



PLEASE NOTE: This meeting will be held at City Hall, 920 SE Cedar Falls Way, North Bend, WA. Members of the public may choose to attend in person or by teleconference. As the in-person/teleconference hybrid meeting option is new technology to City Staff it is strongly encouraged that members of the public that are attending by teleconference provide comments in advance of the meeting. Please 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, November 1, 2022 so a copy can be provided to the City Council prior to the meeting.

Members of the public that wish to attend by teleconference may do so by using the Zoom Meetings platform. Instructions on how to access the meeting and provide public comment are available at the following link: [November 1, 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: 854 6387 2273

Password: 759238

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

CITY COUNCIL MEETING

November 1, 2022 – Agenda

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

7:00 P.M. – CALL TO ORDER, ROLL CALL, FLAG SALUTE

CONSENT AGENDA:

		Pg.#
1) Minutes	Council Workstudy of September 27, 2022, City Council Meeting of October 4, 2022 & Special Council Workstudy of November 11, 2022	1
2) Payroll	October 5, 2022 – 28548 through 28553, in the amount of \$305,708.46	
	October 20, 2022 – 28554 through 28559, in the amount of \$251,804.48	
3) Checks	October 18, 2022 – 73055 through 73114, in the amount of \$1,435,733.58	
	November 1, 2022 – 73115 through 73185, in the amount of \$2,002,416.78	
4) AB22-123	Resolution – Accepting Train Depot Rehabilitation Project	Mr. Rigos 9
5) AB22-124	Resolution – Accepting NE 6 th Street AC Watermain Replacement Project	Mr. Rigos 13
6) AB22-125	Resolution – Accepting Ribary Creek Maintenance Project	Mr. Rigos 17
7) AB22-126	Resolution – Accepting SW 10 th Street Culvert Maintenance Project	Mr. Rigos 21
8) AB22-127	Resolution – Accepting NB Way Guardrail Replacement Project	Mr. Rigos 25
9) AB22-128	Motion – Authorizing Contract with NB Downtown Foundation	Ms. Deming 29
10) AB22-129	Resolution – Accepting KC Grant for SF Levee Setback Project	Mr. Rigos 37
11) AB22-130	Resolution – Accepting Federal RTCC Grant for SF Extension Project	Mr. Rigos 41



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

ANNOUNCEMENTS, PRESENTATIONS, APPOINTMENTS:

12) Presentation Snoqualmie Valley Shelter Services Mayor McFarland

INTRODUCTIONS:

13) AB22-131 **Public Hearing**, Ordinance – Adopting 2023 Property Tax Levy Mr. Gould 65
14) AB22-132 **Public Hearing Only**, Proposed 2023-2024 Biennial Budget Mr. Gould 85

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 WORKSTUDY NOTES
September 27, 2022

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

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

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

Staff Present: Mayor Rob McFarland, City Administrator David Miller, Deputy City Administrator/Public Works Director Mark Rigos, Community & Economic Development Director Rebecca Deming, Police Captain Brian Lynch, Communications Manager Bre Keveren and City Clerk Susie Oppedal.

Guests Present: Jason Morado, ETC Institute

Needle Exchange Ordinance

Councilmember Koellen provided a background on the proposed ordinance related to needle exchange programs in the City. She noted the options moving forward included considering an ordinance that bans needles exchange programs in the City or one that establishes criteria for allowing needle exchange programs in the City. She also commented that the Council could choose to not enact any legislation regarding the issue.

Council and staff discussed the following related to the issue: Public Health & Safety Council Committee meetings which addressed the program, King County Board of Health input, health and safety concerns, liability issues, locations/zoning for program, how program is enforced and associated cost for enforcement, educational materials for users of program, benefit and drawback of mobile program, current medical facilities or emergency service providers that provide similar services and lack of community support for the program.

Community member Jay Taylor commented on his mobile needle exchange program and the concerns raised by the City Council.

After discussion, Council expressed interest in the issue being investigated by the Community & Economic Development Committee or Planning Commission relative to zoning of the potential use.

Legislative Agenda for State Legislature

City Administrator Miller reviewed the City's Washington State Legislative Priorities Agenda which included water (Foster vs. City of Yelm and City/water system assumption statute), housing priorities (affordable housing grants, impact fees, condo liability laws),

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housing density mandates (Growth Management Act), infrastructure funding, police pursuits and judicial enforcement of law violators. He noted that several local municipalities also had similar legislative priorities and asked for Council input.

Councilmembers requested the following items be considered for legislative priorities: Eastside Fire & Rescue's priorities which included wildland/wildfire policy, regionalization, Chemical Action Plan Committee (PFAS), behavioral/mental health and funding of issues by property taxes and levies.

Mayor McFarland requested the City Council email City Administrator Miller if they wished to add any additional items for consideration and noted the agenda would be provided to Sound Cities Association, Snoqualmie Valley Government Association, 5th and 12th Legislative District Representatives and Association of Washington Cities.

Community Survey

Community & Economic Development Director Deming requested Council's input on concerns/questions on the proposed Community Survey and noted the goal was to keep the survey to six pages. She introduced Consultant Jason Morado of ETC Institute who discussed the purpose of a community survey and provided a draft of the proposed survey, example surveys from other jurisdictions (satisfaction and priorities) and Council's suggested survey questions.

Council and staff discussed the following: Questions that provide actionable items and answers to current issues, satisfaction vs. comprehensive planning surveys, hybrid surveys (benchmark questions and specific questions), deliverables on consultant contract, statistically valid survey, representative samples, splitting survey into two surveys (long term repeatable "how are we doing" survey and "hot topics of the day" survey), yearly or biennial surveys to establish trends and commitment to funding said surveys, and increased engagement.

Council expressed interest in a hybrid style survey that combined repeatable satisfaction type questions and specific topic questions and was administered on a reoccurring basis. They identified the following areas for specific topic questions: growth, density, height, affordable housing. Council requested reviewing a draft of the survey which incorporated tonight's input at a future workstudy.

Adjournment

The workstudy closed at 8:59 p.m.

ATTEST:

Jonathan Rosen, Mayor Pro Tem

Susie Oppedal, City Clerk

NORTH BEND CITY COUNCIL MINUTES

October 4, 2022

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

CALL TO ORDER, ROLL CALL:

Mayor McFarland called the regular meeting to order at 7:02 p.m.

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

Councilmember Rosen **MOVED**, seconded by Councilmember Elwood to move AB22-121 – Motion Authorizing Contract with Terra Property Analytics from the Consent Agenda to the Main Agenda for discussion. The motion **PASSED** 6-0.

CONSENT AGENDA:

Minutes – Special Council Workstudy of September 20, 2022 & City Council Meeting of September 20, 2022

Payroll – September 20, 2022 – 28542 through 28547, in the amount of **\$249,010.15**

Checks – September 20, 2022 – 72946 through 72956, in the amount of **\$1,056,524.78**
October 4, 2022 – 72957 through 73054, in the amount of **\$681,046.91**

AB22-115 – Motion Authorizing Contract with PH Consulting RE NB Way/Mt Si Road Roundabout

AB22-116 – Motion Authorizing Amendment No. 1 with PH Consulting

AB22-117 – Motion Authorizing Purchase of Radar Board Sign

AB22-118 – Motion Authorizing Purchase of Electric Vehicles

AB22-119 – Motion Authorizing Contracts with Otak, Inc.

AB22-120 – Motion Authorizing CO #1 & #7 with WA State DES for WWTP HPI Phase II Project

Councilmember Rosen **MOVED**, seconded by Councilmember Elwood to approve the consent agenda as amended. The motion **PASSED** 6-0.

CITIZEN'S COMMENTS:

Marcus Morissette, 12629 468th Ave. SE, thanked Council for moving AB22-121 – Motion Authorizing Contract with Terra Property Analytics to the main agenda for discussion. He commented on fiscal responsibility, proposed water infrastructure improvements and proposed purchase of Sallal Water Association.

INTRODUCTIONS:

AB22-122 – Public Hearing, Ordinance 1783 Amending Taxes, Rates & Fees **Audio: 5:26**
Schedule RE School Impact Fees

Community Development Director Deming provided the staff report. Ryan Stokes, Snoqualmie Valley School District Assistant Superintendent, was on hand to answer questions.

Mayor McFarland opened the Public Hearing on an Ordinance Amending Taxes, Rates & Fees Schedule RE School Impact Fees at 7:27 p.m.

The following individual commented on the agenda item:

Michael Thomas, 1231 LaForest Drive SE

Mayor McFarland closed the Public Hearing at 7:30 p.m.

Councilmember Miller **MOVED**, seconded by Councilmember Rosen to approve AB22-122, an ordinance amending the Taxes, Rates, & Fees Schedule relating to School Impact Fees, as a first reading. The motion **PASSED** 4-2 (Elwood, Rosen).

AB22-121 – Motion Authorizing Contract with Terra Property Analytics, LLC **Audio: 31:32**

Deputy City Administrator/Public Works Director Rigos provided the staff report.

The following individuals commented on the agenda item:

Marcus Morissette, 12629 468th Ave. SE

Michael Thomas, 1231 LaForest Drive SE

Councilmember Loudenback **MOVED**, seconded by Councilmember Rosen to approve AB22-121, authorizing the Mayor to sign a Professional Services Agreement with Terra Property Analytics, LLC, in a form and content approved by the City Attorney, in an amount not to exceed \$21,220. The motion **PASSED** 6-0.

MAYOR, COUNCIL, AND ADMINISTRATOR CONCERNS AND INITIATIVES:

Councilmember Koellen encouraged all to get a flu shot and COVID-19 booster shot.

Councilmember Elwood encouraged more debate on water related issues and encouraged citizens to participate at public meetings and provide comments on current issues. Additionally, he expressed concern that school related improvements needed in North

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Bend were being ignored by the Snoqualmie Valley School District Board and encouraged citizens to provide input to the Board.

Councilmember Joselyn noted he had recently received his COVID-19 booster shot at Snoqualmie Valley Hospital and encouraged all to consider getting a booster shot. Additionally, he expressed concern about hospitals being busy due to pent up demand and requested all consider what steps they can take to help minimize impact to the health care system.

Councilmember Loudenback commented on the success of the recent Blues Walk event and noted how wonderful it was to see the community attending the event and supporting local businesses.

Councilmember Miller echoed Councilmember Loudenback's comments and commented on the upcoming Policy Academy graduation event in Burien.

City Administrator Miller commented on the upcoming October 11th Budget Workshop.

Mayor McFarland spoke regarding the following items:

- Yard Waste Recycling Event – October 15th 8:00 a.m. to Noon at Public Works
- Park Street Turn Lane Project in Progress
- Council & Commissioners Public Service
- Citizens Academy – February 2023
- Community Engagement & Upcoming Events Related to Water

EXECUTIVE SESSION:

Mayor McFarland recessed the regular meeting for an Executive Session at 8:16 p.m. to discuss property acquisition, pursuant to RCW42.30.110(1)(b) and potential litigation, pursuant to RCW 42.30.110(1)(i). No action was anticipated as a result of the Executive Session, which was expected to last thirty minutes and videotaping of the meeting ceased.

At 8:46 p.m. it was announced to audience members outside the adjournment room that the Executive Session was expected to last an additional fifteen minutes.

At 9:01 p.m. it was announced to audience members outside the adjournment room that the Executive Session was expected to last an additional ten minutes.

The regular meeting reconvened at 9:11 p.m.

ADJOURNMENT:

Councilmember Joselyn **MOVED** to adjourn, seconded by Councilmember Elwood. The

Council Packet November 1, 2022
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motion **PASSED** 6-0.

The meeting adjourned at 9:11 p.m.

ATTEST:

Rob McFarland, Mayor

Rebecca Deming, Community &
Economic Development Director

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CITY OF NORTH BEND
CITY COUNCIL SPECIAL BUDGET WORKSTUDY NOTES
October 11, 2022
City Hall, 920 SE Cedar Falls Way, North Bend, WA

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

Councilmembers Brenden Elwood, Alan Gothelf, Mark Jocelyn, Heather Koellen, Ross Loudenback, Mary Miller and Jonathan Rosen.

Staff Present: Mayor Rob McFarland, City Administrator David Miller, Deputy City Administrator/Public Works Director Mark Rigos, Finance Director Richard Gould, Community Development Director Rebecca Deming, Police Captain Brian Lynch, Communications Manager Bre Keveren and City Clerk Susie Oppedal.

Overview of 2023 – 2024 Proposed Budget

Finance Director Gould outlined the methodology for budget preparation which included extrapolation of historical data from the past three budgets, predictive data (economic climate/inflation, revenues growth/slowdown) and best practices (conservativism when calculating revenues and expenditures). He noted the following was being reviewed: 2022 budget, revenues and expenditures, department budgets, wages and benefits, utilities funds, interfund transfers and general fund.

Council and staff discussed the following: dedicated funds and fund rollover for Street Overlay Fund, Council input and priorities on budget process, budget reporting expectations, benefit of decision card process related to extra funds, unknown additions to budget, staff wages and benefits, human and community services grant funding requests, previous process at budget workstudies, revenues/expenditures and fund status/anomalies, maintaining reserve fund, one time monies on one time expenses, clean audits/no findings, WWTP HPI Phase 2 projects and potential items for the decision card process.

It was noted that the decision card process would proceed for the upcoming budget and would be considered at the October 25th Budget Workshop after a budget update was provided. Human and Community Services grant requests would also be considered at that time.

Adjournment

The workstudy closed at 8:21 p.m.

ATTEST:

Jonathan Rosen, Mayor Pro Tem
Special Budget Workstudy Notes – October 11, 2022

Susie Oppedal, City Clerk



City Council Agenda Bill

SUBJECT:	Agenda Date: November 1, 2022	AB22-123
Resolution Accepting Train Depot Rehabilitation Project as Complete	Department/Committee/Individual	
	Mayor Rob McFarland	
	City Administrator – David Miller	
	City Attorney – Mike Kenyon/Lisa Marshall	
	City Clerk – Susie Oppedal	
	Administrative Services – Lisa Escobar	
	Comm & Econ Development – Rebecca Deming	
Cost Impact: N/A	Finance – Richard Gould	
Fund Source: N/A	Public Works – Mark Rigos, P.E.	X
Timeline: Immediate		
Attachments: Resolution		
SUMMARY STATEMENT:		
<p>In May of 2022, the City Council approved a contract amount of \$162,410.00 plus sales tax with AMER-X Inc. Roofing (contractor) for the Train Depot Rehabilitation Project at Taylor Park. Work included removal of the existing roof and portions of the underlayment, joists, beams, and fascia. The project also included installation of new seamless gutters and downspouts.</p> <p>There was one deductive change order on the project that removed the permanent fall protection system for future maintenance of the roof. This fall protection system was to be installed by the contractor, but after discussions with the contractor and the City's Building Official it was determined the new standing seam metal roof would be too steep to provide safe access to the fall protection system(s) and therefore this item was deleted from the contract.</p> <p>The final project cost was \$146,768.50 including sales tax after the deductive change order. Work was completed on July 15th, 2022. All necessary documentation has been received by the City and the project is ready for close-out.</p> <p>Retainage cannot be released until the project has been accepted by City Council, all liens have been satisfied, and all taxes have been paid. Upon receipt of all necessary documentation, retainage shall be released.</p>		
APPLICABLE BRAND GUIDELINES: Consistent delivery of quality basic services including transportation and traffic management.		
COMMITTEE REVIEW AND RECOMMENDATION: This item was discussed at the October 25, 2022 Transportation and Public Works Committee meeting and was recommended for approval and placement on the Consent Agenda.		
RECOMMENDED ACTION: MOTION to approve AB22-123, a resolution accepting the Train Depot Rehabilitation Project as complete and authorizing the release of retainage.		
RECORD OF COUNCIL ACTION		
Meeting Date	Action	Vote
November 1, 2022		

RESOLUTION

A RESOLUTION OF THE CITY OF NORTH BEND, WASHINGTON, ACCEPTING THE TRAIN DEPOT REHABILITATION PROJECT AS COMPLETE AND AUTHORIZING THE RELEASE OF RETAINAGE

WHEREAS, City of North Bend (City) staff requested bids for the Train Depot Rehabilitation Project (Project); and

WHEREAS, AMER-X Inc. Roofing submitted the lowest responsive and responsible bid; and

WHEREAS, the Project was awarded to AMER-X Inc. Roofing on May 3, 2022 and the work was completed on July 15th, 2022; and

WHEREAS, the final cost of the project was \$146,768.50 including sales tax; and

WHEREAS, the City must accept projects prior to submitting for releases from the State Department of Revenue, Department of Labor and Industries, and the Employment Security Department for the retainage of the contractors;

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

Section 1. The City of North Bend accepts AMER-X Inc. Roofing work on the Train Depot Rehabilitation Project.

Section 2. The City of North Bend authorizes the release of the retainage on the contract upon receipt of the appropriate clearances from the state.

**PASSED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND,
WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 1ST DAY OF
NOVEMBER, 2022.**

CITY OF NORTH BEND:

Rob McFarland, Mayor

APPROVED AS TO FORM:

Lisa Marshall, City Attorney

ATTEST/AUTHENTICATED:

Effective:
Posted:

Susie Oppedal, City Clerk



City Council Agenda Bill

SUBJECT:	Agenda Date: November 1, 2022	AB22-124
Resolution Accepting NE 6th Street AC Watermain Replacement Project as Complete	Department/Committee/Individual	
Cost Impact: N/A	Mayor Rob McFarland	
Fund Source: N/A	City Administrator – David Miller	
Timeline: Immediate	City Attorney – Mike Kenyon/Lisa Marshall	
	City Clerk – Susie Oppedal	
	Administrative Services – Lisa Escobar	
	Comm & Econ Development – Rebecca Deming	
	Finance – Richard Gould	
	Public Works – Mark Rigos, P.E.	X
Attachments: Resolution		
SUMMARY STATEMENT:		
In April of 2022, the City Council approved a contract amount of \$1,523,384.52 including sales tax with D&G Backhoe, Inc. (contractor) for the NE 6 th Street AC Watermain Replacement Project. Work included replacing approximately 4,000 lineal feet of asbestos concrete (AC) watermain along with replacement of water services, meters, fire hydrants, and air vacs. Work also included improving pavement conditions and several storm drainage collection and conveyance systems. This project is located in the Silver Creek neighborhood.		
There were no change orders on this project and the contractor finished the work scope within the contracted timeline. Final project cost was \$1,457,217.82 including sales tax for Schedules A and B. Construction started on May 2, 2022 and was completed on September 30, 2022. All necessary documentation has been received by the City and the project is ready for close-out.		
Retainage cannot be released until the project has been accepted by City Council, all liens have been satisfied, and all taxes have been paid. Upon receipt of all necessary documentation, retainage shall be released.		
APPLICABLE BRAND GUIDELINES:	Consistent delivery of quality basic services including transportation and traffic management.	
COMMITTEE REVIEW AND RECOMMENDATION:	This item was discussed at the October 25, 2022 Transportation and Public Works Committee meeting and was recommended for approval and placement on the Consent Agenda.	
RECOMMENDED ACTION:	MOTION to approve AB22-124, a resolution accepting the NE 6th Street Watermain Replacement Project as complete and authorizing the release of retainage.	
RECORD OF COUNCIL ACTION		
Meeting Date	Action	Vote
November 1, 2022		

RESOLUTION

A RESOLUTION OF THE CITY OF NORTH BEND, WASHINGTON, ACCEPTING THE NE 6th STREET AC WATERMAIN REPLACEMENT PROJECT AS COMPLETE AND AUTHORIZING THE RELEASE OF RETAINAGE

WHEREAS, City of North Bend (City) staff requested bids for the NE 6th Street AC Watermain Replacement Project (Project); and

WHEREAS, D&G Backhoe, Inc. submitted the lowest responsive and responsible bid; and

WHEREAS, the Project was awarded to D&G Backhoe, Inc. on April 5, 2022; and

WHEREAS, D&G Backhoe, Inc. started the work on May 2, 2022 and completed work on September 30, 2022; and

WHEREAS, the final cost of the project was \$1,457,217.82 including sales tax for Schedules A and B; and

WHEREAS, the City must accept projects prior to submitting for releases from the State Department of Revenue, Department of Labor and Industries, and the Employment Security Department for the retainage of the contractors;

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

Section 1. The City of North Bend accepts D&G Backhoe, Inc work on the NE 6th Street Watermain Replacement Project.

