

# CITY COUNCIL AGENDA

15728 Main Street, Mill Creek, WA 98012 (425) 745-1891



Pam Pruitt, Mayor • Brian Holtzclaw, Mayor Pro Tem  
Mark Bond • Mike Todd • Vince Cavaleri • Jared Mead • John Steckler

Regular meetings of the Mill Creek City Council shall be held on the first, second and fourth Tuesdays of each month commencing at 6:00 p.m. in the Mill Creek Council Chambers located at 15728 Main Street, Mill Creek, Washington. Your participation and interest in these meetings are encouraged and very much appreciated. We are trying to make our public meetings accessible to all members of the public. If you require special accommodations, please call the office of the Acting City Clerk at (425) 921-5725 three days prior to the meeting.

The City Council may consider and act on any matter called to its attention at such meetings, whether or not specified on the agenda for said meeting. Participation by members of the audience will be allowed as set forth on the meeting agenda or as determined by the Mayor or the City Council.

To comment on subjects listed on or not on the agenda, ask to be recognized during the Audience Communication portion of the agenda. Please stand at the podium and state your name and address for the official record. Please limit your comments to the specific item under discussion. Time limitations shall be at the discretion of the Mayor or City Council.

Study sessions of the Mill Creek City Council may be held as part of any regular or special meeting. Study sessions are informal, and are typically used by the City Council to receive reports and presentations, review and evaluate complex matters, and/or engage in preliminary analysis of City issues or City Council business.

**Next Ordinance No.** 2018-826  
**Next Resolution No.** 2018-573

**March 27, 2018**  
**City Council Meeting**  
**6:00 PM**

## **CALL TO ORDER**

## **PLEDGE OF ALLEGIANCE**

## **ROLL CALL**

## **AUDIENCE COMMUNICATION**

- A. Public comment on items on or not on the agenda

## **STUDY SESSION**

- B. Long Term Strategic Planning
  - Economic Prosperity
  - Leadership

## **OLD BUSINESS**

- C. Public Records Access; New Management Rules and Policies; New MCMC Chapter Establishing Administrative Authority and Regulations; Amended MCMC Chapter Amending Fees and Other

Assesments  
(Rebecca C. Polizzotto, City Manager)

- D. Adoption of Ordinance Approving a New City Policy Regarding Reimbursement of Business Expenses  
(Rebecca C. Polizzotto, City Manager)

#### **CONSENT AGENDA**

- E. Approval of Checks #58310 through #58380 and ACH Wire Transfers in the Amount of \$158,197.84  
(Audit Committee: Mayor Pruitt and Mayor Pro Tem Holtzclaw)
- F. Payroll and Benefit ACH Payments in the Amount of \$243,797.07  
(Audit Committee: Mayor Pruitt and Mayor Pro Tem Holtzclaw)
- G. City Council Meeting Minutes of February 13, 2018

#### **REPORTS**

- H. Mayor/Council
- Mayor Pro Tem Holtzclaw - CPP Amendments
- I. City Manager
- Labor Management Meeting Minutes
  - 35th Ave SE Preliminary Communications Plan
  - Council Planning Schedule

#### **AUDIENCE COMMUNICATION**

- J. Public comment on items on or not on the agenda

#### **RECESS TO EXECUTIVE SESSION**

*(Confidential Session of the Council)*

- K. Discussion of the performance of a public employee per RCW 42.30110 (1)(g)

*No action anticipated.*

#### **ADJOURNMENT**



Agenda Item # B  
Meeting Date: March 27, 2018

## **CITY COUNCIL AGENDA SUMMARY**

City of Mill Creek, Washington

**AGENDA ITEM: PRESENTATION: LONG TERM STRATEGIC PLANNING**

**PROPOSED MOTION: N/A**

### **KEY FACTS AND INFORMATION SUMMARY:**

The Government Finance Officers Association recommends that all governmental entities use some form of strategic planning to provide a long-term perspective for service delivery and budgeting, thus establishing logical links between authorized spending and broad organizational goals.

In his management book *The Dance of Change*, management author Peter Senge, references the importance for organizations to deliberately manage their future. Unfortunately, managing the future often comes head to head with the pressure of the immediate day-to-day management needs of the organization.

The need to get critical day-to-day management issues handled is important to every organization. This drive to get things done can at times overshadow the need to think and act strategically on the future of the organization. How does an organization find balance?

The key is to develop a strategic plan that is integrated into the business systems of the organization. The strategic plan should be integrated into the City's business practices by linking the Council's agenda (goals), budget, other approved plans (e.g., Capital Improvement Plan, Comprehensive Plan), departmental work plans and any current and/or newly developed performance measures into the plan.

Integrated strategic planning creates a balance that aligns both the City's financial and human capital to focus on achieving strategic goals and objectives.

The City began integrated strategic planning in 2016 with development and implementation of the City's *Guiding Principles*. At the Council's February 13, 2018 meeting, the City Manager presented an overview of the integrated strategic planning process and described the next steps in the process as the City continues to develop a long term strategic plan.

At its February 27 meeting, the Council, City Manager and Leadership Team engaged in the first of several "brainstorming" sessions in order to begin to identify those priorities, projects and initiatives to be accomplished over the next several years in the areas of Community Preservation and Civic Pride.

At its March 6 meeting, the Council, City Manager and Leadership Team focused on the areas of Fiscal Responsibility and Customer Service.

City Council Agenda Summary  
Page 2

At its March 13 meeting, the Council, City Manager and Leadership Team focused on the areas of Recreational Opportunities and Public Safety.

At its March 27 meeting, the Council, City Manager and Leadership Team will focus on the areas of Economic Prosperity and Leadership.

This work will ultimately generate a long term strategic plan that will link the Council's goals, budget, other approved plans, departmental work plans and any current and/or newly developed performance measures into the plan.

**CITY MANAGER RECOMMENDATION:** N/A

**ATTACHMENTS:**

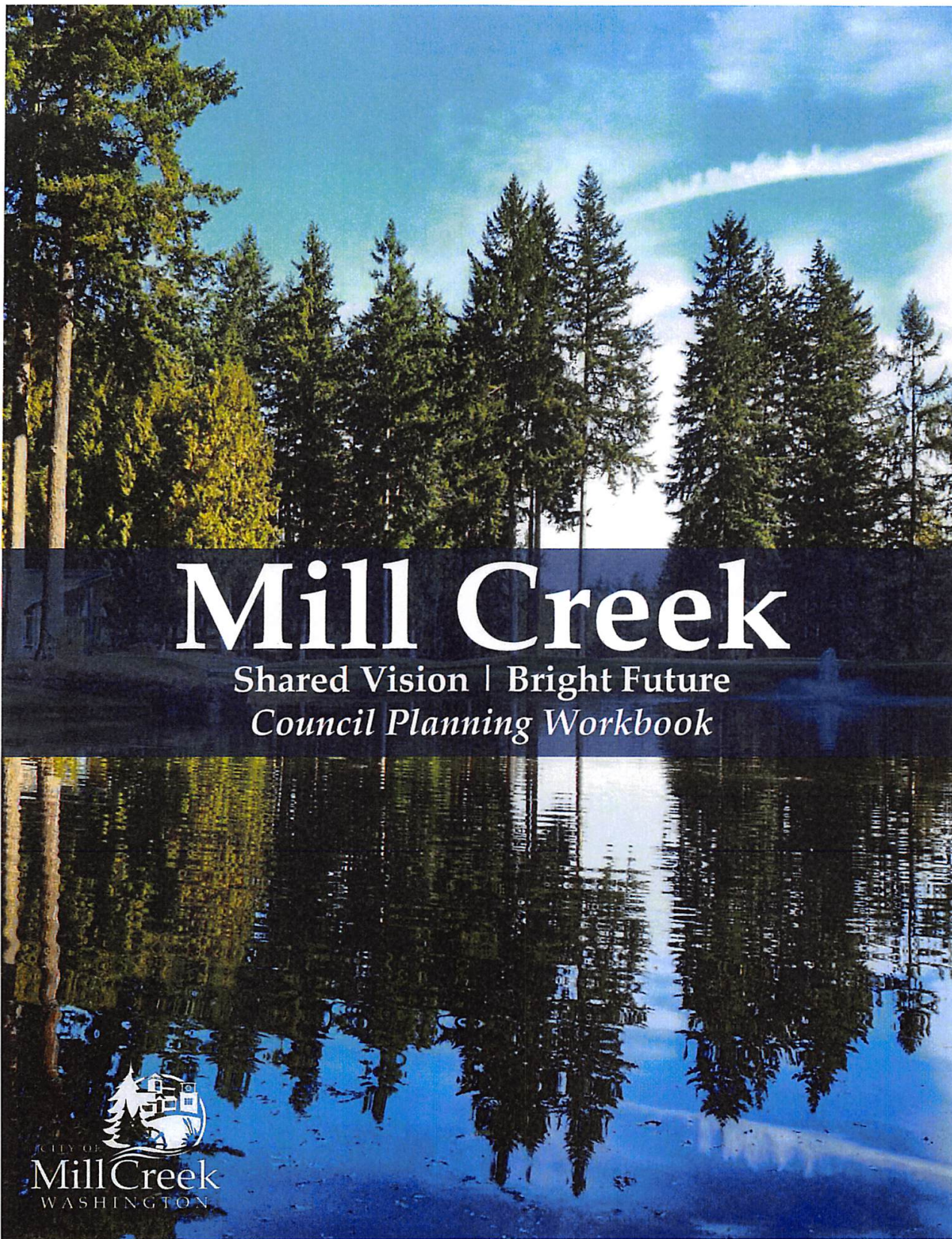
- Planning Workbook

Respectfully Submitted:



Rebecca C. Polizzotto  
City Manager

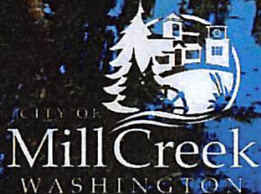




# Mill Creek

Shared Vision | Bright Future

*Council Planning Workbook*





# Goal 1: Fiscal Responsibility

To responsibly manage the City's financial resources to provide quality public services, cultivate economic prosperity, and maintain a sustainable budget.

## Goal Overview

From a policy perspective: 1) Why is this goal important to you? 2) What do you envision achieving for the City through this goal?

Avoid deficit spending; ability to withstand economic downturns; ability to finance long-term needs.

**SAMPLE**

## Council Priorities

### Strategic Objectives

1. Develop, adopt and implement a long-term fiscal management plan and accompanying policies as needed.

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2. Institute data analysis and performance management systems.

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3. Implement linkage between budget and strategic planning

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4. Complete comprehensive fee and rate studies.

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### Purpose

1. To ensure financial resources are available in the long term.

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2. To identify financial trends that impact the city and take appropriate proactive measures.

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3. To ensure the City's strategies are integrated into its business practices.

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4. To ensure services are supported by the appropriate fee and rate structure and lessen the overall tax burden.

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# Goal 1: Fiscal Responsibility

To responsibly manage the City's financial resources to provide quality public services, cultivate economic prosperity, and maintain a sustainable budget.

## Goal Overview

*From a policy perspective: 1) Why is this goal important to you? 2) What do you envision achieving for the City through this goal?*

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## Council Priorities

*Strategic Objectives*

*Purpose*

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# Goal 2: Community Preservation

To support the development, maintenance and revitalization of public and private property to ensure the continuation of Mill Creek as a safe, clean and well maintained community.

## Goal Overview

*From a policy perspective: 1) Why is this goal important to you? 2) What do you envision achieving for the City through this goal?*

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## Council Priorities

*Strategic Objectives*

*Purpose*

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# Goal 3: Civic Pride

To achieve strong community spirit by promoting active civic participation, public-private partnerships and transparency in government.

## Goal Overview

*From a policy perspective: 1) Why is this goal important to you? 2) What do you envision achieving for the City through this goal?*

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## Council Priorities

*Strategic Objectives*

*Purpose*

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# Goal 4: Customer Service

To provide excellent service to all who interact with the City by recruiting, training and retaining a skilled, innovative and dynamic workforce.

## Goal Overview

*From a policy perspective: 1) Why is this goal important to you? 2) What do you envision achieving for the City through this goal?*

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## Council Priorities

*Strategic Objectives*

*Purpose*

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# Goal 5: Recreational Opportunities

To facilitate diverse recreational opportunities for people of all ages.

## Goal Overview

*From a policy perspective: 1) Why is this goal important to you? 2) What do you envision achieving for the City through this goal?*

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## Council Priorities

*Strategic Objectives*

*Purpose*

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# Goal 6: Public Safety

To protect the life, health and property of residents, visitors and businesses through the delivery of community focused public safety services.

## Goal Overview

*From a policy perspective: 1) Why is this goal important to you? 2) What do you envision achieving for the City through this goal?*

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## Council Priorities

*Strategic Objectives*

*Purpose*

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# Goal 7: Economic Prosperity

To engage in proactive economic development efforts that result in a robust local economy and position the City as a destination of choice.

## Goal Overview

*From a policy perspective: 1) Why is this goal important to you? 2) What do you envision achieving for the City through this goal?*

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## Council Priorities

*Strategic Objectives*

*Purpose*

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# Goal 8: Leadership

To influence regional, state and national matters impacting our community through the engagement of staff and elected officials.

## Goal Overview

*From a policy perspective: 1) Why is this goal important to you? 2) What do you envision achieving for the City through this goal?*

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## Council Priorities

*Strategic Objectives*

*Purpose*

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# Goal 9: Long Term Planning

To maintain the City's special community character by carefully evaluating future opportunities for short and long term benefits in order to protect land use, infrastructure, economic development and service delivery standards.

## Goal Overview

*From a policy perspective: 1) Why is this goal important to you? 2) What do you envision achieving for the City through this goal?*

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## Council Priorities

*Strategic Objectives*

*Purpose*

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Agenda Item # C  
Meeting Date: March 27, 2018

**CITY COUNCIL AGENDA SUMMARY**

City of Mill Creek, Washington

**AGENDA ITEM: PUBLIC RECORDS ACCESS; NEW MANAGEMENT RULES AND POLICIES; NEW MCMC CHAPTER ESTABLISHING ADMINISTRATIVE AUTHORITY AND REGULATIONS; AMENDED MCMC CHAPTER AMENDING FEES AND OTHER ASSESSMENTS.**

**PROPOSED MOTION:**

- Motion to adopt Ordinance 2018 - \_\_\_\_\_, establishing regulations and policies implementing the public records act, RCW Ch. 42.56, adopting new Mill Creek Municipal Code Ch. 2.06, approving a new PRA policy, issuing an order relating to maintenance of a public records index and establishing an effective date.
- Motion to adopt Ordinance 2018 - \_\_\_\_\_, amending Mill Creek Municipal Code Ch. 3.42, fees and other assessments, for the purpose of adding and adopting fees, costs, charges and other assessments applicable to actions taken in conformance with the state public records act, RCW Ch. 42.56, and the Mill Creek Public Records Management Regulations, MCMC Ch. 2.06; and establishing an effective date.

**KEY FACTS AND INFORMATION SUMMARY:**

In accordance with the City's ongoing effort to implement new legal requirements; update, modernize and adopt important operational policies and municipal code provisions; and create reliable and efficient internal processes for recurrent actions, staff has prepared the following documents:

- Proposed Policy: Public Records Act Rules
- Proposed Ordinance: Adopting MCMC Ch. 2.06 (Public Records Management)
- Proposed Ordinance: Amending MCMC Ch. 3.42 (Fees and Other Assessments)

At its January 9, 2018 study session, the Council reviewed the proposed policy and proposed ordinance adopting MCMC 2.06. Based upon the Council's feedback, and additional staff work, the aforementioned documents have been revised. An additional proposed ordinance has been drafted amending MCMC 3.42 in order to fully effectuate the fee schedule set forth in the proposed policy.

**Public Records Act Rules**

The proposed Public Records Act Rules (Rules) will be adopted pursuant to the PRA, RCW Ch. 42.56, and new MCMC Ch. 2.06, to establish efficient and uniform procedures Citywide that will facilitate compliance with PRA requirements for responding to requests for public records. These requirements include timely access to public records for inspection and copying;



City Council Agenda Summary  
Page 2

protection of City records from damage, alteration, and disorganization; prevention of excessive interference with other essential City functions; and proper determination of the status and disclosability of public records. The Rules also provide information to the public on how to request access to records, establish mechanisms to track records requests from start to finish, and provide various standard forms for staff use to minimize errors and reduce liability and costs related to PRA compliance.

**MCMC Chapter 2.06**

The proposed ordinance will adopt a new chapter into the MCMC directing the adoption and maintenance of PRA policies and rules by the City Manager, with directives to meet records access and security standards; observe third-party legal rights and protect the City's interests; identify and implement appropriate fees and costs related to PRA records activities; provide an internal management structure for public records activities; establish an administrative review process for denials of records requests; and delineate judicial review requirements.

In accordance with the flexibility allowed under the PRA, both the Rules and MCMC Ch. 2.06 make findings in support of a decision that the City need not maintain a comprehensive index of public records because of the burdensome nature and expense of doing so. Notwithstanding that, the City's departments now and will continue to maintain other formats and systems for indexing records.

**MCMC Chapter 3.42**


Because of the fee schedule contained in the proposed policy, it is necessary to amend MCMC 3.42. Accordingly, the requisite amendment has been drafted and included for consideration.

**CITY MANAGER RECOMMENDATION:** The proposed policy meets the City's *Fiscal Responsibility* goal by providing for rules and regulations governing the processing of public records requests thereby reducing the City's financial risk under the PRA. Further, the proposed policy, and accompanying changes to the MCMC, promotes transparency in government thereby contributing to fulfillment of the City's *Civic Pride* goal. The City Manager recommends adoption of the proposed policy and corresponding ordinances.

**ATTACHMENTS:**

- Proposed Public Records Act Rules
- Proposed Ordinance adopting new MCMC Ch. 2.06 (Public Records Management)
- Proposed Ordinance amending MCMC Ch. 3.42 (Fees and Other Assessments)

Respectfully Submitted:

  
Rebecca C. Polizzotto  
City Manager

**FINAL DRAFT  
3.27.2018 COUNCIL MEETING**

ORDINANCE NO. 2018-\_\_\_\_\_

AN ORDINANCE OF THE CITY OF MILL CREEK, WASHINGTON, ESTABLISHING REGULATIONS AND POLICIES IMPLEMENTING THE PUBLIC RECORDS ACT, RCW CHAPTER 42.56, ADOPTING NEW MILL CREEK MUNICIPAL CODE CHAPTER 2.06, **ADOPTING APPROVING A NEW PRACITY POLICY-NO. ##**, ISSUING AN ORDER RELATING TO MAINTENANCE OF A PUBLIC RECORDS INDEX, AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the Public Records Act, RCW Chapter 42.56 (Act), requires all cities and public agencies to maintain and make publicly available access to public records; and

WHEREAS, the City Council desires to formalize its procedures for doing so through adoption of new Mill Creek Municipal Code (MCMC) Chapter 2.06, entitled Public Records Management, attached and incorporated into this Ordinance as **Exhibit 1**, and so better enable the Council to oversee and the City to manage and implement its public records responsibilities in compliance with the Act; and

WHEREAS, the City Council further desires to approve a new City Policy **No. ##**, entitled Public Records Rules, attached and incorporated into this Ordinance as **Exhibit 2 (PRA Policy)**, to implement MCMC Ch. 2.06 and provide more uniform and reliable guidance to City staff in the course of responding to requests for public records under the Act, while simultaneously providing guidance to the public wishing to make such requests; and

WHEREAS, RCW 42.56.070 of the Act requires the City to maintain a current index of various public records containing certain identifying information, unless maintaining such an index would be unduly burdensome, in which case the City need not maintain such an index; and

WHEREAS, the City is comprised of numerous departments, divisions and subdivisions, which maintain separate databases and/or record keeping systems for the indexing of records and information; and

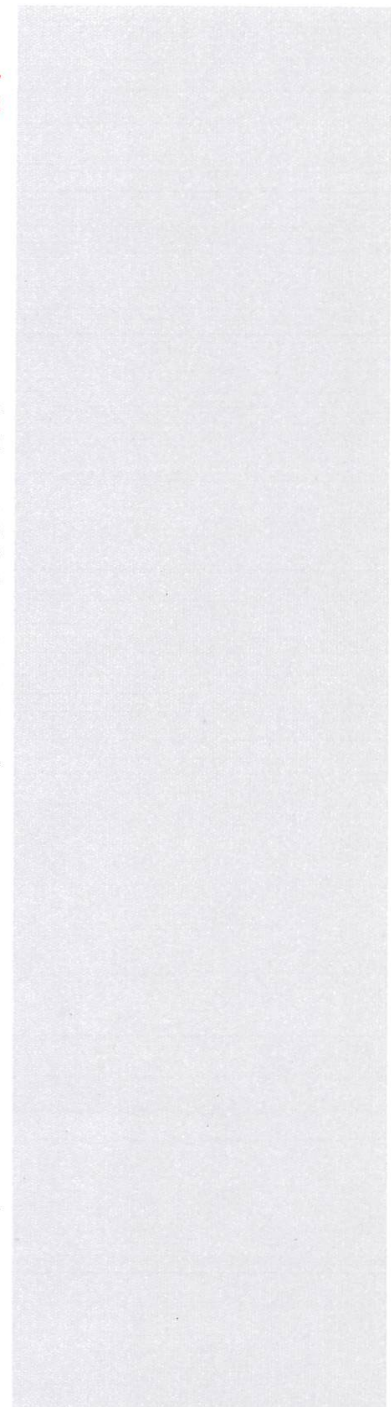
WHEREAS, the City has and maintains records which are diverse, complex, stored in multiple locations and in multiple computer systems and databases, and which utilize different indexing procedures and systems, all of which are available in conformance with the Act; and

WHEREAS, the City produces and/or receives an uncountable number of records each day, and maintains an uncountable number of records in numerous City files; and

WHEREAS, the City's operations do not allow for the addition, revision, or reassignment of duties of existing personnel so that a current records index as described under the Act may be developed and maintained, and anticipated City revenues do not allow additional staffing for the purpose of creating and maintaining such an index; and

WHEREAS, the development and maintenance of a current records index would be extremely costly, and would provide little benefit to the public compared to the expense of maintaining such index; and

ORD. ADOPTING 2018 PRA  
REGULATIONS -- Page 1 of 39  
816730.5/014455.00063



**FINAL DRAFT  
3.27.2018 COUNCIL MEETING**

WHEREAS, the City Council therefore finds and determines in accordance with the Act that maintaining such index would be unduly burdensome and fiscally irresponsible, and would materially and substantially interfere with City operations to the detriment of the City and the public; and

WHEREAS, the City Council further determines that the City qualifies for the Act's provisions allowing the City to declare that such an index is not required under the circumstances of the City, and that the City thus will not maintain such an index; and

WHEREAS, the City Council has reviewed MCMC Ch. 2.06 and ~~the PRA Policy No. ##~~ and concurs in the statements and findings made therein, and adopts those as further findings of the Council in the adoption of this Ordinance; and

WHEREAS, the City Council has reviewed MCMC Ch. 2.06 and ~~the PRA Policy No. ##~~ and finds that they conform with and implement the Act, and will benefit the City and the public in carrying out the requirements of the Act; and

WHEREAS, this Ordinance shall constitute a formal order in accordance with RCW 42.56.070(4); and

WHEREAS, MCMC Ch. 2.06 and ~~the PRA Policy No. ##~~ shall be made available on the City's website and published in the usual manner of the City;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MILL CREEK, WASHINGTON, ORDAINS AS FOLLOWS:**

Section 1. The City Council adopts the foregoing recitals as its findings and conclusions in the adoption of this Ordinance and the following actions.

Section 2. The City Council adopts new Mill Creek Municipal Code Chapter 2.06, entitled Public Records Management, attached and incorporated herein as **Exhibit 1**.

Section 3. The City Council ~~approves the PRA hereby adopts new Mill Creek Policy No. ##, entitled Public Records Rules, attached to and incorporated herein as Exhibit 2, together with amendments made from time to time as provided therein.~~

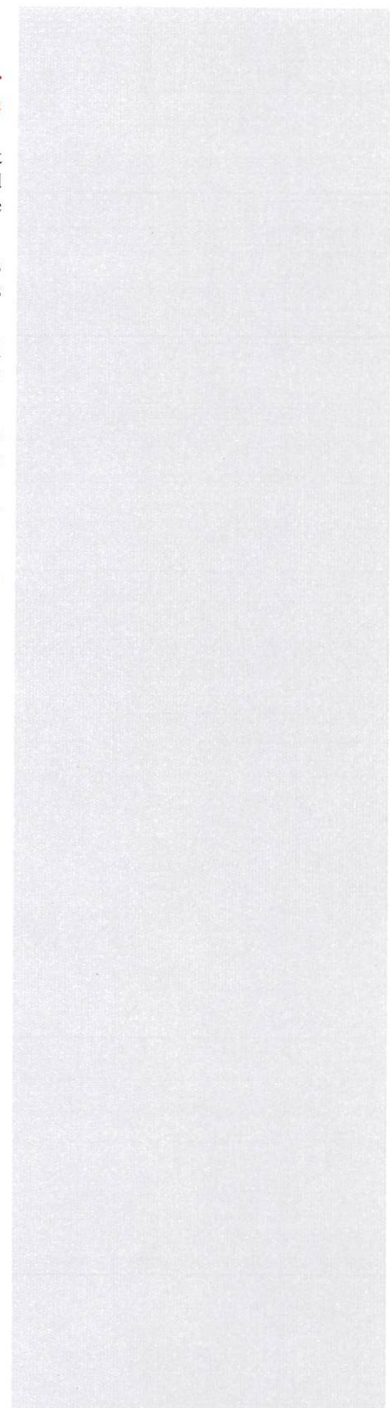
Section 4. The City Council declares this Ordinance to comprise a formal order as required by RCW 42.56.070(4) concerning the maintenance of a current index of public records within the City.

Section 5. The City Clerk is directed to take steps as required to implement and effectuate the terms of this Ordinance, including publication and dissemination of Exhibits 1 and 2 in the City's official compilations of ordinances and policies. The Clerk is authorized to correct and/or approve correction of scrivener's errors, internal references, and the like.

Section 6. This Ordinance shall be in full force and effect five days after publication of a summary hereof consisting of the title of this Ordinance, in accordance with RCW 35A.13.200.

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**FINAL DRAFT  
3.27.2018 COUNCIL MEETING**

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2018, by a vote of \_\_\_\_\_ for, \_\_\_\_\_ against, and \_\_\_\_\_ abstaining.

**APPROVED:**

\_\_\_\_\_  
MAYOR PAMELA PRUITT

**ATTEST/AUTHENTICATED:**

\_\_\_\_\_  
CITY CLERK

**APPROVED AS TO FORM:**

\_\_\_\_\_  
OFFICE OF THE CITY ATTORNEY  
SCOTT M. MISSALL, CITY ATTORNEY

FILED WITH THE CITY CLERK: \_\_\_\_\_

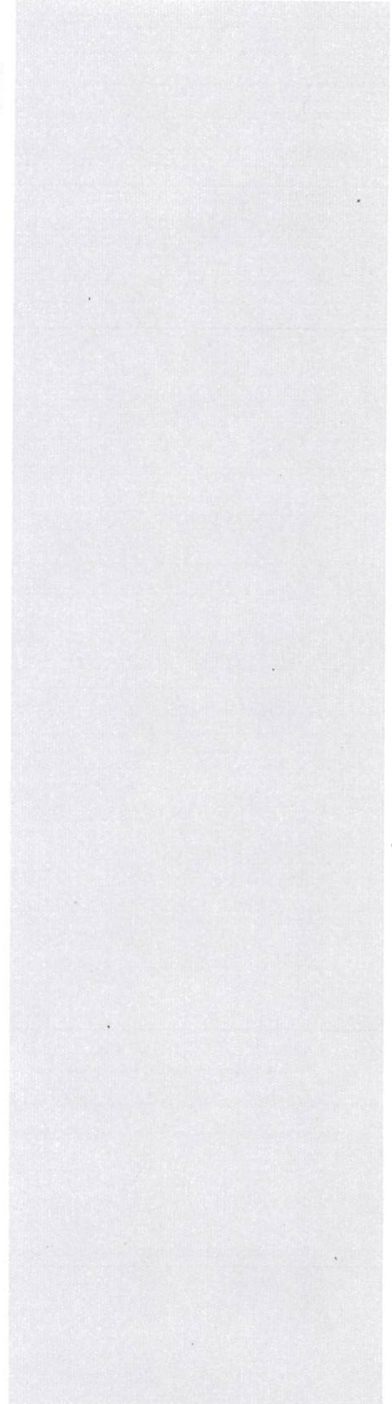
PASSED BY THE CITY COUNCIL: \_\_\_\_\_

PUBLISHED: \_\_\_\_\_

EFFECTIVE DATE: \_\_\_\_\_

ORDINANCE NO.: \_\_\_\_\_

ORD. ADOPTING 2018 PRA  
REGULATIONS -- Page 3 of 39  
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**FINAL DRAFT  
3.27.2018 COUNCIL MEETING**

**EXHIBIT 1**

**MCMC Chapter 2.06  
Public Records Management**

Sections:

- 2.06.010 Purpose and intent
- 2.06.020 Definitions
- 2.06.030 Public records index not required – Findings & order
- 2.06.040 Public records rules authorized
- 2.06.050 Public records officer
- 2.06.060 Public records steering committee ~~(PRSC)~~
- 2.06.070 Public disclosure coordinating team ~~(PDCT)~~
- 2.06.080 Security of public records
- 2.06.090 Access to public records
- 2.06.100 Legal rights and interests of the city
- 2.06.110 Fees and costs
- 2.06.120 Administrative review of records denials
- 2.06.130 Judicial review

**2.06.010 Purpose and intent**

A. The Public Records Act, RCW Chapter 42.56, requires all cities and public agencies to maintain and make publicly available access to and copies of public records. The city has adopted this chapter 2.06 pursuant to the Act, and maintains a public records policy as authorized herein, to implement and provide the specific means and mechanisms for public access to the city's records in conformance with the Act. The city will conform with the Act and the city's public records policy to implement and manage access to its records.

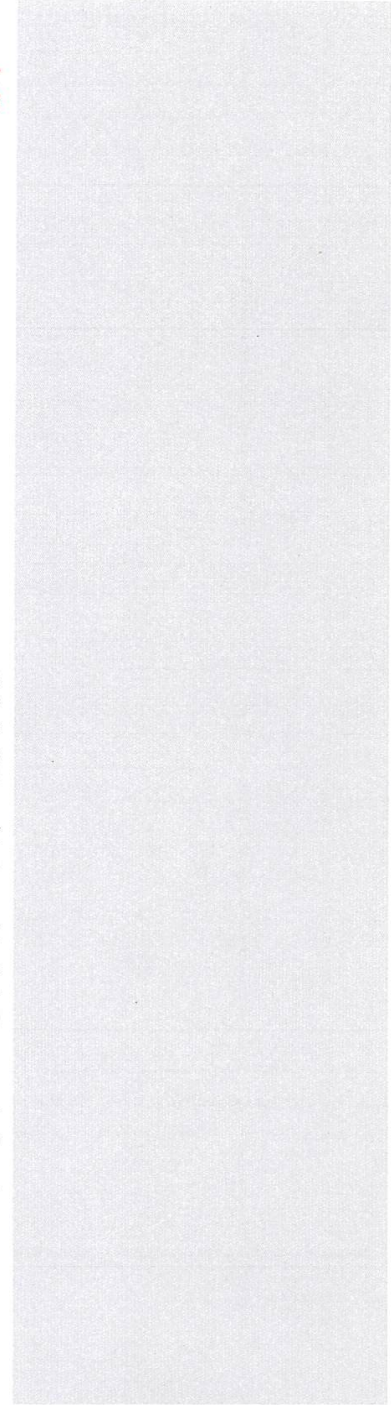
B. Pursuant to the Act, the city shall disclose all public records and any indexes of public records maintained by the city to the extent such records are not exempt, in whole or in part, from disclosure under the Act or other applicable state and local laws.

C. The Act requires the city to maintain a current index of various public records, unless maintaining such an index would be unduly burdensome or would interfere with city operations, in which case the city need not maintain such an index. The city has determined at section 2.06.030 that maintaining such index would be unduly burdensome and substantially interfere with city operations, and thus the city thus does not maintain such an index as permitted by the Act.

