

CAPITAL FACILITIES ELEMENT

TABLE OF CONTENTS

1		
2		
3		
4	I. INTRODUCTION	
5	1. Growth Management Act Requirements.....	2
6	2. Purpose of the Capital Facility	2
7		
8	II. CAPITAL FACILITY ELEMENT GOALS, OBJECTIVES, AND POLICIES	
9		
10	III. CAPITAL FACILITY INVENTORY	
11	1. Fire/EMS Protection	6
12	2. Police Protection	7
13	3. Schools	9
14	4. Library	10
15	5. City-Owned Buildings and Facilities	11
16		
17	IV. NEEDED FACILITIES AND SERVICES	
18	1. Fire/EMS Level of Service and Future Needs.....	12
19	2. Police Level of Service and Future Needs.....	12
20	3. Schools Level of Service and Future Needs.....	12
21	4. Library Level of Service and Future Needs.....	13
22	5. City-Owned Buildings and Facilities Level of Service and Future Needs.	14
23	6. Parks and Recreation Level of Service and Future Needs	14
24	7. Sewer Utility Level of Service and Future Needs	14
25	8. Stormwater Utility Level of Service and Future Needs.....	15
26		
27	V. FINANCING NEEDED FACILITIES AND SERVICES	
28	a. Potential Revenue Sources	16
29	b. Current Revenue Sources	21
30	c. Revenue Projections	22
31		
32	APPENDIX A: ESSENTIAL PUBLIC FACILITIES SITING PROCESS	
33	Essential Public Facility Designation	A1
34	Site Review Process	A1
35	Site Evaluation Criteria	A2

TABLES

1
2 Table 1: School Facilities Inventory 9
3 Table 2: City-Owned Facilities Inventory..... 11
4 Table 3: Police Level of Service and Future Needs 12
5 Table 4: Library Level of Service and Future Needs 13
6 Table 5: City Buildings and Facilities Level of Service and Future Needs..... 14
7 Table 6: Parks and Recreation Level of Service and Future Needs..... 14
8 Table 7: Sewer Utility Level of Service and Future Needs..... 15
9 Table 8: Stormwater Utility Level of Service and Future Needs 15
10 2019-2025 6-Year Capital Facilities Plan.....B1

1 **I. INTRODUCTION**

2
3 **1. Growth Management Act Requirements**

4
5 The Washington State Growth Management Act requires jurisdictions to prepare a
6 capital facilities element that contains the following features:

- 7
8 A. An inventory of existing capital facilities owned by public entities, showing
9 the locations and capacities of the capital facilities.
- 10 B. A forecast of the future needs for such capital facilities.
- 11 C. The proposed locations and capacities of expanded or new capital facilities.
- 12 D. At least a 6-Year plan that will finance such capital facilities within projected
13 funding capacities and clearly identifies sources of public money for such
14 purposes.
- 15 E. A requirement to reassess the land use element if probable funding falls
16 short of meeting existing needs and to ensure that the land use element,
17 capital facilities plan, and financing plan within the capital facilities plan are
18 coordinated and consistent.

19
20 These capital facility policy areas are addressed in this Element.

21
22 **2. Purpose of a Capital Facility Element**

23
24 The Capital Facility Element represents the community's policy plan for the financing
25 of public facilities over the next 6 years. It outlines the City's needs and sets policy
26 direction for determining capital improvement needs and for evaluating proposed
27 capital facility projects. It establishes funding priorities and a strategy for utilizing
28 various funding alternatives.

29
30 For the purposes of this Element, a capital facility is defined as a structure or
31 equipment that generally costs at least \$5,000 and has a useful life of 7 years or
32 more. Capital investments may include rehabilitation or maintenance of capital
33 assets, the construction of new buildings, streets, acquisition of land, or the purchase
34 of equipment.

35
36 The Capital Facility Element addresses all public facilities, with additional specific
37 goals and policies for transportation, utilities, and parks and recreation in those
38 respective elements of Comprehensive Plan. However, the Capital Facility Element

1 includes a 6-Year Capital Facilities Plan that includes City financing of all capital
2 improvements from 2019-2025. This financing plan is updated annually and
3 identifies capital project expenditures and the availability of funds.
4

5 The following text describes the major goals and areas of concern that are addressed
6 in the Capital Facility Element:
7

8 A. The Capital Facility Element is the mechanism the City uses to coordinate its
9 physical and fiscal planning. It coordinates the provision of future capital
10 facilities with the land development that is envisioned by the Land Use
11 Element of the Comprehensive Plan.
12

13 B. Levels of service standards are established for each capital facility as a
14 measurable standard, in order to maintain a quality of life for existing and
15 future development, in accordance with the community's vision.
16

17 C. The Capital Facility Element can insure the timely provision of adequate
18 services and facilities to serve future development without negatively
19 impacting existing facilities or placing a financial burden on residents. One of
20 the goals of the Growth Management Act is to have capital facilities in place
21 concurrent with development.
22

23 D. The Capital Facility Element promotes efficiency and fiscal responsibility. The
24 6- Year Capital Facility Plan (CFP) requires local governments to document
25 capital improvement projects and to identify the sources of revenue that will
26 be used to fund the facilities. The identification of adequate funding sources
27 results in the prioritization of needs and allows the evaluation of trade-offs
28 between capital projects. Long range financial planning presents the
29 opportunity to schedule projects with regard to relative urgency, economic
30 desirability, and community benefit.
31

32 E. The Capital Facility Element provides a reality check on the vision set forth in
33 the Comprehensive Plan. The Element specifically evaluates the City's fiscal
34 capability to provide the public facilities necessary to achieve the community's
35 goals and to support the other comprehensive plan elements.
36
37

1 **II. CAPITAL FACILITY ELEMENT GOALS, OBJECTIVES, AND POLICIES**

2
3 **GOAL CF1.0: ENHANCE THE QUALITY OF LIFE IN BRIER THROUGH THE**
4 **PLANNED PROVISION OF PUBLIC CAPITAL FACILITIES,**
5 **WHETHER DIRECTLY PROVIDED BY THE CITY OR VIA**
6 **COORDINATION WITH OTHER PUBLIC ENTITIES.**

7
8 Policy CF1.1: The City shall strive to maintain or achieve the following
9 adopted level of service standards. The level of service
10 standards shall be used as guidelines to evaluate the
11 adequacy of public facilities:
12

13 **Fire and Emergency Services**

14 The City of Brier fire and emergency services are provided by the South
15 County Regional Fire Authority. Annexation was approved through a
16 Special Election ballot vote in 2023. South County Fire is responsible for
17 providing fire protection, prevention, HazMat, technical rescue and first
18 response emergency medical services to the City. Current fire
19 operations within the City of Brier are conducted from one fire station
20 (Station 18). South County Fire operates a total of fifteen fire stations
21 covering 57 square miles and employs over 350 uniformed firefighters.
22 South County Fires strives to maintain the response times and levels of
23 services previously adopted by the City of Brier in past Capital Facilities
24 elements.
25

26 **Police:**

27 The City of Brier level of service for Police Services is one (1) Police
28 Officer for every 1,000 residents. The Brier Police Department serves
29 all law enforcement functions within the City. Currently, there are 1.06
30 officers per 1,000 residents. The Police Department’s commitment to
31 providing the community with an appropriate level of resources and
32 how to best utilize them is a continuous process. Ensuring the
33 department maintains an appropriate level of service and a facility
34 sufficient to properly support the community is a priority.
35

36 **Schools:**

37 The level of service is determined by the respective school districts
38 (Edmonds or Northshore). Students that live in the eastern portion of
39 the city within the Northshore School District Boundary attend

1 Lockwood Elementary, Kenmore Middle School, and Bothell High
2 School. The remainder of the city attend Brier Elementary, Brier Terrace
3 Middle School and Mountlake Terrace High School.

