



PLEASE NOTE: Due to current public health concerns and associated orders this City Council Meeting will be conducted entirely online. All Councilmembers and staff will be participating remotely. The public is welcome to email comments on any agenda items prior to the meeting to the City Clerk at soppedal@northbendwa.gov. Please provide comments by 5 p.m., Tuesday, March 15, 2022 so a copy can be provided to the City Council prior to the meeting.

The public will be able to participate in this meeting online using Zoom Meetings. Instructions on how to access the meeting and provide public comment are available at the following link: [March 15, 2022 City Council Meeting Calendar Item](#). You will be required to have a registered Zoom account and display your full name to be admitted to the online meeting.

Zoom Meeting Information:

To Sign Up for a Zoom Account: <https://zoom.us/join>

Meeting ID: 880 0274 1263

Password: 073917

Call In Phone Number: 1-253-215-8782

**CITY OF NORTH BEND, WA
CITY COUNCIL MEETING
March 15, 2022 – Agenda
Virtual Meeting**

7:00 P.M. – CALL TO ORDER, ROLL CALL

CONSENT AGENDA:

		Pg.#
1) Minutes	Special Council Workstudy of March 1, 2022 & City Council Meeting of March 1, 2022	1
2) Payroll	March 4, 2022 – 28460 through 28465, in the amount of \$290,605.16	
3) Checks	March 15, 2022 – 72053 through 72107, in the amount of \$325,784.80	
4) AB22-028	Motion – Authorizing Contract with Blueline for Stilson Ave. Sidewalk Project Mr. Rigos	13
5) AB22-029	Motion – Authorizing Contract with PH Consulting for Maloney/CFW Intersection Project Mr. Rigos	35

CITIZEN'S COMMENTS: (Please restrict comments to 3 minutes)

ANNOUNCEMENTS, PRESENTATIONS, APPOINTMENTS:

6) Presentation Police Services Update Police Chief Phipps



COMMISSION AND COMMITTEE REPORTS:

Planning Commission	Community & Economic Development – Councilmember Miller
Parks Commission	Finance & Administration – Councilmember Elwood
Economic Development Commission	Public Health & Safety – Councilmember Koellen
Regional Committees	Transportation & Public Works – Councilmember Loudenback
	Mayor Pro Tem – Councilmember Rosen
	Eastside Fire & Rescue Board – Councilmember Gothelf

INTRODUCTIONS:

7) **AB22-030** Ordinance – Amending NBMC 14.12.120 RE Accessory Structures in Floodplain Mr. McCarty 49

MAYOR, COUNCIL & ADMINISTRATOR CONCERNS AND INITIATIVES: (Business and general information presented that may be deliberated upon by the Council. Formal action may be deferred until a subsequent meeting; immediate action may be taken upon a vote of a majority of all members of the Council.)

ADJOURNMENT:

CITY OF NORTH BEND
CITY COUNCIL SPECIAL WORKSTUDY NOTES
March 1, 2022
Virtual Meeting
City Hall, 920 SE Cedar Falls Way, North Bend, WA

Acting Mayor Pro Tem Elwood called the meeting to order at 7:00 p.m.

Councilmembers Brenden Elwood, Mark Joselyn, Heather Koellen, Ross Loudanback and Mary Miller were present. Councilmembers Alan Gothelf and Jonathan Rosen were excused.

Staff Present: Mayor Rob McFarland, City Administrator David Miller, City Attorney Lisa Marshall, Deputy City Administrator/Finance Director Dawn Masko, Deputy City Administrator/Public Works Director Mark Rigos, Community & Economic Development Director Rebecca Deming, City Engineer Don DeBerg, Interim Communications Manager Bre Keveren, Human Resources Assistant/Emergency Management Coordinator Erin Mitchell and City Clerk Susie Oppedal.

Snow Response

Deputy City Administrator/Public Works Director Rigos discussed the following elements the City could modify in the future related to level of service during a snow event:

- Staffing (adding more staff, utilizing WWTP staff, ILAs with Si View MPD or other municipalities)
- Equipment (increase replacement schedule)
- Snowplow Blades (uses and types – steel, rubber, ceramic)
- Pavement Management (various snow removal techniques and longevity)
- Sand, Salt, Chemicals (Anti-Icers and De-Icers), Storage, Environment, Safe Drinking Water (increase salt to sand ratio, safer deicers and associated storage, issues with chemical deicers)
- Desired Level of Service for Snow Response (10, 20 or 50 year snow event)

Deputy City Administrator/Public Works Director Rigos recommended utilizing ceramic blades for future snow events and noted that the City of Kirkland currently uses ceramic blades with great success. Additionally, he recommended a more frequent snowplow replacement schedule of twenty years as opposed to the current frequency of every twenty-five to thirty years.

Council comments were as follows: Use/longevity of ceramic blades and other types of blades, ILAs and contracts for snow removal assistance, chemical deicers' effects on snow, use of metal snowplow blades on streets and roundabouts, WSDOT snow removal

techniques, increases in staffing and limiting factors of using WWTP staff for plowing, effects of increased salt ratio, Snoqualmie vs. North Bend snow response, Equipment Replacement Fund, implementation and associated cost of safe deicer (Calcium Magnesium Acetate), changes to snow removal techniques and/or policy as a result of the recent snowstorm, staff training techniques/opportunities, 10-20 year snow event vs. 50 year event, and updated mapping of snow plow routes to include new City streets.

Council expressed support for Mr. Rigos's suggestion regarding the addition of ceramic blades and, if financially possible, to increase the frequency of snowplow replacement.

Adjournment

The workstudy closed at 6:58 p.m.

ATTEST:

Brenden Elwood, Councilmember

Susie Oppedal, City Clerk

NORTH BEND CITY COUNCIL MINUTES

March 1, 2022

Virtual Meeting

City Hall, 920 SE Cedar Falls Way, North Bend, Washington

CALL TO ORDER, ROLL CALL:

Mayor McFarland called the regular meeting to order at 7:01 p.m.

Councilmembers Present: Elwood, Joselyn, Koellen, Loudenback and Miller. Councilmembers Gothelf and Rosen were excused.

CONSENT AGENDA:

Minutes – City Council Meeting of February 15, 2022

Payroll – February 18, 2022 – 28454 through **28459**, in the amount of **\$238,117.48**

Checks – March 1, 2022 – 71984 through **72052**, in the amount of **\$315,263.10**

AB22-023 – Motion Approving Contract with Girard for Solid Waste Support

AB22-024 – Motion Authorizing Contract with Epicenter Services

AB22-025 – Ordinance 1771 Amending NBMC 20.08.060 RE Docket Process

AB22-026 – Resolution 2010 Authorizing Segregation of ULID 6 Assessments

Councilmember Miller **MOVED**, seconded by Councilmember Loudenback to approve the consent agenda as presented. The motion **PASSED** 5-0.

ANNOUNCEMENTS, PRESENTATIONS, APPOINTMENTS:

Presentation – Planning Commission Report

Audio: 1:48

Planning Commission Chair Bilanko reported the Commission's work for 2021 included amendments or creation of the following: Form Based Code in the Downtown Zone, North Bend Municipal Code (NBMC) 18.13 Special Districts, City Zoning Map – Neighborhood Business 2 Zone and Parks & Open Space, Hotel Performance Standards, NBMC 18.22 Temporary Uses, NBMC 18.10.050 Electric Vehicle Charging Units in Single Family Residential, NBMC Title 18 regarding Indoor Emergency Shelters, NBMC 19.06 Street Lighting and Development Agreements related to the Snoqualmie Valley Athletic Center and a proposed Senior Housing Project (which was later withdrawn by the applicant).

Commissioner Bilanko noted in 2022 the Commission will be focusing on the following: Floodplain Regulations related to Accessory Dwellings, NBMC 18.16.040 Parking Regulations, NBMC 18.34.050 Single Family Residential Design Standards, NBMC 18.14 Site Plans, NBMC Title 20 Development Review Regulations regarding abandoned applications,

NBMC 18.06 Land Use Definitions and review of Comprehensive Plan Update, Cultural Resources Plan and Housing Needs Assessment.

State of the City Address – Mayor McFarland

Audio: 15:01

Mayor McFarland delivered the following State of the City of North Bend 2022 Address:

“It is my honor and pleasure to share with you the 2022 North Bend State of the City. While at this time the COVID-19 pandemic continues as a back-drop for City governing and operations, we proved our resilience and adaptability in 2021.

The new innovative practices and technologies we harnessed early in the pandemic continue to be honed and optimized and we are pleased to announce that City Hall reopened to the public today, March 1st. We appreciate your continued patience and understanding with this process as we comply with State and County requirements that are evolving literally as we speak. While public meetings remain virtual, at this time I expect that before the end of this month, I’ll be announcing the date for a return to in-person public meetings. When that happens, we expect to have a hybrid option whereby attendees will have a choice to be in person or remote. This, along with other new procedures and practices, are designed to meet the high expectations of our residents and businesses.

We strive to always learn, evolve and improve and my message tonight reflects our many achievements during 2021. ’21 was another unprecedented year – but one highlighted by progress and positive outcomes for our citizens. These accomplishments reflect months, and sometimes years, of collaborative efforts by staff working with businesses, residents and elected officials to ensure our unique mountain town remains one of the most highly livable places in the state.

As we progress into this new year, our goals and plans will continue to guide us in delivering significant projects and policies to better serve our residents while ensuring the City’s fiscal stability.

Fiscal Stability

The City Council directed work plan for the 2021-22 Biennial Budget helped to keep our city moving in a positive direction this last year.

Strong revenues in ’21 provided the City with a robust rebound from previous significant sales tax revenue dips related to pandemic restrictions. In fact, sales tax revenue came back last year at record levels. Property tax revenues continued to grow, and other development and business-related revenues had a solid year, too. These increased revenues allowed the city to continue moving forward in a positive direction and allowed Council to make some very strategic budget adjustments. As part of the Mid-Biennium budget process, Council approved \$450,000 for expedited sidewalk repairs and sidewalk

gap removals, \$250,000 for the design and planning of both Riverfront Park and Taylor Park along with the McClellan Alley project, a little over \$262,000 for the extension of Tanner Trail, and \$200,000 for a covered storage shed to protect expensive City equipment.

Other budget enhancements included funding to replace two Public Works pickup trucks in our aging fleet, hiring an additional Public Works Maintenance Worker, \$50,000 for City parks trail paving repairs, and approving a much-needed Deputy City Clerk position. Additionally, we were able to reinstate contributions to the Equipment Replacement Fund, restored funding for the Downtown Block Party, and restored funding for professional development and training.

This source of revenue is one critical component to the forward momentum we have strived for with regards to transportation improvement in North Bend. A citizen-voted special sales tax funds our Transportation Benefit District and it is this fund that continues to drive the crucial work of improving residential and commercial sectors of the community by means of funding projects that promote sound transportation options for our residents. This past November, local voters overwhelmingly renewed this special benefit tax that generates over \$700,000 annually for transportation projects. We are very thankful to you, North Bend voters, to be able to continue relying on this steady revenue source for another 10 years.

The City received over \$1 million in '21 from the American Rescue Plan Act (ARPA) to be used to support our community and address needs caused by the COVID-19 pandemic. We will be receiving another \$1 million in 2022. These funds are to be used over the next several years to support businesses and families struggling with the public health and economic impacts of the pandemic, replenish lost City government revenues and maintain public services, and build a strong, resilient, and equitable recovery by making investments that support long-term growth and opportunity. These funds represent a once-in-a-generation investment in our community and an exciting opportunity for the City to strategically invest in initiatives that will have a positive long-term impact. We are currently in the program allocation development process and more on how ARPA funds will be reinvested into the community will be shared with you at a future date.

Infrastructure, Economic Development and Transportation

Last fall, we celebrated the completion of Phase 1 of our Wastewater Treatment Plant High Priorities Improvement Project while simultaneously launching Phase 2. This critical two-phase project adds redundancy, improves employee safety, increases treatment and hydraulic capacities, replaces aging facilities and makes important environmental updates that meet stringent Department of Ecology requirements. But most importantly, it protects our beautiful Snoqualmie River environment. All in, we will have invested nearly \$30 million in major improvements to serve us for many decades to come.

Last year started on a positive note for our water utility operations when the County and State gave final approval to our updated Water System Plan. The WSP is a detailed plan documenting the facilities, procedures, policies and actions that guide city infrastructure projects to ensure we meet our legal obligations to provide safe and reliable drinking water to our current and future property-owning businesses and residents.

In one element of that plan, we made great progress with our Water Distribution System Leak Reduction Program, replacing hundreds of aging residential water meters and we not only completed a watermain Leak Study that identified a myriad of leaks deep underground, we completed fixes on nearly all of them.

Water conservation continues as a high priority for your elected officials and we are proud of the City's commitment and accomplishments in this area. This past summer we raised the bar by joining the Seattle Public Utilities Saving Water Partnership. The partnership supports our citywide conservation efforts by offering our residents and business owners water-saving tools and tips, along with valuable rebates, to help with year-round conservation. We encourage residents and business owners to learn about this program as well as other water saving tips on our city website, located under "Water Conservation." As a city, we feel our water conservation policies set a standard for other providers and thank all of you for doing your part to use water wisely. We all use and rely on clean, healthy water and have a commitment that all city customers share in the responsibility to use water responsibly.

Another component of our WSP is replacing aging watermain that have outlived their lifespan. The next project on our list is NE 6th Street and we have design work nearly finished for this watermain replacement. The project will also include some street repairs in the Silver Creek neighborhood. We anticipate the project will break ground in late April.

On the transportation front, we continue working diligently to secure grants to improve traffic around town and thereby reduce local taxpayer burden. In addition to the \$2.5 million secured in 2020, last year we secured approximately another \$1 million in transportation grant funding. These grants will help build new roundabouts at busy intersections along Bendigo Boulevard. Additionally, we have developer-funded projects for new roundabouts on 436th Avenue, including completing the one at North Bend Way and another one expected to start this year at the 136th intersection. These new roundabouts – relieve congestion while not leaving you idling at stoplights – making for a benefit to you and our environment.

Last year, we were able to repave some roads and reconstruct some sidewalks while working within budgetary constraints. The heavily traveled stretch of Park Street between Bendigo Boulevard and North Bend Way was overlaid with new pavement; and numerous sidewalks in Forester Woods were replaced – benefiting drivers and walkers alike. Additionally, we added new channelization striping on Tanner Road to improve safety.

After investing \$160,000 in our pilot Sidewalk Reinvestment Program last year and seeing great results in Forester Woods, Council doubled the program's funding for '22, focusing on more improvements in Forester Woods, the New Si View neighborhood and the downtown corridor. This is a program we hope to keep funding each year so we work our way throughout the city to update damaged areas. Also, in recognition of the success of this program, we created one specifically for addressing gaps in sidewalk and trail connections. This new program will kick off in in early summer.

Thanks to nearly \$300,000 in grant funding the 2nd Street storm drainage and sidewalk improvement project will replace portions of sidewalks on both sides of 2nd Street between Ballarat Avenue and Bendigo Boulevard, as well as replace the storm drainage system, watermain, curbs and gutters and pavement overlay. Construction on the 2nd street project is anticipated to begin this spring or summer.

This month, the Puget Sound Regional Council (PSRC) announced the City of North Bend is a recipient of the 2021 Rural Town Centers and Corridors Program (RTCC) and with that approximately \$967,000 toward the design and construction of the South Fork Extension Project. The project includes extending South Fork Avenue SW to West North Bend Way, providing an arterial level connection between West North Bend Way and Highway 202/Bendigo Boulevard South. This project aims to reduce traffic volumes and the emissions impact at major intersections downtown, provide alternatives for truck traffic, improve traffic and pedestrian safety, and increase access to and from Interstate 90. All of which should also result in an improved experience for your downtown shopping and dining experience.

Community Development Projects

Gaining a lot of attention this past year was a proposal to locate a Wyndham Hotel inside the Outlet Mall. In October, the project – expected to include ~120 rooms was submitted for planning review. The need for hotel options is a long overdue ask in the community and we are expecting to see the project break ground late this year. We are hopeful this will also lead to a much-needed refurbishment of the overall Premium Outlet Mall stores in the coming years.

Other light industrial and commercial business projects in planning review include a new Puget Sound Energy training facility, SeaCon, Alpentel Logistics and also Bio-Therapeutics, a medical device-maker that is looking to relocate to our city. These projects are expected to bring with them numerous living wage jobs.