**2.06.020 Definitions**

A. The following terms have the indicated meanings unless the context clearly requires otherwise. Other definitions may be found in the text of this chapter or the city's public records rules:

"City" means the City of Mill Creek, including its elected and appointed officials and employees.



**FINAL DRAFT  
3.27.2018 COUNCIL MEETING**

"City Manager" means the City Manager as appointed by the City Council, and includes the City Manager's designee.

"MCMC" or "Code" means the Mill Creek Municipal Code.

"Public Disclosure Coordinating Team" or "PDCT" means the team charged with managing the city's responses to records requests and other actions pursuant to section 2.06.070 and the Rules.

"Public Record" has the same meaning as in the Act. Without limiting the foregoing, a public record means any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by the city regardless of physical form or characteristics.

"Public Records Act" or "Act" means RCW Ch. 42.56, as now or hereafter amended.

"Public Records Officer" or "PRO" means the city's ~~designated~~ public records officer designated pursuant to section 2.06.050 and the Rules.

"Public Records Rules" or "Rules" or "Rule" means the city's Public Records Rules Policy ~~No. ##~~, as authorized, ~~adopted~~ and amended pursuant to this chapter.

"Public Records Steering Committee" or "PRSC" means the committee charged with advising on changes to the Rules and other actions pursuant to section 2.06.060 and the Rules. ~~composed of the city manager, city clerk, public records officer and city attorney, or their designees.~~

"Record" or "Records" generally means the city's public records.

"Request" or "records request" means a request made in accordance with these Rules for disclosure of public records under the Act.

"Request Management System" or "RMS" means the public records management system designated by the city manager for use in connection with the Rules.

"Requestor" means a person who has made a public records request in accordance with the Rules.

"Writing" has the same meaning as in the Act.

**2.06.030 Public records index not required – Findings & order**

A. Findings. Pursuant to RCW 42.56.070(4), the city makes the following findings:

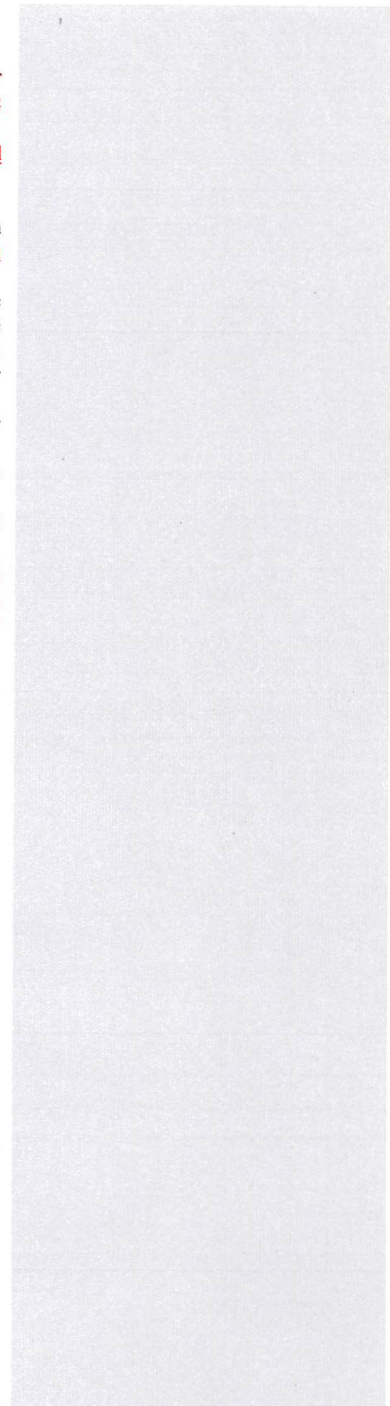
1. The city is comprised of numerous departments, divisions and subdivisions, which maintain separate databases and/or record keeping systems for the indexing of records and information.

2. The city has and maintains records which are diverse, complex, stored in multiple locations and in multiple computer systems and databases, and which utilize different indexing procedures and systems.

3. The city produces and/or receives an uncountable number of records each day, and maintains an uncountable number of records in numerous city files.

4. The development and maintenance of a current records index would be extremely costly, and would provide little benefit to the public compared to the expense of maintaining such index.

5. The city's operations do not allow for the addition, revision, or reassignment of duties of existing personnel so that a current records index may be developed





**FINAL DRAFT  
3.27.2018 COUNCIL MEETING**

and maintained, and anticipated city revenues do not allow additional staffing for the purpose of creating and maintaining such an index.

6. For the foregoing reasons, maintaining such index would be unduly burdensome and fiscally irresponsible, and would materially and substantially interfere with city operations, all to the detriment of the city and the public

B. Order. Pursuant to RCW 42.56.070(4) and the foregoing findings, the city council makes the following order:

1. The city is not required to maintain a current index of public records as required by the Act because that requirement is unduly burdensome for the city, would materially and substantially interfere with city operations, and there is insufficient funding for such work.

**2.06.040 Public records rules authorized**

The city manager shall promulgate and maintain Public Records Rules for the city that implement this chapter and the Act, as they may be amended. In doing so, the city manager shall designate a public records management system for use in connection with the Rules, and shall consulting as necessary with the Public Records Steering Committee. The Rules shall be made available on the city's website and published in conjunction with the MCMC.

**2.06.050 Public records officer**

The city manager shall designate a city employee or employees to serve as the city's Public Records Officer. The PRO shall perform the functions set forth herein and in the Rules.

**2.06.060 Public records steering committee**

A Public Records Steering Committee (PRSC) is established composed of the city manager, city clerk, PRO, deputy police chief and city attorney, or their designees. The PRSC shall provide guidance to the Public Disclosure Coordinating Team, review denials of public records requests, recommend and/or review changes to the Rules and this chapter, and perform other tasks as assigned by the city manager.

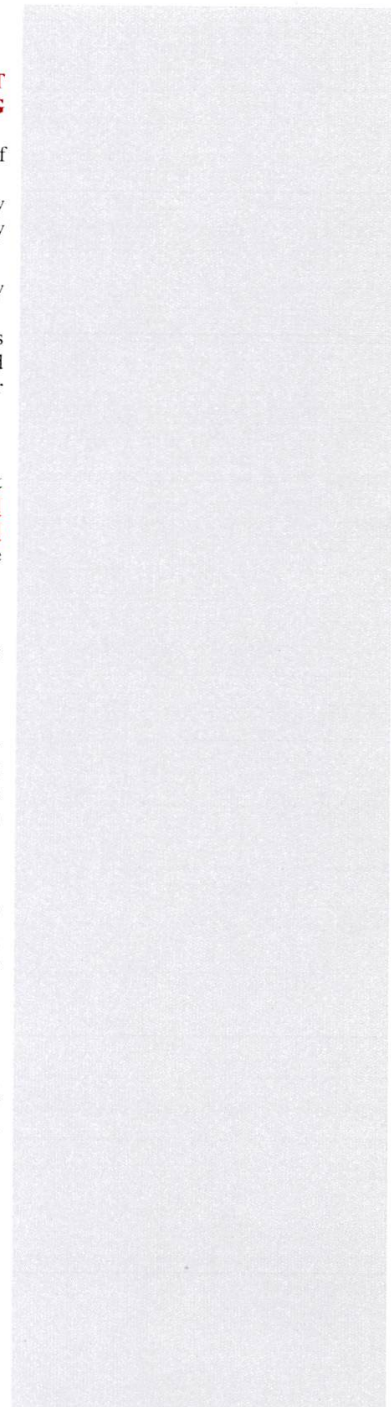
**2.06.070 Public disclosure coordinating team**

A Public Disclosure Coordinating Team (PDCT) is established, to be chaired by the PRO and composed of departmental representatives approved by the city manager. The PDCT shall be responsible for managing records requests and responses as set forth in the Rules under the direction of the PRO.

**2.06.080 Security of public records**

The Rules shall provide appropriate methods to maintain the security of the city's records and records systems; to prevent loss, damage, removal and/or alternation of records; to prevent other detrimental actions inconsistent with the Act; and to maintain appropriate retention of records responses for the city's benefit. Public records shall be maintained in a manner consistent with state and city requirements for record retention.

**2.06.090 Access to public records**



**FINAL DRAFT  
3.27.2018 COUNCIL MEETING**

A. The Rules shall provide for access, inspection and dissemination of records in a manner that is consistent with the Act; consistent with the city's duties and obligations to perform all of its other municipal, governmental, and public service functions; and consistent with the city's fiscal capabilities.

B. The Rules shall provide reasonable and efficient mechanisms for the public to make records requests and ~~timely~~ obtain records from the city, and for the city to verify, categorize, track, manage and provide timely responses to records requests.

C. The Rules shall provide mechanisms and guidance to assure legally proper and sufficient redaction and exemption of records consistent with the Act.

**2.06.100 Legal rights and interests of the city**

Without limiting the scope of the city's legal authority, for the purpose of protecting the city's interests ~~and/or records~~ under or in connection with the Act, the city ~~manager~~ may initiate ~~or respond to any~~ judicial action; ~~and/or~~ may ~~respond to or~~ join in any judicial action commenced by ~~a third-any~~ person ~~or entity unaffiliated with the city; and -related to a records request submitted to the city.~~ The city may seek to enjoin the ~~release~~, inspection or copying of any ~~nonexempt~~ public records ~~sought~~ by persons serving criminal ~~or other qualifying~~ sentences in state, local, or privately operated correctional facilities as provided by the Act.

**2.06.110 Fees and costs**

The Rules shall provide for the recovery of charges, fees and costs as permitted under the Act, including statutory charges, customized charges when appropriate, waiver of de minimis charges, and efficient payment methods. To the extent necessary, such charges, fees and costs shall be included in and/or coordinated with the city's fee schedule at MCMC ch. 3.42.

**2.06.120 Administrative review of records denials**

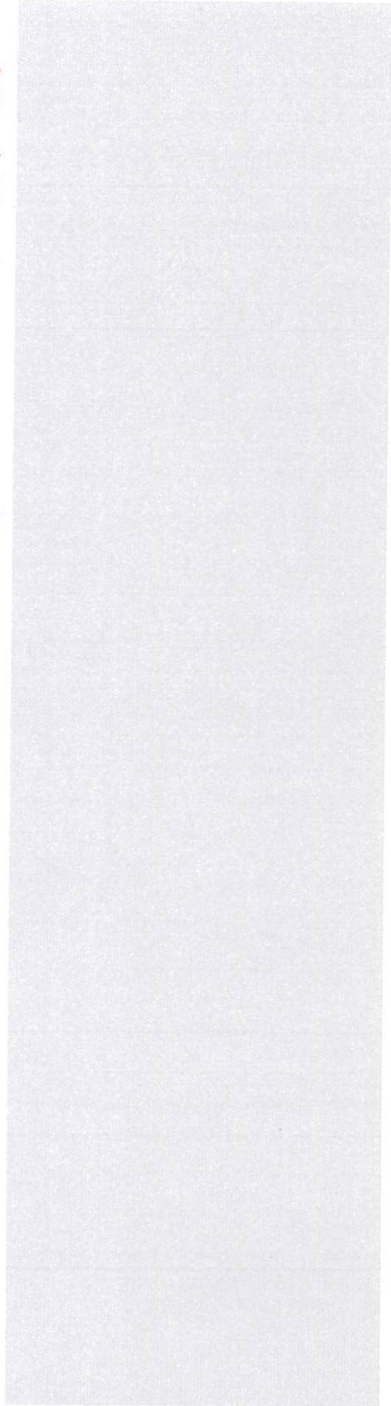
In the interest of ensuring proper public access to records and timely resolution of issues regarding the denial, in whole or in part, of a public records request, the Rules shall provide aggrieved persons with an efficient internal administrative review process to be handled by the PRO and PRSC. Such administrative review shall be limited solely to the denial by the city of a public records request, whether in whole or in part, and solely to the records so denied. The availability and use of this administrative review process is provided as a convenience to records requestors, and it shall not in any manner alter or affect the requirements, scope, provisions or time limits of judicial review applicable to any city action taken under the Act.

**2.06.130 Judicial review**

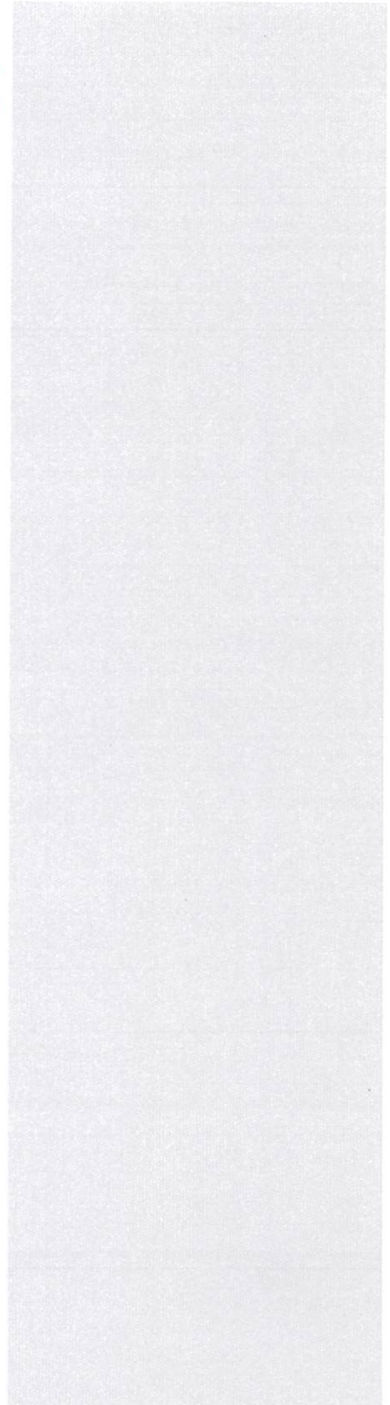
A. Any requestor aggrieved by a qualifying action or decision of the city taken under this chapter or the Rules may obtain judicial review thereof if, as, and to the extent allowed under RCW 42.56.550.

B. If any appeal under this section concerns the city's denial of a record for which administrative review was available under MCMC 2.06.120, and the appellant fails to first avail herself or himself of such administrative review, such failure to exhaust remedies shall preclude appeal of such issue or issues in any judicial appeal.

\*\*\*\*\*END CHAPTER\*\*\*\*\*



**FINAL DRAFT  
3.27.2018 COUNCIL MEETING**



ORD. ADOPTING 2018 PRA  
REGULATIONS -- Page 8 of 39  
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**FINAL DRAFT  
3.27.2018 COUNCIL MEETING**

Exhibit 2

City of Mill Creek  
PUBLIC RECORDS RULES

Public Records Rules

- 1.0 Definitions
- 2.0 Authority, Scope, Purpose and Adoption of Rules
- 3.0 City Operations; Access to Public Records and Information
- 4.0 Records Management and Protection
- 5.0 Making a Request for Public Records
- 6.0 Processing Records Requests
- 7.0 Managing Records Requests
- 8.0 Inspection of Records
- 9.0 Protected Records; Non-Records; Redactions and Exemptions
- 10.0 Providing Records
- 11.0 Electronic and Digital Records
- 12.0 Costs of Providing and Payment for Records
- 13.0 Review of Denials of Public Records Requests
- 14.0 Judicial Review
- 15.0 Appendices and Forms

1.0 DEFINITIONS

1.1 General

The definitions in this Section shall have the meanings ascribed unless the context clearly requires otherwise. The definitions set forth in the state Public Records Act and the Mill Creek Public Record chapter. MCMC ch. 2.06, are incorporated herein by reference. Personnel labels used herein (e.g., Records Clerk) are for convenience of these Rules and do not reflect management functions under the City's pay and classification system.

1.2 Definitions

"City" means the City of Mill Creek, including its elected and appointed officials and employees.

"City Manager" means the City Manager as appointed by the City Council, and includes the City Manager's designee.

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"Counter records" means records easily available at the City's customer service counters under Rule 5.4.

"Email" means a computer-based informational transfer system for sending and receiving messages. "Text messages" are less formal, phone-based equivalents to emails. Email and text messages are public records when they are prepared, owned, used, or retained by the City and relate to the conduct of government or performance of any governmental or proprietary function.

**FINAL DRAFT  
3.27.2018 COUNCIL MEETING**

"Exemption Log" means an exemption log that identifies exempt records as described in Rule 9.1.

"MCMC" or "Code" means the Mill Creek Municipal Code.

"Mill Creek Public Records Chapter" or "MCMC ch. 2.06" means MCMC ch. 2.06 as now or hereafter amended.

~~"Police Records" means a subset of the City's public records available from the Police Department. See Rule 4.5.~~

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"Public Disclosure Coordinating Team" or "PDCT" means the team charged with managing the City's responses to records requests. See Rule 7.

"Public Record" has the same meaning as in the Act. Without limiting the foregoing, a public record means any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by the City regardless of physical form or characteristics.

"Public Records Act" or "Act" means RCW Chapter 42.56, as now or hereafter amended.

"Public Records Officer" or "PRO" means the designated Public Records Officer. See Rule 3.

"Public Records Rules" or "Rules" or "Rule" means these Public Records Rules as initially approved ~~adopted~~ and amended from time to time as provided herein.

"Public Records Steering Committee" or "PRSC" means the ~~committee~~ team composed of the City Manager, City Clerk, Public Records Officer, Deputy Police Chief and City Attorney, or their designees. See Rule 2.

"Record" or "Records" generally means the City's public records.

"Records ~~Clerk~~ Managers" means the staff person designated for each City department who is responsible for ~~managing and carrying out these Rules and~~ processing records requests affecting that department under direction of the PRO.

"Records Log" means the log maintained by the PRO tracking records requests submitted to and processed by the City. See Rule 7.

"Request" or "records request" means a request made in accordance with these Rules for disclosure of public records under the Act.

"Request Management System" or "RMS" means the public records management system designated by the City Manager for use in connection with these Rules.

"Requestor" means a person who has made a public records request in accordance with these Rules.

"Text messages" [see "Email"]

"Writing" has the same meaning as in the Act. Without limiting the foregoing, a writing includes handwriting, typewriting, printing, photocopying, photographing, and every other means of recording any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, motion picture, film and video recordings, magnetic or punched cards, discs, drums, diskettes, sound recordings, and other documents including existing data compilations from which information may be obtained or translated.

**2.0 AUTHORITY, SCOPE, PURPOSE AND ADOPTION OF RULES**

**2.1 Authority**



**FINAL DRAFT  
3.27.2018 COUNCIL MEETING**

These Rules are adopted pursuant to the Act, RCW ch. 42.56, and the MCMC Chapter 2.06. RCW 42.56.070(1) requires the City to make available for inspection and copying nonexempt public records in accordance with published rules. RCW 42.56.070(2) requires the City to set forth "for informational purposes" every law, in addition to the Act, that exempts or prohibits the production of public records held by that agency.

**2.2 Scope and Purpose of Rules**

**2.2.1** These Rules govern all records in the City and the application of the Act to the City's records.

**2.2.2** The purpose of these Rules is to establish the procedures and requirements the City, through its departments, will employ and follow to comply with the Act, including timely access to public records, and assistance to records requestors as required by RCW 42.56.100. It is further the purpose of t These Rules provide information to persons wishing to request access to public records of the City and establish procedures for requestors and City staff to meet the purpose of the Act and these Rules.

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**2.2.3** These Rules are intended to protect the City's records from damage, alteration, and/or disorganization; prevent excessive interference with other essential functions of the City; and properly determine the status and disclosability of public records.

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**2.3 Adoption and Amendment of Rules**

The City Manager is authorized to adopt and amend these Rules pursuant to MCMC ch. 1.24 and MCMC ch. 2.06 as needed to remain in compliance with evolving law governing the handling of public records requests and to update related procedures. The Manager may consult with the Public Records Steering Committee as needed to perform that responsibility.

**3.0 CITY OPERATIONS; ACCESS TO PUBLIC RECORDS AND INFORMATION**

**3.1 City Operations**

**3.1.1** The City is an "agency" under the Act and provides services as a noncharter code city and Washington municipal corporation organized under RCW Title 35A. The City's central office is located at City Hall South, 15728 Main Street, Mill Creek, WA 98012.

**3.1.2** The general course and method by which the City's operations are channeled and determined is through laws adopted and direction given by the City Council and other competent authority in conformity with all applicable city, state and federal law, which are implemented by the City Manager, Department Directors and their designees. The City's ordinances of general applicability are contained in the Mill Creek Municipal Code. The City's general policies and procedures are contained in the Mill Creek Policies and Procedures.

**3.1.3 Reporting.** Pursuant to RCW 40.14.026(5), agencies that incur actual staff and legal costs associated with fulfilling public records requests in excess of \$100,000 annually must report such activity to the State. Reporting is optional if the costs incurred fall under that threshold.

**3.2 Access to Records, Forms and General Information**



FINAL DRAFT  
3.27.2018 COUNCIL MEETING

A requestor or any person wishing to request access to public records of the City, or seeking assistance in making such a request, should follow the procedures in these Rules. Requestors are encouraged to view and/or obtain documents available on the website prior to submitting a records request. The City may make information, forms, and methods for requesting records, along with other assistance, available through one or more of the following:

- 3.2.1 The City's website: [www.cityofmillcreek.com](http://www.cityofmillcreek.com).
- 3.2.2 The City's online RMS, which may be accessed through the City's website.
- 3.2.3 The City's self-help online kiosk located in the lobbies of City Hall North and/or South.
- 3.2.4 At the City's customer service counters located in the lobbies of City Hall North and/or South.

In addition, Requestors may seek assistance by submitting a letter or fax addressed to the PRO as specified in Rule 3.3.

3.3 Public Records Officer

**3.3.1 Authority.** The Mill Creek Public Records Officer shall be designated by the City Manager from time to time and shall perform the functions of the PRO set forth in these Rules, including chair of the PDCT and supervising Records ~~Clerks~~**Managers**. The PRO shall coordinate activities, records requests and responses with the City's ~~Director of~~ Public Information ~~Officer~~ when such matters are made by credentialed press representatives or organizations, or concern issues of known public significance. ~~The PRO or City Manager may designate an acting PRO as needed.~~

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**3.3.2 Training.** The PRO shall obtain and maintain a current certification in public records management and PRA operations through ~~the Washington Association of Public Records Officers (WAPRO)~~ or other similarly qualified organizations. The PRO shall ensure Records ~~Clerks~~**Managers** receive ~~timely and~~ appropriate PRA training.

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**3.3.3 Contact Information.** ~~As referred to herein, PRO includes any designee of the PRO.~~ The PRO can be contacted at:

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Public Records Officer  
City of Mill Creek  
15728 Main Street, Mill Creek, WA 98012  
Phone : 425-745-1891  
Fax: 425-745-9650

4.0 RECORDS MANAGEMENT AND PROTECTION

4.1 General

Public records are available for inspection and to obtain copies during normal business hours of the City, Monday through Friday, 8:00 a.m. to 5:00 p.m., excluding legal holidays. Inspection of records shall occur at the central offices of the City unless another location is approved by the PRO. A variety of records are available on the City's website at [www.cityofmillcreek.com](http://www.cityofmillcreek.com). and may be downloaded at the viewer's

FINAL DRAFT  
3.27.2018 COUNCIL MEETING

convenience. Requestors are encouraged to view the documents available on the website prior to submitting a records request.

4.2 **Records Index Not Maintained**

~~By Mill Creek Ordinance No. 2018-## approving Pursuant to~~ MCMC Chapter 2.06, the City Council issued a formal order finding that the maintenance of a records index was unduly burdensome. This finding was based in part on the fact that the City is comprised of several departments, divisions, subdivisions and boards, and serves approximately 20,000 citizens. The different departments and divisions currently maintain, and may continue to maintain, separate databases and/or record keeping and/or working systems containing records, each of which may have different systems or protocols for indexing records and information. Because these records and systems are diverse, complex and located in multiple places and/or in or on multiple computer systems and databases, it is unduly burdensome to maintain a central index of records.

4.3 **Organization of Records**

The City will maintain its records in a reasonably organized manner.

4.4 **Physical Protection of Records and Records Security**

4.4.1 While committed to compliance with the Act and these Rules, the City must also take reasonable and/or necessary actions to protect its records from damage, loss and disorganization, and to prevent interference with the essential functions of the City. See below and Rules 2, 8, 9, 10 and 11 for ~~specific other~~ security requirements.

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4.4.2 A requestor shall not take City records from City offices and shall not mark, modify or alter any record. A requestor may be required to view records in the presence of a City representative and to account for all such records at the end of a viewing session. Photographing City records may only be allowed upon advance request, and may be prohibited by the PRO.

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4.4.3 Records that are or may be responsive to a pending records request may not be altered or destroyed.

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4.4.4 Judicial orders for the expungement of records shall be reviewed by the PRO for appropriate action. The PRO shall consult with the Police Department's Records Clerk and City Attorney as needed and consider the City's records retention requirements in taking action.

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4.4.5 Any subpoena, subpoena duces tecum, or judicial discovery request sent to or served on the City that applies to or requests records from the City shall be reviewed by the PRO for appropriate action. The PRO shall consult with the City Manager and/or City Attorney as needed.

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5.0 **MAKING A REQUEST FOR PUBLIC RECORDS**

5.1 **General**

5.1.1 A request for public records should be in writing but may be made orally. A requestor must provide the PRO with reasonable notice that the request is for disclosure of public records under the Act and must provide the information in this Rule 5.



**FINAL DRAFT  
3.27.2018 COUNCIL MEETING**

5.1.2 Record requests may only encompass existing records. The ending search date for every request shall be the date the request is submitted to the City, unless an earlier date is stated in the request. A request cannot be used to inspect or obtain copies of records not yet in existence, and the PRO is authorized ~~not to~~ refuse to accept or to reject such a request.

**5.2 Written and Oral Requests for Records**

5.2.1 Written requests to obtain or inspect public records may be made using the methods listed in Rule 3.2. ~~The City's records request form is attached at Appendix 1.~~

5.2.2 Oral requests to obtain or copy public records may be made to the PRO by direct telephone or in person. ~~as provided in Rule 3.2~~ An oral request cannot be made via voice message or answering system. The PRO may accept oral requests if the requestor provides the required information set forth in this Rule. If the PRO accepts an oral request, the PRO will enter and confirm receipt of the information, the substance of the request, and the requestor' contact information in the RMS and by writing or emailing to the requestor if possible. The confirmation will be deemed the correct statement of the request unless the requestor responds in writing or orally as set forth herein with a different statement of the scope of the request.

5.2.3 Each written or oral records request must contain the following information:

5.2.3.1 Date and time of the request

5.2.3.2 Name and full contact information provided by the requestor

5.2.3.3 Description of the records sufficient for the PRO to reasonably identify and locate the requested records.

5.2.3.4 Whether the requestor seeks to obtain or inspect records. If the requestor wishes to receive copies or digital scans of records, she/he should so indicate and make arrangements with the PRO to pay for such copies or scans as provided in these Rules. If the requestor seeks to inspect records, she/he should so indicate and make arrangements with the PRO.

5.2.3.5 Whether the requestor seeks to obtain or inspect records for commercial purposes.

**5.3 Automated Records Requests**

The City has no duty to accept automated or robotic request for records ("bot request"). A bot request means a request for records that the City reasonably believes was automatically generated by a computer, ~~or~~ telephone program, ~~or~~ script or other means. The City may deny a bot request that is one of multiple requests from the requestor to the City within a twenty-four hour period, or over a period of days, if responding to such multiple requests would cause interference with other essential City functions.

**5.4 Counter Records**

Certain records may be provided quickly and easily at the City's customer service counters located at City facilities, such as City information sheets, schedules or handouts; certain commonly maintained or requested items like reports, agendas, and data compilations; and forms, booklets or other pre-printed materials. A request for such "counter records" does not comprise a records request subject to these Rules if it can be immediately fulfilled by City staff working at the customer service counter. In such

**FINAL DRAFT  
3.27.2018 COUNCIL MEETING**

situations, the requestor need not make a formal request as described in these Rules, and City staff need not treat the request as a records request subject to these Rules.

**6.0 PROCESSING RECORDS REQUESTS**

**6.1 Priority of Requests**

Mindful of the requirements of RCW 42.56.100, and as reasonably feasible, the PRO will process requests in the order allowing the most requests to be processed in the most efficient manner. See generally Rule 7.

**6.2 Clarification of Requests**

To better understand a request and provide responsive records, the PRO may inquire about the purpose for the request and any other matters related to more precisely determining the nature of the request and how it might best be fulfilled. However, the requestor is not required to answer except to establish whether inspection and copying would violate RCW 42.56.070(9) or a statute which exempts, limits, or prohibits production of specific information or records to certain persons.

**6.3 Acknowledging Receipt of Requests**

**6.3.1 Timely Acknowledgement.** To meet the requirements of the Act, the PRO must take one or more of the actions described in this Rule within five business days of receiving a records request, excluding the day the request was received (RCW 1.12.040).

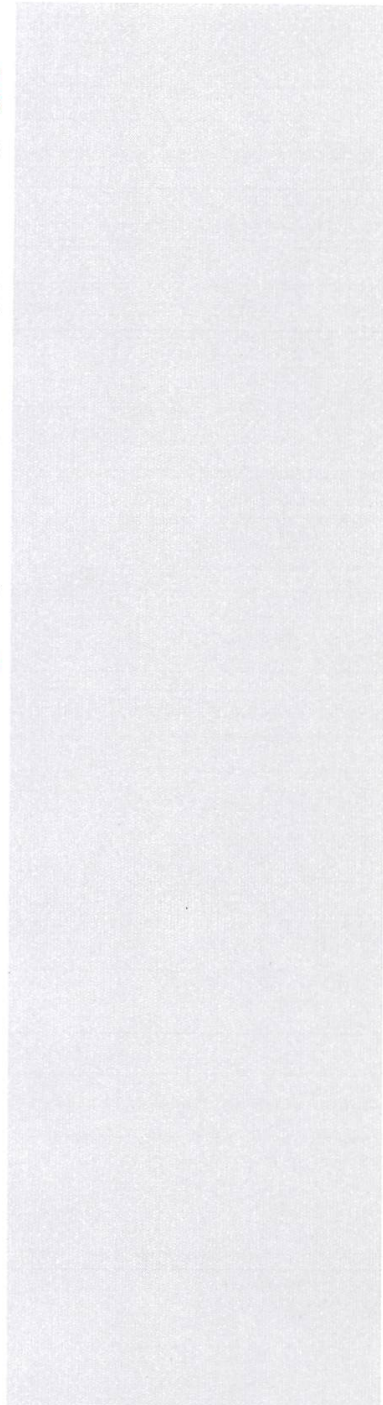
**6.3.2 5-Day Letter.** ~~When a~~ ~~Unless the~~ request cannot be immediately fulfilled within 5 business days. (as in the case of counter records; Rule 5.4). the PRO ~~shall~~ must prepare and send a written response to each requestor and every such request using the 5-Day Response Form attached at **Appendix 1**. Every 5-Day Response will:

- 6.3.2.1** Acknowledge the date of receipt of the request.
- 6.3.2.2** Restate the request.
- 6.3.2.3** Enclose a portion of the requested records if feasible and available.
- 6.3.2.4** Seek clarification for any part of the request that is then unclear.
- 6.3.2.5** Provide a reasonable estimate of additional time needed to respond to the request per Rule 6.5, including the anticipated date by which the records will be produced in whole; or if the records will be produced in part or in installments, the first and anticipated follow-on dates of such installments.
- 6.2.2.6** Note the applicability and status of inspection, copying and payment arrangements for the records, and state the deposit required therefor.

As records are searched and produced, and/or the search is refined, subsequent written communication with the requestor will occur using the RMS to keep the response moving, advise of changes in workload, search impediments or anticipated production dates, and finalize the request. If the PRO does not respond to a requestor in writing within five business days of receipt of a records request, the requestor should consider contacting the PRO to determine the reason for the delay.

**6.4 Response and Follow Up Options**

Typical options and follow up steps for responding to a records request are listed below. Any response can be combined with another response to better address and complete the records production.





**FINAL DRAFT  
3.27.2018 COUNCIL MEETING**

**6.4.1** Make the requested records available for inspection or provide copies as applicable.

**6.4.2** Identify to the requestor online or internet locations where all or a portion of the records can be obtained or accessed. Requestors who cannot access the internet may be provided copies of the requested records and/or advised of the availability of the City's lobby kiosk(s).

