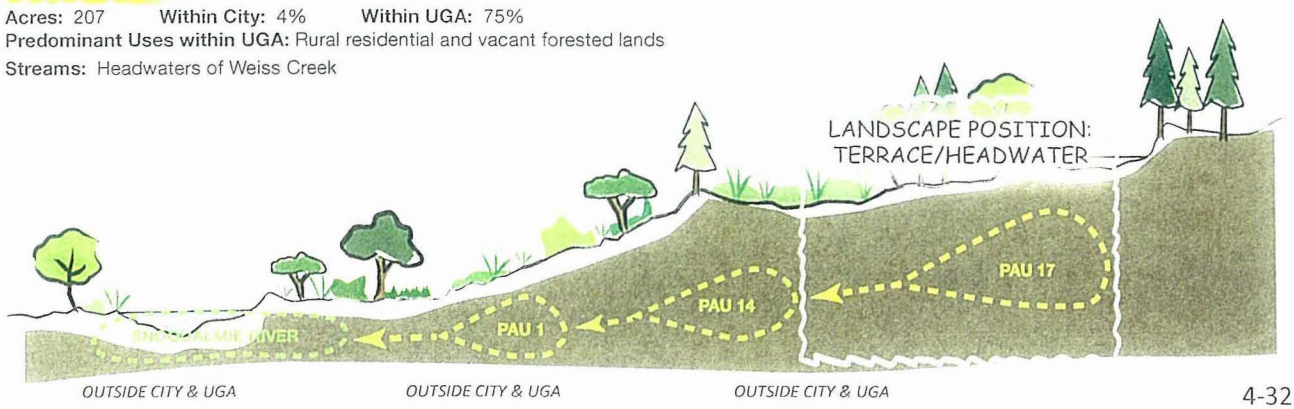
Why is this the Management Recommendation?

The subbasin scored low to moderate for importance and moderate for degradation. Some important areas for maintaining watershed processes remain intact, including extensive forested areas that include several large depressional wetlands. These areas should be conserved; however, overall results suggest there are other areas that may be appropriate for additional development. Analysis results are detailed below:

Surface Storage	**Subbasin features provide moderate levels of surface storage within a headwater landscape position:** • 13% wetlands and other surface storage features • Large forested depressional wetland complex within UGAR, to the NE of Big Rock Ball Fields Park Storage processes are generally intact because there is little existing development.	**Broad management priorities:** • Protect depressional wetlands • Maintain downstream flow pathways
Groundwater and Base Flow Maintenance	**Subbasin is moderately important for base flow maintenance processes; however less important for recharge:** • No areas of mapped permeable soils • Large headwater wetlands for Weiss Creek These processes have been minimally degraded, as there are generally low levels of existing development. Low impervious surface cover and high forest cover (especially within wetlands) support processes.	**Broad management priorities:** • Limit future development • Protect depressional wetlands • Maintain downstream flow pathways
Fish and Wildlife Habitat	**The subbasin is of moderately important for fish and wildlife habitat:** • No documented anadromous fish presence; although there is extensive downstream presence of coho within Weiss Creek (PAUs 14 and 1) • Forested wetland areas provide significant habitat for numerous bird, amphibian, and mammal species • Forested connection to larger undeveloped tracts to the north (PAU 16), west (PAU 13), south and east Rural development has resulted in some forest loss, primarily along Big Rock Road corridor.	**Broad management priorities:** • Limit future development to areas along Big Rock Road and Batten Road • Protect large forested wetland complex • Maintain habitat corridors
Water Quality	**The headwater landscape of the subbasin supports sediment deposition and water filtration processes:** • Extensive areas of depressional wetlands suggest that the overall subbasin is a sediment and phosphorus sink • Wetlands provide water quality filtration before discharging to Weiss Creek Water quality processes are relatively intact due to limited development throughout subbasin, especially areas surrounding the large forested wetland complex.	**Broad management priorities:** • Limit future development, and require use of LID approaches for water flow and water quality wherever development occurs • Protect forested wetland complex

SUBBASIN STATS

Acres: 207 **Within City:** 4% **Within UGA:** 75%
Predominant Uses within UGA: Rural residential and vacant forested lands
Streams: Headwaters of Weiss Creek



SUBBASIN:

Upper Weiss Creek (PAU W3)

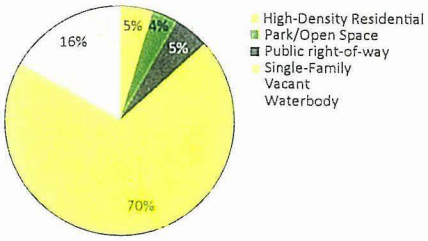
Land Use Opportunities and Constraints

- Contiguous wetlands and forested uplands extend throughout central portion of subbasin, and are located in headwater landscape position for Weiss Creek
- Subbasin is within existing UGAR; any future annexation would increase development pressure, especially along the Big Rock Road and Batten Road corridors

Preliminary Management Priorities and Objectives

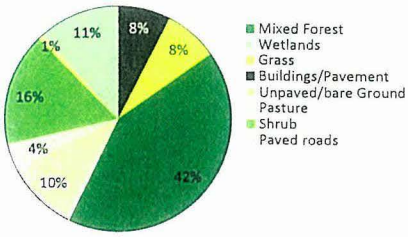
- Limit future development to areas along Big Rock Road and Batten Road, well away from forested depressional wetland complex
- Require use of LID approaches for water flow and water quality wherever development occurs.
- Maintain forested habitat corridors in all directions, including downstream flow pathways from wetland complex to Weiss Creek

Existing Land Use

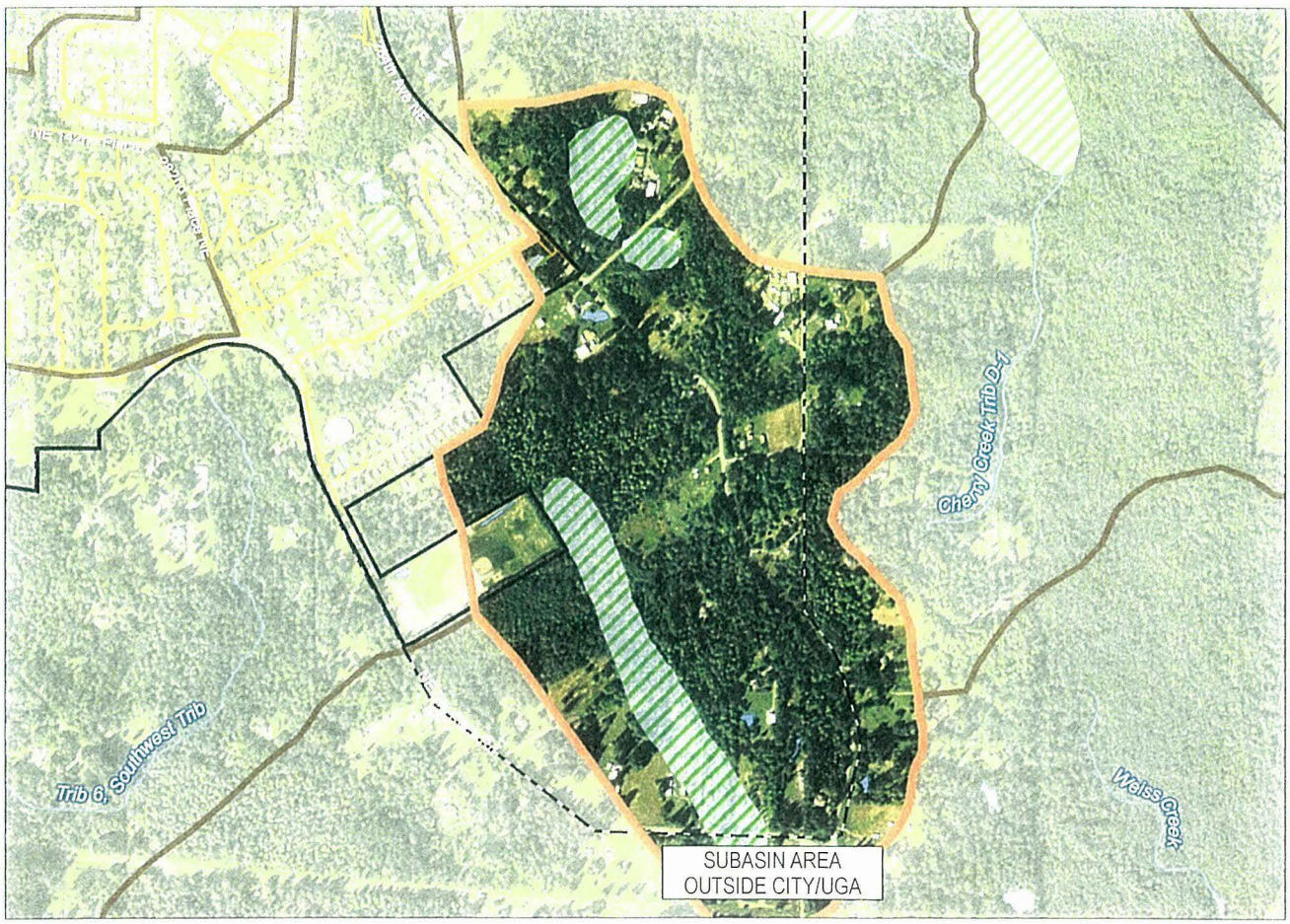


Depicts existing land uses for areas within the City/UGA. Other areas of the subbasin are typically agricultural and under County jurisdiction.

Land Cover



Depicts existing land cover for entire subbasin, including areas within County jurisdiction.

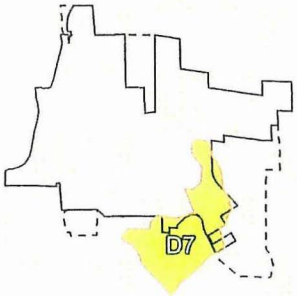


Subbasin Boundary | Wetlands | waterbody | Stream | Pipe Conveyance | City Limit | City UGA | PAU W3

SUBBASIN:

Unnamed Southern Tributary - Upper (PAU D7)

BASIN: Southern Tributaries



Management Recommendation: Group 2C Lowest Conservation

What Does this Management Recommendation Mean?

This subbasin is appropriate for more intense development; but as development occurs the resources and areas most important for watershed processes should be conserved.

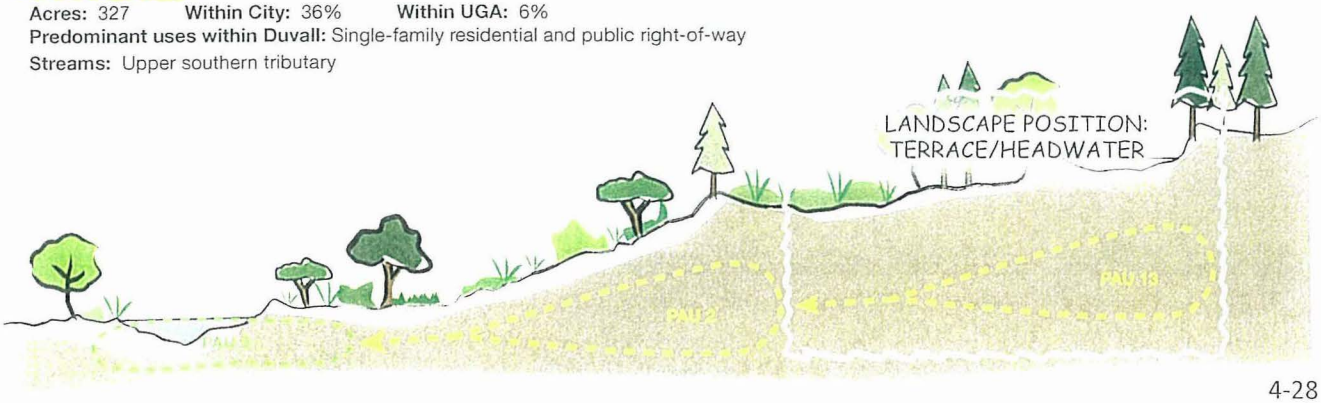
Why is this the Management Recommendation?

The subbasin scored relatively low for importance and high for degradation. New development could likely occur with less effect on processes compared to other basins, although development opportunity appears to primarily occur within rural areas south of the city. Analysis results are detailed below:

Surface Storage	**Subbasin is of low importance for surface storage processes:** • Only 1% wetlands / other surface storage features • Previous development in NE portion (within city limits) has reduced storage Surface storage that is provided is minimally degraded, especially in areas outside of city limits.	**Broad management priorities:** • Conserve depressional wetlands • Encourage or require LID approaches for new development • Limit stormwater discharges to steep slope areas, especially adjacent to streams
Groundwater and Base Flow Maintenance	**Subbasin has relatively low importance to groundwater and base flow maintenance processes:** • No mapped permeable soils • Few mapped slope wetlands; although these likely occur along riparian corridors Processes are minimally degraded due to low levels of existing development and wide, forested riparian corridors.	**Broad management priorities:** • Preserve forest cover • Preserve slope wetlands along stream corridors
Fish and Wildlife Habitat	**The subbasin is moderately important for fish and wildlife habitat:** • No documented anadromous fish presence; nearest downstream presence is within Snoqualmie River floodplain • Forested riparian corridor provides habitat for numerous bird, amphibian, and mammal species, as well as connections to subbasins to the east (PAUs 12 and 16), south and west Rural development has resulted in some forest loss, primarily along Big Rock Road corridor.	**Broad management priorities:** • Provide adequate stream buffers • Maintain riparian and upland habitat corridors to surrounding subbasins
Water Quality	**The subbasin has low sediment export potential; contributions to downstream channel (within ravine before crossing Snoqualmie floodplain):** • Sediment sources associated with soil erodibilty and subbasin slopes • Sediment sinks include depressional wetlands Degradation related to impervious surface runoff has likely increased channel erosion and peak flows in downstream areas. Additionally, urban runoff is likely polluted with metals and other pollutants.	**Broad management priorities:** • Identify and implement retrofit actions • Require use of LID approaches for water quality and water flow • Maintain remaining wetlands

SUBBASIN STATS

Acres: 327 **Within City:** 36% **Within UGA:** 6%
Predominant uses within Duvall: Single-family residential and public right-of-way
Streams: Upper southern tributary



SUBBASIN:

Unnamed Southern Tributary - Upper (PAU D7)

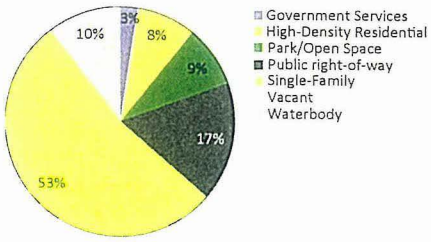
Land Use Opportunities and Constraints

- Opportunities for stormwater LID strategies focused on water flow and water quality (both as retrofit actions and for new development)
- Intact forested riparian corridors provide linkages in all directions, including to Upper Weiss Creek (PAU 17)
- Areas outside of city and UGA, to the south of Big Rock Road, may also be appropriate for higher intensity development in the future

Preliminary Management Priorities and Objectives

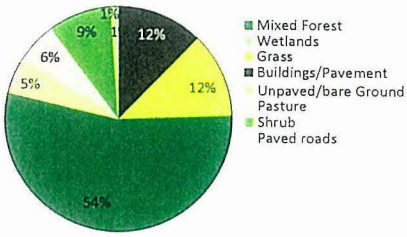
- Encourage higher density development in areas along Big Rock Road, including areas within City Limits to the south of the roadway; explore opportunities to focus additional higher density development in subbasin areas currently outside of the City and UGA
- While encouraging new higher density development, protect slope wetlands adjacent to streams, and maintain functions of remaining depressional wetlands
- Identify and implement stormwater retrofit actions to improve water flow and water quality to downstream resources
- Require use of LID approaches for water flow and water quality as new development occurs

Existing Land Use

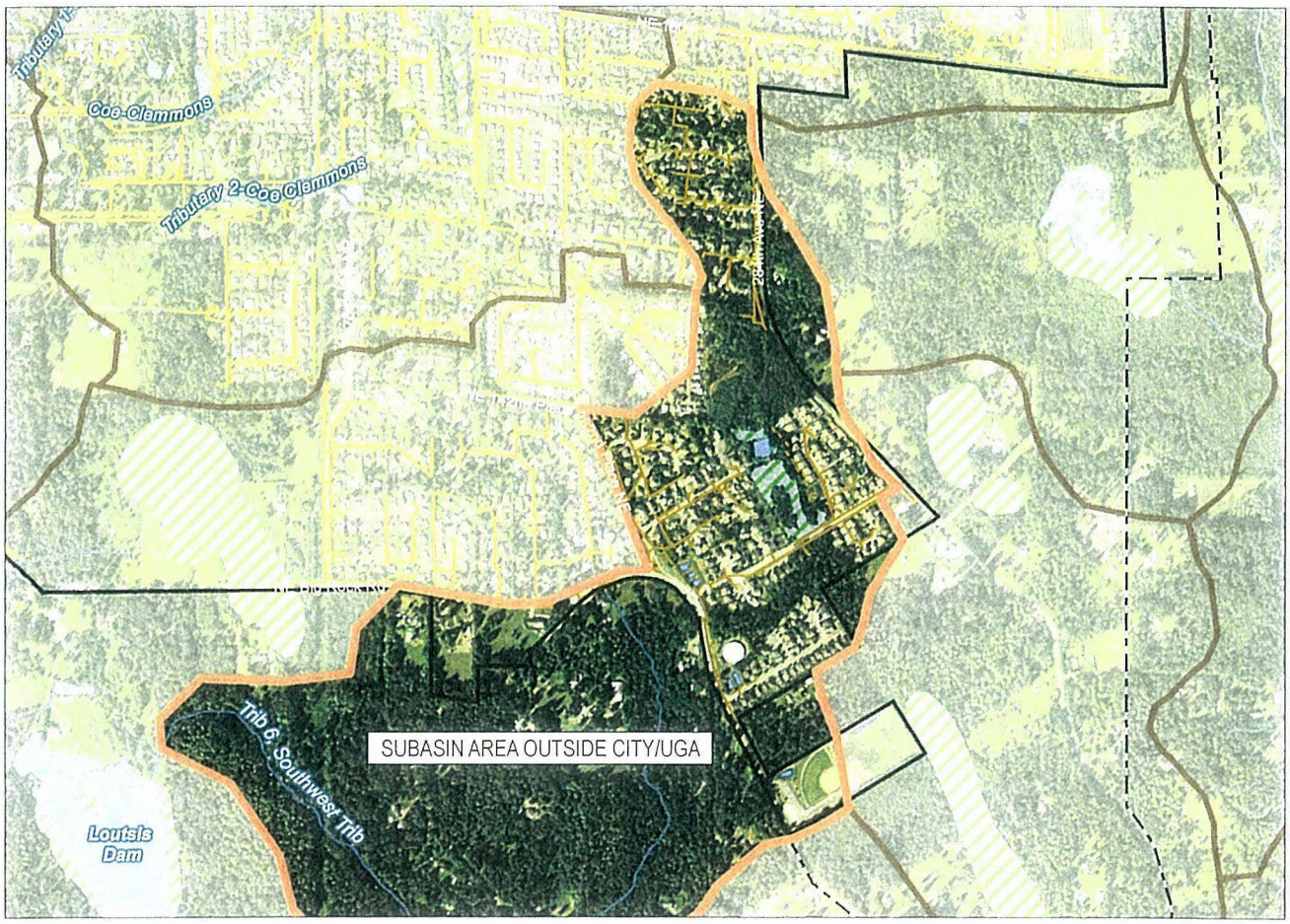


Depicts existing land uses for areas within the City/UGA. Other areas of the subbasin are typically agricultural and under County jurisdiction.

Land Cover



Depicts existing land cover for entire subbasin, including areas within County jurisdiction.



Subbasin Boundary | Wetlands | waterbody | Stream | Pipe Conveyance | City Limit | City UGA | PAU D7

ALTA COMMITMENT FOR TITLE INSURANCE

Commitment Number:

0077883-06
Update 2nd Commitment

Issued By agent:

CHICAGO TITLE
COMPANY OF WASHINGTON

CHICAGO TITLE INSURANCE COMPANY, a Nebraska corporation ("Company"), for a valuable consideration, commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the Proposed Insured named in Schedule A, as owner or mortgagee of the estate or interest in the land described or referred to in Schedule A, upon payment of the premiums and charges and compliance with the Requirements; all subject to the provisions of Schedules A and B and to the Conditions of this Commitment.

This Commitment shall be effective only when the identity of the Proposed Insured and the amount of the policy or policies committed for have been inserted in Schedule A by the Company.

All liability and obligation under this Commitment shall cease and terminate six (6) months after the Effective Date or when the policy or policies committed for shall issue, whichever first occurs, provided that the failure to issue the policy or policies is not the fault of the Company.

The Company will provide a sample of the policy form upon request.

This Commitment shall not be valid or binding until countersigned by a validating officer or authorized signatory.

IN WITNESS WHEREOF, CHICAGO TITLE INSURANCE COMPANY has caused its corporate name and seal to be affixed by its duly authorized officers on the date shown in Schedule A.

Chicago Title Insurance Company

By:

President

Attest:

Secretary

Countersigned By:

Authorized Officer or Agent

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ISSUING OFFICE:	FOR SETTLEMENT INQUIRIES, CONTACT:
Title Officer: Commercial / Unit 6 Chicago Title Company of Washington 701 5th Avenue, Suite 2700 Seattle, WA 98104 Main Phone: (206)628-5610 Email: CTISeaTitleUnit6@ctt.com	Escrow Officer: Shelley Anderson Chicago Title Company of Washington 701 5th Avenue, Suite 2700 Seattle, WA 98104 Phone: 206-628-9746 Fax: 206-628-9739 Main Phone: (206)628-5666 Email: shelley.anderson@ctt.com

SCHEDULE A

ORDER NO. 0077883-06

1. Effective Date: December 7, 2016 at 08:00 AM
2. Policy or (Policies) to be issued:

   a. ALTA Owner's Policy 2006

Proposed Insured:	Terrene Ventures, LLC		
Policy Amount:	$3,500,000.00		
Premium:		$	4,944.00
Tax:		$	474.62
Rate:	General Schedule Standard		
Total:		$	5,418.62

   b. ALTA Loan Policy 2006

Proposed Insured:	To Be Determined	
Policy Amount:	To Be Determined	
Premium:		To Be Determined
Tax:		To Be Determined
Rate:	Lender Extended	
Total:		To Be Determined

3. The estate or interest in the land described or referred to in this Commitment is:

   Fee Simple

4. Title to the estate or interest in the land is at the Effective Date vested in:

   Jaydene G. Dazey, as her separate estate

5. The land referred to in this Commitment is described as follows:

   SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

END OF SCHEDULE A

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EXHIBIT "A"

Legal Description

Parcel A:

The northwesterly half of Tract 24, Duvall Berry Farms, according to the plat thereof, recorded in Volume 25 of Plats, Page 5, in King County, Washington.

Parcel B:

The southeasterly half of Tract 24, Duvall Berry Farms, according to the plat thereof, recorded in Volume 25 of Plats, Page 5, in King County, Washington.

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SCHEDULE B

Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

GENERAL EXCEPTIONS

A. Rights or claims of parties in possession, or claiming possession, not shown by the Public Records.

B. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land.

C. Easements, prescriptive rights, rights-of-way, liens or encumbrances, or claims thereof, not shown by the Public Records.

D. Any lien, or right to a lien, for contributions to employee benefit funds, or for state workers' compensation, or for services, labor, or material heretofore or hereafter furnished, all as imposed by law, and not shown by the Public Records.

E. Taxes or special assessments which are not yet payable or which are not shown as existing liens by the Public Records.

F. Any lien for service, installation, connection, maintenance, tap, capacity, or construction or similar charges for sewer, water, electricity, natural gas or other utilities, or for garbage collection and disposal not shown by the Public Records.

G. Unpatented mining claims, and all rights relating thereto.

H. Reservations and exceptions in United States Patents or in Acts authorizing the issuance thereof.

I. Indian tribal codes or regulations, Indian treaty or aboriginal rights, including easements or equitable servitudes.

J. Water rights, claims or title to water.

K. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the Public Records, or attaching subsequent to the effective date hereof but prior to the date the proposed Insured acquires of record for value the estate or interest or mortgage thereon covered by this Commitment.

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AMERICAN LAND TITLE ASSOCIATION

SCHEDULE B
(continued)

SPECIAL EXCEPTIONS

1. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

   Purpose: Roadway
   Recording Date: April 30, 1986
   Recording No.: 8604301705
   Affects: A portion of Parcel A as described in said instrument

2. Reservations of oil, coal, gas and minerals and/or mineral rights of any nature, and right of entry to explore same, contained in the deed

   Grantor: Weyerhaeuser Timber Co., a Washington corporation
   Recording Date: October 25, 1920
   Recording No.: 1462357

3. Terms and conditions contained in instrument

   Recording Date: October 15, 1980
   Recording No.: 8010150745
   Purpose: Preventing contamination of water supply
   Affects: Any portion of the Land lying within 100 feet of well on Parcel A

4. Declaration of Covenant, and the terms and conditions thereof:

   Recording Date: October 28, 1980
   Recording No.: 8010280885
   Affects: A portion of Parcel A

5. Payment of the real estate excise tax, if required.

   The Land is situated within the boundaries of local taxing authority of Unincorporated King County.

   Present rate of real estate excise tax as of the date herein is 1.78 percent.

   Any conveyance document must be accompanied by the official Washington State Excise Tax Affidavit. The applicable excise tax must be paid and the affidavit approved at the time of the recording of the conveyance documents. (NOTE: Real Estate Excise Tax Affidavits must be printed as legal size forms).

   An additional $5.00 Electronic Technology Fee must be included in all excise tax payments.

   If the transaction is exempt, an additional $5.00 Affidavit Processing Fee is required.

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AMERICAN LAND TITLE ASSOCIATION

SCHEDULE B
(continued)

6. General and special taxes and charges, payable February 15, delinquent if first half unpaid on May 1, second half delinquent if unpaid on November 1 of the tax year (amounts do not include interest and penalties):

Year:	2016
Tax Account No.:	212970-0245-02
Levy Code:	6420
Assessed Value-Land:	$254,000.00
Assessed Value-Improvements:	$126,000.00
General and Special Taxes:	
Billed:	$5,366.23
Paid:	$5,366.23
Unpaid:	$0.00
Affects:	Parcel A

7. General and special taxes and charges, payable February 15, delinquent if first half unpaid on May 1, second half delinquent if unpaid on November 1 of the tax year (amounts do not include interest and penalties):

Year:	2016
Tax Account No.:	212970-0240-07
Levy Code:	6420
Assessed Value-Land:	$255,000.00
Assessed Value-Improvements:	$0.00
General and Special Taxes:	
Billed:	$3,488.71
Paid:	$3,488.71
Unpaid:	$0.00
Affects:	Parcel B

8. The search did not disclose any open mortgages or deeds of trust of record, therefore the Company reserves the right to require further evidence to confirm that the property is unencumbered, and further reserves the right to make additional requirements or add additional items or exceptions upon receipt of the requested evidence.
Affects: Parcel B

9. A deed of trust to secure an indebtedness in the amount shown below,

Amount:	$89,900.00
Dated:	July 25, 2013
Trustor/Grantor:	Jaydene G. Dazey and Gary L. Campbell, a married couple, as community property
Trustee:	Routh Crabtree Olsen, P.S.
Beneficiary:	PNC Mortgage, a division of PNC Bank, National Association
Loan No.:	8000420591
Recording Date:	September 18, 2013
Recording No.:	20130918000947
Affects:	Parcel A

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AMERICAN LAND TITLE ASSOCIATION

SCHEDULE B
(continued)

10. Manufactured Housing Limited Power of Attorney, and the terms and conditions thereof:

    Recording Date: September 18, 2013
    Recording No.: 20130918000948
    Affects: Parcel A

11. In the event that the Land is occupied or intended to be occupied by the owner and a spouse or registered domestic partner as a homestead, the conveyance or encumbrance of the Land must be executed and acknowledged by both spouses or both registered domestic partners, pursuant to RCW 6.13 which now provides for an automatic homestead on such Land.

12. In the event title to said Land is acquired by the party(s) named below, the policy(s), when issued, will show the following additional item(s) in Schedule B, unless disposed of to the satisfaction of the Company:

    Party(s): Terrene Ventures, LLC
    Item(s): 13

13. The Company will require the following documents for review prior to the issuance of any title insurance predicated upon a conveyance or encumbrance from the entity named below.

    Limited Liability Company: Terrene Ventures, LLC

    a. A copy of its operating agreement, if any, and any and all amendments, supplements and/or modifications thereto, certified by the appropriate manager or member.

    b. If a domestic Limited Liability Company, a copy of its Articles of Organization and all amendment thereto with the appropriate filing stamps.

    c. If the Limited Liability Company is member-managed a full and complete current list of members certified by the appropriate manager or member.

    d. If the Limited Liability Company was formed in a foreign jurisdiction, evidence, satisfactory to the Company that it was validly formed, is in good standing and authorized to do business in the state of origin.

    e. If less than all members, or managers, as appropriate, will be executing the closing documents, furnish evidence of the authority of those signing.

    The Company reserves the right to add additional items or make further requirements after review of the requested documentation.

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AMERICAN LAND TITLE ASSOCIATION

SCHEDULE B
(continued)

14. TO PROVIDE THE EXTENDED COVERAGE POLICY AND/OR ALTA HOMEOWNER'S POLICY IDENTIFIED IN SCHEDULE A, GENERAL EXCEPTIONS A THROUGH D WILL BE CONSIDERED WHEN OUR INSPECTION AND/OR REVIEW OF SURVEY, IF REQUIRED, IS COMPLETED. A SUPPLEMENTAL COMMITMENT WILL FOLLOW.

If there have been recent improvements on the property within 90 days prior to closing we will require a signed indemnity agreement and a recent financial statement from each indemnitor.

If construction financing is to be insured, please contact the title officer for requirements.

The Company reserves the right to add additional exceptions or make further requirements after review of the property inspection and requested documentation.

15. Your application for title insurance was placed by reference to only a street address or tax identification number. Based on our records, we believe that the legal description in this report covers the parcel(s) of Land that you requested. If the legal description is incorrect, the seller/borrower must notify the Company and/or the settlement company in order to prevent errors and to be certain that the correct parcel(s) of Land will appear on any documents to be recorded in connection with this transaction and on the policy of title insurance.

END OF EXCEPTIONS

NOTES

The following matters will not be listed as Special Exceptions in Schedule B of the policy. There will be no coverage for loss arising by reason of the matters listed below because these matters are either excepted or excluded from coverage or are not matters covered under the insuring provisions of the policy.

Note A: Note: FOR INFORMATIONAL PURPOSES ONLY:

The following may be used as an abbreviated legal description on the documents to be recorded, per Amended RCW 65.04.045. Said abbreviated legal description is not a substitute for a complete legal description within the body of the document:

Ptn of Tract 24, Duvall Berry Famrs, Vol. 25 Pg. 5
Tax Account No.: 212970-0240-07 and 212970-0245-02

Note B: Note: The only conveyance(s) affecting said Land, which recorded within 36 months of the date of this report, are as follows:

Record No.: 20141219000407, 20150519000938, 20150812000977 and 20150812000978

Note C: Note: The Company finds no matters against the name(s) of Terrene Ventures, LLC in the Public Records which would appear as exceptions in the policy.

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AMERICAN LAND TITLE ASSOCIATION

SCHEDULE B
(continued)

Note D: Note: The Public Records indicate that the address of the improvement located on said Land is as follows:

28440 NE Big Rock Rd
Duvall, WA 98019

Note E: Note: Manufactured Home Title Elimination Application recorded under Recording No. 9810121003 recites that a manufactured (mobile) home is, or is being affixed to the Land.
Affects: Parcel A

Note F: Note: Any map furnished with this Commitment is for convenience in locating the land indicated herein with reference to streets and other land. No liability is assumed by reason of reliance thereon.

END OF NOTES

END OF SCHEDULE B

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CONDITIONS

1. The term mortgage, when used herein, shall include deed of trust, trust deed, or other security instrument.
2. If the proposed Insured has or acquired actual knowledge of any defect, lien, encumbrance, adverse claim or other matter affecting the estate or interest or mortgage thereon covered by this Commitment other than those shown in Schedule B hereof, and shall fail to disclose such knowledge to the Company in writing, the Company shall be relieved from liability for any loss or damage resulting from any act of reliance hereon to the extent the Company is prejudiced by failure to so disclose such knowledge. If the proposed Insured shall disclose such knowledge to the Company, or if the Company otherwise acquires actual knowledge of any such defect, lien, encumbrance, adverse claim or other matter, the Company at its option may amend Schedule B of this Commitment accordingly, but such amendment shall not relieve the Company from liability previously incurred pursuant to paragraph 3 of these Conditions.
3. Liability of the Company under this Commitment shall be only to the named proposed Insured and such parties included under the definition of Insured in the form of policy or policies committed for and only for actual loss incurred in reliance hereon in undertaking in good faith (a) to comply with the requirements hereof, or (b) to eliminate exceptions shown in Schedule B, or (c) to acquire or create the estate or interest or mortgage thereon covered by this Commitment. In no event shall such liability exceed the amount stated in Schedule A for the policy or policies committed for and such liability is subject to the insuring provisions and Conditions and the Exclusions from Coverage of the form of policy or policies committed for in favor of the proposed Insured which are hereby incorporated by reference and are made a part of this Commitment except as expressly modified herein.
4. This Commitment is a contract to issue one or more title insurance policies and is not an abstract of title or a report of the condition of title. Any action or actions or rights of action that the proposed Insured may have or may bring against the Company arising out of the status of the title to the estate or interest or the status of the mortgage thereon covered by this Commitment must be based on and are subject to the provisions of this Commitment.
5. *The policy to be issued contains an arbitration clause. All arbitrable matters when the Amount of Insurance is $2,000,000 or less shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. You may review a copy of the arbitration rules at http://www.alta.org.*

END OF CONDITIONS

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AMERICAN LAND TITLE ASSOCIATION

RECORDING REQUIREMENTS

Effective January 1, 1997, document format and content requirements have been imposed by Washington Law. Failure to comply with the following requirements may result in rejection of the document by the county recorder or imposition of a $50.00 surcharge.

First page or cover sheet:

3" top margin containing nothing except the return address.

1" side and bottom margins containing no markings or seals.

Title(s) of documents.

Recording no. of any assigned, released or referenced document(s).

Grantors names (and page no. where additional names can be found).

Grantees names (and page no. where additional names can be found).

Abbreviated legal description (Lot, Block, Plat Name or Section, Township, Range and Quarter, Quarter Section for unplatted). Said abbreviated legal description is not a substitute for a complete legal description which must also appear in the body of the document.

Assessor's tax parcel number(s).

Return address (in top 3" margin).

**A cover sheet can be attached containing the above format and data if the first page does not contain all required data.

Additional Pages:

1" top, side and bottom margins containing no markings or seals.

All Pages:

No stapled or taped attachments. Each attachment must be a separate page. All notary and other pressure seals must be smudged for visibility. Font size of 8 points or larger.

FIDELITY NATIONAL FINANCIAL, INC.
PRIVACY NOTICE
Effective: April 1, 2016

Order No.: 0077883-06-SA

At Fidelity National Financial, Inc. and its majority-owned subsidiary companies (collectively, "FNF", "our" or "we"), we value the privacy of our customers. This Privacy Notice explains how we collect, use, and protect your information and explains the choices you have regarding that information. A summary of our privacy practices is below. We also encourage you to read the complete Privacy Notice following the summary.

Types of Information Collected. You may provide us with certain personal information, like your contact information, social security number (SSN), driver's license, other government ID numbers, and/or financial information. We may also receive information from your Internet browser, computer and/or mobile device.	**How Information is Collected.** We may collect personal information directly from you from applications, forms, or communications we receive from you, or from other sources on your behalf, in connection with our provision of products or services to you. We may also collect browsing information from your Internet browser, computer, mobile device or similar equipment. This browsing information is generic and reveals nothing personal about the user.
Use of Your Information. We may use your information to provide products and services to you (or someone on your behalf), to improve our products and services, and to communicate with you about our products and services. We do not give or sell your personal information to parties outside of FNF for their use to market their products or services to you.	**Security Of Your Information.** We utilize a combination of security technologies, procedures and safeguards to help protect your information from unauthorized access, use and/or disclosure. We communicate to our employees about the need to protect personal information.
Choices With Your Information. Your decision to submit personal information is entirely up to you. You can opt-out of certain disclosures or use of your information or choose to not provide any personal information to us.	**When We Share Information.** We may disclose your information to third parties providing you products and services on our behalf, law enforcement agencies or governmental authorities, as required by law, and to parties with whom you authorize us to share your information.
Information From Children. We do not knowingly collect information from children under the age of thirteen (13), and our websites are not intended to attract children.	**Privacy Outside the Website.** We are not responsible for the privacy practices of third parties, even if our website links to those parties' websites.
Access and Correction. If you desire to see the information collected about you and/or correct any inaccuracies, please contact us in the manner specified in this Privacy Notice.	**Do Not Track Disclosures.** We do not recognize "do not track" requests from Internet browsers and similar devices.
The California Online Privacy Protection Act. Certain FNF websites collect information on behalf of mortgage loan servicers. The mortgage loan servicer is responsible for taking action or making changes to any consumer information submitted through those websites.	**International Use.** By providing us with your information, you consent to the transfer, processing and storage of such information outside your country of residence, as well as the fact that we will handle such information consistent with this Privacy Notice.
Your Consent To This Privacy Notice. By submitting information to us and using our websites, you are accepting and agreeing to the terms of this Privacy Notice.	**Contact FNF.** If you have questions or wish to contact us regarding this Privacy Notice, please use the contact information provided at the end of this Privacy Notice.

FIDELITY NATIONAL FINANCIAL, INC.
PRIVACY NOTICE

FNF respects and is committed to protecting your privacy. We pledge to take reasonable steps to protect your Personal Information (as defined herein) and to ensure your information is used in compliance with this Privacy Notice.

This Privacy Notice is only in effect for information collected and/or owned by or on behalf of FNF, including collection through any FNF website or online services offered by FNF (collectively, the "Website"), as well as any information collected offline (e.g., paper documents). The provision of this Privacy Notice to you does not create any express or implied relationship, nor create any express or implied duty or other obligation, between FNF and you.

Types of Information Collected

We may collect two (2) types of information: Personal Information and Browsing Information.

Personal Information. The types of personal information FNF collects may include, but are not limited to:

- contact information (*e.g.*, name, address, phone number, email address);
- social security number (SSN), driver's license, and other government ID numbers; and
- financial account or loan information.

Browsing Information. The types of browsing information FNF collects may include, but are not limited to:

- Internet Protocol (or IP) address or device ID/UDID, protocol and sequence information;
- browser language;
- browser type;
- domain name system requests;
- browsing history;
- number of clicks;
- hypertext transfer protocol headers; and
- application client and server banners.

How Information Is Collected

In the course of our business, we may collect *Personal Information* about you from the following sources:

- applications or other forms we receive from you or your authorized representative, whether electronic or paper;
- communications to us from you or others;
- information about your transactions with, or services performed by, us, our affiliates or others; and
- information from consumer or other reporting agencies and public records that we either obtain directly from those entities, or from our affiliates or others.

We may collect *Browsing Information* from you as follows:

- Browser Log Files. Our servers automatically log, collect and record certain Browsing Information about each visitor to the Website. The Browsing Information includes only generic information and reveals nothing personal about the user.
- Cookies. From time to time, FNF may send a "cookie" to your computer when you visit the Website. A cookie is a small piece of data that is sent to your Internet browser from a web server and stored on your computer's hard drive. When you visit the Website again, the cookie allows the Website to recognize your computer, with the goal of providing an optimized user experience. Cookies may store user preferences and other information. You can choose not to accept cookies by changing the settings of your Internet browser. If you choose not to accept cookies, then some functions of the Website may not work as intended.

Use of Collected Information

Information collected by FNF is used for three (3) main purposes:

- To provide products and services to you, or to one or more third party service providers who are performing services on your behalf or in connection with a transaction involving you;
- To improve our products and services; and
- To communicate with you and to inform you about FNF's products and services.

When We Share Information

We may share your Personal Information (excluding information we receive from consumer or other credit reporting agencies) and Browsing Information with certain individuals and companies, as permitted by law, without first obtaining your authorization. Such disclosures may include, without limitation, the following:

- to agents, representatives, or others to provide you with services or products you have requested, and to enable us to detect or prevent criminal activity, fraud, or material misrepresentation or nondisclosure;
- to third-party contractors or service providers who provide services or perform other functions on our behalf;
- to law enforcement or other governmental authority in connection with an investigation, or civil or criminal subpoenas or court orders; and/or
- to other parties authorized to receive the information in connection with services provided to you or a transaction involving you.

We may disclose Personal Information and/or Browsing Information when required by law or in the good-faith belief that such disclosure is necessary to:

- comply with a legal process or applicable laws;
- enforce this Privacy Notice;
- investigate or respond to claims that any information provided by you violates the rights of a third party; or
- protect the rights, property or personal safety of FNF, its users or the public.

We make efforts to ensure third party contractors and service providers who provide services or perform functions on our behalf protect your information. We limit use of your information to the purposes for which the information was provided. We do not give or sell your information to third parties for their own direct marketing use.

We reserve the right to transfer your Personal Information, Browsing Information, as well as any other information, in connection with the sale or other disposition of all or part of the FNF business and/or assets, or in the event of our bankruptcy, reorganization, insolvency, receivership or an assignment for the benefit of creditors. You expressly agree and consent to the use and/or transfer of this information in connection with any of the above described proceedings. We cannot and will not be responsible for any breach of security by any third party or for any actions of any third party that receives any of the information that is disclosed to us.

Choices With Your Information

Whether you submit your information to FNF is entirely up to you. If you decide not to submit your information, FNF may not be able to provide certain products or services to you. You may choose to prevent FNF from using your information under certain circumstances ("opt out"). You may opt out of receiving communications from us about our products and/or services.

Security And Retention Of Information

FNF is committed to protecting the information you share with us and utilizes a combination of security technologies, procedures and safeguards to help protect it from unauthorized access, use and/or disclosure. FNF trains its employees on privacy practices and on FNF's privacy and information security policies. FNF works hard to retain information related to you only as long as reasonably necessary for business and/or legal purposes.

Information From Children

The Website is meant for adults. The Website is not intended or designed to attract children under the age of thirteen (13). We do not collect Personal Information from any person that we know to be under the age of thirteen (13) without permission from a parent or guardian.

Access and Correction

To access your Personal Information in the possession of FNF and correct inaccuracies, please contact us by email at privacy@fnf.com or by mail at:

Fidelity National Financial, Inc.
601 Riverside Avenue
Jacksonville, Florida 32204
Attn: Chief Privacy Officer

Your Consent To This Privacy Notice

By submitting Personal Information and/or Browsing Information to FNF, you consent to the collection and use of information by FNF in compliance with this Privacy Notice. We reserve the right to make changes to this Privacy Notice. If we change this Privacy Notice, we will post the revised version on the Website.

Privacy Outside the Website

The Website may contain links to other websites, including links to websites of third party service providers. FNF is not and cannot be responsible for the privacy practices or the content of any of those other websites.

International Users

Because FNF's headquarters is located in the United States, we may transfer your Personal Information and/or Browsing Information to the United States. By using our website and providing us with your Personal Information and/or Browsing Information, you understand and consent to the transfer, processing and storage of such information outside your country of residence, as well as the fact that we will handle such information consistent with this Privacy Notice.

Do Not Track Disclosures

Currently, our policy is that we do not recognize "do not track" requests from Internet browsers and similar devices.

The California Online Privacy Protection Act

For some websites which FNF or one of its companies owns, such as the Customer CareNet ("CCN"), FNF is acting as a third party service provider to a mortgage loan servicer. In those instances, we may collect certain information on behalf of that mortgage loan servicer, including:

- first and last name;
- property address;
- user name and password;
- loan number;
- social security number - masked upon entry;
- email address;
- security questions and answers; and
- IP address.

The information you submit is then transferred to your mortgage loan servicer by way of CCN. **The mortgage loan servicer is responsible for taking action or making changes to any consumer information submitted through this website. For example, if you believe that your payment or user information is incorrect, you must contact your mortgage loan servicer.**

CCN does not share consumer information with third parties, other than those with which the mortgage loan servicer has contracted to interface with the CCN application. All sections of this Privacy Notice apply to your interaction with CCN, except for the sections titled Choices with Your Information, and Access and Correction. If you have questions regarding the choices you have with regard to your personal information or how to access or correct your personal information, contact your mortgage loan servicer.

Contact FNF

Please send questions and/or comments related to this Privacy Notice by email at privacy@fnf.com or by mail at:

Fidelity National Financial, Inc.
601 Riverside Avenue
Jacksonville, Florida 32204
Attn: Chief Privacy Officer

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EFFECTIVE AS OF APRIL 1, 2016

Exhibit 14

Return Address:
City of Duvall
PO Box 1300
Duvall, WA 98019

Please print or type information **WASHINGTON STATE RECORDER'S Cover Sheet** (RCW 65.04)

Document Title(s) (or transactions contained therein): (all areas applicable to your document **must** be filled in)
1. Memorandum of Understanding 2. _____
3. _____ 4. _____

Reference Number(s) of Documents assigned or released:
Additional reference #'s on page _____ of document

Grantor(s) Exactly as name(s) appear on document
1. WPM-ONE LLC _____, _____
2. _____, _____
Additional names on page _____ of document.

Grantee(s) Exactly as name(s) appear on document
1. City of Duvall _____, _____
2. _____, _____
Additional names on page _____ of document.

Legal description (abbreviated: i.e. lot, block, plat or section, township, range)
Tract 26, Duvall Berry Farms, King County, Washington, according to plat recorded in Volume 25 of plats, page 5, in King County, Washington.
Additional legal is on page _____ of document.

Assessor's Property Tax Parcel/Account Number ☐ Assessor Tax # not yet assigned
212970-0260

The Auditor/Recorder will rely on the information provided on this form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.

"I am signing below and paying an additional $50 recording fee (as provided in RCW 36.18.010 and referred to as an emergency nonstandard document), because this document does not meet margin and formatting requirements. Furthermore, I hereby understand that the recording process may cover up or otherwise obscure some part of the text of the original document as a result of this request."

_____ Signature of Requesting Party

Note to submitter: Do not sign above nor pay additional $50 fee if the document meets margin/formatting requirements

After Recording, Return to:
City of Duvall – City Clerk
PO Box 1300
Duvall, WA 98019

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding ("MOU") is made and entered into as of this 2nd day of February, 2016, by and between the City of Duvall, a municipal corporation of the State of Washington, ("**Duvall** "), and WPM-ONE LLC, a State of Washington limited liability company ("**WPM** "). Duvall and WPM are sometimes referred to hereinafter individually as a "Party" and collectively as the "Parties."

I. RECITALS

WHEREAS, WPM owns certain real property, comprised of approximately 9.8 acres of vacant land, which such property is more particularly described on Exhibit A, attached hereto ("**WPM Property**");

WHEREAS, Duvall owns certain real property whereupon it maintains a park, commonly known as the Big Rock Ball Fields, which such property is more particularly described on Exhibit B, attached hereto (the "**Park Property**");

WHEREAS, the WPM Property abuts and is immediately adjacent to the Park Property;

WHEREAS, Duvall has adopted a Parks, Trails and Open Space Plan ("**Plan**") and, in order to meet the level of service standards adopted by Duvall in the Plan, Duvall must acquire more than 20 additional acres of community parks over the 20 year plan, a portion of which acres are expected to provide for the expansion of the Park Property;

WHEREAS, WPM desires to make arrangements with Duvall for the dedication to Duvall of a three (3) acre portion of the WPM Property for park purposes while preserving the development potential of the remainder of the WPM Property for single family residences;

WHEREAS, in order to effect such a dedication and in order to preserve the development potential of the remainder of the WPM Property, WPM seeks to have the WPM Property designated in Duvall's Comprehensive Plan as a low-density residential R4-4.5 land use, and so designated, seeks the annexation of the WPM Property into the city of Duvall on or before December 31, 2017 unless mutually extended by both parties.

WHEREAS, Duvall has undertaken a comprehensive review of future land uses and proposed amendments to the Duvall Comprehensive Plan that would influence the manner and distribution of growth in Duvall through 2035;

WHEREAS, on August 24, 2015, Duvall issued a Draft Environmental Impact Statement, pursuant to the State Environmental Policy Act (Chapter RCW 43.21C), assessing the potential impacts of different growth strategies and the potential annexation of portions of Duvall's UGA (including, but not limited to, annexation of the WPM Property);

WHEREAS, in order to achieve its desire to dedicate a three (3) acre portion of the WPM Property for park purposes while preserving the development potential of the remainder of the WPM Property for single family residences, WPM desires to enter into this MOU; and

WHEREAS, consistent with the range of alternatives available to Duvall to accommodate planned growth and in furtherance of the objective of meeting the level of service standards adopted by Duvall in the Plan, and providing for the ultimate expansion of the Park Property, Duvall desires to enter into this MOU.

NOW, THEREFORE, in consideration of the foregoing and the mutual benefits to be derived therefrom, the Parties agree as follows:

II Agreement

A. Term. The term of this MOU shall commence as of the date first written above and shall continue through and until December 31, 2017 ("**Term**"), unless terminated by written agreement of the Parties unless mutually extended by both parties. Upon expiration of the Term, this MOU shall terminate and thereafter be null, void, and of no further force and effect.

B. Pre-Annexation Agreement Goals. During the Term, the Parties shall diligently and in good faith exercise their best reasonable effort to negotiate and consummate a Pre-Annexation Agreement ("**Agreement**") as a means to achieve the following goals:

1. The annexation of the WPM Property into the City of Duvall, with a zoning designation of R4-4.5, providing for a minimum density of not less than 4 units per acre. Such annexation would occur on or before the end of the term date in Section II.A.

2. The dedication to Duvall by WPM of up to three (3) acres of contiguous usable real property, abutting and immediately adjacent to the Big Rock Ball Fields, at no cost to Duvall, for park purposes. To facilitate access to the dedicated park property, Duvall will likely need a portion of property on the northern boundary of the WPM Property. This area shall be within and shall be part of the dedication. Such dedication shall occur on or before the date that is the first of the following dates to occur: (a) Duvall's final approval of any and all permits, licenses, certificates, inspections, reviews, impact statements, determinations, authorizations, exemptions or any other form of review or approval

required to develop the WPM Property at four units per acre or (b) such other date to effect such dedications as the Parties may establish in the Agreement.

3. Execution of a deed to the dedicated park property, which can be held in escrow at time of annexation of the WPM Property. Following such annexation, Duvall and WPM shall complete a boundary line adjustment to segment the park property from the developable area of the WPM Property and upon the completion of which, the deed to the park property will be released to Duvall.

4. The dedicated park property will count toward the ten (10) percent open space requirement for residential development.

C. Pre-Annexation Agreement Terms and Conditions. The Parties acknowledge that this MOU summarizes some of the key terms of an Agreement to be negotiated by the Parties. The Parties acknowledge and agree that: (a) the terms and conditions for the Agreement as outlined herein do not necessarily include all of the material terms and conditions which will be set forth in the Agreement; and (b) the Agreement will contain additional terms and conditions to be agreed upon by the Parties. This MOU serves only to bind the Parties to diligently and in good faith exercise their best reasonable effort to negotiate and consummate such an Agreement during the Term of the MOU, but this MOU does not otherwise create a binding or enforceable obligation by or on behalf of any Party.

D. Condition Precedent to WPM's Obligations. WPM shall have no obligations arising under this MOU unless Duvall shall, on or before April 30, 2016, amend its Comprehensive Plan to change the planning designation of the WPM Property from Urban Growth Area Reserve to Residential R4-4.5.

E. Transfer of Ownership. A conveyance of all or any portion of the Property through any means shall not impair, extinguish or otherwise affect any right, obligation, duty, term, or provision of this MOU. Any purchaser and/or assignee of all or any portion of the Property shall have the same rights, obligations, and/or duties under this MOU during the Term as the Party from which it purchased or otherwise obtained an interest in all or a portion of the Property and shall have the right during the Term to enforce this MOU against the other Party.

F. Third Parties. This Agreement is not intended to and shall not be construed as benefiting any third party. The provisions of this Agreement are solely for the benefit of the Parties, their heirs, successors, and assigns.

G. Representatives. The Parties shall designate representatives ("Representative") for purposes of implementing this MOU. The Representatives for such purpose are:

Duvall: City of Duvall:
Jodi Wycoff, City Clerk
PO Box 1300
Duvall, WA 98019
(425) 788-1185

WPM: Markham A. Quehrn
Manager, Q-MCIN LLC
10885 NE 4th Street
Suite 700
Bellevue, WA 98004
Phone: (425) 635-1402
Email: MQuehrn@perkinscoie.com

Any notice, request or other communication given under this MOU shall be in writing and shall be deemed sufficiently given to a Representative (a) upon the delivery date received by the intended recipient if delivered by hand; (b) five (5) business days after it is sent by registered mail or air courier, postage prepaid; or (c) when sent email or other similar electronic transmission device, upon the date of electronic confirmation of receipt of such transmission by the intended recipient. Either Party may change the address to which such communications are to be delivered under this MOU by giving notice of such change to the other Party in accordance with the requirements of this Paragraph G.

H. Miscellaneous

1. This MOU shall not be interpreted or construed to create an association, joint venture, partnership, or agency relationship between the Parties, nor to impose any partnership obligations or liabilities on either Party. No change, amendment, or modification of any provision of this MOU shall be valid unless set forth in a written amendment to this MOU signed by the Parties.

2. This MOU sets forth the entire agreement and supersedes any and all prior agreements of the Parties with respect to the subject matters hereof. The invalidity or unenforceability of any provision of this MOU shall not affect the other provisions hereof, and this MOU shall be construed in all respects as if such invalid or unenforceable provisions were omitted. This MOU shall be governed by and construed in accordance with the laws of the State of Washington (regardless of the laws that might otherwise govern under applicable principles of conflicts of law of such state).

3. The rights and obligations of the Parties arising under this MOU shall be binding upon their respective representatives, successors, and assigns.

4. After the date hereof, each of the Parties shall from time to time, at the request of another Party hereto, execute and deliver, or cause to be executed and delivered, such further instruments, and perform such further acts, as the requesting Party may reasonably require in order to fully effect the Parties' intent under this Agreement, and to otherwise comply with the provisions hereof and consummate, or terminate, as appropriate, the transactions contemplated hereby and thereby.

IN WITNESS WHEREOF, the Parties hereto have caused this MOU to be executed by their duly authorized representatives all as of the day and year first above written.

CITY OF DUVALL

_____

By: Hon. Will Ibershof
Mayor, City of Duvall
Print: Will Ibershof
Title: MAYOR
Date: February 22, 2016

State of Washington
County of King
On this 22nd day of February, 2016, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Will Ibershof, to me known to be the MAYOR of City of Duvall, and that executed the foregoing instrument and acknowledged the said instrument to be the free and voluntary act of and deed of said municipality, for the uses and purposes therein mentioned, and on oath stated that he/she is authorized to execute the said instrument for the uses and purposes therein mentioned.
Witness my hand and seal the day and year first above written.

Jodi Wycoff

Printed Name: Jodi Wycoff
Notary Public in and for the State of Washington
Residing at: Monroe, WA
My Commission expires 2/9/19

JODI WYCOFF
COMMISSION EXPIRES
NOTARY
PUBLIC
2-09-19
STATE OF WASHINGTON

WPM-ONE LLC

By: Markham A Quehrn
Manager Q-MCIN LLC
Print: Markham A. Quehrn
Title: Manager - Q-McIN LLC
Date: 2-25-2016

State of Washington
County of King
On this 25th day of February, 2016, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Markham A. Quehrn, to me known to be the Manager of Q-McIN LLC, and that executed the foregoing instrument and acknowledged the said instrument to be the free and voluntary act of and deed of said Q-McIn LLC, for the uses and purposes therein mentioned, and on oath stated that he/she is authorized to execute the said instrument for the uses and purposes therein mentioned.
Witness my hand and seal the day and year first above written.

Printed Name: Jillian L. Miller
Notary Public in and for the State of Washington
Residing at: Bellevue
My Commission expires 11/26/19

JILLIAN L. MILLER
COMMISSION EXPIRES
NOTARY
PUBLIC
11-26-19
STATE OF WASHINGTON

EXHIBIT A
WPM PROPERTY

Tax Parcel No. 212970-0260
Tract 26, Duvall Berry Farms, King County, Washington, according to plat recorded in Volume 25 of plats, page 5, in King County, Washington.

EXHIBIT B
Park Property

Tax Parcel No. 212970-0250
Tract 25, Duvall Berry Farms, King County, Washington, according to plat recorded in Volume 25 of plats, page 5, in King County, Washington

ALTA COMMITMENT FOR TITLE INSURANCE

Commitment Number:

0073901-06

Issued By agent:

CHICAGO TITLE
COMPANY OF WASHINGTON

CHICAGO TITLE INSURANCE COMPANY, a Nebraska corporation ("Company"), for a valuable consideration, commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the Proposed Insured named in Schedule A, as owner or mortgagee of the estate or interest in the land described or referred to in Schedule A, upon payment of the premiums and charges and compliance with the Requirements; all subject to the provisions of Schedules A and B and to the Conditions of this Commitment.

This Commitment shall be effective only when the identity of the Proposed Insured and the amount of the policy or policies committed for have been inserted in Schedule A by the Company.

All liability and obligation under this Commitment shall cease and terminate six (6) months after the Effective Date or when the policy or policies committed for shall issue, whichever first occurs, provided that the failure to issue the policy or policies is not the fault of the Company.

The Company will provide a sample of the policy form upon request.

This Commitment shall not be valid or binding until countersigned by a validating officer or authorized signatory.

IN WITNESS WHEREOF, CHICAGO TITLE INSURANCE COMPANY has caused its corporate name and seal to be affixed by its duly authorized officers on the date shown in Schedule A.

Chicago Title Insurance Company

By:

President

Attest:

Secretary

Countersigned By:

Authorized Officer or Agent

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ISSUING OFFICE:	FOR SETTLEMENT INQUIRIES, CONTACT:
Title Officer: Commercial / Unit 6 Chicago Title Company of Washington 701 5th Avenue, Suite 2700 Seattle, WA 98104 Main Phone: (206)628-5610 Email: CTISeaTitleUnit6@ctt.com	Escrow Officer: Cindy Kosanke Chicago Title Company of Washington 10500 NE 8th St., Suite 600 Bellevue, WA 98004 Phone: 425-456-3866 Fax: 425-646-9154 Main Phone: (425)455-4995 Email: Cindy.Kosanke@CTT.COM

SCHEDULE A

ORDER NO. 0073901-06

1. Effective Date: July 5, 2016 at 08:00 AM
2. Policy or (Policies) to be issued:

   a. ALTA Owner's Policy 2006
   Proposed Insured: Hower Duvall LLC, a Washington limited liability company
   Policy Amount: To Be Determined
   Premium: To Be Determined
   Tax: To Be Determined
   Rate: Standard
   Total: To Be Determined

3. The estate or interest in the land described or referred to in this Commitment is:

   Fee Simple

4. Title to the estate or interest in the land is at the Effective Date vested in:

   WPM-One LLC, a Washington limited liability company

5. The land referred to in this Commitment is described as follows:

   SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

END OF SCHEDULE A

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EXHIBIT "A"

Legal Description

Lot 26, Duvall Berry Farms, according to the plat thereof reorded in Volume 25 of Plats, Page 5, in King County, Washington.

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SCHEDULE B

Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

GENERAL EXCEPTIONS

A. Rights or claims of parties in possession, or claiming possession, not shown by the Public Records.

B. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land.

C. Easements, prescriptive rights, rights-of-way, liens or encumbrances, or claims thereof, not shown by the Public Records.

D. Any lien, or right to a lien, for contributions to employee benefit funds, or for state workers' compensation, or for services, labor, or material heretofore or hereafter furnished, all as imposed by law, and not shown by the Public Records.

E. Taxes or special assessments which are not yet payable or which are not shown as existing liens by the Public Records.

F. Any lien for service, installation, connection, maintenance, tap, capacity, or construction or similar charges for sewer, water, electricity, natural gas or other utilities, or for garbage collection and disposal not shown by the Public Records.

G. Unpatented mining claims, and all rights relating thereto.

H. Reservations and exceptions in United States Patents or in Acts authorizing the issuance thereof.

I. Indian tribal codes or regulations, Indian treaty or aboriginal rights, including easements or equitable servitudes.

J. Water rights, claims or title to water.

K. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the Public Records, or attaching subsequent to the effective date hereof but prior to the date the proposed Insured acquires of record for value the estate or interest or mortgage thereon covered by this Commitment.

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SCHEDULE B
(continued)

SPECIAL EXCEPTIONS

1. Rights of the public to make necessary slopes for cuts or fills upon the Land in the reasonable original grading of streets, avenues, alleys and roads, as disclosed in the Plat of Duvall Berry Farms,

   Recording No.: 1434093

2. Reservation of all coal, oil, gas and mineral rights, and rights to explore for the same contained in the deed

   Grantor: Weyerhaeuser Timber Co., a Washington corporation
   Recording Date: October 27, 1921
   Recording No.: 1563092

   Note: Said deed provides for just and reasonable compensation for any injury to the surface of said Land in exercising their rights.

3. Liability for Sewer Treatment Capacity Charges, if any, affecting certain areas of King, Pierce and Snohomish Counties. Said charges could apply to property connecting to the metropolitan sewerage facilities or reconnecting or changing its use and/or structure after February 1, 1990.
   Please contact the King County Wastewater Treatment Division, Capacity Charge Program, for further information at 206-296-1450 or Fax No. 206-263-6823 or email at CapChargeEscrow@kingcounty.gov.

   * A map showing sewer service area boundaries and incorporated areas can be found at:
   http://your.kingcounty.gov/ftp/gis/Web/VMC/utilities/servarea_cities.pdf

   Unrecorded Sewer Capacity Charges are not a lien on title to the Land.

   NOTE: This exception will not appear in the policy to be issued.

4. Payment of the real estate excise tax, if required.

   The Land is situated within the boundaries of local taxing authority of Unincorporated King County.

   Present rate of real estate excise tax as of the date herein is 1.78 percent.

   Any conveyance document must be accompanied by the official Washington State Excise Tax Affidavit. The applicable excise tax must be paid and the affidavit approved at the time of the recording of the conveyance documents. (NOTE: Real Estate Excise Tax Affidavits must be printed as legal size forms).

   An additional $5.00 Electronic Technology Fee must be included in all excise tax payments.

   If the transaction is exempt, an additional $5.00 Affidavit Processing Fee is required.

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SCHEDULE B
(continued)

5. General and special taxes and charges, payable February 15, delinquent if first half unpaid on May 1, second half delinquent if unpaid on November 1 of the tax year (amounts do not include interest and penalties):

Year:	2016
Tax Account No.:	212970-0260-02
Levy Code:	6420
Assessed Value-Land:	$298,000.00
Assessed Value-Improvements:	$0.00

General and Special Taxes:	
Billed:	$4,076.09
Paid:	$2,038.05
Unpaid:	$2,038.04

6. A deed of trust to secure an indebtedness in the amount shown below,

Amount:	$100,000.00
Dated:	February 5, 2007
Trustor/Grantor:	Markham A. Quehrn, Trustee of the William A. Quehrn Marital Trust U/A dated August 16, 1990, as amended
Trustee:	Perkins Coie LLP
Beneficiary:	Jennye H. Quehrn, an unmarried woman
Recording Date:	June 18, 2007
Recording No.:	20070618002039

7. Any unrecorded leaseholds, right of vendors and holders of security interests on personal property installed upon the Land and rights of tenants to remove trade fixtures at the expiration of the terms.

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SCHEDULE B
(continued)

8. The Company will require the following documents for review prior to the issuance of any title insurance predicated upon a conveyance or encumbrance from the entity named below.

   Limited Liability Company: WPM-One LLC

   a. A copy of its operating agreement, if any, and any and all amendments, supplements and/or modifications thereto, certified by the appropriate manager or member.

   b. If a domestic Limited Liability Company, a copy of its Articles of Organization and all amendment thereto with the appropriate filing stamps.

   c. If the Limited Liability Company is member-managed a full and complete current list of members certified by the appropriate manager or member.

   d. If the Limited Liability Company was formed in a foreign jurisdiction, evidence, satisfactory to the Company that it was validly formed, is in good standing and authorized to do business in the state of origin.

   e. If less than all members, or managers, as appropriate, will be executing the closing documents, furnish evidence of the authority of those signing.

   The Company reserves the right to add additional items or make further requirements after review of the requested documentation.

9. In the event title to said Land is acquired by the party(ies) named below, the policy(s), when issued, will show the following additional item(s) in Schedule B, unless disposed of to the satisfaction of the Company:

   Party(ies): Hower Duvall LLC
   Item(s): 10

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SCHEDULE B
(continued)

10. The Company will require the following documents for review prior to the issuance of any title insurance predicated upon a conveyance or encumbrance from the entity named below.

Limited Liability Company: Hower Duvall LLC

a. A copy of its operating agreement, if any, and any and all amendments, supplements and/or modifications thereto, certified by the appropriate manager or member.

b. If a domestic Limited Liability Company, a copy of its Articles of Organization and all amendment thereto with the appropriate filing stamps.

c. If the Limited Liability Company is member-managed a full and complete current list of members certified by the appropriate manager or member.

d. If the Limited Liability Company was formed in a foreign jurisdiction, evidence, satisfactory to the Company that it was validly formed, is in good standing and authorized to do business in the state of origin.

e. If less than all members, or managers, as appropriate, will be executing the closing documents, furnish evidence of the authority of those signing.

The Company reserves the right to add additional items or make further requirements after review of the requested documentation.

END OF EXCEPTIONS

NOTES

The following matters will not be listed as Special Exceptions in Schedule B of the policy. There will be no coverage for loss arising by reason of the matters listed below because these matters are either excepted or excluded from coverage or are not matters covered under the insuring provisions of the policy.

Note A: **Note: Your application for title insurance was placed by reference to only a street address or tax identification number. Based on our records, we believe that the legal description in this report covers the parcel(s) of Land that you requested. If the legal description is incorrect, the seller/borrower must notify the Company and/or the settlement company in order to prevent errors and to be certain that the correct parcel(s) of Land will appear on any documents to be recorded in connection with this transaction and on the policy of title insurance.**

Note B: Note: FOR INFORMATIONAL PURPOSES ONLY:

The following may be used as an abbreviated legal description on the documents to be recorded, per Amended RCW 65.04.045. Said abbreviated legal description is not a substitute for a complete legal description within the body of the document:

Lot 26, Volume 25 of Plats, Page 5.
Tax Account No.: 212970-0260-02

Note C: Note: Any map furnished with this Commitment is for convenience in locating the land indicated herein with reference to streets and other land. No liability is assumed by reason of reliance thereon.

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SCHEDULE B
(continued)

END OF NOTES

END OF SCHEDULE B

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CONDITIONS

1. The term mortgage, when used herein, shall include deed of trust, trust deed, or other security instrument.
2. If the proposed Insured has or acquired actual knowledge of any defect, lien, encumbrance, adverse claim or other matter affecting the estate or interest or mortgage thereon covered by this Commitment other than those shown in Schedule B hereof, and shall fail to disclose such knowledge to the Company in writing, the Company shall be relieved from liability for any loss or damage resulting from any act of reliance hereon to the extent the Company is prejudiced by failure to so disclose such knowledge. If the proposed Insured shall disclose such knowledge to the Company, or if the Company otherwise acquires actual knowledge of any such defect, lien, encumbrance, adverse claim or other matter, the Company at its option may amend Schedule B of this Commitment accordingly, but such amendment shall not relieve the Company from liability previously incurred pursuant to paragraph 3 of these Conditions.
3. Liability of the Company under this Commitment shall be only to the named proposed Insured and such parties included under the definition of Insured in the form of policy or policies committed for and only for actual loss incurred in reliance hereon in undertaking in good faith (a) to comply with the requirements hereof, or (b) to eliminate exceptions shown in Schedule B, or (c) to acquire or create the estate or interest or mortgage thereon covered by this Commitment. In no event shall such liability exceed the amount stated in Schedule A for the policy or policies committed for and such liability is subject to the insuring provisions and Conditions and the Exclusions from Coverage of the form of policy or policies committed for in favor of the proposed Insured which are hereby incorporated by reference and are made a part of this Commitment except as expressly modified herein.
4. This Commitment is a contract to issue one or more title insurance policies and is not an abstract of title or a report of the condition of title. Any action or actions or rights of action that the proposed Insured may have or may bring against the Company arising out of the status of the title to the estate or interest or the status of the mortgage thereon covered by this Commitment must be based on and are subject to the provisions of this Commitment.
5. *The policy to be issued contains an arbitration clause. All arbitrable matters when the Amount of Insurance is $2,000,000 or less shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. You may review a copy of the arbitration rules at http://www.alta.org.*

END OF CONDITIONS

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RECORDING REQUIREMENTS

Effective January 1, 1997, document format and content requirements have been imposed by Washington Law. Failure to comply with the following requirements may result in rejection of the document by the county recorder or imposition of a $50.00 surcharge.

First page or cover sheet:

3" top margin containing nothing except the return address.

1" side and bottom margins containing no markings or seals.

Title(s) of documents.

Recording no. of any assigned, released or referenced document(s).

Grantors names (and page no. where additional names can be found).

Grantees names (and page no. where additional names can be found).

Abbreviated legal description (Lot, Block, Plat Name or Section, Township, Range and Quarter, Quarter Section for unplatted). Said abbreviated legal description is not a substitute for a complete legal description which must also appear in the body of the document.

Assessor's tax parcel number(s).

Return address (in top 3" margin).

**A cover sheet can be attached containing the above format and data if the first page does not contain all required data.

Additional Pages:

1" top, side and bottom margins containing no markings or seals.

All Pages:

No stapled or taped attachments. Each attachment must be a separate page. All notary and other pressure seals must be smudged for visibility. Font size of 8 points or larger.

FIDELITY NATIONAL FINANCIAL, INC.
PRIVACY NOTICE
Effective: April 1, 2016

Order No.: 0073901-06-CK

At Fidelity National Financial, Inc. and its majority-owned subsidiary companies (collectively, "FNF", "our" or "we"), we value the privacy of our customers. This Privacy Notice explains how we collect, use, and protect your information and explains the choices you have regarding that information. A summary of our privacy practices is below. We also encourage you to read the complete Privacy Notice following the summary.

Types of Information Collected. You may provide us with certain personal information, like your contact information, social security number (SSN), driver's license, other government ID numbers, and/or financial information. We may also receive information from your Internet browser, computer and/or mobile device.	**How Information is Collected.** We may collect personal information directly from you from applications, forms, or communications we receive from you, or from other sources on your behalf, in connection with our provision of products or services to you. We may also collect browsing information from your Internet browser, computer, mobile device or similar equipment. This browsing information is generic and reveals nothing personal about the user.
Use of Your Information. We may use your information to provide products and services to you (or someone on your behalf), to improve our products and services, and to communicate with you about our products and services. We do not give or sell your personal information to parties outside of FNF for their use to market their products or services to you.	**Security Of Your Information.** We utilize a combination of security technologies, procedures and safeguards to help protect your information from unauthorized access, use and/or disclosure. We communicate to our employees about the need to protect personal information.
Choices With Your Information. Your decision to submit personal information is entirely up to you. You can opt-out of certain disclosures or use of your information or choose to not provide any personal information to us.	**When We Share Information.** We may disclose your information to third parties providing you products and services on our behalf, law enforcement agencies or governmental authorities, as required by law, and to parties with whom you authorize us to share your information.
Information From Children. We do not knowingly collect information from children under the age of thirteen (13), and our websites are not intended to attract children.	**Privacy Outside the Website.** We are not responsible for the privacy practices of third parties, even if our website links to those parties' websites.
Access and Correction. If you desire to see the information collected about you and/or correct any inaccuracies, please contact us in the manner specified in this Privacy Notice.	**Do Not Track Disclosures.** We do not recognize "do not track" requests from Internet browsers and similar devices.
The California Online Privacy Protection Act. Certain FNF websites collect information on behalf of mortgage loan servicers. The mortgage loan servicer is responsible for taking action or making changes to any consumer information submitted through those websites.	**International Use.** By providing us with your information, you consent to the transfer, processing and storage of such information outside your country of residence, as well as the fact that we will handle such information consistent with this Privacy Notice.
Your Consent To This Privacy Notice. By submitting information to us and using our websites, you are accepting and agreeing to the terms of this Privacy Notice.	**Contact FNF.** If you have questions or wish to contact us regarding this Privacy Notice, please use the contact information provided at the end of this Privacy Notice.

FIDELITY NATIONAL FINANCIAL, INC.
PRIVACY NOTICE

FNF respects and is committed to protecting your privacy. We pledge to take reasonable steps to protect your Personal Information (as defined herein) and to ensure your information is used in compliance with this Privacy Notice.

This Privacy Notice is only in effect for information collected and/or owned by or on behalf of FNF, including collection through any FNF website or online services offered by FNF (collectively, the "Website"), as well as any information collected offline (e.g., paper documents). The provision of this Privacy Notice to you does not create any express or implied relationship, nor create any express or implied duty or other obligation, between FNF and you.

Types of Information Collected

We may collect two (2) types of information: Personal Information and Browsing Information.

Personal Information. The types of personal information FNF collects may include, but are not limited to:

- contact information (*e.g.*, name, address, phone number, email address);
- social security number (SSN), driver's license, and other government ID numbers; and
- financial account or loan information.

Browsing Information. The types of browsing information FNF collects may include, but are not limited to:

- Internet Protocol (or IP) address or device ID/UDID, protocol and sequence information;
- browser language;
- browser type;
- domain name system requests;
- browsing history;
- number of clicks;
- hypertext transfer protocol headers; and
- application client and server banners.

How Information is Collected

In the course of our business, we may collect *Personal Information* about you from the following sources:

- applications or other forms we receive from you or your authorized representative, whether electronic or paper;
- communications to us from you or others;
- information about your transactions with, or services performed by, us, our affiliates or others; and
- information from consumer or other reporting agencies and public records that we either obtain directly from those entities, or from our affiliates or others.

We may collect *Browsing Information* from you as follows:

- Browser Log Files. Our servers automatically log, collect and record certain Browsing Information about each visitor to the Website. The Browsing Information includes only generic information and reveals nothing personal about the user.
- Cookies. From time to time, FNF may send a "cookie" to your computer when you visit the Website. A cookie is a small piece of data that is sent to your Internet browser from a web server and stored on your computer's hard drive. When you visit the Website again, the cookie allows the Website to recognize your computer, with the goal of providing an optimized user experience. Cookies may store user preferences and other information. You can choose not to accept cookies by changing the settings of your Internet browser. If you choose not to accept cookies, then some functions of the Website may not work as intended.

Use of Collected Information

Information collected by FNF is used for three (3) main purposes:

- To provide products and services to you, or to one or more third party service providers who are performing services on your behalf or in connection with a transaction involving you;
- To improve our products and services; and
- To communicate with you and to inform you about FNF's products and services.

When We Share Information

We may share your Personal Information (excluding information we receive from consumer or other credit reporting agencies) and Browsing Information with certain individuals and companies, as permitted by law, without first obtaining your authorization. Such disclosures may include, without limitation, the following:

- to agents, representatives, or others to provide you with services or products you have requested, and to enable us to detect or prevent criminal activity, fraud, or material misrepresentation or nondisclosure;
- to third-party contractors or service providers who provide services or perform other functions on our behalf;
- to law enforcement or other governmental authority in connection with an investigation, or civil or criminal subpoenas or court orders; and/or
- to other parties authorized to receive the information in connection with services provided to you or a transaction involving you.

We may disclose Personal Information and/or Browsing Information when required by law or in the good-faith belief that such disclosure is necessary to:

- comply with a legal process or applicable laws;
- enforce this Privacy Notice;
- investigate or respond to claims that any information provided by you violates the rights of a third party; or
- protect the rights, property or personal safety of FNF, its users or the public.

We make efforts to ensure third party contractors and service providers who provide services or perform functions on our behalf protect your information. We limit use of your information to the purposes for which the information was provided. We do not give or sell your information to third parties for their own direct marketing use.

We reserve the right to transfer your Personal Information, Browsing Information, as well as any other information, in connection with the sale or other disposition of all or part of the FNF business and/or assets, or in the event of our bankruptcy, reorganization, insolvency, receivership or an assignment for the benefit of creditors. You expressly agree and consent to the use and/or transfer of this information in connection with any of the above described proceedings. We cannot and will not be responsible for any breach of security by any third party or for any actions of any third party that receives any of the information that is disclosed to us.

Choices With Your Information

Whether you submit your information to FNF is entirely up to you. If you decide not to submit your information, FNF may not be able to provide certain products or services to you. You may choose to prevent FNF from using your information under certain circumstances ("opt out"). You may opt out of receiving communications from us about our products and/or services.

Security And Retention Of Information

FNF is committed to protecting the information you share with us and utilizes a combination of security technologies, procedures and safeguards to help protect it from unauthorized access, use and/or disclosure. FNF trains its employees on privacy practices and on FNF's privacy and information security policies. FNF works hard to retain information related to you only as long as reasonably necessary for business and/or legal purposes.