With Council direction and support, staff has worked toward focusing resources on bringing new businesses to the city that are of value to our residents and thus working to uphold our live and play where you work philosophy. Last summer, we got closer to this goal, by taking an innovative approach to City Code with the adoption of Form-based Code for our Downtown Commercial zone. Form-based Code helps to ensure that future redevelopment fits the character of our community while also providing more housing and

business options. This innovative step by Council was honored by Governor Inslee and the Department of Commerce with a Smart Communities Award. This is a huge honor for our city and was a collaborative effort of your elected officials and our staff.

A different sort of win for 2021 was the return of some popular community events. Trick-or-Treat Street had record attendance, with kids and parents alike dressed in costume, collecting treats, enjoying local live music, and reconnecting with friends.

And Holly Days returned to downtown streets, bringing with it community performances, streetside s'mores and, yes, rockin' around the community tree. I had the honor to flip the switch to light our tree for this enthusiastic crowd. Even the cold and rain couldn't dampen the holiday spirit and our downtown core intersection was full of revelers. Holly Days also included our second annual Light up North Bend holiday lighting contest. There were some incredible displays that brought cheer to residents and recognition was awarded in several categories

Lastly for city sponsored events, our biggest downtown festival, Block Party, will be making its return this July after a two-year hiatus. Coordinated in partnership with the North Bend Downtown Foundation, Block Party was first held on June 27, 2009 in celebration of North Bend's centennial. We are thrilled to be bringing this cherished community event back.

New Businesses

The new Snoqualmie Valley Athletic Complex in the western portion of the city opened to sporting teams late last year. We are excited about this facility as it not only will help plug local gaps in services, but it is expected to draw patrons visiting for practices and tournaments to our local businesses.

Last year, Karakoram Snowboard Bindings moved into its newly constructed headquarters behind Napa Auto Parts on North Bend Way. The local owners of this growing company made the decision to stay here at home in North Bend as their business grew, and we're pleased they decided to invest in your community.

Some other notable storefront business comings in '21 were: Ignition Café, Britt Greenland Gallery, Edward Jones Financial, Simpson Group Real Estate, Wells Fargo, and big moves for Pearl & Stone Winery and Valley Center Stage. Longtime business Pioneer Coffee celebrated new local ownership and Falling River Meats is working toward their opening of a storefront right in the heart of the downtown historic business district.

Local businesses worked tirelessly this last year in an effort to recover from the extraordinary setbacks of 2020. That work has clearly paid off, as we witnessed more overall success, more open storefronts, and new, locally sourced products and business expansion in 2021.

Parks, Safety and Connectivity

A new, 4-acre city park is coming to town! The Dahlgren Family Park will connect to King County's Tanner Landing Park, providing direct access from North Bend Way to the Middle Fork Snoqualmie River. Park development includes a joint-partnership with the State Department of Natural Resources, which will also result in a kayak set-in area and riverfront park along the Middle Fork.

As mentioned earlier in budgeting, another Council-approved park project is to begin work on Master Plans for Taylor and Riverfront parks, both in our downtown core area. The Master Plans will guide redevelopment and walkability of these parks, their connection to the businesses and neighborhoods around them, and how they meet community needs as a whole. The Parks Commission is in the process of evaluating language for an RFP (Request for Proposal) to solicit bids from professional design firms with the skill to lead the master planning process. Our hope is that these parks work to create ideal downtown locations for spacious, safe gatherings that include community events, walking tours, outdoor seating and eating and recreational programming. Funding of the Master Plans will come primarily from Park Impact fees and the City's American Rescue Plan Act (ARPA) funds.

Another connectivity project that continues to progress is the Tanner Trail extension. Tanner Trail is the 100-foot abandoned railway corridor being converted to a paved trail located on the south side of North Bend Way. It intersects with the Snoqualmie Valley Trail, and links downtown North Bend with residential areas and recreational river frontage. Funding by Council for this project will extend the trail from its current ending spot just east of City Hall to approximately 436th Avenue SE. This will improve pedestrian connectivity and enhance public safety for residents. Funding for this project became available from the City's general fund due to robust sales tax revenue in '21.

Connectivity is one thing, and winter weather in our mountain town is another entirely. During December and January snowstorms, we endured up to 26 inches of snow over the course of nine days. Our Public Works crews plowed around the clock, logging over 500 hours of overtime to keep up. The City has been making proactive investments, including adding a fourth snowplow this past fall and new Public Works positions over the past five years. We are actively recruiting and we are working hard to update our streets division vehicle fleet as well. We are consistently evaluating where and how we can improve within the constraints of environmental integrity and our budget. Part of our practice is to perform "lessons learned" evaluations after major events and work on potential revisions with Council. Earlier tonight at the Council Work Study, council heard the latest staff report and discussed options for improved process within the Public Works Department.

Support within the realm of crisis intervention is another priority your elected officials take very seriously. Police are often the first to arrive after a mental health or substance abuse emergency. It is clear that a new resource is needed to help both those experiencing a

mental health or substance abuse crisis, as well as our local organizations that are there, first at the scene, doing their best to help. I am working with State Representative Lisa Callan, Snoqualmie/North Bend Police, Eastside Fire and Rescue, Snoqualmie Fire and Snoqualmie Mayor Katherine Ross to create a behavioral health specialist position that will serve inside the Snoqualmie/North Bend Police Department and offer response services for those experiencing crises such as these. Goals for this position include a licensed mental health or substance abuse professional that serves alongside first responders, supporting also Snoqualmie Valley Shelter Services, the hospital and school district. Initial funding of a \$150,000 grant in state funds, which Callan requested via a proviso in January is anticipated to be included in the state budget.

Housing Affordability and Diversity

This past year saw a few projects that had been in planning stages for quite some time before advancing to the construction phase. The Cedar River Partners will bring 212 new multi-family homes to our City. The 109 Degrees project – previously known as Cade Vu - also began sitework and will bring 28 new for sale townhomes to our city. It's been approximately 30 years since any new attached housing was built in North Bend. These homes will be walkable to downtown and help diversify housing options beyond single family residences.

Framing began late last year for the new, 7-townhome Habitat for Humanity community located on E. 2nd Street in downtown. This project is making homeownership possible for seven families that will soon call North Bend home. These homes will be walkable to downtown services and help diversify housing options beyond detached single family residences.

Additionally, the City issued a Clearing and Grading permit for the new River Run Apartment project. This multi-family housing development is located south of Chinook Lumber at the corner of 436th Ave SE and SE 136th Street and will consist of 128 units in 9 buildings. 28 of the apartments will be designated as affordable housing for households earning 80% or less of the King County Area Median Income (AMI).

As we close out the books on 2021, I do wish to take a moment and really, truly express the confidence I have in expecting only the best this new year. Our community has persevered through two years of historic pandemic times, and we are ready for a positive, successful 2022. The return of community events, resilient, collaborative and thriving local business– and City staff and elected officials that will continue with a mission to support and enhance this highly livable community. We've got a lot to look forward to in the coming years. By working in partnership with our residents, businesses and other stakeholders, our goals can be achieved, and this beautiful small mountain town will continue to be the unique, vibrant place that we are lucky enough to call home."

INTRODUCTIONS:

AB22-027 – Ordinance 1772 Vacating Portion of North Bend Way
Right-of-Way

Audio: 45:26

Deputy Public Works Director Mohr provided the staff report.

Mayor McFarland opened the Public Hearing on an Ordinance Vacating Portion of North Bend Way Right-of-Way at 7:48 p.m.

There was no public comment and Mayor McFarland closed the Public Hearing at 7:49 p.m.

Councilmember Loudenback **MOVED**, seconded by Councilmember Koellen to approve AB22-027, an ordinance vacating a portion of North Bend Way Right-of-Way adjacent to 247 E. North Bend Way, as a first and final reading. The motion **PASSED** 5-0.

MAYOR, COUNCIL, AND ADMINISTRATOR CONCERNS AND INITIATIVES:

Councilmember Joselyn extended support for the proposed Behavioral Health Specialist position at the Snoqualmie/North Bend Police Department. Additionally, he commented on a friend and fellow resident's positive interactions with City staff and extended his appreciation for all their hard work.

Councilmember Koellen reported on a Sound Cities Association meeting early in the day about COVID-19. She noted King County was the most vaccinated county in the nation with over ninety-one percent of King County adults having at least one dose of the COVID-19 vaccine and commented on the lifting of the indoor mask mandate for most venues and schools on March 11th.

Councilmember Miller discussed her recent attendance at Valley Center Stage's production of "Tiny Beautiful Things" and highly recommended it to those interested. She noted the production plays through March 5th at Sallal Grange.

Councilmember Loudenback commented on current Snoqualmie River flooding and reminded all to exercise caution when travelling on valley roads during flood events.

Councilmember Elwood commented on Planning Commission Chair Bilanko's report and Mayor McFarland's State of the City Address and extended his gratitude to all volunteers, staff and the City Administration for their hard work on behalf of the community. Additionally, he noted Valley Center Stage's production of "Tiny Beautiful Things" received a glowing review from Northwest Theatre.

City Administrator Miller thanked Public Works staff for all of their efforts during the flood event and reminded residents that sandbags were available at the Public Works Shop.

Additionally, he commented on Planning Commission Chair Bilanko's report and thanked Community & Economic Development Director Deming for her efforts coordinating with other valley cities on the community housing assessment.

Mayor McFarland spoke regarding the following items:

- March 1st City Hall Reopening
- Sandbag Availability at Public Works Shop
- March 11th Lifting of Indoor Mask Mandate

ADJOURNMENT:

Councilmember Elwood **MOVED** to adjourn, seconded by Councilmember Loudenback. The motion **PASSED** 5-0.

The meeting adjourned at 8:04 p.m.

ATTEST:

Rob McFarland, Mayor

Susie Oppedal, City Clerk



SUBJECT:		Agenda Date: March 15, 2022		AB22-028
Motion Authorizing Contract with Blueline for the Stilson Avenue Sidewalk Improvements Project		Department/Committee/Individual		
		Mayor Rob McFarland		
		City Administrator – David Miller		
		City Attorney – Mike Kenyon/Lisa Marshall		
		City Clerk – Susie Oppedal		
		Comm. & Economic Development – Rebecca Deming		
		Finance – Dawn Masko		
		Public Works – Mark Rigos, P.E.		X
Cost Impact: \$80,500 NTE				
Fund Source: General Fund: Council Approved \$250k DC for Sidewalk Gaps				
Timeline: Immediate				
Attachments: Scope and Fee				
<p>SUMMARY STATEMENT:</p> <p>The Stilson Avenue Sidewalk Improvements (Project T-031 in the City’s 6-year TIP) is a sidewalk gap and pedestrian safety capital improvement project that has been on the TIP for the past 6-8 years. The project extends sidewalk on the west side of Stilson Avenue from Opstad Elementary north to the intersection with Cedar Falls Way (CFW). In addition to the sidewalk, the project would likely include Rectangular Rapid Flashing Beacons (RRFB’s) and crosswalks along the south side of the Stilson Avenue / CFW intersection and a mid-block crosswalk across CFW east of the intersection. ADA compliant curb ramps would also be installed at the intersection.</p> <p>During the City’s “decision card” process in late 2021, the City Council allocated \$250,000 towards sidewalk gap removal projects. In November 2021, City staff brought forward 4 suggested projects to the Transportation and Public Works (TPW) Committee for review. This sidewalk project was rated the second highest of 4 projects by staff and TPW. TPW requested that staff move forward with the engineering design.</p> <p>City staff has selected Blueline to provide plans, specs, and estimates (PS&E) for this project. Blueline services include topographic survey, right-of-way services, geotechnical engineering, RRFB/lighting design coordination, and preliminary, 50%, and Final PS&E. Design is anticipated to be completed in 2022 with construction slated for 2023, if construction funding is available.</p> <p>Funding for the design portion of this project comes from the \$250,000 general fund allocation that happened during the decision card process in 2021.</p> <p>City staff recommends moving forward with Blueline for the attached work scope and fee.</p>				
<p>APPLICABLE BRAND GUIDELINES: Consistent delivery of quality basic services including transportation and traffic management.</p>				
<p>COMMITTEE REVIEW AND RECOMMENDATION: This item was reviewed by the Transportation and Public Works Committee during their February 22, 2022 meeting and was recommended for approval and placement on the Consent Agenda.</p>				
<p>RECOMMENDED ACTION: MOTION to approve AB22-028, authorizing the Mayor to sign a contract with Blueline for the Stilson Avenue Sidewalk Project, in a form and content acceptable to the City Attorney, in an amount not to exceed \$80,500.</p>				

RECORD OF COUNCIL ACTION		
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>
March 15, 2022		

Project Name: Stilson Sidewalk

Job #: 22-040

Effective Date: February 16, 2022

Project Description

The Blueline Group, LLC (“Blueline”) will provide engineering services for the City of North Bend’s Stilson Sidewalk Project (“Project”) generally consisting of the design of sidewalk and drainage swale along the west side of Stilson Ave SE from Cedar Falls Way to the entrance to Opstad Elementary School at SE 134th Ct and associated pedestrian improvements at the intersection of Stilson Ave SE and SE Cedar Falls Way. As outlined herein, Blueline will provide design drawings, specifications, and estimates.

Specifically, the design is anticipated to include:

- Approximately 500 LF of bioswale and 600 LF of sidewalk including driveway entrances.
- 5 ADA curb ramps and a pedestrian refuge island.
- Curb replacement as necessary.
- Crosswalk striping.
- 4 RRFB crosswalk signs.
- An illumination system at the intersection of Stilson Ave Se and SE Cedar Falls Way.
- No paving work except for patching around new improvements

Task Summary

Task 001	Project Management
Task 002	Survey Services
Task 003	Geotechnical Services
Task 004	Electrical Services
Task 005	Preliminary Design
Task 006	50% Design
Task 007	Final Design
Task 008	RRFB/Lighting Design Coordination
Task 009	Technical Information Report
Task 010	Unassigned Services Reserve

Project Schedule

Blueline shall begin work immediately upon receipt of Notice to Proceed and proceed according to the below Project Schedule. This schedule reflects the City’s desire to complete design as soon as possible and to construct in 2023. Key dates include:

Notice to Proceed	March 2022
Survey & Geotechnical Explorations.....	April/May 2022
Preliminary Design Submittal	July 2022
Project Walk-Through	August 2022



50% Design Submittal	October 2022
Final Design Submittal	January 2023
Bidding & Award	February 2023
Construction Begins	Spring 2023

Scope of Work

Blueline's scope of work for the project is outlined on the following pages.

Task 001 Project Management

This task is for general coordination and meetings on the project, including coordination with the City, internal plan review/discussion meetings, subconsultant coordination, and in-house quality assurance. Blueline will prepare monthly invoices for work performed during the previous month. Included with the invoices will be pertinent backup materials and progress reports of the project to date.

Deliverables: *Monthly Invoices, Progress Reports.*

Task 002 Survey Services

Axis Survey and Mapping will prepare base mapping for Stilson Ave SE from the intersection with SE 134th Ct (Entrance to Opstad Elementary School) to and including the intersection with SE Cedar Falls Way. Mapping will also include an additional 40 feet east of the Stilson Ave Right of Way for possible improvements. See the attached Exhibit B for mapping limits. AutoCad drawings will be prepared at a scale of 1"=20'. Existing aerial and/or LIDAR mapping sources may be utilized directly or as a basis for verification. Services will include the following:

- Control survey in NAD 83/2011 Horizontal Datum, with all elevations derived from and checked to NAVD 88 Vertical Datum.
- Delineate parcel lines within above-described area as available from recorded plats and public records further compared to City of North Bend and King County Parcel GIS lines.
- Set additional elevation benchmarks at either end of project area and every 500-700' along the route.
- Contract with and coordinate services of private utility locate company APS to ascertain conductible underground utility locations. The cost of this service is included herein (\$800).
- Depict hard and soft surfaces on individual layers per accepted APWA standards.
- Location of trees with DBH size, species, and approximate driplines within the Right of Way per the City of North Bend Municipal Code.
- Show and dimension located topographic features and contours at 2' intervals.



- Show known utilities and septic systems as provided by City of North Bend, research of available utility as-built records and as located by utility locators.