4
5 **Library:**

6 The City of Brier level of service for library service is 400 square feet of
7 library floor area for every 1,000 residents. The Brier Library is
8 approximately 2,980 square feet of floor area resulting is a level of
9 service of approximately 452 square feet per 1,000 residents.

10
11 **Parks and Recreation:**

12 Park system investments as growth occurs sufficient to maintain a park
13 system value of at least \$3,644 per resident.

14
15 All properties in the city shall be able to access a park or school
16 recreation facility on foot or by bicycle within a distance of ½ mile, using
17 public streets, trails, or access rights-of way.

18
19 **Sewer:**

20 The City of Brier currently uses and meets the Washington State
21 Department of Ecology current Criteria for Sewer Works Design.

22
23 **Water:**

24 Water service to the city is provided by the Alderwood Water &
25 Wastewater District. Alderwood Water & Wastewater District is a
26 Washington State special purpose district. The level of service for water
27 supply and pressure is determined by Alderwood Water & Wastewater
28 District. Minimum residential fire flow is 500 Gallons per Minute for 30
29 Minutes. Minimum commercial fire flow is 750 Gallons per Minute for
30 30 Minutes.

31
32 **Stormwater Detention and Quality:**

33 The level of services for stormwater detention and quality is regulated
34 by the Washington State Department of Ecology current Stormwater
35 Management Manual for Western Washington. The city continues to
36 require stormwater improvements, per the most current manual, as
37 properties develop or redevelop.

1
2 For all other public facilities, “concurrent with” is
3 determined to mean within six years of completion and
4 occupancy of the development which impacts the facility.
5 The City will determine its preferred timeline for
6 completion at the time of development review.
7

8 Policy CF2.3: Allow development to meet the requirements for
9 adequate public facilities concurrency by donation or
10 construction of needed capacity (such as roads or park
11 land) or accepted demand management strategies that
12 reduce the impact on public facilities.
13

14 **GOAL CF3.0: FINANCE NEEDED CAPITAL FACILITIES IN AN ECONOMICALLY**
15 **FEASIBLE, FISCALLY SOUND AND EQUITABLE MANNER.**
16

17 Policy CF3.1: The costs of all projects scheduled in the City’s 6-Year
18 Capital Facilities Plan shall not exceed anticipated
19 revenues.
20

21 Policy CF3.2: Provide needed public facilities in a manner which protects
22 investments in existing facilities and maximizes the use of
23 existing facilities.
24

25 Policy CF3.3: Ensure that new growth and future development pay a
26 proportionate fair share of the cost of capital facilities
27 needed to serve such growth and development and to
28 maintain adopted level of service standards. The
29 developer will not be charged for existing deficiencies.
30

31 Policy CF3.4: If adequate facilities are unavailable and public funds are
32 not committed to provide such facilities, developers must
33 provide the facilities at their own expense in order to
34 develop.
35

36 Policy CF3.5: Make financing decisions for capital improvements in
37 accordance with sound fiscal policy.
38

39 Policy CF3.6: Reassess the Comprehensive Plan’s Land Use Element if

1 the City determines that adequate funding will not be
2 available for public facility capital improvements.

3
4 Policy CF3.7: Consider long-term borrowing as an appropriate method
5 of financing large facilities that benefit more than one
6 generation of users.

7
8 Policy CF3.8: Use special assessment, revenue and other self-
9 supporting bonds instead of tax supported general
10 obligation bonds, where possible.

11 12 **III. CAPITAL FACILITY INVENTORY**

13
14 The Capital Facility Element addresses the following public facilities and services:

- 15 1. Fire Protection
- 16 2. Police Protection
- 17 3. Schools
- 18 4. Libraries
- 19 5. Building Facilities

20
21 The locations of public facilities within the City of Brier are mapped on Figure 1.

22
23 Capital facilities that provide infrastructure necessary to support basic life needs
24 such as water and sanitary sewer are addressed in the Utilities Element of this Plan.
25 Streets and other transportation needs are addressed in the Transportation Element
26 of the Plan. Parks, recreation, and open space needs are addressed in the Parks and
27 Recreation Element of the Plan. Funding for capital improvements to all systems,
28 including those addressed in this and other elements will be evaluated in the Capital
29 Facilities Plan of this element.

30 31 **1. Fire / EMS Protection**

32 The South County Regional Fire Authority (South County Fire) is responsible
33 for providing fire protection, fire marshaling, hazardous materials events,
34 technical rescue and first response emergency medical services to the City.
35 These services had been provided to Brier and extended to the City of
36 Edmonds, and the City of Mountlake Terrace through contracts with
37 Snohomish County Fire District 1. In July 2016 the City of Lynwood Fire
38 Department and Snohomish County Fire District 1 entered a cost savings
39 agreement and blended the agencies' management teams, forming the Fire

1 Authority. For 2018, there were 395 fire events in the City of Brier. A system
2 of mutual and automatic aid agreements with adjoining jurisdictions allows
3 the Computer Aided Dispatch to dispatch units 25 deep before its system is
4 exhausted.

5 Additional resources can also be summoned by utilizing the Snohomish
6 County Resource Plan, which allows for additional task force and strike team
7 units to be dispatched.

8 For extraordinarily high risk/high loss incidents, the Fire Authority
9 participates in the Washington State Fire Response Plan utilizing task force
10 and strike team resources from across the region as well as providing access
11 to military and other governmental agency resources.

12
13 Currently, South County Fire operations within Brier are conducted from Fire
14 Station 18 on Poplar Way, built at its current location in 2010. South County
15 Fire, as a whole, operates a total of fifteen fire stations and employs over 350
16 uniformed firefighters.

17
18 All dispatch services are provided by Snohomish County 911 (SNOCO911)
19 through joint participation and funding with the cities of Brier, Edmonds,
20 Lynnwood, Mountlake Terrace, Woodway, and the South County Fire
21 Authority. Increasing numbers of 911 calls will continue to raise the costs of
22 operation at SNOCO911.