Information From Children

The Website is meant for adults. The Website is not intended or designed to attract children under the age of thirteen (13). We do not collect Personal Information from any person that we know to be under the age of thirteen (13) without permission from a parent or guardian.

Access and Correction

To access your Personal Information in the possession of FNF and correct inaccuracies, please contact us by email at privacy@fnf.com or by mail at:

Fidelity National Financial, Inc.
601 Riverside Avenue
Jacksonville, Florida 32204
Attn: Chief Privacy Officer

Your Consent To This Privacy Notice

By submitting Personal Information and/or Browsing Information to FNF, you consent to the collection and use of information by FNF in compliance with this Privacy Notice. We reserve the right to make changes to this Privacy Notice. If we change this Privacy Notice, we will post the revised version on the Website.

Privacy Outside the Website

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Currently, our policy is that we do not recognize "do not track" requests from Internet browsers and similar devices.

The California Online Privacy Protection Act

For some websites which FNF or one of its companies owns, such as the Customer CareNet ("CCN"), FNF is acting as a third party service provider to a mortgage loan servicer. In those instances, we may collect certain information on behalf of that mortgage loan servicer, including:

- first and last name;
- property address;
- user name and password;
- loan number;
- social security number - masked upon entry;
- email address;
- security questions and answers; and
- IP address.

The information you submit is then transferred to your mortgage loan servicer by way of CCN. **The mortgage loan servicer is responsible for taking action or making changes to any consumer information submitted through this website. For example, if you believe that your payment or user information is incorrect, you must contact your mortgage loan servicer.**

CCN does not share consumer information with third parties, other than those with which the mortgage loan servicer has contracted to interface with the CCN application. All sections of this Privacy Notice apply to your interaction with CCN, except for the sections titled Choices with Your Information, and Access and Correction. If you have questions regarding the choices you have with regard to your personal information or how to access or correct your personal information, contact your mortgage loan servicer.

Contact FNF

Please send questions and/or comments related to this Privacy Notice by email at privacy@fnf.com or by mail at:

Fidelity National Financial, Inc.
601 Riverside Avenue
Jacksonville, Florida 32204
Attn: Chief Privacy Officer

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EFFECTIVE AS OF APRIL 1, 2016

Return Address:
City of Duvall
PO Box 1300
Duvall, WA 98019

201608090000378
MCCOY,MATT MEMO 81.00
PAGE-001 OF 009
08/09/2016 11:26
KING COUNTY, WA

Please print or type information **WASHINGTON STATE RECORDER'S Cover Sheet** (RCW 65.04)

Document Title(s) (or transactions contained therein): (all areas applicable to your document **must** be filled in)
1. Memorandum of Understanding 2. _____
3. _____ 4. _____

Reference Number(s) of Documents assigned or released:
Additional reference #'s on page _____ of document

Grantor(s) Exactly as name(s) appear on document
1. WPM-ONE LLC _____, _____
2. _____, _____
Additional names on page _____ of document.

Grantee(s) Exactly as name(s) appear on document
1. City of Duvall _____, _____
2. _____, _____
Additional names on page _____ of document.

Legal description (abbreviated: i.e. lot, block, plat or section, township, range)
TRACT 26, Duvall Berry Farms, King County, Washington, according to plat recorded in Volume 25 of plats, page 5, in King County, Washington.
Additional legal is on page _____ of document.

Assessor's Property Tax Parcel/Account Number ☐ Assessor Tax # not yet assigned 212970-0260

The Auditor/Recorder will rely on the information provided on this form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.

"I am signing below and paying an additional $50 recording fee (as provided in RCW 36.18.010 and referred to as an emergency nonstandard document), because this document does not meet margin and formatting requirements. Furthermore, I hereby understand that the recording process may cover up or otherwise obscure some part of the text of the original document as a result of this request."

_____ Signature of Requesting Party

Note to submitter: Do not sign above nor pay additional $50 fee if the document meets margin/formatting requirements

After Recording, Return to:
City of Duvall – City Clerk
PO Box 1300
Duvall, WA 98019

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding ("MOU") is made and entered into as of this 2nd day of February, 2016, by and between the City of Duvall, a municipal corporation of the State of Washington, ("**Duvall** "), and WPM-ONE LLC, a State of Washington limited liability company ("**WPM** "). Duvall and WPM are sometimes referred to hereinafter individually as a "Party" and collectively as the "Parties."

I. RECITALS

WHEREAS, WPM owns certain real property, comprised of approximately 9.8 acres of vacant land, which such property is more particularly described on Exhibit A, attached hereto ("**WPM Property**");

WHEREAS, Duvall owns certain real property whereupon it maintains a park, commonly known as the Big Rock Ball Fields, which such property is more particularly described on Exhibit B, attached hereto (the "**Park Property**");

WHEREAS, the WPM Property abuts and is immediately adjacent to the Park Property;

WHEREAS, Duvall has adopted a Parks, Trails and Open Space Plan ("**Plan**") and, in order to meet the level of service standards adopted by Duvall in the Plan, Duvall must acquire more than 20 additional acres of community parks over the 20 year plan, a portion of which acres are expected to provide for the expansion of the Park Property;

WHEREAS, WPM desires to make arrangements with Duvall for the dedication to Duvall of a three (3) acre portion of the WPM Property for park purposes while preserving the development potential of the remainder of the WPM Property for single family residences;

WHEREAS, in order to effect such a dedication and in order to preserve the development potential of the remainder of the WPM Property, WPM seeks to have the WPM Property designated in Duvall's Comprehensive Plan as a low-density residential R4-4.5 land use, and so designated, seeks the annexation of the WPM Property into the city of Duvall on or before December 31, 2017 unless mutually extended by both parties.

WHEREAS, Duvall has undertaken a comprehensive review of future land uses and proposed amendments to the Duvall Comprehensive Plan that would influence the manner and distribution of growth in Duvall through 2035;

WHEREAS, on August 24, 2015, Duvall issued a Draft Environmental Impact Statement, pursuant to the State Environmental Policy Act (Chapter RCW 43.21C), assessing the potential impacts of different growth strategies and the potential annexation of portions of Duvall's UGA (including, but not limited to, annexation of the WPM Property);

WHEREAS, in order to achieve its desire to dedicate a three (3) acre portion of the WPM Property for park purposes while preserving the development potential of the remainder of the WPM Property for single family residences, WPM desires to enter into this MOU; and

WHEREAS, consistent with the range of alternatives available to Duvall to accommodate planned growth and in furtherance of the objective of meeting the level of service standards adopted by Duvall in the Plan, and providing for the ultimate expansion of the Park Property, Duvall desires to enter into this MOU.

NOW, THEREFORE, in consideration of the foregoing and the mutual benefits to be derived therefrom, the Parties agree as follows:

II Agreement

A. Term. The term of this MOU shall commence as of the date first written above and shall continue through and until December 31, 2017 ("**Term**"), unless terminated by written agreement of the Parties unless mutually extended by both parties. Upon expiration of the Term, this MOU shall terminate and thereafter be null, void, and of no further force and effect.

B. Pre-Annexation Agreement Goals. During the Term, the Parties shall diligently and in good faith exercise their best reasonable effort to negotiate and consummate a Pre-Annexation Agreement ("**Agreement**") as a means to achieve the following goals:

1. The annexation of the WPM Property into the City of Duvall, with a zoning designation of R4-4.5, providing for a minimum density of not less than 4 units per acre. Such annexation would occur on or before the end of the term date in Section II.A.

2. The dedication to Duvall by WPM of up to three (3) acres of contiguous usable real property, abutting and immediately adjacent to the Big Rock Ball Fields, at no cost to Duvall, for park purposes. To facilitate access to the dedicated park property, Duvall will likely need a portion of property on the northern boundary of the WPM Property. This area shall be within and shall be part of the dedication. Such dedication shall occur on or before the date that is the first of the following dates to occur: (a) Duvall's final approval of any and all permits, licenses, certificates, inspections, reviews, impact statements, determinations, authorizations, exemptions or any other form of review or approval

required to develop the WPM Property at four units per acre or (b) such other date to effect such dedications as the Parties may establish in the Agreement.

3. Execution of a deed to the dedicated park property, which can be held in escrow at time of annexation of the WPM Property. Following such annexation, Duvall and WPM shall complete a boundary line adjustment to segment the park property from the developable area of the WPM Property and upon the completion of which, the deed to the park property will be released to Duvall.

4. The dedicated park property will count toward the ten (10) percent open space requirement for residential development.

C. Pre-Annexation Agreement Terms and Conditions. The Parties acknowledge that this MOU summarizes some of the key terms of an Agreement to be negotiated by the Parties. The Parties acknowledge and agree that: (a) the terms and conditions for the Agreement as outlined herein do not necessarily include all of the material terms and conditions which will be set forth in the Agreement; and (b) the Agreement will contain additional terms and conditions to be agreed upon by the Parties. This MOU serves only to bind the Parties to diligently and in good faith exercise their best reasonable effort to negotiate and consummate such an Agreement during the Term of the MOU, but this MOU does not otherwise create a binding or enforceable obligation by or on behalf of any Party.

D. Condition Precedent to WPM's Obligations. WPM shall have no obligations arising under this MOU unless Duvall shall, on or before April 30, 2016, amend its Comprehensive Plan to change the planning designation of the WPM Property from Urban Growth Area Reserve to Residential R4-4.5.

E. Transfer of Ownership. A conveyance of all or any portion of the Property through any means shall not impair, extinguish or otherwise affect any right, obligation, duty, term, or provision of this MOU. Any purchaser and/or assignee of all or any portion of the Property shall have the same rights, obligations, and/or duties under this MOU during the Term as the Party from which it purchased or otherwise obtained an interest in all or a portion of the Property and shall have the right during the Term to enforce this MOU against the other Party.

F. Third Parties. This Agreement is not intended to and shall not be construed as benefiting any third party. The provisions of this Agreement are solely for the benefit of the Parties, their heirs, successors, and assigns.

G. Representatives. The Parties shall designate representatives ("Representative") for purposes of implementing this MOU. The Representatives for such purpose are:

Duvall: City of Duvall:
Jodi Wycoff, City Clerk
PO Box 1300
Duvall, WA 98019
(425) 788-1185

WPM: Markham A. Quehrn
Manager, Q-MCIN LLC
10885 NE 4th Street
Suite 700
Bellevue, WA 98004
Phone: (425) 635-1402
Email: MQuehrn@perkinscoie.com

Any notice, request or other communication given under this MOU shall be in writing and shall be deemed sufficiently given to a Representative (a) upon the delivery date received by the intended recipient if delivered by hand; (b) five (5) business days after it is sent by registered mail or air courier, postage prepaid; or (c) when sent email or other similar electronic transmission device, upon the date of electronic confirmation of receipt of such transmission by the intended recipient. Either Party may change the address to which such communications are to be delivered under this MOU by giving notice of such change to the other Party in accordance with the requirements of this Paragraph G.

H. Miscellaneous

1. This MOU shall not be interpreted or construed to create an association, joint venture, partnership, or agency relationship between the Parties, nor to impose any partnership obligations or liabilities on either Party. No change, amendment, or modification of any provision of this MOU shall be valid unless set forth in a written amendment to this MOU signed by the Parties.

2. This MOU sets forth the entire agreement and supersedes any and all prior agreements of the Parties with respect to the subject matters hereof. The invalidity or unenforceability of any provision of this MOU shall not affect the other provisions hereof, and this MOU shall be construed in all respects as if such invalid or unenforceable provisions were omitted. This MOU shall be governed by and construed in accordance with the laws of the State of Washington (regardless of the laws that might otherwise govern under applicable principles of conflicts of law of such state).

3. The rights and obligations of the Parties arising under this MOU shall be binding upon their respective representatives, successors, and assigns.

4. After the date hereof, each of the Parties shall from time to time, at the request of another Party hereto, execute and deliver, or cause to be executed and delivered, such further instruments, and perform such further acts, as the requesting Party may reasonably require in order to fully effect the Parties' intent under this Agreement, and to otherwise comply with the provisions hereof and consummate, or terminate, as appropriate, the transactions contemplated hereby and thereby.

IN WITNESS WHEREOF, the Parties hereto have caused this MOU to be executed by their duly authorized representatives all as of the day and year first above written.

CITY OF DUVALL

_____

By: Hon. Will Ibershof
Mayor, City of Duvall
Print: Will Ibershof
Title: MAYOR
Date: February 22, 2016

State of Washington
County of King
On this 22nd day of February, 2016, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Will Ibershof, to me known to be the MAYOR of City of Duvall, and that executed the foregoing instrument and acknowledged the said instrument to be the free and voluntary act of and deed of said municipality, for the uses and purposes therein mentioned, and on oath stated that he/she is authorized to execute the said instrument for the uses and purposes therein mentioned.
Witness my hand and seal the day and year first above written.

Jodi Wycoff

Printed Name: Jodi Wycoff
Notary Public in and for the State of Washington
Residing at: Monroe, WA
My Commission expires 2/9/19

JODI WYCOFF
COMMISSION EXPIRES
NOTARY
PUBLIC
2-09-19
STATE OF WASHINGTON

WPM-ONE LLC

By: Markham A Quehrn
Manager Q-MCIN LLC
Print: Markham A. Quehrn
Title: Manager - Q-McIN LLC
Date: 2-25-2016

State of Washington
County of King
On this 25th day of February, 2016, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Markham A. Quehrn, to me known to be the Manager of Q-McIN LLC, and that executed the foregoing instrument and acknowledged the said instrument to be the free and voluntary act of and deed of said Q-McIn LLC, for the uses and purposes therein mentioned, and on oath stated that he/she is authorized to execute the said instrument for the uses and purposes therein mentioned.
Witness my hand and seal the day and year first above written.

Printed Name: Jillian L. Miller
Notary Public in and for the State of Washington
Residing at: Bellevue
My Commission expires 11/26/19

JILLIAN L. MILLER
COMMISSION EXPIRES
NOTARY
PUBLIC
11-26-19
STATE OF WASHINGTON

EXHIBIT A
WPM PROPERTY

Tax Parcel No. 212970-0260
Tract 26, Duvall Berry Farms, King County, Washington, according to plat recorded in Volume 25 of plats, page 5, in King County, Washington.

EXHIBIT B
Park Property

Tax Parcel No. 212970-0250
Tract 25, Duvall Berry Farms, King County, Washington, according to plat recorded in Volume 25 of plats, page 5, in King County, Washington

CHICAGO TITLE

COMPANY OF WASHINGTON

SUPPLEMENT NO. 1

Chicago Title Company of Washington
701 5th Avenue, Suite 2700
Seattle, WA 98104

Title Officer: Commercial / Unit 6
Esc. Officer: Cindy Kosanke
Property: 28XXX NE Big Rock Road
Duvall, WA 98019
Borrower(s): Hower Duvall LLC
Seller(s): WPM-ONE LLC
Order No.: 0073901-06

The above numbered report with an Effective Date of July 5, 2016 including any supplements or amendments thereto, is hereby modified and/or supplemented in order to reflect the following:

The effective date is amended as follows:

The Effective Date of July 5, 2016 is hereby amended to be: October 5, 2016 at 08:00 AM

The following items/notes have been added to your report:

ITEMS:

11. Memorandum of Understanding

    Executed by: WPM-One LLC, a State of Washington lmited liability company and the City of Duvall, a municipal corporation
    Recording Date: August 9, 2016
    Recording No.: 20160809000378

12. Please be advised that our search did not disclose any open mortgages of record. If you should have knowledge of any outstanding obligation, please contact the Title Department immediately for further review prior to closing.

The following items/notes have been changed on your report:

ITEMS:

8. The Terms and Conditions of the Limited Liability Agreement for WPM-One, LLC.

   NOTE: We have received a copy of the Limited Liability Company/Partnership/ Corporation/Trustee Agreement of WPM-One LLC. Based on our review, paragraph(s) 8 will not appear on the policy issued if the following conditions are met on the instrument to be insured:

   1. Markham A. Quehrn must sign as a Manager of said entity.
   2. All signature(s) must be notarized in a representative capacity.

The following items/notes have been intentionally deleted from your report:

ITEMS: 6.

SUPPLEMENTAL
(continued)

For title inquiries, please contact the issuing office:

Chicago Title Company of Washington
701 5th Avenue, Suite 2700
Seattle, WA 98104

Phone: (206)628-5610
Fax: (206)628-9717
Email: CTISEATitleUnit6@ctt.com

For settlement inquiries, please contact the settlement office:

Chicago Title Company of Washington
10500 NE 8th St., Suite 600
Bellevue, WA 98004

Phone: (425)455-4995
Fax: (425)646-9154
Email: CTIBellevueEscrow@fnf.com

Supplemental Date: October 24, 2016

Countersigned By:

Authorized Officer or Agent

SHOFFNER CONSULTING

21529 4TH AVE. W. #C31 BOTHELL, WA 98021 MOBILE: (206)755-2871

November 10, 2016

Barry Margolese
Amalani, LLC
105 S. Main St. Suite 230
Seattle, WA
98104

Re: Tree Inventory Report - Big Rock, Duvall.

Barry:

This report is provided to report on my inventory of the trees on the Big Rock property in the City of Duvall, WA. I visited the site recently to conduct visual condition assessments of the trees and gather information on them for preparation of this report. Please see the accompanying spreadsheet for information specific to each tree and the Tree Inventory showing the location, survey number and crown spread of each tree that was surveyed and inventoried. This report presents the findings of my assessments.

1.0 Site Conditions

The project site is located in east Duvall and borders a lot developed with a single family residence to its south east and a public park to the southwest. It's undeveloped and moderately dense in both the overstory and understory.

The topography varies across the site and can be described as hilly. There is a wetland near the southwest corner of the property.

2.0 Tree Inventory and Condition Assessments

During my site visit, I walked the property with a copy of the survey in hand. I conducted visual condition assessments of each tree from up close to inspect the trunks and from afar to observe conditions in the crowns. At this time, all of the deciduous trees are dormant and do not have leaves, therefore, gathering exact information on the condition of these was not possible, but it was possible to determine if these trees were still alive, and all were.

In general, the trees are in good condition and health. Only a few had some moderate defects in the crowns, such as dead wood and moderate dieback. A few of the trees are large and therefore old and possibly nearing decline. However, all of the trees are still alive. The species of significant trees on the property include the following:

- Bigleaf maple (*Acer macrophyllum*)
- Red alder (*Alnus rubra*)
- Black cottonwood (*Populus trichocarpa*)
- Douglas fir (*Pseudotsuga menziesii*)
- Western red cedar (*Thuja plicata*)
- Western hemlock (*Tsuga heterophylla*)

3.0 Tree Retention Requirements

The following tree retention requirements are specified in chapter 14.40.050 of the Duvall Municipal Code:

A. A minimum of thirty-five (35) percent of all significant trees on a site shall be retained. All significant trees on a site shall be counted towards the total number of significant trees, except if a tree is a hazard, dead, or dying, such tree shall not be counted. Calculations resulting in fractions shall be rounded up.
B. Of the thirty-five (35) percent of trees required for retention, a minimum of three-fourths of those trees can be located in sensitive areas or buffers. If there are significant trees suitable for retention outside of sensitive areas and buffers, one-fourth of the trees to be saved shall be outside of sensitive areas and buffers. If all significant trees are in a sensitive area or buffer, all of those trees shall be retained.
1. The director may grant reductions or adjustments to other site development standards if more than thirty-five (35) percent of the healthy significant trees are saved outside of sensitive areas. In a case-by-case review, the director shall determine the balance between tree protection that exceeds the established minimum percentage and variations to site development requirements. Adjustments that may be considered are:
a. Reductions or variations of the area or width of required open space and/or landscaping;
b. Variations in parking lot design and/or and access requirements;
c. Variations in building setback requirements;
d. Reduction in the width of certain easements;
e. Variations of grading and stormwater requirements;
f. Other variations which are proposed and determined to be appropriate and acceptable by the director.
C. There shall be no net reduction of the total number of viable significant trees on a site. The total number of viable significant trees located on a site is the number of trees subject to the no significant tree reduction policy. See example subsection (C)(1) of this section to determine what trees are counted toward the no significant tree reduction policy.
1. Example: Number of trees to be retained/number of trees counted towards no significant tree reduction policy.
2. All trees proposed for or existing on the project site shall be counted towards the no significant tree loss reduction policy number.
3. Development sites with an average tree density of more than twenty (20) trees per acre after development shall be reviewed by the director to determine if the no significant tree loss number should be reduced due to the high density of trees. The director has the ability to reduce the total number of trees on a lot in such cases; however, in no case shall such number be less than the sum of the thirty-five (35) percent of significant trees, the remaining trees in sensitive areas and trees required in accordance with DMC Chapter 14.38, Landscaping Standards.

There are 130 significant trees on the property; at 9.8 acres in size, there are 13.3 trees per acre. To satisfy the tree retention requirements, 45.5, or 46, trees are required to be retained. Following are the requirements for proper protection of retained trees as specified in chapter 14.40.080 of the Duvall Municipal Code:

A. To ensure long-term viability of trees and tree stands identified for protection, permit plans and construction activities shall comply with the following minimum required tree protection:
1. All minimum required tree protection measures shall be shown on the tree plan and the site grading plan.

2. All construction activities, including staging and traffic areas, shall be prohibited within the root protection zone of a protected trees.
3. To ensure that structures, utilities, and roadways are located an adequate distance from the dripline of a protected tree and to allow adequate room for construction activities, the construction limit line for a structure, utility, or roadway shall be located no closer than the root protection zone of a protected tree.
4. No proposed structure, utility, or roadway shall be located in the root protection zone of a protected tree, except where such structure is a raised deck, bay window, or cantilevered or otherwise raised above the ground's surface so as not to disrupt the tree's roots.
5. Sidewalks and utilities may be located within the dripline of a protected tree, provided that construction methods and materials used will result in minimal disruption of the tree's roots, and that additional measures for tree protection are proposed and approved which will ensure the long-term viability of the tree.
6. The director may allow construction limits or an alteration of grades within the root protection zone, provided that the applicant submits an evaluation by an arborist which demonstrates that the proposed construction will not reduce the long-term viability of the tree.
7. The director may require an evaluation by an arborist to determine if protective measures should be required beyond the root protection zone.
8. Tree protection barriers shall be installed along the outer edge and completely surround the root protection zone of significant trees to be protected prior to any land disturbance.
9. Tree protection barriers shall be a minimum of four feet high, constructed of chain link, or polyethylene laminar safety fencing or similar material, subject to approval by the director. "Tree protection area" signs shall be posted visibly on all sides of the fenced areas. On large or multiple-project sites, the director may also require that signs requesting subcontractor cooperation and compliance with tree protection standards be posted at site entrances.
B. Preventative Measures. In addition to the above minimum tree protection measures, the applicant shall support tree protection efforts by employing, as appropriate, the following preventative measures, consistent with best management practices for maintaining the health of the trees:
1. Pruning of visible deadwood on trees to be protected or relocated;
2. Application of fertilizer to enhance the vigor of stressed trees;
3. Use of soil amendments and soil aeration in tree protection and planting areas;
4. Mulching over tree dripline areas; and
5. Ensuring proper water availability during and immediately after construction.
C. Prior to final plat or final site plan approval, an arborist hired by the applicant shall be required to inspect all trees remaining on a site and provide a written report as to the status of such trees. Any protected tree found to be irreparably damaged, severely stressed or dying shall be replaced at a three tree to one tree ratio if it is part of the required thirty-five (35) percent requirement, or at a one tree to one tree ratio if in excess of the thirty-five (35) percent, but counted towards the overall tree number. The enforcement standards of DMC Section 14.40.100 may also apply at the director's discretion. The director will take into account the reasons for the damaged trees in determining if the fine set out in DMC Section 14.40.100 applies.
D. Alternative Methods. The director may approve the use of alternative tree protection techniques if a protected tree will be protected to an equal or greater degree than through the techniques listed above.
E. Designation of Protected Trees.
1. The tree plan and any application and permit plans that cover such areas shall show all trees designated for protection/retention. These areas may be shown by labeling them as "protected trees" or "native growth protection areas" or such other designation as may be approved by the director. Protected vegetation, including protected trees, shall not be modified, harmed or removed except as provided in this chapter.

2. The director may require that protected trees be permanently preserved within a tract, easement or other permanent protective mechanism. When required, the location, purpose, and limitation of these protected areas shall be shown on the face of the deed, plat, site plan, or similar document and shall be recorded with the King County Department of Records and Elections. The recorded document shall include the requirement that the protected areas shall not be removed, amended or modified without the written approval of the city of Duvall.

4.0 Use of This Report

This report is provided for Amalani LLC to report on the inventory conducted on the signficant, surveyed trees on the Big Rock site in the City of Duvall, as required by the City of Duvall. Trees are dynamic, therefore, the condition evaluations of the trees pertain to the conditions observed only on the day of my assessment, and trees can be affected by site development, therefore, there is no guarantee that the retained trees on this property will no be impacted by the site changes. Tony Shoffner and Shoffner Consulting cannot be held liable for damage resulting from failure of trees on this property.

Cordially,

Tony Shoffner
ISA Certified Arborist #PN-0909A
CTRA #1759

TREE EVALUATION DATA BIG ROCK, DUVALL AMALANI, LLC

TREE #	Tag #	Sp.	Dbh	Crown	Rating	Condition Notes	Status
1	10955	BLM/Am	34	70	3		N/A
2	10940	BLM/Am	18	52	1	Good condition and health; young and vigorous.	N/A
3	10942	BC/Pt	16	38	1	Good condition and health; young and vigorous.	N/A
4	10932	DF/Pm	44	48	3	Large and old; no defects	N/A
5	10931	RA/Ar	20	48	2	Generally good condition and health.	N/A
6	10930	RA/Ar	22	48	2	Generally good condition and health.	N/A
7	10928	RA/Ar	26	54	3	Moderate crown dieback	N/A
8	10934	WH/Th	20	36	2	Generally good condition and health.	N/A
9	10927	BC/Pt	16	34	1	Good condition and health; young and vigorous.	N/A
10	10924	RA/Ar	22	44	2	Generally good condition and health.	N/A
11	10903	RA/Ar	22	46	2	Generally good condition and health.	N/A
12	10043	RA/Ar	24	46	3	Moderate crown dieback	N/A
13	10052	RA/Ar	18	40	1	Good condition and health; young and vigorous.	N/A
14	10069	BLM/Am	26	62	2	Generally good condition and health.	N/A
15	10070	RA/Ar	22	42	2	Generally good condition and health.	N/A
16	10071	BLM/Am	16	42	1	Good condition and health; young and vigorous.	N/A
17	10114	BC/Pt	24	54	2	Generally good condition and health.	N/A
18	10131	BLM/Am	26	60	2	Generally good condition and health.	N/A
19	10096	BLM/Am	30	66	2	Generally good condition and health.	N/A
20	10098	BLM/Am	16	40	1	Good condition and health; young and vigorous.	N/A
21	10912	BC/Pt	20	46	2	Generally good condition and health.	N/A
22	10913	BC/Pt	16	36	1	Good condition and health; young and vigorous.	N/A
23	10984	BC/Pt	20	42	2	Generally good condition and health.	N/A
24	10988	BC/Pt	16	38	1	Good condition and health; young and vigorous.	N/A
25	10157	RA/Ar	16	36	1	Good condition and health; young and vigorous.	N/A
26	10168	RA/Ar	18	40	1	Good condition and health; young and vigorous.	N/A
27	10172	WH/Th	20	38	2	Generally good condition and health.	N/A
28	10179	BC/Pt	16	36	1	Good condition and health; young and vigorous.	N/A
29	10181	BC/Pt	16	38	1	Good condition and health; young and vigorous.	N/A
30	10195	RA/Ar	16	34	1	Good condition and health; young and vigorous.	N/A
31	10191	RA/Ar	16	36	1	Good condition and health; young and vigorous.	N/A
32	10180	RA/Ar	16	36	1	Good condition and health; young and vigorous.	N/A
33	10188	RA/Ar	28	52	3	Moderate crown dieback	N/A
34	10182	WH/Th	26	40	2	Generally good condition and health.	N/A
35	10185	WH/Th	22	38	2	Generally good condition and health.	N/A
36	10227	DF/Pm	24	40	2	Generally good condition and health.	N/A
37	10209	RA/Ar	16	36	1	Good condition and health; young and vigorous.	N/A
38	10274	DF/Pm	22	40	2	Generally good condition and health.	N/A
39	11026	DF/Pm	16	34	1	Good condition and health; young and vigorous.	N/A
40	11043	WRC/Tp	24	36	2	Generally good condition and health.	N/A
41	10291	WRC/Tp	34	42	2	Generally good condition and health.	N/A
42	10284	RA/Ar	24	48	3	Moderate crown dieback	N/A
43	10290	RA/Ar	16	34	1	Good condition and health; young and vigorous.	N/A
44	10288	WH/Th	16	30	1	Good condition and health; young and vigorous.	N/A
45	10280	DF/Pm	20	36	2	Generally good condition and health.	N/A
46	10292	BC/Pt	16	38	1	Good condition and health; young and vigorous.	N/A
47	10299	BC/Pt	16	34	1	Good condition and health; young and vigorous.	N/A
48	10369	BC/Pt	20	44	2	Generally good condition and health.	N/A
49	10343	BC/Pt	16	38	1	Good condition and health; young and vigorous.	N/A
50	10211	DF/Pm	50	46	3	Large and old; no defects	N/A
51	10221	WRC/Tp	28	40	2	Generally good condition and health.	N/A
52	10237	WRC/Tp	16	34	1	Good condition and health; young and vigorous.	N/A
53	10240	DF/Pm	24	36	2	Generally good condition and health.	N/A
54	10226	WRC/Tp	20	34	2	Generally good condition and health.	N/A
55	10238	DF/Pm	26	36	2	Generally good condition and health.	N/A
56	10251	DF/Pm	16	32	1	Good condition and health; young and vigorous.	N/A
57	10252	DF/Pm	26	38	2	Generally good condition and health.	N/A

TREE #	Tag #	Sp.	Dbh	Crown	Rating	Condition Notes	Status
58	10248	WRC/Tp	22	36	2	Generally good condition and health.	N/A
59	10261	DF/Pm	22	38	2	Generally good condition and health.	N/A
60	10378	WH/Th	26	36	2	Generally good condition and health.	N/A
61	10396	RA/Ar	18	34	1	Good condition and health; young and vigorous.	N/A
62	10394	WH/Th	22	38	2	Generally good condition and health.	N/A
63	10392	RA/Ar	16	36	1	Good condition and health; young and vigorous.	N/A
64	10387	DF/Pm	22	40	2	Generally good condition and health.	N/A
65	10262	DF/Pm	16	32	1	Good condition and health; young and vigorous.	N/A
66	10267	DF/Pm	26	42	2	Generally good condition and health.	N/A
67	10254	DF/Pm	30	46	2	Generally good condition and health.	N/A
68	10249	WRC/Tp	20	34	2	Generally good condition and health.	N/A
69	10246	DF/Pm	36	42	3	Large and old; no defects	N/A
70	10242	DF/Pm	20	38	2	Generally good condition and health.	N/A
71	10239	DF/Pm	16	32	1	Good condition and health; young and vigorous.	N/A
72	10241	DF/Pm	16	30	1	Good condition and health; young and vigorous.	N/A
73	10235	DF/Pm	16	32	1	Good condition and health; young and vigorous.	N/A
74	10223	WRC/Tp	20	36	2	Generally good condition and health.	N/A
75	10417	WH/Th	16	28	1	Good condition and health; young and vigorous.	N/A
76	10418	WH/Th	16	30	1	Good condition and health; young and vigorous.	N/A
77	10416	WH/Th	16	30	1	Good condition and health; young and vigorous.	N/A
78	10407	BC/Pt	32	54	3	Large and old; no defects	N/A
79	10405	BC/Pt	30	56	2	Generally good condition and health.	N/A
80	10413	WRC/Tp	24	34	2	Generally good condition and health.	N/A
81	10427	RA/Ar	18	36	1	Good condition and health; young and vigorous.	N/A
82	10429	RA/Ar	18	42	1	Good condition and health; young and vigorous.	N/A
83	10410	WRC/Tp	26	38	2	Generally good condition and health.	N/A
84	10408	WH/Th	16	32	1	Good condition and health; young and vigorous.	N/A
85	10415	BC/Pt	16	30	1	Good condition and health; young and vigorous.	N/A
86	10403	WRC/Tp	24	36	2	Generally good condition and health.	N/A
87	10435	RA/Ar	16	42	1	Good condition and health; young and vigorous.	N/A
88	10431	DF/Pm	32	44	3	Large and old; no defects	N/A
89	10432	WH/Th	30	34	2	Generally good condition and health.	N/A
90	10434	DF/Pm	24	36	2	Generally good condition and health.	N/A
91	10438	WRC/Tp	26	40	2	Generally good condition and health.	N/A
92	10395	BC/Pt	18	44	1	Good condition and health; young and vigorous.	N/A
93	10400	WRC/Tp	18	34	1	Good condition and health; young and vigorous.	N/A
94	10450	WRC/Tp	20	38	2	Generally good condition and health.	N/A
95	10471	BC/Pt	16	36	1	Good condition and health; young and vigorous.	N/A
96	10462	WRC/Tp	24	38	2	Generally good condition and health.	N/A
97	10460	WRC/Tp	40	42	3	Large and old; no defects	N/A
98	10447	WRC/Tp	30	40	2	Generally good condition and health.	N/A
99	10442	BLM/Am	30	64	2	Generally good condition and health.	N/A
100	10445	WRC/Tp	20	38	2	Generally good condition and health.	N/A
101	10544	BLM/Am	34	60	2	Generally good condition and health.	N/A
102	10468	WH/Th	24	38	2	Generally good condition and health.	N/A
103	10546	WRC/Tp	36	42	2	Generally good condition and health.	N/A
104	10464	WRC/Tp	30	38	2	Generally good condition and health.	N/A
105	10474	DF/Pm	22	36	2	Generally good condition and health.	N/A
106	10479	BLM/Am	20	58	2	Generally good condition and health.	N/A
107	10477	BLM/Am	18	48	1	Good condition and health; young and vigorous.	N/A
108	10606	BC/Pt	16	34	1	Good condition and health; young and vigorous.	N/A
109	10500	BC/Pt	16	32	1	Good condition and health; young and vigorous.	N/A
110	10501	BLM/Am	24	54	2	Generally good condition and health.	N/A
111	10494	BLM/Am	30	58	2	Generally good condition and health.	N/A
112	10605	BLM/Am	24	54	2	Generally good condition and health.	N/A
113	10486	WH/Th	20	36	2	Generally good condition and health.	N/A
114	10484	DF/Pm	22	36	2	Generally good condition and health.	N/A
115	10485	DF/Pm	28	42	2	Generally good condition and health.	N/A

TREE #	Tag #	Sp.	Dbh	Crown	Rating	Condition Notes	Status
116	10763	DF/Pm	16	34	1	Good condition and health; young and vigorous.	N/A
117	10764	DF/Pm	22	40	2	Generally good condition and health.	N/A
118	10769	BLM/Am	24	50	2	Generally good condition and health.	N/A
119	10765	DF/Pm	24	38	2	Generally good condition and health.	N/A
120	10604	WRC/Tp	22	34	2	Generally good condition and health.	N/A
121	11089	DF/Pm	18	32	1	Good condition and health; young and vigorous.	N/A
122	10601	WH/Th	18	32	1	Good condition and health; young and vigorous.	N/A
123	10603	DF/Pm	16	32	1	Good condition and health; young and vigorous.	N/A
124	11090	WH/Th	22	36	2	Generally good condition and health.	N/A
125	11091	WH/Th	24	38	2	Generally good condition and health.	N/A
126	10518	BLM/Am	18	40	1	Good condition and health; young and vigorous.	N/A
127	10574	WH/Th	18	36	1	Good condition and health; young and vigorous.	N/A
128	10575	BC/Pt	20	54	2	Generally good condition and health.	N/A
129	10577	BC/Pt	16	40	1	Good condition and health; young and vigorous.	N/A
130	11083	BC/Pt	22	54	2	Generally good condition and health.	N/A
131	11085	BC/Pt	16	36	1	Good condition and health; young and vigorous.	N/A
132	11087	BC/Pt	16	40	1	Good condition and health; young and vigorous.	N/A
133	11084	BC/Pt	16	36	1	Good condition and health; young and vigorous.	N/A

Tree # - Number assigned to tree on tag
Sp. - Species code of tree
BC/Pt = Black cottonwood (Populus trichocarpa)
BLM/Am = Bigleaf maple (Acer macrophyllum)
DF/Pm = Douglas fir (Pseudotsuga menziesii)
RA/Ar=Red alder (Alnus rubra)
WH/Th = Western hemlock (Tsuga heterophylla)
WRC/Tp = Western red cedar (Thuja plicata)
Dbh = Diameter in inches at 54" above grade
Crown = Maximum crown spread diameter in feet
Rating = Condition Rating Code
1 = Very good condition and health, young and vigorous; 2 = Generally good condition and health, could be older and less vigorous
3 = Fair condition and health, moderate defects and/or health issues; 4 = Poor condition and health, could be dead
Condition Notes = Notes on specific conditions if noted
Status = Retain or Remove based upon development plan

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Tree Solutions Inc
Consulting Arborists

Project No. TS - 5692

Arborist Report

TO:	Terrene Ventures, c/o Mike Walsh
SITE:	28438 NE Big Rock Rd, Duvall, WA 98019
RE:	Tree inventory
DATE:	December 13, 2016
PROJECT ARBORIST:	Sean Dugan, Registered Consulting Arborist # 457 ISA Board Certified Master Arborist #PN-5459B ISA Qualified Tree Risk Assessor Tim Coye, Arborist Technician

Summary
One-hundred and forty-seven significant viable trees were inspected on the site. A minimum of 35 percent of these trees, or 52, need to be retained and protected. All viable significant trees need to be replaced at a 1:1 ratio to maintain a not net loss of viable trees on the site.

Tree 244 is a large cottonwood tree that presents an elevated risk to the surrounding targets and should be removed.

One-hundred and forty-two viable trees were identified with a size between eight and 16 inches in diameter. If retained, these could possibly be candidates to count towards the replacement of viable significant trees removed.

Assignment & Scope of Report
This report outlines the site inspection by Sean Dugan and Tim Coye of Tree Solutions Inc, on November 22 and December 8, 2016. We were asked to visit the job site and provide a tree inventory and formal report including findings and management recommendations. Mike Walsh of Terrene Ventures , owner of the property, requested these services for future development.

The tree size, species, health and structural condition and related notes and recommendations for each tree can be found in the attached Table of Trees. Photographs, Glossary and References follow the site map. Limits of assignment can be found in Appendix A. Methods can be found in Appendix B. Additional assumptions and limiting conditions can be found in Appendix C.

Observations and Discussion

The Site and History

The site consists of two adjacent parcels (2129700245 and 2129700240) in Duvall, WA for a combined total 422,967 square feet or 9.71 acres. Five structures currently exist onsite, one single family residence and four storage sheds.

The site is mostly flat and wooded. Portions of the site appear to have wetland areas, particularly in the northeast portion. The site has previously been logged and now contains mainly secondary growth species. The wetland areas are particularly dense with salmonberry (*Rubus spectablils*). There is also significant growth of Himalayan blackberry (*Rubus bifrons*) throughout the site.

The Trees

We collected data on all trees eight inches in diameter and greater that were captured by the surveyors. The trees mainly consisted of red alder (*Alnus rubra*), bigleaf maple (*Acer macrophyllum*), Douglas-fir (*Pseudotsuga menziesii*), black cottonwood (*Populus trichocarpa*), Western redcedar (*Thuja plicata*), and Western hemlock (*Tsuga heterophylla*).

We located 337 trees in total for the site; One-hundred and sixty-six trees were measured to be 16 inches or greater at the diameter at breast height (DBH). Nineteen of these are in poor health and/or structural condition and should be removed. These trees do not count towards the overall number of trees that would require replacement if removed. There are on average just over 15 trees per acre.

Duvall tree code currently defines a significant tree as 16 inches or greater DBH. For new development sites, a minimum of 35 percent of these trees need to be retained. Fifty-two of the 147 viable significant trees will need to be retained and protected to meet the city's requirements for retention. The city of Duvall has a "no significant tree reduction" policy. All viable significant trees removed for development need to be replaced at a 1:1 ratio to maintain a "no net reduction of viable significant trees on site." If it is not possible to retain the required minimum of 35 percent of significant trees (52 trees), the city requires replacement ratio of 3:1 for any portion of the "required thirty-five (35) percent of significant trees" removed.

Tree 244 is a large cottonwood tree near the south end of the site. The tree is extensively decayed and has a large wound on the trunk (see Figures 1 and 2). The powerlines and roadway are within the strike zone of the tree. The tree presents an elevated risk potential to the adjacent targets.

The city states in Section 14.40.060 that there are priorities for tree retention including trees located in groves. Much of the site appears to be in a grove, however, there is no definition for a grove within the code. Further information regarding how the city defines grove would be needed before making a determination if trees are located within a grove.

We measured 151 trees that were eight inches in DBH and greater but less than 16 inches DBH. Nine of these trees are not viable due to poor health and/or structure. A total of 142 viable trees between eight and 16 inches were located. An additional twenty trees located by the surveyors fell below the eight inch DBH size threshold. If any of the smaller viable trees are retained during site development, the city Director may allow these trees to count as replacement trees needed to maintain the "no net loss of significant viable trees."

Recommendations

- A minimum of thirty-five (35) percent of all significant trees need to be retained on the site.
- All minimum required tree protection measures shall be shown on the tree plan and the site grading plan.
- Tree protection should be installed before the commencement of site work.
- No proposed structure, utility, or roadway shall be located in the root protection zone of a protected tree, except where such structure is a raised deck, bay window, or cantilevered or otherwise raised above the ground's surface so as not to disrupt the tree's roots.
- Determine the number of viable significant trees to be removed and replaced at a 1:1 ratio.

Photographs

View looking at the north side of tree 244. There is active sap flow coming from the base of the wound.

Photo 1: Tree 244

The wound on the tree starts at the top and ends about five feet above grade.

Photo 2: Tree 244.

Glossary

ANSI A300: American National Standards Institute (ANSI) standards for tree care
basic assessment: detailed visual inspection of a tree and surrounding site that may include the use of simple tools. It requires that a tree risk assessor walk completely around the tree trunk looking at the site, aboveground roots, trunk, and branches (ISA 2013)
codominant stems: stems or branches of nearly equal diameter, often weakly attached (Matheny *et al.* 1998)
cracks: defects in trees that, if severe, may pose a risk of tree or branch failure (Lilly 2001)
crown: the aboveground portions of a tree (Lilly 2001)
DBH or DSH: diameter at breast or standard height; the diameter of the trunk measured 54 inches (4.5 feet) above grade (Matheny *et al.* 1998)
ISA: International Society of Arboriculture
included bark: bark that becomes embedded in a crotch between branch and trunk or between codominant stems and causes a weak structure (Lilly 2001)
lateral: secondary or subordinate branch (Lilly 2001)
level(s) of assessment: categorization of the breadth and depth of analysis used in an assessment (ISA 2013)
mitigation: process of reducing damages or risk (Lilly 2001)
owner/manager: the person or entity responsible for tree management or the controlling authority that regulates tree management (ISA 2013)
retain and monitor: the recommendation to keep a tree and conduct follow-up assessments after a stated inspection interval (ISA 2013)
significant size: a tree measuring 16" DSH or greater
structural defects: flaws, decay, or other faults in the trunk, branches, or root collar of a tree, whichmay lead to failure (Lilly 2001)
Visual Tree Assessment (VTA): method of evaluating structural defects and stability in trees by noting the pattern of growth. Developed by Claus Mattheck (Harris, *et al* 1999)

References

ANSI A300 (Part 1) – 2008 American National Standards Institute. American National Standard for Tree Care Operations: Tree, Shrub, and Other Woody Plant Maintenance: Standard Practices (Pruning). New York: Tree Care Industry Association, 2008.

Dunster & Associates Environmental Consultants Ltd. Assessing Trees in Urban Areas and the Urban-Rural Interface, US Release 1.0. Silverton: Pacific Northwest Chapter ISA, 2006.

Dunster, Julian A., E. Thomas Smiley, Nelda Matheny, and Sharon Lilly. Tree Risk Assessment Manual. Champaign, Illinois: International Society of Arboriculture, 2013.

E. Smiley, N. Matheny, S. Lilly. Best Management Practices: TREE RISK ASSESSMENT. ISA 2011.

Lilly, Sharon. Arborists' Certification Study Guide. Champaign, IL: The International Society of Arboriculture, 2001.

Matheny, Nelda and James R. Clark. Trees and Development: A Technical Guide to Preservation of Trees During Land Development. Champaign, IL: International Society of Arboriculture, 1998.

Mattheck, Claus and Helge Breloer, The Body Language of Trees.: A Handbook for Failure Analysis. London: HMSO, 1994.

Appendix A - Limits of Assignment

Unless stated otherwise: 1) information contained in this report covers only those trees that were examined and reflects the condition of those trees at the time of inspection; and 2) the inspection is limited to visual examination of the subject trees without dissection, excavation, probing, climbing, or coring unless explicitly specified. There is no warranty or guarantee, expressed or implied, that problems or deficiencies of the subject trees may not arise in the future.

Tree Solutions did not review any reports or perform any tests related to the soil located on the subject property unless outlined in the scope of services. Tree Solutions staff are not and do not claim to be soils experts. An independent inventory and evaluation of the soils on site should be obtained by a qualified professional if an additional understanding of site characteristics is needed to make an informed decision.

A **Hazard Tree** is defined as a tree that has been assessed and determined to have characteristics that make it an unacceptable risk for continued retention. A hazard tree, or a hazardous component, exist when the sum of the risk factors equals or exceeds a predetermined threshold of risk. The predetermined threshold for risk and the actions required to reduce the risk below that threshold is established by the risk manager.

As a Qualified Tree Risk Assessor, my job is to provide the risk manager, in most cases the property owner, with technical information required to make informed decisions. The risk manager must make the decision about how to implement the actions required to reduce risk to acceptable levels.

Appendix B - Methods

I evaluated tree health and structure utilizing visual tree assessment (VTA) methods. The basis behind VTA is the identification of symptoms, which trees produce in reaction to weak spots or areas of mechanical stress. Trees react to mechanical and physiological stresses by growing more vigorously to re-enforce weak areas, while depriving less stressed parts (Mattheck & Breloer 1994). Understanding uniform stress allows me to make informed judgments about the condition of a tree.

Using the International Society of Arboriculture (ISA) Tree Risk Assessment Qualification method, I assigned a risk rating to the tree. I performed a Level 1 risk assessment of all trees as outlined in the Best Management Practices companion publication to the American National Standards Institute (ANSI) A300 Part 9: Tree Shrub and Other Woody Plant Management – Standards and Practices, Tree Risk Assessment. This approach provides assessors a structured process, based on good science and arboriculture, to assign recommended thresholds for action for the purpose of informing risk managers.

I measured the diameter of each tree at 54 inches above grade, diameter at standard height (DSH). Where a tree had multiple stems, I measured each stem individually at standard height and determined a single-stem equivalent diameter by using the method outlined in the Guide for Plant Appraisal, 9th Edition, published by the Council of Tree and Landscape Appraisers.

We tagged any trees that were above eight inches but under 16 with tag numbers 1-51 and 402-498, and any trees 16 inches or greater were tagged with numbers 201-297 and 330-398. On the attached Table of Trees, we included all of the trees that we found on the first sheet, and filtered out only the 16 inch and greater trees on the second sheet. Also note that we included some trees that were tagged by the surveyors, but fell under the 8 inch threshold. We did not assign a number to these, but did note the corresponding survey number.

Appendix C - Assumptions & Limiting Conditions

1. Consultant assumes that any legal description provided to Consultant is correct and that title to property is good and marketable. Consultant assumes no responsibility for legal matters. Consultant assumes all property appraised or evaluated is free and clear, and is under responsible ownership and competent management.

2. Consultant assumes that the property and its use do not violate applicable codes, ordinances, statutes or regulations.

3. Although Consultant has taken care to obtain all information from reliable sources and to verify the data insofar as possible, Consultant does not guarantee and is not responsible for the accuracy of information provided by others.

4. Client may not require Consultant to testify or attend court by reason of any report unless mutually satisfactory contractual arrangements are made, including payment of an additional fee for such Services as described in the Consulting Arborist Agreement.

5. Unless otherwise required by law, possession of this report does not imply right of publication or use for any purpose by any person other than the person to whom it is addressed, without the prior express written consent of the Consultant.

6. Unless otherwise required by law, no part of this report shall be conveyed by any person, including the Client, the public through advertising, public relations, news, sales or other media without the Consultant's prior express written consent.

7. This report and any values expressed herein represent the opinion of the Consultant, and the Consultant's fee is in no way contingent upon the reporting of a specific value, a stipulated result, the occurrence of a subsequent event or upon any finding to be reported.

8. All photographs included in this report were taken by Tree Solutions Inc. during the documented site visit, unless otherwise noted.

9. Sketches, drawings and photographs in this report, being intended as visual aids, are not necessarily to scale and should not be construed as engineering or architectural reports or surveys. The reproduction of any information generated by architects, engineers or other consultants and any sketches, drawings or photographs is for the express purpose of coordination and ease of reference only. Inclusion of such information on any drawings or other documents does not constitute a representation by Consultant as to the sufficiency or accuracy of the information.

10. Unless otherwise agreed, (1) information contained in this report covers only the items examined and reflects the condition of the those items at the time of inspection; and (2) the inspection is limited to visual examination of accessible items without dissection, excavation, probing, climbing, or coring. Consultant makes no warranty or guarantee, express or implied, that the problems or deficiencies of the plans or property in question may not arise in the future.

11. Loss or alteration of any part of this Agreement invalidates the entire report.

Table of Trees
28438 NE Big Rock Rd
Duvall WA 98019

Date of Inventory: November 22, 2016
Table Prepared:December 9, 2016

nziesii	*Douglas-fir*	24.3		Good	Good	15		
nziesii	*Douglas-fir*	24.0		Good	Good	15		
nziesii	*Douglas-fir*	28.1		Good	Good	16		
ʼera /	*Black cottonwood*	14.0	7.3, 12	Poor	Poor	12	Diseased, K. deutsa, main	
na	*Willow*	9.7		Good	Fair	10		
ʼri, hensis)								
lla	*Western hemlock*	22.9		Good	Good	13		
ʼera /	*Black cottonwood*	35.0		Good	Good	19		
na	*Willow*	11.4		Good	Fair	8		
	#N/A						Below 8" DSH	
	Englemann spruce	23.3		Good	Good	14		Yes
ʼta var.	*Bitter cherry*	8.4		Good	Good	9	Cankers, trunk lean to north,	
	Western redcedar	37.2		Good	Good	16		Yes
	Red alder	11.6	8.7, 5.5, 5.3	Poor	Fair	8	Fruiting bodies on trunk	
ım	*Bigleaf maple*	18.9	10.1, 8, 4, 5, 4, 5, 6, 7, 4, 3	Good	Fair	13		
	Red alder	10.6		Good	Good	9		
ʼera /	*Black cottonwood*	26.0		Good	Fair	20		
								Yes
	Red alder	8.5		Good	Good	9		
ım	*Bigleaf maple*	13.0		Good	Good	17		Yes
lla	*Western hemlock*	22.9		Good	Good	14	Girdling root at base	
ʼera /	*Black cottonwood*	54.0		Good	Good	25	Past failure, mature structure	
								Yes
	Red alder	8.3		Good	Good	11		
lla	*Western hemlock*	22.1		Poor	Poor	9	In decline, sparse, low live	Yes
	#N/A						Below 8" DSH	

nziesii	*Douglas-fir*	24.3		Good	Good	15		
um	*Bigleaf maple*	15.5		Fair	Fair	10	Trunk lean to north, suppressed	Yes
	Red alder	9.4		Fair	Fair	10	Lost a leader in the past, new top, not viable	
'era /	*Black cottonwood*	26.2		Good	Fair	15	Trunk lean to north over	Yes
	Red alder	8.5		Fair	Fair	13	Swept base, suppressed	
	#N/A						Below 8" DSH	
lla	*Western hemlock*	21.5		Good	Fair	13	Trunk failed in past, regrown, seam in trunk	Yes
	Red alder	12.9	10.6, 7.3	Good	Fair	10	Main leader's top failed in past, has grown back	
	#N/A						Below 8" DSH	
	Western redcedar	19.0		Good	Good	13		
	Western redcedar	21.2		Good	Fair	10		Yes
um	*Bigleaf maple*	28.8		Fair	Fair	21	Slow growth, seam in trunk, dieback, moderate density of moderately sized deadwood	
'ta var.	*Bitter cherry*	8.4		Good	Good	6		
lla	*Western hemlock*	29.8		Good	Good	20		
nziesii	*Douglas-fir*	11.3		Good	Good	12		
nziesii	*Douglas-fir*	12.1		Good	Good	13		
na	*Willow*	12.0		Good	Fair	8		
'ri, *hensis)*								
'ta var.	*Bitter cherry*	9.5	7.4, 6	Good	Good	7		

nziesii	*Douglas-fir*	24.3		Good	Good	15		
ım	*Bigleaf maple*	22.2		Good	Good	15		
	#N/A						Dead	
ım	*Bigleaf maple*	9.1		Good	Good	8		
	#N/A						Below 8" DSH	
ım	*Bigleaf maple*	68.7		Good	Good	29	3 stems, measured below union, moderate density of moderately sized dead wood	
lla	*Western hemlock*	25.3		Good	Good	17		Yes
'era /	*Black cottonwood*	41.4		Good	Fair	23	Unusual top, possible past failure	
	Red alder	13.6		Fair	Poor	9	Topped with decay, not viable	
lla	*Western hemlock*	18.4		Good	Good	13		
ım	*Bigleaf maple*	14.0		Good	Fair	13	Minor crown breakage	
'era /	*Black cottonwood*	44.0		Fair	Poor	25	Multiple part failures, major trunk decay, resin flow, risk tree, low density of low diameter small wood	
lla	*Western hemlock*	33.9		Good	Good	17		Yes
'era /	*Black cottonwood*	41.1		Fair	Fair	25	Basal wound with some decay, branch failures	
ım	*Bigleaf maple*	20.0		Fair	Fair	14	Trunk wound, canopy asymmetrical to southeast	
lla	*Western hemlock*	29.3		Good	Fair	14	Base with seam	
	Western redcedar	30.0		Good	Good	15		
	#N/A						Below 8" DSH	
	Red alder	9.1		Good	Good	12	Trunk lean to east	Yes
	Red alder	8.7		Good	Good	12	Trunk lean to east	Yes
	Red alder	9.6		Good	Fair	15	Trunk lean to east	Yes
lla	*Western hemlock*	26.2		Fair	Poor	12	Past codominant failure, 50%	Yes
'ta var.	*Bitter cherry*	8.3		Good	Good	6		

nziesii	*Douglas-fir*	24.3		Good	Good	15		
'ta var.	*Bitter cherry*	9.1		Good	Good	6		
	Red alder	8.2		Fair	Fair	10		
	Red alder	11.8		Good	Fair	9		
'ta var.	*Bitter cherry*	8.8		Good	Fair	6	Edge tree, trunk lean to east, corrected	
	Red alder	9.5		Good	Fair	12	Edge tree, trunk lean to east, corrected	
	Western redcedar	34.0		Good	Good	16		Yes
	Red alder	9.1		Good	Fair	12	Edge tree, trunk lean to east,	
	Western redcedar	32.4		Good	Good	16		Yes
'ta var.	*Bitter cherry*	9.5	6.7, 6.7	Good	Good	9		
nziesii	*Douglas-fir*	30.1		Good	Good	20		Yes
'ta var.	*Bitter cherry*	9.3		Good	Good	10		
nziesii	*Douglas-fir*	34.9		Good	Good	21		Yes
nziesii	*Douglas-fir*	10.1		Fair	Fair	9	Edge tree, sparse canopy	
lla	*Western hemlock*	9.3		Fair	Good	8	Sparse lower canopy	Yes
nziesii	*Douglas-fir*	25.9		Good	Good	18		
lla	*Western hemlock*	17.7		Fair	Fair	14	Swept base, sparse lower canopy	Yes
	#N/A						Below 8" DSH	
lla	*Western hemlock*	21.2		Good	Good	16	Heavy seed crop	Yes
'ta var.	*Bitter cherry*	8.5		Good	Good	6		
um	*Bigleaf maple*	10.0		Fair	Fair	8	Branches with cankers, failing	
lla	*Western hemlock*	24.4		Good	Good	19		Yes
lla	*Western hemlock*	18.8		Fair	Good	10	Sparse lower canopy	
	Red alder	9.6		Good	Good	6		

nziesii	*Douglas-fir*	24.3		Good	Good	15	
lla	*Western hemlock*	17.4		Good	Good	11	
nziesii	*Douglas-fir*	28.2		Fair	Fair	12	Lost top
nziesii	*Douglas-fir*	20.5		Good	Good	14	
	Red alder	16.3		Poor	Poor	15	Large area of decay on tension side
na	*Willow*	10.0	8.2, 5.7	Good	Good	10	
ri, *hensis)*							
	Western redcedar	29.3		Good	Good	18	
	Red alder	18.9		Poor	Poor	14	Expanding central decay
	Western redcedar	37.1		Good	Good	18	Nice tree
lla	*Western hemlock*	19.0		Good	Good	19	
	Western redcedar	27.9		Good	Fair	14	Forked top, stable U-shaped
lla	*Western hemlock*	33.7		Good	Good	19	
	Western redcedar	38.5		Good	Good	18	
lla	*Western hemlock*	26.4		Good	Good	16	
'era /	*Black cottonwood*	22.3		Fair	Fair	13	Top third of trunk failed
lla	*Western hemlock*	23.7		Good	Good	16	
	Red alder	13.3		Poor	Poor	16	Wood pecker activity, not
'era /	*Black cottonwood*	33.1		Good	Fair	20	Trunk lean to west, corrected, hangers, kink in trunk
lla	*Western hemlock*	22.0	14, 17	Good	Fair	17	Nurse log
um	*Bigleaf maple*	20.5		Good	Good	16	
nziesii	*Douglas-fir*	17.1		Good	Good	10	

nziesii	*Douglas-fir*	24.3		Good	Good	15	
nziesii	*Douglas-fir*	27.2		Good	Good	17	
lla	*Western hemlock*	23.9		Good	Good	13	
	Western redcedar	36.5		Good	Good	13	
ta var.	*Bitter cherry*	10.6		Good	Good	15	
	Red alder	19.7		Poor	Poor	14	Half a tree, decay in main trunk
um	*Bigleaf maple*	26.6	16.3, 15.7, 13.9	Poor	Fair	17	Top failure, canker on main trunk, sapsucker damage, K. deutsa
lla	*Western hemlock*	21.8		Good	Fair	15	Forked trunk, narrow attachment, included bark seam
	Red alder	12.2		Good	Good	16	
	Western redcedar	30.5		Good	Good	15	
lla	*Western hemlock*	27.0	16.6, 21.3	Good	Good	16	2 trunks, likely 2 trees
	Red alder	16.0		Poor	Poor	12	Declining from top
	Red alder	22.6		Poor	Poor	15	Significant decay, trunk failure
	Red alder	8.8		Good	Good	7	
	Red alder	9.0		Good	Good	6	Hemlock to north overhangs
era /	*Black cottonwood*	20.5		Poor	Poor	13	Failing from top almost dead
lla	*Western hemlock*	37.9		Fair	Poor	16	Half tree trunk failed, hollow
	Western redcedar	32.7		Good	Good	20	
lla	*Western hemlock*	22.5		Good	Good	17	
	Red alder	9.0		Good	Good	10	
	#N/A	<8					Below 8" DSH

nziesii	*Douglas-fir*	24.3		Good	Good	15	
	Red alder	8.4		Good	Good	16	
	Red alder	13.5	8.5, 10.5	Good	Good	16	Codominant
	Red alder	8.0		Good	Good	13	
na	*Willow*	9.6		Good	Good	10	
	Red alder	11.4		Fair	Poor	15	Top half failed, resprouts
	Western redcedar	17.0		Good	Good	12	
lla	*Western hemlock*	15.3		Good	Good	10	
	Red alder	16.0		Good	Good	16	
lla	*Western hemlock*	18.8		Good	Good	10	Wet around base
lla	*Western hemlock*	14.2		Fair	Fair	8	In decline
lla	*Western hemlock*	12.6		Good	Good	12	
lla	*Western hemlock*	20.6	19, 8	Good	Good	13	Narrow union
lla	*Western hemlock*	8.9		Good	Good	10	
	Red alder	11.1		Good	Good	10	
nziesii	*Douglas-fir*	34.5		Good	Good	15	
lla	*Western hemlock*	24.6		Poor	Poor	10	Hazard, decay, past failure, sparse
	Red alder	10.9		Poor	Poor	6	Basal decay, top failure
lla	*Western hemlock*	14.3		Fair	Fair	12	
nziesii	*Douglas-fir*	33.0		Fair	Fair	16	Old basal wound, internal decay likely
	Red alder	9.4		Good	Good	8	
'era /	*Black cottonwood*	16.3		Good	Fair	13	Failed top
	#N/A	<8					Below 8" DSH
	Norway spruce	24.5		Good	Good	18	
lla	*Western hemlock*	25.2		Good	Good	16	

nziesii	*Douglas-fir*	24.3		Good	Good	15	
nziesii	*Douglas-fir*	23.5		Good	Good	15	
	Western redcedar	25.5		Good	Good	14	
	Red alder	8.1		Good	Good	9	
ım	*Bigleaf maple*	14.8	8.2, 7.3, 8.6, 5	Good	Fair	15	Stump sprout
ım	*Bigleaf maple*	14.9	4.5, 3.3, 3, 11.5, 4, 4, 4	Good	Fair	17	Stump sprout
ım	*Bigleaf maple*	23.0		Fair	Good	17	Top dieback, sprouting from base
	Red alder	12.7		Good	Good	15	
lla	*Western hemlock*	14.1		Good	Good	14	Growing on downed log
ım	*Bigleaf maple*	21.6	6, 4, 20.4	Fair	Poor	18	Multiple failures, center trunk dieback, diseased
	Western redcedar	31.2		Good	Good	17	
ım	*Bigleaf maple*	13.4	9.2, 9.8	Good	Good	10	
lla	*Western hemlock*	11.0		Fair	Fair	8	Nurse log, forked trunk, stilted rootds
lla	*Western hemlock*	20.3	9.8, 17.8	Poor	Poor	9	Failed trunk, smaller suppressed
	Red alder	16.0		Fair	Fair	15	Top failed
	Red alder	13.6		Fair	Fair	14	Top decline
lla	*Western hemlock*	10.1		Fair	Fair	7	Sparse lower canopy
	Western redcedar	14.6		Good	Good	11	
	Red alder	10.9		Poor	Poor	9	Decay in main trunk
	Red alder	11.7		Poor	Poor	7	Hazard, decay in main trunk
lla	*Western hemlock*	15.6		Fair	Fair	10	Sparse lower canopy, compact foliage
lla	*Western hemlock*	12.7		Fair	Fair	12	Canker on trunk

nziesii	*Douglas-fir*	24.3		Good	Good	15	
lla	*Western hemlock*	33.6		Good	Fair	20	Resin streamer, codominant, long term removal if target, narrow attachment, included bark seam
	Red alder	14.8		Good	Fair	17	Top failure
	#N/A	<8					Vegetative stump
um	*Bigleaf maple*	11.3	8.1, 7.9	Fair	Poor	16	Failed trunk with resprouts
lla	*Western hemlock*	12.0		Fair	Fair	12	On stump sprout, stilt root LTR
	Red alder	12.8		Good	Fair	12	Top failure
	Red alder	13.5		Good	Fair	16	Top failure
	Red alder	8.2		Fair	Fair	6	Top decline
nziesii	*Douglas-fir*	12.2		Good	Good	10	
nziesii	*Douglas-fir*	21.5		Good	Good	10	
nziesii	*Douglas-fir*	15.0		Fair	Fair	11	Sparse
lla	*Western hemlock*	22.0		Good	Good	12	
	Red alder	17.6		Fair	Fair	15	Lost top, slow growth
'era /	*Black cottonwood*	18.5		Good	Fair	10	Lost top in past
nziesii	*Douglas-fir*	34.2		Good	Good	24	
	#N/A	<8					Below 8" DSH
	Red alder	10.4		Good	Good	11	
	#N/A	<8					Below 8" DSH
um	*Bigleaf maple*	13.3	4, 5, 4, 11	Good	Fair	12	
lla	*Western hemlock*	12.0		Good	Good	14	Ona stump, cool tree, near perimeter
	Red alder	12.8		Good	Good	12	
	Red alder	8.2		Good	Good	9	
	Red alder	9.0		Good	Good	9	

nziesii	*Douglas-fir*	24.3		Good	Good	15	
	Red alder	9.6		Good	Good	8	
	#N/A	<8					
	Red alder	8.2		Good	Good	9	
na	*Willow*	<8		Fair	Fair	8	
ri,							
hensis)							
	Red alder	9.2	7.4, 5, 4	Good	Fair	10	Multi-stem
	Red alder	10.3		Good	Good	12	
	Red alder	12.2		Good	Good	12	
	Red alder	9.5		Good	Good	12	
	Red alder	16.8		Poor	Poor	13	Declining from top down
	Western redcedar	42.2		Good	Good	20	
lla	*Western hemlock*	27.8		Poor	Fair	10	Basal decay, reduced growth,
lla	*Western hemlock*	10.3		Good	Good	9	
lla	*Western hemlock*	14.4	12, 8	Good	Good	12	Nurse log, long tern retention issue
	Red alder	13.3		Good	Good	14	
	Red alder	9.3		Good	Good	10	
na	*Mountain hemlock*	9.0		Fair	Poor	5	Suppresed, kink in trunk,
	#N/A	<8					Below 8" DSH
	#N/A	<8					Below 8" DSH
nziesii	*Douglas-fir*	14.3		Fair	Fair	16	
na	*Willow*	12.7		Good	Good	10	
ta var.	*Bitter cherry*	13.2		Fair	Fair	15	Cankers, suppressed top
lla	*Western hemlock*	32.7		Good	Good	18	
um	*Bigleaf maple*	19.2	12, 15	Good	Fair	18	Narrow attachment
	Red alder	9.1		Fair	Fair	11	Top failure
	Red alder	21.9		Fair	Fair	16	Top decline
um	*Bigleaf maple*	16.4		Good	Fair	13	Narrow union

nziesii	*Douglas-fir*	24.3		Good	Good	15	
lla	*Western hemlock*	15.8		Good	Good	13	
	Red alder	15.5		Good	Good	15	
na	*Willow*	9.8		Fair	Fair	12	Top failure, willow canker
	Red alder	18.0		Good	Good	18	Old top failure, regrown
	Red alder	16.4		Good	Good	17	
nziesii	*Douglas-fir*	19.6		Good	Good	15	
	Red alder	10.8	9.4, 5.4	Good	Good	11	
	Red alder	11.0	9.1, 6.1	Good	Good	9	
'era /	*Black cottonwood*	15.3	8.6, 12.6	Good	Good	10	
na	*Willow*	13.3		Fair	Fair	9	Trunk cankers
	Red alder	9.7		Fair	Fair	10	Trunk cankers
	Western redcedar	34.2		Good	Good	20	
'era /	*Black cottonwood*	8.6		Good	Good	8	
nziesii	*Douglas-fir*	18.3		Good	Good	12	
nziesii	*Douglas-fir*	24.2		Good	Good	17	
nziesii	*Douglas-fir*	25.4		Fair	Fair	16	Basal wounds, decay likely,
nziesii	*Douglas-fir*	41.1	27.5, 30.5	Good	Good	20	
um	*Bigleaf maple*	35.7	22.4, 17.7,	Good	Good	22	
um	*Bigleaf maple*	28.3	25.2, 12.9	Good	Good	18	
nziesii	*Douglas-fir*	36.4		Good	Good	21	
'era /	*Black cottonwood*	36.4		Good	Good	24	
nziesii	*Douglas-fir*	35.5		Good	Good	22	Massive
um	*Bigleaf maple*	10.5		Good	Good	8	
lla	*Western hemlock*	21.2		Good	Good	15	
lla	*Western hemlock*	34.0		Fair	Fair	17	Also tagged with 13524, basal
	Red alder	11.8	10, 4.8, 4	Good	Good	6	Lost top, low live crown ratio
	Red alder	12.9		Good	Good	15	
	Red alder	11.2		Good	Good	15	
lla	*Western hemlock*	32.6		Fair	Fair	15	Codominant, seam, small

nziesii	*Douglas-fir*	24.3		Good	Good	15	
	#N/A						Below 8" DSH
um	*Bigleaf maple*	9.7		Good	Good	12	
	Red alder	17.6		Fair	Fair	17	Multiple failures on trunk, top
um	*Bigleaf maple*	14.3		Good	Good	13	
um	*Bigleaf maple*	24.0		Good	Good	20	
	Red alder	14.4		Good	Good	12	
	Red alder	22.4		Poor	Fair	18	Top failure, decay in upper trunk
	Red alder	8.1		Good	Good	9	
nziesii	*Douglas-fir*	25.3		Good	Good	17	
	Red alder	19.1	14, 13	Fair	Fair	18	Decline at top
	Red alder	12.9	9.6, 8.6	Fair	Fair	15	Smaller leader is 10' stub
lla	*Western hemlock*	23.3		Fair	Fair	17	Seam between leads
	Red alder	17.2		Good	Good	19	
um	*Bigleaf maple*	16.3		Good	Good	16	
um	*Bigleaf maple*	25.4		Fair	Good	20	Slow growth
um	*Bigleaf maple*	27.3	22, 16.2	Good	Good	18	
'era /	*Black cottonwood*	39.0		Good	Good	22	
um	*Bigleaf maple*	20.1		Good	Good	20	
nziesii	*Douglas-fir*	13.4		Good	Fair	8	Trunk canker
um	*Bigleaf maple*	24.3		Good	Fair	18	Part failure including lead
nziesii	*Douglas-fir*	11.2		Good	Good	9	
nziesii	*Douglas-fir*	22.4		Good	Good	14	
nziesii	*Douglas-fir*	28.9		Good	Good	14	

nziesii	*Douglas-fir*	24.3		Good	Good	15		
lla	*Western hemlock*	11.0		Good	Good	11		
lla	*Western hemlock*	13.3		Good	Good	12		
ım	*Bigleaf maple*	29.9		Fair	Fair	13	Slow growth, many suckers	
lla	*Western hemlock*	12.5		Good	Fair	8	Stilted hemlock on log	Yes
ım	*Bigleaf maple*	16.8		Fair	Fair	17	Wound in basal area, canopy asymmetrical to the west	
ım	*Bigleaf maple*	23.5		Good	Good	20		
ım	*Bigleaf maple*	17.5		Fair	Fair	16	Forked top, 1 failed, canopy asymmetrical to the north	
	#N/A						Below 8" DSH	
lla	*Western hemlock*	23.3		Poor	Poor	16	In decline, sparse off color, not viable	
ım	*Bigleaf maple*	23.5		Fair	Fair	15	Large woodpecker wounds in upper trunk, future risk	
	Red alder	13.8		Good	Good	11		
ım	*Bigleaf maple*	25.2		Good	Good	18	Slow growth	Yes
	Western redcedar	45.0		Good	Good	19		Yes
	Western redcedar	37.6		Good	Good	19		Yes
	Western redcedar	17.4		Good	Fair	11	Growound out of 26" Bigleaf maple	
lla	*Western hemlock*	12.4		Fair	Fair	18	Suppressed, phototropic lean	Yes
	Western redcedar	48.2		Good	Good	21		

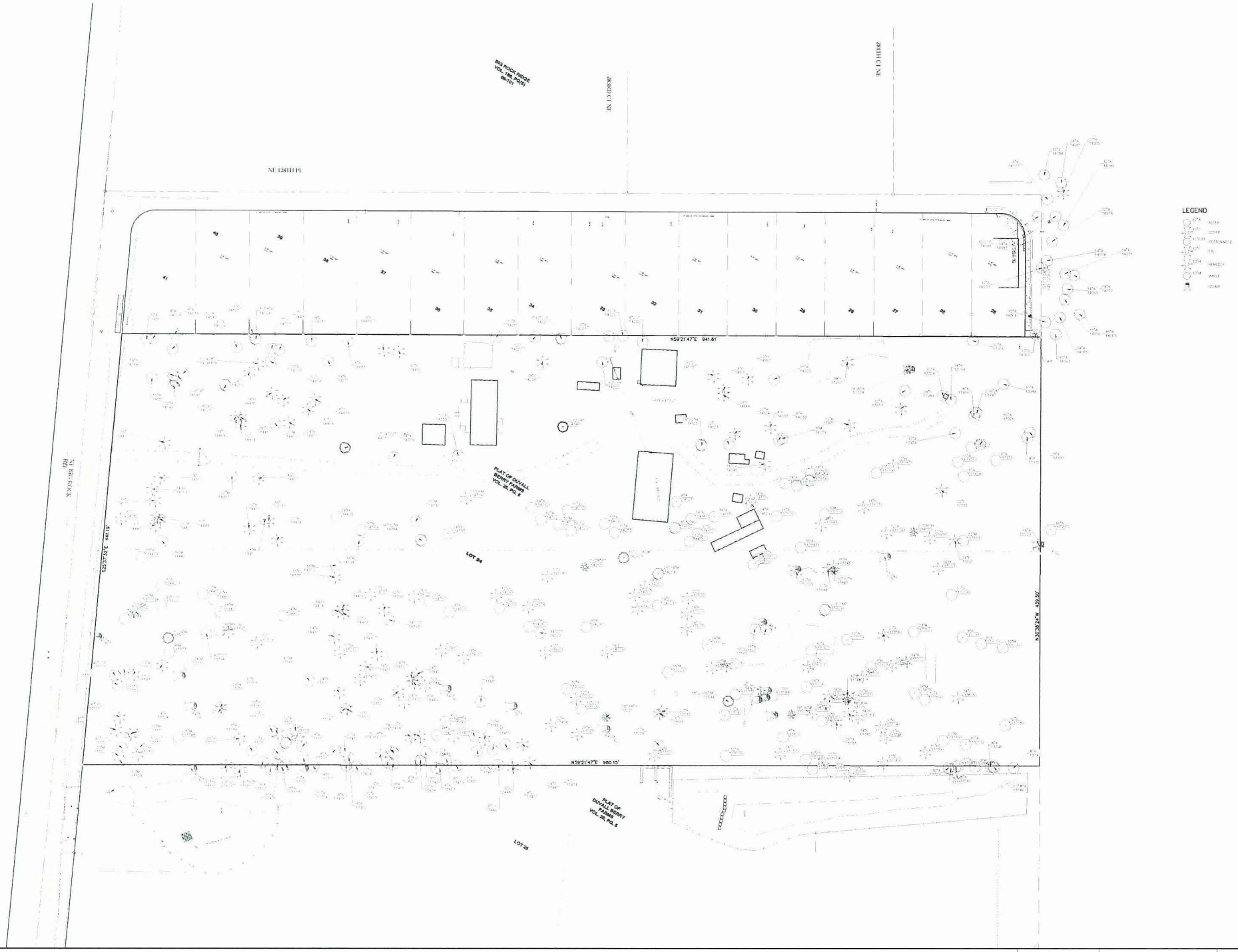
nziesii	*Douglas-fir*	24.3		Good	Good	15	
ım	*Bigleaf maple*	20.9		Fair	Fair	18	Failed and resprouted, caught in Tree 282
lla	*Western hemlock*	18.0		Good	Good	12	
	Western redcedar	44.2		Good	Good	20	
ım	*Bigleaf maple*	37.5	11.4, 26.8, 23.6	Good	Good	24	Slow growth
	Western redcedar	43.3		Good	Good	18	
	Western redcedar	15.9		Good	Good	17	
	Western redcedar	35.7		Good	Good	17	
	Western redcedar	21.0		Fair	Fair	15	
lla	*Western hemlock*	23.8		Good	Good	16	
ım	*Bigleaf maple*	25.1		Good	Good	18	
nziesii	*Douglas-fir*	18.7		Good	Good	14	
ım	*Bigleaf maple*	26.9	10.8, 14.3, 9.7, 12, 9, 9	Good	Fair	18	Stump sprout
	Western redcedar	45.0		Good	Good	18	
lla	*Western hemlock*	14.0		Good	Good	12	
	Red alder	11.2	5, 10	Poor	Poor	6	In decline, significant decay, not viable
	Red alder	8.0		Good	Good	8	
	Western redcedar	32.9		Good	Good	18	
	Western redcedar	8.0		Good	Good	6	

nziesii	*Douglas-fir*	24.3		Good	Good	15	
	#N/A						Below 8" DSH
	Deodar cedar	10.2		Good	Good	10	
's	*Leyland cypress*	8.0		Good	Good	6	
	Red alder	12.8	10, 8	Good	Good	10	
	Red alder	8.0		Good	Good	8	
's	*Leyland cypress*	8.0		Good	Good	6	
	Red alder	10.0		Good	Good	10	
	Red alder	12.0		Good	Good	12	
's	*Leyland cypress*	8.0		Good	Good	6	
	Red alder	18.3		Fair	Fair	16	
	Red alder	14.0		Good	Good	14	
	Red alder	8.0		Good	Good	8	
	Red alder	12.0		Good	Good	12	
	Red alder	12.0		Good	Good	12	
	Red alder	14.0		Good	Good	14	
	Red alder	11.3	8, 8	Good	Good	10	
	Red alder	12.0		Good	Good	12	
	Red alder	11.3	8, 8	Good	Good	10	

Table of Trees
28438 NE Big Rock Rd
Duvall WA 98019

	Common Name	DSH (inches)	Multistem	Health Condition	Structural Condition	Drip line	Notes	Grove?
nziesii	*Douglas-fir*	24.3		Good	Good	15		
	Red alder	14.0		Good	Good	14		
	Western redcedar	34.6		Good	Good	17		
	Red alder	8.0		Good	Good	8		
	Red alder	8.0		Good	Good	8		
	Western redcedar	40.5		Good	Good	19		Yes
lla	*Western hemlock*	16.4		Fair	Poor	19	Significant decay in main trunk, risk tree	Yes
	Western redcedar	30.7		Good	Good	19		Yes
	Western redcedar	43.0		Good	Good	19		Yes
lla	*Western hemlock*	27.4		Good	Good	14	# on tag hard to read	
	Red alder	8.8		Good	Fair	15	Trunk lean to east	Yes
	Red alder	11.4		Good	Fair	12	Trunk lean to east	
	Red alder	8.2		Good	Good	6	East edge, missing digit on surveyor tag	
	#N/A						Lost tag	

t Standard Height) is measured 4.5 feet above grade.
are noted, and a single stem equivalent is calculated using the method defined in the Guide for Plant Appraisal
ured from the center of the tree to the outermost extent of the canopy



TREE EXHIBIT

OF

TPN: 2129700260

Axis Survey & Mapping
15744 SE 98TH STREET
REDMOND, WA 98052
TEL 425.823.5700
FAX 425.823.6700

www.axismap.com

JOB NO	DATE
16-180	10/17/16
DRAWN BY	CHECKED
ERM/TMB/ARH	ZLN
SCALE	SHEET

Soundview Consultants
Environmental Assessment • Planning • Land Use Solutions

2907 Harborview Drive Gig
Harbor, WA 98335

Phone: 253.514.8952
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Technical Memorandum

To: **Mike Walsh – Terrene Homes** **File Number: 1486.0001**

From: **Emily Swaim, Soundview Consultants LLC** **Date: November 10, 2016**

Re: **Non-Wetland Verification – Big Rock Road, Duvall, King County, Washington**

Dear Mike,

Soundview Consultants LLC (SVC) conducted a wetland and fish and wildlife assessment of a 9.71-acre property located at 28440 Northeast Big Rock Road, Duvall, Washington 98019. The subject property is located in the Southeast ¼ of Section 19, Township 26 North, Range 07 East, W.M. (King County Tax Parcel Numbers 2129700245 and 2129700240). This assessment was conducted to determine if any potentially-regulated wetlands, streams, fish, and/or wildlife habitat, or other critical areas are located on or adjacent to the subject property. This Technical Memorandum presents the results of the assessment.