Deliverables: *AutoCad 2016 drawing file with point database and dtm files.*
Assumptions: *The City will provide all necessary right of entry into private property and notice to landowners along the route of mapping activity.*
The City will provide a copy of the notice to be presented to landowners by Axis Survey Crews.

Task 003 Geotechnical Services

Under this task, AESI will perform the tasks specified in the attached Exhibit C for the site specified in the Project Description above. These tasks include:

- Completing up to 5 hand augers.
- Conducting a small-scale pilot infiltration test (PIT).
- Preparing a report summarizing AESI's fieldwork, recommendations, and conclusions.

Deliverables: *Infiltration Feasibility Report.*
Assumptions: *Establishing the depth to groundwater and providing traffic control are not included.*
The City will coordinate with homeowners and provide ROW temporary permits, if required.
Add-On costs for vector truck and water truck have not been included.

Task 004 Electrical Services

PH Consulting (PHC) will provide one wiring plan sheet at the 50% design and final design stages containing the following:

- Power service specification with breaker schedule.
- Single line wire diagram.
- Conduit/wire schedule.

Deliverables: *Plan sheet to be included in the 50% Design and Final Design submittals.*
Assumptions: *Blueline will provide specifications for the illumination system.*
PH will not provide a cost estimate or plan details.
PH will not conduct a site visit, photometric analysis, or traffic analysis.



Task 005 Preliminary Design

Based on the base maps prepared under previous tasks and information obtained from the City, Blueline will design plans, specifications, and an engineer's estimate. The services under this task will include:

- Preparing Preliminary Design plan sheets for the proposed improvements including:
 - Sheets at 22"x34" with roughly an 18"x28" drawing area.
 - Drawing scale at 1"=20'.
 - Cover sheet including sheet index and vicinity maps.
 - Typical Temporary Erosion & Sedimentation Control (TESC) notes and details.
 - Proposed improvements shown in plan per City standards.
 - City's standard details and developed specialized details as necessary.
- Engineer's Estimate including quantities and preliminary design contingency.
- RRFB and illumination system layout.
- Design Memo discussing design assumptions, questions, and recommendations.

Deliverables: *Preliminary Design Plans (PDF).*
Preliminary Design Engineer's Estimate (PDF).
Preliminary Design Memo (Word document).

Assumptions: *Profiles will not be included in the plans.*

Task 006 50% Design

Based on City review comments from the Preliminary Design stage, Blueline will complete the 50% Design. The services under this task will include:

- Project walkthrough with the City's engineering and maintenance staff.
- Review meeting with City staff.
- Incorporating the City's Preliminary Design comments into the contract documents.
- Preparing 50% Design plan sheets for the proposed improvements including curb ramp grading.
- Engineer's Estimate including quantities and a contingency.
- Specifications including all Proposal, Contract Forms, General Conditions, and Measurement and Payment in WSDOT format, using City-provided standard specifications when available.
- Development of the RRFB and illumination system design including coordination for wiring, conduit, and drops.
- Design Memo discussing design assumptions, questions, and recommendations.
- Internal Constructability review and QA/QC.

Deliverables: *50% Design Plans (PDF).*
50% Design Specifications (PDF).
50% Design Engineer's Estimate (PDF).
50% Design Memo (Word document).

Assumptions: *Profiles will not be included in the plans.*



Task 007 Final Design

Based on City review comments from the 50% Design stage, Blueline will produce Final Design (construction ready) contract documents. The services under this task will include:

- Review meeting with City staff.
- Incorporating the City's 50% Design comments into the contract documents.
- Final PS&E developed to the construction ready stage.

Deliverables: *Final Design Plans (PDF).*
 Final Design Specifications (PDF).
 Final Design Engineer's Estimate (PDF).
Assumptions: *Profiles will not be included in the plans.*

Task 008 RRFB/Lighting Design Coordination

This task will include coordination with Puget Sound Energy for RRFB and illumination system design and connection.

Task 009 Technical Information Report

This task will include preparation of a technical information report (TIR) as outlined in Section 2.3.1 of the 2009 King County Surface Water Design Manual. The following sections will be included in this report:

- Project overview.
- Conditions and requirements summary.
- Offsite analysis (narrative only using GIS/streetview).
- Flow control and water quality facility analysis and design.
- Conveyance system analysis and design.
- Special reports and studies.
- Other permits.
- ESC analysis and design.

Deliverables: *Draft Technical Information Report at 50% Design and revisions for Final Design.*

Task 010 Unassigned Services Reserve

This task provides for unanticipated services deemed to be necessary during the Project that are not specifically identified in the scope of work tasks defined above. Any additional work or funds under this item are not to be used unless explicitly authorized by the City.



General Assumptions and Notes

- Scope and fees outlined above are based on the following information (any changes to these documents may result in changes to the fees):
 - Correspondence with the City of North Bend prior to the effective date of this Agreement.
- The following items are not anticipated to be necessary and are not included in this proposal:
 - Structural, Environmental, or Transportation Engineering services.
 - Sanitary sewer or water system replacement/improvements.
 - Gas main, power, or other dry utility relocation coordination.
 - Wall or rockery design greater than 4'.
 - Traffic control plan design (Contractor to provide).
 - Potholing during design.
 - Capacity analysis of existing stormwater conveyance system.
 - Environmental documentation/permits beyond what is included in the scope above.
 - Outreach efforts to impacted residents.
 - Construction Administration, Staking, or Inspection Services (a separate fee proposal can be provided upon request).
- The Client shall provide Blueline with a current title report and any critical areas reports.
- Obtaining any offsite easements or right-of-entry including permanent easements (if required) will be the responsibility of the Client.
- Any design or reports required for additional permits intended to expedite the beginning of construction, such as an early clearing and grading permit, beyond those required for the full construction of the project are excluded. Should this be requested by the Client an Additional Services Authorization (ASA) will be provided.
- Blueline will not pay any Agency fees on behalf of the Client. This includes any fees associated with permits and easements.
- This scope of work anticipates a single construction package. If the project becomes split into separate packages, an additional fee estimate can be provided for those packages after the first complete construction documents.
- The fees stated above do not include reimbursable expenses such as large format copies (larger than legal size), mileage, and plots. These will appear under a separate task called **EXPENSES**.
- Time and expense items are based on Blueline's current hourly rates.
- These fees stated above are valid if accepted within 30 days of the date of the proposal.
- Blueline reserves the right to adjust fees per current market conditions for tasks not started within a year of contract execution.
- Blueline reserves the right to move funds between approved Tasks 001 – 009 as necessary based on approved scope of work provided the overall budget of Tasks 001 – 009 is not exceeded. Client Project Manager will be notified if funds are shifted.
- Project stops/starts and significant changes to the Project Schedule may result in changes to the fees provided above and a separate fee proposal will be provided.



- Client revisions requested after the work is completed will be billed at an hourly rate under a new task called Client Requested Revisions. A fee estimate can be provided to the Client prior to proceeding with the revisions.
- If the Client requests Blueline's assistance in complying with any public records request, including without limitation providing copies of documents and communications, Client will pay Blueline's hourly fees and costs incurred in providing such assistance at then-current rates. Such fees and costs will be billed as a separate task and will be in addition to the maximum or total fees and costs stated in the agreement to which this scope of work is attached.





Stilson Sidewalk

Council Packet March 15, 2022

Job Number:	22-040	Prepared By:	Kai Pope, EIT
Date:	2/16/2022	Checked By:	Robert Dahn, PE

Task #	Base Tasks	Senior Project Manager	Engineer	Engineering Designer	Total Hours	Total Fee	Fee Type
		\$225/hr Hours	\$180/hr Hours	\$165/hr Hours			
001	Project Management	20	6	0	26	\$5,580	Not to Exceed
002	Survey Services					\$12,650	Fixed Fee
003	Geotechnical Services					\$9,410	Fixed Fee
004	Electrical Services					\$4,950	Fixed Fee
005	Preliminary Design	3	26	30	59	\$10,310	Not to Exceed
006	50% Design	13	52	32	97	\$17,570	Not to Exceed
007	Final Design	8	36	22	66	\$11,910	Not to Exceed
008	RRFB/Lighting Design Coordination	6	6	0	12	\$2,430	Not to Exceed
009	Technical Information Report	1	10	4	15	\$2,690	Not to Exceed
010	Unassigned Services Reserve					\$2,500	Not to Exceed
	Expenses					\$500	Not to Exceed
	Total Hours	51	136	88	275		
	Blueline Personnel	\$11,475	\$24,480	\$14,520		\$80,500	

001 Project Management		Senior Project Manager	Engineer	Engineering Designer	Total Hours	
Item #	Description	\$225/hr	\$180/hr	\$165/hr		
		Hours	Hours	Hours		
1	Project Meetings	4	2	0	6	
2	Monthly Invoices / Progress Reports	4	0	0	4	
3	QA / QC	4	2	0	6	
4	General Project and Subconsultant Coordination	8	2	0	10	
	Total Hours	20	6	0	26	
	Total Fee	\$4,500	\$1,080	\$0		\$5,580

002 Survey Services		Total Cost (Per Axis)	Blueline Markup	Total
Item #	Description		10%	
1	Survey and Base Mapping	\$11,500	\$1,150	
	Total Fee	\$11,500	\$1,150	\$12,650

003 Geotechnical Services		Total Cost (Per AESI)	Blueline Markup	Total
Item #	Description		10%	
1	Infiltration Evaluation	\$8,550	\$855	
	Total Fee	\$8,550	\$855	\$9,410

004 Electrical Services		Total Cost (Per PH Consulting)	Blueline Markup	Total
Item #	Description		10%	
1	Wiring Plan	\$4,500	\$450	
	Total Fee	\$4,500	\$450	\$4,950

005 Preliminary Design		Senior Project Manager	Engineer	Engineering Designer	Total Hours	
Item #	Description	\$225/hr	\$180/hr	\$165/hr		
		Hours	Hours	Hours		
1	Preliminary Design Plans	1	12	30	43	
2	Preliminary Engineer's Estimate	1	12	0	13	
3	Preliminary Design Memo	1	2	0	3	
	Total Hours	3	26	30	59	
	Total Fee	\$675	\$4,680	\$4,950		\$10,310

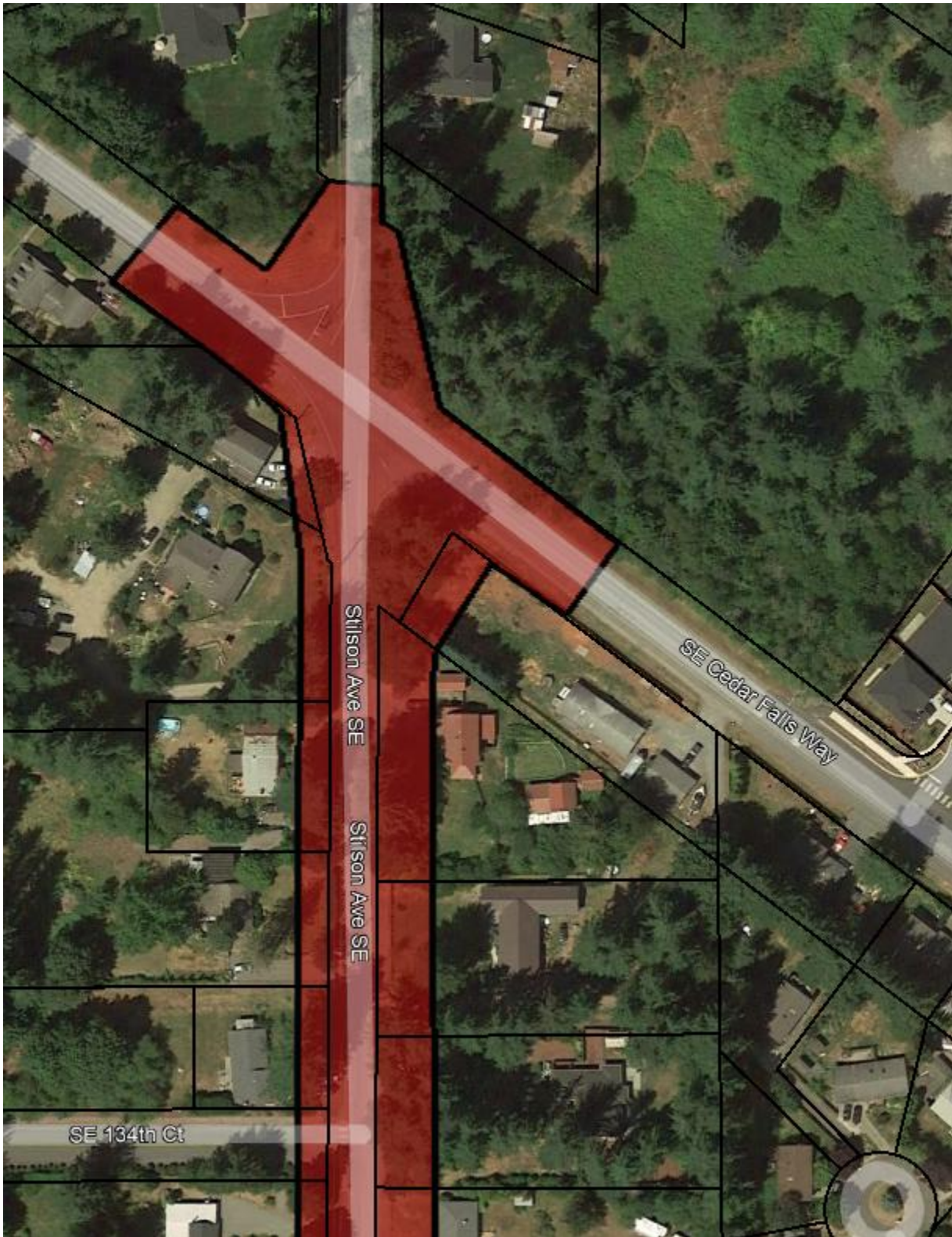
006 50% Design		Senior Project Manager	Engineer	Engineering Designer	Total Hours	
Item #	Description	\$225/hr	\$180/hr	\$165/hr		
		Hours	Hours	Hours		
1	Project Walkthrough	4	4	0	8	
2	Review Meeting with City	2	2	0	4	
3	50% Design Plans	4	16	30	50	
4	50% Engineer's Estimate	1	12	2	15	
5	50% Design Specifications	2	16	0	18	
6	50% Design Memo	0	2	0	2	
Total Hours		13	52	32	97	
Total Fee		\$2,925	\$9,360	\$5,280		\$17,570

007 Final Design		Senior Project Manager	Engineer	Engineering Designer	Total Hours	
Item #	Description	\$225/hr	\$180/hr	\$165/hr		
		Hours	Hours	Hours		
1	Review Meeting with City	2	2	0	4	
2	Construction Ready Plans	2	12	20	34	
3	Final Engineer's Estimate	2	10	2	14	
4	Final Design Specifications	2	12	0	14	
Total Hours		8	36	22	66	
Total Fee		\$1,800	\$6,480	\$3,630		\$11,910

008 RRFB/Lighting Design Coordination		Senior Project Manager	Engineer	Engineering Designer	Total Hours	
Item #	Description	\$225/hr	\$180/hr	\$165/hr		
		Hours	Hours	Hours		
1	Coordination with PSE	6	6	0	12	
Total Hours		6	6	0	12	
Total Fee		\$1,350	\$1,080	\$0		\$2,430

009 Technical Information Report		Senior Project Manager	Engineer	Engineering Designer	Total Hours	
Item #	Description	\$225/hr	\$180/hr	\$165/hr		
		Hours	Hours	Hours		
1	General Project / Site Description / Analysis	1	2	0	3	
2	Downstream Analysis (GIS/Streetview Only)	0	2	0	2	
3	Conveyance Sizing	0	2	0	2	
4	Existing and Developed Conditions, Drainage Maps	0	2	2	4	
5	Exhibits (Soils Map, Isopluvials, Special Studies, etc.)	0	2	2	4	
Total Hours		1	10	4	15	
Total Fee		\$225	\$1,800	\$660		\$2,690

010 Unassigned Services Reserve		Total Cost			Total
Item #	Description				
1	Unassigned Services Reserve			\$2,525	
Total Fee				\$2,525	\$2,500





February 15, 2022
Project No. 20220057H001

The Blueline Group
25 Central Way
Kirkland, Washington 98033

Attention: Mr. Robert Dahn

Subject: Scope of Work and Cost Proposal
Subsurface Exploration, Infiltration Testing,
and Infiltration Feasibility Report
Stilson Avenue Sidewalk
Stilson Avenue SE and SE Cedar Falls Way
North Bend, Washington

Dear Mr. Dahn:

This letter provides our proposed scope of work and cost for performing subsurface exploration, infiltration testing, and providing an infiltration feasibility report for the referenced project. This proposal is based on discussions with you, our review of the site sketch you provided, and our experience working in the project vicinity.

