

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. 2018-837
Next Resolution No. 2018-576

October 23, 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

OLD BUSINESS

- B. Capital Improvement Plan Study Session
(*Gina Hortillosa, Director of Public Works & Development Services*)

NEW BUSINESS

- C. Yakima County Technology Services Inter-Local Agreement
(*James Busch, IT Manager*)

STUDY SESSION

- D. Panhandling Issues
(Greg Elwin, Chief of Police)
- E. Ordinance Updating the City of Mill Creek Traffic Mitigation Fee Program - 2018
(Gina Hortillosa, Director of Public Works & Development Services)

CONSENT AGENDA

- F. Approval of Checks #59269 through #59272 and ACH Wire Transfers in the Amount of \$1,286,241.30
(Audit Committee: Mayor Pruitt & Mayor Pro Tem Holtzclaw)
- G. Payroll and Benefit ACH Payments in the Amount of \$227,213.97
(Audit Committee: Mayor Pruitt & Mayor Pro Tem Holtzclaw)

REPORTS

- H. Mayor/Council
- I. City Manager
 - Council Planning Schedule
- J. Staff
 - Pursuit Policy
 - Party in the Parks Recap
 - Q3 2018 Financial Reports

AUDIENCE COMMUNICATION

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

ADJOURNMENT



Agenda Item B
Meeting Date: October 23, 2018

CITY COUNCIL AGENDA SUMMARY
City of Mill Creek, Washington

AGENDA ITEM: CAPITAL IMPROVEMENT PLAN STUDY SESSION

PROPOSED MOTION:

Adopt the proposed CIP Ordinance.

KEY FACTS AND INFORMATION SUMMARY:

During the Study Session on October 9, staff presented the City's proposed 2019-2024 Capital Improvement Plan (CIP). This comprehensive CIP includes projects and funding that will have a positive and lasting impact for the Mill Creek community for decades to come.

There were a number of questions raised or items of interest in the October 9 study session or raised with staff following the study session, which are listed below. Staff has refined project descriptions and revisited cost estimates per Council's request, as noted below, and CIP page numbers corresponding to each item are included. Some information is still forthcoming and staff will continue to develop responses to share with the Council on October 23.

- Opportunity Fund: *Why is this new fund necessary?*

Although staff projects revenues realistically, it is prudent to establish an adequate reserve as Opportunity Funds and not allocate these revenues until the funds are actually received. This fund will allow for another layer of reserves to be established based on 10% of REET rather than the General Fund. Council will have the discretion to utilize these funds toward unidentified projects or to cover increases in planned projects. (Page 4)

- 35th Avenue SE Pavement Preservation: *Why are we repaving a portion of 35th Avenue SE that was recently paved?*

Prior to implementation (design or construction), the City will confirm the need to overlay the road. The document has been updated to reflect this information. (Page 32)

- 132nd Street SE Mid-block Crossing Improvements (HAWK): *Can we list this project as conditional upon receipt of grant funding? Also, since this roadway borders unincorporated Snohomish County, why wouldn't we ask the County to help pay for this?*

Due to the costs of this project, implementation (design and construction) is contingent upon the outcome of an application for a 2018 Pedestrian and Bicycle Grant from WSDOT. Staff also will pursue other funding opportunities, including partnership with Snohomish County. Staff will not proceed with this project until the City Council is satisfied with the City's contribution and evaluation of all non-City funding sources. The

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project description has been updated to reflect this information. (Page 33)

- Bridge Monitoring and Improvement Program: *Please add information into the description about how the City will fix the scouring.*

The project description was updated to note that project scope includes review of scour options, such as riprap, as well as design and construction. Additionally, scope includes evaluation of tonnage restriction on two bridges. (Page 39)

- EGUUV Spine Road: *Please provide a description of the purpose and need for the Spine Road, as well as details regarding the right-of-way purchases.*

The need for the “Spine Road” is a result of the development of the entire East Gateway Urban Village (EGUV). See the proposed Spine Road map, noted in the attachments. In the proposed 2019-2024 CIP, the EGUUV “Spine Road” West Connection (Phase 1) addresses the purchase (and appraisals) of Parcel No. 2 and Parcel No. 4. For the subarea to work properly for all the parcels and uses – including the Gateway Building (office), Vintage Senior housing, the proposed “The Farm” development, the church, and the Polygon development – the Spine Road Phase 1 needs to connect between the 44th Avenue and 39th Avenue traffic signals. This would provide all of the properties a connection to a controlled intersection. Entrances to the Gateway building and the Vintage development are right in/right out only.

Each development that has already been constructed has already dedicated the right of way for the Spine Road Phase 1. All but the Gateway development also built the portion of the Spine Road that was located on their property. The Farm development proposal includes dedicating and building the portion of the Spine Road that is on their property. The Phase 1 Spine Road project included in the first two years of the CIP is solely to purchase right of way for the missing links of the Spine Road on properties that do not seem likely to develop in the near future (Rim/Kim and the church properties).

Costs include appraisals, review of appraisals, and partial right-of-way purchase needed at two parcels for subsequent roadway design and construction. Based on the assessed value, staff estimated \$500,000 for the project (72-foot-wide right of way needed). Value of the property would be determined with a real estate appraiser as required by state law. The City Council would need to approve the actual purchase of the property and the actual costs would be known at that time. Beyond the purchase of the right of way in 2019, there are no funds allocated in the proposed CIP. (Page 40)

- Exploration Park: *What comprises the current estimated construction cost?*

The Exploration Park project construction is budgeted to be \$1.3 million based on a competitive bidding market and taking into consideration the engineer’s estimate and previous bids received. The project has been broken into various components (base bid and alternates) and will be re-advertised in November 2018. Staff will provide the new bids to Council for consideration in December 2018; the scope of this project is subject to

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action by the Council.

- Mill Creek Sports Park Turf & Light Replacement: *Is a PA system included within the project? Is a cover for the bleachers part of the project?*

The Sports Park project is scheduled to be advertised this month (October). The PA system is not part of the base bid; it is an alternate option that Council may choose to award after bid opening.

Regarding covering the bleachers, in coordinating with the project design team, we have learned that this requires additional design that would hold up the entire project. If Council would like to proceed with the bleacher covers, this item may be included as a change order after award and not impact the project schedule. (Page 43)

- Park Restroom / Picnic Shelter Roof Replacement: *Which roof did the Park Board recommend for immediate replacement? What are the alternative costs for roofing, and what are other maintenance options and costs over the long-term?*

Nothing was recommended by the Park Board for immediate replacement. The Park Board just created a list of projects based on their annual park tour. Roof replacement was noted for Heron, Pine Meadow and Cougar Park.

Standing Seam Roof (SSR) was mentioned during the Park Board meeting this year and seemed to be well liked by the Board. Paint fade was the only concern identified. Although SSR may have a higher up front cost, it has a longer life span and there are long-term savings on maintenance. The roofs at these parks have crests and valleys. Sloped roofs increase the costs by at least 15% per the vendors. Using the park drawings (based on the park specific dimensions) and metal SSR, the costs come in at about \$50,000 per park, based on a \$15 per square foot cost for SSR. Metal roofs are very durable (40 to 70 years), and stand up against the elements much better than asphalt or wood. Metal roofs last at least three times as long as asphalt roofs and require much less maintenance over its lifetime (by as much as 33% compared to the cost of asphalt shingles). Asphalt shingles are estimated at \$6 per square foot and wood shingles are estimated at \$9 per square foot (with costs ranging from \$20,000 to \$30,000 per roof for these alternatives). The disadvantages of standing seam metal roofing mainly have to do with the cost of and the difficulty in finding a reliable roofing contractor to install it (specialized skill). Buffalo Park has a Standing Seam Roof.

The roof at Heron Park is in the worst condition and Pine Meadows following closely (the Parks Board concurred with this assessment). Cougar Park has significant issues with the rain gutters and downspout even though they are being repaired on a constant basis thought out the year. Cougar Park's roof can be cleaned and retreated, but the rain gutters and downspout are in dire need of replacement with a sturdier material. (Page 46)

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- City Hall North HVAC: *Please provide more detailed cost estimates.*

Staff has revisited the cost for the City Hall North HVAC with the vendor and received a revised estimate. In addition to the actual HVAC work, the project includes ceiling tile replacement due to access requirements. The estimate also includes unknown failed duct work replacements. The estimate was lowered by \$20,000 to \$80,000. (Page 49)

- Entryway ADA Upgrades for City Hall and the Library: *What does the lease agreement with the Library state in regards to capital improvements?*

Per the 2004 annexation agreement between the City and the Sno-Isle Intercounty Rural Library District, the City is responsible for repair and capital costs associated with the building. (Page 51)

- Emergency Operations Center: *Why was City Hall North room 201 identified for this space in lieu of the former Senior Center office space?*

When originally discussing the concept of an Emergency Operations Center (EOC), the space occupied by the Senior Center in City Hall North was identified. However, upon further review, it was determined that the space was insufficient for EOC needs. The vision was to create a multi-purpose space that could be used as an EOC when needed, and serve as a classroom or meeting space the rest of the time. The space configuration in the former Senior Center space included two offices immediately in front of the computer lab, which would not be utilized and created issues pertaining to potential use by others. Therefore, staff began discussing the use of Room 201 in mid-2017. The project costs were comparable, regardless of which space staff identified as the most suitable. (Page 52)

- Gateway and Presence Improvement: *Please revisit the costs of the signs. Also, why do we need a branding effort when our brand is less than 10 years old?*

In 2007, a new logo was developed for the City and two brand colors were identified. A logo is not a brand; it is a symbol. This project seeks to establish a cohesive brand for the City, which may or may not suggest a logo change. Further, the gateway signs are disparate. Some are very old and have the original City logo on them; they are located at two gateways to the City: 164th Street SE between 3rd and 9th Avenues (across from the Presbyterian Church), and on the south side of Dumas Road just east of Park Road. The newer City signs are 10 years old and are showing their age. These newer signs do not contain the City's branded colors, despite being produced the same year as the latest brand standards. These signs are at the southeast corner of 132nd Street SE and 10th Ave SE; the southwest corner of 132nd Street SE and SR 527; the southwest corner of 132nd Street SE and 35th Ave SE; the southwest corner of 132nd Street SE and Seattle Hill Road; the northwest corner of Seattle Hill Road and 35th Ave SE; and the west side of SR 527 at the southern entrance to the City.

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Sign estimates in the CIP are very conservative; per staff outreach to local sign companies, the frame (which would not be replaced) is generally about 65% of the sign cost. Since we don't need the frames, but simply are requesting a reface of existing signs, the signage element could be completed and ensure funding for landscaping improvements. Once the project scope and construction costs are defined, a detailed proposal will be brought to the City Council for approval.

Similar to how companies are branded, those with a strong brand find it much easier to sell their services and attract people and investment. Branding is a tool that can be used by the City to define itself and attract positive attention. It's a strategic process for developing a long-term vision that is relevant and compelling to key audiences. A brand is a City's DNA – what it is made of and what makes it different than other places. It positions, differentiates and promotes a community's unique attributes in various communication channels to target audiences (site selectors, workers, prospective residents and potential visitors). (Page 53)

- Historical Preservation Project: *Please review maintenance and operations cost estimates.*

Staff reviewed the maintenance and operations costs and they remain the same at one hour maximum per week to clean and maintain the artwork and surrounding area. This artwork will be a focal point, so maintenance and operations costs have been conservatively estimated. However, maintenance and operations costs are dependent on the final product and design. (Page 53)

- Surface Water Utility: Should the City include culvert replacement in the CIP?

The Surface Water Utility has a number of projects that will need to be completed during the course of the biennium. Specific project identification beyond F grade faults has not occurred. Should the proposed Surface Water Utility rate be approved by Council this fall, the priority will be on those F grade faults. Additional project sequencing, including culvert replacement, will be identified following the completion of these priority projects. (Page 57)

The revised 2019-2024 CIP is presented for Council's review and adoption.

CITY MANAGER RECOMMENDATION:

Adopt the proposed CIP Ordinance.

ATTACHMENTS:

- 2019-2024 Capital Improvement Plan
- EGUV Spine Road Alignment 2010 Report.pdf
- Ordinance Adopting the 2019-2024 CIP

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Respectfully Submitted:

Robert S. Stowe
Interim City Manager



Capital Improvement Plan 2019-2024



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City Manager Letter

October 9, 2018

Honorable Mayor and Councilmembers
City of Mill Creek

SUBJECT: Proposed 2019-2024 Capital Improvement Plan

I am pleased to present the City's proposed 2019-2024 Capital Improvement Plan (CIP). This comprehensive CIP includes projects and funding that will have a positive and lasting impact for the Mill Creek community for decades to come. Some of the key projects within the CIP include:

- Mill Creek Sports Park Turf & Light Replacement
- Pavement Preservation (increased funding)
- Planning/Vision Process for Mill Creek Boulevard
- East Gateway Urban Village "Spine Road" Studies and Evaluation
- Surface Water Aging Infrastructure Program

This plan is a living document, highly dependent on the present economic conditions and is subject to changes. Capital projects can impact future operating budgets either positively or negatively due to an increase or decrease in staffing, maintenance costs, or by providing capacity for new programs or services.

There are a number of proposed policies that are included in this CIP that provide guidance for not just the next six-year term but future CIPs planning horizons. The key policy changes in this year's CIP include the following:

- A. This CIP focuses on those projects that have secured funding or a high degree of confidence that funding will be obtained. This allows the City to provide a realistic plan for funding the City's most important capital investments wisely and most efficiently. There is also value in listing those capital projects within a CIP that are not fully funded and may at this time be a lower priority or considered aspirational. These projects that don't have a secured funding source have been identified in a separate part of the CIP.
- B. Another new proposed policy change is the transfer of a portion of the City's General Fund Reserve above an amount which is needed to respond to economic fluctuations, cash flow needs, and catastrophic events. The City's adopted policy is to maintain a General Fund Operating Reserve equal to at least 15% of the total General Fund budgeted revenue. The CIP proposes that 33% of all reserve funds anticipated at the end of 2018 above the General Fund Reserve minimum be transferred to the CIP for capital project investment. The rationale for this transfer is to better align and allocate previous tax payer dollars or one-time funds associated with



development toward a capital project providing community benefits to those who paid for the benefits within a reasonable time frame. This one-time transfer is \$829,703. With this transfer, the General Fund Reserve is projected to be 21% of general fund budgeted revenue.

- C. The City's current policy is to transfer one time revenues into the CIP on an annual basis. One-time revenues are those which are not expected to reoccur, such as development related revenues (e.g., construction sales tax and permit fees). To implement this policy and transfer, management will analyze funds that are one time for inclusion in the CIP, recognizing that the City receives a base and recurring amount of development related revenues that should be excluded from any transfer. This transfer shall be further contingent on the City maintaining a 15% committed General Fund operating reserve. The City will be transferring \$400,000 as one-time revenue in the proposed CIP.
- D. The CIP includes the creation of an "Opportunity Fund." A minimum of 10% of projected revenues from Real Estate Excise Tax (REET) should be designated as an Opportunity Fund to be used to support Transportation, Parks and Trails, and City Facilities and Equipment. REET revenue receipts fluctuate from year to year. Although staff projects revenues realistically, it is prudent to establish an adequate reserve as Opportunity Funds and not allocate these revenues until the funds are actually received. Only at Council discretion can these funds be appropriated toward currently unidentified projects or increases in planned projects.

- E. Projects included within the CIP require expenditure of public funds over and above routine operating expenses and are defined as new, replacement of, or improvements to infrastructure (e.g., buildings, roads, parks, etc.) that have a minimum life expectancy of five years and a minimum cost of \$25,000. Previously, projects of \$5,000 or more were included in the CIP.

The CIP continues to incorporate the following fundamental elements:

- Consideration of community needs
- Availability of sufficient revenue
- Coordination of projects and project timelines
- Availability of sufficient staff and expertise to manage projects
- Maximization and leveraging of City revenues
- Adherence to sound financial strategies.

Accomplishment of a community vision requires community input, along with the professional expertise and steadfast contribution of City staff and the Mill Creek leadership. We believe this Capital Improvement Plan will pave the way for a positive and lasting influence on the City and surrounding area.

Respectfully submitted,

Robert S. Stowe
Interim City Manager



Ordinance Adopting the CIP

ORDINANCE NO. 2018- _____

AN ORDINANCE OF THE CITY OF MILL CREEK, WASHINGTON, ADOPTING A REVISED AND UPDATED 6-YEAR CAPITAL IMPROVEMENT PLAN FOR YEARS 2019-2024 IN ACCORDANCE WITH THE CITY'S BIENNIAL BUDGET PROCESS, COMPREHENSIVE PLAN, AND GROWTH MANAGEMENT ACT.

WHEREAS, the City of Mill Creek utilizes a biennial budget system and will be adopting such budget with accompanying appropriations in 2018 for years 2019-2020; and

WHEREAS, in conjunction therewith the City routinely updates, revises, and adopts its 6-year capital improvement plan as required by the Growth Management Act and the City's Comprehensive Plan; and

WHEREAS, the City routinely adopts a capital improvement plan with a 6-year or longer planning horizon; and

WHEREAS, the City has updated and revised its annual 6-year capital improvement plan, attached hereto as **Exhibit A** (2019-2024 CIP), which includes specifically achievable and realistic capital projects with identified funding levels and sources consistent with revenue forecasts and anticipated budget appropriations; and

WHEREAS, the City plans to concurrently amend the capital facilities and transportation elements of its Comprehensive Plan in 2019 to complete the process of fully coordinating and integrating the capital improvement plan and the capital facilities and transportation elements; and

WHEREAS, the City Council finds that the 2019-2024 CIP meets the intent of the Growth Management Act;

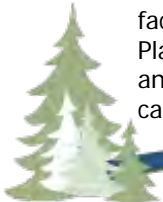
NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MILL CREEK, WASHINGTON, ORDAINS AS FOLLOWS:

Section 1. The City Council adopts the foregoing recitals as findings in support of the 2019-2024 Capital Improvement Plan.

Section 2. The 2019-2024 Capital Improvement Plan for the City of Mill Creek, attached hereto as **Exhibit A**, is adopted to take effect on January 1, 2019.

Section 3. The 2019-2024 Capital Improvement Plan is further adopted as the financing plan for the City's capital facility and transportation elements of the Mill Creek Comprehensive Plan.

Section 4. A summary of this ordinance, consisting of its title, shall be published in the official newspaper of the City and shall take effect and be in full force five (5) days after the date of publication.



Passed in open meeting this _____ day of October, 2018 by a vote of ____ for, ____ against, and ____ abstaining.

APPROVED:

ATTEST/AUTHENTICATED:

MAYOR PAM PRUITT

ACTING CITY CLERK GINA PFISTER

APPROVED AS TO FORM:

CITY ATTORNEY SCOTT MISSALL

FILED WITH THE CITY CLERK: _____

PASSED BY THE CITY COUNCIL: _____

PUBLISHED: _____

EFFECTIVE DATE: _____

ORDINANCE NO.: _____



Executive Summary

Viable communities depend on good infrastructure planning and financing. Only with well thought out capital facilities plans are governments able to effectively and realistically provide for growth and a high quality of life.

The Capital Improvement Plan (CIP) is part of the state's Growth Management Act (GMA) requirement for cities and counties to approve and maintain a comprehensive plan that includes a capital facilities element consisting of an inventory of existing capital facilities, a forecast of future needs for facilities, a six-year plan for financing such facilities, and reassessment of the land use elements.

A CIP is an important tool for planning and managing the City's growth and development. This starts with developing a long-term financial forecast, identifying infrastructure improvements and development opportunities, and creating a vision for Mill Creek's future in light of Snohomish County's extraordinary growth.

Capital improvements are major projects requiring the expenditure of public funds over and above routine operating expenses. A capital project is defined as new, replacement of, or improvements to infrastructure (e.g., buildings, roads, parks) that has a minimum life

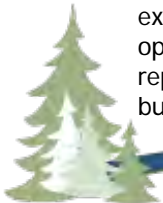
expectancy of five years and a minimum cost of \$25,000.

Many of these projects have long-term implications: they will have impacts on the operating budget or they are interconnected with other projects planned in the City. For planning purposes, it is necessary to discuss and consider projects and their operational and funding impacts in the context of more than one year. A long-term outlook provides an idea of what infrastructure needs may exist in the near future.

Such a CIP requires great forethought. As the City matures, its infrastructure is beginning to age and needs repairs and/or replacement. Other projects include system improvements or capacity-increasing projects.

If Council and staff anticipate that certain projects will be necessary in the coming years, they can begin planning and budgeting for them now, rather than being caught by surprise when the project is desperately needed and there is limited time to consider options.

The CIP presents a schedule of major capital improvements that are planned within the next six year period. Project design, land acquisition, and construction costs as well as the projected means of financing these costs are an integral component of this plan.





The GMA also requires that when making land-use designations, the City consider services and facilities provided to residents and businesses in our urban growth area. It is the responsibility of the City to monitor the status of development, population projections, and employment in the City in relation to facility needs.

A biennial review and update of the CIP, which contains a list of adopted capital projects including costs and projected revenues, allows us to review, plan and coordinate in relation to land-use activities, and ensure facilities are available when needed. Staff has evaluated the City's land-use designations and has structured the capital projects recommended in the CIP to meet the anticipated development needs.

Policies

A number of new and existing important policies provide guidance for the CIP that are included below.


New Policies

- **Secured Funding.** This CIP focuses on those projects that have secured funding or a high degree of confidence that funding will be obtained. This allows the City to provide a realistic plan for funding the City's most important capital investments wisely and most efficiently. Additional projects that don't have a secured funding source have been identified in a separate part of the CIP.
- **CIP Transfer.** Transfer of a portion of the City's General Fund Reserve above an amount which is needed to respond to economic fluctuations, cash flow needs, and catastrophic events. The City's adopted policy is to maintain a General Fund Operating Reserve equal to at least 15% of the total General Fund budgeted revenue. The CIP proposes that 33% of all reserve funds anticipated at the end of 2018 above the General Fund Reserve minimum be transferred to the CIP for capital project investment.
- **Opportunity Fund.** The CIP includes the creation of an "Opportunity Fund." A minimum of 10% of projected revenues from Real Estate Excise Tax (REET) should be designated as an Opportunity Fund to be used to support Transportation, Parks and Trails, and City Facilities and Equipment. REET



revenue receipts fluctuate from year to year. Although staff projects revenues realistically, it is prudent to establish an adequate reserve as Opportunity Funds and not allocate these revenues until the funds are actually received. Only at Council discretion can these funds be appropriated toward currently unidentified projects, toward approved projects that are underfunded or toward unexpected increases in planned projects.

Existing Policies

- The City will make all capital improvements in accordance with an adopted CIP.
 - The City will develop a multi-year plan for capital improvements and update it each biennium.
 - The City will enact a biennium capital budget based on the multi-year CIP. Future capital expenditures necessitated by changes in population, real estate development or economic base will be calculated and included in the capital budget projections.
 - The City will coordinate development of the capital improvements budget with development of the operating budget. Future operating costs associated with new capital improvements will be projected and included in operating budget forecasts.
 - The City will use intergovernmental assistance to finance those capital improvements that are consistent with the CIP and City priorities, and whose operating and maintenance costs have been included in operating budget forecasts.
- 
- The City will maintain all its assets at a level adequate to protect its capital investment and to minimize future maintenance and replacement costs.
 - The City will identify the estimated costs and potential funding sources for each capital project proposal before it is submitted to the City Council for approval.
 - The City will determine the least costly financing method for all new projects.



Evaluation Criteria

The following criteria are used when evaluating and prioritizing capital projects. Projects are grouped by type (e.g., transportation projects, park and trail projects). The projects are then evaluated against both primary and secondary criteria to determine priority.

Primary Criteria

- The project prevents or eliminates a public hazard.
- The project eliminates existing capacity deficits.
- The project is requested by City ordinance, other laws or federal/state agencies.
- The project is essential to maintain current service levels affecting public health, safety and welfare.
- The project is financially feasible, meaning there is a funding source available and a verifiable cost estimate is provided.

Secondary Criteria

- The project is necessary to maintain current nonessential service levels.
- The project accommodates the public facility demands and vocational needs of redevelopment based on projected growth patterns.
- The project provides for special needs or enhances facilities/services.
- The project furthers the objectives of the City Council and Administration.



Outcomes of the Previous CIP

CIP Accomplishments in 2017-2018 Biennium

The City successfully implemented several CIP projects in the 2017-2018 biennium. These include:

- Citywide Computer Workstation Replacement, which replaced approximately 60 computer workstations and associated monitors.
- Data Backup System Replacement, which provided a current generation solution that better protects the City's data in the event of a hardware failure or catastrophic event.
- Server Room Update/Remodel, which was scaled back from the original plan to only include an updated fire suppression system due to the high cost.
- Security Information & Event Management Tool, which is software used to collect security and event logs from various IT devices to provide required auditing, alerting and reporting.
- Bridge Load Rating analysis, which evaluated the load-carrying capacity of the four City-owned bridges over 20 feet in length.
- Seattle Hill Road Widening with Snohomish County, which was completed in August 2018. This project widened the road to three lanes with bike lanes, curb and sidewalk, street lights and drainage facilities between 132nd Street SE and 35th Avenue SE.



- Police/Engineering Total Station, which is comprehensive equipment to be used for collision, crime scene and engineering purposes; the City has purchased this equipment and it should be delivered by early 2019.
- City Hall North HVAC Control System, which replaced the control system and several heat pumps.
- Chipper purchase, which replaced the previous wood chipper used by the Public Works maintenance crew.
- Sweetwater Ranch emergency surface water repair project.



Continuing Projects

In addition to the projects funded as part of the 2019-2024 CIP, there are a number of active projects that are currently funded and underway that were approved as part of a prior CIP process.

These continuing projects and amounts previously allocated include:

- Gateway Improvement, which will update and unify the City's brand while providing vibrant, visually appealing gateway entry features for the City.
- 35th Avenue Reconstruction project, for which construction began in June 2018 and which is anticipated to be completed in winter 2019.
- Citywide Traffic Signal Updates, which includes installing new pedestrian pushbutton systems and conflict monitors.
- Seattle Hill Road Preservation project to repave Mill Creek Road and Seattle Hill Road between Village Green Drive and 35th Avenue SE. We have obtained Federal grant funds, which are obligated and available for construction in 2019.
- Exploration Park (previously called North Pointe Park) Design and Construction documents. The project was designed, but was deferred due to the high cost of the initial bids. It is slated to continue in the next biennium.
- Mill Creek Sports Park Turf & Light Replacement, which is currently underway and anticipated to be



completed in winter 2019. Construction was delayed to accommodate user schedules during high-use periods.

- Public Works Shop project. To carefully ensure this shop aligns with the City's long-term needs, the City will undertake a study to identify best options for a future Public Works Shop.
- City Hall North Roof and Seismic Retrofit project needs additional research to determine full need. It is incorporated into the 2019-2024 budget. Additional structural design needs to be conducted.



Projects Removed from the CIP

Projects in the previous CIP, but not included in the 2019-2024 CIP include:

- Mobile Device Data Management and Encryption project. The mobile device data management portion of the project was completed, but not the encryption piece due to time constraints. This project will continue in the next biennium and has been budgeted in the General Fund.
- City Hall Campus Wireless Access project. The City Manager reprioritized this project to begin in 2018; it will be completed in 2019 as an operating expense.
- Mill Creek Fire Station project, which was the option to purchase the Fire Station pursuant to Section 8.3.3 of the original agreement. This option was not executed due to the successful new contract agreement with Snohomish County Fire 7 for EMS and fire services.
- 164th Street Corridor Adaptive Signal System is partially completed. The adaptive signal on SR 527 was done in anticipation of Community Transit's Green Line. Two other adaptive signals are slated to be completed in the next 2019-2024 CIP: one at the intersection of 164th Street SE and Mill Creek Blvd; and one at the intersection of Mill Creek Blvd and Main Street. The City has an ILA with the County; its contribution to the ILA is less than \$25,000 and Snohomish County is the lead on the project.



- Cougar Park, Phase 2. This project was not completed. It is currently not in the comprehensive plan and not in the 2019-2024 CIP.
- Armory Parts Washer. The Police Department was able to acquire a parts washer at zero cost from another jurisdiction's surplus inventory. Therefore, this item was removed from the CIP.
- The purchase of four vehicles/accessories was removed from the CIP, as they fall under the Equipment Replacement Fund. This includes a dump trailer, right of way inspector vehicle, maintenance crew vehicle, and flatbed truck.



Grants

The City received millions of dollars in grants for projects included in the previous CIP. Following is a list of grants that were awarded to the City in the past two years:

For the 35th Avenue Reconstruction Project

- State Grants: \$5,250,000
- Snohomish County Small Projects Partnership Grant: \$50,000

Mill Creek Sports Park Refurbishment

- State Recreation Conservation Office Grant: \$250,000
- Snohomish County Grant: \$100,000

Stormwater CIP

- Washington State Department of Ecology Grant: \$50,000

Grants received for work in the previous biennium totaled \$5,700,000.



Development of the 2019-2024 CIP

New Project Identification

In preparation for the 2019-2024 CIP development process, staff identified continuing projects and solicited new project ideas from the community through the following outreach opportunities:

- Park and Recreation Board
- Art and Beautification Board
- Neighborhood Focus Group
- HOA and Community Association Meetings
- Senior Center Focus Group
- *City Connection* readership
- Press release to local media for news articles
- Social media audiences
- City's Web-based Citizen Response Tool (AKA Request Tracker)

City staff then reviewed and prioritized ideas to develop the Capital Improvement Plan. In addition to the primary and secondary criteria used in evaluating proposed projects, staff applied the following:

- Alignment with the overall Comprehensive Plan.
- Available funding (including estimated funding) during the six years (e.g., grant or match), extra funding.
- Alignment with City Goals.
- Public support.

- Extent of Service, such as how many people will benefit or how many residents will be inconvenienced/harmed because the project has not been done.

The 2019-2024 Capital Improvement Plan includes 27 funded projects for a total of \$19,270,140. This is the same number of projects as the previous CIP, but with a larger programmatic focus (e.g., pavement preservation) instead of one-off projects. This results in an increased cost of \$9,342,108 (94.10%) over the previous CIP.

Key factors driving this increase are as follows.

- Inflation
- Market Conditions (e.g., bidding market)
- In the previous CIP, there was design work for projects that would be constructed in the 2019-2024 CIP; construction costs are much higher than design.
- The Surface Water Program is new and has significant infrastructure repair or replacement costs.
- The Pavement Preservation and Rehabilitation Program relaunches a program that was not included in the previous CIP.

The CIP worksheets in this plan identify project descriptions, how the project aligns with City priorities, provides a justification for the project, and identifies previous and continuing expenditures, anticipated maintenance and operations impacts, and revenue sources.

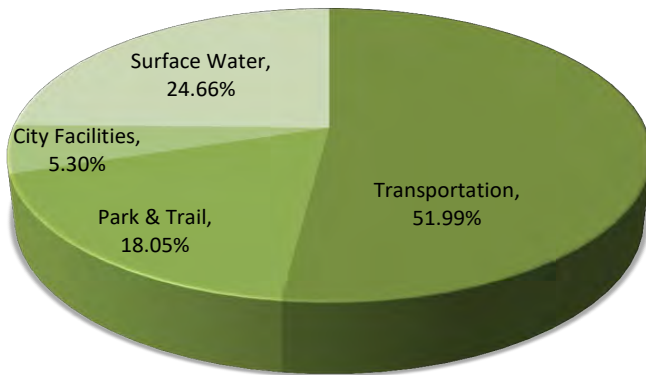


CIP Project Categories

The CIP projects are organized into four categories:

- Transportation projects, which include improvements to streets, intersections, pedestrian safety, public transit and non-motorized facilities.
- Park and Trail projects, which include park and recreational facilities and open space lands.
- City Facilities projects, which include improvements of general government facilities, and property construction and renovation.
- Surface Water projects, which provide infrastructure rehabilitation and replacement, as well as surface water treatment.

This structure assists City staff with tracking and managing projects by funding source and function. The chart below shows the relative size of the project categories in the 2019-2024 CIP.



Grant Funding for New Projects

Grant funding has been received or is anticipated for the new projects identified for the 2019-2024 CIP.

- *Seattle Hill Road Pavement Preservation*
Federal Grant: \$720,000
- *35th Avenue SE Pavement Preservation*
Federal Grant: \$504,208
- *132nd Street SE Mid-Block Crossing Improvements (HAWK)*
State Grant: \$675,000
- *Exploration Park*
Snohomish County Grant: \$100,000
- *Public Works Shop*
State Grant: \$250,000
(The City is requesting an extension on this grant)

These grants total \$2,249,208 in funding that otherwise would have to come from City funds.



Financial Element of the CIP



Fiscal Analysis

Analyzing and projecting City revenues over a six-year period is accomplished through a comprehensive examination of historical revenue trends, studying regional economic indicators, and having a strong understanding of the City's fiscal position and planned growth. It is also important to have sound knowledge of which revenue streams are fairly reliable and which experience large fluctuations, such as those derived from permit and mitigation fees.

Funding sources along with the assumptions used to build potential financing scenarios are described below.

General Fund Reserve Transfer

Under the City's General Fund Reserve policy, the City must maintain a General Fund Reserve balance of 15% of total General Fund revenue, which is \$4,251,750 based on 2019-2020 revenue.

The estimated balance as of the end of 2020 is \$6,766,000 or 24% of revenues. In light of the high balance, as well as the City infrastructure repair and replacement needs identified in the 2019-2024 CIP, it is proposed that 33% of all reserve funds anticipated at the end of 2020 *above* the General Fund Reserve minimum of 15% be transferred to the CIP for capital project investment. This is a one-time transfer of \$829,703 into the CIP from the General Fund.

The General Fund Reserve balance following this one-time General Fund Reserve Transfer and the One-Time Revenue Transfer (see below), will be \$5,936,298 or 21% of General Fund revenue.

One-Time Revenue Transfers

The City's current policy is to transfer one-time revenues into the CIP on an annual basis. One-time revenues are those which are not expected to reoccur, such as development related revenues (e.g., construction sales tax and permit fees). In 2018, the one-time revenue transfer is \$400,000.

Capital Projects Funds

These funds account for financial resources related capital projects. Capital improvements are major projects requiring the expenditure of public funds over and above routine operating expenses. A capital project is defined as new, replacement of, or improvements to infrastructure (e.g., buildings, roads, parks) that has a minimum life expectancy of five years and a minimum cost of \$25,000.

- **Real Estate Excise Tax (REET)**: This tax is levied on all sales of real estate. There are two pieces REET1 and REET2; both halves (.25% each) can be used only for capital projects as defined in RCW 82.46.010 (REET1) and 82.46.035 (REET2). Use is restricted to the Capital Improvement Plan projects.



- **Capital Improvement Fund:** This fund is for capital improvement projects not funded elsewhere in the budget. This is the “savings” account for capital projects as identified in the Capital Improvement Plan. REET funds are moved into this fund. Capital improvement costs may include acquisition, development, engineering, architectural, or other related costs.
- **Park Improvement Fund:** Park mitigation fees are one-time charges assessed by local governments against a new development project to help pay for new or expanded public facilities that will directly address the increased demand created by that development.
- **Road Improvement Fund:** This fund contains monies dedicated for the improvement of roads, bridges and sidewalks. Typical projects include road and intersection improvements; pavement preservation on arterial streets and highways; pedestrian and bicycle access improvements and bridges. Revenue may come from mitigation fees paid by developers. These fees support the cost of new infrastructure needed to support increased capacity created by the new growth and development. Other projects mentioned above may be supported by REET or the General Fund.

Special Revenue Funds

- **Municipal Art Fund:** This fund was created in order to fund the selection, acquisition and/or installation of works of art in accordance with MCMC 3.28.010. In the 2019-2024 CIP, the applicable projects from which 1% shall be transferred into the Municipal Art Fund include Exploration Park, park restroom/picnic shelter room replacement, City Hall North roof and seismic retrofit, and City Hall North HVAC. The projects have a combined total of \$2 million, providing for a \$20,000 revenue transfer into the Municipal Art Fund.



Proprietary Funds

More than anything, proprietary funds operate like a business. They pertain to providing goods or services to the general public. It covers the services which are important but not essential to the way a government runs. Proprietary funds include:

- **Surface Water Utility:** This is an enterprise fund for the operation and capital improvement projects of the surface water utility. It is a self-supporting government fund that provides goods and services to the public for a fee – in this instance surface water services. Revenue comes from user fees billed to all properties in the City based upon equivalent residential units. Reserves in this fund can only be spent for surface water purposes. A rate study currently is underway and new rates will be proposed for 2019-2020 and beyond.

Bonds

Bond revenue is available to finance capital projects through two sources: general obligation bonds and revenue bonds. General obligation bonds are backed by the value of the property within the jurisdiction and require a scheduled repayment of the debt. General obligation bonds are either non-voted (Councilmanic) or voter-approved.

Under Washington State law, general government debt is restricted to 2.5% of a jurisdiction's taxable assessed value of property for general purpose bonds. In 2018, this equates to nearly \$103 million. Of this amount, \$62 million may be in the form of Councilmanic bonds.

Councilmanic bonds are authorized by the jurisdiction's legislative body without the need for voter approval. Principal and interest payments come from general government revenues, without an increase in taxes; for instance, REET revenue can be designated to pay for a Councilmanic bond. Voter- approved bonds on the other hand produce "new monies" by increasing the property tax rate proportionate to the annual debt service on the bond.

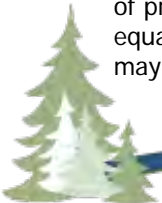
Public Works Trust Fund Loans

State of Washington's Public Works Board provides low interest loans (0.5% to 2.55%) to local governments to finance public infrastructure improvements. These loans are provided under the Public Works Trust Fund Program and offer lower than market rates payable over periods ranging to a maximum of 20 years.