Section 2. The City of North Bend authorizes the release of the retainage on the contract upon receipt of the appropriate clearances from the state.

**PASSED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND,
WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 1ST DAY OF
NOVEMBER, 2022.**

CITY OF NORTH BEND:

APPROVED AS TO FORM:

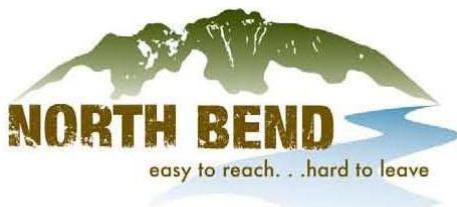
Rob McFarland, Mayor

Lisa Marshall, City Attorney

ATTEST/AUTHENTICATED:

Effective:
Posted:

Susie Oppedal, City Clerk



City Council Agenda Bill

SUBJECT:	Agenda Date: November 1, 2022	AB22-125
Resolution Accepting Ribary Creek Sediment Pond Maintenance Project as Complete	Department/Committee/Individual	
	Mayor Rob McFarland	
	City Administrator – David Miller	
	City Attorney – Mike Kenyon/Lisa Marshall	
	City Clerk – Susie Oppedal	
	Administrative Services – Lisa Escobar	
	Comm & Econ Development – Rebecca Deming	
Cost Impact: N/A	Finance – Richard Gould	
Fund Source: N/A	Public Works – Mark Rigos, P.E.	X
Timeline: Immediate		
Attachments: Resolution		

SUMMARY STATEMENT:

In September of 2022, the City Council approved a contract amount of \$41,958.43 plus sales tax with Fury Site Works, Inc. for the Ribary Creek Sediment Pond Maintenance Project. Work included bypassing the creek around the sediment pond work area (per permitting requirements) and excavation and removal of deposited material within the sediment pond to return the sediment pond back to its designed size with adequate capacity for sediment.

Construction began on September 21, 2022 and was completed on September 28, 2022. Final project cost was \$29,391.40 plus sales tax. All necessary documentation has been received by the City and the project is ready for close-out.

Retainage cannot be released until the project has been accepted by City Council, all liens have been satisfied, and all taxes have been paid. Upon receipt of all necessary documentation, retainage shall be released.

APPLICABLE BRAND GUIDELINES: Consistent delivery of quality basic services including transportation and traffic management.

COMMITTEE REVIEW AND RECOMMENDATION: This item was discussed at the October 25, 2022 Transportation and Public Works Committee meeting and was recommended for approval and placement on the Consent Agenda.

RECOMMENDED ACTION: **MOTION to approve AB22-125, a resolution accepting the Ribary Creek Sediment Pond Maintenance Project as complete and authorizing the release of retainage.**

RECORD OF COUNCIL ACTION

Meeting Date	Action	Vote
November 1, 2022		

RESOLUTION

A RESOLUTION OF THE CITY OF NORTH BEND, WASHINGTON, ACCEPTING THE RIBARY CREEK SEDIMENT POND MAINTENANCE PROJECT AS COMPLETE AND AUTHORIZING THE RELEASE OF RETAINAGE

WHEREAS, City of North Bend (City) staff requested bids for the Ribary Creek Sediment Pond Maintenance Project (Project); and

WHEREAS, Fury Site Works, Inc. submitted the lowest responsive and responsible bid; and

WHEREAS, the Project was awarded to Fury Site Works, Inc. on September 20, 2022; and

WHEREAS, Fury Site Works, Inc. completed work on September 28, 2022; and

WHEREAS, the final cost of the project was \$29,391.40 plus sales tax; and

WHEREAS, the City must accept projects prior to submitting for releases from the State Department of Revenue, Department of Labor and Industries, and the Employment Security Department for the retainage of the contractors;

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

Section 1. The City of North Bend accepts Fury Site Works, Inc. work on the Ribary Creek Sediment Pond Maintenance Project.

Section 2. The City of North Bend authorizes the release of the retainage on the contract upon receipt of the appropriate clearances from the state.

**PASSED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND,
WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 1ST DAY OF
NOVEMBER, 2022.**

CITY OF NORTH BEND:

Rob McFarland, Mayor

APPROVED AS TO FORM:

Lisa Marshall, City Attorney

ATTEST/AUTHENTICATED:

Effective:
Posted:

Susie Oppedal, City Clerk



City Council Agenda Bill

SUBJECT:	Agenda Date: November 1, 2022	AB22-126
Resolution Accepting SW 10th Street Culvert Maintenance Project as Complete	Department/Committee/Individual	
	Mayor Rob McFarland	
	City Administrator – David Miller	
	City Attorney – Mike Kenyon/Lisa Marshall	
	City Clerk – Susie Oppedal	
	Administrative Services – Lisa Escobar	
	Comm & Econ Development – Rebecca Deming	
Cost Impact: N/A	Finance – Richard Gould	
Fund Source: N/A	Public Works – Mark Rigos, P.E.	X
Timeline: Immediate		
Attachments: Resolution		
SUMMARY STATEMENT:		
In September of 2022, the City Council approved a contract amount of \$57,937.94 plus sales tax with Fury Site Works, Inc. (contractor) for the SW 10 th Street Culvert Maintenance Project. Work included excavation and removal of deposited material within a large culvert to restore capacity for fall and winter rains. The location of the project site is near the 710 pump station in the Forester Woods neighborhood.		
Construction began on September 21, 2022 and was completed on September 28, 2022. Final project cost was \$54,514.42 plus sales tax. All necessary documentation has been received by the City and the project is ready for close-out.		
Retainage cannot be released until the project has been accepted by City Council, all liens have been satisfied, and all taxes have been paid. Upon receipt of all necessary documentation, retainage shall be released.		
APPLICABLE BRAND GUIDELINES: Consistent delivery of quality basic services including transportation and traffic management.		
COMMITTEE REVIEW AND RECOMMENDATION: This item was discussed at the October 25, 2022 Transportation and Public Works Committee meeting and was recommended for approval and placement on the Consent Agenda.		
RECOMMENDED ACTION: MOTION to approve AB22-126, a resolution accepting the SW 10th Street Culvert Maintenance Project as complete and authorizing the release of retainage.		
RECORD OF COUNCIL ACTION		
Meeting Date	Action	Vote
November 1, 2022		

RESOLUTION

A RESOLUTION OF THE CITY OF NORTH BEND, WASHINGTON, ACCEPTING THE SW 10TH STREET CULVERT MAINTENANCE PROJECT AS COMPLETE AND AUTHORIZING THE RELEASE OF RETAINAGE

WHEREAS, City of North Bend (City) staff requested bids for the SW 10th Street Culvert Maintenance Project (Project); and

WHEREAS, Fury Site Works, Inc. submitted the lowest responsive and responsible bid; and

WHEREAS, the Project was awarded to Fury Site Works, Inc. on September 20, 2022; and

WHEREAS, Fury Site Works, Inc. completed work on September 28, 2022; and

WHEREAS, the final cost of the project was \$54,514.42 plus sales tax; and

WHEREAS, the City must accept projects prior to submitting for releases from the State Department of Revenue, Department of Labor and Industries, and the Employment Security Department for the retainage of the contractors;

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

Section 1. The City of North Bend accepts Fury Site Works, Inc. work on the SW 10th Street Culvert Maintenance Project.

Section 2. The City of North Bend authorizes the release of the retainage on the contract upon receipt of the appropriate clearances from the state.

**PASSED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND,
WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 1ST DAY OF
NOVEMBER, 2022.**

CITY OF NORTH BEND:

Rob McFarland, Mayor

APPROVED AS TO FORM:

Lisa Marshall, City Attorney

ATTEST/AUTHENTICATED:

Effective:

Posted:

Susie Oppedal, City Clerk



City Council Agenda Bill

SUBJECT:	Agenda Date: November 1, 2022	AB22-127
Resolution Accepting North Bend Way Guardrail Replacement Project as Complete	Department/Committee/Individual	
Cost Impact: N/A	Mayor Rob McFarland	
Fund Source: N/A	City Administrator – David Miller	
Timeline: Immediate	City Attorney – Mike Kenyon/Lisa Marshall	
	City Clerk – Susie Oppedal	
	Administrative Services – Lisa Escobar	
	Comm & Econ Development – Rebecca Deming	
	Finance – Richard Gould	
	Public Works – Mark Rigos, P.E.	X

Attachments: Resolution**SUMMARY STATEMENT:**

In July of 2022, the City Council approved a contract amount of \$15,444.86 plus sales tax with Peterson Brothers Inc. (contractor) for the North Bend Way (NBW) Guardrail Replacement Project. Work included removal of the existing damaged guardrail and installation of new guardrail on the approach to the NBW bridge over Gardiner Creek. The project location is near Tollgate Park.

Work began and was completed the week of August 15, 2022. Final project cost was \$15,444.86 plus sales tax. All necessary documentation has been received by the City and the project is ready for close-out.

Retainage cannot be released until the project has been accepted by City Council, all liens have been satisfied, and all taxes have been paid. Upon receipt of all necessary documentation, retainage shall be released.

APPLICABLE BRAND GUIDELINES: Consistent delivery of quality basic services including transportation and traffic management.

COMMITTEE REVIEW AND RECOMMENDATION: This item was discussed at the October 25, 2022 Transportation and Public Works Committee meeting and was recommended for approval and placement on the Consent Agenda.

RECOMMENDED ACTION: **MOTION to approve AB22-127, a resolution accepting the North Bend Way Guardrail Replacement Project as complete and authorizing the release of retainage.**

RECORD OF COUNCIL ACTION

Meeting Date	Action	Vote
November 1, 2022		

RESOLUTION

A RESOLUTION OF THE CITY OF NORTH BEND, WASHINGTON, ACCEPTING THE NORTH BEND WAY GUARDRAIL REPLACEMENT PROJECT AS COMPLETE AND AUTHORIZING THE RELEASE OF RETAINAGE

WHEREAS, City of North Bend (City) staff requested bids for the North Bend Way Guardrail Replacement Project (Project); and

WHEREAS, Peterson Brothers Inc. submitted the lowest responsive and responsible bid; and

WHEREAS, the Project was awarded to Peterson Brothers Inc. on July 19, 2022; and

WHEREAS, Peterson Brothers Inc. began and completed work on August 15, 2022; and

WHEREAS, the final cost of the project was \$15,444.86 plus sales tax; and

WHEREAS, the City must accept projects prior to submitting for releases from the State Department of Revenue, Department of Labor and Industries, and the Employment Security Department for the retainage of the contractors;

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

Section 1. The City of North Bend accepts Peterson Brothers Inc. work on the North Bend Way Guardrail Replacement Project.

Section 2. The City of North Bend authorizes the release of the retainage on the contract upon receipt of the appropriate clearances from the state.

**PASSED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND,
WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 1ST DAY OF
NOVEMBER, 2022.**

CITY OF NORTH BEND:

APPROVED AS TO FORM:

Rob McFarland, Mayor

Lisa Marshall, City Attorney

ATTEST/AUTHENTICATED:

Effective:

Posted:

Susie Oppedal, City Clerk



City Council Agenda Bill

SUBJECT:	Agenda Date: November 1, 2022	AB22-128
Motion Authorizing a Reimbursement Agreement with North Bend Downtown Foundation	Department/Committee/Individual	
	Mayor Rob McFarland	
	City Administrator – David Miller	
	City Attorney – Mike Kenyon/Lisa Marshall	
	City Clerk – Susie Oppedal	
	Administrative Services – Lisa Escobar	
	Comm. & Economic Development – Rebecca Deming	X
	Finance – Richard Gould	
	Public Works – Mark Rigos	
	Economic Development Manager – Mark Noll	
Attachments: Reimbursement Agreement		

SUMMARY STATEMENT:

The City of North Bend requires a short-term cost reimbursement agreement with North Bend Downtown Foundation (NBDF) to authorize reimbursement of costs, **already allocated in the city budget**, associated with upcoming events in the remainder of 2022. Rather than the City paying for these items directly as has been done in prior years, the City will reimburse the NBDF for these direct costs because they are now serving as the event manager.

Reimbursement limits are as follows:

- Trick or Treat Streets - \$5,500
- Holly Days - \$5,900
- North Bend Way holiday lighting - \$5,000

Staff have worked with the City Attorney to author a cost reimbursement agreement that may be signed by the two parties. A draft of the cost reimbursement agreement is attached to this agenda bill.

APPLICABLE BRAND GUIDELINES: Economic Viability

COMMITTEE REVIEW AND RECOMMENDATION: The Community and Economic Development Committee reviewed this item at their October 18, 2022 meeting and recommended approval and placement on the Consent Agenda.

RECOMMENDED ACTION: **MOTION to approve AB22-128, authorizing the Mayor to sign a cost reimbursement agreement with the North Bend Downtown Foundation relating to costs for 2022 downtown festivals, in an amount not to exceed \$16,400, in a form and content acceptable to the City Attorney.**

RECORD OF COUNCIL ACTION

Meeting Date	Action	Vote
November 1, 2022		

COST REIMBURSEMENT AGREEMENT

This Cost Reimbursement Agreement (“Agreement”) is made this _____ day of _____, 2022, by and between the City of North Bend, Washington, a municipal corporation operating under the laws of the state of Washington (“City”) and North Bend Downtown Foundation, a nonprofit corporation registered with the State of Washington (“NBDF”), for the purposes set forth herein.

RECITALS

WHEREAS, NBDF is willing to fund the community events “Trick or Treat Streets” and “Holly Days” (“Events”), and NBDF will install holiday lighting along North Bend Way (“Lighting”); and

WHEREAS, the Events and Lighting will benefit the City’s residents, businesses, and guests, and therefore the City is willing to reimburse the NBDF for the cost of the Events and Lighting; and

WHEREAS, the amount the City will reimburse the NBDF’s direct costs for Events and Lighting not to exceed sixteen thousand, four hundred dollars (\$16,400);

TERMS

NOW, THEREFORE, in consideration of the following mutual promises and agreements, City and NBDF agree as follows:

NBDF’s Obligations. The NBDF will complete the following tasks:

1. Plan, organize, manage, and fund “Trick or Treat Streets” and “Holly Days” in 2022.
2. Install holiday lighting along North Bend Way.
3. Submit invoices to the City within 30 days of the NBDF’s receipt of the same in amounts not to exceed \$5,500 for “Trick or Treat Streets”; \$5,900 for “Holly Days”; and \$5,000 for Holiday Lighting along North Bend Way.

City’s Obligations. City shall reimburse NBDF for the costs incurred by NBDF in amounts not to exceed the amounts set forth in paragraph 3, above within 30 days of the City’s receipt of the invoices..

4. Term. This Agreement shall be in full force and effect for a period commencing with the full execution of this Agreement and terminating February 28, 2023 unless earlier terminated

in accordance with Section 8 herein or extended by written amendment in accordance with Section 10 herein.

5. Independent Contractor. The City and NBDF agree that NBDF is an independent contractor with respect to the services provided pursuant to this Agreement. Nothing in this Agreement shall be considered to create an employer-employee relationship between the parties hereto. Neither NBDF nor any of NBDF's employees shall be entitled, by virtue of the services provided under this Agreement, to any benefits afforded to City employees. The City shall not be responsible for paying, withholding, or otherwise deducting any customary state or federal payroll deductions, including but not limited to FICA, FUTA, state industrial insurance, state workers' compensation, or for otherwise assuming the duties of an employer with respect to NBDF or NBDF's employees.

6. Indemnification. NBDF shall indemnify, defend, and hold harmless the City, its officers, officials, employees and volunteers from any and all claims, injuries, damages, losses or suits including attorney fees, arising out of or resulting from the acts, errors or omissions of NBDF in performance of this Agreement, except for injuries and damages caused by the sole negligence of the City.

Should a court of competent jurisdiction determine that this Agreement is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the NBDF and the City, its officers, officials, employees, and volunteers, NBDF's liability hereunder—including the duty and cost to defend—shall be only to the extent of the NBDF's negligence. It is further specifically and expressly understood that the indemnification provided herein constitutes the NBDF's waiver of immunity under Industrial Insurance, Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated by the parties. The provisions of this section shall survive the expiration or termination of this Agreement.

7. Audits and Inspections. The records and documents with respect to all matters covered by this Agreement shall be subject at all times to inspection, review, or audit by law during the term of this Agreement. The City shall have the right to conduct an audit of NBDF's financial statement and condition and to a copy of the results of any such audit or other examination performed by or on behalf of NBDF.

8. Termination. This Agreement may be terminated by the City at any time upon thirty (30) days' written notice.

9. Assignment. This Agreement may be assigned only upon prior written consent, which consent shall not be unreasonably withheld, conditioned or delayed.

10. Entire Agreement. This Agreement contains the entire agreement between the parties hereto, and no other agreements, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or bind any of the parties hereto. Either party may request changes to the Agreement. Proposed changes which are mutually agreed upon shall be incorporated by written amendments to this Agreement, signed by both parties.

11. Applicable Law; Venue. This Agreement shall be governed by and construed in accordance with the laws of the State of Washington. In the event any suit, arbitration, or other proceeding is instituted to enforce any term of this Agreement, the parties specifically understand and agree that venue shall be properly and exclusively in King County, Washington. The prevailing party in any such action shall be entitled to its costs of suit, including attorneys' fees and expert witness fees.

DRAFT

12. Severability. If any section, sentence, clause or phrase of this Agreement is held to be invalid or unconstitutional by a court of competent jurisdiction, the portion declared invalid or unconstitutional shall be severed, and the City shall enforce the remaining provisions of this Agreement shall remain in full force.