SITE AND PROJECT DESCRIPTION

The project site is the section of the Stilson Avenue SE Right-of-Way (ROW) between SE Cedar Falls Way and the private driveway for Opstad Elementary School located in North Bend, Washington. This section of Stilson Avenue SE consists of a two-lane paved road with a widened shoulder along the west side and is roughly 575 feet long. Single-family residential parcels front this section of ROW. The proposed project will consist of constructing a new 5-foot-wide sidewalk along the west side of the ROW. Adjacent to the sidewalk on the interior side, a bioswale will be constructed. We understand the project is pursuing shallow infiltration for the proposed bioswale which will receive surface runoff from the adjacent sidewalk. Currently, the ROW area west of the Stilson Avenue SE pavement generally consists of residential landscape garden areas and maintained lawn areas.

Review of geologic mapping indicates the project site is generally underlain by recent alluvial sediments deposited by the Snoqualmie River system. A narrow band of peat is mapped on the northern portion of the proposed sidewalk, just south of the ROW's intersection with SE Cedar Falls Way. The mapped peat corresponds with an abandoned historic Snoqualmie River meander.

SCOPE OF SERVICES

In accordance with your request, our proposed scope of work consists of completing up to five hand augers along the proposed new sidewalk/bioswale alignment. Subsequent to the completion of our hand augers we will return to the project site to complete a small-scale pilot infiltration test (PIT) and additional exploration pits completed concurrent with our PIT, if necessary. After completion of our fieldwork we will prepare report summarizing our fieldwork, recommendations, and conclusions.

Utility Locating

Before performing any subsurface exploration work, we will make a one-call utility locate request to mark publicly-owned on-site utilities. It should be noted that any privately-owned underground utilities at the site will not be marked by the public locating service. For this reason, we will also hire a private utility locating service to supplement the public locate. Private utility locating services are able to mark electrically conductive utilities, such as power lines, steel water and gas lines, and plastic pipes with clearly visible trace wires.

Utility locators are not able to mark non-conductive utilities, such as plastic water and sewer lines, plastic irrigation and drain pipes, plastic gas lines, fiber optic cables, and concrete drain pipes. The only way to locate non-conductive privately-owned utilities is by the use of accurate and complete as-built drawings. We request that Associated Earth Sciences, Inc. (AESI) be provided with as-built plans or other information regarding existing pipes, underground storage tanks (USTs), and/or vaults. This information will greatly reduce—but not necessarily eliminate—the likelihood of damage. We will not be responsible for damage to buried utilities that are not marked on the ground prior to our work, nor shown on as-built plans provided to us.

In our experience, it can be difficult to locate pits in an active ROW due to the space constraints and general abundance of buried utilities. For this reason, we have included costs to clear our PIT location of utilities by using a vacuum truck for consideration. A “dry” vacuum truck with compressed air tooling is used to excavate near the limits of the proposed PIT down 5 feet or so, to determine if existing utilities are present in the PIT location.

Subsurface Exploration

Subsurface exploration for this study would consist of up to five hand-auger explorations completed along the proposed sidewalk and bioswale alignment. The hand-auger explorations would be completed with hand tools. Subsurface conditions encountered in the hand augers would be observed and logged by an engineering geologist or engineer from our firm. Representative samples of the sediments encountered in our hand-auger explorations will be placed into water-tight bags and returned to our laboratory for further analysis or lab testing, as necessary. The hand-auger locations will be backfilled with the soil prior to leaving the site. The depth of hand-auger explorations is highly dependent on the soils encountered and are not likely to penetrate past gravelly or very dense sediments.

Hand augers are often unable to achieve the required depths for infiltration feasibility. An alternative low-impact exploration method is vacuum-truck assisted hand augers. The vacuum truck can assist with hand augers during the same site visit we will clear utilities at our PIT location. A “dry” vacuum truck with compressed air tooling is used to advance the boring, and then hand-auger tooling can be used to collect samples.

Infiltration Testing and Exploration Pits

One in-situ infiltration test will be completed generally corresponding to the procedure described as a small-scale PIT in the 2016 *King County Surface Water Design Manual* (KCSWDM). The infiltration test will be completed within the footprint of the proposed bioswale. The required duration of the small-scale PIT is 7 hours and includes a 6-hour soaking period followed by a 1-hour test period, after steady-state, relatively constant-head conditions are achieved. Following the test period, the discharge will be discontinued, and the level in the pit will be monitored at timed intervals to determine the falling-head rate. Our cost estimate below includes a line item for a water truck to supply water for the PIT. If a nearby fire hydrant is available to use as a water source in lieu of the water truck, the project would see a cost savings.

Test Location and Depth: Details of the proposed infiltration pond have not been finalized. The infiltration test should be performed at the pond subgrade elevation or lower, depending on subsurface conditions.

Laboratory Testing

Laboratory testing, including grain-size distribution testing, organic content, and cation exchange capacity of samples of the infiltration receptor soils, will be conducted on select samples collected from the exploration and infiltration pits. This scope of work includes testing of up to two samples.

Infiltration Feasibility Report

Upon completion of the exploration and testing program, AESI will prepare a preliminary Subsurface Exploration and Infiltration Feasibility Report describing subsurface conditions, providing a preliminary infiltration design rate for the infiltration facility, and geotechnical recommendations for design and construction of the infiltration facility. Specific items that will be covered in the report will include:

- Project and site description, including site plan showing locations of explorations and infiltration test location;
- Summary of geologic, soil, and groundwater conditions, including interpretive logs of our exploration pits and indications of high groundwater level;
- A summary of mapped and readily available geological data for the site and immediate vicinity;
- Laboratory testing results;

- Infiltration evaluation and a preliminary design infiltration rate for the tested location (if infiltration is feasible) based on infiltration testing, grain-size correlations, site variability, and interpreted depth to groundwater;
- Our opinion regarding the suitability of the proposed location of the infiltration facility;
- Preliminary site preparation recommendations;
- Preliminary infiltration facility recommendations;
- Structural fill recommendations; and
- Recommendations for further study, if required.

Excluded Items

Infiltration studies typically include establishing the depth to groundwater through seasonal high water level monitoring, and possibly groundwater mounding, depending on the depth to groundwater and facility drainage area. We have excluded these items per your request. They may later be required by the City of North Bend depending on the results of our initial study.

Work in the ROW can involve traffic control and coordination with adjacent homeowners. We have not included traffic control. Per your request, we have assumed that ROW temporary permits will be provided to us, if required. We are also assuming that Blueline or the City of North Bend will coordinate with adjacent homeowners regarding access and exploration site work, if necessary.

ESTIMATED COST

Our estimated cost breakdown is based on our understanding of the project, as outlined above, and our experience in the project area. Listed below are our cost estimates for the above scope of work.

Task	Cost	Potential Add-On Costs
Coordination including utility marking, hydrant meter permitting, pickup and dropoff	\$600	
Hand-Auger Explorations, assumes one AESI geologist for a partial day	\$850	
Optional: Vacuum-Truck		\$1,400
Pilot Infiltration Test, one AESI geologist for long field day	\$1,500	
Laboratory Testing, assumes two suites of: grain-size, cation exchange capacity, and organic content tests	\$600	
Subcontracted Excavator (10-hour day)	\$2,000	
Subcontracted Water Truck (if no hydrant available)		\$1,400
Engineering and Report Preparation	\$3,000	
Total	\$8,550	\$2,800

CONDITIONS AND SCHEDULE

All of our work will be billed on a time and materials basis in accordance with our Schedule of Charges and General Conditions, which are attached. We would not complete work beyond our approved scope of work and the above cost estimate without your prior approval. We can provide preliminary verbal recommendations regarding our observations the day after our site work is complete. Our report would be completed approximately 3 weeks after completion of our fieldwork and laboratory testing.


If this agreement meets with your approval, please sign in the space provided below and send one copy, to our Kirkland office address: AESI, 911 5th Avenue, Kirkland, Washington 98033, to serve as formal authorization to proceed.

CLOSURE

We appreciate the opportunity to submit this proposal and hope that it meets your needs. If you have any questions, please do not hesitate to call.


Sincerely,
ASSOCIATED EARTH SCIENCES, INC.
Kirkland, Washington

The undersigned has reviewed and accepts the
attached General Conditions.



Anthony W. Romanick, P.E.
Senior Engineer

Client Date
Authorized Representative Signature



Jennifer H. Saltonstall, L.G., L.Hg.
Principal Geologist/Hydrogeologist

Client (please print name)

Attachments: Schedule of Charges and General Conditions

AESI offers paperless invoicing as an emailed PDF document to your accounts payable department/representative. By providing an email address, you will receive emailed PDF versions of your invoices (no copies will be mailed).

Please provide the appropriate email address here:

**ASSOCIATED EARTH SCIENCES, INC.
SCHEDULE OF CHARGES**

Our compensation will be determined on the basis of time and expenses in accordance with the following schedule unless a lump sum amount is so indicated in the proposal or services agreement. Current rates are as follows:

Personnel Charges - Engineers, Hydrogeologists, Geologists, and Scientists

Sr. Principal.....	\$255.00/hour
Principal.....	\$225.00/hour
Sr. Associate	\$200.00/hour
Associate	\$185.00/hour
Senior	\$170.00/hour
Sr. Project	\$160.00/hour
Project	\$145.00/hour
Sr. Staff	\$125.00/hour
Staff	\$105.00/hour
Legal Testimony (4 hour minimum)	\$400.00/hour

Personnel Charges - Technicians

Sr. Field Technician.....	\$115.00/hour
Sr. Field Technician Overtime	\$140.00/hour
Technician	\$95.00/hour
Technician Overtime.....	\$115.00/hour

Other Personnel and Disbursement Charges

Sr. Geographic Information Services (GIS) Analyst.....	\$145.00/hour
Geographic Information Services (GIS) Analyst	\$110.00/hour
Drafting and Graphics Specialist.....	\$110.00/hour
Project Assistant.....	\$110.00/hour
Technical Editor.....	\$90.00/hour
Administrative Staff.....	\$75.00/hour
Report Processing and Archiving.....	\$10.00/each
Mileage.....	Federal Reimbursable Rate + 15%
Per Diem.....	To be established on a project basis
Subcontractors and Miscellaneous Expenses.....	cost plus 15%
Water Level Data Logger	\$60.00/month
Barometer Data Logger	\$40.00/month
Aerial Drone Equipment (certified drone operator charged separately).....	\$200.00/day
Bank/ACH Services or Fee	\$25.00/unit [check]

Laboratory Charges

Atterberg Limit	\$200.00/test
Consolidation	\$600.00/test
Constant Head Permeability (ASTM D2434-68)	\$450.00/test
Direct Shear	\$400.00/3 point test
Ethylene Glycol Test (3 rock minimum).....	\$200.00
Fractured Face Count (AASHTO T-335)	\$125.00/test
Hydrometer	\$210.00/test
Moisture Content.....	\$25.00/test
Organic Content	\$80.00/test
Percent Passing #200	\$105.00/test
Permeability (Falling Head)	\$250.00/test
Proctor ASTM D-1557 and ASTM D-698.....	\$255.00/test
Sand Equivalent.....	\$125.00/test
Sieve with Wash #200	\$200.00/test
Specific Gravity + #4	\$125.00/test
Specific Gravity - #4	\$150.00/test
Unit Weight	\$80.00/test
Void Ratio.....	\$125.00/test

Other laboratory tests, disbursement charges and equipment rental will be provided on a per job basis.

**ASSOCIATED EARTH SCIENCES, INC.
GENERAL CONDITIONS**

911 - 5th Avenue
Kirkland, Washington 98033
(425) 827-7701

508 S. Second Street, Suite 101
Mount Vernon, Washington 98273
(425) 827-7701

1552 Commerce Street, Suite 102
Tacoma, Washington 98402
(253) 722-2992

Right of Entry

The Client shall provide AESI legal access to and/or obtain permission for AESI to enter on all property, whether or not owned by Client, as necessary for AESI to perform and complete its work. Client is responsible to provide, by map or drawing, a description of the property, its location and the location of any buried utilities or structures, including but not limited to, underground storage tanks. Any damage that results to a buried utility, or to Associated Earth Sciences, Inc. (AESI) or subcontractor equipment, will be the responsibility of the client. Also, any additional charges for exploratory work, due to encountering the utility, will be the responsibility of the client. We will take reasonable precautions to minimize damage from use of equipment, but have not included in our fee the cost for restoration of damage which may result from our operations.

Hazardous Substances & Drill Cuttings

Client warrants that, prior to AESI beginning work, it will provide AESI with all information known, or which reasonably could be known by Client concerning the past or present use of the property and the nature and existence of any hazardous conditions or materials, on, in, under, adjacent to or near the property. When hazardous substances are known, assumed or suspected to exist at a site, AESI is required to take appropriate precautions to protect the health and safety of its personnel, to comply with applicable laws and regulations, and to follow procedures that AESI deems prudent to minimize physical risks to its personnel and the public. Hazardous substances may exist at a site where there is no reason to believe they could or should be present. AESI and Client agree that the discovery of unanticipated hazardous substances constitutes a changed condition mandating a renegotiation of the scope of work or termination of services. AESI and Client also agree that the discovery of unanticipated hazardous substances may make it necessary for AESI to take immediate measures to protect human health and safety, and/or the environment. AESI agrees to notify Client as soon as practically possible should unanticipated hazardous substances or suspected hazardous substances be encountered. Client encourages AESI to take any and all measures that in AESI's professional opinion are justified to preserve and protect the health and safety of AESI's personnel and the public, and/or the environment, and Client agrees to compensate AESI for the additional cost of such work. In addition, Client waives any claim against AESI, and agrees to indemnify, defend and hold AESI harmless from any claim or liability for injury or loss arising from AESI's encountering of unanticipated hazardous substances or suspected hazardous substances. Client also agrees to compensate AESI for work performed in defense of any such claim, with such compensation to be based upon AESI's prevailing fee schedule and expense reimbursement policy.

Client recognizes that, when it is known, assumed or suspected that hazardous substances exist beneath the surface of the project site, certain waste materials, such as drill cuttings and drilling fluids, should be handled as if contaminated. Accordingly, to protect human health and safety as well as the environment, AESI will appropriately contain and label such materials; will promptly inform Client that such containerization and labeling has been performed, and will leave the containers on site for proper, lawful removal, transport and disposal by Client. Client waives any claim against AESI and/or its professional staff, and agrees to defend, indemnify and hold AESI and/or its professional staff harmless from any claim or liability for injury or loss which may arise as a result of the drill cuttings, drilling fluids or other assumed hazardous substances being left on site after their containerization by AESI. Client also agrees to compensate AESI for any time spent and expenses incurred by AESI in defense of any such claim, with such compensation to be based upon AESI's prevailing fee schedule and expense reimbursement policy. AESI will act on behalf of Client to arrange for lawful removal, transport and disposal of hazardous substances and potentially contaminated drill cuttings, drilling fluids and wash water, if Client so requests, and Client agrees to compensate AESI based upon AESI's prevailing fee schedule and expense reimbursement.

Soil, rock, water and/or other samples obtained from the project site are held by AESI for no longer than 30 calendar days after the issuance of any document that includes the data obtained from them, unless other arrangements are mutually agreed upon in writing. Should any of these samples be contaminated by hazardous substances or suspected hazardous substances, it is Client's responsibility to select and arrange for lawful disposal procedures, that is, procedures which encompass removing the contaminated samples from AESI's custody and transporting them to an authorized disposal site. Client is advised that, in all cases, prudence and good judgment should be applied in selecting and arranging for lawful disposal procedures. AESI will act on behalf of Client to arrange for lawful removal, transport and disposal of hazardous substances if Client so requests, and Client agrees to compensate AESI based upon AESI's prevailing fee schedule and expense reimbursement.

Due to the risks to which AESI is exposed, Client agrees to waive any claim against AESI and/or its personnel, and to defend, indemnify and hold AESI and/or its personnel harmless from any claim or liability for injury or loss arising from AESI's containing, labeling, transporting, testing, storing or other handling of contaminated samples. Client also agrees to compensate AESI for any time spent and expenses incurred by AESI in defense of any such claim, with such compensation to be based upon AESI's prevailing fee schedule and expense reimbursement policy.