23
24 South County Fire participates in County-wide HazMat and Technical Rescue
25 Teams. The teams respond throughout the County and provide technicians
26 and specialists. All personnel are trained to either technician or operations
27 level. Within South County Fire there is a Technical rescue unit and a HazMat
28 Decontamination unit. The Rescue Team performs high angle, confined
29 space, ice, surface water, trench, and collapse type rescues.

30
31 South County Fire has a fire service protection rating of 3 assigned by the
32 Washington Survey and Rating Bureau which rates fire districts from 1 to 10,
33 with one representing the highest score. The fire protection rating is a
34 measure of the available area water supply, fire department staff and
35 equipment, fire alarm system, fire protection program, building department
36 enforcement of building laws, and structural conditions of buildings.

37
38
39

1 **2. Police Protection**

2 The City of Brier operates its own police force that serves the area within city
3 limits. The Police Department is in the same location as the City
4 Hall/Administrative Building. The building is open from 8 a.m. to 5 p.m. Brier
5 police schedule shifts so that one commissioned officer is on duty at all
6 times, thus providing 24-hour coverage.
7

8 The police force consists of the police chief and 6 commissioned full-time
9 officers, as well as 1 civilian employee that serves as the police clerk.
10

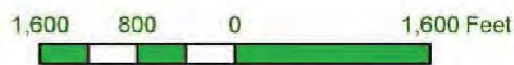
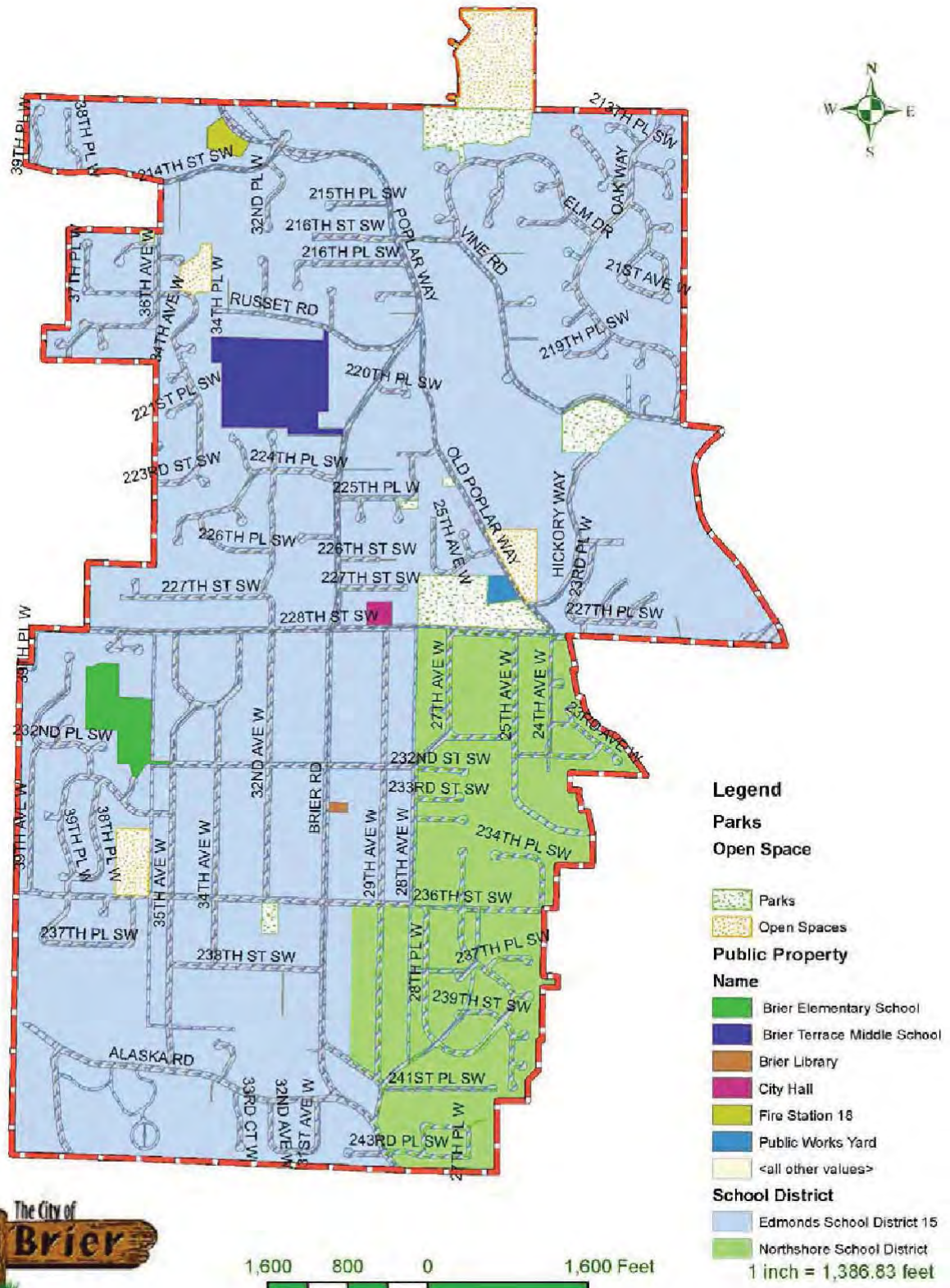
11 In 2023, the Police Department received 5,501 calls. The Department’s calls
12 involve property crimes, traffic management, and miscellaneous calls. In
13 addition to the calls, the Department also was involved in arrests, processing
14 activities (e.g., record checks, licenses, and incident and/or case reports) and
15 preparing cases for prosecution. The City uses the Lynnwood and
16 Snohomish County jail facilities, and the Snohomish County South District
17 Court located in Lynnwood.
18

19 The Police Department is entirely funded through the City’s general fund. No
20 major capital improvements or expansion of the Department is anticipated
21 in the near future.
22

23 **3. Library**

24 The City of Brier Library is part of the Sno-Isle Regional Library system, which
25 is a special taxing district that provides library services to unincorporated
26 areas and cities in Snohomish and Island counties. The library district
27 operates 24 community libraries. The Brier Library is owned and maintained
28 by the city. The system contains approximately 1.6 million catalogued items
29 (bound books, videotapes, audiotapes, records and art prints). Other
30 services offered by Sno-Isle include mobile and online services to serve
31 residents unable to get to library facilities.
32

33 The Brier Library is housed in a 2,980 sq. ft. building at 23303 Brier Road. The
34 library was opened in 1996. The City owns the building and pays for the
35 maintenance and utilities. The Sno-Isle Regional Library system is funded by
36 library tax levies and contract services. City of Brier residents presently pay
37 a library levy of .32/\$1,000 of assessed property value, which is paid directly
38 to the Sno-Isle Regional Library system. Costs associated with the library
39 building are funded through the City’s general fund.