13. No Joint Venture. Nothing contained in this Agreement shall constitute or be deemed or construed to create a partnership, joint venture or any agency relationship between the City and NBDF.

14. Notices.

Notices to the City of City shall be sent to the following address:

City of North Bend
Attn: Mark Noll
920 SE Cedar Falls Way
North Bend, WA 98045

Notices to NBDF shall be sent to the following address:

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**
**

CITY OF NORTH BEND:

By: _____ Date: _____
Rob McFarland, Mayor

NORTH BEND DOWNTOWN FOUNDATION:

By _____ Date: _____
Its:

Approved As To Form:

Lisa M. Marshall, City Attorney

DRAFT



City Council Agenda Bill

SUBJECT:	Agenda Date: November 1, 2022	AB22-129
Resolution Accepting King County Open Space – River Corridor Grant Funds for Engineering of the South Fork Snoqualmie River Levee Setback Capital Project	Department/Committee/Individual	
Cost Impact: \$0 (No local match required)	Mayor Rob McFarland	
Fund Source:	City Administrator – David Miller	
Timeline: Immediate	City Attorney – Mike Kenyon/Lisa Marshall	
	City Clerk – Susie Oppedal	
	Administrative Services – Lisa Escobar	
	Comm & Econ Development – Rebecca Deming	
	Finance – Richard Gould	
	Public Works – Mark Rigos, P.E.	X

Attachments: Resolution**SUMMARY STATEMENT:**

During 2021, North Bend City staff applied for and were awarded \$800,000 in King County Open Space – River Corridors Grant funds for engineering design of the South Snoqualmie River Levee Setback Capital Project. There is a zero-dollar match requirement for the design of this project, and if circumstances were to result in higher engineering costs, then the match would be covered by using available Transportation Impact Fees (TIF). City staff is confident the \$800,000 will be sufficient for this design contract.

This capital project includes removing the existing left bank levee between Bendigo Blvd and North Bend Way and sets the levee back with the goal to create more flood storage area and decrease flooding when larger storms occur. The City owns the land necessary to accommodate this project.

The City has the South Fork Levee Setback project listed in the City's 2023-2028 6-Year Transportation Improvement Plan (TIP), which was adopted by the City Council in June 2022.

The attached Resolution accepts the grant and authorizes the Mayor to execute the King County Agreement and all other documents necessary to proceed with grant acceptance for the design of the South Fork Snoqualmie River Levee Setback Project.

APPLICABLE BRAND GUIDELINES: Consistent delivery of quality basic services including transportation and traffic management.

COMMITTEE REVIEW AND RECOMMENDATION: This item was discussed at the September 27, 2022, Transportation and Public Works Committee meeting and was recommended for approval and placement on the Consent Agenda.

RECOMMENDED ACTION: **MOTION to approve AB22-129, a resolution accepting the King County Open Space – River Corridor Grant Funds and authorizing the Mayor to execute any necessary agreements related to the project.**

RECORD OF COUNCIL ACTION

Meeting Date	Action	Vote
November 1, 2022		

RESOLUTION

**A RESOLUTION OF THE CITY OF NORTH BEND,
WASHINGTON, ACCEPTING A KING COUNTY OPEN
SPACE – RIVER CORRIDORS GRANT IN THE
AMOUNT OF \$800,000 FOR ENGINEERING OF THE
SOUTH SNOQUALMIE RIVER LEVEE SETBACK
CAPITAL PROJECT**

WHEREAS, in 2021, the City of North Bend applied for and was awarded \$800,000 in King County Open Space – River Corridors Grant (“Grant”) funds for engineering of the South Snoqualmie River Levee Setback Capital Project (“Project”); and

WHEREAS, the Grant does not require a local contribution; and

WHEREAS, the Project will remove the existing left bank levee between Bendigo Blvd. and North Bend Way and set the levee back to create more flood storage area; and

WHEREAS, the Project is listed in the City’s 2023-2028 Six-Year Transportation Improvement Plan, which was adopted by City Council on June 21, 2022; and

WHEREAS, the City Council desires to accept the Grant funds for the Project and authorizes the Mayor to execute the Contract Agreement with King County, and all other documents necessary to proceed with Grant acceptance for the Project;

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

Section 1. The City Council accepts the King County Rivers and Corridors Grant of \$800,000 for engineering of the Project. The City is not required to match the Grant with City funds.

Section 2. The Mayor is authorized to enter into the Contract Agreement with King County attached hereto as Exhibit A, and any other necessary agreements, all in a form and content acceptable to the City Attorney, that are necessary to complete acceptance of the King

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County Rivers and Corridors grant to the City of \$800,000 for the South Snoqualmie River Levee Setback Capital Project.

**PASSED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND,
WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 1ST DAY OF
NOVEMBER, 2022.**

CITY OF NORTH BEND:

Rob McFarland, Mayor

APPROVED AS TO FORM:

Lisa Marshall, City Attorney

ATTEST/AUTHENTICATED:

Effective:

Posted:

Susie Oppedal, City Clerk



City Council Agenda Bill

SUBJECT:	Agenda Date: November 1, 2022	AB22-130
Resolution Accepting Federal Rural Town Center Corridor Program (RTCC) Funds for Preliminary Engineering of the South Fork Avenue Extension Capital Project	Department/Committee/Individual	
Cost Impact: \$157,500 (local match)	Mayor Rob McFarland	
Fund Source: TIF (transportation impact fee)	City Administrator – David Miller	
Timeline: Immediate	City Attorney – Mike Kenyon	
	City Clerk – Susie Oppedal	
	Administrative Services – Lisa Escobar	
	Comm & Econ Development – Rebecca Deming	
	Finance – Richard Gould	
	Public Works – Mark Rigos, P.E.	X
Attachments: Resolution, Obligation Package		

SUMMARY STATEMENT:

During 2021, Public Works Department staff applied for and were awarded \$967,500 in Federal Highway Administration (FHWA) Rural Town Center Corridor (RTCC) funds for preliminary engineering of the South Fork Avenue Extension transportation capital project. The City has a match requirement of \$157,500 from a total preliminary engineering budget of \$1,125,000. The match will be covered using Transportation Impact Fees (TIF), but staff is currently looking into other potential outside funding sources for this local match as well.

This transportation capital project includes the extension / construction of South Fork Avenue SW from the current Nintendo east access gate northwesterly to the intersection with North Bend Way and NW 8th Street where a future five (5)-leg roundabout is being designed. This project includes new sidewalks, native landscaping, full ADA compliance, stormwater infrastructure improvements, new decorative roadway luminaries, pavement markings, and other work as required to complete the project.

The City has the project listed in its 2023-2028 6-Year Transportation Improvement Plan (TIP), which was adopted by City Council in June 2022.

The attached Resolution accepts the grant and authorizes the mayor to execute any and all documents necessary to proceed with grant acceptance for the design of the South Fork Avenue Extension Project.

APPLICABLE BRAND GUIDELINES: Consistent delivery of quality basic services including transportation and traffic management.

COMMITTEE REVIEW AND RECOMMENDATION: This item was discussed at the September 27, 2022, Transportation and Public Works Committee meeting and was recommended for approval and placement on the Consent Agenda.

RECOMMENDED ACTION: **MOTION to approve AB22-130, a resolution accepting Federal RTCC Funds for Preliminary Engineering of the South Fork Avenue Extension Capital Project and authorizing the Mayor or Designee to sign the Local Agency Agreement and Project Prospectus.**

RECORD OF COUNCIL ACTION

Meeting Date	Action	Vote
November 1, 2022		

RESOLUTION

A RESOLUTION OF THE CITY OF NORTH BEND, WASHINGTON, ACCEPTING A RURAL TOWN CENTER CORRIDOR GRANT IN THE AMOUNT OF \$967,500 FOR PRELIMINARY ENGINEERING OF THE SOUTH FORK EXTENSION PROJECT

WHEREAS, in 2020, the City of North Bend applied for and was awarded \$967,500 in Federal Highway Administration Rural Town Center Corridor Grant (“Grant”) funds for preliminary engineering of the South Fork Extension Capital Project (“Project”); and

WHEREAS, the Grant requires a local match of \$157,500, which will be funded by the City with transportation impact fees, for a total preliminary engineering budget of \$1,125,000; and

WHEREAS, the Project includes construction of South Fork Avenue SW from the current Nintendo east access gate westerly to the intersection of North Bend Way and NW 8th Street where a five-leg roundabout will be constructed; and

WHEREAS, the Project will include new sidewalks; landscaping and irrigation; complete Americans with Disabilities Act compliance; stormwater infrastructure improvements; decorative roadway luminaries; pavement markings; and other improvements; and

WHEREAS, the Project is listed in the City’s 2023-2028 Six-Year Transportation Improvement Plan, which was adopted by City Council on June 21, 2022; and

WHEREAS, the City Council desires to accept the Grant and authorizes the Mayor to execute the Local Agency Agreement and the Project Prospectus and all other documents necessary to proceed with obligation of these Grant funds;

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

Section 1. The City Council accepts the Federal Highway Administration Rural Town Center Corridor Grant of \$967,500 for preliminary engineering of the South Fork Extension Project and authorizes a local match of \$157,500 to the Project, to be funded with City transportation impact fees.

Section 2. The Mayor is authorized to enter into the Local Agency Agreement and the Project Prospectus attached hereto as Exhibit A, and any other documents, all in a form and content acceptable to the City Attorney, that are necessary to proceed with obligation of these Grant funds.

**PASSED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND,
WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 1ST DAY OF
NOVEMBER, 2022.**

CITY OF NORTH BEND:

Rob McFarland, Mayor

APPROVED AS TO FORM:

Lisa Marshall, City Attorney

ATTEST/AUTHENTICATED:

Effective:
Posted:

Susie Oppedal, City Clerk

**Washington State
Department of Transportation**

Agency City of North Bend

Address 920 SE Cedar Falls Way
North Bend, WA 98045**Local Agency Agreement****CFDA No. 20.205 - Highway Planning and Construction**
(Catalog of Federal Domestic Assistance)**Project No.****Agreement No.**

For WSDOT Use Only

The Local Agency having complied, or hereby agreeing to comply, with the terms and conditions set forth in (1) Title 23, U.S. Code Highways, (2) the regulations issued pursuant thereto, (3) 2 CFR Part 200, (4) 2 CFR Part 180 – certifying that the local agency is not excluded from receiving Federal funds by a Federal suspension or debarment, (5) the policies and procedures promulgated by the Washington State Department of Transportation, and (6) the federal aid project agreement entered into between the State and Federal Government, relative to the above project, the Washington State Department of Transportation will authorize the Local Agency to proceed on the project by a separate notification. Federal funds which are to be obligated for the project may not exceed the amount shown herein on line r, column 3, without written authority by the State, subject to the approval of the Federal Highway Administration. All project costs not reimbursed by the Federal Government shall be the responsibility of the Local Agency.

Project Description

Name South Fork Extension Bypass

Length 3500

Termini SR202 to W North Bend Way

Description of Work

Construct a 2-lane arterial road extension from South Fork Avenue SW to West North Bend Way. The extension will include a multi-use path on one side and a new roundabout at North Bend Way.

Project Agreement End Date Dec. 31, 2026

Claiming Indirect Cost Rate

 Yes No

Proposed Advertisement Date Nov. 2024

			Estimate of Funding		
			(1) Estimated Total Project Funds	(2) Estimated Agency Funds	(3) Estimated Federal Funds
PE		a. Agency			
86.6	%	b. Other Consultant	1,125,000.00	157,500.00	967,500.00
Federal Aid		c. Other Non participating consult.			
Participation		d. State Services			
Ratio for PE		e. Total PE Cost Estimate (a+b+c+d)	1,125,000.00	157,500.00	967,500.00
Right of Way		f. Agency			
	%	g. Other			
Federal Aid		h. Other			
Participation		i. State Services			
Ratio for RW		j. Total R/W Cost Estimate (f+g+h+i)	0.00	0.00	0.00
Construction		k. Contract	4,348,005.00	591,328.00	3,756,676.00
86.6	%	l. Other Construction Management	652,200.00	88,699.00	563,501.00
Federal Aid		m. Other			
Participation		n. Other			
Ratio for CN		o. Agency			
		p. State Services			
		q. Total CN Cost Estimate (k+l+m+n+o+p)	5,000,205.00	680,027.00	4,320,177.00
		r. Total Project Cost Estimate (e+j+q)	6,125,205.00	837,527.00	5,287,677.00

Agency Official

By

Title

Agency Date

Washington State Department of Transportation

By

Director, Local Programs

Date Executed

Construction Method of Financing (Check Method Selected)

State Ad and Award

Method A - Advance Payment - Agency Share of total construction cost (based on contract award)

Method B - Withhold from gas tax the Agency's share of total construction cost (based on contract award) in the amount of

at \$ per month for months.

Local Force or Local Ad and Award

- ✓ Method C - Agency cost incurred with partial reimbursement

The Local Agency further stipulates that pursuant to said Title 23, regulations and policies and procedures, and as a condition to payment of the federal funds obligated, it accepts and will comply with the applicable provisions set forth below. Adopted by official action on _____, _____, Resolution/Ordinance No. _____.

Provisions

I. Scope of Work

The Agency shall provide all the work, labor, materials, and services necessary to perform the project which is described and set forth in detail in the "Project Description" and "Type of Work".

When the State acts for and on behalf of the Agency, the State shall be deemed an agent of the Agency and shall perform the services described and indicated in "Type of Work" on the face of this agreement, in accordance with plans and specifications as proposed by the Agency and approved by the State and the Federal Highway Administration.

When the State acts for the Agency but is not subject to the right of control by the Agency, the State shall have the right to perform the work subject to the ordinary procedures of the State and Federal Highway Administration.

II. Delegation of Authority

The State is willing to fulfill the responsibilities to the Federal Government by the administration of this project. The Agency agrees that the State shall have the full authority to carry out this administration. The State shall review, process, and approve documents required for federal aid reimbursement in accordance with federal requirements. If the State advertises and awards the contract, the State will further act for the Agency in all matters concerning the project as requested by the Agency. If the Local Agency advertises and awards the project, the State shall review the work to ensure conformity with the approved plans and specifications.

III. Project Administration

Certain types of work and services shall be provided by the State on this project as requested by the Agency and described in the Type of Work above. In addition, the State will furnish qualified personnel for the supervision and inspection of the work in progress. On Local Agency advertised and awarded projects, the supervision and inspection shall be limited to ensuring all work is in conformance with approved plans, specifications, and federal aid requirements. The salary of such engineer or other supervisor and all other salaries and costs incurred by State forces upon the project will be considered a cost thereof. All costs related to this project incurred by employees of the State in the customary manner on highway payrolls and vouchers shall be charged as costs of the project.

IV. Availability of Records

All project records in support of all costs incurred and actual expenditures kept by the Agency are to be maintained in accordance with local government accounting procedures prescribed by the Washington State Auditor's Office, the U.S. Department of Transportation, and the Washington State Department of Transportation. The records shall be open to inspection by the State and Federal Government at all reasonable times and shall be retained and made available for such inspection for a period of not less than three years from the final payment of any federal aid funds to the Agency. Copies of said records shall be furnished to the State and/or Federal Government upon request.

IV. Compliance with Provisions

The Agency shall not incur any federal aid participation costs on any classification of work on this project until authorized in writing by the State for each classification. The classifications of work for projects are:

1. Preliminary engineering.
2. Right of way acquisition.
3. Project construction.

Once written authorization is given, the Agency agrees to show continuous progress through monthly billings. Failure to show continuous progress may result the Agency's project becoming inactive, as described in 23 CFR 630, and subject to de-obligation of federal aid funds and/or agreement closure.

If right of way acquisition, or actual construction of the road for which preliminary engineering is undertaken is not started by the close of the tenth fiscal year following the fiscal year in which preliminary engineering phase was authorized, the Agency will repay to the State the sum or sums of federal funds paid to the Agency under the terms of this agreement (see Section IX).

If actual construction of the road for which right of way has been purchased is not started by the close of the tenth fiscal year following the fiscal year in which the right of way phase was authorized, the Agency will repay to the State the sum or sums of federal

funds paid to the Agency under the terms of this agreement (see Section IX).

The Agency agrees that all stages of construction necessary to provide the initially planned complete facility within the limits of this project will conform to at least the minimum values set by approved statewide design standards applicable to this class of highways, even though such additional work is financed without federal aid participation.

The Agency agrees that on federal aid highway construction projects, the current federal aid regulations which apply to liquidated damages relative to the basis of federal participation in the project cost shall be applicable in the event the contractor fails to complete the contract within the contract time.

VI. Payment and Partial Reimbursement

The total cost of the project, including all review and engineering costs and other expenses of the State, is to be paid by the Agency and by the Federal Government. Federal funding shall be in accordance with the Federal Transportation Act, as amended, 2 CFR Part 200. The State shall not be ultimately responsible for any of the costs of the project. The Agency shall be ultimately responsible for all costs associated with the project which are not reimbursed by the Federal Government. Nothing in this agreement shall be construed as a promise by the State as to the amount or nature of federal participation in this project.

The Agency shall bill the state for federal aid project costs incurred in conformity with applicable federal and state laws. The agency shall minimize the time elapsed between receipt of federal aid funds and subsequent payment of incurred costs. Expenditures by the Local Agency for maintenance, general administration, supervision, and other overhead shall not be eligible for federal participation unless a current indirect cost plan has been prepared in accordance with the regulations outlined in 2 CFR Part 200 - Uniform Admin Requirements, Cost Principles and Audit Requirements for Federal Awards, and retained for audit.

The State will pay for State incurred costs on the project. Following payment, the State shall bill the Federal Government for reimbursement of those costs eligible for federal participation to the extent that such costs are attributable and properly allocable to this project. The State shall bill the Agency for that portion of State costs which were not reimbursed by the Federal Government (see Section IX).

1. Project Construction Costs

Project construction financing will be accomplished by one of the three methods as indicated in this agreement.

Method A – The Agency will place with the State, within (20) days after the execution of the construction contract, an advance in the amount of the Agency's share of the total construction cost based on the contract award. The State will notify the Agency of the exact amount to be deposited with the State. The State will pay all costs incurred under the contract upon presentation of progress billings from the contractor. Following such payments, the State will submit a billing to the Federal Government for the federal aid participation share of the cost. When the project is substantially completed and final actual costs of the project can be determined, the State will present the Agency with a final billing showing the amount due the State or the amount due the Agency. This billing will be cleared by either a payment from the Agency to the State or by a refund from the State to the Agency.

Method B – The Agency's share of the total construction cost as shown on the face of this agreement shall be withheld from its monthly fuel tax allotments. The face of this agreement establishes the months in which the withholding shall take place and the exact amount to be withheld each month. The extent of withholding will be confirmed by letter from the State at the time of contract award. Upon receipt of progress billings from the contractor, the State will submit such billings to the Federal Government for payment of its participating portion of such billings.