Aquifer Contamination

Subsurface drilling and sampling may result in unavoidable contamination of certain subsurface areas, as when a probe or boring device moves through a contaminated area, linking it to an aquifer, underground stream, or other hydrous body not previously contaminated and capable of spreading hazardous substances off-site. Because subsurface sampling is a necessary aspect of the work which AESI will perform on Client's behalf, Client waives any claim against AESI and/or its personnel, and agrees to defend, indemnify and hold AESI and/or its personnel harmless from any claim or liability for injury or loss which may arise as a result of alleged cross-contamination caused by drilling or sampling. Client further agrees to compensate AESI for any time spent or expenses incurred by AESI in defense of any such claim, in accordance with AESI's prevailing fee schedule and expense reimbursement policy.

Ownership of Documents

All designs, drawings, specifications, notes, data, sample materials (exclusive of hazardous substances), report reproducibles and other work developed by AESI are instruments of service and as such remain the property of Associated Earth Sciences, Inc.

Third Parties

All services performed by AESI and/or its personnel under this agreement are intended solely for the benefit of the client. Nothing contained herein shall confer any rights upon or create any duties on the part of AESI and/or its personnel toward any person or persons not a party to this agreement including, but not limited to any contractor, subcontractor, supplier, or the agents, officers, employees, insurers, or sureties of any of the above.

AESI shall not be responsible for the means, methods, or procedures of construction, nor for safety on the job site, nor for the contractor's failure to carry out the work in accordance with the contract documents.

Insurance

Associated Earth Sciences, Inc. maintains General Liability Insurance for bodily injury and property damage with an aggregate limit of \$1,000,000 per occurrence and we will furnish certificates of such insurance upon written request. Our liability to the Client for bodily injury or property damage arising out of work performed for the Client for which legal liability may be found to rest upon us, other than for professional errors and omissions, will be limited to our General Liability Insurance coverage. AESI also maintains professional errors and omissions insurance. We will furnish certificates of such insurance upon written request. No provision contained in the agreement between AESI and Client shall be construed to void, vitiate or adversely affect any insurance coverage held by AESI.

Standard of Care

Services performed by AESI under this agreement will be conducted in a manner consistent with that level of care and skill ordinarily exercised by members of the profession currently practicing in the same locality under similar conditions. No other representation, express or implied, and no warranty or guarantee is included or intended in this agreement or in any report, opinion, and document or otherwise.

Limitation of Liability

To the fullest extent permitted by law, the total liability of AESI and its principals, personnel and employees, to Client and anyone claiming by, through or under Client, for any and all claims, losses, costs or damages whatsoever arising out of, resulting from or in any way related to the Project or this Agreement from any cause or causes, including but not limited to the negligence, professional errors or omissions, strict liability, breach of contract or breach of warranty express or implied of AESI or its principals, employees or personnel shall not exceed \$50,000 or the total compensation received by AESI under this Agreement, whichever is less.

The Client further agrees to require the contractor and its subcontractors to execute an identical limitation of AESI's and/or its personnel's liability for damages suffered by the contractor or subcontractors arising from the professional acts, errors, or omissions of AESI and/or its personnel. Increased liability limits may be negotiated upon Client's written request, prior to commencement of services, and upon Client's agreement to pay an additional fee commensurate with the increased risk. Any such increased limit of liability shall be established by written agreement signed by Client and AESI. As used in this section, the term "liability" means liability of any kind, whether in contract, tort, strict liability or otherwise, for any and all injuries, claims, losses, expenses, or damages arising out of or in any way related to services provided by or through AESI.

Waiver of Consequential Damages

Client expressly waives as to AESI all claims for lost profit or any other indirect, incidental or consequential damages of any nature.

Indemnification

Client shall indemnify, defend, and hold AESI and/or its personnel harmless against all claims, damages, losses, and expenses, including but not limited to attorney's fees and court costs arising out of or in any way related to the services provided by or through AESI; provided that such defense and indemnification obligations shall not apply to claims, damages, losses or expenses that arise out of bodily injury to persons or damage to property to the extent caused by AESI's sole negligence; provided further that Client shall indemnify AESI against liability for damages, losses, or expenses arising out of bodily injury to persons or damage to property and caused by or resulting from the concurrent negligence of Client, its agents or employees and AESI, only to the extent of the negligence of parties other than AESI.

CLIENT AND AESI AGREE THAT THE PRECEDING PARAGRAPHS RELATING TO LIMITATIONS OF LIABILITY, WAIVER OF CONSEQUENTIAL DAMAGES AND INDEMNIFICATION WERE MUTUALLY NEGOTIATED AND THAT BUT FOR THE INCLUSION OF THOSE PROVISIONS AESI WOULD NOT HAVE ENTERED INTO THIS AGREEMENT, OR AESI'S COMPENSATION UNDER THIS AGREEMENT WOULD HAVE BEEN HIGHER.

Stability of Slopes

The Client also recognizes that risk is inherent with any site involving slopes and Client agrees to accept full responsibility for these risks. Client states that he understands that the information obtained or recommendations made may help to reduce the Client's risks and that no amount of engineering or geologic analysis can yield a guarantee of stable slopes. Therefore, in cases where there is no fault (i.e. no professional errors, omissions or negligence), Client agrees to hold harmless, defend, and indemnify AESI and/or its professional staff for claims from any source in the event of slope movement and any damage resulting.

Billing

Invoices will be submitted once per month and are payable upon receipt. Interest of 1-1/2% per month (but not exceeding the maximum rate allowable by law) will be added to any account not paid within 30 days.

Termination

In the event that the Client requests termination of the work prior to completion, we reserve the right to complete such analyses and records as required to place our files in order as we consider necessary to protect our professional reputation. At our discretion, a termination charge may also be made to cover our proposal and administrative costs relating to the project.

Integration

These General Conditions along with AESI's proposal letter constitute the agreement between AESI and Client, contain the entire understanding between the parties in connection with the subject matter, and supersede and replace all prior negotiations, agreements or representations, whether oral or written. These General Conditions take priority over any conflicting provisions contained within AESI's proposal. No modifications or changes to the agreement shall be effective or binding unless affirmed in writing by the party sought to be bound by the change or modification.



SUBJECT:		Agenda Date: March 15, 2022		AB22-029	
Motion Authorizing Contract with PH Consulting, LLC for Maloney Grove Avenue – Cedar Falls Way Intersection Improvement Project		Department/Committee/Individual			
		Mayor Rob McFarland			
		City Administrator – David Miller			
		City Attorney – Mike Kenyon/Lisa Marshall			
		City Clerk – Susie Oppedal			
		Comm. & Economic Development – Rebecca Deming			
		Finance – Dawn Masko			
		Public Works – Mark Rigos, P.E.		X	
Cost Impact: \$45,926 NTE					
Fund Source: General Fund: Council Approved \$250k DC for Sidewalk Gaps					
Timeline: Immediate					
Attachments: Exhibit A – PH Scope, Exhibit B – PH Fee, Exhibit C – Axis Scope and Fee					
SUMMARY STATEMENT:					
<p>There are a significant and growing number of pedestrians who use Maloney Grove Avenue (MGA). Immediately south of the Cedar Falls Way (CFW) intersection with MGA, there have been concerns raised by citizens and Council about pedestrian safety. MGA narrows in the northbound direction near the intersection and there is a sidewalk gap on one side of MGA and no sidewalks on the other side of MGA. During the “decision card” process in late 2021, City Council allocated \$250,000 towards sidewalk gap removal projects. In November 2021, City staff brought 4 suggested projects to the Transportation and Public Works Committee (TPW) for review. This project was rated the highest of 4 projects by staff and TPW. TPW requested that staff move forward with the engineering design.</p> <p>This project would extend sidewalk north along the east side of MGA from the fairly recently constructed East Grove subdivision, where the new sidewalk terminates, north to the intersection of CFW. In addition to the sidewalk, the project may include Rectangular Rapid Flashing Beacons (RRFB’s) and crosswalks along the south side of the intersection of MGA and CFW and again across Cedar Falls Way east of the intersection. ADA compliant curb ramps shall also be installed at the intersection.</p> <p>City staff has selected PH Consulting, LLC to provide plans, specs, and estimates (PS&E) for this project. PH Consulting, LLC services shall include topographic survey, right-of-way services, utility coordination, and 30%, 90%, and Final PS&E. Engineering design is scheduled to be completed in July 2022 with construction potentially taking place in 2022, but most likely 2023.</p> <p>Funding for the design portion of this project comes from the \$250,000 general fund allocation that happened during the decision card process in 2021.</p> <p>City staff recommends moving forward with PH Consulting, LLC for the attached work scope and fee.</p>					
APPLICABLE BRAND GUIDELINES: Consistent delivery of quality basic services including transportation and traffic management.					
COMMITTEE REVIEW AND RECOMMENDATION: This item was reviewed by the Transportation and Public Works Committee during their February 22, 2022 meeting and was recommended for approval and placement on the Consent Agenda.					
RECOMMENDED ACTION: MOTION to approve AB22-029, authorizing the Mayor to sign a contract with PH Consulting, LLC for the Maloney Grove					

Avenue – Cedar Fall Way Intersection Improvement Project, in a form and content acceptable to the City Attorney, in an amount not to exceed \$45,926.		
RECORD OF COUNCIL ACTION		
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>
March 15, 2022		

SCOPE OF WORK

Project Name: Maloney Grove / Cedar Falls Way Intersection Improvements
Client: City of North Bend
Date: February 14, 2022

Introduction

PH Consulting (“PH”) will provide professional engineering services for safety improvements at the existing Maloney Grove and Cedar Falls Way Intersection. The PH team’s design phase will include topographic survey and base mapping, determination of right-of-way (“ROW”) and easement/acquisition needs, coordination with the City, coordination with utilities, and preparation of plans, specifications, and estimates (“PS&E”). Supplemental construction support services, including bidding support, construction engineering support, documentation, and inspections services, as well as material testing, may be added after the design phase is complete.

The project area includes the following:

- Extend sidewalk north along the east side of Maloney Grove (125’-150’) to the intersection with Cedar Falls Way, including widening to match the existing improvements to the south.
- Analyze adding sidewalk along the west side of Maloney Grove to fill the sidewalk gap and design if included.
- Add two crosswalks, RRFB’s, crosswalk lighting, and ramps as necessary at the Maloney Grove and Cedar Falls Way intersection.
- Utility coordination for power poles and associated franchise utilities plus storm drainage collection and conveyance.

Task Summary

Task 001	Project Management
Task 002	Survey Services
Task 003	ROW Services
Task 004	Utility Coordination
Task 005	30% Preliminary Design
Task 006	90% Design
Task 007	Final Design
Task 008	Management Reserve
Expenses	

Preliminary Project Schedule

Our Team shall begin work immediately upon receipt of Notice to Proceed and progress according to the attached Project Schedule. Key dates include:

Notice to Proceed ("NTP")	March 2022
Topo Survey	March 2022
30% Preliminary Design Submittal (6-8 weeks after NTP).....	mid May 2022
90% Design Submittal (4-6 weeks after 30% Design Submittal).....	Late June 2022
Final Design Submittal (2-4 weeks after 90% Design Submittal)	Late July 2022
Bidding & Award	August/September 2022

Scope of Work

PH's scope of work for the project is outlined as follows.

Task 001 Project Management

This task is for general project coordination, project monitoring, reporting, monthly invoicing, and meetings on the project, including plan review/discussion meetings, in-house quality assurance. This task also includes coordination with and management of subconsultants.

Anticipated meetings include virtual meetings as needed between the Project Manager and the City with attendance by other team members as necessary.

ASSUMPTIONS & EXCLUSIONS

- Community Outreach/Engagement is not anticipated for this project and is excluded from the scope.

Task 002 Survey Services

This task will be exclusively for Axis Survey and Mapping ("Axis") and any PH coordination time is included in Task 001 above. Axis' scope is included as Exhibit C attached to this proposal.

Task 003 ROW Coordination

This task will be exclusively for Axis to assist with a legal description and exhibit for the property located at 901 SE Cedar Falls Way. The City will coordinate directly with Axis for these services. Axis' scope is included as Exhibit C attached to this proposal.

Task 004 Utility Coordination

This task is for utility coordination with the dry utility purveyors for the power poles located adjacent to the proposed roadway widening. This task may include initial research, contacting the utilities, determining the cost and timing to underground the utilities, and working as the liaison between the utility purveyor and the City based on franchise agreements in place.

Task 005 30% Preliminary Design

Following the Kick-off meeting, the Consultant shall provide a 30% Preliminary Design to include a layout of all project elements included in the plan set. The 30% Preliminary Design submittal will also include a 30% cost estimate. The 30% preliminary level design will also include an anticipated level of effort for completing a sidewalk gap on the west side of Maloney Grove just south of Cedar Falls Way.

ASSUMPTIONS & EXCLUSIONS

- The 30% Preliminary plans will include a cover sheet, general notes and legend, a Temporary Erosion & Sediment Control (TESC) plan sheet with City standard notes and details, plan sheets for the proposed improvements, and City standard details as necessary.
- The 30% Preliminary package will include sidewalk locations, channelization, analysis of RRFB locations, electrical point of connection and layout, and other elements of the work specifically required for the intersection improvements.
- Storm drainage improvements other than collection and conveyance are not anticipated.
- Plans will be prepared using City of North Bend AutoCAD Civil 3D standards.
- The City will compile all city comments into one redline plan set and/or one comprehensive comment excel spreadsheet list and provide to PH for review.

DELIVERABLES

- The 30% Preliminary plans will be provided electronically as PDFs
- The 30% Preliminary estimate will be provided electronically as PDF and in MS Excel.

Task 006 90% Design

After City review of the 30% Preliminary Design, the City and the PH team will meet to discuss the City's review comments, and PH will then proceed with towards 90% Design. The 90% Design stage will each include design plans, specifications, and estimates. The 90% design will include complete design, contract bid documents, specifications, and estimates, with relevant design details incorporated into the plans and specifications.

ASSUMPTIONS & EXCLUSIONS

- Prior to the 90% Design stage, the City will provide the most current version of the front-end contract documents in Word format to PH.
- Specifications will be prepared per WSDOT 2022 Specifications Manual with relevant WSDOT, APWA, Local, and project specific GSP's incorporated as needed.
- The City will compile all city comments into one redline plan set and/or one comprehensive comment excel spreadsheet list and provide to PH for review at each design stage.

DELIVERABLES

- 90% Design plans will be provided electronically as PDFs
- 90% Design specifications will be provided electronically as PDF and in MS Word.
- 90% Design estimates will be provided electronically as PDF and in MS Excel.

Task 007 Final Design

After City review of the 90% Design, the City and the PH team will meet to discuss the City's review comments, and PH will then proceed with towards Final Design. The Final Design package submittal will include complete, bid-ready contract documents, and it is not anticipated that the City will provide review comments at this stage

DELIVERABLES

- Final Design plans will be provided electronically as PDFs
- Final Design specifications will be provided electronically as PDF and in MS Word.
- Final Design estimates will be provided electronically as PDF and in MS Excel.

Task 008 Management Reserve

This task provides for unanticipated services deemed to be necessary during the Project that are not specifically identified in the scope of work tasks defined above. Funds in this task are not to be used unless explicitly authorized by the City. Fee estimate is based on $\pm 5\%$ of authorized Tasks.

Expenses

This task provides for reimbursement associated with mileage, meetings, plots, and site visits throughout the course of the project.

General Assumptions and Notes

- Scope and fees outlined above are based on the following:
 - a. Emails and exhibit from the City in early February 2022.
 - b. Site visit with the City in early February 2022.
- The City will provide available information, including last traffic data collection, construction drawings for the adjacent City Hall and Fire Station, drawings from adjacent private development (as available), and any roadway and utility information.
- The following items are not included in this this scope of work:
 - a. Environmental permitting, structural engineering plans, geotechnical services.
 - b. ROW services beyond legal description and associated exhibit
 - c. Storm drainage detention, water quality, or conveyance design or analysis.
- PH will not pay any agency or easement fees on behalf of the City.
- Fees incurred due to reimbursable expenses such as large format copies (larger than legal size), mileage, and plots will be billed the **Expenses** task.
- Time and expense items are based on our Team's current hourly rates.
- PH reserves the right to move funds between approved Tasks as necessary based on approved scope of work provided the overall budget of Tasks is not exceeded. The City's Project Manager will be notified if funds are shifted.
- If Client requests Team's assistance in complying with any public records request, including without limitation providing copies of documents and communications, Client will pay Team's hourly fees and costs incurred in providing such assistance at then-current rates. Such fees and costs will be billed as a separate task.