**6.4.3** Stay in touch with the requestor as appropriate following delivery of the 5-day letter. Acknowledge receipt of subsequent contacts, ask the requestor to provide clarification or refine the search as appropriate, consult with the PRO as needed, and provide a reasonable estimate of the time required to respond to the request per Rule 6.5.

**6.4.4** If a request changes significantly into a new request for different records, the PRO should consider requiring a new formal request to be filed for the new documents or purpose. This will keep each request focused and identifiable for purposes of completing requests, and enable City staff to go forward with other requests previously filed, on hold or in process and awaiting their turn to be processed.

**6.4.5** If the requestor fails to respond to at least two written requests for clarification and the entire request is thus unclear, the PRO should advise the requestor of that fact and the City's consequent determination that the request will be considered terminated or abandoned in accordance with Rule 7. However, even if the requestor fails to respond to requests for clarification, if portions of the request are sufficiently clear to provide responsive records, then such records will be provided.

**6.4.6** If full or partial payment or payment of a deposit is necessary and arranged as provided in the Rules, or if other terms of payment are agreed upon and made by the requestor, send the requested records to the requestor or make them available for pick up.

**6.4.7** Deny or reject the request, specifying the reasons therefor.

**6.5 Determination of Additional Time for Response**

The PRO must make a reasonable inquiry into the nature of the records requested and make a reasonable estimate of the time needed to respond to each request. Factors used to estimate the additional time must be based upon criteria that can be articulated, and may be presented in a response letter. Allowable factors necessitating additional response time include the following:

**6.5.1** To request clarification from the requestor if the request is unclear or does not sufficiently identify the requested records. Such clarification may be requested and provided by telephone. If the clarification is made by telephone, the PRO will confirm the scope of the clarification in writing. The confirmation will be deemed the correct statement of the scope of the request unless the requestor responds with a different statement of the scope.

**6.5.2** To locate and assemble the requested records.

**6.5.3** To determine whether information in the requested records is exempt from disclosure or production, and if so, the time needed to prepare redactions and a privilege log.

**FINAL DRAFT  
3.27.2018 COUNCIL MEETING**

6.5.4 To determine whether a denial should be made as to all or part of the request.

6.5.5 To notify third persons or agencies pursuant to Rule 6.6 in the event the requested records contain or may contain information that may affect rights of others and may be exempt from disclosure.

**6.6 Notice of a Records Request to Third Parties**

If requested records contain or may contain information that may affect rights of third persons and/or agencies not affiliated with the City (Third Parties), the PRO shall consult with the City Manager or City Attorney to determine the need for issuance of a Third Party Notice. If the PRO and consulted persons (and City Attorney) determine such a Third Party Notice is appropriate, the PROy shall prepare the Notice using the Third Party Notice Form attached at Appendix 2-("Notice"). The Third Party Notice shall advise Third Parties of the City's determination that their rights may be affected by the requested disclosure, shall include a copy of the request and the contact information of the requestor, and shall be copied to the requestor. The Third Party Notice shall be issued prior to providing the requested records to enable the Third Parties to contact the requestor to seek revision of the request, seek a court order to prevent or limit disclosure, or seek other remedies available to the Third Parties.

**6.7 Notice of a Records Request Affecting City Employees or Officials**

If requested records contain or may contain information that may directly affect or implicate rights of City employees or officials (City Personnel), the PRO shall consult with the City Manager to determine the appropriate course of action. Such action shall be taken prior to providing the requested records to enable the City Personnel to contact the requestor to seek revision of the request, seek a court order to prevent or limit disclosure, or take or seek other actions or remedies available to them.

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**6.8 Participation by City in Judicial Action Related to Records Requests**

6.8.1 Pursuant to the Act, the City may seek to enjoin the inspection or copying of any nonexempt public records by persons serving criminal sentences in state, local, or privately operated correctional facilities.

6.8.2 Pursuant to the Act, and for the purpose of protecting the City's interests as they may apply, the City may initiate judicial action, and/or may join in any judicial action commenced by a third person, related to a records request submitted to the City.

**7.0 MANAGING RECORDS REQUESTS**

**7.1 Public Disclosure Coordinating Team; Records ~~Clerks~~Managers**

The Public Disclosure Coordinating Team shall be comprised of the Public Records Officer and the Records ~~Clerks~~Managers designated for each City department. The PRO shall be the chair of the PDCT. The PDCT is responsible for managing and processing records requests in accordance with these Rules.

**7.2 Records Log**

The PDCT shall maintain a current log of records requests submitted to and processed by the City using the RMS. RMS entries must be kept current and shall include the identity and contact information of the requestor; the date the City received the request; the text



**FINAL DRAFT  
3.27.2018 COUNCIL MEETING**

of the original request and any significant clarifications; the classification of request made under this Rule; the date and a general description of the records produced in response to the request, including whether records were redacted or withheld and the reasons therefor; the status of the request; and the date of final disposition of the request. The records log must be retained in accordance with the applicable City and state record retention schedule, and is itself a public record subject to disclosure under the Act.

**7.3 Records Management Criteria**

The PDCT will manage, classify, and process pending records requests based on the following criteria:

7.3.1 The number of records responsive to a given request.

7.3.2 The number and size of other pending requests.

7.3.3 The amount of processing required for each pending request.

7.3.4 The status of a particular request that is waiting for or undergoing internal processing, document review and/or analysis; follow up action by a requestor, and/or third party review, response or action.

7.3.5 The current volume of other workload demands in the City as they may affect the amount of available staff time that can be devoted to compliance with the Act and records requests.

**7.4 Categories of Records Requests**

The PRO will categorize each record request ~~when it is received~~ using the following criteria generally following issuance of a 5-Day Response. Record requests should be re-categorized as appropriate after initial categorization in response to new circumstances and/or additional information.

7.4.1 **Category 1** requests require immediate response in the interest of public safety and/or imminent danger. These requests take priority over all other requests. Generally, the PRO will respond to Category 1 requests immediately or the next business day after the request is received.

7.4.2 **Category 2** requests are routine or readily filled requests for easily identified and immediately accessible records requiring little or no coordination between departments. Generally, the PRO will respond to Category 2 requests within five business days.

7.4.3 **Category 3** requests are routine requests that involve a large number of records; records not easily identified, located or accessible, and/or records that require some coordination between departments. Generally, the PRO will respond to Category 3 requests within 5 to 30 business days.

7.4.4 **Category 4** requests are complex requests meeting any of the following criteria: (i) broad or vague requests which involve a large number of records that are not easily identified, located or accessible; (ii) requests requiring significant coordination between multiple departments or research by City staff who are not primarily responsible for public disclosure; (iii) requests requiring detailed review to determine whether such records are exempt from disclosure or production in whole or in part; (iv) requests

**FINAL DRAFT  
3.27.2018 COUNCIL MEETING**

requiring legal review and/or creation of an exemption log; (v) requests that may require notification of third parties. The PRO will respond to Category 4 requests as soon as possible, but may need or take extended time due to the complexity of fulfilling the request.

**7.4.5 Category 5** requests are those requests that are on hold or pending further action for any of the following reasons: (i) waiting for records to be retrieved from storage, or from persons or entities that hold them on behalf of the City (e.g. employees, consultants); (ii) waiting for the requestor to respond to a request for clarification; (iii) waiting for a response after notifying a third party named in a record; (iv) waiting for expiration of the time allowed a third party to obtain an order from a court enjoining release of records; (v) waiting for resolution of a legal action affecting the records; (vi) waiting for consideration of a petition to review denial of access; (vii) waiting for the requestor to pay for the records or pay a deposit; (viii) waiting for external vendor reproduction of records and related invoicing; and/or (ix) waiting for the requestor to claim an installment or to physically inspect records.

**7.5 Closing Records Requests**

The PRO will close a records request and so inform or confirm that action to the requestor in writing in the following circumstances:

**7.5.1 Completed.** The request is completed. This notice is typically sent or delivered with the final installment of the records provided to the requestor.

**7.5.2 Withdrawn.** The requestor withdraws the request.

**7.5.3 Abandoned.** The requestor fails to perform any of the following after receiving or sending written confirmation of such obligation: fails to inspect or pick up records; fails to fulfill an obligation to pay for the records, including any deposit, partial or final payment, or third-party vendor cost; fails to complete a task as previously agreed with the PRO; or fails to respond to a request for clarification by the PRO. See Rule 7.6.

**7.5.4 Rejected or Denied.** The request is rejected or denied by action of the PRO under these Rules. See, e.g., Rules 5.1.2; 5.3; 6.4.5; 6.4.7; 9.2; 9.3; and 9.4.

**7.6 Abandoned Records Requests**

The PROCity will deem a request abandoned in the following circumstances:

**7.6.1** The requester fails to respond to City requests for clarification issued pursuant to Rule 6.4.5 and 30 days has passed since the last such request.

**7.6.2** The requester has elected to inspect records and (i) the requester fails to contact the PRO to arrange for the review of the records or anyfirst installment thereof within 30 days of being notified that the records are available for inspection; or (ii) the requester misses an appointment to inspect the records or any installment thereof and fails to contact the PRO to arrange another appointment to inspect within 30 days of the missed appointment.

**7.6.3** The requester has elected to receive copies of records and (i) the requester fails within 30 days to open and download copies of responsive records or any installment of



**FINAL DRAFT  
3.27.2018 COUNCIL MEETING**

records provided to the requester electronically; or (ii) the requester fails within 30 days to pick up records of being notified thereof.

**7.6.4** The requester fails to pay within 30 days of receiving a notice of payment or invoice for copies of any records or any installment, any third party vendor costs, or any required deposit(s).

**7.6.5** If a requestor fails to respond to any PRO notice issued for the reasons set forth above within 10 days of the date of the notice, the PRO may suspend further action on the request so that other pending requests can be sooner addressed.

**8.0 INSPECTION OF RECORDS**

**8.1 Time and Location**

The PRO shall provide space and coordinate a time with the requestor to inspect records consistent with other City demands.

**8.2 Security**

**8.2.1** The PRO shall ensure the security of records as provided in these Rules.

**8.2.2** To ensure the integrity of the City's records, no requestor may remove a record from the viewing area, disassemble any record, alter or mark on any record, or photograph any record. When necessary the PRO will assign the Records ~~Clerk~~ **Manager** or another City staff person to monitor the inspection activity to ensure compliance with the foregoing.

**8.2.3** Following the viewing session and before leaving the premises, the requestor shall account to the PRO or monitor's satisfaction for each record viewed or inspected, and the PRO or monitor shall verify the status of each such record. See Rules ~~2, 4, 9, 10 and 11~~ for other security requirements.

~~**8.2.4** All records provided in response to an inspection are subject to Rule 10.~~

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**8.3 Copies and Payment**

The requestor may list or indicate which records or portions thereof she/he wishes to have copied or scanned, and provide the required payment therefor in accordance with these Rules.

**8.4 Inspection of Voluminous Records**

When a request is made to inspect a large number of records, the PRO may provide access for inspection and copying in installments if the PRO reasonably determines that it would be practical or efficient to provide the records in that manner. ~~If, within 30 days of notice, the requestor fails to inspect the entire set of records or one or more of the installments, the PRO may stop searching for the remaining records and close the request.~~

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**9.0 PROTECTED RECORDS; NON-RECORDS; REDACTIONS AND EXEMPTIONS**

**9.1 Exemptions Under the Act and Other Statutes**

**9.1.1 Scope of Exemptions.** The Act and other state statutes provide that certain records are exempt in whole or in part from public inspection and copying. For

**FINAL DRAFT  
3.27.2018 COUNCIL MEETING**

information and convenience, a partial, non-exhaustive list of such records and authorizing statutes is attached at **Appendix 3**, along with identification of other, similar lists. Requestors should be aware of these and other exemptions which may restrict the disclosure of some records held by the City and/or can delay disclosure of the records for completion of a detailed review thereof and preparation of a privilege log. In performing this review, the PRO will be alert to potential legal risks and issues in determining the application of such exemptions and scope of redactions, including expungement. ~~The following sections support this by enabling consultation with the City Manager and City Attorney when appropriate or necessary.~~

**9.1.2 Consultation with City Manager and City Attorney.** The PRO will consult with the City Manager and City Attorney as necessary to confirm determinations of exempt records or redactions thereof, or to obtain advice regarding exemptions and redactions that may not be obvious. No record that is exempt, in whole or in part, under the Act or other applicable statutes or authority may be produced in response to a records request without prior approval of the PRO or City Manager, who will consult with the City Attorney as needed.

**9.1.3 Redaction and Withholding of Records.** Records that are exempt from disclosure in their entirety should be withheld. If only a portion of a record is exempt but the remainder is not exempt, the PRO ~~must will~~ redact the exempt portions in consultation with the City Manager or City Attorney as may be necessary and disclose the nonexempt portions.

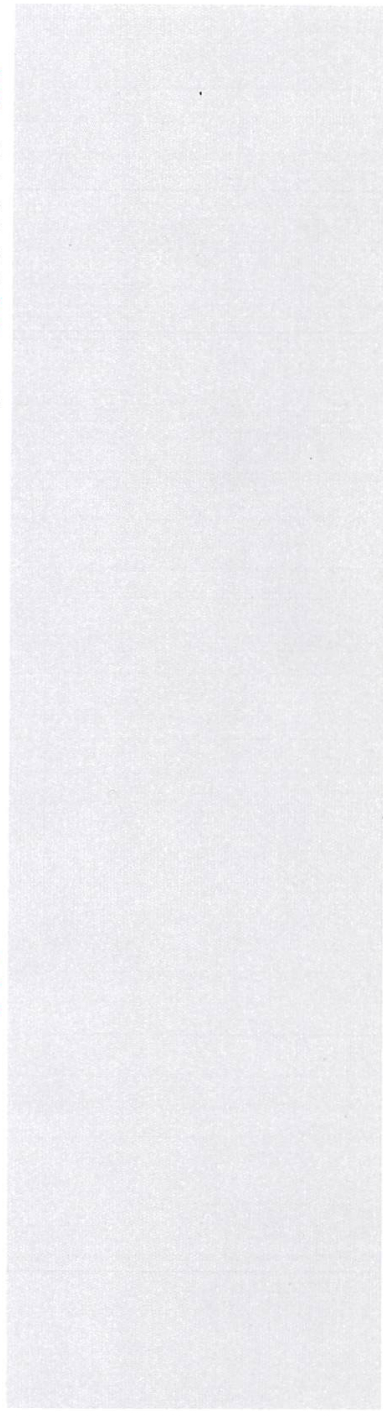
**9.1.4 Exemption/Redaction Log.** If a record is wholly exempt from disclosure and should be withheld, or is partially exempt and should be redacted, the PRO will create an exemption/redaction log ~~in consultation with the City Manager or City Attorney~~ that identifies each exempt or redacted record, states the specific exemption(s) that applies, and provides a brief explanation of how the exemption applies to the record being withheld or redacted. The explanation should be sufficient to enable the requestor or a third party (e.g., judge) to make a threshold determination of whether the claimed exemption is appropriate. A form Exemption/Redaction Log is attached at **Appendix 4**.

**9.2 Lists Requested for Commercial Purposes**

The City is prohibited by the Act from producing lists of individuals or businesses for commercial purposes. ~~The Records Request Form attached at Appendix 1 contains a statement which the requestor can check to verify that any such list is not to be used for commercial purposes.~~ If a records request is not clear about this, received and the verification is lacking, the PRO ~~must will~~ inquire with the requestor to ascertain the requestor's intent. If the PRO determines the request includes a list that is to be used for commercial purposes, the list ~~may will~~ not be produced and the request will be denied.

**9.3 Identifiable Records Required**

A requestor must request an "identifiable record" or "class of records" before the City must comply with the request. Failure to do so may result in a request being denied. An identifiable record is one that the PRO can reasonably locate. The Act does not allow a requestor to search through the City's files for records which cannot be reasonably identified or described. A request for all or substantially all records prepared, owned,





**FINAL DRAFT  
3.27.2018 COUNCIL MEETING**

used, or retained by the City is not a valid request for identifiable records. A request for all records regarding a particular topic or containing a particular key word or name is not considered a request for all of the City's records.

**9.4 Requests for Information or Nonexistent Records**

Requests for information do not constitute a records request under the Act and may be denied. The City is not required to conduct research for a requestor, nor to create records in response to a request. Notwithstanding that, if the PRO in his/her discretion determines in clarifying a request that the request can be more easily fulfilled in such a manner, the PRO may be authorized to do so upon approval of the City Manager, provided that no such response will be considered to create a course of action, course of dealing, or precedent for any reason.

**10.0 PROVIDING RECORDS**

**10.1 Payment for Records**

No records may be inspected, sent or delivered to, obtained by, or claimed by a requestor prior to full payment of the charges therefor in accordance with these Rules.

**10.2 Delivery of Records**

Records delivered by email or other electronic form (e.g., drop box) are deemed received by the requestor upon transmittal of the records to the requestor's designated email or agreed drop box address. Records delivered by U.S. Mail or overnight delivery service will be deemed received upon placement of the records in the custody of the carrier or delivery service, postage or delivery prepaid, to the requestor's designated physical address.

**10.3 Secure Identification and Retention of Records Provided**

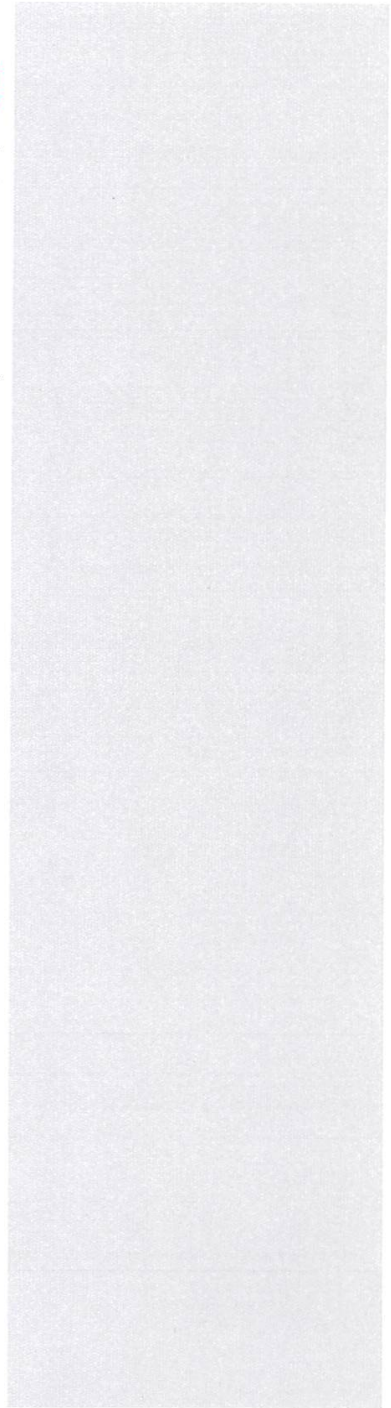
All records provided under these Rules, except Counter Records, regardless of the format in which provided, shall be numbered, Bates stamped, or identified in a manner, means and format that will enable accurate comparison of such records with the City's original records. The City shall make and retain an accurate electronic or digital copy of every record or set of records provided to a requestor under these Rules, and shall retain such copies in accordance with the state or City records retention schedule.

**10.4 Pickup or Review of Records**

The PRO will notify the requestor in writing when requested records are ready for retrieval or inspection at the City. The notification will inform the requestor that s/he should contact the PRO to make arrangements to claim or review the records. A requestor must claim or review assembled records within 30 days of the PRO's notification that the records are available. If the requestor or a representative of the requestor fails to claim or review the records within the 30-day period or make other arrangements, the PRO may stop searching for any remaining records, close the request as abandoned, and dispose of the records.

**10.5 Installments**

When a request is made for a large number of records, the PRO may copy and provide access in installments (also known as a rolling disclosure) in accordance with the foregoing subsections. If, within 30 days of notice, the requestor fails to pay for and





**FINAL DRAFT  
3.27.2018 COUNCIL MEETING**

retrieve any installment, the PRO may stop searching for any remaining records, close the request and dispose of the records.

**10.6 Later Discovered Records**

If, after the PRO has informed a requestor that all responsive records have been provided, the PRO becomes aware of additional responsive documents existing at the time of the request that had not been provided previously, the PRO will inform the requestor of such additional documents and provide them as soon as reasonably feasible. The City has no obligation to provide records created or occurring after the end date of the records request, whether responsive or not. See Rule 5.1.2.

**11.0 ELECTRONIC AND DIGITAL RECORDS**

**11.1 General**

An electronic or digital record is any record that exists in any form or fashion other than as an original paper or other physical record, and includes computerized records, audio records, and visual/video/pictographic records. In addition to the other requirements of these Rules, electronic and digital records shall comply with the following.

**11.2 Providing Electronic and Digital Records**

If records are requested in an electronic format, the PRO will provide such records as are reasonably locatable in an electronic format that is used by the City and is generally commercially available, or in a format that is reasonably translatable from the format in which the City keeps the records.

**11.3 Customized Access to Databases**

With the consent of the requestor and if efficient for the City, the PRO may provide customized electronic access to records in accordance with the Act if the records are not reasonably locatable or not reasonably translatable into the format requested. The City may charge a fee consistent with the Act for such customized access. The PRO shall not allow direct access by any requestor to the City's computer or records systems.

**11.4 Retaining Electronic Copies**

See Rule 10.

**12.0 COSTS OF PROVIDING AND PAYMENT FOR RECORDS**

**12.1 Payment for Records**

No records may be inspected, sent or delivered to, or claimed by, a requestor prior to full payment of the charges therefor in accordance with these Rules.

**12.2 Cost Schedule**

Because the City finds that calculating the actual costs incurred for each record request submitted to the City would be unduly burdensome, the City has determined it is most time and cost efficient to utilize the standard costs authorized by RCW 42.56.120, as now or hereafter amended. Such standard costs shall apply to actions under these Rules even if the Rules or MCMC ch. 3.42 are not timely amended to conform with state law changes regarding such costs.

**12.3 Statutory Costs for Copies and Scans of Records**

**FINAL DRAFT  
3.27.2018 COUNCIL MEETING**

A requestor may obtain copies or scans or records as provided by RCW 42.56.120(2)(b)<sup>1</sup> and WAC 44-14-07003. The City will charge for such copies or scans according to the fee schedule in Table 12.3.1 below. For records in other forms, the City will charge the actual cost it pays for the medium used to reproduce the records provided.

<b>Table 12.3.1 Statutory Costs for Records</b>	
<b>Form of Record Reproduction and/or Transmission</b>	<b>Cost</b>
Photocopies of public records, printed copies of electronic public records when requested by the requestor, or use of agency equipment to photocopy public records	\$0.15 per page
Public records scanned into electronic format, or use of agency equipment to scan the records	\$0.10 per page
For every four (4) electronic files or attachments uploaded to email, cloud-based data storage service, or other means of electronic delivery	\$0.05 per page
Transmission of public record in electronic format or for use of agency equipment to send the records electronically (the City will take reasonable means to provide records in most efficient manner available to City in its normal operations)	\$0.10 per gigabyte
Digital storage media or device provided by City (e.g. tapes, floppy disks, CDs, DVDs, flash storage devices); container or envelope used to mail copies to requestor; actual postage or delivery charge	Actual cost

**12.4 Combined Charges**

The charges in Table 12.3.1 may be combined to the extent more than one type of charge applies to copies produced in response to a particular request. The statements providing actual costs to the City for digital storage media, containers or envelopes, and postage or delivery are the invoices paid to obtain them and are available for public inspection and copying.

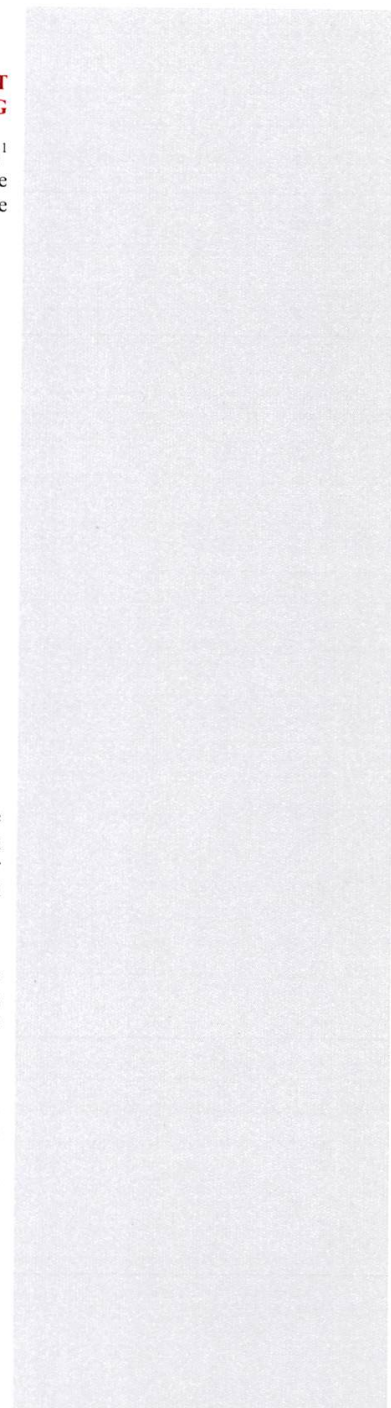
**12.5 Estimated Charges**

If requested by the requestor, the City will provide a summary of applicable charges before any copies or scans are made and the requestor may revise the request to reduce the number of copies and/or request production in alternative form to reduce applicable charges.

**12.6 Deposits and Installments**

Before starting to make copies, the PRO may require a deposit of up to ten percent of the estimated costs of copying, scanning, and/or reproduction of the records requested by the requestor, including a customized service charge if applicable. The PRO will require full payment of the remainder of the copying/scanning costs before providing all of the

<sup>1</sup> See RCW 42.56.120, as amended, EHB 1595, 2017 Regular Session, ch. 304, at § 3 (2017).





**FINAL DRAFT  
3.27.2018 COUNCIL MEETING**

records, or the payment of the costs of copying/scanning a future installment before providing that installment.

**12.7 Sales Tax; Outside Vendors**

The City will not charge sales tax for copies or scans of records in house. However, if records are sent to a third party or outside vendor for copying or scanning, that third party may charge sales tax and the requestor will be responsible for payment of the tax as well as the third party's actual charges for copies or scans.

**12.8 Mailing and Delivery Costs**

The City may charge actual costs of mailing or delivery, including the cost of the shipping container.

**12.9 Certification or Notary Costs**

The City shall impose the charge established under MCMC 3.42 per record for certification or notarization.

**12.10 Other Applicable Copying Charges**

The Act generally governs copying charges for public records, but several statutes govern charges for particular kinds of records. As to such records, the City will charge the amount authorized pursuant to such other statutes rather than as provided under the Act. The following non-exhaustive list provides some examples of those records: RCW 46.52.085 (charges for traffic accident reports); RCW 10.97.100 (copies of criminal histories).

**12.11 Use of Outside Vendor**

The City is not required to copy or scan records at its own facilities, and copies may be outsourced as appropriate. The City may send records requests to commercial copying and scanning businesses and bill the requestor for the amount charged by the outside vendor. At its discretion, the City may agree to allow the requestor to pay the vendor directly. The City cannot charge the default per page copying or scanning charge when its actual cost at an outside vendor is less.

**12.12 Customized Service Charge**

**12.12.1** In addition to charges imposed for providing copies and for the use of City equipment for copying, the City may include a customized service charge. A customized service charge may only be imposed if the City estimates that the request would require use of information technology expertise to prepare data compilations, or provide customized electronic access services when such compilations require customized access services and are not generally used by the City for other City purposes.

**12.12.2** The City may require reimbursement by the requestor up to the actual cost of providing the customized service. The City may only assess a customized service charge after notifying the requestor of the customized service charge to be applied to the request, an explanation of why the charge applies, a description of the specific expertise, and a reasonable estimated cost of the charge.

**12.12.3** The requestor will be afforded the opportunity to amend the request to avoid or reduce the cost of a customized service charge.



**FINAL DRAFT  
3.27.2018 COUNCIL MEETING**

**12.13 De Minimis Charges**

**12.13.1** The City will waive de minimis charges for providing public records when all of the following apply to a request: The total amount of the charge is \$5.00 or less; the total number of pages produced is 25 pages or less; no outside vendor costs are incurred by the City; no redaction or exemption determination is required; and the request comprises a Category 1 or Category 2 request under Rule 7.4.

**12.13.2** The City may enter into any contract or other agreement with a requestor that provides an alternative fee arrangement to the charges authorized in these Rules, or in response to a voluminous or frequently occurring request.

**12.14 Copying Charges for Documents Routinely Posted on City Website**

The City will not impose charges for the requestor's access to or downloading of records that are routinely available on the City's website. However, if the requested records are routinely posted on the City's website prior to receipt of a request and the requestor specifically asks the City to provide the requestor with hard or electronic copies thereof, then the charges specified in this Rule will apply.

**12.15 Payment**

Payment shall be made by cash, debit card, or credit card. Payment by money order or check must be preapproved by the PRO, and if allowed shall be made payable to the City of Mill Creek. The City reserves the right to charge a convenience fee for credit card charges exceeding \$100.00.

**13.0 REVIEW OF DENIALS OF PUBLIC RECORDS REQUESTS**

**13.1 Administrative Review of Denial of Records Request**

Any person who objects to the initial denial or partial denial of a records request may petition in writing (including email, but not text message) to the PRO for an internal administrative review of that decision. The petition shall include a copy of the written statement by the PRO denying the request, shall be filed within ten (10) business days of the date of the denial, and shall contain a short and plain statement of the requestor's reasons for the petition and remedy desired.

**13.2 Consideration of Petition**

The PRO shall promptly provide the petition and any other relevant information to the Public Records Steering Committee for its review. The PRSC, without participation by the PRO, will consider and decide the petition within thirty days following the PRSC's receipt of the petition, or within such other time as the City and the requestor agree. The PRSC may consult with the requestor or other persons for that purpose as deemed appropriate. The PRSC shall either uphold, reverse or modify the PRO's decision in whole or in part, and state its decision in the form provided at **Appendix 5**. The PRSC decision shall be distributed to the requestor, PRO and other persons as appropriate. The PRO shall be responsible to implement the PRSC decision.

**13.3** The availability or use of this administrative review process is provided as a convenience to requestors, and it shall not in any manner alter or affect the requirements, provisions or time limits of judicial review applicable to any City action taken under these Rules.

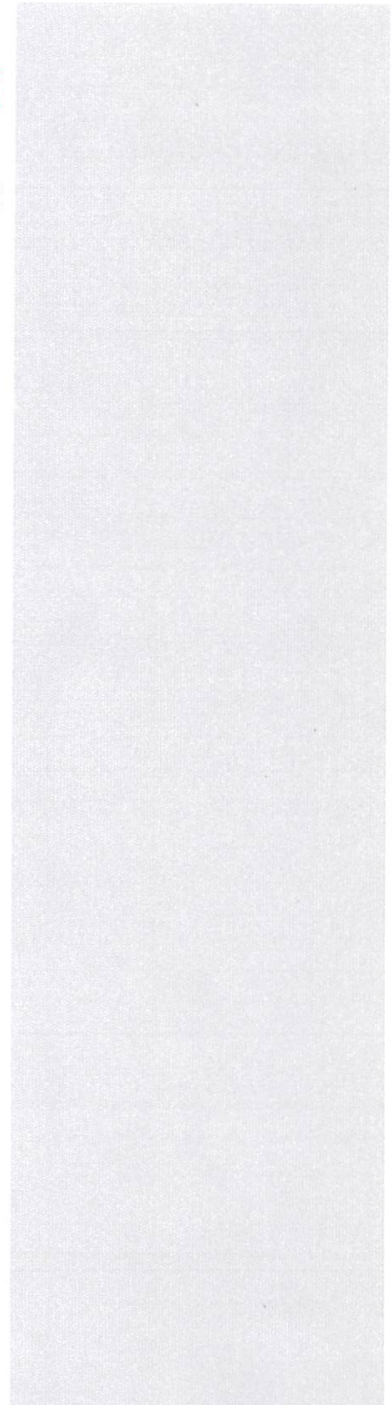
**FINAL DRAFT  
3.27.2018 COUNCIL MEETING**

**14.0 JUDICIAL REVIEW**

**14.1** Any requestor aggrieved by a qualifying action or decision of the City taken under these Rules may obtain judicial review thereof if, as, and to the extent allowed under RCW 42.56.550.