Grants

The City earnestly seeks federal, state and local grant opportunities to help finance City projects. Historically, the City has been very successful obtaining grants, especially for transportation projects. The grant funding included in the Plan has either been approved by the grantor or has successfully and routinely been obtained by the City for like projects in the past.

Other revenue sources include a variety of known or reasonably expected one-time funding sources, such as contributions by others. The City often partners with other jurisdictions such as Snohomish County, Community Transit and other entities to fund projects that benefit the citizens of Mill Creek. As shown previously, grant funding secured for projects in the 2019-2024 CIP totals \$2,249,208. This is 12.7% of the total amount projected during the CIP period.



Fund Balances

Year-End Fund Balance*	2018	2019	2020	2021	2022	2023	2024
Park & Trails	\$ 13,000	\$ 3,000	\$ 7,000	\$ 11,000	\$ 15,000	\$ 19,000	\$ 23,000
REET	\$ 4,397,969	\$ 2,171,469	\$ 1,311,469	\$ 780,677	\$ 460,677	\$ (189,323)	\$ (470,823)
Opportunity Funds*	\$ 240,000	\$ 315,000	\$ 390,000	\$ 440,000	\$ 490,000	\$ 540,000	\$ 590,000
Municipal Arts*	\$ 37,000	\$ 49,500	\$ 31,500	\$ 31,500	\$ 32,000	\$ 32,000	\$ 32,000
City Hall North	\$ 525,000	\$ 525,000	\$ 125,000	\$ 125,000	\$ 125,000	\$ 125,000	\$ 125,000
CIP	\$ 1,402,940	\$ 1,400,900	\$ 1,153,000	\$ 995,300	\$ 155,300	\$ 294,100	\$ 125,600
Park Improvement	\$ 2,990,200	\$ 1,889,000	\$ 1,902,800	\$ 1,916,700	\$ 1,930,600	\$ 1,944,400	\$ 1,958,300
Road Improvement	\$ 2,218,000	\$ 1,822,000	\$ 2,999,000	\$ 3,024,000	\$ 3,049,000	\$ 3,074,000	\$ 3,099,000
Surface Water*	\$ 470,000	\$ (467,500)	\$ (1,217,500)	\$ (1,967,500)	\$ (2,717,500)	\$ (3,467,500)	\$ (4,217,500)

***Notes:**

- Year-End Fund Balances**

Balances 12/31 of the year noted. The balances reflect annual revenues and deduct expenses reflected in the 2019-2024 CIP.

- Opportunity Fund**

As noted in the City Manager Letter, the CIP includes the creation of an Opportunity Fund, which this year includes 10% of projected revenues from REET. This amount at the end of 2018 is \$240,000. Ending fund balance for subsequent years are projected. It is anticipated that this Opportunity Fund will be used to address a shortfall in REET in the 2019-2024 CIP period.

- Municipal Arts Fund**

In accordance with Mill Creek Municipal Code, 1% of applicable municipal construction projects paid for wholly or in part by the City have been added to the Municipal Arts Fund. The year-end balance in 2018 is \$37,000.

- Surface Water Utility**

As identified on page 59, a rate study currently is underway for the Surface Water Utility and new rates will be proposed prior to the adoption of the City's 2019-2020 Budget. Until such rate has been approved, this fiscal analysis does not incorporate any change to the rate and therefore demonstrates a significant budget shortfall.

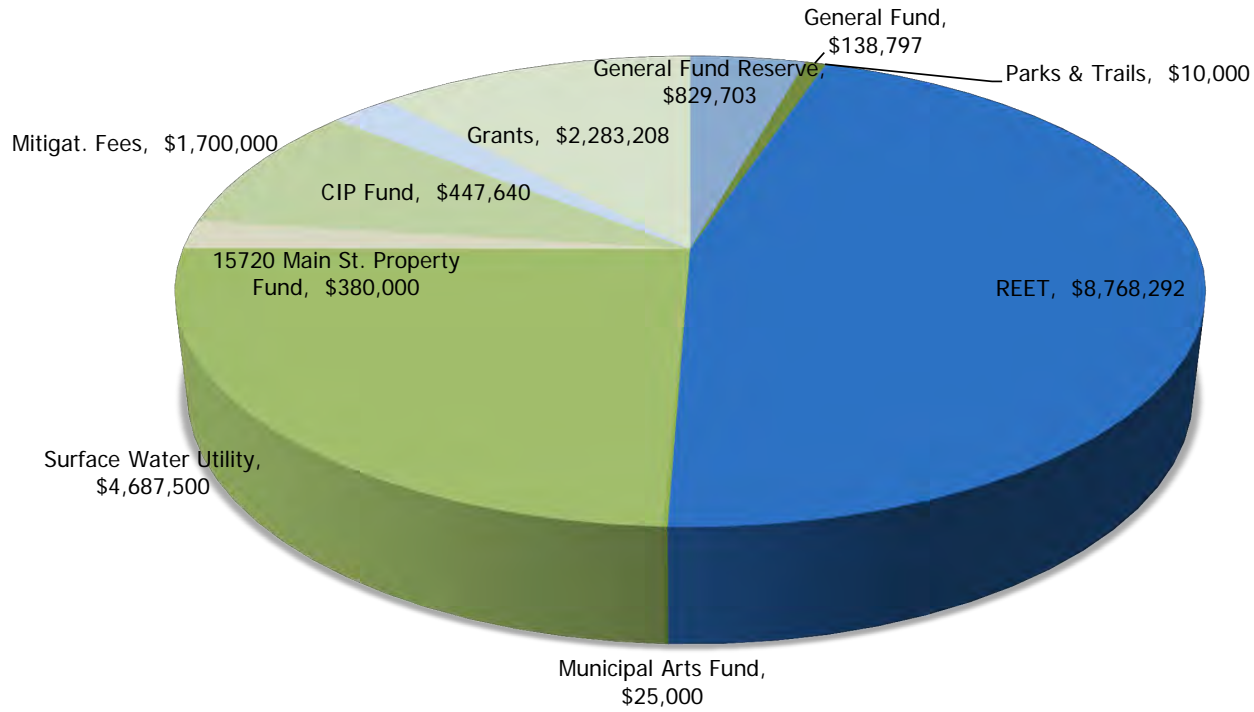


Projects by Funding Source

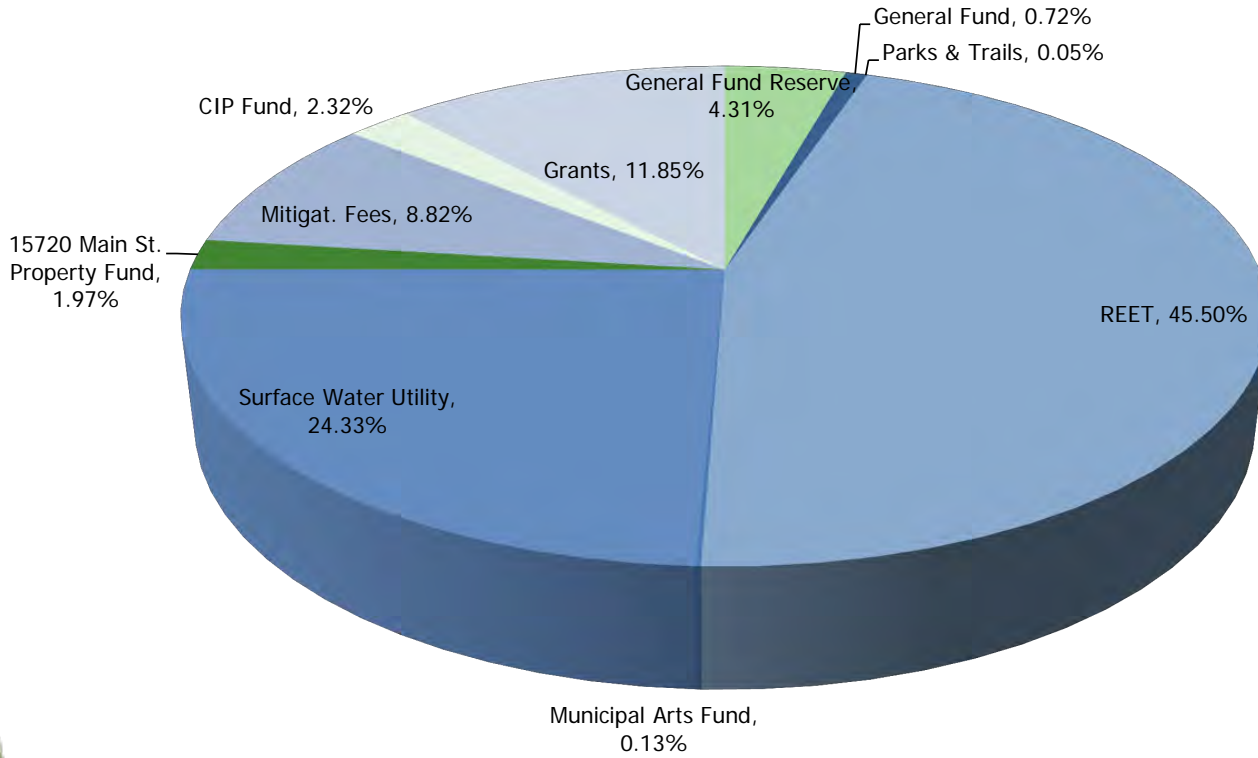
Project Name	General Fund Reserve	General Fund	Parks & Trails	REET	Municipal Arts Fund	Surface Water Utility	15720 Main St. Property Fund	Mitigat. Fees	CIP Fund	Grants	TOTAL
Transportation Projects											
35th Ave. SE Reconstruction Project				\$ 350,000							\$ 350,000
Seattle Hill Road Pavement Preservation				\$ 1,135,000						\$ 720,000	\$ 1,855,000
35th Avenue SE Pavement Preservation				\$ 645,792						\$ 504,208	\$ 1,150,000
132nd Street SE Mid-Block Crossing Improvements (HAWK)				\$ 75,000						\$ 675,000	\$ 750,000
Street Pavement Marking Program				\$ 700,000							\$ 700,000
Mill Creek Boulevard Corridor Improvements Study				\$ 250,000							\$ 250,000
Concrete Sidewalk Replacement Program				\$ 580,000							\$ 580,000
Pavement Preservation and Rehabilitation Program	\$ 668,500			\$ 2,536,500							\$ 3,205,000
Citywide Traffic Signal Upgrades				\$ 75,000							\$ 75,000
Bridge Monitoring & Improvement Program				\$ 600,000							\$ 600,000
EGUV "Spine Road" West Connection (Phase 1)								\$ 500,000			\$ 500,000
Traffic Safety and Calming Program				\$ 75,000							\$ 75,000
Transportation Project Totals	\$ 668,500	\$ -	\$ -	\$ 7,022,292	\$ -	\$ -	\$ -	\$ 500,000	\$ -	\$ 1,899,208	\$ 10,090,000
Parks and Trail Projects											
Exploration Park								\$ 1,200,000		\$ 100,000	\$ 1,300,000
Mill Creek Sports Park Turf & Light Replacement				\$ 816,000						\$ 284,000	\$ 1,100,000
Heron Park Playarea Upgrades				\$ 410,000							\$ 410,000
Silver Crest Park Upgrade				\$ 350,000							\$ 350,000
Parks Restroom/Picnic Shelter Roof Replacement									\$ 100,000		\$ 100,000
Trail Preservation Program			\$ 10,000	\$ 85,000							\$ 95,000
North Creek Trail Study									\$ 75,000		\$ 75,000
Park and Trail Project Totals	\$ -	\$ -	\$ 10,000	\$ 1,661,000	\$ -	\$ -	\$ -	\$ 1,200,000	\$ 175,000	\$ 384,000	\$ 3,430,000
City Facilities Projects											
City Hall North HVAC							\$ 80,000				\$ 80,000
Public Works Workshop Value Engineering Study									\$ 50,000		\$ 50,000
Entryway ADA Upgrades for City Hall and Library									\$ 40,000		\$ 40,000
Emergency Operations Center									\$ 59,640		\$ 59,640
Gateway and Presence Improvement				\$ 85,000					\$ 48,000		\$ 133,000
Historical Preservation Project					\$ 25,000						\$ 25,000
City Hall North Roof and Seismic Retrofit	\$ 161,203	\$ 138,797					\$ 300,000		\$ 75,000		\$ 675,000
City Facilities Project Totals	\$ 161,203	\$ 138,797	\$ -	\$ 85,000	\$ 25,000	\$ -	\$ 380,000	\$ -	\$ 272,640	\$ -	\$ 1,062,640
Storm Water Management Projects											
Surface Water Aging Infrastructure Program						\$ 4,687,500					\$ 4,687,500
Surface Water Project Totals	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 4,687,500	\$ -	\$ -	\$ -	\$ -	\$ 4,687,500
Funded CIP Totals All Project Categories	\$ 829,703	\$ 138,797	\$ 10,000	\$ 8,768,292	\$ 25,000	\$ 4,687,500	\$ 380,000	\$ 1,700,000	\$ 447,640	\$ 2,283,208	\$ 19,270,140



CIP Projects by Funding Source



Percentage of CIP Project Funding by Source

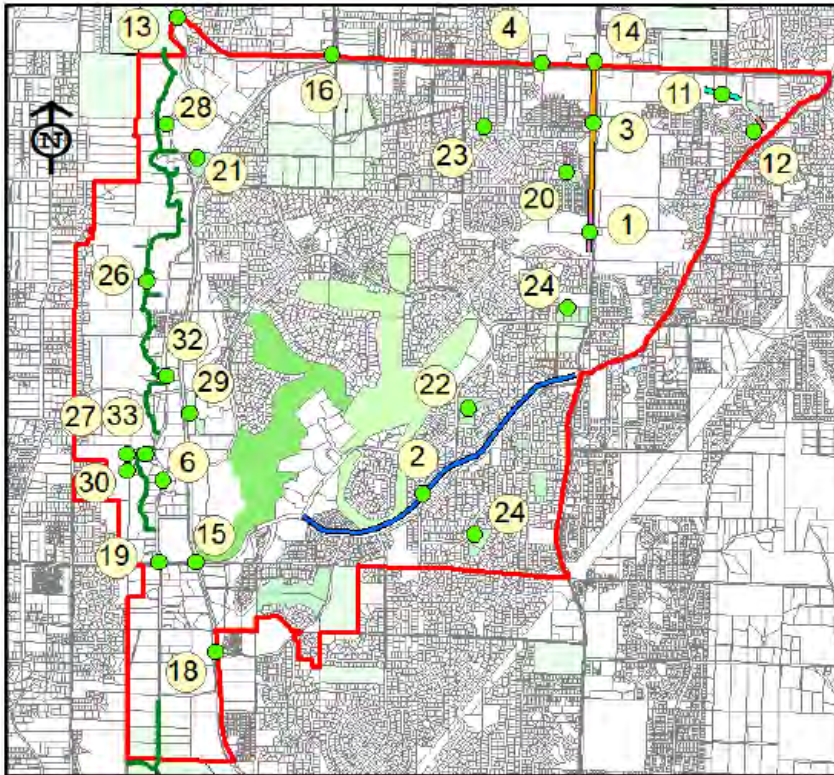


Capital Improvement Projects 2019-2024



Funded Project Listing

Project Name	Total	2019	2020	2021	2022	2023	2024
Transportation Projects							
35th Ave. SE Reconstruction Project	\$350,000	\$350,000					
Seattle Hill Road Pavement Preservation	\$1,855,000	\$1,855,000	\$0	\$0	\$0	\$0	\$0
35th Avenue SE Pavement Preservation	\$1,150,000	\$0	\$150,000	\$1,000,000	\$0	\$0	\$0
132nd Street SE Mid-Block Crossing Improvements (HAWK)	\$750,000	\$87,000	\$663,000	\$0	\$0	\$0	\$0
Street Pavement Marking Program	\$700,000	\$150,000	\$150,000	\$100,000	\$100,000	\$100,000	\$100,000
Mill Creek Boulevard Corridor Improvements Study	\$250,000	\$250,000					
Concrete Sidewalk Replacement Program	\$580,000	\$80,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000
Pavement Preservation and Rehabilitation Program	\$3,205,000	\$100,000	\$855,000	\$0	\$750,000	\$750,000	\$750,000
Citywide Traffic Signal Upgrades	\$75,000	\$0	\$75,000	\$0	\$0	\$0	\$0
Bridge Monitoring & Improvement Program	\$600,000	\$0	\$50,000	\$250,000	\$50,000	\$250,000	\$0
East Gateway Urban Village "Spine Road" West Connection (Phase 1)	\$500,000	\$500,000	\$0	\$0	\$0	\$0	\$0
Traffic Safety and Calming Program	\$75,000	\$0	\$25,000	\$0	\$25,000		\$25,000
Transportation Project Totals	\$10,090,000	\$3,372,000	\$2,068,000	\$1,450,000	\$1,025,000	\$1,200,000	\$975,000
Parks and Trail Projects							
Exploration Park	\$1,300,000	\$1,300,000	\$0	\$0	\$0	\$0	\$0
Mill Creek Sports Park Turf & Light Replacement	\$1,100,000	\$1,100,000	\$0	\$0	\$0	\$0	\$0
Heron Park Playarea Upgrades	\$410,000	\$50,000	\$360,000	\$0	\$0	\$0	\$0
Silver Crest Park Upgrade	\$350,000	\$0	\$0	\$30,000	\$320,000	\$0	\$0
Parks Restroom/Picnic Shelter Roof Replacement	\$100,000		\$50,000		\$50,000	\$0	\$0
Trail Preservation Program	\$95,000	\$20,000	\$25,000	\$0	\$25,000	\$0	\$25,000
North Creek Trail Study	\$75,000	\$0	\$75,000	\$0	\$0	\$0	\$0
Park and Trail Project Totals	\$3,430,000	\$2,470,000	\$510,000	\$30,000	\$395,000	\$0	\$25,000
City Facilities Projects							
City Hall North HVAC	\$80,000	\$80,000	\$0	\$0	\$0	\$0	\$0
Public Works Workshop Value Engineering Study	\$50,000	\$0	\$50,000	\$0	\$0	\$0	\$0
Entryway ADA Upgrades for City Hall and the Library	\$40,000		\$40,000				
Emergency Operations Center	\$59,640	\$59,640					
Gateway and Presence Improvement	\$133,000	\$48,000	\$85,000				
Historical Preservation Project	\$25,000	\$0	\$25,000				
City Hall North Roof and Seismic Retrofit	\$675,000	\$50,000	\$625,000				
City Facilities Project Totals	\$1,062,640	\$237,640	\$825,000	\$0	\$0	\$0	\$0
Storm Water Management Projects							
Surface Water Aging Infrastructure Program	\$4,687,500	\$937,500	\$750,000	\$750,000	\$750,000	\$750,000	\$750,000
Surface Water Project Totals	\$4,687,500	\$937,500	\$750,000	\$750,000	\$750,000	\$750,000	\$750,000
Funded CIP Totals All Project Categories	\$19,270,140	\$7,017,140	\$4,153,000	\$2,230,000	\$2,170,000	\$1,950,000	\$1,750,000



Capital Improvement Plan 2019-2024

Transportation Projects

- 1 35th Ave. SE Reconstruction Project
- 2 Seattle Hill Road Pavement Preservation
- 3 35th Avenue SE Pavement Preservation
- 4 132nd Street SE Mid-Block Crossing (HAWK)
- 5 Street Pavement Marking Program*
- 6 Mill Creek Boulevard Corridor Improvements Study
- 7 Concrete Sidewalk Replacement Program*
- 8 Pavement Preservation and Rehabilitation Program
- 9 Citywide Traffic Signal Upgrades*
- 10 Bridge Monitoring & Improvement Program*
- 11 EGLUV "Spine Road" West Connection (Ph 1)
- 12 EGLUV "Spine Road" East Connection (Ph 2)
- 13 SR 96 and Dumas Road Intersection Improvements
- 14 SR 96 at 35th Avenue Intersection Improvements
- 15 SR 527 / 164th Street Intersection Improvements
- 16 SR 527 / SR96 Intersection Improvements
- 17 Traffic Safety and Calming Program*
- 18 (Old) Seattle Hill Road at SR 527
- 19 164th St @ Mill Creek Blvd Intersection Improvement

Park and Trail Projects

- 20 Exploration Park
- 21 Mill Creek Sports Park Turf & Light Replacement
- 22 Heron Park Playarea Upgrades
- 23 Silver Crest Park Upgrade
- 24 Parks Restroom/Picnic Shelter Roof Replacement
- 25 Trail Preservation Program*
- 26 North Creek Trail Study

City Facilities & Equipment Projects

- 27 City Hall North HVAC
- 28 Public Works Shop
- 29 Entryway ADA Upgrades for City Hall and the Library
- 30 Emergency Operations Center
- 31 Gateway and Presence Improvement*
- 32 Historical Preservation Project
- 33 City Hall North Roof and Seismic Retrofit

Stormwater Management Projects

- 34 Surface Water Aging Infrastructure Program*
- 35 164th Street SE East Basin Surface Water Retrofit*
- 36 Lower Mill Creek Road Basin Surface Water Retrofit*

*Not Shown on Map



Alignment with City Goals

Projects in many of the program areas serve multiple City goals as noted in the matrix below.

	Fiscal Responsibility	Community Preservation	Civic Pride	Customer Service	Recreational Opportunities	Public Safety	Economic Prosperity	Leadership	Long-Term Planning
Transportation Projects									
35th Ave. SE Reconstruction Project	X	X				X			X
Seattle Hill Road Pavement Preservation	X	X				X			X
35th Avenue SE Pavement Preservation	X	X				X			X
132nd Street SE Mid-Block Crossing Improvements (HAWK)	X					X		X	
Street Pavement Marking Program		X				X			
Mill Creek Boulevard Corridor Improvements Study	X	X	X				X		X
Concrete Sidewalk Replacement Program		X				X			
Pavement Preservation and Rehabilitation Program		X							
Citywide Traffic Signal Upgrades		X				X			
Bridge Monitoring & Improvement Program		X				X			X
East Gateway Urban Village "Spine Road" West Connection (Phase 1)		X	X			X			X
Traffic Safety and Calming Program		X				X			X
Parks and Trail Projects									
Exploration Park	X	X	X		X			X	X
Mill Creek Sports Park Turf & Light Replacement	X	X	X		X			X	X
Heron Park Playarea Upgrades		X			X	X			X
Silver Crest Park Upgrade		X			X				X
Parks Restroom/Picnic Shelter Roof Replacement		X			X				X
Trail Preservation Program		X	X		X	X		X	X
North Creek Trail Study	X	X	X		X	X		X	X



	Fiscal Responsibility	Community Preservation	Civic Pride	Customer Service	Recreational Opportunities	Public Safety	Economic Prosperity	Leadership	Long-Term Planning
City Facilities Projects									
City Hall North HVAC		X				X			
Public Works Shop	X	X							X
Entryway ADA Upgrades for City Hall and Library		X				X			
Emergency Operations Center						X		X	X
Gateway and Presence Improvement		X	X				X		X
Historical Preservation Project	X	X	X						
City Hall North Roof and Seismic Retrofit		X				X			
Storm Water Management Projects									
Surface Water Aging Infrastructure Program	X	X				X			



Transportation Projects

PROJECT NAME:	35th Ave. SE Reconstruction
PROJECT #:	17-ROAD-02

Transportation Project

DEPARTMENT	Public Works and Development Services
CATEGORY	Roadway
TYPE	Construction

STRATEGIC PRIORITY
 Fiscal Responsibility, Community Preservation, Public Safety, Long-term Planning

DESCRIPTION / JUSTIFICATION
 The 35th Avenue Southeast Reconstruction Project will address the chronic settlement of the roadway between 144th Street Southeast and 141st Street Southeast that has occurred over time. The roadway was constructed across Penny Creek in an area underlain with compressible peat deposits. The project site is bound on the east by Thomas Lake and Penny Creek, which flows from the north along the east side of 35th Avenue Southeast, crossing within the study limits and continuing westerly. This project will construct a pile-supported concrete slab to support the roadway and prevent any future settlement. 35th Avenue Southeast has a functional classification of major arterial.

ANTICIPATED OPERATIONS AND MAINTENANCE COSTS
 A reduction in cost with respect to past years due to fewer maintenance response calls. There are no new operations and maintenance costs anticipated.

Expenditures	Prior	2019	2020	2021	2022	2023	2024	Total
Construction	\$ 5,383,068	\$ 350,000						\$ 350,000
Professional Services	\$ 611,300	\$ -						\$ -
Total Project Expenditures	\$ 5,994,368	\$ 350,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 350,000

Funding Sources	Prior	2019	2020	2021	2022	2023	2024	Total
REET	\$ 694,368	\$ 350,000						\$ 350,000
Grant -State	\$ 5,250,000							\$ -
Grant -Snohomish County	\$ 50,000							\$ -
Total Project Revenues	\$ 5,994,368	\$ 350,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 350,000



PROJECT NAME:	Seattle Hill Road Pavement Preservation
PROJECT #:	18-PAVE-03

Transportation Project

DEPARTMENT	Public Works and Development Services
CATEGORY	Pavement
TYPE	Construction

STRATEGIC PRIORITY
Fiscal Responsibility, Community Preservation, Public Safety, Long-Term Planning

DESCRIPTION / JUSTIFICATION
Repave Seattle Hill Road between Village Green Drive and 35th Avenue Southeast. The scope of work includes a full width, two-inch grind and overlay, replacement of landscaped median curbs and Americans with Disabilities (ADA) upgrades at all curb ramps and two traffic signals. A federal grant was obtained for construction in 2019 in the amount of \$720,000. In 2016, the pavement condition for this minor arterial was 59 (scale 0 to 100). The existing curb ramps and traffic signals do not meet current ADA standards. The curbs on all landscape medians have been damaged beyond repair over the years by vehicle collisions. No new operational expenses will result from this project.

ANTICIPATED OPERATIONS AND MAINTENANCE COSTS
No new operation and maintenance costs are anticipated.

Expenditures	Prior	2019	2020	2021	2022	2023	2024	Total
Construction		\$ 1,600,000						\$ 1,600,000
Professional Services	\$ 198,040	\$ 150,000						\$ 150,000
Project Engineer		\$ 105,000						\$ 105,000
Total Project Expenditures	\$ 198,040	\$ 1,855,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,855,000

Funding Sources	Prior	2019	2020	2021	2022	2023	2024	Total
Grant - Federal		\$ 720,000						\$ 720,000
REET	\$ 250,000	\$ 1,135,000						\$ 1,135,000
								\$ -
								\$ -
Total Project Revenues	\$ 250,000	\$ 1,855,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,855,000



PROJECT NAME:	35th Avenue SE Pavement Preservation
PROJECT #:	19-PW-01
DEPARTMENT	Public Works and Development Services
CATEGORY	Pavement
TYPE	Construction

Transportation Project

STRATEGIC PRIORITY
 Fiscal Responsibility, Community Preservation, Public Safety, Long-Term Planning

DESCRIPTION / JUSTIFICATION
 The project would include a full-width, 2-inch grind and overlay of 35th Avenue from 132nd Street SE to 141st Street SE (.57 miles), including traffic control, upgrade of ADA ramps, signing, channelization and other work. This project would connect to the section of 35th Avenue SE upgraded in the City's 2018 35th Avenue SE Reconstruction project. Per the Comprehensive Plan Level of Service Guidelines, the City should maintain a minimum average Pavement Condition Index (PCI) rating of 65 for collector and arterial roadways. Prior to implementation (design or construction), the City will confirm the need to overlay the road.

ANTICIPATED OPERATIONS AND MAINTENANCE COSTS
 No new operation and maintenance costs are anticipated.

Expenditures	Prior	2019	2020	2021	2022	2023	2024	Total
Professional Services			\$ 150,000					\$ 150,000
Construction				\$ 1,000,000				\$ 1,000,000
								\$ -
Total Project Expenditures	\$ -	\$ -	\$ 150,000	\$ 1,000,000	\$ -	\$ -	\$ -	\$ 1,150,000

Funding Sources	Prior	2019	2020	2021	2022	2023	2024	Total
General Fund or REET			\$ 150,000	\$ 495,792				\$ 645,792
Grant				\$ 504,208				\$ 504,208
								\$ -
								\$ -
Total Project Revenues	\$ -	\$ -	\$ 150,000	\$ 1,000,000	\$ -	\$ -	\$ -	\$ 1,150,000



PROJECT NAME:	132nd St SE Mid-block Crossing Improvements (HAWK)
PROJECT #:	19-PW-02

Transportation Project

DEPARTMENT	Public Works and Development Services
CATEGORY	Roadway
TYPE	Infrastructure

STRATEGIC PRIORITY
Fiscal Responsibility, Public Safety, Leadership

DESCRIPTION / JUSTIFICATION

The proposed mid-block crossing with American with Disabilities (ADA) compliant curb ramps, pedestrian refuge island, marked crosswalk, High-Intensity Activated crossWalk beacon (HAWK) signal and illumination are needed to provide pedestrians a safer place to cross 132nd Street SE. A HAWK signal at the mid-block crossing on 132nd Street SE, west of 35th Avenue SE, will be installed to allow pedestrians to stop vehicular traffic in order to cross the street safely. The proposed HAWK signal will be interconnected with the existing traffic signal at 35th Ave SE in order to reduce the potential of rear-end collisions as vehicles move from one signal to the next. The proposed improvements will install a pedestrian refuge island at the midblock crossing to reduce the crossing distance to 20-30 ft. Illumination is limited to street lighting around the adjacent shopping area. In order to increase pedestrian visibility to drivers, the proposed improvements include additional lighting focused on the mid-block crossing location. Project implementation (design and construction) is contingent upon the outcome of an application for a 2018 Pedestrian and Bicycle Grant from WSDOT. Staff also will pursue other funding opportunities, including partnership with Snohomish County. Staff will not proceed with this project until the City Council is satisfied with the City's contribution and evaluation of all non-City funding sources.

ANTICIPATED OPERATIONS AND MAINTENANCE COSTS

New operation and maintenance costs are anticipated and estimated at \$250 per year. This excludes any collisions that may cause significant pole damage.

Expenditures	Prior	2019	2020	2021	2022	2023	2024	Total
Construction			\$ 663,000					\$ 663,000
Professional Services		\$ 87,000						\$ 87,000
								\$ -
Total Project Expenditures	\$ -	\$ -	\$ 663,000	\$ -	\$ -	\$ -	\$ -	\$ 750,000

Funding Sources	Prior	2019	2020	2021	2022	2023	2024	Total
Grant - State		\$ 78,300	\$ 596,700					\$ 675,000
REET		\$ 8,700	\$ 66,300					\$ 75,000
								\$ -
								\$ -
Total Project Revenues	\$ -	\$ 87,000	\$ 663,000	\$ -	\$ -	\$ -	\$ -	\$ 750,000



PROJECT NAME:	Street Pavement Marking Program
PROJECT #:	19-PW-03
DEPARTMENT	Public Works and Development Services
CATEGORY	Pavement
TYPE	Infrastructure

Transportation Project

STRATEGIC PRIORITY
Community Preservation, Public Safety

DESCRIPTION / JUSTIFICATION
The goal of the Annual Street Pavement Marking Program is to maintain markings that identify travel lanes and other guidance markings for auto, pedestrian, bicycle, transit and other forms of transportation. Per the 2015 Comprehensive Plan, the City owns and maintains 77 lane miles of residential and local streets, 19 lane miles of collector streets and 10 lane miles of arterial streets (total of 106 lane miles of roadway).

ANTICIPATED OPERATIONS AND MAINTENANCE COSTS
No new operation and maintenance costs are anticipated.

Expenditures	Prior	2019	2020	2021	2022	2023	2024	Total
Construction		\$ 150,000	\$ 150,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 700,000
								\$ -
Total Project Expenditures	\$ -	\$ 150,000	\$ 150,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 700,000

Funding Sources	Prior	2019	2020	2021	2022	2023	2024	Total
REET		\$ 150,000	\$ 150,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 700,000
								\$ -
								\$ -
								\$ -
Total Project Revenues	\$ -	\$ 150,000	\$ 150,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 700,000



PROJECT NAME:	Mill Creek Boulevard Corridor Improvements Study
PROJECT #:	19-PW-04
DEPARTMENT	Public Works and Development Services
CATEGORY	Transportation
TYPE	Planning

Transportation Project

STRATEGIC PRIORITY
 Fiscal Responsibility, Community Preservation, Civic Pride, Economic Prosperity, Long-Term Planning

DESCRIPTION / JUSTIFICATION
 Mill Creek Boulevard is an important north-south transportation corridor located in the heart of Mill Creek. The goal of the Mill Creek Boulevard Corridor Improvements Study is to enhance economic vitality and provide a framework to multiple capital improvements which include: intersection improvements at 164th Street, 161st Street, Main and SR 527; surface water aging infrastructure failures identified in a 2018 study produced by Perteet; water quality treatment, pavement preservation and roadway re-configurations to better support Community Transit's bus rapid transit (BRT) lines. This study will peripherally address zoning and land use.

ANTICIPATED OPERATIONS AND MAINTENANCE COSTS
 No new operation and maintenance costs are anticipated.

Expenditures	Prior	2019	2020	2021	2022	2023	2024	Total
Professional Services		\$ 250,000						\$ 250,000
								\$ -
								\$ -
Total Project Expenditures	\$ -	\$ 250,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 250,000

Funding Sources	Prior	2019	2020	2021	2022	2023	2024	Total
REET		\$ 250,000						\$ 250,000
								\$ -
								\$ -
								\$ -
Total Project Revenues	\$ -	\$ 250,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 250,000



PROJECT NAME:	Concrete Sidewalk Replacement Program
PROJECT #:	19-PW-05

Transportation Project

DEPARTMENT	Public Works and Development Services
CATEGORY	Repair / Maintenance
TYPE	Construction

STRATEGIC PRIORITY
Community Preservation, Public Safety

DESCRIPTION / JUSTIFICATION
 The goal of this annual program is the preservation of the City's sidewalk systems which includes 75 miles of public sidewalks and more than 1,000 curb ramps. The scope of work includes repair or replacement of damaged sections of curb, gutter, sidewalk and curb ramps that meet the American with Disabilities Act (ADA). The first year of the program will include a citywide assessment and rating of sidewalks and prioritization of needed repairs as well as recommendations on alternative repair methods. This program also includes assessing and addressing the root cause of buckling sidewalk such as trees. This program may include tree removal or alternative construction methods to preserve existing trees. Some of the benefits of this program include: 1) improved pedestrian safety, 2) compliance with ADA standards, 3) savings in maintenance costs.

ANTICIPATED OPERATIONS AND MAINTENANCE COSTS
 No new operation and maintenance costs are anticipated.

Expenditures	Prior	2019	2020	2021	2022	2023	2024	Total
Assessment		\$ 30,000						\$ 30,000
Construction		\$ 50,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 550,000
								\$ -
Total Project Expenditures	\$ -	\$ 80,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 580,000

Funding Sources	Prior	2019	2020	2021	2022	2023	2024	Total
REET		\$ 80,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 580,000
								\$ -
								\$ -
								\$ -
Total Project Revenues	\$ -	\$ 80,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 580,000



PROJECT NAME:	Pavement Preservation and Rehabilitation Program
PROJECT #:	19-PW-06
DEPARTMENT	Public Works and Development Services
CATEGORY	Pavement
TYPE	Maintenance / Repair

Transportation Project

STRATEGIC PRIORITY
Community Preservation

DESCRIPTION / JUSTIFICATION
The goal of this annual program is to extend the useful life of the City's streets by assessing, preserving and rehabilitating pavement conditions. Typical work will include crack filling, removal and replacement of failed pavement, patching, surface preservation treatments (seal coat, slurry seal, microsurfacing, chip seals) and asphalt overlays. The City is responsible for approximately 106 lane miles of roadway. The Program includes replacement or installation of accessible curb ramps to meet the requirements of the Americans with Disabilities Act (ADA). Per the Comprehensive Plan, the City's level of service guidelines for pavement management identifies a minimum pavement condition index of 65 for collectors and arterial roadways and 70 for local and residential roadways. In 2019, an assessment and pavement rating will be conducted to establish a priority list for future repairs. Federally funded roadway preservation projects are programmed in 2019 (Seattle Hill Road) and 2021 (35th Ave. SE).

ANTICIPATED OPERATIONS AND MAINTENANCE COSTS
No new operation and maintenance costs are anticipated.

Expenditures	Prior	2019	2020	2021	2022	2023	2024	Total
Assessment		\$ 100,000						\$ 100,000
Construction			\$ 750,000	\$ -	\$ 750,000	\$ 750,000	\$ 750,000	\$ 3,000,000
Project Engineer			\$ 105,000					\$ 105,000
Total Project Expenditures	\$ -	\$ 100,000	\$ 855,000	\$ -	\$ 750,000	\$ 750,000	\$ 750,000	\$ 3,205,000

Funding Sources	Prior	2019	2020	2021	2022	2023	2024	Total
General Fund Reserve		\$ 100,000	\$ 750,000		\$ 750,000	\$ 750,000	\$ 750,000	\$ 3,100,000
REET			\$ 105,000					\$ 105,000
								\$ -
								\$ -
Total Project Revenues	\$ -	\$ 100,000	\$ 855,000	\$ -	\$ 750,000	\$ 750,000	\$ 750,000	\$ 3,205,000



PROJECT NAME:	Citywide Traffic Signal Upgrades
PROJECT #:	17-ROAD-03
DEPARTMENT	Public Works and Development Services
CATEGORY	Signals
TYPE	Construction

Transportation Project

STRATEGIC PRIORITY
Community Preservation, Public Safety

DESCRIPTION / JUSTIFICATION
The City owns seven traffic signals that are operated and maintained by Snohomish County. The existing controllers and conflict monitors use outdated technology and need to be replaced in order for the signals to work within the County's integrated system. The project scope includes the installation of new pedestrian push buttons for compliance with the American with Disabilities Act (ADA), new side mounted battery backup systems (164th Street and Mill Creek Boulevard; Dumas Road at Park Road; Mill Creek Road and Village Green Drive), new controllers and conflict monitors. All work will be completed by Snohomish County.