The subject property was investigated on August 17, 2016 and October 7, 2016 for the purpose of providing a preliminary evaluation for potentially-regulated wetlands, streams, fish and wildlife habitat, and/or priority habitat species. Prior to the site investigation, background research was conducted using the Washington Department of Fish and Wildlife (WDFW) Priority Habitat and Species (PHS) database, King County iMap, maps of the U.S. Fish and Wildlife Service (USFWS) National Wetlands Inventory (NWI), and the Soil Survey of King County. All determinations were made using observable vegetation, hydrology, and soils in conjunction with data from the U.S. Geographic Survey (USGS) topographic maps, the Natural Resources Conservation Service (NRCS) Soil Survey, local precipitation data (NOAA), and various orthophotographic resources. Background research identified two previously mapped wetlands on the subject property as identified in 2008 by Patrick Harron and Associates (PHA). NWI and King County Imaps identified critical areas or habitats located on the adjacent property to the southeast of the subject property. In addition, WDFW PHS maps and GIS data do not identify any priority habitat species located on the subject property.

The site investigation consisted of a walk-through visual survey of all accessible areas within 300 feet of the subject property (Duvall Municipal Code [DMC] 14.42.030 Part 1) with data collected and evaluated at potential problem areas as well as within areas previously identified as wetlands by PHA. All wetland determinations were performed by Principal Scientist Jeremy Downs and Wetland Scientist Emily Swaim of SVC using the guidelines established in the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western

Mountains, Valleys, and Coast Region (Version 2.0) (USACE, 2010). Field data was taken at two data plot locations (DP-1 through DP-2) within both the north and south parcels of the subject property, and one test pit (TP-1) within the northern parcel (see Attachment A for a map of data plot locations).

Approximately 0.16 inches of precipitation was recorded in the month-to-date on August 17, 2016, and total precipitation was recorded at 136% of normal for the water year up to that date. During the October 7, 2016 site visit, approximately a total of 0.42 inches of rainfall was recorded two days prior to the secondary site visit, and approximately 0.64 inches fell a week prior the site investigation, which was calculated to be 121% of normal. This data suggests higher than normal ground and surface water levels would be present and this was taken into consideration when determining whether or not an area would meet wetland hydrology criteria. A summary of precipitation data obtained from the Weather Underground weather station at the Seattle-Tacoma Airport and the National Oceanic and Atmospheric Administration (NOAA) weather station at Seattle-Tacoma Airport is provided in Table 1.

Table 1. Precipitation Summary

Date	Day of [1] (in)	Day Before[1] (in)	1 Week Prior[2](in)	2 Weeks Prior[2](in)	Month-To- Date[1] (in) Observed/normal	Water Year[3] observed/normal (in)	Percent of Normal Water Year[3]
08/17/16	0.00	0.00	0.00	0.04	0.16/0.40	48.11/35.51	135%
10/7/16	0.11	0.31	0.64	0.03	0.64/0.53	0.64/0.53	121%

1. Day of, Day Before, Month-to-date value obtained from the NOAA weather website at SeaTac http://w2.weather.gov/climate/index.php?wfo=sew.
Water Year is precipitation from October 1 to date obtained from the NOAA weather website at SeaTac http://w2.weather.gov/climate/index.php?wfo=sew.
2. 1 Week Prior, 2 Weeks Prior precipitation data from Weather Underground station at Seattle-Tacoma International Airport KSEA.
3. Percent of normal is shown as for the water year.

No potentially-regulated wetlands were observed on or near the subject property. PHA's previously mapped two wetlands in both the west and east extent of the southern parcel did not meet current wetland delineation requirements. Given the conflicting nature of the current wetland assessment compared to that of PHA, the City of Duvall's third party consultant ESA conducted a joint site inspection with SVC staff on October 7, 2016. Both ESA and SVC confirmed that no wetlands exist on or near the subject property in accordance with the updated 2010 delineation method. The previously identified wetlands were delineated by PHA in 2008 prior to the adoption of the USACE current wetland delineation methods; therefore, with the current manual, these areas do not wetland criteria (please see the Attachment B for detailed Data Forms). Furthermore, not all three wetland criteria under prior USACE delineation methods (1987) exist in either location; therefore, these areas should not have been determined to be wetland by PHA. Both SVC and ESA confirmed that the subject property and areas within 300 feet of the subject property are not encumbered by sensitive areas. Remaining surrounding areas include single-family residences and undeveloped land with no evidence of offsite wetlands and/or fish and wildlife habitat. Please see Attachment C for site photographs of the subject property.

The following data indicates no wetlands occur on the subject property. All data plots/test pits and the basis for the non-wetland determinations are summarized below:

- DP-1 is located on the northeastern portion of the subject property. Soils at DP-1 are a black (7.5YR 2.5/1) silt loam from 0 to 16 inches below ground surface (bgs) with trace dark brown (7.5YR 3/4) redoximorphic features. From 16 to 20 inches bgs, a dark brown (10YR 3/3) silt loam is present with distinct dark yellowish brown (10YR 3/6) redoximorphic concentrations. No hydric soil indicators are present. Secondary indicators of hydrology D2 - Geomorphic position and D5 - FAC-Neutral test were observed. The dominant vegetation included an overstory of big-leaf maple, red alder and Douglas fir with an understory of reed canarygrass and creeping buttercup. Not all three wetland criteria were observed; therefore, this location was determined to be non-wetland.

- DP-2 is located on the northwestern portion of the subject property. Soils at DP-2 are a very dark brown (10YR 2/2) gravelly silt loam from 0 to 6 inches bgs, and a dark brown (10YR 3/3) gravelly silty loam from 6 to 16 inches bgs. No hydric soil indicators are present and no redoximorphic features were observed. Secondary indicators of hydrology D2 - Geomorphic position and D5 - FAC-Neutral test were again observed. In addition, dominant vegetation included big-leaf maple and red alder with an understory of reed canarygrass, creeping buttercup, large-leaf avens, and sparse Himalayan blackberry and salmonberry. Not all three wetland criteria were observed; therefore, this location was determined to be non-wetland.

- TP-1 is located on the northeastern corner of the subject property. Soils at TP-1 are a very dark brown (10YR 2/2) gravelly silt loam from 0 to 6 inches bgs, and a dark brown (10YR 3/3) gravelly silty loam from 6 to 16 inches bgs. No hydric soil indicators nor redoximorphic features are present, and no wetland hydrology was observed. In addition, the dominant vegetation included western red cedar, and Douglas fir, with an understory of dense salmonberry, brackenfern, Himalayan blackberry, and trailing blackberry. Not all three wetland criteria were observed; therefore, this location was determined to be non-wetland.

This site assessment confirms the lack of potentially-regulated wetlands, streams, and/or fish and wildlife habitat occur within the subject property based upon current assessment methods, thorough data collection, and careful analysis by qualified Wetland Scientists. As no potentially-regulated critical areas exist on or near the subject property, any future development on the subject property should be unencumbered by sensitive areas restrictions under DMC Title 14.42. If you have any further questions please contact me at your earliest convenience.

Sincerely,

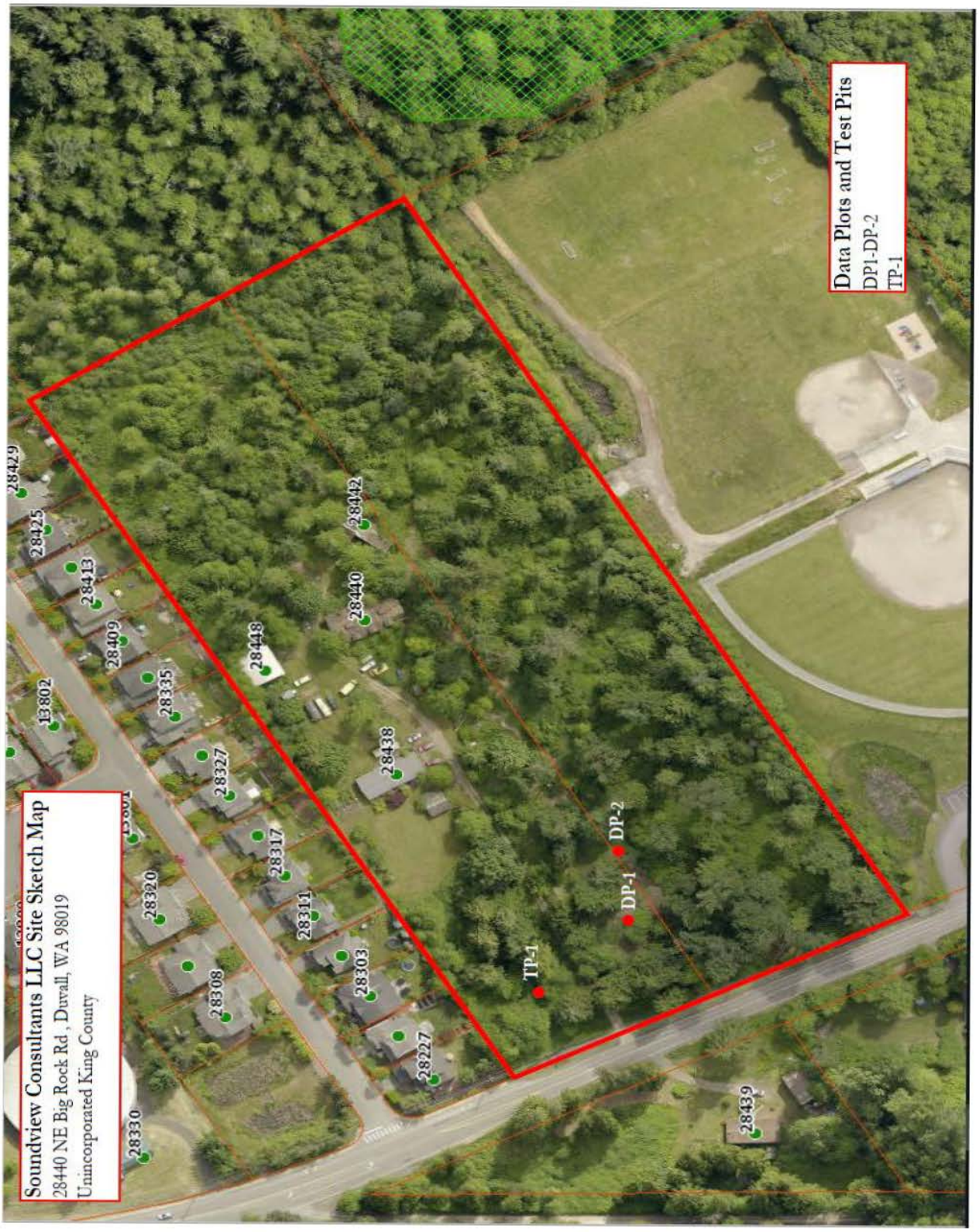
November 10, 2016

Date

Emily Swaim
Wetland Scientist

Soundview Consultants LLC 2907 Harborview Drive
Gig Harbor, WA 98335
(253) 514-8952 Office (253) 514-8954 Fax
Emily@soundviewconsultants.com

Attachment A – Map of Data Plot Locations



Attachment B – Data Forms

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project/Site: 1486.0001 Dazey City/County: Duvall/King Sampling Date: 08/17/16

Applicant/Owner: Mike Walsh State: WA Sampling Point: DP-1

Investigator(s): E. Swaim Section, Township, Range: 19, T26N, R7E

Landform (hillslope, terrace, etc.): Toe of slope Local relief (concave, convex, none): concave Slope (%): 2

Subregion (LRR): A2 Lat: 47.72199 Long: -122.95914 Datum: WGS 84

Soil Map Unit Name: Tokul Gravelly Medial Loam NWI classification: N/A

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☒ No ☐ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ☒ No ☐ Hydric Soil Present? Yes ☐ No ☒ Wetland Hydrology Present? Yes ☒ No ☐	**Is the Sampled Area within a Wetland?** Yes ☐ No ☒

Remarks: Not all three wetland criteria observed.

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 30 ft)	Absolute % Cover	Dominant Species?	Indicator Status
1. Acer macrophyllum	40	Y	FACU
2. Alnus rubra	30	Y	FAC
3. Pseudotsuga menziseii	5	N	FACU
4. Thuja plicata	5	N	FAC
	80	= Total Cover	
Sapling/Shrub Stratum (Plot size: 15 ft)			
1. Rubus armeniacus	10	Y	FAC
2. Rubus spectabilis	5	Y	FAC
3.			
4.			
5.			
	15	= Total Cover	
Herb Stratum (Plot size: 5 ft)			
1. Phalaris arundinacea	50	Y	FACW
2. Ranunculus repens	20	Y	FAC
3. Athyrium felix-femina spp. cyclosorum	5	N	FAC
4. Polystichum munitum	1	N	FACU
5. Tolmeia menziseii	1	N	FAC
6.			
7.			
8.			
9.			
10.			
11.			
	77	= Total Cover	
Woody Vine Stratum (Plot size: 30 ft)			
1.			
2.			
		= Total Cover	

% Bare Ground in Herb Stratum 23

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 5 (A)

Total Number of Dominant Species Across All Strata: 6 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: _____ (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species _____	x 1 = _____
FACW species _____	x 2 = _____
FAC species _____	x 3 = _____
FACU species _____	x 4 = _____
UPL species _____	x 5 = _____
Column Totals: _____ (A)	_____ (B)

Prevalence Index = B/A = _____

Hydrophytic Vegetation Indicators:

- ☐ Rapid Test for Hydrophytic Vegetation
- ☒ Dominance Test is >50%
- ☐ Prevalence Index is ≤3.0[1]
- ☐ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
- ☐ Wetland Non-Vascular Plants[1]
- ☐ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? **Yes** ☒ **No** ☐

Remarks: Hydrophytic vegetation criteria observed.

SOIL

Sampling Point: DP-1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	Matrix %	Redox Features Color (moist)	Redox Features %	Type[1]	Loc[2]	Texture	Remarks
0-16	7.5YR 2.5/1	99	7.5YR 3/4	1	C	M/PL	SL	Silt Loam
16-20	10YR 3/3	80	10YR 3/6	20	C	M	SL	Silt Loam

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ☐ Histosol (A1)
- ☐ Histic Epipedon (A2)
- ☐ Black Histic (A3)
- ☐ Hydrogen Sulfide (A4)
- ☐ Depleted Below Dark Surface (A11)
- ☐ Thick Dark Surface (A12)
- ☐ Sandy Mucky Mineral (S1)
- ☐ Sandy Gleyed Matrix (S4)
- ☐ Sandy Redox (S5)
- ☐ Stripped Matrix (S6)
- ☐ Loamy Mucky Mineral (F1) (**except MLRA 1**)
- ☐ Loamy Gleyed Matrix (F2)
- ☐ Depleted Matrix (F3)
- ☐ Redox Dark Surface (F6)
- ☐ Depleted Dark Surface (F7)
- ☐ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ☐ 2 cm Muck (A10)
- ☐ Red Parent Material (TF2)
- ☐ Very Shallow Dark Surface (TF12)
- ☐ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type:_____

Depth (inches):_____

Hydric Soil Present? **Yes** ☐ **No** ☒

Remarks: No hydric soil indicators observed.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- ☐ Surface Water (A1)
- ☐ High Water Table (A2)
- ☐ Saturation (A3)
- ☐ Water Marks (B1)
- ☐ Sediment Deposits (B2)
- ☐ Drift Deposits (B3)
- ☐ Algal Mat or Crust (B4)
- ☐ Iron Deposits (B5)
- ☐ Surface Soil Cracks (B6)
- ☐ Inundation Visible on Aerial Imagery (B7)
- ☐ Sparsely Vegetated Concave Surface (B8)
- ☐ Water-Stained Leaves (B9) (**except MLRA 1, 2, 4A, and 4B)**
- ☐ Salt Crust (B11)
- ☐ Aquatic Invertebrates (B13)
- ☐ Hydrogen Sulfide Odor (C1)
- ☐ Oxidized Rhizospheres along Living Roots (C3)
- ☐ Presence of Reduced Iron (C4)
- ☐ Recent Iron Reduction in Tilled Soils (C6)
- ☐ Stunted or Stressed Plants (D1) (**LRR A**)
- ☐ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ☐ Water-Stained Leaves (B9) (**MLRA 1, 2, 4A, and 4B)**
- ☐ Drainage Patterns (B10)
- ☐ Dry-Season Water Table (C2)
- ☐ Saturation Visible on Aerial Imagery (C9)
- ☒ Geomorphic Position (D2)
- ☐ Shallow Aquitard (D3)
- ☒ FAC-Neutral Test (D5)
- ☐ Raised Ant Mounds (D6) (**LRR A**)
- ☐ Frost-Heave Hummocks (D7)

Field Observations:

Surface Water Present? Yes ☐ No ☒ Depth (inches): _____

Water Table Present? Yes ☐ No ☒ Depth (inches): _____

Saturation Present? (includes capillary fringe) Yes ☐ No ☒ Depth (inches): _____

Wetland Hydrology Present? **Yes** ☒ **No** ☐

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: No primary hydrologic indicators observed. Secondary indicators D2 and D5 observed.

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project/Site: 1486.0001 Dazey City/County: Duvall/King Sampling Date: 08/17/16

Applicant/Owner: Mike Walsh State: WA Sampling Point: DP-2

Investigator(s): E. Swaim Section, Township, Range: 19, T26N, R7E

Landform (hillslope, terrace, etc.): Toe of slope Local relief (concave, convex, none): concave Slope (%): 2

Subregion (LRR): A2 Lat: 47.72204 Long: -122.195883 Datum: WGS 84

Soil Map Unit Name: Tokul Gravelly Medial Loam NWI classification: N/A

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☒ No ☐ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ☒ No ☐ Hydric Soil Present? Yes ☐ No ☒ Wetland Hydrology Present? Yes ☒ No ☐	**Is the Sampled Area within a Wetland?** Yes ☐ No ☒

Remarks: Not all three wetland criteria observed.

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 30 ft)	Absolute % Cover	Dominant Species?	Indicator Status
1. Alnus rubra	40	Y	FAC
2. Acer macrophyllum	5	N	FACU
3.			
4.			
	45	= Total Cover	
Sapling/Shrub Stratum (Plot size: 15 ft)			
1. Rubus armeniacus	10	Y	FAC
2. Rubus spectabilis	5	Y	FAC
3.			
4.			
5.			
	15	= Total Cover	
Herb Stratum (Plot size: 5 ft)			
1. Phalaris arundinacea	70	Y	FACW
2. Ranunculus repens	20	Y	FAC
3. Geum macrophyllum	10	N	FAC
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
	100	= Total Cover	
Woody Vine Stratum (Plot size: 30 ft)			
1.			
2.			
		= Total Cover	

% Bare Ground in Herb Stratum 0

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 5 (A)

Total Number of Dominant Species Across All Strata: 5 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 100 (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species _____	x 1 = _____
FACW species _____	x 2 = _____
FAC species _____	x 3 = _____
FACU species _____	x 4 = _____
UPL species _____	x 5 = _____
Column Totals: _____ (A)	_____ (B)

Prevalence Index = B/A = _____

Hydrophytic Vegetation Indicators:

- ☐ Rapid Test for Hydrophytic Vegetation
- ☒ Dominance Test is >50%
- ☐ Prevalence Index is ≤3.0[1]
- ☐ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
- ☐ Wetland Non-Vascular Plants[1]
- ☐ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? **Yes** ☒ **No** ☐

Remarks: Hydrophytic vegetation criteria observed.

SOIL

Sampling Point: DP-2

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	Matrix %	Redox Features Color (moist)	Redox %	Type[1]	Loc[2]	Texture	Remarks
0-6	10YR 2/2	100	-	-	-	-	GSL	Gravelly Silt Loam
6-16	10YR 3/3	100	-	-	-	-	GSL	Gravelly Silt Loam

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ☐ Histosol (A1)
- ☐ Histic Epipedon (A2)
- ☐ Black Histic (A3)
- ☐ Hydrogen Sulfide (A4)
- ☐ Depleted Below Dark Surface (A11)
- ☐ Thick Dark Surface (A12)
- ☐ Sandy Mucky Mineral (S1)
- ☐ Sandy Gleyed Matrix (S4)
- ☐ Sandy Redox (S5)
- ☐ Stripped Matrix (S6)
- ☐ Loamy Mucky Mineral (F1) (**except MLRA 1**)
- ☐ Loamy Gleyed Matrix (F2)
- ☐ Depleted Matrix (F3)
- ☐ Redox Dark Surface (F6)
- ☐ Depleted Dark Surface (F7)
- ☐ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ☐ 2 cm Muck (A10)
- ☐ Red Parent Material (TF2)
- ☐ Very Shallow Dark Surface (TF12)
- ☐ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type:_____

Depth (inches):_____

Hydric Soil Present? **Yes** ☐ **No** ☒

Remarks: No hydric soil indicators observed.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- ☐ Surface Water (A1)
- ☐ High Water Table (A2)
- ☐ Saturation (A3)
- ☐ Water Marks (B1)
- ☐ Sediment Deposits (B2)
- ☐ Drift Deposits (B3)
- ☐ Algal Mat or Crust (B4)
- ☐ Iron Deposits (B5)
- ☐ Surface Soil Cracks (B6)
- ☐ Inundation Visible on Aerial Imagery (B7)
- ☐ Sparsely Vegetated Concave Surface (B8)
- ☐ Water-Stained Leaves (B9) (**except MLRA 1, 2, 4A, and 4B)**
- ☐ Salt Crust (B11)
- ☐ Aquatic Invertebrates (B13)
- ☐ Hydrogen Sulfide Odor (C1)
- ☐ Oxidized Rhizospheres along Living Roots (C3)
- ☐ Presence of Reduced Iron (C4)
- ☐ Recent Iron Reduction in Tilled Soils (C6)
- ☐ Stunted or Stressed Plants (D1) (**LRR A**)
- ☐ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ☐ Water-Stained Leaves (B9) (**MLRA 1, 2, 4A, and 4B)**
- ☐ Drainage Patterns (B10)
- ☐ Dry-Season Water Table (C2)
- ☐ Saturation Visible on Aerial Imagery (C9)
- ☒ Geomorphic Position (D2)
- ☐ Shallow Aquitard (D3)
- ☒ FAC-Neutral Test (D5)
- ☐ Raised Ant Mounds (D6) (**LRR A**)
- ☐ Frost-Heave Hummocks (D7)

Field Observations:

Surface Water Present? Yes ☐ No ☒ Depth (inches): _____

Water Table Present? Yes ☐ No ☒ Depth (inches): _____

Saturation Present? (includes capillary fringe) Yes ☐ No ☒ Depth (inches): _____

Wetland Hydrology Present? **Yes** ☒ **No** ☐

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: No primary hydrologic indicators observed. Secondary indicators D2 and D5 observed.

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project/Site: 1486.0001 Dazey City/County: Duvall/King Sampling Date: 08/17/16

Applicant/Owner: Mike Walsh State: WA Sampling Point: TP-1

Investigator(s): E. Swaim Section, Township, Range: 19, T26N, R7E

Landform (hillslope, terrace, etc.): Hillslope Local relief (concave, convex, none): None Slope (%): 2

Subregion (LRR): A2 Lat: 47.722455 Long: -121.958944 Datum: WGS 84

Soil Map Unit Name: Tokul Gravelly Medial Loam NWI classification: N/A

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☒ No ☐ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ☒ No ☐	**Is the Sampled Area within a Wetland?** Yes ☐ No ☒
Hydric Soil Present?	Yes ☐ No ☒	
Wetland Hydrology Present?	Yes ☐ No ☒	

Remarks: Not all three wetland criteria observed.

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 30 ft)	Absolute % Cover	Dominant Species?	Indicator Status
1. Thuja plicata	55	Y	FAC
2. Pseduotsuga menziseii	5	N	FACU
3.			
4.			
	60	= Total Cover	
Sapling/Shrub Stratum (Plot size: 15 ft)			
1. Rubus spectabilis	20	Y	FAC
2. Rubus armeniacus	5	Y	FAC
3.			
4.			
5.			
	25	= Total Cover	
Herb Stratum (Plot size: 5 ft)			
1. Pteridium aquilinum	15	Y	FACU
2. Rubus ursinus	5	Y	FACU
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
	20	= Total Cover	
Woody Vine Stratum (Plot size: 30 ft)			
1.			
2.			
		= Total Cover	

% Bare Ground in Herb Stratum 23

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 3 (A)

Total Number of Dominant Species Across All Strata: 5 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 60 (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:
OBL species		x 1 =
FACW species		x 2 =
FAC species		x 3 =
FACU species		x 4 =
UPL species		x 5 =
Column Totals:	(A)	(B)

Prevalence Index = B/A = _____

Hydrophytic Vegetation Indicators:

- ☐ Rapid Test for Hydrophytic Vegetation
- ☒ Dominance Test is >50%
- ☐ Prevalence Index is ≤3.0[1]
- ☐ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
- ☐ Wetland Non-Vascular Plants[1]
- ☐ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? **Yes** ☒ **No** ☐

Remarks: Hydrophytic vegetation criteria observed and met via dominance test.

SOIL

Sampling Point: TP-1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	Matrix %	Redox Features Color (moist)	Redox %	Type[1]	Loc[2]	Texture	Remarks
0-6	10YR 2/2	100	-	-	-	-	GSL	Gravelly Silt Loam
6-16	10YR 3/3	100	-	-	-	-	SL	Silt Loam

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ☐ Histosol (A1)
- ☐ Histic Epipedon (A2)
- ☐ Black Histic (A3)
- ☐ Hydrogen Sulfide (A4)
- ☐ Depleted Below Dark Surface (A11)
- ☐ Thick Dark Surface (A12)
- ☐ Sandy Mucky Mineral (S1)
- ☐ Sandy Gleyed Matrix (S4)
- ☐ Sandy Redox (S5)
- ☐ Stripped Matrix (S6)
- ☐ Loamy Mucky Mineral (F1) (**except MLRA 1**)
- ☐ Loamy Gleyed Matrix (F2)
- ☐ Depleted Matrix (F3)
- ☐ Redox Dark Surface (F6)
- ☐ Depleted Dark Surface (F7)
- ☐ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ☐ 2 cm Muck (A10)
- ☐ Red Parent Material (TF2)
- ☐ Very Shallow Dark Surface (TF12)
- ☐ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type:_____

Depth (inches):_____

Hydric Soil Present? **Yes** ☐ **No** ☒

Remarks: No hydric soil indicators observed.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- ☐ Surface Water (A1)
- ☐ High Water Table (A2)
- ☐ Saturation (A3)
- ☐ Water Marks (B1)
- ☐ Sediment Deposits (B2)
- ☐ Drift Deposits (B3)
- ☐ Algal Mat or Crust (B4)
- ☐ Iron Deposits (B5)
- ☐ Surface Soil Cracks (B6)
- ☐ Inundation Visible on Aerial Imagery (B7)
- ☐ Sparsely Vegetated Concave Surface (B8)
- ☐ Water-Stained Leaves (B9) (**except MLRA 1, 2, 4A, and 4B)**
- ☐ Salt Crust (B11)
- ☐ Aquatic Invertebrates (B13)
- ☐ Hydrogen Sulfide Odor (C1)
- ☐ Oxidized Rhizospheres along Living Roots (C3)
- ☐ Presence of Reduced Iron (C4)
- ☐ Recent Iron Reduction in Tilled Soils (C6)
- ☐ Stunted or Stressed Plants (D1) (**LRR A**)
- ☐ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ☐ Water-Stained Leaves (B9) (**MLRA 1, 2, 4A, and 4B)**
- ☐ Drainage Patterns (B10)
- ☐ Dry-Season Water Table (C2)
- ☐ Saturation Visible on Aerial Imagery (C9)
- ☐ Geomorphic Position (D2)
- ☐ Shallow Aquitard (D3)
- ☐ FAC-Neutral Test (D5)
- ☐ Raised Ant Mounds (D6) (**LRR A**)
- ☐ Frost-Heave Hummocks (D7)

Field Observations:

Surface Water Present? Yes ☐ No ☒ Depth (inches): _____

Water Table Present? Yes ☐ No ☒ Depth (inches): _____

Saturation Present? (includes capillary fringe) Yes ☐ No ☒ Depth (inches): _____

Wetland Hydrology Present? **Yes** ☐ **No** ☒

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: No primary nor secondary hydrologic indicators observed.

Attachment C – Site Visit Photographs

Photograph 1. Soil data in Data Plot 1.

Photograph 2. General View of Data Plot 2.

Photograph 3. Soil Data in Data Plot 2.

Photograph 4. View of Test Pit 1 Facing North.

Exhibit 19

Soundview Consultants
Environmental Assessment • Planning • Land Use Solutions
2907 Harborview Drive, Suite D
Gig Harbor, Washington 98335

December 9, 2016

Barry Margolese
Amalani LLC
105 South Main St., Suite 230
Seattle, WA 98104

Re: Amalani Big Rock Road NE Big Rock Rd. Parcel #: 2129700260
Duvall, WA 98019

Dear Barry,

Soundview Consultants (SVC) has been assisting Amalani LLC (Client) with a wetland and fish and wildlife delineation and habitat assessment, preliminary planning, and feasibility analysis for the future development of a 9.76-acre site as a single-family residential plat on NE Big Rock Road, Duvall, WA 98019 (King County Parcel 2129700260). The following information represents our preliminary findings and reconnaissance.

On July 5, 2016, Principal Scientist Jeremy Downs from SVC performed a site reconnaissance and identified one wetland near the center of the site and confirmed that no other wetlands are on or adjacent to the site. On September 12, 2016, Wetland Scientists Emily Swaim from SVC and Senior Environmental Planner Jon Pickett from SVC delineated and assessed the on-site wetland (Wetland A) and confirmed that the previously identified (King County iMap, 2016) off-site wetland was not present to the north per Duvall Municipal Code (DMC) 14.142.230.B(4). On September 15, 2016, Wetland Scientists Emily Swaim from SVC and Principal Scientist Jeremy Downs also evaluated a nearby site with the City's third-party consultant, ESA. Only one on-site wetland was delineated and no off-site wetlands or critical area were found to be present.

Wetland A was professionally surveyed and is approximately 2,226 square feet (0.05 acres) in size. This wetland is a Category IV wetland according to the Washington State Department of Ecology's 2004 Wetland Rating System method (Ecology Publication #04-06-025) and City of Duvall definitions as outlined in DMC 14.42.200. All preliminary assessment work was done in compliance with the requirements of the DMC and will be detailed in a future sensitive area report and mitigation plan should the project proceed and should the property be annexed into the City of Duvall and proceed with development review.

It should be noted under DMC 14.42.220(J), Category IV wetlands may be filled provided various elements such as a mitigation sequencing and compensatory mitigation are satisfied

per DMC Section 14.41.130(C). If the site is annexed and the project moves forward, such items will be addressed in a mitigation plan at a later date. In addition to regulation by the City of Duvall, this onsite Wetland A could potentially be regulated by the U.S. Army Corps of Engineers (USACE) under Section 404 of the Clean Water Act (CWA) and by the Washington State Department of Ecology under Section 401 of the CWA and Section 90.48 of the Revised Code of Washington (RCW). All permitting requirements and mitigation design standards must be in compliance with these regulations. For a map of the delineation, wetland and anticipated site layout, please refer to the site plan provided by Navix Engineering.

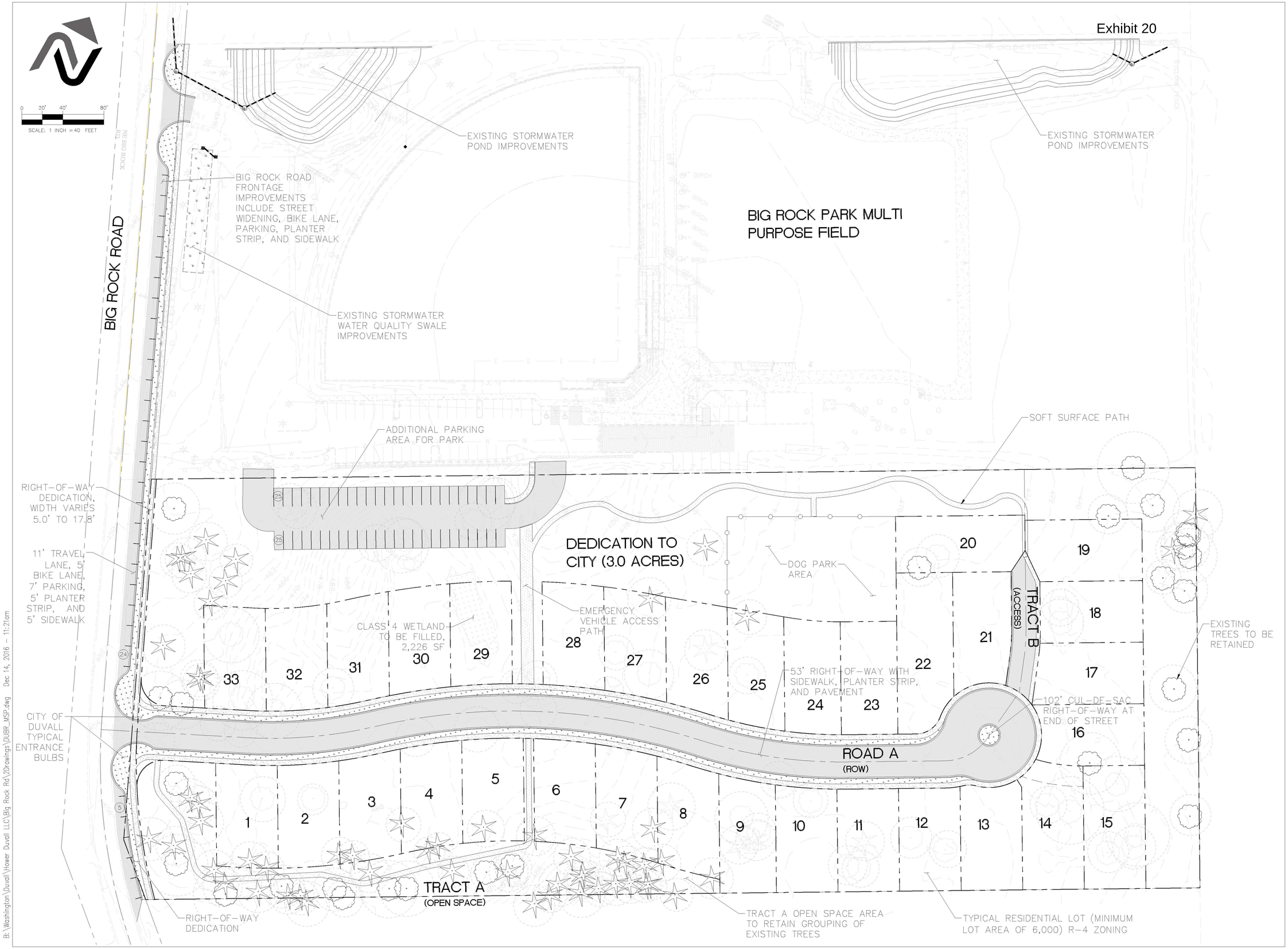
If you have any questions please do not hesitate to contact me.

Thank You,

December 09, 2016
Date

Jeremy Downs
Principal Scientist
Soundview Consultants LLC
2907 Harborview Drive
Gig Harbor, WA 98335
(253) 514-8952 Office
(253) 514-8954 Fax
jeremy@soundviewconsultants.com

Exhibit 20



B:\Washington\Duvall\Hower Duvall LLC\Big Rock Rd\2Drawings\DUBR_MSP.dwg Dec 14, 2016 - 11:21am

NAVIX
SITE | CIVIL

11400 s.e. 8th street | suite 345
bellevue, wa 98004

t: 425.453.9501 | f: 425-453-8208
www.navixeng.com

CLIENT/OWNER

STARWATER LLC

PROJECT NAME

BIG ROCK ROAD

NAVIX PROJECT NUMBER: 50-464-002

PROJECT ADDRESS

NE BIG ROCK ROAD
DUVALL, WA

STAMP

PRELIMINARY

REVISIONS

REV	ISSUED FOR:	DATE
1	33 LOT SITE PLAN	11.11.16

SECTION, TOWNSHIP, RANGE:

SECTION 19, TOWNSHIP 26 NORTH, RANGE 7 EAST, W.M.

PROJECT TEAM

REVIEWED BY: P.MANZER
DESIGNED BY: T.WENTZ

SHEET NAME

PRELIMINARY SITE PLAN

SHEET NUMBER

C-1.0

NAVIX
SITE | CIVIL

11400 s.e. 8th street | suite 345
bellevue, wa 98004

t: 425.453.9501 | f: 425-453-8208
www.navixeng.com

CLIENT/OWNER

STARWATER LLC

PROJECT NAME

BIG ROCK ROAD

NAVIX PROJECT NUMBER: 50-464-002

PROJECT ADDRESS

NE BIG ROCK ROAD
DUVALL, WA

STATE OF WASHINGTON
GLENN T. TAKAGI
CERTIFICATE NO.

Glenn Takagi
Landscape Architect
18550 Firlands Way N.
Suite #101
Shoreline, WA 98133
(206) 542-6100
glenco1029@earthlink.net

REVISIONS

REV	ISSUED FOR:	DATE
X	ADD LANDSCAPE	12.6.16

811

SECTION, TOWNSHIP, RANGE:

SECTION 19, TOWNSHIP 26 NORTH, RANGE 7 EAST, W.M.

PROJECT TEAM

REVIEWED BY: XXX
DESIGNED BY: GTLA

SHEET NAME

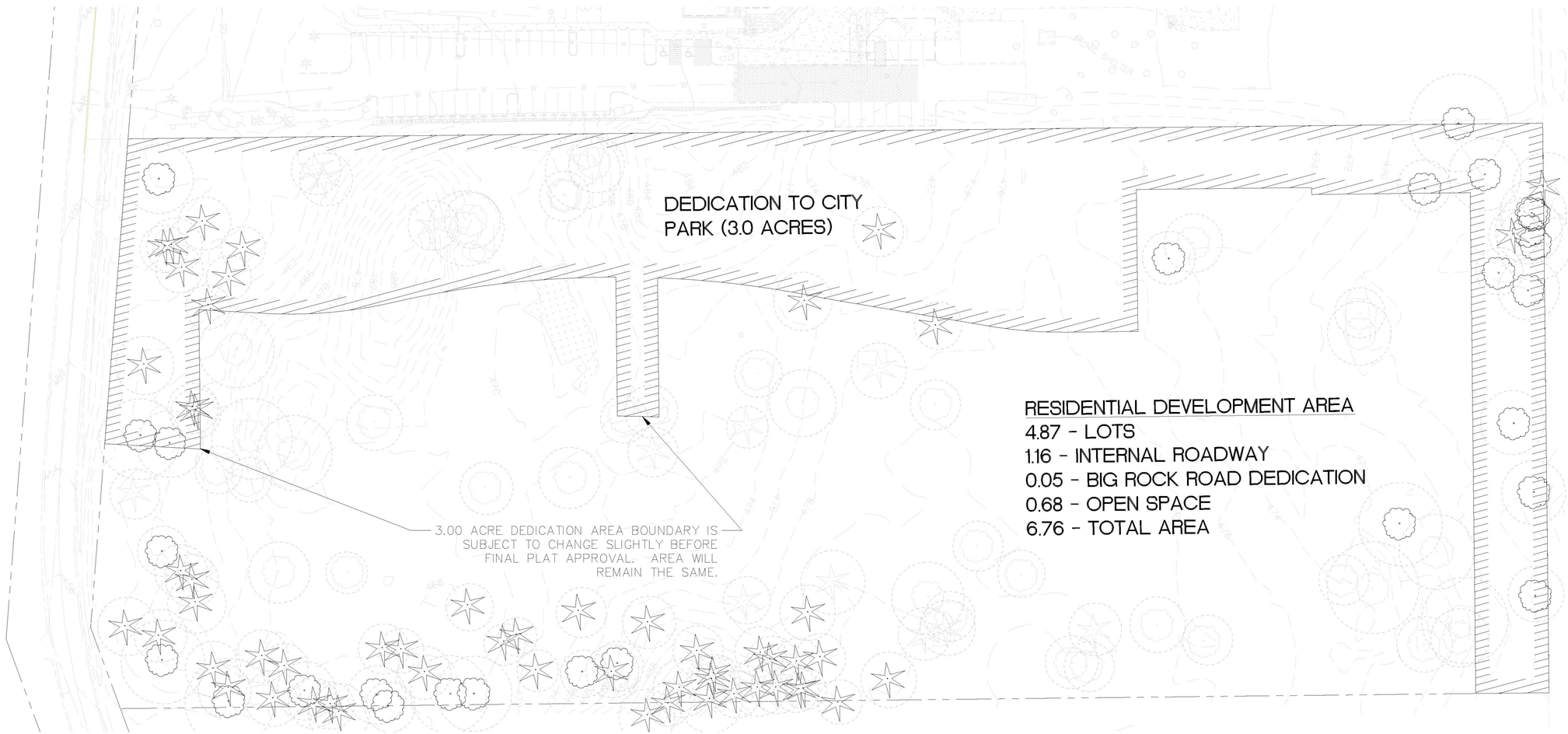
PRELIMINARY LANDSCAPE PLAN

SHEET NUMBER

L-1.0

0 20' 40' 80'

SCALE: 1 INCH = 40 FEET



RESIDENTIAL DEVELOPMENT AREA
4.87 - LOTS
1.16 - INTERNAL ROADWAY
0.05 - BIG ROCK ROAD DEDICATION
0.68 - OPEN SPACE
6.76 - TOTAL AREA

B:\Washington\Duvall\Hower Duvall LLC\Big Rock Rd\2Drawings\DUBR_MSP.dwg Dec 14, 2016 - 11:22am

NAVIX
SITE | CIVIL

11400 s.e. 8th street | suite 345
bellevue, wa 98004

t: 425.453.9501 | f: 425-453-8208
www.navixeng.com

CLIENT/OWNER

STARWATER LLC

PROJECT NAME

BIG ROCK ROAD

NAVIX PROJECT NUMBER: 50-464-002

PROJECT ADDRESS

NE BIG ROCK ROAD
DUVALL, WA

STAMP

TYSON V. WENTZ
STATE OF WASHINGTON
45285
REGISTERED
PROFESSIONAL ENGINEER
PRELIMINARY

REVISIONS

REV	ISSUED FOR:	DATE
1	33 LOT SITE PLAN	11.11.16

SECTION, TOWNSHIP, RANGE:

SECTION 19, TOWNSHIP 26
NORTH, RANGE 7 EAST, W.M.

PROJECT TEAM

REVIEWED BY: P.MANZER
DESIGNED BY: T.WENTZ

SHEET NAME

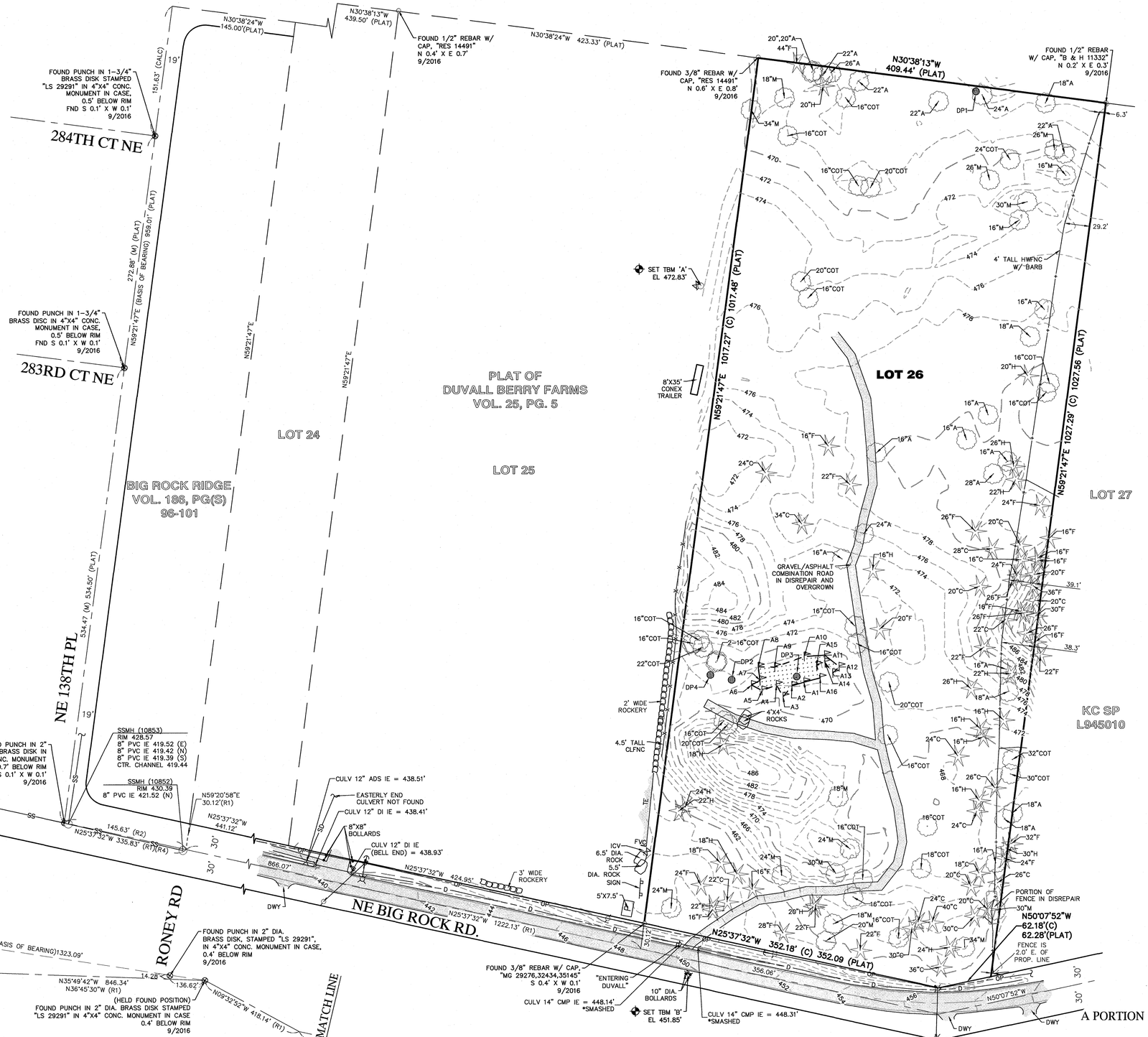
PRELIMINARY DEDICATION PLAN

SHEET NUMBER

C-1.1

LEGEND

- SOIL LOG/TEST PIT
- FOUND MONUMENT IN CASE
- FOUND REBAR AND CAP AS NOTED
- SIGN
- BOLLARD
- SANITARY SEWER MANHOLE
- CULVERT
- FIRE HYDRANT
- POST INDICATOR VALVE
- WATER VALVE
- WETLAND FLAG
- WATER INDICATOR POST
- GUY ANCHOR
- POWER POLE W/ TRANSFORMER
- POWER POLE W/UNDERGROUND CONDUIT
- UTILITY POLE
- SOIL LOG/TEST PIT
- LINE CONTINUES
- POWER VAULT
- TELECOMMUNICATIONS RISER
- 12"A ALDER
- 12"C CEDAR
- 12"COT COTTONWOOD
- 12"F FIR
- 12"H HEMLOCK
- 12"M MAPLE
- WETLANDS
- ASPHALT PAVING
- ROCKERY
- D DITCH LINE
- SS SANITARY SEWER LINE
- OP OVERHEAD POWER LINE
- X CHAIN LINK FENCE LINE
- WIRE FENCE LINE
- FVC FACE VERTICAL CURB
- TE THICKENED EDGE ASPHALT



Axis

GRAPHIC SCALE

60' 30' 0 60' 120'

1"=60'

CONTOURS = 2'

BASIS OF BEARINGS

HELD NORTH 29°16'01" WEST AS LOCATED BETWEEN FOUND MONUMENTS ALONG NE BIG ROCK ROAD AT 282ND LANE NE & 136 FEET SOUTH OF RONEY ROAD. PER PLAT OF CUTTERS GLEN IN VOL. 167 OF PLATS, PG(S) 6-7. RECORDED UNDER KING COUNTY RECORDING NUMBER 199312140691

LEGAL DESCRIPTION/TITLE REPORT NOTES

LOT 26, DUVALL BERRY FARMS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 25 OF PLATS, PAGE 5, IN KING COUNTY, WASHINGTON.

DATUM

HORIZONTAL DATUM:
NAD '83/'91, WASHINGTON NORTH ZONE

VERTICAL DATUM: NAVD '88

ORIGINATING BENCHMARK:
WGS SURVEY DATA WAREHOUSE KING COUNTY MONUMENT ID #1160
A FOUND REBAR WITH ALUMINUM CAP, SET 0.1' ABOVE GRADE, NO CASE, STAMPED WITH THE AGENCY, THE YEAR, AND "GPS 1160"

ELEVATION: 476.07'

TEMPORARY BENCHMARK:

TBM 'A'
SET 'X' ON EASTERLY BONNET BOLT ON FIRE HYDRANT

ELEVATION: 472.83'

TBM 'B'
SET 'X' ON EASTERLY BONNET BOLT ON FIRE HYDRANT
ELEVATION: 451.85'

REFERENCES

(R1) SHORT PLAT NO. L94S0100, RECORDED UNDER RECORDING NO. 9711039029, KING COUNTY, WASHINGTON.

(R2) PLAT OF BIG ROCK RIDGE, RECORDED UNDER VOLUME 186 OF PLATS, PAGE(S) 96-101, IN KING COUNTY, WASHINGTON.

(R3) PLAT OF DUVALL BERRY FARMS, RECORDED UNDER VOLUME 9 OF PLATS, PAGE 218, IN KING COUNTY, WASHINGTON.

(R4) BOUNDARY LINE ADJUSTMENT L96L0121, RECORDED UNDER RECORDING NO. 9701219008, IN KING COUNTY, WASHINGTON.

KING COUNTY DEPARTMENT OF ASSESSMENTS QUARTER SECTION SHEET DATED SEPTEMBER 8, 2016.

NOTE

THE INFORMATION DEPICTED ON THIS MAP REPRESENTS THE RESULTS OF A SURVEY MADE ON OCTOBER 11, 2016 AND CAN ONLY BE CONSIDERED AS INDICATING THE GENERAL CONDITIONS EXISTING AT THAT TIME.

UTILITY NOTES

UTILITY LOCATIONS SHOWN HEREON ARE BASED UPON ASBUILT FIELD LOCATION OF EXISTING STRUCTURES BASED ON OBSERVABLE SURFACE EVIDENCE AND AVAILABLE UTILITY MAPS FROM CITY AND UTILITY PURVEYOR'S DRAWINGS.

SANITARY SEWER AND STORM DRAINAGE FACILITIES HAVE BEEN ASBUILT THROUGH FIELD MEASUREMENTS OF THE LOCATION OF THE ACCESS STRUCTURES, THE TOP ELEVATION OF THE STRUCTURES, AND THE INVERT ELEVATIONS OF ANY PIPES ENTERING OR LEAVING THE STRUCTURES. IT IS STANDARD PRACTICE TO SHOW THE PIPES CONNECTING THESE STRUCTURES AS STRAIGHT LINES. THIS IS ONLY AN ASSUMPTION AND THE ACTUAL LOCATION OF THE PIPING MUST BE VERIFIED IN THE FIELD BY THE CONSTRUCTION CONTRACTOR PRIOR TO ANY CONSTRUCTION.

EQUIPMENT NOTES

PRIMARY CONTROL POINTS AND ACCESSIBLE MONUMENT POSITIONS WERE FIELD MEASURED UTILIZING GLOBAL POSITIONING SYSTEM (GPS) SURVEY TECHNIQUES USING LEICA GS14 GPS/GNSS EQUIPMENT EQUIPMENT. MONUMENT POSITIONS THAT WERE NOT DIRECTLY OBSERVED USING GPS SURVEY TECHNIQUES WERE TIED INTO THE CONTROL POINTS UTILIZING LEICA ELECTRONIC 1201 TOTAL STATIONS FOR THE MEASUREMENT OF BOTH ANGLES AND DISTANCES. THIS SURVEY MEETS OR EXCEEDS THE STANDARDS SET BY WACS 332-130-080/090.

A PORTION OF THE SE 1/4, SEC. 19, TWP. 26N., RGE. 7E.,W.M.
CITY OF DUVALL, KING COUNTY, WASHINGTON

REV#	DESCRIPTION OF REVISION	DATE	BY
#1			
#2			
#3			
#4			
#5			
#6			
#7			

TOPOGRAPHIC BOUNDARY SURVEY

OF

TPN: 2129700260

STATE OF WASHINGTON
ZANE L. ZIMMERMAN
ADOPTED
STANDARD
REGISTERED
PROFESSIONAL LAND SURVEYOR
10/19/16

Axis Survey & Mapping
15241 NE 90TH STREET
REDMOND, WA 98052
TEL 425.823-5700
FAX 425.823-6700
www.axismap.com

JOB NO.	DATE
16-180	10/17/16
DRAWN BY	CHECKED BY
ERM/DMB/ARH	ZLN
SCALE	SHEET
1" = 60'	1 OF 1

SEC 19, TWP 26N, RGE 7E, W.M.

SCALE: 1" = 40'

0 20 40 80

DENSITY CALCULATIONS

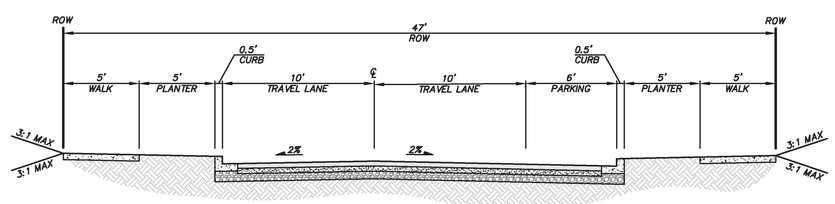
GROSS AREA	9.86 AC.
ALLOWED DENSITY	4 UNITS/AC.
HOMES ALLOWED	39 HOMES
HOMES PROPOSED	39 HOMES
OPEN SPACE REQUIRED (10%)	0.98 AC
OPEN SPACE PROPOSED (22%)	2.19 AC
PROPOSED ZONING	R-4
MINIMUM LOT SIZE	6,000 S.F.
SETBACKS	
FRONT	10 FEET / 20 FEET GARAGE
SIDE	5 FEET EACH / 15 FEET COMBINED
REAR	15 FEET

TREE RETENTION

SIGNIFICANT TREES	147 TREES
TREE RETENTION REQUIRED	35%
TREES REQUIRED TO BE RETAINED	52 TREES
TREES PROPOSED TO BE RETAINED	56 TREES

ON STREET PARKING

TOTAL HOMES	38 HOMES
ON-STREET PARKING PER HOME	0.5 PER DU
ON-STREET PARKING REQUIRED	19 SPACES
ON-STREET PARKING PROVIDED	44 SPACES



47' RIGHT-OF-WAY

SCALE: 1" = 5'

NOTES

- ASSUMES PARCELS WILL BE ANNEXED INTO THE CITY OF DUVALL AND BE ZONED R4
- ASSUMES 47' ROW, BASED ON 3-2.03 MINOR ACCESS STREET SERVING 50 HOMES OR LESS. 51' OF ROW WILL BE REQUIRED IF CITY THINKS MORE THAT 50 HOMES WILL BE SERVED BY PROPOSED ROAD.
- ASSUMES 55' CENTERLINE RADIUS IS PERMITTED PER 3-2.10
- PER 14.64.240 – 10% OF DEVELOPABLE AREA MUST BE ESTABLISHED AS OPEN SPACE.
- PRIVATE ACCESS TRACTS SERVING 3-4 HOMES REQUIRE A 30' ACCESS TRACT.
- 35% TREE RETENTION REQUIRED. ASSUMES TREES OF 16" DBH OR GREATER
- FAR IS 50% IN R4 ZONE (EXCLUDES GARAGE AND BASEMENTS IN CALCULATIONS)
- IMPERVIOUS IS 60% FOR LOTS UNDER 7,200 S.F.

UNDERGROUND UTILITY NOTE

UNDERGROUND UTILITIES ARE SHOWN IN THE APPROXIMATE LOCATION. THERE IS NO GUARANTEE THAT ALL UTILITY LINES ARE SHOWN, OR THAT THE LOCATION, SIZE AND MATERIAL IS ACCURATE. THE CONTRACTOR SHALL UNCOVER ALL INDICATED PIPING WHERE CROSSING, INTERFERENCES, OR CONNECTIONS OCCUR PRIOR TO TRENCHING OR EXCAVATION FOR ANY PIPE OR STRUCTURES, TO DETERMINE ACTUAL LOCATIONS, SIZE AND MATERIAL. THE CONTRACTOR SHALL MAKE THE APPROPRIATE PROVISION FOR PROTECTION OF SAID FACILITIES. THE CONTRACTOR SHALL NOTIFY ONE CALL AT 8-1-1 (WASHINGTON811.COM) AND ARRANGE FOR FIELD LOCATION OF EXISTING FACILITIES BEFORE CONSTRUCTION.

BLUELINE
25 CENTRAL WAY, SUITE 400, KIRKLAND, WA 98033
P: 425.216.4051 F: 425.216.4052
WWW.BLUELINEGROUP.COM

SCALE: AS NOTED
PROJECT MANAGER: TODD A. OBERG, PE
PROJECT ENGINEER: ENGINEER
DESIGNER: DESIGNER
ISSUE DATE: 12/23/2016

NO	DATE	BY	REVISIONS

PRELIMINARY SITE PLAN
BIG ROCK ANNEXATION
DAZEY PROPERTY
PRELIMINARY SITE PLAN
PARCEL # 2129700245
CITY OF DUVALL WASHINGTON

JOB NUMBER: 16-237
SHEET NAME: SP-01
SHT 1 OF 1

22x34
Dec 23, 2016 – 12:07pm – User: tobergt
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SEC 19, TWP 26N, RGE 7E, W.M.

N

SCALE: 1" = 40'

0 20 40 80

DENSITY CALCULATIONS

GROSS AREA	9.86 AC.
ALLOWED DENSITY	4 UNITS/AC.
HOMES ALLOWED	39 HOMES
HOMES PROPOSED	39 HOMES
OPEN SPACE REQUIRED (10%)	0.99 AC
OPEN SPACE PROPOSED (23%)	2.23 AC
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MINIMUM LOT SIZE	6,000 S.F.
SETBACKS	
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SIDE	5 FEET EACH / 15 FEET COMBINED
REAR	15 FEET

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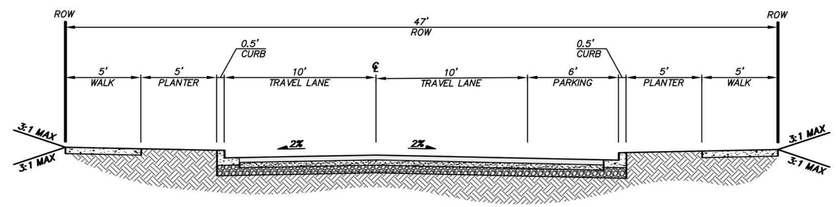
ON STREET PARKING

TOTAL HOMES	39 HOMES
ON-STREET PARKING PER HOME	0.5 PER DU
ON-STREET PARKING REQUIRED	19 SPACES
ON-STREET PARKING PROVIDED	28 SPACES



47' RIGHT-OF-WAY

SCALE: 1" = 5'

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BLUELINE
20 CENTRAL WAY, SUITE 420, KIRKLAND, WA 98033
425.822.4669 FAX: 425.822.4670
WWW.THEBLUELINEGROUP.COM

SCALE: AS NOTED
PROJECT MANAGER: TODD A. OBERG, PE
PROJECT ENGINEER: ENGINEER
DESIGNER: DESIGNER
ISSUE DATE: 12/20/2016

NO	DATE	BY	REVISIONS

PRELIMINARY SITE PLAN
BIG ROCK ANNEXATION
DAZEY PROPERTY
PRELIMINARY SITE PLAN
PARCEL # 2129700245
CITY OF DUVALL WASHINGTON

JOB NUMBER: 16-237
SHEET NAME: SP-01
SHT 1 OF 1

22x34
Dec 20, 2016 – 3:39pm – User tcolleran
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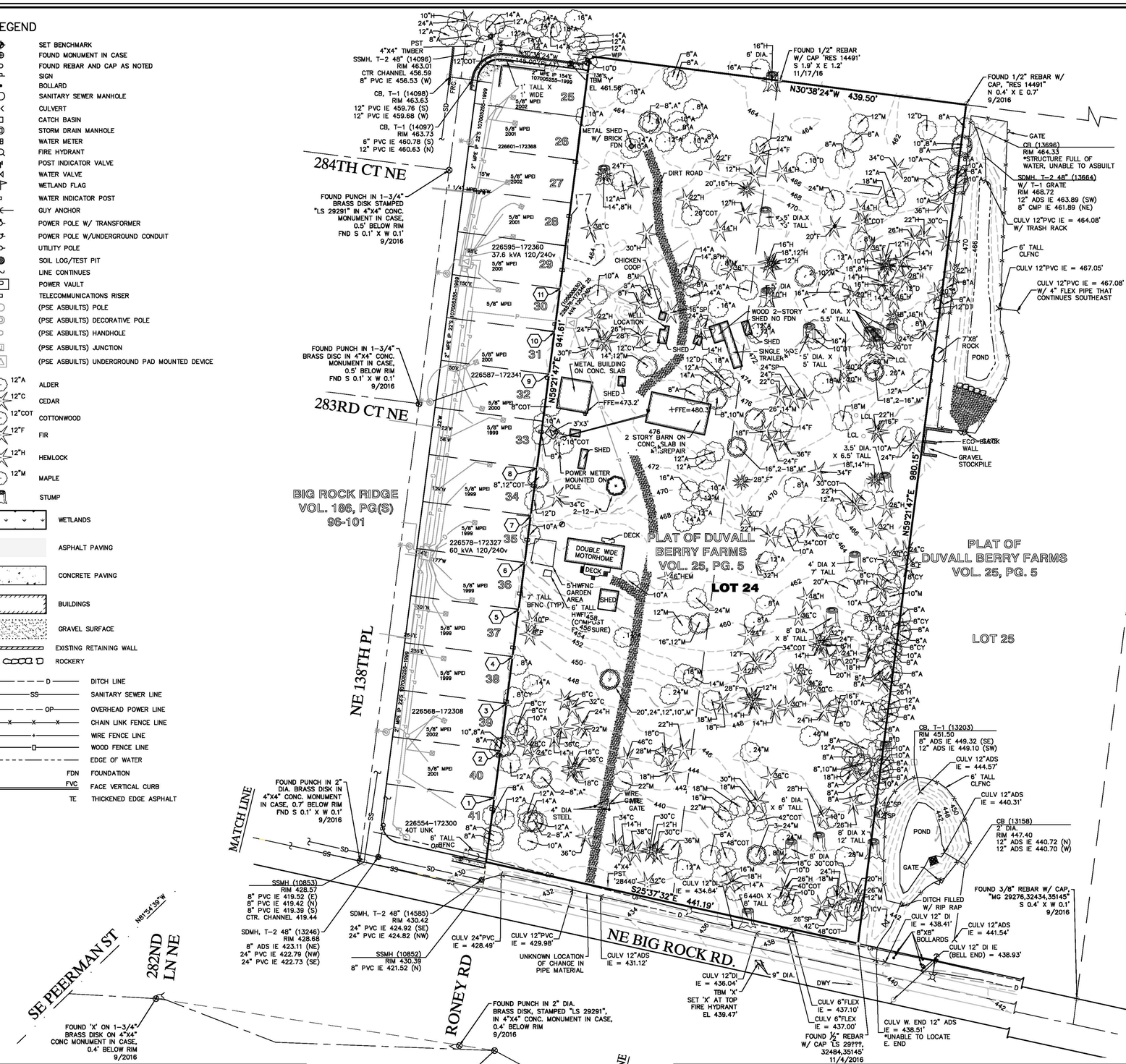
LEGEND

- SET BENCHMARK
- FOUND MONUMENT IN CASE
- FOUND REBAR AND CAP AS NOTED
- SIGN
- BOLLARD
- SANITARY SEWER MANHOLE
- CULVERT
- CATCH BASIN
- STORM DRAIN MANHOLE
- WATER METER
- FIRE HYDRANT
- POST INDICATOR VALVE
- WATER VALVE
- WETLAND FLAG
- WATER INDICATOR POST
- GUY ANCHOR
- POWER POLE W/ TRANSFORMER
- POWER POLE W/UNDERGROUND CONDUIT
- UTILITY POLE
- SOIL LOG/TEST PIT
- LINE CONTINUES
- POWER VAULT
- TELECOMMUNICATIONS RISER
- (PSE ASBUILTS) POLE
- (PSE ASBUILTS) DECORATIVE POLE
- (PSE ASBUILTS) HANDHOLE
- (PSE ASBUILTS) JUNCTION
- (PSE ASBUILTS) UNDERGROUND PAD MOUNTED DEVICE
- 12"A ALDER
- 12"C CEDAR
- 12"COT COTTONWOOD
- 12"F FIR
- 12"H HEMLOCK
- 12"M MAPLE
- STUMP
- WETLANDS
- ASPHALT PAVING
- CONCRETE PAVING
- BUILDINGS
- GRAVEL SURFACE
- EXISTING RETAINING WALL
- ROCKERY
- D DITCH LINE
- SS SANITARY SEWER LINE
- OP OVERHEAD POWER LINE
- CHAIN LINK FENCE LINE
- WIRE FENCE LINE
- WOOD FENCE LINE
- EDGE OF WATER
- FDN FOUNDATION
- FVC FACE VERTICAL CURB
- TE THICKENED EDGE ASPHALT



GRAPHIC SCALE

60' 30' 0 60' 120'

1"=60'

CONTOURS = 2'

BASIS OF BEARINGS

HELD NORTH 29°16'01" WEST AS LOCATED BETWEEN FOUND MONUMENTS ALONG NE BIG ROCK ROAD AT 282ND LANE NE & 136 FEET SOUTH OF RONEY ROAD. PER PLAT OF CUTTERS GLEN IN VOL. 167 OF PLATS, PG(S) 6-7. RECORDED UNDER KING COUNTY RECORDING NUMBER 199312140691

LEGAL DESCRIPTION

PARCEL A:
THE NORTHWESTERLY HALF OF TRACT 24, DUVALL BERRY FARMS, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 25 OF PLATS, PAGE 5, IN KING COUNTY, WASHINGTON.

PARCEL B:
THE SOUTHEASTERLY HALF OF TRACT 24, DUVALL BERRY FARMS, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 25 OF PLATS, PAGE 5, IN KING COUNTY, WASHINGTON.

DATUM

HORIZONTAL DATUM:
NAD '83/'91, WASHINGTON NORTH ZONE

VERTICAL DATUM: NAVD '88

ORIGINATING BENCHMARK:
WGS SURVEY DATA WAREHOUSE KING COUNTY MONUMENT ID #1160
A FOUND REBAR WITH ALUMINUM CAP, SET 0.1' ABOVE GRADE, NO CASE, STAMPED WITH THE AGENCY, THE YEAR, AND "GPS 1160"

ELEVATION: 476.07'

TEMPORARY BENCHMARK:

TBM 'X'
SET 'X' ON TOP FIRE HYDRANT

ELEVATION: 439.47'

TBM 'Y'
SET CHISELED SQUARE W/ 'X' ALONG WEST EDGE WALK, 14.7' NORTH OF SOUTH END.

ELEVATION: 461.56'

REFERENCES

(R1) SHORT PLAT NO. L94S0100, RECORDED UNDER RECORDING NO. 9711039029, KING COUNTY, WASHINGTON.

(R2) PLAT OF BIG ROCK RIDGE, RECORDED UNDER VOLUME 186 OF PLATS, PAGE(S) 96-101, IN KING COUNTY, WASHINGTON.

(R3) PLAT OF DUVALL BERRY FARMS, RECORDED UNDER VOLUME 9 OF PLATS, PAGE 218, IN KING COUNTY, WASHINGTON.

(R4) BOUNDARY LINE ADJUSTMENT L98L0121, RECORDED UNDER RECORDING NO. 9701219008, IN KING COUNTY, WASHINGTON.

KING COUNTY DEPARTMENT OF ASSESSMENTS QUARTER SECTION SHEET DATED SEPTEMBER 8, 2016.

NOTE

THE INFORMATION DEPICTED ON THIS MAP REPRESENTS THE RESULTS OF A SURVEY MADE ON NOVEMBER 23, 2016 AND CAN ONLY BE CONSIDERED AS INDICATING THE GENERAL CONDITIONS EXISTING AT THAT TIME.

UTILITY NOTES

UTILITY LOCATIONS SHOWN HEREON ARE BASED UPON ASBUILT FIELD LOCATION OF EXISTING STRUCTURES BASED ON OBSERVABLE SURFACE EVIDENCE AND AVAILABLE UTILITY MAPS FROM CITY AND UTILITY PURVEYOR'S DRAWINGS.

SANITARY SEWER AND STORM DRAINAGE FACILITIES HAVE BEEN ASBUILT THROUGH FIELD MEASUREMENTS OF THE LOCATION OF THE ACCESS STRUCTURES, THE TOP ELEVATION OF THE STRUCTURES, AND THE INVERT ELEVATIONS OF ANY PIPES ENTERING OR LEAVING THE STRUCTURES. IT IS STANDARD PRACTICE TO SHOW THE PIPES CONNECTING THESE STRUCTURES AS STRAIGHT LINES. THIS IS ONLY AN ASSUMPTION AND THE ACTUAL LOCATION OF THE PIPING MUST BE VERIFIED IN THE FIELD BY THE CONSTRUCTION CONTRACTOR PRIOR TO ANY CONSTRUCTION.

EQUIPMENT NOTES

PRIMARY CONTROL POINTS AND ACCESSIBLE MONUMENT POSITIONS WERE FIELD MEASURED UTILIZING GLOBAL POSITIONING SYSTEM (GPS) SURVEY TECHNIQUES USING LEICA GS14 GPS/GNSS EQUIPMENT EQUIPMENT. MONUMENT POSITIONS THAT WERE NOT DIRECTLY OBSERVED USING GPS SURVEY TECHNIQUES WERE TIED INTO THE CONTROL POINTS UTILIZING LEICA ELECTRONIC 1201 TOTAL STATIONS FOR THE MEASUREMENT OF BOTH ANGLES AND DISTANCES. THIS SURVEY MEETS OR EXCEEDS THE STANDARDS SET BY WACS 332-130-080/090.

SCHEDULE B – SPECIAL EXCEPTIONS

1. PURPOSE: ROADWAY
   RECORDING DATE: APRIL 30, 1986
   RECORDING NO.: 8604301705
   AFFECTS: A PORTION OF PARCEL A AS DESCRIBED IN SAID INSTRUMENT
2. RESERVATIONS OF OIL, COAL, GAS AND MINERALS AND/OR MINERAL RIGHTS OF ANY NATURE, AND RIGHT OF ENTRY TO EXPLORE SAME, CONTAINED IN THE DEED
   GRANTOR: WEYERHAEUSER TIMBER CO., A WASHINGTON CORPORATION
   RECORDING DATE: OCTOBER 25, 1920
   RECORDING NO.: 1462357
3. RECORDING DATE: OCTOBER 15, 1980
   RECORDING NO.: 8010150745
   PURPOSE: PREVENTING CONTAMINATION OF WATER SUPPLY
   AFFECTS: ANY PORTION OF THE LAND LYING WITHIN 100 FEET OF WELL ON PARCEL A
4. DECLARATION OF COVENANT, AND THE TERMS AND CONDITIONS THEREOF:
   RECORDING DATE: OCTOBER 28, 1980
   RECORDING NO.: 8010280885
   AFFECTS: A PORTION OF PARCEL A

A PORTION OF THE SE 1/4, SEC. 19, TWP. 26N., RGE. 7E.,W.M.
CITY OF DUVALL, KING COUNTY, WASHINGTON

REV#	DESCRIPTION OF REVISION	DATE	BY
#1			
#2			
#3			
#4			
#5			
#6			
#7			

TOPOGRAPHIC BOUNDARY SURVEY

OF

TPN: 2129700245

PRELIMINARY
JAMES L. HALL 40094 STATE OF WASHINGTON REGISTERED PROFESSIONAL LAND SURVEYOR

Axis Survey & Mapping
www.axismap.com
15241 NE 90TH STREET
REDMOND, WA 98052
TEL. 425.823-5700
FAX 425.823-6700

JOB NO.	DATE
16-180	12/12/16
DRAWN BY	CHECKED BY
ERM/DMB/ARH	ZLN
SCALE	SHEET
1" = 60'	1 OF 1

Exhibit 21

ESA

5309 Shilshole Avenue, NW
Suite 200
Seattle, WA 98107
206.789.9658 phone
206.789.9684 fax

www.esassoc.com

February 1, 2017

Ms. Lara Thomas, Planning Director
Mr. Troy Davis, Senior Planner
City of Duvall
PO Box 1300
Duvall, WA 98019

Subject: Review of the NE Big Rock Road (Parcel # 2129700260) -- Wetland Reconnaissance Memo

Dear Lara:

ESA reviewed the *Wetland Reconnaissance Memo* for the Amalani Big Rock Road parcel located along NE Big Rock Road (King County Parcel #2129700260), submitted by Soundview Consultants and dated December 9, 2016. The parcel lies immediately adjacent to the southeast side of the Big Rock Ball Fields and Skate Park, and is one of three tax parcels that make up the proposed Big Rock Annexation into the City of Duvall[1]. Soundview Consultants has been assisting Amalani LLC with a wetland and fish habitat assessment, preliminary planning, and feasibility study for the future development of the parcels. According to Soundview's *Wetland Reconnaissance Memo* (hereinafter referred to as the Recon Memo) one wetland (Wetland A) occurs on the parcel. The wetland was flagged by Soundview Consultants on September 12, 2016 and subsequently professionally surveyed by Axis Survey and Mapping. Surveyed areas are presented on the *Big Rock Road – Existing Conditions* figure dated October 19, 2016. According to the Recon Memo, Wetland A is a Category IV wetland with a total of 26 points, including 6 points for habitat functions. The Duval Municipal Code (DMC) requires Category IV wetlands a standard buffer of 50 feet (DMC 14.42.210.A.5). The Recon Memo notes that the DMC also allows activities in Category IV wetlands and associated buffers that would result in unavoidable impacts, provided avoidance and minimization measures have been evaluated consistent with DMC 14.42.130(C), the proposed activity is the only reasonable alternative, and that mitigation is provided (DMC 14.42.220(J).