**15.0 APPENDICES AND FORMS**

- ~~Appendix 1: Records Request Form [Rule 5.2]~~
- Appendix 1:** 5-Day Response Form [Rule 6.3.2]
- Appendix 2:** Third Party Notice Form [Rule 6.6]
- Appendix 3:** Partial Listing of Exemption Statutes [Rule 9.1.1]
- Appendix 4:** Exemption/Redaction Log Form [Rule 9.1.4]
- Appendix 5:** PRSC Administrative Review Decision Form [Rule 13.2]



**FINAL DRAFT  
3.27.2018 COUNCIL MEETING**

**APPENDIX 1**

5-Day Response Form  
[Rule 6.3.2]

[Date]

[Requestor Name]  
[Requestor Contact Information]

*Re: Public Records Request Number [insert applicable request number]*

Dear [Requestor Name]:

Per the Public Records Act, we are hereby responding to your [date request submitted] request for the following records:

**Insert** description of requested records

**Insert** one or more of the following **as applicable**:

The City has completed a review of its records in response to your request. The documents you requested may be reviewed at City Hall, Monday through Friday, 8:00 a.m. to 5:00 p.m., excluding legal holidays. We will hold these records for your review until [30 days from date of this letter], after which the City will deem your records request abandoned.

**OR**

The records you requested are available online at the City's website. Please inform me if you have any difficulty accessing the records online and we can make alternative arrangements. The records may be found at the following link: **Insert**

**OR**

We need additional time to respond to your request in order to locate and assemble the information requested, notify third parties affected by the request if necessary, to determine whether any of the information contained in the requested records is exempt from disclosure, and to determine whether the request should be denied under applicable rules and law. We plan to respond to your request on or before [date] and apologize for any inconvenience this may cause.

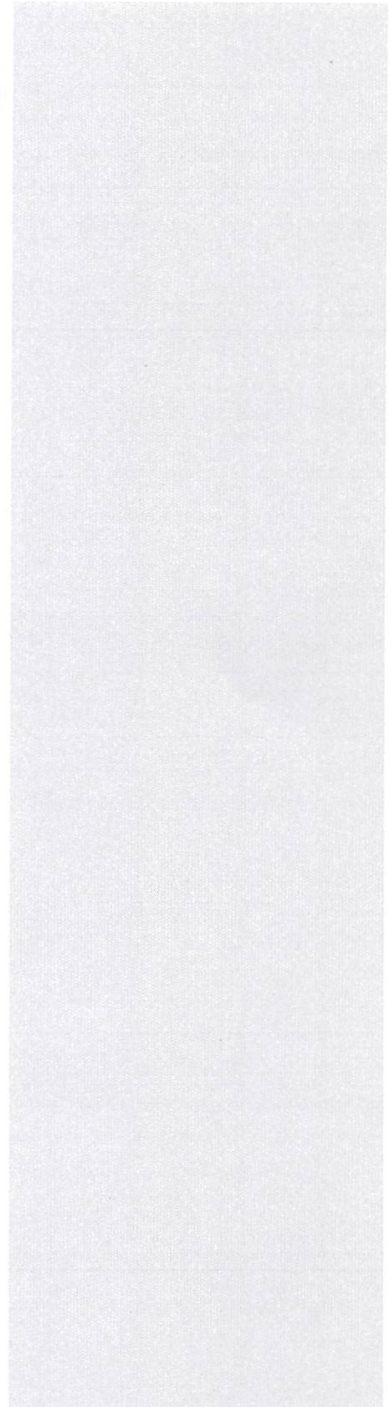
**OR**

The City is unclear as to what records you are seeking pursuant to the following portion of the request: [quote portion of request that is unclear]. We believe you may be seeking records that [insert City's interpretation of what records Requestor may be seeking]. Please confirm that we understand your request correctly and we will **then** proceed processing the request. If this is not what you intended, please respond in writing and clarify the nature of records being sought.

**OR**

We have determined that your request should be denied for the following reasons. **List**

ORD. ADOPTING 2018 PRA  
REGULATIONS -- Page 28 of 39  
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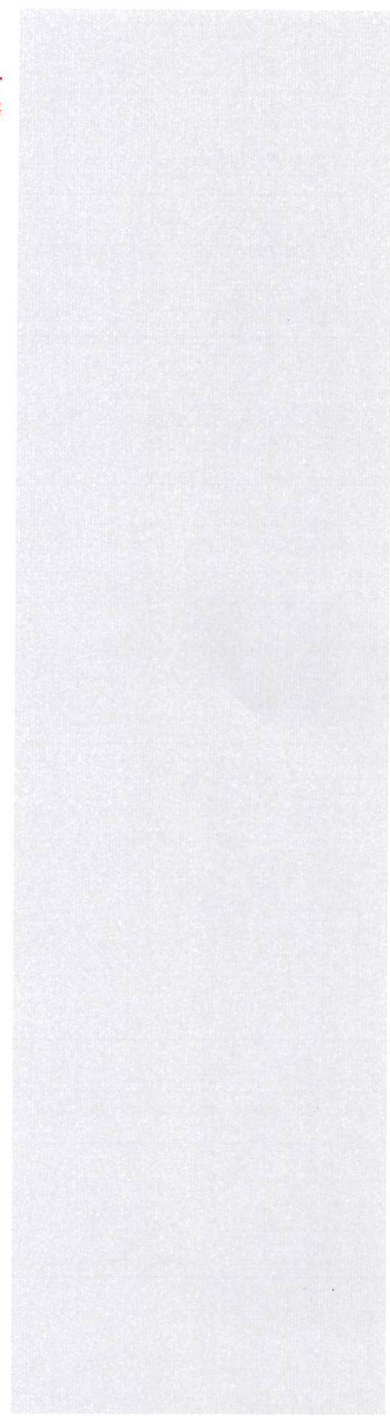
**FINAL DRAFT  
3.27.2018 COUNCIL MEETING**

Please ~~feel free to~~ contact me if you have with any questions ~~you may have~~.

Sincerely,

[name]  
Public Records Officer  
City of Mill Creek  
15728 Main Street  
Mill Creek, WA 98012  
Phone : 425-745-1891  
Fax: 425-745-9650

ORD. ADOPTING 2018 PRA  
REGULATIONS -- Page 29 of 39  
816730.5/014455.00063



**FINAL DRAFT  
3.27.2018 COUNCIL MEETING**

APPENDIX 2

Third Party Notice Form  
[Rule 6.6]

[Date]

[Name of Third Party]

[Third Party Contact Information]

Re: *Public Records Request Number [insert applicable request number]*

Dear [Third Party Name]:

On [date request received], the City of Mill Creek ("City") received a request from [name of requestor] for disclosure of public records pursuant to the Public Records Act. The request seeks disclosure of the following records:

*Insert* description of requested records

The City has determined that some records responsive to ~~the foregoing~~~~this~~ request may pertain to you, ~~and The City~~ reasonably believes that some or all of ~~such~~~~the~~ records ~~pertaining to you~~ may be exempt ~~from disclosure~~. However, the City is not taking ~~any~~ position as to whether these records can legally be withheld from disclosure. This City is providing this notice ~~to you~~ so that you ~~may have the opportunity to consult with an attorney should you desire, and so you may seek to~~ obtain an order from a court enjoining release of the records, if you so choose.

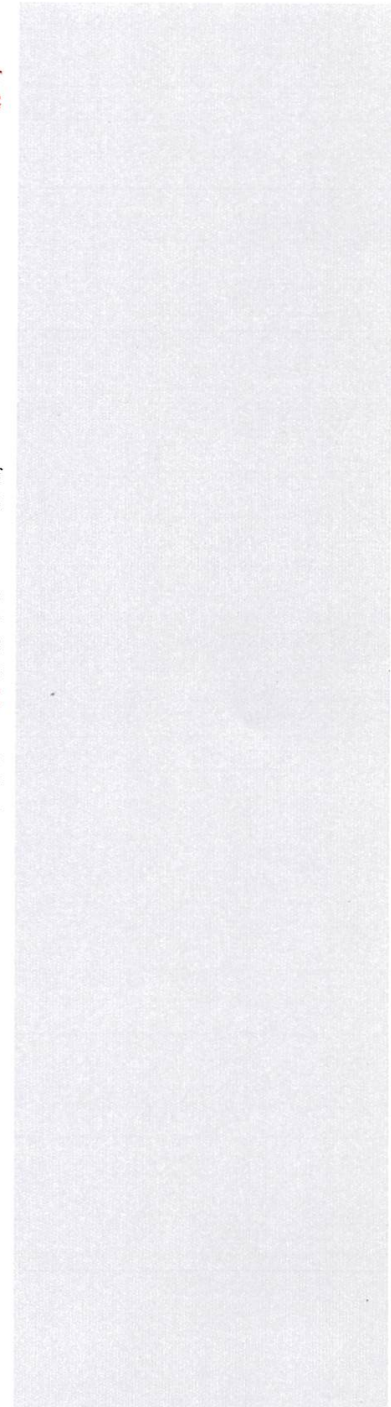
The City anticipates that it will release these records to the records requestor ~~on~~ ~~10~~ days from date of this letter unless you obtain a court order enjoining release. The requestor has an interest in any legal action to prevent disclosure of the records he or she has requested. Accordingly, you should name the requestor as a party to any action to enjoin disclosure.

Please ~~feel free to~~ contact me ~~if you have with~~ any questions ~~you may have~~.

Sincerely,

[name]  
Public Records Officer  
City of Mill Creek  
15728 Main Street  
Mill Creek, WA 98012  
Phone : 425-745-1891  
Fax: 425-745-9650

ORD. ADOPTING 2018 PRA  
REGULATIONS -- Page 30 of 39  
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**APPENDIX 3**

Partial Listing of Exemption Statutes  
[Rule 9.1.1]

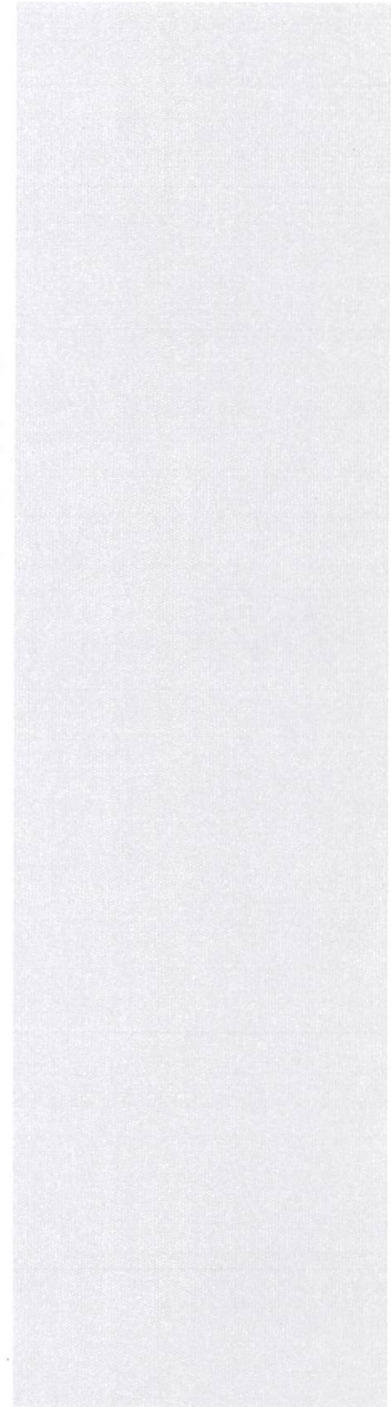
[To Be Updated in August of Each Year ]

The following *partial, non-exclusive list* identifies public records disclosure exemptions and prohibitions contained in other statutes than the Public Records Act.

Another list of statutes and regulations providing exemptions or prohibitions from disclosure under the PRA can be found in the Appendix C to the Municipal Research Service Center's publication entitled *Public Records Act for Washington Cities, Counties, and Special Purpose Districts*, which can be found at the following link: <http://mrsc.org/getmedia/796a2402-9ad4-4bde-a221-0d6814ef6edc/publicrecord.pdf.aspx>.

A third list of such exemptions may be found on the State of Washington, Office of the Attorney General's Sunshine Committee website: <http://www.atg.wa.gov/sunshine-committee>.

Washington State Confidentiality Statutes and Rules	
Statute	Disclosure Exemption And / Or Prohibition
RCW 2.64.111	Judicial conduct commission investigations of judges and initial proceedings
RCW 4.24.550	Information on sex offenders
RCW 4.24.601 and .611	Trade secrets and confidential research, development or commercial information re products or business methods
RCW 5.60.060	Privileged communications
RCW 5.60.070; RCW 7.07.070	Mediation records
RCW 7.68.140	Victims' compensation claims
RCW 7.69A.030(4)	Name, address and photograph of child victim or child witness
RCW 7.69A.050	Child victims and witnesses of certain crimes – protection of address
RCW 7.75.050	Records of Dispute Resolution Centers
RCW 9.02.100	Reproductive privacy
RCW 9.41.097(2)	Mental health information re persons buying pistols or applying for CPLs
RCW 9.41.129	Concealed pistol license applications
RCW 9.73.230	Name of confidential informants in written report on wire tapping
RCW 9.51.050	Disclosing transaction of grand jury
RCW 9.51.060	Disclosure of grand jury deposition
RCW 9.73.090(1)(c)	Prohibition on disclosure of law enforcement dash cam

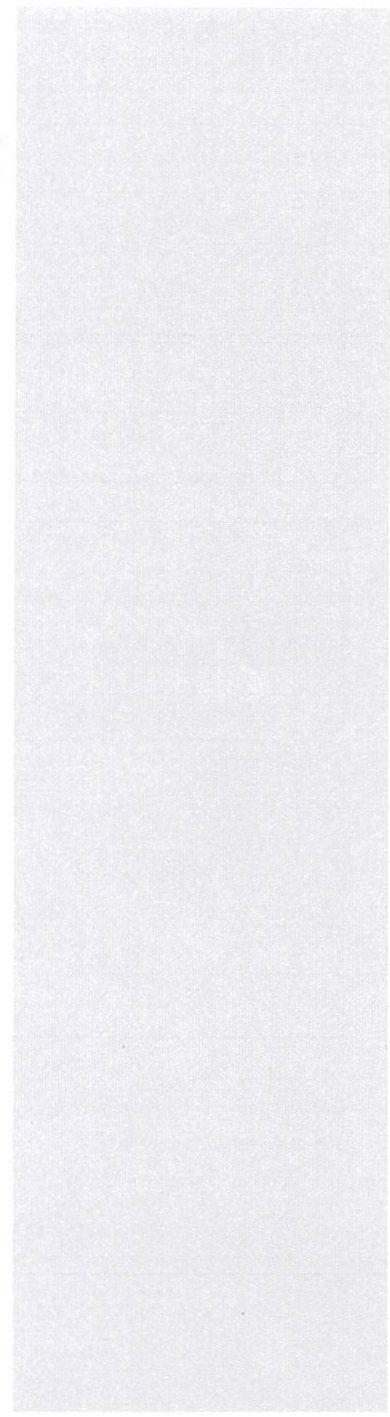




**FINAL DRAFT  
3.27.2018 COUNCIL MEETING**

<b>Washington State Confidentiality Statutes and Rules</b>	
<b>Statute</b>	<b>Disclosure Exemption And / Or Prohibition</b>
	videos until final disposition of litigation
RCW 9A.44.138	Offender registration information given to high school or institution of higher education re an employee or student
RCW 9A.82.170	Financial institution records re criminal profiteering act
RCW 10.27.090	Grand jury testimony/evidence
RCW 10.27.160	Grand jury reports – release to public only by judicial order
RCW 10.52.100	Records identifying child victims of sexual assault
RCW 10.77.205	Information re victims, next of kin, or witnesses requesting notice of release of person found not guilty of a sex, violent, or felony harassment offense by reason of criminal insanity and the notice itself
RCW 10.52.100	Records identifying child victim of sexual assault
RCW 10.77.210	Records of persons committed for criminal insanity
RCW 10.97.040	Criminal history information released must include disposition, with some exceptions
RCW 10.97.050	Conviction and criminal history information
RCW 10.97.060	Deletion of certain criminal history record information, conditions
RCW 10.97.070	Disclosure of identity of suspect to victim
RCW 10.97.080	Inspection of criminal record by subject
RCW 10.97.130	Information about victims of sexual assault under age eighteen
RCW 10.101.020(3)	Information given by an accused regarding determination for indigent defense
RCW 13.34.115	Court dependency proceedings
RCW 13.40.217	Juveniles adjudicated of sex offenses – release of information
RCW 13.50.010	Maintenance of and access to juvenile records
RCW 13.50.050	Juvenile offender records
RCW 13.50.100	Juvenile/children records not relating to offenses
RCW 13.60.020	Missing children or endangered person information
RCW 18.04.405	Confidentiality of information gained by CPA
RCW 18.19.060	Notification to clients by counselors
RCW 18.19.180	Confidential communications with counselors
RCW 19.215.020	Destruction of personal health and financial information
RCW 19.34.240(3)	Private digital signature keys
RCW 19.215.030	Compliance with federal rules
RCW 26.04.175	Name and address of domestic violence victim in marriage

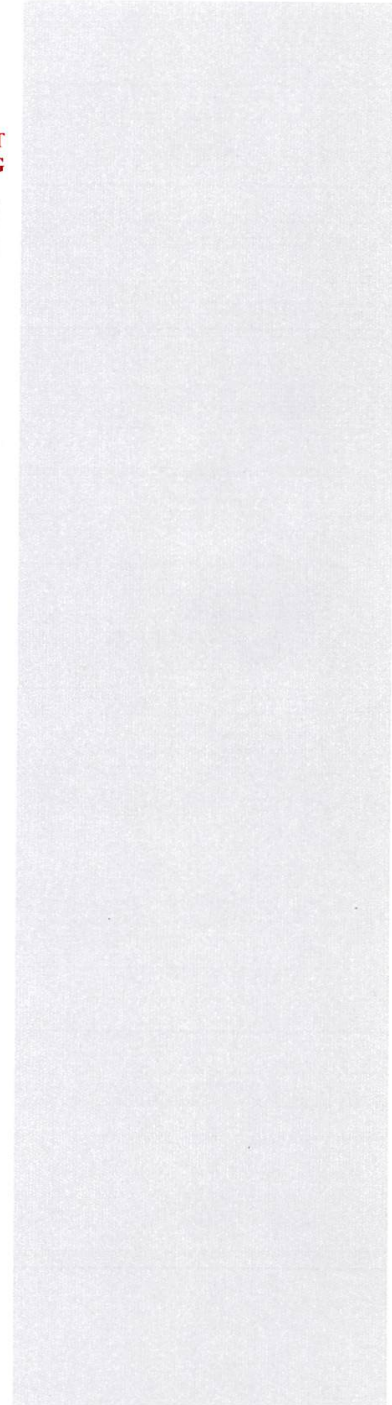
ORD. ADOPTING 2018 PRA  
REGULATIONS -- Page 32 of 39  
816730.5/014455.00063



**FINAL DRAFT  
3.27.2018 COUNCIL MEETING**

Washington State Confidentiality Statutes and Rules	
Statute	Disclosure Exemption And / Or Prohibition
	records
RCW 26.12.170	Reports of child abuse/neglect with courts
RCW 26.23.050	Child support orders
RCW 26.23.120	Child support records
RCW 26.26.041	Uniform Parentage Act – protection of participants
RCW 26.26.450	Confidentiality of genetic testing
RCW 26.33.330	Sealed court adoption records
RCW 26.33.340	Agency adoption records
RCW 26.33.343	Access to adoption records by confidential intermediary
RCW 26.33.380	Adoption – identity of birth parents confidential
RCW 26.44.010	Privacy of reports on child abuse and neglect
RCW 26.44.031	Information related to reports of child abuse or neglect
RCW 26.44.125	Reports, reviews and hearings related to a review of abuse finding
RCW 27.53.070	Records identifying the location of archaeological sites
RCW 29A.08.720	Voter registration records – place of registration and any decision not to register to vote confidential
RCW 29A.08.710	Voter registration records – certain information exempt
RCW 35.102.145	Municipal business and occupation tax – local ordinance can protect return or tax information
RCW 36.28A.060(8)	Tactical and intelligence information provided to WASPC
RCW 39.10.470(2)	Alternative public works - trade secrets or other proprietary information submitted by bidder in connection with an alternative public works transaction if data identified and reasons stated in writing
RCW 39.10.470(3)	Alternative public works – proposals submitted by design-build finalists until notification of highest scoring finalist is made
RCW 42.23.070(4)	Municipal officer disclosure of confidential information prohibited
RCW 42.41.030(7)	Identity of local government whistleblower
RCW 42.41.045	Non-disclosure of protected information (whistleblower)
RCW 43.43.762	Contents of statewide criminal street gang database
RCW 46.52.065	State toxicologist records relating to analyses of blood samples
RCW 46.52.080	Traffic accident reports – confidentiality
RCW 46.52.083	Traffic accident reports – available to interested parties

ORD. ADOPTING 2018 PRA  
REGULATIONS – Page 33 of 39  
816730.5/014455.00063

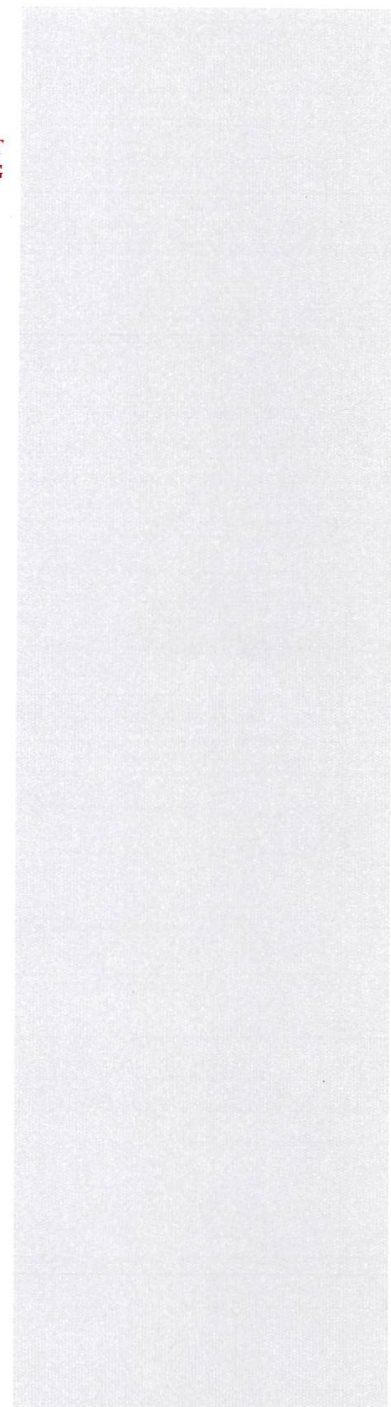




**FINAL DRAFT  
3.27.2018 COUNCIL MEETING**

<b>Washington State Confidentiality Statutes and Rules</b>	
<b>Statute</b>	<b>Disclosure Exemption And / Or Prohibition</b>
RCW 46.52.120	Traffic crimes and infractions – confidential use by police and courts
RCW 46.52.130(2)	Abstract of driving record – limited disclosure
RCW 48.62.101	Local government insurance/risk management liability reserve funds established to settle claims
RCW 50.13.060	Access to employment security records by local government agencies
RCW 50.13.100	Disclosure of confidential employment security records allowed if identifying information deleted or with consent
RCW 51.28.070	Worker’s compensation records confidential – limited disclosure
RCW 51.36.060	Physician information on injured workers
RCW 60.70.040	No duty to disclose record of common law lien
RCW 68.50.105	Autopsy reports – confidential – limited disclosure
RCW 68.50.320	Dental identification records – available to law enforcement agencies
Ch. 70.02 RCW	Medical records – access and disclosure – entire chapter (information from HC providers)
RCW 70.05.170	Child mortality reviews by local health departments
RCW 70.24.022	Public health agency information regarding sexually transmitted disease investigations - confidential
RCW 70.24.024	Transcripts and records of hearings regarding sexually transmitted diseases
RCW 70.28.020	Local health department TB records – confidential
RCW 70.41.200	Hospital quality improvement committee records and accreditation reports
RCW 70.48.100	Jail records and booking photos
RCW 70.58.055	Birth certificates – certain information confidential
RCW 70.58.104	Vital records, research confidentiality safeguards
RCW 70.94.205	Washington Clean Air Act – confidentiality of data.
RCW 70.96A.150	Registration and other records of alcohol and drug abuse treatment programs
RCW 70.123.075	Client records of domestic violence programs
RCW 70.125.065	Records of community sexual assault program and underserved populations provider in discovery
RCW 71.05.425	Notice of release or transfer of committed person after offense dismissal

ORD. ADOPTING 2018 PRA  
REGULATIONS -- Page 34 of 39  
816730.5/014455.00063

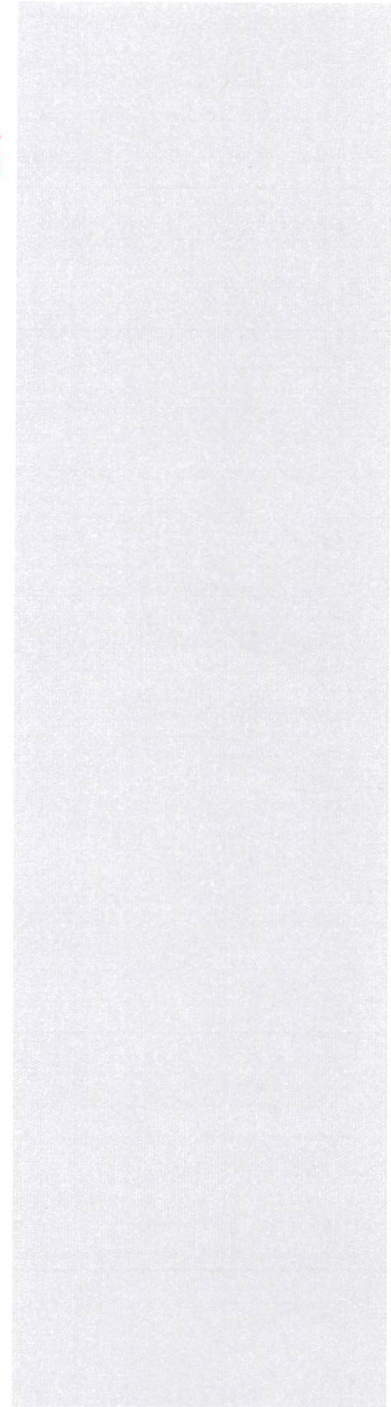




**FINAL DRAFT  
3.27.2018 COUNCIL MEETING**

<b>Washington State Confidentiality Statutes and Rules</b>	
<b>Statute</b>	<b>Disclosure Exemption And / Or Prohibition</b>
RCW 71.05.445	Release of mental health information to Dept. of Corrections
RCW 71.05.620	Access to court records related to mental health cases under chapter 71.05 RCW
RCW 71.24.035(5)(g)	Mental health information system – state, county and regional support networks – confidentiality of client records
RCW 71.34.335	Mental health treatment of minors – records confidential
RCW 71A.14.070	Records regarding developmental disability – confidentiality
RCW 72.09.345	Notice to public about sex offenders – department of corrections access to information
RCW 72.09.585	Disclosure of inmate records to local agencies – confidentiality
RCW 73.04.030	Veterans discharge papers exemption (see related RCW 42.56.440)
RCW 74.04.060	Applicants and recipients of public assistance
RCW 74.04.520	Food stamp program confidentiality
RCW 74.13.075(5)	Juvenile’s status as a sexually aggressive youth and related info
RCW 74.13.280	Children in out-of-home placements - confidentiality
RCW 74.20.280	Child support enforcement – local agency cooperation, information
RCW 74.34.095	Abuse of vulnerable adults - confidentiality of investigations and reports
RCW 82.32.330	Disclosure of tax information
RCW 84.36.389	Confidential income data in property tax records held by assessor
RCW 84.40.020	Confidential income data supplied to assessor regarding real property

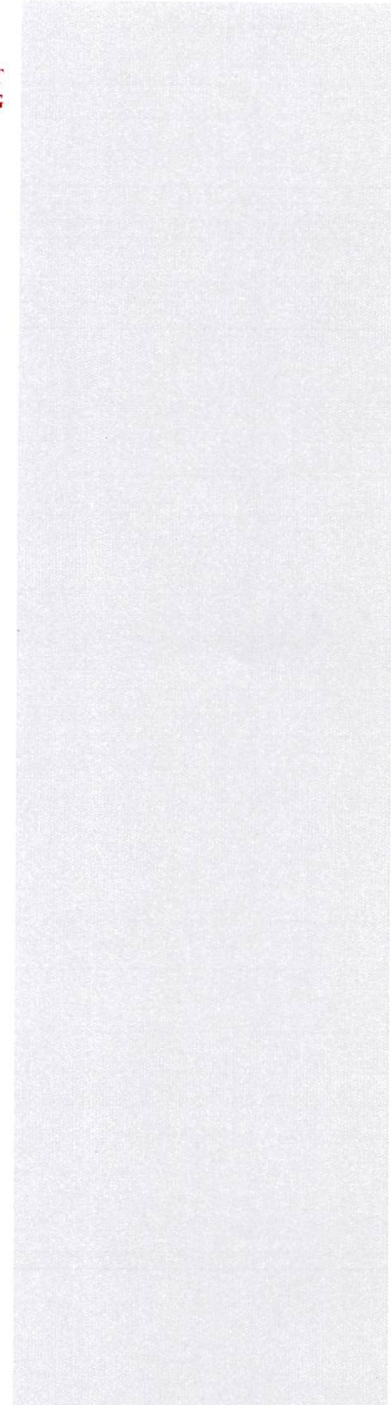
ORD. ADOPTING 2018 PRA  
REGULATIONS -- Page 35 of 39  
816730.5/014455.00063



**FINAL DRAFT  
3.27.2018 COUNCIL MEETING**

Selected Federal Confidentiality Statutes and Rules	
Statute	Disclosure Exemption And / Or Prohibition
18 USC § 2721 - 2725	Driver and License Plate Information
20 USC § 1232g	Family Education Rights and Privacy Act
23 USC § 409	Evidence of certain accident reports
42 USC 290dd-2	Confidentiality of Substance Abuse Records
42 USC § 405(c)(2)(C)(viii) (I)	Limits on Use and Disclosure of Social Security Numbers
42 USC 654(26)	State Plans for Child Support
42 USC 671(a)(8)	State Plans for Foster Care and Adoption Assistance
42 USC 1396a(7)	State Plans for Medical Assistance
7 CFR 272.1(c)	Food Stamp Applicants and Recipients
34 CFR 361.38	State Vocational Rehabilitation Services Programs
42 CFR Part 2 (2.1 - 2.67)	Confidentiality of Alcohol and Drug Abuse Patient Records
42 CFR 431.300 - 307	Safeguarding Information on Applicants and Recipients of Medical Assistance
42 CFR 483.420	Client Protections for Intermediate Care Facilities for the Mentally Retarded
42 CFR 5106a	Grants to States for Child Abuse and Neglect Prevention and Treatment Programs
45 CFR 160-164	HIPAA Privacy Rule
46 CFR 40.321	USCG regulations regarding confidentiality

ORD. ADOPTING 2018 PRA  
REGULATIONS -- Page 36 of 39  
816730.5/014455.00063



**FINAL DRAFT  
3.27.2018 COUNCIL MEETING**

**APPENDIX 4**

Exemption/Redaction Log Form  
[Rule 9.1.4]

PRIVILEGE/EXEMPTION LOG City of Mill Creek					
Public Records Request Number _____, Dated _____, _____					
Document Type / Description	Date	Author	Recipient (including CC's)	Exemption/Explanation	Pages
Draft of termination reason letter	5/1/17	Patty Johnson, City Attorney	Joe Smith, HR Director	Attorney/Client RCW 5.60.060; RCW 42.56.280	3
Memo re Alice Adams	4/28/17	Bob Thompson, Finance Director	Joe Smith	Work Product 42.56.290; RCW 42.56.280 Prepared in anticipation of legal claims to be filed by Alice Adams	2
Email	4/26/17	Jane Jones	Patty Johnson, City Attorney	Attorney/Client RCW 5.60.060; RCW 42.56.280	1