Council Packet March 15, 2022
PH Job #221005

Exhibit B - CONSULTANT FEES
Maloney Grove / Cedar Falls Way Intersection Improvements
City of North Bend

PH Consulting Staff Category	Hours	Rate	Cost
Principal	16	\$ 215.00	\$ 3,440.00
Senior Project Manager	50	\$ 205.00	\$ 10,250.00
Senior Traffic Engineer	44	\$ 185.00	\$ 8,140.00
CAD Designer II	58	\$ 135.00	\$ 7,830.00
Associate Engineer	40	\$ 125.00	\$ 5,000.00
Total Hours	208		\$ 34,660.00

Direct Salary Cost **\$ 34,660.00**

Direct Expenses	Unit	Cost	Total
Reproduction Costs			
Full Sized Copies (Bond)	1	\$ -	\$ -
Reprographics	1	\$ -	\$ -
Utility Locator	1	\$ -	\$ -
Title Reports	1	\$ -	\$ -
2022 Mileage Rates	500	\$ 0.585	\$ 292.50

Sub-Total Direct Expenses **\$ 292.50**

Subconsultants	Fee	Markup	Total
Axis Survey & Mapping	\$ 6,800.00	\$ 680.00	\$ 7,480.00
Axis Survey & Mapping	\$ 1,200.00	\$ 120.00	\$ 1,320.00

Sub-Total Subconsultants **\$ 8,800.00**

Sub-Total Project Fee Estimate **\$ 43,752.50**

Management Reserve (~5%) **\$ 2,173.00**

Total Fee **\$ 45,925.50**

Exhibit B - CONSULTANT FEES Council Packet March 15, 2022
Maloney Grove / Cedar Falls Way Intersection Improvements
City of North Bend

Task No.	Task Description	Principal	Senior Project Manager	Senior Traffic Engineer	CAD Designer II	Associate Engineer	Sub-Consultants/ Reserve	Total
	Hourly Rate	\$ 215.00	\$ 205.00	\$ 185.00	\$ 135.00	\$ 125.00		
1.0	PROJECT MANAGEMENT							
1.1	Project Coordination	4	4					8
1.2	Project Monitoring & Invoicing		2					2
1.3	Project Team Meetings		2					2
1.4	Subconsultant Management		2					2
	Task 1.0 Total Hours	4	10	0	0	0		14
	Subtotal Task 1.0	\$ 860.00	\$ 2,050.00	\$ -	\$ -	\$ -	\$ -	\$ 2,910.00
2.0	SURVEY SERVICES							
2.1	Axis Survey & Mapping						\$ 6,800.00	
	Markup (10%)						\$ 680.00	
	Task 2.0 Total Hours	0	0	0	0	0		0
	Subtotal Task 2.0	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 7,480.00	\$ 7,480.00
3.0	ROW SERVICES							
3.1	Axis Survey & Mapping						\$ 1,200.00	
	Markup (10%)						\$ 120.00	
	Task 3.0 Total Hours	0	0	0	0	0		0
	Subtotal Task 3.0	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,320.00	\$ 1,320.00
4.0	UTILITY COORDINATION							
4.1	Utility Company Research & Coordination		4	2				6
4.2	City/Utility Company Meetings		4	2				6
	Task 4.0 Total Hours	0	8	4	0	0		12
	Subtotal Task 4.0	\$ -	\$ 1,640.00	\$ 740.00	\$ -	\$ -	\$ -	\$ 2,380.00
5.0	30% PRELIMINARY DESIGN							
5.1	Plans	4	4	8	24	4		44
5.2	Estimate		2	2	2	2		8
5.3	Layout Analysis	4	4	4				12
	Task 5.0 Total Hours	8	10	14	26	6		64
	Subtotal Task 5.0	\$ 1,720.00	\$ 2,050.00	\$ 2,590.00	\$ 3,510.00	\$ 750.00	\$ -	\$ 10,620.00
6.0	90% DESIGN							
6.1	Plans	2	4	4	20	8		38
6.2	Specifications		2	8		16		26
6.3	Estimate		2	2		2		6
6.4	Project Walk-Through after 30%		4	4		4		12
6.5	City Review & Coordination		2					2
	Task 6.0 Total Hours	2	14	18	20	30		84
	Subtotal Task 6.0	\$ 430.00	\$ 2,870.00	\$ 3,330.00	\$ 2,700.00	\$ 3,750.00	\$ -	\$ 13,080.00
7.0	FINAL DESIGN							
7.1	Plans	2	2	4	12	2		22
7.2	Specifications		1	2		2		5
7.3	Estimate		1	2				3
7.4	City Review & Coordination		4					4
	Task 7.0 Total Hours	2	8	8	12	4		34
	Subtotal Task 7.0	\$ 430.00	\$ 1,640.00	\$ 1,480.00	\$ 1,620.00	\$ 500.00	\$ -	\$ 5,670.00
8.0	MANAGEMENT RESERVE							
8.1	5% of Tasks 1-7						\$ 2,173.00	
	Task 11.0 Total Hours	0	0	0	0	0		\$ -
	Subtotal Task 11.0	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,173.00	\$ 2,173.00
	EXPENSES							
	Mileage						\$ 292.50	\$ 292.50
	PH TOTAL HOURS	16	50	44	58	40		208
	TOTAL ALL TASKS	\$ 3,440.00	\$ 10,250.00	\$ 8,140.00	\$ 7,830.00	\$ 5,000.00	\$ 11,265.50	\$ 45,925.50

Exhibit B - CONSULTANT FEES Council Packet March 15, 2022
Maloney Grove / Cedar Falls Way Intersection Improvements
City of North Bend

PH Consulting LLC Summary of Direct Labor Costs Effective January 1, 2022-December 31, 2022	
Job Classifications	Maximum Billing Rate
Quality Manager	\$ 225.00
Principal	\$ 215.00
Sr Project Manager	\$ 205.00
Project Manager	\$ 195.00
Senior Traffic Engineer	\$ 185.00
Project Engineer	\$ 175.00
Associate Engineer	\$ 125.00
Assistant Transportation Engineer	\$ 120.00
Senior Construction Manager	\$ 145.00
Construction Manager	\$ 125.00
Construction Inspector	\$ 115.00
Engineering Intern II	\$ 65.00
Engineering Intern I	\$ 50.00
CAD Designer III	\$ 145.00
CAD Designer II	\$ 135.00
CAD Designer I	\$ 115.00
CAD Technician II	\$ 95.00
CAD Technician I	\$ 85.00
Marketing Lead	\$ 105.00
Office Administrator	\$ 110.00
Office Assistant	\$ 85.00
Direct non-salary costs will be billed at actual costs. Subconsultants will be marked up 10%. Direct Mileage will be billed at current approved IRS mileage rate.	

EXHIBIT C

AXIS' Maloney Grove Ave – Survey Scope and Fee

Scope of Work

The Project area generally includes mapping for roadway and pedestrian improvements at the following site:

- Mapping of the intersection of Maloney Grove Ave SE and SE Cedar Falls Way and the easterly 30 feet of King County Parcel No. 1023089250. Project limits more specifically defined in the attached Mapping Limits Exhibit.

Task 001– SURVEY & BASE MAPPING.....\$6,800

Axis Survey and Mapping will prepare base mapping for the overlay areas specified in the Project Description above. AutoCAD drawings will be prepared at a scale of 1"=20'. Services will include the following:

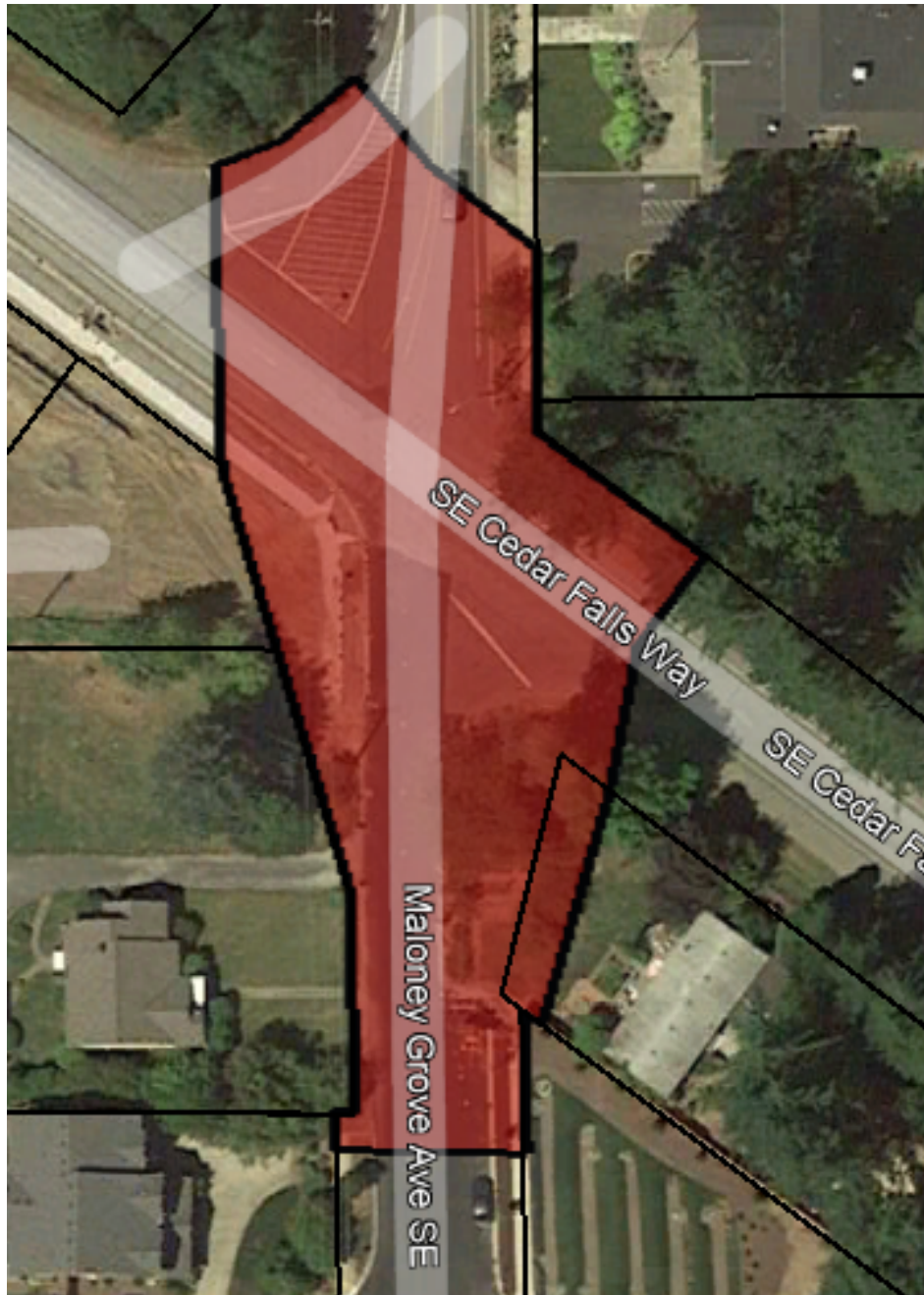
- Control survey in NAD 83/91 Horizontal Datum, with all elevations derived from and checked to NAVD 88 Vertical Datum.
- Delineate parcel lines within above-described area as available from recorded plats and public records further compared to City of North Bend and King County Parcel GIS lines.
- Ground elevations within mapping limits on an approximate 50' grid plus elevations along obvious topographic breaks.
- Show and dimension located topographic features and contours at 2' intervals.
- Location and elevation of the following infrastructure improvements:
 - Asphalt, curbing, sidewalks, and other surface improvements
 - Catch basins, culverts, sewer manholes, fire hydrants and other utilities which are observable from surface exploration
- Set additional elevation benchmarks at each end of project area.
- Depict hard and soft surfaces on individual layers per accepted APWA standards.
- Contract with and coordinate services of private utility locate company APS to ascertain conductible underground utility locations. The cost of this service is included herein (\$500).
- Show known utilities and septic systems as provided by City of North Bend, research of available utility as-built records and as located by utility locators.

Task 002 – LEGAL DESCRIPTION PREPARATION.....\$1,200

Axis Survey and Mapping will prepare Legal Description and Exhibit for a potential acquisition of the easterly portion of 901 SE Cedar Falls Way. Services will include the following:

- Prepare a written legal description of proposed lot line.
- Exhibit preparation.

EXHIBIT C
AXIS' Maloney Grove Ave – Mapping Limits





SUBJECT:		Agenda Date: March 15, 2022		AB22-030
An Ordinance Amending the Floodplain Regulations in NBMC 14.12.120 Concerning Accessory Structures		Department/Committee/Individual		
		Mayor Rob McFarland		
		City Administrator – David Miller		
		City Attorney – Mike Kenyon/Lisa Marshall		
		City Clerk – Susie Oppedal		
		Comm. & Economic Development		
		Finance – Dawn Masko		
		Public Works – Mark Rigos		
Cost Impact: N/A		CED Senior Planner – Mike McCarty		X
Fund Source: N/A				
Timeline: Immediate				
Attachments: Ordinance, Planning Commission Staff Report				
<p>SUMMARY STATEMENT:</p> <p>Amendments are proposed to the Accessories Structures provisions of the Floodplain Management Regulations in North Bend Municipal Code 14.12.120 to increase the permitted size of non-elevated accessory structures from 400 square feet to 600 square feet.</p> <p>Accessory structures, such as detached garages and storage sheds, are considered non-residential structures by FEMA. In the past, accessory structures that met certain criteria, such as having low-damage potential, were able to be wet floodproofed instead of elevated above the base flood elevation. In February 2020, FEMA released a new policy that limited the size of a non-elevated accessory structure to “less than or equal to the size of a two car garage” but did not define the size of a two car garage. The policy requires that accessory structures exceeding that size must either elevate above the base flood elevation or apply for a flood variance from the City.</p> <p>In July 2020, FEMA required the City to update the flood ordinance as part of the flood insurance rate maps update. At the time, there was no further FEMA guidance on accessory structures, but it was known that FEMA approved an ordinance with a 400 square foot size limit so the City included that size into the updated ordinance. In August 2020, FEMA released a guidance document that identified the footprint of a typical two car garage is 600 square feet.</p> <p>Since the time of adoption of the updated floodplain regulations in 2020, the City has found that 400 square feet is very small for a standard two car garage. The City has had two variance applications for two car garages in the last year that exceed 400 square feet in size. These variances add significant regulatory process, costing time for the applicant, as well as for City staff, which needs to get billed to the applicant.</p> <p>The City therefore wishes to increase the size under which a non-elevated accessory structure may be constructed to 600 square feet, which would allow for a more typical two car garage, and avoid the necessity for obtaining a floodplain variance for such structures.</p> <p>The Planning Commission held a public hearing and recommended approval at their January 27, 2022 meeting. Written comment received is provided in the Planning Commission staff report attached to this agenda bill.</p> <p>Staff recommend approval of the amendments.</p>				
<p>APPLICABLE BRAND GUIDELINES: Promoting affordability and consistent delivery of quality basic services by reducing regulatory requirements while remaining consistent with FEMA regulatory guidance.</p>				

COMMITTEE REVIEW AND RECOMMENDATION: The CED Committee reviewed this item at their February 15, 2022 meeting and recommended approval.		
RECOMMENDED ACTION: MOTION to approve AB22-030, an ordinance amending the Floodplain Regulations in NBMC 14.12.120 concerning Accessory Structures, as a first and final reading.		
RECORD OF COUNCIL ACTION		
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>
March 15, 2022		

ORDINANCE

AN ORDINANCE OF THE CITY OF NORTH BEND, WASHINGTON, AMENDING NORTH BEND MUNICIPAL CODE SECTION 14.12.120 TO INCREASE THE PERMITTED SIZE OF ACCESSORY STRUCTURES IN THE FLOODPLAIN FROM 400 SQUARE FEET TO 600 SQUARE FEET; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City of North Bend (“City”) participates in the National Flood Insurance Program (“NFIP”) administered by the Department of Homeland Security’s Federal Emergency Management Agency (“FEMA”) and has adopted North Bend Municipal Code (“NBMC”) Chapter 14.12, Floodplain Management, in compliance with FEMA requirements; and