In addition to the Recon Memo and Existing Conditions Map, ESA reviewed the Wetland Rating Form for Wetland A (completed by Soundview Consultants) and public domain information for the study area including National Wetland Inventory maps, Washington Department of Fish and Wildlife web mapping, and King County's GIS mapping website (iMap). On January 25, 2016, Jessica Redman (ESA biologist) and Troy Davis (City of Duvall Planner) conducted a site visit to the proposed project site.

Review Comments

Based upon our review, ESA agrees with the findings in the Memo that one wetland occurs on the subject parcel. No other critical areas were observed onsite during the field visit. ESA also agrees with the delineated boundary

[1] For the other two parcels included in the Big Rock Annexation (continuous parcels to the NW of the Big Rock Ballfields, referred to as the Dazey Property), Jessica Redman and Aaron Booy (ESA) previously met with development proponent and Soundview Consultants on the property on October 7, 2016. From that site visit, we agreed with Soundview Consulting's reconnaissance determination that there no areas of the property that meet wetland criteria. As such, we agree with Soundview's *Non-Wetland Verification Technical Memorandum* for the Dazey Property, dated November 10, 2016.

of Wetland A. However, there were several inconsistencies with the submitted Wetland Rating Form and what was observed in the field during the January 2017 site visit. We recommend the following comments be addressed to ensure accuracy:

- D1.4 – the response provided indicates that the area of seasonally ponding is ¼ to ½ of the total wetland. At the time of the January 2017 site visit, the area of seasonal ponding was estimated to be well over half the total area of the wetland as the majority of standing water went up to the wetland flagging except in the eastern extent of the wetland. An analysis of National Weather Service precipitation data showed that within the region, precipitation was 1 to 2 inches below normal during the month of January. Furthermore, algae was present in areas of inundation showing that ponding was not due to recent precipitation. Detailed analysis of areas of seasonal ponding should be provided as verification, or the Wetland A rating form response be revised to the seasonally ponded area being greater than ½ the wetland size, which receives 4 points.

- H1.5 – During the field visit we observed little invasive plant cover within the wetland, indicating a point should be recorded for this special habitat feature.

- H2.1 – Beside the Big Rock Road Ballfields to the east, the majority of Wetland A's buffer is forested. Two old gravel roads are present but these roads have been overgrown with grasses and creeping buttercup and do not lead to a disturbance in buffer or buffer functions. Even if considering these roads as buffer intrusions, based on the site visit and the existing conditions map, it appears that at least 25% of the circumference of the wetland is undisturbed for 330 feet (3 point answer). We recommend the rating form response be revised to reflect this.

Changes to these scores could potentially increase the total score for Wetland A to 33 points and increase the wetland rating from a Category IV to a Category III. This would also increase the standard wetland buffer to 60 feet per DMC 14.42.210. If the above recommendations result in a change in wetland buffer width, the applicant should update submittal documents that reflect changes.

Sincerely,

Jessica Redman
Ecologist

The Seattle Times

JAN 31 2017

City of Duvall
City Clerk
PO Box 1300

Duvall, WA 98019

Re: Advertiser Account # 106931

Ad #: 707916

Agency Account #: 0

Agency Name:

Affidavit of Publication

STATE OF WASHINGTON
Counties of King and Snohomish

The undersigned, on oath states that he/she is an authorized representative of The Seattle Times Company, publisher of The Seattle Times of general circulation published daily in King and Snohomish Counties, State of Washington. The Seattle Times has been approved as a legal newspaper by others of the Superior Court of King and Snohomish Counties.

The notice, in the exact form annexed, was published in the regular and entire issue of said paper or papers and distributed to its subscribers during all of the said period.

Newspaper and Publication Date(s)	
Seattle Times	01/26/17

Agent_____ Signature_____

Subscribed and sworn to before me on _____
DATE

_____
(Notary Signature) Notary Public in and for the State of Washington, residing at Seattle

The Seattle Times

JAN 31 2017

Re: Advertiser Account # 106931

Ad #: 707916

Agency Account #: 0

Agency Name:

AD TEXT

CITY OF DUVALL
NOTICE OF PUBLIC HEARINGS

The City of Duvall Planning Commission and City Council will each hold a public hearing to consider whether to accept or reject a Notice of Intent to Annex Petition Form (10% Petition) submitted to the City by applicant Barry Margolese on December 29, 2016. The petition is for the annexation of three parcels located adjacent to Big Rock Ball Fields totaling 19.47 acres. These parcels are located within the City's Southeast Urban Growth Area and were given the R4 (Residential 4 Units per Acre) land-use designation on the City's Future Land Use Map during the 2015 update of the City's Comprehensive Plan. The subject properties are currently zoned Urban Reserve (1 dwelling unit per 5 acres) under King County's jurisdiction. A public hearing before the Planning Commission will be held Wednesday, February 8, 2017, at 7:00 PM in the Duvall Visitor Center, 15619 Main Street. Planning Commission may take action after the hearing. A second public hearing on this matter will be held before the City Council on Tuesday, February 22, 2017, at 7:00 PM at the Riverview School District building, 15510 1st Ave NE. City Council may take action after the public hearing. The Planning Commission will take public testimony and make a recommendation to City Council. The City Council will take public testimony and is the decision-maker. Applicant: Barry Margolese, 105 South Main, Suite 230, Seattle, WA 98104, barry@amalani.com. Project Planner: Troy Davis, Senior Planner, PO Box 1300, Duvall, WA 98019, (425) 788-2779, troy.davis@duvallwa.gov. Copies of all application documents are available for review at City Hall. In addition, a copy of the staff report will be available seven days prior to the Hearing. All interested parties may appear and provide testimony to the above proposal at the Public Hearing. Written comments regarding this proposal will be accepted up to and at the Public Hearing. Comments should be addressed to the Planning Department at the address shown above. If you have any questions, please e-mail (preferred) or call the Project Planner.

City of Duvall

Small Town. Real Life.

DECLARATION OF MAILING AND ELECTRONIC MAILING

Re: Big Rock Annexation

The undersigned declares under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct:

That on the 25 day of Jan, 2017, the undersigned declarant

☑ emailed

☑ mailed

a copy of:

Notice of Public Hearing

in the above-referenced matter directed to:

Attached is the list of agencies, names and addresses to whom this information was emailed and/or mailed.

1·31·17

Name, Date

(Anne Wright-Cunniff)

Anne Wright-Cunniff

From: Anne Wright-Cunniff
Sent: Wednesday, January 25, 2017 2:12 PM
To: '(adamob@riverview.wednet.edu)'; '(kurt@wildfishconservancy.org)'; '(SEPACenter@dnr.wa.gov)'; '(SEPAdesk@dfw.wa.gov)'; '(sepaunit@ecy.wa.gov)'; '(TeamMillCreek@dfw.wa.gov)'; Alana McCoy; Amy Ockerlander; Anne Wright-Cunniff; Becky Nixon; Boyd Benson; Carey Hert; 'Cindy Spiry'; 'Dave Weiss (davew@dor.wa.gov)'; Dianne Brudnicki; 'Doug Peters'; Eric Preston; 'gary.kriedt@kingcounty.gov'; 'Jacob Sheppard'; Jason Walker; Jim Deal; 'Joel Kuhnhenn'; Lara Thomas; Leroy Collinwood; Margie Coy; 'Mark'; Mark Weiss; 'Matt Baerwalde'; Melanie Young; Michelle Hogg; 'Ramin Pazooki (pazookr@wsdot.wa.gov)'; 'Randy Sandin'; 'Ray Fryberg'; Richard Winn; Ronn Mercer; Scott Thomas; Shaun Tozer; 'Steve Mullen-Moses'; 'Steve Roberge'; 'Tina Morehead'; Troy Davis; 'Ty Peterson'; 'Wally Archuleta'; Will Ibershof
Subject: Public Hearing Notices for February 8 and February 21, 2017
Attachments: Big Rock Public Hearings Notice.docx; 170208 Combined PH Notice.docx; 170208 Combined PH Notice.docx

These are public hearing notices for the Big Rock Annexation, Comp Plan update code amendments (CA16-004), and stormwater regulations (CA16-005).

Thank you,

Anne Wright-Cunniff
Administrative Assistant, Planning Department
City of Duvall, PO Box 1300, Duvall WA 98019
425-939-8077
Anne.Wright-Cunniff@duvallwa.gov

City of Duvall

"NOTICE OF PUBLIC DISCLOSURE: This e-mail account is public domain. Any correspondence from or to this e-mail account is a public record. Accordingly, this e-mail, in whole or in part, may be subject to disclosure pursuant to RCW 42.56, regardless of any claim of confidentiality or privilege asserted by an external party."

Anne Wright-Cunniff

From: Anne Wright-Cunniff
Sent: Wednesday, January 25, 2017 2:13 PM
To: 'Barry Margolese'
Subject: FW: Public Hearing Notices for February 8 and February 21, 2017
Attachments: Big Rock Public Hearings Notice.docx; 170208 Combined PH Notice.docx; 170208 Combined PH Notice.docx

For your records.

Thank you,

Anne Wright-Cunniff
Administrative Assistant, Planning Department
City of Duvall, PO Box 1300, Duvall WA 98019
425-939-8077
Anne.Wright-Cunniff@duvallwa.gov

City of Duvall

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Sent: Wednesday, January 25, 2017 2:12 PM
To: '(adamob@riverview.wednet.edu)' <adamob@riverview.wednet.edu>; '(kurt@wildfishconservancy.org)' <kurt@wildfishconservancy.org>; '(SEPACenter@dnr.wa.gov)' <SEPACenter@dnr.wa.gov>; '(SEPAdesk@dfw.wa.gov)' <SEPAdesk@dfw.wa.gov>; '(sepaunit@ecy.wa.gov)' <sepaunit@ecy.wa.gov>; '(TeamMillCreek@dfw.wa.gov)' <TeamMillCreek@dfw.wa.gov>; Alana McCoy <alana.mccoy@duvallwa.gov>; Amy Ockerlander <amy.ockerlander@duvallwa.gov>; Anne Wright-Cunniff <Anne.Wright-Cunniff@duvallwa.gov>; Becky Nixon <becky.nixon@duvallwa.gov>; Boyd Benson <boyd.benson@duvallwa.gov>; Carey Hert <carey.hert@duvallwa.gov>; 'Cindy Spiry' <cindy@snoqualmietribe.us>; 'Dave Weiss (davew@dor.wa.gov)' <davew@dor.wa.gov>; Dianne Brudnicki <dianne.brudnicki@duvallwa.gov>; 'Doug Peters' <doug.peters@commerce.wa.gov>; Eric Preston <eric.preston@duvallwa.gov>; 'gary.kriedt@kingcounty.gov' <gary.kriedt@kingcounty.gov>; 'Jacob Sheppard' <jacob.sheppard@kingcounty.gov>; Jason Walker <jason.walker@duvallwa.gov>; Jim Deal <jim.deal@duvallwa.gov>; 'Joel Kuhnhenn' <jkuhnhenn@duvallfire45.com>; Lara Thomas <lara.thomas@duvallwa.gov>; Leroy Collinwood <leroy.collinwood@duvallwa.gov>; Margie Coy <Margie.Coy@duvallwa.gov>; 'Mark' <markjweiss@outlook.com>; Mark Weiss <Mark.Weiss@duvallwa.gov>; 'Matt Baerwalde' <mattb@snoqualmietribe.us>; Melanie Young <melanie.young@duvallwa.gov>; Michelle Hogg <Michelle.Hogg@duvallwa.gov>; 'Ramin Pazooki (pazookr@wsdot.wa.gov)' <pazookr@wsdot.wa.gov>; 'Randy Sandin' <Randy.sandin@kingcounty.gov>; 'Ray Fryberg' <rayfryberg@tulaliptribes-nsn.gov>; Richard Winn <richard.winn@duvallwa.gov>; Ronn Mercer <ronn.mercer@duvallwa.gov>; Scott Thomas <scott.thomas@duvallwa.gov>; Shaun Tozer <shaun.tozer@duvallwa.gov>; 'Steve Mullen-Moses' <steve@snoqualmietribe.us>; 'Steve Roberge' <Steve.roberge@kingcounty.gov>; 'Tina Morehead' <Tina.Morehead@kingcounty.gov>; Troy Davis

<troy.davis@duvallwa.gov>; 'Ty Peterson' <Ty.Peterson@kingcounty.gov>; 'Wally Archuleta' <Wally.archuleta@kingcounty.gov>; Will Ibershof <will.ibershof@duvallwa.gov>
Subject: Public Hearing Notices for February 8 and February 21, 2017

These are public hearing notices for the Big Rock Annexation, Comp Plan update code amendments (CA16-004), and stormwater regulations (CA16-005).

Thank you,

Anne Wright-Cunniff
Administrative Assistant, Planning Department
City of Duvall, PO Box 1300, Duvall WA 98019
425-939-8077
Anne.Wright-Cunniff@duvallwa.gov

City of Duvall

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Anne Wright-Cunniff

Contact Group Name: _SEPA

Categories: Newsletter

Mail:

Puget Sound Energy
Attn: Government Relations
PO Box 97034
Bellevue WA 98009-9734

US Army Corps of Engineers
Regulatory Branch
PO Box 3755
Seattle WA 98124-3755

PSRC
1011 Western Ave Ste 500
Seattle WA 98104-1035

Mail or email copy to applicant.

Email: All Department Directors (6): PW, Planning, Police, Building, Fire, and CE Boyd Benson

Email: Mayor and Council (8)

OWNER/RESIDENT
28231 NE 138TH ST
DUVALL WA 98019
PHN BR ANX

OWNER/RESIDENT
28303 NE 138TH PL
DUVALL WA 98019
PHN BR ANX

OWNER/RESIDENT
28307 NE 138TH PL
DUVALL WA 98019
PHN BR AN

OWNER/RESIDENT
28308 NE 138TH PL
DUVALL WA 98019
PHN BR ANX

OWNER/RESIDENT
28311 NE 138TH PL
DUVALL WA 98019
PHN BR ANX

OWNER/RESIDENT
28312 NE 138TH PL
DUVALL WA 98109
PHN BR AN

OWNER/RESIDENT
28317 NE 138TH PL
DUVALL WA 98019
PHN BR ANX

OWNER/RESIDENT
28320 NE 138TH PL
DUVALL WA 98019
PHN BR ANX

OWNER/RESIDENT
28323 NE 138TH PL
DUVALL WA 98019
PHN BR AN

OWNER/RESIDENT
28327 NE 138TH PL
DUVALL WA 98019
PHN BR ANX

OWNER/RESIDENT
28331 NE 138TH PL
DUVALL WA 98019
PHN BR ANX

OWNER/RESIDENT
28331 NE BIG ROCK RD
DUVALL WA 98019
PHN BR AN

OWNER/RESIDENT
28335 NE 138TH PL
DUVALL WA 98019
PHN BR ANX

OWNER/RESIDENT
28339 NE BIG ROCK RD
DUVALL WA 98019
PHN BR ANX

OWNER/RESIDENT
28405 NE 138TH PL
DUVALL WA 98019
PHN BR ANX

OWNER/RESIDENT
28409 NE 138TH PL
DUVALL WA 98019
PHN BR ANX

OWNER/RESIDENT
28413 NE 138TH PL
DUVALL WA 98019
PHN BR ANX

OWNER/RESIDENT
28419 NE 138TH PL
DUVALL WA 98019
PHN BR ANX

OWNER/RESIDENT
28425 NE 138TH ST
DUVALL WA 98019
PHN BR ANX

OWNER/RESIDENT
28429 NE 138TH PL
DUVALL WA 98019
PHN BR ANX

OWNER/RESIDENT
28433 NE 138TH PL
DUVALL WA 98019
PHN BR ANX

OWNER/RESIDENT
28455 NE BIG ROCK RD
DUVALL WA 98019
PHN BR ANX

OWNER/RESIDENT
28475 NE BIG ROCK RD
DUVALL WA 98019
PHN BR ANX

OWNER/RESIDENT
28505 NE BIG ROCK RD
DUVALL WA 98019
PHN BR ANX

OWNER/RESIDENT
3615 73RD DR NE
MARYSVILLE WA 98270
PHN BR ANX

OWNER/RESIDENT
5000 PLANO PKWY
CARROLLTON TX 75010
PHN BR ANX

OWNER/RESIDENT
6471 RANCHO PARK DR
SAN DIEGO CA 92120
PHN BR ANX

OWNER/RESIDENT
6471 RANCHO PARK DR
SAN DIEGO CA 92120
PHN BR ANX

OWNER/RESIDENT
6616 149TH AVE NE
REDMOND WA 98052
PHN BR ANX

OWNER/RESIDENT
PO BOX 52
DUVALL WA 98019
PHN BR ANX

OWNER/RESIDENT
10812 25TH DR SE
EVERETT WA 98208
PHN BR ANX

OWNER/RESIDENT
13532 BATTEN RD NE
DUVALL WA 98019
PHN BR ANX

OWNER/RESIDENT
13729 284TH NE
DUVALL WA 98019
PHN BR AN

OWNER/RESIDENT
13731 BATTEN RD NE
DUVALL WA 98019
PHN BR ANX

OWNER/RESIDENT
13801 283RD CT NE
DUVALL WA 98019
PHN BR ANX

OWNER/RESIDENT
13801 284TH CT NE
DUVALL WA 98019
PHN BR AN

OWNER/RESIDENT
13802 283RD CT NE
DUVALL WA 98019
PHN BR ANX

OWNER/RESIDENT
13802 284TH CT NE
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13803 284TH CT NE
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13804 284TH CT NE
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13805 284TH CT NE
DUVALL WA 98019
PHN BR ANX

OWNER/RESIDENT
13806 283RD CT NE
DUVALL WA 98019
PHN BR AN

OWNER/RESIDENT
13806 284TH CT NE
WOODINVILLE WA 98019
PHN BR ANX

OWNER/RESIDENT
13807 283RD CT NE
DUVALL WA 98019
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OWNER/RESIDENT
13807 284TH CT NE
DUVALL WA 98019
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OWNER/RESIDENT
13808 284TH CT NE
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13809 283RD CT NE
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13809 284TH CT NE
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13810 283RD CT NE
DUVALL WA 98019
PHN BR ANX

OWNER/RESIDENT
13810 284TH CT NE
DUVALL WA 98019
PHN BR ANX

OWNER/RESIDENT
13811 283RD CT NE
DUVALL WA 98019
PHN BR ANX

OWNER/RESIDENT
13811 284TH CT NE
DUVALL WA 98019
PHN BR ANX

OWNER/RESIDENT
13812 283RD CT NE
DUVALL WA 98019
PHN BR ANX

OWNER/RESIDENT
13812 284TH CT NE
DUVALL WA 98019
PHN BR ANX

OWNER/RESIDENT
13815 282ND CT NE
DUVALL WA 98019
PHN BR ANX

OWNER/RESIDENT
13816 282ND CT NE
DUVALL WA 98019
PHN BR ANX

OWNER/RESIDENT
14169 BATTEN RD NE
DUVALL WA 98019
PHN BR ANX

OWNER/RESIDENT
1601 77TH AVE NE
MEDINA WA 98039
PHN BR ANX

OWNER/RESIDENT
18568 DENSMORE N
SEATTLE WA 98133
PHN BR ANX

OWNER/RESIDENT
28227 NE 138TH PL
DUVALL WA 98019
PHN BR ANX

OWNER/RESIDENT
PO BOX 1266
DUVALL WA 98019

PHN BR ANX

OWNER/RESIDENT
PO BOX 1406
DUVALL WA 98019

PHN BR ANX

OWNER/RESIDENT
PO BOX 187
DUVALL WA 98019

PHN BR ANX

OWNER/RESIDENT
PO BOX 238
DUVALL WA 98019

PHN BR ANX

City of Duvall

Small Town. Real Life.

AFFIDAVIT OF INSTALLATION OF MARKERS AND POSTING OF PUBLIC INFORMATION SIGN(S)

RE: Big Rock Annexation

I Anne Wright-Cunniff (print name) understand that UDR 14.08.030 requires me to post the subject property at time of public hearing.

I certify that on 1/24/17 (date), the signs were placed on the subject property at

Sign 1: Parcel(s) 0245 & 0240 & Big Rock Rd (give general location of each marker.)

Sign 2: Parcel 0260 & Big Rock Rd (give general location of each marker.)

Sign 3: City Hall ✓ (give general location of each marker.)

Sign 4: Library ✓ (give general location of each marker.)

Sign 5: Post Office ✓ (give general location of each marker.)

Other Land Use Notices

I certify that on _____ (date), the signs (provided by the City) were placed on the subject property, post office, library, and city hall with the ☐ SEPA Determination, ☐ Planning Commission public meeting ☐ Public Hearing, or ☐ Other Land Use Notice; attached to the face of the signs, at

Sign 1: _____ (give general location of each marker.)

Sign 2: _____ (give general location of each marker.)

Sign 3: City Hall _____ (give general location of each marker.)

Sign 4: Library _____ (give general location of each marker.)

Sign 5: Post Office _____ (give general location of each marker.)

Applicant (or representative) Signature

1.31.17

Date

City of Duvall Planning Department
14525 Main Street – PO Box 1300, Duvall, WA 98019
ph (425) 788-2779
fax (425) 788-8097

City of Duvall

Small Town. Real Life.

CITY OF DUVALL
NOTICE OF PUBLIC HEARINGS

Big Rock Annexation Petition
February 8, 2017 and February 22, 2017

On December 29, 2016 the City of Duvall received a Notice of Intent to Annex Petition Form (10% Petition) from Barry Margolese. The City of Duvall Planning Commission and City Council will each hold a public hearing to consider whether to accept or reject the 10% Petition.

The proposed area for annexation includes three parcels located adjacent to Big Rock Ball Fields totaling 19.47 acres. These parcels are located within the City's Southeast Urban Growth Area and were given the R4 (Residential 4 Units per Acre) land-use designation on the City's Future Land Use Map during the 2015 update of the City's Comprehensive Plan. The subject properties are currently zoned Urban Reserve (1 dwelling unit per 5 acres) under King County's jurisdiction.

Planning Commission: Wednesday, February 8, 2017, at 7:00 PM in the Duvall Visitor Center, 15619 Main Street. Planning Commission may take action after the hearing.

City Council: Tuesday, February 22, 2017, at 7:00 PM at the Riverview School District building, 15510 1st Ave NE. City Council may take action after the public hearing.

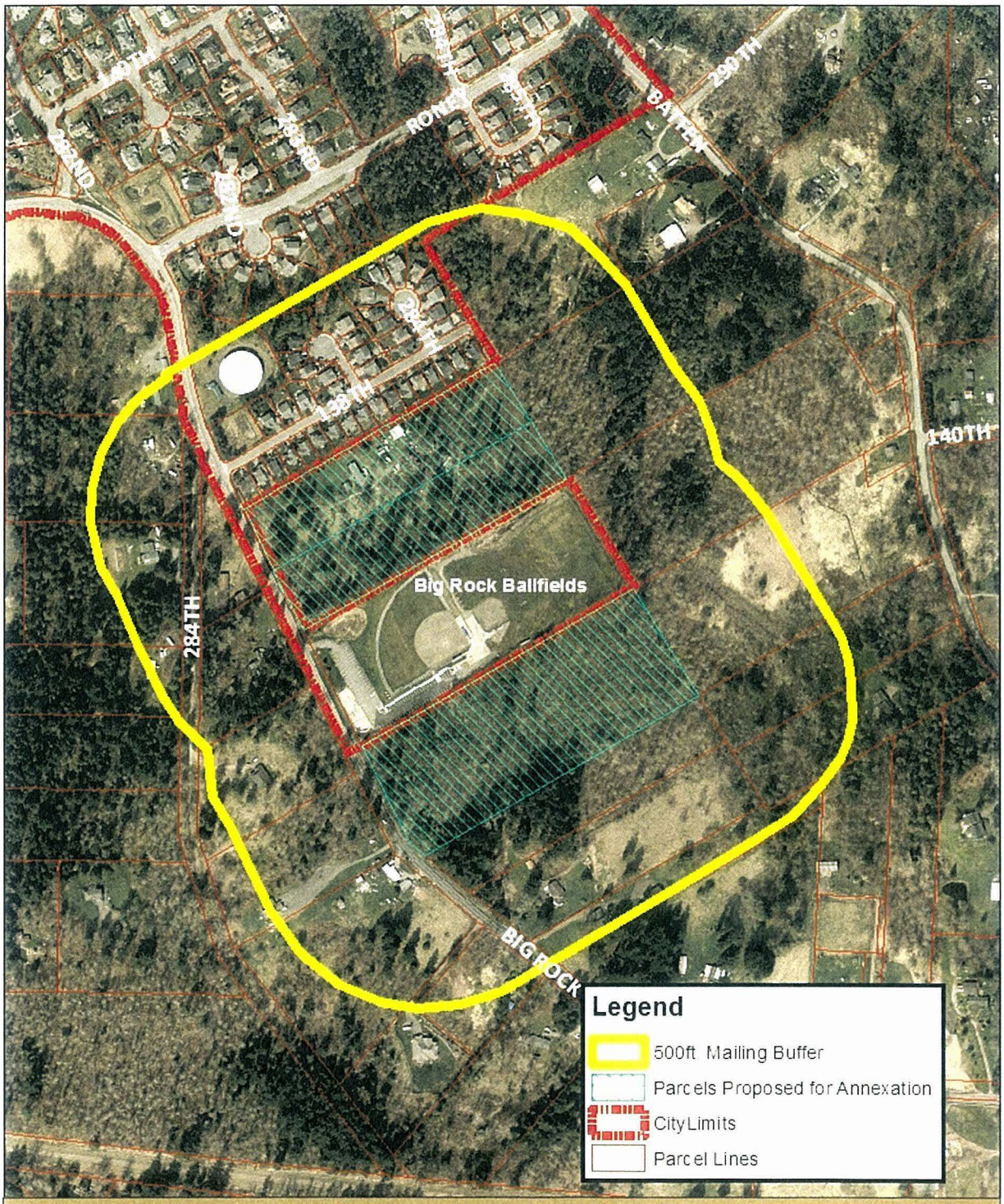
The Planning Commission will take public testimony and make a recommendation to City Council. The City Council will take public testimony and is the decision-maker.

Big Rock Annexation 10% Petition

Applicant: Barry Margolese
105 South Main, Suite 230
Seattle, WA 98104
barry@amalani.com

Project Planner: Troy Davis, Senior Planner
PO Box 1300, Duvall, WA 98019
(425) 788-2779
troy.davis@duvallwa.gov

Copies of all application documents are available for review at City Hall. In addition, a copy of the staff report will be available seven days prior to the Hearing. All interested parties may appear and provide testimony to the above proposal at the Public Hearing. Written comments regarding this proposal will be accepted up to and at the Public Hearing. Comments should be addressed to the Planning Department at the address shown above. **If you have any questions, please e-mail (preferred) or call the Project Planner.**



Proposed Big Rock Annexation Area and 500ft. Mailing Buffer

2017

Created by the City of Duvall October 2016. The City makes no representation or warranty as to the Product's accuracy of location of any map features therein. The City disclaims any warranty of merchantability or warranty for fitness or use for a particular purpose, expressed or implied, with respect to this product. For more information, contact the City of Duvall at 425.788.2434.
Parcel Data provided by permission of King County

0 250 500 Feet

City of Duvall

From: Aaron Booy
To: Lara Thomas; Troy Davis
Cc: Jessica Redman
Subject: FW: Dazey Property
Date: Wednesday, January 18, 2017 3:05:29 PM
Attachments: image001.png

FYI – here is the documentation of our site review with Soundview, back in early October.

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We were really surprised by the significant difference between observed conditions and the previous delineation. I will follow-up with you next week to see what else you might need to close the loop on this.

Thanks, and have a great weekend. –Aaron

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C (425) 293.3159
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City of Duvall, PO Box 1300, Duvall WA 98019
Lara.thomas@duvallwa.gov (425) 788-2779 ext 2

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jeremy@soundviewconsultants.com

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Jeremy, when did you say you were busy next week?

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<image002.jpg>

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Anne Wright-Cunniff

From: Lara Thomas
Sent: Tuesday, February 07, 2017 4:10 PM
To: Anne Wright-Cunniff; Eric Preston; Jim Deal; Margie Coy; Mark Weiss; Michelle Hogg; Richard Winn; Ronn Mercer; Troy Davis
Subject: FW: Big Rock Annexation Public Comment

Public Commnet

Lara Thomas, Planning Director
City of Duvall, PO Box 1300, Duvall WA 98019
Lara.thomas@duvallwa.gov (425) 788-2779 ext 2

From: Amy Ockerlander
Sent: Tuesday, February 7, 2017 2:33 PM
To: Matthew Morton <matthew.morton@duvallwa.gov>; Lara Thomas <lara.thomas@duvallwa.gov>
Subject: Fwd: Big Rock Annexation Public Comment

Sent from my Verizon 4G LTE smartphone

-------- Original message --------
From: Amy McHenry <amymchenry@hotmail.com>
Date: 2/7/17 2:25 PM (GMT-08:00)
To: Will Ibershof <will.ibershof@duvallwa.gov>, Amy Ockerlander <amy.ockerlander@duvallwa.gov>, Dianne Brudnicki <dianne.brudnicki@duvallwa.gov>, Leroy Collinwood <leroy.collinwood@duvallwa.gov>, Scott Thomas <scott.thomas@duvallwa.gov>, Jason Walker <jason.walker@duvallwa.gov>, Becky Nixon <becky.nixon@duvallwa.gov>
Subject: Big Rock Annexation Public Comment

Dear Mayor and City Councilmembers,

I am writing in regards to the Big Rock Annexation Petition. I am asking you to reject this petition and work towards a new petition that provides the City of Duvall with a significant benefit. To state plainly, I do not think the proposed petition provides a significant benefit to the City.

I used to live right across the street from East Sammamish Park, a beautiful 19 acre multi use park. It has sport fields, BBQ grills, a picnic shelter, permanent restroom facility, play structures and a nice trail system. This park is closed in by the golf course to it's North, an elementary school and private preschool to the East and development to the West and South. Sammamish used to be the rural area of the plateau, and as I'm sure you

know now is highly developed with more in the pipeline. Last Fall for a bit of nostalgia my family visited this park again. There wasn't even a game going on and the large parking lot was full and street parking overrun. That would have been typical for a game day when we lived there five years ago, but this was not. No doubt the increase in park usage is related to the huge population and development boom in Sammamish. Where I'm going with this and asking you all, as representatives of Duvall citizens, to consider is that approving this petition and permanently closing in the Big Rock Sports Park, will mean it can never become larger than it is. Big Rock Sports park is already a highly used park, even before the improvements that are coming with the approval of Prop 1. We will see an increase in use once this park is improved. And if this petition is approved I know that it will someday be like East Sammamish Park...beautiful, but difficult to enjoy because it is limited by it's parking and in an area that has been overdeveloped without providing adequate parks and field space to other parts of the City.

I love the idea of a dog park, of additional play structure space and some of the ideas in this petition. But these will not have the intended benefit to the City if it is closed in by housing developments. Is there a way we can designate these properties for future park expansion? Having more field space (of course within reason of any environmental impacts due to critical areas on the property), parking and open space, I believe, will provide a much larger benefit to the City than more housing units on both sides.

What other areas or properties in Duvall can be turned into sport fields or parks? I would love to hear about how we will provide more park space to our community. As for right now, the property on both sides of Big Rock Park seems to provide a unique opportunity to be proactive about a problem we are actively seeing in other communities. We have a chance to reach beyond what has already been done in every other town. How will the families that move into these proposed neighborhoods feel when all of their street parking is taken as overflow parking every time there are games at Big Rock Park? Did the designers of East Sammamish Park fathom a day when the large sized parking lot wouldn't be enough for park users on a non game day? I know it may seem like the additional parking will be plenty. But if more large parks with fields and parking aren't added along with new developments and annexations, then this would-be benefit will be lost.

I have seen this before. I am asking you to please reject this petition and develop a plan that will benefit the City in the long term, not just the short term.

Thank you for your time reading my comments and thank you for all that you do.

Respectfully,

Amy McHenry
14208 284th PL NE
Duvall, WA 98019
425.516.1131

Anne Wright-Cunniff

From: Lara Thomas
Sent: Monday, February 06, 2017 2:06 PM
To: Jennifer Knaplund
Cc: Troy Davis
Subject: FW: Big Rock Annexation: Dazey Property - wetland questions
Attachments: Big Rock Annexation_Wetland Reconn review letter_20170201.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Jennifer,

This is the email the City received from ESA our peer review consultant. They also did the technical work for the Watershed Plan and the Comp Plan EIS. The City was surprised that the Dazey property did not have and identified wetlands on site. To qualify as a wetland a wetland specialist looks for soil, vegetation, and hydrology. When the Watershed Plan was going through technical analysis they utilized LIDAR, county data (topo) and NWI maps. They are approximates and when projects come in we verify the information with on the ground work. The UGAR and NUGA are locations that we don't have a robust amount of technical information. The WPM site does have a small wetland on the parcel. We have had that peer reviewed as well. The consultant has recommended a higher classification for the on-site wetland (Class III vs Class IV). If the city and applicant cannot agree on a determination we offer to bring in the Department of Ecology. As a citizen you can make that request of the City if you think the documentation needs further scrutiny. I also attached the WPM peer review document. Usually at this stage of an annexation the City has not verified sensitive areas but in the case the City felt it was important given our sensitive area and watershed maps. Usually the information would be submitted as part of the 50% petition and pre-annexation agreement. Let me know if you have additional questions on this issues.

Thank you,

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Lara.thomas@duvallwa.gov (425) 788-2779 ext 2

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Anne Wright-Cunniff

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From: Amy McHenry <amymchenry@hotmail.com>
Date: 2/7/17 2:25 PM (GMT-08:00)
To: Will Ibershof <will.ibershof@duvallwa.gov>, Amy Ockerlander <amy.ockerlander@duvallwa.gov>, Dianne Brudnicki <dianne.brudnicki@duvallwa.gov>, Leroy Collinwood <leroy.collinwood@duvallwa.gov>, Scott Thomas <scott.thomas@duvallwa.gov>, Jason Walker <jason.walker@duvallwa.gov>, Becky Nixon <becky.nixon@duvallwa.gov>
Subject: Big Rock Annexation Public Comment

Dear Mayor and City Councilmembers,

I am writing in regards to the Big Rock Annexation Petition. I am asking you to reject this petition and work towards a new petition that provides the City of Duvall with a significant benefit. To state plainly, I do not think the proposed petition provides a significant benefit to the City.

I used to live right across the street from East Sammamish Park, a beautiful 19 acre multi use park. It has sport fields, BBQ grills, a picnic shelter, permanent restroom facility, play structures and a nice trail system. This park is closed in by the golf course to it's North, an elementary school and private preschool to the East and development to the West and South. Sammamish used to be the rural area of the plateau, and as I'm sure you

know now is highly developed with more in the pipeline. Last Fall for a bit of nostalgia my family visited this park again. There wasn't even a game going on and the large parking lot was full and street parking overrun. That would have been typical for a game day when we lived there five years ago, but this was not. No doubt the increase in park usage is related to the huge population and development boom in Sammamish. Where I'm going with this and asking you all, as representatives of Duvall citizens, to consider is that approving this petition and permanently closing in the Big Rock Sports Park, will mean it can never become larger than it is. Big Rock Sports park is already a highly used park, even before the improvements that are coming with the approval of Prop 1. We will see an increase in use once this park is improved. And if this petition is approved I know that it will someday be like East Sammamish Park...beautiful, but difficult to enjoy because it is limited by it's parking and in an area that has been overdeveloped without providing adequate parks and field space to other parts of the City.

I love the idea of a dog park, of additional play structure space and some of the ideas in this petition. But these will not have the intended benefit to the City if it is closed in by housing developments. Is there a way we can designate these properties for future park expansion? Having more field space (of course within reason of any environmental impacts due to critical areas on the property), parking and open space, I believe, will provide a much larger benefit to the City than more housing units on both sides.

What other areas or properties in Duvall can be turned into sport fields or parks? I would love to hear about how we will provide more park space to our community. As for right now, the property on both sides of Big Rock Park seems to provide a unique opportunity to be proactive about a problem we are actively seeing in other communities. We have a chance to reach beyond what has already been done in every other town. How will the families that move into these proposed neighborhoods feel when all of their street parking is taken as overflow parking every time there are games at Big Rock Park? Did the designers of East Sammamish Park fathom a day when the large sized parking lot wouldn't be enough for park users on a non game day? I know it may seem like the additional parking will be plenty. But if more large parks with fields and parking aren't added along with new developments and annexations, then this would-be benefit will be lost.

I have seen this before. I am asking you to please reject this petition and develop a plan that will benefit the City in the long term, not just the short term.

Thank you for your time reading my comments and thank you for all that you do.

Respectfully,

Amy McHenry
14208 284th PL NE
Duvall, WA 98019
425.516.1131

Anne Wright-Cunniff

From: Lara Thomas
Sent: Tuesday, February 07, 2017 4:10 PM
To: Anne Wright-Cunniff; Eric Preston; Jim Deal; Margie Coy; Mark Weiss; Michelle Hogg; Richard Winn; Ronn Mercer; Troy Davis
Subject: FW: Big Rock Annexation

Public comments

Lara Thomas, Planning Director
City of Duvall, PO Box 1300, Duvall WA 98019
Lara.thomas@duvallwa.gov (425) 788-2779 ext 2

From: Amy Ockerlander
Sent: Tuesday, February 7, 2017 2:37 PM
To: Lara Thomas <lara.thomas@duvallwa.gov>; Matthew Morton <matthew.morton@duvallwa.gov>
Subject: Fwd: Big Rock Annexation

Sent from my Verizon 4G LTE smartphone

-------- Original message --------
From: Jennifer K <jenkna@frontier.com>
Date: 2/7/17 2:28 PM (GMT-08:00)
To: Amy Ockerlander <amy.ockerlander@duvallwa.gov>, Dianne Brudnicki <dianne.brudnicki@duvallwa.gov>, Becky Nixon <becky.nixon@duvallwa.gov>, Jason Walker <jason.walker@duvallwa.gov>
Subject: Big Rock Annexation

Councilmembers Brudnicki, Ockerlander, Nixon and Walker,

I am very concerned about the possible annexation of the properties bordering Big Rock Ball Park. I believe you shared the concern of the R4 predesignation and were keenly aware of the potential to lose leverage toward getting a significant park out of the annexation. All four of you voted FOR "removing the parcel from the UGA to become part of the UGAR" and REJECTED the option to"Predesignate the parcel to R4 and work with the applicant on a pre-annexation agreement". I am extremely upset that the direction from you, the City Council, was disregarded and the option you all REJECTED is what the City went ahead and did. Please salvage this opportunity to expand Big Rock Ball Park in a meaningful way. To annex an additional 20 acres of land for residential housing (when we are already FAR exceeding our need for residential housing) and only end up with a parking lot and a tiny dog park - this is a tragedy. I would ask that you reject the Intent to Annex Petition and work towards a better outcome for residents.

Please take a look at the following meeting minutes:

http://www.duvallwa.gov/AgendaCenter/ViewFile/Minutes/_11032015-300

Consider listening to your own comments within the discussion that begins at approximately 35 minutes into the audio recording from the meeting.

Specifically this section:

5. Southeast Urban Growth Area – Public Facilities Pre Zone discussion
Lara Thomas, Planning Director, reviewed the Future Land Use Map (FLUM) that was approved by Council. Ms. Thomas said that the owner of one of the parcels in the Southeast Urban Growth Area (SEUGA) asked to explain why they wanted to request that their property be zoned back to R4 (4 residential units per acre) instead of Public Facility and met with the Land Use Committee to give that explanation. Ms. Thomas said the Land Use Committee is supportive of the request to zone the parcel R4 with the understanding that there would be a pre-annexation agreement and the City would not annex the property if the agreement was unsatisfactory. Ms. Thomas explained that Council has three options: 1. Maintain the FLUM as is; **2. Remove the parcel from the Urban Growth Area to become part of the Urban Growth Area Reserve;** and 3. Pre-designate the parcel to R4 and work with the applicant on a pre-annexation agreement. After further discussion, **there was Council consensus to go with option 2. (option 2 – Nixon, Ockerlander, Brudnicki, Walker**; option 3 – Thomas, Collinwood; undecided – Gill)

Thank you, Jennifer Knaplund

Anne Wright-Cunniff

From: Lara Thomas
Sent: Wednesday, January 25, 2017 4:31 PM
To: Troy Davis; Anne Wright-Cunniff
Subject: FW: I won't be able to make tonight Planning Commission meeting

Follow Up Flag: Follow up
Flag Status: Flagged

Place under comments.

Lara Thomas, Planning Director
City of Duvall, PO Box 1300, Duvall WA 98019
Lara.thomas@duvallwa.gov (425) 788-2779 ext 2

From: Lara Thomas
Sent: Wednesday, January 25, 2017 4:27 PM
To: Jim Deal <jim.deal@duvallwa.gov>
Subject: RE: I won't be able to make tonight Planning Commission meeting

Jim,

The south parcel is 9.76 acres prior to dedication of land. 9.76 * 4 = 39 units (gross). The city will be looking at a net approach to remove sensitive area and buffers. They have an approximately 2,500 square foot wetland on site that they will likely propose to fill. ESA is currently looking at the wetland report (they were on site today). Let me know if you have any questions.

Lara

Lara Thomas, Planning Director
City of Duvall, PO Box 1300, Duvall WA 98019
Lara.thomas@duvallwa.gov (425) 788-2779 ext 2

From: Jim Deal
Sent: Wednesday, January 25, 2017 4:13 PM
To: Lara Thomas <lara.thomas@duvallwa.gov>; Anne Wright-Cunniff <Anne.Wright-Cunniff@duvallwa.gov>
Cc: Richard Winn <richard.winn@duvallwa.gov>; Ronn Mercer <ronn.mercer@duvallwa.gov>; Margie Coy <Margie.Coy@duvallwa.gov>; Eric Preston <eric.preston@duvallwa.gov>
Subject: I won't be able to make tonight Planning Commission meeting

Unfortunately I have the bug that's going around and I just can't shake it.

I've looked over the package materials for the meeting, and the only question I have is for the 7 acre (actually something like 6.86) development to the south of the Ballpark. They are putting in 33 homes. Is this not exceeding the limit for an R4 designation?

Apologies for no being able to attend tonight.

Let me know if there is anything I can make up.

-Jim

Anne Wright-Cunniff

From: Lara Thomas
Sent: Tuesday, February 07, 2017 4:10 PM
To: Anne Wright-Cunniff; Eric Preston; Jim Deal; Margie Coy; Mark Weiss; Michelle Hogg; Richard Winn; Ronn Mercer; Troy Davis
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Public comments

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Thank you, Jennifer Knaplund

Troy Davis

From: Lara Thomas
Sent: Sunday, February 05, 2017 7:24 PM
To: Jennifer K
Cc: Troy Davis
Subject: Re: Big Rock Annexation Public Comment

Follow Up Flag: Follow up
Flag Status: Flagged

Jennifer,
We will correct the sub-basin issue at the public hearing and send out an updated staff report on Monday. We had corrected the memo but not the staff report. I will respond to your other questions on Monday.

Thank you,
Lara

From: Jennifer K <jenkna@frontier.com>
Sent: Sunday, February 5, 2017 6:10:43 PM
To: Lara Thomas
Subject: Big Rock Annexation Public Comment

Please accept this e-mail as public comment to the Big Rock Notice of Intent to Annex.

I would like to bring it to your attention that the Staff Report related to this petition contains grossly incorrect information that is critical to the decision making process. I would like a correction sent to all recipients of the Staff Report and for it to include an evaluation of the implications of the corrected designation.

Take a look at this excerpt from the staff report:

- Big Rock Road street widening along Park frontage to include bike lane, parking, planter strip, and sidewalk
- Existing stormwater pond and swale enlargements
- New emergency vehicle access connection between park and Big Rock Road, mid-block connection through future plat access roadway and cul-de-sac turn-around

Parcel 2129700245 and 2129700240 propose a 24' (min.) wildlife habitat corridor as described in the City of Duvall 2015 Comprehensive Plan. The corridor proposed will extend across the property east and west and be located adjacent to the park boundary.

The development plan for both of the parcels adjoining the ballfield includes, in addition to the above, retention of significant clusters of trees and enlargement of existing stormwater ponds to avoid the use of stormwater

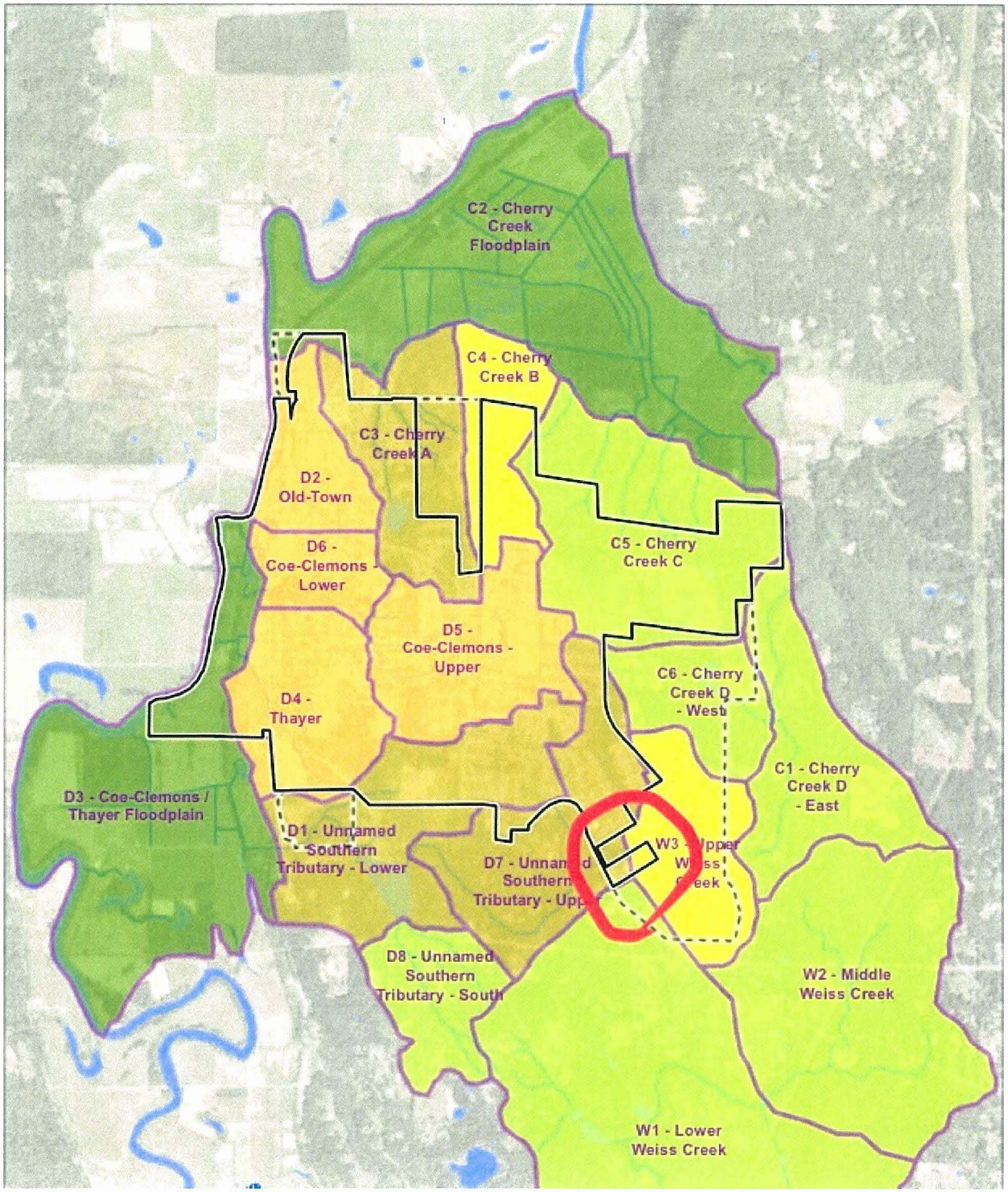
The City of Duvall's Watershed Plan designates the properties as being within the "D7 – Unnamed Southern Tributary – Upper" basin with a Group 2C designation, the lowest conservation designation. This designation is for subbasins where more intense development is appropriate, with focused protection of remaining important areas. The City of Duvall's Comprehensive Plan designates the properties as being within the "Southeast Urban [illegible]wth Area - The Southeast UGA contains approximately 20 acres, near Big Rock Ball Fields and has a future [illegible] use des[illegible]". The three parcels as part of this annexation encompa[illegible]e entire southeast UGA.

In accordance with the Future Land Use Map and the R4 Residential zoning per Duvall's Municipal Code, single-family residential homes are intended to be constructed on the subject parcels once annexed into the City of Duvall. The properties will respect the intended use, zoning, density and City of Duvall vision as it's prescribed in the comprehensive plan while complementing and adding to the City of Duvall's planned park improvements.

DAZEY BIG ROCK
EXHIBIT B - VICINITY MAP

The report specifies that the annexation area is within the D7 area designated 2C - the lowest conservation. This is false. Take a look at the following map from the Watershed Plan that is included in the staff report:

●●●●○ Verizon 9:15 AM 74%
duvallwa.gov



Note that only a very small portion of the annexation area is in the 2C - lowest conservation area and most of the area (at least 75%) is in 2A - highest conservation and 2B - moderate conservation designation. This is a significant error.

See below for the Watershed Plan description of these designations:

●●●○○ Verizon 5:46 PM 94%
duvallwa.gov

2.3 Subbasin Management Group Framework

Subbasins are ranked based on the relative importance of their watershed process to the overall watershed, and on the extent of degradation these processes have sustained as a result of past human practices (e.g., converting forested lands to impervious surfaces). The subbasins are ranked according to the following five Subbasin Management Groups (see Figure 2-5):

Management Group 1 – Protect / Restore

- Applies to Snoqualmie River/Cherry Creek floodplains (PAUs C2 and D3).
- Assigned to subbasins that are of highest importance to multiple watershec and are a high priority for protection and restoration.

Management Group 2A – Highest Conservation

- Applies to six subbasins along east and south edges of the city (PAUs C5, C6 C1, W2, W1, and D8).
- Assigned to subbasins that are the highest priority for conservation and are likely not appropriate for much additional development. Assessment result show moderate importance to multiple watershed processes that are also highly intact.

Management Group 2B – Moderate Conservation

- Applies to Cherry Creek B (PAU C4) and Upper Weis Creek (PAU W3).
- Assigned to subbasins that may be appropriate for some additional development, but also require protection of areas important for remaining watershed processes.

Management Group 2C – Lowest Conservation

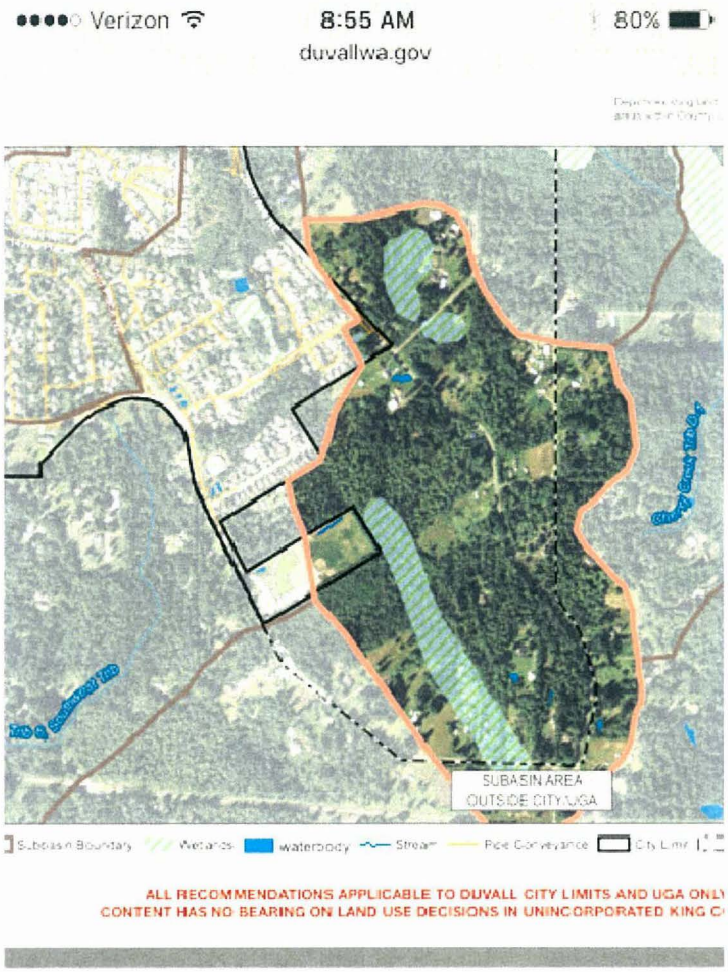
- Applies to three subbasins including North urban growth area (PAU C3) an southeast City / South urban growth area (PAUs D1 and D7).
- Assigned to subbasins where more intense development is appropriate. Th remaining resources and areas important to watershed processes would

The Watershed Plan specifies that these areas are either "not appropriate for much additional development" or "may be appropriate for some development". The proposed development for the annexed area is in obvious disagreement with Watershed Plan.

I am also disappointed to discover the memorandum of understanding (MOU) entered into by the city in February 2016 specified they would give a MINIMUM density of R-4. It is my understanding that R-4 mandates a MAXIMUM density and does not require a MINIMUM density. This agreement seems to go beyond what our code specifies and is not in the best interest of the city considering the designation of the annexation area.

I was also verbally told that the developer was going to be responsible for the improvements to the park area (I.e actually build/pay for the parking lot and park features). I am not seeing this in any of the Big Rock annexation documents.

In addition, the Watershed Plan specifies that development should be far away from wetlands and to avoid forested areas. It is clear that this is not being followed:



I also noticed this memo (see below) concerning wetlands present on or near the annexation area. It mentions that a previously identified wetland to the north was no longer present. It is not clear what wetland they are referring to, but if they are referring to the very large wetland that borders Big Rock ballpark and the southernmost annexation property, it seems highly unlikely and unusual for such a large wetland to suddenly disappear - especially considering the saturation of soil in the soccer fields at that northeastern end of Big Rock park. In my recollection that end of the park has large sections under water and swampy much of the year.

Picture of memo and wetlands under dispute below:

Exhibit 19

Soundview Consultants

2907 Harborview Drive, Suite D
Gig Harbor, Washington 98335

December 9, 20

Barry Margolese
Amalani LLC
105 South Main St., Suite 230
Seattle, WA 98104

Re: Amalani Big Rock Road NE Big Rock Rd.
Duvall, WA 98019

Parcel #: 2129700260

Dear Barry,

Soundview Consultants (SVC) has been assisting Amalani LLC (Client) with a wetland ar fish and wildlife delineation and habitat assessment, preliminary planning, and feasibili analysis for the future development of a 9.76-acre site as a single-family residential plat (NE Big Rock Road, Duvall, WA 98019 (King County Parcel 2129700260). The followi information represents our preliminary findings and reconnaissance.

On July 5, 2016, Principal Scientist Jeremy Downs from SVC performed a si reconnaissance and identified one wetland near the center of the site and confirmed th no other wetlands are on or adjacent to the site. On September 12, 2016, Wetlar Scientists Emily Swaim from SVC and Senior Environmental Planner Jon Pickett fro SVC delineated and assessed the on-site wetland (Wetland A) and confirmed that t previously identified (King County iMap, 2016) off-site wetland was not present to t north per Duvall Municipal Code (DMC) 14.142.230 B(4). On September 15, 201 Wetland Scientists Emily Swaim from SVC and Principal Scientist Jeremy Downs al evaluated a nearby site with the City's third-party consultant, ESA. Only one on-si wetland was delineated and no off-site wetlands or critical area were found to be present

Wetland A was professionally surveyed and is approximately 2,226 square feet (0.05 acre

●●●●○ Verizon 11:31 AM 50%

gismaps.kingcounty.gov

Notice that the site survey for this determination was made in mid-September (the driest time of the year). I also saw it noted that the analyst did not go onsite (since they did not have permission from the property owner) to investigate and only viewed from a distance the vegetation and made a determination from afar. This wetland would further necessitate buffers that could impact the proposed number of lots and the layout of the development.

I also want to point out that the proposed "Code Updates are slated to include a change to the density calculations. Note that a significant portion of the lot is likely unbuildable due to an wetland identified on the southernmost property as well as likely wetlands buffers due to a wetland adjacent to the property and preservation of forested areas requirement. In accordance with net density, much of the land should not be used as square footage toward calculating the lots allowed under R-4 zoning.

I am also still trying to figure out how the pre-designation of R 4-4.5 was given to the southernmost lot. I attended the planning meeting where this possible annexation was discussed in regards to updating the zoning and future land use maps as part of the Comprehensive Plan Update. It was very clear that the planning commission recommended that the lot be given a parks designation, not a residential designation. It was also my understanding that the entire southern lot was likely to be used to expand Big Rock Ballpark, at not just "up to 3 acres" as specified in the MOU. Up to 3 acres could also end up being zero acres and does not seem like a good deal for the residents of the City and not what was communicated.

I also notice in the northernmost properties, that the development will utilize and expand stormwater retention facilities located on city property. I would like to understand how the city is being compensated for that benefit. In addition, I see that the northernmost annexation property specifies they have a wildlife corridor along the border with the ball park. It is unclear how this is possible when I view the development plan and do not see a feasible wildlife corridor in the drawing.

In a letter requesting the annexation, the parties involved specifically mentioned that the city would benefit from the annexation by being able to expand Big Rock Ballpark in BOTH directions. I am not seeing this as part of any agreements.

In conclusion, at a minimum, the southernmost property should have reduced residential units to ensure reconciliation with the Watershed Plan and "Code Updates" and preferably be entirely designated as parks space. Our City is significantly behind in parks space and this adjacent land once developed residential will be forever gone. I would rather our City save up the funds to purchase this land if necessary. It is located on a main arterial and would be well utilized by residents. I also feel that the northernmost property needs to compensate for the stormwater retention ponds it is utilizing on public land and provide a useable wildlife corridor and parks expansion for Big Rock Ballpark.

Thank you for your time,
Jennifer Knaplund
28320 NE 147th Court
Duvall, WA 98019

Anne Wright-Cunniff

From: Lara Thomas
Sent: Sunday, February 05, 2017 7:24 PM
To: Jennifer K
Cc: Troy Davis
Subject: Re: Big Rock Annexation Public Comment

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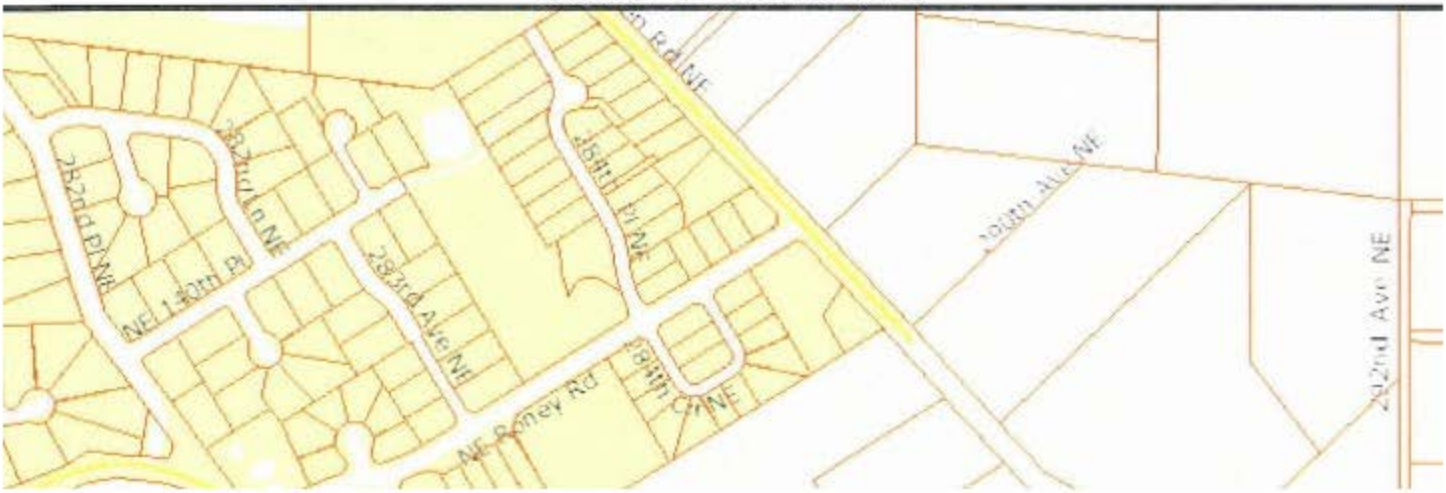

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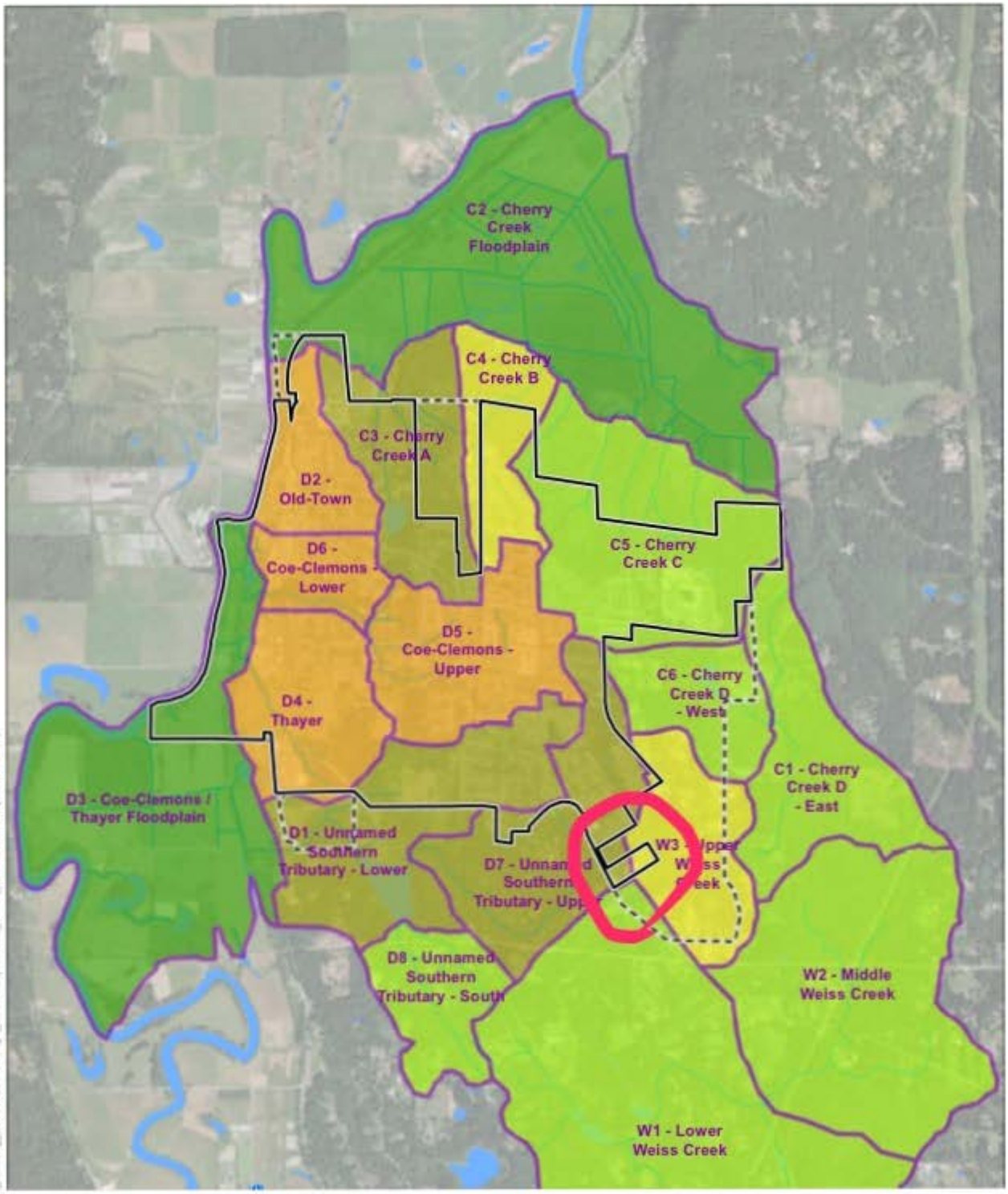

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I was also verbally told that the developer was going to be responsible for the improvements to the park area (I.e actually build/pay for the parking lot and park features). I am not seeing this in any of the Big Rock annexation documents.

In addition, the Watershed Plan specifies that development should be far away from wetlands and to avoid forested areas. It is clear that this is not being followed:

I also noticed this memo (see below) concerning wetlands present on or near the annexation area. It mentions that a previously identified wetland to the north was no longer present. It is not clear what wetland they are referring to, but if they are referring to the very large wetland that borders Big Rock ballpark and the southernmost annexation property, it seems highly unlikely and unusual for such a large wetland to suddenly disappear - especially considering the saturation of soil in the soccer fields at that northeastern end of Big Rock park. In my recollection that end of the park has large sections under water and swampy much of the year.

Picture of memo and wetlands under dispute below:

Exhibit 19

Soundview Consultants
Environmental Assessment • Planning • Land Use Solutions
2907 Harborview Drive, Suite D
Gig Harbor, Washington 98335

December 9, 20

Barry Margolese
Amalani LLC
105 South Main St., Suite 230
Seattle, WA 98104

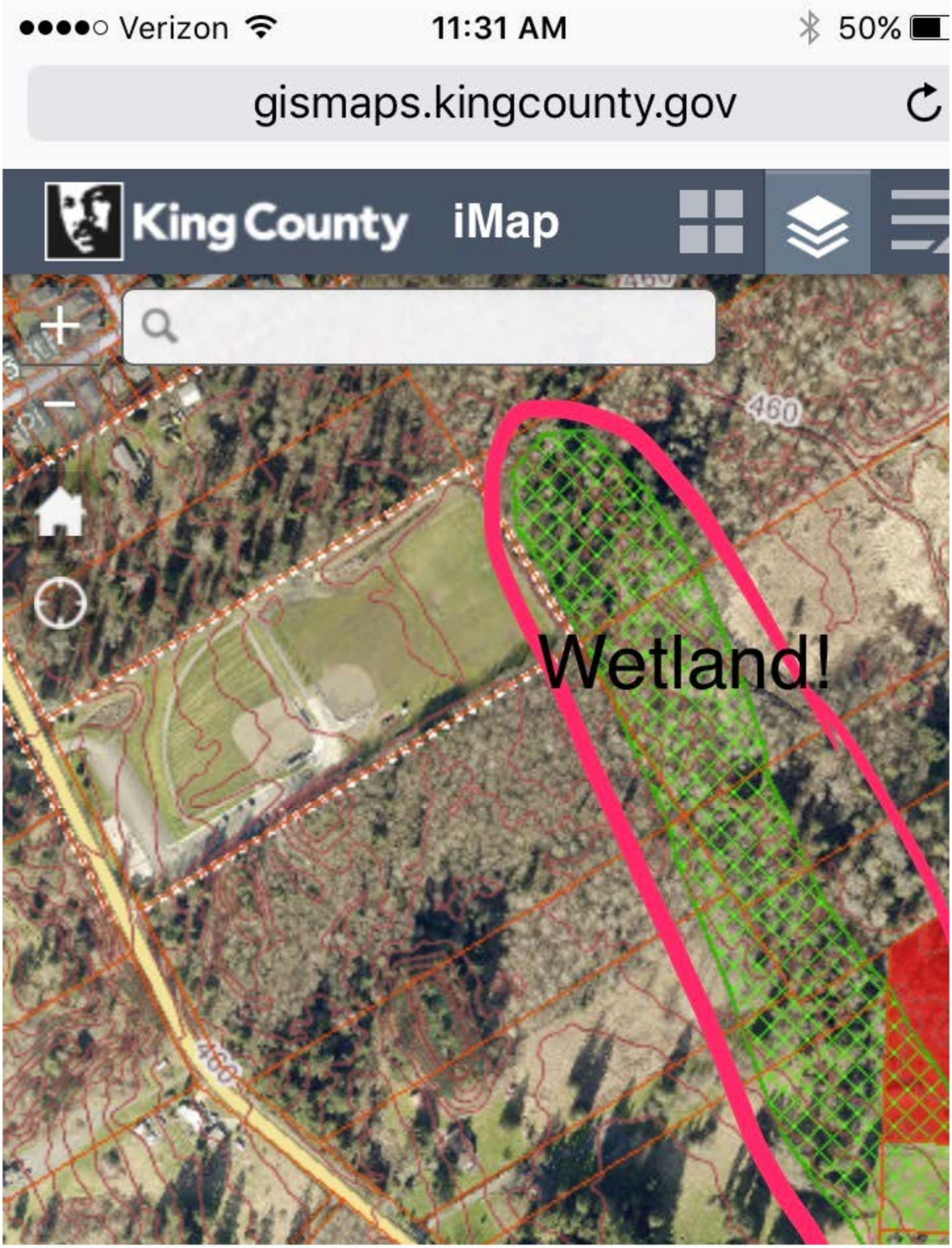
Re: Amalani Big Rock Road NE Big Rock Rd. Parcel #: 2129700260
Duvall, WA 98019

Dear Barry,

Soundview Consultants (SVC) has been assisting Amalani LLC (Client) with a wetland ar fish and wildlife delineation and habitat assessment, preliminary planning, and feasibili analysis for the future development of a 9.76-acre site as a single-family residential plat NE Big Rock Road, Duvall, WA 98019 (King County Parcel 2129700260). The followi information represents our preliminary findings and reconnaissance.

On July 5, 2016, Principal Scientist Jeremy Downs from SVC performed a si reconnaissance and identified one wetland near the center of the site and confirmed th no other wetlands are on or adjacent to the site. On September 12, 2016, Wetlan Scientists Emily Swaim from SVC and Senior Environmental Planner Jon Pickett fro SVC delineated and assessed the on-site wetland (Wetland A) and confirmed that t previously identified (King County iMap, 2016) off-site wetland was not present to t north per Duvall Municipal Code (DMC) 14.142.230 B(4). On September 15, 201 Wetland Scientists Emily Swaim from SVC and Principal Scientist Jeremy Downs al evaluated a nearby site with the City's third-party consultant, ESA. Only one on-si wetland was delineated and no off-site wetlands or critical area were found to be present.

Wetland A was professionally surveyed and is approximately 2,226 square feet (0.05 acre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gismaps.kingcounty.gov
King County
iMap
460
Wetland!

Notice that the site survey for this determination was made in mid-September (the driest time of the year). I also saw it noted that the analyst did not go onsite (since they did not have permission from the property owner) to investigate and only viewed from a distance the vegetation and made a determination from afar. This wetland would further necessitate buffers that could impact the proposed number of lots and the layout of the development.

I also want to point out that the proposed "Code Updates are slated to include a change to the density calculations. Note that a significant portion of the lot is likely unbuildable due to an wetland identified on the southernmost property as well as likely wetlands buffers due to a wetland adjacent to the property and preservation of forested areas requirement. In accordance with net density, much of the land should not be used as square footage toward calculating the lots allowed under R-4 zoning.

I am also still trying to figure out how the pre-designation of R 4-4.5 was given to the southernmost lot. I attended the planning meeting where this possible annexation was discussed in regards to updating the zoning and future land use maps as part of the Comprehensive Plan Update. It was very clear that the planning commission recommended that the lot be given a parks designation, not a residential designation. It was also my understanding that the entire southern lot was likely to be used to expand Big Rock Ballpark, at not just "up to 3 acres" as specified in the MOU. Up to 3 acres could also end up being zero acres and does not seem like a good deal for the residents of the City and not what was communicated.

I also notice in the northernmost properties, that the development will utilize and expand stormwater retention facilities located on city property. I would like to understand how the city is being compensated for that benefit. In addition, I see that the northernmost annexation property specifies they have a wildlife corridor along the border with the ball park. It is unclear how this is possible when I view the development plan and do not see a feasible wildlife corridor in the drawing.

In a letter requesting the annexation, the parties involved specifically mentioned that the city would benefit from the annexation by being able to expand Big Rock Ballpark in BOTH directions. I am not seeing this as part of any agreements.

In conclusion, at a minimum, the southernmost property should have reduced residential units to ensure reconciliation with the Watershed Plan and "Code Updates" and preferably be entirely designated as parks space. Our City is significantly behind in parks space and this adjacent land once developed residential will be forever gone. I would rather our City save up the funds to purchase this land if necessary. It is located on a main arterial and would be well utilized by residents. I also feel that the northernmost property needs to compensate for the stormwater retention ponds it is utilizing on public land and provide a useable wildlife corridor and parks expansion for Big Rock Ballpark.

Thank you for your time,
Jennifer Knaplund
28320 NE 147th Court
Duvall, WA 98019

City of Duvall

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To: Planning Commission

From: Troy Davis, Senior Planner

Date: February 8, 2017

Re: Summary of 2/8/17 Council Workshop

The City Council held a workshop regarding the Notice of Intent to Annex petition submitted by applicant Barry Margolese. The applicant presented their proposal to the Council, noting the proposed residential developments, infrastructure improvements and park improvements to Big Rock Ballfields, including the dedication of three acres of land to the park.

Council members expressed the following concern/comments regarding the annexation:

1. The annexation proposal was not consistent with the community's vision for an expanded park as outlined in the City's Parks, Trails, and Open Space plan.
2. Policies stated in the City's Comprehensive Plan, Watershed Plan, and Parks, Trails, and Open Space Plan need to be implanted by code prior to annexation.
3. Current work load of city staff including policy update to implement the 2015 Comprehensive Plan, Watershed Plan, current development applications, etc.
4. That the City is being backed into a corner since the city isn't able to implement city policies quickly enough for the applicant and that if they don't meet the demands of the applicant in a timely manner that the City will lose out on the dedication of land from the WPM property owner.
5. The community is hesitant about adding more growth to what is already in the pipeline.
6. The intensity of the development (number of proposed housing units) may be higher than it should be (gross density vs net density).
7. Is the zoning pre-designation appropriate?.
8. What is the time line of the project and why now?

The applicant responded that they are working under the provisions outlined in the Memorandum of Understanding signed between the City and owners of the WPM property which require timely action unless otherwise agreed upon between the two parties. The applicant also expressed a willingness to design the developments in accordance with city policies even with the absence of implementing development regulations. It was stated that the annexation was necessary because of the unique public benefits that would be provided such as the expansion of Big Rock Park and associated improvements such as additional parking, trails, and dog park.

Six community members shared their concerns during the public comment section of the City Council Meeting. Concerns included sewer capacity, regional transportation impacts and increased

commute times, Riverview School District Capacity, Seattle Times growth article (small city growing quickly), the elevation change/drainage issues between the Dazey property and the Big Rock Ridge neighborhood, loss of privacy, lot sizes, the proposed park space (size of dedication) and amenities don't match the scope of the Park, Trails, and Open Space Plan.

While the City did not take a consensus vote the Council is leaning (3-2) toward not moving the 10% petition forward but want to have the missing Council member weigh in at the next City Council Meeting.

NAVIX
SITE | CIVIL

11400 s.e. 8th street, suite 345
bellevue, wa 98004
navixeng.com

t 425.453.9501
f 425.453.8208
e info@navixeng.com

Exhibit 26

Memo

To: City of Duvall
From: Tyson Wentz, P.E.
CC: Barry Margolese
Date: February 14, 2017

Subject: Big Rock Annex – WPM Property Downstream Path

The downstream stormwater path of Tax Parcel No. 2129700260 within the Big Rock Annex (ANX16-002) was reviewed during the preparation of the Annexation 10% Petition effort. While the City of Duvall 2015 Watershed Plan appears to indicate that the subject property lies within two Watershed basins (W-1 and W-3), a more detailed review of area topographic information indicates the surface water runoff from property is maintained within the D7 basin.

Navix Engineering reviewed Lidar contours, aerial maps, Big Rock Park improvement plans and drainage report, and the project's topographic and boundary survey to determine the existing natural drainage path for surface water runoff. Surface water runoff from the subject property appears to be split into two sub-basins; the western half of the property flowing in a northwestern direction and the eastern half of the property flowing in a northeastern direction after leaving the property. Based on the review of available topographic information referenced above, runoff from these two sub-basins converge within ¼-mile of the proposed stormwater ponds noted on the Site Plans included in ANX16-002.

West Sub-Basin
The west sub-basin is tributary to Big Rock Road's eastern edge roadside ditch. The roadside ditch contains several culverts and a 24" conveyance pipe system that travels in a northerly direction until combining with the east sub-basin flows near the *City of Duvall's municipal* water tank.