6/24/2015

Figure 1: Brier Capital Facilities Map

1
2

1 **4. Schools**

2 Brier residents are served by two school districts: the Northshore School
 3 District #417 and the Edmonds School District #15. School district
 4 boundaries in Brier are identified on Figure 1, Public Facilities.

5
 6 The Northshore School District spans 60 square miles in King and
 7 Snohomish Counties and had a total enrollment of 23,111 students during
 8 the 2022-2023 school year. The District has 36 schools and multiple
 9 operational support facilities. Projections show that growth will continue
 10 with 1,500-1,700 additional students in the next six years. Voters within the
 11 Northshore School District overwhelmingly approved the 2022 Capital Bond.
 12 All three schools that serve students who live in Brier are schedule for
 13 improvements as a result of the 2022 Capital Bond.

14
 15 The Edmonds School District covers approximately 36 square miles in
 16 southwest Snohomish County and has a total enrollment of 20,776 students
 17 for the 2023-2024 academic year, in 35 schools. The District also owns and
 18 operates five facilities providing operational support function to the schools
 19 (for example, the Administration Center and the Maintenance/
 20 Transportation facility). The school district has developed a capital facilities
 21 plan that projects capital facility needs through 2029 and enrollment
 22 projections through 2044. They project a total enrollment of 19,866 students
 23 in 2029 and 21,339 in 2044.

24 **Table 1: School Facilities Inventory**

School	Location	Enrollment (2024)
EDMONDS SCHOOL DISTRICT		
Brier Elementary	3625 232nd Street SW, Brier	±400
Brier Terrace Middle	22200 Brier Rd, Brier	±650
Mountlake Terrace High	21801 44th Avenue W, Mountlake Terrace	±1,350
NORTHSHORE SCHOOL DISTRICT		
Lockwood Elementary	24118 Lockwood Rd, Bothell	573
Kenmore Junior High	20323 66th Avenue NE, Bothell	742
Bothell High	9130 NE 180 th St, Bothell	1,643

26
 27 The School Districts develop school attendance to serve neighborhood
 28 populations. However, due to changing enrollments and the existence of
 29 District-wide programs/ schools of choice, students may not always attend

1 the school nearest to their home. Brier students may attend other schools in
2 the Edmonds School District such as: Cedar Valley Elementary School,
3 Madrona Non-graded, Terrace Park, or Maplewood Parent Co-op.

4
5 Both School Districts have developed Capital Facilities Plans for compliance
6 with the Growth Management Act. The Capital Facilities Plans forecast future
7 needs for school facilities based on enrollment projections and adopted level
8 of service standards and include a budget/financing plan for capital
9 improvement projects and the construction of new schools. Future capital
10 facilities development generally requires a vote by the citizens within the
11 respective districts and is funded through district-wide school bond issues or
12 other sources as noted above. School capital projects will not be listed in
13 Brier’s CFP.

14
15 **5. City-Owned Buildings and Facilities**

16 The City of Brier owns and operates the following building facilities:
17

18 **Table 2: City-Owned Facilities Inventory**

City Hall: Administrative, Police, and Public Works Administrative	14,790 sq. ft.
Office Public Works Maintenance and Shop Buildings	5,800 sq. ft.
Brier Park Restroom	250 sq. ft.
Brierwood Park Restroom	336 sq. ft.
Brier Library	2,980 sq. ft.

19
20 Several of the City’s offices (City Hall / Administrative / Police Department
21 Building, Public Works Administrative Office) are located together just west
22 of Brier City Park at 2901 228th Street SW, just east of Brier Road. The City
23 Hall building provides offices for the Mayor, City Clerk, Deputy Clerk, City
24 Planner, Utility Clerk, Office Assistant, Public Works Administrative office,
25 Building Department, Police Department and other tenants. It also includes
26 a City Council Chamber, Conference Room, Media Room, lobby, and rest
27 rooms. The Public Works Maintenance and Shop buildings are located at
28 the east end of Brier Park, at 22750 Old Poplar Way. Fire Station 18 is
29 located at 21206 Poplar Way in Brier. The fire station is owned and occupied
30 by South County Fire.
31
32
33

1 **IV. NEEDED FACILITIES AND SERVICES**

2
3 Levels of Service (LOS) standards are quantifiable measures of the amount or
4 quality of public facilities and services that are provided to the community. The
5 standards are established to ensure the availability and adequacy of capital
6 facilities to serve a level of growth that is anticipated in the Land Use Element. LOS
7 standards are used to determine the future needs for capital facilities and services
8 over the 20-year time frame of the Comprehensive Plan. LOS standards are
9 measures of the quality of life of the community and should be based on the
10 community's vision and values. With the use of LOS standards, the future needs of
11 capital facilities are based on quantifiable, objective measures of necessary
12 capacity. The LOS standards reflect a desired provision of facilities and services,
13 with recognition of the financial capability of providing a capital facility at the
14 defined standard. Adopted LOS standards offer policy direction to prioritize future
15 capital improvement funding.

16
17 The following lists the capital facilities provided in Brier. With the exception of Fire
18 services which have a unique LOS, in the text below each type of capital facility, the
19 existing level of service, the LOS standard adopted by the City, and projected needs
20 and capital facility improvements are identified. The projected needs and
21 improvements are calculated by applying the adopted LOS standards to the
22 population projected for Brier over the 20-year time frame of the Comprehensive
23 Plan.

24
25 **1. Fire / EMS Level of Service and Future Needs**

26 Fire and EMS services are provided by South County Fire. The contract
27 specifies the level of service that the Fire Authority will maintain. The contract
28 sets forth the maximum Reflex Time in the response to emergencies and the
29 deployment and utilization of personnel as the agreed-upon level of service.
30 The Fire Authority would increase its resources and personnel to continue to
31 meet these standards through 2025.

32
33 **2. Police Level of Service and Future Needs**

34 The City of Brier has its own police force with one police chief and six police
35 officers. For the City to maintain the current staffing level of police officers, the
36 level of service will need to increase or higher one more officer. By 2044, the
37 net effect is that the City of Brier's staffing level is insufficient for current police
38 protection services.

Table 3: Police Level of Service and Future Needs

Existing Level of Service (2024):	1 Officer/943 population 7 Officers (6,600 pop/1,000 LOS=7)
Level of Service Standard:	1 Officer/1,000 population
Projected Needs (2044):	7 Officers (7,500 pop/1,000 LOS=8)
Projected Surplus / Deficit:	Deficit of 1 Officer

3. Schools Level of Service and Future Needs

The City of Brier is served by the Edmonds and North Shore School Districts. The schools’ LOS is determined by the respective District.

School capital improvements generally are funded district-wide through bonds or levies by a super majority of the electorate. Other sources of funding include statewide matching funds, development fees and mitigation.

Any proposed capital projects at schools serving Brier children are identified for information only and are not included in the 6-Year Capital Facilities Plan.