WHEREAS, to reduce regulatory burdens applicable to permitting non-elevated accessory structures within the floodplain consistent with recently updated FEMA guidance on such structures, the City wishes to amend NBMC Section 14.12.120 to increase the permitted size of such structures from 400 square feet to 600 square feet, hereafter referred to as “the proposed Amendments”; and

WHEREAS, the City submitted the proposed Amendments to the Washington State Department of Commerce for review as required per RCW 36.70A.106 on January 6, 2022; and

WHEREAS, the City issued a State Environmental Policy Act (“SEPA”) Determination of Non-Significance (“DNS”) and Notice of Public Hearing for the proposed Amendments on January 8, 2022; and

WHEREAS, the Planning Commission held a public hearing and reviewed the proposed Amendments at its January 27, 2022 meeting, receiving and considering written comments for such hearing; and

WHEREAS, pursuant to the procedures established in NBMC Chapter 20.08, notice of the public hearing and SEPA DNS was provided by publication of a legal notice in the Snoqualmie Valley Record, posting at the City’s official posting locations, and posting of the hearing, SEPA DNS, and proposed Amendment language on the City’s website; and

WHEREAS, the Planning Commission, on January 27, 2022, recommended approval of the proposed Amendments, as described in the Planning Commission’s Findings, Conclusions and Recommendations staff report, which includes the written comments received; and

WHEREAS, the City Council finds that the proposed Amendments address and are consistent with the requirements of the Growth Management Act and updated FEMA guidance for Accessory Structures; and

WHEREAS, the City Council finds that the City followed the procedural requirements of NBMC Chapter 20.08 to notify and advertise amendments of the Code to the public and interested agencies, and pursuant to this, the Planning Commission and subsequently the City Council considered all written and verbal comments received during their respective processes;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. NBMC Section 14.12.120 (Accessory structures), Amended: North Bend Municipal Code Section 14.12.120 (Accessory structures) is hereby amended to read as follows:

14.12.120 Accessory structures.

This provision applies to accessory structures that are used for parking or limited storage only, such as garages or small storage sheds. Accessory structures that cannot meet the following standards shall be constructed following the requirements of NBMC 14.12.130. The following standards shall apply in the SFHA:

- A. The accessory structure shall not have a floor area greater than 600~~400~~ square feet;
- B. Accessory structures shall be designed to have low flood damage potential and be considered a minimal investment;
- C. Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters;
- D. Accessory structures shall be firmly anchored to prevent flotation, collapse, and lateral movement;
- E. Mechanical and utility equipment shall be floodproofed or elevated above the base flood elevation;
- F. Floodway encroachment standards must be met;
- G. The portions of accessory structures located below the base flood elevation must be constructed of flood-resistant materials; and

H. Accessory structures must be designed to allow for the automatic entry of floodwaters as described in NBMC 14.12.110(D), unless the floor is elevated above the base flood elevation.

Section 2. 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 3. 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 OF THE CITY OF NORTH BEND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 15TH DAY OF MARCH, 2022.

CITY OF NORTH BEND:

APPROVED AS TO FORM:

Rob McFarland, Mayor

Michael R. Kenyon, City Attorney

Published:
Effective:

ATTEST/AUTHENTICATED:

Susie Oppedal, City Clerk



**Staff Report and Planning Commission Recommendation
Amendments to the Accessory Structures provisions of the Floodplain Regulations in
North Bend Municipal Code 14.12.120.**

Date: January 31, 2022

Proponent: City of North Bend

I. Staff Recommendation: A motion to recommend City Council approval of the amendments to NBMC 14.12.120 increasing the size of a permitted non-elevated accessory structure within the floodplain from 400 square feet to 600 square feet.

II. Summary of Proposed Municipal Code Amendments:

Amendments are proposed to the Accessories Structures provisions of the Floodplain Management Regulations in North Bend Municipal Code 14.12.120 to increase the permitted size of non-elevated accessory structures from 400 square feet to 600 square feet.

Accessory structures, such as detached garages and storage sheds, are considered non-residential structures by FEMA. In the past, accessory structures that met certain criteria, such as having low-damage potential, were able to be wet floodproofed instead of elevated above the base flood elevation. In February 2020, FEMA released a new policy that limited the size of a non-elevated accessory structure to “less than or equal to the size of a two car garage” but did not define the size of a two car garage. The policy requires that accessory structures exceeding that size must either elevate above the base flood elevation or apply for a flood variance from the City.

In July 2020, FEMA required the City to update the flood ordinance as part of the flood insurance rate maps update. At the time, there was no further FEMA guidance on accessory structures, but it was known that FEMA approved an ordinance with a 400 square foot size limit so the City included that size into the updated ordinance. In August 2020, FEMA released a guidance document that identified the footprint of a typical two car garage is 600 square feet.

Since the time of adoption of the updated floodplain regulations in 2020, the City has found that 400 square feet is very small for a standard two car garage (it leaves room for two cars only, without sufficient space for additional storage or work area, as is typical within a garage). The City has had two variance applications for two car garages in the last year that exceed 400 square feet in size. These variances add significant regulatory process, costing time for the applicant, as well as for City staff, which needs to get billed to the applicant.

The City therefore wishes to increase the size under which a non-elevated accessory structure may be constructed to 600 square feet, which would allow for a more typical two car garage, and avoid the necessity for obtaining a floodplain variance for such structures. The City has found that allowing accessory structures up to 600 square feet will cover most typical accessory structures constructed within the City.

Within the context of North Bend, where levees provide protection against most flooding events and little flood damage has occurred, increasing the size of permitted non-elevated accessory structures from 400 square feet to 600 square feet is not likely to result in an increase in flood damage claims.

The City has provided the proposed amendments to both FEMA and the Department of Ecology, who is required by RCW to review and approve amendments to local flood ordinances. FEMA and Ecology submitted comments requesting that the amendments limit non-elevated accessory structure size to 600 square feet (staff had earlier proposed an increase to 650 square feet), consistent with the guidance FEMA has prepared.

II. Impacts of Proposed Amendment

NBMC 20.08.070 and .080 requires that applications for municipal code amendments be evaluated for their environmental, economic and cultural impacts, as well as impacts to surrounding properties. These impacts are evaluated below.

- 1) **Environmental Impacts.** No environmental impacts are anticipated from the proposed amendments to the floodplain regulations to allow an increase in detached accessory structures from 400 square feet to 600 square feet. Non-elevated accessory structures must be vented to allow floodwaters to enter, to equalize hydrostatic pressure on the building. They therefore do not displace flood waters during a flood.
- 2) **Economic Impacts.** The amendments have a minor positive economic impact by reducing the regulatory burden for constructing a standard size two-car garage.
- 3) **Cultural Impacts.** No cultural impacts are anticipated from the amendments.
- 4) **Impacts to Surrounding Properties.** No significant impacts to surrounding properties are anticipated from the amendments. A 600 square foot garage is a typical size for a 2-car garage. Other size limitations apply per the City's accessory structure regulations, depending on the size and location of the lot, to keep an accessory structure.

III. Compatibility of Proposed Amendment with North Bend Comprehensive Plan

In accordance with NBMC 20.08.070 and .080, applications for municipal code amendments must be evaluated for compliance with the Comprehensive Plan.

The Comprehensive Plan does not provide any objectives or policies that address the size of accessory structures. Policy CA 4.1 of the Critical Areas Element includes the statement: "Uses permitted in the regulated flood areas shall not change the flood elevation or obstruct or divert the natural flow." As previously stated, non-elevated accessory structures, regardless of size, must be vented to allow floodwaters to enter, and therefore do not change the flood elevation or substantially obstruct or divert the natural flow during a flood.

IV. Compatibility of Proposed Amendment with the North Bend Municipal Code (NBMC)

In accordance with NBMC 20.08.070 and .080, applications for municipal code amendments must be evaluated for compliance with the North Bend Municipal Code. The proposed amendments do not conflict with other provisions of the floodplain regulations or other provisions of the North Bend Municipal Code. Other regulations in NBMC 18.10.045 and 18.10.050 address the construction of accessory structures (both

within and outside of the floodplain), including height and size limitations based on the size and location of the subject lot.

V. Planning Commission Findings and Analysis

Pursuant to NBMC 20.08.100, the Planning Commission shall consider the proposed amendment against the criteria in NBMC 20.08.100 (B). A staff analysis is provided in italics under each criterion below.

1. Is the issue already adequately addressed in the Comprehensive Plan?
The Comprehensive Plan does not specifically address this issue. See Comprehensive Plan analysis above.
2. If the issue is not addressed in the Comprehensive Plan, is there a need for the proposed change?
The amendments are specifically intended to address an unnecessary regulatory burden that has been identified since the time of adoption of the updated floodplain regulations in 2020.
3. Is the proposed change the best means for meeting the identified public need?
The amendments are the best means to address the need, and maintain a size limitation on non-elevated accessory structures required by FEMA, while providing more ability to construct a typical two-car garage.
4. Will the proposed change result in a net benefit to the community?
The proposed regulations will result in a net benefit to the community by reducing unnecessary regulatory process.

VI. Summary Findings:

1. Pursuant to RCW 36.70A.106, the draft amendments were forwarded to Commerce - Growth Management Services on January 6, 2022.
2. The amendments, originally proposed to increase the permitted accessory structure size from 400 square feet to 650 square feet, were provided to the Department of Ecology and FEMA on January 10, 2022. FEMA provided comment, included in Attachment A, that they did not support an increase in permitted accessory structure size beyond the 600 square feet contemplated in their guidance document, and that providing such an amendment may jeopardize the City's participation in the National Flood Insurance Program. Staff accordingly revised the draft amendments to increase the permitted non-elevated accessory structure size from 400 feet to just 600 feet, consistent with the FEMA guidance.
3. A State Environmental Policy Act Determination of Non-significance was issued on the draft amendments on January 8, 2022. The Environmental Checklist and SEPA Determination are on file and available upon request.
4. The Planning Commission reviewed the draft amendments and held a public hearing at their January 27, 2022 Planning Commission. Written comments received ahead of the hearing are included in the attached Exhibit B. No public comment was received at the hearing itself.
5. The proposed amendments are consistent with the procedures established in NBMC 20.08, *Comprehensive Plan and Development Regulations Amendment Procedures*. The Planning Commission finds that the proposed amendments are consistent with the criteria in NBMC 20.08.100(B) and would result in a net benefit to the community.

Staff Recommendation:

Based on the findings above, Staff recommends approval of the draft amendments to the floodplain management regulations in NBMC 14.12.120 addressing accessory residential structures, as provided in the attached Exhibit A.


Mike McCarty, Senior Planner

1/31/2022
Date

Planning Commission Recommendation

Following consideration of the Comprehensive Plan and Development Regulation Amendment process in NBMC 20.08.070 through 20.08.110 and public comment received for and at the public hearing, the Planning Commission recommends approval of the draft amendments to the floodplain management regulations in NBMC 14.12.120 addressing accessory residential structures, as provided in the attached Exhibit A (which increases the size limit for non-elevated accessory structures from 400 square feet to 600 square feet, rather than the increase to 650 square feet as originally proposed and noticed.)


Planning Commission Chair

1/31/2022
Date

Exhibits

Exhibit A – Draft amendments to NBMC 12.14, Floodplain Management
Exhibit B – Written Comments received

14.12.120 Accessory structures.

This provision applies to accessory structures that are used for parking or limited storage only, such as garages or small storage sheds. Accessory structures that cannot meet the following standards shall be constructed following the requirements of NBMC 14.12.130. The following standards shall apply in the SFHA:

- A. The accessory structure shall not have a floor area greater than ~~600~~400 square feet;
- B. Accessory structures shall be designed to have low flood damage potential and be considered a minimal investment;
- C. Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters;
- D. Accessory structures shall be firmly anchored to prevent flotation, collapse, and lateral movement;
- E. Mechanical and utility equipment shall be floodproofed or elevated above the base flood elevation;
- F. Floodway encroachment standards must be met;
- G. The portions of accessory structures located below the base flood elevation must be constructed of flood-resistant materials; and
- H. Accessory structures must be designed to allow for the automatic entry of floodwaters as described in NBMC 14.12.110(D), unless the floor is elevated above the base flood elevation. (Ord. 1726 § 23, 2020; Ord. 1606 § 5 (part), 2016; Ord. 1594 § 1 (part), 2016).

From: [Pilkenton, Roxanne](#)
To: [Christina Wollman](#)
Cc: [Mike McCarty](#); [Harris, Bryr](#)
Subject: RE: Review Requested - North Bend Flood Ordinance Update
Date: Wednesday, January 19, 2022 4:48:58 PM
Attachments: [P-1240 fema agricultural-and-accessory-structures 8132021.pdf](#)

Hi Christina,

I appreciate the email with the explanation you sent on 11 January 2022. I also received the SEPA DNS and Public Hearing Notice for the proposed amendments to the floodplain regulations email that Mike McCarty Sent on 13 January 2022.

FEMA's intent with the guidance allowing 600 feet allows for the storage of two cars, it is not meant to encourage additional areas for storage or work areas. If anything over the 600 square feet as listed in FEMA Floodplain Management Bulletin P-2140 (attached) is permitted it must first go through the community variance process. Even with the context being added that North Bend has levees providing protection, or that "The City has found that allowing accessory structures up to 650 square feet will cover most typical accessory structures constructed within the City", FEMA would not support an ordinance that allowed accessory structures over 600 feet without the benefit of a variance.

It would have been more advantageous for North Bend to wait for a response from FEMA prior to issuing the notice as FEMA does not support the proposed change to 650 square feet for an accessory structure. If this provision is adopted FEMA would find the North Bend floodplain regulations non-complaint which would result from North Bend's immediate suspension from the National Flood Insurance Program.

Please let me know if FEMA is still required to formally submit comments for either the public hearing or the SEPA DNS per the instructions on the notice sent by Mike McCarthy, or if North Bend would like to change the proposed amendment to the 600 square feet that FEMA supports.

Kind regards,
Roxanne

Roxanne Reale-Pilkenton, CFM
Floodplain Management Specialist | Mitigation | Region 10
Office: (425) 487-4654 | Mobile: (425) 892-4036
roxanne.reale-pilkenton@fema.dhs.gov | Preferred pronouns she/her
Preferred pronouns she/her

Federal Emergency Management Agency

[fema.gov](https://www.fema.gov)

From: Christina Wollman <christina.wollman@perteet.com>
Sent: Tuesday, January 11, 2022 3:17 PM
To: Harris, Bryr <bryr.harris@fema.dhs.gov>
Cc: Mike McCarty <MMCCARTY@NORTHBENDWA.GOV>; Pilkenton, Roxanne <roxanne.reale-pilkenton@fema.dhs.gov>
Subject: RE: Review Requested - North Bend Flood Ordinance Update

Thanks Bryr.

Roxanne, please let me know if you have any questions.

Christina Wollman, AICP, CFM
Lead Planner
800.615.9900 | DIR 509.619.7031 | CELL 509.988.0651

From: Harris, Bryr <bryr.harris@fema.dhs.gov>
Sent: Tuesday, January 11, 2022 9:43 PM
To: Christina Wollman <christina.wollman@perteet.com>
Cc: Mike McCarty <MMCCARTY@NORTHBENDWA.GOV>; Pilkenton, Roxanne <roxanne.reale-pilkenton@fema.dhs.gov>
Subject: RE: Review Requested - North Bend Flood Ordinance Update

Good morning Christina,

We've actually had a shift of areas of responsibility and Roxanne Reale-Pilkenton (cc'd) is now our team contact for the support of NFIP communities in Western Washington. I'm her back-up but my focus is now more specifically on Puget Sound ESA-related concerns.

Thank you!