ANTICIPATED OPERATIONS AND MAINTENANCE COSTS
No new operation and maintenance costs are anticipated.

Expenditures	Prior	2019	2020	2021	2022	2023	2024	Total
Construction			\$ 75,000					\$ 75,000
Professional Services								\$ -
								\$ -
Total Project Expenditures	\$ -	\$ -	\$ 75,000	\$ -	\$ -	\$ -	\$ -	\$ 75,000

Funding Sources	Prior	2019	2020	2021	2022	2023	2024	Total
REET			\$ 75,000					\$ 75,000
								\$ -
								\$ -
Total Project Revenues	\$ -	\$ -	\$ 75,000	\$ -	\$ -	\$ -	\$ -	\$ 75,000



PROJECT NAME:	Bridge Monitoring and Improvement Program
PROJECT #:	19-PW-07
DEPARTMENT	Public Works and Development Services
CATEGORY	
TYPE	Construction

Transportation Project

STRATEGIC PRIORITY
 Community Preservation, Public Safety, Long-Term Planning

DESCRIPTION / JUSTIFICATION
 The City of Mill Creek owns a total of ten bridges. Only four of those bridges have a structure length over 20LF. In 2017, all ten bridges were inspected by WSDOT and load ratings were completed by KPFF on the four structures with span lengths greater than 20LF. Bridge scour conditions were identified at two bridges: North Creek Bridge (Bridge Number: MILL CR 1 located on 164th Street SE) and Penny Creek Bridge (Bridge Number: MILL CR 2 located on 144th Street SE). Based on service stresses, posted load restrictions were recommended at the North Creek Bridge (Bridge Number: MILL CR 1 located on 164th Street SE) and 153rd Street SE Bridge (Bridge Number: MILL CR 3). A load rating was also conducted on Mill Creek Road Bridge (Bridge Number: MILL CR 10). The City could elect to post load limits based on strength load rating, in which case the tonnages would be much higher, but the bridge would see greater deterioration over time. This project scope includes review of scour options, such as riprap, as well as design and construction. Additionally, scope includes evaluation of tonnage restriction on two bridges.

ANTICIPATED OPERATIONS AND MAINTENANCE COSTS
 No new operation and maintenance costs are anticipated.

Expenditures	Prior	2019	2020	2021	2022	2023	2024	Total
Construction				\$ 250,000		\$ 250,000		\$ 500,000
Professional Services			\$ 50,000		\$ 50,000			\$ 100,000
								\$ -
Total Project Expenditures	\$ -	\$ -	\$ 50,000	\$ 250,000	\$ 50,000	\$ 250,000	\$ -	\$ 600,000

Funding Sources	Prior	2019	2020	2021	2022	2023	2024	Total
REET			\$ 50,000	\$ 250,000	\$ 50,000	\$ 250,000		\$ 600,000
								\$ -
								\$ -
Total Project Revenues	\$ -	\$ -	\$ 50,000	\$ 250,000	\$ 50,000	\$ 250,000	\$ -	\$ 600,000



PROJECT NAME:	EGUV Spine Road West Connection (Phase 1)
PROJECT #:	19-ROAD-15
DEPARTMENT	Public Works and Development Services
CATEGORY	Transportation
TYPE	Construction

Transportation Project

STRATEGIC PRIORITY
 Community Preservation, Civic Pride, Public Safety, Long-Term Planning

DESCRIPTION / JUSTIFICATION
 The East Gateway Urban Village (EGUV) subarea plan was designed with internal access provided via a "Spine Road." Several parcels in the East Gateway Urban Village have developed or are proposed for development and construction of the "Spine Road" has been a condition of approval for these developments. Right-of-way was dedicated as part of the approval of the Polygon Apartments/Townhome development, the Gateway Building, the Vintage and would be required with The Farm (project application submitted in 2018). This project will complete the "Spine Road" from 39th Ave. SE to 44th Ave. SE. Costs include appraisals, review of appraisals, and partial right-of-way purchase needed at two parcels for subsequent roadway design and construction. A 72 LF right of way width is needed for the "Spine Road." **Beyond the purchase of the right of way in 2019, work does not yet have funds committed.**

ANTICIPATED OPERATIONS AND MAINTENANCE COSTS
 No new operation and maintenance costs are anticipated.

Expenditures	Prior	2019	2020	2021	2022	2023	2024	Total
Design		\$ -						\$ -
Right-of-Way		\$ 500,000						\$ 500,000
Construction								\$ -
Total Project Expenditures	\$ -	\$ 500,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 500,000

Funding Sources	Prior	2019	2020	2021	2022	2023	2024	Total
Road Mitigation Funds		\$ 500,000						\$ 500,000
								\$ -
								\$ -
Total Project Revenues	\$ -	\$ 500,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 500,000



PROJECT NAME:	Traffic Safety and Calming Program
PROJECT #:	19-PW-08

Transportation Project

DEPARTMENT	Public Works and Development Services
CATEGORY	Transportation
TYPE	Planning

STRATEGIC PRIORITY
Community Preservation, Public Safety, Long-term Planning

DESCRIPTION / JUSTIFICATION
This program builds upon the City's Traffic Calming Program prepared in 2007 which focused on the safety and livability of City neighborhoods and was focused on streets with an average daily traffic (ADT) of less than 8,000 vehicles. The 2019-2024 CIP Traffic Safety and Calming Program expands to address safety and traffic calming concerns to collectors and arterials.

ANTICIPATED OPERATIONS AND MAINTENANCE COSTS
No new operation and maintenance costs are anticipated.

Expenditures	Prior	2019	2020	2021	2022	2023	2024	Total
Study			\$ 25,000		\$ 25,000		\$ 25,000	\$ 75,000
								\$ -
								\$ -
Total Project Expenditures	\$ -	\$ -	\$ 25,000	\$ -	\$ 25,000	\$ -	\$ 25,000	\$ 75,000

Funding Sources	Prior	2019	2020	2021	2022	2023	2024	Total
REET			\$ 25,000		\$ 25,000		\$ 25,000	\$ 75,000
								\$ -
								\$ -
								\$ -
Total Project Revenues	\$ -	\$ -	\$ 25,000	\$ -	\$ 25,000	\$ -	\$ 25,000	\$ 75,000



Parks and Trail Projects

PROJECT NAME:	Construction of Exploration Park
PROJECT #:	17-PARK-03

Parks and Trails Project

DEPARTMENT	Public Works and Development Services
CATEGORY	Parks
TYPE	Construction

STRATEGIC PRIORITY
Fiscal Responsibility, Community Preservation, Civic Pride, Recreational Opportunities, Leadership, Long-Term Planning

DESCRIPTION / JUSTIFICATION
In 2006, in conjunction with the development of the North Pointe subdivision, the developer dedicated a one-acre parcel to the City for neighborhood park land in lieu of park mitigation fees. In 2016 the City's Parks and Recreation Board worked with staff and several members of the Design Review Board to develop design concepts. The Parks and Recreation Board recommended the Natural Play Park design concept to the Council at their regular meeting on September 27, 2016, and the Council adopted the master plan. From 2016 through 2018, the City contracted with consultants for geotechnical studies, prepared the design and construction documents and advertised the project for bid. On April 30, 2018, the City received two bids, both significantly higher than expected. At their July 24, 2018 meeting, Council rejected all bids. The Exploration Park project construction is budgeted to be \$1.3 million based on a competitive bidding market and taking into consideration the engineer's estimate and previous bids received. The project has been broken into various components (base bid and alternates) and will be re-advertised in November 2018. Staff will provide the new bids to Council for consideration in December 2018; the scope of this project is subject to action by the Council.

ANTICIPATED OPERATIONS AND MAINTENANCE COSTS
Operations and maintenance costs are anticipated at approximately 300 labor hours per year, plus materials anticipated to be \$4,000 per year (such as engineered wood fiber surfacing replacement).

Expenditures	Prior	2019	2020	2021	2022	2023	2024	Total
Design - Professional Services	\$ 108,257							\$ 108,257
Construction	\$ 3,000	\$ 1,300,000						\$ 1,303,000
Total Project Expenditures	\$ 111,257	\$ 1,300,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,411,257

Funding Sources	Prior	2019	2020	2021	2022	2023	2024	Total
Grant - Snohomish County		\$ 100,000						\$ 100,000
Park Mitigation	\$ 111,257	\$ 1,200,000						\$ 1,311,257
Total Project Revenues	\$ 111,257	\$ 1,300,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,411,257



PROJECT NAME:	Mill Creek Sports Park Turf & Light Replacement
PROJECT #:	18-PARK-02

Parks and Trails Project

DEPARTMENT	Public Works and Development Services
CATEGORY	Parks
TYPE	Maintenance/Repair

STRATEGIC PRIORITY
 Fiscal Responsibility, Community Preservation, Civic Pride, Recreational Opportunities, Leadership, Long-Term Planning

DESCRIPTION / JUSTIFICATION
 The Mill Creek Sports Park Turf and Light Replacement Project will replace the current aging 64,000 square feet field turf, retro-fit and upgrade the existing park lighting system at the field, skate park, and parking lot. In June 2017, Council awarded a contract to Bruce Dees and Associates (BDA) for professional services in an amount not to exceed \$61,637.75. The City received a \$250,000 grant for design and construction from the WA State Recreation and Conservation Office (RCO) and \$100,000 via an interlocal agreement from Snohomish County. The project is scheduled to be advertised in October 2018.

ANTICIPATED OPERATIONS AND MAINTENANCE COSTS
 No new operation and maintenance costs are anticipated.

Expenditures	Prior	2019	2020	2021	2022	2023	2024	Total
Design - Professional Services	\$ 66,000							\$ 66,000
Construction		\$ 1,100,000						\$ 1,100,000
								\$ -
Total Project Expenditures	\$ 66,000	\$ 1,100,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,166,000

Funding Sources	Prior	2019	2020	2021	2022	2023	2024	Total
RCO Grant	\$ 66,000	\$ 184,000						\$ 250,000
Snohomish County Grant		\$ 100,000						\$ 100,000
REET		\$ 816,000						\$ 816,000
								\$ -
Total Project Revenues	\$ 66,000	\$ 1,100,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,166,000



PROJECT NAME:	Heron Park Playarea Upgrades
PROJECT #:	19-PARK-01

Parks and Trails Project

DEPARTMENT	Public Works and Development Services
CATEGORY	Parks
TYPE	Repair / Maintenance

STRATEGIC PRIORITY
Community Preservation, Recreational Opportunities, Public Safety, Long-Term Planning

DESCRIPTION / JUSTIFICATION
Heron Park was developed in conjunction with the construction of the Parkside subdivision in 1992. The park has been well maintained over the years. However, the playground equipment is over 25 years old and has broken down to the point that repairs are no longer feasible. Currently, the playground includes: a piece geared to the 1-4 year old group, another piece geared for the 5 - 12 year old group and a spin toy. Additionally, the picnic shelter/restroom building needs to be re-roofed and painted. This project proposes to replace playground equipment and the old shake roof with a metal roof that will have a longer useful life and to upgrade the lighting to energy efficient LED lighting.

ANTICIPATED OPERATIONS AND MAINTENANCE COSTS
No new operation and maintenance costs are anticipated.

Expenditures	Prior	2019	2020	2021	2022	2023	2024	Total
Design		\$ 50,000						\$ 50,000
Construction			\$ 360,000					\$ 360,000
Total Project Expenditures	\$ -	\$ 50,000	\$ 360,000	\$ -	\$ -	\$ -	\$ -	\$ 410,000

Funding Sources	Prior	2019	2020	2021	2022	2023	2024	Total
REET		\$ 50,000	\$ 360,000					\$ 410,000
								\$ -
								\$ -
Total Project Revenues	\$ -	\$ 50,000	\$ 360,000	\$ -	\$ -	\$ -	\$ -	\$ 410,000



PROJECT NAME:	Silver Crest Park Upgrade
PROJECT #:	19-PARK-02

Parks and Trails Project

DEPARTMENT	Public Works and Development Services
CATEGORY	Parks
TYPE	Repair / Maintenance

STRATEGIC PRIORITY
 Community Preservation, Recreational Opportunities, Long-Term Planning

DESCRIPTION / JUSTIFICATION
 The Silver Crest Park was annexed to the City in 2005 as a part of the Northeast Area Annexation. This .61 acre neighborhood park is located within the Silver Crest subdivision on 28th Drive SE. Amenities include a full basketball court, playground, picnic tables, and a grassy play area. There is currently no irrigation in place at this park and there is room for upgrades in many other areas. This proposed project would include adding irrigation, repairing the basketball court including a complete resurfacing and restriping, as well as repairing the fence around the basketball court. Also included are replacement benches and picnic tables with concrete pads.

ANTICIPATED OPERATIONS AND MAINTENANCE COSTS
 Operation and maintenance costs are anticipated to increase 30 labor hours per year.

Expenditures	Prior	2019	2020	2021	2022	2023	2024	Total
Design				\$ 30,000				\$ 30,000
Construction					\$ 320,000			\$ 320,000
Total Project Expenditures	\$ -	\$ -	\$ -	\$ 30,000	\$ 320,000	\$ -	\$ -	\$ 350,000

Funding Sources	Prior	2019	2020	2021	2022	2023	2024	Total
REET				\$ 30,000	\$ 320,000			\$ 350,000
								\$ -
								\$ -
								\$ -
Total Project Revenues	\$ -	\$ -	\$ -	\$ 30,000	\$ 320,000	\$ -	\$ -	\$ 350,000



PROJECT NAME:	Parks Restroom/Picnic Shelter Roof Replacement
PROJECT #:	19-PARK-03
DEPARTMENT	Public Works and Development Services
CATEGORY	Parks and Trail Projects
TYPE	Maintenance and Repair

Parks and Trails Project

STRATEGIC PRIORITY
 Community Preservation, Recreational Opportunities, Long-Term Planning

DESCRIPTION / JUSTIFICATION
 The existing shake roof on the restroom/picnic shelter buildings at Pine Meadow Park and Cougar Park is nearing the end of its useful life and is in need of replacement. The plan is to replace it with a metal roof that will have a longer useful life. The project would also include replacement of gutters and downspouts. Pine Meadow Park is planned for 2020 and Cougar Park is planned for 2022. Standing Seam Roof (SSR) was mentioned during the Park Board meeting this year and seemed to be well liked by the Board. Paint fade was the only concern identified. Although SSR may have a higher up front cost, it has a longer life span and there are long-term savings on maintenance. The roofs at these parks have crests and valleys. Sloped roofs increase the costs by at least 15% per the vendors. Using the park drawings (based on the park specific dimensions) and metal SSR, the costs come in at about \$50,000 per park, based on a \$15 per square foot cost for SSR. Metal roofs are very durable (40 to 70 years), and stand up against the elements much better than asphalt or wood. Metal roofs last as least three times as long as asphalt roofs and require much less maintenance over its lifetime (by as much as 33% compared to the cost of asphalt shingles). Asphalt shingles are estimated at \$6 per square foot and wood shingles are estimated at \$9 per square foot. The disadvantages of standing seam metal roofing mainly have to do with the cost and the difficulty in finding a reliable roofing contractor to install it (specialized skill). Buffalo Park has a Standing Seam Roof.

ANTICIPATED OPERATIONS AND MAINTENANCE COSTS
 This project is anticipated to reduce current maintenance costs.

Expenditures	Prior	2019	2020	2021	2022	2023	2024	Total
Construction			\$ 50,000		\$ 50,000			\$ 100,000
								\$ -
								\$ -
Total Project Expenditures	\$ -	\$ -	\$ 50,000	\$ -	\$ 50,000	\$ -	\$ -	\$ 100,000

Funding Sources	Prior	2019	2020	2021	2022	2023	2024	Total
General Fund			\$ 50,000		\$ 50,000			\$ 100,000
								\$ -
								\$ -
Total Project Revenues	\$ -	\$ -	\$ 50,000	\$ -	\$ 50,000	\$ -	\$ -	\$ 100,000



PROJECT NAME:	Trail Preservation Program
PROJECT #:	19-PARK-04

Parks and Trails Project

DEPARTMENT	Public Works and Development Services
CATEGORY	Parks and Trails
TYPE	Repair / Maintenance

STRATEGIC PRIORITY
 Community Preservation, Civic Pride, Recreational Opportunities, Public Safety, Leadership, Long-Term Planning

DESCRIPTION / JUSTIFICATION
 As a part of the development of several subdivisions in the City (e.g., Brighton, Amberleigh, The Springs), the City accepted the responsibility for maintenance of trail infrastructure through open space tracts in exchange for public access easements on the trails. The Trail Preservation Program would initially identify all of these trails within the City and access their current condition. A priority list would be established ranking the severity of the deficiencies as well as establishing a schedule for future repairs and resurfacing.

ANTICIPATED OPERATIONS AND MAINTENANCE COSTS
 No new operation and maintenance costs are anticipated.

Expenditures	Prior	2019	2020	2021	2022	2023	2024	Total
Assessment		\$ 20,000						\$ 20,000
Construction			\$ 25,000		\$ 25,000		\$ 25,000	\$ 75,000
Total Project Expenditures	\$ -	\$ 20,000	\$ 25,000	\$ -	\$ 25,000	\$ -	\$ 25,000	\$ 95,000

Funding Sources	Prior	2019	2020	2021	2022	2023	2024	Total
Parks and Trails Fund		\$ 10,000						\$ 10,000
REET		\$ 10,000	\$ 25,000		\$ 25,000		\$ 25,000	\$ 85,000
								\$ -
Total Project Revenues	\$ -	\$ 20,000	\$ 25,000	\$ -	\$ 25,000	\$ -	\$ 25,000	\$ 95,000



PROJECT NAME:	North Creek Trail Study
PROJECT #:	19-PARK-05

Parks and Trails Project

DEPARTMENT	Public Works and Development Services
CATEGORY	Parks and Trails
TYPE	Planning

STRATEGIC PRIORITY
 Fiscal Responsibility, Community Preservation, Civic Pride, Recreational Opportunities, Public Safety, Leadership, Long-Term Planning

DESCRIPTION / JUSTIFICATION
 The North Creek Trail connects multiple regional trails including the Burke Gilman and Sammamish River Trails to the South with the Interurban Trail to the North. The result is a network of trails which enables non-motorized transportation for commuters and local residents in a nearly continuous route from the Everett area all the way to the communities of Bothell, Lynnwood and Seattle. This trail system serves and connects the significant Regional Growth Centers of Bothell Canyon Park, Lynnwood and Everett as well as the locally designated Mill Creek Town Center and the Paine Field Manufacturing Industrial Center. The North Creek Trail Study will look at potential future development, improvements and upgrades to the North Creek Trail within the City of Mill Creek. This Feasibility Study will include assessment of American with Disabilities (ADA) compliance for built out sections, high level cost estimate for trail gaps, environmental preliminary assessment, geotechnical investigation and funding options. Improvements are intended to make the trail a shared use path for users of all ages and abilities.

ANTICIPATED OPERATIONS AND MAINTENANCE COSTS
 No new operation and maintenance costs are anticipated.

Expenditures	Prior	2019	2020	2021	2022	2023	2024	Total
Feasibility Study			\$ 75,000					\$ 75,000
								\$ -
Total Project Expenditures	\$ -	\$ -	\$ 75,000	\$ -	\$ -	\$ -	\$ -	\$ 75,000

Funding Sources	Prior	2019	2020	2021	2022	2023	2024	Total
General Fund			\$ 75,000					\$ 75,000
								\$ -
								\$ -
Total Project Revenues	\$ -	\$ -	\$ 75,000	\$ -	\$ -	\$ -	\$ -	\$ 75,000



City Facilities Projects

PROJECT NAME:	City Hall North HVAC
PROJECT #:	19-BLDG-01
DEPARTMENT	Public Works and Development Services
CATEGORY	Buildings
TYPE	Maintenance / Repair

City Facilities Project

STRATEGIC PRIORITY
Community Preservation, Public Safety

DESCRIPTION / JUSTIFICATION
Total replacement and commissioning of four liquid cooled heat pumps. Three of the four heat pumps are currently non-operational and one is close to failing. These heat pumps overlap with other heat pumps and serve a City staff area, tenant spaces as well as the Large Community Room. In addition to the actual HVAC work, the project includes ceiling tile replacement due to access requirements. The estimate also includes unknown failed duct work replacements.

ANTICIPATED OPERATIONS AND MAINTENANCE COSTS
Operation and maintenance costs are expected to decrease by 50 labor hours per year due to a reduced number of service calls.

Expenditures	Prior	2019	2020	2021	2022	2023	2024	Total
Equipment		\$ 80,000						\$ 80,000
								\$ -
								\$ -
Total Project Expenditures	\$ -	\$ 80,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 80,000

Funding Sources	Prior	2019	2020	2021	2022	2023	2024	Total
15720 Main Street Property Fund		\$ 80,000						\$ 80,000
								\$ -
								\$ -
Total Project Revenues	\$ -	\$ 80,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 80,000



PROJECT NAME:	Public Works Workshop Value Engineering Study
PROJECT #:	17-BLDG-02

City Facilities Project

DEPARTMENT	Public Works and Development Services
CATEGORY	Facilities
TYPE	Construction

STRATEGIC PRIORITY
 Fiscal Responsibility, Community Preservation, Long-Term Planning

DESCRIPTION / JUSTIFICATION
 City Hall does not provide adequate parking, facilities or storage for Public Works maintenance vehicles and materials. The City received a State Department of Commerce grant in the amount of \$250,000 which expires in June 2019 (a grant extension request will be submitted in 2018). Staff plans to move this project forward by conducting a study to evaluate current City-owned properties and other properties as well, and obtain comparison of cost and how the sites meet current and future needs.

ANTICIPATED OPERATIONS AND MAINTENANCE COSTS
 No new operation and maintenance costs are anticipated.

Expenditures	Prior	2019	2020	2021	2022	2023	2024	Total
Study	\$ 160,361		\$ 50,000					\$ 210,361
								\$ -
Total Project Expenditures	\$ 160,361	\$ -	\$ 50,000	\$ -	\$ -	\$ -	\$ -	\$ 210,361

Funding Sources	Prior	2019	2020	2021	2022	2023	2024	Total
CIP Fund	\$ 160,361		\$ 50,000					\$ 210,361
								\$ -
								\$ -
Total Project Revenues	\$ 160,361	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 160,361



PROJECT NAME:	Entryway ADA Upgrades for City Hall and the Library
PROJECT #:	19-BLDG-02

City Facilities Project

DEPARTMENT	Public Works and Development Services
CATEGORY	Facilities and Equipment
TYPE	Repair and Maintenance

STRATEGIC PRIORITY
Community Preservation, Public Safety

DESCRIPTION / JUSTIFICATION
 City of Mill Creek has become a popular destination for passport customers, library patrons as well as other customers. The doors and Americans with Disabilities (ADA) entrances have experienced an elevated level of wear and tear on the City Hall South and Library Buildings. The current doors and openers are failing due to age and the number of cycles they receive. Maintenance repair and downtime have increased over the last few years. This project would replace the worn doors hardware, ADA openers and related components to ensure we meet the needs of all Mill Creek's Residents and customers. Per the 2004 annexation agreement between the City and the Sno-Isle Intercounty Rural Library District, the City is responsible for repair and capital costs.

ANTICIPATED OPERATIONS AND MAINTENANCE COSTS
 Operation and maintenance costs are anticipated to decrease by 40 labor hours per year.

Expenditures	Prior	2019	2020	2021	2022	2023	2024	Total
Equipment/Installation			\$ 40,000					\$ 40,000
								\$ -
								\$ -
Total Project Expenditures	\$ -	\$ -	\$ 40,000	\$ -	\$ -	\$ -	\$ -	\$ 40,000

Funding Sources	Prior	2019	2020	2021	2022	2023	2024	Total
CIP Fund			\$ 40,000					\$ 40,000
								\$ -
								\$ -
Total Project Revenues	\$ -	\$ -	\$ 40,000	\$ -	\$ -	\$ -	\$ -	\$ 40,000



PROJECT NAME:	Emergency Operations Center (EOC)
PROJECT #:	19-BLDG-03

City Facilities Project

DEPARTMENT	Public Safety/Emergency Management
CATEGORY	Facilities and Equipment
TYPE	Infrastructure Improvement

STRATEGIC PRIORITY
Public Safety, Leadership, Long-Term Planning

DESCRIPTION / JUSTIFICATION

The City's Emergency Operations Center (EOC) is used for overall direction, control, and coordination in order to support the overall community response to the disaster and to best coordinate efforts with county, state, and federal agencies. An effective EOC requires the space and equipment to support response and relief efforts in the field, maintain situational awareness, and fulfill the task of coordinating with county, state, and federal agencies. The current EOC is located in the City Hall South small conference room and is inadequate for the task. It consists of a conference table and a wooden cabinet containing a radio. The conference room can only seat 6-8 people around a single table with no computer access and a single telephone. This CIP proposes moving the EOC to North City Hall Room 201. The EOC would be furnished with movable tables and chairs that can be configured into six (6) EOC sections; EOC Manager, PIO, Finance/Administration, Operations, Planning, and Logistics. Each section would be equipped with a desktop PC, a Surface tablet, and a landline telephone. The room would be equipped with two short throw LED projectors and two flat screen monitors. A seventh PC and an AV switcher would sit in the back, allowing any combination of four AV inputs to be displayed on the projectors and monitors.

ANTICIPATED OPERATIONS AND MAINTENANCE COSTS

New operation and maintenance costs are anticipated to occur for the Public Works maintenance team at 25 labor hours per year. There will be two years of Information Technology staff impacts, for a total of 35 IT labor hours.

Expenditures	Prior	2019	2020	2021	2022	2023	2024	Total
Audio-Visual System		\$ 19,763						\$ 19,763
Tables and Chairs		\$ 15,662						\$ 15,662
Incident Command Vests		\$ 324						\$ 324
Floor Sign Stands		\$ 778						\$ 778
Mobile File Drawers		\$ 538						\$ 538
Computers		\$ 20,153						\$ 20,153
Network Lines		\$ 1,449						\$ 1,449
Power to Projectors		\$ 348						\$ 348
Telephones		\$ 626						\$ 626
Total Project Expenditures	\$ -	\$ 59,640	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 59,640

Funding Sources	Prior	2019	2020	2021	2022	2023	2024	Total
CIP Fund		\$ 59,640						\$ 59,640
Total Project Revenues	\$ -	\$ 59,640	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 59,640



PROJECT NAME:	Gateway and Presence Improvement
PROJECT #:	18-ROAD-13

City Facilities Project

DEPARTMENT	Communications and Marketing
CATEGORY	Tourism
TYPE	Replacement

STRATEGIC PRIORITY
 Community Preservation, Civic Pride, Economic Prosperity, Long-Term Planning

DESCRIPTION / JUSTIFICATION
 Although approved in the last biennium, this capital project was not executed. It is a gateway and presence improvement project to help attract economic development opportunities and create an inviting aesthetic for tourism purposes. This provides an opportunity to update and unify the City's brand while providing vibrant, visually appealing gateway entry features for the City. It include updating and creating consistent gateway signage at key gateways to Mill Creek. The project entails working with a creative marketing agency to update the City's brand to reflect the lifestyle of Mill Creek and attract people to spend money in local businesses. The eight gateway entry points into the City include 164th Street SE, 132nd Street SE at 10th Street, Dumas Road at Park Road, 132nd Street SE at SR 527, 132nd Street SE at Seattle Hill Road, 35th Avenue SE at Seattle Hill Road, and SR 527 at 175th Street. Though the project funding source approved in the 2017-2018 CIP was through REET, the City will seek grant/sponsorship funding from community partners to help provide a cohesive community branding. Sign estimates in the CIP are very conservative; per staff outreach to local sign companies, the frame (which would not be replace) is generally about 65% of the sign cost. Since we don't need the frames, but simply are requesting a reface of existing signs, the signage element could be completed and ensure funding for landscaping improvements. Once the project scope and construction costs are defined, a detailed proposal will be brought to the City Council for approval.

ANTICIPATED OPERATIONS AND MAINTENANCE COSTS
 New operation and maintenance costs are anticipated to keep the flower beds and vegetation irrigated and maintained; the cost is anticipated to be 400+ labor hours per year.

Expenditures	Prior	2019	2020	2021	2022	2023	2024	Total
Strategy Research & Development		\$ 48,000						\$ 48,000
Development of New Brand Identity			\$ 45,000					\$ 45,000
Gateway Signs			\$ 40,000					\$ 40,000
Total Project Expenditures	\$ -	\$ 48,000	\$ 85,000	\$ -	\$ -	\$ -	\$ -	\$ 133,000

Funding Sources	Prior	2019	2020	2021	2022	2023	2024	Total
REET			\$ 85,000					\$ 85,000
CIP Fund		\$ 48,000						\$ 48,000
								\$ -
								\$ -
Total Project Revenues	\$ -	\$ 48,000	\$ 85,000	\$ -	\$ -	\$ -	\$ -	\$ 133,000



PROJECT NAME:	Historical Preservation Project
PROJECT #:	19-BLDG-04

City Facilities Project

DEPARTMENT	Communications and Marketing
CATEGORY	Historical Preservation
TYPE	Art & Beautification

STRATEGIC PRIORITY
Fiscal Responsibility, Community Preservation, Civic Pride

DESCRIPTION / JUSTIFICATION

In 2018, the Art & Beautification Board identified a historical preservation project to help the community remember its roots in a manner that is aesthetically pleasing and community oriented. The project is to create an etched, stainless steel timeline to be hung along a covered bridge in Mill Creek Town Center. In fall 2018, the City engaged a design consultant to prepare the design working with the community and develop a budget for production and installation. The City hired an intern to compile and organize the information that would be included on the finished product. The final design will include a mix of text and image. The City started of the design of the project in 2018 with the idea that production and installation would occur in 2019. Civic organizations have expressed interest in helping fund the project; the City will pursue grants and sponsorship funds in 2019 before spending from the Municipal Arts Fund. With the City's focus on art, an artistic historical timeline would serve a dual purpose of providing artistic value while serving to educate the public about Mill Creek's history. Additional panels would be included in the display as the City's history continues to unfold. The 2019 expenses include production of the panels, possible designer help to production company on final details, and installation of the panels. This is artwork that will be a focal point, so maintenance and operations costs have been conservatively estimated to ensure it is maintained. However, maintenance and operations costs are dependant on the final product and design.

ANTICIPATED OPERATIONS AND MAINTENANCE COSTS

New operation and maintenance costs are anticipated at 52 labor hours per year.

Expenditures	Prior	2019	2020	2021	2022	2023	2024	Total
Design & Info Gathering	\$ 12,500							\$ -
Production of Panels			\$ 15,000					\$ 15,000
Design Assistance on Production			\$ 500					\$ 500
Installation			\$ 9,500					\$ 9,500
Total Project Expenditures	\$ 12,500	\$ -	\$ 25,000	\$ -	\$ -	\$ -	\$ -	\$ 25,000

Funding Sources	Prior	2019	2020	2021	2022	2023	2024	Total
Snohomish County Grant	\$ 12,500							\$ -
Community Funding (TBD)								\$ -
Municipal Arts Fund			\$ 25,000					\$ 25,000
Total Project Revenues	\$ 12,500	\$ -	\$ 25,000	\$ -	\$ -	\$ -	\$ -	\$ 25,000



PROJECT NAME:	City Hall North - Roof and Seismic Retrofit
PROJECT #:	17-BLDG-03
DEPARTMENT	Public Works and Development Services
CATEGORY	Facilities
TYPE	Maintenance / Repair

City Facilities Project

STRATEGIC PRIORITY
Community Preservation, Public Safety

DESCRIPTION / JUSTIFICATION
The existing roof on the City Hall north building, which houses staff from two City Departments, two Community Rooms, as well as various tenants, was installed in 1998 and has reached the end of its useful life and needs to be replaced. Good inspection practices and remedial repairs done in a timely manner, have allowed the City to defer the roof replacement until 2020. In addition, the building has not yet been upgraded with a seismic retrofit. In order to minimize impacts to the building users and streamline the bidding process, it is best to bundle both types of work into one single project. Design of the roof replacement has been completed, but a specialized consultant will be required for the seismic retrofit portion. No new operational costs or impacts are associated with this project.

ANTICIPATED OPERATIONS AND MAINTENANCE COSTS
No new operation and maintenance costs are anticipated.

Expenditures	Prior	2019	2020	2021	2022	2023	2024	Total
Professional Services	\$ 1,220	\$50,000						\$ 51,220
Construction			\$ 550,000					\$ 550,000
On-call Consultant			\$ 75,000					\$ 75,000
Total Project Expenditures	\$ 1,220	\$ 50,000	\$ 625,000	\$ -	\$ -	\$ -	\$ -	\$ 676,220

Funding Sources	Prior	2019	2020	2021	2022	2023	2024	Total
Annex Fund 145	\$ 1,220	\$50,000	\$ 250,000					\$ 301,220
General Fund Reserve			\$ 161,203					\$ 161,203
General Fund			\$ 138,797					\$ 138,797
CIP			\$ 75,000					\$ 75,000
Total Project Revenues	\$ 1,220	\$ 50,000	\$ 625,000	\$ -	\$ -	\$ -	\$ -	\$ 676,220



Surface Water CIP 2019-2024



Surface Water CIP Overview

Mill Creek's surface water program seeks to achieve appropriate management of surface water in the City. This plan improves safety, reduces risk to public and private property, and enhances the natural environment.

Improved safety is achieved by reduced flooding. Properly sizing and maintaining the City's stormwater conveyance system keeps water from ponding on the street and sidewalks, creating safer conditions for motorists, bicyclists and pedestrians. Reduced flooding also means a reduction in the risk of damage to property and business operations.

The plan seeks to improve water quality and fish passage in the City's waterways, ponds and lakes. And improved water quality reduces risk to citizens that come in contact with water in the City's streams and lakes, and keeps the City in compliance with State and Federal requirements.

Current Infrastructure

Mill Creek's infrastructure is aging, with some pipes already more than 40 years old. The City has entered an infrastructure rehabilitation and replacement phase, meaning that surface water pipes need to be inspected, evaluated and scheduled for rehabilitation or replacement as needed.



The City owns and is responsible for maintaining approximately 50 miles (264,000 linear feet) of surface water pipes, many of which use materials no longer recommended, like corrugated metal pipe. This infrastructure is aging and needs to be inspected, evaluated and scheduled for replacement as needed.

In 2018, Perteet, Inc. was contracted to do just that. Their scope of work focused on pipes 18 inches or larger in diameter and included:

- Review a backlog of storm pipe Closed Circuit Television (CCTV) videos. Beginning in 2012, the City



hired consultants to produce CCTV videos of surface water pipes in various locations, utilizing previously collected data for approximately 14,000 linear feet of pipes.

- Collect storm pipe CCTV videos that have not yet been inspected (approximately 21,800 linear feet).
- Analysis of the aforementioned CCTV videos for pipe failures and/or other repairs including recommended action and rough order of magnitude cost estimate.
- In collaboration with City staff, develop prioritization criteria and identify capital projects for scoping and cost estimating.

The following Surface Water CIP was developed based on Perteet's work and focuses on larger infrastructure (18 inches in diameter or larger) since their potential failure could have a negative effect on life, property or a combination of both. Larger infrastructure represents a total of 35,800 LF (approximately 14%) of the total surface water pipe infrastructure in the City of Mill Creek. The work completed by Perteet is the foundation for the City's Surface Water Capital Program.

Factors that were taken into consideration when integrating the Surface Water Capital Program into the CIP include: available funding; pavement condition; and other City capital projects and upgrades programmed by utility companies such as Puget Sound Energy, Snohomish PUD, Alderwood Water District and Silver Lake Water District.



Realistically, only a limited number of projects can be effectively implemented each year. Additionally, the cost of some projects is so high that their implementation may utilize the entirety of surface water funds for several years.



Surface Water CIP Criteria

The following prioritization criteria were used when identifying projects to include in the CIP.

- Catastrophic: Pipe is ruptured and its potential failure could have a negative effect on life, property or a combination of both
- Private property: Fault is located in an easement adjacent to private property posing a risk to residents and property
- Critical area: Failure is located within one quarter miles of a wetland or steep slope posing environmental damage and slope erosion risks
- Critical Infrastructure: Failure would obstruct access to critical infrastructure (e.g., Fire Station, Police Station, Schools) and potentially impact core City functions
- Arterial or Collector: Failure on roadways with high traffic could impact a large number of commuters
- Pipe Size: Prioritize larger pipes
- Date of discovery: prioritize faults discovered in past years (chronological order)

Proposed Surface Water Projects:

The Surface Water CIP includes repairing 20 F grade faults in 2019. In cases where a pipe run has four or more faults, replacement of the entire run is recommended. Of the 20 F grade repairs, six are assumed to be caused by another utility or be the result of illicit discharge; cost recovery may be possible.

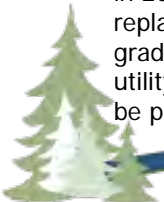


As funds allow, depending on a surface water utility fee increase (described below), C grade faults are recommended for repair throughout the 2019-2024 CIP period and beyond. Where possible, the work will be bundled to encompass geographical regions of the City so repairs can take place within a limited timeframe.