4. Library Level of Service and Future Needs

The current Brier Library building was opened in 1996. The building is 2,980 sq. ft. The facility is nearly 4 times as large as the previous library building that served the City for many years. The City of Brier owns the library building and land, but it is a part of and operated by the Sno-Isle Regional Library System. When built, it was intended that this library would serve the City for at least 20 years or more and was built to accommodate an increase in population.

In discussions with administrators of the Sno-Isle Library System, the Brier library is considered a “small” library. In determining the appropriate size of the Brier library, it took into consideration the building site available along with the close proximity to the Mountlake Terrace and Lynnwood libraries, both of which are much larger. In addition, Lynnwood library is also a regional reference center. Therefore, it is unlikely that a larger library would be needed in Brier, and therefore the LOS is set at 400 sq. ft. or less per 1,000 population. With a project population of approximately 7,500, the 2044 level of service would be approximately 397 square feet per 1,000 population

Table 4: Library Level of Service and Future Needs

Existing Level of Service (2018):	451 sq. ft./1,000 population (2,980 sq. ft. /6,600 pop
Level of Service Standard:	400 sq. ft./1,000 population
Projected Needs (2044):	None (7,500 pop/1,000 X 400 =3,000 sq. ft.)
Projected Surplus / Deficit:	20 square feet

5. City Buildings and Facilities Level of Service and Future Needs

The City Hall / Administrative / Police Department Building was completed in the spring of 2005. It provides offices for the Mayor, City Clerk, Deputy Clerk, Secretary, Community Development Director, Public Work Administrative office, Building Department, Police Department and other tenants. The building also includes a City Council Chamber, Conference Room, Media Room, lobby, and rest rooms.

The City of Brier City Hall (including Administrative, Police, Mayor, Community Development, Public Works and Building Department Offices) totals 14,790 sq. ft.. When this square footage is added to all other city-owned buildings (including the 4,600 sq. ft. Public Works Maintenance and Shop Building and 1,200 sq. ft. vehicle storage building, the 250 sq. ft. Brier Park Rest Room and the 336 sq. ft. Brierwood Park Rest Room and excluding the library), the building facilities square footage is 21,176 sq. ft..

Table 5: City Buildings and Facilities Level of Service and Future Needs

Existing Level of Service (2024):	3,208 sf / 1,000 population (21,176/6,600 pop X 1,000 = 3,208 sf.
Level of Service Standard:	446 sq. ft. /1,000 population
Projected Needs (2044):	None (7,500 pop/1,000 X 446 =3,345sq. ft.)
Projected Surplus / Deficit:	17,831 sq. ft. Surplus, (21,176 sq. ft. - 3,345 sq. ft. = 17,831 sq. ft.)

6. Parks and Recreation Level of Service and Future Needs

The parks level of service consists primarily of a minimum park system value per resident, coupled with a minimum standard for non-motorized park access. This ensures an adequate number of park facilities can be provided for residents even if there is not much land to purchase for park development. It also ensures that all Brier residents can access park facilities.

Table 6: Parks and Recreation Level of Service and Future Needs

Existing Level of Service (2018):	Land and Facility Value per Capita: \$3,643.79 Properties Located within ½ Mile of Park or School: 85%
Level of Service Standard:	<ul style="list-style-type: none"> - Park system investments as growth occurs sufficient to maintain a park system value of at least \$3,643.79 per resident. - All properties in the city shall be able to access a park or school recreation facility on foot or by bicycle within a distance of ½ mile, using public streets, trails, or access right-of-way.
Projected Needs (2035):	Additional Value Needed for Growth: \$2,426,763 Net Per Capita Needed for Growth: \$2,771.57
Projected Surplus / Deficit:	Proposed Projects are Listed in Appendix B, the current CFP

7. Sewer Utility Level of Service and Future Needs

The primary sanitary sewer needs in the City are to construct sewer extensions to serve currently unsewered areas of Brier. These will be paid for through ULID’s or developer extensions.

Table 7: Sewer Utility Level of Service and Future Needs

Existing Level of Service (2024):	248 Gallons per Day (GPD, Average Residential Use) Peak Middle School Wastewater Flow: 13,600 GPD Peak Elementary School Wastewater Flow: 6,150 GPD Peak Commercial Wastewater Flow: 5,000 GPD Peak Library Wastewater Flow: 250 GPD
Level of Service Standard:	Current Edition of Washington State Department of Ecology Criteria for Sewer Works Design
Projected Needs (2044):	248 Gallons per Day (GPD, Average Residential Use) Peak Middle School Wastewater Flow: 13,600 GPD Peak Elementary School Wastewater Flow: 6,150 GPD Peak Commercial Wastewater Flow: 5,000 GPD Peak Library Wastewater Flow: 250 GPD
Projected Surplus / Deficit:	Proposed Projects are Listed in Appendix B, the current CFP

8. Stormwater Utility Level of Service and Future Needs

A separate stormwater study (“Stormwater Management Plan”) was prepared for Brier by PACE Engineers in 2015. This stormwater plan was used for background information. In 1999 the City adopted a stormwater management ordinance with specific requirements for different types of projects. This ordinance was updated in 2004 to include requirements for residential projects and most recently updated in 2019.

Table 8: Stormwater Utility Level of Service and Future Needs

Existing Level of Service (2018):	Conveyance: 25-Year Storm Detention: Up to 100-Year Storm
Level of Service Standard:	Current Edition of Washington State Department of Ecology Stormwater Management Manual for Western Washington
	Same Standards
Projected Needs (2035):	Proposed Projects are Listed in Appendix B, the current CFP

V. FINANCING NEEDED FACILITIES AND SERVICES

The GMA requires adoption of 6-Year capital facilities plan that identifies the capital projects for the six years following adoption of the Comprehensive Plan. The capital projects are based on needs or improvements identified in the Comprehensive Plan Elements and include potential funding sources. The capital facilities plan is updated annually to incorporate capital improvements into the annual budget.

The Capital Facilities Plan contained within this element is a 6-Year financing plan for capital expenditures to be incurred each year within the planning period. It sets forth each capital project that the City of Brier plans to undertake and presents estimates of project costs and funding sources available for financing the projects. One of the GMA requirements is that you must balance the projected revenues with the proposed project. This CFP is a balanced budget overall that uses not only current revenue sources, but also uses grant sources such as IAC and TEA-21.

The first year of the Capital Facilities Program will be converted to the annual capital budget, while the remaining five-year program will provide long-term planning. Only the expenditures and appropriations in the annual budget are binding financial commitments. The projections for the remaining five years are not binding, and the capital projects recommended for future development may be altered or not developed due to cost or changing circumstances. The Capital Facilities Program is a 6-Year rolling plan that will be revised and extended annually to reflect changing circumstances.

There are four major funding areas in the CFP: City Facilities; Transportation; Parks and Recreation; and Utilities (including sewer and stormwater). Some of the larger capital expenses include citywide sidewalks, and parkland acquisition and development.