REDACTION LOG City of Mill Creek					
Public Records Request Number _____, Dated _____, _____					
Document Type / Description	Date	Author	Recipient (including CC's)	Exemption/Explanation	Pages
Email, "Employee Harassment"	4/27/17	Jane Jones	Patty Johnson, City Attorney	Attorney/Client RCW 5.60.060; RCW 42.56.280	1

ORD. ADOPTING 2018 PRA  
REGULATIONS -- Page 37 of 39  
816730.5/014455.00063



**FINAL DRAFT  
3.27.2018 COUNCIL MEETING**

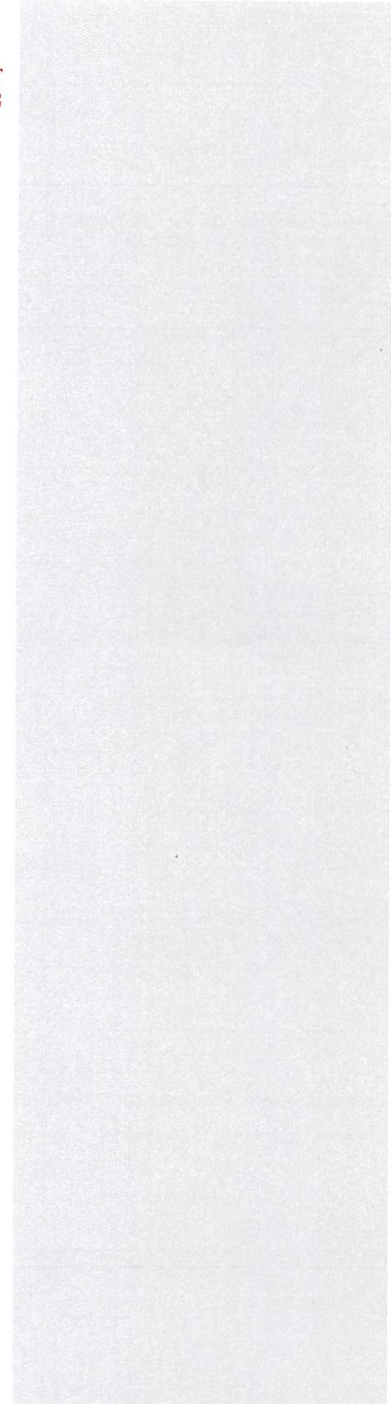
**APPENDIX 5**

PRSC Administrative Review Decision Form  
[Rule 13.2]

**City of Mill Creek  
Public Records Steering Committee  
Administrative Review Decision**

1. **Records Request Number:** \_\_\_\_\_
2. **Date Records Request Received:** \_\_\_\_\_
3. **Requestor:** \_\_\_\_\_
4. **Description of Records Request:**  
[insert]
5. **Date PRO Denied Records Request:** \_\_\_\_\_
6. **Reason(s) PRO Denied Records Request:**  
[insert]
7. **Date Requestor Petitioned PRSC  
for Administrative Review of Denial:** \_\_\_\_\_
8. **PRSC Findings and Decision on Petition:**  
Check applicable box.
  - Denial of records request affirmed [  ]
  - Denial of records request affirmed in part, and reversed in part [  ]
  - Denial of records request overturned [  ]
9. **Reasons for PRSC Decision on Petition:**  
[insert]
10. **Date of PRSC Decision on Petition:** \_\_\_\_\_

ORD. ADOPTING 2018 PRA  
REGULATIONS -- Page 38 of 39  
816730.5/014455.00063



**FINAL DRAFT  
3.27.2018 COUNCIL MEETING**

**Mill Creek Public Records Steering Committee**

Signature: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: City Manager (or designee)  
Date: \_\_\_\_\_

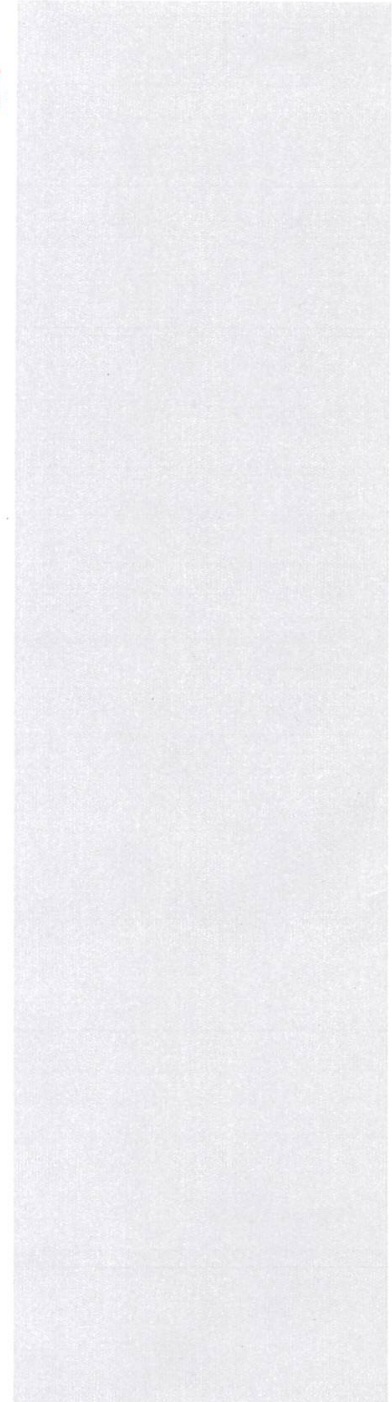
Signature: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: City Clerk (or designee)  
Date: \_\_\_\_\_

Signature: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: Public Records Officer (or designee)  
Date: \_\_\_\_\_

Signature: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: Deputy Police Chief (or designee)  
Date: \_\_\_\_\_

Signature: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: City Attorney (or designee)  
Date: \_\_\_\_\_

ORD. ADOPTING 2018 PRA  
REGULATIONS -- Page 39 of 39  
816730.5/014455.00063



**ORDINANCE NO. 2018-\_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF MILL CREEK, WASHINGTON, AMENDING MILL CREEK MUNICIPAL CODE CHAPTER 3.42, FEES AND OTHER ASSESSMENTS, FOR THE PURPOSE OF ADDING AND ADOPTING FEES, COSTS, CHARGES AND OTHER ASSESSMENTS APPLICABLE TO ACTIONS TAKEN IN CONFORMANCE WITH THE STATE PUBLIC RECORDS ACT, RCW CH. 42.56, AND THE MILL CREEK PUBLIC RECORDS MANAGEMENT REGULATIONS, MCMC CH. 2.06; AND ESTABLISHING AN EFFECTIVE DATE**

---

WHEREAS, Mill Creek Municipal Code (MCMC) Chapter 3.42 establishes and sets forth various charges, fees and other assessments applicable to City actions; and

WHEREAS, new MCMC Chapter 2.06 was adopted by the City Council to implement new regulations, policies and procedures for the City relating to the state Public Records Act, RCW Chapter 42.56, including fees and charges applicable thereto; and

WHEREAS, MCMC section 2.06.110 provides as follows:

**2.06.110 Fees and costs**

The Rules shall provide for the recovery of charges, fees and costs as permitted under the Act, including statutory charges, customized charges when appropriate, waiver of de minimis charges, and efficient payment methods. To the extent necessary, such charges, fees and costs shall be included in and/or coordinated with the city's fee schedule at MCMC ch. 3.42; and

WHEREAS, the City Council desires to implement MCMC section 2.06.110 and finds such action to be consistent with state law and in the public interest;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MILL CREEK, WASHINGTON, ORDAINS AS FOLLOWS:

**Section 1.** MCMC Chapter 3.42 (Fees and Other Assessments) is hereby amended as set forth below.

**Section 2.** MCMC section 3.42.020 (Definitions) is amended to read as follows:

A. In addition to the definitions provided in the particular code section to which a fee refers or relates, when used in this chapter the following terms shall have the following meanings, unless the context clearly indicates otherwise:



1. "Fee" means and includes any fee, assessment, cost, charge, penalty, payment, reimbursement, monetary sum or the like, which is payable to the city as required under the Mill Creek Municipal Code.

**Section 3.** Existing Article IA (MCMC Title 4 Fees) of MCMC Chapter 3.42 and MCMC section 3.42.047 (Fees under Chapter 4.34 MCMC – Office of Hearing Examiner) are amended to read as follows:

**Article ~~IB~~A. MCMC Title 4 Fees**

**3.42.04~~8~~7 Fees under Chapter 4.34 MCMC – Office of Hearing Examiner**

A. The fee to the applicant, proponent or appellant for utilization of the examiner shall be the actual cost of the examiner's services, including the examiner's time, outside costs (e.g., court reporter services, etc.) and other direct costs incurred in handling the matter.

B. Invoices for additional costs may be issued periodically by the city clerk during the course of any pending matter or at the conclusion thereof.

C. In the event an appellant in an appeal to the hearing examiner of an administrative decision fully prevails on the issues presented in the appeal, the appellant shall not be required to pay the costs for the examiner's services.

**Section 4.** A new Article IA (MCMC Title 2 Fees) and new MCMC section 3.42.047 (Fees under Chapter 2.06 MCMC – Public Records Management) are added to MCMC Chapter 3.42 to read as follows:

**Article IA. MCMC Title 2 Fees**

**3.42.047 Fees under Chapter 2.06 MCMC – Public Records Management**

**A. The fee to any person requesting records from the city pursuant to MCMC Chapter 2.06 shall be as set forth and applied in the Rules adopted under said Chapter 2.06, as now or hereafter amended.**

**Section 5.** The City Clerk is directed to take steps as required to implement and effectuate this Ordinance. The Clerk is authorized to correct or have corrected scrivener's errors, internal references, and the like.

**Section 6.** This Ordinance shall be in full force and effect five days after publication of a summary hereof consisting of the title of this Ordinance, in accordance with RCW 35A.13.200.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2018, by a vote of \_\_\_\_\_ for, \_\_\_\_\_ against, and \_\_\_\_\_ abstaining.

**ADOPTION OF PRA FEES AND ASSESSMENTS -- 2**  
829212.1/014455.00072

APPROVED:

\_\_\_\_\_  
MAYOR PAMELA PRUITT

ATTEST/AUTHENTICATED:

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
OFFICE OF THE CITY ATTORNEY  
SCOTT M. MISSALL, CITY ATTORNEY

FILED WITH THE CITY CLERK: \_\_\_\_\_

PASSED BY THE CITY COUNCIL: \_\_\_\_\_

PUBLISHED: \_\_\_\_\_

EFFECTIVE DATE: \_\_\_\_\_

ORDINANCE NO.: \_\_\_\_\_

**ADOPTION OF PRA FEES AND ASSESSMENTS -- 3**  
829212.1/014455.00072



Agenda Item # D  
Meeting Date: **March 27, 2018**

## **CITY COUNCIL AGENDA SUMMARY**

City of Mill Creek, Washington

**AGENDA ITEM:** **ADOPTION OF ORDINANCE NUMBER 2018-\_\_\_\_ APPROVING A NEW CITY POLICY REGARDING REIMBURSEMENT OF BUSINESS EXPENSES.**

**PROPOSED MOTION:**

- Motion to adopt ordinance number 2018-\_\_\_\_ amending Mill Creek Municipal Code Chapter 2.08, rescinding prior code provisions, policies and procedures concerning expense reimbursements, approving a new City policy regarding reimbursement of expenses and establishing an effective date.
- Motion to repeal City of Mill Creek Policy 97-006 (Employee Computer Lease/Purchase Program) effective July 8, 1997.
- Motion to repeal City of Mill Creek Policy 04-01 (Police Officer Firearms Purchase Program) effective September 28, 2004.

**KEY FACTS AND INFORMATION SUMMARY:** In accordance with the City's ongoing effort to implement new legal requirements; address audit recommendations; update, modernize and adopt important operational policies and municipal code provisions; and create reliable and efficient internal processes for recurrent actions, the City Manager and Director of Finance & Administration have prepared for Council consideration a proposed Business Expense Policy.

The first draft of the proposed Policy was presented to Council on February 13, 2018, for review and comment. Staff has since updated the draft policy to incorporate Council comments from the February 13 meeting.

At the conclusion of the audit for the 2015 fiscal year, the State auditors recommended the City strengthen its internal controls by updating and/or developing formal written policies that govern the use of City funds to purchase items for employee appreciation and recognition, meals with meetings and volunteer compensation. The use of City funds for normal and ordinary business expenses such as meals with meetings, employee appreciation, volunteer recognition, etc... is not at issue. Rather, it is the fact that the City does not have an updated policy to support such expenditures that is problematic.

Because of the fiscal nature of this policy, it is designed to apply to all City elected and appointed officials, employees and members of boards and commissions.

The City's Business Expense Policy has not been updated for nearly 30 years. The last update was in 1991.

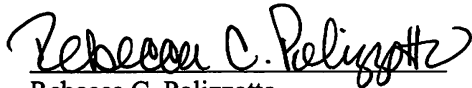


**CITY MANAGER RECOMMENDATION:** Staff has spent several months researching applicable law, IRS regulations and other government jurisdictions to identify appropriate and necessary provisions that should be incorporated into an updated Business Expense Policy. The proposed policy promotes the City's *Fiscal Responsibility* goal by responsibly managing business expenses. Further, the proposed policy promotes the City's *Civic Pride* goal by authorizing expenditures that promote community spirit, civic participation and public-private partnerships (e.g., business meals, volunteer recognition). Finally, the proposed policy supports the City's *Leadership Goal* by supporting expenditures that allow staff and elected officials to participate in meetings and events that influence regional, state and national matters (travel expense reimbursement, dues and subscriptions).

**ATTACHMENTS:**

- Draft Ordinance
- Draft Business Expense Policy
- CCP 97-006
- CCP 04-01

Respectfully Submitted:



Rebecca C. Polizzotto  
City Manager

**ORDINANCE NO. 2018-\_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF MILL CREEK, WASHINGTON,  
AMENDING MILL CREEK MUNICIPAL CODE CHAPTER 2.08  
CONCERNING REIMBURSEMENT OF EXPENSES; RESCINDING PRIOR  
CODE PROVISIONS, POLICIES AND PROCEDURES CONCERNING  
EXPENSE REIMBURSEMENTS; APPROVING A NEW CITY POLICY  
REGARDING REIMBURSEMENT OF EXPENSES; AND ESTABLISHING  
AN EFFECTIVE DATE**

---

WHEREAS, RCW Chapter 42.24 sets forth state law requirements applicable to municipal corporations concerning job-related expenses and expense reimbursement, and enables the City Council to prescribe regulations and policies governing expenditures and reimbursement of expenses in connection with officially assigned duties and travel for approved public purposes; and

WHEREAS, the City's current expense reimbursement regulations, policies and procedures are in need of revision; and

WHEREAS, a new comprehensive Business Expense Policy has been prepared by the Finance Department and is attached hereto and incorporated herein at **Exhibit 1** (Business Expense Policy). The Business Expense Policy is designed to replace and supersede outdated policies and procedures of the City that address or concern similar matters; and

WHEREAS, the City Council has reviewed the Business Expense Policy and finds that it appropriately addresses the expenditure of public funds for City purposes and reimbursement thereof; and

WHEREAS, the City Council wishes to amend Mill Creek Municipal Code (MCMC) Chapter 2.08 to update and better reflect the application of the Business Expense Policy within the City to all officers and employees, consistent with RCW Chapter 42.24; and

WHEREAS, this Ordinance is adopted pursuant to MCMC Chapter 1.24, which sets forth the requirements for adoption, maintenance and publication of City policies and procedures.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MILL CREEK, WASHINGTON, ORDAINS AS FOLLOWS:

**Section 1.** The Business Expense Policy prepared by the Finance Department, attached and incorporated herein at **Exhibit 1**, is approved by the City Council. All prior City policies and procedures related to the matters addressed in the Business Expense Policy are hereby repealed.

**Section 2.** MCMC Chapter 2.08, currently entitled "City Officers", is hereby retitled as "City Officers and Employees".

**ORD. REGARDING MCMC 2.06 AND BUSINESS EXPENSE POLICY -- 1**  
829239.1/014455.00068

**Section 3.** MCMC section 2.08.030 (Reimbursement of Expenses) is hereby repealed and replaced with a new section 2.08.030 to read as follows:

**2.08.030 Expenditures for and reimbursement of expenses in connection with officially assigned duties and travel**

A. All officers and employees of the City, including the members of the City Council, members of the boards and commissions of the City, appointees, employees, and volunteers of the City, are eligible to make expenditures and receive reimbursement for expenses incurred in the performance of their official duties for the City, provided such persons comply with applicable state laws, City ordinances and regulations, and City policies.

B. The Business Expense Policy issued as Policy No. XXX by the City Manager has been approved by the City Council. The City Manager shall maintain said Business Expense Policy pursuant to the City's Policy No. 100-01 and in accordance with the City's needs and state law changes.

C. All claims for expenses paid or reimbursement thereof under the Business Expense Policy shall be regularly audited by the City Council as a whole or such other auditing committee or other auditing process as shall be established by the City Council.

**Section 4.** If any section, sentence, clause, phrase or application of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, phrase or application of this ordinance.

**Section 5.** The City Clerk is directed to take steps as required to implement and effectuate this Ordinance. The Clerk is authorized to correct or have corrected scrivener's errors, internal references, and the like.

**Section 6.** This Ordinance shall be in full force and effect five days after publication of a summary hereof consisting of the title of this Ordinance, in accordance with RCW 35A.13.200.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2018, by a vote of \_\_\_\_\_ for, \_\_\_\_\_ against, and \_\_\_\_\_ abstaining.

APPROVED:

\_\_\_\_\_  
MAYOR PAMELA PRUITT

**ORD. REGARDING MCMC 2.06 AND BUSINESS EXPENSE POLICY -- 2**  
829239.1/014455.00068



ATTEST/AUTHENTICATED:

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
OFFICE OF THE CITY ATTORNEY  
SCOTT M. MISSALL, CITY ATTORNEY

FILED WITH THE CITY CLERK: \_\_\_\_\_

PASSED BY THE CITY COUNCIL: \_\_\_\_\_

PUBLISHED: \_\_\_\_\_

EFFECTIVE DATE: \_\_\_\_\_

ORDINANCE NO.: \_\_\_\_\_

**Attachment**

**Exhibit 1: Business Expense Policy**

**ORD. REGARDING MCMC 2.06 AND BUSINESS EXPENSE POLICY -- 3**  
829239.1/014455.00068



Business Expense Policy	Index: Department Number:
-------------------------	---------------------------

Effective Date: April 1, 2018	Supersedes: All prior conflicting ordinances, resolutions and policies	Staff Contact: Director of Finance and Administration	Clerk ID Number:	Approved By and Date: City Manager City Council via ordinance number 2018 - _____ (3/27/2018)
----------------------------------	---	--	------------------	--

**1.0 PURPOSE:**

To establish a policy and procedure for the City of Mill Creek for the authorization and/or Reimbursement of business expenses including travel, subsistence and related expenses, and certain non-travel related expenses incurred by authorized persons while conducting City business or providing a service for the City.

**2.0 ORGANIZATIONS AFFECTED:**

- City Council
- All Departments
- Boards & Commissions
- Volunteers

**3.0 REFERENCE:**

- RCW Chapter 42.24
- IRS Regulations

**4.0 POLICY:**

It is the policy of the City of Mill Creek to reimburse City Council members, Appointees, Employees and Volunteers for reasonable expenses incurred in the conduct of their business for the City. To qualify for Reimbursement, expenses must be reasonable and prudent under the circumstances.

**5.0 DEFINITIONS:**

**5.1 Appointees:** Means individuals appointed by the City Council to City boards and commissions.

**5.2 City:** The City of Mill Creek, including any office, department, division, board, committee or other entity therein.

**5.3 City Council:** Means the Mill Creek City Council collectively or individuals thereof.

**5.4 City Manager:** Means the City Manager of the City of Mill Creek.

**5.5 Conference:** Examples may include, but are not limited to, a symposium, seminar, forum, or convention associated with a league, association, alliance, etc. "Conference" can be interpreted to include any formal training session typically attended by an audience from a wide geographic area and organized by a regionally or nationally known entity.

**5.6 Employee:** Means both full-time and part-time Employees of the City of Mill Creek, and with City Manager approval, includes contracted employees.

**5.7 Per Diem:** The Per Diem allowance is a daily payment instead of Reimbursement for actual expenses for lodging, meals and incidental expenses. It is separate from transportation and other miscellaneous expenses.

**5.8 Reimbursement:** Includes expenses paid for by the City. Eligible expenses need not necessarily be Reimbursements to the individual, they can be expenses paid by the City directly to a vendor.

**5.9 Tax Home:** The IRS identifies this as your regular place of business regardless of where you maintain your family home. It includes the entire City or general area in which your business or work is located.

**5.10 Traveler:** Traveler usually means a City Council member or Employee. At times, the City Manager may authorize Appointees or Volunteers to travel on City business. The City will apply this policy for non-employees, except when travel Reimbursement terms under a professional services contract differ.

**5.11 Travel Status:** The IRS defines this as a time when your duties require you to be away from the general area of your "Tax Home" substantially longer than an ordinary day's work, and you need to sleep or rest to meet the demands of your work while away from home. Generally, this means an overnight stay is involved.



**5.12 Volunteer:** Volunteer means an individual who donates time, without compensation, towards the achievement of City objectives under one of the City's recognized volunteer programs or committees.

**6.0 OVERNIGHT TRAVEL EXPENSES:**

This section covers expenses related to travel that requires an overnight stay. Section 7.0 covers guidelines for expenses related to local (non-overnight) activities.

The City will follow the US General Services Administration (GSA) schedules that provide for maximum Reimbursement rates for lodging, meals and incidental expenses for authorized Travelers on official business. Amounts exceeding those rates, except as otherwise noted herein, may be deducted from Reimbursement claims or repaid by the Traveler. These rates are adjusted annually by the General Services Administration.

Any travel time in excess of one day each way, which is brought about by the Employee's choice of transportation or schedule, will be charged to the Employee as vacation time. When travel is required of Employees covered by FLSA standards, travel time may be considered as time worked depending on the time and day of travel. Paid time for travel shall be clearly resolved in accordance with FLSA guidelines in advance of authorizing travel.

**6.1 Prior Approval:** Prior approval for overnight travel is required for all Travelers except for the City Council and City Manager. A Travel/Training Authorization Form must be completed and approved by the Department Director and City Manager. The approved form should be forwarded to the Department of Finance and Administration prior to travel.

**6.2 Documentation:** No claim for Reimbursement shall be paid unless it is accompanied by a Business Expense Report Form, a copy of the Travel/Training Authorization Form and bona fide vendor receipts, except for meal Per Diem claims. Such receipts should detail the following information when applicable: date, description of purchase, vendor identification and amount paid. Expense reports shall include name(s) of individual(s) incurring the expense and how the expense relates to City business (i.e., the public purpose).

**6.2.1** A Declaration of Lost Receipt or Declaration of Lost Itemized Receipt is acceptable only after all reasonable attempts to locate or obtain a copy have been exhausted. The declaration must set forth the date of purchase, a description of the purchase, the vendor, the amount paid and an explanation for the lack of a receipt.

**6.2.2** Credits such as gift cards, airfare credits and frequent flyer miles, whether earned on personal or business travel, are not reimbursable as there is no cash outlay for such a transaction.

6.2.3 Any special approvals required by this policy shall be obtained by Travelers prior to applicable travel and shall accompany the Business Expense Report when submitted to the Department of Finance and Administration. Such special approvals shall be by separate memo, which identifies the policy exception being authorized and explains the reasons therefor.

6.2.4 Travel Reimbursement requests must be returned to the Finance Department within ten (10) days of returning to the City. The Department Director and/or Finance Director have the authority to deny claims for expenses that were incurred more than six months before submittal.

6.2.5 Claim for Reimbursement of any charge which could reasonably raise question should be accompanied by an explanation. Failure to provide adequate documentation (receipts) or explanation for all expenses claimed for Reimbursement could result in the Traveler being personally responsible for the charges.

6.3 **Registration Fees:** Subject to the provisions of Section 6.1, the actual cost of registration, tuition and fees at a meeting, Conference, training or convention are reimbursable under this policy.

6.4 **Per Diem Reimbursable Meal Costs:** All City Travelers shall be entitled to Reimbursement for meals consumed while traveling overnight on City business. Reimbursement will be based on the current Per Diem rate of the final destination of travel. The Meal and Incidental Expense rates are established by the GSA and are adjusted annually.

6.4.1 Per Diem rates differ based on locations defined by the GSA; tax and tip are included. Current rates can be found at [www.gsa.gov/perdiem](http://www.gsa.gov/perdiem) or by calling Accounts Payable.

6.4.2 Per Diem rates may be claimed for the first through the last day of travel provided the person is in Travel Status at the following times:

- 6:00 a.m. for breakfast
- 12:00 p.m. for lunch
- 6:00 p.m. for dinner

6.4.3 Travel status begins at the time the Traveler would have left City Hall and ends at the time they would return to City Hall.

6.4.4 Receipts are not required for Per Diem Reimbursement.

6.4.5 Any planned meals, the cost of which is included in a City-paid registration fee, whether or not the Traveler actually partakes of the meal, will not be reimbursable or eligible for Per Diem. Planned meals include box lunches and banquets but exclude continental breakfasts. Receptions at which hors d' oeuvres are the primary offering are not considered meals.

6.4.6 When a meal is included in a meeting and the costs cannot be segregated, the actual cost of the event is reimbursable. A vendor receipt or copy of the meeting agenda is required as documentation.

**6.5 Reimbursable Actual Meal Costs:** It is understood that while conducting City business, and in the course of their official duties, there are times when the City Council, the City Manager or Department Directors may host or attend business meals with invited guests. The actual cost of such meals is specifically authorized for Reimbursement only for the City Council, the City Manager and Department Directors.

6.5.1 Travelers will be responsible for keeping their cost as close as possible to the Per Diem rate; however, any reasonable excess will be paid by the City. Cost of invited business guests will be borne by the City.

6.5.2 An itemized receipt is required. Meal ticket stubs alone are not considered adequate documentation for Reimbursement. Reimbursement will not be provided for liquor, including beer and wine.

6.5.3 Payment for table service at a restaurant, commonly referred to as a tip, not to exceed 20% of the restaurant price of the meal, is reimbursable as a reasonable and necessary cost for such service and as a reasonable and necessary part of the cost of the meal.

6.5.4 To avoid the appearance of a conflict of interest, Employees and City Council members should not allow consultants, vendors or others with official business with the City to pay for or furnish meals or beverages.

## **6.6 Vehicle Expenses**

### **6.6.1 City Vehicle**

- (a) Costs of transportation and vehicle operation are acceptable, such as gas, oil, tires, tolls, ferry charges, parking and necessary repairs.

### **6.6.2 Personal Vehicle**

- (a) Mileage expenses shall be reimbursed for vehicular travel within a 300 mile radius of City Hall at the current maximum rate allowed by the United States Internal Revenue Service for Reimbursement of



such expenses for purposes of business travel expense deductions. Trips beyond this limit will be reimbursed in an amount equal to the lowest appropriate round trip air fare to the destination offered by a regularly scheduled commercial air carrier, plus an allowance for ground transportation based on the circumstances.

- (b) Mileage Reimbursement will be calculated based on the round trip distance between City Hall and the Traveler's destination or actual mileage, whichever is less.
- (c) When travel is scheduled by public conveyance (bus, train, air, etc.) outside a 300 mile radius, surface transportation to and from the conveyance depot/airport will be reimbursed.
- (d) Parking at SeaTac (Port of Seattle) parking lots is limited to a maximum of twelve (12) hours. Long term parking expenses will be reimbursed when "off-airport" (non Port of Seattle) parking lots and shuttle services are used (e.g., Budget).
- (e) City Employees who receive an automobile allowance in lieu of City provided transportation shall not be entitled to further Reimbursement for surface transportation costs within a 300 mile radius of the City. Travel outside of a 300 mile radius will be calculated as described above, except that no mileage Reimbursement for surface transportation shall be allowed for travel to and from any Seattle area airport.

**6.6.3 Rental Vehicle**

- (a) The cost of vehicle rental is considered an exception to this policy and its justification must be clearly stated on the Travel/Training Authorization Form.
- (b) Any City Employees, City Council members, Appointees or Volunteers operating a rented vehicle for City business, with permission from the City, will be covered under the WCIA liability policy, pursuant to any coverage exclusions or limitations. Rental vehicles are also covered for 1<sup>st</sup> party property damage. However, if the rental will exceed 9 days, the rental vehicle must be added to the City's auto schedule. The City will not be responsible for the loss of personal items taken from a rental vehicle.

## **6.7 Air Travel**

6.7.1 All air travel shall be on a common carrier. Air travel should be booked that provides for the lowest ticket class fare for the most direct route unless one or more of the following specific exemptions are met:

- The lowest ticket class accommodation is not available;
- Waiting for the lowest ticket class accommodation would cause a delay harmful to the City; or
- The City Manager determines that travel by lowest ticket class accommodation is not in the best interest of the City, and authorizes other accommodation.

6.7.2 Travelers and approvers are required to document reasons for declining savings where the lowest available airfare is not purchased.

6.7.3 First or business class is allowed if it is at no cost to the City.

6.7.4 When personal travel is combined with business-related travel, the Traveler shall be responsible for paying the increase in airfare necessary to accommodate the personal part of the flight. The City shall pay for the lowest reasonable and available airfare for the round trip between a Seattle area airport and the business-related destination.

6.7.5 When personal travel is combined with business-related travel, the Traveler shall provide documentation showing the cost of airfare for travel for City business only (at the time the reservation is made) as well as the receipt for the actual cost which includes personal travel. If the addition of personal travel makes the cost higher, the Traveler should use their own funds to pay the fare and request Reimbursement of the lesser amount. If the addition of personal travel makes the cost lower, the Traveler may use a City travel credit card.

6.7.6 When changes in travel plans occur that are the result of City business requirements, (i.e. delays in departure, cancellations, extended stays, or revised itinerary) any associated costs shall be paid by the City. However, all increases in cost of travel due to changes for personal convenience will be borne by the Traveler.

**6.8 Accommodations:**

6.8.1 Directors may authorize lodging within the Puget Sound Metropolitan Region for multi-day functions but should use discretion when doing so. Factors that should be considered are length of travel from the Traveler's regular work place, length of meeting and budget.

6.8.2 Reasonable hotel/motel accommodations for Travelers are acceptable and will be reimbursed or paid at a rate not to exceed the GSA maximum lodging rate for the area of travel. Rates may be obtained from the GSA website at [www.gsa.gov/perdiem](http://www.gsa.gov/perdiem) or by calling Accounts Payable. Note that rates listed by the GSA are for the base room rate only and do not include taxes or surcharges. These rates are adjusted annually by the GSA.

6.8.3 A vendor's itemized receipt for this category is required for all claims.

6.8.4 In the following situations, the maximum allowable lodging amounts may not be adequate and the Department Director and City Manager may approve payment of lodging expenses that exceed the allowable amount. Justification for exceeding the Per Diem lodging rate must be stated on the Travel/Training Authorization Form.

- When lodging accommodations in the area of travel are not available at or below the maximum lodging amount and the savings achieved from occupying less expensive lodging at a more distant site are consumed by an increase in transportation and other costs.
- The Traveler attends a meeting, Conference, convention, or training session where local hotels offer Conference rates. For purposes of this policy, it is presumed that maximum benefit will be achieved by authorizing the Traveler to stay at the lodging facilities where the meeting, Conference, convention or training session is held.
- To comply with provisions of the Americans with Disabilities Act, or when the health and safety of the Traveler is at risk.

**6.9 Incidental Expenses:** Incidental expenses allowed as part of the daily Per Diem rates include fees and tips given to porters, baggage carriers, bellhops and hotel maids. A vendor's receipt is not required; however, the daily total may not exceed \$5.00.

**6.10 Miscellaneous Expenses:** This category includes all reasonable and necessary miscellaneous expenses and includes, but is not limited to, the following:



**6.10.1 Allowable Miscellaneous Expenses**

- Bus, taxi, shuttle, bridge or other tolls.
- Parking fees.
- Ferry costs.
- Laundry expenses if away from home six (6) or more working days.
- Baggage check fees.
- Business telephone, internet and postage expenses.

**6.10.2 Non-Allowable Miscellaneous Expenses**

- Personal entertainment.
- Theft, loss or damage to personal property.
- Expenses of a spouse, family or other persons not authorized to receive Reimbursement under this policy.
- Barber or beauty parlor.
- Airline and other trip insurance.
- Personal postage, reading material.
- Personal toiletry articles.
- Fines or penalties, including parking or traffic violations.