Method C – The Agency may submit vouchers to the State in the format prescribed by the State, in duplicate, not more than once per month for those costs eligible for Federal participation to the extent that such costs are directly attributable and properly allocable to this project. Expenditures by the Local Agency for maintenance, general administration, supervision, and other overhead shall not be eligible for Federal participation unless claimed under a previously approved indirect cost plan.

The State shall reimburse the Agency for the Federal share of eligible project costs up to the amount shown on the face of this agreement. At the time of audit, the Agency will provide documentation of all costs incurred on the project. The State shall bill the Agency for all costs incurred by the State relative to the project. The State shall also bill the Agency for the federal funds paid by the State to the Agency for project costs which are subsequently determined to be ineligible for federal participation (see Section IX).

VII. Audit of Federal Consultant Contracts

The Agency, if services of a consultant are required, shall be responsible for audit of the consultant's records to determine eligible federal aid costs on the project. The report of said audit shall be in the Agency's files and made available to the State and the Federal Government.

An audit shall be conducted by the WSDOT Internal Audit Office in accordance with generally accepted governmental auditing standards as issued by the United States General Accounting Office by the Comptroller General of the United States; WSDOT Manual M 27-50, Consultant Authorization, Selection, and Agreement Administration; memoranda of understanding between WSDOT and FHWA; and 2 CFR Part 200.501 - Audit Requirements.

If upon audit it is found that overpayment or participation of federal money in ineligible items of cost has occurred, the Agency shall reimburse the State for the amount of such overpayment or excess participation (see Section IX).

VIII. Single Audit Act

The Agency, as a subrecipient of federal funds, shall adhere to the federal regulations outlined in 2 CFR Part 200.501 as well as all applicable federal and state statutes and regulations. A subrecipient who expends \$750,000 or more in federal awards from all sources during a given fiscal year shall have a single or program-specific audit performed for that year in accordance with the provisions of 2 CFR Part 200.501. Upon conclusion of the audit, the Agency shall be responsible for ensuring that a copy of the report is transmitted

promptly to the State.

IX. Payment of Billing

The Agency agrees that if payment or arrangement for payment of any of the State's billing relative to the project (e.g., State force work, project cancellation, overpayment, cost ineligible for federal participation, etc.) is not made to the State within 45 days after the Agency has been billed, the State shall effect reimbursement of the total sum due from the regular monthly fuel tax allotments to the Agency from the Motor Vehicle Fund. No additional Federal project funding will be approved until full payment is received unless otherwise directed by the Director, Local Programs.

Project Agreement End Date - This date is based on your projects Period of Performance (2 CFR Part 200.309).

Any costs incurred after the Project Agreement End Date are NOT eligible for federal reimbursement. All eligible costs incurred prior to the Project Agreement End Date must be submitted for reimbursement within 60 days after the Project Agreement End Date or they become ineligible for federal reimbursement.

X. Traffic Control, Signing, and Roadway Maintenance

The Agency will not permit any changes to be made in the provisions for parking regulations and traffic control on this project without prior approval of the State and Federal Highway Administration. The Agency will not install or permit to be installed any signs, signals, or markings not in conformance with the standards approved by the Federal Highway Administration and MUTCD. The Agency will, at its own expense, maintain the improvement covered by this agreement.

XI. Indemnity

The Agency shall hold the Federal Government and the State harmless from and shall process and defend at its own expense all claims, demands, or suits, whether at law or equity brought against the Agency, State, or Federal Government, arising from the Agency's execution, performance, or failure to perform any of the provisions of this agreement, or of any other agreement or contract connected with this agreement, or arising by reason of the participation of the State or Federal Government in the project, PROVIDED, nothing herein shall require the Agency to reimburse the State or the Federal Government for damages arising out of bodily injury to persons or damage to property caused by or resulting from the sole negligence of the Federal Government or the State.

XII. Nondiscrimination Provision

No liability shall attach to the State or Federal Government except as expressly provided herein.

The Agency shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any USDOT-assisted contract and/or agreement or in the administration of its DBE program or the requirements of 49 CFR Part 26. The Agency shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of USDOT-assisted contracts and agreements. The WSDOT's DBE program, as required by 49 CFR Part 26 and as approved by USDOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the Agency of its failure to carry out its approved program, the Department may impose sanctions as provided for under Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S. C. 3801 et seq.).

The Agency hereby agrees that it will incorporate or cause to be incorporated into any contract for construction work, or modification thereof, as defined in the rules and regulations of the Secretary of Labor in 41 CFR Chapter 60, which is paid for in whole or in part with funds obtained from the Federal Government or borrowed on the credit of the Federal Government pursuant to a grant, contract, loan, insurance, or guarantee or understanding pursuant to any federal program involving such grant, contract, loan, insurance, or guarantee, the required contract provisions for Federal-Aid Contracts (FHWA 1273), located in Chapter 44 of the Local Agency Guidelines.

The Agency further agrees that it will be bound by the above equal opportunity clause with respect to its own employment practices when it participates in federally assisted construction work: Provided, that if the applicant so participating is a State or Local Government, the above equal opportunity clause is not applicable to any agency, instrumentality, or subdivision of such government which does not participate in work on or under the contract.

The Agency also agrees:

- (1) To assist and cooperate actively with the State in obtaining the compliance of contractors and subcontractors with the equal opportunity clause and rules, regulations, and relevant orders of the Secretary of Labor.
- (2) To furnish the State such information as it may require for the supervision of such compliance and that it will otherwise assist the State in the discharge of its primary responsibility for securing compliance.
- (3) To refrain from entering into any contract or contract modification subject to Executive Order 11246 of September 24, 1965, with a contractor debarred from, or who has not demonstrated eligibility for, government contracts and federally assisted construction contracts pursuant to the Executive Order.
- (4) To carry out such sanctions and penalties for violation of the equal opportunity clause as may be imposed upon contractors and subcontractors by the State, Federal Highway Administration, or the Secretary of Labor pursuant to Part II, subpart D of the Executive Order.

In addition, the Agency agrees that if it fails or refuses to comply with these undertakings, the State may take any or all of the following actions:

- (a) Cancel, terminate, or suspend this agreement in whole or in part;
- (b) Refrain from extending any further assistance to the Agency under the program with respect to which the failure or refusal occurred until satisfactory assurance of future compliance has been received from the Agency; and

(c) Refer the case to the Department of Justice for appropriate legal proceedings.

XIII. Liquidated Damages

The Agency hereby agrees that the liquidated damages provisions of 23 CFR Part 635, Subpart 127, as supplemented, relative to the amount of Federal participation in the project cost, shall be applicable in the event the contractor fails to complete the contract within the contract time. Failure to include liquidated damages provision will not relieve the Agency from reduction of federal participation in accordance with this paragraph.

XIV. Termination for Public Convenience

The Secretary of the Washington State Department of Transportation may terminate the contract in whole, or from time to time in part, whenever:

- (1) The requisite federal funding becomes unavailable through failure of appropriation or otherwise.
- (2) The contractor is prevented from proceeding with the work as a direct result of an Executive Order of the President with respect to the prosecution of war or in the interest of national defense, or an Executive Order of the President or Governor of the State with respect to the preservation of energy resources.
- (3) The contractor is prevented from proceeding with the work by reason of a preliminary, special, or permanent restraining order of a court of competent jurisdiction where the issuance of such order is primarily caused by the acts or omissions of persons or agencies other than the contractor.
- (4) The Secretary is notified by the Federal Highway Administration that the project is inactive.
- (5) The Secretary determines that such termination is in the best interests of the State.

XV. Venue for Claims and/or Causes of Action

For the convenience of the parties to this contract, it is agreed that any claims and/or causes of action which the Local Agency has against the State of Washington, growing out of this contract or the project with which it is concerned, shall be brought only in the Superior Court for Thurston County.

XVI. Certification Regarding the Restrictions of the Use of Federal Funds for Lobbying

The approving authority certifies, to the best of his or her knowledge and belief, that:

- (1) No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any federal agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any federal agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit the Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, and contracts and subcontracts under grants, subgrants, loans, and cooperative agreements) which exceed \$100,000, and that all such subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification as a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

XVII. Assurances

Local agencies receiving Federal funding from the USDOT or its operating administrations (i.e., Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration) are required to submit a written policy statement, signed by the Agency Executive and addressed to the State, documenting that all programs, activities, and services will be conducted in compliance with Section 504 and the Americans with Disabilities Act (ADA).

Additional Provisions

Instructions

1. **Agency Name and Billing Address** – Enter the Agency of primary interest which will become a party to the agreement.
2. **Project Number** – Leave blank. This number will be assigned by WSDOT.
3. **Agreement Number** – Leave blank. This number will be assigned by WSDOT.
4.
 - a. **Project Description** – Enter the project name, total length of the project (in miles), and a brief description of the termini. Data entered here must be consistent with the name, length, and termini noted in the STIP and Project Prospectus

Example: (Name) "Regal Road", (Length) "1.2 miles", (Termini) "Smith Road to Main Street"
 - b. **Description of Work** – Enter a concise statement of the major items of work to be performed. Statement must be consistent with the description of work noted in the STIP and Project Prospectus.

Example: "Overlay Regal Road; install curb, gutter, and sidewalk; illumination; and traffic signal at the intersection of Regal Road and Dakota Avenue."
 - c. **Project Agreement End Date** – Enter the Project Agreement End Date (mm/dd/yy). This date is based on the project's Period of Performance (2 CFR 200.309).

For Planning Only projects – WSDOT recommends agencies estimate the end of the project's period of performance and add three years to determine the "Project Agreement End Date".

For PE and RW – WSDOT recommends agencies estimate when the phase will be completed and add three years to determine the "Project Agreement End Date". For Construction – WSDOT recommends agencies estimate when construction will be completed and add three years to determine the "Project Agreement End Date".
 - d. **Proposed Advertisement Date** – At construction authorization only, enter the proposed project advertisement date (mm/dd/yy).
 - e. **Claiming Indirect Cost Rate** – Check the Yes box if the agency will be claiming indirect costs on the project. For those projects claiming indirect costs, supporting documentation that clearly shows the indirect cost rate being utilized must be provided with the local agency agreement. Indirect cost rate approval by your cognizant agency or through your agency's self-certification and supporting documentation is required to be available for review by FHWA, WSDOT and /or State Auditor. Check the No box if the agency will not be claiming indirect costs on the project. See section 23.5 for additional guidance.

4. Type of Work and Funding (Round all dollar amounts to the nearest whole dollar)

- a. PE – Lines a through d show Preliminary Engineering costs for the project by type of work (e.g., consultant, agency, state services, etc.).

*Federal aid participation ratio for PE – enter ratio for PE lines with amounts in column 3.

- **Line a** – Enter the estimated amount of agency work in columns 1 through 3.
- **Line b & c** – Identify user, consultant, etc., and enter the estimated amounts in columns 1 through 3.
- **Line d** – State Services. Every project must have funding for state services. Enter the estimated amounts in columns 1 through 3.
- **Line e** – Total of lines a + b + c + d.

- b. **Right of Way** – If a Right of Way phase is authorized on the project, the appropriate costs are shown in lines f through i.

*Federal aid participation ratio for RW – enter ratio for RW lines with amounts in column 3.

- **Line f** – Enter the estimated amount of agency work in columns 1 through 3.
- **Line g & h** – Identify user, consultant, etc., and enter the estimated amounts in columns 1 through 3.
- **Line i** – State Services. Every project must have funding for state services. Enter the estimated amounts in columns 1 through 3.
- **Line j** – Total of lines f + g + h + i.

- c. **Construction** – Lines k through p show construction costs for the project by type of work (e.g., contract, consultant, agency, state services, etc.).

*Federal aid participation ratio for CN – enter ratio for CN lines with amounts in column 3.

- **Line k** – Enter the estimated cost of the contract.
- **Lines l, m, & n** – Enter other estimated costs such as utility and construction contracts or non-federally matched contract costs.
- **Line o** – Enter estimated costs of all construction related agency work.
- **Line p** – State Services. Every project must have funding for state services. Enter the estimated amounts in columns 1 through 3.
- **Line q** – Total Construction Cost Estimate. Total of lines k + l + m + n + o + p.

d. **Total Project Cost Estimate**

- **Line r** – Total Cost Estimate of the Project. Total of lines e + j + q.

*Please remember, if the federal aid participation rate entered is not the maximum rate allowed by FHWA, then the participation rate entered becomes the maximum rate allowed.

6. **Signatures** – An authorized official of the local agency signs the agreement and enters their title and date of signature (mm/dd/yy). **Note:** Do NOT enter a date on the Date Executed line.

7. **Method of Construction Financing** – Choose the method of financing for the construction portion of the project.

- Method "A"** is used when the state administers the contract for the agency.
- Method "B"** is also used when the state administers the contract for the agency.
- Method "C"** is used with projects administered by the local agency. The agency will submit billings monthly through the state to FHWA for all eligible costs. The billings must document the payment requests from the contractor. If state-force work, such as audit and construction engineering, is to receive federal participation, it will be billed to the agency and FHWA simultaneously at the indicated ratio. To show continuous progress agencies should bill monthly until agreement is closed.

8. **Resolutions/Ordinances** – When someone other than the County Executive/Chairman, County Commissioners/Mayor is authorized to sign the agreement, the agency must submit to WSDOT with the agreement a copy of the Resolution/Ordinance designating that individual.

9. **Parties to the Agreement** – Submit one originally signed agreement form to the Region Local Programs Engineer. It is the responsibility of the local agency to submit an additional, originally signed agreement form if they need an executed agreement for their files. The agreement is first executed by the agency official(s) authorized to enter into the agreement. It is then transmitted to the state for execution by Local Programs. The agreement is dated at the time of final execution by Local Programs.



**Washington State
Department of Transportation**

**Local Agency Federal Aid
Project Prospectus**

Prefix		Route	()		
Federal Aid Project Number				Date	11/15/2022
Local Agency Project Number		(WSDOT Use Only)		DUNS Number	022828701
Agency City of North Bend		CA Agency <input type="checkbox"/> Yes <input type="checkbox"/> No	Federal Program Title <input checked="" type="checkbox"/> 20.205 <input type="checkbox"/> Other		
Project Title South Fork Extension Bypass			Start Latitude N 47.4980 End Latitude N 47.4974	Start Longitude W -121.7851 End Longitude W -121.7849	
Project Termini From-To SR202 W North Bend Way			Nearest City Name City of North Bend	Project Zip Code (+4) 98045-8260	
Begin Mile Post	End Mile Post	Length of Project 3500	Award Type <input checked="" type="checkbox"/> Local <input type="checkbox"/> Local Forces <input type="checkbox"/> State <input type="checkbox"/> Railroad		
Route ID	Begin Mile Point	End Mile Point	City Number	County Number	County Name
WSDOT Region Northwest Region	Legislative District(s) 5		Congressional District(s) 8		Urban Area Number 80389
Phase	Total Estimated Cost (Nearest Hundred Dollar)	Local Agency Funding (Nearest Hundred Dollar)	Federal Funds (Nearest Hundred Dollar)		Phase Start Date Month Year
P.E.	1125000	157500	967500		January 2023
R/W					
Const.	5000205	680027	4320127		January 2024
Total	6125205	837527	5287627		

Description of Existing Facility (Existing Design and Present Condition)

Roadway Width 32	Number of Lanes 2

Description of Proposed Work

Description of Proposed Work (Attach additional sheet(s) if necessary)

Construct a 2-lane arterial road extension from South Fork Avenue SW to West North Bend Way. The extension will include a multi-use path on one side and a new roundabout at North Bend Way.

Local Agency Contact Person Dan Marcinko		Title Capital Projects & Grants Manager		Phone 4258887639	
Mailing Address 920 SE Cedar Falls Way		City North Bend		State WA	Zip Code 98045-8260
Project Prospectus		By _____			
		Approving Authority			
Title		Date			

Agency City of North Bend	Project Title South Fork Extension Bypass	Date 11/15/2022
Type of Proposed Work		
Project Type (Check all that Apply)		Roadway Width 32
<input checked="" type="checkbox"/> New Construction <input type="checkbox"/> Path / Trail <input type="checkbox"/> 3-R <input type="checkbox"/> Reconstruction <input checked="" type="checkbox"/> Pedestrian / Facilities <input type="checkbox"/> 2-R <input type="checkbox"/> Railroad <input type="checkbox"/> Parking <input type="checkbox"/> Other <input type="checkbox"/> Bridge		Number of Lanes 2

Geometric Design Data			
Description	Through Route	Crossroad	
Federal Functional Classification	<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural <input type="checkbox"/> NHS	<input type="checkbox"/> Principal Arterial <input checked="" type="checkbox"/> Minor Arterial <input type="checkbox"/> Collector <input type="checkbox"/> Major Collector <input type="checkbox"/> Minor Collector <input type="checkbox"/> Local Access	<input checked="" type="checkbox"/> Principal Arterial <input type="checkbox"/> Minor Arterial <input type="checkbox"/> Collector <input checked="" type="checkbox"/> Rural <input type="checkbox"/> NHS <input type="checkbox"/> Major Collector <input type="checkbox"/> Minor Collector <input type="checkbox"/> Local Access
Terrain	<input checked="" type="checkbox"/> Flat <input type="checkbox"/> Roll <input type="checkbox"/> Mountain	<input checked="" type="checkbox"/> Flat <input type="checkbox"/> Roll <input type="checkbox"/> Mountain	
Posted Speed	30	25	
Design Speed	TBD	TBD	
Existing ADT	14000	NA	
Design Year ADT	NA	NA	
Design Year	NA	NA	
Design Hourly Volume (DHV)	NA	NA	

Performance of Work		
Preliminary Engineering Will Be Performed By Consultant		Others 100 %
Construction Will Be Performed By Contractor		Agency 100 %

Environmental Classification		
<input type="checkbox"/> Class I - Environmental Impact Statement (EIS) <input type="checkbox"/> Project Involves NEPA/SEPA Section 404 <input type="checkbox"/> Interagency Agreement <input type="checkbox"/> Class III - Environmental Assessment (EA) <input type="checkbox"/> Project Involves NEPA/SEPA Section 404 <input type="checkbox"/> Interagency Agreements		
<input checked="" type="checkbox"/> Class II - Categorically Excluded (CE) <input checked="" type="checkbox"/> Projects Requiring Documentation <input type="checkbox"/> (Documented CE)		

Environmental Considerations

Agency City of North Bend	Project Title South Fork Extension Bypass	Date 11/15/2022
Right of Way		
<input checked="" type="checkbox"/> No Right of Way Needed * All construction required by the contract can be accomplished within the existing right of way. <input type="checkbox"/> Right of Way Needed <input type="checkbox"/> No Relocation <input type="checkbox"/> Relocation Required		

Utilities	Railroad
<input type="checkbox"/> No utility work required <input type="checkbox"/> All utility work will be completed prior to the start of the construction contract <input checked="" type="checkbox"/> All utility work will be completed in coordination with the construction contract	<input checked="" type="checkbox"/> No railroad work required <input type="checkbox"/> All railroad work will be completed prior to the start of the construction contract <input type="checkbox"/> All the railroad work will be completed in coordination with the construction contract

Description of Utility Relocation or Adjustments and Existing Major Structures Involved in the Project

Potential storm-water conveyance as determined by the design engineer.