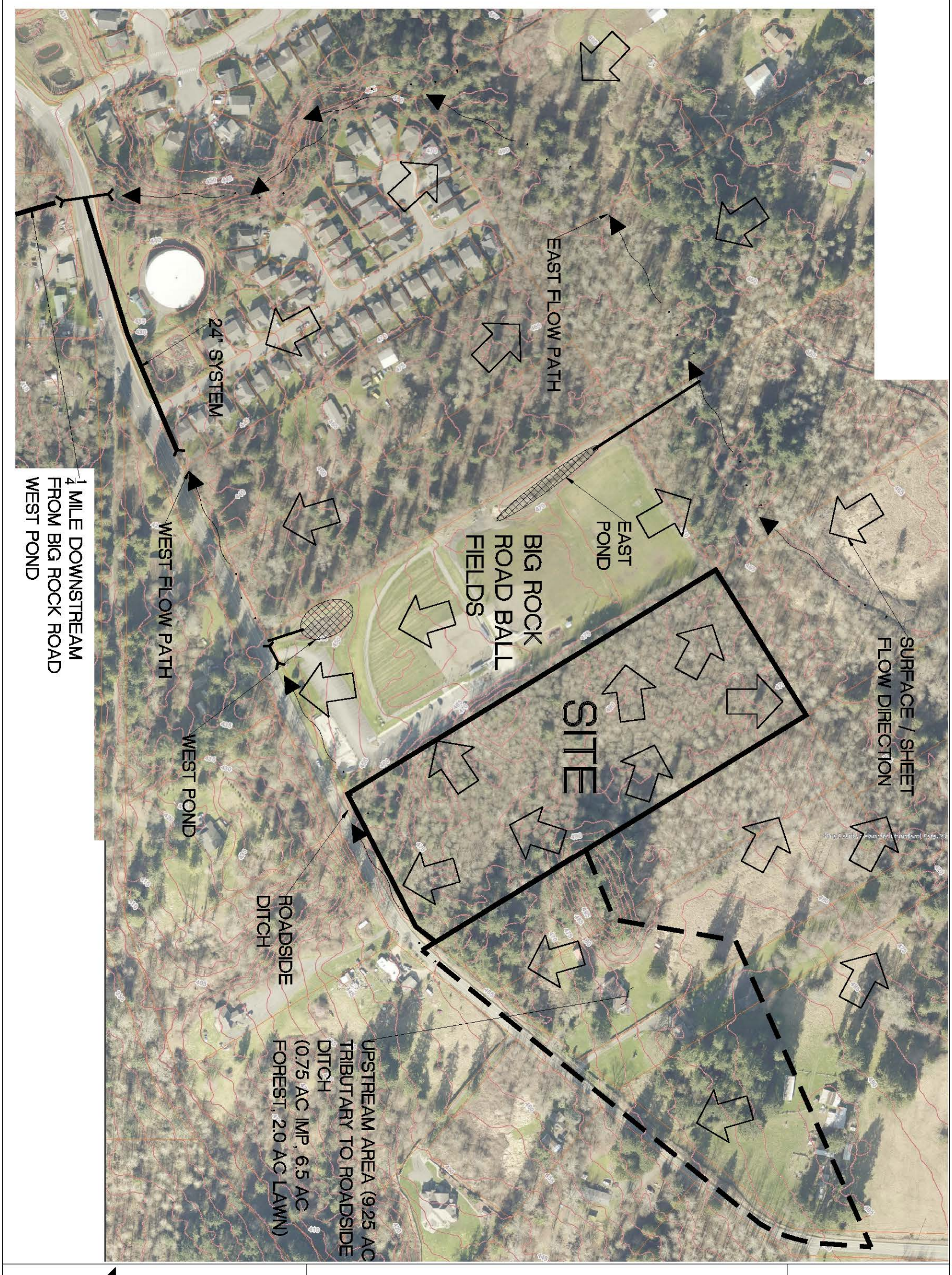
East Sub-Basin
The east sub-basin flows into a King County mapped sensitive area that appears to outlet to the north. The sensitive area outlet enters a defined drainage channel near the eastern edge of the Big Rock Ridge development where the channel flows in a westerly direction until combining with flows from the west basin.

Combined Path
Once the flows converge, the drainage path crosses Big Rock Road in a 24" culvert. Approximately 50' past the outlet of the culvert the downstream path has reach the ¼-mile point. The channel continues in a westerly direction until entering Trib 6, Southwest Trib in the PAU D7 basin as shown in the City of Duvall 2015 Watershed Plan.

Watershed Basin
The Watershed Basin Plan provides general drainage directions for the entire City of Duvall. These basin maps do not provide parcel specific information with detailed accuracy near basin boundaries through the use of topographic survey and lidar contours. The Big Rock property as shown in the Watershed Basin Plan is not tributary to the "W3 – Upper Weiss Creek" and "W1 – Lower Weiss Creek" it is however tributary to the "D7 – Unnamed Southern Tributary – Upper".

The attached exhibit shows the property and downstream path as described above.

B:\Washington\Duvall\Hower Duvall LLC\Big Rock Rd\2Drawings\Exhibits\Storm report\downstream.dwg Feb 14, 2017 - 8:37am



NAVIX
SITE | CIVIL
11400 s.e. 8th st, suite 345
bellevue, wa 98004
t: 425.453.9501
www.navixeng.com

BIG ROCK ROAD
DUVALL, WA
DOWNSTREAM MAP

SCALE: 1 INCH = 250FEET
0 125 250

Exhibit 27

Troy Davis

From: Lara Thomas
Sent: Monday, February 27, 2017 5:03 PM
To: Barry Margolese; Tyson Wentz
Cc: Boyd Benson; Aaron Booy
Subject: drainage basin document review

Barry,

Staff has completed the review of the drainage basin document you submitted to clarify what drainage basin the Big Rock Annexation is located in. Below are staff comments:

- Clarify purpose of memo (watershed plan and drainage considerations)
- Provide a conclusion (how is the development consistent/inconsistent with the watershed plan and stormwater regulations). This item will take some work on your part and is a broader comment for you to respond to. I would recommend placing the polices/goals in a matrix and demonstrate how the conceptual plan meets the intent of the watershed plan.
- Update the map:
    - Show drainage divide at the properties (based on their site specific topo).
    - Show watershed plan PAU's.
    - Better document distances.

Thank you,

Lara

City of Duvall

Lara Thomas, Planning Director
City of Duvall, PO Box 1300, Duvall WA 98019
Lara.thomas@duvallwa.gov (425) 788-2779 ext 2

City of Duvall

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DECLARATION OF MAILING AND ELECTRONIC MAILING

Re: Big Rock Annexation – Resched. Publ. Hearing

The undersigned declares under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct:

That on the 14 day of Feb, 2017, the undersigned declarant
☑ emailed
☑ mailed
a copy of:

Notice of Public Hearing

in the above-referenced matter directed to:

Attached is the list of agencies, names and addresses to whom this information was emailed and/or mailed.

2.16.17

Name, Date

(Anne Wright-Cunniff)

Anne Wright-Cunniff

From: Anne Wright-Cunniff
Sent: Tuesday, February 14, 2017 4:17 PM
To: (adamob@riverview.wednet.edu); (kurt@wildfishconservancy.org); (SEPACenter@dnr.wa.gov); (SEPAdesk@dfw.wa.gov); (sepaunit@ecy.wa.gov); (TeamMillCreek@dfw.wa.gov); Alana McCoy; Amy Ockerlander; Anne Wright-Cunniff; Becky Nixon; Boyd Benson; Carey Hert; Cindy Spiry; Dave Weiss (davew@dor.wa.gov); Dianne Brudnicki; Doug Peters; Eric Preston; gary.kriedt@kingcounty.gov; Jacob Sheppard; Jason Walker; Jim Deal; Joel Kuhnhenn; Lara Thomas; Larissa Grundell; Leroy Collinwood; Margie Coy; Matt Baerwalde; Melanie Young; Michelle Hogg; Ramin Pazooki (pazookr@wsdot.wa.gov); Randy Sandin; Richard Winn; Ronn Mercer; Scott Thomas; Shaun Tozer; Steve Mullen-Moses; Steve Roberge; Tina Morehead; Troy Davis; Ty Peterson; Wally Archuleta; Will Ibershof
Cc: Barry Margolese
Subject: Big Rock Annexation - Public Hearing Rescheduled for March 7, 2017
Attachments: Big Rock Public Hearings Notice_Reschedule.docx

Hello. Please note the new date for the public hearing before City Council.

Thank you,

Anne Wright-Cunniff
Administrative Assistant, Planning Department
City of Duvall, PO Box 1300, Duvall WA 98019
425-939-8077
Anne.Wright-Cunniff@duvallwa.gov

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"NOTICE OF PUBLIC DISCLOSURE: This e-mail account is public domain. Any correspondence from or to this e-mail account is a public record. Accordingly, this e-mail, in whole or in part, may be subject to disclosure pursuant to RCW 42.56, regardless of any claim of confidentiality or privilege asserted by an external party."

Anne Wright-Cunniff

Contact Group Name: _SEPA

Categories: Newsletter

Mail:

Puget Sound Energy
Attn: Government Relations
PO Box 97034
Bellevue WA 98009-9734

US Army Corps of Engineers
Regulatory Branch
PO Box 3755
Seattle WA 98124-3755

PSRC
1011 Western Ave Ste 500
Seattle WA 98104-1035

Mail or email copy to applicant.

Email: All Department Directors (6): PW, Planning, Police, Building, Fire, and CE Boyd Benson

Email: Mayor and Council (8)

OWNER/RESIDENT
10812 25TH DR SE
EVERETT WA 98208

OWNER/RESIDENT
13532 BATTEN RD NE
DUVALL WA 98019

OWNER/RESIDENT
13729 284TH NE
DUVALL WA 98019

OWNER/RESIDENT
13731 BATTEN RD NE
DUVALL WA 98019

OWNER/RESIDENT
13801 283RD CT NE
DUVALL WA 98019

OWNER/RESIDENT
13801 284TH CT NE
DUVALL WA 98019

OWNER/RESIDENT
13802 283RD CT NE
DUVALL WA 98019

OWNER/RESIDENT
13802 284TH CT NE
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WOODINVILLE WA 98019

OWNER/RESIDENT
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DUVALL WA 98019

OWNER/RESIDENT
13815 282ND CT NE
DUVALL WA 98019

OWNER/RESIDENT
13816 282ND CT NE
DUVALL WA 98019

OWNER/RESIDENT
14169 BATTEN RD NE
DUVALL WA 98019

OWNER/RESIDENT
1601 77TH AVE NE
MEDINA WA 98039

OWNER/RESIDENT
18568 DENSMORE N
SEATTLE WA 98133

OWNER/RESIDENT
28227 NE 138TH PL
DUVALL WA 98019

OWNER/RESIDENT
28231 NE 138TH ST
DUVALL WA 98019

OWNER/RESIDENT
28303 NE 138TH PL
DUVALL WA 98019

OWNER/RESIDENT
28307 NE 138TH PL
DUVALL WA 98019

OWNER/RESIDENT
28308 NE 138TH PL
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28311 NE 138TH PL
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OWNER/RESIDENT
28312 NE 138TH PL
DUVALL WA 98109

OWNER/RESIDENT
28317 NE 138TH PL
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28320 NE 138TH PL
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28323 NE 138TH PL
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28327 NE 138TH PL
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OWNER/RESIDENT
28331 NE 138TH PL
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OWNER/RESIDENT
28331 NE BIG ROCK RD
DUVALL WA 98019

OWNER/RESIDENT
28335 NE 138TH PL
DUVALL WA 98019

OWNER/RESIDENT
28339 NE BIG ROCK RD
DUVALL WA 98019

OWNER/RESIDENT
28405 NE 138TH PL
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28409 NE 138TH PL
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OWNER/RESIDENT
28413 NE 138TH PL
DUVALL WA 98019

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28419 NE 138TH PL
DUVALL WA 98019

OWNER/RESIDENT
28425 NE 138TH ST
DUVALL WA 98019

OWNER/RESIDENT
28429 NE 138TH PL
DUVALL WA 98019

OWNER/RESIDENT
28433 NE 138TH PL
DUVALL WA 98019

OWNER/RESIDENT
28455 NE BIG ROCK RD
DUVALL WA 98019

OWNER/RESIDENT
28475 NE BIG ROCK RD
DUVALL WA 98019

OWNER/RESIDENT
28505 NE BIG ROCK RD
DUVALL WA 98019

OWNER/RESIDENT
3615 73RD DR NE
MARYSVILLE WA 98270

OWNER/RESIDENT
5000 PLANO PKWY
CARROLLTON TX 75010

OWNER/RESIDENT
6471 RANCHO PARK DR
SAN DIEGO CA 92120

OWNER/RESIDENT
6471 RANCHO PARK DR
SAN DIEGO CA 92120

OWNER/RESIDENT
6616 149TH AVE NE
REDMOND WA 98052

OWNER/RESIDENT
PO BOX 52
DUVALL WA 98019

OWNER/RESIDENT
PO BOX 1266
DUVALL WA 98019

OWNER/RESIDENT
PO BOX 1406
DUVALL WA 98019

OWNER/RESIDENT
PO BOX 187
DUVALL WA 98019

OWNER/RESIDENT
PO BOX 238
DUVALL WA 98019

City of Duvall

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AFFIDAVIT OF INSTALLATION OF MARKERS AND POSTING OF PUBLIC INFORMATION SIGN(S)

RE: Big Rock Annexation - Resched. Publ. Hearing

I Anne Wright-Cunniff (print name) understand that UDR 14.08.030 requires me to post the subject property at time of public hearing.

I certify that on 2.14.17 (date), the signs were placed on the subject property at

Sign 1: parcel # 0245/0240 (give general location of each marker.)
Sign 2: parcel # 0260 (give general location of each marker.)
Sign 3: City Hall ✓ (give general location of each marker.)
Sign 4: Library ✓ (give general location of each marker.)
Sign 5: Post Office ✓ (give general location of each marker.)

Other Land Use Notices

I certify that on _____ (date), the signs (provided by the City) were placed on the subject property, post office, library, and city hall with the ☐ SEPA Determination, ☐ Planning Commission public meeting ☐ Public Hearing, or ☐ Other Land Use Notice; attached to the face of the signs, at

Sign 1: _____ (give general location of each marker.)
Sign 2: _____ (give general location of each marker.)
Sign 3: City Hall _____ (give general location of each marker.)
Sign 4: Library _____ (give general location of each marker.)
Sign 5: Post Office _____ (give general location of each marker.)

Applicant (or representative) Signature

2.16.17
Date

City of Duvall Planning Department
14525 Main Street – PO Box 1300, Duvall, WA 98019
ph (425) 788-2779
fax (425) 788-8097

City of Duvall

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CITY OF DUVALL
NOTICE OF PUBLIC HEARING

Big Rock Annexation Petition
March 7, 2017

The public hearing originally scheduled for Tuesday, February 21, 2017 before the City Council regarding the 10% Petition for the Big Rock Annexation has been rescheduled for Tuesday, March 7, 2017. See below for time and location.

On December 29, 2016 the City of Duvall received a Notice of Intent to Annex Petition Form (10% Petition) from Barry Margolese. The City of Duvall Planning Commission and City Council will each hold a public hearing to consider whether to accept or reject the 10% Petition.

The proposed area for annexation includes three parcels located adjacent to Big Rock Ball Fields totaling 19.47 acres. These parcels are located within the City's Southeast Urban Growth Area and were given the R4 (Residential 4 Units per Acre) land-use designation on the City's Future Land Use Map during the 2015 update of the City's Comprehensive Plan. The subject properties are currently zoned Urban Reserve (1 dwelling unit per 5 acres) under King County's jurisdiction.

City Council: Tuesday, March 7, 2017, at 7:00 PM at the Riverview School District building, 15510 1st Ave NE. City Council may take action after the public hearing.

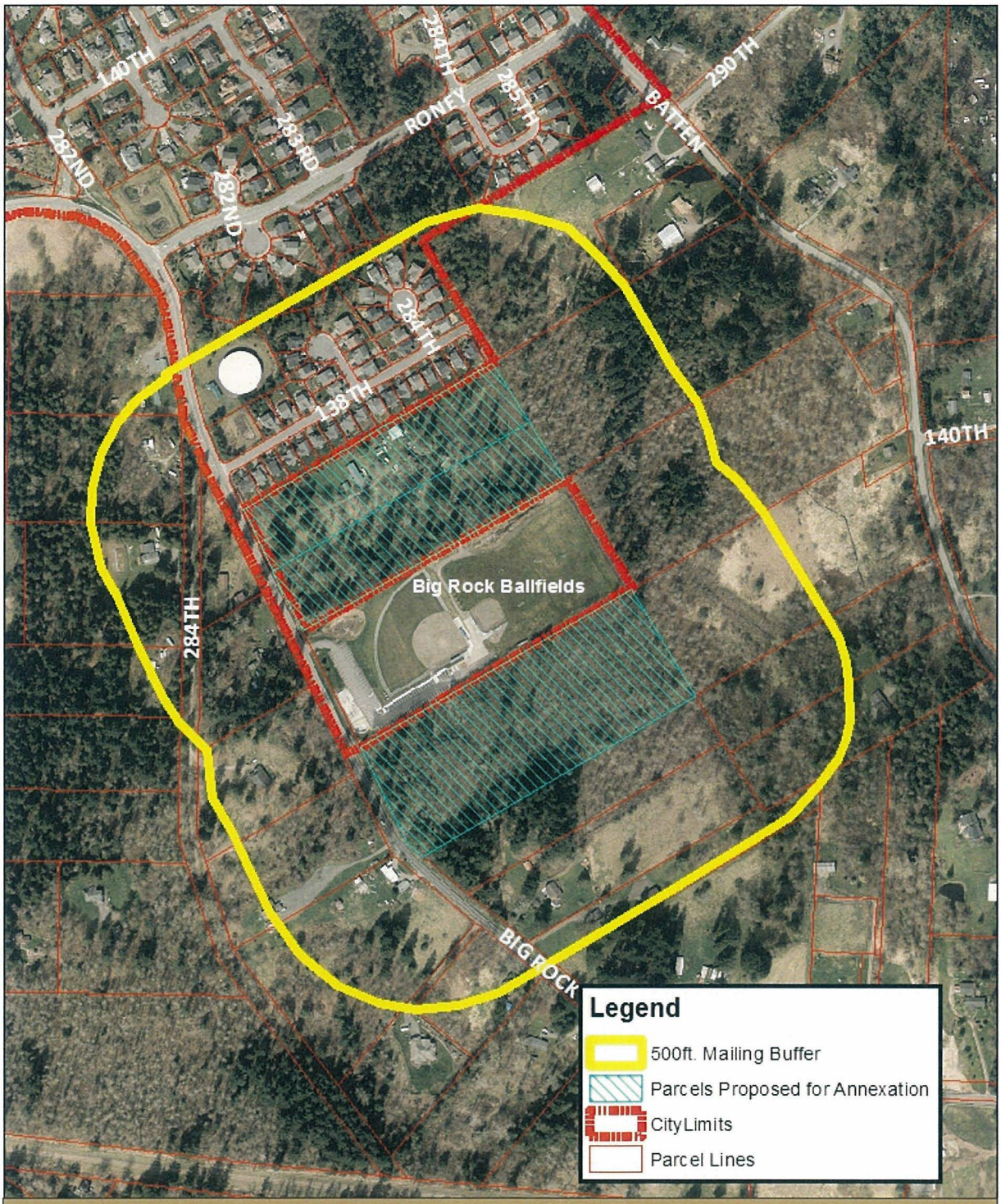
The City Council will take public testimony and is the decision-maker.

Big Rock Annexation 10% Petition

Applicant: Barry Margolese
105 South Main, Suite 230
Seattle, WA 98104
barry@amalani.com

Project Planner: Troy Davis, Senior Planner
PO Box 1300, Duvall, WA 98019
(425) 788-2779
troy.davis@duvallwa.gov

Copies of all application documents are available for review at City Hall. In addition, a copy of the staff report will be available seven days prior to the Hearing. All interested parties may appear and provide testimony to the above proposal at the Public Hearing. Written comments regarding this proposal will be accepted up to and at the Public Hearing. Comments should be addressed to the Planning Department at the address shown above. **If you have any questions, please e-mail (preferred) or call the Project Planner.**



Proposed Big Rock Annexation Area and 500ft. Mailing Buffer 2017

Created by the City of Duvall October 2016. The City makes no representation or warranty as to the Product's accuracy of location of any map features therein. The City disclaims any warranty of merchantability or warranty for fitness of use for a particular purpose, expressed or implied, with respect to this product. For more information, contact the City of Duvall at 425.788.2424.
Parcel Data provided by permission of King County

N W E S

0 250 500 Feet

City of Duvall

Exhibit 29

Troy Davis

From: Lara Thomas
Sent: Wednesday, March 01, 2017 9:08 AM
To: Troy Davis
Subject: FW: Big rock annexation - request for continuance

Lara Thomas, Planning Director
City of Duvall, PO Box 1300, Duvall WA 98019
Lara.thomas@duvallwa.gov (425) 788-2779 ext 2

From: Cherry Valley Law [mailto:nate@cherryvalleylaw.com]
Sent: Sunday, February 12, 2017 12:29 PM
To: Lara Thomas <lara.thomas@duvallwa.gov>
Cc: Barry Margolese <barry@amalani.com>; mike@terreneventures.com
Subject: Big rock annexation - request for continuance

Lara,

Hope you had a good weekend.

Barry Margolese and Mike Walsh, both copied here, would like to request that the hearing on the big rock annexation be pulled from the City Council's agenda for the meeting scheduled for February 21 and continued until the next City Coucil meeting on March 7th.

I understand that Barry and Mike will be meeting with the mayor and the mayor pro tem on February 20. This continuance will provide everybody a more meaningful opportunity to evaluate the merits of the petition.

Please confirm that the hearing will be continued as requested.

Thank you for your assistance.

Nate

Sent from my iPhone

Exhibit 30

Troy Davis

From: Lara Thomas
Sent: Wednesday, March 01, 2017 6:59 PM
To: Troy Davis
Subject: FW: Amendment to MOU
Attachments: 134557458_1 (2).docx

Follow Up Flag: Follow up
Flag Status: Flagged

Add the email and attachment as an exhibit to the PH package.

City of Duvall

Lara Thomas, Planning Director
City of Duvall, PO Box 1300, Duvall WA 98019
Lara.thomas@duvallwa.gov (425) 788-2779 ext 2

From: Quehrn, Mark (Perkins Coie) [mailto:MQuehrn@perkinscoie.com]
Sent: Wednesday, March 1, 2017 6:31 PM
To: Will Ibershof <will.ibershof@duvallwa.gov>; Lara Thomas <lara.thomas@duvallwa.gov>
Cc: barry@amalani.com; nate@cherryvalleylaw.com
Subject: Amendment to MOU

Attached for your review and comment is a proposed extension of the MOU, through 12/31/2018. The amendment provides for an extension through 12/31/2018, but allows for termination after 6/30/2018. I did not specify ground for termination (post 6/30/2018) as it seems to me that either of us should be able to pursue alternative paths at that point if we are not satisfied with the progress being made. If this is not acceptable to the city, my alternative proposal would be:

> **Term.** The term of this MOU shall commence as of the date first written above and shall continue through and until December 31, 2018 ("Term"); provided, however, from and after June 30, 2018, a Party may terminate this MOU by providing written notice of such termination to the other Party, if such Party reasonably believes that substantial progress is not being made towards a satisfactory Pre-Annexation Agreement. Upon expiration of the Term, this MOU shall terminate and thereafter be null, void, and of no further force and effect.

I am ok with either version (as proposed in the attachment or as suggested in this email). My preference is to have an agreement that would allow for a clean break post 6/30/2018 if either the City or my family is wanting to pursue other options (post June 30, 2018) and not put ourselves in a position where we end up in a dispute as to whether or not substantial progress is being made. This is either going to work, or not, and we should have a better sense of this by June of next year.

I will of course be pleased to consider your thoughts on this matter, and hopefully we can get this wrapped up soon Thank you.

Mark Quehrn | Perkins Coie LLP
10885 N.E. Fourth Street Suite 700
Bellevue, WA 98004-5579
D. +1.425.635.1402
F. +1.425.635.2402
M. +1425.443.3930
E. MQuehrn@perkinscoie.com

Troy Davis

From: Lara Thomas
Sent: Wednesday, March 01, 2017 6:59 PM
To: Troy Davis
Subject: FW: Amendment to MOU
Attachments: 134557458_1 (2).docx

Follow Up Flag: Follow up
Flag Status: Flagged

Add the email and attachment as an exhibit to the PH package.

City of Duvall

Lara Thomas, Planning Director
City of Duvall, PO Box 1300, Duvall WA 98019
Lara.thomas@duvallwa.gov (425) 788-2779 ext 2

From: Quehrn, Mark (Perkins Coie) [mailto:MQuehrn@perkinscoie.com]
Sent: Wednesday, March 1, 2017 6:31 PM
To: Will Ibershof <will.ibershof@duvallwa.gov>; Lara Thomas <lara.thomas@duvallwa.gov>
Cc: barry@amalani.com; nate@cherryvalleylaw.com
Subject: Amendment to MOU

Attached for your review and comment is a proposed extension of the MOU, through 12/31/2018. The amendment provides for an extension through 12/31/2018, but allows for termination after 6/30/2018. I did not specify ground for termination (post 6/30/2018) as it seems to me that either of us should be able to pursue alternative paths at that point if we are not satisfied with the progress being made. If this is not acceptable to the city, my alternative proposal would be:

> **Term.** The term of this MOU shall commence as of the date first written above and shall continue through and until December 31, 2018 ("Term"); provided, however, from and after June 30, 2018, a Party may terminate this MOU by providing written notice of such termination to the other Party, if such Party reasonably believes that substantial progress is not being made towards a satisfactory Pre-Annexation Agreement. Upon expiration of the Term, this MOU shall terminate and thereafter be null, void, and of no further force and effect.

I am ok with either version (as proposed in the attachment or as suggested in this email). My preference is to have an agreement that would allow for a clean break post 6/30/2018 if either the City or my family is wanting to pursue other options (post June 30, 2018) and not put ourselves in a position where we end up in a dispute as to whether or not substantial progress is being made. This is either going to work, or not, and we should have a better sense of this by June of next year.

I will of course be pleased to consider your thoughts on this matter, and hopefully we can get this wrapped up soon Thank you.

Mark Quehrn | Perkins Coie LLP
10885 N.E. Fourth Street Suite 700
Bellevue, WA 98004-5579
D. +1.425.635.1402
F. +1.425.635.2402
M. +1425.443.3930
E. MQuehrn@perkinscoie.com

After Recording, Return to:
City of Duvall~ City Clerk
PO Box 1300
Duvall, WA 98019

AMENDMENT OF MEMORANDUM OF UNDERSTANDING

This AMENDMENT OF MEMORANDUM OF UNDERSTANDING ("**Amendment**") is made as of this ____ day of March, 2017, by and between the City of Duvall, a municipal corporation of the State of Washington, ("**Duvall**"), and WPM-ONE LLC, a State of Washington limited liability company ("**WPM**"). Duvall and WPM are sometimes referred to hereinafter individually as a "Party" and collectively as the "Parties." This Amendment is made with reference to the following facts:

RECITALS

A. On February 2, 2016, Duvall and WPM entered into a Memorandum of Understanding ("**MOU**") wherein the Parties agreed to diligently and in good faith exercise their best reasonable effort to negotiate and consummate a Pre-Annexation Agreement ("**Agreement**") on or before December 31, 2017.

B. The MOU references certain real property owned by WPM and comprised of approximately 9.8 acres of vacant land, which such property is more particularly described on Exhibit A, attached hereto ("**WPM Property**")

C. The MOU also references certain real property owned by Duvall whereupon it maintains a park, commonly known as the Big Rock Ball Fields, which such property is more particularly described on Exhibit B, attached hereto ("**Park Property**")

D. The Parties now desire to amend the MOU to extend the term thereof through and until December 31, 2018.

AGREEMENT

NOW, THEREFORE, for and in consideration of mutual benefits to be derived therefrom, Duvall and WPM agree as follows:

Amendment

This Amendment amends the MOU in accordance with Section II.H.1 of the MOU. Except as otherwise specifically provided by this Amendment, the terms and conditions of the MOU remain unchanged, as do the respective rights and obligations of the Parties arising under the MOU, and in all respects the MOU is and remains in full force and effect.

Section II.A: Section II.A of the MOU is hereby amended and is herein fully restated in its entirety, as follows:

> **Term.** The term of this MOU shall commence as of the date first written above and shall continue through and until December 31, 2018 ("**Term**"); provided, however, from and after June 30, 2018, a Party may terminate this MOU by providing written notice of such termination to the other Party. Upon expiration of the Term, this MOU shall terminate and thereafter be null, void, and of no further force and effect.

IN WITNESS WHEREOF, the Parties hereto have caused this Amendment to be executed as of the date first written above.

CITY OF DUVALL	**WPM-ONE LLC**
By: Hon. Will Ibershof Mayor, City of Duvall	By: Markham A Quehrn Manager Q-MCIN LLC

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

On this _____ day of March, 2017, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Will Ibershof, to me known to be the Mayor of the City of Duvall, and that executed the foregoing instrument and acknowledged the said instrument to be the free and voluntary act of and deed of said municipality, for the uses and purposes therein mentioned, and on oath stated that he/she is authorized to execute the said instrument for the uses and purposes therein mentioned.

IN WITNESS WHEREOF I have hereunto set my hand and official seal the day and year first above written.

_____
(Signature of Notary)

_____
(Print or stamp name of Notary)

NOTARY PUBLIC in and for the State
of Washington, residing at _____

My appointment expires: _____

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

On this _____ day of _ March, 2017, , before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Markham A. Quehrn, to me known to be the Manager of Q-MCIN LLC, and that executed the foregoing instrument and acknowledged the said instrument to be the free and voluntary act of and deed of said Q-MCIN LLC, for the uses and purposes therein mentioned, and on oath stated that he/she is authorized to execute the said instrument for the uses and purposes therein mentioned.

IN WITNESS WHEREOF I have hereunto set my hand and official seal the day and year first above written.

_____
(Signature of Notary)

_____
(Print or stamp name of Notary)

NOTARY PUBLIC in and for the State
of Washington, residing at _____

My appointment expires: _____

EXHIBIT A

WPM PROPERTY

Tax Parcel No. 212970-0260

Tract 26, Duvall Berry Farms, King County, Washington, according to plat recorded in Volume 25 of plats, page 5, in King County, Washington.

EXHIBIT B

Park Property

Tax Parcel No. 212970-0250

Tract 25, Duvall Berry Farms, King County, Washington, according to plat recorded in Volume 25 of plats, page 5, in King County, Washington

NAVIX
SITE | CIVIL

11400 s.e. 8th street, suite 345
bellevue, wa 98004
navixeng.com

t 425.453.9501
f 425.453.8208
e info@navixeng.com

Exhibit 32

Memo

To: City of Duvall

From: Tyson Wentz, P.E.

CC: Barry Margolese

Date: March 1, 2017

Subject: Big Rock Annex – WPM Property Watershed Basin

Purpose

The purpose of the memo is to provide the City of Duvall with an accurate watershed basin as it specifically relates to the WPM Property (Tax Parcel No. 2129700260) and immediately surrounding properties. This review is provided in response to a comment made by the City of Duvall Planning Commission on February 8, 2017 stating that the property lies within two (2) Watershed drainage basins. The City of Duvall's 2015 Watershed Basin Plan provides general drainage directions and basin areas for the entire city. The Watershed Basin Plan basin maps do not provide parcel specific information based on detailed topographic information or site assessment. Through Navix Engineering's review of property topographic surveys, LiDAR contours and site observation, the below attempts to clarify the existing watershed basin delineations and drainage pathways specific to the subject parcel.

Watershed Basins

The onsite and downstream stormwater flow paths of Tax Parcel No. 2129700260 within the Big Rock Annex (ANX16-002) was reviewed during the preparation of the Annexation 10% Petition effort. While the City of Duvall 2015 Watershed Plan appears to indicate that the subject property lies within two Watershed basins (W-1 and W-3), a more detailed review of area topographic information indicates the surface water runoff from property is maintained within the D7 basin.

Navix Engineering reviewed LiDAR contours, aerial maps, Big Rock Park improvement plans and drainage report, and the project's topographic and boundary survey to determine the existing natural drainage path for surface water runoff. Surface water runoff from the subject property appears to be split into two sub-basins; the western half of the property flowing in a northwestern direction and the eastern half of the property flowing in a northeastern direction after leaving the property. Based on the review of available topographic information referenced above, runoff from these two sub-basins converge on the west of Big Rock Road just prior to crossing the roadway.

West Sub-Basin - The west sub-basin is tributary to Big Rock Road's eastern edge roadside ditch. The roadside ditch contains several culverts and a 24" conveyance pipe system that travels in a northerly direction until combining with the east sub-basin flows near the *City of Duvall's municipal* water tank.

East Sub-Basin - The east sub-basin flows into a King County mapped sensitive area that appears to outlet to the north. The sensitive area outlet enters a defined drainage channel near the eastern edge of the Big Rock Ridge development where the channel flows in a westerly direction until combining with flows from the west basin.

Combined Path - Once the flows converge, the drainage path crosses Big Rock Road in a 24" culvert. The channel continues in a "U" shaped path towards the west until entering D1 - Unnamed Southern Tributary – Lower that flows in a west direction as shown in the City of Duvall 2015 Watershed Plan Figure 2-2.

Conclusion

The WPM property is not tributary to the "W3 – Upper Weiss Creek" and "W1 – Lower Weiss Creek" as shown in the 2015 Watershed Basin Plan, based on a review of the topographic information specific to the property and immediately surrounding areas. Instead, its stormwater runoff is tributary solely to what is referred to as the "D7 – Unnamed Southern Tributary – Upper". The attached exhibit Drainage Basin Map, EX-1 illustrates the subject property's actual tributary watershed basin in relation to the City of Duvall's 2015 Watershed Basin boundaries. Any future development applications associated with this property intend to address stormwater management based on the development's impact to Watershed Basins D7-Unnamed Southern Tributary – Upper. No variances or objections to the policies and goals of the 2015 Watershed Basin Plan are proposed as part of this memorandum.

EX-1

0 125 250

SCALE: 1 INCH
= 250FEET

BIG ROCK ROAD
DUVALL, WA
DRAINAGE BASIN MAP

NAVIX
SITE | CIVIL
11400 s.e. 8th st. suite 345
bellevue, wa 98004
t: 425.453.9501
www.navixeng.com

B:\Washington\Duvall\Hower Duvall LLC\Big Rock Rd\2Drawings\Exhibits\Storm report\downstream.dwg Mar 01, 2017 - 9:36am

Troy Davis

From: Richard Winn
Sent: Friday, February 10, 2017 1:27 PM
To: Lara Thomas; Anne Wright-Cunniff; Eric Preston; Jim Deal; Margie Coy; Mark Weiss; Michelle Hogg; Ronn Mercer; Troy Davis
Subject: Re: Big Rock Annexation Public Comment(2)
Attachments: image001.png

Hi Lara---I don't know what weight Amy McHenry's has now but as you will note that I had some of the thoughts spoken by her. Up to you if you are willing to jump in here and copy to Amy Ockerlander. Thanx, Dick

---

From: Lara Thomas <lara.thomas@duvallwa.gov>
Date: Tuesday, February 7, 2017 4:10 PM
To: Anne Wright-Cunniff <Anne.Wright-Cunniff@duvallwa.gov>, Eric Preston <eric.preston@duvallwa.gov>, Jim Deal <jim.deal@duvallwa.gov>, Margie Coy <Margie.Coy@duvallwa.gov>, Mark Weiss <Mark.Weiss@duvallwa.gov>, Michelle Hogg <Michelle.Hogg@duvallwa.gov>, Richard Winn <richard.winn@duvallwa.gov>, Ronn Mercer <ronn.mercer@duvallwa.gov>, Troy Davis <troy.davis@duvallwa.gov>
Subject: FW: Big Rock Annexation Public Comment

Public Commnet

Lara Thomas, Planning Director
City of Duvall, PO Box 1300, Duvall WA 98019
Lara.thomas@duvallwa.gov (425) 788-2779 ext 2

From: Amy Ockerlander
Sent: Tuesday, February 7, 2017 2:33 PM
To: Matthew Morton <matthew.morton@duvallwa.gov>; Lara Thomas <lara.thomas@duvallwa.gov>
Subject: Fwd: Big Rock Annexation Public Comment

Sent from my Verizon 4G LTE smartphone

-------- Original message --------
From: Amy McHenry <amymchenry@hotmail.com>
Date: 2/7/17 2:25 PM (GMT-08:00)
To: Will Ibershof <will.ibershof@duvallwa.gov>, Amy Ockerlander <amy.ockerlander@duvallwa.gov>, Dianne Brudnicki <dianne.brudnicki@duvallwa.gov>, Leroy Collinwood <leroy.collinwood@duvallwa.gov>, Scott Thomas <scott.thomas@duvallwa.gov>, Jason Walker <jason.walker@duvallwa.gov>, Becky Nixon <becky.nixon@duvallwa.gov>
Subject: Big Rock Annexation Public Comment

Dear Mayor and City Councilmembers,

I am writing in regards to the Big Rock Annexation Petition. I am asking you to reject this petition and work towards a new petition that provides the City of Duvall with a significant benefit. To state plainly, I do not think the proposed petition provides a significant benefit to the City.

I used to live right across the street from East Sammamish Park, a beautiful 19 acre multi use park. It has sport fields, BBQ grills, a picnic shelter, permanent restroom facility, play structures and a nice trail system. This park is closed in by the golf course to it's North, an elementary school and private preschool to the East and development to the West and South. Sammamish used to be the rural area of the plateau, and as I'm sure you know now is highly developed with more in the pipeline. Last Fall for a bit of nostalgia my family visited this park again. There wasn't even a game going on and the large parking lot was full and street parking overrun. That would have been typical for a game day when we lived there five years ago, but this was not. No doubt the increase in park usage is related to the huge population and development boom in Sammamish. Where I'm going with this and asking you all, as representatives of Duvall citizens, to consider is that approving this petition and permanently closing in the Big Rock Sports Park, will mean it can never become larger than it is. Big Rock Sports park is already a highly used park, even before the improvements that are coming with the approval of Prop 1. We will see an increase in use once this park is improved. And if this petition is approved I know that it will someday be like East Sammamish Park...beautiful, but difficult to enjoy because it is limited by it's parking and in an area that has been overdeveloped without providing adequate parks and field space to other parts of the City.

I love the idea of a dog park, of additional play structure space and some of the ideas in this petition. But these will not have the intended benefit to the City if it is closed in by housing developments. Is there a way we can designate these properties for future park expansion? Having more field space (of course within reason of any environmental impacts due to critical areas on the property), parking and open space, I believe, will provide a much larger benefit to the City than more housing units on both sides.

What other areas or properties in Duvall can be turned into sport fields or parks? I would love to hear about how we will provide more park space to our community. As for right now, the property on both sides of Big Rock Park seems to provide a unique opportunity to be proactive about a problem we are actively seeing in other communities. We have a chance to reach beyond what has already been done in every other town. How will the families that move into these proposed neighborhoods feel when all of their street parking is taken as overflow parking every time there are games at Big Rock Park? Did the designers of East Sammamish Park fathom a day when the large sized parking lot wouldn't be enough for park users on a non game day? I know it may seem like the additional parking will be plenty. But if more large parks with fields and parking aren't added along with new developments and annexations, then this would-be benefit will be lost.

I have seen this before. I am asking you to please reject this petition and develop a plan that will benefit the City in the long term, not just the short term.

Thank you for your time reading my comments and thank you for all that you do.

Respectfully,

Amy McHenry
14208 284th PL NE
Duvall, WA 98019

425.516.1131

Troy Davis

From: Lara Thomas
Sent: Monday, February 13, 2017 9:33 AM
To: Shaun Tozer; Matthew Morton; Boyd Benson
Cc: Anne Wright-Cunniff
Subject: RE: Big Rock Annex Comment

Shaun,

Thank you for forwarding the email. I would encourage a minimal response as you suggested – We are encouraging residents to attend the public hearing and provide public testimony.

Lara

Lara Thomas, Planning Director
City of Duvall, PO Box 1300, Duvall WA 98019
Lara.thomas@duvallwa.gov (425) 788-2779 ext 2

From: Shaun Tozer
Sent: Saturday, February 11, 2017 8:34 PM
To: Matthew Morton <matthew.morton@duvallwa.gov>; Lara Thomas <lara.thomas@duvallwa.gov>; Boyd Benson <boyd.benson@duvallwa.gov>
Subject: Big Rock Annex Comment

Hello. Just wanted to forward along this comment from Jennifer Knaplund on our Facebook page. It was posted on the council recap video.

I could just thank her for her comment and mention that the hearing is a perfect time to address these items. Other than that I didn't really feel a need to reply to any particular item. It seems like a statement of her opinions. Just wanted to make sure you all knew. See below:

> Thank you for this informative video. During the public comments of the City Council Meeting a large number of residents voiced opposition to this development for various reasons.
>
> 1) This development would forever restrict Big Rock from further expansion. Our Parks Plan shows Big Rock needing expansion to meet our minimum level of service for Parks. The Parks Plan specifically proposes an 8 acre expansion. If this development proceeds, that expansion will not be possible.
>
> 2) There are already 850+ new homes in the pipeline within city limits and City Council just approved annexing the North UGA that will bring another 250+ homes in the next few years. There is no need for additional residential expansion at this time that will overwhelm our city infrastructure with rapid growth.

3). The City Planning Department does not have the resources to process another annexation at this time.

4). The Watershed plan shows these properties to be of significant value and needing protection - the plan recommends restricting development to a low or moderate level.

Sent from my Verizon, Samsung Galaxy smartphone

Troy Davis

From: Lara Thomas
Sent: Tuesday, February 14, 2017 1:38 AM
To: Anne Wright-Cunniff
Subject: Fw: Big Rock Ball Park Expansion

Follow Up Flag: Follow up
Due By: Tuesday, February 14, 2017 7:00 PM
Flag Status: Flagged

Please add to public record.

From: Jennifer K <jenkna@frontier.com>
Sent: Monday, February 13, 2017 6:46:00 PM
To: Lara Thomas
Subject: Fwd: Big Rock Ball Park Expansion

FYI

Sent from my iPhone

Begin forwarded message:

> **From:** Jennifer K <jenkna@frontier.com>
> **Date:** February 13, 2017 at 12:48:05 PM PST
> **To:** Will Ibershof <will.ibershof@duvallwa.gov>
> **Subject: Re: Big Rock Ball Park Expansion**
>
> Mayor Ibershof,
>
> I hope you understand that I am not "against annexations in Duvall" as you put it. I look at each proposal for annexation independently and review its merits against our City's guiding documents (Comprehensive Plan, Watershed Plan, Parks Plan) and consider if the timing is appropriate and if it will benefit residents. I believe that is also the role of the City Council and the Planning Commission. So, I am not against this annexation for the sake of being against all annexations, that would be foolish and irresponsible. In the same way, it would be foolish and irresponsible to accept all annexations on the basis of being "for growth".
>
> I oppose this specific Big Rock Annexation Petition for various reasons - and based on review of previous City Council minutes and memos, it would appear the City Council also opposes the annexation as prescribed by the MOU.
>
> Below is a quick summary of why I oppose this annexation:
>
> 1) This development would forever restrict Big Rock from further expansion. Our Parks Plan shows Big Rock needing expansion to meet our minimum level of service for Parks. The Parks Plan specifically proposes an 8 acre expansion. If this development proceeds, that expansion will not be possible.

2) There are already 850+ new homes in the pipeline within city limits and City Council just approved annexing the North UGA that will bring another 250+ homes in the next few years. There is no need for additional residential expansion at this time that will overwhelm our city infrastructure with rapid growth. The new homes currently in the pipeline will contribute intense demand on our limited parks space.

3). The City Planning Department does not have the resources to process another annexation at this time.

4). The Watershed plan shows these properties to be of significant value and needing protection - the plan recommends restricting development to a low or moderate level.

My request is that City Council reject this Annexation Petition and work towards acquiring a MEANINGFUL amount of land to expand Big Rock Ballpark. The small awkward sliver of land proposed is not enough to meet the current and more importantly the future need for additional park space.

This is what I propose:

1. REJECT the current Big Rock Annexation Petition and allow the MOU to expire on 12/31/2017. Note that there should be ZERO concern for litigation arising from rejecting the petition.

- In an email from Mr. Nate Veranth (attorney representing the property owners) he states "If the City and the property owner cannot agree on a development plan and dedication by December 31, 2017, then the property would be returned to the UR"
- During the COW meeting on 1/19/2016 Mr. Varanth also stated "when the time comes for pre-annexation of the property, if the City is not happy with anything, they have the option to walk away".
- During the City Council meeting on 11/3/2015, Lara Thomas advised: "the City would not annex the property if the agreement was unsatisfactory".
- The MOU states "The term of this MOU...shall continue through and until December 31, 2017... Upon expiration of the Term, this MOU shall terminate and thereafter be null, void and of no further force and effect.

2. SAVE UP funds to purchase additional land to expand Big Rock Ball Fields in a MEANINGFUL way.

- According to City staff, Park Impact Fees will rise to approximately $10K per new residential unit. With 850 new homes in the pipeline and another 250 in the NUGA, the City should have upwards of 8 Million Dollars collected from Park Impact Fees in the coming years.
- A more significant expansion could allow for a nature trail to encircle the ball fields, potentially add a covered basketball court (our youth need a place to be active during the rainy season), a usuable dog park (the proposed dog park in the annexation petition is much too small to be adequate), additional parking, public restroom, concessions (potential income source), open space to protect the natural beauty and environment for the enjoyment of residents, etc. A park such as this would serve all community members, not just those participating in organized sports.
- I do not see another location on the Future Land Use Map that would accommodate a large Community Park as described by the Parks and Open Spaces Plan. We must

preserve this space and build on the Proposition 1 investment as the only viable option for a large mult-use park available within the city.

- The 2015 Comprehensive Plan Policies:
    - PR 1.9 Identify and acquire additional undeveloped lands for parks, trails and open space within
      the city and UGA.
    - PR 7.1 Use the PTOS Plan to guide acquisition of park land, recreational facilities, and open space.
    - PR 7.2 Acquire and develop parks to meet the City's park, recreation, trails and open space LOS standards.
    - PR 7.4 Consider funding parks and recreation facilities through a variety of funding sources described in this Element, including grants, tax levies, and a GMA-based park impact fee.

I would like to discuss this with you prior to the City Council meeting and final Public Hearing on 2/21/2017. Will you return from traveling before that time?

I hope you understand that I bring these concerns to you, not to be combative or to exasperate yourself or fellow Council members, but out of my love for this city and all our residents and especially our youth. Of course Duvall isn't going to stay the quaint little town that I moved to 17 years ago - I know that - so what I am trying to do is work towards policies and growth that will maintain some of the charm and community that drew me here.

Thank you and and I wish you safe travels,
Jennifer Knaplund
206-854-4606 cell

On 2/13/2017 10:37 AM, Will Ibershof wrote:

> Jennifer
> I am traveling so we will have to wait until later next week.
> I have a question, I thought you were against annexations in Duvall. Did I misunderstand that?
>
> Thank you.
>
> Will Ibershof
> Mayor of Duvall
> 15535 main street
> Duvall, WA 98019
> 206-255-2855
>
> ---
>
> **From:** Jennifer K
> **Sent:** 2/13/2017 9:02 AM
> **To:** Will Ibershof
> **Subject:** Big Rock Ball Park Expansion
>
> Good morning Mayor Ibershof,
>
> I would like to have a chance to discuss with you the potential for a meaningful expansion of Big Rock Ball Park. My kids are in school during the day so my

best availability is to meet during school hours, , but I can also meet in the evening if that works with your schedule. Feel free to respond to this e-mail or give me a call at 206-854-4606.

Thanks,
Jennifer Knaplund

Troy Davis

From: Lara Thomas
Sent: Tuesday, February 14, 2017 1:43 AM
To: Anne Wright-Cunniff
Subject: Fw: The Big Rock Annexation has been rescheduled

Follow Up Flag: Follow up
Due By: Tuesday, February 14, 2017 7:00 PM
Flag Status: Flagged

Please add this to public record.

From: Jennifer K <jenkna@frontier.com>
Sent: Monday, February 13, 2017 7:34:03 PM
To: Lara Thomas
Subject: Re: The Big Rock Annexation has been rescheduled

Sorry for blasting you with my strong opinion against extending the date... :)

You were very kind to share with me what you knew. I appreciate your honesty. Hopefully the City can figure out the right thing to do.

Jennifer

Sent from my iPhone

> On Feb 13, 2017, at 6:44 PM, Jennifer K <jenkna@frontier.com> wrote:
>
> The MOU is a bad deal. Extending the expiration of the MOU further is an even worse deal.
>
> In the meeting notes from various discussions leading up to the MOU it was recommended that any agreement include
>
> 1) sets a MINIMUM average of land dedication (instead the MOU was written offering UP TO 3 acres).
>
> 2) allow for an opportunity to purchase additional land (the MOU does not have a provision for the City to purchase additional land)
>
> I do not understand how the Planning Commission came up with this Finding of Fact:
>
> "the request to pre-zone the property was consistent with the PTOS, the Park Element and the DEIS."
>
> This deal is most definitely not consistent with these documents! We are not meeting our LOS for parks. The PTOS specifically lists an 8 acre expansion to Big Rock that the MUS will make impossible. The Comprehensive Plan Park Element gives instruction to "identify and acquire land for Parks", "using the PTOS to guide acquisition" to "meet the City's park, recreation, trails and open space LOS targets. How could the Comprehensive Plan be any more clear? This MUS specifically contradicts the direction given by our guiding documents.
>
> Jennifer
>
> Sent from my iPhone
>
>> On Feb 13, 2017, at 6:15 PM, Lara Thomas <lara.thomas@duvallwa.gov> wrote:
>>

>> Mark Queharn
>

Troy Davis

From: Lara Thomas
Sent: Tuesday, February 21, 2017 9:43 PM
To: Anne Wright-Cunniff
Subject: FW: Annexation

Please add to the public record for the BR annexation public hearing packet.

Lara Thomas, Planning Director
City of Duvall, PO Box 1300, Duvall WA 98019
Lara.thomas@duvallwa.gov (425) 788-2779 ext 2

From: Scott Thomas
Sent: Tuesday, February 21, 2017 9:04 PM
To: Will Ibershof <will.ibershof@duvallwa.gov>
Cc: Lara Thomas <lara.thomas@duvallwa.gov>; Amy Ockerlander <amy.ockerlander@duvallwa.gov>; Matthew Morton <matthew.morton@duvallwa.gov>
Subject: FW: Annexation

Hello Mayor,

Please see the below concerns and also please keep me in the loop as to the conversations with Jaime and the adjacent neighborhood.

Thank you!

Scott Thomas
Duvall City Council

From: Jaime Kemper [mailto:jaimekemper@hotmail.com]
Sent: Tuesday, February 21, 2017 5:49 PM
To: Scott Thomas <scott.thomas@duvallwa.gov>
Subject: Re: Annexation

Thank you sir for your service to our community.

Sent from my iPhone

On Feb 21, 2017, at 17:30, Scott Thomas <scott.thomas@duvallwa.gov> wrote:

> Thank you Jaime,
>
> I will make sure these concerns & suggestions are heard at the council & staff level and hopefully they will be heard.

I will follow back up with you on the results.

Thank you for your input.

Scott

Sent from my Verizon 4G LTE smartphone

-------- Original message --------
From: Jaime Kemper <jaimekemper@hotmail.com>
Date: 2/21/17 4:03 PM (GMT-08:00)
To: Scott Thomas <scott.thomas@duvallwa.gov>, Amy Ockerlander <amy.ockerlander@duvallwa.gov>
Subject: Annexation

Amy and Scott,

Thank you both for balancing growth of the city and the public concerns. I have a few comments and ca not show up tonight.

A few of my friends are directly impacted by this development. I took some notes of their concerns.
Decreased perceived value of their home.
Decreased privacy.
Water run off.
Parking in their street for ball field use.

What I have not heard is a leader gathering the concerns from those impacted and pin pointing solutions. Then bring them back to the developer and asking if they can address these grievances. I think there is a middle ground here that can be found with some mediation.

I have some suggestions too but I feel those directly impacted should have the biggest voice.

Barrier/buffer of 15 ft allowing natural growth.
Trust of $X to be set aside for a period of 10 years to fix any water run off or retention issues post development.
Any height difference greater than 10 feet between an existing structure and new structure will be mitigated via view barrier or decreasing the grip be plane on the new structure.
Additional signage identifying vehicle will be towed.

I wish you all the best of luck. While taking a minor pause to gather information might satisfy some, you can't stop the growth. It will happen.

Sent from my iPhone

Troy Davis

From: Lara Thomas
Sent: Tuesday, February 07, 2017 4:10 PM
To: Anne Wright-Cunniff; Eric Preston; Jim Deal; Margie Coy; Mark Weiss; Michelle Hogg; Richard Winn; Ronn Mercer; Troy Davis
Subject: FW: Big Rock Annexation Public Comment

Public Commnet

Lara Thomas, Planning Director
City of Duvall, PO Box 1300, Duvall WA 98019
Lara.thomas@duvallwa.gov (425) 788-2779 ext 2

From: Amy Ockerlander
Sent: Tuesday, February 7, 2017 2:33 PM
To: Matthew Morton <matthew.morton@duvallwa.gov>; Lara Thomas <lara.thomas@duvallwa.gov>
Subject: Fwd: Big Rock Annexation Public Comment

Sent from my Verizon 4G LTE smartphone

-------- Original message --------
From: Amy McHenry <amymchenry@hotmail.com>
Date: 2/7/17 2:25 PM (GMT-08:00)
To: Will Ibershof <will.ibershof@duvallwa.gov>, Amy Ockerlander <amy.ockerlander@duvallwa.gov>, Dianne Brudnicki <dianne.brudnicki@duvallwa.gov>, Leroy Collinwood <leroy.collinwood@duvallwa.gov>, Scott Thomas <scott.thomas@duvallwa.gov>, Jason Walker <jason.walker@duvallwa.gov>, Becky Nixon <becky.nixon@duvallwa.gov>
Subject: Big Rock Annexation Public Comment

Dear Mayor and City Councilmembers,

I am writing in regards to the Big Rock Annexation Petition. I am asking you to reject this petition and work towards a new petition that provides the City of Duvall with a significant benefit. To state plainly, I do not think the proposed petition provides a significant benefit to the City.

I used to live right across the street from East Sammamish Park, a beautiful 19 acre multi use park. It has sport fields, BBQ grills, a picnic shelter, permanent restroom facility, play structures and a nice trail system. This park is closed in by the golf course to it's North, an elementary school and private preschool to the East and development to the West and South. Sammamish used to be the rural area of the plateau, and as I'm sure you know now is highly developed with more in the pipeline. Last Fall for a bit of nostalgia my family visited this

park again. There wasn't even a game going on and the large parking lot was full and street parking overrun. That would have been typical for a game day when we lived there five years ago, but this was not. No doubt the increase in park usage is related to the huge population and development boom in Sammamish. Where I'm going with this and asking you all, as representatives of Duvall citizens, to consider is that approving this petition and permanently closing in the Big Rock Sports Park, will mean it can never become larger than it is. Big Rock Sports park is already a highly used park, even before the improvements that are coming with the approval of Prop 1. We will see an increase in use once this park is improved. And if this petition is approved I know that it will someday be like East Sammamish Park...beautiful, but difficult to enjoy because it is limited by it's parking and in an area that has been overdeveloped without providing adequate parks and field space to other parts of the City.

I love the idea of a dog park, of additional play structure space and some of the ideas in this petition. But these will not have the intended benefit to the City if it is closed in by housing developments. Is there a way we can designate these properties for future park expansion? Having more field space (of course within reason of any environmental impacts due to critical areas on the property), parking and open space, I believe, will provide a much larger benefit to the City than more housing units on both sides.

What other areas or properties in Duvall can be turned into sport fields or parks? I would love to hear about how we will provide more park space to our community. As for right now, the property on both sides of Big Rock Park seems to provide a unique opportunity to be proactive about a problem we are actively seeing in other communities. We have a chance to reach beyond what has already been done in every other town. How will the families that move into these proposed neighborhoods feel when all of their street parking is taken as overflow parking every time there are games at Big Rock Park? Did the designers of East Sammamish Park fathom a day when the large sized parking lot wouldn't be enough for park users on a non game day? I know it may seem like the additional parking will be plenty. But if more large parks with fields and parking aren't added along with new developments and annexations, then this would-be benefit will be lost.

I have seen this before. I am asking you to please reject this petition and develop a plan that will benefit the City in the long term, not just the short term.

Thank you for your time reading my comments and thank you for all that you do.

Respectfully,

Amy McHenry
14208 284th PL NE
Duvall, WA 98019
425.516.1131

Troy Davis

From: Lara Thomas
Sent: Monday, February 06, 2017 2:06 PM
To: Jennifer Knaplund
Cc: Troy Davis
Subject: FW: Big Rock Annexation: Dazey Property - wetland questions
Attachments: Big Rock Annexation_Wetland Reconn review letter_20170201.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Jennifer,

This is the email the City received from ESA our peer review consultant. They also did the technical work for the Watershed Plan and the Comp Plan EIS. The City was surprised that the Dazey property did not have and identified wetlands on site. To qualify as a wetland a wetland specialist looks for soil, vegetation, and hydrology. When the Watershed Plan was going through technical analysis they utilized LIDAR, county data (topo) and NWI maps. They are approximates and when projects come in we verify the information with on the ground work. The UGAR and NUGA are locations that we don't have a robust amount of technical information. The WPM site does have a small wetland on the parcel. We have had that peer reviewed as well. The consultant has recommended a higher classification for the on-site wetland (Class III vs Class IV). If the city and applicant cannot agree on a determination we offer to bring in the Department of Ecology. As a citizen you can make that request of the City if you think the documentation needs further scrutiny. I also attached the WPM peer review document. Usually at this stage of an annexation the City has not verified sensitive areas but in the case the City felt it was important given our sensitive area and watershed maps. Usually the information would be submitted as part of the 50% petition and pre-annexation agreement. Let me know if you have additional questions on this issues.

Thank you,

Lara

Lara Thomas, Planning Director
City of Duvall, PO Box 1300, Duvall WA 98019
Lara.thomas@duvallwa.gov (425) 788-2779 ext 2

From: Aaron Booy [mailto:ABooy@esassoc.com]
Sent: Wednesday, January 18, 2017 3:05 PM
To: Lara Thomas <lara.thomas@duvallwa.gov>; Troy Davis <troy.davis@duvallwa.gov>
Cc: Jessica Redman <JRedman@esassoc.com>
Subject: FW: Dazey Property

FYI – here is the documentation of our site review with Soundview, back in early October.

From: Aaron Booy
Sent: Friday, October 7, 2016 4:31 PM
To: 'Lara Thomas' <lara.thomas@duvallwa.gov>
Cc: Jessica Redman <JRedman@esassoc.com>
Subject: FW: Dazey Property

Lara,
We met with Mike, as well as Jeremy and Emily from Soundview Consulting at the Dazey Property. We walked the property, focusing in on areas that had previously been identified as wetlands (from the 2008 survey for the church proposal).

From this review, we agreed with Soundview Consulting's reconnaissance determination that there no areas of the property that meet wetland criteria. We took a very close look at soils and other indicators in the spots that had been previously delineated. For the front of the property, there is an area (to the south of the existing driveway) that is somewhat borderline, but based on soils it did not meet wetland criteria. For the larger wetland in the back of the property, the soils were clearly upland. We also assessed conditions as feasible in areas immediately offsite to the east / northeast. As far as we could tell, the immediately adjoining offsite area also appeared to be upland (at least to the extent that there probably isn't much potential for off-site buffers to extend onto the Dazey Property).

We were really surprised by the significant difference between observed conditions and the previous delineation. I will follow-up with you next week to see what else you might need to close the loop on this.

Thanks, and have a great weekend. –Aaron

Aaron Booy
Natural Resources Specialist
ESA | Environmental Science Associates
5309 Shilshole Avenue NW, Suite 200
Seattle, WA 98107
206.789-9658 | 206.789-9684 fax
abooy@esassoc.com | www.esassoc.com

From: Mike Walsh [mailto:mike@terrenehomes.com]
Sent: Thursday, September 29, 2016 3:18 PM
To: Chelsy Williams; Aaron Booy
Cc: Jessica Redman; Jeremy Downs
Subject: RE: Dazey Property

1pm works for me.

Mike Walsh
O (425) 822.8848 x101
C (425) 293.3159
mike@terreneventures.com

From: Chelsy Williams [mailto:chelsy@soundviewconsultants.com]
Sent: Thursday, September 29, 2016 2:34 PM
To: 'Aaron Booy'; Mike Walsh
Cc: Jessica Redman; Jeremy Downs
Subject: RE: Dazey Property

Good Afternoon,

On behalf of Jeremy, I would like to confirm availability for a meeting on Friday at 10:00am or 1:00pm.

Thank You

Chelsy Williams
Office Administrator
Soundview Consultants LLC
Environmental, Natural Resource, and Land Use Consulting

Office: 253.514.8952
Fax: 253.514.8954
Email: chelsy@soundviewconsultants.com

Main Office and Mailing Address:
2907 Harborview Drive, Suite D
Gig Harbor, WA 98335

Satellite Office:
105 South Main Street, Suite 230
Seattle, WA 98104

From: Aaron Booy [mailto:ABooy@esassoc.com]
Sent: Thursday, September 29, 2016 2:30 PM
To: Mike Walsh <mike@terrenehomes.com>; Chelsy Williams <chelsy@soundviewconsultants.com>
Cc: Jessica Redman <JRedman@esassoc.com>; Jeremy Downs <jeremy@soundviewconsultants.com>
Subject: RE: Dazey Property

Monday doesn't work unfortunately, but next Friday (10/7) is good on our end. We are flexible as far as time – maybe 10:30AM or 1PM?
Thanks, Aaron

From: Mike Walsh [mailto:mike@terrenehomes.com]
Sent: Thursday, September 29, 2016 2:24 PM
To: Aaron Booy; Chelsy Williams
Cc: Jessica Redman; Jeremy Downs
Subject: RE: Dazey Property

Shoot, I can't do Tuesday, any chance we can do any time Monday afternoon? If not, how would Friday work?

Mike Walsh
O (425) 822.8848 x101
C (425) 293.3159
mike@terreneventures.com

From: Aaron Booy [mailto:ABooy@esassoc.com]
Sent: Thursday, September 29, 2016 2:16 PM
To: Chelsy Williams; 'Lara Thomas'; Mike Walsh
Cc: Jessica Redman; Jeremy Downs
Subject: RE: Dazey Property

Not a problem at all – 1PM will work. Thanks, Aaron

From: Chelsy Williams [mailto:chelsy@soundviewconsultants.com]
Sent: Thursday, September 29, 2016 1:32 PM
To: Aaron Booy; 'Lara Thomas'; 'Mike Walsh'
Cc: Jessica Redman; Jeremy Downs
Subject: RE: Dazey Property

Good Afternoon,

On behalf of Jeremy, I would like to suggest 1:00pm or 12:00pm if the meeting will be longer than a half an hour. At 2:00pm Jeremy is unavailable due to a previously scheduled regulatory conference call that is not flexible.

Thank You

Chelsy Williams
Office Administrator
Soundview Consultants LLC
Environmental, Natural Resource, and Land Use Consulting

Office: 253.514.8952
Fax: 253.514.8954
Email: chelsy@soundviewconsultants.com

Main Office and Mailing Address:
2907 Harborview Drive, Suite D
Gig Harbor, WA 98335

Satellite Office:
105 South Main Street, Suite 230
Seattle, WA 98104

From: Aaron Booy [mailto:ABooy@esassoc.com]
Sent: Thursday, September 29, 2016 9:42 AM
To: Lara Thomas <lara.thomas@duvallwa.gov>; Jeremy Downs <jeremy@soundviewconsultants.com>; Mike Walsh <mike@terrenehomes.com>
Cc: Jessica Redman <JRedman@esassoc.com>
Subject: RE: Dazey Property

Tuesday afternoon will work well on our end. Jessica Redman and I will both be attending. Can we say 1:30?
Thanks all, Aaron

Aaron Booy
Natural Resources Specialist
ESA | Environmental Science Associates
5309 Shilshole Avenue NW, Suite 200
Seattle, WA 98107
206.789-9658 | 206.789-9684 fax
abooy@esassoc.com | www.esassoc.com

From: Lara Thomas [mailto:lara.thomas@duvallwa.gov]
Sent: Wednesday, September 28, 2016 6:33 PM
To: Jeremy Downs; Mike Walsh
Cc: Aaron Booy
Subject: RE: Dazey Property

As soon as Aaron responds I will sent out an invite. I am not planning on attending the meeting unless you think it is important to the group. Jeremy and Aaron have worked together before so I don't see any issues.

Lara

Lara Thomas, Planning Director
City of Duvall, PO Box 1300, Duvall WA 98019
Lara.thomas@duvallwa.gov (425) 788-2779 ext 2

From: Jeremy Downs [mailto:jeremy@soundviewconsultants.com]
Sent: Wednesday, September 28, 2016 6:18 PM
To: Mike Walsh <mike@terrenehomes.com>
Cc: Lara Thomas <lara.thomas@duvallwa.gov>; Aaron Booy <ABooy@esassoc.com>
Subject: Re: Dazey Property

Monday, Tuesday afternoons and Friday midday are the best times. Wednesday and Thursday are booked already.

Jeremy Downs
Principal Scientist / Environmental Planner
Soundview Consultants LLC

2907 Harborview Drive, Suite D
Gig Harbor, WA 98336

- 105 South Main Street, Suite 230
- Seattle, WA 98104
-

Office 253.514.8952
Fax 253.514.8954
Cell 530.632.9596
jeremy@soundviewconsultants.com

On Sep 28, 2016, at 5:20 PM, Mike Walsh <mike@terrenehomes.com> wrote:

I'd like to do it as soon as possible.

Jeremy, when did you say you were busy next week?

Mike Walsh
O (425) 822.8848 x101
C (425) 293.3159
mike@terreneventures.com

From: Lara Thomas [mailto:lara.thomas@duvallwa.gov]
Sent: Wednesday, September 28, 2016 4:51 PM
To: Mike Walsh
Cc: Jeremy Downs; Aaron Booy
Subject: RE: Dazey Property

Mike, we will coordinate a field meeting with Aaron and Jeremy. It there a particular week, day or date that you are looking at?

Lara

<image001.png>
Lara Thomas, Planning Director
City of Duvall, PO Box 1300, Duvall WA 98019
Lara.thomas@duvallwa.gov (425) 788-2779 ext 2

From: Mike Walsh [mailto:mike@terrenehomes.com]
Sent: Wednesday, September 28, 2016 4:11 PM
To: Lara Thomas <lara.thomas@duvallwa.gov>
Cc: Jeremy Downs <jeremy@soundviewconsultants.com>
Subject: Dazey Property

Lara,

I spoke with Jeremy today and we thought it would be a good idea for a meeting with ESA onsite to review the scope of the potential critical areas on this property.

Please let me know what you need from me to facilitate that meeting.

Thanks,

MIKE WALSH
2630 116TH AVE NE, SUITE 200
BELLEVUE, WA 98004
O (425) 822.8848 x101
C (425) 293.3159
mike@terreneventures.com
<image002.jpg>

ExchangeDefender Message Security: Check Authenticity

ExchangeDefender Message Security: Check Authenticity

ExchangeDefender Message Security: Check Authenticity

ExchangeDefender Message Security: Check Authenticity

ESA

5309 Shilshole Avenue, NW
Suite 200
Seattle, WA 98107
206.789.9658 phone
206.789.9684 fax

www.esassoc.com

February 1, 2017

Ms. Lara Thomas, Planning Director
Mr. Troy Davis, Senior Planner
City of Duvall
PO Box 1300
Duvall, WA 98019

Subject: Review of the NE Big Rock Road (Parcel # 2129700260) -- Wetland Reconnaissance Memo

Dear Lara:

ESA reviewed the *Wetland Reconnaissance Memo* for the Amalani Big Rock Road parcel located along NE Big Rock Road (King County Parcel #2129700260), submitted by Soundview Consultants and dated December 9, 2016. The parcel lies immediately adjacent to the southeast side of the Big Rock Ball Fields and Skate Park, and is one of three tax parcels that make up the proposed Big Rock Annexation into the City of Duvall[1]. Soundview Consultants has been assisting Amalani LLC with a wetland and fish habitat assessment, preliminary planning, and feasibility study for the future development of the parcels. According to Soundview's *Wetland Reconnaissance Memo* (hereinafter referred to as the Recon Memo) one wetland (Wetland A) occurs on the parcel. The wetland was flagged by Soundview Consultants on September 12, 2016 and subsequently professionally surveyed by Axis Survey and Mapping. Surveyed areas are presented on the *Big Rock Road – Existing Conditions* figure dated October 19, 2016. According to the Recon Memo, Wetland A is a Category IV wetland with a total of 26 points, including 6 points for habitat functions. The Duval Municipal Code (DMC) requires Category IV wetlands a standard buffer of 50 feet (DMC 14.42.210.A.5). The Recon Memo notes that the DMC also allows activities in Category IV wetlands and associated buffers that would result in unavoidable impacts, provided avoidance and minimization measures have been evaluated consistent with DMC 14.42.130(C), the proposed activity is the only reasonable alternative, and that mitigation is provided (DMC 14.42.220(J).

In addition to the Recon Memo and Existing Conditions Map, ESA reviewed the Wetland Rating Form for Wetland A (completed by Soundview Consultants) and public domain information for the study area including National Wetland Inventory maps, Washington Department of Fish and Wildlife web mapping, and King County's GIS mapping website (iMap). On January 25, 2016, Jessica Redman (ESA biologist) and Troy Davis (City of Duvall Planner) conducted a site visit to the proposed project site.

Review Comments

Based upon our review, ESA agrees with the findings in the Memo that one wetland occurs on the subject parcel. No other critical areas were observed onsite during the field visit. ESA also agrees with the delineated boundary

[1] For the other two parcels included in the Big Rock Annexation (continuous parcels to the NW of the Big Rock Ballfields, referred to as the Dazey Property), Jessica Redman and Aaron Booy (ESA) previously met with development proponent and Soundview Consultants on the property on October 7, 2016. From that site visit, we agreed with Soundview Consulting's reconnaissance determination that there no areas of the property that meet wetland criteria. As such, we agree with Soundview's *Non-Wetland Verification Technical Memorandum* for the Dazey Property, dated November 10, 2016.

of Wetland A. However, there were several inconsistencies with the submitted Wetland Rating Form and what was observed in the field during the January 2017 site visit. We recommend the following comments be addressed to ensure accuracy:

- D1.4 – the response provided indicates that the area of seasonally ponding is ¼ to ½ of the total wetland. At the time of the January 2017 site visit, the area of seasonal ponding was estimated to be well over half the total area of the wetland as the majority of standing water went up to the wetland flagging except in the eastern extent of the wetland. An analysis of National Weather Service precipitation data showed that within the region, precipitation was 1 to 2 inches below normal during the month of January. Furthermore, algae was present in areas of inundation showing that ponding was not due to recent precipitation. Detailed analysis of areas of seasonal ponding should be provided as verification, or the Wetland A rating form response be revised to the seasonally ponded area being greater than ½ the wetland size, which receives 4 points.

- H1.5 – During the field visit we observed little invasive plant cover within the wetland, indicating a point should be recorded for this special habitat feature.

- H2.1 – Beside the Big Rock Road Ballfields to the east, the majority of Wetland A's buffer is forested. Two old gravel roads are present but these roads have been overgrown with grasses and creeping buttercup and do not lead to a disturbance in buffer or buffer functions. Even if considering these roads as buffer intrusions, based on the site visit and the existing conditions map, it appears that at least 25% of the circumference of the wetland is undisturbed for 330 feet (3 point answer). We recommend the rating form response be revised to reflect this.

Changes to these scores could potentially increase the total score for Wetland A to 33 points and increase the wetland rating from a Category IV to a Category III. This would also increase the standard wetland buffer to 60 feet per DMC 14.42.210. If the above recommendations result in a change in wetland buffer width, the applicant should update submittal documents that reflect changes.

Sincerely,

Jessica Redman
Ecologist

Troy Davis

From: Lara Thomas
Sent: Tuesday, February 07, 2017 4:10 PM
To: Anne Wright-Cunniff; Eric Preston; Jim Deal; Margie Coy; Mark Weiss; Michelle Hogg; Richard Winn; Ronn Mercer; Troy Davis
Subject: FW: Big Rock Annexation Public Comment

Public Commnet

Lara Thomas, Planning Director
City of Duvall, PO Box 1300, Duvall WA 98019
Lara.thomas@duvallwa.gov (425) 788-2779 ext 2

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Sent: Tuesday, February 7, 2017 2:33 PM
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To: Will Ibershof <will.ibershof@duvallwa.gov>, Amy Ockerlander <amy.ockerlander@duvallwa.gov>, Dianne Brudnicki <dianne.brudnicki@duvallwa.gov>, Leroy Collinwood <leroy.collinwood@duvallwa.gov>, Scott Thomas <scott.thomas@duvallwa.gov>, Jason Walker <jason.walker@duvallwa.gov>, Becky Nixon <becky.nixon@duvallwa.gov>
Subject: Big Rock Annexation Public Comment

Dear Mayor and City Councilmembers,

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I used to live right across the street from East Sammamish Park, a beautiful 19 acre multi use park. It has sport fields, BBQ grills, a picnic shelter, permanent restroom facility, play structures and a nice trail system. This park is closed in by the golf course to it's North, an elementary school and private preschool to the East and development to the West and South. Sammamish used to be the rural area of the plateau, and as I'm sure you know now is highly developed with more in the pipeline. Last Fall for a bit of nostalgia my family visited this

park again. There wasn't even a game going on and the large parking lot was full and street parking overrun. That would have been typical for a game day when we lived there five years ago, but this was not. No doubt the increase in park usage is related to the huge population and development boom in Sammamish. Where I'm going with this and asking you all, as representatives of Duvall citizens, to consider is that approving this petition and permanently closing in the Big Rock Sports Park, will mean it can never become larger than it is. Big Rock Sports park is already a highly used park, even before the improvements that are coming with the approval of Prop 1. We will see an increase in use once this park is improved. And if this petition is approved I know that it will someday be like East Sammamish Park...beautiful, but difficult to enjoy because it is limited by it's parking and in an area that has been overdeveloped without providing adequate parks and field space to other parts of the City.

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What other areas or properties in Duvall can be turned into sport fields or parks? I would love to hear about how we will provide more park space to our community. As for right now, the property on both sides of Big Rock Park seems to provide a unique opportunity to be proactive about a problem we are actively seeing in other communities. We have a chance to reach beyond what has already been done in every other town. How will the families that move into these proposed neighborhoods feel when all of their street parking is taken as overflow parking every time there are games at Big Rock Park? Did the designers of East Sammamish Park fathom a day when the large sized parking lot wouldn't be enough for park users on a non game day? I know it may seem like the additional parking will be plenty. But if more large parks with fields and parking aren't added along with new developments and annexations, then this would-be benefit will be lost.

I have seen this before. I am asking you to please reject this petition and develop a plan that will benefit the City in the long term, not just the short term.

Thank you for your time reading my comments and thank you for all that you do.

Respectfully,

Amy McHenry
14208 284th PL NE
Duvall, WA 98019
425.516.1131

Troy Davis

From: Lara Thomas
Sent: Tuesday, February 07, 2017 4:10 PM
To: Anne Wright-Cunniff; Eric Preston; Jim Deal; Margie Coy; Mark Weiss; Michelle Hogg; Richard Winn; Ronn Mercer; Troy Davis
Subject: FW: Big Rock Annexation

Public comments

Lara Thomas, Planning Director
City of Duvall, PO Box 1300, Duvall WA 98019
Lara.thomas@duvallwa.gov (425) 788-2779 ext 2

From: Amy Ockerlander
Sent: Tuesday, February 7, 2017 2:37 PM
To: Lara Thomas <lara.thomas@duvallwa.gov>; Matthew Morton <matthew.morton@duvallwa.gov>
Subject: Fwd: Big Rock Annexation

Sent from my Verizon 4G LTE smartphone

-------- Original message --------
From: Jennifer K <jenkna@frontier.com>
Date: 2/7/17 2:28 PM (GMT-08:00)
To: Amy Ockerlander <amy.ockerlander@duvallwa.gov>, Dianne Brudnicki <dianne.brudnicki@duvallwa.gov>, Becky Nixon <becky.nixon@duvallwa.gov>, Jason Walker <jason.walker@duvallwa.gov>
Subject: Big Rock Annexation

Councilmembers Brudnicki, Ockerlander, Nixon and Walker,

I am very concerned about the possible annexation of the properties bordering Big Rock Ball Park. I believe you shared the concern of the R4 predesignation and were keenly aware of the potential to lose leverage toward getting a significant park out of the annexation. All four of you voted FOR "removing the parcel from the UGA to become part of the UGAR" and REJECTED the option to"Predesignate the parcel to R4 and work with the applicant on a pre-annexation agreement". I am extremely upset that the direction from you, the City Council, was disregarded and the option you all REJECTED is what the City went ahead and did. Please salvage this opportunity to expand Big Rock Ball Park in a meaningful way. To annex an additional 20 acres of land for residential housing (when we are already FAR exceeding our need for residential housing) and only end up with a parking lot and a tiny dog park - this is a tragedy. I would ask that you reject the Intent to Annex Petition and work towards a better outcome for residents.