**7.0 LOCAL TRAVEL EXPENSES (No Overnight Stay)**

This section covers expenses related to meals and transportation for trips not requiring an overnight stay. See Section 6.0 for guidelines on overnight travel expenses.

The City will follow the US General Services Administration (GSA) schedules that provide for maximum Reimbursement rates for meals and incidental expenses for authorized staff while on official business. Amounts exceeding those rates may be deducted from Reimbursement claims or repaid by the Traveler. These rates are adjusted annually by the General Services Administration.

**7.1. Prior Approval:** Prior approval for local travel is required for all Travelers except for the City Council, City Manager and Department Directors. A Travel/Training Authorization Form must be completed and approved by the Department Director. The approved form should be forwarded to the Department of Finance and Administration prior to travel.

**7.2 Documentation:** No claim for Reimbursement shall be paid unless it is accompanied by a Business Expense Report Form, a copy of the Travel/Training Authorization Form and bona fide vendor receipts, except for meal Per Diem claims. Such receipts should detail the following information when applicable: date, description of purchase, vendor identification and amount paid. Expense reports shall include name(s) of individual(s) incurring the expense and how the expense relates to City business (i.e. the public purpose).

7.2.1 A Declaration of Lost Receipt or Declaration of Lost Itemized Receipt is acceptable only after all reasonable attempts to locate or obtain a copy have been exhausted. The declaration must set forth the date of purchase, a description of the purchase, the vendor, the amount paid and an explanation for the lack of receipt.

7.2.2 No claim shall be paid for the value of items such as coupons used in lieu of cash.

7.2.3 Any special approvals required by this policy shall be obtained by Travelers prior to applicable travel and shall accompany the Business Expense Report when submitted to the Department of Finance and Administration. Such special approvals shall be by separate memo, which identifies the policy exception being authorized and explains the reasons therefor.

7.2.4 Travel Reimbursement requests must be returned to the Finance Department within ten (10) days of returning to the City. The Department Director and/or Finance Director have the authority to deny claims for expenses that were incurred more than six months before submittal.

7.2.5 Claim for Reimbursement of any charge which could reasonably raise question should be accompanied by an explanation. Failure to provide adequate documentation (receipts) or explanation for all expenses claimed for Reimbursement could result in the Traveler being personally responsible for the charges.

**7.3 Registration Fees:** Subject to the provisions of Section 7.1, the actual cost of registration, tuition and fees at a meeting, Conference, training or convention are reimbursable under this policy.

**7.4 Reimbursable Meal Costs:** All City Travelers shall be entitled to Reimbursement for meals consumed while on City business. Reimbursement will be based on the current Per Diem rate of the final destination of travel. The Meal and Incidental Expense rates are established by the GSA and are adjusted annually.

7.4.1 Per Diem rates differ based on locations defined by the GSA; tax and tip are included. Current rates can be found at [www.gsa.gov/perdiem](http://www.gsa.gov/perdiem) or by calling Accounts Payable.

7.4.2 Per Diem rates may be claimed provided the person is in Travel Status at the following times:

- 6:00 a.m. for breakfast
- 12:00 p.m. for lunch
- 6:00 p.m. for dinner

7.4.3. Travel Status begins at the time the Traveler would have left City Hall and ends at the time they would return to City Hall.

7.4.4 Receipts are not required for Per Diem Reimbursement.

7.4.5 Any planned meals, the cost of which is included in a City-paid registration fee, whether or not the Traveler actually partakes of the meal, will not be reimbursable or eligible for Per Diem. Planned meals include box lunches and banquets but exclude continental breakfasts. Receptions at which hors d'oeuvres are the primary offering are not considered meals.

7.4.6 When a meal is included in a meeting and the costs cannot be segregated, the actual cost of the event is reimbursable. A vendor receipt or copy of the meeting agenda is required as documentation.

**7.5 Reimbursable Actual Meal Costs:** It is understood that while conducting formal City business, and in the course of their official duties, there are times when the City Council, the City Manager or Department Directors may host or attend business meals with invited guests. The actual cost of such meals is specifically authorized for Reimbursement for the City Council, the City Manager and Department Directors.

7.5.1 Travelers will be responsible for keeping their cost as close as possible to the Per Diem rate; however, any reasonable excess will be paid by the City. Cost of invited business guests will be borne by the City.

7.5.2. An itemized restaurant receipt is required. Meal ticket stubs alone are not considered adequate documentation for Reimbursement. Reimbursement will not be provided for liquor, including beer and wine.



7.5.3 Payment for table service at a restaurant, commonly referred to as a tip, not to exceed 20% of the restaurant price of the meal, is reimbursable as a reasonable and necessary cost for such service and as a reasonable and necessary part of the cost of the meal.

7.5.4. To avoid the appearance of a conflict of interest, Employees and City Council members should not allow consultants, vendors or others with official business with the City to pay for or furnish meals or beverages.

**7.6 Vehicle Expenses**

7.6.1 City Vehicle

- (a) Costs of transportation and vehicle operation are acceptable, such as gas, oil, tires, tolls, ferry charges, parking and necessary repairs.

7.6.2 Personal Vehicle

- (a) Mileage expenses shall be reimbursed for vehicular travel within a 300 mile radius of City Hall at the current maximum rate allowed by the United States Internal Revenue Service for Reimbursement of such expenses for purposes of business travel expense deductions.
- (b) Mileage Reimbursement will be calculated based on the round trip distance between City Hall and the Traveler's destination or actual mileage, whichever is less.
- (c) City Employees who receive an automobile allowance in lieu of City provided transportation shall not be entitled to further Reimbursement for surface transportation costs within a 300 mile radius of the City.

**7.7 Miscellaneous Expenses:** This category includes all reasonable and necessary miscellaneous expenses and includes, but is not limited to the following:

7.7.1 Allowable Miscellaneous Expenses

- Bus, taxi, shuttle, bridge or other tolls.
- Parking fees.
- Ferry costs.
- Business telephone and postage expenses.

**7.7.2 Non-Allowable Miscellaneous Expenses**

- Personal entertainment.
- Theft, loss or damage to personal property.
- Expenses of a spouse, family or other persons not authorized to receive Reimbursement under this policy.
- Personal postage, reading material.
- Fines or penalties, including parking or traffic violations.

**8.0 FOOD AND BEVERAGES AT CITY MEETINGS, EVENTS AND EMERGENCIES**

To further the business of the City, promote civic engagement and promote quality employee relations, it is appropriate to incur certain expenditures for meals or refreshments. The purpose of this section is to provide the City Council, Employees, Appointees and Volunteers with guidance on the appropriate and allowable use of City funds to purchase food and beverages while not in Travel Status.

The expenditure for food and/or beverages must be related to the active conduct of City business (i.e., public purpose), meaning a substantial and bona fide business discussion. Except as otherwise set forth in this Section 8, expenditures exceeding \$200 require approval of the City Manager or his or her designee. Reimbursement will not be provided for liquor, including beer and wine.

Payment for meals picked up or delivered may include a tip of 10-20% of the price of the meal, depending on the circumstances; for instance, difficulty of delivery.

**8.1 Documentation:** All expenditures under this Section 8.0 submitted for Reimbursement or purchased with a City issued credit card must be accompanied by:

- A bona fide vendor's receipt that shows line item descriptions of what was purchased.
- The identification of individuals (by name, title or group) consuming the food and/or beverage.
- A description of the City business (i.e., public purpose) served during the occasion.

- (a) A Declaration of Lost Receipt or Declaration of Lost Itemized Receipt is acceptable only after all reasonable attempts to locate or obtain a copy have been exhausted. The declaration must set forth the date of purchase, a description of the purchase, the vendor, the amount paid and an explanation for the lack of a receipt.
- (b) Claim for Reimbursement of any charge which could reasonably raise question should be accompanied by an explanation. Failure to provide adequate documentation (receipts) or explanation for all expenses claimed for Reimbursement could result in the Traveler being personally responsible for the charges.
- (c) Claims expenses must be submitted no later than ten days after return. The Department Director and/or Finance Director have the authority to deny claims for expenses that were incurred more than six months before submittal.

**8.2 City Council Meetings:** For special or especially lengthy meetings conducted during meal times, food and beverages may be provided for Council members, the City Manager, other staff, and invited guests directly involved in the business discussed at the meeting.

**8.3 Council and Staff Retreats:** Food and beverages may be provided at both Council and staff retreats and should be budgeted for and provided as part of the retreat process

**8.4 City Sponsored Public Meetings/Events:** The City may expend funds for food and beverages at City sponsored public meetings to encourage attendance and interaction.

**8.5 Working Lunches/Dinners:** Food and beverages may be provided when it is necessary for a group of employees to work through lunch or dinner to accomplish a task.

**8.6 City Manager Meetings:** While meeting with City Council members, Employees, Appointees or Volunteers, the City Manager may expend funds for food and beverages.

**8.7 City Business Meal:** The City Council, City Manager or Department Directors may expend funds for food and beverages to discuss with non-City employees. To avoid the appearance of a conflict of interest, Employees and City Council members should not allow consultants, vendors or others with official business with the City to pay for or furnish meals or beverages.



**8.8 Training Session and Staff Meetings:**

- a) Food and beverages may be provided at staff meetings and training sessions.
- b) Food and beverages may be provided to Volunteers during staff supervised work or training sessions.
- c) Food and beverages may be provided during interviews with candidates for City positions.

**8.9 Workplace:** Beverage of minimal value may be provided to City Employees at the worksite during business hours.

**8.10 Emergencies:** Emergency situations are events where it is determined that City assets or infrastructure and/or the public for which it protects is at risk. In these cases, City staff may be required to remain on-site outside of their normal work shift.

8.10.1 Food and beverages may be provided when an emergency situation is expected to span over a regular meal period and Employees are required to remain on-site or available to respond to an emergency.

**8.11 Ceremonies and Celebrations**

8.11.1 Reasonable expenses, including food and beverages, associated with commemorating a dedication or an unveiling that is recognized as serving a public purpose, are legitimate City expenditures.

8.11.2 Support for a celebration or local event may not take the form of a gratuitous contribution of public funds to a private person, committee or organization. Expenditure of public funds on a publicly sponsored event requires (1) the existence of a recognizable public or municipal purpose that relates to the purpose for the City's existence, (2) proper authorization from the City Council for such public sponsorship, and (3) a reasonable relationship between the amount of the City's expenditure and the "public" nature of the event.

**8.12 Employee and Volunteer Appreciation/Recognition:**

Employee and Volunteer appreciation/recognition is authorized in accordance with this policy in order to promote the City's STAR Values as set forth in the City's Guiding Principles. Employee and Volunteer appreciation/recognition is designed to promote good will, support Employee wellness, celebrate milestones, foster a sense of pride in one's affiliation with the City, and promote safety, productivity, reliability, efficiency, cost savings, dedication, and commitment to the community.

a) Food and beverages may be served at Employee and Volunteer appreciation/recognition events.

b) Recognition Events

- a. The City Manager or designee shall be responsible for overseeing recognition events and approving requests for recognition events in writing in advance of the event.
- b. A department wishing to hold a recognition event must submit a written request to the City Manager or designee that details: (1) the purpose of the event, (2) when and where it will be held, (3) a brief explanation as to how the event meets this policy's stated purpose and scope, (4) anticipated attendance numbers, and (4) a proposed budget.
- c. The budget for Employee recognition events must be deemed reasonable by the City Manager or designee.
- d. Subject to City Manager or designee approval, examples of budget items that may be purchased for recognition events may include but not be limited to flowers, refreshments, snacks and decorations.

c) Recognition Awards

- a. The City may expend funds for recognition awards. Departments have the authority to recognize Employees, Appointees, Volunteers and/or City Council members, either individually, or as a class, for accomplishments including outstanding achievements, safety performance, longevity and outstanding public service.
- b. Employee recognition awards may not exceed two hundred dollars (\$200) in value per award. Such awards may include, but not be limited to, items such as pen and desk sets, plaques, pins, framed certificates, clocks and calculators.
- c. A Department wishing to bestow a recognition award must submit a written request to the City Manager or designee that details: (1) the purpose of the award, (2) the rules or basis for eligibility of the award, (3) how the award promotes the City's STAR values, and (4) the procedure to be used in determining the winner of the award.

d) City Logo Apparel

- a. At the discretion of the City Manager, each new City Employee in recognition of their hiring may receive one City logo apparel item for

business purpose related use. Examples of business purposes include meetings, events, and programs where City representation is desirable. This does not replace uniform clothing as required for field personnel.

- b. Following the annual review of an Employee, Departments may request one additional City logo apparel item, of the Employee's choosing, per year when the Employee receives a satisfactory performance review. Requests for City logo apparel must be submitted in writing to the City Manager or designee by the Department Director on behalf of the Employee.
- c. The City Manager may authorize City logo apparel for City Council members, Appointees and Volunteers as appropriate.

#### **9.0 EMPLOYEE DUES AND MEMBERSHIPS**

It is the policy of the City of Mill Creek to pay for the annual dues and memberships for Employees in professional and civic organizations which directly relate to their specific job classification and directly benefit the City and the Employee by providing staff with the network and information to further develop themselves in their professional capacity.

#### **10.0 RECRUITING COSTS**

The reasonable expenses of candidates for certain management and "hard-to-fill" positions are reimbursable when such candidates are invited to visit Mill Creek for a personal interview. Approval by the City Manager or designee is required for all expenses to be reimbursed.

At the time the invitation is made, the candidate shall be informed of the specific expenses and/or maximum amount which will be reimbursed. A Business Expense Report will be filled out and signed by the candidate and Human Resources. The candidate will be informed of the requirement that the expenses be documented with itemized receipts and turned over to Human Resources, who will prepare the Reimbursement claim. Unless otherwise directed by the City Manager, the invitation for interview and offer of Reimbursement will be made by the Human Resources Department.

A copy of the Business Expense Report, and copies of travel receipts, will be used as the customary vendor's statement.

The expense guidelines contained in Sections 6.0 and 7.0 of this policy will be applied to recruiting claims.



**11.0 MOVING EXPENSES**

The reasonable moving expenses of new employees in certain management and "hard-to-fill" positions are reimbursable at the discretion of the City Manager. Moving expenses shall mean the costs of moving the new employee's household goods, furniture, clothing and other personal effects.

The City Manager may also approve Reimbursements for reasonable transportation and lodging expenses. Expenses may not exceed GSA Reimbursement rates. All moving expense Reimbursement requests will be reviewed for taxation pursuant to IRS Publication 521. Reimbursed expenses that are not considered deductible under an accountable plan will be reported as taxable wages. For example, according to the IRS, only lodging Reimbursement for the day of arrival is considered deductible. Approved lodging Reimbursement for additional days after arrival will be reported as taxable wages.

**12.0 RECOVERY OF DISALLOWED CHARGES**

If a City charge card is used for the purpose of covering expenses under this policy, and any such charges are subsequently deemed "disallowed" pursuant to the terms of this policy, such disallowed charges shall be reimbursed by the appropriate individual as soon as practicable after receiving notification of the disallowed charges. Such Reimbursement shall be made by check, United States currency or salary deduction.

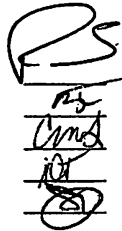
**CITY OF MILL CREEK POLICY  
FOR  
EMPLOYEE COMPUTER LEASE/PURCHASE PROGRAM**

**City Policy No.:** CCP 97-006

**Effective:** July 8, 1997

**Department Review:**

Executive  
Community Development  
Public Works  
Finance  
Police

Handwritten signatures of department heads for Executive, Community Development, Public Works, Finance, and Police.

It is the policy of the City to encourage employee development of computer literacy skills because of the significant contribution such skills provide employees to improve their work performance and services to the public. Therefore, the City offers to lease computer hardware and software similar to what employees may use in performing their duties for City business for employees' personal use. At the successful completion of the lease payments, employees shall acquire ownership of the hardware and software.

The City will allocate a maximum of \$25,000 of reserves within the Equipment Replacement Fund for this program. This will constitute the maximum allowable amount of outstanding lease payments at any one time. Requests to participate in this program will be limited to employees who have successfully completed their trial employment period and will be funded on a first-come, first-served basis. Individual employees may lease a single computer system, not to exceed \$3,000 in cost. Employees may lease additional accessories for their system during the term of the lease, provided that the additional accessories and the original items leased do not exceed \$3,000. The corresponding cost of the additional accessories will raise the lease payments for the remaining number of pay periods in the lease; it may not extend the term of the lease.

Employees will be responsible for arranging for the purchase of their individual computer systems, with payment being made from the City to the vendor, from which the computer system is to be purchased. Employees will make lease payments through payroll deductions each regular pay period, beginning with the pay period immediately following City payment for the equipment. The total number of payments to the City may not exceed 24 (i.e., the lease/purchase must be completed within two years). Employees may elect to make additional payments needed at any time to reduce the amount of the monthly lease payment or reduce the number of payments to complete the lease. The sum of the lease payments will equal the payment to the vendor for the computer hardware and software plus interest on the accumulated outstanding balance of the lease. The interest rate of the lease shall be equal to the investment rate offered by the State Investment Pool plus .5 percent at the

time the lease is approved. Employees will be responsible for acquiring any installation and training services as needed. The lease will not include the cost of such services.

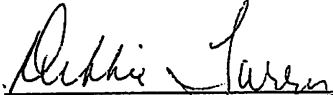
The City Manager shall implement the administrative procedures of the computer lease/purchase program. If at any time the City Manager determines that this program no longer provides tangible benefits to the City the program may be discontinued. To participate in the program, an employee must agree to all terms and conditions set forth in the administrative procedures of the computer lease/purchase program.

PASSED BY THE CITY COUNCIL OF THE CITY OF MILL CREEK, WASHINGTON THIS  
8<sup>th</sup> DAY OF July, 1997.

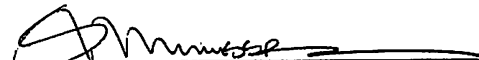
APPROVED:

  
\_\_\_\_\_  
MAYOR KATHY NIELSEN

ATTEST/AUTHENTICATED:

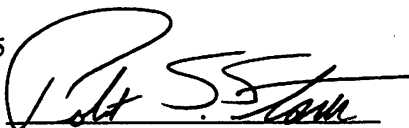
  
\_\_\_\_\_  
CITY CLERK DEBBIE TARRY

APPROVED AS TO FORM

  
\_\_\_\_\_  
OFFICE OF THE CITY ATTORNEY  
SHORT CRESSMAN & BURGESS

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<b>ADMINISTRATIVE PROCEDURE</b>	<b>CITY OF MILL CREEK</b>
City Policy Reference: <u>CCP 97-006</u>	Effective Date: July 8, 1997
Page 1 of 5	
Approved: 	
City Manager	

**CITY PROCEDURE FOR COMPUTER LEASE/PURCHASE PROGRAM**

**PURPOSE**

To establish a program of assisting employees who have completed their trial employment period in acquiring and improving computer literacy skills by providing low interest loans to acquire personal computer hardware and software similar to what employees may be asked to use for City business. These procedures detail the terms and conditions of agreements between the City and participating employees whereby employees may lease such hardware and software from the City and acquire ownership of the hardware and software at the termination of the lease.

**SCOPE**

This procedure applies to all participants of this program.

**PROCEDURES**

1. An employee shall complete a *Computer Lease/Purchase Request for Approval* (Attachment A). In completing this form the employee should provide an itemized list of the hardware and software intended for purchase along with a brief explanation of how this purchase conforms with the purpose of this program.
2. Employees should submit their requests to the City Manager or designee. The City Manager will review the request to determine if the hardware and software conforms to the purpose of the program. In addition the City Manager will determine if sufficient funds are available to meet the request. If not, the request may be held until funds become available. All requests shall be approved or denied by the City Manager or designee at his/her discretion.
3. Once an employee has received approval to participate in the program, the employee is responsible for coordinating the purchase of the computer hardware and software with a vendor. The employee shall provide the Finance Department with an original invoice from the vendor to initiate the payment process.
4. The employee shall sign a *Computer Lease/Purchase Agreement* (Attachment B). This form must be completed and submitted to the Finance Department along with the approved participation request and original vendor invoice for the computer hardware and software.

5. The Finance Department will determine the payroll deduction based on the purchase price of the computer software and hardware, the applicable interest rate and the term of the lease selected by the employee.
6. A payroll deduction will be credited against the employee's outstanding lease until the lease has been paid in full. At the time the lease has been paid in full, ownership of the computer software and hardware shall be transferred to the employee.
7. An employee who has already leased and paid off a purchase may enter into a new lease of computer software and hardware up to the maximum \$3,000 cost, provided that such a lease shall not be processed unless and until there are no first time participants waiting to be processed, and furthermore that an employee may not enter into a new lease more than once in a 24-month period.

**CONDITIONS**

1. Participating employees may not sell, loan, assign, or transfer their rights to the equipment or the equipment itself during the term of the lease without prior written approval by the City Manager or designee.
2. Participating employees are responsible for equipment servicing and maintenance and shall maintain the equipment in good condition for the term of the lease.
3. Participating employees shall respect the terms of the software licenses which the City has obtained for City business. Employees must sign an *Agreement for Use of City Licensed Software Programs* prior to acquiring software from the City.
4. A participating employee who terminates employment with the City prior to the completion of the lease shall have the remaining balance deducted from their final paycheck. If the employee's final paycheck is not sufficient to pay the remaining balance, the amount remaining unpaid after the deduction shall become a debt to the City which shall be paid in full before the employee's last day at work. In the event that the employee fails to pay any outstanding balance, the employee shall forfeit all monies that have been paid to the City, the computer hardware and software shall remain the property of the City of Mill Creek, and the employee shall promptly deliver the computer hardware and software to the City Clerk.



(Attachment B)

**COMPUTER LEASE/PURCHASE AGREEMENT**

I, \_\_\_\_\_, desire to enter into a contract between the City of Mill Creek and myself for the purpose of leasing and ultimately owning a computer system. I agree to be bound by the terms and conditions of the program as adopted and described in City Council Policy 97-006, and Administrative Procedure CCP 97-006.

This agreement allows me to purchase computer hardware and software, through payroll deduction, from the City of Mill Creek over a period not to exceed twenty-four (24) months, in the principal sum of \$ \_\_\_\_\_. I agree to pay \_\_\_\_\_ percent annual interest on any outstanding balance. I agree to pay for this equipment in no more than \_\_\_\_\_ equal monthly installments of \$ \_\_\_\_\_ per month by deducting this amount through payroll deduction which I authorize by signing below. These installments shall commence on \_\_\_\_\_ and shall be paid in full no later than \_\_\_\_\_. I understand that I may choose to pay any outstanding balance (principle and interest) at any time prior to the contract deadline without incurring a financial penalty.

I agree that the City shall retain ownership and title of the computer hardware and software until the equipment has been paid for in full, at which time the ownership of the equipment shall be transferred to me. In the event of the termination of my employment prior to completing full payment, I authorize and direct the City to deduct from my final pay check any outstanding balance I may have remaining from this transaction. In the event that my final pay check has insufficient funds to cover all of the outstanding balance, I further agree to pay the remaining outstanding balance before my last work day with the City. In the event that I fail to comply with this contract and do not pay any outstanding balance, I will forfeit all monies which I may have paid to the City and the computer hardware and software shall remain the property of the City of Mill Creek. I agree to promptly deliver this equipment to the City Clerk.

I am purchasing the following computer equipment:

Make \_\_\_\_\_ Model \_\_\_\_\_ Serial No. \_\_\_\_\_

Make \_\_\_\_\_ Model \_\_\_\_\_ Serial No. \_\_\_\_\_

Make \_\_\_\_\_ Model \_\_\_\_\_ Serial No. \_\_\_\_\_



**ADMINISTRATIVE PROCEDURE - Policy Reference No. CCP 97-006**

**Page 5 of 5**

I have received and read this agreement explaining my responsibilities under this agreement. I understand these terms and conditions and agree to be bound by them.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Department Director

\_\_\_\_\_  
Date

\_\_\_\_\_  
Payroll

\_\_\_\_\_  
Date

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**CITY OF MILL CREEK POLICY  
FOR  
POLICE OFFICER FIREARMS PURCHASE PROGRAM**

**City Policy No.:** CCP 04-01  
**Effective:** September 28, 2004

**Department Review:**

Executive  
Finance  
Police

It is the policy of the City to address the concerns of the Police Department commissioned officers on the issue of confidence and safety in the use and selection of a firearm. The officer's firearm is the most valuable equipment he/she is issued, and the officers take pride in their firearms and the proficiency in their use thereof. With the ability to purchase their own weapon of choice, officers will be likely to practice more frequently and become more proficient, and will be able to select a weapon better suited to their individual physical characteristics. For those reasons, this policy will also help ameliorate the City's liability arising from issuance of standard issue firearms.

The current weapons issued by the Police Department are the Glock 22, 40 caliber handgun, the Beretta 96, 40 caliber handgun, the Beretta 92F, 9mm handgun and the Colt AR15, .223 caliber rifle.

Even though these are proven, excellent duty weapons, they do not fit the needs of all the officers. Size of grip, caliber, recoil, location of safety mechanism and magazine release are all functions and performance-related issues that determine which firearm an officer may choose to carry. "One size fits all" does not apply to firearms, nor does it promote safety in handling, nor confidence in the weapon in a use-of-force incident.

For the above reasons, the City Council authorizes commissioned police officers to enter into an agreement with the City to allow officers to purchase a personal firearm to be used as their on-duty weapon. The following guidelines shall be used in such agreements.

- a) Only firearms and related equipment approved by the range master and authorized by Department policy may be purchased. This program is available only to fully-commissioned Mill Creek officers.
- b) Officers purchasing firearms and related equipment under this policy may do so only once in a twenty-four month (24) time period unless approved by Chief of Police. The weapon shall be used during all police duty assignments, off duty assignments and as a back-up weapon while employed as an officer with the City. If the weapon purchased is found to be defective and experiences ongoing and perpetual malfunctions, then the timeframe for purchase of a

replacement may be reduced, but only if it is recommended by the range master and approved by the Chief.

- c) The City will require purchase of the weapon and other equipment through departmental resources and outside vendors in order to decrease the cost of the purchase price. The officer will obtain and submit three vendor price quotes in writing. If approved by the range master and Finance Department, the lowest bid shall be selected. The City shall purchase the weapon and related equipment and shall retain ownership thereof until fully paid by the officer.
- d) Under this program, the officer will be solely responsible for the care and maintenance of their firearm and all related equipment, and the cost of repairs, if any.
- e) The officer shall reimburse the City through a two-year, semi-monthly payroll deduction in the amount of the total purchase price of the weapon, plus all additional cost for the weapon and related equipment, plus a six per cent (6%) annual interest charge on the outstanding balance.
- f) All officers carrying personally-selected weapons are subject to the same, or greater, qualification standards as those carrying department-issued weapons.

This policy is of benefit to both the officers and the City. Allowing the officers to purchase their personal weapon of choice fosters an existing positive relationship between the City and the police officers. This policy recognizes the importance of confidence in equipment, and in assisting the officer in acquiring such equipment. According to Ordinance 94-318, the City will have the ability to surplus any outdated or unusable weapons presently owned by the City which are listed in the Police department inventory, and have funds from the sale thereof available for future cost-related expenses for the department.

The City Manager or his designee is authorized to develop and maintain an administrative procedure to implement this policy.

APPROVED in open meeting this 28<sup>th</sup> day of September, <sup>2004 PMH</sup> 2002 by a vote of 5 for, 0 against, and 0 abstaining.


APPROVED:

  
MAYOR TERRY RYAN

ATTEST/AUTHENTICATED:


  
CITY CLERK KELLY HENNESSEY

APPROVED AS TO FORM:

  
OFFICE OF THE CITY ATTORNEY  
SHORT CRESSMAN & BURGESS

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<b>ADMINISTRATIVE PROCEDURE</b>	<b>CITY OF MILL CREEK</b>
City Policy Reference: <u>04-01</u>	Effective Date: <u>9/28/04</u>
Page 1 of 5	
Approved:  City Manager	

**PROCEDURE FOR POLICE OFFICER FIREARMS PURCHASE PROGRAM**

**PURPOSE**

The purpose of this program is to assist commissioned police officers who have completed their trial employment period in acquiring a suitable, approved firearm of choice to be used as their on-duty weapon. These procedures detail the terms and conditions of the agreement between the City and officers whereby he/she may purchase such firearm.

**SCOPE**

This procedure applies to commissioned police officers when currently employed by the City and who have completed their trial period.

**PROCEDURES**

1. An officer shall complete a *Cooperative Firearms Purchase Agreement* (Attachment A). In completing this form the officer should provide an itemized description of the weapon and all other related equipment intended for purchase, along with a brief explanation of how this purchase conforms with the purpose of this program and the policy authorizing the program.
2. Officers should submit their requests to the range master or Police Chief. The range master or other designee will review the request to determine if the weapon and equipment conform to the program criteria. If not, the request will be denied, or may be held until all the criteria have been met. All requests shall be approved or denied by the range master or designee, at his/her discretion.
3. Once an officer has received approval to participate in the program, he/she is responsible for obtaining three vendor quotes for purchase of the firearm and related equipment. The officer shall provide the Finance Department with the original bids. The Finance Department shall select the lowest bid and shall initiate the payment process by the City.
4. The officer shall sign a *Cooperative Firearms Purchase Agreement* (Attachment A) prior to expenditure of City funds. This form shall be completed and submitted to the Finance

Department along with the approved participation request and the original vendor bids for the firearm purchase.

5. The Finance Department will determine the amount of the payroll deduction based on the purchase price of the firearm and equipment. The repayment period shall not exceed twenty-four months. In addition, the officer shall pay a six percent (6%) annual interest charge on the outstanding balance.
6. The City will retain ownership of the firearm and related equipment, and a payroll deduction will be credited against the outstanding balance, until the purchase price and interest have been paid in full. At that time the ownership of the firearm and equipment shall be transferred to the officer.
7. The officer may pay any outstanding balance (principal and interest) in full at any time in the form of a personal check or through the payroll deduction process prior to the contract agreement deadline without incurring a personal penalty. The outstanding balance for such final payment shall be determined by the Finance Department.
8. An officer who has fully paid off a firearm may enter into a new agreement for a new weapon and related equipment purchase, provided that such acquisition meets all of the requirements of the firearms purchase policy and this program.

**CONDITIONS**

1. Participating officers may not sell, loan, assign, or transfer their rights to or physical possession of the weapon and the equipment during the term of the agreement, nor while they are employed by the City of Mill Creek Police Department.
2. Participating officers are solely responsible for the care, servicing and maintenance of the firearm and all related equipment, plus the cost of repairs, unless otherwise determined by the range master or Police Chief to be a Departmental expense.
3. Participating officers who sign the *Cooperative Firearms Purchase Agreement* shall respect the terms of the contract agreement with the City.
4. A participating officer who terminates employment with the City prior to the completion of payment of the balance owing shall authorize the City to deduct from his/her final paycheck all outstanding balances that they may owe from such agreement. In the event his/her final paycheck has insufficient funds to cover any outstanding balance, the officer further agrees to

have this outstanding balance withheld from his/her MEBT account balance. Furthermore, in the event that the officer fails to comply with the agreement and does not pay any outstanding balance, then he/she shall forfeit any monies which he/she has paid to the City to such date and the officer shall promptly relinquish the firearm to the range master or Police Chief. The weapon and equipment shall then become the property of the City.

5. When the participating officer has fully paid the balance of the agreement to the City, the weapon and equipment shall become the property of the officer. If the participating officer has paid off the balance of the agreement and terminates employment with the City, the officer may retain the weapon and equipment as his/her property.
6. The City shall not be held accountable, nor shall it be responsible for, any liability arising from misuse or mistreatment of the firearm during employment with the City, nor for any use, misuse or mistreatment following termination of the officer's employment.
7. If at any time the range master, Police Chief or City determines in their sole discretion that this program no longer provides tangible benefits to the City and/or the officer(s), then the program may be discontinued by the City. To participate in this program and the agreement, the officer(s) must consent to all terms and conditions set forth in the administrative procedures for the *Cooperative Firearms Purchase Agreement*.