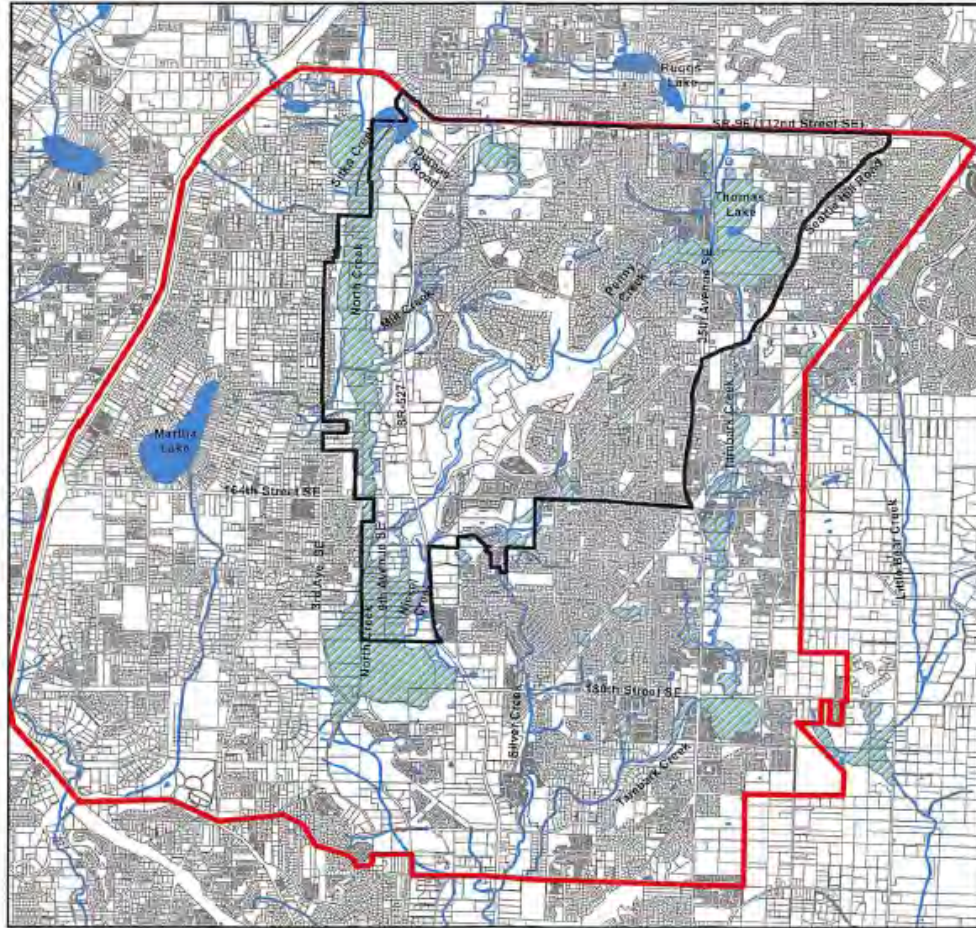
Potential Funding for Surface Water CIP Projects






In summer 2018, City staff selected FCS Group to conduct an analysis of the City's Surface Water Utility rate. The City of Mill Creek's surface water rate has remained unchanged since 1999.

The rate study currently is underway and new rates will be proposed prior to the adoption of the City's 2019-2020 Budget.



Mill Creek Wetlands & Water Features



-  City Limits
-  Municipal Urban Growth Area Boundary
-  Wetland
-  Waterbody
-  Watercourse

Council Ord. 2015-802
Effective December 18, 2015



Stormwater Management Projects

PROJECT NAME:	Surface Water Aging Infrastructure Program
PROJECT #:	19-SW-01

Stormwater Management Project

DEPARTMENT	Public Works and Development Services
CATEGORY	Surface Water Management
TYPE	

STRATEGIC PRIORITY
Fiscal Responsibility, Community Preservation, Public Safety

DESCRIPTION / JUSTIFICATION
In February 2018, the City signed a contract with Perteet Engineers to perform professional design services related to storm pipe assessment and surface water program development. Construction program repairs were identified in a 3-tiered level of granularity: F grade faults (repair within one year), C grade faults (programmed over the subsequent seven years) and A grade (not expected to impact the longevity of the pipe). This program includes design, construction and construction management to replace or rehabilitate aging surface infrastructure with a diameter of 18 inches or greater -pipes with diameters less than 18 inches have not been assessed. The funding of this program is contingent on an increase of the City's Surface Water Utility Fee.

ANTICIPATED OPERATIONS AND MAINTENANCE COSTS
No new operation and maintenance costs are anticipated.

Expenditures	Prior	2019	2020	2021	2022	2023	2024	Total
		\$ 937,500	\$ 750,000	\$ 750,000	\$ 750,000	\$ 750,000	\$ 750,000	\$ 4,687,500
								\$ -
Total Project Expenditures	\$ -	\$ 937,500	\$ 750,000	\$ 750,000	\$ 750,000	\$ 750,000	\$ 750,000	\$ 4,687,500

Funding Sources	Prior	2019	2020	2021	2022	2023	2024	Total
Surface Water Utility		\$ 937,500	\$ 750,000	\$ 750,000	\$ 750,000	\$ 750,000	\$ 750,000	\$ 4,687,500
								\$ -
Total Project Revenues	\$ -	\$ 937,500	\$ 750,000	\$ 750,000	\$ 750,000	\$ 750,000	\$ 750,000	\$ 4,687,500



Unfunded Projects



Unfunded Projects

The following projects are those for which the City currently does not have funding to complete the project. There are various funding factors that could affect the potential for a project to occur.

For those projects that are capacity-related, an increase in the City's traffic mitigation fees may provide funding. The City also plans to execute an interlocal agreement with Snohomish County that could provide a percentage of traffic mitigation fees to the City for development in unincorporated Snohomish County.

Other sources of funding could be county, state and federal grants; City-identified opportunity funds; or other funding made available through revenues above and beyond what is required for biennial operational expenses.

As funding is identified for these projects, the project concept will be developed and brought to the City Council for review and approval, and the CIP will be amended. However, until full funding is secured, the City will not execute these projects.

Further, until the projects are feasible, no operations and maintenance costs will be determined.



Unfunded Project Listing

Project Name	Total	2019	2020	2021	2022	2023	2024
Transportation Projects							
East Gateway Urban Village "Spine Road" West Connection (Phase 1)	\$4,500,000	\$0	\$500,000	\$4,000,000	\$0	\$0	\$0
East Gateway Urban Village "Spine Road" East Connection (Phase 2)	\$6,000,000	\$0	\$0	\$0	\$2,000,000	\$750,000	\$3,250,000
SR 96 and Dumas Road Intersection Improvements	\$5,390,000	\$0	\$0	\$0	\$200,000	\$5,190,000	\$0
SR 96 at 35th Avenue Intersection Improvements	\$3,460,000	\$0	\$150,000	\$3,310,000	\$0	\$0	\$0
SR 527 / 164th Street Intersection Improvements	\$2,090,000	\$0	\$0	\$250,000	\$1,840,000	\$0	\$0
SR 527 / SR96 Intersection Improvements	\$9,460,000	\$0	\$0	\$0	\$0	\$860,000	\$8,600,000
(Old) Seattle Hill Road at SR 527	\$1,150,000	\$0	\$150,000	\$1,000,000	\$0	\$0	\$0
164th Street SE at Mill Creek Boulevard Intersection Improvements	\$7,370,000	\$0	\$0	\$0	\$0	\$670,000	\$6,700,000
Transportation Project Totals	\$39,420,000	\$0	\$800,000	\$8,560,000	\$4,040,000	\$7,470,000	\$18,550,000
Storm Water Management Projects							
164th Street SE East Basin Surface Water Retrofit	\$502,500	\$0	\$0	\$50,000	\$450,000	\$0	\$2,500
Lower Mill Creek Road Basin Surface Water Retrofit	\$252,500	\$0	\$50,000	\$200,000	\$0	\$2,500	\$0
Surface Water Project Totals	\$755,000	\$0	\$50,000	\$250,000	\$450,000	\$2,500	\$2,500
Unfunded Totals All Project Categories	\$40,175,000	\$0	\$850,000	\$8,810,000	\$4,490,000	\$7,472,500	\$18,552,500



PROJECT NAME:	EGUV Spine Road West Connection (Phase 1)
PROJECT #:	19-ROAD-15

Transportation Project

DEPARTMENT	Public Works and Development Services
CATEGORY	Transportation
TYPE	Construction

STRATEGIC PRIORITY
Community Preservation, Civic Pride, Public Safety, Long-Term Planning

DESCRIPTION / JUSTIFICATION
 The East Gateway Urban Village (EGUV) subarea plan was designed with internal access provided via a "Spine Road." Several parcels in the East Gateway Urban Village have developed or are proposed for development and construction of the "Spine Road" has been a condition of approval for these developments. Right-of-way was dedicated as part of the approval of the Polygon Apartments/Townhome development, the Gateway Building, the Vintage and would be required with The Farm (project application submitted in 2018). This project will complete the "Spine Road" from 39th Ave. SE to 44th Ave. SE. Partial right-of-way purchase will be needed at two parcels for subsequent roadway design and construction. A 72 LF right of way width is needed for the "Spine Road." **Beyond the purchase of the right of way in 2019, work does not yet have funds committed.**

Expenditures	Prior	2019	2020	2021	2022	2023	2024	Total
Design		\$ -	\$ 300,000					\$ 300,000
Right-of-Way			\$ 200,000					\$ 200,000
Construction				\$ 4,000,000				\$ 4,000,000
Total Project Expenditures	\$ -	\$ -	\$ 500,000	\$ 4,000,000	\$ -	\$ -	\$ -	\$ 4,500,000

Funding Sources	Prior	2019	2020	2021	2022	2023	2024	Total
Road Mitigation Funds								\$ -
								\$ -
								\$ -
Total Project Revenues	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -



PROJECT NAME:	EGUV Spine Road East Connection (Phase 2)
PROJECT #:	19-ROAD-15

Transportation Project

DEPARTMENT	Public Works and Development Services
CATEGORY	Transportation
TYPE	Construction

STRATEGIC PRIORITY
Community Preservation, Civic Pride, Public Safety, Long-Term Planning

DESCRIPTION / JUSTIFICATION
 The East Gateway Urban Village (EGUV) subarea plan was designed with internal access provided via a "Spine Road." Several parcels in the East Gateway Urban Village have developed or are proposed for development and construction of the "Spine Road" has been a condition of approval for these developments. Right-of-way was dedicated as part of the approval of the Polygon Apartments/Townhome development, the Gateway Building, the Vintage and would be required with The Farm (project application submitted in 2018). This project will complete the "Spine Road" from 39th Ave. SE to 44th Ave. SE. Partial right-of-way purchase will be needed at two parcels for subsequent roadway design and construction. A 72 LF right of way width is needed for the "Spine Road."

Expenditures	Prior	2019	2020	2021	2022	2023	2024	Total
Construction		\$ -			\$ 2,000,000	\$ 750,000	\$ 3,250,000	\$ 6,000,000
								\$ -
Total Project Expenditures	\$ -	\$ -	\$ -	\$ -	\$ 2,000,000	\$ 750,000	\$ 3,250,000	\$ 6,000,000

Funding Sources	Prior	2019	2020	2021	2022	2023	2024	Total
Road Mitigation Funds								\$ -
								\$ -
								\$ -
Total Project Revenues	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -



PROJECT NAME:	SR 96 at Dumas Road Intersection Improvements
PROJECT #:	

Transportation Project

DEPARTMENT	Public Works and Development Services
CATEGORY	Transportation
TYPE	Construction

STRATEGIC PRIORITY
Public Safety, Leadership, Long-Term Planning

DESCRIPTION / JUSTIFICATION

Operations at this intersection do not meet LOS guidelines primarily due to the existing split phasing required for traffic on Dumas Road/Elgin Way. The current channelization provides an exclusive left-turn lane and a shared left/through/right lane for northbound traffic. In addition to high through volumes on SR 96, this intersection has a high number of left turns from northbound Dumas Road to westbound SR 96 (529 vehicles in the 2040 PM peak hour). Installing a second northbound left-turn lane for northbound Dumas Road and a shared through/right-turn lane allows protected left-turn phases on each approach. This modification, in combination with optimizing timings, will reduce the average control delay by over 10 seconds per vehicle, resulting in LOS D.

Expenditures	Prior	2019	2020	2021	2022	2023	2024	Total
					\$ 5,190,000			\$ 5,190,000
								\$ -
								\$ -
Total Project Expenditures	\$ -	\$ -	\$ -	\$ -	\$ 5,190,000	\$ -	\$ -	\$ 5,190,000

Funding Sources	Prior	2019	2020	2021	2022	2023	2024	Total
								\$ -
								\$ -
								\$ -
								\$ -
Total Project Revenues	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -



PROJECT NAME:	SR 96th at 35th Avenue Intersection Improvements
PROJECT #:	

Transportation Project

DEPARTMENT	Public Works and Development Services
CATEGORY	Transportation
TYPE	Construction

STRATEGIC PRIORITY
Public Safety, Leadership, Long-Term Planning

DESCRIPTION / JUSTIFICATION
 35th Avenue SE has high left-turn movement volumes onto SR 96. Two left-turn lanes are provided for southbound traffic, but northbound users only have one. This intersection currently has a Level of Service E with an average vehicle delay of 71.7 seconds. Adding a second northbound left-turn lane and optimizing signal timing improves intersection operations to an average delay of 55.3 seconds per vehicle.

Expenditures	Prior	2019	2020	2021	2022	2023	2024	Total
				\$ 3,310,000				\$ 3,310,000
								\$ -
								\$ -
Total Project Expenditures	\$ -	\$ -	\$ -	\$ 3,310,000	\$ -	\$ -	\$ -	\$ 3,310,000

Funding Sources	Prior	2019	2020	2021	2022	2023	2024	Total
								\$ -
								\$ -
								\$ -
								\$ -
Total Project Revenues	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -



PROJECT NAME:	SR 527 / 164th Street Intersection Improvements
PROJECT #:	

Transportation Project

DEPARTMENT	Public Works and Development Services
CATEGORY	Transportation
TYPE	Construction

STRATEGIC PRIORITY
Public Safety, Leadership, Long-Term Planning

DESCRIPTION / JUSTIFICATION
 This location is an intersection of two major arterials that connect users to regional destinations. The critical movement at this intersection is the eastbound left-turn movement, which is projected to have over 300 vehicles in the 2040 PM peak hour. Currently, this movement is served by a single left-turn lane with short storage length in order to maintain access to properties north of 164th Street SE. Removing the property access to the north, extending the turn-lane storage length, and optimizing the traffic signal timing can reduce delays to 80 seconds per vehicle and achieve a Level of Service E. Community Transit's BRT Orange Line is planned to connect from the Lynnwood Light Rail station east on 164th Street SE, turn around and return west on 164th Street SE. Intersection improvements at this location will be vital to the success of the Orange Line.

Expenditures	Prior	2019	2020	2021	2022	2023	2024	Total
			\$ 1,840,000					\$ 1,840,000
								\$ -
								\$ -
Total Project Expenditures	\$ -	\$ -	\$ 1,840,000	\$ -	\$ -	\$ -	\$ -	\$ 1,840,000

Funding Sources	Prior	2019	2020	2021	2022	2023	2024	Total
								\$ -
								\$ -
								\$ -
Total Project Revenues	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -



PROJECT NAME:	SR 527 / SR 96 Intersection Improvements
PROJECT #:	

Transportation Project

DEPARTMENT	Public Works and Development Services
CATEGORY	Transportation
TYPE	Construction

STRATEGIC PRIORITY
Public Safety, Leadership, Long-Term Planning

DESCRIPTION / JUSTIFICATION
This project proposes to add an additional Eastbound/Westbound through lane, install intelligent transportation systems (ITS) infrastructure to direct traffic to use alternate routes which may include 16th Ave. SE or Dumas Road.

Expenditures	Prior	2019	2020	2021	2022	2023	2024	Total
						\$ 860,000	\$ 8,600,000	\$ 9,460,000
								\$ -
								\$ -
Total Project Expenditures	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 860,000	\$ 8,600,000	\$ 9,460,000

Funding Sources	Prior	2019	2020	2021	2022	2023	2024	Total
								\$ -
								\$ -
								\$ -
								\$ -
Total Project Revenues	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -



PROJECT NAME:	Old Seattle Hill Road at SR 527 Improvements
PROJECT #:	

Transportation Project

DEPARTMENT	Public Works and Development Services
CATEGORY	Transportation
TYPE	Construction

STRATEGIC PRIORITY
Public Safety, Leadership, Long-Term Planning

DESCRIPTION / JUSTIFICATION
The project consists of intersection control improvements coordinated by the City of Mill Creek, Snohomish County and the Washington State Department of Transportation.

Expenditures	Prior	2019	2020	2021	2022	2023	2024	Total
			\$ 150,000	\$ 1,000,000				\$ 1,150,000
								\$ -
Total Project Expenditures	\$ -	\$ -	\$ 150,000	\$ 1,000,000	\$ -	\$ -	\$ -	\$ 1,150,000

Funding Sources	Prior	2019	2020	2021	2022	2023	2024	Total
								\$ -
								\$ -
								\$ -
Total Project Revenues	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -



PROJECT NAME:	164th Street SE at Mill Creek Blvd Intersection Improvements
PROJECT #:	

Transportation Project

DEPARTMENT	Public Works and Development Services
CATEGORY	Transportation
TYPE	Construction

STRATEGIC PRIORITY
Public Safety, Leadership, Long-Term Planning

DESCRIPTION / JUSTIFICATION
 This intersection has a high volume left-turn movement, which results in a Level of Service F. Eastbound left-turn volumes exceed 500 vehicles in the PM peak hour, while the remaining approaches have over 100 vehicles per hour each. Currently, each approach has one left-turn lane. Adding an additional eastbound left-turn lane and optimizing signal timings will decrease the average delay per vehicle by around 40 seconds, resulting in a Level of Service E. This modification will require an additional receiving lane on the north leg, likely terminating at the intersection of Mill Creek Boulevard and 161st Street SE.

Expenditures	Prior	2019	2020	2021	2022	2023	2024	Total
						\$ 670,000	\$ 6,700,000	\$ 7,370,000
								\$ -
								\$ -
Total Project Expenditures	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 670,000	\$ 6,700,000	\$ 7,370,000

Funding Sources	Prior	2019	2020	2021	2022	2023	2024	Total
								\$ -
								\$ -
								\$ -
Total Project Revenues	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -



PROJECT NAME:	164th Street SE East Basin Surface Water Retrofit
PROJECT #:	SW-25

Stormwater Management Project

DEPARTMENT	Public Works and Development Services
CATEGORY	Surface Water
TYPE	Construction

STRATEGIC PRIORITY
Fiscal Responsibility, Community Preservation, Public Safety

DESCRIPTION / JUSTIFICATION

In 2012, the Snohomish Conservation District prepared a report for the City evaluating water quality treatment for stormwater runoff from seven undertreated drainage basins identified and prioritized by the City. Many portions of the impervious surface within the City receive little or no water quality treatment prior to discharge into North Creek or Penny Creek. The report details the existing conditions and explores a number of retrofit solutions for providing treatment to the runoff from these areas. The highest priority retrofit project was the design and construction of a filter vault system for the existing drainage system in 164th Street SE to treat the surface water runoff into North Creek. The retrofit system would only treat the drainage on 164th Street SE between North Creek and SR 527. This section of 164th Street SE has no treatment system for surface water. It has very high vehicle traffic, and is probably the single highest source of vehicle related pollutants in Mill Creek discharged directly into a water body. Replacement of the filter cartridges will be necessary on an annual or biennial basis.

Expenditures	Prior	2019	2020	2021	2022	2023	2024	Total
Design				\$ 50,000				\$ 50,000
Construction					\$ 450,000			\$ 450,000
Operations & Maintenance							\$ 2,500	\$ 2,500
Total Project Expenditures	\$ -	\$ -	\$ -	\$ 50,000	\$ 450,000	\$ -	\$ 2,500	\$ 502,500

Funding Sources	Prior	2019	2020	2021	2022	2023	2024	Total
Surface Water Utility								\$ -
								\$ -
								\$ -
								\$ -
Total Project Revenues	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -



PROJECT NAME:	Lower Mill Creek Road Basin Surface Water Retrofit
PROJECT #:	SW-26

Stormwater Management Project

DEPARTMENT	Public Works and Development Services
CATEGORY	Surface Water
TYPE	Construction

STRATEGIC PRIORITY
Fiscal Responsibility, Community Preservation, Public Safety

DESCRIPTION / JUSTIFICATION

In 2012, the Snohomish Conservation District prepared a report for the City evaluating water quality treatment for stormwater runoff from seven undertreated drainage basins identified and prioritized by the City. Many portions of the impervious surface within the City receive little or no water quality treatment prior to discharge into North Creek or Penny Creek. The report details the existing conditions and explores a number of retrofit solutions for providing treatment to the runoff from these areas. The second highest priority retrofit project was the design and construction of a filter vault retrofit for the drainage system on the lower segment of Mill Creek Road that drains into Penny Creek. The existing drainage system for Mill Creek Road east of SR 527 discharges directly into Penny Creek without any water quality treatment. Pollutants from vehicles or spills enter the creek without any form of treatment. The proposed retrofit would install a filter vault system that would treat the drainage water prior to entering Penny Creek. This retrofit would improve water quality and reduce risk exposure for non-compliance with our National Pollution Discharge Elimination System (NPDES) permit.

Expenditures	Prior	2019	2020	2021	2022	2023	2024	Total
Design			\$ 50,000					\$ 50,000
Construction				\$ 200,000				\$ 200,000
Operations & Maintenance						\$ 2,500		\$ 2,500
Total Project Expenditures	\$ -	\$ -	\$ 50,000	\$ 200,000	\$ -	\$ 2,500	\$ -	\$ 252,500

Funding Sources	Prior	2019	2020	2021	2022	2023	2024	Total
Surface Water Utility								\$ -
								\$ -
								\$ -
								\$ -
Total Project Revenues	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -



2019-2024 Capital Improvement Plan Prepared By





ORDINANCE NO. 2018 - _____

AN ORDINANCE OF THE CITY OF MILL CREEK, WASHINGTON, ADOPTING A REVISED AND UPDATED 6-YEAR CAPITAL IMPROVEMENT PLAN FOR YEARS 2019-2024 IN ACCORDANCE WITH THE CITY'S BIENNIAL BUDGET PROCESS, COMPREHENSIVE PLAN, AND GROWTH MANAGEMENT ACT.

WHEREAS, the City of Mill Creek utilizes a biennial budget system and will be adopting such budget with accompanying appropriations in 2018 for years 2019-2020; and

WHEREAS, in conjunction therewith the City routinely updates, revises, and adopts its 6-year capital improvement plan as required by the Growth Management Act and the City's Comprehensive Plan; and

WHEREAS, the City routinely adopts a capital improvement plan with a 6-year or longer planning horizon; and

WHEREAS, the City has updated and revised its annual 6-year capital improvement plan, attached hereto as **Exhibit A** (2019-2024 CIP), which includes specifically achievable and realistic capital projects with identified funding levels and sources consistent with revenue forecasts and anticipated budget appropriations; and

WHEREAS, the City plans to concurrently amend the capital facilities and transportation elements of its Comprehensive Plan in 2019 to complete the process of fully coordinating and integrating the capital improvement plan and the capital facilities and transportation elements; and

WHEREAS, the City Council finds that the 2019-2024 CIP meets the intent of the Growth Management Act;

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 findings in support of the 2019-2024 Capital Improvement Plan.

Section 2. The 2019-2024 Capital Improvement Plan for the City of Mill Creek, attached hereto as **Exhibit A**, is adopted to take effect on January 1, 2019.

Section 3. The 2019-2024 Capital Improvement Plan is further adopted as the financing plan for the City's capital facility and transportation elements of the Mill Creek Comprehensive Plan.

Section 4. A summary of this ordinance, consisting of its title, shall be published in the official newspaper of the City and shall take effect and be in full force five (5) days after the date of publication.

Passed in open meeting this _____ day of October, 2018 by a vote of ____ for, _____ against, and _____ abstaining.

APPROVED:

PAM PRUITT, MAYOR

ATTEST/AUTHENTICATED:

GINA PFISTER, ACTING CITY CLERK

APPROVED AS TO FORM:

SCOTT M. MISSALL, CITY ATTORNEY

FILED WITH THE CITY CLERK: _____

PASSED BY THE CITY COUNCIL: _____

PUBLISHED: _____

EFFECTIVE DATE: _____

ORDINANCE NO. _____

APPENDIX A



Agenda Item # 6
Meeting Date: October 23, 2018

CITY COUNCIL AGENDA SUMMARY

City of Mill Creek, Washington

AGENDA ITEM: Yakima County Technology Services Inter-Local Agreement

PROPOSED MOTION:

Motion to authorize the City Manager to execute an Inter-Local Agreement with Yakima County Technology Services.

KEY FACTS AND INFORMATION SUMMARY:

In the fall of 2017, the City implemented a new data backup system. Part of this system is a secondary appliance that mirrors the data backups for redundancy and disaster recovery. Currently the primary data backup is located in the City Hall South building and the secondary data backup is located in the City Hall North building. Best practice is to locate the secondary data backup in a geographically diverse location from your primary data backup. This is to ensure that a natural disaster that impacts the primary data backup also does not impact the secondary data backup.

The IT Department has selected Yakima County's data center as a suitable location for the City's secondary data backup appliance. Yakima's geographically diverse location will protect the City's data in the event a natural disaster affects the primary data backup system. Yakima County's data center meets the FBI's Criminal Justice Information Services (CJIS) security requirements. Nearby Cities utilizing Yakima County's datacenter for similar services include the Cities of Mukilteo, Arlington, and Edmonds.

CITY MANAGER RECOMMENDATION:

Authorize the City Manager to execute an Inter-Local Agreement with Yakima County Technology Services for a total cost of \$1,151 + tax.

ATTACHMENTS:

- Yakima County Technology Services ILA
- Yakima County Technology Services ILA Attachment A
- Yakima County Technology Services ILA Attachment B
- Yakima County Technology Services ILA Attachment C

Respectfully Submitted:

A handwritten signature in blue ink, appearing to read "Robert S. Stowe", is written over a horizontal line.

Robert S. Stowe
Interim City Manager



Yakima County Technology Services

Yakima County Technology Building
 217 North 1st Street
 Yakima, WA 98901
 Phone: (509)574-2000 - FAX: (509)574-2001
 Internet: www.co.yakima.wa.us

INTER-LOCAL AGREEMENT

Yakima County Technology Services
 217 N First Street
 Yakima, WA 98901

Agency	City of Mill Creek
Street Address	15728 Main Street
City, State, Zip	Mill Creek, WA 98012

1. Purpose

This Inter-Local Agreement Number, 2019-004 (ILA) is executed by Yakima County Technology Services (YCTS) and City of Mill Creek. This ILA sets forth the obligations of the parties with respect to YCTS' provision of business related technology services. City of Mill Creek will be referred to in this document as 'the Customer', and Yakima County will be referred to as 'the County'.

2. Term and Termination

The term of this ILA is effective upon the date of execution by both parties and shall remain in full force and effect through one year. Renewal will occur upon customer signing a new Inter-Local Agreement Attachment A: Service Locations and Costs form which the county will send out yearly. The attachment A renewal form will include any price changes.

This Agreement will not be in effect during any period of interruption to YCTS' processing capability which is caused by a disaster, as declared by the Director of YCTS.

3. Scope of Agreement

The scope of this agreement includes the Inter-Local Agreement and Attachment A: Services, Locations and Costs, Attachment B: Terms of Service, and Attachment C: Disclosure.

All information and data produced by and for the customer is the property of the customer who is solely responsible for its stewardship, retention and production, according to the applicable laws and statutes of the State of Washington. Data and information will be made available to the customer in an agreed to form suitable to migration, should this ILA be terminated.

4. Service Costs, Billing and Termination Liability

The customer agrees to pay YCTS all nonrecurring costs (purchase, configuration and installation) and recurring yearly costs, fees, and charges associated with the Services that are requested. The rates for the yearly charges for the 2018 fiscal year are listed in Attachment A.

YCTS will bill the customer: Annual Monthly Quarterly

for these services, with billing commencing on the date of acceptance of services to that site. Recurring yearly costs for services are recalculated each year. By signing a Services and Costs form yearly, the customer agrees to pay for services at that year's prices.

Renewal will be automatic unless termination notification is given in writing 90 days in advance. Customer agrees to pay any termination liability assessed by a third party vendor on YCTS.

5. Technology Services Help Desk

The YCTS Help Desk is staffed 8 hours per day, 5 days a week. The Help Desk telephone number is 509-574-2000.

There may be some shifts during normal business hours when a technician is not immediately available. If the phone is busy or if the technician is away from the phone working on other problems, the caller will be asked to leave a voice mail message.

6. Network Maintenance

YCTS reserves the right to schedule and to perform system maintenance as necessary. Notification is typically provided by e-mail five days in advance unless an emergency exists.

7. Problem Management

Problem Reporting

The YCTS Help Desk will collect information from the customer and open an electronic trouble ticket. Information needed for problem reporting and tracking will include:

- a. name of person reporting problem
- b. return call telephone number
- c. person and location experiencing the problem
- d. description of the problem
- e. when the problem started

The YCTS Help Desk typically refers problem tickets to technicians, during working hours, within ½ hour of initial receipt of the problem report. All requests for service should be routed through the County help desk.

Most problems will be resolved during business hours. Those issues that are deemed to be critical in nature may be addressed after hours when approved by YCTS.

Problem Resolution

A problem will be considered resolved when the service becomes fully functional again and service performance is acceptable to the customer.

8. Inter-local Agreement Changes

The ILA may be modified at any time upon mutual written agreement of the parties. All such modifications will be made as an amendment to the ILA and will take precedence over the original ILA. No modifications will be effective until they are attached to the Inter-Local Agreement and mutually executed by both parties.

9. Authorization/Acceptance

This ILA constitutes the entire agreement between the parties and supersedes all other communication, written or oral, related to the subject matter of this ILA. Customer hereby authorizes YCTS to perform the services described. The Parties hereby acknowledge and accept the terms and conditions of the ILA.

IN WITNESS WHEREOF, the parties have executed this Inter-local Agreement.

APPROVED
Yakima County Technology Services

APPROVED
City of Mill Creek



Signature
Gene Pugnetti, Director

Signature
Robert Stowe, Interim City Manager

Date
10/1/18

Date

**Attachment A
ILA City of Mill Creek 2019-004**

Services, Locations, and Costs

Annual Cost of Services Provided to Customer			
by Yakima County			
Prepared: 9/27/2018			
Description	Quantity	Unit Cost	Annual Cost
Secure Data Center Equipment Space 2018 (3 Mns)	3	\$25.00 per month	\$225.00
Secure Data Center Equipment Space 2019	3	\$25.75 per month	\$927.00
Total			\$1,152.00

Rates are reviewed and adjusted annually. Call out for support outside of normal business hours will be charged at \$150/hour with one hour minimum. After hours support may require additional costs for overtime and other expenses.

Only services and/or support items listed are included in this agreement. Other services and support may be negotiated upon request.

No software license fees are included in this agreement.

Contact Information

ILA management and correspondence regarding this ILA should be directed to:

Customer Contact		YCTS Contact	
Name	James Busch	Name	Gene Pignetti
Agency Name	City of Mill Creek	Agency Name	Yakima County Technology Services
Street Address	15728 Main Street	Street Address	217 N. First Street
City, State, Zip	Mill Creek, WA	City, State, Zip	Yakima WA 98901
Phone:	425 921-5729	Phone:	509-574-2005
Email:	jamesb@cityofmillcreek.com	Email:	Gene.pignetti@co.yakima.wa.us

Here is the list of address of all servicing location (s).

Servicing Location (s) Address:	
1	1216 South 18 th Street, Yakima, WA 98901 (SDC)

Please provide a point of contact to coordinate technical services, maintenance windows, planned outages and unexpected issues.

Technical Customer Contact	
Name	James Busch
Position	IT Manager
Telephone	425 921-5729
Alternate Phone:	206 713-5740
Email:	jamesb@cityofmillcreek.com

Please provide the point of contact for billing.

Billing Customer Contact	
Name	Accounts Payable
Street Address	15728 Main Street
City, State, Zip	Mill Creek, WA 98012
Phone:	425 745-1891
Email:	ap@cityofmillcreek.com

APPROVED
Yakima County Technology Services



Signature
Gene Pugnetti, Director

10/1/18
Date

APPROVED
City of Mill Creek

Signature
Robert Stowe, Interim City Manager

Date

**Attachment B
ILA City of Mill Creek 2019-004**

Terms of Service

- 1. Ownership of equipment:**
 - a. Customer will be the owner of all equipment
 - b. County will be steward of all network equipment regardless of ownership.
- 2. Purchase of equipment:**
 - a. If owned by customer then customer must pay vendor in full
 - b. If County owned County must pay and bill as appropriate
- 3. Maintenance of equipment:**
 - a. Maintenance will be defined as those activities required to keep the domain running at peak efficiency. This will include configuration, repair and troubleshooting.
- 4. Administration of equipment:**
 - a. County to administer domain operations
 - b. Replacement funding
 - i. If County owned, county responsibility
 - ii. If customer owned, customer responsibility
 - c. Administration costs
 - i. Included in customer rates for normal administration
 - ii. Billable for extraordinary operations
 1. Negotiated prior to operation taking place
 2. Billed at then current rates
- 5. Specific deliverables:**
 - a. Operations
 - i. Yakima County agrees to provide all services listed in Attachment A on a best effort basis. Yakima County maintains emergency outage protocols, alternate network pathways and spare equipment but does not guarantee operational uptime or speed of data transmission.
 - ii. The customer agrees to provide a list of persons authorized to approve operational changes in services to include user accounts, security settings, for additions, modifications and deletions.
 - iii. The customer agrees to provide a mutually agreed upon individual contact for service delivery issues.
 - iv. The customer agrees to provide adequate workspace, furniture and phone for on-site county workstation support personnel.
 - v. The customer agrees to provide a site location acceptable to the County for placing Yakima County equipment related to the delivery of services provided for in this agreement.
 - vi. Virus protection will be purchased by the customer, installed at the computer level and the customer's responsibility to keep virus definition files updated to the latest version. It shall be the responsibility of the County to keep the virus definition files updated to the latest version, if said service is contracted with the county.
 - vii. County and the customer agree to cooperate together in good faith to accomplish operational goals that benefit the customer and County constituents.

6. Administration

- a. Inform County Technology Services Admin regarding any changes of status in writing
 - i. Email will work as long as it has all of the required elements.
 - 1. What is changing
 - 2. When is it scheduled to change
 - 3. Who will be affected
 - 4. How will they be affected
 - 5. Who will make the change
 - 6. Why is change necessary
 - 7. How long will the change take
 - 8. CC will be sent to all persons for all changes.

b. Hours of operations


Normal Business hours:	8:00 AM to 5:00 PM Monday through Friday
Critical business hours:	To be determined with customer

c. Troubleshooting after business hours

- i. Call Out
 - 1. Specific procedures will be provided to the customer in writing
 - 2. Updates will be provided by County as necessary
 - 3. All initial calls will be directed to County Help Desk at 574-2000 at all hours.
- ii. Response time window
 - 1. 30 Minutes from time of initial call to first returned call
 - 2. Subsequent actions will be based upon Yakima County's priority matrix which will be provided to the customer.
- iii. Response procedures will be provided to the customer in writing and updated as necessary by County
- iv. Troubleshooting by County that is found to be caused by the customer will be reimbursed at the customer's expense.
- v. Mileage will be charged and reimbursed at current county rate, if appropriate.
- vi. Access to the customer's facilities and equipment to be ensured by the customer.
- vii. Hourly charge for a call out outside of normal business hours is identified in Attachment A.

APPROVED
Yakima County Technology Services

APPROVED
City of Mill Creek



Signature
Gene Pugnetti, Director

Signature
Robert Stowe, Interim City Manager

10/1/18

Date

Date

**Attachment C
ILA City of Mill Creek 2019-004**

Disclosure

1. Nondisclosure of Confidential and Personal Information

Yakima County acknowledges that some of the material and information that may come into its possession or knowledge in connection with this contract or its performance may consist of information that is exempt from disclosure to the public or other unauthorized persons under Chapter 42.56 RCW, or other state or federal statutes ("confidential information"). Confidential information includes, but is not limited to, names, addresses, Social Security numbers, financial profiles, credit card information, driver's license numbers, medical data, agency source code or object code, agency security data, etc or information identifiable to an individual that relates to any of these types of information. Yakima County agrees to hold confidential information in strictest confidence and not to make use of confidential information for any purpose other than the performance of this contract, to release it only to authorized employees or subcontractors requiring such information for the purposes of carrying out this contract, and not to release, divulge, publish, transfer, sell, disclose, or otherwise make the information known to any other party without purchaser's express written consent or as provided by law unless such disclosure is required by law. Yakima County agrees to release such information or material only to employees or subcontractors who have signed a non-disclosure agreement, the terms of which have been previously approved by purchaser. Yakima County agrees to implement physical, electronic, and managerial safeguards to prevent unauthorized access to Confidential Information.

"Personal information" including, but not limited to, "protected health information" (PHI) under the Health Insurance Portability and Accountability Act (HIPAA), individuals' social security numbers collected, used, or acquired in connection with this contract shall be protected against unauthorized use, disclosure, modification or loss.

HIPAA establishes national minimum standards for the use and disclosure of certain health information. Yakima County must comply with all HIPAA requirements and rules when determined applicable by the purchaser. If purchaser determines that (1) purchaser is a "covered entity" under HIPAA, and that (2) Yakima County will perform "business associate" services and activities covered under HIPAA, then at purchaser's request, Yakima County agrees to execute purchaser's business associate contract in compliance with HIPAA.

Yakima County shall ensure its directors, officers, employees, subcontractors or agents use personal information solely for the purposes of accomplishing the services set forth herein.

Yakima County and its subcontractors agree not to release, divulge, publish, transfer, sell or otherwise make known to unauthorized persons personal information without the express written consent of the agency or as otherwise required by law.

Any breach of this provision may result in termination of the contract and demand for return of all personal information. Yakima County agrees to indemnify and hold harmless the State of Washington and the purchaser for any damages related to both: (1) Yakima County's unauthorized use of personal information and (2) the unauthorized use of personal information by unauthorized persons as a result of Yakima County's failure to sufficiently protect against unauthorized use, disclosure, modification, or loss.