Specific primary funding sources for this CFP include City revenue funds, federal, state, and county grants, developer contributions, and LID's (local improvement

1 districts).

2
3 The City is eligible for transportation and recreation grants with the adoption and
4 continued updates of the applicable elements of the Comprehensive Plan. The
5 developer contributions will also defray the cost of new improvements that are
6 necessary due to the impact of new development in Brier. These contributions can
7 come in the form of impact fees, mandatory “set asides” (e.g., percentage of land
8 being developed), or SEPA mitigation. Overall, at this time, it is anticipated that with
9 the combination of the different funding sources, the City will be able to afford this
10 capital facilities plan.

11
12 The following discussion reviews existing and potential revenue sources available to
13 the City for funding capital improvements. The draft 6-Year capital facilities plan,
14 which includes both project cost estimates and potential revenue sources to pay for
15 projects is presented in Appendix B.

16
17
18 **1. Potential Revenue Sources**

19 The following section will present additional potential revenue sources or
20 funding mechanisms that may be available to the City. The discussion will first
21 present options for tax and fee revenue sources that are presently used by the
22 City. It will specifically compare the City’s existing use of these revenue sources
23 with statutory limitations or the City’s legal capacity to collect additional
24 revenues. The discussion will identify whether the revenue sources are
25 available to fund all types of capital facilities or if they are restricted to specific
26 types of capital facilities. This section will also discuss the use of general
27 obligation bonds as a revenue source. Following this discussion, listings of
28 grant and loan programs that are available for funding capital facilities will be
29 presented.

30
31 **A. Real Estate Excise Tax**

32 The real estate excise tax (REET) has been the principal revenue source for
33 the Capital Improvement Fund #111 and Fund #300. REET is a tax levy that
34 is collected on the purchase price of real estate excise tax levy of .25
35 percent. The Growth Management Act authorized jurisdictions to collect
36 another .25 percent, for a total of .50 percent.

37
38 The City of Brier enacted REET 1, the first .25 percent real estate excise
39 tax, in 1982 (funds # 105 and # 111). In 1998, the City enacted REET 2,
40 the second .25 percent real estate excise tax (fund # 300).

1
2 i. REET 1

3 The first quarter percent of REET may be spent by jurisdictions
4 that are planning under GMA solely for the capital projects that
5 are listed in the Capital Facilities Plan. "Capital projects" are
6 defined in RCW 82.46.010(6) as:
7

8 *"Those public works projects of a local government for planning,*
9 *acquisition, construction, reconstruction, repair, replacement,*
10 *rehabilitation, or improvement of streets, roads, highways, street and road*
11 *lighting systems, traffic signals, bridges, domestic water systems, storm and*
12 *sanitary sewer systems, parks, recreational facilities, law enforcement*
13 *facilities, fire protection facilities, trails, libraries, administrative and*
14 *judicial facilities, river and / or waterway control projects..."*
15

16 ii. REET 2

17 For spending the second quarter percent of the real estate excise
18 tax, "capital projects" are defined in RCW 82.46.035(5) as:
19

20 *Public works projects of a local government for planning, acquisition,*
21 *construction, reconstruction, repair, replacement, rehabilitation, or*
22 *improvement, of streets, road, highways, sidewalks, street and road lighting*
23 *systems, traffic signals, bridges, domestic water systems, storm and*
24 *sanitary sewer systems, and planning, construction, reconstruction, repair,*
25 *rehabilitation, or improvement or parks.*
26

27 Because these revenue sources have a dedicated purpose, it
28 must be accounted for separately in a capital projects fund.
29 Jurisdictions levying both REET 1 and REET 2 need to keep track
30 of each of these revenues separately because the uses to which
31 they may be put are different.
32

33 B. Property Tax Levy

34 Property tax levies go into general and street fund revenues and are
35 most often used by the City for operating and maintenance costs rather
36 than capital improvements. However, there are no statutory limitations
37 on the use of property tax revenues for capital facility improvements.
38 Because this is a principle source of revenue that is available to pay for
39 future increases in operating and maintenance costs, it may not be
40 prudent to project this revenue as a future source of capital

1 improvements. However, a strategy that the City may wish to consider
2 is to raise the tax levy rate for a limited period and earmark the funds
3 for a specific capital project that benefits the community.
4

5 The property tax rate in the City of Brier was \$0.75 per \$1,000 assessed
6 valuation (AV) in 2024. In addition, Brier has an Emergency Medical
7 Service (EMS) levy of \$0.50 per \$1,000 AV. The maximum rate allowed
8 by state law is \$3.375 per \$1,000 AV. Therefore, the City is currently
9 levying less than half the tax rate permitted by state law.
10

11 The 101% limit: In 1971, chapter 84.55 RCW established a limitation on
12 the increase in regular property taxes for taxing districts. The current
13 limitation each year for most districts is 101% of their highest lawful levy
14 since 1985, plus an additional amount to allow for new construction
15 within the district. The 101% limit applies to the total amount of
16 property tax for a taxing district, not to individual properties.
17

18 With majority voter approval, districts may raise the 101% limit in order
19 to exercise more levy authority under statutory and constitutional
20 limits.
21

22 C. Impact Fees

23 The Washington State Growth Management Act (GMA) authorizes local
24 governments to charge impact fees to collect for a development's fair
25 share of off-site capital facility improvements that are related to the
26 development. Impact fees may be collected only for capital facilities that
27 are owned and operated by government entities and only for those
28 facilities that have been addressed in the Capital Facility Element.
29 Growth impact fees must be used for capital facilities needed by growth,
30 and not for current deficiencies in levels-of-service or operating
31 expenses. Impact fees must show a rational nexus in benefit between
32 the payer of the fee and the expenditure of the fee.
33

34 Impact fees, as authorized by RCW 82.02.050, do not include any other
35 form of developer contributions or exactions. For example, it does not
36 include mitigation or voluntary payments authorized by the Washington
37 State Environmental Policy Act (SEPA), local improvement districts or
38 other special assessment districts, linkage fees or land donations or
39 fees in lieu of land.