Bryr Harris, CFM | NFIP/ESA Specialist
Floodplain Management and Insurance Branch | Mitigation Division | Region 10
(425) 354-8947 | bryr.harris@fema.dhs.gov (email preferred) | Pronouns: she/her

Federal Emergency Management Agency
[fema.gov](https://www.fema.gov)

From: Christina Wollman <christina.wollman@perteet.com>
Sent: Monday, January 10, 2022 5:40 PM
To: Harris, Bryr <bryr.harris@fema.dhs.gov>
Cc: Mike McCarty <MMCCARTY@NORTHBENDWA.GOV>
Subject: Review Requested - North Bend Flood Ordinance Update

Hi Bryr, (I am assuming you're still the contact for North Bend)

The City of North Bend is proposing a minor change to their flood ordinance. Here is some info about the change, and the revision is at the end of the text. This proposal goes to Planning Commission on January 27th. Please let me know if you have any comments or concerns on this proposal.

Background:

Amendments are proposed to the Accessories Structures provisions of the Floodplain Management Regulations in North Bend Municipal Code 14.12.120 to increase the permitted size of non-elevated accessory structures from 400 square feet to 650 square feet.

Accessory structures, such as detached garages and storage sheds, are considered non-residential structures by FEMA. In the past, accessory structures that met certain criteria, such as having low-damage potential, were able to be wet floodproofed instead of elevated above the base flood elevation. In February 2020, FEMA released a new policy that limited the size of a non-elevated accessory structure to “less than or equal to the size of a two car garage” but did not define the size of a two car garage. The policy requires that accessory structures exceeding that size must either elevate above the base flood elevation or apply for a flood variance from the City.

In July 2020, FEMA required the City to update the flood ordinance as part of the flood insurance rate maps update. At the time, there was no further FEMA guidance on accessory structures, but it was known that FEMA approved an ordinance with a 400 square foot size limit so the City included that size into the updated ordinance. In August 2020, FEMA released a guidance document that identified the footprint of a typical two car garage is 600 square feet.

Since the time of adoption of the updated floodplain regulations in 2020, the City has found that 400 square feet is very small for a standard two car garage (it leaves room for two cars only, without sufficient space for additional storage or work area, as is typical within a garage). The City has had two variance applications for two car garages in the last year that exceed 400 square feet in size. These variances add significant regulatory process, costing time for the applicant, as well as for City staff, which needs to get billed to the applicant.

The City therefore wishes to increase the size under which a non-elevated accessory structure may be constructed to 650 square feet, which would allow for a more typical two car garage, and avoid the necessity for obtaining a floodplain variance for such structures. The City has found that allowing accessory structures up to 650 square feet will cover most typical accessory structures constructed within the City.

Within the context of North Bend, where levees provide protection against most flooding events and little flood damage has occurred, increasing the size of permitted non-elevated accessory structures from 400 square feet to 650 square feet is not likely to result in an increase in flood damage claims.

14.12.120 Accessory structures.

This provision applies to accessory structures that are used for parking or limited storage only, such as garages or small storage sheds. Accessory structures that cannot meet the following standards shall be constructed following the requirements of NBMC 14.12.130. The following standards shall apply in the SFHA:

A. The accessory structure shall not have a floor area greater than ~~400~~650 square feet;

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C. Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters;

- D. Accessory structures shall be firmly anchored to prevent flotation, collapse, and lateral movement;
- E. Mechanical and utility equipment shall be floodproofed or elevated above the base flood elevation;
- F. Floodway encroachment standards must be met;
- G. The portions of accessory structures located below the base flood elevation must be constructed of flood-resistant materials; and
- H. Accessory structures must be designed to allow for the automatic entry of floodwaters as described in NBMC 14.12.110(D), unless the floor is elevated above the base flood elevation.

Christina Wollman, AICP, CFM
Lead Planner

Perteet Inc.
Everett | Seattle | Snoqualmie | Ellensburg | Wenatchee
800.615.9900 | DIR 509.619.7031 | CELL 509.988.0651
christina.wollman@perteet.com

PERTEET.COM
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From: mthomas@bangstick.net
To: [Rebecca Deming](#)
Cc: [Olivia Moe](#); [Gary Towe](#); [Suzan Torguson](#); [Judy Bilanko](#); [James Boevers](#); [Heather Bush](#); [Scott Greenberg](#)
Subject: Comment for 1/27/22 PC Meeting... Amendments to Floodplain Regulations / Re: accessory structures
Date: Thursday, January 20, 2022 2:44:43 PM

Dear Rebecca Deming (cc: Planning Commission Members):

I am concerned about this change as an increase in the size of the structure increases impervious surface area by a significant amount (400 to 650 sqft)... a more than 50% increase plus associated impervious surface area demands, such as walkways around the perimeter of the structure and driveways to the structure (eg from a width appropriate for 2 cars to 3 cars).

How are additional drainage and runoff storage impacts addressed for the increased impervious surface area for larger structures?

North Bend already has difficulty and localized flooding and these changes are in the floodplain no less.

Collectively the impact may be large... this is per structure and multiple structures could exist within any floodplain.

It simply is not about flooding risk TO these larger structures but the flooding risk these larger structures CAUSE.

Smaller structures result in less impervious surface area and more opportunity for rain and runoff to be absorbed by the ground.

I oppose this change.

I do not view the change should be made without understanding how runoff, drainage, and storage for the increased impervious surface area and increased roofing area are addressed.

It would be appreciated if Planning Commissioners would require city staff to explain the impact of increased impervious surface area and any mitigation required as a result of such.

Regards

Michael Thomas
1231 LaForest Drive SE

From: [Radabaugh, David \(ECY\)](#)
To: [Christina Wollman](#)
Cc: [Mike McCarty](#)
Subject: RE: Review Requested - North Bend Flood Ordinance Update
Date: Friday, January 21, 2022 8:39:39 AM

Christina,

Thank you for sending the information about the proposed code change to me. Ecology has no objections to this proposed change allowing for accessory structures up to 650 square feet in size without requiring a variance. Please send me a signed copy of the ordinance when adopted.

David Radabaugh, AICP, CFM
State NFIP Coordinator
Department of Ecology
Northwest Regional Office
P.O. Box 330316
Shoreline, WA 98133-9716
Office: (206) 594-0065
Cell: (425) 417-3777
david.radabaugh@ecy.wa.gov

From: Christina Wollman <christina.wollman@perteet.com>
Sent: Monday, January 10, 2022 5:39 PM
To: Radabaugh, David (ECY) <DRAD461@ECY.WA.GOV>
Cc: Mike McCarty <MMCCARTY@NORTHBENDWA.GOV>
Subject: Review Requested - North Bend Flood Ordinance Update

THIS EMAIL ORIGINATED FROM OUTSIDE THE WASHINGTON STATE EMAIL SYSTEM - Take caution not to open attachments or links unless you know the sender AND were expecting the attachment or the link

Hi Dave,

The City of North Bend is proposing a minor change to their flood ordinance. Here is some info about the change, and the revision is at the end of the text. This proposal goes to Planning Commission on January 27th. Please let me know if you have any comments or concerns on this proposal.

Background:

Amendments are proposed to the Accessories Structures provisions of the Floodplain Management Regulations in North Bend Municipal Code 14.12.120 to increase the permitted size of non-elevated accessory structures from 400 square feet to 650 square feet.

Accessory structures, such as detached garages and storage sheds, are considered non-residential structures

by FEMA. In the past, accessory structures that met certain criteria, such as having low-damage potential, were able to be wet floodproofed instead of elevated above the base flood elevation. In February 2020, FEMA released a new policy that limited the size of a non-elevated accessory structure to “less than or equal to the size of a two car garage” but did not define the size of a two car garage. The policy requires that accessory structures exceeding that size must either elevate above the base flood elevation or apply for a flood variance from the City.

In July 2020, FEMA required the City to update the flood ordinance as part of the flood insurance rate maps update. At the time, there was no further FEMA guidance on accessory structures, but it was known that FEMA approved an ordinance with a 400 square foot size limit so the City included that size into the updated ordinance. In August 2020, FEMA released a guidance document that identified the footprint of a typical two car garage is 600 square feet.

Since the time of adoption of the updated floodplain regulations in 2020, the City has found that 400 square feet is very small for a standard two car garage (it leaves room for two cars only, without sufficient space for additional storage or work area, as is typical within a garage). The City has had two variance applications for two car garages in the last year that exceed 400 square feet in size. These variances add significant regulatory process, costing time for the applicant, as well as for City staff, which needs to get billed to the applicant.

The City therefore wishes to increase the size under which a non-elevated accessory structure may be constructed to 650 square feet, which would allow for a more typical two car garage, and avoid the necessity for obtaining a floodplain variance for such structures. The City has found that allowing accessory structures up to 650 square feet will cover most typical accessory structures constructed within the City.

Within the context of North Bend, where levees provide protection against most flooding events and little flood damage has occurred, increasing the size of permitted non-elevated accessory structures from 400 square feet to 650 square feet is not likely to result in an increase in flood damage claims.

14.12.120 Accessory structures.

This provision applies to accessory structures that are used for parking or limited storage only, such as garages or small storage sheds. Accessory structures that cannot meet the following standards shall be constructed following the requirements of NBMC 14.12.130. The following standards shall apply in the SFHA:

- A. The accessory structure shall not have a floor area greater than ~~400~~650 square feet;
- B. Accessory structures shall be designed to have low flood damage potential and be considered a minimal investment;
- C. Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters;
- D. Accessory structures shall be firmly anchored to prevent flotation, collapse, and lateral movement;
- E. Mechanical and utility equipment shall be floodproofed or elevated above the base flood elevation;
- F. Floodway encroachment standards must be met;
- G. The portions of accessory structures located below the base flood elevation must be constructed of flood-resistant materials; and
- H. Accessory structures must be designed to allow for the automatic entry of floodwaters as described in NBMC 14.12.110(D), unless the floor is elevated above the base flood elevation.

Christina Wollman, AICP, CFM

Lead Planner

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From: [Radabaugh, David \(ECY\)](#)
To: [Mike McCarty](#)
Subject: RE: Review Requested - North Bend Flood Ordinance Update
Date: Monday, January 24, 2022 6:47:54 AM

Mike,

The city should go with a maximum size of 600 square feet for wet flood proofed accessory structures without a variance.

David Radabaugh, AICP, CFM
State NFIP Coordinator
Department of Ecology
Northwest Regional Office
P.O. Box 330316
Shoreline, WA 98133-9716
Office: (206) 594-0065
Cell: (425) 417-3777
david.radabaugh@ecy.wa.gov

From: Mike McCarty <MMCCARTY@NORTHBENDWA.GOV>
Sent: Friday, January 21, 2022 9:00 AM
To: Planning Commission <PlanningCommission@northbendwa.gov>
Cc: Pilkenton, Roxanne <roxanne.reale-pilkenton@fema.dhs.gov>; Harris, Bryr <bryr.harris@fema.dhs.gov>; Christina Wollman <christina.wollman@perteet.com>; Radabaugh, David (ECY) <DRAD461@ECY.WA.GOV>; Rebecca Deming <RDeming@northbendwa.gov>
Subject: FW: Review Requested - North Bend Flood Ordinance Update

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Planning Commission,
Consistent with the below comment from FEMA, staff are recommending that we revise the amendment to the floodplain accessory structure from 650 square feet to 600 square feet. Please see the attached revised recommendation and Planning Commission staff report, which we can discuss at your January 27 meeting.

I have also attached the three comment letters we have received today on the amendments, and will provide you any additional received prior to the hearing, as they come.

Sincerely,

Mike

Mike McCarty, AICP
Senior Planner
City of North Bend Community and Economic Development
920 SE Cedar Falls Way
North Bend, WA 98045
(425) 888-7649



From: Pilkenton, Roxanne <roxanne.reale-pilkenton@fema.dhs.gov>
Sent: Wednesday, January 19, 2022 4:49 PM
To: Christina Wollman <christina.wollman@perteet.com>
Cc: Mike McCarty <MMCCARTY@NORTHBENDWA.GOV>; Harris, Bryr <bryr.harris@fema.dhs.gov>
Subject: RE: Review Requested - North Bend Flood Ordinance Update

Hi Christina,

I appreciate the email with the explanation you sent on 11 January 2022. I also received the SEPA DNS and Public Hearing Notice for the proposed amendments to the floodplain regulations email that Mike McCarty Sent on 13 January 2022.

FEMA's intent with the guidance allowing 600 feet allows for the storage of two cars, it is not meant to encourage additional areas for storage or work areas. If anything over the 600 square feet as listed in FEMA Floodplain Management Bulletin P-2140 (attached) is permitted it must first go through the community variance process. Even with the context being added that North Bend has levees providing protection, or that "The City has found that allowing accessory structures up to 650 square feet will cover most typical accessory structures constructed within the City", FEMA would not support an ordinance that allowed accessory structures over 600 feet without the benefit of a variance.

It would have been more advantageous for North Bend to wait for a response from FEMA prior to issuing the notice as FEMA does not support the proposed change to 650 square feet for an accessory structure. If this provision is adopted FEMA would find the North Bend floodplain regulations non-complaint which would result from North Bend's immediate suspension from the National Flood Insurance Program.

Please let me know if FEMA is still required to formally submit comments for either the public hearing or the SEPA DNS per the instructions on the notice sent by Mike McCarthy, or if North

Bend would like to change the proposed amendment to the 600 square feet that FEMA supports.

Kind regards,
Roxanne

Roxanne Reale-Pilkenton, CFM
Floodplain Management Specialist | Mitigation | Region 10
Office: (425) 487-4654 | Mobile: (425) 892-4036
roxanne.reale-pilkenton@fema.dhs.gov | Preferred pronouns she/her
Preferred pronouns she/her

Federal Emergency Management Agency
[fema.gov](https://www.fema.gov)

From: Christina Wollman <christina.wollman@perteet.com>
Sent: Tuesday, January 11, 2022 3:17 PM
To: Harris, Bryr <bryr.harris@fema.dhs.gov>
Cc: Mike McCarty <MMCCARTY@NORTHBENDWA.GOV>; Pilkenton, Roxanne <roxanne.reale-pilkenton@fema.dhs.gov>
Subject: RE: Review Requested - North Bend Flood Ordinance Update

Thanks Bryr.

Roxanne, please let me know if you have any questions.

Christina Wollman, AICP, CFM
Lead Planner
800.615.9900 | DIR 509.619.7031 | CELL 509.988.0651

From: Harris, Bryr <bryr.harris@fema.dhs.gov>
Sent: Tuesday, January 11, 2022 9:43 PM
To: Christina Wollman <christina.wollman@perteet.com>
Cc: Mike McCarty <MMCCARTY@NORTHBENDWA.GOV>; Pilkenton, Roxanne <roxanne.reale-pilkenton@fema.dhs.gov>
Subject: RE: Review Requested - North Bend Flood Ordinance Update

Good morning Christina,

We've actually had a shift of areas of responsibility and Roxanne Reale-Pilkenton (cc'd) is now our team contact for the support of NFIP communities in Western Washington. I'm her back-up but my focus is now more specifically on Puget Sound ESA-related concerns.

Thank you!

Bryr Harris, CFM | NFIP/ESA Specialist
Floodplain Management and Insurance Branch | Mitigation Division | Region 10
(425) 354-8947 | bryr.harris@fema.dhs.gov (email preferred) | Pronouns: she/her

Federal Emergency Management Agency
[fema.gov](https://www.fema.gov)

From: Christina Wollman <christina.wollman@perteet.com>
Sent: Monday, January 10, 2022 5:40 PM
To: Harris, Bryr <bryr.harris@fema.dhs.gov>
Cc: Mike McCarty <MMCCARTY@NORTHBENDWA.GOV>
Subject: Review Requested - North Bend Flood Ordinance Update

Hi Bryr, (I am assuming you're still the contact for North Bend)

The City of North Bend is proposing a minor change to their flood ordinance. Here is some info about the change, and the revision is at the end of the text. This proposal goes to Planning Commission on January 27th. Please let me know if you have any comments or concerns on this proposal.

Background:

Amendments are proposed to the Accessories Structures provisions of the Floodplain Management Regulations in North Bend Municipal Code 14.12.120 to increase the permitted size of non-elevated accessory structures from 400 square feet to 650 square feet.

Accessory structures, such as detached garages and storage sheds, are considered non-residential structures by FEMA. In the past, accessory structures that met certain criteria, such as having low-damage potential, were able to be wet floodproofed instead of elevated above the base flood elevation. In February 2020, FEMA released a new policy that limited the size of a non-elevated accessory structure to "less than or equal to the size of a two car garage" but did not define the size of a two car garage. The policy requires that accessory structures exceeding that size must either elevate above the base flood elevation or apply for a flood variance from the City.

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