2. Compelled Disclosure of Information

Notwithstanding anything in the foregoing to the contrary, Yakima County may disclose data pursuant to any governmental, judicial, or administrative order, subpoena, discovery request, regulatory request or similar method, provided that Yakima County promptly notifies, to the extent practicable, the customer in writing of such demand for disclosure so that the customer, at its sole expense, may seek to make such disclosure subject to a protective order or other appropriate remedy to preserve the confidentiality of the information; provided that Yakima County will disclose only that portion of the requested information that, in the written opinion of its legal counsel, it is required to disclose. Yakima County agrees that it shall not oppose and shall cooperate with efforts by, to the extent practicable, the customer with respect to any such request for a protective order or other relief. Notwithstanding the foregoing, if the customer is unable to obtain or does not seek a protective order and Yakima County is legally requested or required to disclose such information, disclosure of such information may be made without liability.

3. Public Information Requests

- a. The customer will be responsible for providing the tools to recover email for a public information request.
- b. The County will install and maintain those tools as a part of the process of supporting the customer's email system.
- c. The customer will be responsible for using those tools to recover email for a public information request.
- d. Customer agrees that fulfillment of a Public Information Request will result in addition hourly costs at the current hourly rate.

APPROVED
Yakima County Technology Services

APPROVED
City of Mill Creek



Signature
Gene Pugnetti, Director

10/1/18

Date

Signature
Robert Stowe, Interim City Manager

Date



Agenda Item D
Meeting Date: **October 23, 2018**

CITY COUNCIL AGENDA SUMMARY

City of Mill Creek, Washington

AGENDA ITEM: PANHANDLING ISSUES

PROPOSED MOTION:

None. This item is a discussion of issues surrounding panhandling in Mill Creek.

KEY FACTS AND INFORMATION SUMMARY:

Recently, there has been an increase in the number of comments concerning the presence of apparently homeless people either soliciting donations or sleeping in the public view. Given these concerns and in consideration of the city's vision of working together *to foster an exceptional community experience*, staff conducted research on the potential for creating a "coercive solicitation" ordinance. The interest was in determining if we could find an answer to the concerns of the community while protecting the rights of all citizens. This meant identifying if a statute could serve to inhibit some of the behaviors that are potentially criminal while maintaining our compassion for members of our community who are experiencing challenging times.

Primary Issues

There were four specific issues examined during this research:

- Homelessness in general
- Panhandling
- Public sleeping
- Traffic interference

Homelessness is not a crime and should not be viewed as such. Homelessness is a societal challenge that is best addressed through social services. Although homelessness in general can be impacted by drug addiction, mental illness and financial challenges, none of these are criminal issues either. The police department staff are best suited to perform these front line assessments and link people in need with services.

Panhandling, or begging, has been identified in court rulings as constitutionally protected expressions of free speech under the First Amendment. Statutes that restrict panhandling have been challenged throughout the state and the country. A 2014 US Supreme Court rule changed the way in which such statutes are scrutinized. *Reed v. Town of Gilbert* is not specifically about begging, it was about a different form of speech, signs, and its holding has been understood as applying to restrictions on speech in general. The Court in *Reed* held that a law is "content-based" anytime that it defines the regulated speech based on a "particular subject matter or by its function or purpose." Such content-based restrictions are presumed to be unconstitutional and are only upheld if the government can prove that it furthers a "compelling interest and is narrowly tailored to achieve that interest."

Additionally, a 2016 Washington State Supreme Court case, *City of Lakewood v. Willis*, interpreted the Reed case as it assessed the constitutionality of an ordinance that prohibited begging at intersections of major arterial roads. The Willis case made it very clear that the Washington State Supreme Court was going to rely on the Reed case as they interpret ordinances such as this and found the Lakewood code unconstitutional as well. Additionally, the WA Supreme court cited a number of other courts in their finding and indicated that they were joining those courts in their respective opinions. One of those cited by the WA Supreme Court was *Brown v. City of Grand Junction*. This case is noteworthy for our consideration as it found unconstitutional a city ordinance that restricted begging at night, within 20 feet of an ATM or bus stop, adjacent to an outdoor patio or within a public parking facility.

Public sleeping has been very recently addressed by the 9th Circuit US Court of Appeals in a compelling ruling on the issue. In their September 2018 case, *Martin et al v. City of Boise*, the court found that cities can't prosecute people for sleeping on the streets if they have nowhere else to go because it amounts to cruel and unusual punishment, which is unconstitutional. Our City Attorney's office recently published an analysis of this case which is included as an attachment to this summary. In their summary, the City Attorney states that a city such as ours may still cautiously adopt ordinances that prohibit sleeping in public places so long as shelter space is actually and practically available. There are currently no known shelters in the City. That said, we currently have trespass statutes on the books that can be tools available to address the issue of sleeping on private property, a practice the police department is already engaged in.

Traffic interference is best handled with existing laws. RCW 46.61.250 states, in part, "...it is unlawful for any pedestrian to walk or otherwise move along and upon an adjacent roadway..." where sidewalks are provided. This statute has been adopted by reference in Mill Creek Municipal Code (MCMC) 10.04.010. Additionally, MCMC 9.04.280, Disorderly Conduct, states that a person is guilty of disorderly conduct if that person "*Intentionally obstructs pedestrian or vehicular traffic without lawful authority;*" Obstructing pedestrian or vehicular traffic is defined in MCMC as "...to walk, stand, sit, lie, grasp a person, or place an object in such a manner as to block passage by another person or a vehicle, or to require another person or a driver of a vehicle to take evasive action to avoid physical contact." Nothing in this code prohibits or penalizes activity consisting of the lawful exercise of freedom of speech, to peaceably assemble, to travel, or the response to an emergency.

Summary

There are currently a number of tools available to the police department should any of these constitutionally protected activities cross the line into criminal behavior. The city should continue to use these tools and refine our current practices as necessary. Those refinements include but are not limited to:

- Ensuring that our trespassing statutes are defensible in court and that our procedures are just
- Proactively working with the business community to identify areas of concern that need to be addressed
- Ensure that police department line staff are equipped with the appropriate resources to be able to assist people on the street as necessary

CITY MANAGER RECOMMENDATION:

None. This item is a discussion of issues surrounding panhandling in Mill Creek.

ATTACHMENTS:

- Ogden, Murphy, Wallace Case Report: *Martin et al v City of Boise, 9th Circuit Court of Appeals*

Respectfully Submitted:

Robert S. Stowe
Interim City Manager



OGDEN MURPHY WALLACE, PLLC
901 FIFTH AVENUE, SUITE 3500
SEATTLE, WA 98164-2008

T 206.447.7000
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CASE REPORT

***Martin et al v City of Boise*, 9th U.S. Circuit Court of Appeals, No. 15-35845**

- Homeless persons cannot be penalized for sleeping outdoors, on public property, on the false premise they had a choice in the matter – adequate shelter must be practically available and accessible

I. Case Summary

In response to a significant and growing homeless population, the City of Boise adopted two ordinances aimed at addressing the increased use of public places to sit or sleep. Six homeless people challenged the City Ordinances, alleging the ordinances amounted to Cruel and Unusual punishment under the Eighth Amendment.

After the plaintiffs initiated their suit, the Boise Police Department promulgated a new “Special Order” that prohibited enforcement of either ordinance against any homeless person on public property on any night when no shelter had “an available overnight space.” This Order was implemented through the “Shelter Protocol”, which said that if any shelter in Boise reached capacity on a given night, that shelter had to notify the police by approximately 11pm. The shelter had discretion to determine whether it was full, and the police had no mechanism for gauging whether a shelter was full. If all the shelters were full on the same night, the police had to refrain from enforcing either ordinance. However, because of internal policies, two of the shelters never reported being full. This meant that the Shelter Protocol was never triggered, so the police presumably continued to issue citations under both ordinances.

After a long procedural history, the Ninth Circuit Court of Appeals ultimately held that Boise’s ordinances violated the Eighth Amendment’s ban on cruel and unusual punishment to the extent that the ordinances imposed criminal sanctions against homeless persons for sleeping outdoors on public property when they had no other alternative.

II. Analysis

In *Martin*, the Ninth Circuit traced the history of the Eighth Amendment’s jurisprudence, noting that the caselaw distinguished between punishing people for their status, such as narcotic addiction, and for their conduct, such as public drunkenness. However, the *Martin* decision noted that the issue of “involuntary conduct” remained unresolved, though prior decisions had discussed as a guiding principle that the Eighth Amendment prohibits the state from punishing an involuntary act or condition if it is the unavoidable consequence of one’s status or being.

This guiding principle compelled the court’s conclusion in *Martin* that “the Eighth Amendment prohibits the imposition of criminal penalties for sitting, sleeping, or lying outside on public property for homeless individuals who cannot obtain shelter.”

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Citing prior cases, the Ninth Circuit reasoned that “[w]hether sitting, lying, and sleeping are defined as acts or conditions, they are universal and unavoidable consequences of being human.’ Moreover, any ‘conduct at issue here is involuntary and inseparable from status — they are one and the same, given that human beings are biologically compelled to rest, whether by sitting, lying, or sleeping.’ As a result, just as the state may not criminalize the state of being ‘homeless in public places,’ the state may not ‘criminalize conduct that is an unavoidable consequence of being homeless — namely sitting, lying, or sleeping on the streets.’

The Ninth Circuit noted, however, that its decision was to be narrowly interpreted, as the court did not want to be understood as requiring cities to affirmatively provide enough shelter for the homeless or to allow anyone to sit, lie, or sleep anywhere at any time in any place. But the court held that if there is a greater number of homeless persons in a jurisdiction than the number of beds typically available to those persons, local jurisdictions cannot criminalize homeless individuals for involuntarily sitting, lying, and sleeping in public.

III. Conclusion

This case clarifies a city’s scope of authority when adopting and enforcing ordinances that address the consequences arising from an increase in the city’s homeless population. While this case offers some parameters within which a city ordinance must comply, the court emphasized that its holding did not cover people who had access to a shelter but chose not to utilize the opportunity, nor did the court suggest that a local jurisdiction with insufficient shelter space could never criminalize the act of sleeping outside. In fact, the *Martin* court clarified that even where shelter is unavailable, an ordinance prohibiting sitting, lying, or sleeping outside at particular times or in particular locations might well be constitutionally permissible. The court noted that whether other ordinances are consistent with the Eighth Amendment will depend, as it did in this case, on whether they punish a person for lacking the means to live out the ‘universal and unavoidable consequences of being human’ in the way the ordinance prescribes.

Notwithstanding *Martin*, cities may likely still adopt and enforce carefully drawn local ordinances that prohibit certain activities such as sleeping in public places, so long as shelter space is actually, and practically, available. However, cities should exercise caution in this context. We strongly advise consulting with your City Attorney to review any existing ordinances that criminalize sitting, lying and/or sleeping in public areas before enforcing them. Please feel free to contact our office for assistance.

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Agenda Item # D

Meeting Date: October 23, 2018

CITY COUNCIL AGENDA SUMMARY

City of Mill Creek, Washington

AGENDA ITEM: ORDINANCE UPDATING THE CITY OF MILL CREEK TRAFFIC MITIGATION FEE PROGRAM – 2018

PROPOSED MOTION:

No action required. Information provided for Council review and direction.

KEY FACTS AND INFORMATION SUMMARY:

The City of Mill Creek first began assessing traffic mitigation fees in 1997 with the adoption of Resolution 97-227 under the authority granted in RCW Chapter 43.21C, the State Environmental Policy Act (“SEPA”). The underlying philosophy is that new development must pay a proportionate share of the impacts associated with the additional traffic on the road network to maintain an adopted level of service. The traffic mitigation fee program in Mill Creek was updated in 2004, 2007, and again in 2011. The current traffic mitigation fee is \$3,000 per PM Peak Hour (PMPH) trip.

City staff worked with Perteet Engineering, who helped prepare the 2011 Traffic Mitigation Fee Program, to update the fees. The proposed update to the Traffic Mitigation Fee Program utilizes the same methodology that was utilized in 2011 and supplies new input values for the variables of the formula that control the amount of the fee (Attachment A). The formula variables are: 1) capital project cost, 2) local trip share, 3) and trip growth.

Below is a summary of the recommended Traffic Mitigation Fee Program:

- The City utilizes a system that uses a single city-wide zone.
- The Traffic Mitigation Fee Program remains SEPA based (assessed under the authority of MCMC 17.48 and 18.04).
- The fee is based on PMPH trips. Based on a review of available undeveloped/underdeveloped land within the city limits, and using the PMPH trip generation data from Institute of Transportation Engineers (ITE) Trip Generation Manual, it is estimated that at build-out there will be an additional 1,550 PMPH trips.
- Within the time frame of the 2019-2024 TIP it is estimated 1,550 new PMPH trips will be generated by new development.
- Available PSRC (Puget Sound Regional Council) travel demand modeling indicates that, on average, 36.5% of vehicular trips in Mill Creek are through trips without a trip end within the City.
- The adopted 2019-2024 TIP includes eight projects that are necessary as a result of vehicular trip growth, and thus, are eligible for traffic mitigation funding with a total estimated cost of \$39,920,000. Since 42% of the cost of the projects is assumed to be paid for by the Traffic Mitigation Fee Program, the capital cost used in the formula is

City Council Agenda Summary
Page 2

\$16,766,400 (\$39,920,000 X 0.42).

- The capital cost, when reduced by the 36.5% through trip statistic, is \$6,119,736 million.
- Per the City's interlocal agreement with Snohomish County for reciprocal mitigation of transportation impacts adopted by Council on October 9, 2018, the updated fee will also be applied to new development in unincorporated Snohomish County that impact city roadways.

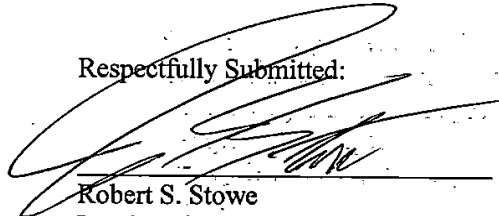
MANAGER RECOMMENDATION:

Consider the attached ordinance increasing the PMPH trip traffic mitigation fees from \$3,000 to \$3,900 at the November 6, 2018 meeting.

ATTACHMENTS:

- Attachment A: Pertect Memo dated October 17, 2018
- Attachment B: Proposed ordinance revising the traffic mitigation program used for assessing traffic mitigation fees, adopting new traffic mitigation fee assessments; and establishing an effective date

Respectfully Submitted:



Robert S. Stowe
Interim City Manager



MEMORANDUM

505 5th Avenue S, Suite 300, Seattle, WA 98104 | P 206.436.0515

To: Gina Hortillosa, PE, PMP
City of Mill Creek

From: Mike Hendrix, PE, PTOE

Date: October 17, 2018

Re: Task 6: Proposed Fee Program Methodology and Rate

INTRODUCTION

This memorandum details the update to the City of Mill Creek Transportation Mitigation Fee. The analysis methodology matches the procedure established by the July 14, 2011 Transportation Mitigation Fee program memorandum prepared by Perteet. This update supplies new input values for the variables that control the amount of the Fee. The following sections detail which variables were selected and why. The revised Transportation Mitigation Fee value is presented at the end.

EXISTING FEE PROGRAM METHODOLOGY

The methodology for establishing and updating the City of Mill Creek Transportation Mitigation Fee (TMF) was prepared by Perteet in a memorandum from July 14, 2011. This memorandum established the TMF as fixed-value, meaning that any trip produced by Mill Creek developments would be charged the same fee, regardless of the location of that development in the City. This is a standard practice for nearly all surrounding Puget Sound local agencies. The TMF is a function of three variables:

1. Capital project costs anticipated to be paid using TMF revenue, expressed as a dollar amount;
2. Local share of total trips, expressed as a decimal; and
3. Anticipated city-wide trip growth from internal developments during the duration of the TMF program, expressed as a number of trips.

To determine the TMF in dollars per trip, the following formula was developed in 2011.

$$\frac{\text{Capital Project Cost [\$]} * \text{Local Trip Share}}{\text{Trip Growth [trips]}} = \text{TMF [$/trip]}$$

Each variable is described further below:

- Capital Project Cost. The capital project costs are the sum of capital project costs expected to be fulfilled by the TMF. Only capital projects directly related to trip growth are included. For example, the addition of a lane on a roadway experiencing delay because of trip growth is an acceptable capital project to have some or all of the costs covered by the TMF. However, the addition of a lane to mitigate an existing deficiency such as a safety issue is not applicable and TMF's cannot be used for that project.

PERTEET

MEMORANDUM

Many capital project budgets are a collection from various sources including other local funding such as transportation benefit districts, bonds or levies, state funding such as Transportation Improvement Board grants, and federal funding such as TIGER grants. Because of this, TMF's comprise a percentage of the total funding and are not expected to cover the project budget in its entirety. For Mill Creek, this was assumed to be 42%. Therefore, the capital project cost would be the total costs of growth related projects multiplied by 42%. This would account for the funding anticipated to be covered by the TMF.

- Local Trip Share. All public roadways are open to travelers from other jurisdictions. Travelers often use roadways through Mill Creek to access other parts of the county or to bypass congestion on other facilities such as interstate highways. Local trips are defined as a trip that has at least one node—origin, destination, or both—within Mill Creek City Limits. All other trips are considered external or pass-by trips. The Local Trip Share variable reflects the percentage of local trips out of the total trips through the City.

The local trip share is derived using Puget Sound Regional Council (PSRC) select link analysis data, which forecasts the percentage of trips on major Mill Creek roadways that involve travel outside of the City Limits.

This variable is included in the formula to reflect that the need for a project is not exclusively generated by local trips. As such, the project costs described above should not be the full responsibility of local trips. (Note that every trip that would be subject to a Mill Creek TMF is, by definition, a local trip because the development is within City Limits.)

- Trip Growth. The trip growth factor is the number of trips expected to be generated during the afternoon (PM) peak period. This number is developed from community plans and known up-coming developments. This information is provided by the City in a six-year planning document.

The trip growth is calculated based on City land use projections during the six-year plan. The 8th Edition of the *Trip Generation Manual* by the Institute of Transportation Engineers (ITE) provides accepted trip generation rates for various land use types and development sizes.

The City currently charges a TMF of \$3,000 per trip for developments within City Limits.

PROPOSED FEE PROGRAM METHODOLOGY

Capital Project Costs

The City of Mill Creek proposed 2019-2024 Transportation Improvement Plan (TIP) details upcoming projects with estimated costs. From discussions with Mill Creek staff, the following projects have been identified as being partially funded by traffic impact fees within the next six years. These projects have been selected because these projects are required due to the impact of trip growth in the City.

PERTEET

MEMORANDUM

Table 2. TIP Transportation Projects.

Description	Cost Estimate
East Gateway Urban Village "Spine Road" West Connection (Phase 1)	\$ 5,000,000
East Gateway Urban Village "Spine Road" East Connection (Phase 2)	\$ 6,000,000
SR 96 at Dumas Road Intersection Improvements	\$ 5,390,000
SR 96 at 35th Avenue Intersection Improvements	\$ 3,460,000
SR 527 at 164th Street Intersection Improvements	\$ 2,090,000
SR 96 at SR 527 Intersection Improvements	\$ 9,460,000
Old Seattle Hill Road at SR 527 Intersection Improvements	\$ 1,150,000
164th Street SE at Mill Creek Boulevard Intersection Improvements	\$ 7,370,000
Total	\$ 39,920,000

Because the 2019 to 2024 TIP does not detail how much TMF funding will be applied to each project during that timeframe, this analysis assumed that 42% of the total cost will be covered by these fees as noted above. This share of capital improvements is consistent with other jurisdictions in the region.

The capital project cost variable will be entered into the fee equation as \$16,766,400 (i.e. \$39,920,000 x 0.42).

Local Trip Share

To determine the local trip share, data from roadway links near or within the City of Mill Creek were selected from PSRC. Note that the same four select link analysis locations were used as in the 2011 study. These links are listed below:

1. 164th Street SE, west of SR 527;
2. SR 527, north of 164th Street SE;
3. SR 96, east of I-5; and
4. SR 96, east of 35th Avenue SE.

Projected volumes at each of the select link analysis locations were provided by PSRC for 2010, 2020, and 2030. Values were interpolated to obtain values for the intermediate years of 2019 and 2024. Table 3 shows the aggregated local trip and pass-through trip values for each year.

PERTEET

MEMORANDUM

Table 3. Select Link Analysis Summary.

Trip Type	2010	2020	2030	2019	2024
164th Street SE, west of SR 527					
Local	3,303	3,341	3,454	3,337	3,386
Pass-Through	3,699	3,850	4,049	3,835	3,930
Link 2: SR 527, north of 164th Street SE					
Local	2,686	2,551	2,533	2,565	2,544
Pass-Through	2,331	2,829	3,070	2,779	2,925
Link 3: SR 96, east of I-5					
Local	3,571	3,069	3,027	3,119	3,052
Pass-Through	6,690	7,295	7,482	7,235	7,370
Link 4: SR 96, east of 35th Avenue SE					
Local	2,031	1,885	1,990	1,900	1,927
Pass-Through	5,249	4,894	5,075	4,930	4,966
Total, All Links					
Local	11,591	10,846	11,004	11,219	10,862
Pass-Through	17,969	18,868	19,676	18,419	18,949
Total Trips	29,560	29,714	30,680	29,699	30,100

Based on the PSRC data, the local trip percentages for 2019 and 2024 are 36.8% and 36.2%, respectively. Averaging these two values provides a data point that will span the five-year period. The average value is 36.5%. One challenge with using the PSRC data is the limited number of links near or within the City of Mill Creek. Additionally, the roadway links are mostly state routes which also serve as connections between other state highways such as Interstates 5 and 405. These volumes are biased for more through traffic. Roadways such as 35th Avenue SE and Seattle Hill Road are not captured in the PSRC data. The use of 36.5% local trip share is considered as a low value.

The local trip share variable will be entered into the fee equation as a decimal, 0.365.

Trip Developments

The number of new trips expected due to Mill Creek developments is based on a review of the vacant lands on which developments could be built. The City maintains a list of currently proposed developments that are in various stages of design, permitting, or construction. This list serves as the assumed project list for the next six years. While projects may be developed that are not currently on this list, some already included developments may not come to fruition. This procedure is consistent with the 2011 update effort.

The City’s table provides general development types and areas. The *Trip Generation Manual* uses these two factors to predict the number of PM peak hour trips a development will produce on a given weekday. Trips are a function of square footage or acreage for commercial properties and number of dwelling units for residential developments. Table 4 shows the current development list with expected trip generation per the *Manual*. A map showing the location of these developments is attached to this memorandum.

PERTEET

MEMORANDUM

Table 4. Anticipated Trip Developments.

Development	Type	ITE Code	Size	Trips
A	Office/Retail	710/820	49,500 SF	265.70
B	Office/Retail	710/820	49,000 SF	264.08
C	Single Family Dwellings	210	25 units	31.58
D	Office/Retail	710/820	21,453 SF	164.83
E	Office/Retail	710/820	12,414 SF	124.96
F	Multi-Family Dwellings	230	50 units	52.87
G	Single Family Dwellings	210	24 units	30.47
H	Single Family Dwellings	210	21 units	27.09
I	Office	710	7,500 SF	87.21
J	Warehouse/Office	150/710	96,049 SF	122.22
K	Warehouse/Office	150/710	49,658 SF	86.25
L	Warehouse/Office	150/710	17,750 SF	59.20
M	Warehouse/Office	150/710	34,521 SF	73.82
N	Warehouse (75%) / Office (25%)	150/710	217,800 SF	154.22
Total				1,544.50

Rounded to the nearest 10 trips, the trip development variable will be entered into the fee equation as 1,550 trips.

Updated Fee Value

The updated fee value is based on the three variables outlined above. Multiplying the capital project cost (\$16,766,400) by the local trip share (0.365) and dividing by the trip developments (1,550) returns a revised trip fee.

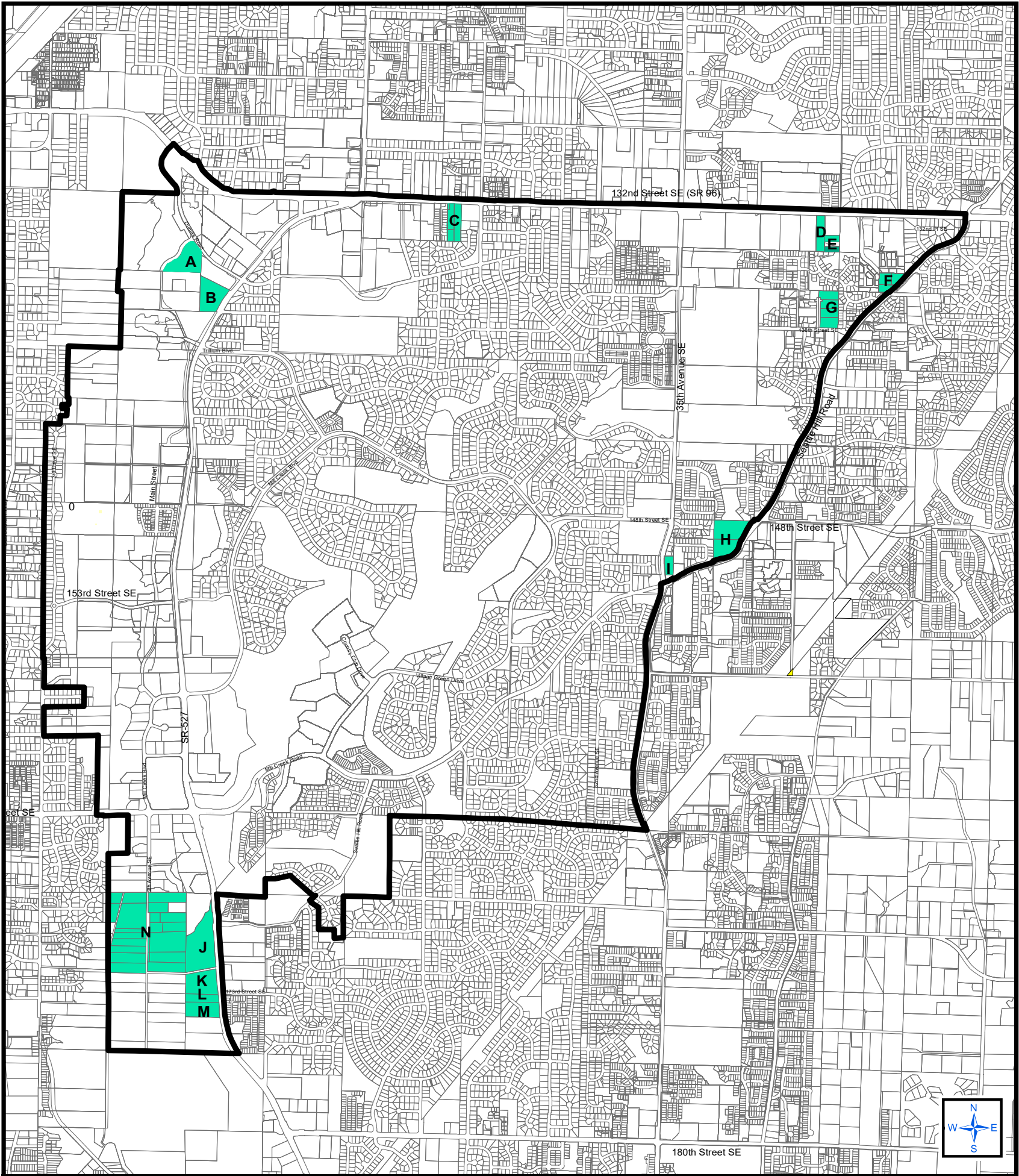
$$\frac{\text{Capital Project Cost [\$]} * \text{Local Trip Share}}{\text{Trip Growth [trips]}} = \text{TMF [$/trip]}$$




$$\frac{\$16,766,400 * 0.365}{1,550 \text{ trips}} = \$3,948.22 \text{ per trip}$$

The fee will be rounded down to the nearest 100 dollars.

The 2019 to 2024 Traffic Mitigation Fee for the City of Mill Creek is \$3,900 per trip.

Anticipated Development Sites



-  City Limits (4.68 SQ. Miles)
-  Municipal Urban Growth Area Boundary
-  Anticipated Development Sites

Note: This map is prepared with the property data and project status currently available to the City.



ORDINANCE NO. 2018 - XXXX

**AN ORDINANCE OF THE CITY OF MILL CREEK, WASHINGTON
REVISING THE TRAFFIC MITIGATION PROGRAM USED FOR
ASSESSING TRAFFIC MITIGATION FEES; ADOPTING NEW TRAFFIC
MITIGATION FEE ASSESSMENTS; AND ESTABLISHING AN
EFFECTIVE DATE**

WHEREAS, the City of Mill Creek has the authority to impose traffic mitigation fees under the State Environmental Policy Act ("SEPA"), RCW 43.21C, and Chapters 17.48 and 18.04 of the Mill Creek Municipal Code ("MCMC"); and

WHEREAS, the City's traffic mitigation program and fees are subject to periodic review and evaluation; and

WHEREAS, the City periodically updates and adjusts its six-year Transportation Improvement Program (TIP) in accordance with RCW 35.77.010, to keep current with changes in the City and surrounding jurisdictions; and

WHEREAS, the City's TIP was recently updated to include transportation improvements that will be needed by 2024 to support growth and development in an increasingly constrained transportation system and to meet the City's transportation goals and requirements; and

WHEREAS, The City has determined that the revised traffic mitigation program and fees set forth in **Exhibit A** hereto, attached and incorporated by this reference, together with the underlying technical information on file with the City, will properly allocate to new development and redevelopment a proportional share of the impacts and costs to the City's street and traffic network arising from said development and redevelopment, and further will enable the City to properly, effectively, and efficiently assess traffic mitigation fees; and

WHEREAS, the City Council has considered and adopted the 2019-2024 TIP and has reviewed the revised traffic mitigation program and fees as set forth in **Exhibit A**, and has evaluated the recommendation that the revised traffic mitigation program and fees as set forth in **Exhibit A**, together with the underlying technical information on file with the City, will properly allocate to new development and redevelopment their proportional share of the impacts and costs to the City's streets and traffic network arising from that development and redevelopment, and will allow the City to properly, effectively, and efficiently assess traffic mitigation fees; and

WHEREAS, the new mitigation fee as recommended in **Exhibit A** and adopted by the City Council not only reflects the proportional share of the impacts and costs to the City's streets and traffic network arising from development and redevelopment within the City, all in accordance with the City's longstanding traffic mitigation program and formulas, but has been further reduced in amount to insure its fairness to Mill Creek property owners and developers; and

WHEREAS, the City Council finds that the revised traffic mitigation program and fees as set forth in **Exhibit A** will properly allocate to new development and redevelopment their proportional share of the impacts and costs to the City's street and traffic network arising from that development and redevelopment, and will allow the City to properly, effectively, and efficiently assess traffic mitigation fees; and

WHEREAS, the City Council further finds that the revisions to the traffic mitigation program and fees adopted herein will advance the public health, safety and welfare, and will benefit the public and citizens of Mill Creek by ensuring that new development accounts for its proportional share of impacts and costs to the City's streets and traffic network arising from that new development; and

WHEREAS, this Ordinance, together with **Exhibit A** and the underlying technical information on file with the Public Works Department, should be adopted as substantive SEPA policies under MCMC Chapter 18.04 for the purpose of conditioning development and redevelopment within the City;

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

Section 1. The traffic mitigation program and fees set forth in **Exhibit A**, attached and incorporated in full by this reference, together with the underlying technical information on file with the City, are hereby adopted for use by the City in evaluating and assessing traffic mitigation fees for all new development and redevelopment occurring within the City and within the City's Planning Influence Area Boundary lying in unincorporated Snohomish County.

Section 2. This Ordinance, together with attached **Exhibit A** and the underlying technical information on file with the City, are expressly adopted as and designated to be substantive SEPA policies under MCMC Chapter 18.04.

Section 3. The traffic mitigation program and fees adopted by this Ordinance shall become effective on the date specified in Section 5 below, and shall remain in effect until changed or modified by action of the City Council.

Section 4. If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance or its application to any person or situation be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portion of this ordinance or its application to any other person or situation. The City Council of the City of Mill Creek hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

Section 5. This Ordinance shall take effect and be in full force five days after publication of the attached summary, which is hereby approved.

Adopted this __th day of October, 2018 by a vote of __for, __against, and __abstaining.

APPROVED:

PAM PRUITT, MAYOR

ATTEST/AUTHENTICATED:

GINA PFISTER, ACTING CITY CLERK

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY
OGDEN MURPHY WALLACE PLLC

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO.:

Exhibit A – Proposed Fee Program Methodology and Rate, dated October 10, 2018

Traffic Mitigation Update 2018.DOC

TRANSPORTATION MITIGATION FEE UPDATE

Peter De Boldt, PE
Principal
Mike Hendrix, PE, PTOE
Senior Project Manager

October 23, 2018





Presentation Outline

- Define Transportation Mitigation Fee
- Eligible Projects for TMF funds
- Process for Development of Revised Fee
- Results of Analysis and Recommended Fee





What is a Transportation Mitigation Fee?

- Fee paid by Developers to address Growth – Related Impacts on the roadway network in proportion
- Intent is to have Development fund system-wide improvements equally
- Other site-specific improvements (e.g. turn lanes) are still the responsibility of the Developer





What projects are eligible for TMF funds?

- Funds must be used for projects where growth related impacts will reduce intersection Level of Service below Mill Creek Standards.
- Cannot be used for existing deficiencies or maintenance (e.g. pavement overlays)





Process Overview

- Evaluate costs for needed improvements
 - City 2019-2024 Transportation Improvement Program (TIP)
- Assumptions on amount of costs covered by TMF
- Evaluate projected number of trips increasing in the City
- Evaluate amount of local traffic
- Dividing costs by generated new trips





Process – Calculation Equation

- Revised TMF is consistent with industry practice.

$$\frac{\text{Capital Project Cost [\$]} * \text{Local Trip Share}}{\text{Trip Growth [trips]}} = \text{TMF [$/trip]}$$





Process – Capital Project Cost

- Growth Related Transportation Project Costs to be covered by TMF funds
 - Assumed 42% of project costs would be covered by TMF

TIP Growth Related Project Costs = \$39,920,000

42% of Project Costs = \$39,920,000 * 0.42 = \$16,766,400





Process – Local Trip Share

- Only a certain amount of trips using Mill Creek are considered Local.
 - Local is defined as either an origin or destination or both are within City Limits
 - Used PSRC Data to calculate Local Trip Share

Local Trip Share = 36.5%





Process – Trip Growth

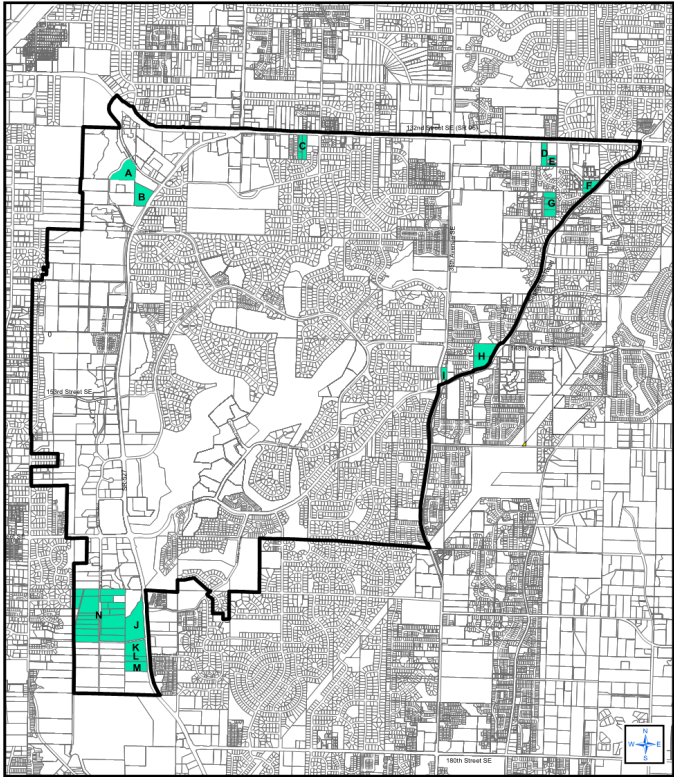
- 14 New Developments expected in next 6 years
 - Used ITE Trip Generation Estimates for number of trips
 - Assumed Land Use in consultation with City Staff

Trip Growth = 1,550 PM Peak Hour Trips





Process – Trip Growth – Anticipated Development



Updated On: 10/4/2018



Process – Revised Calculation

$$\frac{\text{Capital Project Cost [\$]} * \text{Local Trip Share}}{\text{Trip Growth [trips]}} = \text{TMF [$/trip]}$$

$$\frac{\$16,766,400 * 36.5\%}{1,550 \text{ trips}} = \$3,948.22 \text{ per trip}$$

Rounded to \$3,900 per trip





Recommendation

- Current TMF
 - \$3,000 per PM Peak Hour Trip
- Recommended 2018 TMF
 - \$3,900 per PM Peak Hour Trip





Date: October 23, 2018

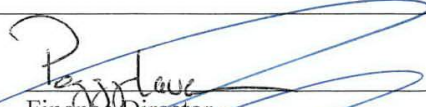
A/P Check Batches		
Dated	Check Numbers	Amount
10/04/2018	59269	\$7,982.53
10/11/2018	59270-59271	\$1,277,741.64
10/12/2018	59272	\$517.13
Total		\$1,286,241.30

Voided Checks	
Numbers	Explanation


CLAIMS APPROVAL

We, the undersigned Finance/Audit Committee of the City of Mill Creek, recommend approval of check numbers 59269 through 59272, in the amount of \$1,286,241.30.