1
2 D. State Environmental Policy Act (SEPA) Mitigation Fees

3 The Washington State Environmental Policy Act (SEPA – RCW 43.21C)
4 allows local governments to impose mitigation including on-site
5 improvements or fee assessments with which to finance off-site
6 improvements that are caused by a property’s development. SEPA
7 mitigations may cover a variety of physical improvements that are
8 affected by the property’s proposed land use including sidewalks, roads,
9 parking areas, utilities and other supporting infrastructure systems.
10 SEPA mitigations must be proportionately related to the property’s
11 impact on infrastructure.
12
13

14 E. Long-Term Bonded Debt

15 Local government jurisdictions commonly finance large capital projects
16 through long-term bonded debt or other grants or loan programs.
17 Long-term bonds include general obligation bonds, revenue bonds, and
18 special assessment bonds.
19

20 i. General Obligation Bonds

21 General Obligation Bonds are backed by the value of the property
22 within the jurisdiction (its full faith and credit). There are two
23 types of General Obligation Bonds: voter-approved and
24 councilmanic.
25

26 Councilmanic bonds may be approved by the City Council without
27 the need for voter approval. Principal and interest payments for
28 councilmanic bonds must come from general government
29 revenues, without a corresponding increase in taxes. This
30 method does not use a dedicated funding source for repaying the
31 bondholders. As a result, the general fund money required for
32 payback will not be available for other government operations.
33

34 Voter-approved bonds will increase the property tax rate, with
35 the increased revenues dedicated to paying principal and interest
36 on the bonds. Local governments are authorized “excess levies”
37 to repay voter approved bonds. Excess levies are increased in the
38 regular property tax levy above the statutory limit (\$3.60 per
39 \$1,000). Approval requires a 60 percent majority vote in favor and
40 a turnout of at least 40 percent of voters from the preceding

1 general election.

2
3 The amount of local government debt allowable for GO bonds is
4 restricted by law to 7.5 percent of the taxable value of property
5 within the City limits. This may be divided as follows: 2.5 percent
6 for general-purpose bonds, 2.5 percent for utility bonds, and 2.5
7 percent for open space and park facilities. Of the 2.5 percent for
8 general-purpose bonds, the City may issue up to .75 percent in
9 the form of councilmanic bonds. State law allows cities an
10 additional separate debt capacity of .75 percent of taxable value
11 of property for non-voted lease obligations.

12
13 ii. Revenue Bonds

14 Revenue bonds are backed by the revenue received from the
15 project that the bonds helped to fund. Such bonds are commonly
16 used to fund utility improvements. A portion of the utility charge
17 is set aside to pay off the bonds.

18
19 Currently, the City of Brier has no revenue bond debts.

20
21 iii. Special Assessment Bonds (Local Improvement Districts, Road
22 Improvement Districts, and Utility Local Improvement Districts)

23 Special assessment bonds, repaid by assessments against the
24 property benefited by the improvements, are used to finance
25 projects within a specific geographic area, as opposed to those
26 that will serve the entire jurisdiction.

27
28 F. Grant and Loan Programs

29 The following discussion will present grant and loan programs that are
30 most relevant to Brier. First, multi-use revenue sources that may be
31 used for funding various types of capital facilities are discussed. Then,
32 single-use revenue sources, which may be used only for particular types
33 of capital facilities, are described. These revenue sources are presented
34 as potential revenue opportunities only because it is not feasible to
35 forecast the availability of grant or loan program revenues.

36
37

1 i. Multi-Use Grant and Loan Programs

2
3 Public Works Trust Fund: The State Public Works Board provides
4 low interest loans available for capital facilities planning,
5 emergency planning, and construction of bridges, roads,
6 domestic water, sanitary sewer, and storm sewer. Applications
7 must have a capital facilities plan in place and must be levying the
8 original .25 percent real estate excise tax. Construction and
9 emergency planning projects must be for construction or
10 reconstruction of existing capital facilities only. Capital
11 improvement planning projects are limited to planning for streets
12 and utilities.

13
14 Loans for construction projects require a local match generated
15 only from local revenues or state share entitlement (gas tax)
16 revenues. The required local match is 10 percent for a 3 percent
17 loan, 20 percent for a 2 percent loan, and 30 percent for a 1
18 percent loan.

19
20 Emergency planning loans are at a 5 percent interest rate. If state
21 or federal disaster funds are received, they must be applied to
22 the loan for life of the project (20 years). Capital improvement
23 planning loans have a 0 percent interest, but require a 25 percent
24 local match.

25
26 Community Development Block Grant: These funds are available
27 annually statewide through the federal Department of Housing
28 and Urban Development for public facilities, economic
29 development, and housing projects which benefit low and
30 moderate income households. Funds may not be used for
31 maintenance and operations.

32
33 Community Economic Revitalization Board Grant (CERB): The
34 Department of Commerce facilitates the CERB program. CERB is
35 a state board focused on economic development through job
36 creation in partnership with local governments. The board has
37 the authority to finance public infrastructure improvements that
38 encourage new private business development and expansion. In
39 addition to funding construction projects, CERB provides limited

1 funding for studies that evaluate high-priority economic
2 development projects. CERB provides funding through grants
3 and loans.
4

5 ii. Single-Use Grant and Loan Programs

6 Centennial Grants: The State Department of Ecology administers
7 grants for water quality infrastructure and nonpoint source
8 pollution projects to improve and protect water quality.
9

10 Clean Water State Revolving Fund Loans: The State Department
11 of Ecology administers low interest loans and forgivable principal
12 funding for wastewater treatment construction projects, eligible
13 nonpoint source pollution control projects, and eligible Green
14 projects.
15

16 Applicants must show a water quality need, have a facilities plan
17 for treatment works, and show the ability to pay back the loan
18 through a dedicated source of funding.
19

20 iii. Transportation Facilities

21 Surface Transportation Program (STP) Grants: The Puget Sound
22 Regional Council (PSRC) provides grants for road construction,
23 transit capital projects, bridge projects, bicycle, pedestrian and
24 recreation trails.
25

26 Urban Arterial Trust Program (UAP): The Washington State
27 Transportation Improvement Board (TIB) provides funding for
28 projects in the areas of safety, growth and development, mobility,
29 and physical condition. To be eligible cities must have a
30 population of 5,000 or greater, the project must be on a federally
31 classified route (principal, minor, or collector), and projects must
32 be consistent with state, regional and local transportation plans.
33 Arterial Preservation Program (APP): The State Transportation
34 Improvement Board provides funding to address declining street
35 conditions in cities. The APP provides funding for overlay of
36 federally classified arterial streets in cities with a population
37 greater than 5,000 and assessed valuation less than \$2 billion.
38

39 Sidewalk Program: The State Transportation Improvement Board

1 provides this funding for pedestrian projects. To be eligible for
2 the program, the intent at of the project must be transportation
3 and not recreation, and the project must be on a federally
4 classified route (principal, minor, or collector). Projects improve
5 pedestrian safety, access, connectivity, and address system
6 continuity, Completed projects must be consistent with the
7 Americans with Disabilities Act.

8
9 iv. Parks and Recreation Facilities

10 Washington State Recreation and Conservation Office (RCO): The
11 RCO administers grants for parks capital facilities acquisition and
12 construction. Most grants require varying amounts of matching
13 funds.

14
15 Snohomish County Conservation Futures: The program uses
16 Conservation Futures Property Tax Funds to acquire interest, or
17 rights, in real property for the preservation of open space, farm
18 and agricultural land, and timber land.

19
20 **2. Current Revenue Sources**

21 A. General Fund

22 Brier does not typically allocate revenues in the General Fund for large
23 capital projects. General Fund revenues are used mostly for operating
24 and maintenance costs.