Please take a look at the following meeting minutes:

http://www.duvallwa.gov/AgendaCenter/ViewFile/Minutes/_11032015-300

Consider listening to your own comments within the discussion that begins at approximately 35 minutes into the audio recording from the meeting.

Specifically this section:

5. Southeast Urban Growth Area – Public Facilities Pre Zone discussion
Lara Thomas, Planning Director, reviewed the Future Land Use Map (FLUM) that was approved by Council. Ms. Thomas said that the owner of one of the parcels in the Southeast Urban Growth Area (SEUGA) asked to explain why they wanted to request that their property be zoned back to R4 (4 residential units per acre) instead of Public Facility and met with the Land Use Committee to give that explanation. Ms. Thomas said the Land Use Committee is supportive of the request to zone the parcel R4 with the understanding that there would be a pre-annexation agreement and the City would not annex the property if the agreement was unsatisfactory. Ms. Thomas explained that Council has three options: 1. Maintain the FLUM as is; **2. Remove the parcel from the Urban Growth Area to become part of the Urban Growth Area Reserve;** and 3. Pre-designate the parcel to R4 and work with the applicant on a pre-annexation agreement. After further discussion, **there was Council consensus to go with option 2. (option 2 – Nixon, Ockerlander, Brudnicki, Walker**; option 3 – Thomas, Collinwood; undecided – Gill)

Thank you, Jennifer Knaplund

Troy Davis

From: Lara Thomas
Sent: Wednesday, January 25, 2017 4:31 PM
To: Troy Davis; Anne Wright-Cunniff
Subject: FW: I won't be able to make tonight Planning Commission meeting

Follow Up Flag: Follow up
Flag Status: Flagged

Place under comments.

Lara Thomas, Planning Director
City of Duvall, PO Box 1300, Duvall WA 98019
Lara.thomas@duvallwa.gov (425) 788-2779 ext 2

From: Lara Thomas
Sent: Wednesday, January 25, 2017 4:27 PM
To: Jim Deal <jim.deal@duvallwa.gov>
Subject: RE: I won't be able to make tonight Planning Commission meeting

Jim,

The south parcel is 9.76 acres prior to dedication of land. 9.76 * 4 = 39 units (gross). The city will be looking at a net approach to remove sensitive area and buffers. They have an approximately 2,500 square foot wetland on site that they will likely propose to fill. ESA is currently looking at the wetland report (they were on site today). Let me know if you have any questions.

Lara

Lara Thomas, Planning Director
City of Duvall, PO Box 1300, Duvall WA 98019
Lara.thomas@duvallwa.gov (425) 788-2779 ext 2

From: Jim Deal
Sent: Wednesday, January 25, 2017 4:13 PM
To: Lara Thomas <lara.thomas@duvallwa.gov>; Anne Wright-Cunniff <Anne.Wright-Cunniff@duvallwa.gov>
Cc: Richard Winn <richard.winn@duvallwa.gov>; Ronn Mercer <ronn.mercer@duvallwa.gov>; Margie Coy <Margie.Coy@duvallwa.gov>; Eric Preston <eric.preston@duvallwa.gov>
Subject: I won't be able to make tonight Planning Commission meeting

Unfortunately I have the bug that's going around and I just can't shake it.

I've looked over the package materials for the meeting, and the only question I have is for the 7 acre (actually something like 6.86) development to the south of the Ballpark. They are putting in 33 homes. Is this not exceeding the limit for an R4 designation?

Apologies for no being able to attend tonight.

Let me know if there is anything I can make up.

-Jim

Troy Davis

From: Lara Thomas
Sent: Tuesday, February 07, 2017 4:10 PM
To: Anne Wright-Cunniff; Eric Preston; Jim Deal; Margie Coy; Mark Weiss; Michelle Hogg; Richard Winn; Ronn Mercer; Troy Davis
Subject: FW: Big Rock Annexation

Public comments

Lara Thomas, Planning Director
City of Duvall, PO Box 1300, Duvall WA 98019
Lara.thomas@duvallwa.gov (425) 788-2779 ext 2

From: Amy Ockerlander
Sent: Tuesday, February 7, 2017 2:37 PM
To: Lara Thomas <lara.thomas@duvallwa.gov>; Matthew Morton <matthew.morton@duvallwa.gov>
Subject: Fwd: Big Rock Annexation

Sent from my Verizon 4G LTE smartphone

-------- Original message --------
From: Jennifer K <jenkna@frontier.com>
Date: 2/7/17 2:28 PM (GMT-08:00)
To: Amy Ockerlander <amy.ockerlander@duvallwa.gov>, Dianne Brudnicki <dianne.brudnicki@duvallwa.gov>, Becky Nixon <becky.nixon@duvallwa.gov>, Jason Walker <jason.walker@duvallwa.gov>
Subject: Big Rock Annexation

Councilmembers Brudnicki, Ockerlander, Nixon and Walker,

I am very concerned about the possible annexation of the properties bordering Big Rock Ball Park. I believe you shared the concern of the R4 predesignation and were keenly aware of the potential to lose leverage toward getting a significant park out of the annexation. All four of you voted FOR "removing the parcel from the UGA to become part of the UGAR" and REJECTED the option to"Predesignate the parcel to R4 and work with the applicant on a pre-annexation agreement". I am extremely upset that the direction from you, the City Council, was disregarded and the option you all REJECTED is what the City went ahead and did. Please salvage this opportunity to expand Big Rock Ball Park in a meaningful way. To annex an additional 20 acres of land for residential housing (when we are already FAR exceeding our need for residential housing) and only end up with a parking lot and a tiny dog park - this is a tragedy. I would ask that you reject the Intent to Annex Petition and work towards a better outcome for residents.

Please take a look at the following meeting minutes:

http://www.duvallwa.gov/AgendaCenter/ViewFile/Minutes/_11032015-300

Consider listening to your own comments within the discussion that begins at approximately 35 minutes into the audio recording from the meeting.

Specifically this section:

5. Southeast Urban Growth Area – Public Facilities Pre Zone discussion
Lara Thomas, Planning Director, reviewed the Future Land Use Map (FLUM) that was approved by Council. Ms. Thomas said that the owner of one of the parcels in the Southeast Urban Growth Area (SEUGA) asked to explain why they wanted to request that their property be zoned back to R4 (4 residential units per acre) instead of Public Facility and met with the Land Use Committee to give that explanation. Ms. Thomas said the Land Use Committee is supportive of the request to zone the parcel R4 with the understanding that there would be a pre-annexation agreement and the City would not annex the property if the agreement was unsatisfactory. Ms. Thomas explained that Council has three options: 1. Maintain the FLUM as is; **2. Remove the parcel from the Urban Growth Area to become part of the Urban Growth Area Reserve;** and 3. Pre-designate the parcel to R4 and work with the applicant on a pre-annexation agreement. After further discussion, **there was Council consensus to go with option 2. (option 2 – Nixon, Ockerlander, Brudnicki, Walker**; option 3 – Thomas, Collinwood; undecided – Gill)

Thank you, Jennifer Knaplund

Troy Davis

From: Lara Thomas
Sent: Tuesday, February 07, 2017 4:10 PM
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Public Commnet

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Lara.thomas@duvallwa.gov (425) 788-2779 ext 2

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From: Amy McHenry <amymchenry@hotmail.com>
Date: 2/7/17 2:25 PM (GMT-08:00)
To: Will Ibershof <will.ibershof@duvallwa.gov>, Amy Ockerlander <amy.ockerlander@duvallwa.gov>, Dianne Brudnicki <dianne.brudnicki@duvallwa.gov>, Leroy Collinwood <leroy.collinwood@duvallwa.gov>, Scott Thomas <scott.thomas@duvallwa.gov>, Jason Walker <jason.walker@duvallwa.gov>, Becky Nixon <becky.nixon@duvallwa.gov>
Subject: Big Rock Annexation Public Comment

Dear Mayor and City Councilmembers,

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I used to live right across the street from East Sammamish Park, a beautiful 19 acre multi use park. It has sport fields, BBQ grills, a picnic shelter, permanent restroom facility, play structures and a nice trail system. This park is closed in by the golf course to it's North, an elementary school and private preschool to the East and development to the West and South. Sammamish used to be the rural area of the plateau, and as I'm sure you know now is highly developed with more in the pipeline. Last Fall for a bit of nostalgia my family visited this

park again. There wasn't even a game going on and the large parking lot was full and street parking overrun. That would have been typical for a game day when we lived there five years ago, but this was not. No doubt the increase in park usage is related to the huge population and development boom in Sammamish. Where I'm going with this and asking you all, as representatives of Duvall citizens, to consider is that approving this petition and permanently closing in the Big Rock Sports Park, will mean it can never become larger than it is. Big Rock Sports park is already a highly used park, even before the improvements that are coming with the approval of Prop 1. We will see an increase in use once this park is improved. And if this petition is approved I know that it will someday be like East Sammamish Park...beautiful, but difficult to enjoy because it is limited by it's parking and in an area that has been overdeveloped without providing adequate parks and field space to other parts of the City.

I love the idea of a dog park, of additional play structure space and some of the ideas in this petition. But these will not have the intended benefit to the City if it is closed in by housing developments. Is there a way we can designate these properties for future park expansion? Having more field space (of course within reason of any environmental impacts due to critical areas on the property), parking and open space, I believe, will provide a much larger benefit to the City than more housing units on both sides.

What other areas or properties in Duvall can be turned into sport fields or parks? I would love to hear about how we will provide more park space to our community. As for right now, the property on both sides of Big Rock Park seems to provide a unique opportunity to be proactive about a problem we are actively seeing in other communities. We have a chance to reach beyond what has already been done in every other town. How will the families that move into these proposed neighborhoods feel when all of their street parking is taken as overflow parking every time there are games at Big Rock Park? Did the designers of East Sammamish Park fathom a day when the large sized parking lot wouldn't be enough for park users on a non game day? I know it may seem like the additional parking will be plenty. But if more large parks with fields and parking aren't added along with new developments and annexations, then this would-be benefit will be lost.

I have seen this before. I am asking you to please reject this petition and develop a plan that will benefit the City in the long term, not just the short term.

Thank you for your time reading my comments and thank you for all that you do.

Respectfully,

Amy McHenry
14208 284th PL NE
Duvall, WA 98019
425.516.1131

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From: Lara Thomas
Sent: Tuesday, February 07, 2017 4:10 PM
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Thank you, Jennifer Knaplund

Troy Davis

From: Richard Winn
Sent: Friday, February 10, 2017 1:27 PM
To: Lara Thomas; Anne Wright-Cunniff; Eric Preston; Jim Deal; Margie Coy; Mark Weiss; Michelle Hogg; Ronn Mercer; Troy Davis
Subject: Re: Big Rock Annexation Public Comment
Attachments: image001.png

Hi Lara---I don't know what weight Amy McHenry's has now but as you will note that I had some of the thoughts spoken by her. Up to you if you are willing to jump in here and copy to Amy Ockerlander. Thanx, Dick

---

From: Lara Thomas <lara.thomas@duvallwa.gov>
Date: Tuesday, February 7, 2017 4:10 PM
To: Anne Wright-Cunniff <Anne.Wright-Cunniff@duvallwa.gov>, Eric Preston <eric.preston@duvallwa.gov>, Jim Deal <jim.deal@duvallwa.gov>, Margie Coy <Margie.Coy@duvallwa.gov>, Mark Weiss <Mark.Weiss@duvallwa.gov>, Michelle Hogg <Michelle.Hogg@duvallwa.gov>, Richard Winn <richard.winn@duvallwa.gov>, Ronn Mercer <ronn.mercer@duvallwa.gov>, Troy Davis <troy.davis@duvallwa.gov>
Subject: FW: Big Rock Annexation Public Comment

Public Commnet

Lara Thomas, Planning Director
City of Duvall, PO Box 1300, Duvall WA 98019
Lara.thomas@duvallwa.gov (425) 788-2779 ext 2

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To: Will Ibershof <will.ibershof@duvallwa.gov>, Amy Ockerlander <amy.ockerlander@duvallwa.gov>, Dianne Brudnicki <dianne.brudnicki@duvallwa.gov>, Leroy Collinwood <leroy.collinwood@duvallwa.gov>, Scott Thomas <scott.thomas@duvallwa.gov>, Jason Walker <jason.walker@duvallwa.gov>, Becky Nixon <becky.nixon@duvallwa.gov>
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Thank you for your time reading my comments and thank you for all that you do.

Respectfully,

Amy McHenry
14208 284th PL NE
Duvall, WA 98019

425.516.1131

Troy Davis

From: Lara Thomas
Sent: Sunday, February 05, 2017 7:24 PM
To: Jennifer K
Cc: Troy Davis
Subject: Re: Big Rock Annexation Public Comment

Follow Up Flag: Follow up
Flag Status: Flagged

Jennifer,
We will correct the sub-basin issue at the public hearing and send out an updated staff report on Monday. We had corrected the memo but not the staff report. I will respond to your other questions on Monday.

Thank you,
Lara

From: Jennifer K <jenkna@frontier.com>
Sent: Sunday, February 5, 2017 6:10:43 PM
To: Lara Thomas
Subject: Big Rock Annexation Public Comment

Please accept this e-mail as public comment to the Big Rock Notice of Intent to Annex.

I would like to bring it to your attention that the Staff Report related to this petition contains grossly incorrect information that is critical to the decision making process. I would like a correction sent to all recipients of the Staff Report and for it to include an evaluation of the implications of the corrected designation.

Take a look at this excerpt from the staff report:

- Big Rock Road street widening along Park frontage to include bike lane, parking, planter strip, and sidewalk
- Existing stormwater pond and swale enlargements
- New emergency vehicle access connection between park and Big Rock Road, mid-block connection through future plat access roadway and cul-de-sac turn-around

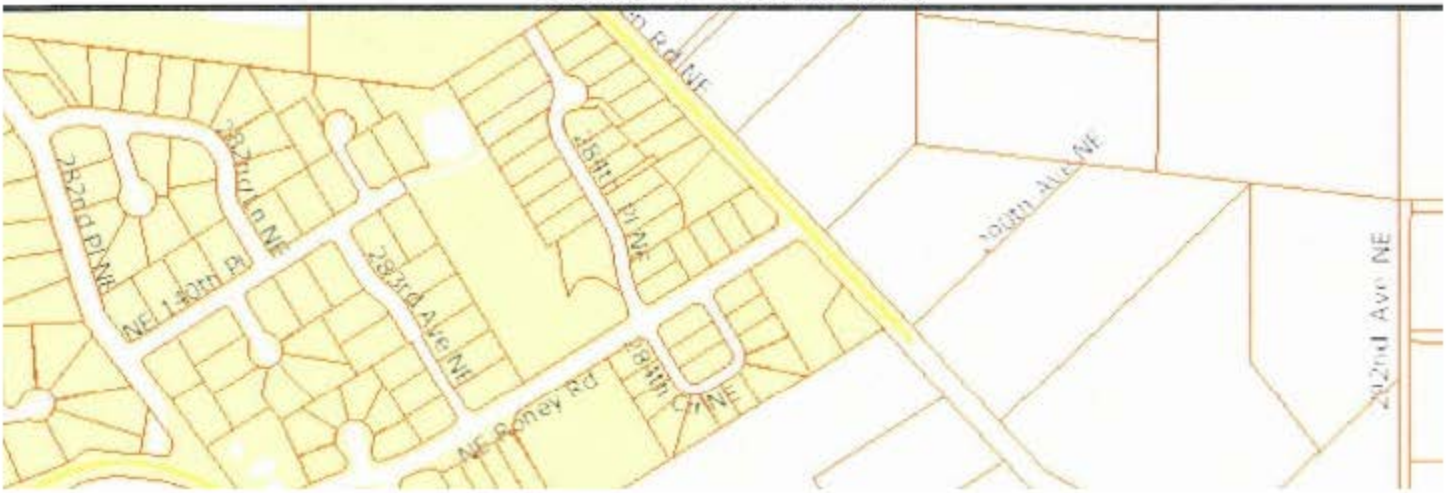
Parcel 2129700245 and 2129700240 propose a 24' (min.) wildlife habitat corridor as described in the City of Duvall 2015 Comprehensive Plan. The corridor proposed will extend across the property east and west and be located adjacent to the park boundary.

The development plan for both of the parcels adjoining the ballfield includes, in addition to the above, retention of significant clusters of trees and enlargement of existing stormwater ponds to avoid the use of stormwater

The City of Duvall's Watershed Plan designates the properties as being within the "D7 – Unnamed Southern Tributary – Upper" basin with a Group 2C designation, the lowest conservation designation. This designation is for subbasins where more intense development is appropriate, with focused protection of remaining important areas. The City of Duvall's Comprehensive Plan designates the properties as being within the "Southeast Urban Growth Area - The Southeast UGA contains approximately 20 acres, near Big Rock Ball Fields and has a future land use designation of [illegible]". The three parcels as part of this annexation encompass the entire southeast UGA.

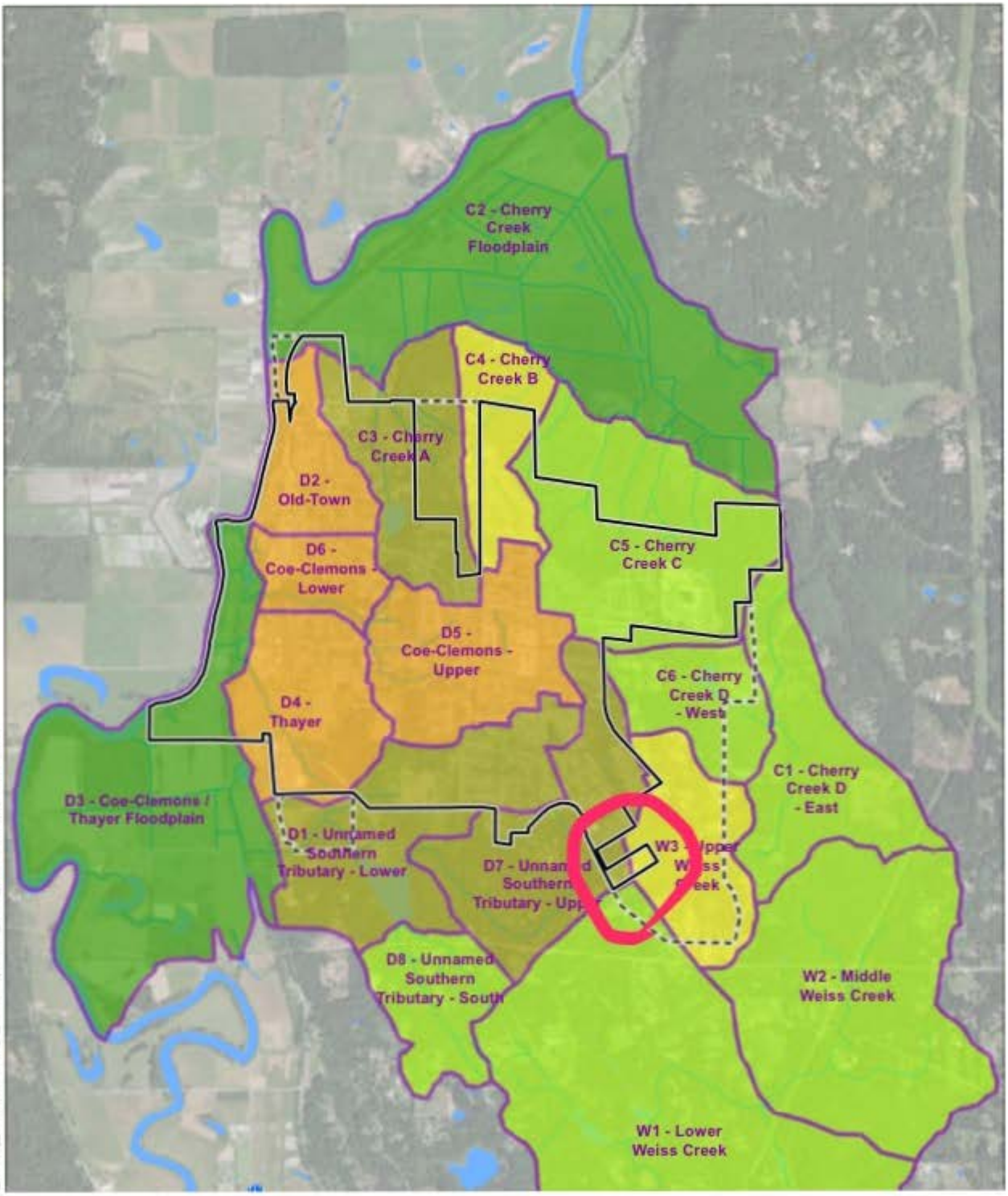
In accordance with the Future Land Use Map and the R4 Residential zoning per Duvall's Municipal Code, single-family residential homes are intended to be constructed on the subject parcels once annexed into the City of Duvall. The properties will respect the intended use, zoning, density and City of Duvall vision as it's prescribed in the comprehensive plan while complementing and adding to the City of Duvall's planned park improvements.

DAZEY BIG ROCK
EXHIBIT B - VICINITY MAP



The report specifies that the annexation area is within the D7 area designated 2C - the lowest conservation. This is false. Take a look at the following map from the Watershed Plan that is included in the staff report:

●●●●○ Verizon 9:15 AM 74%
duvallwa.gov



Note that only a very small portion of the annexation area is in the 2C - lowest conservation area and most of the area (at least 75%) is in 2A - highest conservation and 2B - moderate conservation designation. This is a significant error.

See below for the Watershed Plan description of these designations:

●●●○○ Verizon 5:46 PM 94%
duvallwa.gov

2.3 Subbasin Management Group Framework

Subbasins are ranked based on the relative importance of their watershed process to the overall watershed, and on the extent of degradation these processes have sustained as a result of past human practices (e.g., converting forested lands to impervious surfaces). The subbasins are ranked according to the following five Subbasin Management Groups (see Figure 2-5):

Management Group 1 – Protect / Restore

- Applies to Snoqualmie River/Cherry Creek floodplains (PAUs C2 and D3).
- Assigned to subbasins that are of highest importance to multiple watershed processes and are a high priority for protection and restoration.

Management Group 2A – Highest Conservation

- Applies to six subbasins along east and south edges of the city (PAUs C5, C6 C1, W2, W1, and D8).
- Assigned to subbasins that are the highest priority for conservation and are likely not appropriate for much additional development. Assessment result show moderate importance to multiple watershed processes that are also highly intact.

Management Group 2B – Moderate Conservation

- Applies to Cherry Creek B (PAU C4) and Upper Weis Creek (PAU W3).
- Assigned to subbasins that may be appropriate for some additional development, but also require protection of areas important for remaining watershed processes.

Management Group 2C – Lowest Conservation

- Applies to three subbasins including North urban growth area (PAU C3) an southeast City / South urban growth area (PAUs D1 and D7).
- Assigned to subbasins where more intense development is appropriate. Th remaining resources and areas important to watershed processes would

The Watershed Plan specifies that these areas are either "not appropriate for much additional development" or "may be appropriate for some development". The proposed development for the annexed area is in obvious disagreement with Watershed Plan.

I am also disappointed to discover the memorandum of understanding (MOU) entered into by the city in February 2016 specified they would give a MINIMUM density of R-4. It is my understanding that R-4 mandates a MAXIMUM density and does not require a MINIMUM density. This agreement seems to go beyond what our code specifies and is not in the best interest of the city considering the designation of the annexation area.

I was also verbally told that the developer was going to be responsible for the improvements to the park area (I.e actually build/pay for the parking lot and park features). I am not seeing this in any of the Big Rock annexation documents.

In addition, the Watershed Plan specifies that development should be far away from wetlands and to avoid forested areas. It is clear that this is not being followed:

I also noticed this memo (see below) concerning wetlands present on or near the annexation area. It mentions that a previously identified wetland to the north was no longer present. It is not clear what wetland they are referring to, but if they are referring to the very large wetland that borders Big Rock ballpark and the southernmost annexation property, it seems highly unlikely and unusual for such a large wetland to suddenly disappear - especially considering the saturation of soil in the soccer fields at that northeastern end of Big Rock park. In my recollection that end of the park has large sections under water and swampy much of the year.

Picture of memo and wetlands under dispute below:

Exhibit 19

Soundview Consultants
Environmental Assessment • Planning • Land Use Solutions
2907 Harborview Drive, Suite D
Gig Harbor, Washington 98335

December 9, 20

Barry Margolese
Amalani LLC
105 South Main St., Suite 230
Seattle, WA 98104

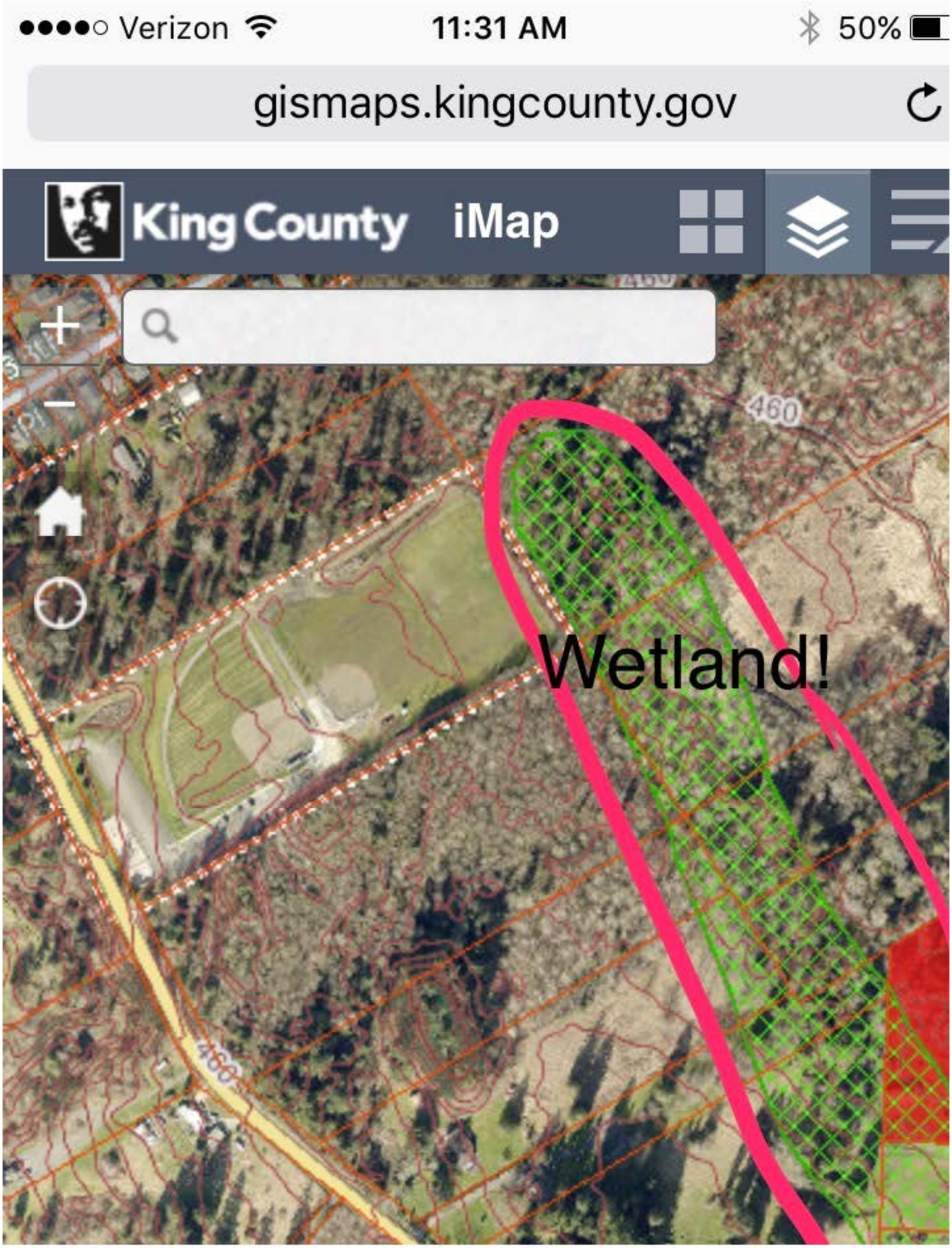
Re: Amalani Big Rock Road NE Big Rock Rd. Parcel #: 2129700260
Duvall, WA 98019

Dear Barry,

Soundview Consultants (SVC) has been assisting Amalani LLC (Client) with a wetland ar fish and wildlife delineation and habitat assessment, preliminary planning, and feasibili analysis for the future development of a 9.76-acre site as a single-family residential plat NE Big Rock Road, Duvall, WA 98019 (King County Parcel 2129700260). The followi information represents our preliminary findings and reconnaissance.

On July 5, 2016, Principal Scientist Jeremy Downs from SVC performed a si reconnaissance and identified one wetland near the center of the site and confirmed th no other wetlands are on or adjacent to the site. On September 12, 2016, Wetlan Scientists Emily Swaim from SVC and Senior Environmental Planner Jon Pickett fro SVC delineated and assessed the on-site wetland (Wetland A) and confirmed that t previously identified (King County iMap, 2016) off-site wetland was not present to t north per Duvall Municipal Code (DMC) 14.142.230 B(4). On September 15, 201 Wetland Scientists Emily Swaim from SVC and Principal Scientist Jeremy Downs al evaluated a nearby site with the City's third-party consultant, ESA. Only one on-si wetland was delineated and no off-site wetlands or critical area were found to be present.

Wetland A was professionally surveyed and is approximately 2,226 square feet (0.05 acre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gismaps.kingcounty.gov
King County
iMap
460
Wetland!

Notice that the site survey for this determination was made in mid-September (the driest time of the year). I also saw it noted that the analyst did not go onsite (since they did not have permission from the property owner) to investigate and only viewed from a distance the vegetation and made a determination from afar. This wetland would further necessitate buffers that could impact the proposed number of lots and the layout of the development.

I also want to point out that the proposed "Code Updates are slated to include a change to the density calculations. Note that a significant portion of the lot is likely unbuildable due to an wetland identified on the southernmost property as well as likely wetlands buffers due to a wetland adjacent to the property and preservation of forested areas requirement. In accordance with net density, much of the land should not be used as square footage toward calculating the lots allowed under R-4 zoning.

I am also still trying to figure out how the pre-designation of R 4-4.5 was given to the southernmost lot. I attended the planning meeting where this possible annexation was discussed in regards to updating the zoning and future land use maps as part of the Comprehensive Plan Update. It was very clear that the planning commission recommended that the lot be given a parks designation, not a residential designation. It was also my understanding that the entire southern lot was likely to be used to expand Big Rock Ballpark, at not just "up to 3 acres" as specified in the MOU. Up to 3 acres could also end up being zero acres and does not seem like a good deal for the residents of the City and not what was communicated.

I also notice in the northernmost properties, that the development will utilize and expand stormwater retention facilities located on city property. I would like to understand how the city is being compensated for that benefit. In addition, I see that the northernmost annexation property specifies they have a wildlife corridor along the border with the ball park. It is unclear how this is possible when I view the development plan and do not see a feasible wildlife corridor in the drawing.

In a letter requesting the annexation, the parties involved specifically mentioned that the city would benefit from the annexation by being able to expand Big Rock Ballpark in BOTH directions. I am not seeing this as part of any agreements.

In conclusion, at a minimum, the southernmost property should have reduced residential units to ensure reconciliation with the Watershed Plan and "Code Updates" and preferably be entirely designated as parks space. Our City is significantly behind in parks space and this adjacent land once developed residential will be forever gone. I would rather our City save up the funds to purchase this land if necessary. It is located on a main arterial and would be well utilized by residents. I also feel that the northernmost property needs to compensate for the stormwater retention ponds it is utilizing on public land and provide a useable wildlife corridor and parks expansion for Big Rock Ballpark.

Thank you for your time,
Jennifer Knaplund
28320 NE 147th Court
Duvall, WA 98019

Troy Davis

From: Amy Ockerlander
Sent: Friday, February 24, 2017 5:54 PM
To: Lara Thomas
Subject: FW: Big Rock Annexation

Amy Ockerlander
Mayor Pro Tem
Duvall City Council, Position #6
Amy.Ockerlander@duvallwa.gov
206-305-8258

From: Amy Ockerlander [mailto:amy.ockerlander@duvallwa.gov]
Sent: Wednesday, February 8, 2017 7:31 PM
To: Jennifer K <jenkna@frontier.com>
Subject: RE: Big Rock Annexation

Jennifer - Thanks for the email and my apologies for not being able to respond less than 3 hours before the meeting started. I was busy preparing for the meeting and carrying out my duties as Mayor Pro Tem by working with staff, and as you know as a result I am not able to respond via email immediately and a phone call is the fastest way to reach me. (Especially on days like today where I am away from town and will be in my car much of the day :))

Thank you for attending the meeting last night - I truly appreciate your participation and continued passion related to growth in our community.

Since you were at the meeting this is redundant, but I do not support moving forward with the 10% peitition at this time, for reasons I stated publicly.

While there is a need for additional parking at Big Rock Ball Fields, I don't feel that is the right time to bring this section in.

I am at an evening meeting tonight and out of town for most of tomorrow, but have an hour block to talk at 4:30 if you would like to chat. I have meetings from 7:30-11:00 on Friday, and have open time in the afternoon as well.

Regards,
Amy

Sent from my Verizon 4G LTE smartphone
-------- Original message --------
From: Jennifer K <jenkna@frontier.com>
Date: 2/7/17 2:28 PM (GMT-08:00)

To: Amy Ockerlander <amy.ockerlander@duvallwa.gov>, Dianne Brudnicki <dianne.brudnicki@duvallwa.gov>, Becky Nixon <becky.nixon@duvallwa.gov>, Jason Walker <jason.walker@duvallwa.gov>
Subject: Big Rock Annexation

Councilmembers Brudnicki, Ockerlander, Nixon and Walker,

I am very concerned about the possible annexation of the properties bordering Big Rock Ball Park. I believe you shared the concern of the R4 predesignation and were keenly aware of the potential to lose leverage toward getting a significant park out of the annexation. All four of you voted FOR "removing the parcel from the UGA to become part of the UGAR" and REJECTED the option to"Predesignate the parcel to R4 and work with the applicant on a pre-annexation agreement". I am extremely upset that the direction from you, the City Council, was disregarded and the option you all REJECTED is what the City went ahead and did. Please salvage this opportunity to expand Big Rock Ball Park in a meaningful way. To annex an additional 20 acres of land for residential housing (when we are already FAR exceeding our need for residential housing) and only end up with a parking lot and a tiny dog park - this is a tragedy. I would ask that you reject the Intent to Annex Petition and work towards a better outcome for residents.

Please take a look at the following meeting minutes:

http://www.duvallwa.gov/AgendaCenter/ViewFile/Minutes/_11032015-300

Consider listening to your own comments within the discussion that begins at approximately 35 minutes into the audio recording from the meeting.

Specifically this section:

5. Southeast Urban Growth Area – Public Facilities Pre Zone discussion
Lara Thomas, Planning Director, reviewed the Future Land Use Map (FLUM) that was approved by Council. Ms. Thomas said that the owner of one of the parcels in the Southeast Urban Growth Area (SEUGA) asked to explain why they wanted to request that their property be zoned back to R4 (4 residential units per acre) instead of Public Facility and met with the Land Use Committee to give that explanation. Ms. Thomas said the Land Use Committee is supportive of the request to zone the parcel R4 with the understanding that there would be a pre-annexation agreement and the City would not annex the property if the agreement was unsatisfactory. Ms. Thomas explained that Council has three options: 1. Maintain the FLUM as is; **2. Remove the parcel from the Urban Growth Area to become part of the Urban Growth Area Reserve;** and 3. Pre-designate the parcel to R4 and work with the applicant on a pre-annexation agreement. After further discussion, **there was Council consensus to go with option 2. (option 2 – Nixon, Ockerlander, Brudnicki, Walker**; option 3 – Thomas, Collinwood; undecided – Gill)

Thank you, Jennifer Knaplund

Troy Davis

From: Amy Ockerlander
Sent: Friday, February 24, 2017 5:54 PM
To: Lara Thomas
Subject: FW: Big Rock Annexation

Amy Ockerlander
Mayor Pro Tem
Duvall City Council, Position #6
Amy.Ockerlander@duvallwa.gov
206-305-8258

From: Jennifer K [mailto:jenkna@frontier.com]
Sent: Wednesday, February 8, 2017 9:04 PM
To: Amy Ockerlander <amy.ockerlander@duvallwa.gov>
Subject: Re: Big Rock Annexation

Hi Amy,

I totally didn't expect a response to that last minute e-mail. I just happened to run across the meeting minutes and recording and found it super interesting that you and 3 other Council Members voted against the R4 designation. It always amazes me how these decisions get from point A to point B. It's like the game of telephone when things start out one way and by the end it isn't recognizable. I was very pleased that yourself and other Council Members voiced that you didn't support the 10% petition. I'm sad about the parking, but I think there will be better opportunities in the future.

I did send my e-mail with official "public comments" on Sunday and was hopeful that gave enough time for council members to read it. I'm sure it's hard to wade through all the information. I couldn't believe how big the packet was for the CoW. I think it was 180 pages! Insane.

I wish I was able to attend the Planning Meeting Public Hearing tonight. My kids had a Science Fair at Tolt that took priority. What was your impression from tonight's meeting?

Jennifer

Sent from my iPhone

On Feb 8, 2017, at 7:30 PM, Amy Ockerlander <amy.ockerlander@duvallwa.gov> wrote:

> Jennifer - Thanks for the email and my apologies for not being able to respond less than 3 hours before the meeting started. I was busy preparing for the meeting and carrying out my duties as Mayor Pro Tem by working with staff, and as you know as a result I am not able to respond via email immediately and a phone call is the fastest way to reach me. (Especially on days like today where I am away from town and will be in my car much of the day :))

Thank you for attending the meeting last night - I truly appreciate your participation and continued passion related to growth in our community.

Since you were at the meeting this is redundant, but I do not support moving forward with the 10% peitition at this time, for reasons I stated publicly.

While there is a need for additional parking at Big Rock Ball Fields, I don't feel that is the right time to bring this section in.

I am at an evening meeting tonight and out of town for most of tomorrow, but have an hour block to talk at 4:30 if you would like to chat. I have meetings from 7:30-11:00 on Friday, and have open time in the afternoon as well.

Regards,
Amy

Sent from my Verizon 4G LTE smartphone
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From: Jennifer K <jenkna@frontier.com>
Date: 2/7/17 2:28 PM (GMT-08:00)
To: Amy Ockerlander <amy.ockerlander@duvallwa.gov>, Dianne Brudnicki <dianne.brudnicki@duvallwa.gov>, Becky Nixon <becky.nixon@duvallwa.gov>, Jason Walker <jason.walker@duvallwa.gov>
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Thank you, Jennifer Knaplund

Troy Davis

From: Amy Ockerlander
Sent: Friday, February 24, 2017 5:53 PM
To: Lara Thomas
Subject: FW: Big Rock Annexation

Amy Ockerlander
Mayor Pro Tem
Duvall City Council, Position #6
Amy.Ockerlander@duvallwa.gov
206-305-8258

From: Amy Ockerlander
Sent: Wednesday, February 15, 2017 10:25 AM
To: Jennifer K <jenkna@frontier.com>
Subject: RE: Big Rock Annexation

Jennifer - I am swamped this week (in Olympia right now) and we are heading out of town for the weekend tomorrow. I won't be back until Tuesday - can we talk then?

Sent from my Verizon 4G LTE smartphone

-------- Original message --------
From: Jennifer K <jenkna@frontier.com>
Date: 2/13/17 10:26 AM (GMT-08:00)
To: Amy Ockerlander <amy.ockerlander@duvallwa.gov>
Subject: Re: Big Rock Annexation

Good Morning Amy,

I would like to briefly get together with you this week to discuss the Big Rock annexation. Do you have any time during the day to meet this week (not sure if your little ones have preschool)? I promise I won't take too much of your time as I know you are incredibly busy.

Thanks,

Jennifer Knaplund

206-854-4606 cell

On 2/8/2017 10:08 PM, Amy Ockerlander wrote:

> I saw the one from Sunday, my apologies we got back onto town late and with the Monday snow day with no school and a husband working from home I had to entertain them. :)

Yes, policy making (especially land use) can be messy and there are often a lit of variables that come up I'm the process that can shift opinion and direction. They don't call it making sausage for no reason.

I didn't attend the Planning Commission Meeting due to a regional committee meeting in Renton, but I know a couple of my friends were planning on attending.

I am definitely curious to hear how it went, and I assume staff will call me in the morning or fill me in during our next update.

Oh, on packet size - would out believe that that is the approximate size of every meeting packet for many of my friends aND colleagues in other cities? We are lucky here. I thought you may find that a little humorous.

I hope the science fair went well :)

Amy

Sent from my Verizon 4G LTE smartphone

-------- Original message --------
From: Jennifer K <jenkna@frontier.com>
Date: 2/8/17 9:04 PM (GMT-08:00)
To: Amy Ockerlander <amy.ockerlander@duvallwa.gov>
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Council has three options: 1. Maintain the FLUM as is; **2. Remove the parcel from the
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designate the parcel to R4 and work with the applicant on a pre-annexation agreement.
After further discussion, **there was Council consensus to go with option 2. (option 2 –
Nixon, Ockerlander, Brudnicki, Walker**; option 3 – Thomas, Collinwood; undecided –
Gill)

Thank you, Jennifer Knaplund

Troy Davis

From: Amy Ockerlander
Sent: Friday, February 24, 2017 5:55 PM
To: Lara Thomas
Subject: FW: Big Rock Annexation Public Comment

Amy Ockerlander
Mayor Pro Tem
Duvall City Council, Position #6
Amy.Ockerlander@duvallwa.gov
206-305-8258

From: Amy Ockerlander [mailto:amy.ockerlander@duvallwa.gov]
Sent: Monday, February 6, 2017 1:33 PM
To: Matthew Morton <matthew.morton@duvallwa.gov>
Subject: Fwd: Big Rock Annexation Public Comment

Sent from my Verizon 4G LTE smartphone

-------- Original message --------
From: Jennifer K <jenkna@frontier.com>
Date: 2/5/17 6:47 PM (GMT-08:00)
To: Will Ibershof <will.ibershof@duvallwa.gov>, Amy Ockerlander <amy.ockerlander@duvallwa.gov>, Becky Nixon <becky.nixon@duvallwa.gov>, Dianne Brudnicki <dianne.brudnicki@duvallwa.gov>, Leroy Collinwood <leroy.collinwood@duvallwa.gov>, Scott Thomas <scott.thomas@duvallwa.gov>, Jason Walker <jason.walker@duvallwa.gov>
Subject: Fwd: Big Rock Annexation Public Comment

Dear Mayor and Council members,

I carefully reviewed the packet documents related to the Big Rock Notice of Intent to Annex Petition. I am very concerned about several aspects of the petition and also about the direction the City has taken in regards to these properties. As an advocate for all residents of Duvall, I would like to ensure the annexation is in the best interest of our City. In my opinion, this annexation has only limited benefit to the City and a huge benefit to the property owners and eventual developer. Residents had been given the impression that all, or at least a large portion of the annexed land would be designated for an expansion of Big Rock Ballpark. Unfortunately, as it stands, the parks component is only 3 acres out of a total of almost 20 acres due to be annexed. In addition, the development will be utilizing storm-water retention facilities that are on City property, apparently without compensation for that use. I ask that City Council reject the Petition or move towards an agreement that better represents the needs of our City.

I hope you are able to take the time to review and respond to my concerns.

Thank you for your service to our City,

Jennifer Knaplund

28320 NE 147th Court

Duvall, WA 98019

206-854-4606 cell

-------- Forwarded Message --------
Subject: Big Rock Annexation Public Comment
Date: Sun, 5 Feb 2017 18:10:43 -0800
From: Jennifer K <jenkna@frontier.com>
To: Lara Thomas <lara.thomas@duvallwa.gov>

Please accept this e-mail as public comment to the Big Rock Notice of Intent to Annex.

I would like to bring it to your attention that the Staff Report related to this petition contains grossly incorrect information that is critical to the decision making process. I would like a correction sent to all recipients of the Staff Report and for it to include an evaluation of the implications of the corrected designation.

Take a look at this excerpt from the staff report:

- Big Rock Road street widening along Park frontage to include bike lane, parking, planter strip, and sidewalk
- Existing stormwater pond and swale enlargements
- New emergency vehicle access connection between park and Big Rock Road, mid-block connection through future plat access roadway and cul-de-sac turn-around

Parcel 2129700245 and 2129700240 propose a 24' (min.) wildlife habitat corridor as described in the City of Duvall 2015 Comprehensive Plan. The corridor proposed will extend across the property east and west and be located adjacent to the park boundary.

The development plan for both of the parcels adjoining the ballfield includes, in addition to the above, retention of significant clusters of trees and enlargement of existing stormwater ponds to avoid the use of stormwater

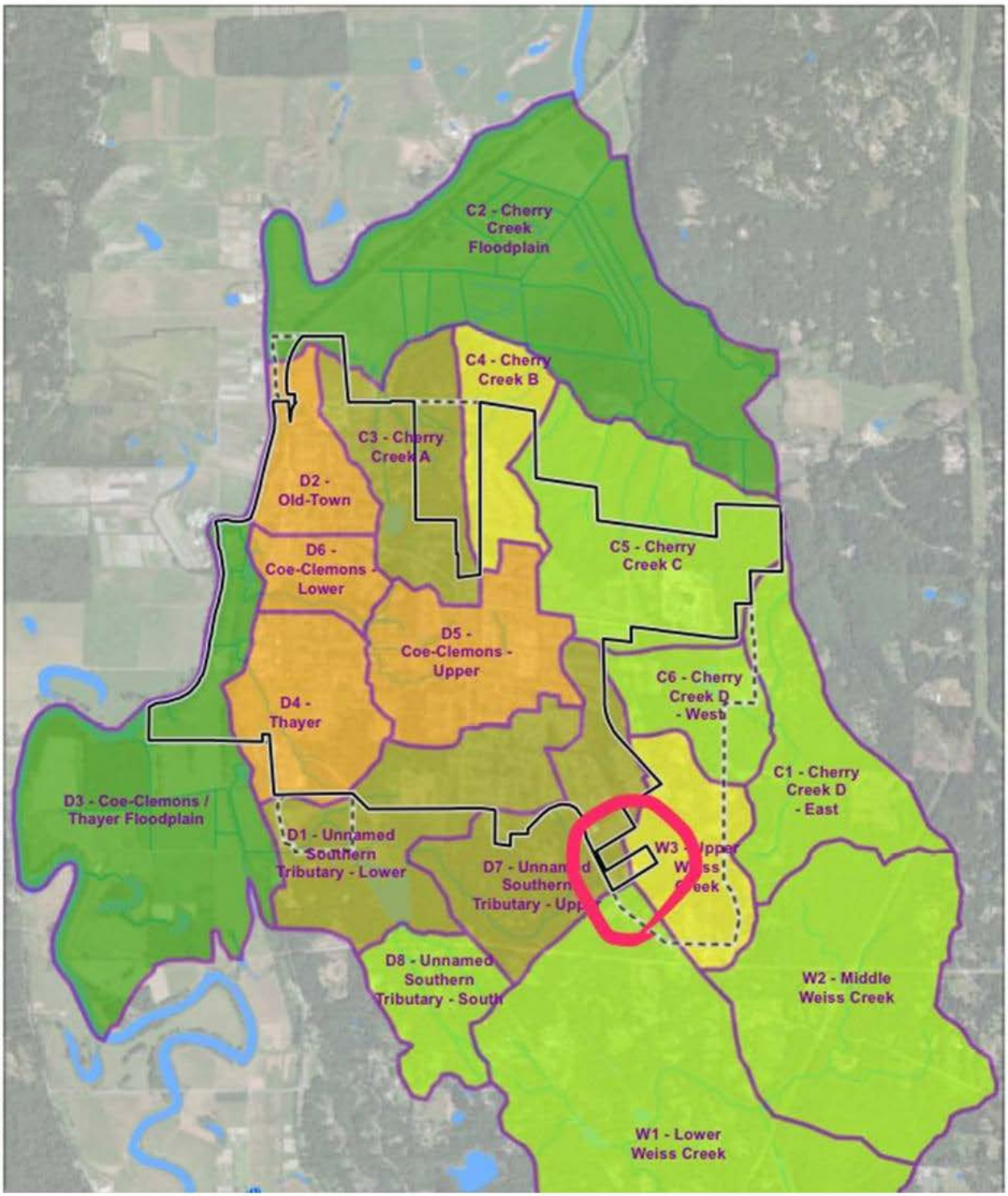
The City of Duvall's Watershed Plan designates the properties as being within the "D7 – Unnamed Southern Tributary – Upper" basin with a Group 2C designation, the lowest conservation designation. This designation is for subbasins where more intense development is appropriate, with focused protection of remaining important areas. The City of Duvall's Comprehensive Plan designates the properties as being within the "Southeast Urban Growth Area - The Southeast UGA contains approximately 20 acres, near Big Rock Ball Fields and has a future land use designation of Residential 4-6 Dwelling Units". The three parcels as part of this annexation encompass the entire southeast UGA.

In accordance with the Future Land Use Map and the R4 Residential zoning per Duvall's Municipal Code, single-family residential homes are intended to be constructed on the subject parcels once annexed into the City of Duvall. The properties will respect the intended use, zoning, density and City of Duvall vision as it's prescribed in the comprehensive plan while complementing and adding to the City of Duvall's planned park improvements.

DAZEY BIG ROCK
EXHIBIT B - VICINITY MAP

The report specifies that the annexation area is within the D7 area designated 2C - the lowest conservation. This is false. Take a look at the following map from the Watershed Plan that is included in the staff report:

●●●●○ Verizon 9:15 AM 74%
duvallwa.gov



Note that only a very small portion of the annexation area is in the 2C - lowest conservation area and most of the area (at least 75%) is in 2A - highest conservation and 2B - moderate conservation designation. This is a significant error.

See below for the Watershed Plan description of these designations:

●●●○○ Verizon 5:46 PM 94%
duvallwa.gov

2.3 Subbasin Management Group Framework

Subbasins are ranked based on the relative importance of their watershed process to the overall watershed, and on the extent of degradation these processes have sustained as a result of past human practices (e.g., converting forested lands to impervious surfaces). The subbasins are ranked according to the following five Subbasin Management Groups (see Figure 2-5):

Management Group 1 – Protect / Restore

- Applies to Snoqualmie River/Cherry Creek floodplains (PAUs C2 and D3).
- Assigned to subbasins that are of highest importance to multiple watershed processes and are a high priority for protection and restoration.

Management Group 2A – Highest Conservation

- Applies to six subbasins along east and south edges of the city (PAUs C5, C6 C1, W2, W1, and D8).
- Assigned to subbasins that are the highest priority for conservation and are likely not appropriate for much additional development. Assessment result show moderate importance to multiple watershed processes that are also highly intact.

Management Group 2B – Moderate Conservation

- Applies to Cherry Creek B (PAU C4) and Upper Weis Creek (PAU W3).
- Assigned to subbasins that may be appropriate for some additional development, but also require protection of areas important for remaining watershed processes.

Management Group 2C – Lowest Conservation

- Applies to three subbasins including North urban growth area (PAU C3) an southeast City / South urban growth area (PAUs D1 and D7).
- Assigned to subbasins where more intense development is appropriate. Th remaining resources and areas important to watershed processes would

The Watershed Plan specifies that these areas are either "not appropriate for much additional development" or "may be appropriate for some development". The proposed development for the annexed area is in obvious disagreement with Watershed Plan.

I am also disappointed to discover the memorandum of understanding (MOU) entered into by the city in February 2016 specified they would give a MINIMUM density of R-4. It is my understanding that R-4 mandates a MAXIMUM density and does not require a MINIMUM density. This agreement seems to go beyond what our code specifies and is not in the best interest of the city considering the designation of the annexation area.

I was also verbally told that the developer was going to be responsible for the improvements to the park area (I.e actually build/pay for the parking lot and park features). I am not seeing this in any of the Big Rock annexation documents.

In addition, the Watershed Plan specifies that development should be far away from wetlands and to avoid forested areas. It is clear that this is not being followed:

I also noticed this memo (see below) concerning wetlands present on or near the annexation area. It mentions that a previously identified wetland to the north was no longer present. It is not clear what wetland they are referring to, but if they are referring to the very large wetland that borders Big Rock ballpark and the southernmost annexation property, it seems highly unlikely and unusual for such a large wetland to suddenly disappear - especially considering the saturation of soil in the soccer fields at that northeastern end of Big Rock park. In my recollection that end of the park has large sections under water and swampy much of the year.

Picture of memo and wetlands under dispute below:

Exhibit 19

Soundview Consultants
Environmental Assessment • Planning • Land Use Solutions
2907 Harborview Drive, Suite D
Gig Harbor, Washington 98335

December 9, 20

Barry Margolese
Amalani LLC
105 South Main St., Suite 230
Seattle, WA 98104

Re: Amalani Big Rock Road NE Big Rock Rd.
Duvall, WA 98019

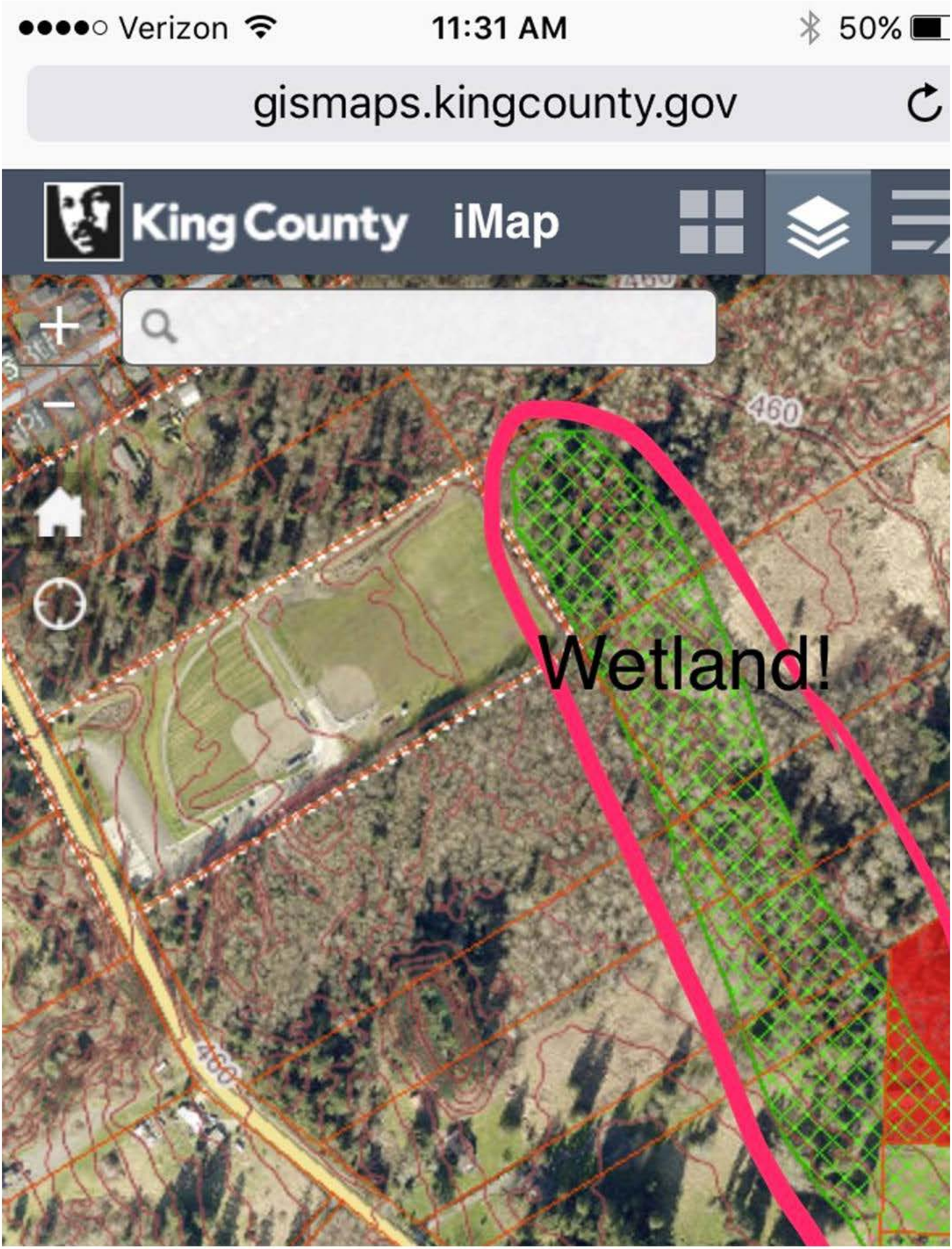
Parcel #: 2129700260

Dear Barry,

Soundview Consultants (SVC) has been assisting Amalani LLC (Client) with a wetland ar fish and wildlife delineation and habitat assessment, preliminary planning, and feasibili analysis for the future development of a 9.76-acre site as a single-family residential plat NE Big Rock Road, Duvall, WA 98019 (King County Parcel 2129700260). The followi information represents our preliminary findings and reconnaissance.

On July 5, 2016, Principal Scientist Jeremy Downs from SVC performed a si reconnaissance and identified one wetland near the center of the site and confirmed th no other wetlands are on or adjacent to the site. On September 12, 2016, Wetlan Scientists Emily Swaim from SVC and Senior Environmental Planner Jon Pickett fro SVC delineated and assessed the on-site wetland (Wetland A) and confirmed that t previously identified (King County iMap, 2016) off-site wetland was not present to t north per Duvall Municipal Code (DMC) 14.142.230 B(4). On September 15, 201 Wetland Scientists Emily Swaim from SVC and Principal Scientist Jeremy Downs al evaluated a nearby site with the City's third-party consultant, ESA. Only one on-si wetland was delineated and no off-site wetlands or critical area were found to be present.

Wetland A was professionally surveyed and is approximately 2,226 square feet (0.05 acre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gismaps.kingcounty.gov
King County
iMap
460
Wetland!

Notice that the site survey for this determination was made in mid-September (the driest time of the year). I also saw it noted that the analyst did not go onsite (since they did not have permission from the property owner) to investigate and only viewed from a distance the vegetation and made a determination from afar. This wetland would further necessitate buffers that could impact the proposed number of lots and the layout of the development.

I also want to point out that the proposed "Code Updates are slated to include a change to the density calculations. Note that a significant portion of the lot is likely unbuildable due to an wetland identified on the southernmost property as well as likely wetlands buffers due to a wetland adjacent to the property and preservation of forested areas requirement. In accordance with net density, much of the land should not be used as square footage toward calculating the lots allowed under R-4 zoning.

I am also still trying to figure out how the pre-designation of R 4-4.5 was given to the southernmost lot. I attended the planning meeting where this possible annexation was discussed in regards to updating the zoning and future land use maps as part of the Comprehensive Plan Update. It was very clear that the planning commission recommended that the lot be given a parks designation, not a residential designation. It was also my understanding that the entire southern lot was likely to be used to expand Big Rock Ballpark, at not just "up to 3 acres" as specified in the MOU. Up to 3 acres could also end up being zero acres and does not seem like a good deal for the residents of the City and not what was communicated.

I also notice in the northernmost properties, that the development will utilize and expand stormwater retention facilities located on city property. I would like to understand how the city is being compensated for that benefit. In addition, I see that the northernmost annexation property specifies they have a wildlife corridor along the border with the ball park. It is unclear how this is possible when I view the development plan and do not see a feasible wildlife corridor in the drawing.

In a letter requesting the annexation, the parties involved specifically mentioned that the city would benefit from the annexation by being able to expand Big Rock Ballpark in BOTH directions. I am not seeing this as part of any agreements.

In conclusion, at a minimum, the southernmost property should have reduced residential units to ensure reconciliation with the Watershed Plan and "Code Updates" and preferably be entirely designated as parks space. Our City is significantly behind in parks space and this adjacent land once developed residential will be forever gone. I would rather our City save up the funds to purchase this land if necessary. It is located on a main arterial and would be well utilized by residents. I also feel that the northernmost property needs to compensate for the stormwater retention ponds it is utilizing on public land and provide a useable wildlife corridor and parks expansion for Big Rock Ballpark.

Thank you for your time,
Jennifer Knaplund
28320 NE 147th Court
Duvall, WA 98019

Troy Davis

From: Amy Ockerlander
Sent: Friday, February 24, 2017 5:55 PM
To: Lara Thomas
Subject: FW: Big Rock Annexation Public Comment

Amy Ockerlander
Mayor Pro Tem
Duvall City Council, Position #6
Amy.Ockerlander@duvallwa.gov
206-305-8258

From: Amy McHenry [mailto:amymchenry@hotmail.com]
Sent: Tuesday, February 7, 2017 2:25 PM
To: Will Ibershof <will.ibershof@duvallwa.gov>; Amy Ockerlander <amy.ockerlander@duvallwa.gov>; Dianne Brudnicki <dianne.brudnicki@duvallwa.gov>; Leroy Collinwood <leroy.collinwood@duvallwa.gov>; Scott Thomas <scott.thomas@duvallwa.gov>; Jason Walker <jason.walker@duvallwa.gov>; Becky Nixon <becky.nixon@duvallwa.gov>
Subject: Big Rock Annexation Public Comment

Dear Mayor and City Councilmembers,

I am writing in regards to the Big Rock Annexation Petition. I am asking you to reject this petition and work towards a new petition that provides the City of Duvall with a significant benefit. To state plainly, I do not think the proposed petition provides a significant benefit to the City.

I used to live right across the street from East Sammamish Park, a beautiful 19 acre multi use park. It has sport fields, BBQ grills, a picnic shelter, permanent restroom facility, play structures and a nice trail system. This park is closed in by the golf course to it's North, an elementary school and private preschool to the East and development to the West and South. Sammamish used to be the rural area of the plateau, and as I'm sure you know now is highly developed with more in the pipeline. Last Fall for a bit of nostalgia my family visited this park again. There wasn't even a game going on and the large parking lot was full and street parking overrun. That would have been typical for a game day when we lived there five years ago, but this was not. No doubt the increase in park usage is related to the huge population and development boom in Sammamish. Where I'm going with this and asking you all, as representatives of Duvall citizens, to consider is that approving this petition and permanently closing in the Big Rock Sports Park, will mean it can never become larger than it is. Big Rock Sports park is already a highly used park, even before the improvements that are coming with the approval of Prop 1. We will see an increase in use once this park is improved. And if this petition is approved I know that it will someday be like East Sammamish Park...beautiful, but difficult to enjoy because it is limited by it's parking and in an area that has been overdeveloped without providing adequate parks and field space to other parts of the City.

I love the idea of a dog park, of additional play structure space and some of the ideas in this petition. But these will not have the intended benefit to the City if it is closed in by housing developments. Is there a way we can designate these properties for future park expansion? Having more field space (of course within reason of any

environmental impacts due to critical areas on the property), parking and open space, I believe, will provide a much larger benefit to the City than more housing units on both sides.

What other areas or properties in Duvall can be turned into sport fields or parks? I would love to hear about how we will provide more park space to our community. As for right now, the property on both sides of Big Rock Park seems to provide a unique opportunity to be proactive about a problem we are actively seeing in other communities. We have a chance to reach beyond what has already been done in every other town. How will the families that move into these proposed neighborhoods feel when all of their street parking is taken as overflow parking every time there are games at Big Rock Park? Did the designers of East Sammamish Park fathom a day when the large sized parking lot wouldn't be enough for park users on a non game day? I know it may seem like the additional parking will be plenty. But if more large parks with fields and parking aren't added along with new developments and annexations, then this would-be benefit will be lost.

I have seen this before. I am asking you to please reject this petition and develop a plan that will benefit the City in the long term, not just the short term.

Thank you for your time reading my comments and thank you for all that you do.

Respectfully,

Amy McHenry
14208 284th PL NE
Duvall, WA 98019
425.516.1131

Troy Davis

From: Amy Ockerlander
Sent: Friday, February 24, 2017 5:56 PM
To: Lara Thomas
Subject: FW: Big Rock Annexation Public Comment

Amy Ockerlander
Mayor Pro Tem
Duvall City Council, Position #6
Amy.Ockerlander@duvallwa.gov
206-305-8258

From: Jennifer K [mailto:jenkna@frontier.com]
Sent: Sunday, February 5, 2017 6:47 PM
To: Will Ibershof <will.ibershof@duvallwa.gov>; Amy Ockerlander <amy.ockerlander@duvallwa.gov>; Becky Nixon <becky.nixon@duvallwa.gov>; Dianne Brudnicki <dianne.brudnicki@duvallwa.gov>; Leroy Collinwood <leroy.collinwood@duvallwa.gov>; Scott Thomas <scott.thomas@duvallwa.gov>; Jason Walker <jason.walker@duvallwa.gov>
Subject: Fwd: Big Rock Annexation Public Comment

Dear Mayor and Council members,

I carefully reviewed the packet documents related to the Big Rock Notice of Intent to Annex Petition. I am very concerned about several aspects of the petition and also about the direction the City has taken in regards to these properties. As an advocate for all residents of Duvall, I would like to ensure the annexation is in the best interest of our City. In my opinion, this annexation has only limited benefit to the City and a huge benefit to the property owners and eventual developer. Residents had been given the impression that all, or at least a large portion of the annexed land would be designated for an expansion of Big Rock Ballpark. Unfortunately, as it stands, the parks component is only 3 acres out of a total of almost 20 acres due to be annexed. In addition, the development will be utilizing storm-water retention facilities that are on City property, apparently without compensation for that use. I ask that City Council reject the Petition or move towards an agreement that better represents the needs of our City.

I hope you are able to take the time to review and respond to my concerns.

Thank you for your service to our City,

Jennifer Knaplund

28320 NE 147th Court

Duvall, WA 98019

206-854-4606 cell

-------- Forwarded Message --------
Subject: Big Rock Annexation Public Comment
Date: Sun, 5 Feb 2017 18:10:43 -0800
From: Jennifer K <jenkna@frontier.com>
To: Lara Thomas <lara.thomas@duvallwa.gov>

Please accept this e-mail as public comment to the Big Rock Notice of Intent to Annex.

I would like to bring it to your attention that the Staff Report related to this petition contains grossly incorrect information that is critical to the decision making process. I would like a correction sent to all recipients of the Staff Report and for it to include an evaluation of the implications of the corrected designation.

Take a look at this excerpt from the staff report:

- Big Rock Road street widening along Park frontage to include bike lane, parking, planter strip, and sidewalk
- Existing stormwater pond and swale enlargements
- New emergency vehicle access connection between park and Big Rock Road, mid-block connection through future plat access roadway and cul-de-sac turn-around

Parcel 2129700245 and 2129700240 propose a 24' (min.) wildlife habitat corridor as described in the City of Duvall 2015 Comprehensive Plan. The corridor proposed will extend across the property east and west and be located adjacent to the park boundary.

The development plan for both of the parcels adjoining the ballfield includes, in addition to the above, retention of significant clusters of trees and enlargement of existing stormwater ponds to avoid the use of stormwater

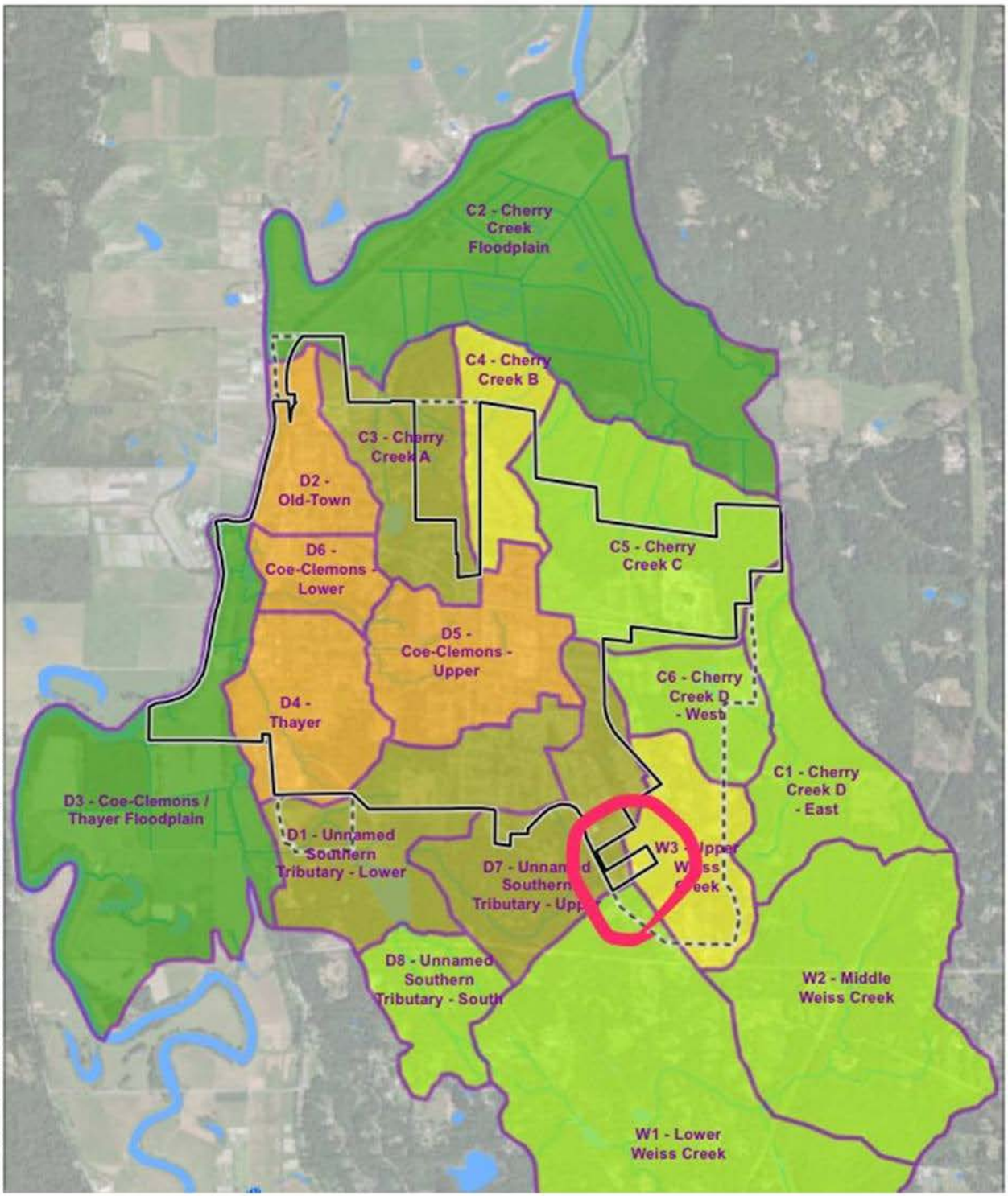
The City of Duvall's Watershed Plan designates the properties as being within the "D7 – Unnamed Southern Tributary – Upper" basin with a Group 2C designation, the lowest conservation designation. This designation is for subbasins where more intense development is appropriate, with focused protection of remaining important areas. The City of Duvall's Comprehensive Plan designates the properties as being within the "Southeast Urban Growth Area - The Southeast UGA contains approximately 20 acres, near Big Rock Ball Fields and has a future land use designation of Residential 4-6 Dwelling Units". The three parcels as part of this annexation encompass the entire southeast UGA.

In accordance with the Future Land Use Map and the R4 Residential zoning per Duvall's Municipal Code, single-family residential homes are intended to be constructed on the subject parcels once annexed into the City of Duvall. The properties will respect the intended use, zoning, density and City of Duvall vision as it's prescribed in the comprehensive plan while complementing and adding to the City of Duvall's planned park improvements.

DAZEY BIG ROCK
EXHIBIT B - VICINITY MAP

The report specifies that the annexation area is within the D7 area designated 2C - the lowest conservation. This is false. Take a look at the following map from the Watershed Plan that is included in the staff report:

●●●●○ Verizon 9:15 AM 74%
duvallwa.gov



Note that only a very small portion of the annexation area is in the 2C - lowest conservation area and most of the area (at least 75%) is in 2A - highest conservation and 2B - moderate conservation designation. This is a significant error.

See below for the Watershed Plan description of these designations:

●●●○○ Verizon 5:46 PM 94%
duvallwa.gov

2.3 Subbasin Management Group Framework

Subbasins are ranked based on the relative importance of their watershed process to the overall watershed, and on the extent of degradation these processes have sustained as a result of past human practices (e.g., converting forested lands to impervious surfaces). The subbasins are ranked according to the following five Subbasin Management Groups (see Figure 2-5):

Management Group 1 – Protect / Restore

- Applies to Snoqualmie River/Cherry Creek floodplains (PAUs C2 and D3).
- Assigned to subbasins that are of highest importance to multiple watershed processes and are a high priority for protection and restoration.

Management Group 2A – Highest Conservation

- Applies to six subbasins along east and south edges of the city (PAUs C5, C6 C1, W2, W1, and D8).
- Assigned to subbasins that are the highest priority for conservation and are likely not appropriate for much additional development. Assessment result show moderate importance to multiple watershed processes that are also highly intact.

Management Group 2B – Moderate Conservation

- Applies to Cherry Creek B (PAU C4) and Upper Weis Creek (PAU W3).
- Assigned to subbasins that may be appropriate for some additional development, but also require protection of areas important for remaining watershed processes.

Management Group 2C – Lowest Conservation

- Applies to three subbasins including North urban growth area (PAU C3) an southeast City / South urban growth area (PAUs D1 and D7).
- Assigned to subbasins where more intense development is appropriate. Th remaining resources and areas important to watershed processes would

The Watershed Plan specifies that these areas are either "not appropriate for much additional development" or "may be appropriate for some development". The proposed development for the annexed area is in obvious disagreement with Watershed Plan.

I am also disappointed to discover the memorandum of understanding (MOU) entered into by the city in February 2016 specified they would give a MINIMUM density of R-4. It is my understanding that R-4 mandates a MAXIMUM density and does not require a MINIMUM density. This agreement seems to go beyond what our code specifies and is not in the best interest of the city considering the designation of the annexation area.

I was also verbally told that the developer was going to be responsible for the improvements to the park area (I.e actually build/pay for the parking lot and park features). I am not seeing this in any of the Big Rock annexation documents.

In addition, the Watershed Plan specifies that development should be far away from wetlands and to avoid forested areas. It is clear that this is not being followed:

I also noticed this memo (see below) concerning wetlands present on or near the annexation area. It mentions that a previously identified wetland to the north was no longer present. It is not clear what wetland they are referring to, but if they are referring to the very large wetland that borders Big Rock ballpark and the southernmost annexation property, it seems highly unlikely and unusual for such a large wetland to suddenly disappear - especially considering the saturation of soil in the soccer fields at that northeastern end of Big Rock park. In my recollection that end of the park has large sections under water and swampy much of the year.