(Attachment A)

**COOPERATIVE FIREARMS PURCHASE AGREEMENT**

I, \_\_\_\_\_, desire to enter into a contract between the City of Mill Creek and myself for the purpose of acquiring a firearm and related equipment. This firearm shall be used as my on duty, off duty and backup weapon while employed with the City of Mill Creek. I understand that I may enter into this agreement only once in a twenty-four month period, unless approved by the Chief of Police in accordance with applicable policies and procedures.

This contract agreement allows me to purchase a rifle or handgun and related equipment through a payroll deduction from the City of Mill Creek over a period not to exceed twenty-four months. I agree to pay six percent (6%) annual interest on any outstanding balance. I agree to pay for this firearm in \_\_\_\_\_ equal semi-monthly payments of \$ \_\_\_\_\_ per payday. These installments shall commence on \_\_\_\_\_, and are to be paid in full no later than \_\_\_\_\_. I understand that I may choose to pay any outstanding balance (principal and interest) at any time prior to the contract agreement deadline without incurring a personal penalty. This outstanding balance will be determined by the Finance Department.

I agree that the City shall retain ownership of the firearm and equipment until it has been paid in full at which time the ownership of the firearm and equipment shall be transferred to me. In the event of the termination of my employment before full payment if made, I authorize and direct my employer to deduct from my final paycheck all outstanding balances that I may have from this transaction. In the event that my final paycheck is insufficient to cover all outstanding balances, I further agree to have all outstanding balances for the firearm and equipment be withheld from my MEBT account balance which I may choose to receive at the time of my termination from the City.

If in the event I fail to comply with this contract agreement, the policy and/or the program authorizing this contract agreement, and/or if I do not pay any outstanding balance when owed, I will forfeit any monies that I have paid to the City, and the firearm and equipment shall be promptly relinquished to the range master or Police Chief, and shall remain thereafter property of the City of Mill Creek.

If I have paid in full the balance of the contract agreement, or my employment with the City terminates and I have paid in full the balance of the contract agreement, then the firearm and equipment shall become my sole property.

The City shall not be held accountable, nor shall it be responsible for, any liability arising from misuse or mistreatment of the firearm during employment with the City, nor for any use, misuse or mistreatment following termination of my employment with the City.



**ADMINISTRATIVE PROCEDURE - Policy Reference No. CCP 04-01** Page 5 of 5

In order to participate in this contract agreement, I acknowledge that I have read, understand and agree to all the terms and conditions set forth above, including the conditions described in the Procedure for Police Officer Firearms Purchase Program.

I am purchasing the following described firearm and related equipment:

Make _____	Make _____
Model _____	Model _____
Serial # _____	Serial # _____
Vendor _____	Vendor _____

Brief explanation of how this firearm purchase conforms with the purpose of the program:

\_\_\_\_\_  
\_\_\_\_\_

I have read and understand this contract agreement. By signing below I agree to its terms and conditions.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Department Director

\_\_\_\_\_  
Date

\_\_\_\_\_  
Payroll/Finance Department

\_\_\_\_\_  
Date

GAEXECUTIVEWPPOLICY\2004 Gun\_Rifle Purch Draft Policy -CA Version Final.



Date: March 27, 2018

A/P Check Batches		
Dated	Check Numbers	Amount
03/15/2018	58310-58380	\$153,662.62
03/15/2018	ACH-Union 76 Fleet-Feb	\$4,535.22
<b>Total</b>		<b>\$158,197.84</b>

Voided Checks	
Numbers	Explanation

CLAIMS APPROVAL

We, the undersigned Finance/Audit Committee of the City of Mill Creek, recommend approval of check numbers 58310 through 58380, and ACH in the amount of \$158,197.84.

We recommend approval of the above stated amount with the following exceptions:

\_\_\_\_\_  
Councilmember

\_\_\_\_\_  
Councilmember

\_\_\_\_\_  
Finance Director

\_\_\_\_\_  
Rebecca C. Polizzot  
City Manager

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RptBatchSumViewForm

Page 1 of 1

ACH Cash Pro Online  
City of Mill Creek

Report Date: 03/14/2018  
Report Time: 12:41:00 PM

**Batch Summary Report by ID Number**

Company Name: City of Mill 01      Effective Date: 03/15/2018  
 ACH ID: 2911225895      Batch Sequence: 1  
 Application Name: CCD Payments and Collections      Database Name: 76  
 Batch Status: Entered      Created By: SANKOTTKE  
 Released By:

Name	ID	Amount	D/C	Bank ID	Account #	Acct Type	Trace #
76 FLEET WEX BANK	0201-00-1059153	\$4,535.22	C	071000288	4539508	C	

Total Amount in Batch

Total Count in Batch

Debits	\$0.00	0
Credits	\$4,535.22	1
Prenotes	\$0.00	0

Grand Total Amount

Grand Total Count

Debits	\$0.00	0
Credits	\$4,535.22	1
Prenotes	\$0.00	0

**Accounts Payable**

Checks by Date - Detail by Check Date

User: Jodieg  
 Printed: 3/22/2018 10:11 AM



Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
58310	911SUPPL IN-11630	911 Supply Inc Heavy Duty Hard Knuckle Glove-J Mack	03/15/2018		55.19
				Total for Check Number 58310:	0.00 55.19
58311	ADPLLC 509862647 510533365	ADP, LLC Payroll Processing Chgs-Workforce Now 02/15 Payroll Processing Chgs-Workforce Now 02/28	03/15/2018		518.80 518.80
				Total for Check Number 58311:	0.00 1,037.60
58312	AFSCME February	WSCCCE, AFSCME, AFL-CIO Union Dues-AFSCME-Feb	03/15/2018		1,177.03
				Total for Check Number 58312:	0.00 1,177.03
58313	ALEXPRCO 52993	Alexander Printing Company Inc Business Cards-Ringstad, Karns, Amrine, Hortill	03/15/2018		285.66
				Total for Check Number 58313:	0.00 285.66
58314	ALPINPRO TM-174070	Alpine Products, Inc. Median Center Lane Road Markers	03/15/2018		131.81
				Total for Check Number 58314:	0.00 131.81
58315	AMTESTIN 103414	Am Test, Inc 5-Fecal Coliform Analysis	03/15/2018		125.00
				Total for Check Number 58315:	0.00 125.00
58316	BANKCR16 1 2 3 4 5	Bank of America MC Rotary Mtg 02/07-T Rogers ICC Conference-R Karns MC Rotary Mtg 02/14-T Rogers MC Rotary Mtg 02/21-T Rogers MC Rotary Mtg 02/28-T Rogers	03/15/2018		17.00 355.00 17.00 17.00 17.00
				Total for Check Number 58316:	0.00 423.00
58317	BANKCR23 1 2 3 4	Business Card Working Lunch 01/21-G Elwin, S Eastman Refreshments-Map Your Neighborhood Comm E Refreshments-Map Your Neighborhood Comm E Refreshments-Map Your Neighborhood Comm E	03/15/2018		38.03 32.18 37.43 6.00
				Total for Check Number 58317:	0.00 113.64
58318	BANKCR24 1 2	Business Card Lodging-Budget Analyst Training 02/05-02/09-I Refreshments-All Employee Mtg 03/01	03/15/2018		809.88 22.34



# AGENDA ITEM #E.

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
			Total for Check Number 58318:	0.00	832.22
58319	BANKCR25	Business Card	03/15/2018		
	1	Airfare Booking Fee 3CMA Conf 09/04-09/07-J			2.66
	2	3CMA Annual Conference-J Kirk			605.00
	3	Airfare 3CMA Conf 09/04-J Kirk			168.30
	4	Airfare 3CMA Conf 09/07-J Kirk			155.00
	5	Planning Luncheon 02/15-J Kirk, B Davern			42.84
	6	Survey-Youth Basketball League Evaluations			35.00
	7	Dinner-YAB Recognition Event/Spring Kick-Off			70.59
			Total for Check Number 58319:	0.00	1,079.39
58320	BANKCR27	Business Card	03/15/2018		
	1	IAPE-Video Training-J Lee			375.00
	1A	IAPE-Video Training-S Eastman			350.00
	2	Good To Go WSDOT Monthly Fee-S Eastman			30.00
			Total for Check Number 58320:	0.00	755.00
58321	BENEAD 1802515	Benefit Administration Co, LLC Section 125 Flexible Benefits Plan-Feb	03/15/2018		126.60
			Total for Check Number 58321:	0.00	126.60
58322	BRAUNB 2018-0302	Beth Braun Consulting Services 02/19-03/02	03/15/2018		1,920.00
			Total for Check Number 58322:	0.00	1,920.00
58323	CAVANAUG 031118-1	Michael E. Cavanaugh MCPOG Arbitration Cancellation Fee	03/15/2018		550.00
			Total for Check Number 58323:	0.00	550.00
58324	CH20INC 265760 265762	CH20, Inc HVAC Cooling Loop HVAC Cooling Loop	03/15/2018		183.46 679.69
			Total for Check Number 58324:	0.00	863.15
58325	CIEDMOND RGG-180025	City of Edmonds Domestic Violence Coordinator - Jan-Mar	03/15/2018		2,817.72
			Total for Check Number 58325:	0.00	2,817.72
58326	CINTAS 460326746 460326746a	Cintas Corporation Loc. #460 Floor Mat Service 04/10 Floor Mat Service 04/10	03/15/2018		84.97 49.55
			Total for Check Number 58326:	0.00	134.52
58327	CITYEVE 118001242	City of Everett Share of Training Costs-Interlocal Agreement 20	03/15/2018		800.00
			Total for Check Number 58327:	0.00	800.00
58328	COMCAST 0724345	Comcast Internet for ITS 03/14-04/13	03/15/2018		106.40
			Total for Check Number 58328:	0.00	106.40

# AGENDA ITEM #E.

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
58329	ELLITIRE 064462000639 064462000671 064462001174 080771	PepBoys-Remittance Dept LOF - Car #32 4 Tires/Wheel Alignment - Car #44 Engine Diagnostic, Replace Spark Plugs-Car #41 Replace Lower Ball Joints/Alignment/Transfers	03/15/2018		40.08 835.95 356.68 1,058.60
Total for Check Number 58329:				0.00	2,291.31
58330	EVERGRML MC012 2018 MC013 2018 MC014 2018 MC015 2018 MC016 2018 MC017 2018 MC018 2018 MC019 2018 MC020 2018 MC021 2018 MC022 2018	Evergreen Maintenance Landscaping, LLC Landscape Maintenance-Feb-Hillside Park Landscape Maintenance-Feb-North Creek Sports Landscape Maintenance-Feb-Library Park Landscape Maintenance-Feb-Public Library Landscape Maintenance-Feb-Highlands Park Landscape Maintenance-Feb-Pine Meadow Park Landscape Maintenance-Feb-CHN Landscape Maintenance-Feb-CHS Landscape Maintenance-Feb-Buffalo Park Landscape Maintenance-Feb-Nickel Creek Park Landscape Maintenance-Feb-Heron Park	03/15/2018		220.80 110.40 110.40 220.80 110.40 220.80 165.60 220.80 220.80 110.40 110.40
Total for Check Number 58330:				0.00	1,821.60
58331	FELDMAJ February 2018	Feldman & Lee, P.S. Public Defender Contract Flat Fee-Feb	03/15/2018		9,000.00
Total for Check Number 58331:				0.00	9,000.00
58332	FOUTCHB Reimb	Bart Foutch Supplies-PD Badge/Photos/Core Values Display	03/15/2018		158.46
Total for Check Number 58332:				0.00	158.46
58333	GFOA 0162001	Government Finance Officers Association GFOA Annual Membership-R Polizzotto	03/15/2018		190.00
Total for Check Number 58333:				0.00	190.00
58334	GRYOSBRN 17559.01-1 17559.01-1a 18410.00-2	Gray & Osborne Inc 2017-1380 WO1-Division 1 Boiler Plate 2017-1380 WO1-Division 1 Boiler Plate 35th Ave Recon-Constructability & Bidability R	03/15/2018		1,261.26 1,260.00 9,389.24
Total for Check Number 58334:				0.00	11,910.50
58335	GTENORTH 0326-110804-5 6974-081899-5	Frontier Alarm System Line Chgs-Cook House CC Line/Security System	03/15/2018		52.27 167.32
Total for Check Number 58335:				0.00	219.59
58336	IACP-MEM 1001300133	IACP-Membership IACP Membership Dues-S Conner	03/15/2018		75.00
Total for Check Number 58336:				0.00	75.00
58337	INTEGRA 15202411	Allstream T-1 Monthly Chgs-Mar	03/15/2018		675.54
Total for Check Number 58337:				0.00	675.54
58338	JOHNCLNR	John's Cleaning Services Inc	03/15/2018		

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
	2598	Uniform Dry Cleaning-Feb			30.01
			Total for Check Number 58338:	0.00	30.01
58339	KPFFCON 180178 186749	KPFF Consulting Engineers Bridge Load Ratings 12/01-12/29 Prof Serv 35th Ave Recon 01/01-01/26	03/15/2018		11,708.91 6,605.47
			Total for Check Number 58339:	0.00	18,314.38
58340	LESSCHW 39500374298	Les Schwab New Battery-Staff Car #2	03/15/2018		150.27
			Total for Check Number 58340:	0.00	150.27
58341	LEXNEXIS 3091356382	RELX Inc LexisNexis Monthly Chgs 02/01-02/28	03/15/2018		186.09
			Total for Check Number 58341:	0.00	186.09
58342	MCL&EARC 0225406-IN	Sirennet.com 4-Halogen Bulb-PW #9 & #10	03/15/2018		94.73
			Total for Check Number 58342:	0.00	94.73
58343	MCMAG 4301	Mill Creek Living Magazine 20,000 Copies - 2018 Spring Rec Guide	03/15/2018		7,425.00
			Total for Check Number 58343:	0.00	7,425.00
58344	NWIMT 2018-4	NW WA Incident Management Team 2018 Annual Assessment	03/15/2018		998.00
			Total for Check Number 58344:	0.00	998.00
58345	OREILLY 2986-148288 2986-148493 2986-149571 2986-149572 2986-150295	O'Reilly Automotive Inc Differential Fluid Change-PW #1 & #5 Oil & Filters-Small Equip-Oil Change Edger Belt Edger Belt Returned & Repurchased-Edger Belt	03/15/2018		7.72 47.97 6.12 5.30 -0.17
			Total for Check Number 58345:	0.00	66.94
58346	PACAIR 10017	Pacific Air Control, Inc. HVAC Repairs-CHN	03/15/2018		1,353.22
			Total for Check Number 58346:	0.00	1,353.22
58347	PAKOR 8028452	Pakor Inc 2 Cs Media-Passport Film	03/15/2018		625.76
			Total for Check Number 58347:	0.00	625.76
58348	PAWSAFT 6741 6744	Paws A foot Dog Obed-Basic Training (Winter 1-6pm) 01/22. Dog Obed-Basic Training (Winter 1) 01/22-03/0.	03/15/2018		231.00 462.00
			Total for Check Number 58348:	0.00	693.00
58349	PHILPUB 412	Philips Publishing Passport Ad-Lynnwood Parks & Rec	03/15/2018		340.00

# AGENDA ITEM #E.

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
			Total for Check Number 58349:	0.00	340.00
58350	PITNEYB 3305560923 3305560923a	Pitney Bowes Global Financial Services Lease Postage Machine, Meter & Scale 12/30-03 Credit-Lease Postage Machine, Meter & Scale 1:	03/15/2018		465.73 -107.95
			Total for Check Number 58350:	0.00	357.78
58351	PKELLYS MEBT	Sean Kelly Refund MEBT Aug-Nov Paychecks	03/15/2018		153.00
			Total for Check Number 58351:	0.00	153.00
58352	PLATT P734882 P734882a	Platt Electric Supply, Inc Street Lights/Lights Street Lights/Lights	03/15/2018		768.26 187.19
			Total for Check Number 58352:	0.00	955.45
58353	RAMERJ 2018-01	Jon Ramer Consulting Services-Memorial Day Parade	03/15/2018		2,000.00
			Total for Check Number 58353:	0.00	2,000.00
58354	SDISTCRT February 2018 February 2018a	South District Court Filing Fees-SD Court-Feb Interpreter Costs-Feb	03/15/2018		5,100.78 413.10
			Total for Check Number 58354:	0.00	5,513.88
58355	SHORTCR 494724 494725 494727 494728 494729 494730 494731	Short Cressman & Burgess PLLC Prof Legal Services-Council-Feb Prof Legal Services-CED-Feb Prof Legal Services-Exec-HR-Feb Prof Legal Services-Breach of Website Contract- Prof Legal Services-Exec-PRA-Feb Prof Legal Services-Fire Contract-Feb Prof Legal Services-Council-Feb	03/15/2018		2,481.56 527.00 310.00 352.00 3,910.72 1,798.00 104.00
			Total for Check Number 58355:	0.00	9,483.28
58356	SHURKLEN 398 398a	Kramer Enterprises, LLC Vehicle Washes - Oct 2017-Jan 2018 Vehicle Washes - Oct 2017-Jan 2018	03/15/2018		569.50 49.95
			Total for Check Number 58356:	0.00	619.45
58357	SILVERL 14112-27585 14737-19068 17679-27345 17684-27596 24079-27593 32140-27632 32141-27633 35995-27914 35996-27914 35997-27914 35998-27914 35999-27914 36000-27914	Silverlake Water District 132nd & SR 527 Irrig 02/01-02/28 Silver Crest Park 02/01-02/28 15429 1/2 Bothell Everett Hwy 02/01-02/28 15429 Bothell Way-Irrig 02/01-02/28 Hillside Irrig 02/01-02/28 13903 N Creek Dr-Irrig 02/01-02/28 13903 N Creek Dr 02/01-02/28 SR 527-Irrig 02/01-02/28 14600 SR 527-Irrig 02/01-02/28 13800 N SR 527-Irrig 02/01-02/28 1600 SR 527-Irrig 02/01-02/28 15200 SR 527-Irrig 02/01-02/28 15100 N SR 527-Irrig 02/01-02/28	03/15/2018		7.60 7.60 7.60 7.60 7.60 7.60 69.65 7.60 7.60 7.60 7.60 7.60 7.60



# AGENDA ITEM #E.

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
	36016-27914	SR 527 & Trillium Blvd-Irrig 02/01-02/28			7.60
	36025-27914	14600 SR 527-Irrig 02/01-02/28			7.60
	36026-27914	SR 527 & Dumas Rd-Irrig 02/01-02/28			7.60
	36365-27593	Dumas Rd Irrigation 02/01-02/28			22.30
	37034-30017	14721 12th Ave SE-Irrig 02/01-02/28			7.60
	37680-27914	0 33rd Dr & Northpointe Circle-Irrig 02/01-02/2			7.60
	40191-27914	13315 45th Ave SE-Restroom 02/01-02/28			63.50
			Total for Check Number 58357:	0.00	284.65
58358	SMARSH INV00337444 INV00337444a	Smarsh Inc Text Archiving Platform-Verizon Monthly 02/01- Use Tax, Text Archiving Platform-Verizon Montl	03/15/2018		240.60 -7.80
			Total for Check Number 58358:	0.00	232.80
58359	SNDPUBIN EDH799541	Sound Publishing Inc City Notice: Binding Site Plan-Commercial Day	03/15/2018		55.04
			Total for Check Number 58359:	0.00	55.04
58360	SNOCODEN 1000465336	Sno Co Department of Emergency Manage 2018 Emergency Services-1st Qtr	03/15/2018		6,089.30
			Total for Check Number 58360:	0.00	6,089.30
58361	SNOCOM 207	Snohomish County 911 Dispatch Services-Mar	03/15/2018		30,014.58
			Total for Check Number 58361:	0.00	30,014.58
58362	SNOCPW 1000465418	Snohomish County Public Works RR6138-Overlay Program-Jan	03/15/2018		203.82
			Total for Check Number 58362:	0.00	203.82
58363	SNOCPUD 2007-4359-9 2013-6774-5 2016-6351-5 2016-6928-0 2017-8113-5 2018-9805-3 2025-2921-0 2025-7077-6 2026-2439-1 2027-6793-5 2029-0994-1 2029-2633-3 2029-5905-2 2030-2812-1 2032-5163-2 2047-1752-4 2047-1753-2 2047-1754-0 2050-8723-2 2054-9532-8 2203-1739-0 2206-1241-0 2207-6351-0 2212-9311-1	PUD No. 1 of Snohomish County Street Lights-190 Lights-200W 02/01-02/28 902 164th St SE 02/06-03/07 14600 16th Ave SE 02/02-03/06 16110 1/2 29th Dr SE 01/26-02/27 2701 155TH St SE 01/30-02/28 1700 Mill Creek Rd 01/24-02/23 Street Lights-386 Lights-100W 02/01-02/28 Street Lights-87 Lights-250W 02/01-02/28 Street Lights-841 Lights-100W 02/01-02/28 Street Lights-21 Lights-400W 02/01-02/28 Street Lights-6 Lights-150W 02/01-02/28 Hillside Park 01/27-02/27 4842 SAC 02/08-03/08 4560 SAC 02/06-03/07 15510 Village Green Dr 01/30-02/28 Street Lights-8 Lights-200 W 02/01-02/28 Street Lights-38 Lights-250 W 02/01-02/28 Street Lights-39 Lights-400W 02/01-02/28 Street Lights-17 Lights-100W 02/01-02/28 Street Lights-49 Lights-20 W 02/01-02/28 Street Lights-1 Light-240 W 02/01-02/28 15601 22nd Ct SE 01/31-02/28 13332 44th Ave SE 02/06-03/06 Street Lights-1 Light-160 W 02/01-02/28	03/15/2018		1,746.10 34.06 19.35 57.86 125.91 120.31 1,389.60 942.21 6,021.56 312.90 28.98 17.28 71.03 58.02 16.20 47.68 285.38 441.48 52.87 17.15 7.94 21.13 67.50 5.18

# AGENDA ITEM #E.

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
			Total for Check Number 58363:	0.00	11,907.68
58364	STARDMSV 011753-IN 011753-INa	Stardom Services Inc Janitorial Services-Feb-CHN Janitorial Services-Feb-CHS	03/15/2018		1,184.13 995.00
			Total for Check Number 58364:	0.00	2,179.13
58365	STERICYC 3004180082	Stericycle Inc Biomedical Waste Services-Monthly Fee	03/15/2018		10.36
			Total for Check Number 58365:	0.00	10.36
58366	STRATINS 18Plan-It-060	Strategic Insights Inc License Renewal-Plan-It CIP Planning Software	03/15/2018		1,545.60
			Total for Check Number 58366:	0.00	1,545.60
58367	TLOLLC 839489	TransUnion Risk and Alternative Background/Identity Investigations-Feb	03/15/2018		27.61
			Total for Check Number 58367:	0.00	27.61
58368	TRANSUN 02810627	Trans Union LLC Basic Service Monthly Fee-Credit Checks 01/26	03/15/2018		44.16
			Total for Check Number 58368:	0.00	44.16
58369	UNWAYSNC 03/09/18	United Way of Snohomish County United Way EE for March 2018	03/15/2018		322.00
			Total for Check Number 58369:	0.00	322.00
58370	USBANK XXXXXXXX139	US Bank NA - Custody Investment Custody Charges 02/01-02/28	03/15/2018		36.00
			Total for Check Number 58370:	0.00	36.00
58371	USIC 270783 270783a 274458 274458a	USIC Locating Services, LLC 142 NC Locates/137 Ticket Locates 142 NC Locates/137 Ticket Locates 119 NC Locates/116 Ticket Locates 119 NC Locates/116 Ticket Locates	03/15/2018		1,617.97 1,617.97 1,369.96 1,369.96
			Total for Check Number 58371:	0.00	5,975.86
58372	UULC 8020166 8020166a	Utilities Underground Location Center On Call Location Service-112 Locates On Call Location Service-112 Locates	03/15/2018		72.24 72.24
			Total for Check Number 58372:	0.00	144.48
58373	VERIZON 471024319-00001	Verizon Wireless Access & Usage Chgs 01/21-02/20 - City Cell P1	03/15/2018		2,074.41
			Total for Check Number 58373:	0.00	2,074.41
58374	WALTNELS 638268 639243	Walter E. Nelson Co. Credit, 3-Wiper Brawny 8-Bath Tissue Roll	03/15/2018		-75.92 530.45

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
			Total for Check Number 58374:	0.00	454.53
58375	WASTPAT 118005956	Washington State Patrol Background Checks-Feb	03/15/2018		96.00
			Total for Check Number 58375:	0.00	96.00
58376	WAVEDIV 04684279	WaveDivision Holdings, LLC Fiber Lease-15728 Main St-To 3000 Rockefeller	03/15/2018		657.78
			Total for Check Number 58376:	0.00	657.78
58377	WRIGHTJ Reimb	Jere Wright 2-Dewalt Replacement Spanner Wrench	03/15/2018		13.09
			Total for Check Number 58377:	0.00	13.09
58378	WSDA License Test Fee	WA ST Dept of Agriculture Pesticide License Fee-M Combs Pesticide License-Testing Fee-M Combs	03/15/2018		33.00 25.00
			Total for Check Number 58378:	0.00	58.00
58379	WSUVET 183493	WSU Veterinary Teaching Hospital Balance Owing-Rasko-Surgery	03/15/2018		609.81
			Total for Check Number 58379:	0.00	609.81
58380	ZOHO 2186706	ZOHO Corporation Annual Subscription Fee-ManageEngine ADAuc	03/15/2018		1,589.76
			Total for Check Number 58380:	0.00	1,589.76
			Total for 3/15/2018:	0.00	153,662.62
			Report Total (71 checks):	0.00	153,662.62



Date: March 27, 2018

Payroll Check Batches		
Dated	Check Numbers	Amount
03/09/2018	ACH Automatic Deposit Checks	\$179,361.39
03/09/2018	ACH Wire- FWT & Medicare Taxes	\$32,985.78
03/08/2018	ACH Wire MEBT- Wilmington Trust	\$27,221.34
03/08/2018	ACH Wire- ICMA RC- Def. Comp	\$1,076.51
03/08/2018	ACH Wire- BAC- Flex Spending Acct	\$1,012.05
03/08/2018	ACH Wire- MCPD Guild Dues	\$2,140.00
<b>Total</b>		<b>\$243,797.07</b>

Voided Checks	
Numbers	Explanation

CLAIMS APPROVAL

We, the undersigned Finance/Audit Committee of the City of Mill Creek, recommend approval of the ACH Automatic Deposit checks and ACH Wire Transfers in the amount of \$243,797.07.

We recommend approval of the above stated amount with the following exceptions:

\_\_\_\_\_

\_\_\_\_\_

Councilmember

\_\_\_\_\_

Councilmember

\_\_\_\_\_

Finance Director

\_\_\_\_\_

City Manager

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Statistical Summary

**Statistical Summary**

Company:A0W - City Of Mill Creek Service Center:0076 Pacific North West Status:Cycle Complete  
 Week#:10 Pay Date:03/09/2018 P/E Date:02/28/2018  
 Qtr/Year:1/2018 Run Time/Date:18:44:07 PM EST 03/07/2018

<b>Taxes Debited</b>	Federal Income Tax	25,667.18	
	Earned Income Credit Advances	0.00	
	Social Security - EE	0.00	
	Social Security - ER	0.00	
	Social Security Adj - EE	0.00	
	Medicare - EE	3,659.36	
	Medicare - ER	3,659.24	
	Medicare Adj - EE	0.00	
	Medicare Surtax - EE	0.00	
	Medicare Surtax Adj - EE	0.00	
	COBRA Premium Assistance Payments	0.00	
	Federal Unemployment Tax	0.00	
	State Income Tax	0.00	
	Non Resident State Income Tax	0.00	
	State Unemployment Insurance - EE	0.00	
	State Unemployment Insurance Adj - EE	0.00	
	State Disability Insurance - EE	0.00	
	State Disability Insurance Adj - EE	0.00	
	State Unemployment/Disability Ins - ER	0.00	
	Workers' Benefit Fund Assessment - EE	0.00	
	Workers' Benefit Fund Assessment - ER	0.00	
	Local Income Tax	0.00	
	School District Tax	0.00	
	<b>Total Taxes Debited</b>	<b>32,985.78</b>	
<b>Other Transfers</b>	Full Service Direct Deposit Acct. No.000060104700Tran/ABA125000024	179,361.39	
	<b>Total Amount Debited From Your Account</b>		<b>212,347.17</b>
<b>Bank Debits &amp; Other Liability</b>	Checks	0.00	<b>212,347.17</b>
	Adjustments/Prepay/Voids	0.00	<b>212,347.17</b>
<b>Taxes- Your Responsibility</b>	None this payroll		<b>212,347.17</b>
			<b>Total Liability</b>
			<b>212,347.17</b>

**Payment Approval Confirmation**



**Company:** City of Mill Creek  
**Requester:** Kottke, Sandy  
**Run Date:** 03/08/2018 6:41:16 PM CST

**Domestic High Value (Wire)**  
**Payment Category:** Urgent/Wire

**Status:** Processing by Bank  
**Transaction Number:** 1838I3734AWO0E55

**Template Name:** MATRIX/MEBT  
**Template Code:** WILTRUST

**Debit Account Information**

**Debit Bank:** ██████████  
**Debit Account:** ██████████  
**Debit Account Name:** Treas Checking  
**Debit Currency:** USD

**Beneficiary Details**

**Beneficiary Name:** MATRIX TRUST COMPANY  
**Beneficiary Address:** NA  
**Beneficiary City:** NA  
**Beneficiary Postal Code:** NA  
**Beneficiary Country:** US - United States of America

**Beneficiary Account:** ██████████  
**Beneficiary Bank ID:** ██████████  
JPMORGAN CHASE BANK, NA  
1111 POLARIS PKWY  
COLUMBUS  
US - United States of America  
**Beneficiary Email:**  
**Beneficiary Mobile Number:**

**Payment Details**

**Credit Currency:** USD  
**Credit Amount:** 27,221.34

**Value Date:** 03/09/2018

**Optional Information**

**Sender's Reference Number:** CITY MILL CREEK

**Beneficiary Information:** City of Mill Creek n3177e

**Additional Routing**

**Intermediary Bank ID:**

**Receiver Information:**

**Control Information**

**Input:** sankottke  
**Approved:** sankottke

**Input Time:** 03/08/2018 6:37:45 PM CST  
**Time:** 03/08/2018 6:41:03 PM CST

**Payment Approval Confirmation**



**Company:** City of Mill Creek  
**Requester:** Kottke, Sandy  
**Run Date:** 03/08/2018 6:41:16 PM CST

**Domestic High Value (Wire)**  
**Payment Category:**Urgent/Wire

**Status:** Processing by Bank  
**Transaction Number:** 1838I3325F3M1Y87

**Template Name:** ICMA 457 Plan  
**Template Code:** ICMA

**Debit Account Information**

**Debit Bank:** ██████████  
**Debit Account:** ██████████  
**Debit Account Name:** Treas Checking  
**Debit Currency:** USD

**Beneficiary Details**

**Beneficiary Name:** ICMA RC  
**Beneficiary Address:** P.O. Box 64553  
**Beneficiary City:** Baltimore  
**Beneficiary Postal Code:** 21264-4553  
**Beneficiary Country:** US - United States of America

**Beneficiary Account:** ██████████  
**Beneficiary Bank ID:** ██████████  
MANUFACTURERS AND TRADERS TR C  
ONE M AND T PLAZA, 15TH FL  
BUFFALO  
US - United States of America  
**Beneficiary Email:**  
**Beneficiary Mobile Number:**

**Payment Details**

**Credit Currency:** USD  
**Credit Amount:** 1,076.51

**Value Date:** 03/09/2018

**Optional Information**

**Sender's Reference Number:** 302029

**Beneficiary Information:** City of Mill Creek 302029

**Additional Routing**

**Intermediary Bank ID:**

**Receiver Information:**

**Control Information**

**Input:** sankottke  
**Approved:** sankottke

**Input Time:** 03/08/2018 6:33:32 PM CST  
**Time:** 03/08/2018 6:41:03 PM CST

RptBatchSumViewForm

Page 1 of 1

**ACH Cash Pro Online**  
**City of Mill Creek**

**Report Date: 03/08/2018**  
**Report Time: 06:30:13 PM**

**Batch Summary Report by ID Number**

<b>Company Name:</b>	<b>City of Mill 01</b>	<b>Effective Date:</b>	<b>03/09/2018</b>
<b>ACH ID:</b>	<b>2911225895</b>	<b>Batch Sequence:</b>	<b>1</b>
<b>Application Name:</b>	<b>CCD Payments and Collections</b>	<b>Database Name:</b>	<b>BAC</b>
<b>Batch Status:</b>	<b>Released</b>	<b>Created By:</b>	<b>SANKOTTKE</b>
<b>Released By:</b>	<b>SANKOTTKE</b>		

<u>Name</u>	<u>ID</u>	<u>Amount</u>	<u>D/C</u>	<u>Bank ID</u>	<u>Account #</u>	<u>Acct Type</u>	<u>Trace #</u>
BAC	BENEFIT ADMIN C	\$1,012.05	C	<del>1051225895</del>	<del>01225895</del>	C	

Total Amount in Batch

Total Count in Batch

Debits	\$0.00	0
Credits	\$1,012.05	1
Prenotes	\$0.00	0

Grand Total Amount

Grand Total Count

Debits	\$0.00	0
Credits	\$1,012.05	1
Prenotes	\$0.00	0



**Payment Approval Confirmation**

**Company:** City of Mill Creek  
**Requester:** Kottke, Sandy  
**Run Date:** 03/08/2018 6:41:16 PM CST



**Domestic High Value (Wire)**  
**Payment Category:** Urgent/Wire

**Status:** Processing by Bank  
**Transaction Number:** 1838I3200ATO0188

**Template Name:** GUILD DUES  
**Template Code:** GUILD

**Debit Account Information**

**Debit Bank:** ██████████  
**Debit Account:** ██████████  
**Debit Account Name:** Treas Checking  
**Debit Currency:** USD

**Beneficiary Details**

**Beneficiary Name:** Mill Creek Police Officer Guild  
**Beneficiary Address:** PO Box 13261  
**Beneficiary City:** Mill Creek  
**Beneficiary Postal Code:** 98082  
**Beneficiary Country:** US - United States of America

**Beneficiary Account:** ██████████  
**Beneficiary Bank ID:** ██████████  
BANK OF AMERICA, NA  
1424 164TH ST SW  
LYNNWOOD  
US - United States of America  
**Beneficiary Email:**  
**Beneficiary Mobile Number:**

**Payment Details**

**Credit Currency:** USD  
**Credit Amount:** 2,140.00

**Value Date:** 03/09/2018

**Optional Information**

**Sender's Reference Number:** Police Guild

**Beneficiary Information:** Police Guild Dues Direct Deposit

**Additional Routing**

**Intermediary Bank ID:**

**Receiver Information:**

**Control Information**

**Input:** sankottke  
**Approved:** sankottke

**Input Time:** 03/08/2018 6:32:20 PM CST  
**Time:** 03/08/2018 6:41:03 PM CST



**MINUTES**

**City Council Regular Meeting**

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**6:00 PM - Tuesday, February 13, 2018**

Council Chambers, 15728 Main Street, Mill Creek, WA 98012

Minutes are the official record of Mill Creek City Council meetings. Minutes document action taken at the council meeting, not what was said at the council meeting.