25
26 B. Real Estate Excise Tax

27 Capital facility projects are most commonly funded through
28 intergovernmental shared revenues, taxes, grants, and revenues from
29 enterprise funds. These revenues or funding sources go into various
30 funds that are allocated for capital improvements, as well as the
31 operation and maintenance of facilities. Although the expenditures are
32 greater than the revenues in some years, fund balances that work like
33 a savings account for more expensive projects cover the larger
34 expenditures.

35
36 **3. Revenue Projections**

37 Many of the revenue sources contributing to the various City fund accounts
38 come from a wide variety of state-shared revenues, state entitlements, and tax
39 sources. Each revenue source has a different formula or methodology for

- 1 determining the amount that is distributed to the City.
- 2

1 **APPENDIX A: ESSENTIAL PUBLIC FACILITIES SITING PROCESS**

2
3 **BACKGROUND**

4 The Washington State Growth Management Act (GMA) requires local governments to
5 develop a process for identifying and siting “essential public facilities.” This process
6 is required to be incorporated into the City’s comprehensive plan and must be
7 consistent with GMA and the Snohomish County county-wide planning policies.
8

9 Essential public facilities include facilities of a state-wide or county-wide nature, such
10 as airports, state education facilities, state or regional transportation facilities, state
11 and local correctional facilities, solid waste handling facilities and in-patient facilities
12 including substance abuse facilities, mental health facilities, and group homes
13 (excluding those facilities covered by the Washington Housing Policy Act). Snohomish
14 County characterizes an essential public facility as follows: 1) “It is a necessary
15 component of a system or network which provides a public service or good; and 2) it
16 may be difficult to site because of potential significant opposition.”
17

18 The Growth Management Act states that “no local comprehensive plan or
19 development regulations may preclude the siting of essential public facilities.” The
20 GMA does, however, allow cities to have input into the siting process. The review
21 process and essential public facility designation are discussed in more detail below.
22

23 **Essential Public Facility Designation**

24 A facility may be designated as an essential public facility under the following
25 conditions:

- 26 1. The Snohomish County Steering Committee or the Brier City Council
27 determines that the proposed facility meets the definition of an
28 essential public facility;
29
- 30 2. The facility appears on the State Office of Financial Management (OFM),
31 county, or Brier’s list of essential public facilities; and
32
- 33 3. Either the City of Brier or the sponsoring agency determines that the
34 facility will be difficult to site.
35

36 At this time, the City of Brier has one essential public facility located within its city
37 limits, the Seattle City Light electrical transmission lines.
38
39

1 **Site Review Process**

2 The City Council or an ad-hoc review committee established by the City Council will
3 review the request to site an essential public facility in Brier. The following review
4 process shall be followed:
5

- 6 1. Determination of Eligibility: The project applicant must receive a
7 determination of eligibility from the City that the proposed facility is an
8 essential public facility.
9
- 10 2. Local Land Use Review: The City will conduct its review of the proposed
11 essential public facility using both the site evaluation criteria listed
12 below and other local regulations.
13
- 14 3. Permit Application: Upon receipt of the required land use approvals by
15 the City, the applicant may then apply for construction permits.
16

17 **Site Evaluation Criteria**

18 The following criteria will be used in the City of Brier's evaluation of the appropriate
19 siting of an essential public facility. The applicant shall provide information needed
20 for the City's evaluation in order for the City to make a recommendation or decision
21 on a proposal:
22

- 23 1. Documentation of Need: The applicant(s) must demonstrate the need
24 for the proposed essential public facility. The analysis of need shall
25 include the projected service population, an inventory of existing and
26 planned comparable facilities, and projected demand for this type of
27 essential public facility.
28
- 29 2. Consistency with Applicant's Plans: The proposed project shall be
30 consistent with the applicant's own long-range plans for facilities and
31 operations.
32
- 33 3. Consistency with Other Plans. The proposal must be consistent with the
34 City's Comprehensive Plan and other adopted plans, Snohomish County
35 General Policy Plan, and the State Growth Management Act.
36
- 37 4. Relationship of Service Area to Population: The facility's service area
38 population shall include a significant share of the City's population, and
39 the proposed site should be able to reasonably serve its overall service

1 area population. [Note: electrical transmission facilities are exempt
2 from this criterion.]
3

4 5. Minimum Site Requirements: The applicant(s) must submit
5 documentation showing the minimum siting requirements and future
6 expansion needs for the proposed facility. Site requirements may be
7 determined by the following factors: minimum size of the facility,
8 access, support facilities (such as availability of necessary utilities and
9 services), topography, geology, and mitigation needs.

10
11 6. Alternative Site Selection: The applicant(s) shall search for and
12 investigate alternative sites before submitting a proposal for siting
13 review. An analysis of alternative sites considered for the proposed
14 facility, including a description of the methodology used for the site
15 selection, must be submitted to the City.

16
17 7. Concentration of Essential Public Facilities: The City will examine the
18 overall concentration of essential public facilities within Snohomish
19 County to avoid placing an undue burden on any one community.
20

21 8. Public Notice and Participation: The applicant shall be required to give
22 notice 90 days prior to the submittal of the permit application to the
23 City through a letter sent through certified mail to the City Clerk, display
24 ads in the Everett Herald newspaper, and a sign on the property. These
25 notices shall clearly state the name, general type, nature, and size of the
26 proposed facility, and the name, address, and telephone number of
27 the proposing entity. Local public participation is encouraged, especially
28 for prospective neighbors, to inform them about the project and to
29 engage in site planning and mitigation design prior to the initiation of
30 formal hearings. The applicant's efforts in this regard will be evaluated.
31

32 9. Consistency with Local Land Use Regulations: The proposed facility
33 must conform to City land use and zoning regulations, and other
34 applicable City regulations.
35

36 10. Compatibility with Surrounding Land Uses: The applicant(s) must
37 demonstrate that the proposed facility, as developed on a particular
38 site, will be compatible with adjacent and nearby land uses.
39

- 1 11. Proposed Impact Mitigation: The proposal must include adequate and
2 appropriate mitigation measures for the impacted areas and
3 communities. Mitigation measures may include, but are not limited to,
4 natural features that will be preserved or created to serve as buffers,
5 other site design elements used in the development plan, and/or
6 operational or other programmatic measures contained in the
7 proposal. The proposed measures shall be adequate to substantially
8 reduce and compensate for anticipated adverse impacts on the local
9 environment and the City of Brier, overall. The applicant(s) shall be
10 required to mitigate significant adverse impacts as the City may deem
11 appropriate and reasonable.
- 12
- 13 12. Financial and Infrastructure Impacts: The City shall determine if the
14 proposal results in any disproportionate financial burden falling on
15 Brier resulting from a facility of state-wide or county-wide nature
16 locating within Brier. In such a case, an interjurisdictional agreement
17 shall be sought to mitigate or avoid this expense.