Picture of memo and wetlands under dispute below:

Exhibit 19

Soundview Consultants
Environmental Assessment • Planning • Land Use Solutions
2907 Harborview Drive, Suite D
Gig Harbor, Washington 98335

December 9, 20

Barry Margolese
Amalani LLC
105 South Main St., Suite 230
Seattle, WA 98104

Re: Amalani Big Rock Road NE Big Rock Rd.
Duvall, WA 98019

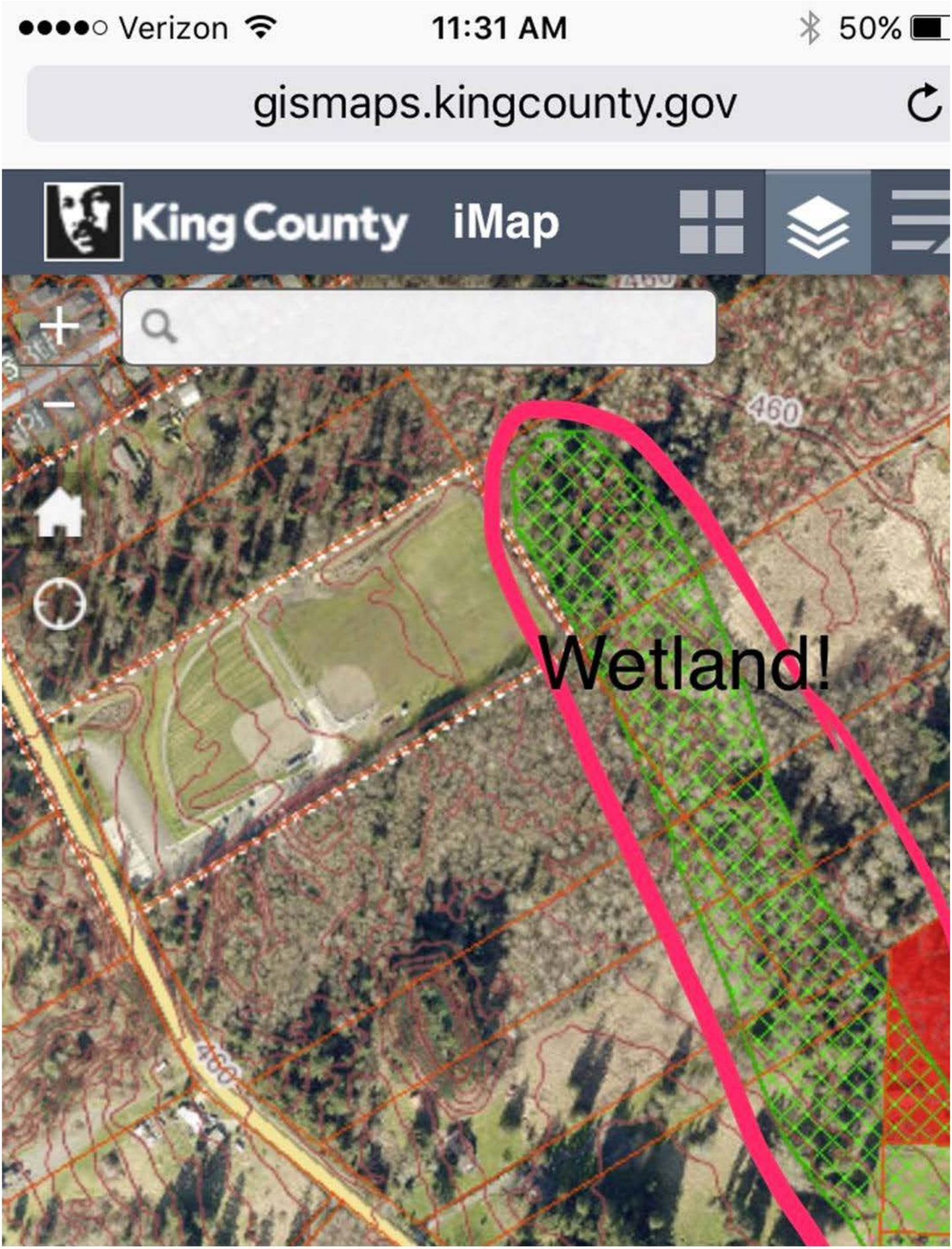
Parcel #: 2129700260

Dear Barry,

Soundview Consultants (SVC) has been assisting Amalani LLC (Client) with a wetland ar fish and wildlife delineation and habitat assessment, preliminary planning, and feasibili analysis for the future development of a 9.76-acre site as a single-family residential plat NE Big Rock Road, Duvall, WA 98019 (King County Parcel 2129700260). The followi information represents our preliminary findings and reconnaissance.

On July 5, 2016, Principal Scientist Jeremy Downs from SVC performed a si reconnaissance and identified one wetland near the center of the site and confirmed th no other wetlands are on or adjacent to the site. On September 12, 2016, Wetlan Scientists Emily Swaim from SVC and Senior Environmental Planner Jon Pickett fro SVC delineated and assessed the on-site wetland (Wetland A) and confirmed that t previously identified (King County iMap, 2016) off-site wetland was not present to t north per Duvall Municipal Code (DMC) 14.142.230 B(4). On September 15, 201 Wetland Scientists Emily Swaim from SVC and Principal Scientist Jeremy Downs al evaluated a nearby site with the City's third-party consultant, ESA. Only one on-si wetland was delineated and no off-site wetlands or critical area were found to be present.

Wetland A was professionally surveyed and is approximately 2,226 square feet (0.05 acre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50%
gismaps.kingcounty.gov
King County
iMap
460
Wetland!

Notice that the site survey for this determination was made in mid-September (the driest time of the year). I also saw it noted that the analyst did not go onsite (since they did not have permission from the property owner) to investigate and only viewed from a distance the vegetation and made a determination from afar. This wetland would further necessitate buffers that could impact the proposed number of lots and the layout of the development.

I also want to point out that the proposed "Code Updates are slated to include a change to the density calculations. Note that a significant portion of the lot is likely unbuildable due to an wetland identified on the southernmost property as well as likely wetlands buffers due to a wetland adjacent to the property and preservation of forested areas requirement. In accordance with net density, much of the land should not be used as square footage toward calculating the lots allowed under R-4 zoning.

I am also still trying to figure out how the pre-designation of R 4-4.5 was given to the southernmost lot. I attended the planning meeting where this possible annexation was discussed in regards to updating the zoning and future land use maps as part of the Comprehensive Plan Update. It was very clear that the planning commission recommended that the lot be given a parks designation, not a residential designation. It was also my understanding that the entire southern lot was likely to be used to expand Big Rock Ballpark, at not just "up to 3 acres" as specified in the MOU. Up to 3 acres could also end up being zero acres and does not seem like a good deal for the residents of the City and not what was communicated.

I also notice in the northernmost properties, that the development will utilize and expand stormwater retention facilities located on city property. I would like to understand how the city is being compensated for that benefit. In addition, I see that the northernmost annexation property specifies they have a wildlife corridor along the border with the ball park. It is unclear how this is possible when I view the development plan and do not see a feasible wildlife corridor in the drawing.

In a letter requesting the annexation, the parties involved specifically mentioned that the city would benefit from the annexation by being able to expand Big Rock Ballpark in BOTH directions. I am not seeing this as part of any agreements.

In conclusion, at a minimum, the southernmost property should have reduced residential units to ensure reconciliation with the Watershed Plan and "Code Updates" and preferably be entirely designated as parks space. Our City is significantly behind in parks space and this adjacent land once developed residential will be forever gone. I would rather our City save up the funds to purchase this land if necessary. It is located on a main arterial and would be well utilized by residents. I also feel that the northernmost property needs to compensate for the stormwater retention ponds it is utilizing on public land and provide a useable wildlife corridor and parks expansion for Big Rock Ballpark.

Thank you for your time,
Jennifer Knaplund
28320 NE 147th Court
Duvall, WA 98019

Troy Davis

From: Amy Ockerlander
Sent: Friday, February 24, 2017 5:55 PM
To: Lara Thomas
Subject: FW: Big Rock Annexation

Amy Ockerlander
Mayor Pro Tem
Duvall City Council, Position #6
Amy.Ockerlander@duvallwa.gov
206-305-8258

From: Jennifer K [mailto:jenkna@frontier.com]
Sent: Tuesday, February 7, 2017 2:29 PM
To: Amy Ockerlander <amy.ockerlander@duvallwa.gov>; Dianne Brudnicki <dianne.brudnicki@duvallwa.gov>; Becky Nixon <becky.nixon@duvallwa.gov>; Jason Walker <jason.walker@duvallwa.gov>
Subject: Big Rock Annexation

Councilmembers Brudnicki, Ockerlander, Nixon and Walker,

I am very concerned about the possible annexation of the properties bordering Big Rock Ball Park. I believe you shared the concern of the R4 predesignation and were keenly aware of the potential to lose leverage toward getting a significant park out of the annexation. All four of you voted FOR "removing the parcel from the UGA to become part of the UGAR" and REJECTED the option to"Predesignate the parcel to R4 and work with the applicant on a pre-annexation agreement". I am extremely upset that the direction from you, the City Council, was disregarded and the option you all REJECTED is what the City went ahead and did. Please salvage this opportunity to expand Big Rock Ball Park in a meaningful way. To annex an additional 20 acres of land for residential housing (when we are already FAR exceeding our need for residential housing) and only end up with a parking lot and a tiny dog park - this is a tragedy. I would ask that you reject the Intent to Annex Petition and work towards a better outcome for residents.

Please take a look at the following meeting minutes:

http://www.duvallwa.gov/AgendaCenter/ViewFile/Minutes/_11032015-300

Consider listening to your own comments within the discussion that begins at approximately 35 minutes into the audio recording from the meeting.

Specifically this section:

5. Southeast Urban Growth Area – Public Facilities Pre Zone discussion
Lara Thomas, Planning Director, reviewed the Future Land Use Map (FLUM) that was approved by Council. Ms. Thomas said that the owner of one of the parcels in the Southeast Urban Growth Area (SEUGA) asked to explain why they wanted to request that their property be zoned back to R4 (4 residential units per acre) instead of Public

Facility and met with the Land Use Committee to give that explanation. Ms. Thomas said the Land Use Committee is supportive of the request to zone the parcel R4 with the understanding that there would be a pre-annexation agreement and the City would not annex the property if the agreement was unsatisfactory. Ms. Thomas explained that Council has three options: 1. Maintain the FLUM as is; **2. Remove the parcel from the Urban Growth Area to become part of the Urban Growth Area Reserve;** and 3. Pre-designate the parcel to R4 and work with the applicant on a pre-annexation agreement. After further discussion, **there was Council consensus to go with option 2. (option 2 – Nixon, Ockerlander, Brudnicki, Walker**; option 3 – Thomas, Collinwood; undecided – Gill)

Thank you, Jennifer Knaplund

Troy Davis

From: Nate R. Veranth <nate@cherryvalleylaw.com>
Sent: Thursday, February 16, 2017 2:06 PM
To: Lara Thomas
Subject: Fwd: Annexation of Big Rock Park property

Lara, fyi.

Nate R. Veranth | Cherry Valley Law PLLC
Attorney at Law
15934 Main Street NE, Suite 102
P.O. Box 772
Duvall, WA 98019
Phone: 425.788.2222
Email: nate@cherryvalleylaw.com

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* * * * * * * * * *

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Begin forwarded message:

From: Duvall SNVYSA Club Reps <DuvallSNVYSA@outlook.com>
Subject: Annexation of Big Rock Park property
Date: February 16, 2017 at 12:46:03 PM PST
To: Will Ibershof <will.ibershof@duvallwa.gov>, Boyd Benson <boyd.benson@duvallwa.gov>, Alana McCoy <alana.mccoy@duvallwa.gov>
Cc: "amy.ockerlander@duvallwa.gov" <amy.ockerlander@duvallwa.gov>, "scott.thomas@duvallwa.gov" <scott.thomas@duvallwa.gov>, "becky.nixon@duvallwa.gov" <becky.nixon@duvallwa.gov>, "president@snvysa.org" <president@snvysa.org>, "vpcompetition@snvysa.org" <vpcompetition@snvysa.org>

Hello Mayor Ibershof,
I have had several conversations with the primary stakeholders and community members regarding the ongoing discussion of the proposal for the annexation for the 3 acres that will add to the Big Rock Park. I wanted to express the Association's (SNVYSA) voice that we are in favor of the expansion to the existing property to the park. I know there are many details regarding zoning and develop that I will not voice,

as these details are beyond my understanding and scope of involvement. However, from our understanding, the entire 10 acres of properties would amount to a certain number of housing developments. And we believe this trade-off is a very reasonable deal for the city and our community.

There are many benefits in adding the additional three acres to the park property lines. Safety is obviously a major benefit to the annexation. With a possible addition to the parking area, this would decrease many traffic concerns and will add a possible traffic ingress and egress for the driving routes. Additionally, this could minimize the requirement for several vehicles to park on the side of the road by the park (for parking overflow), or families parking in existing neighborhood housing areas. I am not aware of any recent or past accidents. But if we can do anything that would minimize this risk, we are in favor of proceeding with these mindful considerations.

In short, we, as the soccer board, and in representing over 450 children in the Duvall soccer club, are in favor of the proposal in proceeding with the annexation for the properties surrounding the Big Rock Park.

I will be present at the March 7th city council meeting, and would be happy to reiterate our voice regarding this matter to you and the council. I am extremely pleased with the progress regarding the upcoming Big Rock Park construction project. And I look forward to working with you and the city in future enhancements that will benefit the kids of Duvall and our community.

Thanks,

David Lewis
SnVYSA – Duvall Club Representative
duvall@snvysa.org
www.snvysa.org

Troy Davis

From: Amy Ockerlander
Sent: Friday, February 24, 2017 5:52 PM
To: Lara Thomas; Will Ibershof
Subject: RE: Invitation to WSDOT SR522 Presentation

I have PIC, but will attend this meeting instead. I will let Pamela know.

Thanks!

Amy Ockerlander
Mayor Pro Tem
Duvall City Council, Position #6
Amy.Ockerlander@duvallwa.gov
206-305-8258

From: Lara Thomas
Sent: Friday, February 24, 2017 2:24 PM
To: Amy Ockerlander <amy.ockerlander@duvallwa.gov>; Will Ibershof <will.ibershof@duvallwa.gov>
Subject: FW: Invitation to WSDOT SR522 Presentation

Mayor and Councilmember Ockerlander,

I hope that you have time to go to this meeting.

Thank you,

Lara

Lara Thomas, Planning Director
City of Duvall, PO Box 1300, Duvall WA 98019
Lara.thomas@duvallwa.gov (425) 788-2779 ext 2

From: Pamela Baker [mailto:pamb@monroewa.gov]
Sent: Friday, February 24, 2017 1:18 PM
To: Will Ibershof <will.ibershof@duvallwa.gov>; Dianne Brudnicki <dianne.brudnicki@duvallwa.gov>; Leroy Collinwood <leroy.collinwood@duvallwa.gov>; Scott Thomas <scott.thomas@duvallwa.gov>; Becky Nixon <becky.nixon@duvallwa.gov>; Amy Ockerlander <amy.ockerlander@duvallwa.gov>; Jason Walker <jason.walker@duvallwa.gov>
Cc: Matthew Morton <matthew.morton@duvallwa.gov>; Lara Thomas <lara.thomas@duvallwa.gov>
Subject: Invitation to WSDOT SR522 Presentation

Good Afternoon!

Thank you to all our partners, stakeholders, and organizations who have and are supporting the efforts of SR522. Your continued support is appreciated.

You are cordially invited to attend a WSDOT presentation regarding an update to SR522; the steps that have been taken and the necessary next steps. **Please mark your calendars for March 8, 2017, from 7-8:30PM at Monroe High School in the Performing Arts Center.** All are welcome to attend. Please see the attached flyer for more information and to distribute as necessary. If you have any questions, please contact Pam Baker at pamb@monroewa.gov or 360-863-4524. We look forward to seeing you.

Pam Baker
Executive Assistant
City Of Monroe
806 W. Main St
Monroe, Wa 98272
(Main) 360-794-7400
(Direct) 360-863-4524
(Fax) 360-794-4007
http://monroewa.gov

Troy Davis

From: Quehrn, Mark (Perkins Coie) <MQuehrn@perkinscoie.com>
Sent: Thursday, February 16, 2017 2:42 PM
To: Lara Thomas
Cc: barry@amalani.com
Subject: Big Rock Annexation

Dear Lara:

Thank you for your time earlier this week. I think I now have a better understanding of the City's workload, and the need for additional time to move the annexation of my property forward. As you know, I entered into an agreement with Mr. Barry Margolese to assist me in fulfilling my obligation under the MOU to work diligently and in good faith to enter into a pre-annexation no later than December 31, 2017. This is of course the City's obligation as well. I do not think it is unreasonable, or in bad faith, for the City to ask for a time extension to accommodate work load. From the beginning, I have approached this as an opportunity for the City and my family to achieve some common objectives. I realize that the City has not yet asked for a time extension, but if this is what the City needs, I wanted to let you know that I am willing to do so.

Having conferred with Mr. Margolese, I am willing to offer a six month extension (through June 30, 2018). We might be able to push this to 9 months, but we would need to review that option at the time. I do not think, however, that I am in a position to push this out any further. As I mentioned, one of my family members is ill and we are looking to the proceeds of this sale to better address his needs. There is a lot of interest in my property, people that probably have more time than I do under the circumstances to pursue annexation. Unfortunately, there is no guarantee that the city would get its park dedication if the MOU expires and I sell to a third party. That would be unfortunate, but I need to be clear here in my communications with the City on this point. I am not a developer. This is a family asset. I think that I (with Mr. Margolese 's assistance) have done just about everything I can do so far to make this work, but at some point I need to move on.

This brings me to my final point, which frankly is of greater concern than the need to afford the City more time to fulfil its commitments under the MOU. I have been advised that at least one councilmember has made statements suggesting that the City should consider redesignating my property in way that would increase the City's leverage with respect to my family for the purpose of forcing a below-market sale. I am interested in obtaining a transcript from the council meeting where this statement was made. I think the City has already been advised by the City attorney (when this idea was floated before) that this would amount to a regulatory taking. I will leave that issue to the City Attorney, but would only add that such action on the City's part would clearly violate the obligation that the City has assumed to me and my family under the MOU to act in good faith. I would ask that you forward this email to the City attorney, and have him/her contact me if this is something we need to discuss further.

I want to end on a positive note, and again express my willingness to keep moving forward with the City and to try to do so in a way that is consistent with your workload and your need to address other matters of importance to the city. Also please note that I am using my work email as a matter of convenience. This is a personal communication made on my behalf and is not a communication made by or on behalf of Perkins Coie LLP.

Thank you.

Mark Quehrn

cc: Barry Margolese

NOTICE: This communication may contain privileged or other confidential information. If you have received it in error, please advise the sender by reply email and immediately delete the message and any attachments without copying or disclosing the contents. Thank you.

Troy Davis

From: Quehrn, Mark (Perkins Coie) <MQuehrn@perkinscoie.com>
Sent: Thursday, February 16, 2017 2:42 PM
To: Lara Thomas
Cc: barry@amalani.com
Subject: Big Rock Annexation

Dear Lara:

Thank you for your time earlier this week. I think I now have a better understanding of the City's workload, and the need for additional time to move the annexation of my property forward. As you know, I entered into an agreement with Mr. Barry Margolese to assist me in fulfilling my obligation under the MOU to work diligently and in good faith to enter into a pre-annexation no later than December 31, 2017. This is of course the City's obligation as well. I do not think it is unreasonable, or in bad faith, for the City to ask for a time extension to accommodate work load. From the beginning, I have approached this as an opportunity for the City and my family to achieve some common objectives. I realize that the City has not yet asked for a time extension, but if this is what the City needs, I wanted to let you know that I am willing to do so.

Having conferred with Mr. Margolese, I am willing to offer a six month extension (through June 30, 2018). We might be able to push this to 9 months, but we would need to review that option at the time. I do not think, however, that I am in a position to push this out any further. As I mentioned, one of my family members is ill and we are looking to the proceeds of this sale to better address his needs. There is a lot of interest in my property, people that probably have more time than I do under the circumstances to pursue annexation. Unfortunately, there is no guarantee that the city would get its park dedication if the MOU expires and I sell to a third party. That would be unfortunate, but I need to be clear here in my communications with the City on this point. I am not a developer. This is a family asset. I think that I (with Mr. Margolese 's assistance) have done just about everything I can do so far to make this work, but at some point I need to move on.

This brings me to my final point, which frankly is of greater concern than the need to afford the City more time to fulfil its commitments under the MOU. I have been advised that at least one councilmember has made statements suggesting that the City should consider redesignating my property in way that would increase the City's leverage with respect to my family for the purpose of forcing a below-market sale. I am interested in obtaining a transcript from the council meeting where this statement was made. I think the City has already been advised by the City attorney (when this idea was floated before) that this would amount to a regulatory taking. I will leave that issue to the City Attorney, but would only add that such action on the City's part would clearly violate the obligation that the City has assumed to me and my family under the MOU to act in good faith. I would ask that you forward this email to the City attorney, and have him/her contact me if this is something we need to discuss further.

I want to end on a positive note, and again express my willingness to keep moving forward with the City and to try to do so in a way that is consistent with your workload and your need to address other matters of importance to the city. Also please note that I am using my work email as a matter of convenience. This is a personal communication made on my behalf and is not a communication made by or on behalf of Perkins Coie LLP.

Thank you.

Mark Quehrn

cc: Barry Margolese

NOTICE: This communication may contain privileged or other confidential information. If you have received it in error, please advise the sender by reply email and immediately delete the message and any attachments without copying or disclosing the contents. Thank you.

Troy Davis

From: Jason Walker
Sent: Sunday, February 26, 2017 2:20 PM
To: Lara Thomas
Subject: Fw: **Feedback - Big Rock Annexation**
Attachments: Big Rock Annexation.pdf

From: Michael Krohn <mkkrohn@hotmail.com>
Sent: Sunday, February 26, 2017 1:36 PM
To: Will Ibershof; Amy Ockerlander; Becky Nixon; Dianne Brudnicki; Leroy Collinwood; Scott Thomas; Jason Walker; Troy Davis; Michael Krohn; jesskrohn@hotmail.com
Subject: **Feedback - Big Rock Annexation**

To: Mayor Will Ibershof, Council Member Amy Ockerlander, Council Member Becky Nixon, Council Member Dianne Brudnicki, Council Member Leroy Collinwood, Council Member Scott Thomas, Council Member Jason Walker, Senior Planner Troy Davis

From: Michael Krohn, Homeowner at 28419 NE 138th Place Duvall, WA 98019

Date: February 26, 2017

Re: Big Rock Annexation Petition

Thank you for taking the time to read this message. My name is Michael Krohn and I own the property located at 28419 NE 138th Place in Duvall.

I am requesting that you reject the Big Rock Annexation proposal because (1) it will negatively impact the value of my residence and the other 16 homes located on 138th place adjacent to the annexation and (2) the three parcels would be better utilized as future recreational space to support the population growth that will come in the future.

If you elect to move forward with the current proposal, I am concerned that the value of my home will be negatively impacted as the lot size and profile of the new homes are inconsistent with my home and the others located on 138th place. For example,

#1 - Lot Size: The proposed lot located adjacent to my home is approximately 4,000 square feet which is significantly smaller than my lot which is approximately 6,000 square feet. This discrepancy will result in
the new home being unfairly located closer to my backyard fence than my home. This will negatively impact the value of my home.

#2 - Profile: The builder will likely build 3 story homes which is inconsistent with the 2 story homes located on 138th place. This discrepancy will create an inconsistency that will negatively impact the value of
my home.

#3 - Unobstructed View: My home currently has a unique benefit of backing up to a greenbelt with no home directly behind it. The proposed plan will take this benefit away from me resulting in a negative impact to the value of my home.

I believe that the three parcels located adjacent to Big Rock Ball Fields should be retained in its current state. In time, this space should be used to create additional trails, benches, and recreational space to support the significant population growth that will come from the 850+ homes already planned to be built in the future. I am concerned that there is a lack of sufficient recreational space and an overabundance of homes already in the pipeline.

For these reasons, I am requesting that the Big Rock Annexation be rejected and kept in its current state at this time.

You are welcome to reach me directly on my mobile phone at (602)703-8169 so that we can discuss matter further. I plan to attend the city council meeting scheduled for Tuesday March 7, 2017.

Thank you,

Mike Krohn

(602) 703-8169

To: Mayor Will Ibershof, Council Member Amy Ockerlander, Council Member Becky Nixon, Council Member Dianne Brudnicki, Council Member Leroy Collinwood, Council Member Scott Thomas, Council Member Jason Walker, Senior Planner Troy Davis

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Date: February 26, 2017

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- Lot Size: The proposed lot located adjacent to my home is approximately 4,000 square feet which is significantly smaller than my lot which is approximately 6,000 square feet. This discrepancy will result in the new home being unfairly located closer to my backyard fence than my home. This will negatively impact the value of my home.
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Thank you,

Mike Krohn

Troy Davis

From: Jason Walker
Sent: Friday, February 24, 2017 12:51 PM
To: Lara Thomas
Subject: Fw: Big Rock Annexation Public Comment

From: Amy McHenry <amymchenry@hotmail.com>
Sent: Tuesday, February 7, 2017 2:25 PM
To: Will Ibershof; Amy Ockerlander; Dianne Brudnicki; Leroy Collinwood; Scott Thomas; Jason Walker; Becky Nixon
Subject: Big Rock Annexation Public Comment

Dear Mayor and City Councilmembers,

I am writing in regards to the Big Rock Annexation Petition. I am asking you to reject this petition and work towards a new petition that provides the City of Duvall with a significant benefit. To state plainly, I do not think the proposed petition provides a significant benefit to the City.

I used to live right across the street from East Sammamish Park, a beautiful 19 acre multi use park. It has sport fields, BBQ grills, a picnic shelter, permanent restroom facility, play structures and a nice trail system. This park is closed in by the golf course to it's North, an elementary school and private preschool to the East and development to the West and South. Sammamish used to be the rural area of the plateau, and as I'm sure you know now is highly developed with more in the pipeline. Last Fall for a bit of nostalgia my family visited this park again. There wasn't even a game going on and the large parking lot was full and street parking overrun. That would have been typical for a game day when we lived there five years ago, but this was not. No doubt the increase in park usage is related to the huge population and development boom in Sammamish. Where I'm going with this and asking you all, as representatives of Duvall citizens, to consider is that approving this petition and permanently closing in the Big Rock Sports Park, will mean it can never become larger than it is. Big Rock Sports park is already a highly used park, even before the improvements that are coming with the approval of Prop 1. We will see an increase in use once this park is improved. And if this petition is approved I know that it will someday be like East Sammamish Park...beautiful, but difficult to enjoy because it is limited by it's parking and in an area that has been overdeveloped without providing adequate parks and field space to other parts of the City.

I love the idea of a dog park, of additional play structure space and some of the ideas in this petition. But these will not have the intended benefit to the City if it is closed in by housing developments. Is there a way we can designate these properties for future park expansion? Having more field space (of course within reason of any environmental impacts due to critical areas on the property), parking and open space, I believe, will provide a much larger benefit to the City than more housing units on both sides.

What other areas or properties in Duvall can be turned into sport fields or parks? I would love to hear about how we will provide more park space to our community. As for right now, the property on both sides of Big Rock Park seems to provide a unique opportunity to be proactive about a problem we are actively seeing in

other communities. We have a chance to reach beyond what has already been done in every other town. How will the families that move into these proposed neighborhoods feel when all of their street parking is taken as overflow parking every time there are games at Big Rock Park? Did the designers of East Sammamish Park fathom a day when the large sized parking lot wouldn't be enough for park users on a non game day? I know it may seem like the additional parking will be plenty. But if more large parks with fields and parking aren't added along with new developments and annexations, then this would-be benefit will be lost.

I have seen this before. I am asking you to please reject this petition and develop a plan that will benefit the City in the long term, not just the short term.

Thank you for your time reading my comments and thank you for all that you do.

Respectfully,

Amy McHenry
14208 284th PL NE
Duvall, WA 98019
425.516.1131

Troy Davis

From: Jason Walker
Sent: Friday, February 24, 2017 12:50 PM
To: Lara Thomas
Subject: Fw: Big Rock Annexation

From: Jennifer K <jenkna@frontier.com>
Sent: Tuesday, February 7, 2017 2:28 PM
To: Amy Ockerlander; Dianne Brudnicki; Becky Nixon; Jason Walker
Subject: Big Rock Annexation

Councilmembers Brudnicki, Ockerlander, Nixon and Walker,
I am very concerned about the possible annexation of the properties bordering Big Rock Ball Park. I believe you shared the concern of the R4 predesignation and were keenly aware of the potential to lose leverage toward getting a significant park out of the annexation. All four of you voted FOR "removing the parcel from the UGA to become part of the UGAR" and REJECTED the option to"Predesignate the parcel to R4 and work with the applicant on a pre-annexation agreement". I am extremely upset that the direction from you, the City Council, was disregarded and the option you all REJECTED is what the City went ahead and did. Please salvage this opportunity to expand Big Rock Ball Park in a meaningful way. To annex an additional 20 acres of land for residential housing (when we are already FAR exceeding our need for residential housing) and only end up with a parking lot and a tiny dog park - this is a tragedy. I would ask that you reject the Intent to Annex Petition and work towards a better outcome for residents.
Please take a look at the following meeting minutes:
http://www.duvallwa.gov/AgendaCenter/ViewFile/Minutes/_11032015-300
Consider listening to your own comments within the discussion that begins at approximately 35 minutes into the audio recording from the meeting.
Specifically this section:
5. Southeast Urban Growth Area – Public Facilities Pre Zone discussion
Lara Thomas, Planning Director, reviewed the Future Land Use Map (FLUM) that was approved by Council. Ms. Thomas said that the owner of one of the parcels in the Southeast Urban Growth Area (SEUGA) asked to explain why they wanted to request that their property be zoned back to R4 (4 residential units per acre) instead of Public Facility and met with the Land Use Committee to give that explanation. Ms. Thomas said the Land Use Committee is supportive of the request to zone the parcel R4 with the understanding that there would be a pre-annexation agreement and the City would not annex the property if the agreement was unsatisfactory. Ms. Thomas explained that Council has three options: 1. Maintain the FLUM as is; **2. Remove the parcel from the Urban Growth Area to become part of the Urban Growth Area Reserve;** and 3. Pre-designate the parcel to R4 and work with the applicant on a pre-annexation agreement. After further discussion, **there was Council consensus to go with option 2. (option 2 – Nixon, Ockerlander, Brudnicki, Walker**; option 3 – Thomas, Collinwood; undecided – Gill)

Thank you, Jennifer Knaplund

Troy Davis

From: Jason Walker
Sent: Friday, February 24, 2017 12:53 PM
To: Lara Thomas
Subject: Fw: Re: Big Rock Ball Park Expansion

From: Jennifer K <jenkna@frontier.com>
Sent: Monday, February 13, 2017 12:55 PM
To: Amy McHenry; Jason Walker
Subject: Fwd: Re: Big Rock Ball Park Expansion

My response to an e-mail from Mayor Ibershof... I hope he reads it.

-------- Forwarded Message --------
Subject: Re: Big Rock Ball Park Expansion
Date: Mon, 13 Feb 2017 12:48:05 -0800
From: Jennifer K <jenkna@frontier.com>
To: Will Ibershof <will.ibershof@duvallwa.gov>

Mayor Ibershof,

I hope you understand that I am not "against annexations in Duvall" as you put it. I look at each proposal for annexation independently and review its merits against our City's guiding documents (Comprehensive Plan, Watershed Plan, Parks Plan) and consider if the timing is appropriate and if it will benefit residents. I believe that is also the role of the City Council and the Planning Commission. So, I am not against this annexation for the sake of being against all annexations, that would be foolish and irresponsible. In the same way, it would be foolish and irresponsible to accept all annexations on the basis of being "for growth".

I oppose this specific Big Rock Annexation Petition for various reasons - and based on review of previous City Council minutes and memos, it would appear the City Council also opposes the annexation as prescribed by the MOU.

Below is a quick summary of why I oppose this annexation:

1) This development would forever restrict Big Rock from further expansion. Our Parks Plan shows Big Rock needing expansion to meet our minimum level of service for Parks. The Parks Plan specifically proposes an 8 acre expansion. If this development proceeds, that expansion will not be possible.
2) There are already 850+ new homes in the pipeline within city limits and City Council just approved annexing the North UGA that will bring another 250+ homes in the next few years. There is no need for additional residential expansion at this time that will overwhelm our city infrastructure with rapid growth. The new homes currently in the pipeline will contribute intense demand on our limited parks space.

3). The City Planning Department does not have the resources to process another annexation at this time.
4). The Watershed plan shows these properties to be of significant value and needing protection - the plan recommends restricting development to a low or moderate level.
My request is that City Council reject this Annexation Petition and work towards acquiring a MEANINGFUL amount of land to expand Big Rock Ballpark. The small awkward sliver of land proposed is not enough to meet the current and more importantly the future need for additional park space.
This is what I propose:
1. REJECT the current Big Rock Annexation Petition and allow the MOU to expire on 12/31/2017. Note that there should be ZERO concern for litigation arising from rejecting the petition.

- In an email from Mr. Nate Veranth (attorney representing the property owners) he states "If the City and the property owner cannot agree on a development plan and dedication by December 31, 2017, then the property would be returned to the UR"
- During the COW meeting on 1/19/2016 Mr. Varanth also stated "when the time comes for pre-annexation of the property, if the City is not happy with anything, they have the option to walk away".
- During the City Council meeting on 11/3/2015, Lara Thomas advised: "the City would not annex the property if the agreement was unsatisfactory".
- The MOU states "The term of this MOU...shall continue through and until December 31, 2017... Upon expiration of the Term, this MOU shall terminate and thereafter be null, void and of no further force and effect.

2. SAVE UP funds to purchase additional land to expand Big Rock Ball Fields in a MEANINGFUL way.

- According to City staff, Park Impact Fees will rise to approximately $10K per new residential unit. With 850 new homes in the pipeline and another 250 in the NUGA, the City should have upwards of 8 Million Dollars collected from Park Impact Fees in the coming years.
- A more significant expansion could allow for a nature trail to encircle the ball fields, potentially add a covered basketball court (our youth need a place to be active during the rainy season), a usuable dog park (the proposed dog park in the annexation petition is much too small to be adequate), additional parking, public restroom, concessions (potential income source), open space to protect the natural beauty and environment for the enjoyment of residents, etc. A park such as this would serve all community members, not just those participating in organized sports.
- I do not see another location on the Future Land Use Map that would accommodate a large Community Park as described by the Parks and Open Spaces Plan. We must preserve this space and build on the Proposition 1 investment as the only viable option for a large mult-use park available within the city.
- The 2015 Comprehensive Plan Policies:
    - PR 1.9 Identify and acquire additional undeveloped lands for parks, trails and open space within the city and UGA.
    - PR 7.1 Use the PTOS Plan to guide acquisition of park land, recreational facilities, and open space.
    - PR 7.2 Acquire and develop parks to meet the City's park, recreation, trails and open space LOS standards.
    - PR 7.4 Consider funding parks and recreation facilities through a variety of funding sources described in this Element, including grants, tax levies, and a GMA-based park impact fee.

I would like to discuss this with you prior to the City Council meeting and final Public Hearing on 2/21/2017. Will you return from traveling before that time?

I hope you understand that I bring these concerns to you, not to be combative or to exasperate yourself or fellow Council members, but out of my love for this city and all our residents and especially our youth. Of course Duvall isn't going to stay the quaint little town that I moved to 17 years ago - I know that - so what I am trying to do is work towards policies and growth that will maintain some of the charm and community that drew me here.

Thank you and and I wish you safe travels,
Jennifer Knaplund
206-854-4606 cell

On 2/13/2017 10:37 AM, Will Ibershof wrote:

> Jennifer
> I am traveling so we will have to wait until later next week.
> I have a question, I thought you were against annexations in Duvall. Did I misunderstand that?
>
> Thank you.
>
> Will Ibershof
> Mayor of Duvall
> 15535 main street
> Duvall, WA 98019
> 206-255-2855
>
> ---
>
> **From:** Jennifer K
> **Sent:** 2/13/2017 9:02 AM
> **To:** Will Ibershof
> **Subject:** Big Rock Ball Park Expansion
>
> Good morning Mayor Ibershof,
>
> I would like to have a chance to discuss with you the potential for a meaningful expansion of Big Rock Ball Park. My kids are in school during the day so my best availability is to meet during school hours, , but I can also meet in the evening if that works with your schedule. Feel free to respond to this e-mail or give me a call at 206-854-4606.
>
> Thanks,
> Jennifer Knaplund

Troy Davis

From: Leroy Collinwood
Sent: Sunday, February 26, 2017 5:57 PM
To: Will Ibershof; Lara Thomas; Matthew Morton
Subject: Fwd: **Feedback - Big Rock Annexation**
Attachments: Big Rock Annexation.pdf

In case you wanted to see this. I would dispute his assertion on effect to home value. On the issue of lot size, the North Hill lots are much smaller than Legacy Ridge lots, yet realtors are saying that the larger lot sizes in Legacy will be desirable and that home values will be enhanced due to North Hill development. I also question his assumption on 3 stories since that won't likely be determined until later phases. Finally, backing up to park space is no guarantee of increased home value, and there is no way any time soon that the city could buy so much land for a park.

Bottom line is his logic and assumptions are flawed.

Leroy

_____
From: Michael Krohn <mkkrohn@hotmail.com>
Sent: Sunday, February 26, 2017 1:36 PM
Subject: **Feedback - Big Rock Annexation**
To: Troy Davis <troy.davis@duvallwa.gov>, Michael Krohn <mkkrohn@hotmail.com>, Amy Ockerlander <amy.ockerlander@duvallwa.gov>, Dianne Brudnicki <dianne.brudnicki@duvallwa.gov>, Becky Nixon <becky.nixon@duvallwa.gov>, Jason Walker <jason.walker@duvallwa.gov>, Will Ibershof <will.ibershof@duvallwa.gov>, Leroy Collinwood <leroy.collinwood@duvallwa.gov>, Scott Thomas <scott.thomas@duvallwa.gov>, <jesskrohn@hotmail.com>

To: Mayor WillIbershof, Council Member Amy Ockerlander, Council Member Becky Nixon, CouncilMember Dianne Brudnicki, Council Member Leroy Collinwood, Council Member ScottThomas, Council Member Jason Walker, Senior Planner Troy Davis

From: MichaelKrohn, Homeowner at 28419 NE 138th Place Duvall, WA 98019

Date: February26, 2017

Re: Big Rock AnnexationPetition

Thank you for taking the time to read this message. My nameis Michael Krohn and I own the property located at 28419 NE 138thPlace in Duvall.

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If you elect to move forward with the current proposal, I amconcerned that the value of my home will be negatively impacted as the lot sizeand profile of the new homes are inconsistent with my home and the otherslocated on 138th place. For example,

#1 - Lot Size: The proposed lot located adjacent tomy home is approximately 4,000 square feet which is significantly smaller thanmy lot which is approximately 6,000 square feet. This discrepancy will resultin
the new home being unfairly located closer to my backyard fence than my home.This will negatively impact the value of my home.
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#3 - Unobstructed View: My home currently has aunique benefit of backing up to a greenbelt with no home directly behind it.The proposed plan will take this benefit away from me resulting in a negative

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For these reasons, I am requesting that the Big RockAnnexation be rejected and kept in its current state at this time.

You are welcome to reach me directly on my mobile phone at(602)703-8169 so that we can discuss matter further. I plan to attend the citycouncil meeting scheduled for Tuesday March 7, 2017.

Thank you,

Mike Krohn

(602) 703-8169

Duvall City Council

AGENDA BILL SUMMARY

Meeting Date: 03/07/17 AB #17-28

Item Type: Introduction: _X_ Discussion/Staff Direction: ___ Action Item: ___

Attorney Review: NA

Subject: **Proposed 2017 Comprehensive Plan Amendment Docket**

Budget Impact and Source of Funds: None

Contact Person/Department: Lara Thomas, Planning Director/Planning Department

EXECUTIVE SUMMARY:

Local comprehensive plans are "living documents" subject to not only periodic updates (which occur once every 8 years) but annual amendments also. With certain exceptions, comprehensive plans can only be amended once per calendar year (see RCW 36.70a.130(2)(a)). To ensure that amendments to the City's Comprehensive Plan occur no more frequently than once per year, the City has established a docketing procedure for processing proposed amendments (see DMC Chapter 14.72).

Applications for comprehensive plan amendments for 2017 were accepted between January 3, 2017 and February 15, 2017. A total of seven applications were received and all seven are being initiated by the City, although several citizens have expressed their support for several of the proposed amendments.

COUNCIL PROCESS: Ordinances/Resolutions

- Council Discussion under **New Business**

HISTORY:

- Introduced to Planning Commission at their February 22, 2017 meeting

RECOMMENDED ACTION:

No action is being requested at this time; however, Council will be asked to:

Accept the Planning Commission's recommendation on this item at a future Council meeting.

ATTACHMENTS:

- Memo - Introduction to Proposed 2017 Comprehensive Plan Amendment Docket

Memorandum

To: City Council

From: Troy Davis, Senior Planner

Date: March 7, 2017

Re: Introduction to Proposed 2017 Comprehensive Plan Amendment Docket

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At the beginning of this year, the Planning Department published notice that the City would be accepting proposed amendments to the City's Comprehensive Plan until February 15, 2017. A total of seven applications were received and all seven are being initiated by the City, although several citizens have expressed their support for a couple of the proposed amendments. The following is a description of the submitted amendments:

1. FLUM OT to LI (CPA17-001) - This is a proposed amendment to the City's Future Land Use Map to designate two adjacent properties (TPNs 1326069092, 1326069146, 1326069171) that are currently designated as "Old-Town" to "Light Industrial". This will bring the Future Land Use Map into alignment with the industrial land use activities that have historically occurred these properties. The current designation of these properties as "Old-Town" makes their respective industrial uses legal-nonconforming, meaning the use can continue, but prohibits the expansion of the use. The designation to "Light Industrial" will make the industrial uses legal-conforming and allow for expansion of such uses on the respective properties. City records show that these properties were once designated as "'EO'-Employment-Industrial and Office" as late as 2002 but where re-designated to "Old-Town" during the City's 2004 Comprehensive Plan Update. This proposed amendment would essentially return the properties to their former land-use designation.
2. FLUM PF to PO (CPA17-002) - This is a proposed amendment to the City's Future Land Use Map to designate City park and open space properties that are currently designated as "Public Facilities" to "Parks and Open Space". This will help differentiate between publicly owned properties that actually house public facilities (such as utility infrastructure and schools) and City parks and open spaces. During the 2015 update of the City's Comprehensive Plan, the "Parks and Open Space" designation was created but only applied to one property located within the City's Southwest Urban Grown Area. This proposed amendment would ensure all parks and open spaces are given the "Parks and Open Space" designation.
3. FLUM R4 to PO (CPA17-003) - This is a proposed amendment to the City's Future Land Use Map to designate a single, City-owned property (TPN 1326069072) that is currently designated as "R4-Residential 4 Units per Acre" to "Parks and Open Space". This will bring

the Future Land Use Map into alignment with the public facility that exists on-site (a public water tower). The property has been designated "Residential" since at least 2002 when it was designated "R3 – Residential 3 Units per Acre" and then was subsequently re-designated "R4 – Residential 4 Units per Acre" as part of the 2004 Comprehensive Plan Update. The property; however, was identified as open space in the City's 2008 Parks, Trails, and Open Space Plan.

4. Transportation Plan & TIP Update (CPA17-004) - This is a proposed amendment to revise the Transportation Element (Chapter 6), of the 2015 Comprehensive Plan, as required, to address and update Transportation Plan Trips, Level of Service, associated impacts and mitigation, and the 2018-2023 Transportation Improvement Plan (TIP) project list. These proposed updates will be reviewed and evaluated with respect to the Goal and Policies, travel network, and development driven trip generation. This proposed amendment would update transportation-related components of the Comprehensive Plan as required to provide consistency with the Transportation Plan and TIP updates.
5. Surface and Stormwater Plan (CPA17-005) - This is a proposed amendment to revise any and all applicable sections of the 2015 Comprehensive Plan, as required, to address the management of Surface and Stormwater projects or retrofit opportunities within the 2017 Surface and Stormwater Plan update. This may include, but is not limited to, new code and standards based on the incorporation, guidance, or application of current best management practices (BMP) within the 2017 Surface and Stormwater Plan update. The Proposed amendment would update surface and stormwater-related components of the Comprehensive Plan as required to provide consistency with the 2017 Surface and Stormwater Plan update.
6. PSRC Recommendations (CPA17-006) - This is a proposed amendment to the City's 2015 Comprehensive Plan to address and incorporate responses to, and the results of evaluations from, Puget Sound Regional Council (PSRC) comments associated with the 2015 Comprehensive Plan update regarding transportation, growth management, and economic development planning. This proposed amendment would update Comprehensive Plan components as required to provide consistency with addressing the Puget Sound Regional Council (PSRC) comments.
7. Capital Improvement Programs Update (CPA17-007) - This is a proposed amendment to revise the Parks and Recreation Element (Chapter 4) and Capital Facilities Element (Chapter 7) of the 2015 Comprehensive Plan, as required, to provide consistency with the 2018-2023 CIP 6-year project list update for Parks and Recreation, Water, Sewer, and Stormwater Systems. The proposed CIP project list will be reviewed and evaluated with respect to the Goals and Policies which guide the nature of development of the Comprehensive Plan. This proposed amendment would update Capital Facility-related components of the Comprehensive Plan to provide consistency with the CIP updates.

The Planning Commission was introduced to the proposed docket on February 22, 2017 at their regularly scheduled meeting. The planning commission has not yet made a recommendation on the proposed docket. City code requires that the Planning Commission make a recommendation within 90 days from February 15, 2017; however, staff anticipates that the Planning Commission will make a recommendation at their regularly scheduled meeting on March 8, 2017.

Duvall City Council

AGENDA BILL SUMMARY

Meeting Date: 03/07/17 AB #17-29

Item Type: Introduction: __ Discussion/Staff Direction: _X_ Action Item: __

Attorney Review: ___

Subject: **Ordinance – Park Impact Fee**

Budget Impact and Source of Funds: NA

Contact Person/Department: Boyd E. Benson, Public Works Department

EXECUTIVE SUMMARY:

Staff completed an update of Park Impact Fee calculations contained within the City of Duvall 2008 Parks, Trails, and Open Space (PTOS) Plan. The 2017 Park Impact Fee calculation included updated construction costs, amendment of projects based on feasibility, removal of projects that are complete or funded by other mechanisms, and incorporation of projects from the Adopted 2017 – 2022 Six year Capital Improvement Program project list. The 2017 Park Impact Fee was calculated uniformly for the entire 20-year project list. The 2008 PTOS Plan, and Level of Service standards contained within, was not updated as part of the 2017 Park Impact Fee calculation.

Staff has developed four Park Impact Fee calculation alternatives for City Council consideration ranging from $7,585 to $9,304 for new single-family residences and from $6,725 to $8,249 for multi-family residences.

COUNCIL PROCESS: Ordinances/Resolutions

- Public Hearing
- Council Discussion under **New Business**

HISTORY:

- Council discussion at Committee of the Whole meeting on February 21, 2017.

RECOMMENDED ACTION:

Council will be asked to select a preferred Park Impact Fee calculation alternative and at this meeting, or a forthcoming meeting, adopt an Ordinance Updating the Park Impact Fee.

ATTACHMENTS:

- Draft Ordinance

CITY OF DUVALL
WASHINGTON

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF DUVALL, WASHINGTON, UPDATING THE PARK IMPACT FEE; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Duvall's 2008 Park, Trail, and Open Space Plan adopted by the Duvall City Council on February 5, 2009, and

WHEREAS, the basis for the City of Duvall Park Impact Fee was established as part of the adopted 2008 Park, Trail, and Open Space Plan; and

WHEREAS, the City of Duvall completed a Parks Impact Fee Study, held council workshops, and held two development community workshops regarding the Park Impact Fee basis and methodology in accordance with the 2008 Park, Trail, and Open Space Plan; and

WHEREAS, Ordinance 1086, adopted on March 26, 2009, set a revised Park Impact Fee based on the 2008 Park, Trail, and Open Space Plan and Park Impact Fee Study; and

WHEREAS, the Duvall City Council finds parks, trails, and open spaces a vital component of the Duvall community; and

WHEREAS, the Duvall City Council desires to update project costs and the Park Impact Fee in general accordance with the 2008 Park, Trail, and Open Space Plan and Park Impact Fee methodology to finance parks, trails, and open space improvements; and

WHEREAS, City of Duvall Staff updated projects and project costs to and calculated a 2017 updated Park Impact Fee; and

WHEREAS, the Duvall City Council held a public hearing on the proposed Park Impact Fee update on March 7, 2017;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DUVALL, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. The City of Duvall hereby adopts the Park Impact Fees in the amount of: $_____ for each new single-family residence; and $_____ for each new multi-family residence.

Section 2. Duvall Municipal Code Chapter 14.58, Impact Fee Collection, shall govern collection of the park impact fees.

Section 3. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 4. Effective Date. The updated Park Impact Fee shall be effective as of _____ __, 2017.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE ____ DAY OF _____, 2017.

CITY OF DUVALL

_____
Will Ibershof, Mayor

Approved as to form:

_____
Rachel B. Turpin, City Attorney

ATTEST/AUTHENTICATED:

_____
Jodi Wycoff, City Clerk

Passed by the City Council:
Ordinance No.
Date of Publication:

Duvall City Council

AGENDA BILL SUMMARY

Meeting Date: 03/07/17 AB #17-30

Item Type: Introduction: _X_ Discussion/Staff Direction: _X_ Action Item: __

Attorney Review: _X_

Subject: **Walden Property Transfer**

Budget Impact and Source of Funds: N/A__

Contact Person/Department: Matthew Morton, City Administrator

EXECUTIVE SUMMARY:

Pursuant to the Development agreement, Toll Brothers is agreeing to deed the 2-acre parcel to the City upon completion of the infrastructure work, and in any event, no later than December of 2018. There is not an option to call the property and improvements prior to December 2018. However, staff believes the timeline is reasonable and expeditious in regards to the planning and site work remaining.

The Boundary Line Adjustment (BLA) is presently in draft form (attached for your review) and the dedication numbers (acreage and square feet) in the Parcel Conveyance Agreement are in Draft Form. Dedicated to the City will be 2.0 developable acres (City staff has asked that the wetland and wetland mitigation area be excluded from the dedication as the City has no long term interest in monitoring and/or maintaining these areas) and Toll Brothers has agreed. The BLA Application is out for peer-review by the city contract PLS (Professional Land Surveyor).

COUNCIL PROCESS: Contracts/Agreements

- Council Discussion under **New Business**

HISTORY:

- Council discussion at various meetings throughout 2016 and 2017.

RECOMMENDED ACTION:

No action is requested at this time; however, at a future meeting, Council will be asked to:

Accept the land transfer and authorize the Mayor and/or staff to execute the Agreement for Conveyance and the Escrow Agreement.

ATTACHMENTS:

- Agreement for Conveyance
- Exhibit A – Escrow Agreement
- Exhibit B – Form of Statutory Warranty Deed *[The "Quit Claim Deed" in your packet is what was initially submitted. We had concerns about the insurability of a Quit Claim Deed and thus, in due diligence, requested a Statutory Warranty Deed which Toll Brothers is preparing.]*
- Draft Boundary Line Adjustment (BLA) Map

AGREEMENT FOR CONVEYANCE OF CITY PARCEL

This Agreement for Conveyance of City Parcel ("Agreement") dated February __, 2017 is entered into by and between Toll WA LP, a Washington limited partnership ("Grantor"), and the City of Duvall, a Washington municipal corporation ("Grantee"). Grantor and Grantee are also referred to herein individually as a "Party" and collectively as the "Parties".

WHEREAS, the Grantor agreed to convey to Grantee a 2-Acre City Parcel ("City Parcel") pursuant to the terms of that certain Development Agreement, Section 15, fully executed as of January 8, 2008, and recorded on February 11, 2008 under King County recording no. 20080211001272 ("Development Agreement").

WHEREAS, the Parties agree that an escrow account shall be opened and the Grantor shall deposit a deed into the escrow account upon approval and recording of City of Duvall Boundary Line Adjustment BLA 17-001 ("BLA") which segregates the City Parcel into a separate parcel approximately 2.722 acres in size of which 2.012 acres are developable.

WHEREAS, the Parties agree that the closing of the conveyance of the City Parcel from Grantor to Grantee shall occur upon the completion of certain infrastructure improvements by Grantor and acceptance of the same by the Grantee as set out in Section 15e. of the Development Agreement.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor and Grantee hereby agree as follows:

1. TERMS OF CONVEYANCE TRANSACTION

a. Consideration. The consideration for Grantor's conveyance of the City Parcel to Grantee is reflected in the Development Agreement. There is no additional purchase price or other monetary consideration for the conveyance.

b. Escrow. An escrow account ("Escrow") shall be opened with Chicago Title of Washington, 10500 NE 8th Street, Suite 600, Bellevue, WA. Paula Adams shall serve as the escrow agent ("Escrow Agent").

c. Escrow Instructions. The Parties agree that the Escrow and closing ("Closing") for this conveyance transaction shall be governed by an Escrow Agreement between Grantor, Grantee and Escrow Agent in the form set out on **Exhibit A** attached hereto and incorporated herein.

d. Deposit of Deed. Grantor shall deposit a fully executed quit claim deed ("Conveyance Deed") in the form set out on **Exhibit B** attached hereto and incorporated herein into the Escrow within three (3) business of recording of the BLA. The Conveyance Deed shall not be delivered to Grantee or recorded until Closing of the transaction as described herein, which shall convey the City Parcel to Grantee.

e. Closing. The Parties shall notify the Escrow Agent, either jointly or by individual notice, no later than five (5) business days after completion of all infrastructure improvements by Grantor and acceptance of the same by the Grantee as set out in Section 15e. of the Development Agreement, that the Parties are ready to close. Closing shall occur fifteen (15) business days after acceptance of the infrastructure improvements by the City, provided that Closing shall occur no later than December 31, 2018 (the "Outside Closing Date").

f. Title Policy. Grantor shall provide Grantee with a commitment for a standard form owner's policy of title insurance covering the City Parcel forty-five (45) days before the anticipated Closing Date. Such commitment shall be subject to the standard pre-printed exceptions and such other exceptions as do not materially affect the title.

g. Payment of Escrow Fees. Grantor shall pay for all fees incurred for the Escrow, including the Escrow fee for Closing.

h. Payment of Other Fees and Real Estate Taxes. Grantor shall pay (i) the premium for a standard coverage owners title policy, (ii) the cost of recording the Deed, (iii) the real estate excise tax ("REET") and (iv) Grantor's share of prorations. Grantee shall pay (i) the premium for extended title coverage if Grantee elects a title policy with extended coverage and the costs of any additional title endorsements requested by Grantee, and (ii) Grantee's share of prorations. Escrow Agent shall apportion real estate property taxes with respect to the Property as of the date of Closing. Each Party shall pay their own legal and consultant fees

2. GRANTOR'S OBLIGATIONS

At or before Closing, Grantor shall:

a. Deliver to Escrow Agent the duly executed Conveyance Deed as provided in Section 1 hereof;

b. Construct road and site improvements in accordance with Section 15e. of the Development Agreement, after approval of plans for these improvements by Grantee;

c. Obtain Grantee's approval and acceptance of the constructed road and site improvements;

d. Within five (5) business days after Grantee's acceptance of the constructed road and site improvements notify Escrow Agent in accordance with the Escrow Agreement that the transaction is ready to close;

e. Deliver to Escrow Agent an affidavit duly executed by Grantor stating that Grantor is not a "foreign person" as defined in the Federal Foreign Investment in Real Property Tax Act (FIRPTA);

f. Deliver to Escrow Agent such evidence as the Title Company may reasonably require as to the authority of the person or persons executing documents on behalf of Grantor; and

g. Upon completion of the Closing, deliver to Grantee possession and occupancy of the City Parcel.

3. GRANTEE'S OBLIGATIONS

At or before Closing, Grantee shall:

a. Deliver to Escrow Agent such evidence as the Title Company may reasonably require as to the authority of the person or persons executing documents on behalf of Grantee; and

b. Within five (5) business days after Grantee's acceptance of the road and site improvements constructed by Grantor, notify Escrow Agent in accordance with the Escrow Agreement that the transaction is ready to close.

4. OTHER TERMS

a. This Agreement may be executed in counterparts, each of which shall be deemed an original, but which when taken together shall constitute one and the same instrument.

b. This Agreement may not be amended, changed, or modified unless the same shall be in writing and signed by Grantor and Grantee.

Signatures on following page.

SIGNATURE PAGE

TOLL:

TOLL WA LP**,** a Washington limited partnership
By: Toll WA GP Corp., its general partner

By:_____
Name: _____
Title: _____

Date: _____

CITY:

City of Duvall, a Washington municipal corporation

By: _____
Name: _____
Title: _____

Date: _____

Approved as to form:

_____
By: _____
City Attorney

EXHIBIT A

Form of Escrow Agreement

EXHIBIT B

Form of Conveyance Deed

Exhibit A

ESCROW AGREEMENT
[WALDEN]

This Escrow Agreement ("Escrow Agreement"), dated the _____ day of _____, 2017, is entered into by and between TOLL WA LP, a Washington limited partnership ("Toll"), the CITY OF DUVALL, a Washington municipal corporation ("City"), and CHICAGO TITLE OF WASHINGTON ("Escrow Agent"). Toll and the City are also referred to individually as a "Party" and collectively as the "Parties".

A. Toll and City are parties to that certain Development Agreement dated January 8, 2008 and recorded under King County recording number 20080211001272, as amended by the First Amendment dated October 4, 2016 and recorded under King County recording number 20161019000511, (collectively, the "Development Agreement") related to certain real property located in the City of Duvall, King County, Washington, as more particularly described in the Development Agreement (the "Property").

B. The terms of the Development Agreement provide for the conveyance of a portion of the Property consisting of a 2-acre parcel by Toll, as Grantor, to the City, as Grantee ("City Parcel").

C. Toll submitted a boundary line adjustment application to the City under application number BLA 17-001, which was approved on _____, 2017 and recorded under King County recording number _____("BLA"). The BLA segregates the City Parcel into a separate parcel approximately 2.722 acres in size of which 2.012 acres are developable.

D. The Parties have agreed that Toll will convey Lot 1 of the BLA to the City upon completion of certain road and site improvements for Lot 1 and acceptance of the constructed improvements by the City ("Closing"). There is no additional monetary consideration for the conveyance.

E. The Parties have agreed that Closing shall occur on or before December 31, 2018 ("Outside Closing Date").

F. Escrow Agent is in the business of providing escrow services and agrees to provide such services to Toll and the City with respect to the transaction referenced above, subject to the following terms and conditions.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Toll, City and Escrow Agent hereby agree as follows:

1. Deposit of Deed. Within three (3) business days of recording of the BLA, Toll shall deposit a fully executed quitclaim deed conveying Lot 1 of the BLA ("Conveyance Deed") into an escrow account with Escrow Agent. Escrow Agent agrees to hold the Conveyance Deed in escrow in accordance with the terms of this Escrow Agreement until Closing.

2. Notice to Escrow Agent of Closing. Closing shall occur when both of the Parties have notified Escrow Agent, either by a joint notification or by separate individual notifications, that the Escrow Agent is authorized to proceed to Closing ("Notice of Closing").

3. Pre-Closing Deliverables. The Parties shall deliver such documents as may be required by Escrow Agent for Closing, including, without limitation, such evidence as may reasonably be required as to the authority of the person or persons executing documents on behalf of each Party, and delivery by Toll of a FIRPTA affidavit.

4. Payment of Taxes and Fees. Toll shall pay (i) the premium for the standard coverage portion of a Title Policy, (ii) all escrow fees and the cost of recording the Deed, and (iii) Toll's share of prorations. City shall pay (i) the premium for extended title coverage if City elects a title policy with extended coverage and the costs of any additional title endorsements, and (ii) City's share of prorations. Escrow Agent shall apportion real estate property taxes with respect to the Property as of the date of Closing. Each Party shall pay their own legal and consultant fees.

5. Closing. Upon receipt of the Notice of Closing, Escrow Agent shall close this transaction by doing the following; provided, however, that no action with respect to any of the following acts shall be taken unless and until Escrow Agent is in a position to do every one of such acts:

   a. Confirm that all Closing documents are properly signed and notarized where appropriate and that all such documents are complete with legal descriptions and other exhibits where required;

   b. Record the Deed in the real property records of King County, Washington;

   c. Disburse sums, if any, shown on the Parties' closing statements to the appropriate party in accordance therewith;

   d. Confirm closing by emailing the Parties with the recording number of the Deed;

   e. Prepare final closing statements to be approved by the parties in writing ("Final Closing Statements");

   f. Promptly after Closing, deliver to the Parties: (i) conformed copies of the recorded Deed; (ii) copies of their respective Final Closing Statements, and (iii) all of the other documents deposited with you in escrow for this transaction.

6. Disputes. In the event that (i) the Escrow Agent shall have received a notice containing contrary instructions as provided for in Section 2 hereof and within the time therein prescribed, or (ii) any other disagreement or dispute shall arise between the Parties hereto resulting in adverse claims or demands being made, whether or not litigation has been instituted, then and in any such event the Escrow Agent shall refuse to comply with any claims or demands on it and continue to hold the Deed until the Escrow Agent receives either (a) a written notice signed by both Parties directing the disposition of the Deed, or (b) a final order of a court of competent jurisdiction, entered in a proceeding in which Toll, the City, and the Escrow Agent are named as parties, directing the disposition of the Deed, in either of which events the Escrow Agent shall then act in accordance with said directions. The Escrow Agent shall not be or become liable in any way to any Party for its refusal to comply with any such claims or demands until and unless it has received a direction of the nature described in (a) or (b) above. Upon the taking of any of the actions described in (a) and (b) above, the Escrow Agent shall be released of and from all liability hereunder. Notwithstanding the foregoing provisions of this Section 6, the Escrow Agent shall have the following rights in the circumstances described in (i) or (ii) above: the Escrow Agent may, on written notice to Toll and the City, take such affirmative steps as it may at its option elect in order to terminate its duties as Escrow Agent hereunder including, but not

limited to, the deposit of the Deed with a court of competent jurisdiction and the commencement of an action in interpleader. Upon the taking by Escrow Agent of such action, the Escrow Agent shall be released of and from all liability hereunder.

7. Duties of Escrow Agent. Escrow Agent undertakes to perform only such duties as are expressly set forth in this Agreement and no implied duties or obligations shall be read into this Agreement against Escrow Agent.

8. Reliance on Documents by the Escrow Agent. Escrow Agent may act in reliance upon any writing or instrument or signature which it, in good faith, believes to be genuine, may assume the validity and accuracy of any statement or assertion contained in such a writing or instrument, and may assume that any person purporting to give any writing, notice, advice, or instructions in connection with the provisions of this Agreement has been so duly authorized.

9. Indemnification of Escrow Agent. Toll and City hereby agree to indemnify and hold harmless Escrow Agent from and against all claims, liabilities, losses, actions, suits or proceedings at law or in equity, including, without limitation, reasonable attorneys' fees and expenses, which Escrow Agent may incur or be threatened with by reason of Escrow Agent's actions under this Escrow Agreement, except in the cases of Escrow Agent's gross negligence or willful misconduct.

10. Escrow Fees. Toll shall pay any escrow fees charged by Escrow Agent for administration of this Escrow Agreement and for Closing.

11. Notices. Any notice required to be given hereunder shall be delivered in one of the following manners: (i) in writing by United States registered or certified mail, with postage prepaid, return receipt requested, (ii) in writing by Federal Express or another nationally recognized overnight courier, (iii) hand delivered, or (iv) sent by facsimile transmission or email. All notices shall be deemed to have been given forty-eight (48) hours following deposit in the United States Postal Service, or upon delivery if sent by overnight courier service, facsimile, courier or hand delivery or email. All notices shall be sent to the persons set out below or as may hereafter be substituted by notice in writing thereof.

TOLL:
Toll WA LP
Attn: Charles Hare
9720 NE 120th Place, #100
Kirkland, WA 98034
Email: chare@Tollbrothersinc.com
425.825-5319 (telephone)
425.825.1565 (facsimile)

CITY:
City of Duvall
Attn: Jodi Wycoff
15535 Main Street NE
PO Box 1300
Duvall, WA 98019
Email: jodi.wycoff@duvallwa.gov
425-788-1185 (telephone)
425-788-8097 (facsimile)

ESCROW AGENT:
Chicago Title of Washington
Attn: Paula Adams
10500 NE 8th Street, Suite 600
Bellevue, WA 98004
Tel: (425) 646-9882
Fax: (866) 275-5010
Email: Paula.Adams@ctt.com

12. Miscellaneous.

a. This Escrow Agreement shall be governed by and construed in accordance with the laws of the State of Washington.

b. This Escrow Agreement shall be binding upon and inure to the benefit of Toll, the City, Escrow Agent and their respective successors, assigns and legal representatives.

c. This Escrow Agreement sets forth the entire understanding of the parties with respect to the subject matter hereof and shall not be modified or amended without the express written consent of the parties hereto.

d. Upon completion of Closing as provided herein, the escrow created hereby shall automatically terminate.

e. This Escrow Agreement may be executed in any number of counterparts, each of which will be an original and all of which, taken together, will constitute one instrument. Facsimile signatures will be treated as original signatures.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, this Escrow Agreement has been duly executed as of the date above written.

TOLL:

TOLL WA LP**,** a Washington limited partnership
By: Toll WA GP Corp., its general partner

By:_____
Name: _____
Title: _____

Date: _____

CITY:

City of Duvall, a Washington municipal corporation

By: _____
Name: _____
Title: _____

Date: _____

Approved as to form:

_____
By: _____
City Attorney

ESCROW AGENT:

CHICAGO TITLE INSURANCE COMPANY, a _____

By: _____
Name: _____
Title: _____

Date: _____

Exhibit B

WHEN RECORDED MAIL TO:
City of Duvall
Attn. Jodi Wycoff
City Clerk
15535 Main Street NE
PO Box 1300
Duvall, WA 98019

QUIT CLAIM DEED

Grantor:	Toll WA LP, a Washington limited partnershp
Grantee:	City of Duvall, a Washington municipal corporation
Abbrev. Legal Description:	Lot 1 of City of Duvall BLA17-001 recorded under King County recording number _____
Tax Account Number:	_____
Related Documents:	20080211001272; _____(BLA Recording Number for Lot 1)

The Grantor, Toll WA LP, a Washington limited partnership, in consideration of the benefits and agreements set out in that Development Agreement recorded under King County recording number 20080211001272, and other good and valuable consideration the receipt of which is hereby acknowledged, hereby conveys and quitclaims to the City of Duvall, a Washington municipal corporation, the following described real property, situated in the City of Duvall, King County, Washington:

> Lot 1 of City of Duvall Boundary Line Adjustment No. 17-001 recorded under King County, WA recording number _____.

GRANTOR'S SIGNATURE PAGE FOR QUIT CLAIM DEED

Dated this _____ of _____, 2017

GRANTOR:

Toll WA LP, a Washington limited partnership
By: Toll WA GP Corp, a Washington corporation
Its: General Partner

_____
By: Kelley Moldstad
Its: Division President

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

I certify that I know or have satisfactory evidence that Kelly Moldstad is the person who appeared before me, and said person acknowledged that said person signed this instrument, on oath stated that said person was authorized to execute the instrument and acknowledged it as the Division President of Toll WA GP Corp, a Washington corporation, general partner of Toll WA LP, a Washington limited partnership, to be the free and voluntary act of such entity for the uses and purposes mentioned in the instrument.

Dated this ____ day of _____, 2017.

_____
(Signature of Notary)

_____
(Legibly Print or Stamp Name of Notary)
Notary public in and for the state of Washington,
residing at _____
My appointment expires _____

CITY OF DUVALL BOUNDARY LINE ADJUSTMENT NO. BLA 17–001

CITY ENGINEER APPROVAL

I, THE CITY ENGINEER OF THE CITY OF DUVALL, WASHINGTON, HAVE REVIEWED THE BOUNDARY LINE ADJUSTMENT REQUEST AND HAVE FOUND IT TO COMPLY WITH THE REQUIREMENTS AND STANDARDS OF THE CITY'S CODES AND REGULATIONS, AND THEREFOR RECOMMEND APPROVAL ON THIS _____ DAY OF _____, 20____.

_____ _____
CITY ENGINEER DATE

KING COUNTY DEPARTMENT OF ASSESSMENTS

EXAMINED AND APPROVED THIS ____ DAY OF _____, 20____

_____
ASSESSOR

_____
DEPUTY ASSESSOR

PARCEL NUMBERS 2426069004 & 2426069062

RECORDING NO.

VOL./PG.

PORTION OF
SW 1/4, NE 1/4, SEC. 24, TWP. 26 N., RNG. 6E., W.M.
CITY OF DUVALL, KING COUNTY, WASHINGTON

DECLARATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNER(S) OF THE LAND HEREIN DESCRIBED DO HEREBY MAKE A BOUNDARY LINE ADJUSTMENT THEREOF PURSUANT TO RCW 58.17.040, AND DECLARE THIS ADJUSTMENT TO BE THE GRAPHIC REPRESENTATION OF THE SAME, AND THAT SAID ADJUSTMENT IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE OWNER(S).

IN WITNESS WHEREOF WE SET OUR HANDS AND SEALS.

TOLL WASHINGTON LP, A WASHINGTON LIMITED PARTNERSHIP
BY: TOLL WA GP CORP, A WASHINGTON CORPORATION
ITS: GENERAL PARTNER

_____
BY: KELLEY MOLDSTAD
ITS: DIVISION PRESIDENT

ACKNOWLEDGEMENTS

STATE OF WASHINGTON)
)SS
COUNTY OF KING)

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT KELLEY MOLDSTAD IS THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDGED THAT HE SIGNED THIS INSTRUMENT, ON OATH STATED THAT HE WAS AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS THE DIVISION PRESIDENT OF TOLL WA GP CORP, A WASHINGTON CORPORATION, THE GENERAL PARTNER OF TOLL WA LP, A WASHINGTON LIMITED PARTNERSHIP, TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

DATED: _____, 20___.

_____

PRINTED NAME: _____
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON

RESIDING AT _____

MY APPOINTMENT EXPIRES _____

CITY TREASURER'S CERTIFICATE

I HEREBY CERTIFY THAT THERE ARE NO DELINQUENT SPECIAL ASSESSMENTS, AND THAT ALL SPECIAL ASSESSMENTS ON ANY OF THE PROPERTY HEREIN CONTAINED DEDICATED AS STREETS, ALLEYS, OR FOR OTHER PUBLIC USE AND PAID IN FULL

THIS _____ DAY OF _____, 20____.

_____ _____
CITY TREASURER DATE

PLANNING DIRECTOR APPROVAL

I, THE PLANNING DIRECTOR OF THE CITY OF DUVALL, WASHINGTON, HAVE REVIEWED THE BOUNDARY LINE ADJUSTMENT REQUEST AND HAVE FOUND IT TO COMPLY WITH THE REQUIREMENTS AND STANDARDS OF THE CITY'S CODES AND REGULATIONS, AND THEREFOR RECOMMEND APPROVAL ON THIS _____ DAY OF _____, 20____.

_____ _____
PLANNING DIRECTOR DATE

ORIGINAL LEGAL DESCRIPTIONS

PARCEL A

THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 26 NORTH, RANGE 6 EAST, W.M., RECORDS OF KING COUNTY, WASHINGTON;

EXCEPT THE SOUTH 30 FEET THEREOF AS CONVEYED TO THE COUNTY OF KING FOR ROAD BY DEED RECORDED UNDER RECORDING NUMBER 631234.

PARCEL B

THE EAST HALF OF THE EAST HALF OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 26 NORTH, RANGE 6 EAST, W.M., RECORDS OF KING COUNTY, WASHINGTON;

EXCEPT THAT PORTION THEREOF LYING WITHIN THE PLAT OF RIO VISTA RANCHETTES, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 85 OF PLATS, PAGES 86 AND 87, RECORDS OF KING COUNTY, WASHINGTON.

REVISED LEGAL DESCRIPTIONS

LOT 1

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 26 NORTH, RANGE 6 EAST W.M.; THENCE N01°14'39"E 30.00 FEET TO THE NORTHERLY RIGHT OF WAY MARGIN OF NE BIG ROCK ROAD AND THE SOUTHWEST CORNER OF LOT 1 OF KING COUNTY SHORT PLAT NO. 878034, RECORDED UNDER RECORDING NO. 7812200862; THENCE CONTINUING N01°14'39"E ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 11.50 FEET TO THE TRUE POINT OF BEGINNING; THENCE N89°29'44"W 282.01 FEET TO A POINT OF TANGENCY WITH A 25.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE NORTHERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 89°27'22", A DISTANCE OF 39.03 FEET TO A POINT OF TANGENCY; THENCE N00°02'22"W 248.94 FEET TO A POINT OF TANGENCY WITH A 241.50 FOOT RADIUS CURVE TO THE RIGHT, THENCE NORTHERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 17°52'02", A DISTANCE OF 75.31 FEET; THENCE S88°25'06"E 167.99 FEET; THENCE S23°00'54"E 292.09 FEET; THENCE S88°45'21"E 14.90 FEET TO SAID WEST LINE OF LOT 1; THENCE S01°14'39"W, ALONG SAID WEST LINE, A DISTANCE OF 76.72 FEET TO THE TRUE POINT OF BEGINNING.

LOT 2

THE EAST HALF OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 26 NORTH, RANGE 6 EAST, W.M., RECORDS OF KING COUNTY, WASHINGTON;

EXCEPT THAT PORTION THEREOF LYING WITHIN THE PLAT OF RIO VISTA RANCHETTES, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 85 OF PLATS, PAGES 86 AND 87, RECORDS OF KING COUNTY, WASHINGTON.

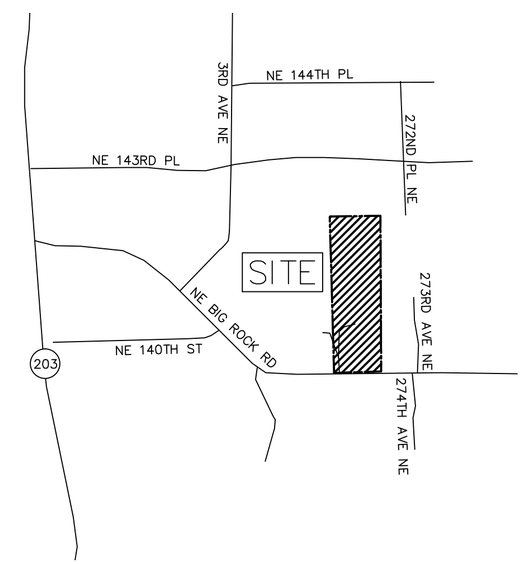
AND EXCEPT THAT PORTION DESCRIBED AS FOLLOWS;

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 26 NORTH, RANGE 6 EAST W.M.; THENCE N01°14'39"E 30.00 FEET TO THE NORTHERLY RIGHT OF WAY MARGIN OF NE BIG ROCK ROAD AND THE SOUTHWEST CORNER OF LOT 1 OF KING COUNTY SHORT PLAT NO. 878034, RECORDED UNDER RECORDING NO. 7812200862; THENCE CONTINUING N01°14'39"E ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 11.50 FEET TO THE TRUE POINT OF BEGINNING; THENCE N89°29'44"W 282.01 FEET TO A POINT OF TANGENCY WITH A 25.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE NORTHERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 89°27'22", A DISTANCE OF 39.03 FEET TO A POINT OF TANGENCY; THENCE N00°02'22"W 248.94 FEET TO A POINT OF TANGENCY WITH A 241.50 FOOT RADIUS CURVE TO THE RIGHT, THENCE NORTHERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 17°52'02", A DISTANCE OF 75.31 FEET; THENCE S88°25'06"E 167.99 FEET; THENCE S23°00'54"E 292.09 FEET; THENCE S88°45'21"E 14.90 FEET TO SAID WEST LINE OF LOT 1; THENCE S01°14'39"W, ALONG SAID WEST LINE, A DISTANCE OF 76.72 FEET TO THE TRUE POINT OF BEGINNING.

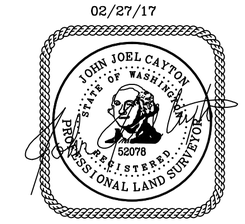
RESTRICTIONS OF RECORD

1. THIS SITE IS SUBJECT TO AN EASEMENT GRANTED TO THE TOWN OF DUVALL FOR A WATER PIPELINE AS DISCLOSED IN AN INSTRUMENT UNDER RECORDING NUMBER 5418144, DATED APRIL 26, 1962. SAID EASEMENT IS SHOWN ON SHEETS 2 AND 3 AS APPROXIMATE LOCATION DUE TO THE ABOVE INSTRUMENT NOT HAVING SUFFICIENT INFORMATION TO ACCURATELY DEPICT. AFFECT PARCEL B
2. THIS SITE IS SUBJECT TO AN EASEMENT GRANTED TO THE TOWN OF DUVALL FOR A WATER PIPELINE AS DISCLOSED IN AN INSTRUMENT UNDER RECORDING NUMBER 7306080681, DATED JUNE 8, 1973. THE INFORMATION CONTAINED IN THE ABOVE INSTRUMENT IS NOT SUFFICIENT TO ACCURATELY DEPICT.
3. THIS SITE IS SUBJECT TO AN EASEMENT FOR INGRESS, EGRESS, AND UTILITIES AS DISCLOSED IN AN INSTRUMENT UNDER RECORDING NUMBER 8109290447, DATED SEPTEMBER 29, 1981 AND IS DEPICTED HEREON. AFFECTS PARCELS A AND B.
4. THIS SITE IS SUBJECT TO ANY QUESTION REGARDING A CONFLICT BETWEEN THE DESCRIPTION OR LOCATION OF THE NORTH LINE OF SAID PREMISES AND THE DESCRIPTION OR LOCATION OF THE SOUTH LINE OF THE PLAT OF RIO VISTA RANCHETTES, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 85 OF PLATS, PAGES 86 AND 87, AS DISCLOSED BY KING COUNTY ASSESSOR'S MAPS AND THE DESCRIPTION OF SAID PREMISES IN THE KING COUNTY TAX RECORDS.

VICINITY MAP: 1"=800'



02/27/17



RECORDER'S CERTIFICATE .....

FILED FOR RECORD THIS ..... DAY OF ....., 20.....

AT ..... M IN BOOK ..... OF ..... AT PAGE ..... AT

THE REQUEST OF .....

....
MANAGER SUPT. OF RECORDS

LAND SURVEYOR'S CERTIFICATE

THIS BOUNDARY LINE ADJUSTMENT CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION IN CONFORMANCE WITH THE REQUIREMENTS OF THE APPROPRIATE STATE AND COUNTY STATUTES IN DECEMBER, 2016 AT THE REQUEST OF TOLL WA LP.