FAA Involvement
Is any airport located within 3.2 kilometers (2 miles) of the proposed project? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Remarks

This project has been reviewed by the legislative body of the administration agency or agencies, or it's designee, and is not inconsistent with the agency's comprehensive plan for community development.

Agency City of North Bend

Date _____ By _____ Mayor/Chairperson

Local Programs Authorization Package Checklist

Is the reason for supplement accurate and up to date?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is the Project Agreement End Date (month, day, and year) included? Does it follow LAG guidance?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
When not authorizing a new phase, is the end date the same as shown on the previous agreement?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If not, is adequate justification (see LAG 22.3) included to support changing the end date?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is the Advertisement Date (month, day, and year) included? Is it within 6 weeks of estimated CN authorization?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If the ICR box is checked 'Yes', is the agency's current approved/self-certified rate documentation provided? It must clearly show the rate used, timeframe it covers, and the actual signature of approval/self-certification.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If corrections made, are they initialed? If made by WSDOT is permission from Agency provided?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are all federal aid participation ratios being used listed?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are amounts calculated correctly and shown in the correct columns?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Documented Cost Estimate - LAG 22.4 and Appendix 22.56			
Is a Documented Cost Estimate included for each phase requesting/changing funds?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are total dollars on the LAA supported by the phase estimates?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Does the estimate sufficiently demonstrate how the costs were determined?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If historical percentages are used for PE/CE estimates, are the percentages reasonable and supported?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Right of Way - LAG Chapter 25			
If authorizing RW, is a project funding estimate/true cost estimate summary sheet included?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Does the PFE/TCE summary sheet support RW amounts shown on the LAA?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If authorizing RW and Relocation is required, is the signature page of the approved Relocation Plan included?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If authorizing CN, is the HQ approved RW Certification included?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
RW acquired under the Government Acquisitions Provisions? Documentation included or noted in SPORT?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Environmental Documentation/Approval (NEPA) - LAG Chapter 24			
Is an approved NEPA package (at least signature page) included?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Does the description of work match the Prospectus/LAA/STIP?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is the footprint of the project within the limits of the NEPA approval?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Do the NEPA-CE Part 3 RW responses agree with the STIP and Prospectus?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is the approval date within the last 3 years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If approval is older than 3 years, has the approval been re-evaluated by the Environmental group?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Contracting - DBE Goals (LAG Chapter 26) - Tied Bid (LAG Chapter 44) - Local Forces (LAG Chapter 61)			
If authorizing construction, is the DBE goal letter/e-mail included, or are the goals in SPORT?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If construction includes a tied bid project, is the approved PIF included or noted in SPORT?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If construction by Local Forces, is the approved PIF included or noted in SPORT?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

PROJECT NOTES (Provide additional information or explanation as necessary)

Council Packet November 1, 2022

**CITY OF NORTH BEND PUBLIC WORKS
SOUTH FORK AVE EXTENSION**

ROAD EXTENSION

**PRELIMINARY
ENGINEER'S ESTIMATED
CONSTRUCTION COST**

Construction Total		\$4,252,552	
OTHER ITEMS			
Wetland Mitigation	3825	\$6.00	\$22,950
Buffer Mitigation	48369	\$1.50	\$72,554

Other Item Total \$95,504

Project Total \$ 4,348,005

Independent Cost Estimate

Independent Estimate For Consultant Services Worksheet

Agency:	City of North Bend	Federal Project No.:		Original Estimate	NA
Project Name:	South Fork Ave Road Extension Project			WSDOT Costs	\$ -
Prepared By:	Dan Marcinko	Date:	9/13/2022	City PE Total	
PROJECT SCOPE			2022	Consultant PE Total	\$ 1,125,000
				PE Total	\$ 1,125,000
				Budget Allocation	\$ 1,125,000

Constructing a road extension/downtown bypass. Sidewalks, and bike lanes at the intersection of SR202 and NW Eighth Street. The project includes new curb & gutter, ADA ramps, signing, striping, illumination and storm drainage conveyance, sidewalks, medians and center island with truck aprons as approximate.

Services:

Type of Services	Hours or EA	Rate	Total
PE Costs	EA		\$ 1,125,000.00
Construction Costs	EA		\$ 4,348,005.00
Construction Engineering	EA		\$ 652,200.00
SUBTOTAL PE SERVICES			\$ 6,125,205.00
Preliminary Engineering City			
Project Manager		\$ -	
Public Works Director		\$ -	
Administrative Support Public Works		\$ -	
Administrative Support Finance Director		\$ -	
	Subtotal	\$ -	
Indirect Cost Rate Cost (in		NA	
Fix Fee (in percent)		NA	
PE	Multiplier	NA	TOTAL \$ 6,125,205.00
CE	Multiplier	NA	TOTAL \$ -

Reimbursable

A. Travel and Per Diem	.56/Mile	
B. Reproduction Expenses		
C. Computer Expense		
D. Communication		
E. Sampling and Testing		
F. Outside Consultants		
G. Other	WSDOT	
Total:		
Sub-Total		

*Management

Reserve _____

*Management

Reserve _____

* Use only on Cost plus Fix Fee agreement

Total Consultant

\$ 6,125,205

PE

City of North Bend
F.A. No. ****-****(****)
Letter of Understanding for Project Administration

October 27, 2022

City of North Bend
920 SE Cedar Falls Way
North Bend, WA 98045

F.A. No. ****-****(****)

Letter of Understanding for Project Administration

Attn.: Mark Rigos, PE
Public Works Director

Dear Sir:

The Washington State Department of Transportation Northwest Region Local Programs Office (STATE) is responsible for assuring that grant administration, consultant selection, consultant agreements, development of plans, specifications, and estimates, environmental documents, acquisition of right of way, advertisement, award and execution of contract, and construction administration including but not limited to inspection, change orders and final project documentation, are all in accordance with Local Agency Guidelines (LAG) and federal law.

The CITY, operating under an extension of Local Programs Certification Acceptance (CA), shall administer all associated projects entirely in accordance with the LAG, this Letter of Understanding (LOU) and direction as provided by the Local Programs Engineer (LPE). Failure to comply with the LAG, this LOU or the direction of the LPE may result in loss of Federal funds.

- 1) The STATE and the CITY have designated CA managers as shown below:

STATE	CITY
WA State Department of Transportation Mehrdad Moini, Local Programs Engineer PO Box 330310 15700 Dayton Avenue North, NB82-121 Seattle, WA, WA 98133-9710 (206) 440-4734 moinim@wsdot.wa.gov	City of North Bend Mark Rigos, PE, Public Works Director North Bend, WA 98045 (425) 888-7650 mrigos@northbendwa.gov

The CITY CA Manager designated above, or his/her designee, shall be the "Responsible Charge" (See LAG Chapter 13.6). All formal submittals outlined herein either from the STATE or the CITY, will be sent through the designated CA Managers.

City of North Bend
F.A. No. ****-****(***)

Letter of Understanding for Project Administration

- 2) The CITY shall obtain approval from the STATE in the solicitation and selection of a Consulting Engineering firm for Preliminary Engineering, Right of Way and Construction Engineering services. The CITY shall utilize qualified consultants, approved by the STATE, for contract administration, inspection, and materials testing. In addition, the CITY shall obtain the approval from the STATE of the Consulting Engineering Agreement prior to execution. (See LAG chapter 31).
- 3) The CITY shall be responsible for all required environmental documentation (SEPA and NEPA) and shall submit all required NEPA documentation to the STATE for further processing and approval. (See LAG chapter 24). The CITY shall be responsible for obtaining all required permits and approvals.
- 4) Any deviations to design standards must be approved and stamped by a Professional Engineer licensed in the State of Washington. The CITY shall submit the design deviation to the STATE for further processing and approval.
- 5) No R/W action shall proceed until the CITY contacts the Local Agency Right of Way Coordinator. The CITY shall follow its current approved Right of Way (R/W) Procedures as described in the LAG (see LAG chapter 25). The STATE shall be advised of all meetings preliminary to R/W acquisition. All acquisitions of R/W such as construction easements, donations, permits, etc. shall be certified by the CITY and the STATE.
- 6) Contract plans, specifications and cost estimates (PS&E) shall be prepared in accordance with the current State of Washington Standard Specifications for Road, Bridge and Municipal Construction, and amendments thereto, and adopted design standards (see LAG chapter 44). The STATE will review the PS&E to ensure compliance with the LAG.
- 7) The CITY shall forward the proposed advertisement for bids to the STATE for approval. Upon approval, the CITY may begin advertisement for bids (see LAG chapter 46). The CITY shall keep the STATE advised on any pre-award issues affecting the quality and timing of the contract. Any required addenda to the contract documents shall be approved by the STATE prior to issuance.
- 8) The CITY shall notify the STATE of the Bid Opening date and time. The CITY shall transmit to the STATE, the Engineer's Estimate and Bid Tabulations along with the complete Bid Proposals of the apparent three (3) lowest bidders. Upon approval by the STATE, the CITY may Award the Contract to the lowest responsive bidder (see LAG chapter 46).
- 9) Upon the CITY's execution of the contract for construction, the CITY shall administer and inspect the Project in accordance with the contract documents, WSDOT Standard Specifications for Road Bridge and Municipal Construction, the WSDOT Construction Manual, and all applicable State and Federal laws (see LAG chapter 52). Per Item 2 in this LOU, the CITY shall utilize consultants, approved by the STATE, for this work. The CITY shall notify the STATE of the date, time, and location of the pre-construction meeting with

City of North Bend

F.A. No. ****-****(****)

Letter of Understanding for Project Administration

the contractor. The STATE will conduct periodic construction documentation reviews as warranted.

- 10) The CITY shall notify the STATE of changes to the contract. If warranted, the STATE will grant verbal approval to proceed with the change order as defined per Section 1-04.4 of the current edition of the WSDOT Standard Specifications for Road, Bridge, and Municipal Construction. The CITY Project Manager shall initiate, negotiate, and document all change orders. Prior to obtaining the contractor signature, the City Project Manager shall submit the change order to the STATE for review. All signed changed orders shall be sent to the STATE for final approval.
- 11) The CITY shall request the STATE to inspect the project following Substantial Completion to the Contractor (see LAG chapter 53).

Signature below constitutes concurrence with this Letter of Understanding.

CITY OF NORTH BEND

By: _____

Mark Rigos, P.E.
Public Works Director

Date: _____

**STATE OF WASHINGTON
DEPARTMENT OF TRANSPORTATION**

By: _____

Mehrdad Moini, P.E.
Local Programs Engineer

Date: _____

Jurisdiction: North Bend
Project Number: NB-11 **County: King** **Title: South Fork Extension Bypass**

Phase	Programmed Year	Oblig. Date	Funding Source	Federal Funds	State Funds	Local Funds	Phase Total
PE	2023	6/1/23	STP(US)	\$967,500	\$0	\$0	\$967,500
PE	2023	6/1/23	Local	\$0	\$0	\$157,500	\$157,500

WSDOT PIN:

Federal Aid/FTA Grant Number(s):

Functional Class: Rural Minor Arterial

Location: SR 202/South Fork Ave SW connecting to W North Bend Way/NW

Total Cost: \$5,225,000

Year of Expenditure for Total Cost: 2025

MTP Status: Exempt

Description:

Construct a 2-lane arterial road extension from South Fork Avenue SW to West North Bend Way. The extension will include a multi-use path on one side and a new roundabout at North Bend Way.

Improvement Type: New Facility – Roadway

From: SR 202 (Bendigo Blvd S)

To: W North Bend Way

Regionally Significant: No

Environmental Status: DCE

MTP Reference(s):

N/A



Puget Sound Regional Council

1011 WESTERN AVENUE, SUITE 500 \\\ SEATTLE, WA 98104-1035 \\\ psrc.org \\\ 206-464-7090

March 24, 2022

The Honorable Rob McFarland
City of North Bend
920 S.E. Cedar Falls Way
North Bend, WA 98045

Dear Mayor McFarland,

On behalf of the Puget Sound Regional Council, I'm pleased to announce that the City of North Bend is receiving \$967,500 in PSRC funding through the 2021 Rural Town Centers and Corridors program for the following project:

PROJECT	AWARD AMOUNT	FUNDING DEADLINE
South Fork Extension Bypass	\$967,500	June 1, 2023

One of PSRC's key roles is to select priority projects to receive federal funds available to the region. Since 2003, the agency has set aside a portion of those funds specifically for rural transportation needs. The projects that are selected to receive funding help meet local needs and support the regional growth strategy.

I'm delighted to share this news and that these funds will be working to improve transportation in your community. We appreciate your leadership and great work by your staff to help this project succeed.

Sincerely,

Josh Brown
Executive Director, Puget Sound Regional Council

cc: Mark Rigos, Public Works Director
Daniel Marcinko, Capital Projects & Grants Manager





City Council Agenda Bill

SUBJECT:	Agenda Date: November 1, 2022	AB22-131
Public Hearing and Ordinance Setting the Property Tax Regular Levy for 2023	Department/Committee/Individual	
	Mayor Rob McFarland	
	City Administrator – David Miller	
	City Attorney – Michael Kenyon/Lisa Marshall	
	City Clerk – Susie Oppedal	
	Community & Econ Development – Rebecca Deming	
	Administrative Services – Lisa Escobar	
Cost Impact: N/A	Finance – Richard Gould	X
Fund Source: General Fund	Public Works – Mark Rigos	
Timeline: by 11/30/2022		
Attachments: Ordinances (Option 1, Option 2), Preliminary 2023 Property Tax Levy Limit Worksheet from King County, Property Tax Presentation, Public Hearing Notice		
SUMMARY STATEMENT:		
Per RCW 84.52.020, the City of North Bend must adopt its property tax certification by November 30, 2022, and file it with King County for property taxes to be collected in 2023. The City is limited to a one percent (1%) increase in property tax revenue over the 2022 base property tax, plus an increase from new construction and utilities.		
The 2022 preliminary assessed valuation is \$2,899,858,262 which is a 29.4% increase over the 2022 assessed valuation of \$2,241,184,674. Of this increase, new construction added \$107,823,122 of assessed value to the property tax rolls (3.7%) and the remaining 24.7% was increases to existing home values.		
The two options for the 2023 property tax levy for Council consideration are as follows:		
<u>Option No. 1 – 0% Increase (0% increase over 2022's actual regular levy)</u>		
Levy a regular property tax equal to the 2022 actual levy of \$2,056,818 plus zero percent (0%) [\$0], new construction [\$108,771], annexations [\$0], re-levy for prior year refunds [\$4,727], for a total 2023 Regular Property Tax Levy of \$2,363,894 ; or		
<u>Option No. 2 – 1% Increase (1% increase over 2022's actual regular levy)</u>		
Levy a regular property tax equal to the 2022 actual levy of \$2,056,818 plus one percent (1%) [\$20,916], new construction [\$108,771], annexations [\$0], re-levy for prior year refunds [\$4,727], for a total 2023 Regular Property Tax Levy of \$2,386,398 ; or		
The County's valuation numbers will continue to be refined and we will adjust before the final reading.		
APPLICABLE BRAND GUIDELINES: Balanced Budget		
COMMITTEE REVIEW AND RECOMMENDATION: This item will be reviewed at the November 1 st Finance & Administration Committee meeting.		
RECOMMENDED ACTION: MOTION to continue the Public Hearing on the Ordinance Setting the 2023 Property Tax Levy until the November 15, 2022 City Council meeting.		
RECORD OF COUNCIL ACTION		
Meeting Date	Action	Vote
November 1, 2022		

ORDINANCE – Option 1

AN ORDINANCE OF THE CITY OF NORTH BEND, WASHINGTON, AUTHORIZING 2023 PROPERTY TAX LEVIES CONSISTING OF THE CITY'S REGULAR LEVY AND A VOTER-APPROVED EXCESS LEVY FOR UNLIMITED GENERAL OBLIGATION BONDS INTEREST AND REDEMPTION

WHEREAS, the City Council of the City of North Bend has properly given notice of the public hearing held on November 1, 2022 to consider the City's revenue sources for the 2023 budget, including the consideration of possible increases in property tax revenues; and

WHEREAS, the City of North Bend's actual levy amount from the previous year was \$2,251,984; and

WHEREAS, the King County Assessor has notified the City Council of the City of North Bend that the preliminary assessed valuation of property lying within the boundaries of said City for the assessment year 2022 is \$2,899,858,262; and

WHEREAS, the City Council of the City of North Bend, after hearing and duly considering all relevant testimony presented, has determined that the City of North Bend should adopt a regular property tax levy in the estimated amount of \$2,250,396 which includes a 0% increase [\$0] in regular property tax revenue over the 2022 actual regular property tax levy [\$2,251,984], plus revenue resulting from the addition of new construction & improvements to property [\$108,771], plus revenue resulting from the re-levy for prior year refunds [\$4,727], and

WHEREAS, voters approved an excess property tax levy for unlimited general obligation bonds, proceeds of which were used to pay for the construction of a new fire station; and

WHEREAS, the City is required to set and establish the property tax levy rate for voted excess levies for general obligation bond issues approved by the voters, including subsequent refunded bond issues, subject to the limitations imposed by law; and

WHEREAS, the City of North Bend needs a tax levied to raise revenue to provide for the interest and redemption of voter-approved unlimited general obligation bonds for the fiscal year of 2023 in the amount of \$179,160 which tax is applicable to all taxable property within the City of North Bend; and

WHEREAS, the below is a true and complete listing of property tax levies for the City of North Bend for tax year 2022 and they are within the maximums established by law:

Regular (Statutory) Levy	
Expense Fund	\$2,359,167
Refunds	<u>4,727</u>
Total Regular Levy	\$2,363,894
Excess (Voter Approved) Levy:	
G.O. Bonds Fund Levy	\$179,160
Total Property Taxes Requested:	\$2,538,327

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

Section 1. Regular Property Tax Levy. A regular property tax is hereby levied for year 2023 in the amount of \$2,250,396 which is a zero percent (0%) increase from the 2022 actual regular property tax levy. This increase is exclusive of additional revenue resulting from the addition of new construction and improvements to property, any increase in the value of state-assessed property, and any additional amounts resulting from annexations that have occurred, and refunds made.

Section 2. Voter-Approved Excess Property Tax Levy for Unlimited General Obligation Bonds. In addition to the above regular property tax levy for the ensuing fiscal year of 2023, a tax is hereby levied to raise revenue to provide for the interest and redemption of voter-approved unlimited general obligation bonds for the fiscal year of 2023 in the amount of \$179,160. This tax is applicable to all taxable property within the City of North Bend.

Section 3. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 4. Effective Date. This ordinance shall be published in the official newspaper of the City and shall take effect and be in full force on January 1, 2023.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 15TH DAY OF NOVEMBER, 2022.