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

Councilmember 

_____ Finance Director

Councilmember 

_____ Interim City Manager

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Accounts Payable

Checks by Date - Detail by Check Date

User: Jodieg
 Printed: 10/15/2018 8:20 AM



Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
59269	POLIZZOR Vac Payout	Rebecca Polizzotto Vacation Payout	10/04/2018		7,982.53
Total for Check Number 59269:				0.00	7,982.53
Total for 10/4/2018:				0.00	7,982.53
59270	HARBORPC No. 3	Harbor Pacific Contractors, Inc 35th Ave Reconstruction 07/29-09/01	10/11/2018		1,211,377.16
Total for Check Number 59270:				0.00	1,211,377.16
59271	POLIZZOR SP	Rebecca Polizzotto Separation Payout	10/11/2018		66,364.48
Total for Check Number 59271:				0.00	66,364.48
Total for 10/11/2018:				0.00	1,277,741.64
59272	LEOLOTA Payroll	Lota Leo Net Wages - Pay Period Sep 16th-30th, 2018-L.L.	10/12/2018		517.13
Total for Check Number 59272:				0.00	517.13
Total for 10/12/2018:				0.00	517.13
Report Total (4 checks):				0.00	1,286,241.30



Mill Creek
WASHINGTON

Date: October 23, 2018

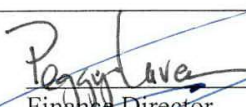
Payroll Check Batches		
Dated	Check Numbers	Amount
10/10/2018	ACH Automatic Deposit Checks	\$152,929.62
10/10/2018	ACH Wire- FWT & Medicare Taxes	\$50,301.87
10/10/2018	ACH Wire MEBT- Wilmington Trust	\$20,264.96
10/10/2018	ACH Wire- ICMA RC- Def. Comp	\$1,677.52
10/10/2018	ACH Wire- MCPD Guild Dues	\$2,040.00
Total		\$227,213.97


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 \$227,213.97.

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

Councilmember  Finance Director

Councilmember  City Manager

G:\FINANCE\Restricted (old I drive)\Payroll\Voucher Coversheets\2018\Payroll Voucher Approval 10232018.docx
10/15/2018

Statistical Summary

Company:A0W - City Of Mill Creek Service Center:0076 Pacific North West Status:Cycle Complete
 Week#:41 Pay Date:10/10/2018 P/E Date:09/30/2018
 Qtr/Year:4/2018 Run Time/Date:16:51:17 PM EDT 10/05/2018

Taxes Debited	Federal Income Tax	40,957.04		
	Earned Income Credit Advances	0.00		
	Social Security - EE	0.00		
	Social Security - ER	0.00		
	Social Security Adj - EE	0.00		
	Medicare - EE	4,502.97		
	Medicare - ER	4,502.95		
	Medicare Adj - EE	0.00		
	Medicare Surtax - EE	338.91		
	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		
	Transit Tax - EE	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		
	Total Taxes Debited		50,301.87	
Other Transfers	Full Service Direct Deposit Acct. No.000060104700Tran/ABA125000024	152,929.62		
	Total Amount Debited From Your Account		203,231.49	Total Liability
Bank Debits & Other Liability	Checks	0.00		203,231.49
	Adjustments/Prepay/Voids	74,347.01		277,578.50
Taxes- Your Responsibility	None this payroll			277,578.50

Payment Details Report



Company: City of Mill Creek
Requester: Kottke, Sandy
Run Date: 10/15/2018 6:31:02 PM CDT

Domestic High Value (Wire)

Payment Category: Urgent/Wire

Status: Confirmed by Bank
Transaction Number: 18AAI4115EBF1D16

Template Name: MATRIX/MEBT
Template Code: WILTRUST

Debit Account Information

Debit Bank: 125000024
Debit Account: 000060104700
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: 530354845
Beneficiary Bank ID: 021000021
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: 20,264.96

Value Date: 10/11/2018

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: plauerman
Approved: plauerman
Initial Confirmation: WTX:2018101000474186
Confirmation #: CHPR:0196018

Input Time: 10/10/2018 5:41:23 PM CDT
Time: 10/10/2018 5:44:06 PM CDT

Payment Details Report



Company: City of Mill Creek
Requester: Kottke, Sandy
Run Date: 10/15/2018 6:32:52 PM CDT

Domestic High Value (Wire)

Payment Category: Urgent/Wire

Status: Confirmed by Bank
Transaction Number: 18AAI4247E7H0D36

Template Name: ICMA 457 Plan
Template Code: ICMA

Debit Account Information

Debit Bank: 125000024
Debit Account: 000060104700
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: 42538001
Beneficiary Bank ID: 022000046
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: 1,677.52

Value Date: 10/11/2018

Optional Information

Sender's Reference Number: 302029

Beneficiary Information: City of Mill Creek 302029

Additional Routing

Intermediary Bank ID:

Receiver Information:

Control Information

Input: plauerman
Approved: plauerman
Initial Confirmation: WTX:2018101000474188
Confirmation #: FEDR:20181011B6B7HU1R002673

Input Time: 10/10/2018 5:42:56 PM CDT
Time: 10/10/2018 5:44:06 PM CDT

Payment Details Report



Company: City of Mill Creek
Requester: Kottke, Sandy
Run Date: 10/15/2018 6:31:32 PM CDT

Domestic High Value (Wire)

Payment Category: Urgent/Wire

Status: Confirmed by Bank
Transaction Number: 18AAI4206B8H0D86

Template Name: GUILD DUES
Template Code: GUILD

Debit Account Information

Debit Bank: 125000024
Debit Account: 000060104700
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: 000060159001
Beneficiary Bank ID: 125000024
 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: 2,040.00

Value Date: 10/11/2018

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: plauerman
Approved: plauerman
Initial Confirmation: WTX:2018101000474187
Confirmation #: BOOK:2018101000474187

Input Time: 10/10/2018 5:42:12 PM CDT
Time: 10/10/2018 5:44:06 PM CDT

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

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

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

Tentative Council Meeting Agendas
Subject to change without notice

Last updated: October 23, 2018

November 6, 2018

(Agenda Summary due October 23)

- Terry Ryan Check Presentation – Historical Preservation Panels
- Adoption of Traffic Impact Fees
- CM Recruitment: Agreement with Executive Search Firm
- Study Session: Business License Fee Increase
- Study Session: Surface Water Rates
- 2017-2018 Budget Amendments
- Public Hearing: Preliminary Budget & Property Tax Levy

November 13, 2018

(Agenda Summary due October 30)

- Public Hearing: Preliminary Budget & Surface Water Utility Rate
- Study Session: HR Policies
- Study Session: Sport Park Rental Fees

November 27, 2018

(Agenda Summary due November 13)

- Discussion of the Preliminary Budget
- Adoption of Surface Water Rate
- Adoption of HR Policies
- Sports Park Contract Award
- LEOFF ILA

December 4, 2018

(Agenda Summary due November 20)

- Adoption of 2019-2020 Budget
- Adoption of Business License Ordinance

December 11, 2018

(Agenda Summary due November 27)

- Terry Ryan Check Presentation – Exploration Park
- Presentation: Health District Update
- Study Session: Historical Preservation Project
- Exploration Park Contract Award
- Legal Services Agreement

JANUARY						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5
		Holiday				
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		

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

MARCH						
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	31	25	26	27	28	29
						30

Possible Work Session Topics for Discussion

- Business signs
- MCCA storm water discussions
- Utility Project Management
- Hotel/Motel Theater Tax
- Mill Creek Blvd Vision
- Adoption of business license ordinance
- ST3 Stations
- EGUV Development Agreement
- SR 96 - Consideration of Speed



MCPD Vehicle Pursuit Policy – Lexipol 307 October 23, 2018

Key Facts and Information Summary

The police department is in the process of implementing the Lexipol policy manual product to replace an outdated organic policy manual.

A number of these policies are strictly operational and are implemented as best practices and in accordance with local, state and federal statutes. Most of the Lexipol drafts have been edited to meet the vision and mission of the city and the police department. Some of the policies however, such as the Vehicle Pursuit Policy, have political and community impacts beyond police department operations.

Vehicle pursuits

Vehicle pursuits are low frequency, high risk activities. The danger to the public, the officers and the violators must be weighed against the need to apprehend the violator. There are many considerations that go into the decision to pursue, and this policy provides the basis for those decisions.

Pursuit policies throughout the region vary greatly, from a strict “no pursuit” policy to policies that allow officers to pursue any violator who does not stop. The current MCPD policy, Chapter 21.10, is one of the more liberal pursuit policies. **Section 21.10.1 General** reads “*It is the policy of this Department that officers will pursue known and wanted criminals and traffic violators who fail to stop upon receiving proper notice.*” The policy certainly goes on to direct officers to take a number of issues into consideration when deciding to initiate or continue a pursuit, but the general statement of policy is one that allows pursuits of any vehicles that don’t stop when signaled by officers

Law enforcement practices and policies have evolved over the years and it is important that our city stay current with industry best practices and recognized standards. The current policy was last reviewed and revised in 2006. The LEMAP report of 2016 addressed vehicle pursuits as part of **Chapter 15, section 15.5**. Included in their recommendation was a suggestion that our pursuit policy be reviewed at least annually by members and by the administration to ensure proper policy adherence. Our Lexipol Vehicle Pursuit Policy has been edited to recognize these best practices and standards and is written to represent what is believed to be in the best interest of the community, the city and department members.

Policy 307 provides more specific information about when it is allowable to initiate a pursuit without being overly burdensome to the officer making the decision. **Section 307.3.1** provides for the following:

Officers are authorized to initiate a pursuit when it is reasonable to believe that a suspect, who has been given appropriate signal to stop by a law enforcement officer, is attempting to evade arrest or detention by fleeing in a vehicle and:

- a) *The driver or occupants of the vehicle have committed or are about to commit a felony crime other than eluding, **or;***
- b) *The driver or occupants of the vehicle pose an immediate or future credible threat, other than eluding driving behavior, of death or serious bodily injury to officers or the public, **and;***

- c) *The risk of immediate or future death or serious bodily injury presented by the actions of the driver substantially outweigh the risk of harm presented to the officer and the public by engaging in the pursuit.*

Pursuits for non-violent felonies (those involving neither violence or weapons) are permitted but discouraged absent circumstances that, consistent with this policy, justify the comparative risk. Other than as described above, pursuits shall not be initiated based solely on traffic or civil infractions, or the commission or suspected commission of misdemeanor offenses (specifically including, but not limited to, reckless or negligent driving).

This policy statement in effect limits the officers' ability to pursue to felony crimes and provides guidelines on evaluating the risk to the officers and the public.

Additional elements

Policy 307 also provides for additional tools and tactics to aid officers in the termination of authorized pursuits. It is a fact that the longer a pursuit continues, the higher the likelihood of injury or death to the public, the pursuing officers and the offender. In consideration of this fact, **Policy 307** provides for a number of pursuit intervention techniques to aid the pursuing officers. Pursuit intervention is defined as an attempt to stop the suspect's ability to continue to flee through a number of options. **Section 307.10** describes in detail what these options are, when they can or should be used, and what the training requirements are. Specifically, the policy provides guidelines for the following techniques:

- Blocking
- Pursuit Intervention Technique (PIT)
- Intentional Intervention
- Tire Deflation
- Roadblocks

A section on each describes the technique, when it can or should be used, and what, if any specific training or certification is required in order to perform the technique.

Summary

Policy 307 is far more restrictive than the current policy and represents current best practices and recognized industry standards. This policy lets our community know that the Mill Creek Police Department balances the need to apprehend offenders with the safety of the public and our officers. This policy is also generally consistent with our allied agencies in Snohomish County, although it is somewhat more liberal than others and somewhat more restrictive than others. **Policy 307** has been reviewed by legal counsel with the Washington Cities Insurance Authority (WCIA).

Attachments:

Policy 307 – Vehicle Pursuits
MCPD Policy Chapter 21.10 Pursuit Driving

**Policy
307****Mill Creek Police Department**
Mill Creek PD WA Policy Manual

Vehicle Pursuits

307.1 PURPOSE AND SCOPE

This policy provides guidelines for vehicle pursuits in order to protect the safety of involved officers, the public and fleeing suspects (RCW 43.101.226(3)). This policy is for internal guidance only, and is not intended to create any rights of, or duties, to, any third person or to be used to set any standard of care in a legal setting.

307.1.1 DEFINITIONS

Definitions related to this policy include:

Blocking or vehicle intercept - A slow-speed coordinated maneuver where two or more pursuing vehicles simultaneously intercept and block the movement of a suspect vehicle, the driver of which may be unaware of the impending enforcement stop. The goal is containment and preventing a pursuit. Blocking is not a moving or stationary road block.

Boxing-in - A tactic designed to stop a suspect's vehicle by surrounding it with law enforcement vehicles and then slowing all vehicles to a stop.

Pursuit Intervention Technique (PIT) - A low-speed maneuver designed to cause the suspect vehicle to spin out, stall and come to a stop.

Intentional Intervention - The deliberate act of contacting a suspect's vehicle with another law enforcement vehicle to functionally damage or otherwise force the suspect's vehicle to stop.

Roadblocks - A tactic designed to stop a suspect's vehicle by intentionally placing a law enforcement vehicle or other immovable object in the path of the suspect's vehicle.

Terminate - To discontinue a pursuit or stop chasing fleeing vehicles.

Tire deflation device - A device designed to puncture the tires of the pursued vehicle.

Trail - Following the path of the pursuit at a safe speed while obeying all traffic laws and without activating emergency equipment. If the pursuit is at a slow rate of speed, the trailing vehicle will maintain sufficient distance from the pursuit vehicles so as to clearly indicate an absence of participation in the pursuit.

Vehicle pursuit - An event involving one or more law enforcement officers attempting to apprehend a suspect, who is attempting to avoid arrest while operating a vehicle by using high-speed driving or other evasive tactics, such as driving off a highway, turning suddenly or driving in a legal manner but willfully failing to yield to an officer's emergency signal to stop.

307.2 POLICY

It is the policy of this department to weigh the importance of apprehending suspects who unlawfully flee from law enforcement against the risks associated with vehicle pursuits.

Mill Creek Police Department

Mill Creek PD WA Policy Manual

Vehicle Pursuits

307.3 OFFICER RESPONSIBILITIES

Vehicle pursuits shall only be conducted using authorized police department emergency vehicles that are equipped with and displaying emergency lighting and sirens as required by law.

Officers shall drive with due regard for the safety of all persons and property. However, officers may, when in pursuit of a suspect and provided there is no unreasonable risk to persons and property (RCW 46.61.035):

- (a) Proceed past a red or stop signal or stop sign but only after slowing down as may be necessary for safe operation.
- (b) Exceed the speed limit.
- (c) Disregard regulations governing parking, direction of movement or turning in specified directions.

All officers participating in a pursuit shall immediately advise Communications of their involvement.

In recognizing the potential risk to public safety created by a vehicle pursuit, no officer or supervisor shall be criticized or disciplined for deciding to either not engage in or to discontinue a pursuit. This includes circumstances where department policy would permit the initiation or continuation of a pursuit. It is recognized that vehicle pursuit situations are not always predictable and decisions made pursuant to this policy will be evaluated according to the totality of the circumstances reasonably available at the time of the pursuit.

307.3.1 WHEN TO INITIATE A PURSUIT

Officers are authorized to initiate a pursuit when it is reasonable to believe that a suspect, who has been given an appropriate signal to stop by a law enforcement officer, is attempting to evade arrest or detention by fleeing in a vehicle and:

- (a) The driver or occupants of the vehicle have committed or are about to commit a felony crime other than eluding, **or**;
- (b) The driver or occupants of the vehicle pose an immediate or future credible threat, other than eluding driving behavior, of death or serious bodily injury to officers or the public, **and**;
- (c) The risk of immediate or future death or serious bodily injury presented by the actions of the driver substantially outweigh the risk of harm presented to the officer and the public by engaging in the pursuit.

Pursuits for non-violent felonies (those involving neither violence nor weapons) are permitted but discouraged absent circumstances that, consistent with this policy, justify the comparative risk. Other than as described above, pursuits shall not be initiated based solely on traffic or civil infractions, or the commission or suspected commission of misdemeanor offenses (specifically including, but not limited to, reckless or negligent driving).

Officers will not engage in a vehicle pursuit if there are any non-commissioned person in their patrol vehicle, including but not limited to passengers or arrestees.

Mill Creek Police Department

Mill Creek PD WA Policy Manual

Vehicle Pursuits

The decision to initiate a vehicle pursuit must be based on the officer's conclusion that the immediate threat or potential danger to the public created by the vehicle pursuit is less than the immediate or potential danger to the public should the suspect remain at large. Factors that shall be considered, both individually and collectively, when deciding to initiate or continue a pursuit include, but are not limited to:

- (a) The seriousness of the known or reasonably suspected crime and its relationship to community safety.
- (b) The importance of protecting the public and balancing the known or reasonably suspected offense and the apparent need for immediate capture against the risks to officers, innocent motorists and others.
- (c) The safety of the public in the area of the pursuit, including the type of area, time of day, the amount of vehicular and pedestrian traffic (e.g., school zones) and the speed of the pursuit relative to these factors.
- (d) The pursuing officers' familiarity with the area of the pursuit, the quality of radio communications between the pursuing vehicles and the dispatcher/supervisor, and the driving capabilities of the pursuing officers under the conditions of the pursuit.
- (e) Whether weather, traffic and road conditions unreasonably increase the danger of the pursuit when weighed against the risks resulting from the suspect's escape.
- (f) Whether the identity of the suspect has been verified and whether there is comparatively minimal risk in allowing the suspect to be apprehended at a later time.
- (g) The performance capabilities of the vehicles used in the pursuit in relation to the speed and other conditions of the pursuit.
- (h) Emergency lighting and siren limitations on unmarked police department vehicles that may reduce visibility of the vehicle, such as visor or dash-mounted lights, concealable or temporary emergency lighting equipment and concealed or obstructed siren positioning.
- (i) Vehicle speeds.
- (j) Other persons in or on the pursued vehicle (e.g., passengers, co-offenders and hostages).
- (k) The availability of other resources, such as air support assistance.
- (l) police officers

Once the decision has been made to engage in a pursuit, these factors shall continue to be given careful consideration in determining the maximum speed and or nature of the required driving necessary to maintain the pursuit. The need for apprehension must be constantly weighed against the potential danger created by the pursuit, and if the danger outweighs that need, the pursuit should be terminated.

307.3.2 WHEN TO TERMINATE A PURSUIT

Pursuits should be terminated whenever the totality of objective circumstances known or which reasonably ought to be known to the officer or supervisor during the pursuit indicates that the

Mill Creek Police Department
Mill Creek PD WA Policy Manual

Vehicle Pursuits

present risks of continuing the pursuit reasonably appear to outweigh the risks resulting from the suspect's escape.

When a supervisor directs the pursuit to be terminated, officers will immediately terminate the pursuit. Officers will acknowledge the directive over the radio and advise of their current location.

When terminating a pursuit, the pursuing officer(s) will deactivate their emergency lights, pull to the side of or off the road, and stop their vehicle until the eluding vehicle is no longer in sight.

The factors listed in this policy on when to initiate a pursuit will apply equally to the decision to terminate a pursuit. Officers and supervisors must objectively and continuously weigh the seriousness of the offense against the potential danger to innocent motorists, themselves and the public when electing to continue a pursuit.

In addition to the factors that govern when to initiate a pursuit, other factors should be considered in deciding whether to terminate a pursuit, including:

- (a) The distance between the pursuing vehicle and the fleeing vehicle is so great that further pursuit would be futile or require the pursuit to continue for an unreasonable time or distance.
- (b) The pursued vehicle's location is no longer definitely known.
- (c) The pursuing vehicle sustains damage or a mechanical failure that renders it unsafe to drive.
- (d) The pursuing vehicle's emergency lighting equipment or siren becomes partially or completely inoperable.
- (e) Hazards to uninvolved bystanders or motorists.
- (f) The danger that the continued pursuit poses to the public, the officers or the suspect, balanced against the risk of allowing the suspect to remain at large.
- (g) The identity of the suspect is known and it does not reasonably appear that the need for immediate capture outweighs the risks associated with continuing the pursuit.
- (h) The primary unit loses communication with either dispatch and/ or the pursuit supervisor.
- (i) The suspect vehicle goes the wrong way on a freeway, freeway ramp, divided highway or one-way street.

307.4 PURSUIT VEHICLES

When involved in a pursuit, unmarked police department emergency vehicles should be replaced by marked emergency vehicles as soon as possible.

Vehicle pursuits should be limited to three police department emergency vehicles (three pursuit vehicles, which, depending on the circumstances, may or may not include a supervisor vehicle). However, the number of vehicles involved will vary with the circumstances. When executing a PIT maneuver, the number of involved vehicles will be determined by the situation.

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An officer or supervisor may request that additional vehicles join a pursuit if, after assessing the factors outlined above, it appears that the number of officers involved would be insufficient to safely arrest the number of suspects. All other officers shall stay out of the pursuit but should remain alert to its progress and location. Any officer who drops out of a pursuit may then, if necessary, proceed to the pursuit termination point at legal speeds, following the appropriate rules of the road.

307.4.1 MOTORCYCLES

When involved in a pursuit, police department motorcycles should be replaced by marked emergency vehicles as soon as practicable.

307.4.2 VEHICLES WITHOUT EMERGENCY EQUIPMENT

Officers operating vehicles not equipped with emergency lights and siren are prohibited from initiating or joining in any pursuit. Officers in such vehicles may provide support to pursuing vehicles as long as the vehicle is operated in compliance with all traffic laws. Those officers should discontinue such support immediately upon arrival of a sufficient number of authorized emergency police department vehicles or any air support.

307.4.3 PRIMARY PURSUIT VEHICLE RESPONSIBILITIES

The initial pursuing officer will be designated as the primary pursuit vehicle and will be responsible for the conduct of the pursuit unless he/she is unable to remain reasonably close to the suspect's vehicle. The primary responsibility of the officer initiating the pursuit is the apprehension of the suspect without unreasonable danger to him/herself or others.

The primary pursuing officer should notify the dispatcher, commencing with a request for priority radio traffic, that a vehicle pursuit has been initiated, and as soon as practicable provide information including, but not limited to:

- (a) The location, direction of travel and estimated speed of the suspect's vehicle.
- (b) The description of the suspect's vehicle including the license plate number, if known.
- (c) The reason for the pursuit.
- (d) Any use of firearms, threat of force, violence, injuries, hostages or other unusual hazards.
- (e) The number of occupants and identity or description.
- (f) The weather, road and traffic conditions.
- (g) The need for any additional resources or equipment.
- (h) The identity of other law enforcement agencies involved in the pursuit.

Until relieved by a supervisor or a secondary pursuing officer, the officer in the primary pursuit vehicle shall be responsible for broadcasting the progress of the pursuit. Unless circumstances reasonably indicate otherwise, the primary pursuing officer should, as soon as practicable, relinquish the responsibility of broadcasting the progress of the pursuit to an officer in a secondary pursuit vehicle or to air support joining the pursuit to minimize distractions and allow the primary pursuing officer to concentrate foremost on safe pursuit tactics.

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307.4.4 SECONDARY PURSUIT VEHICLE RESPONSIBILITIES

The second officer in the pursuit will be designated as the secondary pursuit vehicle and is responsible for:

- (a) Immediately notifying the dispatcher of his/her entry into the pursuit.
- (b) Remaining a safe distance behind the primary pursuit vehicle unless directed to assume the role of primary pursuit vehicle or if the primary pursuit vehicle is unable to continue the pursuit.
- (c) Broadcasting information that the primary pursuing officer is unable to provide.
- (d) Broadcasting the progress of the pursuit, updating known or critical information and providing changes in the pursuit, unless the situation indicates otherwise.
- (e) Identifying the need for additional resources or equipment as appropriate.
- (f) Serving as backup to the primary pursuing officer once the suspect has been stopped.

307.5 PURSUIT DRIVING

The decision to use specific driving tactics requires the same assessment of the factors the officer considered when determining whether to initiate and/or terminate a pursuit. The following are tactics for officers who are involved in the pursuit:

- (a) Officers, considering their driving skills and vehicle performance capabilities, will space themselves from other involved vehicles such that they are able to see and avoid hazards or react safely to unusual maneuvers by the fleeing vehicle.
- (b) Because intersections can present increased risks, the following tactics should be considered:
 - (a) Available officers not directly involved in the pursuit may proceed safely to controlled intersections ahead of the pursuit in an effort to warn cross traffic.
 - (b) Pursuing officers should exercise due caution and slow down as may be necessary when proceeding through controlled intersections.
- (c) Officers should not pursue a vehicle driving the wrong direction on a roadway, highway or freeway. In the event the pursued vehicle does so, the following tactics should be considered:
 - (a) Request other officers to observe exits available to the suspect.
 - (b) If available, request assistance from air support.
- (d) Communicate with other law enforcement agency if it appears that the pursuit may enter their jurisdiction.
- (e) Officers involved in a pursuit should not attempt to pass other pursuing vehicles unless the situation indicates otherwise or they are requested to do so by the pursuing officer and with a clear understanding of the maneuver process between the involved officers.

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307.5.1 PURSUIT TRAILING

In the event that initial pursuing officers relinquish control of the pursuit to another agency, the initial officers may, with the permission of a supervisor, trail the pursuit to the termination point in order to provide information and assistance for the arrest of the suspect and reporting the incident.

307.5.2 AIR SUPPORT ASSISTANCE

Air support may be provided by allied agencies. These agencies will not scramble their aircraft specifically to support a pursuit unless there are extenuating circumstances. When available, air support assistance should be requested. Once the air support crew has established visual contact with the pursued vehicle, they should assume communication control over the pursuit. The primary and secondary ground pursuit vehicles, or involved supervisor, will maintain operational control but should consider whether the participation of air support warrants their continued close proximity and/or involvement in the pursuit.

The air support crew will operate in accordance with their policies and procedures. Effective communication between air crews and ground crews is vital.

307.5.3 OFFICERS NOT INVOLVED IN THE PURSUIT

Officers who are not involved in the pursuit should remain in their assigned areas, should not parallel the pursuit route and should not become involved with the pursuit unless directed otherwise by a supervisor. Uninvolved officers are authorized to use emergency equipment at intersections along the pursuit path to clear intersections of vehicular and pedestrian traffic to protect the public. Those officers should attempt to place their vehicles in locations that provide some safety or an escape route in the event of an unintended collision or if the suspect intentionally tries to ram the policedepartment vehicle.

Non-pursuing members needed at the pursuit termination point should respond in a nonemergency manner, observing the rules of the road.

The primary pursuit vehicle, secondary pursuit vehicle and supervisor vehicle should be the only vehicles operating under emergency conditions (emergency lights and siren) unless other officers are assigned to the pursuit.

307.6 SUPERVISORY CONTROL AND RESPONSIBILITIES

Available supervisory and management control will be exercised over all vehicle pursuits involving officers from this department.

The field supervisor of the officer initiating the pursuit, or if unavailable, the next available supervisor or Officer-in-charge (OIC), will be responsible for:

- (a) Immediately notifying involved officers and the dispatcher of supervisory presence and ascertaining all reasonably available information to continuously assess the situation and risk factors associated with the pursuit. This is to ensure that the pursuit is conducted within established department guidelines.
- (b) Engaging in the pursuit, when appropriate, to provide on-scene supervision.
- (c) Exercising management and control of the pursuit even if not engaged in it.

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- (d) Ensuring that no more than the required law enforcement vehicles are involved in the pursuit under the guidelines set forth in this policy.
- (e) Directing that the pursuit be terminated if, in his/her judgment, it is not justified to continue the pursuit under the guidelines of this policy.
- (f) Ensuring that assistance from air support, canines or additional resources is requested, if available and appropriate.
- (g) Ensuring that the proper radio channel is being used.
- (h) Ensuring that the Shift Sergeant, as appropriate, is notified of the pursuit, as soon as practicable.
- (i) Ensuring the notification and/or coordination of outside agencies if the pursuit either leaves or is likely to leave the city.
- (j) Controlling and managing Mill Creek Police Department officers when a pursuit enters another jurisdiction.
- (k) Preparing a post-pursuit review and documentation of the pursuit as required.

307.7 SNOHOMISH COUNTY 911

If the pursuit is confined within the City limits, radio communications will be conducted on the primary channel unless instructed otherwise by a supervisor or dispatcher. If the pursuit leaves the jurisdiction of this department or such is imminent, involved officers should, whenever available, switch radio communications to a tactical or emergency channel most accessible by participating agencies.

307.8 LOSS OF PURSUED VEHICLE

When the pursued vehicle is lost, the involved officers should broadcast pertinent information to assist other officers in locating the vehicle. The primary pursuing officer or supervisor will be responsible for coordinating any further search for either the pursued vehicle or suspects fleeing on foot.

307.9 INTERJURISDICTIONAL CONSIDERATIONS

When a pursuit enters another agency's jurisdiction, the primary pursuing officer or supervisor, taking into consideration the distance traveled, unfamiliarity with the area and other pertinent facts, should determine whether to request the other agency to assume the pursuit.

Unless entry into another jurisdiction is expected to be brief, it is generally recommended that the primary pursuing officer or supervisor ensure that notification is provided to each outside jurisdiction into which the pursuit is reasonably expected to enter, regardless of whether the jurisdiction is expected to assist.

307.9.1 ASSUMPTION OF PURSUIT BY ANOTHER AGENCY

Officers will relinquish control of the pursuit when another agency has assumed the pursuit, unless the continued assistance of the Mill Creek Police Department is requested by the agency

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assuming the pursuit. Upon relinquishing control of the pursuit, the involved officers may proceed, with supervisory approval, to the termination point of the pursuit to assist in the investigation. The supervisor should coordinate such assistance with the assuming agency and obtain any information that is necessary for any reports.

The roles and responsibilities of officers at the termination point of a pursuit initiated by this department shall be coordinated with appropriate consideration of the needs of the agency assuming the pursuit.

Notification of a pursuit in progress should not be construed as a request to join the pursuit. Requests to or from another agency to assume a pursuit should be specific. Because of communication limitations between local law enforcement agencies, a request for another agency's assistance will mean that its personnel will assume responsibility for the pursuit. For the same reasons, when a pursuit leaves another jurisdiction and a request for assistance is made to this department, the other agency should relinquish control.

307.9.2 PURSUITS EXTENDING INTO THIS JURISDICTION

The agency that initiates a pursuit shall be responsible for conducting the pursuit. Officers from this department should not join a pursuit unless specifically requested to do so by the pursuing agency and with approval from a supervisor. The exception to this is when a single vehicle from the initiating agency is in pursuit. Under this circumstance, an officer from this department may, with supervisor approval, immediately join the pursuit until sufficient vehicles from the initiating agency join the pursuit or until additional information is provided allowing withdrawal from the pursuit.

When a request is made for this department to assist or take over a pursuit that has entered the jurisdiction of the Mill Creek Police Department, the supervisor should consider:

- (a) The public's safety within this jurisdiction.
- (b) The safety of the pursuing officers.
- (c) Whether the circumstances are serious enough to continue the pursuit.
- (d) The ability to maintain the pursuit.

As soon as practicable, a supervisor or the Shift Sergeant should review a request for assistance from another agency. The Shift Sergeant or supervisor, after considering the above factors, may decline to assist in or assume the other agency's pursuit.

Assistance to a pursuing agency by officers of this department will conclude at the City limits, provided that the pursuing agency has sufficient assistance from other sources. Ongoing participation from this department may continue only until sufficient assistance is present.

In the event that the termination point of a pursuit from another agency is within this jurisdiction, officers shall provide appropriate assistance including, but not limited to, scene control, coordination and completion of supplemental reports and any other assistance requested or needed.

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307.10 PURSUIT INTERVENTION

Pursuit intervention is an attempt to stop the suspect's ability to continue to flee in a vehicle through tactical application of technology, tire deflation devices, blocking, Intentional Intervention, the PIT, or roadblock procedures.

307.10.1 WHEN USE IS AUTHORIZED

Unless authorized by this policy, an officer shall seek approval from a supervisor before employing any intervention to stop the pursued vehicle. In deciding whether to use intervention tactics, officers/supervisors should balance the risk of allowing the pursuit to continue with the potential hazards arising from the use of each tactic to the public, the officers and persons in or on the pursued vehicle. With this in mind, the decision to use any intervention tactic should be reasonable in light of the circumstances apparent to the officer at the time of the decision. Intervention techniques may only be used by officers who are properly trained in the use of the particular intervention technique.

307.10.2 INTERVENTION STANDARDS

Any intervention tactic, depending upon the conditions and circumstances under which it is used, may present dangers to the officers, the public or anyone in or on the vehicle being pursued. Certain applications of intervention tactics may be construed to be a use of force, including deadly force, and are subject to policies guiding such use. Officers shall consider these facts and requirements prior to deciding how, when, where and if an intervention tactic should be employed. The Mill Creek Police Department recognizes 5 methods of intervention tactics:

1. **Blocking** should only be considered in cases involving felony suspects who pose a threat to the public's safety, and when officers reasonably believe that attempting a conventional enforcement stop will likely result in the driver attempting to flee in the vehicle. Because of the potential risks involved, this intervention tactic should only be employed by properly trained officers and after giving consideration to the following:
 - (a) The need to immediately stop the suspect vehicle or prevent it from leaving substantially outweighs the risk of injury or death to occupants of the suspect vehicle, officers or others.
 - (b) All other reasonable intervention tactics have failed or reasonably appear ineffective.
 - (c) Employing the blocking maneuver does not unreasonably increase the risk of danger to those involved or the public.
 - (d) The suspect vehicle is stopped or traveling at a low speed.
 - (e) Only law enforcement vehicles should be used in this tactic.
2. The **Pursuit Intervention Technique (PIT)** is a method to reduce risks in bringing pursuits to a conclusion and is limited to use by properly trained officers and upon assessment of the circumstances and conditions presented at the time, including the potential for risk of injury to officers, the public and occupants of the pursued vehicle. PIT is the forced rotational vehicle stop of a noncompliant suspect in an effort to end the suspect's flight.

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- (a) PIT may be used on offenders whose actions indicate a disregard for the safety of the officer or the public and are refusing to stop when directed to do so by a law enforcement officer.
 - (b) In these instances, PIT may be used under the following conditions:
 - i. After less intrusive methods have been tried or considered and have been judged to be ineffective.
 - ii. When the totality of the circumstances required immediate intervention to stop a fleeing suspect vehicle.
 - iii. PIT at 40 miles per hour and under may be executed at the discretion of the pursuing officer.
 - iv. PIT over 40 miles per hour requires supervisory approval.
 - v. It is important that the site be assessed when considering the use of PIT. Prior to executing a PIT maneuver, officers shall consider features in the surrounding area, including, but not limited to:
 - Blind curves (PIT works best in curves but should not be executed when the officer believes that visibility is significantly compromised)
 - Bridge abutments
 - Major obstacles on road sides
 - Oncoming traffic
 - Pedestrians
 - (c) It is important that the vehicles involved be assessed when considering the use of PIT. Prior to executing a PIT maneuver, officers shall consider the following factors:
 - (a) Type of vehicle driven by the officer
 - (b) Type of vehicle driven by the suspect (Officers will **not** execute a PIT when pursuing a motorcycle or trike)
 - (c) Number/type of passengers in the suspect vehicle
 - (d) Officers intending to use a PIT maneuver shall, whenever possible:
 - (a) Advise supervisor and other involved officers of intentions
 - (b) Describe and give location where the maneuver is to be executed
 - (e) Officers are not authorized to execute PIT maneuvers until successful completion of a recognized/accredited PIT training program,
 - (f) Officers executing a PIT maneuver shall comply with Policy 300, Use of Force Reporting
3. **Intentional Intervention** is the deliberate act of hitting a fleeing vehicle with a patrol vehicle for the purpose of functionally damaging or forcing the fleeing vehicle off the road. Intentional Intervention should be considered lethal force and should be

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done only after other reasonable tactical means at the officers's disposal have been exhausted or would not be effective, and immediate control is necessary. Intentional Intervention should be reserved for situations where there does not appear to be another reasonable alternative method. If there does not reasonably appear to be a present or immediately foreseeable serious threat to the public, the use of Intentional Intervention is not authorized. When Intentional Intervention is used as a means to stop a fleeing vehicle, the following factors should be present:

- (a) The suspect is an actual or suspected felon, who reasonably appears to represent an immediate and serious threat to the public if not apprehended, and;
 - (b) The suspect is driving in a life-endangering manner or using the vehicle as a weapon.
 - (c) Officers performing an Intentional Intervention maneuver shall comply with Policy 300, Use of Force Reporting
4. **Tire deflation** devices are authorized when an officer is engaged in a pursuit to shorten the pursuit and assist in the apprehension of the suspect. "Stop Sticks" are the authorized tire deflation devices for the Mill Creek Police Department. The use of Stop Sticks does not require supervisory approval, however only officers trained in their deployment shall use them. Stop Sticks should be deployed only after notification of pursuing officers and the supervisor of the intent and location of the intended deployment and in a manner that:
- (a) Should reasonably only affect the pursued vehicle.
 - (b) Provides the deploying officer adequate cover and escape from intentional or unintentional exposure to the approaching vehicle.
 - (c) Takes into account the limitations of such devices as well as the potential risk to officers, the public and occupants of the pursued vehicle.
 - (d) Takes into account whether the pursued vehicle is a motorcycle, a vehicle transporting hazardous materials or a school bus transporting children.
 - i. The use of Stop Sticks on these vehicles is only allowable when deadly force is authorized.
 - (e) Allows pursuing officers enough time and distance to avoid the Stop Sticks while the deploying officer removes the devices from the roadway.
 - (f) Minimizes the likelihood that non-involved motorists will strike the devices.
 - (g) The use of Stop Sticks is permissible to disable an identified suspect vehicle from fleeing, such as part of an operational plan (e.g. placing them under the suspect vehicle's tires prior to the service of a warrant).
5. **Roadblocks** involve a potential for serious injury or death to occupants of the pursued vehicle if the suspect does not stop. The intentional placement of roadblocks in the direct path of a pursued vehicle is generally discouraged and should not be deployed without prior approval of a supervisor. If roadblocks are deployed, it should only be done under extraordinary conditions when all other reasonable intervention tactics have failed or reasonably appear ineffective and the need to immediately stop the

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pursued vehicle substantially outweighs the risks of injury or death to occupants of the pursued vehicle, officers or the public. The following restrictions must be adhered to:

- (a) No private vehicles will be used.
- (b) Occupied vehicles will not be used.
- (c) A substantial stopping distance or turn out area for the pursued vehicle must be included.