JOHN JOEL CAYTON, P.L.S.
CERTIFICATE NO. 52078

ESE
d P
E r
d S r

ESE Consultants, Inc.
9720 NE 120th Place
Suite 100
Kirkland, WA 98034
TEL: 425-825-5367

BOUNDARY LINE ADJUSTMENT FOR TOLL WA LP

DWN. BY	DATE	JOB NO.
JCAYTON	02–14–17	3271
REVISED LOT LINES 02–27–17		SHEET 1 OF 3

CITY OF DUVALL BOUNDARY LINE ADJUSTMENT NO. BLA 17–001

RECORDING NO.	VOL./PG.

PORTION OF
SW 1/4, NE 1/4, SEC. 24, TWP. 26 N., RNG. 6E., W.M.
CITY OF DUVALL, KING COUNTY, WASHINGTON

ORIGINAL LOTS

BASIS OF BEARINGS

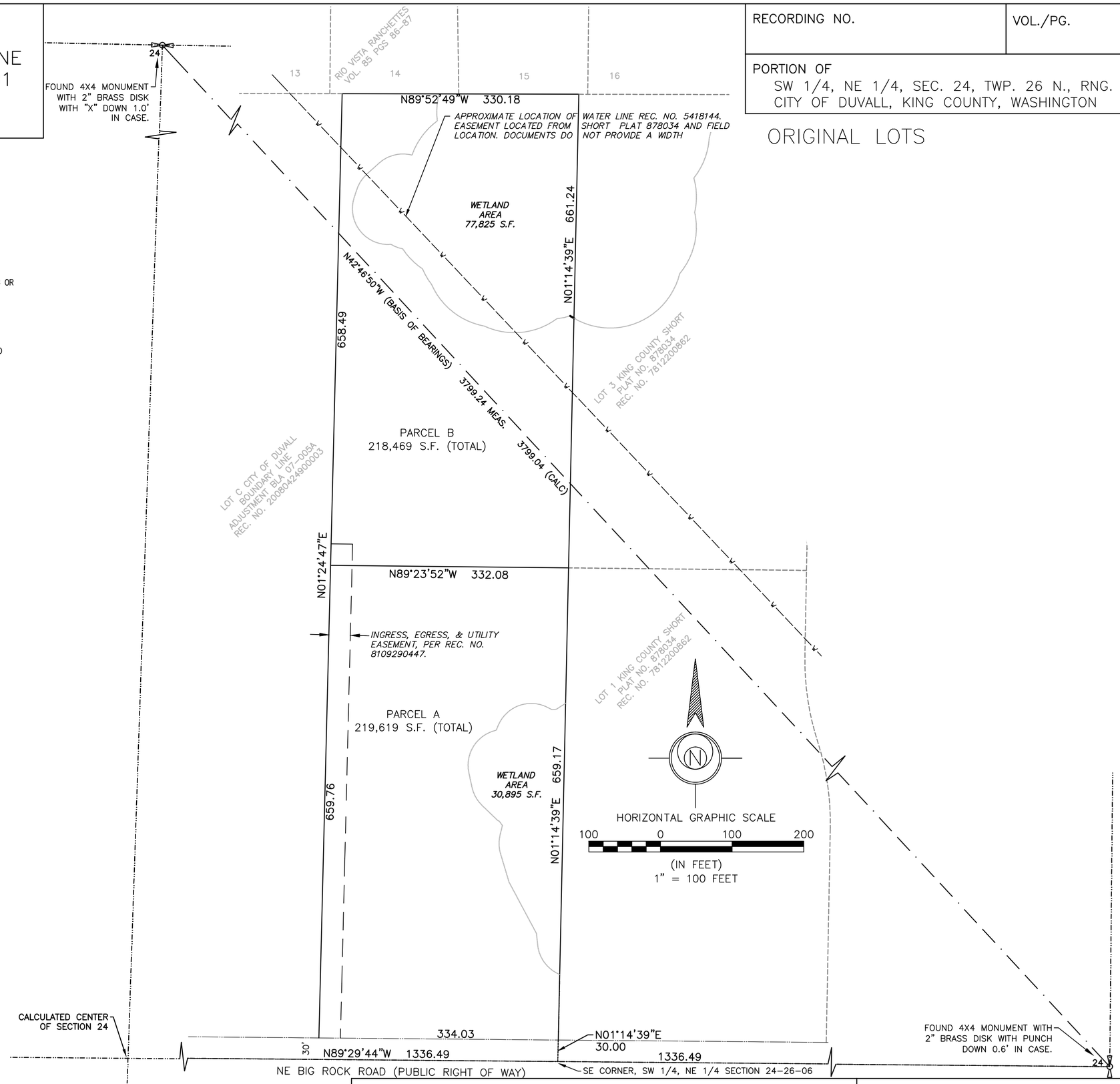
K.C.A.S. PER BOUNDARY LINE ADJUSTMENT NO. BLA 07–005A RECORDED UNDER RECORDING NO 20080424900003.

EQUIPMENT AND PROCEDURES

A LEICA 5 SECOND TOTAL STATION WAS USED FOR THIS SURVEY. PROCEDURES USED IN THIS SURVEY WERE FIELD TRAVERSE, MEETING OR EXCEEDING STANDARDS SET BY WAC 332–130–070.

REFERENCES

1. PER BOUNDARY LINE ADJUSTMENT NO. BLA 07–005A RECORDED UNDER RECORDING NO 20080424900003.



02/27/17

JOHN JOEL CAYTON
STATE OF WASHINGTON
52078
REGISTERED
PROFESSIONAL LAND SURVEYOR

ESE
Eastside Professional Surveyors
ESE Consultants, Inc.
9720 NE 120th Place
Suite 100
Kirkland, WA 98034
TEL: 425-825-5367

BOUNDARY LINE ADJUSTMENT FOR

TOLL WA LP

DWN. BY	DATE	JOB NO.
JCAYTON	02–14–17	3271
REVISED LOT LINES 02–27–17	SCALE 1:100	SHEET 2 OF 3

CITY OF DUVALL BOUNDARY LINE ADJUSTMENT NO. BLA 17–001

RECORDING NO.	VOL./PG.

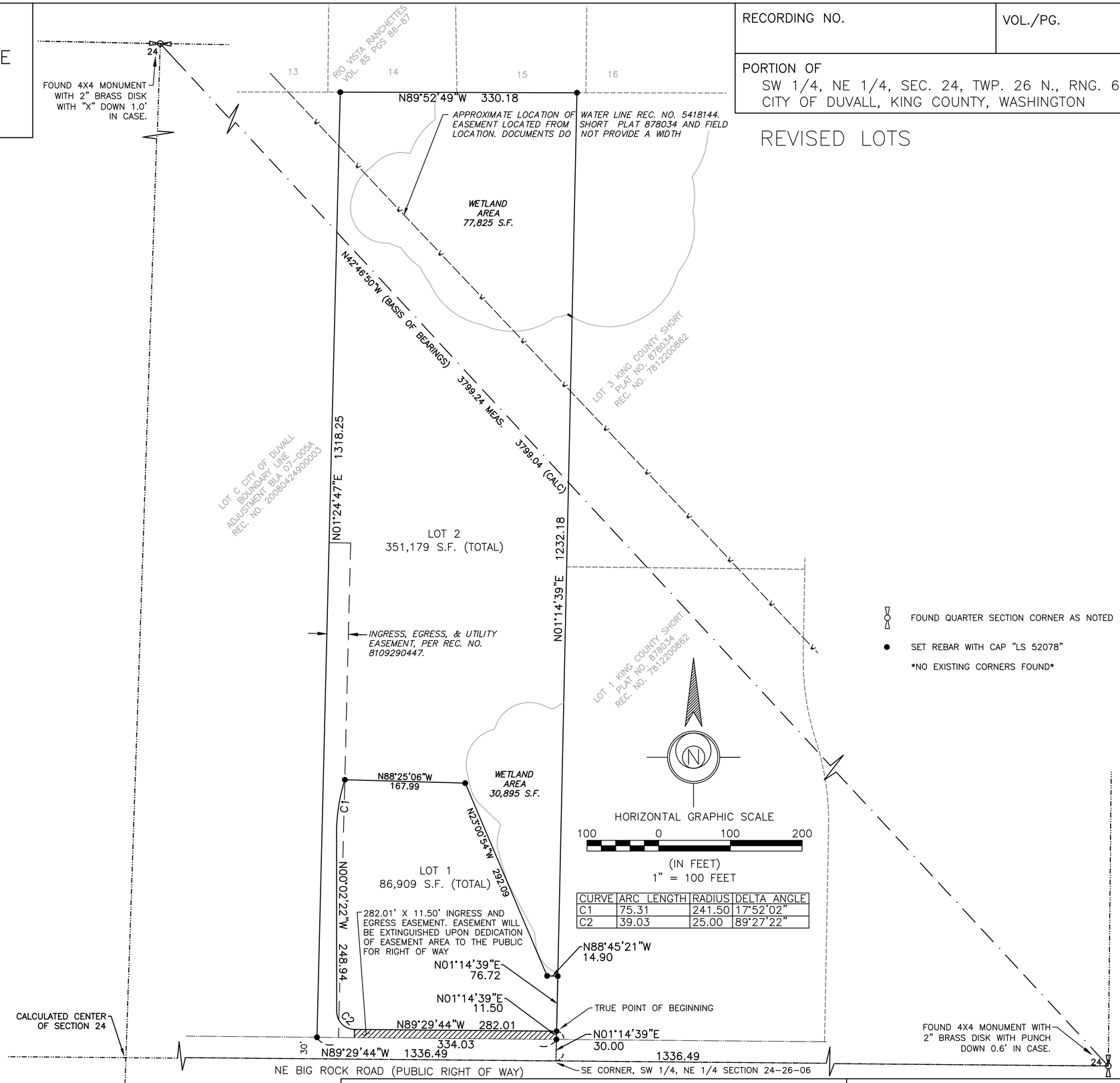
PORTION OF
SW 1/4, NE 1/4, SEC. 24, TWP. 26 N., RNG. 6E., W.M.
CITY OF DUVALL, KING COUNTY, WASHINGTON

REVISED LOTS

BASIS OF BEARINGS
K.C.A.S. PER BOUNDARY LINE ADJUSTMENT NO. BLA 07–005A RECORDED UNDER RECORDING NO 20080424900003.

EQUIPMENT AND PROCEDURES
A LEICA 5 SECOND TOTAL STATION WAS USED FOR THIS SURVEY. PROCEDURES USED IN THIS SURVEY WERE FIELD TRAVERSE, MEETING OR EXCEEDING STANDARDS SET BY WAC 332–130–070.

REFERENCES
1. PER BOUNDARY LINE ADJUSTMENT NO. BLA 07–005A RECORDED UNDER RECORDING NO 20080424900003.



CURVE	ARC LENGTH	RADIUS	DELTA ANGLE
C1	75.31	241.50	17°52'02"
C2	39.03	25.00	89°27'22"

02/27/17

JOHN JOEL CAYTON
STATE OF WASHINGTON
52078
REGISTERED PROFESSIONAL LAND SURVEYOR

ESE
Good Partner
Good Service
ESE Consultants, Inc.
9720 NE 120th Place
Suite 100
Kirkland, WA 98034
TEL: 425-825-5367

BOUNDARY LINE ADJUSTMENT FOR

TOLL WA LP

DWN. BY	DATE	JOB NO.
JCAYTON	02–14–17	3271
REVISED LOT LINES 02–27–17	SCALE 1:100	SHEET 3 OF 3

Duvall City Council

AGENDA BILL SUMMARY

Meeting Date: 03/07/17 AB #17-12

Item Type: Introduction: __ Discussion/Staff Direction: _X_ Action Item: _X_

Attorney Review: ___

Subject: **Big Rock Ball Fields Renovation project, Contract Bid Award**

Budget Impact and Source of Funds: $2,264,737.88 - BARS #308-15-594-76-63-06

Contact Person/Department: Boyd E. Benson, Public Works Director

EXECUTIVE SUMMARY:

On February 14, 2017 the Base Bid for the Big Rock Ballfields Renovation project was advertised and on March 1, 2017 bid submittals were received and opened with the following results including sales tax:

~~PELLCO Construction;~~	~~$1,823,550.00 + $156,825.30 = $1,980,375.30~~ (withdrawn)
Premier Field Development;	$2,085,394.00 + $179,343.88 = $2,264,737.88
A-1 Landscaping and Construction;	$2,099,000.00 + $180,514.00 = $2,279,514.00
Ohno Construction Company;	$2,647,000.00 + $227,642.00 = $2,874,642.00

Staff has reviewed and performed reference checks along with background information to recommend the contract award to the low responsible bidder, Premier Field Development. This contract will run parallel with the second contract for the purchase and installation of synthetic turf surfacing. The two contract combined totals, along with other previously identified project costs and contingencies, will not exceed the previously approved budget of $3,566.804.75.

COUNCIL PROCESS: Contracts/Agreements

- Council discussion under **Unfinished Business**
- Council decision under **Unfinished Business**

HISTORY:

- Council discussion at various meetings throughout 2016.
- Council discussion under New Business 01/17/17.
- Update under Scheduled Items during 02/07/17 & 02/21/17 Council meetings.

RECOMMENDED ACTION:

Approve and authorize the Mayor to sign Contract #2017-13 with Premier Field Development for the construction of the Big Rock Ball Fields Renovation Project in the amount of $2,264,737.88.

ATTACHMENTS:

- Budget Summary

Budget Summary 3-7-17

PROJECT BID COSTS

General Bidder	Premier	A-1	Ohno
General Base Bid	$ 1,484,494	$ 1,539,000	$ 1,992,000
Above Ground Parking/Field Lighting Alt. #1	$ 422,400	$ 411,000	$ 462,000
Additional Fence with Netting Alt. #2	$ 147,500	$ 125,000	$ 159,000
Concrete Paving Alt. #3	$ 18,200	$ 15,000	$ 24,000
Sod Alt. #4	$ 12,800	$ 9,000	$ 10,000
Subtotal	$ 2,085,394	$ 2,099,000	$ 2,647,000
Tax	$ 179,344	$ 180,514	$ 227,642
Total	$ 2,264,738	$ 2,279,514	$ 2,874,642

Turf Bid (Apparent Low)	$ 721,913	$ 721,913	$ 721,913
Tax	$ 62,085	$ 62,085	$ 62,085
Total	$ 783,998	$ 783,998	$ 783,998

Grand Total	$ 3,048,735	$ 3,063,512	$ 3,658,640
5% Contingency	$ 152,437	$ 153,176	$ 182,932
Previously budgeted remaining design/permitting	$ 52,000	$ 52,000	$ 52,000
Construction Support	$ 39,000	$ 39,000	$ 39,000
Total Project Cost	**$ 3,292,172**	**$ 3,307,687**	**$ 3,932,571**

Difference from February 1, 2017 Financing WITHOUT $250,000 Lighting Grant	**$ 133,585**	**$ 118,070**	**$ (506,814)**
Difference from February 1, 2017 Financing WITH $250,000 Lighting Grant	**$ 383,585**	**$ 368,070**	**$ (256,814)**
Difference from February 1, 2017 Financing WITH $250,000 Lighting Grant, WITHOUT $200,000 REET	**$ 183,585**	**$ 168,070**	**$ (456,814)**

February 1, 2017 City Council Finance Strategy

Engineer Cost Estimate for Total Project	$ 3,675,758
Secured grants and donations	$ 725,000
Levy	$ 1,800,000
Required Park Impact Fee	$ 667,510
Forthcoming Lighting Grant	$ 250,000
REET	$ 200,000
Unidentified required resources	$ *33,248*

Duvall City Council

AGENDA BILL SUMMARY

Meeting Date: 03/07/17 AB #17-31

Item Type: Introduction: __ Discussion/Staff Direction: _X_ Action Item: _X_

Attorney Review: ___

Subject: **Big Rock Ball Fields Renovation Project, Synthetic Turf Surfacing Contract Bid Award**

Budget Impact and Source of Funds: $783,997.80 - BARS #308-15-594-76-63-06

Contact Person/Department: Boyd E. Benson, Public Works Director

EXECUTIVE SUMMARY:

On February 14, 2017 the Big Rock Ballfields Renovation Project, Synthetic Turf Surfacing was delivered to four vendors requesting quotes and on March 1, 2017 four quotes were received and opened with the following results including sales tax:

Field Turf	$721,913.26 + $62,084.54 = $783,997.80.
Coast to Coast Turf Inc.	$735,487.00 + $63,251.88 = $798,738.88.
Hellas Construction Inc.	$838,880.00 + $72,143.68 = $911,023.68.
Shaw Sports Turf	$853,824.00 + $73,428.86 = $927,252.86.

Staff has reviewed and performed reference checks along with background information to recommend the contract award to the low responsible bidder, Field Turf. This contract will run parallel with the Base Bid contract with combined totals, along with other previously identified project costs and contingencies, will not exceed the previously approved budget of $3,566.804.75.

COUNCIL PROCESS: Contracts/Agreements

- Council discussion under **Unfinished Business**
- Council decision under **Unfinished Business**

HISTORY:

- Council discussion at various meetings throughout 2016.
- Council discussion under New Business 01/17/17.
- Update under Scheduled Items during 02/07/17 & 2/21/17 Council meetings.

RECOMMENDED ACTION:

Approve and authorize the Mayor to sign Contract #2017-15 with Field Turf for the construction of the Big Rock Ball Fields Renovation Project, Synthetic Turf Surfacing in the amount of $783,997.80.

ATTACHMENTS:

- Budget Summary

Budget Summary 3-7-17

PROJECT BID COSTS

General Bidder	Premier	A-1	Ohno
General Base Bid	$ 1,484,494	$ 1,539,000	$ 1,992,000
Above Ground Parking/Field Lighting Alt. #1	$ 422,400	$ 411,000	$ 462,000
Additional Fence with Netting Alt. #2	$ 147,500	$ 125,000	$ 159,000
Concrete Paving Alt. #3	$ 18,200	$ 15,000	$ 24,000
Sod Alt. #4	$ 12,800	$ 9,000	$ 10,000
Subtotal	$ 2,085,394	$ 2,099,000	$ 2,647,000
Tax	$ 179,344	$ 180,514	$ 227,642
Total	$ 2,264,738	$ 2,279,514	$ 2,874,642

Turf Bid (Apparent Low)	$ 721,913	$ 721,913	$ 721,913
Tax	$ 62,085	$ 62,085	$ 62,085
Total	$ 783,998	$ 783,998	$ 783,998

Grand Total	$ 3,048,735	$ 3,063,512	$ 3,658,640
5% Contingency	$ 152,437	$ 153,176	$ 182,932
Previously budgeted remaining design/permitting	$ 52,000	$ 52,000	$ 52,000
Construction Support	$ 39,000	$ 39,000	$ 39,000
Total Project Cost	**$ 3,292,172**	**$ 3,307,687**	**$ 3,932,571**

Difference from February 1, 2017 Financing WITHOUT $250,000 Lighting Grant	**$ 133,585**	**$ 118,070**	**$ (506,814)**
Difference from February 1, 2017 Financing WITH $250,000 Lighting Grant	**$ 383,585**	**$ 368,070**	**$ (256,814)**
Difference from February 1, 2017 Financing WITH $250,000 Lighting Grant, WITHOUT $200,000 REET	**$ 183,585**	**$ 168,070**	**$ (456,814)**

February 1, 2017 City Council Finance Strategy

Engineer Cost Estimate for Total Project	$ 3,675,758
Secured grants and donations	$ 725,000
Levy	$ 1,800,000
Required Park Impact Fee	$ 667,510
Forthcoming Lighting Grant	$ 250,000
REET	$ 200,000
Unidentified required resources	$ *33,248*

Duvall City Council

AGENDA BILL SUMMARY

Meeting Date: 03/07/17 AB #17-20

Item Type: Introduction: ___ Discussion/Staff Direction: _X_ Action Item: _X_

Attorney Review: Yes

Subject: **Title 14 (Unified Development Regulations) Code Amendments**

Budget Impact and Source of Funds: NA

Contact Person/Department: Troy Davis, Senior Planner

EXECUTIVE SUMMARY:

On May 25, 2016 the Planning Commission, after conducting an open-record public hearing, voted to recommend approval of Ordinance 1195, which would amend the City's Unified Development Regulations to implement and codify two new land-use designations in the City's 2015 Comprehensive Plan: Residential 20 Units per Acre (R20) and Parks and Open Space (PO).

After holding its own open-record public hearing, the City Council concurred with the Planning Commission's recommendation and adopted Ordinance 1195 on June 7, 2016.

While the ordinance established two new zoning classifications within Title 14 of the Duvall Municipal Code, the ordinance didn't tie the new zoning classifications to other applicable code sections of Title 14 such as Definitions (Chapter 14.06) Design Guidelines (Chapter 14.34), Landscaping (Chapter 14.38), and Additional Development Standards (Chapter 14.64), where standards are referenced to specific zoning categories.

This proposed amendment to Ordinance 1195 corrects the original oversight to amending Title 14 and ties the applicable regulations throughout Title 14 to the new zoning classifications of R20 and PO. As other polices are amended in 2017 including but not limited to; sensitive area, tree protection, landscape, etc. the R20 and PO development regulations may be further amended.

COUNCIL PROCESS: Ordinances/Resolutions

- Council Discussion under **Unfinished Business**
- Council Decision under **Unfinished Business**

HISTORY:

- Committee of the Whole – November 15, 2016 meeting
- Public Hearing held at February 21, 2017 meeting.
- Council Discussion under New Business at February 21, 2017 meeting

RECOMMENDED ACTION:

Adopt Ordinance amending various ordinances as codified in Duvall Municipal Code (DMC) Title 14, "Unified Development Regulations," to further update the City's Development Regulations for compliance with the City's 2015 Comprehensive Plan; providing for severability; and establishing an effective date.

ATTACHMENTS:

- Ordinance

CITY OF DUVALL

WASHINGTON

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUVALL, WASHINGTON, AMENDING VARIOUS ORDINANCES AS CODIFIED IN DUVALL MUNICIPAL CODE (DMC) TITLE 14, "UNIFIED DEVELOPMENT REGULATIONS," TO FURTHER UPDATE THE CITY'S DEVELOPMENT REGULATIONS FOR COMPLIANCE WITH THE CITY'S 2015 COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Washington State Growth Management Act ("GMA"), RCW Chapter 36.70A, requires that all comprehensive land use plans and development regulations shall be subject to continuing review and evaluation by the city that adopted them; and

WHEREAS, the GMA also requires that cities take legislative action to review and, if needed, revise their comprehensive land use plans and development regulations to ensure the plan and regulations comply with the requirements of the GMA; and

WHEREAS, the City Council of the City of Duvall adopted a Comprehensive Plan on May 3, 2016; and

WHEREAS, on June 7, 2016 the City Council adopted Ordinance 1195, which updated the City's Unified Development Regulations (UDR) to ensure consistency with the 2015 Comprehensive Plan by: amending Duvall Municipal Code (DMC) Table 14.10.010.A to include two new zoning designations, Multifamily Residential (R-20) and Parks and Open Space (PO); adding a new Chapter 14.16 DMC to establish the purpose, permitted uses, accessory uses, conditional uses, and development standards within the Multi-Family Residential (R20) Zoning District; and adding a new Chapter 14.31 DMC to establish the purpose, permitted uses, accessory uses, conditional uses, and development standards of the Parks and Open Space Zoning District; and

WHEREAS, additional amendments to the City's UDR are needed in DMC Title 14 to ensure other applicable regulations are applied to the new Multifamily Residential (R-20) and Parks and Open Space (PO) zones; and

WHEREAS, the City completed the environmental review of the proposed UDR amendments and issued a Determination of Non-Significance (DNS) on January 3, 2017; and

WHEREAS, the 60-Day Review Notice for the proposed UDR amendments was sent to the Washington State Department of Commerce on October 17, 2016 and no comments were received; and

WHEREAS, the City of Duvall Planning Commission held a public hearing on February 8, 2017, to review the proposed UDR amendments; and

WHEREAS, on February 8, 2017, the Planning Commission voted to recommended approval of the proposed UDR amendments to the Duvall City Council; and

WHEREAS, the Duvall City Council held a Public Hearing on the proposed UDR amendments on February 21, 2017;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DUVALL, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. DMC Chapter 14.06, "Definitions," Amended. Ord. Ord. No. 1148, § 1 Exh. A, 3-14-2013, as codified in DMC Section 14.06.030, is hereby amended to add the following definition:

"Community Residential Facility" means living quarters meeting applicable Federal and State standards that function as a single housekeeping unit and provide supportive services, including but not limited to counseling, rehabilitation, and medical supervision but excluding drug and alcohol detoxification. The number of occupants shall not exceed the occupant load of the structure as determined by the latest adopted version of the International Building Code.

Section 2. DMC Chapter 14.34, "Design Guidelines," Amended. Ord. 1056 § 1 Exh. A (part), 2007, as codified in DMC Section 14.34.040.A.2.b, is hereby amended to read as follows:

Secondary pedestrian corridor are those streets in Old Town Mixed Use (OT), Midtown (MT), Uptown (UT-1), Commercial (CO), Riverside Village (RIV), Mixed Use 12 (MU12), Multi-Family Residential (R20), and Mixed Use Institutional (MUI) zoning districts that are not designated primary pedestrian corridors (see Figures 14.34.7 and 14.34.8) but that are intended for pedestrian activity at a lesser scale than that occurs on primary pedestrian corridors.

Section 3. DMC Chapter 14.34, "Design Guidelines," Amended. Ord. 1056 § 1 Exh. A (part), 2007, as codified in DMC Section 14.34.050.A, is hereby amended to read as follows:

Residential Developments. The following standards apply to residential buildings in the R4—R20, and MU12 zoning districts.

Section 4. DMC Chapter 14.34, "Design Guidelines," Amended. Ord. 1056 § 1 Exh. A (part), 2007, as codified in DMC Section 14.34.050.A.3.b, is hereby amended to read as follows:

Where small lot development in the R12, R20, and MU12 zones makes variation in setbacks impractical, porches, stoops, and window projections shall be used to provide modulation and visual interest to the front facade of individual homes. These elements, in conjunction with landscaping, shall be designed to maintain visual and functional consistency along the street.

Section 5. DMC Chapter 14.38, "Landscaping Standards," Amended. Ord. 1056 § 1 Exh. A (part), 2007, as codified in DMC Section 14.38.060.A, is hereby amended to read as follows:

Landscaping percentage minimum requirements are as follows:

Zoning District	Minimum Landscape Percentage
R4, R4.5, R6, R8	No specific requirement; areas not impervious to be landscaped; see impervious surface limitations in Chapter 14.12
R12, R20	25 percent
MT, CO	25 percent; 20 percent if 50 percent of building is abutting public right-of-way
MU12, MU-I	25 percent; 20 percent if 50 percent of building is abutting public right-of-way
LI	25 percent; 20 percent if 50 percent of building is abutting public right-of-way
PF	25 percent; 20 percent if 50 percent of building is abutting public right-of-way
PO	75 percent

Section 6. DMC Chapter 14.38, "Landscaping Standards," Amended. Ord. 1056 § 1 Exh. A (part), 2007, as codified in DMC Table 14.38.100.A, is hereby amended to read as follows:

Table 14.38.100.A

Zoning District	R4	R4.5	R6	R8	R12	R20	MU12
UT-1st	NA	NA	NA	10 feet[1]	NA	NA	NA
MU12[2]	10 feet[2]	10 feet[2]	10 feet[2]	10 feet[2]	10 feet[2]	NA	NA
MT	15 feet	15 feet	15 feet	15 feet	15 feet	15 feet	20 feet/ 10 feet[3]
CO, MU-I	15 feet	15 feet	15 feet	15 feet	15 feet	15 feet	20 feet/ 10 feet[3]
LI	20 feet	20 feet	20 feet	20 feet	20 feet	20 feet	20 feet/ 10 feet[3]
PF	20 feet	20 feet	20 feet	20 feet	20 feet	20 feet	20 feet
PO	20 feet	20 feet	20 feet	20 feet	20 feet	20 feet	20 feet

Section 7. DMC Chapter 14.64, "Additional Development Standards," Amended. Ord. 1056 § 1 Exh. A (part), 2007, as codified in DMC Section 14.64.190.A, is hereby amended to read as follows:

Excavated or surface type swimming pools may be installed for private or communal residential use in the, R4—R8, UT-1st, MU12, R12, and R20 zoning districts.

Section 8. DMC Chapter 14.64, "Additional Development Standards," Amended. Ord. 1056 § 1 Exh. A (part), 2007, as codified in DMC Section 14.64.240(A), is hereby amended to read as follows:

The purpose of this section is to establish open space requirements in residential zone districts. These standards shall apply to the R4, R4.5, R6, R8, R12, R20, and MU12 (ground floor residential portion of the site).

Section 9. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 10. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE _____DAY OF _____, 2017.

CITY OF DUVALL

_____

Will Ibershof, Mayor

Approved as to form:

_____

Rachel B. Turpin, City Attorney

ATTEST/AUTHENTICATED:

_____

Jodi Wycoff, City Clerk

Passed by the City Council:
Ordinance No.
Date of Publication:

Duvall City Council

AGENDA BILL SUMMARY

Meeting Date: 03/07/17 AB #17-21

Item Type: Introduction: ___ Discussion/Staff Direction: _X_ Action Item: __

Attorney Review: ___

Subject: **Resolution – Big Rock Annexation 10% Petition**

Budget Impact and Source of Funds: None

Contact Person/Department: Lara Thomas, Planning Director/Planning Department

EXECUTIVE SUMMARY:

On December 29, 2016, Barry Margolese, on behalf of two property owners, submitted a 10% Notice of Intent Annexation Petition Form (more commonly referred to as the 10% Petition).

The proposed annexation includes three tax parcels located adjacent to Big Rock Ball Fields (which is already within City limits) totaling 19.47 acres. These properties are located within the City's Southeast Urban Growth Area and were given the R4 land-use designation on the City's Future Land Use Map during the 2015 update of the City's Comprehensive Plan.

A Memorandum of Understanding (MOU) was entered into between the City and the owner of the 9.76-acre parcel adjacent to the park's southern border in 2016. The MOU states that, upon annexation of the subject property into the City, up to 3 acres of the property within the Property Owner B Parcel would be dedicated to the City. The acreage to be dedicated would be that portion of the property adjacent to the park and would count towards the property's 10% open space requirement for residential development.

The 10% Petition was introduced at the February 7, 2017, City Council Workshop. A public hearing on the matter was held before the Planning Commission on February 8, 2017 after which the made a recommendation that the City Council accept the 10% Petition. The public hearing before the City Council is scheduled for March 7, 2017 after which they will decide whether to accept, table, or reject the 10% Petition.

COUNCIL PROCESS: Ordinances/Resolutions

- Council Discussion under **Unfinished Business**

HISTORY:

- Council discussion during 02/07/17 Committee of the Whole meeting
- Council discussion under new business during 02/21/17 meeting

RECOMMENDED ACTION:

No action is being requested at this time; however, Council will be asked to:

Provide staff with direction on whether to draft as resolution accepting the petition for annexation with conditions or whether to draft a resolution denying the petition for annexation.

ATTACHMENTS:

- Presentation Slides from 2/8/17 Planning Commission Public Hearing

notice of intent to annex (10% petition)

big rock annexation

Planning Commission
Public Hearing
February 8, 2017

Public Hearing

The City enters into the PH record 24 Exhibits

- Exhibits 23 and 24 are items that were not included in the original packet (wetland peer review for the Dazey property and public comments received to date)
- Exhibit 1, the staff report was updated
- New Exhibit 25 – Council Summary from last nights Council meeting

B. EXHIBITS LIST

1. Staff Report
2. Notice of Intent to Annex Form
3. Annexation by Washington Cities and Towns (page 78-79, Section 7.4 Alternative Petition Annexation Method)
4. Project Narrative
5. Vicinity Map
6. Land Use Map
7. Zoning Map
8. Figure ES-4 Sensitive Areas Wetlands
9. Figure ES-6 Sensitive Areas
10. Figure ES-7 Watershed Areas and Subbasin Management
11. Upper Weiss Creek (PAU W3) Subbasin Folio
12. Unnamed Southern Tributary – Upper (PAU D7) Subbasin Folio
13. Dazey Title Report
14. Memorandum of Understanding WPM and City of Duvall
15. WPM Title Report
16. Tree Report Dazey
17. Tree Report WPM
18. Field Reconnaissance Letter Dazey
19. Field Reconnaissance Letter WPM
20. Conceptual Site Plan
21. Wetland Peer Review (WPM Property)
22. Public Hearing Documentation
23. Wetland Peer Review (Dazey Property)
24. Public Comments

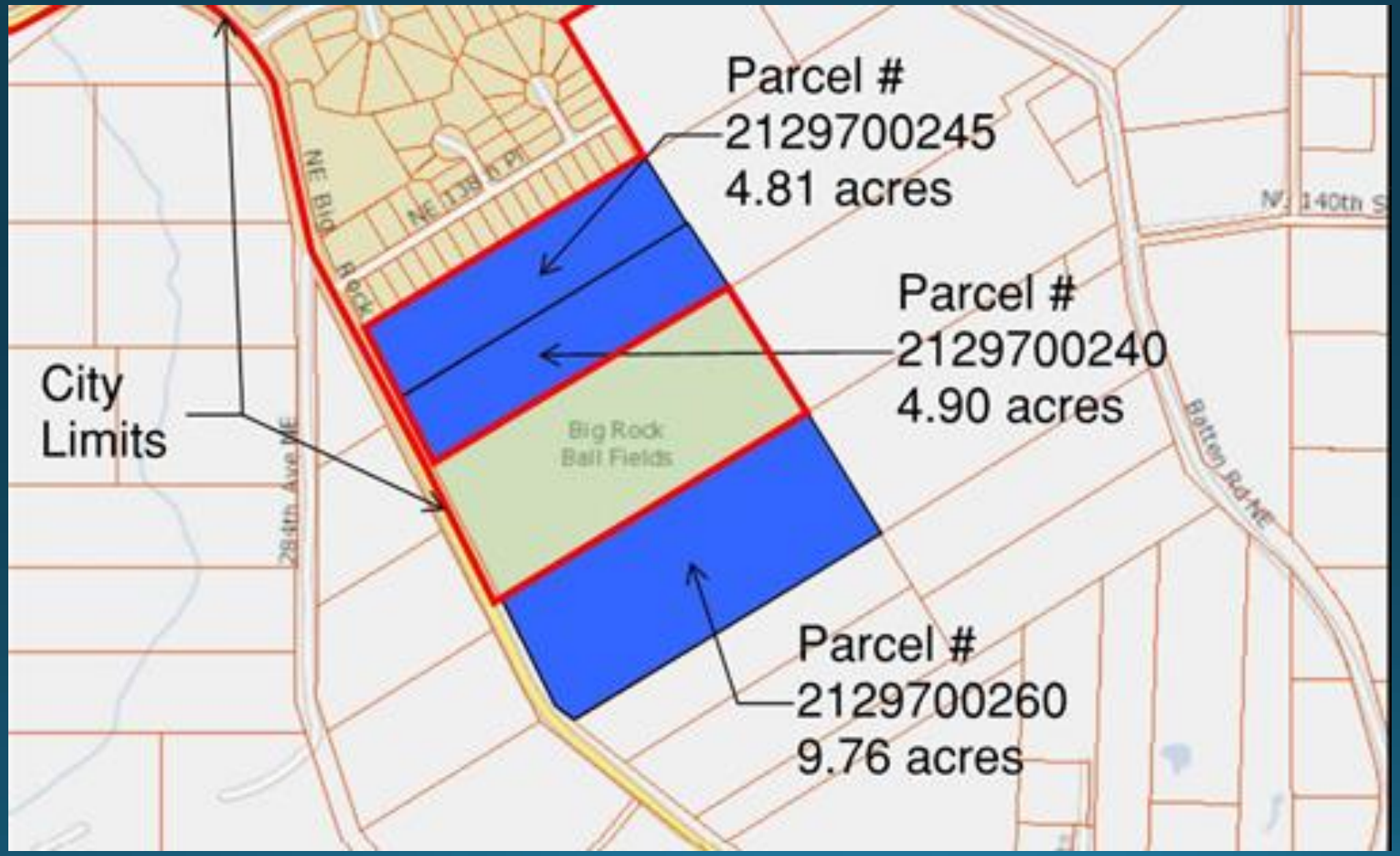
annexation process

- Direct Petition Method (Chapter 35A.14 RCW)
  - 10% Petition – Notice of Intent to Annex
    - 60-Day Legislative Process (formal meeting with applicant, accept/reject/geographically modify)
    - Public Hearings before PC and CC

annexation process

- Direct Petition Method (Chapter 35A.14 RCW)
  - 50% Petition (if boundary 80% contiguous otherwise 60% Petition)
    - Formal legal description and map of area to be annexed
    - Pre-Annexation Agreement
    - Public Hearings
    - Approval by CC is done by ordinance
    - Ordinance is sent to Boundary Review Board for final approval
  - Annexation decisions are not appealable

proposed area for annexation



SEC 19, TWP 26N, RGE 7E, W.M.

SCALE: 1" = 60'

0 30 60 120

BLUELINE

SCALE: AS NOTED
PROJECT MANAGER: TODD A. OBERG, PE
PROJECT ENGINEER: ENGINEER
DESIGNER: DESIGNER
ISSUE DATE: 2/1/2017

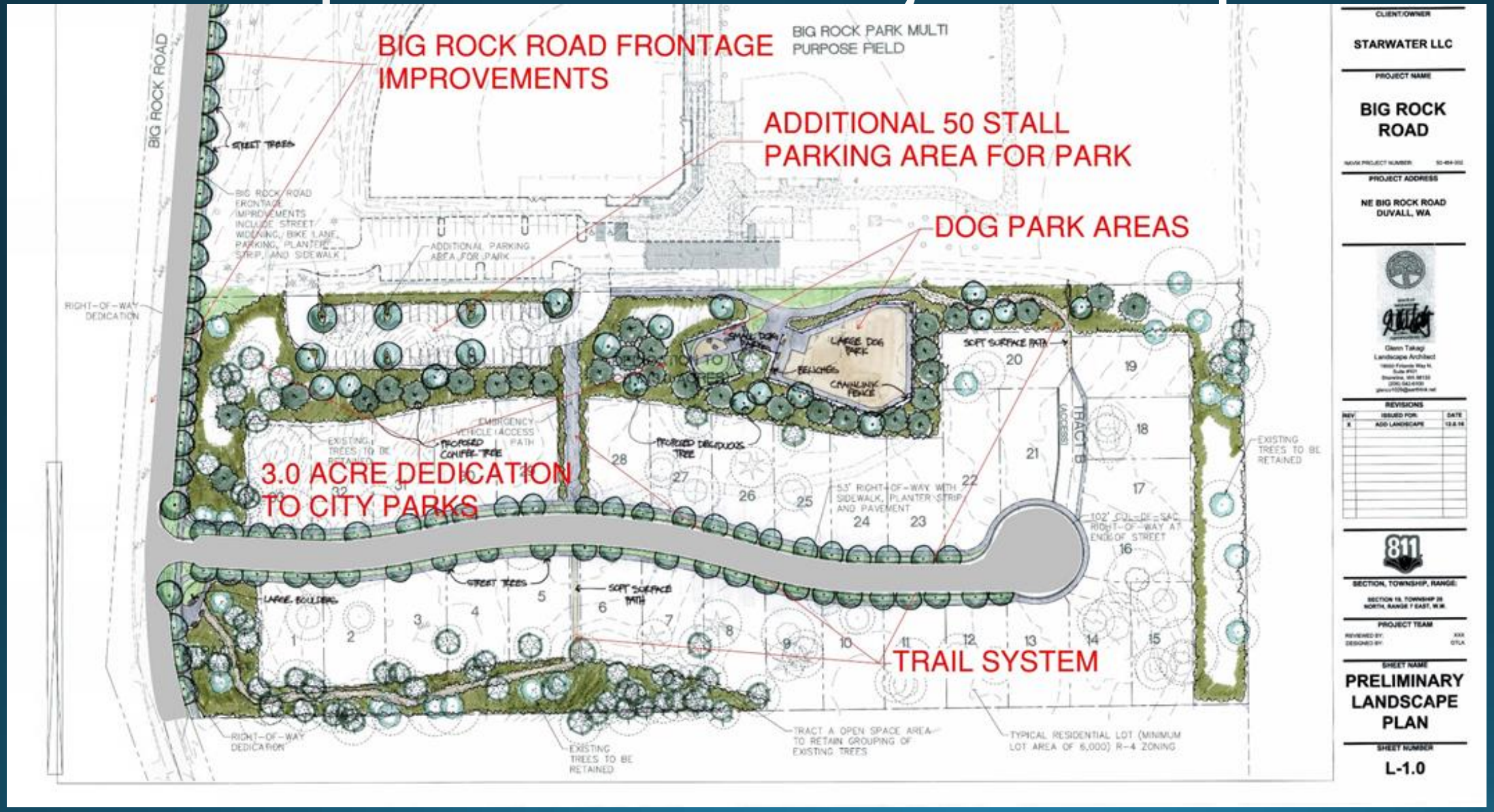
NO	DATE	BY	REVISIONS

BIG ROCK ANNEXATION
PRELIMINARY SITE PLAN
CITY OF DUVALL WASHINGTON

JOB NUMBER: 16-237
SHEET NAME: SP-01
SHT 1 OF 1

©2017 THE BLUELINE GROUP

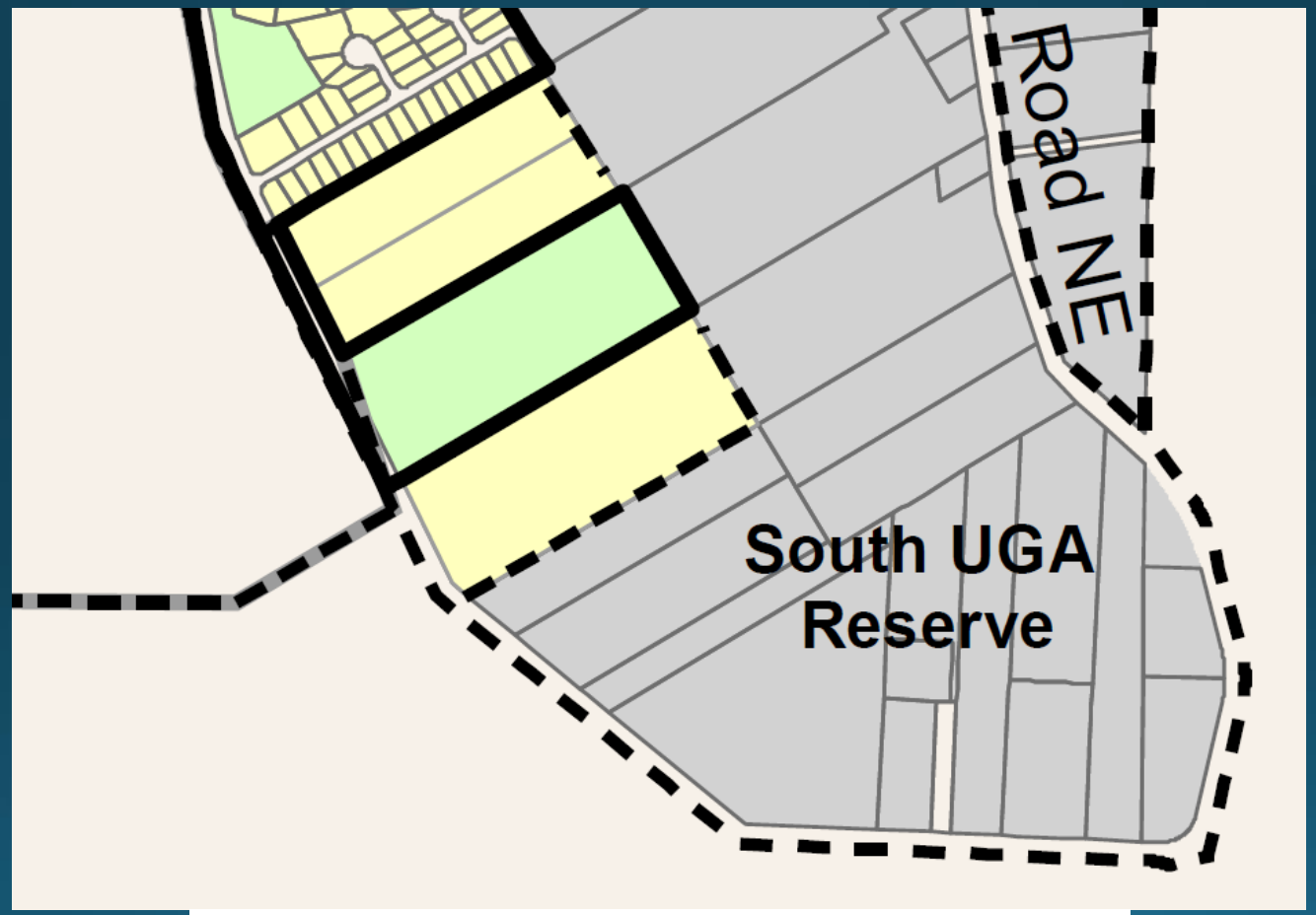
conceptual site design – wmp



memorandum of understanding

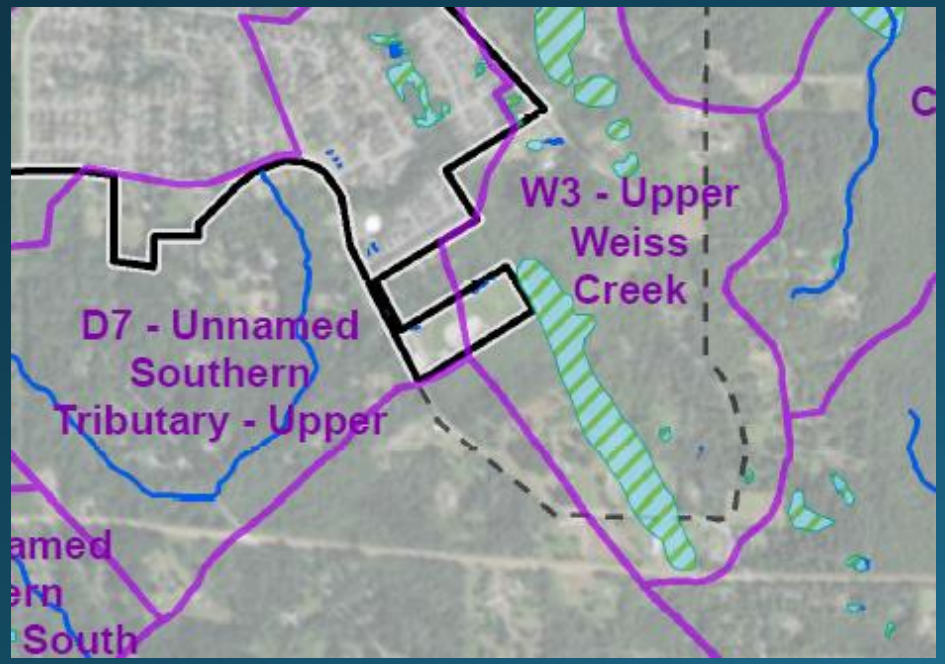
- Between City and WPM Property
- Sets out the parameters for the negotiation of a pre-annexation agreement by 12/31/17
- Establishes future land use designation of R4-R4.5
- Donation of up to 3 acres of property to City
- 10% Required Open Space requirement met

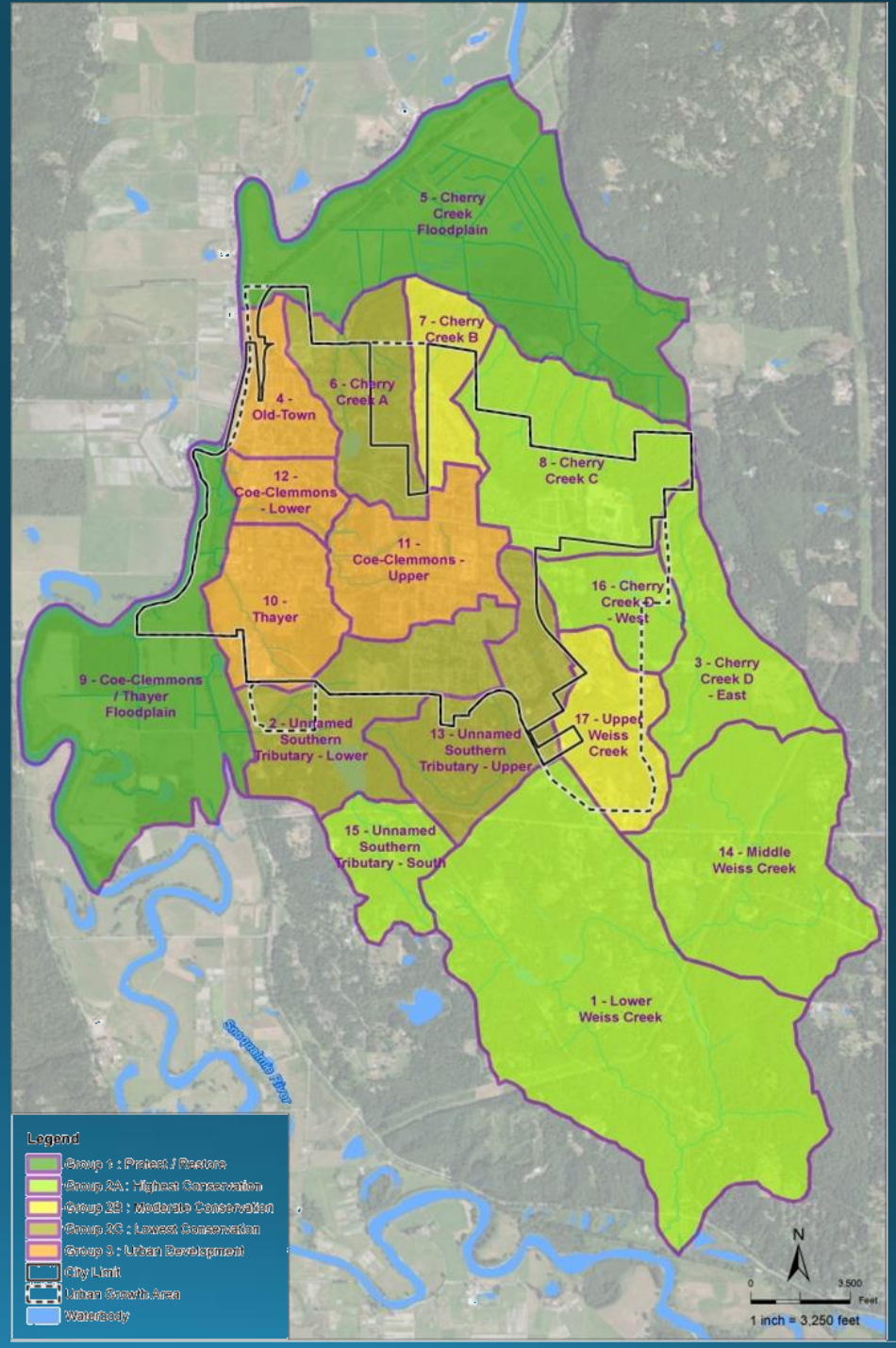
comprehensive plan



R4-4.5 Residential 4-4.5 Units Per Acre

watershed plan





public benefits

- Expanded Park Area – adjacent to existing Big Rock Ballfields including secondary access to existing Park
- Frontage Improvements along Big Rock Road (sidewalk/street parking)
- Additional Tree protection
- Wildlife habitat corridor
- Consolidated & improved stormwater facilities for BRBF

Council Summary

- Council held a workshop with the applicant
- During the Council Meeting public comments were received

next steps

- PC Discussion/Recommendation
- CC Public Hearing
- CC Decision

The

Duvall City Council

AGENDA BILL SUMMARY

Meeting Date: 03/07/17 AB #17-22

Item Type: Introduction: ___ Discussion/Staff Direction: _X_ Action Item: _X_

Attorney Review: ___

Subject: School Resource Officer job description

Budget Impact and Source of Funds: ___

Contact Person/Department: Matthew Morton, Administration / Carey Hert, Police

EXECUTIVE SUMMARY:

City Administrator, Police Chief, School District Administrator and School Principals, in cooperation, developed a job description for the School Resource Officer (SRO) Position.

Staff recommends Council review the SRO job description and approve it at the March 7, 2017 meeting.

COUNCIL PROCESS:

- Council discussion under **Unfinished Business**
- Council decision under **Unfinished Business**

HISTORY:

- SRO position funding approved by voters through 2016 General Election Levy
- Report given during 02/07/17 Council meeting under City Administrator report
- Council discussion under New Business during 02/21/17 meeting

RECOMMENDED ACTION:

Approve School Resource Officer job description,

ATTACHMENTS:

- School Resource Officer (SRO) Job description

CITY OF DUVALL POLICE DEPARTMENT
School Resource Officer

JOB TITLE: School Resource Officer (SRO)

JOB OR POSITION SUMMARY:

The School Resource Officer program is a joint effort of the school and local government requiring considerable commitment from both entities. The SRO will act as a resource for the school district and police department and is an information conduit as well as physical asset. The SRO is an employee of the City of Duvall and works in partnership with the Riverview School District as the funding agent for this portion of the police officer's job.

This position is a community oriented policing position that involves working with the Riverview School District as well as liaison duties between the school, community agencies and the Police department. This position performs general duty law enforcement work to protect life and property.

ESSENTIAL FUNCTIONS AND RESPONSIBILITIES:

- All duties and tasks assigned are in addition to the job description for Police Officer, City of Duvall.
- Provide law enforcement and police services to the school, school grounds and areas adjacent to the school. Investigate allegations of criminal incidents per district and police department policies and procedures. Enforce state and local laws and ordinances. Make appropriate referrals to juvenile authorities or other governmental agencies.
- Work to prevent juvenile delinquency through close contact and positive relationships with students. In addition, the SRO shall implement prevention and intervention efforts and conduct security inspections to deter criminal or delinquent activities under the direction of the school administrators.
- Establish and maintain a close partnership with school administrators in order to provide for a safe school environment. Abide by and assist school officials with their efforts to enforce Board of Education policies and procedures. Ensure school administrator safety by being present during school searches, which may involve weapons, controlled dangerous substances or in such cases that, the student's emotional state may present a risk to the administrator.
- Assist school administrators in emergency crisis planning and building security matters. Provide a course of training for school personnel in handling crisis situations, which may arise at the school.
- Be visible and available within the school community. Attend and participate in school functions. Build working relationships with the school's staff as well as with student and parent groups.
- Work with guidance counselors and other student support staff to assist students and to provide services to students involved in situations where referrals to service agencies are necessary. Assist in conflict resolution efforts.
- Engage consistently with students in general areas of the school building and classrooms. Promote the profession of police officer and be a positive role model. Increase the visibility and accessibility of police to the school community.

- Work with agency partners such as school principals and administrators for effective scheduling and attendance at various administrative meetings.
- Accept flexible scheduling to attend various school functions, events and games and meetings at the discretion of school administrators and/or the school board.
- Attend and report to the RSD School Board at least once quarterly.
- Maintain knowledge of all laws, local, state and federal, as they pertain to law enforcement, and be able to share, demonstrate this knowledge with students and staff.
- This position will follow/adhere to the schedule of the Riverview School District, fiscal calendar, resulting in the SRO reverting back to the Duvall Police Department for assignment(s) during extended holiday breaks and summer months.

SUPERVISION AND EVALUATION(S) RECEIVED

- The Full-Time SRO will be assigned, exclusively, to Cedarcrest High School.
- The Duvall Police Department bears overall responsibility for certified police staffing and will be responsible for direct supervision of the SRO, reporting directly to the Chief of Police, or an assigned designee.
- Annual evaluations of the SRO and programming will be conducted jointly between the Duvall Police Department and Riverview School District staff, primarily those responsible for the everyday operations at Cedarcrest High School.

KNOWLEDGE, SKILLS, AND ABILITIES REQUIRED

1. Knowledge of the rules and regulations that guide the school district.
2. Skills in conflict resolution strategies and techniques.
3. Ability to be a positive role model for the students.
4. Ability to use good judgment and to problem solve.
5. Ability to be resourceful and show initiative.
6. Ability to collaborate and communicate effectively with other professionals in a team setting.
7. Ability to interact positively and effectively with parents, students, staff, and administrators.
8. Ability to maintain confidentiality.

LICENSING/CREDENTIAL AND/OR EDUCATION REQUIREMENTS

1. Per requirements for certification as a City of Duvall Police Officer.

PHYSICAL REQUIREMENTS:

Ability to stand, walk, and sit frequently or for prolonged periods of time. Additionally, physical abilities include lifting/carrying/pushing/pulling, stooping/crouching, reaching/handling/fingering, talking/hearing conversations, and near/far visual acuity/depth perception/color vision/field of vision.

Approval: _____ Approval: _____

Mayor Date Police Chief Date

Effective Date: 03/07/17 Revision History: 03/07/17 Rev. A

Duvall City Council

AGENDA BILL SUMMARY

Meeting Date: 03/07/17 AB #17-23

Item Type: Introduction: ___ Discussion/Staff Direction: _X_ Action Item: _X_

Attorney Review: ___

Subject: **ADA Transition Plan Contract with Transpo Group USA, Inc.**

Budget Impact and Source of Funds: $36,100.00 BARS # 001.21.544.40.41.02

Contact Person/Department: Boyd E. Benson, Public Works Director

EXECUTIVE SUMMARY:

The City of Duvall is preparing to complete a 2017 American with Disabilities Act (ADA) Transition Plan evaluation and report. The ADA act of 1990 provides comprehensive civil rights protections to persons with disabilities in the areas of employment, state and local government services, and access to public accommodations, transportation, and telecommunications.

ADA Title II and Rehabilitation Act Section 504 regulations require an ADA Self-Assessment for all jurisdictions plus a Transition Plan for jurisdictions with over 50 employees. Currently, Duvall employs less than 50 employees and is required to develop a Compliance Program that has less rigorous requirements than a Full Transition Plan. The proposed project will address key components in accordance with the full Transition Plan requirements.

Transpo Group USA Inc. previously completed the 2009 Transportation plan for the City of Duvall and is currently updating the document. The ADA Transition plan will be developed and incorporated into the updated 2016-2017 Transportation plan.

COUNCIL PROCESS: Contracts/Agreements

- Council discussion under **Unfinished Business**
- Council decision under **Unfinished Business**

HISTORY:

- Written report in 2/7/17 Committee of the Whole packet.
- Council discussion during 2/21/17 meeting.

RECOMMENDED ACTION:

Approve and authorize the Mayor to sign Contract #2017-16 with Transpo Group USA, Inc. for the ADA Transition Plan consulting services.

ATTACHMENTS:

- Contract with Transpo Group USA, Inc. including Exhibit A - Scope of Work

City of Duvall
Small Town. Real Life.

CONTRACT FOR PROFESSIONAL SERVICES
Transpo Group, USA, Inc. ADA Transition Plan
Contract #2017-16

THIS AGREEMENT is entered into between the City of Duvall, Washington, hereinafter referred to as "the City", and **Transpo Group, USA, Inc., 12131 - 113th Avenue NE, Suite 203, Kirkland, WA 98034** hereinafter referred to as "the Consultant", in consideration of the mutual benefits, terms, and conditions hereinafter specified.

1. **Project Designation.** The Consultant is retained by the City to perform Engineering Consulting services under the terms of this contract.

2. **Scope of Services.** The Consultant agrees to perform the services, identified on Exhibit "A" attached hereto, including the provision of all labor, materials, equipment and supplies.

3. **Duration of Agreement; Time for Performance.** This Agreement shall be in full force and effect for a period commencing upon execution and ending March 15, 2018, unless sooner terminated under the provisions hereinafter specified. Work under this Agreement shall commence upon written notice by the City to the Consultant to proceed. The Consultant shall perform all services and provide all work product required pursuant to this Agreement no later than March 15, 2018 unless an extension of such time is granted in writing by the City.

4. **Payment.** The Consultant shall be paid by the City for completed work and for services rendered under this Agreement as follows:

   A. Payment for the work provided by the Consultant shall be made as provided on Exhibit "B" attached hereto, provided that the total amount of payment to the Consultant shall not exceed **$36,100.00 (Thirty Six Thousand One Hundred Dollars and no cents)** without express written modification of the Agreement signed by the City.

   B. The Consultant may submit vouchers to the City once per month during the progress of the work for partial payment for that portion of the project completed to date. Such vouchers will be checked by the City and, upon approval thereof, payment shall be made to the Consultant in the amount approved.

   C. Final payment of any balance due the Consultant of the total contract price earned will be made promptly upon its ascertainment and verification by the City after the completion of the work under this Agreement and its acceptance by the City.

   D. Payment as provided in this section shall be full compensation for work performed, services rendered, and for all materials, supplies, equipment and incidentals necessary to complete the work.

   E. The Consultant's records and accounts pertaining to this Agreement are to be kept available for inspection by representatives of the City and the state of Washington for a

period of seven (7) years after final payments. Copies shall be made available upon request.

5. **Ownership and Use of Documents.** All documents, drawings, specifications and other materials produced by the Consultant in connection with the services rendered under this Agreement shall be the property of the City whether the project for which they are made is executed or not. The Consultant shall be permitted to retain copies, including reproducible copies, of drawings and specifications for information, reference and use in connection with the Consultant's endeavors. The Consultant shall not be responsible for any use of the said documents, drawings, specifications or other materials by the City on any project other than the project specified in this Agreement.

6. **Compliance with Laws.** The Consultant shall, in performing the services contemplated by this Agreement, faithfully observe and comply with all federal, state, and local laws, ordinances and regulations, applicable to the services rendered under this Agreement.

7. **Indemnification.** The Consultant shall indemnify and hold the City, its officers, officials, employees and volunteers harmless from any and all claims, injuries, damages, losses or suits including reimbursement of attorney fees, to the extent caused by the negligent acts, errors or omissions of the Consultant in performance of this Agreement, except for claims, injuries and damages, losses or suits caused by the negligence of the City (whether sole, concurrent, or contributory).

   Should a court of competent jurisdiction determine that this Agreement is subject to RCW 4.24.115, then, in the event of liability for damages resulting from the concurrent negligence of the Consultant and the City, its officers, officials, employees, and volunteers, the Consultant's liability hereunder shall be only to the extent of the Consultant's negligence. It is further specifically and expressly understood that the indemnification provided herein constitutes the Consultant's waiver of immunity under Industrial Insurance, Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated by the parties. The provisions of this section shall survive the expiration or termination of this Agreement.

8. **Insurance.** The Consultant shall procure and maintain for the duration of the Agreement, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder by the Consultant, its agents, representatives, or employees. Consultant's maintenance of insurance as required by the agreement shall not be construed to limit the liability of the Consultant to the coverage provided by such insurance, or otherwise limit the City's recourse to any remedy available at law or in equity.

   A. **Minimum Amounts and Scope of Insurance.** Consultant shall obtain insurance of the types and with the limits described below:

      1. Automobile Liability insurance with a minimum combined single limit for bodily injury and property damage of $1,000,000 per accident. Automobile Liability insurance shall cover all owned, non-owned, hired and leased vehicles. Coverage shall be written on Insurance Services Office (ISO) form CA 00 01 or a substitute form providing equivalent liability coverage. If necessary, the policy shall be endorsed to provide contractual liability coverage.

2. Commercial General Liability insurance with limits no less than $1,000,000 each occurrence, $2,000,000 general aggregate. Commercial General Liability insurance shall be written on ISO occurrence form CG 00 01 and shall cover liability arising from premises, operations, independent contractors and personal injury and advertising injury. The City shall be named as an insured under the Consultant's Commercial General Liability insurance policy with respect to the work performed for the City.

3. Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington.

4. Professional Liability with limits no less than $1,000,000 per claim and $1,000,000 policy aggregate limit. Professional Liability insurance shall be appropriate to the Consultant's profession.

B. **Other Insurance Provision.** The Consultant's Automobile Liability and Commercial General Liability insurance policies are to contain, or be endorsed to contain that they shall be primary insurance with respect to the City. Any Insurance, self-insurance, or insurance pool coverage maintained by the City shall be excess of the Consultant's insurance and shall not be contributed or combined with it.

C. **Acceptability of Insurers.** Insurance is to be placed with insurers with a current A.M. Best rating of not less than A:VII.

D. **Verification of Coverage.** Consultant shall furnish the City with original certificates and a copy of the amendatory endorsements, including but not necessarily limited to the additional insured endorsement, evidencing the insurance requirements of the Consultant before commencement of the work. Certificates of coverage and endorsements as required by this section shall be delivered to the City within fifteen (15) days of execution of this Agreement.

E. **Notice of Cancellation.** The Consultant shall provide the City with written notice of any policy cancellation, within two business days of their receipt of such notice.

F. **Failure to Maintain Insurance.** Failure on the part of the Consultant to maintain the insurance as required shall constitute a material breach of contract, upon which the City may, after giving five business days notice to the Consultant to correct the breach, immediately terminate the contract or, at its discretion, procure or renew such insurance and pay any and all premiums in connection therewith, with any sums so expended to be repaid to the City on demand, or at the sole discretion of the City, offset against funds due the Consultant from the City.

9. **Independent Contractor.** The Consultant and the City agree that the Consultant is an independent contractor with respect to the services provided pursuant to this Agreement. Nothing in this Agreement shall be considered to create the relationship of employer and employee between the parties hereto. Neither the Consultant nor any employee of the Consultant shall be entitled to any benefits accorded City employees by virtue of the services provided under this Agreement. The City shall not be responsible for withholding or otherwise deducting federal income tax or social security or for contributing to the state industrial insurance program, otherwise assuming the duties of an employer with respect to the Consultant, or any employee of the Consultant.

10. **Covenant Against Contingent Fees.** The Consultant warrants that he has not employed or retained any company or person, other than a bonafide employee working solely for the Consultant, to solicit or secure this contract, and that he has not paid or agreed to pay any company or person, other than a bonafide employee working solely for the Consultant, any fee, commission, percentage, brokerage fee, gifts, or any other consideration contingent upon or resulting from the award or making of this contract. For breach or violation of this warrant, the City shall have the right to annul this contract without liability, or in its discretion to deduct from the contract price or consideration, or otherwise recover, the full amount of such fee, commission, percentage, brokerage fee, gift, or contingent fee.

11. **Discrimination Prohibited.** The Consultant, with regard to the work performed by it under this Agreement, will not discriminate on the grounds of race, religion, creed, color, national origin, age, veteran status, sex, sexual orientation, gender identity, marital status, political affiliation or the presence of any disability in the selection and retention of employees or procurement of materials or supplies.

12. **Assignment.** The Consultant shall not sublet or assign any of the services covered by this Agreement without the express written consent of the City.

13. **Non-Waiver.** Waiver by the City of any provision of this Agreement or any time limitation provided for in this Agreement shall not constitute a waiver of any other provision.

14. **Termination.**

    A. The City reserves the right to terminate this Agreement at any time by giving ten (10) days written notice to the Consultant.

    B. In the event of the death of a member, partner or officer of the Consultant, or any of its supervisory personnel assigned to the project, the surviving members of the Consultant hereby agree to complete the work under the terms of this Agreement, if requested to do so by the City. This section shall not be a bar to renegotiations of this Agreement between surviving members of the Consultant and the City, if the City so chooses.

15. **Applicable Law; Venue; Attorney's Fees.** This Agreement shall be subject to, and the Consultant shall at all times comply with, all applicable federal, state and local laws, regulations, and rules, including the provisions of the City of Duvall Municipal Code and ordinances of the City of Duvall. In the event any suit, arbitration, or other proceeding is instituted to enforce any term of this Agreement, the parties specifically understand and agree that venue shall be properly laid in King County, Washington. The prevailing party in any such action shall be entitled to its attorney's fees and costs of suit. Venue for any action arising from or related to this Agreement shall be exclusively in King County Superior Court.

16. **Severability and Survival.** If any term, condition or provision of this Agreement is declared void or unenforceable or limited in its application or effect, such event shall not affect any other provisions hereof and all other provisions shall remain fully enforceable. The provisions of this Agreement, which by their sense and context are reasonably intended to survive the completion, expiration or cancellation of this Agreement, shall survive termination of this Agreement.

17. **Notices.** Notices to the City of Duvall shall be sent to the following address:

City Clerk
City of Duvall
P.O. 1300
Duvall, WA 98019

Notices to Consultant shall be sent to the following address:

Transpo Group, USA, Inc., Patrick Lynch

12131 - 113th Avenue NE, Suite 203, Kirkland, WA 98034

425-821-3665 phone

18. **Entire Agreement; Modification.** This Agreement, together with attachments or addenda, represents the entire and integrated Agreement between the City and the Consultant and supersedes all prior negotiations, representations, or agreements written or oral. No amendment or modification of this Agreement shall be of any force or effect unless it is in writing and signed by the parties.

DATED this _____ day of _____, 2017.

CITY OF DUVALL	CONSULTANT
_____	By:_____
Will Ibershof, Mayor	Consultant
Attest/Authenticated:	Approved as to Form:
_____	_____
City Clerk, Jodi Wycoff	Rachel B. Turpin, City Attorney

Attachments:
Exhibit A – Scope of Services
Exhibit B – Schedule of Rates & Charges
Exhibit C – Tax Identification Form
Certificate of Insurance

City of Duvall ADA Transition Plan

The Americans with Disabilities (ADA) act of 1990 provides comprehensive civil rights protections to persons with disabilities in the areas of employment, state and local government services, and access to public accommodations, transportation, and telecommunications. There are five titles (or parts) to the ADA, of which Title II is most pertinent to travel in the public right-of-way. This title specifies equal access to all services, programs and activities that are provided or made available by public entities.

ADA Self-Assessment and Transition Plan most address the requirements of ADA Title II, Part 35, Subpart D – Program Accessibility § 35.150 (d)(3) which states:

The plan shall, at a minimum—

(i) Identify physical obstacles in the public entity's facilities that limit the accessibility of its programs or activities to individuals with disabilities;
(ii) Describe in detail the methods that will be used to make the facilities accessible;
(iii) Specify the schedule for taking the steps necessary to achieve compliance with this section and, if the time period of the transition plan is longer than one year, identify steps that will be taken during each year of the transition period; and
(iv) Indicate the official responsible for implementation of the plan.

The scope of work contained below meets all of the requirements identified above.

Task 1 – Project Management and Coordination

Because of the collaborative nature of this project, communication is an important element. Close coordination with the City of Duvall and the project team will be the project manager's top priority.

- The consultant team project manager will coordinate with the City's project manager on a regular basis (weekly or bi-weekly) throughout the duration of the project. The coordination will address project scope/status, technical and policy direction, budget, schedule, and meetings. Coordination will be via telephone calls, email, and meetings, as appropriate.
- The consultant team members will email City staff or other stakeholders, as appropriate, to inform them of status, upcoming meetings, and data needs. The emails may include draft materials for their review.
- Prepare monthly progress reports and invoices.

Agency Support

- The City's project manager will regularly keep in contact with consultant team and communicate internally to rest of City staff on progress and schedule.
- The City will facilitate engagement from partners like FHWA and WSDOT.

Consultant Deliverables

- A project schedule including the key project tasks timeline and deliverable deadlines
- Notes, emails, or other summaries of communication.
- Monthly invoices and progress reports.

Task 2 – Self Assessment Data Collection

Data collection is the foundation of this project, providing a clear understanding of what accessibility barriers exist and what needs to be done to remove them.

The consultant team will begin by updating and confirming that the data dictionary attributes meet the needs of the city and conform to the latest ADA regulations. Barrier data will be collected using tablets and stored on a real-time cloud database for immediate review. The data dictionary structure will include sidewalks (15-20 attributes), curb ramps (10-20 attributes), driveways (~5 attributes), pushbuttons (~5), and information on existing barriers.

Where possible, existing data like the recently completed curb ramp inventory will be built upon to increase the speed of data collection. Once collected, data will be reviewed for quality by both IDAX and Transpo Group.

Barrier data will be mapped and summarized to easily show where and how many barriers exist within the public rights of way.

Agency Support

- Provide existing shapefile data and any database requirements.
- Facilitate coordination with FHWA and WSDOT on data dictionary.

Consultant Deliverables

- Collect and QC barrier database in GIS shapefile/geodatabase format.
- Develop tables and maps summarizing existing ADA barriers.

Task 3 – Stakeholder Engagement

Stakeholder engagement, especially with people who have disabilities, is a required element of ADA Transition Plans. Stakeholder engagement will be conducted through a coordinated effort of both the consultant team and City staff. This format will utilize transferable consultant tools and experience while also leveraging the relationships and local knowledge brought by City staff.

Engagement will begin early and target stakeholder groups that are representative of people who have disabilities. As the project begins, public notice and how individuals or groups can get involved will be shared by City staff.

Once the self-assessment database of accessibility barriers has been finalized, it will be shared with stakeholders at a public open house. This event will be scheduled in coordination with an existing meeting or event where people who have disabilities are already present. This approach of taking the meeting to the stakeholders, rather than asking them to come to you, is an effective tool to improve public feedback.

Agency Support

- Schedule, Facilitate, and provide venue for open house.
- Provide support staff as necessary (e.g. providing sign language interpreter, translator, etc.)
- Reach out to individuals with limited mobility or vision, as well as groups that work with those individuals.

Consultant Deliverables

- Develop materials for open house.
- Develop paper survey to capture stakeholder feedback.
- Develop map where stakeholders can mark high-priority areas for barrier removal.
- Summarize public engagement efforts, comments received, people reached, and general findings. All comments will be recorded in a plan appendix.

Task 4 – Barrier Removal

This task identifies how barriers in the public right of way will be removed. This includes design elements that will ensure new or reconstructed facilities are accessible, as well as mechanisms to construct and fund barrier removal. The two major elements to this task are a design standards audit, and barrier removal methodology.

The consultant team will review City design standards and policies to ensure current standards do not discriminate against people with disabilities. Detailed changes to existing design standards will be recommended based on this audit.

The consultant team will also identify methods in which barriers within the public right-of-way will be removed. This will identify ways in which the City has already been working to remove barriers. It will also identify ways in which private development, pavement overlay projects, roadway widening, roadway reconstruction, maintenance, signal upgrades or other physical changes to the right-of-way will be required to address barriers. Suggestions for coordinating these improvements with other non-motorized improvements and funded will also be outlined.

Agency Support

- Provide existing city design standards and guidance.
- Provide documentation of existing barrier removal procedures and funding stream.
- Provide current CIP and Transportation Element.

Consultant Deliverables

- Work with the City to establish procedure for documentation of facilities not built to ADA standards. This is called "maximum extent feasible" documentation and is particularly useful in areas where topography can create design challenges for pedestrian facilities.
- Provide audit findings and recommendations to City.
- Develop barrier removal methods and how they can be coordinated and focused to maximize benefits.

Task 5 – Implementation Schedule

Developing a transition schedule is a key requirement of all ADA transition plans requiring more than a year to implement. Effective plans prioritize removal of high impact barriers in a systematic manner through prioritization of barrier removal, a multiyear schedule, identification of funding streams, planning level cost estimates, and establishment of a monitoring system.

Prioritization of barriers will include input from stakeholders, multi-criteria analysis of the severity of each individual barrier, and multi-criteria GIS spatial analysis of the location of each barrier. Data collected in the self-assessment task will be used to prioritize each barrier. The proximity to public buildings, parks, schools, bus stops, health service and other commercial or retail destinations will also be used to prioritize barrier removal. In the end, this process will help the City proactively identify the barriers that should be removed first and outline a transparent process that is being followed.

The City will also identify a multi-year schedule for removal of barriers. This schedule will be informed by planning level cost estimates and dedicated funding resources, as well as leveraging related funding resources. ADA barriers are often removed by street overlay programs or redevelopment, and cities should highlight this progress.

Agency Support

- Identification of city priorities around barrier removal.
- GIS data such as parks, schools, bus stops, functional class, public facilities, etc.
- Unit cost assumptions for planning level cost estimates.
- Provide current CIP and Transportation Element and information about other funding streams such as Transportation Benefit Districts.

Consultant Deliverables

- Schedule for barrier removal, including a list of the highest priority projects.
- Map showing the location of high priority projects.
- Planning level cost estimates for barrier removal.

Task 6 – Draft and Final Plan

This task includes development of a targeted, accessible and easy-to-understand document. Deliverables from other tasks including memos, maps, and tables will be adapted and consolidated into a single coherent document. The document will be clearly structured to meet the requirements of ADA Title II. Best practices will be integrated and highlighted throughout the plan and suggestions from partner agencies will be included.

In addition to the self-assessment and implementation schedule, there are various changes to City procedures, communication protocols and staffing that are required as part of an ADA transition plan. Although these changes will be completed internally by the City, they have been added to ensure all required elements of the transition plan are reflected within the scope of work. Per ADA Title II Part 35, Subpart D – Program Accessibility § 35.150 (d)(3) ADA Transition Plans must include:

- Identification of an "ADA Coordinator"
- Development of protocols to ensure information is accessible
- Development of a grievance procedure
- Development of an APS policy

The consultant team will provide guidance on best practices. This could include providing guidance on who should be the ADA Coordinator or how to provide barrier information in an accessible manner.

Agency Support

- Provide direction on draft plan including two rounds of comments/edits of draft plan.
- The City will identify an ADA coordinator, improve information accessibility, and develop a grievance procedure.

Consultant Deliverables

- Develop draft transition plan and incorporate two rounds of edits.
- Develop final transition plan.
- Advise on best practices in ADA transition planning with regards to city tasks.