CITY OF NORTH BEND:

Rob McFarland, Mayor

APPROVED AS TO FORM:

Lisa Marshall, City Attorney

ATTEST/AUTHENTICATED:

Published:
Effective: January 1, 2023

Susie Oppedal, City Clerk

ORDINANCE – Option 2

**AN ORDINANCE OF THE CITY OF NORTH BEND,
WASHINGTON, AUTHORIZING 2023 PROPERTY TAX
LEVIES CONSISTING OF THE CITY'S REGULAR LEVY
INCLUDING THE 1% STATUTORY LIMIT AND A VOTER-
APPROVED EXCESS LEVY FOR UNLIMITED GENERAL
OBLIGATION BONDS INTEREST AND REDEMPTION**

WHEREAS, the City Council of the City of North Bend has properly given notice of the public hearing held on November 1, 2022, to consider the City's revenue sources for the 2023 budget, including the consideration of possible increases in property tax revenues; and

WHEREAS, the City of North Bend's actual levy amount from the previous year was \$2,251,984; and

WHEREAS, the King County Assessor has notified the City Council of the City of North Bend that the preliminary assessed valuation of property lying within the boundaries of said City for the assessment year 2022 is \$2,899,858,262; and

WHEREAS, the City Council of the City of North Bend, after hearing and duly considering all relevant testimony presented, has determined that the City of North Bend should adopt a regular property tax levy in the estimated amount of \$2,272,900, which includes a 1% increase [\$20,916] in regular property tax revenue over the 2022 actual regular property tax levy [\$2,251,984], plus revenue resulting from the addition of new construction & improvements to property [\$108,771], plus revenue resulting from the re-levy for prior year refunds [\$4,727]; and

WHEREAS, voters approved an excess property tax levy for unlimited general obligation bonds, proceeds of which were used to pay for the construction of a new fire station; and

WHEREAS, the City is required to set and establish the property tax levy rate for voted excess levies for general obligation bond issues approved by the voters, including subsequent refunded bond issues, subject to the limitations imposed by law; and

WHEREAS, the City of North Bend needs a tax levied to raise revenue to provide for the interest and redemption of voter-approved unlimited general obligation bonds for the fiscal year of 2023 in the amount of \$179,160 which tax is applicable to all taxable property within the City of North Bend; and

WHEREAS, the below is a true and complete listing of property tax levies for the City of North Bend for tax year 2023 and they are within the maximums established by law:

Regular (Statutory) Levy	
Expense Fund	\$2,381,671
Refunds	<u>4,727</u>
Total Regular Levy	\$2,386,398
Excess (Voter Approved) Levy:	
G.O. Bonds Fund Levy	\$179,160
Total Property Taxes Requested:	\$2,560,831

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

Section 1. Regular Property Tax Levy. A regular property tax is hereby levied for year 2022 in the amount of \$2,272,900 which represents a dollar increase of \$20,916 and percentage increase of one percent (1%) from the 2022 actual regular property tax levy. This increase is exclusive of additional revenue resulting from the addition of new construction and improvements to property, any increase in the value of state-assessed property, and any additional amounts resulting from annexations that have occurred, and refunds made.

Section 2. Voter-Approved Excess Property Tax Levy for Unlimited General Obligation Bonds. In addition to the above regular property tax levy for the ensuing fiscal year of 2023, a tax is hereby levied to raise revenue to provide for the interest and redemption of voter-approved unlimited general obligation bonds for the fiscal year of 2023 in the amount of \$179,160. This tax is applicable to all taxable property within the City of North Bend.

Section 3. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 4. Effective Date. This ordinance shall be published in the official newspaper of the City and shall take effect and be in full force on January 1, 2023.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 15TH DAY OF NOVEMBER, 2022.

CITY OF NORTH BEND:

Rob McFarland, Mayor

APPROVED AS TO FORM:

Lisa Marshall, City Attorney

ATTEST/AUTHENTICATED:

Published:
Effective: January 1, 2023

Susie Oppedal, City Clerk

PRELIMINARY

LEVY LIMIT WORKSHEET – 2023 Tax Roll

TAXING DISTRICT: City of North Bend

The following determination of your regular levy limit for 2023 property taxes is provided by the King County Assessor pursuant to RCW 84.55.100.

Annexed to Library District (Note 1) Estimated Library rate: 0.23475

Using Limit Factor For District	Calculation of Limit Factor Levy	Using Implicit Price Deflator
2,250,396 1.0100	Levy basis for calculation: (2022 Limit Factor) (Note 2) x Limit Factor = Levy	2,250,396 1.0646
2,272,900	Local new construction	2,395,704
107,823,122 0	+ Increase in utility value (Note 3) = Total new construction	107,823,122 0
107,823,122 1.00879	x Last year's regular levy rate	107,823,122 1.00879
108,771	= New construction levy	108,771
2,381,671	Total Limit Factor Levy	2,504,475
<hr/>		
Annexation Levy		
0	Omitted assessment levy (Note 4)	0
2,381,671	Total Limit Factor Levy + new lid lifts	2,504,475
2,899,858,262	÷ Regular levy assessed value less annexations	2,899,858,262
0.82131	= Annexation rate (cannot exceed statutory maximum rate)	0.86365
0	x Annexation assessed value	0
0	= Annexation Levy	0
<hr/>		
Lid lifts, Refunds and Total		
0	+ First year lid lifts	0
2,381,671	+ Limit Factor Levy	2,504,475
2,381,671	= Total RCW 84.55 levy	2,504,475
4,727	+ Relevy for prior year refunds (Note 5)	4,727
2,386,398	= Total RCW 84.55 levy + refunds	2,509,202
Levy Correction: Year of Error _____ (+or-)		
2,386,398	ALLOWABLE LEVY (Note 6)	2,509,202
<hr/>		
Increase Information (Note 7)		
0.82294	Levy rate based on allowable levy	0.86528
2,251,984	Last year's ACTUAL regular levy	2,251,984
20,916	Dollar increase over last year other than N/C – Annex	143,720
0.93%	Percent increase over last year other than N/C – Annex	6.38%
<hr/>		
Calculation of statutory levy		
Regular levy assessed value (Note 8)		2,899,858,262
x Maximum statutory rate		3.36525
= Maximum statutory levy		9,758,748
+Omitted assessments levy		0
=Maximum statutory levy		9,758,748
Limit factor needed for statutory levy		Not usable

Council Packet November 1, 2022

ALL YEARS SHOWN ON THIS FORM ARE THE YEARS IN WHICH THE TAX IS PAYABLE.

Please read carefully the notes on the reverse side.

Notes:

- 1) Rates for fire districts and the library district are estimated at the time this worksheet is produced. Fire district and library district rates affect the maximum allowable rate for cities annexed to them. These rates *will* change, mainly in response to the actual levy requests from the fire and library districts. Hence, affected cities may have a higher or lower allowable levy rate than is shown here when final levy rates are calculated.
- 2) This figure shows the maximum *allowable levy*, which may differ from any actual prior levy if a district has levied less than its maximum in prior years. The maximum allowable levy excludes any allowable refund levy if the maximum was based on a limit factor. The maximum allowable levy excludes omitted assessments if the maximum was determined by your district's statutory rate limit. If your district passed a limit factor ordinance in the year indicated, that limit factor would help determine the highest allowable levy. However, if the statutory rate limit was more restrictive than your stated limit factor, the statutory rate limit is controlling.
- 3) Any increase in value in state-assessed property is considered to be new construction value for purposes of calculating the respective limits. State-assessed property is property belonging to inter-county utility and transportation companies (telephone, railroad, airline companies and the like).
- 4) An omitted assessment is property value that should have been included on a prior year's roll but will be included on the tax roll for which this worksheet has been prepared. Omits are assessed and taxed at the rate in effect for the year omitted (RCW 84.40.080-085). Omitted assessments tax is deducted from the levy maximum before calculating the levy rate for current assessments and added back in as a current year's receivable.
- 5) Administrative refunds under RCW 84.69.020 were removed from the levy lid by the 1981 legislature.
- 6) A district is entitled to the lesser of the maximum levies determined by application of the limit under RCW 84.55 and the statutory rate limit. Levies may be subject to further proration if aggregate rate limits set in Article VII of the state constitution and in RCW 84.52.043 are exceeded.
- 7) This section is provided for your information, and to assist in preparing any Increase Ordinance that may be required by RCW 84.55.120. The increase information compares the allowable levy for the next tax year with your ACTUAL levy being collected this year. The actual levy excludes any refund levy and expired temporary lid lifts, if applicable. New construction, annexation and refund levies, as well as temporary lid lifts in their initial year, are subtracted from this year's *allowable* levy before the comparison is made.
- 8) ***Assessed valuations shown are subject to change from error corrections and appeal board decisions recorded between the date of this worksheet and final levy rate determination.***

Property Taxes

Council Packet November 1, 2022

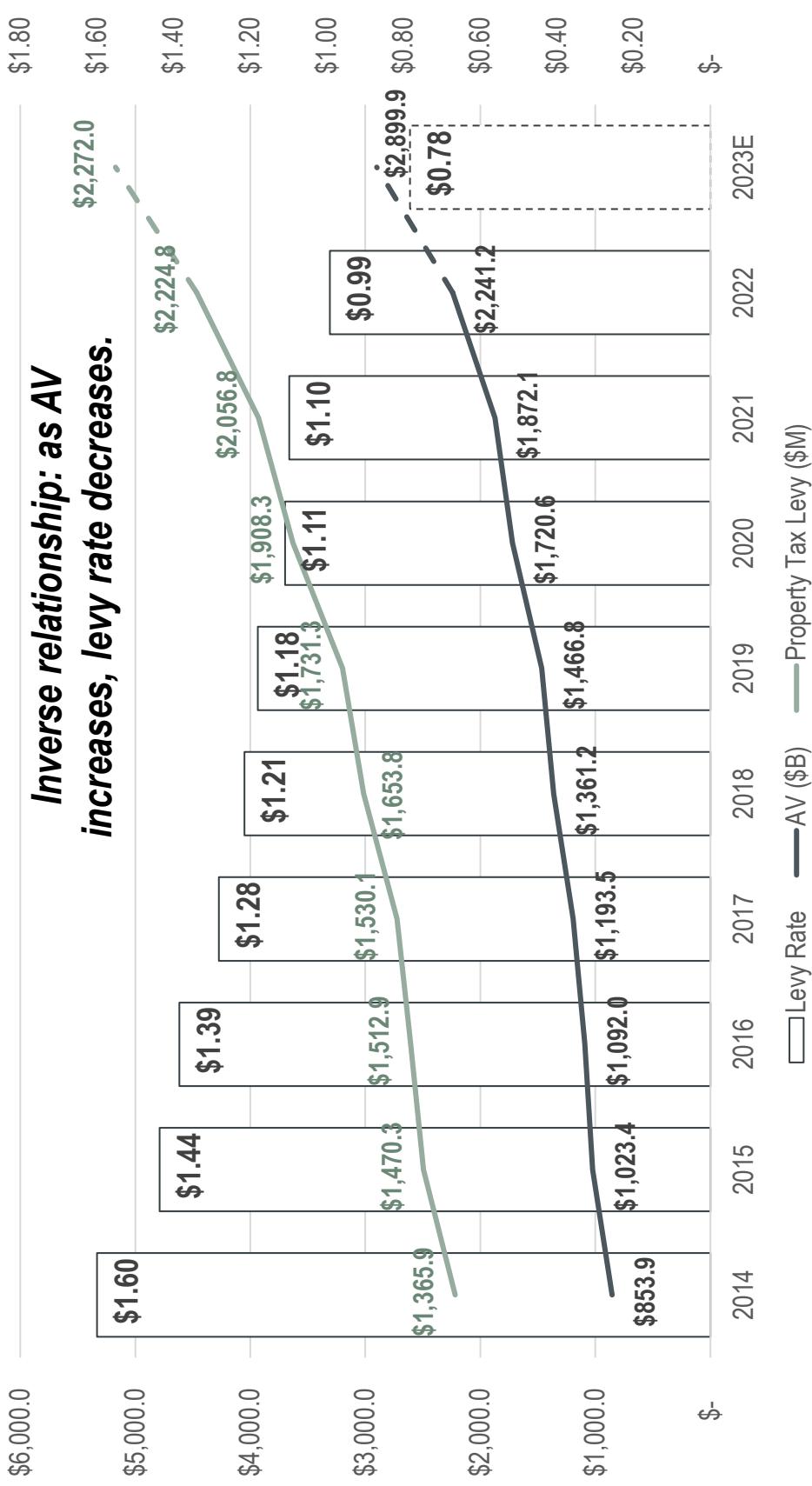
Presented by
Richard Gould, Finance Director
November 1, 2022





Property Tax Levy History

City of North Bend Assessed Valuation
2014 - 2022





Property Tax New Construction History

City of North Bend New Construction 2014 - 2022

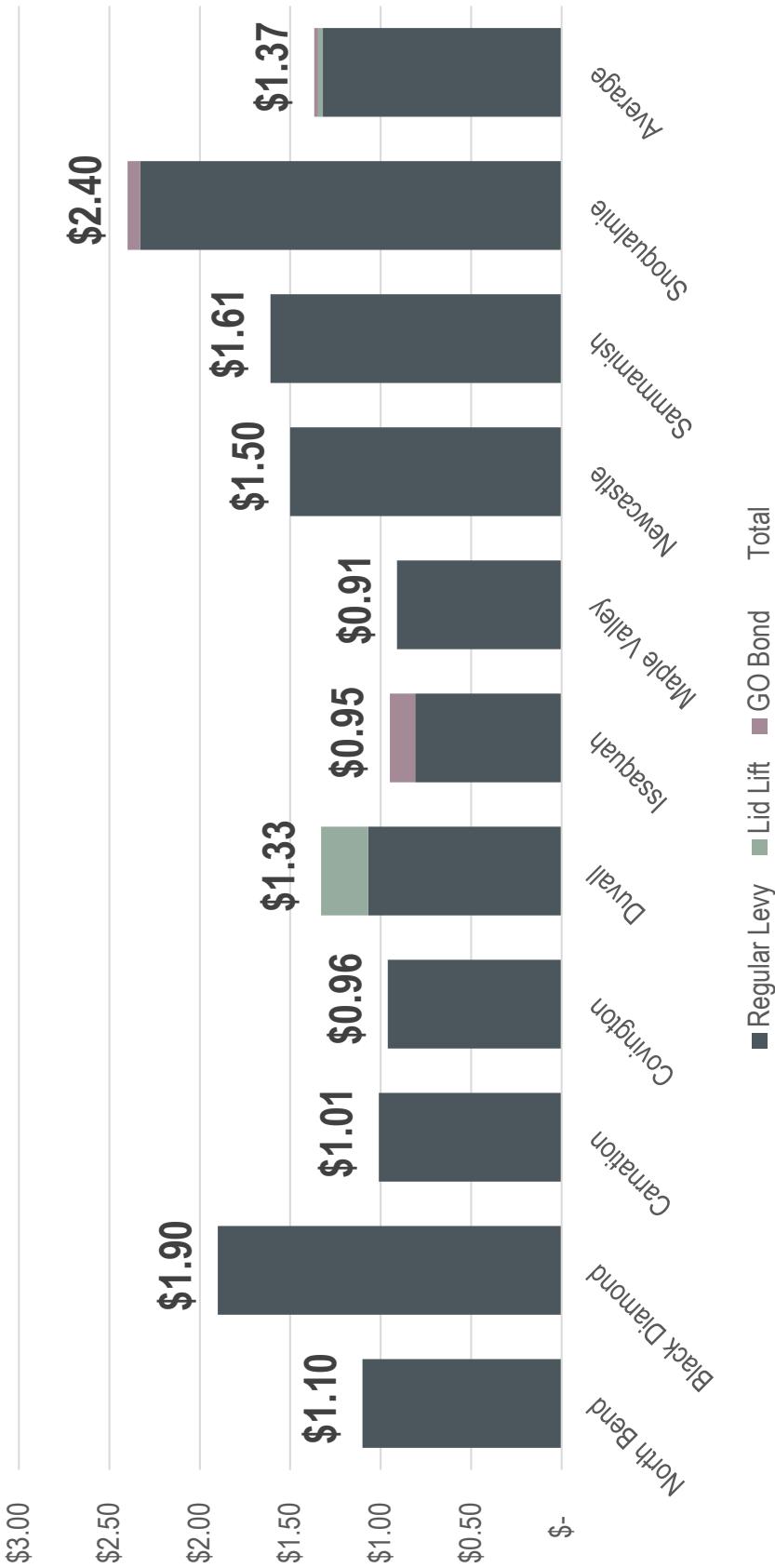


Council Packet November 1, 2022



Property Tax Comparison

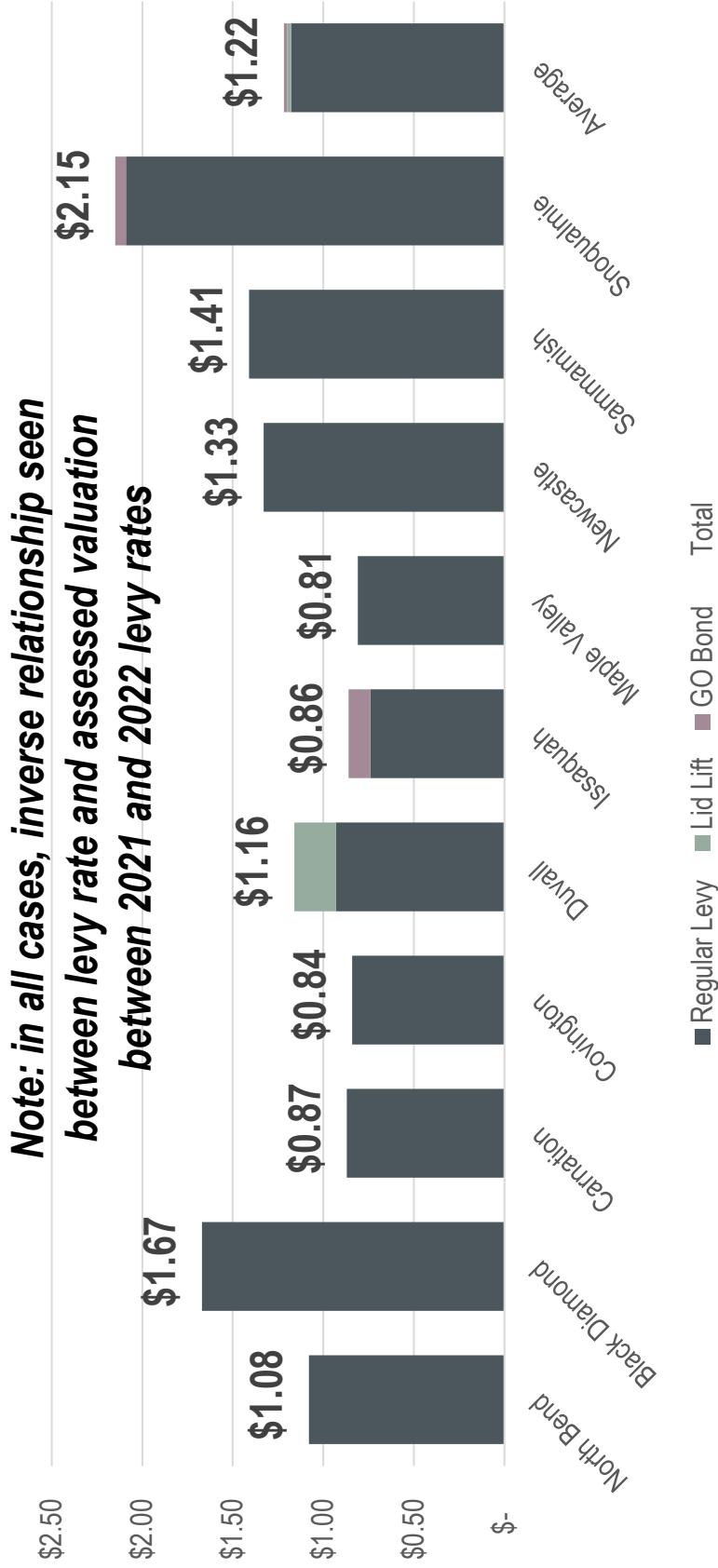
2021 Property Tax Levies – Local Portion Only