A recording of this City Council meeting can be found [here](#). Due to technical difficulties, this is only a partial recording.

The agenda packet for this City Council meeting can be found [here](#).

**CALL TO ORDER**

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Mayor Pruitt called the meeting of the Mill Creek City Council to order at 6:00 p.m. and led the Pledge of Allegiance.

**PLEDGE OF ALLEGIANCE**

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**ROLL CALL**

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Councilmembers Present:

*Pam Pruitt, Mayor*  
*Brian Holtzclaw, Mayor Pro Tem*  
*Vince Cavaleri, Councilmember*  
*Mike Todd, Councilmember*  
*Mark Bond, Councilmember*  
*Jared Mead, Councilmember*  
*John Steckler, Councilmember*

Councilmembers Absent:

**AUDIENCE COMMUNICATION**

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- A. Herbie Martin, a Mill Creek resident, stated that he would like to see Black History Month celebrated throughout the City and would like the City to create a diversity committee.

Rick Dewitt, a Mill Creek resident and former Washington State Democratic Party Committee Member, stated that he would like to see gender equality among councilmembers.

Jeff Schumacher, who lives in unincorporated Snohomish County, addressed Council seeking consideration to annex areas west of the City.

**PRESENTATIONS**

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- B. Red Cross Chapter Impact Report

Red Cross Community Outreach Co-chair Dan Limberg briefed Council on his

February 13, 2018 REGULAR COUNCIL MEETING MINUTES

personal history and involvement with Red Cross and gave a high level overview of what the Red Cross does on a national level. Mr. Limberg introduced Chapter Executive Director Chuck Morrison who reviewed the organization's mission of preventing and relieving suffering locally and around the world through their key services. Mr. Morrison stated that the Snohomish County Chapter would like to partner with the City by providing education and training on "hands only" CPR at community events.

## C. Farmers Market Programming

City Manager Rebecca Polizzotto described how the farmers market coincides with the Council's vision for the community and goal of civic engagement that also feeds into the City's tourism strategy.

City Manager Polizzotto introduced Recreation & Tourism Manager Brian Davern who led Council through a PowerPoint presentation that reviewed the history, goals, details, operations and next steps for the farmers market.

## D. Long Term Strategic Planning

City Manager Rebecca Polizzotto led Council through a PowerPoint presentation that detailed a long term strategic planning process that is integrated into the City's business systems and links the Council's goals and objectives. City Manager Polizzotto described the next steps in the process and provided each Councilmember with a [Council Planning Workbook](#) as "homework" to be prepared for the upcoming long term strategic planning study sessions.

## STUDY SESSION

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### E. Audit Recommendations

- Business Expense Policy
- Cash Receipting Procedures

City Manager Rebecca Polizzotto introduced Director of Finance Peggy Lauerman and together they reviewed a proposed Business Expense Policy that aligns with the City's ongoing effort to implement new legal requirements; address audit recommendations; update, modernize and adopt important operational policies and municipal code provisions; and create reliable and efficient internal processes for recurrent actions. Council engaged in discussion. The policy will be brought back for ratification at a later date.

Director of Finance Peggy Lauerman reviewed the 2015 State Auditor's Office (SAO) internal control recommendation with respect to cash receipting procedures and subsequent analysis and recommendation of the staff to decline the recommendation. The staff's recommendation is consistent with best practices in municipal finance administration. The Council did not object to staff's recommendation.

## CONSENT AGENDA

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- F. Approval of Checks #58004 through #58187 and ACH Wire Transfers in the Amount of \$853,884.19  
*(Audit Committee: Councilmember Cavaleri and Mayor Pro Tem Holtzclaw)*

February 13, 2018 REGULAR COUNCIL MEETING MINUTES

- G. Payroll and Benefit ACH Payments in the Amount of \$297,933.94  
*(Audit Committee: Councilmember Cavaleri and Mayor Pro Tem Holtzclaw)*
- H. City Council Meeting Minutes of January 9, 2018

**Councilmember Cavaleri made a motion to approve the consent agenda. Mayor Pro Tem seconded the motion. The motion passed unanimously.**

**REPORTS**

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**I. Mayor/Council**

Mayor Pruitt reported that she has been added to the Study Committee to look at merging SERS and Snohomish County 911. Mayor Pruitt also reported that candidate interviews for the agency's Executive Director are being held on February 14.

Mayor Pro Tem Holtzclaw reported that the Snohomish County Tomorrow Steering Committee recommended against adopting the Countywide Planning Policy (CPP).

Mayor Pro Tem Holtzclaw reported that Mill Creek Little League President Robert Allen will be working with City Manager Rebecca Polizzotto and Recreation and Tourism Manager Brian Davern to apply for the small capital project grant through Snohomish County.

Mayor Pro Tem Holtzclaw reported that Canyon Creek Church is building a new location adjacent to Cougar Park and is interested in working with the City on future park planning.

Councilmember Todd reported that PRSC will be holding a Vision 2050 listening session on February 22.

**J. City Manager**

- [AWC Legislative Summary](#)
- Labor Management Meeting Minutes
- City Connections
- 2018 Community Events Calendar
- Council Planning Schedule

City Manager Polizzotto reported that the legislative tracker created weekly by staff will be replaced by the AWC legislative bulletin, which will be handed out at Council meetings as AWC publishes the bulletins on Mondays.

City Manager Polizzotto reviewed the February labor management meeting minutes and stated that the police guild will begin monthly labor management meetings in March.

City Manager Polizzotto introduced Director of Communications & Marketing Joni Kirk who reported on the City's new quarterly publication, City Connection.

Director of Communications & Marketing Joni Kirk reviewed the 2018 community

February 13, 2018 REGULAR COUNCIL MEETING MINUTES

events calendar that includes 17 City-produced events.

City Manager Polizzotto reviewed the Council Planning Schedule.

**AUDIENCE COMMUNICATION**

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- K.** Barbara Heidel, a Mill Creek resident, stated that she is looking forward to the farmers market, that she enjoyed the first edition of City Connection, and complimented Director of Communications & Marketing Director Joni Kirk for making the Senior Focus Group such a positive experience.

**RECESS TO EXECUTIVE SESSION**

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*(Confidential Session of the Council)*

- L.** The meeting recessed to executive session at 8:25 p.m. for up to 30 minutes.
- Review negotiations on the performance of a publicly bid contract per RCW 42.30.110 (1)(d)

*No action was taken.*

**RECONVENE TO REGULAR SESSION**

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- M.** The meeting reconvened to regular session at 8:55 p.m.

**ADJOURNMENT**

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With no objection, Mayor Pruitt adjourned the meeting at 8:55 p.m.

\_\_\_\_\_  
Pam Pruitt, Mayor

\_\_\_\_\_  
Gina Pfister, Acting City Clerk



To: Planning Advisory Committee members  
From: Clay White, Principal Planner – LDC Inc.  
Date: January 7<sup>th</sup>, 2018  
RE: January 11<sup>th</sup>, 2018 PAC meeting - CPP amendments

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At the November 29<sup>th</sup>, 2017 Snohomish County Tomorrow (SCT) Steering Committee meeting, the Committee was briefed on the proposed amendments to Countywide Planning Policy DP-3 (the “swap policy”), which the Planning Advisory Committee (PAC) previously recommended for adoption. It is anticipated the Steering Committee will make a formal recommendation on that policy at their January 24<sup>th</sup> meeting.

At the November 27<sup>th</sup> meeting, the Steering Committee also discussed an additional proposed new policy “DP-2X”. The PAC discussed DP-2X during their September meeting but did not ultimately make a recommendation other than the changes to DP-3. However, the Steering Committee formally voted on November 27<sup>th</sup> to refer proposed new policy DP-2X to the PAC to provide a recommendation for the Steering Committee’s consideration in conjunction with the changes to DP-3.

As you may remember, policy DP-2X was first drafted with the hope that any comments from the PAC could be inserted for the Steering Committee’s consideration and recommendation. Having discussed this proposed policy with many of you and listened to your comments, I have put together a revised version of policy, which may be helpful during your discussion. The updated version of policy DP-2X is intended to be a stand-alone policy and is now referred to as proposed policy “DP-2A.”

Below in this memo I outline three things:

- Why the new policy DP-2A is important;
- Provide originally drafted language of policy DP-2X as referred by the Steering Committee to PAC; and
- Provide the proposed policy DP-2A language to address comments received from PAC members.

**1) Policy overview – why this is important**

The current CPPs provide no policy options for the County to address real planning issues that arise around Urban Growth Area (UGA) boundaries. This includes issues like either a UGA boundary that does not have an identifiable physical boundary as required by policy DP-1e, or an area currently outside a UGA where planned urban public facility improvements will alter the character of the area so that it would no longer be rural in character.

The real issue is that over the past 25 years the CPP policies have continued to make it more difficult for a UGA boundary to change. While I agree it is generally good to not make it too easy to expand UGA boundaries, the pendulum has swung so far that the county and its cities have no flexibility to address real issues that result from growth and inhibit the county’s ability to actually manage that growth. Further, CPP policies were previously tightened to make the ability to expand/adjust UGA boundaries even more restrictive. This for all intents and purposes “locked in” the current UGA boundaries. However, while the policies were made more restrictive there was no formal process identified to insure current UGA boundaries would work in perpetuity to manage and accommodate projected growth. This has left us with small areas where the current UGA boundaries are simply not working but the county lacks the tools in the CPPs for how to deal with these unique circumstances.

Currently, unless it is determined that the county needs additional population capacity during a Comprehensive Plan update, it is virtually impossible to modify a UGA boundary that adds any population capacity. Under the current Regional Growth Strategy, that may not occur for decades. Further, if there was a small capacity shortfall at some point in the future, any city even attempting to make small UGA adjustments would be competing against other cities trying to do the same thing. Even if it is just to correct a boundary that does not meet other CPP policies. Therefore, without policies that provide options and tools to all cities and the county, there is no option to address even common-sense issues. That is simply not what the GMA intended. Addressing this issue now allows these policies to be in place as the County approaches the next Comprehensive Plan update.

Both the original DP-2X and the revised DP-2A (see both below) were carefully constructed to only allow UGA adjustments where there is a clear issue and problem to solve. The policy, as revised in DP-2A, cannot be used for UGA expansions that are not warranted or specifically focused on resolving a UGA boundary problem. The changes being proposed for the PAC's consideration are based upon conversation with many of you individually and to address your comments and questions.

**2) Policy as referred by the SCT Steering Committee (policy DP-2X)**

**PROPOSED NEW CPP DP-2X:** A minor expansion of the boundary of an individual UGA to include additional residential, commercial, or industrial land capacity, shall be compliant with the Growth Management Act and Countywide Planning Policy DP-1a shall not apply when:

- a. The current boundary of the UGA within the minor expansion area does not meet DP-1e and an identifiable physical boundary is feasible; and
- b. The current boundary of the UGA within the minor expansion area does not have unique topographical and natural features to delineate and define the boundary as described in DP-1e; and
- c. The proposed boundary uses topographic or natural features in order to provide distinct edge between urban and rural land as described in DP-1h; or
- d. The area within the proposed minor UGA expansion area is currently or will be impacted by public facility improvements, such as road improvements, that provide significant access and connectivity between urban areas; and
- e. The proposed public facility improvements will alter the character of the neighborhood so that it is no longer rural in nature.

**3) Proposed policy revisions for the PAC's Consideration to consider (policy DP-2A)**

**PROPOSED NEW CPP DP-2A:** Following consultation with the affected city or cities, the County may approve a minor expansion of the boundary of an individual UGA to include additional residential, commercial, or industrial land capacity, as necessary to address unique circumstances regarding either (i) UGA boundaries that do not comply with adopted policies, or (ii) rural territory affected by public facility improvements. Such an expansion may be permitted where consistent with adopted policies and where the County Council finds that:

a. One of the following conditions exists:

1. The current boundary of the UGA either does not have an identifiable physical boundary consistent with policy DP-1e or does not have unique topographical and natural features to delineate and define the boundary as described in policy DP-1e, and in either situation the proposed minor UGA expansion includes the minimum amount of territory necessary to result in an identifiable physical boundary consistent with policy DP-1e; or

2. (i) The territory within the proposed minor UGA expansion area either currently or in the future will be impacted by current or planned public facility improvements (such as road improvements) that will provide significant access and connectivity between urban areas; and (ii) the proposed public facility improvements will alter the character of the neighborhood so that it is no longer rural in nature; and

b. The proposed minor UGA expansion area is adjacent to territory already characterized by urban growth; and

c. The proposed minor UGA expansion is not opposed by the city or cities whose UGA will be expanded by the minor expansion.

A minor UGA expansion pursuant to this policy need not be either the result of the most recent buildable lands review and evaluation required by RCW 36.70A.215 or supported by a land capacity analysis adopted by the County Council pursuant to RCW 36.70A.110.



**MINUTES**  
AFSCME Labor Management Monthly Meeting

*Thursday, March 1st, 2018, 9:00 a.m.*  
*Executive Conference Room, City Hall South*

**ATTENDANCE**

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AFSCME

Kim Mason-Hatt  
Jodie Gunderson

MANAGEMENT

Rebecca Polizzotto  
Charlie Miller

ABSENT

Matt Miller  
Christi Amrine  
Chris Risen

NOTE TAKER

Charlie Miller

**OLD BUSINESS**

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AFSCME requested an update on point 5 from the last meeting:

5. The City will be updating the job description and doing a compensation analysis for the position currently held by Chris Risen as Property Technician.

The City Manager advised that a permanent decision regarding supervision of records staff had not yet been made and would most likely not be made until later in the year when the budget process was further along. However, the City is reviewing the records technician job descriptions in conjunction with its review and update of the property technician job description. These job descriptions will be reviewed at the next labor/management meeting.

**NEW BUSINESS**

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No agenda items were set prior to the meeting.


1. The Union requested a bulletin board for the City Hall North building. The City Manager approved the bulletin board idea and the Union is planning to measure the wall in an appropriate employee area to see what size bulletin board would be needed.
2. The City Manager proposed the creation of an employee lounge in the City Hall North building as a future project after the Senior Center changes locations. The Union is supportive of this idea and it was decided that Kim, Jodie, and Charlie would take a look at the available space and come up with a recommendation on what to include in this lounge. The City and the Union would like to partner on more projects like this in the future to foster a positive Union/Management relationship.
3. The Union brought up that they appreciated the 'heads-up' notice received for a recent employee discipline issue, and that Matt Miller would be present at that meeting to help coach Kim in her role as a Union Representative in these meetings.

4. The City Manager asked the Union if they found that these monthly meetings were useful, and the Union agreed that they did.
5. The City Manager asked if the Union was aware of any Department Complaints or concerns that she needed to be aware of or that needed to be discussed. The Union said that they were not.

**ADJOURNMENT**

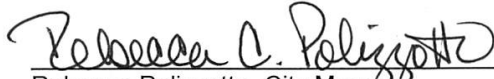
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The meeting adjourned at 10:00 a.m.



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Kim Mason-Hatt, President AFSCME



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Rebecca Polizzotto, City Manager





## **Preliminary 35<sup>th</sup> Ave Reconstruction Communications Plan - Spring 2018**

### **Summary**

35th Avenue SE is a three-lane minor arterial that carries approximately 15,000 vehicles per day. The road was widened by Snohomish County in 2003 by using lightweight fill on top of a large peat deposit, and has been continually settling since annexation by the City in 2005. The City monitors more than 100 points along the roadway on a six-month basis. The rate of settlement has slowed, but portions of the road have settled by over two feet in the past 14 years.

The City is undertaking a reconstruction project to fix the road between 141<sup>st</sup> Street SE and 144<sup>th</sup> Street SE to eliminate flooding and associated road closures. Reconstruction is projected to begin in early spring 2018 and is expected to take eight months.

Work includes driving approximately 500 pin-piles through the peat into good bearing soil, constructing a concrete slab on top of the pilings, and then reconstructing and elevating the roadway on top of lightweight concrete fill. The project will raise the road elevation up to four feet above the existing roadway elevation. The project also includes installing a 24-inch pipe above the existing Penny Creek culverts to increase water conveyance capacity under the road during large rainfall events.

Construction may occur between 7 a.m. and 9 p.m. Monday through Friday, or between 8 a.m. and 9 p.m. on weekends. Equipment is anticipated to run during normal working hours of 7 a.m. to 7 p.m. Monday through Friday for the majority of the project.

The total cost is estimated at approximately \$6.469 million. The State has included a \$5.25 million funding package for this project that became available in 2017. The remaining funding will be provided through the City's Real Estate Excise Tax Fund.

### **Target Audiences**

The target audiences for 35<sup>th</sup> Avenue Reconstruction project communications include:

- Those Mill Creek residents who live in proximity to the construction zone and/or detour routes who will be most significantly impacted.
- Drivers who use 35<sup>th</sup> Avenue for daily travel.
- People who live or work in and immediately around Mill Creek who will be impacted by this project and other summer construction work.
- Partners at other Snohomish County and King County agencies whose work may be impacted by this project.

**Key Messages**

Key messages for the 35<sup>th</sup> Avenue Reconstruction project include:

- This is a significant infrastructure project for Mill Creek that will improve the roadway and eliminate disruptive road closures.
- The roadway will be closed for approximately eight months. Know the official detour routes and be respectful of our quiet, slow-traffic neighborhoods.
- The project will generate noise for an extended period as more than 500 pin-piles are installed. Take steps now to help reduce noise in your own home.
- Once the road is reconstructed, it will still be normal to experience some puddling of water; however, this will not require road closures.
- If you have questions about the project work, there are many ways to get information. Start at [www.cityofmillcreek.com/35thReconstruction](http://www.cityofmillcreek.com/35thReconstruction).

**Preparatory Work**

By March 23, complete the following preparatory work. These items would continue to be updated throughout the project.

1. **Project Web Page:** Update the project web page with additional details.
2. **Fact Sheet:** Create project fact sheet to distribute at open houses and other meetings.
3. **Talking Points:** Develop talking points about the 35<sup>th</sup> Avenue Reconstruction Project, and distribute to staff who would receive questions about it.

Talking points would include:

- The need for reconstruction.
  - This is a full road closure for an extended period of time.
  - Noise impacts and hours of construction.
  - Detour route and definition of "local traffic."
4. **FAQs:** Prepare answers to frequently asked questions. Post on the website and provide to staff. Also provide direction as to what to do when they get stumped.
  5. **E-Notify Lists on Website:** The e-notify lists would be opt-in, and would be used to distribute timely project information.
  6. **Project Flyers:** Create project flyers with key details. Post flyers in Mill Creek Town Center, at the Library, in the MCCA newsletter, at the YMCA, and in other key locations.
  7. **Project Phone Line:** Set up an designated project phone line that will be answered by Gina Hortillosa or Kamal Mahmoud during working hours. It also will have pre-recorded messages with current project information, and the capability for people to leave voicemails with questions to which the City will respond.

8. **Area Images:** Gather images from the impacted area along 35<sup>th</sup> Avenue, including during flooding, to provide to media upon request.
9. **Project Area Map:** Develop an updated project map to use for meetings. This would also showcase detour routes.
10. **Audio of Pile Driving:** Secure an audio file of pile driving that can be used for community awareness.
11. **List of Traffic Abatement Resources:** Develop a list of all traffic abatement resources that will be used during the project and deployment dates, including electronic and static signage with detour routes, "no outlet" and "local access only" signage for impacted neighborhoods, digital speed feedback signs, speed bumps, and police presence. In addition, the City is exploring opportunity to partner with Waze to "block off" side roads in Mill Creek to deter people from using them as detour routes.

**Outreach**

Throughout the project, staff will continuously review messages the public is receiving and reactions, and revise communications as needed.

<b>Communications</b>	<b>M</b>	<b>A</b>	<b>M</b>	<b>J</b>	<b>J</b>	<b>A</b>	<b>S</b>	<b>O</b>	<b>N</b>	<b>D</b>	<b>J</b>
<p><b>Council Updates</b></p> <ul style="list-style-type: none"> <li>• Provide an update to the City Council on the project by February 27.</li> <li>• Present bid award at the April 10 meeting.</li> <li>• Provide regular updates throughout the project duration.</li> </ul>		•	•								
<p><b>Partner Outreach</b></p> <ul style="list-style-type: none"> <li>• Have meetings with the City of Everett, SnoFire 7, Everett Public Schools, Waste Management and other partners by March 23 to share information about the project and impacts in south Everett.</li> <li>• Have a mid-season check-in with partners to determine if there are any changes that can impact either party and/or their customers.</li> </ul>		•	•				•				
<p><b>Impacted Neighborhood Outreach</b></p> <ul style="list-style-type: none"> <li>• By March 30, have a meeting with HOA leaders in the impacted neighborhoods, including North Pointe, Highland Trails, Webster's Pond, Silver Glen and Silver Crest. The purpose would be to provide initial information about the project, understand questions they have, and discuss the City's communications plans so they can help share them with their neighborhoods.</li> </ul>		•	•								• •

<b>Communications</b>	<b>M</b>	<b>A</b>	<b>M</b>	<b>J</b>	<b>J</b>	<b>A</b>	<b>S</b>	<b>O</b>	<b>N</b>	<b>D</b>	<b>J</b>
<p><b>Impacted Neighborhood Outreach (Cont.)</b></p> <ul style="list-style-type: none"> <li>By April 12, the City should write a letter to the residents of the impacted neighborhoods to notify them that a contractor has been awarded the project and that neighborhood meeting will occur on April 26.</li> <li>Hold a meeting on April 26 to discuss the contractor's timeline, provide other project information, and answer questions.</li> <li>As needed, schedule neighborhood meetings to share current project information.</li> <li>Following the reconstruction project's completion, schedule a meeting with at least the HOA leadership of impacted neighborhoods to obtain their feedback on the process and ways the City can improve for future projects.</li> </ul>											
<p><b>Community Open House</b></p> <ul style="list-style-type: none"> <li>Have an open house at City Hall North, Large Community Room, on April 12 from 5:30-7:30 p.m. that highlights all the construction projects occurring in spring/summer 2018 and have other jurisdictions on hand to share information about their projects.</li> </ul>											
<p><b>Press Releases</b></p> <ul style="list-style-type: none"> <li>Distribute press release to local media on April 11 about selection of 35<sup>th</sup> Avenue Reconstruction contractor and informing residents in impacted neighborhoods of the neighborhood meeting on April 26. Post on social media.</li> <li>After the pre-construction meeting has taken place, distribute a press release that shares the project timeline, including when the road closure will commence and detour routes.</li> </ul>											
<p><b>Social Media Posts</b></p> <ul style="list-style-type: none"> <li>Post when the road is about to close.</li> <li>Share detour routes and "be nice" reminders, and signal the police presence.</li> <li>Post frequent reminders throughout the construction period about detour routes, what is <i>not</i> considered a detour route, and how to be good neighbors.</li> </ul>											
<p><b>Posting Flyers</b></p> <ul style="list-style-type: none"> <li>Project flyers would be posted in Mill Creek Town Center, at the Library, in the MCCA newsletter, at the YMCA, and in other key locations for announcements such as the community open house, when the road will be closed and as needed throughout the project.</li> </ul>											

<b>Communications</b>	<b>M</b>	<b>A</b>	<b>M</b>	<b>J</b>	<b>J</b>	<b>A</b>	<b>S</b>	<b>O</b>	<b>N</b>	<b>D</b>	<b>J</b>
<p><b>Business and School Outreach</b></p> <ul style="list-style-type: none"> <li>Provide notification of the road closure and detour routes via letter to businesses along 35<sup>th</sup> Avenue and to nearby schools by April 20. Include flyers that they can post to help spread the word.</li> </ul>	•	•				•				•	
<p><b>Focus Group Updates</b></p> <ul style="list-style-type: none"> <li>Share update with the Neighborhood Focus Group at its meetings on April 19, in July, and in October.</li> <li>Share update with the Senior Center Focus Group at its meetings on May 8, in August, and in November.</li> </ul>		•	•		•	•		•	•		
<p><b>Business and Community Assoc. Outreach</b></p> <ul style="list-style-type: none"> <li>Share updates periodically with the Mill Creek Business Association at its monthly lunches and with MCCA at its monthly board meetings.</li> </ul>		•	•			•				•	
<p><b>E-Notifications</b></p> <ul style="list-style-type: none"> <li>The e-notify lists would be opt-in, and would be used to distribute timely project information.</li> </ul>	•	•	•	•	•	•	•	•	•	•	•
<p><b>Telephone Call-in Line</b></p> <ul style="list-style-type: none"> <li>A designated project telephone line will be manned during business hours, and will have current project messages and be updated at least on a weekly basis through the duration of the project.</li> </ul>	•	•	•	•	•	•	•	•	•	•	•
<p><b>Groundbreaking Ceremony</b></p> <ul style="list-style-type: none"> <li>Hold a ground-breaking ceremony for the project with VIPs including Legislative delegation, County Councilmembers, Economic Alliance Snohomish County, Snohomish County Public Works, impacted neighborhood residents, and key City staff. Invite the media to cover the event. Post recap on social media.</li> </ul>		•									
<p><b>City Connection Articles</b></p> <ul style="list-style-type: none"> <li>By editorial deadline of April 20, provide an article on the construction and timeline. The issue will hit mailboxes beginning May 14.</li> <li>By editorial deadline of July 6, provide an article with a construction update. The issue will hit mailboxes beginning July 30.</li> <li>By editorial deadline of Oct. 10, provide an article with a construction update. The issue will hit mailboxes beginning Nov. 1.</li> </ul>											



<b>Communications</b>	<b>M</b>	<b>A</b>	<b>M</b>	<b>J</b>	<b>J</b>	<b>A</b>	<b>S</b>	<b>O</b>	<b>N</b>	<b>D</b>	<b>J</b>
<b>Virtual Meetings</b> <ul style="list-style-type: none"> <li>• Hold two virtual meetings in April.</li> <li>• Hold periodic virtual meetings to share project updates; use the information for social media posts.</li> </ul>		•		•		•		•			
<b>Ribbon-Cutting Ceremony</b> <ul style="list-style-type: none"> <li>• Hold a ribbon-cutting ceremony to reopen the road once construction is complete. Have HOA presidents from Highland Trails and North Pointe, the most impacted neighborhoods, cut the ribbon. Invite VIPS and the media to attend. Following the event, distribute a press release and photo that shares project successes. Thank the community for their patience during construction. Post on social media.</li> </ul>											•

MARCH						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6	7	8	9	10
		Council				
11	12	13	14	15	16	17
		Council				
18	19	20	21	22	23	24
25	26	27	28	29	30	31
		Council				

APRIL						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
		Council				
8	9	10	11	12	13	14
		Council				
15	16	17	18	19	20	21
22	23	24	25	26	27	28
		Council				
29	30					

MAY						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5
		Council				
6	7	8	9	10	11	12
		Council				
13	14	15	16	17	18	19
20	21	22	23	24	25	26
		Council				
27	28	29	30	31		

**Tentative Council Meeting Agendas**  
**Subject to change without notice**

*Last updated: March 23, 2018*

**April 3, 2018**

- Snohomish County Update – Dave Somers
- Work Session: Long Term Planning
  - Long Term Planning
- Senior Center Contract Renewal – 2018
- Presentation: Chief for a Day
- Update - Exploration Park Project
  - Addendum: Design Services
  - Construction Mgmt Contract
  - Cost Estimates
  - Schedule

**April 10, 2018**

*(Agenda Summary due March 27)*

- WRIA 8 ILA
- Work Session:
  - Code Revision - Repeal of Board of Appeals/Adjustment
  - Administrative approval of long plats
- 35<sup>th</sup> Construction Project
  - Bid Award
  - Communications Plan
- Reports
  - Labor Management Minutes

**April 24, 2018**

*(Agenda Summary due April 10)*

- Exploration Park
  - Bid Award
  - Communications Plan
- Reports
  - Quarterly Financial Report

**May 1, 2018**

*(Agenda Summary due April 17)*

- Presentation: EGUV Development Agreement
- Beaver Management Plan

**May 8, 2018**

*(Agenda Summary due April 24)*

- Presentation: Website Update – 6 Month Check In
- Presentation: Sports Tourism Feasibility Study
- Reports
  - Memorial Day Update

JUNE						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5 Council	6	7	8	9
10	11	12 Council	13	14	15	16
17	18	19	20	21	22	23
24	25	26 Council	27	28	29	30

JULY						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3 Council	4	5	6	7
8	9	10 Council	11	12	13	14
15	16	17	18	19	20	21
22	23	24 Council	25	26	27	28
29	30	31	27	28	29	30

AUGUST						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

**May 22, 2018**

*(Agenda Summary due May 8)*

- Check Presentation: AWC Scholarship Nominee
- Work Session:
  - HR Policies - Chapter 6 (Leave)

**June 12, 2018**

*(Agenda Summary due May 29)*

- Long term planning impacts from Paine Field commercial flights.

**Work in Progress - Upcoming Agenda Items**

- Personnel Policies and Procedures
- Freedom Field Grant Contract
- Freedom Field Construction Contract
- Budget Calendar
  - CIP Policies
  - Financial Policies

**Possible Work Session Topics for Discussion**

- Parking Codes
- Business signs
- MCCA storm water discussions
- Sports Fields
- Repair Issues
- Utility Project Management
- Review of Criminal Justice Costs/Alternatives
- Status update on County's SHR project
- 128<sup>th</sup> St as an ST3 Station
- Issues re: no parking on sidewalks
- Development Projects in Progress
- Hotel/Motel Theater Tax
- Resort Fees
- Partnerships with Everett School District
- Development code change to allow redevelopment along Mill Creek Blvd/North Creek
- Council Chambers Configuration