307.10.3 USE OF FIREARMS

The use of firearms to disable a pursued vehicle is not generally an effective tactic and involves all the dangers associated with discharging firearms. Officers should not utilize firearms during an ongoing pursuit unless the conditions and circumstances meet the requirements authorizing the use of deadly force. Nothing in this section shall be construed to prohibit any officer from using a firearm to stop a suspect from using a vehicle as a deadly weapon.

307.11 REPORTING REQUIREMENTS

All appropriate reports shall be completed to comply with appropriate laws and policies or procedures.

- (a) The primary pursuing officer shall complete appropriate crime/arrest reports.
- (b) The primary pursuing officer or supervisor shall complete the appropriate pursuit report.
- (c) After first obtaining the available information, the involved, or if unavailable, on-duty field supervisor shall promptly complete an interoffice memorandum, briefly summarizing the pursuit to the Chief of Police or the authorized designee. This memorandum should include, at a minimum:
 - (a) Date and time of the pursuit.
 - (b) Initial reason and circumstances surrounding the pursuit.
 - (c) Length of pursuit in distance and time, including the starting and termination points.
 - (d) Involved vehicles and officers.
 - (e) Alleged offenses.
 - (f) Whether a suspect was apprehended, as well as the means and methods used.
 - (a) Any use of force shall be reported and documented in compliance with the Use of Force Policy.
 - (g) Arrestee information, if applicable.
 - (h) Any injuries and/or medical treatment.
 - (i) Any property or equipment damage.
 - (j) Name of supervisor at the scene or who handled the incident.

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- (k) A preliminary determination that the pursuit appears to be in compliance with this policy or that additional review and/or follow-up is warranted.
- (d) After receiving copies of reports, logs and other pertinent information, the Chief of Police or the authorized designee shall conduct or assign the completion of a post-pursuit review, as appropriate.
- (e) Annually, the Chief of Police should direct a documented review and analysis of department vehicle pursuits to minimally include policy suitability, policy compliance and training needs.

307.12 REGULAR AND PERIODIC PURSUIT TRAINING

In addition to initial and supplementary training on pursuits, all officers will participate, no less than annually, in periodic training addressing this policy and the importance of vehicle safety and protecting the public. Training will include this policy, and recognition of the need to balance the known offense and the need for immediate capture against the risks to officers and others.

307.13 POLICY REVIEW

Officers of this department shall certify in writing that they have received, read and understand this policy initially, upon any amendments and whenever training on the policy is provided.

307.14 CAPTURE OF SUSPECTS

Proper self-discipline and sound professional judgment are the keys to a successful conclusion of a pursuit and apprehension of evading suspects. Officers shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose.

Unless relieved by a supervisor, the primary pursuing officer should coordinate efforts to apprehend the suspect following the pursuit. Officers should consider the safety of the public and the involved officers when formulating plans for setting up perimeters or for containing and capturing the suspect.

21.10 PURSUIT DRIVING

21.10.1 General

It is the policy of this Department that officers will pursue known and wanted criminals and traffic violators who fail to stop upon receiving proper notice.

Good judgment and common sense must be used in every vehicle pursuit, keeping in mind it is of the utmost importance that the officer not unduly endanger the public, themselves, or the suspect. Officers should never be indifferent to the safety of the public, and every endeavor should be made to keep the hazards of the situation to a minimum.

21.10.2 Authorized Vehicles and Equipment for Pursuit

Only marked patrol vehicles should be used in a pursuit. A marked police vehicle is one equipped with an overhead light bar and identifying police markings or decals.

A police motorcycle may participate in a pursuit only until relieved by a marked four-wheel patrol vehicle, unless circumstances dictate that the motorcycle is the more effective pursuit vehicle, or as directed by a supervisor.

An officer in an unmarked police vehicle shall not be involved in a pursuit unless the officer has probable cause to believe a felony criminal offense has occurred and the fleeing felon, if allowed to escape, would create a substantial risk of another person being killed or seriously injured. Under these circumstances, the unmarked police vehicle shall terminate the pursuit when relieved by a marked police vehicle;

While involved in a pursuit, officers shall activate the patrol vehicle's emergency lights and siren and will continuously use both throughout the pursuit;

If a police vehicle is damaged during the pursuit and deemed unsafe, that vehicle shall not continue in the pursuit.

21.10.3 Initiation of a Pursuit

The seriousness of the possible outcomes of a pursuit requires a police officer to weigh many factors when deciding whether or not to pursue the violator. The officer should consider the following circumstances when deciding to initiate, sustain, determine tactics, or terminate the pursuit of a vehicle:

1. the safety of the public;
2. the safety of the officer;
3. the seriousness of the offense;
4. the possibility of apprehension;

5. the time of day;
6. the traffic volume;
7. pedestrian traffic present;
8. road and weather conditions;
9. visibility and illumination;
10. the compatibility of the officer with the police vehicle;
11. the officer's familiarity of the area;
12. positive identification of the pursued driving and vehicle.

21.10.4 Initiating/Primary Unit's Responsibility

When the operator of a pursued vehicle increases speed in an attempt to elude the officer or drives in such a manner as to endanger the safety of others, the pursuing officer, if the officer decides to pursue, will immediately activate the siren and emergency lights on the patrol vehicle and will continuously use both throughout the pursuit;

As soon as is possible, the pursuing officer will notify the dispatcher of the pursuit and relay such information as location, direction of travel, description of the suspect vehicle, and the reason for the pursuit;

This information should include the crime involved, the number of passengers and other details which will enable the officers in the area, as well as the dispatcher, to be aware of the pursuing officer's situation;

During the pursuit, a safe distance should be maintained between vehicles. This will enable the pursuing officer to duplicate any sudden turn and lessen the possibility of a collision in the event of a sudden stop or collision involving the pursued vehicle.

21.10.5 Assisting Unit's Responsibilities

During the pursuit, the number of police vehicles from this Department that may be involved in direct pursuit shall be limited to that number necessary to safely arrest the occupant/s of the pursued vehicle and the following guidelines should be followed:

1. Preferably . No more than two police vehicle should, in most cases, be in direct pursuit;
2. The second pursuit unit should be responsible for radio transmission regarding the pursuit;
3. Assisting units shall not pass the primary unit unless specifically requested or directed to do so by a supervisor or the primary unit;

4. All officers involved in the pursuit will notify dispatch of their involvement. Officers not involved in the pursuit should restrict radio transmission except for emergency traffic;
5. The pursuit, or routine radio traffic, may be switched to a secondary channel as determined by a supervisor, dispatcher, or those involved;
6. Officers shall not parallel the pursuit on other roads.

21.10.6 Supervisory Responsibilities

Supervisors must continually evaluate the justification for the pursuit. If the hazard becomes too great, supervisors must terminate the pursuit.

A supervisor, if possible, will make assignments of all patrol vehicles assisting in the pursuit. It is the responsibility of the supervisor to monitor and control all police response to vehicle pursuits and ensure adherence to this policy.

21.10.7 Dispatcher's Responsibilities

The dispatcher must always attempt to maintain radio contact with officers involved in a pursuit and notify a supervisor of the pursuit.

If the pursuit appears to be leaving the City, the dispatcher must advise the jurisdiction(s) affected as soon as possible by telephone or radio.

21.10.8 Forcible Stopping

Because of the potential dangers involved, pursuing officers shall not pull alongside a fleeing vehicle in an attempt to force the vehicle to a ditch, curb, parked car, or any other obstacle, except in the incidents whereby the escape of the suspect may result in death or injury to another.

Since all patrol vehicles are equipped with air bags, deliberate physical contact between vehicles, or ramming, should be utilized only in extraordinary cases and as a last resort. When making the decision to use deadly force by ramming a vehicle, the officer should consider that ramming is likely to deploy the airbag thereby disabling the patrol car and/or result in injury to the officer.

Because of the dangers inherent in the use of roadblocks in pursuit situation, they will not be used to stop fleeing vehicles when it is possible that innocent persons would be endangered. Road blocks are discouraged and their use is limited to only those incidents of a severe nature whereby the escape of the suspect may result in death or serious bodily injury to another. The following guidelines shall also be followed:

1. Roadblocks should never be set up over the crest of a hill, around a curve, or where an innocent citizen could be involved in a collision;
2. Once a road block has been ordered and a Department vehicle has been stationed as part of a road block, no one will remain in or behind the vehicle. The vehicle's emergency light should always be left on;

3. A supervisor shall make authorization for the use of Hollow Spike Strips. Members deploying Hollow Spike Strips shall follow accepted training and guidelines to ensure safety to the public as well to the officers involved in the pursuit. If deployed, timely notification of all involved in the pursuit will be made

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21.10.9 Use of Firearm During Pursuit

Members shall not discharge a firearm at or from a moving vehicle except when all other reasonable means have been exhausted and it is necessary for the defense of the member's life or the life of another person, or the member has reasonable cause to believe that the suspect poses a significant threat of death or serious physical injury to the members or others.

21.10.10 Use Of Tire Deflation Devices (New 11/06)

The department authorizes the reasonable and necessary *use* of manufacture-approved *tire deflation devices*, to stop or slow a fleeing vehicle. Deployment of such *tire deflation devices* shall always be done in a manner that considers the safety of the public, officers, and suspects. Officers must be trained on the use and deployment of *tire deflation devices* prior to use. *Tire deflation devices* are to be used to stop or slow cars and trucks *only*. *Tire deflation devices* are never to be used to stop or slow motorcycle or ATVs.

21.10.11 Vehicle Placement While Using Tire Deflation Device (Addition 11/06)

The patrol vehicle shall not be occupied

21.10.12 Officer Positioning While Using Tire Deflation Device (Addition 11/06)

21.10.13 Deployment Procedure of Tire Deflation Device (Addition 11/06)

The following procedures should be followed when deploying a *tire deflation device*:

1. The officer deploying the *tire deflation device* shall advise SNOCOM of their position and that a *tire deflation device* has been deployed.
2. Deployment locations should be specifically chosen as to provide adequate sight distance and safe cover for officers. Both vehicle and pedestrian traffic should be considered. *Tire deflation devices* should not be deployed on steep hills or near sharp curves.
3. Time permitting, the *tire deflation device* should be placed perpendicular to the shoulder/median of the roadway, and then pulled across the roadway. If time does not permit, the *tire deflation device* may be deployed by tossing it across roadway in front of the pursued vehicle.
4. The officer will pull the *tire deflation device* into position as the pursued vehicle approaches, making every effort to avoid other traffic in the area.
5. The tire deflation device cord *should not* be attached to the officer or wrapped around the hand.

6. Immediately after the pursued vehicle has run over the *tire deflation device*, the officer should pull the device clear of following patrol vehicles.

21.10.14 Pursuit Form Follow-up (New 11/06)

If a pursuit is slowed or terminated through the use of a *tire deflation device*, a *Pursuit Reporting Form* shall be completed and turned in to the shift supervisor.

21.10.15 Use of Tire Deflation Segments for Evidence (New 11/06)

Tire deflation device segments that are used to assist in slowing or stopping a pursued vehicle shall be treated as evidence.

21.10.16 Use of Tire Deflation Device Out of Jurisdiction (New 11/06)

Officers may deploy an approved *tire deflation device* to assist with pursuits that originate outside Mill Creek jurisdiction as long as assistance has been requested from the pursuing agency and the above department policy is followed.

21.10.17 Termination of Pursuit

The pursuing officer must use the best judgment in evaluating a pursuit, making a continuous appraisal in deciding if the pursuit should be continued. The element of personal challenge to the officer should never enter the decision. In the evaluation of a pursuit situation, only those facts known to the officer at the very moment of the pursuit can be considered. Facts that are unknown to the officer, no matter how compelling, cannot be considered when later determining whether the pursuit, or continuation, was justified.

When circumstances indicate only a traffic violation is involved in the original incident, officers should be aware that this does not require nor is the officer expected to undertake the same degree of pursuit as when an actual or suspected felon is fleeing. In the case of the known or suspect felon, officers must still use due care to not unnecessarily expose the officer and others to danger.

Officers shall terminate the pursuit when:

1. the risks to personal safety and the safety of others outweigh the danger to the community if the suspect is not apprehended;
2. the offense is a misdemeanor and the identity of the violator is known;
3. when directed to do so by a higher ranking officer.
4. if a police vehicle is damaged during the pursuit and deemed unsafe

Officers shall not be disciplined for deciding to terminate a pursuit.

21.10.17 Interstate Freeways & Highways

Pursuing police vehicles shall not follow suspect vehicle(s) the wrong way onto state highways, freeways, on- or off-ramps, or divided roadways. Under such circumstances, pursuing police vehicles may follow, but only on the proper and legal lanes of travel.

21.10.18 High-Risk Stop Arrest

When a pursuit ends, Department members shall initiate high-risk (felony) stop arrest procedures and tactics whenever possible.

21.10.19 Interjurisdiction Pursuits Initiated By Other Agencies

When a police pursuit is originated by another jurisdiction and enters the City, a shift supervisor, if available, will determine what assistance is to be rendered and make assignments accordingly.

Officers will not fall in line and continue pursuits outside of the City when the pursuit was initiated by another jurisdiction unless requested by the pursuing agency and approved by a supervisor or a senior officer if no supervisor is on duty.

21.10.20 Interjurisdiction Pursuits Initiated By Mill Creek Police

If Department officers pursuit a vehicle into another jurisdiction, the officer will immediately notify dispatch to advise the affected jurisdiction. Upon entering another jurisdiction, that jurisdiction shall have the responsibility of the pursuit, if present, and all but one Mill Creek patrol car will discontinue the pursuit.

Upon leaving the City, officers shall switch to LERN frequency???, if necessary, to communicate with officers from other jurisdiction. All procedures pertaining to pursuits are applicable to officers assisting another jurisdiction in a pursuit or participating in a pursuit in another jurisdiction.

21.10.21 Report and Review Process

1. All department members involved in a pursuit shall complete a case report as soon as possible after the incident;
2. Any pursuit, regardless of the outcome, may be forwarded to the Department Review Board at the discretion of the Chief of Police. The Review Board shall convene within five days of the completion of the investigation of the incident.
3. The Review Board shall consist of a minimum of three Department members. The Board Members may include two non-department members as determined by the Chief of Police for a maximum of five. The three Department members shall be selected as follows:
 - a. Command (Board Chairperson);
 - b. Non-involved peer as chosen by the involved member;
 - c. Non-involved Department Supervisor as chosen by the first two members.

4. The Review Board may interview involved members, witnesses, drivers, investigators, etc., as they deem necessary. The Review Board shall also review all reports, statements, and other pertinent data.
5. After a review of the pursuit, the Review Board will reach conclusions as to one and two???:
 - a. Facts regarding the incident;
 - b. Recommendations regarding training considerations, tactical considerations, and/or quality of supervision and management;
 - c. Whether the pursuit was within Department policy, City ordinance, and/or state law.
6. All recommendations and findings of the Review Board shall be in writing and forwarded to the Chief of Police. Board members shall sign the report and indicate whether the Board member agreed with or dissented from the recommendations and findings;
7. The Chief of Police shall review the Review Board report and all other evidence and take appropriate action if needed. A copy of the Review Board report shall be maintained in a separate pursuit file.

21.10.22 Training

Department members shall be trained annually on this policy.



Party in the Parks Report November 6, 2018

Overview

The City launched a new community engagement event in summer 2018. Party in the Parks was an opportunity for Mill Creek residents and City staff to connect in a fun and engaging manner while showcasing the City's local parks. The general idea was to create a neighborhood block party hosted by the City.

One of the reasons Mill Creek is an attractive place to live is its strong neighborhoods. Block parties strengthen relationships within and between neighborhoods and help Mill Creek to be a more welcoming and inclusive community.

The Parks and Recreation Board, along with City staff, picked three parks this year for the Party in the Park events. The goal is to rotate through the entire 10 City park network on a tri-annual basis moving forward. Instead of making community members leave their neighborhood to attend an event, the City will bring the event to them. This is a great opportunity to showcase local parks.



Two such events were held in 2018; one was cancelled day-of due to hazardous air quality. They took place on the third Tuesday of the month at 5-7 p.m., which provided time for working parents make the event.

The first one in July was held at Buffalo Park and had approximately 200 people attend. The second one was held in September at Cougar Park, and had about 150 people attend. For each event, the City provided games, music, City swag, and helpful information such as recreation guides and the City magazine. The Police Department, City's Public Works Department and Fire Department also attended and provided "touch a truck" opportunities. The Mill Creek Library, Boy Scouts, Community Transit, and the Mill Creek Lions Club also attended and had activities, information and food items. The parties were free and open to the whole community.



The events also provided a way for the Communications Department to connect with the community on key initiatives. We actively reached out to attendees at the September event to solicit feedback for capital improvement and budget planning.

The Party in the Parks event series replaced the Annual Children’s Concert Series, which showed a steep decline in participation in the past few years, largely due to the event being held in the middle of the day on a weekday.

Neighborhood Event Trailer

To help with this and other events, the City purchased an enclosed 7-foot by 14-foot event trailer. The funds for the trailer were fully provided by sponsorships designated for the trailer. The trailer is packed full of basic event supplies for a fun block party event including: tables, chairs, water coolers, games and other party supplies. The trailer also has road closure materials and first aid supplies.



In addition to being used for Party in the Parks events, the trailer is available for neighborhood block parties. Neighborhoods can and have checked out the trailer free of charge for local events. This encourages community building. To use the trailer, residents fill out paperwork online and request a date they would like to use the trailer. As part of the paperwork process, residents must submit a copy of their individual home or Home Owners Association policy to cover the trailer and supplies inside the trailer. In the event that the trailer or supplies are damaged, a claim would be filed with their insurance provider. Residents also pay a \$150 refundable damage deposit for use of the trailer. City staff inventory, prep and deliver the trailer to the selected neighborhood. City staff pick up the trailer following the event and bring it back to City Hall for storage. The City has received several requests for the trailer already and the program has received praise from the community.

Party in the Parks in 2019

For the coming year, the Communications and Marketing department has some suggestions to build on and improve the program.

Days and Time

The time for the event worked out perfectly. There was enough time to have residents from the surrounding neighborhoods get home and join in the fun.



The specific day of week will need to be evaluated again due to the proposal to move the Farmers Market to Tuesday evenings, impacting community participation and staff time. The team is working with the Fire District and Police Department to determine the best day of week to hold these events in 2019.

Originally, the plan was to have events in June, July and August. Due to factors beyond our control, the Party in the Parks events did not begin until July. Therefore, we also held an event in September. It is our recommendation to return to the June through August plan, as the September event was very chilly in the evening hours and families departed early to get kids ready for school the next day.

Event Locations

Three new park locations will be selected in early 2019. Staff is working around potential construction and National Night Out scheduling to determine which locations will be featured.

Budget

This year, thanks to sponsorships, we were able to purchase and stock the Party in the Parks trailer. With that major equipment investment, we expect that future years will need only minimal funding to keep the program operational. In subsequent years, the annual programming funds will be set at \$500 to ensure supplies are kept current and provide for any unforeseen expenses.



15728 Main Street, Mill Creek, WA 98012
Administration 425-745-1891
Police 425-745-6175
All Other Departments 425-551-7254

DATE: October 18, 2018
TO: Mayor and Council
THROUGH: Bob Stowe, Interim City Manager
FROM: Peggy Lauerman, Director of Finance and Administration
SUBJECT: Financial Reports for the period ending September 30, 2018

Attached for your review is the City's budget status report as of September 30, 2018.

I am pleased to report that the results of citywide funds show a surplus of \$1,227,102 through the 7th quarter of the 2017-2018 biennium.

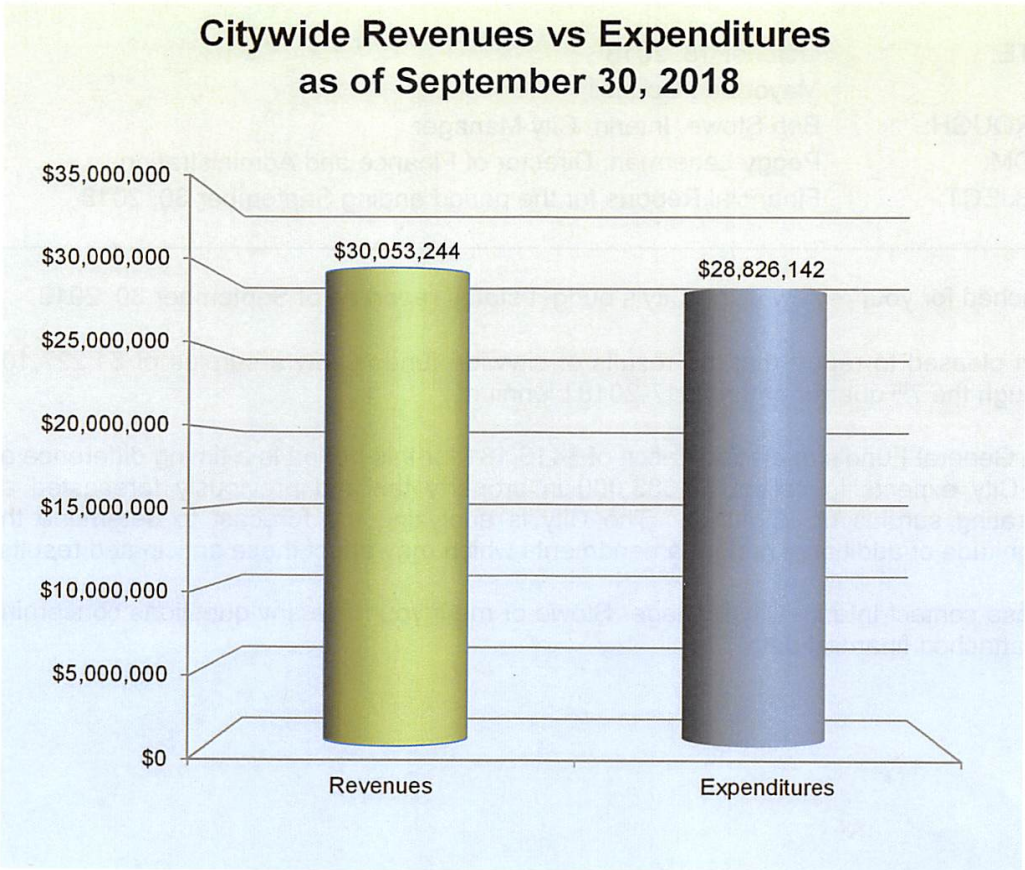
The General Fund's operating deficit of \$416,181 for this period is a timing difference as the City expects to collect \$3,683,000 in property tax and previously forecasted an operating surplus of \$574,000. The City is analyzing the forecast to determine the magnitude of additional budget amendments which may affect these anticipated results.

Please contact Interim City Manager Stowe or me if you have any questions concerning the attached financial data.

**City of Mill Creek
2017-2018 Budget Status Report
For the Quarter Ending, September 30, 2018
Executive Summary**



On September 30, 2018, the City concluded the seventh quarter of the 2017-2018 biennium. The budget period described in this report is 88% complete.



Notable Highlights

Property and EMS tax for the biennium have increased substantially over the previous biennium due to increased levy amounts for 2015, 2016 and 2017. The table below shows the levy percentages since 2015. As a result, the current biennium has had a substantial increase in revenue of approximately \$1,064,000 over the same period in the previous biennium.

	2015	2016	2017	2018
Regular Property Tax Levy	2.00%	3.00%	0.95% *	1.00%
EMS Tax Levy	12.29%	1.00%	31.00%	1.00%

*Limited by Implicit Price Deflator

Other impacts to 2017-2018 revenues vs same period in 2015-2016:

General Fund

- Sales tax \$ 1,110,945
- Passports \$ 356,955
- Fines & Penalties \$ 107,029
- Interest \$ 131,183
- Development Services \$ (243,830)
- REET transfer to GF \$ (160,000)

Other Funds

- REET \$(337,992)
- Park and Road Mitigation \$(1,464,722)
- Grants(CIP) Awards: \$ 1,826,000

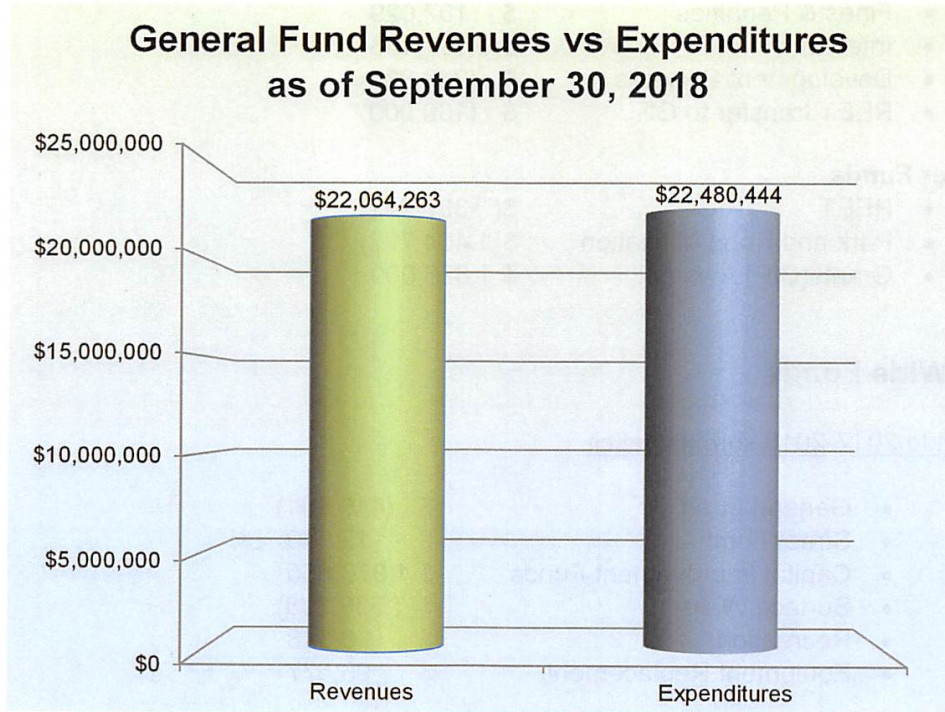
City Wide Funds

City wide 2017-2018 surplus/deficit

- General Fund \$ (416,181)
- Street Fund \$ 15,340
- Capital Improvement Funds \$ 1,973,655
- Surface Water \$ (538,838)
- Recreation \$ 6,718
- Equipment Replacement \$ 96,577

Budget vs Actual Figures		Inflow/Outflow	2017-18 Amended Budget	% of Budget
City Wide Total	Inflow	\$ 30,053,244	\$ 40,548,600	74.1%
	Outflow	\$ 28,826,142	\$ 42,170,952	68.4%
General Fund	Inflow	\$ 22,064,263	\$ 25,029,600	88.2%
	Outflow	\$ 22,480,444	\$ 25,029,600	89.8%
Street Fund	Inflow	\$ 889,831	\$ 1,016,446	87.5%
	Outflow	\$ 874,491	\$ 1,016,446	86.0%
Capital Improvement Funds	Inflow	\$ 4,051,491	\$ 11,298,032	35.9%
	Outflow	\$ 2,077,837	\$ 12,242,064	17.0%
Surface Water	Inflow	\$ 1,289,419	\$ 1,476,000	87.4%
	Outflow	\$ 1,828,257	\$ 1,248,735	146.4%
Recreation	Inflow	\$ 995,908	\$ 1,225,000	81.3%
	Outflow	\$ 989,190	\$ 1,225,000	80.8%
Equipment Replacement	Inflow	\$ 265,811	\$ -	0.0%
	Outflow	\$ 169,234	\$ -	0.0%

General Fund



I. ECONOMIC INFORMATION

The Washington economy is expanding at a rapid pace. Recent employment and income data were revised higher since the June forecast. Washington's unemployment rate reached an all-time low in August. The series extends back to 1976. Seattle home prices continue to rise but growth may be slowing and recent housing construction has been below the June forecast. Washington exports are rising and manufacturing is growing. Seattle area consumer price inflation is well above the national average due to higher shelter cost inflation.

The September economic forecast for Washington State is generally higher than the forecast adopted in June. The State Economic and Revenue Forecast Council now expects Washington nonfarm payroll employment to grow 2.9% this year compared to 2.5% in the June forecast. It also expects employment growth to average 1.2% per year in 2019 through 2023, which is slightly stronger than the 1.1% per year expected in the June forecast.

In addition, the Council expects 43,800 housing units authorized by building permits this year, down from 45,400 in the June forecast. However, the Council also expects permits to average 42,800 in 2019 through 2023, up from 42,400 in the June forecast.

Finally, the Council expects the all-items Seattle CPI to rise 3.0% this year, down from 3.3% in the June forecast. Seattle area inflation is anticipated to average 2.2% per year in 2019 through 2023, down slightly from 2.3% in the June forecast.

II. GENERAL FUND - REVENUES

The General Fund’s operating deficit as of September 30 was \$ (416,181). This is a temporary deficit as the City anticipates collecting nearly \$3,700,000 in property tax in Q4 2018. Revenue inflows totaled 88.2% of the biennial projection, while expenditure outflows amounted to 89.8%.

Sales tax, building/development services, passports and interest are contributing to this positive variance.

	Through 9/30/2018	% of Budget	2017-2018 Amended Budget
Revenues			
Property Tax-Regular	11,951,145	76.4%	15,634,356
Sales Tax	6,005,723	105.7%	5,683,550
Licenses & Permits	1,232,611	93.5%	1,318,250
Grants/Intergovernmental	708,432	92.4%	767,054
Charges for Services	1,486,084	137.7%	1,079,120
Fines	350,455	100.1%	350,000
Miscellaneous	329,814	173.6%	190,000
Transfers In	-	-	7,270
Total Resources	22,064,263	88.2%	25,029,600

The City has received \$5,016,130 in sales tax revenue exclusive of public safety and criminal justice sales tax for the first seven quarters of the biennium. Of this amount, tax related to retail trade has outpaced any of the other categories of sales tax with a total of \$2,013,710. Construction sales tax of \$1,054,401 follows retail trade sales tax.

Charges for services continue to outperform the budget which is largely driven by development services and passports.

Investment interest has outperformed expectations as a result of steadily climbing interest rates in the Local Government Pool. The City’s net interest earning rate was 2.0612% compared to .5057% in December, 2016.

III. GENERAL FUND - EXPENDITURES

General Fund outflow as was \$22,480,444 or 89.8% of the biennium budget.

	Through 9/30/2018	% of Budget	2017-2018 Amended Budget
Expenditures			
Legislative	294,939	206.4%	142,897
City Manager	1,370,419	93.3%	1,468,647
Finance & Administration	1,225,738	85.8%	1,428,673
Information Technology	663,321	81.2%	817,375
Police	8,727,408	92.1%	9,475,826
Fire Services	6,653,651	88.0%	7,557,900
Non-Department	854,606	82.0%	1,041,850
Community Development	1,180,744	80.2%	1,472,014
Public Works	1,509,618	92.9%	1,624,418
Total Expenditures	22,480,444	89.8%	25,029,600

Projections for the remainder of the year are currently being re-analyzed as a result of the termination costs related to the City Manager. The City also anticipates requesting additional appropriations related to the impact of unwinding the consolidation of the equipment replacement fund with the CIP Fund.

IV. OTHER MAJOR FUNDS

REET

	Inflow/Outflow	2017-18 Budget	% of Budget
Inflow \$	3,190,956	\$ 1,520,000	209.9%
Outflow \$	33,194	\$ 3,046,032	1.1%

Tax collection from the sale of properties continues to perform well with revenue of \$2,257,142 or 150% collected. This is great news as we look at our CIP and future infrastructure needs.

An analysis of the Park Fund revealed amounts had been transferred to this fund from REET during the period 2000-2010. Statutes require money be returned if the original intent of the funding no longer exists. As a result, a transfer of \$641,000 (includes accumulated interest) was made back to the REET Fund in June.

Throughout the period 2011-2014, transfers totaling \$160,000 were made to the Equipment Replacement Fund (EQRF) from REET for the anticipated replacement of the MCSP turf. This type of expenditure does not qualify as rolling stock and therefore should

not have been transferred. This was corrected in June.

CIP

	Inflow/Outflow	2017-18 Budget	% of Budget
Inflow	\$ 200,872	\$ 582,032	34.5%
Outflow	\$ 154,126	\$ 1,016,032	15.2%

The CIP Fund has been revised from what was originally presented in the 2017-2018 biennial budget approved in November 2016. At the time the budget was presented, the CIP and the Equipment Replacement Fund (EQRF) were collapsed into one fund. The EQRF was originally set up by an ordinance and was not properly dissolved. In addition, the CIP is meant to track projects and not intended to account for capital assets considered rolling stock such as police cars, street sweepers, computers etc. These types of assets are commonly accounted for in an Internal Service Fund which is considered best practices.

A formal budget amendment will be proposed to correct the revenue and expenditures for these two funds.

PARKS

As mentioned above, the Park Fund had received amounts during 2000-2010 that were not utilized for their original intent and as a result these funds were transferred back to REET. Included in the inflows above are additional awards of \$200,000 from Snohomish County for Mill Creek Sports Park turf project and Exploration Park. These amounts will be included in an upcoming budget amendment.

	Comm. Parks	Exploration Park	Other Neighborhood Parks	Total
Fund Balance	1,952,430	148,410	724,997	\$2,825,837

ROAD IMPROVEMENT FUND

	Inflow/Outflow	2017-18 Budget	% of Budget
Inflow	\$ 573,487	\$ 8,027,000	7.1%
Outflow	\$ 1,099,707	\$ 6,860,000	16.0%

The inflows as presented above include additional grant awards that were not included in the original budget. A formal budget amendment will be made to include funds from WSDOT and Snohomish County for a total increase in revenue of \$1,300,000.

EQUIPMENT REPLACEMENT FUND

This fund was created in 1991 to accumulate replacement funds for City-owned vehicles and equipment. Individual departments owning and operating vehicles/equipment pay into this fund based on specific depreciation schedules.

As mentioned previously, this fund was erroneously consolidated with the CIP Fund. A budget amendment will be presented to accommodate inflows and outflows for this fund that were previously reported in the CIP Fund.

A budget amendment will also include an increase in appropriations for the General Fund, City Streets and Surface Water Fund to allow for payments into this fund and will be calculated retroactively for the entire biennium.

SURFACE WATER FUND

The Surface Water Fund is an enterprise fund that provides services to the public for a fee that makes the entity self-supporting. The fund balance at September 30, 2018 was \$66,520.

Expenditures incurred for the Sweetwater Ranch Storm Project totaled \$841,000 and depleted the reserves for this fund. As a result, a loan of \$500,000 will be executed on October 1st which will facilitate cash flow needs of routine operations along with increased expenditures for a rate analysis and design package in connection with future surface water infrastructure repairs. Quarterly payments for principal and interest are scheduled to be \$43,033.

BALANCE SHEET

Cash and Investments

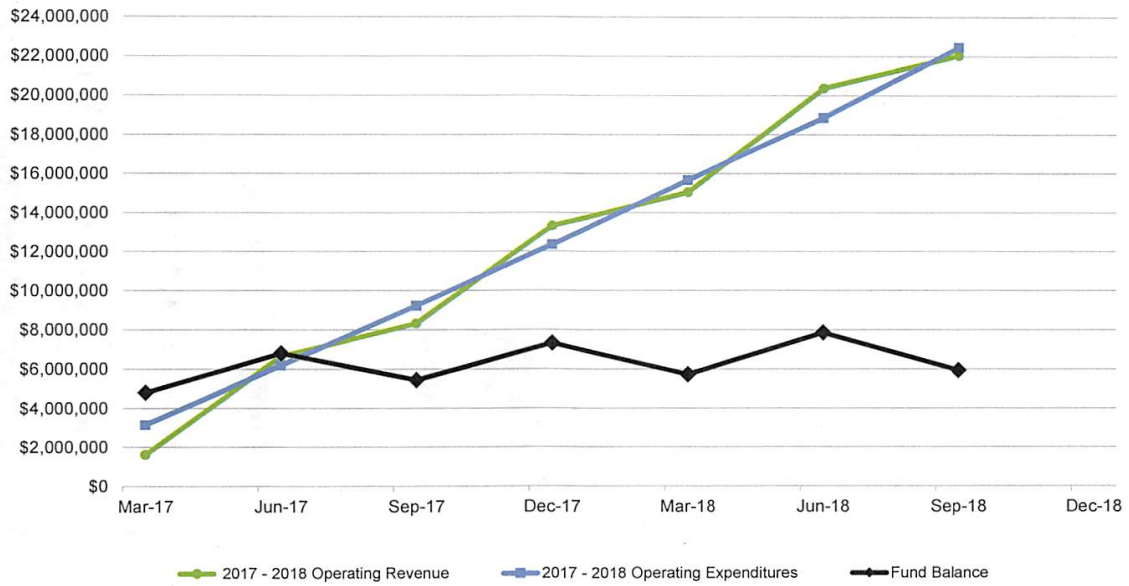
The City's cash and investment balances were \$431,048 and \$18,483,908 respectively. The City invests in U.S. Government Securities and the Local Government Investment Pool (LGIP). As of September 30, 2018, the City had \$5,250,892 invested in securities and \$13,233,016 invested in the LGIP.

The City will continue to monitor cash flow needs for CIP before investing in longer term securities.