Property Tax Comparison

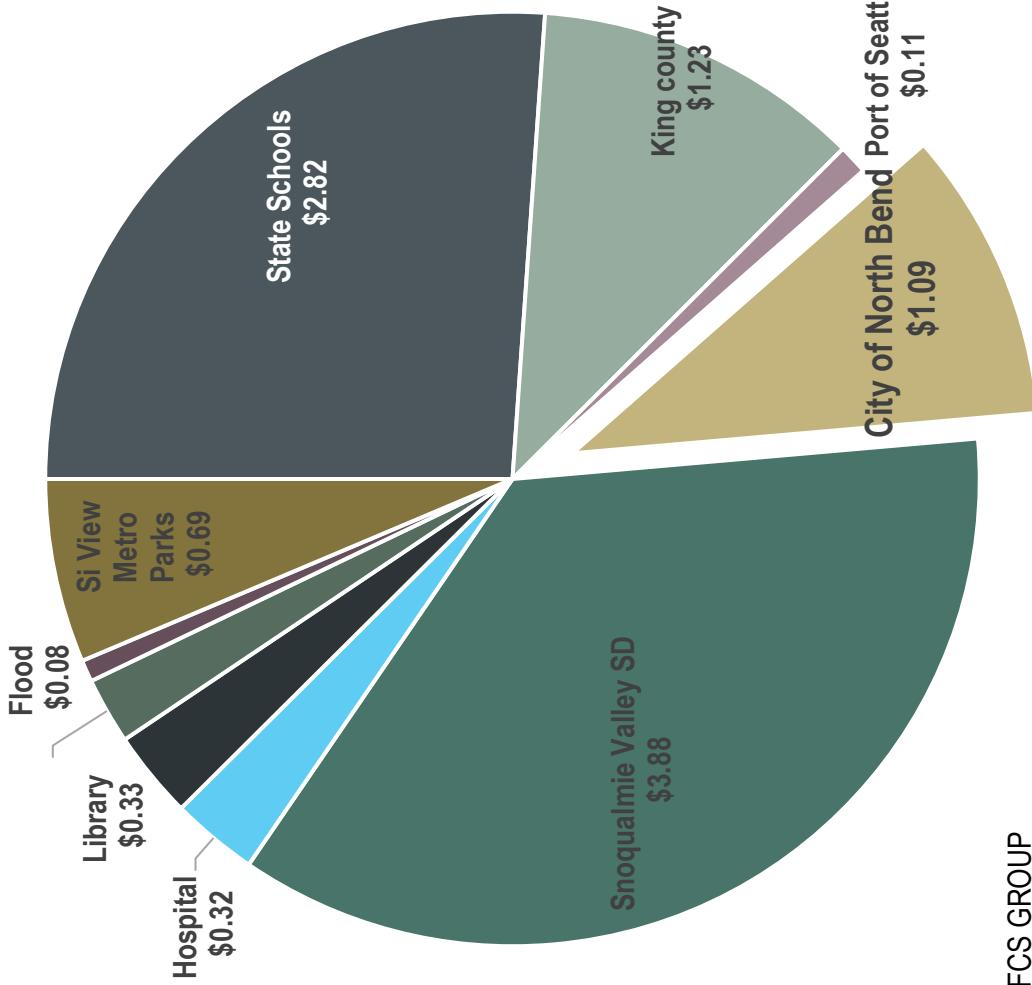
2022 Property Tax Levies – Local Portion Only





Total 2022 Property Tax Levy

Total Property Tax Levy Rate: \$10.80 / \$1000AV



**Property Tax burden on a
\$750,000 home:**

Total: \$8,100 / yr

**City of North Bend:
\$818 / yr (or 10%)**

Consolidated levy includes:
-State schools
-King County
-Port of Seattle



Property Tax Levy Options

Option (Council action required)	Levy Amount in 2023	Estimated Assessed Valuation	Calculated 2023 Levy Rate
Option 1: No increase	\$2.250 million (same as 2022)	\$2.9B (preliminary)	\$0.77
Option 2: 1% increase	\$2.272 million (2022+1%)	Same	\$0.78
Option 3: 1% plus Banked Capacity	\$2.382 million (2022+1%+)	Same	\$0.81

Council Packet November 1, 2022

City ordinance required to establish 2023 levy amount; this will form basis for 2023 levy rate.

Thank you!
Questions?



**LEGAL NOTICE
CITY OF NORTH BEND
King County, Washington**

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN the North Bend City Council will hold a public hearing to receive comments on setting the Property Tax Levy for 2023. The public hearing will take place during a Regular City Council Meeting on Tuesday, November 1, 2022, at 7:00 p.m. at City Hall, 920 SE Cedar Falls Way, North Bend, WA. For those that don't wish to attend the in-person meeting, a teleconference option will be available using Zoom Meetings, with detailed meeting access information to be provided on October 27, 2022 on the City website calendar item for the [November 1, 2022 City Council meeting](#).

Comments may be presented orally at the public hearing or submitted in writing to the City Clerk at 920 SE Cedar Falls Way, North Bend, WA, 98045, or by e-mail to: soppedal@northbendwa.gov up until 4:30 p.m., Monday, October 31, 2022.

Further information is available by contacting Finance Director Richard Gould at rgould@northbendwa.gov.

Posted: October 21, 2022

Published: October 21 and 28, 2022



City Council Agenda Bill

SUBJECT:	Agenda Date: November 1, 2022	AB22-132
	Department/Committee/Individual	
Public Hearing – Proposed 2023-2024 Biennial Budget	Mayor Rob McFarland	
	City Administrator – David Miller	
	City Attorney – Michael Kenyon/Lisa Marshall	
	City Clerk – Susie Oppedal	
	Administrative Services – Lisa Escobar	
	Community Development – Rebecca Deming	
Cost Impact: N/A	Finance – Richard Gould	X
Fund Source: Multiple	Public Works – Mark Rigos	
Timeline: Immediate		
Attachments: 2023-2024 Budget Summary, Public Hearing Notice		
SUMMARY STATEMENT:		
<p>The proposed 2023-2024 Draft Preliminary Biennial Budget was delivered to the City Council on October 3, 2022. The City Council discussed the Preliminary 2023-2024 Budget the Budget Workshops held on October 11 and 25, 2022. A Public Hearing is being held on November 1, 2022 to receive comments regarding the proposed budget. A second Public Hearing will be held on November 15, 2022 in conjunction with the first reading of the budget ordinance. Adoption of the budget ordinance is scheduled for December 6, 2022.</p>		
<p>The 2023-2024 Biennial Budget complies with state law and City financial policies. The proposed expenditures are balanced against revenue and resource estimates for each of the City's funds. The City's 10% Reserve in the General Fund is also maintained.</p>		
<p>This budget includes property tax revenues with the 1% statutorily allowed increase over the 2022 property levy amount. The budget will be amended as needed prior to adoption to reflect Council action taken regarding property tax levies.</p>		
<p>Per RCW Chapter 36.40.250 pertaining to biennial budgets, the City Council will be able to review and modify the 2024 budget revenues and expenditures as part of a mid-biennium modification that will occur in the fall of 2023. Additionally, Council will continue to review and approve budget adjustments, as needed throughout the biennium.</p>		
<p>When the final 2023-2024 Budget document is compiled, it will be published on the City's website.</p>		
APPLICABLE BRAND GUIDELINES: Balanced Budget		
COMMITTEE REVIEW AND RECOMMENDATION: Public Hearing only.		
RECOMMENDED ACTION: Conduct Public Hearing.		
RECORD OF COUNCIL ACTION		
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>
November 1, 2022		



2023-2024 Draft Preliminary Budget

City of North Bend, WA

**City of North Bend
2023 Proposed Budget Summary**

Fund	Fund Name	Beginning Fund Balance	Revenues	Expenditures	Ending Fund Balance
001	General Fund	\$ 4,739,157	\$ 10,954,124	\$ 11,278,695	\$ 4,414,586
101	Street Operations Fund	\$ (17,272)	944,207	905,433	\$ 21,502
102	Capital Streets Fund	\$ 43,324	321,483	316,052	\$ 48,756
103	Streets Overlay Fund	\$ 806,838	360,120	737,779	\$ 429,179
106	Impact Fees & Mitigation Fund	\$ 11,220,626	4,191,030	3,148,713	\$ 12,262,942
107	Hotel/Motel Tax Fund	\$ 49,722	15,000	-	\$ 64,722
108	Economic Development Fund	\$ (13,958)	280,400	262,545	\$ 3,897
116	Park Improvement Fund	\$ 415,138	162,403	325,000	\$ 252,541
117	Park Maintenance Reserve Fund	\$ 30,326	10,680	-	\$ 41,006
125	Development Projects Fund	\$ 683,079	500,000	248,560	\$ 934,519
130	ARPA Fiscal Recovery	\$ 2,019,762	-	770,000	\$ 1,249,762
190	Transportation Benefit District Fund	\$ 2,230,354	654,151	50,000	\$ 2,834,505
216	2011 Fire Station Bond Fund	\$ 93,602	191,926	149,660	\$ 135,868
217	2012 LTGO (TBD) Bond Fund	\$ -	-	-	\$ -
218	2015 LTGO Bond Fund	\$ (280)	200,000	191,769	\$ 7,951
220	2018 LTGO Bond Fund	\$ (300)	246,000	245,350	\$ 350
310	Municipal Projects Fund	\$ (51,934)	8,396,285	6,675,000	\$ 1,669,350
320	Capital Improvements (REET) Fund	\$ 5,542,500	1,857,360	396,000	\$ 7,003,860
401	Water Utility Fund	\$ 2,214,107	3,476,096	4,816,848	\$ 873,355
402	Sewer Utility Fund	\$ 27,453,866	5,529,288	14,601,924	\$ 18,381,230
404	Storm Drainage Utility Fund	\$ 2,331,985	1,054,357	1,589,965	\$ 1,796,377
404	Flood Operations Fund	\$ 475,701	203,056	352,733	\$ 326,024
405	Solid Waste & Recycling Fund	\$ 520,168	113,352	109,496	\$ 524,024
451	ULID #6 Bond Redemption Fund	\$ 1,498,100	871,923	923,552	\$ 1,446,471
452	ULID #6 Bond Reserve Fund	\$ -	-	-	\$ -
501	Equipment Operating Fund	\$ (52,282)	398,042	329,916	\$ 15,843
501	Technology Operating Fund	\$ -	452,558	449,374	\$ 3,184
502	Equipment Reserve Fund	\$ 1,375,531	110,540	-	\$ 1,486,070
502	Technology Reserve Fund	\$ 252,395	44,400	33,180	\$ 263,615
635	Treasurers Trust	\$ 1,426	-	-	\$ 1,426
699	Investment Sale	\$ -	-	-	-
GRAND TOTAL:		\$ 63,861,678	\$ 41,538,781	\$ 48,907,544	\$ 56,491,489

City of North Bend
2024 Proposed Budget Summary

Fund	Fund Name	Beginning Fund Balance	Revenues	Expenditures	Ending Fund Balance
001	General Fund	\$ 4,414,586	\$ 11,252,634	\$ 11,560,436	\$ 4,106,784
101	Street Operations Fund	\$ 21,502	977,975	950,704	\$ 48,773
102	Capital Streets Fund	\$ 48,756	336,543	226,589	\$ 158,709
103	Streets Overlay Fund	\$ 429,179	376,275	774,668	\$ 30,785
106	Impact Fees & Mitigation Fund	\$ 12,262,942	4,358,671	3,043,649	\$ 13,577,965
107	Hotel/Motel Tax Fund	\$ 64,722	15,600	-	\$ 80,322
108	Economic Development Fund	\$ 3,897	294,316	275,194	\$ 23,019
116	Park Improvement Fund	\$ 252,541	168,900	-	\$ 421,441
117	Park Maintenance Reserve Fund	\$ 41,006	11,107	-	\$ 52,113
125	Development Projects Fund	\$ 934,519	520,000	258,502	\$ 1,196,017
130	ARPA Fiscal Recovery	\$ 1,249,762	-	700,000	\$ 549,762
190	Transportation Benefit District Fund	\$ 2,834,505	680,317	50,000	\$ 3,464,822
216	2011 Fire Station Bond Fund	\$ 135,868	199,603	149,660	\$ 185,811
218	2015 LTGO Bond Fund	\$ 7,951	202,500	191,769	\$ 18,682
220	2018 LTGO Bond Fund	\$ 350	246,000	245,350	\$ 1,000
310	Municipal Projects Fund	\$ 1,669,350	11,169,094	10,275,000	\$ 2,563,444
320	Capital Improvements (REET) Fund	\$ 7,003,860	1,567,654	396,000	\$ 8,175,514
401	Water Utility Fund	\$ 873,355	4,270,803	5,135,204	\$ 8,954
402	Sewer Utility Fund	\$ 18,381,230	5,807,999	6,961,998	\$ 17,227,230
404	Storm Drainage Utility Fund	\$ 1,796,377	3,059,719	3,489,901	\$ 1,366,196
404	Flood Operations Fund	\$ 326,024	214,141	369,136	\$ 171,029
405	Solid Waste & Recycling Fund	\$ 524,024	117,886	114,895	\$ 527,015
451	ULID #6 Bond Redemption Fund	\$ 1,446,471	906,800	969,730	\$ 1,383,542
452	ULID #6 Bond Reserve Fund	\$ -	-	-	\$ -
501	Equipment Operating Fund	\$ 15,843	417,944	346,162	\$ 87,626
501	Technology Operating Fund	\$ 3,184	475,186	470,842	\$ 7,528
502	Equipment Reserve Fund	\$ 1,486,070	116,031	-	\$ 1,602,102
502	Technology Reserve Fund	\$ 263,615	46,611	34,839	\$ 275,387
635	Treasurers Trust	\$ 1,426	-	-	\$ 1,426
GRAND TOTAL:		\$ 56,491,489	\$ 47,810,310	\$ 46,990,228	\$ 57,311,571

City of North Bend

Revenue Summary by Fund

		2021	2022	2023	2024
		Actual	Modified	Proposed	Proposed
001	General Fund	\$ 10,433,813	\$ 10,887,270	\$ 10,954,124	\$ 11,252,634
101	Street Operations Fund	854,318	980,968	944,207	977,975
102	Capital Streets Fund	225,926	478,356	321,483	336,543
103	Streets Overlay Fund	378,189	416,737	360,120	376,275
106	Impact Fees & Mitigation Fund	5,383,353	4,858,607	4,191,030	4,358,671
107	Hotel/Motel Tax Fund	20,378	20,378	15,000	15,600
108	Economic Development Fund	199,678	238,058	280,400	294,316
116	Park Improvement Fund	137,963	148,811	162,403	168,900
117	Park Maintenance Reserve Fund	10,021	10,021	10,680	11,107
125	Development Projects Fund	915,086	1,060,151	500,000	520,000
130	ARPA Fiscal Recovery Fund	1,037,070	2,049,179	-	-
190	Transportation Benefit District Fund	747,932	647,167	654,151	680,317
216	2011 Fire Station Bond Fund	588,865	185,362	191,926	199,603
217	2012 LTGO (TBD) Bond Fund	150,761	2,569	-	-
218	2015 LTGO Bond Fund	191,502	191,769	200,000	202,500
219	2016 LTGO (LOC) Bond Fund	-	-	-	-
220	2018 LTGO Bond Fund	249,300	245,500	246,000	246,000
310	Municipal Projects Fund	1,293,168	8,444,732	8,396,285	11,169,094
320	Capital Improvements (REET) Fund	1,620,611	1,341,772	1,857,360	1,567,654
401	Water Utility Fund	2,733,045	5,051,408	3,476,096	4,270,803
402	Sewer Utility Fund	31,706,461	19,937,418	5,529,288	5,807,999
404	Storm Drainage Utility Fund	1,431,395	1,434,566	1,054,357	3,059,719
404-100	Flood Operations Fund	720,651	247,426	203,056	214,141
405	Solid Waste & Recycling Fund	119,138	121,482	113,352	117,886
451	ULID #6 Bond Redemption Fund	1,033,754	856,719	871,923	906,800
452	ULID #6 Bond Reserve Fund	666	-	-	-
501	Equipment Operating Fund	258,702	292,189	398,042	417,944
501-100	Technology Operating Fund	170,833	222,593	452,558	475,186
502	Equipment Reserve Fund	194,708	208,259	110,540	116,031
502-100	Technology Reserve Fund	19,802	73,229	44,400	46,611
CITY TOTAL		\$ 62,827,088	\$ 61,658,226	\$ 41,538,781	\$ 47,810,310

City of North Bend**Expenditure Summary by Fund**

		2021	2022	2023	2024
		Actual	Modified	Proposed	Proposed
001	General Fund	\$ 8,806,745	\$ 11,162,698	\$ 11,278,695	\$ 11,560,436
101	Street Operations Fund	854,318	980,968	905,433	950,704
102	Capital Streets Fund	256,903	460,539	316,052	226,589
103	Streets Overlay Fund	280,564	901,049	737,779	774,668
106	Impact Fees & Mitigation Fund	2,598,703	3,643,665	3,148,713	3,043,649
107	Hotel/Motel Tax Fund	-	-	-	-
108	Economic Development Fund	199,678	238,058	262,545	275,194
116	Park Improvement Fund	16,828	135,401	325,000	-
125	Development Projects Fund	850,665	970,230	248,560	258,502
130	ARPA Fiscal Recovery Fund	22,937	2,050,191	770,000	700,000
190	Transportation Benefit District Fund	535,758	921,257	50,000	50,000
216	2011 Fire Station Bond Fund	769,831	150,160	149,660	149,660
217	2012 LTGO (TBD) Bond Fund	148,192	2,569	-	-
218	2015 LTGO Bond Fund	191,502	191,769	191,769	191,769
219	2016 LTGO (LOC) Bond Fund	-	-	-	-
220	2018 LTGO Bond Fund	249,300	245,500	245,350	245,350
310	Municipal Projects Fund	1,273,588	8,291,247	6,675,000	10,275,000
320	Capital Improvements (REET) Fund	499,870	1,546,377	396,000	396,000
401	Water Utility Fund	2,736,171	5,413,995	4,816,848	5,135,204
402	Sewer Utility Fund	8,022,791	27,478,318	14,601,924	6,961,998
404	Storm Drainage Utility Fund	1,043,464	1,575,039	1,589,965	3,489,901
404-100	Flood Operations Fund	223,062	282,326	352,733	369,136
405	Solid Waste & Recycling Fund	66,878	86,834	109,496	114,895
451	ULID #6 Bond Redemption Fund	1,147,410	938,552	923,552	969,730
452	ULID #6 Bond Reserve Fund	904,116	-	-	-
501	Equipment Operating Fund	259,489	292,189	329,916	346,162
501-100	Technology Operating Fund	170,833	222,593	449,374	470,842
502	Equipment Reserve Fund	104,673	46,000	-	-
502-100	Technology Reserve Fund	5,275	31,600	33,180	34,839
CITY TOTAL		\$ 33,107,035	\$ 68,299,253	\$ 48,907,544	\$ 46,990,228

2023 PROPOSED RESOURCES BY CATEGORY (ALL FUNDS)

FUND TITLE	# FUND	Beginning Balance	Taxes	Licenses & Permits	Intergovt. Revenues	Charges for Goods & Services	Fines & Penalties	Interest, Miscellaneous & Capital Contributions	Interfund Transfers In	Other Financing Sources & Increases in Resources	Total Budget
GENERAL FUND	001	\$ 4,739,157	\$ 8,469,881	\$ 613,539	\$ 286,008	\$ 397,226	\$ 68,822	\$ 38,000	\$ 1,080,648		\$ 15,693,281

SPECIAL REVENUE FUNDS

Street Operations	101	(17,272)		12,792	193,722			12,693	725,000		\$ 926,935
Capital Streets	102	43,324			101,483				220,000		\$ 364,808
Streets Overlay	103	806,838							360,120		\$ 1,166,958
Impact Fees	106	11,220,626				4,159,532		31,498			\$ 15,411,655
Hotel/Motel Tax	107	49,722	15,000								\$ 64,722
Economic Development	108	(13,958)			10,400				270,000		\$ 266,442
Park Improvement	116	415,138			161,523				880		\$ 577,541
Park Maintenance Reserve	117	30,326					500,000		280	10,400	\$ 41,006
Development Projects	125	683,079									\$ 1,183,079
ARPA Fiscal Recovery	130	2,019,762									\$ 2,019,762
Transportation Benefit District	190	2,230,354	648,151					6,000			\$ 2,884,505

DEBT SERVICE FUNDS

2011 UTGO Fire Station Bond	216	93,602	186,326					5,600			\$ 285,528
2012 LTGO (TBD) Bond Redemp	217	-									\$
2015 LTGO Bonds	218	(280)							200,000		\$ 199,720
2018 LTGO Bonds	220	(300)							246,000		\$ 245,700

CAPITAL FUNDS

Municipal Capital Projects	310	(51,934)		2,794,169			3,741,495	1,860,621			\$ 8,344,356
Capital Improvements (REET)	320	5,542,500	1,600,000					257,360			\$ 7,399,860

ENTERPRISE FUNDS

Water Utility	401	2,214,107			2,476,654		999,442				\$ 5,690,203
Sewer Utility	402	27,453,866			4,091,716		1,437,572				\$ 32,983,153

**2023 PROPOSED RESOURCES BY CATEGORY
(ALL FUNDS)**

Storm Drainage Utility	404	2,331,985			772,524		281,833			\$ 3,386,342
Flood Operations	404	475,701		4,160	197,496		1,400			\$ 678,757
Solid Waste & Recycling	405	520,168	92,300		19,552		1,500			\$ 633,520
ULID #6 Bond Redemption	451	1,498,100					871,923			\$ 2,370,023
ULID #6 Bond Reserve	452	-								\$ -
INTERNAL SERVICE FUNDS										
Shop/Equipment Operating	501	(52,282)			398,042					\$ 345,759
Technology Operating	501	-			452,558					\$ 452,558
Equipment Reserve	502	1,375,531			106,980		3,560			\$ 1,486,070
Technology Reserve	502	252,395			43,553		847			\$ 296,795
GRAND TOTAL		\$ 63,860,252	\$ 11,011,658	\$ 630,491	\$ 3,566,858	\$ 13,596,280	\$ 68,822	\$ 7,691,883	\$ 4,972,789	\$ - \$ 105,399,033

2024 PROPOSED RESOURCES BY CATEGORY (ALL FUNDS)

FUND TITLE	# FUND	Beginning Balance	Taxes	Licenses & Permits	Intergovt. Revenues	Charges for Goods & Services	Fines & Penalties	Interest, Miscellaneous & Capital Contributions	Interfund Transfers In	Other Financing Sources & Increases in Resources	Total Budget
GENERAL FUND	001	\$ 4,414,586	\$ 8,808,676	\$ 638,080	\$ 157,049	\$ 413,115	\$ 71,575	\$ 39,520	\$ 1,124,619		\$ 15,667,220
SPECIAL REVENUE FUNDS											
Street Operations	101	21,502	13,304		201,471			13,200	750,000		\$ 999,477
Capital Streets	102	48,756				105,543			231,000		\$ 395,298
Streets Overlay	103	429,179							376,275		\$ 805,453
Impact Fees	106	12,262,942				4,325,913			32,758		\$ 16,621,614
Hotel/Motel Tax	107	64,722	15,600								\$ 80,322
Economic Development	108	3,897			10,816				283,500		\$ 298,213
Park Improvement	116	252,541			167,984			915			\$ 421,441
Park Maintenance Reserve	117	41,006						291	10,816		\$ 52,113
Development Projects	125	934,519				520,000					
ARPA Fiscal Recovery	130	1,249,762									\$ 1,249,762
Transportation Benefit District	190	2,834,505	674,077					6,240			\$ 3,514,822
DEBT SERVICE FUNDS											
2011 UTGO Fire Station Bond	216	\$ 135,868	193,779						5,824		\$ 335,471
2012 LTGO (TBD) Bond Redemp	217	\$ -									\$ -
2015 LTGO Bonds	218	\$ 7,951							202,500		\$ 210,451
2018 LTGO Bonds	220	\$ 350							246,000		\$ 246,350
CAPITAL FUNDS											
Municipal Capital Projects	310	\$ 1,669,350			\$ 2,073,935.55			7,885,305	1,209,854		\$ 12,838,444
Capital Improvements (REET)	320	\$ 7,003,860	1,300,000					267,654			\$ 8,571,514
ENTERPRISE FUNDS											
Water Utility	401	873,355			2,610,883			1,659,920			\$ 5,144,158
Sewer Utility	402	18,381,230			4,312,924			1,495,075			\$ 24,189,229
Storm Drainage Utility	404	1,796,377				815,013		2,244,707			\$ 4,856,097
Flood Operations	404	326,024		4,326		208,358			1,456		\$ 540,164
Solid Waste & Recycling	405	524,024		95,992	20,334			1,560			\$ 641,910
ULID #6 Bond Redemption	451	1,446,471						906,800			\$ 2,353,272

2024 PROPOSED RESOURCES BY CATEGORY (ALL FUNDS)						
	ULID #6 Bond Reserve	452	-			
INTERNAL SERVICE FUNDS						
Shop/Equipment Operating	501	15,843		417,944		\$ 433,787
Technology Operating	501	3,184		475,186		\$ 478,370
Equipment Reserve	502	1,486,070		112,329	3,702	\$ 1,602,102
Technology Reserve	502	263,615		45,731	880	\$ 310,226
GRAND TOTAL		\$ 56,491,839	\$ 11,005,436	\$ 738,399	\$ 2,631,589	\$ 14,362,938
						\$ 71,575
						\$ 14,565,809
						\$ 4,434,564
						\$ 104,302,149

2023 PROPOSED EXPENDITURES
CLASSIFICATION BY CATEGORIES (ALL FUNDS)

FUND TITLE	# FUND	Personnel Costs	Supplies	Services & Charges	Capital Outlay	Debt Service	Interfund Transfers	Other Financing Uses	Ending Fund Balance	Total Budget
General Fund	001									
Mayor & City Council		\$ 88,696	\$ -	\$ 11,760	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 100,456
Administration & Finance		1,063,646	1,250	126,419	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,191,315
Legal & Judicial		-	655,414	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 655,414
Central Services		15,735	250,420	2,834,556	238,901	\$ -	2,750	\$ -	\$ -	\$ 268,905
Law Enforcement & Jail		263	1,352,310	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,073,720
Fire Services & Emergency Mgmt		25,934	2,200	5,446	854,191	\$ -	\$ -	\$ -	\$ -	\$ 1,380,444
Building, Planning & Dev Review		1,139,424	16,500	147,802	77,200	\$ -	\$ -	\$ -	\$ -	\$ 1,999,061
Parks, Culture & Recreation		549,928	-	281,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 791,429
Social & Human Services		-	18,000	245,432	18,019	\$ -	1,255,500	\$ -	\$ -	\$ 281,000
Other Expenditures & Transfers		-	-	-	-	\$ -	\$ -	\$ -	\$ -	\$ 1,536,951
Ending Fund Balance										\$ 4,414,586
TOTAL GENERAL FUND		\$ 2,867,628	\$ 59,394	\$ 6,759,303	\$ 334,120	\$ 2,750	\$ 1,255,500	\$ -	\$ 4,414,586	\$ 15,693,281
Street Operations	101	500,743	17,250	207,851	75,000	315	102,774	1,500	21,502	\$ 927,036
Capital Streets	102	64,405	-	107,875	-	-	143,772	-	48,756	\$ 364,910
Street Overlay	103	-	-	-	331,781	-	405,998	-	429,179	\$ 1,167,061
Impact Fees	106	-	-	1,865,010	-	-	1,283,703	-	12,262,942	\$ 15,411,761
Hotel/Motel Tax	107	-	-	-	-	-	-	-	64,722	\$ 64,829
Economic Development	108	208,365	500	53,680	\$ -	\$ -	\$ -	\$ -	3,897	\$ 266,550
Park Improvement	116	-	-	-	275,000	-	50,000	-	252,541	\$ 577,657
Park Maintenance Reserve	117	-	-	-	-	-	-	-	41,006	\$ 41,123
Development Projects	125	-	-	-	-	-	248,560	-	934,519	\$ 1,183,204
ARPA Fiscal Recovery	130	-	-	750,000	20,000	\$ -	\$ -	\$ -	1,249,762	\$ 2,019,892
Transportation Benefit District	190	-	-	-	-	-	-	50,000	2,834,505	\$ 2,884,695
2011 UTGO Fire Station Bond	216	-	-	-	-	149,660	-	-	135,868	\$ 285,744
2015 LTGO Bonds	218	-	-	-	-	191,769	-	-	7,951	\$ 199,938
2018 LTGO Bonds	220	-	-	-	-	245,350	-	-	350	\$ 245,920
Municipal Capital Projects	310	-	-	6,675,000	\$ -	\$ -	\$ -	\$ -	1,669,350	\$ 8,344,660
Capital Improvements	320	-	-	-	-	-	396,000	-	7,003,860	\$ 7,400,180

2023 PROPOSED EXPENDITURES
CLASSIFICATION BY CATEGORIES (ALL FUNDS)

Water	401	1,531,959	391,311	911,624	1,180,000	453,347	348,606	-	873,355	\$ 5,690,604
Sewer	402	1,730,644	96,810	1,383,260	9,315,000	1,797,067	279,143		18,381,230	\$ 32,983,555
Storm Drainage	404	541,674	2,730	211,001	550,000	98,364	186,196		1,796,377	\$ 3,386,746
Flood	404	221,964	1,208	85,046		1,075	43,441	-	326,024	\$ 679,161
Solid Waste	405	57,898	263	43,778	-	-	7,557	-	524,024	\$ 633,925
ULID #6 Bond Rdmt.	451	-	-	-	-	923,552	-	-	1,446,471	\$ 2,370,474
ULID #6 Bond Reserve	452	-	-	-	-	-	-	-	-	\$ 452
Shop/Equipment Operating	501	184,500	57,356	62,741	-	290	25,029	-	15,843	\$ 346,260
Technology Operating	501	210,197	15,630	198,517	-	-	25,029		3,184	\$ 453,059
Equipment Reserve	502	-	-	-	-	-	-	-	1,486,070	\$ 1,486,572
Technology Reserve	502	-	-	-	-	-	33,180	-	263,615	\$ 297,297
GRAND TOTAL ALL FUNDS		\$ 8,119,978	\$ 642,451	\$12,639,686	\$18,755,901	\$ 3,863,539	\$ 4,834,459	\$ 51,500	\$ 56,491,1839	\$ 105,399,383

2024 PROPOSED EXPENDITURES
CLASSIFICATION BY CATEGORIES (ALL FUNDS)

FUND TITLE	# FUND	Personnel Costs	Supplies	Services & Charges	Capital Outlay	Debt Service	Interfund Transfers	Other Financing Uses	Ending Fund Balance	Total Budget
General Fund	001									
Mayor & City Council		\$ 93,131	\$ -	\$ 12,348	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 105,479
Administration & Finance		1,116,828	1,313	98,640	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,216,781
Legal & Judicial		-	688,185	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 688,185
Central Services		16,522	262,941	\$ -	250,846	\$ -	\$ -	\$ -	\$ -	\$ 282,351
Law Enforcement & Jail		276	2,976,284	\$ -	2,888	\$ -	\$ -	\$ -	\$ -	\$ 3,227,406
Fire Services & Emergency Mgmt		27,230	2,310	1,419,925	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,449,466
Building, Planning & Dev Review		1,196,395	4,879	651,916	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,853,190
Parks, Culture & Recreation		577,424	17,325	152,922	81,060	\$ -	\$ -	\$ -	\$ -	\$ 828,731
Social & Human Services		-	-	295,050	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 295,050
Other Expenditures & Transfers		-	18,900	257,704	18,920	\$ -	1,318,275	\$ -	\$ -	\$ 1,613,799
Ending Fund Balance		-	-	-	-	\$ -	\$ -	\$ -	\$ 4,106,784	\$ 4,106,784
TOTAL GENERAL FUND		\$ 3,011,009	\$ 61,523	\$ 6,815,915	\$ 350,826	\$ 2,888	\$ 1,318,275	\$ -	\$ 4,106,784	\$ 15,667,220
Street Operations	101	525,780	18,113	218,243	78,750	331	107,913	1,575	48,773	\$ 999,477
Capital Streets	102	67,626	-	8,269	\$ -	-	150,694	\$ -	158,709	\$ 385,298
Street Overlay	103	-	-	-	348,370	-	426,298	\$ -	30,785	\$ 805,453
Impact Fees	106	-	-	1,958,261	\$ -	-	1,085,388	\$ -	13,577,965	\$ 16,621,614
Hotel/Motel Tax	107	-	-	-	-	-	-	-	80,322	\$ 80,322
Economic Development	108	218,783	500	55,911	\$ -	\$ -	\$ -	\$ -	23,019	\$ 298,213
Park Improvement	116	-	-	-	-	-	-	-	421,441	\$ 421,441
Park Maintenance Reserve	117	-	-	-	-	-	-	-	52,113	\$ 52,113
Development Projects	125	-	-	-	-	-	258,502	\$ -	1,196,017	\$ 1,454,519
ARPA Fiscal Recovery	130	-	-	700,000	\$ -	\$ -	\$ -	\$ -	549,762	\$ 1,249,762
Transportation Benefit District	190	-	-	-	-	-	50,000	\$ -	3,464,822	\$ 3,514,822
2011 UTGO Fire Station Bond	216	-	-	-	149,660	\$ -	\$ -	\$ -	185,811	\$ 335,471
2015 LTGO Bonds	218	-	-	-	191,769	\$ -	\$ -	\$ -	18,682	\$ 210,451
2018 LTGO Bonds	220	-	-	-	245,350	\$ -	\$ -	\$ -	1,000	\$ 246,350
Municipal Capital Projects	310	-	-	10,275,000	\$ -	\$ -	\$ -	\$ -	2,563,444	\$ 12,838,444
Capital Improvements	320	-	-	-	-	396,000	\$ -	\$ -	8,175,514	\$ 8,571,514

2024 PROPOSED EXPENDITURES
CLASSIFICATION BY CATEGORIES (ALL FUNDS)

Water	401	1,608,557	242,561	1,118,021	1,331,500	476,015	358,551	-	8,954	\$ 5,144,158
Sewer	402	1,817,176	101,651	1,452,443	1,416,500	1,886,920	287,309	-	17,227,230	\$ 24,189,229
Storm Drainage	404	568,758	2,867	220,330	2,400,000	104,503	193,444	-	1,366,196	\$ 4,856,097
Flood	404	233,062	1,268	89,298	-	1,129	44,378	-	171,029	\$ 540,164
Solid Waste	405	60,793	276	45,967	-	-	7,859	-	527,015	\$ 641,910
ULID #6 Bond Rdmt.	451	-	-	-	-	969,730	-	-	1,383,542	\$ 2,353,272
ULID #6 Bond Reserve	452	-	-	-	-	-	-	-	-	\$ -
Shop/Equipment Operating	501	193,725	60,224	65,878	-	305	26,031	-	87,626	\$ 433,787
Technology Operating	501	220,707	15,662	25,257	183,186	-	26,031	-	7,528	\$ 478,370
Equipment Reserve	502	-	-	-	-	-	-	-	1,602,102	\$ 1,602,102
Technology Reserve	502	-	-	-	-	-	34,839	-	275,387	\$ 310,226
GRAND TOTAL ALL FUNDS		\$ 8,525,977	\$ 504,643	\$12,773,791	\$16,384,132	\$ 4,028,598	\$ 4,771,512	\$ 1,575	\$ 57,311,571	\$ 104,301,799



**LEGAL NOTICE
CITY OF NORTH BEND
King County, Washington**

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN the North Bend City Council will hold a public hearing to receive comments on the Proposed 2023-2024 Biennial Budget. The public hearing will take place during a Regular City Council Meeting on Tuesday, November 1, 2022, at 7:00 p.m. at City Hall, 920 SE Cedar Falls Way, North Bend, WA. For those that don't wish to attend the in-person meeting, a teleconference option will be available using Zoom Meetings, with detailed meeting access information to be provided on October 27, 2022 on the City website calendar item for the [November 1, 2022 City Council meeting](#).

Comments may be presented orally at the public hearing or submitted in writing to the City Clerk at 920 SE Cedar Falls Way, North Bend, WA, 98045, or by e-mail to: soppedal@northbendwa.gov up until 4:30 p.m., Monday, October 31, 2022.

Further information is available by contacting Finance Director Richard Gould at rgould@northbendwa.gov.

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