Compensated Absences

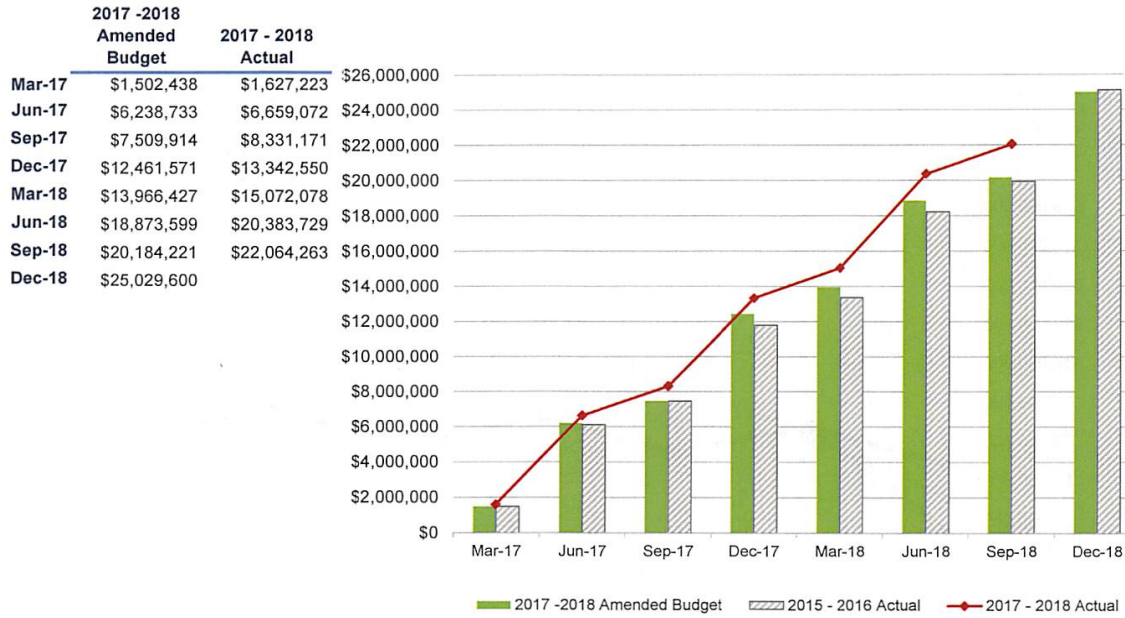
Compensated absences are absences for which employees will be paid, such as vacation and sick leave. The City does not accrue accumulated unpaid vacation and associated employee-related costs when earned by the employee and are not reflected in the financial statements. The value of these absences is \$ \$579,315 on September 30, 2018.

General Fund Revenues, Expenditures and Fund Balance

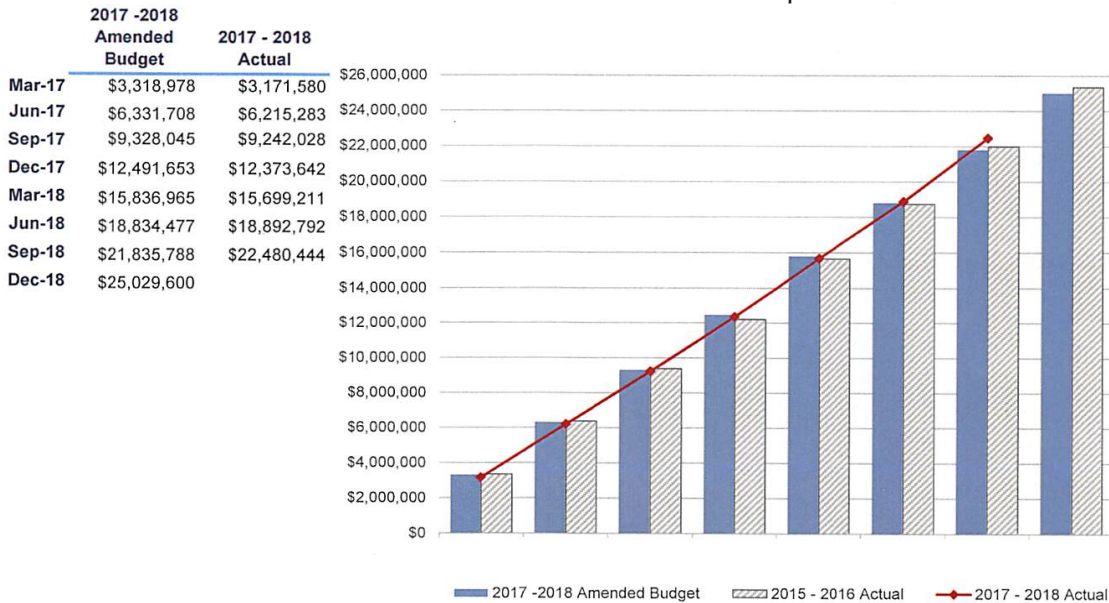


General Fund Revenues and Expenditures

General Fund Revenues



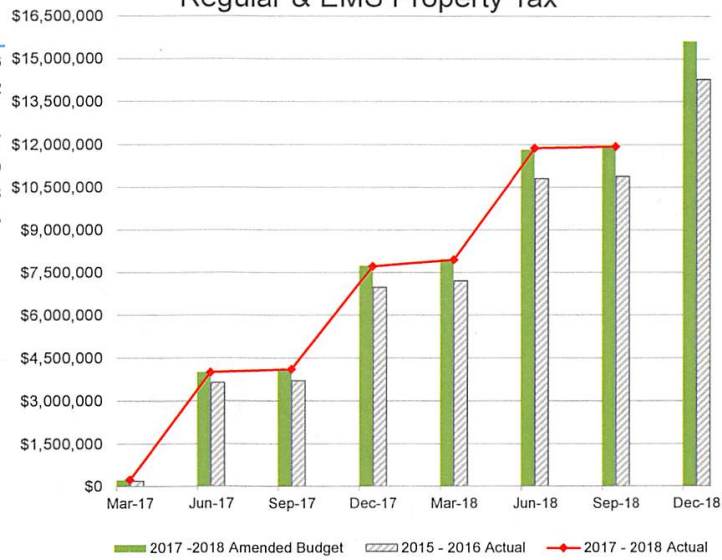
General Fund Expenditures



General Fund Revenues

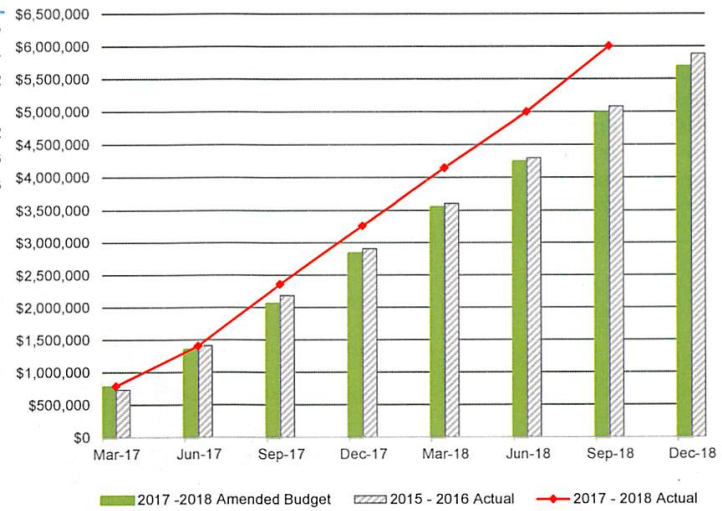
	2017 -2018 Amended Budget	2017 - 2018 Actual
Mar-17	\$235,077	\$243,476
Jun-17	\$4,020,340	\$4,016,712
Sep-17	\$4,160,043	\$4,117,981
Dec-17	\$7,761,275	\$7,737,917
Mar-18	\$7,989,594	\$7,973,780
Jun-18	\$11,839,531	\$11,895,418
Sep-18	\$11,981,246	\$11,951,145
Dec-18	\$15,634,356	

**Property Tax Revenues
Regular & EMS Property Tax**



	2017 -2018 Amended Budget	2017 - 2018 Actual
Mar-17	\$774,577	\$792,003
Jun-17	\$1,347,232	\$1,405,324
Sep-17	\$2,056,620	\$2,360,652
Dec-17	\$2,835,890	\$3,265,031
Mar-18	\$3,548,947	\$4,146,402
Jun-18	\$4,237,991	\$5,000,096
Sep-18	\$4,976,273	\$6,005,723
Dec-18	\$5,683,550	

**Sales Tax Revenues
Retail, Public Safety & Criminal Justice**

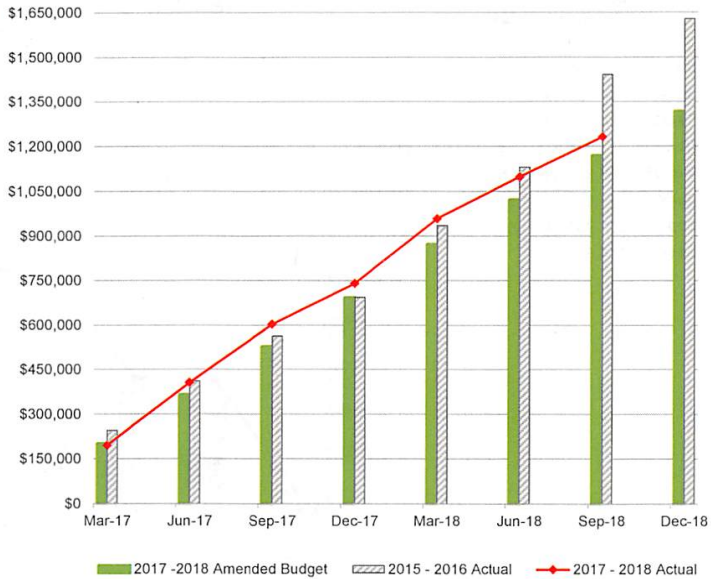


Sales tax excludes \$185,000 of construction sales tax which is designated to the capital improvement fund.

General Fund Revenues

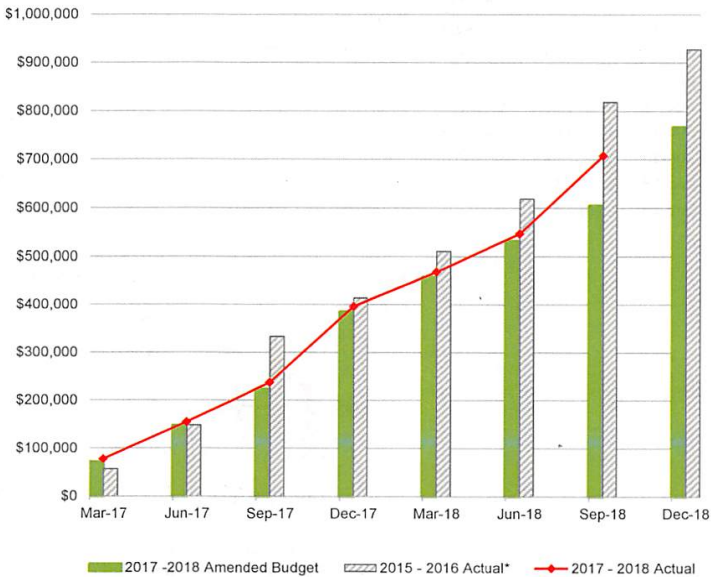
	2017 -2018 Amended Budget	2017 - 2018 Actual
Mar-17	\$202,129	\$196,786
Jun-17	\$367,247	\$407,438
Sep-17	\$528,381	\$604,368
Dec-17	\$693,514	\$741,192
Mar-18	\$873,948	\$959,757
Jun-18	\$1,022,295	\$1,099,425
Sep-18	\$1,170,272	\$1,232,611
Dec-18	\$1,318,250	

License & Permit Revenues

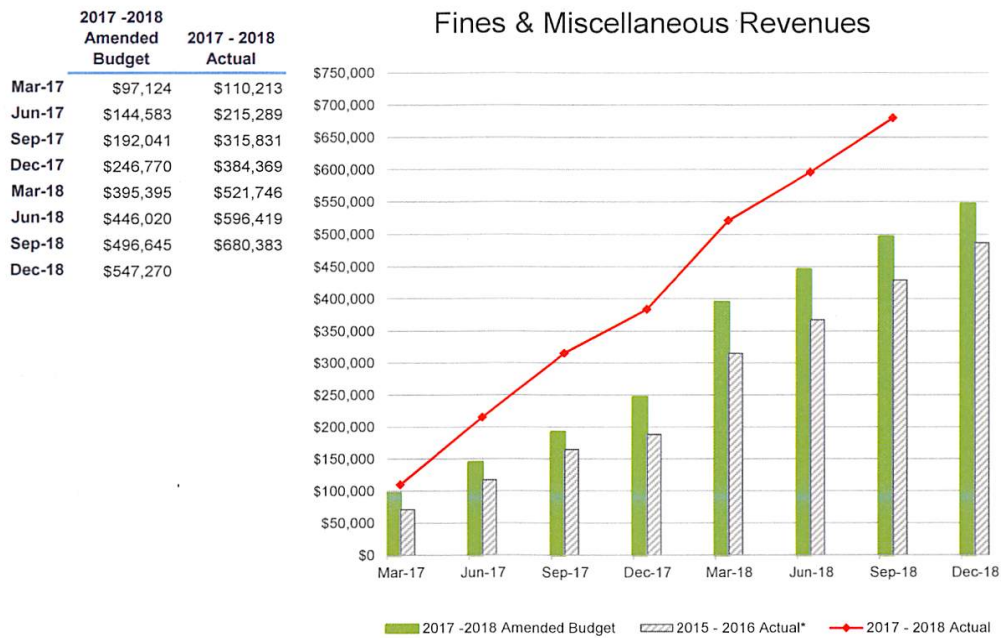
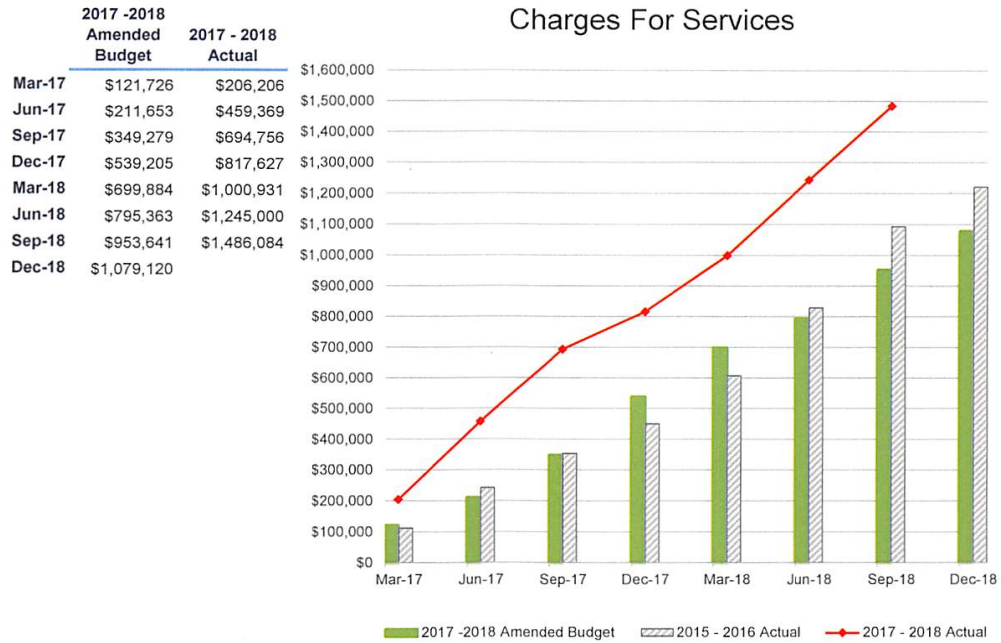


	2017 -2018 Amended Budget	2017 - 2018 Actual
Mar-17	\$71,806	\$78,061
Jun-17	\$147,678	\$154,939
Sep-17	\$223,550	\$237,583
Dec-17	\$384,917	\$396,415
Mar-18	\$458,659	\$469,461
Jun-18	\$532,401	\$547,371
Sep-18	\$606,142	\$708,432
Dec-18	\$767,054	

Intergovernmental & Grant Revenues

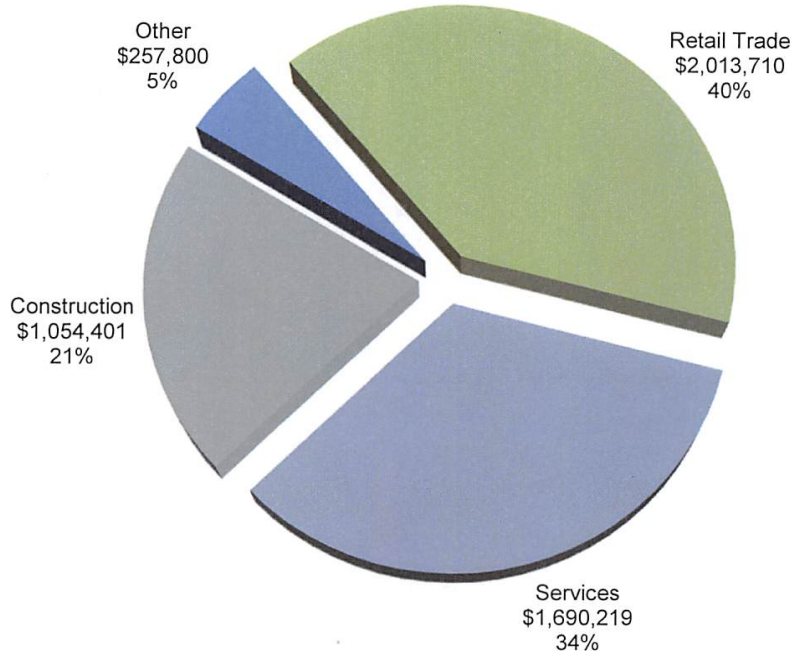


General Fund Revenues



General Fund Revenues

Retail Sales Tax Revenues

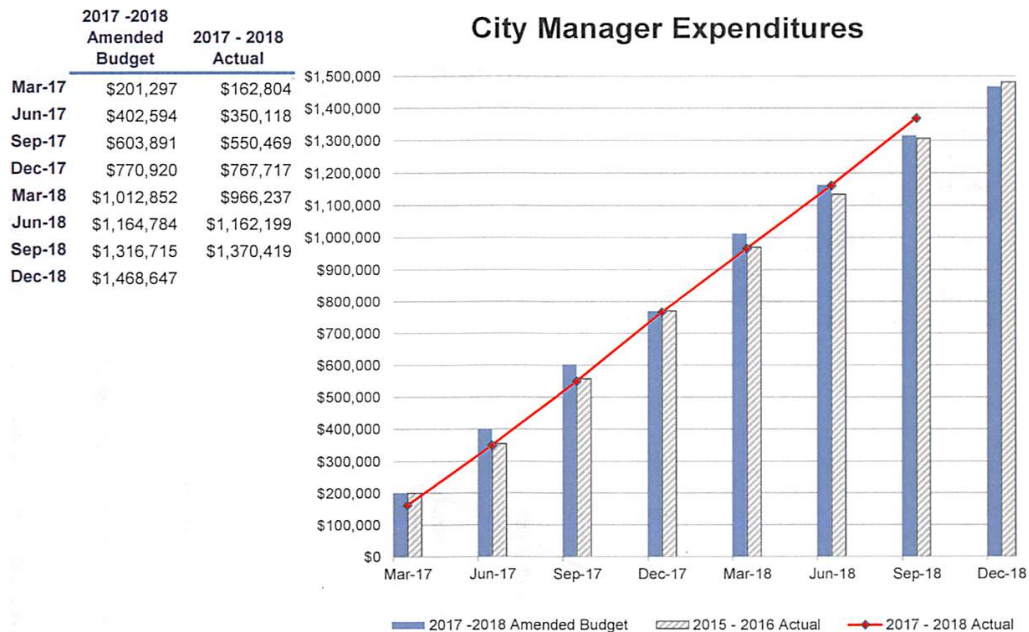
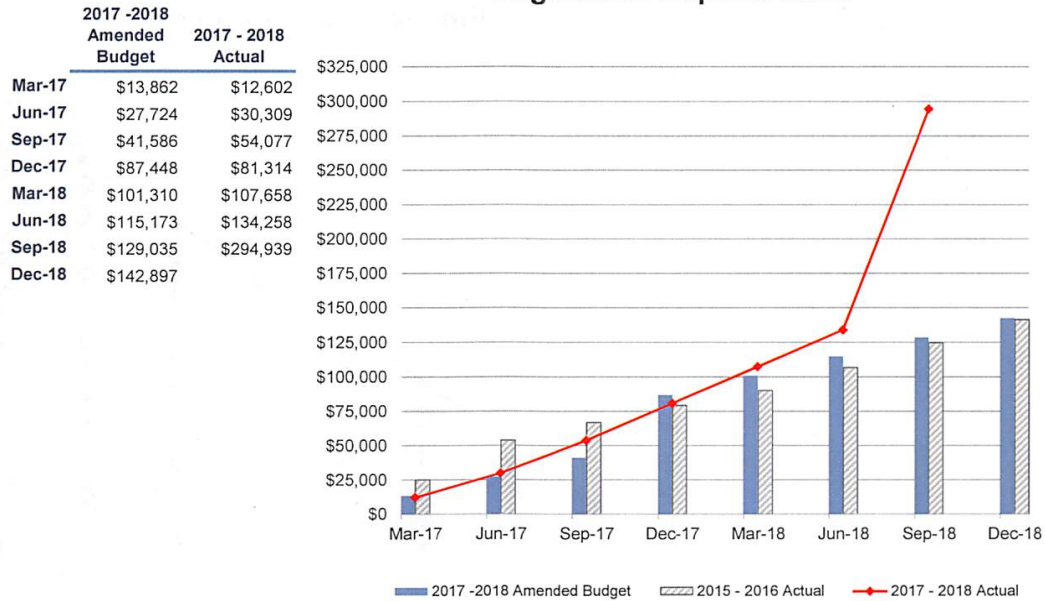


	Retail Trade	Services	Construction	Other	Total
Mar-17	\$271,886	\$218,538	\$109,115	\$43,271	\$642,810
Jun-17	\$251,036	\$217,031	\$149,206	\$37,538	\$654,811
Sep-17	\$298,160	\$233,574	\$208,318	\$48,613	\$788,666
Dec-17	\$270,156	\$231,258	\$196,674	\$43,540	\$741,628
Mar-18	\$302,921	\$240,261	\$131,433	\$43,610	\$718,225
Jun-18	\$278,048	\$256,009	\$122,033	\$41,228	\$697,318
Sep-18	\$341,502	\$293,549	\$137,622	\$55,861	\$828,533
Total	\$2,013,710	\$1,690,219	* \$1,054,401	\$257,800	\$5,016,130

*185,000 was posted directly to CIP Fund

General Fund Expenditures

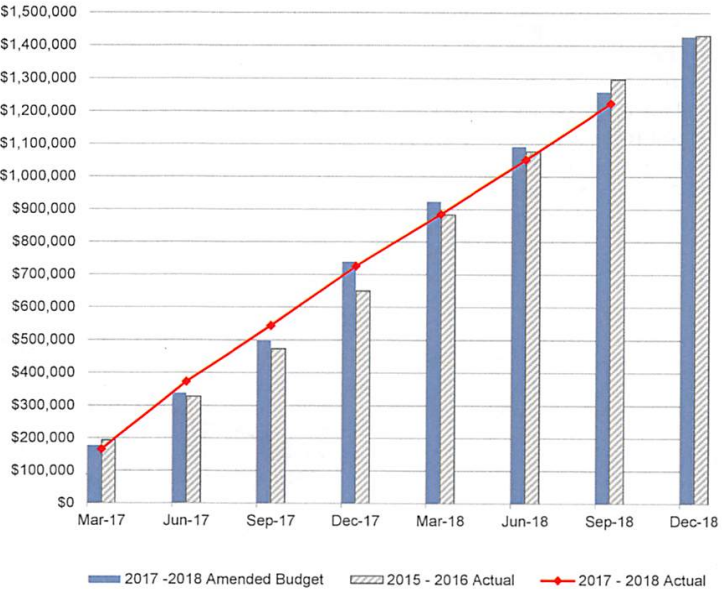
Legislative Expenditures



General Fund Expenditures

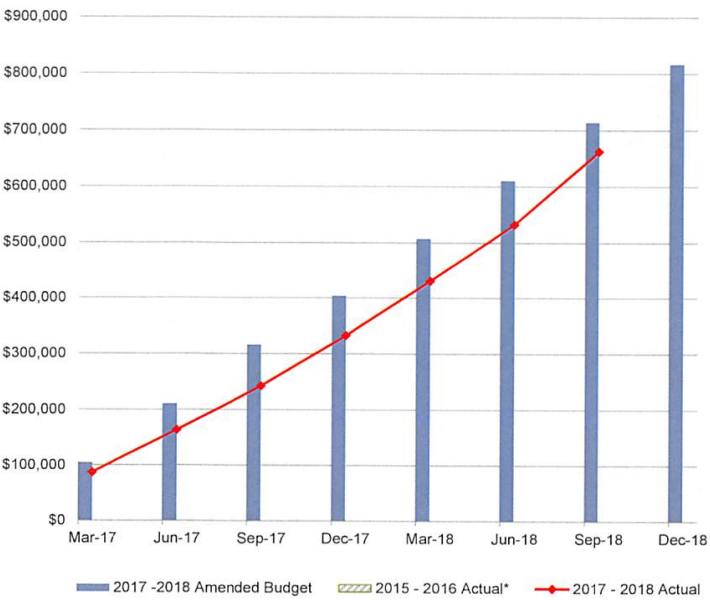
	2017 -2018 Amended Budget	2017 - 2018 Actual
Mar-17	\$178,100	\$166,209
Jun-17	\$339,200	\$374,408
Sep-17	\$500,299	\$544,802
Dec-17	\$740,667	\$726,796
Mar-18	\$925,419	\$886,557
Jun-18	\$1,093,170	\$1,052,605
Sep-18	\$1,260,922	\$1,225,738
Dec-18	\$1,428,673	

Finance Expenditures



	2017 -2018 Amended Budget	2017 - 2018 Actual
Mar-17	\$105,433	\$87,802
Jun-17	\$210,866	\$164,145
Sep-17	\$316,299	\$242,684
Dec-17	\$404,732	\$332,943
Mar-18	\$507,893	\$431,230
Jun-18	\$611,054	\$532,683
Sep-18	\$714,214	\$663,321
Dec-18	\$817,375	

Information Technology Expenditures

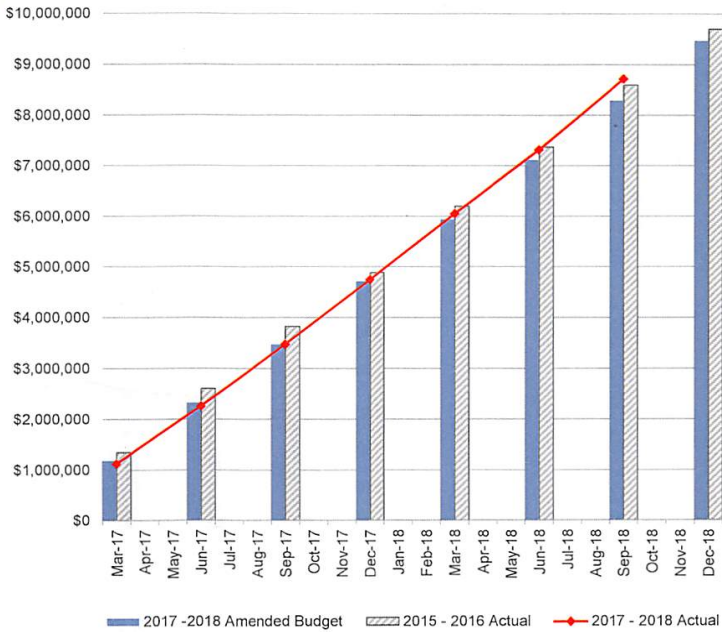


IT was not a separate department in the 2015-2016 biennium and cost are reflected in multiple departments.

General Fund Expenditures

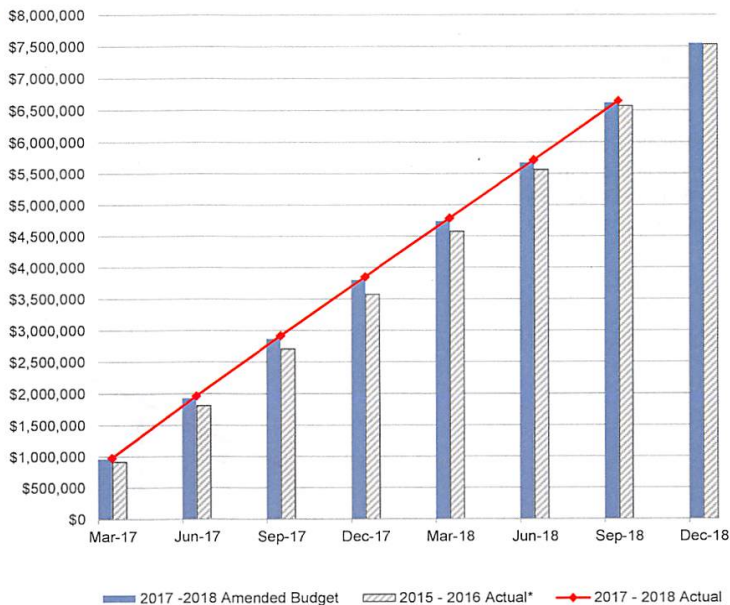
	2017 -2018 Amended Budget	2017 -2018 Actual
Mar-17	\$1,192,446	\$1,128,602
Jun-17	\$2,335,892	\$2,265,074
Sep-17	\$3,479,337	\$3,482,937
Dec-17	\$4,723,083	\$4,754,032
Mar-18	\$5,947,944	\$6,061,381
Jun-18	\$7,123,805	\$7,321,442
Sep-18	\$8,299,665	\$8,727,408
Dec-18	\$9,475,826	

Police Expenditures



	2017 -2018 Amended Budget	2017 -2018 Actual
Mar-17	\$966,188	\$982,977
Jun-17	\$1,932,375	\$1,968,687
Sep-17	\$2,870,063	\$2,920,507
Dec-17	\$3,807,450	\$3,855,972
Mar-18	\$4,745,138	\$4,792,949
Jun-18	\$5,682,825	\$5,723,424
Sep-18	\$6,620,513	\$6,653,651
Dec-18	\$7,557,900	

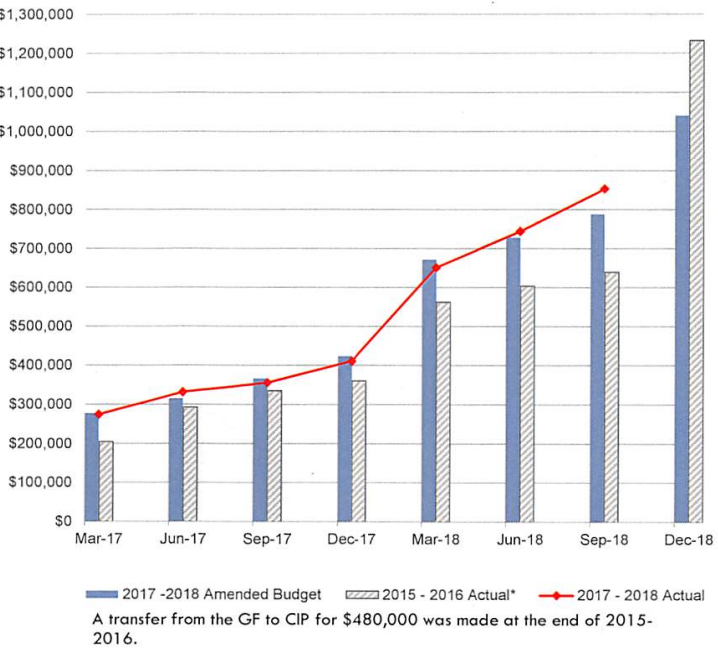
Fire Expenditures



General Fund Expenditures

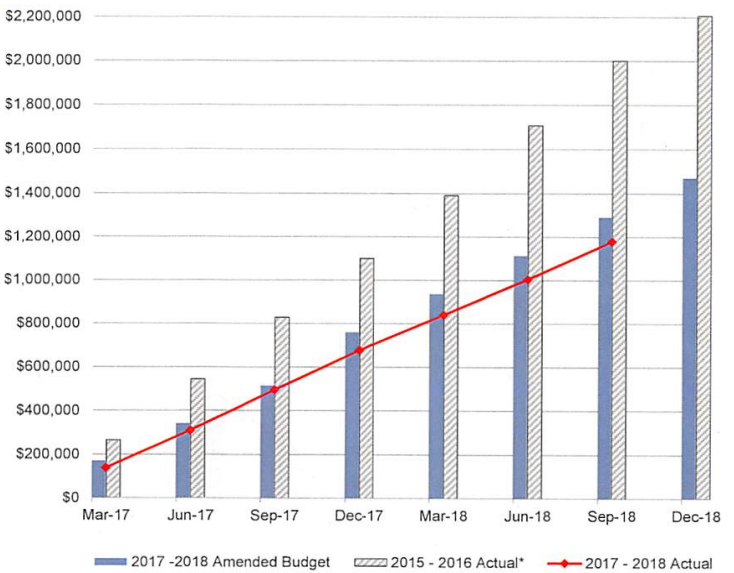
	2017 -2018 Amended Budget	2017 - 2018 Actual
Mar-17	\$278,542	\$275,364
Jun-17	\$316,836	\$332,539
Sep-17	\$367,238	\$356,772
Dec-17	\$424,910	\$411,806
Mar-18	\$672,970	\$652,013
Jun-18	\$729,230	\$745,037
Sep-18	\$789,290	\$854,606
Dec-18	\$1,041,850	

Non-Department Expenditures



	2017 -2018 Amended Budget	2017 - 2018 Actual
Mar-17	\$171,888	\$140,363
Jun-17	\$343,776	\$310,793
Sep-17	\$515,663	\$497,012
Dec-17	\$761,049	\$679,115
Mar-18	\$938,790	\$841,621
Jun-18	\$1,116,532	\$1,005,783
Sep-18	\$1,294,273	\$1,180,744
Dec-18	\$1,472,014	

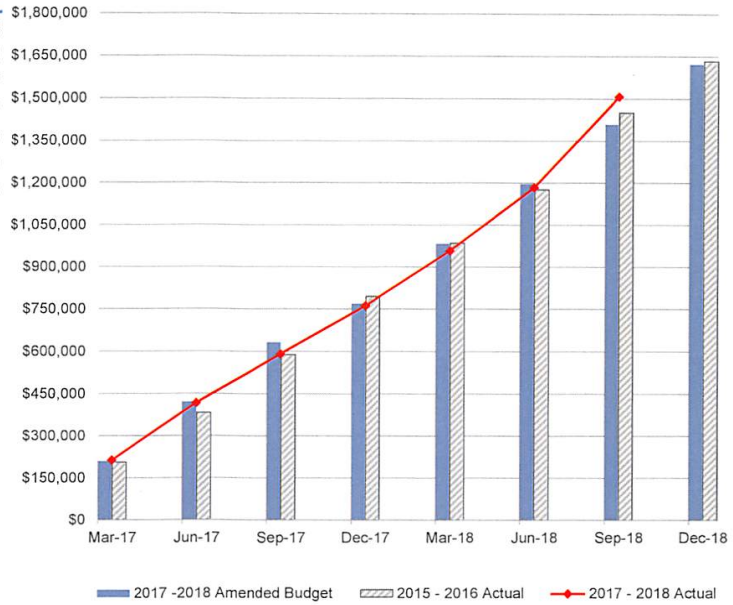
Community Development Expenditures



General Fund Expenditures

	2017 -2018 Amended Budget	2017 - 2018 Actual
Mar-17	\$211,223	\$214,858
Jun-17	\$422,446	\$419,210
Sep-17	\$633,669	\$592,767
Dec-17	\$771,394	\$763,947
Mar-18	\$984,650	\$959,566
Jun-18	\$1,197,906	\$1,185,169
Sep-18	\$1,411,162	\$1,509,618
Dec-18	\$1,624,418	

Public Works Expenditures



Cash and Investments Balances

	9/30/2018	12/31/2017
Cash Bank Accounts ⁽¹⁾	\$ 431,048	\$ 546,168
State Local Government Investment Pool (LGIP)	\$13,233,016	\$ 12,296,489
US Government Agency Securities ⁽²⁾	\$ 5,250,892	\$ 7,229,784
Total Cash and Investment Holdings	\$18,914,956	\$ 20,072,441

(1) Reflects General Ledger balances, not actual bank cash balances.

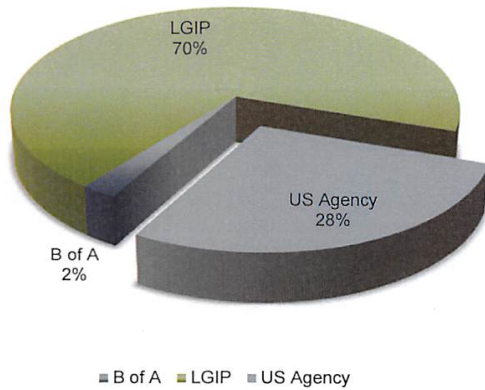
(2) Investments are reported at original cost

Cash and Investments By Fund

	General	REET	CIP	Parks	Roads	Surface Water	Equipment Replacement	Other	Totals
Securities	3,751,758	999,134	-	500,000	-	-	-	-	5,250,892
LGIP	2,180,521	3,581,907	370,880	2,342,099	2,169,532	65,029	1,650,278	872,769	13,233,016
Cash	4,342	27,684	1,005	23,739	50,441	1,491	2,508	319,838	431,048
Totals	5,936,621	4,608,725	371,886	2,865,838	2,219,973	66,520	1,652,787	1,192,607	18,914,957

Investment Summary

Cash and Investments by Category



Security Type	
US Agency - Original Cost	\$ 5,250,892
Local Government Investment Pool (LGIP)	\$ 13,233,016
Bank of America Checking	\$ 431,048
Total Investment Portfolio	\$ 18,914,956